

RESOLUTION NO. 23-31

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA. PETITION TO VACATE THE NORTHERLY 5 FEET OF THE SOUTHERLY BOUNDARY OF LOT 1, BAYOU ESTATES TRACT 5, PHASE 1, PLAT BOOK 111, PAGES 57 THROUGH 59, LYING IN SECTION 19-30-16, PINELLAS COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Richard E Childress II and Tawnya M Childress, the ("Petitioner") has petitioned this Board of County Commissioners ("Board") to vacate the following described property:

Lands described in the legal description in Exhibit A, 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 Board finds that the platted easement that is the subject of this Resolution no longer serve a public purpose and is a proper subject for vacation pursuant to Section 177.101, 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 177.101, Florida Statutes.

RESOLUTION BEING RE-RECORDED TO INCLUDE EXHIBIT A WHICH WAS OMITTED IN THE ORIGINAL RECORDING, OR BOOK 22421 PGS 1207-1209

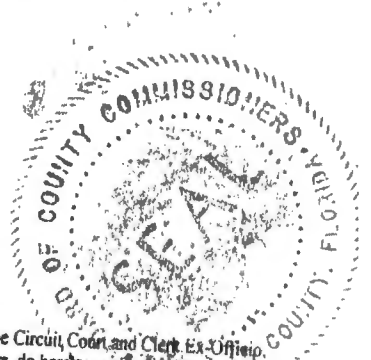
2. To the extent that the vacated area overlaps with any other public easement or right-of-way created by deed, plat, petition, maintenance, or otherwise, the subject vacation shall have no effect thereon.
3. The Clerk shall record this Resolution in the Public Records of Pinellas County, Florida.
4. This Resolution shall become effective upon recordation in the public records of Pinellas County, Florida.

In a regular meeting duly assembled on the 25th day of April, 2023, Commissioner Eggers offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Flowers, and upon roll call the vote was:

AYES: Long, Peters, Eggers, Flowers, Justice, Latvala, and Scott.

NAYS: None.

Absent and not voting: None.



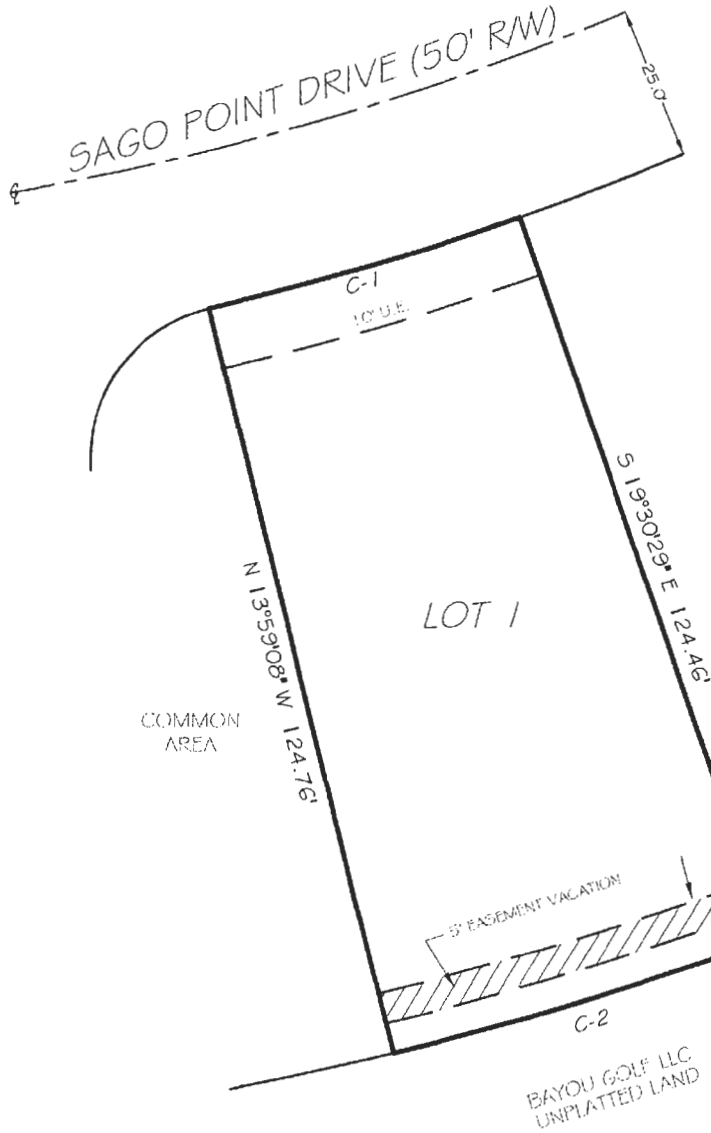
I, Kenneth P. Burke, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County FL this 27 day of April, 2023.

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

By [Signature]  
Deputy Clerk

2998  
 SKETCH ONLY - NOT A SURVEY  
 PINELLAS COUNTY

PARTIAL EASEMENT VACATION

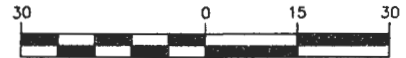


PARTIAL EASEMENT VACATION:  
 THE NORTHERLY 5 FEET OF THE  
 SOUTHERLY 10 FOOT DRAINAGE AND  
 UTILITY EASEMENT LYING ON THE  
 SOUTHERLY BOUNDARY OF LOT 1,  
 BAYOU ESTATES TRACT 5, PHASE 1,  
 ACCORDING TO THE PLAT THEREOF,  
 AS RECORDED IN PLAT BOOK 111,  
 PAGE 57 THROUGH 59, OF THE  
 PUBLIC RECORDS OF PINELLAS  
 COUNTY, FLORIDA.

C-1  
 R= 500.00'  
 L= 52.57'  
 Δ= 6°01'27"  
 CH= N 73°35'01" E 52.55'

C-2  
 R= 670.00  
 L= 64.58'  
 Δ= 5°31'20"  
 CH= S 73°15'11" W 64.55'

D.U.E. = DRAINAGE AND UTILITY EASEMENT



GRAPHIC SCALE (In Feet)  
 1 inch = 30' ft.

BAY AREA SURVEYING & MAPPING  
 10651 JACAMAR DR.  
 NEW PORT RICHEY, FLORIDA 34654  
 LICENSED BUSINESS NUMBER 8167  
 PH: (727) 271-0146  
 BAYAREASURVEYING@GMAIL.COM

Reviewed by: AZ TS  
 Date: 03/14/2023  
 SFN#: 501\_01692

*Richard S. Shoun*  
 RICHARD S. SHOUN  
 State of Florida Professional Surveyor and Mapper  
 License No. 6138  
 SIGNATURE DATE : 2/23/23

Serial Number  
23-01612N

# Business Observer

Published Weekly  
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

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,

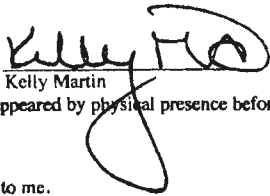
being a Proposed Petition to Vacate

in the matter of Public Meeting on April 25, 2023 at 6:00pm; Petition of Richard E. Childress II et al

in the Court, was published in said newspaper by print in the issues of 4/14/2023, 4/21/2023

Affiant further says that the Business Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

\*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, and personally appeared by physical presence before me,

21st day of April, 2023 A.D.

by Kelly Martin who is personally known to me.



Notary Public, State of Florida  
(SEAL)



Pamela A Nelson  
Comm.: HH 277515  
Expires: Aug. 23, 2026  
Notary Public - State of Florida

### PROPOSED PETITION TO VACATE

Notice is hereby given that the Board of County Commissioners will hold a public hearing during its regularly scheduled public meeting, with virtual public participation and an on-site participation option, to be held on Tuesday, April 25, 2023, at 6:00 P.M. or thereafter in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida 33764, with virtual participation utilizing Communications Media Technology (CMT) on the Zoom platform.

The hearing is to consider the petition of Richard E Childress II and Theresa M Childress, to vacate, abandon and/or close the following:

**THE NORTHERLY 5 FEET OF THE SOUTHERLY 30 FOOT EASEMENT LYING ALONG THE SOUTHERLY BOUNDARY OF LOT 1 (9711 SAGO POINT DR), RAYOU ESTATES TRACT 5, PHASE 1, PLAT BOOK 111, PAGES 67 THROUGH 68, LYING IN SECTION 19-30-16, PINELLAS COUNTY, FLORIDA.**

The public hearing will be streamed live at <https://zoom.us/j/900368000> and [www.pinellas.gov/TV](http://www.pinellas.gov/TV), and broadcast on the Pinellas County on-air public access channels:  
Spectrum Channel 687      Frontier Channel 44      WOW! Channel 18

Members of the public wishing to address the body may attend in person, attend virtually or provide comments in advance.

To address the County Commission in person, members of the public are encouraged to preregister at [pinellas.gov/comment](http://pinellas.gov/comment). Preregistration is encouraged but not required if individuals plan to attend the meeting at the Assembly Room. Those who have not preregistered may register when they arrive.

Members of the public wishing to address the body virtually via Zoom or by phone are required to preregister by 5:00 P.M. the day before the meeting by visiting [pinellas.gov/comment](http://pinellas.gov/comment). The registration form requires full name, address and telephone number if joining by phone, along with the topic or agenda item to be addressed. Members of the public who cannot access the registration form via the internet may call (727) 464-3000 to request assistance preregistering. Only members of the public who have preregistered by 5:00 P.M. the day before the meeting will be recognized and authorized to offer comments. If a member of the public does not log in with the same Zoom name or phone number provided in the registration form, they may not be recognized to speak.

Members of the public wishing to provide comments in advance may call the Agenda Comment Line at (727) 464-4400 or complete the online comment form at [pinellas.gov/BCCagendacomment](http://pinellas.gov/BCCagendacomment). Comments on any agenda item must be submitted by 5:00 P.M. the day before the meeting.

Persons who are deaf or hard of hearing may provide public input on any agenda item through use of the State of Florida's relay service at 7-1-1.

All comments on any agenda item received by 5:00 P.M. the day before the meeting will be included as part of the official record for this meeting and will be available to be considered by the County Commission prior to any action taken.

The agenda for this meeting and information about participation options can be found at [pinellas.gov/Doc](http://pinellas.gov/Doc).

Persons are advised that if they decide to appeal any decision made at the meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may 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.

#### SPECIAL ACCOMMODATIONS

Persons with disabilities who need reasonable accommodations to effectively participate in this meeting are asked to contact Pinellas County's Office of Human Rights by e-mailing such requests to [accommodations@pinellas.gov](mailto:accommodations@pinellas.gov) at least three (3) business days in advance of the need for reasonable accommodation. You may also call (727) 464-6892.

KEN BURKE, CLERK TO  
THE BOARD OF COUNTY COMMISSIONERS  
By: Danyuan Davis, Deputy Clerk

April 24, 2023

23-01612N