



Manatee County

Clerk of the Circuit Court and Comptroller

R.B. "Chips" Shore

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February 25, 2009

Carol Whitmore
Manatee County Board of County Commission
P.O. Box 1000
Bradenton, Florida 34206

Dear Commissioner Whitmore:

I understand that there is a question of "rights" involved in the petition of Pat and Iris LeMasters to vacate right of way through the FISH Preserve. But what I think some of us are missing is that this particular right of way is public property and continuing to hold that land as public property does not interfere with the LeMasters right to use their own personal property. We would encourage them to do so.

Please remember that when the LeMasters purchased their parcel the right of way already existed as public property. Their property did not include the right of way nor did that of FISH. That right of way has been public property for over fifty years, and it is currently being used for public access.

The only reason that FISH asked for vacation of the other rights of way within the Preserve boundaries, including the rest of Sarasota Boulevard, was because county staff directed them to do so. They were told that this designation was necessary to get the property rezoned for its planned use as a public park.

The LeMasters would like you to think that their situation is just like that of FISH. They want you to think that because you vacated the other rights of way you should vacate this one, too. This is a completely different situation with FISH owning one side and the LeMasters owning the other. In other words, there are two parties to this vacation with one of the parties opposing the vacation. In the other instances, FISH owned both sides of the rights of way therefore there were the same parties which made the vacations non-controversial.

This right of way must be saved in order to continue the work of FISH. All of FISH's plans for the other ninety nine acres in the FISH Preserve have included full access through this right of way. Removal of the right of way literally and physically cuts the FISH Preserve in half.

Future grants and donations for the removal of exotic invasive species and replanting of native species depend upon the existence of the right of way. If this public property is given to the LeMasters now, in the future, FISH will be forced to purchase the property from the LeMasters to return what is now public property back to public use.

Please remember that FISH is working for all of the citizens of Manatee County by establishing the FISH Preserve. If you went to the FISH Festival this weekend, you saw how hard the effort is. You witnessed how many hours and how many people join together to raise this money, one year and one dollar at a time, to reach their goal of setting aside this parcel for future generations, both resident and visitor, to use and know the natural environment of Florida. Through their passionate belief in the importance of their work, FISH not only tells about one of the last remaining fishing villages in Florida, but the heritage of our entire county. We are preserving a way of life that is of vast historical significance to Manatee County. We are attracting tourists and new residents to our county who want to experience the real Florida.

I know how much each of you cares about Manatee County and Cortez. Should this issue come before the Board again, I hope that you will take a stand against the right of way vacation as it would significantly hinder the efforts of the Florida Institute for Saltwater Heritage to meet their mission of preserving this habitat and a way of life. Remember, it will not hinder the LeMasters in what they have alleged they want to do. It makes no sense to grant the easement.

Sincerely,

R.B. "Chips" Shore
Clerk of Circuit Court and Comptroller

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Clerk of Circuit and County Court - Clerk of Board of County Commissioners - County Comptroller, Auditor and Recorder