

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** June 23, 2015

**AGENDA ITEM NO.** 14

**Consent Agenda** ☐

**Regular Agenda** ☒

**Public Hearing** ☐

 **County Administrator's Signature:**

**Subject:**

Approval to execute a Consent to Platting of Lands and Partial Release of Mortgage for Whispering Palms Apartments, a new affordable housing community being developed by HTG Pinellas 2, LLC.

**Department:**

Planning

**Staff Member Responsible:**

Gordon R. Beardslee, Director

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE THE CHAIR TO EXECUTE AND THE CLERK TO ATTEST THE ATTACHED CONSENT TO PLATTING OF LANDS AND PARTIAL RELEASE OF MORTGAGE; THE CERTIFICATE OF MORTGAGEE; AND THE CONSENT TO PLAT NOTE REQUIRED ON A PLAT WHEN A PRE-RECORDED CONSENT TO PLAT FORM IS USED.

**Summary Explanation/Background:**

As a Mortgagee of Record on the subject property, the County is required to execute a "Consent to Platting of Lands and Partial Release of Mortgage" document in order for the Plat document to be properly completed and recorded. The County's consent to partial release of mortgage will not reduce the principal amount of the mortgage to be repaid by HTG Pinellas 2, LLC. This consent will release all streets and all other areas shown on the plat to be dedicated to public use from the lien of the mortgage.

On November 13, 2014, HTG Pinellas 2, LLC entered into a mortgage with Pinellas County to partially finance the development and construction of the Whispering Palms project. The mortgage loan for \$950,000.00 was made from the County's HOME Program allocation. The project is a 63 unit, affordable housing development.

The site is located at 601 16<sup>th</sup> Avenue SE in Largo and is identified as parcel number 03/30/15/47970/100/2400.

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

Not Applicable.

**Exhibits/Attachments Attached:**

Consent to Platting of Lands and Partial Release of Mortgage Document

Certificate of Mortgagee Document

Consent to Plat Note Required on Plat When a Pre-Recorded Consent to Plat is Used Document

Plat

Location Map

This Instrument Was Prepared By:

Pinellas County Planning Department  
Community Development and Planning Division  
440 Court Street, 2<sup>nd</sup> Floor  
Clearwater, FL 33756

**CONSENT TO PLATTING OF LANDS AND PARTIAL RELEASE OF MORTGAGE**

(I)(WE) the undersigned, as mortgagee(s) under a certain mortgage dated November 13 A.D. 2014, recorded in O.R. Book 18593, Page(s) 493-500, in the Public Records of PINELLAS County, Florida, covering the following described real property located in said county, to wit:

Lot 24, LAKE LARGO HAMMOCK #2, according to the map or plat thereof as recorded in Plat Book 6, Page 29, of the Public Records of Hillsborough County, Florida of which Pinellas County was formerly a part, LESS and except the South 50 feet thereof.

**BEING FURTHER DESCRIBED AS FOLLOWS:**

COMMENCE at the Center of Section 3, Township 30 South, Range 15 East, Pinellas County, Florida: Thence N89d14'48"W, along the East-West centerline of said Section 3 (being the basis of bearings For this description), for 2856.54 to the Southwest corner of Lot 24 LAKE LARGO HAMMOCK #2 according to the map or plat thereof as recorded in Plat Book 6, Page 29, of the Public Records of Hillsborough County, Florida of which Pinellas County was formerly A part, Thence N 00d57'03"E. Along the west line of said Lot 24, LAKE LARGO HAMMOCK #2 for 50.00 feet for the point of Beginning; Thence continue N00d57'03"E along said west line of said Lot 24 for 596.27 feet to a Northwest corner of said lot 24, thence S88d39'29"E, along the North line of said Lot 24, for 325.72 feet to the northeast corner of said Lot 24; thence S01d02'58"W, along the East line of said Lot 24, for 592.93 feet; thence N89d14'48"W, along a line 50.00 feet North of and parallel with the South line of said Lot 24, for 324.71 feet to the POINT OF BEGINNING.

Containing 193,366 square feet or 4.44 acres, more or less

do hereby consent to the platting of said lands, or so much thereof as is contained in the proposed plat, as a plat to be known as **WHISPERING PALMS APARTMENTS** and hereby join in the dedication of such lands as such plat and release from the lien of such mortgage all streets, and all other areas shown by said plat to be dedicated to public use, and agree that in the event of foreclosure of this mortgage all dedicated areas shall survive and be enforceable.

Witness (his/her/their) hands(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2015.

**PINELLAS COUNTY**

**WITNESS:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of witness

John Morroni

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

\_\_\_\_\_  
Printed name of witness

Chairman

\_\_\_\_\_  
Title

**WITNESS:**

\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Printed name of witness

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015,  
by \_\_\_\_\_, who is personally known to me or has produced  
\_\_\_\_\_ as identification and who did/did not take an oath.

\_\_\_\_\_  
Notary signature

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

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

(Notary Seal)

APPROVED AS TO FORM:

Office of County Attorney

By: Michelle Wallace

Michelle Wallace

Senior Assistant County Attorney

**CERTIFICATE OF MORTGAGEE**

**(For use on plats)**

THE UNDERSIGNED, as Mortgagee(s) under a certain mortgage dated November 13, 2014, recorded in O.R. Book 18593, Page(s) 493-500, in the Public Records of PINELLAS County, Florida, joins in and consents to the dedication of the lands described hereon, and agrees that in the event of foreclosure of this mortgage all dedicated areas shall survive and be enforceable.

**PINELLAS COUNTY**

**WITNESS:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of witness

John Morroni  
Printed name

\_\_\_\_\_  
Printed name of witness

Chairman  
Title

**WITNESS:**

\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Printed name of witness

**ACKNOWLEDGEMENT AS TO MORTGAGEE:**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015, by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification and who did/did not take an oath.

\_\_\_\_\_  
NOTARY SIGNATURE

(Notary Seal)

APPROVED AS TO FORM  
Office of County Attorney

By: Michelle Wallace  
Michelle Wallace  
Senior Assistant County Attorney

**CONSENT TO PLAT NOTE REQUIRED ON PLAT WHEN  
A PRE-RECORDED CONSENT TO PLAT FORM IS USED**

**PINELLAS COUNTY**, a political subdivision of the State of Florida, by and through the Pinellas County Board of County Commissioners, as Mortgagee under certain mortgage dated November 13, 2014, recorded in O.R. Book 18593, Page(s) 493 - 500, in the Public Records of PINELLAS COUNTY, FLORIDA, by the Consent to Platting as recorded in O.R. Book \_\_\_\_\_, Page(s) \_\_\_\_\_ does join in and consent to the dedication of the lands described hereon, and agrees that in the event of the foreclosure of this mortgage all dedicated areas shall survive and be enforceable.

**PINELLAS COUNTY**

\_\_\_\_\_  
Signature

John Morroni  
\_\_\_\_\_  
Print Name

Chairman  
\_\_\_\_\_  
Title

**WITNESS:**

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Printed Name of Witness

**WITNESS:**

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Printed Name of Witness

APPROVED AS TO FORM  
Office of County Attorney

By: Michelle Wallace  
Michelle Wallace  
Senior Assistant County Attorney

# WHISPERING PALMS APARTMENTS

REPLAT OF LOT 24, LAKE LARGO HAMMOCK #2, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 29, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS AND EXCEPT THE SOUTH 50 FEET THEREOF, LYING IN THE NORTHEAST 1/4 SECTION 03, TOWNSHIP 30 SOUTH, RANGE 15 EAST, CITY OF LARGO, PINELLAS COUNTY, FLORIDA.

## LEGAL DESCRIPTION

LOT 24, LAKE LARGO HAMMOCK #2, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 29, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS AND EXCEPT THE SOUTH 50 FEET THEREOF.

## BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SECTION 3, TOWNSHIP 30 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA; THENCE NORTH 41°14'10"W ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 3 (BEING THE BASES OF BEARINGS FOR THIS DESCRIPTION), FOR 304.54 TO THE SOUTHWEST CORNER OF LOT 24, LAKE LARGO HAMMOCK #2, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 29, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART; THENCE NORTH 70°57'30"E ALONG THE WEST LINE OF SAID LOT 24, LAKE LARGO HAMMOCK #2 FOR 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 70°57'30"E ALONG SAID WEST LINE OF SAID LOT 24 FOR 504.27 FEET TO A NORTHWEST CORNER OF SAID LOT 24, THENCE S80°00'00"E ALONG THE NORTH LINE OF SAID LOT 24 FOR 325.72 FEET TO THE NORTHEAST CORNER OF SAID LOT 24, THENCE S01°02'00"W ALONG THE EAST LINE OF SAID LOT 24 FOR 562.83 FEET, THENCE NORTH 41°14'10"W ALONG A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 24, FOR 324.71 FEET TO THE POINT OF BEGINNING.

## DEDICATION

THAT UNDERSIGNED HEREBY CERTIFIES THAT HTG PINELLAS 2, LLC, A FLORIDA LIMITED LIABILITY COMPANY, IS THE OWNER OF THE HEREIN DESCRIBED LAND AND THAT BESIDES ITS INTEREST THEREIN, THERE ARE NO OUTSTANDING INTERESTS IN SAID PROPERTY WHICH IS HEREBY PLAYED AS WHISPERING PALMS APARTMENTS.

HTG PINELLAS 2, LLC

BY: \_\_\_\_\_  
SIGNATURE  
MATTHEW RIEGER AS AUTHORIZED PERSON

WITNESS \_\_\_\_\_  
PRINTED NAME & TITLE

WITNESS \_\_\_\_\_  
PRINTED NAME OF WITNESS

## ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF PINELLAS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015, BY EDWARD BUSANSKY AS AUTHORIZED PERSON, FIRST HOUSING DEVELOPMENT CORPORATION OF FLORIDA, ON THE BEHALF OF THE LIMITED LIABILITY COMPANY, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE

## PLAT NOTES

1. BEARING BASIS: NORTH 41°14'10"W SOUTHERLY BOUNDARY LINE OF LOT 24 OF LAKE LARGO HAMMOCK #2 PER PLAT BOOK 6, PAGE 29 OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY PART (ASSUMED).

2. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

3. ALL PLATTED PUBLIC UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES. PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICES COMMISSION.

4. TITLE CERTIFICATION LISTS A SECOND FIRST HOUSING DEVELOPMENT CORP

## CERTIFICATE OF MORTGAGE

THE UNDERSIGNED, AS MORTGAGEE UNDER A CERTAIN MORTGAGE DATED NOV. 13, 2014 IN OUR BOOK 18093, PAGE 484-485 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, JOINS IN AND CONSENTS TO THE DEDICATION OF THE LANDS DESCRIBED HEREIN AND AGREES THAT IN THE EVENT OF FORECLOSURE OF THIS MORTGAGE ALL DEDICATED AREAS SHALL SURVIVE AND BE ENFORCEABLE.

BY: JP MORGAN CHASE BANK, N.A.

ATTEST: \_\_\_\_\_  
NAME: TAMMY HAYLOCK-MOORE  
TITLE: AUTHORIZED OFFICER

WITNESS \_\_\_\_\_  
PRINTED NAME  
WITNESS \_\_\_\_\_  
PRINTED NAME

## ACKNOWLEDGMENT AS TO MORTGAGE

STATE OF FLORIDA  
COUNTY OF ORANGE  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015, BY \_\_\_\_\_ WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE

## CERTIFICATE OF MORTGAGE

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BY: FIRST HOUSING DEVELOPMENT CORPORATION OF FLORIDA

ATTEST: \_\_\_\_\_  
NAME: EDWARD BUSANSKY  
TITLE: SENIOR VICE PRESIDENT

WITNESS \_\_\_\_\_  
PRINTED NAME  
WITNESS \_\_\_\_\_  
PRINTED NAME

## ACKNOWLEDGMENT AS TO MORTGAGE

STATE OF FLORIDA  
COUNTY OF PINELLAS  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015, BY \_\_\_\_\_ WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE

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BY: PINELLAS COUNTY

ATTEST: \_\_\_\_\_  
NAME: JOHN MORROW  
TITLE: CHAIRMAN

WITNESS \_\_\_\_\_  
PRINTED NAME  
WITNESS \_\_\_\_\_  
PRINTED NAME

## ACKNOWLEDGMENT AS TO MORTGAGE

STATE OF FLORIDA  
COUNTY OF PINELLAS  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015, BY \_\_\_\_\_ WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE

## CERTIFICATE OF APPROVAL OF CITY COMMISSION

STATE OF FLORIDA  
COUNTY OF PINELLAS

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORD BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF LARGO IN THE COUNTY OF PINELLAS, FLORIDA. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

APPROVED: \_\_\_\_\_

LOUIS L. BROWN, MAYOR  
DIANE BRUNER, CITY CLERK

## CERTIFICATE OF APPROVAL OF COUNTY CLERK

STATE OF FLORIDA  
COUNTY OF PINELLAS

I, KEN BURKE, CLERK OF THE CIRCUIT COURT OF PINELLAS COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE STATUTES OF THE STATE OF FLORIDA PERTAINING TO MAPS AND PLAT, AND THAT THIS PLAT HAS BEEN FILED FOR RECORD IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

KEN BURKE, CLERK  
PINELLAS COUNTY, FLORIDA

BY: \_\_\_\_\_  
DEPUTY CLERK

REVIEWED FOR CONFORMITY TO CHAPTER 177, PART 1, FLORIDA STATUTES BY SURVEYOR AND MAPPER UNDER CONTRACT BY THE CITY OF LARGO

DANIEL D. FERRANS NO. 3885  
PROFESSIONAL SURVEYOR AND MAPPER  
FERRANS ASSOCIATES, INC.  
2165 SUNNYVALE BLVD. SUITE D  
CLEARWATER, FL 33765  
727-461-6113

## SURVEYOR'S CERTIFICATE

I, KENNETH P. TAYLOR, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND THAT IT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, OF THE FLORIDA STATUTES AND THAT THE "P.R.M.'S PERMANENT REFERENCE MONUMENTS" AS SHOWN HEREON HAVE BEEN PLACED, AND THAT THE "P.O.'S PERMANENT CONTROL POINTS" AS SHOWN HEREON, AND ALL OTHER MONUMENTATION OF LOT CORNERS AND CHANGES OF DIRECTION OF LINES AS REQUIRED BY SAID CHAPTER 177 OF THE FLORIDA STATUTES WILL BE SET WITHIN THE TIME ALLOTTED IN 177.091 (50) (D).

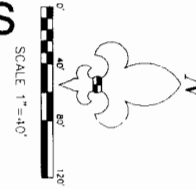
KENNETH P. TAYLOR  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5532  
200 34 ANN DRIVE, APT#1113  
MANDEVILLE, LOUISIANA 70471

Kenneth P. Taylor P.S.M.  
St Ann Drive Apt# 1113  
Mandeville, Louisiana 70471  
Phone 985-231-7058

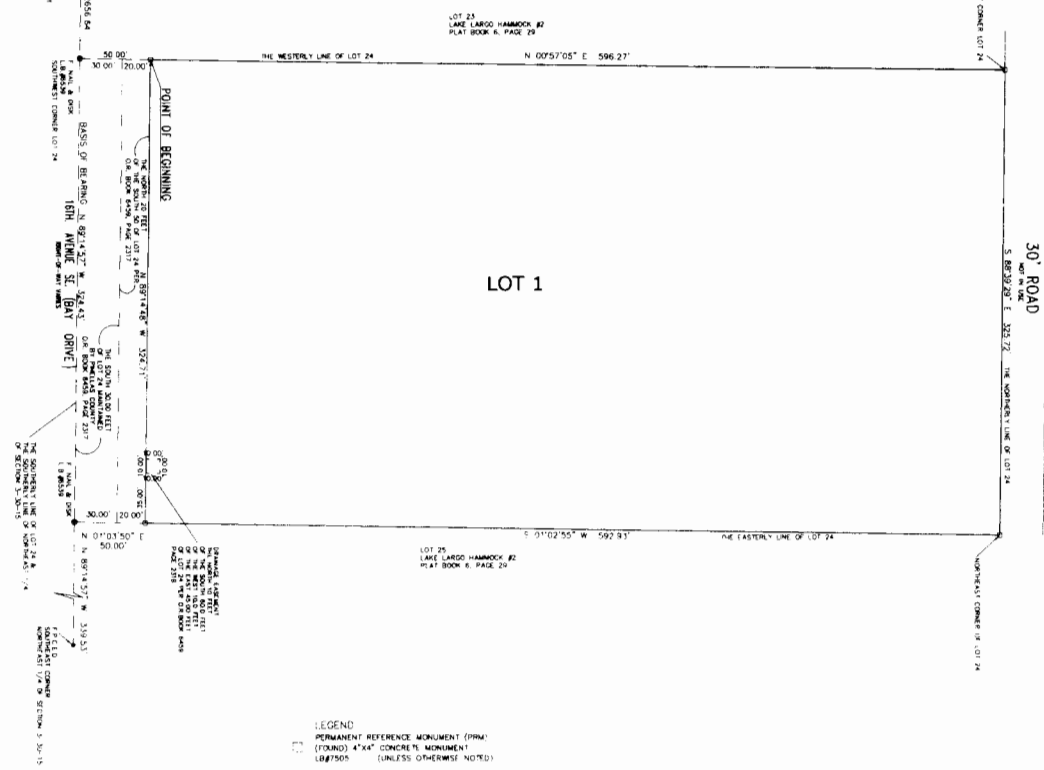


# WHISPERING PALMS APARTMENTS

REPLAT OF LOT 24, LAKE LARGO HAMMOCK #2, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 29, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS AND EXCEPT THE SOUTH 50 FEET THEREOF, LYING IN THE NORTHEAST 1/4 SECTION 03, TOWNSHIP 30 SOUTH, RANGE 15 EAST, CITY OF LARGO, PINELLAS COUNTY, FLORIDA.



1/4 SECTION 03, TOWNSHIP 30 SOUTH, RANGE 15 EAST  
POINT OF COMMENCEMENT



Kenneth P. Taylor P.S.M.  
St Ann Drive Apt# 1113  
Mandeville, Louisiana 70471  
Phone 985-231-7058



SHEET 2 OF 2 SHEETS

