BOARD OF COUNTY COMMISSIONERS

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



MEMORANDUM

TO:

Norman D. Loy, Deputy Clerk

BCC Records

FROM:

Sean P. Griffin

Real Property Manager

SUBJECT:

PETITION TO VACATE - Submitted by Douglas & Staci Williams

File No. 1513

CATS 49017

Legistar 17-1378A

Property Address: 2399 Creek Court, Clearwater, Fl 33764

DATE:

August 15, 2017

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 City of Largo Duke Energy Frontier

Pinellas County Utilities

TECO Electric TECO Peoples Gas WOW! (Knology)

Receipts dated 5-AUG-2016 and 4-AUG-2017 and copy of checks #1699 and #1752 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of October 31, 2017, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time not less than 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



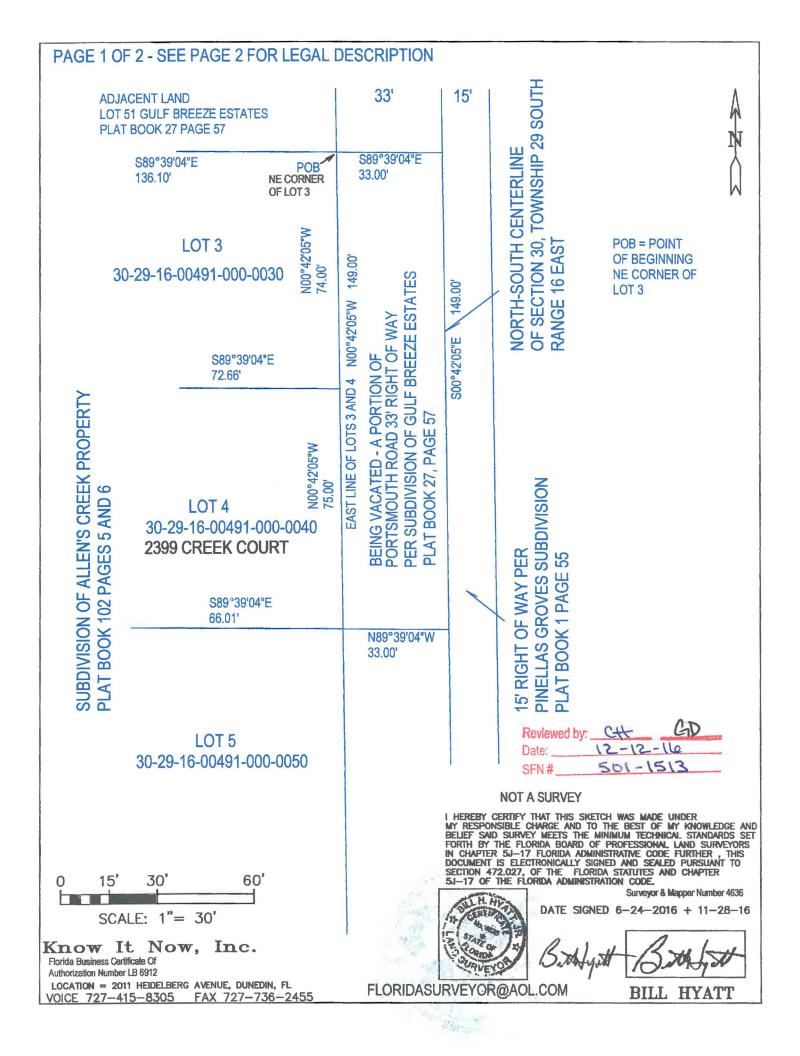
SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA

PETITION TO VACATE, PUBLIC RIGHTS-OF-WAY OR ALLEYS

Name of Petitioner

Comes now your Petitioners, Douglas and Staci Williams

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: Douglas Williams I hereby swear and/or affirm that the forgoing statements are true;
Staci Williams Staci Williams Staci Williams Staci Williams Staci Williams Sworn to (or affirmed) and subscribed before me this day of full and subscri

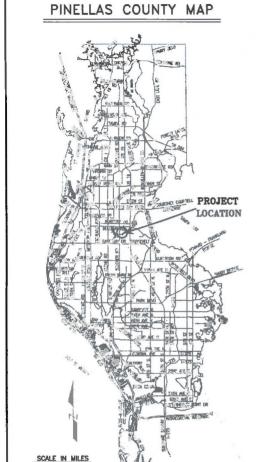


LEGAL DESCRIPTION OF AREA BEING VACATED:

BEING A PORTION OF PORTSMOUTH ROAD, A 33 FOOT RIGHT OF WAY IN SECTION 30, TOWNSHIP 29 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AS SHOWN ON A SUBDIVISION OF GULF BREEZE ESTATES, RECORDED IN PLAT BOOK 27, PAGE 57, IN THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 3, ALLEN'S CREEK PROPERTY, AS RECORDED IN PLAT BOOK 102, PAGES 5 AND 6, IN THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE DEPARTING SAID NORTHEAST CORNER OF LOT 3 AND RUNNING S89°39'04"E, ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 3, A DISTANCE OF 33.00 FEET TO THE NORTH-SOUTH CENTERLINE OF SECTION 30 AFOREMENTIONED; THENCE RUNNING WITH SAID NORTH-SOUTH CENTERLINE S00°42'05"E, A DISTANCE OF 149.00 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°39'04"W, ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 4, A DISTANCE OF 33.00 FEET TO THE SOUTHEAST OF LOT 4 OF SAID SUBDIVISION OF ALLEN'S CREEK PROPERTY; THENCE RUNNING WITH THE EAST LINE OF SAID LOTS 4 AND 3, N00°42'05"W, A DISTANCE OF 149.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4917 SQUARE FEET.



SECTION(S) 30, TOWNSHIP 29 SOUTH, RANGE 16 EAST

SCALE IN FEET 1"= 40'

SURVEY SECTION	BY	DATE
SURVEYED		
TECHNICIAN	ch	08/15
CHECKED		

0 1 2 3 4 5

PINELLAS COUNTY, FLORIDA PUBLIC WORKS

SURVEY AND MAPPING DIVISION 22211 U.S. HWY, 19 NORTH CLEARWATER, FLORIDA 33765-2328 PHONE (727) 464-8904



PTV 1513

WILLIAMS PORTSMOUTH ROAD

I	CXI	HIBIT
NOT	A	SURVEY
		1000-1-0-00-0

PHOTOGRAPHY DATE: 01/14

DATE: AUGUST 2016

EXHIBIT_501-1513.dwg

SURVEY FILE NO.: 501-1513 SHEET O1 OF O1



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

APPLICANT(S):	Douglas E. and Staci K. Williams
Address:	2399 Creek Court
City, State, Zip:	Clearwater, Florida 33764
Daytime Telephone	Number: [See Agent Contact Info.]
SUBJECT PROPER	TY ADDRESS:
	Clearwater, Florida 33764
	Parcel Number: 30-29-16-00491-000-0030 and 30-29-16-00491-000-0040
PLEASE ANSWER T	HE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE
1. The right-	of-way or alley is:open and usedX_unopened "paper" street
2. Is there a p	pending "Contract for Sale"? Yes X No
If yes, please	list all parties involved in the sales contract:
•	•
	ation involved as owner or buyer?
•	se give Corporation name and list Corporate Officers:
4. Complete s	subdivision name as shown on the Subdivision Plat:
Allen's Creek	Property
5. Subdivision	n Plat Book Number 102 Page number(s) 5
6. Is there a I	Iomeowners Association?YesxNo
7. Reason(s)	for requesting this release – check all that apply:
-Need	to release to clear an existing encroachment:
	Pool Screened Pool & DeckBuildingOther
-Need	to release to clear title: Yes No
-Want	to release to allow for:
(Pool Screened Pool/DeckBuilding AdditionOther:

-Want to vacate to include the vacated right of way or alley into my property for: Increased property size Prohibiting unwanted use of the area
X Other:
the balance of the r/w has previously been vacated and this will make it consistent
8. 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.
9. Please provide any relevant additional comments:
10. 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 Katherine E. Cole, Esq., Hill Ward Henderson, P.A. Title Attorney
Address 600 Cleveland St., Ste. 800, Clearwater, FL 33755 Phone 727-724-3900
CITIZEN DISCLOSURE
111) 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.
Ma 2) I am not aware of any current family relationship to any employee, or
Elected Official, of Pinellas County Government.
Ma_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.
DATE: 8 5 16 APPLICANT(S) SIGNATURE
DATE: 8/5/16 Shirk Williams



Date: July 11, 2016

Re: vacate a portion of Portsmouth road 33 feet Right of Way A subdivision of Allen's creek property

2399-creek court

XX	X Bright House Networks has no objections.
Section 11 and 1	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 one call 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 POST OFFICE BOX 296, LARGO, FLORIDA 33779-0296





LARGO, FLORIDA EST. 1905

Community Development Department
Carol Stricklin AICP, Community Development Director
Jerald Woloszynski, P.E., City Engineer

Community Development Administration: (727) 586-7490 Engineering Services Division: (727) 587-6713 Engineering Services FAX: (727) 586-7413

Cynthia M. Harris 509 East Avenue South Clearwater, Florida 33756 Real Estate Management Real Property Specialist, Senior

August 9, 2017

RE:

Letter of No Objection to Release a Portion of Portsmouth Road Right-of-Way (County Road)

2399 Creek Court

Parcel ID# 30-29-16-00491-000-0040, -0030

Dear Ms. Harris,

We have received your request for a letter of no objection to the vacation of a portion of the Portsmouth Road right-of-way, as depicted in the attached sketch and legal description. As a utility provider, the City of Largo does not have any sanitary sewer facilities in the subject right-of-way area and has no future plans for sanitary sewer facilities in the right of way area. Therefore, the City of Largo has no objection to the proposed vacation.

If you have any questions, please call Ann Rocke at (727) 587-6713, extension 4425.

Sincerely,

Jerald Woloszynski, P.E.

City Engineer

2166 Palmetto Street Clearwater, FL. 33765: CW-13

Jason.McDarby@duke-energy.com

o: 727.562.5706 f: 727-562-5753



July 6, 2016

Hill Ward Henderson, P.A. Attn: Katherine Cole, Esq. 600 Cleveland Street, Suite 800 Clearwater, Florida 33755

RE: Approval of a vacation for a portion of a platted utility easement 2399 Creek Court, Clearwater, Florida
Parcel # 30-29-16-00491-000-0030

Dear Ms. Cole,

Please be advised that **DUKE ENERGY FLORIDA**, **LLC**, **d/b/a DUKE ENERGY**, *Distribution Department* and *Transmission Department* has "**NO OBJECTIONS**" to the vacation that portion of Portsmouth Road 33ft Right-of-Way per the subdivision of Allen's Creek Property.

See the accompanying Exhibit "A" as attached hereto and incorporated herein by this reference.

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

Sineerely.

Jason McDarby
Land Rep

Distribution Land Services - Florida

Date: 7/15/16



Mike Little
Right of Way Manager
Region rights of way &
Municipal Affairs Mgr.
813 892-9648
michael.e.little@ftr.com

RE: 2399 Creek Court, Clearwater, FL

Vacate request

Dear Katie,
☐ Frontier Florida LLC will require easements as indicated on the attached plat.
☐ Frontier Florida LLC does object to the above referenced easement or right of way vacation. This is necessary, as we have facilities in the existing easement or rights of way, which needs to be maintained
☑ Frontier Florida LLC has no objection to the above referenced request as per the attachments.

☐ Frontier Florida LLC has conditional approval to the above referenced vacate providing that access will be provided as needed for Frontier to maintain and provide service.

Please be advised that Frontier may have facilities in the area. Please contact Sunshine 811 two full business days prior to commencement of construction at 811 for utility locations. Please call me if you have any questions or need any additional information at (813) 892-9648. Sincerely,

Mike Little

Network Engineering

A Part of Frontier Communications

BOARD OF COUNTY COMMISSIONERS

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



Katherine E. Cole, Esq. Hill Ward Henderson 600Cleveland Street, Suite 800 Clearwater, FL 33755

July 18, 2016

RE:

Letter of No Objection

Release of Right-of-Way - Portsmouth Road 2399 Creek Ct. Clearwater, FL 33764 PID: 30-29-16-00491-000-0040 & 0030

Map Page 23-HN

Dear Ms. Cole:

We have received your request for a letter of no objection to release a portion of Portsmouth Road right-of-way along the east side of the referenced property. Pinellas County Utilities does not have potable water facilities in that location as they lie within Creek Court right-of-way. We recommend that you check with the city of Largo for information on the location of sanitary sewer facilities. We have no objection to the release of the right-of-way.

If you have any questions, please call me at (727) 464-4068.

Sincerely,

Pinellas County Utilities

Sandra L. McDonald, P.E.

banch 1 M. Dald

Professional Engineer



July 14, 2016

Mr. Douglas E. Williams Mrs. Staci K. Williams c/o Katherine E. Cole Hill Ward Henderson, P.A. 600 Cleveland St, Suite 800 Clearwater, FL 33755

RE:

Petition to Vacate: Portion of Portsmouth Rd Allen's Creek Property, PB 102, PG 5 and 6 Section 30, Township 29 South, Range 16 East, Pinellas County, FL 2399 Creek Court, Clearwater, FL

Dear Ms. Cole,

Tampa Electric Company does not serve the subject area therefore does not object to the Petition to Vacate 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) 228-1090 or medouglas@tecoenergy.com.

Sincerely,

Melissa E. Douglas, SR/WA

Real Estate Services

Sr. Distribution Easement Tech



July 5, 2016

RE: Petition to Release /Vacate Platted Utility Easement

2399 Creek Court, Clearwater, FL

LOCAL IVAL B VV HARAGORIUS	Dear	Mr.	Williams	
----------------------------	------	-----	----------	--

___X__ TECO Peoples Gas has no existing or proposed facilities in the area referenced above; there is no objection.

TECO Peoples Gas has the following facilities in the above referenced area.

Remarks:

In order to allow TECO Peoples Gas to operate and maintain these facilities, easements will have to remain in the above referenced area.

If it becomes necessary to relocate any gas facility, it will be at the expense of the applicant.

Thank you for your continued close cooperation in these matters. Please feel free to call upon us if we can be of further service.

Sincerely,

Jeff Frazier

Utility Coordinator



h's that kind of experience.

WOW WAY COTH

WOW! Internet . Cable . Phone

July 7, 2016

Douglas E. and Staci K. Williams c/o Katherine E. Cole, Esq. Hill Ward Henderson, P.A. 600 Cleveland St., Suite 800 Clearwater, FL 33755

Re: Petition to vacate a portion of the Portsmouth Rd. 33' (ft.) Right-of-Way abutting the East parcel line of LOT 3 & 4, (Parcel ID's: 30-29-16-00491-000-0030 & 30-29-16-00491-000-0040), of ALLEN'S CREEK PROPERTY

Dear Douglas E. and Staci K. Williams:

Thank you for contacting Wide Open West (WOW!) with the subject request.

XX_ WOW! has 'NO OBJECTION'.

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

WOW! maintains facilities within this area that conflict with the subject request. WOW! has no objections provided easements for our facilities are granted or applicant bears the entire expense for relocation of associated WOW! services.

Please refer any further questions and/or correspondence to:

WOW!
Jay Young
Construction Technician
3001 Gandy Blvd. N.
Pinelias Park, FL 33782

Sincerely,

Jay Young

Construction Technician

WOW!

(727) 239.0156 Office

(727) 235.1553 Cell

lay.young@wowinc.com

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 177.10, 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 Section.

STACI K WILLIAMS DOUGLAS WILLIAMS 2399 CREEK COURT CLEARWATER, FL 33764	1699 63-8291/2691-02 Angenit 5, 2016
Pay to the Pinellas County Bo Order of hundred and fifty &	3CC \$ 350.00
grow financial federal credit union TAMPA FLORIDA For Vacate v w application fee	Longha E. Williams

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.

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DOUGLAS E WILLIAMS STACI K WILLIAMS 2399 CREEK COURT CLEARWATER, FL 33764	1752 Aygivit 4,2017
Pay to the Board of County C From Jumbel + 100	Dollars Dollars
grow financial TAMPA, FLORIDA TO Vacate File#151	3 Dough C. Williams "

PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1532

PETITIONER

DOUGLAS E. WILLIAMS STACI K. WILLIAMS 2399 CREEK COURT CLEARWATER, FL 33764

ADJACENT PROPERTY OWNERS NOTIFICATION LETTER SENT TO THESE OWNERS BY THE CLERK OF THE CIRCUIT COURT – BCC RECORDS DIVISION

REAL PROPERTY DIVISION ATTN: CYNTHIA M. HARRIS 509 EASE AVENUE SOUTH CLEARWATER, FL 33756 GORAN RADIVOJEVIC 1785 DONCASTER RD CLEARWATER FL 33764-3524 C C C LLC 28 SUNSET BAY DR BELLEAIR FL 33756-1643

REAL ESTATE MANAGEMENT ATTN: ANDREW PUPKE 509 EAST AVENUE S CLEARWATER, FL 33756 DOUGLAS E. WILLIAMS
STACI K. WILLIAMS
2399 CREEK CT
CLEARWATER FL 33764-6596

ALLEN'S CREEK HOMEOWNERS ASSN 1434 CLEVELAND ST CLEARWATER FL 33755-5241

SALVATORE FIERRO
ELSA L FIERRO
1767 DONCASTER RD
CLEARWATER FL 33764-3524

APHORAO TO THE SON LLC 124 HARBOR VIEW LN BELLEAIR BLUFFS FL 33770-2605 CREEK COURT REVOCABLE TRUST
DANIELLE M HENDRICK TRE
2384 CREEK CT
CLEARWATER FL 33764-6596

LAUREN CHALU
JIMMY JENNINGS
2376 CREEK CT
CLEARWATER FL 33764-6596

GARRY L RILEY GARRY
DENICE N RILEY
2392 CREEK CT
CLEARWATER FL 33764-6596

EDMUND L WALTERS JR
MELANIE WALTERS
1761 DONCASTER RD
CLEARWATER FL 33764-3524

ATTORNEY KATHERINE E. COLE HILL, WARD, HENDERSON P.A. 600 CLEVELAND STREET SUITE 800 CLEARWATER, FL 33755

REQUEST FOR ADVERTISING

TO:	BCC Records
FROM:	Sean P. Griffin, Manager Real Estate Management /Real Property Division
RE:	Petition to Vacate Public Hearing
	File No. 1513 – Douglas & Staci Williams
DATE:	October 4, 2017
336.10. ADV PRIOR TO THE RESOL 30 DAYS FO AD COPY A' REQUIRES S NEWSPAPE DATE(S) TO SIZE OF AD SIZE OF HE SIZE OF PRI	ADER:
R:\REAL PROPEI	RTY/VACATIONS AND RELEASES/PETITIONS-PENDING 1500'S/File#1513-V Williams/Req Ad

NOTICE OF PUBLIC HEARING

Notice is hereby given that on October 31, 2017, beginning at 9:30AM, 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 Douglas Williams and Staci Williams, to vacate, abandon and/or close the following:

A portion of Portsmouth Road, a 33 foot Right-of-Way, on Lot 2 and 3, Allen's Creek Subdivision, Plat Book 102, Pages 5 and 6, in Section 30, Township 29, Range 16.

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, YOUR 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