

RESOLUTION R-04-27-V

A RESOLUTION VACATING A PORTION OF TRACT 28, SECTION 35, POMELLO PARK, THUS RETURNING SAID PROPERTY TO ACREAGE; PURSUANT TO SECTION 177.101, FLORIDA STATUTES, AND SECTION 911, LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA.

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 **Garrick Newman, Lori Osborne, Donald Booker and Christine Booker**; and

WHEREAS, petitioner's intended purpose is to satisfy County building codes for the creation of two individual building sites enabling the permitting for one single family residence on each; 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 8th day of June 2004.

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

BY: *Ken Gattman*
1st Vice Chairman

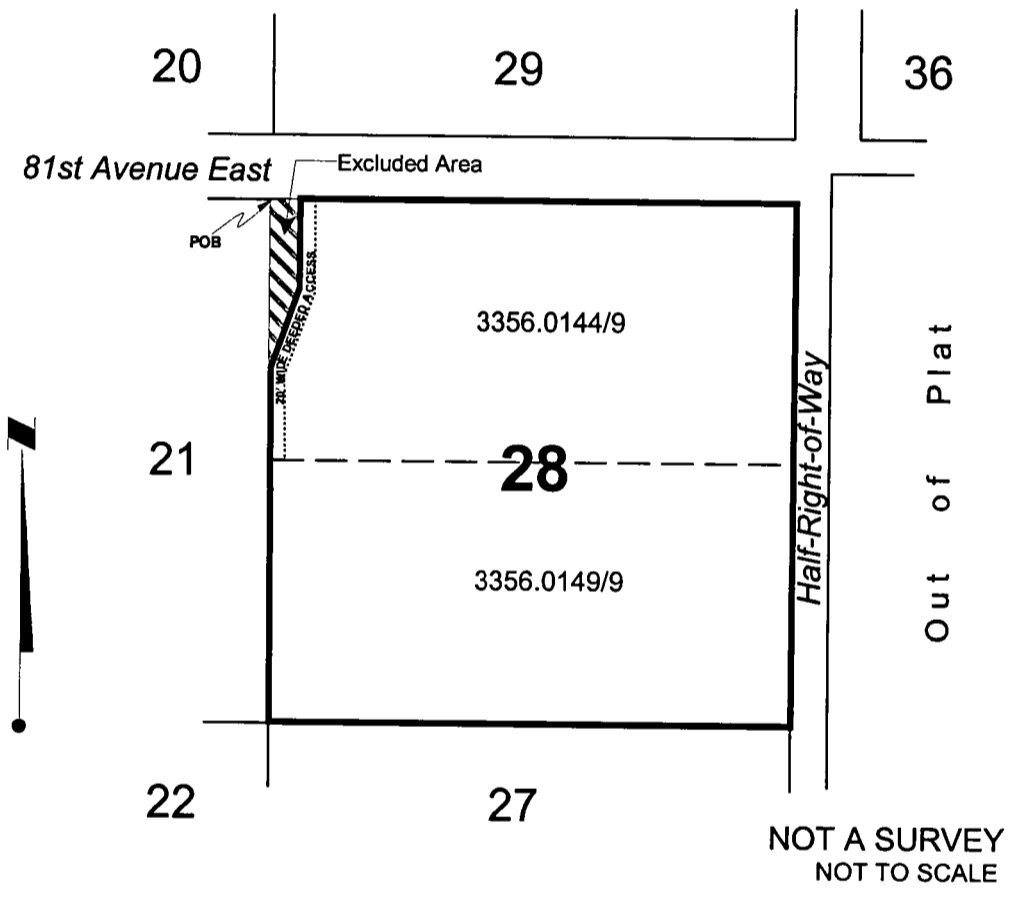
**ATTEST: R.B. SHORE
Clerk of Circuit Court**

R.B. Shore
Clerk



EXHIBIT "A"

DESCRIPTION & SKETCH OF TRACT TO BE VACATED TRACT 28, POMELLO PARK SUBDIVISION PLAT BOOK 6, PAGE 61 LOCATED IN SECTION 35, TOWNSHIP 35 SOUTH, RANGE 20 EAST MANATEE COUNTY, FLORIDA



DESCRIPTION OF AREA TO BE VACATED:

Tract 28, Section 35, POMELLO PARK as per plat thereof recorded in Plat Book 6, Page 61, of the public records of Manatee County, Florida; **LESS** all easements of record; and

LESS that portion of said Tract 28 described as follows:

Commence at the northwest corner of Section 35, Township 35 South, Range 20 East; thence S 34°45'30" E, a distance of 3455.99 feet to the northwest corner of said Tract 28, said corner being the Point of Beginning; thence S 89°20'09" E, along the north line of said Tract 28, a distance of 40.00 feet; thence S 00°38'26" W, a distance of 95.00 feet; thence S 16°03'52" W, a distance of 150.40 feet; thence N 00°38'26" E, along the west line of said Tract 28, a distance of 240.00 feet to the Point of Beginning.

All lying in Section 35, Township 35 South, Range 20 East, Manatee County, Florida.