

RESOLUTION R-19-092

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, VACATING CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY, SPECIFICALLY A PLATTED RIGHT-OF-WAY 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 Kathleen A. Dupont, and Joseph A. Pontes Jr. (Applicant), to vacate, abandon, discontinue and close specifically a 50-foot-wide platted right-of-way as shown on the plat of Wellons Ranch Estates No. 1, as recorded in Plat Book 11, Pages 40 and 41 of the Official Records of Manatee County, Florida, located in Section 11, Township 34 South, Range 18 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 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, October, 8, 2019, 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.

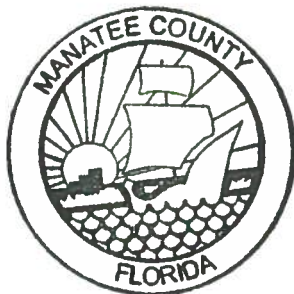
WHEREAS, following analysis of the application, approval of said vacation is determined to be consistent with the Code and the County's Comprehensive Plan; and

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 8th day of October, 2019.



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

By: Stephen R. Johnson
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: Rubin Datta
Deputy Clerk



Leo Mills & Associates, Inc.

LICENSED BUSINESS NO. 813 • SURVEYING • LAND PLANNING

620 8th AVENUE WEST, PALMETTO, FL 34221
PHONE: (941)722-2460 FAX: (941)722-9640

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

SKETCH OF DESCRIPTION

(SHEET 1 OF 2)

FOR: KATHLEEN A. DUPONT

DATE: 1/22/18

SECTION 11, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

EXHIBIT A

(PAGE 1 OF 2)

SURVEYOR'S CERTIFICATE:

BY: LEO MILLS, JR.

REGISTERED STATE OF FLORIDA
PROFESSIONAL SURVEYOR &
MAPPER NO. 3513

*NOT VALID WITHOUT THE SIGNATURE &
ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.

DESCRIPTION:

THAT CERTAIN 50 FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF WELLONS RANCH ESTATES NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGES 40 AND 41 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID RIGHT-OF-WAY BEING BOUNDED ON THE EAST BY THE WEST LINE OF LOT 21 OF SAID PLAT; BOUNDED ON THE WEST BY THE EAST LINE OF LOT 20 OF SAID PLAT; BOUNDED ON THE SOUTH BY THE NORTHERLY PLATTED RIGHT-OF-WAY LINE OF 25th STREET EAST, ALSO KNOWN AS LYNTNOR ROAD (IDENTIFIED AS JOHNSON ROAD ON SAID PLAT) AND BOUNDED ON THE NORTH BY THE SOUTH LINE OF LOT 33 OF WINTERLAND ESTATES AS PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 55 AND 56 OF SAID PUBLIC RECORDS. LESS THAT PORTION LYING WITHIN THE MAINTAINED RIGHT-OF-WAY OF 25TH STREET EAST (LYNTNOR ROAD) ESTABLISHED BY ROAD PLAT BOOK 1, PAGES 65 THROUGH 80, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

NOTES:

1. THIS PLAT IS A "SKETCH OF DESCRIPTION" ONLY AND IS NOT INTENDED TO BE USED AS A BOUNDARY SURVEY.
2. THIS "SKETCH OF DESCRIPTION" CONSISTS OF 2 SHEETS. EACH SHEET IS INTENDED TO BE USED IN CONJUNCTION WITH THE OTHER SHEET. THIS "SKETCH OF DESCRIPTION" IS NOT COMPLETE WITHOUT BOTH SHEETS.
3. BEARINGS SHOWN HEREON REFER TO THE NORTH RIGHT-OF-WAY LINE OF 25TH STREET EAST (LYNTNOR ROAD) BEING N89°46'30"W S PER RECORD PLAT.
4. 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.
5. 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.
6. SUBJECT TO EASEMENTS, DEDICATIONS AND RESTRICTIONS OF RECORD.
7. THE DESCRIPTION SHOWN HEREON WAS CREATED BY THIS FIRM BASED ON THE PLAT OF WELLONS RANCH ESTATES UNIT NO. 1 (PLAT BOOK 11, PAGES 40 & 41) AND INFORMATION PROVIDED BY CLIENT.
8. THE SUBJECT LAND AS DESCRIBED CONTAINS 5,600 SQUARE FEET OR 0.13 ACRES, MORE OR LESS.

JOB NO.E.0396.....

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



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MANASOTA CHAPTER SURVEYING
AND MAPPING SOCIETY

SKETCH OF DESCRIPTION

(SHEET 2 OF 2)

FOR: KATHLEEN A. DUPONT

DATE: 1/22/18

SECTION 11, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

EXHIBIT A
(PAGE 2 OF 2)

LEGEND

- R/W = RIGHT-OF-WAY
- (M) = MEASURED
- (P) = PLAT
- PIN = MANATEE COUNTY PROPERTY APPRAISER'S PARCEL IDENTIFICATION NUMBER
- RPB = ROAD PLAT BOOK

LANDS OF JOHN JACKSON

UNPLATTED

NOW OR FORMERLY PIN 8437.0015/9



LOT 34

WINTERLAND ESTATES
(PLAT BOOK 21, PAGES 55 & 56)

LOT 33
LANDS OF SUSAN J. STINTON
NOW OR FORMERLY PIN 8435.0170/1

S. LINE OF LOT 33

N 89°46'30" W
50.00'

LANDS OF JAMES C. & EMILY L. LERCH

WELLONS RANCH ESTATES - UNIT NO. 1
(PLAT BOOK 11, PAGES 40 & 41)

LOT 20
NOW OR FORMERLY PIN 8465.0000/7

E. LINE OF LOT 20
SOUTH 120.00'

50' PLATTED R/W

58.00'
S 89°46'30" E

NORTH 120.00'

W. LINE OF LOT 21

LANDS OF KATHLEEN A. DUPONT

LOT 21
NOW OR FORMERLY PIN 8437.0020/9

E. 10' OF LOT 21

LOT 22

N. R/W LINE (P)

N. R/W LINE (P)

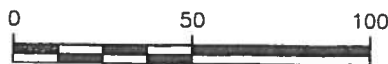
50.00'
S 89°46'30" E

MAINTAINED R/W LINE (NOT INCLUDED)
RPB 1, PAGE 65

25th STREET EAST (LYNTNOR ROAD)

(COUNTY ROAD- JOHNSON ROAD BY PLAT)

50' PLATTED R/W



JOB NO.E..0396.....

GRAPHIC SCALE IN FEET

SCALE: ...1" = 50'... FILE INDEX NO.

BRADENTON HERALD

Bradenton.com

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
741978	0004315955	NOTICE OF PUBLIC HEARING The Board of Co	RESOLUTION R-19-092	\$102.96	1	8.80 In

Attention: Kathy Dupont

KATHLEEN DUPONT
PO BOX 1336
ELLENTON, FL 34222

NOTICE OF PUBLIC HEARING

The Board of County Commissioners of Manatee County, Florida does hereby give notice, pursuant to Section 336.10, Florida Statutes, and Section 312 of the Manatee County Land Development Code, that an application for vacation to close and abandon a street, alleyway, road, highway, or other place used for travel has been made to the Board of County Commissioners of Manatee County, Florida. Said vacation application is assigned application number V-19-500, and seeks to vacate a 50-foot-wide right-of-way as shown on the plat of Wellons Ranch Estates No.1.

On the 20th day of August, 2019, at 9:00 a.m., or as soon thereafter in the Commission Chambers on the First Floor of the Manatee County Government Administrative Center, located at 1112 Manatee Avenue West, Bradenton, Florida, 34205, the Board will consider, act upon, adopt or reject said application and the following corresponding resolution:

RESOLUTION R-19-092

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, VACATING CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY, SPECIFICALLY A PLATTED RIGHT-OF-WAY PURSUANT TO SECTIONS 336.09, 336.10 AND 336.12, FLORIDA STATUTES, AND THE LAND DEVELOPMENT CODE, MANATEE COUNTY, FLORIDA.

The subject property of this vacation application is located at 8306 25th Street East, Parrish, Florida 34219 and is 0.3 acres in size. The future land use map designation and zoning district of the property subject to the application are RES-3 and RSF-6, respectively. The application, staff report, related materials and proposed Resolution related to this vacation application may be inspected by the public during normal business hours at the County Administration Building or on the County's website at www.mymanatee.org.

Persons may appear and be heard, written comments filed with the Director of the Property Management Department will be entered into the record and the hearing may be continued from time to time as necessary. For

**THE STATE OF TEXAS
COUNTY OF DALLAS**


Before the undersigned authority personally appeared VICTORIA RODELA, 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:

1 Insertion(s)

Published On:
July 30, 2019

**THE STATE OF FLORIDA
COUNTY OF MANATEE**

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.

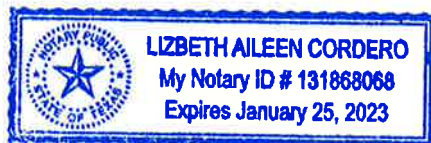


(Signature of Affiant)

Sown to and subscribed before me this
6th day of August in the year of 2019



SEAL & Notary Public



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

more information, call
941.748.4501 extension 6289.
According to Section 206.0105,
Florida Statutes, if any person
decides to appeal any decision
made by the Board with respect
to any matter to be considered
at the meeting or hearing,
he/she will need a record of the
proceedings and for such pur-
pose, he/she may need to en-
sure that a verbatim record of
the proceedings is made, which
record would include any testi-
mony and evidence upon which
the appeal is to be based.