

RESOLUTION R-13-023

A RESOLUTION AUTHORIZING USE OF “QUICK TAKING” CONDEMNATION 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; PROVIDING AN EFFECTIVE DATE.

**WARE’S CREEK - CANAL DREDGING
PARCEL W-280.2
PROJECT NO. 6028801**

WHEREAS, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the Ware’s Creek – Canal Dredging Project by purchase from the owner; and

WHEREAS, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said property, all as described and set out in Resolution R-13-022; and

WHEREAS, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

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

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interests in the property hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to Ware's Creek – Canal Dredging Project until it acquires title to the hereinafter-described property.

3. Delay in acquiring the necessary interests and the resultant delay in construction will adversely affect the project.

4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The property to be taken is more particularly described in Schedule 1 which is attached hereto and made a part hereof.

6. This Resolution shall take effect immediately upon its passage.

ADOPTED with a quorum present and voting this ____ day of February, 2013.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: Larry Bustle
Chairman

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

By: Wendi Jessner
Deputy Clerk



ZNS ENGINEERING

ENGINEERS | PLANNERS | SURVEYORS | LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS
EB 0027476 LS 0006882 LC 0000365

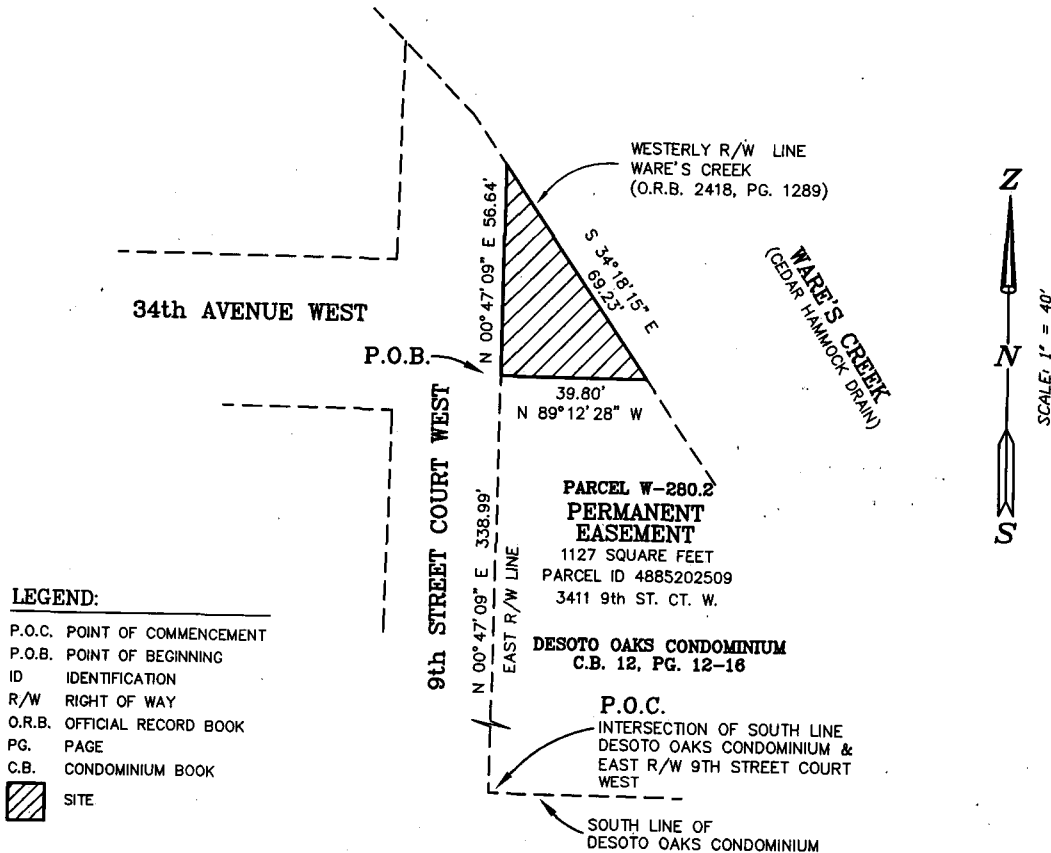
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A PORTION OF DESOTO OAKS CONDOMINIUM IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 17 EAST, AS PER PLAT THEREOF RECORDED IN CONDOMINIUM BOOK 12, PAGE 12 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID DESOTO OAKS CONDOMINIUM AND THE EAST RIGHT OF WAY LINE OF 9TH STREET COURT WEST; THENCE N 00°47'09" E, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 338.99 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE, N 00°47'09" E, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 56.64 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE FOR WARE'S CREEK AS RECORDED IN OFFICIAL RECORDS BOOK 2418, PAGE 1289 OF SAID PUBLIC RECORDS; THENCE S 34°18'15" E, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 69.23 FEET; THENCE N 89°12'28" W, A DISTANCE OF 39.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 1127 SQUARE FEET, MORE OR LESS.



LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- ID IDENTIFICATION
- R/W RIGHT OF WAY
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- C.B. CONDOMINIUM BOOK
- SITE

NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF DESOTO OAKS CONDOMINIUM, HAVING A BEARING OF N 00°17'09" E, AND DO NOT REFER TO THE TRUE MERIDIAN.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

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**PARCEL W-280.2
PERMANENT EASEMENT**

PROJECT No. 465-6028801

PERMANENT EASEMENT LOCATED IN

SECTION 2, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17-050, FLORIDA ADMINISTRATIVE CODE.

BY:
JAMES N. GALT, STATE OF FLORIDA
FLORIDA CERTIFICATE NO. LS 2955
DATE OF CERTIFICATION 11/08/24/12

SCHEDULE 1