FILE No.: 1528 Bryan & Mari Ellerman

BCC: August 15, 2017

SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

Tuesday of that week Real Estate (Cynthia Harris) coordinates with Jennifer Wright 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:

Tuesday of that week Real Estate (Cynthia Harris)
Notifies Jennifer 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 126 17 - (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 Jennifer 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 Jennifer. Thank you.

BOARD OF COUNTY COMMISSIONERS

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
John Morroni
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 Bryan & Mari Ellerman

File No. 1528

CATS 49842

Legistar 17-1146A

Property Address: 1401 Royal Palm Drive South, St. Petersburg, Fl 33707

DATE:

June 28, 2017

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

City of St. Petersburg

Duke Energy Frontier

Pinellas County Engineering & Technical Support

TECO Electric
TECO Peoples Gas
WOW! (Knology)

Receipts dated 20-APR-2017 and 26-JUN-2017 and copy of checks #2301 and #118 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of August 15, 2017, place the necessary newspaper advertising in accordance with State Statute 177.101 (which requires advertising not less than in two weekly issues prior to the Public Hearing and no advertising required following the hearing), 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

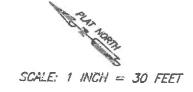
Main Office: (727) 464-3496 FAX: (727) 464-5251 V/TDD: (727) 464-4062

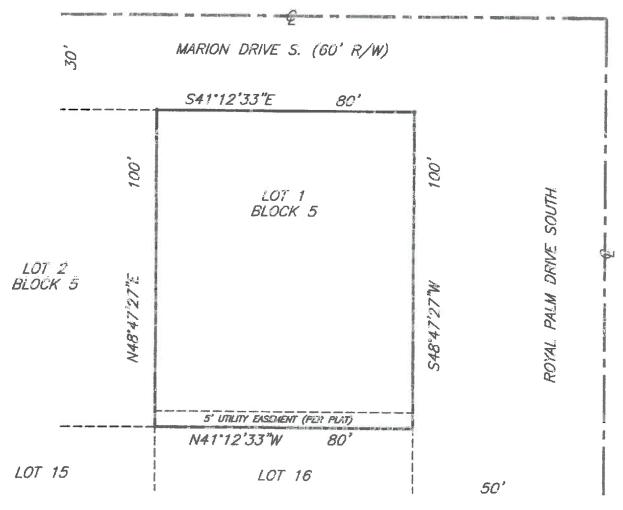


SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA

PETITION TO VACATE, EASEMENTS, PUBLIC RIGHTS-OF-WAY OR ALLEYS

Comes now your Petitioners, Bryan & Mari Ellerman Name of Petitioners
Traile of I efficiency
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: Bryan/Ellerman I hereby swear and/or affirm that the forgoing statements are true: Mari Ellerman
STATE OF FLORIDA COUNTY OF PINELLAS
Sworn to (or affirmed) and subscribed before me this
CYNTHIA A ARCHER MY COMMISSION # FF 125134 EXPIRES: September 19, 2018 Bonded Thru Notary Public Underwriters NOTARY Print Name
My Commission Expires: Commission Number:





LEGAL DESCRIPTION OF EASEMENT PORTION OF THE LOT TO BE VACATED:

THE SOUTHWESTERLY 5 FEET OF LOT 1, BLOCK 5, PASADENA GOLF CLUB ESTATES, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 32, PAGE 13, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

THIS SKETCH IS FOR LEGAL DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

Reviewed by: CH 36

Date: 6 (9 17

SFN# 501 - 1528

DAVID C. MARNER
PS&M NO. 2650
9925 GULF BOULEVARD
TREASURE ISLAND, FL.
(727) 360-0636



APPLICATION AND FINDINGS OF FACT

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

APPLICANT(S): BRYAN ELLERMAN E MARI ELLERMAN
Address: 1401 BOYAL TALM DRIVE
City, State, Zip: 4. PETEKYBURG, FL 33707
Daytime Telephone Number: 727.345.4108
SUBJECT PROPERTY ADDRESS: 1401 ROYAL PALM DRIVE
City, State, Zip: W. PERENG BUP 67 PL 33707
City, State, Zip: 9(.10(2)-7)-50-67, PC 39-70-6
Property Appraiser Parcel Number: 39.31.14.47356. 005. 0010
PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE
1. The right-of-way or alley is:open and usedunopened "paper" street
2. Is there a pending "Contract for Sale"? Yes X No
If yes, please list all parties involved in the sales contract:
THE PROPERTY IS CURPENTLY 4400 TO
52LL.
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:
/ Complete subdivision name as snown on the subdivision plat.
Mere Art AUTED -
5. Subdivision Plat Book Number 32 Page number(s) 13
6. Is there a Homeowners Association? X (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 from SEK BKLOW
-Want to release to allow for: PoolScreened Pool/DeckBuilding AdditionOther
-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?YesNo
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: THIS HOUSE IS THE ORLYNAL STRUCTURE
BUILT IN 1953
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 CINDY ARUTER Title LYCHOW OFFICER
Name CINDY ARUTEN Title LYCHOW OFFICER Address 155 PALADENA ANE #B Phone 727 345.1202 6. PALADENA, N FL 33707 CITIZEN DISCLOSURE
111) 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 Lected 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: April 20,2017 Dugan Cloum



April 27, 2017

Re: vacate Utility easement lying south of lot 1 Block 5, Pasadena golf club estates. Better known as 1401-Royal Palm Drive south

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 one call locating. SEE NOTES
 Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES:

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



City of St. Petersburg

Post Office Box 2842 St. Petersburg, Florida 33731-2842 Channel 35 WSPF-TV Telephone: 727 893-7171

Cynthia Harris Real Estate Management Real Property Division 509 East Avenue Clearwater, FL 33756

June 20, 2017

RE:

Letter of No Objection 1401 Royal Palm Drive S St. Petersburg, FL 33707-3928 Parcel #29/31/16/67356/005/0010

Dear Ms. Harris,

The City of St. Petersburg has no objection to the easement vacation request within parcel #29/31/16/67356/005/0010. The City of St. Petersburg has no infrastructure within the easement to be vacated. City owned public water mains existing within the adjacent right of way of Robin Drive and Royal Palm Drive S (see attached utility map showing the City owned water main).

Sincerely,

Nancy E. Davis

Engineering Plan Review Supervisor

Nancy & Davis

Engineering and Capital Improvements Department City of St. Petersburg One Fourth Street North, 7th Floor Engineering Dept. St. Petersburg, FL 33701-2842

2166 Palmetto Street Clearwater, FL. 33765: CW-13

Jason.McDarby@duke-energy.com

o: 727.562.5706 f: 727-562-5753



May 3, 2017

Bryan Ellerman 1401 Royal Palm Drive South St. Petersburg, Florida 33707

RE: Approval of a vacation of utility easement Section 29, Township 31 South, Range 16 East, Pinellas County, Florida 1401 Royal Palm Drive South, St. Petersburg, Florida

Dear Mr. Ellerman,

Please be advised that Duke Energy Florida, LLC., *Distribution Department* and *Transmission Department* has "NO OBJECTIONS" to the vacation of the two (2) five (5) foot platted utility easement, per Plat Book 32, Page 13 AND Plat Book 40, Page 11, Public Records of Pinellas County, Florida.

See the accompany Exhibit "A" as attached hereto and incorporated herein by this reference.

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

Sincerely,

Jason McDarby

Land Rep

Distribution Land Services - Florida

Date: April 24, 2017



Bryan & Mari Ellerman 1401 Royal Palm Drive South St. Petersburg, FL 33805

Mike Little Region rights of way & Municipal Affairs Mgr. 813 892-9648 michael.e.little@ftr.com

RE: Minor Easement Encroachment Site: 1401 Royal Palm Drive South

St. Petersburg, FL 33805

Dear Mr. Bryan Ellerman, ☑ Frontier Florida LLC has no objection to the easement encroachment as shown in the attached sketch. ☐ Frontier Florida LLC does object to the above referenced easement or right of way vacation. This is necessary, as we have facilities in the existing easement or rights of way. which need to be maintained. ☐ Frontier Florida LLC has no objection as long as an easement is granted to Frontier for the ability to maintain (with access) facilities and provide service or reimbursement to relocate facilities to a new location. ☐ Frontier Florida LLC has conditional approval to the above referenced vacate providing that access will be provided as needed for Frontier to maintain and provide service.

Please call me if you have any questions or need any additional information at (813) 892-9648. Sincerely,

Network Engineering

A Part of Frontier Communications



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



May 1, 2017

Bryan Ellerman Marie Ellerman 1401 Royal Palm Drive South Saint Petersburg, FL 33707-3928

RE: Petition to Release Utility Easement 1401 Royal Palm Drive South (Parcel ID No. 29-31-16-67356-005-0010), Saint Petersburg, FL 33707 Section 29 Township 31S Range 16E

Dear Mr. & Mrs. Ellerman,

We are in receipt of your correspondence dated April 21, 2017 requesting a response to the release of an easement on the referenced property. Pinellas County Utilities does not have potable water, reclaimed water, or sanitary sewer facilities in this location and have "No objection" to this request.

If you have any questions, please do not hesitate to contact me at (727) 464-4068.

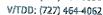
Sincerely,

Joe Graham, P.E. **Professional Engineer Pinellas County Utilities**

Pinellas County Engineering and Technical Support

14 S. Fort Harrison Ave. - 6th floor Clearwater, Florida 33756

Main Office: (727) 464-3588







April 25, 2017

Bryan Ellerman 1401 Royal Palm Dr South St. Petersburg, FL 33707

RE:

Petition to Release

Pasadena Golf Club Estates Section 3, PB 32, PG 13 Section 29 & 30, Township 31 South, Range 16 East, Pinellas County, FL

Dear Mr. Sanchez,

Tampa Electric Company does not serve the subject area, therefore, does not object to the Petition to Release a portion of the 5 foot utility easement lying within Lot 1, Block 5, Pasadena Gulf Club Estates Section 3, according to the map or plat thereof, as recorded in Plat Book 32, Page 13, of the Public Records of Pinellas County, Florida.

If you have any questions or concerns, you may contact me at (813) 228-1090 or medouglas@tecoenergy.com.

Sincerely,

Melissa E. Douglas, SR/WA

Real Estate Services

Sr. Distribution Easement Tech



Dear, Mr. Ellerman,

May 3, 2017

RE: Petition to Release: 1401 Royal Palm Drive South

____X___ TECO Peoples Gas has no existing or proposed facilities in the area referenced above; there is no objection.

TECO Peoples Gas has the following facilities in the above referenced area.

Remarks

In order to allow TECO Peoples Gas to operate and maintain these facilities, easements will have to remain in the above referenced area.

If it becomes necessary to relocate any gas facility, it will be at the expense of the applicant.

Thank you for your continued close cooperation in these matters. Please feel free to call upon us if we can be of further service.

Sincerely,

Jeff Frazier

Utility Coordinator

Jeff Keozier



It's that kind of experience.

wowway.com

WOW! Internet • Cable • Phone

April 25, 2017

Bryan Ellerman 1401 Royal Palm Dr. S. St. Petersburg, FL 33707

Re: Petition to vacate the platted 5' (ft.) utility easement contained within and adjacent to the southwesterly parcel line of LOT 1, BLOCK 5, PASADENA GOLF CLUB ESTATES

Dear Bryan Ellerman:

Thank you for contacting Wide Open West (WOW!) with the subject request.

XX WOW! has 'NO OBJECTION'.

In order to properly evaluate this request, WOW! will need plans identifying the specific area/location concerning the subject request.

WOW! maintains facilities within this area that conflict with the subject request. WOW! has no objections provided easements for our facilities are granted or applicant bears the entire expense for relocation of associated WOW! services.

Please refer any further questions and/or correspondence to:

WOW!
Jay Young
Construction Technician
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely,

Jay Young

Construction Technician

WOW!

(727) 239.0156 Office

(727) 235.1553 Cell

jay.young@wowinc.com

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.

BRYAN E ELLERMAN MARI A ELLERMAN 1401 Royal Palm Drive St Petersburg, FL 33707 Pay to the Order of BRAND OF CRUNTY Com \$ 350 THREE HUNDRED AND PIFTY TO Dollars	2301 63-466/631
REGIONS Seyan Clium	

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.

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<u>ADVERTISEMENT</u>

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.

	-		
BRYAN ELLERMAN		63-8413/2670	118
MARI ELLERMAN 1401 ROYAL PALM DRIVE SOUTH ST. PETERSBURG, FL 33707	× .	DATE 6/26/2017	
PAY TO THE ORDER OF BOCC		\$ 40c	100
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PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1528

PETITIONER

BRYAN ELLERMAN
MARI ELLERMAN
1401 ROYAL PALM DRIVE S
ST. PETERSBURG, FLORIDA 33707

ADJACENT PROPERTY OWNERS

NOTIFICATION LETTER SENT TO THESE OWNERS BY THE CLERK OF THE CIRCUIT COURT – BCC RECORDS DIVISION

REAL PROPERTY DIVISION ATTN: CYNTHIA M. HARRIS 509 EAST AVENUE S CLEARWATER, FL 33756	BRYAN ELLERMAN MARI ELLERMAN 1401 ROYAL PALM DRIVE S ST. PETERSBURG, FL 33707	STEPHEN J. TISDALE 5823 SKIMMER POINT BLVD S GULFPORT, FL 33707
REAL PROPERTY DIVISION ATTN: ANDREW PUPKE 509 EAST AVENUE S CLEARWATER, FL 33756	ROBERT J SOPTEI 1335 MARION DR S ST. PETERSBURG, FL 33707	ANTANAS ULEVICIUS RUTA ULEVICIUS 1345 MARION DR S ST. PETERSBURG, FL 33707
ROYAL PALM VILLIAGE I 1600 ROYAL PALM DR S GULFPORT, FL 33707	SUDHIR K. SHAH NITA SHAH 17947 CACHET ISLE DR TAMPA, FL 33647	TIMOTHY M VIEIRA 1330 ROBIN ROAD S ST. PETERSBURG, FL 33707
MARY B SHILLO 1336 ROBIN ROAD S ST. PETERSBURG, FL 33707	EVAN J. AUGUST KAREN R. AUGUST 1345 ROYAL PALM DR S ST. PETERSBURG, FL 33707	JILLIAN BROOKMAN JESSE BROOKMAN 1344 MARION DR S ST. PETERSBURG, FL 33707
RICK PAUL GILBERT KATHRYN M. GILBERT 1340 DIXIE LANE S ST. PETERSBURG, FL 33707	JEREMY S. COLEDA TARA E. TAYLOR 6400 MOCKINGBIRD WAY S ST. PETERSBURG, FL 33707	MARY E. BAILEY 1345 DIXIE LANE S SOUTH PASADENA, FL 33707
MAGDALEN I. GONDOR 13751 102 ND TERRACE LARGO, FL 33774	PAUL T. MARSHALL ANITA G. MARSHALL 1605 ROYAL PALM DR S UNIT C GULFPORT, FL 33707	STRATEGIC REALTY FUND 4300 STEVENS CREEK BLVD STE 275 SAN JOSE, CA 95129-1265
PEGGY WESTERFIELD 1605 ROYAL PALM DR S APT B GULFPORT, FL 33707	HAWKEYE EQUITY LLC 6112 KIPPS COLONY DR W GULFPORT, FL 33707	PANKAJ THAKKAR SHARMISTA THAKKAR 6501 MOCKING BIRD WAY S GULFPORT, FL 33707

NOTICE OF PUBLIC HEARING

Notice is hereby given that on August 15, 2017, beginning at 6:00 P.M., a public hearing will be held by the Board of County Commissioners in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, 33756, to consider the petition of Bryan Ellerman and Mari Ellerman, to vacate, abandon and/or close the following:

The 5 Foot Utility Easement over the Southwesterly 5 Feet of Lot 1, Block 5, Pasadena Golf Club Estates, Plat Book 32, Page 13, lying in Sections 29/31/16 and 30/31/16, Pinellas County Florida.

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOUR ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 SOUTH FORT HARRISON AVENUE, SUITE 500, CLEARWATER, FLORIDA 33756, (727) 464-4880 (VOICE), (727) 464-4062 (TDD).

KEN BURKE, CLERK TO
THE BOARD OF COUNTY COMMISSIONERS
By: Norman D. Loy, Deputy Clerk

REQUEST FOR ADVERTISING

TO:	BCC Records
FROM:	Sean P. Griffin, Manager Real Estate Management /Real Property Division
RE:	Petition to Vacate Public Hearing
	File No. 1528 – Bryan & Mari Ellerman
DATE:	June 29, 2017
ADVERTISI	TION OF EASEMENT IS DONE UNDER STATE STATUTE 177.101. ING IS REQUIRED IN TWO WEEKLY ISSUES PRIOR TO THE WITH NO ADVERTISING REQUIREMENT AFTER THE
AD COPY A	TTACHED: Yes XXX No
REQUIRES	SPECIAL HANDLING: Yes No XXX
NEWSPAPE	R: St. Petersburg Times Pinellas Review XXX
DATE(S) TO	APPEAR: <u>7/28/2017 and 8/4/2017</u>
SIZE OF AD	·
SIZE OF HE	ADER:
SIZE OF PR	INT:
SPECIAL IN	ISTRUCTIONS OR COMMENTS: