

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** October 7, 2014  
**AGENDA ITEM NO.** 5

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

  
**County Administrator's Signature**

**Subject:**

Quasi-Judicial Petition to Vacate and release a portion of an Easement

Submitted By: Estate of Peter Lenas  
Property Address: 8146 Coachlight Circle  
Seminole, Florida 33776  
File No.: 1462

**Department:**

Real Estate Management  
Department of Public Works

**Staff Member Responsible:**

Paul S. Sacco, Director  
Richard Coates, P.E., Director

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BCC) CONSIDER GRANTING THE PETITION TO VACATE A PORTION OF THE 15-FOOT EASEMENT, AND IF GRANTED, ADOPT THE ATTACHED RESOLUTION PURSUANT TO FLORIDA STATUTE 177.101, AND AUTHORIZE THE CLERK TO RECORD THE RESOLUTION IN THE PUBLIC RECORDS OF PINELLAS COUNTY.

**Summary Explanation/Background:**

This subject petition seeks to vacate a portion of a 15-foot drainage and utility easement located in Lot 14, Coachlight Ridge Subdivision, Official Records Plat Book 75, Page 7 in Section 29/30/15, Pinellas County, Florida.

The petitioner is the apparent owner of record of that portion of the plat that is requested to be vacated. The vacation of this portion of the plat will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Appropriate staff members reviewed the subject area and determined the vacation would not have an adverse effect on the remaining easement area. Letters of No Objection have been received from Bright House, WOW!, Engineering and Technical Support, Duke Energy (Distribution) and (Transmission), TECO and Verizon.

The Petition was properly advertised in accordance with Florida Statute 177.101 and notice was mailed by the Clerk of the Court to the adjacent property owners and nearby residents. The Deputy Clerk will report any citizen support or opposition to the BCC.

**Fiscal Impact/Cost/Revenue Summary:**

The owner has paid a \$750 filing fee, including advertising cost.

**Exhibits/Attachments Attached:**

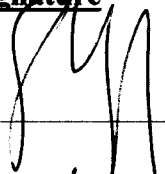
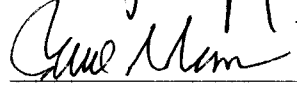

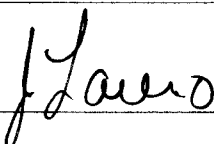
Contract Review Transmittal  
Petition to Vacate  
Notification List  
Resolution  
Location Map

**CONTRACT REVIEW TRANSMITTAL SLIP****PROJECT: Estate of Peter Lenas****TYPE: Quasi-Judicial Petition to Vacate a portion of an Easement****Date: 10/7/2014 ESTIMATED EXPENDITURE/REVENUE:****\$ 750.00****(Circle appropriate choice above.)**

In accordance with the policy guide for Contract Administration, the attached documents are submitted for your review and suggested comments and/or changes.

- To assist other reviewers in this process, please mark your comments and/or suggested changes directly upon the document itself in RED INK.*

Upon completion of your review, please complete the Contract Review Transmittal Slip below and call 464-3672 at so that it can be picked up and taken to the next Review Authority on the list.

<b><u>Review Authority</u></b>	<b><u>Review Date</u></b>	<b><u>Review Signature</u></b>	<b><u>Comments Included/Addressed Initial &amp; Date</u></b>
Real Property Div. (Sean Griffin)	<u>9/11/14</u>		
Real Estate Mgmt (Paul Sacco)	<u>9/12/14</u>		
DEI (Tom Farrand)	<u>8/28/2014</u>	<u>Approved in CATS</u>	
Legal (Michael Zas)	<u>9/18/2014</u>		
County Admin. (Joe Lauro)	<u>9/18/14</u>		

- ☒ Release/Termination/Amendment  
☒ FS 177.101 - Vacation  
☒ FS 336.09/10/12 - ROW  
☒ Advertisement to Board Records  
☒ Scheduled Board Date  
☒ Complies with Section 8 Real Estate Procedures 3.2.2 Notification

Please return to Real Estate Management Department, Real Property Division by                     , 2014  
 All inquiries should be made to CYNTHIA HARRIS at telephone extension 43773 or 4-3672.

MITTED TO THE BOARD OF COUNTY COMMISSIONERS  
OF PINELLAS COUNTY, FLORIDA

PETITION TO VACATE, PLAT OR PORTION OF PLAT (EASEMENT)

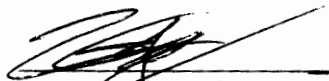
Comes now your Petitioner, Estate of Peter Lenas  
Name of Petitioner

and respectfully requests this Honorable Board of County Commissioners to adopt a resolution vacating:

Lands described in legal description attached  
hereto and by this reference made a part hereof.

Your petitioner represent that: 1) the petitioner own the fee simple title to the whole or that portion of the plat (easement) that is sought to be vacated; 2) the vacation request herein will not cause injury to any surrounding property or property owners, and that the above described property does not now serve and is not needed for any public purpose; 3) the interest of the public will not be adversely affected by this vacation, nor will such vacation affect the ownership, or the right of convenient access, of persons owning any other parts of said subdivision.

I hereby swear and/or affirm that the forgoing statements are true:

  
Attorney Kenneth G. Arsenault, Jr.

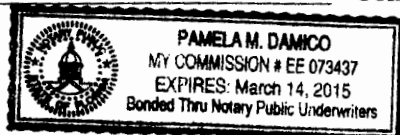
STATE OF FLORIDA  
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 28<sup>th</sup> day of August, 2014, by  
Attorney Kenneth G. Arsenault, Jr. He is personally known to me, or has produced \_\_\_\_\_  
\_\_\_\_\_ as identification, and who did (did not) take an oath.

NOTARY  
SEAL

NOTARY Pamela M. Damico  
Print Name \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ Commission Number: \_\_\_\_\_



PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1462

PETITIONER

ESTATE OF PETER LENAS  
C/O ATTORNEY KENNETH ARSENAULT  
8146 COACHLIGHT CIRCLE  
SEMINOLE, FL 33776

ADJACENT PROPERTY OWNERS

NOTIFICATION LETTER SENT TO THESE OWNERS  
BY THE CLERK OF THE CIRCUIT COURT – BCC RECORDS DIVISION

REAL PROPERTY DIVISION  
Attn: CYNTHIA M. HARRIS  
509 EAST AVENUE S  
CLEARWATER, FL 33756

LENAS, PETER T EST  
10225 ULMERTON RD STE 7C  
LARGO, FL 33771-3522

CROCKENBURG, MARK M  
CROCKENBURG, AMY L  
13380 82ND AVE  
SEMINOLE, FL 33776-3126

ROSENBAUM, STUART  
13440 COACHLIGHT CIR  
SEMINOLE, FL 33776-3511

ROZELL, SCOTT E  
8114 COACHLIGHT CIR  
SEMINOLE, FL 33776-3509

MC KENNA, TODD R  
MC KENNA, JAQUELINE D  
8155 COACHLIGHT CIR  
SEMINOLE, FL 33776-3510

NUNZIATA, GEORGE  
NUNZIATA, CHARLOTTE  
16003 4TH ST E  
REDINGTON BEACH, FL 33708-1636

WEBER, PEGGY  
8181 COACHLIGHT CIR  
SEMINOLE, FL 33776-3538

VE HORN, MARGITA M  
8154 COACHLIGHT CIR  
SEMINOLE, FL 33776-3509

WHITE, HARRISON W III  
8163 COACHLIGHT CIR  
SEMINOLE, FL 33776-3510

CADOGAN, KELLEY L  
CADOGAN, CHARITY L  
8177 COACHLIGHT CIR  
SEMINOLE, FL 33776-3538

LENAS, MICHAEL J  
LENAS, ANITA L  
8138 COACHLIGHT CIR  
SEMINOLE, FL 33776-3509

DELLAVECCHIA, DEREK  
DELLAVECCHIA, EWELINA  
8183 COACHLIGHT CIR  
SEMINOLE, FL 33776-3538

AMMON, ROBERT Q  
AMMON, VIRGINIA M  
13370 82ND AVE  
SEMINOLE, FL 33776-3126

MC GOVERN, RAYMOND C  
MC GOVERN, FRANCINE C  
8139 COACHLIGHT CIR  
SEMINOLE, FL 33776-3510

HILL, NANCY M  
13450 COACHLIGHT CIR  
SEMINOLE, FL 33776-3511

CARLSON-CHALIFOUX, MARK  
CARLSON-CHALIFOUX, LAURIE  
8122 COACHLIGHT CIR  
SEMINOLE, FL 33776-3509

PIERCE, KENNETH R JR  
PIERCE, ROSWITHA  
8162 COACHLIGHT CIR  
SEMINOLE, FL 33776-3509

POTTER, CHAD A  
8147 COACHLIGHT CIR  
SEMINOLE, FL 33776-3510

LUCY, DENNIS M  
LUCY, GRACE L  
13420 COACHLIGHT CIR  
SEMINOLE, FL 33776-3511

CHARLES, DIANE C  
8121 COACHLIGHT CIRCLE  
SEMINOLE, FL 33776-3510

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION VACATING A PORTION OF A 15 FOOT DRAINAGE AND UTILITY EASEMENT LOCATED IN LOT 14, COACHLIGHT RIDGE SUBDIVISION, LOCATED IN SECTION 29, TOWNSHIP 30, RANGE 15, AS RECORDED IN PLAT BOOK 75, PAGES 7, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.**

**WHEREAS, the Estate of Peter Lenas, petitioned this Board of County Commissioners to vacate the following described property:**

**Lands described in legal description attached hereto as Exhibit "A"  
and by this reference made a part hereof; and**

**WHEREAS, vacating the requested portion of the easement will not have an adverse affect on the remaining easement area; and**

**WHEREAS, the Petitioners are the apparent owners of record of the portion of the plat requested to be vacated, and the vacation of such portion of the plat will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and**

**WHEREAS, the Petitioner has shown that the requested vacation will not cause injury to surrounding property owners; and**

**WHEREAS, the Publisher's Affidavit, showing compliance with the notice requirements of Chapter 177.101 of the Florida Statutes, has been received by the Board of County Commissioners.**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pinellas County, Florida, in regular session duly assembled on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that the described property in the legal description attached hereto as Exhibit "A" and plat be, and the same are hereby vacated insofar as this Board of County Commissioners has the authority to do so.

**BE IT FURTHER RESOLVED** that this resolution and the proof of publication of the notice of public hearing, be recorded in the deed records of Pinellas County, Florida.

Commissioner\_\_\_\_\_offered the foregoing resolution and moved its adoption, which was seconded by Commissioner\_\_\_\_\_and upon roll call, the vote was:

**AYES:**

**NAYS:**

**ABSENT AND NOT VOTING:**

**APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY**

BY M2as  
ATTORNEY

# Sketch and Description

NOT A SURVEY

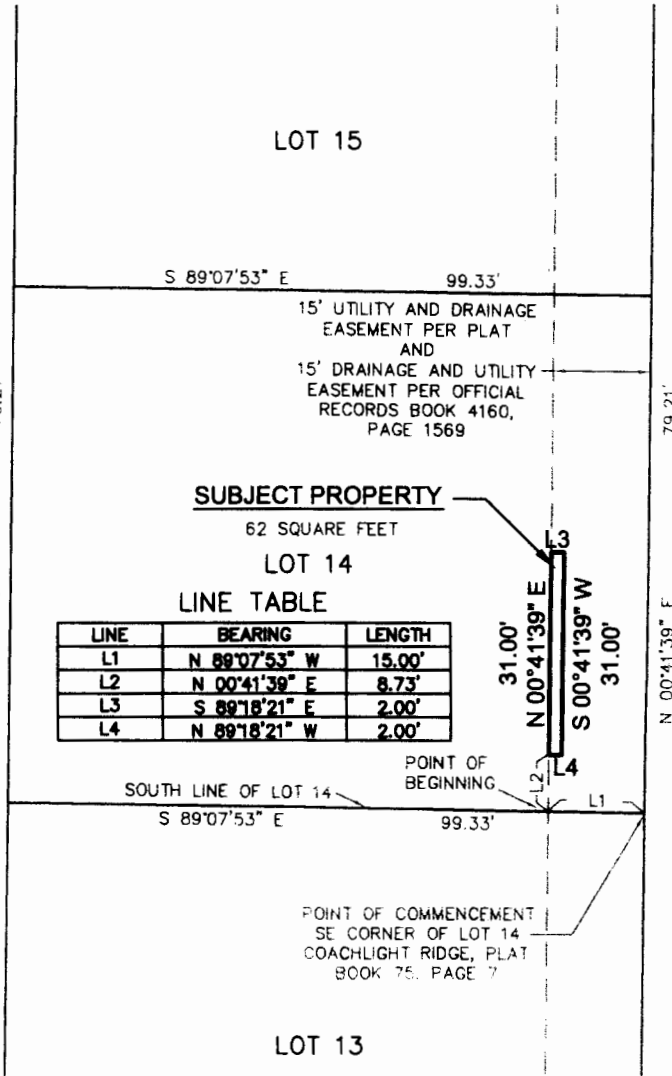
Revised by: CH SB  
 Date: 8-6-14  
 Sheet: 501-1462

## Legal Description

Part of the 15.00 feet drainage and utility easement along the East line of Lot 14, COACHLIGHT RIDGE, as recorded in Plat Book 75, Page 7 of the Public Records of Pinellas County, Florida, more particularly described as follows:

Commence at the Southeast corner of said Lot 14, Thence run N 89°07'53" W, 15.00 feet along the South line of said Lot 14 to the West line of said 15.00 feet drainage and utility easement; Thence run N 00°41'39" E, 8.73 feet along said West line of easement to the Point of Beginning; Thence continue N 00°41'39" E, 31.00 feet; Thence run S 89°18'21" E, 2.00 feet; Thence run S 00°41'39" W, 31.00 feet, parallel to the East line of said Lot 14; Thence run N 89°18'21" W, 2.00 feet to the Point of Beginning. Containing 62 square feet.

COACHLIGHT CIRCLE  
 50' PLATTED R/W



PINELLAS GROVES  
 PLAT BOOK 1, PAGE 55

**CERTIFIED TO: (AS FURNISHED)**  
 Gregory and Deborah Vogel  
 Title Agency of Florida, Inc  
 Old Republic National Title Insurance Company

**BASIS OF BEARING**  
 BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 14 WHICH HAS A BEARING OF N 89°07'53" W PER PLAT.

### NOTES

1. Additions or deletions to this sketch by other than the signing party or parties is prohibited without the written consent of the signing party or parties.
2. The property shown hereon is subject to all easements, restrictions and reservations which may be shown or noted on the record plat and within the public records of the county the subject property is located. This sketch only depicts survey related information such as easements and setbacks that are shown on a record plat or have been furnished to the Surveyor.
3. This sketch is prepared for the exclusive use and benefit of the parties listed hereon. Liability to third parties may not be transferred or assigned.

JOB #: VLSR14-5410

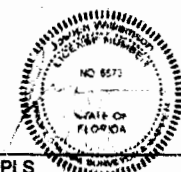
CLIENT #: 14-265

DRAFTER: JW

APPROVED: JEW

### SURVEYOR'S CERTIFICATE

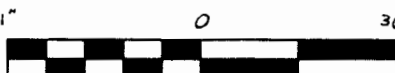
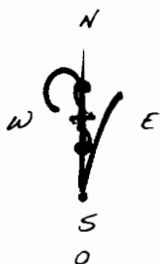
I HEREBY CERTIFY THAT THIS SKETCH IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.



Joseph E. Williamson, PLS  
 PROFESSIONAL LAND SURVEYOR  
 FLORIDA REGISTRATION #8573  
 NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND/OR ORIGINAL RAISED SEAL OF THE LISTED FLORIDA LICENSED SURVEYOR AND MAPPER

DATED: 07-17-

DATE	REVISION	DATE	REVISION



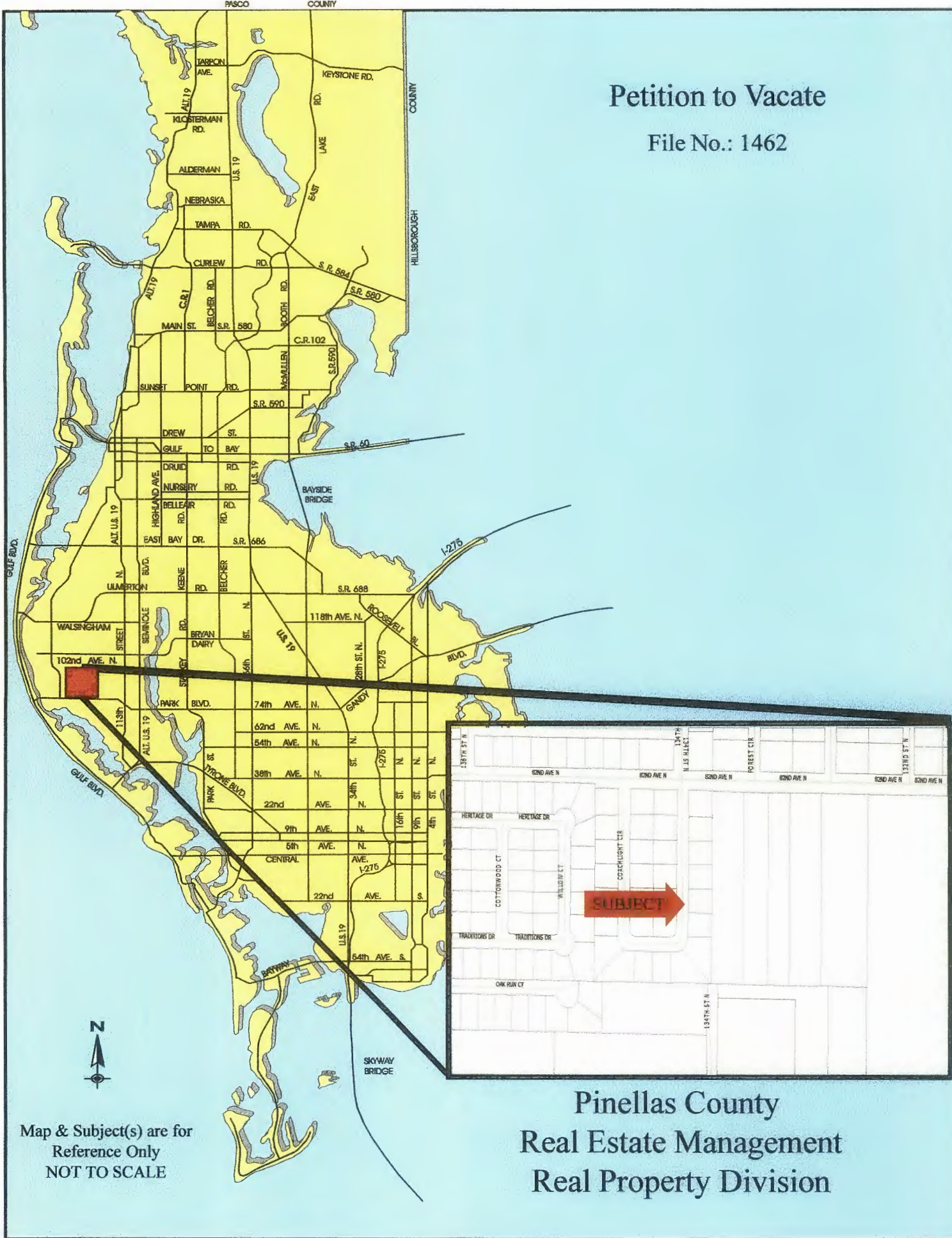
SCALE: 1"=30'

*Vision Land Service, LLC*  
 941 S. Pennsylvania Avenue  
 Winter Park, FL 32789  
 Phone (888) 399-8474

LB 7788



Petition to Vacate  
File No.: 1462



Map & Subject(s) are for  
Reference Only  
NOT TO SCALE

Pinellas County  
Real Estate Management  
Real Property Division