

RESOLUTION R-21-009

A RESOLUTION AMENDING RESOLUTION R-20-054, DETERMINING NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**MOCCASIN WALLOW ROAD IMPROVEMENT PROJECT
(U. S. 41 TO GATEWAY BOULEVARD)
PARCELS 122.03, 142A, 142.02A AND 142.02B; PROJECT NO. 6092560**

WHEREAS, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

WHEREAS, Manatee County needs to acquire certain property interests in privately owned land to complete the Moccasin Wallow Road Improvement Project; and

WHEREAS, on April 21, 2020, the Board of County Commissioners of Manatee County, Florida (Board), adopted Resolution R-20-054 determining the necessity and public purpose for and authorizing the County Attorney to commence and to prosecute eminent domain proceedings to acquire the necessary interests in certain parcels of privately owned real property necessary for the Moccasin Wallow Road Improvement Project; and

WHEREAS, on April 21, 2020, the Board also adopted Resolution R-20-055 authorizing the use of quick-taking condemnation proceedings for the acquisition of the interests in certain parcels of privately owned real property necessary for the construction of the Moccasin Wallow Road Improvement Project; and

WHEREAS, Manatee County has determined that Parcel 122.03 as described in Schedule No. 23 of Resolutions R-20-054 and Resolution R-20-055 is no longer needed by the County to construct this project; and

WHEREAS, because of a change in the design for this project, the size of Parcel 142A as described in Schedule No. 45 of Resolutions R-20-054 and Resolution R-20-055, may be reduced; and

WHEREAS, Manatee County has determined that Parcel 142.02 as described in Schedule No. 47 of Resolutions R-20-054 and Resolution R-20-055 should be divided

into two separate and distinct project parcels.

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

1. The findings set forth in Resolution R-20-054 and the preamble above are hereby adopted as findings of this Board and are incorporated herein by reference.

2. Resolution R-20-054 is hereby (a) amended to delete Schedule No. 23 (Parcel No. 122.03) entirely; (b) amended to revise Schedule No. 45 (Parcel No. 142A); (c) amended to delete Schedule No. 47 (Parcel No. 142.02); and (d) amended to add the following to the list of interests necessary to be taken and acquired in furtherance of the project:

Schedule No.	Parcel No.	Interest to be Acquired
47A	142.02A	Permanent Right-of-Way Easement**
47B	142.02B	Permanent Right-of-Way Easement**

**A nonexclusive permanent right of ingress and egress, and for construction, maintenance, and use as a transportation facility, road, sidewalk, bicycle lane, or any combination of the foregoing, and for street lighting, traffic signal infrastructure, and roadway signage, and for other roadway improvements across, in, on, over, through, under, and upon the parcel forever.

3. Schedule No. 45, Schedule No. 47A, and Schedule No. 47B are attached hereto and made a part hereof.

4. The Manatee County Public Works and Property Management Departments are hereby authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interests in the aforementioned properties, which properties are more particularly described in the Schedules which are attached hereto and made a part hereof.

5. The Board, after having considered the safety of the public, the cost of acquiring the right-of-way, the availability of alternate routes, long-term planning, and environmental factors in acquiring and utilizing the properties, hereby finds and determines that the acquisition of the aforementioned interests is necessary.

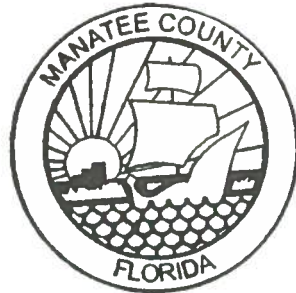
6. Except as hereby amended, Resolution R-20-054 is otherwise unaltered

and shall remain in full force and effect.

7. If any one or more of the provisions of this Resolution should be held contrary to law or public policy, or should for any reason whatsoever be held invalid or unenforceable by a court of competent jurisdiction, then such provision or provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution, which remaining provisions shall continue in full force and effect, provided that the remaining provisions can be given legal effect absent the invalid portions.

8. This Resolution shall take effect immediately upon its adoption.

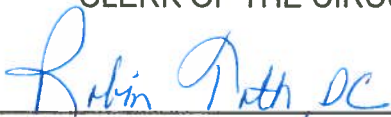
DULY ADOPTED with a quorum present and voting this 12th day of January, 2021.



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

By: 
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: 
Deputy Clerk

SKETCH

SCHEDULE NO. 45



DESCRIPTION

COMMENCE AT A NAIL AND DISC FOUND (LB 613) AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA PER OFFICIAL RECORDS BOOK 2532, PAGE 1562, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, N 89°34'49" W, A DISTANCE OF 95.03 FEET; THENCE DEPARTING SAID NORTH LINE, S 00°25'11" W, A DISTANCE OF 60.00 FEET TO A POINT ON THE EXISTING RIGHT-OF-WAY LINE OF MOCCASIN WALLOW ROAD PER OFFICIAL RECORDS BOOK 2532 PAGE 1562 PER THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND A POINT OF BEGINNING; THENCE ALONG SAID EXISTING RIGHT-OF-WAY LINE, N 89°34'49" W, A DISTANCE OF 290.86 FEET; THENCE S 69°06'38" E, A DISTANCE OF 27.63 FEET; THENCE S 89°36'57" E, A DISTANCE OF 285.07 FEET; THENCE S 35°09'13" E, A DISTANCE OF 25.50 FEET TO A POINT OF NON-TANGENT CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 35.00 FEET; THENCE NORTHWESTERLY (CHORD N 48°42'44" W 46.19') ALONG THE ARC OF SAID CURVE, A DISTANCE OF 50.45 FEET TO THE POINT OF BEGINNING.

CONTAINING A DESCRIBED AREA OF 2,897 SQUARE FEET OR 0.066 ACRES MORE OR LESS.

- RW RIGHT-OF-WAY
- PB PLAT BOOK
- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- SF SQUARE FEET
- AC ACRES
- NDF NAIL AND DISC FOUND
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- PID PARCEL IDENTIFICATION
- N/F NOW OR FORMERLY
- +/- MORE OR LESS
- CCR CERTIFIED CORNER RECORD
- R RADIUS
- L ARC LENGTH
- CH CHORD
- D CENTRAL ANGLE

REVISED: 11-18-20
 REVISED: 4-11-20
 REVISED: 2-25-20

Russell P Hyatt Digitally signed
 by Russell P Hyatt
 Date: 2020.12.03 14:29:56 -05'00'

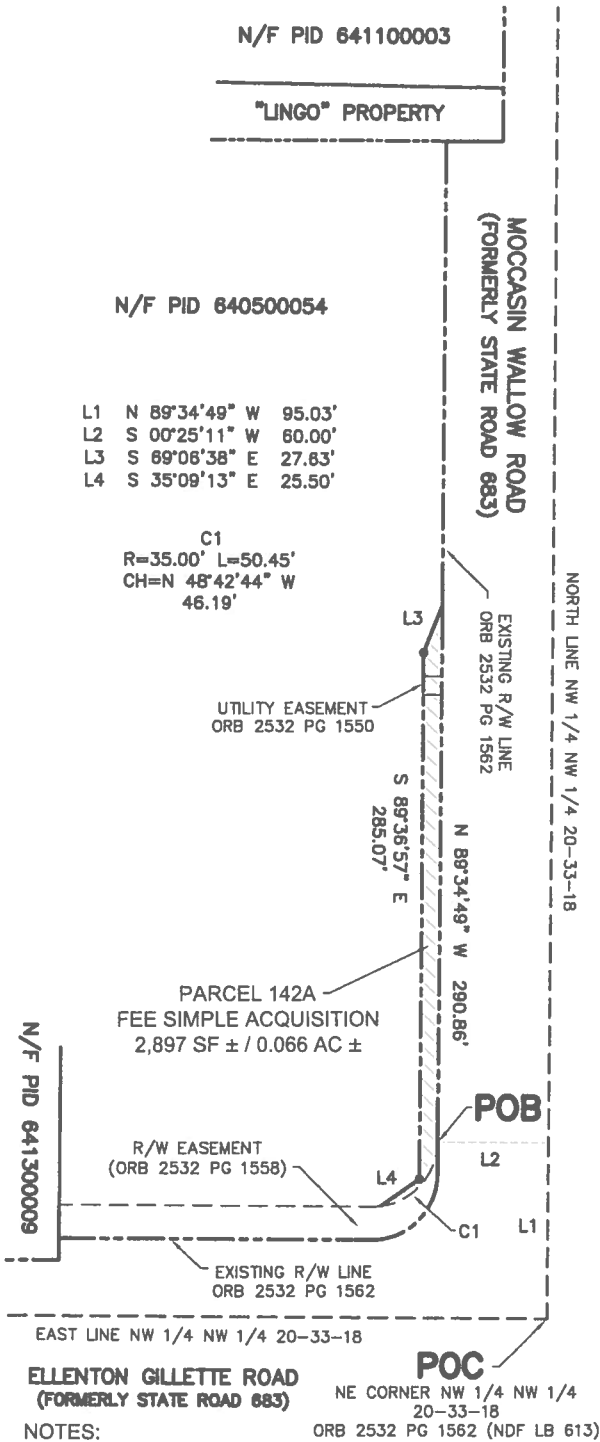
RUSSELL P. HYATT, P.S.M.

Florida Surveyor's Registration. No. LS 5303
 NOT VALID WITHOUT THE ORIGINAL SIGNATURE
 AND THE RAISED SEAL OF A FLORIDA LICENSED
 SURVEYOR AND MAPPER.

N/F PID 640500054

- L1 N 89°34'49" W 95.03'
- L2 S 00°25'11" W 60.00'
- L3 S 89°06'38" E 27.63'
- L4 S 35°09'13" E 25.50'

C1
 R=35.00' L=50.45'
 CH=N 48°42'44" W
 46.19'



ELLENTON GILLETTE ROAD (FORMERLY STATE ROAD 683) NE CORNER NW 1/4 NW 1/4 20-33-18 ORB 2532 PG 1562 (NDF LB 613)

- NOTES:
- THIS IS NOT A BOUNDARY SURVEY.
 - BEARINGS ARE BASED ON NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20-33-18 BEING N 89°34'49" W.
 - A TITLE COMMITMENT NUMBERED 570796 DATED 10/30/19 WAS PROVIDED BY STEWART TITLE GUARANTY COMPANY FOR THE SUBJECT PROPERTY.

SKETCH & DESCRIPTION
 N/F PID 640500054 PARCEL 142A
 FEE SIMPLE ACQUISITION
 MANATEE COUNTY, FLORIDA

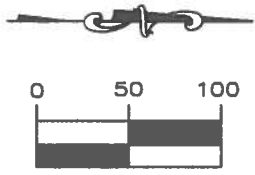
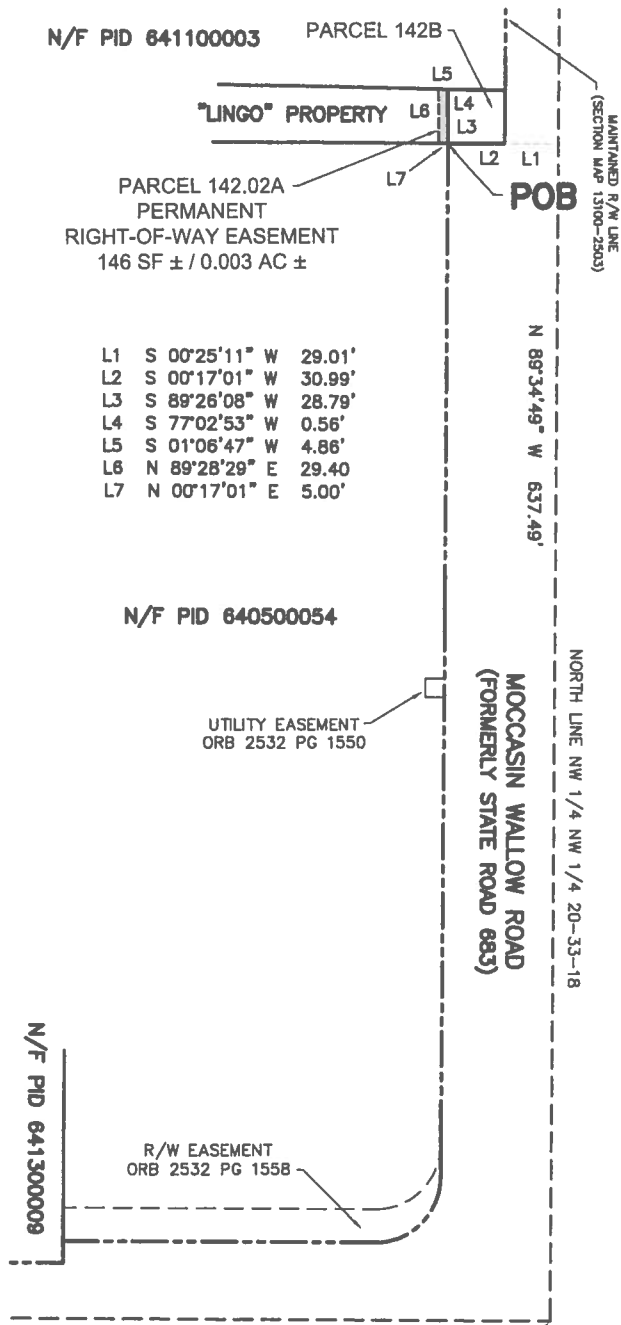
Hyatt Survey Services, Inc.

LB No.: 7203 Geographic Data Specialists
 2012 Lena Road Bradenton, Florida 34211
 Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 18-2243	SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST	SCALE 1"=100'	DATE 09/2020	DRAWN BY JM	FILE NAME 142A	SHEET 1 OF 1
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SKETCH

SCHEDULE NO. 47A



DESCRIPTION

COMMENCE AT A NAIL AND DISC FOUND (LB 613) AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA PER OFFICIAL RECORDS BOOK 2532, PAGE 1562, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, N 89°34'49" W, A DISTANCE OF 637.49 FEET; THENCE DEPARTING SAID NORTH LINE, S 00°25'11" W, A DISTANCE OF 29.01 FEET TO A POINT ON THE MAINTAINED RIGHT-OF-WAY LINE OF MOCCASIN WALLOW ROAD PER SECTION MAP 13100-2503; THENCE S 00°17'01" W, A DISTANCE OF 30.99 FEET TO THE POINT OF BEGINNING; THENCE S 89°26'08" W, A DISTANCE OF 28.79 FEET; THENCE S 77°02'53" W, A DISTANCE OF 0.56 FEET; THENCE S 01°06'47" W, A DISTANCE OF 4.86 FEET; THENCE N 89°28'29" E, A DISTANCE OF 29.40 FEET; THENCE N 00°17'01" E, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A DESCRIBED AREA OF 146 SQUARE FEET OR 0.003 ACRES MORE OR LESS.

R/W	RIGHT-OF-WAY
PB	PLAT BOOK
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
SF	SQUARE FEET
AC	ACRES
NDF	NAIL AND DISC FOUND
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
PID	PARCEL IDENTIFICATION
N/F	NOW OR FORMERLY
+/-	MORE OR LESS
CCR	CERTIFIED CORNER RECORD
R	RADIUS
L	ARC LENGTH
CH	CHORD
D	CENTRAL ANGLE

Russell P Hyatt Digitally signed by Russell P Hyatt
Date: 2020.12.03 14:26:27 -05'00'

RUSSELL P. HYATT, P.S.M.

Florida Surveyor's Registration, No. LS 5303
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

EAST LINE NW 1/4 NW 1/4 20-33-18

ELLENTON GILLETTE ROAD (FORMERLY STATE ROAD 883) NE CORNER NW 1/4 NW 1/4 20-33-18

NOTES: ORB 2532 PG 1562 (NDF LB 613)

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20-33-18 BEING N 89°34'49" W.
3. A TITLE COMMITMENT NUMBERED 570796 DATED 07/23/20 WAS PROVIDED BY STEWART TITLE GUARANTY COMPANY FOR THE SUBJECT PROPERTY.

SKETCH & DESCRIPTION
LINGO PROPERTY PARCEL 142.02A
PERMANENT RIGHT-OF-WAY EASEMENT
MANATEE COUNTY, FLORIDA

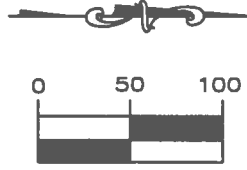
Hyatt Survey Services, Inc.

LB No.: 7203 Geographic Data Specialists
2012 Lena Road Bradenton, Florida 34211
Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 18-2243	SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST	SCALE 1"=100'	DATE 11/18/2020	DRAWN BY JM	FILE NAME 142.02A	SHEET 1 OF 1
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SKETCH

SCHEDULE NO. 47B



DESCRIPTION

COMMENCE AT A NAIL AND DISC FOUND (LB 613) AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA PER OFFICIAL RECORDS BOOK 2532, PAGE 1562, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, N 89°34'49" W, A DISTANCE OF 385.89 FEET; THENCE DEPARTING SAID NORTH LINE, S 00°25'11" W, A DISTANCE OF 60.00 FEET TO A POINT ON THE EXISTING RIGHT-OF-WAY LINE OF MOCCASIN WALLOW ROAD PER AFORESAID OFFICIAL RECORDS BOOK 2532 PAGE 1562 AND A POINT OF BEGINNING; THENCE ALONG SAID EXISTING RIGHT-OF-WAY LINE, N 89°34'49" W, A DISTANCE OF 251.53 FEET; THENCE S 00°17'01" W, A DISTANCE OF 5.00 FEET; THENCE N 89°28'29" E, A DISTANCE OF 0.03 FEET; THENCE S 89°34'58" E, A DISTANCE OF 264.86 FEET TO THE POINT OF BEGINNING.

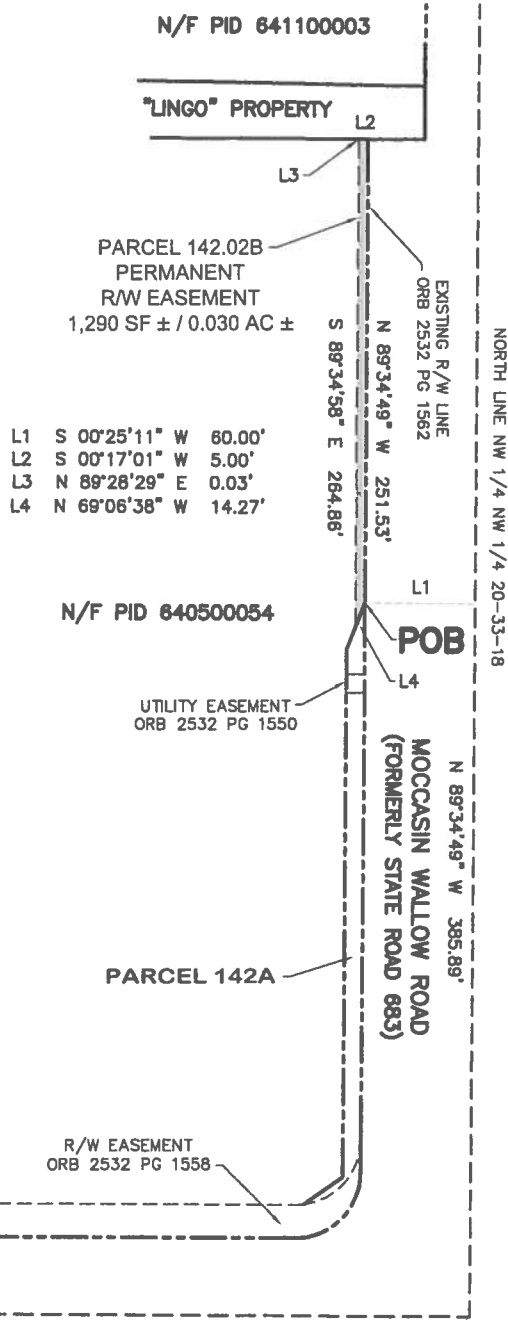
CONTAINING A DESCRIBED AREA OF 1,290 SQUARE FEET OR 0.030 ACRES MORE OR LESS.

- R/W RIGHT-OF-WAY
- PB PLAT BOOK
- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- SF SQUARE FEET
- AC ACRES
- NDF NAIL AND DISC FOUND
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- PID PARCEL IDENTIFICATION
- N/F NOW OR FORMERLY
- +/- MORE OR LESS
- CCR CERTIFIED CORNER RECORD
- R RADIUS
- L ARC LENGTH
- CH CHORD
- D CENTRAL ANGLE

Russell P Hyatt Digitally signed by Russell P Hyatt
 Date: 2020.12.03 14:27:33 -05'00'

RUSSELL P. HYATT, P.S.M.

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EAST LINE NW 1/4 NW 1/4 20-33-18
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 NE CORNER NW 1/4 NW 1/4 20-33-18
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SKETCH & DESCRIPTION
 N/F PID 640500054 PARCEL 142.02B
 PERMANENT RIGHT-OF-WAY EASEMENT
 MANATEE COUNTY, FLORIDA

Hyatt Survey Services, Inc.
 LB No.: 7203 Geographic Data Specialists
 2012 Lena Road Bradenton, Florida 34211
 Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 18-2243	SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST	SCALE 1"=100'	DATE 11/18/2020	DRAWN BY JM	FILE NAME 142.02B	SHEET 1 OF 1
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