

RESOLUTION R-11-047

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)
PARCEL 129
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 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.

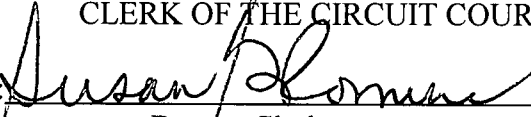
BE IT FURTHER RESOLVED that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that 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.	129	Fee Simple Title

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

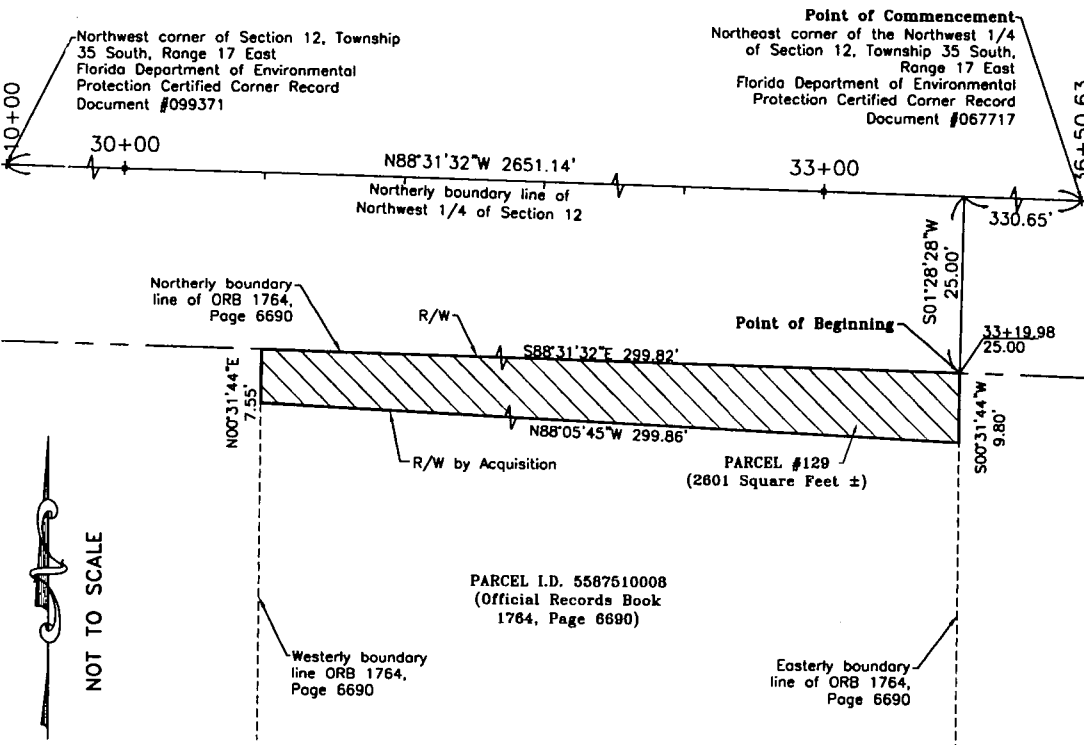
(NOT A SURVEY)

DESCRIPTION: PARCEL #129

A portion of the Parcel described in Official Records Book 1764, page 6690, of the Public Records of Manatee County, Florida being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 330.65 feet along the northerly boundary line of the Northwest 1/4 of said Section 12; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S00°31'44"W, 9.80 feet along the easterly boundary line of said parcel; thence N88°05'45"W, 299.86 feet to the westerly boundary line of said parcel; thence N00°31'44"E, 7.55 feet along said westerly boundary line to the northerly boundary line of said parcel; thence S88°31'32"E, 299.82 feet along said northerly boundary line to the POINT OF BEGINNING.

Containing 2601 Square Feet more or less.



SCHEDULE 1

PARCEL I.D. 5587510008
(Official Records Book 1764, Page 6690)

REVISIONS:

Todd E. Boyle, RSM
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

- 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 Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

<p>FEE ACQUISITION PARCEL #129 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</p> <p>Checked By: TEB</p> <p>Scale: NOT TO SCALE</p> <p>DWG.: Parcel 129</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) 748-4501</p>