

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA; VACATING THAT PORTION OF THE 15 FOOT RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO THE NORTH ½ OF LOT 4, PINELLAS GROVES, PLAT BOOK 1 PAGE 55, LYING IN THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 29-30-15, PINELLAS COUNTY, FLORIDA, LESS THAT PORTION LYING WITHIN 33 FOOT OF THE NORTH LINE OF SECTION 29-30-15; RETAINING A 15-FOOT WIDE PUBLIC UTILITY EASEMENT OVER THE VACATED AREA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Landen Clint Patrick Miller (“the Petitioner”) has petitioned this Board of County Commissioners (“Board”) to vacate the following described property:

Lands described in the legal description attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, pursuant to Section 336.09, Florida Statutes, the Board has the authority to vacate abandon, discontinue and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof; and

WHEREAS, the Petitioner’s affidavit and application to vacate the platted right-of-way has been received by the Board; and

WHEREAS, as a condition of the vacation of the platted right-of-way, the Petitioner will grant Pinellas County a 15-foot-wide utility easement over the vacated area; and

WHEREAS, the Petitioner has shown that the vacation of such portions of the plat will not otherwise affect the ownership or right of convenient access of persons owning other parts of the subdivision; and

WHEREAS, the Board finds that the platted right-of-way which is the subject of this Resolution is a proper subject for vacation pursuant to Section 336.09, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida that:

1. The recitals set forth above are true and correct and incorporated herein by reference.
2. The vacation of the above-described property and plat shall be conditioned on the Petitioner granting Pinellas County a 15-foot-wide public utility easement over the vacated area, a true and correct copy of which is attached hereto as Exhibit B and incorporated herein by reference.
3. To the extent that the vacated area overlaps with any other public easement or right-of-way created by deed, plat, petition, maintenance, or otherwise, the subject vacation shall have no effect thereon.
4. This Resolution shall become effective upon the execution and recording of the public utility easement in the public records of Pinellas County, Florida.

In a regular meeting duly assembled on the _____ day of _____, 2022, 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: