

**RESOLUTION VACATING CERTAIN STREETS, ROADS
OR OTHER APPROPRIATE PROPERTY
PURSUANT TO SECTION 177.101 ET SEQ., FLORIDA STATUTES**

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 THEODORE A. AND LESLIE A. ADENT, 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 this easement.

DULY ADOPTED, with a quorum present and voting, this the 27th day of May, 1997.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Terrence H. Press
Chairman

ATTEST: R.B. SHORE
Clerk of Circuit Court

R. B. Shore

5 11 57 J

EXHIBIT "A"

THE WEST FIVE FEET OF A TEN FOOT DRAINAGE EASEMENT LYING AT THE REAR OF LOT 26, BLOCK A, SARABAY WOODS, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGES 34 THROUGH 37, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

SARABAY WOODS EASEMENT VACATION

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

TO THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:
THEODORE A. AND LESLIE A. ADENT, 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:
**LOT 26, BLOCK A, SARABAY WOODS, A SUBDIVISION AS PER PLAT THEREOF
RECORDED IN PLAT BOOK 24, PAGES 34 THROUGH 37, 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:
**THE WEST FIVE FEET OF A TEN FOOT DRAINAGE EASEMENT LYING AT THE
REAR OF LOT 26, BLOCK A, SARABAY WOODS, A SUBDIVISION AS PER PLAT
THEREOF RECORDED IN PLAT BOOK 24, PAGES 34 THROUGH 37, PUBLIC
RECORDS OF MANATEE COUNTY, FLORIDA.**
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 "A".

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 "B".

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. Transportation Systems Mgr. b. Transportation Operations Mgr. c. Field Operations Mgr. 2. Public Works Department a. Storm Water Engineer b. Highway Superintendent c. Utilities Engineer d. Water Section Manager e. 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.

**STATE OF FLORIDA
COUNTY OF MANATEE**

The undersigned Applicant, or where appropriate the undersigned officer 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 24 day of Feb., 1997 by _____
Ted Adent _____, who is/are personally known to me or who has/have produced _____
_____ as identification.

Theodore A Adent
Leslie A Adent
Applicant Name (Print or Type)
T.A. Adent Leslie Adent
Signature of Applicant
917 70th Dr. East
Street Address
Sarasota, Fl. 34243
City, State, Zip Code
941-739-9994
Telephone Number

Carol V. Huizer
Notary Public
Carol V. Huizer
Name Typed or Printed
4-30-2000
My Commission Expires

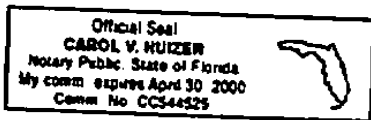


EXHIBIT "A"

LAW OFFICE OF
THOMAS M. FITZGIBBONS

TELEPHONE
(813) 963-5837

1800 SECOND STREET
SUITE 880
SARASOTA, FLORIDA 34236

TELECOPIER
(813) 961-0279

February 26, 1997

Transportation Department, Land Acquisition
4412 66th Street West
Bradenton, FL 34210

RE: Lot 26, Block A, Sarabay Woods, a Subdivision as per plat thereof recorded in Plat Book 24, pages 34 through 37, Public Records of Manatee County, Florida.

To Whom it May Concern::

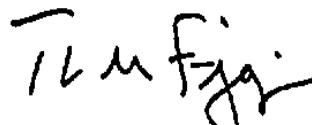
In accordance with instructions from my clients, Mr. and Mrs. Theodore Adent, I have reviewed the public records pertaining to the above parcel in order to render the title opinion set forth in this letter. The examination of title has disclosed the following facts, in my opinion:

1. **Owners of Record.** The owners of record of the above parcel are Theodore A. Adent and Leslie A. Adent who hold title as tenants by the entireties.
2. **Outstanding Mortgages.** A mortgage on the property is held by SunTrust Bank, Southwest, Florida by virtue of a mortgage made May 10, 1996 in Official Records Book 1487, pages 3528 et seq., Public Records of Manatee County, Florida. No other mortgages appear of record.
3. **Restrictions.** The property is restricted by that certain Declaration of Covenants, Conditions, Restrictions and Easements together with exhibits recorded in Official Records Book 1215, page 2171, et seq., Public Records of Manatee County, Florida, and are attached hereto as Exhibit "A".
4. **Easements.** The following easements pertain to the property and originate from the Plat of Sarabay Woods recorded in Plat Book 24, pages 34 - 37, Public Records of Manatee County, Florida, a copy of which is attached hereto as Exhibit "B":

- A. Easement of 5 feet along side lot lines reserved for utilities and drainage;
- B. A strip of land being 10 feet wide lying 10 feet inside all front lot lines, being parallel and adjacent to all right-of-way lines for utility easements;

- C. A strip of land being 5 feet wide, being parallel and adjacent to the 42 foot right-of-way line of Pennsylvania Avenue for utility easement; and
- D. A 10 foot drainage easement along the rear of Lot 26, Block A.

Sincerely,

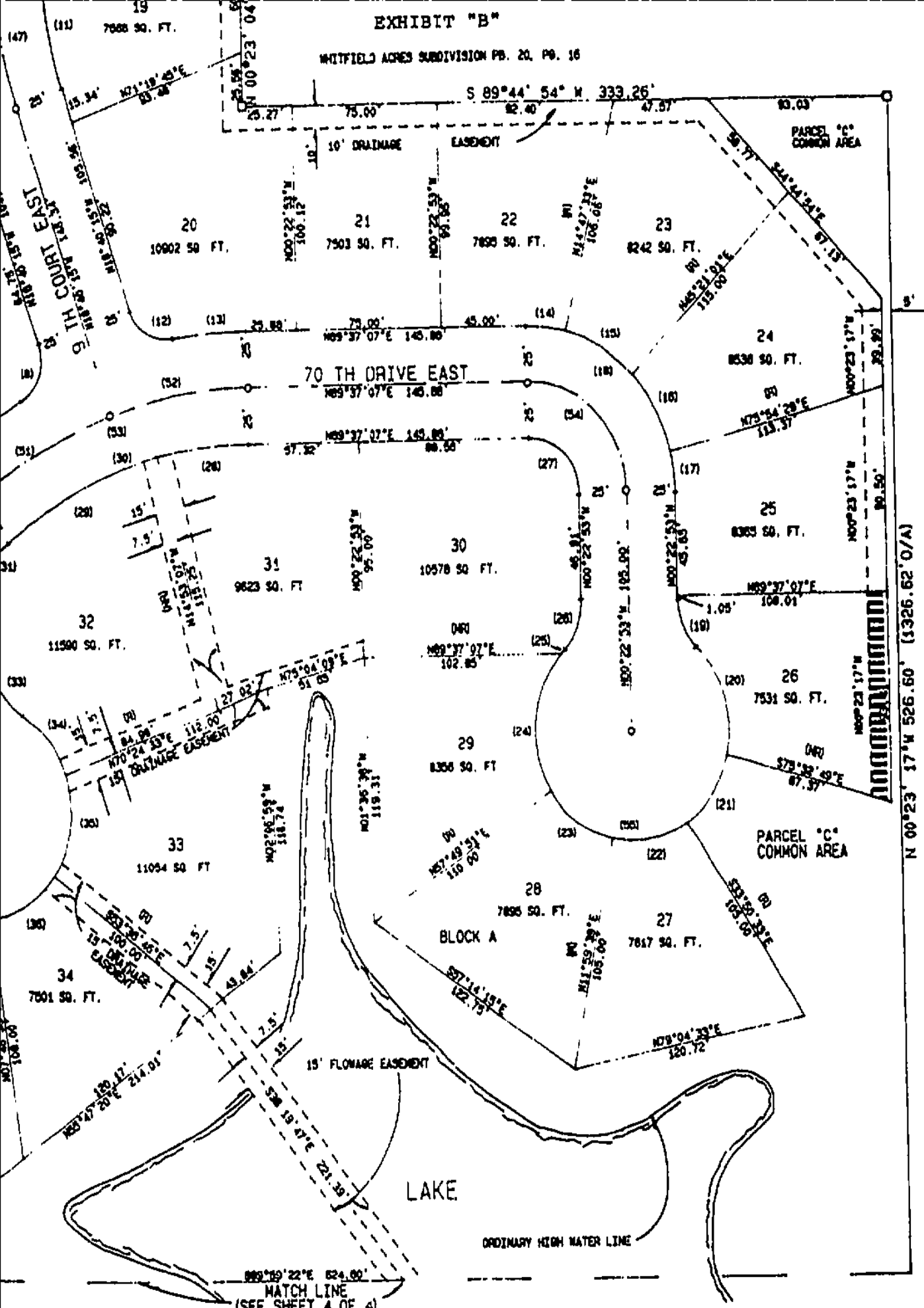


Thomas M. Fitzgibbons

TMF/egs
Enclosures
cc: Mr. and Mrs. Theodore A. Adent

EXHIBIT "B"

WHITFIELD ACRES SUBDIVISION PB. 20, PG. 16



N 00°23'17\"/>

UNPLATTED

LEGEND - [Hatched pattern] AREA TO BE VACATED

1534

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 _____
THEODORE A. ADENT, who, after having been first
duly sworn and put upon oath, says as follows:

1. That he/she is the OWNER
(owner, agent for owner, attorney in fact for owner, etc.) of the
property identified in the application for Official Street Vacation
No. 97-V-05 Resolution No. R-97-57-V, to be heard on May 27, 1997
, 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: In the front of the house,
8' from the road edge and 9' from the south property line.
The bottom edge of the sign is 12" from grade. The sign faces
toward the west.

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 30th day
of April, 1997.

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.

Theodore A. Adent
Affiant's Signature

SWORN TO AND subscribed before me on this 5 day of
May, 1997, who is/are personally known to me or who
has/have produced _____ as identification.

Carol V. Huizen
NOTARY PUBLIC

Name TYPED OR Printed
CAROL V. HUIZEN
Notary Public, State of Florida
My comm. expires April 30 2000
Comm No CC544525

R-97-57-V
SARABAY WOODS EASEMENT VACATION

CONTIGUOUS PROPERTY OWNER LIST

| | |
|--|---|
| SARABAY WOODS HOMEOWNERS ASSOCIATION INC. 3900 BELLE OAK BLVD. LARGO, FL. 33541 | DENTICI, SALVATORE & LISA 915 70TH DRIVE EAST SARASOTA, FL. 34243 |
| ROBERTSON, BARBARA STEWART 923 70TH DRIVE EAST SARASOTA, FL. 34243 | KING, RONALD & JOAN ALICEA 920 70TH DRIVE EAST SARASOTA, FL. 34243 |
| SZENTI, TIBOR P. 918 70TH DRIVE EAST SARASOTA, FL. 34243 | COLLINS, MICHAEL L. & KAREN M. 916 70TH DRIVE EAST SARASOTA, FL. 34243 |
| EVERHART, BETTY M. 7012 MADONNA PLACE SARASOTA, FL. 34243 | FRELINGHUYSEN, ROSELYNE DEV. 170 PROSPECT AVENUE PRINCETON, N.J. 08540 |

R-97-57-V

SARABAY WOODS EASEMENT VACATION

NOTICE OF RESOLUTION VACATING CERTAIN STREETS,
ROADS OR OTHER APPROPRIATE PROPERTY

Notice is hereby given that a Resolution Vacating Certain Streets, Roads or Other Appropriate Property was adopted by the Board of County Commissioners of Manatee County, Florida, on the 27TH day of MAY, 1997, vacating abandoning, discontinuing and closing all of that part or portion of the particular streets, roads or other appropriate property in an unincorporated area of Manatee County, Florida, described as follows:

SEE EXHIBIT "A" ATTACHED

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

EXHIBIT "A"

THE WEST FIVE FEET OF A TEN FOOT DRAINAGE EASEMENT LYING AT THE REAR OF LOT 26, BLOCK A, SARABAY WOODS, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGES 34 THROUGH 37, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

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 Hearing

_____ in the _____ Court,
was published in said newspaper in the issues of
4/30, 5/8, '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 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 _____ day of _____, 19____

BEAL & Notary Public

1539

Personally Known _____ or Produced Identification _____
Type of Identification Produced _____

**SARABAY WOODS
DRAINAGE VACATION
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 THEODORE A. AND LESLIE A. ADENT.
WHEREAS, said Application asks 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:
THE WEST 5 FEET OF A TEN FOOT DRAINAGE EASEMENT LYING AT THE REAR OF LOT 2, BLOCK A, SARABAY WOODS, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGE 24 THROUGH 27, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
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 10:00 a.m., or as soon thereafter as same may be heard, on the 27th day of MAY, 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 218.01(2), 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 purpose he may need to secure 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 the public hearing are in effect pursuant to Resolution 64-90. Copies of this Resolution are available for review at the Citizens Action Center on the sixth floor of the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida, and are available for purchase from the County Administrator's Office at cost.
BULKY ADOPTED, with a motion passed and carried, this the _____ day of _____, 19____.
The
Board of
County Commissioners
of Manatee County, Florida
By _____ Chairman
ATTEST: R.S. SHORE
Clerk of Circuit Court
4/26, 5/8, '97