

R-97-19
PALMA SOLA PLAZA LAND EXCHANGE

**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", is subject to an easement for sanitary sewer purposes as granted to Manatee County and as recorded in O.R. Book 787, Pages 444-445 of the Public Records of Manatee County, Florida; and

WHEREAS, the real property described in the Utility Easement instrument, attached as Exhibit "2", is to be used for sanitary sewer purposes, thus obviating the County's and the public's need for the property described in Exhibit "1"; and

WHEREAS, redesign eliminates the need for the easement used for utility purposes as 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 party indicated, in exchange for the receipt of an executed Utility Easement instrument, which easement shall be free and clear of all liens and encumbrances, substantially in the form and nature described in attached Exhibit "2", conveying the property interests described therein to Manatee County, Florida.

PASSED AND DULY ADOPTED with a quorum present and voting this the 18th day of November, 1997

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: *Patricia M. Plouffe*
Chairman

ATTEST: **R. B. SHORE**
Clerk of the Circuit Court
By: *R. B. Shore*

This instrument prepared by
Jim Staples, Manager, Land Acquisition
Transportation Department
P O Box 1000
Bradenton, Florida 34206

D.P. #38016.10159

SPACE ABOVE THIS LINE FOR RECORDING DATA

DEED
(Florida Statute 125 411)

THIS DEED is made this ____ day of _____, 1997, by **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, hereinafter referred to as Grantor, and **PALMA SOLA ENTERPRISES, INC.**, whose mailing address is **2032 Hillview Street, Sarasota, Florida 34239**, hereinafter referred to as, Grantee,

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

SEE EXHIBIT "A" ATTACHED HERETO.

IN WITNESS WHEREOF the said Grantor 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: _____
Chairman

ATTEST **R. B. SHORE**
Clerk of the Circuit Court

By: _____

EXHIBIT "A"

LEGAL DESCRIPTION OF A PART OF A SANITARY SEWER EASEMENT:

THAT CERTAIN PART OF AN EXISTING 15 FOOT SANITARY SEWER EASEMENT, DESCRIBED AND RECORDED IN O.R. BOOK 787, PAGE 444 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID EASEMENT BEING 7.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE AND CONTINUOUS TO SAID EXISTING SANITARY SEWER EASEMENT:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST AND THE CENTERLINE OF MANATEE AVENUE WEST (STATE ROAD #64); THENCE S 00°38'06" W, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 579 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE CENTERLINE OF AN EXISTING SANITARY SEWER; THENCE S 89°22'39" E, ALONG SAID SEWER LINE, MORE OR LESS, A DISTANCE OF 104.83 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 89°22'39" E, A DISTANCE OF 60.18 FEET TO A POINT HEREINAFTER KNOWN AS POINT "A"; THENCE N 00°38'06" E, PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 115.00 FEET FOR A POINT OF TERMINATION; THENCE RETURN TO SAID POINT "A"; THENCE S 81°50'08" E, A DISTANCE OF 83.57 FEET FOR A POINT OF TERMINATION. BEING AND LYING IN SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

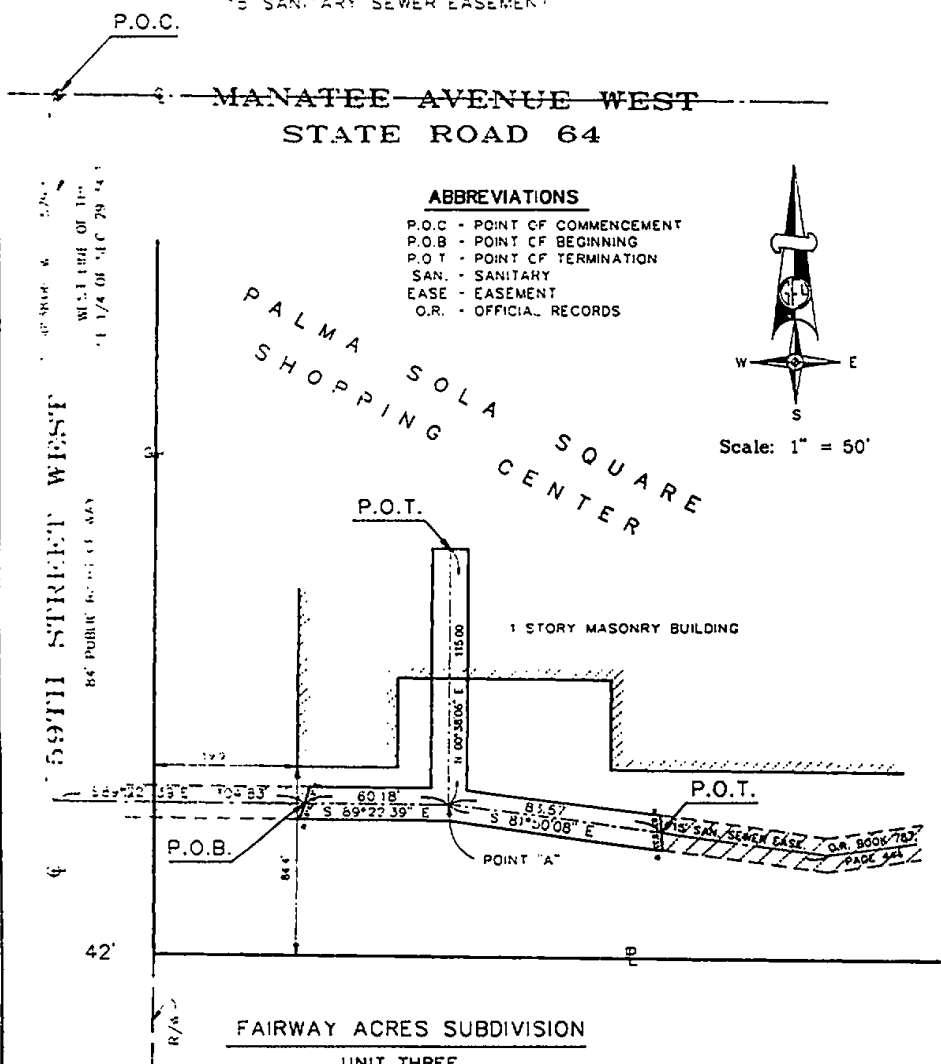
SEC 29 T4P 30 S, R 17 E
MANATEE COUNTY, FLORIDA

361 Sixth Avenue West
P.O. Box 12
Bradenton, Florida 34206-0012
(813) 743-2381 Project No.

George F. Young, Inc.
A Subsidiary of George F. Young of Florida, Inc.

SKETCH OF:

15 SANITARY SEWER EASEMENT



NOTE:

FOR DESCRIPTIVE PURPOSE ONLY,
THIS IS NOT A SURVEY

FOR: BRUCE TALLY / KASH-N-KARRY
DATE: 7/3/96
ORDER NO. 95230107.01
DRAWN BY: P-HYATT
CHECKED BY: J POWERS, P.S.M

CERTIFICATE: The sketch represented herein was done under my supervision and meets the minimum technical standards of Chapter 61C17-6, Florida Administrative Code.

George F. Young, Inc.
JAMES B. POWERS, P.L.S.

Florida Surveyor's Reg'n. No. 4559
SURVEY NOT VALID UNLESS SIGNED AND
EMBOSSED WITH SURVEYOR'S SEAL

LEGAL DESCRIPTION OF A PART OF A SANITARY SEWER EASEMENT:

THAT CERTAIN PART OF AN EXISTING 15 FOOT SANITARY SEWER EASEMENT, DESCRIBED AND RECORDED IN O.R. BOOK 787, PAGE 444 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID EASEMENT BEING 7.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE AND CONTINUOUS TO SAID EXISTING SANITARY SEWER EASEMENT:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST AND THE CENTERLINE OF MANATEE AVENUE WEST (STATE ROAD #64); THENCE S 00°38'06" W, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 579 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE CENTERLINE OF AN EXISTING SANITARY SEWER; THENCE S 89°22'39" E, ALONG SAID SEWER LINE, MORE OR LESS, A DISTANCE OF 104.83 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 89°22'39" E, A DISTANCE OF 60.18 FEET TO A POINT HEREINAFTER KNOWN AS POINT "A"; THENCE N 00°38'06" E, PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 115.00 FEET FOR A POINT OF TERMINATION; THENCE RETURN TO SAID POINT "A"; THENCE S 81°50'08" E, A DISTANCE OF 83.57 FEET FOR A POINT OF TERMINATION. BEING AND LYING IN SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

SEC 29 TAP 34 S. R 17 E.
MANATEE COUNTY, FLORIDA

381 Sixth Avenue West
P.O. Box 12
Bradenton, Florida 34208-0012
(813) 745-2381 Project No.



George F. Young, Inc.
A Subsidiary of George F. Young of Florida, Inc.

SKETCH OF:

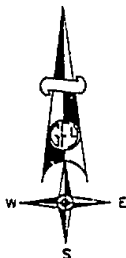
15 SANITARY SEWER EASEMENT

P.O.C.

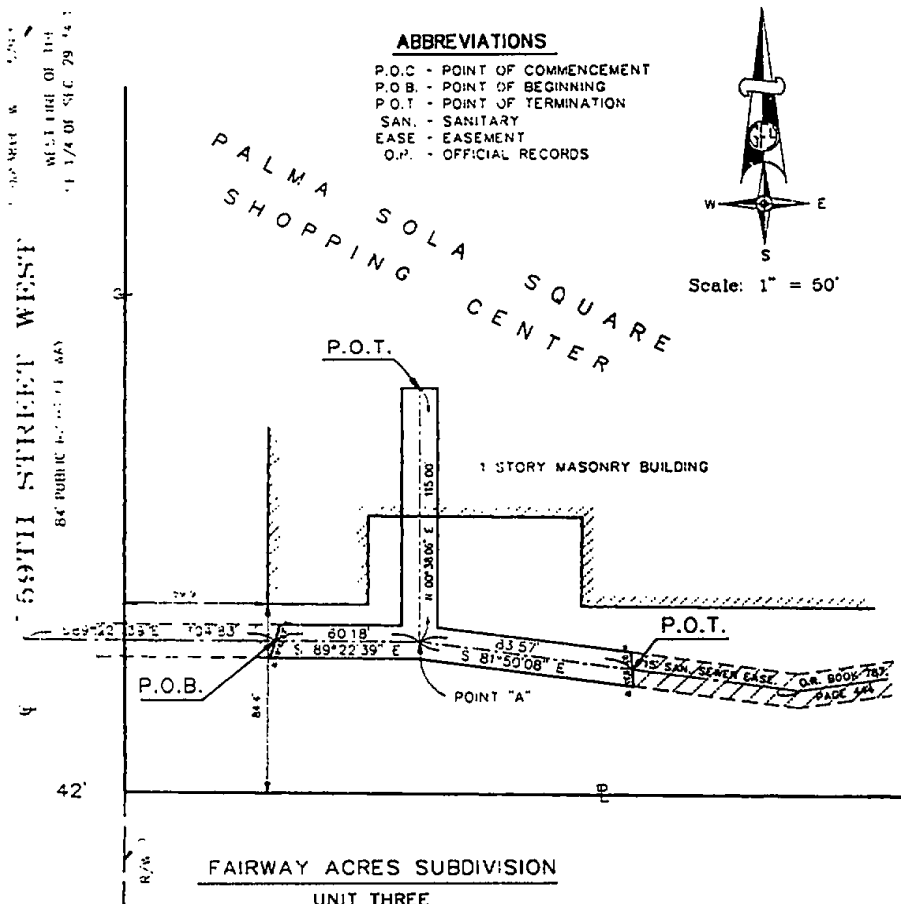
~~MANATEE AVENUE WEST~~
STATE ROAD 64

ABBREVIATIONS

- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- P.O.T. - POINT OF TERMINATION
- SAN. - SANITARY
- EASE - EASEMENT
- O.P. - OFFICIAL RECORDS



Scale: 1" = 50'



NOTE:

FOR DESCRIPTIVE PURPOSE ONLY,
THIS IS NOT A SURVEY.

FOR: BRUCE TAYLOR / WASH-N-KARRY
DATE: 7/3/96
ORDER NO. 95230107 0'
DRAWN BY: P. HYATT
CHECKED BY: J. POWERS, P.S.M

CERTIFICATE: The sketch represented hereon was done under my supervision and meets the minimum technical standards of Chapter 61G17-6, Florida Administrative Code.

George F. Young, Inc.
JAMES B. POWERS, P.L.S.

James B. Powers

Florida Surveyor's Reg'n. No. 4569
SURVEY NOT VALID UNLESS SIGNED AND
EMBOSSSED WITH SURVEYOR'S SEAL

This instrument prepared by:
 Jim Staples, Manager, Land Acquisition
 Transportation Department
 P.O. Box 1000
 Bradenton, Florida 34206

DP #38016 1015/9

SPACE ABOVE THIS LINE FOR RECORDING DATA

UTILITY EASEMENT

THIS INDENTURE, made this _____ day of _____, 19____, between **PALMA SOLA ENTERPRISES, INC.**, a Corporation organized and existing under the laws of the State of _____ whose mailing address is 2032 Hillview Street, Sarasota, Florida 34239 as Grantor, and **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, as Grantee,

WITNESSETH

That said Grantor, 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 Grantee, a *non-exclusive easement for ingress, egress, construction, installation, maintenance and operation of public utility facilities* over, across, upon and in the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

SEE LEGAL DESCRIPTION IDENTIFIED AT EXHIBIT "A" ATTACHED HERETO.

This is a nonexclusive utility easement with the Grantor reserving unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written

Signed, sealed and delivered
 in the presence of _____ (CORPORATE SEAL)

PALMA SOLA ENTERPRISES, INC.

Corporation

BY _____

President Signature

John W. Balliett

Printed Name

ATTEST: _____

Secretary Signature

Printed Name

 Witness Signature

 Printed Name

 Witness Signature

 Printed Name

(Signature of two witnesses or secretary required by law)

STATE OF _____
 COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1997, by **John W. Balliett, President** (name and title of agent) of **Palma Sola Enterprises, Inc.** (name of corporation acknowledging), a _____ (state or place of corporation) corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.

 NOTARY PUBLIC Signature

 Printed Name

LEGAL DESCRIPTION OF A PROPOSED SANITARY SEWER EASEMENT:

THAT CERTAIN PART OF AN EXISTING 15 FOOT SANITARY SEWER EASEMENT, DESCRIBED AND RECORDED IN O.R. BOOK 787, PAGE 444 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID EASEMENT BEING 7.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE AND CONTINUOUS TO SAID EXISTING SANITARY SEWER EASEMENT:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST AND THE CENTERLINE OF MANATEE AVENUE WEST (STATE ROAD #64); THENCE S 00°38'06" W, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 579 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE CENTERLINE OF AN EXISTING SANITARY SEWER; THENCE S 89°22'39" E, ALONG SAID SEWER LINE, MORE OR LESS, A DISTANCE OF 104.83 FEET FOR A POINT OF BEGINNING; THENCE, LEAVING SAID EXISTING SEWER LINE, S 57°13'07" E, A DISTANCE OF 31.10 FEET; THENCE S 89°19'51" E, A DISTANCE OF 105.00 FEET; THENCE N 75°13'03" E, A DISTANCE OF 18.36 FEET TO SAID EXISTING SEWER LINE, WHOSE LINE BEARS S 81°50'08" E FOR A POINT OF TERMINATION. BEING AN LYING IN SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

MANATEE COUNTY, FLORIDA

381 Sixth Avenue West
P.O. Box 12
Bradenton, Florida 34208-0012
(813) 745-2381 Project No.



George F. Young, Inc.
A Subsidiary of George F. Young of Florida, Inc.

SKETCH OF:

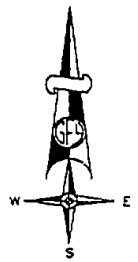
PROPOSED 15" SANITARY SEWER
EASEMENT

P.O.C.

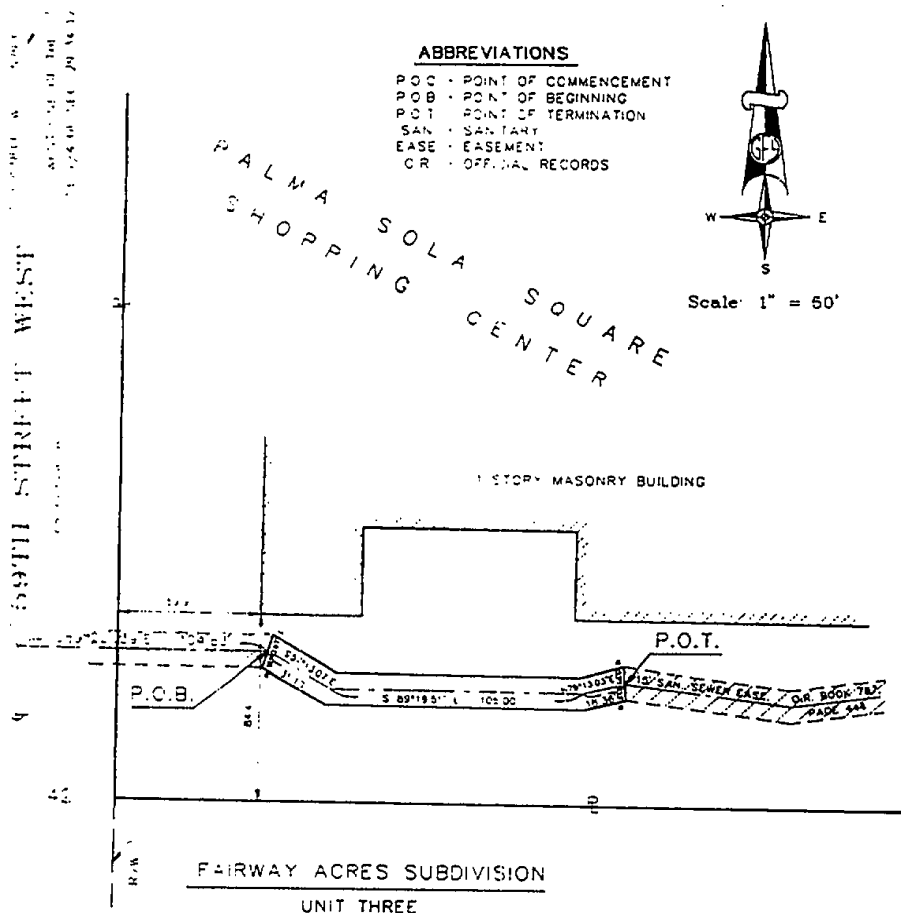
~~MANATEE AVENUE WEST~~
STATE ROAD 64

ABBREVIATIONS

- POC - POINT OF COMMENCEMENT
- POB - POINT OF BEGINNING
- POT - POINT OF TERMINATION
- SAN - SANITARY
- EASE - EASEMENT
- OR - OFFICIAL RECORDS



Scale: 1" = 50'



NOTE:

FOR DESCRIPTIVE PURPOSE ONLY.
THIS IS NOT A SURVEY

FOR: BRUCE TALLER
 DATE: 3/98
 ORDER NO. 952301070
 DRAWN BY: J. POWERS
 CHECKED BY: J. POWERS, P.S.M.

CERTIFICATE: The sketch represented hereon was done under my supervision and meets the minimum technical standards of Chapter 61C17-6, Florida Administrative Code.

George F. Young, Inc.
JAMES D. POWERS, P.L.S.

James D. Powers
 Florida Surveyor's Reg'n. No. 4569
 SURVEY NOT VALID UNLESS SIGNED AND
 EMBOSSED WITH SURVEYOR'S SEAL.



102 MANATEE AVE WEST, PO BOX 921
BRADENTON, FLORIDA 34208
TELEPHONE 941/748-0411

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE:

Before the undersigned authority personally appeared

Sandy Riley

who on oath says that he/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
10/23, 30, '97

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 he/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.

Sandy Riley

(Signature of Affiant)

Sworn to and subscribed before me this

31 day of October, 1997

SEAL & Notary Public

Personally Known _____ or Produced Identification

Type of Identification Produced _____

PUBLIC NOTICE
Pursuant to Section 152.02, 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 that is to be exchanged is an undivided interest in a parcel of property in Section 29, Township 24 South, Range 17 East, 15 Manatee County, Florida.
The property interest to be acquired by Manatee County is a Utility Easement, Statute located in Section 29, Township 24 South, Range 17 East, in Manatee County, Florida.
The proposed exchange is covered by Manatee County by Public Sale Minutes, etc. The exchange shall be accomplished without any additional consideration and all provisions will be covered in "as is" condition except that encumbrances shall be true and clear of all liens and encumbrances.
At the regular scheduled meeting of the Board of County Commissioners on November 16, 1997, the Board will consider the exchange of the exchange of property and the execution of the necessary instruments. Said meeting will occur in Board County at 1112 Manatee Avenue West, Bradenton, Florida, commencing at 7:00 a.m.
Copies of the proposed instrument, along with more detailed legal descriptions of the properties in question, are available for review at the Office of the Transportation Department, Land Acquisition Division, 1612 1/2th Avenue West, Bradenton, Florida, during regular business hours, 8:00 a.m. to 5:00 p.m.



MANA L. CIURCA
My Comm Exp. 9/07/21
Bonded By Service #: No. CC678142
V.I. Personality # 0000111 Other I.D.

PALMA SOLA PLAZA LAND EXCHANGE

**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", is subject to an easement for sanitary sewer purposes as granted to Manatee County and as recorded in O.R. Book 787, Pages 444-445 of the Public Records of Manatee County, Florida; and

WHEREAS, the real property described in the Utility Easement instrument, attached as Exhibit "2", is to be used for sanitary sewer purposes, thus obviating the County's and the public's need for the property described in Exhibit "1"; and

WHEREAS, redesign eliminates the need for the easement used for utility purposes as 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 party indicated, in exchange for the receipt of an executed Utility Easement instrument, which easement shall be free and clear of all liens and encumbrances, substantially in the form and nature described in attached Exhibit "2", conveying the property interests described therein to Manatee County, Florida.

PASSED AND DULY ADOPTED with a quorum present and voting this the 18th day of November, 1997

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: Patricia A. Pless
Chairman

ATTEST: **R. B. SHORE**
Clerk of the Circuit Court

By: R. B. Shore

STATE OF FLORIDA, COUNTY OF MANATEE
I, R. B. Shore, Clerk of the Circuit Court, do hereby certify that the foregoing is a true and correct copy of the distributed on file in my office, witness my hand and official seal this 20th day of November, 1997.
R. B. Shore
Clerk of Circuit Court
By: Angela D. Green

This instrument prepared by
 Jim Staples, Manager, Land Acquisition
 Transportation Department
 P.O. Box 1000
 Bradenton, Florida 34206

BK 1536 PG 902 2 of 7

D.P. #38016.10159

SPACE ABOVE THIS LINE FOR RECORDING DATA

DEED

(Florida Statute 125.411)

THIS DEED is made this ____ day of _____, 1997, by **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, hereinafter referred to as Grantor, and **PALMA SOLA ENTERPRISES, INC.**, whose mailing address is **2032 Hillview Street, Sarasota, Florida 34239**, hereinafter referred to as, Grantee,

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

SEE EXHIBIT "A" ATTACHED HERETO.

IN WITNESS WHEREOF the said Grantor 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: _____
 Chairman

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

By: _____

EXHIBIT "A"

BK 1536 PG 903 3 of 7

LEGAL DESCRIPTION OF A PART OF A SANITARY SEWER EASEMENT:

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SEC 29 TWP 34 S. R 17 E.
MANATEE COUNTY, FLORIDA

381 Sixth Avenue West
P.O. Box 12
Bradenton, Florida 34206-0012
(813) 743-2381 Project No.

George F. Young, Inc.
A Subsidiary of George F. Young of Florida, Inc.

SKETCH OF:

15 SANITARY SEWER EASEMENT

BK 1536 PG 904 4 of 7

~~MANATEE AVENUE WEST~~
STATE ROAD 64

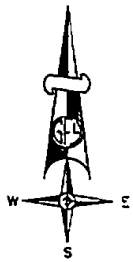
P.O.C.

00°38'06" W. 579'
WEST LINE OF THE
1/4 OF SEC 29 34 S.

59TH STREET WEST
84' PUBLIC FRONT OF WAY

ABBREVIATIONS

- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- P.O.T. - POINT OF TERMINATION
- SAN. - SANITARY
- EASE. - EASEMENT
- O.R. - OFFICIAL RECORDS



PALMA SOLA SQUARE
SHOPPING CENTER

P.O.T.

1 STORY MASONRY BUILDING

P.O.T.

P.O.B.

POINT "A"

42'

FAIRWAY ACRES SUBDIVISION
UNIT THREE

PLAT BOOK 11, PAGES 11 & 12

NOTE:

FOR DESCRIPTIVE PURPOSE ONLY,
THIS IS NOT A SURVEY.

FOR: BRUCE TALVY / KASH-N-KARRY
 DATE: 7/3/96
 ORDER NO. 95230107.01
 DRAWN BY: P HYATT
 CHECKED BY: J POWERS, P.S.M.

CERTIFICATE: The sketch represented hereon was done under my supervision and meets the minimum technical standards of Chapter 61G17-6, Florida Administrative Code.

George F. Young, Inc.
JAMES B. POWERS, P.L.S.

James B. Powers
 Florida Surveyor's Reg'n. No. 4569
 SURVEY NOT VALID UNLESS SIGNED AND
 EMBOSSED WITH SURVEYOR'S SEAL.

This instrument prepared by
Jim Staples, Manager, Land Acquisition
Transportation Department
P.O. Box 1000
Bradenton, Florida 34206

BK 1536 PG 905 of 7

DP #38016 1015/9

-----SPACE ABOVE THIS LINE FOR RECORDING DATA-----

UTILITY EASEMENT

THIS INDENTURE, made this _____ day of _____, 19___, between **PALMA SOLA ENTERPRISES, INC.**, a Corporation organized and existing under the laws of the State of _____ whose mailing address is 2032 Hillview Street, Sarasota, Florida 34239 as Grantor, and **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, as Grantee,

WITNESSETH

That said Grantor, 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 Grantee, *a non-exclusive easement for ingress, egress, construction, installation, maintenance and operation of public utility facilities* over, across, upon and in the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

SEE LEGAL DESCRIPTION IDENTIFIED AT EXHIBIT "A" ATTACHED HERETO.

This is a nonexclusive utility easement with the Grantor reserving unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written.

Signed, sealed and delivered (CORPORATE SEAL)
in the presence of

PALMA SOLA ENTERPRISES, INC.
Corporation

BY: _____
President Signature
John W. Balliett

Printed Name
ATTEST: _____
Secretary Signature

Witness Signature

Printed Name

Witness Signature

Printed Name
(Signature of two witnesses or secretary required by law)

Printed Name

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this _____ day of _____, 1997, by **John W. Balliett, President** (name and title of agent) of **Palma Sola Enterprises, Inc.** (name of corporation acknowledging), a _____ (state or place of corporation) corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.

NOTARY PUBLIC Signature

Printed Name

EXHIBIT "A"

BK 1536 PG 906 6 of 7

LEGAL DESCRIPTION OF A PROPOSED SANITARY SEWER EASEMENT:

THAT CERTAIN PART OF AN EXISTING 15 FOOT SANITARY SEWER EASEMENT, DESCRIBED AND RECORDED IN O.R. BOOK 787, PAGE 444 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID EASEMENT BEING 7.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE AND CONTINUOUS TO SAID EXISTING SANITARY SEWER EASEMENT:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST AND THE CENTERLINE OF MANATEE AVENUE WEST (STATE ROAD #64); THENCE S 00°38'06" W, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 579 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE CENTERLINE OF AN EXISTING SANITARY SEWER; THENCE S 89°22'39" E, ALONG SAID SEWER LINE, MORE OR LESS, A DISTANCE OF 104.83 FEET FOR A POINT OF BEGINNING; THENCE, LEAVING SAID EXISTING SEWER LINE, S 57°13'07" E, A DISTANCE OF 31.10 FEET; THENCE S 89°19'51" E, A DISTANCE OF 105.00 FEET; THENCE N 75°13'03" E, A DISTANCE OF 18.36 FEET TO SAID EXISTING SEWER LINE, WHOSE LINE BEARS S 81°50'08" E FOR A POINT OF TERMINATION. BEING AN LYING IN SECTION 29, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

SEC 22 TWP 34 S. R. 17 E
MANATEE COUNTY, FLORIDA

381 Sixth Avenue West
P.O. Box 12
Brevard, Florida 32904-0012
(813) 745-2881 Project No.

George F. Young, Inc.
A Subsidiary of George F. Young of Florida, Inc.

SKETCH OF:

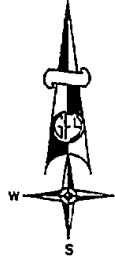
PROPOSED 15 SANITARY SEWER EASEMENT

P.O.C.

~~MANATEE AVENUE WEST~~
STATE ROAD 64

ABBREVIATIONS

- P.O.C. - POINT OF COMMENCEMENT
- POB - POINT OF BEGINNING
- P.O.T. - POINT OF TERMINATION
- SAN - SANITARY
- EASE - EASEMENT
- OR - OFFICIAL RECORDS



Scale: 1" = 5'

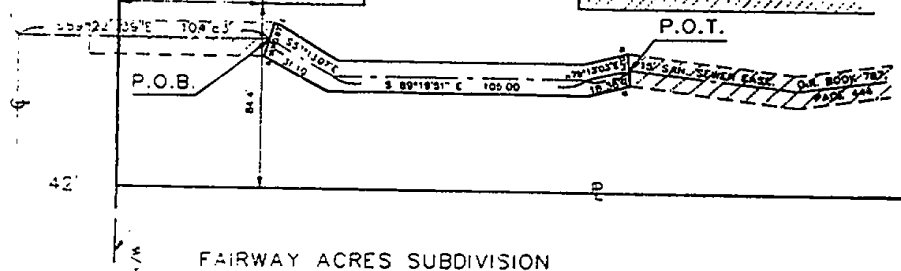
DK 1556 PG 907 FILED AND RECORDED 11/21/99 2:00PM '99 of 7
P.B. STATE CLERK OF CIRCUIT COURT MANATEE COUNTY FL

150' 18.00' W
5/4' E
WEST LINE OF THE
1/4 OF SEC 29 34 17 E

69TH STREET WEST

PALMA SOLA SHOPPING CENTER SQUARE

FACTORY MASONRY BUILDING



FAIRWAY ACRES SUBDIVISION
UNIT THREE
PLAT BOOK 11, PAGES 11 & 12

NOTE:

FOR DESCRIPTIVE PURPOSE ONLY,
THIS IS NOT A SURVEY.

CERTIFICATE: The sketch represented hereon was done under my supervision and meets the minimum technical standards of Chapter 61G17-6, Florida Administrative Code.

George F. Young, Inc.
JAMES D. POWERS, P.L.S.

James D. Powers

Florida Surveyor's Reg'n. No. 4569
SURVEY NOT VALID UNLESS SIGNED AND EMBOSSED WITH SURVEYOR'S SEAL.

FOR: BRUCE TALLEY, P. ENGINEER
DATE: 7/3/96
ORDER NO. 95230107 C1
DRAWN BY: P. HYATT
CHECKED BY: J. POWERS, P.S.M.