

R-97-227-V
ROYAL PALM GARDENS PLAT 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 McClure Properties, Ltd.

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, 1998, 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 16th day of December, 1997.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Percy D. Glass
Chairman

ATTEST: R.B. SHORE
Clerk of Circuit Court

By: Jay P. Sumner
Deputy Clerk

copy to:
County Atty.
12/23/97
plm

EXHIBIT "A"

R-97-227-V
ROYAL PALM GARDENS PLAT VACATION
LEGAL DESCRIPTION

ALL OF ROYAL PALM GARDENS SUBDIVISION, AS PER PLAT THEREOF
RECORDED IN PLAT BOOK 5, PAGE 17, OF THE PUBLIC RECORDS OF MANATEE
COUNTY, FLORIDA LYING IN THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4, SECTION
9, TOWNSHIP 35 SOUTH, RANGE 18 EAST, LESS AND EXCEPT THE EAST 1/2 OF
LOTS 18, 42, 66, AND 90 AND ALL OF LOTS 19, 20, 43, 44, 67, 68, 91, AND 92 THEREOF,
AND ALSO EXCEPT THE RIGHTS-OF-WAY OF 45TH STREET EAST, 51ST STREET
EAST, AND 44TH AVENUE EAST, AS RECORDED IN SAID PLAT, ALSO EXCEPT
THAT PORTION OF 45TH STREET EAST RECORDED IN ROAD PLAT BOOK 4, PAGES
1 THROUGH 25 AND 51ST STREET EAST AS RECORDED IN ROAD PLAT BOOK 9,
PAGES 1 THROUGH 17 OF THE PUBLIC RECORDS OF MANATEE COUNTY,
FLORIDA.

3421

Copy to:
J. Staples, Land Acq.
12/18/97 - gsm

1 Cert of Mgmt Royal Palm Gardens
1/22/98
gsm

R-97-227-V
ROYAL PALM GARDENS PLAT VACATION

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

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

McClure Properties, Ltd., 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 APN 16977 0000 1

The NE 1/4; NW 1/4 of the SE 1/4, and the N 1/4 of the SW 1/4 of the SE 1/4, Section 9, Township 35 South, Range 18 East; less the East 1/2 of Lots 18, 42, 66, and 90 and all of Lots 19, 20, 43, 44, 67, 68, 91, and 92, Royal Palm Gardens Subdivision, as per plat thereof recorded in Plat Book 5, page 17, 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. Transportation Systems Manager
 - b. Transportation Operations Manager
 - c. Field Operations Manager
2. Public Works Department
 - a. Storm Water Engineer
 - b. Highway Superintendent
 - c. Utilities Engineer
 - d. Water Section Manager
 - e. Wastewater Section Manager
3. Emergency Medical Service
4. Department of Parks, Recreation and Cultural Services
5. Planning Department
 - a. Plans Implementation Administration
 - b. Growth Management Administration
6. Building Department
7. Project Management Department

II. Other Jurisdictions

1. Electric Companies
 - a. Florida Power & Light Company
 - b. Peace River Electric Co-Op
 - c. GTE Florida, Inc.
2. Cablevision Companies
 - a. TimeWarner Communications
 - b. Cablevision of Palmetto
 - c. Comcast Cablevision
 - d. U.S. Cable of Florida, Inc.
3. Natural Gas Companies
 - a. Peoples Gas Systems
 - b. Florida Gas Transmission
4. Manatee County Sheriffs' Department
5. Fire Department 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 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 thereto 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

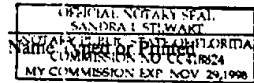
By executing this application, I acknowledge that I am familiar with the Rules of Procedure which apply to the boards or commissions which will act on my application and that I have read and understand such Rules of Procedure

Sworn to and subscribed before me, this the 24 day of OCT., 1997 by _____

DAN P. McCLURE, who is/are personally known to me or who has/have produced _____

N/A as identification

Sandra J. Stewart
Notary Public



My Commission Expires

McClure Properties, Ltd.
Applicant Name (Print or Type)
[Signature]
Signature of Applicant
4014 Gunn Highway, Suite 250
Street Address
Tampa, FL 33624
City, State, Zip Code
813-265-3343
Telephone Number

EXHIBIT "A"

**R-97-227-V
ROYAL PALM GARDENS PLAT VACATION
LEGAL DESCRIPTION**

ALL OF ROYAL PALM GARDENS SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 17, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA LYING IN THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4, SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST, LESS AND EXCEPT THE EAST 1/2 OF LOTS 18, 42, 66, AND 90 AND ALL OF LOTS 19, 20, 43, 44, 67, 68, 91, AND 92 THEREOF, AND ALSO EXCEPT THE RIGHTS-OF-WAY OF 45TH STREET EAST, 51ST STREET EAST, AND 44TH AVENUE EAST, AS RECORDED IN SAID PLAT, ALSO EXCEPT THAT PORTION OF 45TH STREET EAST RECORDED IN ROAD PLAT BOOK 4, PAGES 1 THROUGH 25 AND 51ST STREET EAST AS RECORDED IN ROAD PLAT BOOK 9, PAGES 1 THROUGH 17 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.



First American Title Insurance Company

SARASOTA OFFICE

2620 South Tamiami Trail / Suite 300 / Sarasota, Florida 34239 / (941) 951-0224 / Fax (941) 954-3235

TITLE OPINION

September 25, 1997

Mr. Scott Griffith
Pulte Home Corporation
4014 Gunn Highway, Suite 250
Tampa, Florida 33624

RE: McClure Trust

Mr. Griffith:

Pursuant to the requirements of Florida Statutes, Chapter 177, and Manatee County Land Development Regulations, you are advised that, in our opinion, the fee simple marketable title of those lands described in Exhibit "A" attached hereto is vested in:

McCLURE PROPERTIES, LTD., a Florida limited partnership, as Trustee

Subject to the following matters and exceptions:

- (1) Resolution Approving Special Road Assessment recorded July 28, 1992 in O.R. Book 1385, Page 4049, Public Records of Manatee County, Florida.
- (2) Ad Valorem Real Estate Tax Data: Tax ID#/DP# 16977.0000/1. 1996 gross amount is \$3,308.77. 1996 real property taxes are paid.

DATED EFFECTIVE September 22, 1997.

FIRST AMERICAN TITLE
INSURANCE COMPANY

By: Richard L. Miller
Richard L. Miller
Operations Manager

RLM/smg
E:cl.

FIRST AMERICAN TITLE INSURANCE COMPANY

2620 SOUTH TAMiami TRAIL, SUITE 300

SARASOTA, FLORIDA 34239

Telephone: (941) 951-0224

Facsimile: (941) 954-3235

MO9709010

Exhibit "A" - Legal Description

IN SECTION 9; THE NW 1/4 OF THE SE 1/4 AND THE N 1/4 OF THE SW 1/4 OF THE SE 1/4; AND THE NE 1/4 LESS THE FOLLOWING DESCRIBED LOTS IN ROYAL PALM GARDENS, TO WIT; THE E 1/2 OF LOT 18, LOTS 19 AND 20; THE E 1/2 OF LOT 42, LOTS 43 AND 44, THE E 1/2 OF LOT 66, LOTS 67 AND 68, THE E 1/2 OF LOT 90, LOTS 91 AND 92, AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 17, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, ALL IN TOWNSHIP 35 SOUTH, RANGE 18 EAST. LESS ROAD RIGHT OF WAY.

