

A RESOLUTION OF MANATEE COUNTY, FLORIDA,
AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO
ENTER INTO AN EXCHANGE OF REAL PROPERTY.

WHEREAS, the Board of County Commissioners of Manatee County, Florida, is authorized under Section 125.37, Florida Statutes, to exchange real property held by the County for other real property, where such exchange will best serve the interests of the citizens of Manatee County; and

WHEREAS, the property described in the proposed Deed, attached as Exhibit "1", has never been utilized by Manatee County, and is an "easement for public improvement", according to the plat of LINCOLN TERRACE, as recorded in Plat Book 4, Page 104, of the Public Records of Manatee County, Florida; and

WHEREAS, the real property described in the Right-of-Way Easement instrument, attached as Exhibit "2", is to be used to replace the above-described property, and such conveyance will obviate the County's and the public's need for the property described in Exhibit "1"; and

WHEREAS, notice of the exchange of property authorized hereby has been provided in accordance with Section 125.37, Florida Statutes; and

WHEREAS, the Board of County Commissioners has determined this exchange of property to be in the best interest of Manatee County.

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

The Chairman of this Board is authorized to execute a Deed, or such other instrument of conveyance as may be required, substantially in the form attached hereto as Exhibit "1", conveying the property described therein to the parties indicated, in exchange for the receipt of an executed Right-of-Way Easement instrument, which easement shall be free and clear of all liens and encumbrances, substantially in the form attached hereto as Exhibit "2", conveying the property described therein to Manatee County, Florida.

PASSED AND DULY ADOPTED with a quorum present and voting this the 18th day of October, 1994.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

By: Stan Stephens
Chairman

ATTEST: R. B. SHORE

Rubland Ashley - Deputy Clerk
Clerk of the Circuit Court

BK 01446 PG 0429 INT # 000767013

EXHIBIT "1"

DEED

(STATUTORY FORM-SECTION 125.411 F.S.)

THIS DEED, made this _____ day of _____, 1994 by COUNTY OF MANATEE, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, party of the first part, and WILLIAM M. ARMSTEAD, JR. and BESSIE M. ARMSTEAD, whose mailing address is P.O. Box 601, Bradenton, Florida 34206, party of the second part,

WITNESSETH that the said party of the first part, for and in consideration of the sum of \$10.00 to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the party of the second part, their heirs and assigns forever, the following described land lying and being in Manatee County, Florida:

AN EASEMENT FOR PUBLIC IMPROVEMENT AS SHOWN ON THE PLAT OF LINCOLN TERRACE, AS RECORDED IN PLAT BOOK 4, PAGE 104, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, DESCRIBED AS THE WEST 5 FEET OF LOTS 71, 72, 115 AND 116 AND THE EAST 5 FEET OF LOTS 73 AND 114. BEING AND LYING IN SECTION 36, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

MANATEE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Stan Stephens, Chairman

ATTEST: R. B. Shore,
Clerk of the Circuit Court

This instrument prepared by:
Jim Staples, Manager Land Acquisition
Public Transportation Department
4412 66th Street West
Bradenton, Florida 34210

BK 01446 PG 0430

EXHIBIT "2"

RIGHT-OF-WAY EASEMENT

THIS INDENTURE, made this _____ day of _____, 19____, between WILLIAM M. ARMSTEAD, JR. and BESSIE M. ARMSTEAD, whose mailing address is P.O. Box 601, Bradenton, Florida 34206, party of the first part, and COUNTY OF MANATEE, a Political Subdivision of the State of Florida, whose principal office is at 1112 Manatee Avenue West, Post Office Box 1000, Bradenton, Florida 34206, party of the second part,

W I T N E S S E T H

That said party of the first part, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto party of the second part, a right-of-way easement for roadway purposes, underground and overhead utilities, and surface and underground drainage, across the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

THE EAST 10 FEET OF LOTS 71, 72, 115 AND 116, PER THE PLAT OF LINCOLN TERRACE, AS RECORDED IN PLAT BOOK 4, PAGE 104, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. BEING AND LYING IN SECTION 36, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Witness

Printed Name

Witness

Printed Name

Witness

Printed Name

Witness

Printed Name

(Signature of two witnesses required by law)

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this _____, day of _____, 19____ by WILLIAM M. ARMSTEAD, JR. and BESSIE M. ARMSTEAD (name of persons acknowledged), who are personally known to me or who have produced _____ as identification.

NOTARY PUBLIC Signature

Printed Name

This instrument was prepared by:
Jim Staples, Manager
Land Acquisition Division
Public Works Department
4412 66th Street West
Bradenton, Florida 34210

Copy to County
Attorney
Jim Staple @
Land Acq

11/31/94

smo



Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921
BRADENTON, FLORIDA 34206
TELEPHONE (813) 748-0411

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE:

Before the undersigned authority personally appeared Jill Headings, 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

Public Notice

_____ in the _____ Court,
was published in said newspaper in the issues of

9/16, 23, '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.

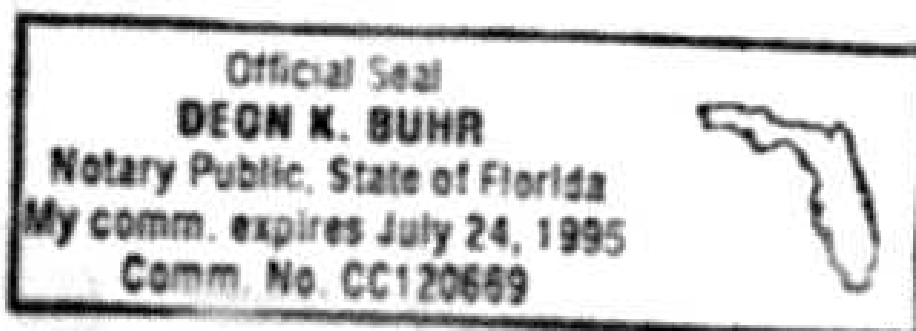
Jill Headings
(Signature of Affiant)

Sworn to and subscribed before me this

26th day of September 19 94

Deon K. Buhr

SEAL & Notary Public



2849

Personally Known _____ or Produced Identification _____

Type of Identification Produced _____

PUBLIC NOTICE
Pursuant to Section 125.37, Florida Statutes, the Board of County Commissioners of Manatee County hereby provides notice of the proposed exchange of certain interests in real property.
The property interest held by Manatee County that would be exchanged is an easement interest in two five (5) foot wide parcels of property in Section 36, Township 34 South, Range 17 East, in Manatee County, Florida.
The property interest to be acquired by Manatee County is a Right-of-Way Easement, 10 feet in width, likewise located in Section 36, Township 34 South Range 17 East, in Manatee County, Florida.
The easement would be conveyed to Manatee County by William M. Armistead, Jr. and Beale M. Armistead. The exchange shall be accomplished without any additional consideration and all properties will be conveyed in "as is" condition except that all properties shall be free and clear of all liens and encumbrances.
At the regularly scheduled meeting of the Board of County Commissioners on October 18, 1994, the Board will consider the adoption of Resolution R-94-234 authorizing the exchange of properties and the execution of the necessary instruments. Said meeting will occur in Board Chambers at 1112 Manatee Avenue West, Bradenton, Florida.
Copies of the proposed Resolution, along with more detailed legal descriptions of the properties in question, are available for review at the Office of the Public Works Department, Land Acquisition Division, 4412 66th Street West, Bradenton, Florida, during regular business hours. 9/16, 23, '94

OFF: 1446 PG 432
REC: 1446 PG 432
BK 01446 PG 0432
R. B. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL
FILED AND RECORDED 10/24/94 10:13AM RECORD VERIFIED

OFF

Copy to Jim Staples
@ Land Acq
11/1/04
amo -

