

R-14-167

A RESOLUTION VACATING PLATTED RIGHTS OF WAY PURSUANT TO SECTIONS 336.09 AND 336.10, 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 **Peerage Land Company, LLC**, a Florida limited liability company (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:

1. Upon request of the Applicant, the Board renounces and disclaims any right of the County and the public in and to the land described in Exhibit "A," incorporated herein by reference, being delineated on the plat of FAIR OAKS, a subdivision recorded in Plat Book 1, Page 171, and located in an unincorporated area of Manatee County, Florida.

2. No portion of the land, or interest therein, described in Exhibit "A" constitutes or was acquired for a state or federal highway.
3. 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.
4. 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."

December 2014. **DULY ADOPTED** with a quorum present and voting this 2nd day of



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

By: Larry Gustto
Chairperson

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

By: G. Acarodo
Deputy Clerk



Exhibit "A"

DESCRIPTION:

PARCEL OF LAND BEING 20 FOOT WIDE PLATTED RIGHT OF WAY, FAIR OAKS SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

THE 20 FOOT PLATTED RIGHT OF WAY LYING BETWEEN LOTS 4, 5 AND 8 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND LOTS 3, 6 AND 7 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID FAIR OAKS SUBDIVISION.

ALSO

OFFICIAL RECORD BOOK 2142, PAGE 3080, DESCRIBED AS FOLLOWS:

64' WIDE ROAD RIGHT OF WAY DEDICATION TO MANATEE COUNTY, FLORIDA:

THE WESTERLY 64.00 FEET OF LOTS 3, 6 AND 7 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF FAIR OAKS SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 171 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

TOGETHER WITH:

COMMENCE AT THE CENTER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S 89°34'43" E, ALONG THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 5-35-18, A DISTANCE OF 22.00 FEET; THENCE N 00°14'16" E, 22.00 FEET EASTERLY OF AND PARALLEL TO THE WESTERLY LINE OF LOTS 3, 6 & 7 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF FAIR OAKS SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 171 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 746.00 FEET FOR A POINT OF BEGINNING OF TWO (2) PARCELS OF LAND TO BE DEDICATED TO MANATEE COUNTY, FLORIDA FOR PUBLIC RIGHT OF WAY, SAID POINT BEING KNOWN AS POINT "A"; SAID EASTERLY PARCEL TO BE DEDICATED CONSISTS OF ALL LAND WITHIN THE CIRCUMFERENCE OF SAID 70.00 FOOT RADIUS AND LYING EASTERLY OF A LINE 64.00 EAST OF AND PARALLEL TO THE WESTERLY LINE OF SAID LOTS 3, 6 AND 7 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF FAIR OAKS SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 171 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

ALSO TOGETHER WITH:

RE-BEGINNING AT SAID POINT "A"; SAID WESTERLY PARCEL CONSISTS OF ALL LAND WITHIN THE CIRCUMFERENCE OF SAID 70.00 FOOT RADIUS AND LYING WESTERLY OF THE EASTERLY LINE SAID LOTS 4, 5 AND 8 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF FAIR OAKS SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 171 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

ALL LYING AND BEING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 87,543.49 SQUARE FEET OR 2.01 ACRES MORE OR LESS.

FOR SKETCH SEE SHEET 2 OF 2
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH
OF
RIGHT OF WAY VACATION
LOCATED IN
SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 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, FLORIDA ADMINISTRATIVE CODE.

REVISED DATED: 10/08/13

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

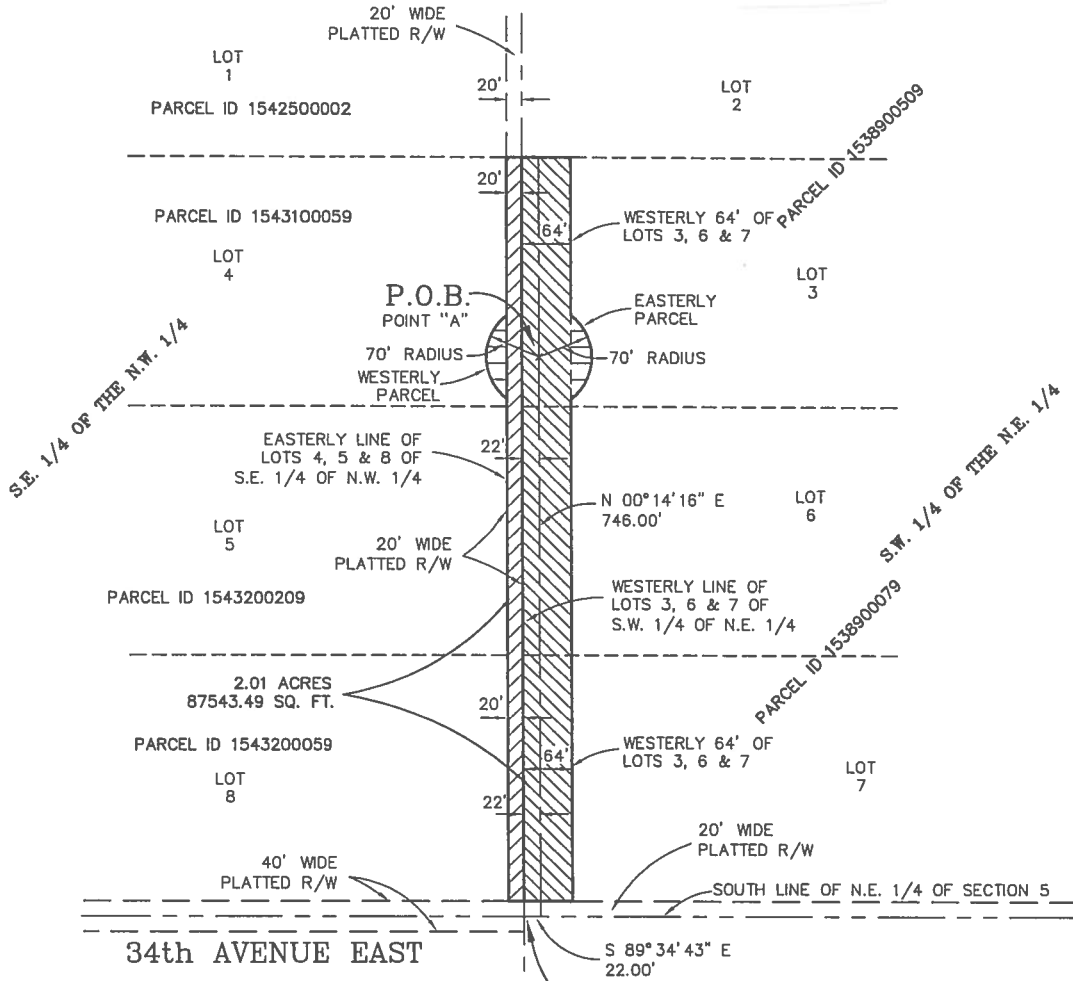
FLORIDA CERTIFICATE NO. LS 4292

DATE OF CERTIFICATION : 08/30/13



FAIR OAKS SUBDIVISION
PLAT BOOK 1, PAGE 171

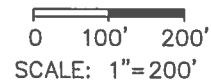
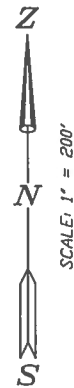
Exhibit "A"



LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT OF WAY
- O.R.B. - OFFICIAL RECORD BOOK
- PG. - PAGE
- 20' PLATTED R/W (FAIR OAKS SUBDIVISION) (PLAT BOOK 1, PG. 171)
- EASTERLY & WESTERLY PARCELS (O.R.B. 2142, PG. 3080)
- 64 FOOT WIDE PARCEL (O.R.B. 2142, PG. 3080)

P.O.C.
CENTER OF SECTION ALSO
S.W. CORNER OF N.E. 1/4
OF SECTION 5



FOR DESCRIPTION SEE SHEET 1 OF 2

NOT A BOUNDARY SURVEY

DESCRIPTION SKETCH

OF

RIGHT OF WAY VACATION

LOCATED IN

SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST

MANATEE COUNTY, FLORIDA

REVISED DATED: 10/08/13
DATED: 08/30/13

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NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF N.E. 1/4 OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARING OF S 89° 34' 43" E.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY, CORNERS HAVE NOT BEEN FIELD LOCATED OR SET.