

**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 HSLD, LLC.
File No. 1589 CATS 52017 Legistar 20-240A
Property Address: 792 Natalie Lane, Palm Harbor, FL, 34683

DATE: February 24th, 2020

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!

Receipt dated 07-October-2019 and 05-February-2020 and copy of checks #158 and #5688 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of April 7th, 2020, place the necessary newspaper advertising in accordance with State Statute 177.101 (which requires advertising in two weekly issues prior to the meeting, with no advertising requirement after the meeting), 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, PLAT OR PORTION OF PLAT (EASEMENT)

Comes now your Petitioners, H S L D, LLC
Name of Petitioner

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 petitioners have provided certificates showing that all state and county taxes have been paid; 3) 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; 4) 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]
Signature

Nicholas Tenny Owner
Print Name Title

STATE OF Florida
COUNTY OF Pinellas

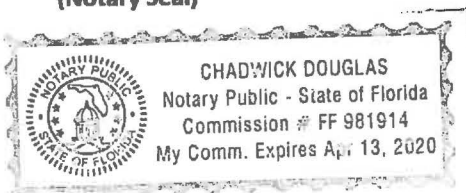
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 5 day of February, 2020, by Nicholas Tenny. Such person(s) Notary Public must check applicable box:

☐ are personally known to me.

☒ h's
produced ~~his~~ current driver license.

☐ produced _____ as identification.

(Notary Seal)



[Signature]
Notary Public

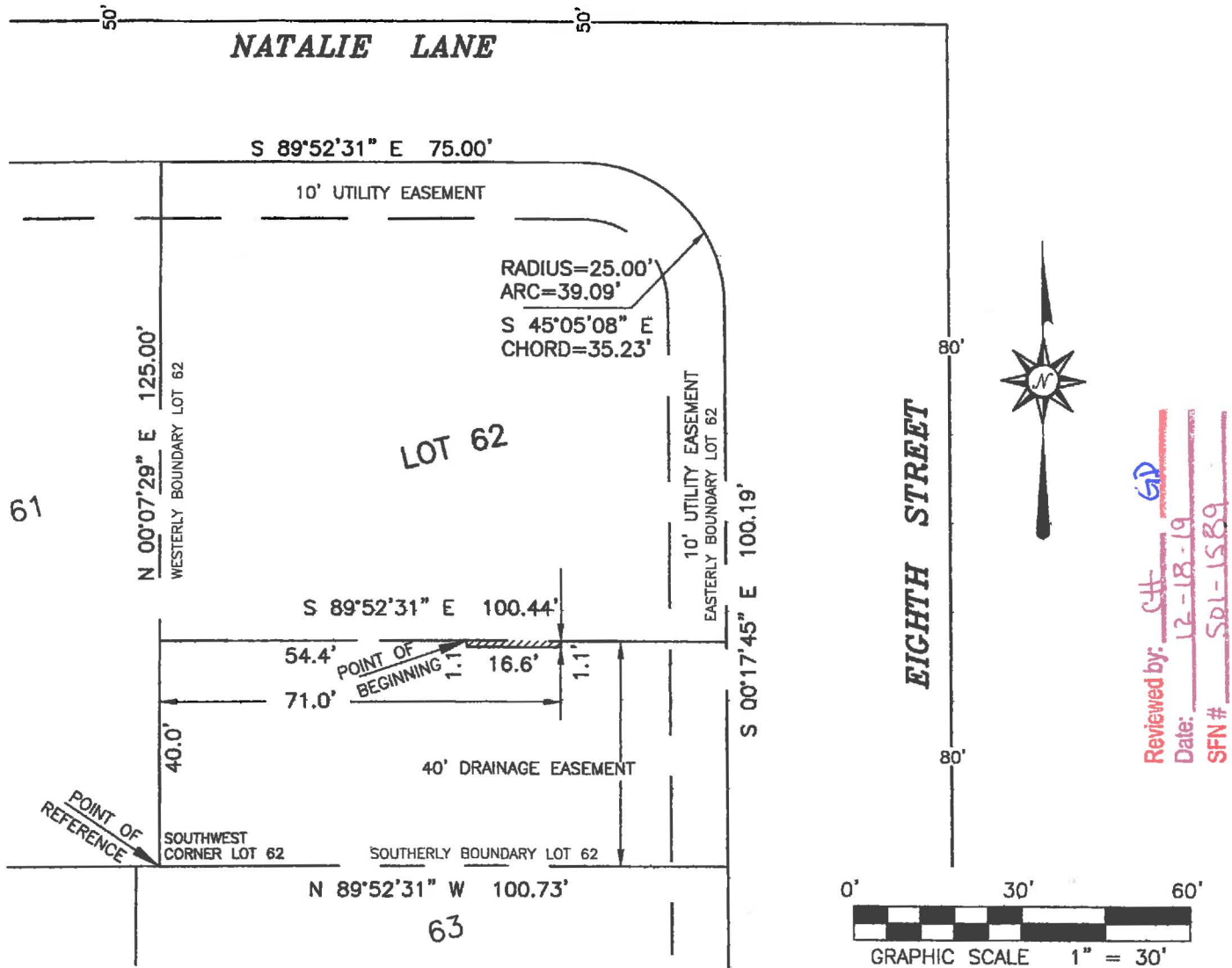
Printed Name of Notary: CHADWICK DOUGLAS

Commission Number: FF 981914

My Commission Expires: 4/13/2020

DESCRIPTIVE SKETCH ONLY / NOT A SURVEY

SECTION 2, TOWNSHIP 28 SOUTH, RANGE 15 EAST



Reviewed by: CH GP
Date: 12-18-19
SFN # SP1-1589

THE NORTHERLY 1.1' OF THE SOUTHERLY 40' OF THE EASTERLY 16.6' OF THE WESTERLY 71.0' OF LOT 62, ST. JOSEPH , SOUND ESTATES, AS RECORDED IN PLAT BOOK 81, PAGES 63 AND 64 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SAID LOT 62 AS A POINT OF REFERENCE, THENCE N 00°07'29" E ALONG THE WESTERLY BOUNDARY OF SAID LOT, A DISTANCE OF 40.0'; THENCE S 89°52'31" E ALONG A LINE BEING 40' FROM AND PARALLEL TO THE SOUTHERLY BOUNDARY OF SAID LOT 62, A DISTANCE OF 54.4' TO THE POINT OF BEGINNING; THENCE CONTINUE S 89° 52'31" E, A DISTANCE OF 16.6'; THENCE S 00°07'29" W, A DISTANCE OF 1.1'; THENCE N 89°52'31" W,, A DISTANCE OF 16.6'; THENCE N 00°07'29" E, A DISTANCE OF 1.1' TO THE POINT OF BEGINNING.

CONTAINING 18.3 SQUARE FEET (mol)

EVANS LAND SURVEYING, INC.

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

TYPE	DATE	INV. NO.	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
DESCRIPTIVE SKETCH	12-03-2019	2019-218	
			 LARRY L. EVANS FL. REG. NO. 2937 12-03-2019 JOHN C. BINDER FL. REG. NO. 4888 LICENSED BUSINESS No. 6225 (INVALID WITHOUT EMBOSSED SEAL OF REGISTERED SURVEYOR & MAPPER)

DRAWN BY: LLE CAD FILE: ST. JOSEPH SOUND ESTATES

APPLICATION AND FINDINGS OF FACT

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

APPLICANT(S): NIL TENNEY

Address: 792 Natalie Ln

City, State, Zip: Palm Harbor FL 34683 Daytime Telephone Number: 727-831-4562

SUBJECT PROPERTY ADDRESS: 792 Natalie Ln City,

State, Zip: Palm Harbor FL 34683

Property Appraiser Parcel Number: 02-28-15-77917-000-0620

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 X 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:

No

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

St Joseph sound estates Lot 62

5. Subdivision Plat Book Number 81 Page number(s) 43

6. Is there a Homeowners Association? Yes X No

7. Reason(s) for requesting this release – check all that apply:

-Need to release to clear an existing encroachment:

X Pool Screened Pool & Deck X Building X Other

-Need to release to clear title: Yes X 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:

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:

Rear stairs of home encroach about 1 Foot
into easement, also want to change pool layout

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: 8-8-19

[Signature]



Date: September 10, 2019

Re: Petition to Release: Section 2, Township 28 South, Range 15 East, 792 Natalie lane Palm Harbor 34683

Bright House Networks has no objections.

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:


Niz Tenney

10-7-19
Date



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

August 21, 2019

Nic Tenney
827 Florida Ave.
Palm Harbor, FL 34683

RE: *Vacation of a portion of Platted Drainage Easement*
Address: 792 NATALIE LN., PALM HARBOR FL 34683-4237
Parcel ID No.: 02-28-15-77917-000-0620
H S L D LLC

Dear Mr. Tenney,

Please be advised that **DUKE ENERGY FLORIDA, LLC., d/b/a DUKE ENERGY** *Distribution Department* and *Transmission Department* have “**NO OBJECTIONS**” to the approval of a vacation of the North 15’ of the South 40’ Drainage Easement referenced on Plat Book 81, Page 63, Public Records of Pinellas County, Florida. This proposed vacation area is shown on enclosed Sketch and Description by Evans Land Surveying, Inc., dated 8-09-2019.

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



8/14/2019

To: Nic Tenney
827 Florida Ave.
Palm Harbor, FL 34683

RE: Vacation of Easement
792 Natalie Lane
Palm Harbor, FL 34683
Section 2, Township 28 South, Range 15 East-Public Records of Pinellas County, FL

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 specified.

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

Sincerely,

A handwritten signature in blue 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



AN EMERA COMPANY

August 14, 2019

Nic Tenney
827 Florida Ave
Palm Harbor, FL 34683

RE: Petition to Release: See attached Legal Description
Section 2, Township 28 South, Range 15 East
792 Natalie Ln

Dear Mr. Tenney,

Tampa Electric Company does not serve the subject area therefore does not object to the Petition to Release 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 black ink, appearing to read "Taylor J. Leggatt".

Taylor J. Leggatt
Real Estate Services
Distribution Easement Coordinator



Frontier Communications
1280 Cleveland Street
Clearwater, FL 33755
Tel: 727-562-1101
Fax: 727-562-1175

August 14, 2019

Attn: Nic Tenney
827 Florida Ave
Palm Harbor, FL 34683
727-831-4562

RE: Petition to Release
792 Natalie Ln., Palm Harbor, FL

Dear Mr. Tenney,

☒ 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. Frontier has no objections provided the applicant/requestor bears the expense for removals/relocations of all Frontier Communications facilities, along with providing a new easement needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (727) 562-1190.

Sincerely,

Granville Stephens
Granville Stephens
Senior Network Engineer



Sept. 10, 2019

Nic Tenney
827 Florida Ave.
Palm Harbor, FL. 34683

Attn: Nic Tenney

Re: 792 Natalie Lane, Palm Harbor FL. 34683

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,

A handwritten signature in blue ink, appearing to read "Dave Hamlin Jr.", is written over the word "Sincerely,".

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

3001 Gandy Blvd N - Pinellas Park, FL 33782

**BOARD OF COUNTY
COMMISSIONERS**

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



September 30, 2019

Nic Tenney
792 Natalie Ln.
Palm Harbor, Fl. 34683

RE: Petition to Release
15' Portion of a 40' Drainage Easement Rear of Lot 62
PID: 02-28-15-77917-000-0620
See attached Legal and Sketches

Dear Mr. Tenney ,

We are in receipt of your request dated 9-17-19 requesting a response to the release of a Drainage Easement in the rear of Lot 62 . Pinellas County Utilities does not have any utilities located within the request. With the information submitted, Pinellas County Utilities has "No Objection" with the petition to vacate the easement.

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

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

S:\Shared\Engineering\DRS\Easement Reviews\2019\792 Natalie Ln. No Objection 20190930.docx



www.pinellascounty.org

PETITION TO VACATE NUMBER 1589 - HSLD LLC

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.

HSLD, LLC	90-7162/3222	158
DATE 10-7-19		
PAY TO THE ORDER OF	Board of county Commissioners	\$ 350.00
three hundred Fifty dollars 3/100		DOLLARS
CHASE JPMorgan Chase Bank, N.A. www.Chase.com		
MEMO	easement	
153222716271		20732002610158

PETITION TO VACATE NUMBER PTV 1589-HSLD LLC

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.

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ADVERTISEMENT

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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.

HSLD, LLC 7670 HILLSIDE DR LA JOLLA, CA 92037-3942		5688 90/7162
DATE <u>2/5/20</u>		
PAY TO THE ORDER OF <u>B.O.C.C</u>	\$ <u>400.00</u>	
<u>Four hundred dollars & 00/100</u>		DOLLARS  Security Features Included. Details on Back.
CHASE JPMorgan Chase Bank, N.A. www.Chase.com		
MEMO <u>hearing/stairs</u>	 MP	
⑆322271627⑆		207320026⑈5688

SPECIAL INSTRUCTIONS

2/2/20 - 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.

3/10/20 - 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.

3/17/20 - **ADVERTISEMENT ACTION:**

- 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.