

RECORDED 11/13/84
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MINUTE BOOK NO. 34

1 A RESOLUTION DECLARING THE OLD MEMPHIS
2 CEMETERY AN ABANDONED CEMETERY, AUTHOR-
3 IZING AND PROVIDING THAT MANATEE COUNTY,
4 FLORIDA TEMPORARILY MAINTAIN THE OLD
5 MEMPHIS CEMETERY LOCATED WITHIN MANATEE
6 COUNTY, FLORIDA, SO THAT NEEDED WEED
7 CUTTING, TREE TRIMMING, GROUNDSKEEPING
8 AND COMPLETE MAINTENANCE MAY BE DONE IN
9 ORDER TO RESTORE THE PHYSICAL PEACE,
10 SERENITY, TRANQUILITY, SAFETY, SECURITY
11 AND APPEARANCE OF THE OLD MEMPHIS CEMETERY;
12 PROVIDING FOR SUCH MAINTENANCE FOR NINETY
13 (90) DAYS OR UNTIL THE TRUE OWNER(S) CAN
14 BE FOUND, WHICHEVER IS FIRST; PROVIDING
15 FOR ALTERNATIVES AT THE END OF SUCH TIME;
16 PROVIDING FOR AN EFFECTIVE DATE.

8 WHEREAS, the cemetery historically known as the Old
9 Memphis Cemetery which is within the geographic confines of
10 Manatee County, Florida; and

11 WHEREAS, the physical appearance of the Old Memphis
12 Cemetery has deteriorated to such an extent that it is in a state
13 of decay, and badly in need of rehabilitative maintenance; and

14 WHEREAS, Manatee County, Florida, has made a diligent
15 search to locate the owner or owners of the Old Memphis Cemetery;
16 and

17 WHEREAS, Manatee County has not been able, in spite of
18 such a diligent search, to locate the owner or owners of the Old
19 Memphis Cemetery; and

20 WHEREAS, Manatee County notes that under such cir-
21 cumstances, the Old Memphis Cemetery is in effect an abandoned
22 cemetery; and

23 WHEREAS, in such cases, Section 497.071, Florida
24 Statutes, permits the County to maintain the cemetery until the
25 owner is located; and

26 WHEREAS, Manatee County, recognizes that it is in the
27 health, safety and welfare interest of the County to authorize a
28 temporary period of maintenance in order to restore the physical
29 peace, serenity, tranquility, safety, security and appearance of
30 the Old Memphis Cemetery; and

31 WHEREAS, Manatee County should explore other alter-
32 natives concerning the continuing appearance, maintenance, and
33 viability of the Old Memphis Cemetery.

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1 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
2 COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

3 Section 1: The cemetery historically known as the Old
4 Memphis Cemetery which is within the geographic confines of
5 Manatee County, Florida, is hereby declared abandoned.

6 Section 2. Pursuant to Section 497.071, Florida
7 Statutes, Manatee County will temporarily maintain the Old
8 Memphis Cemetery, so that needed weed cutting, tree trimming,
9 groundskeeping, cosmetic maintenance and other measures may be
10 done in order to restore the physical peace, serenity, tranquil-
11 ity, safety, security and appearance of the Old Memphis Cemetery.

12 Section 3: Manatee County, Florida, shall maintain the
13 Old Memphis Cemetery for a period of ninety (90) days or until
14 the true owner(s) of the cemetery can be found.

15 Section 4: If the true owner of the Old Memphis
16 Cemetery is found within ninety (90) days, then the County, pur-
17 suant to Section 497.071, Florida Statutes, take the measures
18 necessary to ensure that the County will be reimbursed for such
19 temporary maintenance. If the true owner of the Old Memphis
20 Cemetery is not found within ninety (90) days, then the County
21 should take action to either continue maintenance indefinitely,
22 or use any method legally available, including seeking assistance
23 from the state, in order to resolve the situation. Additionally,
24 Manatee County should decide on the continue viability of the Old
25 Memphis Cemetery.

26 Section 5: This resolution shall take effect in the
27 manner provided by law.

28 ADOPTED with a quorum present and voting this the
29 13th day of November, 1984.

30 BOARD OF COUNTY COMMISSINERS
31 OF MANATEE COUNTY, FLORIDA

Edward W. Chaney
Chairman

32 ATTEST: R. B. SHORE
33 Clerk of the Circuit Court