

RESOLUTION R-11-041

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.

**44TH AVENUE EAST ROAD IMPROVEMENT PROJECT
(US 41 /1ST STREET EAST TO 15TH STREET EAST)
PARCELS 106A, 106B, AND 706
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 44th Avenue East from US 41/1st Street East to 15th 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 owners 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 properties are 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 interests in the aforementioned properties, which properties are more particularly described in the Schedules which are attached hereto and made a part hereof.

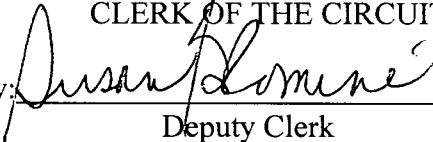
BE IT FURTHER RESOLVED that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the properties, hereby finds and determines that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

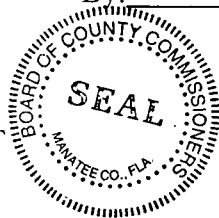
<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interests to be Acquired</u>
1.	106A	Fee Simple Title
2.	106B	Fee Simple Title
3.	706	Temporary Construction Easement for a period of three (3) years

ADOPTED with a quorum present and voting this 22nd 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)

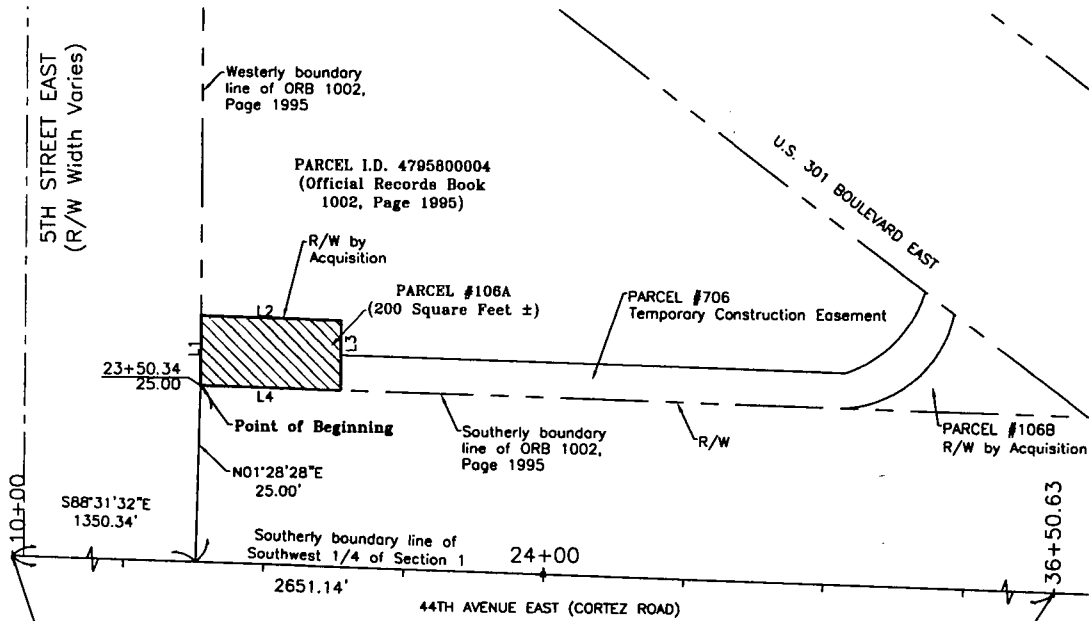
DESCRIPTION: PARCEL #106A

The Southerly 10 feet of the Westerly 20 feet of the parcel described in Official Records Book 1002, Page 1995, 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, 1350.34 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for a POINT OF BEGINNING; thence N00°15'03"E, 10.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 20.00 feet; thence S00°15'03"W, 10.00 feet to the southerly boundary line of said parcel; thence N88°31'32"W, 20.00 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 200 Square Feet more or less.

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N 00°15'03" E	10.00'
L2	S 88°31'32" E	20.00'
L3	S 00°15'03" W	10.00'
L4	N 88°31'32" W	20.00'



SCHEDULE 1

Point of Commencement
 Southwest corner of Section 1, Township 35 South, Range 17 East
 Florida Department of Environmental Protection Certified Corner Record
 Document #099371

Southeast corner of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East
 Florida Department of Environmental Protection Certified Corner Record
 Document #067717

- 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, RSM
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

10/9/10

<p>FEE ACQUISITION PARCEL #106A PROJECT# 3346001060</p>	<p style="text-align: center;">LEGEND</p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4") FIRG = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (ID NOTED) ORB = OFFICIAL RECORDS BOOK PSM = PROFESSIONAL SURVEYOR & MAPPER RSM = REGISTERED SURVEYOR & MAPPER R/W = RIGHT OF WAY Sec = SECTION</p>	<p>Drawn By: TRC Checked By: FEB Scale: NOT TO SCALE DWG.: Parcel 106A Sheet: 1 OF 1 Section 01, Township 35 South, Range 17 East</p>	<p style="font-size: 0.8em;">MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p style="font-size: 0.8em;">1112 MANATEE AVENUE WEST BRADENTON, FLORIDA 34205 (813) 748-4501</p>
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Description and Sketch

(NOT A SURVEY)

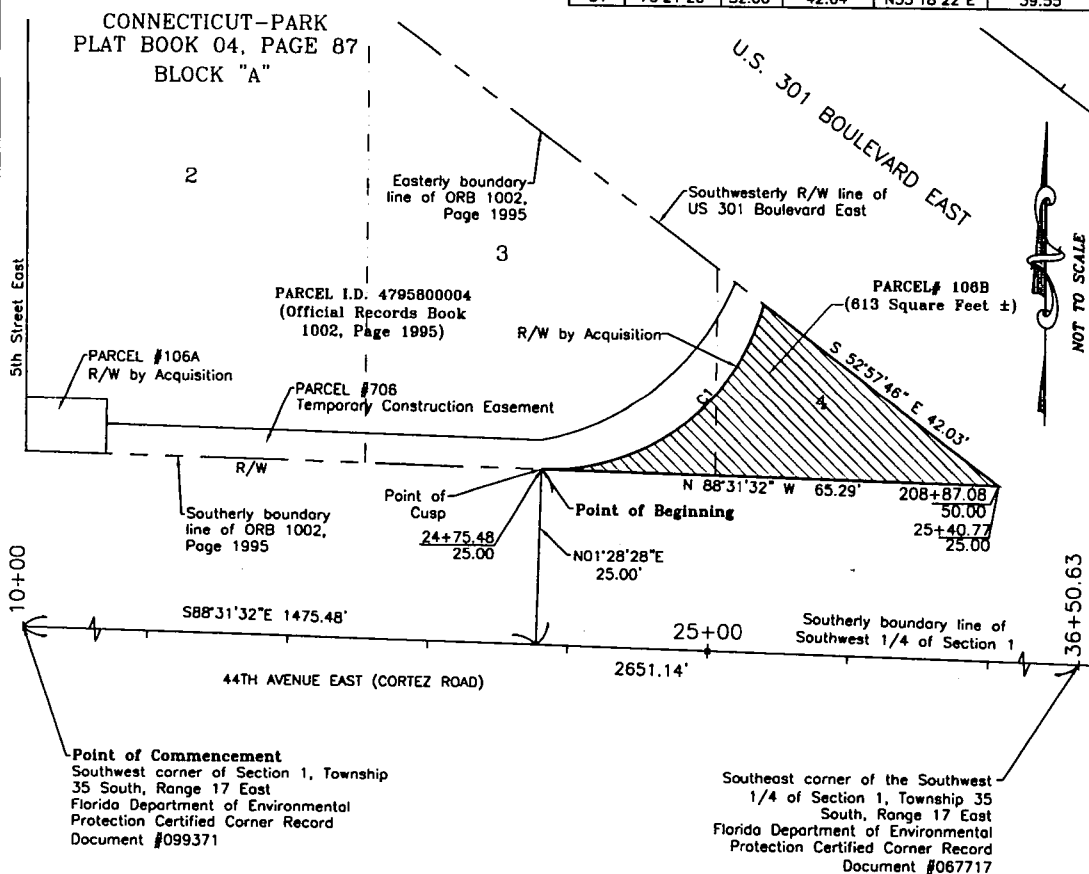
DESCRIPTION: PARCEL #106B

A portion of the parcel as described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, 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, 1475.48 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING, said point being a Point of Cusp of a curve concave to the Northwest having a Radius of 32.00 feet; thence northeasterly, 42.64 feet along the arc of said curve, through a delta angle of 76°21'20", (chord bears N53°18'22"E, 39.55 feet) to the northeasterly boundary line of said parcel, and the southwesterly right-of-way line of US 301 Boulevard East; thence S52°57'46"E, 42.03 feet along said northeasterly boundary line and said southwesterly right-of-way line to the southerly boundary line of said parcel; thence N88°31'32"W, 65.29 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 613 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	76°21'20"	32.00'	42.64'	N53°18'22"E	39.55'



NOT TO SCALE

SCHEDULE 2

Notes:

- This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
- Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
- 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:

[Signature] 10/5/10
 Todd E. Boyle, RSM
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<p>FEE ACQUISITION PARCEL #106B PROJECT# 3346001060</p>	<p>LEGEND</p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4") FIRG = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (ID NOTED) ORB = OFFICIAL RECORDS BOOK PSM = PROFESSIONAL SURVEYOR & MAPPER RSM = REGISTERED SURVEYOR & MAPPER R/W = RIGHT OF WAY Sec = SECTION</p>	<p>Drawn By: IRC Checked By: TEB Scale: NOT TO SCALE DWG.: Parcel 106B Sheet: 1 OF 1</p>	<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST BRADENTON, FLORIDA, 34205 (941) 748-4501</p>
	<p>Section 01, Township 35 South, Range 17 East</p>		

Description and Sketch

(NOT A SURVEY)

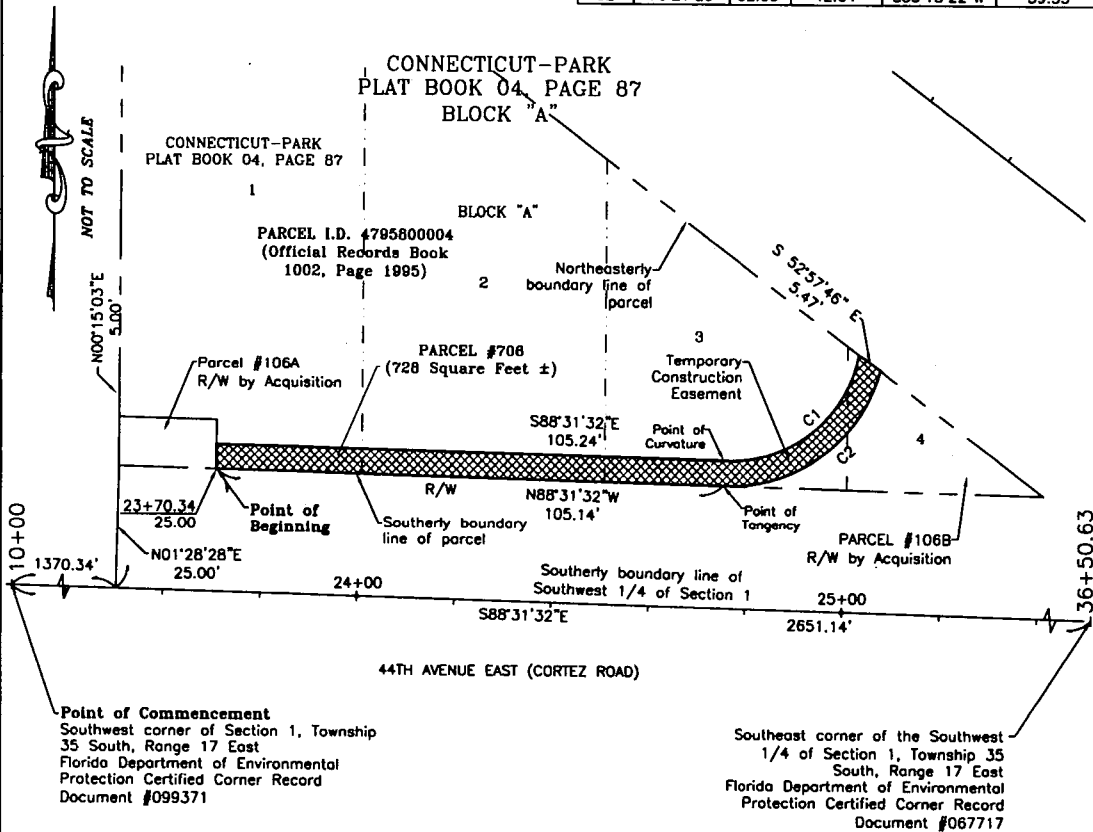
DESCRIPTION: PARCEL #706

A portion of the parcel described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, 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, 1370.34 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N00°15'03"E, 5.00 feet; thence S88°31'32"E, 105.24 feet to a Point of Curvature of a curve concave to the Northwest having a radius of 27.00 feet; thence Northeast, 38.02 feet along arc of said curve, through a delta angle of 80°41'44" (chord bears N51°08'17"E, 34.96 feet) to the northeasterly boundary line of said parcel; thence S52°57'46"E, 5.47 feet along said northeasterly boundary line, to a non-tangent curve concave to the northwest having a radius of 32.00 feet; thence southwest along arc of said curve, through a delta angle of 76°21'20", 42.64 feet, (chord bears S53°18'22"W, 39.55 feet) to the southerly boundary line of said parcel; thence N88°31'32"W, 105.14 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 728 Square Feet more or less.

Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	80°41'44"	27.00'	38.02'	N51°08'17"E	34.96'
C2	76°21'20"	32.00'	42.64'	S53°18'22"W	39.55'



SCHEDULE 3

- Notes:**
- This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
 - Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
 - 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, RSM
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<p>TEMPORARY CONSTRUCTION EASEMENT PARCEL #706 3 YEAR TERM LIMIT PROJECT# 3346001060</p>	<p style="text-align: center;">LEGEND</p> <p>FCM = FOUND CONCRETE MONUMENT (4" DIA) FIRG = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (ID NOTED) PSM = PROFESSIONAL SURVEYOR & MAPPER RSM = REGISTERED SURVEYOR & MAPPER R/W = RIGHT OF WAY Sec = SECTION SRC = SET IRON ROD/CAP (5/8")</p>	<p>Drawn By: TRC Checked By: JEB Scale: NOT TO SCALE DWG.: Parcel 706 Sheet: 1 OF 1 Section 01, Township 35 South, Range 17 East</p>
		<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE, WEST BRADENTON, FLORIDA, 34205 (813) 748-4501</p>