

**THIS INSTRUMENT PREPARED BY:**

Independence Acquisition & Appraisal, LLC  
On behalf of Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Ste. 800  
Bradenton, FL 34205

PROJECT NAME: Moccasin Wallow Road  
PROJECT NO: 6092560  
PARCEL NO: 102  
PID NO: 625900006  
Owner Type: G22

SPACE ABOVE THIS LINE FOR RECORDING DATA

**TRUSTEE'S DEED**

THIS INDENTURE made and entered into this 17<sup>th</sup> day of September, 2021, between JOYCE B. CASE, INDIVIDUALLY AND AS TRUSTEE U/A THE JOYCE B CASE TRUST DATED OCTOBER 10, 2006, AS AMENDED AND RESTATED ON FEBRUARY 11, 2016, whose mailing address is 9725 28th Avenue East, Palmetto, Florida 34221, (hereinafter the Grantor), and MANATEE COUNTY, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, (hereinafter the Grantee).

WITNESSETH, that Grantor, for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00) and other valuable consideration paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred to the Grantee, said Grantee's heirs and assigns forever, the following described land, to wit:

See legal description identified as Exhibit A attached  
hereto and incorporated herein by this reference.

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

AND the Grantor does hereby covenant with said Grantee that the Grantor is lawfully seized of said land in fee simple, that the Grantor has good right and lawful authority to sell and convey said land, and hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever and that said land is free of all encumbrances, except taxes accruing for the year 2021 and subsequent years.

THIS TRUSTEE'S DEED is made and executed under threat of and in lieu of eminent domain proceedings, and is thus not subject to documentary stamp taxation.

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

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

Page 1 of 3

This transaction was  
closed on:  
9/17, 2021

ACCEPTED IN OPEN SESSION 10/12/21  
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

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

Caroline Gill  
First Witness Signature

Caroline Gill  
First Witness Printed Name

Carolyn J. Kearney  
Second Witness Signature

Carolyn J. Kearney  
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 21<sup>st</sup> day of July, 2021, by JOYCE B. CASE, Individually and as Trustee U/A  
The Joyce B Case Trust Dated October 10, 2006, as Amended and Restated on February 11, 2016,  
who

☐ is personally known to me or

☒ has produced FLDL as identification.

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

Caroline Gill  
Signature of Notary Public  
(Legibly print, type, or stamp commissioned  
Name of Notary Public and affix official  
Notary seal below.)

**SELLER:**

JOYCE B. CASE, Individually and as Trustee  
U/A The Joyce B Case Trust Dated October  
10, 2006, as Amended and Restated on  
February 11, 2016

By: Joyce B Case  
Joyce B. Case, Individually

By: Joyce B Case  
Joyce B. Case, Trustee

My Commission Expires: May 28, 2023

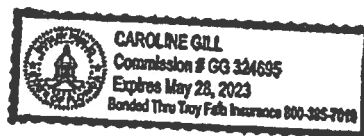
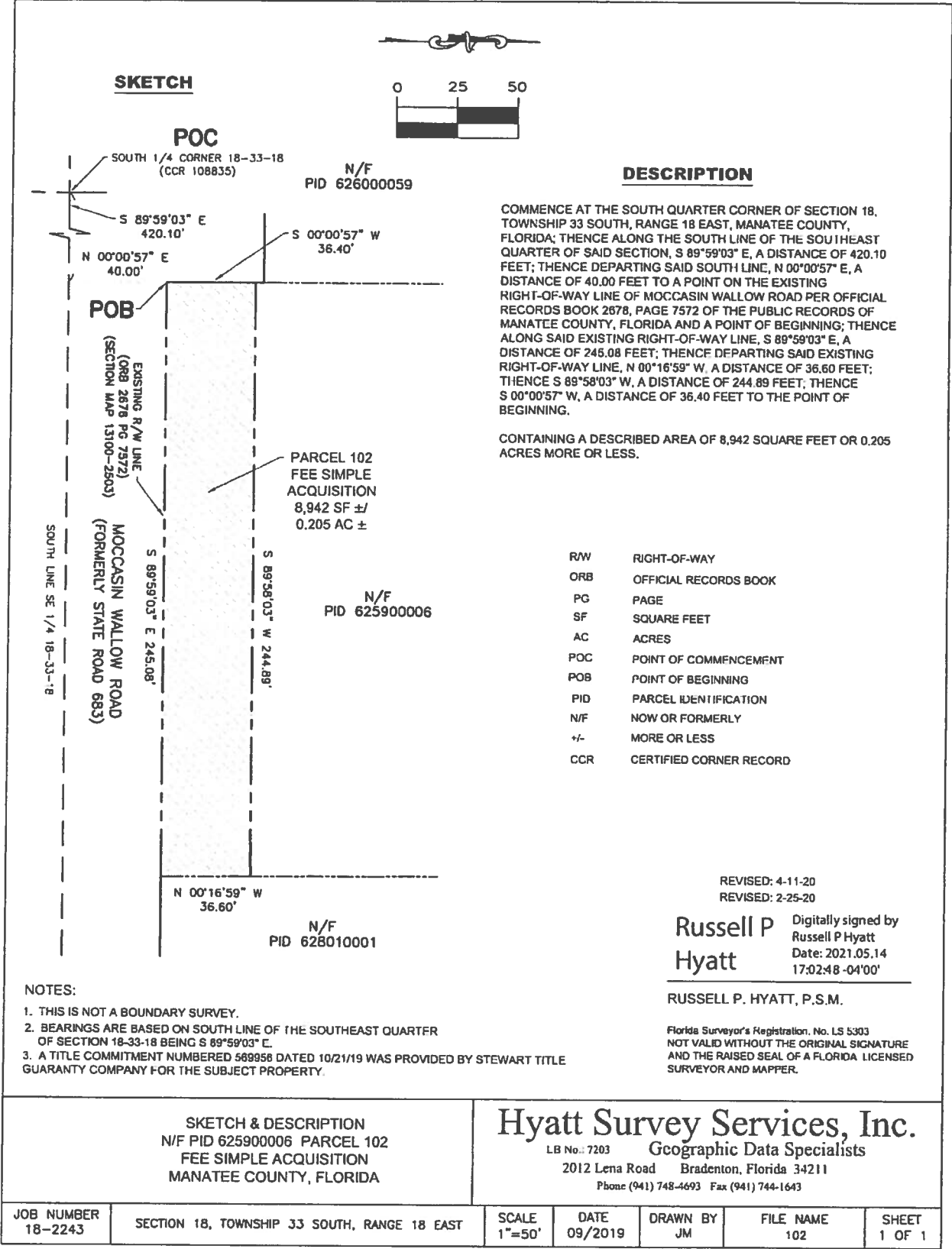


EXHIBIT "A"



**Prepared by:**

Pamela J. D'Agostino, Assistant County Attorney  
Manatee County Government  
Office of the County Attorney  
1112 Manatee Avenue West  
Bradenton, Florida 34205

Project Name: Moccasin Wallow Road

Project Number: 6092560

Parcel Number: 102.03

PID Number: 625900006

SPACE ABOVE THIS LINE FOR RECORDING DATA

---

**TEMPORARY CONSTRUCTION EASEMENT**

**THIS EASEMENT (Easement)** is made and given by **JOYCE B. CASE, INDIVIDUALLY AND AS TRUSTEE U/A THE JOYCE B CASE TRUST DATED OCTOBER 10, 2006, AND AS AMENDED AND RESTATED ON FEBRUARY 11, 2016, (Grantor)**, whose mailing address is 9725 28th Avenue East, Palmetto, Florida 34221 to **MANATEE COUNTY**, a political subdivision of the State of Florida (**Grantee**), whose mailing address is Post Office Box 1000, Bradenton, Florida 34206 and whose street address is 1112 Manatee Avenue West, Bradenton, Florida 34205.

As used herein, the term "Grantor" shall include any and all heirs, legal representatives, successors or assigns of Grantor, and all subsequent owners of the Easement Area, as defined below, and the term "Grantee" shall include any successor or assignee of Grantee.

**WHEREAS**, Grantee will be widening and otherwise improving Moccasin Wallow Road from U.S. 41 to Gateway Boulevard (**Project**); and

**WHEREAS**, Grantor is the owner of certain real property adjacent to the existing right-of-way or the right-of-way to be acquired by Grantee in furtherance of completion of the Project; and

**WHEREAS**, Grantee desires as a part of the Project to temporarily enter upon, place, and use the Easement Area as defined to harmonize Grantor's existing driveway connection and for other purposes reasonably related to construction of the Project; and

**WHEREAS**, Grantor is willing to convey to Grantee the aforementioned rights; and

**WHEREAS**, Grantor, for and in consideration of the sum of one dollar 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 for the use and benefit of Grantee for ingress, egress, harmonizing, and reconnecting Grantor's existing driveway and for other purposes reasonably related to construction of the Project across, in, on, over, through, under, and upon the following described land lying and being in Manatee County, Florida (**Easement Area**):

**See legal description in Exhibit A, attached to and incorporated in this Easement by this reference.**

This Easement is granted for a period of **sixty (60)** months commencing on the date of acceptance by the Board of County Commissioners of Manatee County, Florida.

This Easement is granted upon the condition that all work shall be performed in a workmanlike manner and, with the exception of changes to grade, that the surface of the ground impacted within the Easement Area shall be restored to a substantially similar condition as existed prior to Grantee's use of the Easement Area.

Grantor reserves the right to continued free use and enjoyment of the Easement Area for any purposes which are not inconsistent with the rights granted herein to Grantee.

Grantor covenants with Grantee that Grantor is lawfully seized of the Easement Area and that Grantor has good, right, and lawful authority to grant this Easement and shall take no action to interfere with Grantee's lawful use of the Easement Area.

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

**IN WITNESS WHEREOF** Grantor has caused hereunto set Grantor's hand and seal on the month, day, and year written below.

Signed, sealed, and delivered in the presence of two witnesses:

**GRANTOR:**

**JOYCE B. CASE**, Individually and as Trustee U/A The Joyce B Case Trust Dated October 10, 2006, and as Amended and Restated on February 11, 2016

By: Joyce B Case  
Joyce B. Case, Individually

By: Joyce B Case  
Joyce B. Case, Trustee

Printed Name: Joyce B. Case

Date: July 21, 2021

Caroline Gill  
First Witness Signature

Carolyn J Kearney  
Second Witness Signature

Caroline Gill  
First Witness Printed Name

Carolyn J Kearney  
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 21<sup>st</sup> day of July, 2021, by **JOYCE B. CASE**, Joyce B. Case, Individually and as Trustee U/A The Joyce B Case Trust Dated October 10, 2006, and as Amended and Restated on February 11, 2016, who

☐ is personally known to me or

☒ has produced FLDL as

identification.

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

Caroline Gill  
Signature of Notary Public  
(Legibly print, type, or stamp commissioned  
Name of Notary Public and affix official  
Notary seal below.)

My Commission Expires: May 28, 2023

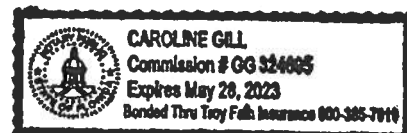
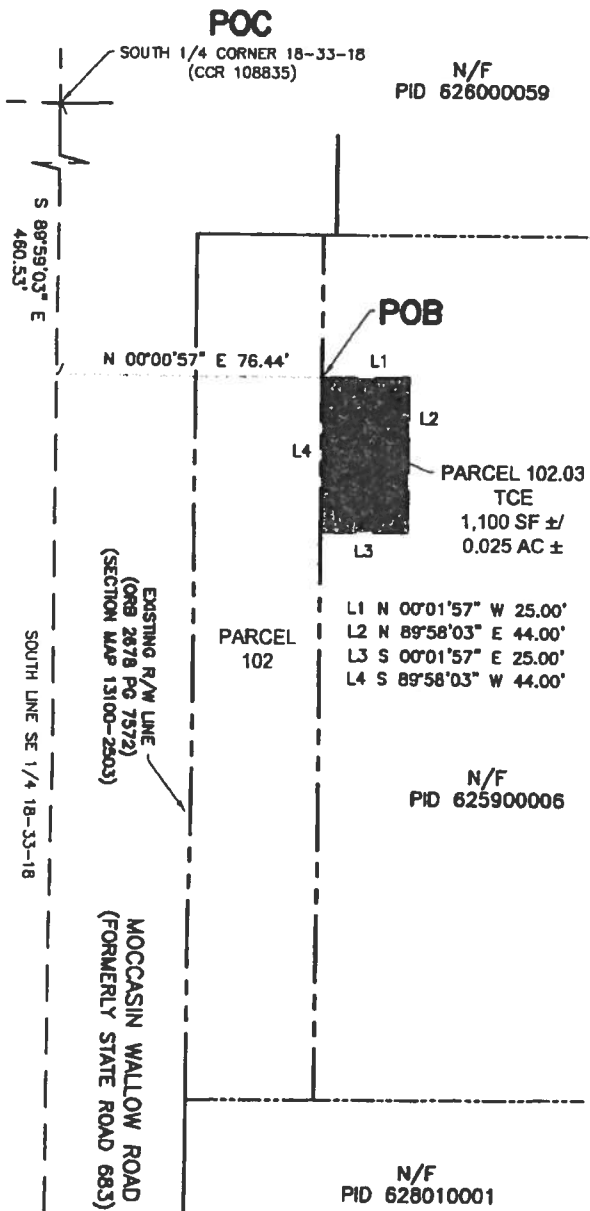


EXHIBIT "A"

SKETCH



DESCRIPTION

COMMENCE AT THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, S 89°59'03" E, A DISTANCE OF 460.53 FEET; THENCE DEPARTING SAID SOUTH LINE, N 00°00'57" E, A DISTANCE OF 76.44 FEET TO THE POINT OF BEGINNING; THENCE N 00°01'57" W, A DISTANCE OF 25.00 FEET; THENCE N 89°58'03" E, A DISTANCE OF 44.00 FEET; THENCE S 00°01'57" E, A DISTANCE OF 25.00 FEET; THENCE S 89°58'03" W, A DISTANCE OF 44.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A DESCRIBED AREA OF 1,100 SQUARE FEET OR 0.025 ACRES MORE OR LESS.

R/W	RIGHT-OF-WAY
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
SF	SQUARE FEET
AC	ACRES
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
PID	PARCEL IDENTIFICATION
N/F	NOW OR FORMERLY
+/-	MORE OR LESS
CCR	CERTIFIED CORNER RECORD
TCE	TEMPORARY CONSTRUCTION EASEMENT

Russell P Hyatt  
Digitally signed  
by Russell P Hyatt  
Date: 2021.04.20  
11:32:53 -04'00'

RUSSELL P. HYATT, P.S.M.

Florida Surveyor's Registration, No. LS 5303  
NOT VALID WITHOUT THE ORIGINAL SIGNATURE  
AND THE RAISED SEAL OR DIGITAL SIGNATURE OF  
A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 18-33-18 BEING S 89°59'03" E.
3. A TITLE COMMITMENT NUMBERED 589956 DATED 10/21/19 WAS PROVIDED BY STEWART TITLE GUARANTY COMPANY FOR THE SUBJECT PROPERTY.

SKETCH & DESCRIPTION  
N/F PID 625900006 PARCEL 102.03  
TEMPORARY CONSTRUCTION EASEMENT  
MANATEE COUNTY, FLORIDA

Hyatt Survey Services, Inc.

LB No.: 7203 Geographic Data Specialists  
2012 Lena Road Bradenton, Florida 34211  
Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 18-2243	SECTION 18, TOWNSHIP 33 SOUTH, RANGE 18 EAST	SCALE 1"=50'	DATE 04-2021	DRAWN BY JM	FILE NAME 102	SHEET 1 OF 1
-----------------------	--	-----------------	-----------------	----------------	------------------	-----------------



## Board of County Commissioners October 12, 2021 - Regular Meeting

### **SUBJECT**

ACCEPTANCE OF TRUSTEE'S DEED AND TEMPORARY CONSTRUCTION EASEMENT FROM JOYCE B. CASE, INDIVIDUALLY AND AS TRUSTEE U/A THE JOYCE B CASE TRUST DATED OCTOBER 10, 2006, AS AMENDED AND RESTATED ON FEBRUARY 11, 2016, FOR PARCELS 102 AND 102.03/MOCCASIN WALLOW ROAD - US 41 TO GATEWAY BLVD - CIP PROJECT NO. 6092560 IN DISTRICT 1

### **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**

- Accept Trustee's Deed from Joyce B. Case, Individually and as Trustee U/A The Joyce B Case Trust Dated October 10, 2006, as Amended and Restated on February 11, 2016; and
- Accept Temporary Construction Easement from Joyce B. Case, Individually and as Trustee U/A The Joyce B Case Trust Dated October 10, 2006, as Amended and Restated on February 11, 2016

### **Enabling/Regulating Authority**

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

### **Background Discussion**

- Manatee County proposes to upgrade and widen approximately 1.9 miles along Moccasin Wallow Road from US 41 to Gateway Boulevard, CIP Project 6092560.



- When the project is completed, Moccasin Wallow Road will be expanded from a two-lane road to a six-lane road with three lanes in each direction.
- A 12-foot-wide multi-use path is included in the project design along with 7-foot-wide sidewalks, bicycle lanes in each direction, and stormwater management improvements within roadway median openings.
- The roadway improvements are necessary to improve traffic operations within the project area by reducing congestion and promoting non-motorized forms of travel along Moccasin Wallow Road.
- Public Works has determined it is necessary to acquire fee simple title to certain real property to facilitate the proposed improvements to Moccasin Wallow Road.
- Property Acquisition Division and Public Works staff coordinated with Independence Acquisition & Appraisal, LLC, to negotiate the sale of Parcel 102 from Joyce B. Case, Individually and as Trustee U/A The Joyce B Case Trust Dated October 10, 2006, as Amended and Restated on February 11, 2016, for the property located near the west end of the project boundary at 2508 Moccasin Wallow Road, Palmetto, Florida 34221.
- An all-inclusive settlement price of \$140,000.00 was agreed upon for the fee simple acquisition of Parcel 102 for Right-of-Way. This settlement eliminates the additional costs for litigation fees or expert fees associated with the acquisition of these parcels.
- Parcel 102 encompasses approximately 8,942 square feet and is located along the south boundary of the parcel.
- Isom Family Farms, LLC, who operates a cabbage farm on the property without a formal lease, has executed a Release of Leasehold Rights and Relinquishment of Occupancy and Possession.
- On August 10, 2021, the Board of County Commissioners executed the Contract for Sale and Purchase for the aforementioned interest.
- The Trustee's Deed has been recorded in the Official Records of Manatee County as Instrument Numbers 202141123758. The acceptance of this deed is for Board Records only.
- Joyce B. Case, Individually and as Trustee U/A The Joyce B Case Trust Dated October 10, 2006, as Amended and Restated on February 11, 2016, conveyed Parcel 102.03, a Temporary Construction Easement, to Manatee County for the purpose of harmonizing the driveway on the property.
- Parcel 102.03 encompasses approximately 1,100 square feet and is located just north of Parcel 102.
- The Temporary Construction Easement has been recorded in the Official Records of Manatee County as Instrument Numbers 202141125186. The acceptance of this easement is for Board Records only.

#### **Attorney Review**

Not Reviewed (No apparent legal issues)

#### **Instructions to Board Records**

This agenda item is to accept the Trustee's Deed and Temporary Construction Easement and record in Board Records only.

Please email the approved agenda item to the following:

- Victoria Rosenbecker at [victoria.rosenbecker@mymanatee.org](mailto:victoria.rosenbecker@mymanatee.org)
- Daniel Garner at [daniel.garner@mymanatee.org](mailto:daniel.garner@mymanatee.org)
- Caroline Gill at [cgill@iaallc.com](mailto:cgill@iaallc.com)

**Distributed 10/14/21 RT**

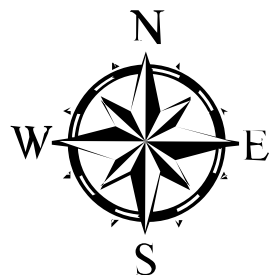
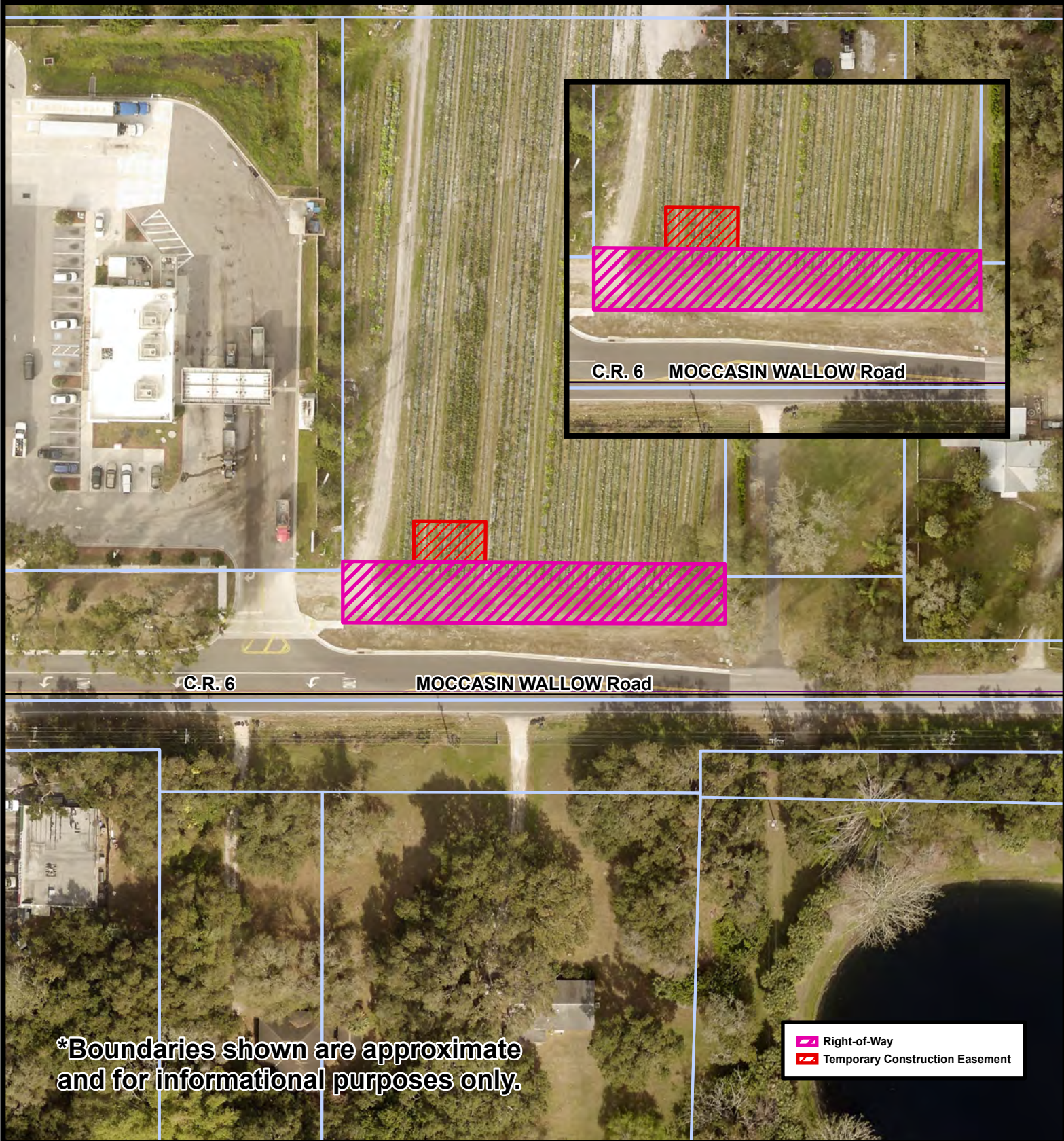
**Cost and Funds Source Account Number and Name**

N/A

**Amount and Frequency of Recurring Costs**

N/A





PARCELS 102 AND 102.03

JOYCE B. CASE TRUST  
2508 MOCCASIN WALLOW ROAD  
PALMETTO, FL 34221  
PID 625900006

DISTRICT 1- JAMES SATCHER

