

MEMORANDUM

TO: Katherine Carpenter, Deputy Clerk
BCC Records

FROM: Diana Sweeney
Asset Management and Real Property Division Manager 

SUBJECT: PETITION TO VACATE – Submitted by Joseph M. Becker III and Julie M. Kurmay
File No. 1635 Accela PTV-21-00008 Legistar 21-1837A
Property Address: 7211 56th Avenue N, Saint Petersburg, FL 33709

DATE: September 8, 2021

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:

Spectrum
TECO Energy
TECO Gas
Duke Energy
Frontier
Pinellas County Utilities Engineering
WOW!

Receipt dated 8-JULY-2021 and 31-AUGUST-2021 and copy of checks #1708 and #1724 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of October 12, 2021, place the necessary newspaper advertising in accordance with State Statute 177.101 (which requires advertising in two weekly issues prior to the meeting, with no advertising requirement after the meeting), and mail notices of the public hearing date to the owners shown on the attached list. Thank you.

Petition to Vacate Form

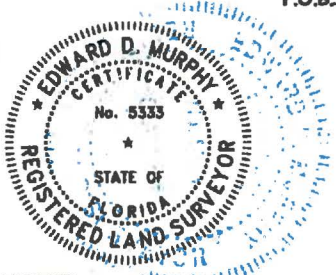
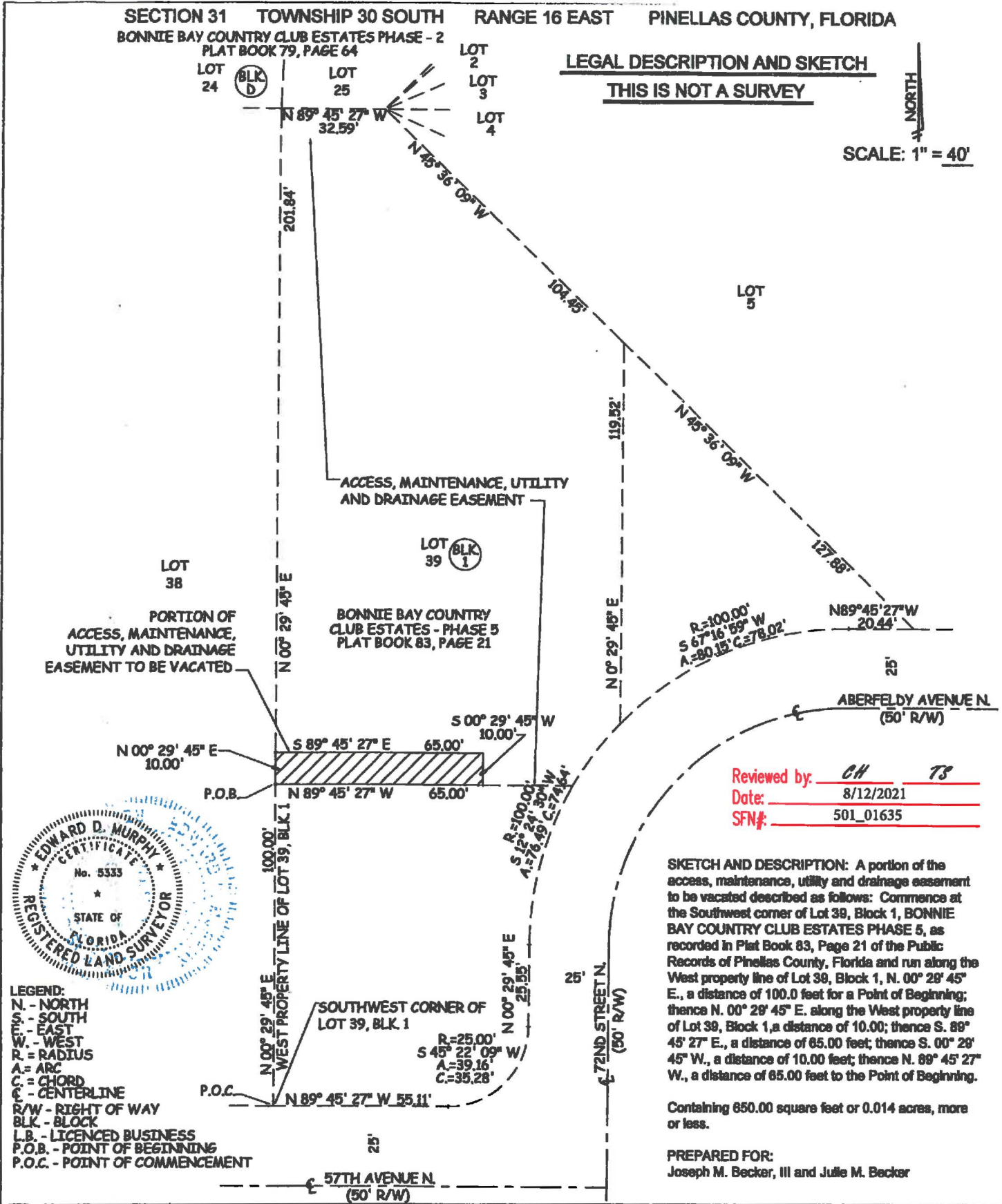
PETITION TO VACATE APPLICANT(S):	Joseph and Julie Becker
Address:	7211 56th Ave No
City	St. Petersburg
State	FL
Zip Code	33709
Daytime Telephone Number	727 422 3633
Your Email Address	joeybec68@gmail.com
Address (property)	7211 57th Ave No
City (property)	St. Petersburg
State (property)	fl
Zip Code (property)	33709
Parcel ID Number(s)	313016102230010390
The right-of-way or alley is:	Open and used
Is there a pending "Contract for Sale"?	No
Is a corporation involved as owner or buyer?	No
Complete subdivision name as shown on the Subdivision Plat: (research at www.pcpao.org by selecting "Search Our Database")	Bonnie Bay country club estates
Subdivision Plat Book Number (research at www.pcpao.org by going to "Search Our Database")	83/21
Page Number(s)	83/21
Is there a Homeowners Association?	No
Need to release to clear title:	No
Need to release to clear an existing encroachment:	Other
Want to release to allow for:	<ul style="list-style-type: none">• Pool• Screened Pool & Deck

Want to vacate to include the vacated right of way or alley into my property for:	<ul style="list-style-type: none"> • Other • pool
Is the Board of Adjustment and Appeals required?	No
Did anyone assist you with completing this application?	No
Are there any other applicants/petitioners?	No
Are you an employee, or an elected official, of Pinellas County Government?	No
Do you have a current family relationship to an employee, or an elected official, of Pinellas County Government?	No
All information provided in this application is true to the best of my knowledge.	I AGREE
I have read and understand the Petition to Vacate application process and associated fees.	I AGREE
Checking the I AGREE box, as well as entering your name in the Signature box below, serves as an electronic signature for this application. I agree that this application may be electronically signed. I agree that the electronic signatures appearing on this application are the same as handwritten signatures for the purpose of validity, enforceability, and admissibility.	I AGREE
Petition to Vacate Applicant's Signature (type full name)	Julie Becker
Date of Application	01/13/2021

SECTION 31 TOWNSHIP 30 SOUTH RANGE 16 EAST PINELLAS COUNTY, FLORIDA
 BONNIE BAY COUNTRY CLUB ESTATES PHASE - 2
 PLAT BOOK 79, PAGE 64

LEGAL DESCRIPTION AND SKETCH
THIS IS NOT A SURVEY

SCALE: 1" = 40'



LEGEND:
 N. - NORTH
 S. - SOUTH
 E. - EAST
 W. - WEST
 R. = RADIUS
 A. = ARC
 C. = CHORD
 CL - CENTERLINE
 R/W - RIGHT OF WAY
 BLK. - BLOCK
 L.B. - LICENCED BUSINESS
 P.O.B. - POINT OF BEGINNING
 P.O.C. - POINT OF COMMENCEMENT

Reviewed by: CH TS
 Date: 8/12/2021
 SFN#: 501_01635

SKETCH AND DESCRIPTION: A portion of the access, maintenance, utility and drainage easement to be vacated described as follows: Commence at the Southwest corner of Lot 39, Block 1, BONNIE BAY COUNTRY CLUB ESTATES PHASE 5, as recorded in Plat Book 83, Page 21 of the Public Records of Pinellas County, Florida and run along the West property line of Lot 39, Block 1, a distance of 100.0 feet for a Point of Beginning; thence N. 00° 29' 45" E., a distance of 100.0 feet along the West property line of Lot 39, Block 1, a distance of 10.00; thence S. 89° 45' 27" E., a distance of 65.00 feet; thence S. 00° 29' 45" W., a distance of 10.00 feet; thence N. 89° 45' 27" W., a distance of 65.00 feet to the Point of Beginning.

Containing 650.00 square feet or 0.014 acres, more or less.

PREPARED FOR:
 Joseph M. Becker, III and Julie M. Becker

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SKETCH AND DESCRIPTION REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. SKETCH AND DESCRIPTION HAS BEEN MADE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SKETCH AND DESCRIPTION NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS AND DISTANCES ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

Edward D. Murphy
 EDWARD D. MURPHY, PROFESSIONAL LAND SURVEYOR # 5333

JOB NUMBER: 210478 DATE: 7/29/2021

L.B. #7410
MURPHY'S LAND SURVEYING, INC.
 PROFESSIONAL LAND SURVEYORS
 5760 11TH AVENUE NORTH
 ST. PETERSBURG, FLORIDA 33710
 PH. (727) 347-5740 FAX (727) 344-4840
 WWW.MURPHYSLANDSURVEYING.COM

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

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

Comes now your Petitioners, Joseph M. Becker III and Julie M. Kurmay
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 petitioners have provided certificates showing that all state and county taxes have been paid; 3) 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; 4) 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:

Joseph M. Becker III

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

Julie M. Kurmay

STATE OF Florida
COUNTY OF Pinellas

SWORN TO and subscribed before me by means of physical presence or online notarization this 31 day of August, 2021, by Joseph Becker and Julie Kurmay. Such person(s)
Notary Public must check applicable box:

are personally known to me.

produced her current driver license.

produced _____ as identification.

(Notary Seal)



Devin Ferrante
Notary Public
Printed Name of Notary: Devin Ferrante
Commission Number: HH 48279
My Commission Expires: 9-29-2024



1-15-2021

RE: vacate of easement at rear of 7211- 57 ave north St Petersburg.

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

A handwritten signature in black ink, appearing to be "Ted Bingham", written in a cursive style.



2/17/2021

To: Julie Becker
7211 57th Ave. N.
St. Petersburg, FL 33709

RE Easement Vacate
7211 57th Ave. N.
St. Petersburg, FL 33709

From: TECO Peoples Gas

To Whom It May Concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacate of easement at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this request.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Joan Domning". The signature is fluid and cursive, written over a light background.

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

From: Leggatt, Taylor J. T.JLeggatt@tecoenergy.com
Subject: RE: LETTER OF NO OBJECTION
Date: January 15, 2021 at 11:47 AM
To: julie kurmay julie@asaairconditioning.com



Hi Julie,

Tampa Electric does not serve this area so we do not have any objections.

Thank you,

Taylor J. Leggatt
Supervisor, Land Rights
702 N. Franklin St., Tampa, FL 33602
(813) 228-1424

-----Original Message-----

From: julie kurmay <julie@asaairconditioning.com>
Sent: Wednesday, January 13, 2021 4:47 PM
To: Leggatt, Taylor J. <T.JLeggatt@tecoenergy.com>
Subject: LETTER OF NO OBJECTION

CAUTION - External Email

***** Don't be quick to click! We're counting on you! This email is from an external sender! Don't click links or open attachments from unknown sources. To report a suspicious email, click the Forward to Phishing button within Outlook for analysis by our cyber security team. If the button is unavailable, forward the email as an attachment to phishing@tecoenergy.com<mailto:phishing@tecoenergy.com> *****

We are in need of a letter of no objection for a pool please.

The address is: 7211 57th Ave no St Petersburg Fl 33709
Ph#727-422-3633

NOTICE: This email is intended only for the individual(s) to whom it is addressed and may contain confidential information. If you have received this email by mistake, please notify the sender immediately, delete this email from your system and do not copy or disclose it to anyone else. Although we take precautions to protect against viruses, we advise you to take your own precautions to protect against viruses as we accept no liability for any which remain.

2401 25th St. N.
St. Petersburg, FL 33713
SP-15
Jonathan.Kasper@duke-energy.com
o: 727-893-9262



April 5, 2021

Cheryl Bergailo
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701

RE: *Approval of a Platted Utility Easement Vacate*
Parcel ID: 31-30-16-10223-001-0390
Owners: BECKER, JOSEPH M III
KURMAY, JULIE M
Address: 7211 57TH AVE N

Dear Ms. Kurmay,

Please be advised that Duke Energy Florida, LLC., *Distribution Department* and *Transmission Department* has "NO OBJECTIONS" to the approval of the proposed 10' wide platted utility easement being vacated. Easement area is shown on sketch enclosed as an exhibit, and is a part of Lot 39 in Plat Book 83, Page 21, Public Records of Pinellas County, Florida.

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

Sincerely,

Jonathan Kasper

Jonathan Kasper
Land Representative
Duke Energy Florida



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@fr.com

3/4/2021

Attn: Julie Kurmay
7211 57th Ave N
St Petersburg, FL 33709
julie@asaairconditioning.com
(727) 422-3633

RE: Vacation of Southern 10' of Rear Easement – 7211 57th Ave N, St Petersburg, FL

Dear Ms. Kurmay,

- 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 811 by dialing 811, 2 full business days 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



April 27, 2021

Joseph Becker and Julie Kurmay
7211 57th Avenue North
St. Petersburg, FL 33709-1369

RE: Petition to Release Right-of-Way/ Easement for Parcel Number 31-30-16-10223-001-0390

To Whom it May Concern:

Pinellas County Utilities has no objection with the petition to release. Pinellas County Utilities does not have any utilities in the vicinity of this property. If you have any questions, please do not hesitate to contact our office at (727) 464-4068.

Sincerely,

Joseph Graham, PE
Interagency Water Manager
Engineering Technical Services
Pinellas County Utilities

14 South Fort Harrison Avenue
Clearwater, FL 33756
Phone (727) 464-4000
Fax (727) 464-3717
V/TDD (727) 464-4062
www.pinellascounty.org

WOW!

internet + tv + phone

April 8, 2021

Julie Becker
7211 57th Ave N
St Petersburg FL 33709
727-422-3633

**Re: Petition to Release: Portion of utility and drainage easement to be vacated at rear of
7211 57th Ave N. St Petersburg, FL. (Lot 39; Plat Book 83/21) S: 31 T: 30s R: 16e**

Dear Julie Becker:

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

XX **WOW! has 'NO OBJECTION'.**

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

— WOW! has 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!
James Sandman
Construction Technician
3001 Gandy Blvd. N.
Pinellas Park, FL 33782**

Sincerely,

James Sandman

James Sandman
Construction Technician
WOW!
(727) 235.1492 Cell

3001 Gandy Blvd N - Pinellas Park, FL 33782

PETITION TO VACATE NUMBER PTV 1635- Becker

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.

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 177.101, 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 Section.

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

ASA AIR CONDITIONING AND HEATING, LLC
P.O. BOX 28381
SAINT PETERSBURG, FL 33709

1708
63-7980/2631

DATE 7-8-2021

CHECK ARMOR

PAY TO THE ORDER OF Board of County Commissioners

Three Hundred Fifty Dollars \$350.00

00/100 DOLLARS

MIDFLORIDA Credit Union
Lakeland, Florida

FOR _____

Julie B.

⑈001708⑈ ⑆263179804⑆ ⑆22951794⑆

Security Features Included Details on Back

PETITION TO VACATE NUMBER PTV 1635 - Becker

PETITION TO RELEASE
PUBLIC HEARING

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ASA AIR CONDITIONING AND HEATING, LLC

P.O. BOX 28381
SAINT PETERSBURG, FL 33709

1724

63-7980/2631

DATE

2-31-2021

CHECK ARMOR
Photo Protection

BY THE ORDER OF

BOCC

\$ *400.00*

Four Hundred Dollars

001/100

DOLLARS

MIDFLORIDA
Credit Union
Lakeland, Florida

Petition to vacate



[Signature]

001724

263179804

122951794

Details on Back. Security Features Included

SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

9/7/21 Tuesday of that week Real Property (Josh Rosado) coordinates with Jo Lugo for availability on the proposed agenda and gives notice of the proposed number of Petition to Release packages.

- 4 weeks prior to Public Hearing date:

9/14/21 Tuesday of that week Real Property (Josh Rosado) Notifies Jo the actual number of petitions and the names of the petitioners projected to go to the agenda.

- **ADVERTISEMENT ACTION:**

- 3 weeks prior to Public Hearing date

9/22/21 - (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.