

RESOLUTION NO. 22-12

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA; VACATING THAT PORTION OF THE 15 FOOT RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO THE NORTH ½ OF LOT 4, PINELLAS GROVES, PLAT BOOK 1 PAGE 55, LYING IN THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 29-30-15, PINELLAS COUNTY, FLORIDA, LESS THAT PORTION LYING WITHIN 33 FOOT OF THE NORTH LINE OF SECTION 29-30-15; RETAINING A 15-FOOT-WIDE PUBLIC UTILITY EASEMENT OVER THE VACATED AREA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Landen Clint Patrick Miller (“the Petitioner”) has petitioned this Board of County Commissioners (“Board”) to vacate the following described property:

Lands described in the legal description attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, pursuant to Section 336.09, Florida Statutes, the Board has the authority to vacate abandon, discontinue and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof; and

WHEREAS, the Petitioner’s affidavit and application to vacate the platted right-of-way has been received by the Board; and

WHEREAS, as a condition of the vacation of the platted right-of-way, the Petitioner will grant Pinellas County a 15-foot-wide utility easement over the vacated area; and

WHEREAS, the Petitioner has shown that the vacation of such portions of the plat will not otherwise affect the ownership or right of convenient access of persons owning other parts of the subdivision; and

**KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2022041901 02/08/2022 04:04 PM
OFF REC BK: 21925 PG: 2575-2582
DocType:GOV**

WHEREAS, the Board finds that the platted right-of-way which is the subject of this Resolution is a proper subject for vacation pursuant to Section 336.09, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida that:

1. The recitals set forth above are true and correct and incorporated herein by reference.
2. The vacation of the above-described property and plat shall be conditioned on the Petitioner granting Pinellas County a 15-foot-wide public utility easement over the vacated area, a true and correct copy of which is attached hereto as Exhibit B and incorporated herein by reference.
3. To the extent that the vacated area overlaps with any other public easement or right-of-way created by deed, plat, petition, maintenance, or otherwise, the subject vacation shall have no effect thereon.
4. This Resolution shall become effective upon the execution and recording of the public utility easement in the public records of Pinellas County, Florida.

In a regular meeting duly assembled on the 25th day of January, 2022, Commissioner Peters offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Flowers, and upon roll call the vote was:

AYES: Justice, Long, Eggers, Flowers, Gerard, and Peters.

NAYS: Seel.

Absent and not voting: None.

I, Kenneth P. Burke, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County FL this 8 day of February, 2022.

KENNETH P. BURKE, Clerk of the Circuit Court Ex-Officio Clerk of the Board of County Commissioners, Pinellas County, Florida.

By: 
Deputy Clerk

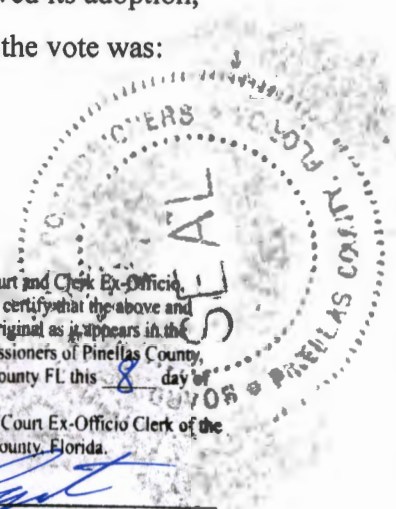


Exhibit A

SURVEYOR'S REPORT

SKETCH AND DESCRIPTION: NOT A SURVEY

DESCRIPTION:

THAT PART OF THE NW 1/4 OF SECTION 29, TOWNSHIP 30 SOUTH, RANGE 15 EAST, LOCATED BETWEEN THE WEST LINE OF LOT 4, PINELLAS GROVES INC., RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND THE EAST LINE OF RIVIERA HEIGHTS 2ND ADDITION, RECORDED PLAT BOOK 59, PAGE 8, PUBLIC RECORDS PINELLAS COUNTY, FLORIDA AND NORTH OF THE NORTH LINE OF EDEE ESTATES, RECORDED PLAT BOOK 67, PAGE 7, PUBLIC RECORDS PINELLAS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER, AFORESAID SECTION 29-30S-15E, THENCE ALONG THE NORTH LINE, SAID SECTION 29-30S-15E, S89°15'09"E, 1327.85 FEET TO THE EAST LINE OF AFORESAID RIVIERA HEIGHTS 2ND ADDITION AND ITS NORTHERLY EXTENSION; THENCE ALONG SAID NORTHERLY EXTENSION, S00°41'59"W, 33.00 FEET FOR THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF 86TH AVENUE NORTH (COUNTY ROAD 139), S89°20'53"E, 15.00 FEET TO THE WEST LINE OF LOT 4, AFORESAID PINELLAS GROVES; THENCE ALONG SAID WEST LINE, S00°41'59"W, 306.07 FEET TO THE NORTH LINE OF AFORESAID EDEE ESTATES; THENCE ALONG SAID NORTH LINE, N89°13'15"W, 15.00 FEET TO THE AFORESAID EAST LINE, RIVIERA HEIGHTS 2ND ADDITION; THENCE ALONG SAID EAST LINE, N00°41'59"E, 306.03 FEET TO THE POINT OF BEGINNING.

DATA SOURCES:

- (1) BASIS OF BEARING IS THE EAST LINE OF RIVIERA HEIGHTS 2ND ADDITION, BEING S00°41'59"W (ASSUMED PER (4)).
- (2) WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 20436, PAGE 2300, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
- (3) PLAT OF PINELLAS GROVES, RECORDED PLAT BOOK 1, PAGE 55, PUBLIC RECORDS, PINELLAS COUNTY, FLORIDA.
- (4) PLAT OF RIVIERA HEIGHTS 2ND ADDITION, RECORDED PLAT BOOK 59, PAGE 8, PUBLIC RECORDS, PINELLAS COUNTY, FLORIDA.
- (5) PLAT OF SUSSEX ESTATES, RECORDED PLAT BOOK 65, PAGE 20, PUBLIC RECORDS, PINELLAS COUNTY, FLORIDA.
- (6) PLAT OF EDEE ESTATES, RECORDED PLAT BOOK 67, PAGE 7, PUBLIC RECORDS, PINELLAS COUNTY, FLORIDA.

NOTES:

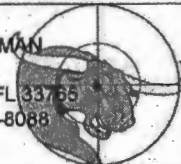
1. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
2. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.


Reviewed by: CH TS
 Date: 5/25/2021
 SFN#: 501-1623

REVISIONS		
#	DATE	DETAILS
1	5/10/2021	ADDRESSED COMMENTS/MOVED NORTH LINE

Bullseye Surveying, Inc.

LB 7818
 2198 NE COACHMAN ROAD, UNIT F
 CLEARWATER, FL 33765
 PHONE: 727-475-8088



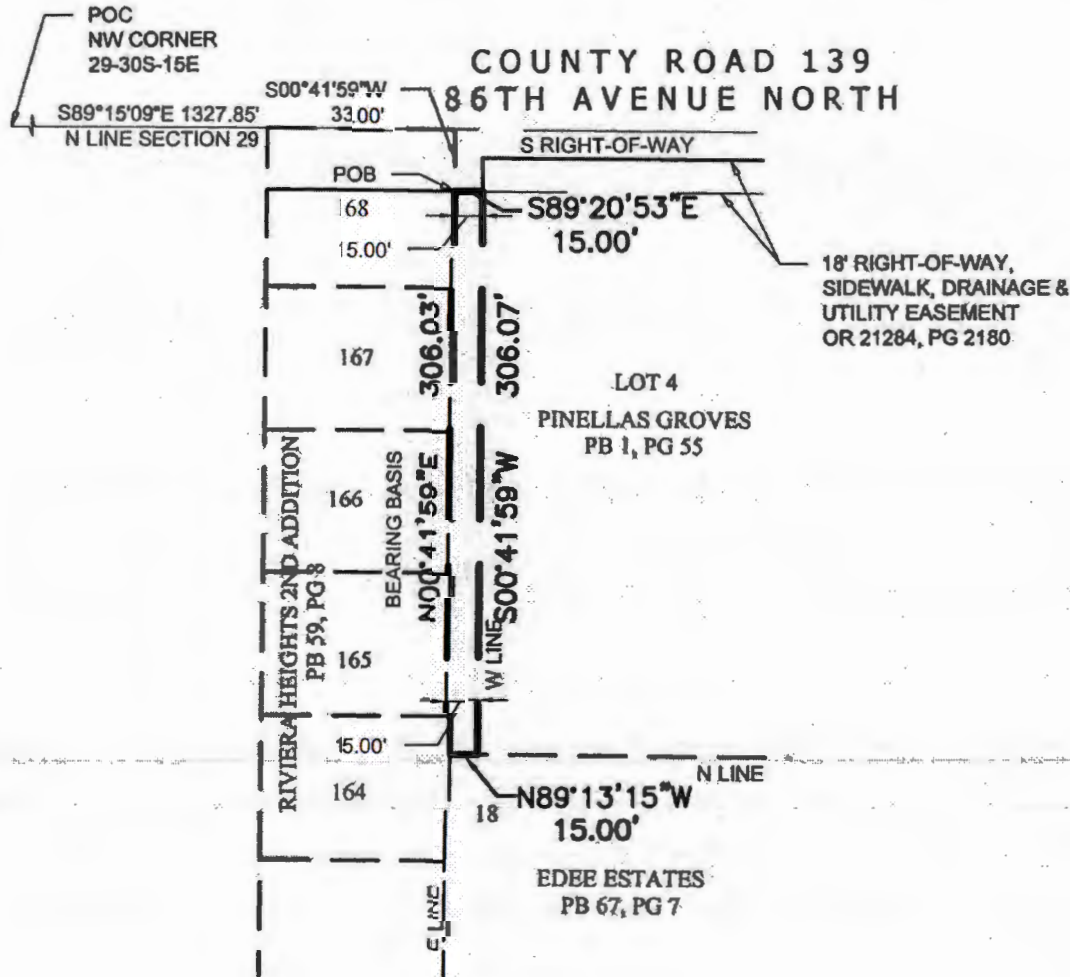


GEORGE R. MARTIN
 PROFESSIONAL SURVEYOR &
 MAPPER
 LICENSE NUMBER LS 6019
 STATE OF FLORIDA

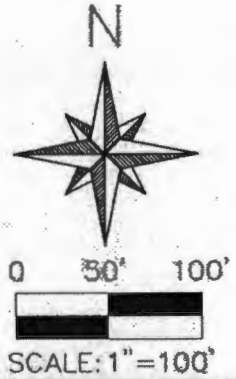
SCALE	SHEET NUMBER
N/A	1 of 2
SKETCH DATE	
01/28/2021	
FILE NAME	
21-003.dwg	

SKETCH OF DESCRIPTION: NOT A SURVEY

SECTION 29, TOWNSHIP 30 SOUTH, RANGE 15 EAST
PINELLAS COUNTY, FLORIDA



Bullseye Surveying, Inc.
 LB 7818
 2198 NE COACHMAN ROAD, UNIT F
 CLEARWATER, FL 33765
 PHONE: 727-475-8088



ABBREVIATIONS
 DENOTES
 BNDY= BOUNDARY
 LB= LICENSED BUSINESS
 LS= LICENSED SURVEYOR
 OR= OFFICIAL RECORDS BOOK
 (P)= PLAT
 PG= PAGE
 PB= PLAT BOOK
 POB= POINT OF BEGINNING
 POC= POINT OF COMMENCEMENT

SCALE	SHEET NUMBER
1"=100'	2 of 2
SKETCH DATE	
01/28/2021	
FILE NAME	
21-003.dwg	

REVISIONS		
#	DATE	DETAILS
1	5/10/2021	ADDRESSED COMMENTS/MOVED NORTH LINE

Prepared by and return to:
Real Property Division
Attn: Josh Rosado
509 East Avenue South
Clearwater, FL 33756

Property Appraiser
Attention: *Utilities Dept*

UTILITY EASEMENT

THIS UTILITY EASEMENT granted this ____ day of _____, 2021, by LANDEN CLINT PATRICK MILLER, whose address is 13380 86th Avenue, Seminole, FL, 33776, hereinafter referred to as "Grantor" to PINELLAS COUNTY, whose address is 509 East Avenue South, Clearwater, Florida 33756, a political subdivision of the State of Florida, hereinafter referred to as "Grantee."

WITNESSETH

THAT THE GRANTOR, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby convey to Grantee a perpetual non-exclusive Utility Easement over, under and upon that portion of that certain property which is owned by Grantor and located in Pinellas County, Florida, to wit:

Lands described in legal description attached as Exhibit "A" hereto and made a part hereof, hereinafter referred to as the "Easement Area."

TO HAVE AND TO HOLD said Easement unto said Grantee subject to the following conditions:

1. Grantor hereby warrants and covenants that (a) Grantor is the owner of the fee simple title to the Easement Area, and that (b) Grantor has full right and lawful authority to grant and convey this Easement to the Grantee.

2. The rights granted herein specifically include: (a) the right to access, install, inspect, maintain, and repair all current and future County utilities under, over and upon the Easement Area; (b) the right to authorize use of and access to the Easement Area by private and other public utilities as needed to install, provide and maintain power, telecommunications and other utilities as deemed necessary or appropriate by the Grantee; (c) the right to clear the Easement Area of trees, limbs, undergrowth and other physical objects which, in the opinion of the Grantee, endanger or interfere with the safe and efficient installation, operation or maintenance of the County utilities; (d) the right with advance notification for the Grantee's staff and /or independent contractors, employees, engineers, and other personnel to have ingress and egress across the Grantor's property to the

Easement Area to inspect, conduct testing, repair, and maintain the County utilities.

3. The Grantor is prohibited from installing new structures or trees in the Easement Area without prior consent of the Grantee.

4. This Easement, and all rights and obligations hereunder, shall run with the land for as long as this Easement is in existence.

5. Each party agrees to be responsible for its own negligence and that of its employees, agents, and invitees. Nothing herein shall be construed as a waiver of Grantor's sovereign immunity or further limitation thereof beyond Florida Statute § 768.28, nor Grantor's consent to be sued by third parties in any manner arising from this Easement.

IN WITNESS WHEREOF, the said Grantor has granted to the Grantee and have hereunder set their hands on the date above written.

SIGNED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

GRANTOR:

Print Name: _____

Print Name: _____

By: _____

Landen Clint Patrick Miller

Serial Number
22-00109N

Business Observer

Published Weekly
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

STATE OF FLORIDA

Before the undersigned authority personally appeared Kelly Martin who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Clearwater, Pinellas County, Florida; that the attached copy of advertisement,

being a Public Notice of Public Hearing with Virtual Participation Option

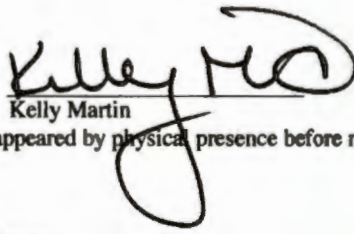
in the matter of Meeting on January 25, 2022 at 6:00pm: Petition of Landen Clint Patrick Miller

in the Court, was published in said newspaper by print in the

issues of 1/7/2022

Affiant further says that the Business Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

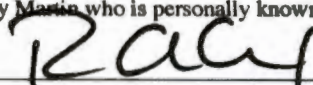


Kelly Martin

Sworn to and subscribed, and personally appeared by physical presence before me,

7th day of January, 2022 A.D.

by Kelly Martin who is personally known to me.



Notary Public, State of Florida
(SEAL)



Pamela A Cox
Comm. #GG251785
Expires: Aug. 23, 2022
Bonded Thru Aaron Notary

PUBLIC NOTICE OF PUBLIC HEARING WITH VIRTUAL PARTICIPATION OPTION

Notice is hereby given that the Board of County Commissioners will hold a public hearing during its regularly-scheduled public meeting on January 25, 2022, with public hearings being held beginning at 6:00 P.M. or as soon thereafter as may be accommodated by the completion of the rest of the Board agenda, to consider the petition of Landen Clint Patrick Miller to vacate, abandon and/or close the following:

THAT PORTION OF THE 15 FOOT RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO THE NORTH ¼ OF LOT 4 (13980 86 th Avenue), PINELLAS GROVES, FLAT BOOK 1 PAGE 56, LYING IN THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 29-80-15, PINELLAS COUNTY, FLORIDA, LESS THAT PORTION LYING WITHIN 88 FOOT OF THE NORTH LINE OF SECTION 29-80-15.

The above-referenced public meeting and hearing will be held in the Florida Botanical Gardens - Magnolia Room, 12520 Ulmerton Road, Largo, FL 34776, with virtual participation available utilizing Communications Media Technology (CMT) on the Zoom platform.

The public hearing will be streamed live at <https://youtube.com/pctv1> and www.pinellascounty.org/TV, and broadcast on the Pinellas County cable public access channels:

Spectrum Channel 687 Frontier Channel 44 WOW! Channel 18

Members of the public wishing to address the body may attend in person, attend virtually or provide comments in advance. Space for in-person attendance is very limited due to COVID-19 social distancing. Members of the public are strongly encouraged to participate virtually or to provide comments in advance.

To address the County Commission in person, members of the public are encouraged to preregister at PinellasCounty.org/comment. Preregistration is encouraged but not required if individuals plan to attend the meeting at the Magnolia Room. Those who have not preregistered may register when they arrive.

Members of the public wishing to address the body virtually via Zoom or by phone are required to preregister by 5:00 P.M. the day before the meeting by visiting pinellascounty.org/comment. The registration form requires full name, address and telephone number if joining by phone, along with the topic or agenda item to be addressed. Members of the public who cannot access the registration form via the internet may call (727) 464-3000 to request assistance preregistering. Only members of the public who have preregistered by 5:00 P.M. the day before the meeting will be recognized and unmuted to offer comments. If a member of the public does not log in with the same Zoom name or phone number provided in the registration form, they may not be recognized to speak.

Members of the public wishing to provide comments in advance may call the Agenda Comment Line at (727) 464-4400 or complete the online comment form at pinellascounty.org/BOCagendacomment. Comments on any agenda item must be submitted by 5:00 P.M. the day before the meeting.

Persons who are deaf or hard of hearing may provide public input on any agenda item through use of the State of Florida's relay service at 7-1-1.

All comments on any agenda item received by 5:00 P.M. the day before the meeting will be included as part of the official record for this meeting and will be available to be considered by the County Commission prior to any action taken.

The agenda for this meeting and information about participation options can be found at pinellascounty.org/bcc.

Persons are advised that if they decide to appeal any decision made at the meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may 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.

PERSONS WITH DISABILITIES WHO NEED REASONABLE ACCOMMODATIONS TO EFFECTIVELY PARTICIPATE IN THIS MEETING ARE ASKED TO CONTACT PINELLAS COUNTY'S OFFICE OF HUMAN RIGHTS BY E-MAILING SUCH REQUESTS TO ACCOMMODATIONS@PINELLASCOUNTY.ORG AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE NEED FOR REASONABLE ACCOMMODATION. YOU MAY ALSO CALL (727) 464-4882 (VOICE) OR (727) 464-4062 (TDD). MORE INFORMATION ABOUT THE ADA, AND REASONABLE ACCOMMODATION, MAY BE FOUND AT WWW.PINELLASCOUNTY.ORG/HUMANRIGHTS/ADA.

KEN BURKE, CLERK TO
THE BOARD OF COUNTY COMMISSIONERS
By: Katherine Carpenter, Deputy Clerk

January 7, 2022

22-00109N

Serial Number
22-00572N

Business Observer

Published Weekly
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

STATE OF FLORIDA

Before the undersigned authority personally appeared Kelly Martin who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Clearwater, Pinellas County, Florida; that the attached copy of advertisement,

being a Public Notice

in the matter of In meeting on January 25, 2022, adopted a resolution petitioned by Landen Clint Patrick Miller

in the Court, was published in said newspaper by print in the issues of 2/4/2022

Affiant further says that the Business Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

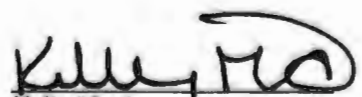
PUBLIC NOTICE

You will please take notice that the Pinellas County Board of County Commissioners at its regular meeting of January 25, 2022, in the Magnolia Room at the Pinellas County Cooperative Extension, 12520 Ulmerton Road, Largo, FL 33774, adopted a resolution vacating the following legally described property as petitioned by Landen Clint Patrick Miller to vacate, abandon and/or close the following:

THAT PORTION OF THE 15 FOOT RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO THE NORTH 1/2 OF LOT 4 (13380 86TH AVENUE), PINELLAS GROVES, PLAT BOOK 1 PAGE 55, LYING IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29-30-15, PINELLAS COUNTY, FLORIDA, LESS THAT PORTION LYING WITHIN 33 FOOT OF THE NORTH LINE OF SECTION 29-30-15.

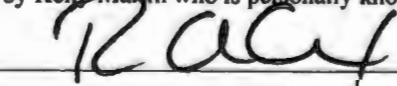
KEN BURKE, CLERK TO THE
BOARD OF COUNTY COMMISSIONERS
By: Katherine Carpenter, Deputy Clerk

February 4, 2022



Kelly Martin

Sworn to and subscribed, and personally appeared by physical presence before me, 4th day of February, 2022 A.D.

by Kelly Martin who is personally known to me.



Notary Public, State of Florida
(SEAL)

 Pamela A Cox
Comm. #GG251785
Expires: Aug. 23, 2022
Bonded Thru Aaron Notary