

APPROVED: 11/12/77
DATE: 11/12/77
BY: [Signature]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

R-83-55

RESOLUTION PERMITTING THE CLOSING
OF 48TH AVENUE DRIVE AT 5TH STREET
WEST BETWEEN THE HOURS OF 11:00 P.M.
AND 7:00 A.M.

WHEREAS, numerous residents of Heather Hills have requested that 48th Avenue Drive at 5th Street West be closed between the hours of 11:00 p.m. and 7:00 a.m.; and

WHEREAS, Section 336.09(1)(a), Florida Statutes, vests in the Board of County Commissioners of Manatee County, Florida, the power to close any existing public street and Section 336.09(2), Florida Statutes, requires that the Board of County Commissioners adopt a resolution declaring that at a definite time and place a public hearing will be held to determine the advisability of exercising the authority granted under this section; and

WHEREAS, Section 336.60, Florida Statutes, vests in the Board of County Commissioners of Manatee County, Florida, the power to permit the constructin of gates across county roads when the same will not necessarily interfere with public travel; and

WHEREAS, the Board of County Commissioners has conducted a public hearing at which it was determined that it would be in the best interest of the citizens of Manatee County to permit the construction of gates across 48th Avenue Drive at 5th Street West.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

The Heather Hills Estates Association is hereby permitted to construct a gate across 48th Avenue Drive at 5th Street West.

The Manatee County Department of Transportation shall prescribe the place where such gate shall be placed and the manner of construction and maintenance thereof.

1 The gate shall be constructed in a manner that will
2 allow emergency vehicles to enter without delay.

3 Heather Hills Estates Association shall be responsible
4 for the construction, maintenance, and all costs associated with
5 providing the gate.

6 Heather Hills Estates Association will be responsible
7 for seeing that the gate is open at all times except between
8 the hours of 11:00 p.m. and 7:00 a.m.

9 The Board of County Commissioners may rescind this per-
10 mit whenever they shall deem it necessary for the public good.
11 At least thirty (30) days previous notice shall be given the
12 party to whom such permit shall have been granted before the same
13 shall be rescinded.

14 ADOPTED in open session with a quorum present and
15 voting this the 12th day of April, 1983.

16
17
18 ATTEST: R. B. SHORE,
19 Clerk of the Circuit Court

20 *Rubel J. Kelly*
21 Chief Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *Edward W. Chance*
22 Chairman 4/12/83