

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

Project #6074870
Parcel #802
ID #5419500003



SPACE ABOVE THIS LINE FOR RECORDING DATA

UTILITY EASEMENT

THIS INDENTURE, made this 2nd day of MAY, 2013 between **THE SHERWIN-WILLIAMS COMPANY, successor-by-merger to SHERWIN-WILLIAMS DEVELOPMENT CORPORATION**, a Delaware corporation, whose mailing address is **101 Prospect Avenue, N.W. Cleveland, Ohio 44115**, as Grantor, and **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, as Grantee,

WITNESSETH

That said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto Grantee, **a non-exclusive access easement for ingress, egress, construction, installation, maintenance, and operation of public utility facilities** across the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

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

This is a nonexclusive utility easement with the Grantor reserving unto itself, its heirs, successors, or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes, which are not inconsistent with the rights granted herein unto the Grantee.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written.

(CORPORATE SEAL)



Signed, sealed, and delivered in the presence of:

THE SHERWIN-WILLIAMS COMPANY, successor-by-merger
to **SHERWIN WILLIAMS DEVELOPMENT CORPORATION**

Milena Kunc
Witness Signature
MILENA KUNC
Printed Name

BY: Catherine M. Kilbane
Senior Vice President
Catherine M. Kilbane
Printed Name

J. Koppi
Witness Signature
Shannon Koppi
Printed Name

ATTEST: _____
Secretary Signature
Printed Name

(Signature of two witnesses or secretary required by law)

ACCEPTED IN OPEN SESSION 5/21/13
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

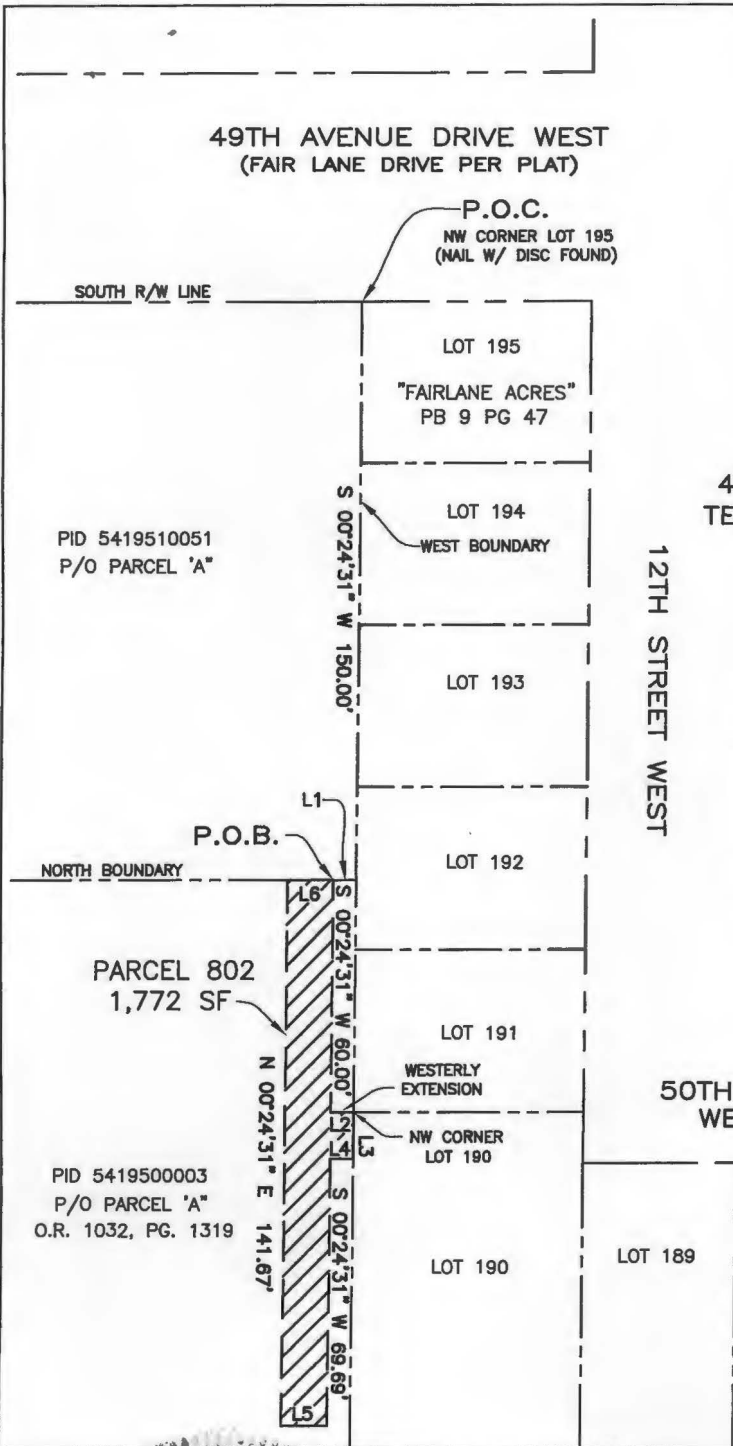
STATE OF ~~FLORIDA~~ OHIO
COUNTY OF ~~MANATEE~~ CUYAHOGA

The foregoing instrument was acknowledged before me this 2nd day of May, 2013, by Catherine M. Kilbane, of **THE SHERWIN-WILLIAMS COMPANY, successor-by-merger to SHERWIN-WILLIAMS DEVELOPMENT CORPORATION**, a Delaware corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.


Laura A. Moore
NOTARY PUBLIC Signature

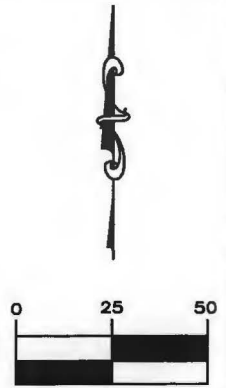
Laura A. Moore
Printed Name
LAURA A. MOORE
Notary Public - State of Ohio
My Commission Expires March 21, 2015

EXHIBIT "A"



LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R/W	RIGHT-OF-WAY
PID	PARCEL IDENTIFICATION
SF	SQUARE FEET
PB	PLAT BOOK
PG	PAGE
O.R.	OFFICIAL RECORDS
P/O	PART OF
	WATERLINE EASEMENT



49TH AVE.
TERR. WEST

PARCEL 802 DESCRIPTION

A WATERLINE EASEMENT LYING WITHIN A PART OF PARCEL "A" OF A PLAT ENTITLED "FAIR LANE ACRES" RECORDED AMONG THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA IN PLAT BOOK 9, PAGE 47; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A NAIL AND DISC FOUND AT THE NORTHWEST CORNER OF LOT 195 AS DESIGNATED ON THE ABOVEMENTIONED PLAT; THENCE ALONG THE WEST BOUNDARY OF LOTS 195, 194, 193 AND 192 OF AFORESAID PLAT, S 00°24'31" W, A DISTANCE OF 150.00 FEET TO A POINT AT THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1032, PAGE 1319 AMONG THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG THE NORTH BOUNDARY OF SAID LANDS, S 89°55'11" W, A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING; THENCE PARALLEL WITH WEST BOUNDARY OF LOTS 192, 191 AND 190 OF AFORESAID PLAT, S 00°24'31" W, A DISTANCE OF 60.00 FEET TO A POINT ON A WESTERLY EXTENSION OF THE NORTH BOUNDARY OF SAID LOT 190; THENCE ALONG SAID WESTERLY EXTENSION OF LOT 190, N 89°55'11" E, A DISTANCE OF 6.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 190; THENCE ALONG THE WEST BOUNDARY OF SAID LOT 190, S 00°24'31" W, A DISTANCE OF 12.00 FEET; THENCE S 89°55'11" W, A DISTANCE OF 6.00 FEET; THENCE S 00°24'31" W, A DISTANCE OF 69.69 FEET; THENCE N 89°57'12" W, A DISTANCE OF 12.00 FEET; THENCE N 00°24'31" E, A DISTANCE OF 141.67 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID LANDS; THENCE ALONG SAID NORTH BOUNDARY, N 89°55'11" E, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.


CONTAINING A DESCRIBED AREA OF 1,772 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

LINE TABLE

L1	S 89°55'11" W	6.00'
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L6	N 89°55'11" E	12.00'

NOTES

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON A PROJECTION OF THE STATE PLANE COORDINATE SYSTEM OF FLORIDA WEST ZONE (NAD 83/07 ADJUSTMENT).


 RUSSELL P. HYATT, P.S.M.
 Florida Surveyor's Reg'n. No. LS 5303
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PARCEL 802
 WATERLINE EASEMENT
 MANATEE COUNTY, FLORIDA

Hyatt Survey Services, Inc.
 Geographic Data Specialists
 LB No.: 7203
 11007 8th Avenue East Bradenton, Florida 34212
 Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 09-1459-1	SECTION 11, TOWNSHIP 35 SOUTH, RANGE 17 EAST	SCALE 1"=50'	DATE 10/2011	DRAWN BY CBW	FILE NAME PARCEL 802.DWG	SHEET 1 OF 1
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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
#2 of #2

001.133000

ATTN: STEVIEMARIE

AR PAYOR: AR700013 GOMC BK 2473 PG 5735 through BK 2473 PG 5737
DOC TYPE: EAS CALC AMOUNT: \$0.00
PAGES: 2 FILE# 003154390
Receipt: 475020938 5/22/13 2:48PM By: FGERNs

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	1.50
R	RECORDING FEES	001	000000341100	0	9.00
R	CLERK CT TECH FUND	199	000000341160	0	3.80
R	FL ASSOC COURT CLERK	001	000000208911	0	0.20
R	BD OF COUNTY COMM	001	000000208912	0	4.00

RECEIPT TOTAL: \$18.50
GRAND TOTAL: \$37.00

Receipt#
475020937 thru 475020938



OFFICE HOURS *****8:30 AM - 5:00 PM
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P.O. Box 1000
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Project #6074870
Parcel #802
ID#54195.0000/3

SPACE ABOVE THIS LINE FOR RECORDING DATA

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF Ohio
COUNTY OF Cuyahoga

BEFORE ME, the undersigned authority, this day personally appeared Catherine M. Kilbane, of **THE SHERWIN - WILLIAMS COMPANY, successor-by-merger to SHERWIN-WILLIAMS DEVELOPMENT CORPORATION**, a Delaware corporation, whose mailing address is **101 Prospect Road , N.W., Cleveland, Ohio 44115**, who being first duly sworn, deposes and says:

1. That the undersigned, hereinafter called the Grantor, is the owner of and has full authority to sell or encumber the following described property, (hereinafter "Property").

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

2. That the Grantor plans to convey an easement and/or property to the **COUNTY OF MANATEE** whose principal office is at 1112 Manatee Avenue West, Bradenton, Florida 34205 (hereinafter "Grantee").

3. To the best of my knowledge, the only mortgages, liens, encumbrances, including but not limited to any leasehold interest or potential claims against the Property are:

NONE

4. That there has been no labor, material, or service furnished for improvement of the Property, which remains unpaid, except as set forth in paragraph 3 of this affidavit.

5. That there are no claims, demands, liens, or judgments outstanding against the above-described property and the Grantor is not indebted to anyone for any such Property, except as set forth in paragraph 3 of this affidavit.

6. That the Grantor makes this affidavit for the purpose of assisting the Grantee in the acquisition of the above described property.

(Corporate Seal)

THE SHERWIN-WILLIAMS COMPANY, successor-by-merger to SHERWIN-WILLIAMS DEVELOPMENT CORPORATION

By: [Signature]
Senior Vice President
Catherine M. Kilbane

Printed Name

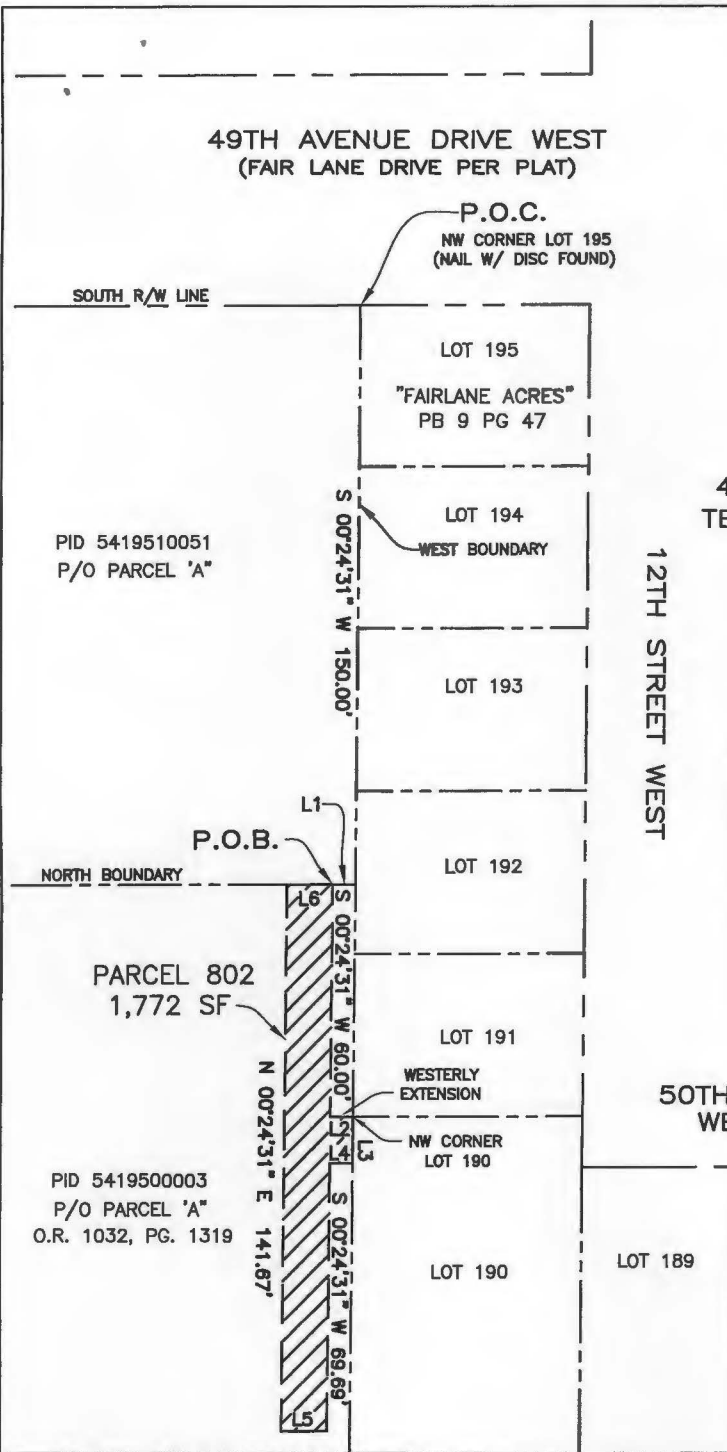
ACCEPTED IN OPEN SESSION 5/21/13
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

SWORN to (or affirmed) and subscribed before me this 2nd day of MAY, 2013, by Catherine M. Kilbane (name and title of agent) of **THE SHERWIN-WILLIAMS COMPANY, successor-by-merger to SHERWIN-WILLIAMS DEVELOPMENT CORPORATION**, a Delaware corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.

[Signature]
NOTARY PUBLIC Signature

Printed Name **LAURA A. MOORE**
Notary Public - State of Ohio
My Commission Expires March 21, 2015

EXHIBIT "A"



- LEGEND**
- P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - R/W RIGHT-OF-WAY
 - PID PARCEL IDENTIFICATION
 - SF SQUARE FEET
 - PB PLAT BOOK
 - PG PAGE
 - O.R. OFFICIAL RECORDS
 - P/O PART OF
 - WATERLINE EASEMENT



49TH AVE. TERR. WEST **PARCEL 802 DESCRIPTION**

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* BOARD RECORDS
MAN CO PROJECT MGT

RECEIPT
#1 of #2

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ATTN: STEVIEMARIE

AR PAYOR: AR700013 GOMC Book# Page#
DOC TYPE: AFF CALC AMOUNT: \$0.00
PAGES: 2 FILE#
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By: FGERNS

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GRAND TOTAL:

Receipt#
thru



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REVISED May 21, 2013 - Regular Meeting
Agenda Item #31

Subject

Pic Town Estates Water Lines - Phase I Project

Briefings

None

Contact and/or Presenter Information

Bill Pearce / extension 6281

Joaquin Servia, Division Manager, Property Acquisition / extension 3021

APPROVED in Open Session

Manatee County Board of County
Commissioners

Action Requested

Acceptance of, authorization to record, a Utility Easement from The Sherwin-Williams Company, identified as Parcel 802, being a portion of the Pic Town Estates Waterline Project.

Authorization to record Affidavit of Ownership and Encumbrances from The Sherwin-Williams Company.

Enabling/Regulating Authority

Chapters 125 and 127 Eminent Domain, Florida Statute.

Comp Plan: Goal 11.5-11.7 Address the potable water system.

Background Discussion

- The Pic Town Estates Waterline - Phase I Project was approved in the FY 2009-2014 CIP.
- Parcel 802 contains a 1,772 square foot easement for constructing and maintaining a new water line in the front of the property. It will replace the existing water line at the rear of the property.
- The owner conveyed the Utility Easement by donation.
- The aforementioned documents are hereby presented to the BCC for acceptance and recording.

County Attorney Review

Not Reviewed (Utilizes exact document or procedure approved within the last 18 months)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Please notify Bill Pearce (bill.pearce@mymanatee.org), Property Acquisition Division, Property Management Department, at extension 6281, regarding recording information. - Emailed BP - 5/23/13 - SS

Cost and Funds Source Account Number and Name

CCC Charge Account #700013; Project Management; \$37(Recording Fees); Project#6074870-561000-6074870-0003; Pic Town Water Line Replacement Project

Amount and Frequency of Recurring Costs

N/A

Attachment: [sherwinwilliamslocationmap.pdf](#)

Attachment: [sherwinwilliamsUE.pdf](#)

Attachment: [sherwinwilliamsAOE.pdf](#)

**The Sherwin-Williams
Company
4931 14th Street West
ID#54195. 0000/3**



12 ST W

50 AVE PLZ W

**Project No. 413-6074870
Pic Town Estates Water Lines
Phase I**

**DISTRICT 4
COMMISSIONER
ROBIN DISABATINO**

