

THIS INSTRUMENT PREPARED BY:  
Victoria Rosenbecker, Real Property Coordinator  
Property Acquisition Division  
On behalf of: Joy Leggett-Murphy, Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205



PROJECT NAME: Southern Manatee Fire & Rescue District  
PID NO: 1698500004

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

**DRAINAGE EASEMENT**

**THIS INDENTURE** made this 27 day of June, 2019 between **SOUTHERN MANATEE FIRE & RESCUE DISTRICT**, an independent special fire control district created under the laws of the State of Florida, whose mailing address is 5200 26th Street West, Bradenton, Florida 34207, as "**Grantor**," and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, as "**Grantee**,"

**WITNESSETH:**

**THAT** said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and transferred, and by these presents does grant, bargain, sell, and transfer unto Grantee, a ***nonexclusive, permanent easement for ingress, egress, construction, and maintenance of surface and/or underground drainage*** over, under, and across the property situate in Manatee County, State of Florida, more particularly described as in **Exhibit "A"** attached hereto and incorporated herein by this reference.

**THAT** said Grantor reserves unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

**IN WITNESS WHEREOF**, Grantor has hereunto set its hand and seal, the day and year above written.

**SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.**

ACCEPTED IN OPEN SESSION 7/23/19  
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

Signed, sealed, and delivered in the presence of:

SOUTHERN MANATEE FIRE &  
RESCUE DISTRICT, an independent  
special fire control district created under the  
laws of the State of Florida

By: its Board of Fire Commissioners

[Signature]  
First Witness Signature  
ROBERT BOWEN  
First Witness Printed Name

By: [Signature]  
Charles A. Durant, Chairperson

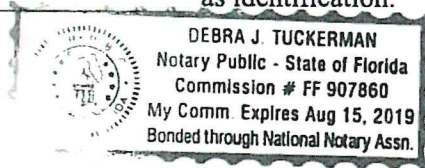
ATTEST: [Signature]  
Melanie A. Markin, Secretary

[Signature]  
Second Witness Signature  
RICHARD BLANCO  
Second Witness Printed Name

STATE OF Florida  
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 27 day of June,  
2019, by Charles A. Durant, as Chairperson of the Board of Fire Commissioners for the Southern  
Manatee Fire & Rescue District, an independent special fire control district created under the laws of  
the State of Florida, who (☒) is personally known to me or who (☐) has produced  
as identification.

Notary Public Seal:



My Commission Expires: Aug 15, 2019

[Signature]  
NOTARY PUBLIC, State of Florida  
Debra J. Tuckerman  
Printed Name

EXHIBIT "A"  
SKETCH OF DESCRIPTION

ABBREVIATIONS

R/W	RIGHT-OF-WAY
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
SF	SQUARE FEET
AC	ACRES
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
N/F	NOW OR FORMERLY
PID	PARCEL IDENTIFICATION
+/-	MORE OR LESS

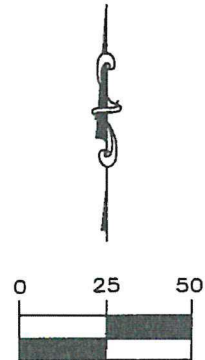
N/F PID 1898500004  
(FIRE STATION)

WESTERLY R/W LINE  
(ORB 2617 PG 3842)

DRAINAGE EASEMENT  
2,334 SF±/0.05 AC±

45TH STREET  
EAST

EAST LINE SW 1/4 9-35-18



L1 N 89°22'34" W 26.94'  
L2 N 21°28'38" W 55.91'  
L3 N 90°00'00" E 56.49'  
L4 S 00°59'54" W 46.54'  
L5 N 77°56'51" W 8.45'  
L6 S 00°03'09" W 7.55'

SOUTH LINE SW 1/4  
9-35-18

P.O.B.

N 89°22'34" W 106.25'

P.O.C.

SOUTH 1/4 CORNER  
9-35-18

N/F PID 1782100103

THIS IS NOT A BOUNDARY SURVEY.

DRAINAGE EASEMENT  
PID 1698500004  
45TH STREET EAST  
MANATEE COUNTY, FLORIDA

**Hyatt Survey Services, Inc.**

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

JOB NUMBER  
13-1789

SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST

SCALE  
1"=50'

DATE  
4/26/19

DRAWN BY  
JM

FILE NAME  
FH EASEMENT

SHEET  
2 OF 2

### DESCRIPTION

A DRAINAGE EASEMENT LYING WITHIN SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF ABOVEMENTIONED SECTION 9; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION, N 89°22'34" W, A DISTANCE OF 106.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 89°22'34" W, A DISTANCE OF 26.94 FEET; THENCE DEPARTING THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 21°28'38" W, A DISTANCE OF 55.91 FEET; THENCE N 90°00'00" E, A DISTANCE OF 56.49 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 45TH STREET EAST PER OFFICIAL RECORDS BOOK 2617, PAGE 3842 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S 00°59'54" W, A DISTANCE OF 46.54 FEET; THENCE N 77°56'51" W, A DISTANCE OF 8.45 FEET; THENCE S 00°03'09" W, A DISTANCE OF 7.55 FEET TO THE POINT OF BEGINNING.

CONTAINING A DESCRIBED AREA OF 2,334 SQUARE FEET OR 0.05 ACRES MORE OR LESS.



RUSSELL P. HYATT, P.S.M.

Florida Surveyor's Reg'n. No. LS 5303

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

DRAINAGE EASEMENT  
PID 1698500004  
45TH STREET EAST  
MANATEE COUNTY, FLORIDA

**Hyatt Survey Services, Inc.**

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2012 Lena Road      Bradenton, Florida 34211  
Phone (941) 748-4693      Fax (941) 744-1643

JOB NUMBER 13-1789	SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST	SCALE N/A	DATE 4/26/19	DRAWN BY JM	FILE NAME FH EASEMENT	SHEET 1 OF 2
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**THIS INSTRUMENT PREPARED BY:**  
Victoria Rosenbecker, Real Property Coordinator  
Property Acquisition Division  
On behalf of: Joy Leggett-Murphy, Property Acquisition Division  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205

Recorded with  
Manatee County Florida Clerk  
Access Official Records at  
[www.ManateeClerk.com](http://www.ManateeClerk.com)

PROJECT NAME: Southern Manatee Fire & Rescue District  
PID NO: 1698500004

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

**AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES**

STATE OF Florida  
COUNTY OF Manatee

**BEFORE ME**, the undersigned notary public, personally appeared **CHARLES A. DURANT**, who being first duly sworn, deposes and says that, to the best of his knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. **SOUTHERN MANATEE FIRE & RESCUE DISTRICT**, an independent special fire control district created under the laws of the State of Florida (hereinafter the **Grantor**) is the owner of the fee simple title to certain real property (hereinafter the **Property**) situated in Manatee County, Florida, more particularly described in **Exhibit A** attached to this affidavit and by this reference made a part of this affidavit, and has full authority to sell or encumber the Property.
3. I am the Chairperson of Grantor and I make this affidavit with the authority of and on behalf of Southern Manatee Fire & Rescue District.
4. Grantor has sole and exclusive possession of the Property.
5. Neither Grantor's title to nor possession of the Property has ever been disputed or questioned and I am not aware of any facts by reason of which the title to or possession of the Property or any part of it or any personal property located on it might be disputed or questioned or by reason of which any claim to the Property or any portion of it or any personal property located on it might be adversely asserted.
6. No person or entity other than Grantor claims or is presently entitled to the right to possess or is in possession of the Property and there are no tenancies, leases, or other occupancies that affect the Property.
7. There are no disputes concerning the location of the boundary lines of the Property.

ACCEPTED IN OPEN SESSION 7/23/19  
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

8. Grantor has not violated any of the restrictions, declarations or covenants in connection with the Property, nor know of any prior owner violating said restrictions, declarations or covenants.

9. There are no outstanding or unpaid taxes or assessments (pending or certified) due to any governmental agency for improvements to or for the benefit of the Property for which the Grantor is responsible or any unpaid or unsatisfied mortgages, claims of lien, or other matters that constitute or could constitute a lien or encumbrance against the Property or any improvements on it or any part of it or against any personal property located on it. Should any bill be found which relates to the period of the Grantor's possession, the Grantor shall pay such bill upon demand. No notice has been received regarding future pending zoning by any government instrumentality.

10. There are no security agreements, financing statements, title retention contracts or personal property leases affecting any materials, fixtures, appliances, furnishings or equipment placed on or installed in or on the Property or the improvements located on it.

11. There are no actions, proceedings, judgments, bankruptcies, liens or executions recorded among the Public Records of Manatee County, Florida, or any other county in Florida or pending against the Grantor in the courts of Manatee County, Florida, or any other courts.

12. There are no matters pending against the Grantor that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title between the effective date of the title insurance commitment and the recording of the interest to be insured by the title insurance company, and the Grantor has not and will not execute any instrument that would adversely affect the title or interest to be insured in the Property, including but not limited to mortgaging or conveying the Property or any interest in it or causing any liens to be recorded against the Property or the Owner.

13. There has been no labor performed or materials furnished on or to the Property during the past **NINETY (90)** days, or, if labor has been performed or materials furnished during such **NINETY (90)** days, all persons performing or furnishing the same have been fully paid and there are no unpaid bills for labor or materials for which valid liens could be filed.

14. No notice of commencement concerning the Property has been filed in the past **NINETY (90)** days, nor are there any unsatisfied construction liens of record concerning such Property, nor have any notices to owner been received by the Grantor during the past **NINETY (90)** days.

15. There are no outstanding, unrecorded deeds, unsatisfied liens, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, except the following:

- a. Easement in favor of City of Bradenton, a municipal corporation, dated January 8, 1944 and recorded March 29, 1946 in Deed Book 219, Page 447 in the Public Records of Manatee County, Florida.

b. Easement in favor of Florida Power and Light Company, dated June 14, 2001 and recorded June 20, 2001 in Official Records Book 1687, Page 1362 in the Public Records of Manatee County, Florida.

16. The Grantor's Taxpayer Identification Number is 65-0196029.

17. The representations embraced herein are made for the purpose of conveying a Permanent Utilities Easement to Manatee County.

18. This affidavit is made and given by affiant with full knowledge of applicable Florida laws regarding sworn affidavits and the penalties and liabilities resulting from false statements and misrepresentations therein.

**CHARLES A. DURANT**

Charles A. Durant

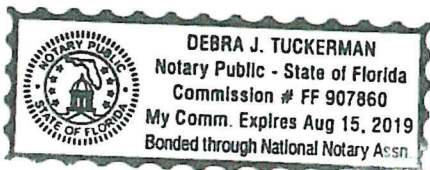
Signature

Charles A Durant

Printed Name

Sworn to (or affirmed), acknowledged and subscribed before me this 27 day of June, 2019, by Charles A. Durant, as Chairperson of the Board of Fire Commissioners of Southern Manatee Fire & Rescue District, an independent special fire control district created under the law of Florida, who (☒) is personally known to me or who (☐) has produced \_\_\_\_\_ as identification.

Affix seal below:



Debra J. Tuckerman

Notary Public Signature

Debra J. Tuckerman

Printed Name

FF 907860

Commission Number

Aug 15, 2019

Expiration Date



EXHIBIT "A"  
SKETCH OF DESCRIPTION

ABBREVIATIONS

R/W RIGHT-OF-WAY  
ORB OFFICIAL RECORDS BOOK  
PG PAGE  
SF SQUARE FEET  
AC ACRES  
P.O.C. POINT OF COMMENCEMENT  
P.O.B. POINT OF BEGINNING  
N/F NOW OR FORMERLY  
PID PARCEL IDENTIFICATION  
+/- MORE OR LESS

N/F PID 1698500004  
(FIRE STATION)

WESTERLY R/W LINE  
(ORB 2617 PG 3842)

DRAINAGE EASEMENT  
2,334 SF±/0.05 AC±

45TH STREET EAST

EAST LINE SW 1/4 9-35-18



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N 89°22'34" W 106.25'

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N/F PID 1762100103

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DRAINAGE EASEMENT  
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45TH STREET EAST  
MANATEE COUNTY, FLORIDA

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Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER  
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SECTION 9, TOWNSHIP 35 SOUTH, RANGE 18 EAST

SCALE  
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JM

FILE NAME  
FH EASEMENT

SHEET  
1 OF 2

# Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400  
Bradenton, FL 34206

## Official Records Receipt Recording

Username: hhoey

Changed By: hhoey

Receipt#: 900215396 Payee Name: MANATEE COUNTY PROPERTY MGMT DEPT AR700003

Receipt Date: 07/24/2019 1112 MANATEE AVE WEST 8TH FLO ATTN: PAT KELLY  
BRADENTON, FL 34205

Escrow Balance:  
Escrow Customer:

Instrument: 201941072159 - BK2793/PG2725 EASEMENT

001000000341100	RECORDING FEE \$5/\$4	\$17.00
199000000341150	PRMTF \$1/\$.50	\$2.50
001000000208911	PRMTF FACC \$.10	\$0.40
199000000341160	PRMTF CLERK \$1.90	\$7.60
001000000208912	PRMTF BCC \$2	\$8.00
001000000208901	DEED DOC STAMPS \$.70	\$0.00
001000000341400	INDEXING NAMES	\$0.00

Instrument Total: \$35.50

Instrument: 201941072160 - BK2793/PG2729 AFFIDAVIT

001000000341100	RECORDING FEE \$5/\$4	\$21.00
199000000341150	PRMTF \$1/\$.50	\$3.00
001000000208911	PRMTF FACC \$.10	\$0.50
199000000341160	PRMTF CLERK \$1.90	\$9.50
001000000208912	PRMTF BCC \$2	\$10.00
001000000341400	INDEXING NAMES	\$0.00

Instrument Total: \$44.00

Receipt Total: \$79.50

Amount Tendered: \$0.00

Overage: \$0.00

Amount Paid:

**July 23, 2019 - Regular Meeting**  
Agenda Item #42

Approved in Open Session 7/23/19  
Manatee County  
Board of County Commissioners

**Subject**

Drainage Easement between Southern Manatee Fire & Rescue District and Manatee County for property located at 5228 45th Street East, Bradenton, Florida 34203

**Briefings**

None

**Contact and/or Presenter Information**

Joy Leggett-Murphy, Property Acquisition Division Manager, Property Management Department, Extension 3439

Victoria Rosenbecker, Real Property Coordinator, Property Management Department, Extension 6290

**Action Requested**

- Accept and Record Drainage Easement from Southern Manatee Fire & Rescue District; and
- Record Affidavit of Ownership and Encumbrances from Charles A. Durant, as Chairperson of Southern Manatee Fire & Rescue District.

**Enabling/Regulating Authority**

- Manatee County Comprehensive Plan

**Background Discussion**

- Southern Manatee Fire & Rescue District Fire Station 4 is located at 5228 45th Street East, Bradenton, Florida 34203.
- Manatee County is changing the design of the stormwater system at this location to avoid a utility conflict between the roadway pipe system and Gap Creek.
- The new configuration will avoid removing an oak tree and a hedge on the property to provide a direct outfall to Gap Creek from the fire station pond.
- A Drainage Easement is necessary to construct and maintain the stormwater system.

**County Attorney Review**

Not Reviewed (No apparent legal issues)

**Explanation of Other**



Manatee County Government Administrative Center  
Honorable Patricia M. Glass Chambers, First Floor  
9:00 a.m. - July 23, 2019

**Reviewing Attorney**

N/A

**Instructions to Board Records**

Please email a copy of the approved agenda item and recording information to the following:

Victoria Rosenbecker at [victoria.rosenbecker@mymanatee.org](mailto:victoria.rosenbecker@mymanatee.org)

Eric Shroyer at [eric.shroyer@mymanatee.org](mailto:eric.shroyer@mymanatee.org)

Ricardo Blanco at [rblanco@smfr.com](mailto:rblanco@smfr.com)

Distributed 7/24/19, RT

**Cost and Funds Source Account Number and Name**

\$79.50 Recording Fee charged to AR 700003

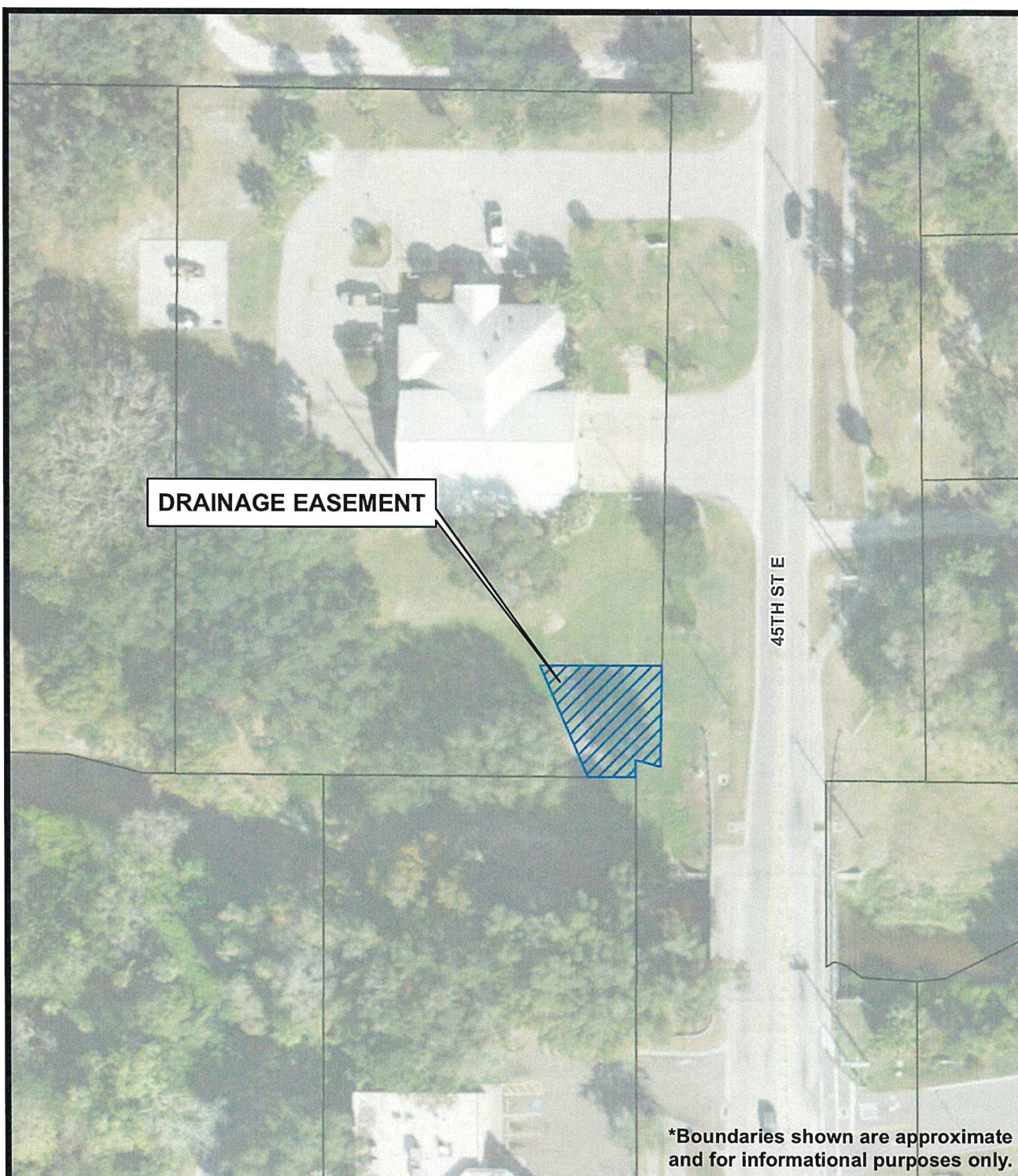
**Amount and Frequency of Recurring Costs**

N/A

Attachment: [Southern Manatee Fire Drainage Easement.pdf](#)

Attachment: [Southern Manatee Fire Affidavit.pdf](#)

Attachment: [Southern Manatee Fire & Rescue Drainage Location Map.pdf](#)



\*Boundaries shown are approximate  
and for informational purposes only.

### DRAINAGE EASEMENT

**SOUTHERN MANATEE FIRE  
& RESCUE DISTRICT**

**5228 45TH STREET EAST**

**DISTRICT 5 - VANESSA BAUGH**

