

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION VACATING A PORTION OF 9<sup>TH</sup> STREET, LYING BETWEEN OHIO AVENUE AND ILLINOIS AVENUE, THE 20 FOOT ALLEY LYING BETWEEN LOTS 7, 8, 9 AND 10, BLOCK 135 AND A PORTION OF THE 20 FOOT ALLEY LYING BETWEEN LOTS 1 & 12, BLOCK 134, TOWN OF SUTHERLAND, PLAT BOOK H1, PAGE 1A PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMALLY A PART OF IN SECTION 2-28-15, PINELLAS COUNTY, FLORIDA, AND RETAINING A UTILITY EASEMENT OVER THE VACATED AREA.**

**WHEREAS, Christopher and Laura Muller have petitioned this Board of County Commissioners to vacate the following described property:**

**Lands described in legal description attached hereto  
and by this reference made a part hereof; and**

**WHEREAS, the Petitioners are the owners of record of the portion of the plat requested to be vacated, and have shown that the vacation of such portion of the plat will not affect the ownership or rights of convenient access of persons owning other parts of the subdivision, or cause injury to any surrounding property owners; and**

**WHEREAS, a Utility Easement will be retained over the entire vacated area; and**

**WHEREAS, in order to properly terminate a County roadway pursuant to the standards in the Pinellas County Code, the Petitioners are responsible for and agree to construct a cul-de-sac at the new termination of 9<sup>th</sup> Street North; and**

**WHEREAS, the Petitioners also agree to grant the County sufficient property interests for the additional right- of-way needed for the required cul-de-sac; and**

**WHEREAS, the County has determined that the interest of the public will not be adversely affected; (1) if the above-referenced cul-de-sac is properly constructed pursuant to the**

Pinellas County Code; and (2) provided that reasonable public road access remains for the properties adjacent to the vacated ROW.

WHEREAS, the Petitioners' affidavits, have been received by the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, in regular session duly assembled on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, that the above described property and plat be, and the same are hereby vacated, insofar as this Board of County Commissioners has the authority to do so, pursuant to 336.09, Florida Statutes, provided that the vacation shall not take effect until the following conditions, as previously agreed by the Petitioners are met:

1. The Petitioners submit a written waiver of any and all claims of injury to their respective properties which could potentially result from this vacation;
2. The Petitioners go through the Pinellas County Site Plan Review process and obtain a Right-of-Way Utilization Permit for construction of the required cul-de-sac;
3. The Petitioners grant the County sufficient interest in the additional right-of-way needed for the required cul-de-sac;
4. The cul-de-sac is successfully built pursuant to the Pinellas County Code;
5. Any and all necessary utility relocations and/or reservations from the County and other utility companies notified during this process are respectively relocated or retained.

The EFFECTIVE DATE of this vacation shall be the date upon which a proper certification, acknowledging the successful completion of all the above conditions, has been executed by the appropriate County Departments. If the above conditions are not met within one year from the date of execution of this Resolution, the vacation shall not become effective.

BE IT FURTHER RESOLVED that this resolution and the proof of publication of the notice of public hearing, and the proof of publication of the notice of adoption hereof, be recorded in the deed records of Pinellas County, Florida.

Commissioner \_\_\_\_\_ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner \_\_\_\_\_ and upon roll call, the vote was:

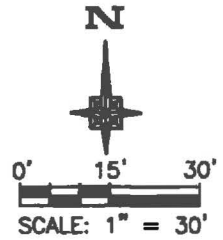
AYES:

NAYS:

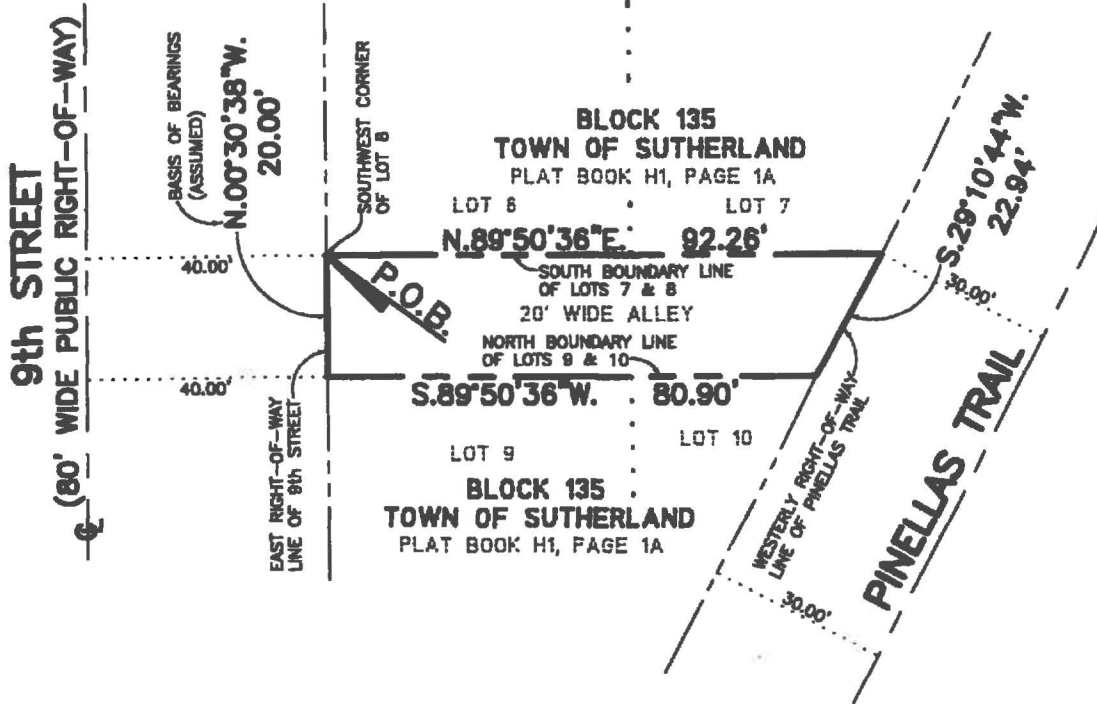
ABSENT AND NOT VOTING:

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

BY Cheryl Hardy  
ATTORNEY



SEE LEGAL DESCRIPTION ON SHEET 3 OF 3



PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

ABBREVIATION LEGEND	
E	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

Reviewed by: *CH* *SB*  
 Date: 2-18-15  
 Sheet: 501-1368

**MULLER – TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**EAST 20' WIDE – ALLEY VACATION PARCEL**

PINELLAS COUNTY

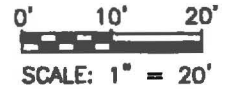
FLORIDA

APPROVED BY:

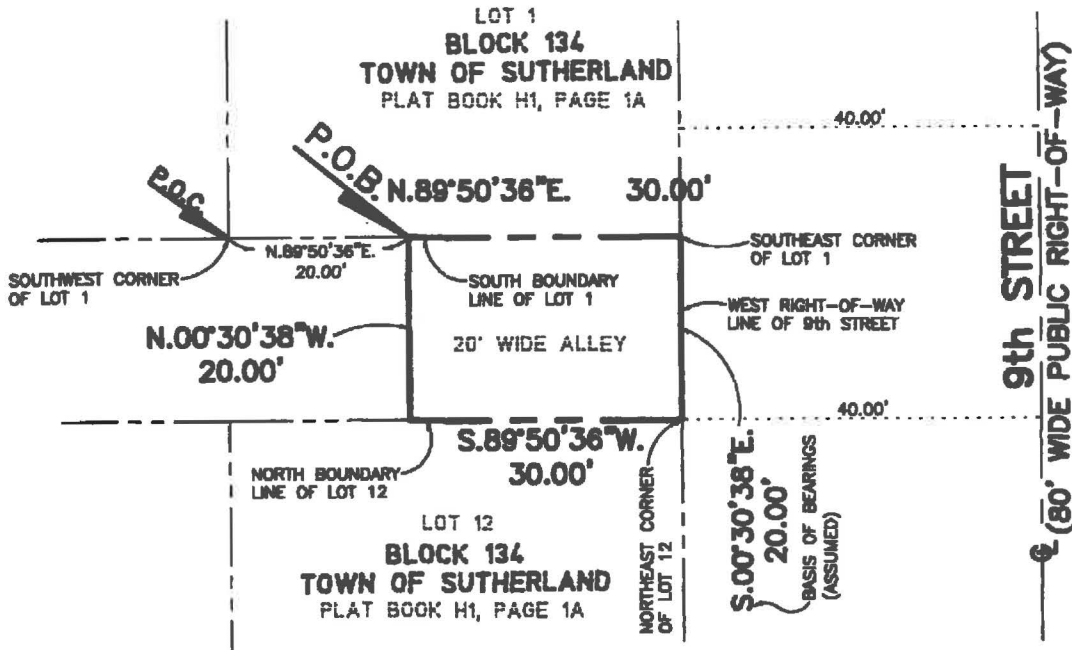
SANDY LLOVERAS  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**  
 ENGINEERS – SURVEYORS – PLANNERS  
 #LB 0000208  
 28228 U.S. HIGHWAY 19 N.  
 CLEARWATER, FLORIDA 33761  
 Phone: (727) 784-3985 Fax: (727) 784-8153

REVISIONS	DRAWN BY: KB	JOB No. <b>37523</b>
	CHECKED BY: RO	
	APPROVED BY:	<b>1 OF 3</b>
	DATE: 10-22-14	
	SCALE: 1" = 30'	



SEE LEGAL DESCRIPTION ON SHEET 3 OF 3



ABBREVIATION LEGEND	
⊕	- CENTERLINE
P.O.B.	- POINT OF BEGINNING
P.O.C.	- POINT OF COMMENCEMENT

**MULLER – TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**WEST 20' WIDE – ALLEY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

**LLOVERAS, BAUR & STEVENS**  
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REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>37523</b>
	APPROVED BY:	<b>2 OF 3</b>
	DATE: 10-22-14	
	SCALE: 1" = 20'	

**DESCRIPTION:**

**EAST 20' WIDE - ALLEY VACATION PARCEL:**

The 20 foot wide alley lying between Lots 7, 8, 9 and 10, Block 135, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the southwest corner of said Lot 8, and run N.89°50'36"E., along the south boundary line of said Lots 7 and 8, 92.26 feet to the westerly right-of-way line of the Pinellas Trail; thence, S.29°10'44"W., along said westerly right-of-way line, 22.94 feet; thence, leaving said westerly right-of-way line, S.89°50'36"W., along the north boundary line of Lots 9 and 10, 80.90 feet to the east right-of-way line of 9th Street; thence, leaving said north boundary line, N.00°30'38"W., along the said east right-of-way line, 20.00 feet to the Point of Beginning.

Containing 1731 square feet or 0.040 acres more or less.

**WEST 20' WIDE - ALLEY VACATION PARCEL:**

A portion of the 20 foot wide alley lying between Lots 1 and 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Commence at the southwest corner of said Lot 1, and run N.89°50'36"E., along the south boundary line of said Lot 1, 20.00 feet for a Point of Beginning; thence, continue, N.89°50'36"E., along said south boundary line, 30.00 feet to the southeast corner of said Lot 1 also being the west right-of-way line of 9th Street; thence, leaving said south boundary line, S.00°30'38"E., along the said west right-of-way line, 20.00 feet to the Northeast corner of said Lot 12; thence, leaving said west right-of-way line, S.89°50'36"W., along the north boundary line of said Lot 12, 30.00 feet; thence, leaving said north boundary line, N.00°30'38"W., 20.00 feet to the Point of Beginning.

Containing 600 square feet or 0.014 acres more or less.

**MULLER - TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**


PINELLAS COUNTY

FLORIDA

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
920 ILLINOIS AVENUE  
PALM HARBOR, FLORIDA 34683  
Phone: (727) 389-3122

 **LLOVERAS, BAUR & STEVENS**

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Phone: (727) 784-3885 Fax: (727) 784-8153

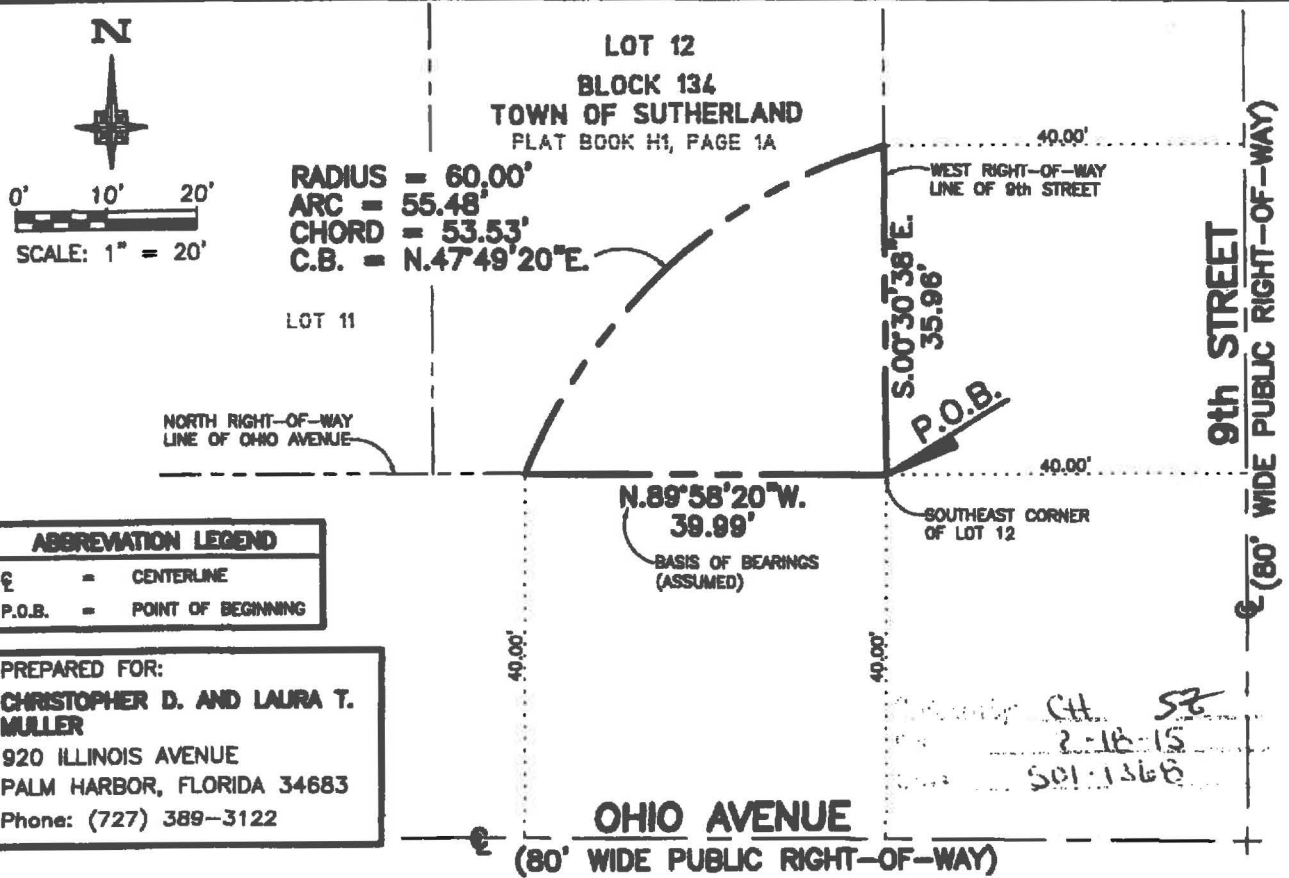
REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>37523</b>
	APPROVED BY: 	
	DATE: 10-22-14	<b>3 OF 3</b>

**DESCRIPTION:**

A portion of Lot 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the southeast corner of said Lot 12, and run N.89°58'20"W., along the north right-of-way line of Ohio Avenue, 39.99 feet; thence, leaving said north right-of-way line, along a non-tangent curve to the right, having a radius of 60.00 feet, an arc length of 55.48 feet, a chord length of 53.53 feet and a chord bearing of N.47°49'20"E., to the west right-of-way line of 9th Street; thence, S.00°30'38"E., along said west right-of-way line, 35.96 feet to the Point of Beginning.

Containing 946 square feet or 0.022 acres more or less.



ABBREVIATION LEGEND	
☉	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

*City Ct. 52*  
*2-16-15*  
*501-1368*

**MULLER - TOWN OF SUTHERLAND**

**BOUNDARY PLAN AND DESCRIPTION**

**OHIO AVENUE CUL-DE-SAC RIGHT-OF-WAY DEDICATION PARCEL**

PINELLAS COUNTY

FLORIDA

APPROVED BY:

*[Signature]*

**SANDY LLOVERAS**  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**  
 ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208  
 29228 U.S. HIGHWAY 19 N.  
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 Phone: (727) 784-3865 Fax: (727) 784-8153

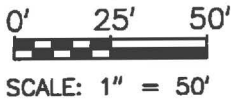
REVISIONS	DRAWN BY: KB	JOB No. <b>37523</b>
	CHECKED BY: RO	
	APPROVED BY: <i>[Signature]</i>	
	DATE: 10-22-14	
	SCALE: 1" = 20'	

**BOUNDARY PLAN AND DESCRIPTION**

**DESCRIPTION:**

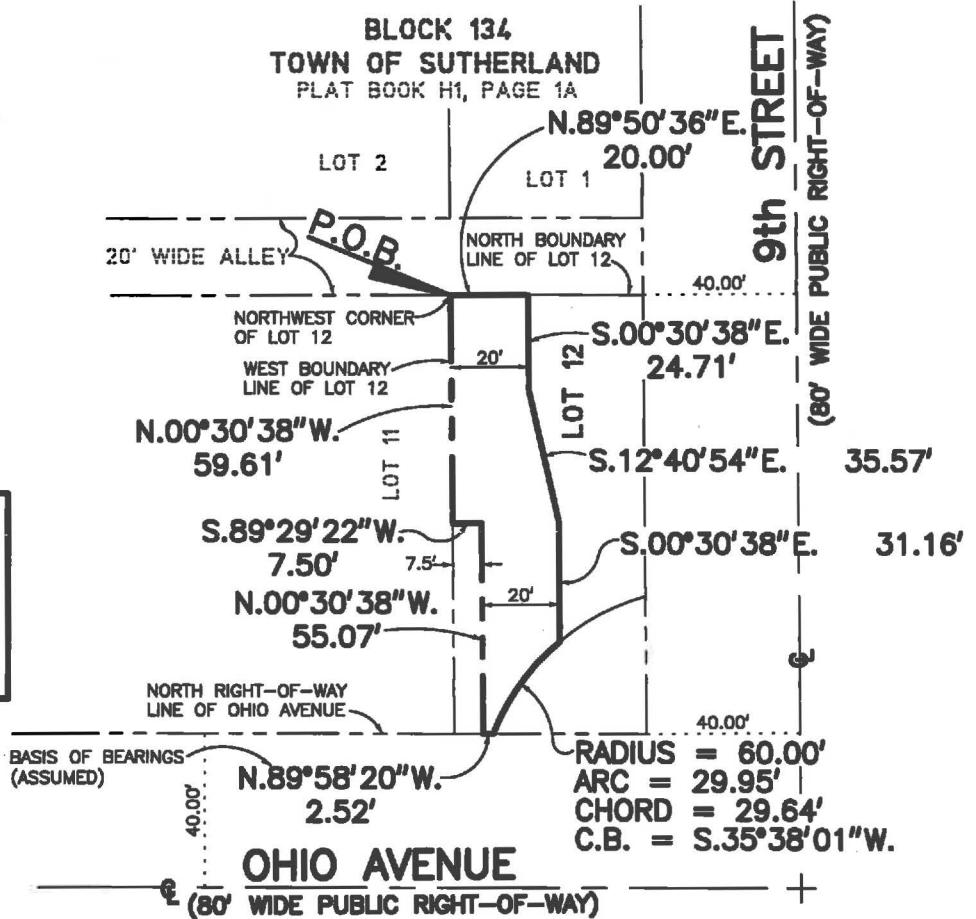
A portion of Lot 12, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the northwest corner of said Lot 12, and run N.89°50'36"E., along the north boundary line of said Lot 12, 20.00 feet; thence, leaving said north boundary line, S.00°30'38"E., 24.71 feet; thence, S.12°40'54"E., 35.57 feet; thence, S.00°30'38"E., 31.16 feet; thence, along a non-tangent curve to the left, having a radius of 60.00 feet, an arc length of 29.95 feet, a chord length of 29.64 feet and a chord bearing of S.35°38'01"W., to the north right-of-way line of Ohio Avenue; thence, N.89°58'20"W., along said north right-of-way line, 2.52 feet; thence, leaving said north right-of-way line, N.00°30'38"W., 55.07 feet; thence, S.89°29'22"W., 7.50 feet to the west boundary line of said Lot 12; thence, N.00°30'38"W., along the west boundary line of said Lot 12, 59.61 feet to the Point of Beginning.



ABBREVIATION LEGEND	
⊙	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122



Reviewed by: CH GD  
 Date: 10-7-15  
 SFN # 501-1368

**MULLER - TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**SOUTHWEST - ALLEY DEDICATION PARCEL**

PINELLAS COUNTY

FLORIDA

APPROVED BY:



MICHAEL S. LLOVERAS  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 5367  
 THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL RAISED SEAL  
 AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
**THIS IS NOT A BOUNDARY SURVEY**



**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.

CLEARWATER, FLORIDA 33761

Phone: (727) 784-3965

Fax: (727) 784-8153

REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	37523
	APPROVED BY: <i>ML</i>	
	DATE: 10-5-15	
	SCALE: 1" = 50'	



SECTION 2, TOWNSHIP 28 SOUTH, RANGE 15 EAST

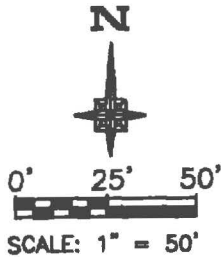
EXHIBIT

DESCRIPTION:

A portion of Lot 1, Block 134, TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the northwest corner of said Lot 1, and run N.89°39'29"E., along the south right-of-way line of Illinois Avenue, 20.00 feet; thence, leaving said south right-of-way line, S.00°30'38"E., 114.68 feet to the south boundary line of said Lot 1; thence, S.89°50'36"W., along said south boundary line, 20.00 feet to the southwest corner of said Lot 1; thence, leaving said south boundary line, N.00°30'38"W., along the west boundary line of said Lot 1, 114.61 feet to the Point of Beginning.

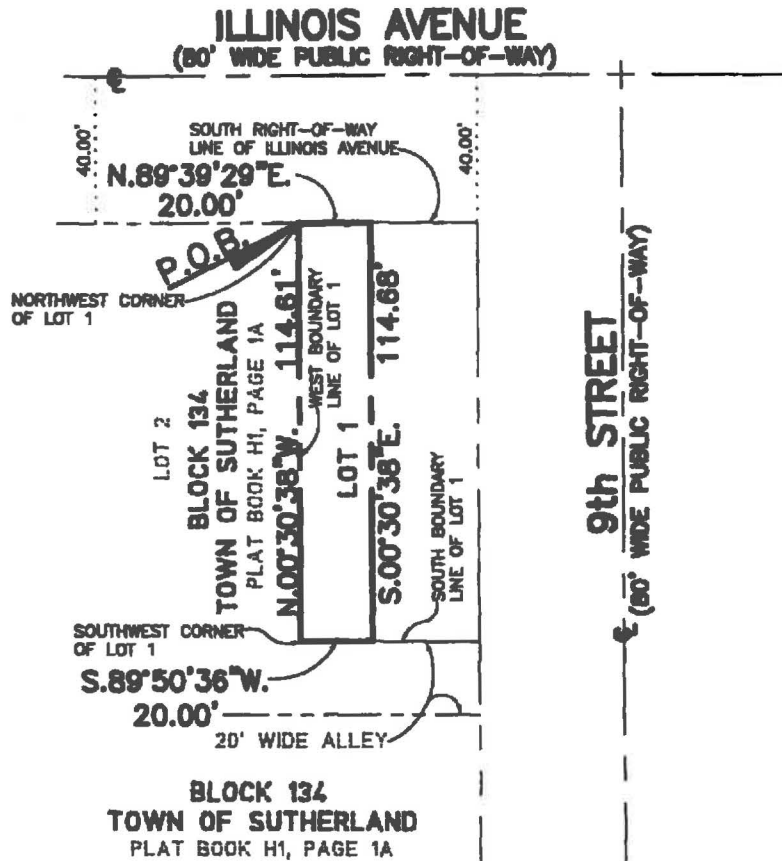
Containing 2293 square feet or 0.053 acres more or less.



ABBREVIATION LEGEND	
E	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

Reviewed by CH SB  
 Date: 2-18-15  
 File # 501-1368



**MULLER - TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**WEST 20' WIDE - ALLEY DEDICATION PARCEL**

PINELLAS COUNTY

FLORIDA

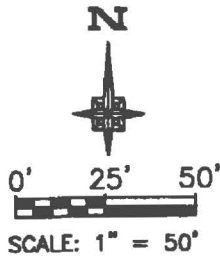
APPROVED BY:

*[Signature]*  
 S. SANDY LLOVERAS  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**  
 ENGINEERS - SURVEYORS - PLANNERS  
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 CLEARWATER, FLORIDA 33761  
 Phone: (727) 784-3865 Fax: (727) 784-8153

REVISIONS	DRAWN BY: KB	JOB No. <b>37523</b>
	CHECKED BY: RO	
	APPROVED BY: <i>[Signature]</i>	
	DATE: 10-22-14	
	SCALE: 1" = 50'	

BOUNDARY PLAN AND DESCRIPTION



SEE LEGAL DESCRIPTION ON SHEET 2 OF 2

Reviewed by: *[Signature]*  
 DATE: 2-18-15  
 BY: SCL-1368

ABBREVIATION LEGEND	
⊙	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
 920 ILLINOIS AVENUE  
 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122

RADIUS = 60.00'  
 ARC = 88.40'  
 CHORD = 80.62'  
 C.B. = N.63°28'55"W.

## MULLER - TOWN OF SUTHERLAND

### BOUNDARY PLAN AND DESCRIPTION

#### 9th STREET - RIGHT-OF-WAY VACATION PARCEL

PINELLAS COUNTY

FLORIDA

APPROVED BY:

*[Signature]*

S. SANDY LLOVERAS  
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**  
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 #LB 0000208

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REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	37523
	APPROVED BY: <i>[Signature]</i>	1 OF 2
	DATE: 10-22-14	
	SCALE: 1" = 50'	

**DESCRIPTION:**

A portion of 9th Street, lying between Ohio Avenue and Illinois Avenue as shown on the Plat of TOWN OF SUTHERLAND, as recorded in Plat Book H1, Page 1A of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part thereof, being described as follows:

Begin at the northwest corner of Lot 8, Block 135, of said Plat of TOWN OF SUTHERLAND, and run S.00°30'38"E., along the east right-of-way line of 9th Street, 250.06 feet to the southwest corner of Lot 9, Block 135, of said Plat of TOWN OF SUTHERLAND; thence, leaving said east right-of-way line, N.89°58'20"W., along the north right-of-way line of Ohio Avenue, 8.19 feet; thence, leaving said north right-of-way line, along a non-tangent curve to the left, having a radius of 60.00 feet, an arc length of 88.40 feet, a chord length of 80.62 feet and a chord bearing of N.63°28'55"W., to the west right-of-way line of 9th Street; thence, N.00°30'38"W., along said west right-of-way line, 213.58 feet to the northeast corner of Lot 1, Block 134, of said Plat of TOWN OF SUTHERLAND; thence, leaving said west right-of-way line, N.89°39'29"E., along the south right-of-way line of Illinois Avenue, 80.00 feet to the Point of Beginning.

Containing 17,832 square feet or 0.409 acres more or less.

**MULLER - TOWN OF SUTHERLAND**  
**BOUNDARY PLAN AND DESCRIPTION**  
**9th STREET - RIGHT-OF-WAY VACATION PARCEL**

PINELLAS COUNTY

FLORIDA

**APPROVED BY:**

PREPARED FOR:  
**CHRISTOPHER D. AND LAURA T. MULLER**  
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 PALM HARBOR, FLORIDA 34683  
 Phone: (727) 389-3122



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REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>37523</b>
	APPROVED BY:	<b>2 OF 2</b>
	DATE: 10-22-14	