

MEMORANDUM

TO: Norm D. Loy, Deputy Clerk
BCC Records

FROM: Sean P. Griffin 
Real Property Manager

SUBJECT: PETITION TO VACATE – Submitted by Pinellas County
File No. 1579 CATS 51594 Legistar 20-647A
Property Address: A portion of 118th Avenue North

DATE: May 29, 2020

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 with granting of a Duke Energy Easement
Frontier
Pinellas County Utilities Engineering
TECO Electric
TECO Peoples Gas
WOW!

Please set the public hearing for the BCC meeting of June 23, 2020, 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
 PUBLIC WORKS
 SURVEY AND MAPPING DIVISION
 22211 U.S. HIGHWAY 19 N.
 CLEARWATER, FLORIDA 33765-2328



SECTIONS 12 AND 13, TOWNSHIP 30 SOUTH, RANGE 15 EAST

DESCRIPTION

THAT PORTION OF 118TH AVENUE NORTH, LYING BETWEEN STARKEY ROAD AND THE SEABOARD COASTLINE RAILROAD, IN THE SOUTHWEST 1/4 OF SECTION 12 AND THE NORTHWEST 1/4 OF SECTION 13, BOTH IN TOWNSHIP 30 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

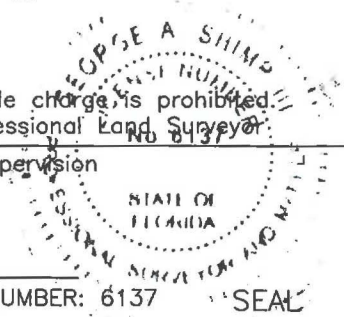
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12, ALSO BEING THE NORTHWEST CORNER OF SAID SECTION 13; THENCE S89°04'07"E, ALONG THE SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SAID SECTION 12, ALSO BEING THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING; THENCE N00°19'13"E, ALONG THE EAST RIGHT-OF-WAY LINE OF STARKEY ROAD, A DISTANCE OF 33.00 FEET; THENCE S89°04'07"E, ALONG THE NORTH LINE OF A 66 FOOT WIDE PETITIONED ROAD (WALSINGHAM BOULEVARD ROAD, AS PETITIONED ON OCTOBER 4, 1927, IN COUNTY COMMISSIONER'S MINUTES BOOK 6, PAGE 427), A DISTANCE OF 1137.94 FEET TO THE WESTERLY BOUNDARY OF THE SEABOARD COASTLINE RAILROAD; THENCE S44°26'14"E, ALONG SAID WESTERLY BOUNDARY OF THE SEABOARD COASTLINE RAILROAD, A DISTANCE OF 118.14 FEET TO THE NORTHEASTERLY CORNER OF OAKWOODS INDUSTRIAL CENTER, AS RECORDED IN PLAT BOOK 91, PAGE 10, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N89°04'07"W, ALONG THE NORTH BOUNDARY OF SAID OAKWOODS INDUSTRIAL CENTER, A DISTANCE OF 314.20 FEET TO THE NORTHWEST CORNER OF LOT 10, OF SAID OAKWOODS INDUSTRIAL CENTER; THENCE N00°14'52"E, A DISTANCE OF 50.00 FEET TO AFORESAID SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 12, ALSO BEING THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 13; THENCE N89°04'07"W, ALONG SAID SECTION LINE, A DISTANCE OF 906.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 52,558 SQUARE FEET OR 1.207 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS INDICATED ARE BASED ON THE SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 12. TOWNSHIP 30 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING N89°04'07"W.

Additions or deletions by other than the Professional Land Surveyor in responsible charge is prohibited. Land Description is invalid without signature and/or embossed seal of the Professional Land Surveyor.

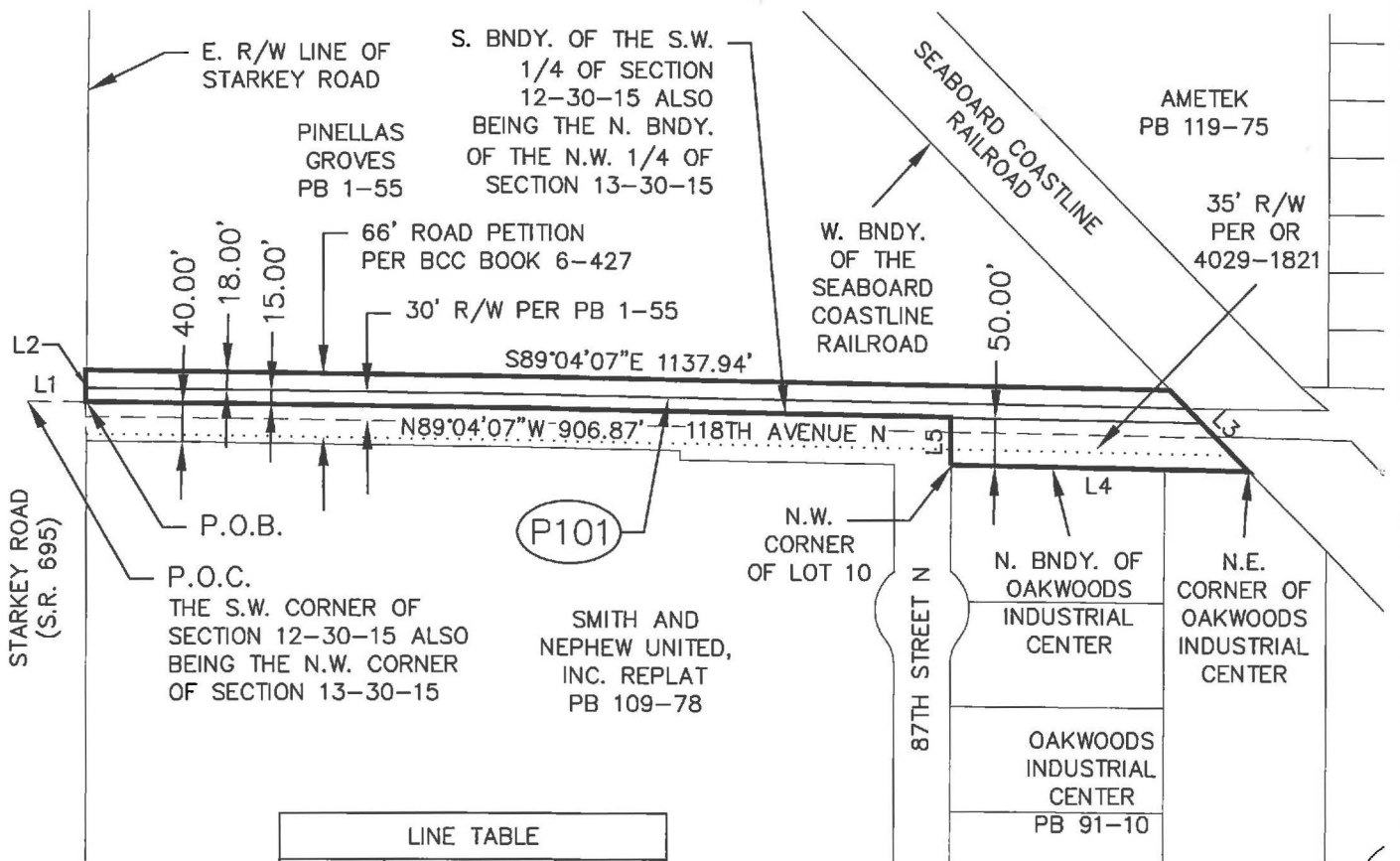
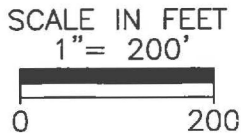
CALCULATED BY: T.S.	The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief.
CHECKED BY: C.H.	By: Pinellas County Survey and Mapping Division <i>George A Shimp III</i> DATE <u>5/2/2019</u>
S.F.N.: 501_1556	GEORGE A. SHIMP III, PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER: 6137 STATE OF FLORIDA, PHONE # (727) 464-8904





SECTIONS 12 AND 13, TOWNSHIP 30 SOUTH, RANGE 15 EAST

SKETCH - NOT A SURVEY



P101

LINE TABLE		
LINE #	BEARING	LENGTH
L1	$S89^{\circ}04'07''E$	60.01'
L2	$N00^{\circ}19'13''E$	33.00'
L3	$S44^{\circ}26'14''E$	118.14'
L4	$N89^{\circ}04'07''W$	314.20'
L5	$N00^{\circ}14'52''E$	50.00'

LEGEND
 BCC - BOARD OF COUNTY COMMISSIONERS
 BNDY - BOUNDARY
 OR - OFFICIAL RECORDS BOOK
 PB - PLAT BOOK
 POB - POINT OF BEGINNING
 POC - POINT OF COMMENCEMENT
 R/W - RIGHT-OF-WAY
 SR - STATE ROAD

S.F.N.:
 501_1556

APPLICATION AND FINDINGS OF FACT

FOR PETITION TO RELEASE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S): PINELLAS COUNTY
Address: 509 EAST AVENUE
City, State, Zip: CLEARWATER, FLORIDA
Daytime Telephone Number: 727 464-3496

SUBJECT PROPERTY ADDRESS: 1775 STARKY ROAD REMNANT
City, State, Zip: UNINCORPORATED PINELLAS COUNTY
Property Appraiser Parcel Number: 12-30-15-70542-300-0900, 13-30-15-63701-000-0150 & 0100

PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE

1. The right-of-way or alley is: open and used unopened "paper" street
2. Is there a pending "Contract for Sale"? Yes No

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

3. Is a corporation involved as owner or buyer?
If yes, please give corporation name and list corporate officers:

4. Complete subdivision name as shown on the subdivision plat:

OAKWOODS INDUSTRIAL CENTER LOT 10 AND LOT 15/PINELLAS GROVES

5. Subdivision Plat Book Number 91/1 Page number(s) 10/55

6. Is there a Homeowners Association? Yes No

7. Reason(s) for requesting this release – check all that apply:

-Need to release to clear an existing encroachment:

 Pool Screened Pool & Deck Building Other

-Need to release to clear title: Yes No

-Want to release to allow for:

___ Pool ___ Screened Pool/Deck ___ Building Addition ___ Other

-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:

8. Is Board of Adjustment required? ___ Yes X ___ 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:

THE ADJACENT ROW HAS VEEN VACATED LEAVING THIS REMNANT PORTION. COUNTY STAFF RECOMMENDS VACATING THIS PART

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 _____ Title _____

Address _____ Phone _____

CITIZEN DISCLOSURE

11. _____ 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: _____

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



August 16, 2019

Cynthia M. Harris
Real Estate Management
Real Property Division
509 East Avenue

RE: *Vacation Request*
Address: 118th Ave N. Right of Way, North of 11775 STARKEY RD
Section Township Range: 12-30S-15E and 13-30S-15E, Pinellas County, Florida

Dear Ms. Harris:

Please be advised that **DUKE ENERGY FLORIDA, LLC.**, d/b/a **DUKE ENERGY *Distribution Department*** and ***Transmission Department*** have “**OBJECTIONS**” to the approval of the vacate of 118th Ave N. Right of Way, North of 11775 STARKEY RD, as shown on Sketch and Description provided by George A. Shimp, dated 5/2/2019, and further enclosed as an Exhibit.

This is due to Overhead facilities in the area. No Objection letter would be provided upon the **removal/relocation of existing facilities OR granting of a Duke Energy easement** over the described property. Removal or relocation will need to be handled by a Duke Energy Engineer.

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

Sincerely,

Jonathan Kasper

Jonathan Kasper
Research Specialist-Land Services
Duke Energy Florida



Date: October 16, 2019

Re: Section 12 & 13, Township 30 South, Range 15 East Pinellas County Florida Starkey Rd and 118th Ave N

Bright House Networks has no objections.

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

XXX 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,
Ozzie Perez
Bright House Networks
Field Engineer
Pinellas County
727-329-2817

**BOARD OF COUNTY
COMMISSIONERS**

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



August 16, 2019

Sean Griffin
Pinellas County Real Estate Management
509 East Ave., Clearwater, Fl. 33756

RE: Petition to release Right of Way
Parcel P101, Vacate File 1556, PID#001851B
11775 Starkey Rd.
Largo, FL 33773
Section 13, Township 30S, Range 15E
Parcel ID: 13-30-15-82900-000-0001

Dear Mr. Sean Griffin,

We are in receipt of your memo requesting a response to the vacation of Right of Way located north of Parcel 13-30-15-82900-000-0001 located at 11775 Starkey Rd. Pinellas County Utilities does have potable water and sanitary sewer facilities in this Right of Way and has "No Objection" to this request with a condition a full width Utility Easement is granted to access to service our facilities.

If you have any questions, please do not hesitate to contact me at (727) 464-8418.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ray Letts".

Ray Letts
Engineering Specialists II
Pinellas County Utilities

Pinellas County Utilities Engineering
14 S. Fort Harrison Ave.
Clearwater, FL 33756
Phone: 727-464-5899
FAX: 727-464-3595
TDD: (727) 464-4062

S:\Shared\Engineering\DRS\Easement Reviews\2019\11775 Starkey Rd. vacate remnant Right of Way No Objection 20190819.docx

www.pinellascounty.org





Oct. 10, 2019

Josh Rosado
Real Property Specialist II
Facilities and Real Property Division
Department of Administrative Services
509 E. Ave. Clearwater, FL 33756

Attn: Josh Rosado

Re: Sections 12 & 13 Township 30 South , Range 15 E. Starkey Rd. and 118th Ave. N.

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

XXX 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 correspondence to:

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

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Hamlin Jr.", is written over the word "Sincerely,".

David E. Hamlin Jr.
Construction Project Coordinator
WOW!
(727) – 239-0156 Office
(678) – 409-8721 Cell

3001 Gandy Blvd N - Pinellas Park, FL 33782



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

10/15/2019

Attn: Josh Rosado
Real Property Division
Pinellas County
509 East Ave S
Clearwater, FL 33756

RE: Partial Vacation of Right-of-Way – 118th Ave N

Dear Mr. Rosado,

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

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



AN EMERA COMPANY

May 23, 2019

Cynthia Harris
Real Estate Management
509 East Avenue

RE: Petition to Vacate: See attached Legal Description
Sections 12 & 13, Township 30 South, Range 15 East
Starkey Rd and 118th Ave N

Dear Ms. Harris,

Tampa Electric Company does not serve the subject area therefore does not object to the Petition to Vacate 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".

Taylor J. Leggatt
Real Estate Services
Distribution Easement Coordinator



TECO
PEOPLES GAS
AN EMERA COMPANY

8/9/2019

To: Cynthia M. Harris
Real Estate Mgt-Pinellas County
509 East Avenue
Clearwater, FL 33756

RE: Vacate ROW-Pinellas County, FL
Sections 12 & 13, Township 30 South, Range 15 East

THAT PORTION OF 112TH AVENUE NORTH, LYING BETWEEN STARKEY ROAD AND THE SEABOARD COASTLINE RAILROAD, IN THE SOUTHWEST 1/4 OF SECTION 12 AND THE NORTHWEST 1/4 OF SECTION 13, BOTH A TOWNSHIP 30 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12, ALSO BEING THE NORTHWEST CORNER OF SAID SECTION 13; THENCE S89°04'07"E, ALONG THE SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SAID SECTION 12, ALSO BEING THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING; THENCE N00°09'13"E, ALONG THE EAST RIGHT-OF-WAY LINE OF STARKEY ROAD, A DISTANCE OF 33.00 FEET; THENCE S85°04'07"E, ALONG THE NORTH LINE OF A 66 FOOT WIDE PAVEMENTED ROAD (WALNUTMAN BOULEVARD ROAD, AS PETITIONED ON OCTOBER 4, 1927, IN COUNTY COMMISSIONER'S MINUTES BOOK 6, PAGE 427), A DISTANCE OF 113.294 FEET TO THE WESTERLY BOUNDARY OF THE SEABOARD COASTLINE RAILROAD; THENCE S44°26'14"E, ALONG SAID WESTERLY BOUNDARY OF THE SEABOARD COASTLINE RAILROAD, A DISTANCE OF 118.14 FEET TO THE NORTH-EASTERLY CORNER OF OAKWOODS INDUSTRIAL CENTER, AS RECORDED IN PLAT BOOK 31, PAGE 10, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N82°04'07"W, ALONG THE NORTH BOUNDARY OF SAID OAKWOODS INDUSTRIAL CENTER, A DISTANCE OF 314.20 FEET TO THE NORTHWEST CORNER OF LOT 10, OF SAID OAKWOODS INDUSTRIAL CENTER; THENCE N01°45'E, A DISTANCE OF 50.00 FEET TO ADESSA'S SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 12, ALSO BEING THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 13; THENCE N89°04'07"W, ALONG SAID SECTION LINE, A DISTANCE OF 904.87 FEET TO THE POINT OF BEGINNING.

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the petition to vacate the Right-Of-Way at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this vacate. If you have further questions, please do not hesitate to call.

Sincerely,

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

SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

5/19/20 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:

5/26/20 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:**

6/3/20 - 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.