


**BOARD OF COUNTY
COMMISSIONERS**

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



MEMORANDUM

TO: Norman D. Loy, Deputy Clerk
BCC Records

FROM: Sean P. Griffin 
Real Property Manager

SUBJECT: PETITION TO VACATE – Submitted by Aprola, LLC/Richard Orr
File No. 1560 CATS 50915 Legistar 19-893A
Property Address: 4540 37th Street North, St. Petersburg, FL 33714

DATE: July 30, 2019

Enclosed herewith are the following originals:

Petition to Vacate
Copy of the Legal Description
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)

Receipts dated 31-JUL-2018 and 15-MAY-2019 and 28-MAY-2019 and copy of checks #1263, #1296 and #1297 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of August 20, 2019, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time not less than 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, Aprola, LLC /Richard Orr, Owner
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:

[Signature]
Aprola, LLC
Richard Orr, Owner

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 16th day of May, 2019,
by Richard Orr, Owner, Aprola, LLC. He is personally known to me, or has produced FLCA
_____ as identification, and who did (did not) take an oath.

NOTARY
SEAL

NOTARY [Signature]
Print Name LUIS MIGNUCCI

My Commission Expires: 06/11/21

Commission Number: GG113383



THIS IS NOT A SURVEY.

SEC. 3 , TWP. 31S., RNG. 16E.
PINELLAS COUNTY, FLORIDA

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

EXHIBIT "A"

LEGAL DESCRIPTION:

A PORTION OF 37TH STREET NORTH LYING IN SECTION 3, TOWNSHIP 31 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTH CORNER OF LOT 1, BLOCK C, REVISED PLAT OF NORTON'S SUBDIVISION NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 19, PAGE 57, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S00°50'36"E, ALONG THE WEST LINE OF SAID LOT 1, AND THE WEST LINE OF LOT 2 OF SAID BLOCK C, RESPECTIVELY, A DISTANCE OF 143.67 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CSX TRANSPORTATION INC. RAILROAD (A 100 FOOT WIDE RIGHT-OF-WAY) SHOWN ON SAID PLAT OF NORTON'S SUBDIVISION NO. 3 (SHOWN AS A.C.L. RAILWAY ON SAID PLAT); THENCE N45°03'55"W, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 87.65 FEET TO THE SOUTH CORNER OF WAREHOUSE SITE "B" AS SHOWN ON THE REPLAT OF MOHAWK PARK SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 78, OF SAID PUBLIC RECORDS; THENCE N00°50'36"W, ALONG THE EAST LINE OF SAID WAREHOUSE SITE "B", A DISTANCE OF 102.00 FEET TO THE NORTHEAST CORNER OF THE SOUTH 102.00 FEET OF SAID WAREHOUSE SITE "B"; THENCE N89°20'19"E, ALONG THE EASTERLY EXTENSION OF NORTH LINE OF THE SOUTH 102.00 FEET OF SAID WAREHOUSE "B", A DISTANCE OF 40.68 FEET TO THE POINT OF INTERSECTION OF SAID EASTERLY EXTENSION WITH THE NORTHERLY EXTENSION OF THE NORTHEASTERLY LINE OF AFORESAID LOT 1, BLOCK C, REVISED PLAT OF NORTON'S SUBDIVISION NO. 3; THENCE S45°03'55"E, ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 29.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,935 SQUARE FEET, (0.182 ACRE) MORE OR LESS

CLOSURE: 0.0032'

Reviewed by: CH SBB
Date: 11-15-18
SFN # 501-1560

NOTES:

1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE WEST LINE OF BLOCK C, REVISED PLAT OF NORTON'S SUBDIVISION NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 19, PAGE 57, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. BEING ASSUMED AS S00°50'36"E. NO BEARINGS APPEAR ON THE PLAT.
2. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS SHOWN HEREON WAS TAKEN FROM THE BOUNDARY SURVEY, WORK ORDER NO. 2017-121, COMPLETED BY THIS FIRM ON 10/25/2017.

DEUEL & ASSOCIATES

CONSULTING ENGINEERS LAND SURVEYORS LAND PLANNERS

565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.DEUELENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER 26320
LICENSED BUSINESS NUMBER 107

THIS DOCUMENT IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
REVISED 11-08-2018; REVISED DESCRIPTION

Elizabeth K. Merta
DATE: 11/8/2018
ELIZABETH KATHLEEN MERTA, PSM, LS 6113

SKETCH OF DESCRIPTION
4540 37TH STREET NORTH
ST. PETERSBURG, FLORIDA

PINELLAS COUNTY

FLORIDA

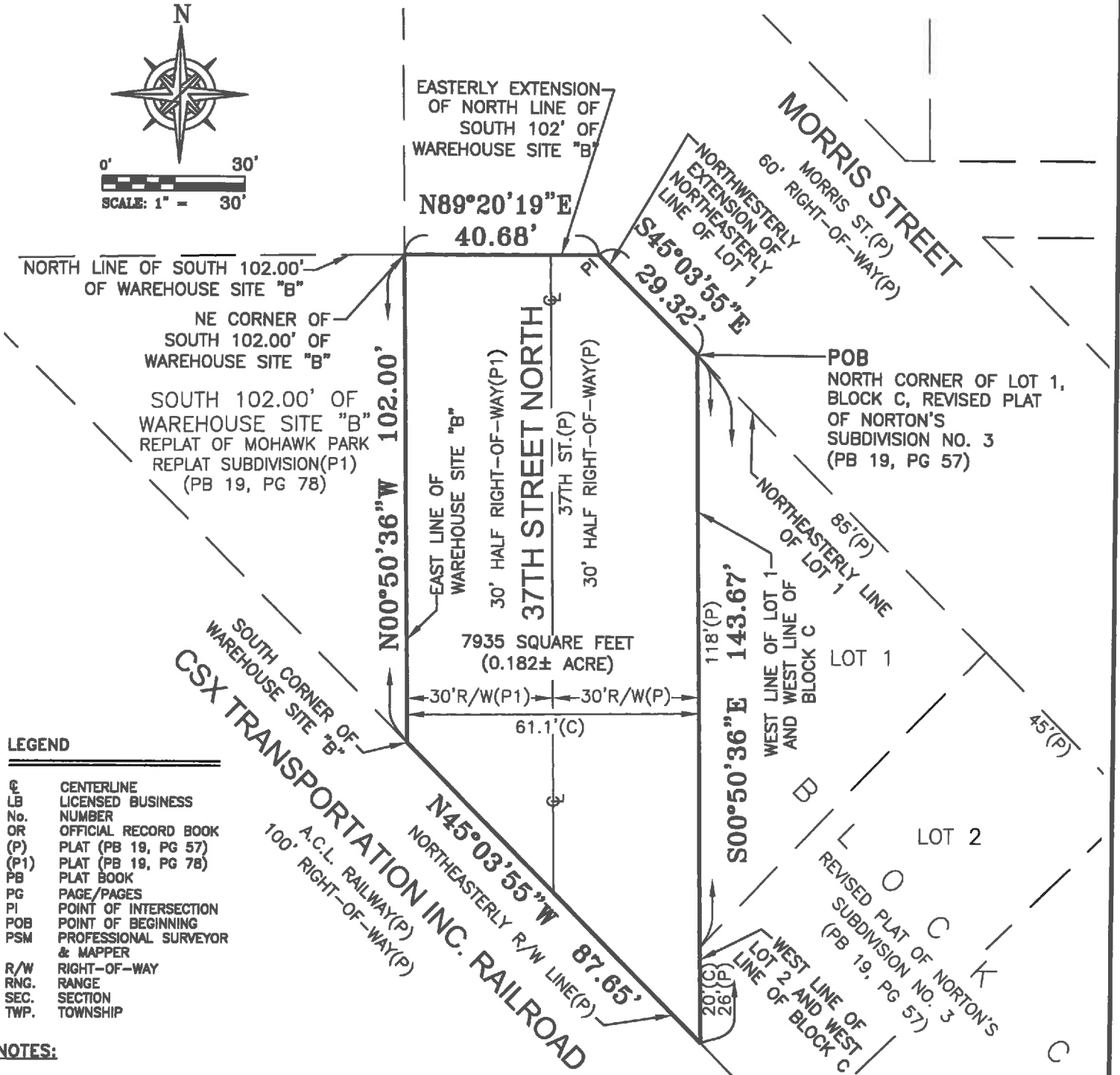
WORK ORDER	2017-121
DATE:	4/26/2018
DRAWN:	LKC
SCALE:	NONE
SHEET NO.	1 OF 2

THIS IS NOT A SURVEY.
 THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY
 THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SEC. 3 , TWP. 31S., RNG. 16E.
 PINELLAS COUNTY, FLORIDA



0' 30'
 SCALE: 1" = 30'



LEGEND

- ⊕ CENTERLINE
- LB LICENSED BUSINESS
- No. NUMBER
- OR OFFICIAL RECORD BOOK
- (P) PLAT (PB 19, PG 57)
- (P1) PLAT (PB 19, PG 78)
- PB PLAT BOOK
- PG PAGE/PAGES
- PI POINT OF INTERSECTION
- POB POINT OF BEGINNING
- PSM PROFESSIONAL SURVEYOR & MAPPER
- R/W RIGHT-OF-WAY
- RNG. RANGE
- SEC. SECTION
- TWP. TOWNSHIP

NOTES:

1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE WEST LINE OF BLOCK C, REVISED PLAT OF NORTON'S SUBDIVISION NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 19, PAGE 57, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. BEING ASSUMED AS S00°50'36"E. NO BEARINGS APPEAR ON THE PLAT.
2. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS SHOWN HEREON WAS TAKEN FROM THE BOUNDARY SURVEY, WORK ORDER NO. 2017-121, COMPLETED BY THIS FIRM ON 10/25/2017.
5. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/30 OR SMALLER.

DEUEL & ASSOCIATES
 CONSULTING ENGINEERS LAND SURVEYORS LAND PLANNERS

565 SOUTH HERCULES AVENUE
 CLEARWATER, FL 33764
 PHONE 727.822.4151
 WWW.DEUELENGINEERING.COM
 CERTIFICATE OF AUTHORIZATION NUMBER 26320
 LICENSED BUSINESS NUMBER 107

THIS DOCUMENT IS NOT VALID WITHOUT THE
 SIGNATURE AND ORIGINAL RAISED SEAL OF A
 FLORIDA LICENSED SURVEYOR AND MAPPER.
 REVISED 11-08-2018; REVISED DESCRIPTION

I, ELIZABETH KATHLEEN MERTA, THE SURVEYOR IN RESPONSIBLE CHARGE, CERTIFY THAT THE SKETCH REPRESENTED HEREON, WAS MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 5J-17.05 DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. THIS DOCUMENT IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH OF DESCRIPTION
4540 37TH STREET NORTH
ST. PETERSBURG, FLORIDA

PINELLAS COUNTY

FLORIDA

WORK ORDER	2017-121
DATE:	4/26/2018
DRAWN:	LKC
SCALE:	1" = 30'
SHEET NO.	2 OF 2

APPLICATION AND FINDINGS OF FACT

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

APPLICANT(S): Richard Orr
Address: 4540 37th St N
City, State, Zip: St Petersburg, FL 33714
Daytime Telephone Number: 727-423-7967

SUBJECT PROPERTY ADDRESS: 4540 37th St N
City, State, Zip: St Petersburg, FL 33714
Property Appraiser Parcel Number: 03-31-16-58446-000-0022 AND 03-031-16-58446-000-0022

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:

APROLA LLC Richard Orr

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

Mohawk Park Replat

5. Subdivision Plat Book Number 19818 Page number(s) 0729

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:

ROW dissects property and need to fence and secure the property, allow parkign on ROW and other improements

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.

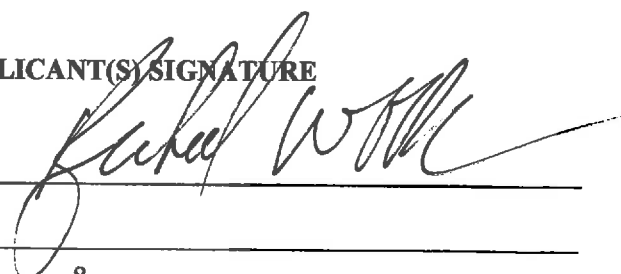
2) I am not aware of any current family relationship to any employee, or Elected Official, of Pinellas County Government.

_____ 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: 4/5/2010





April 9, 2018

Re: petition to release the south 102.00 feet of Warehouse site "B" replat of Mohawk park subdivision
Parcel numbers 03-31-16-58446-000-0022 and 03-31-16-61722-003-0010

Better known as 4540-37 street north Pinellas park.

XXX Bright House Networks has no objections.

____ Bright House Networks has no objections provided easements for our facilities are
Retained / granted

____ 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 811 for locating. **SEE NOTES**

____ Bright House requires 30 days written notice prior to construction start date to relocate
their facilities.

NOTES:

Sincerely,
Ted Bingham
Bright House Networks
Field Engineer
Pinellas County
727-329-2847

2401 25th St. N.
St. Petersburg, FL 33713
SP-15
Jonathan.Kasper@duke-energy.com
o: 727-893-9262



May 30, 2019

Cynthia M. Harris
Real Estate Management
Real Property Division
509 East Avenue

RE: *Approval of a Vacation*
4540 37TH ST N. ST PETERSBURG FL 33714-3607
03-31-16-61722-003-0010 and 03-31-16-58446-000-0022
APROLA LLC

Dear Ms. Harris,

Please be advised that Duke Energy Florida, LLC., *Distribution Department* and *Transmission Department* has “**NO OBJECTIONS**” to the vacate of a portion of 37th St. North, as shown in Sketch provided by Deuel & Associates dated 4/26/2018, work order number 2017-121.

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

Sincerely,

Jonathan Kasper

Jonathan Kasper
Research Specialist-Land Services
Duke Energy 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 37th St N Right-of-Way between Morris St and CSX Right-of-Way

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

FILE NO. _____

This instrument was prepared by:
Stephen Waidley
Frontier Florida LLC
3712 W. Walnut St.
Tampa, FL 33607

COMMUNICATION EASEMENT

THIS EASEMENT, made this day between the undersigned for Aprola, LLC, a Florida limited liability company, whose address is 4540 37th St N, St. Petersburg, FL 33714 (GRANTOR) (*if married, both spouses have to execute*) and Frontier Florida LLC, a Florida limited liability company, whose address is 3712 W. Walnut St. Tampa Florida, its successors, and assigns (GRANTEE):

WITNESSETH, that for and in consideration of the mutual benefits which will accrue to GRANTOR and GRANTEE as a result of GRANTEE'S construction, installation, maintenance and operation of communication facilities within the GRANTOR'S premises described below, GRANTOR grants, conveys, bargains or sells to GRANTEE an easement to place, replace, remove and maintain telecommunication equipment and other such facilities it deems desirable for providing telecommunications and other communications services in, over, across and under the following described property in Pinellas County, Florida, to wit:

Frontier Legal Description: A ten (10) foot wide easement strip defined as comprising an area five (5) feet on each side of the center line of the GRANTEE'S facilities as may be designed from time to time at a mutually agreed upon location within the GRANTOR'S premises as described in the Legal Description in Exhibit "A".

Tax Parcel Number: 03-31-16-58446-000-0022 and 03-31-16-61722-003-0010

The rights granted to GRANTEE specifically include: (a) the right for GRANTEE to patrol, inspect, alter, improve, repair, rebuild, relocate and move said facilities; (b) the right for GRANTEE to change the quantity and type of facilities; (c) the right for GRANTEE to clear the Easement Area of trees, limbs, undergrowth and other physical objects which, in the opinion of GRANTEE, endanger or interfere with the safe and efficient installation, operation or maintenance of said facilities; (d) the reasonable right for GRANTEE to enter upon land of the GRANTOR adjacent to said Easement Area for the purpose of exercising the rights herein granted; (e) and all other rights and privileges reasonable, necessary or convenient for GRANTEE'S safe and efficient installation, operation and maintenance of said facilities and the enjoyment and use of said easement for the purpose described above.

GRANTOR hereby covenants and agrees that no buildings, structures or obstacles (except fences) shall be located, constructed, excavated or created within the Easement Area. If fences are installed, they shall be placed so as to allow ready access to GRANTEE'S facilities. If GRANTOR'S future orderly development of the premises is in physical conflict with GRANTEE'S facilities, GRANTEE shall, within 60 days after receipt of written request from the GRANTOR, relocate said facilities to another mutually agreed upon Easement Area in GRANTOR'S premises, provided that prior to the relocation of said facilities: (a) GRANTOR shall pay to GRANTEE the full expected cost of the relocation as estimated by GRANTEE; (b) and GRANTOR shall

Please, return to: Frontier Florida LLC
Attn: Stephen Waidley
3712 W. Walnut St.
Tampa, FL 33607

execute and deliver to GRANTEE, at no cost, an acceptable and recordable easement to cover the relocated facilities. Upon completion of the relocation, the easement herein shall be considered canceled as to the portion vacated by the relocation.

GRANTOR covenants not to interfere with GRANTEE'S facilities within the Easement Area in GRANTOR'S premises, and GRANTOR further covenants to indemnify and hold GRANTEE harmless from any and all damages and injuries, whether to persons or property resulting from interference with GRANTEE'S facilities by GRANTOR or by GRANTOR'S agents or employees.

GRANTOR hereby warrants and covenants: (a) that GRANTOR is lawfully and well seized of said land in fee simple in which the above described Easement Area is located; (b) and GRANTOR fully warrants the title to the land and will defend the same against the lawful claims of all persons whomsoever; (c) and the GRANTEE shall have quiet and peaceful possession, use and enjoyment of this easement.

All covenants, terms, provisions and conditions herein contained shall inure and extend to, and be obligatory upon, the successors, lessees and assigns of the respective parties hereto.

[Signature pages follow.]

IN WITNESS WHEREOF, the GRANTOR has caused this Easement to be signed in its corporate name by its proper officer thereunto duly authorized and its official corporate seal to be hereunto affixed and attested this _____ day of _____, 2018.

WITNESSES:

[Signature]
Print Name: John Duff

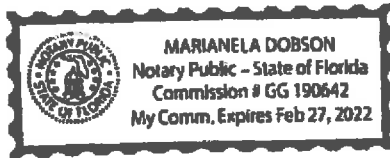
Print Name: _____

APROLA LLC,
a Florida limited liability company
By: [Signature]
Print Name: Richard W. Orr
Title: 7/17/2018

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 17th day of July, 2018 by Richard Orr, as owner of Aprola LLC, a Florida limited liability company, on behalf of the company, / / who is personally known to me or /X/ who produced Florida Driver License as identification.

(NOTARY SEAL)



NOTARY PUBLIC:

Sign: [Signature]
Print Name: Marianela Dobson
My Commission Expires: 2/27/2022

IN WITNESS WHEREOF, the GRANTEE has caused this Easement to be signed in its corporate name by its proper officer thereunto duly authorized and its official corporate seal to be hereunto affixed and attested this 27 day of June, 2018.

WITNESSES:

[Signature]
Print Name: Sam Westmuntz
[Signature]
Print Name: RANDALL D JAMES

FRONTIER FLORIDA LLC,
a Florida limited liability company

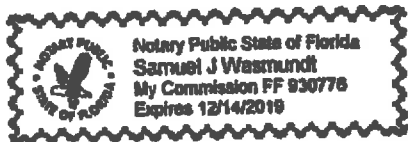
By: [Signature]
Print Name: Stephen Waidley
Title: Regional ROW and Municipal Affairs Manager

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 27 day of June, 2018 by Stephen Waidley, as ROW Manager of Frontier Florida LLC, a Florida limited liability company, on behalf of the company, / who is personally known to me or / who produced _____ as identification.

(NOTARY SEAL)

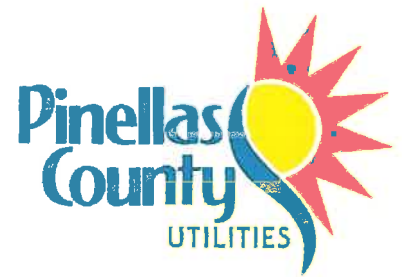
NOTARY PUBLIC:



Sign: [Signature]
Print Name: Sam Westmuntz
My Commission Expires: 12-14-19

**BOARD OF COUNTY
COMMISSIONERS**

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



May 22nd, 2019

Richard Orr/APROLA LLC
4540 37TH St N.
St. Petersburg, FL 33714
Seminole, FL 33772

RE: Petition to Release

Lot1, Block C, Revised Plat of Norton's Subdivision No. 3, according to the map or plat thereof as recorded in Plat Book 19, Public Records of Pinellas county, Florida.

And

The South 102.00 feet of Warehouse Site "B", Replat of Mohawk Park Subdivision, according to the map or plat as recorded in Plat Book 19, Page 78, Public Records of Pinellas County, Florida.

Parcel Identification Number: 03-31-16-584468-000-0022

And

Parcel Identification Number: 03-31-16-61722-003-0010

Address: 4540 37th St N, St. Petersburg, FL 33714

Dear Mr. Richard Orr,

We are in receipt of an email dated May 22, 2019 from Pinellas County Real Estate Management requesting a response to the release of a Right of Way on the referenced property. Pinellas County Utilities has an existing 8" sanitary sewer main in this location. This main requires the existing Right of Way to allow maintenance of infrastructure as well as potential upgrade or replacement of utilities. Pinellas County Utilities has "No Objection" to this request, with the condition, that a full width Utility Easement is provided for vacating the Right of Way. If you have any questions, please do not hesitate to contact me at (727) 464-8418

Sincerely,

Raymond S Letts
Engineering Specialist II
Pinellas County Utilities
14 South Ft Harrison Ave.
Clearwater, FL. 33756

S:\Shared\Engineering\DRS\Easement Reviews\2019\4540 37th St N St Pete No Objection
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

May 28, 2019

Cynthia Harris
Real Estate Management
509 East Avenue

RE: Petition to Vacate: See attached Legal Description
Section 3, Township 31 South, Range 16 East
Lot 1, Block C, Revised Plat of Norton's Subdivision

Dear Ms. Harris,

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 as follows:

See Legal Description attached hereto and by reference made a part hereof.

If you have any questions or concerns, you may contact me at (813) 228-1424 or tjleggatt@tecoenergy.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Taylor J. Leggatt".

Taylor J. Leggatt
Real Estate Services
Distribution Easement Coordinator



5/23/2019

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

RE: Vacation of Easement: 4540 37th St. N. St. Petersburg, FL 33714 Pinellas County

A PORTION OF 37TH STREET NORTH LYING IN SECTION 3, TOWNSHIP 31 SOUTH, RANGE 18 EAST, PINELLAS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTH CORNER OF LOT 1, BLOCK C, REVISED PLAT OF NORTON'S SUBDIVISION NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 18, PAGE 57, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S00°50'38"E, ALONG THE WEST LINE OF SAID LOT 1, AND THE WEST LINE OF LOT 2 OF SAID BLOCK C, RESPECTIVELY, A DISTANCE OF 143.67 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CSX TRANSPORTATION INC. RAILROAD (A 100 FOOT WIDE RIGHT-OF-WAY SHOWN ON SAID PLAT OF NORTON'S SUBDIVISION NO. 3 (SHOWN AS A.C.L. RAILWAY ON SAID PLAT); THENCE N45°03'55"W, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 87.85 FEET TO THE SOUTH CORNER OF WAREHOUSE SITE "B" AS SHOWN ON THE REPLAT OF MOHAWK PARK SUBDIVISION, RECORDED IN PLAT BOOK 18, PAGE 78, OF SAID PUBLIC RECORDS; THENCE N00°50'38"W, ALONG THE EAST LINE OF SAID WAREHOUSE SITE "B", A DISTANCE OF 102.00 FEET TO THE NORTHEAST CORNER OF THE SOUTH 102.00 FEET OF SAID WAREHOUSE SITE "B"; THENCE N88°20'19"E, ALONG THE EASTERLY EXTENSION OF NORTH LINE OF THE SOUTH 102.00 FEET OF SAID WAREHOUSE "B", A DISTANCE OF 40.68 FEET TO THE POINT OF INTERSECTION OF SAID EASTERLY EXTENSION WITH THE NORTHERLY EXTENSION OF THE NORTHEASTERLY LINE OF AFORESAID LOT 1, BLOCK C, REVISED PLAT OF NORTON'S SUBDIVISION NO. 3; THENCE S45°03'65"E, ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 29.32 FEET TO THE POINT OF BEGINNING.

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO 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 Downing".

Joan Downing
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: 4540 37th Street North


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

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

Please refer any further correspondence to:

**WOW!
Dave Hamlin
Construction Coordinator
3001 Gandy Blvd. N.
Pinellas Park, FL 33782**

Sincerely,



David E. Hamlin Jr.
Construction Project Coordinator
WOW!
(727) – 239-0156 Office
(878) – 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.

APL Lawn Spraying
4540 37th St N
St Petersburg, FL 33710

Chase

1263

63-8413/2670

7/31/2018

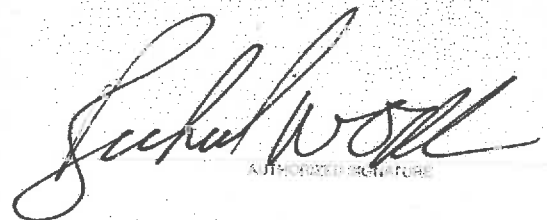
PAY TO THE ORDER OF Board of County Commission

**350.00

Three Hundred Fifty and 00/100*****

Board of County Commission

DOLLARS



AUTHORIZED SIGNATURE

MEMO

⑆001263⑆ ⑆267084131⑆

831887398⑆

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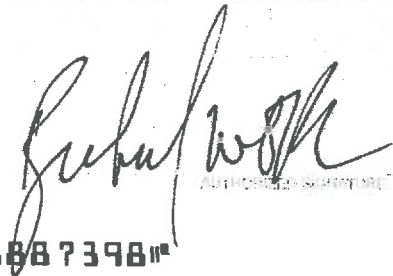
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APL Lawn Spraying 4540 37th St N St Petersburg, FL 33710		Chase	1296
		63-8413/2670	5/15/2019
PAID TO THE ORDER OF	Board of County Commission	\$	**350.00
Three Hundred Fifty and 00/100*****			DOLLARS
Board of County Commission			
MEMO	ROW Vacate HEaring Petition	 <small>AUTHORIZED SIGNATURE</small>	
⑈001296⑈ ⑆267084131⑆		831887398⑈	

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PUBLIC HEARING

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APL Lawn Spraying 4540 37th St N St Petersburg, FL 33710		Chase 63-8413/2670	1297 5/28/2019
PAY TO THE ORDER OF Board of County Commission		**50.00	
Fifty and 00/100		DOLLARS	
Board of County Commission 509 East Ave South Clearwater, FL 3356		 AUTHORIZED SIGNATURE	
MEMO ROW Vacate Hearing Petition		MP	
⑈00 1 29 7⑈ ⑆ 26 7084 13 1⑆		83 188 7398⑈	

SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

7/16/19

Tuesday of that week Real Estate (Cynthia Harris) coordinates with Jo Lugo for availability on the proposed agenda and gives notice of the proposed number of Petition to Release packages.

- 4 weeks prior to Public Hearing date:

7/23/19

Tuesday of that week Real Estate (Cynthia Harris) Notifies Jo the actual number of petitions and the names of the petitioners projected to go to the agenda.

- **ADVERTISEMENT ACTION:**

- 3 weeks prior to Public Hearing date

7/31/19

- (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.