

RESOLUTION R-14-009

A RESOLUTION AUTHORIZING USE OF “QUICK TAKING” CONDEMNATION 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; RESCINDING AND REPLACING RESOLUTION R-13-180; AND PROVIDING AN EFFECTIVE DATE.

**44TH AVENUE EAST ROAD IMPROVEMENT PROJECT
(30TH STREET EAST TO 45TH STREET EAST)
PARCEL 800
PROJECT NO. 6071160**

WHEREAS, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of 44th Avenue East from 30th Street East to 45th Street East by purchase from the owners; and

WHEREAS, the Board of County Commissioners of Manatee County, Florida, has heretofore authorized the institution of eminent domain proceedings to acquire said property, all as described and set out in Resolution R-14-008; and

WHEREAS, the Board of County Commissioners of Manatee County, Florida, wishes to utilize “quick taking” condemnation proceedings; and

WHEREAS, on September 24, 2013, the Board of County Commissioners of Manatee County, Florida, previously adopted Resolution R-13-180 authorizing use of “quick taking” condemnation proceedings for the acquisition of a certain parcel of privately owned realty necessary for the 44th Avenue East Road Improvement Project from 30th Street East to 45th Street East; and

WHEREAS, Manatee County has determined the need to make minor corrections to the legal description and/or sketch.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, 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 of Manatee County, Florida, 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 44th Avenue East from 30th Street East to 45th Street East until it acquires title to the hereinafter-described property.

3. The 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. Resolution R-13-180 is hereby rescinded in its entirety.

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

DULY ADOPTED with a quorum present and voting this 7th day of January, 2014.



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

By: Larry Bustle
Chairperson

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

By: [Signature]
Deputy Clerk

LEGAL DESCRIPTION AND SKETCH

PERMANENT EASEMENT

Parcel 800

A parcel of land lying in Section 5, Township 35 South, Range 18 East described as follows:

COMMENCE at the southeast corner said Section 5, thence along the east line of said Section 5, N 00°04' 41" W a distance of 815.27 feet; thence departing said east line, S 89°37'29" W a distance of 289.55 feet to the POINT OF BEGINNING; thence S 00°00'00" W a distance of 44.20 feet; thence N 89°54'15" W a distance of 20.00 feet; thence N 00°00'00" E a distance of 44.03 feet; thence N 89°37'29" E a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 882 square feet, more or less.



This legal description and sketch prepared by:



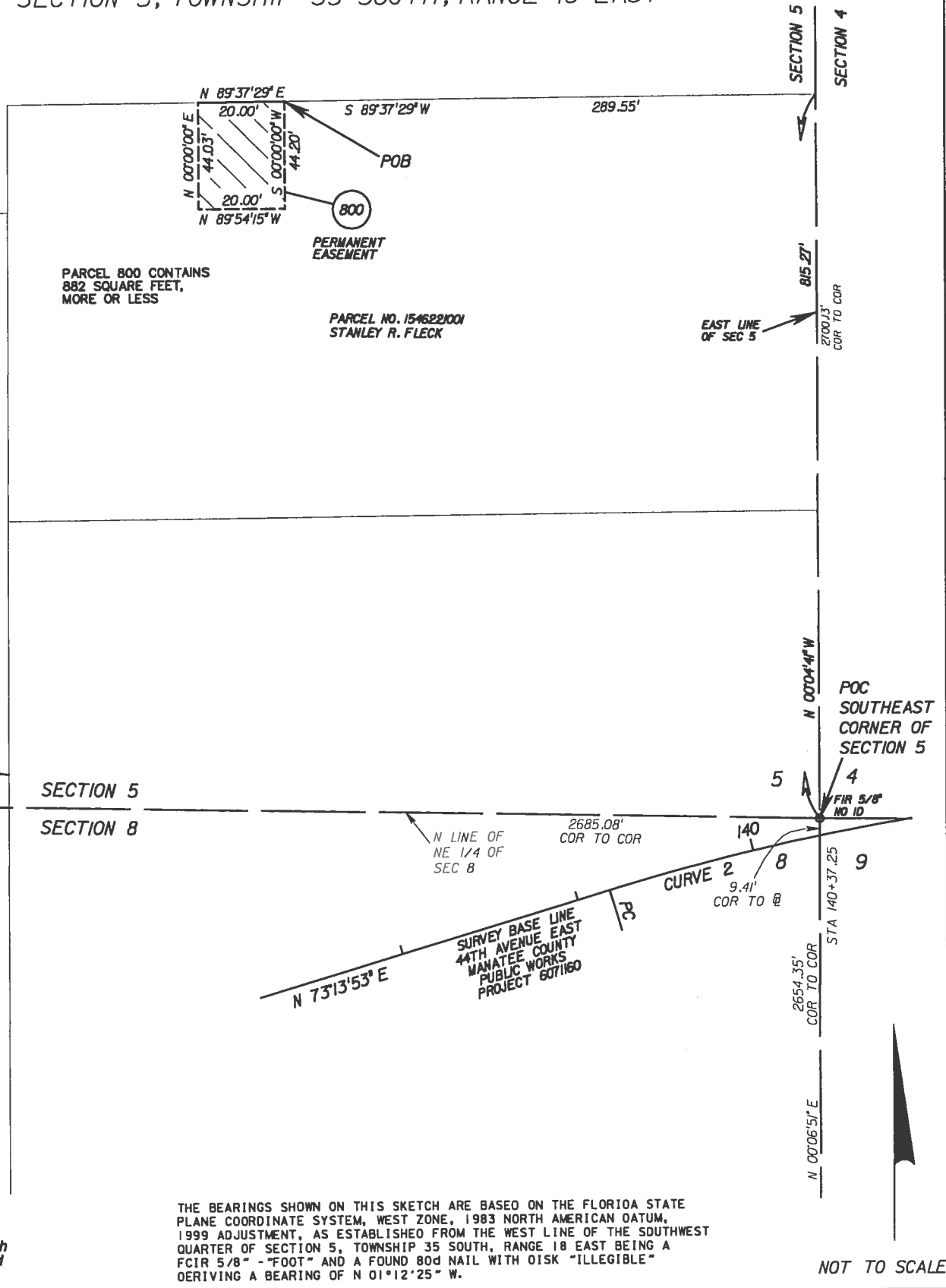
RICHARD C. ABERNATHY, DATE: 12-18-13
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA
 LICENSE NUMBER LS 6563

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



			 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						
REVISED DESCRIPTION	GJ	12/18/13	BY	A	Parcel Number 800	
CHANGED FROM PERPETUAL TO PERMANENT EASEMENT	RA	05/02/13	DRAWN	G. JONES 6/05/12		
REVISION	BY	DATE	CHECKED	R ABERNATHY 6/05/12	Project Number: 6071160 44th Avenue East SHEET 1 OF 2	

SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST



CURVE 2
 PISTA 141+22.71
 DELTA = 17'14"26" RT
 D = 415'00"
 T = 204.37'
 L = 405.66'
 R = 1348.14'
 PC STA 139+18.34
 PT STA 143+24.00

LAZY B RANCHES
 PB 15, PG 82

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
- IP1 - 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
- RAW - RIGHT OF WAY
- SEC - SECTION
- STA - STATION
- T - TANGENT

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" - "FOOT" AND A FOUND 80d NAIL WITH OISK "ILLEGIBLE" DERIVING A BEARING OF N 01°12'25" W.

NOT TO SCALE

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