


**BOARD OF COUNTY
COMMISSIONERS**

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
Kathleen Peters
Karen Williams Seel
Kenneth T. Welch



MEMORANDUM

TO: Norm D. Loy, Deputy Clerk
BCC Records

FROM: Sean P. Griffin 
Real Property Manager

SUBJECT: PETITION TO VACATE – Submitted by Jeffrey & Pamela Conway
File No. 1577 CATS 51432 Legistar 19-832A
Property Address: 13200 72nd Avenue, Seminole, FL 33776

DATE: May 16th, 2019

Enclosed herewith are the following originals:

Petition to Vacate

Copy of the Legal Description (Original signed and sealed Legal is attached to the Resolution)

Application and Findings of Fact

Letters of no objection from:

Bright House
Duke Energy
Frontier
Pinellas County Utilities Engineering
TECO Electric
TECO Peoples Gas
WOW!

Receipt dated 19-FEB-2019 and 14-MAY-2019 and copy of checks #10967 and #2671 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of July 23rd, 2019, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time at least two weeks prior to the public hearing and one time within 30 days after the adoption of the Resolution vacating), and mail notices of the public hearing date to the owners shown on the attached list. Thank you.

Pinellas County
Real Estate Management
509 East Ave. S.
Clearwater, FL 33756
Main Office: (727) 464-3496
FAX: (727) 464-5251
V/TDD: (727) 464-4062

www.pinellascounty.org



SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS
OF PINELLAS COUNTY, FLORIDA

PETITION TO VACATE, PLAT OR PORTION OF PLAT (EASEMENT)

Comes now your Petitioners, Jeffrey M. Conway and Pamela G. Conway
Name of Petitioner

and respectfully requests this Honorable Board of County Commissioners to adopt a resolution vacating:

Lands described in legal description attached
hereto and by this reference made a part hereof.

Your petitioners represent that: 1) the petitioners own the fee simple title to the whole or that portion of the plat (easement) that is sought to be vacated; 2) the vacation request herein will not cause injury to any surrounding property or property owners, and that the above described property does not now serve and is not needed for any public purpose; 3) the interest of the public will not be adversely affected by this vacation, nor will such vacation affect the ownership, or the right of convenient access, of persons owning any other parts of said subdivision.

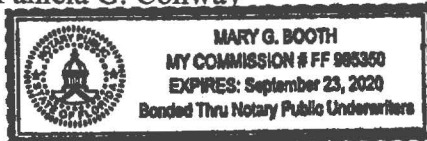
I hereby swear and/or affirm that the forgoing statements are true:

Jeffrey M. Conway
Jeffrey M. Conway

I hereby swear and/or affirm that the forgoing statements are true:

Pamela G. Conway
Pamela G. Conway

STATE OF FLORIDA
COUNTY OF PINELLAS



Sworn to (or affirmed) and subscribed before me this 14th day of May, 2019, by Jeffrey M. Conway and Pamela G. Conway. (He/She is personally known to me) or has produced a _____ as identification, and who did (did not) take an oath.

NOTARY
SEAL

NOTARY Mary G. Booth
Print Name Mary G. Booth

My Commission Expires: September 23, 2020 Commission Number: 995350

Sketch of Legal not a Survey Proposed Vacation of Beach Parkway

LEGAL DESCRIPTION:

ALL THAT PORTION OF BEACH PARKWAY, BOUND ON THE NORTH BY THE SOUTHERLY BOUNDARY OF LOT 30, LOT 31 AND THE VACATED UNNAMED ROAD RIGHT OF WAY AS RECORDED IN OFFICIAL RECORD BOOK 19747, PAGE 1267 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID LANDS ALL LYING IN HARBORVIEW NO. 2, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 6, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, BOUND ON THE WEST BY THE EAST BOUNDARY OF LOT 34 OF SAID HARBOR VIEW NO. 2 AND ITS SOUTHWESTERLY EXTENSION AND EASTERLY OF THE EASTERLY BOUNDARY OF INTERNAL IMPROVEMENT FUND, STATE OF FLORIDA DEED NO. 20545 AND BOUND ON THE EAST BY THE EASTERLY BOUNDARY OF INTERNAL IMPROVEMENT FUND, STATE OF FLORIDA DEED NO. 23259.

Reviewed by: CH/SZ
Date: 4/4/2019
SFN # 00501_01577

LEGEND

- P.O.C. = Point of Commencement
- P.O.B. = Point of Beginning
- (M) = Data Measured
- (C) = Calculated Data
- PG.(s) = Page (s)
- O.R. = Official Record Book
- P.B. = Plat Book
- R/W = Right-of-way

CERTIFICATION

CERTIFIED AS A SKETCH OF LEGAL UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER OR DIGITALLY SIGNED, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

Guy Hale

Digitally signed by Guy Hale
Date: 2019.04.03 17:44:41
-04'00'

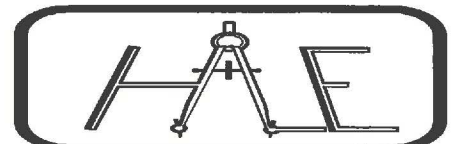
GUY D. HALE PLS
Licensed Professional Land Surveyor
Florida Registration Number 4626

CONWAY

DATE: 11/22/2018

PAGE 1 OF 2

GUY HALE LAND SURVEYING



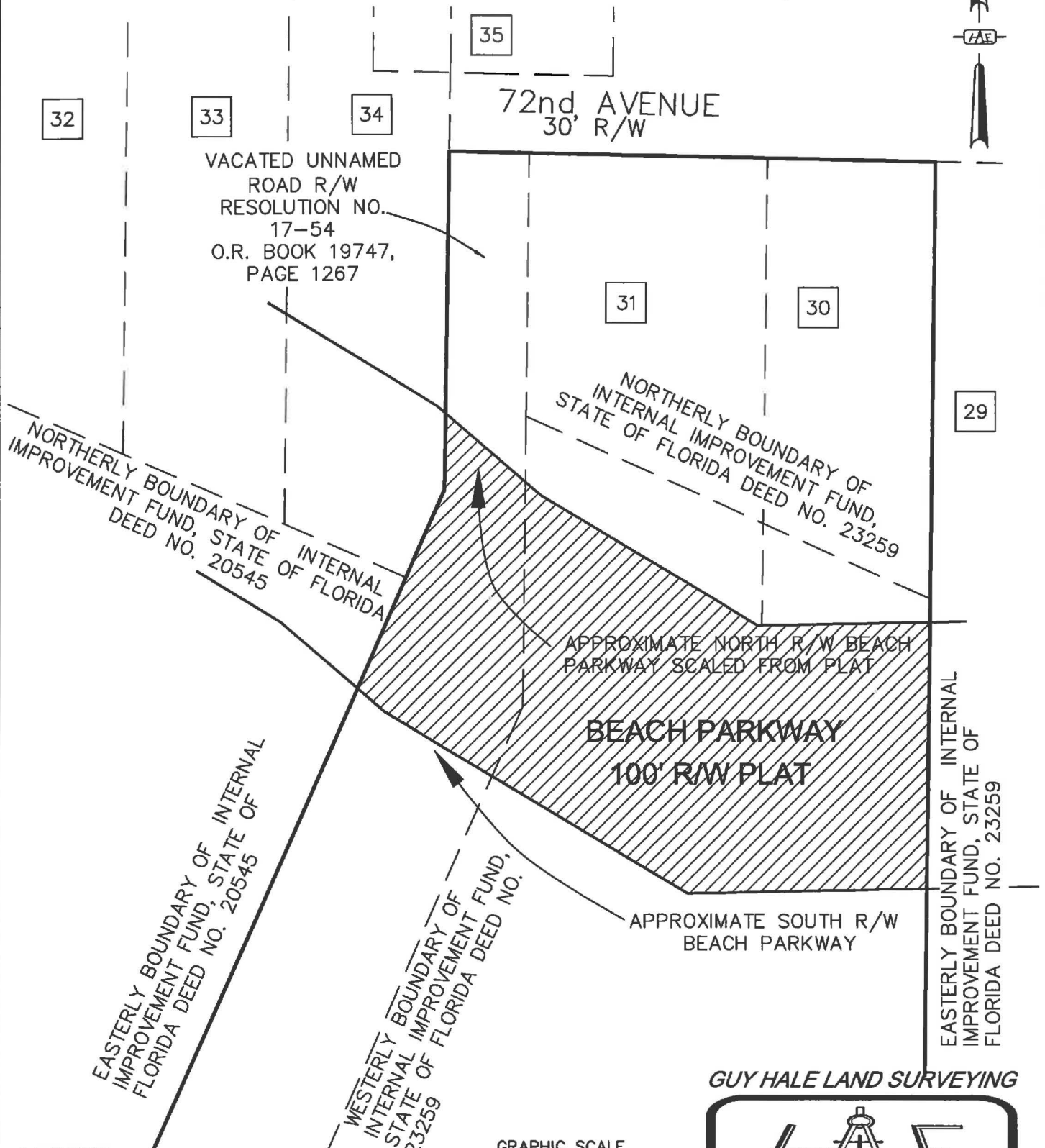
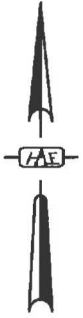
406 SO. ARCTURAS AVENUE
SUITE ONE

CLEARWATER, FL 33765

(727) 734-4266 GHsurveyor@gmail.com



Sketch of Legal not a Survey Proposed Vacation of Beach Parkway



LEGEND

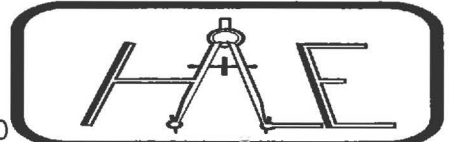
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GRAPHIC SCALE

1"=50'



GUY HALE LAND SURVEYING



406 SO. ARCTURAS AVENUE
SUITE ONE

CLEARWATER, FL 33765

(727) 734-4266 GHsurveyor@gmail.com

APPLICATION AND FINDINGS OF FACT
FOR PETITION TO VACATE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S): Jeffrey M. Conway + Pamela G. Conway
Address: 13200 - 72nd Ave
City, State, Zip: Seminole, FL. 33776
Daytime Telephone Number: (727) 510-4750

PROPERTY ADDRESS: 13200 - 72nd Ave
City, State, Zip: Seminole FL. 33776
Property Appraiser Parcel Number: 29-30-15-36450-000-0310

PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE

1. Is there a pending "Contract for Sale"? Yes No

If yes, please list all parties involved in the sales contract:

2. Is a corporation involved as owner or buyer?
If yes, please give Corporation name and list Corporate Officers:

3. Complete subdivision name as shown on the Subdivision Plat:

Harbor View #2

4. Subdivision Plat Book Number 6 Page number(s) 6

5. Is there a Homeowners Association? Yes No

6. Reason(s) for requesting this vacation – check all that apply:

-Need to vacate to clear an existing encroachment:
 Pool Screened Pool & Deck Building

-Need to vacate to clear title: Yes No

-Want to vacate to allow for:
 Pool Screened Pool/Deck Building Addition

Other: possible driveway or jai alai court

7. Is Board of Adjustment required? _____ Yes No
To determine if a variance is required, please call the BUILDING DEVELOPMENT REVIEW SERVICES DEPARTMENT at 464-3888.

8. Please provide any relevant additional comments:

Beach Parkway exists only on paper per survey dated 6/30/1910, and there are several instances where Beach Parkway has been vacated by Pinellas County.

9. If anyone has assisted you with the preparation of this form, gathering of information or requesting information on your behalf, please list their name, title, address and phone number below.

Name Bill Foster, Esq. Title Attorney
Address 560 - 1st Ave N. S.P., FL 33701 Phone 727-822-2013

CITIZEN DISCLOSURE

10. _____ 1) I have a current family relationship to an employee, or an elected official, of Pinellas County Government. That person is _____, employed in the Department of _____, or Office of _____, Elected Official.

2) I am not aware of any current family relationship to any employee, or Elected Official, of Pinellas County Government.

_____ 3) I am an employee of Pinellas County Government, in the _____ Department, or the Office of _____, Elected Official.

The definition of family relationship, for the purposes of this document, is the immediate family consisting of: father, mother, brother, sister, half-brother or sister, adopted brother or sister, or by law or marriage, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

APPLICANT(S) SIGNATURE

DATE: 2/18/19

John M. Conway
Paul G. Conway



December 27, 2018

Re: vacate of 30 foot wide vacated Right of Way bound on the west by the extended east boundary of lot 34 harbor-view#2. And on the east by centerline of said vacated R-O-W

Better known as 13200-72 Ave no Seminole Florida

XXX Bright House Networks has no objections.


_____ Bright House Networks has no objections provided easements for our facilities are Retained / granted

_____ Bright House has no objections provided applicant bears the expense for relocation of any Bright House facilities to maintain service to customers affected by the proposed Vacate.

_____ In order to properly evaluate this request, Bright House will need detailed plans of facilities proposed for subject areas.

_____ Bright House has facilities within this area, which may conflict with subject project Please call 811 for locating. **SEE NOTES**

_____ Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES: 

Sincerely,
Ted Bingham
Bright House Networks
Field Engineer
Pinellas County
727-329-2847



3300 Exchange Place, NP4C
Lake Mary, Florida 32746

kalen.mason@duke-energy.com
o: 407.942.9407

February 5, 2019

D. William Foster
Foster and Foster
560 First Avenue North
St. Petersburg, FL 33701
(727) 822-2013
fosfos@aol.com

**RE: *Vacate request dated 12/14/2018 concerning Jeffrey M. Conway
13200 72nd Avenue, Seminole, FL***

Mr. Foster,

Duke Energy Florida, LLC is in receipt of the vacate request dated the 14th day of December, 2018. At this time the Distribution Department and Transmission Department of Duke Energy Florida, LLC has **"NO OBJECTION"** to the request for a vacate of Beach Parkway as platted in Plat Book 6, Page 6 of the public records of Pinellas County, Florida as depicted in the Boundary Survey by Guy Hale Land Surveying and dated 11/22/2018.

See EXHIBIT A attached hereto and incorporated herein.

Tax Parcel ID: 29-30-15-36450-000-0310

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kalen Mason", with a large, stylized initial "K" and "M".

Kalen Mason
Duke Energy Florida, Land Services
3300 Exchange Place, NP4C
Lake Mary, Florida 32746
407-942-9407 Office



Frontier Communications
3712 W Walnut St.
Tampa, FL USA 33607
Office: (727) 462-1760
Fax: (727) 562-1175
Mobile: (941) 266-9218
Email: stephen.waidley@ftr.com

2/14/2019

Attn: Bill Foster
Foster and Foster | Attorneys and Counselors at Law
560 1st Ave N
St. Petersburg, FL 33701
727-822-2013 | fosfos@aol.com

RE: Petition to Vacate Portion of Beach Parkway

Dear Mr. Foster,

- Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided.
- Frontier Communications has no objection to the above referenced request as per the attachment.
- Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W.
- Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact "Sunshine State One-Call of Florida, Inc." by dialing 811, 48 hours prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.
- Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project.
- Frontier Communications has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier Communications facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier Communications facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley
Frontier Communications
Regional Rights of Way & Municipal Affairs Manager

**BOARD OF COUNTY
COMMISSIONERS**

Jay J. Beyrouti
Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
Karen Williams Seel
Kenneth T. Welch



December 21st, 2018

Jeffery M Conway
13200 72nd Avenue
Seminole, Fl. 33776

RE: Petition to vacate portion of Right of Way:

Section 29, Township 30 S, Range 15 E, Pinellas County, FL.
PID# 29/30/15/36450/000/0310
Petition to vacate portion of Right of Way
13200 72nd Ave., Seminole, FL. 33776
Seminole, Fl. 33776

Dear Jeffery M Conway,

We are in receipt of your letter dated December 21st, 2018 requesting a response to vacate a portion of Right of Way on the Parcel mentioned above. Pinellas County Utilities has "No Objection" to the vacation due to not having any utilities within the proposed vacation. If you have any questions, please do not hesitate to contact me at (727) 464-8418.

Sincerely,

Raymond S Letts
Engineering Specialist II
14 S Ft. Harrison Ave., 2nd Fl.
Clearwater, Fl. 33756

Pinellas County Utilities Engineering
14 S. Fort Harrison Ave.
Clearwater, FL 33756
Phone: (727) 464-5899
FAX: 727-464-3595
www.pinellascounty.org



AN EMERA COMPANY

May 17, 2019

Josh Rosado
Real Estate Management
509 East Avenue
Clearwater, FL 33756

RE: Petition to Release: See attached Legal Description
Section 29, Township 30 South, Range 15 East
13200 72nd Ave, Seminole, FL 33776

Dear Mr. Rosado,

Tampa Electric Company does not serve the subject area therefore does not object to the Petition to Release for the abovementioned property; more particularly described as follows:

See Legal Description attached hereto and by reference made a part hereof.

If you have any questions or concerns, you may contact me at (813) 228-1424 or tjleggatt@tecoenergy.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Taylor J. Leggatt", with a long horizontal flourish extending to the right.

Taylor J. Leggatt
Real Estate Services
Distribution Easement Coordinator



1/24/2019

To: Mr. D. William Foster
Foster & Foster Attorneys and Counselors at Law
560 1st Avenue N St. Petersburg, FL 33701

RE: Vacation of ROW
Jeffrey M. Conway
13200 72nd Ave. Seminole, FL 33776
M-D County T-24197

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacation of Right-of Way at the address referenced above. After reviewing the documents provided, TECO-Peoples Gas has NO objection to the vacate of Right-of-Way. Furthermore TECO-PGS has no gas facilities in the area in question. If you need further assistance, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joan G. Domning". The signature is fluid and cursive, with a long horizontal flourish at the end.

Joan Domning
Administrative Specialist
Peoples Gas
Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3783



December 26, 2018

Foster & Foster
560 First Ave N
St. Petersburg, Florida 33701

Re: 13200 72nd Ave Seminole, Fl

Attn. D. William Foster

Thank you for advising Wide Open West (WOW!) of the subject project.

WOW! has 'NO OBJECTION' with the proposed construction.

In order to properly evaluate this request, need detailed plans of the facilities proposed for the subject areas.

WOW! will have buried facilities within the project limits. To avoid conflicts, please call Sunshine State One Call of Fla. Inc. (811) for utility locates prior to construction.

Please refer any further correspondence to:

WOW!
Construction Coordinator
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely,

Richard LaGanga
Construction Manager S.E Region

WOW!
(727) - Office
(678) - Cell

Commented [RL1]:
Commented [RL2R1]:
Commented [RL3]:

3001 Gandy Blvd N - Pinellas Park, 33782

PETITION TO RELEASE
PUBLIC HEARING

For your information, below please find the steps necessary for the Real Estate Division to prepare your petition for the public hearing.

At the time you bring in the completed application, letters of no objection and all documents requested, a \$350.00 non-refundable application fee is required to begin the petition to release or release of easement application. When the County staff review and approval of the application is complete, **you will be notified by mail and requested to submit the Petition to Release form together with the \$409.00 filing and advertising fee, and all pertinent fees associated with approval of the request.** Upon receipt of the check, made payable to the Board of County Commissioners (BOCC), and the Petition, the **PETITION TO RELEASE PACKAGE** is prepared by County staff for presentation to the **BOARD OF COUNTY COMMISSIONERS** as a public hearing agenda item.

FYI, below are the steps necessary for the Real Estate Division to prepare for the public hearing include:

ADVERTISEMENT

In accordance with Florida State Statute 177.10, the date of the public hearing will be advertised "by publishing legal notice in a newspaper of general circulation in the county in which the parcel of land is located, in not less than two weekly issues of said paper". The advertisement is placed in the paper by the Clerk of the Circuit Court, Board Records Section.

ADVERTISEMENT

In accordance with Florida State Statute 336.09, 336.10, & 336.12, "the Commissioners shall hold a public hearing and shall publish notice thereof, one time in a newspaper of general circulation in the county in which the parcel of land is located, at least two weeks prior to the date stated therein for such hearing". Following the Public Hearing, "Notice of the adoption of the Resolution by the Commissioners shall be published one time, within 30 days following its adoption, in one issue of a newspaper of general circulation". These advertisements are placed in the paper by the Clerk of the Circuit Court, Board Records

10967

FOSTER AND FOSTER ATTORNEYS, P.A.
ATTORNEYS AND COUNSELORS AT LAW
560 FIRST AVENUE NORTH
ST. PETERSBURG, FL 33701

Wells Fargo, N.A.
63-751/631

Feb. 19, 2019

PAY TO THE
ORDER OF PINELLAS COUNTY BOCC

\$ 350.00

Three Hundred Fifty and no/00--

DOLLARS

FOSTER AND FOSTER ATTORNEYS, P.A.

MEMO Jeffrey and Pam Conway
Vacate Beach Parkway

[Signature]
AUTHORIZED SIGNATURE

Security features. Details on back.

PETITION TO VACATE NUMBER 1577

PETITION TO RELEASE
PUBLIC HEARING

For your information, below please find the steps necessary for the Real Estate Division to prepare your petition for the public hearing.

At the time you bring in the completed application, letters of no objection and all documents requested, a \$350.00 non-refundable application fee is required to begin the petition to release or release of easement application. When the County staff review and approval of the application is complete, **you will be notified by mail and requested to submit the** Petition to Release form together with the \$400.00 filing and advertising fee, and all pertinent fees associated with approval of the request. Upon receipt of the check, made payable to the Board of County Commissioners (BOCC), and the Petition, the **PETITION TO RELEASE PACKAGE** is prepared by County staff for presentation to the **BOARD OF COUNTY COMMISSIONERS** as a public hearing agenda item.

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JEFFREY M CONWAY
PAMELA G CONWAY
13200 72ND AVE
SEMINOLE, FL 33776-4213

2671
63-4636 FL
23727

May 14, '19
Date

Pay To The Order Of Board of County Commissioners \$ 400.00
Four hundred Dollars

Bank of America

ACH R/T 063100277

For

Jeffrey M. Conway MP

⑆063000047⑆ 005565908312⑆ 2671

Merland Clarke

SPECIAL INSTRUCTIONS

6/18/19 - 5 weeks prior to Public Hearing date:

Tuesday of that week Real Estate (Cynthia Harris) coordinates with Jo Lugo for availability on the proposed agenda and gives notice of the proposed number of Petition to Release packages.

6/25/19 - 4 weeks prior to Public Hearing date:

Tuesday of that week Real Estate (Cynthia Harris) Notifies Jo the actual number of petitions and the names of the petitioners projected to go to the agenda.

- **ADVERTISEMENT ACTION:**

7/3/19

- 3 weeks prior to Public Hearing date
- (for F.S. 177.101:) (for F.S. 336.09, 10, 12)

Wednesday of that week, the Request to Advertise package for each petition must be delivered to BCC Records (Norman Loy) to meet State Statute advertising requirements. (If any petition package is not approved as of this day, please notify Jo ASAP so they can PULL the item from the Board agenda.)

PLEASE NOTE: When the Request to Advertise package is delivered to Board Records/Norman, a copy of the ad is provided to Jo.

Thank you.