

R-13-050

**RESOLUTION DECLARING A PUBLIC HEARING TO CONSIDER
AN APPLICATION TO VACATE A SUBDIVISION PLAT, IN WHOLE OR IN PART
PURSUANT TO SECTION 177.101, FLORIDA STATUTES, AND
SECTION 911, LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA**

WHEREAS, an application to vacate a subdivision plat, in whole or in part, has been filed before the Board of County Commissioners of Manatee County (the "Board"), Florida, by Jeffrey Eickelmann and Jennifer Eickelmann; Jacqueline D. Weachock, as Trustee of the Florida Land Trust u/a dated 12/18/09; Kevin Cross, as Trustee of the Cross Irrevocable Trust Agreement dated 3/25/98 and Advanta IRA #8003010; and Michael A. Schue and Kelly Rae Schue (the "Applicant");

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 Applicant seeks the vacation of property located in an unincorporated area of Manatee County, Florida, and described as follows:

See EXHIBIT "A" Attached Hereto

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Manatee County, Florida, that a public hearing will be held before the Board in the **Commissioners' Chambers on the 1st Floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, at 9:00 a.m.**, or as soon thereafter as same may be heard, on the 26th day of March 2013 to consider the advisability of granting said application, or some portion thereof. All interested persons, firms, corporations or other entities and organizations shall govern themselves accordingly.

In accordance with Section 286.0106, Florida Statutes, any person desiring to appeal a decision made with respect to any matter considered at this hearing, that person will need a record of the proceedings, and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Rules of procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution are available for review at the Citizens Action Center on the ninth floor of the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida, and are available for purchase, at cost, at the County Administrator's Office.

DULY ADOPTED, with a quorum present and voting, this 12th day of March 2013.

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

BY: _____

Chairman

Larry Burt

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

By *Clara Jessner De*



EXHIBIT "A"

LEGAL DESCRIPTION: (ROAD VACATION - EICKELMANN)

A PORTION OF THE RIGHT OF WAY OF 65TH AVENUE EAST AND A PORTION OF THE RIGHT OF WAY OF 221ST STREET EAST AS PER PLAT OF POMELLO PARK, A SUBDIVISION, RECORDED IN PLAT BOOK 6, PAGE 61 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

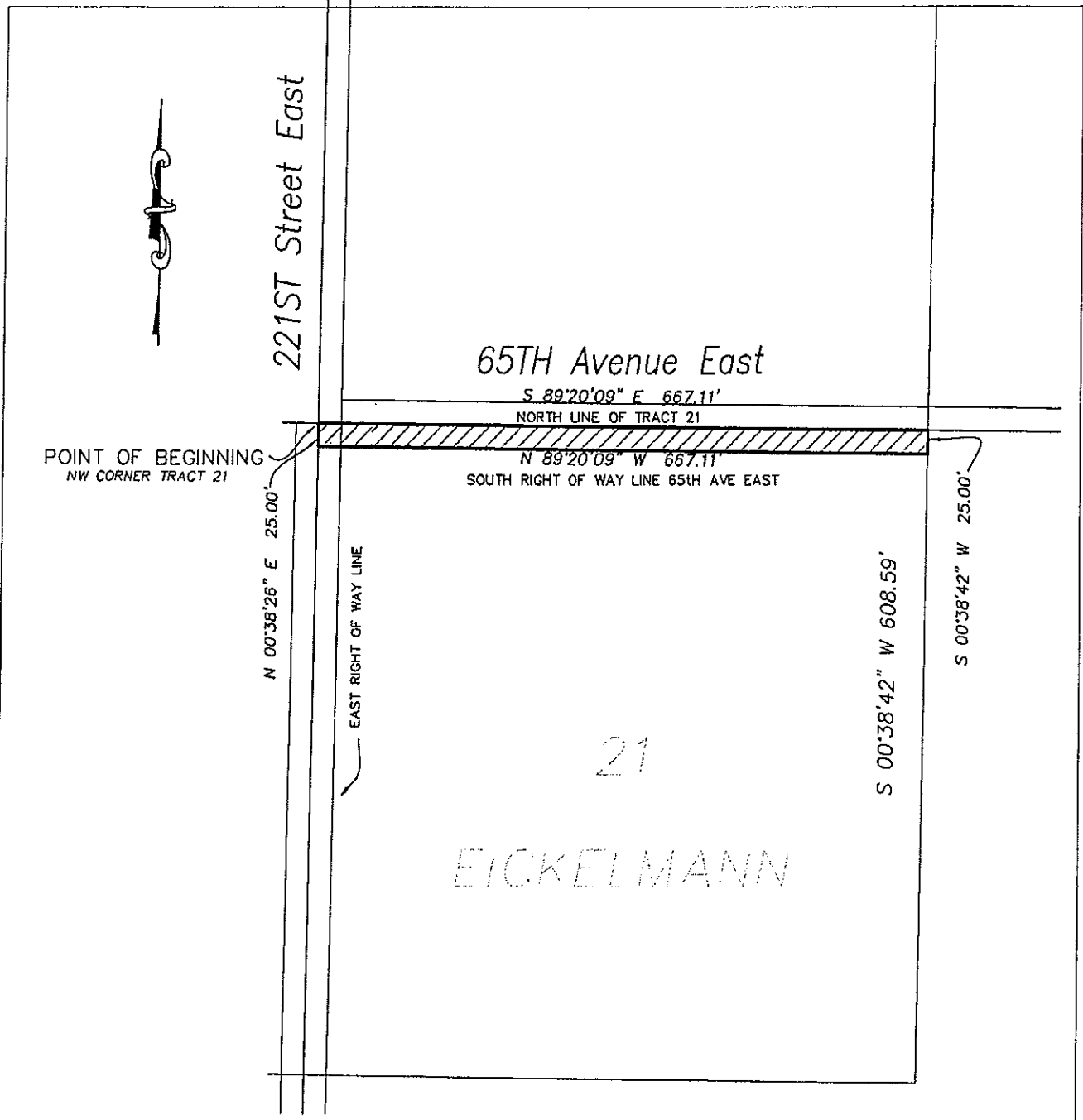
BEGIN AT THE NORTHWEST CORNER OF TRACT 21, SECTION 21, TOWNSHIP 35 SOUTH, RANGE 20 EAST, OF SAID POMELLO PARK SUBDIVISION,; THENCE S.89°20'09"E. ALONG THE NORTH LINE OF SAID TRACT 21, A DISTANCE OF 667.38 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID TRACT 21; THENCE S.00°38'42"W. ALONG SAID EAST LINE, A DISTANCE OF 25.00 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY OF 65TH AVENUE EAST; THENCE N.89°20'09"W. ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 667.11 FEET TO THE INTERSECTION WITH THE WEST LINE OF SAID TRACT 21; THENCE N.00°38'26"E. ALONG SAID WEST LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 16,684 SQUARE FEET OR 0.38 ACRES MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

1 OF 2 SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION

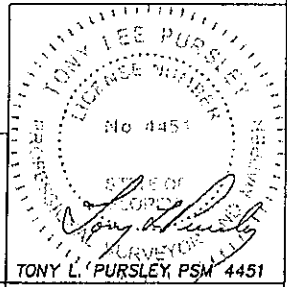
H:\A_SUBDIVISIONS\H08HELLO\9165C21\ACRO-VACATION OF RW TRACTS 12 13 20 21 SEC 21.dwg



SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY



**SCHAPPACHER ENGINEERING
AND SURVEYING, L.L.C.**
 CERTIFICATE OF AUTHORIZATION LB 0007859
 3604 53RD AVENUE, BRADENTON, FLORIDA 34203
 (941) 748-8340 (941) 896-9938 FAX



2 OF 2	Scale: 1" = 150'	Drawn by: TP	FB/PG: NONE	DATE: 05-04-2012
				JOB: BOB C

LEGAL DESCRIPTION (ROAD VACATION- WEACHOCK)

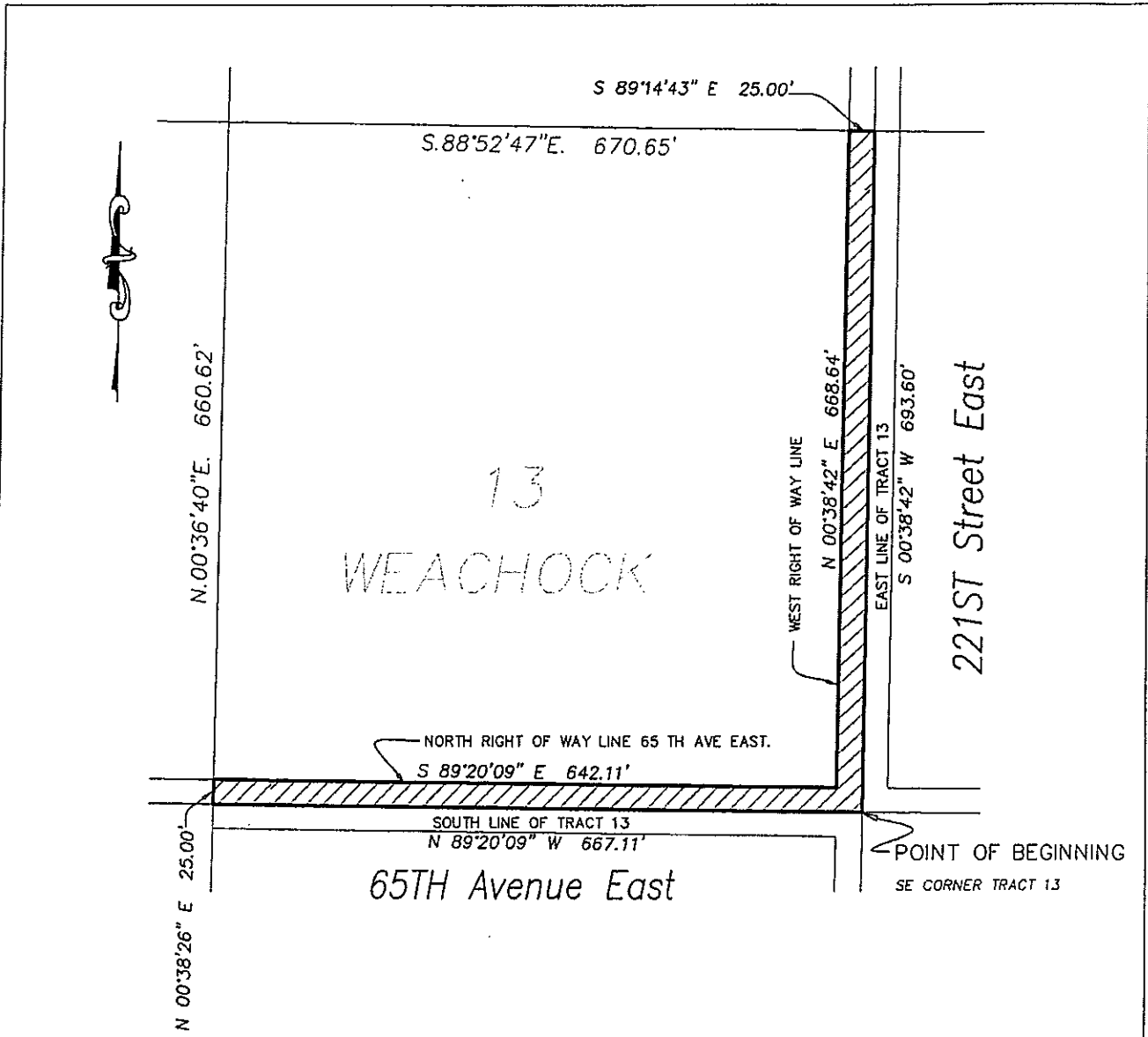
A PORTION OF THE RIGHT OF WAY OF 65TH AVENUE EAST AND A PORTION OF THE RIGHT OF WAY OF 221ST STREET EAST AS PER PLAT OF POMELLO PARK, A SUBDIVISION RECORDED IN PLAT BOOK 6, PAGE 61 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT 13, SECTION 21, TOWNSHIP 35 SOUTH, RANGE 20 EAST, OF SAID POMELLO PARK SUBDIVISION; THENCE N.89°20'09"W. ALONG THE SOUTH LINE OF SAID TRACT 13, A DISTANCE OF 667.11 FEET TO THE INTERSECTION WITH THE WEST LINE OF SAID TRACT 13; THENCE N.00°38'26"E. ALONG SAID WEST LINE, A DISTANCE OF 25.00 FEET TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF 65TH AVENUE EAST; THENCE S.89°20'09"E. ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 642.11 FEET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 221ST STREET EAST; THENCE N.00°38'42"E. ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 668.64 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID TRACT 13; THENCE S.89°14'43"E. ALONG SAID NORTH LINE, A DISTANCE OF 25.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID TRACT 13; THENCE S.00°38'42"W. ALONG SAID EAST LINE, A DISTANCE OF 693.60 FEET TO THE POINT OF BEGINNING.

CONTAINING 33,393 SQUARE FEET OR 0.77 ACRE MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

1 OF 2 SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION

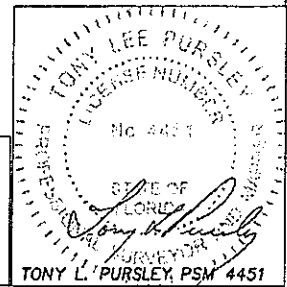


SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY



**SCHAPPACHER ENGINEERING
AND SURVEYING, L.L.C.**

CERTIFICATE OF AUTHORIZATION LB 0007859
3604 53RD AVENUE, BRADENTON, FLORIDA 34203
(941) 748-8340 (941) 896-9938 FAX



2 OF 2	Scale: 1" = 150'	Drawn by: TP	FB/PG: NONE	DATE: 05-04-2012
				JOB: BOB C

LEGAL DESCRIPTION: (ROAD VACATION - CROSS)

A PORTION OF THE RIGHT OF WAY OF 65TH AVENUE EAST AND PORTION OF THE RIGHT OF WAY OF 221 STREET EAST AS PER PLAT OF POMELLO PARK, A SUBDIVISION, RECORDED IN PLAT BOOK 6, PAGE 61 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

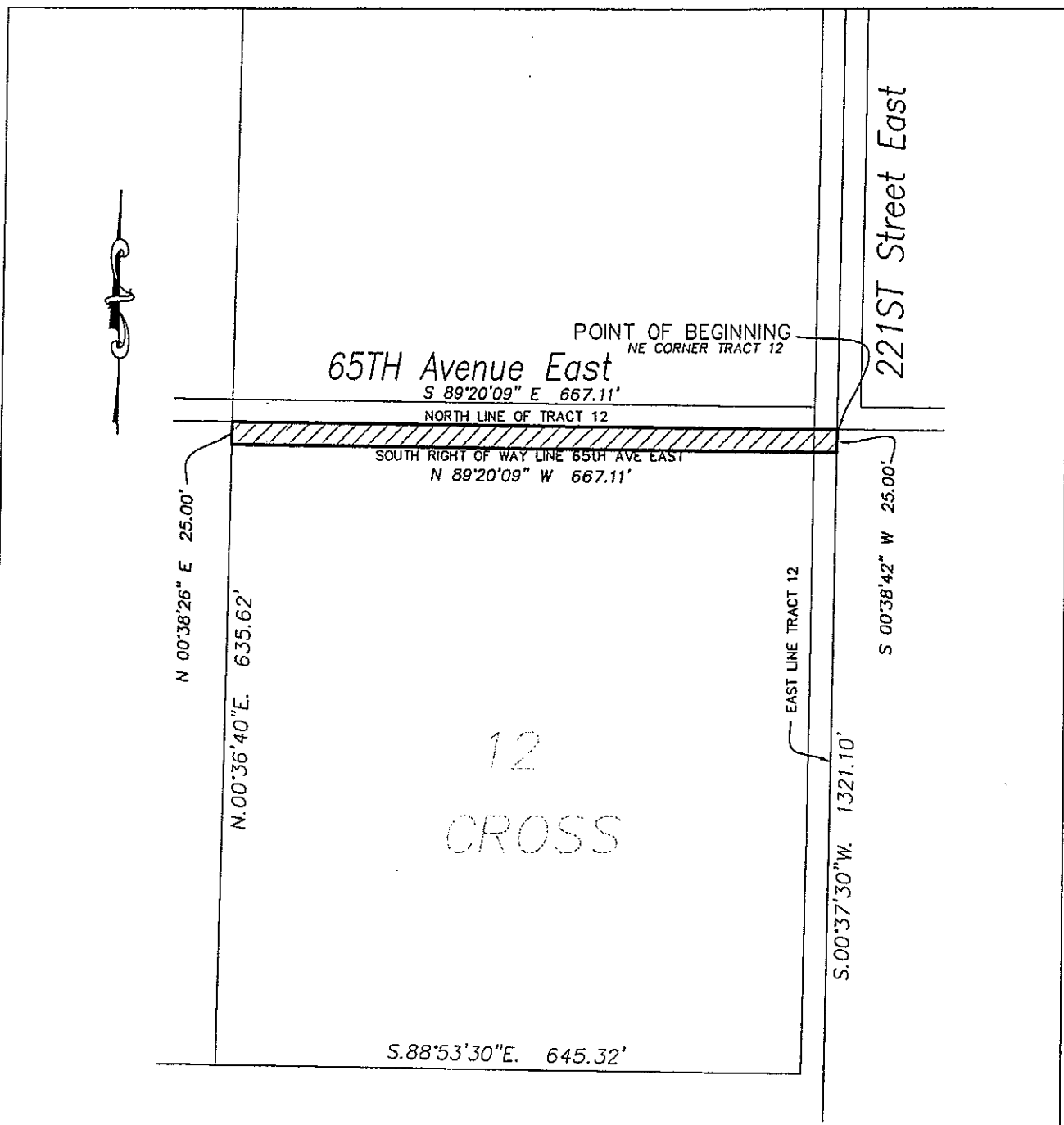
BEGIN AT A THE NORTHEAST CORNER OF TRACT 12, SECTION 21, TOWNSHIP 35 SOUTH, RANGE 20 EAST, OF SAID POMELLO PARK, A SUBDIVISION,; THENCE S.00°38'42"W. ALONG THE EAST LINE OF SAID TRACT 12, A DISTANCE OF 25.00 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY OF SAID 65TH AVENUE EAST; THENCE N.89°20'09"W. ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 667.11 FEET TO THE INTERSECTION WITH THE WEST LINE OF SAID TRACT 12; THENCE N.00°38'26"E. ALONG SAID WEST LINE, A DISTANCE OF 25.00 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID TRACT 12; THENCE S.89°20'09"E. ALONG SAID NORTH LINE, A DISTANCE OF 667.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 16,678 SQUARE FEET OR 0.38 ACRES, MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

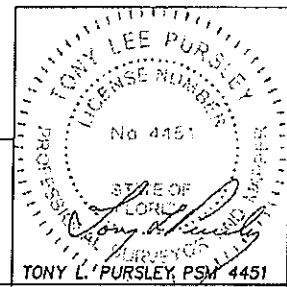
1 OF 2 SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION

11A SUBDIVISIONS\06HELLOW\SEC21\ACAD-VACATION OF RW TRACTS 12 12 20 21 SEC 21.dwg



SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

SCHAPPACHER ENGINEERING
AND SURVEYING, L.L.C.
CERTIFICATE OF AUTHORIZATION LB 0007859
3604 53RD AVENUE, BRADENTON, FLORIDA 34203
(941) 748-8340 (941) 896-9938 FAX



2 OF 2	Scale: 1" = 150'	Drawn by: TP	FB/PG: NONE	DATE: 05-04-2012
				JOB: BOB C

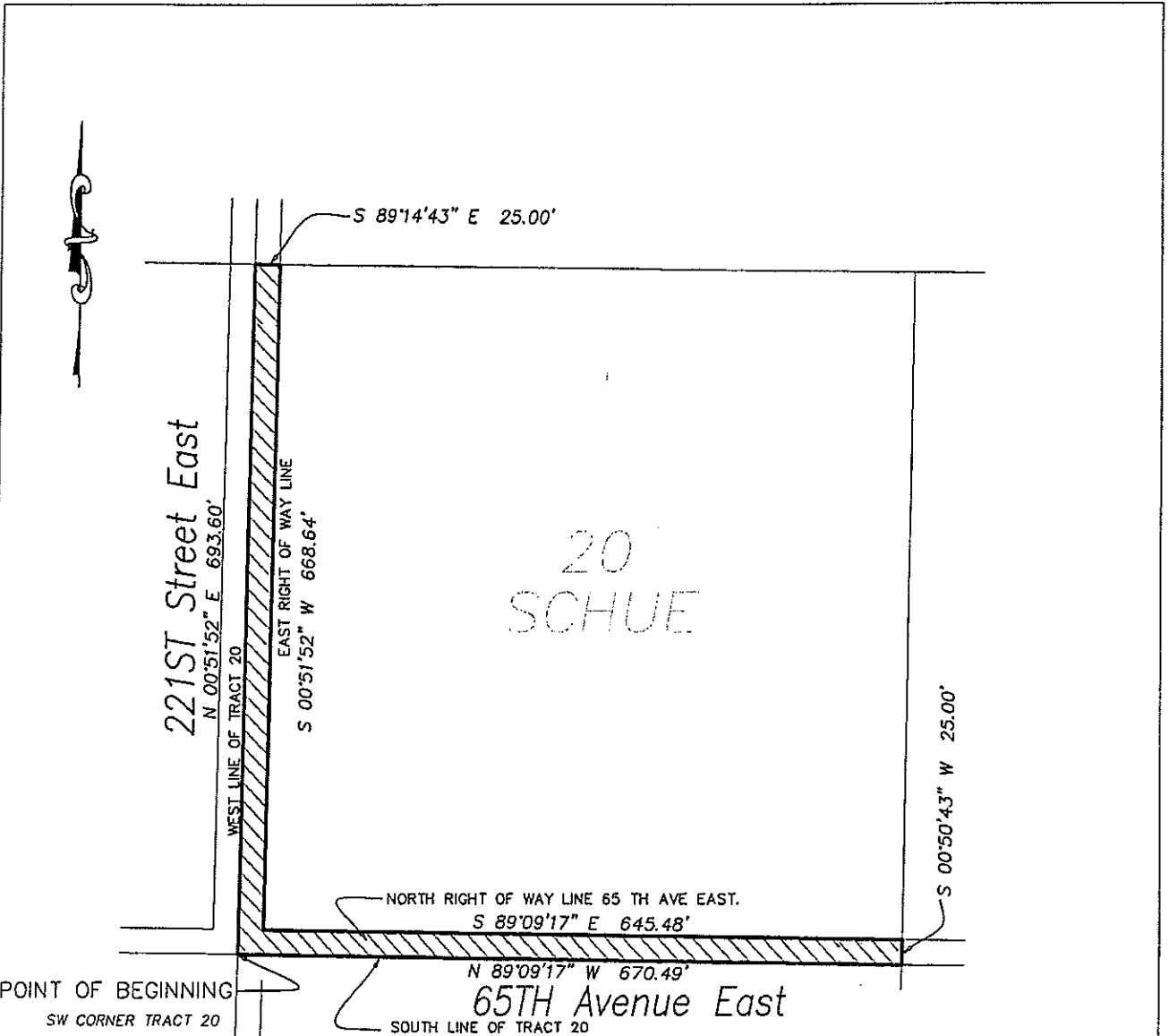
LEGAL DESCRIPTION: (ROAD VACATION - SCHUE)

A PORTION OF 65TH AVENUE EAST AND A PORTION OF 221 ST STREET EAST AS PER PLAT OF POMELLO PARK, A SUBDIVISION, RECORDED IN PLAT BOOK 6, PAGE 61 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 20, SECTION 21, TOWNSHIP 35 SOUTH, RANGE 20 EAST, OF SAID POMELLO PARK SUBDIVISION; THENCE N.00°51'52"E. ALONG THE WEST LINE OF SAID TRACT 20, A DISTANCE OF 693.60 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID TRACT 20; THENCE S.89°14'43"E. ALONG SAID NORTH LINE, A DISTANCE OF 25.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF 221ST STREET EAST; THENCE S.00°51'52"W. ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 668.64 FEET TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF 65TH AVENUE EAST; THENCE S.89°09'17"E. ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 645.48 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID TRACT 20; THENCE S.00°50'43"W. ALONG SAID EAST LINE, A DISTANCE OF 25.00 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 20; THENCE N.89°09'17"W. ALONG SAID SOUTH LINE, A DISTANCE OF 670.49 FEET TO THE POINT OF BEGINNING.

*CONTAINING 33,478 SQUARE FEET OR 0.77 ACRES, MORE OR LESS.
SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.*

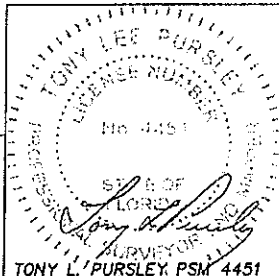
1 OF 2 SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION



SKETCH OF DESCRIPTION ONLY
 NOT A BOUNDARY SURVEY



**SCHAPPACHER ENGINEERING
 AND SURVEYING, L.L.C.**
 CERTIFICATE OF AUTHORIZATION LB 0007859
 3604 53RD AVENUE, BRADENTON, FLORIDA 34203
 (941) 748-8340 (941) 896-9938 FAX



2 OF 2	Scale: 1" = 150'	Drawn by: TP	FB/PG: NONE	DATE: 05-04-2012 JOB: BOB C
--------	------------------	--------------	-------------	--------------------------------