

THE FOLLOWING WILL SERVE AS THE RECORD OF ALL ACTIONS TAKEN DURING THE PERIOD
(June 21-July 29, 2013) UNDER THE AUTHORITY OF RESOLUTION R-09-161

2013 Recess Agenda
Agenda Item #6

Subject

44th Avenue East (30th Street East to 45th Street East) Road Right-of-Way Improvement Project, Parcels 108A,B&C (Bear)

Briefings

None

ACCEPTED in Open Session
July 30, 2013
Manatee County Board of County Commissioners

Contact and/or Presenter Information

Joaquin Servia, Manager, Property Acquisition Division, X3021
Lynn Willis, Real Property Specialist, Property Acquisition Division, X6287

Action Requested

- Accept and Record Warranty Deed from James L. Bear and Jane R. Bear, husband and wife, for property located at 4413 37th Street East, Bradenton, Florida 34203, for road improvements.
- Record Affidavit from James L. Bear and Jane R. Bear, husband and wife.

Enabling/Regulating Authority

Chapters 125 and 127, Florida Statutes, and Manatee County Comprehensive Plan - Goal 5.1 addresses the safety and efficiency of forecasted vehicular demands.

Background Discussion

On June 18, 2013, the Board of County Commissioners executed the Contract for Purchase for a Warranty Deed with James L. Bear and Jane R. Bear, husband and wife, and the Closing of this transaction was held June 27, 2013.

Conveyance documents are hereby presented to the Board of County Commissioners for acceptance and recording.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Andrea A. Adibe, Assistant County Attorney, assisted in negotiating and finalizing this transaction.

Reviewing Attorney

N/A

Instructions to Board Records

Warranty Deed and Affidavit Recorded on July 10, 2013. Recording Fees charged to Account AR700013, Project Management.

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Original Warranty Deed and original Affidavit returned to Joaquin Servia, Manager, Property Acquisition Division, on July 11, 2013.

July 11, 2013 - Copies of recorded Warranty Deed and Affidavit e-mailed to: Lynn Willis, Real Property Specialist, Property Acquisition Division (lynn.willis@mymanatee.org), and Sandi Murphy, Legal Assistant, County Attorney's Office (sandra.murphy@mymanatee.org).

Cost and Funds Source Account Number and Name

\$20.00 - Recording Fees / 335-6071160 (Road Impact Fees Dist. D.)

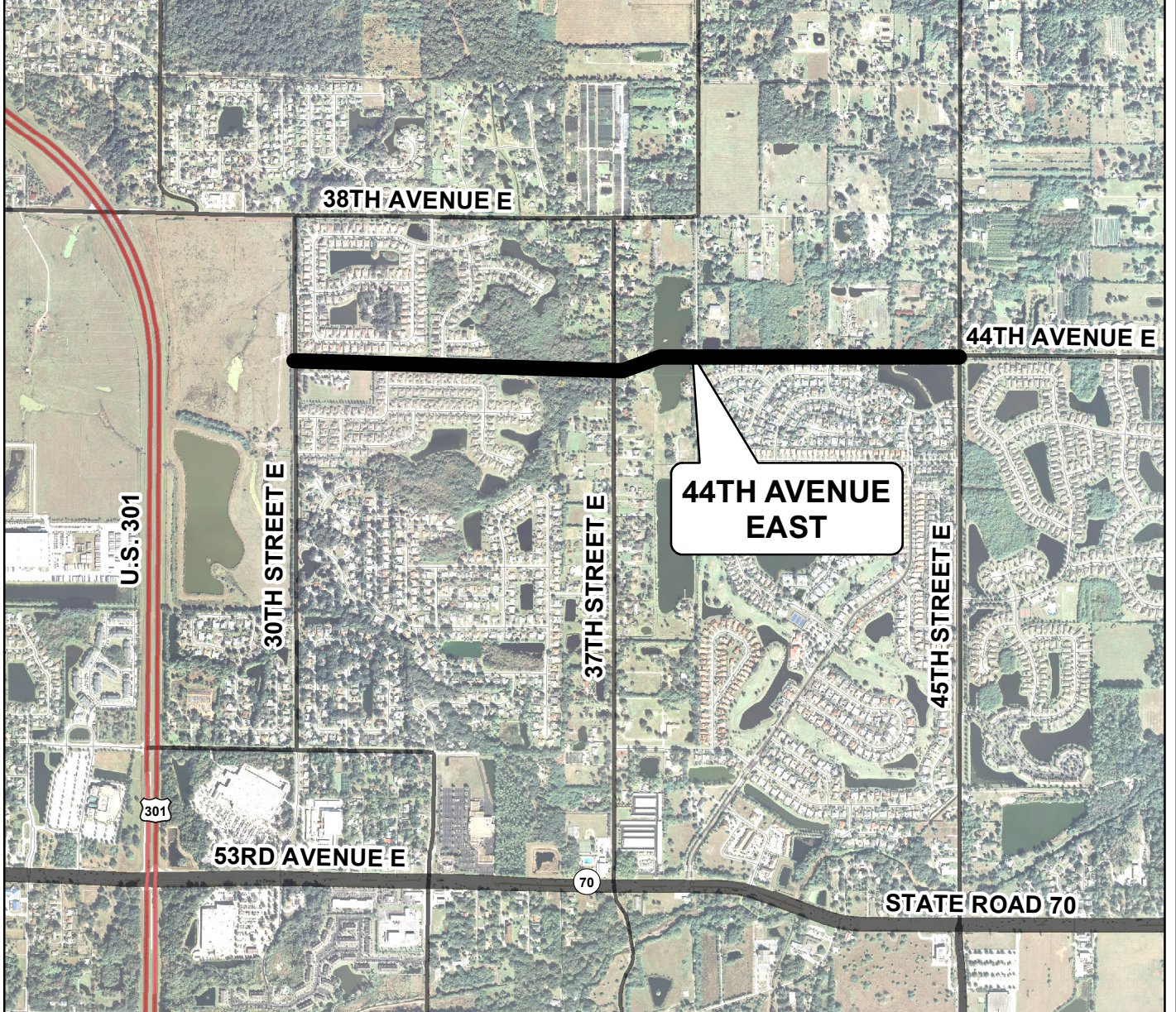
Amount and Frequency of Recurring Costs

N/A

Attachment: LocationMap_44thAveEProject_30th-45th.pdf

Attachment: Bear Warranty Deed & Affidavit.pdf

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**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

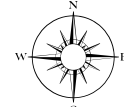
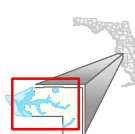
Sections 4&5/35/18

**District 4
COMMISSIONER ROBIN DISABATINO
and**

**District 5
COMMISSIONER VANESSA BAUGH**

Page 38 of 128

Legend: 44th Avenue East Right-of-way



1 inch equals 0.3 miles



This Document Prepared By and Return to:
Signature Title Company
1310 4th Avenue West
Bradenton, FL 34205



Parcel ID Number: 16839.1036/6

Warranty Deed

This Indenture, Made this **28th** day of **June**, 2013 A.D., **Between**
JAMES L. BEAR and JANE R. BEAR, husband and wife

THE FOLLOWING WILL SERVE AS THE RECORD OF ALL ACTIONS TAKEN DURING THE PERIOD and
MANATEE COUNTY July 29, 2013 UNDER THE AUTHORITY OF RESOLUTION 09-16

whose address is: **PO Box 1000, Bradenton, FL 34206**

of the County of **Manatee**, State of **Florida**, grantee.
Witnesseth that the GRANTORS, for and in consideration of the sum of

-----**TEN DOLLARS (\$10)**----- DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of **Manatee** State of **Florida** to wit:

The North 305 feet of Tract 3, LAZY "B" RANCHES, as per plat thereof recorded in Plat Book 15, pages 82 and 83, Public Records of Manatee County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2012, and easements restrictions and reservations of record.

This conveyance is made in lieu of eminent domain proceedings and is not subject to documentary stamp tax.

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: **Owen E. Harris**
Witness

Printed Name: **JAMES L. BEAR** (Seal)
P.O. Address: 4413 37th Street East, Bradenton, FL 34203

Printed Name: **Kimberly McCullen**
Witness

Printed Name: **JANE R. BEAR** (Seal)
P.O. Address: 4413 37th Street East, Bradenton, FL 34203

STATE OF **Florida**
COUNTY OF **Manatee**

The foregoing instrument was acknowledged before me this **27th** day of **June**, 2013 by
JAMES L. BEAR and JANE R. BEAR, husband and wife

who have produced their **Florida driver's licenses** as identification.

ACCEPTED in Open Session
July 30, 2013
Manatee County Board of County Commissioners

Page 39 of 128
Printed Name: _____
Notary Public
My Commission Expires: _____



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

MAN CO PROJECT MGT
ATTN:

RECEIPT
#1 of #2

001.133000

FL

AR PAYOR: AR700013 GOMC Book# Page#
DOC TYPE: D CALC AMOUNT: \$10.00
PAGES: 1 FILE#
Receipt: 410202414 7/10/13 3:31PM By: DC

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
RD	RECORDING TRUST	199	000000341150	0	1.00
RD	DOCUMENTARY STAMPS	001	000000208901	0	0.70
RD	RECORDING FEES	001	000000341100	0	5.00
RD	CLERK CT TECH FUND	199	000000341160	0	1.90
RD	FL ASSOC COURT CLERK	001	000000208911	0	0.10
RD	BD OF COUNTY COMM	001	000000208912	0	2.00

RECEIPT TOTAL: \$10.70
GRAND TOTAL:



Receipt#

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OFFICE HOURS *~~(June 21 - July 29, 2013)~~ UNDER THE AUTHORITY OF RESOLUTION R-09-161
"Pride in Service with a Vision to the Future"

Clerk of the Circuit Court - Manatee County
R.B."Chips" Shore
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Visit our website: "www.manateeclerk.com"

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GRAND TOTAL:



Receipt#
thru

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

AFFIDAVIT

(NO LIEN)

STATE OF Florida
COUNTY OF Manatee



Before me, the undersigned authority, personally appeared
JAMES L. BEAR and JANE R. BEAR, husband and wife

who being by me duly sworn, on oath, deposes and says:

1. That they are the owner(s) of the following described property, to wit:

The North 305 feet of Tract 3, LAZY "B" RANCHES, as per plat thereof recorded in Plat Book 15, pages 82 and 83, Public Records of Manatee County, Florida.

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2. That the above described property is free and clear of all liens, taxes, encumbrances and claims of every kind, nature and description whatsoever, except for mortgage or mortgages, if any, described in the deed given between the parties named herein, and except for real estate and personal property taxes for the year 2013.

3. That within the past 90 days there have been no improvements, alterations, or repairs to the above described property for which the costs thereof remain unpaid, and that within the past 90 days there have been no claims for labor or material furnished for repairing or improving the same, which remain unpaid, except the following:

NONE

4. That there are no mechanic's, materialmen's, or laborer's liens against the above described property.

5. That the personal property contained in the buildings on said property, or on the said premises, and which, if any, is being sold to the purchaser(s) mentioned below, is also free and clear of all liens, encumbrances, claims and demands whatsoever.

6. That affiant(s), in the operation of said building and property, complied in all respects with the SALES TAX LAW of the State of Florida.

7. That there are no violations of Municipal Ordinances pertaining to the above described property.

8. That this affidavit is made for the purpose of inducing
MANATEE COUNTY, a corporation existing under the laws of the State of Florida

to purchase said property from affiant(s):

JAMES L. BEAR and JANE R. BEAR, husband and wife

9. Affiant(s) agree(s) that in the event the current real estate and personal property taxes vary in amount from the figures used in making the prorations had in closing the transfer and conveyance of the above described property to said purchaser(s) then a new proration and a correct and proper adjustment will be made upon demand.

10. That no judgment or decree has been entered in any court of this state or the United States against said affiant(s), and which remains unsatisfied.

11. Affiant(s) further state that they are each familiar with the nature of an oath; and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant(s) further certify that they have read, or have heard read to them, the full facts of this affidavit, and understand its context.

James L. Bear (SEAL)
JAMES L. BEAR

Jane R. Bear (SEAL)
JANE R. BEAR

STATE OF Florida
COUNTY OF Manatee

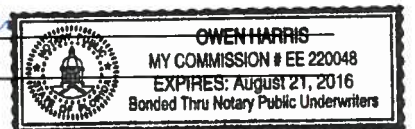
Sworn to and subscribed before me this 27th day of June, 2013 by
JAMES L. BEAR and JANE R. BEAR, husband and wife

who have produced their Florida driver's licenses as identification.

ACCEPTED in Open Session
July 30, 2013
Manatee County Board of County Commissioners

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Printed Name:
Notary Public
My Commission Expires:



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PAGES: 1 FILE# 003171445
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RECEIPT TOTAL: \$10.00
GRAND TOTAL: \$20.70

Receipt#
410202414 thru 410202415

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