

**BOARD OF COUNTY
COMMISSIONERS**

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



MEMORANDUM

TO: Norm D. Loy, Deputy Clerk
BCC Records

FROM: Sean P. Griffin 
Real Property Manager

SUBJECT: PETITION TO VACATE – Submitted by Joseph & Alexandria McDonald
File No. 1568 CATS 51123 Legistar 19-2317A
Property Address: 15401 58th Street North, Clearwater, FL 33760

DATE: December 19th, 2019

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
Frontier
Pinellas County Utilities Engineering
TECO Electric
TECO Peoples Gas
WOW! (knology)

Receipt dated 09-NOV-2018 and 02-AUG-2019 and copy of checks #1305 and #1328 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of January 14th, 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
Real Estate Management
509 East Ave. S.
Clearwater, FL 33756
Main Office: (727) 464-3496
FAX: (727) 464-5251
V/TDD: (727) 464-4062

www.pinellascounty.org



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

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

Comes now your Petitioner's, Joseph McDonald and Alexandria Morgan
Name of Petitioners

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:

Joseph McDonald
Joseph McDonald

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

Alexandria Morgan McDonald
Alexandria Morgan McDonald

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 1st day of August, 2019,
by Joseph McDonald and Alexandria Morgan McDonald. He/She is personally known to me, or has
produced Florida DL as identification, and who ~~did~~ (did not) take an oath.



NOTARY
SEAL

NOTARY Cynthia M. Harris
Print Name Cynthia M. Harris

My Commission Expires: _____ Commission Number: GG 105659

APPLICATION AND FINDINGS OF FACT

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

APPLICANT(S): Alexandria Morgan, Joseph McDonald
Address: 15401 58th SE N
City, State, Zip: Clearwater, FL 33760
Daytime Telephone Number: 973-349-9453

SUBJECT PROPERTY ADDRESS: _____

City, State, Zip: _____

* Property Appraiser Parcel Number: 32-29-16-15156-005-0110

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:

N/A

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

- 5. Subdivision Plat Book Number _____ Page number(s) _____

- 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

Other:

Unwanted foot traffic, excessive dust Kickup, Install fence

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 _____ 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: 11/9/18

Alexandra Moya
Joseph Moya
8



Date May 31, 2019

Re: 15401 58th St N Clearwater Florida 33760 Section 32, Township 29 South, Range 16 East

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

I accept the terms stated above

Joseph McDonald
Date 9/3/19

Alexandria McDonald
Date 9/3/19

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

Jason.McDarby@duke-energy.com

o 727.562.5706
f 727-562-5753



November 7, 2018

Alexandria Morgan and Joseph McDonald
15401 58th Street N
Clearwater, Florida 33760

**RE: *Approval of a vacation of Right of Way
Section 32, Township 29 South, Range 16 East, Pinellas County, Florida
15401 58th Street North, Clearwater, Florida***

Dear Mr. McDonald,

Please be advised that Duke Energy Florida, LLC., *Distribution Department and Transmission Department* has **"NO OBJECTIONS"** to the vacation of that certain 60 ft Right-of-Way that abuts Lot 11, Block 5, CHESTERVILLA, MUNDAY'S ADD, according to the map or plat thereof as recorded in Plat Book 21, Page 22, Public Records of Pinellas County, Florida, also known as Russell Avenue.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Kasper".

Jonathan Kasper for Jason McDarby
Real Estate Rep
Land Services - 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@ftr.com

5/22/2019

Attn: Cynthia M. Harris
Real Property Division
Pinellas County
509 East Ave S
Clearwater, FL 33756

RE: Vacation of Russell Ave Right-of-Way adjacent to 15401 58th St N

Dear Ms. Harris,

- 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

**BOARD OF COUNTY
COMMISSIONERS**

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



May 22nd, 2019

Alexandria Morgan
15401 58 St. N.
Clearwater, Fl. 33760

RE: Petition to Release:

Section 32, Township 29 S, range 16 E, Pinellas County, FL.
PID# 32-29-16-15156-005-0110
Petition to Release Right of Way:
15401 58 St. N.
Clearwater, Fl. 33760

Dear Alexandria Morgan,

We are in receipt of your email dated November 5th, 2018 requesting a response to vacate a portion of Right of Way located south of the mentioned Parcel. Pinellas County Utilities has "No Objection" to the proposed vacation petition with the following condition. The petitioner shall grant a 10' wide easement for the 6" potable water line that exists within the right of way vacation. I have enclosed a copy of our GIS map with disclaimer showing the mentioned water line. If you have any questions, please do not hesitate to contact me at (727) 464-8418

Sincerely,

Raymond S Letts
Engineering Specialist II
14 S Ft. Harrison Ave., 2nd Fl.
Clearwater, Fl. 33756

S:\Shared\Engineering\DRS\Easement Reviews\2019\15401 58St. N No Objection with condition
20190522.docx

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



www.pinellascounty.org



AN EMERA COMPANY

TO: Cynthia Harris
FROM: Ashley Sanford, Real Estate Services
DATE: May 22, 2019
RE: Proposed Vacation: (Legal and Sketch Attached)
Section 32, Township 29 South, Range 16 East, Pinellas County, FL

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 on the attached Legal and Sketch.

Feel free to contact me at asanford@tecoenergy.com or (813) 228-1184 with any further questions or concerns.



5/23/2019

To: Cynthia M. Harris
Real Estate Management-Real Property Division
Pinellas County, FL

RE: Vacation of Easement: 15401 58th St North Clearwater, FL 33760 Pinellas County

LEGAL DESCRIPTION:

The North 1/2 (half) of that vacated Right-of-Way lying adjacent to Lot 11, Block 5, MUNDAY'S ADDITION TO CHESTERVILLA, according to the map or plat thereof, as recorded in Plat Book 21, Page 22, of the Public Records of Pinellas County, Florida.

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TFCO Peoples Gas Company regarding the vacation of easement at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this vacate. Furthermore, TECO-PGS has no facilities in the area.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Joan Doming".

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



May 31, 2019

Cynthia Harris
Real Estate Management
Real Property Division
509 East Avenue

Attn: Cynthia Harris

Re: 15401 58th Street North

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

XXX WOW! Has "No Objection "with proposed construction.

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 "David E. Hamlin Jr.", is written over the typed name and title.

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

3001 Gandy Blvd N - Pinellas Park, FL 33782

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.

1305

FLAWLESS LANDSCAPING CAPITAL LLC
FLAWLESS ARBORIST
P.O. BOX 672 727-612-1898
LARGO, FL 33779

63-8413 25501
2670

DATE 11-9-18

PAY TO THE ORDER OF Pinellas County Board of County Commissions \$ 350

Three hundred fifty ¹⁵/₁₀₀ DOLLARS

CHASE  for BUSINESS
JPMorgan Chase Bank, N.A.
www.Chase.com

FOR Property Balance next russell Ave

Joseph W. McCl...

⑆001305⑆ ⑆267084131⑆ 571819387⑆

SPECIAL INSTRUCTIONS

9/3/19 - 5 weeks prior to Public Hearing date:

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.

9/10/19 - 4 weeks prior to Public Hearing date:

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:**

9/18/19 - 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.