

RESOLUTION R-14-107

**A RESOLUTION AUTHORIZING AN EXCHANGE OF
COUNTY PROPERTY PER FLORIDA STATUTES § 125.37;
PROVIDING AN EFFECTIVE DATE**

WHEREAS, Manatee County (the “County”), a political subdivision of the State of Florida, pursuant to its home rule power and Florida Statutes §125.37 has authority to determine that certain County property is not needed for County purposes and exchange such property for other property which the County may desire to acquire for County purposes; and

WHEREAS, application for a property exchange has been made by IMG Academy, LLC (“IMG”); and

WHEREAS, the Board finds that fee simple ownership to that portion of the roadway described in **Exhibit “A”** attached hereto and incorporated herein by reference (the “Released Property”) is no longer needed for County purposes as it only serves IMG and no one else; and

WHEREAS, the Board finds that the property described in **Exhibit “B”** and **Composite Exhibit “C”** attached hereto and incorporated herein by reference (the “New Property”) is needed for County purposes; and

WHEREAS, the Board, pursuant to its home rule power and those powers expressly granted in Florida Statutes §125.37, finds that it is in the best interest of the residents of Manatee County to accept the New Property in exchange for a release of the Released Property; and

WHEREAS, the terms and conditions of this exchange have been published in a newspaper of general circulation in Manatee County once a week for two (2) consecutive weeks prior to the Adoption Date of this Resolution and that the statutory requirements of Florida Statutes § 125.37 have otherwise been complied with.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that:

1. Upon conveyance of the respective fee simple and permanent easement interests in and to the New Property previously described in Exhibit “B” and Composite Exhibit “C” to the County by IMG, the Board shall convey all of the County’s right, title, and interest in and to the Released Property previously described in Exhibit “A” to IMG. This exchange of property shall be accomplished by a document entitled “Exchange of Property Agreement,” a copy of which is attached hereto as **Exhibit “D”** and incorporated herein by reference.

2. The conveyance of the Released Property to IMG shall in no way operate as a disclaimer of the public’s interest in and to the use of the roadway constructed on said property or a vacation of such roadway.

3. This resolution serves only that purpose expressly stated in Paragraphs 1 and 2 above.

4. This resolution shall take effect immediately upon its passage.

DULY ADOPTED with a quorum present and voting this 12th day of August 2014.

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

By: Larry Bustle
Chairperson

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

By: Vicki Jensen
Deputy Clerk

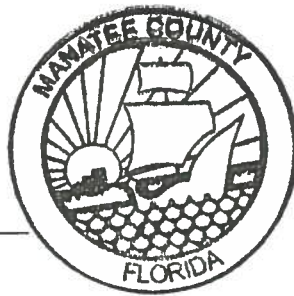


EXHIBIT "A"

Legal Description and Sketch for "Released Property"

Fee Title

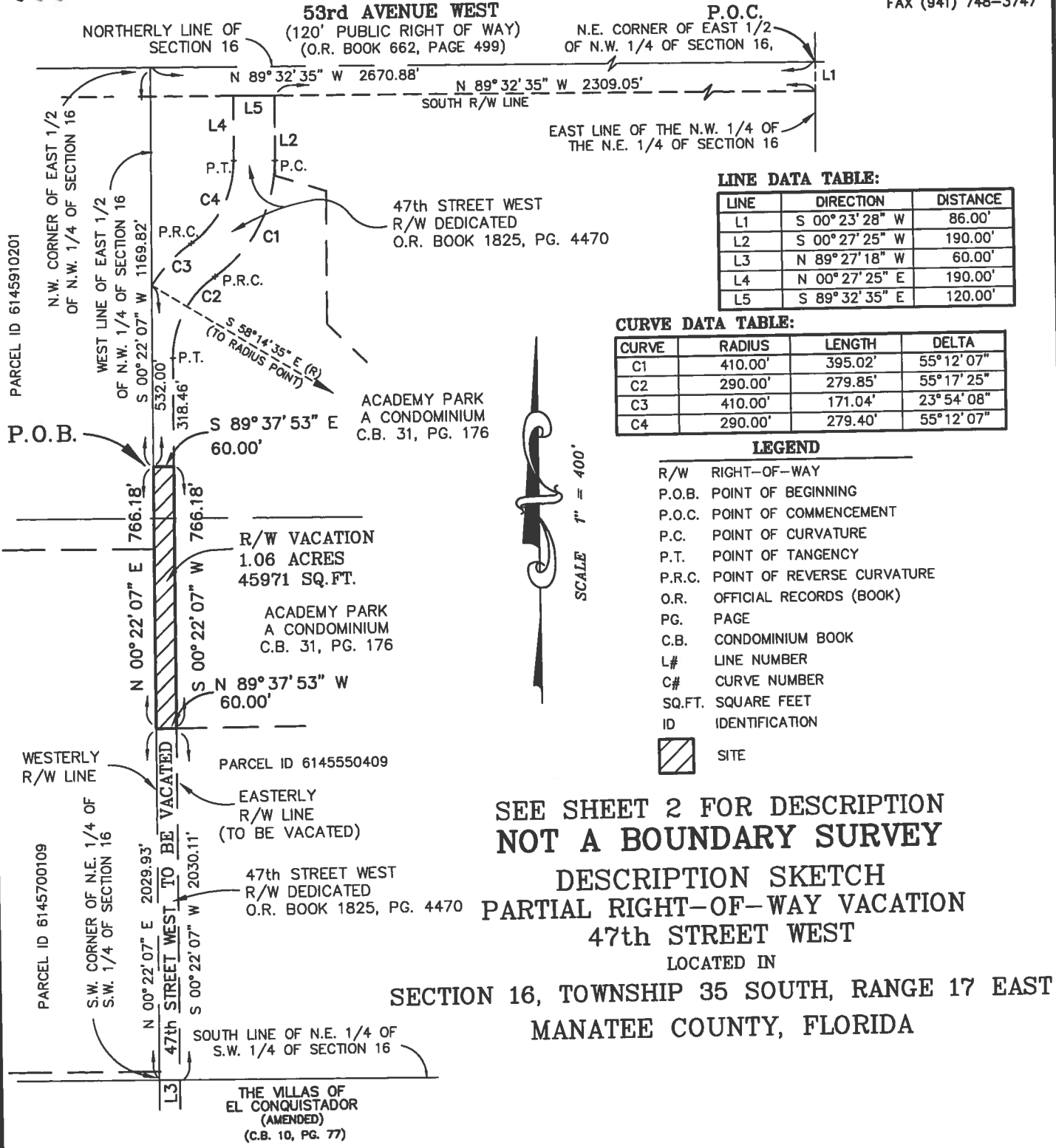
Please see attached.



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ENGINEERS | PLANNERS | SURVEYORS | LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS
EB 0027476 LS 0008982 LC 0000385

CERTIFICATE OF AUTHORIZATION LB # 6982
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 748-3747



LINE DATA TABLE:

LINE	DIRECTION	DISTANCE
L1	S 00° 23' 28" W	86.00'
L2	S 00° 27' 25" W	190.00'
L3	N 89° 27' 18" W	60.00'
L4	N 00° 27' 25" E	190.00'
L5	S 89° 32' 35" E	120.00'

CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	DELTA
C1	410.00'	395.02'	55° 12' 07"
C2	290.00'	279.85'	55° 17' 25"
C3	410.00'	171.04'	23° 54' 08"
C4	290.00'	279.40'	55° 12' 07"

LEGEND

- R/W RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- P.R.C. POINT OF REVERSE CURVATURE
- O.R. OFFICIAL RECORDS (BOOK)
- PG. PAGE
- C.B. CONDOMINIUM BOOK
- L# LINE NUMBER
- C# CURVE NUMBER
- SQ.FT. SQUARE FEET
- ID IDENTIFICATION
- SITE

**SEE SHEET 2 FOR DESCRIPTION
 NOT A BOUNDARY SURVEY**
DESCRIPTION SKETCH
PARTIAL RIGHT-OF-WAY VACATION
47th STREET WEST
 LOCATED IN
SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

DATED: 10/16/13

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NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARING OF N 89° 32' 35" W.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.

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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 47th STREET WEST AS RECORDED IN OFFICIAL RECORD BOOK 1825, PAGE 4470 OF THE PUBLIC RECORDS OF MANATEE COUNTY FLORIDA, LYING IN EAST 1/2 OF THE N.W. 1/4 OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID EAST 1/2 OF THE N.W. 1/4; THENCE N 89° 32' 35" W, ALONG THE NORTHERLY LINE OF SAID SECTION 16, A DISTANCE OF 2670.88 FEET TO THE NORTHWEST CORNER OF SAID EAST 1/2 OF THE N.W. 1/4; THENCE S 00° 22' 07" W, ALONG THE WEST LINE OF SAID EAST 1/2 OF THE N.W. 1/4, A DISTANCE OF 1169.82 FEET FOR A POINT OF BEGINNING; THENCE S 89° 37' 53" E, A DISTANCE OF 60.00 FEET; THENCE S 00° 22' 07" W, ALONG THE EASTERLY RIGHT OF WAY LINE OF 47th STREET WEST, A DISTANCE OF 766.18 FEET; THENCE N 89° 37' 53" W, A DISTANCE OF 60.00 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF 47th STREET WEST; THENCE N 00° 22' 07" E, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 766.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.06 ACRES, MORE OR LESS.

SEE SHEET 1 FOR SKETCH
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH
PARTIAL RIGHT-OF-WAY VACATION
47th STREET WEST
LOCATED IN
SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS DESCRIPTION SKETCH IS 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: 
R.E.M. EDGERTON, P.S.M.

FLORIDA CERTIFICATE No. LS 4292
DATE OF CERTIFICATION : 10/16/13

SHEET 2 OF 2

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EXHIBIT "B"

Legal Description and Sketch for "New Property"

Fee Title

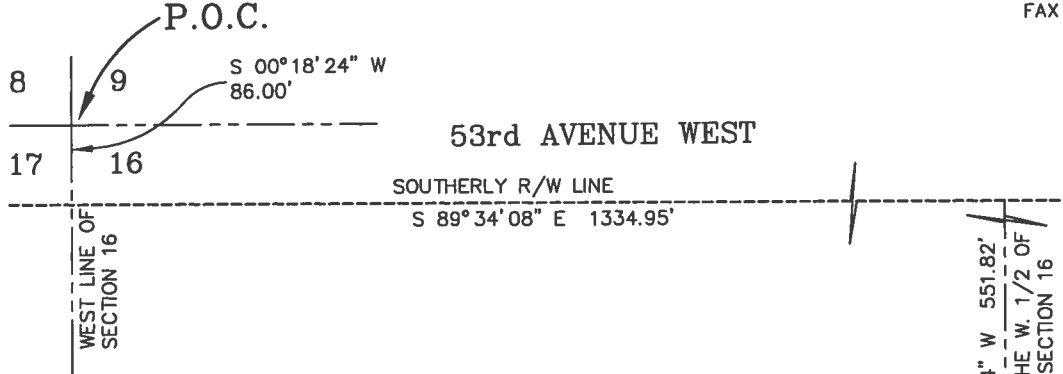
Please see attached.



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BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 748-3747



LEGEND:

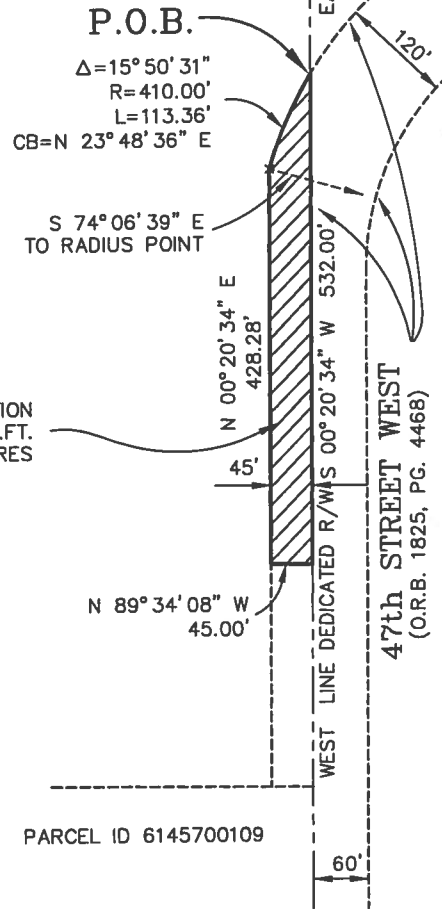
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT OF WAY
- P.C. - POINT OF CURVATURE
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- C.B. - CONDOMINIUM BOOK
- Δ - CENTRAL ANGLE
- R - RADIUS
- L - ARC LENGTH
- CB - CHORD BEARING
- ID - IDENTIFICATION
- SITE



SCALE: 1" = 200'

PARCEL ID 6145910201

R/W DEDICATION
21901 SQ.FT.
0.50 ACRES



SEE SHEET 2 OF 2 FOR DESCRIPTION
 NOT A BOUNDARY SURVEY
 DESCRIPTION SKETCH
 MANATEE COUNTY
 RIGHT OF WAY DEDICATION

IN
 SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
 MANATEE COUNTY, FLORIDA

DATED: 10/16/13

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NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARING OF S 00°18'24" W.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY, CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.



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CERTIFICATE OF AUTHORIZATION # LB6982
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A PARCEL OF LAND IN THE WEST 1/2 OF THE N.W. 1/4 OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16, THENCE S 00°18'24" W, ALONG THE WEST LINE OF SAID SECTION 16, A DISTANCE OF 86.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF 53rd AVENUE WEST; THENCE S 89°34'08" E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1334.95 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID WEST 1/2 OF THE N.W. 1/4; THENCE S 00°20'34" W, ALONG SAID EAST LINE, A DISTANCE OF 551.82 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 47th STREET WEST AS RECORDED IN OFFICIAL RECORDS BOOK 1825, PAGE 4468 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE CONTINUE, S 00°20'34" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 532.00 FEET; THENCE N 89°34'08" W, A DISTANCE OF 45.00 FEET; THENCE N 00°20'34" E, A DISTANCE OF 428.28 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS, S 74°06'39" E, AT A DISTANCE OF 410.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°50'31", A DISTANCE OF 113.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 21901 SQUARE FEET (0.50 ACRES), MORE OR LESS.

SEE SHEET 1 OF 2 FOR SKETCH
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH
MANATEE COUNTY
RIGHT OF WAY DEDICATION

IN
SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

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

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

FLORIDA CERTIFICATE NO. LS 4292

DATE OF CERTIFICATION : 10/16/13

SHEET 2 OF 2

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COMPOSITE EXHIBIT “C”

Legal Description and Sketch for “New Property”

Permanent Access, Drainage & Utilities Easements

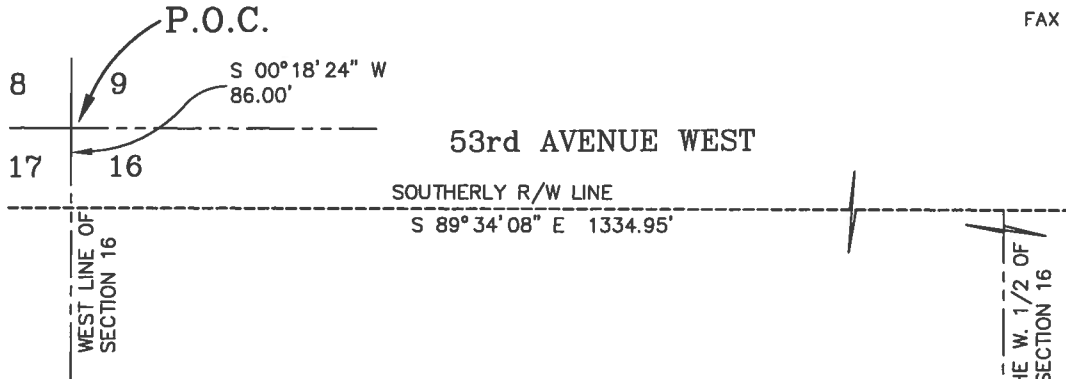
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CERTIFICATE OF AUTHORIZATION # LB6982
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 748-3747



LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT OF WAY
- P.C. - POINT OF CURVATURE
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- C.B. - CONDOMINIUM BOOK
- Δ - CENTRAL ANGLE
- R - RADIUS
- L - ARC LENGTH
- CB - CHORD BEARING
- ID - IDENTIFICATION
- SITE



SCALE: 1" = 200'

PARCEL ID 6145910201

SEE SHEET 2 OF 2 FOR DESCRIPTION
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

MANATEE COUNTY ACCESS, DRAINAGE & UTILITY EASEMENT

IN

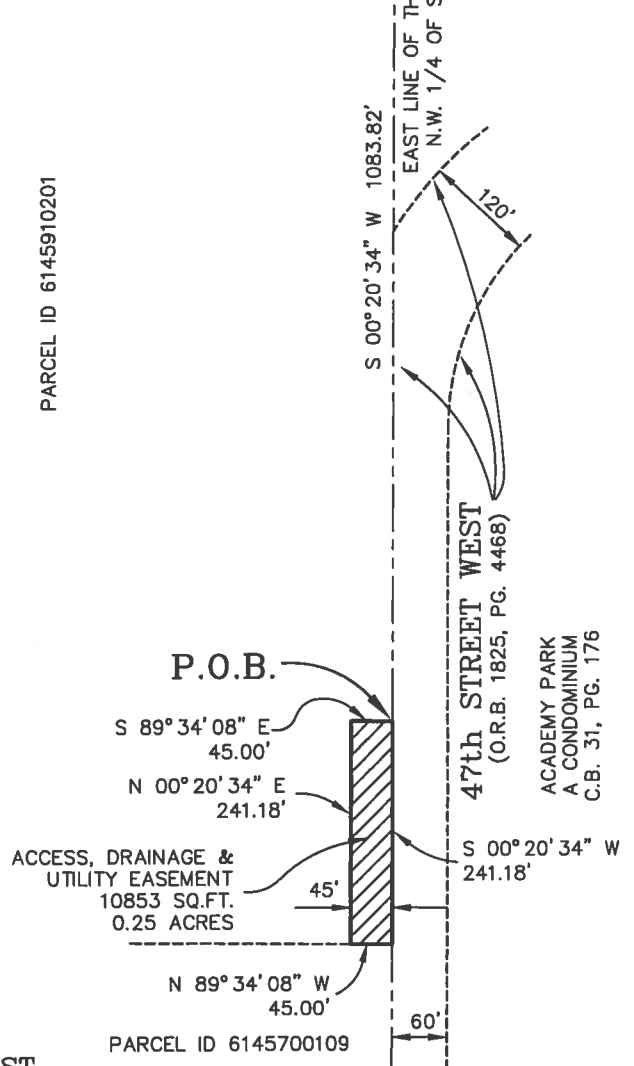
SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

DATED: 10/16/13

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NOTES:

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2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY, CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.



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DESCRIPTION:

A PARCEL OF LAND IN THE WEST 1/2 OF THE N.W. 1/4 OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16, THENCE S 00°18'24" W, ALONG THE WEST LINE OF SAID SECTION 16, A DISTANCE OF 86.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF 53rd AVENUE WEST; THENCE S 89°34'08" E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1334.95 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID WEST 1/2 OF THE N.W. 1/4; THENCE S 00°20'34" W, ALONG SAID EAST LINE, A DISTANCE OF 1083.82 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE, S 00°20'34" W, A DISTANCE OF 241.18 FEET; THENCE N 89°34'08" W, A DISTANCE OF 45.00 FEET; THENCE N 00°20'34" E, A DISTANCE OF 241.18; THENCE S 89°34'08" E, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 10853 SQUARE FEET (0.25 ACRES), MORE OR LESS.

SEE SHEET 1 OF 2 FOR SKETCH
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

MANATEE COUNTY
ACCESS, DRAINAGE & UTILITY
EASEMENT

IN
SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

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

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

FLORIDA CERTIFICATE NO. LS 4292
DATE OF CERTIFICATION : 10/16/13

SHEET 2 OF 2

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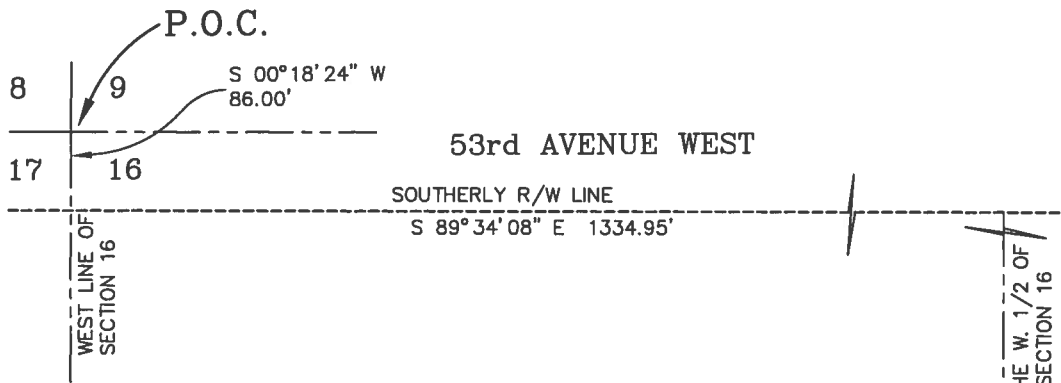
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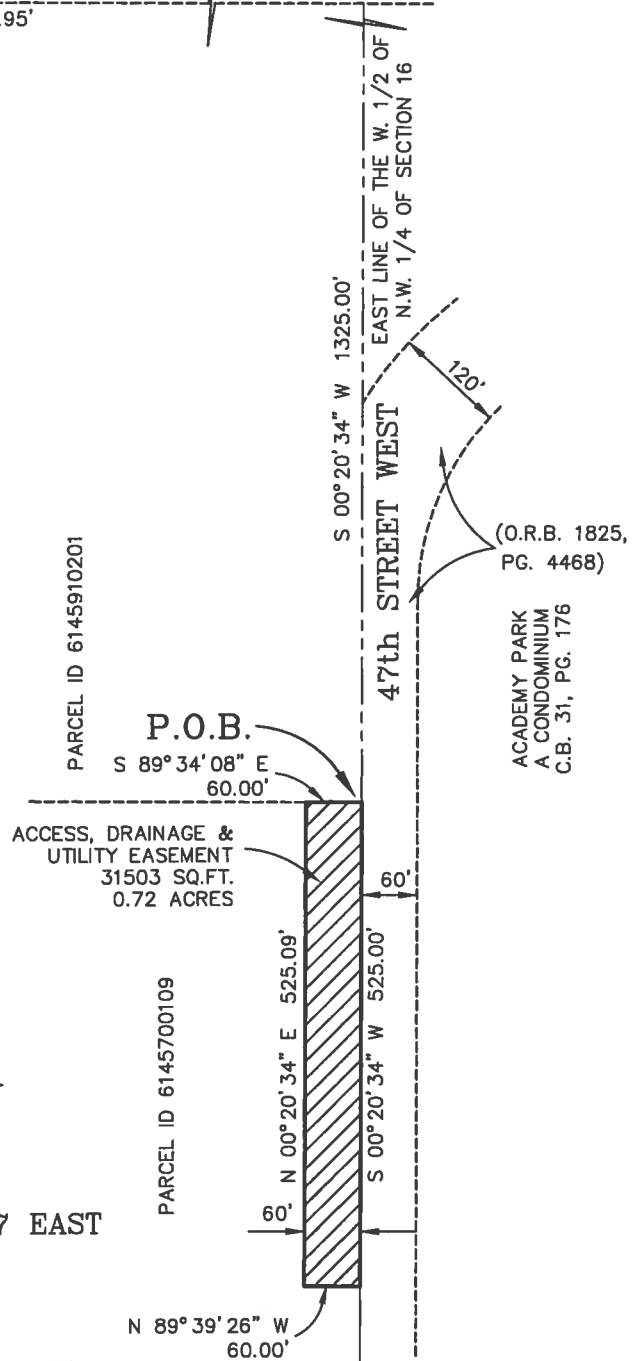
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LEGEND:

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- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT OF WAY
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- Δ - CENTRAL ANGLE
- R - RADIUS
- L - ARC LENGTH
- CB - CHORD BEARING
- ID - IDENTIFICATION
- SITE



SEE SHEET 2 OF 2 FOR DESCRIPTION
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

MANATEE COUNTY ACCESS, DRAINAGE & UTILITY EASEMENT No. 2

IN
SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

DATED: 10/17/13

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NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARING OF S 00°18'24" W.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY, CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.

SHEET 1 OF 2



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DESCRIPTION:

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COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16, THENCE S 00°18'24" W, ALONG THE WEST LINE OF SAID SECTION 16, A DISTANCE OF 86.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF 53rd AVENUE WEST; THENCE S 89°34'08" E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1334.95 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID WEST 1/2 OF THE N.W. 1/4; THENCE S 00°20'34" W, ALONG SAID EAST LINE, A DISTANCE OF 1325.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE, S 00°20'34" W, A DISTANCE OF 525.00 FEET; THENCE N 89°39'26" W, A DISTANCE OF 60.00 FEET; THENCE N 00°20'34" E, A DISTANCE OF 525.09 FEET; THENCE S 89°34'08" E, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 31502 SQUARE FEET (0.72 ACRES), MORE OR LESS.

SEE SHEET 1 OF 2 FOR SKETCH
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

MANATEE COUNTY
ACCESS, DRAINAGE & UTILITY
EASEMENT No. 2

IN
SECTION 16, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

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 5J-17.050, FLORIDA ADMINISTRATIVE CODE.

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

FLORIDA CERTIFICATE NO. LS 4292

DATE OF CERTIFICATION : 10/17/13

SHEET 2 OF 2

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EXHIBIT "D"

Exchange of Property Agreement

Please see attached.

THIS INSTRUMENT PREPARED BY:
County Attorney's Office, Manatee County Government
On Behalf of Division Manager, Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: IMG_Property Exchange

EXCHANGE OF PROPERTY AGREEMENT

THIS EXCHANGE OF PROPERTY AGREEMENT (the "Exchange Agreement") is made and entered into this ____ day of _____, 2014, between **IMG Academy, LLC**, a Florida limited liability company, whose mailing address is 5500 34th Street West, Bradenton, Florida 34210, hereinafter "IMG," and **MANATEE COUNTY, a political subdivision of the State of Florida**, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, hereinafter "COUNTY."

W I T N E S S E T H:

WHEREAS, Bolletieri, Inc., an inactive Florida corporation, entered into that certain Warranty Deed in favor of Manatee County, Florida, dated March 19, 2003, recorded in Official Record Book 1825, Page 4468, Public Records of Manatee County, Florida (the "Prior Deed"); and

WHEREAS, IMG is the successor by merger to IMG Academies, LLP, a Florida limited liability partnership, filed with the Florida Department of State on December 27, 2012, successor by merger to Bolletieri, Inc., an inactive Florida corporation and David Leadbetter Golf Academy, Inc., an inactive Florida corporation, dated September 18, 2003 and recorded in Official Record Book 1964, Page 5643, Public Records of Manatee County, Florida; and

WHEREAS, COUNTY desires to convey fee title to a portion of the Prior Deed, specifically that certain property which is described in **Exhibit "A"** attached hereto and incorporated herein by reference (hereinafter the "Released Property") to IMG, in exchange for IMG's conveyance of fee title to a portion of its property as described in **Exhibit "B,"** as well as its conveyance of two permanent easements for access, drainage and utilities over and across that certain property described in **Composite Exhibit "C"** attached hereto and incorporated herein by reference (hereinafter the "New Property"), so as to allow for future roadway expansion and surface and/or underground drainage on the New Property; and

WHEREAS, Manatee Fruit Company, a Florida corporation, owns and holds an easement given by virtue of that certain Special Warranty deed, dated May 15, 2014, which encumbers the New Property. Manatee Fruit Company hereby joins in and consents to the recording of this Exchange Agreement; and

WHEREAS, Florida Statutes § 125.37 permits an exchange of COUNTY property in the event the Board of County Commissioners passes a resolution finding that such an exchange is in the best interests of the citizens of Manatee County and such exchange has been published for two (2) weeks in a newspaper of general circulation of Manatee County; and

WHEREAS, the requirements of Florida Statutes § 125.37 have been met.

NOW, THEREFORE, in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00), the premises hereof, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the COUNTY and IMG hereby agree to exchange property as follows:

1. The foregoing recitals are true and correct and are incorporated herein by this reference.

2. COUNTY, by this instrument, hereby grants, bargains, sells, remises, releases, conveys and confirms unto IMG all of the Released Property described in Exhibit "A," to have and to hold, the same in fee simple forever, and subject, however, to the public's continuing right to use as a roadway for vehicular travel until such time as that interest is abandoned, vacated, or otherwise properly extinguished.

3. In exchange thereof, IMG, by this instrument, hereby grants, bargains, sells, remises, releases, conveys and confirms unto COUNTY all of the New Property described in Exhibit "B," to have and to hold, the same in fee simple forever. IMG hereby covenants with COUNTY that IMG is lawfully seized of said property in fee simple; that IMG has good right and lawful authority to sell and convey said land, and hereby warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing for the year 2014 and subsequent years.

4. By this instrument, IMG further grants, bargains, sells and transfers unto COUNTY two, non-exclusive permanent easements for ingress and egress, access, construction and maintenance of surface and/or underground drainage and utility facilities over, across, under and upon the New Property described in Composite Exhibit "C." IMG hereby reserves unto itself, its successors or assigns, the right to the continued free use and enjoyment of said property for any purposes that are not inconsistent with the rights granted herein unto COUNTY.

5. Except as expressly modified herein, the terms, covenants, and conditions of the Prior Deed are hereby ratified and confirmed and shall remain in full force and effect. In the event of any conflict or inconsistency between the Prior Deed and this Exchange Agreement, the terms of this Exchange Agreement shall control.

6. IMG shall be responsible for all recording fees associated with this conveyance.

7. At the earliest feasible time, IMG will initiate vacation of the road right of way constructed on the Released Property. IMG and the COUNTY hereby recognize and acknowledge that the final determination regarding the roadway vacation will be made by the Manatee County Board of County Commissioners at a public hearing.

IN WITNESS WHEREOF, the parties hereto has executed this Exchange of Property Agreement on this ___ day of _____, 2014.

Signed, sealed, and delivered
in the presence of:

IMG ACADEMY LLC, a Florida limited liability company

Witness

By: _____

Printed Name

Printed Name: _____

Witness

Title: _____

Printed Name

(CORPORATE SEAL)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 20__, by _____, as _____ for IMG ACADEMY LLC, a Florida limited liability company, who is () personally known to me or () who has produced _____ as identification.

Notary Public Seal:

NOTARY PUBLIC, State of _____

My Commission Expires: _____

Printed Name

Signature Page for MANATEE FRUIT COMPANY, a Florida corporation

IN WITNESS WHEREOF, the parties hereto has executed this Exchange of Property Agreement on this ____ day of _____, 2014.

**Signed, sealed, and delivered
in the presence of:**

**MANATEE FRUIT COMPANY, a Florida
corporation**

Witness

Printed Name

Witness

Printed Name

By: _____

Printed Name: _____

Title: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____ as _____ of MANATEE FRUIT COMPANY, a Florida corporation, who is () personally known to me or () who has produced _____ as identification.

Notary Public Seal:

My Commission Expires: _____

NOTARY PUBLIC, State of _____

Printed Name

Signature Page for MANATEE COUNTY, a political subdivision of the State of Florida

IN WITNESS WHEREOF, the parties hereto has executed this Exchange of Property Agreement on this ___ day of _____, 2014.

MANATEE COUNTY, a political subdivision of the State of Florida

By: its Board of County Commissioners

By: _____
Chairperson

Date: _____

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

By: _____
Deputy Clerk

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 20__, by _____, as _____ for MANATEE COUNTY, a political subdivision of the state of Florida, who is () personally known to me or () who has produced _____ as identification.

Notary Public Seal:

My Commission Expires: _____

NOTARY PUBLIC, State of _____

Printed Name

EXHIBIT "A"

Legal Description and Sketch for "Released Property"

Fee Title

Please see attached.

EXHIBIT "B"

Legal Description and Sketch for "New Property"

Fee Title

Please see attached.

COMPOSITE EXHIBIT "C"

Legal Description and Sketch for "New Property"

Permanent Access, Drainage & Utilities Easements

Please see attached.