


**BOARD OF COUNTY
COMMISSIONERS**

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



MEMORANDUM

TO: Norm D. Loy, Deputy Clerk
BCC Records

FROM: Sean P. Griffin 
Real Property Manager

SUBJECT: PETITION TO VACATE – Submitted by H2004, Inc.
File No. 1584 CATS 51840 Legistar 19-1779A
Property Address: Lillian Ave, Tarpon Springs, FL 34689

DATE: September 27^h, 2019

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
Frontier
Pinellas County Utilities Engineering
TECO Electric
TECO Peoples Gas
WOW!

Receipt dated 08-AUG-2019 and 05-SEP-2019 and copy of money order #17-980961779 and check #2245 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of November 12th, 2019, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time at least 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



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

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

Comes now your Petitioners, H2004, Inc.
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 foregoing statements are true:

H2004, Inc.
H2004, Inc.
John E. Hodges, President

STATE OF FLORIDA
COUNTY OF PINELLAS

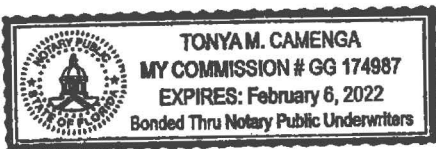
Sworn to (or affirmed) and subscribed before me this 6 day of Sept., 2019, by John E. Hodges, President, H2004, Inc. He is personally known to me, or has produced a _____ as identification, and who did (did not) take an oath.

NOTARY
SEAL

NOTARY Tonya M. Camenga
Print Name Tonya Camenga

My Commission Expires: 2/6/22

Commission Number: GG 174987



SKETCH AND DESCRIPTION
PROPOSED VACATION OF THE NORTH 10 FEET OF
DORTHY STREET
(NOT A SURVEY)

POINT OF COMMENCEMENT NE CORNER BLOCK 1

SEC. 24, TWP. 27 S, RNG 15 E.
 PINELLAS COUNTY, FLORIDA
 Scale: 1" = 60'

Initial Point Land Surveying, LLC.
 1708 Water Oak Drive
 Tarpon Springs, Florida
 Phone: (727)-831-1990
 FloridaPLS7123@gmail.com
 LB# 8183

BASIS OF BEARINGS: REFERENCED TO FLORIDA STATE PLANE COORDINATE GRID NORTH, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 READJUSTMENT), AS ESTABLISHED BY THE NATIONAL GEODETIC SURVEY.

DESCRIPTION:

A PORTION OF RIGHT-OF-WAY, LYING CONTIGUOUS WITH THE SOUTH BOUNDARY OF BLOCK 1, OF "OAK CREST", AS RECORDED IN PLAT BOOK 15, PAGE 15, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCE AT THE NORTHEAST CORNER OF SAID BLOCK 1, AS DEMARCATED WITH A 1" DIAMETER PIPE (LS#2512 CAP INSIDE) AND THENCE ALONG THE EAST BOUNDARY OF SAID BLOCK 1, S 00°47'05" W, 234.45' TO THE SOUTHEAST CORNER OF SAID BLOCK 1, AS DEMARCATED WITH A 4" DIAMETER CONCRETE MONUMENT (WITH SPIKE) FOR THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE S 00°47'05" W, 10.00' TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF LILLIAN AVENUE; THENCE N 89°00'06" W, 245.08'; THENCE 10.34' ALONG THE ARC OF A NON-TANGENT CURVE, HAVING A RADIUS OF 3986.20', A CHORD DISTANCE OF 10.34' WHICH BEARS N 15°41'45" E; THENCE LEAVING SAID CURVE AND ALONG THE SOUTH BOUNDARY OF SAID BLOCK 1, S 89°00'06" E, 242.42' TO THE POINT OF BEGINNING.

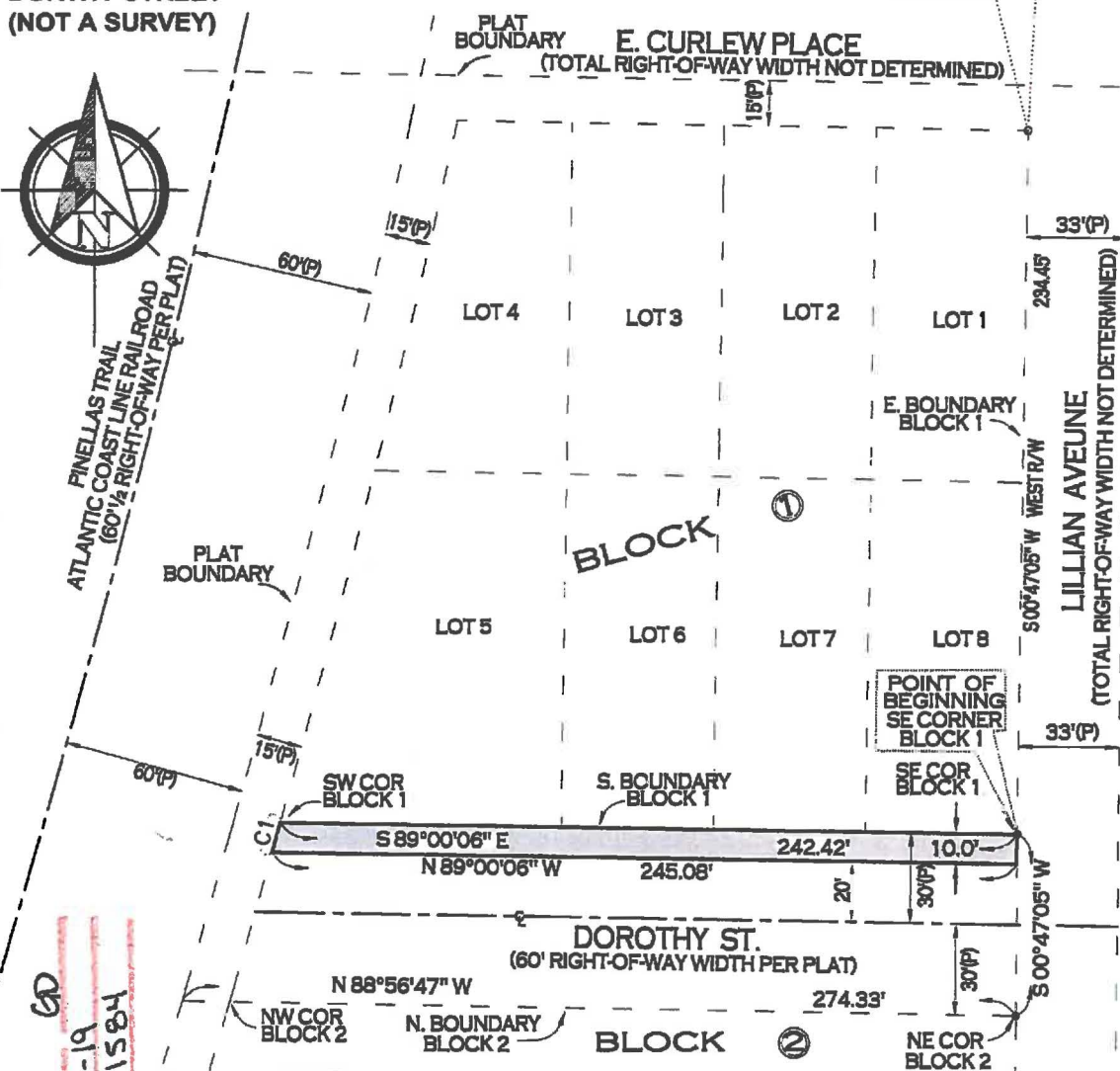
SAID LANDS CONTAINING 2437.5 SQUARE FEET (0.1 ACRES, M.O.L.) AND SITUATE IN SECTION 24, TOWNSHIP 27 SOUTH, RANGE 15 EAST, PINELLAS COUNTY FLORIDA.

CURVE	ARC LENGTH	RADIUS	CHORD	BEARING	CHORD LENGTH
C1	10.34'	3986.20'	10.34'	N 15°41'45" E	10.34'

SURVEYOR'S NOTES:

- 1.) This sketch is based on the legal description as provided by the client.
- 2.) This sketch was prepared without the benefit of a title search. No instruments of record reflecting ownership, easements or rights-of-way were furnished to the undersigned, unless otherwise shown hereon.
- 3.) This sketch is limited to above ground visible improvements along and near the boundary lines, and that nothing below ground was located including, but not limited to foundations (footings), utilities, etc.
- 4.) This sketch does not reflect nor determine ownership.
- 5.) See legend for symbols and/or abbreviations used hereon.
- 6.) Dimensions shown hereon are in feet and decimal portions thereof.
- 7.) Building lines are not to be used to construct filed plat lines.

[Signature]
 Jeffery Hartley
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER LS#7123 LB#8183
 Date: 9/23/19
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



LEGEND:

(C)= CALCULATED DATA, (D)= DEED DATA, (M)= MEASURED DATA, (P)= PLAT DATA, = CENTERLINE, A/C= AIR CONDITIONER, CLF= CHAIN LINK FENCE, CONC= CONCRETE, COVD= COVERED, P/E= POOL EQUIPMENT, F/C= FENCE CORNER, "X"CF= FOUND CROSS SCRIBE, FIP= FOUND IRON PIPE, FIR= FOUND IRON ROD, FN&D= FOUND NAIL & DISK, LFE= LOWEST FLOOR ELEVATION, O.R.= OFFICIAL RECORD BOOK, P.B.= PLAT BOOK, PCP= PERMANENT CONTROL POINT, PRM= PERMANENT REFERENCE MONUMENT, R/W= RIGHT OF WAY, SIR= SET 5/8" IRON ROD & CAP No. 8183, SN&D= SET NAIL & DISK, (BT)= BUILDING TIE, W/F= WOOD FENCE, D.U.E.= DRAINAGE/UTILITY EASEMENT

Reviewed by: *[Signature]*
 Date: 9-27-19
 SFN # 501-1584

APPLICATION AND FINDINGS OF FACT

FOR PETITION TO RELEASE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S): h2004 inc
Address: p.o. box 764
City, State, Zip: palm harbor, fl, 34682
Daytime Telephone Number: 727-418-4338

SUBJECT PROPERTY ADDRESS: Northern most 10 ft of DOROTHY ST
City, State, Zip: tarpon springs, fl 34689
Property Appraiser Parcel Number: SEC. 24, TWP. 27 S, RNG. 15 E

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?
If yes, please give corporation name and list corporate officers:
H2004, INC (owner)
John E. Hodges, pres

4. Complete subdivision name as shown on the subdivision plat:
Oak Crest

5. Subdivision Plat Book Number 15 Page number(s) 15

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 Other
 - Need to release to clear title: Yes No

-Want to release to allow for:

Pool Screened Pool/Deck Building Addition Other

-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:

Rearrange platted lots on parcel with lots fronting on lesser used street Lillian Ave.

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:

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 _____ Title _____

Address _____ Phone _____

CITIZEN DISCLOSURE

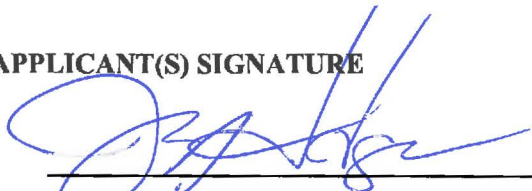
11. 1) I have a current family relationship to an employee, or an elected official, of Pinellas County Government. That person is _____, employed in the Department of _____, or Office of _____, Elected Official.

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.

APPLICANT(S) SIGNATURE



DATE: 6 August 2019

John E Hodges (for H2004, Inc)



Date June 27, 2019

Re: Section 24, Township 27 S, Range 15 E Vacation of Dorothy Street with the West 15' to Boundary Line

Bright House Networks has no objections provided easements for our facilities are Retained / granted

XXX 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:

Sincerely,
Ozzie Perez
Bright House Networks
Field Engineer
Pinellas County
727-329-2817

I accept the terms stated above

John Hodges

30 Sept 2019
Date



2401 25th St. N.
St. Petersburg, FL 33713
SP-15
Jonathan.Kasper@duke-energy.com
☎ 727-893-9262

August 5, 2019

John Hodges
P.O. Box 764
Palm harbor, FL 34682
727-418-4338

RE: *Vacation of Right-of-Way*
Address: LILLIAN AVE
Parcel ID No.: 24-27-15-62190-001-0010
H2004 INC

Dear Mr. Hodges:

Please be advised that **DUKE ENERGY FLORIDA, LLC., d/b/a DUKE ENERGY** *Distribution Department* and *Transmission Department* have “**NO OBJECTIONS**” to the approval of a vacate of Dorothy Street and the West 15’ abutting the West platted boundary line, as shown on enclosed Exhibit.

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

Sincerely,

Jonathan Kasper

Jonathan Kasper
Research Specialist-Land Services
Duke Energy Florida



Frontier Communications
1280 Cleveland Street
Clearwater, FL 33755
Tel: 727-562-1101
Fax: 727-562-1175

June 17, 2019

Attn: John Hodges, DVM
Property owner
P. O. Box 764
Palm Harbor, FL 34682

RE: Petition to Release

SEC. 24, TWP. 27 S, RNG 15 E. Dorothy Street together with the west 15' abutting the west platted boundary line

SEC. 24, TWP. 27 S, RNG 15 E. the west 15' Right of Way abutting the west platted boundary line and lying to west of block 1

Dear Mr. Hodges,

Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided.

Frontier Communications has no objection to the above referenced request as per the attachment.

Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W.

Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project.

Frontier Communications has facilities in the area of your proposed construction. Frontier has no objections provided the applicant/requestor bears the expense for removals/relocations of all Frontier Communications facilities, along with providing a new easement needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (727) 562-1190.

Sincerely,

Granville Stephens

Granville Stephens
Senior Network Engineer

**BOARD OF COUNTY
COMMISSIONERS:**

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



June 20th, 2019

John Hodges
P.O. Box 764
Palm Harbor, FL 34682
727-418-4338

RE: Petition to vacate Right of Way
PID:
Section 24 Township 27S Range 15E
Dorothy St. including west 15' abutting the west platted boundary line
Tarpon Springs, FL 34689

Dear Mr. Hodges,

We are in receipt of your request dated June 20, 2019 requesting a response to the release of a Right of Way on the referenced property. Pinellas County Utilities does not have any utilities located within the request. With the information submitted PCU has "No Objection" with the petition to vacate of the Right of Way or platted easement that is attached to the Right of Way.

If you have any questions, please do not hesitate to contact me at (727) 464-8418.

Sincerely,

Raymond S Letts
Engineering Specialist II
14 S Ft. Harrison Ave., 2nd Fl.
Clearwater, Fl. 33756

Pinellas County Utilities Engineering
14 S. Fort Harrison Ave.
Clearwater, FL 33756
Phone: 727-464-5899
FAX: 727-464-3595
VTDD: (727) 464-4062

S:\Shared\Engineering\DRS\Easement Reviews\2019\Dorothy St. No Objection 20190620.docx



www.pinellascounty.org



AN EMERA COMPANY

June 18, 2019

John Hodges
P.O. Box 764
Palm Harbor, FL 34682

RE: Petition to Release: See attached Legal Description
Section 24, Township 27 South, Range 15 East
Portion of Dorothy Street

Dear Mr. Hodges,

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

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

If you have any questions or concerns, you may contact me at (813) 228-1424 or tjleggatt@tecoenergy.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Taylor J. Leggatt".

Taylor J. Leggatt
Real Estate Services
Distribution Easement Coordinator



6/17/2019

To: John Hodges
PO Box 764
Palm Harbor, FL 34682

RE: Vacation of Easement:
SEC. 25, TWP. 28 S, RNG 15 E. "Proposed vacation of Dorothy Street together with the west 15' abutting the west platted boundary line"
Pinellas County Florida
Street Address: vacant land, no street address.
(North East corner of East Curlew Place and Lillian Avenue).

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacation of an easement at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this vacate. Furthermore, TECO-PGS has no facilities in the area.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Joan Downing". The signature is fluid and cursive.

Joan Downing
Administrative Specialist, Senior
Peoples Gas-Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3783

WOW!

internet + tv + phone

June 18, 2019

John Hodges
P.O. Box 764
Palm Harbor, FL 34682

Re: **Petition to Release: Dorothy Street + 15' ROW West Boundary Line
Section 25, Township 28 South, Range 15 East**

Dear John Hodges,

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

WOW! has 'NO OBJECTION'.

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

WOW! maintains facilities within this area that conflict with the subject request. WOW! has no objections provided easements for our facilities are granted or applicant bears the entire expense for relocation of associated WOW! services.

Please refer any further questions and/or correspondence to:

WOW!
James Sandman
Construction Project Coordinator
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely,



James Sandman
Construction Project Coordinator
WOW!
(727) 239-0154 Office
(727) 235-1492 Cell

3001 Gandy Blvd N - Pinellas Park, FL 33782

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:

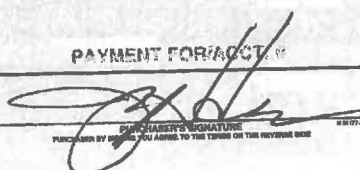
ADVERTISEMENT

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.

THIS DOCUMENT CONTAINS A FINE WATERMARK - HOLD UP TO LIGHT TO VIEW

WESTERN UNION WU	WESTERN UNION FINANCIAL SERVICES INC. - ISSUER - Englewood, Colorado	MONEY ORDER
	<small>Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado</small>	
PUBLIX #0867		17-980961779
A 325873 D 080819		
I 0808 12		
179809617797 L 000867		\$ 350.00
PAY EXACTLY THREE HUNDRED FIFTY DOLLARS AND NO CENTS		
PAY TO THE ORDER OF	Bocc	PAYMENT FOR/ACCT #
PURCHASER'S ADDRESS		
P.O. Box 769 Palm Harbor FL Lillian H 2009, Inc		
⑆ 102100400⑆ 40179809617797⑈		

PETITION TO VACATE NUMBER 1584

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.

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2245

H 2004, Inc
P.O. Box 764
Palm Harbor, FL 34682

PATRIOT BANK
A Bank of America Company
63-1561/631

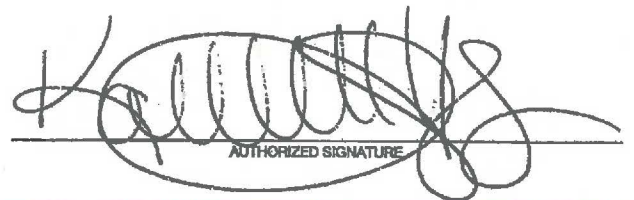
September 05, 2019

PAY TO THE
ORDER OF

Board of County Commissioners \$ 400⁰⁰

Four hundred and 00/100

DOLLARS


AUTHORIZED SIGNATURE

MEMO

⑈002245⑈ ⑆063115615⑆ 1076082⑈

SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

10/8/19

Tuesday of that week Real Property (Josh Rosado) coordinates with Jo Lugo for availability on the proposed agenda and gives notice of the proposed number of Petition to Release packages.

- 4 weeks prior to Public Hearing date:

10/15/19

Tuesday of that week Real Property (Josh Rosado) Notifies Jo the actual number of petitions and the names of the petitioners projected to go to the agenda.

- **ADVERTISEMENT ACTION:**

10/23/19

- 3 weeks prior to Public Hearing date
- (for F.S. 177.101:) (for F.S. 336.09, 10, 12)

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 Jo 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 Jo.

Thank you.