

R-08-043-V

**A RESOLUTION VACATING CERTAIN LOTS AND UNIMPROVED RIGHT-OF-WAY
FROM THE PLAT OF PALMETTO GROVE AND GARDEN COMPANY
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 **Palmetto Stor N More Storage**, LLC, a Florida limited liability company (the "Applicant"); and

WHEREAS, the County and other affected agencies and utility companies have reviewed the Application and have expressed no relevant 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. Upon request of the Applicant, the Board renounces and disclaims any right of the County and the public in and to the land described in Exhibit "A," incorporated herein by reference, and delineated on the plat of Palmetto Grove and Garden Company, and hereby vacates 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, land boundaries, and other appropriate property.

2. No portion of the land, or interest therein, described in Exhibit "A" 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 publication.

5. This resolution serves only that purpose expressly stated in Paragraph 1, above. Nothing herein shall be construed or interpreted as a representation of the rights or interests accruing to or existing in the Applicant or any third party to the land described in Exhibit "A."

DULY ADOPTED, with a quorum present and voting, this 11th day of March 2008.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



BY: _____

Chairman

ATTEST: R.B. SHORE
Clerk of Circuit Court

By: Susan Shore
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EXHIBIT "A"

LEGAL DESCRIPTION OF PLATTED AREAS TO BE VACATED:

THAT PORTION OF A 50-FOOT WIDE RIGHT-OF-WAY LYING EAST OF THE HIGHWAY RIGHT-OF-WAY FOR U.S. HIGHWAY 41 — STATE ROAD 45 (AS PER FLORIDA D.O.T. RIGHT-OF-WAY MAP, SECTION # 13130-2202), AND WEST OF THE SEABOARD COAST LINE AND ATLANTIC COAST LINE RAILROAD ("THE RAILROAD") RIGHT-OF-WAY (AS PER FLORIDA D.O.T. RIGHT-OF-WAY MAP, SEC. # 13130-2202), AND BEING ADJACENT TO LOTS 8 AND 20, ON THE SOUTH, AND LOTS 9 AND 21, ON THE NORTH, OF PALMETTO GROVE AND GARDEN COMPANY, A SUBDIVISION RECORDED IN PLAT BOOK 1, PAGE 317, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

TOGETHER WITH:

THOSE PORTIONS OF **LOTS 8, 9, 20, 21, 22, AND 23**, OF THE PALMETTO GROVE AND GARDEN COMPANY, A SUBDIVISION RECORDED IN PLAT BOOK 1, PAGE 317, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF **LOT 9** LYING EAST OF THE SAID HIGHWAY RIGHT-OF-WAY FOR U.S. HIGHWAY 41 (AKA STATE ROAD 45);

AND, ALL THAT PORTION OF **LOT 21** LYING WEST OF THE SAID RAILROAD RIGHT-OF-WAY;

AND, THOSE PORTIONS OF **LOT 22** AND **LOT 23** DESCRIBED AS BEGINNING AT A POINT WHERE THE SOUTH LINE OF LOT 22 INTERSECTS THE WESTERLY LINE OF THE SAID RAILROAD RIGHT OF WAY; THENCE WEST ALONG THE SOUTH LINE OF LOT 22, 125 FEET; THENCE NORTH TO THE NORTH LINE OF LOT 23; THENCE EAST TO THE NORTHEAST CORNER OF LOT 23; THENCE SOUTH TO THE WESTERLY LINE ON THE SAID RAILROAD RIGHT OF WAY; THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY TO THE POINT OF BEGINNING.

LOTS 9, 21, 22, AND 23 BEING SITUATED IN SECTION 1, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

ALSO:

ALL THAT PORTION OF **LOT 8** LYING EAST OF THE SAID HIGHWAY RIGHT-OF-WAY FOR U.S. HIGHWAY 41 (AKA STATE ROAD 45);

AND, ALL THAT PORTION OF **LOT 20** LYING WEST OF THE SAID RAILROAD RIGHT-OF-WAY.

LOTS 8 AND 20 BEING SITUATED IN SECTION 12, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

EXHIBIT "A"

Sketch

CLOVER LEAF PARK
36th ST. CT. E.

Lot
10

N.E.
Corner

LOT 23

LOT 22

125'

Property of Palmetto Stor N More Self Storage, LLC

LOT 9

LOT 21

50' WIDE RIGHT-OF-WAY

LOT 8

LOT 20

Section 1

Section 12



PALMETTO GROVE
AND
GARDEN COMPANY

Plat Book 1, Page 317

Sections 1 & 12
Township 34 South, Range 17 East

Manatee County, Florida

DESIGNATES AREAS
TO BE VACATED

STATE ROAD 45

(F.D.O.T. RW Map Sec # 13130-2202)

U.S. BUSINESS 41

RW VACATED O.R. 1326, PAGE 1660

O.R. 1326, PAGE 1660

RW VACATED

SEABOARD COAST LINE - ATLANTIC COAST LINE RAILROAD RIGHT-OF-WAY