

RESOLUTION NO. 17-1

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF PINELLAS COUNTY,
FLORIDA; VACATING PLATTED UTILITY
EASEMENTS, VACATING EASEMENTS
CREATED BY SEPARATE INSTRUMENT; AND
RELEASING POSSIBLE UNRECORDED
EASEMENT TO THE EXTENT PINELLAS
COUNTY MAY HAVE AN INTEREST LOCATED
IN THE KEN-TRE ADDITION SUBDIVISION IN
SECTION 31-30-16, PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, Circle K Stores, Inc., (PETITIONER), on behalf of Paul J. Skipper of the Paul J. Skipper Family Trust, fee owner, has petitioned this Board of County Commissioners (COUNTY) to vacate and release 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, Paul J. Skipper of the Paul J. Skipper Family Trust, is the fee simple owner to that part of the tract covered by the plat sought to be vacated; and

WHEREAS, the PETITIONER has shown that the vacation of such portion 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, showing compliance with the notice requirements of Chapter 177.101 of the Florida Statutes, has been received by the Board of County Commissioners.

WHEREAS, a roadway, drainage, utility and sidewalk easement was entered into on April 3, 1991, by and between Joseph W. Klingel and Paul J. Skipper, and COUNTY,

recorded in Official Records Book 7541, Page 654 thru 655, the nature and description of which are further described in the attached Exhibit "A"; and

WHEREAS, the following sewer easements were entered into in favor of South Cross Bayou Sanitary District: an easement entered into by Irene Simmons on November 9, 1961 and recorded in Official Record Book 1384, Page 61; a sewer easement granted by Glenn L. Miller and Rose E. Miller on November 14, 1961, recorded in Official Records Book 1384, Page 64; a sewer easement granted by Cuthbert Kennedy and Gladys Kennedy, on November 14, 1961 and recorded in Official Records Book 1384, Page 65; a sewer easement granted by Leroy G. Parker and Tessie Parker on November 8, 1961, and recorded in Official Records Book 1384, Page 68; a sewer easement granted by Leroy G. Parker and Tessie Parker on November 8, 1961, and recorded in Official Records Book 1384, Page 69, the nature and description of which are further described in the attached Exhibit "B", and

WHEREAS, possible unrecorded sewer easements in favor of South Cross Bayou Sanitary District over or across the rear five feet of lots 15 to 18 and 26 to 30 to connect with sewer easements recorded in Official Records Book 1384, Pages 61, 63, 65, 68 and 69 may exist on the subject property.

WHEREAS, South Cross Bayou Sanitary District was dissolved and consolidated into the Pinellas County Sewer System pursuant to 69-1479, Special Laws of Florida, and Resolution 69-363 of the Board of County Commissioners, dated September 9, 1969.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida that the above described property and plat be, and the same are hereby vacated, pursuant to 177.101, Florida Statutes, and that the

above-referenced recorded easements be released, and the possible unrecorded easements be released insofar as this Board of County Commissioners has the authority to do so.

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 10th day of January, 2017, Commissioner Morrone offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Gerard, and upon roll call the vote was:

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

NAYS: None.

Absent and not voting: None.

APPROVED AS TO FORM

By: Chelsea Mandy
Office of the County Attorney

SKETCH AND LEGAL DESCRIPTION

PROPOSED VACATION OF UTILITY, SEWER, AND POSSIBLE UNRECORDED EASEMENTS WITHIN THE FOLLOWING DESCRIBED STRIP OF LAND:

THE NORTH 5 FEET OF LOTS 15 THRU 22, AND THE SOUTH 5 FEET OF LOTS 23 THRU 30, KEN-TRE ADDITION TO PINELLAS PARK, FLA., ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 15, PAGE 21, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

EASEMENTS PROPOSED TO BE VACATED:

THREE FOOT SEWER EASEMENT AS SET FORTH ON THE PLAT OF KEN-TRE ADDITION TO PINELLAS PARK, FLA., ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 15, PAGE 21. (AS TO LOTS 15 THRU 22 AND 23 THRU 30)

SEWER EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1384, PAGE 61. (AS TO LOT 21)

SEWER EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1384, PAGE 63. (AS TO LOT 24 AND 25)

SEWER EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1384, PAGE 65. (AS TO LOT 19 AND 20)

SEWER EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1384, PAGE 68. (AS TO LOT 22)

SEWER EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1384, PAGE 69. (AS TO LOT 23)

POSSIBLE UNRECORDED SEWER EASEMENT(S) IN FAVOR OF SOUTH CROSS BAYOU SANITARY DISTRICT OVER ACROSS THE REAR FIVE FEET OF LOTS 15 TO 18 AND 26 TO 30, TO CONNECT WITH SEWER EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 1384, PAGES 61, 63, 65, 68, AND 69.

Reviewed by: CH SC
Date: 11-15-16
SFN # 501-1514

REVISED: NOVEMBER 7TH, 2016
PREPARED: JANUARY 4TH, 2016

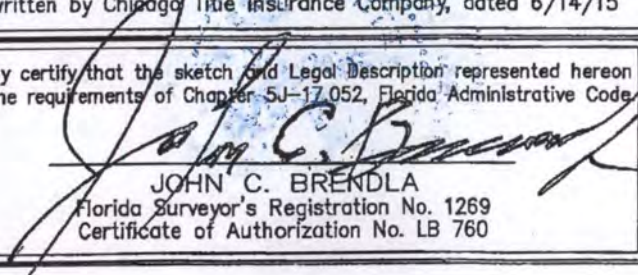
THIS IS NOT A SURVEY

Survey was prepared with the benefit of title search commitment No. 5359768 written by Chicago Title Insurance Company, dated 6/14/15

NOTE: Sketch and Legal Description not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Job Number
DWN JM
8501-158

I hereby certify that the sketch and Legal Description represented hereon meet the requirements of Chapter 5J-17.052, Florida Administrative Code.

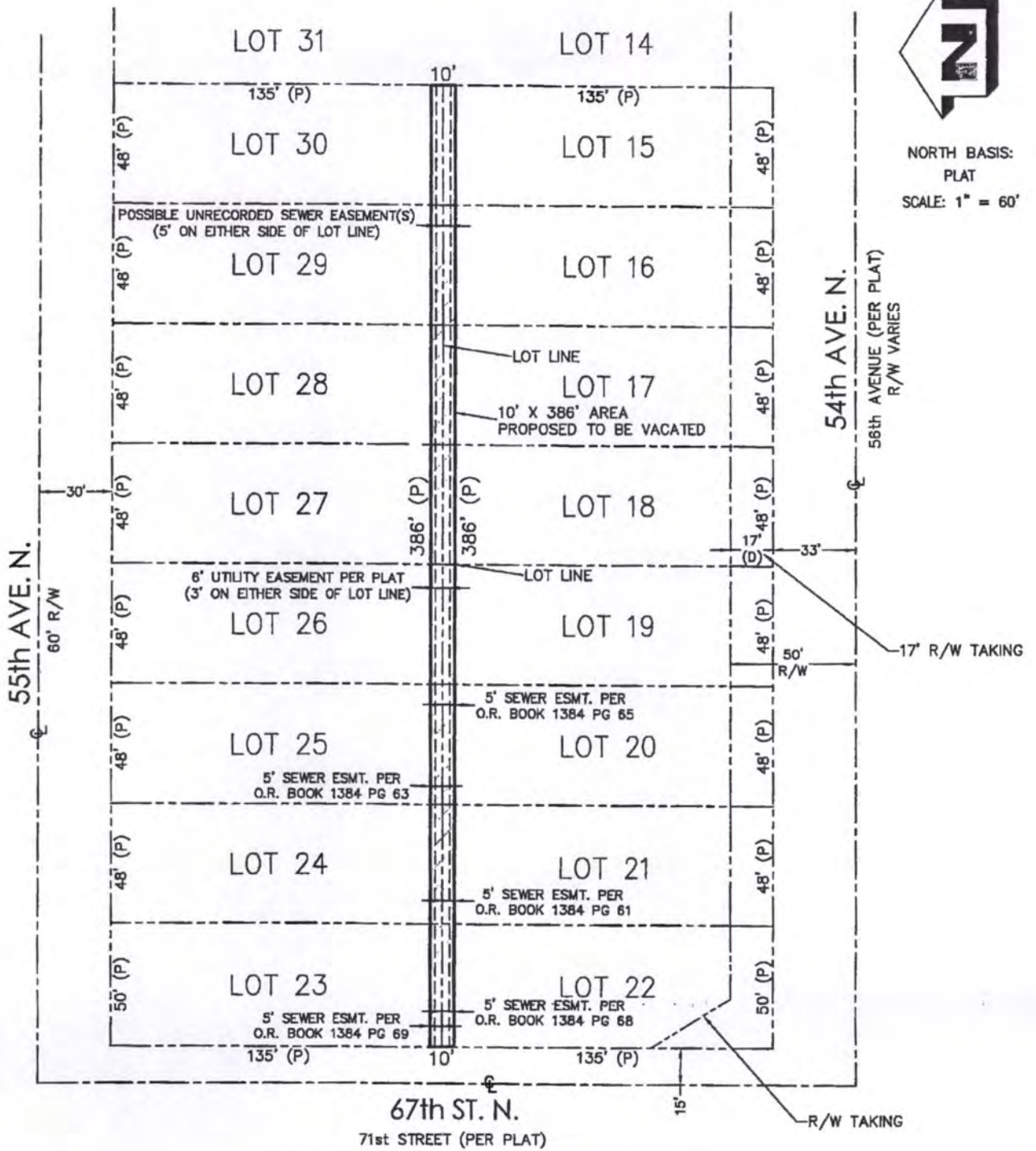

JOHN C. BRENDLA
Florida Surveyor's Registration No. 1269
Certificate of Authorization No. LB 760

Prepared by:
JOHN C. BRENDLA & ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
4015 82nd Avenue North
Pinellas Park, Florida 33781
phone (727) 576-7546 ~ fax (727) 577-9932

SECTION 31, TOWNSHIP 30S, RANGE 16E



NORTH BASIS:
PLAT
SCALE: 1" = 60'



THIS IS NOT A SURVEY

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LEGEND:

- R/W == RIGHT-OF-WAY
- D == DEED
- O.R. == OFFICIAL RECORD
- P == PLAT

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Serial Number
16-08776N

Business Observer

Published Weekly
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

S.S.

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 Notice of Public Hearing

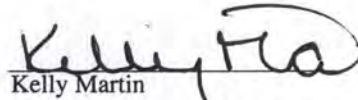
in the matter of Public Hearing on January 10, 2017 at 9:30 am

in the Court, was published in said newspaper in the

issues of 12/30/2016, 1/6/2017

Affiant further says that the said Business Observer is a newspaper published at Clearwater, Pinellas County, Florida, and that said newspaper has heretofore been continuously published and has been entered as periodicals matter at the Post Office in Clearwater in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

*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 before me this

6th day of January, 2017 A.D.

by Kelly Martin who is personally known to me.

Notary Public, State of Florida
(SEAL)



Johanna Beitz
Commission # GG044821
Expires: Dec. 16, 2020
Bonded thru Aaron Notary

NOTICE OF PUBLIC HEARING

Notice is hereby given that on January 10, 2017, beginning at 9:30A.M., a public hearing will be held by the Board of County Commissioners in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, 33756, to consider the petition of Circle K Stores, Inc. to vacate, abandon and/or close the following:

Utility, Sewer and possible unrecorded Easements within the North 5 feet of Lots 15 thru 22 and the South 5 feet of Lots 23 thru 30, Ken-Tre Addition to Pinellas Park, Florida, Plat Book 15, Page 21, in Section 31, Township 30, Range 16, of Pinellas County, Florida

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will 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.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 SOUTH FORT HARRISON AVENUE, SUITE 500, CLEARWATER, FLORIDA 33756, (727) 464-4880 (VOICE), (727) 464-4062 (TDD).

KEN BURKE, CLERK TO
THE BOARD OF COUNTY COMMISSIONERS
By: Norman D. Loy, Deputy Clerk

Dec. 30, 2016; Jan. 6, 2017

16-08776N

2017 JAN 9 AM 11:00



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 13 day of JANUARY A.D. 20 13

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

By *[Signature]*
Deputy Clerk