

**RESOLUTION R-16-075**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, VACATING CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY, SPECIFICALLY SURPLUS RIGHT-OF-WAY FOR EXISTING 44TH AVENUE EAST ROADWAY PURSUANT TO SECTIONS 336.09, 336.10 AND 336.12, FLORIDA STATUTES, AND THE LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA.**

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida, (Board) has moved to vacate, abandon, discontinue and close specifically a portion of platted right-of-way of 44th Avenue East (Cortez Road) of Manasota Industrial Park, a subdivision, Phase “B” as per plat thereof recorded in Plat Book 22, Page 183, of the Public Records of Manatee County, Florida, located in Section 6, Township 35 South, Range 18 East, and more particularly described in Exhibit B attached hereto and by this reference incorporated herein. This site is located in Commission District Four; and

**WHEREAS**, Sections 336.09, 336.10 and 336.12, Florida Statutes, authorize the vacating and annulment and abandonment of 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; and

**WHEREAS**, all applicable notice requirements pursuant to Section 336.10, Florida Statutes, and the County’s Land Development Code (the Code) have been met; and

**WHEREAS**, a resolution declaring a notice of public hearing on said motion to vacate 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, July, 26, 2016, to consider the advisability of exercising the authority granted by Section 336.09, Florida Statutes, and the Code to vacate this right-of-way and the Board was fully advised and informed in the premises; and

**WHEREAS**, the Board has determined that vacating this right-of-way 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.

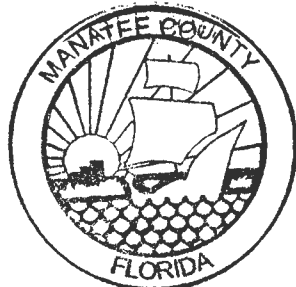
**WHEREAS**, following analysis of the motion to vacate, approval of said motion to vacate is determined to be consistent with the Code and the County’s Comprehensive Plan; and

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

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

1. Upon its own motion, the Board vacates, abandons, renounces and disclaims any right of the County and the public in and to the land described in Exhibit B, incorporated herein by reference.
2. No portion of the land, or interest therein, described in Exhibit B 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 26 day of July, 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**

A PORTION OF LOT 1, BLOCK E AND A PORTION OF PLATTED RIGHT OF WAY OF 44th AVENUE EAST (CORTEZ ROAD) OF MANASOTA INDUSTRIAL PARK, A SUBDIVISION, PHASE "B" AS PER PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGE 183 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN THE S.W. 1/4 OF SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 6; THENCE N 01°07'27" W, ALONG THE EAST LINE OF SAID S.W. 1/4 AND THE EAST LINE OF SAID LOT 1, A DISTANCE OF 52.46 FEET TO THE POINT OF BEGINNING; THENCE N 89°13'23" W, A DISTANCE OF 284.11 FEET TO A POINT OF THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 09°48'50" W, AT A DISTANCE OF 625.00 FEET; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF LOT 2, BLOCK A OF MANASOTA INDUSTRIAL PARK, A SUBDIVISION, PHASE "A" AS PER PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGE 119 OF SAID PUBLIC RECORDS AND ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 28°34'06", A DISTANCE OF 311.63 FEET TO AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF SAID 44th AVENUE EAST (CORTEZ ROAD); THENCE S 01°07'27" E, ALONG SAID EAST RIGHT OF WAY LINE AND EAST LINE OF SAID LOT 1, A DISTANCE OF 129.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.33 ACRES (14443 SQUARE FEET), MORE OR LESS.

**PROPERTY EXCHANGE PARCEL**  
**44th AVENUE EAST**  
 LOCATED IN  
**SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST**  
**MANATEE COUNTY, FLORIDA**

REVISED LEGAL DESCRIPTION: 03/10/2016

REVISED LEGAL DESCRIPTION: 07/01/2015

**EXHIBIT**  
**B**  
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NOTE: NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17-.050, FLORIDA ADMINISTRATIVE CODE.

BY: J. N. Gatch  
 JAMES N. GATCH, JR., P.S.M.  
 FLORIDA CERTIFICATE No. LS 4295  
 DATE OF CERTIFICATION : 06/11/2015

**PROPERTY EXCHANGE**  
**PARCEL**  
**PROJECT No. 6045560**



# ZNS ENGINEERING

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EB 0027476 LS 0006982 LC 0000365

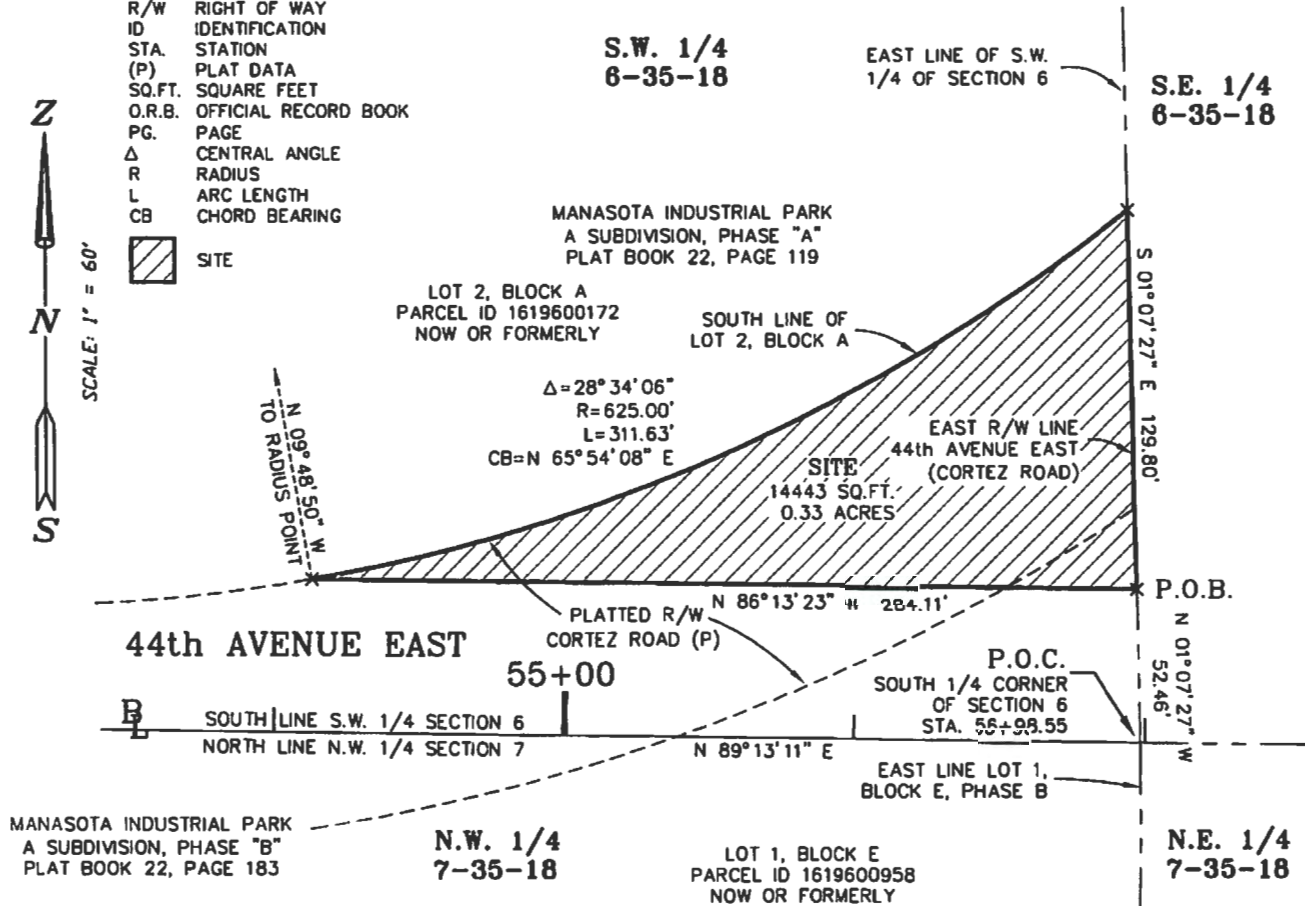
CERTIFICATE OF AUTHORIZATION LB # 6982  
201 5th AVENUE DRIVE EAST  
BRADENTON, FLORIDA 34208  
(941) 748-8080  
FAX (941) 478-3747

### LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R/W RIGHT OF WAY
- ID IDENTIFICATION
- STA. STATION
- (P) PLAT DATA
- SQ.FT. SQUARE FEET
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- Δ CENTRAL ANGLE
- R RADIUS
- L ARC LENGTH
- CB CHORD BEARING



SCALE: 1" = 60'



## PROPERTY EXCHANGE PARCEL 44th AVENUE EAST LOCATED IN

SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST  
MANATEE COUNTY, FLORIDA

REVISED SKETCH: 03/10/2016  
REVISED SKETCH: 07/01/2015  
DATE: 06/11/2015

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**PROPERTY EXCHANGE  
PARCEL**  
PROJECT No. 6045560

**EXHIBIT  
B**  
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### NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF S.W. 1/4 OF SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, HAVING A BEARING OF S 89° 13' 11" E, AND BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM (WEST ZONE) NAD 83/90 DERIVED FROM MANATEE COUNTY GIS CONTROL SURVEY (1988) MONUMENTATION.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)