

BOARD OF COUNTY COMMISSIONERS

DATE: October 7, 2014
AGENDA ITEM NO. 3

Consent Agenda

Regular Agenda

Public Hearing

[Handwritten Signature]
County Administrator's Signature:

Subject:

Legislative Petition to Vacate a Portion of Right-of-Way (ROW) per §336.09 Florida State Statutes, 2014.

Submitted By: Norman W. Bond
Property Address: 18587 Hancock Bluff Road
Dade City, Florida 33523
File No.: 1454

Chimayo, LLC
9700 16th Street North
St. Petersburg, Florida 33716

Department:

Real Estate Management
Department of Public Works

Staff Member Responsible:

Paul S. Sacco, Director
Richard Coates, P.E., Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BCC) CONSIDER GRANTING THE PETITION TO VACATE, AND IF GRANTED, ADOPT THE ATTACHED RESOLUTION PURSUANT TO FLORIDA STATUTE 336.09, AND AUTHORIZE THE CLERK TO RECORD THE RESOLUTION IN THE PUBLIC RECORDS OF PINELLAS COUNTY.

Summary Explanation/Background:

The subject petition seeks to vacate a portion of the northerly 160-foot of San Merino Boulevard lying adjacent to Lot 16, Block 2, Section "A" Florida Riviera Subdivision, Plat No. 5, Plat Book 17, Page 34, and Block 7, Section "D", Florida Riviera Plat No. 5, Plat Book 17, Page 37 in Section 17-30-17 Pinellas County, Florida.

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 from Planning and Public Works reviewed the subject area and determined the vacation would not have an adverse effect on the vacated area. Letters of No Objection have been received from Bright House, Knology, Engineering and Technical Support, Duke Energy (Distribution) and (Transmission), and Verizon.

The Petition was properly advertised in accordance with Florida Statute 336.09 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 owner has 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: Norman W. Bond and Chimayo, LLC

TYPE: Legislative Petition to Vacate a portion of ROW

Date: 10/07/2014 **ESTIMATED EXPENDITURE/REVENUE:**

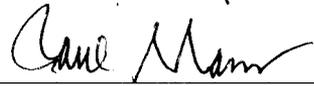
\$ 750.00

(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>6/18</u>		
Real Est. Mgmt (Paul Sacco)	<u>6/18/14</u>		
DEI (Tom Farrand)	<u>5/29/2014</u>	<u>Approved in CATS</u>	
Legal (Michael Zas)	<u>7/7/14</u>	<u>MZas</u>	The BCC as a whole wants to know why they are seeking the vacation with not specifically relevant
County Admin. (Joe Lauro)	<u>7/8/14</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 , 2014
 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, PUBLIC RIGHTS-OF-WAY OR ALLEYS

Comes now your Petitioner, Norman W. Bond
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.

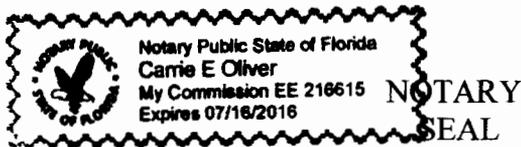
Your petitioners represent that: 1) the petitioners own the fee simple title to the whole or that portion of the plat (easement) that is sought to be vacated; 2) the vacation request herein will not cause injury to any surrounding property or property owners, and that the above described property does 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; 4) an easement will be retained over the entire vacated area.

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


Norman W. Bond

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 11th day of June, 2014,
by Norman W. Bond. He is personally known to me, or has produced _____
as identification, and who did (did not) take an oath.



NOTARY Carrie E. Oliver
Print Name Carrie E. Oliver

My Commission Expires: 7-16-2016

Commission Number: EE 216615

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

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

Comes now your Petitioner, Jodi Pridgen, Chimayo, LLC
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.

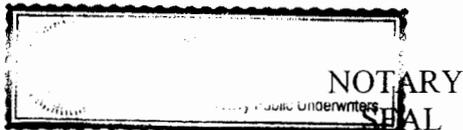
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I hereby swear and/or affirm that the forgoing statements are true:

Jodi D. Pridgen
Jodi Pridgen, Manager
Chimayo, LLC

STATE OF FLORIDA
COUNTY OF PINELLAS

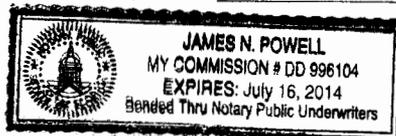
Sworn to (or affirmed) and subscribed before me this 13th day of June, 2014,
by Jodi Pridgen, Manager. She is personally known to me, or has produced _____
_____ as identification, and who did (did not) take an oath.



NOTARY [Signature]
Print Name James N. Powell
James N. Powell

My Commission Expires: _____

Commission Number: _____



SKETCH NOT A SURVEY

SECTION 17 TOWNSHIP 30S. RANGE 17E.
BASIS OF BEARINGS:
THE SOUTH R/W OF GANDY BOULEVARD BEING
N.72°44'00"E.

LEGAL DESCRIPTION:

BEGIN AT THE INTERSECTION OF THE CENTERLINE OF THE 30 FOOT ALLEY VACATED IN O.R. BOOK 6297, PAGE 104 AND THE WESTERLY RIGHT OF WAY OF SAN MERINO BOULEVARD AS SHOWN ON SECTION "A" FLORIDA RIVIERA PLAT NO. 5, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 34, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE N.17°16'00"W. ALONG SAID RIGHT OF WAY TO THE SOUTHERLY RIGHT OF WAY OF GANDY BOULEVARD; THENCE N.72°44'00"E. ALONG SAID SOUTHERLY RIGHT OF WAY 60.00 FEET TO THE EASTERLY RIGHT OF WAY OF SAN MERINO BOULEVARD; THENCE S.17°16'00"E. ALONG SAID EASTERLY RIGHT OF WAY TO THE EXTENDED CENTERLINE OF SAID 30 ALLEY; THENCE S72°44'00"W ALONG SAID EXTENDED ALLEY CENTERLINE FOR 60.00 FEET TO THE POINT OF BEGINNING.

Reviewed by: CH SZ

Date: 2-26-14

OFFICE LOCATION: 516 LAKESIDE PLACE
LARGO, FLORIDA 33771

NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYER AND MAPPER.
PREPARED FOR AND CERTIFIED TO:

CHIMAYO, LLC

TARGET LAND SURVEYING, INC.

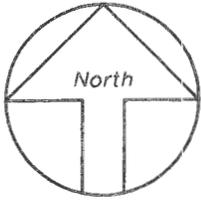
P.O. BOX 663
DUNEDIN, FL 34697-0663 PH:(727) 784-0573

I hereby certify that this SKETCH was made under my responsible charge and meets the minimum Technical Standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 5 J 17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes

Philip C. Stock

Philip C. Stock
RLS #3035, LB #5570
5/03/2013

Job# 130503.01
Drawn By: PCS



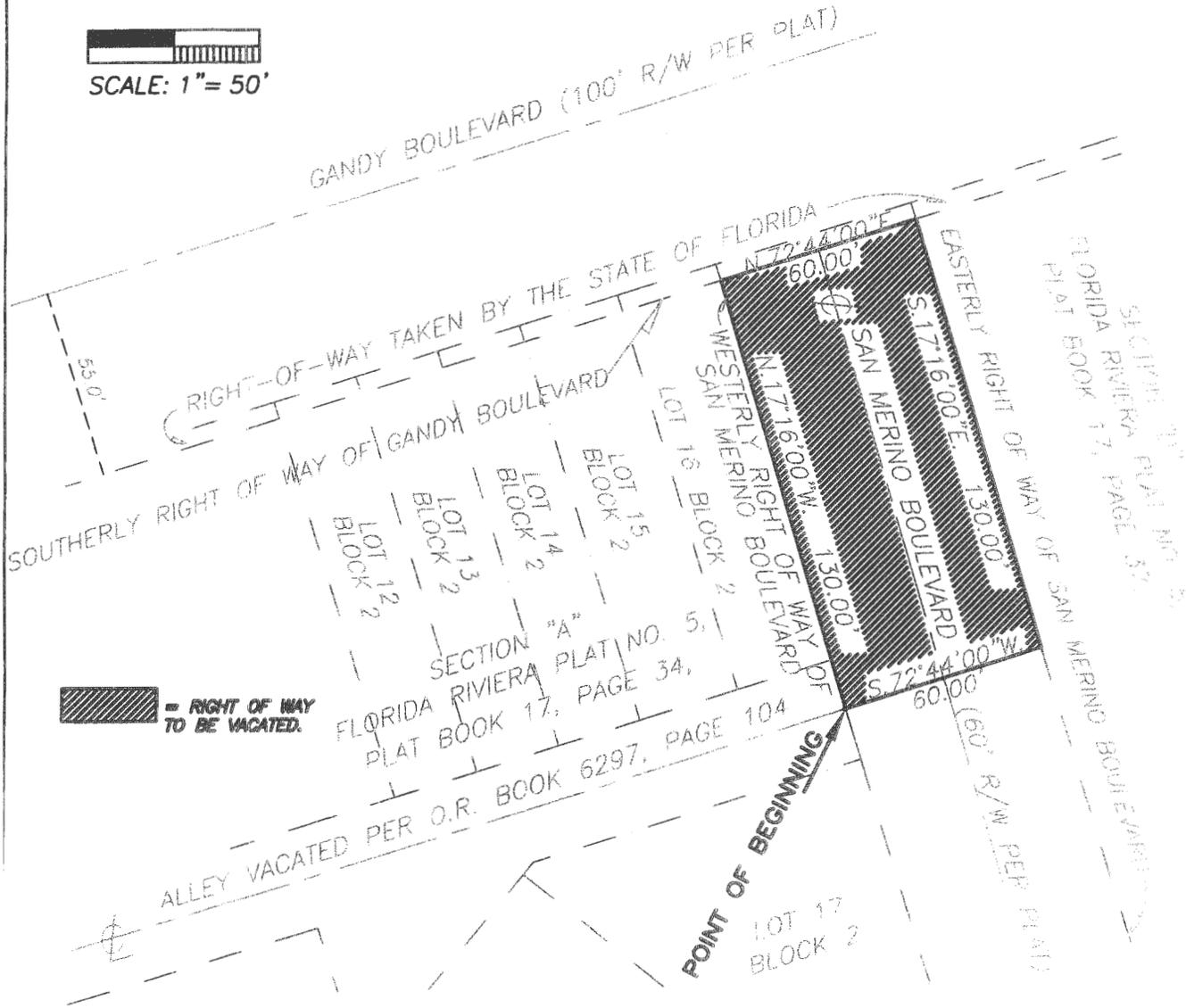
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SECTION 17 TOWNSHIP 30S. RANGE 17E.

BASIS OF BEARINGS:

THE SOUTH R/W OF GANDY BOULEVARD BEARS
N. 72° 44' 00" E

SCALE: 1" = 50'



= RIGHT OF WAY TO BE VACATED.

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Philip C. Stock

Philip C. Stock

RLS #3035, LB #5570

5/03/2013

DATE OF CERTIFICATION

Job# 130503.01

Drawn By: PCS

SHEET 2 OF 2

PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1454

PETITIONER

JODI PRIDGEN
CHIMAYO, LLC
9700 16TH STREET NORTH
ST. PETERSBURG, FL 33716

NORMAN W. BOND
18587 HANCOCK BLUFF ROAD
DADE CITY, FLORIDA 33523

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

CHIMAYO LLC
9700 16TH ST N
ST PETERSBURG, FL 33716-4210

BOND, NORMAN W
18578 HANCOCK BLUFF RD
DADE CITY, FL 33523-1905

Q S INVESTMENT INC
3112 44TH AVE N
ST PETERSBURG, FL 33714-3808

STEFFEN, GARY C
10701 SNUG HARBOR RD NE
ST PETERSBURG, FL 33702-1929

DONALDSON FAMILY PTNSHP
LLLP
12000 31ST CT N
CLEARWATER, FL 33716-1809

INTERTECHNICS INC
2430 ESTNCIA BLVD STE 108
CLEARWATER, FL 33761-2607

OAK STREET DEV INC
9741 INTERNATIONAL CT N
ST PETERSBURG, FL 33716-4807

GIFFORD, GLEN III
MARTINEZ, MELISSA
1081 PLAZA COMERCIO NE
ST PETERSBURG, FL 33702-1451

BRODERICK, ROGER B
STROSS FAMILY INVESTMENT
PTNSHP LTD
5514 PARK BLVD
PINELLAS PARK, FL 33781

GRISWOLD, SYLVIA
1198 RICARDO PL NE
ST PETERSBURG, FL 33702-1466

HAVEKOTTE, PAUL A
KRAEMER, ANNA
6501 12TH ST N
ST PETERSBURG, FL 33702

RESOLUTION NO. _____

RESOLUTION VACATING A PORTION OF SAN MERINO BOULEVARD, BLOCK 2, SECTION "A" FLORIDA RIVIERA PLAT #5 IN PLAT BOOK 17 PAGE 34 AND BLOCK 7, SECTION "D" FLORIDA RIVERIA PLAT #5, PLAT BOOK 17, PAGE 37 IN SECTION 17-30-17.

WHEREAS, Jodi Pridgen and Chimayo, LLC and Norman W. Bond, 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 apparent 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 right of convenient access of persons owning other parts of the subdivision; and

WHEREAS, the Petitioners have shown that the requested vacation will not cause injury to surrounding property owners and is not needed for any public 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 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 M Las
ATTORNEY

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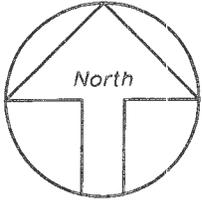
5/03/2013

DATE OF CERTIFICATION

Job# 130503.01

Drawn By: PCS

SHEET 1 OF 2

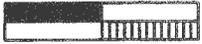


SKETCH NOT A SURVEY

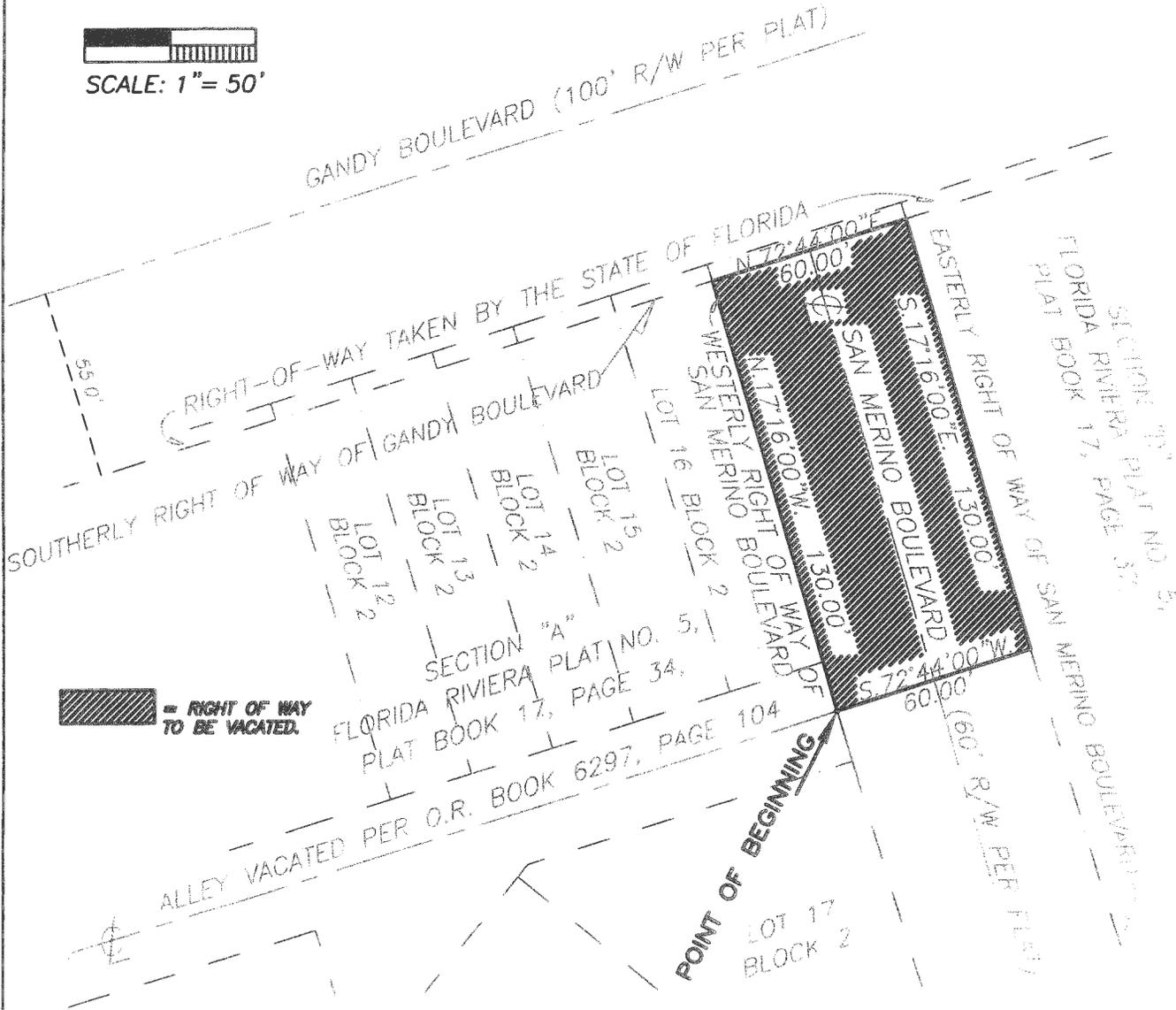
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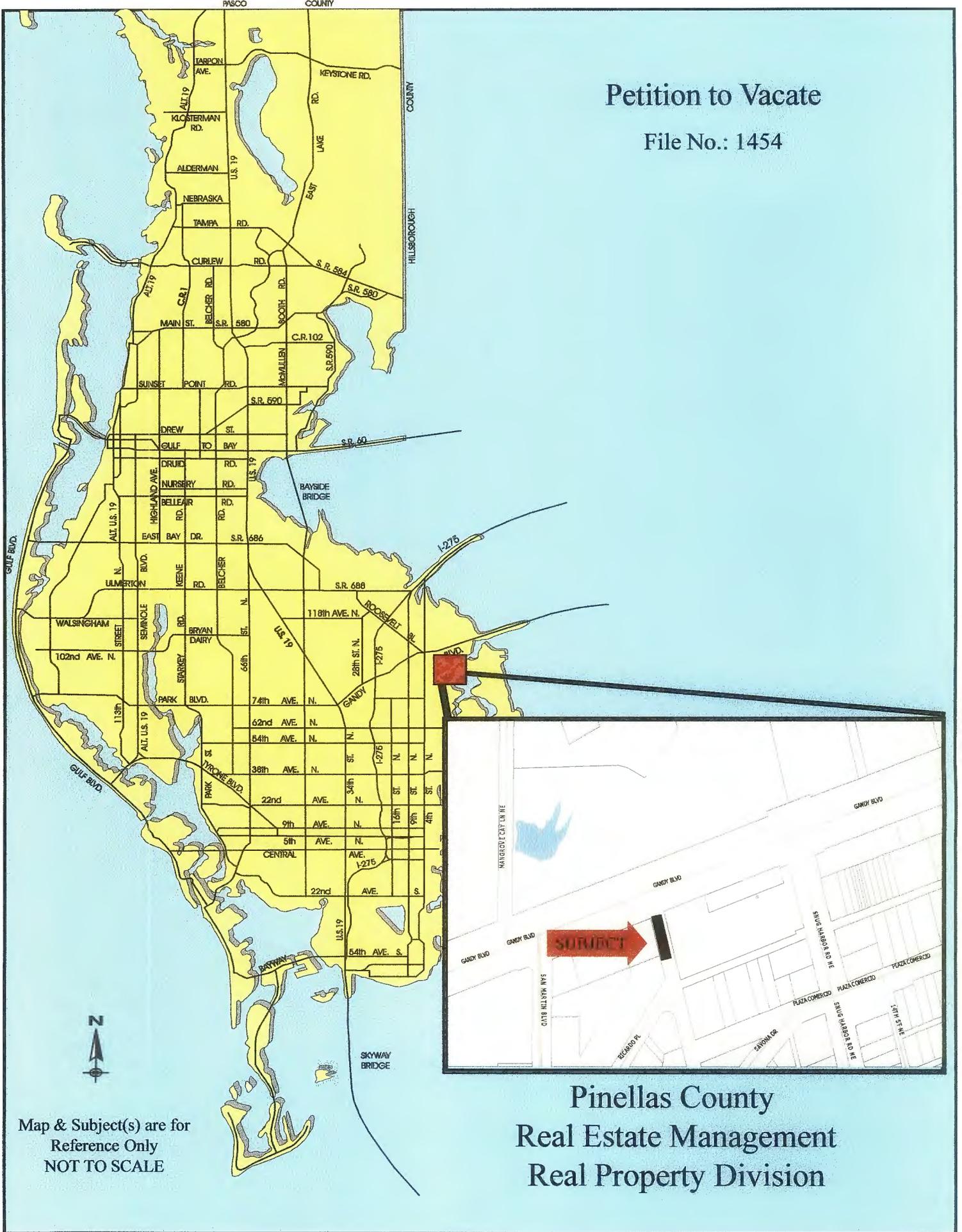
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DATE OF CERTIFICATION

SHEET 2 OF 2

Petition to Vacate

File No.: 1454



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

Pinellas County
Real Estate Management
Real Property Division