

R-97-156-V
 MYAKKA CITY STREET 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 M.T. FANCHER.

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 25TH day of NOVEMBER, 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 4th day of November, 1997.

BOARD OF COUNTY COMMISSIONERS
 OF MANATEE COUNTY, FLORIDA

BY: Steven D. Blue
 Chairman

ATTEST: R. D. SHORE
 Clerk of Circuit Court

R. D. Shore
 Clerk of Circuit Court

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COPIES TO:
Land Ac. Dept. Staples
County Clerk
Official Audit

DATE 11-4-97
 BY JK

R-97-156-V
MYAKKA CITY STREET VACATION (FANCHER)

EXHIBIT "A"

That certain 10.0 foot wide Alley running North and South through the center of Block 61 of said Plat of "Myakka City", bounded on the West by Lots 1 through 11 of said Block 61; on the East by Lots 12 through 22 said Block 61; also bounded on the North by that certain Right-of-way identified as "Bradenton-Arcadia Road", and on the South by that certain Right-of-Way identified as "Roosevelt Road" on said Plat.

ALSO:

That portion of that certain 50 foot wide Right-of-Way shown on said Plat as "Roosevelt Road" being bounded on the North by Lot 12, Block 61, on the South by Lots 15, 16, and 17, Block 75, on the West by the Northerly extension of the West line of said Lot 15, and on the East by the Right-of-Way of "Wauchula Road", as shown on said Plat of "Myakka City", all being in Section 13, Township 36S, Range 21 E of Manatee County, Florida.

R-97-156-V
MYAKKA CITY STREET VACATION (FANCHER)

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

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

M. T. FANCHER, 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

Lots 15, 16 & 17, Block 75, Plat of Myakka City, being in Section 13, Township 36S, Range 21 E, as per the plat thereof recorded in Plat Book 3, Page 12, of the Public Records of Manatee County, Florida.

Lots 12 and 13, Block 61, Plat of Myakka City, being in Section 13, Township 36S, Range 21 E, as per the plat thereof recorded in Plat Book 3, Page 12, 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 | 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. |
| 3. Public Safety Department | b. Florida Gas Transmission |
| 4. Department of Parks, Recreation
and Cultural Services | 4. Sheriff's Department |
| 5. Planning Department | 5. Fire District |
| a. Plans Implementation Administrator | |
| b. Growth Management Administrator | |
| 6. Building Department | |
| 7. 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

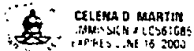
**STATE OF FLORIDA
COUNTY OF MANATEE**

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 22 day of July, 1997 by _____
M. T. Fancher, who is/are personally known to me or who has/have produced _____
_____ as identification

Celena D. Martin
Notary Public
Celena D. Martin
Name Typed or Printed
June 16, 2000
My Commission Expires



M.T. FANCHER
Applicant Name (Print or Type)
M.T. Fancher
Signature of Applicant
3188 Bay St
Street Address
SARASOTA, FL
City, State, Zip Code 34237
941-953-5122
Telephone Number

R-97-156-V
MYAKKA CITY STREET VACATION (FANCHER)

EXHIBIT "A"

That certain 10.0 foot wide Alley running North and South through the center of Block 61 of said Plat of "Myakka City", bounded on the West by Lots 1 through 11 of said Block 61; on the East by Lots 12 through 22 said Block 61; also bounded on the North by that certain Right-of-way identified as "Bradenton-Arcadia Road", and on the South by that certain Right-of-Way identified as "Roosevelt Road" on said P.at.

ALSO:

That portion of that certain 50 foot wide Right-of-Way shown on said Plat as "Roosevelt Road" being bounded on the North by Lot 12, Block 61, on the South by Lots 15, 16, and 17, Block 75, on the West by the Northerly extension of the West line of said Lot 15, and on the East by the Right-of-Way of "Wauchula Road", as shown on said Plat of "Myakka City", all being in Section 13, Township 36S, Range 21 E of Manatee County, Florida.

FUND COMMITMENT FORI

SCHEDULE A

Commitment No.: 2297502

Effective Date: FEBRUARY 13, 1997
AT 11:00 PM

Agent's File Reference: 1496

1. Policy or Policies to be issued: Proposed Amount of Insurance

OWNER'S OPM \$ 18,000.00

Proposed Insured: M.T. Fancher

MORTGAGEE: MP \$ 17,600.00

Proposed Insured: Liberty National Bank
its successors and/or assigns, as their interest may appear

2. The estate or interest in the land described or referred to in this commitment is a fee simple (if other, specify same) and title thereto is at the effective date hereof vested in:

Christine Bazemore, Inc. As to Parcel 2: Ronnie Conner a married man.

3. The land referred to in this commitment is described as follows.

Parcel 1:
Lots 15, 16 & 17, Block 75, Plat of Myakka City, Plat Book 3, Page 12, being in Section 13, Township 36S,
Range 21E, Manatee County, Florida.Parcel 2:
Lots 12 and 13, Block 61, Plat of Myakka City, Section 13, Township 36, Range 21, as per plat thereof
recorded in Plat Book 3, Page 12, Public Records Manatee County, Florida.

ISSUING AGENT

Barnes Walker, Chartered

ATTORNEY OR FIRM OF ATTORNEYS

20046

AGENT NO



AGENT'S SIGNATURE

116

3119 Manatee Ave., West
MAILING ADDRESSBradenton, Florida
CITY34205
ZIP

FUND COMMITMENT FORM

SCHEDULE B - SECTION 1

1496

Commitment No.: 2297502

The following are the requirements to be complied with:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
2. Instruments creating the estate or interest to be insured must be executed, delivered and filed for record:

As to Parcel 1:

A. Warranty Deed given by Christine Bazemore, Inc., a Florida Corporation, to Proposed Insured Owner conveying the land described in Schedule "A".

B. Mortgage given by M.T. Fancher, surviving spouse of Richard J. Fancher, to Liberty National Bank, in the amount of \$17,600.00.

As to Parcel 2:

A. Warranty Deed given by Ronnie Conner, a married man, to Proposed Insured Owner, conveying the land described in Schedule "A".

B. Mortgage given by M.T. Fancher, surviving spouse of Richard J. Fancher, to Liberty National Bank, in the amount of \$17,600.00.

FUND COMMITMENT FORM

SCHEDULE B - SECTION 2

1496

Commitment No. 2297502

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Fund:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
2. Any owner policy issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof. Any mortgagee policy will contain under Schedule B the standard exceptions unless an affidavit of possession and a satisfactory current survey are submitted, and inspection of the premises is made, it is determined the current year's taxes or special assessments have been paid, and it is determined there is nothing of record which would give rise to mechanics' liens which could take priority over the mortgage (where the liens would otherwise take priority, submission of waivers is necessary).
3. Any owner policy issued pursuant hereto will contain under Schedule B the following exception. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.

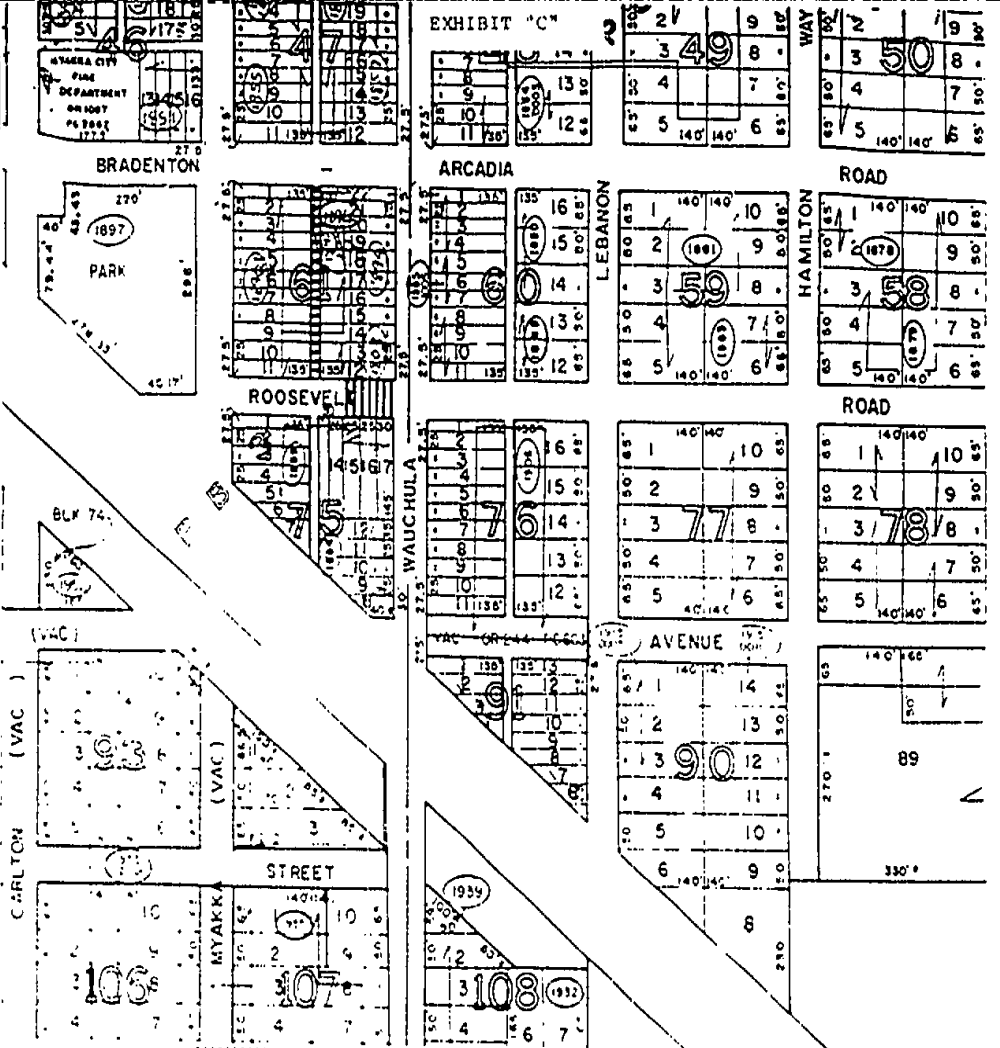
ADDITIONAL EXCEPTIONS

As to Parcel 1:

- A. Personal property is neither guaranteed nor insured.
- B. All matters shown on the Plat as recorded in Plat Book 3, Page 12, of the Public Records of Manatee County.
- C. Riparian and littoral rights are not insured.
- D. Title to the beds or bottoms of lakes, rivers or other bodies of water located on or within the subject property.
- E. This policy excepts the following items shown on the survey:
 - a. Metal Shed
 - b. TV Antenna and underground TV line
 - c. Clothesline
 - d. Hog wire fencing
 - e. Fence post southwest corner
 - f. Overhead utility line
- F. Taxes for the year 1997 and subsequent years which are not yet due and payable. DP No. 1904.0000/2. Gross taxes for 1996, \$84.92, are paid.

As to Parcel 2:

- A. Personal property is neither guaranteed nor insured.
- B. All matters shown on the Plat recorded in Plat Book 3, Page 12, of the Public Records of Manatee County, Florida, including roads and easements dedicated thereon.
- C. Taxes for 1996 which are now due and payable, and 1995 which are delinquent. DP No. 1893.0000/7. The Gross amount for 1996 is \$66.33 and due for 1995 is \$97.54.



R-97-156-V

MYAKKA CITY STREET VACATION

COMMISSIONER:
JONATHAN BRUCE

SECTION: 13
TOWNSHIP: 36
RANGE: 21



SCALE: 1" = 200'