

This instrument prepared by:  
Joaquin Servia, Manager, Property Acquisition  
Property Management Department  
P.O. Box 1000  
Bradenton, Florida 34206



PROJECT # 335-6071160  
PARCEL # 701  
ID # 15451.1435/9

### TEMPORARY CONSTRUCTION EASEMENT

For and in consideration of the benefits accruing to the owner, **SON T. PHUNG**, a single man, as Grantor, whose mailing address is 3404 43<sup>rd</sup> Terrace East, Bradenton, Florida 34208-7398, does hereby give, grant, bargain and release to the **COUNTY OF MANATEE**, a political subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, a Temporary Construction Easement to enter upon that portion of the owner's land, said portion described as follows:

**See legal description identified as Exhibit "A" attached hereto.**

*for the purpose of constructing the adjacent improvements and tying in and harmonizing said property and any existing improvements thereon with the construction to be undertaken by the County of Manatee.*

This Easement is granted upon the condition that the sloping and/or grading upon the above land shall not extend beyond the limits outlined above, and that all grading and/or sloping shall conform to all existing improvements on Grantor's property, and all work shall be performed in such a manner that existing improvements will be left in same or like condition.

This Easement shall be for a term of three years from the effective date, which is defined herein as the date of acceptance by the Manatee Board of County Commissioners.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness  
YEN THI HONG TRAW  
Printed Name  
Sack Sam  
Witness  
Sack Sam  
Printed Name

[Signature]  
Signature  
SON - PHUNG  
Printed Name

(Signature of two witnesses required by law)

STATE OF  
COUNTY OF

The foregoing instrument was acknowledged before me this 21 FEB 2013 2013, by phung son thanh as owner, who is/are personally known to me or who has/have produced passport as identification.

[Signature]  
NOTARY PUBLIC Signature  
Printed Name  
**NATHAN WEBBER**  
Vice Consul  
U.S. Consulate General  
Ho Chi Minh City, Vietnam



ACCEPTED IN OPEN SESSION 5/21/13

# LEGAL DESCRIPTION AND SKETCH

## TEMPORARY CONSTRUCTION EASEMENT


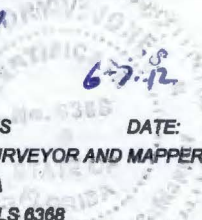
Parcel 701

That part of Lot 52 of Oak Trace subdivision, as recorded in Plat Book 41, Page 122, Public Records of Manatee County, Florida, being in Section 8, Township 35 South, Range 18 East more particularly described as follows:



Commence at the north quarter corner of said Section 8, thence along the east line of Highland Ridge subdivision as recorded in Plat Book 39, Page 55, Public Records of Manatee County, Florida, S 00° 13' 03" W a distance of 107.91 feet to the southeast corner of Tract "F"; thence continue S 00° 13' 03" W a distance of 60.01 feet to a point on the survey base line of 44th Avenue East per Manatee County Public Works Project 6071160; thence along said survey base line S 88° 48' 04" E a distance of 175.02 feet; thence departing said survey base line, N 00° 13' 03" E a distance of 60.01 to the southwest corner of said Lot 52, being the POINT OF BEGINNING; thence along the west line of said Lot 52, N 00° 13' 03" E a distance of 30.46 feet; thence departing said west line, S 43° 48' 04" E a distance of 43.08 feet to the south line of said Lot 52; thence along said south line, N 88° 48' 04" W a distance of 29.94 feet to the POINT OF BEGINNING.

Containing 456 square feet, more or less.

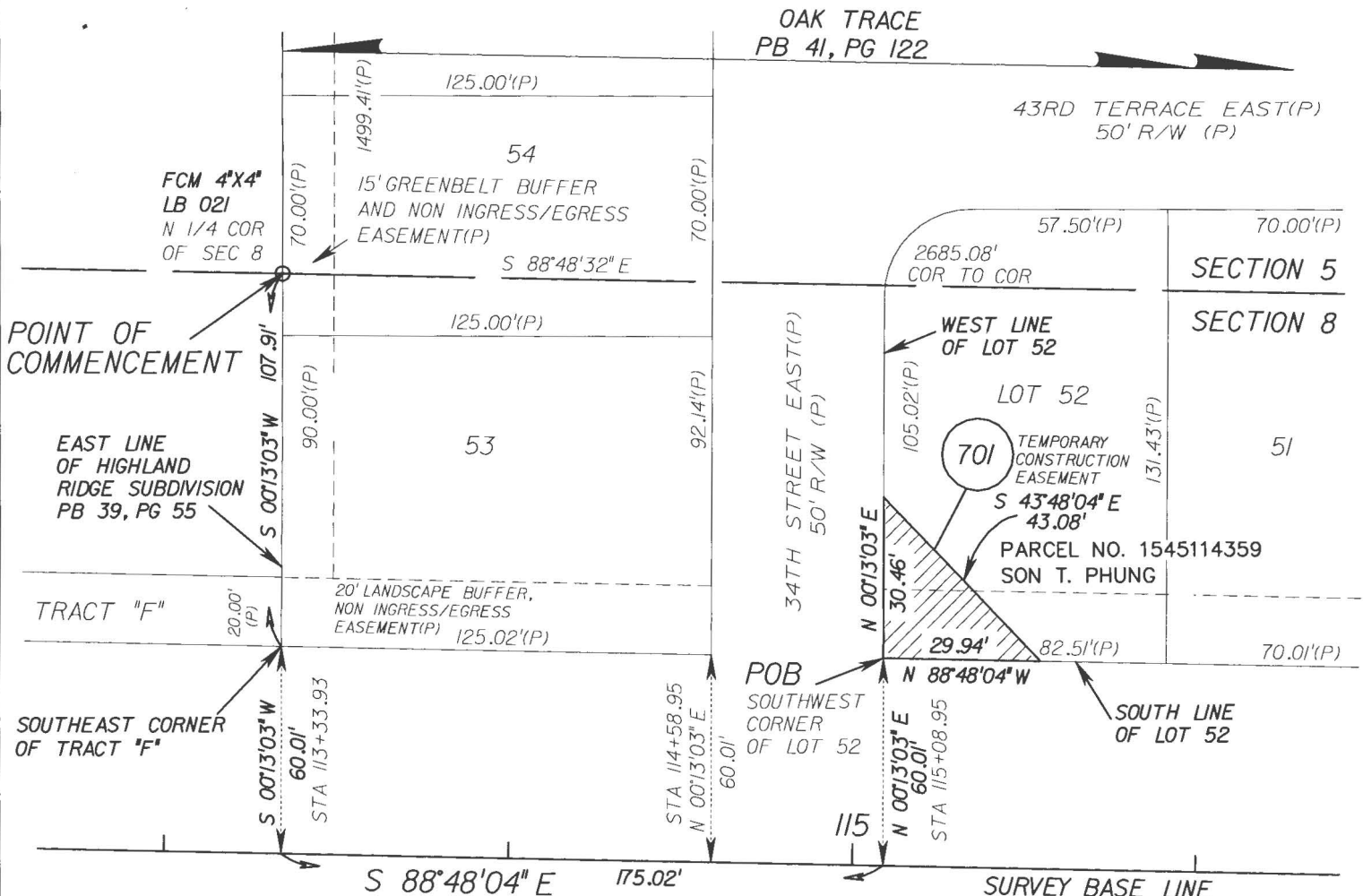
This legal description and sketch prepared by:

   
 GREGORY V. JONES      DATE: 6-7-12  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA  
 LICENSE NUMBER LS 8368

Note: Not Valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

			 <b>MANATEE COUNTY PUBLIC WORKS</b>		PREPARED BY:  <b>MKIM &amp; CREED</b> 378 INTERSTATE COURT SARASOTA, FL 34240 941-379-3404 LB 7917	
<b>PARCEL SKETCH - THIS IS NOT A SURVEY</b>						
			BY	DATE	<b>Parcel Number 701</b>	
			DRAWN	G. JONES	6/05/12	
REVISION	BY	DATE	CHECKED	R ABERNATHY	6/05/12	Project Number: 6071160    44th Avenue East
						SHEET 1 OF 2

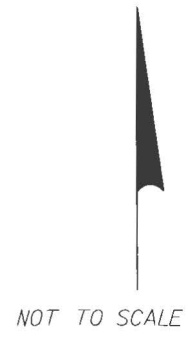
SECTION 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST



- ABBREVIATIONS**
- B - BASE LINE
  - CD - CHORD DISTANCE
  - CB - CHORD BEARING
  - COR - CORNER
  - D - DEGREE OF CURVATURE
  - FCIR - FOUND CAPPED IRON ROD
  - FCM - FOUND CONCRETE MONUMENT
  - FIR - FOUND IRON ROD
  - FND - FOUND
  - L - LENGTH OF CURVE
  - LT - LEFT
  - ID - IDENTIFICATION
  - NO. - NUMBER
  - O/S - OFFSET
  - ORB - OFFICIAL RECORD BOOK
  - (P) - PLAT
  - PB - PLAT BOOK
  - PC - POINT OF CURVATURE
  - PG - PAGE
  - PI - POINT OF INTERSECTION
  - POB - POINT OF BEGINNING
  - POC - POINT OF COMMENCEMENT
  - PT - POINT OF TANGENCY
  - R - RADIUS OF CURVE
  - RR - RAILROAD
  - RT - RIGHT
  - R/W - RIGHT OF WAY
  - SEC - SECTION
  - STA - STATION
  - T - TANGENT

THE BEARINGS SHOWN ON THIS SKETCH ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, 1983 NORTH AMERICAN DATUM, 1999 ADJUSTMENT, AS ESTABLISHED FROM THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST BEING A FCIR 5/8" - "FDOT" AND A FOUND 80d NAIL WITH DISK "ILLEGIBLE" DERIVING A BEARING OF  $N 01^{\circ}12'25'' W$ .

**This legal description and sketch is incomplete without the signed and sealed legal description.**



<b>MANATEE COUNTY PUBLIC WORKS</b>			PREPARED BY: <b>MKIM &amp; CREED</b> 378 INTERSTATE COURT SARASOTA, FL 34240 941-379-3404 LB 7917		
PARCEL SKETCH - THIS IS NOT A SURVEY					
	BY	DATE	Parcel Number 701		
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CHECKED	R ABERNATHY	6/05/12	Project Number: 6071160 44th Avenue East		
REVISION	BY	DATE	SHEET 2 OF 2		

Clerk of the Circuit Court - Manatee County  
R.B."Chips" Shore  
P.O. Box 25400, Bradenton FL 34206  
Visit our website: "www.manateeclerk.com"

INVOICE

BOARD RECORDS  
MAN CO PROJECT MGT

RECEIPT  
#1 of #1

001.133000

ATTN: STEVIEMARIE

AR PAYOR: AR700013 GOMC Book# 2473 Page# 5724  
DOC TYPE: EAS CALC AMOUNT: \$0.00

PAGES: 3 FILE# 003154384

Receipt: 475020934 5/22/13 2:34PM By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEE
R	RECORDING TRUST	199	000000341150	0	2.00
R	RECORDING FEES	001	000000341100	0	13.00
R	CLERK CT TECH FUND	199	000000341160	0	5.70
R	FL ASSOC COURT CLERK	001	000000208911	0	0.30
R	BD OF COUNTY COMM	001	000000208912	0	6.00

RECEIPT TOTAL: \$27.00  
GRAND TOTAL: \$27.00

Receipt#  
475020934 thru 475020934

OFFICE HOURS \*\*\*\*\*8:30 AM - 5:00 PM  
"Pride in Service with a Vision to the Future"

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R.B."Chips" Shore  
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REVISED May 21, 2013 - Regular Meeting  
Agenda Item #29

Subject

Son T. Phung, Parcel 701, Acquisition for 44th Avenue East (30th Street East to 45th Street East) Road Right of Way Improvement Project

Briefings

None

Contact and/or Presenter Information

Lynn Willis, Property Management, Ext. 6287

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

**APPROVED** in Open Session

Manatee County Board of County  
Commissioners

Action Requested

Acceptance of, and authorization to record Temporary Construction Easement from Son T. Phung.

Enabling/Regulating Authority

Chapters 125 and 127, Florida Statute, Comp Plan - Goal 5.1 addresses the safety and efficiency of forecasted vehicular demands.

Background Discussion

The original 44th Avenue East Road Right of Way Improvement Project was approved in the FY 1994/1995 CIP on February 25, 1994, and reapproved in FY 2009/2010 CIP on September 15, 2009, Resolution R-09-219.

On March 26, 2013, the BCC executed a Contract for Sale and Purchase for a Temporary Construction Easement of Parcel 701 from Son T. Phung in the amount of \$7,000.

On April 26, 2013, a closing was conducted by American Acquisition Group, LLC.

The conveyance document is hereby presented for execution, acceptance and/or recording.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Notification of document acceptance and/or recording to Lynn Willis, ext. 6287, [lynn.willis@mymanatee.org](mailto:lynn.willis@mymanatee.org),  
Property Acquisition, Property Management Department. - Emailed LW - 5/23/13 - SS

Cost and Funds Source Account Number and Name

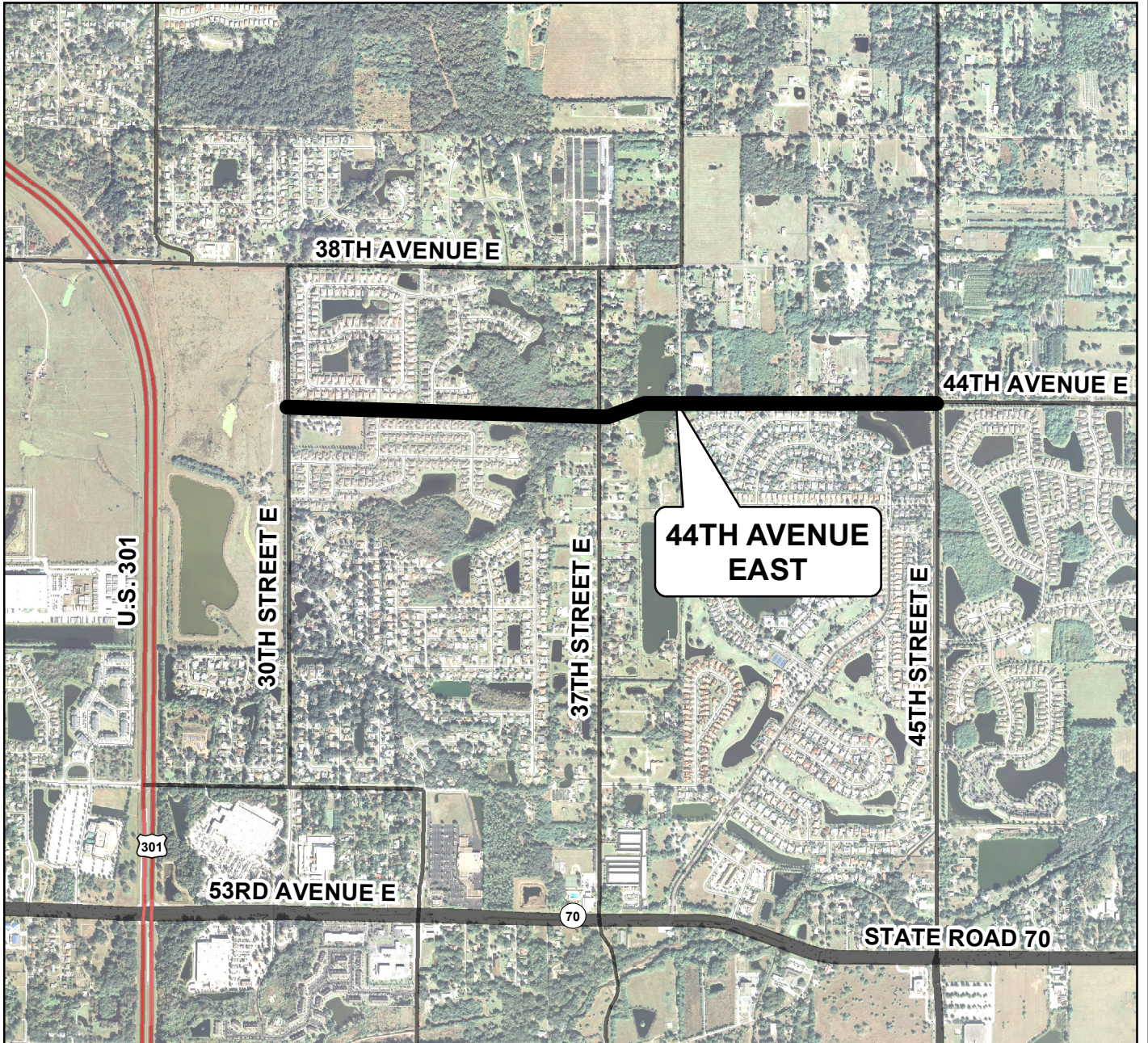
\$27.00 for (recording fee), CCC Charge Account# 700013, Project Management; 335-6071160 44th Avenue  
East (30th-45th Street East) Road Right of Way Improvement Project

Amount and Frequency of Recurring Costs

None

Attachment: [44th Ave E 30th-45th St Loc Map.pdf](#)

Attachment: [TCE phung p701.pdf](#)



**44TH AVENUE EAST**


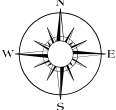

**44TH AVENUE EAST  
RIGHT-OF-WAY  
From 30th Street East to 45th Street East**

**Site Location:  
North of 53rd Avenue East, State Road 70  
East of U.S. 301**

**Sections 4&5/35/18**

**District 4  
COMMISSIONER ROBIN DISABATINO  
and  
District 5  
COMMISSIONER VANESSA BAUGH**

**Legend: 44th Avenue East Right-of-way**



1 inch equals 0.3 miles