

**A RESOLUTION VACATING A PLATTED DRAINAGE 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 Walt and Gwen Desmarais, 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 2nd day of November 2004.

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



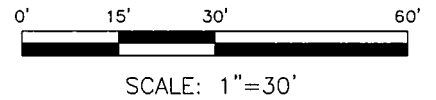
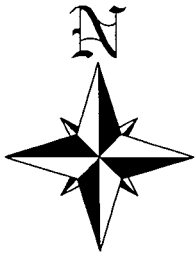
BY: [Signature]
Chairman

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

By: [Signature]
oc

EXHIBIT A DESCRIPTION AND SKETCH

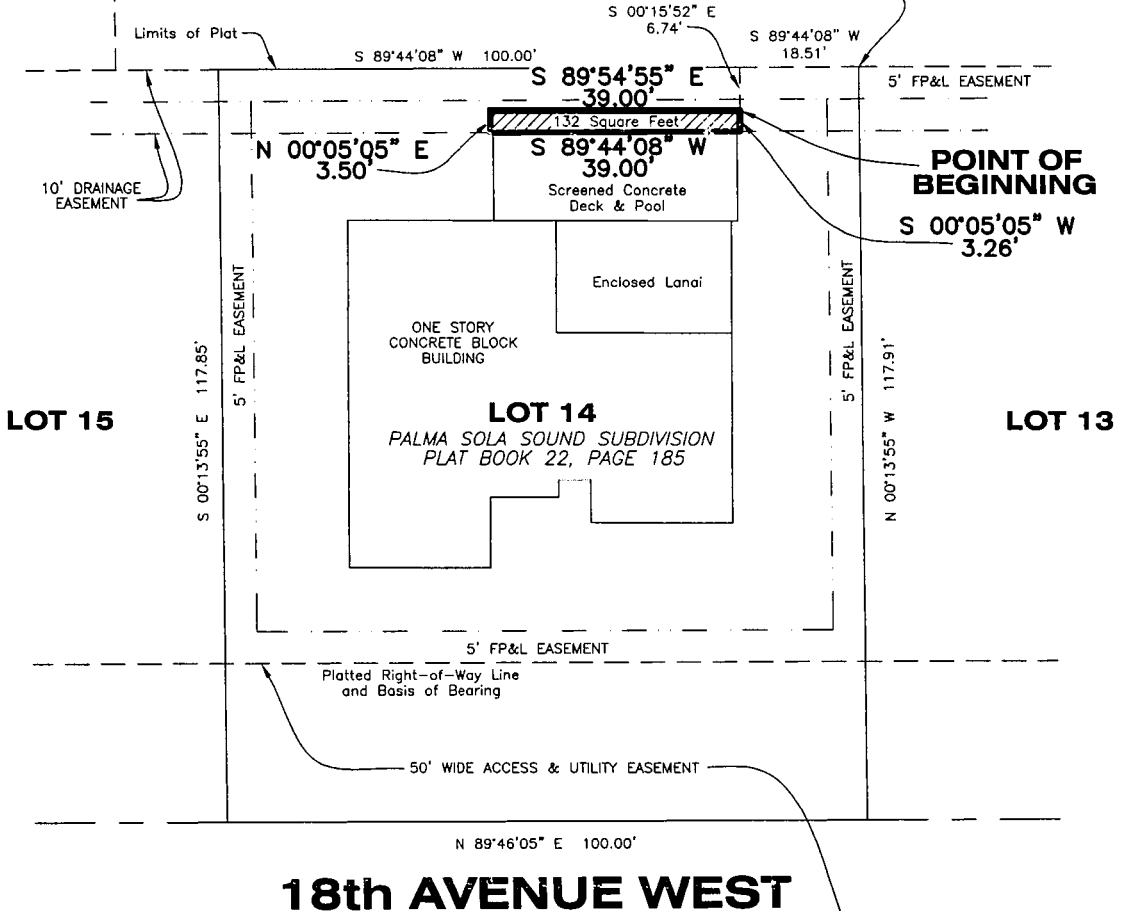
IN SECTION 31, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.
 "NOT A BOUNDARY SURVEY"
 SHEET 1 OF 1



LOT 7
 BAYFIELD ESTATES SUBDIVISION
 PLAT BOOK 22, PAGE 7

LOT 6
 BAYFIELD OAKS SUBDIVISION
 PLAT BOOK 26, PAGE 197

POINT OF COMMENCEMENT
 NE Corner Lot 14



LEGAL DESCRIPTION: PROPOSED DRAINAGE EASEMENT VACATION

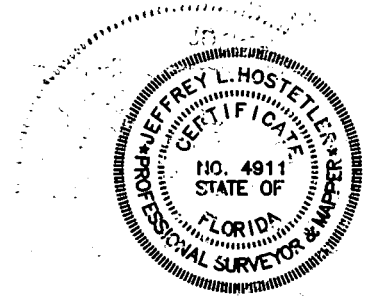
Being a portion of Lot 14, Palma Sola Sound Subdivision, A Cluster Subdivision, according to the plat thereof, recorded in Plat Book 22, Pages 185 and 186, of the Public Records of Manatee County, Florida, being more fully described as follows:

Commence at the Northeast Corner of Lot 14 of the aforementioned plat, thence along the Northerly line of said Lot 14, S 89°44'08" W, a distance of 18.51 feet; thence leaving said Northerly line of Lot 14, S 00°15'52" E, a distance of 6.74 feet to the POINT OF BEGINNING, said point being located 0.5 feet North and 0.5 feet East of an existing screened concrete deck and pool; thence S 00°05'05" W, parallel and 0.5 feet East of said screened concrete deck and pool, a distance of 3.26 feet to a point on the Southerly line of an existing 10 foot wide drainage easement; thence S 89°44'08" W, along the southerly line of said drainage easement, a distance of 39.00 feet to a point; said point being 0.5 feet West of the aforementioned screened concrete deck and pool; thence N 00°05'05" E, along a line parallel to and 0.5 feet West of said screened concrete deck and pool, a distance of 3.50 feet; thence S 89°54'55" E, parallel to and 0.5 feet North of said screened concrete deck and pool, a distance of 39.00 feet to the POINT OF BEGINNING.

BANKS ENGINEERING, INC., L.B. 6690
 BY:

JEFFREY L. HOSTETLER, P.S.M.
 REGISTERED PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA LICENSE No. 4911

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



DRAWN BY: MJV | SKETCH DATE: May 12, 2004 | PROJECT NUMBER: 6113-001

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

SARASOTA - ANNA MARIA - FORT MYERS - NAPLES

1144 TALLEVAST ROAD, SUITE 115, SARASOTA FLORIDA 34243 (941)360-1618 FAX(941)360-6918

DATE	REVISIONS	BY	CHK'D

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