

**RESOLUTION R-11-042**

**A RESOLUTION AUTHORIZING USE OF "QUICK TAKING" CONDEMNATION 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; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCELS 106A, 106B, AND 706  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said properties, all as described and set out in Resolution R-11-041; and

**WHEREAS**, the Board of County Commissioners wishes to utilize "quick taking" condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize "quick taking" eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interests in the properties hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described properties.

3. Delay in acquiring the necessary interests and the resultant delay in construction will adversely affect the project.

4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The properties to be taken are more particularly described in the Schedules which are attached hereto and made a part hereof.

6. This Resolution shall take effect immediately upon its passage.

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

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: [Signature]  
Chairman

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



# Description and Sketch

(NOT A SURVEY)

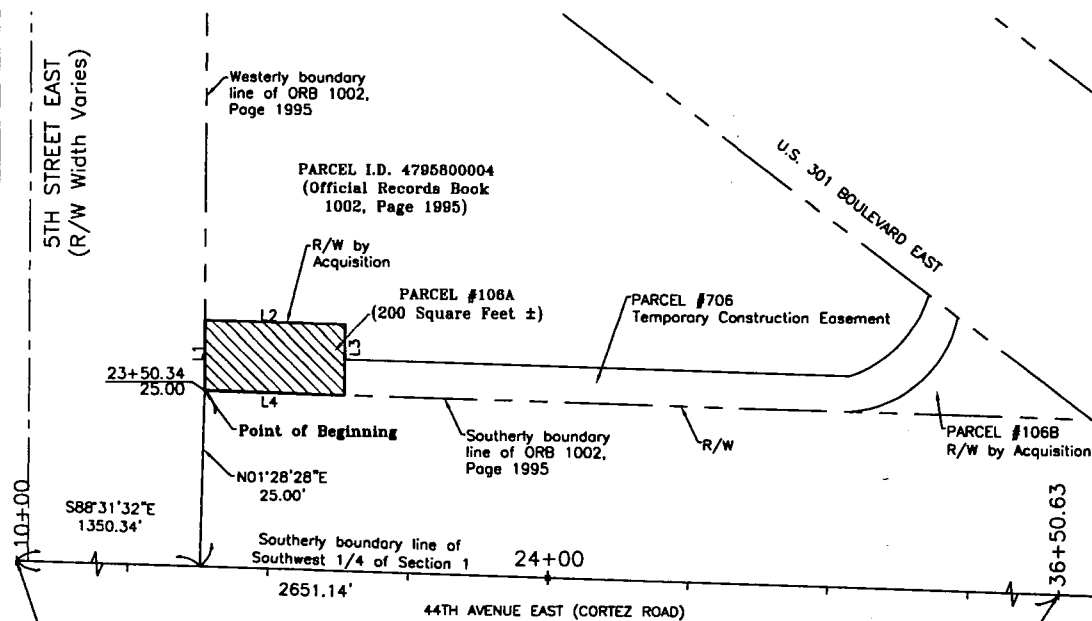
DESCRIPTION: PARCEL #106A

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

<b>FEE ACQUISITION                  PARCEL #106A                  PROJECT# 3346001060</b>	<b>LEGEND</b>	Drawn By: TRC	
	FCM = FOUND CONCRETE MONUMENT (4" X 4") FIRC = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (Ø NOTED) ORB = OFFICIAL RECORDS BOOK PSM = PROFESSIONAL SURVEYOR & MAPPER RSM = REGISTERED SURVEYOR & MAPPER R/W = RIGHT OF WAY Sec = SECTION	Checked By: FEB	
		Scale: NOT TO SCALE DWG.: Parcel 106A Sheet: 1 OF 1	
		Section 01, Township 35 South, Range 17 East	

1112 MANATEE AVENUE WEST  
 BRADYTON, FLORIDA, 34203  
 (941) 748-4301

# Description and Sketch

(NOT A SURVEY)

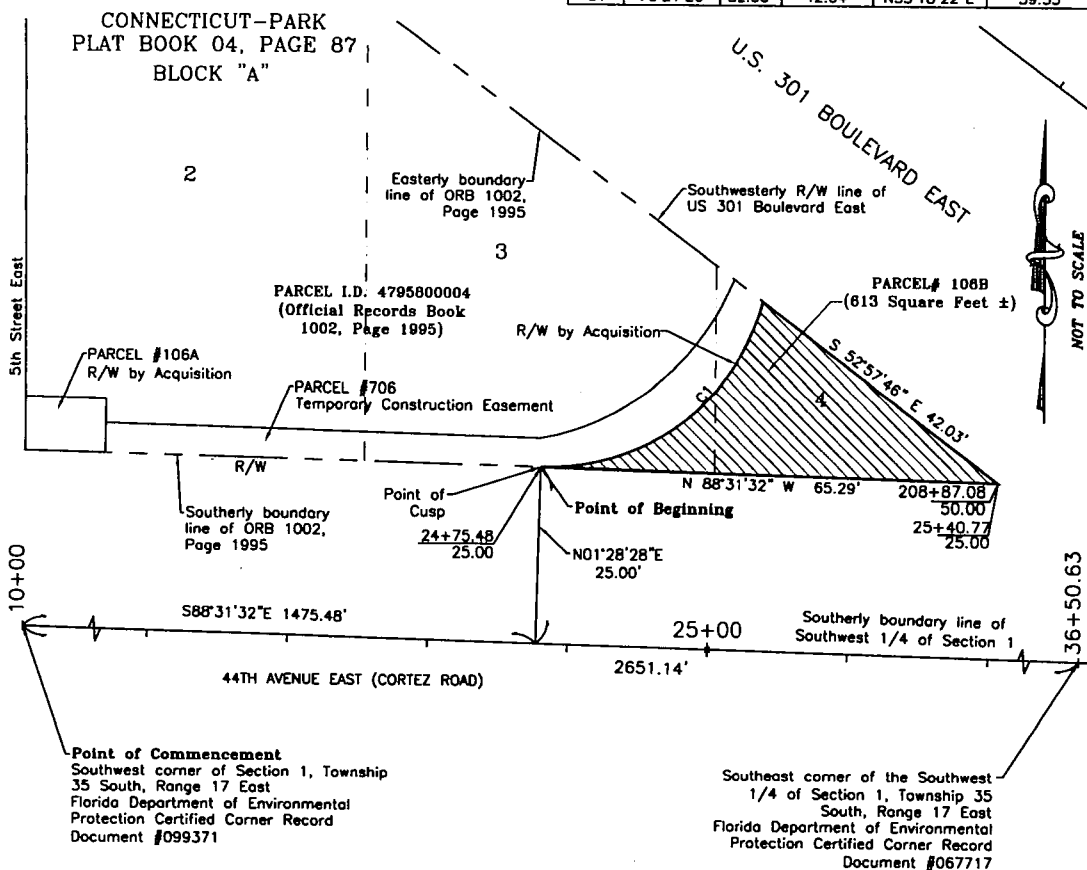
## DESCRIPTION: PARCEL #106B

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



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:**

Todd E. Boyle  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<p><b>FEE ACQUISITION</b>  <b>PARCEL #106B</b>  <b>PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li>FCM = FOUND CONCRETE MONUMENT (1"x4")</li> <li>FIRC = FOUND CAPPED IRON ROD</li> <li>I.D. = IDENTIFICATION</li> <li>LB = LICENSED BUSINESS</li> <li>NDP = NAIL AND DISK FOUND (ID NOTED)</li> <li>ORB = OFFICIAL RECORDS BOOK</li> <li>PSM = PROFESSIONAL SURVEYOR &amp; MAPPER</li> <li>RSM = REGISTERED SURVEYOR &amp; MAPPER</li> <li>R/W = RIGHT OF WAY</li> <li>Sec = SECTION</li> </ul>	<p>Drawn By: TRC          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          BRANDTOWN, FLORIDA, 34705          (813) 748-4501</p>
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# Description and Sketch

(NOT A SURVEY)

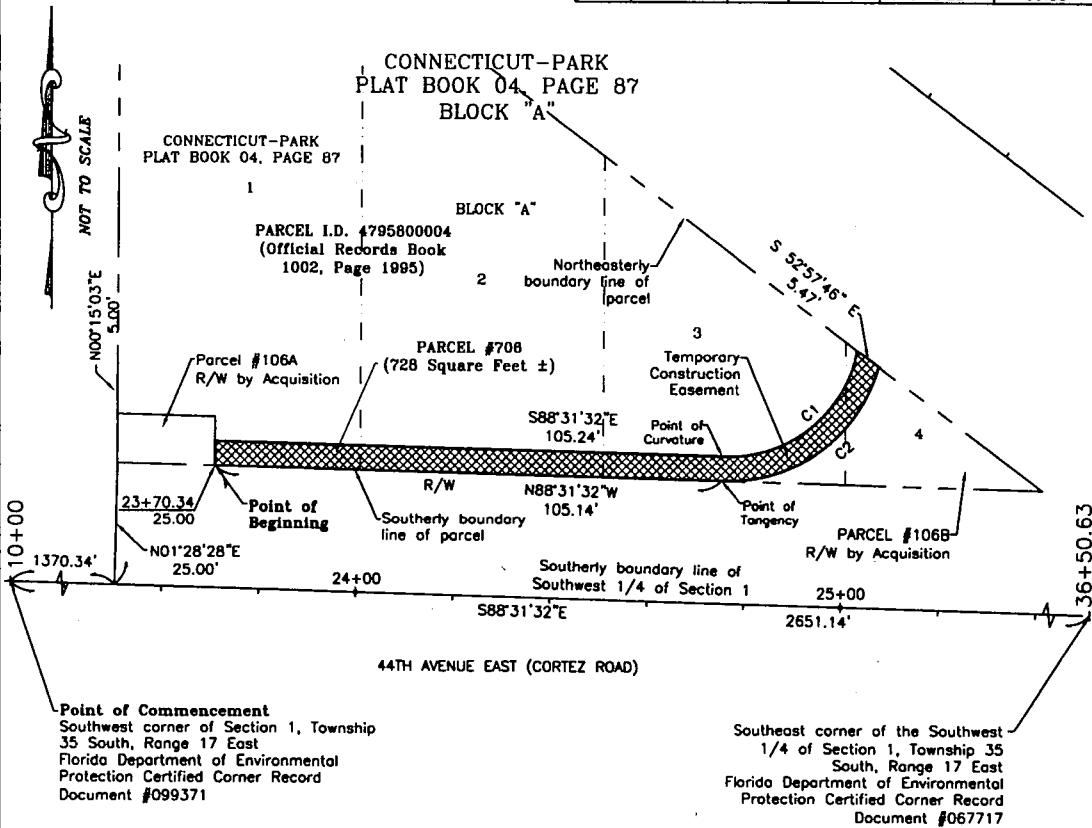
**DESCRIPTION: PARCEL #706**

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:**
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, No. 6047  
 FLORIDA REGISTERED SURVEYOR & MAPPER

TEMPORARY CONSTRUCTION  
 EASEMENT  
 PARCEL #706  
 3 YEAR TERM LIMIT  
 PROJECT# 3346001060

**LEGEND**

FCM	= FOUND CONCRETE MONUMENT (4"x4")
FIRC	= 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
SIRC	= SET IRON ROD/CAP (5/8")

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

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION

1112 MANATEE AVENUE WEST  
 BRADENTON, FLORIDA 34202  
 (813) 748-4500