

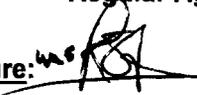
BOARD OF COUNTY COMMISSIONERS

DATE: August 10, 2010
AGENDA ITEM NO.

Consent Agenda

Regular Agenda

Public Hearing

County Administrator's Signature: 

Subject:

Legislative Petition to Terminate a Portion of a 20 foot wide section of Public Right-of-Way by Pinellas County
Submitted By: Pinellas County
Location: Disston Boulevard, 162nd Avenue North and 49th Street North
Largo, Florida 33762
File No.: 1365

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 TERMINATE A PORTION OF PUBLIC RIGHT-OF-WAY, WAIVE THE \$690.00 FILING FEE, ADOPT THE ATTACHED RESOLUTION PURSUANT TO FLORIDA STATUTES 336.09 AND 336.10, AND AUTHORIZE THE CLERK TO RECORD THE RESOLUTION IN THE PUBLIC RECORDS OF PINELLAS COUNTY.

Summary Explanation/Background:

Pinellas County, as the Petitioner, is requesting to terminate a 20 foot wide strip of that portion of a 100 foot wide road that is an unopened portion of North Center Street, formally named Disston Boulevard that was declared public right-of-way by Petition as defined in Book 006, Page 55 in the Public Records of Pinellas County. The termination area is located in the NE 1/4 of Pinellas Groves Subdivision. Parcel P003-R represents lands to be released from public right-of-way. Termination of this 20 foot wide strip improves the alignment of the western edge of 49th Street North and North Center Street. The 20 foot strip will revert to the ownership of the abutting property owner, the Pinellas Community Housing Foundation, Inc., as Trustee of the Pinellas County Surplus Land Trust - Bayside.

The termination of this portion of the plat will not affect the ownership, or right of convenient access of persons owning other portions of the subdivision. Additionally, staff reviewed the subject area and determined the release of right-of-way would not have an adverse effect on the remaining right-of-way grid, nor neighborhood traffic flow.

Appropriate staff members reviewed the subject area and a determination was made that the vacation would not have a negative effect on the remaining Disston right-of-way. Additionally, Letters of No Objection have been received from Bright House, Knology, Pinellas County Utilities and Progress Energy (Transmission), Progress Energy (Distribution) and Verizon.

Research indicates there is no Homeowners Association (HOA) for the Pinellas Groves Subdivision.

Fiscal Impact/Cost/Revenue Summary:

The fee of \$690.00 has been waived.

Exhibits/Attachments Attached:

Contract Review Transmittal

Petition to Terminate

Resolution

Location Map

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

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

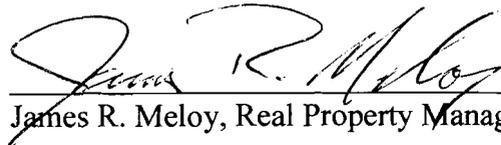
Comes now your Petitioner, Pinellas County
Name of Petitioner

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.

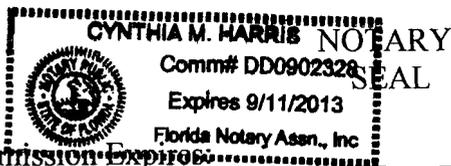
Your petitioners represent that: 1) the petitioners own the fee simple title to the whole or that portion of the plat (easement) that is sought to be vacated; 2) the vacation request herein will not cause injury to any surrounding property or property owners, and that the above described property does 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:


James R. Meloy, Real Property Manager

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 3rd day of May,
2002 2010, by James R. Meloy, Real Property Manager. He is personally known to me, or has
produced _____ as identification, and who did (did not) take an oath.



My Commission Expires _____

NOTARY Cynthia M. Harris
Print Name Cynthia M. Harris

Commission Number: DD0902328



SECTION(S) 33, TOWNSHIP 29 SOUTH, RANGE 16 EAST

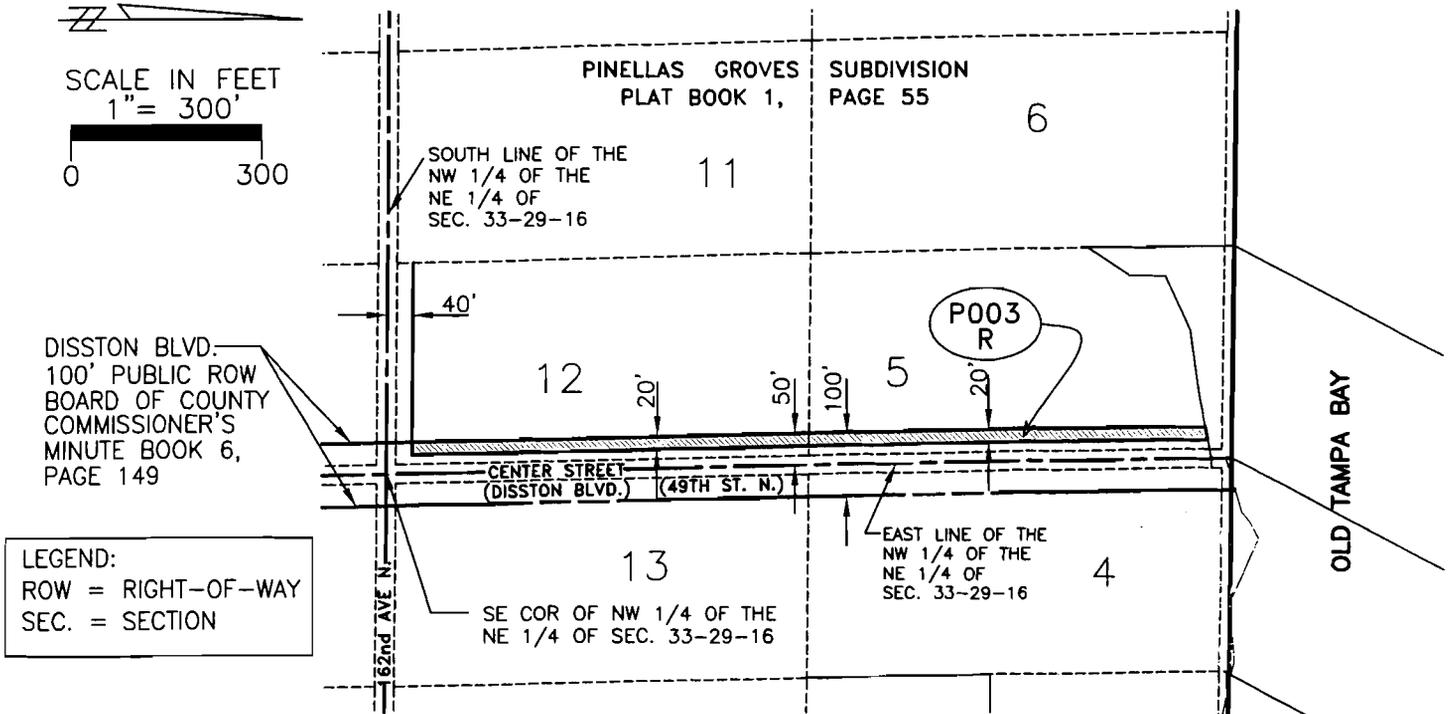
Additions or deletions by other than the Professional Land Surveyor in responsible charge is prohibited.
 Land Description is invalid without signature and/or embossed seal of the Professional Land Surveyor

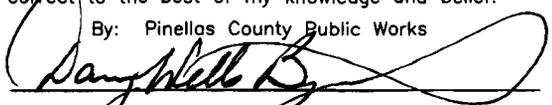
DESCRIPTION

A 20 foot wide strip, being a portion of that certain 100 foot wide strip, being a continuation of Disston Boulevard, declared as public right-of-way, according to Pinellas County Board of County Commissioners Book 6, Page 149, public records of Pinellas County, Florida, in the Northeast 1/4 of Section 33, Township 29 South, Range 16 East, being described as follows:

The West 20 feet of that portion of Lots 5 and 12, PINELLAS GROVES Subdivision, according to plat thereof, as recorded in Plat Book 1, Page 55, public records of Pinellas County, in said Northeast 1/4 of Section 33, lying within 50 feet west of the East line of the Northwest 1/4 of said Northeast 1/4 of Section 33, being bounded on the north by the Mean High Water Line of Old Tampa Bay; LESS AND EXCEPT that portion of aforesaid Lot 12, lying withing 40 feet north of the South line of the Northwest 1/4 of said Northeast 1/4 of Section 33.

SKETCH--NOT A SURVEY



CALCULATED BY: D.Mc	The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief. By: Pinellas County Public Works  DATE 10/12/05
CHECKED BY: dwb	
S.F.N.: 0893	

DANNY WELLS BURGESS, PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER: 5993
 STATE OF FLORIDA, PHONE # (727) 464-8904

SEAL

PROPERTY OWNER NOTIFICATION LIST FOR FILE #1365

PETITIONER

PINELLAS COUNTY REAL PROPERTY DIVISION
JIM MELOY, MANAGER
509 EAST AVENUE
CLEARWATER, FLORIDA 33765

ADJACENT PROPERTY OWNERS
NOTIFICATION LETTER SENT TO THESE OWNERS
BY THE CLERK OF THE CIRCUIT COURT – BCC RECORDS DIVISION

MILLER, SCOTT A
MILLER, KATHY C
4789 162ND AVE N
CLEARWATER, FL 33762-3208

ROXBY, TERRY LEE
ROXBY, PATRICIA LORRAINE
4865 163RD AVE N
CLEARWATER, FL 33762-3226

STOROZOW, KENNETH
16255 49TH ST N
CLEARWATER, FL 33762-3218

BISCUIT PROPERTIES
5100 78TH AVE N STE 6
PINELLAS PARK, FL 33781-2407

MORELLI, VINCENT J JR
4855 162ND AVE N
CLEARWATER, FL 33762-3224

LAWLOR, JOSEPH
SHARROW, KEVIN
4989 162ND AVE N
CLEARWATER, FL 33760-3220

REXACH, LOUIS A
MALDONADO, ANA E
16205 49TH ST N
CLEARWATER, FL 33762-3218

HOYT, JEFFERY M
HOYT, PAULA H
16064 49TH ST N
CLEARWATER, FL 33762-3200

BAILEY, RANDOLPH E
10189 106TH TER
LARGO, FL 33773-4130

DIMOFF, GEORGE J
DIMOFF, MARY JO
4911 162ND AVE N
CLEARWATER, FL 33760-3220

CABRERA, CELESTE
4887 163RD AVE N
CLEARWATER, FL 33762-3226

WALDAUER, ALAN J JR
WALDAUER, ANGELA C
16086 49TH ST N
CLEARWATER, FL 33762-3200

GRUEBER, JOHN
16375 49TH ST
PINELLAS PARK, FL 33781

NGUYEN, LIEM T
11100 66TH ST N
LARGO, FL 33773-5500

BROWN, JENNIFER E
4897 163RD AVE N
CLEARWATER, FL 33762-3226

MODRAKOVIC, MILADIN
MODRAKOVIC, JANET R
4945 162ND AVE N
CLEARWATER, FL 33760-3220

ROHR, WENDY W
ROHR, KEVIN P
4836 163RD AVE N
CLEARWATER, FL 33762-3225

STEFANSKI, SUSAN M
STEFANSKI, ANDREW
7296 W 85TH ST
LOS ANGELES, CA 90045-2431

STAMPER, DANNY
4812 164TH AVE N
CLEARWATER, FL 33762-3231

MORELLI, MICHAEL J
FIERRO, ELIZABETH M
4811 162ND AVE N
CLEARWATER, FL 33762

LEWIS, ALLAN
7243 AMHURST WAY
CLEARWATER, FL 33764-7035

DIAS, JOAO
DIAS, CHRISTINA
4837 163RD AVE N
CLEARWATER, FL 33762

BYLSMA, JESSICA MARIE
225 N 2ND ST #2F
LAFAYETTE, IN 47901

GILLO, FRANCINE
4805 163RD AVE N
CLEARWATER, FL 33762-3226

BROKOW, JENNIFER
PO BOX 367
ODESSA, FL 33556-0367

TORO, RAUL E III
TORO, SHAWNA M
4879 163RD AVE N
CLEARWATER, FL 33762

NUZZO, CYNTHIA L
16152 49TH ST N
CLEARWATER, FL 33762-3215

SCOTT, ROBIN L
2460 NORTHSIDE DR APT 402
CLEARWATER, FL 33761-2251

SMITH, RICKY C
SMITH, FRANCES E
4833 162ND AVE N
CLEARWATER, FL 33762-3224

JOHNSON, JOEL E
JOHNSON, RUBY L
16174 49TH ST N
CLEARWATER, FL 33762-3215

BORSUK, GEORGE J
BORSUK, DENISE
860 LIVE OAK AVE NE
ST PETERSBURG, FL 33703-3168

CARR, PAUL
CARR, KRIZIA
16130 49TH ST N
CLEARWATER, FL 33762-3215

BAILEY, RANDOLPH E
10189 106TH TER
LARGO, FL 33773-4130

EMGE, JUSTIN
4820 163RD AVE N
CLEARWATER, FL 33762-3225

NGO, TUNG
4967 162ND AVE N
CLEARWATER, FL 33760-3220

HUYNH, TONY LOK
16108 49TH ST N
CLEARWATER, FL 33762-3215

STAPLES, JASON
13020 BROWN-GRIER RD
CHARLOTTE, NC 28273-3267

RESOLUTION NO. _____

RESOLUTION TERMINATING A PORTION OF THE WEST 20 FEET OF LOTS 5 AND 12, PUBLIC ROAD RIGHT OF WAY OF THE PINELLAS GROVES SUBDIVISION, IN SECTION 33, TOWNSHIP 29 SOUTH, RANGE 16 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 55 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

WHEREAS, Pinellas County has petitioned this Board of County Commissioners to terminate the following described property:

Public Road Right of Way described in legal description attached hereto and by this reference made a part hereof; and

WHEREAS, the County has shown that the termination 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 County has shown that the requested termination will not cause injury to surrounding property owners and is not needed for any public right-of-way purpose; and

WHEREAS, the Publisher's Affidavit, showing compliance with the notice requirements of Chapter 336.10 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 this Board finds it necessary and in the public interest to terminate the above described public road right of way, and the same are hereby terminated, 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:

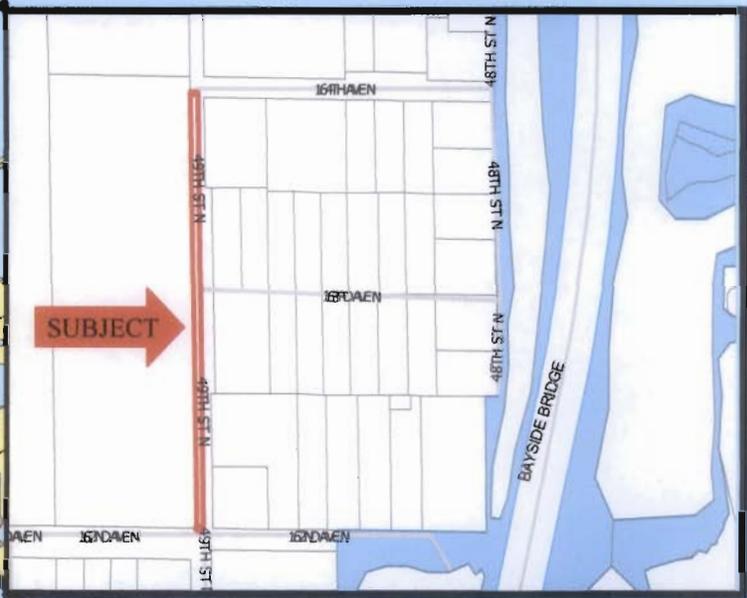
ABSENT AND NOT VOTING:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By: MJD
Attorney

Termination of Public Right-of-Way

49th Street N & 162nd Ave N



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

Pinellas County
Real Estate Management
Real Property Division