

**RESOLUTION R-16-064**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, VACATING UNIMPROVED PLATTED RIGHT-OF-WAY PURSUANT TO SECTIONS 336.09, 336.10 AND 336.12, FLORIDA STATUTES, AND THE LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, an application has been made by Manatee McKay Properties, LLC and McKay Point Properties, Inc., (Applicants) to vacate, abandon, discontinue and close a right-of-way shown as “Iva Street” on the plat of the “Subdivision of Lot 8, Block 3 of G. H. Judd’s Subdivision of Sneads Island, Recorded in Plat Book 1, Page 222” as recorded in Plat Book 1, Page 292, of the Official Records of Manatee County, Florida, located in Section 17, 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 One; and

**WHEREAS**, Sections 177.101, 336.09, 336.10 and 336.12, Florida Statutes, authorize the vacating and annulment and abandonment of plats subdividing land, roads and streets and any right of Manatee County (County) and of the public in and to any land or interest therein, by the Board of County Commissioners (Board); and

**WHEREAS**, the Applicants own the fee simple title to the adjacent property directly west and directly east of the right-of-way sought to be vacated; and

**WHEREAS**, this vacation of “Iva Street” 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 Sections 177.101 and 336.10, Florida Statutes, and the County’s 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 of the application; and

**WHEREAS**, a resolution declaring a notice of public hearing on said application was duly adopted by 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 Section 336.10, Florida Statutes, and the Code; and

**WHEREAS**, a public hearing was held on Tuesday, May, 24, 2016, to consider the advisability of exercising the authority granted by Section 336.09, Florida Statutes, and the Code to vacate “Iva Street” 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 the County; and

**WHEREAS**, the Board has found that the right-of-way which is the subject of this resolution no longer serves a public purpose and is a proper subject for abandonment pursuant to Chapter 336, Florida Statutes.

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

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

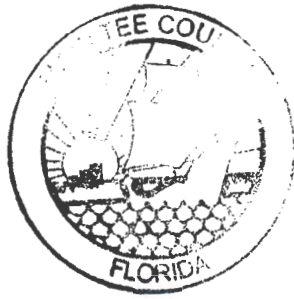
**WHEREAS**, the Applicants have executed a Permanent Drainage and Maintenance Access Easement Agreement (Agreement) with the County for the entire vacation area (“Iva Street”); and

**WHEREAS**, this Agreement shall be presented to the Board for consideration and acceptance after this vacation becomes effective through filing with the Clerk of the Circuit Court and duly recording in the public records of Manatee County the required documents.

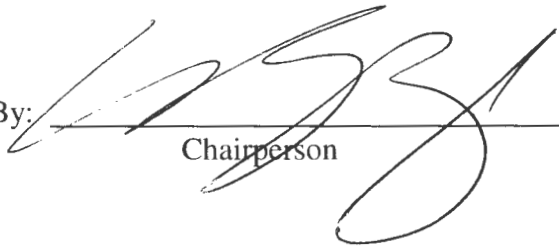
**NOW THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Manatee County, Florida, that:

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 24 day of May, 2016.



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

By:   
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By:   
Deputy Clerk



# Leo Mills & Associates, Inc.

LICENSED BUSINESS NO. 613 \* SURVEYING \* LAND PLANNING

LEO MILLS - PSM 1735  
LEO MILLS, JR. - PSM 3513  
MEMBER: FLORIDA SURVEYING  
AND MAPPING SOCIETY &  
MANASOTA CHAPTER SURVEYING  
AND MAPPING SOCIETY

620 8th AVENUE WEST, PALMETTO, FL 34221 22 NORTH POLK AVENUE, ARCADIA, FL 34266  
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## SKETCH OF DESCRIPTON

FOR: MANATEE MCKAY PROPERTIES, LLC

DATE: 3-25-16

(SHEET 1 OF 2)

SECTION 17, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

# EXHIBIT "A"



### DESCRIPTION:

THAT CERTAIN RIGHT-OF-WAY SHOWN AS "IVA STREET" ON THE PLAT OF "THE SUBDIVISION OF LOT 8, BLOCK 3, G.H. JUDD'S SUBDIVISION OF SNEADS ISLAND, RECORDED IN PLAT BOOK 1, PAGE 222" SAID PLAT RECORDED IN PLAT BOOK 1, PAGE 292 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF 13TH STREET WEST (SNEAD ISLAND ROAD), WITH THE EAST AND WEST LINES OF SAID RIGHT-OF-WAY BEING EXTENDED SOUTHERLY TO THE MANATEE RIVER.

### NOTES:

1. THIS PLAT IS A "SKETCH OF DESCRIPTION" ONLY AND IS NOT INTENDED TO BE USED AS A BOUNDARY SURVEY.
2. BEARINGS SHOWN HEREON REFER TO THE SOUTH RIGHT-OF-WAY LINE OF 13TH AVENUE WEST BEING ASSUMED AS N89°51'45"E.
3. THIS "SKETCH OF DESCRIPTION" HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THEREFORE MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
4. THIS "SKETCH OF DESCRIPTION" IS INTENDED FOR THE EXCLUSIVE USE OF THOSE CERTIFIED PARTIES APPEARING HEREON AND IS WARRANTED FOR A PERIOD OF ONE (1) YEAR BEYOND THE DATE SHOWN.
5. SUBJECT TO EASEMENTS, DEDICATIONS AND RESTRICTIONS OF RECORD.
6. THE DESCRIPTION SHOWN HEREON WAS CREATED BY THIS FIRM.
7. THIS SURVEY CONSISTS OF 2 SHEETS. EACH SHEET IS INTENDED TO BE USED IN CONJUNCTION WITH ONE ANOTHER. THIS SURVEY IS NOT COMPLETE WITHOUT BOTH SHEETS.
8. MAINTAINED RIGHT-OF-WAY FOR SNEAD ISLAND ROAD (ALSO KNOWN AS 13TH STREET WEST) AS RECORDED IN ROAD PLAT BOOK 1, PAGES 81-86, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, IS NOT CLEARLY LOCATED ON SAID MAPS. AN EXAMINATION OF SAID MAPS INDICATE THE PLATTED RIGHT-OF-WAY AS SHOWN ON THE PLAT OF G.H. JUDD'S SUBDIVISION (PLAT BOOK 1, PAGE 222) OF SAID PUBLIC RECORDS, IS THE INTENDED RIGHT-OF-WAY AT THE SUBJECT PROPERTY.
9. THE APPROXIMATE MEAN HIGH WATER LINE AS SHOWN HEREON IS BASED ON A PREVIOUS SURVEY BY THIS FIRM, PREPARED FOR MANATEE MCKAY PROPERTIES, INC.; DATED 11-19-14; JOB NO. C9098.
10. "SNEAD" ISLAND IS ALSO KNOWN HISTORICALLY AS "SNEADS" ISLAND.

JOB NO. ....C.9098.....

SCALE: ....NONE..... FILE INDEX NO. ....

SEE SHEET 1 FOR DESCRIPTION & NOTES

FOR: MANATEE MCKAY PROPERTIES, LLC

DATE: 3-25-16

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**LEGEND**

R/W	=	RIGHT-OF-WAY
(P)	=	PLAT
M.H.W.L.	=	MEAN HIGH WATER LINE
PIN	=	MANATEE COUNTY PROPERTY APPRAISER'S PARCEL IDENTIFICATION NUMBER

EXHIBIT "A"

MANATEE RIVER

Leo Mills & Associates, Inc.

SCALE: 100' FILE INDEX NO. ....

