

PREPARED BY:

Charles Meador, Senior Real Property Specialist
Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



Project Name: 36th Street East (Prospect Road) – Whitfield Ave Sidewalk
Project No.: 5400002

SPACE ABOVE THIS LINE FOR RECORDING DATA

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT (hereinafter the Easement) made this 24 day of August, 2021, between **DONALD K. BREWER, SR.**, a single man, whose mailing address is 7010 Prospect Road, Sarasota, Florida 34243, (hereinafter the **Grantor**), and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, (hereinafter the **Grantee**).

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

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

See legal description identified as Exhibit A attached hereto.

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

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

THIS Easement shall be for a term of THREE (3) YEARS from the effective date, which is

defined herein as the date of acceptance by the Board of County Commissioners of Manatee County.

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

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

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

GRANTOR:
DONALD K. BREWER, SR., a single man



First Witness Signature

Charles Meador

First Witness Printed Name

By: 
Signature of Donald K. Brewer, Sr.



Second Witness Signature

Peter Morrow

Second Witness Printed Name

STATE OF Florida
COUNTY OF Manatee

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

physical presence or

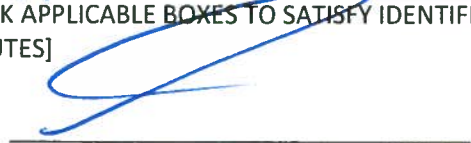
online notarization

this 24 day of August, 2021, Donald K. Brewer, Sr., a single man, who

is personally known to me or

has produced Florida Driver License as identification.

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



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

My Commission Expires: August 25, 2022



THIS IS NOT A SURVEY

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

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

BEARINGS ARE BASED UPON THE N LINE OF 17' OF ADDITIONAL R/W, BEING S89°44'45"E, ACCORDING TO THE PLAT OF COTTAGES AT BLU VISTA, AS RECORDED IN PB 50, PG 152, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

NOTE: PROPOSED EASEMENT IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR, INC.

LEGAL DESCRIPTION:

A parcel of land being a portion of FARM 8, according to the plat of NEW PEARCE & PEARCE VEGETABLE FARMS, as recorded in Plat Book 2, Page 15, of the Public Records of Manatee County, Florida, same being a portion of that certain property as described in Official Records Book 1588, Page 27, of the Public Records of Manatee County, Florida, lying in Section 29, Township 35 South, Range 18 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT A, same being the Northwest corner of 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), both according to the Plat of COTTAGES AT BLU VISTA, as recorded in Plat Book 50, Page 152, of the Public Records of Manatee County, Florida, same also being a point on the South line of that certain property now for formerly known as Parcel ID: 1962400059, according to the Manatee County Property Appraiser; thence S89°44'45"E, along the North line of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being said South line of that certain property now or formerly known as Parcel ID: 1962400059 (being the basis of bearings for this legal description), for 17.00 feet to the Northeast corner of said 17 feet of additional Right-of-Way for PROSPECT ROAD (36TH STREET EAST), same being the Southeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same also being a point on the West Right-of-Way line of said PROSPECT ROAD (36TH STREET EAST); thence N00°10'23"E, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property now or formerly known as Parcel ID: 1962400059, for 271.84 feet to the Northeast corner of said certain property now or formerly known as Parcel ID: 1962400059, same being the Southeast corner of that certain property, as described in Official Records Book 1285, Page 2116, of the Public Records of Manatee County, Florida; thence N00°33'09"E, continuing along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property, as described in Official Records Book 1285, Page 2116, for 376.21 feet to the Northeast corner of said certain property, as described in Official Records Book 1285, Page 2116, same being the Southeast corner of that certain property, as described in Official Records Book 1588, Page 27, of the Public Records of Manatee County, Florida, same also being the POINT OF BEGINNING; thence leaving said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), N89°15'46"W, along the North line of said certain property, as described in Official Records Book 1285, Page 2116, same being the South line of said certain property, as described in Official Records Book 1588, Page 27, for 5.00 feet; thence leaving said North line of that certain property, as described in Official Records Book 1285, Page 2116, same being said South line of that certain property as described in Official Records Book 1588, Page 27, N00°27'45"E, for 65.26 feet; thence N89°54'29"E, for 5.00 feet to the point of intersection with said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being the East line of said certain property, as described in Official Records Book 1588, Page 27; thence S00°27'45"W, along said West Right-of-Way line of PROSPECT ROAD (36TH STREET EAST), same being said East line of that certain property, as described in Official Records Book 1588, Page 27, for 65.33 feet to the POINT OF BEGINNING.

Containing 326 square feet or 0.007 acres, more or less.

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

PREPARED FOR:

MANATEE COUNTY

SHEET DESCRIPTION:

PROSPECT ROAD - TEMPORARY CONSTRUCTION EASEMENT

SCALE: NONE	DATE: 6-18-2021	DRAWN: SMS	CALCD: BGD	CHECKED: BGD
JOB No.: 0577-005A	EPN: 900	SECTION: 29	TOWNSHIP: 35S	RANGE: 18E

SEE SHEET 1 FOR LEGAL DESCRIPTION
SEE SHEET 2 FOR SKETCH

REV 1: 7-2-2021 (BGD)



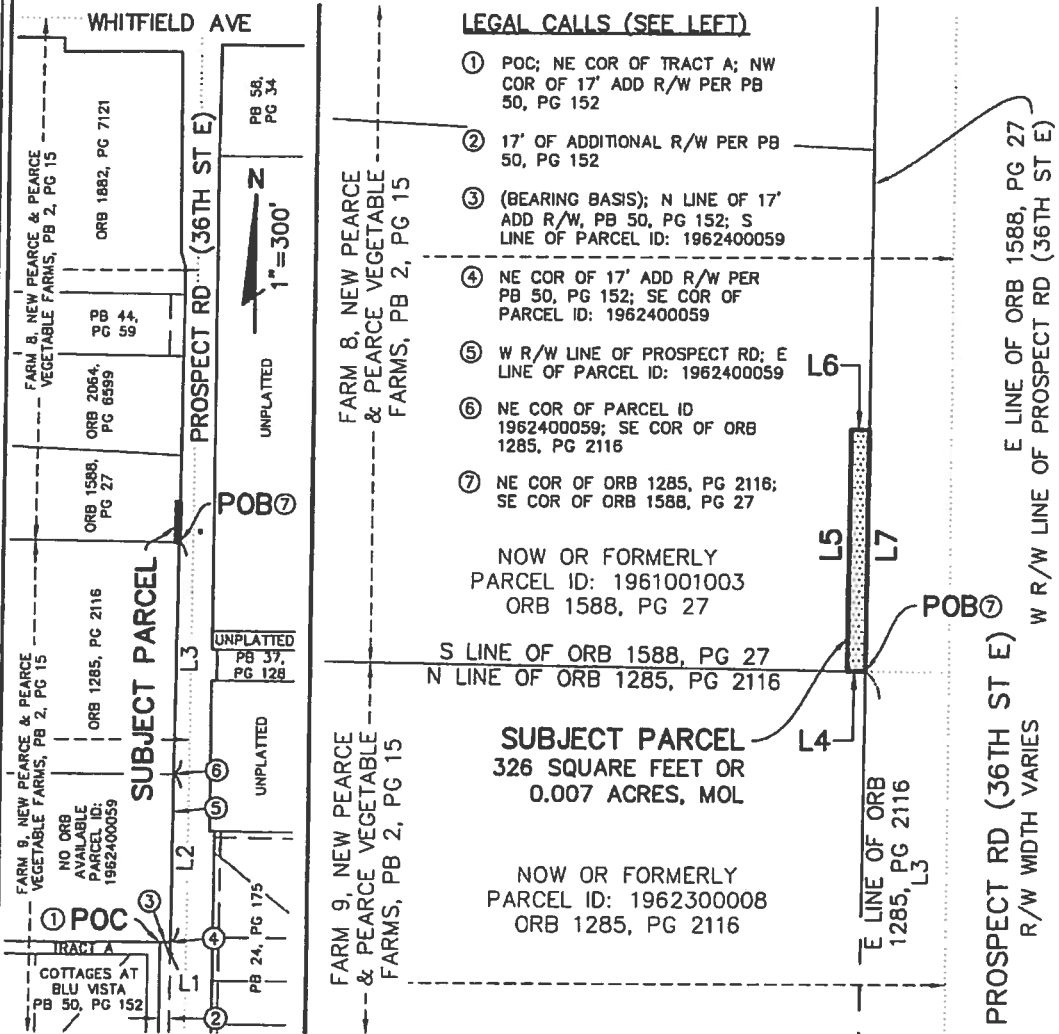
FLORIDA DESIGN CONSULTANTS, INC.
— THINK IT. ACHIEVE IT. —

20525 AMBERFIELD DRIVE, SUITE 201, LAND O LAKES, FLORIDA 34638
PHONE: (800) 532-1047 FAX: (727) 848-3648 WWW.FLDESIGN.COM L.B. NO 8707

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

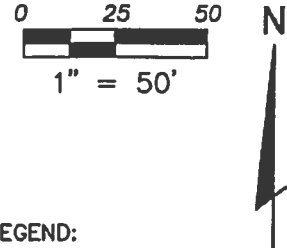
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 NOTE: PROPOSED EASEMENT IS ACCORDING TO THE ROADWAY PLANS BEING PREPARED BY HDR, INC.



LEGAL CALLS (SEE LEFT)

- ① POC; NE COR OF TRACT A; NW COR OF 17' ADD R/W PER PB 50, PG 152
- ② 17' OF ADDITIONAL R/W PER PB 50, PG 152
- ③ (BEARING BASIS); N LINE OF 17' ADD R/W, PB 50, PG 152; S LINE OF PARCEL ID: 1962400059
- ④ NE COR OF 17' ADD R/W PER PB 50, PG 152; SE COR OF PARCEL ID: 1962400059
- ⑤ W R/W LINE OF PROSPECT RD; E LINE OF PARCEL ID: 1962400059
- ⑥ NE COR OF PARCEL ID 1962400059; SE COR OF ORB 1285, PG 2116
- ⑦ NE COR OF ORB 1285, PG 2116; SE COR OF ORB 1588, PG 27



LEGEND:

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

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°44'45"E	17.00'
L2	N00°10'23"E	271.84'
L3	N00°33'09"E	376.21'
L4	N89°15'46"W	5.00'
L5	N00°27'45"E	65.26'
L6	N89°54'29"E	5.00'
L7	S00°27'45"W	65.33'

NOW OR FORMERLY
 PARCEL ID: 1961001003
 ORB 1588, PG 27

S LINE OF ORB 1588, PG 27
 N LINE OF ORB 1285, PG 2116

SUBJECT PARCEL
 326 SQUARE FEET OR
 0.007 ACRES, MOL

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

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PREPARED FOR: **MANATEE COUNTY**

SHEET DESCRIPTION: **PROSPECT ROAD - TEMPORARY CONSTRUCTION EASEMENT**

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

SEE SHEET 1 FOR LEGAL DESCRIPTION
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NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
 CERTIFIED AS TO LEGAL DESCRIPTION AND SKETCH

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

Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: kgowen

Changed By: kgowen

Receipt#: 900416797 **Payee Name:** MANATEE COUNTY PROJECT MANAGEMENT AR700013
Receipt Date: 09/15/2021 1112 MANATEE AVE WEST
BRADENTON, FL 34205
Escrow Balance:
Escrow Customer:

Instrument: 202141122587 EASEMENT

001000000341100	RECORDING FEE \$5/\$4	\$21.00
199000000341150	PRMTF \$1/\$.50	\$3.00
001000000208911	PRMTF FACC \$.10	\$0.50
199000000341160	PRMTF CLERK \$1.90	\$9.50
001000000208912	PRMTF BCC \$2	\$10.00
001000000208901	DEED DOC STAMPS \$.70	\$0.00
001000000341400	INDEXING NAMES	\$0.00
001000000229552	E-CERTIFICATION FEE	\$0.00
001000000341400	E-COPIES	\$0.00
001000000341400	E-CERTIFICATION	\$0.00

Instrument Total: \$44.00

Receipt Total: \$44.00

Amount Tendered: \$0.00

Overage: \$0.00

Amount Paid:



Board of County Commissioners September 14, 2021 - Regular Meeting

SUBJECT

ACCEPTANCE AND RECORDING OF A TEMPORARY CONSTRUCTION EASEMENT FROM DONALD K. BREWER, SR., FOR PROPERTY LOCATED AT 7010 PROSPECT ROAD, SARASOTA, FLORIDA 34243 - DISTRICT 4

Category

CONSENT AGENDA

Briefings

None

Contact and/or Presenter Information

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

Charles Meador, Senior Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 6289

Action Requested

- Accept and Record Temporary Construction Easement from Donald K. Brewer, Sr

Enabling/Regulating Authority

- Chapter 125, Florida Statutes, County Government
- Manatee County Comprehensive Plan

Background Discussion

- The Temporary Construction Easement (TCE) is required for the 36th Street East (Prospect Road) - Whitfield Avenue Sidewalk Project
- The area of the TCE is 326 square feet.
- On April 6, 2021, the Board of County Commissioners formally accepted a Permanent Sidewalk Easement from Donald K. Brewer Sr. The TCE that is the subject of this agenda is for sloping, grading, and harmonizing adjacent to the Permanent Sidewalk Easement area.

Attorney Review

Not Reviewed (No apparent legal issues)

Instructions to Board Records

Please email a copy of the approved agenda to Charles.meador@mymanatee.org, Daniel.garner@mymanatee.org. and PWFiscalCIP@mymanatee.org

Distributed 9/16/21, RT

CCC: AR 700013

Cost and Funds Source Account Number and Name

\$44.00 recording fee to 850-5400002-561000/5400002-0003 36th St E at Whitfield

Amount and Frequency of Recurring Costs

N/A



Temporary Construction Easement

*Boundaries shown are approximate and for informational purposes only.

TEMPORARY CONSTRUCTION EASEMENT

**DONALD BREWER
7010 PROSPECT RD
SARASOTA, FL 34243
PID 1961001003**



DISTRICT 4 - MISTY SERVIA

