

THIS INSTRUMENT PREPARED BY:
Charles Meador Real Property Specialist, Property Acquisition Division
On Behalf of: Property Acquisition Division Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

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

CORRECTIVE COUNTY DEED
(Pursuant to Section 125.411, Florida Statutes)

This Corrective County Deed is made to correct the County Deed recorded on August 21, 2018, as Instrument Number 201841085555 in Official Records Book 2744 and Page 365, in the public records of Manatee County, Florida. The legal description contained a scrivener's error.

THIS DEED made this _____ day of _____, 2019, by **MANATEE COUNTY**, a political subdivision of the State of Florida, party of the first part, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206 (hereinafter, "Grantor"), and **PALMA SOLA BOTANICAL PARK FOUNDATION, INC.**, a Florida non-profit corporation, party of the second part, whose mailing address is Post Office Box 14214 Bradenton, Florida 34280 (hereinafter, "Grantee").

As used herein, the term Grantor shall include any and all heirs, legal representatives, successors or assigns of the Grantor, and all subsequent owners of the Property (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH that the Grantor, for and in consideration of the sum of \$10.00 to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the Grantee, its heirs and assigns forever, the following described land, lying and being in Manatee County, Florida, more particularly described in **Exhibit "A"** attached hereto and incorporated herein by reference.

PROVIDED, HOWEVER, that this conveyance is made on the express conditions, and Grantor stipulates, as follows: (1) that Grantee shall at all times maintain its not-for-profit status and shall remain in good standing with all regulating and taxing authorities, (2) that Grantee shall continuously use the described real property for purposes of a not-for-profit botanical garden and ancillary uses serving the public benefit and (3) that Grantee shall remain in full compliance, at all times, with all the terms contained in the Florida Department of Environmental Protection, Division of Recreation and Parks, Tri-Party Project Grant Agreement dated April 17, 2000 (4) that the Grantee shall at all times maintain as to all or any part of the real property as outlined in **Exhibit "A"** and each building, structure and improvement thereon in good repair and in a neat, orderly, clean, safe and healthful condition in compliance with all codes and laws.

PROVIDED, ALSO, that the Grantor reserves unto itself a perpetual *nonexclusive, permanent easement for ingress, egress, construction, and maintenance of surface and/or underground drainage and utility facilities* over, under, across and on the property, situate in Manatee County, State of Florida, more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference.

PROVIDED, FURTHER, that if any of the above requirements as to all or any part of the real property are not met, then at Grantor's option, exercisable by written notice to Grantee at any time following the failure to meet the requirements, which notice sets forth the breach or violation, and further provided that the breach or violation is not corrected to Grantor's reasonable satisfaction within ninety (90) days of receipt of the notice by Grantee, then all right, title and interest in and to the real property and to any improvements thereon, together with the right of immediate possession thereof, will revert to and re-vest in Grantor and Grantor's assigns, as fully and completely as if this instrument had not been executed. Written notice shall be by personal delivery to the President of the Grantee or by first class U.S. Mail, postage prepaid, to the Grantee at the address set forth in the first paragraph of this instrument and shall be deemed received when actually delivered or, if sent by mail, five (5) days after being deposited in the mail.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year first written above.

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"

Description and Sketch

(NOT A SURVEY)

Description – Botanical Gardens being a portion of the Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24, Township 34 South, Range 16 East, Manatee County, Florida and being more specifically described as follows:

COMMENCE at the Northwest corner of said Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24; thence S00°22'56"W, 318.68 feet along the West line of said Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24; thence S89°37'04"E, 48.14 feet to a point on the East line of 99th Street NW, a Public R/W by Maintenance – variable width, recorded in Road Plat Book 12, Page 171 of the Public Records of Manatee County, Florida and being the POINT OF BEGINNING; thence N89°59'45"E, 187.26 feet; thence S12°58'30"E, 122.07 feet; thence S67°43'36"E, 127.07 feet; thence S01°00'10"E, 173.01 feet to a point on the South line of said Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24; thence N89°49'25"E, 274.09 feet along said South line of the Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24 to the Southeast corner of said Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24; thence N00°23'29"E, 629.23 feet along the East line of said Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24 to a point on the South line of 17th Avenue NW, a Public R/W by MAINTENANCE AFFIDAVIT – 66' wide, recorded in Official Records Book 2677, Page 697 in the Public Records of Manatee County, Florida; thence S89°39'25"W, 602.97 feet along said South line of 17th Avenue NW, a Public R/W by MAINTENANCE AFFIDAVIT, to the intersection with the aforementioned East line of 99th Street NW, a Public R/W by Maintenance – variable width; thence running along said East line of 99th Street NW, a Public R/W by Maintenance – variable width the following (5) courses: (1). S01°10'15"W, 115.68 feet; (2). S10°28'30"W, 26.38 feet; (3). S00°58'50"W, 101.07 feet; (4). S07°11'28"W, 13.23 feet; (5). S00°18'46"W, 30.59 feet to the POINT OF BEGINNING.

Containing 6.60 acres or 287,694 square feet, more or less.

Subject to a Reservation of Manatee County Utility Access & Maintenance Easement, being a portion of said Botanical Gardens and being more specifically described as follows:

COMMENCE at the Northwest corner of said Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24; thence S00°22'56"W, 318.68 feet along the West line of said Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24; thence S89°37'04"E, 48.14 feet to a point on the East line of 99th Street NW, a Public R/W by Maintenance – variable width, recorded in Road Plat Book 12, Page 171 of the Public Records of Manatee County, Florida and being the POINT OF BEGINNING; thence N89°59'45"E, 187.26 feet; thence S12°58'30"E, 89.42 feet; thence N00°12'38"W, 100.61 feet; thence N89°52'07"W, 206.89 feet to a point on the aforementioned East line of 99th Street NW, a Public R/W by Maintenance – variable width; thence S00°18'46"W, 13.96 feet along said East line of 99th Street NW, a Public R/W by Maintenance – variable width to the POINT OF BEGINNING.

Containing 0.08 acres or 3,699 square feet, more or less.

Notes:

1. This Description and Sketch does not certify of warranty: title, zoning, easements, or freedom of encumbrances.
2. Subject to easements, dedications and restrictions of record not provided to the surveyor and mapper.
3. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
4. The basis of bearings is the is the West line of the Southwest ¼ of Section 24, Township 34 South, Range 16 East, Manatee County, Florida, which bears S00°22'56"W (Grid).

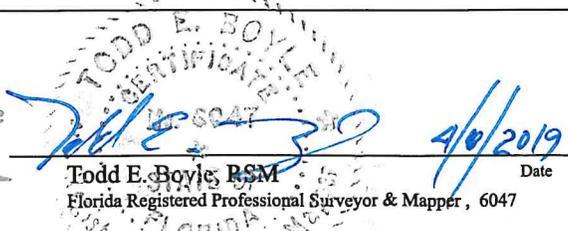
 <p style="font-size: small;">MANATEE COUNTY PROPERTY MANAGEMENT DEPARTMENT SURVEY DIVISION</p> <p style="font-size: x-small;">1112 MANATEE AVENUE WEST BRADENTON, FLORIDA, 34205, (941)748-4501</p>	 <p>Todd E. Boyle, RSM Florida Registered Professional Surveyor & Mapper, 6047</p>	<p>Drawing Path: S:\SURVEY \2017 jobs\06 June 2017\20170603_ Botanical Park - NW Bradenton\CAD_DWG's</p> <p>Sheet: 1 OF 2</p> <p>Section 24, Township 34 South, Range 16 East</p>	<p>SHEET 1 = DESCRIPTION, NOTES, SIGNATURE & RAISED SEAL</p> <p>SHEET 2 = SKETCH</p>
<p>Revised Description & Sketch: 04/08/19</p>		<p>Drawing Date: 12/13/17</p>	

Exhibit "A"

Description and Sketch

(NOT A SURVEY)

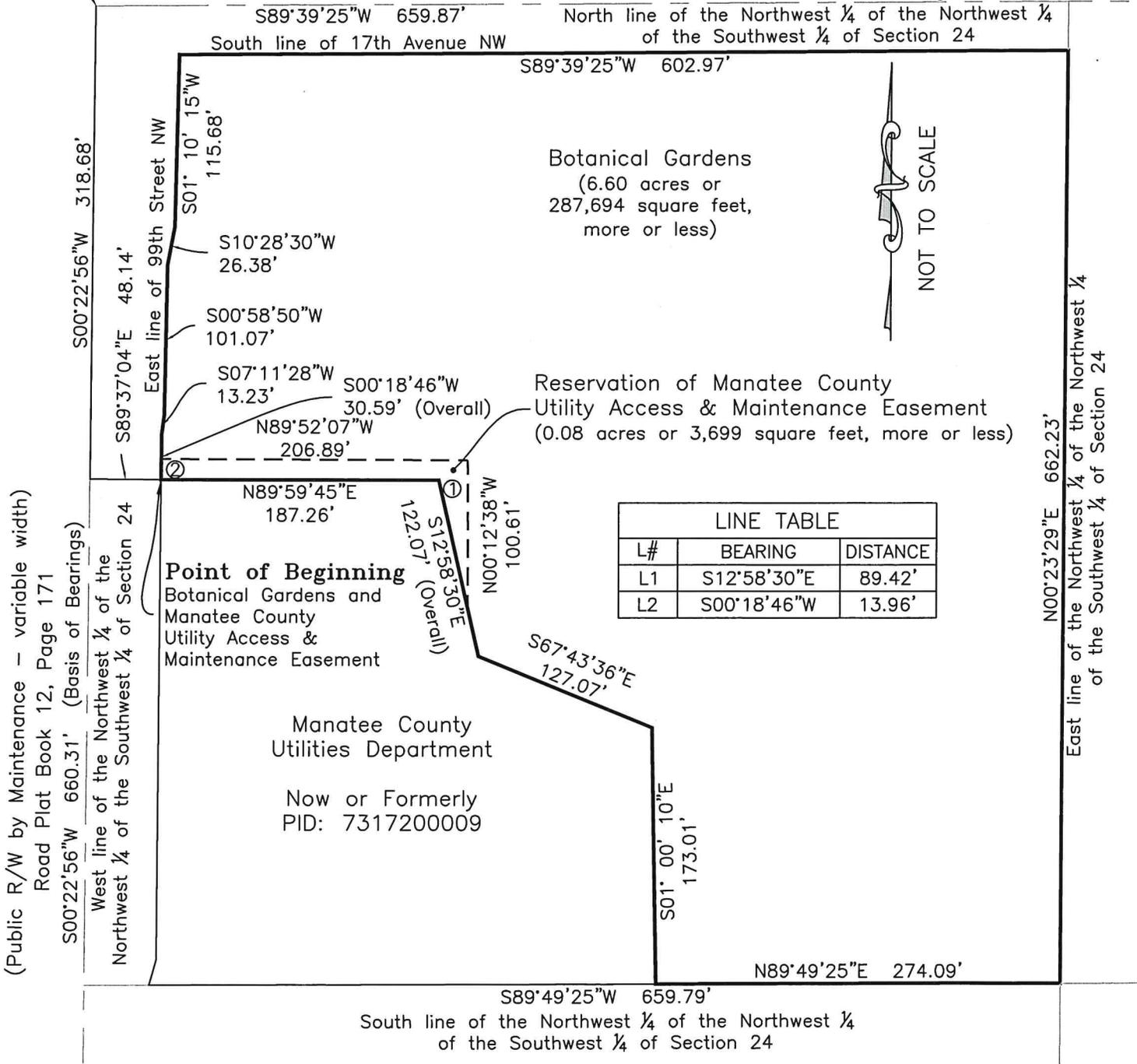
Point of Commencement

Northwest corner of the Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24, Township 34 South, Range 16 East

17th Avenue NW

(Public R/W by MAINTENANCE AFFIDAVIT- 66' wide)

Official Records Book 2677, Page 697



LINE TABLE		
L#	BEARING	DISTANCE
L1	S12°58'30"E	89.42'
L2	S00°18'46"W	13.96'

(Public R/W by Maintenance - variable width)
 Road Plat Book 12, Page 171
 S00°22'56"W 660.31' (Basis of Bearings)

East line of the Northwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 24



- SHEET 1 = DESCRIPTION, NOTES, SIGNATURE & RAISED SEAL
- SHEET 2 = SKETCH

Drawing Path: S:\SURVEY\2017 jobs\06 June 2017\20170603_Botanical Park - NW Bradenton\CAD_DWG's

Sheet: 2 OF 2

Section 24, Township 34 South, Range 16 East

Revised Description & Sketch: 04/08/19

Drawing Date: 12/13/17