

RESOLUTION R-13-168

A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.

**44TH AVENUE EAST ROAD IMPROVEMENT PROJECT
(30TH STREET EAST TO 45TH STREET EAST)
PARCEL 113
PROJECT NO. 6071160**

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 44th Avenue East from 30th Street East to 45th Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, bike lanes, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; 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 road; and

WHEREAS, the owners of said lands 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 property is 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 property, which property is more particularly described in Schedule 1 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 property, 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.</u>	<u>Parcel No.</u>	<u>Interests to be Acquired</u>
1.	113	Fee Simple Title

ADOPTED with a quorum present and voting this 24th day of September, 2013.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



By: Larry Bustle
Chairman

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

By: Albi Lesser
Deputy Clerk

LEGAL DESCRIPTION AND SKETCH

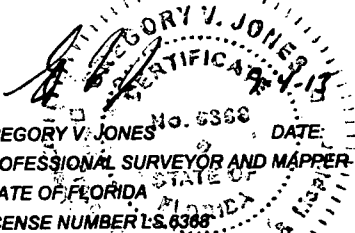
Parcel 113

That part of Lot 32, Block 4 of Elwood Park subdivision, as recorded in Plat Book 2, Page 76, Public Records of Manatee County, Florida, being in Section 4, Township 35 South, Range 18 East more particularly described as follows:

Commence at the southwest corner said Section 4, thence along the west line of Section 9, Township 35 South, Range 18 East S 00° 06' 51" W a distance of 9.41 feet to a point on the survey base line of 44th Avenue East per Manatee County Public Works Project 6071160; being a nontangent curve concave to the southerly and having a radius of 1348.14 feet, a central angle of 00° 52' 04" and a chord bearing and distance of N 78° 43' 09" E, 20.42 feet; thence easterly along said survey base line along the arc of said curve 20.42 feet to a point; thence departing said survey base line, N 00° 04' 41" W a distance of 30.25 feet to the southwest corner of said Lot 32 also being the POINT OF BEGINNING; thence along the west line of said Lot 32, N 00° 04' 41" W a distance of 61.26 feet to the beginning of a nontangent curve concave to the south and having a radius of 1438.14 feet, a central angle of 10° 38' 15" and a chord bearing and distance of N 85° 09' 11" E, 266.62 feet; thence departing said west line and easterly along the arc of said curve 267.00 feet to the end of said curve; thence S 89° 31' 41" E a distance of 50.55 feet to the east line of said Lot 32; thence along said east line, S 00° 03' 27" E a distance of 86.04 feet to the southeast corner of said Lot 32; thence along the south line of said Lot 32, N 89° 31' 03" W a distance of 316.23 feet to the POINT OF BEGINNING.

Containing 0.574 acres, more or less.

This legal description and sketch prepared by:


 GREGORY V. JONES No. 6368 DATE:
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA
 LICENSE NUMBER 1S 6368

Note: Not Valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

SCHEDULE 1



MANATEE COUNTY
PUBLIC WORKS

PREPARED BY:

 **MKIM & CREED**
 378 INTERSTATE COURT
 SARASOTA, FL 34240
 941-379-3404 LB 7917

PARCEL SKETCH - THIS IS NOT A SURVEY

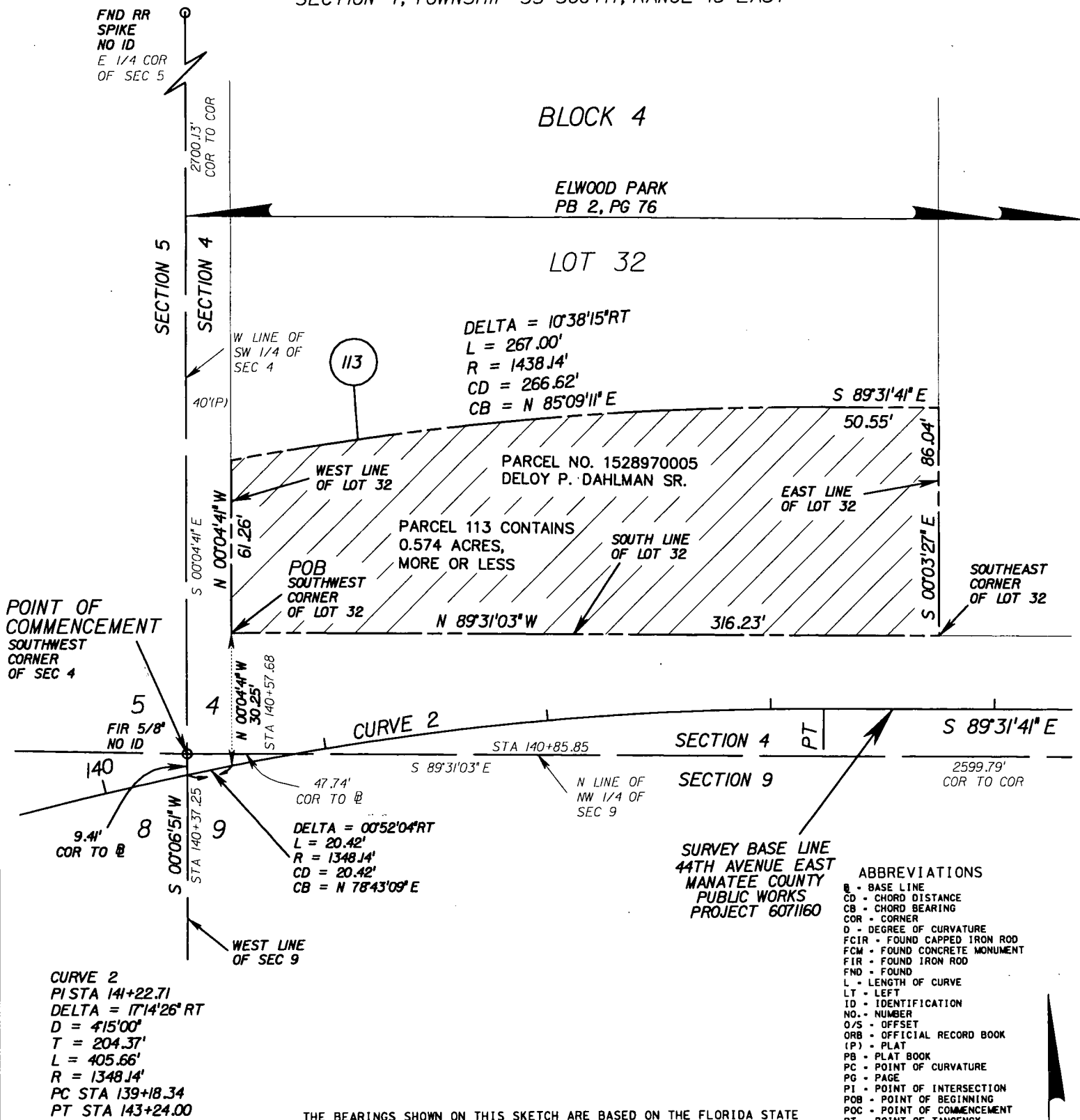
			BY		DATE	FEE SIMPLE TITLE		Parcel Number 113	
ADDED "FEE SIMPLE TITLE"	G. JONES	9/4/13	DRAWN	G. JONES	6/05/12	Project Number: 6071160 44th Avenue East		SHEET 1 OF 2	
REVISION	BY	DATE	CHECKED	R ABERNATHY	6/05/12				

SECTION 4, TOWNSHIP 35 SOUTH, RANGE 18 EAST

BLOCK 4

ELWOOD PARK
PB 2, PG 76

LOT 32



POINT OF COMMENCEMENT
SOUTHWEST
CORNER
OF SEC 4

CURVE 2
PI STA 141+22.71
DELTA = 171°4'26" RT
D = 415'00"
T = 204.37'
L = 405.66'
R = 1348.14'
PC STA 139+18.34
PT STA 143+24.00

This legal description and sketch is incomplete without the signed and sealed legal description.

THE BEARINGS SHOWN ON THIS SKETCH ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, 1983 NORTH AMERICAN DATUM, 1999 ADJUSTMENT, AS ESTABLISHED FROM THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST BEING A FCIR 5/8" - "FDOT" AND A FOUND 80d NAIL WITH DISK "ILLEGIBLE" DERIVING A BEARING OF N 01°12'25" W.

- ABBREVIATIONS**
- B - BASE LINE
 - CD - CHORD DISTANCE
 - CB - CHORD BEARING
 - COR - CORNER
 - D - DEGREE OF CURVATURE
 - FCIR - FOUND CAPPED IRON ROD
 - FCM - FOUND CONCRETE MONUMENT
 - FIR - FOUND IRON ROD
 - FND - FOUND
 - L - LENGTH OF CURVE
 - LT - LEFT
 - ID - IDENTIFICATION
 - NO. - NUMBER
 - O/S - OFFSET
 - ORB - OFFICIAL RECORD BOOK
 - (P) - PLAT
 - PB - PLAT BOOK
 - PC - POINT OF CURVATURE
 - PG - PAGE
 - PI - POINT OF INTERSECTION
 - POB - POINT OF BEGINNING
 - POC - POINT OF COMMENCEMENT
 - PT - POINT OF TANGENCY
 - R - RADIUS OF CURVE
 - RR - RAILROAD
 - RT - RIGHT
 - R/W - RIGHT OF WAY
 - SEC - SECTION
 - STA - STATION
 - T - TANGENT

NOT TO SCALE

	 <p>MANATEE COUNTY PUBLIC WORKS</p>	PREPARED BY:  <p>MKIM & CREED 378 INTERSTATE COURT SARASOTA, FL 34240 941-379-3404 LB 7917</p>
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	BY	DATE		
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REVISION	BY	DATE	CHECKED	R ABERNATHY 6/05/12
			Project Number: 6071160 44th Avenue East	
			SHEET 2 OF 2	