

RESOLUTION R-21-016

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, DECLARING A PUBLIC HEARING TO CONSIDER AN APPLICATION TO VACATE CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY, SPECIFICALLY A PORTION OF 69TH STREET EAST, A ROAD IDENTIFIED AS COUNTY ROAD ON THE PLAT OF MARINELAND, RECORDED IN PLAT BOOK 7, PAGE 68, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, PURSUANT TO SECTIONS 336.09, 336.10 AND 336.12, FLORIDA STATUTES, AND THE LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA.

WHEREAS, an application has been made and filed before the Board of County Commissioners of Manatee County, Florida, (Board) by Sharon M. Keister, an individual, (Applicant) to vacate certain streets, roads, or other appropriate property, specifically a portion of 69th Street East, a road identified as County Road on the plat of Marineland, recorded in Plat Book 7, Page 68, of the Public Records of Manatee County, Florida;

WHEREAS, the Applicant seeks to vacate property located in an unincorporated area of Manatee County, Florida, and more particularly described in Exhibit A attached hereto and by this reference provided herein.

NOW THEREFORE, BE IT RESOLVED, by the Board that:

A public hearing will be held before the Board in the Honorable Patricia M. Glass Chambers, on the first floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida 34205, at 9:00 a.m., or as soon thereafter as same may be heard, on the 20th day of April, 2021, to consider the advisability of granting said application, or some portion thereof. All interested persons, firms, corporations or other entities and organizations shall govern themselves accordingly.

In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal a decision made with respect to any matter considered at this hearing, he or she will need a record of the proceedings and therefore, he or she may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Copies of this Resolution are available for review at the Property Acquisition Division on the eighth floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, and are available for purchase, at cost.

DULY ADOPTED with a quorum present and voting this 23rd day of March, 2021.



**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

A large, stylized handwritten signature in blue ink is written over the signature line for the Chairperson.

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

A handwritten signature in blue ink is written over the signature line for the Deputy Clerk.

ZNS ENGINEERING

Land Planning Engineering Surveying Landscape Architecture
 EB 0027476 LB 0006982 LC 0000365

"EXHIBIT A"

CERTIFICATE OF AUTHORIZATION # LB 6982
 201 5th AVENUE DRIVE EAST
 BRADENTON, FLORIDA 34208
 (941) 748-8080
 FAX (941) 748-3747

REVISIONS:

1. ADD DITCH INFO GB 01/15/2020

DESCRIPTION: VACATION

A PORTION OF 69th STREET EAST (COUNTY ROAD - PLAT) RIGHT OF WAY OF MARINELAND, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID 69th STREET EAST (COUNTY ROAD - PLAT) LYING WEST OF THE EAST LINE OF S.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23 AND LYING EAST OF THE EAST LINE OF LOT 75 OF SAID SUBDIVISION AND LYING SOUTH OF 68th AVENUE EAST (RIVER ROAD - PLAT).

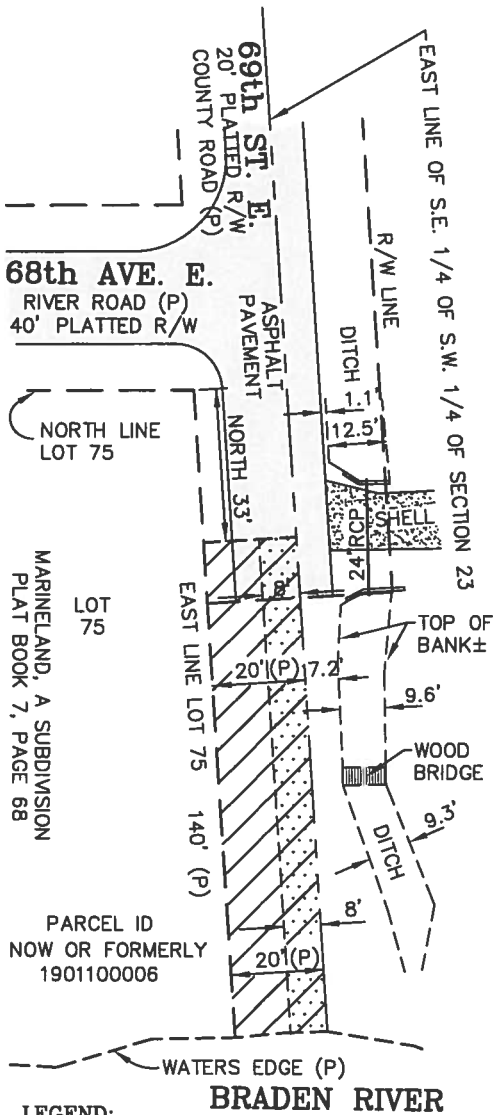
LESS: THE NORTH 33 FEET THEREOF.

DESCRIPTION: (8-FOOT WIDE ACCESS EASEMENT)

A PORTION OF 69th STREET EAST (COUNTY ROAD -PLAT) RIGHT OF WAY OF MARINELAND, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THE EAST 8 FEET OF THAT PORTION OF SAID 69th STREET EAST (COUNTY ROAD - PLAT) LYING WEST OF THE EAST LINE OF S.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23 AND LYING EAST OF THE EAST LINE OF LOT 75 OF SAID SUBDIVISION AND LYING SOUTH OF 68th AVENUE EAST (RIVER ROAD - PLAT).

LESS: THE NORTH 33 FEET THEREOF.



LEGEND:

- R/W - RIGHT OF WAY
- (P) - PLAT DATA
- [Hatched Box] - AREA OF VACATION (20 FEET WIDE)
- [Dotted Box] - AREA OF ACCESS EASEMENT (8 FEET WIDE)

NOTE:

THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.

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 THIS DOCUMENT IS PROTECTED BY SECTION 106 OF THE "UNITED STATES COPYRIGHT ACT". REPRODUCTION OR ALTERATION OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREON BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF ZNS ENGINEERING, L.C. CONSENT IS HEREBY GRANTED SPECIFICALLY TO GOVERNMENTAL AGENCIES TO REPRODUCE THIS DOCUMENT IN COMPLIANCE WITH F.S. CHAPTER 119.

T:\LOT-MISC\Marineland\VACATION-LOT75_8-2019-Update.dwg bernie (#44868)

**NOT A BOUNDARY SURVEY
 DESCRIPTION SKETCH
 OF A**

**VACATION & ACCESS EASEMENT
 A PORTION 69th STREET EAST
 EAST OF LOT 75
 MARINELAND, A SUBDIVISION**

AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA

LOCATED IN
**SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST
 MANATEE COUNTY, FLORIDA**

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 53-N, FLORIDA ADMINISTRATIVE CODE.

BY: *[Signature]*
 JAMES N. GATCHEF JR. S.P.S.M.
 FLORIDA CERTIFICATE NO. 4295
 DATE OF CERTIFICATION 6/48/2019



Approved in Open Session 3/23/21
Manatee County
Board of County Commissioners

Board of County Commissioners March 23, 2021 – Regular Meeting

SUBJECT

ADOPTION OF RESOLUTION R-21-016 DECLARING A PUBLIC HEARING TO VACATE A PORTION OF 69TH STREET EAST IN BRADENTON, FLORIDA 34203

Category

CONSENT AGENDA

Briefings

None

Contact and/or Presenter Information

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

Victoria Rosenbecker, Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 6290

Action Requested

- ADOPT Resolution R-21-016

Enabling/Regulating Authority

- Florida Statutes, Chapter 336.09, Closing and Abandonment of Roads
- Manatee County Land Development Code, Section 331, Vacation of Streets and Plats

Background Discussion

- The Applicant, Sharon M. Keister, is requesting the vacation of a portion of 69th Street East identified as County Road on the Marineland plat.
- The application was amended to remove E. Richard Manchester as Mr. Manchester passed away after the vacation application was submitted.
- The area of 69th Street East that is proposed to be vacated is approximately 2,140 square feet and covers the west 20 feet of 69th Street East along a south portion of 68th Avenue East.
- Jurisdictional Reviews were sent to appropriate Manatee County Departments and private reviewing entities.

- Three (3) conditional objections were received from Suzanne Cook, Planning and Zoning Technician III, Building and Development Services; Chris Mowbray, Highway Engineering Division Manager, Public Works; and Myra Prater, Field Maintenance Division Manager, Public Works, along with (1) objection from Kenneth Kohn, Project Engineer II, Stormwater Management Division, Public Works.
- These objections concerned the access and drainage ditch that lies on the east side of 69th Street East, which have been addressed by the Applicant.
- Specifically, Myra Prater and Kenneth Kohn requested a drainage and access easement for maintenance of the drainage ditch. Suzanne Cook requested that the easement contain specific language conveying the right of 'public access'. Chris Mowbray requested that the public access be unobstructed.
- A Permanent Access and Drainage Easement over a portion of the vacation area has been executed by the Applicant and deemed sufficient by Kenneth Kohn, Myra Prater, Chris Mowbray, and Suzanne Cook to satisfy their objections.
- The executed easement is being held in escrow by staff and will be presented to the Board to be accepted upon adoption of Resolution R-21-017 adopting the vacation.
- Two (2) objections were received from Anthony Russo, Deputy Director of Field Operations Services, Public Works, and Lisa Barrett, Planning Section Manager, Building and Development Services, and one (1) comment of concern from Todd Boyle, Survey Division Manager, Property Management Department. These objections and concerns cannot be overcome by the applicant.
- Anthony Russo stated there is limited access to the river and a need to maintain the existing right of way into the future.
- Lisa Barrett does not see a benefit for the County to vacate the property. The request conflicts with Policy 8.2.1.1, Policy 2.9.1, and Policy 2.9.1.7.
- While Todd Boyle did not object for matters of survey, his concern is that the Land Development Code states that the County should maintain and, where feasible, increase the quantity and quality of public beach and shoreline access points in Manatee County.
- Due to the objections of staff, the Property Management Department recommends against approving the vacation application. This recommendation is required per Section 312.5.A.5.b. of the Manatee County Land Development Code
- The vacation application complies with the technical requirements of the Manatee County Land Development Code and pertinent Florida Statutes.
- All expenses associated with the subject vacation will be paid by the Applicant.
- Manatee County's application filing fee of \$200 has been paid.

Attorney Review

Formal Written Review (Opinion memo must be attached)

Other (if applicable)

Reviewing Attorney

D'Agostino

Instructions to Board Records

Please return a certified copy of the resolution to:

Victoria Rosenbecker, Property Management Department, 1112 Manatee Avenue West,
Bradenton, Florida 34205

Please email a copy of the approved agenda item to:

Distributed 3/26/21, RT

Victoria Rosenbecker at victoria.rosenbecker@mymanatee.org

Mark Barnebey at mbarnebey@blalockwalters.com

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

RESOLUTION R-21-016

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DULY ADOPTED with a quorum present and voting this 23rd day of March, 2021.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

REVISIONS:

1. ADD DITCH INFO GB 01/15/2020

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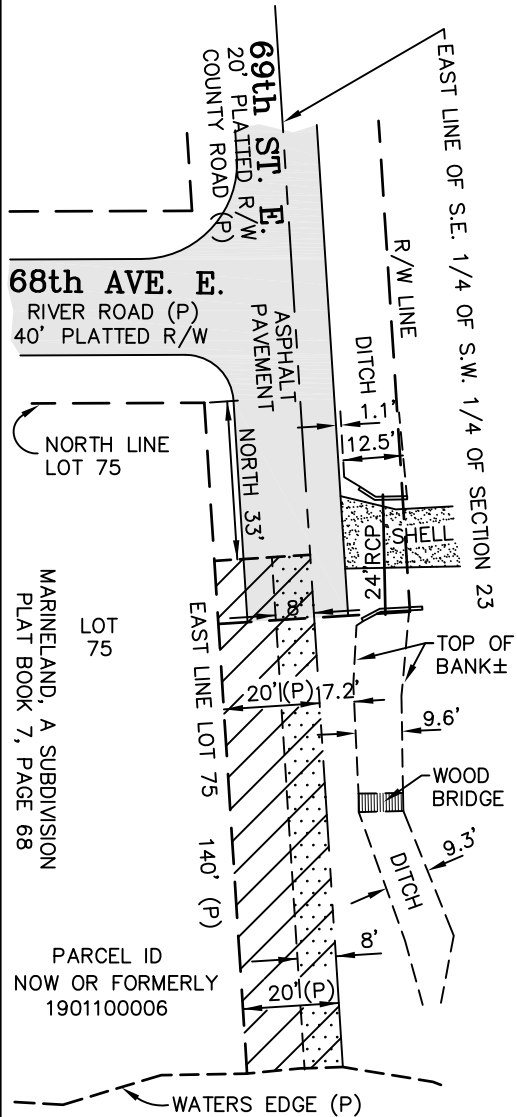
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LESS: THE NORTH 33 FEET THEREOF.



**NOT A BOUNDARY SURVEY
 DESCRIPTION SKETCH
 OF A
 VACATION & ACCESS EASEMENT
 A PORTION 69th STREET EAST
 EAST OF LOT 75
 MARINELAND, A SUBDIVISION**

AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA
 LOCATED IN
**SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST
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BY: James N. Gately, Jr.
 JAMES N. GATELY, JR. P.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION 6/18/2019

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 T:\LOT-MISC\Marineland\VACATION-LOT75_6-2019-Update.dwg bernie (#44868)

Victoria Rosenbecker

From: Dave Branning
Sent: Tuesday, October 9, 2018 11:05 AM
To: Chris Munyon
Cc: Scott May; Robert Crowton; Ed Ference
Subject: RE: Jurisdictional Review Form V-18-506
Attachments: V-18-506 Application.pdf; V-18-506 Utility Review Response.pdf

Chris,

I have reviewed the Vacation request for V-18-506 and have no objection to this request. I have attached the application and the Review response form for reference.

Dave Branning
Senior Engineering Technician
1022 26th Avenue East
Bradenton, FL 34208
(941) 708-7450 ext. 7662
Dave.Branning@mymanatee.org

From: Chris Munyon
Sent: Tuesday, October 9, 2018 10:30 AM
To: Dave Branning <Dave.Branning@mymanatee.org>
Subject: Jurisdictional Review Form V-18-506

Dave,

Per your request. Please let me know if you need anything additional.

Chris Munyon
Property Acquisition Division
Manatee County Government
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205
941.748.4501 Ext. 6285
chris.munyon@mymanatee.org

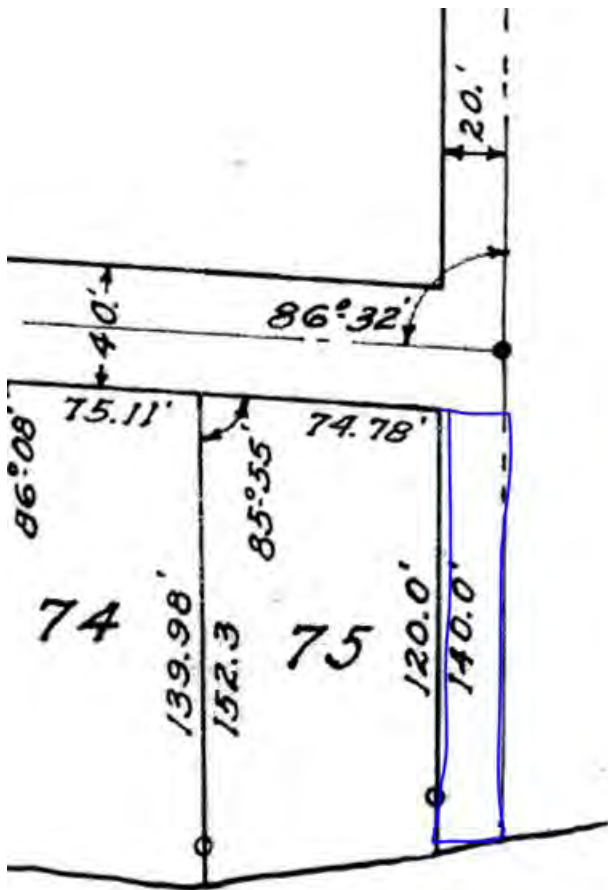
Victoria Rosenbecker

From: Chris Mowbray
Sent: Wednesday, October 10, 2018 11:25 AM
To: Chris Munyon
Cc: Chris Mowbray
Subject: RE: Keister Vacation V-18-506
Attachments: MC_Platform-1.pdf

I don't know how to get back to sharepoint so email is best I can offer.

This vacates 100% of the public's access to water per this plat except there is another 30' of row on the east side of this 20' per GIS, but eastern lot is not in a sub so Todd should look at this hiatus?

Lisa Barrett of Bads was to have chimed in on elimination of water access by the public and how the Comp Plan addresses removal of the public benefit..



ER

From: Chris Munyon
Sent: Wednesday, October 10, 2018 10:53 AM

To: Chris Mowbray <chris.mowbray@mymanatee.org>

Subject: Keister Vacation V-18-506

Chris,

I saw your comments on the Keister Vacation and wanted to let you know that the landowner to the east is not part of the application, as that parcel is not part of the plat (attached). The applicant is asking to vacate the 20ft of ROW that is contained in the plat. The GIS Map seems to be a little off in that area. You can update your comments in Sharepoint, if this answers your question. Please let me know if you have any additional questions.

Chris Munyon
Property Acquisition Division
Manatee County Government
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205
941.748.4501 Ext. 6285
chris.munyon@mymanatee.org

From: [Anthony Russo](#)
To: [Victoria Rosenbecker](#)
Subject: RE: Amended Application to Vacate File # V-18-506 RE: Keister Vacation at 68th Ave E dead end of 69stE Linger Lodge Road
Date: Friday, May 1, 2020 4:48:57 PM
Attachments: [image001.png](#)

Victoria,

I made a site visit and do not support this vacation. There is limited access to the river and we need to maintain existing ROW for now and into the future. Not an easement.

I am remote and cannot scan nor do I have pdf pro to write over.

Sorry

Tony Russo PE
941.708.7450 x7349
813.434.5350 cell

From: Victoria Rosenbecker
Sent: Friday, May 01, 2020 4:12 PM
To: Anthony Russo <anthony.russo@mymanatee.org>
Subject: FW: Amended Application to Vacate File # V-18-506 RE: Keister Vacation at 68th Ave E dead end of 69stE Linger Lodge Road

Hi Anthony-

Sorry to bother you again, but can you please fill out the attached review form for the Keister Vacation on 69th St E? I'm compiling all of the responses and want to make sure your opinion is added.

Thank you!

Victoria Rosenbecker
Real Property Specialist
Property Acquisition Division
1112 Manatee Avenue West
Suite 800
Bradenton, FL 34205
(941) 748-4501 x6290
victoria.rosenbecker@mymanatee.org

IMPORTANT: Please be advised that in response to COVID-19, I am working remotely. I can be reached at (303) 907-1075.

From: Victoria Rosenbecker
Sent: Monday, April 27, 2020 12:06 PM
To: Anthony Russo <anthony.russo@mymanatee.org>
Subject: RE: Amended Application to Vacate File # V-18-506 RE: Keister Vacation at 68th Ave E dead end of 69stE Linger Lodge Road

Hi Tony-

It is not within the Property Management Department's power to approve or deny a vacation application. The Board will make that decision. Can you please fill out the attached form so I can note your objection? I have included the most recent legal and sketch for your convenience.

Thank you so much!

Victoria Rosenbecker
Real Property Specialist
Property Acquisition Division
1112 Manatee Avenue West
Suite 800
Bradenton, FL 34205
(941) 748-4501 x6290
victoria.rosenbecker@mymanatee.org

IMPORTANT: Please be advised that in response to COVID-19, I am working remotely through April 30, 2020. I can be reached at (303) 907-1075.

From: Anthony Russo
Sent: Monday, April 27, 2020 11:48 AM
To: Victoria Rosenbecker <victoria.rosenbecker@mymanatee.org>
Cc: Lisa Barrett <lisa.barrett@mymanatee.org>; Chris Mowbray <chris.mowbray@mymanatee.org>; Todd Boyle <todd.boyle@mymanatee.org>; Suzanne Cook <suzanne.cook@mymanatee.org>; Kenneth Kohn <kenneth.kohn@mymanatee.org>; Myra Prater <myra.prater@mymanatee.org>; Robert Brown <rob.brown@mymanatee.org>
Subject: FW: Amended Application to Vacate File # V-18-506 RE: Keister Vacation at 68th Ave E dead end of 69stE Linger Lodge Road

Victoria,

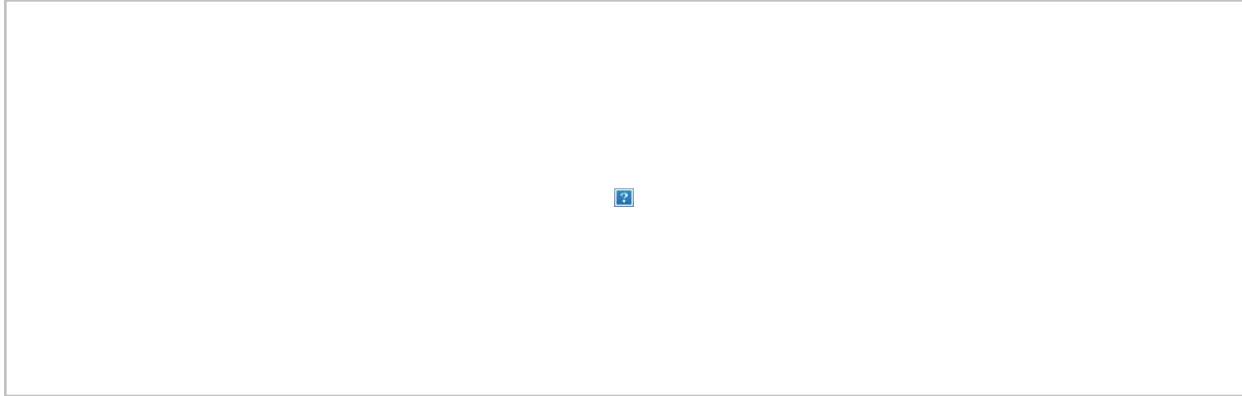
Is this still open? For the below reason stated by Lisa Barrett this request should be denied, if not already.

The citizens do not want an easement over property they already own. This is a multi-modal connection point that should be maintained now and in the future as transportation ROW.

Sincerely,

Anthony D. Russo, PE, Deputy Director
Manatee County Public Works
1022 26th Avenue East
Bradenton, FL 34208

Ph 941.708.7450 Ext. 7349
Cell 813.434.5350



From: Chris Munyon

Sent: Thursday, July 25, 2019 3:21 PM

To: Chris Mowbray <chris.mowbray@mymanatee.org>; Lisa Barrett <lisa.barrett@mymanatee.org>; Todd Boyle <todd.boyle@mymanatee.org>; Suzanne Cook <suzanne.cook@mymanatee.org>; Myra Prater <myra.prater@mymanatee.org>; Nicole Knapp <nicole.knapp@mymanatee.org>; Kenneth Kohn <kenneth.kohn@mymanatee.org>

Subject: Amended Application to Vacate File # V-18-506

Hello All,

Amended Application to Vacate File # V-18-506 for a portion of a Platted 69th Street East Right-of-Way located adjacent to 6838 68th Avenue E, Bradenton, Florida 34204.

The applicants, Richard E. Manchester and Sharon M. Keister, have submitted an application to vacate a Right-of-Way lying in Section 23, Township 35 South, Range 18 East as recorded in Marineland Subdivision Plat Book 7, Page 68 and 68A.

The amended application has been submitted by Mark Barnebey, of Blalock Walters, Attorneys at Law, as Attorney on behalf of the applicants.

There are two changes to the application:

- 1.) the applicant has amended the area to be vacated to begin just south of the driveway of the neighbor to the east. This will alleviate any impact to the neighbor's access to their driveway.
- 2.) Due to concerns voiced in the initial review about retaining public access to Braden River they have proposed to grant the County an 8 foot access easement extending from the southern right -of way for 69th Street East to Braden River.

Please review the amended application and supporting documents. I have attached the original Memo, supporting documents and a copy of the review responses to refresh your memory.

Kindly respond using the attached Jurisdictional Review Response form no later than August 9, 2019.

Feel free to contact me with any questions

Kind Regards,
Chris Munyon
Property Acquisition Division
Manatee County Government
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205
941.748.4501 Ext. 6285
chris.munyon@mymanatee.org

From: [Aaron Burkett](#)
To: [Chris Munyon](#)
Subject: RE: Task assigned to Aaron Burkett on 10/4/2018 is overdue.
Date: Tuesday, October 30, 2018 7:49:59 AM

Chris,
I have no comments or concerns. Thank you.

From: Chris Munyon
Sent: Thursday, October 25, 2018 3:49 PM
To: Aaron Burkett <aaron.burkett@mymanatee.org>
Subject: RE: Task assigned to Aaron Burkett on 10/4/2018 is overdue.

Hi Aaron,

This is a new Vacation review process. I have attached the documents to this email as well.

Chris Munyon
Property Acquisition Division
Manatee County Government
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205
941.748.4501 Ext. 6285
chris.munyon@mymanatee.org

From: Aaron Burkett
Sent: Thursday, October 25, 2018 2:44 PM
To: Chris Munyon <chris.munyon@mymanatee.org>
Subject: RE: Task assigned to Aaron Burkett on 10/4/2018 is overdue.

Chris,
No clue what this is. Is this a new review process?

From: Property Acquisition [<mailto:no-reply@sharepointonline.com>]
Sent: Thursday, October 25, 2018 12:00 AM
To: Aaron Burkett <aaron.burkett@mymanatee.org>
Cc: Chris Munyon <chris.munyon@mymanatee.org>
Subject: Task assigned to Aaron Burkett on 10/4/2018 is overdue.

Task assigned to i:0#f|membership|aaron.burkett@mymanatee.org on 10/4/2018 is overdue.

Due by 10/25/2018

Collect Feedback started by Chris Munyon on 10/4/2018 9:35 AM

Comment: Please review the instructions and attached documents to provide your approval or objection to the proposed vacation.

Completed by Chris Mowbray on 10/4/2018 10:14 AM

Comment: gis shows 55' so is the east side applicant also part of application?
comp plan has language in it to prohibit/dissuade? abandoning public access to water.

Completed by Krista Gregorio on 10/4/2018 10:17 AM

Task assigned to Phyllis Strong was automatically completed because it was deleted by Krista Gregorio

Completed by Lisa Barrett on 10/4/2018 1:49 PM

Comment: It appears the request will vacate public access to the Braden River. The site is within the ST Overlay, Evers Watershed, and CPA, CEA, and CHH Overlays.

This appears to be in conflict with the following Comprehensive Plan policies:

Objective 8.2.1. - Public Access.

Provide appropriate public access for residents of all ages and physical abilities and ensuring compatibility with natural resource protection to allow all residents the opportunity to enjoy these recreational resources.

Policy 8.2.1.1. Maintain and, where feasible, increase the quantity and quality of public beach and shoreline access points in Manatee County through acquisition, interlocal agreements with public and private landowners, and through coastal shoreline land donation

Objective 2.9.1. - Strong Communities.

Create and maintain communities which are characterized by their:

- Connection, integration, and compatibility with surrounding land uses;
- Community spaces and focal points;
- Protection of the natural environment;
- Connection and integration of pedestrian, bicycle, and vehicular systems;
- Usable open spaces, and public access to water features;
- Unifying design elements and features;
- Variety of housing stock;
- Pedestrian oriented structures, and pedestrian friendly design; and
- Connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses.

Policy 2.9.1.7. Encourage the development of community spaces, including usable open space and public access to water features.

Completed by Todd Boyle on 10/4/2018 2:06 PM

Comment: Object. The vacation of the platted right-of-way would cut off a means for the public to access the waters of the Braden River (Note: there is no obvious indication that the public is currently accessing the river at this location). The vacation would also severely restrict the current physical means of access to 6835 69TH ST E, which are the neighbors to the East of the proposed vacation.

Completed by Michael Elswick on 10/5/2018 1:43 PM

Comment: Parks & Natural Resources Department find no objections to this planned R.O.W. vacation

Completed by Suzanne Cook on 10/8/2018 2:59 PM

Comment: Zoning has concerns about abandoning public access to water access and Riparian Rights of Non-waterfront Owners

Completed by Robert Crowton on 10/9/2018 9:41 AM

Comment: Utilities has reviewed Vacate App V-18-506 and has no objection.

Completed by Jeffrey Bowman on 10/9/2018 4:51 PM

Comment: No objection. Although, it could be used for future access to the river by county staff.

Completed by Myra Prater on 10/10/2018 9:58 AM

Comment: We currently maintain drainage on the east boundary from the north south to the river and would need to maintain access to for future maintenance.

Completed by Krista Gregorio on 10/10/2018 10:36 AM

Comment: See email for response

Completed by Nicole Knapp on 10/16/2018 11:49 AM

Comment: The residential property commonly known as 6835 69th Street East (PIN 1901310100) currently takes access from the above-mentioned right-of-way. The access matter needs to be address prior to consideration of right-of-way vacation.

Completed by Kenneth Kohn on 10/16/2018 3:44 PM

Comment: A Public Drainage and Maintenance Access Easement needs to be provided for public road runoff/conveyance. Typically we require top of bank to top of bank flowage easement and then a 20 ft Public Access Easement for Maintenance from the top of bank. Easement widths are in accordance with Manatee County Public Works Stormwater Management Design Manual Appendix A.

Completed by Clarke Davis on 10/17/2018 9:08 AM

Comment: Transportation Planning has no objection to the proposed right-of-way vacation.

To complete this task:

1. Review [Vacation App V-18-506 Review Instructions](#).
2. Perform the specific activities required for this task.
3. Use the **Open this task** button to mark the task as completed. (If you cannot update this task, you might not have

access to it.)

From: [Robert Knable](#)
To: [Chris Munyon](#)
Subject: RE: Task assigned to Robert Knable on 10/4/2018 is overdue.
Date: Thursday, October 25, 2018 1:14:01 PM
Attachments: [image002.png](#)
[image004.png](#)

Environmental Review has no objection. Note: There is a 50 foot buffer along the Braden River.

Robert Knable, PWS – Manager
Environmental Planning Section
Manatee County Government
Building & Development Services
1112 Manatee Avenue West, 4th Floor
Bradenton, FL 34205
941-748-4501 ext. 6206



From: Chris Munyon
Sent: Thursday, October 25, 2018 12:32 PM
To: Robert Knable <robert.knable@mymanatee.org>
Subject: RE: Task assigned to Robert Knable on 10/4/2018 is overdue.

Rob,

Please let me know if you need anything additional.

Chris Munyon
Property Acquisition Division
Manatee County Government
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205
941.748.4501 Ext. 6285
chris.munyon@mymanatee.org

From: Robert Knable
Sent: Thursday, October 25, 2018 11:01 AM
To: Chris Munyon <chris.munyon@mymanatee.org>
Subject: FW: Task assigned to Robert Knable on 10/4/2018 is overdue.

Chris,

Can you please send me details on this one. Site Map? Or parcel number?

Thanks.

Robert Knable, PWS – Manager
Environmental Planning Section
Manatee County Government
Building & Development Services
1112 Manatee Avenue West, 4th Floor
Bradenton, FL 34205
941-748-4501 ext. 6206



From: Property Acquisition [<mailto:no-reply@sharepointonline.com>]

Sent: Thursday, October 25, 2018 12:00 AM

To: Robert Knable <robert.knable@mymanatee.org>

Cc: Chris Munyon <chris.munyon@mymanatee.org>

Subject: Task assigned to Robert Knable on 10/4/2018 is overdue.

Task assigned to i:0#.f|membership|robert.knable@mymanatee.org on 10/4/2018 is overdue.

Due by 10/25/2018

Collect Feedback started by Chris Munyon on 10/4/2018 9:35 AM

Comment: Please review the instructions and attached documents to provide your approval or objection to the proposed vacation.

Completed by Chris Mowbray on 10/4/2018 10:14 AM

Comment: gis shows 55' so is the east side applicant also part of application?
comp plan has language in it to prohibit/dissuade? abandoning public access to water.

Completed by Krista Gregorio on 10/4/2018 10:17 AM

Task assigned to Phyllis Strong was automatically completed because it was deleted by Krista Gregorio

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Comment: It appears the request will vacate public access to the Braden River. The site is within the ST Overlay, Evers Watershed, and CPA, CEA, and CHH Overlays.

This appears to be in conflict with the following Comprehensive Plan policies:

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Policy 8.2.1.1. Maintain and, where feasible, increase the quantity and quality of public beach and shoreline access points in Manatee County through acquisition, interlocal agreements with public and private landowners, and through coastal shoreline land donation

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- Connection and integration of pedestrian, bicycle, and vehicular systems;
- Usable open spaces, and public access to water features;
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- Variety of housing stock;
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Comment: Zoning has concerns about abandoning public access to water access and Riparian Rights of Non-waterfront Owners

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Comment: A Public Drainage and Maintenance Access Easement needs to be provided for public road runoff/conveyance. Typically we require top of bank to top of bank flowage easement and then a 20 ft Public Access Easement for Maintenance from the top of bank. Easement widths are in accordance with Manatee County Public Works Stormwater Management Design Manual Appendix A.

Completed by Clarke Davis on 10/17/2018 9:08 AM

Comment: Transportation Planning has no objection to the proposed right-of-way vacation.

To complete this task:

1. Review [Vacation App V-18-506 Review Instructions](#).
2. Perform the specific activities required for this task.
3. Use the **Open this task** button to mark the task as completed. (If you cannot update this task, you might not have access to it.)

JURISDICTIONAL REVIEW RESPONSE

(Please Print or Type Your Comments)

RE: Application File # V-18-506

Application to Vacate a portion of the platted 69th Street East Right-of-Way located adjacent to 6838 68th Avenue East, Bradenton, Florida 34204

The undersigned, as a designated representative for the Department declares that he/she:

Please your responses below (attach as many additional pages as necessary):

- Has **NO OBJECTION** to the vacation application.
- Has noted below **CONDITIONAL** requirements (e.g., Comprehensive Plan objectives, Code issues, easements, etc.) that must first be satisfied before the application can be presented to the Board of County Commissioner for consideration:

.....

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.....

- DISAPPROVES** of the vacation petition for the following reason(s); references to code and statutory requirements are provided where applicable:

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.....

ADDITIONAL COMMENTS/INFORMATION:

EAST MANATEE FIRE RESCUE HAS NO OBJECTION WITH THE VACATION OF THIS ROW EASEMENT. A.O.

Property was **inspected** **not inspected** in the course of completing the review.

<i>ALEX DNISHENKO</i>	<i>AO</i>	<i>941-751-5611</i>	<i>11-5-2018</i>
Print Name	Initials	Phone #	Date

RETURN COMPLETED RESPONSE VIA EMAIL TO:

Attention: Chris Munyon - chris.munyon@mymanatee.org
Property Management Department, Property Acquisition Division, 1112 Manatee Avenue West, Suite 800, Bradenton, Florida 34205

JURISDICTIONAL REVIEW RESPONSE

(Please Print or Type Your Comments)

RE: Application File # V-18-506

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.....

.....

.....

.....

- DISAPPROVES** of the vacation petition for the following reason(s); references to code and statutory requirements are provided where applicable:

.....

.....

.....

ADDITIONAL COMMENTS/INFORMATION:

.....

.....

.....

Property was ***inspected*** ***not inspected*** in the course of completing the review.

Bruce Drackett	BJD	941-730-0600	10/10/18
Print Name	Initials	Phone #	Date

RETURN COMPLETED RESPONSE VIA EMAIL TO:

Attention: Chris Munyon - chris.munyon@mymanatee.org

Property Management Department, Property Acquisition Division, 1112 Manatee Avenue West, Suite 800, Bradenton, Florida 34205

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(Please Print or Type Your Comments)

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- DISAPPROVES** of the vacation petition for the following reason(s); references to code and statutory requirements are provided where applicable:

ADDITIONAL COMMENTS/INFORMATION:

* Peace River Electric Cooperative, Inc. will continue to require future access to our existing facilities in this area.

Property was **inspected** **not inspected** in the course of completing the review.

Kendell Coker KC 863-767-4660 10-10-18
Print Name Initials Phone # Date
 Peace River Electric Cooperative, Inc.

RETURN COMPLETED RESPONSE VIA EMAIL TO:

Attention: Chris Munyon - chris.munyon@mymanatee.org
Property Management Department, Property Acquisition Division, 1112 Manatee Avenue West, Suite 800, Bradenton, Florida 34205

Krista Gregorio

From: Property Acquisition <no-reply@sharepointonline.com>
Sent: Friday, November 16, 2018 7:53 AM
To: Krista Gregorio
Subject: Tasks - Please review Vacation App V-18-506 Review Instructions

Task assigned by Chris Munyon on 11/16/2018.

Due by 11/17/2018

Collect Feedback started by Chris Munyon on 10/4/2018 9:35 AM
 Comment: Please review the instructions and attached documents to provide your approval or objection to the proposed vacation.

Completed by Chris Mowbray on 10/4/2018 10:14 AM
 Comment: gis shows 55' so is the east side applicant also part of application?
 comp plan has language in it to prohibit/dissuade? abandoning public access to water.

Completed by Krista Gregorio on 10/4/2018 10:17 AM
 Task assigned to Phyllis Strong was automatically completed because it was deleted by Krista Gregorio

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 Comment: It appears the request will vacate public access to the Braden River. The site is within the ST Overlay, Evers Watershed, and CPA, CEA, and CHH Overlays.
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Comment: Object. The vacation of the platted right-of-way would cut off a means for the public to access the waters of the Braden River (Note: there is no obvious indication that the public is currently accessing the river at this location). The vacation would also severely restrict the current physical means of access to 6835 69TH ST E, which are the neighbors to the East of the proposed vacation.

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Completed by Jeffrey Bowman on 10/9/2018 4:51 PM

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Completed by Clarke Davis on 10/17/2018 9:08 AM

Comment: Transportation Planning has no objection to the proposed right-of-way vacation.

Completed by Cindi Blake on 10/25/2018 9:12 AM

Comment: Permitting has no objections

Completed by Krista Gregorio on 10/26/2018 7:11 AM

Comment: see email for response

Completed by Krista Gregorio on 10/30/2018 8:26 AM

Comment: see email for response

Completed by Joy LeggettMurphy on 11/1/2018 12:24 PM

Comment: No objection

JURISDICTIONAL REVIEW RESPONSE

(Please Print or Type Your Comments)

RE: Application File # V-18-506

Application to Vacate a portion of the platted 69th Street East Right-of-Way located adjacent to 6838 68th Avenue East, Bradenton, Florida 34204

The undersigned, as a designated representative for the Department declares that he/she:

Please your responses below (attach as many additional pages as necessary):

- Has **NO OBJECTION** to the vacation application.
- Has noted below **CONDITIONAL** requirements (e.g., Comprehensive Plan objectives, Code issues, easements, etc.) that must first be satisfied before the application can be presented to the Board of County Commissioner for consideration:

- DISAPPROVES** of the vacation petition for the following reason(s); references to code and statutory requirements are provided where applicable:

ADDITIONAL COMMENTS/INFORMATION:

The two lots on either side of the proposed Right-of-way vacation have existing potable water and wastewater services off of 68th Ave. East and 69th St. E. outside of the vacation area.

Property was inspected not inspected in the course of completing the review.

Dave Branning
Print Name

SBH
Initials

x7662
Phone #

10-09-18
Date

RETURN COMPLETED RESPONSE VIA EMAIL TO:

Attention: Chris Munyon - chris.munyon@mymanatee.org

Property Management Department, Property Acquisition Division, 1112 Manatee Avenue West, Suite 800, Bradenton, Florida 34205



Building & Development Services
Administration
P. O. Box 1000
Bradenton, Florida 34206
Phone number: (941) 748-4501

MEMORANDUM

To: Manatee County Board of County Commissioners
From: John Barnott, Director, Building and Development Services
Date: August 25, 2020

Subject: Vacation Application #V-18-506 to vacate a portion of platted right-of-way at 6838 68th Avenue East

Commissioners,

Let this memorandum serve as notice that I recommend the following vacation move forward with a public hearing. This memorandum coincides with Section 312.5 "Sufficiency Review of Application" of the Land Development Code.

The applicant has been advised of the process and requirements for vacating County and public interests in properties situated in unincorporated areas of Manatee County, Florida.

Additionally, the applicant has complied with the initial filing requirements.



OFFICE OF THE COUNTY ATTORNEY

MITCHELL O. PALMER, County Attorney*
William E. Clague, Chief Assistant County Attorney
Sarah A. Schenk, Assistant County Attorney**
Christopher M. De Carlo, Assistant County Attorney
Pamela J. D'Agostino, Assistant County Attorney
Anne M. Morris, Assistant County Attorney
Alexandria C. Nicodemi, Assistant County Attorney
Douglas E. Polk, Assistant County Attorney
Sarah E. Warren, Assistant County Attorney**
Camilo A. Soto, Assistant County Attorney

MEMORANDUM

DATE: December 17, 2020

TO: Joy Leggett-Murphy, Property Acquisition Division Manager, Property Management Department

THROUGH: William E. Clague, Chief Assistant County Attorney, on behalf of Mitchell O. Palmer, County Attorney *Approved by W. Clague 12-17-2020*

FROM: Pamela J. D'Agostino, Assistant County Attorney *Approved by P. D'Agostino 12-17-2020*

RE: Vacation Application V-18-506 / Sharon M. Keister – Application to Vacate a Portion of 69th Street also known as County Road on the Marineland plat; CAO Matter No. 2020-0502

Issue Presented:

In this Request for Legal Services (RLS), you have asked the County Attorney's Office (CAO) to review a vacation application (Application) to vacate a 20-foot wide, platted right-of-way known as 69th Street East.

Brief Answer:

I have reviewed the Application. Below are my comments and advice to staff. At this preliminary stage in the process, portions of Sections 336.09 and 336.10, Florida Statutes, and Section 331 of the Manatee County Land Development Code (LDC) have

* Board Certified in Construction Law

** Board Certified in City, County & Local Government Law

Joy Leggett-Murphy, Property Acquisition Division Manager

December 17, 2020

Page 2 of 7

been met. The applicant and staff will need to ensure full compliance with state and local laws as the Application proceeds through the public hearing process to the Board of County Commissioners of Manatee County, Florida (Board). Provided the legal concerns and issues identified herein are addressed consistent with my advice, I have no objection from a legal standpoint to the Application being presented to the Board for review and consideration.

Recommendation:

As explained further below, a report and recommendation to the Board as required by Section 312.5.A.5.b. of the LDC must be prepared. Among other things, that report and recommendation should indicate whether closing this road is in the best interest of the public and whether or not granting the Application will result in a condition that violates the LDC or Public Works Department standards for roadways. Staff should also confirm that no property will be landlocked if this road is vacated. If the vacation of a road serves to significantly impair access to one or more private properties, the government may be liable in inverse condemnation. *Pinellas County v. Austin*, 323 So. 2d 6 (Fla. 2d DCA 1975).

Facts:

According to this RLS and the related documents attached, the right-of-way sought to be vacated is a 20-foot wide platted, partially improved, partially unimproved, right-of-way which appears on the Marineland subdivision plat, recorded in Plat Book 7, Page 68, in 1949 (Plat). On the Plat, this right-of-way is called "County Road". Today, that road is known as 69th Street East. This right-of-way runs north and south, and the area proposed to be vacated is located south of 68th Avenue East (identified as River Road on the Plat) and is bordered on the south by the Braden River.

According to the RLS, the applicant is Sharon M. Keister (Applicant). Ms. Keister owns Lot 75 pursuant to the Plat, which is located at the southwest corner of 68th Avenue East and 69th Street East. The Applicant is requesting that approximately 2,140 square feet of right-of-way be vacated.

Joy Leggett-Murphy, Property Acquisition Division Manager
December 17, 2020
Page 3 of 7

Discussion:

Authority to Vacate Right-of-Way

Public places and rights-of-way are held in trust by the authorities for the benefit of the public to be used for public purposes; however, this public trust concept does not prevent the abandonment, vacation, or discontinuance of streets when done in the interest of general welfare. In *Sun Oil Co. v. Gerstein*, 206 So. 2d 439 (Fla. 3d DCA 1968), the Court explained: “The fact that [the] title to the public place . . . vacated or discontinued [in the interest of the general welfare] may revert to the adjacent landowner is of no consequence if the power to vacate is present and such power is lawfully exercised.”

Section 336.09, Florida Statutes, provides the Board with the specific authority to vacate road right-of-way. According to Section 336.09(1):

[County] commissioners, with respect to property under their control may in their own discretion, and of their own motion, or upon the request of any agency of the state, or of the federal government, or upon petition of any person or persons, are hereby authorized and empowered to:

. . . .

(c) Renounce and disclaim any right of the county and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road or highway.

Procedure for Vacation of Road Right-of-Way Pursuant to Sections 336.09 and 336.10, Florida Statutes

An applicant who requests that the Board vacate any right or interest in land must make such a request in writing. Section 336.10, Florida Statutes. The Board “may adopt a resolution declaring that at a definite time and place a public hearing will be held to consider [a vacation application].” Section 336.09, Florida Statutes. While adopting a resolution to declare a public hearing on the matter is optional, the Board must comply with the following requirements pursuant to Section 336.10, Florida Statutes:

1. “publish notice . . . one time, in a newspaper of general circulation in [the] county at least 2 weeks prior to the date [of the public hearing],”

Joy Leggett-Murphy, Property Acquisition Division Manager
 December 17, 2020
 Page 4 of 7

2. "hold a public hearing,"
3. adopt a resolution evidencing any action of the commissioners after the public hearing and enter such action in the minutes of the commissioners,
4. include the applicant's written request for vacation within the minutes of the commissioners,
5. publish notice of the adoption of said resolution "one time, within 30 days following its adoption, in one issue of a newspaper of general circulation published in the county," and
6. record the following items in the deed records of the county:
 - a. "proof of publication of notice of [the] public hearing,"
 - b. "the resolution as adopted," and
 - c. "proof of publication of the notice of the adoption of [said] resolution."

The alternative to having the Board adopt a resolution declaring a public hearing is presenting a motion to the Board to schedule the public hearing.

Procedure for Vacation of Platted Right-of-Way Pursuant to Sections 331 and 312, Manatee County Land Development Code

Section 331 of the LDC codifies the requirements of Sections 336.09 and 336.10, Florida Statutes, within the laws of Manatee County and also provides specific legal guidelines as to the vacation application process in Manatee County. Section 331.2 of the LDC outlines the review process for vacation applications. An applicant must:

1. "complete and submit an application to the Department Director"; and
2. "furnish any additional maps, charts, surveys, legal descriptions, title opinions, and title policies as required by the Department Director for clarification to the reviewing agencies and the Board."

Section 331.2, Manatee County Land Dev. Code. "Department Director" is defined within the LDC as "the staff person designated by the County Administrator to administer this code." Section 200, Manatee County Land Dev. Code.

Appropriate published and posted notice of the vacation application must be provided in accordance with Section 336.10, Florida Statutes, and Section 312.7 of the LDC. If staff confirms that an applicant has complied with the vacation procedures of Sections 336.09 and 336.10, Florida Statutes, and Section 331 of the LDC, then the application will be legally acceptable and sufficiently complete for presentation to the Board. If, after review of an application and upon the close of the public hearing, the Board decides to approve

Joy Leggett-Murphy, Property Acquisition Division Manager
December 17, 2020
Page 5 of 7

the application, the Board shall adopt a resolution to that effect. Notice of adoption of such a resolution must then be published “one (1) time in a newspaper of general circulation in Manatee County, Florida, within thirty (30) days following [its adoption].” Section 331.3, Manatee County Land Dev. Code. In accordance with Section 336.10, Florida Statutes, and Section 331.4 of the LDC, the following must be recorded in the deed records of the county:

1. A certified copy of the adopted vacation resolution,
2. Original proof of the one publication of the notice of public hearing,
3. Location maps, survey, legal description or other appropriate data as determined by the Department Director,
4. Original proof of publication of the notice of adoption of the vacation resolution, and
5. Any applicable easements, if required.

Finally, within 45 days after the adoption of the resolution, the applicant must provide staff with a copy of all of the recorded documents. Section 331.4, Manatee County Land Dev. Code. Pursuant to Section 331.5 of the LDC, the vacation becomes effective after the required documents have been filed with the Clerk of the Circuit Court and duly recorded in the Public Records of Manatee County.

Legal Review of Background of Right-of-Way

In general, road right-of-way dedications within Manatee County are maintained and held in trust by the County for the benefit of the public. On its face, the Plat dedicates all of the parkways, streets, roads, avenues, alleys, boulevards, and highways shown to the use of the public. The Plat was accepted or approved by the Board. Therefore, the rights-of-way were validly offered as dedicated platted roads and accepted/approved.

Compliance with Sections 336.09 and 336.10, Florida Statutes

A written application for vacation has been provided as required by Section 336.10, Florida Statutes. Prior to closing and vacating any road, the Board must hold a public hearing and publish notice of same “one time, in a newspaper of general circulation in [the] county at least 2 weeks prior to” the date of the public hearing. Section 336.10, Florida Statutes. Staff must ensure compliance with this requirement that legal notice of the vacation application is provided to the public.

Joy Leggett-Murphy, Property Acquisition Division Manager
December 17, 2020
Page 6 of 7

Compliance with Sections 312 and 331, Manatee County Land Development Code

Based on the documents provided with this RLS, it appears that some, but not all of the relevant and applicable portions of the LDC have been met. While this RLS includes a memorandum from the Director of the Building and Development Services (BADs) Department to the Board recommending that the vacation move forward to a public hearing, it does not contain a “report and recommendation” to the Board as required by Section 312.5.A.5.b. of the LDC. A report and recommendation must be prepared for presentation to the Board.

Section 312 of the LDC requires that the applicant post notice of the public hearing and that the staff person designated by the County Administrator publish notice of the public hearing. In addition, affidavits affirming that the required notices have been made must be filed with staff at least five days prior to the date of the hearing. This matter should not be presented to the Board unless staff is certain that all the requirements of the LDC relative to posted and published notices have been met.

Jurisdictional Reviews

This Application was reviewed by numerous entities, both within and outside of County government, many of which objected to the vacation. To overcome the various objections, the Applicant has offered to convey a Permanent Drainage and Access Easement. Despite this offer, according to this RLS, County staff still intends to recommend denial of the Application.

Conclusion:

At this preliminary stage in the application process, portions of Sections 336.09 and 336.10, Florida Statutes, and Section 331 of the LDC have been met. The Applicant and staff will need to address all the matters identified above and ensure that the procedures required by the applicable statutes and the LDC are met before this Application proceeds to the Board for consideration. This completes my response to your RLS. Please contact me if you have any questions or if I can be of further assistance.

Copies to:

Cheri Coryea, County Administrator
John Osborne, AICP, Infrastructure and Strategic Planning Official – Deputy
County Administrator

Joy Leggett-Murphy, Property Acquisition Division Manager

December 17, 2020

Page 7 of 7



Karen M. Stewart, CECD, Economic Development Official – Deputy County
Administrator

Charlie Bishop, Director, Property Management Department

Victoria Rosenbecker, Real Property Specialist, Property Management
Department



*Boundaries shown are approximate and for informational purposes only.

	Access Easement
	Vacation

Information Technology - GIS



KEISTER VACATION
A PORTION OF 69TH STREET EAST
BRADENTON, FL 34203
DISTRICT 5- VANESSA BAUGH





APPLICATION TO VACATE PLATS, RIGHTS-OF-WAY & PUBLIC EASEMENTS

Application is hereby made to the Board of County Commissioners, Manatee County, Florida, requesting the vacation of certain county and public interests in property situated within an unincorporated area of the county.

APPLICANT:

Provide names of ALL owners of record

E. Richard Manchester
Sharon M. Keister

APPLICANT CONTACT [principal only]:

Mailing Address:

Day Telephone #: Fax #: E-mail:

SPECIFIC INFORMATION ON PROPERTY TO BE VACATED [the "Subject Property"]:

Check ALL that apply

RIGHT-OF-WAY: Improved Unimproved DEEDED PROPERTY [provide copy of recorded document]

EASEMENT: Utility Drainage PLATTED PROPERTY [e.g.; tract, lot, easement, right-of-way]

LEGAL DESCRIPTION OF SUBJECT PROPERTY [sketch or survey of the area to be vacated is required]:

If additional space is needed, attach separate page and identify as EXHIBIT "A"

See attached Exhibit "A", Sketch and Legal Description

LEGAL DESCRIPTION OF PARCEL(S) CONTAINING OR ABUTTING SUBJECT PROPERTY:

If additional space is needed, attach separate page and identify as EXHIBIT "B"

Lot 75, of MARINELAND, according to the Plat thereof recorded in Plat Book 7, Pages 68 and 68A, of the Public Records of Manatee County, Florida

LOCATION OF SUBJECT PROPERTY OR NEAREST LOCATION THERETO:

Street address of property or nearest location: 6838 68th Avenue East, Bradenton, FL 34204	Section(s): 23	Township: 3R S	Range 18 E	Parcel ID #(s): 1901100006
---	-------------------	-------------------	---------------	-------------------------------

SPECIFIC REASONS & JUSTIFICATIONS SUPPORTING REQUEST [statement required]:

if additional space is needed, attach separate labeled page

PERMITS [applicable county permits only]:

- Are any plans presently under review by Planning or Building Department? Yes No Not applicable
- Has application for permit been approved? Yes No If "Yes," date approved: #

AREA UTILITIES [provide names of utility companies serving local district]:

Electric: Fuel: Telephone: Cable:

PROFESSIONAL REPRESENTATION [if applicable]:

Representative:

Mailing Address:

Telephone #: Fax #: E-mail:

The Applicant and/or Attorney in Fact for the Applicant declare and affirm that:

- The Applicant has a fee interest in the property in which a vacation action is being requested, and that said property is not subject to any delinquent or unpaid ad valorem taxes, special assessments, or other improvement liens.
- No portion of the property to be vacated constitutes or was acquired for a state or federal highway, nor will the vacation of said property deprive any entity of its legal rights, as a property owner, in adjacent or nearby properties.
- It understands the County of Manatee, Florida, its Board of County Commissioners, reviewing agencies, and its employees or agents will not assume responsibility or liability for any matter that is the responsibility of the Applicant.
- In making application, the Applicant specifically consents to the physical inspection of the properties described herein, the validating of the information attached hereto, and the providing of such additional information as may be deemed necessary to assist the Board of County Commissioners in its consideration of and action upon the requested action for vacation.
- It releases County of Manatee, Florida, its Board of County Commissioners, employees and agents from any and all claims for damages that may result from acts occurring directly as the result of the Applicant's petition.
- It understands a vacation of public property by the County Commission may affect substantial interests in real property and other proprietary rights.
- It assumes full and complete responsibility for compliance with the requirements of the law and all procedures arising out of any proceedings instituted by or on behalf of the Applicant.
- It understands the application fee is not refundable in the event the application is withdrawn, cancelled or denied.

The undersigned, having been duly sworn, deposes and says that it has read the foregoing application and attachments thereto, knows the content thereof, and that the matters and information set forth therein are true and correct.

WITNESSES: (an Applicant may not act as a witness for another)

APPLICANT: Richard E. Manchester

PRINT NAME IF OTHER THAN AN INDIVIDUAL PERSON OR PERSONS

Richard E. Manchester

SIGNATURE OF APPLICANT OR AUTHORIZED INDIVIDUAL (see note below)

PRINTED NAME (include title of authorized individual)

STATE OF REGISTRY

MAILING ADDRESS (of person signing)

CITY, STATE, ZIP CODE

TELEPHONE

FAX

NOTE: Only an authorized individual (e.g., officer, general partner, manager) may sign on behalf of an entity other than an individual person or persons. The title of the signing authority and entity's state of registry must be identified above.

Sharon M. Keister

SIGNATURE OF CO-APPLICANT (i.e., other owner of record)

Sharon M. Keister

PRINTED NAME

Attach additional signature pages as needed

ATTORNEY IN FACT: (a power of attorney must be attached)

SIGNATURE OF ATTORNEY

PRINTED NAME

NAME OF FIRM

MAILING ADDRESS

CITY, STATE, ZIP CODE

TELEPHONE

FAX

SIGNATURE OF WITNESS

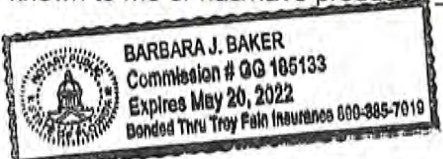
PRINTED NAME

SIGNATURE OF WITNESS

PRINTED NAME

Two witnesses required for each participant's and attorney's signature

The foregoing instrument was acknowledged before me this the 28 day of June 2018 by Richard E. Manchester & Sharon M. Keister who is/are personally known to me or has/have produced _____ as identification.



Barbara J. Baker

NOTARY PUBLIC'S SIGNATURE

BARBARA J. BAKER

PRINTED NAME



ZNS ENGINEERING

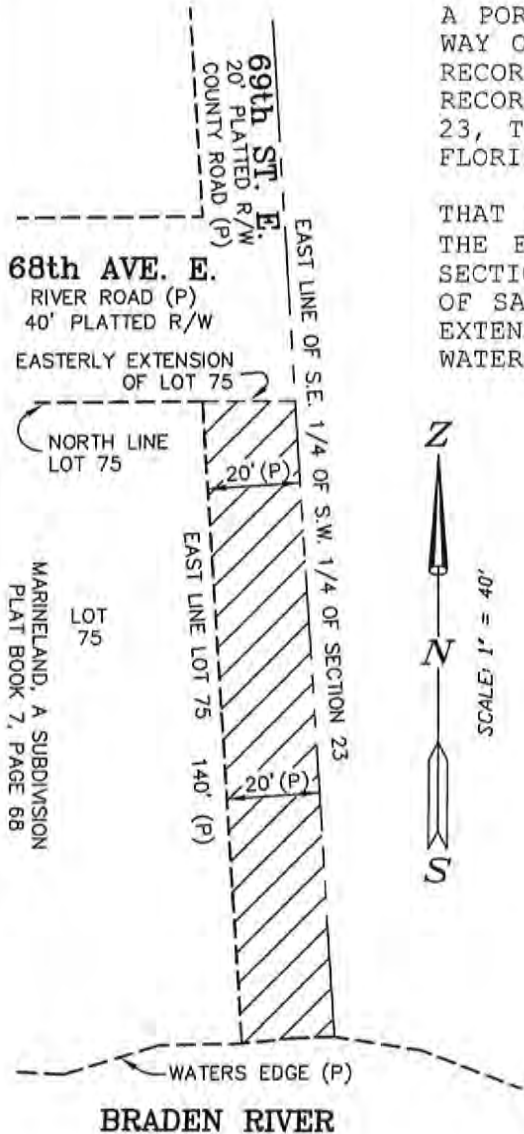
ENGINEERS | PLANNERS | SURVEYORS | LANDSCAPE ARCHITECTS
 EB 0027476 LS 0006982 LC 0000365

CERTIFICATE OF AUTHORIZATION # LB 6982
 201 5th AVENUE DRIVE EAST
 BRADENTON, FLORIDA 34208
 (941) 748-8080
 FAX (941) 748-3747

DESCRIPTION:

A PORTION OF 69th STREET EAST (COUNTY ROAD) RIGHT OF WAY OF MARINELAND, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 3R SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID 69th STREET EAST LYING WEST OF THE EAST LINE OF S.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23 AND LYING EAST OF THE EAST LINE OF LOT 75 OF SAID SUBDIVISION AND LYING SOUTH THE THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 75 TO THE WATERS OF BRADEN RIVER.



LEGEND:

- R/W - RIGHT OF WAY
- (P) - PLAT DATA
- AREA OF VACATION

**NOT A BOUNDARY SURVEY
 DESCRIPTION SKETCH
 OF
 VACATION
 A PORTION 69th STREET EAST
 ADJACENT AND EAST OF LOT 75
 MARINELAND, A SUBDIVISION**

AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF
 THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA
 LOCATED IN
**SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST
 MANATEE COUNTY, FLORIDA**

NOTE:

THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY:
 JAMES N. GATCH, JR. P.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION : 9/14/2018

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 THIS DOCUMENT IS PROTECTED BY SECTION 106 OF THE "UNITED STATES COPYRIGHT ACT". REPRODUCTION OR ALTERATION OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREON BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF ZNS ENGINEERING, L.C. CONSENT IS HEREBY GRANTED SPECIFICALLY TO GOVERNMENTAL AGENCIES TO REPRODUCE THIS DOCUMENT IN COMPLIANCE WITH F.S. CHAPTER 119.

**MANATEE COUNTY BUILDING & DEVELOPMENT SERVICES DEPARTMENT
AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION AFFIDAVIT**

Property Owner (Company or individual) (print): Richard E. Manchester
Mailing Address (print): 6838 68th Avenue East, Bradenton, FL 34204
Officer's Name and Title (print): _____

Being first duly sworn, depose(s) and say(s):

1. That I am (we are) the owner's and record title holder(s) of the following described property legal description, to wit: Lot 75, of MARINELAND, according to the Plat thereof recorded in Plat Book 7, pages 68 and 68A, of the Public Records of Manatee County, Florida.

2. That this property constitutes the property for which a request for Application to Vacate

(Type of Application Approval Requested)

Is being applied for to Manatee County, Florida;

3. That the undersigned has (have) appointed and does (do) appoint Mark P. Barnebey, Esquire, and Blalock Walters, P.A. as

agent(s) to execute any petitions or other documents necessary to affect such petition; and request that you accept my agent(s) signature as representing my agreement of all terms and conditions of the approval process;

4. That this affidavit has been executed to induce Manatee County, Florida to consider and act on the foregoing request;

5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct

Richard E. Manchester Applicant
Owner's Signature/Print Title

Richard E. Manchester Applicant
Owner's Signature/Print Title

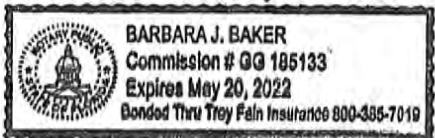
STATE OF FLORIDA
COUNTY OF **MANATEE**

The foregoing instrument was acknowledged before me this June 28, 2018 by Richard E. Manchester (date) x who is personally known to me or who (name of person acknowledging)

has produced _____ as identification. (type of identification)

My Commission Expires: May 20, 2022

Barbara J. Baker
Signature of Person Taking Acknowledgment



BARBARA J. BAKER Name
Notary Public, Florida Title or Rank

**MANATEE COUNTY BUILDING & DEVELOPMENT SERVICES DEPARTMENT
AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION AFFIDAVIT**

Property Owner (Company or individual) (print): Sharon M. Keister
Mailing Address (print): 6838 68th Avenue East, Bradenton, FL 34204
Officer's Name and Title (print): _____

Being first duly sworn, depose(s) and say(s):

1. That I am (we are) the owner's and record title holder(s) of the following described property legal description, to wit: Lot 75, of MARINELAND, according to the Plat thereof recorded in Plat Book 7, pages 68 and 68A, of the Public Records of Manatee County, Florida.

2. That this property constitutes the property for which a request for Application to Vacate

(Type of Application Approval Requested)

Is being applied for to Manatee County, Florida;

3. That the undersigned has (have) appointed and does (do) appoint Mark P. Barnebey, Esquire, and Blalock Walters, P.A. as

agent(s) to execute any petitions or other documents necessary to affect such petition; and request that you accept my agent(s) signature as representing my agreement of all terms and conditions of the approval process;

4. That this affidavit has been executed to induce Manatee County, Florida to consider and act on the foregoing request;

5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

Sharon M. Keister / co-applicant
Owner's Signature/Print Title

Sharon M. Keister / co applicant
Owner's Signature/Print Title

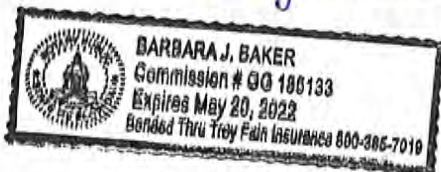
STATE OF FLORIDA
COUNTY OF **MANATEE**

The foregoing instrument was acknowledged before me this June 28, 2018 by

Sharon M. Keister X who is personally known to me or who
(name of person acknowledging) (date)

has produced _____ as identification.
(type of identification)

My Commission Expires: May 20, 2022



Barbara J. Baker
Signature of Person Taking Acknowledgment

BARBARA J. BAKER
Name

Notary Public, Florida
Title or Rank



WE MAKE A DIFFERENCE

June 26, 2019

Via Hand Delivery

Joy Leggett-Murphy, Manager
Property Acquisition Division
Property Management Department
Manatee County
1112 Manatee Avenue West
Bradenton, FL 34205

Mark P. Barnebey
Anthony D. Bartirome
Robert G. Blalock
Ann K. Breitingner
Anne W. Chapman
Gregory S. DeMeuse
Kristen H. Ehrlich
Jonathan D. Fleece
Dana Carlson Gentry
Alexander K. Jahn
Charles F. Johnson, III
Matthew J. Lapointe
Mary Fabre LeVine
Jason H. Levy
Melanie Luten
Fred E. Moore
Stephen G. Perry
Matthew R. Plummer
Marisa J. Powers
William C. Robinson, Jr.
Scott E. Ruducille
Jennifer S. Schembri
Robert S. Stroud
Amanda C. Tullidge
Daniel P. VanEtten
Clifford L. Walters

Re: Amended Application to Vacate a portion of Right-of-Way
6838 68th Avenue E, Bradenton, FL 34204

Dear Joy:

On behalf of our clients, E. Richard Manchester and Sharon M. Keister, please find enclosed an amended first page of the Application to Vacate, with attached sketch and legal description of area to be vacated.

There are two notable changes to our proposal. First, we have amended the area to be vacated to begin just south of the driveway of the neighbor to the east. Thus, that neighbor's driveway access will not be impacted by the street vacation. Second, pursuant to our discussions with County staff, our clients recognize the desire to retain a public access to the Braden River and they are agreeable to an eight (8) foot Access Easement benefiting Manatee County on the eastern portion of the area requesting to be vacated. This access easement would extend from the southern right-of-way for 69th Street East to the Braden River.

Should you need any additional information or have any questions, please do not hesitate to contact me.

BRADENTON
802 11th Street West
Bradenton, FL 34205

SARASOTA
2 North Tamiami Trail
Suite 400
Sarasota, FL 34236

941.748.0100 phone
941.745.2093 fax
www.blalockwalters.com

Sincerely,

Mark P. Barnebey

MPB/jld
Enclosures
cc: Clients



AMENDED APPLICATION TO VACATE PLATS, RIGHTS-OF-WAY & PUBLIC EASEMENTS

Application is hereby made to the Board of County Commissioners, Manatee County, Florida, requesting the vacation of certain county and public interests in property situated within an unincorporated area of the county.

APPLICANT:

Provide names of ALL owners of record

E. Richard Manchester
Sharon M. Keister

APPLICANT CONTACT [principal only]:

Mailing Address:	Street/P.O. Box: 6838 68th Avenue East	City, State, Zip Code: Bradenton FL 34203
Day Telephone #:	941-350-8647	Fax #: _____ E-mail: tskeister21@verizon.net

SPECIFIC INFORMATION ON PROPERTY TO BE VACATED [the "Subject Property"]:

Check ALL that apply	RIGHT-OF-WAY: <input checked="" type="checkbox"/> Improved <input checked="" type="checkbox"/> Unimproved <input type="checkbox"/> DEEDED PROPERTY [provide copy of recorded document]
	EASEMENT: <input type="checkbox"/> Utility <input type="checkbox"/> Drainage <input type="checkbox"/> PLATTED PROPERTY [e.g., tract, lot, easement, right-of-way]

LEGAL DESCRIPTION OF SUBJECT PROPERTY [sketch or survey of the area to be vacated is required]:

If additional space is needed, attach separate page and identify as EXHIBIT "A"	See attached Exhibit "A", Sketch and Legal Description
---	--

LEGAL DESCRIPTION OF PARCEL(S) CONTAINING OR ABUTTING SUBJECT PROPERTY:

If additional space is needed, attach separate page and identify as EXHIBIT "B"	Lot 75, of MARINELAND, according to the Plat thereof recorded in Plat Book 7, Pages 68 and 68A, of the Public Records of Manatee County, Florida
---	--

LOCATION OF SUBJECT PROPERTY OR NEAREST LOCATION THERETO:

Street address of property or nearest location: 6838 68th Avenue East, Bradenton, FL 34204	Section(s): 23	Township: 3R S	Range 18 E	Parcel ID #(s): 1901100006
---	-------------------	-------------------	---------------	-------------------------------

SPECIFIC REASONS & JUSTIFICATIONS SUPPORTING REQUEST [statement required]:

If additional space is needed, attach separate labeled page	This request is to vacate a 20 foot wide right-of-way which terminates 140 feet south of the intersection of River Road and 69th Street East. We are not aware of any utilities in this right-of-way and would like to place this property back on the tax rolls. In addition, we propose an eight (8) foot access easement over the ease portion of the requested area to vacate.
---	--

PERMITS [applicable county permits only]:

- Are any plans presently under review by Planning or Building Department? Yes No Not applicable
- Has application for permit been approved? Yes No If "Yes," date approved: _____ #: _____

AREA UTILITIES [provide names of utility companies serving local district]:

Electric: Fuel: Telephone: Cable:

PROFESSIONAL REPRESENTATION [if applicable]:

Representative:	Name: Mark P. Barnebey, Esquire	Firm: Bialock Walters, P.A.
Mailing Address:	Street/P.O. Box: 802 11th Street	City, State, Zip Code: Bradenton, FL 34205
Telephone #:	941-748-0100	Fax #: 941-745-2093 E-mail: mbarnebey@bialockwalters.com

ZNS ENGINEERING

Land Planning Engineering Surveying Landscape Architecture
 EB 0027476 LB 0006982 LC 0000365

"EXHIBIT A"

CERTIFICATE OF AUTHORIZATION # LB 6982
 201 5th AVENUE DRIVE EAST
 BRADENTON, FLORIDA 34208
 (941) 748-8080
 FAX (941) 748-3747

DESCRIPTION: VACATION

A PORTION OF 69th STREET EAST (COUNTY ROAD - PLAT) RIGHT OF WAY OF MARINELAND, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID 69th STREET EAST (COUNTY ROAD - PLAT) LYING WEST OF THE EAST LINE OF S.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23 AND LYING EAST OF THE EAST LINE OF LOT 75 OF SAID SUBDIVISION AND LYING SOUTH OF 68th AVENUE EAST (RIVER ROAD - PLAT).

LESS: THE NORTH 33 FEET THEREOF.

DESCRIPTION: (8 FOOT WIDE ACCESS EASEMENT)

A PORTION OF 69th STREET EAST (COUNTY ROAD - PLAT) RIGHT OF WAY OF MARINELAND, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THE EAST 8 FEET OF THAT PORTION OF SAID 69th STREET EAST (COUNTY ROAD - PLAT) LYING WEST OF THE EAST LINE OF S.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23 AND LYING EAST OF THE EAST LINE OF LOT 75 OF SAID SUBDIVISION AND LYING SOUTH OF 68th AVENUE EAST (RIVER ROAD - PLAT).

LESS: THE NORTH 33 FEET THEREOF.

NOT A BOUNDARY SURVEY DESCRIPTION SKETCH OF A

VACATION & ACCESS EASEMENT A PORTION 69th STREET EAST EAST OF LOT 75 MARINELAND, A SUBDIVISION

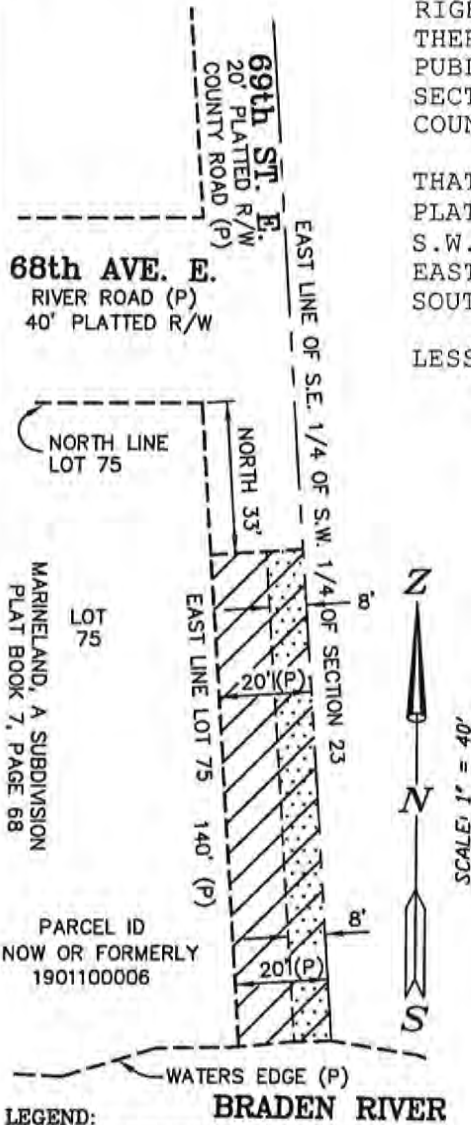
AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA

LOCATED IN
**SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST
 MANATEE COUNTY, FLORIDA**

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY: Brandon Lauster
 BRANDON LAUSTER P.S.M.
 FLORIDA
 FLORIDA CERTIFICATE NO. LS 7819
 DATE OF CERTIFICATION: 6/18/2019



LEGEND:

- R/W - RIGHT OF WAY
- (P) - PLAT DATA
- [Hatched Box] - AREA OF VACATION (20 FEET WIDE)
- [Dotted Box] - AREA OF ACCESS EASEMENT (8 FEET WIDE)

NOTE:

THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.

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T:\LOT-MISC\Marineland\VACATION--LOT75_8--2019.dwg bernie (#44815)

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Mark P. Barnebey, Esquire
Blalock Walters, P.A.
802 11th Street W
Bradenton, Florida 34205

On Behalf of:

Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: _____
PROJECT#: _____
PARCEL#: _____
PID#: _____

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

PERMANENT INGRESS AND EGRESS AND ACCESS EASEMENT

THIS INDENTURE made this ____ day of _____, 2019, between E. Richard Manchester, whose mailing address is 6702 68th Avenue East, Bradenton, Florida 34203 and Sharon M. Keister, whose mailing address is 6838 68th Avenue East, Bradenton, Florida 34203 as "**Grantors**," and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, as "**Grantee**,"

WITNESSETH:

THAT said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and transferred, and by these presents does grant, bargain, sell, and transfer unto Grantee, a **nonexclusive, permanent easement for ingress and egress and access**, over, under, and across the property situate in Manatee County, State of Florida, more particularly described as the eight (8) foot wide Access Easement in **Exhibit "A"** attached hereto and incorporated herein by this reference.

THAT said Grantor reserves unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

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

[Intentionally left blank]

[Signatures on following page]

Signed, sealed, and delivered in the presence of: **E. Richard Manchester**

Witness

By: _____

Printed Name

Printed Name: E. Richard Manchester

Witness

Printed Name

(Signature of two witnesses required by law.)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____, as _____ for _____, who is (___) personally known to me or (___) who has produced _____ as identification.

Notary Public Seal:

NOTARY PUBLIC, State of _____

Printed Name

My Commission Expires: _____

Signed, sealed, and delivered in the presence of: Sharon M. Keister

Witness

By: _____

Printed Name

Printed Name: Sharon M. Keister

Witness

Printed Name

(Signature of two witnesses required by law.)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____, as _____ for _____, who is (____) personally known to me or (____) who has produced _____ as identification.

Notary Public Seal:

NOTARY PUBLIC, State of _____

Printed Name

My Commission Expires: _____

ZNS ENGINEERING

Land Planning Engineering Surveying Landscape Architecture
 EB 0027476 LB 0006982 LC 0000365

"EXHIBIT A"

CERTIFICATE OF AUTHORIZATION # LB 6982
 201 5th AVENUE DRIVE EAST
 BRADENTON, FLORIDA 34208
 (941) 748-8080
 FAX (941) 748-3747

DESCRIPTION: VACATION

A PORTION OF 69th STREET EAST (COUNTY ROAD - PLAT) RIGHT OF WAY OF MARINELAND, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID 69th STREET EAST (COUNTY ROAD - PLAT) LYING WEST OF THE EAST LINE OF S.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23 AND LYING EAST OF THE EAST LINE OF LOT 75 OF SAID SUBDIVISION AND LYING SOUTH OF 68th AVENUE EAST (RIVER ROAD - PLAT).

LESS: THE NORTH 33 FEET THEREOF.

DESCRIPTION: (8 FOOT WIDE ACCESS EASEMENT)

A PORTION OF 69th STREET EAST (COUNTY ROAD - PLAT) RIGHT OF WAY OF MARINELAND, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THE EAST 8 FEET OF THAT PORTION OF SAID 69th STREET EAST (COUNTY ROAD - PLAT) LYING WEST OF THE EAST LINE OF S.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23 AND LYING EAST OF THE EAST LINE OF LOT 75 OF SAID SUBDIVISION AND LYING SOUTH OF 68th AVENUE EAST (RIVER ROAD - PLAT).

LESS: THE NORTH 33 FEET THEREOF.

NOT A BOUNDARY SURVEY DESCRIPTION SKETCH

OF A VACATION & ACCESS EASEMENT A PORTION 69th STREET EAST EAST OF LOT 75 MARINELAND, A SUBDIVISION

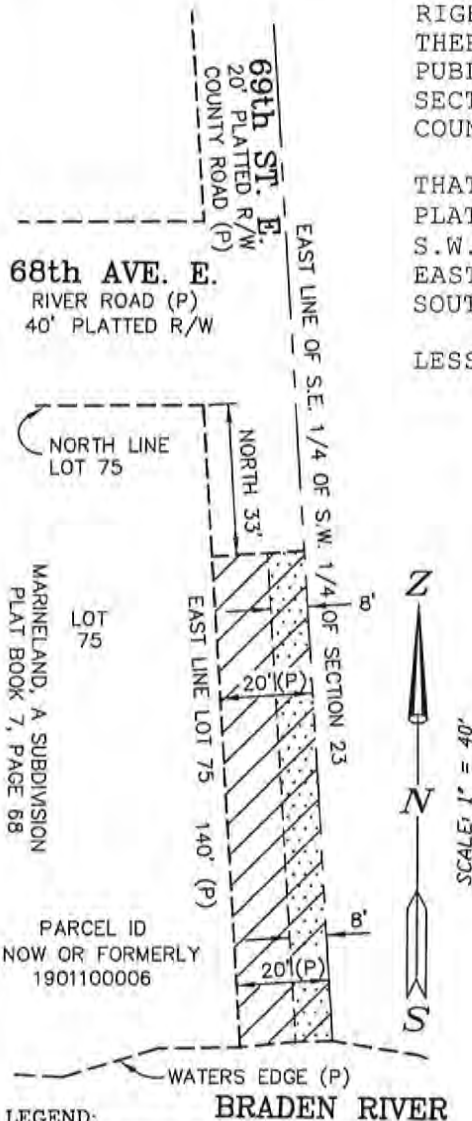
AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 68 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA

LOCATED IN
SECTION 23, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, AND THAT THEY MEET THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY: Brandon Lauster
 BRANDON LAUSTER, S.M.
 FLORIDA
 CERTIFICATE NO. LS 7839
 DATE OF CERTIFICATION: 6/10/2019



LEGEND:

- R/W - RIGHT OF WAY
- (P) - PLAT DATA
- [Hatched Box] - AREA OF VACATION (20 FEET WIDE)
- [Dotted Box] - AREA OF ACCESS EASEMENT (8 FEET WIDE)

NOTE:

THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.

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T:\LOT-MISC\Marineland\VACATION-LOT75_6-2019.dwg bernie (#44815)



February 12, 2021

VIA HAND DELIVERY

Victoria Rosenbecker
Real Property Specialist
Property Acquisition Division
1112 Manatee Avenue West
Suite 800
Bradenton, FL 34205

**Re: Amended Application to Vacate a Portion of Right-of-Way
6838 68th Avenue E, Bradenton, FL 34204**

Dear Victoria:

Pursuant to your request, this letter will serve to confirm that Mr. E. Richard Manchester is hereby removed as an applicant in the above-referenced Amended Application to Vacate a Portion of Right-of-Way. He unfortunately passed during the time the vacation request was pending.

Should you have any questions, please contact me. Thank you again for all your help with this matter.

Very truly yours,

Blalock Walters, P.A.

Mark P. Barnebey

Board Certified in City, County and Local Government Law

MPB/cal

cc: Mr. & Mrs. Keister (Via e-mail only)

mbarnebey@blalockwalters.com

2770728v1

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

MANATEE COUNTY FLORIDA

BATCH # BC07108A

DATE 7/10/18

CUSTOMER NAME:BLALOCK WALTERS, P.A.

DESCRIPTION:VACATION APPLICATION FEE\MANCHESTER & KEISTER

RECEIPT TOTAL \$200.00

CHECK AMOUNT/NUMBER \$200.00 CK. 42437

CASH AMOUNT \$

“Pride in Service with a Vision to the Future”

