

RESOLUTION R-14-047

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 166 AND 866
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.	166	Fee Simple Title
2.	866	Permanent Easement

ADOPTED with a quorum present and voting this 8th day of April, 2014.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



By: Larry Bustle
Chairperson

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

By: Cheri Jessner
Deputy Clerk




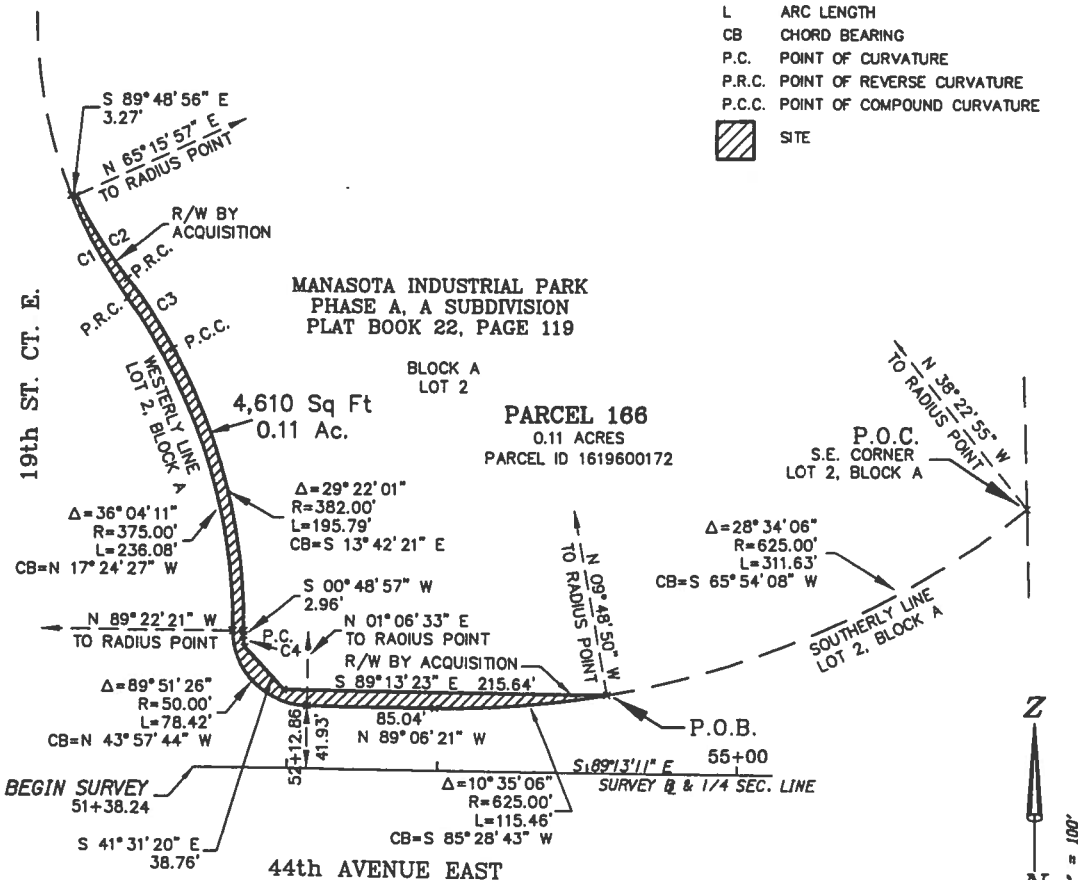
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EB 0027478 LS 0006982 LC 0000365

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

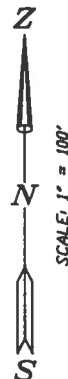
LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R/W RIGHT OF WAY
- ID IDENTIFICATION
- No. NUMBER
- Δ CENTRAL ANGLE
- R RADIUS
- L ARC LENGTH
- CB CHORD BEARING
- P.C. POINT OF CURVATURE
- P.R.C. POINT OF REVERSE CURVATURE
- P.C.C. POINT OF COMPOUND CURVATURE
-  SITE



CURVE DATA

CURVE	CENTRAL ANGLE	RADIUS	LENGTH	CHORD BEARING
C1	13° 44' 31"	325.00	77.95	N 28° 34' 16" W
C2	13° 30' 42"	276.00	65.09	S 31° 29' 24" E
C3	9° 51' 23"	324.00	55.74	S 33° 19' 03" E
C4	12° 05' 55"	38.00	8.02	S 05° 14' 00" E



FOR DESCRIPTION SEE SHEET 2

PARCEL # 166
RIGHT OF WAY
44th AVENUE EAST
LOCATED IN

SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

REVISIONS:

REVISE PARCEL AND LEGAL DB 1/04/11

DATE: 10/04/10

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NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 6, 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 COORINATE 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.

FEE ACQUISITION
PARCEL # 166
PROJECT No. 6045580

SCHEDULE 1



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

DESCRIPTION:

A PORTION OF LOT 2, BLOCK A, MANASOTA INDUSTRIAL PARK, PHASE "A", A SUBDIVISION IN SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGE 119 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 2 AND A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 38°22'55" W, AT A DISTANCE OF 625.00 FEET; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2 AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°34'06", A DISTANCE OF 311.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID CURVE AND ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE COURSES: (1) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°35'06", A DISTANCE OF 115.46 FEET TO THE END OF SAID CURVE; (2) N 89°06'21" W, A DISTANCE OF 85.04 FEET; (3) WESTERLY AND NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 01°06'33" E, AT A DISTANCE OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 89°51'26", A DISTANCE OF 78.42 FEET; THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF SAID LOT 2 THE FOLLOWING TWO COURSES: (1) NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 89°22'21" W, AT A DISTANCE OF 375.00 FEET, THROUGH A CENTRAL ANGLE OF 36°04'11", A DISTANCE OF 236.08 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 325.00 FEET; (2) NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°44'31", A DISTANCE OF 77.95 FEET TO THE END OF SAID CURVE; THENCE S 89°48'56" E, A DISTANCE OF 3.27 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 65°15'57" E, AT A DISTANCE OF 276.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°30'42", A DISTANCE OF 65.09 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 324.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 9°51'23", A DISTANCE OF 55.74 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 382.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°22'01", A DISTANCE OF 195.79 FEET; THENCE S 00°48'57" W, A DISTANCE OF 2.96 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 38.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°05'55", A DISTANCE OF 8.02 FEET; THENCE S 41°31'20" E, A DISTANCE OF 38.76 FEET; THENCE S 89°13'23" E, A DISTANCE OF 215.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.11 ACRES, MORE OR LESS.

FOR DRAWING SEE SHEET 1

PARCEL # 166
RIGHT OF WAY
44th AVENUE EAST
LOCATED IN

SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA," CHAPTER 54F17-050, FLORIDA ADMINISTRATIVE CODE.

BY: 
R.E.M. EDGERTON, P.S.M.

FLORIDA CERTIFICATE NO. LS 4292

DATE OF CERTIFICATION : 10/04/10

FEE ACQUISITION
PARCEL # 166
PROJECT No. 6045560

SHEET 2 OF 2



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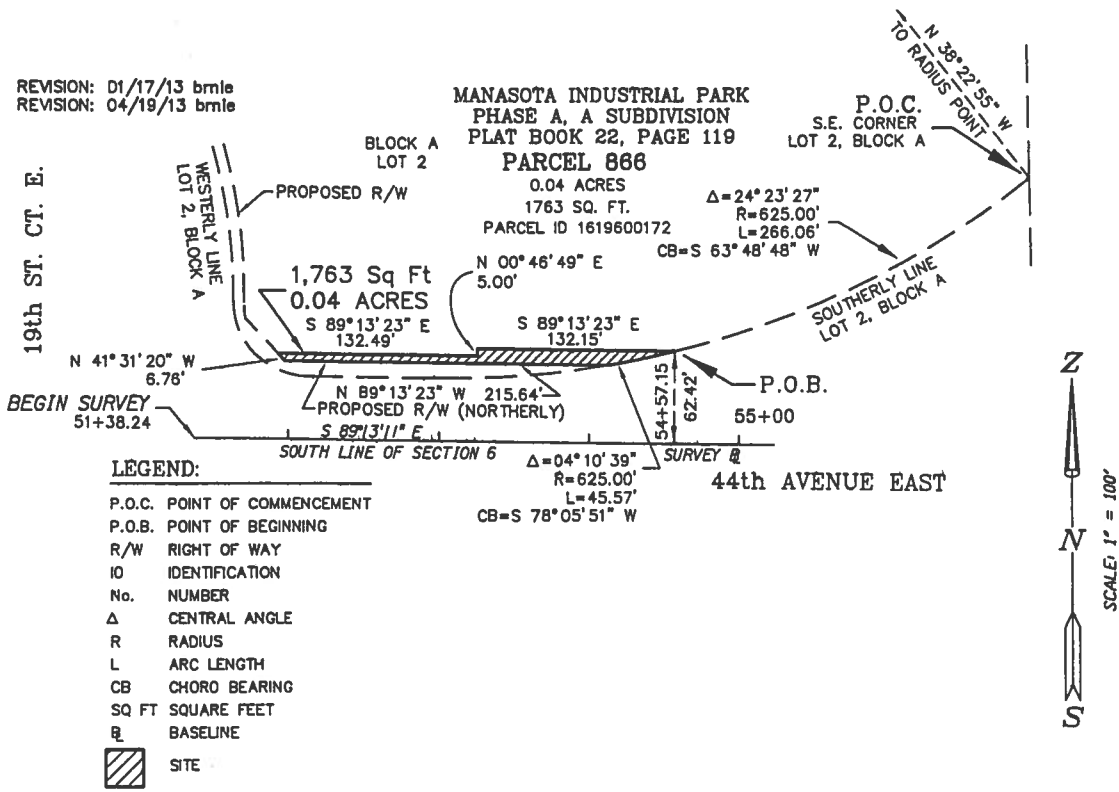
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COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 2 AND A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 38°22'55" W, AT A DISTANCE OF 625.00 FEET; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2 AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°23'27", A DISTANCE OF 266.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHWESTERLY ALONG SAID SOUTHERLY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°10'39", A DISTANCE OF 45.57 FEET TO AN INTERSECTION WITH THE NORTHERLY PROPOSED RIGHT OF WAY LINE OF 44th AVENUE EAST; THENCE ALONG SAID PROPOSED NORTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO COURSES: (1) N 89°13'23" W, A DISTANCE OF 215.64 FEET; (2) N 41°31'20" W, A DISTANCE OF 6.76 FEET; THENCE S 89°13'23" E, A DISTANCE OF 132.49 FEET; THENCE N 00°46'49" E, A DISTANCE OF 5.00 FEET; THENCE S 89°13'23" E, A DISTANCE OF 132.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.04 ACRES OR 1763 SQUARE FEET MORE OR LESS.



NOTES:

- BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 6, 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.
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PERMANENT EASEMENT RIGHT OF WAY 44th AVENUE EAST LOCATED IN

SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

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BY: J. N. Gatch, Jr.
JAMES N. GATCH, JR., P.S.M.
FLORIDA CERTIFICATE NO. LS 4295
DATE OF CERTIFICATION: 04/19/13

**PERMANENT EASEMENT
PARCEL # 866
PROJECT No. 6045560**

SCHEDULE 2