

RESOLUTION R-04-24-V

**A RESOLUTION VACATING PORTION OF A PLATTED EASEMENT
PURSUANT TO SECTION 177.101, FLORIDA STATUTES, AND SECTION 911
OF THE MANATEE COUNTY, FLORIDA, LAND DEVELOPMENT CODE**

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 **Scott Kolbe and Stacy Kolbe, Husband and Wife**; and

WHEREAS, the County and other affected agencies and utility companies have reviewed the Application and have no objection to the requested vacation; and

WHEREAS, following analysis of the Application, approval of said vacation is determined to be consistent with the County's Land Development Code and Comprehensive Plan objectives; and

WHEREAS, a Resolution Declaring Notice of Public Hearing on said Application was duly adopted by said Board of County Commissioners, and notice of the public hearing was duly published in a newspaper of general circulation in Manatee County, Florida; and

WHEREAS, all conditions precedent and necessary to vacate said property have been met and the Application satisfies the minimum technical requirements of the County's Land Development Code and pertinent Florida Statutes; 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; and

WHEREAS, said Board of County Commissioners has determined that vacating said property would not be in derogation of the public rights or needs of the County of Manatee, Florida.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Manatee County, Florida, that:

1. There is hereby vacated 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 Chapter 177.101, Florida Statutes, pertaining to subdivision plats and land boundaries, described as follows:

See EXHIBIT "A" Attached Hereto

2. No portion of the above described property to be vacated constitutes or was acquired for a state or federal highway, nor will the vacation of the property deprive any person, firm, corporation or other entity of its legal right of ingress and egress to any property whether abutting the property to be vacated or not.

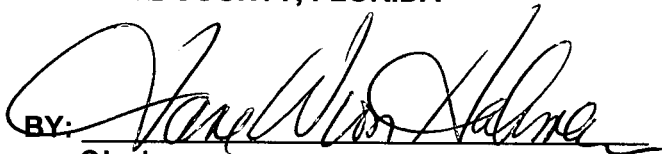
3. The real property containing or abutting the property to be vacated is not subject to any delinquent or unpaid ad valorem taxes, special assessments, or other improvement liens.

4. The above-identified petitioner has given notice of their application to the governing body of the County to vacate said street and 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 (2) weekly issues of said paper, and attached to the petition for vacation the proof of such publications.

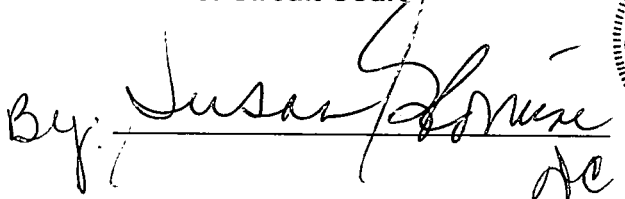
5. Any right of the County of Manatee, Florida, and the public in and to the above described real property is hereby renounced and disclaimed.

DULY ADOPTED, with a quorum present and voting, this 14th day of September 2004.

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

BY: 
Chairman

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

By: 
AC.

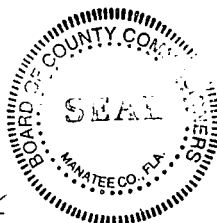


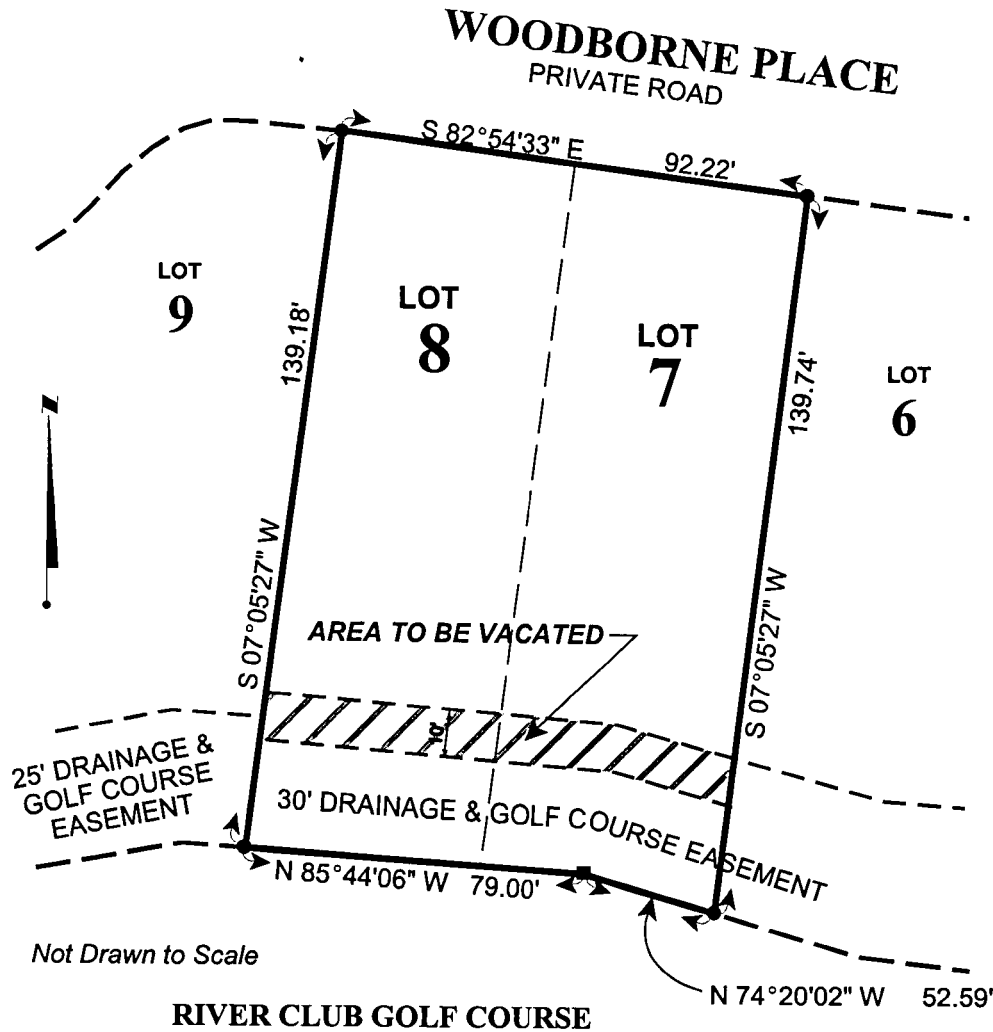
EXHIBIT "A"

**DESCRIPTION & SKETCH
OF
DRAINAGE & GOLF COURSE
EASEMENT TO BE VACATED**

**LOTS 7 & 8, WOODBORNE TERRACE
SUBDIVISION**

PLAT BOOK 34, PAGES 154 - 157

LOCATED IN
SECTION 19, TOWNSHIP 35 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA



DESCRIPTION OF DRAINAGE & GOLF COURSE EASEMENT TO BE VACATED:

The northerly 10 feet of that particular 30-foot wide Drainage & Golf Course Easement situated on Lots 7 and 8, Woodborne Terrace Suidivision, as per plat thereof, recorded in Plat Book 34, Pages 154 through 157, of the public records of Manatee County, Florida.

All lying in Section 19, Township 35 South, Range 19 East, Manatee County, Florida.

BRADENTON HERALD

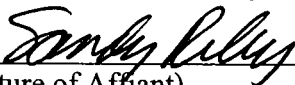
www.bradenton.com
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a 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 **NOTICE OF PUBLIC HEARING** in the Court, was published in said newspaper in the issues of, **8/13,20, 2004**

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.


(Signature of Affiant)

Sworn to and subscribed before me this
23rd Day of August, 2004

DIANE S. BACRO
Notary Public, State of Florida
My comm. exp. Aug. 15, 2007
Comm. No. DD 206531


SEAL & Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF PUBLIC HEARING R-04-24-V APPLICATION TO VACATE CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY

NOTICE IS HEREBY GIVEN, pursuant to Section 177.101, Florida Statutes, and Section 911, Manatee County Land Development Code, that the Board of County Commissioners will hold a public hearing on the 14th day of September, 2004, at 9:00 a.m. (or as soon thereafter as may be heard) in the Commissioners' Chambers, 1st Floor, Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon an Application made by Scott Kolbe and Stacy Kolbe, Husband and Wife, for the vacation of the hereinafter described property. Said Application seeks the vacation of a portion of a platted, drainage and golf course easement located at 10128 Woodborne Place, Bradenton, an unincorporated area of Manatee County, Florida, being further described as follows:
THE NORTHERLY 10 FEET OF THAT PARTICULAR 30-FOOT WIDE DRAINAGE & GOLF COURSE EASEMENT SITUATED ON LOTS 7 AND 8, WOODBORNE TERRACE SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGES 154 THROUGH 157, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
ALL LYING IN SECTION 19, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.
All interested parties are invited to appear at this hearing and be heard. Additionally, any comments filed with the Director of the Transportation Department will be considered by the Board of County Commissioners and entered into the record. The Application and other information regarding the Application are available for public inspection at the offices of the Transportation Department, Land Acquisition Division, 1032 26th Avenue East,

Bradenton, Florida, from 7:30 a.m. to 4:30 a.m., Monday through Friday. Interested parties may obtain assistance regarding this matter by calling 708-7400, extension 7233, during normal business

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 Citizen's Action Center, Ninth Floor, County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida, and are available for purchase, at cost, from the County Administrator's Office. In accordance with Section 286.0105, Florida Statutes, any person desiring to appeal any decision made with respect to any matter considered at said public hearing will need a record of the proceedings, and, for such purposes, 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. The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This nondiscrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodations for this meeting as provided for in the Americans with Disabilities Act, should contact the Citizen's Action Center at 742-5800; TDD ONLY 742-5803; and wait 60 seconds; or FAX 745-3790.
SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.
BOARD OF COUNTY COMMISSIONERS
Transportation Department
Manatee County, Florida
3/13,20,04

R-04-24-V

VACATION OF CERTAIN PLATTED PROPERTY

AFFIDAVIT ATTESTING TO THE POSTING OF PUBLIC NOTICE
SIGNAGE AND WRITTEN NOTIFICATIONS

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE ME, the undersigned notary public, personally appeared Mark P. Barnebey, who after having been first duly sworn and put upon oath, deposes and says:

1. That he/she is the ^{Attorney in Fact and} Agent for the Owner (property owner or corporate officer, general partner, attorney in fact or agent for the owner) of the property identified in the application for Official Plat Vacation and to be heard as Resolution No. R-04-24-V by the Board of County Commissions, Manatee County, Florida, on the **14th day of September 2004**, and, as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein and attests they are true and correct.

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 that **the sign was conspicuously posted as follows** (note location below):

10128 Woodborne Place, Bradenton, Florida

Also,

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 20th day of August** 2004. A list of contiguous property owners, mailing addresses and applicable property identification numbers is attached.

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.

Mark P. Barnebey
Signature of Affiant

SWORN TO AND subscribed before me on this 27th day of August 2004, who is personally known to me or who has/have produced _____ as identification.



Jennifer L. Davis
MY COMMISSION # DD154519 EXPIRES
December 2, 2006
BONDED THRU TROY FAIN INSURANCE, INC.

Jennifer L. Davis
NOTARY PUBLIC

Name Typed or Printed

Parcel ID	Site Address	Owner	Mailing Address	Mailing Address2	Mailing Address3	City State Zip	PostCd Country
1	1901545200 NO ASSIGNED ADDRESS	BRADEN WOODS PHASE VI	PMB 159	7282 55TH AVE E		BRADENTON FL 34203	
2	583828553 10009 CLUBHOUSE DR	GRAINGER, JAMES R	10009 CLUBHOUSE DRIVE			BRADENTON FL 34202	
3	583828603 10103 CLUBHOUSE DR	HORAGUCHI, HIDEO	10103 CLUBHOUSE DRIVE			BRADENTON FL 34202	
4	583829007 10207 CLUBHOUSE DR	RIVER CLUB GOLF COURSE INC	6600 RIVER CLUB BLVD			BRADENTON FL 34202	
5	583836069 10216 WOODBORNE PL	GEORGIOU, GUS	4520 CHERRYBARK CT			SARASOTA FL 34241	
6	583836159 10210 WOODBORNE PL	THORNTON, VIRGINIA A	10210 WOODBORNE PL			BRADENTON FL 34202	
7	583836209 10204 WOODBORNE PL	RHODES, CHERYL T	10204 WOODBORNE PL			BRADENTON FL 34202	
8	583836259 10140 WOODBORNE PL	ZUPA DEVELOPEMENT CORPORATION	4657 STONE RIDGE TR			SARASOTA FL 34232	
9	583836309 10134 WOODBORNE PL	ZUPA DEVELOPEMENT CORPORATION	4657 STONE RIDGE TR			SARASOTA FL 34232	
10	583836369 10128 WOODBORNE PL	KOLBE, SCOTT L	7672 39TH STREET CIR E			SARASOTA FL 34243	
11	583836459 10116 WOODBORNE PL	FINKELSTEIN, ROBERT P	11913 WHISTLING WAY			BRADENTON FL 34202	
12	583836509 10110 WOODBORNE PL	FINKELSTEIN, ROBERT P	11913 WHISTLING WAY			BRADENTON FL 34202	
13	583836559 10104 WOODBORNE PL	FINKELSTEIN, ROBERT P	11913 WHISTLING WAY			BRADENTON FL 34202	
14	583836619 10117 WOODBORNE PL	HENSE, WARREN R	10117 WOODBORNE PLACE			BRADENTON FL 34202	
15	583836689 10127 WOODBORNE PL	EARLL, GRANT	411 25TH AVE SW			ALTOONA IA 50009	
16	583836809 10139 WOODBORNE PL	ZUPA DEVELOPEMENT CORPORATION	4657 STONE RIDGE TR			SARASOTA FL 34232	
17	583836859 10143 WOODBORNE PL	ZUPA DEVELOPEMENT CORPORATION	4657 STONE RIDGE TR			SARASOTA FL 34232	
18	583836909 10147 WOODBORNE PL	ZUPA DEVELOPEMENT CORPORATION	4657 STONE RIDGE TR			SARASOTA FL 34232	

Parcel Owners In 350 Foot Buffer Around a Parcel

Parcel ID	Site Address	Owner	Mailing Address	Mailing Address2	Mailing Address3	City State Zip	PostCd Country
19 583836959	10205 WOODBORNE PL	ZUPA DEVELOPEMENT CORPORATION	4657 STONE RIDGE TR			SARASOTA FL 34232	
20 583837109	10217 WOODBORNE PL	ZUPA DEVELOPEMENT CORPORATION	4657 STONE RIDGE TR			SARASOTA FL 34232	
21 583837159	NO ASSIGNED ADDRESS	FAIRWAYS OF RIVER CLUB INC	1921 18TH AVE N			ST PETERSBURG FL 33713	