



## Staff Report

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**File #:** 15-489, **Version:** 1

**Agenda Date:** 11/10/2015

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**Subject:**

Petition to Vacate submitted by Christopher and Laura Muller for a portion of 9th Street right-of-way between Ohio Avenue and Illinois Avenue (legislative hearing).

**Recommended Action:**

Adoption of a resolution granting the petition of Christopher and Laura Muller to vacate a portion of 9th Street right-of-way between Ohio Avenue and Illinois Avenue.

Approval of authority for the Clerk to record the resolution. Interested property owners were notified as to the date of the public hearing.

**Strategic Plan:**

Deliver first class services to the Public and our Customers.

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support.

**Summary:**

The subject petition seeks to vacate a portion of 9<sup>th</sup> Street right-of-way between Ohio Avenue and Illinois Avenue inclusive of the 20-foot unimproved alley lying between Lot 1 and Lot 12, Block 134 and a 20-foot alley lying between Lots 7, 8, 9 and 10, Block 135, all being part of Town of Sutherland Subdivision, Plat Book H1, Page 1A, of the Public Records of Pinellas County, located in Section 2, Township 28 South, Range 15 East.

The petitioner agrees to grant the County sufficient property interests for the additional right-of-way needed for the required cul-de-sac and a utility easement for any and all necessary utilities and to allow access to the existing alley between Lots 1, 2, 3, 10, 11 and 12, Block 134.

**Background Information:**

On August 4, 2015 this item was deferred at the request of the Petitioner. The Planning Department has an objection to the vacation because Old Palm Harbor is one of the few areas in Palm Harbor to have a grid street pattern. The community agreed in the Vision Statement for Old Palm Harbor that this original street layout is a historic feature that should be preserved because of its value in understanding the community's origins and its contribution to the quality of life. The Vision Statement also stipulated that changes should support the community features that characterize Old Palm Harbor, such as providing a safe, walkable community with ample sidewalks, and streets that are safe for bicyclists. The original street layout supports these desired community features. The proposed vacation request is felt to be inconsistent with the adopted Vision Statement for Old Palm Harbor in that it would interrupt the original street layout that the community desires to retain as an important feature of the community.

Letters of no objection have been received from Bright House and Duke Energy Transmission and

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Distribution, with stipulations that the applicant bears the expense for relocation of any facilities in the proposed vacated area. Engineering and Technical Support has expressed a need to retain a utility easement if the vacation is granted. TECO Electric and WOW! have no objection to the vacation request.

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 Board of County Commissioners.

**Fiscal Impact:**

The owners paid \$850.00 including advertising costs.

**Staff Member Responsible:**

Andrew W. Pupke, Director, Real Estate Management

Blake G. Lyon, Director, Building & Development Review Services

**Partners:**

N/A

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

**RESOLUTION VACATING A PORTION OF 9<sup>TH</sup> STREET, LYING BETWEEN OHIO AVENUE AND ILLINOIS AVENUE, THE 20 FOOT ALLEY LYING BETWEEN LOTS 7, 8, 9 AND 10, BLOCK 135 AND A PORTION OF THE 20 FOOT ALLEY LYING BETWEEN LOTS 1 & 12, BLOCK 134, TOWN OF SUTHERLAND, PLAT BOOK H1, PAGE 1A PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMALLY A PART OF IN SECTION 2-28-15, PINELLAS COUNTY, FLORIDA, AND RETAINING A UTILITY EASEMENT OVER THE VACATED AREA.**

**WHEREAS, Christopher and Laura Muller have 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 Petitioners are the owners of record of the portion of the plat requested to be vacated, and have shown that the vacation of such portion of the plat will not affect the ownership or rights of convenient access of persons owning other parts of the subdivision, or cause injury to any surrounding property owners; and**

**WHEREAS, a Utility Easement will be retained over the entire vacated area; and**

**WHEREAS, in order to properly terminate a County roadway pursuant to the standards in the Pinellas County Code, the Petitioners are responsible for and agree to construct a cul-de-sac at the new termination of 9<sup>th</sup> Street North; and**

**WHEREAS, the Petitioners also agree to grant the County sufficient property interests for the additional right- of-way needed for the required cul-de-sac; and**

**WHEREAS, the County has determined that the interest of the public will not be adversely affected; (1) if the above-referenced cul-de-sac is properly constructed pursuant to the**

Pinellas County Code; and (2) provided that reasonable public road access remains for the properties adjacent to the vacated ROW.

WHEREAS, the Petitioners' affidavits, have 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 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, provided that the vacation shall not take effect until the following conditions, as previously agreed by the Petitioners are met:

1. The Petitioners submit a written waiver of any and all claims of injury to their respective properties which could potentially result from this vacation;
2. The Petitioners go through the Pinellas County Site Plan Review process and obtain a Right-of-Way Utilization Permit for construction of the required cul-de-sac;
3. The Petitioners grant the County sufficient interest in the additional right-of-way needed for the required cul-de-sac;
4. The cul-de-sac is successfully built pursuant to the Pinellas County Code;
5. Any and all necessary utility relocations and/or reservations from the County and other utility companies notified during this process are respectively relocated or retained.

The EFFECTIVE DATE of this vacation shall be the date upon which a proper certification, acknowledging the successful completion of all the above conditions, has been executed by the appropriate County Departments. If the above conditions are not met within one year from the date of execution of this Resolution, the vacation shall not become effective.



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:

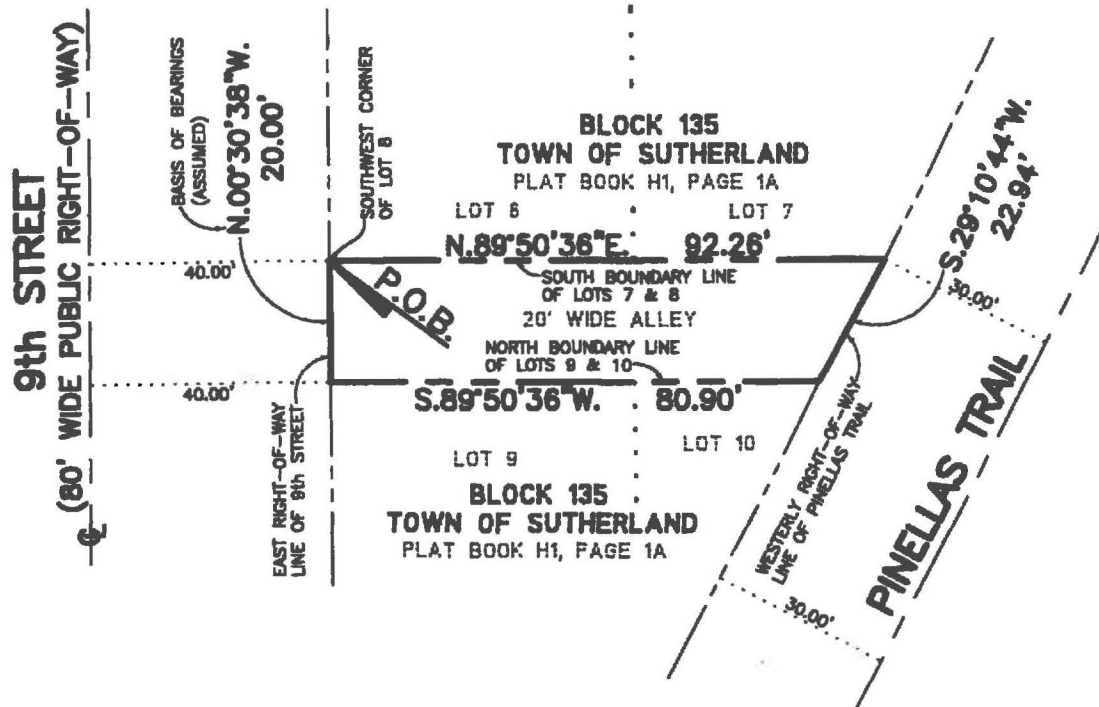
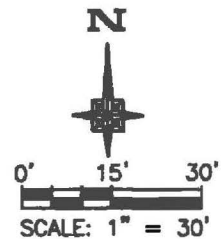
NAYS:

ABSENT AND NOT VOTING:

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

BY Chen Wang  
ATTORNEY

SEE LEGAL DESCRIPTION ON SHEET 3 OF 3



PREPARED FOR:

CHRISTOPHER D. AND LAURA T. MULLER

920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122

## ABBREVIATION LEGEND

℄ = CENTERLINE  
P.O.B. = POINT OF BEGINNING

Reviewed by: CH SB  
Date: 2-18-15  
Sheet: 501-1368

**MULLER – TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**EAST 20' WIDE – ALLEY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

APPROVED BY:

SANDY LLOVERAS  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

ENGINEERS – SURVEYORS – PLANNERS

#LB 0000208

28228 U.S. HIGHWAY 19 N.  
CLEARWATER, FLORIDA 33761

Phone: (727) 784-3985 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

37523

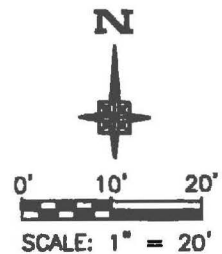
APPROVED BY:

DATE: 10-22-14

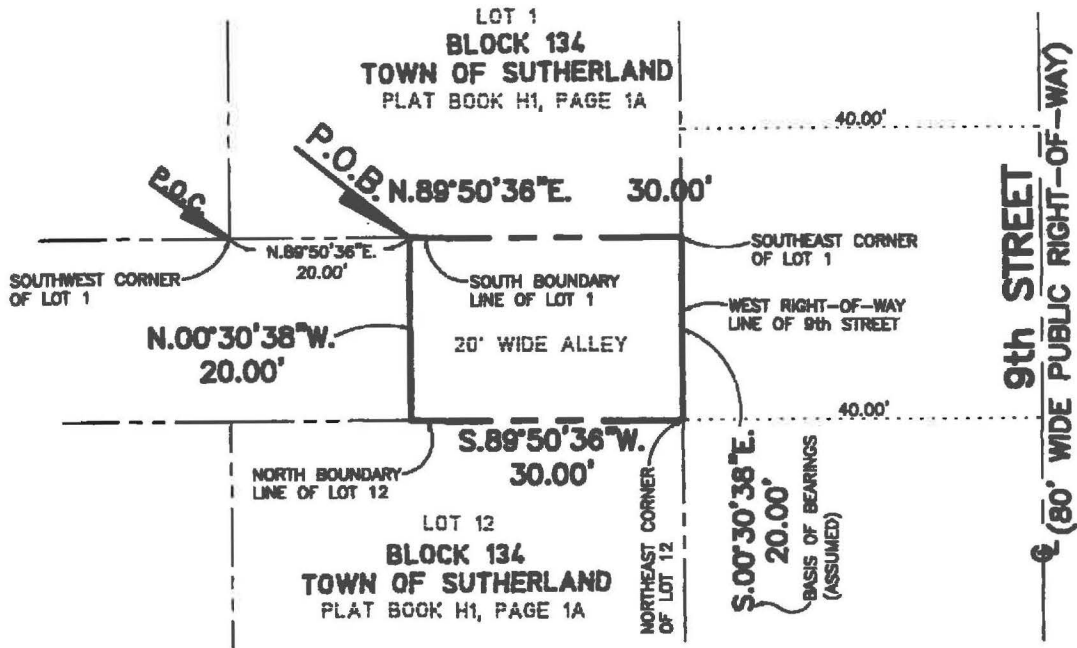
1 OF 3

SCALE: 1" = 30'

BOUNDARY PLAN AND DESCRIPTION



SEE LEGAL DESCRIPTION ON SHEET 3 OF 3



## ABBREVIATION LEGEND

CL	=	CENTERLINE
P.O.B.	=	POINT OF BEGINNING
P.O.C.	=	POINT OF COMMENCEMENT

# **MULLER – TOWN OF SUTHERLAND** **BOUNDARY PLAN AND DESCRIPTION** **WEST 20' WIDE – ALLEY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

**LLOVERAS, BAUR & STEVENS**

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#LB 0000208

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Phone: (727) 784-3965 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**

APPROVED BY:

DATE: 10-22-14

**2 OF 3**

SCALE: 1" = 20'

BOUNDARY PLAN AND DESCRIPTION

**DESCRIPTION:****EAST 20' WIDE - ALLEY VACATION PARCEL:**

The 20 foot wide alley lying between Lots 7, 8, 9 and 10, Block 135, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the southwest corner of said Lot 8, and run N.89°50'36"E., along the south boundary line of said Lots 7 and 8, 92.26 feet to the westerly right-of-way line of the Pinellas Trail; thence, S.29°10'44"W., along said westerly right-of-way line, 22.94 feet; thence, leaving said westerly right-of-way line, S.89°50'36"W., along the north boundary line of Lots 9 and 10, 80.90 feet to the east right-of-way line of 9th Street; thence, leaving said north boundary line, N.00°30'38"W., along the said east right-of-way line, 20.00 feet to the Point of Beginning.

Containing 1731 square feet or 0.040 acres more or less.

**WEST 20' WIDE - ALLEY VACATION PARCEL:**

A portion of the 20 foot wide alley lying between Lots 1 and 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Commence at the southwest corner of said Lot 1, and run N.89°50'36"E., along the south boundary line of said Lot 1, 20.00 feet for a Point of Beginning; thence, continue, N.89°50'36"E., along said south boundary line, 30.00 feet to the southeast corner of said Lot 1 also being the west right-of-way line of 9th Street; thence, leaving said south boundary line, S.00°30'38"E., along the said west right-of-way line, 20.00 feet to the Northeast corner of said Lot 12; thence, leaving said west right-of-way line, S.89°50'36"W., along the north boundary line of said Lot 12, 30.00 feet; thence, leaving said north boundary line, N.00°30'38"W., 20.00 feet to the Point of Beginning.

Containing 600 square feet or 0.014 acres more or less.

## **MULLER - TOWN OF SUTHERLAND**

### **BOUNDARY PLAN AND DESCRIPTION**

PINELLAS COUNTY

FLORIDA

**PREPARED FOR:**

**CHRISTOPHER D. AND LAURA T. MULLER**

920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122



**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

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Phone: (727) 784-3885 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**

APPROVED BY:

DATE: 10-22-14

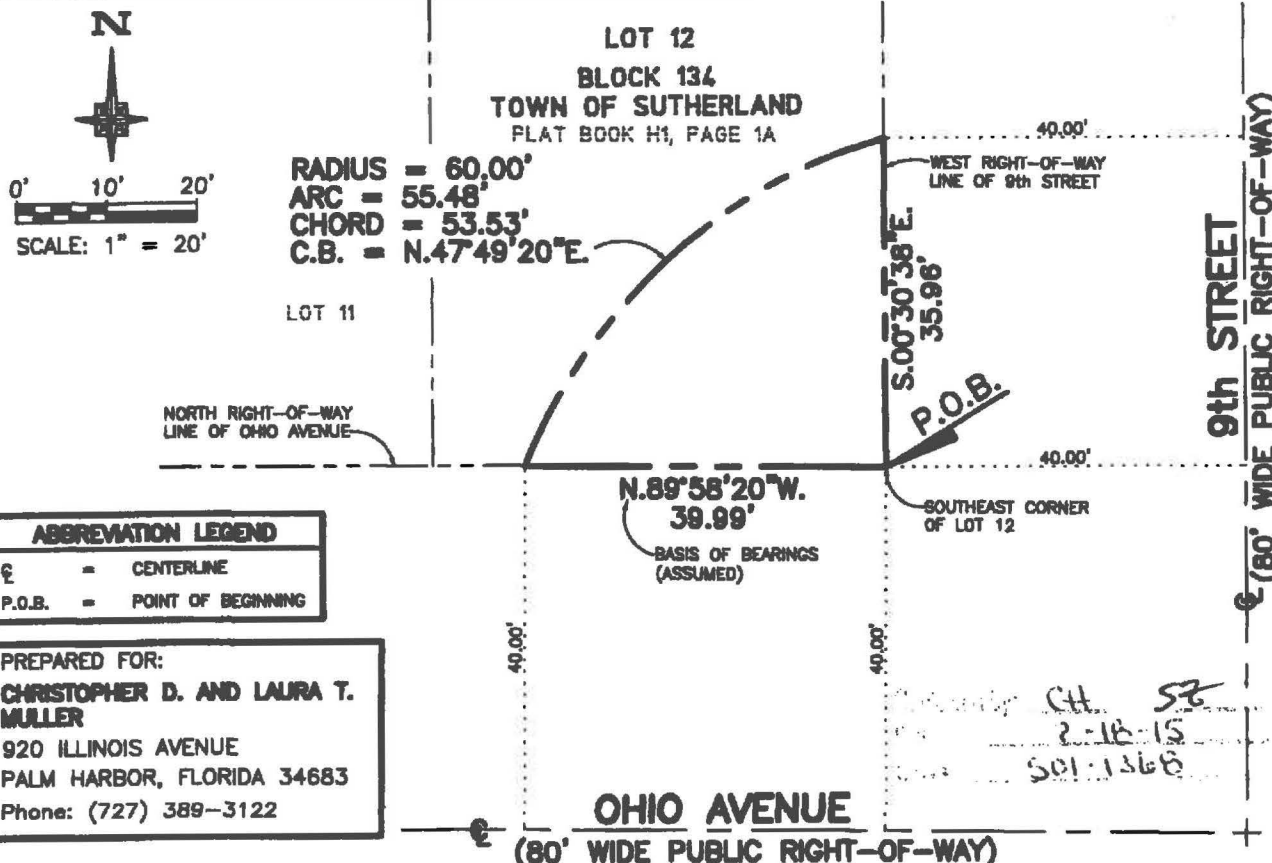
**3 OF 3**

### BOUNDARY PLAN AND DESCRIPTION

A portion of Lot 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the southeast corner of said Lot 12, and run N.89°58'20"W., along the north right-of-way line of Ohio Avenue, 39.99 feet; thence, leaving said north right-of-way line, along a non-tangent curve to the right, having a radius of 60.00 feet, an arc length of 55.48 feet, a chord length of 53.53 feet and a chord bearing of N.47°49'20"E., to the west right-of-way line of 9th Street; thence, S.00°30'38"E., along said west right-of-way line, 35.96 feet to the Point of Beginning.

Containing 946 square feet or 0.022 acres more or less.



# MULLER - TOWN OF SUTHERLAND

## BOUNDARY PLAN AND DESCRIPTION

# OHIO AVENUE CUL-DE-SAC RIGHT-OF-WAY DEDICATION PARCEL

PINELLAS COUNTY

## FLORIDA

**APPROVED BY:**

**SANDY LLOVERAS**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

**ENGINEERS - SURVEYORS - PLANNERS**

#LB 0000208

29228 U.S. HIGHWAY 19 N.

**CLEARWATER, FLORIDA 33761**

Phone: (727) 784-3965 Fax: (727) 784-8153

**DRAWN BY: KB**

CHECKED BY: RO

APPROVED BY:

DATE: 10-22-14

SCALE: 1" = 20'

**JOB No.**

37523

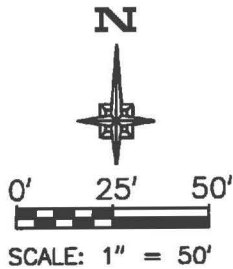
### BOUNDARY PLAN AND DESCRIPTION



**DESCRIPTION:**

A portion of Lot 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

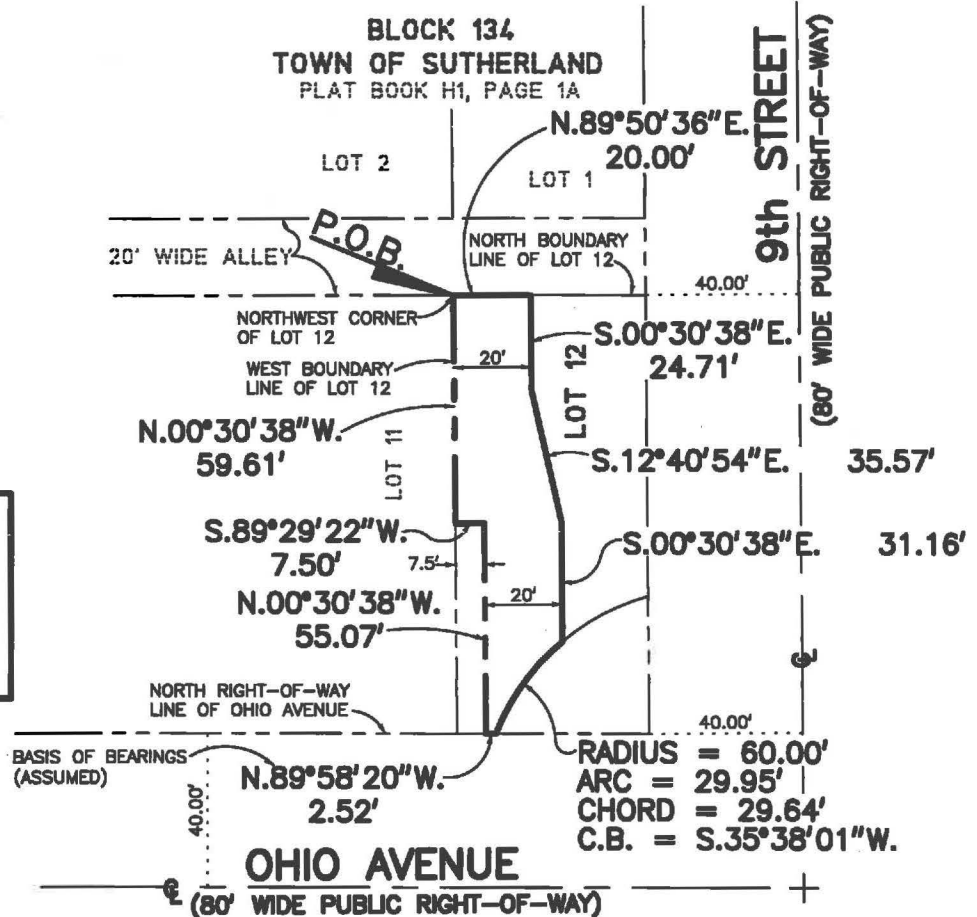
Begin at the northwest corner of said Lot 12, and run N.89°50'36"E., along the north boundary line of said Lot 12, 20.00 feet; thence, leaving said north boundary line, S.00°30'38"E., 24.71 feet; thence, S.12°40'54"E., 35.57 feet; thence, S.00°30'38"E., 31.16 feet; thence, along a non-tangent curve to the left, having a radius of 60.00 feet, an arc length of 29.95 feet, a chord length of 29.64 feet and a chord bearing of S.35°38'01"W., to the north right-of-way line of Ohio Avenue; thence, N.89°58'20"W., along said north right-of-way line, 2.52 feet; thence, leaving said north right-of-way line, N.00°30'38"W., 55.07 feet; thence, S.89°29'22"W., 7.50 feet to the west boundary line of said Lot 12; thence, N.00°30'38"W., along the west boundary line of said Lot 12, 59.61 feet to the Point of Beginning.

**ABBREVIATION LEGEND**

CL = CENTERLINE  
P.O.B. = POINT OF BEGINNING

**PREPARED FOR:**

**CHRISTOPHER D. AND LAURA T. MULLER**  
920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122



Reviewed by: CH GD  
Date: 10-7-15  
SFN # 501-1368

## MULLER - TOWN OF SUTHERLAND

### BOUNDARY PLAN AND DESCRIPTION

### SOUTHWEST - ALLEY DEDICATION PARCEL

PINELLAS COUNTY

FLORIDA

**APPROVED BY:**

*[Signature]*  
10/7/15

**MICHAEL S. LLOVERAS**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 5367  
THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL RAISED SEAL  
AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.

CLEARWATER, FLORIDA 33761

Phone: (727) 784-3965

Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**APPROVED BY: *[Signature]*

DATE: 10-5-15

SCALE: 1" = 50'

## BOUNDARY PLAN AND DESCRIPTION

# SECTION 2, TOWNSHIP 28 SOUTH, RANGE 15 EAST

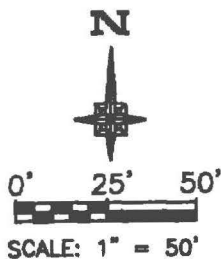
EXHIBIT

## DESCRIPTION:

A portion of Lot 1, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the northwest corner of said Lot 1, and run N.89°39'29"E., along the south right-of-way line of Illinois Avenue, 20.00 feet; thence, leaving said south right-of-way line, S.00°30'38"E., 114.68 feet to the south boundary line of said Lot 1; thence, S.89°50'36"W., along said south boundary line, 20.00 feet to the southwest corner of said Lot 1; thence, leaving said south boundary line, N.00°30'38"W., along the west boundary line of said Lot 1, 114.61 feet to the Point of Beginning.

Containing 2293 square feet or 0.053 acres more or less.



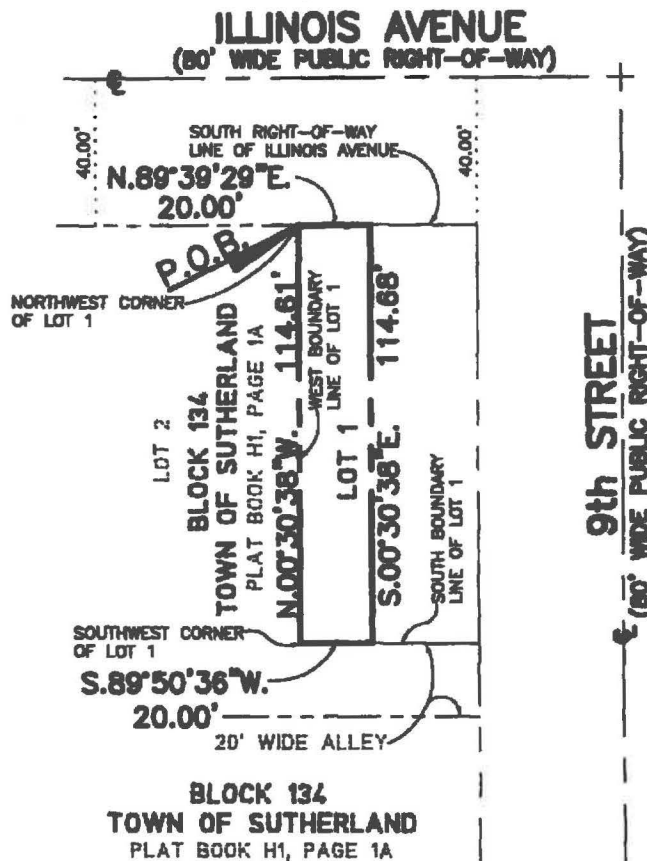
### ABBREVIATION LEGEND

CL = CENTERLINE  
P.O.B. = POINT OF BEGINNING

### PREPARED FOR:

CHRISTOPHER D. AND LAURA T. MULLER  
920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122

Reviewed by CH SB  
Date: 2-18-15  
File # SDI-1368



## MULLER - TOWN OF SUTHERLAND BOUNDARY PLAN AND DESCRIPTION WEST 20' WIDE - ALLEY DEDICATION PARCEL

PINELLAS COUNTY

FLORIDA

APPROVED BY:

S. SANDY LLOVERAS  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
THIS IS NOT A BOUNDARY SURVEY



LLOVERAS, BAUR & STEVENS

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.  
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Phone: (727) 784-3865 Fax: (727) 784-8153

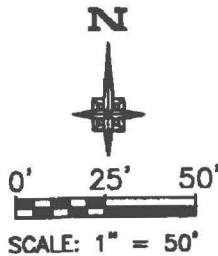
REVISIONS

DRAWN BY: KB  
CHECKED BY: RO  
APPROVED BY:   
DATE: 10-22-14  
SCALE: 1" = 50'

JOB No.

37523

BOUNDARY PLAN AND DESCRIPTION



SEE LEGAL DESCRIPTION ON SHEET 2 OF 2

Reviewed by: *[Signature]*  
 Date: 2-18-15  
 BY: SCL-1368

ABBREVIATION LEGEND	
⊙	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

## PREPARED FOR:

CHRISTOPHER D. AND LAURA T. MULLER

920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

LOT 12  
 BLOCK 134  
 TOWN OF SUTHERLAND  
 PLAT BOOK H1, PAGE 1A

RADIUS = 60.00'  
 ARC = 88.40'  
 CHORD = 80.62'  
 C.B. = N.63°28'55"W.

OHIO AVENUE

(80' WIDE PUBLIC RIGHT-OF-WAY)

ILLINOIS AVENUE

(80' WIDE PUBLIC RIGHT-OF-WAY)

N.89°39'29"E.  
80.00'SOUTH RIGHT-OF-WAY  
LINE OF ILLINOIS AVENUENORTHWEST CORNER  
OF LOT 8

LOT 1  
 BLOCK 134  
 TOWN OF SUTHERLAND  
 PLAT BOOK H1, PAGE 1A

213.58'

20' WIDE ALLEY

WEST RIGHT-OF-WAY  
LINE OF 9th STREET

N.00°30'38"W.

9th STREET

(80' WIDE PUBLIC RIGHT-OF-WAY)

EAST RIGHT-OF-WAY  
LINE OF 9th STREET

250.06'

S.00°30'38"E.

SOUTHWEST CORNER  
OF LOT 9

LOT 9  
 BLOCK 135  
 TOWN OF SUTHERLAND  
 PLAT BOOK H1, PAGE 1A

NORTH RIGHT-OF-WAY  
LINE OF OHIO AVENUE  
 BASIS OF BEARINGS  
(ASSUMED)

N.89°58'20"W.  
8.19'**MULLER - TOWN OF SUTHERLAND****BOUNDARY PLAN AND DESCRIPTION****9th STREET - RIGHT-OF-WAY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

APPROVED BY:

SANDY LLOVERAS  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

2922B U.S. HIGHWAY 19 N.  
 CLEARWATER, FLORIDA 33761

Phone: (727) 784-3865

Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

37523

APPROVED BY: *[Signature]*

DATE: 10-22-14

1 OF 2

SCALE: 1" = 50'

**BOUNDARY PLAN AND DESCRIPTION**



**DESCRIPTION:**

A portion of 9th Street, lying between Ohio Avenue and Illinois Avenue as shown on the Plat of TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the northwest corner of Lot 8, Block 135, of said Plat of TOWN OF SUTHERLAND, and run S.00°30'38"E., along the east right-of-way line of 9th Street, 250.06 feet to the southwest corner of Lot 9, Block 135, of said Plat of TOWN OF SUTHERLAND; thence, leaving said east right-of-way line, N.89°58'20"W., along the north right-of-way line of Ohio Avenue, 8.19 feet; thence, leaving said north right-of-way line, along a non-tangent curve to the left, having a radius of 60.00 feet, an arc length of 88.40 feet, a chord length of 80.62 feet and a chord bearing of N.63°28'55"W., to the west right-of-way line of 9th Street; thence, N.00°30'38"W., along said west right-of-way line, 213.58 feet to the northeast corner of Lot 1, Block 134, of said Plat of TOWN OF SUTHERLAND; thence, leaving said west right-of-way line, N.89°39'29"E., along the south right-of-way line of Illinois Avenue, 80.00 feet to the Point of Beginning.

Containing 17,832 square feet or 0.409 acres more or less.

**MULLER - TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**9th STREET - RIGHT-OF-WAY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

**APPROVED BY:**

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

**LLOVERAS, BAUR & STEVENS**

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REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**

APPROVED BY:

DATE: 10-22-14

**2 OF 2**

BOUNDARY PLAN AND DESCRIPTION



**CONTRACT REVIEW TRANSMITTAL SLIP****PROJECT: Christopher & Laura Muller****TYPE: Legislative Petition to Vacate a portion of Right of Way****Date: 8/4/2015 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.

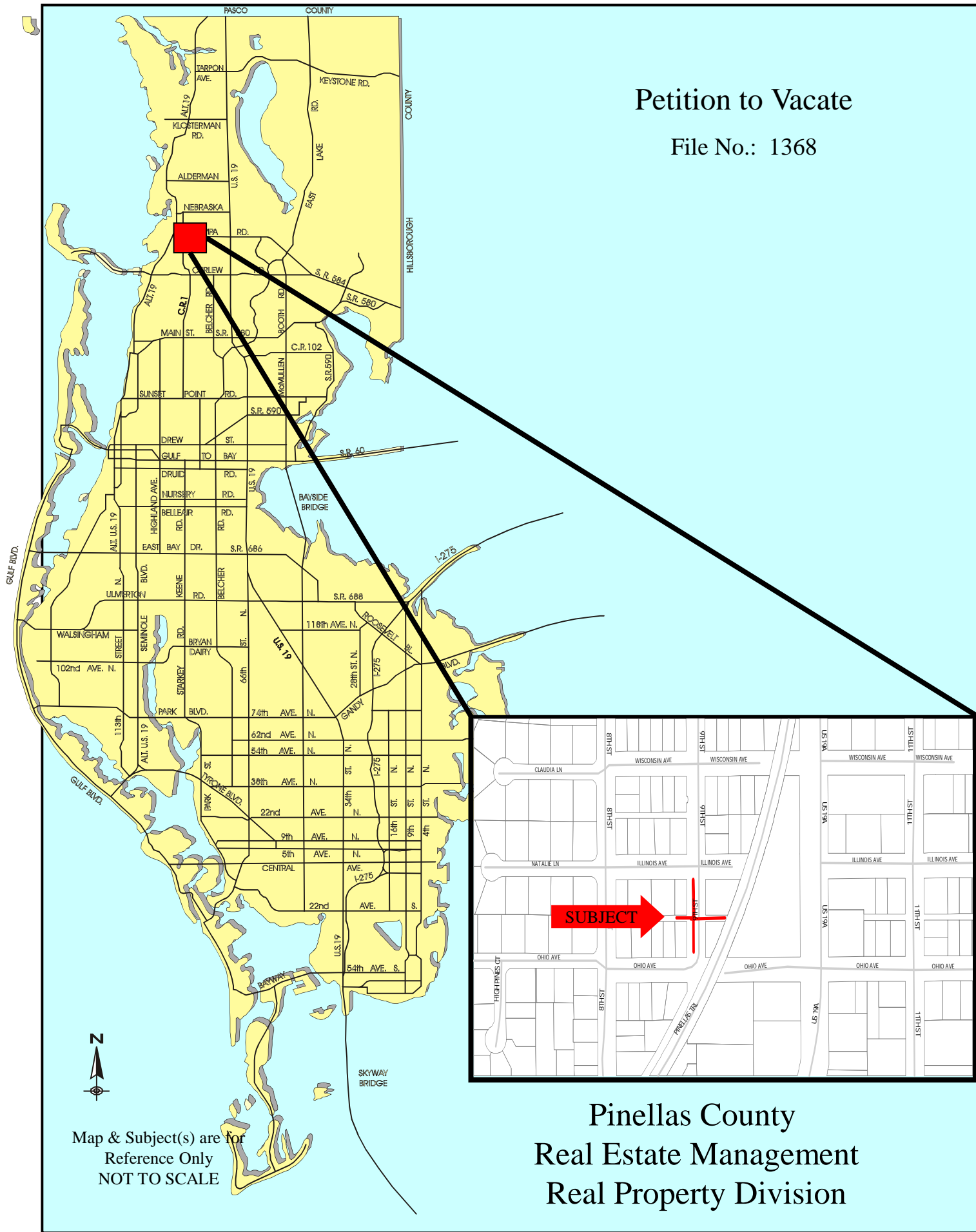
<b><u>Review Authority</u></b>	<b><u>Review Date</u></b>	<b><u>Review Signature</u></b>	<b><u>Comments Included/Addressed Initial &amp; Date</u></b>
Real Property Div. (Sean Griffin)	<u>7/9/15</u>		
Real Est. Mgmt (Andrew Pupke)	<u>8/16/15</u>	<u>AP</u>	
DEI (Tom Farrand)	<u>2/20/215</u>	<u>CATS Response</u>	
Legal (Chelsea Hardy)	<u>7/13/15</u>	<u>CDM</u>	
County Admin (Paul Sacco)	<u>7/15/15</u>		<u>See edits</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.

Petition to Vacate

File No.: 1368



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

Pinellas County  
Real Estate Management  
Real Property Division

## SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

10/6/15 Tuesday of that week Real Estate (Cynthia Harris) coordinates with Paula Gonya for availability on the proposed agenda and gives notice of the proposed number of Petition to Vacate packages.

- 4 weeks prior to Public Hearing date:

10/13/15 Tuesday of that week Real Estate (Cynthia Harris) Notifies Paula of the actual number of petitions and the names of the petitioners projected to go to the agenda.

- 3 weeks prior to Public Hearing date

- (for F.S. 177.101:) (for F.S. 336.09, 10, 12)

10/21/15 Wednesday of that week, the Request to Advertise package for each petition must be delivered to BCC Records (Norman Loy) to meet State Statute advertising requirements. If any petition package is not approved as of this day, please notify Paula ASAP so they can PULL the item from the Board agenda.

PLEASE NOTE: When the Request to Advertise package is delivered to Board Records/Norman, a copy of the ad is provided to Paula.

Thank you.

**BOARD OF COUNTY  
COMMISSIONERS**

Dave Eggers  
Pat Gerard  
Charlie Justice  
Janet C. Long  
John Morroni  
Karen Williams Seel  
Kenneth T. Welch




---

**MEMORANDUM**

---

TO: Norman Loy, Deputy Clerk  
BCC Records

FROM: Sean P. Griffin   
Real Property Manager

SUBJECT: PETITION TO VACATE – Submitted by Chris & Laura Muller  
File No. 1368 CATS 31947  
Property Address: 920 Illinois Avenue, Palm Harbor, Florida, 34683

DATE: October 13, 2015

Enclosed herewith are the following originals:

Petition to Vacate

Copy of the Legal Description (Original signed and sealed Legal is attached to the Resolution)  
Application and Findings of Fact

Letters of no objection from:

Bright House  
Duke Energy Distribution & Transmission  
Pinellas County Public Works  
TECO Electric  
Verizon of Florida  
WOW! (Knology)

Receipt of Check Number 540 in the amount of \$350.00 and Check Number 1076 in the amount of \$400.00 and Check Number 1281 in the amount of \$100.00.

Please set the public hearing for the BCC meeting of November 10, 2015, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time not less than two weeks prior to the public hearing and one time within 30 days after the adoption of the Resolution vacating), and mail notices of the public hearing date to the owners shown on the attached list. Thank you

Pinellas County  
Real Estate Management  
509 East Ave. S.  
Clearwater, FL 33756  
Main Office: (727) 464-3496  
FAX: (727) 464-5251  
V/TDD: (727) 464-4062

[www.pinellascounty.org](http://www.pinellascounty.org)





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

PETITION TO VACATE, PUBLIC RIGHTS-OF-WAY OR ALLEYS

Comes now your Petitioners, Christopher and Laura Muller

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:



Christopher Muller

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



Laura Muller

STATE OF FLORIDA  
COUNTY OF PINELLAS

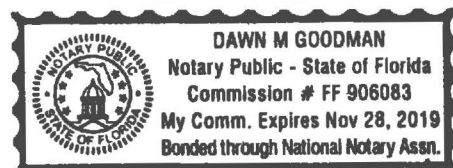
Sworn to (or affirmed) and subscribed before me this 13<sup>th</sup> day of October, 2015, by Christopher and Laura Muller. He/She is personally known to me, or has produced \_\_\_\_\_ as identification, and who did (did not) take an oath.

NOTARY  
SEAL

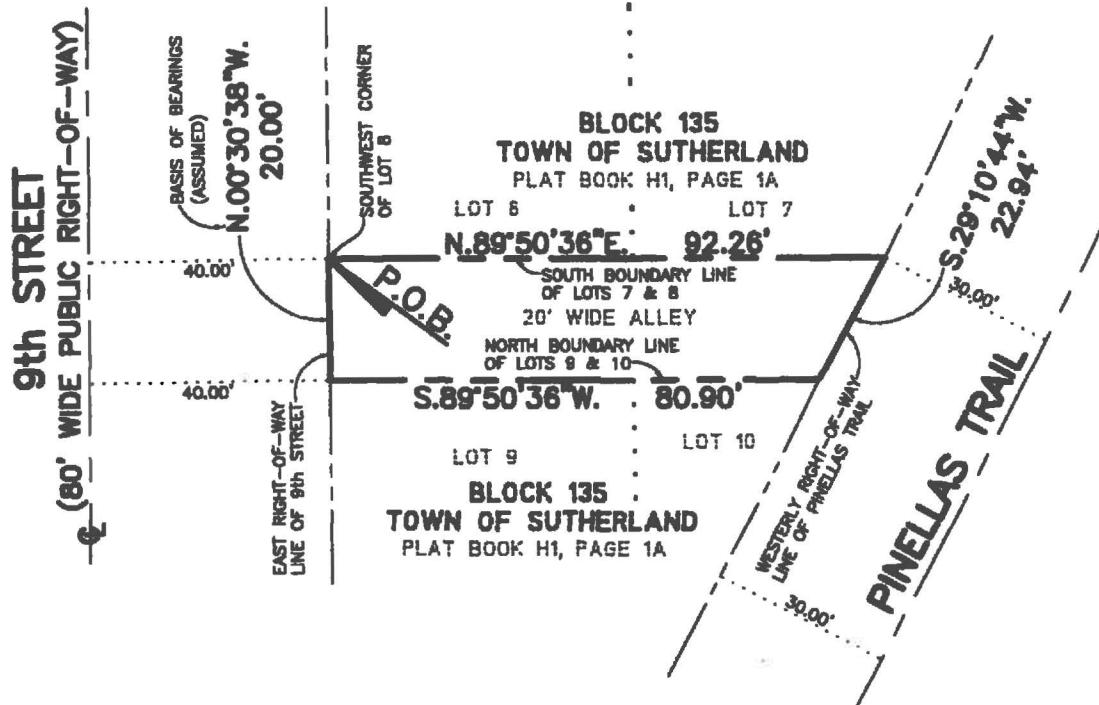
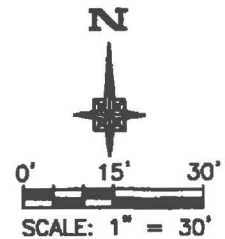
NOTARY  
Print Name

Dawn M Goodman  
DAWN M GOODMAN

My Commission Expires: November 28, 2019 Commission Number: FF906083



SEE LEGAL DESCRIPTION ON SHEET 3 OF 3



PREPARED FOR:

**CHRISTOPHER D. AND LAURA T. MULLER**

920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122

**ABBREVIATION LEGEND**

℄ = CENTERLINE  
P.O.B. = POINT OF BEGINNING

Reviewed by: CH SB  
Date: 2-18-15  
Scale: 501-1368

**MULLER - TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**EAST 20' WIDE - ALLEY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

APPROVED BY:

SANDY LLOVERAS  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

FLB 0000208

29228 U.S. HIGHWAY 19 N.  
CLEARWATER, FLORIDA 33761

Phone: (727) 784-3985 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**

APPROVED BY:

DATE: 10-22-14

**1 OF 3**

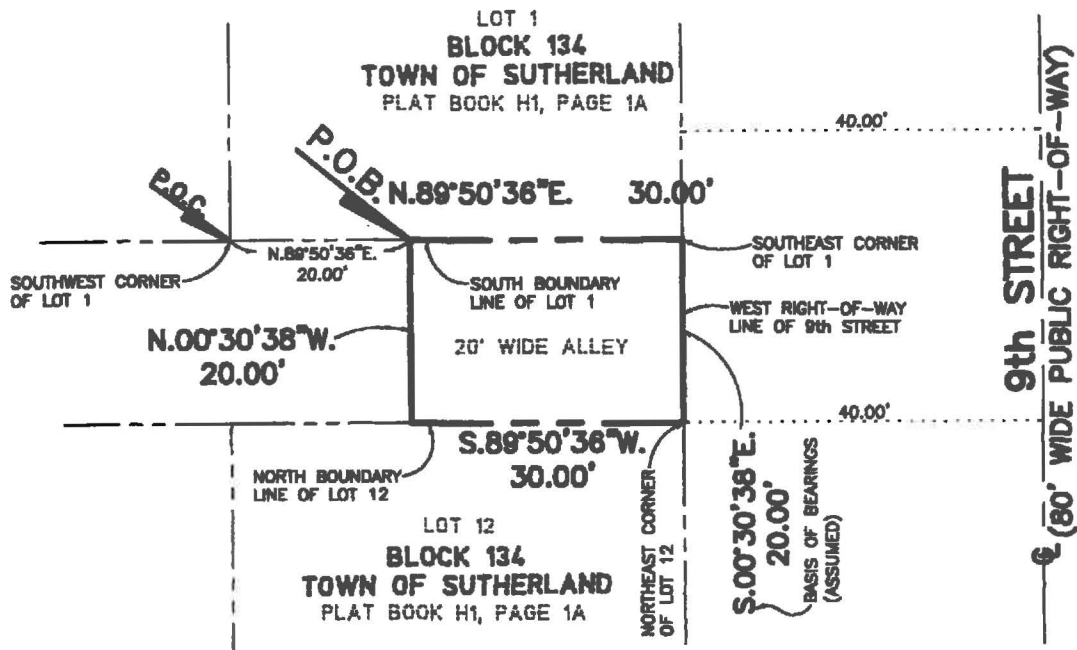
SCALE: 1" = 30'

**BOUNDARY PLAN AND DESCRIPTION**



0' 10' 20'  
SCALE: 1" = 20'

SEE LEGAL DESCRIPTION ON SHEET 3 OF 3



## ABBREVIATION LEGEND

$\frac{1}{2}$	=	CENTERLINE
P.O.B.	=	POINT OF BEGINNING
P.O.C.	=	POINT OF COMMENCEMENT

**MULLER – TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**WEST 20' WIDE – ALLEY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

**LLOVERAS, BAUR & STEVENS**

ENGINEERS – SURVEYORS – PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.  
CLEARWATER, FLORIDA 33761

Phone: (727) 784-3965 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**

APPROVED BY:

DATE: 10-22-14

**2 OF 3**

SCALE: 1" = 20'

BOUNDARY PLAN AND DESCRIPTION



**DESCRIPTION:****EAST 20' WIDE — ALLEY VACATION PARCEL:**

The 20 foot wide alley lying between Lots 7, 8, 9 and 10, Block 135, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the southwest corner of said Lot 8, and run N.89°50'36"E., along the south boundary line of said Lots 7 and 8, 92.26 feet to the westerly right-of-way line of the Pinellas Trail; thence, S.29°10'44"W., along said westerly right-of-way line, 22.94 feet; thence, leaving said westerly right-of-way line, S.89°50'36"W., along the north boundary line of Lots 9 and 10, 80.90 feet to the east right-of-way line of 9th Street; thence, leaving said north boundary line, N.00°30'38"W., along the said east right-of-way line, 20.00 feet to the Point of Beginning.

Containing 1731 square feet or 0.040 acres more or less.

**WEST 20' WIDE — ALLEY VACATION PARCEL:**

A portion of the 20 foot wide alley lying between Lots 1 and 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Commence at the southwest corner of said Lot 1, and run N.89°50'36"E., along the south boundary line of said Lot 1, 20.00 feet for a Point of Beginning; thence, continue, N.89°50'36"E., along said south boundary line, 30.00 feet to the southeast corner of said Lot 1 also being the west right-of-way line of 9th Street; thence, leaving said south boundary line, S.00°30'38"E., along the said west right-of-way line, 20.00 feet to the Northeast corner of said Lot 12; thence, leaving said west right-of-way line, S.89°50'36"W., along the north boundary line of said Lot 12, 30.00 feet; thence, leaving said north boundary line, N.00°30'38"W., 20.00 feet to the Point of Beginning.

Containing 600 square feet or 0.014 acres more or less.

## **MULLER — TOWN OF SUTHERLAND**

### **BOUNDARY PLAN AND DESCRIPTION**

PINELLAS COUNTY

FLORIDA

**PREPARED FOR:**

**CHRISTOPHER D. AND LAURA T. MULLER**

920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122

**LLOVERAS, BAUR & STEVENS**

ENGINEERS — SURVEYORS — PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.  
CLEARWATER, FLORIDA 33761

Phone: (727) 784-3965 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**

APPROVED BY:

DATE: 10-22-14

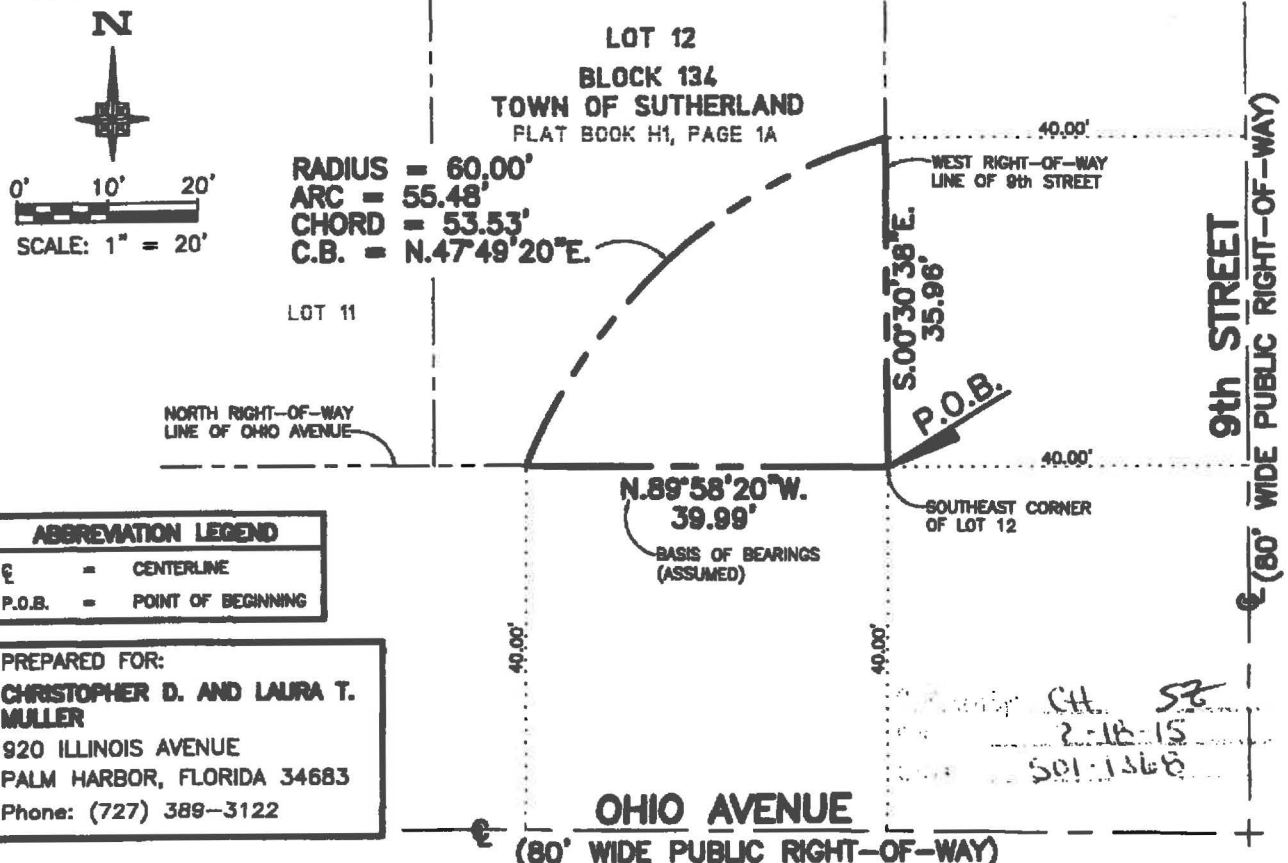
**3 OF 3**

### BOUNDARY PLAN AND DESCRIPTION

## EXHIBIT \_\_\_\_\_

A portion of Lot 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Containing 946 square feet or 0.022 acres more or less.



# MULLER – TOWN OF SUTHERLAND

## BOUNDARY PLAN AND DESCRIPTION

# OHIO AVENUE CUL-DE-SAC RIGHT-OF-WAY DEDICATION PARCEL

PINELLAS COUNTY

## FLORIDA

**APPROVED BY:**

**SANDY LLOVERAS**  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

**ENGINEERS - SURVEYORS - PLANNERS**

FLB 0000208

2922B U.S. HIGHWAY 18 N.

**CLEARWATER, FLORIDA 33761**

**Phone: (727) 784-3965**

**Fax: (727) 784-8153**

**DRAWN BY: KB**

JOB No. \_\_\_\_\_

CHECKED BY: RO

37523

APPROVED BY:

DATE: 10-22-14

**SCALE: 1" = 20'**

### BOUNDARY PLAN AND DESCRIPTION

# SECTION 2, TOWNSHIP 28 SOUTH, RANGE 15 EAST

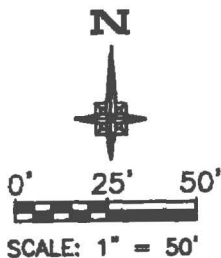
EXHIBIT

## DESCRIPTION:

A portion of Lot 1, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the northwest corner of said Lot 1, and run N.89°39'29"E., along the south right-of-way line of Illinois Avenue, 20.00 feet; thence, leaving said south right-of-way line, S.00°30'38"E., 114.68 feet to the south boundary line of said Lot 1; thence, S.89°50'36"W., along said south boundary line, 20.00 feet to the southwest corner of said Lot 1; thence, leaving said south boundary line, N.00°30'38"W., along the west boundary line of said Lot 1, 114.61 feet to the Point of Beginning.

Containing 2293 square feet or 0.053 acres more or less.



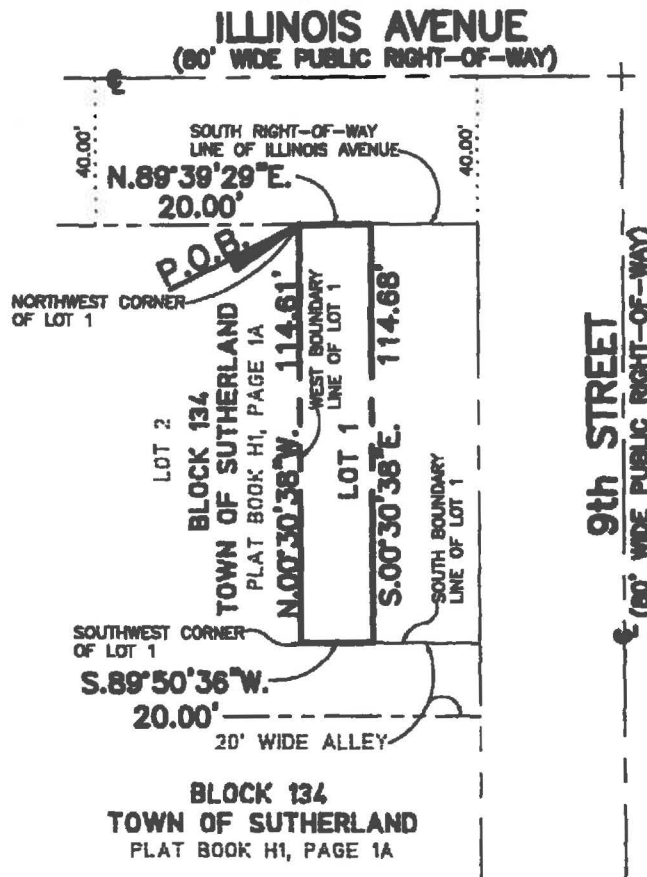
### ABBREVIATION LEGEND

CL = CENTERLINE  
P.O.B. = POINT OF BEGINNING

### PREPARED FOR:

CHRISTOPHER D. AND LAURA T. MULLER  
920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122

Reviewed by: CH SB  
Date: 2-18-15  
File #: 501-1368



## MULLER - TOWN OF SUTHERLAND BOUNDARY PLAN AND DESCRIPTION WEST 20' WIDE - ALLEY DEDICATION PARCEL

PINELLAS COUNTY

FLORIDA

APPROVED BY:

*[Signature]*

S. SANDY LLOVERAS  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
THIS IS NOT A BOUNDARY SURVEY



LLOVERAS, BAUR & STEVENS

ENGINEERS - SURVEYORS - PLANNERS

FLB 0000206

29228 U.S. HIGHWAY 19 N.  
CLEARWATER, FLORIDA 33761

Phone: (727) 784-3865 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

CHECKED BY: RO

APPROVED BY: *[Signature]*

DATE: 10-22-14

SCALE: 1" = 50'

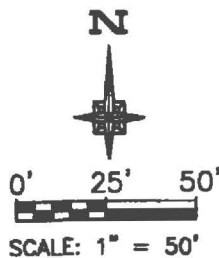
JOB No.

37523

BOUNDARY PLAN AND DESCRIPTION

SECTION 2, TOWNSHIP 28 SOUTH, RANGE 15 EAST

EXHIBIT



SEE LEGAL DESCRIPTION ON SHEET 2 OF 2

Reviewed by: *CH*  
 Date: 2-18-15  
 S.C. 1-1368

ABBREVIATION LEGEND	
⊙	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

PREPARED FOR:

CHRISTOPHER D. AND LAURA T. MULLER

920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

LOT 12  
 BLOCK 134  
 TOWN OF SUTHERLAND  
 PLAT BOOK H1, PAGE 1A

RADIUS = 60.00'  
 ARC = 88.40'  
 CHORD = 80.62'  
 C.B. = N.63°28'55"W.

OHIO AVENUE

(80' WIDE PUBLIC RIGHT-OF-WAY)

ILLINOIS AVENUE

(80' WIDE PUBLIC RIGHT-OF-WAY)

N.89°39'29"E.

80.00'

SOUTH RIGHT-OF-WAY LINE OF ILLINOIS AVENUE

NORTHWEST CORNER OF LOT 8

LOT 8  
 BLOCK 135  
 TOWN OF SUTHERLAND  
 PLAT BOOK H1, PAGE 1A

P.O.B.

250.06'

EAST RIGHT-OF-WAY LINE OF 9th STREET

S.00°30'38"E.

SOUTHWEST CORNER OF LOT 9

LOT 9  
 BLOCK 135  
 TOWN OF SUTHERLAND  
 PLAT BOOK H1, PAGE 1A

NORTH RIGHT-OF-WAY LINE OF OHIO AVENUE  
 BASIS OF BEARINGS (ASSUMED)

N.89°58'20"W.  
 8.19'

**MULLER - TOWN OF SUTHERLAND****BOUNDARY PLAN AND DESCRIPTION****9th STREET - RIGHT-OF-WAY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

APPROVED BY:

S. SANDY LLOVERAS  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.

CLEARWATER, FLORIDA 33761

Phone: (727) 784-3865

Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

37523

APPROVED BY:

DATE: 10-22-14

1 OF 2

SCALE: 1" = 50'

**BOUNDARY PLAN AND DESCRIPTION**

**DESCRIPTION:**

A portion of 9th Street, lying between Ohio Avenue and Illinois Avenue as shown on the Plat of TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the northwest corner of Lot 8, Block 135, of said Plat of TOWN OF SUTHERLAND, and run S.00°30'38"E., along the east right-of-way line of 9th Street, 250.06 feet to the southwest corner of Lot 9, Block 135, of said Plat of TOWN OF SUTHERLAND; thence, leaving said east right-of-way line, N.89°58'20"W., along the north right-of-way line of Ohio Avenue, 8.19 feet; thence, leaving said north right-of-way line, along a non-tangent curve to the left, having a radius of 60.00 feet, an arc length of 88.40 feet, a chord length of 80.62 feet and a chord bearing of N.63°28'55"W., to the west right-of-way line of 9th Street; thence, N.00°30'38"W., along said west right-of-way line, 213.58 feet to the northeast corner of Lot 1, Block 134, of said Plat of TOWN OF SUTHERLAND; thence, leaving said west right-of-way line, N.89°39'29"E., along the south right-of-way line of Illinois Avenue, 80.00 feet to the Point of Beginning.

Containing 17,832 square feet or 0.409 acres more or less.

**MULLER — TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**9th STREET — RIGHT-OF-WAY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

**APPROVED BY:****PREPARED FOR:**

**CHRISTOPHER D. AND LAURA T.  
MULLER**

920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122

**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

28228 U.S. HIGHWAY 18 N.  
CLEARWATER, FLORIDA 33761

Phone: (727) 784-3865 Fax: (727) 784-8153

REVISIONS

DRAWN BY: KB

JOB No.

CHECKED BY: RO

**37523**

APPROVED BY:

DATE: 10-22-14

**2 OF 2****BOUNDARY PLAN AND DESCRIPTION**

**APPLICATION AND FINDINGS OF FACT**  
**FOR PETITION TO RELEASE PLATS OR PORTIONS OF PLAT (EASEMENTS)**

**APPLICANT(S):** Christopher D. Muller and Laura T. Muller  
**Address:** 920 Illinois Avenue  
**City, State, Zip:** Palm Harbor, Florida 34683  
**Daytime Telephone Number:** 727-389-3122

**SUBJECT PROPERTY ADDRESS:** 920 Illinois Avenue  
**City, State, Zip:** Palm Harbor, Florida 34683

**Property Appraiser Parcel Number:** 01/28/15/88560/135/0600, 01/28/15/88560/135/0900  
01/28/15/88560/134/1200, 01/28/15/88560/134/0100

**PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE**

1. The right-of-way or alley is: ☒ open and used ☐ unopened "paper" street
2. Is there a pending "Contract for Sale"? ☐ Yes ☒ No

If yes, please list all parties involved in the sales contract:

3. Is a corporation involved as owner or buyer? No  
If yes, please give Corporation name and list Corporate Officers:

4. Complete subdivision name as shown on the Subdivision Plat:

Town of Sutherland

5. Subdivision Plat Book Number H-1 Page number(s) 1-A

6. Is there a Homeowners Association? ☐ Yes ☒ No

7. Reason(s) for requesting this release – check all that apply:

-Need to release to clear an existing encroachment:  
☐ Pool ☐ Screened Pool & Deck ☐ Building

-Need to release to clear title: ☐ Yes ☒ No

-Want to release to allow for:  
☐ Pool ☐ Screened Pool/Deck ☐ Building Addition ☒ Other: Construction  
of new house and related improvements

-Want to vacate to include the vacated right of way or alley into my property for:

☒ Increased property size ☐ Prohibiting unwanted use of the area

☒ Other:

Construct new house and related improvements

8. Is Board of Adjustment required? ☐ Yes ☒ No

To determine if a variance is required, please call the BUILDING DEVELOPMENT REVIEW SERVICES DEPARTMENT at 464-3888.

9. Please provide any relevant additional comments:

Please refer to attached boundary plan and description exhibits for details on vacation parcels, easements to be granted and additional right-of-way to be granted for Ohio Avenue.

10. If anyone has assisted you with the preparation of this form, gathering of information or requesting information on your behalf, please list their name, title, address and phone number below.

Name Lloveras, Baur and Stevens Title Engineers/Surveyors  
Address 29228 US Hwy 19 North  
Clearwater, Florida 33761 Phone 727-784-3965

#### CITIZEN DISCLOSURE

11. 1) I have a current family relationship to an employee, or an elected official, of Pinellas County Government. That person is \_\_\_\_\_, employed in the Department of \_\_\_\_\_, or Office of \_\_\_\_\_, Elected Official.

☒ 2) I am not aware of any current family relationship to any employee, or Elected Official, of Pinellas County Government.

3) I am an employee of Pinellas County Government, in the \_\_\_\_\_ Department, or the Office of \_\_\_\_\_, Elected Official.

The definition of family relationship, for the purposes of this document, is the immediate family consisting of: father, mother, brother, sister, half-brother or sister, adopted brother or sister, or by law or marriage, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

DATE: 4-17-14

APPLICANT(S) SIGNATURE

[Signature]  
Janna M. Mule



**bright house**

NETWORKS



Date: June 5th, 2015

Re: No Objection to Vacate, (Portion of 9<sup>th</sup> St. ROW) Sec. 1, Twn. 28S, Range 15E, PH

Dear Sandy,

\_\_\_\_\_ Bright House Networks has no objections.

\_\_\_\_\_ Bright House has no objections provided easements for our facilities are Retained or granted. SEE NOTES BELOW

XX Bright House has no objections provided applicant bears the expense for relocation of any Bright House facilities to maintain service to customers affected by the proposed Vacate.

\_\_\_\_\_ In order to properly evaluate this request, Bright House will need detailed plans of facilities proposed for subject areas.

\_\_\_\_\_ Bright House has facilities within this area, which may conflict with subject project  
Please call one call locating. **SEE NOTES**

\_\_\_\_\_ Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES: No Objection provided expenses of relocation are covered and an easement is provided.

Sincerely,  
W. Scott Creasy  
Bright House Networks  
Eng. III  
Pinellas County  
727-329-2847





2166 Palmetto Street  
Clearwater, FL. 33765: CW-13

Jason.McDarby@duke-energy.com

o: 727.562.5706  
f: 727-562-5753

June 25, 2015

Cynthia Harris  
509 East Avenue South  
Clearwater, Florida 33756

**RE: *Approval of vacation***  
***Section 02, Township 28 South, Range 15 East, Pinellas County, Florida***  
***01-28-15-88560-135-0600***

Dear Ms. Harris,

Please be advised that to **DUKE ENERGY FLORIDA, INC., d/b/a DUKE ENERGY** *Distribution Department and Transmission Department* has **"OBJECTIONS"** to the vacation as outlined in the attached sketch and descriptions.

See the accompany Exhibit "A" as attached hereto and incorporated herein by this reference.

This is due to overhead facilities in the area.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason McDarby', written over a horizontal line.

Jason McDarby  
Land Agent  
Distribution Right of Way - Florida

**BOARD OF COUNTY  
COMMISSIONERS**

Nancy Bastock  
Neal Brickheld  
Susan Latvala  
John Marroni  
Norm Roche  
Karen Williams Seei  
Kenneth T. Weich



**March 20, 2014**

S. Sandy Lloveras, P.E., P.S.M.  
Lloveras, Baur and Stevens  
29228 U.S. Hwy. 19 North  
Clearwater, FL 33761

**Re: Letter of No Objection -- Utility Owner**  
Parcel IDs: 01/28/15/88560/134/0100, 01/28/15/88560/135/0600,  
01/28/15/88560/135/0900, 01/28/15/88560/134/1200  
Address: 904 Illinois Ave  
Owners: Christopher and Laura Muller

Dear Mr. Lloveras;

We have received a request to vacate a portion of 9<sup>th</sup> Street and alley situated between the referenced parcels and depicted on the conceptual vacation plan dated 02/14/2014 prepared by your firm. Pinellas County has no objection to the request as compensated by a relocation of existing water infrastructure and a new 10-foot wide easement centered above the relocated water main.

Other considerations regarding existing sewer and reclaimed infrastructure in the area of interest shall be determined as construction plans become finalized and are to be considered part of final construction plan approval.

Please feel free to contact me if I may be of further service, at (727) 453-3465.

Sincerely,

**Pinellas County Department of Environment & Infrastructure**

  
Sarah M. Gilkerson

Engineering Specialist I

cc: Cynthia Harris, Pinellas County/Real Estate Management

**PLEASE ADDRESS REPLY TO:**

Engineering & Technical Support Division/Planning & Design Section/Utility Relocations & Rehabilitation Unit  
14 S. Ft. Harrison Ave - Second floor, Clearwater, FL 33756



June 8, 2015

Ms. Cynthia M. Harris  
509 East Avenue South  
Clearwater, FL 33756

RE: Petition to Vacate: See attached Boundary Plan and Description  
Section 02, Township 28 S, Range 15 E, Pinellas County, FL  
920 Illinois Ave., Palm Harbor, FL 34683

Dear Ms. Harris,

Tampa Electric Company does not serve the subject area therefore does not object to the Petition to Vacate for the abovementioned address; more particularly described as follows:

See Boundary Plan and Description attached hereto and by reference made a part hereof.

If you have any questions or concerns, you may contact me at (813) 228-1090 or [medouglas@tecoenergy.com](mailto:medouglas@tecoenergy.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa E. Douglas".

Melissa E. Douglas  
Real Estate Services  
Distribution Easement Sr. Tech

TAMPA ELECTRIC COMPANY  
PO BOX 111 TAMPA, FL 33601-0111

(813) 228-4111

AN EQUAL OPPORTUNITY COMPANY  
[HTTP://WWW.TAMPAELECTRIC.COM](http://www.tampaelectric.com)

CUSTOMER SERVICE:  
HILLSBOROUGH COUNTY (813) 223-0800  
OUTSIDE HILLSBOROUGH COUNTY 1(888) 223-800



It's that kind of experience.

wowway.com

**WOW! Internet • Cable • Phone**

June 4, 2015

Cynthia M. Harris  
Pinellas Co. Real Estate Management  
Real Property Specialist, Senior  
509 East Avenue South  
Clearwater, FL 33756

Re: **Petition to dedicate alley, utility easement and Right-Of-Way parcel as depicted on the three (3) attached MULLER – TOWN OF SUTHERLAND "BOUNDARY PLAN AND DESCRIPTION" stamped *WOW! COPY*.**

Dear Cynthia M. Harris:

Thank you for contacting Wide Open West (WOW!) with the subject request(s).

**\_XX\_ WOW! has 'NO OBJECTION'.**

\_\_\_\_\_ In order to properly evaluate this request, WOW! will need detailed plans of facilities proposed for the subject area.

\_\_\_\_\_ WOW! has no objection provided applicant bears the entire expense for relocation of existing associated WOW! services.

Please refer any further questions and/or correspondence to:

**WOW!  
Jay Young  
Construction Technician  
3001 Gandy Blvd. N.  
Pinellas Park, FL 33782**

Sincerely,

Jay Young  
Construction Technician  
WOW!  
(727)239.0156 Office  
(727)235.1553 Cell  
jay.young@wowinc.com

3001 Gandy Blvd N - Pinellas Park, FL 33782

Date: 3/25/14



Bryan Lantz  
Municipal Affairs and Right  
of Way Section Manager  
Network Engineering and  
Planning  
Office: 813-740-1231  
bryan.lantz@verizon.com

RE: Muller/Town of Sutherland Vacate Request

Dear Sandy Lloveras,

- ☐ Verizon Florida LLC will require easements as indicated on the attached plat.
- ☐ Verizon Florida LLC does object to the above referenced easement or right of way vacation. This is necessary, as we have facilities in the existing easement or rights of way, which needs to be maintained
- ☐ Verizon Florida LLC has no objection to the above referenced request.
- ☒ Verizon Florida LLC has no objection to the above referenced vacate providing we may maintain an easement(s) presently occupied by our facilities or providing we are reimbursed for the relocation of our facilities to a new location.

Please be advised that Verizon may have facilities in the area. Please contact Sunshine 811 two full business days prior to commencement of construction at 811 for utility locations. Please call me if you have any questions or need any additional information at (813) 740-1231. Sincerely,

Invalid signature

**X** Bryan Lantz

---

Bryan Lantz  
Network Engineering  
Signed by: Bryan Lantz

A Part of Verizon Corporation

## Harris, Cynthia

---

**From:** Lantz, Bryan L (BRYAN) [bryan.lantz@verizon.com]  
**Sent:** Tuesday, October 13, 2015 11:43 AM  
**To:** Harris, Cynthia  
**Subject:** RE: Request for a Petition to Vacate

Cynthia,

Verizon has no objection.

**Bryan Lantz Verizon Florida LLC**  
Rights of way & Municipal Affairs Mgr. - Network Field  
Ops  
[Tel:813-740-1231](tel:813-740-1231)  
[Verizon Global Network Service Delivery & Assurance](mailto:bryan.lantz@verizon.com)  
[bryan.lantz@verizon.com](mailto:bryan.lantz@verizon.com)



**NETWORK & TECHNOLOGY**  
**SERVICE DELIVERY**  
**& ASSURANCE**

---

**From:** Harris, Cynthia [<mailto:cmharris@co.pinellas.fl.us>]  
**Sent:** Thursday, October 08, 2015 3:27 PM  
**To:** McDarby, Jason; Frazier, Jeff P.; Douglas, Melissa E.; Lantz, Bryan L (BRYAN)  
**Subject:** Request for a Petition to Vacate  
**Importance:** High

To All:

Kokkinakos was the original requestor to vacate both sides of the alley abutting Lot 20. This is the Widow Brown's Restaurant. Attached you will find a request to vacate all of the alley and the six feet of platted right of way that borders their property. Please send a letter of no objection for this request.

Pinellas County did not want to leave the remnant of the alley not vacated so the owner RH Wurz was contacted and he agreed to vacate the rest of the platted alley behind his property. That is the second sketch so that all of the right of way would be vacated.

Please notate on your letter that by Pinellas County vacating all of the platted six foot alleyway, you have no objection.

The address for Widow Brown's is 2076 Seminole Blvd. 03/30/15/17838/000/0190

Thanks

Cynthia M. Harris  
509 East Avenue South  
Clearwater, FL 33756  
Real Estate Management  
Real Property Specialist, Senior  
(727) 464-3773

PETITION TO VACATE #

1368

**PETITION TO RELEASE**  
**PUBLIC HEARING**

For your information, below please find the steps necessary for the Real Estate Division to prepare your petition for the public hearing.

At the time you bring in the completed application, letters of no objection and all documents requested, a \$350.00 non-refundable application fee is required to begin the petition to release or release of easement application. When the County staff review and approval of the application is complete, **you will be notified by mail and requested to submit the Petition to Release form together with the \$400.00 filing and advertising fee, and all pertinent fees associated with approval of the request.** Upon receipt of the check, made payable to the Board of County Commissioners (BOCC), and the Petition, the **PETITION TO RELEASE PACKAGE** is prepared by County staff for presentation to the **BOARD OF COUNTY COMMISSIONERS** as a public hearing agenda item.

FYI, below are the steps necessary for the Real Estate Division to prepare for the public hearing include:

**ADVERTISEMENT**

In accordance with Florida State Statute 177.10, the date of the public hearing will be advertised " *by publishing legal notice in a newspaper of general circulation in the county in which the parcel of land is located, in not less than two weekly issues of said paper*". The advertisement is placed in the paper by the Clerk of the Circuit Court, Board Records Section.

**ADVERTISEMENT**

In accordance with Florida State Statute 336.09, 336.10, & 336.12, "*the Commissioners shall hold a public hearing and shall publish notice thereof, one time in a newspaper of general circulation in the county in which the parcel of land is located, at least two weeks prior to the date stated therein for such hearing*". Following the Public Hearing, "*Notice of the adoption of the Resolution by the Commissioners shall be published one time, within 30 days following its adoption, in one issue of a newspaper of general circulation*". These advertisements are placed in the paper by the Clerk of the Circuit Court, Board Records Section.

CHRISTOPHER MULLER  
LAURA MULLER  
920 ILLINOIS AVE  
PALM HARBOR, FL 34683-4231

1281  
63-27/631 FL  
23605

10-11-15  
Date

Pay to the Order of Board of County Commissioners \$ 100.00  
One hundred and 00/100 Dollars

**Bank of America**  
ACH R/T 083100277

**Bank of America Advantage®**

For Laura Muller

⑆063100277⑆ 003764893628⑈1281⑆

MP

Harland Clarke

ISLAND BREEZES

**PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1368**

**PETITIONER**

MULLER, CHRISTOPHER D  
MULLER, LAURA T  
920 ILLINOIS AVE  
PALM HARBOR, FL 34683-4231

**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

MULLER, CHRISTOPHER  
MULLER, LAURA  
920 ILLINOIS AVE  
PALM HARBOR, FL 34683-4231

SUTHERLAND STORAGE  
PO BOX 384  
PALM HARBOR, FL 34682-0384

MEDELLIN, OSCAR  
MC GINNIS, COLLEEN C  
891 WISCONSIN AVE  
PALM HARBOR, FL 34683-4250

VETERE, LORENZO & LOUISA REV LIV TR  
VETERE, PETER L TRE  
17143 E HILLCREST DR  
FOUNTAIN HILLS, CA 85268-6721

WOODBURN, MICHAEL  
920 WISCONSIN AVE  
PALM HARBOR, FL 34683

FOSTER, ARTHUR R  
854 ILLINOIS AVE APT A  
PALM HARBOR, FL 34683-4259

BARR, GEOFFREY A  
BARR, KANDICE I C  
807 OHIO AVE  
PALM HARBOR, FL 34683-4242

MC CARDLE, GUY R  
MC CARDLE, IRENE R  
125 OLD PARK RD  
LEWISTOWN, PA 17044-9522

W D H KEY HOLDINGS LLC  
121 DUNBRIDGE DR  
PALM HARBOR, FL 34684-3702

GOODWIN, ROBERT M  
DEATON, STACI M  
940 WISCONSIN AVE  
PALM HARBOR, FL 34683-4251

SCHAEFER, DEBRA J  
945 ILLINOIS AVE  
PALM HARBOR, FL 34683-4232

E J P LLC  
1015 ILLINOIS AVE  
PALM HARBOR, FL 34683-4412

BENNETT, RAYMOND B  
30725 US HIGHWAY 19 N  
PALM HARBOR, FL 34684-4400

FRANKE, KATHLEEN A  
814 WISCONSIN AVE  
PALM HARBOR, FL 34683-4249

HUGH, LESLIE G  
762 8TH ST  
PALM HARBOR, FL 34683-4200

GET REAL INVESTORS LLC  
4424 N LOIS AVE  
TAMPA, FL 33614-7320

HUDDLESTON, JAMES W II  
HUDDLESTON, TARA L  
546 8TH ST  
PALM HARBOR, FL 34683-4201

WOODBURN, MICHAEL  
920 WISCONSIN AVE  
PALM HARBOR, FL 34683

PINELLAS COUNTY  
ATTN SPECIAL ACTS  
315 COURT ST  
CLEARWATER, FL 33756-5165

FELIX, MARION  
FELIX, CANDIDO  
790 9TH ST  
PALM HARBOR, FL 34683-4218



STEWART, PHILLIP JR  
820 OHIO AVE  
PALM HARBOR, FL 34683-4241

DE LELLIS REVOCABLE LIVING TRUST  
DE LELLIS, JAMES P TRE  
PO BOX 923  
HIAWASSEE, GA 30546-0923

BROWN, MATTHEW F  
807 ILLINOIS AVE  
PALM HARBOR, FL 34683-4230

COHN, CLAIRE M  
609 BETMOR LN  
PALM HARBOR, FL 34683-5248

BRINSON, SUSAN W  
PO BOX 116  
OZONA, FL 34660-0116

SPILEO PROPERTIES LLC  
2994 NORTHFIELD DR  
TARPON SPRINGS, FL 34688-9119

SWALLOW, GEOFFREY C  
FITZGERALD-SWALLOW, ANNE  
PO BOX 395  
OZONA, FL 34660-0395

KLEIN, RICK  
KLEIN, LESLEY  
793 NATALIE LN  
PALM HARBOR, FL 34683-4237

PURDY, MICHAEL S  
PURDY, ROBIN P  
930 WISCONSIN AVE  
PALM HARBOR, FL 34683-4251

FIGIEL, JOSEPH H JR  
FIGIEL, PATRICIA A  
837 WISCONSIN AVE  
PALM HARBOR, FL 34683-4250

STEWART LIVING TRUST  
STEWART, S L TRE  
855 WISCONSIN AVE  
PALM HARBOR, FL 34683-4250

RANSOM, DAVID MICHAEL  
RANSOM, BRANDI M  
873 WISCONSIN AVE  
PALM HARBOR, FL 34683-4250

PRATT, JAMES C  
13229 GOLF RIDGE PL  
HUDSON, FL 34669-2461

PONDER, WAYNE G  
PONDER, RITA A  
856 WISCONSIN AVE  
PALM HARBOR, FL 34683-4249

SCHROTTER, ANDREAS R  
COOLIDGE, MICHELE A  
780 8TH ST  
PALM HARBOR, FL 34683-4200

HENDRICKS, ANN  
808 ILLINOIS AVE  
PALM HARBOR, FL 34683-4229

DACEY, WILLIAM  
1534 SAND HOLLOW CT  
PALM HARBOR, FL 34683-4641

TROIANO, LYNNE LIVING TRUST  
TROIANO, LYNNE TRE  
1709 8TH ST  
PALM HARBOR, FL 34683

EXCHANGERIGHT NET LEASED  
PORTFOLIO 5 DST  
251 S LAKE AVE STE 520  
PASADENA, CA 91101-4844

PECK, TREVOR  
PECK, PEGGY GUZZIE  
406 HILLSBOROUGH ST  
PALM HARBOR, FL 34683-1627

M K PROPERTIES LLC  
104 HOMEPORT DR  
PALM HARBOR, FL 34683-5409

COLE, EDWARD B  
844 WISCONSIN AVE  
PALM HARBOR, FL 34683-4249

HERMANSEN, THOMAS J  
805 ILLINOIS AVE  
PALM HARBOR, FL 34683-4230

SMITH, ALAN C  
607 8TH ST  
PALM HARBOR, FL 34683-4220

MUNRO, DEBRA L  
MUNRO, RANDALL F  
440 POINSETTIA RD  
BELLEAIR, FL 33756-1027

BRANDON HOLDINGS LAND TRUST  
BRANDON, DAVID LEE TRE  
PO BOX 603  
OZONA, FL 34660-0603

CAMPEAU, CLAUDE G  
105 SHORE DR  
DUNEDIN, FL 34698-2545

MAURADIAN, MARGUERITE  
730 9TH ST  
PALM HARBOR, FL 34683-4218

NASTA, JENNIFER  
810 9TH ST N  
PALM HARBOR, FL 34683-4219

CSX TRANSPORTATION INC  
ATTN TAX DEPT  
500 WATER ST (C910)  
JACKSONVILLE, FL 32202-4423

JANSEN, ALEXANDER  
153 SHORE DR  
PALM HARBOR, FL 34683

SWETT, JOSEPH Q  
SWETT, LORNA  
593 8TH ST  
PALM HARBOR, FL 34683-4214

ENDERLE, CHRISTIAN  
8942 SANDUSKY LN  
NEW PORT RICHEY, FL 34654-4472

BENNETT, RAYMOND B  
30725 US HIGHWAY 19 N  
PALM HARBOR, FL 34684-4400

TZEMOPOULOS, DEMETRIOS  
TZEMOPOULOS, BARBARA  
921 WISCONSIN AVE  
PALM HARBOR, FL 34683-4252

CAMEROTA, CARMINO LUKE  
812 OHIO AVE  
PALM HARBOR, FL 34683

CALLAGHAN, DOUGLAS  
CALLAGHAN, DIANA  
528 8TH ST  
PALM HARBOR, FL 34683-4201

VETERE, LORENZO AND LOUISA TRUST  
VETERE, BARBARA TRE  
16652 E JACKLIN DR  
FOUNTAIN HILLS, AZ 85268-5441

GALLAGHER, KEVIN M D C P A  
550 ALT 19 N  
PALM HARBOR, FL 34683-4431

AUTO MALL LLC  
116 CRESTWOOD CT S  
SAFETY HARBOR, FL 34695-3716

LOLLIS, ANTHONY M  
LOLLIS, PATRICIA K  
4708 PLEASANT AVE  
PALM HARBOR, FL 34683-1205

DUNCAN, CELETA C  
500 8TH ST  
PALM HARBOR, FL 34683-4201

BRINSON, ROY T TRE  
BRINSON, MAGGIE M TRE  
803 ILLINOIS AVE  
PALM HARBOR, FL 34683-4230

STEPP, JOANNE F EST  
915 WISCONSIN AVE  
PALM HARBOR, FL 34683-4252

CH

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## **NOTICE OF PUBLIC HEARING**

**Notice is hereby given that on November 10, 2015, beginning at 9:30 A.M., a public hearing will be held by the Board of County Commissioners in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, 33756, to consider the petition of Christopher and Laura Muller to vacate, abandon and/or close the following:**

**A portion of 9<sup>th</sup> Street, lying between Ohio Avenue and Illinois Avenue, the 20 foot alley lying between Lots 7, 8, 9 and 10, Block 135 and a portion of the 20 foot alley lying between Lots 1 & 12, Block 134, Town of Sutherland, Plat Book H1, Page 1A Public Records of Hillsborough County, Florida of which Pinellas County was formally a part of in Section 2-28-15, Pinellas County, Florida.**

**Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.**

**IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 SOUTH FORT HARRISON AVENUE, SUITE 500, CLEARWATER, FLORIDA 33756, (727) 464-4880 (VOICE), (727) 464-4062 (TDD).**

**KEN BURKE, CLERK TO  
THE BOARD OF COUNTY COMMISSIONERS  
By: Norman D. Loy, Deputy Clerk**

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## MEMORANDUM

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TO: Norman Loy, Deputy Clerk  
BCC Records

FROM: Sean P. Griffin  
Real Property Manager

SUBJECT: PETITION TO VACATE – Submitted by Chris & Laura Muller  
File No. 1368 CATS 31947  
Property Address: 920 Illinois Avenue, Palm Harbor, Florida, 34683

DATE: October 13, 2015

Enclosed herewith are the following originals:

Petition to Vacate

Copy of the Legal Description (Original signed and sealed Legal is attached to the Resolution)  
Application and Findings of Fact

Letters of no objection from:

Bright House  
Duke Energy Distribution & Transmission  
Pinellas County Public Works  
TECO Electric  
Verizon of Florida  
WOW! (Knology)

Receipt of Check Number 540 in the amount of \$350.00 and Check Number 1076 in the amount of \$400.00 and Check Number 1281 in the amount of \$100.00.

Please set the public hearing for the BCC meeting of November 10, 2015, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time not less than two weeks prior to the public hearing and one time within 30 days after the adoption of the Resolution vacating), and mail notices of the public hearing date to the owners shown on the attached list. Thank you

**REQUEST FOR ADVERTISING**

**TO:** BCC Records

**FROM:** Sean P. Griffin, Manager  
Real Estate Management /Real Property Division

**RE:** Petition to Vacate Public Hearing  
File No. 1368–Christopher & Laura Muller

**DATE:** October 13, 2015

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**THIS VACATION OF RIGHT-OF-WAY IS DONE UNDER STATE STATUTE 336.10. ADVERTISING IS REQUIRED ONE TIME AT LEAST TWO WEEKS PRIOR TO THE PUBLIC HEARING AND NOTICE OF THE ADOPTION OF THE RESOLUTION VACATING IS TO BE ADVERTISED ONE TIME WITHIN 30 DAYS FOLLOWING THE ADOPTION.**

**AD COPY ATTACHED:** Yes XXX No \_\_\_\_\_

**REQUIRES SPECIAL HANDLING:** Yes \_\_\_\_\_ No XXX

**NEWSPAPER:** St. Petersburg Times \_\_\_\_\_ Business Observer XXX

**DATE(S) TO APPEAR:** 10/23/2015

**SIZE OF AD:** \_\_\_\_\_

**SIZE OF HEADER:** \_\_\_\_\_

**SIZE OF PRINT:** \_\_\_\_\_

**SPECIAL INSTRUCTIONS OR COMMENTS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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**KEN BURKE, CLERK TO  
THE BOARD OF COUNTY COMMISSIONERS  
By: Norman D. Loy, Deputy Clerk**