

**RESOLUTION R-11-240**

**A RESOLUTION OF MANATEE COUNTY, FLORIDA,  
AUTHORIZING THE BOARD OF COUNTY  
COMMISSIONERS TO ENTER INTO A TEMPORARY  
WORK AREA EASEMENT WITH U.S. DEPARTMENT OF  
THE ARMY, CORPS OF ENGINEERS, JACKSONVILLE  
DISTRICT.**

**WARE'S CREEK - CANAL DREDGING  
PARCEL E-100  
PROJECT NO. 6028801**

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida, is authorized under Section 125.38, Florida Statutes, to convey real property to the United States held by the County or other real property, where such will best serve the interests of the citizens of Manatee County; and

**WHEREAS**, the U.S. Army Corps of Engineers proposes to undertake a flood control dredging project of Ware's Creek and the East Branch of Cedar Hammock Canal, which will provide flood control and drainage benefits; and

**WHEREAS**, the U.S. Army Corps of Engineers is requesting a Temporary Work Area Easement, attached hereto as Exhibit "A," for a period of thirteen (13) months beginning January 1, 2012, and ending January 31, 2013; compensation to Manatee County is zero dollars (\$0.00).

**WHEREAS**, the property described in the Temporary Work Area Easement was previously acquired by Manatee County for the purposes of dredging and conducting spoil site operations for the Ware's Creek - Canal Dredging Project, including dewatering of the spoil material, construction, and the staging of equipment; and

**WHEREAS**, the Board of County Commissioners has determined this conveyance of property to be in the best interest of Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that:**

The Chairman or any Vice Chairman of this Board is authorized to execute a Temporary Work Area Easement substantially in the form attached hereto as Exhibit "A," conveying the property described therein to the parties as identified in Exhibit "A," for the purposes and for the period described above.



This Instrument Prepared by and  
Return to:  
Rodney C. Wade, Esq.  
Manatee County Attorney's Office  
Post Office Box 1000  
Bradenton, Florida 34206-1000



Project #6028801  
Parcel E-100  
ID #3354500109

**TEMPORARY WORK AREA EASEMENT**

For and in consideration of the benefits accruing to the Owner, **COUNTY OF MANATEE, political subdivision of the State of Florida**, Grantor, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206-1000, hereby gives, grants, bargains, and releases to the **DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, JACKSONVILLE DISTRICT, an agency of the United States Government**, with its mailing address being Post Office Box 4970, Jacksonville, Florida 32232-0019, a temporary easement and right-of-way in, on, over, and across the Owner's land, described as follows:

*See legal description identified as Exhibit "A" attached hereto.*

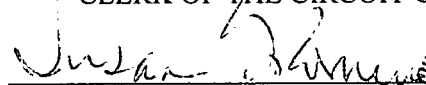
for a period not to exceed thirteen (13) months beginning with date possession of the land is granted to the United States, its representatives, agents, and contractors as a work area, including the right to borrow and/or deposit fill, spoil, and waste material thereon and to move, store, and remove equipment and supplies and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Construction Dredging, Phase I, Cedar Hammock (Ware's Creek), Flood Damage Reduction Project, Manatee County, Florida, together with the right to trim, cut, fell, and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowner, its heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquire; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines.

The property shall be restored to same or like condition


*This Easement will expire upon completion of project on or before January 31, 2013.*

**MANATEE COUNTY, FLORIDA,  
by and through its BOARD OF COUNTY  
COMMISSIONERS**

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

By:   
Deputy Clerk



By:   
Chairperson

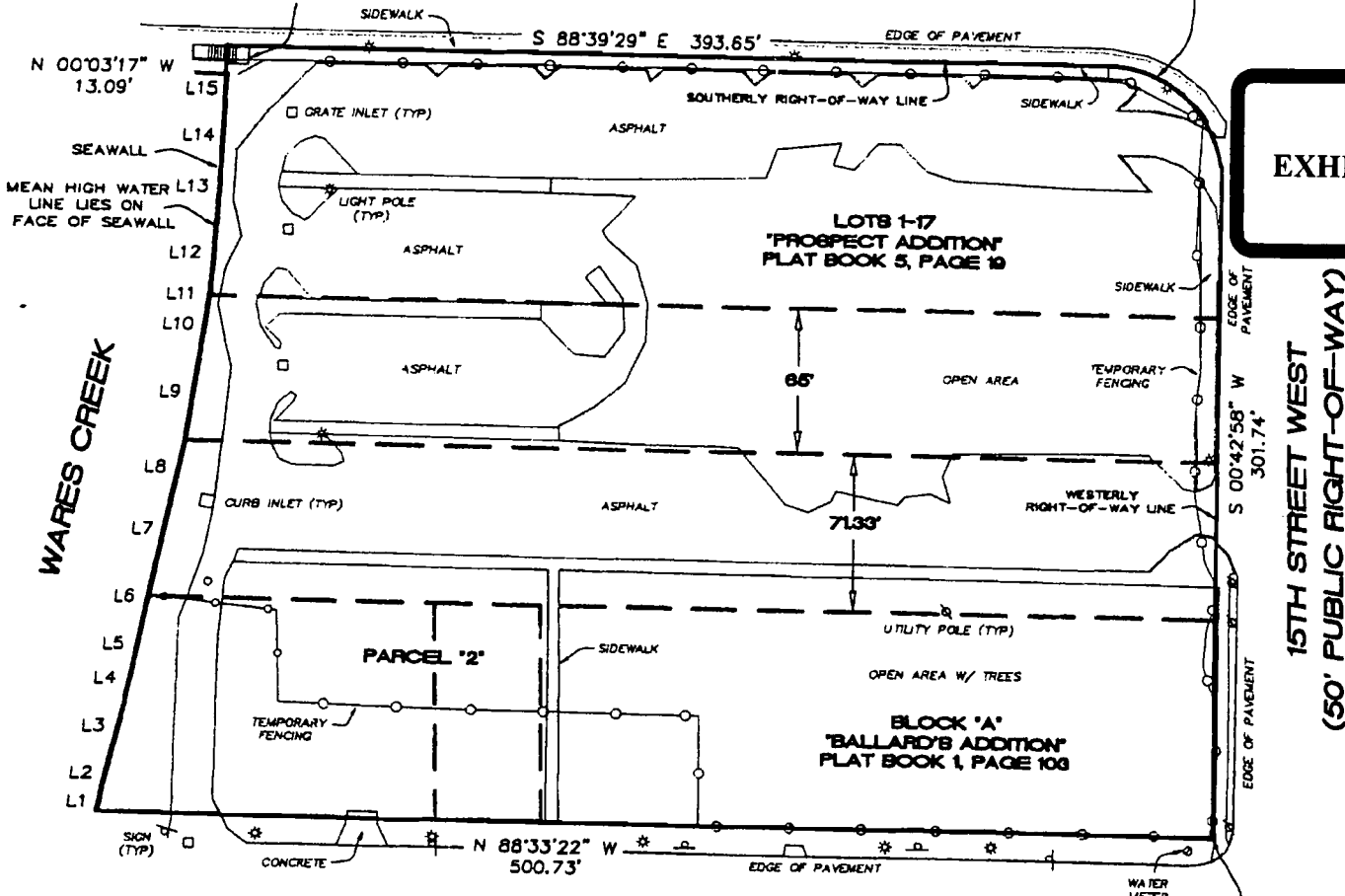
Date: 11/8/11

**STATE ROAD 64  
MANATEE AVENUE**

(FDOT RIGHT-OF-WAY MAP 13150-2528)

RADIUS 55.00' ARC 76.92'  
DELTA 80°07'56"  
CHORD S 48°35'31"E 70.80'

"PARCEL 900" PER FOOT  
R/W MAP 13150-2528

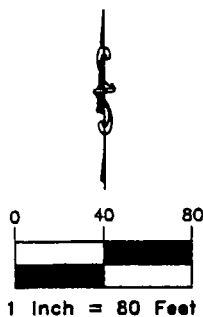


**EXHIBIT "A"**

LINE	BEARING	DISTANCE
L1	N 12°39'31" E	6.76'
L2	N 12°46'37" E	17.11'
L3	N 15°10'26" E	27.26'
L4	N 13°20'37" E	16.92'
L5	N 13°07'25" E	14.16'
L6	N 12°59'36" E	30.96'
L7	N 13°04'44" E	32.90'
L8	N 13°00'53" E	24.46'
L9	N 09°11'57" E	43.76'
L10	N 09°29'30" E	17.87'
L11	N 09°21'12" E	9.20'
L12	N 05°12'39" E	38.95'
L13	N 03°38'41" E	10.28'
L14	N 03°24'49" E	36.01'
L15	N 02°32'28" E	11.30'

**6TH AVENUE WEST  
(50' PUBLIC RIGHT-OF-WAY)**

POINT OF BEGINNING  
SOUTHEAST CORNER BLOCK "A"  
BALLARD'S ADDITION



*RP Hyatt*

RUSSELL P. HYATT, P.S.M.  
FLORIDA SURVEYOR'S REG'N. NO. 7203

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER...

**SURVEYOR'S NOTES**

1. THIS IS A SKETCH OF THOSE LANDS DESCRIBED IN O.R.B. 1908, PAGE 6652 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
2. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE PROJECTION (FLORIDA WEST NAD 27).
3. SUBJECT PROPERTY CONTAINS AN AREA OF 3.70 ACRES MORE OR LESS.

NOTE: THIS IS NOT A SURVEY.  
SEE PAGE 2 FOR DESCRIPTION

SKETCH — PARCEL 3354500109  
"Old City Hall Site"  
Manatee County, Florida

**Hyatt Survey Services, Inc.**

Geographic Data Specialists  
11007 8TH AVENUE EAST BRADENTON, FLORIDA 34212  
PH. (941) 748-4693 FAX (941) 744-1643 LB No.: 7203

Job Number 03-1073	Parcel ID	Section 26	Township 34 South	Range 17 East	Scale 1" = 80'	Date 07/03/09	Drawn by JLM	FILE NAME: 3354500109	PAGE 1 OF 2
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**PARCEL 1:**

LOTS 1 THROUGH 17, PROSPECT ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 19, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. LESS THE PORTIONS THEREOF CONVEYED TO THE STATE OF FLORIDA AS DESCRIBED IN DEED BOOK 382, PAGE 63 AND IN OFFICIAL RECORD BOOK 737, PAGE 796, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

AND  
 BEGIN AT THE SW CORNER OF MANATEE AND PROSPECT AVENUE (NOW MANATEE AVENUE AND 15TH STREET) IN THE CITY OF BRADENTON, FLORIDA, RUNNING THENCE SOUTH ALONG THE WEST SIDE OF PROSPECT AVENUE (15TH STREET) 127 2/3 FEET FOR A POINT OF BEGINNING; THENCE SOUTH ALONG THE WEST SIDE OF SAID PROSPECT AVENUE (15TH STREET) 65 FEET; THENCE WEST PARALLEL WITH MANATEE AVENUE TO WARES CREEK; THENCE NORTH ALONG WARES CREEK TO A POINT DUE WEST OF THE POINT OF BEGINNING; THENCE EAST TO THE POINT OF BEGINNING. LYING AND BEING IN THE SW 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST.

AND  
 BEGINNING AT A POINT ON THE WEST SIDE OF PROSPECT AVENUE (15TH STREET WEST) IN THE CITY OF BRADENTON, FLORIDA, 264 FEET SOUTH FROM THE SOUTHWEST CORNER OF PROSPECT AVENUE AND MANATEE AVENUE, THE SAME BEING THE NORTHEAST CORNER OF LOT OWNED BY MRS. SARAH O. WEBBER; THENCE RUN NORTH ALONG THE WEST SIDE OF PROSPECT AVENUE (15TH STREET), THE DISTANCE OF 71 AND 1/3 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF MANATEE AVENUE TO THE BANK OF WARE'S CREEK; THENCE SOUTH ALONG THE MARGIN OF SAID CREEK TO THE NORTHWEST CORNER OF MRS. SARAH O. WEBBER'S LOT; THENCE EAST TO POINT OF BEGINNING, IN THE SW 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST.

AND  
 BLOCK "A" OF BALLARD'S ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGES 73 AND 103, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

**PARCEL 2:**

BEGIN AT THE SE CORNER OF BLOCK "A" OF BALLARD'S ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 103 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE DUE WEST ALONG SOUTH BOUNDARY OF SAID BLOCK "A", A DISTANCE OF 349.35 FEET FOR A POINT OF BEGINNING; THENCE NORTH 100 FEET TO THE NORTH LINE OF SAID BLOCK "A"; THENCE WEST TO THE PRESENT SEAWALL; THENCE SOUTHERLY ALONG SAID SEAWALL TO A POINT THAT INTERSECTS WITH THE SOUTH BOUNDARY LINE OF SAID BLOCK "A" EXTENDED WEST; THENCE EAST APPROXIMATELY 150 FEET TO POINT OF BEGINNING; TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING.

THE WEST 1/2 OF THE FOLLOWING DESCRIBED LAND, TO WIT:

BEGIN AT THE SE CORNER OF BLOCK "A" OF BALLARD'S ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 103 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE WEST ALONG SOUTH BOUNDARY OF SAID BLOCK "A", 255 FEET FOR POINT OF BEGINNING; THENCE NORTH 100 FEET TO NORTH LINE OF SAID BLOCK "A"; THENCE WEST 94.35 FEET; THENCE SOUTH 100 FEET; THENCE EAST 94.35 FEET TO THE POINT OF BEGINNING.

**ALL OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS :**

BEGINNING AT THE SOUTHEAST CORNER OF BLOCK "A" AS SHOWN AND DESIGNATED ON A PLAT ENTITLED "BALLARD'S ADDITION" RECORDED AMONG THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA IN PLAT BOOK 1, PAGE 103; THENCE ALONG THE SOUTH BOUNDARY OF SAID BLOCK "A", N 88°33'22" W, A DISTANCE OF 500.73 FEET TO THE MEAN HIGH WATER LINE OF WARE'S CREEK; SAID MEAN HIGH WATER LINE LYING ON THE FACE OF AN EXISTING SEAWALL; THENCE ALONG THE FACE OF THE SEAWALL AND MEAN HIGH WATER LINE, THE FOLLOWING FIFTEEN COURSES AND DISTANCES:

1.	N 12°39'31" E	6.76'	9.	N 09°11'57" E	43.78'
2.	N 12°46'37" E	17.11'	10.	N 09°29'30" E	17.87'
3.	N 15°10'26" E	27.26'	11.	N 09°21'12" E	9.20'
4.	N 13°20'37" E	16.92'	12.	N 05°12'39" E	38.95'
5.	N 13°07'25" E	14.16'	13.	N 03°38'41" E	10.28'
6.	N 12°59'36" E	30.96'	14.	N 03°24'49" E	36.01'
7.	N 13°04'44" E	32.90'	15.	N 02°32'28" E	11.30'
8.	N 13°00'53" E	24.46'			

THENCE N 00°03'17" W, A DISTANCE OF 13.09 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 64 (MANATEE AVENUE); THENCE ALONG SAID RIGHT-OF-WAY LINE, S 88°39'29" E, A DISTANCE OF 393.65 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 55.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 80°07'56", A DISTANCE OF 76.92 FEET TO A POINT OF NON-TANGENCY; SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF 15TH STREET WEST; THENCE ALONG SAID RIGHT-OF-WAY LINE, S 00°42'58" W, A DISTANCE OF 301.74 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 3.70 ACRES MORE OR LESS.

SEE PAGE 1 FOR SKETCH

DESCRIPTION - PARCEL 3354500109  
 "Old City Hall Site"  
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