



**Board of County Commissioners  
September 14, 2021 - Regular Meeting**

**SUBJECT**

ACCEPTANCE AND RECORDING OF A PERMANENT UTILITIES EASEMENT AND A PERMANENT SIDEWALK EASEMENT FROM 63 MANATEE, LLC FOR PROPERTY LOCATED AT 1515 63RD AVENUE EAST, BRADENTON FL, 34203, IN DISTRICT 4.

**Category**

CONSENT AGENDA

**Briefings**

None

**Contact and/or Presenter Information**

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

Caitlyn DeLoach, Real Property Coordinator, Property Acquisition Division, Property Management Department, Extension 3403

**Action Requested**

- Accept and Record Permanent Utilities Easement from 63 Manatee, LLC; and
- Accept and Record Permanent Sidewalk Easement from 63 Manatee, LLC; and
- Record Affidavit of Ownership and Encumbrances from 63 Manatee, LLC.

**Enabling/Regulating Authority**

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

**Background Discussion**

- The Permanent Utilities Easement and Sidewalk Easement are located in District 4.
- 63 Manatee, LLC, a Florida limited liability company, owns property located at 1515 63rd Avenue East, Bradenton FL, 34203.
- 63 Manatee, LLC is required to convey a Permanent Utilities Easement and a Permanent Sidewalk Easement to Manatee County in accordance with their Final Site Plan requirements for construction of a 7-Eleven.

- The Permanent Utilities Easement encompasses approximately 225 square feet and is located on the south side of the property, north of 63rd Avenue East.
- The Permanent Sidewalk Easement encompasses approximately 2,274 square feet and is located on the west side of the property, east of 15th Street East.

**Attorney Review**

Not Reviewed (No apparent legal issues)

**Instructions to Board Records**

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

- Caitlyn DeLoach at [Caitlyn.deloach@mymanatee.org](mailto:Caitlyn.deloach@mymanatee.org)
- Jesse Blackstock at [Jesse@blackstockeng.com](mailto:Jesse@blackstockeng.com)
- Jim Rowe at [jrowe@jrowelaw.com](mailto:jrowe@jrowelaw.com)
- Bill Lloyd at [wcl@rkmdev.com](mailto:wcl@rkmdev.com)

**Cost and Funds Source Account Number and Name**

Fees to be paid by Grantor

**Amount and Frequency of Recurring Costs**

N/A

By request of Caitlyn DeLoach, the three original documents with this item were returned to Caitlyn in a pick-up courier envelope, along with recording fee check #1015 from 63 Manatee LLC, in the amount of \$174.50, 9/16/21, RT



## MEMORANDUM

To: Dr. Scott Hopes, County Administrator

From: Diane Vollmer, Agenda Coordinator

Date: September 13, 2021

Subject: **Agenda Update for Meeting of September 14, 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:

- Citizen Comments (Consideration for Future Agenda Items)

### Changes to Consent Agenda

#### BUILDING AND DEVELOPMENT SERVICES

##### Item 12 - Final Plat and Associated Documents for Summerwoods-Phases IIIA & IVA

The requested action was updated to include: "Acceptance, Execution, and Recording of the Mortgagee's Joinder from Western Alliance Bank."

#### PROPERTY MANAGEMENT

##### Item 30 - Permanent Utilities Easement and Permanent Sidewalk Easement from 63 Manatee, LLC for property located at 1515 63rd Avenue East, Bradenton FL, 34203, in District 4.

This item was deleted from the agenda.

##### Item 37 - Resolution R-21-150 Authorizing the Conveyance of Right-of-Way and County Deed Conveying Right-of-Way to Florida Department of Transportation for the Realignment of State Road 62 at US 301 North in Parrish, Florida 34219 in District 1

The requested action was updated to read:

- Adopt Resolution R-21-150; and
- Execute County Deed to State of Florida Department of Transportation

##### Item 38 - Notice of Termination of a License Agreement between Florida Sheriffs Youth Ranches, Inc, and Manatee County for property located at 751 Rye Wilderness Trail, Parrish, Florida 34219; District 1

This item is being deferred to the October 26 meeting.

#### PUBLIC WORKS

##### Item 42 - Adoption of Resolution No. 21-110 Approving a Limited Access Agreement and Release of Claims Form for the Bradenton Beach Gravity Sewer Replacement Project

A location map was added to this agenda item.

## Changes to Advisory Board Appointments

### NEIGHBORHOOD SERVICES

#### **Item 50 - Appointment of Six Applicants to the Children's Services Advisory Board**

This item is being deferred to the September 28 meeting.

## Additions to Consent Agenda

### ADMINISTRATOR

#### **Item 57 - Letter of Non-opposition for Skyway Bridge 10K Charity Run Sponsored by the Armed Forces Families Foundation**

Requested Action: "Authorization for the Chairperson to execute a letter of non-opposition to the Florida Department of Transportation (FDOT) for a proposed 10k charity run across the Skyway Bridge on March 6, 2022, sponsored by the Armed Forces Families Foundation."

### PROPERTY MANAGEMENT

#### **Item 58 - Subordination of County Utility Interests to subordinate the County's Utility Interests to the Florida Department of Transportation (FDOT) for Parcel 503.1 (also known as Parcel 503), located along U.S. 41 N. - U.S. 301**

Requested Action: "Execute Subordination of County Utility Interests for Parcel 503.3 (also known as Parcel 503)"

## Addition to Commissioner Agenda

#### **Item 59 - Approval of letter to the Florida Attorney General in favor of a county ordinance creating a "safe haven" for the unborn in Manatee County, Florida and direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida law from adopting an ordinance regulating abortion**

Requested Action: "I move to approve the letter to the Florida Attorney General in the form submitted into the record, and to direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida law from adopting an ordinance regulating abortion."

**THIS INSTRUMENT PREPARED BY:**

Caitlyn DeLoach, Real Property Coordinator  
Property Acquisition Division  
On behalf of: Joy Leggett-Murphy, Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205

PROJECT NAME: 7-11 on 63rd & 15th  
PID NO: 1846200002

SPACE ABOVE THIS LINE FOR RECORDING DATA

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**PERMANENT UTILITIES EASEMENT**

**THIS INDENTURE** made this 9<sup>th</sup> day of August, 2021, between **63 MANATEE, LLC**, a Florida limited liability company, whose mailing address is 147 2nd Avenue South, Suite 400, St. Petersburg, Florida 33701, as "**Grantor**," 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, egress, construction, and maintenance of surface and/or underground utility facilities** over, under, and across the property situate in Manatee County, State of Florida, more particularly described 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.

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



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

James C. Rowe  
First Witness Signature

James C. Rowe  
First Witness Printed Name

Bob Brett  
Second Witness Signature

BOB BRETT  
Second Witness Printed Name

**GRANTOR:**

**63 MANATEE, LLC**, a Florida limited liability company

By: William C. Lloyd  
William C. Lloyd, Authorized Member

STATE OF Florida  
COUNTY OF Pinellas

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

- physical presence or
- online notarization

this 9<sup>th</sup> day of August, 2021, by William C. Lloyd, as Authorized Member of 63 Manatee, LLC, a Florida limited liability company, on behalf of the company, who

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

identification.

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

Angela L Thompson  
Signature of Notary Public

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

My Commission Expires: 8-21-2022



ANGELA L THOMPSON  
Commission # GG 294010  
Expires August 21, 2022  
Bonded Thru Budget Notary Services

# SKETCH OF DESCRIPTION

SHEET 1 OF 2

EXHIBIT A

## LEGAL DESCRIPTION:

15 FOOT BY 15 FOOT UTILITY EASEMENT:

A PORTION THE LAND DESCRIBE IN INSTRUMENT NUMBER 202141055251, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 19; RUN THENCE N00°22'21"E ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 19 A DISTANCE OF 1392.61 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF 63RD AVENUE EAST PER OFFICIAL RECORDS BOOK 1259, PAGE 2983, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S89°25'36"E, ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 50.00 FEET TO ITS INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF 15TH STREET EAST AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 1312-102; THENCE CONTINUE S89°25'36"E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 84.50 FEET FOR A POINT OF BEGINNING; THENCE N00°34'24"E A DISTANCE OF 15.00 FEET; THENCE S89°25'36"E A DISTANCE OF 15.00 FEET; THENCE S00°34'24"W A DISTANCE OF 15.00 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE N89°25'36"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 225 SQUARE FEET, MORE OR LESS.



JOB # 904274

CF # MNT-19-35-18-SOD

DATE: 03/31/2021

SCALE: 1" = 40'

DRAWN BY: GLT

## CERTIFIED TO:

R.K.M. DEVELOPMENT CORP

## REVISIONS

7/10/2021 - Address Comments - JB

## GENERAL NOTES:

1. Bearing structure is assumed and based on the monumented North R/W line of 63RD Avenue East, being: S89°25'36"E per ORB 1259, PG 2983.
2. This surveyor has not made a search of the public records for any dedications, limitations, restrictions or easements other than shown hereon.
3. This Sketch of Description has been made for the exclusive use of the entities prepared for, heron and does not extend to any unnamed parties.
4. This Sketch of Description is not a Survey.
5. This Sketch is "Not Valid" without the original signature and seal of this Florida licensed Surveyor and Mapper, unless provided with electronic signature with the ability to validate. (See: [www.altamaxsurveying.com](http://www.altamaxsurveying.com) for instructions on signature validation). The seal appearing on this document was authorized by signing Professional Surveyor and Mapper on the Date of the electronic signature.

## LEGEND

E	- CENTERLINE
CBW	- CONCRETE BLOCK WALL
CLF	- CHAIN LINK FENCE
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#	- NUMBER

## Altamax Surveying

910 Belle Avenue, Suite 1100  
Casselberry, FL 32708  
Phone: 407-677-0200  
Licensed Business No. 7833  
[www.altamaxsurveying.com](http://www.altamaxsurveying.com)

Digitally signed by James D  
Bray  
DN: cn=James D Bray c=US  
o=Unaffiliated  
ou=A01427D00001667EAA  
C3E300001793  
Date: 2021-07-11 09:21:04:00

James D. Bray PSM 6507

# SKETCH OF DESCRIPTION

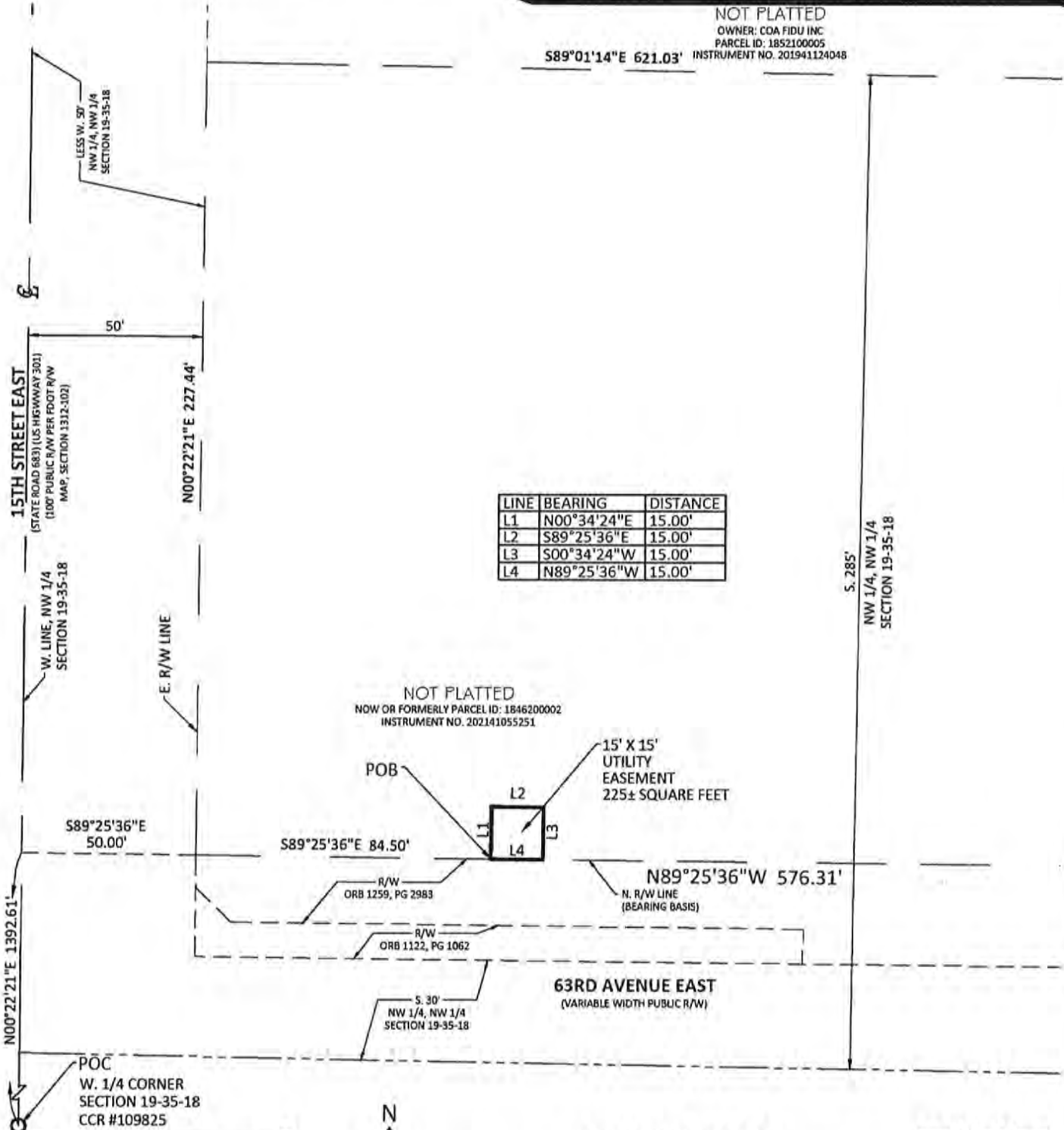
SHEET 2 OF 2

EXHIBIT A

NOT PLATTED

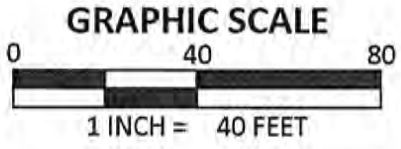
OWNER: COA FIDU INC  
PARCEL ID: 1852100005

589°01'14"E 621.03' INSTRUMENT NO. 201941124048



LINE	BEARING	DISTANCE
L1	N00°34'24"E	15.00'
L2	S89°25'36"E	15.00'
L3	S00°34'24"W	15.00'
L4	N89°25'36"W	15.00'

**Altamax Surveying**  
 910 Belle Avenue, Suite 1100  
 Casselberry, FL 32708  
 Phone: 407-677-0200  
 Licensed Business No. 7833  
 www.altamaxsurveying.com





**CONSENT AND JOINDER**

**THIS CONSENT AND JOINDER**, made and given this 9<sup>th</sup> day of August, 2021, by **FLAGSHIP BANK**, a Florida banking corporation, whose mailing address is 29750 US Highway 19 North, Clearwater, Florida 33761, (hereinafter the **Mortgagee**), being the owner and holder of a Mortgage dated April 26, 2021, made by **63 MANATEE, LLC**, a Florida limited liability company, whose mailing address is 147 2nd Avenue South, Suite 400, St. Petersburg, Florida 33701, (hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage has been recorded in Official Records as Instrument No. 202141055253 of the Public Records of Manatee County, Florida (hereinafter the **Mortgage**), and encumbers real property.

**WHEREAS, MANATEE COUNTY**, a political subdivision of the State of Florida, for good and valuable consideration, has or will obtain from the Mortgagor a Permanent Utilities Easement (hereinafter the **Easement**), encumbering the lands described in the Easement, to which this Consent and Joinder is attached.

**WHEREAS, MANATEE COUNTY** has requested the Mortgagee consent to and join in the Easement referenced above and incorporated herein by reference, and the Mortgagee hereby consents to and joins in same.

**IN WITNESS WHEREOF**, the Mortgagee has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

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

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

M. Ricci

First Witness Signature

M. Ricci

First Witness Printed Name

Nancy Brigmond

Second Witness Signature

Nancy Brigmond

Second Witness Printed Name

STATE OF Florida  
COUNTY OF Pinellas

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

- physical presence or
- online notarization

this 20th day of July, 2021, by James P. Nelson as President of Flagship Bank, a Florida banking corporation, on behalf of said corporation, who

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

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

M. Resendes

Signature of Notary Public

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

**MORTGAGEE:**

FLAGSHIP BANK, a Florida banking corporation

By: James P. Nelson

Signature

As: President

Title

James P. Nelson

Printed Name

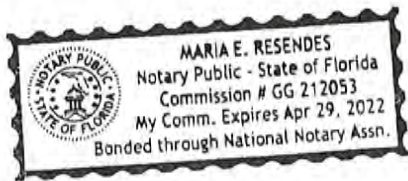
Affix corporate seal below:

Attest: Kenneth E. Bailey

Secretary Signature

Secretary

My Commission Expires: 4/29/22



**THIS INSTRUMENT PREPARED BY:**

Caitlyn DeLoach, Real Property Coordinator  
Property Acquisition Division  
On behalf of: Joy Leggett-Murphy, Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205

PROJECT NAME: 7-11 on 63rd & 15th  
PID NO: 1846200002

SPACE ABOVE THIS LINE FOR RECORDING DATA

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**PERMANENT SIDEWALK EASEMENT**

**THIS INDENTURE** made this 9<sup>th</sup> day of August, 2021, between **63 MANATEE, LLC**, a Florida limited liability company, whose mailing address is 147 2nd Avenue South, Suite 400, St. Petersburg, Florida 33701, as "**Grantor**," 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, egress, construction, and maintenance of a public sidewalk** over, under, and across the property situate in Manatee County, State of Florida, more particularly described 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.

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



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

[Signature]  
First Witness Signature

James C Rowe  
First Witness Printed Name

[Signature]  
Second Witness Signature

BOB BREST  
Second Witness Printed Name

**GRANTOR:**  
**63 MANATEE, LLC**, a Florida limited liability company

By: [Signature]  
William C. Lloyd, Authorized Member

STATE OF Florida  
COUNTY OF Pinellas

Before me, a Notary Public, the foregoing instrument was acknowledged by means of  
 physical presence or  
 online notarization  
this 9<sup>th</sup> day of August, 2021, by William C. Lloyd, as Authorized Member of 63 Manatee, LLC, a Florida limited liability company, on behalf of the company, who  
 is personally known to me or  
 has produced \_\_\_\_\_ as

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

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

My Commission Expires: 8-21-2022



ANGELA L THOMPSON  
Commission # GG 294010  
Expires August 21, 2022  
Bonded Thru Budget Notary Services

# SKETCH OF DESCRIPTION

SHEET 1 OF 2

EXHIBIT A

## LEGAL DESCRIPTION:

### 10 SIDEWALK EASEMENT:

A PORTION THE LAND DESCRIBE IN INSTRUMENT NUMBER 202141055251, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 19; RUN THENCE N00°22'21"E ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 19 A DISTANCE OF 1392.61 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF 63RD AVENUE EAST PER OFFICIAL RECORDS BOOK 1259, PAGE 2983, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S89°25'36"E, ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 50.00 FEET TO ITS INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF 15TH STREET EAST AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 1312-102 FOR A POINT OF BEGINNING; THENCE N00°22'21"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 227.44 FEET; THENCE S89°01'14"E A DISTANCE OF 10.00 FEET; THENCE S00°22'21"W A DISTANCE OF 227.37 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF 63RD AVENUE EAST; THENCE N89°25'36"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 2274 SQUARE FEET



JOB # 904274  
 CF # MNT-19-35-18-SOD  
 DATE: 03/31/2021  
 SCALE: 1" = 40'  
 DRAWN BY: GLT

CERTIFIED TO:  
 R.K.M. DEVELOPMENT CORP

## LEGEND

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REVISIONS  
 7/10/2021 - Address Comments - JB

GENERAL NOTES:  
 1. Bearing structure is assumed and based on the monumented North R/W line of 63RD Avenue East, being S89°25'36"E per ORB 1259, PG 2983.  
 2. This surveyor has not made a search of the public records for any dedications, limitations, restrictions or easements other than shown hereon.  
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 5. This Sketch is "Not Valid" without the original signature and seal of this Florida licensed Surveyor and Mapper, unless provided with electronic signature with the ability to validate. (See: [www.altamaxsurveying.com](http://www.altamaxsurveying.com) for instructions on signature validation). The seal appearing on this document was authorized by signing Professional Surveyor and Mapper on the Date of the electronic signature.

**Altamax Surveying**  
 910 Belle Avenue, Suite 1100  
 Casselberry, FL 32708  
 Phone: 407-677-0200  
 Licensed Business No. 7833  
[www.altamaxsurveying.com](http://www.altamaxsurveying.com)

Digitally signed by James D Bray  
 DN: cn=James D Bray c=US  
 o=Unaffiliated  
 ou=A01427000001667EAA  
 C3E300001793  
 Date: 2021-07-11 09:20:04-00

*James D Bray*

James D. Bray PSM 6507



# SKETCH OF DESCRIPTION

SHEET 2 OF 2

EXHIBIT A

NOT PLATTED

OWNER: COA FIDU INC

PARCEL ID: 1852100005

INSTRUMENT NO. 201941124048

S89°01'14"E 621.03'

LESS W. 50'  
NW 1/4, NW 1/4  
SECTION 19-35-18

LINE	BEARING	DISTANCE
L1	S89°01'14"E	10.00'
L2	N89°25'36"W	10.00'

NOT PLATTED  
NOW OR FORMERLY PARCEL ID: 1846200002  
INSTRUMENT NO. 202141055251

15TH STREET EAST

(STATE ROAD 683) (US HIGHWAY 301)  
(100' PUBLIC RAW PER FOOT R/W  
MAP, SECTION 1312-102)

W. LINE, NW 1/4  
SECTION 19-35-18

E. R/W LINE

N00°22'21"E 227.44'

10' SIDEWALK EASEMENT  
2274± SQUARE FEET

S00°22'21"W 227.37'

S. 285'

NW 1/4, NW 1/4  
SECTION 19-35-18

POB

S89°25'36"E  
50.00'

L2

R/W  
ORB 1259, PG 2983

N. R/W LINE  
(BEARING BASIS)

N89°25'36"W 576.31'

R/W  
ORB 1122, PG 1062

S. 30'  
NW 1/4, NW 1/4  
SECTION 19-35-18

63RD AVENUE EAST  
(VARIABLE WIDTH PUBLIC R/W)

N00°22'21"E 1392.61'

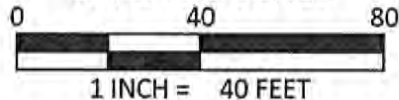
POC  
W. 1/4 CORNER  
SECTION 19-35-18  
CCR #109825

**Altamax Surveying**

910 Belle Avenue, Suite 1140  
Casselberry, FL 32708  
Phone: 407-677-0200  
Licensed Business No. 7833  
www.altamaxsurveying.com



**GRAPHIC SCALE**



**CONSENT AND JOINDER**

**THIS CONSENT AND JOINDER**, made and given this 9<sup>th</sup> day of August, 2021, by **FLAGSHIP BANK**, a Florida banking corporation, whose mailing address is 29750 US Highway 19 North, Clearwater, Florida 33761, (hereinafter the **Mortgagee**), being the owner and holder of a Mortgage dated April 26, 2021, made by **63 MANATEE, LLC**, a Florida limited liability company, whose mailing address is 147 2nd Avenue South, Suite 400, St. Petersburg, Florida 33701, (hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage has been recorded in Official Records as Instrument No. 202141055253 of the Public Records of Manatee County, Florida (hereinafter the **Mortgage**), and encumbers real property.

**WHEREAS, MANATEE COUNTY**, a political subdivision of the State of Florida, for good and valuable consideration, has or will obtain from the Mortgagor a Permanent Sidewalk Easement (hereinafter the **Easement**), encumbering the lands described in the Easement, to which this Consent and Joinder is attached.

**WHEREAS, MANATEE COUNTY** has requested the Mortgagee consent to and join in the Easement referenced above and incorporated herein by reference, and the Mortgagee hereby consents to and joins in same.

**IN WITNESS WHEREOF**, the Mortgagee has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

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

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

[Signature]  
First Witness Signature

M. Ricci  
First Witness Printed Name

[Signature]  
Second Witness Signature

Theremy Brigmond  
Second Witness Printed Name

STATE OF Florida  
COUNTY OF Pine Hills

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

- physical presence or
- online notarization

this 20th day of July, 2021, by James P. Nelson as President of Flagship Bank, a Florida banking corporation, on behalf of said corporation, who

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

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

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

**MORTGAGEE:**

FLAGSHIP BANK, a Florida banking corporation

By: [Signature]  
Signature

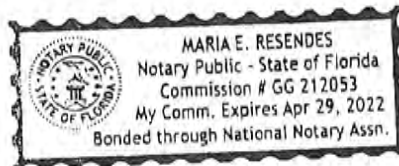
As: President  
Title

James P. Nelson  
Printed Name

Affix corporate seal below:

Attest: [Signature]  
Secretary Signature  
Secretary

My Commission Expires: 4/29/22



**THIS INSTRUMENT PREPARED BY:**

Caitlyn DeLoach, Real Property Coordinator  
Property Acquisition Division  
On behalf of: Joy Leggett-Murphy, Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205

PROJECT NAME: 7-11 on 63rd & 15th  
PID NO: 1846200002

SPACE ABOVE THIS LINE FOR RECORDING DATA

---

**AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES**

**BEFORE ME**, the undersigned notary public, personally appeared **WILLIAM C. LLOYD**, who being first duly sworn, deposes and says that, to the best of his knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. 63 Manatee, LLC, a Florida limited liability company (hereinafter the **Grantor**) is the owner of the fee simple title to certain real property (hereinafter the **Property**) situated in Manatee County, Florida, more particularly described in **Composite Exhibit A** attached to this affidavit and by this reference made a part of this affidavit, and has full authority to sell or encumber the Property.
3. I am an Authorized Member of Grantor and I make this affidavit with the authority of and on behalf of Grantor.
4. Grantor has sole and exclusive possession of the Property except for the lease referenced in Item (15H)
5. Neither Grantor's title to nor possession of the Property has ever been disputed or questioned and I am not aware of any facts by reason of which the title to or possession of the Property or any part of it or any personal property located on it might be disputed or questioned or by reason of which any claim to the Property or any portion of it or any personal property located on it might be adversely asserted.
6. No person or entity other than Grantor claims or is presently entitled to the right to possess or is in possession of the Property and there are no tenancies, leases, or other occupancies that affect the Property except for the lease referenced in Item (15H).
7. There are no disputes concerning the location of the boundary lines of the Property.



8. Grantor has not violated any of the restrictions, declarations or covenants in connection with the Property, nor know of any prior owner violating said restrictions, declarations or covenants.

9. There are no outstanding or unpaid taxes or assessments (pending or certified) due to any governmental agency for improvements to or for the benefit of the Property for which the Grantor is responsible or any unpaid or unsatisfied mortgages, claims of lien, or other matters that constitute or could constitute a lien or encumbrance against the Property or any improvements on it or any part of it or against any personal property located on it. Should any bill be found which relates to the period of the Grantor's possession, the Grantor shall pay such bill upon demand. No notice has been received regarding future pending zoning by any government instrumentality.

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

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

12. There are no matters pending against the Grantor that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title between the effective date of the title insurance commitment and the recording of the interest to be insured by the title insurance company, and the Grantor has not and will not execute any instrument that would adversely affect the title or interest to be insured in the Property, including but not limited to mortgaging or conveying the Property or any interest in it or causing any liens to be recorded against the Property or the Owner.

13. There has been no labor performed or materials furnished on or to the Property during the past **NINETY (90)** days, or, if labor has been performed or materials furnished during such **NINETY (90)** days, all persons performing or furnishing the same have been fully paid and there are no unpaid bills for labor or materials for which valid liens could be filed.

14. No notice of commencement concerning the Property has been filed in the past **NINETY (90)** days, nor are there any unsatisfied construction liens of record concerning such Property, nor have any notices to owner been received by the Grantor during the past **NINETY (90)** days except for the Notice of Commencement referenced in Item 15(E).

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

- A. Pedestrian Sidewalk Easement recorded in Official Records Book 1122, Page 1064 of the Public Records of Manatee County, Florida.



- B. Drainage Easement recorded in Official Records Book 1122, Page 1066 of the Public Records of Manatee County, Florida.
  - C. Easement recorded in Official Records Book 1402, Page 1843 of the Public Records of Manatee County, Florida.
  - D. Assignment of Rents, Leases and Contracts recorded April 28, 2021 in Official Records as Instrument No. 202141055254 of the Public Records of Manatee County, Florida.
  - E. Notice of Commencement recorded April 28, 2021 in Official Records as Instrument No. 202141055596 of the Public Records of Manatee County, Florida.
  - F. UCC-1 Financing Statement recorded April 28, 2021 in Official Records as Document No. 202141055255 of the Public Records of Manatee County, Florida.
  - G. Subordination, Non-Disturbance and Attornment Agreement recorded April 28, 2021 in Official Records as Instrument No.202141055595 of the Public Records of Manatee County, Florida.
  - H. Unrecorded Freestanding Lease dated May 18, 2020 as affected by that Subordination, Non-Disturbance and Attornment Agreement recorded April 28 2020 in the Official Records as Document No. 202141055595, of the Public Records of Manatee County, Florida
  - I. Mortgage recorded April 28, 2021 in Official Records as Instrument No. 202141055253 of the Public Records of Manatee County, Florida.
16. The Grantor's Taxpayer Identification Number is 84-4893114.
17. A Consent and Joinder is not required of Manatee 63, LLC, due to the terms of the unrecorded Freestanding Lease dated May 18, 2020 where Section 23 states that Manatee 63, LLC as the Landlord has the right and responsibility to provide utilities to the property.
18. The representations embraced herein are made to induce Manatee County, a political subdivision of the State of Florida, to accept a Permanent Utilities Easement and a Permanent Sidewalk Easement.
19. This affidavit is made and given by affiant with full knowledge of applicable Florida laws regarding sworn affidavits and the penalties and liabilities resulting from false statements and misrepresentations therein.

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

WILLIAM C. LLOYD

Signature

*William C. Lloyd*

STATE OF Florida  
COUNTY OF Pinellas

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

- physical presence or
- online notarization

this 9<sup>th</sup> day of August, 2021, by William C. Lloyd, who

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

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

*Angela L. Thompson*

Signature of Notary Public

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

My Commission Expires: 8-21-2022



ANGELA L. THOMPSON  
Commission # GG 294010  
Expires August 21, 2022  
Bonded Thru Budget Notary Services

# SKETCH OF DESCRIPTION

SHEET 1 OF 2

COMPOSITE EXHIBIT A

## LEGAL DESCRIPTION:

### 10 SIDEWALK EASEMENT:

A PORTION THE LAND DESCRIBE IN INSTRUMENT NUMBER 202141055251, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 19; RUN THENCE N00°22'21"E ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 19 A DISTANCE OF 1392.61 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF 63RD AVENUE EAST PER OFFICIAL RECORDS BOOK 1259, PAGE 2983, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S89°25'36"E, ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 50.00 FEET TO ITS INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF 15TH STREET EAST AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 1312-102 FOR A POINT OF BEGINNING; THENCE N00°22'21"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 227.44 FEET; THENCE S89°01'14"E A DISTANCE OF 10.00 FEET; THENCE S00°22'21"W A DISTANCE OF 227.37 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF 63RD AVENUE EAST; THENCE N89°25'36"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 2274 SQUARE FEET



JOB # 904274  
CF # MNT-19-35-18-SOD  
DATE: 03/31/2021  
SCALE: 1" = 40'  
DRAWN BY: GLT

CERTIFIED TO:  
R.K.M. DEVELOPMENT CORP

## LEGEND

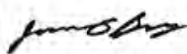
£	- CENTERLINE
CBW	- CONCRETE BLOCK WALL
CLF	- CHAIN LINK FENCE
CM	- CONCRETE MONUMENT
CONC	- CONCRETE
COVD	- COVERED
CW	- CONCRETE WALKWAY
Δ	- CENTRAL ANGLE
(D)	- DESCRIBED
DB	- DEED BOOK
DE	- DRAINAGE EASEMENT
DW	- DRIVEWAY
EP	- EDGE OF PAVEMENT
ESMT	- EASEMENT
FH	- FIRE HYDRANT
FFE	- FINISHED FLOOR ELEVATION
FND	- FOUND
INST	- INSTRUMENT NUMBER
IP	- IRON PIPE
IR	- IRON ROD
L	- ARC LENGTH
(M)	- MEASURED
MS	- METAL SHED
N&D	- NAIL AND DISK
ORB	- OFFICIAL RECORDS BOOK
OW	- OVERHEAD WIRE
(P)	- PLAT
PB	- PLAT BOOK
PG	- PAGE
POB	- POINT OF BEGINNING
POC	- POINT OF COMMENCEMENT
R/W	- RIGHT OF WAY
R	- RADIUS
TR	- TELEPHONE RISER
TYP	- TYPICAL
UE	- UTILITY EASEMENT
UP	- UTILITY POLE
#	- NUMBER

REVISIONS  
7/10/2021 - Address Comments - JB

GENERAL NOTES:  
1. Bearing structure is assumed and based on the monumented North R/W line of 63RD Avenue East, being S89°25'36"E per ORB 1259, PG 2983.  
2. This surveyor has not made a search of the public records for any dedications, limitations, restrictions or easements other than shown hereon.  
3. This Sketch of Description has been made for the exclusive use of the entities prepared for, heron and does not extend to any unnamed parties.  
4. This Sketch of Description is not a Survey.  
5. This Sketch is "Not Valid" without the original signature and seal of this Florida licensed Surveyor and Mapper, unless provided with electronic signature with the ability to validate. (See: [www.altamaxsurveying.com](http://www.altamaxsurveying.com) for instructions on signature validation). The seal appearing on this document was authorized by signing Professional Surveyor and Mapper on the Date of the electronic signature.

## Altamax Surveying

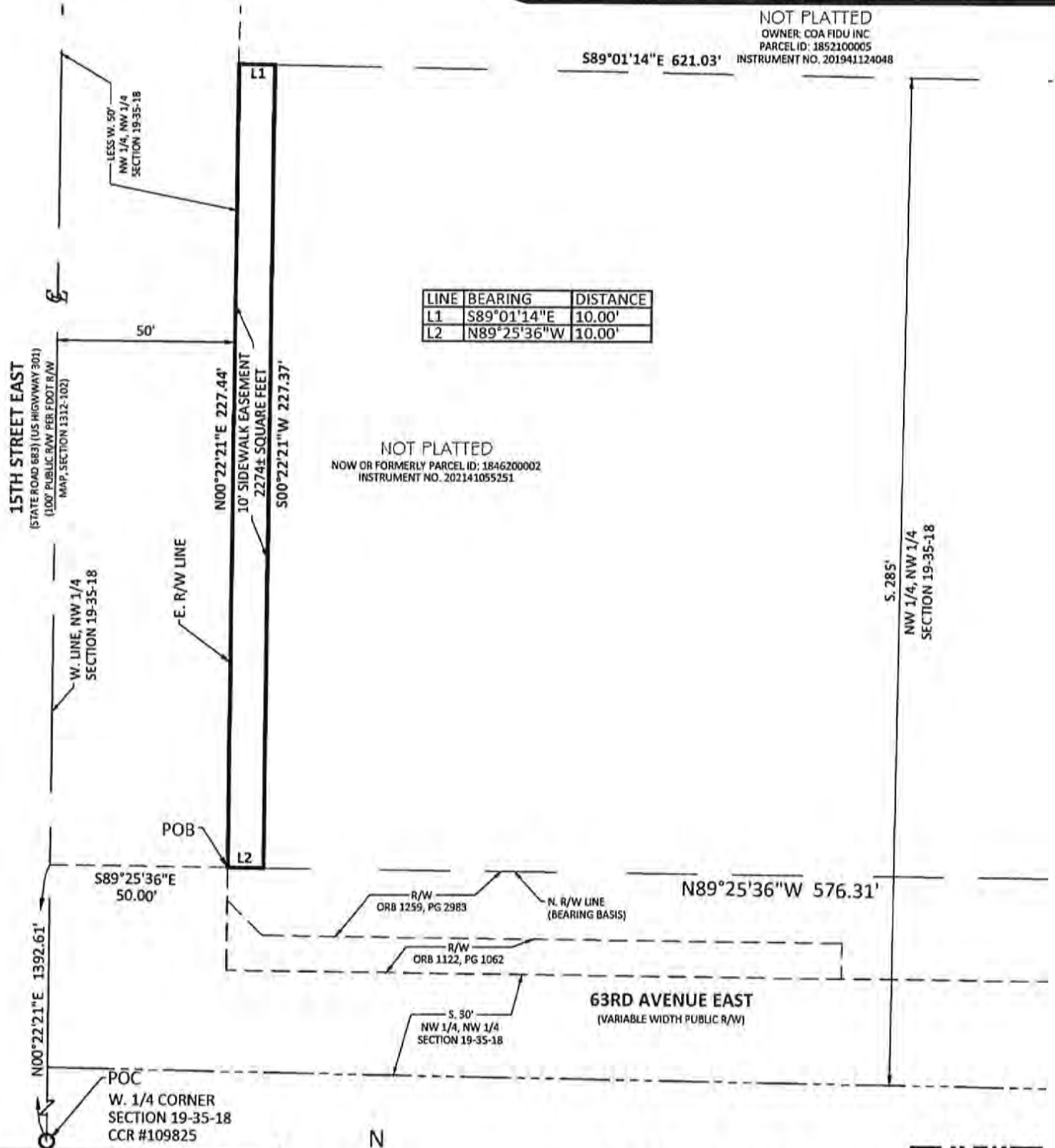
910 Belle Avenue, Suite 1100  
Casselberry, FL 32708  
Phone: 407-677-0200  
Licensed Business No. 7833  
[www.altamaxsurveying.com](http://www.altamaxsurveying.com)

  
Digitally signed by James D Bray  
DN: cn=James D Bray c=US  
o=Unaffiliated  
ou=A01427D000001667EAA  
C3E300001793  
Date: 2021-07-11 09:20:04:00

James D. Bray PSM 6507

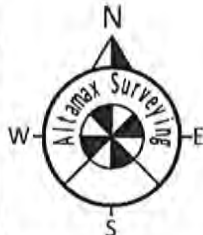
# SKETCH OF DESCRIPTION

SHEET 2 OF 2  
COMPOSITE EXHIBIT A

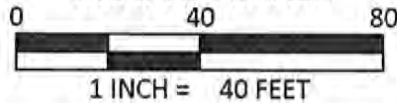


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**GRAPHIC SCALE**



# SKETCH OF DESCRIPTION

SHEET 1 OF 2

COMPOSITE EXHIBIT A

## LEGAL DESCRIPTION:

15 FOOT BY 15 FOOT UTILITY EASEMENT:

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CONTAINS 225 SQUARE FEET, MORE OR LESS.



JOB # 904274

CF # MNT-19-35-18-SOD

DATE: 03/31/2021

SCALE: 1" = 40'

DRAWN BY: GLT

## CERTIFIED TO:

R.K.M. DEVELOPMENT CORP

## LEGEND

⊠	- CENTERLINE
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CLF	- CHAIN LINK FENCE
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## REVISIONS

7/10/2021 - Address Comments - JB

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## Altamax Surveying

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Digitally signed by James D  
Bray  
DN: cn=James D Bray c=US  
o=Unaffiliated  
ou=AD1427D000001667EAA  
C3E300001793  
Date: 2021-07-11 09:21:04:00

James D. Bray PSM 6507

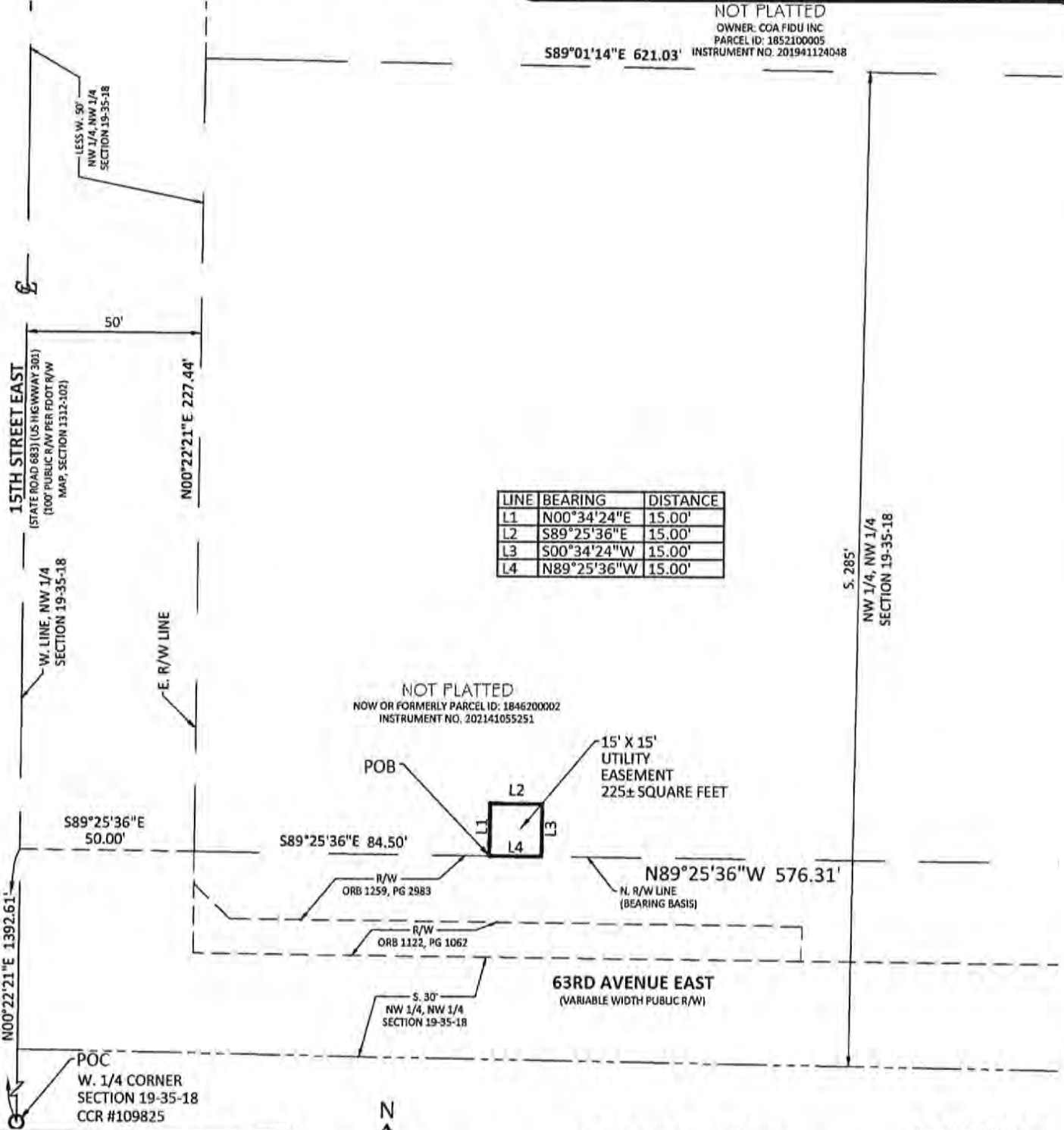


# SKETCH OF DESCRIPTION

SHEET 2 OF 2  
COMPOSITE EXHIBIT A

NOT PLATTED  
OWNER: COA FIDU INC  
PARCEL ID: 1852100005  
INSTRUMENT NO. 201941124048

589°01'14"E 621.03'



LINE	BEARING	DISTANCE
L1	N00°34'24"E	15.00'
L2	S89°25'36"E	15.00'
L3	S00°34'24"W	15.00'
L4	N89°25'36"W	15.00'

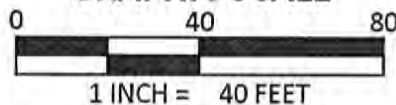
NOT PLATTED  
NOW OR FORMERLY PARCEL ID: 1846200002  
INSTRUMENT NO. 202141055251

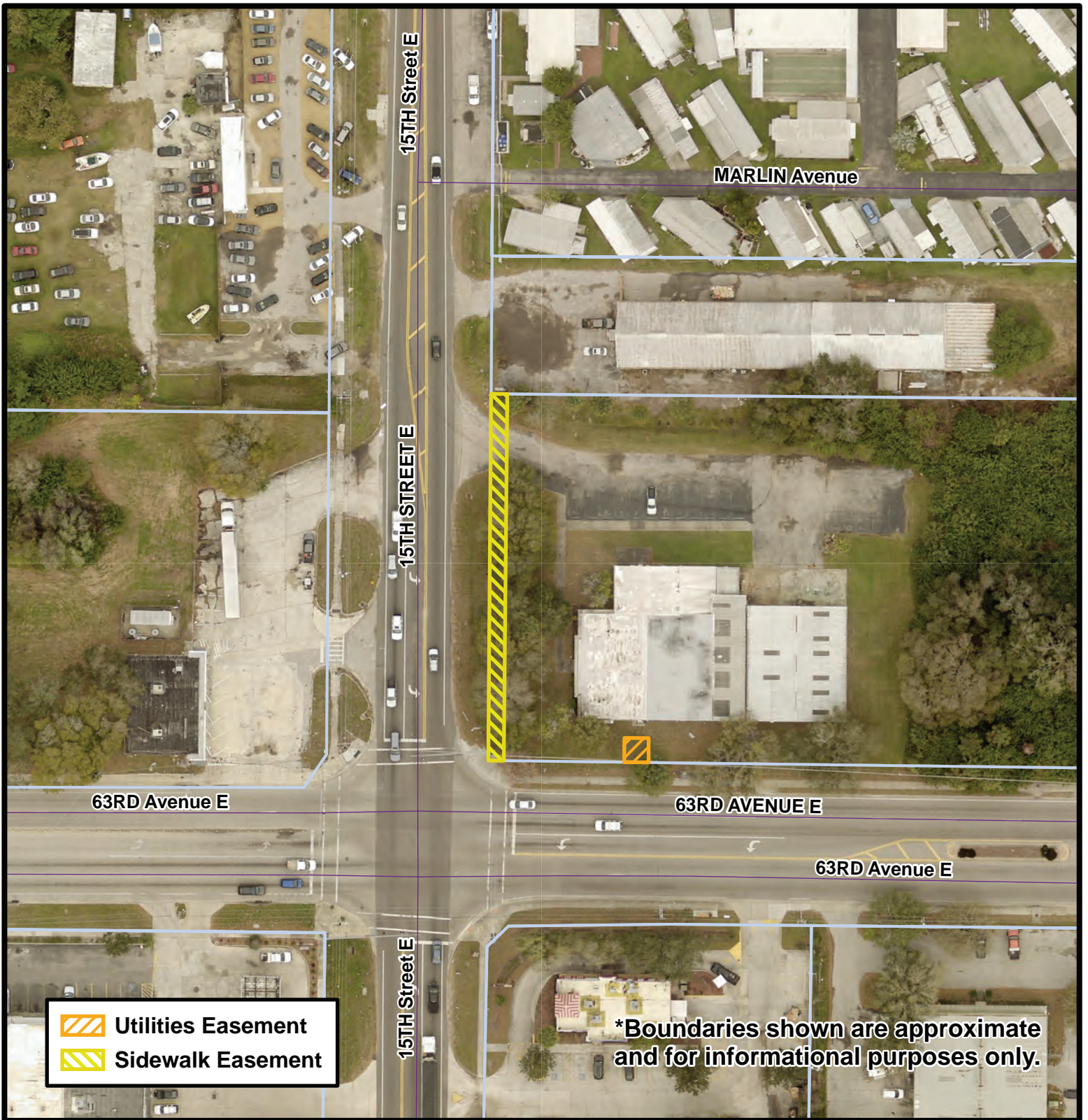
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**GRAPHIC SCALE**

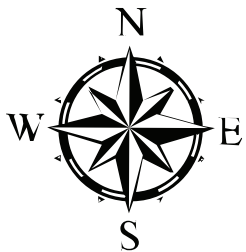




-  Utilities Easement
-  Sidewalk Easement

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

**PERMANENT UTILITIES EASEMENT & PERMANENT SIDEWALK EASEMENT**



**63 MANATEE, LLC  
1515 63RD AVENUE EAST  
BRADENTON, FL 34203  
PID 1846200002**



**DISTRICT 4- MISTY SERVIA**