

THIS INSTRUMENT PREPARED BY:

Maggie Gaughan, Real Property Specialist
Manatee County Government
Property Management Department
On behalf of Joy Leggett-Murphy, Property Acquisition Division Manager
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PID NO: 470944859

SPACE ABOVE THIS LINE FOR RECORDING DATA

COUNTY DEED

(Pursuant to Section 125.411 Florida Statutes)

THIS COUNTY DEED is made this 23rd day of March, 2021, by **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, party of the first part, (**Grantor**), and **KEVIN P. DEVINE AND KATHRYN E. DEVINE**, as co-trustees of the Kevin P. Devine Revocable Trust Dated August 30, 2006, whose mailing address is 11484 52nd Court East, Parrish, Florida 34219, party of the second part, (**Grantee**).

WITNESSETH that Grantor, for and in consideration of the sum of **ONE AND 00/100 DOLLAR (\$1.00)** to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained, and sold to Grantee, his or her heirs and assigns forever, the following described land lying and being in Manatee County, Florida (**Property**):

See legal description in **Exhibit A**, attached and incorporated in this County Deed by reference.

IN WITNESS WHEREOF Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

APPROVED IN OPEN SESSION 3/23/21
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



GRANTOR:

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

By: _____
Chairperson *3/23/21*

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: *Robin P. DC*
Deputy Clerk

EXHIBIT "A"

VACATION OF EASEMENT



SCALE: 1"=20'

ABBREVIATIONS:

DE	DRAINAGE EASEMENT
UE	UTILITY EASEMENT
SR	STATE ROAD
HWY	HIGHWAY
LB	LICENSED BUSINESS
MCR	MANATEE COUNTY RECORDS
ORB	OFFICIAL RECORD BOOK
PSM	PROFESSIONAL SURVEYOR MAPPER
R/W	RIGHT OF WAY
PG(S)	PAGE(S)
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
PB	PLAT BOOK
#	NUMBER
ID	IDENTIFICATION
(P)	PLAT
SQ FT	SQUARE FEET

NOTES:

1. PROPERTY LEGAL DESCRIPTION PROVIDE BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. BEARING BASIS: THE NORTHEASTERLY LINE OF LOT 57, AS BEARING N29°35'00"W PER PB 45, PGS 14-24, MANATEE COUNTY RECORDS.
4. THIS IS NOT A BOUNDARY SURVEY.

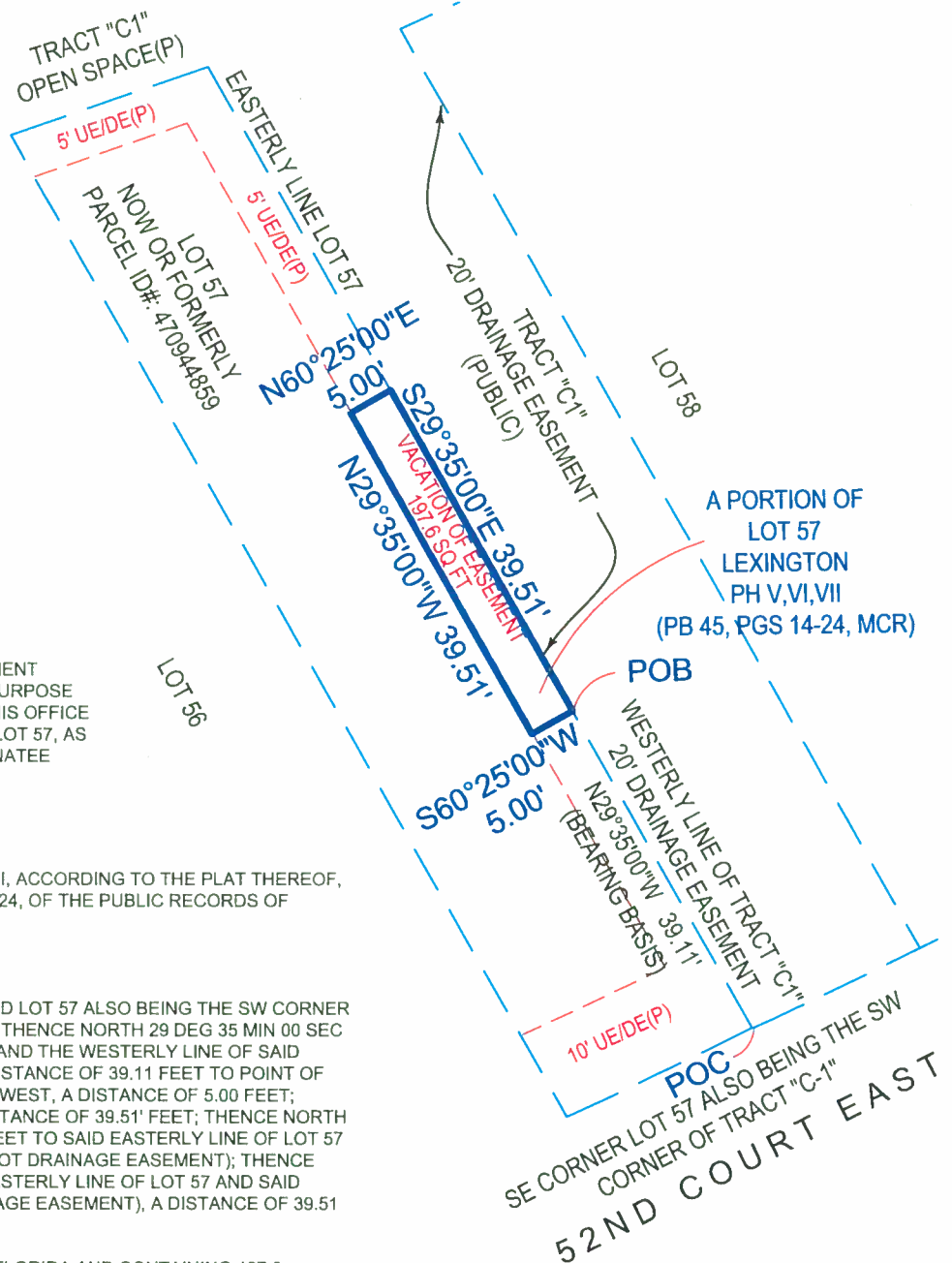
LEGAL DESCRIPTION: (RELEASE OF EASEMENT)

A PORTION OF LOT 57, LEXINGTON PHASES V, VI, VII, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 45, PAGES 14 THROUGH 24, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 57 ALSO BEING THE SW CORNER OF TRACT "C-1" (A 20 FOOT DRAINAGE EASEMENT); THENCE NORTH 29 DEG 35 MIN 00 SEC WEST ALONG THE EASTERLY LINE OF SAID LOT 57 AND THE WESTERLY LINE OF SAID TRACT "C1" (A 20 FOOT DRAINAGE EASEMENT), A DISTANCE OF 39.11 FEET TO POINT OF BEGINNING; THENCE SOUTH 60 DEG 25 MIN 00 SEC WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 29 DEG 35 MIN 00 SEC WEST, A DISTANCE OF 39.51' FEET; THENCE NORTH 60 DEG 25 MIN 00 SEC EAST, A DISTANCE OF 5.00 FEET TO SAID EASTERLY LINE OF LOT 57 AND SAID WESTERLY LINE OF TRACT "C-1" (A 20 FOOT DRAINAGE EASEMENT); THENCE SOUTH 29 DEG 35 MIN 00 SEC EAST ALONG SAID EASTERLY LINE OF LOT 57 AND SAID WESTERLY LINE OF TRACT "C-1" (A 20 FOOT DRAINAGE EASEMENT), A DISTANCE OF 39.51 FEET TO POINT OF BEGINNING.

LANDS SITUATE AND BEING IN MANATEE COUNTY, FLORIDA AND CONTAINING 197.6 SQUARE FEET, MORE OR LESS.



5601 CORPORATE WAY, SUITE 103
WEST PALM BEACH, FL 33407

PH: 561.508.6272 NexgenSurveying.com
FAX: 561.508.6309 LB 8111

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PER CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

CLYDE O. MCNEAL PSM 2883
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

NOT VALID WITHOUT AN EMBOSSED SEAL AND ORIGINAL SIGNATURE

Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: hhoey

Changed By: ddrabent

Receipt#: 900363242 **Payee Name:** BERLIN PATTEN PLLC AR500111
Receipt Date: 03/25/2021 3700 S TAMIAMI TRIAL SUITE 200
SARASOTA, FL 34239
Escrow Balance: \$0.00
Escrow Customer: 001000000223000

Instrument: 202141038346 DEED

001000000341100	RECORDING FEE \$5/\$4	\$13.00
199000000341150	PRMTF \$1/\$.50	\$2.00
001000000208911	PRMTF FACD \$.10	\$0.30
199000000341160	PRMTF CLERK \$1.90	\$5.70
001000000208912	PRMTF BCC \$2	\$6.00
001000000208901	DEED DOC STAMPS \$.70	\$0.70
001000000341400	INDEXING NAMES	\$0.00
001000000229552	E-CERTIFICATION FEE	\$0.00
001000000341400	E-COPIES	\$0.00
001000000341400	E-CERTIFICATION	\$0.00
001000000229502	OVERAGE 001000000229502	\$8.50

Instrument Total: \$36.20

Receipt Total: \$36.20

Amount Tendered: \$36.20

Overage: \$0.00

Check \$36.20 8804

Amount Paid:



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

Board of County Commissioners March 23, 2021 - Regular Meeting

SUBJECT

EXECUTION AND RECORDING OF COUNTY DEED FROM MANATEE COUNTY TO KEVIN P. DEVINE AND KATHRYN E. DEVINE, CO-TRUSTEES OF THE KEVIN P. DEVINE REVOCABLE TRUST DATED AUGUST 30, 2006, FOR A DRAINAGE EASEMENT LOCATED AT 11484 52ND COURT EAST, PARRISH, FLORIDA 34219

Category

CONSENT AGENDA

Briefings

None

Contact and/or Presenter Information

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

Maggie Gaughan, Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 3631

Action Requested

- Execution and Recording of County Deed to Kevin P. Devine and Kathryn E. Devine, co-trustees of the Kevin P. Devine Revocable Trust Dated August 30, 2006

Enabling/Regulating Authority

- Chapter 125 of the Florida Statutes
- Manatee County Comprehensive Plan Goal

Background Discussion

- On April 24, 2020, staff held a meeting with Kevin Devine and his representative, Natasha Selvaraj, about the potential of vacating a portion of a platted easement encumbering Mr. Devine's property located at 11484 52nd Court East, Parrish, Florida 34219. This easement is platted in the Lexington, Phase V, VI, VII subdivision plat and is recorded in Plat Book 45, Page 14 of the Public Records of Manatee County.

NOTE: Attached email from Magaret Gaughan, Property Mgmt, (3/18/21), explains Exhibit A to the County Deed. RT

- In May of 2020, Kevin and Kathryn Devine submitted an Application to Vacate a portion of the platted drainage easement encumbering their property.
- The Devines are in the process of selling their home and have been working on closing with a potential buyer who does not want to purchase the property with a portion of the drainage easement clouding their title.
- On October 19, 2020, staff submitted a Request for Legal Services (RLS) to review the Vacation Application for a portion of the platted drainage easement.
- The County Attorney's Office discovered that this drainage easement was 'Reserved' rather than 'Dedicated' by plat. In this instance, it was determined that Manatee County does not own any interest in this land.
- **The County Attorney's Office has recommended that staff present a County Deed to the Board of County Commissioners, per Section 125.411 of the Florida Statutes. A County Deed does not state any facts concerning title nor offer any warranties relative to same. The deed is only to release any interest the County has, if any. While staff is of the opinion that the County has no interest in this land, the Devines and their potential buyer are of the opinion that conveyance of this deed will remove the cloud upon the Devine's title, thereby allowing the parties to proceed to closing.**
- The portion of the drainage easement to be released is located on the east side of the property and encompasses approximately 197.6 square feet.

Attorney Review

Formal Written Review (Opinion memo must be attached)

Other (if applicable)

Reviewing Attorney

D'Agostino

Instructions to Board Records

Please return the original County Deed to Maggie Gaughan via interoffice mail to 1112 Manatee Ave W, Suite 800.

Please email a copy of the approved agenda item to the following people:

- Maggie Gaughan at Margaret.gaughan@mymanatee.org
- Natasha Selvaraj at nselvaraj@berlinpatten.com
- Pamela D'Agostino at pamela.dagostino@mymanatee.org
- Alicia Stull at Alicia.stull@mymanatee.org

Distributed with orig. recorded deed to M. Gaughan 3/25/21, RT

Cost and Funds Source Account Number and Name

Recording Fees and Doc Stamps are to be paid by Grantee; \$36.20

Amount and Frequency of Recurring Costs

N/A



County Administrator's Office
1112 Manatee Avenue West
Bradenton, FL 34205
Phone number: (941) 745-3717

MEMORANDUM

To: Cheri Coryea, County Administrator
From: Diane Vollmer, Agenda Coordinator

Date: March 22, 2021

Subject: **Agenda Update for Meeting of March 23, 2021**

This memo and the changes indicated below are reflected in the electronic agenda.

Changes to Consent Agenda

PROPERTY MANAGEMENT

Item 31 - Execution and Recording of County Deed from Manatee County to Kevin P. Devine and Kathryn E. Devine for a drainage easement located at 11484 52nd Court East, Parrish

- The second page of Exhibit A to the County Deed, which was inadvertently included, has been removed.

PUBLIC WORKS

Item 38 - Execution of Alternative Wastewater Connection Agreement for Rye Crossings with Linda M. Hirsch for the Developer to Connect Rye Crossing to the Manatee County Wastewater System via means of an Alternative Connection

- The agreement, executed by Ms. Hirsch and containing Exhibits A and B, was attached to this agenda item. Exhibits C and D, which were not a part of this agreement, were removed.

Changes to Regular Agenda

ADMINISTRATOR

Item 48 - Updates on CARES Act Strategies, the Emergency Rental Assistance Program, and Coronavirus Local Strategies involved with Testing, Local Data, Statistics, and Vaccine Distribution; Extension of Local State of Emergency

- The following presentations were added to this item:
 - American Rescue Plan 2021 – Coronavirus State & Local Recovery Fund
 - On-going Response to the COVID 19 Pandemic

HUMAN RESOURCES

Item 49 - 2:00 P.M. TIME CERTAIN - Presentation of Candidates for the Position of Acting County Administrator

- A Form Resolution and Contract for Dr Scott Hopes as Acting Administrator (provided by Commissioner Van Ostenbridge) was added to this agenda item.

Change to Commissioner Agenda

COMMISSIONER SERVIA

Item 50 - Update on Tallahassee Trip

Commissioner Servia's notes were attached to the agenda item.

Addition to Commissioner Agenda

COMMISSIONER VAN OSTENBRIDGE

Item 51 - Direction to County Administrator to set aside 200 COVID 19 Vaccines for Manatee Sheriff's Office Deputies or Corrections Officers who wish to receive a Vaccine

File #: 75641-125828

LEGAL DESCRIPTION OF: 11484 52ND COURT E, PARRISH, FL, 34219

LOT 57, OF LEXINGTON, PHASE V, VI, VII, A SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 45,
PAGES 14 THROUGH 24, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

CERTIFIED TO:

BRANDI G. RUTLAND
ICARD, MERRILL CULLIS, TIMM, FUREN & GINSBURG, P.A.
DAS ACQUISITION COMPANY, LLC
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FLOOD ZONE:

12081C0190E
ZONE: X
EFF: 03/17/2014

SURVEY NOTES:

- BUILDING EXTENDS THROUGH EASEMENT ALONG EASTERN BOUNDARY LINE AS SHOWN.
- A/C PAD EXTENDS THROUGH WESTERN BOUNDARY LINE AS SHOWN.

LEGEND

- A/C -AIR CONDITIONER
- WM -WATER METER
- AL -ARC LENGTH
- (C) -CALCULATED
- (M) -MEASURED
- P.O.B. -POINT OF BEGINNING
- P.O.C. -POINT OF COMMENCEMENT
- & -AND
- P.B. -PLAT BOOK
- PG -PAGE
- U.E. -UTILITY EASEMENT
- D.E. -DRAINAGE EASEMENT
- P.U.E. -PUBLIC UTILITY EASEMENT
- L.A.E. -LIMITED ACCESS EASEMENT
- L.M.E. -LAKE MAINTENANCE EASEMENT
- O.H.E. -OVERHEAD EASEMENT
- R -RADIUS
- (R) -RECORD
- O.R.B. -OFFICIAL RECORDS BOOK
- Sq.Ft. -SQUARE FEET
- Ac. -ACRES
- DB -DEED BOOK
- (D) -DEED
- (P) -PLAT
- EOW -EDGE OF WATER
- TOB -TOP OF BANK
- OHL -OVERHEAD LINE
- C/O -CLEAN OUT
- ELEV -ELEVATION
- FF -FINISHED FLOOR
- LS -LICENSED SURVEYOR
- LB -LICENSED BUSINESS
- PSM -PROFESSIONAL SURVEYOR & MAPPER
- x - FENCE
- # -NUMBER
- ± -PLUS OR MINUS
- ☐ -ASPHALT
- ☐ -CONCRETE
- ☐ -PAVER/BRINCK
- ☐ -WOOD
- ☼ -LIGHT POLE
- ⊙ -WELL
- ⊗ -WATER VALVE
- ⊕ -CENTER LINE
- ☐ -CATCH BASIN
- ⊕ -FIRE HYDRANT
- ⊕ -UTILITY POLE
- ⊕ -MANHOLE
- ⊕ -ELEVATION

SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.

THIS PAGE IS NOT NEEDED AND IS REMOVED FROM THE COUNTY DEED DOCUMENT - Per Agenda Update Memorandum 2

****Per M. Gaughn 3/22/21: This page is not needed with the document and does not get recorded with this Deed****

GENERAL NOTES:

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
- 5) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 6) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 7) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)



County Administrator's Office
1112 Manatee Avenue West
Bradenton, FL 34205
Phone number: (941) 745-3717

MEMORANDUM

To: Karen Stewart, Acting County Administrator

From: Diane Vollmer, Agenda Coordinator

Date: March 19, 2021

Subject: **Agenda Update for Meeting of March 23, 2021**

This memo and the changes indicated below are reflected in the electronic agenda.

Public Comments

Written comments submitted through the online Public Comment form were added to the following:

- Item 3 – Citizen Comments (Consideration for Future Agenda Items)
- Item 19 - Execution of Amendment No. 2 to Agreement No. 19-Ta003044cd for Design-Build Agreement for Manatee County East County New Library

Changes to Consent Agenda

PROPERTY MANAGEMENT

Item 31 - Execution and Recording of County Deed from Manatee County to Kevin P. Devine and Kathryn E. Devine for a drainage easement located at 11484 52nd Court East, Parrish

- The second to last bullet point in the Background Discussion section was updated to provide clarification.

Item 34 - Execution of Contract for Sale and Purchase with Lakewood Ranch Commerce Park Owners Association, Inc., for Property located near 44th Avenue East

- The Contract was updated and replaced to include a corrected Parcel Sketch (Pages 14, 23, and 34).

Changes to Advisory Board/Committee Appointments

FINANCIAL MANAGEMENT

Item 42 - Appointment of Three Residents to the Infrastructure Sales Tax Citizens Oversight Committee

- The Background Discussion section was updated to correct the list of applicants.
- A Citizens Oversight Committee Roster was added.

Changes to Reports

REDEVELOPMENT AND ECONOMIC OPPORTUNITY

Item 47 - Presentation of Redevelopment and Economic Development Annual Reports

- Slide 17 in the PowerPoint presentation was updated and replaced to clarify the economic development process. Additional adjustments were made, with no substantial changes to content, for ADA compliance.

Addition to Regular Agenda

HUMAN RESOURCES

Item 49 – 2:00 P.M. TIME CERTAIN - Presentation of Candidates for the Position of Acting County Administrator

- Request for Board direction to Human Resources on desired next steps towards identifying an Acting County Administrator.

Addition to Commissioner Agenda

COMMISSIONER SERVIA

Item 50 - Update on Tallahassee Trip



Board of County Commissioners
March 23, 2021 - Regular Meeting

SUBJECT

EXECUTION AND RECORDING OF COUNTY DEED FROM MANATEE COUNTY TO KEVIN P. DEVINE AND KATHRYN E. DEVINE, CO-TRUSTEES OF THE KEVIN P. DEVINE REVOCABLE TRUST DATED AUGUST 30, 2006, FOR A DRAINAGE EASEMENT LOCATED AT 11484 52ND COURT EAST, PARRISH, FLORIDA 34219

Category

CONSENT AGENDA

Briefings

None

Contact and/or Presenter Information

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

Maggie Gaughan, Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 3631

Action Requested

- Execution and Recording of County Deed to Kevin P. Devine and Kathryn E. Devine, co-trustees of the Kevin P. Devine Revocable Trust Dated August 30, 2006

Enabling/Regulating Authority

- Chapter 125 of the Florida Statutes
- Manatee County Comprehensive Plan Goal

Background Discussion

- On April 24, 2020, staff held a meeting with Kevin Devine and his representative, Natasha Selvaraj, about the potential of vacating a portion of a platted easement encumbering Mr. Devine's property located at 11484 52nd Court East, Parrish, Florida 34219. This easement is platted in the Lexington, Phase V, VI, VII subdivision plat and is recorded in Plat Book 45, Page 14 of the Public Records of Manatee County.

REVISED/REPLACED by Update Memo 7

- In May of 2020, Kevin and Kathryn Devine submitted an Application to Vacate a portion of the platted drainage easement encumbering their property.
- The Devines are in the process of selling their home and have been working on closing with a potential buyer who does not want to purchase the property with a portion of the drainage easement clouding their title.
- On October 19, 2020, staff submitted a Request for Legal Services (RLS) to review the Vacation Application for a portion of the platted drainage easement.
- The County Attorney's Office discovered that this drainage easement was 'Reserved' rather than 'Dedicated' by plat. In this instance, it was determined that Manatee County does not own any interest in this land. **See Agenda Update Memo for explanation on this bullet item**
- The County Attorney's Office has recommended that staff present a County Deed to the Board of County Commissioners, per Section 125.411 of the Florida Statutes. The County does not represent or warrant the conveyance of the county's interest via County Deed will remove the cloud that may or may not be present on the Devine's property title. The deed is only to release the interest the County has, if any.
- The portion of the drainage easement to be released is located on the east side of the property and encompasses approximately 197.6 square feet.

Attorney Review

Formal Written Review (Opinion memo must be attached)

Other (if applicable)

Reviewing Attorney

D'Agostino

Instructions to Board Records

Please return the original County Deed to Maggie Gaughan via interoffice mail to 1112 Manatee Ave W, Suite 800.

Please email a copy of the approved agenda item to the following people:

- Maggie Gaughan at Margaret.gaughan@mymanatee.org
- Natasha Selvaraj at nselvaraj@berlinpatten.com
- Pamela D'Agostino at pameladagostino@mymanatee.org
- Alicia Stull at Alicia.stull@mymanatee.org

Cost and Funds Source Account Number and Name

Recording Fees and Doc Stamps are to be paid by Grantee; \$36.20

Amount and Frequency of Recurring Costs

N/A

Bradenton, FL 34205
Phone: 941-748-4501 x. 3439



From: Robin Toth <robin.toth@ManateeClerk.com>
Sent: Thursday, March 18, 2021 9:09 AM
To: Magaret.gaughan@mymanatee.org; Joy LeggettMurphy <joy.leggettmurphy@mymanatee.org>
Subject: BCC Mtg 3/23/21: Agenda Item 31, County Deed from MC to Kevin P. Devine

Good Morning Maggie,

This agenda item is to record a County Deed from MC to Kevin P. Devine. Please look at Exhibit A to the Deed. It appears that Page 1 of Exhibit "A" is a sketch by NEXGEN Surveying LLC. However; right above NEXGEN's name is a blue bar with the words, "SHEET 1 OF 1 (Sketch of Description - Not a Boundary Survey)", BUT the next page at the top in the blue bar says, "SHEET 2 OF 2...".

Following Board approval, this Deed is to be recorded in public records. I need to know for certain, how many pages Exhibit A is.

Please look at this agenda packet and let me know.

Thank you,

Robin Toth
Deputy Clerk, Board Records Department
for Angelina "Angel" Coloneso
Manatee County Clerk of the Circuit Court and Comptroller
www.manateeclerk.com
robin.toth@manateeclerk.com
(941) 741-4018, Ext. 4179



"Pride in Service with a Vision to the Future"

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

From: [Margaret Gaughan](#)
To: [Robin Toth](#)
Cc: [Joy LeggettMurphy](#)
Subject: RE: BCC Mtg 3/23/21: Agenda Item 31, County Deed from MC to Kevin P. Devine
Date: Thursday, March 18, 2021 9:21:10 AM
Attachments: [image003.png](#)
[image002.png](#)

Good morning Robin,

I apologize for not catching that. Exhibit A is two pages.

Thank you for your time, it is appreciated! Enjoy the rest of your week

Maggie Gaughan

Real Property Specialist

Property Acquisition Division

1112 Manatee Avenue West

Suite 800 H

Bradenton, FL 34205

(941) 748-4501 x3631

margaret.gaughan@mymanatee.org



Please consider the environment before printing this email.

From: Joy LeggettMurphy
Sent: Thursday, March 18, 2021 9:17 AM
To: Margaret Gaughan <margaret.gaughan@mymanatee.org>
Subject: FW: BCC Mtg 3/23/21: Agenda Item 31, County Deed from MC to Kevin P. Devine

Sincerely,
Joy Leggett-Murphy
Property Acquisition Division Manager
Property Management Department
Manatee County Government
1112 Manatee Avenue West
Suite 800-D

From: [Margaret Gaughan](#)
To: [Diane Vollmer](#)
Cc: [Robin Toth](#)
Subject: County Deed to Kevin Devine - Recording Fees
Date: Monday, March 22, 2021 12:11:06 PM
Attachments: [image001.png](#)

Hi Diane & Robin,

I'm sorry I missed your call!

I spoke with the Devines' attorney and it is fine for the Clerk to absorb the overage of recording fees.

I apologize for the inconvenience.

Thank you for your time! Have a wonderful day

Maggie Gaughan

Real Property Specialist

Property Acquisition Division

1112 Manatee Avenue West

Suite 800 H

Bradenton, FL 34205

(941) 748-4501 x3631

margaret.gaughan@mymanatee.org



Please consider the environment before printing this email.

Margaret Gaughan

From: Pamela DAgostino
Sent: Thursday, January 14, 2021 3:22 PM
To: Joy LeggettMurphy
Cc: Charlie Bishop; Margaret Gaughan; William Clague
Subject: Vacation Application V-20-506/ Kathryn and Kevin Devine - Application to Vacate a Portion of a Platted Drainage Easement located at 11484 52nd Court East, Parrish, Florida 34219; CAO Matter No. 2020-0494

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Joy:

I send this email in response to the above referenced request for legal services. Maggie Gaughan has authorized me to respond by email in lieu of a formal memorandum. In this request, you asked the CAO to review a vacation application from the Devines to vacate a portion of a platted drainage easement. The RLS purports that the Devines want the easement vacated in order to sell the property. Based on my review of all the relevant documents, my advice is as follows:

1. Based on the case law concerning dedications, the County does not have jurisdiction to vacate this easement because this easement was not dedicated to the County, but was instead *reserved* (see RESERVATION OF EASEMENTS on sheet two of the Lexington, Phase V, VI, VII subdivision plat, recorded in Plat Book 45, Page 14, of the Public Records of Manatee County, Florida). The County cannot vacate an easement which it does not possess.
2. Accordingly, it would be inappropriate for staff to schedule a public hearing for the Board to consider vacating this easement as requested by the Devines.
3. That being said, and in light of the concerns expressed by counsel for the Devines, because I understand that the County does not actually own any interest in this land, I would not have any objection to staff presenting to the Board for execution a County Deed consistent with Section 125.411, Florida Statutes, conveying to the Devines the land described in the vacation application.

This completes my response to your RLS. Please contact me if you have any questions or if I can be of further assistance.

Sincerely,

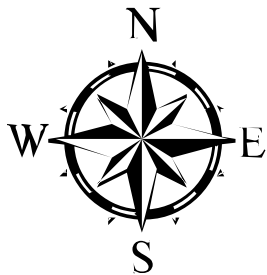
Pamela J. D'Agostino
Assistant County Attorney
Manatee County Government
Office of the County Attorney
1112 Manatee Avenue West, Suite 969
Bradenton, Florida 34205
pamela.dagostino@mymanatee.org
Phone: 941-745-3750
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 Release of Interest

***Boundaries shown are approximate and for informational purposes only.**

University of South Florida, Manatee County Government, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



DRAINAGE EASEMENT TO BE RELEASED

**KEVIN AND KATHRYN DEVINE
11484 52ND COURT EAST
PARRISH, FL 34219
PID 470944859**

DISTRICT 1- JAMES SATCHER

