

RESOLUTION R-11-237

A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTION ACTIVITIES, WIDENING, DEEPENING, DREDGING, CLEARING AND SNAGGING OF THE BANKS, OR OTHERWISE IMPROVING THE WARE'S CREEK FLOODWAY AND STORM WATER IMPROVEMENT AREA AS PART OF THE WARE'S CREEK STORM WATER FLOOD CONTROL PUBLIC PROJECT IN MANATEE COUNTY, FLORIDA.

**WARE'S CREEK - CANAL DREDGING
PARCEL E-142.2
PROJECT NO. 6028801**

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 Ware's Creek must be improved to relieve periodic flooding and to safely accommodate the hydrologic flow of surface waters within the flood plain and that land is needed for the construction, reconstruction, widening, deepening, dredging, clearing and snagging, repairing, and maintaining of the creek and surrounding storm water improvement project area, and for other right-of-way purposes, including, but not limited to, construction activities, drainage, retention, construction staging areas, utility facilities, and depositing of spoil; 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 storm water improvement area; 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 Property Management Departments are authorized to employ the services of the County

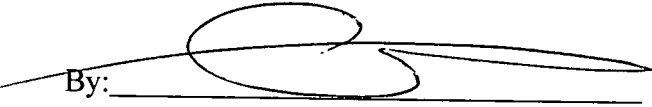
Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interests in the aforementioned properties, which property is more particularly described in the Schedule which is attached hereto and made a part hereof.

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 properties, hereby finds and determines that the acquisition of the following interests are necessary as to the real property described in the attached Schedule:


<u>Schedule No./Parcel</u>	<u>Interest to be Acquired</u>
1 E-142.2	Permanent Access and Maintenance Easement

ADOPTED with a quorum present and voting this 8 day of November, 2011.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: 
Chairman

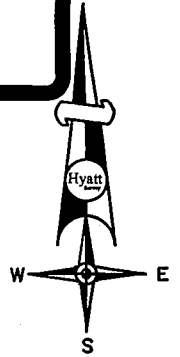
ATTEST: R. B. SHORE
CLERK OF THE CIRCUIT COURT

By: 
Deputy Clerk

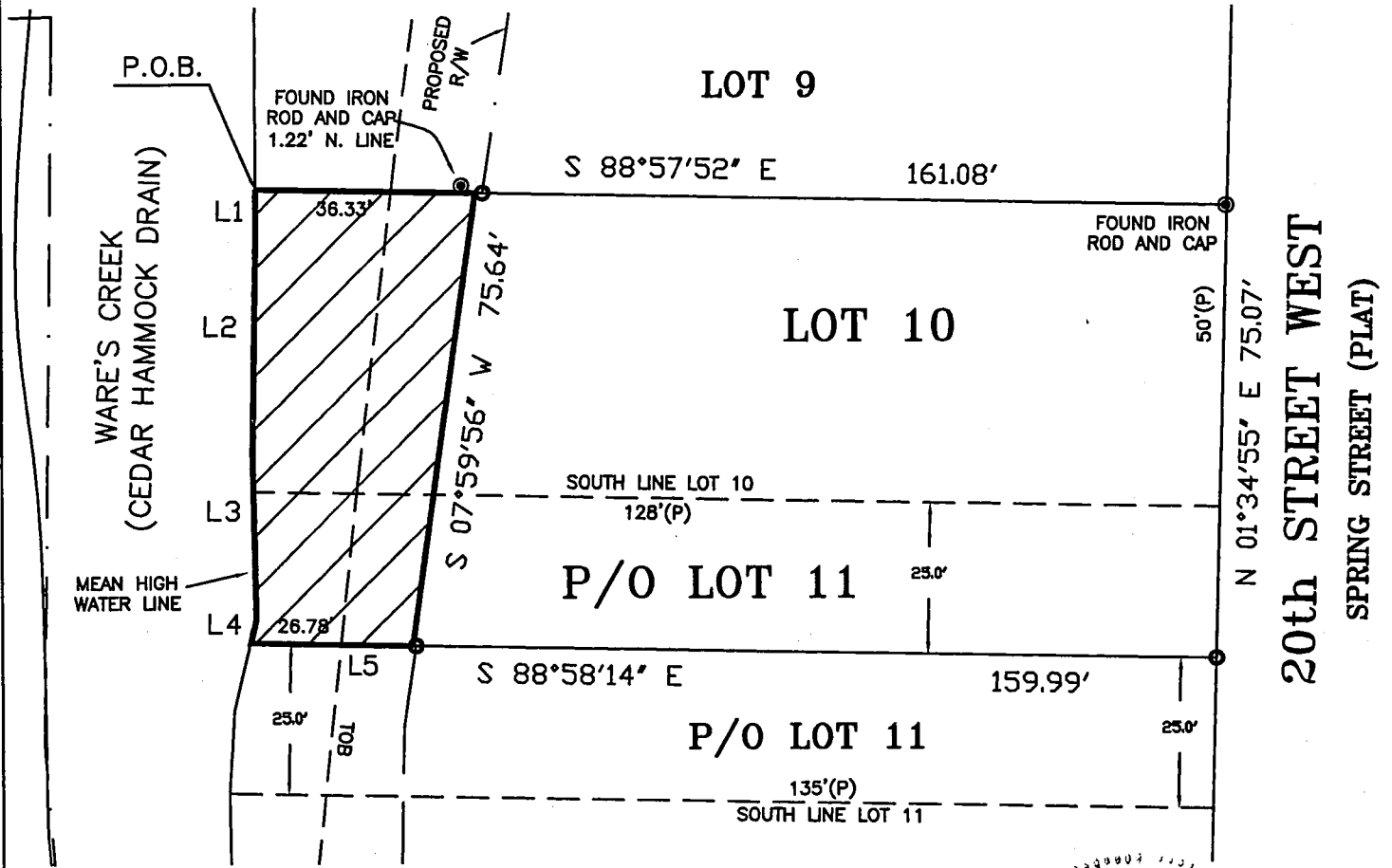


SCHEDULE 1

LINE TABLE		
LINE	LENGTH	BEARING
L1	4.95	N00°04'23"W
L2	38.07	N00°51'27"E
L3	28.04	N01°07'15"W
L4	4.14	N13°30'56"E
L5	27.35	N88°58'14"W



Scale: 1" = 30'



NOTE:
FOR DESCRIPTIVE PURPOSE ONLY,
THIS IS NOT A SURVEY.

REVISED: 6/20/08 REVISED EASEMENT
REVISED: 2/8/06 TITLE BLOCK CHANGED P.H.
REVISED: 1/15/05

FOR: MANATEE COUNTY

RUSSELL P. HYATT, P.S.M.
Florida Surveyor's Reg'n. No. LS: 5303
NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.

TITLE
ACCESS AND MAINTENANCE EASEMENT
E-142.2 PARCEL 40842.00007
STATION 63+95 TO 64+70

Hyatt Survey Services, Inc.

LB No.: 7203 Geographic Data Specialists
11007 8th Avenue East Bradenton, Florida 34212
Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 03-1073	SECTION 34	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 12/29/04	DRAWN BY PAH	FILE NAME 40842-00007	SHEET 1 OF 2
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THAT PART OF LOTS 10 AND 11, REVISED PLAT OF TERRACEDALE, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 31 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 10 FOR A POINT OF BEGINNING;

THENCE S 88°57'52" E, ALONG THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 36.33 FEET; THENCE S 07°59'56" W, A DISTANCE OF 75.64 FEET; THENCE N 88°58'14" W, A DISTANCE OF 26.78 FEET TO THE INTERSECTION WITH THE MEAN HIGH WATER LINE; THENCE NORTHERLY, ALONG SAID MEAN HIGH WATER LINE, THE FOLLOWING FOUR (4) COURSES: N 13°30'56" E, A DISTANCE OF 4.14 FEET; THENCE N 01°07'15" W, A DISTANCE OF 28.04 FEET; THENCE N 00°51'27" E, A DISTANCE OF 38.07 FEET; THENCE N 00°04'23" W, A DISTANCE OF 4.95 FEET TO THE NORTHWEST CORNER OF SAID LOT 11 AND THE POINT OF BEGINNING.

CONTAINING 2353 SQUARE FEET.

REVISED: 6/20/08 REVISED EASEMENT
 REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.
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FOR: MANATEE COUNTY

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