

R-94-11-V  
WITERS/BAY LAKE ESTATES  
RESOLUTION VACATING CERTAIN STREETS, ROADS  
OR OTHER APPROPRIATE PROPERTY  
PUNISHMENT TO SECTION 177.101  
ET SEQ., FLORIDA STATUTES

RECORDED 215194  
PAGE NO 434  
MINUTE BOOK NO. 43

WHEREAS, an Application For The Vacation Of Certain Streets, Roads or Other Appropriate Property has been filed before the Board of County Commissioners of Manatee County, Florida, by CHRIS AND JULIE WITERS, and

WHEREAS, A Resolution Declaring Notice of Public Hearing on Application For The Vacation of Streets, Roads or Other Appropriate Property in connection therewith was duly adopted by said Board of County Commissioners and a copy thereof was duly published in a newspaper of general circulation in Manatee County, Florida, and

WHEREAS, a public hearing by said Board of County Commissioners was duly held considering the advisability of granting said Application, or some portion thereof, and the Board of County Commissioners was fully advised and informed in the premises.

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

1. There is hereby vacated, abandoned, discontinued and closed all of that part or portion of the particular street, road or other appropriate property in an unincorporated area of Manatee County, Florida, pursuant to the enabling legislation of Chapters 336.09 through 336.12, Florida Statutes, pertaining to the County vacating streets and other appropriate property and Chapter 177.101, Florida Statutes, pertaining to subdivision plats and land boundaries, described as follows:

SEE EXHIBIT "A" ATTACHED.

2. No portion of the above described property constitutes or was acquired for a state or federal highway.

3. Any right of the County of Manatee, Florida, and the public in and to the above described real property is hereby renounced and disclaimed.

4. The above-identified Applicant shall give notice of their intention to apply to the governing body of the County to vacate said plat or part thereof by publishing legal notice in a newspaper of general circulation in the County in which the tract or parcel of land is located, in not less than two weekly issues of said paper, and must attach to the petition for vacation the proof of such publication.

5. This vacation serves a valid public purpose and is in the public interest, in that the County will be relieved of maintenance obligations and any liability associated with a portion of these easements.

DULY ADOPTED, with a quorum present and voting, this this 15<sup>th</sup> day of February, 1994.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Jan Stephen  
Chairman

ATTEST: R. B. SHORE  
Clerk of Circuit Court

R-94-11-V  
WATERS/BAY LAKE ESTATES

EXHIBIT "A"

PROPOSED PARTIAL EASEMENT VACATION OVER A FIVE FOOT WIDE PLATTED UTILITY AND DRAINAGE EASEMENT, TO WIT:

COMMENCE AT THE NORTHWEST CORNER OF LOT 40, BLOCK A, BAY LAKE ESTATES, PHASE 1 AS PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGES 67 THRU 71, INCLUSIVE, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 25 MINUTES 29 SECONDS WEST, A DISTANCE OF 5.00 FEET; THENCE S 89 DEGREES 20 MINUTES 48 SECONDS EAST ALONG SAID FIVE FOOT EASEMENT LINE, A DISTANCE OF 27.01 FEET TO A POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 20 MINUTES 48 SECONDS EAST, A DISTANCE OF 4.78 FEET TO THE EDGE OF A CONCRETE PATIO; THENCE NORTH 78 DEGREES 44 MINUTES 34 SECONDS WEST, ALONG SAID CONCRETE, A DISTANCE OF 4.69 FEET; THENCE SOUTH 11 DEGREES 15 MINUTES 26 SECONDS WEST ALONG SAID CONCRETE, A DISTANCE OF 0.88 FEET TO THE POINT OF BEGINNING; CONTAINING 2.0 SQUARE FEET.

PROPOSED PARTIAL EASEMENT VACATION OVER A FIFTEEN FOOT WIDE PLATTED UTILITY AND DRAINAGE EASEMENT, TO WIT:

COMMENCE AT THE NORTHWEST CORNER OF LOT 40, BLOCK A, BAY LAKE ESTATES, PHASE 1, AS PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20 PAGES 67 THRU 71, INCLUSIVE, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 25 MINUTES 29 SECONDS WEST, A DISTANCE OF 15.00 FEET; THENCE S 89 DEGREES 20 MINUTES 48 SECONDS EAST, A DISTANCE OF 25.10 FEET TO A POINT OF BEGINNING, THENCE CONTINUE S 89 DEGREES 20 MINUTES 48 SECONDS EAST, A DISTANCE OF 18.31 FEET TO THE EDGE OF A CONCRETE PATIO; THENCE N 11 DEGREES 15 MINUTES 26 SECONDS EAST, ALONG SAID CONCRETE, A DISTANCE OF 7.68 FEET; THENCE N 78 DEGREES 44 MINUTES, 34 SECONDS WEST, ALONG SAID CONCRETE, A DISTANCE OF 18.00 FEET; THENCE SOUTH 11 DEGREES 15 MINUTES 26 SECONDS WEST, ALONG SAID CONCRETE, A DISTANCE OF 11.05 FEET TO THE POINT OF BEGINNING CONTAINING 168.6 SQUARE FEET.

**AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND  
NOTIFICATION BY MAIL TO CONTIGUOUS PROPERTY OWNERS**

**STATE OF FLORIDA  
COUNTY OF MANATEE**

**BEFORE ME, the undersigned authority, personally appeared**  
Gilbert Waters, who, after having been first duly sworn  
and put upon oath, says as follows:

1. That he/she is the he (~~owner~~, agent for owner,  
attorney in fact for owner, etc.) of the property identified in  
the application for Official Street Vacation No. 93-V-21  
Resolution No. R-94-11-V, to be heard on FEBRUARY 15, 1994, and  
as such, is authorized to execute and make this Affidavit and is  
familiar with the matters set forth herein and they are true to  
the best of his/her knowledge, information and belief.

2. That the Affiant has caused the required public notice  
sign be posted pursuant to Manatee County Ordinance No. 90-01, on  
the property identified in said application and the sign was  
conspicuously posted as follows:

15' beyond road west

10' west of driveway

3. That the Affiant has caused the mailing of the required  
letter of notification to contiguous property owners pursuant to  
Manatee County Ordinance 90-01, by 1st Class Mail, on the 19th  
day of January, 1994, and attaches hereto as a part of and  
incorporated herein, copies of said letters of notification.

4. That Affiant is aware of and understands that failure  
to adhere to the provisions of Manatee County Ordinance No. 90-01  
as it relates to the above matters, may cause the above  
identified application and any public hearing held thereon to be  
ineffective and a nullity.


**FURTHER YOUR AFFIANT SAITH NOT.**



Gilbert Waters, Agent

**SWORN TO AND** subscribed before me on this 17th day  
of January, 1994.





Notary Public

Margaret Hewett

My Commission Expires:

**R-94-11-V**

**WATERS/BAY LAKE ESTATES  
CONTIGUOUS PROPERTY OWNERS LIST**

**DP #76574.0200/9  
PAUL L. FORTSON  
8611 50TH AVENUE WEST  
BRADENTON, FL 34210**

**DP #76574.0210/8  
MARYSE M. WENDE  
8603 50TH AVENUE WEST  
BRADENTON, FL 34210**

**DP #76574.1005/1  
FLORIDA POWER & LIGHT COMPANY  
C/O ATTN: PROPERTY TAX DEPT.  
P.O. BOX 14000  
JUNO BEACH, FL 33408-0420**

**DP #76574.0300/7  
CRAIG DWIGHT & E. JEAN OLIVER  
RFD 3, BOX 66  
BANGOR, ME 04401**



The Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921  
BRADENTON, FLORIDA 34208  
TELEPHONE (813) 748-0411

The Bradenton Herald  
Published Daily  
Bradenton, Manatee, Florida

STATE OF FLORIDA  
COUNTY OF MANATEE:

Before the undersigned authority personally appeared Jill Rockefeller, who on oath says that she is Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of

Waters/Public Hearing R-94-10-V

\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of

1/19, 26, '94

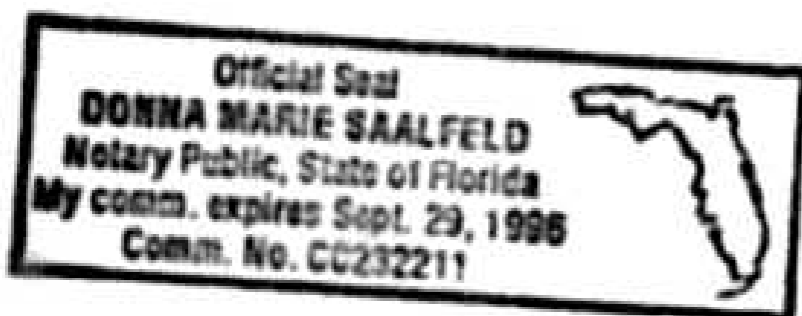
Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Jill L. Rockefeller*  
(Signature of Affiant)

Sworn to and subscribed before me this

27 day of January, 1994  
*Donna Marie Saalfeld*

SEAL & Notary Public



2351

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

Waters/Public Hearing R-94-10-V  
WHEREAS, an Application has been made to the Board of County Commissioners of Manatee County, Florida, for the vacation of the hereinafter more particularly described streets, roads or other appropriate property by CONCRETE PATHS AND ALLEYS, and  
WHEREAS, said Application seeks the vacation of that part or portion of the street, road or other appropriate property in an unincorporated area of Manatee County, Florida, described as follows:  
R-94-10-V  
Waters/Boy Lake Estates  
SUBJECT: "A"  
PROPOSED PARTIAL EASEMENT VACATION OVER A FIVE FOOT WIDE PLATTED UTILITY AND SEWERAGE EASEMENT, TO WIT:  
COMMENCE AT THE NORTHWEST CORNER OF LOT 48, BLOCK A, BAY LAKE ESTATES, PHASE I AS PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGE 67 OF 71, EXCLUSIVE OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THENCE SOUTH 68 DEGREES 25 MINUTES 20 SECONDS WEST, A DISTANCE OF 2.60 FEET, THENCE S 89 DEGREES 20 MINUTES 00 SECONDS EAST ALONG SAID FIVE FOOT EASEMENT LINE, A DISTANCE OF 2.41 FEET TO A POINT OF BEGINNING, THENCE CONTINUE SOUTH 68 DEGREES 25 MINUTES 20 SECONDS WEST, A DISTANCE OF 4.70 FEET TO THE EDGE OF A CONCRETE PATH, THENCE NORTH 10 DEGREES 00 MINUTES 20 SECONDS WEST, ALONG SAID CONCRETE, A DISTANCE OF 4.70 FEET, THENCE SOUTH 11 DEGREES 10 MINUTES 20 SECONDS WEST ALONG SAID CONCRETE, A DISTANCE OF 1.80 FEET TO THE POINT OF BEGINNING, CONTAINING 28 SQUARE FEET.  
PROPOSED PARTIAL EASEMENT VACATION OVER A FIFTEEN FOOT WIDE PLATTED UTILITY AND SEWERAGE EASEMENT, TO WIT:  
COMMENCE AT THE NORTHWEST CORNER OF LOT 48, BLOCK A, BAY LAKE ESTATES, PHASE I AS PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGE 67 OF 71, EXCLUSIVE OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THENCE SOUTH 68 DEGREES 25 MINUTES 20 SECONDS WEST, A DISTANCE OF 2.60 FEET, THENCE S 89 DEGREES 20 MINUTES 00 SECONDS EAST ALONG SAID FIVE FOOT EASEMENT LINE, A DISTANCE OF 2.41 FEET TO A POINT OF BEGINNING, THENCE CONTINUE SOUTH 68 DEGREES 25 MINUTES 20 SECONDS WEST, A DISTANCE OF 4.70 FEET TO THE EDGE OF A CONCRETE PATH, THENCE NORTH 10 DEGREES 00 MINUTES 20 SECONDS WEST, ALONG SAID CONCRETE, A DISTANCE OF 4.70 FEET, THENCE SOUTH 11 DEGREES 10 MINUTES 20 SECONDS WEST ALONG SAID CONCRETE, A DISTANCE OF 1.80 FEET TO THE POINT OF BEGINNING, CONTAINING 28 SQUARE FEET.  
NOW THEREFORE, BE IT ORDERED, BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT a public hearing will be held by the Board of County Commissioners of Manatee County, Florida, in the Commissioners' Chambers on the 1st floor of the Manatee County Administration Center, 1112 Manatee Avenue West, Bradenton, Florida, at 1:00 p.m., or on such date thereafter as same may be heard, on the 19th day of February, 1994, to consider the advisability of granting said Application, or some portion thereof. All interested persons, firms, corporations or other entities and organizations shall govern themselves accordingly.  
This vacation serves a valid public purpose and is in the public interest. It that the County will be relieved of maintenance obligations and any liability associated with a portion of these easements.  
According to Florida Statutes, Section 286.016, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will post a record of the proceedings, and for such purpose he may need to ensure that a complete record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
DULY ADOPTED, with a quorum present and voting, this the \_\_\_\_\_ day of \_\_\_\_\_, 19--.  
Board of County Commissioners of Manatee County, Florida  
By: \_\_\_\_\_  
Chairman  
Attest: E.B. SHORE  
Clerk of Circuit Court  
1/19, 26, '94