

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** October 7, 2014

**AGENDA ITEM NO.** 16

**Consent Agenda** ☐

**Regular Agenda** ☒

**Public Hearing** ☐

*[Signature]*  
**County Administrator's Signature**

**Subject:**

Approval to Declare a Portion of County-Owned Land Surplus and Grant Authorization to Sell

**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) DECLARE A PORTION OF COUNTY-OWNED LAND SURPLUS, GRANT AUTHORIZATION TO CONDUCT A PRIVATE SALE, ESTABLISH A SALE PRICE OF \$30,187.50, ADOPT THE ATTACHED RESOLUTION, AUTHORIZE THE CHAIRMAN TO EXECUTE AND THE CLERK TO ATTEST, THE CONTRACT FOR SALE AND PURCHASE, AND THE COUNTY DEED, RESERVING A UTILITY EASEMENT.

IT IS FURTHER RECOMMENDED THE BCC AUTHORIZE THE CLERK TO RECORD THE RESOLUTION IN THE PUBLIC RECORDS OF PINELLAS COUNTY.

**Summary Explanation/Background:**

A written request was received from the adjacent property owner, MIDA Group, LLC to purchase the 30-foot wide right of way adjacent to the property lying on the west side of 49<sup>th</sup> Street, which is owned by the County.

The County's staff appraisal dated April 11, 2014, determined the value of this property to be \$30,187.50. This appraisal was performed in accordance with Florida Statute §125.35, Chapter 3.3.2, "Real Estate Procedures," and BCC policy, which waives the requirements for independent appraisals on properties valued at less than \$100,000.00.

A full-price Contract for the Sale and Purchase of the property was received.

County departments were queried and have no objection to the parcel being declared surplus. Additionally, appropriate staff members reviewed the subject area and determined the sale would not have an adverse effect on the remaining right-of-way network, or affect the ownership and right of convenient access of persons owning other parts of the subdivision. As required by Statute, the adjacent property owner's were notified of the impending sale and did not have an interest in the property. The official certified mail receipt for the notification was received.

The property is being sold in an "as is" condition.

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

The County will receive \$29,012.50 in revenue, for the sale of this property, having collected a \$350.00 deposit previous to the sale, \$575.00 consideration for the retaining of an easement and \$250.00 reimbursement for the sketch and legal for the easement.

Returning the property to private ownership will improve the tax base and provide increased future tax revenues.

**Exhibits/Attachments Attached:**

Contract Review Transmittal  
Fact Sheet  
Resolution  
Contract for Sale and Purchase  
Easement  
County Deed  
Waiver of Interest in Surplus Property  
Location Map

**CONTRACT REVIEW TRANSMITTAL SLIP****PROJECT: MIDA Group, LLC/Judy K. Humbarger****TYPE: Sale and Surplus of a portion of ROW****Date: 8/5/2014 ESTIMATED EXPENDITURE/REVENUE:****\$ 30,187.50****(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>8/16/14</u>	<u>[Signature]</u>	
Real Est. Mgmt (Paul Sacco)	<u>8/16/14</u>	<u>[Signature]</u>	
DEI (Tom Farrand)	<u>3/19/2014</u>	<u>Approved in CATS</u>	
Legal (Michael Zas)	<u>6/17/14</u>	<u>[Signature]</u>	<u>see edit ✓</u> <u>CMH</u>
County Admin. (Joe Lauro)	<u>8/20/14</u>	<u>[Signature]</u>	

*where has this been for 2 months?*

- ☐ Release/Termination/Amendment  
☐ FS 177.101 - Vacation  
☒ FS 336.09/10/12 - ROW  
☒ Surplus and Sell  
☐ 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.

RESOLUTION NO.: \_\_\_\_\_

RESOLUTION DECLARING A PORTION OF  
COUNTY-OWNED PROPERTY AS SURPLUS  
AND AUTHORIZING THE SALE OF THE  
PROPERTY IN ACCORDANCE WITH  
FLORIDA LAW, RESERVING A UTILITY  
EASEMENT.

WHEREAS, in accordance with Section §125.35, Florida Statutes, Pinellas County (the County) can determine that County-owned property is no longer needed for County purposes and declare said property surplus; and

WHEREAS, the County has no current or foreseeable future use for the subject property described in Exhibit “A” attached hereto and

WHEREAS, the County will retain a 10 X 10” Utility Easement adjacent to the fire hydrant and an ingress/egress easement for access; and

WHEREAS, the Property was valued at, \$30,187.50 by a staff appraisal with consideration for the deposit of \$350.00, the utility easement for \$575.00 and reimbursement for the easement sketch and legal of \$250.00; and

WHEREAS, the adjacent property owner desires to purchase the Property at full price; and

WHEREAS, the Property was determined to be of insufficient size and shape to allow any structure; and

WHEREAS, given the lack of County need, this Board has determined that it is in the best interest of the County to return this Property including all mineral rights that are, or maybe in, on, or under the land, to the tax rolls; and

WHEREAS, the proceeds from this sale will be deposited to the General Fund.

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS of Pinellas County, Florida, in regular session duly assembled on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that this Board declares the Property surplus, grant authorization to conduct the sale of same for the appraised value, execute the County Deed and authorize the Clerk to record the resolution in the Public 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 Mzas  
ATTORNEY

## FACT SHEET

Owners: Pinellas County

### VALUE:

1.	Appraised Value: Fee Simple		\$30,187.50
2.	Deposit	350.00	
3.	Reduction for Easement	575.00	
4.	Invoice for sketch	250.00	
Total Deductions			(\$ 1,175.00)
Total of Check due at closing			<b><u>\$29, 012.50</u></b>

### PROPERTY DATA:

Zoning: Acreage M-1

Land Use: Warehouse Store/Dist

County's Appraisal:

Parent Tract: .12 acres valued at \$29,612.50

- Acquisition Area: 5,250sf valued at \$30,187.50 (\$5.75sf) by a Comparable Market Analysis prepared by David J. DelMonte, Manager, Real Property Division.
- Easement retained at a value of \$575.00, reducing purchase price to **\$29, 012.50**.
- Deposit of \$350.00 paid.
- Adjustment for sketch and legal for easement \$250.00

SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST

LEGAL DESCRIPTION AND SKETCH

PORTION OF 49TH STREET NORTH TO BE VACATED

EXHIBIT "A"

A PORTION OF 49TH STREET NORTH RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 6372, PAGE 968, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING WITHIN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, THAT PORTION BEING DESCRIBED AS FOLLOWS:

THE WEST 30 FEET OF THE EAST 100 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF LOT 11, LESS THE SOUTH 150 FEET THEREOF, IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, ACCORDING TO THE PLAT OF PINELLAS GROVES, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CONTAINING 0.12 ACRES MORE OR LESS.

SHEET 2 OF 2  
ABBREVIATIONS:

CL = CENTERLINE  
(C) = CALCULATED  
(D) = DEED  
(M) = MEASURED  
(P) = PLAT  
PCED = PINELLAS COUNTY  
ENGINEERING DEPARTMENT  
(S) = SET

Reviewed by: CH SC

Date: 4-3-14  
501-1452

REVISED: 3/27/14  
PREPARED: 10/17/13

FOR: K. BARGER REALTY

THIS IS NOT A SURVEY

This Legal Description and Sketch was prepared without the benefit of a title search and is subject to all easements, Rights-of-way, and other matters of record.

NOTE: Legal Description and Sketch not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper

I hereby certify that the Legal Description and Sketch represented hereon meets the requirements of Chapter 5J-17, F.S., Florida Administrative Code.

JOHN C. BRENDLA

Florida Surveyor's Registration No. 1269  
Certificate of Authorization No. 760

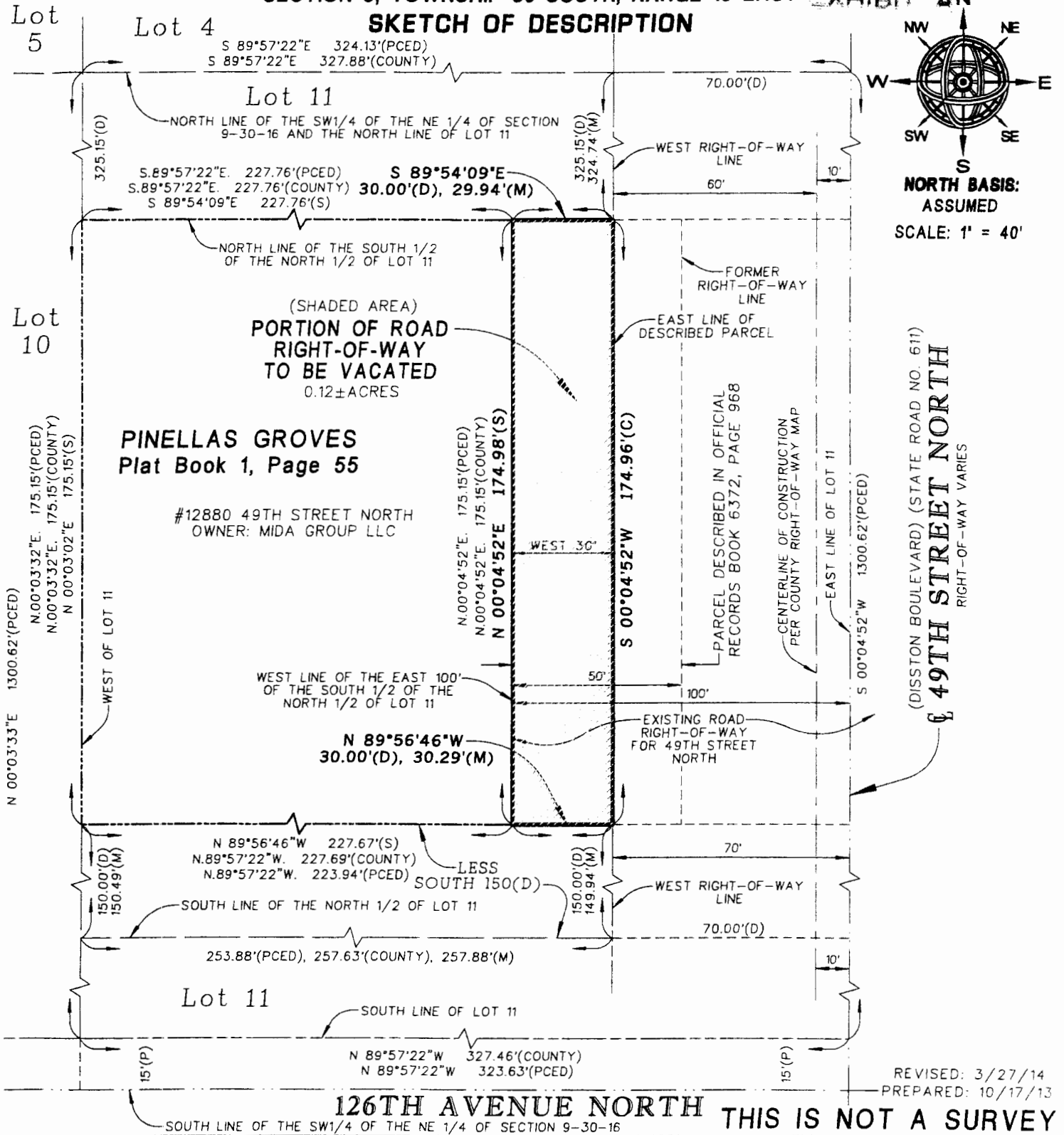
Prepared by:  
JOHN C. BRENDLA & ASSOCIATES, INC.  
CONSULTING ENGINEERS AND LAND SURVEYORS  
4015 82nd Avenue North  
Pinellas Park, Florida 33781  
phone (727) 576-7546 ~ fax (727) 577-9932

SHEET 1 OF 2

Job: 1309-07A  
Drawn: DS

# SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST EXHIBIT "A" N

## SKETCH OF DESCRIPTION



(DISSTON BOULEVARD) (STATE ROAD NO. 611)  
**49TH STREET NORTH**  
 RIGHT-OF-WAY VARIES

REVISED: 3/27/14  
 PREPARED: 10/17/13

**126TH AVENUE NORTH** THIS IS NOT A SURVEY

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Job: 1309-07A  
 Drawn: DS

Basis of Bearings:

EAST LINE OF LOT 11 IN THE NE 1/4 OF SECTION 9-30-16 AS BEING S.00°04'52\"W., PER PINELLAS COUNTY ENGINEERING DEPARTMENT COORDINATE DATUM. (NO PLAT BEARINGS)

FOR: K. BARGER REALTY

Prepared by:

**JOHN C. BRENDLA & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS AND LAND SURVEYORS  
 4015 82nd Avenue North  
 Pinellas Park, Florida 33781  
 phone (727) 576-7546 ~ fax (727) 577-9932

SHEET 2 OF 2



Prepared by and return to:  
Sean Griffin, Real Property Division  
Attn: Cynthia M. Harris  
509 East Avenue South  
Clearwater, FL 33756

## CONTRACT FOR SALE AND PURCHASE

THIS AGREEMENT, made on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and entered into by and between MIDA GROUP, LLC, whose address is 3071 118<sup>th</sup> Avenue North, St. Petersburg, Florida, 33716, hereinafter referred to as "BUYER" and PINELLAS COUNTY, Attention: Department of Real Estate Management, Real Property Division, whose address is 509 East Avenue South, Clearwater, Florida 33756, a political subdivision of the State of Florida, hereinafter referred to as "SELLER."

### WITNESSETH

1. DESCRIPTION OF PROPERTY: The legal description for the Property located at 12880 49<sup>th</sup> Street North, in Pinellas County, Florida, 33716 is as follows:

Attached as Exhibit "A" hereto and made a part hereof, together with all development rights, easements, riparian and littoral rights, hereinafter referred to as the "Property."

Attached as Exhibit "B" hereto and made a part hereof a Utility Easement hereinafter referred to as the "Easement".

2. PURCHASE PRICE: SELLER agrees to sell the Property, and in consideration of the purchase price, BUYER agrees to buy the Property at the price of Thirty Thousand One Hundred Eighty Seven Dollars and 50/100 (\$30,187.50). BUYER also agrees to pay applicable closing costs. Florida Statutes, Chapter 201.01, requires that the BUYER shall be responsible for payment of documentary stamp taxes at closing, based on the Property purchase price above.

3. DEPOSIT: Seller and Buyer acknowledge and agree that the Buyer has made a bid deposit in the sum of Three Hundred and Fifty Dollars (\$350.00) with Seller, which bid deposit will be applied, as a credit, to the PURCHASE PRICE at closing and constitutes the Buyer's earnest money deposit herein ("Deposit"). The deposit amount shall not earn interest prior to the closing. Seller and Buyer also acknowledges that the Buyer has been given a consideration for a general utility easement in the amount of \$575.00 and reimbursement for the payment providing the sketch and legal for the easement to be retained in the amount of \$250.00 that will be applied as a credit at closing.

4. ACCEPTANCE; EFFECTIVE DATE: The date of Contract ("Effective Date") shall be the date when the contract is approved by the BCC.

5. CLOSING DATE: The "Closing Date" will occur on or before ninety (90) days from approval and acceptance by the Board of County Commissioners. The SELLER agrees to grant and convey to BUYER by County Deed.

6. CLOSING LOCATION AND DOCUMENTS: Closing will be held at the Real Property Division, 509 East Avenue South, Clearwater, Florida 33756, at a mutually convenient date and time. Closing documents shall be available to the parties for review ten (10) days prior to closing, including the County Deed to be executed by SELLER.

7. CONTRACT NOT RECORDABLE: Neither this contract nor any notice thereof shall be recorded in the public records at the time of closing.

8. EXPENSES: Buyer will pay for State documentary stamps which are required to be affixed to the deed, and the cost of recording same, together with the cost of recording any corrective instruments, and such other expenses assigned to Buyer in this Contract.

9. ENVIRONMENTAL OBLIGATIONS: The SELLER represents and warrants that to the best of their knowledge and belief, the Property is not in violation of any federal, state or local law, rule, ordinance or regulation relating to hazardous substances or hazardous waste, or to environmental conditions on, under or about the Property, including, but not limited to soil, groundwater or other conditions.

10. DISCLAIMER, REPRESENTATIONS AND WARRANTIES OF SELLER: Seller and Buyer agree that the Property to be conveyed pursuant to this Contract is being purchased "as is," in its condition as of the Effective Date of this Contract. Seller makes no warranties or representations of any kind or nature concerning the condition of the Property, including any structures or improvements thereon, the development rights available for the Property, the zoning or land use designation for the Property, the suitability of the Property for Buyer's intended use, or the subsurface soil conditions, except as otherwise set out herein.

11. FISCAL FUNDING: In the event that funds are not appropriated by the BUYER in any succeeding fiscal year for purposes described herein, then this contract shall be deemed to terminate at the expiration of the fiscal year for which funds were appropriated and expended, without penalty to the BUYER.

THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK.

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand the day and year first above written.

SIGNED AND DELIVERED  
IN THE PRESENCE OF:

MIDA GROUP, LLC

WITNESSES:

*Cynthia P. Shavlan*  
Print Name: Cynthia Shavlan

*Kim Mangy*  
Print Name: Kim Mangy

By: *Judy K. Humbarger*  
Judy K. Humbarger, Manager

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of August, 20 14 by Judy Humbarger of MIDA Group, LLC, a Florida Limited Liability Company, on behalf of the Company. She is personally known to me or has produced Florida Driver's License as identification and who did (did not) take an oath.

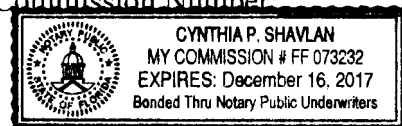
NOTARY  
SEAL

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

NOTARY *Cynthia P. Shavlan*

Print Name: \_\_\_\_\_

Commission Number: \_\_\_\_\_



APPROVED AS TO FORM:

By *M. Las*  
County Attorney

IN WITNESS WHEREOF, the parties herein have executed this Agreement as of the day and year first written above.

ATTEST: KEN BURKE  
Clerk of the Circuit Court

PINELLAS COUNTY, by and through  
its Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:  
OFFICE OF COUNTY ATTORNEY

By: MZ

SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST

LEGAL DESCRIPTION AND SKETCH

PORTION OF 49TH STREET NORTH TO BE VACATED

EXHIBIT <sup>OF A</sup> A

A PORTION OF 49TH STREET NORTH RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 6372, PAGE 968, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING WITHIN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, THAT PORTION BEING DESCRIBED AS FOLLOWS:

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CONTAINING 0.12 ACRES MORE OR LESS.

SHEET 2 OF 2  
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PCED = PINELLAS COUNTY  
ENGINEERING DEPARTMENT  
(S) = SET

Reviewed by: CH SC

Date: 4-3-14  
501-1452

REVISED: 3/27/14  
PREPARED: 10/17/13

FOR: K. BARGER REALTY

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Job: 1309-07A  
Drawn: DS

I hereby certify that the Legal Description and Sketch represented hereon meets the requirements of Chapter 51-17.052, Florida Administrative Code.

JOHN C. BRENDLA

Florida Surveyor's Registration No. 1269  
Certificate of Authorization No. 760

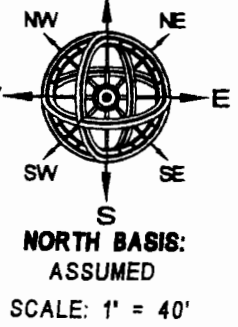
Prepared by:

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CONSULTING ENGINEERS AND LAND SURVEYORS  
4015 82nd Avenue North  
Pinellas Park, Florida 33781  
phone (727) 576-7546 ~ fax (727) 577-9932

SHEET 1 OF 2

**EXHIBIT A**

### SKETCH OF DESCRIPTION



(DISSTON BOULEVARD) (STATE ROAD NO. 611)  
**49TH STREET NORTH**  
 RIGHT-OF-WAY VARIES

REVISED: 3/27/14  
-PREPARED: 10/17/13

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SHEET 2 OF 2

## SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST

LEGAL DESCRIPTION AND SKETCH EXHIBIT B  
UTILITY EASEMENT

A PORTION OF THE THE WEST 30 FEET OF THE EAST 100 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF LOT 11, LESS THE SOUTH 150 FEET THEREOF, IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, ACCORDING TO THE PLAT OF PINELLAS GROVES, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOT 11 WITH THE WEST RIGHT-OF-WAY LINE OF 49TH STREET NORTH AS SHOWN ON PINELLAS COUNTY 49TH STREET NORTH RIGHT-OF-WAY MAP, SHEET 9 OF 14, DATED APRIL 30, 1990 AND RUN THENCE N.00°04'52"E. ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 150.00 FEET (DEED), 149.94 FEET (MEASURED) TO A POINT; THENCE CONTINUE N.00°04'52"E. ALONG A NORTHERLY PROLONGATION OF SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 64.63 FEET FOR A POINT OF BEGINNING; THENCE RUN N.89°55'08"W. 6.27 FEET; THENCE RUN N.00°04'52"E. 10.00 FEET; THENCE RUN S.89°55'08"E. A DISTANCE OF 6.27 FEET TO THE AFORESAID NORTHERLY PROLONGATION; THENCE RUN S.00°04'52"W. ALONG SAID NORTHERLY PROLONGATION A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 62 SQUARE FEET MORE OR LESS.

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	N 00°04'52"E	150.00'(D), 149.94'(M)
L2	N 00°04'52"E	64.63'
L3	N 89°55'08"W	6.27'
L4	N 00°04'52"E	10.00'
L5	S 89°55'08"E	6.27'
L6	S 00°04'52"W	10.00'

Reviewed by: CH SBK  
Date: 7-28-14  
SFN# 501-1452

SHEET 2 OF 2  
ABBREVIATIONS:

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(D) = DEED  
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(P) = PLAT  
PCED = PINELLAS COUNTY  
ENGINEERING DEPARTMENT  
P.O.B. = POINT OF BEGINNING  
(S) = SET

NOTE: THIS PREPARED UTILITY EASEMENT IS BASED UPON LOCATION OF EXISTING FIRE HYDRANT AND WATER GATE VALVE AS SURVEYED IN THE FIELD ON 9/12/13 BY THIS OFFICE.

PREPARED: 7/14/14

FOR: K. BARGER REALTY

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I hereby certify that the Legal Description and Sketch represented herein meets the requirements of Chapter 54-17-005, Florida Administrative Code.

**JOHN C. BENDLA**

Florida Surveyor's Registration No. 1269  
Certificate of Authorization No. 760

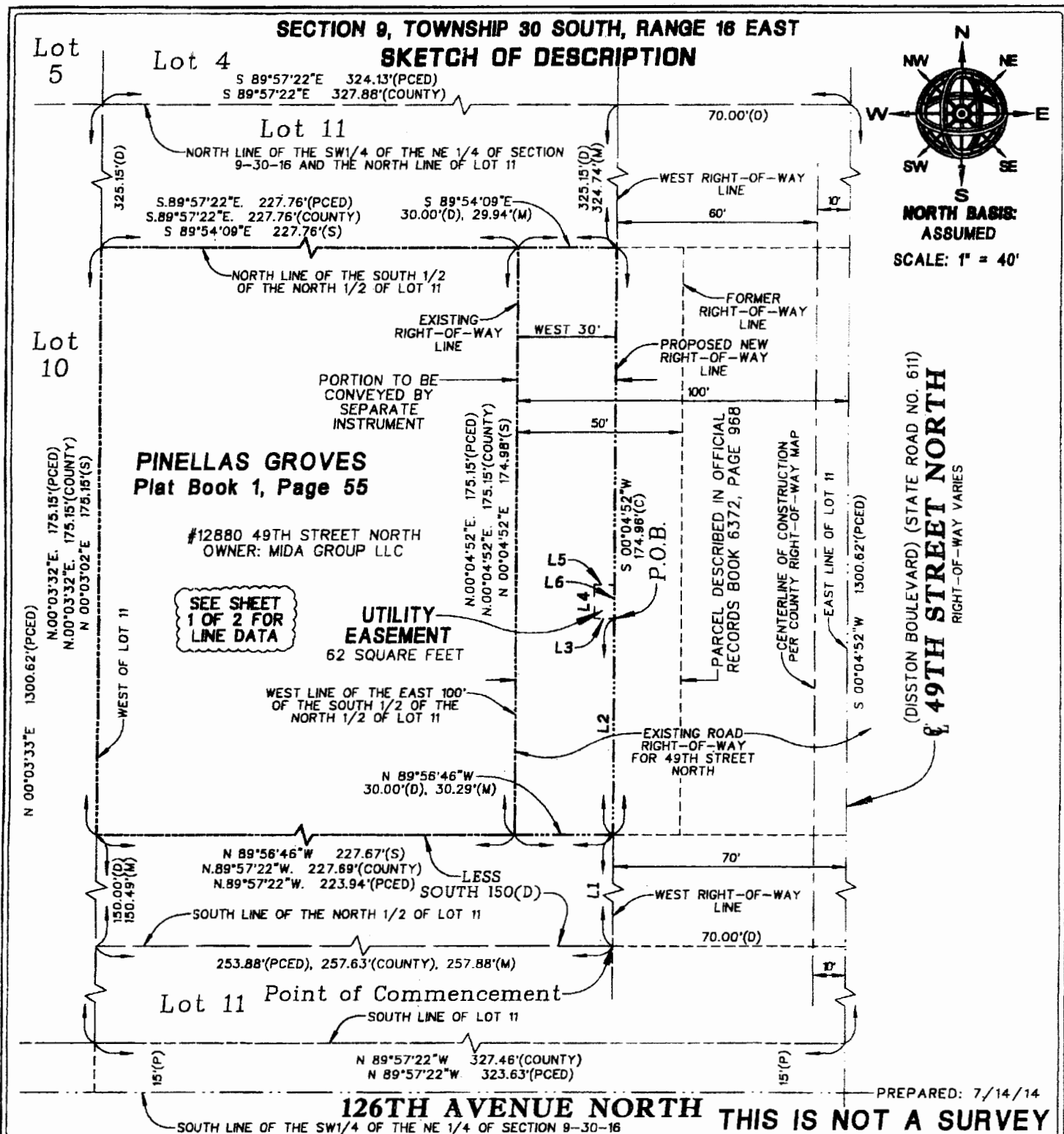
Prepared by:

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SHEET 1 OF 2

Job: 1309-07B  
Drawn: DS



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Job: 1309-07B  
Drawn: DS

**Basis of Bearings:**

**EAST LINE OF LOT 11 IN THE NE 1/4 OF SECTION 9-30-16 AS BEING S.00°04'52"W, PER PINELLAS COUNTY ENGINEERING DEPARTMENT COORDINATE DATUM. (NO PLAT BEARINGS)**

**FOR: K. BARGER REALTY**

**Prepared by:**

**JOHN C. BRENDLA & ASSOCIATES, INC.**  
**CONSULTING ENGINEERS AND LAND SURVEYORS**  
4015 82nd Avenue North  
Pinellas Park, Florida 33781  
phone (727) 576-7546 ~ fax (727) 577-9932

**SHEET 2 OF 2**



Prepared by and return to:  
Sean P. Griffin, Real Property Division  
Attn: Cynthia M. Harris  
509 East Avenue South  
Clearwater, FL 33756

Property Appraiser: Attn: DEI

## GENERAL UTILITY EASEMENT

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by MIDA GROUP, LLC, whose address is 3071 118<sup>TH</sup> Avenue North, St. Petersburg, Florida, 33716, hereinafter referred to as "Grantor," to PINELLAS COUNTY, whose address is 509 East Avenue South, Clearwater, Florida 33756, a political subdivision of the State of Florida, hereinafter referred to as "Grantee."

### WITNESSETH

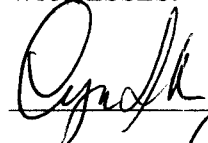
That the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations to them in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the Grantee, and the Grantee's successors, a perpetual general utility easement over and across the following described property, together with reasonable access for the Grantor's employees and contractors to install, inspect, maintain, and repair the Grantee's facilities and the right to authorize use of this easement by other public and private utilities as needed to provide power, telecommunications and other utilities as deemed necessary or appropriate by the Grantee; located in Pinellas County, Florida, to wit:

Lands described in legal description attached as Exhibit "A"  
hereto and made a part hereof, hereinafter referred to as the "Easement."

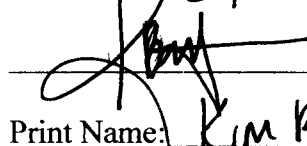
IN WITNESS WHEREOF, the Grantor has hereunto set their hand the day and year first above written.

MIDA GROUP, LLC

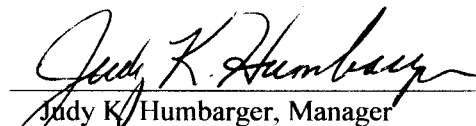
WITNESSES:

  
\_\_\_\_\_

Print Name: Cyndy Shavlon

  
\_\_\_\_\_

Print Name: Kim Bann

By:   
Judy K. Humbarger, Manager

Attest: \_\_\_\_\_

Print Name: \_\_\_\_\_

Secretary

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of August,  
2014, by Judy K. Humbarger. The individual is personally known to me and/or has produced a  
Florida Driver's License as identification.

NOTARY  
SEAL

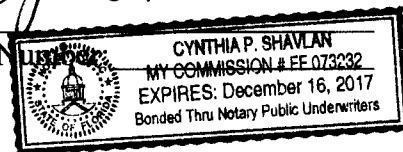
My Commission Expires: \_\_\_\_\_

NOTARY

Print Name: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

*Cynthia P. Shavlan*



# SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST

## LEGAL DESCRIPTION AND SKETCH

### UTILITY EASEMENT

A PORTION OF THE THE WEST 30 FEET OF THE EAST 100 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF LOT 11, LESS THE SOUTH 150 FEET THEREOF, IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, ACCORDING TO THE PLAT OF PINELLAS GROVES, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOT 11 WITH THE WEST RIGHT-OF-WAY LINE OF 49TH STREET NORTH AS SHOWN ON PINELLAS COUNTY 49TH STREET NORTH RIGHT-OF-WAY MAP, SHEET 9 OF 14, DATED APRIL 30, 1990 AND RUN THENCE N.00°04'52"E. ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 150.00 FEET (DEED), 149.94 FEET (MEASURED) TO A POINT; THENCE CONTINUE N.00°04'52"E. ALONG A NORTHERLY PROLONGATION OF SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 64.63 FEET FOR A POINT OF BEGINNING; THENCE RUN N.89°55'08"W. 6.27 FEET; THENCE RUN N.00°04'52"E. 10.00 FEET; THENCE RUN S.89°55'08"E. A DISTANCE OF 6.27 FEET TO THE AFORESAID NORTHERLY PROLONGATION; THENCE RUN S.00°04'52"W. ALONG SAID NORTHERLY PROLONGATION A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 62 SQUARE FEET MORE OR LESS.

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	N 00°04'52"E	150.00'(D), 149.94'(M)
L2	N 00°04'52"E	64.63'
L3	N 89°55'08"W	6.27'
L4	N 00°04'52"E	10.00'
L5	S 89°55'08"E	6.27'
L6	S 00°04'52"W	10.00'

Reviewed by: CH SSB  
 Date: 7-28-14  
 SFN #: 501-1452

#### SHEET 2 OF 2 ABBREVIATIONS:

C = CENTERLINE  
 (C) = CALCULATED  
 (D) = DEED  
 (M) = MEASURED  
 (P) = PLAT  
 PCED = PINELLAS COUNTY  
 ENGINEERING DEPARTMENT  
 P.O.B. = POINT OF BEGINNING  
 (S) = SET

NOTE: THIS PREPARED UTILITY EASEMENT IS BASED UPON LOCATION OF EXISTING FIRE HYDRANT AND WATER GATE VALVE AS SURVEYED IN THE FIELD ON 9/12/13 BY THIS OFFICE.

PREPARED: 7/14/14

FOR: K. BARGER REALTY

**THIS IS NOT A SURVEY**

This Legal Description and Sketch was prepared without the benefit of a title search and is subject to all easements, Rights-of-way, and other matters of record.

NOTE: Legal Description and Sketch not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Job: 1309-07B  
 Drawn: DS

I hereby certify that the Legal Description and Sketch represented herein meets the requirements of Chapter 5J-17.002, Florida Administrative Code.

**JOHN C. BRENDLA**

Florida Surveyor's Registration No. 1269  
 Certificate of Authorization No. 760

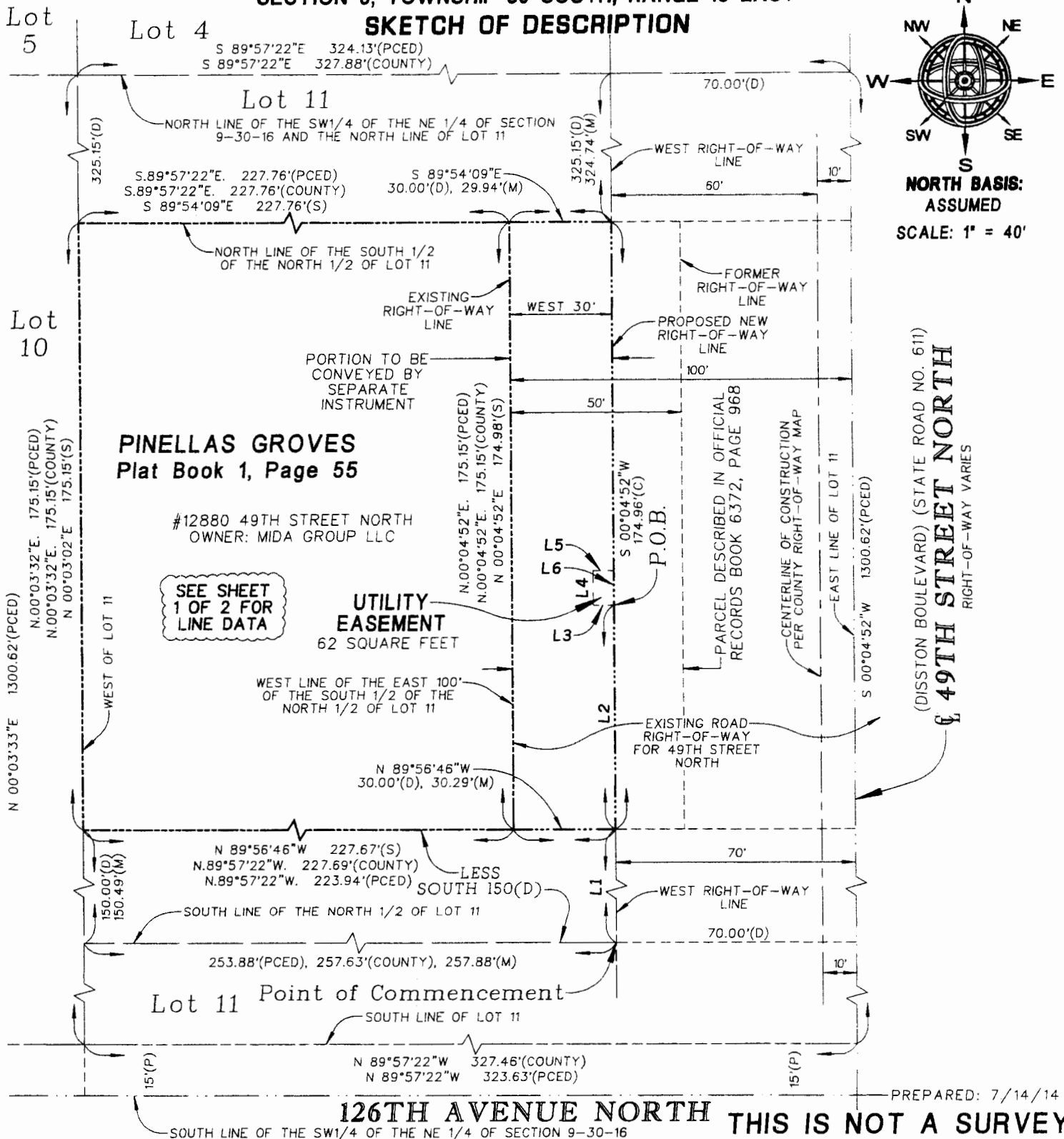
Prepared by:

**JOHN C. BRENDLA & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS AND LAND SURVEYORS  
 4015 82nd Avenue North  
 Pinellas Park, Florida 33781  
 phone (727) 576-7546 ~ fax (727) 577-9932

**SHEET 1 OF 2**

# SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST

## SKETCH OF DESCRIPTION



This Legal Description and Sketch was prepared without the benefit of a title search and is subject to all easements, Rights-of-way, and other matters of record.

NOTE: Legal Description and Sketch not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Job: 1309-07B  
Drawn: DS

Basis of Bearings:

EAST LINE OF LOT 11 IN THE NE 1/4 OF SECTION 9-30-16 AS BEING S.00°04'52"W., PER PINELLAS COUNTY ENGINEERING DEPARTMENT COORDINATE DATUM. (NO PLAT BEARINGS)

FOR: K. BARGER REALTY

Prepared by:

**JOHN C. BRENDLA & ASSOCIATES, INC.**  
CONSULTING ENGINEERS AND LAND SURVEYORS  
4015 82nd Avenue North  
Pinellas Park, Florida 33781  
phone (727) 576-7546 ~ fax (727) 577-9932

**SHEET 2 OF 2**

Prepared by and return to:  
Real Property Division  
Attn: Cynthia M. Harris  
509 East Avenue South  
Clearwater, FL 33756

COUNTY DEED

THIS DEED, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by PINELLAS COUNTY, whose address is 509 East Avenue South, Clearwater, FL 33756, a political subdivision of the State of Florida, hereinafter referred to as "Grantor", and MIDA GROUP, LLC, whose address is 3071 118<sup>th</sup> Avenue North, St. Petersburg, Florida, 33716, hereinafter referred to as "Grantee."

WITNESSETH

That the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, has released, granted, bargained and sold to the Grantee, its heirs and assigns forever, the following described land lying and being in Pinellas County, Florida:

Lands described in Exhibit "A" attached hereto and by this reference made a part hereof, subject to any and all easements of record; and

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chairman of said Board, the day and year first written above.

ATTEST: KEN BURKE  
Clerk of the Circuit Court

PINELLAS COUNTY, FLORIDA  
by and through its Board of  
County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

(Official Seal)

**SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST**  
**LEGAL DESCRIPTION AND SKETCH**  
**UTILITY EASEMENT**

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L5	S 89°55'08"E	6.27'
L6	S 00°04'52"W	10.00'

Reviewed by CH 585  
 Date 7-28-14  
 SFN# 501-1452

**SHEET 2 OF 2**  
**ABBREVIATIONS:**

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 (S) = SET

**NOTE: THIS PREPARED UTILITY EASEMENT IS BASED UPON LOCATION OF EXISTING FIRE HYDRANT AND WATER GATE VALVE AS SURVEYED IN THE FIELD ON 9/12/13 BY THIS OFFICE.**

FOR: K. BARGER REALTY

PREPARED: 7/14/14

**THIS IS NOT A SURVEY**

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NOTE: Legal Description and Sketch not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

I hereby certify that the Legal Description and Sketch represented herein meets the requirements of Chapter 5J-17.005, Florida Administrative Code.

**JOHN C. BRENDLA**

Florida Surveyor's Registration No. 1269  
 Certificate of Authorization No. 760

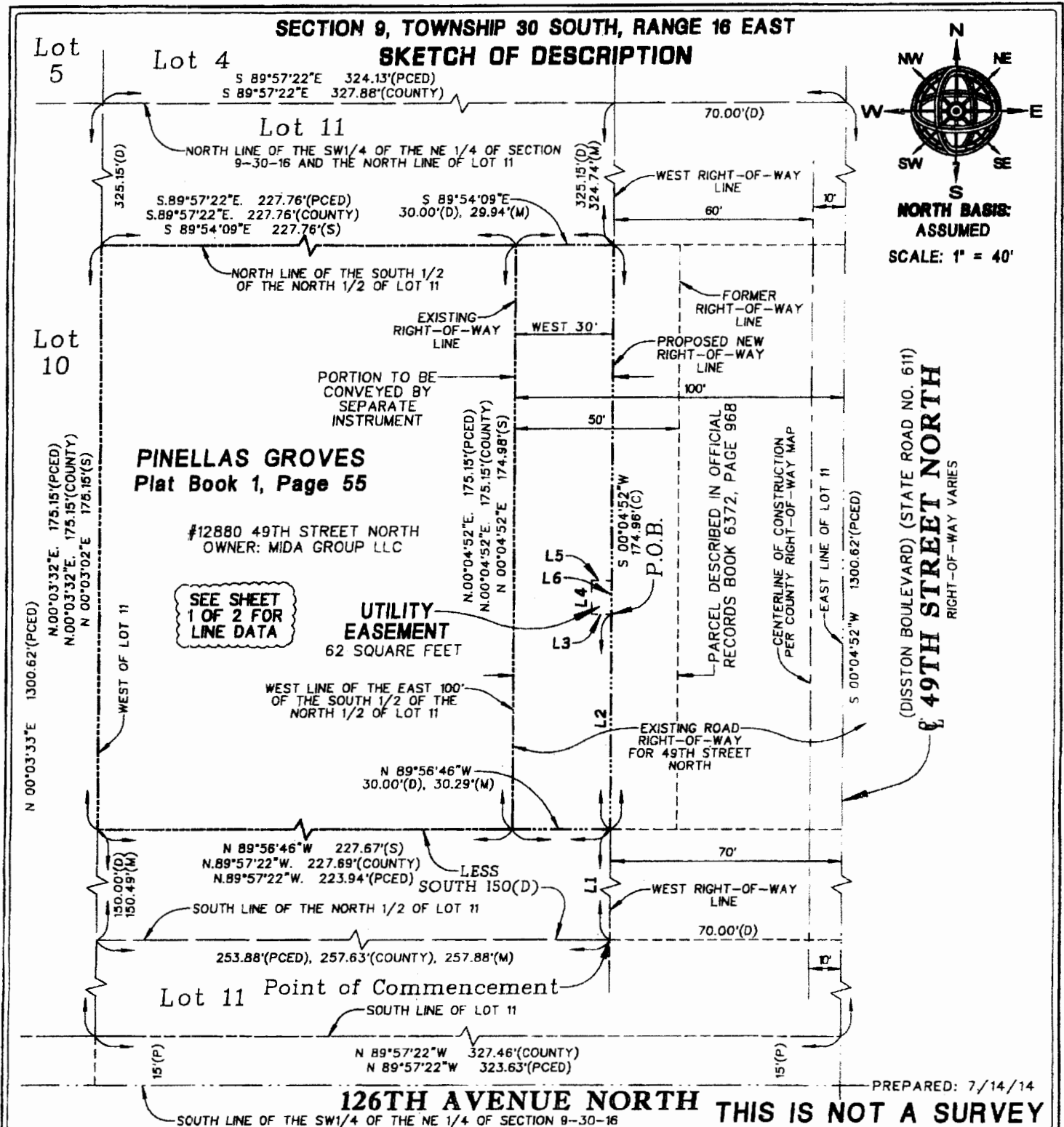
Prepared by:

**JOHN C. BRENDLA & ASSOCIATES, INC.**  
**CONSULTING ENGINEERS AND LAND SURVEYORS**

4015 82nd Avenue North  
 Pinellas Park, Florida 33781  
 phone (727) 576-7546 ~ fax (727) 577-9932

**SHEET 1 OF 2**

Job: 1309-07B  
 Drawn: DS



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Job: 1309-07B  
Drawn: DS

Basis of Bearings:

EAST LINE OF LOT 11 IN THE NE 1/4 OF SECTION 9-30-16 AS BEING S.00°04'52"W., PER PINELLAS COUNTY ENGINEERING DEPARTMENT COORDINATE DATUM. (NO PLAT BEARINGS)

FOR: K. BARGER REALTY

Prepared by:

**JOHN C. BRENDLA & ASSOCIATES, INC.**  
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Pinellas Park, Florida 33781  
phone (727) 576-7546 ~ fax (727) 577-9932

**SHEET 2 OF 2**

7006 3450 0001 4427 7769

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

18 Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

**MIDA Group, LLC**  
**Judy K. Humbarger**  
**3071 118<sup>th</sup> Avenue North**  
**St. Petersburg, Florida 33716**

For Instructions

7006 3450 0001 4427 7790

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

18 Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

**Sent To**  
**D & D Florida Enterprises**  
**2232 Cypress Hollow Court**  
**Safety Harbor, Florida 33716**

PS Form 3800, August 2006 See Reverse for Instructions

7006 3450 0001 4427 7806

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

18 Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

**Sent To**  
**M J M R B M LLC**  
**6105-G Memorial Highway**  
**Tampa, Florida 33615**

PS Form 3800, August 2006 See Reverse for Instructions



**RESPONSE:**

☒ I am interested in purchasing the property at or above market value

☐ I am not interested in purchasing the property.

Judy K. Humbarger  
NAME

4-23-14  
DATE

JUDY HUMBARGER  
MIDA GROUP, LLC

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

D & D Florida Enterprises  
2232 Cypress Hollow Court  
Safety Harbor, Florida 33716

2. Article Number

(Transfer from service label)

7006 3450 0001 4427 7790

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature Dawn Thomas ☐ Agent ☒ Addressee  
B. Received by (Printed Name) Dawn Thomas C. Date of Delivery 04-15-14  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

M J M R B M LLC  
6105-G Memorial Highway  
Tampa, Florida 33615

2. Article Number

(Transfer from service label)

7006 3450 0001 4427 7806

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature Richard Macerelli ☐ Agent ☒ Addressee  
B. Received by (Printed Name) Richard Macerelli C. Date of Delivery 4-16-14  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**John C. Brendla & Associates, Inc.**  
***CONSULTING ENGINEERS AND LAND SURVEYORS***  
4015 82nd Avenue North, Pinellas Park, Florida 33781  
Phone 727-576-7546 - Fax 727-577-9932  
E-mail: [Offc@jcbrendla.com](mailto:Offc@jcbrendla.com)

July 21, 2014

Judy K. Humbarger  
K. Barger Realty, LLC  
3071 118<sup>th</sup> Avenue North  
St. Petersburg, Florida 33716

**INVOICE**  
**1309-07 S&L**

Re: Surveying services in connection with  
Section 09, Township 30 South, Range 16 East  
12880 49<sup>th</sup> Street North

Legal Description and Sketch -----\$250.00

**TOTAL AMOUNT -----\$250.00**

# Surplus and Sell

Right of Way

49<sup>th</sup> Street



Pinellas County  
Real Estate Management  
Real Property Division