

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF PINELLAS COUNTY, FLORIDA,
VACATING A PORTION OF A THREE
FOOT WIDE PUBLIC UTILITY EASEMENT ABUTTING
THE ALLEY IN BLOCK 1, GROVE PARK VISTA
SUBDIVISION, AS RECORDED IN PLAT BOOK 12,
PAGE 8, LYING AT THE REAR OF LOTS 11
THROUGH 15, LYING IN SECTION 2-31-16,
PINELLAS COUNTY, FLORIDA;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Michael D. Mastry, of Haines Road Holdings and Mike's Haines Road Holdings (the Petitioners) have petitioned this Board of County Commissioners to vacate the following described property:

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

WHEREAS, the Petitioners have affirmed that they own the fee simple title to the tract covered by the portion of the plat sought to be vacated; and

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

WHEREAS, Petitioners have agreed to certain conditions as set forth herein and must be met as part of the vacation process; and

WHEREAS, the Petitioners' affidavit, showing compliance with the notice requirements of Chapter §177.101 of the Florida Statutes, has been received by the Board of County Commissioners.

WHEREAS, the Board of County Commissioners previously approved the vacation of a related three foot wide public utility easement abutting the alleys in Block 1, Grove Park Vista Subdivision, as recorded in Plat Book 12, Page 8, lying at the rear of lots 1 through 10 and lots 59 through 63 less any portion of the easements lying north of the southerly right of way of 54th Avenue as shown on the State of Florida Road Department Right of Way Map, Section 15513-2601, lying in Section 2-31-16, Pinellas County, Florida on June 19, 2018.

WHEREAS, the Board of County Commissioners previously approved the vacation of the 15 foot alley lying between lots 1 through 15 and lots 60 through 63, Block 1, Grove Park Vista Subdivision, as recorded in Plat Book 12, Page 8, less any portion of the alley lying north of the southerly right of way of 54th Avenue as shown on the State of Florida Road Department Right of Way Map, Section 15513-2601, lying in Section 2-31-16, Pinellas County, Florida on June 19, 2018.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida that the property described in Exhibit A are hereby vacated, insofar as this Board of County Commissioners has the authority to do so, pursuant to §177.101, Florida Statutes, provided, however, that the vacation shall not take effect until the following conditions are met:

1. The Petitioners shall provide the design, permitting and construction required to relocate the existing gravity sewer main that currently is located in the area to be vacated.
2. The Petitioners shall grant the County a 15' easement for the required sewer main relocation and continued operation and maintenance of the sewer main.
3. The gravity sewer main shall be successfully built pursuant to Pinellas County Standards and "Ten States Standards".

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

In a regular meeting duly assembled on the 17th day of July, 2018, Commissioner Gerard offered the forgoing Resolution and moved it adoption, which was seconded by Commissioner Justice, and upon roll call the vote was:

AYES: Seel, Beyrouiti, Eggers, Gerard, Justice, and Long.

NAYS: None.

Absent and not voting: Welch.

APPROVED AS TO FORM

By: Chelsea Maudy
Office of the County Attorney