

**RESOLUTION R-16-023**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, VACATING A 10 FOOT WIDE AND 150 FOOT LONG UTILITY EASEMENT PURSUANT TO SECTION 331 OF THE LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, an application has been made by West Manatee Fire and Rescue District (Applicant) to vacate, abandon, discontinue and close a ten (10) foot wide and one hundred fifty (150) foot long utility easement, recorded in Official Records Book 901, Page 177, of the Public Records of Manatee County, Florida, located in Section 29, Township 34 South, Range 17 East, and more particularly described in Exhibit A attached hereto and by this reference provided herein. This site is located in Commission District Three; and

**WHEREAS**, Section 331 of the Manatee County Land Development Code authorizes the vacating and annulment and abandonment of easements deeded by instrument and any right of the County and of the public in and to any land or interest therein, by the Board; and

**WHEREAS**, the Applicants own the fee simple title to the property which encompasses and surrounds the area sought to be vacated; and

**WHEREAS**, this vacation will not affect the ownership or right of convenient access of persons owning other properties in the area; and

**WHEREAS**, the Applicants have complied with all applicable notice requirements pursuant to the Manatee County Land Development Code (the Code); and

**WHEREAS**, the Applicants have attached to the application all required proof of publication and certificates showing all state and county taxes have been paid; and

**WHEREAS**, the application has been reviewed by the Property Management Department Director who has found it to be complete and sufficient for presentation to the Board; and

**WHEREAS**, pursuant to the Code, the Property Management Department Director has prepared a report recommending to the Board [approval] [denial] of the application; and

**WHEREAS**, a resolution declaring a notice of public hearing on said application was duly adopted by the Board of County Commissioners of Manatee County, Florida (the Board) and the notice of said public hearing was duly published in a newspaper of general circulation in Manatee County, Florida in accordance with the Code; and

**WHEREAS**, a public hearing was held on Tuesday, March 22, 2016, to consider the advisability of renouncing and disclaiming all rights of the County and to the public to vacate and abandon this easement 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; and

**WHEREAS**, the Board has found that the easement which is the subject of this resolution no longer serves a public purpose and is a proper subject for abandonment pursuant to the Code; and

**WHEREAS**, following analysis of the application, approval of said vacation is determined to be consistent with the Code and Manatee County's Comprehensive Plan; and

**WHEREAS**, vacation or abandonment of this property is in the best interests of the public.

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

1. Upon request of the Applicant, the Board vacates, abandons, renounces and disclaims any right of the County and the public in and to the land described in Exhibit A, incorporated herein by reference.
2. No portion of the land, or interest therein, described in Exhibit A constitutes or was acquired for a state or federal highway.
3. This resolution shall take effect upon recordation in the public records of Manatee County, Florida.

**DULY ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of March, 2016.

2016.



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

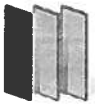
By: \_\_\_\_\_

Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_

Deputy Clerk



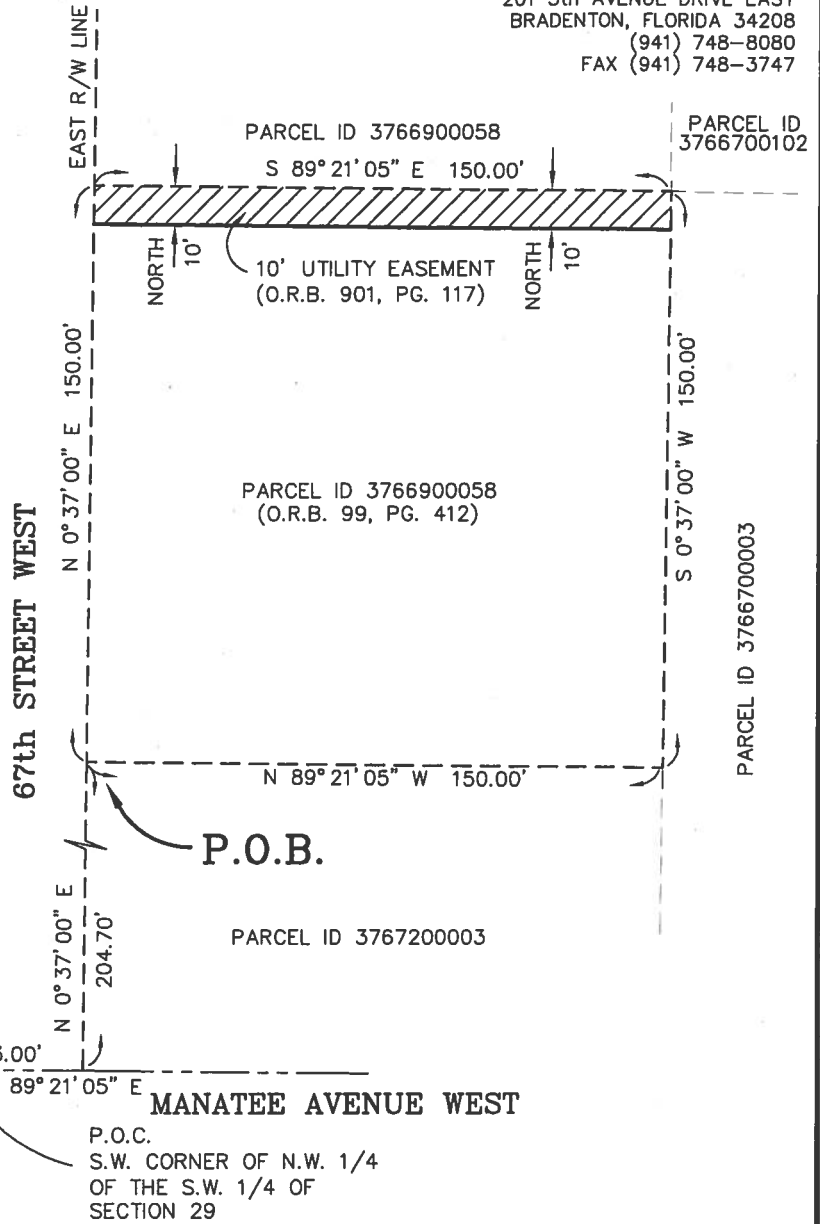
# ZNS ENGINEERING

ENGINEERS | PLANNERS | SURVEYORS | LANDSCAPE ARCHITECTS  
 EB 0027476 LS 0006982 LC 0009365

CERTIFICATE OF AUTHORIZATION # LB6982  
 201 5th AVENUE DRIVE EAST  
 BRADENTON, FLORIDA 34208  
 (941) 748-8080  
 FAX (941) 748-3747

**DESCRIPTION: (O.R.B. 901, PG. 117)**

A 10-foot permanent easement being the North 10 feet of a parcel of land described as:  
 Commence at the SW corner of the NW-1/4 of the SW-1/4 of Section 29, Township 34-S, Range 17-East, Manatee County, Florida; thence S 89°21'05" E, 33.0 feet and N 0°37' E, 204.70' to a point on the East R/W line of 67th St. West for a Point of Beginning; thence continue N. 0°37' E, along said East R/W line for 150'; thence S 89°21'05" E, for 150'; thence S 0°37' W for 150'; thence N 89°21'05" W, 150' to the P.O.B.



**LEGEND:**

- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- R/W - RIGHT OF WAY
- O.R.B. - OFFICIAL RECORD BOOK
- PG. - PAGE
- ID - IDENTIFICATION



REVISED: 09/23/2015 bernie

**NOTES:**

1. BEARINGS ARE BASED ON THE EAST RIGHT OF WAY OF 67th STREET WEST, AS DESCRIBED IN OFFICIAL RECORD BOOK 901, PAGE 117, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, HAVING A BEARING OF N 0°37' E.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. CORNERS HAVE NOT BEEN FIELD LOCATED OR SET (EXCEPT AS NOTED).

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SEE SHEET 1 FOR DESCRIPTION  
**NOT A BOUNDARY SURVEY**  
 DESCRIPTION SKETCH  
 OF  
**UTILITY EASEMENT VACATION**  
 RECORDED IN OFFICIAL RECORD BOOK 901, PAGE 117  
 PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA  
 IN  
**SECTION 29, TOWNSHIP 34 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 57-17-050, FLORIDA ADMINISTRATIVE CODE.

BY: J. N. Gatch, Jr.  
 JAMES N. GATCH, JR., P.S.M.  
 FLORIDA CERTIFICATE NO. LS 4295  
 DATE OF CERTIFICATION : 11/13/14