

R-13-059

**A RESOLUTION VACATING IMPROVED RIGHT OF WAY
PURSUANT TO SECTIONS 177.101 and 336.09 ET SEQ., FLORIDA STATUTES,
AND SECTION 911, LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA**

WHEREAS, an application for the vacation of a public street, alleyway, road, highway or other place used for transportation, or portion thereof, a subdivision plat, in whole or in part, has been filed before the Board of County Commissioners of Manatee County (the "Board"), Florida, by Manatee County, Parks and Recreation Department (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 no 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 objectives; and

WHEREAS, a Resolution Declaring Notice of Public Hearing on said application was duly adopted by said Board of County Commissioners, 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 said Board of County Commissioners was duly held considering the advisability of granting said application, or some portion thereof, and the Board of County Commissioners was fully advised and informed in the premises; and

WHEREAS, said Board of County Commissioners 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 vacates, renounces and discontinues, the portion of the existing public road, used for travel described in Exhibit "A", incorporated herein by reference, as recorded in O.R. Book 225, Page 680, and O.R. Book 1351, Page 2489, of the Public Records of Manatee County, Florida.

2. Said action has been undertaken pursuant to the enabling legislation of Chapters 336.09 through 336.12, Florida Statutes, pertaining to public streets, roadways and other places of travel and Chapter 177.101, Florida Statutes, pertaining to subdivision plats and land boundaries.
3. No portion of the property to be vacated, as described in Exhibit "A" constitutes or was acquired for a state or federal highway, nor will the vacation of the property deprive any person, firm, corporation or other entity of its legal right of ingress and egress to any property whether abutting the property to be vacated or not.
4. The real property containing or abutting the property to be vacated is not subject to any delinquent or unpaid ad valorem taxes, special assessments, or other improvement liens.
5. 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) weekly issue of said paper.
6. 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 26th day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: Larry Busto

Chairman

ATTEST: R.B. SHORE
Clerk of Circuit Court

BY: Wabi Jones

Deputy Clerk



Description and Sketch

Exhibit "A"

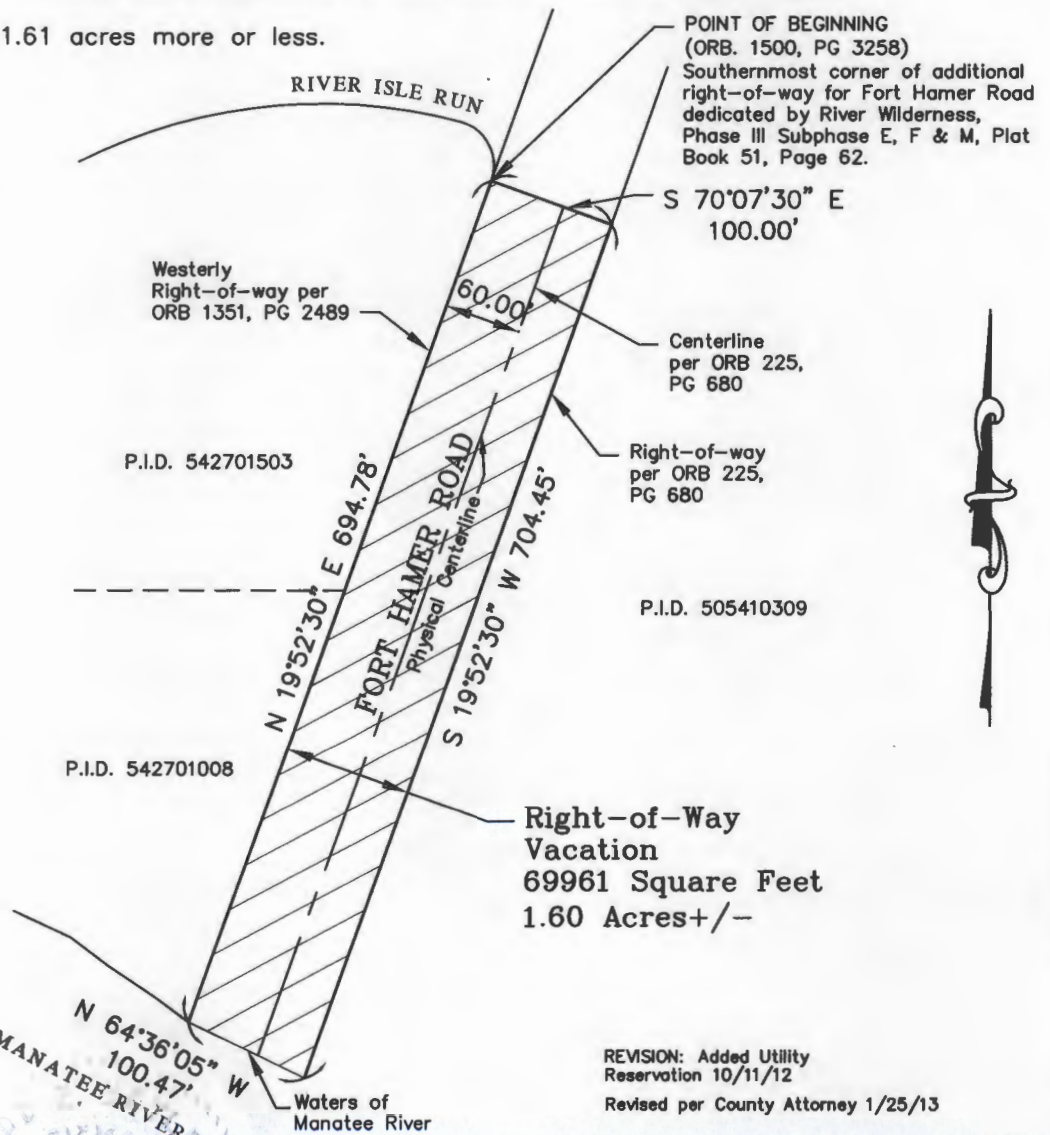
(NOT A SURVEY)

DESCRIPTION: RIGHT-OF-WAY VACATION, A portion of the Public Right-of-way of FORT HAMER ROAD in a portion of Section 17, Township 34 South, Range 19 East, Manatee County, Florida, being more specifically described as follows:

BEGINNING at the southernmost corner of additional right-of-way for FORT HAMER ROAD dedicated by RIVER WILDERNESS, PHASE III, Subphase E, F & M. as recorded in Subdivision Plat Book 51, Page 62 of the Public Records of said County and being on the westerly right-of-way line of FORT HAMER ROAD per Official Records Book 1500, Page 3258, said right-of-way line being 60.00 feet westerly of the centerline of FORT HAMER ROAD per Official Records Book 225, Page 680 of the Public Records of said County; thence S70°07'30"E, 100.00 feet to the easterly right-of-way line of said FORT HAMER ROAD per Official Record Book 225, Page 680 of the Public Records of said County; thence S19°52'30"W, 704.45 feet along said easterly right-of-way line to the waters of the MANATEE RIVER; thence northwesterly along said waters subtended by a line that bears N64°36'05"W 100.47 feet to said westerly right-of-way line of FORT HAMER ROAD per Official Record Book 1351, Page 2489 of the Public Records of said County; thence N19°52'30"E, 694.78 feet along said westerly right-of-way to the POINT OF BEGINNING.

Manatee County reserves to itself a Public Utility Purpose over the described vacated right-of-way.

Containing 69961 square feet or 1.61 acres more or less.



NOTES:

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. No instruments of record reflecting easements, rights-of-way and/or ownership are known by, or were furnished except as shown hereon.
3. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
4. The basis of bearing is the westerly right-of-way line of Ft Hamer Road which bears N19°52'30"E (assumed).

REVISION: Added Utility Reservation 10/11/12
Revised per County Attorney 1/25/13

MANATEE COUNTY
PROPERTY MANAGEMENT - SURVEY DIVISION



1112 MANATEE AVENUE WEST
BRADENTON, FLORIDA, 34205.
(941)748-4501

Todd E. Boyle

Todd E. Boyle, RSM
Registered Surveyor & Mapper, 6047

1/25/13

DATE

POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
POT = POINT OF TERMINUS
PC = POINT OF CURVATURE
PT = POINT OF TANGENCY
PCC = POINT OF COMPOUND CURVATURE
PRC = POINT OF REVERSE CURVATURE
Sec = SECTION
Twn = TOWNSHIP
Rng = RANGE
ORB = OFFICIAL RECORDS BOOK
PG = PAGE
PID = PARCEL IDENTIFICATION NUMBER

Scale: NOT TO SCALE

Project / Job Number:
Fort Hamer Road/
20120502
Sheet: 1 of 1

Section 18, Township 34
South, Range 18 East

DWG Date: June 6, 2012