



BOARD OF COUNTY COMMISSIONERS

DATE: January 13, 2015

AGENDA ITEM NO. 17

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature: 

Subject:

Conveyance of Land per §125.38 Florida State Statutes, 2014.

Submitted By: City of Clearwater
Property Address: 0 Landmark Drive
Clearwater, Florida 33759

File No.: 1466

Department:

Real Estate Management
Public Works

Staff Member Responsible:

Paul S. Sacco, Director
Richard Coates, Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BCC) CONSIDER DECLARING COUNTY-OWNED PROPERTY SURPLUS, AUTHORIZE CONVEYANCE OF COUNTY LAND TO THE CITY OF CLEARWATER, AND IF GRANTED, ADOPT THE ATTACHED RESOLUTION PURSUANT TO FLORIDA STATUTE §125.38 (2014), AND AUTHORIZE THE CLERK TO RECORD THE RESOLUTION IN THE PUBLIC RECORDS OF PINELLAS COUNTY.

Summary Explanation/Background:

The subject petition seeks to convey a portion of County right of way owned in fee that was conveyed in 1960 from the Pinellas Council Boy Scouts of America Inc., now known as the West Central Florida Council Inc., Boy Scouts of America, located in Section 32, Township 28, Range 16, recorded in Official Records Book 857, Pages 544 and 545. This parcel is not within a Subdivision and the City of Clearwater is seeking to acquire this property to construct a recreation trail for Public use.

The City of Clearwater is seeking to acquire the remainder of the property that currently exists after portions of the property were previously conveyed by the County in 2010.

The conveyance of this portion of the property will not affect the ownership or right of convenient access of persons owning other parts of the area. Appropriate staff members reviewed the subject area and determined the release would not have an adverse effect on the area. Letters of No Objection have been received from Bright House, Pinellas County Planning and Engineering & Technical Support, Duke Energy (Distribution) and (Transmission), TECO, Verizon and WOW!

Pursuant to §125.38, F.S., the Petitioner has petitioned the Board of County Commissioners for the conveyance of the remainder of the property as set forth in the resolution.



Fiscal Impact/Cost/Revenue Summary:

The fee of \$750.00 has been waived.

Exhibits/Attachments Attached:

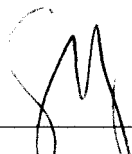
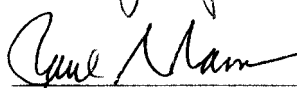
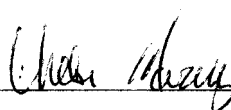

Contract Review Transmittal
County Deed
Letter from City
Resolution
Location Map

CONTRACT REVIEW TRANSMITTAL SLIP**PROJECT: City of Clearwater****TYPE: Conveyance of Property****Date: 12/2/2014****ESTIMATED EXPENDITURE/REVENUE:****\$ 0.00****(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.

<u>Review Authority</u>	<u>Review Date</u>	<u>Review Signature</u>	<u>Comments Included/Addressed Initial & Date</u>
Real Property Div. (Sean Griffin)	11/17/14		
Real Est. Mgmt (Paul Sacco)	11/18/14		
DEI (Tom Farrand)	11/4/2014	<u>Approved in CATS</u>	
Legal (Chelsea Hardy)	11/24/14		Please amend Board by <i>only</i>
County Admin. (Mark Woodard)	12/11/14		Please see revision to memo
<input checked="" type="checkbox"/> Release/Termination/Amendment			
<input checked="" type="checkbox"/> Scheduled Board Date			
<input checked="" type="checkbox"/> 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.

Prepared by and return to:

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

Property Appraiser
Attention: DEI

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 CITY OF CLEARWATER, whose address is 100 South Myrtle Avenue, Suite 220, Clearwater, Florida, 33756, 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 successors 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.

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)

Scale 1" = 200'
This is not a survey

EXHIBIT "A"



Lake Chautauqua Park
13/03

NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 28 SOUTH, RANGE 16 EAST

Landmark
Drive

40'
40'

NORTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32

33'

7' R/W EASEMENT OR 7742-121

EAST 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32

33' PUBLIC ROADS, DRAINAGE OR UTILITIES EASEMENT OR 857-544

Camp Soule
Boy Scouts of America
41/00

City Owned Property
41/01

NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32

EAST 965.08'

EAST LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32

Reviewed by: CH GD
Date 11-3-14
SFN # 501-1466

33'

SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32

Legal Description:

Property to be deeded described as follows:

The North 33 feet of the East 965.08 of the North 1/2 of the Southeast 1/4 of Section 32, Township 28 South, Range 16 East; along with the East 33 feet of the North 1/2 of the Southeast 1/4 of Section 32, Township 28 South, Range 16 East; along with the South 33 feet of the East 965.08 feet of the North 1/2 of the Southeast 1/4 of Section 32, Township 28 South, Range 16 East.

CITY OF CLEARWATER, FLORIDA
ENGINEERING DEPARTMENT

Thomas Mahony
THOMAS MAHONY
PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NUMBER LS 6228
STATE OF FLORIDA

10/27/14
DATE SIGNED

RESOLUTION NO. _____

**RESOLUTION DECLARING COUNTY-OWNED PROPERTY SURPLUS AS
RECORDED IN OFFICIAL RECORDS BOOK 857, PAGE 544 AND
AUTHORIZING CONVEYANCE TO THE CITY OF CLEARWATER
PURSUANT TO FLORIDA STATUTES, §125.38.**

**WHEREAS, in accordance with Florida Statutes, §125.38, (2014), Pinellas
County desires to declare a portion of County-owned property surplus, and convey
to the City of Clearwater at no cost; and**

**WHEREAS, the County holds title to this property by Deed dated March 7,
1960, recorded in Official Records Book 857, Page 544; and**

Lands described in legal description attached hereto as

**Exhibit "A"
and by this reference made a part hereof; and**

**WHEREAS, the City has requested the conveyance of the property to them
for one dollar (\$1.00) and other good and valuable consideration, as part of a
development project to construct a public recreation trail; and**

**WHEREAS, the County finds that it has no current or future need for this
property; and**

WHEREAS, the property will be conveyed by County Deed; and

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 above described property and plat be, and the same are hereby conveyed by this Board of County Commissioners in its authority to do so pursuant to §125.38, Florida Statutes (2014).

BE IT FURTHER RESOLVED that this resolution and the proof of publication of the notice of public hearing, and the proof of publication of the notice of adoption hereof, 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 Cheryl M. H. [Signature]
ATTORNEY



CITY OF CLEARWATER

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, SUITE 220, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4750 FAX (727) 562-4755

ENGINEERING DEPARTMENT

October 2, 2014

Pinellas County Real Property Division
ATTENTION: Cynthia M. Harris, Real Estate Specialist
509 East Avenue South
Clearwater, Florida 33756

RE: Request for Release of County Right-of-Way in STR 32/28/16

Dear Ms. Harris:

The City of Clearwater (City) is herewith requesting that the County release a portion of County right-of-way (RW) located in Section 32, Township 28, Range 16. This request is consistent with direction given by Patrick Fox, Pinellas County Public Works Technician in his letter to the City dated December 12, 2013.

It appears that the County owns fee title to the RW by virtue of a deed recorded in 1960 in O.R. Book 857, Page 544 from the Pinellas Council Boy Scouts of America (Boy Scouts). The County released a portion of the RW in 2010. In addition to the City's request for the County to release the remaining RW, the City is also requesting that fee title to the released RW is conveyed to the owners of the parent tract of land from which the RW was originally conveyed. This appears to be the approach taken by the County when releasing RW in 2010. The City owns a portion of the parent tract; so a portion of the released RW will be conveyed to the City and a portion to the Boy Scouts whose corporate name has changed to West Central Florida Council, Inc. Signed/sealed legal descriptions of the RW to be released and portions to be conveyed to each entity are enclosed in the completed application.

I will be the point of contact on behalf of the City and the Boy Scouts for this transaction; you can reach me directly at (727) 562-4754 or via email at Charles.Lane@MyClearwater.com.

Sincerely,

A handwritten signature in black ink that reads "Chuck Lane".

Chuck Lane
Real Estate Services Coordinator

/cl
Enclosure

ec: Felicia Leonard



"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"

Conveyance of Property

City of Clearwater

File No.: 1466



Pinellas County
Real Estate Management
Real Property Division

689-221

857 544✓

This Indenture.

Made this 7th day of March, A. D. 19 60

Between PINELLAS COUNCIL BOY SCOUTS OF AMERICA, INC.,
a non-profit corporation

~~incorporated~~ existing under the laws of the State of Florida
party of the first part, and PINELLAS COUNTY, a political subdivision of the
State of Florida

C/o The Board of County Commissioners,
Pinellas and State of Florida, part y of the County of
of the second part,

Witnesseth, That the said party of the first part, for and in consideration of
the sum of \$10.00 and other valuable considerations
in hand paid by the said part y of the second part, the receipt whereof is hereby
acknowledged, hath remised, released and quit-claimed, and by these presents
doth remise, release and quitclaim unto the said part y of the second part, and
its successors ~~herein~~ and assigns forever, all the right, title, interest, claim
and demand which the said party of the first part hath in and to the following
described lot, piece or parcel of land, situate lying and being in the County of
Pinellas State of Florida, to wit:

The South 33 ft. and also the East 33 ft. of the N-1/2
of the SE-1/4 of Section 32, Township 28-South, Range
16 East, and also the North 33 ft. of the East 1/2
of the same.

FOR PUBLIC ROAD, DRAINAGE OR UTILITY PURPOSES ONLY

To Have and to Hold the same, together with all and singular the
appurtenances thereunto belonging or in anywise appertaining, and all the estate,
right, title, interest and claim whatsoever of the said party of the first part, either
in law or equity, to the only proper use, benefit and behoof of the said part y
of the second part, its successors ~~herein~~ and assigns forever.

In Witness Whereof, the said party of the first part has
caused these presents to be signed in its name by its President,
and its corporate seal to be affixed, attested by its Secretary
the day and year above written.

(Corporate
Seal)

PINELLAS COUNCIL BOY SCOUTS OF AMERICA

By

Attest.

Secretary

President.

Signed, Sealed and Delivered in Our Presence: