

R-97-24-V
LABELLE/B. FOGARTY'S SUBDIVISION

RESOLUTION DECLARING PUBLIC HEARING
ON APPLICATION FOR THE VACATION OF STREETS,
ROADS OR OTHER APPROPRIATE PROPERTY

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 ELISABETH LABELLE.

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:

SEE EXHIBIT "A" ATTACHED

NOW THEREFORE, BE IT RESOLVED, 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 Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, at 9:00 a.m., or as soon thereafter as same may be heard, on the 22ND day of APRIL, 1997, 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.

According to Florida Statutes, Section 286.0105, 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 need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution are available for review at the Citizens Action Center on the ninth floor of the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida, and are available for purchase from the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida, and are available for purchase from the County Administrator's Office at cost.

DULY ADOPTED, with a quorum present and voting, this the 18TH day of MARCH, 1997.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Teri A. M. Glass
Chairman

ATTEST: R.S. SHORE
Clerk of Circuit Court

By: [Signature]

EXHIBIT "A"

THAT CERTAIN PORTION OF THIRTY SIX (36)TH. STREET WEST RIGHT OF WAY, LYING SOUTH OF FIRST AVENUE WEST AND NORTH OF SECOND AVENUE WEST, ADJOINING BLOCK 14 AND 15, OF B. FOGARTY'S SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 1 PAGE 75, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEASTERLY CORNER OF SAID BLOCK 15; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID BLOCK 15, A DISTANCE OF 288.76 FEET TO THE SOUTHEASTERLY CORNER OF SAID BLOCK 15; THENCE EASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SECOND AVENUE WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 14; THENCE NORTHERLY ALONG WESTERLY LINE OF SAID BLOCK 14, A DISTANCE OF 288.83 FEET TO THE NORTHWESTERLY CORNER OF SAID BLOCK 14; THENCE WESTERLY ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID FIRST AVENUE WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 28, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 8,663.80 SQUARE FEET MORE OR LESS.

R-97-24-V
LABELLE/B. FOGARTY'S SUBDIVISION

**APPLICATION FOR THE VACATION OF CERTAIN
STREETS, ROADS OR OTHER APPROPRIATE PROPERTY**

TO THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

ELISABETH LABELLE, hereinafter referred to as the Applicant, respectfully submits the following:

1. The Applicant is the owner in fee simple of the record title to the real property located in Manatee County, Florida, described as follows:

ALL OF BLOCK 15, B FOGARTY SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 75, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

2. The Applicant hereby applies for the vacation of all that part or portion of the street, road or other appropriate property in an unincorporated area of Manatee County, Florida, described as follows:

SEE EXHIBIT "A" ATTACHED

3. No portion of the property described in Paragraph 2 hereof constitutes or was acquired for a state or federal highway, and the vacation thereof will not deprive any person, firm, corporation or other entity of the right to ingress and egress to the real property thereof.

4. The real property described in Paragraph 2 hereof is not subject to any delinquent or unpaid ad valorem taxes, special assessments or other improvement liens. If said property is subject to any mortgage or other encumbrance, the written consent and joinder to this Application by the owner and holder of said mortgage or other encumbrance is set forth at the end of this Application immediately following the execution hereof by the Applicant.

5. An Opinion of Title or Title Opinion by an attorney duly authorized to practice law in the State of Florida, an Ownership or Encumbrance Certificate by an abstract company, or a complete copy or photocopy of a Title Insurance Policy or Title Guarantee issued by a title insurance company or other organization duly authorized in the State of Florida to insure or guarantee title to real property covering all of the property described in Paragraph 1 hereof showing title thereto to be vested in the Applicant is attached hereto and made a part hereof as **Exhibit "B"**.

6. A copy of that portion of a subdivision plat recorded in a Plat Book among the Public Records of Manatee County, Florida, a survey by a land surveyor or professional engineer duly licensed in the State of Florida, or other appropriate map showing all of the real property described in paragraphs 1 and 2 hereof accurately designating the property sought to be vacated and the abutting or adjoining property of the Applicant is attached hereto and made a part hereof as **Exhibit "C"**

7. The Applicant hereby specifically consents to the County of Manatee, Florida, various departments or agencies hereof, their employees or agents physically examining all of the real property described in Paragraphs 1 and 2 hereof, making inquiries concerning the validity and sufficiency of the exhibits attached hereto and obtaining such other information as may be necessary to assist the Board of County Commissioners in considering and acting upon this Application.

8. The applicant hereby understands that this application will be furnished to each of the following identified Reviewing Departments and Agencies: (submit only the original application)

I. Manatee County Government

1. Transportation Department
 - a. Assistant Director
 - b. Engineering Division Manager
 - c. Highway Maintenance Manager
 - d. Storm Water Division Manager
 - e. Traffic Management Manager
2. Public Works Department
 - a. Utilities Engineer
 - b. Water Section Manager
 - c. Wastewater Section Manager
3. Public Safety Department
4. Department of Parks, Recreation and Cultural Services
5. Planning Department
 - a. Plans Implementation Administrator
 - b. Growth Management Administrator
6. Building Department
7. Project Management Department

II. Other Jurisdictions

1. Electric Companies
 - a. Florida Power & Light Co.
 - b. Peace River Electric Co-op
 - c. GTE Florida Incorporated
2. Cablevision Companies
 - a. Time Warner Communications
 - b. Comcast Cablevision
 - c. U.S. Cable of Florida, Inc.
3. Natural Gas Companies
 - a. Peoples Gas System, Inc.
 - b. Florida Gas Transmission
4. Sheriff's Department
5. Fire District

WHEREFORE THE PREMISES CONSIDERED, the Applicant respectively applies for:

A. The adoption of a Resolution by said Board of County Commissioners declaring that a public hearing will be held before said Board of County Commissioners in the Commissioners' Chambers on the 1st Floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida to consider the advisability of granting this Application and specifically setting forth the date and time thereof.

B. The adoption of a Resolution by said Board of County Commissioners subsequent to or at the conclusion of said public hearing granting this Application or some portion thereof, vacating, abandoning, discontinuing, closing, renouncing or disclaiming, as the case may be, the real property described in Paragraph 2 hereof and the interest of the County and the public therein; or for such other general relief as the Board of County Commissioners may deem appropriate.

conclusion of said public hearing granting this Application or some portion thereof, vacating, abandoning, discontinuing, closing, renouncing or disclaiming, as the case may be, the real property described in Paragraph 2 hereof and the interest of the County and the public therein; or for such other general relief as the Board of County Commissioners may deem appropriate

**STATE OF FLORIDA
COUNTY OF MANATEE**

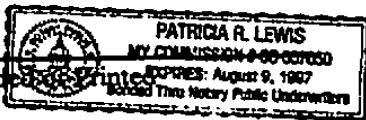
The undersigned Applicant, or where appropriate the undersigned officer of or attorney at law for the Applicant, having been first duly sworn deposes and says that the Applicant or said officer or attorney at law has read the foregoing Application and the exhibits attached thereof and knows the contents thereof, and that to the best knowledge and belief of said Applicant, officer or attorney at law, the matters and things set forth therein are true.

By executing this application, I acknowledge that I am familiar with the Rules of Procedure which apply to the boards or commissions which will act on my application and that I have read and understand such Rules of Procedure

Sworn to and subscribed before me, this the 15 day of January, 1986 by _____

Elizabeth Hatfield, who is/are personally known to me or who has/have produced _____
Driver License as identification.

Patricia R. Lewis
Notary Public



Name Type Printed

My Commission Expires _____

Elizabeth Hatfield
Applicant Name (Print or Type)

Elizabeth Hatfield
Signature of Applicant

1671 1st Ave W.
Street Address

Bradenton, FL 34205
City, State, Zip Code

941-741-2019
Telephone Number

EXHIBIT "A"

THAT CERTAIN PORTION OF THIRTY SIX (36)TH. STREET WEST RIGHT OF WAY, LYING SOUTH OF FIRST AVENUE WEST AND NORTH OF SECOND AVENUE WEST, ADJOINING BLOCK 14 AND 15, OF B. FOGARTY'S SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 1 PAGE 75, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 8,663.80 SQUARE FEET MORE OR LESS.

This instrument prepared by:
D. Turner Mathews
6220 Manatee Avenue West, Suite 404
Bradenton, Florida 34209

File # 96-0340

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and
correct copy of the documents as filed in my office.
Witness my hand and official seal on this
June 9th 1996
Notary Public
C. M. Kilboy

BN 1490 PS 370 DOC STAMPS \$1050.00 DKTR 917533
FILED AND RECORDED 06/11/96 10:36AM 1 of 1
R.R. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL

(Please Allow This Line For Recording Date)

Warranty Deed

(Statutory Form - FS 689.02)

This Indenture, made June 5, 1996, between Margaret Nieschbedt, aka Margaret Nieschbedt, as a married person, whose post address is 2511 12th Avenue West Bradenton, FL 34205 and Patricia Eichenbörner, as a single person Tenants In Common, of the County of Manatee in the State of Florida, party of the first part, whose post address is 4307 Drake Boulevard East, Bradenton, FL 34203, and Elizabeth LaBelle as a single person, party of the second part, and whose post office address is 2813 Riverview Blvd., Bradenton, FL 34205, and whose Taxpayer Identification Number is 521-98-5890,

Witnesseth:

That the said party of the first part, for and in consideration of the sum of \$10,000 and other valuable consideration, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land, to wit:

All of Block 15, B. Fogarty Subdivision according to the Plat thereof recorded in Plat Book 1, Page 75, Plat Book, Manatee County, Florida.

(For Information Only: Property Appraiser's Parcel Identification Number is 36707.0000/8)

Grantor, Margaret Nieschbedt hereto certifies that this property does not constitute the homestead of the Grantor, nor is it contiguous to the homestead of the grantor's family.

Subject to easements, restrictions and reservations of record not coupled with a right of reverter and taxes for the current year.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Signed, sealed and delivered in the presence of:

Sign Cecil M. Kilboy
Print Cecil M. Kilboy
Sign Patricia Eichenbörner
Print Patricia Eichenbörner

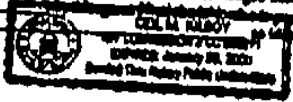
Sign Margaret Nieschbedt (Seal)
Print Margaret Nieschbedt
Title _____

Sign Cecil M. Kilboy
Print Cecil M. Kilboy
Sign Patricia Eichenbörner
Print Patricia Eichenbörner

Sign Patricia Eichenbörner (Seal)
Print Patricia Eichenbörner

STATE OF FLORIDA
COUNTY OF Manatee

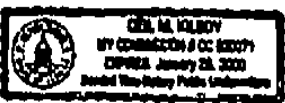
The foregoing instrument was acknowledged before me this 5 day of June 1996
by Margaret Nieschbedt, who is personally known to me or who has produced to me identification and who (has) (did not) take an oath.



NOTARY PUBLIC
Sign Cecil M. Kilboy
Print Cecil M. Kilboy
State of Florida at Large (NOTARIAL SEAL)

STATE OF FLORIDA
COUNTY OF Manatee

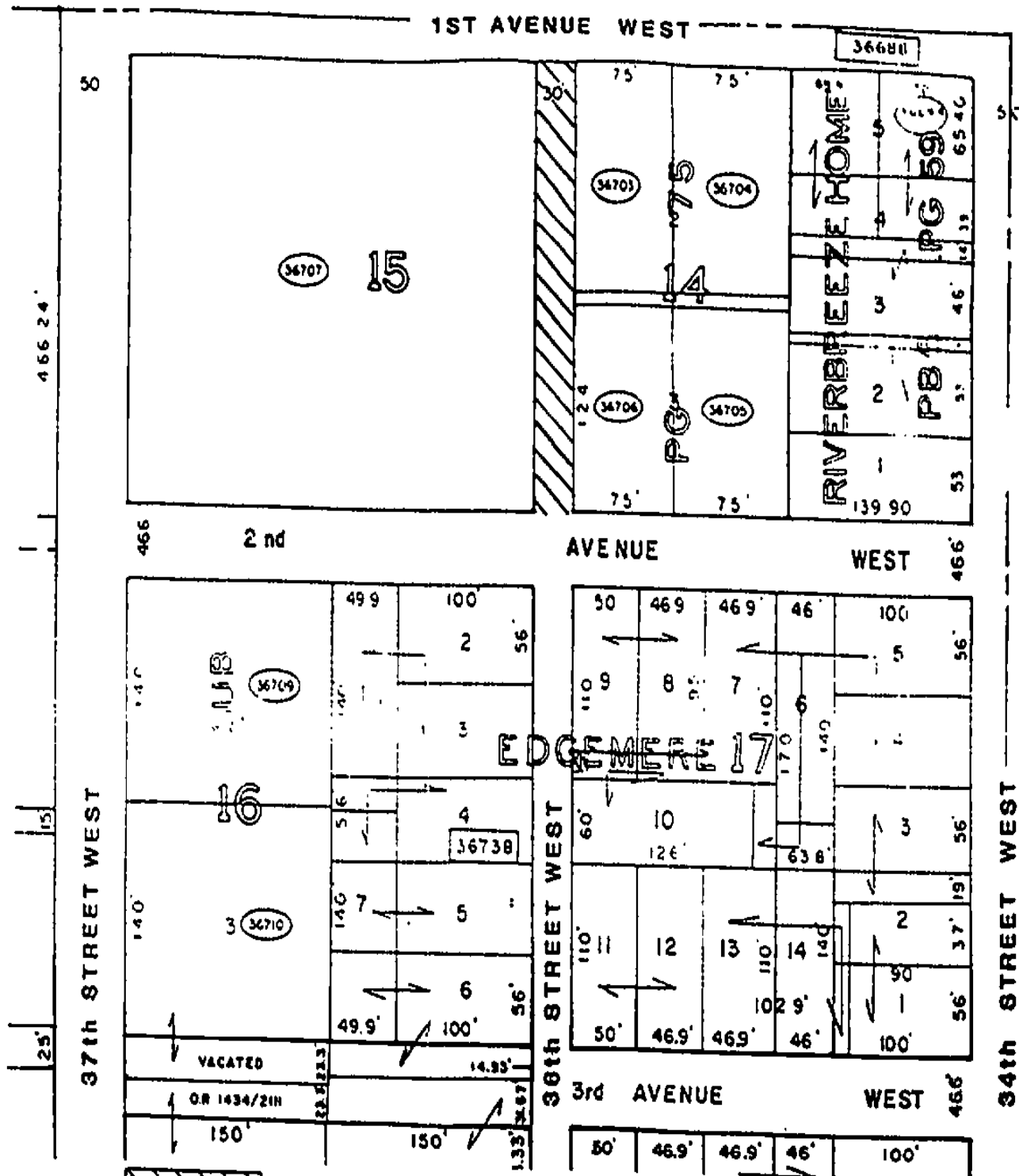
The foregoing instrument was acknowledged before me this 5 day of June 1996
by Patricia Eichenbörner, who is personally known to me or who has produced to me identification and who (has) (did not) take an oath.



NOTARY PUBLIC
Sign Cecil M. Kilboy
Print Cecil M. Kilboy
State of Florida at Large (NOTARIAL SEAL)

2578

1ST AVENUE WEST



LEGEND:



AREA TO BE VACATED

R-97-24-V

LABELLE/B.FOGARTY'S SUB.

COMMISSIONER:

AMY STEIN

2579

SECTION:28

TOWNSHIP:34

RANGE:17



SCALE:1"-100'