

**RESOLUTION R-16-009**

**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.**

**45TH STREET EAST ROADWAY IMPROVEMENT PROJECT  
(STATE ROAD 70 EAST TO 44TH AVENUE EAST)  
PARCEL 200  
PROJECT NUMBER 6025662**

**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 45th Street East from State Road 70 East to 44th Avenue 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

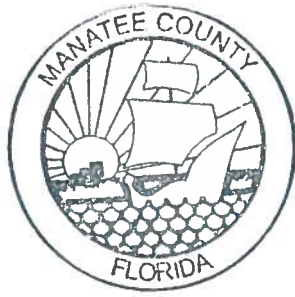
**WHEREAS**, the construction of the project will be impeded unless the property is acquired by Manatee County.

**NOW, THEREFORE BE IT RESOLVED** by the Board of the County Commissioners of Manatee County, Florida that:

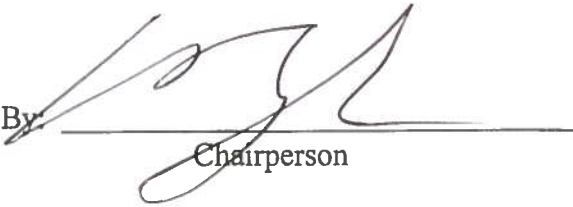
The Manatee County Public Works and Property Management Departments are authorized to employ the services of the County Attorney or retained counsel assigned by the County Attorney to commence and to prosecute eminent domain proceedings to acquire the necessary interest in Parcel 200, which property is more particularly described in Schedule 1, attached hereto and made a part hereof.

The acquisition of the fee simple interest as to Parcel 200 for the real property described in the attached Schedule 1 is found and determined to be necessary after having considered the safety of the public, the cost of acquiring the right-of-way; the alignment of the right-of-way, long-term planning and environmental factors in acquiring and utilizing the property.

**DULY ADOPTED** with a quorum present and voting this 26th day of January, 2016.



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

By:   
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By:   
Deputy Clerk

**DESCRIPTION**

ALL THAT PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LYING NORTH OF JEFF'S CREEK AND WEST OF COUNTY ROAD (45TH STREET EAST), LESS AND EXCEPT THE FOLLOWING:  
 COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE WEST 77.94 FEET CROSSING THE ROAD TO A POINT ON WEST SIDE OF ROAD RIGHT-OF-WAY FOR POINT OF BEGINNING; THENCE NORTH ALONG SAID WEST RIGHT-OF-WAY LINE 315 FEET; THENCE WEST 500 FEET; THENCE SOUTH 200 FEET, MORE OR LESS, TO JEFF'S CREEK; THENCE SOUTHEASTERLY ALONG JEFF'S CREEK TO SOUTH LINE OF SECTION 9; THENCE EAST ALONG SOUTH LINE OF SECTION 9 TO THE POINT OF BEGINNING.  
 ALSO LESS AND EXCEPT THE NORTH 175.75 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. ALSO LESS AND EXCEPT LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1160, PAGE 633, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. ALSO LESS AND EXCEPT LAND CONVEYED TO COUNTY OF MANATEE FOR ROAD RIGHT-OF-WAY IN OFFICIAL RECORDS BOOK 1192, PAGE 159, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

ALL OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 175.75 FEET OF THE SOUTH 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA AND THE WESTERLY RIGHT-OF-WAY LINE OF 45TH STREET EAST AS DESCRIBED IN OFFICIAL RECORD BOOK 1192, PAGE 159 OF THE PUBLIC RECORDS OF AFORESAID COUNTY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S 00°03'09" W, A DISTANCE OF 173.54 FEET; THENCE N 89°22'47" W, A DISTANCE OF 471.11 FEET TO A POINT ON THE EASTERLY BOUNDARY ON A PLAT ENTITLED "WEDGEWOOD" RECORDED AMONG THE PUBLIC RECORDS OF AFORESAID COUNTY IN PLAT BOOK 24, PAGE 3; THENCE ALONG SAID EASTERLY BOUNDARY, N 30°50'30" E, A DISTANCE OF 191.99 FEET; THENCE N 30°47'11" E, A DISTANCE OF 8.68 FEET; THENCE S 89°23'57" E, A DISTANCE OF 368.39 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 72,809 SQUARE FEET OR 1.67 ACRES OF LAND MORE OR LESS.

**SURVEYOR'S NOTES**

1. BEARINGS SHOWN HEREON ARE REFERENCED TO A PROJECTION OF THE STATE PLANE COORDINATE SYSTEM OF FLORIDA (WEST ZONE NAD 83/07 ADJUSTMENT).
2. THIS DRAWING IS BASED ON A BOUNDARY SURVEY COMPLETED BY HYATT SURVEY DATED NOVEMBER 10, 2014.
3. THIS SURVEY IS SUBJECT TO PERTINENT EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD, IF ANY.

**SCHEDULE 1  
PAGE 1 OF 2**



**RUSSELL P. HYATT, P.S.M.**  
 Florida Surveyor's Reg'n. No. LS 5303  
 NOT VALID WITHOUT THE SIGNATURE AND  
 THE ORIGINAL RAISED SEAL OF A FLORIDA  
 LICENSED SURVEYOR AND MAPPER.

PARCEL 200 DESCRIPTION  
 5212 45TH STREET EAST  
 R/W FEE INTEREST ACQUISITION  
 MANATEE COUNTY, FLORIDA

**Hyatt Survey Services, Inc.**  
 Geographic Data Specialists  
 LB No.: 7203  
 11007 8th Avenue East Bradenton, Florida 34212  
 Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 13-1789	SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST	SCALE N/A	DATE 11/10/14	DRAWN BY JM	FILE NAME 1698300058	SHEET 1 OF 2
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SKETCH

WEDGEWOOD  
PB 24, PG 3

EASTERLY BOUNDARY  
"WEDGEWOOD"

N 30°50'30" E 191.99'

PID 1698310156

N 30°47'11" E  
8.68'

PID 1698300033

PID 1698500004

PARCEL 200  
PID 1698300058  
(OCCUPIED)

S 89°23'57" E 368.39'

N 89°22'47" W 471.11'

SOUTH LINE OF THE NORTH 175.75' OF THE  
S 1/2 OF THE SE 1/4 OF THE SW 1/4 9-35-18

LEGEND

- PID PARCEL IDENTIFICATION
- ORB OFFICIAL RECORD BOOK
- PB PLAT BOOK
- PG PAGE
- R/W RIGHT-OF-WAY

POINT OF BEGINNING

WESTERLY R/W LINE  
(ORB 1192, PG 159)

S 00°03'09" W 173.54'

45TH STREET EAST

**SCHEDULE 1  
PAGE 2 OF 2**

PARCEL 200 SKETCH  
5212 45TH STREET EAST  
R/W FEE INTEREST ACQUISITION  
MANATEE COUNTY, FLORIDA

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JOB NUMBER  
13-1789

SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST

SCALE  
1"=60'

DATE  
11/10/14

DRAWN BY  
JM

FILE NAME  
1698300058

SHEET  
2 OF 2