



THIS INSTRUMENT PREPARED BY:
Denise Escobosa, Consultant Project Manager
Independence Acquisition and Appraisal, LLC
On behalf of Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Ste. 800
Bradenton, FL 34205

PROJECT NAME: 44th Ave East
PROJECT NO: 6086960
PARCEL NO: 119
PID NO: 1709200159

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

TRUSTEE'S DEED

THIS INDENTURE, made and entered into this 26th day of April, 2018, between **CHRISTOFER EMERY, INDIVIDUALLY AND AS SUCCESSOR TRUSTEE OF THE DONNA L. AND RALPH O. EMERY, JR. REVOCABLE LIVING TRUST DATED NOVEMBER 13, 2003, AS AMENDED DECEMBER 4, 2013, WHICH ALSO MAY BE REFERRED TO AS THE DONNA L. AND RALPH O. EMERY, JR. LIVING TRUST, JOINED BY HIS WIFE FLORINDA EMERY**, whose mailing address is 5110 44th Avenue East, Bradenton, Florida, 34203, (hereinafter the **Grantor**), and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, (hereinafter the **Grantee**).

WITNESSETH, that Grantor, for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00) and other valuable consideration paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred to the Grantee, said Grantee's heirs and assigns forever, the following described land, to wit:

See legal description identified as Exhibit A attached hereto and incorporated herein by this reference.

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

AND the Grantor covenants with Grantee that Grantor has good right and lawful authority to sell and convey the property and Grantor warrants the title to the property for any acts of Grantor and will defend the title against the lawful claims of all persons claiming by, through, or under Grantor and that said land is free of all encumbrances, except taxes accruing for the year 2018 and subsequent years.

This property is not the homestead property of the grantor, nor contiguous to homestead property, as such homestead is defined under Florida law.

SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGES.

ACCEPTED IN OPEN SESSION 5/22/2018
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of two witnesses as required by law:

GRANTOR:

Christofer Emery, Individually and as Successor Trustee of the Donna L. and Ralph O. Emery, Jr. Revocable Living Trust dated November 13, 2003, as amended December 4, 2013, which also may be referred to as the Donna L. and Ralph O. Emery, Jr. Living Trust

Carolyn J. Kearney
First Witness Signature

Carolyn J. Kearney
First Witness Printed Name

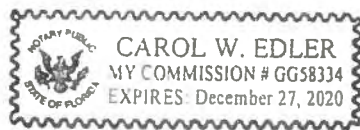
Carol W. Edler
Second Witness Signature

Carol W. Edler
Second Witness Printed Name

STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 8th day of February, 2018, by Christofer Emery, Individually and as Successor Trustee of the Donna L. and Ralph O. Emery, Jr. Revocable Living Trust dated November 13, 2003, as amended December 4, 2013, which also may be referred to as the Donna L. and Ralph O. Emery, Jr. Living Trust, who _____ is personally known to me or who has produced FDL as identification.

Affix seal below:



By: Christofer Emery
Signature

As: Successor Trustee
Title

Carol W. Edler
Notary Public Signature

Carol Edler
Printed Name

Commission Number

Expiration Date

GRANTOR:
Florinda Emery, wife

By: Florinda Emery
Signature

Carolyn J. Kearney
First Witness Signature

Carolyn J. Kearney
First Witness Printed Name

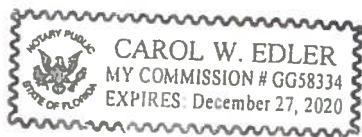
Carol W. Edler
Second Witness Signature

Carol W. Edler
Second Witness Printed Name

STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 8th day of February, 2018, by Florinda Emery, wife, who FDL is personally known to me or FDL who has produced FDL as identification.

Affix seal below:



Carol W. Edler
Notary Public Signature

Carol Edler
Printed Name

Commission Number

Expiration Date

Exhibit "A"

Description and Sketch

LEGAL DESCRIPTION

44th Avenue East (Manatee County Public Works Project Number 6086960)

Parcel Number 119

44th Avenue East

Manatee County

That part of Lot 23 of Royal Palm Gardens Subdivision as recorded in Plat Book 5, Page 17, Public Records of Manatee County, Florida, together with the easterly 25 feet of a 50 foot vacated road as recorded in Deed Book 366, Page 139 and Official Record Book 1549, Page 2048, Public Records of Manatee County, Florida, being in Section 10, Township 35 South, Range 18 East more particularly described as follows:

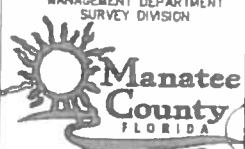
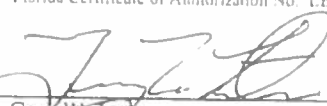
Commence at the Northwest Section Corner of said Section 10; thence South 89° 26' 25" East along the North line of the Northwest Quarter of said Section 10, a distance of 518.55 feet; thence South 00° 33' 35" West, a distance of 29.36 feet to the South right-of-way line of 44th Avenue East per Royal Palm Gardens Subdivision as recorded in Plat Book 5, Page 17, Public Records of Manatee County, Florida, to the POINT OF BEGINNING; thence South 89° 26' 33" East along said South right-of-way line and North line of said Lot 23, a distance of 223.40 feet to the Mean High Water Line as defined on the Florida Department of Environmental Protection drawing 5870; thence along said Mean High Water Line the following (4) four courses; 1) thence South 03° 53' 45" East a distance of 22.46 feet; 2) thence South 16° 06' 01" West a distance of 26.28 feet; 3) thence South 15° 47' 28" West a distance of 38.07 feet; 4) thence South 12° 12' 22" West a distance of 18.98 feet; thence North 89° 23' 31" West a distance of 200.96 feet to the West line of the easterly 25 feet of a 50 foot vacated road; thence North 01° 17' 07" West along said west line, a distance of 102.90 feet to the POINT OF BEGINNING.

Containing 0.507 acres or 22,104 square feet, more or less.

General Notes:

- 1) The bearings shown on this description and sketch are based on the Florida State Plane Coordinate System, West Zone, 1983 North American Datum, 2011 Adjustment, as established from the north line of the Northwest Quarter of Section 10, Township 35 South, Range 18 East being a found railroad spike and a found nail and disk deriving a bearing of South 89° 26' 25" East.
- 2) This legal description and sketch is supported by a Specific Purpose Survey dated 2/16 prepared under the responsible charges of Richard Edgerton, Professional Survey and Mapper Number 4292 of ZNS Engineering.
- 3) This legal description and sketch is incomplete without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.

SEE SHEET 1 FOR SKETCH
 NOT A BOUNDARY SURVEY
 PARCEL ID NO. 1709200159.

 <p>MANATEE COUNTY PROPERTY MANAGEMENT DEPARTMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST BRADENTON, FLORIDA, 34205 (941)748-4501</p>	<p>AECOM TECHNICAL SERVICES, INC. Florida Certificate of Authorization No. LB7860</p> <div style="text-align: center;">  Gary W. Lutz Florida P. Less 7650 West Court Tampa, FLOR Telephone No </div> <div style="text-align: right; margin-top: 10px;"> 8/7/17 <table border="1" style="font-size: small;"> <tr> <td style="width: 50px;">Dra</td> <td style="width: 50px;">By</td> <td style="width: 50px;">E</td> <td style="width: 50px;">#</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">Checked By:</td> <td colspan="2">G. Lutz</td> </tr> </table> </div>	Dra	By	E	#					Checked By:		G. Lutz		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right; padding: 5px;">Sheet: 2 OF 2</td> </tr> <tr> <td style="text-align: right; padding: 5px;">Section 10, Township 35 South, Range 18 East</td> </tr> <tr> <td style="text-align: right; padding: 5px;">Drawing Date: 1/9/17</td> </tr> </table>	Sheet: 2 OF 2	Section 10, Township 35 South, Range 18 East	Drawing Date: 1/9/17
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NW 1/4, Section 10, Township 35 South, Range 18 East
 Manatee County, Florida

Exhibit "A"

Description and Sketch

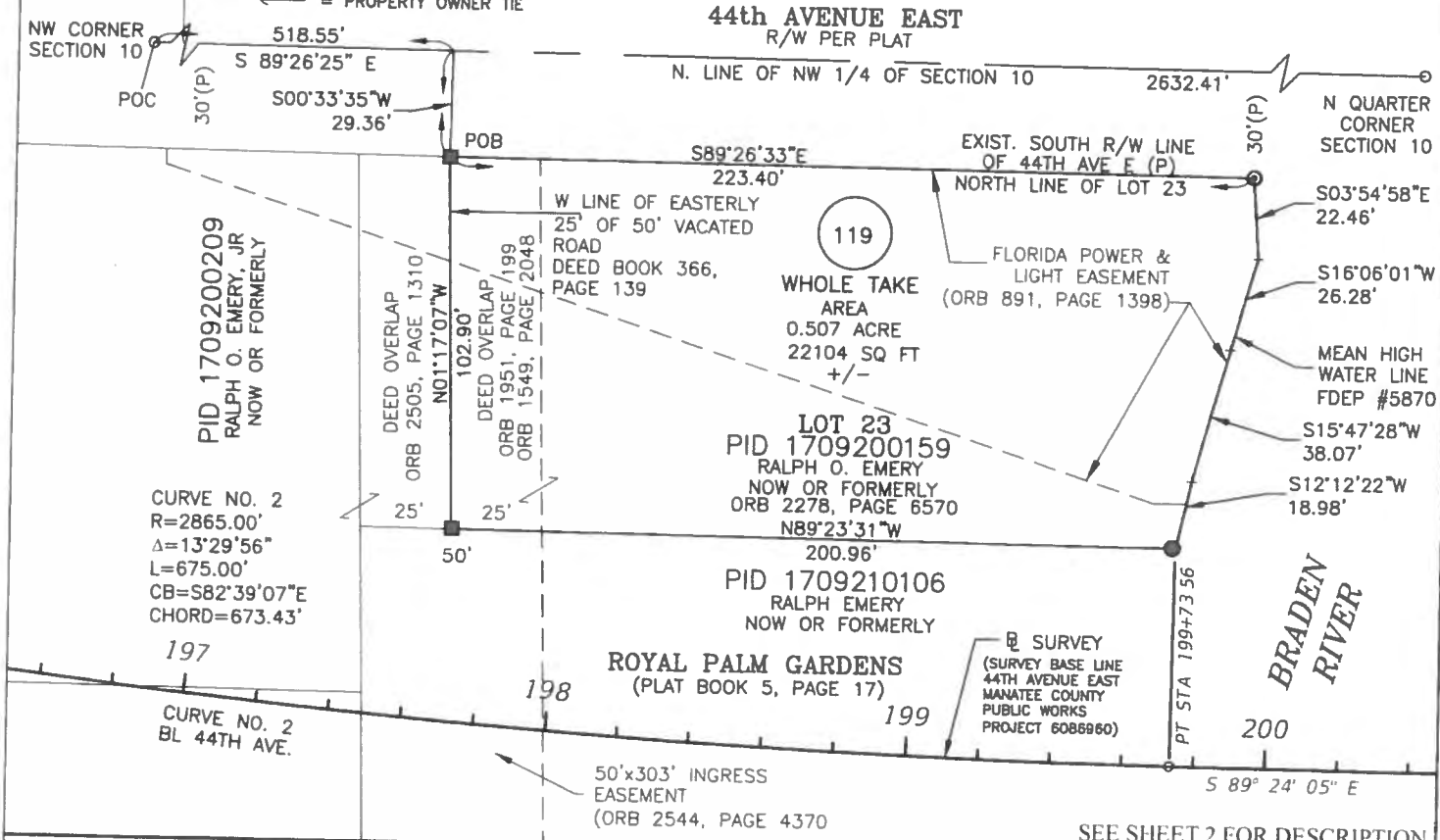
44TH AVENUE EAST PER MANATEE COUNTY PUBLIC
 WORKS PROJECT NUMBER 6086960
 (NOT A SURVEY)

Scale: 1" = 50'


52nd STREET E.

- LEGEND**
- (P) = PLAT
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 - FDEP = FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 - ← = PROPERTY OWNER TIE

PID 1513300002
 HARRY PINCUS
 NOW OR FORMERLY



SEE SHEET 2 FOR DESCRIPTION

FOR: MANATEE COUNTY PROPERTY MANAGEMENT DEPARTMENT SURVEY DIVISION  1112 MANATEE AVENUE WEST BRADENTON, FLORIDA, 34205, (941)748-4501	BY: AECOM TECHNICAL SERVICES, INC. 7650 W Courtney Campbell Causeway, Suite 700 Tampa Florida 33607 Phone (813) 286-1711 Florida Certificate of Authorization No. LB7860	Sheet: 1 OF 2 Section 10, Township 35 South, Range 18 East Drawing Date: 1/9/17



THIS INSTRUMENT PREPARED BY:
Denise Escobosa, Consultant Project Manager
Independence Acquisition and Appraisal, LLC
On behalf of Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Ste. 800
Bradenton, FL 34205

PROJECT NAME: 44th Ave East
PROJECT NO: 6086960
PARCEL NO: 119
PID NO: 1709200159

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

CERTIFICATION OF TRUST

BEFORE ME, the undersigned notary public, personally appeared **CHRISTOFER EMERY** (Affiant) who being first duly sworn, deposes and says that:

1. Affiant is the sole Successor Trustee of the Donna L. and Ralph O. Emery, Jr. Revocable Living Trust dated November 13, 2003, as amended December 4, 2013, which also may be referred to as the Donna L. and Ralph O. Emery, Jr. Living Trust (hereinafter the **Trust**).
2. The Trust exists and the Trust instrument was executed on November 13, 2003, and was amended on December 4, 2013.
3. The settlors (creators/grantors) of the Trust were Donna L. Emery and Ralph O. Emery, Jr.
4. Successor Trustee Christofer Emery's address is 5110 44th Avenue East, Bradenton, Florida 34203.
5. Affiant certifies that this Certification of Trust pertains to the trust property described in Exhibit A, attached hereto and incorporated herein by this reference.
6. Title to the property described in Exhibit A is currently vested in Christofer Emery, the sole Successor Trustee of the Donna L. and Ralph O. Emery, Jr. Revocable Living Trust dated November 13, 2003, as amended December 4, 2013.
7. Affiant, as the Successor Trustee of the Trust, has the power to sell, at public or private sale, mortgage, pledge, transfer, convey, exchange or otherwise dispose of any and all property, real or personal, at any time forming a part of any Trust for such purposes, in such manner and on such terms as shall be deemed advisable, and to lease, for any period of time, even beyond the expected term of any Trust and with or without option to purchase, any property held in any Trust.
8. The Trust is irrevocable.
9. Affiant, as Successor Trustee, has the power to execute and deliver all instruments and to take any other action which appears necessary or desirable to exercise his powers.

ACCEPTED IN OPEN SESSION 5/22/2018
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY
Page 1 of 2

10. The Trust has not been revoked, modified, or amended in any manner that would cause the representations herein to be incorrect.

11. The Trust property described in Exhibit A is NOT homestead property.

12. Affiant is familiar with the applicable Florida laws regarding sworn statements and the penalties and liabilities resulting from false statements and misrepresentations made in instruments of this nature.

CHRISTOFER EMERY

Christopher
Signature

Christopher D. Emery
Printed Name

STATE OF Florida
COUNTY OF Hillsborough

Sworn to (or affirmed), acknowledged and subscribed before me this 20th day of April, 2018, by Christofer Emery, who _____ is personally known to me or who has produced DL # E560-104-82-181-0 as identification.

Affix seal below:



DENISE ESCOBOSA
Commission # GG 135578
Expires December 3, 2021
Bonded Thru Budget Notary Services

Denise Escobosa
Notary Public Signature

Denise Escobosa
Printed Name

GG 135578
Commission Number

December 3, 2021
Expiration Date

Exhibit "A"

Description and Sketch

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NW 1/4, Section 10, Township 35 South, Range 18 East
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Exhibit "A"

Description and Sketch

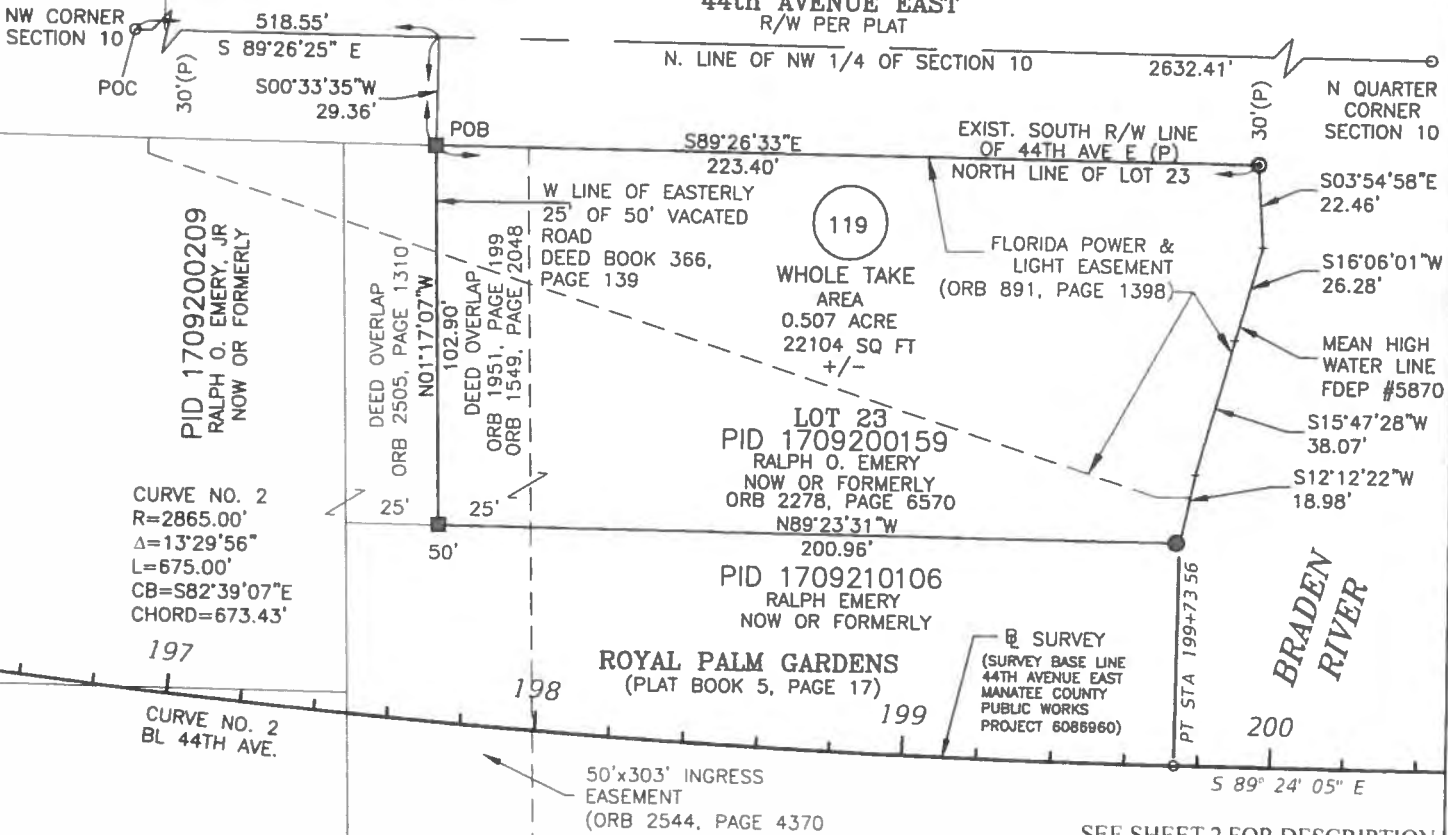
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 NOW OR FORMERLY



BY:
AECOM TECHNICAL SERVICES, INC.
 7650 W Courtney Campbell Causeway, Suite 700
 Tampa Florida 33607
 Phone (813) 286-1711
 Florida Certificate of Authorization No. LB7860

SEE SHEET 2 FOR DESCRIPTION

Sheet: 1 OF 2

Section 10, Township 35
 South, Range 18 East

Drawing Date: 1/9/17

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - May 22, 2018

May 22, 2018 - Regular Meeting
Agenda Item #31

Approved in Open Session 5/22/18,
Manatee County
Board of County Commissioners

Subject

Trustee's Deed and Certification of Trust from Christofer Emery, Individually and as Successor Trustee of The Donna L. and Ralph O. Emery, Jr. Revocable Living Trust for a property located on 44th Avenue East, Bradenton, FL 34203 PID#1709200159

Briefings

None

Contact and/or Presenter Information

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

Chris Munyon, Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 6285

Action Requested **previously recorded documents**

- Accept Trustee's Deed from Christofer Emery, Individually and as Successor Trustee of The Donna L. and Ralph O. Emery, Jr. Revocable Living Trust dated November 13, 2003, as amended December 4, 2013, which also may be referred to as The Donna L. and Ralph O. Emery, Jr. Living Trust; and
- Accept Certification of Trust from Christofer Emery, Individually and as Successor Trustee of The Donna L. and Ralph O. Emery, Jr. Revocable Living Trust dated November 13, 2003, as amended December 4, 2013, which also may be referred to as The Donna L. and Ralph O. Emery, Jr. Living Trust.

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 March 6, 2018, the Board of County Commissioners executed a Contract for Sale and Purchase from Christofer Emery, Individually and as Successor Trustee of The Donna L. and Ralph O. Emery, Jr. Revocable Living Trust dated November 13, 2003, as amended December 4, 2013, which also may be referred to as The Donna L. and Ralph O. Emery, Jr. Living Trust in the amount of \$163,620.00.
- Parcel 119 is a total acquisition of 22,104 square feet of vacant land, non-homestead parcel, which is

located on 44th Avenue East, Bradenton, Florida 34203.

- This Parcel is required for the 44th Avenue East Road Improvement Project from 45th Street East to 44th Avenue Plaza East (Project Number 399-6086960).
- Independence Acquisition and Appraisal, LLC, was contracted to negotiate an agreement for the land with these owners for this project.
- The real estate transaction has closed and the Trustee's Deed and the Certification of Trust has been recorded. This agenda item is to accept the Trustee's Deed and the Certification of Trust, and to record the Trustee's Deed and Certification of Trust in Board Records only.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Please notify Chris Munyon at chris.munyon@mymanatee.org and Eric Shroyer at eric.shroyer@mymanatee.org.

This agenda item is for Board Records only. The Trustee's Deed and Certification of Trust has been recorded in Official Records.

Distributed 5/23/18, RT

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Trustee's Deed - Parcel 119.pdf](#)

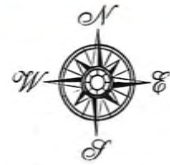
Attachment: [Certification of Trust 119.pdf](#)

Attachment: [Location Map.pdf](#)



Parcel #119
44TH AVENUE EAST
PROJECT NUMBER 6086960

District 5 - Commissioner Vanessa Baugh



DID NOT SPEAK

CITIZENS' COMMENTS

(Agenda Items)

9:21

Item #:

22, 31 29

CONSENT:

NO

YES

The Board of County Commissioners welcomes your comments. Your presentation must be limited to three (3) minutes per item or matter, with a total limit of ten (10) minutes. If appropriate, the matter(s) you present will be placed on a future commission agenda.

It is requested that you complete this form and return it to the receptionist prior to the beginning of the Citizens' Comments portion of the agenda.

Name:

QUEEN GIBELLINA

Address:

Phone: (Home)

(Work)

Brief description of problem or concern:

PROBLEMS,