

BOARD OF COUNTY COMMISSIONERS

DATE: March 2, 2010
AGENDA ITEM NO.

Consent Agenda

Regular Agenda

Public Hearing 2.

County Administrator's Signature:

Subject:

Quasi-Judicial Petition to Vacate a Portion of an Easement

Submitted By: City of Seminole Fire Station
Property Address: 10780 110th Avenue North
Seminole, Florida 33772
File No.: 1370

Department:

Real Estate Management

Staff Member Responsible:

Paul S. Sacco, Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BCC) ACCEPT THE PETITION TO VACATE, ADOPT THE ATTACHED RESOLUTION PURSUANT TO FLORIDA STATUTE 177.101, AND AUTHORIZE THE CLERK TO RECORD THE RESOLUTION IN THE PUBLIC RECORDS OF PINELLAS COUNTY.

Summary Explanation/Background:

This petition to vacate a portion of an easement on Lot 1, 2 and 3, Tropical Groves Unit Six Subdivision, is associated with the City of Seminole's plan of expansion for a new fire station.

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. Building Development Review Services has not indicated the need to seek a variance. Additionally, Letters of No Objection have been received from Bright House, Knology, Pinellas County Utilities, Progress Energy (Distribution), Progress Energy (Transmission), and Verizon.

Notice was mailed by the Clerk of the Court to the adjacent property owners and nearby residents, in accordance with Florida Statute requirements. The Deputy Clerk will report any citizen support or opposition to the BCC.

Fiscal Impact/Cost/Revenue Summary:

The owner has paid a \$350 non refundable application filing fee.

Exhibits/Attachments Attached:

Petition to Vacate

Notification List

Resolution

Location Map

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

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

Comes now your Petitioner, City of Seminole Fire Station
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:

Frank P. Edmunds
Frank P. Edmunds, City Manager

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 2nd day of February, 2010
by Frank P. Edmunds, City Manager. He is personally known to me, or has produced _____
_____ as identification, and who did (did not) take an oath.

NOTARY
SEAL

NOTARY
Print Name Rose M. Benoit

My Commission Expires: July 25 2011 Commission Number: DD694570



Sketch of Description

This is NOT a Boundary Survey



SCALE : 1" = 40'



LEGEND

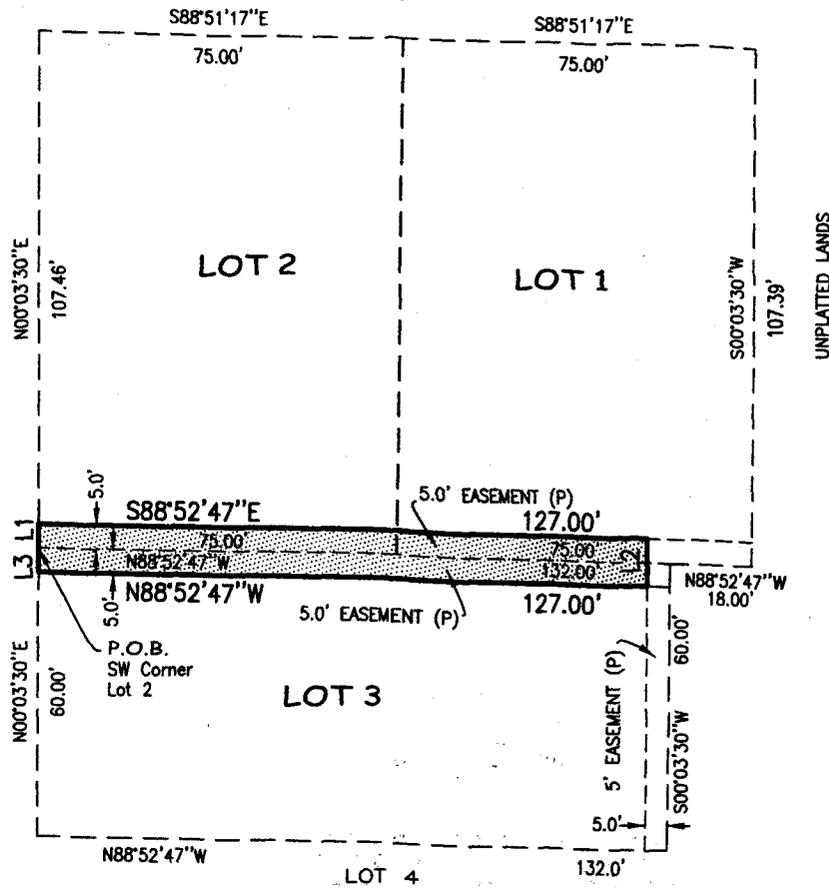
ID	IDENTIFICATION
PLS	PROFESSIONAL LAND SURVEYOR
LB	LICENSED BUSINESS
(P)	PLAT INFORMATION
(D)	DEED or DESCRIPTION INFORMATION
(F)	FIELD MEASURED
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

LINE	BEARING	DISTANCE
L1	N00°03'30"E	5.00'
L2	S00°03'30"W	10.00'
L3	N00°03'30"E	5.00'

110th AVENUE NORTH

RIGHT OF WAY (P)

108th STREET NORTH
RIGHT OF WAY (P)



DESCRIPTION:

A PORTION OF THOSE PLATTED FIVE FOOT WIDE EASEMENTS LYING WITHIN LOTS 1, 2 AND 3, TROPICAL GROVES UNIT SIX, AS RECORDED IN PLAT BOOK 52, ON PAGE 31 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N00°03'30"E, ALONG THE WEST BOUNDARY THEREOF A DISTANCE OF 5.00 FEET; THENCE S88°52'47"E A DISTANCE OF 127.00 FEET; THENCE S00°03'30"W A DISTANCE OF 10.00 FEET; THENCE N89°52'47"W A DISTANCE OF 127.00 FEET TO A POINT OF INTERSECTION WITH THE WEST BOUNDARY OF SAID LOT 3; THENCE N00°03'30"E, ALONG SAID WEST BOUNDARY A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

NOTES:

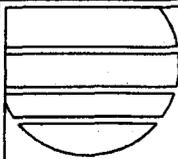
1. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
3. THIS SKETCH DOES NOT REFLECT OR DETERMINE OWNERSHIP.
4. USE OF THIS SKETCH BY ANYONE OTHER THAN THOSE PREPARED FOR WILL BE THE RE-USERS SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
5. THERE MAY BE ITEMS DRAWN OUT OF SCALE TO GRAPHICALLY SHOW THEIR LOCATION.
6. THE SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND IS SUBJECT TO EASEMENTS, RIGHTS-OF-WAY AND SIMILAR MATTERS OF TITLE.
7. MERIDIAN BASED ON THE EAST RIGHT OF WAY LINE OF 108th STREET AS BEARING N00°03'30"E (P).

Prepared for and Certified To:
City of Seminole Fire Station 32
10780 110th Avenue N.
Largo Florida

DATE:
September 15, 2009

Drawing No. 608403.dwg
Checked By KOM
Drawn By JAC

Project No. 608403
Field Book Pages



SUNCOAST LAND SURVEYING, Inc.
111 FOREST LAKES BOULEVARD
OLDSMAR, FLA. 34677

BOUNDARY - TOPOGRAPHIC - CONSTRUCTION STAKEOUT
PHONE: (813) 854-1342 FAX: (813) 855-6890

LB 4513

SURVEYOR'S CERTIFICATE

I hereby certify that the SKETCH depicted herein was performed under my RESPONSIBLE CHARGE on the date(s) shown, and meets the MINIMUM TECHNICAL STANDARDS set forth by the FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS in Chapter 61G17-6, FLORIDA ADMINISTRATIVE CODE pursuant to Section 472.027, FLORIDA STATUTES. "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER".

Jeffery A. Copeland
JEFFERY A. COPELAND, PLS No.5279

EXHIBIT "A"

Reviewed by: *LL SE*

Date: 11/28/10

PROPERTY OWNER NOTIFICATION LIST FOR FILE #1370

PETITIONER

CITY OF SEMINOLE FIRE STATION 32
FIRE CHIEF DANIEL GRAVES
9199 113TH STREET NORTH
SEMINOLE, FLORIDA 33772

ADJACENT PROPERTY OWNERS

NOTIFICATION LETTER SENT TO THESE OWNERS
BY THE CLERK OF THE CIRCUIT COURT - BCC RECORDS DIVISION

STUMPP, WENDLYN W
10794 108TH ST
LARGO, FL 33778-3340

DANIELS, MARSHA
10930 108TH ST
LARGO, FL 33778-3323

IOVANNISCI, LAURA A
10836 108TH ST
LARGO, FL 33778-3323

MARIS, ROGER O
10854 108TH ST
LARGO, FL 33778-3323

D M R FAMILY HOLDINGS LLC
10303 NINA ST
LARGO, FL 33778-3509

MATURANA, GUSTAVO A
10872 108TH ST
LARGO, FL 33778-3323

HAIMES, ALLEN N
HAIMES, JUDITH A
10710 SEMINOLE BLVD
LARGO, FL 33778-3316

BARRY, CAROL C
BARRY, FRANK J
10849 108TH ST N
LARGO, FL 33778-3344

TEAGUE, WILLIAM M
10659 108TH ST
LARGO, FL 33778-3341

SAUCERMAN, JAYME L
SAUCERMAN, GISLAINE G
10722 108TH ST
LARGO, FL 33778-3340

WARRANT, JOHN W
WARRANT, LUCILLE M
10974 108TH ST
LARGO, FL 33778-3323

COCHRAN, DALE J
10818 108TH ST
LARGO, FL 33778-3323

KNIGHT, TERRY L
WOODS, RICHARD C
809 S BOULEVARD
TAMPA, FL 33606-2904

HOWELL, DONALD S
10700 SEMINOLE BLVD
LARGO, FL 33778-3334

SULLIVAN, ED B III
420 GULF BLVD # 505
INDIAN ROCKS BEACH, FL
33785-2562

BANK OF AMERICA
ATTN CORP REAL ESTATE
ASSESSME
NC1-001-03-81 101 N TRYON ST
CHARLOTTE, NC 28255-0001

METZ, JENNIFER
10755 108TH ST
LARGO, FL 33778-3341

MITCHELL, THEODORE M
MITCHELL, ROBIN M
10770 108TH ST
LARGO, FL 33778-3340

REESE, THOMAS C
10746 108TH ST
LARGO, FL 33778-3340

IZZOLO, JOSEPH
10998 SEMINOLE BLVD
LARGO, FL 33778-3338

WEAVER, PAULA C
10731 108TH ST
LARGO, FL 33778-3341

HECHT, JEREMY M
PIERCE, BRIAN
820 VAN WARREN RD
ROANOKE RAPID, NC 27870-8749

MASTRY, PENNY
BEDILLION, BRAD A
10881 108TH ST
SEMINOLE, FL 33778-3344

GILLILAND, RICHARD L TRE
MILLER, DOROTHY S TRE
PO BOX 7396
ST PETERSBURG, FL 33734-7396

IOVANNISCI, LAURA A
10836 108TH ST
LARGO, FL 33778-3323

STUMPP, WENDLYN W
10794 108TH ST
LARGO, FL 33778-3340

PRESTIPINO, ROSE E
10925 108TH ST
LARGO, FL 33778-3349

STEFFENSON, TROY D
WEBER, HEIDI J
10952 108TH ST
LARGO, FL 33778-3323

CLINE, JAMES D II
CLINE, DARLENE W
10996 108TH ST
LARGO, FL 33778-3323

LUBAS, MARY C TRE
10908 108TH ST
LARGO, FL 33778-3323

DE BELLIS, GEORGE H
10684 108TH ST N
LARGO, FL 33778-3340

HESS, DANIEL E
10865 108TH ST
LARGO, FL 33778-3344

HALL, JOHN J
HALL, CHINA A
10681 108TH ST
LARGO, FL 33778-3341

JORGENSEN, ROBERT W
JORGENSEN, SHARON
5636 BAYVIEW DR
SEMINOLE, FL 33772-7047

BARRY, CAROL C
ANDERSON, CATHERINE A
1804 SUNSET DR
CLEARWATER, FL 33755-3375

SNYDER, ROBERT D.
SNYDER, BARBARA M.
10897 108TH ST
LARGO, FL 33778-3344

MELOY, JIM
REAL PROPERTY DIVISION
509 EAST AVENUE
CLEARWATER, FL 33756

RESOLUTION NO. _____

**RESOLUTION VACATING A PORTION OF AN
EASEMENT IN LOTS 1, 2, AND 3, TROPICAL GROVES
UNIT SIX SUBDIVISION, AS RECORDED IN PLAT BOOK
52, PAGE 31, IN THE SW ¼ SECTION 15-30-15 OF THE
PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA**

**WHEREAS, The City of Seminole Fire Station 32 petitioned this Board of
County Commissioners to vacate the following described property:**

**Lands described in legal description attached hereto as Exhibit "A"
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 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 Petitioners has shown that the requested vacation will not
cause injury to surrounding property owners; and**

**WHEREAS, the Publisher's Affidavit, showing compliance with the notice
requirements of Chapter 177.101 of the Florida Statutes, has 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 described property in the legal description attached hereto as Exhibit "A" and plat be, and the same are hereby vacated insofar as this Board of County Commissioners has the authority to do so.

BE IT FURTHER RESOLVED that this resolution and the proof of publication of the notice of public hearing, 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:

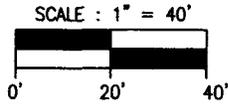
ABSENT AND NOT VOTING:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By: M. J. Cas Attorney

Sketch of Description

This is NOT a Boundary Survey



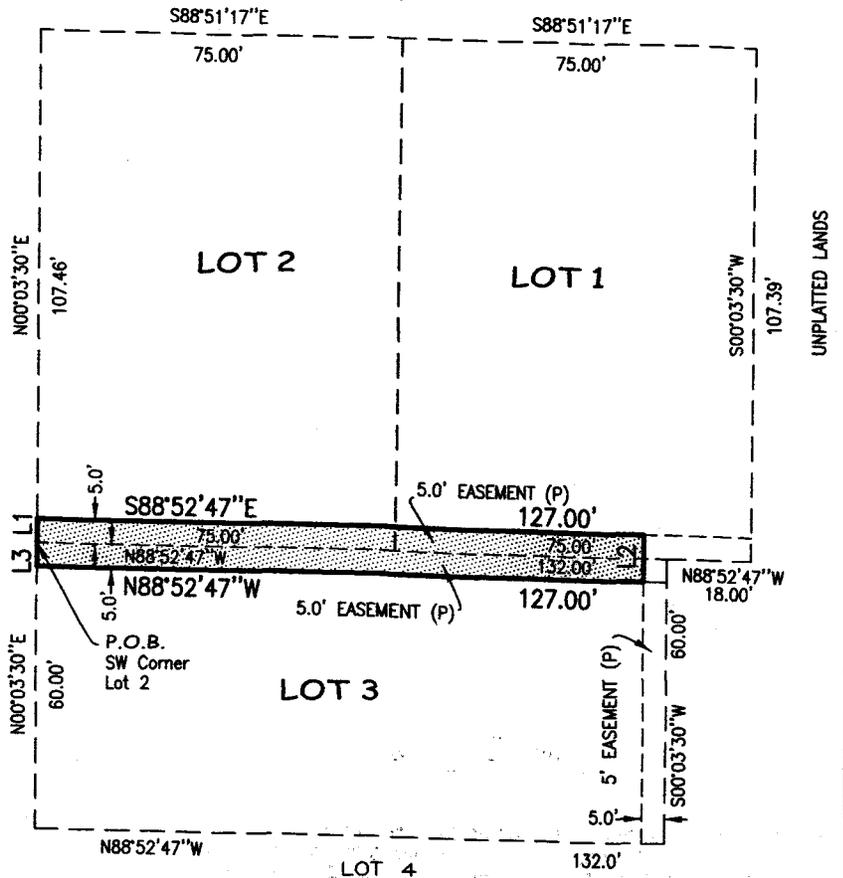
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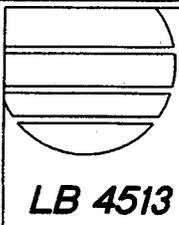
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Prepared for and Certified To:
City of Seminole Fire Station 32
10780 110th Avenue N.
Largo Florida

DATE:
September 15, 2009

Drawing No.	608403.dwg
Checked By	KOM
Drawn By	JAC

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Field Book	Pages



SUNCOAST LAND SURVEYING, Inc.
111 FOREST LAKES BOULEVARD
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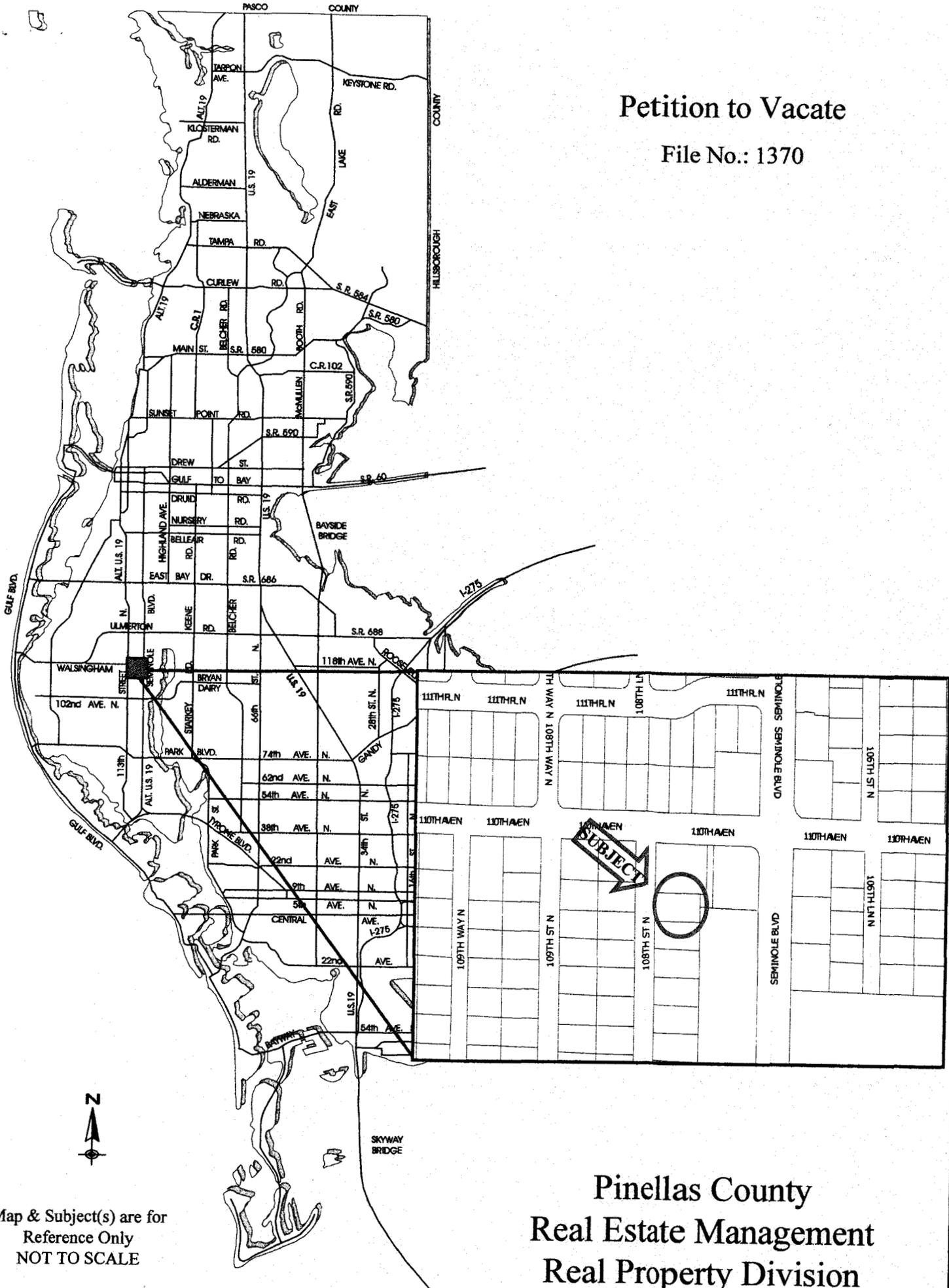
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Jeffery A. Copeland
JEFFERY A. COPELAND, PLS No.5279

Petition to Vacate

File No.: 1370



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

Pinellas County
Real Estate Management
Real Property Division