

**CONTRACT FOR SALE AND PURCHASE
OF A PERMANENT EASEMENT**

THIS AGREEMENT, made this 24th day of April, 2013, by and between **RICHARD L. HUDSON and CAROLYN J. HUDSON**, husband and wife, as owner of the following described property, whose mailing address is 1008 57th Street East, Bradenton, Florida 34208, hereinafter "Seller," and **MANATEE COUNTY, by and through its Board of County Commissioners**, a political subdivision of the State of Florida, whose mailing address is P.O. Box 1000, Bradenton, Florida 34206, hereinafter "Buyer":

W I T N E S S E T H:

That in consideration of the mutual covenants herein contained and other good and valuable consideration, the parties hereto agree that the Seller shall sell and the Buyer shall buy, upon the following terms and conditions, the following real property which is located in Manatee County, State of Florida, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference.

It is further agreed by and between the parties as follows:

1. **PURCHASE PRICE**: The purchase price shall be three thousand, five hundred dollars and no cents (**\$3,500**). The full amount of the purchase price, subject to adjustment upon closing as hereinafter provided, shall be paid at the time of closing this transaction, same being the time at which Seller shall deliver to the Buyer a **permanent easement** as required by this contract.

2. **TITLE EVIDENCE**: Due to the nature of this conveyance, Seller will not be required to furnish an Abstract of Title or Title Insurance. Buyer may conduct whatever title search Buyer deems necessary. Prior to or during closing, Seller shall deliver to Buyer an Affidavit of Ownership and Encumbrance. If Buyer notifies Seller of existing title defects other than those to which the conveyance is to be made subject by the terms of this Agreement and other than those for which recordable discharges are, in accordance with local custom, to be furnished at the closing, then Seller shall promptly make a diligent effort to perfect the title to the extent called for by this Agreement.

3. **RECORDING**: Buyer shall pay for the cost of recording the deed.

4. **SALE AND PURCHASE**: **This sale and purchase is made under threat of and in lieu of eminent domain proceedings.**

5. **TAXES**: This section is not applicable to the sale and purchase of the permanent easement previously described herein.

6. **CLOSING**: This transaction shall be closed on or before _____. Closing shall be held in the county where property is located, at the following location, Manatee County Government Administration Center, 1112 Manatee Avenue West, Bradenton, Florida 34205 or other location agreeable to both parties.

7. **MORTGAGES, LIENS AND OTHER ENCUMBRANCES**: Seller shall furnish to Buyer at the time of closing, releases or satisfaction of any mortgages, liens or other encumbrances, including but not limited to any leasehold interest affecting Seller's clear title to the real or personal property to be purchased.

Contract for Sale and Purchase of a
Permanent Easement continued:

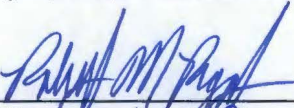
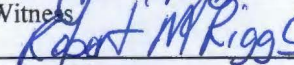
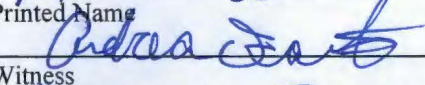
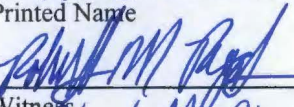
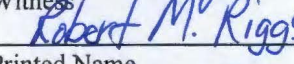
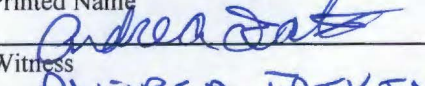
8. **BROKER'S FEE:** Buyer will pay no commission to any broker in connection with the purchase and sale of the above-described property, and Seller warrants that it has assumed no obligation to pay any such commission in connection therewith.

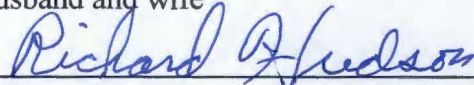
9. **PERMANENT EASEMENT:** Seller shall deliver to the Buyer a good, sufficient and properly recordable permanent easement conveying to Buyer marketable title to the above-described property, subject only to any restrictive covenants, reservations, building lines or setbacks, and easements of record, and any County zoning restrictions or regulations in effect.

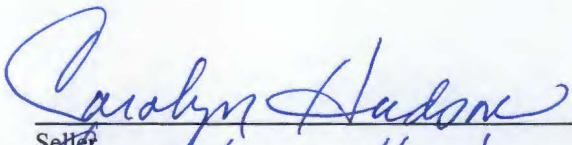
10. **SPECIAL PROVISIONS:** Buyer will construct a permanent sidewalk within the permanent easement previously described herein. The permanent sidewalk will be constructed pursuant to the Plan & Profile Sheet [STA 28+48.33, 26.45' LT CONST. MES] on page 7 of the construction plans dated March 4, 2011. The Plan & Profile Sheet is identified and attached hereto as Exhibit "B."

IN WITNESS WHEREOF, the parties hereto have executed this contract, this _____ day of _____, 2013.

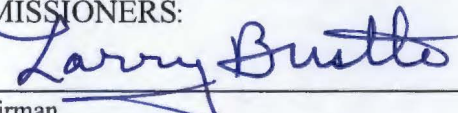
Signed, sealed, and delivered in the presence of:


 Witness

 Printed Name

 Witness
 ANDREA FATKIN
 Printed Name

 Witness

 Printed Name

 Witness
 ANDREA FATKIN
 Printed Name

SELLER:
 Richard L. Hudson and Carolyn J. Hudson,
 husband and wife

 Seller
 RICHARD HUDSON
 Printed Name


 Seller
 CAROLYN HUDSON
 Printed Name

BUYER:
 MANATEE COUNTY, FLORIDA,
 by and through its BOARD OF COUNTY
 COMMISSIONERS:

By: 
 Chairman

Date: ~~5/8/13~~ 5/7/13 (SS)

ATTEST: R. B. SHORE
 Clerk of the Circuit Court

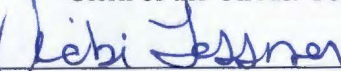
By: 
 Deputy Clerk



EXHIBIT "A"

LEGAL DESCRIPTION

Parcel Identification No.: 1427100001

PARCEL 805 (Pedestrian Sidewalk Easement)

A Pedestrian Sidewalk Easement lying in the northwest quarter of Section 34, Township 34 South, Range 18 East, Manatee County, Florida, being over and across a portion of that certain parcel of land as described and recorded in Official Records Book 528, Page 751, Public Records of Manatee County, Florida, said easement being 8.00 feet in width (measured perpendicular) and lying immediately west of and contiguous with the west right of line of Morgan Johnson Road.

Parcel 805 as described contains 1355 square feet, more or less.

SURVEYOR'S NOTES:

- 1.) This Description Sketch is not valid without this Exhibit "A" legal description and the sketch (Page 2) entitled "Description Sketch Morgan Johnson Road Parcel 805 Pedestrian Sidewalk Easement in Section 34, Township 34 South, Range 18 East, Manatee County".
- 2.) North and the bearings shown hereon are referenced to Grid North, West Zone of the Florida State Plane Coordinate System, North American Datum (NAD) of 1983, adjustment of 1990. For a bearing reference the bearing of North 00°13'22" West along the monumented and locally accepted east line of NW 1/4 of Section 34, Township 34 South, Range 18 East was used.
- 3.) Legal description was prepared by CivilSurv Design Group, Inc. per client request and is based on parent parcel deed of record as recorded in O.R. Book 528, Page 751.
- 4.) This map was prepared at the scale stated and may have been reduced in size by reproduction. This must be considered when obtaining scaled information.
- 5.) A Letter of Ownership prepared by Signature Title Company (File No. 10-24406.5) dated November 29, 2010 was reviewed. Additional research of the Manatee County public records was not performed by this Office. Property boundaries were determined from limited field survey, plats of record, and record title.

10/09/12 - REVISE FROM PARCEL 105 TO PARCEL 805

024-002008esmt.dwg

DESCRIPTION SKETCH
MORGAN JOHNSON ROAD
PARCEL 805-PEDESTRIAN SIDEWALK EASEMENT
IN SECTION 34, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY

Prepared By:  2525 Drane Field Road
 Suite 7
 Lakeland, FL 33811
 Tel: 863-646-4771

CIVILSURV
 CIVILSURV DESIGN GROUP, INC.

DATE: 6/15/11
 SCALE: 1" = 20'
 DRAWN BY: G.L.A.
 PROJECT NO.: 024:002:008

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
 RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 PREPARED UNDER THE DIRECTION OF
 CIVILSURV DESIGN GROUP, INC. LB 7805 BY:

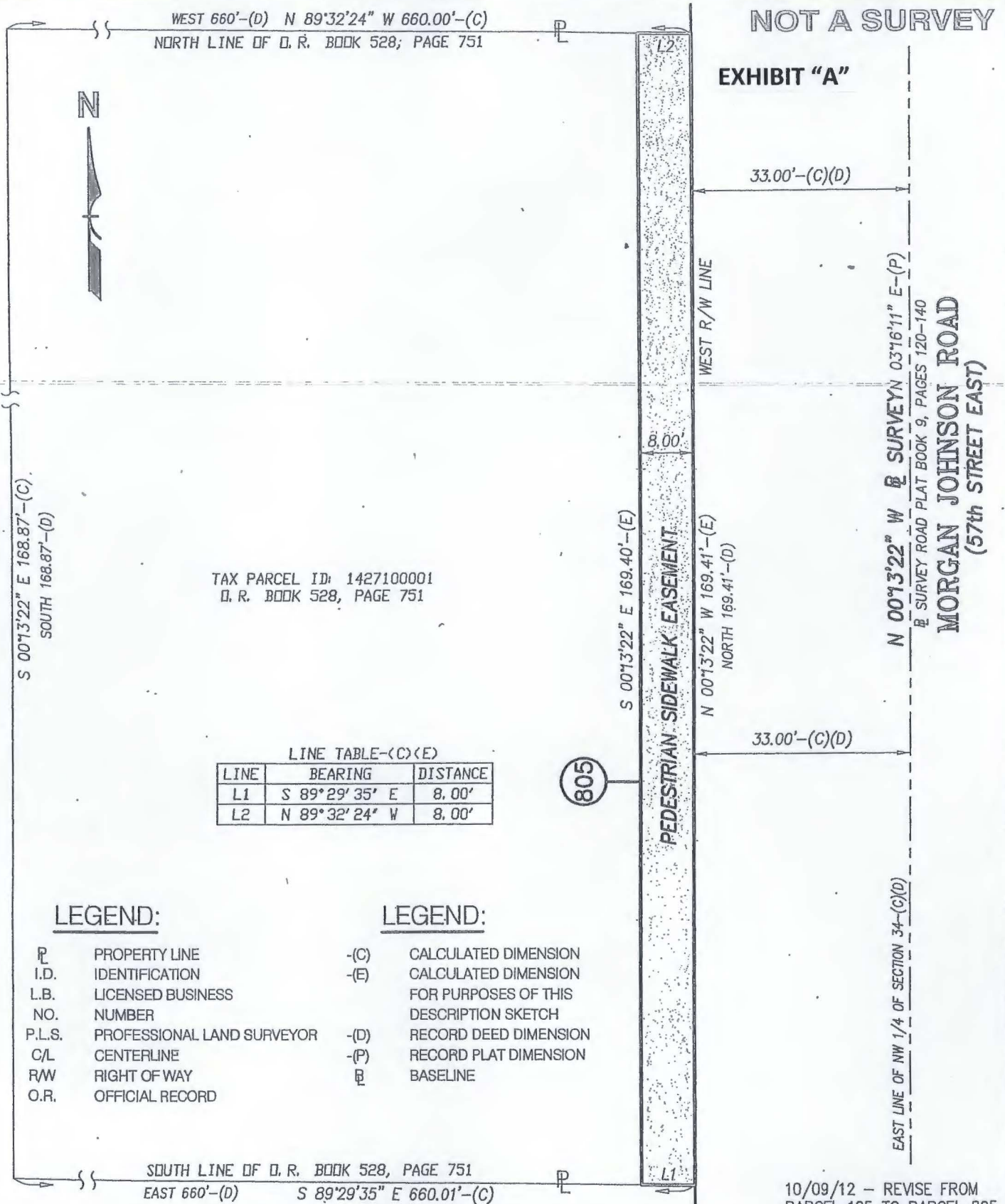

 GARY L. ALLEN, P.L.S.
 FLORIDA REGISTRATION No. 4756
 CIVILSURV DESIGN GROUP, INC.
 FLORIDA REGISTRATION No. LB 7805

6/15/11
 DATE:

PAGE 1 OF 2

NOT A SURVEY

EXHIBIT "A"



DESCRIPTION SKETCH

MORGAN JOHNSON ROAD

PARCEL 805-PEDESTRIAN SIDEWALK EASEMENT

IN SECTION 34, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY

20 0 10 20



1" = 20'

REFER TO PAGE 1 FOR LEGAL DESCRIPTION,
SURVEYOR'S NOTES AND CERTIFICATION

Prepared By:



2525 Drane Field Road
Suite 7
Lakeland, FL 33811
Tel: 863-646-4771

DATE: 6/15/11
SCALE: 1" = 20'
DRAWN BY: G.L.A.
PROJECT NO.: 024:002:008

024-002008esmt.dwg

REVISED May 7, 2013 - Regular Meeting
Agenda Item #32

Subject

Morgan Johnson Road Sidewalk Project Purchase Contract, Hudson, Parcel 805

Briefings

None

Contact and/or Presenter Information

Paul Johnson, Property Management, Ext. 6284

Joaquin Servia, Division Manager, Property Management, Ext.3021

APPROVED in Open Session

Manatee County Board of County
Commissioners

Action Requested

Authorization for Chairman to execute Contract for Purchase of a Permanent Easement from Richard L. Hudson and Carolyn J. Hudson for the Morgan Johnson Sidewalk Project in the amount of \$3,500. Also, request BCC to authorize the acceptance and recording of final instruments, subsequent or concurrent with the closing of property.

Enabling/Regulating Authority

Chapters 125 and 127, Florida Statutes. Comp Plan - Goals 5.3 Addresses bikeway and pedestrian systems.

Background Discussion

The Morgan Johnson Road sidewalk is a Manatee County requested sidewalk which involves the construction of 2,950 linear feet of sidewalk and 250 feet of reinforced concrete pipe from the 1500 block of Morgan Johnson Road northward to State Road 64.

The property is located at 1008 East 56th Street, Bradenton, Florida, on the west side of Morgan Johnson Road and south of State Road 64. A Permanent Easement is required on this property, identified as Parcel 805.

An appraisal by Philip R. Hobby of Independence Acquisition & Appraisal, LLC, on January 12, 2013, for Parcel 805, valued the land at \$2,600, improvements including driveway, two solar powered driveway lights, and sod at \$900, for a parcel total of \$3,500.

A settlement was reached at the appraisal value of \$3,500. There are no attorney fees or related fees and costs.

The Contract for Purchase of a Permanent Easement is hereby submitted to the BCC for execution in the amount of \$3,500.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

The Contract for Purchase of a Permanent Easement was verbally discussed and reviewed by Andrea Adibe, Assistant County Attorney.

Reviewing Attorney

N/A

Instructions to Board Records

Please return a copy of the executed contract to Andrea Adibe, Assistant County Attorney, andrea.adibe@mymanatee.org, Paul Johnson, Property Management, paul.johnson@mymanatee.org, Johnnie Yetter, Project Management, johnnie.yetter@mymanatee.org, and Christy Cultrera, Finance, christy.cultrera@manateeclerk.org. - Snt copy to above mentioned via email - 5/9 SS

Cost and Funds Source Account Number and Name


\$3,500 (Contract Price) Funding Source: 414-6054770

Amount and Frequency of Recurring Costs

N/A

Attachment: [Morgan Johnson Project Map Parcel #805 .pdf](#)

Attachment: [MJ 805 Purchase Contract signed .pdf](#)

An aerial photograph of a residential neighborhood. A white callout box with a pointer is positioned over a specific parcel. The map shows various streets, including 'WIFE' at the top left, 'LADY' in the middle left, 'LADY' in the middle right, 'COSTE' in the bottom right, and 'MORGAN RD' at the bottom. A large parking lot is visible in the lower-left quadrant. A compass rose is located in the bottom-left corner of the map area.

**MORGAN JOHNSON
SIDEWALK PROJECT**
Parcel: 805

Morgan Johnson Sidewalk Project
Section 5, Township 35 S, Range 18 E
Commissioners: Vanessa Baugh, Robin DiSabatino