

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA. VACATING A 16 FOOT PLATTED ALLEY LYING NORTH OF LOT 23 AND THE EAST 1/2 OF LOT 22 AND LYING SOUTH OF LOT 10 AND THE EAST 1/2 OF LOT 11, AND A 16 FOOT PUBLIC ALLEY EASEMENT LYING WITHIN THE EAST 1.5 FEET OF LOT 22 AND THE WEST 14.5 FEET OF LOT 23, BLOCK 4, FIRST SECTION LELLMAN HEIGHTS, PLAT BOOK 14, PAGE 15, LYING IN SECTION 03-31-16, PINELLAS COUNTY, FLORIDA.**

WHEREAS, Hawkins Family Partnership, LLC a Florida Limited Partnership, (“Petitioner”) has petitioned this Board of County Commissioners (“Board”) to vacate the following described property:

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

WHEREAS, Petitioner has 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, the Petitioner’s affidavit has been received by the Board; and

WHEREAS, the Petitioner, through its authorized agents has executed a public ingress/egress easement over the portion of the lands further described in Exhibit C.

WHEREAS, the Board finds that the portions of the platted right-of-way that are the subject of this Resolution no longer serve a public purpose and are 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 above-described property and plat depicted in Exhibit A shall be vacated, insofar as this Board has the authority to do so pursuant to Section 336.09, Florida Statutes.
2. 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.
3. The County hereby releases and relinquishes all claim and rights evidenced in the document recorded at OR Book 5623 Page 5, Public Records of Pinellas County, Florida.
4. The Clerk shall record this Resolution in the Public Records of Pinellas County, Florida.
5. This Resolution shall become effective upon recordation in the public records of Pinellas County, Florida.

In a regular meeting duly assembled on the \_\_\_\_ day of \_\_\_\_\_, 2023, 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**

By: Derrill McAteer  
Office of the County Attorney