

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 Maudy  
Office of the County Attorney