

**RESOLUTION R-97-99**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA ESTABLISHING A TRUST AND AGENCY ACCOUNT FOR THE POSSIBLE ACQUISITION OF CERTAIN REAL PROPERTY; DESIGNATING A TRUSTEE; SETTING FORTH CERTAIN TERMS, CONDITIONS AND LIMITATIONS ON THE TRUST AGENCY ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, citizens of Manatee County have expressed great concern about the protection of an environmentally sensitive and historically significant parcel of real property (the "Property"); and

WHEREAS, the Property belonging to the Diocese of Venice is located immediately east of DeSoto Memorial Highway and approximately 150 feet south of DeSoto Memorial National Park; and

WHEREAS, the Property is one of a few remaining undeveloped parcels in the area with diverse plant communities and serves as a habitat for certain protected species.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:**

1. There is hereby established a Trust and Agency Account (the "Account") on the County's books for the acceptance of grants and gifts toward the acquisition of the Property.
2. The Clerk of the Circuit Court and Comptroller is asked to serve as Trustee pursuant to the terms of this Resolution, and to evidence in writing his consent to serving as Trustee.
3. Gifts received in accordance with the provisions of this Resolution shall be credited to the Account and the Trustee shall keep a record of all contributions for the acquisition of the Property.
4. Once deposited into the Account, all gifts shall be deemed accepted in compliance with the requirements of Manatee County Ordinance No. 86-5.
5. All contributions shall be used only to acquire the Property and shall be held by the Clerk of the Circuit Court and Comptroller and applied only to the cost of acquisition of the Property or released as provided below:

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a. In the event a contract for the acquisition of the Property by the County or another entity eligible for charitable contributions under Section 170 of the Internal Revenue Code that has entered into an agreement with Manatee County Government providing for the maintenance and use of the Property in a manner that serves the public interest has been fully executed on or before May 13, 1998, the funds shall continue to be held until termination or performance of that contract by conveyance of the Property and applied to the acquisition costs for the Property.

b. Until such time as the Board of County Commissioners adopts a resolution dissolving the Account, at which point any contribution, plus interest earned while in the custody of the Trustee shall be returned to the donor by County check.

c. If the contract referenced in 4.a. above is terminated without conveyance of the Property.

6. This Resolution shall take effect upon adoption by the Board of County Commissioners of Manatee County.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: *David M. Glass*  
Chairman 5/13/97

ATTEST: R. B. SHORE

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

I hereby agree to serve as Trustee pursuant to this Resolution.

*R. B. Shore*  
R. B. Shore  
Clerk of the Circuit Court

Copies:

D. Kollfuss - C/Admin

Trainer

file audit

C/Atty

5/19/97

and