

RESOLUTION NO. 19-7

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, VACATING THAT PORTION OF 74TH STREET NORTH LYING WEST OF LOTS 11 THROUGH 14, BLOCK D, BON CREEK PARK SUBDIVISION, AS RECORDED IN PLAT BOOK 24, PAGE 81, LYING IN SECTION 6/31/16, IN PINELLAS COUNTY, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Tommy G. Mathison, (the Petitioner) has petitioned this Board of County Commissioners to vacate the following described property:

Lands described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, the Petitioner has affirmed that he owns the fee simple title to the tract covered by the portion of the plat sought to be vacated; and

WHEREAS, the owner of the unplatted property to the west of and adjacent to Lots 11-14 of the Bon Creek Subdivision currently utilizes the portion of the right-of-way adjacent to Lot 14 for access to her property; and

WHEREAS, the Petitioner has executed an ingress/egress easement over the portion of the right-of-way adjacent to Lot 14 for the benefit of and co-signed by the property owner referenced above for continued access to her property, attached hereto as Exhibit B, which will become effective upon the vacation of the right of way; 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, or of other persons owning adjacent property; and

WHEREAS, the Petitioner's affidavit has been received by the Board of County Commissioners; and

WHEREAS, Petitioner has agreed to grant Pinellas County the drainage and access easement attached hereto as Exhibit C to ensure adequate access for maintenance of the Bon Creek Drainage Canal is preserved, which will become effective upon the vacation of the right of way.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida that the above described property and plat, as further referenced in Exhibit A, be vacated insofar as this Board of County Commissioners has the authority to do so, pursuant to Chapter 336, Florida Statutes, subject to the following conditions:

1. The ingress/egress easement referenced herein and attached hereto as Exhibit B shall be promptly recorded.
2. The drainage and access easement referenced herein and attached hereto as Exhibit C shall be promptly recorded.

NOW BE IT FURTHER RESOLVED that this Board of County Commissioners shall adopt this resolution with authorization for the Clerk to record in the Public Records of Pinellas County, Florida.

EFFECTIVE DATE: This Resolution shall become effective upon adoption as provided by law.

In a regular meeting duly assembled on the 26th day of February, 2019, Commissioner Long offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Eggers, and upon roll call the vote was:

AYES: Seel, Gerard, Eggers, Justice, Long, Peters, and Welch.

NAYS: None.

Absent and not voting: None.

APPROVED AS TO FORM

By: Chelsea Moody
Office of the County Attorney