

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING A TRUST AND AGENCY ACCOUNT FOR DONATIONS TO THE POSSIBLE ACQUISITION OF CERTAIN REAL PROPERTY; DESIGNATING A TRUSTEE, SETTING FORTH CERTAIN TERMS, CONDITIONS AND LIMITATIONS ON THE TRUST AGENCY ACCOUNT AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, in 2004, the citizens of Manatee County expressed great concern about the protection of an environmentally sensitive and historically significant parcel of real property, commonly referred to as The Conservatory (hereinafter the Property); and

WHEREAS, the Manatee County Board of County Commissioners will be submitting a grant application to the State of Florida, Florida Communities Trust that requires a commitment of local matching funds.

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

1. There is hereby established a Trust and Agency Account (the "Account") on the County's books for the acceptance of grants and gifts toward the acquisition of the Property.

2. The Clerk of the Circuit Court and Comptroller is asked to serve as trustee pursuant to the terms of this Resolution, and to evidence in writing his consent to serving as Trustee.

3. Gifts received in accordance with the provisions of this resolution shall be credited to the Account and the Trustee shall keep a record of all contributions for the acquisition of the Property.

4. Once deposited into the Account, all gifts shall be deemed accepted in compliance with the requirements of Manatee County Ordinance No. 86-5.

5. All contributions shall be used only to acquire the property and shall be held by the Clerk of the Circuit Court and Comptroller and applied only to the cost of acquisition of the Property as provided below:

- A. In the event a contract for the acquisition of the Property by the County, or another entity eligible for charitable contributions under Section 170 of the Internal Revenue Code that has entered into an agreement with Manatee County Government providing for the maintenance and use of the Property in a manner that serves the public interest, has been fully executed on or

before May 1, 2005, the funds shall continue to be held until termination or performance of that contract by conveyance of the Property and applied to the acquisition costs for the Property.

- B. If the contract referenced in 5.A. has not been fully executed by May 1, 2005, or executed and subsequently terminated, or the Board of County Commissioners adopts a resolution dissolving the Account, any contribution, plus interest earned while in the custody of the Trustee, shall be returned to the donor by County check.

ADOPTED with a quorum present and voting this the 20TH day of APRIL 2004.

ATTEST: R. B. Shore  
CLERK OF THE CIRCUIT COURT  
and COMPTROLLER

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: Susan Romine

*Susan Romine*



Wolfgang Hahmann  
Wolfgang Hahmann, Chairman

I hereby agree to serve as Trustee pursuant to this Resolution.

*R. B. Shore*

R. B. Shore  
Clerk of the Circuit Court & Comptroller