

**RESOLUTION R-11-037**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 102  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owner of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the property is acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public


Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the aforementioned property, which property is more particularly described in the Schedule which is attached hereto and made a part hereof.

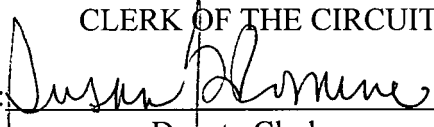
**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that the acquisition of the following interest is necessary as to the real property described in the attached Schedule:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interest to be Acquired</u>
1.	102	Fee Simple Title

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By:   
Deputy Clerk



# Description and Sketch

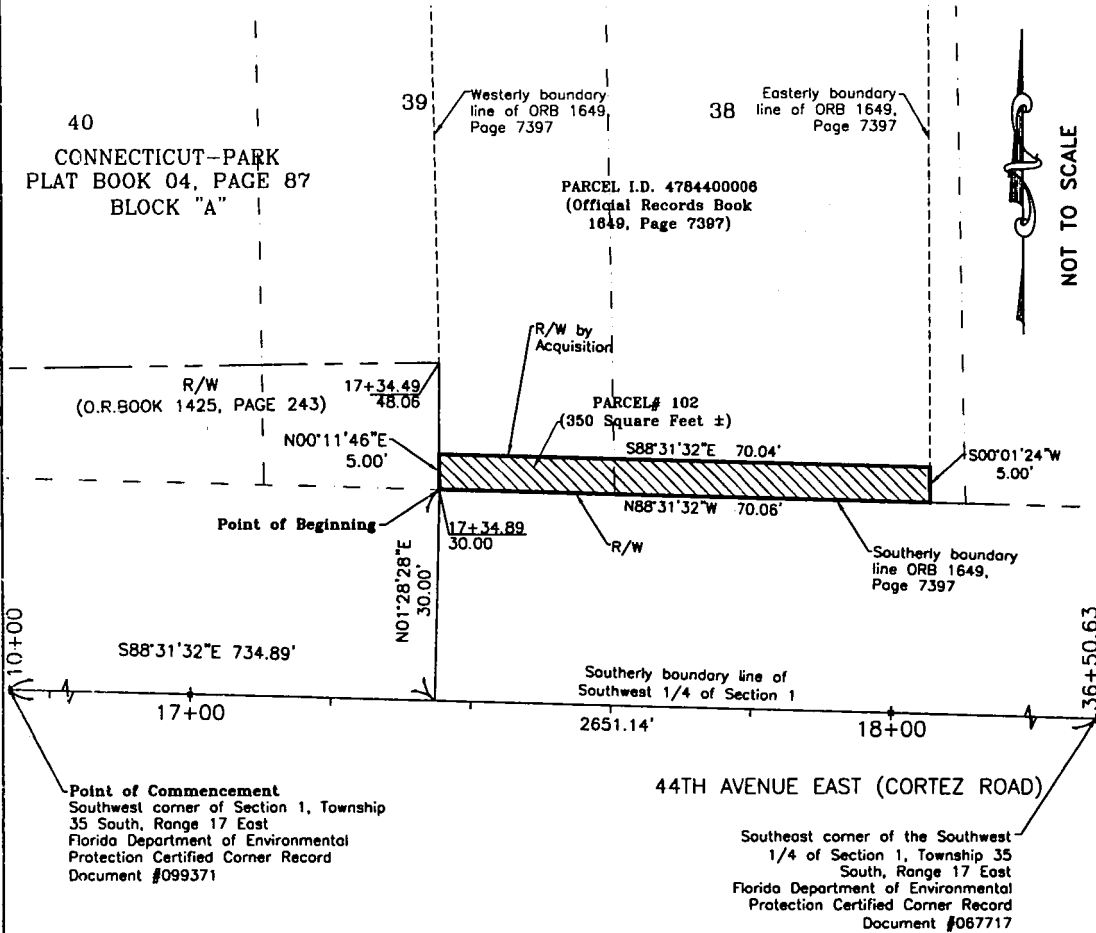
(NOT A SURVEY)

**DESCRIPTION: PARCEL #102**

The southerly 5 feet of the parcel described in Official Records Book 1649, Page 7397 of the Public Records of Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 734.89 along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 30.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N00°11'46"E, 5.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 70.04 feet to the easterly boundary line of said parcel; thence S00°01'24"W, 5.00 feet along said easterly boundary line to the southerly boundary line of said parcel; thence N88°31'32"W, 70.06 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 350 Square Feet more or less.



**SCHEDULE 1**

**Notes:**

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

TODD E. BOYLE  
 CERTIFICATE  
 Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047  
 10/5/10

<p><b>FEE ACQUISITION                  PARCEL #102                  PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4")                  FIRC = FOUND CAPPED IRON ROD                  I.D. = IDENTIFICATION                  LB = LICENSED BUSINESS                  NDF = NAIL AND DISK FOUND (ID NOTED)                  ORB = OFFICIAL RECORDS BOOK                  PSM = PROFESSIONAL SURVEYOR &amp; MAPPER                  RSM = REGISTERED SURVEYOR &amp; MAPPER                  R/W = RIGHT OF WAY                  Sec = SECTION</p>	<p>Drawn By: TRC</p> <p>Checked By: TEB</p> <p>Scale: NOT TO SCALE</p> <p>DWG.: Parcel 102</p> <p>Sheet: 1 OF 1</p> <p>Section 01, Township 35 South, Range 17 East</p>	<p>MANATEE COUNTY                  PROPERTY MANAGEMENT                  SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST                  BRADDOCK, FLORIDA, 34205                  (813) 748-4301</p>
---	--	---	---