

RESOLUTION R-16-019

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA, AUTHORIZING AN EXCHANGE OF
COUNTY PROPERTY PURSUANT TO SECTION 125.37, FLORIDA
STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners of Manatee County, Florida, (hereinafter the Board), pursuant to Section 125.37, Florida Statutes, is authorized and empowered to exchange real property held and possessed by Manatee County (hereinafter the County) which is not needed for county purposes with other real property which the County desires to acquire for county purposes when such exchange is in the best interest of the County; and

WHEREAS, the Resource Management Division of the Parks and Natural Resources Department recommends that the County conduct an exchange of real property with Troy S. Parrish, a single man, (hereinafter Mr. Parrish); and

WHEREAS, the purpose of the exchange is to divest the County of real property which is not needed for county purposes and acquire other real property for county purposes; and

WHEREAS, acquiring Mr. Parrish's real property would provide the County with contiguous ownership of the land west of Bill Parrish Road and uninterrupted access for county personnel to perform maintenance of the county-owned right-of-way and adjacent lands within the area known as Lake Manatee Watershed; and

WHEREAS, the Board finds that fee simple ownership to that portion of real property identified as Tract 1 in Exhibit "A" attached hereto and incorporated by reference is no longer needed for County purposes; and

WHEREAS, the Board desires to acquire for county purposes fee simple ownership to that portion of real property owned by Mr. Parrish and identified as Tract 2 in Exhibit "A"; and

WHEREAS, the Board finds that an exchange of Tract 1 for Tract 2 with Mr. Parrish is in the best interest of the County; and

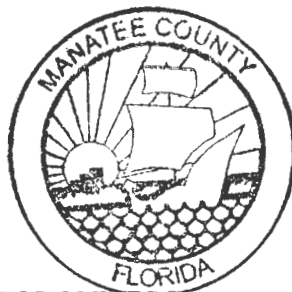
WHEREAS, the terms and conditions of this exchange have been published in a newspaper of general circulation published in Manatee County, Florida, once a week for at least two (2) weeks prior to the adoption date of this Resolution and that the statutory requirements of Section 125.37, Florida Statutes, have otherwise been met.

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

1. The findings set forth in the preamble above are hereby adopted as findings of the Board and incorporated herein by reference.

2. Upon conveyance of the fee simple interest in and to Tract 2 to the County by Mr. Parrish, the Board shall convey all of the County's right, title and interest in and to Tract 1 to Mr. Parrish. This exchange of property shall be accomplished by a document entitled "Exchange of Property Agreement," a copy of which is attached hereto as Exhibit "B" and incorporated by reference.
3. The Board hereby approves, and the Chairman or Vice Chairman of the Board is hereby authorized to execute the "Exchange of Property Agreement."
4. The effective date of this Resolution shall be the date of adoption of this Resolution.

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



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: [Signature]
Chairperson, VANESSA BAUGH

ATTEST: ANGELINA COLONNESO
CLERK OF CIRCUIT COURT AND COMPTROLLER

By: [Signature]
Deputy Clerk

Exhibit "A"

Description and Sketch

(NOT A SURVEY)

DESCRIPTION: TRACT 2 (Land of Troy S. Parrish to Manatee County, Florida)

A portion of that parcel recorded in Official Records Book 1744 Page 1764 of the Public Records of Manatee County, Florida, being a portion of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4, being an aliquot part of Section 11, Township 34 South, Range 21 East, Manatee County, Florida and more specifically described as follows:

COMMENCE at the Northeast corner of said Section 11; thence N88°46'25"W, 1297.16 feet along the northerly boundary line of the Northeast 1/4 of the Northeast 1/4 of said Section 11 to the westerly limits of the unrecorded maintained right-of-way line of BILL PARRISH ROAD; thence southerly along said westerly right-of-way line following five (5) courses: (1) S01°04'31"W, 270.62 feet; (2) S01°35'09"E, 162.52 feet; (3) S01°59'28"W, 104.59 feet; (4) S37°14'49"W, 17.79 feet; (5) S80°09'18"W, 3.22 feet to the westerly boundary line of said aliquot part; thence N00°14'19"E, 572.58 feet to the northerly boundary line of said aliquot part; thence S88°50'23"E, 15.20 feet along said northerly boundary line to the POINT OF BEGINNING

Containing 7841 square feet or 0.18 acres more or less.

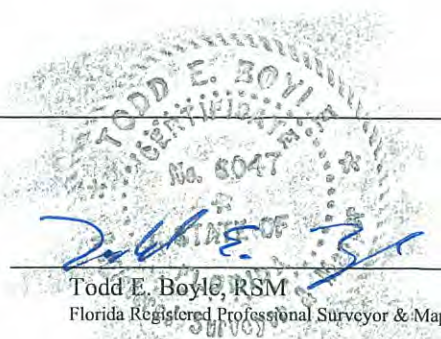
DESCRIPTION: TRACT 1 (Land of Manatee County, Florida to Troy S. Parrish)

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Containing 37094 square feet, or 0.85 acres more or less





Todd E. Boyle

 Todd E. Boyle, RSM

 Florida Registered Professional Surveyor & Mapper, 6047

11/13/2015

 Date

Drawing Path: S:\SURVEY\S:\SURVEY\2008 jobs\10_OCT 08\4010009500_Bill Parrish Sanctuary\CAD_DWG's
Sheet: 1 OF 2
Section 11, Township 34 South, Range 21 East
Drawing Date: 03/07/15

Revised Per County Attorney's Comments 10/26/15

Exhibit "A"

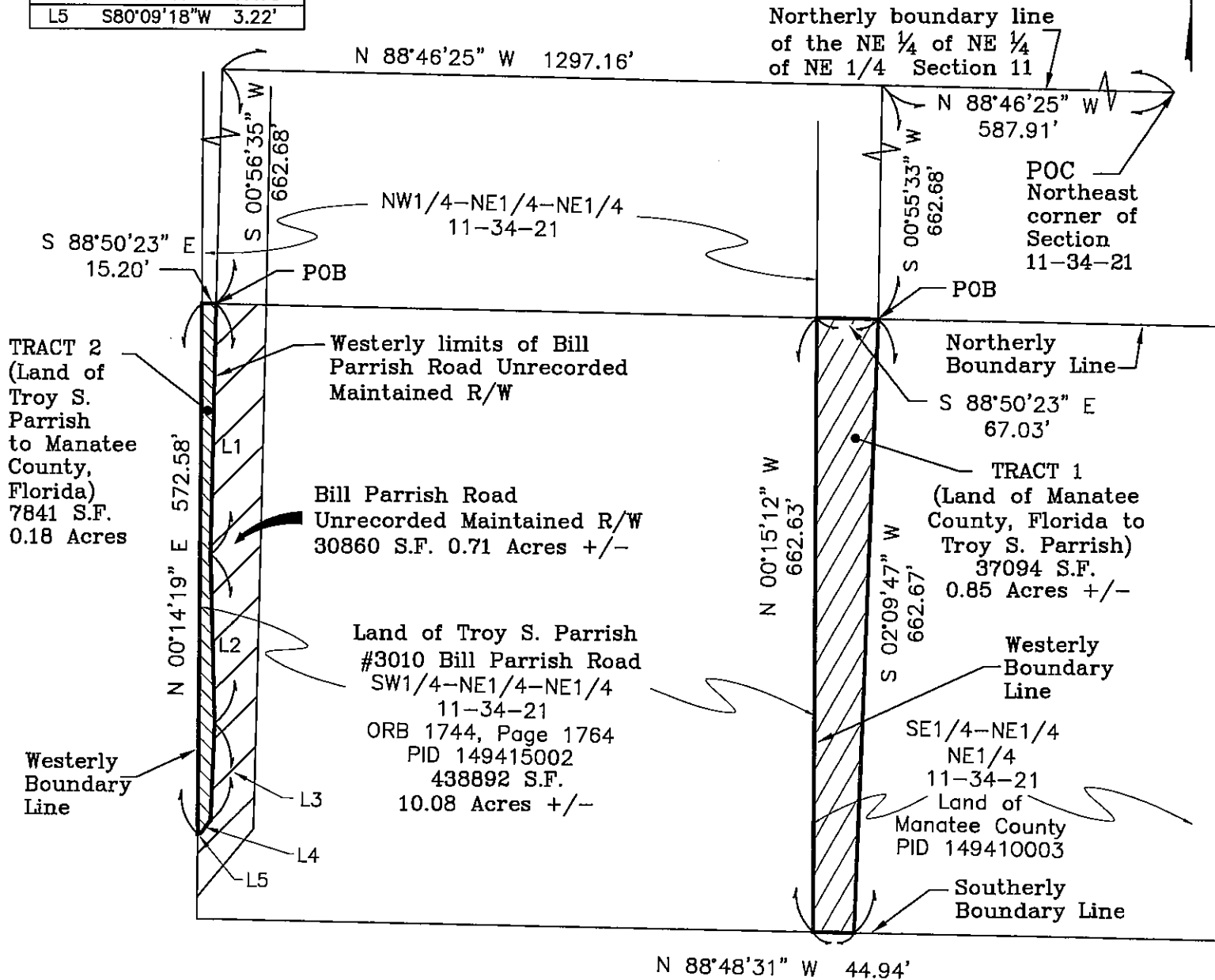
NOT TO SCALE

Description and Sketch

(NOT A SURVEY)

LINE TABLE

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L2	S01°35'18"E	182.52'
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L4	S37°14'49"W	17.79'
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- NOTES:
1. This Description and Sketch does not certify of warranty: title, zoning, easements, or freedom of encumbrances.
 2. Subject to easements, dedications and restrictions of record not provided to the surveyor and mapper.
 3. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
 4. The basis of bearings is the northerly boundary line of the NE 1/4 of the NE 1/4 of the NE 1/4 of Section 11, Township 34 South, Range 21 East which bears N88°46'25"W (assumed).

MANATEE COUNTY
PROPERTY MANAGEMENT
SURVEY DIVISION



See Page 1 of 2 for Description,
Signature & Seal

1112 MANATEE AVENUE WEST
BRADENTON, FLORIDA, 34205,
(941)748-4501

PID = PARCEL IDENTIFICATION NUMBER
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
POT = POINT OF TERMINUS
PC = POINT OF CURVATURE
S.F. = SQUARE FEET
± = MORE OR LESS
DEP = DEPARTMENT OF ENVIRONMENTAL
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Drawing Path:
S:\SURVEY\S:\SURVEY\
2008 jobs\10_OCT 08\
4010009500_Bill Parrish
Sanctuary\CAD_DWG's

Sheet: 2 OF 2

Section 11, Township 34
South, Range 21 East

Drawing Date: 03/07/15

EXHIBIT "B"

Exchange of Property Agreement

THIS INSTRUMENT PREPARED BY:
Pamela J. D'Agostino
Assistant County Attorney
Manatee County Attorney's Office
1112 Manatee Avenue West, Suite 969
Bradenton, Florida 34205

PROJECT NAME:
Land Swap at Bill Parrish Road
Parrish, Florida 34219

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

EXCHANGE OF PROPERTY AGREEMENT

THIS EXCHANGE OF PROPERTY AGREEMENT (hereinafter the Agreement) is made and entered into this ___ day of _____, 20__, between **TROY S. PARRISH**, a single man (hereinafter Mr. Parrish), whose mailing address is 2912 72nd Avenue East, Ellenton, Florida 34222, and **MANATEE COUNTY**, a political subdivision of the State of Florida (hereinafter the County), whose mailing address is Post Office Box 1000, Bradenton, Florida 34206.

W I T N E S S E T H:

WHEREAS, Mr. Parrish is the fee simple owner of certain real property located in Manatee County, Florida, by virtue of a Warranty Deed dated February 8, 2002, recorded in Official Records Book 1744, Pages 1764-1765, of the Public Records of Manatee County, Florida (hereinafter the Parrish Property); and

WHEREAS, the County is the fee owner of certain real property located in Manatee County, Florida by virtue of a Warranty Deed dated October 20, 1999, recorded in Official Records Book 1613, Pages 4381-4382, of the Public Records of Manatee County, Florida (hereinafter the County Property); and

WHEREAS, the County desires to convey fee simple interest to a portion of the County Property, specifically that certain property which is identified as Tract 1 in Exhibit "A" attached hereto and incorporated by reference to Mr. Parrish in exchange for his conveyance of fee simple interest to a portion of the Parrish Property which is identified as Tract 2 in Exhibit "A" to allow for uninterrupted access to maintain county-owned right-of-way and adjacent land; and

WHEREAS, Section 125.37, Florida Statutes, authorizes the Board of County Commissioners (hereinafter the Board) to exchange county-owned real property with other real property; and

WHEREAS, as required by Section 125.37, Florida Statutes, the Board has adopted Resolution R-16-019;

WHEREAS, the requirements of Section 125.37, Florida Statutes, 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 Mr. Parrish hereby agree to exchange and convey real property as follows:

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

2. The County, by this instrument, hereby grants, bargains, sells, remises, releases, conveys and confirms unto Mr. Parrish all of Tract 1 described in Exhibit "A," to have and to hold, the same in fee simple forever.

3. In exchange thereof, Mr. Parrish, by this instrument, hereby grants, bargains, sells, remises, releases, conveys and confirms unto the County all of Tract 2 described in Exhibit "A," to have and to hold, the same in fee simple forever. Mr. Parrish hereby covenants to the County that Mr. Parrish is lawfully seized of said property in fee simple; that Mr. Parrish 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 2015, which are not yet due and payable, and all subsequent years thereafter.

4. The County shall be responsible for all recording fees associated with this conveyance.

5. Any term, condition, covenant, or obligation which requires performance by either Party subsequent to this exchange shall remain enforceable against such Party subsequent to the exchange.

6. If any one or more of the provisions of this Agreement should be held contrary to law or public policy, or should for any reason whatsoever be held invalid or unenforceable by a court of competent jurisdiction, then such provision or provisions shall be null and void and shall be deemed separate from the remaining provisions of this Agreement, which remaining provisions shall continue in full force and effect, provided that the rights and obligations of the Parties contained herein are not materially prejudiced and the intentions of the Parties continue to be effective.

7. This Agreement shall be construed and enforced pursuant to Florida Law.

[SIGNATURE PAGES AND ACKNOWLEDGEMENTS FOLLOW ON NEXT PAGE.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first above written.

Signed, sealed and delivered in the presence of two witnesses as required by law:

MR. PARRISH:

Witness

Signature of TROY S. PARRISH

Printed Name and Date

Date

Witness

Printed Name and Date

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by TROY S. PARRISH, who _____ is personally known to me or _____ who has produced _____ as identification.

Affix seal below:

Notary Public Signature

Printed Name

Commission Number

Expiration Date

THE COUNTY:

**MANATEE COUNTY, a political
subdivision of the State of Florida**

By: its Board of County Commissioners

By: _____
Chairperson

Date: _____

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court
and Comptroller of Manatee County

By: _____
Deputy Clerk

EXHIBIT "A"

Legal Description and Sketch for Tract 1 and Tract 2

Exhibit "A"

Description and Sketch

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MANATEE COUNTY
PROPERTY MANAGEMENT
SURVEY DIVISION



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BRADENTON, FLORIDA, 34205,
(841)748-4501

Todd E. Boyle, RSM

Florida Registered Professional Surveyor & Mapper, 6047

Date

11/13/2015

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2008 jobs\10_OCT 08\
4010009500_Bill Parrish
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Sheet: 1 OF 2

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South, Range 21 East

Drawing Date: 03/07/15

Revised Per County Attorney's
Comments 10/26/15

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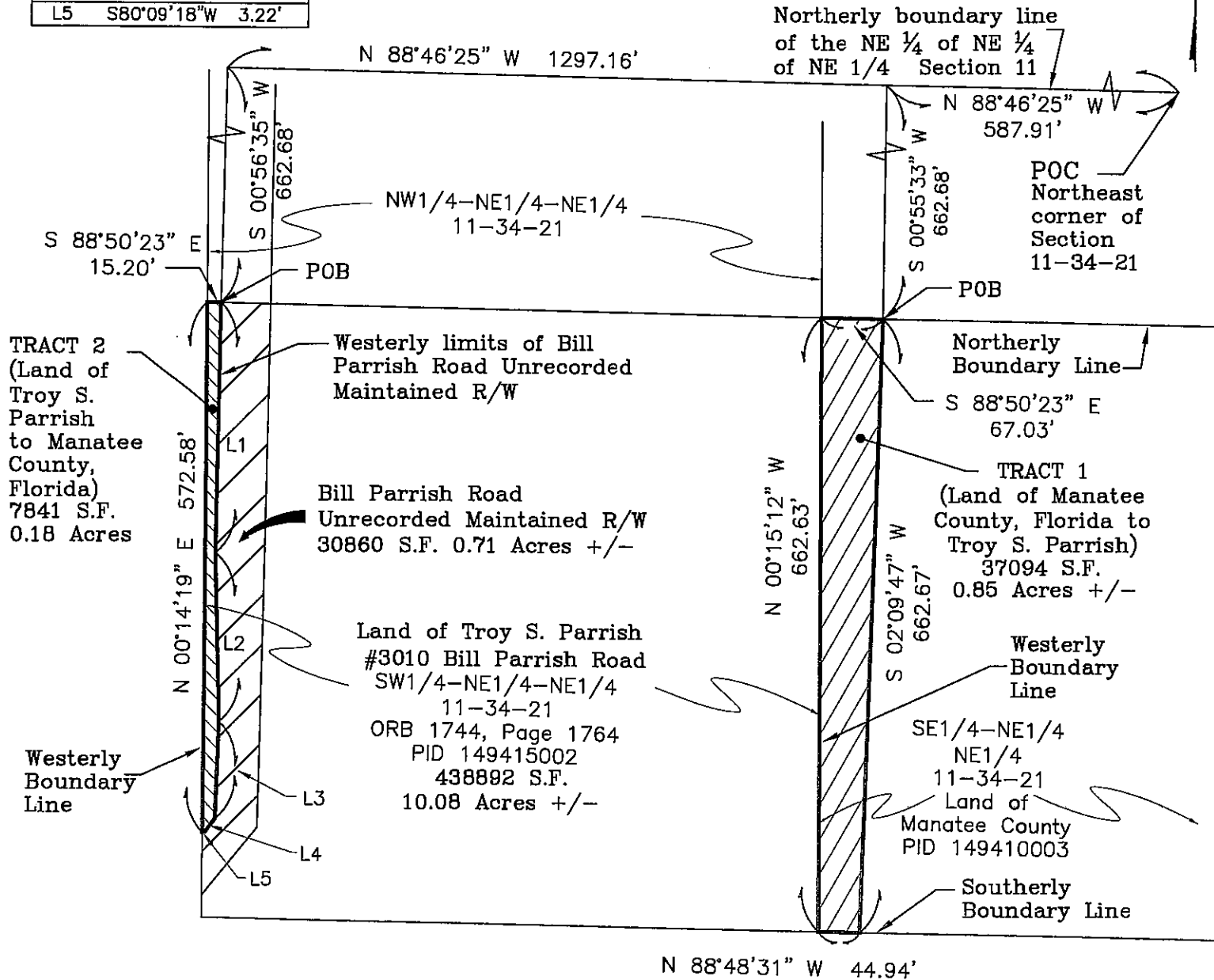
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MANATEE COUNTY
 PROPERTY MANAGEMENT
 SURVEY DIVISION



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See Page 1 of 2 for Description,
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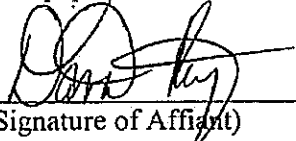
BRADENTON HERALD

WWW.BRADENTON.COM
P.O. Box 927
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941-745-7066

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Published Daily
Bradenton, Manatee County, Florida

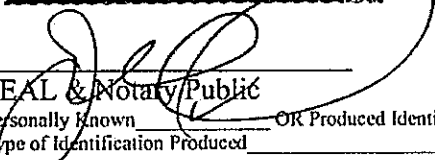
STATE OF FLORIDA COUNTY OF MANATEE

Before the undersigned authority personally appeared Dava Reyes, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Public Notice, was published in said newspaper in the issue(s) of 06/28/2016 & 07/05/2016. Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this
6 Day of July, 2016

JENNIFER M. ROBB
Commission # FF 933210
Expires November 3, 2019
Bonded Thru Troy Fair Insurance 800-385-7019


SEAL & Notary Public
Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

PUBLIC NOTICE

Pursuant to Section 125.37, Florida Statutes, the Board of County Commissioners of Manatee County hereby provides notice of the proposed exchange of certain interests in real property:

At the regularly scheduled meeting of the Board of County Commissioners at 9:00 a.m., or soon thereafter, on July 26, 2016, the Board will consider the adoption of Resolution P-16-019 authorizing the exchange of properties and the execution of the necessary instruments. Said meeting will occur in Board Chambers at 1112 Manatee Avenue West, Bradenton, Florida.

The property interest held by Manatee County that would be exchanged is described as follows:

DESCRIPTION: TRACT 1 (prepared by certifying Surveyor and Mapper)

A portion of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4, being an aliquot part of Section 11, Township 34, South, Range 21 East, Manatee County, Florida and more specifically describe as follows:

COMMENCE at the Northeast corner of said Section 11; thence N88°46'25"W, 587.91 feet along the northerly boundary line of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 11; thence S00°65'33"W, 662.68 feet to the northerly boundary line of said aliquot part and the POINT OF BEGINNING;

Said tract contains 7.841 square feet or 0.18 acres, more or less.

The exchange of certain interests will be conveyed between Manatee County and Troy S. Parrish, a single man. The exchange shall be accomplished with any additional consideration of all properties will be conveyed "as is" condition except that properties shall be free and clear of all liens and encumbrances.

The information regarding subject is available for public inspection, by appointment, at the offices of the Property Management Department, Property Acquisition Division, 1112 Manatee Avenue West, 8th Floor, Bradenton, Florida, from 7:00 a.m. to 4:00 p.m., Monday through Friday. Interested parties may obtain assistance regarding matter by calling (941) 745-8800, extension 6287, during normal business hours.

The Board of County Commissioners of Manatee County, Florida, does not discriminate on the basis of any individual's disability status. This anti-discrimination policy involves the aspect of the Board's function including one's access to participation in employment or treatment in its program activities. Anyone requiring reasonable accommodation for meeting as provided for in Americans with Disabilities should contact Kaycee Elliott at 941-742-5800; TDD: ONLY 941-742-5802; wait 60 seconds; 941-745-3790.

DESCRIPTION: TRACT 2 (prepared by certifying Surveyor and Mapper)

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BOARD OF COUNTY COMMISSIONERS
Property Management Department
Manatee County, Florida
06/28/16, 07/05/16