

**THIS INSTRUMENT PREPARED BY:**  
David Cole, Acquisition Agent, RTD Group  
On Behalf of: Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205

PROJECT NAME: Ellenton Gillette Road (US 301 to Moccasin Wallow Road)  
PROJECT#: 381-6035161  
PARCEL#:5  
PID#: 923200000

-----SPACE ABOVE THIS LINE FOR RECORDING DATA-----

**WARRANTY DEED**

***THIS WARRANTY DEED*** made this 18 day of oct, 2016, between **DWAYNE J. DAVIS** and **ANN C. DAVIS**, husband and wife, whose mailing address is 1207 36<sup>th</sup> Avenue East, Ellenton, Florida 34222 as "**Grantor**," and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, as "**Grantee**,"

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

**WITNESSETH:**

***THAT***, the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain real property situated in Manatee County, State of Florida, more particularly described as **Parcel 5** in **Exhibit "A"** attached hereto and incorporated herein by this reference.

***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, and hereby warrants the title to said real property 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 for the year 2016 and subsequent years.

**THIS WARRANTY DEED** is made and executed under threat of and in lieu of eminent domain proceedings, and it is thus not subject to documentary stamp taxation.

***IN WITNESS WHEREOF*** the said Grantor has signed and sealed these presents the day and year first above written.

**SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.**

Signed, sealed, and delivered in the presence of:

Chadwick T. Corey  
Witness

Chadwick T. Corey  
Printed Name

Deanna Davis  
Witness

Deanna Davis  
Printed Name

Chadwick T. Corey  
Witness

Chadwick T. Corey  
Printed Name

Deanna Davis  
Witness

Deanna Davis  
Printed Name

(Signature of two witnesses required by law.)

[Signature]

Grantor  
**DWAYNE J. DAVIS**  
Printed Name

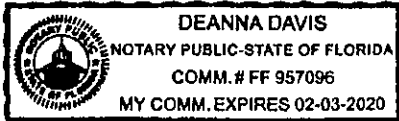
Ann C. Davis

Grantor  
**ANN C. DAVIS**  
Printed Name

STATE OF Florida  
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of October, 2016, by Dwayne J. Davis and Ann C. Davis, husband and wife, who are () personally known to me or () who have produced \_\_\_\_\_ as identification.

Notary Public Seal:



My Commission Expires: 2/3/20

Deanna Davis

NOTARY PUBLIC, State of Florida

Deanna Davis  
Printed Name

# EXHIBIT "A"

DESCRIPTION: RIGHT-WAY-PARCEL 5 - (ELLENTON GILLETTE ROAD / U.S. 301)

THAT PART OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2443, PAGE 5549, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S88°22'57"E, ALONG THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 1146.48 FT. TO THE INTERSECTION WITH THE SURVEY BASELINE OF ELLENTON GILLETTE ROAD; THENCE RUN THE FOLLOWING TWO (2) COURSES ALONG SAID SURVEY BASELINE: RUN S00°18'11"E, 8.92 FT.; THENCE S01°00'44"W, A DISTANCE OF 1739.96 FT. FOR A POINT OF BEGINNING; THENCE N89°34'09"W, ALONG THE NORTHERLY LINE OF THAT CERTAIN PARCEL AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2443, PAGE 5549, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 60.73 FT.; THENCE S00°20'24"W, A DISTANCE OF 72.00 FT. TO THE INTERSECTION WITH THE SOUTHERLY LINE OF SAID CERTAIN PARCEL; THENCE S89°34'09"E, ALONG SAID SOUTHERLY LINE AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 59.89 FT. TO THE INTERSECTION WITH SAID SURVEY BASELINE OF ELLENTON GILLETTE ROAD; THENCE N01°00'44"E, ALONG SAID SURVEY BASELINE, A DISTANCE OF 72.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 17, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

LESS MAINTAINED RIGHT-OF-WAY FOR ELLENTON GILLETTE ROAD

CONTAINING 2,199 SQUARE FEET (0.05 ACRES) MORE OR LESS.

(REFER TO SHEET 2 OF 2 FOR SKETCH)

MAY 27, 2015

DATE OF CERTIFICATE

  
KENNETH C. KOLARIK  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA CERTIFICATE NO. 5116

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7870.001

SHEET NUMBER 1 OF 2

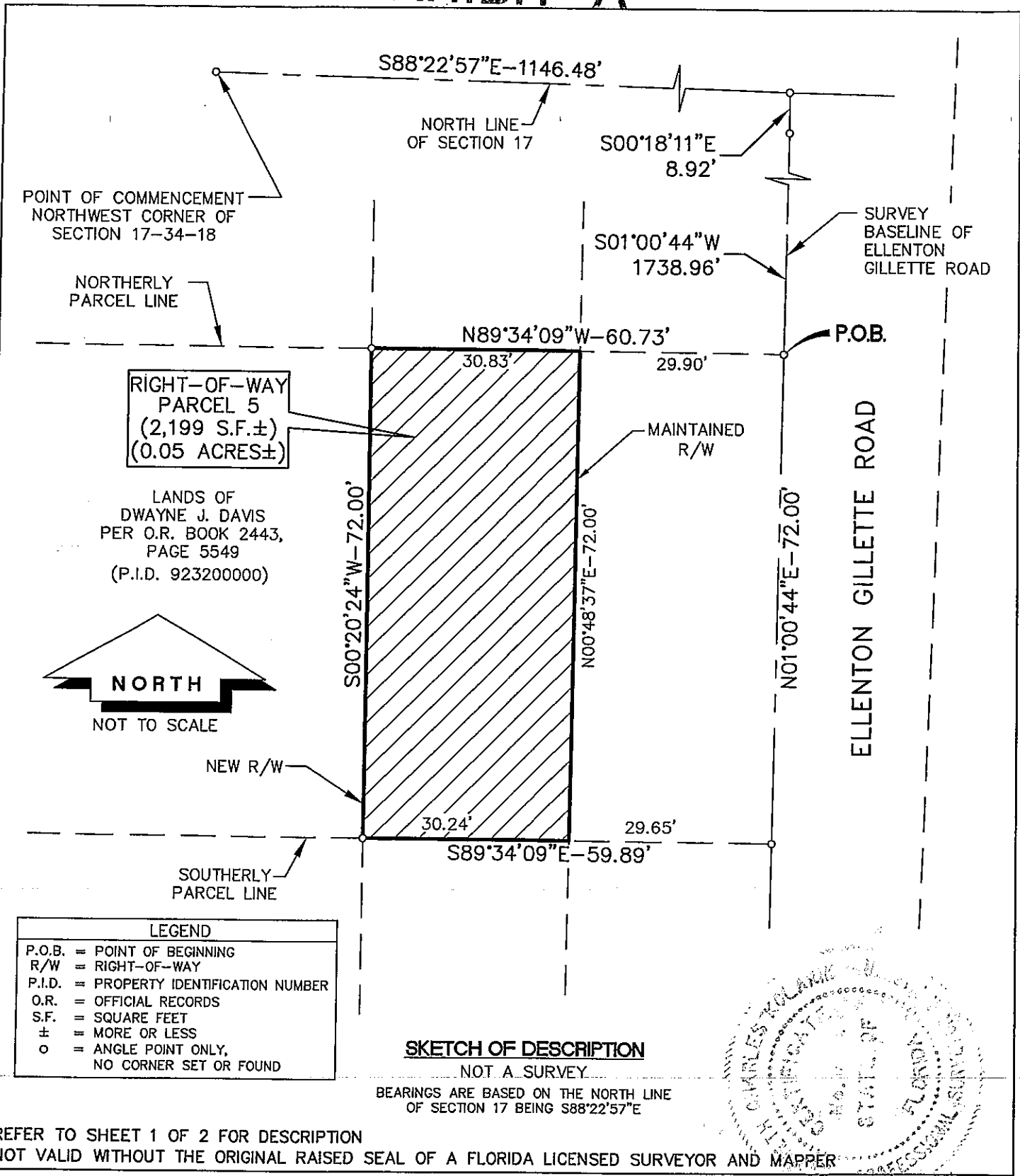
**LOMBARDO, FOLEY & KOLARIK, INC.**

Consulting Engineers, Surveyors and Planners

P.O. Box 188 • 825 4th Street West • Palmetto, Florida 34221 • (941) 722-4561



# EXHIBIT "A"

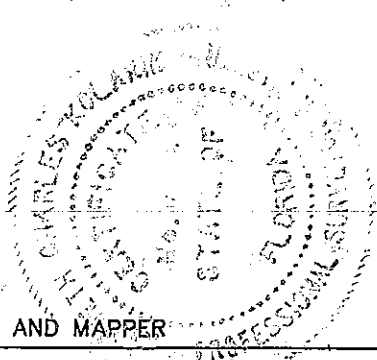


LEGEND	
P.O.B.	= POINT OF BEGINNING
R/W	= RIGHT-OF-WAY
P.I.D.	= PROPERTY IDENTIFICATION NUMBER
O.R.	= OFFICIAL RECORDS
S.F.	= SQUARE FEET
±	= MORE OR LESS
o	= ANGLE POINT ONLY, NO CORNER SET OR FOUND

**SKETCH OF DESCRIPTION**

NOT A SURVEY

BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 17 BEING S88°22'57"E



REFER TO SHEET 1 OF 2 FOR DESCRIPTION  
 NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7870.001 DRAWN BY: MKS SCALE: NONE SHEET NUMBER 2 OF 2

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ELLGILLRD301SK 051415 CURTIS

**APPROVED** in Open Session

Manatee County Board of County  
Commissioners

Manatee County Government Administrative Center  
Commission Chambers, First Floor  
9:00 a.m. - March 7, 2017

3/7/17

March 7, 2017 - Regular Meeting  
Agenda Item #50

Subject

Warranty Deed from Dwayne J. Davis and Ann C. Davis for property located at 1207 36th Avenue East, Ellenton, Florida; PID 923200000

Briefings

None

Contact and/or Presenter Information

Joy Leggett-Murphy, Property Acquisition Division Manager, Property Management, Extension 3439.

Tim Cristello, Real Property Specialist, Property Acquisition Division, Property Management, Extension 6284.

Action Requested

- Accept Warranty Deed from Dwayne J. Davis and Ann C. Davis.

Enabling/Regulating Authority

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

Background Discussion

- On December 13, 2016, the Board of County Commissioners executed a contract from Dwayne J. Davis and Ann C. Davis for Parcel 5 in the amount of \$121,068.37.
- Parcel 5 is improved with a single-family home that is owner occupied at 1207 36th Avenue East in Ellenton. The project requires a partial take of 2,199 square feet.
- Dwayne J. Davis and Ann C. Davis, the homeowners, retained Michael R. Whitt, attorney with Robins Kaplan, LLP. Property Acquisition reached a settlement of \$121,068.37 which includes expert costs. This settlement avoids eminent domain and additional litigation fees.
- The acquisition is required for the Ellenton Gillette Intersection Improvement Project 381-6035161 (U.S. 301 at Ellenton Gillette Road).
- The real estate transaction has closed. This agenda item is to accept the conveyance documents and record the documents in Board Records.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records    Emailed 3/8/17

Please notify Tim Cristello at [Tim.Cristello@mymanatee.org](mailto:Tim.Cristello@mymanatee.org) and Michael Sturm at [Michael.Sturm@mymanatee.org](mailto:Michael.Sturm@mymanatee.org).

The conveyance documents have been recorded in Official Records. Please record in Board Records only.

Cost and Funds Source Account Number and Name

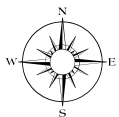
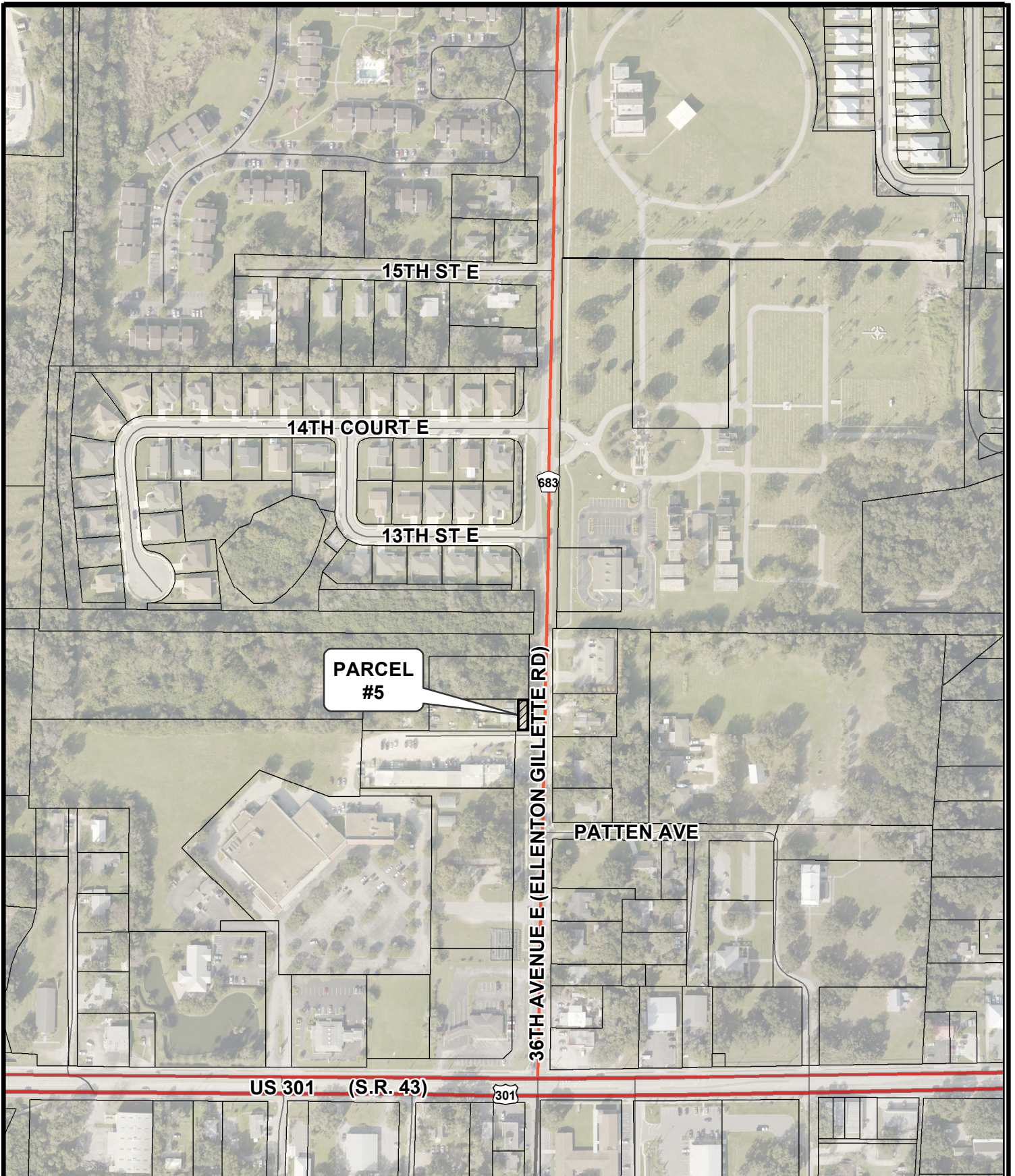
N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Warranty Deed Dwayne J. Davis and Ann C. Davis Parcel 5.pdf](#)

Attachment: [Parcel 5 Davis Location Map.pdf](#)



1 inch equals 300 feet

**PARCEL 5  
ELLENTON GILLETTE ROAD  
RIGHT-OF-WAY PARCELS - INTERSECTION**

**District 2 - COMMISSIONER CHARLES B. SMITH**

