



BOARD OF COUNTY COMMISSIONERS

DATE: August 18, 2015
AGENDA ITEM NO. 35

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

 **County Administrator's Signature:**

Subject:

Legislative Petition to Vacate a Portion of Public Right-of-Way (ROW) per §336 Florida State Statutes, 2015.

Submitted By: Carol Powers
505 Broadus Street
Crystal Beach, FL 34681

File No.: 1484

Department:

Real Estate Management
Public Works

Staff Member Responsible:

Andrew W. Pupke, Director
Troy Tinch, Division Manager

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) CONSIDER GRANTING THE PETITION TO VACATE, AND IF GRANTED, ADOPT THE ATTACHED RESOLUTION PURSUANT TO FLORIDA STATE STATUTE 336, AND AUTHORIZE THE CLERK TO ATTEST AND RECORD THE RESOLUTION IN THE PUBLIC RECORDS OF PINELLAS COUNTY.

Summary Explanation/Background:

The subject petition seeks to vacate a portion of the 15 foot platted alleyway lying South of Lot 8, Block R and North of Lot 9, Block R of the Revised Plat of Crystal Beach, Section 35, Township 27 South, Range 15 East, Plat Book 7, Page 30, 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. Development Review Services has indicated that there is no need to seek a variance. Additionally, letters of no objection have been received from Bright House, Duke Energy Transmission and Distribution, Pinellas County Engineering and Technical Support, TECO Peoples Gas, TECO Electric and WOW!.

The Petition was properly advertised in accordance with Florida Statute §336 and additionally 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 owners have paid a \$750 filing fee, including advertising cost.

Exhibits/Attachments Attached:

Contract Review Transmittal

Petition to Vacate

Notification List

Resolution



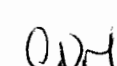

Location Map

CONTRACT REVIEW TRANSMITTAL SLIP**PROJECT: Carol Powers****TYPE: Legislative Petition to Vacate a portion of a ROW****Date: 7/18/2015 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.

<u>Review Authority</u>	<u>Review Date</u>	<u>Review Signature</u>	<u>Comments Included/Addressed Initial & Date</u>
Real Property Div. (Sean Griffin)	<u>7/22/15</u>		
Real Est. Mgmt (Andrew Pupke)	<u>07/24/15</u>		
DEI (Tom Farrand)	<u>6/23/2015</u>	<u>Approved in CATS</u>	
Legal (Chelsea Hardy)	<u>07/28/15</u>		<u>see page 2 of Report</u>
County Admin. (Paul Sacco)	<u>7/30/15</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 , 2015
 All inquiries should be made to CYNTHIA HARRIS at telephone extension 43773 or 4-3672.

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

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

Comes now your Petitioner, Carol Powers/Margo Powers

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:


MARGO POWERS

STATE OF FLORIDA
COUNTY OF PINELLAS

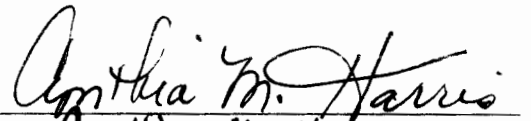
Sworn to (or affirmed) and subscribed before me this 27th day of July, 2015, by
Margo Powers. She is personally known to me, or has produced Drivers License as
identification, and who ~~did~~ (did not) take an oath.



CYNTHIA M HARRIS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF033789
Expires 9/11/2017
NOTARY SEAL

NOTARY

Print Name


Cynthia M. Harris

My Commission Expires: _____

Commission Number: _____

Sketch of Description

Sheet 1 of 2

Legal Description:

THAT PART OF A 15.0 FEET PLATTED ALLEYWAY LYING SOUTH OF LOT 8, BLOCK R, AND NORTH OF LOT 9, BLOCK R, OF THE "REVISED PLAT OF CRYSTAL BEACH" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 30, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 9, BLOCK R, OF THE "REVISED PLAT OF CRYSTAL BEACH" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 30, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE RUN, ON AN ASSUMED BEARING, N05°42'52"E ALONG THE WESTERLY RIGHT OF WAY OF BROADUS STREET, A DISTANCE OF 15.08 FEET TO THE SOUTHEAST CORNER OF LOT 8, BLOCK R, OF SAID "REVISED PLAT OF CRYSTAL BEACH", THENCE LEAVING THE WESTERLY RIGHT OF WAY OF BROADUS STREET RUN S89°59'30"W ALONG THE SOUTH LINE OF SAID LOT 8, BLOCK R, A DISTANCE OF 23.31 TO THE POINT OF BEGINNING, THENCE RUN S00°27'25"W A DISTANCE OF 5.50 FEET, THENCE RUN N89°59'30"W 17.30 FEET, THENCE RUN N00°27'25"E 5.50 FEET, THENCE RUN N89°59'30"E 17.30 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 95.1 SQ. FT. (MORE OR LESS)

Reviewed by: CH SB
Date: 7-16-15
SFN # 501-1484

This is NOT a Survey.
This is ONLY a Sketch.

Flood Zone: X
Community Number: 12103C
Panel: 0059 G
Date: 09/03/2003

Sketch of Description Certified To:

Carol Powers

Sketch Date: 3-11-15

Drawn By: NF

Approved By: PKI

Field: MS/FE

> This Property IS NOT in a Flood Prone Area, Zone "X", Based on the F.I.R.M. (Flood Insurance Rate Map) Community Number 12103C Panel Number 0059 G Dated 09-03-03.
> Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying, Inc. and the Signing Surveyor assume NO Liability for the Accuracy of this Determination.

-Notes-

- > Sketch is Based upon the Legal Description Supplied by Client.
- > Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.
- > Subject to any Easements and/or Restrictions of Record.
- > Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
- > Building Ties are NOT to be used to reconstruct Property Lines.
- > Fence Ownership is NOT determined.
- > Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- > Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
- > Use of This Sketch for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

**Ireland & Associates
Surveying, Inc.**

1301 S. International Parkway Suite 2001
Lake Mary, Florida 32746
www.irelandsurveying.com

Office-407.678.3366 Fax-407.320.8165

-Legend-

C	- Calculated	PC	- Point of Curvature
CL	- Centerline	Pg	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement	PT	- Point of Tangency
F.E.M.A.	- Federal Emergency Management Agency	R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rld.	- Roofed
M	- Measured	Set	- Set 1/2" Rebar & Cap "LB 7623"
N&D	- Nail & Disk	Typ.	- Typical
N.R.	- Non-Radial	UE	- Utility Easement
ORB	- Official Records Book	WM	- Water Meter
P	- Plat	Δ	- Delta (Central Angle)
P.B.	- Plat Book	-X-	- Chain Link Fence
-a-	- Wood Fence		

I hereby Certify that this Sketch of Description of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information Furnished to me as Noted and Conforming to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 63-47, F.S. Florida Administrative Code, Pursuant to Section 472.027 Florida Statutes.


Patrick K. Ireland, No. 6637, State of Florida
Date Signed: 3-11-15

This Sketch is intended ONLY for the use of Said Certified Parties.
This Sketch NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.
File No. IS-20079
CADD File: \\sketch\sketches\2007\15\150709A.DWG 15-12546000.dwg

Sheet 2 of 2

This is NOT a Survey.
This is ONLY a Sketch.

PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1484

PETITIONER

CAROL POWERS
505 BROADUS STREET
CRYSTAL BEACH, FLORIDA 34681

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

POWERS, CAROL
PO BOX 124
CRYSTAL BEACH, FL 34681-0124

OZONA PROPERTIES LLP
13665 AUTOMOBILE BLVD
CLEARWATER, FL 33762-3843

PETERSON, DOROTHY J
PO BOX 791
CRYSTAL BEACH, FL 34681-0791

MC ARDLE, WILLIAM D
MC ARDLE, KARIN E
PO BOX 1132
CRYSTAL BEACH, FL 34681-1132

CARPENTER, ROSE MARIE
PO BOX 78
CRYSTAL BEACH, FL 34681-0078

CRADICK TRUST
CRADICK, GARY H TRE
PO BOX 642
CRYSTAL BEACH, FL 34681-0642

CLOSE, DAVID O CREDIT SHELTER TR
CLOSE, MARY M TRE
930 YOSEMITE LN
LINCOLN, CA 95648-8305

WRIGHT, CHRISTOPHER T
WRIGHT, RONI S
PO BOX 585
CRYSTAL BEACH, FL 34681-0585

NEAL, PATRICIA A
NEAL, WILLIAM R II
PO BOX 271
CRYSTAL BEACH, FL 34681-0271

HARRIS, JACKSON C
HARRIS, JEANIE C
PO BOX 493
CRYSTAL BEACH, FL 34681-0493

TONKING, JOHN
PO BOX 339
CRYSTAL BEACH, FL 34681-0339

VAN NOSTRAN, ROY
PO BOX 415
CRYSTAL BEACH, FL 34681-0415

ESTES, KAREN A
DECAIRE, M JOANNE
7760 58TH ST
PINELLAS PARK, FL 33781-3258

BAY AREA HOLDINGS 13 LLC
18514 US HIGHWAY 19 STE E
CLEARWATER, FL 33764-2764

GOLDSTEIN, P D SABOURIN
108 ANNWOOD RD
PALM HARBOR, FL 34685-1901

NAUMANN, LIZA B
PO BOX 725
CRYSTAL BEACH, FL 34681-0725

RAMIREZ, MICHAEL
RAMIREZ, DEBORAH RAE
PO BOX 912
CRYSTAL BEACH, FL 34681-0912

BAUTEL, BRENT A
BAUTEL, PATRICIA K
PO BOX 784
CRYSTAL BEACH, FL 34681-0784

ROSSI, CHARLENE
PO BOX 213
CRYSTAL BEACH, FL 34681-0213

OSBORNE, GARY T
OSBORNE, CYNTHIA M
PO BOX 794
CRYSTAL BEACH, FL 34681-0794

GULKIS IRREVOCABLE FAMILY TRUST
GULKIS, DANIEL ALEC TRE
14700 DRAFTHORSE LN
WELLINGTON, FL 33414-1086

SAUSSY, CHARLES R
PO BOX 98
CRYSTAL BEACH, FL 34681-0098

FEDECHENA, JOHN JR
PO BOX 321
CRYSTAL BEACH, FL 34681-0321

CONGDON, BRADLEY
CONGDON, KATHERINE
1027 CHILLUM CT

SMITH, GREGORY C
PO BOX 506
CRYSTAL BEACH, FL 34681-0506

TIERNO, BRADFORD F
400 BROADUS
CRYSTAL BEACH, FL 34681

SAFETY HARBOR, FL 34695-5605

YANETRUOC LTD
PO BOX 472
GRAND CAYMAN KY1-1106,
CAYMAN ISLANDS

ST ARNOLD, BRIAN
PO BOX 632
CRYSTAL BEACH, FL 34681-0632

SMITH, JASON
PO BOX 907
CRYSTAL BEACH, FL 34681-0907

FIGUEIREDO, VIRGIL
47 PERKINS AVE
MALDEN, MA 02148

SCHNEIDER, MICHAEL L
SCHNEIDER, CAROL A
361 PARK RD
DINGMANS FERRY, PA 18328-9175

FLOWERS, MELINDA G
PO BOX 0544
CRYSTAL BEACH, FL 34681-0544

RESOLUTION NO. _____

**RESOLUTION VACATING A PORTION OF THE FIFTEEN FOOT
PLATTED ALLEYWAY LYING SOUTH OF LOT 8, BLOCK R
AND NORTH OF LOT 9, BLOCK R OF THE REVISED PLAT OF
CRYSTAL BEACH, SECION 35, TOWNSHIP 27 SOUTH, RANGE
15 EAST, IN PLAT BOOK 7, PAGE 30 OF THE PUBLIC RECORDS
OF PINELLAS COUNTY.**

**WHEREAS, Carol Powers has petitioned this Board of County Commissioners to
vacate the following described property:**

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

**WHEREAS, the Petitioner is the apparent owner of record of the portion of the plat
requested to be vacated, and has shown that 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**

**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 vacated, insofar as this Board of County Commissioners has the authority to do so, pursuant to 336.09, Florida Statutes.

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 King
ATTORNEY

Sketch of Description

Sheet 1 of 2

Legal Description:

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Reviewed by: CH 58
Date: 7-16-15
SFN # 501-1484

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Flood Zone: X
Community Number: 12103C
Panel: 0059 G
Date: 09/03/2003

Sketch of Description Certified To:

Carol Powers

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N.R.	- Non-Radial	UE	- Utility Easement
ORB	- Official Records Book	WM	- Water Meter
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P.B.	- Plat Book	-X-	- Chain Link Fence
W	- Wood Fence		

Sketch Date: 3-11-15	> This Property IS NOT in a Flood Prone Area, Zone "X", Based on the F.I.R.M. (Flood Insurance Rate Map) Community Number 12103C Panel Number 0059 G Dated 09-03-03.
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Approved By: PKI	
Field: MS/FE	

**Ireland & Associates
Surveying, Inc.**

1301 S. International Parkway Suite 2001
Lake Mary, Florida 32746
www.irelandsurveying.com

Office-407.678.3366 Fax-407.320.8165

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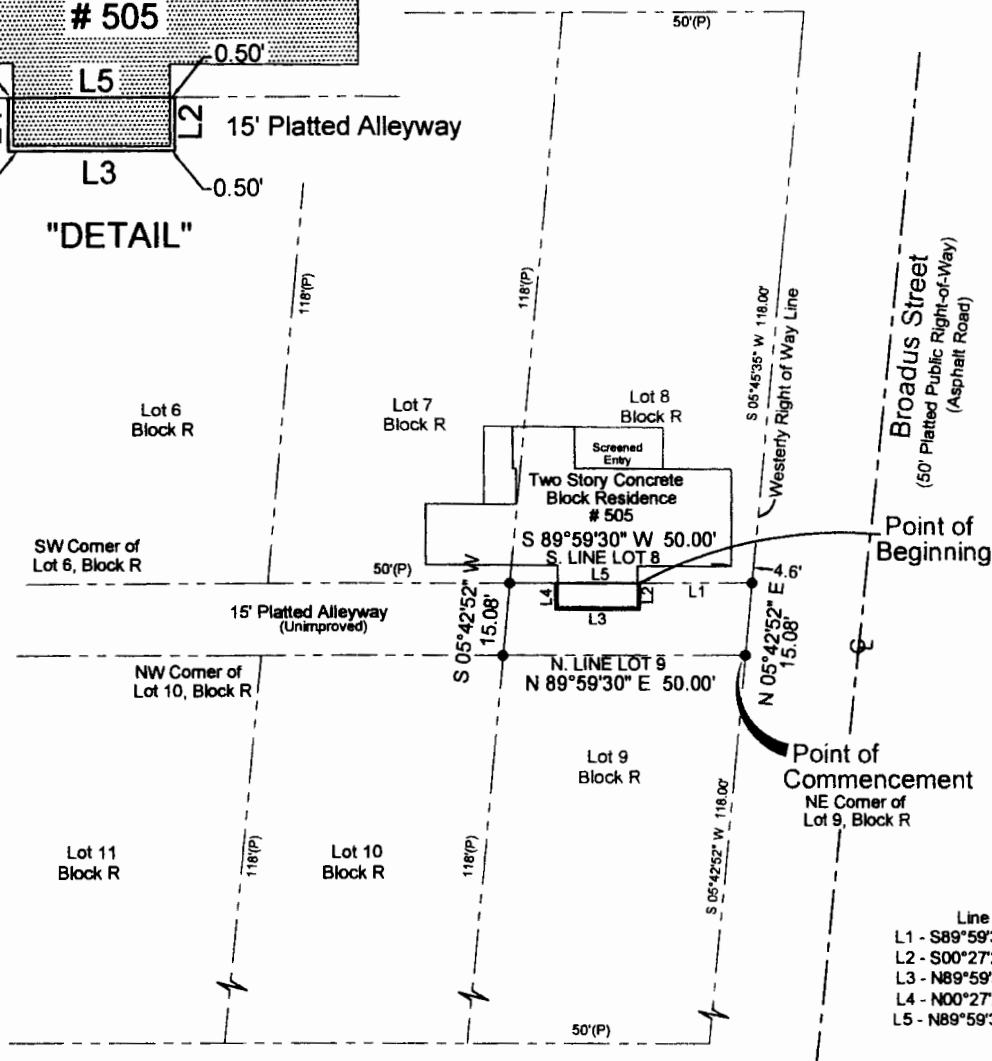
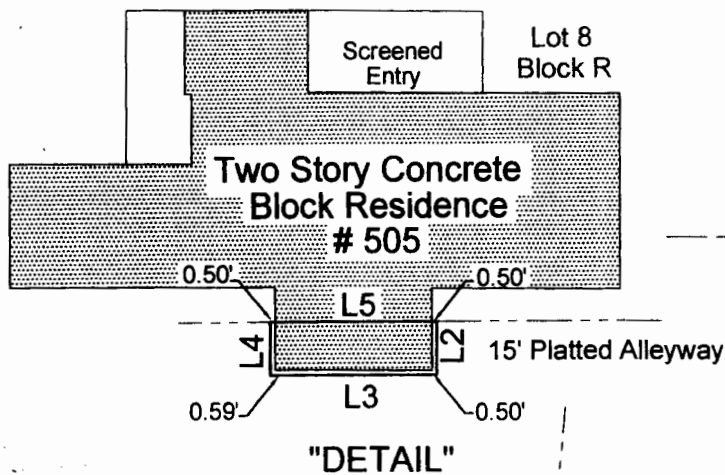
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Patrick K. Ireland 6637 LB 7623
Date Signed: 3-11-15

This Sketch is intended ONLY for the use of Said Certified Parties.
This Sketch NOT VALID UNLESS Signed and Sealed with Surveyor's Seal.
File # 15-20079
CADD File: \\cadd\ireland\associates\2015\15-20079.dwg

Sketch of Description

Sheet 2 of 2



Line Table

L1 - S89°59'30"W	23.31'
L2 - S00°27'25"W	5.50'
L3 - N89°59'30"W	17.30'
L4 - N00°27'25"E	5.50'
L5 - N89°59'30"E	17.30'

**Ireland & Associates
Surveying, Inc.**

1301 S. International Parkway Suite 2001
Lake Mary, Florida 32746

www.irelandsurveying.com

Office-407.678.3366 Fax-407.320.8165

This is NOT a Survey.
This is ONLY a Sketch.

Petition to Vacate

File No.: 1484



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

Pinellas County
Real Estate Management
Real Property Division