

RESOLUTION R-14-045

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
(19TH STREET COURT EAST TO 30TH STREET EAST)
PARCELS 154, 164, AND 164A
PROJECT NO. 6045660**

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 19th Street Court East to 30th 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 the Schedules which are 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 Schedules:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interests to be Acquired</u>
1.	154	Fee Simple Title
2.	164	Fee Simple Title
3.	164A	Fee Simple Title

ADOPTED with a quorum present and voting this 24 day of April, 2014.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



Larry Bustle
Chairperson

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

By: Chibi Jessner
Deputy Clerk



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EB 0027476 LB 0009582 LC 0000365

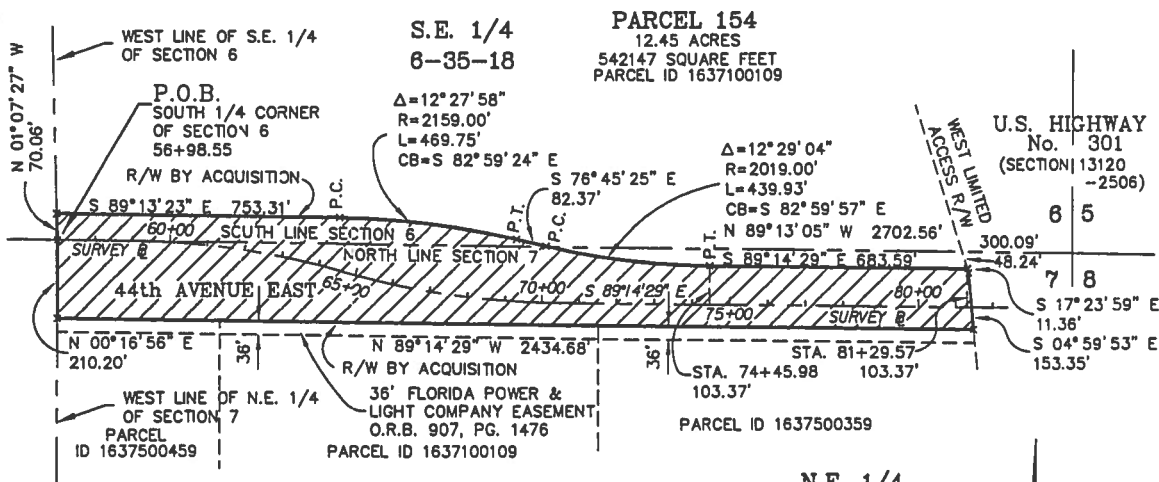
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 478-3747

DESCRIPTION:

A PARCEL OF LAND LYING IN THE S.E. 1/4 OF SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST, AND THE N.E. 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTH 1/4 CORNER OF SAID SECTION 6; THENCE N 01°07'27" W, ALONG THE WEST LINE OF SAID S.E. 1/4, A DISTANCE OF 70.06 FEET; THENCE S 89°13'23" E, A DISTANCE OF 753.31 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2159.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°27'58", A DISTANCE OF 469.75 FEET TO THE POINT OF TANGENCY; THENCE S 76°45'25" E, A DISTANCE OF 82.37 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 2019.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°29'04", A DISTANCE OF 439.93 FEET TO THE POINT OF TANGENCY; THENCE S 89°14'29" E, A DISTANCE OF 683.59 FEET TO AN INTERSECTION WITH THE WEST LIMITED ACCESS RIGHT OF WAY OF U.S. HIGHWAY 301 (SECTION 13120-2506); THENCE SOUTHERLY ALONG SAID WEST LIMITED ACCESS RIGHT OF WAY THE FOLLOWING TWO COURSES: (1) S 17°23'59" E, A DISTANCE OF 11.36 FEET; (2) S 04°59'53" E, A DISTANCE OF 153.35 FEET; THENCE N 89°14'29" W, A DISTANCE OF 2434.68 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID N.E. 1/4; THENCE N 00°16'56" E, ALONG SAID WEST LINE, A DISTANCE OF 210.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.45 ACRES OR 542147 SQUARE FEET, MORE OR LESS.



LEGEND:

- P.O.B. POINT OF BEGINNING
- ID IDENTIFICATION
- R/W RIGHT OF WAY
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- Δ CENTRAL ANGLE
- R RADIUS
- L ARC LENGTH
- CB CHORD BEARING
- No. NUMBER
- SITE

N.E. 1/4
7-35-18

REVISED: 10/30/13 (ESMT) bernie
REVISED: 12/12/12 bernie
REVISED: 02/07/12 bernie
NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARING OF N 89°13'05" W, AND AND BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM (WEST ZONE) NAD 83/90 DERIVED FROM MANATEE COUNTY GIS CONTROL SURVEY (1988) MONUMENTATION.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

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PARCEL # 154
RIGHT OF WAY
44th AVENUE EAST
LOCATED IN

SECTIONS 6 & 7, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

NOTE: NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 51-17.050, FLORIDA ADMINISTRATIVE CODE.

BY:
JAMES N. GATCH, JR. P.S.M.
FLORIDA CERTIFICATE No. 4295
DATE OF CERTIFICATION: 12/12/12

FEE ACQUISITION
PARCEL # 154
PROJECT No. 6045560

SCHEDULE 1



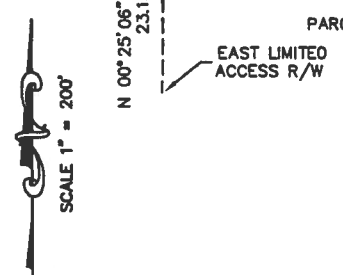
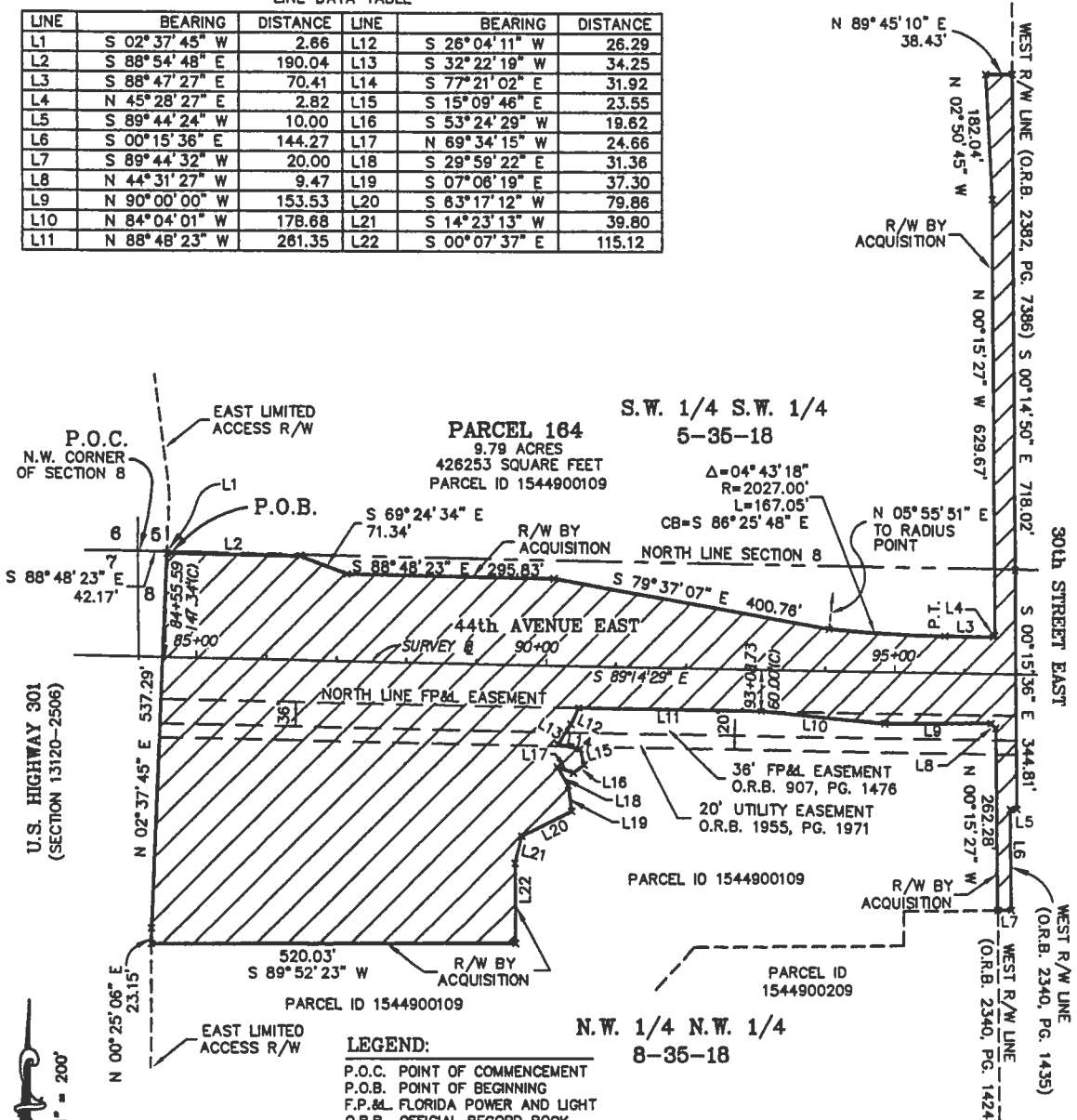
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EB 0027476 LB 0006982 LC 0000365

201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 478-3747

LINE DATA TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 02° 37' 45" W	2.86	L12	S 26° 04' 11" W	26.29
L2	S 88° 54' 48" E	190.04	L13	S 32° 22' 19" W	34.25
L3	S 88° 47' 27" E	70.41	L14	S 77° 21' 02" E	31.92
L4	N 45° 28' 27" E	2.82	L15	S 15° 09' 46" E	23.55
L5	S 89° 44' 24" W	10.00	L16	S 53° 24' 29" W	19.62
L6	S 00° 15' 36" E	144.27	L17	N 69° 34' 15" W	24.66
L7	S 89° 44' 32" W	20.00	L18	S 29° 59' 22" E	31.36
L8	N 44° 31' 27" W	9.47	L19	S 07° 06' 19" E	37.30
L9	N 90° 00' 00" W	153.53	L20	S 63° 17' 12" W	79.86
L10	N 84° 04' 01" W	178.68	L21	S 14° 23' 13" W	39.80
L11	N 88° 48' 23" W	261.35	L22	S 00° 07' 37" E	115.12



LEGEND:

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
F.P.&L.	FLORIDA POWER AND LIGHT
O.R.B.	OFFICIAL RECORD BOOK
PG.	PAGE
ID	IDENTIFICATION
L1	LINE NUMBER (SEE TABLE)
P.T.	POINT OF TANGENCY
Δ	CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
CB	CHORD BEARING
No.	NUMBER
R/W	RIGHT OF WAY
(C)	CALCULATED
B	BASELINE
[Hatched Box]	SITE

REVISION: 03/28/14 jng
 REVISION: 01/17/13 bernie
 REVISION: 12/12/12 bernie
 REVISION: 01/24/12 bernie

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FOR DESCRIPTION SEE SHEET 2
PARCEL # 164
RIGHT OF WAY
44th AVENUE EAST
 LOCATED IN
 SECTIONS 5 & 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST
 MANATEE COUNTY, FLORIDA

- NOTES:**
- BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARING OF S 88° 48' 23" E, AND AND BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM (WEST ZONE) NAD 83/90 DERIVED FROM MANATEE COUNTY GIS CONTROL SURVEY (1988) MONUMENTATION.
 - THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

FEE ACQUISITION
PARCEL # 164
PROJECT No. 8045560



SCHEDULE 2



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EB 0027476 LB 0009982 LC 0001365

201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34208
(941) 748-8080
FAX (941) 478-3747

DESCRIPTION:

A PARCEL OF LAND LYING IN THE S.W. 1/4 OF THE S.W. 1/4 OF SECTION 5 AND THE N.W. 1/4 OF THE N.W. 1/4 OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE S 88°48'23" E, ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 42.17 FEET TO AN INTERSECTION WITH THE EAST LIMITED ACCESS RIGHT OF WAY OF U.S. HIGHWAY 301 (SECTION 13120-2506) THE S 02°37'45" W, A DISTANCE OF 2.66 FEET TO THE POINT OF BEGINNING; THENCE S 88°54'48" E, A DISTANCE OF 190.04 FEET; THENCE S 69°24'34" E, A DISTANCE OF 71.34 FEET; THENCE S 88°48'23" E, A DISTANCE OF 295.83 FEET; THENCE S 79°37'07" E, A DISTANCE OF 400.76 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 05°55'51" E, AT A DISTANCE OF 2027.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°43'18", A DISTANCE OF 167.05 FEET TO THE POINT OF TANGENCY; THENCE S 88°47'27" E, A DISTANCE OF 70.41 FEET; THENCE N 45°28'27" E, A DISTANCE OF 2.82 FEET; THENCE N 00°15'27" W, A DISTANCE OF 629.67 FEET; THENCE N 02°50'45" W, A DISTANCE OF 182.04 FEET; THENCE N 89°45'10" E, A DISTANCE OF 38.43 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 30th STREET EAST; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING FIVE COURSES: (1) S 00°14'50" E, A DISTANCE OF 718.02 FEET; (2) S 00°15'36" E, A DISTANCE OF 344.81 FEET; (3) S 89°44'24" W, A DISTANCE OF 10.00 FEET; (4) S 00°15'36" E, A DISTANCE OF 144.27 FEET; (5) S 89°44'32" W, A DISTANCE OF 20.00 FEET; THENCE N 00°15'27" W, A DISTANCE OF 262.28 FEET; THENCE N 44°31'27" W, A DISTANCE OF 9.47 FEET; THENCE N 90°00'00" W, A DISTANCE OF 153.53 FEET; THENCE N 84°04'01" W, A DISTANCE OF 178.68 FEET TO AN INTERSECTION WITH THE NORTH LINE OF A 36 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 907, PAGE 1476 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N 88°48'23" W, ALONG THE SAID NORTH LINE, A DISTANCE OF 261.35 FEET; THENCE S 26°04'11" W, A DISTANCE OF 26.29 FEET; THENCE S 32°22'19" W, A DISTANCE OF 34.25 FEET; THENCE S 77°21'02" E, A DISTANCE OF 31.92 FEET; THENCE S 15°09'46" E, A DISTANCE OF 23.55 FEET; THENCE S 53°24'29" W, A DISTANCE OF 19.62 FEET; THENCE N 69°34'15" W, A DISTANCE OF 24.66 FEET; THENCE S 29°59'22" E, A DISTANCE OF 31.36 FEET; THENCE S 07°06'19" E, A DISTANCE OF 37.30 FEET; THENCE S 63°17'12" W, A DISTANCE OF 79.86 FEET; THENCE S 14°23'13" W, A DISTANCE OF 39.80 FEET; THENCE S 00°07'37" E, A DISTANCE OF 115.12 FEET; THENCE S 89°52'23" W, A DISTANCE OF 520.03 FEET TO AN INTERSECTION WITH THE AFORESAID EAST LIMITED ACCESS RIGHT OF WAY; THENCE NORTHERLY ALONG SAID EAST LIMITED ACCESS RIGHT OF WAY LINE THE FOLLOWING TWO COURSES: (1) N 00°25'06" E, A DISTANCE OF 23.15 FEET; (2) N 02°37'45" E, A DISTANCE OF 537.29 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.79 ACRES OR 426253 SQUARE FEET, MORE OR LESS.

FOR SKETCH SEE SHEET 1
PARCEL # 164
RIGHT OF WAY
44th AVENUE EAST
LOCATED IN

SECTIONS 5 & 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

REVISION: 03/28/14 jhg
REVISION: 01/17/13 bernie
REVISION: 12/12/12 bernie
REVISION: 01/24/12 bernie

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NOTE: NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17.050, FLORIDA ADMINISTRATIVE CODE.

BY:
JAMES N. GATCH, JR. P.S.M.
FLORIDA CERTIFICATE No. LS 4295
DATE OF CERTIFICATION: 12/12/12

FEE ACQUISITION
PARCEL # 164
PROJECT No. 8045560



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EB 0027478 LS 000982 LC 000365

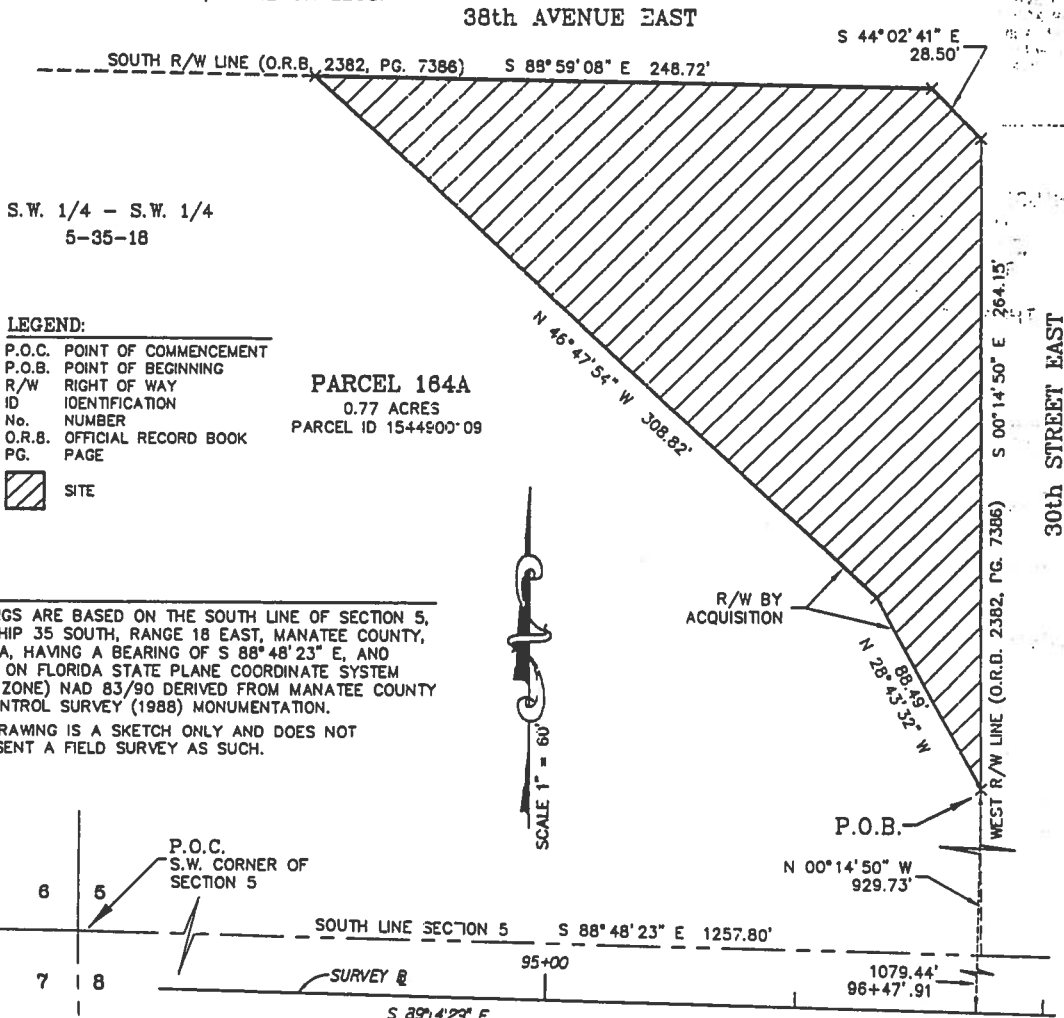
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 478-3747

DESCRIPTION

A PARCEL OF LAND LYING IN THE S.W. 1/4 OF THE E.W. 1/4 OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 5; THENCE S 88°48'23" E, ALONG THE SOUTH LINE OF SAID SECTION 5, A DISTANCE OF 1257.80 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 30th STREET EAST; THENCE N 00°14'50" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 929.73 FEET TO THE POINT OF BEGINNING; THENCE N 28°43'32" W, A DISTANCE OF 88.49 FEET; THENCE N 46°47'54" W, AT A DISTANCE OF 308.82 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF 38th AVENUE EAST; THENCE EASTERLY, ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING TWO COURSES: (1) S 68°59'08" E, A DISTANCE OF 246.72 FEET; (2) S 44°02'41" E, A DISTANCE OF 28.50 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 30th STREET EAST; THENCE S 00°14'50" E, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 264.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.77 ACRES, MORE OR LESS.



SCHEDULE 3

FEE ACQUISITION
PARCEL # 164A
PROJECT No. 6045560