

TAB 6



City of Palmetto Agenda Item

Meeting Date

3/15/10

Presenter: Allen R. Tusing, Director

Department: Public Works

Title:

Palmetto Elementary School
10th Street West - Permanent Utility Easements

Background:

Palmetto Elementary located on 10th Street West is currently under construction. The City of Palmetto requires easements for both water and sewer lines to the new school. These two easements will allow for Public Works to access the site and maintain the new water and sewer lines.

The first utility easement is for a water line that runs along 10th Street West through the school site and will eventually connect to the Just for Girls facility.

The second utility easement is for both water and sewer lines along 12th Street West through the school site also connecting to Just for Girls.

Budgeted Amount: \$0.00 **Budget Page No(s):** **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

Additional Budgetary Information:

Funding Source(s): **Sufficient Funds Available:** Yes No **Budget Amendment Required:** Yes No **Source:**

City Attorney Reviewed: Yes No N/A **Advisory Board Recommendation:** For Against N/A **Consistent With:** Yes No N/A

Potential Motion/Direction Requested:
Accept the two permanent utility easements as recorded in the Clerk records.

Staff Contact: Allen R. Tusing, Director

Attachments: Recorded utility easements with legal description and sketch.

This instrument prepared by:
Alisa Cline, Planning Specialist
Manatee County School District
2802 B 27th Street East
Bradenton, Florida 34208

PROJECT FILE # 08-587

ID # Palmetto Elementary School - 10th Street West - Water along 10th Street West

UTILITY EASEMENT

THIS INDENTURE, made this 25th day of January, 2010, between the **SCHOOL BOARD OF MANATEE COUNTY**, a public body corporate organized and existing under the laws of the State of Florida, having its principal place of business at P.O. Box 9069, Bradenton, Florida 34206-9069, its heirs, successors, or assigns, as Grantor, and **CITY OF PALMETTO**, a Political Subdivision of the State of Florida, with its mailing address being 600 17th Street West, Palmetto, Florida 34221, 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 perpetual non-exclusive utility easement for ingress, egress, construction, installation, maintenance, and operation of public utility facilities** across the following described property situate in the City of Palmetto, County of Manatee, State of Florida, more particularly described as follows:

See legal description identified as Exhibit "A" attached hereto.

This is a nonexclusive utility easement with the Grantor reserving 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, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written.

Signed, sealed, and delivered in the presence of:

(CORPORATE SEAL)

SCHOOL BOARD OF MANATEE COUNTY
a public body corporate organized and existing under the laws of the State of Florida

BY: Jane Pfeilsticker
Jane Pfeilsticker, Board Chair

ATTEST: Tim McGonegal
Tim McGonegal, Superintendent of Schools

Lyn Lego
Witness Signature

Lyn Lego
Printed Name

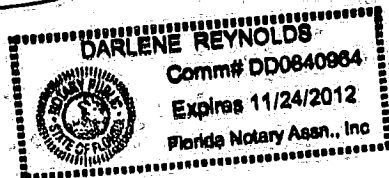
Darlene Reynolds
Witness Signature

Darlene Reynolds
Printed Name

(Signature of two witnesses or secretary required by law)

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 25 day of January, 2010, by Jane Pfeilsticker, Board Chair and Tim McGonegal, Superintendent of the **SCHOOL BOARD OF MANATEE COUNTY**, a public body corporate organized and existing under the laws of the State of Florida, on behalf of the School Board, who are personally known to me or have produced _____ as identification.



Darlene Reynolds
NOTARY PUBLIC Signature
Darlene Reynolds
Printed Name

Handwritten initials: JPM, AP, SD

DESCRIPTION:

A 10.0 FT. WIDE UTILITY EASEMENT, LYING 5.0 FT. EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, TO WIT:

COMMENCE AT THE NORTHWEST CORNER OF LOT 7, BLOCK 5 OF THE REPLAT OF "JACKSON'S FACTORY SUBDIVISION," AS RECORDED IN PLAT BOOK 1, PAGE 317, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF "12TH STREET WEST" (BARRY AVENUE PER PLAT); THENCE S89°55'39"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 626.76 FT.; THENCE S00°04'21"W, PERPENDICULAR WITH SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 341.82 FT. FOR A POINT OF BEGINNING, SAID POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE RUN THE FOLLOWING COURSES ALONG SAID EASEMENT CENTERLINE: RUN N88°32'27"E, A DISTANCE OF 10.28 FT. TO THE TERMINUS POINT OF THIS PORTION OF SAID EASEMENT CENTERLINE; THENCE RETURN TO SAID POINT "A" AND RUN S00°13'50"W, A DISTANCE OF 241.89 FT. TO A POINT HEREINAFTER REFERRED TO AS POINT "B;" THENCE CONTINUE S00°13'50"W, A DISTANCE OF 22.93 FT. TO THE NORTHERLY RIGHT-OF-WAY OF 10TH STREET WEST AND THE TERMINUS POINT OF THIS PORTION OF SAID EASEMENT CENTERLINE; THENCE RETURN TO SAID POINT "B" AND RUN N90°00'00"W, A DISTANCE OF 50.03 FT.; THENCE S43°24'24"W, 24.56 FT.; THENCE N89°55'39"W, PARALLEL WITH SAID NORTHERLY RIGHT-OF-WAY AND FIVE FEET NORTHERLY THEREFROM, A DISTANCE OF 224.51 FT.; THENCE N43°50'56"W, 13.99 FT.; THENCE N89°59'41"W, 43.95 FT.; THENCE S45°00'00"W, 7.07 FT.; THENCE N89°59'41"W, A DISTANCE OF 4.93 FT. TO THE TERMINUS POINT OF SAID EASEMENT CENTERLINE, BEING AND LYING IN SECTION 15, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

(REFER TO SHEET 2 OF 2 FOR SKETCH)

NOVEMBER 5, 2009
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5115

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241.
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOB NUMBER: 7634.3

SHEET NUMBER 1 OF 2

LOMBARDO, FOLEY & KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

P.O. Box 188 • 825 4th Street West • Palmetto, Florida 34221 • (941) 722-4561



110409 paula
PEUT14SK.DWG

12TH STREET WEST
(BARRY AVENUE-PER PLAT)

S89°55'39"E - 626.76'

Southerly
Right-of-Way

POINT OF COMMENCEMENT
NW CORNER OF LOT 7, BLOCK 5
"JACKSON'S FACTORY SUBDIVISION"

17TH AVENUE WEST
(WARNING STREET PER PLAT)

**"JACKSON'S FACTORY
SUBDIVISION"**

(Plat Book 1, Page 317)

S00°04'21"W - 341.82'

SKETCH OF DESCRIPTION

NOT A SURVEY

* BEARINGS ARE BASED ON THE SOUTHERLY
RIGHT-OF-WAY OF "12TH STREET WEST",
BEING S89°55'39"E

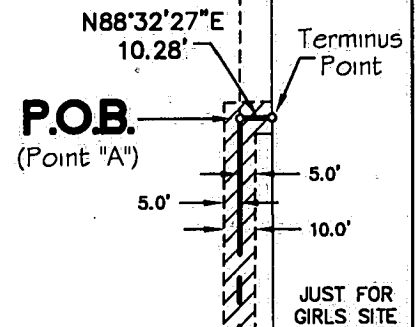
LEGEND:

- P.O.B. = POINT OF BEGINNING
- ⊕ = CENTERLINE
- = ANGLE POINT ONLY,
NO CORNER FOUND OR SET



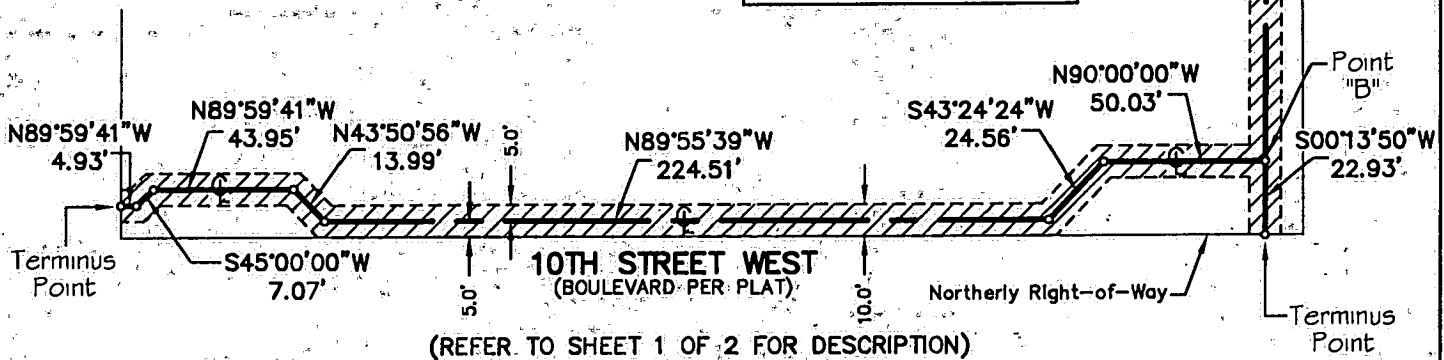
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FUTURE
PALMETTO ELEMENTARY
SCHOOL SITE



S00°13'50"W
241.89'

**CENTERLINE OF
10.0 FT. WIDE
UTILITY EASEMENT**



(REFER TO SHEET 1 OF 2 FOR DESCRIPTION)

PEUT4SK.DWG 110409 paula

JOB NUMBER: 7634.3 DRAWN BY: PAULA SCALE: NONE SHEET NUMBER 2 OF 2

LOMBARDO, FOLEY & KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

P.O. Box 188 • 825 4th Street West • Palmetto, Florida 34221 • (941) 722-4561



NOV 19 2009

This instrument prepared by:
Alisa Cline, Planning Specialist
Manatee County School District
2802 B 27th Street East
Bradenton, Florida 34208

PROJECT FILE # 08-587

ID # Palmetto Elementary School - 10th Street West - Water and Sewer off 12th Street West

UTILITY EASEMENT

THIS INDENTURE, made this 25th day of January, 2010, between the **SCHOOL BOARD OF MANATEE COUNTY**, a public body corporate organized and existing under the laws of the State of Florida, having its principal place of business at P.O. Box 9069, Bradenton, Florida 34206-9069, its heirs, successors, or assigns, as Grantor, and **CITY OF PALMETTO**, a Political Subdivision of the State of Florida, with its mailing address being 600 17th Street West, Palmetto, Florida 34221, as Grantee,

WITNESSETH

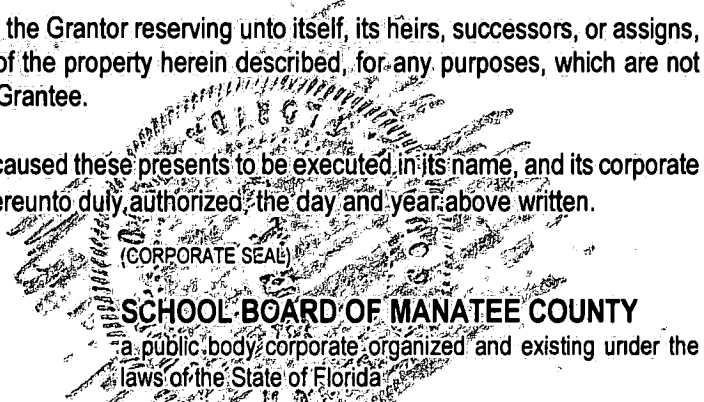
That said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto Grantee, **a perpetual non-exclusive utility easement for ingress, egress, construction, installation, maintenance, and operation of public utility facilities** across the following described property situate in the City of Palmetto, County of Manatee, State of Florida, more particularly described as follows:

See legal description identified as Exhibit "A" attached hereto.

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IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written.

Signed, sealed, and delivered in the presence of:



Lyn Lego
Witness Signature
Lyn Lego
Printed Name
Darlene Reynolds
Witness Signature
Darlene Reynolds
Printed Name

BY: Jane Pfeilsticker
Jane Pfeilsticker, Board Chair

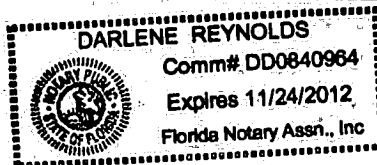
ATTEST: Tim McGonegal
Tim McGonegal, Superintendent of Schools

MP [Signature]

(Signature of two witnesses or secretary required by law)

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 25 day of January, 2010, by Jane Pfeilsticker, Board Chair and Tim McGonegal, Superintendent of the SCHOOL BOARD OF MANATEE COUNTY, a public body corporate organized and existing under the laws of the State of Florida, on behalf of the School Board, who are personally known to me or have produced _____ as identification.



Darlene Reynolds
NOTARY PUBLIC Signature
Darlene Reynolds
Printed Name

DESCRIPTION: UTILITY EASEMENT

COMMENCE AT THE NORTHWEST CORNER OF LOT 7, BLOCK 5 OF THE REPLAT OF "JACKSON'S FACTORY SUBDIVISION," AS RECORDED IN PLAT BOOK 1, PAGE 317, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF "12TH STREET WEST" (BARRY AVENUE PER PLAT); THENCE S89°55'39"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 795.92 FT. FOR A POINT OF BEGINNING; THENCE CONTINUE S89°55'39"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 23.24 FT.; THENCE S30°42'04"W, 29.00 FT.; THENCE S00°34'01"E, 317.04 FT.; THENCE S88°32'27"W, 4.89 FT.; THENCE N00°11'21"W, 85.47 FT.; THENCE N89°55'39"W, 26.93 FT.; THENCE N00°18'30"E, 224.07 FT.; THENCE N30°42'04"E, A DISTANCE OF 37.85 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 15, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

(REFER TO SHEET 2 FOR SKETCH)

NOVEMBER 5, 2009
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241.
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOB NUMBER: 7634.3

SHEET NUMBER 1 OF 2

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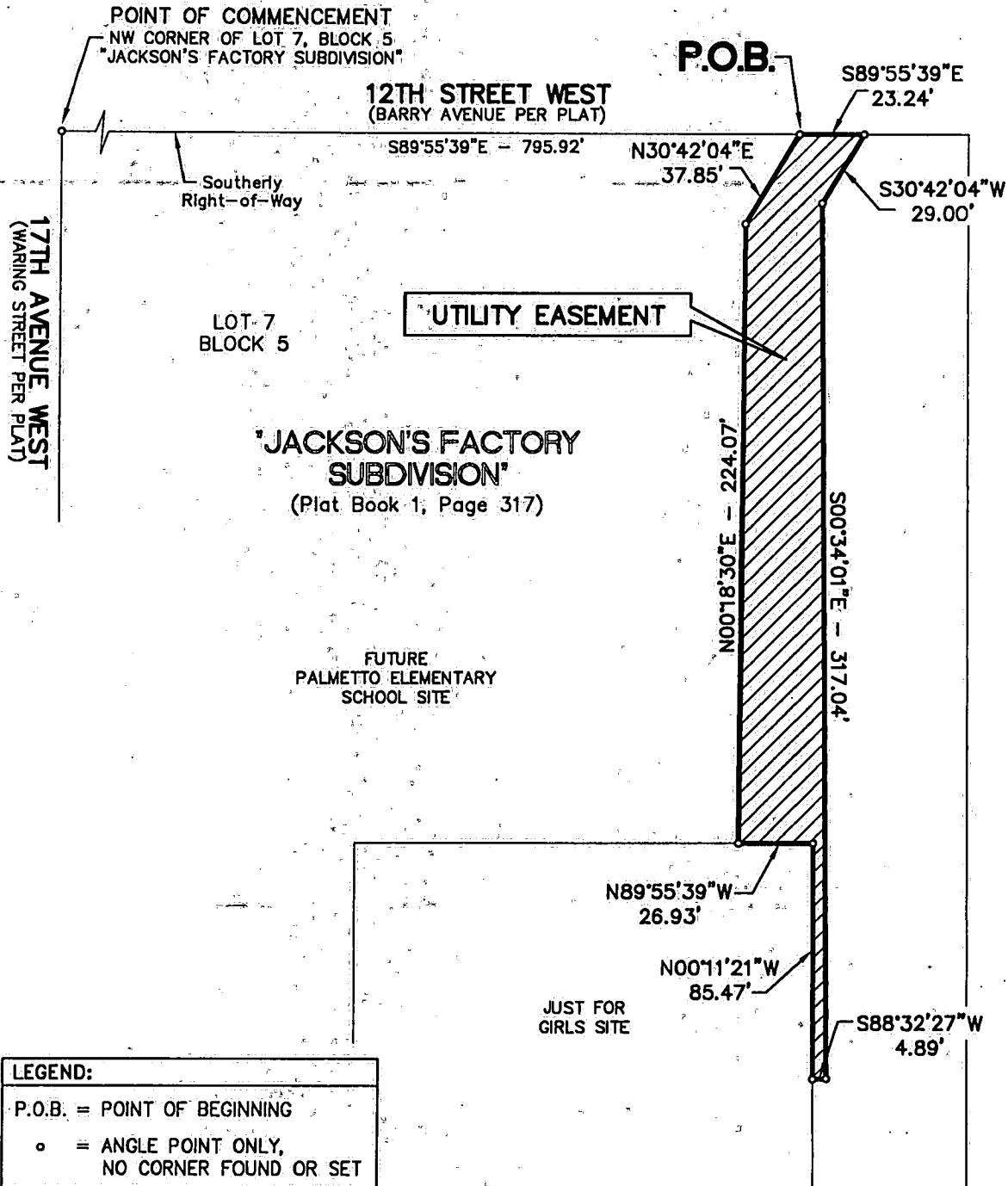


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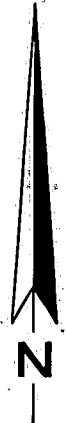
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BEING S89°55'39"E

SKETCH OF DESCRIPTION

NOT A SURVEY



LEGEND:
 P.O.B. = POINT OF BEGINNING
 ○ = ANGLE POINT ONLY,
 NO CORNER FOUND OR SET



Not To Scale

(REFER TO SHEET 1 FOR DESCRIPTION)

PEUT15SK.DWG 1:10409 paula

JOB NUMBER: 7634.3 DRAWN BY: PAULA SCALE: NONE SHEET NUMBER 2 OF 2

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