

**RESOLUTION R-11-049**

**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)  
PARCELS 130 AND 730  
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 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.	130	Fee Simple Title
2.	730	Temporary Construction Easement for a period of three (3) years

**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 #130

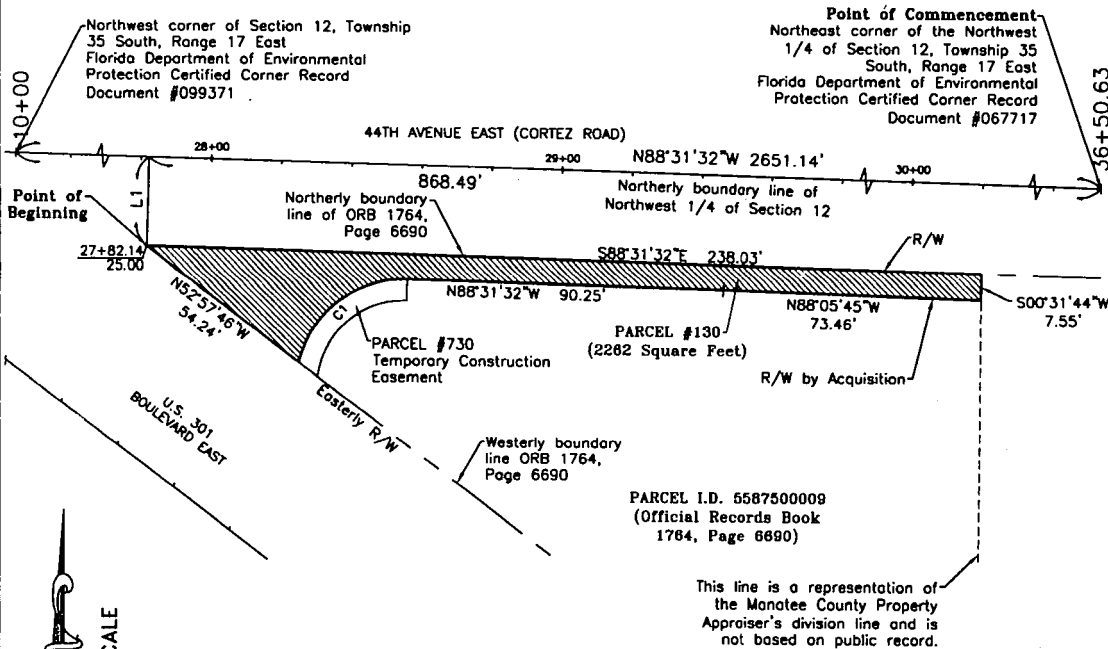
A portion of the parcel described in Official Records Book 1764, Page 6690 of the Public Records of Manatee County, Florida, being more specifically described as follows:

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, 868.49 feet along the northerly boundary line of said parcel; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S88°31'32"E, 238.03 feet along said northerly boundary line to the westerly boundary line of said parcel; thence S00°31'44"W, 7.55 feet along said westerly boundary line; thence N88°05'45"W, 73.46 feet; thence N88°31'32"W, 90.25 feet to the beginning of a curve concave to the southeast having a radius of 31.00 feet; thence southwesterly, 42.19 feet along the arc of said curve, through a delta angle of 77°59'01" (chord bears S52°28'58"W, 39.01 feet) to the westerly boundary line of said parcel, also being the easterly Right-of-Way line of U.S. 301 Boulevard; thence N52°57'46"W, 54.24 feet along said westerly boundary line and said easterly right-of-way line to the POINT OF BEGINNING.

Containing 2262 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	77°59'01"	31.00'	42.19'	S52°28'58"W	39.01'

Line	Bearing	Distance
L1	S01°28'28"W	25.00'



SCHEDULE 1

NOT TO SCALE

- 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 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.

REVISIONS:

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

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)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

Drawn By: TRC  
 Checked By: TEB  
 Scale: NOT TO SCALE  
 DWG.: Parcel 130  
 Sheet: 1 OF 1  
 Section 12, Township 35  
 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION  
 1112 MANATEE AVENUE WEST  
 BRADENTON, FLORIDA, 34205  
 (941) 748-4801

FEE ACQUISITION  
 PARCEL #130  
 PROJECT# 3346001060

# Description and Sketch

(NOT A SURVEY)

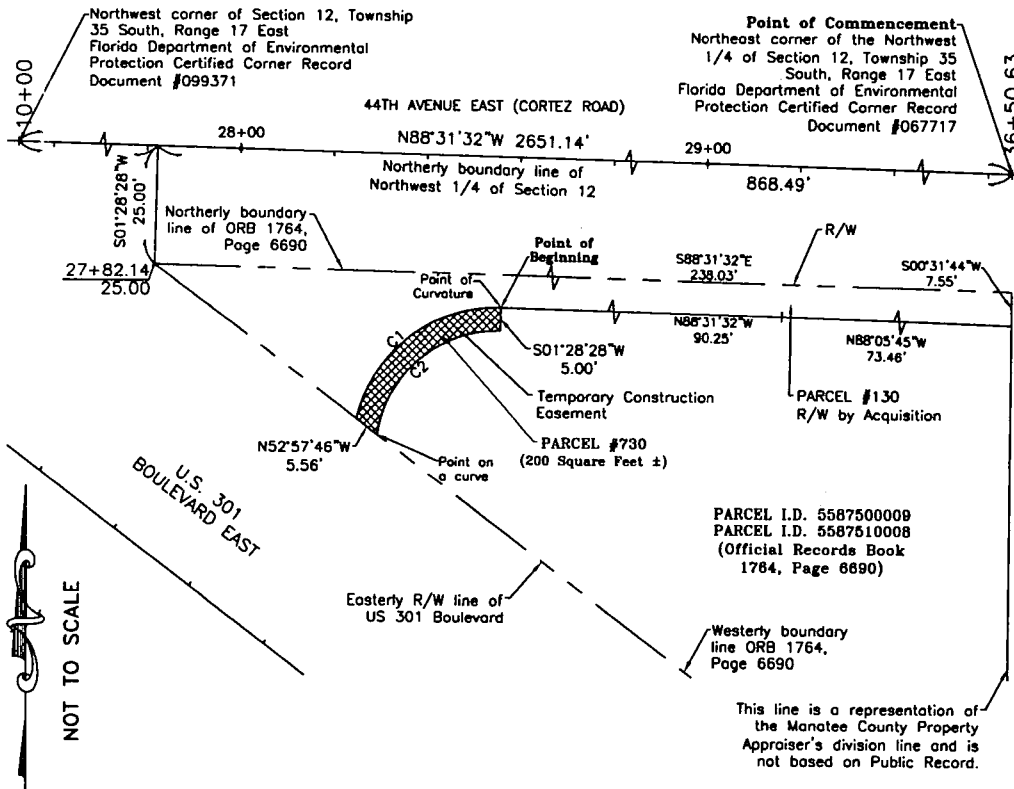
**DESCRIPTION: PARCEL #730**

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, 868.49 feet along the northerly boundary line of said Northwest 1/4; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel; thence S88°31'32"E, 238.03 feet along said northerly boundary line; thence S00°31'44"W, 7.55 feet; thence N88°05'45"W, 73.46 feet; thence N88°31'32"W, 90.25 feet to the POINT OF BEGINNING; thence S01°28'28"W, 5.00 feet to a non-tangent curve concave to the southeast, having a radius of 26.00 feet; thence southwesterly, 37.61 feet along the arc of said curve through a delta angle of 82°52'57" (chord bears S50°02'00"W, 34.42 feet) to the westerly boundary line of said parcel also being the easterly right-of-way line of U.S. 301 Boulevard; thence N52°57'46"W, 5.56 feet along said westerly boundary line and easterly right-of-way line to a non-tangent curve concave to the southeast having a radius of 31.00 feet; thence northeasterly, 42.19 feet along the arc of said curve through a delta angle of 77°59'01" (chord bears N52°28'58"E, 39.01 feet) to the POINT OF BEGINNING.

Containing 200 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	77°59'01"	31.00'	42.19'	S52°28'58"W	39.01'
C2	82°52'57"	26.00'	37.61'	N50°02'00"E	34.42'



SCHEDULE 2

PARCEL I.D. 5587500009  
 PARCEL I.D. 5587510008  
 (Official Records Book 1764, Page 6690)

This line is a representation of the Manatee County Property Appraiser's division line and is not based on Public Record.

**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 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.

**REVISIONS:**

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

<p><b>TEMPORARY CONSTRUCTION EASEMENT PARCEL #730 3 YEAR TERM LIMIT PROJECT# 3346001060</b></p>	<p style="text-align: center;"><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                  Checked By: TEB                  Scale: NOT TO SCALE                  DWG.: Parcel 730                  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 (941) 748-4301</p>
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