

RESOLUTION NO. 19-58

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA; VACATING A PORTION OF RIGHT-OF-WAY KNOWN AS NEW YORK AVE., TOWN OF SUTHERLAND, PLAT BOOK H-1, PAGE 1, LYING ADJACENT TO THE NORTHERLY BOUNDARY OF LOT 3, OYSTER BAY SUBDIVISION, PLAT BOOK 84, PAGE 61, LYING WITHIN SECTION 2-28-15, AND THE 10 FOOT UTILITY EASEMENT LYING IN THE NORTH 10 FEET OF LOT 3, OYSTER BAY SUBDIVISION, PLAT BOOK 84, PAGE 61, LYING WITHIN SECTION 2-28-15 RESERVING A THREE FOOT DRAINAGE EASEMENT OVER THE NORTH THREE FEET OF THE VACATED RIGHT-OF-WAY, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Brien Bourbeau and Mary Bourbeau, (the Petitioners) have petitioned this Board of County Commissioners to vacate the following described property:

**Lands described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and**

**Lands described in the legal description attached hereto as Exhibit "B" and by this reference made a part hereof; and**

WHEREAS, the Petitioners have shown that they own the underlying portion of the plat sought to be vacated and all state and county taxes have been paid; 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' affidavit has been received by the Board of County Commissioners; and

**WHEREAS**, a three foot drainage easement will be retained over the north three feet of the vacated right-of-way referenced in Exhibit "A".

**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 in regard to the property referenced in Exhibit "A" and pursuant to §177.101, Florida Statutes, in regard to the property referenced in Exhibit "B".

**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 20th day of August, 2019, Commissioner Long offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Welch, and upon roll call the vote was:

AYES: Seel, Eggers, Justice, Long, Peters, and Welch.

NAYS: None.

Absent and not voting: Gerard.

APPROVED AS TO FORM

By: Chelsea Hardy  
Office of the County Attorney

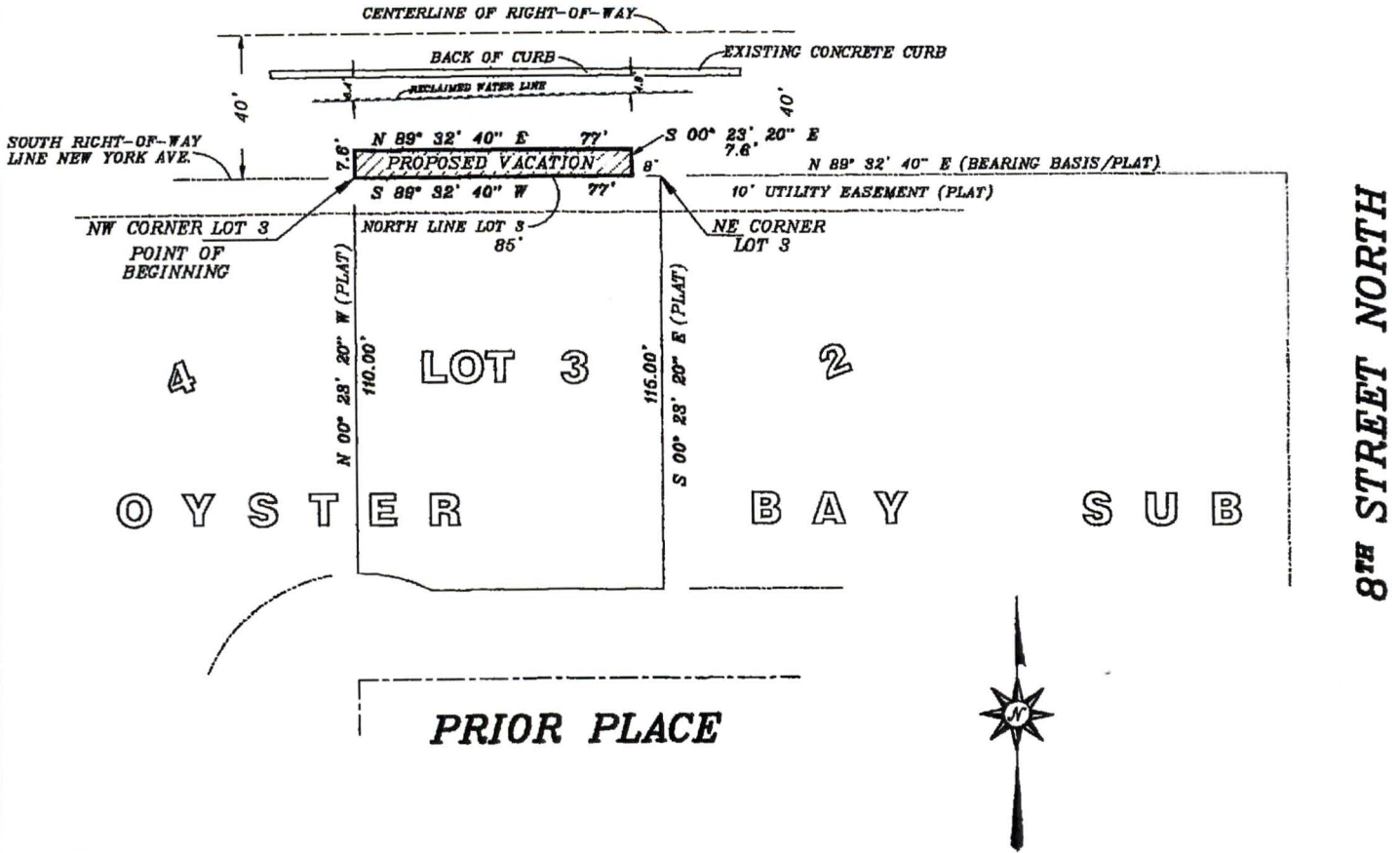
DESCRIPTIVE SKETCH ONLY  
NOT A SURVEY

SECTION 2, TOWNSHIP 28S., RANGE 15E.  
PINELLAS COUNTY, FLORIDA

EXHIBIT "A"

Reviewed by: CH SB  
Date: 2-26-18  
SFN# 501-1558

**NEW YORK AVENUE**  
(80' RIGHT-OF-WAY/PLAT BOOK H, PAGE 1)



NOTE:  
RECLAIMED WATER LINE LOCATION STAKED BY PINELLAS COUNTY.

PROPOSED RIGHT-OF-WAY VACATION OF A PORTION OF NEW YORK AVENUE, TOWN OF SUTHERLAND, AS RECORDED IN PLAT BOOK H, PAGE 1, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, BEING DESCRIBED AS FOLLOWS.

BEGINNING AT THE NW CORNER OF LOT 3, OYSTER BAY SUBDIVISION, AS RECORDED IN PLAT BOOK 84, PAGE 61, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE  $N 00^{\circ} 23' 20'' W$ , 7.6 FEET; THENCE  $N 89^{\circ} 32' 40'' E$ , 77 FEET; THENCE  $S 00^{\circ} 23' 20'' E$ , 7.6 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID LOT 3; THENCE  $S 89^{\circ} 32' 40'' W$ , ALONG THE SAID NORTH BOUNDARY OF LOT 3 ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF NEW YORK AVENUE, 77 FEET TO THE POINT OF BEGINNING. CONTAINING 586.20 SQUARE FEET MORE OR LESS.

DRAWN BY: JCB CAD FILE: OYSTER BAY-LOT3

**EVANS LAND SURVEYING, INC.**

1460 BELTREES STREET UNIT 9  
DUNEDIN, FL 34698 (727)734-3821

TYPE	DATE	INV. NO.
DESCRIPTIVE SKETCH	6/28/2017	2017-215
REVISED SKETCH	6/18/2018	2018-182
REVISED SKETCH	11/20/2018	-----
REVISED SKETCH	2/08/2019	2019-42

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTERS 5J-17.050 TO 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE

*Larry Evans* 02-08-19  
LARRY I. EVANS JOHN C. BINDER  
FL. REG. NO. 2937 FL. REG. NO. 4888  
(INVALID WITHOUT SIGNATURE AND EMBOSSED SEAL)



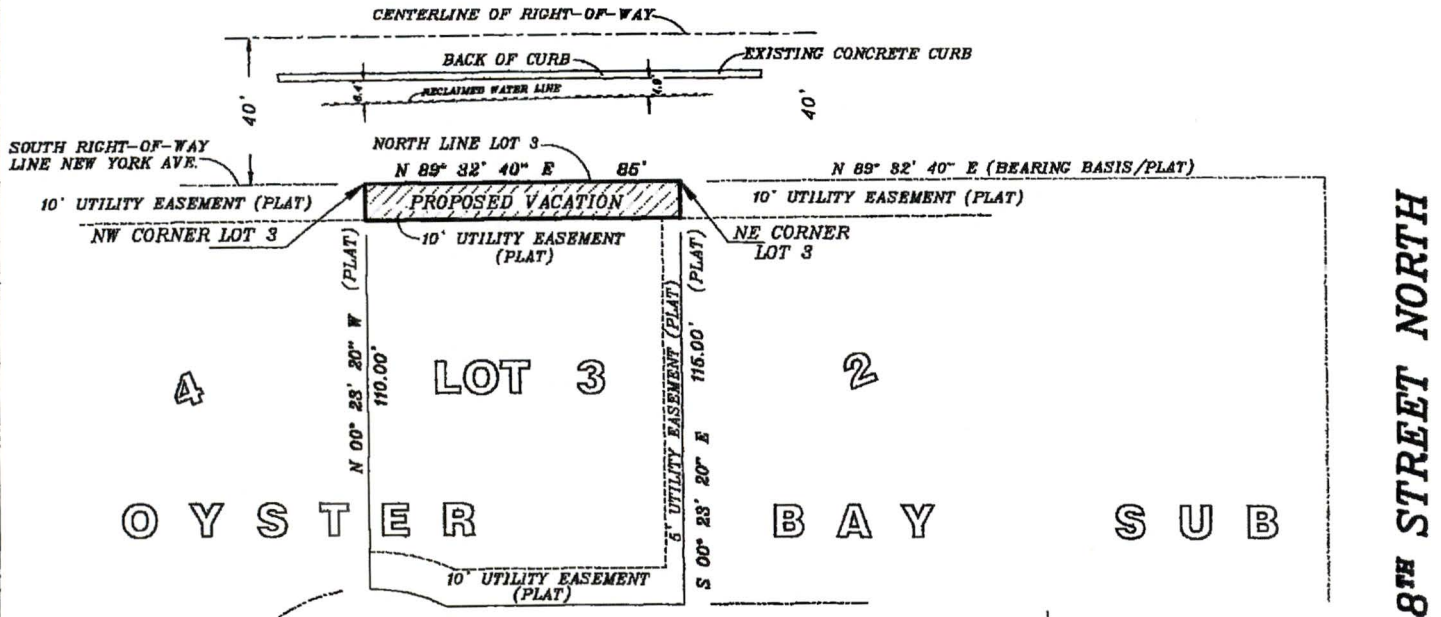
DESCRIPTIVE SKETCH ONLY  
NOT A SURVEY

SECTION 2, TOWNSHIP 28S., RANGE 15E.  
PINELLAS COUNTY, FLORIDA

EXHIBIT **B**

Reviewed by: CH GD  
Date: 5-15-19  
SFN# 501-1558

**NEW YORK AVENUE**  
(80' RIGHT-OF-WAY/PLAT BOOK HI, PAGE 1)



NOTE:  
RECLAIMED WATER LINE LOCATION STAKED BY PINELLAS COUNTY.

SCALE: 1" = 50'

PROPOSED UTILITY EASEMENT VACATION DESCRIBED AS FOLLOWS:

THE NORTH 10 FEET OF LOT 3, OYSTER BAY SUBDIVISION, AS RECORDED IN PLAT BOOK 84, PAGE 61, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

DRAWN BY: JCB CAD FILE: OYSTER BAY-LOT3

**EVANS LAND SURVEYING, INC.**

1460 BELTREES STREET UNIT 9  
DUNEDIN, FL. 34698 (727)734-3821

TYPE	DATE	INV. NO.
DESCRIPTIVE SKETCH	5/07/2019	2019-128

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTERS 5J-17.050 TO 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE

*Larry L. Evans* 5-07-2019  
LARRY L. EVANS JOHN C. BINDER  
FL. REG. NO. 2937 FL. REG. NO. 4888  
( INVALID WITHOUT SIGNATURE AND EMBOSSED SEAL )

Serial Number  
19-04224N

# Business Observer

Published Weekly  
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

STATE OF FLORIDA

Before the undersigned authority personally appeared Kelly Martin who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Clearwater, Pinellas County, Florida; that the attached copy of advertisement,

being a Notice of Public Hearing

in the matter of Public Hearing on August 20, 2019 at 6:00pm to consider the petition of Brien Bourbeau

in the Court, was published in said newspaper in the

issues of 8/2/2019, 8/9/2019

Affiant further says that the said Business Observer is a newspaper published at Clearwater, Pinellas County, Florida, and that said newspaper has heretofore been continuously published and has been entered as periodicals matter at the Post Office in Clearwater in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

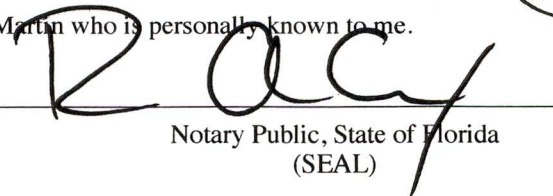
\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

  
Kelly Martin

Sworn to and subscribed before me this

9th day of August, 2019 A.D.

by Kelly Martin who is personally known to me.

  
Notary Public, State of Florida  
(SEAL)



**Pamela A Cox**  
COMMISSION # GG251785  
EXPIRES: August 23, 2022  
Bonded Thru Aaron Notary

RECEIVED  
BOARD OF

2019 AUG -9 AM 11:33

BOARD OF COUNTY  
COMMISSIONERS  
PINELLAS COUNTY FLORIDA

### NOTICE OF PUBLIC HEARING

Notice is hereby given that on August 20, 2019, beginning at 6:00 P.M., 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 Brien Bourbeau and Mary Bourbeau, to vacate, abandon and/or close the following:

A portion of the right-of-way known as New York Avenue, Town of Sutherland, Plat Book H-1, Page 1, lying adjacent to the Northerly boundary of Lot 3 (749 Prior Place), Oyster Bay Subdivision, Plat Book 84, Page 61, and the 10-foot Utility Easement lying in the North 10 feet of Lot 3, Oyster Bay Subdivision, Plat Book 84, Page 61, lying within Section 2, Township 28, Range 15, Pinellas County, Florida.

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 AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING YOU 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

August 2, 9, 2019

19-04224



Serial Number  
19-04688N

# Business Observer

Published Weekly  
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

STATE OF FLORIDA

Before the undersigned authority personally appeared Kelly Martin who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Clearwater, Pinellas County, Florida; that the attached copy of advertisement,

being a Public Notice


in the matter of Adoption of petition by Brien Bourbeau et al at meeting on August 20, 2019

in the Court, was published in said newspaper in the

issues of 8/23/2019

Affiant further says that the said Business Observer is a newspaper published at Clearwater, Pinellas County, Florida, and that said newspaper has heretofore been continuously published and has been entered as periodicals matter at the Post Office in Clearwater in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.


\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

  
\_\_\_\_\_  
Kelly Martin

Sworn to and subscribed before me this

23rd day of August, 2019 A.D.

by Kelly Martin, who is personally known to me.

  
\_\_\_\_\_  
Notary Public, State of Florida  
(SEAL)

**PUBLIC NOTICE**

You will please take notice that the Pinellas County Board of County Commissioners at its regular meeting of August 20, 2019, in the County Commission Assembly Room, Pinellas County Courthouse, Clearwater, Florida, adopted a resolution vacating the following legally described property as petitioned by Brien Bourbeau and Mary Bourbeau.

Resolution vacating a portion of Right-of-Way known as New York Avenue, Town of Sutherland, Plat Book H-1, Page 1, lying adjacent to the Northerly Boundary of Lot 3, Oyster Bay Subdivision, Plat Book 84, Page 61, lying within Section 2, Township 28, Range 15, and the 10-foot Utility Easement lying in the North 10 feet of Lot 3, Oyster Bay Subdivision, Plat Book 84, Page 61, lying within Section 2, Township 28, Range 15, Reserving a 3-foot Drainage Easement over the North 3 feet of the vacated Right-of-Way, Pinellas County, Florida; and providing for an effective date.

KEN BURKE, CLERK TO THE  
BOARD OF COUNTY COMMISSIONERS  
By: Norman D. Loy, Deputy Clerk

August 23, 2019 19-04688N

**RECEIVED**  
**BOARD OF**  
**COMMISSIONERS**  
**PINELLAS COUNTY FLORIDA**  
 2019 AUG 23 PM 3:21



**Pamela A Cox**  
COMMISSION # GG251785  
EXPIRES: August 23, 2022  
Bonded Thru Aaron Notary

I, KENNETH P. BURKE, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County FL this 26 day of August A.D. 2019

KENNETH P. BURKE, Clerk of the Circuit Court Ex-Officio  
Clerk of the Board of County Commissioners,  
Pinellas County, Florida

By *Juan Roberto*  
Deputy Clerk

