

**RESOLUTION R-17-014**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, VACATING CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY, SPECIFICALLY A PORTION OF UNIMPROVED MAINTAINED RIGHT-OF-WAY AT POPE ROAD IN ROAD PLAT BOOK 8, PAGE 138, THAT LIE WITHIN OR ADJACENT TO PHASES 6 AND 7 OF THE INDIGO SUBDIVISION PURSUANT TO SECTIONS 336.09, 336.10 AND 336.12, FLORIDA STATUTES, AND THE LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA.**

**WHEREAS**, an application has been made by Neal Communities of Southwest Florida, LLC., and SMR Northwest, Land, LLC., both Florida limited liability companies to vacate, abandon, discontinue and close specifically a portion unimproved maintained right-of-way identified as Pope Road, as recorded in Road Plat Book 8, Page 138, of the Official Records of Manatee County, Florida, located in Sections 4 & 5, Township 35 South, Range 19 East, and more particularly described in Exhibit A attached hereto and by this reference provided herein. This site is located in Commission District Five; 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 of County Commissioners (Board); and

**WHEREAS**, the Applicant has a deeded interest in the right-of-way sought to be vacated; and

**WHEREAS**, the Applicant has complied with all applicable notice requirements pursuant to Section 336.10, Florida Statutes, and the County's Land Development Code (the Code); 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, March, 7th, 2017, 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 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.

**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 7th day of March, 2017.



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

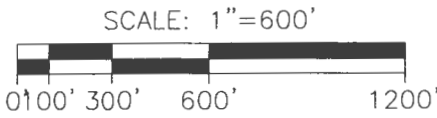
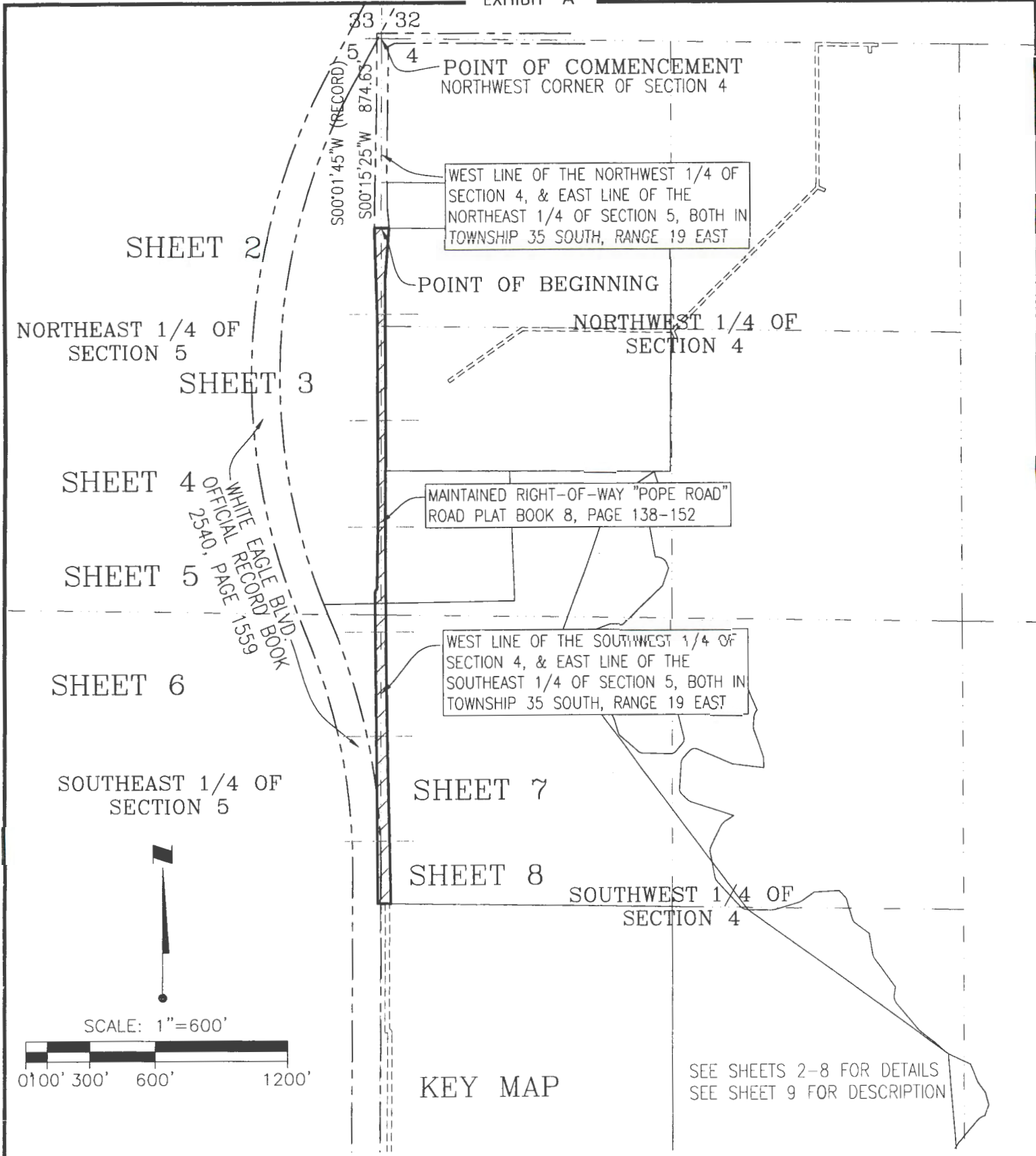
By: \_\_\_\_\_

*[Signature]*  
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

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

*[Signature]*  
Deputy Clerk



This is NOT a Survey and Not valid without all sheets.

FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC Aug 05, 2016 - 11:18:33 BCUNNINGHAM\j\2156\active\215612822\survey\drawing\215612822v-sk0001.dwg

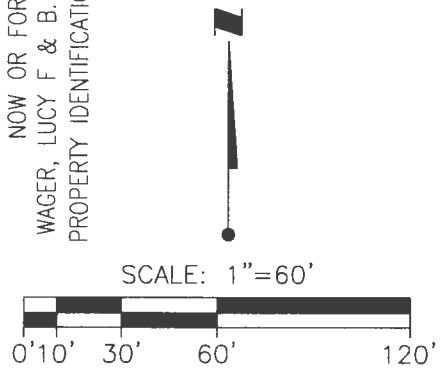
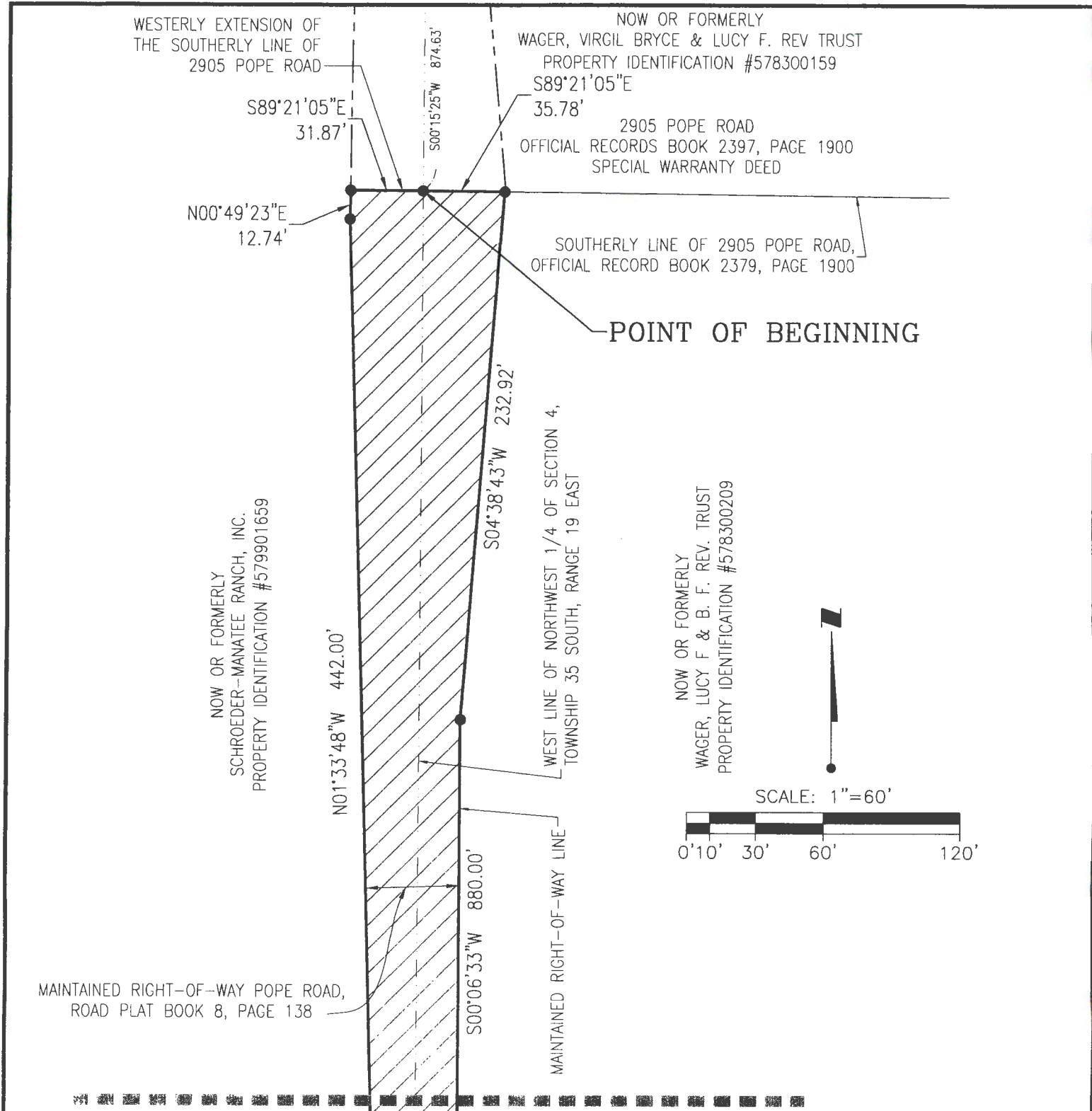
SKETCH & DESCRIPTION OF THE VACATION OF A PORTION OF POPE ROAD, ROAD PLAT BOOK 8, PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S., RANGE 19 E., MANATEE COUNTY, FLORIDA



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TASK CODE: 810	DRAWN BY: JWB	CHKD BY: RRC	CAD FILE: 215612822v-spsk1	PROJECT NO: 215612822	SHEET 1 OF 9	DRAWING INDEX NO: A-215612822v-spsk1	REV:
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EXHIBIT "A"



MATCH LINE, SEE SHEET 3

SEE SHEET 1 FOR KEY MAP  
SEE SHEET 9 FOR DESCRIPTION

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FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC Aug 05, 2016 - 11:18:33 BCUNNINGHAM\j\2156\active\215612822\survey\drawing\215612822v-sk0001.dwg

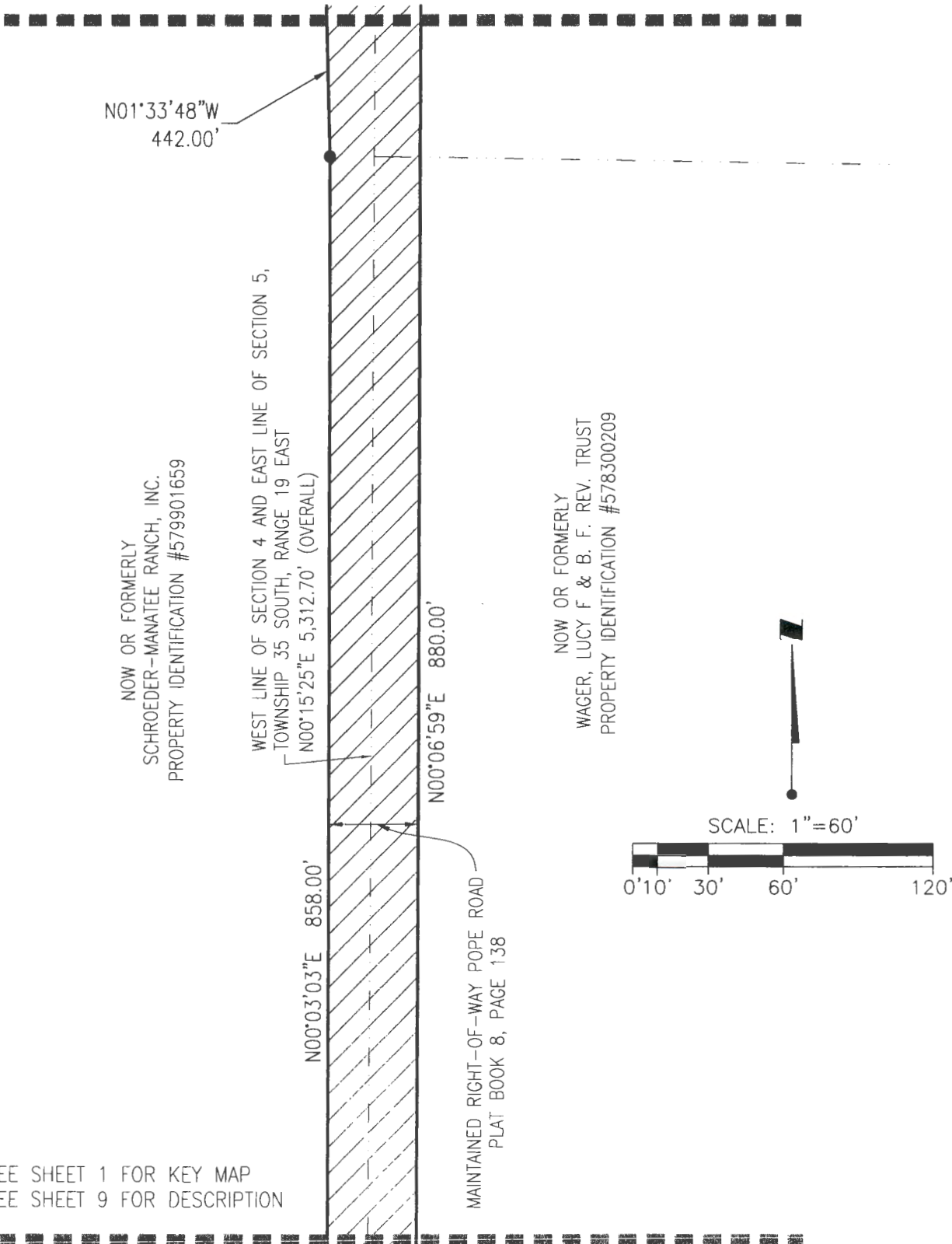
SKETCH & DESCRIPTION OF THE VACATION OF A PORTION OF POPE ROAD, ROAD PLAT BOOK 8, PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S., RANGE 19 E., MANATEE COUNTY, FLORIDA



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MATCH LINE, SEE SHEET 2



N01°33'48"W  
442.00'

NOW OR FORMERLY  
SCHROEDER-MANATEE RANCH, INC.  
PROPERTY IDENTIFICATION #579901659

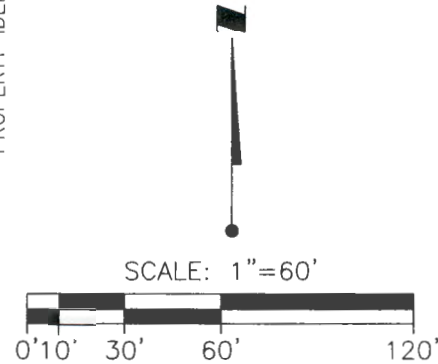
WEST LINE OF SECTION 4 AND EAST LINE OF SECTION 5,  
TOWNSHIP 35 SOUTH, RANGE 19 EAST  
N00°15'25"E 5,312.70' (OVERALL)

N00°03'03"E 858.00'

N00°06'59"E 880.00'

MAINTAINED RIGHT-OF-WAY POPE ROAD  
PLAT BOOK 8, PAGE 138

NOW OR FORMERLY  
WAGER, LUCY F & B. F. REV. TRUST  
PROPERTY IDENTIFICATION #578300209



SEE SHEET 1 FOR KEY MAP  
SEE SHEET 9 FOR DESCRIPTION

MATCH LINE, SEE SHEET 4

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FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC Aug 05, 2016 - 11:18:33 BCUNNINGHAM\N:\2156\active\215612822\survey\drawing\215612822v-sk0001.dwg

SKETCH & DESCRIPTION OF THE VACATION OF  
A PORTION OF POPE ROAD, ROAD PLAT BOOK 8,  
PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S.,  
RANGE 19 E., MANATEE COUNTY, FLORIDA



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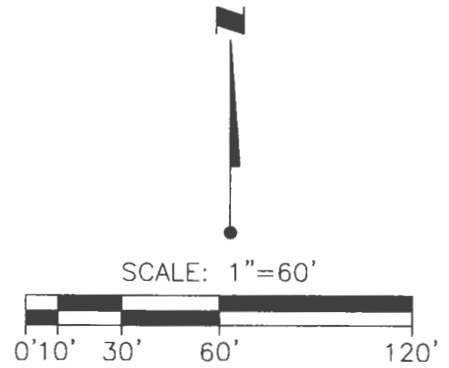
TASK CODE: 810	DRAWN BY: JWB	CHKD BY: RRC	CAD FILE: 215612822v-spsk1	PROJECT NO: 215612822	SHEET 3 OF 9	DRAWING INDEX NO: A-215612822v-spsk1	REV:
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MATCH LINE, SEE SHEET 3



NOW OR FORMERLY  
SCHROEDER-MANATEE RANCH, INC.  
PROPERTY IDENTIFICATION #579901659

NOW OR FORMERLY  
WAGER, LUCY F & B. F. REV. TRUST  
PROPERTY IDENTIFICATION #578300209



N00°03'03"E  
858.00'

S00°06'59"W  
880.00'

S00°49'27"W 193.41'

S89°35'18"E 573.10'(M) 573.08'(D)

NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107

SEE SHEET 1 FOR KEY MAP  
SEE SHEET 9 FOR DESCRIPTION

N00°54'21"E  
350.00'

S00°15'10"E  
400.00'

MAINTAINED RIGHT-OF-WAY POPE ROAD  
PLAT BOOK 8, PAGE 138

MATCH LINE, SEE SHEET 5

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SKETCH & DESCRIPTION OF THE VACATION OF  
A PORTION OF POPE ROAD, ROAD PLAT BOOK 8,  
PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S.,  
RANGE 19 E., MANATEE COUNTY, FLORIDA

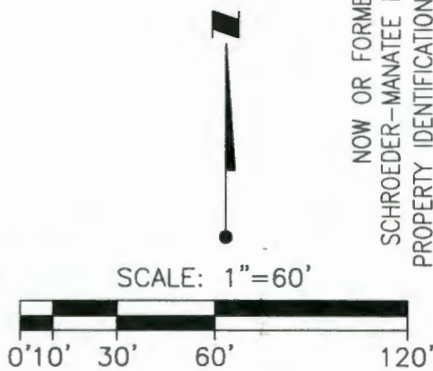


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MATCH LINE, SEE SHEET 4



NOW OR FORMERLY  
SCHROEDER-MANATEE RANCH, INC.  
PROPERTY IDENTIFICATION #579901659

N00°54'21"E 350.00'

S00°15'10"E 400.00'

EASTERLY MAINTAINED  
RIGHT-OF-WAY LINE POPE ROAD

NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107

WARRANTY DEED  
OFFICIAL RECORDS BOOK 2504, PAGE 3613

N35°47'20"E  
17.20'

1,436' (R)  
1,434.35'(C)

S00°11'03"E  
17.41'

SOUTH LINE OFFICIAL RECORDS  
BOOK 2504, PAGE 3613

NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107

SOUTHWEST CORNER OF  
NORTHWEST 1/4 OF SECTION 4

N00°23'14"W

SOUTHWEST CORNER OF  
NORTHWEST 1/4 OF SECTION 4

NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107

S00°11'03"E  
282.59'

SEE SHEET 1 FOR KEY MAP  
SEE SHEET 9 FOR DESCRIPTION

MATCH LINE, SEE SHEET 6

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FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC Aug 05, 2016 - 11:18:33 BCUNNINGHAM\jv:2156\active\215612822\survey\drawing\215612822v-sk0001.dwg

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PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S.,  
RANGE 19 E., MANATEE COUNTY, FLORIDA



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TASK CODE: 810	DRAWN BY: JWB	CHKD BY: RRC	CAD FILE: 215612822v-spsk1	PROJECT NO: 215612822	SHEET 5 OF 9	DRAWING INDEX NO: A-215612822v-spsk1	REV:
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MATCH LINE, SEE SHEET 5

WHITE EAGLE BOULEVARD

OFFICIAL RECORDED BOOK 2540, PAGE 1559

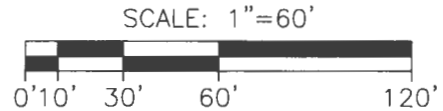
NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107

1,436' (R)  
N00°23'14"W 1,434.35' (C)

WEST LINE NORTHWEST 1/4

S00°11'03"E 282.59'

NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107



SCALE: 1"=60'

S00°47'05"E 500.00'

SEE SHEET 1 FOR KEY MAP  
SEE SHEET 9 FOR DESCRIPTION

MATCH LINE, SEE SHEET 7

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PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S.,  
RANGE 19 E., MANATEE COUNTY, FLORIDA



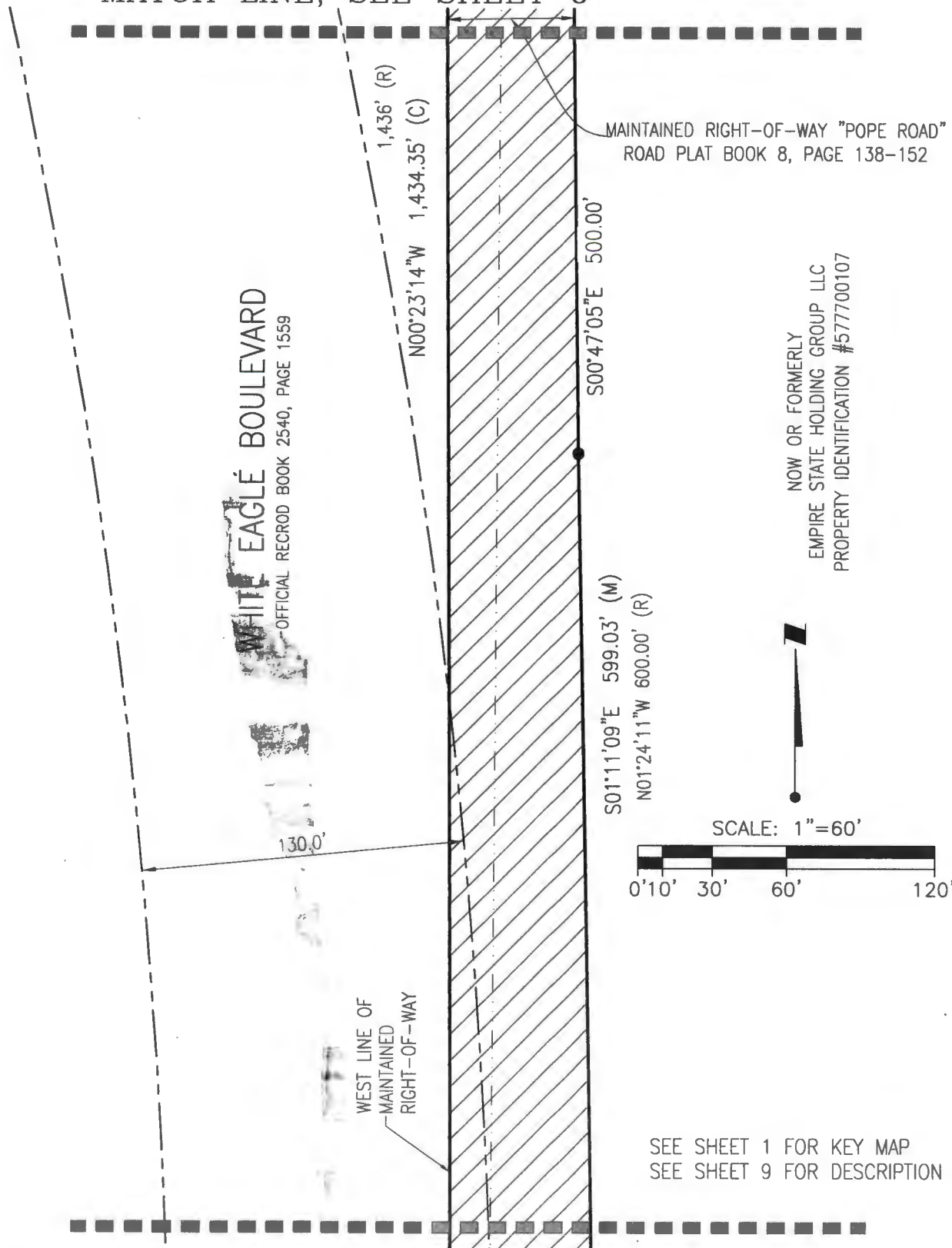
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TASK CODE: 810	DRAWN BY: JWB	CHKED BY: RRC	CAD FILE: 215612822v-spsk1	PROJECT NO: 215612822	SHEET 6 OF 9	DRAWING INDEX NO: A-215612822v-spsk1	REV:
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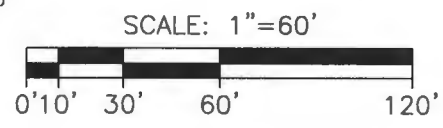
MATCH LINE, SEE SHEET 6



WHITE EAGLE BOULEVARD  
OFFICIAL RECORD BOOK 2540, PAGE 1559

MAINTAINED RIGHT-OF-WAY "POPE ROAD"  
ROAD PLAT BOOK 8, PAGE 138-152

NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107



SEE SHEET 1 FOR KEY MAP  
SEE SHEET 9 FOR DESCRIPTION

MATCH LINE, SEE SHEET 8

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SKETCH & DESCRIPTION OF THE VACATION OF  
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MATCH LINE, SEE SHEET 7

NOW OR FORMERLY  
SCHROEDER-MANATEE RANCH, INC.  
PROPERTY IDENTIFICATION #579901659

WHITE EAGLE BOULEVARD  
OFFICIAL RECRD BOOK 2540, PAGE 1559

MAINTAINED RIGHT-OF-WAY "POPE ROAD"  
ROAD PLAT BOOK 8, PAGE 138-152

130.0'

1,436' (R)

N00°23'14"W 1,434.35'

S01°11'09"E 599.03'

N01°24'11"W 600.00' (R)

NOW OR FORMERLY  
EMPIRE STATE HOLDING GROUP LLC  
PROPERTY IDENTIFICATION #577700107

SCALE: 1"=60'



NORTHWEST CORNER OF  
THE SOUTHWEST 1/4 OF THE  
SOUTHWEST 1/4 SECTION 4

N89°06'39"W  
12.91'

N89°06'39"W  
47.97'

EAST LINE OF THE  
SOUTHWEST 1/4 OF THE  
SOUTHWEST 1/4  
OF SECTION 4

NORTH LINE OF THE  
SOUTHWEST 1/4 OF  
THE SOUTHWEST 1/4  
SECTION 4 & NORTH LINE  
OF EAGLE TRACE, PHASE I

EAGLE TRACE, PHASE I  
PLAT BOOK 58, PAGE 27

SEE SHEET 1 FOR KEY MAP  
SEE SHEET 9 FOR DESCRIPTION

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SKETCH & DESCRIPTION OF THE VACATION OF  
A PORTION OF POPE ROAD, ROAD PLAT BOOK 8,  
PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S.,  
RANGE 19 E., MANATEE COUNTY, FLORIDA



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DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

All of the Pope Road Maintained Right-of-way, as recorded in Road Plat Book 8, Page 138 of the Public Records of Manatee County, Florida, lying south of the southerly line of 2905 Pope Road and the westerly extension thereof, as recorded in Official Record Book 2397, Page 1900, of said Public Records, lying in Sections 4 and 5, Township 35 South, Range 19 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the northwest corner of Section 4; thence S.00°15'25"W., along the west line of the Northwest 1/4 of Section 4, a distance of 874.63 feet to the POINT OF BEGINNING; thence S.89°21'05"E., a distance of 35.78 feet to a point on the east maintained right-of-way line of Pope Road (the following nine (9) calls are along said east maintained right-of-way line); 1) thence S.04°38'43"W., a distance of 232.92 feet; 2) thence S.00°06'59"W., a distance of 880.00 feet; 3) thence S.00°49'27"W., a distance of 6.59 feet; 4) thence continue S.00°49'27"W., a distance of 193.41 feet; 5) thence S.00°15'10"E., a distance of 400.00 feet; 6) thence S.00°11'03"E., a distance of 17.41 feet; 7) thence continue S.00°11'03"E., a distance of 282.59 feet; 8) thence S.00°47'05"E., a distance of 500.00 feet; 9) thence S.01°11'09"E., a distance of 599.03 feet to the southerly end of said Pope Road Maintained Right-of-way Map, said point being a point on the north line of the Southwest 1/4 of the Southwest 1/4 of said Section 4, also being the northerly line of Indigo, Phase I, as recorded in Plat Book 58, Page 27, of said Public Records; thence N.89°06'39"W., along said line, a distance of 47.97 feet to the northwest corner of the Southwest 1/4 of the Southwest 1/4 of said Section 4; thence continue N.89°06'39"W., along the southerly line of said Pope Road Maintained Right-of-way line, a distance of 12.91 feet to a point on the west maintained right-of-way line of Pope Road (the following six (6) calls being along said west right-of-way line); 1) thence N.00°23'14"W., a distance of 1,434.35 feet; 2) thence N.35°47'20"E., a distance of 17.20 feet; 3) thence N.00°54'21"E., a distance of 350.00 feet; 4) thence N.00°03'03"E., a distance of 858.00 feet; 5) thence N.01°33'48"W., a distance of 442.00 feet; 6) thence N.00°49'23"E., a distance of 12.74 feet; thence S.89°21'05"E., a distance of 31.87 feet to the POINT OF BEGINNING.

Said tract contains 141,759 square feet or 3.2616 acres, more or less.

NOTES:

1. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER, THIS SKETCH, DRAWING, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.
2. BEARINGS SHOWN HEREON ARE ARBITRARY AND ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 19 EAST HAVING A BEARING OF S00°15'25"E AND DO NOT REFER TO THE TRUE MERIDIAN.
3. THIS IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

SEE SHEET 1 FOR KEY MAP  
SEE SHEETS 2-8 FOR DETAILS

*Robert R. Cunningham*  
 Robert R. Cunningham, P.S.M.  
 Florida Registration No. 3924  
 10/17/2016  
 Date of Signature

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SKETCH & DESCRIPTION OF THE VACATION OF  
 A PORTION OF POPE ROAD, ROAD PLAT BOOK 8,  
 PAGE 138, SECTIONS 4 & 5, TOWNSHIP 35 S.,  
 RANGE 19 E., MANATEE COUNTY, FLORIDA



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