

RESOLUTION R-11-045

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 127 AND 827
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.

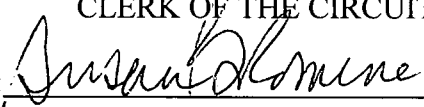
BE IT FURTHER RESOLVED that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the properties, hereby finds and determines that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

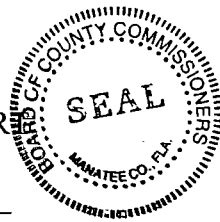
<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interests to be Acquired</u>
1.	127	Fee Simple Title
2..	827	Permanent Easement

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

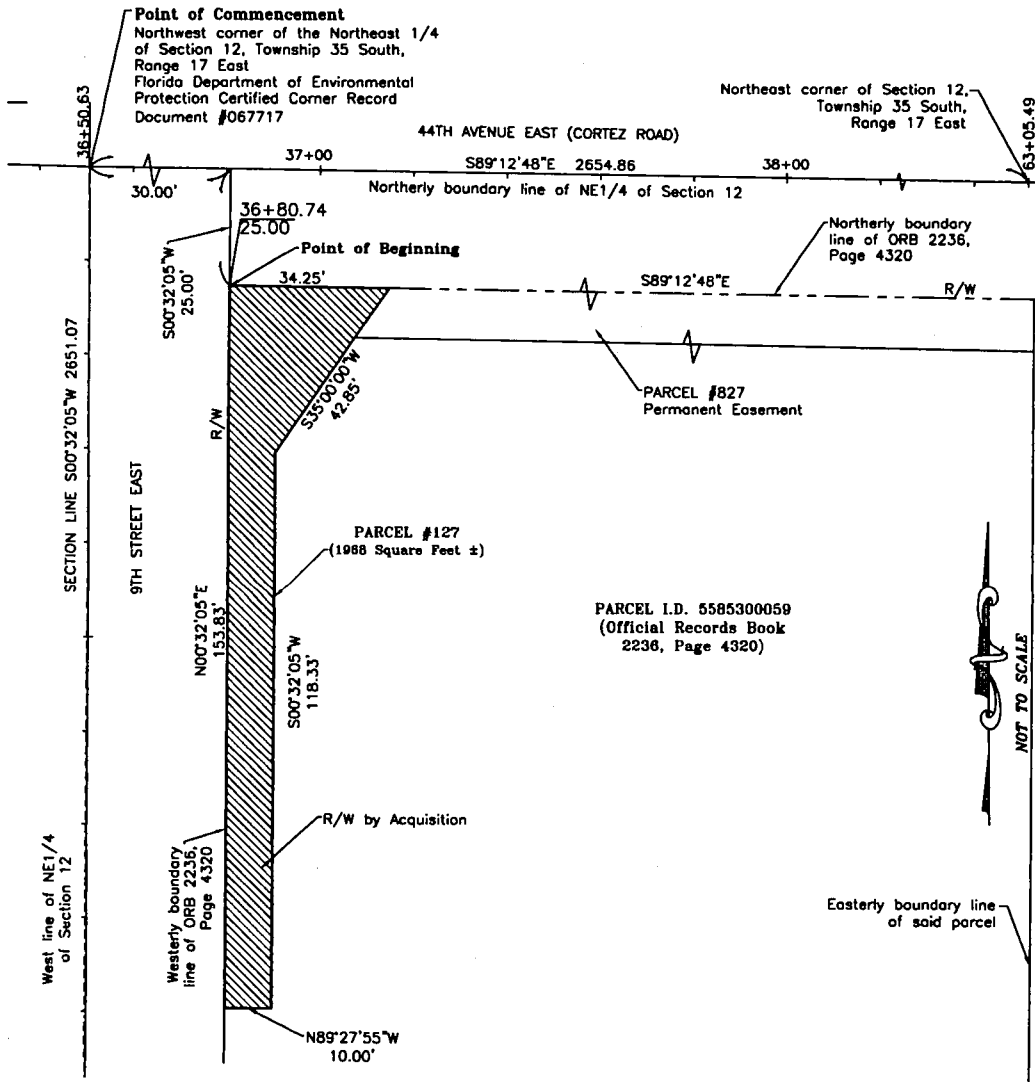
(NOT A SURVEY)

DESCRIPTION: PARCEL #127

A portion of the parcel described in Official Records Book 2236, Page 4320, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northwest corner of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence S89°12'48"E, 30.00 feet along the northerly boundary line of said Northeast 1/4 of Section 12; thence S00°32'05"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S89°12'48"E, 34.25 feet along the northerly boundary line of said parcel; thence S35°00'00"W, 42.85 feet; thence S00°32'05"W, 118.33 feet; thence N89°27'55"W, 10.00 feet to westerly boundary line of said parcel; thence N00°32'05"E, 153.83 feet along said westerly boundary line to the POINT OF BEGINNING.

Containing 1968 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 northerly line of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) S89°12'48"E.

TODD E. BOYLE
REGISTERED SURVEYOR & MAPPER
10/5/10

<p>FEE ACQUISITION PARCEL #127 PROJECT# 3346001060</p>	<p>LEGEND</p> <p>FCM = FOUND CONCRETE MONUMENT (4"X4") FIRCI = 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: TEB Scale: NOT TO SCALE DWG.: Parcel 127 Sheet: 1 OF 1 Section 12, Township 35 South, Range 17 East</p>	<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST BRADENTON, FLORIDA 34205 (813) 748-1501</p>
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Description and Sketch

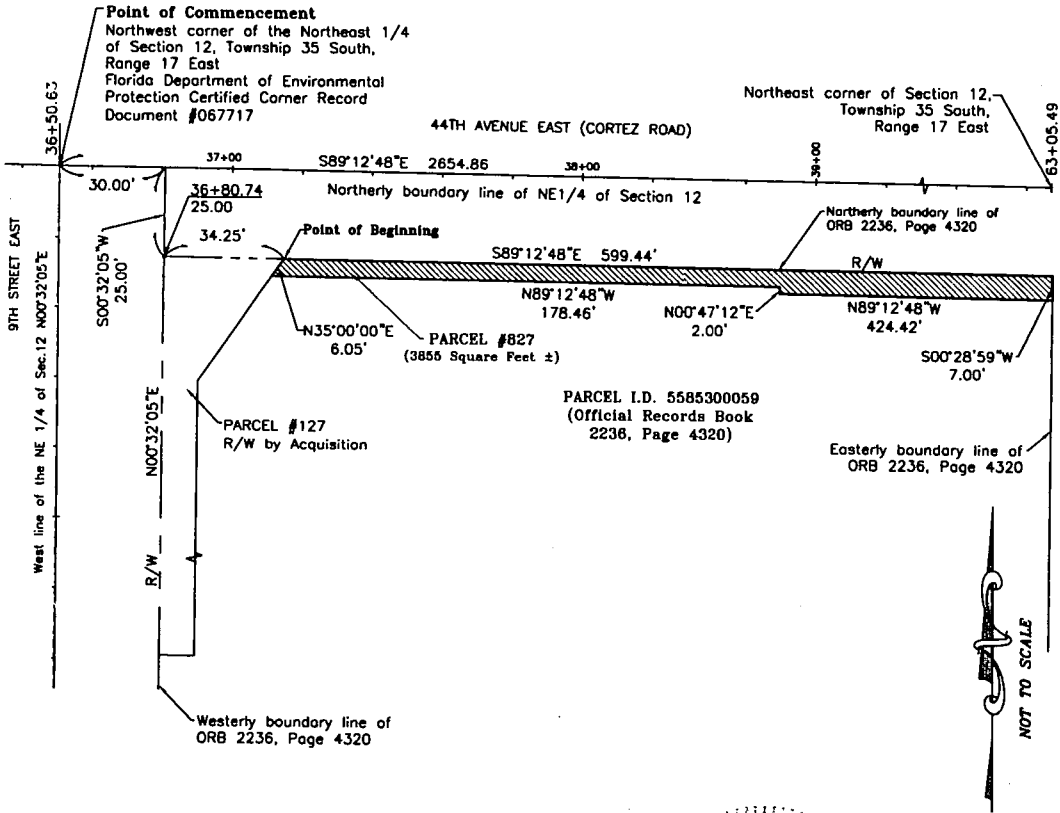
(NOT A SURVEY)

DESCRIPTION: PARCEL #827

A portion of the parcel described in Official Records Book 2236, Page 4320, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northwest corner of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence S89°12'48"E, 30.00 feet along the northerly boundary line of said Northeast 1/4; thence S00°32'05"W, 25.00 feet to the northerly boundary line of said parcel; thence S89°12'48"E, 34.25 feet along said northerly boundary line for a POINT OF BEGINNING; thence S89°12'48"E, 599.44 along said northerly boundary line to the easterly boundary line of said parcel; thence S00°28'59"W, 7.00 feet along said easterly boundary line; thence N89°12'48"W, 424.42 feet; thence N00°47'12"E, 2.00 feet; thence N89°12'48"W, 178.46 feet; thence N35°00'00"E, 6.05 feet to the POINT OF BEGINNING.

Containing 3855 Square Feet more or less.



SCHEDULE 2

- 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 northerly line of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S89°12'48"E.

REVISIONS:

10/5/10

<p>PERMANENT EASEMENT PARCEL #827 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: TRC</p> <p>Checked By: TEB</p> <p>Scale: NOT TO SCALE</p> <p>DWG.: Parcel 827</p> <p>Sheet: 1 OF 1</p> <p>Section 12, Township 35 South, Range 17 East</p>	<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST BRADENTON, FLORIDA, 34205 (941) 748-4801</p>
	<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p>		