

THIS INSTRUMENT PREPARED BY:  
Tim Cristello, Real Property Specialist, Property Acquisition Division  
**On Behalf of:** Division Manager, Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205



PROJECT NAME: Willow Woods and Lakes Estates  
PROJECT NO: 404-6089170  
PARCEL NO:  
PID NO: 4015113758

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

**TEMPORARY CONSTRUCTION EASEMENT**

**THIS TEMPORARY CONSTRUCTION EASEMENT** (hereinafter the Easement) made this 3 day of October, 2018, between **LULA M. COMSTOCK**, a single women, as owner of the following described property, whose mailing address is 2105 47<sup>th</sup> Street Place West, Bradenton, Florida 34209, (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**).

As used herein, the term “Grantor” shall include any and all heirs, legal representatives, successors or assigns of the Grantor, and all subsequent owners of the “**Property**” (as hereinafter defined) and the term “Grantee” shall include any successor or assignee of Grantee.

**WITNESSETH** that Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and transfer unto Grantee a **nonexclusive temporary construction easement** across, in, over, under, and upon the real property of the Grantor situated, lying and being in the County of Manatee, State of Florida (hereinafter the Property), particularly described as:

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

**THIS** Easement shall be for the purpose of **constructing, improving, sloping, grading, and otherwise harmonizing the property of Grantor with underground utility facilities and/or roadway improvements adjacent to the easement area** and for all other construction purposes reasonably related to the construction to be undertaken by Grantee. This Easement is granted upon the condition that the sloping and/or grading upon the Property shall not extend beyond the limits outlined above and that all grading and/or sloping shall conform to all existing improvements on the Property and all work shall be performed in such a manner that existing improvements will be left in or restored to same or like condition as the existing, pre-construction condition.

**THAT** said Grantor reserves the right to use the Property in any manner that will not prevent or interfere with the rights granted to the Grantee herein; provided, that the Grantor does not obstruct, or permit others to obstruct, the Property at any time without first obtaining express written consent of the Grantee.

ACCEPTED IN OPEN SESSION 12/18/18  
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

**THAT** during the term of this easement, Grantee shall (1) be solely responsible for the performance of the work described herein, and the maintenance of the easement area, and (2) maintain its self-insured status such that it shall be financially capable of responding to any claims for personal injury or property damage.

**THAT**, as limited by and in accordance with the provisions of Section 768.28, Florida Statutes, Grantee shall indemnify and hold harmless Grantor from all claims, damages, costs and expenses (including attorney's fees in the lower court and through appeal) associated with the exercise of the rights set forth herein by Grantee and Grantee's employees, agents and contractors. Grantee shall also be obligated to remove and discharge any lien recorded against the property of Grantor arising from the exercise of the rights set forth herein by Grantee and Grantee's employees, agents, and contractors.

**THIS** Easement shall be for a term of **THREE (3) YEARS** from the effective date, which is defined herein as the date of acceptance by the Board of County Commissioners of Manatee County.

**IN WITNESS WHEREOF**, the said Grantor has caused these presents to be executed in its name, the day and year first above written.

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

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

**GRANTOR:**

**LULA M. COMSTOCK**, by **VICKI HALL**,  
her Co-Attorney-in-Fact

By: *Vicki Hall*  
Signature

As: Co-Attorney-in-Fact  
Title

Printed Name: Vicki Hall

*JL*  
Witness

Tim Cristello 10/3/18  
Printed Name and Date

*[Signature]*  
Witness

Charles Mosder 10/3/18  
Printed Name and Date

STATE OF Florida  
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 3 day of October, 2018, by Vicki Hall, as Co-Attorney-in-Fact for Lula M. Comstock, a single women, who      is personally known to me or  who has produced FL Driver License as identification.

Affix seal below:



*JL*  
Notary Public Signature

Tim Cristello  
Printed Name

\_\_\_\_\_  
Commission Number

\_\_\_\_\_  
Expiration Date



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

**GRANTOR:**

**LULA M. COMSTOCK, by TERRY LEWIS,**  
her Co-Attorney-in-Fact

Beverly A. Serje  
Witness

By: [Signature]  
Signature

BEVERLEY A. SERJE 10/31/18  
Printed Name and Date

As: Co-Attorney-in-Fact  
Title

[Signature]  
Witness

Printed Name: Terry Lewis

Kenneth Dodge  
Printed Name and Date

STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 31 day of October, 2018, by Terry Lewis, as Co-Attorney-in-Fact for Lula M. Comstock, a single women, who  is personally known to me or  who has produced \_\_\_\_\_ as identification.

Affix seal below:



[Signature]  
Notary Public Signature

Natalie Lewis  
Printed Name

GG 017228  
Commission Number

Aug 1 2020  
Expiration Date

**THIS IS NOT A SURVEY**

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.

BEARINGS ARE BASED UPON, SEE SKETCH AND LEGAL DESCRIPTION

**LEGAL DESCRIPTION:**

A parcel of land being a portion of the West 10.00 feet of Lot 13, Block F, according to the plat of WEST WOODS SUBDIVISION, as recorded in Plat Book 16, Page 27, of the Public Records of Manatee County, Florida, lying in Section 33, Township 34 South, Range 17 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of Lot 13, Block F, same being a point on the East Right-of-Way of 48TH STREET WEST, both according to the plat of WEST WOODS SUBDIVISION, as recorded in Plat Book 16, Page 27, of the Public Records of Manatee County, Florida; thence N00°00'35"W, along the West line of said Lot 13, Block F (being the basis of bearings for this legal description), same being said East Right-of-Way of 48TH STREET WEST, for 57.56 feet to the POINT OF BEGINNING; thence continue N00°00'35"W, along said West line of Lot 13, Block F, same being said East Right-of-Way of 48TH STREET WEST, for 48.86 feet to a West corner of said Lot 13, Block F, same being the point of curvature of a curve concave Southeasterly; thence Northeasterly along the arc of said curve, same being said West line of Lot 13, Block F, same also being said East Right-of-Way of 48TH STREET WEST, having a radius of 15.00 feet, a central angle of 70°31'44", an arc length of 18.46 feet, and a chord bearing N35°15'17"E, for 17.32 feet; thence leaving said West line of Lot 13, Block F, same being said East Right-of-Way of 48TH STREET WEST, S00°00'35"E, along a line 10.00 feet East of and parallel to said West line of Lot 13, Block F, same being said East Right-of-Way of 48TH STREET WEST, for 63.00 feet; thence leaving said line 10.00 feet East of and parallel to the West line of Lot 13, Block F, S89°59'25"W, for 10.00 feet to the POINT OF BEGINNING.

Containing 592 square feet or 0.014 acres, more or less.

NOTE, THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS SOLELY BASED UPON THE PLAT OF "WEST WOODS SUBDIVISION", AS RECORDED IN PLAT BOOK 16, PAGE 27, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, ALONG WITH THE RECORD DOCUMENTS AS NOTED HEREIN, AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR: **LOT 13, BLOCK F**

SHEET DESCRIPTION: **TEMPORARY CONSTRUCTION EASEMENT**

SCALE: <b>NONE</b>	DATE: <b>5-18-2018</b>	DRAWN: <b>GMS</b>	CALCED: <b>JTP</b>	CHECKED: <b>JTP</b>
JOB No.:	EPN:	SECTION:	TOWNSHIP:	RANGE:
<b>577-0032</b>	<b>736</b>	<b>33</b>	<b>34 S</b>	<b>17 E</b>



**FLORIDA DESIGN CONSULTANTS, INC.**  
— THINK IT. ACHIEVE IT. —

3030 STARKEY BOULEVARD, NEW PORT RICHEY, FLORIDA 34855  
PHONE: (800) 532 - 1047 FAX: (727) 848 - 3848 WWW.FLDESIGN.COM L.B. NO.8707

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH

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

JARED T. PATENAUDE  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER PSM 6971  
STATE OF FLORIDA

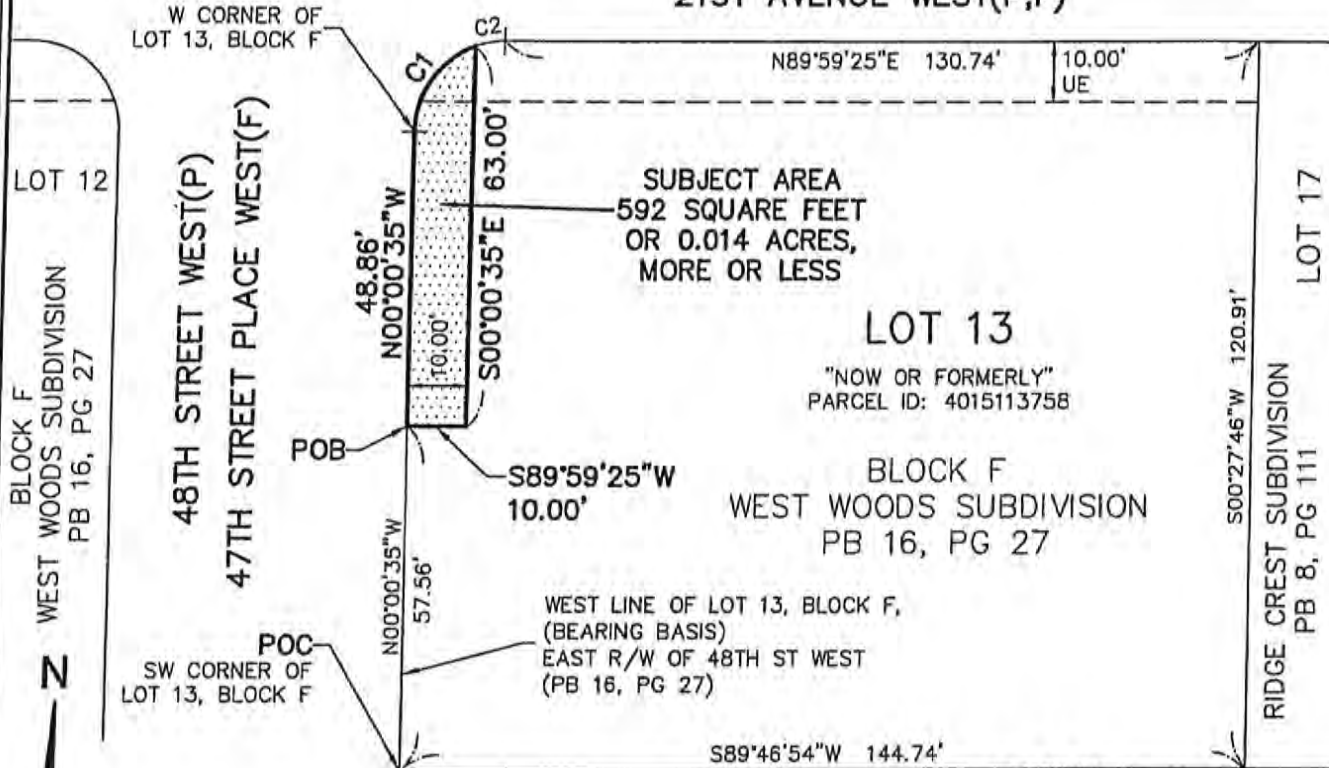
**THIS IS NOT A SURVEY**

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.

BEARINGS ARE BASED UPON. SEE SKETCH AND LEGAL DESCRIPTION

**21ST AVENUE WEST(P,F)**



**SUBJECT AREA**  
592 SQUARE FEET  
OR 0.014 ACRES,  
MORE OR LESS

**LOT 13**

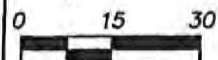
"NOW OR FORMERLY"  
PARCEL ID: 4015113758

**BLOCK F**  
**WEST WOODS SUBDIVISION**  
PB 16, PG 27

**LEGEND:**

- COR = CORNER
- P = PLAT
- F = FIELD
- PB = PLAT BOOK
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PG = PAGE
- UE = UTILITY EASEMENT
- R/W = RIGHT-OF-WAY

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	15.00'	18.46'	17.32'	N35°15'17"E	70°31'44"
C2	15.00'	5.10'	5.07'	N80°15'17"E	19°28'16"



NOTE, THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS SOLELY BASED UPON THE PLAT OF "WEST WOODS SUBDIVISION", AS RECORDED IN PLAT BOOK 16, PAGE 27, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, ALONG WITH THE RECORD DOCUMENTS AS NOTED HEREIN, AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR: **LOT 13, BLOCK F**

SHEET DESCRIPTION: **TEMPORARY CONSTRUCTION EASEMENT**

SCALE: 1"=30'	DATE: 5-18-2018	DRAWN: GMS	CALCED: JTP	CHECKED: JTP
JOB No.: 577-0032	EPN: 736	SECTION: 33	TOWNSHIP: 34 S	RANGE: 17 E

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH

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



**FLORIDA DESIGN  
CONSULTANTS, INC.**

— THINK IT. ACHIEVE IT. —

3030 STARKEY BOULEVARD, NEW PORT RICHEY, FLORIDA 34855  
PHONE: (800) 532-1047 FAX: (727) 848-3648 WWW.FLDESIGN.COM L.B. NO.8707

JARED T. PATENAUDE  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER PSM 6971  
STATE OF FLORIDA

**APPROVED** in Open Session

Manatee County Board of County  
Commissioners

Manatee County Government Administrative Center  
Patricia M. Glass Commission Chambers, First Floor  
9:00 a.m. - December 18, 2018

12/18/18

December 18, 2018 - Regular Meeting  
Agenda Item #39

Subject

Temporary Construction Easement from Lula M. Comstock to Manatee County for property located at 2105 47th Street Place West, Bradenton, Florida 34209

Briefings

None

Contact and/or Presenter Information

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

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

Action Requested

- Accept and Record Temporary Construction Easement from Lula M. Comstock.

Enabling/Regulating Authority

Florida Statutes, Chapter 125. Manatee County Comprehensive Plan Goal 9.5 addresses the potable water system.

Background Discussion

- The Willow Woods and Lakes Estates Water Main Project will upgrade the water main with a looped system and inline isolation valves to the adjacent streets along 21st Avenue West from 48th Street West to 43rd Street West.
- The waterline upgrade project is approximately 4,700 linear feet of 6" water main, valves, and fire hydrants.
- A 592 square foot Temporary Construction Easement is needed for access to do the required work for the project at the property located at 2105 47th Street Place West in Bradenton.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Please email a copy of the approved agenda item and the recording information to

[Tim.Cristello@mymanatee.org](mailto:Tim.Cristello@mymanatee.org) and [Eric.Shroyer@mymanatee.org](mailto:Eric.Shroyer@mymanatee.org). EMAILED 12 20 18

CCC: AR700013

Cost and Funds Source Account Number and Name

N/A

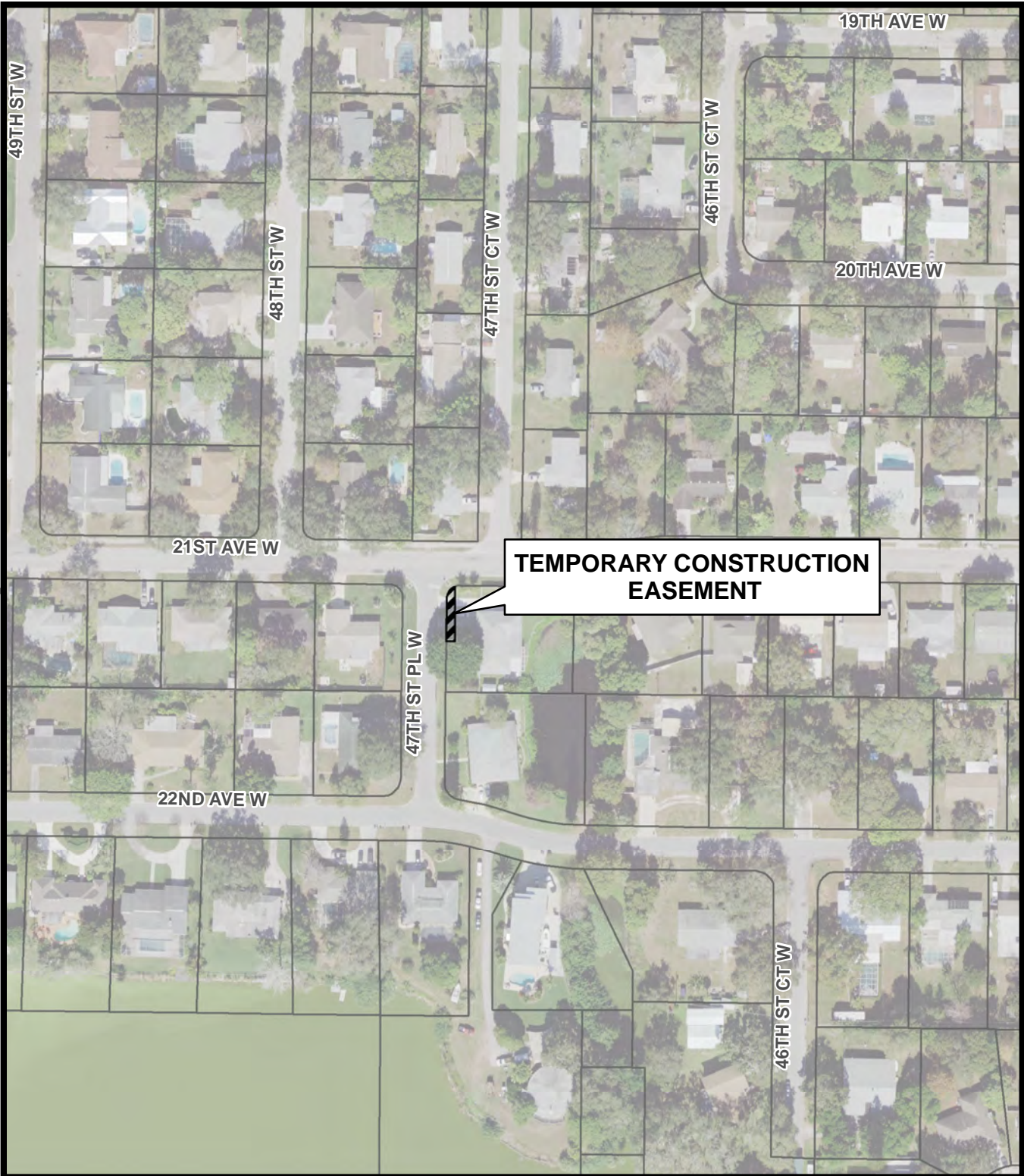
Amount and Frequency of Recurring Costs

\$52.50. Recording fee to 404-6089170, Willow Woods and Lakes Estates Water Main Upgrade Project

Attachment: [Temporary Construction Easement Lula M. Comstock.pdf](#)

Attachment: [Location Map.pdf](#)





**TEMPORARY CONSTRUCTION EASEMENT  
WILLOW WOODS AND LAKES ESTATES  
WATERMAIN UPGRADE**



**2105 47TH STREET PLACE W  
BRADENTON 34209**



**DISTRICT 3 - STEPHEN R JONSSON**