

**THIS INSTRUMENT PREPARED BY:**

Chris Pickens, Senior Real Property Specialist  
On behalf of Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West  
Bradenton, Florida 34205

Project Name: Prospect Road – Whitfield Avenue Sidewalks  
Project Number: 5400002  
Parcel Identification Number: 1962400059 & 1962300008

SPACE ABOVE THIS LINE FOR RECORDING DATA

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**CONTRACT FOR SALE AND PURCHASE**

**THIS CONTRACT FOR SALE AND PURCHASE** (hereinafter the **Contract**) is made and entered into this 27<sup>th</sup> day of January, 2021, between **DECLAN E. HUBER and MOLLIE HUBER**, husband and wife, whose mailing address is 7070 Prospect Road, Sarasota, Florida 34243, (hereinafter the **Seller**), and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206 and whose street address is 1112 Manatee Avenue West, Bradenton, Florida 34205, (hereinafter the **Buyer**). Seller and Buyer are sometimes collectively referred to herein as **Parties** and individually as **Party**.

**WHEREAS**, Seller is the owner of certain real property which is located in Manatee County, State of Florida, more particularly described in **Composite Exhibit A** attached hereto and incorporated herein by this reference (hereinafter the **Property**) and all improvements thereon; and

**WHEREAS**, Buyer desires to acquire the Property for the purpose of installing a sidewalk.

**NOW, THEREFORE**, in consideration of the aforesaid premises, the mutual covenants, promises, terms and conditions set forth herein and other good and valuable consideration, the adequacy, sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

1. **RECITALS**: The foregoing recitals are true and correct and are incorporated herein by this reference.

2. **DESCRIPTION OF PROPERTY**: Seller shall sell and Buyer shall buy, upon the terms and conditions contained herein, improved real property situated, lying and being in Manatee County, State of Florida, described in attached **Composite Exhibit A**. The legal description and sketch of the Property is incorporated into this Contract and made a part hereof.

3. **PURCHASE PRICE AND DEED**: At closing, Buyer shall pay to Seller **TWENTY-ONE THOUSAND FOUR HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$21,475.00)** (hereinafter the **Purchase Price**), subject to adjustment upon closing as hereinafter provided. Seller shall

simultaneously deliver to Buyer a good, sufficient and properly recordable Warranty Deed conveying to Buyer marketable, fee simple title to the Property, free and clear of all liens and encumbrances, executed and acknowledged by Seller, subject to restrictive covenants, reservations, easements of record and county zoning restrictions or regulations in effect, if any, except as hereinafter provided. The deed shall be in substantially the form attached hereto as **Exhibit B** and incorporated herein by this reference.

**4. EFFECTIVE DATE:** For purposes of this Contract, the **Effective Date** shall be the date upon which the Contract is approved by the Manatee County Board of County Commissioners.

**5. MORTGAGES, LIENS AND OTHER ENCUMBRANCES:** Unless otherwise provided for herein, prior to the date of closing, Buyer shall furnish to Seller an Affidavit of Ownership and Encumbrances, in substantially the form attached hereto as **Exhibit C** and incorporated herein by reference, attesting to the absence of any financing statements, claims of lien or potential lienors known to Seller and further attesting, if such is the case, that there have been no improvements to the Property for **NINETY (90)** days immediately preceding the date of closing. Seller shall complete said affidavit and return it to Buyer on or before the date of closing.

A. **Existing Encumbrances:** Seller shall convey the Property at closing, free and clear of all liens and encumbrances, subject to any restrictive covenants, reservations, easements of record, and county zoning restrictions or regulations in effect, if any, except those specifically consented to in writing by Buyer at closing. Seller shall be responsible for discharging any and all mortgage liens at or prior to closing.

B. **Construction Liens:** If the Property has been improved within **NINETY (90)** days immediately preceding the date of closing, Seller shall deliver releases or waivers of all construction liens executed by general contractors, subcontractors, suppliers and material men, in addition to Seller's lien affidavit setting forth the names of all such general contractors, subcontractors, suppliers and material men, and further reciting that, in fact, all bills for work on the subject Property which could serve as a basis for a construction lien have been paid or will be paid prior to closing.

**6. TITLE EVIDENCE:** During the period commencing **TEN (10)** days after the Effective Date and ending **TEN (10)** days prior to closing (hereinafter the **Inspection Period**) Buyer may conduct whatever title search Buyer deems necessary. If, during the Inspection Period, Buyer notifies Seller of existing title defects other than those to which the conveyance is to be made subject by the terms of this Contract and other than those for which recordable discharges are, in accordance with local custom, to be furnished at the closing, then Seller shall promptly make a diligent effort to perfect the title to Buyer's reasonable satisfaction and to the extent called for by this Contract within **THIRTY (30)** days (hereinafter the **Cure Period**) from the date Seller receives written notice of any title defect. In the event closing is scheduled to occur within the Cure Period, closing shall be extended to the first day following removal of the title defects or the termination of the Cure Period, whichever date occurs first. If any defect in title identified by Buyer is not cured to Buyer's reasonable satisfaction within the Cure Period, Buyer shall have

the right to either waive such defect or withdraw its offer to purchase thereby releasing Buyer and Seller from all further obligations under this Contract.

**7. CLOSING:** This transaction shall be closed on or before **SIXTY (60)** days from the Effective Date, subject to the curative periods provided for herein, as well as other conditions of this Contract. The date and time of closing shall be mutually agreed upon between the Parties and shall occur at the following location: Manatee County Government Administration Building, 1112 Manatee Avenue West, Bradenton, Florida 34205, or at any other location agreeable to both Parties or, if mutually agreed to by the Parties, via simultaneous electronic delivery of documents and funds. The closing may be extended by the Parties for a mutually agreeable period of time in order to complete any conditions of closing or other requirements of this Contract.

A. Conditions to Closing: Unless waived by Buyer in writing, the obligation of Buyer to close this transaction is expressly conditioned upon satisfaction of all conditions as contained within this Contract, by the date of closing. If such conditions are not so met, Buyer may elect either to terminate this Contract by written notice to Seller or close the transaction contemplated in this Contract and thereby waive Seller's performance of those conditions which have not been satisfied.

B. Documents for Closing: Seller shall deliver to Buyer a Warranty Deed, an Affidavit of Ownership and Encumbrances and such other documents as may reasonably be required pursuant to this Contract and any state or federal law, on or before the date of closing.

C. Insurance: Seller shall keep all existing coverage and insurance policies insuring the Seller or the Property against claims arising from property damage or liability, if any, in full force and effect pending the closing.

D. Condition of Property: Seller shall not commit, or permit anyone else to commit, any loss, destruction or damage to the Property, which has not been repaired or restored by Seller prior to the date of closing. Seller shall not permit any adverse changes in the condition of the Property from the Effective Date of this Contract to the date of closing, except for reasonable wear and tear. If Buyer so requests, a walk-through of the Property shall be scheduled and conducted prior to the closing to assure compliance with this Contract.

E. Closing Agent: American Government Services shall serve as the Closing Agent. All funds held by the Closing Agent under this Contract, if any, shall be placed in a non-interest bearing account and shall be disbursed in accordance with this Contract.

**8. TAXES AND CLOSING EXPENSES:**

A. The Closing Agent shall withhold from Seller's proceeds at closing an amount equal to Seller's pro rata share of real estate taxes and special assessments, if

any, allocated to the Property as prorated to the date of closing, and such amounts shall be paid to the Manatee County Tax Collector.

B. If applicable, Seller shall, in accordance with the statutory requirements set forth in Section 196.295, Florida Statutes, deposit in escrow with the Manatee County Tax Collector an amount equal to the current year's taxes allocated to the Property prorated to the date of closing, same being the date upon which transfer of title shall occur. This amount shall be based upon the current assessment and millage rates on the Property owned by Seller. Under either this subparagraph or subparagraph A above, where taxes are prorated based upon the preceding year's tax assessment, the Parties agree to re-prorate taxes, with maximum discount, upon the request of either Party within **SIX (6)** months from the date the taxes for the year of closing have been certified by Manatee County.

C. Costs to be Paid by Seller: Seller shall pay costs of curing title defects and Seller's attorney's fees, if any.

D. Costs to be Paid by Buyer: Buyer shall pay the cost of recording the deed. Buyer shall also pay the deed documentary stamp taxes due on this transfer. Buyer shall also pay for an owner's title insurance policy and related title costs, all recording fees including any partial releases from the lenders, closing agent fees and Buyer's attorney's fees, if any.

**9. ASSIGNABILITY:** The Parties may not assign this Contract or any right or obligation of this Contract without prior written consent of the other Party.

**10. AMENDMENTS:** This Contract may not be amended, canceled, changed, discharged, modified, rescinded, supplemented or terminated other than as expressly provided herein, except by an instrument in writing executed by all Parties hereto. All amendments are subject to acceptance and approval by the Manatee County Board of County Commissioners.

**11. ATTORNEYS' FEES AND COSTS:** Each Party shall be solely responsible for paying its attorneys' fees and costs in any dispute, litigation, dispute resolution proceeding, settlement negotiation or pre-litigation negotiation arising under this Contract.

**12. AUTHORIZATION:** Each Party represents to the other that such Party has the requisite power and authority under all applicable laws to enter into this Contract, that all of the procedural requirements imposed by law upon each Party for the approval and authorization of this Contract have been properly completed, and that the persons who have executed the Contract on behalf of each Party are authorized and empowered to execute said Contract.

**13. AVAILABILITY OF FUNDING:** The obligations of the Buyer under this Contract are subject to the availability of funds lawfully appropriated annually for its purposes by the Manatee County Board of County Commissioners and the availability of funds through contract or grant programs. In the event that such funds are, in good faith, not appropriated or are terminated

during the term of this Contract, Buyer shall have the option of terminating this Contract and all covenants and obligations hereunder by providing **THIRTY (30)** days' written notice to the Seller. If Buyer terminates this Contract due to a lack of funding pursuant to this provision, all rights and liabilities of the Parties arising under this Contract shall terminate.

**14. BINDING EFFECT:** This Contract shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, personal representatives, successors and permitted assigns. The covenants, warranties, representations, indemnities and undertakings of Seller as set forth in this Contract will survive delivery and recording of the deed and possession.

**15. BROKER'S FEES:** Neither Party will pay a commission to any broker in connection with the sale and purchase of the Property. Both Parties warrant that they have assumed no obligation to pay any such commission in connection therewith.

**16. DEFAULT AND REMEDIES:** Except as otherwise provided herein, if Seller is not in default pursuant to any of the terms of this Contract and Buyer fails to purchase the Property or to perform any of the covenants, conditions or warranties of this Contract, Seller, at Seller's option, may proceed at law or in equity to enforce Seller's legal rights under this Contract. If Seller for any reason fails to perform any of the covenants, conditions or warranties of this Contract, Buyer shall, at Buyer's option, (a) terminate this Contract by written notice to Seller or (b) waive the nonperformance and proceed with closing or (c) have the remedy of specific performance of this Contract.

**17. DOCUMENTS AND REPORTS:** Within **TEN (10)** days after the Effective Date of this Contract, Seller shall provide to Buyer copies of all written reports in Seller's possession relating to the environmental condition of the Property; all boundary surveys of the Property; any existing title policy or commitment pertaining to the Property.

**18. ENTIRE CONTRACT:** This Contract and the Exhibits attached hereto contain the final and entire agreement between the Parties with respect to the sale and purchase of the Property and are intended to be an integration of all prior negotiations and understandings. This Contract supersedes all prior negotiations, understandings, representations or agreements, both written and oral. Buyer and Seller shall not be bound by any terms, conditions, statements, warranties or representations, written or oral, not contained herein. No change or modification of this Contract shall be valid unless the same is in writing and signed by the Parties hereto.

**19. ENVIRONMENTAL SITE ASSESSMENT:** During the Inspection Period, Seller will permit representatives of Buyer to access all of Seller's records relating to the Property, and to enter upon the Property for the purposes of conducting tests, inspections or examinations that Buyer desires in regard to the environmental conditions of the Property, including, but not limited to, tests, borings, percolation tests and other tests, inspections or examinations that Buyer may order, at its expense, to determine subsurface or topographic conditions of the Property. If Buyer, in its sole and absolute discretion, concludes from the results of the tests or for any other reason or factor that the Property is not feasible or desirable for Buyer's intended purpose, Buyer shall notify Seller in writing of Buyer's conclusion on or before the end of the

Inspection Period and this Contract shall then be deemed terminated and of no further force and effect, and no Party shall have any rights or claims against one another which might otherwise result from this Contract, unless Buyer and Seller negotiate and enter into a mutually acceptable amendment to this Contract to address such concern.

**20. FLORIDA LAW AND MANATEE COUNTY VENUE:** This Contract shall be governed, construed and enforced in accordance with the laws of the State of Florida. Venue for resolution of all disputes, whether by mediation, arbitration or litigation, shall lie in Manatee County, Florida.

**21. FORCE MAJEURE:** No Party shall be required to perform any obligation under this Contract or be liable to the other for any delay or failure to perform or damages for said delay or failure so long as performance or non-performance of the obligation is delayed, caused or prevented by an act of God, an act of terrorism, a civil commotion, an earthquake, a failure or disruption of utility services, a fire, a flood, a hurricane, an insurrection, a sinkhole, a tornado, an unusual transportation delay, or other like cause, and which by exercise of reasonable diligent effort, the non-performing party is unable in whole or in part to prevent or overcome (hereinafter **Force Majeure Event**). All time periods shall toll for the period that the Force Majeure Event prevents performance under this Contract, provided, however, if such Force Majeure Event continues to prevent performance under this Contract more than **FOURTEEN (14)** days beyond the date of closing, then either party may terminate this Contract by delivering written notice to the other, thereby releasing Buyer and Seller from all further obligations under this Contract.

**22. HEADINGS:** The headings contained in this Contract are for convenience and reference and shall not affect the meaning or interpretation of this Contract.

**23. NOTICE:** Any and all notices, approvals, claims, consents, demands, requests or other communications between the Parties (hereinafter **Notices**) shall be in writing. All Notices shall be given by hand delivery in person or by registered or certified mail, postage prepaid to the following addresses:

If to Seller: Declan E. Huber and Mollie Huber  
7070 Prospect Road  
Sarasota, Florida 34243

If to Buyer: Manatee County Government  
Attention: Property Acquisition Division Manager  
Property Management Department  
1112 Manatee Avenue West, 8th Floor  
Bradenton, Florida 34205

and Manatee County Government  
Attention: County Attorney  
County Attorney's Office  
1112 Manatee Avenue West, Suite 969

Bradenton, Florida 34205

All Notices shall be deemed effective and received upon actual receipt by the Party to which such notice is given or **FIVE (5)** days after mailing, whichever occurs first.

**24. OCCUPANCY AND POSSESSION:** Seller shall, at closing, deliver occupancy and possession of the Property to Buyer free of tenants, occupants and future tenancies. Also, at closing, Seller shall have removed all personal items, trash and waste materials from the Property including, but not limited to, all automotive accessories and parts, batteries, chemicals, equipment, fluorescent lighting, oil and paint cans, petroleum products and tires, and shall deliver all keys, garage door openers, access devices and codes, as applicable, to Buyer.

**25. RADON GAS:** Pursuant to the requirements of Section 404.056(5), Florida Statutes, the following statement shall appear within the provisions of this Contract:

RADON GAS: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to person who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department.

**26. REPRESENTATIONS AND WARRANTIES OF SELLER:** Seller hereby covenants, represents and warrants now and through the date of closing that:

A. Seller shall not enter into any new lease agreements, occupancy agreements, parking agreements, or any brokerage, maintenance, management, service or similar contracts, or amend, modify or renew any such existing agreements or contracts which will extend beyond the closing without the prior written consent of Buyer.

B. During the time of Seller's ownership of the Property, Seller warrants that, to the best of Seller's knowledge and belief, no hazardous wastes, hazardous substances, pollutants, and/or contaminants were buried, disposed, dumped, placed, released or stored on the Property.

C. Seller has no knowledge of any aboveground, buried or partially buried containers, drums, storage vessels or tanks in, on or under the Property.

D. Seller has no knowledge of any material defects relating to the Property of improvements located thereon, if any, including, but not limited to archaeological sites, sinkholes, structural defects, termite infestation or unstable soil conditions.

E. The Property is the homestead of Seller.

**27. SEVERABILITY:** If any one or more of the provisions of this Contract should be held contrary to law or public policy, or should for any reason whatsoever be held invalid or unenforceable by a court of competent jurisdiction, then such provision or provisions shall be null and void and shall be deemed separate from the remaining provisions of this Contract, which remaining provisions shall continue in full force and effect, provided that the rights and obligations of the Parties contained herein are not materially prejudiced and the intentions of the Parties continue to be effective.

**28. SURVEY:** During the Inspection Period, Buyer may, at Buyer's expense, survey the Property. If the survey discloses, reveals or shows any encroachment on the Property or that improvements located thereon encroach on setback lines, easements, or lands of others, or violate any restrictions, covenants, or applicable governmental regulations, Buyer may deliver written notice of such matters, together with a copy of the survey, to Seller. Upon receipt of notice by Seller of same, any such encroachments or violations shall be treated as a title defect and shall be governed by the terms of numbered paragraph **SIX (6)** above.

**29. SURVIVABILITY:** Any term, condition, covenant, or obligation which requires performance by either Party subsequent to the closing shall remain enforceable against such Party subsequent to the closing.

**30. TIME OF THE ESSENCE:** Time is of the essence with regard to all dates and times set forth in this Contract. Any reference herein to time periods of **SEVEN (7)** days or less shall, in the computation thereof, exclude Saturdays, Sundays, and legal holidays under the laws of the State of Florida or the United States of America. Any time period provided for herein which shall end on a Saturday, Sunday or legal holiday under the laws of the State of Florida or the United States of America, shall extend to **FOUR (4)** P.M. of the next day that is not a Saturday, Sunday or legal holiday under the laws of the State of Florida or the United States of America. The terms "days" as used herein shall in all cases mean calendar days.

**31. WAIVER:** The failure or neglect by any Party to enforce any right under this Contract shall not be deemed to be a waiver of that Party's rights. A waiver shall not be effective unless it is in writing and signed by the Party who possess the right to waive enforcement of same.

**32. SPECIAL PROVISIONS:**

A. This Contract serves as authorization for the Manatee County Clerk of the Circuit Court Finance Department to issue a check made payable to the Closing Agent for the amount indicated on line 303 of the Closing Statement for proper disbursement by the Closing Agent to any of the following, if applicable, including the Seller, the Manatee County Clerk of Court, the Manatee County Tax Collector and the Closing Agent.

B. This Contract is subject to acceptance and approval by the Manatee County Board of County Commissioners.



**SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGE.**

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

**SELLER:**  
**DECLAN E. HUBER and MOLLIE HUBER,**  
husband and wife

Sheresa Cummings  
First Witness Signature

*Declan E. Huber*  
Signature of **DECLAN E. HUBER**

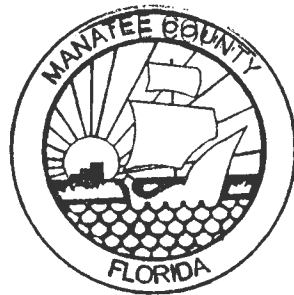
Theresa Cummings  
First Witness Printed Name  
As to both

*Mollie Huber*  
Signature of **MOLLIE HUBER**

Jani Johnson  
Second Witness Signature

Janie Fowler  
Second Witness Printed Name  
As to both

**BUYER:**  
**MANATEE COUNTY, a political**  
**subdivision of the State of Florida**



**By: its Board of County Commissioners**

By: *[Signature]*  
Chairperson

Date: February 9, 2021

ATTEST: **ANGELINA COLONNESO**  
**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: *Udidi Johnson*  
Deputy Clerk

**Composite Exhibit "A"**

**LEGAL DESCRIPTION OF THE PROPERTY**

*See Attached.*

**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 SEARCH REPORT.

BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE, PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR ,INC.

**LEGAL DESCRIPTION:**

A parcel of land being a portion of FARM 9, according to the plat of NEW PEARCE & PEARCE VEGETABLE FARMS, as recorded in Plat Book 2, Page 15, of the Public Records of Manatee County, Florida, same being a portion of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser, lying in Section 29, Township 35 South, Range 18 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 10.54 feet to the POINT OF BEGINNING; thence leaving said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), N28°28'16"E, for 13.63 feet to the point of intersection with the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 12.01 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence N89°44'45"W, along said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059, for 6.46 feet to the POINT OF BEGINNING.

Containing 39 square feet or 0.001 acres, more or less.

NOTE. THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH



**FLORIDA DESIGN CONSULTANTS, INC.**

— THINK IT. ACHIEVE IT. —

20525 AMBERFIELD DRIVE, SUITE 201, LAND O LAKES, FLORIDA 34638  
PHONE: (800) 532 - 1047 FAX: (727) 848 - 3648 WWW.FLDESIGN.COM L.B. NO.6707

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH

*Jared T. Patenaude*  
JARED T. PATENAUDE  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA



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**LEGAL DESCRIPTION:**

A parcel of land being a portion of FARM 9, according to the plat of NEW PEARCE & PEARCE VEGETABLE FARMS, as recorded in Plat Book 2, Page 15, of the Public Records of Manatee County, Florida, same being a portion of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser and that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida, respectively, lying in Section 29, Township 35 South, Range 18 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 100.22 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), N89°25'53"W, for 5.67 feet; thence N00°34'07"E, for 171.58 feet to the point of intersection with the North line of said certain property now or formerly known as Parcel ID: 1962400059, same being the South line of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N89°50'35"W, along said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, page 2116, for 3.05 feet; thence leaving said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, Page 2116, N00°14'49"E, for 137.06 feet; thence S89°45'11"E, for 8.27 feet to the point of intersection with said West Right-of-Way line of PROSPECT RD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, page 2116, for 137.05 feet to the Southeast corner of said certain property as described in Official Records Book 1285, Page 2116, same being the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 171.62 feet to the POINT OF BEGINNING.

Containing 1,954 square feet or 0.045 acres, more or less.

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PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

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JOB No.:	EPN:	SECTION:	TOWNSHIP:	RANGE:
<b>0577-005A</b>	<b>900</b>	<b>29</b>	<b>35S</b>	<b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH

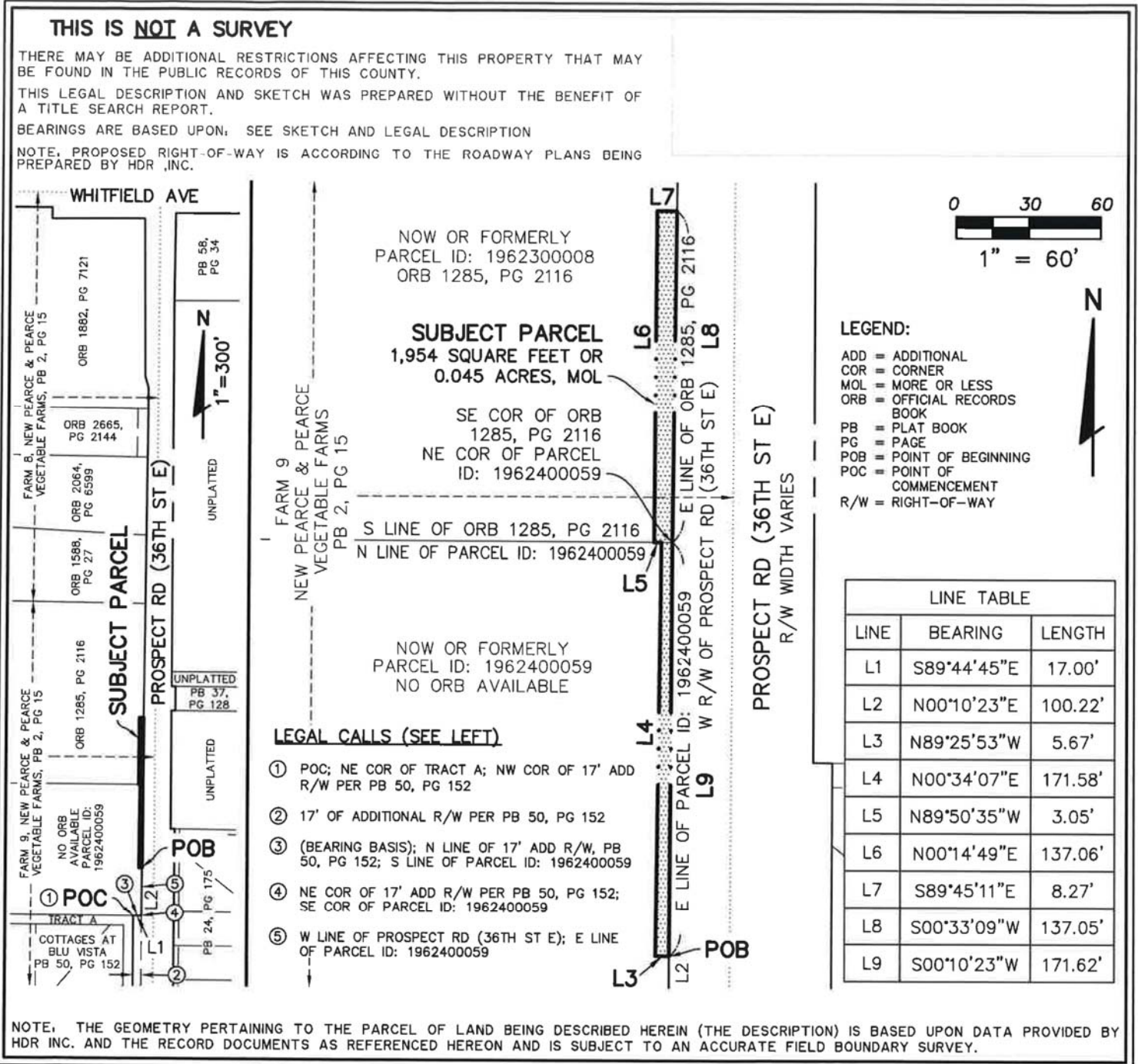


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NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH

*Jared T. Patenaude*  
JARED T. PATENAUDE  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA



PREPARED FOR: **MANATEE COUNTY**

SHEET DESCRIPTION: **PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>VARIES</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>	SEE SHEET 1 FOR LEGAL DESCRIPTION SEE SHEET 2 FOR SKETCH
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>	

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STATE OF FLORIDA

8-20-2020

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

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BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE: PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR ,INC.

**LEGAL DESCRIPTION:**

A parcel of land being a portion of FARM 9, according to the plat of NEW PEARCE & PEARCE VEGETABLE FARMS, as recorded in Plat Book 2, Page 15, of the Public Records of Manatee County, Florida, same being a portion of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida, lying in Section 29, Township 35 South, Range 18 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 271.84 feet to the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same being the Southeast corner of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N00°33'09"E, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116, for 215.83 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of Official Records Book 1285, Page 2116, N89°45'11"W, for 8.69 feet; thence N00°14'49"E, for 143.36 feet; thence S89°45'11"E, for 9.45 feet to the point of intersection with said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116, for 143.36 feet to the POINT OF BEGINNING.

Containing 1,300 square feet or 0.030 acres, more or less

NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

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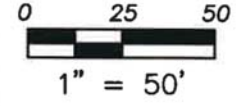
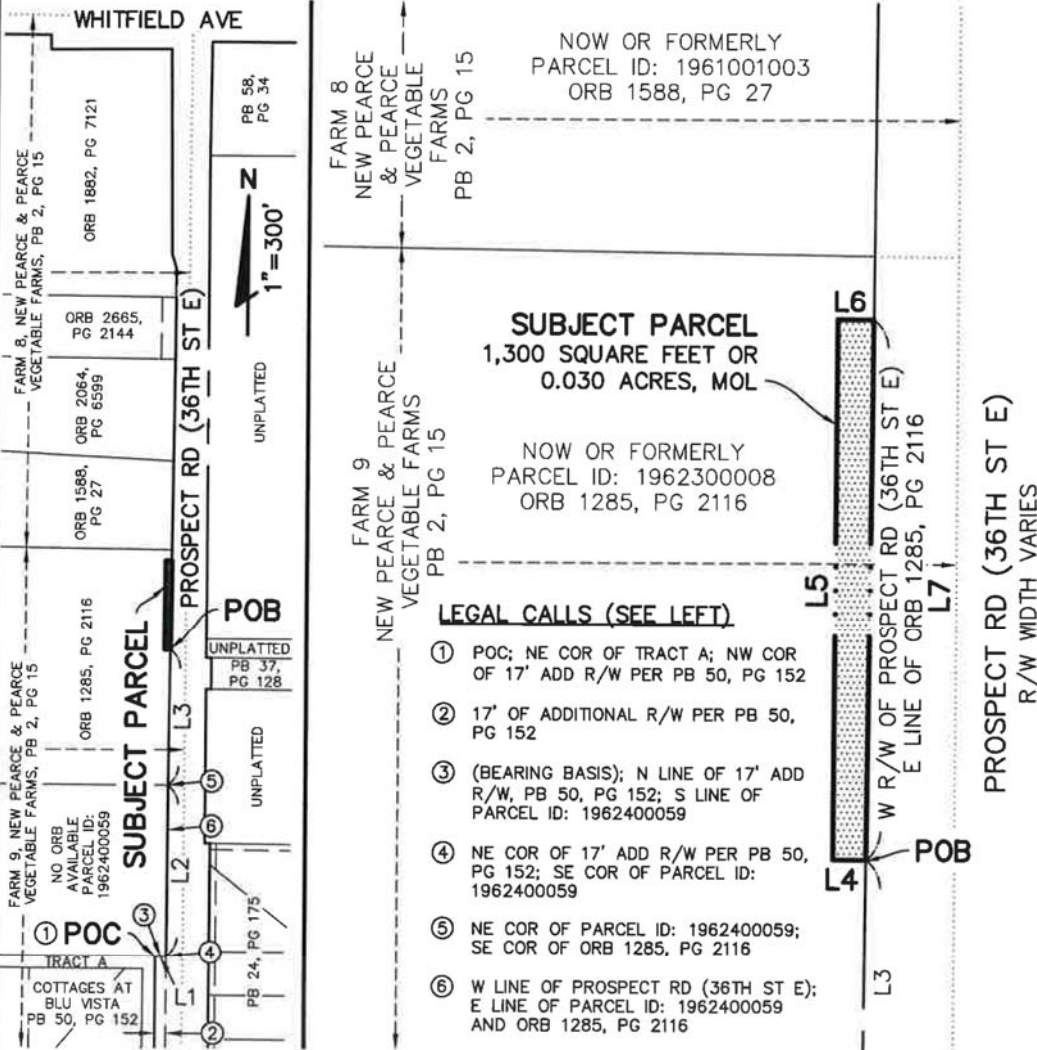
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**LEGEND:**

- ADD = ADDITIONAL
- COR = CORNER
- MOL = MORE OR LESS
- ORB = OFFICIAL RECORDS BOOK
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°44'45"E	17.00'
L2	N00°10'23"E	271.84'
L3	N00°33'09"E	215.83'
L4	N89°45'11"W	8.69'
L5	N00°14'49"E	143.36'
L6	S89°45'11"E	9.45'
L7	S00°33'09"W	143.36'

**LEGAL CALLS (SEE LEFT)**

- ① POC; NE COR OF TRACT A; NW COR OF 17' ADD R/W PER PB 50, PG 152
- ② 17' OF ADDITIONAL R/W PER PB 50, PG 152
- ③ (BEARING BASIS); N LINE OF 17' ADD R/W, PB 50, PG 152; S LINE OF PARCEL ID: 1962400059
- ④ NE COR OF 17' ADD R/W PER PB 50, PG 152; SE COR OF PARCEL ID: 1962400059
- ⑤ NE COR OF PARCEL ID: 1962400059; SE COR OF ORB 1285, PG 2116
- ⑥ W LINE OF PROSPECT RD (36TH ST E); E LINE OF PARCEL ID: 1962400059 AND ORB 1285, PG 2116

NOTE, THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

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 PROFESSIONAL SURVEYOR AND MAPPER  
 LICENSE NUMBER LS 6971  
 STATE OF FLORIDA

8-20-2020

**Exhibit "B"**

**FORM OF WARRANTY DEED**

*See Attached.*

**THIS INSTRUMENT PREPARED BY:**

Chris Pickens, Senior Real Property Specialist  
On behalf of Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West  
Bradenton, Florida 34205

Project Name: 36<sup>th</sup> Street East (Prospect Road) – Whitfield Avenue – 70<sup>th</sup> Avenue East  
Project Number: 5400002  
Parcel Identification Number: 1962400059 & 1962300008

SPACE ABOVE THIS LINE FOR RECORDING DATA

---

**WARRANTY DEED**

**THIS INDENTURE**, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, between **DECLAN E. HUBER and MOLLIE HUBER**, husband and wife, whose mailing address is 7000 Prospect Road, Sarasota, Florida 34243 (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 Composite Exhibit A attached hereto and incorporated herein by this reference.**

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

**AND** the Grantor does hereby covenant 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 fully 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 2021 and subsequent years.

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

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

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

**GRANTOR:**  
**DECLAN E. HUBER**

\_\_\_\_\_  
First Witness Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
First Witness Printed Name

\_\_\_\_\_  
Grantor Printed Name

\_\_\_\_\_  
Second Witness Signature

\_\_\_\_\_  
Second Witness Printed Name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Before me, a Notary Public, the foregoing instrument was acknowledged by means of

- physical presence or
- online notarization

this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, who

- is personally known to me or
- has produced \_\_\_\_\_ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

\_\_\_\_\_  
Signature of Notary Public  
(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

My Commission Expires: \_\_\_\_\_

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

**GRANTOR:**  
**MOLLIE HUBER**

\_\_\_\_\_  
First Witness Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
First Witness Printed Name

\_\_\_\_\_  
Grantor Printed Name

\_\_\_\_\_  
Second Witness Signature

\_\_\_\_\_  
Second Witness Printed Name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

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this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, who

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- has produced \_\_\_\_\_ as identification.

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COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 10.54 feet to the POINT OF BEGINNING; thence leaving said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), N28°28'16"E, for 13.63 feet to the point of intersection with the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 12.01 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence N89°44'45"W, along said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059, for 6.46 feet to the POINT OF BEGINNING.

Containing 39 square feet or 0.001 acres, more or less.

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COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 100.22 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), N89°25'53"W, for 5.67 feet; thence N00°34'07"E, for 171.58 feet to the point of intersection with the North line of said certain property now or formerly known as Parcel ID: 1962400059, same being the South line of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N89°50'35"W, along said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, page 2116, for 3.05 feet; thence leaving said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, Page 2116, N00°14'49"E, for 137.06 feet; thence S89°45'11"E, for 8.27 feet to the point of intersection with said West Right-of-Way line of PROSPECT RD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, page 2116, for 137.05 feet to the Southeast corner of said certain property as described in Official Records Book 1285, Page 2116, same being the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 171.62 feet to the POINT OF BEGINNING.

Containing 1,954 square feet or 0.045 acres, more or less.

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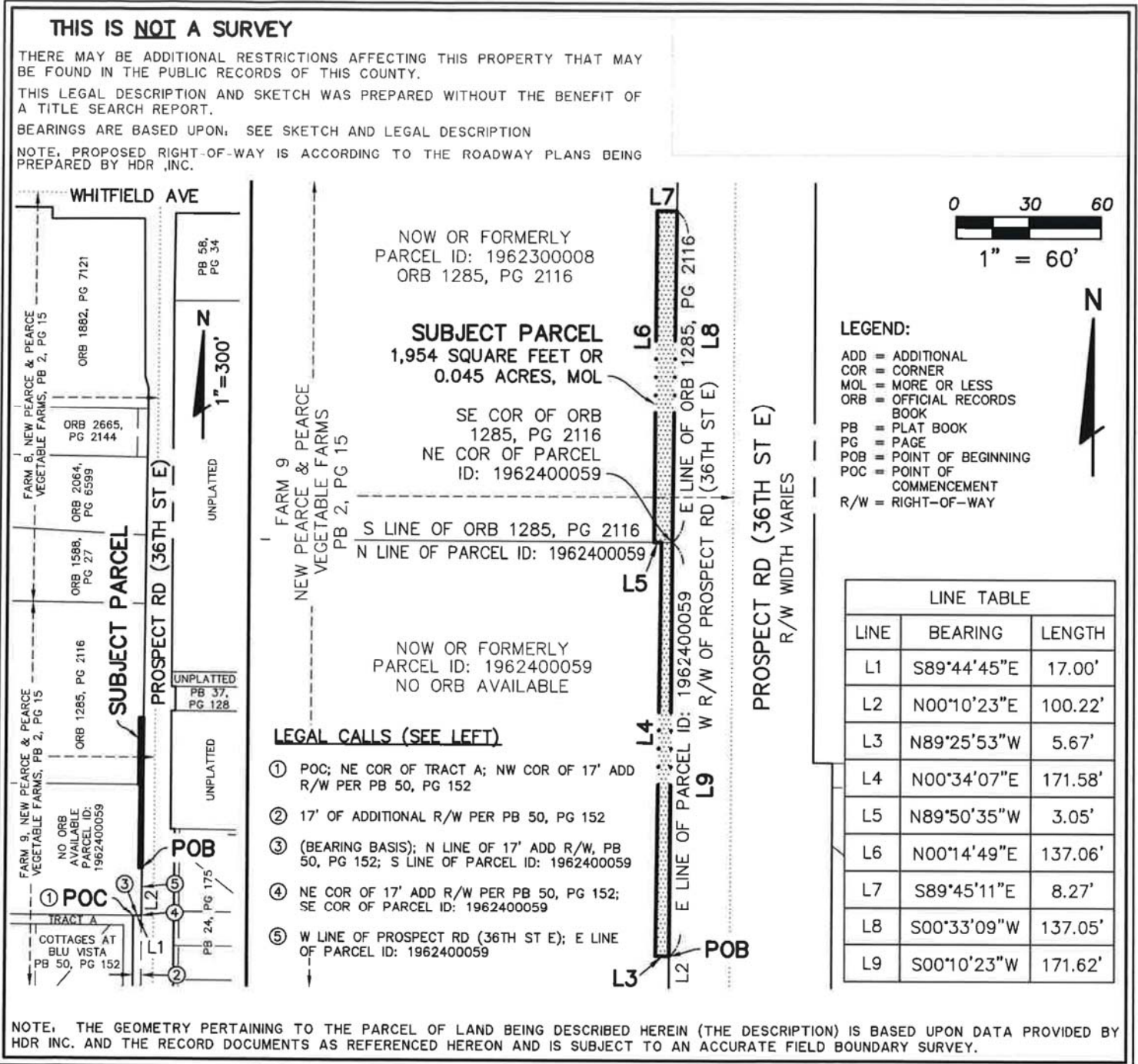
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COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 271.84 feet to the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same being the Southeast corner of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N00°33'09"E, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116, for 215.83 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of Official Records Book 1285, Page 2116, N89°45'11"W, for 8.69 feet; thence N00°14'49"E, for 143.36 feet; thence S89°45'11"E, for 9.45 feet to the point of intersection with said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116, for 143.36 feet to the POINT OF BEGINNING.

Containing 1,300 square feet or 0.030 acres, more or less

NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH



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NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH  
**JARED T. PATENAUDE**  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA

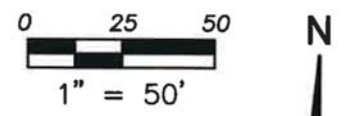
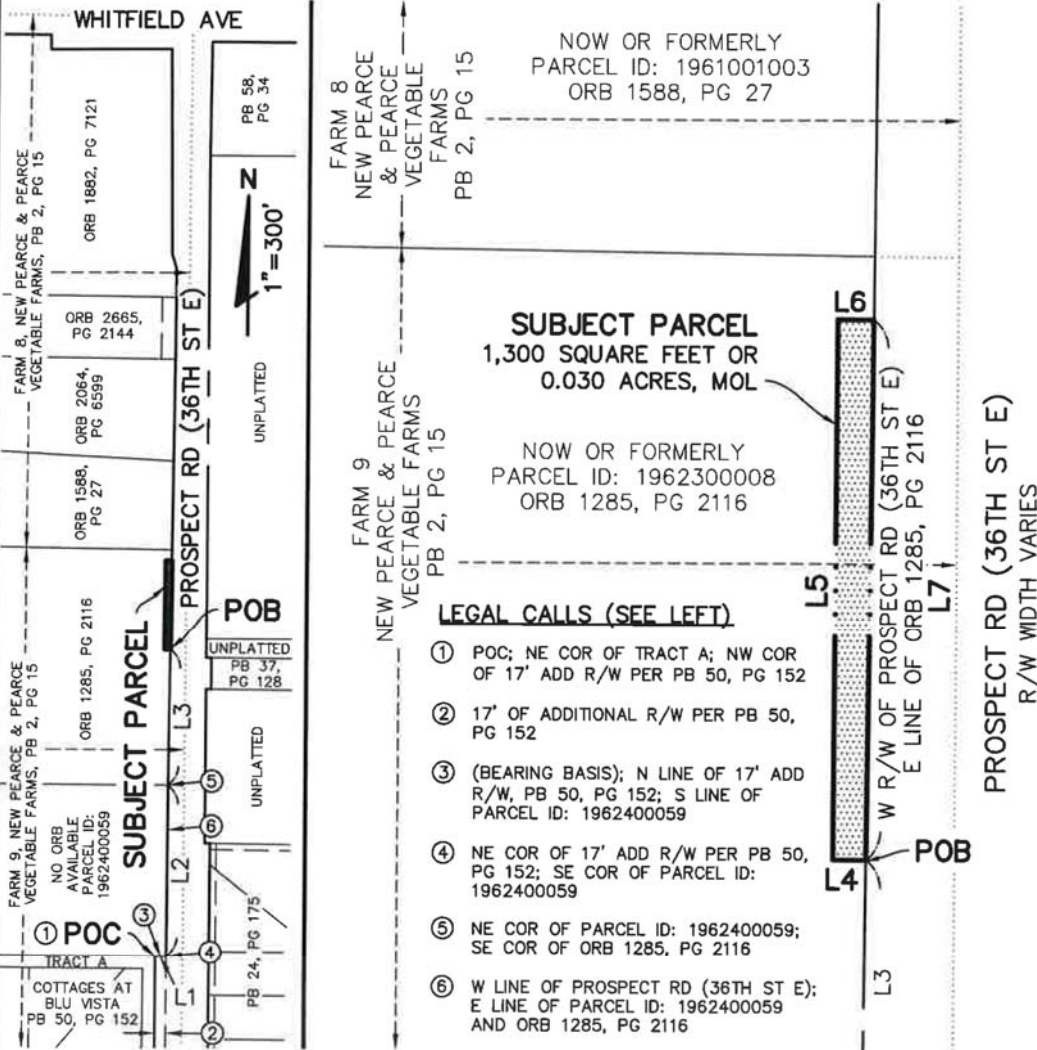
**THIS IS NOT A SURVEY**

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 SEARCH REPORT.

BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE, PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR, INC.



**LEGEND:**

- ADD = ADDITIONAL
- COR = CORNER
- MOL = MORE OR LESS
- ORB = OFFICIAL RECORDS
- BOOK
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°44'45"E	17.00'
L2	N00°10'23"E	271.84'
L3	N00°33'09"E	215.83'
L4	N89°45'11"W	8.69'
L5	N00°14'49"E	143.36'
L6	S89°45'11"E	9.45'
L7	S00°33'09"W	143.36'

- LEGAL CALLS (SEE LEFT)**
- ① POC; NE COR OF TRACT A; NW COR OF 17' ADD R/W PER PB 50, PG 152
  - ② 17' OF ADDITIONAL R/W PER PB 50, PG 152
  - ③ (BEARING BASIS); N LINE OF 17' ADD R/W, PB 50, PG 152; S LINE OF PARCEL ID: 1962400059
  - ④ NE COR OF 17' ADD R/W PER PB 50, PG 152; SE COR OF PARCEL ID: 1962400059
  - ⑤ NE COR OF PARCEL ID: 1962400059; SE COR OF ORB 1285, PG 2116
  - ⑥ W LINE OF PROSPECT RD (36TH ST E); E LINE OF PARCEL ID: 1962400059 AND ORB 1285, PG 2116

NOTE, THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: VARIES	DATE: 7-30-2020	DRAWN: BGD	CALCED: BGD	CHECKED: JTP
JOB No.: 0577-005A	EPN: 900	SECTION: 29	TOWNSHIP: 35S	RANGE: 18E

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PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA

**Exhibit "C"**

**Affidavit of Ownership and Encumbrances**

*See Attached.*

**Form prepared by:**

Chris Pickens, Senior Real Property Specialist  
On behalf of Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West  
Bradenton, Florida 34205

Project Name: 36<sup>th</sup> Street East (Prospect Road) – Whitfield Avenue – 70<sup>th</sup> Avenue East  
Project Number: 5400002  
Parcel Identification Number: 1962400059 & 1962300008

---

SPACE ABOVE THIS LINE FOR RECORDING DATA

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***AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES***

**BEFORE ME**, the undersigned notary public, personally appeared **DECLAN E. HUBER**, who being first duly sworn, deposes and says that, to the best of her knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. I, am the owner of the fee simple title to certain real property **(Property)** situated in Manatee County, Florida, more particularly described in **Composite Exhibit A**, attached hereto and incorporated herein by this reference, and I have full authority to sell or encumber the Property.
3. I have sole and exclusive possession of the Property, which is my homestead under the laws and constitution of the State of Florida, and I am not married.
4. Neither my title to nor possession of the Property has ever been disputed or questioned and I am not aware of any facts by reason of which the title to or possession of the Property or any part of it or any personal property located on it might be disputed or questioned or by reason of which any claim to the Property or any portion of it or any personal property located on it might be adversely asserted.
5. No person or entity other than myself claims or is presently entitled to the right to possess or is in possession of the Property and there are no tenancies, leases, or other occupancies that affect the Property.
6. There are no disputes concerning the location of the boundary lines of the Property.
7. I have not violated any of the restrictions, declarations, or covenants in connection with the Property, nor know of any prior owner violating said restrictions, declarations, or covenants.
8. There are no outstanding or unpaid taxes or assessments (pending or certified) due to any governmental agency for improvements to or for the benefit of the Property for which I am responsible or any unpaid or unsatisfied mortgages, claims of lien, or other matters that constitute or could constitute a lien or encumbrance against the

Property or any improvements on it or any part of it or against any personal property located on it. Should any bill be found which relates to the period of my possession, I shall pay such bill upon demand. No notice has been received regarding future pending zoning by any government instrumentality.

9. There are no security agreements, financing statements, title retention contracts or personal property leases affecting any materials, fixtures, appliances, furnishings or equipment placed on or installed in or on the Property or the improvements located on it.

10. There are no actions, proceedings, judgments, bankruptcies, liens or executions recorded among the Public Records of Manatee County, Florida, or any other county in Florida or pending against me in the courts of Manatee County, Florida, or any other courts.

11. There are no matters pending against me that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title, and I have not and will not execute any instrument that would adversely affect the title or interest to be insured in the Property, including but not limited to mortgaging or conveying the Property or any interest in it or causing any liens to be recorded against the Property or the Owner.

12. There has been no labor performed or materials furnished on or to the Property during the past ninety days, or, if labor has been performed or materials furnished during such ninety days, all persons performing or furnishing the same have been fully paid and there are no unpaid bills for labor or materials for which valid liens could be filed.

13. No notice of commencement concerning the Property has been filed in the past ninety days, nor are there any unsatisfied construction liens of record concerning such Property, nor have any notices to owner been received by me during the past ninety days.

14. There are no outstanding, unrecorded deeds, unsatisfied liens, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property except the following:

- Mortgage dated May 23, 2005 and recorded May 25, 2005 with a modification agreement and assignments
- Mortgaged dated September 6, 2020 and recorded September 27, 2006; as re-recorded August 29., 2013

15. I am making this affidavit to induce Manatee County to purchase the Property.

16. I have full knowledge of applicable Florida laws regarding affidavits and sworn statements and the liabilities and penalties resulting from false statements and misrepresentations made in these types of documents.

AFFIANT:

**DECLAN E. HUBER**

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Before me, a Notary Public, the foregoing instrument was acknowledged by means of

- physical presence or
- online notarization

this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by **DECLAN E. HUBER**, who

is personally known to me or

has produced \_\_\_\_\_ as

identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

\_\_\_\_\_  
Signature of Notary Public  
(Legibly print, type, or stamp  
commissioned name of Notary Public  
and affix official notary seal below.)

My Commission Expires: \_\_\_\_\_

**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 SEARCH REPORT.

BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE, PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR ,INC.

**LEGAL DESCRIPTION:**

A parcel of land being a portion of FARM 9, according to the plat of NEW PEARCE & PEARCE VEGETABLE FARMS, as recorded in Plat Book 2, Page 15, of the Public Records of Manatee County, Florida, same being a portion of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser, lying in Section 29, Township 35 South, Range 18 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 10.54 feet to the POINT OF BEGINNING; thence leaving said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), N28°28'16"E, for 13.63 feet to the point of intersection with the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 12.01 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence N89°44'45"W, along said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059, for 6.46 feet to the POINT OF BEGINNING.

Containing 39 square feet or 0.001 acres, more or less.

NOTE. THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH



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CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH  
*Jared T. Patenaude*  
JARED T. PATENAUDE  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA





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COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 100.22 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), N89°25'53"W, for 5.67 feet; thence N00°34'07"E, for 171.58 feet to the point of intersection with the North line of said certain property now or formerly known as Parcel ID: 1962400059, same being the South line of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N89°50'35"W, along said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, page 2116, for 3.05 feet; thence leaving said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, Page 2116, N00°14'49"E, for 137.06 feet; thence S89°45'11"E, for 8.27 feet to the point of intersection with said West Right-of-Way line of PROSPECT RD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, page 2116, for 137.05 feet to the Southeast corner of said certain property as described in Official Records Book 1285, Page 2116, same being the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 171.62 feet to the POINT OF BEGINNING.

Containing 1,954 square feet or 0.045 acres, more or less.

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PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: BGD	CALCED: BGD	CHECKED: JTP
JOB No.:	EPN:	SECTION:	TOWNSHIP:	RANGE:
<b>0577-005A</b>	<b>900</b>	<b>29</b>	<b>35S</b>	<b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
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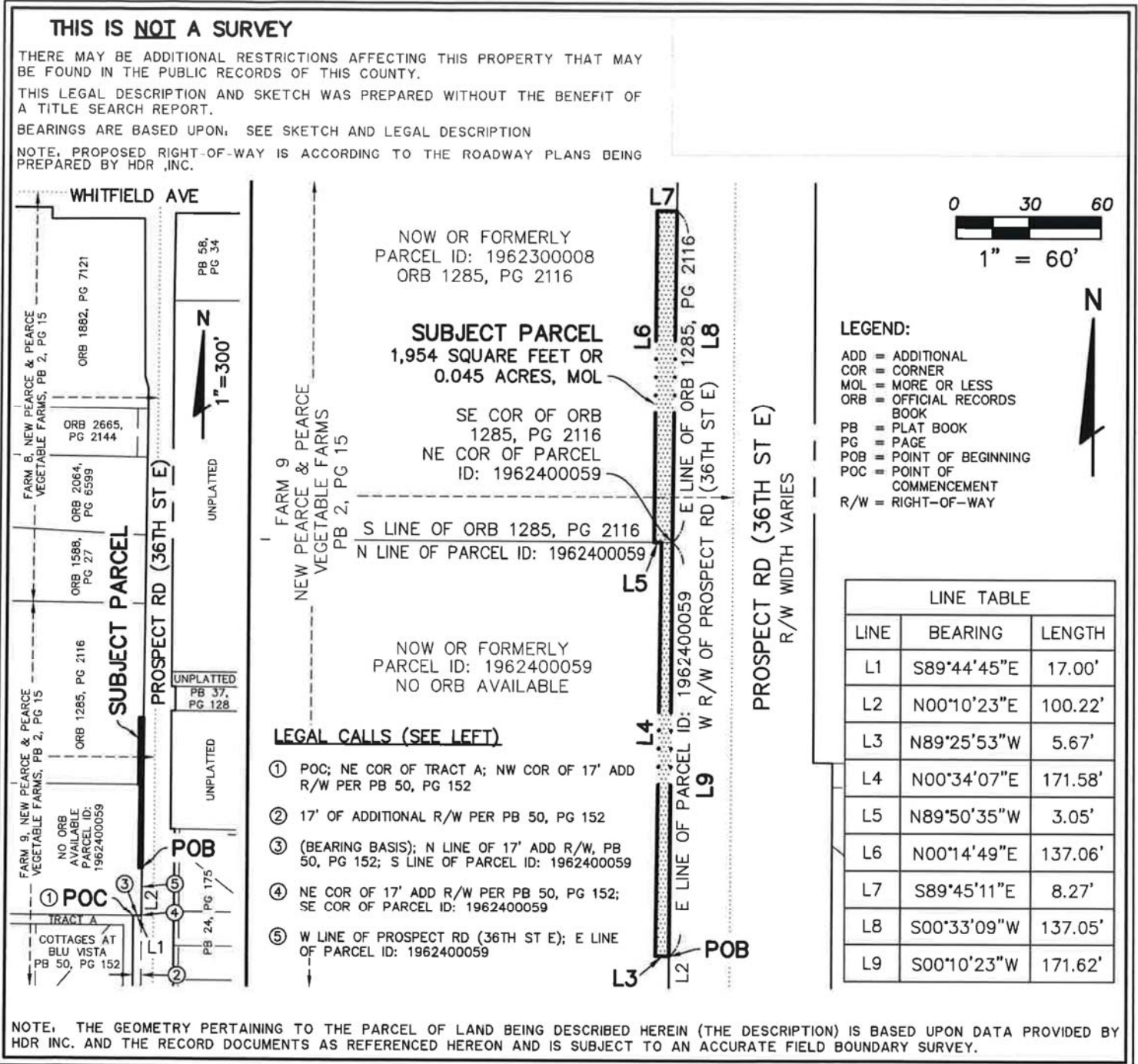


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LICENSE NUMBER LS 6971  
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PREPARED FOR: **MANATEE COUNTY**

SHEET DESCRIPTION: **PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>VARIES</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>	SEE SHEET 1 FOR LEGAL DESCRIPTION SEE SHEET 2 FOR SKETCH
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>	

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8-20-2020

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COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 271.84 feet to the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same being the Southeast corner of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N00°33'09"E, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116, for 215.83 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of Official Records Book 1285, Page 2116, N89°45'11"W, for 8.69 feet; thence N00°14'49"E, for 143.36 feet; thence S89°45'11"E, for 9.45 feet to the point of intersection with said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116, for 143.36 feet to the POINT OF BEGINNING.

Containing 1,300 square feet or 0.030 acres, more or less

NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH



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— THINK IT. ACHIEVE IT. —

20525 AMBERFIELD DRIVE, SUITE 201, LAND O LAKES, FLORIDA 34638  
PHONE: (800) 532 - 1047 FAX: (727) 848 - 3648 WWW.FLDESIGN.COM L.B. NO.6707

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH  
**JARED T. PATENAUDE**  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA

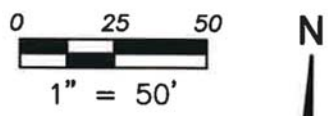
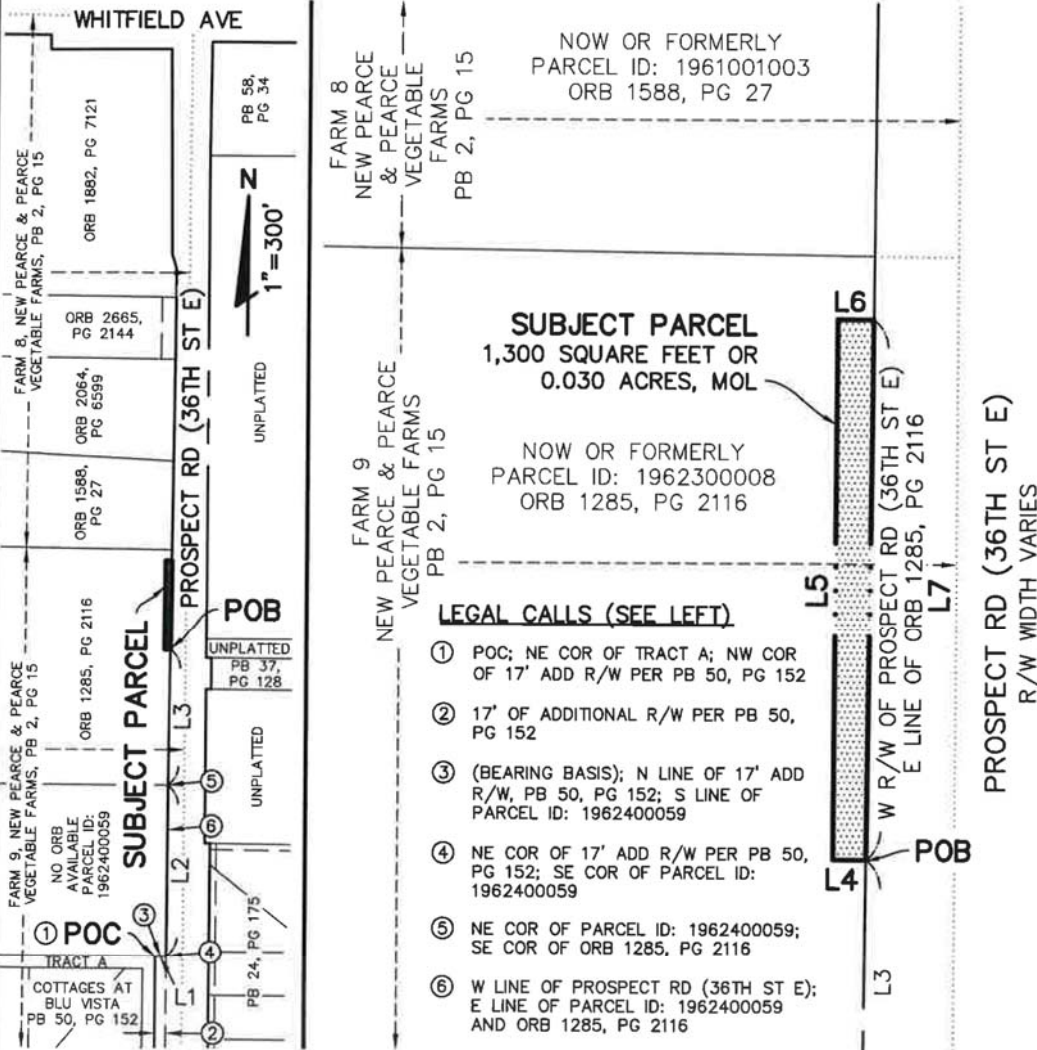
**THIS IS NOT A SURVEY**

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 SEARCH REPORT.

BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE, PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR, INC.



**LEGEND:**

- ADD = ADDITIONAL
- COR = CORNER
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- PB = PLAT BOOK
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- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°44'45"E	17.00'
L2	N00°10'23"E	271.84'
L3	N00°33'09"E	215.83'
L4	N89°45'11"W	8.69'
L5	N00°14'49"E	143.36'
L6	S89°45'11"E	9.45'
L7	S00°33'09"W	143.36'

**SUBJECT PARCEL**  
1,300 SQUARE FEET OR  
0.030 ACRES, MOL

NOW OR FORMERLY  
PARCEL ID: 1962300008  
ORB 1285, PG 2116

**LEGAL CALLS (SEE LEFT)**

- ① POC; NE COR OF TRACT A; NW COR OF 17' ADD R/W PER PB 50, PG 152
- ② 17' OF ADDITIONAL R/W PER PB 50, PG 152
- ③ (BEARING BASIS); N LINE OF 17' ADD R/W, PB 50, PG 152; S LINE OF PARCEL ID: 1962400059
- ④ NE COR OF 17' ADD R/W PER PB 50, PG 152; SE COR OF PARCEL ID: 1962400059
- ⑤ NE COR OF PARCEL ID: 1962400059; SE COR OF ORB 1285, PG 2116
- ⑥ W LINE OF PROSPECT RD (36TH ST E); E LINE OF PARCEL ID: 1962400059 AND ORB 1285, PG 2116

NOTE, THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR: **MANATEE COUNTY**

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SCALE: <b>VARIES</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCD: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.:	EPN:	SECTION:	TOWNSHIP:	RANGE:
<b>0577-005A</b>	<b>900</b>	<b>29</b>	<b>35S</b>	<b>18E</b>

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*Jared T. Patenaude*  
8-20-2020

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

**Form prepared by:**

Chris Pickens, Senior Real Property Specialist  
On behalf of Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West  
Bradenton, Florida 34205

Project Name: 36<sup>th</sup> Street East (Prospect Road) – Whitfield Avenue – 70<sup>th</sup> Avenue East  
Project Number: 5400002  
Parcel Identification Number: 1962400059 & 1962300008

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SPACE ABOVE THIS LINE FOR RECORDING DATA

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***AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES***

**BEFORE ME**, the undersigned notary public, personally appeared **MOLLIE HUBER**, who being first duly sworn, deposes and says that, to the best of her knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. I, am the owner of the fee simple title to certain real property **(Property)** situated in Manatee County, Florida, more particularly described in **Composite Exhibit A**, attached hereto and incorporated herein by this reference, and I have full authority to sell or encumber the Property.
3. I have sole and exclusive possession of the Property, which is my homestead under the laws and constitution of the State of Florida, and I am not married.
4. Neither my title to nor possession of the Property has ever been disputed or questioned and I am not aware of any facts by reason of which the title to or possession of the Property or any part of it or any personal property located on it might be disputed or questioned or by reason of which any claim to the Property or any portion of it or any personal property located on it might be adversely asserted.
5. No person or entity other than myself claims or is presently entitled to the right to possess or is in possession of the Property and there are no tenancies, leases, or other occupancies that affect the Property.
6. There are no disputes concerning the location of the boundary lines of the Property.
7. I have not violated any of the restrictions, declarations, or covenants in connection with the Property, nor know of any prior owner violating said restrictions, declarations, or covenants.
8. There are no outstanding or unpaid taxes or assessments (pending or certified) due to any governmental agency for improvements to or for the benefit of the Property for which I am responsible or any unpaid or unsatisfied mortgages, claims of lien, or other matters that constitute or could constitute a lien or encumbrance against the

Property or any improvements on it or any part of it or against any personal property located on it. Should any bill be found which relates to the period of my possession, I shall pay such bill upon demand. No notice has been received regarding future pending zoning by any government instrumentality.

9. There are no security agreements, financing statements, title retention contracts or personal property leases affecting any materials, fixtures, appliances, furnishings or equipment placed on or installed in or on the Property or the improvements located on it.

10. There are no actions, proceedings, judgments, bankruptcies, liens or executions recorded among the Public Records of Manatee County, Florida, or any other county in Florida or pending against me in the courts of Manatee County, Florida, or any other courts.

11. There are no matters pending against me that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title, and I have not and will not execute any instrument that would adversely affect the title or interest to be insured in the Property, including but not limited to mortgaging or conveying the Property or any interest in it or causing any liens to be recorded against the Property or the Owner.

12. There has been no labor performed or materials furnished on or to the Property during the past ninety days, or, if labor has been performed or materials furnished during such ninety days, all persons performing or furnishing the same have been fully paid and there are no unpaid bills for labor or materials for which valid liens could be filed.

13. No notice of commencement concerning the Property has been filed in the past ninety days, nor are there any unsatisfied construction liens of record concerning such Property, nor have any notices to owner been received by me during the past ninety days.

14. There are no outstanding, unrecorded deeds, unsatisfied liens, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property except the following:

- Mortgage dated May 23, 2005 and recorded May 25, 2005 with a modification agreement and assignments
- Mortgaged dated September 6, 2020 and recorded September 27, 2006; as re-recorded August 29., 2013

15. I am making this affidavit to induce Manatee County to purchase the Property.

16. I have full knowledge of applicable Florida laws regarding affidavits and sworn statements and the liabilities and penalties resulting from false statements and misrepresentations made in these types of documents.

AFFIANT:

**MOLLIE HUBER**

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Before me, a Notary Public, the foregoing instrument was acknowledged by means of

- physical presence or
- online notarization

this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by **MOLLIE HUBER**, who

is personally known to me or

has produced \_\_\_\_\_ as

identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

\_\_\_\_\_  
Signature of Notary Public  
(Legibly print, type, or stamp  
commissioned name of Notary Public  
and affix official notary seal below.)

My Commission Expires: \_\_\_\_\_



**THIS IS NOT A SURVEY**

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

BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE, PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR ,INC.

**LEGAL DESCRIPTION:**

A parcel of land being a portion of FARM 9, according to the plat of NEW PEARCE & PEARCE VEGETABLE FARMS, as recorded in Plat Book 2, Page 15, of the Public Records of Manatee County, Florida, same being a portion of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser, lying in Section 29, Township 35 South, Range 18 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now or formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 10.54 feet to the POINT OF BEGINNING; thence leaving said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), N28°28'16"E, for 13.63 feet to the point of intersection with the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 12.01 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence N89°44'45"W, along said North line of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059, for 6.46 feet to the POINT OF BEGINNING.

Containing 39 square feet or 0.001 acres, more or less.

NOTE. THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH



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CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH  
*Jared T. Patenaude*  
JARED T. PATENAUDE  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA

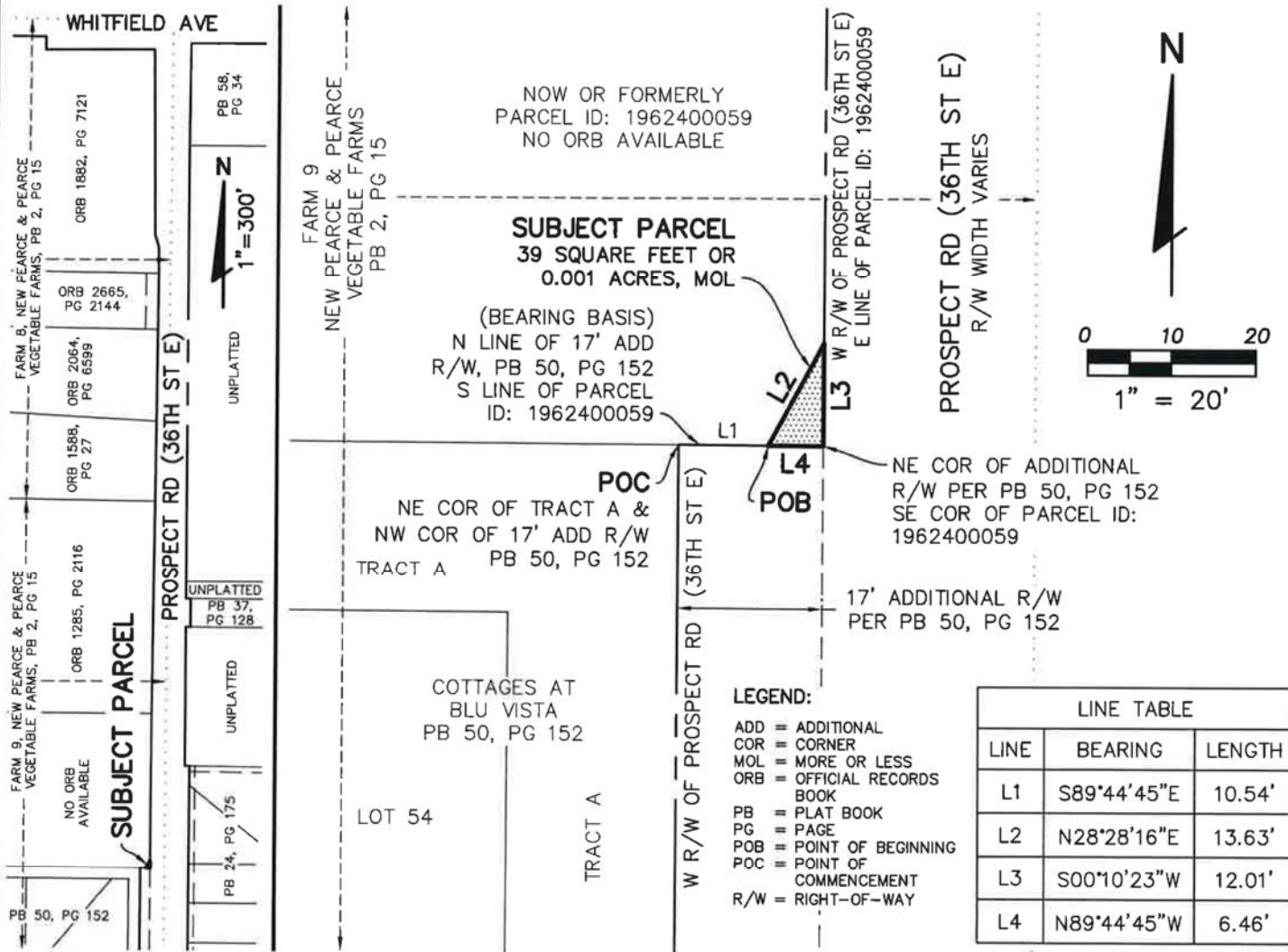
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LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°44'45"E	10.54'
L2	N28°28'16"E	13.63'
L3	S00°10'23"W	12.01'
L4	N89°44'45"W	6.46'

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<b>0577-005A</b>	<b>900</b>	<b>29</b>	<b>35S</b>	<b>18E</b>

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COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 100.22 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), N89°25'53"W, for 5.67 feet; thence N00°34'07"E, for 171.58 feet to the point of intersection with the North line of said certain property now or formerly known as Parcel ID: 1962400059, same being the South line of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N89°50'35"W, along said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, page 2116, for 3.05 feet; thence leaving said North line of that certain property now or formerly known as Parcel ID: 1962400059, same being said South line of that certain property as described in Official Records Book 1285, Page 2116, N00°14'49"E, for 137.06 feet; thence S89°45'11"E, for 8.27 feet to the point of intersection with said West Right-of-Way line of PROSPECT RD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, page 2116, for 137.05 feet to the Southeast corner of said certain property as described in Official Records Book 1285, Page 2116, same being the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059; thence S00°10'23"W, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property now or formerly known as Parcel ID: 1962400059, for 171.62 feet to the POINT OF BEGINNING.

Containing 1,954 square feet or 0.045 acres, more or less.

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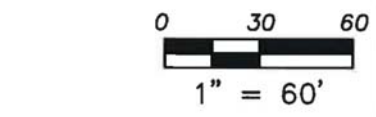
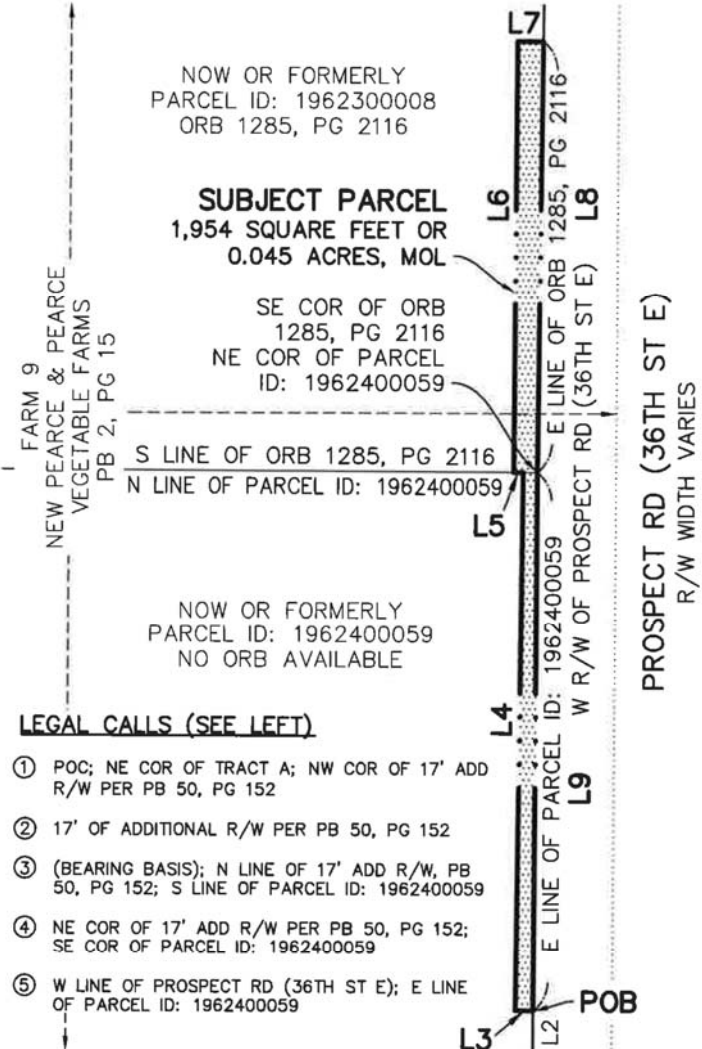
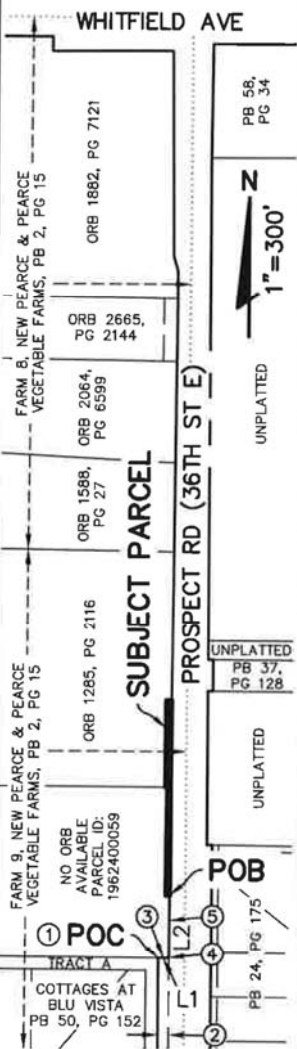
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LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°44'45"E	17.00'
L2	N00°10'23"E	100.22'
L3	N89°25'53"W	5.67'
L4	N00°34'07"E	171.58'
L5	N89°50'35"W	3.05'
L6	N00°14'49"E	137.06'
L7	S89°45'11"E	8.27'
L8	S00°33'09"W	137.05'
L9	S00°10'23"W	171.62'

NOW OR FORMERLY  
PARCEL ID: 1962300008  
ORB 1285, PG 2116

**SUBJECT PARCEL**  
1,954 SQUARE FEET OR  
0.045 ACRES, MOL

SE COR OF ORB  
1285, PG 2116  
NE COR OF PARCEL  
ID: 1962400059

S LINE OF ORB 1285, PG 2116  
N LINE OF PARCEL ID: 1962400059

NOW OR FORMERLY  
PARCEL ID: 1962400059  
NO ORB AVAILABLE

**LEGAL CALLS (SEE LEFT)**

- ① POC; NE COR OF TRACT A; NW COR OF 17' ADD R/W PER PB 50, PG 152
- ② 17' OF ADDITIONAL R/W PER PB 50, PG 152
- ③ (BEARING BASIS); N LINE OF 17' ADD R/W, PB 50, PG 152; S LINE OF PARCEL ID: 1962400059
- ④ NE COR OF 17' ADD R/W PER PB 50, PG 152; SE COR OF PARCEL ID: 1962400059
- ⑤ W LINE OF PROSPECT RD (36TH ST E); E LINE OF PARCEL ID: 1962400059

NOTE, THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR: **MANATEE COUNTY**

SHEET DESCRIPTION: **PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>VARIES</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH

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

20525 AMBERFIELD DRIVE, SUITE 201, LAND O LAKES, FLORIDA 34638  
PHONE: (800) 532-1047 FAX: (727) 848-3648 WWW.FLDESIGN.COM L.B. NO.6707

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

CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH

*Jared T. Patenaude* 8-20-2020

**JARED T. PATENAUDE**  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 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 SEARCH REPORT.

BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE: PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR, INC.

**LEGAL DESCRIPTION:**

A parcel of land being a portion of FARM 9, according to the plat of NEW PEARCE & PEARCE VEGETABLE FARMS, as recorded in Plat Book 2, Page 15, of the Public Records of Manatee County, Florida, same being a portion of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida, lying in Section 29, Township 35 South, Range 18 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 271.84 feet to the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same being the Southeast corner of that certain property as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N00°33'09"E, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property as described in Official Records Book 1285, Page 2116, for 215.83 feet to the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of Official Records Book 1285, Page 2116, N89°45'11"W, for 8.69 feet; thence N00°14'49"E, for 143.36 feet; thence S89°45'11"E, for 9.45 feet to the point of intersection with said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116; thence S00°33'09"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property as described in Official Records Book 1285, Page 2116, for 143.36 feet to the POINT OF BEGINNING.

Containing 1,300 square feet or 0.030 acres, more or less

NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS BASED UPON DATA PROVIDED BY HDR INC. AND THE RECORD DOCUMENTS AS REFERENCED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR:

**MANATEE COUNTY**

SHEET DESCRIPTION:

**PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: <b>NONE</b>	DATE: <b>7-30-2020</b>	DRAWN: <b>BGD</b>	CALCED: <b>BGD</b>	CHECKED: <b>JTP</b>
JOB No.: <b>0577-005A</b>	EPN: <b>900</b>	SECTION: <b>29</b>	TOWNSHIP: <b>35S</b>	RANGE: <b>18E</b>

SEE SHEET 1 FOR LEGAL DESCRIPTION  
SEE SHEET 2 FOR SKETCH



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CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH  
**JARED T. PATENAUDE**  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER LS 6971  
STATE OF FLORIDA

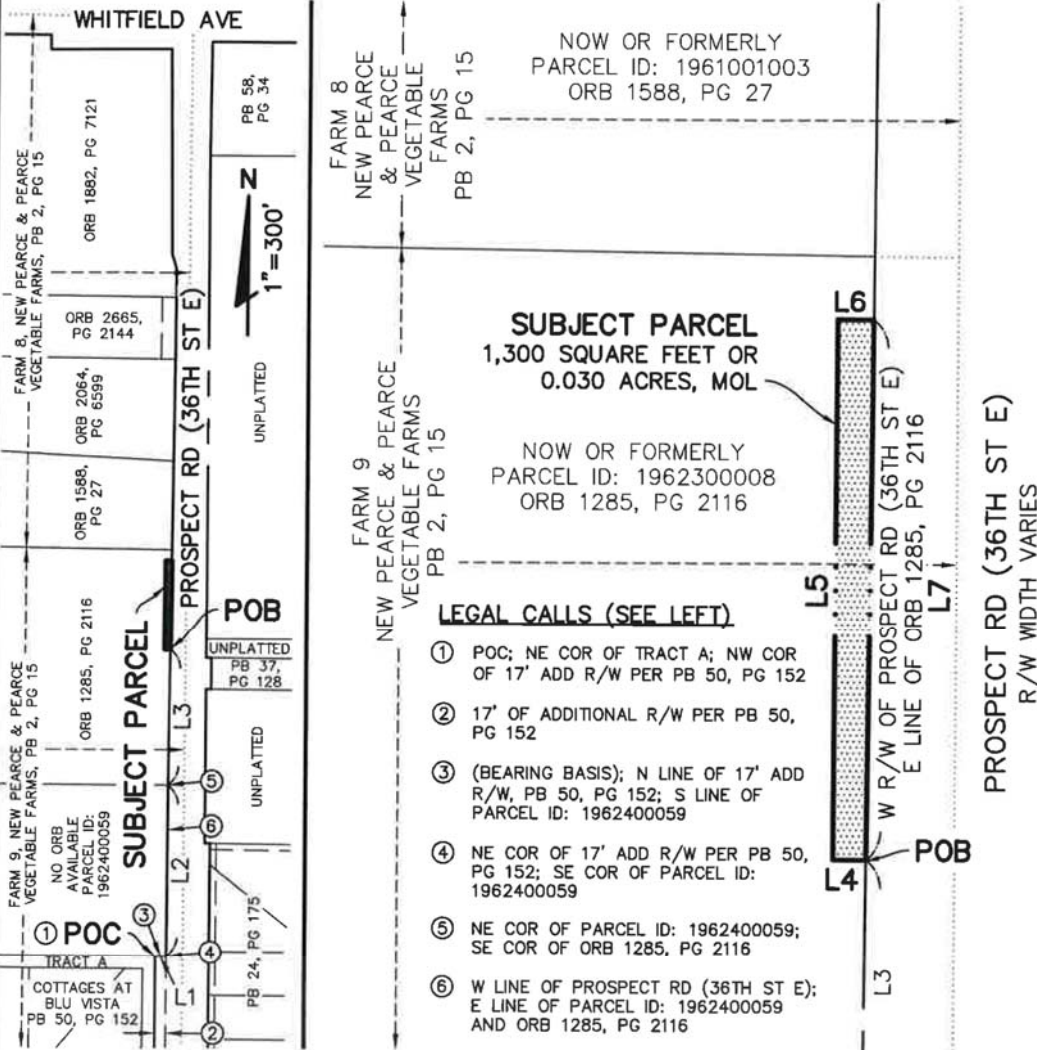
**THIS IS NOT A SURVEY**

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 SEARCH REPORT.

BEARINGS ARE BASED UPON: SEE SKETCH AND LEGAL DESCRIPTION

NOTE, PROPOSED RIGHT-OF-WAY IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR, INC.



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PREPARED FOR: **MANATEE COUNTY**

SHEET DESCRIPTION: **PROSPECT ROAD - ADDITIONAL RIGHT-OF-WAY**

SCALE: VARIES	DATE: 7-30-2020	DRAWN: BGD	CALCED: BGD	CHECKED: JTP
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CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH

*Jared T. Patenaude*  
8-20-2020

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

**APPROVED** in Open Session  
2-9-2021

Manatee County Board of County  
Commissioners

Manatee County Government Administration Building  
Honorable Patricia M. Glass Chambers, First Floor  
9:00 a.m. - February 9, 2021

February 9, 2021 - Regular Meeting  
Agenda Item #30

Subject

Execution of Contract for Sale and Purchase between Declan E. Huber and Mollie Huber and Manatee County for property located at 7070 and 7112 Prospect Road, Sarasota, Florida

Briefings

None

Contact and/or Presenter Information

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

Chris Pickens, Senior Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 6285

Action Requested

- Execution of Contract for Sale and Purchase between Declan E. Huber and Mollie Huber and Manatee County for property located at 7070 and 7112 Prospect Road, Sarasota, Florida

Enabling/Regulating Authority

- Chapter 125, Florida Statutes
- Manatee County Comprehensive Plan

Background Discussion

- The right-of-way is required for the 36th Street East (Prospect Road) - Whitfield Avenue Sidewalk Project.
- The 36th Street East (Prospect Road) - Whitfield Avenue Sidewalk Project was approved in FY 2019.
- The acquisition is for 3,293 square feet of frontage that abuts Whitfield Avenue.
- Property Acquisition performed an in-house value analysis and recommends approval with the Public Works Department for the Contract that is the subject of this agenda.
- An agreement of \$21,475.00 was reached as total compensation and eliminates additional costs for litigation, attorney, and expert fees.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Emailed and Interoffice 2-11/2021

Instructions to Board Records

Please forward the original, executed contract to [chris.pickens@mymanatee.org](mailto:chris.pickens@mymanatee.org)

Please email a copy of the approved agenda item to [daniel.garner@mymanatee.org](mailto:daniel.garner@mymanatee.org)

Please email a copy of the approved agenda item to [johnnie.yetter@mymanatee.org](mailto:johnnie.yetter@mymanatee.org)

Cost and Funds Source Account Number and Name

\$21,475.00 to Fund-Account Key: 850-6068361 Funds Source: Infrastructure Sales Tax Name: Whitfield Ave  
@ Prospect Road

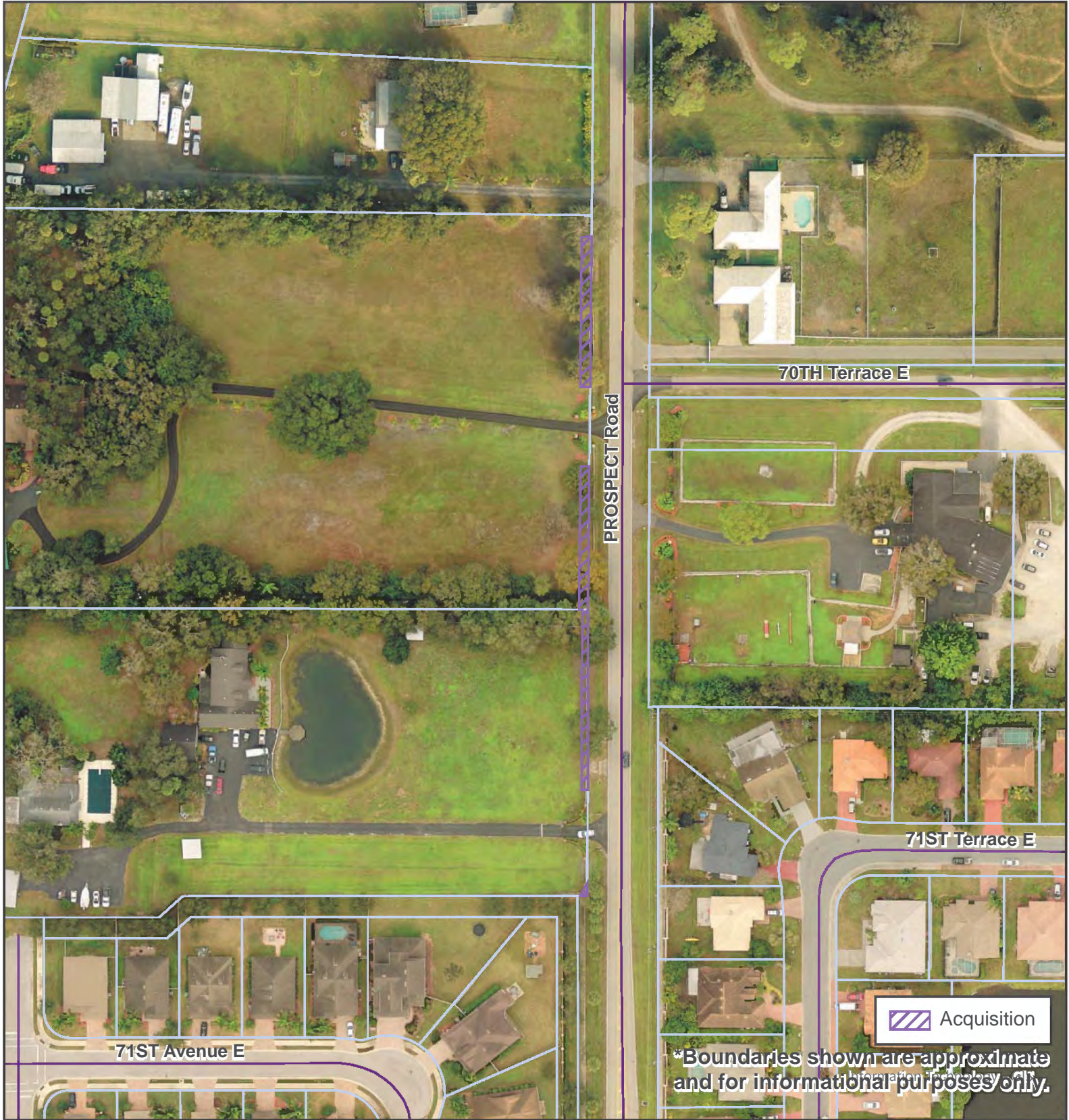
Amount and Frequency of Recurring Costs

N/A

Attachment: [Contract for Sale and Purchase.pdf](#)

Attachment: [Prospect Road Whitfield Avenue Sidewalk Location Map.pdf](#)





**PROSPECT ROAD - WHITFIELD AVENUE  
SIDEWALKS**

**DECLAN HUBER  
7112 PROSPECT ROAD  
SARASOTA, FL 34243  
PID 1962400059 & 1962300008**

**DISTRICT 4 - MISTY SERVIA**

