

RESOLUTION R-21-005

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLOSING AND ABANDONING CERTAIN ROADS AND ALLEYS SHOWN ON THE PLAT OF CRAMPTON RE-SUB OF CORTEZ ADDITION TO CORTEZ, RECORDED IN PLAT BOOK 7, PAGE 11, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, PURSUANT TO SECTIONS 336.09, 336.10, AND 336.12, FLORIDA STATUTES, AND THE MANATEE COUNTY LAND DEVELOPMENT CODE.

WHEREAS, the Florida Department of Transportation (FDOT) has requested the right to use a portion of the property owned by Manatee County at 4415 119th Street West, Bradenton, Florida 34210 for the Cortez Road and 119th Street West realignment project; and

WHEREAS, said property was purchased with the help of a grant from the Florida Communities Trust (FCT), a nonregulatory agency within the Florida Department of Environmental Protection; and

WHEREAS, as a condition of receiving approval from the FCT to allow FDOT to use a portion of said property for the realignment project, an Amendment to the Grant Award incorporating a portion of the vacated land is needed; and

WHEREAS, the unencumbered land which results from the vacation of the platted right-of-way will act as a replacement for the land being released from the FCT grant; and

WHEREAS, before the County can lawfully execute the Amendment to the Grant Award, the County must close and abandon certain roads and alleys shown on the plat of Crampton Re-Sub of Cortez Addition to Cortez, as recorded in Plat Book 7, Page 11, of the Public Records of Manatee County, Florida, located Section 2, Township 35 South, Range 16 East, and more particularly described in Exhibit A attached hereto and incorporated herein by this reference. These roads and alleys are located in Commission District Three; and

WHEREAS, on June 16, 2020, the Board approved Resolution R-20-061, closing and abandoning the roads and alleys within the Property; and

WHEREAS, subsequent to adoption of Resolution R-20-061, a scrivener's error was found in the legal description and sketch of the Resolution; and

WHEREAS, Resolution R-21-005 is presented to the Board for adoption in order to repeal and replace R-20-061 to correct the scrivener's error and vacate the roads and alleys within the Property; and

WHEREAS, Sections 336.09, 336.10 and 336.12, Florida Statutes, authorize the closing and abandonment of roads and alleys by the Board of County Commissioners of Manatee County, Florida, (Board); and

WHEREAS, a resolution declaring a public hearing 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 County's Land Development Code (Code); and

WHEREAS, the Director of the Property Management Department has prepared a report and recommends the Board close and abandon these roads and alleys; and

WHEREAS, a public hearing was held on January 12th, 2021, to consider the advisability of exercising the authority granted by Section 336.09, Florida Statutes, and the Code to vacate these roads and alleys and the Board was fully advised and informed in the premises; and

WHEREAS, a motion was made by a Commissioner of the Board to close and abandon the roads and alleys described in Exhibit A.

WHEREAS, the Board has determined that closing and abandoning these roads and alleys would not be in derogation of the public rights or needs of the County; and

WHEREAS, the Board has found that no portion of these roads and alleys constitute or were acquired for a state or federal highway; and

WHEREAS, the Board has found that these roads and alleys no longer serve a public purpose and are a proper subject for abandonment pursuant to Chapter 336, Florida Statutes; and

WHEREAS, following analysis of the relevant facts and circumstances, the Board finds that closing and abandoning these roads and alleys is consistent with the Code and the County's Comprehensive Plan; and

WHEREAS, the Board finds that closing and abandoning these roads and alleys is in the best interests of the public.

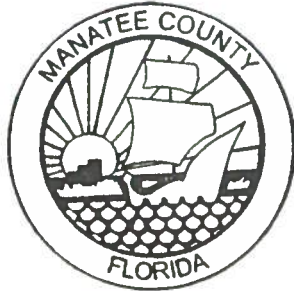
NOW, THEREFORE, BE IT RESOLVED, by the Board that:

Any right of the County and the public in and to the roads and alleys described in Exhibit A is hereby closed and abandoned.

The County Administrator, or her designee, is hereby directed to publish notice of adoption of this resolution within 30 days in one issue of a newspaper of general circulation published in the County and to record with the Clerk of Circuit Court in the Official Records among the Public Records of the County the original proof of publication of the notice of the public hearing, a certified copy of this resolution as adopted, and the original proof of publication of the notice of adoption of this resolution.

This resolution shall take effect immediately upon its adoption.

DULY ADOPTED with a quorum present and voting this 12th day of January, 2021.



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

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: Robin Nethoe
Deputy Clerk

Exhibit "A"

Description and Sketch

(NOT A SURVEY)

DESCRIPTION: A portion of SARASOTA DRIVE and a portion of 9TH AVE. per CRAMPTON RE-SUB OF CORTEZ ADDITION TO CORTEZ, recorded in Plat Book 7 Page 11 of the Public Records of Manatee County, Florida, lying in Government Lot 5, Section 2, Township 35 South, Range 16 East, Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Northwest corner of said Government Lot 5; thence S00°17'52"W, 273.10 feet along the westerly boundary line of said Government Lot 5 to the southerly right-of-way line of CORTEZ ROAD (State Road 684 per Florida Department of Transportation right-of-way map Section 13040-2525 dated 08/27/91); thence S64°38'01"E, 66.24 feet along the easterly projection of said southerly right-of-way to the westerly boundary line of Block 50 of AMENDED PLAT OF CORTEZ, recorded in Plat Book 2, Page 59 of the Public Records of said County, and the POINT OF BEGINNING; thence S64°38'01"E, 7.85 feet along said southerly right-of-way to the easterly right-of-way line of said SARASOTA DRIVE as shown in said CRAMPTON RE-SUB OF CORTEZ ADDITION TO CORTEZ; thence S06°47'09"E, 449.01 feet along said easterly right-of-way to the beginning of a curve concave to the Northeast having a radius of 160.00 feet; thence southeasterly 161.54 feet along said right-of-way line and arc of said curve through a delta angle of 57°50'52" (chord bears S35°42'35"E, 154.77 feet); thence S64°38'01"E, 163.02 feet along said easterly right-of-way line to the westerly right-of-way line of 9TH AVE. as shown on said plat; thence N25°21'59"E, 455.00 feet along said westerly right-of-way-line to the southerly right-of-way line of said CORTEZ ROAD; thence S64°38'01"E, 40.00 feet along said southerly right-of-way of CORTEZ ROAD to the easterly right-of-way line of said 9TH AVE.; thence S25°21'59"W, 515.00 feet along said easterly right-of-way and southerly projection thereof to the intersection with the westerly right-of-way of said SARASOTA DRIVE; thence N64°38'01"W, 203.02 feet along said right-of-way line to the beginning of a curve concave to the Northeast having a radius of 220.00 feet; thence northwesterly 222.12 feet along said westerly right-of-way line and arc of said curve through a delta angle of 57°50'52" (chord bears N35°42'35"W, 212.80 feet); thence N06°48'09"W, 23.82 feet along said westerly right-of-way to the westerly boundary line of said Block 50; thence N00°17'52"E 432.68 feet along said westerly boundary line to the POINT OF BEGINNING.

Containing 57613 square feet or 1.323 acres more or less.

NOTES:

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. No instruments of record reflecting easements, rights-of-way and/or ownership are known by, or were furnished except as shown hereon.
3. Not valid if printed, or without the original signature and raised seal of a Florida licensed Surveyor & Mapper. This is not a survey.
4. The basis of bearings is the westerly boundary line of Government Lot 5, Section 2, Township 35 South Range 16 East, which bears S00°17'52"W (Grid).

MANATEE COUNTY
PROPERTY MANAGEMENT - SURVEY DIVISION



1112 MANATEE AVENUE WEST
BRADENTON, FLORIDA, 34205,
(941)748-4501


Todd E. Boyle, RSM
 Registered Surveyor & Mapper, '6047
 DATE 11/6/2020

Revised description and sketch November 6th, 2020

Scale: NOT TO SCALE

Sheet: 1 of 2

S:\SURVEY\2010
Job\03_Mar10\20103001_
118th St West ROW - FISH
Description and
Sketch\CAD_DWG's 118th St W
Correction_RDC.dwg

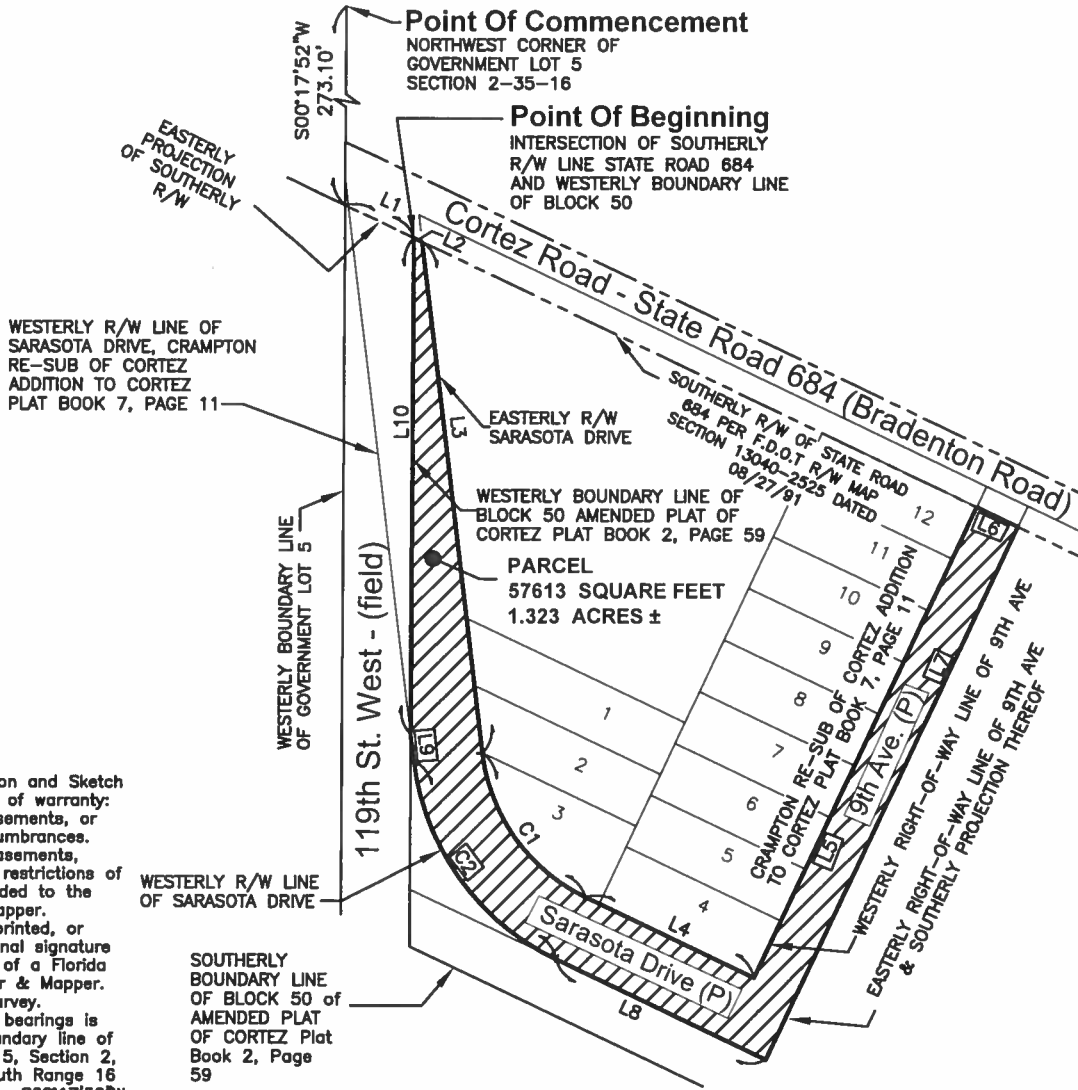
Section 2, Township 35
South, Range 16 East

Drawing Date: 11/06/2020

Exhibit "A"

Description and Sketch

(NOT A SURVEY)



Notes:
 1. This Description and Sketch does not certify of warranty: title, zoning, easements, or freedom of encumbrances.
 2. Subject to easements, dedications and restrictions of record not provided to the surveyor and mapper.
 3. Not valid if printed, or without the original signature and raised seal of a Florida licensed Surveyor & Mapper. This is not a survey.
 4. The basis of bearings is the westerly boundary line of Government Lot 5, Section 2, Township 35 South Range 16 East, which bears S00°17'52"W (Grid).

| LINE | BEARING | DISTANCE | LINE | BEARING | DISTANCE |
|------|-------------|----------|------|-------------|----------|
| L1 | S64°38'01"E | 66.24' | L6 | S64°38'01"E | 40.00' |
| L2 | S64°38'01"E | 7.85' | L7 | S25°21'59"W | 515.00' |
| L3 | S06°47'09"E | 449.01' | L8 | N64°38'01"W | 203.02' |
| L4 | S64°38'01"E | 163.02' | L9 | N06°48'09"W | 23.82' |
| L5 | N25°21'59"E | 455.00' | L10 | N00°17'52"E | 432.68' |

| CURVE | RADIUS | ARC | DELTA | CHORD |
|-------|---------|---------|-----------|---------------------|
| C1 | 160.00' | 161.54' | 57°50'52" | S35°42'35"E 154.77' |
| C2 | 220.00' | 222.12' | 57°50'52" | N35°42'35"W 212.80' |



Manatee County Property Management Department Survey Division

1112 Manatee Avenue West
 Bradenton, Florida, 34205,
 (941)746-4501

- PID = Parcel Identification Number
- R/W = RIGHT OF WAY
- (P) = PLAT
- PB = PLAT BOOK
- PG = PAGE
- ORB = OFFICIAL RECORDS BOOK
- F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
- Sec = SECTION
- Twn = TOWNSHIP
- RGE = RANGE
- +/- = MORE OR LESS

Scale: NOT TO SCALE

Sheet: 2 of 2

S:\SURVEY\2010\Job\03_Mar10\20103001_119th St West ROW - FISH Description and sketch\CAD_DWG's 119th St W Correction_RDC.dwg

Section 2, Township 35 South, Range 16 East

Drawing Date: 11/06/2020

BRADENTON HERALD

Bradenton.com

AFFIDAVIT OF PUBLICATION

| Account # | Ad Number | Identification | PO | Amount | Cols | Depth |
|-----------|------------|--|----|----------|------|---------|
| 663152 | 0004834064 | NOTICE OF PUBLIC HEARING The Board of Co | | \$112.32 | 1 | 9.60 In |

Attention:

MC BOARD OF COUNTY COMMISSIONERS
 MANATEE COUNTY FINANCIAL MANAGEMENT DEPT.
 1112 MANATEE AVE W. SUITE 800
 BRADENTON, FL 34205

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-19-502 and seeks to vacate a portion of Sarasota Drive and 9th Avenue in Bradenton, Florida.

On the 12th day of January, 2021, at 9:00 a.m., or as soon thereafter at the Bradenton Area Convention Center, located at 1 Haben Boulevard, Palmetto, Florida 34221, the Board will consider, act upon, adopt or reject said application and the following corresponding resolution:

RESOLUTION R-21-065

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLOSING AND ABANDONING CERTAIN ROADS AND ALLEYS SHOWN ON THE PLAT OF CRAMPTON RE-SUB OF CORTEZ ADDITION TO CORTEZ, RECORDED IN PLAT BOOK 7, PAGE 11, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, PURSUANT TO SECTIONS 336.09, 336.10, AND 336.12, FLORIDA STATUTES, AND THE MANATEE COUNTY LAND DEVELOPMENT CODE.

The subject property of this vacation application is located at 4415 119th Street West and is 1.3 acres in size. The future land use map designation and zoning district of the property subject to the application are Major Recreation/Open Space and Residential Single Family, 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.

**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:
 December 29, 2020

**THE STATE OF FLORIDA
 COUNTY OF MANATEE**

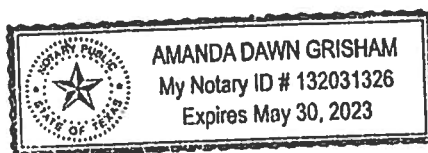
Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office 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.

V Rodela

(Signature of Affiant)
 Sworn to and subscribed before me this
 30th day of December in the year of 2020

[Signature]

SEAL & Notary Public



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

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 more information, call 841-748-4501, Extension 6290.

According to Section 286.0105, 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 purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony and evidence upon which the appeal is to be based.