

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA; VACATING THE 80 FOOT WIDE RIGHT-OF-WAY OF ILLINOIS AVENUE LYING BETWEEN LOTS 6, 7 AND 8, BLOCK 135 AND LOTS 9, 10, 11 AND 12, BLOCK 130, MAP OF SUTHERLAND, PLAT BOOK H1, PAGE 1, SUBJECT TO THE RETENTION OF A DRAINAGE AND UTILITY EASEMENT; ALSO VACATING THE 20 FOOT WIDE ALLEY RIGHT-OF-WAY LYING BETWEEN LOTS 7, 8, 9 AND 10, BLOCK 135, MAP OF SUTHERLAND, PLAT BOOK H1, PAGE 1, LYING IN SECTION 2-28-15, PINELLAS COUNTY, FLORIDA;; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Christopher D. Muller, Laura T. Muller, Raymond B. Bennett, and Debra J. Schaefer (the Petitioners) have petitioned this Board of County Commissioners to vacate the following described property:

Lands described in the legal descriptions attached hereto as Exhibit “A” and Exhibit “B” and by this reference made a part hereof; and

WHEREAS, the Petitioners have 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 Petitioners’ affidavits have been received by the Board of County Commissioners; and

WHEREAS, Debra J. Schaefer and Raymond B. Bennett requested a waiver of the road frontage requirement pursuant to Pinellas County Code Sections 138-237 (Waivers and Variances) and 138-3503(Road Frontage) of the Pinellas County Land Development Code.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida that the above described property and plat be vacated, insofar as this

Board of County Commissioners has the authority to do so, pursuant to §336.09, Florida Statutes, subject to the retention of a drainage and utility easement over the vacated eighty-foot (80') wide Illinois Avenue right-of-way.

NOW THEREFORE, BE IT FURTHER RESOLVED that this Board of County Commissioners hereby agrees to waive the road frontage requirements of Pinellas County Code sections 138-237 and 138-3503, Road Frontage, contingent upon the execution and recording of a private ingress and egress easement for the benefit of the parcels adjacent to the portion of Illinois Avenue subject to the vacation, currently owned by Debra J. Schaefer and Raymond B. Bennett.

NOW BE IT FURTHER RESOLVED that this Board of County Commissioners shall adopt this resolution with authorization for the Clerk to record in the Public Records of Pinellas County, Florida.

EFFECTIVE DATE: This Resolution shall become effective upon adoption as provided by law.

In a regular meeting duly assembled on the _____ day of _____ 2020, Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

Absent and not voting:

APPROVED AS TO FORM

By: Chelsa Hardy
Office of the County Attorney