

**R-11-130-V**

**A RESOLUTION VACATING PUBLIC RIGHTS OF WAY  
PURSUANT TO SECTION 336.09 ET SEQ., FLORIDA STATUTES, AND  
SECTION 911, LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA**

**WHEREAS**, an application for the vacation of a public road used for transportation, or portion thereof, as dedicated by Deed recorded in OR Book 1214, page 2508; and by eminent domain proceeding recorded in OR Book 1540, page 2842, has been filed before the Board of County Commissioners of Manatee County (the "Board"), Florida, by CAY 3411, LLC, and GAN 3411, LLC (the "Applicant"); and

**WHEREAS**, said application has been found, upon review by the County Attorney's Office, to be legally sufficient and of sufficient form for presentation to and action by the Board; and

**WHEREAS**, the County and other affected agencies and utility companies have reviewed the application and have expressed no relevant objection to the requested vacation; and

**WHEREAS**, following analysis of the application, approval of said vacation is determined to be consistent with the County's Land Development Code and Comprehensive Plan; and

**WHEREAS**, a Resolution Declaring Notice of Public Hearing on said application was duly adopted by the Board, and notice of the public hearing was duly published in a newspaper of general circulation in Manatee County, Florida; and

**WHEREAS**, all conditions precedent and necessary to vacate said property have been met and the application satisfies the minimum technical requirements of the County's Land Development Code and pertinent Florida Statutes; and

**WHEREAS**, a public hearing by the Board was duly held considering the advisability of granting said application, or some portion thereof, and the Board was fully advised and informed in the premises; and

**WHEREAS**, the Board has determined that vacating said property would not be in derogation of the public rights or needs of Manatee County, Florida.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Manatee County, Florida, that:

1. Upon request of the Applicant, the Board renounces and disclaims any right of the County and public in and to the land, or interest therein, described in Exhibit "A," incorporated herein by reference, and acquired by purchase, gift, devise, dedication, or prescription for street, alleyway, road or highway purposes.

2. No portion of the land, or interest therein, described in Exhibit "A" constitutes or was acquired for a state or federal highway.
3. An announcement of the public hearing to vacate the property described in Exhibit "A" was given by publishing legal notice in a newspaper of general circulation in the County in which the tract or parcel of land is located, in not less than one (1) week issue of said paper.
4. This resolution serves only that purpose expressly stated in Paragraph 1, above. Nothing herein shall be construed or interpreted as a representation of the rights or interests accruing to or existing in the Applicant or any third party to the land described in Exhibit "A."

DULY ADOPTED, with a quorum present and voting, this 7<sup>th</sup> day of June 2011.

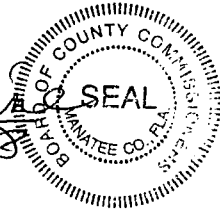
**BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

BY: \_\_\_\_\_

Chairman

ATTEST: **R.B. SHORE**  
Clerk of Circuit Court

BY: *Juanita Hernandez*



**DESCRIPTION**

THAT PORTION OF SECTION 2, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 2; THENCE S.89°35'41"W., 302.54 FEET ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 2; THENCE LEAVING SAID LINE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BOULEVARD WEST (U.S. 301) THE FOLLOWING: N.52°39'12"W., 28.54 FEET; THENCE N.36°30'15"E., 10.00 FEET; THENCE N.53°29'45"W., 200.00 FEET; THENCE N.36°30'15"E., 25.00 FEET; THENCE N.53°29'45"W., 1965.02 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, N.89°59'32"W., 285.84 FEET TO THE POINT OF BEGINNING; THENCE N.89°59'32"W., 44.94 FEET TO A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 519.29 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, 95.62 FEET THROUGH A CENTRAL ANGLE OF 10°33'02"(CHORD BEARING N.15°22'46"W., 95.49 FEET); THENCE N.20°39'29"W., 105.77 FEET; THENCE N.46°21'50"E., 48.12 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 9TH STREET WEST AS RECORDED IN OFFICIAL RECORDS BOOK 1214, PAGE 2508 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG SAID LINE, S.20°39'29"E., 124.55 FEET TO A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 563.59 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE, 111.67 FEET THROUGH A CENTRAL ANGLE OF 11°21'10"(CHORD BEARING S.14°58'42"E., 111.49 FEET) TO THE POINT OF BEGINNING.

CONTAINING 0.222 ACRES (9693 SQUARE FEET) MORE OR LESS

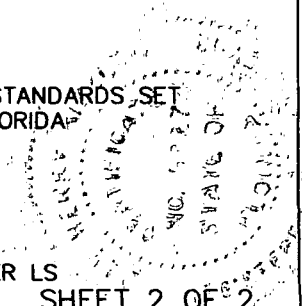
**NOTES**

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 35 SOUTH, RANGE 17 EAST, SAID LINE BEING ASSUMED AS S89°35'41"W.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

**CERTIFICATION**

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.


*[Signature]*  
 DAN H. RIZZUTO  
 PROFESSIONAL SURVEYOR AND MAPPER LS  
 5227, STATE OF FLORIDA



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**NOT A SURVEY**

SHEET 2 OF 2

ITEM	DATE	BY	QC	RIGHT-OF-WAY TO BE VACATED	 <b>POLARIS ASSOCIATES INC.</b> PROFESSIONAL SURVEYING LB 6113 18850 U.S HIGHWAY 19 SUITE 500 CLEARWATER, FLORIDA 33764 (727) 524-6500
REVISE DESCRIPTION	5/5/09	DHR	JOD		
SKETCH & DESCRIPTION	3/23/09	DHR	JOD		
REVISE DESCRIPTION	6/2/09	DHR	JOD		

