

R-97-138-V

WHISPERING PINES EASEMENT 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 Eric B. Robertson.

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 27th day of January, 1928, 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.

DELY ADOPTED, with a quorum present and voting, this the 16th day of December, 1917.

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

BY: Patricia M. Glass
Chairman

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

By: Jerry P. James
Deputy Clerk

DESCRIPTION: (DRAINAGE EASEMENT TO VACATE)

COMMENCE AT THE SOUTHEAST CORNER OF LOT 5, WHISPERING PINES, A RESUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGES 92-94, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THENCE, S89°58'47"W ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 63.59 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°58'47"W ALONG THE SAID SOUTH LINE A DISTANCE OF 36.84 FEET; THENCE, N50°36'45"W A DISTANCE OF 41.38 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID LOT 5; THENCE N39°23'15"E ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 15.00 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY LINE OF A PUBLIC DRAINAGE EASEMENT AS SHOWN ON SAID PLAT; THENCE S57°27'35"E ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 70.35 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 31, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

R-97-138-V
WHISPERING PINES EASEMENT VACATION

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

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

ERIC B. ROBERTSON, 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 5 Whispering Pines Resubdivision as recorded in Plat Book 24, pages 92-94, 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"**.

APPROVED IN OPEN SESSION
DEC 16 1997
MANATEE CO. PORT AUTHORITY

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 | II. Other Jurisdictions |
| 1. Transportation Department | 1. Electric Companies |
| a. Assistant Director | a. Florida Power & Light Co. |
| b. Engineering Division Manager | b. Peace River Electric Co-op |
| c. Highway Maintenance Manager | c. GTE Florida Incorporated |
| d. Storm Water Division Manager | 2. Cablevision Companies |
| e. Traffic Management Manager | a. Time Warner Communications |
| 2. Public Works Department | b. Comcast Cablevision |
| a. Utilities Engineer | c. U.S. Cable of Florida, Inc. |
| b. Water Section Manager | 3. Natural Gas Companies |
| c. Wastewater Section Manager | a. Peoples Gas System, Inc. |
| Public Safety Department | b. Florida Gas Transmission |
| 3. Department of Parks, Recreation
and Cultural Services | 4. Sheriff's Department |
| 4. Planning Department | 5. Fire District |
| a. Plans Implementation Administrator | |
| b. Growth Management Administrator | |
| 5. Building Department | |
| Project Management Department | |

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**

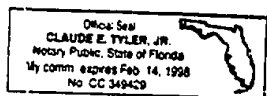
The undersigned Applicant, or where appropriate the undersigned officer of or attorney at law for the Applicant, having been first duly sworn deposes and says that the Applicant or said officer or attorney at law has read the foregoing Application and the exhibits attached thereof and knows the contents 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 30th day of June, 1997 by _____
ERIC B. ROBERTSON, who is/are personally known to me or who has/have produced _____
_____ as identification

Claude E. Tyler, Jr.
Notary Public
Claude E. Tyler, Jr.
Name Typed or Printed
February 14, 1998
My Commission Expires

ERIC B. ROBERTSON
Applicant Name (Print or Type)
[Signature]
Signature of Applicant
7707 17th AOE W.
Street Address
PRADETON FLA 34209
City, State, Zip Code
941 798 3630
Telephone Number



DESCRIPTION: (DRAINAGE EASEMENT TO VACATE)

COMMENCE AT THE SOUTHEAST CORNER OF LOT 5, WHISPERING PINES, A RESUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGES 92-94, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THENCE, S89°58'47"W ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 63.59 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°58'47"W ALONG THE SAID SOUTH LINE A DISTANCE OF 36.84 FEET; THENCE, N50°36'45"W A DISTANCE OF 41.38 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID LOT 5; THENCE N39°23'15"E ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 15.00 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY LINE OF A PUBLIC DRAINAGE EASEMENT AS SHOWN ON SAID PLAT; THENCE S57°27'35"E ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 70.35 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 31, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

HARRISON, HENDRICKSON, DOUGLASS & KIRKLAND, P.A.

ATTORNEYS AT LAW
1206 Manatee Avenue West
Bradenton, Florida 34205-7597
(941) 746 1167

DAVID S. BECKE
ANNE SHEFFER DOUGLASS
JAMES D. DY
DARRENA GILTT
GEORGE H. HARRISON
G. JOSEPH HARRISON
THOMAS W. HARRISON
ROBERT W. HENRICKSON III
W. NELSON KIRKLAND



Please Reply To
Post Office Box 400
Bradenton, Florida 34206-0400

Fax (941) 746 9229

July 24, 1997

Manatee County Public Works
Administration Office
4410 66th Street West
Bradenton, FL 34210-2611

Attn: Claude Tyler

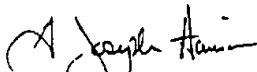
Re: DP# 39077.1030/9

Dear Mr. Tyler:

I have examined the Manatee County, Florida Public Records with respect to the referenced parcel, being Lot 5, Whispering Pines, a Resubdivision, as per plat thereof, recorded in Plat Book 24, Page 92, of the Public Records of Manatee County, Florida. Based upon my examination, it is my opinion that fee simple title to the referenced property appears to be vested in Eric B. Robertson.

Very truly yours,

HARRISON, HENDRICKSON,
DOUGLASS & KIRKLAND, P.A.


G. JOSEPH HARRISON

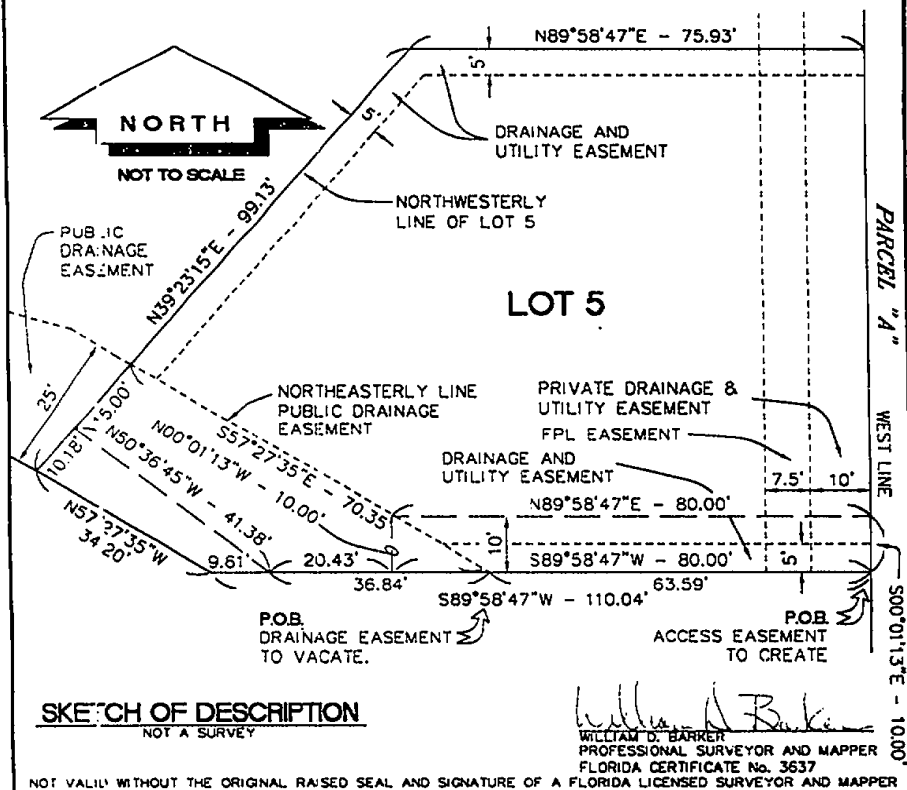
GJH:ps
cc: Eric B. Robertson

DESCR.PTION: (DRAINAGE EASEMENT TO VACATE)

COMMENCE AT THE SOUTHEAST CORNER OF LOT 5, WHISPERING PINES, A RESUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGES 92-94, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THENCE, $S89^{\circ}58'47''W$ ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 63.59 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE $S89^{\circ}58'47''W$ ALONG THE SAID SOUTH LINE A DISTANCE OF 36.84 FEET; THENCE, $N50^{\circ}36'45''W$ A DISTANCE OF 41.38 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID LOT 5; THENCE $N39^{\circ}23'15''E$ ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 15.00 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY LINE OF A PUBLIC DRAINAGE EASEMENT AS SHOWN ON SAID PLAT; THENCE $S57^{\circ}27'35''E$ ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 70.35 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 31, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

DESCR.PTION: (ACCESS EASEMENT TO CREATE)

BEGIN AT THE SOUTHEAST CORNER OF LOT 5, WHISPERING PINES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGES 92-94 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE $S89^{\circ}58'47''W$ ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 80.00 FEET; THENCE, $N00^{\circ}01'13''W$ A DISTANCE OF 10.00 FEET; THENCE, $N89^{\circ}58'47''E$ A DISTANCE OF 80.00 FEET TO THE INTERSECTION WITH THE WEST LINE OF PARCEL "A" AS SHOWN ON SAID PLAT; THENCE, $S00^{\circ}01'13''E$ ALONG SAID WEST LINE A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 31, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

**LOMBARDO & SKIPPER, INC.**

Consulting Engineers, Surveyors and Planners

P.O. Box 188 • 825 4th Street West • Palmetto, Florida 34221 • (941) 722-4561

Board of Professional Surveyors and Mappers Certificate of Authorization LB 2241

