

RESOLUTION R-21-058

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, VACATING CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY, SPECIFICALLY A PORTION OF PLATTED RIGHT-OF-WAY EAST OF LOT 12 OF BLOCK 2 IN THE WINTER GARDENS 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 and filed before the Board of County Commissioners of Manatee County, Florida, (Board) by Nicholas and Linda Thull, a married couple (Applicant) to vacate certain streets, roads, or other appropriate property, specifically a portion of platted right-of-way just east of Lot 12 in Block 2 of the Winter Gardens Subdivision, as recorded in Plat Book 5, Page 32, of the Official Records of Manatee County, Florida, located in Section 24, Township 35 South, Range 17 East, and more particularly described in Exhibit A attached hereto and by this reference provided 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 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 Building and Development Services 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, May 25, 2021, 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 25th day of May, 2021.



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

By: _____

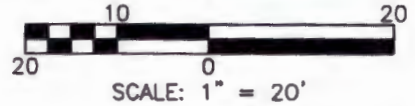
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____

Deputy Clerk

EXHIBIT "A"

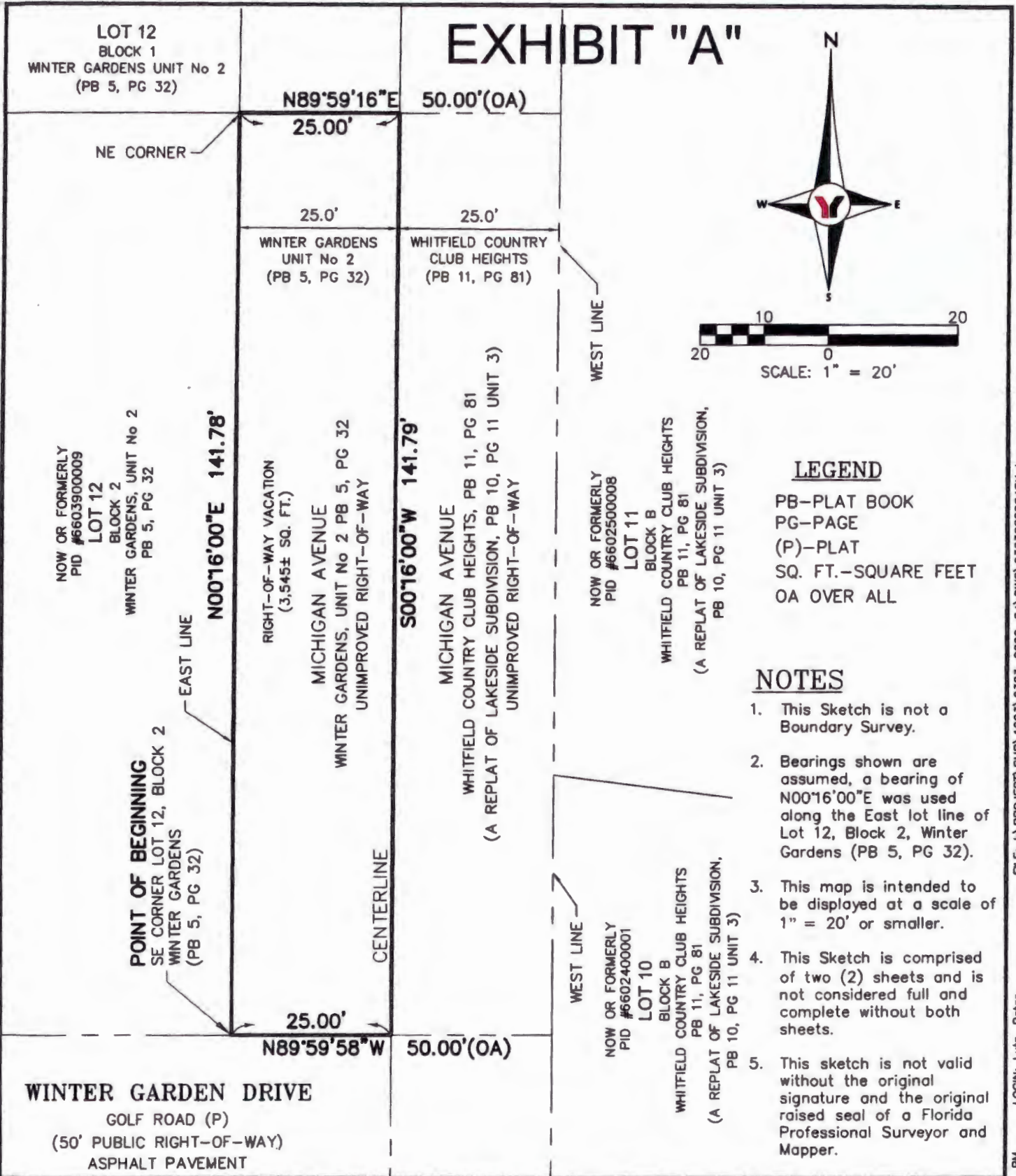


LEGEND

- PB-PLAT BOOK
- PG-PAGE
- (P)-PLAT
- SQ. FT.-SQUARE FEET
- OA OVER ALL

NOTES

1. This Sketch is not a Boundary Survey.
2. Bearings shown are assumed, a bearing of N00°16'00"E was used along the East lot line of Lot 12, Block 2, Winter Gardens (PB 5, PG 32).
3. This map is intended to be displayed at a scale of 1" = 20' or smaller.
4. This Sketch is comprised of two (2) sheets and is not considered full and complete without both sheets.
5. This sketch is not valid without the original signature and the original raised seal of a Florida Professional Surveyor and Mapper.



WINTER GARDEN DRIVE
 GOLF ROAD (P)
 (50' PUBLIC RIGHT-OF-WAY)
 ASPHALT PAVEMENT

PREPARED FOR:
NICK & LINDA THULL
 949 WINTER GARDEN DRIVE
 SARASOTA, FLORIDA 34243

SKETCH & DESCRIPTION RIGHT-OF-WAY VACATION

SECTION 24, TOWNSHIP 35 S., RANGE 17 E.

REVISION	BY	DATE	DESCRIPTION
	MAH	09/08/20	CHANGE SKETCH AND DESCRIPTION West 1/2 R/W

	INITIALS	DATE
CREW CHIEF		
DRAWN	PVR	2/24/20
CHECKED	PL	2/24/20
FIELD BOOK		
FIELD DATE		

F. Peter Lutz
F. PETER LUTZ, JR. PSM LS 5506
 DATE 9/08/20



George F. Young, Inc.
 10540 PORTAL CROSSING, SUITE 105 LAKEWOOD RANCH, FLORIDA 34211-4913
 PHONE (941) 747-2981 FAX (941) 747-7234
 BUSINESS ENTITY LB21 WWW.GEORGEFYOUNG.COM
 CIVIL & TRANSPORTATION ENGINEERING | ECOLOGY | GIS | LANDSCAPE ARCHITECTURE
 PLANNING | SURVEYING | SUBSURFACE UTILITY ENGINEERING
 GAINESVILLE • LAKEWOOD RANCH • ORLANDO • ST. PETERSBURG • TAMPA

JOB NO.
9323009904
 SHEET NO.
S1 OF S2

EXHIBIT "A"

PROPERTY DESCRIPTION


A twenty five foot (25') wide strip of land, being an unimproved portion of Michigan Avenue, said strip of land lying between the East Boundary of Block 2, Winter Gardens Unit No. 2, as recorded in Plat Book 5, Page 32, of the Public Records of Manatee County Florida, also the West Boundary of Block B, Whitfield Country Club Heights (a replat of Lakeside Subdivision, Plat Book 10, Page 11 Unit 3), as recorded in Plat Book 11, Page 81, of the Public Records of Manatee County, Florida, all being in Section 24, Township 35 South, Range 17 East, Manatee County, Florida and more particularly described as follows:

Beginning at the Southeast corner of Lot 12, Block 2, Winter Gardens Unit No. 2; thence N00°16'00"E, a distance of 141.78 feet, along the East line of said Lot 12, Block 2, to the Northeast corner of said Lot 12, Block 2; thence to its intersection with the centerline of Michigan Avenue, N89°59'16"E, a distance of 25.00 feet; thence along said centerline, S00°16'00"W, a distance of 141.79 feet; thence leaving said centerline, N89°59'58"W, a distance of 25.00 feet to the Point of Beginning.

Said strip of land contains 3,545 square feet, more or less.

NOTES

1. This Sketch is not a Boundary Survey.
2. Bearings shown are assumed, a bearing of N00°16'00"E was used along the East lot line of Lot 12, Block 2, Winter Gardens (PB 5, PG 32).
3. This map is intended to be displayed at a scale of 1" = 20' or smaller.
4. This Sketch is comprised of two (2) sheets and is not considered full and complete without both sheets.
5. This sketch is not valid without the original signature and the original raised seal of a Florida Professional Surveyor and Mapper.

PREPARED FOR: NICK & LINDA THULL 949 WINTER GARDEN DRIVE SARASOTA, FLORIDA 34243		SKETCH & DESCRIPTION RIGHT-OF-WAY VACATION SECTION 24, TOWNSHIP 35 S., RANGE 17 E.		BY MAH	DATE 09/08/20	DESCRIPTION CHANGE SKETCH AND DESCRIPTION TO WEST 1/2 R/W
CREW CHIEF DRAWN CHECKED FIELD BOOK FIELD DATE	INITIALS PVR PL	DATE 2/24/20 2/24/20	F. PETER LUTZ, JR. PSM LS 5506 DATE	 George F. Young, Inc. 10540 PORTAL CROSSING, SUITE 105 LAKEWOOD RANCH, FLORIDA 34211-4913 PHONE (941) 747-2981 FAX (941) 747-7234 BUSINESS ENTITY LB21 WWW.GEORGEFYOUNG.COM CIVIL & TRANSPORTATION ENGINEERING ECOLOGY GIS LANDSCAPE ARCHITECTURE PLANNING SURVEYING SUBSURFACE UTILITY ENGINEERING GAINESVILLE • LAKEWOOD RANCH • ORLANDO • ST. PETERSBURG • TAMPA		JOB NO. 9323009904 SHEET NO. S2 OF S2

FILE: I:\PROJECT\SUR\199\9323-0099-04\DWG\9323009904SK.dwg
 LOGIN: Lutz, Peter
 PLOTTED: 9/8/2020 12:02 PM