

R-13-176

A RESOLUTION VACATING PUBLIC RIGHT OF WAY

PURSUANT TO SECTIONS 336.09 ET SEQ., FLORIDA STATUTES, AND SECTION 911, LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA

WHEREAS, an application for the vacation of a public or private street, alleyway, road, highway or other place used for transportation, or portion thereof, has been filed before the Board of County Commissioners of Manatee County (the "Board"), Florida, by Donald G. Browning and Judith A. Browning (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 expressed no relevant 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; and

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

WHEREAS, the Board 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:

renounces and disclaims any right of the County and public in and to the land, or interest therein, described in Exhibit "A," incorporated herein by reference, and acquired by purchase, gift, devise, dedication, or prescription for street, alleyway, road or highway purposes.

No portion of the land, or interest therein, described in Exhibit "A" constitutes or was acquired for a state or federal highway.

1. 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.
2. 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 22nd day of October
2013.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA



By: Larry Bustle
Chairperson

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

By: Robin Liberty D.C.
Deputy Clerk



Leo Mills & Associates, Inc.

LICENSED BUSINESS NO. 613 • SURVEYING • LAND PLANNING

620 8th AVENUE WEST, PALMETTO, FL 34221
PHONE: (941)722-2460 FAX: (941)722-9640

22 NORTH POLK AVENUE, ARCADIA, FL 34266
PHONE: (863)993-4141 FAX: (863)993-2646

LEO MILLS - PSM 1735
LEO MILLS, JR. - PSM 3513
MEMBER: FLORIDA SURVEYING
AND MAPPING SOCIETY &
MANASOTA CHAPTER SURVEYING
AND MAPPING SOCIETY

SECTION 33, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA
FOR THE EXCLUSIVE USE OF: DONALD G. AND JUDITH BROWNING
ADDRESS: 1804 45th STREET COURT EAST BRADENTON, FLORIDA

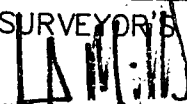
SURVEYOR'S CERTIFICATE:
BY: 
LEO MILLS, JR.
REGISTERED STATE OF FLORIDA PROFESSIONAL
SURVEYOR & MAPPER NO. P.S. 3513
DATE OF SURVEY: 11/21/12
**NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
AND MAPPER.
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EXHIBIT "A-1"

EXHIBIT "A-1": DESCRIPTION AND NOTES EXHIBIT "A-2": GRAPHICS OF DESCRIBED LAND

THIS "SKETCH OF DESCRIPTION" CONSISTS OF TWO SHEETS. EACH SHEET IS INTENDED TO BE USED IN CONJUNCTION WITH THE OTHER SHEET. THIS "SKETCH OF DESCRIPTION" IS NOT COMPLETE WITHOUT BOTH SHEETS.

DESCRIPTION: PORTION OF EXISTING RIGHT-OF-WAY TO BE VACATED

SKETCH OF DESCRIPTION

A PORTION OF THAT CERTAIN RIGHT-OF-WAY AS DESCRIBED AND RECORDED IN OFFICIAL RECORD BOOK 12, PAGE 344, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA LYING WITHIN THOSE CERTAIN PARCELS OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORD BOOK 2423, PAGE 7940 AND OFFICIAL RECORD BOOK 1865, PAGE 1323, AND ALSO LYING WITHIN THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORD BOOK 2423, PAGE 7924 AND ANY LANDS LYING BETWEEN THE SOUTH LINE OF SAID OFFICIAL RECORD BOOK 2423, PAGE 7924 AND THE MEAN HIGH WATER LINE OF THE BRADEN RIVER, SAID PORTION OF RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT 72 OF ELWOOD PARK SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 72 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE WEST, 200.00 FEET; THENCE NORTH, 338.00 FEET; THENCE N36°00'00"W, 434.94 FEET TO THE POINT OF INTERSECTION OF LAST DESCRIBED LINE AND THE EAST LINE OF THE ABOVE REFERENCED RIGHT-OF-WAY, SAID POINT BEING THE **POINT OF BEGINNING**; THENCE NORTH, ALONG THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 50.13 FEET TO THE NORTHEAST CORNER OF SAID RIGHT-OF-WAY; THENCE N45°00'00"W, ALONG THE NORTHERLY LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 205.01 FEET, MORE OR LESS, TO THE INTERSECTION OF SAID NORTHERLY LINE AND THE MEAN HIGH WATER LINE OF THE BRADEN RIVER; THENCE SOUTHERLY, ALONG SAID MEAN HIGH WATER LINE, THE FOLLOWING 3 COURSES AND DISTANCES: (1) S11°01'48"W, 43.85 FEET, MORE OR LESS; (2) S08°58'31"E, 21.12 FEET, MORE OR LESS; (3) S22°36'54"E, 3.20 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF SAID RIGHT-OF-WAY; THENCE S45°00'00"E, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 132.48 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHERLY LINE AND THE WEST LINE OF SAID RIGHT-OF-WAY; THENCE SOUTH, ALONG SAID WEST LINE, A DISTANCE OF 2.53 FEET, MORE OR LESS, TO A POINT ON THE MEAN HIGH WATER LINE OF THE BRADEN RIVER; THENCE ALONG SAID MEAN HIGH WATER LINE, THE FOLLOWING 3 COURSES AND DISTANCES: (1) S38°29'54"E, 0.17 FEET, MORE OR LESS; (2) S38°12'29"E, 74.98 FEET, MORE OR LESS; (3) S42°59'16"E, 12.72 FEET, MORE OR LESS, THE POINT OF INTERSECTION OF SAID MEAN HIGH WATER LINE AND THE EAST LINE OF SAID RIGHT-OF-WAY; THENCE NORTH, ALONG SAID EAST LINE, A DISTANCE OF 36.31 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 11,136 SQUARE FEET OR 0.26 ACRES, MORE OR LESS.

NOTES:

1. THIS PLAT REPRESENTS A SKETCH OF DESCRIPTION ONLY AND IS NOT INTENDED TO BE USED AS A BOUNDARY SURVEY AS SUCH.
2. BEARINGS SHOWN HEREON REFER TO THE NORTHEASTERLY LINE OF THE OFFICIAL RECORD BOOK 2423, PAGE 7924, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA BEING ASSUMED AS N36°00'00"W.
3. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THEREFORE MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
4. USE OF THIS SKETCH BY ANYONE OTHER THAN THOSE CERTIFIED TO WILL BE AT THEIR SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
5. SUBJECT TO EASEMENTS, DEDICATIONS AND RESTRICTIONS OF RECORD.
6. THE DESCRIPTION SHOWN HEREON WAS CREATED BY THIS FIRM AT CLIENT'S REQUEST.

JOB NO. C 8176

SCALE: NONE FILE INDEX NO.



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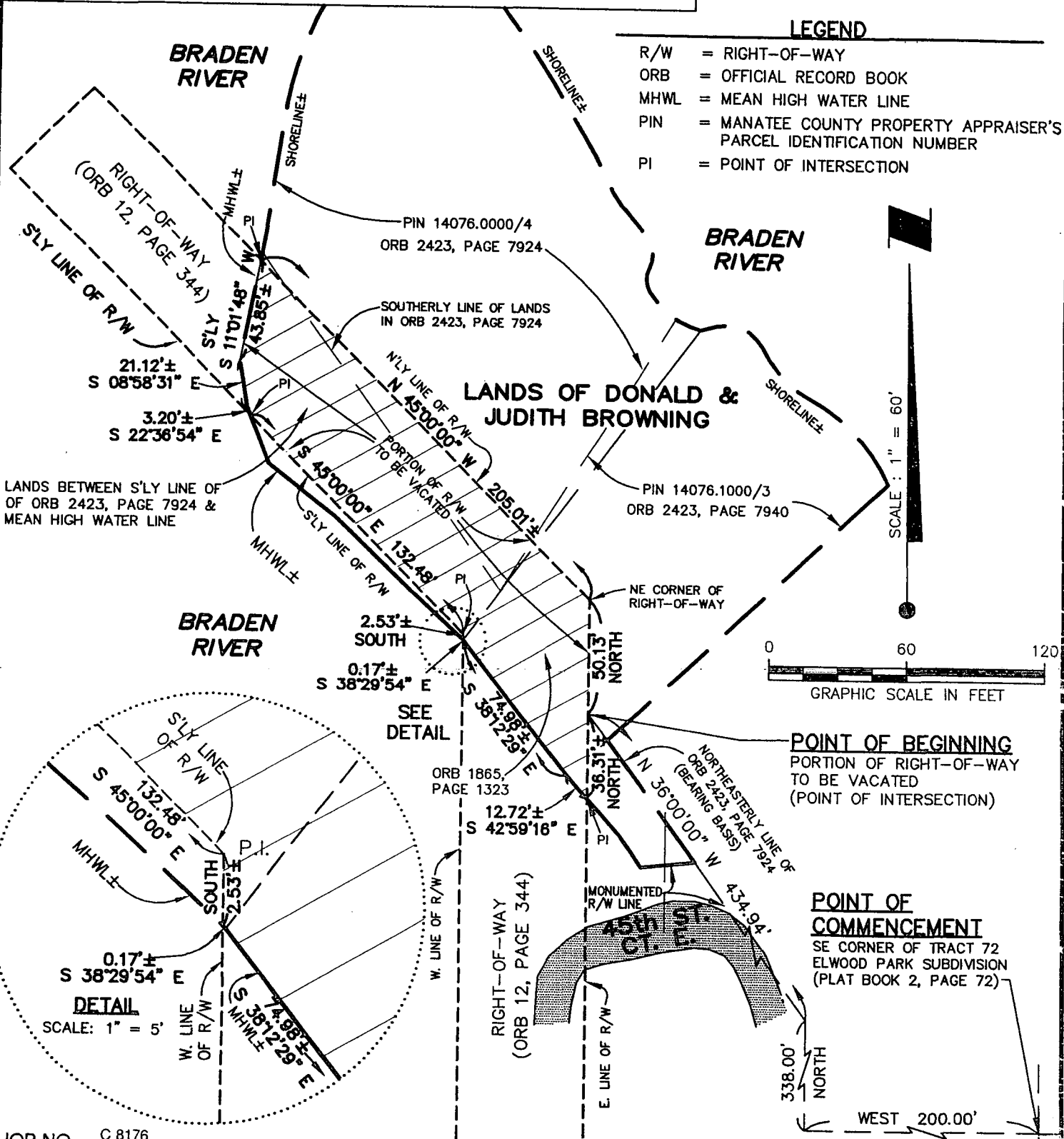
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EXHIBIT "A-2"

LEGEND

- R/W = RIGHT-OF-WAY
- ORB = OFFICIAL RECORD BOOK
- MHWL = MEAN HIGH WATER LINE
- PIN = MANATEE COUNTY PROPERTY APPRAISER'S PARCEL IDENTIFICATION NUMBER
- PI = POINT OF INTERSECTION



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