

RESOLUTION R-21-156

A RESOLUTION REGARDING MOCCASIN WALLOW ROAD – U.S. 41 TO GATEWAY BOULEVARD (PROJECT NUMBER: 6092560); AUTHORIZING UTILIZATION OF THE PROVISIONS OF CHAPTER 74, FLORIDA STATUTES, TO TAKE POSSESSION AND TITLE IN ADVANCE OF ENTRY OF FINAL JUDGMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PARCELS 102, 104, 104.03, 105, 106, 108, 109, 110, 111, 111.03A, 111.03B, 112, 120, 120.03, 130, 130.03, 137, 137.03A, 137.03B, 142A, 142B, 142.03A, 142.03B, 143, 143.03, 144, 144.03, 148, 148.03, 149, 149.03A, 149.03B, 150, 150.03, 161

WHEREAS, Manatee County (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, the Board of County Commissioners of Manatee County, Florida (**Board**) adopted Resolution R-21-146, finding public purpose and necessity, authorizing acquisition of property, delegating certain authority, and authorizing the commencement of eminent domain proceedings; and

WHEREAS, Resolution R-21-146 was intended to authorize the County Attorney and all others acting on his behalf to utilize the provisions of Chapter 74, Florida Statutes, to take possession and title to the "Property" (as therein defined) in advance of entry of final judgment;

WHEREAS, because of a scrivener's error within Resolution R-21-146, the Board adopts this Resolution to ensure the County Attorney and all others acting on his behalf have the requisite authority to utilize the provisions of Chapter 74, Florida Statutes, to take possession and title to the "Property" as defined in Resolution R-21-146 in advance of entry of final judgment.

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

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

2. In addition to the authority granted in Resolution R-21-146, the **County Attorney** and all others acting on his behalf are hereby authorized to utilize the provisions of Chapter 74, Florida Statutes, to take possession and title to the "Property" as defined

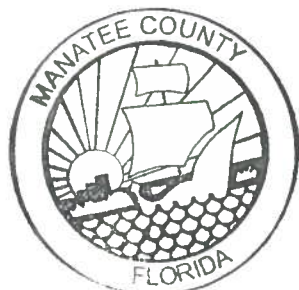
in Resolution R-21-146, in advance of entry of final judgment.

3. The provisions of this Resolution shall supersede the provisions of any other rule, policy, or Resolution previously adopted that conflicts with and cannot be harmonized or reconciled with the provisions of this Resolution.

4. 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.

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

DULY ADOPTED with a quorum present and voting this 14th day of September, 2021.



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

By: _____

Chairperson

ATTEST: ANGELINA COLONNESO

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____

Deputy Clerk