FILE No.: 1507 KSK Homes, Inc. & Jeffrey Conway

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
 - (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 Lov) 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.

R:\REAL PROPERTY\VACATIONS AND RELEASES\PETITIONS-PENDING 1500'S\File#1507-V KSK Homes Inc - Conway\Special Instructions.doc

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 KSK Homes Inc. & Jeffrey Conway

File No. 1507

CATS 48850

Legistar 17-282A

Property Address: 13200 & 13250 72nd Terrace, Seminole, Fl 33772

DATE:

July 5, 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:

Charter

Duke Energy

Frontier

Pinellas County Engineering & Technical Support

TECO Electric TECO Peoples Gas WOW! (Knology)

Receipts dated 26-MAY-2016 and 3-JUL-2017 and copy of checks #9927 and #9405 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 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



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, KSK Homes, Inc and Jeffrey M. Conway 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:
Karen Elfallah
STATE OF FLORIDA COUNTY OF PINELLAS
Sworn to (or affirmed) and subscribed before me this 23rd day of the sub
NOTARY SEAL Print Name SIMON CHRISTOPHER NOTARY Print Name SIMON CHRISTOPHER NIGHTINGAVE Commission Number: Not applicable

I hereby swear and/or affirm that the forgoing statements are true:

Jeffrey M. Con STATE OF FLORIDA COUNTY OF PINELLAS	way
Sworn to (or affirmed) and subscribed before me this by Jeffrey M. Conway He is personally known to me as identification, and who <u>did</u> (did not) take an oath.	e, or has produced FLDL ,2017,
SUSAN J. POPP Notary Public, State of Florida Commissions FF 952828 My resum applies Jan. 21, 2020	NOTARY Lusan J. Popp Print Name Susan J. Popp
My Commission Expires: 1-21-2020	Commission Number: FF 952628

PINELLAS COUNTY
PUBLIC WORKS
SURVEY AND MAPPING DIVISION
22211 U.S. HIGHWAY 19 N.
CLEARWATER, FLORIDA 33765-2328

EXHIBIT "A"

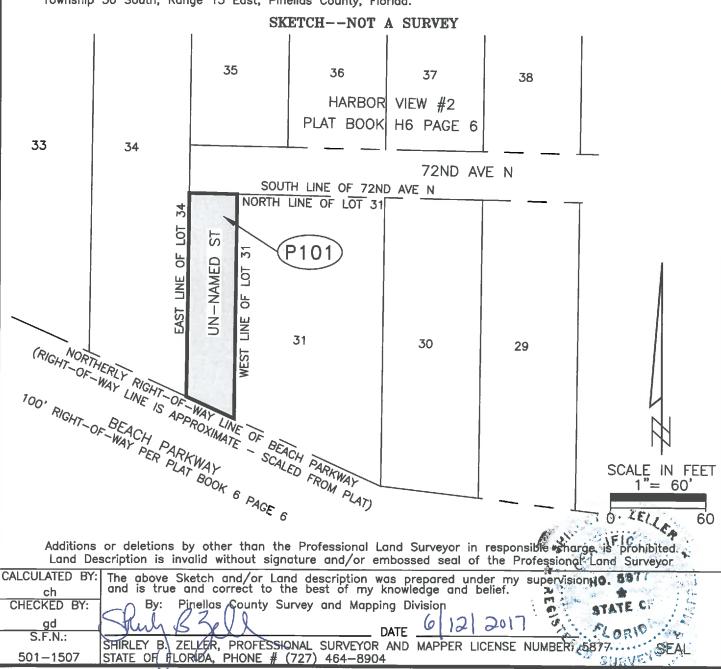


SECTION(S) 29, TOWNSHIP 30 SOUTH, RANGE 15 EAST

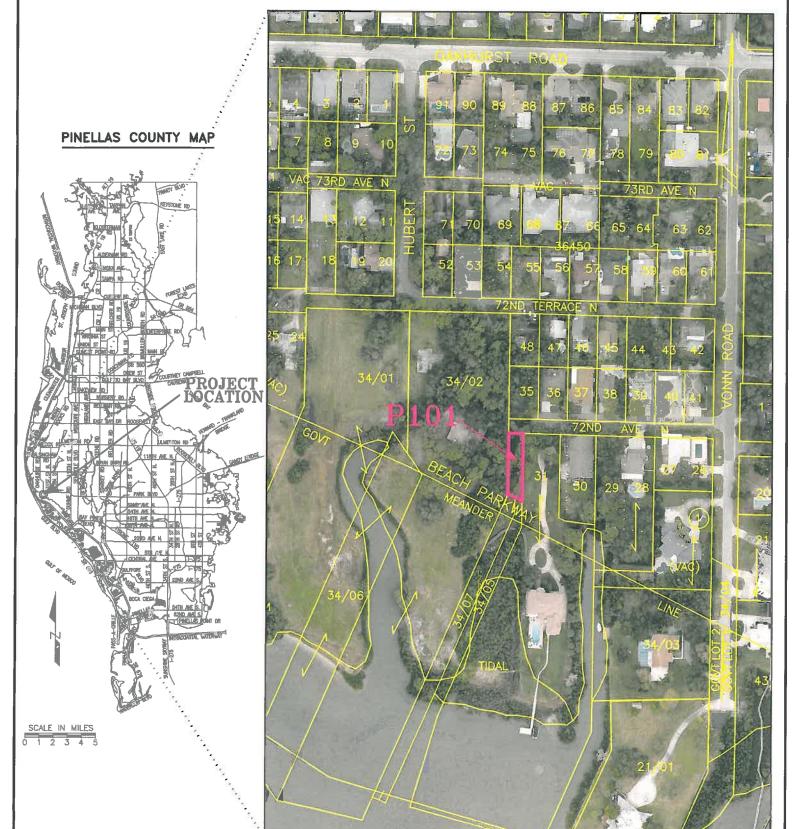
DESCRIPTION

That portion of the unnamed street lying between Lots 31 and 34 as shown on HARBOR VIEW # 2 subdivision, according to the plat thereof, as recorded in Plat Book H6, Page 6, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part, being bounded as follows:

Bounded on the East by the West line of said Lot 31, bounded on the West by the East line of said Lot 34, bounded on the North by the westerly extension of the North line of said Lot 31, said line also being the westerly extension of the South line of 72nd Avenue North, and bounded on the South by the northerly right—of—way line of Beach Parkway (a 100 foot wide right—of—way) as shown on said Plat Book 6 Page 6, all lying within the South ½ of Government Lot 2 of Fractional Section 29, Township 30 South, Range 15 East, Pinellas County, Florida.



SECTION(S) 29, TOWNSHIP 30 SOUTH, RANGE 15 EAST



Pinellas County (

PTV 1507 KSK HOMES/ CONWAY EXHIBIT
NOT A SURVEY
PARCEL P101

SCALE IN FEET

P101_EXHIBIT.dwg

DATE: JUNE 2017

1"= 200'

PHOTOGRAPHY DATE: 01/16

SURVEY FILE NO.: 501-1507

SHEET O1 OF O1

APPLICATION AND FINDINGS OF FACT FOR PETITION TO VACATE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S):	KSK Homes, Inc.
Address:	6070 Oakhurst Dr.
	Seminole, FL. 33772
	Number:
	ESS: 13250 - 72nd Terrace
	Seminole, FL. 33776
Property Appraiser	Parcel Number: 29-30-15-00000-340-0200
PLEASE ANSWER T	HE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE
1. Is there a	pending "Contract for Sale"? YesNo
If yes, please	list all parties involved in the sales contract:
	ation involved as owner or buyer? se give Corporation name and list Corporate Officers:
KSKKSK	Homes, Inc.
	Elfallah - Pres, Sec/Tre
_	subdivision name as shown on the Subdivision Plat:
Harbon	View No. 2
4. Subdivision	Plat Book Number 6 Page number(s) 6
5. Is there a H	Iomeowners Association?YesNo
6. Reason(s) f	or requesting this vacation – check all that apply:
	to vacate to clear an existing encroachment: Pool Screened Pool & Deck Building
-Need t	to vacate to clear title: YesNo
	to vacate to allow for: Pool Screened Pool/Deck Building Addition
	Other: possible driveway

To determine if a variance is required, please call the BUILDING DEVELOPMENT REVIEW SERVICES DEPARTMENT at 464-3888.
8. Please provide any relevant additional comments:
Most, if not all, other sights - of way in area have been
previously vacated by the county.
9. 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 Bill Foster Esq. Title Atty
Name B:11 Foster, Esq. Title A Hy Address 560 - Ist Aug N. SP 3370 Phone (727) 822-2013
<u>CITIZEN DISCLOSURE</u>
101) 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 <u>not</u> 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: 5/31/16 KR/Fallow PRESIDENT
DATE: 5/31/16 KIR/Kaller PRESIDENT HEN Convay

SUPPLEMENTAL PAGE FOR ADDITIONAL APPLICANTS/PETITIONERS

For Property Addre	ss 13200 - 72nd Ave, Seminale
	·
APPLICANT:	Jeffrey M. Conway
Address:	Jeffrey M. Conway 13200 - 72nd Ave.
City, State, Zip:	Seminale, FL. 33776
Daytime Telephone	Number:
Signature:	
APPLICANT:	Parcel ID: 29-30-15-36450-000-0310
Address:	
City, State, Zip:	
Daytime Telephone I	Number:
Signature:	
A DDI TO A NIE	
APPLICANT:	
Address:	
City, State, Zip:	
Daytime Telephone	Number:
Signature:	
APPLICANT:	
Address:	
City, State, Zip:	
Daytime Telephone N	
Signature:	
APPLICANT:	
Address:	
City, State, Zip:	
Daytime Telephone N	Number:
Signature:	



Date: June 21, 2017

Re: 72nd Ave N Section 29, Township 30 South, Range 15 East (P101)

	Charter Communications has no objections provided easements for our facilities are Retained / granted
XXX_	Charter Communications 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, Charter Communications will need detailed plans of facilities proposed for subject areas.
	_ Charter Communications has facilities within this area, which may conflict with subject project please call 811 to have locating. SEE NOTES
	Charter Communications requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES:

Sincerely,
Ozzie Perez
Charter Communications
Field Engineer II
Pinellas County
727-329-2817

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

Jason.McDarby@duke-energy.com

o: **7**27.562.5706 f: **7**27-562-5753



June 21, 2017

Cynthia M. Harris 509 East Avenue Clearwater, Florida 33756

RE: Approval of a vacation of Right-of-Way

Section 29 Township 30 South, Range 15 East, Pinellas County, Florida Un-Named Street, Unincorporated, Florida

Dear Ms. Harris

Please be advised that Duke Energy Florida, LLC., *Distribution Department* and *Transmission Department* has "NO OBJECTIONS" to the vacation of that certain 30 ft right-of-way being described on the attached Exhibit "A".

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

Sincerely,

Jason McDarby. Real Estate Rep

Land Services - Florida



Frontier Communications 3712 W Walnut St. Tampa, FL USA 33607 Office: (813) 874-4805 Fax: (813) 874-0769

Mobile: (813) 892-9648 Email:daniel.collings@ftr.com

7/3/2017

Attn: Cynthia M. Harris Real Estate Management Real Property Division 509 East Avenue Clearwater, Florida 33756

RE: Frontier No Objection

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 State One-Call of Florida, Inc." by dialing 811, 48 hours 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 (813) 874-4805.

Daniel Collings
Frontier Communications
Region Rights of Way
& Municipal Affairs Mgr.

Sincerely,



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



July 26, 2017

D. William Foster Foster and Foster 560 First Avenue North Saint Petersburg, FL 33701

RE: Petition to Release Easement Immediately west of the northern portion of 13200 72nd Avenue, Seminole, FL 33772 Section 29 Township 30S Range 15E

Dear Mr. Foster,

We are in receipt of correspondence forwarded to this Department July 25, 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 easement and has "No objection" to this request.

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

Sincerely,

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

Cynthia Harris, PCREM CC.

Pinellas County Engineering and Technical Support 14 S. Fort Harrison Ave. - 6th floor Clearwater, Florida 33756

Main Office: (727) 464-3588 FAX: (727) 464-3595





AN EMERA COMPANY

June 23, 2017

Cynthia M. Harris Pinellas County Real Property Division 509 East Avenue Clearwater, Florida 33756

RE:

Petition to Vacate: See attached Legal Description

Harbor View #2, PB H6, PG 6

Section 29, Township 30 South, Range 15 East, Pinellas County, FL

Dear Mr. Sanchez,

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) 228-1090 or medouglas@tecoenergy.com.

Sincerely,

Melissa E. Douglas, SR/WA

Real Estate Services

Sr. Distribution Easement Tech



Crystal Corbitt Distribution Easement Coordinator, Real Estate

Real Estate
Office: 813.228.1091
FAX: 813.228.1376
clcorbitt@tecoenergy.com

June 28, 2017

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

RE: Petition to Vacate: PTV 1507 KSK/Conway

Cynthia Harris:

Please be advised that Peoples Gas System, a division of Tampa Electric Company has no interest in any easements that may or may not be a matter of public record. We have no objection to such easements being released.

If you have any questions, please feel free to contact me.

Thank you,

Crystal L. Corbitt

Distribution Easement Coordinator

Real Estate Services



wowway.com

WOW! Internet Cable Phone

D. William Foster Foster and Foster Attorneys and Counselors at Law 560 First Avenue North St. Petersburg, Florida 33701

Date: May 2, 2016

Re: Petition to Vacate

Property Addresses:

13200 72nd Avenue, Seminole Florida 13250 72nd Terrace, Seminole Florida

Dear D. William Foster:

Thank you for advising WOW! of the Petition to Vacate.

XX WOW! has no objection/conflict.

In order to properly evaluate this request, WOW! will need detailed plans of facilities proposed for the subject area.

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

Please refer any further correspondence and pre-construction meeting notices to:

WOW!
John Burlett
Construction Technician - Lead
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely

John Burlett

Construction Technician - Lead

WOW!

(727) 239.0158 Main (727) 235.4470 Mobile

> 3001 Gandy Blvd N Pinellas Park, FL 33782

<u>PETITION TO RELEASE</u> 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

WACHOVIA FOSTER AND FOSTER Wachovia Bank, N.A. ATTORNEYS AND COUNSELORS AT LAW P.O. BOX 2911 ST. PETERSBURG, FL 33731

63-751-631

5/26/2016

PAY **FO THE** DRDER OF

Pinellas County Board of County Co.

**350.00

9927

Pinellas County Board of County Co.

FOSTER AND FOSTER

1EMO

Application Fee - Conway/KSK Homes

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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FORTER AND FOSTER ATTORNEYS, P.A.

ATTORNEYS AND COUNSELORS AT LAW TRUST ACCOUNT 560 FIRST AVENUE NORTH ST. PETERSBURG. FL 33701

CTO THE BOARD OF COUNTY COMMISSIONERS

FOUR HUNDRED AND NO/00-----

Wells Fargo, N.A.

63-751/631

July 3, 1017

\$400.00

DOLLARS

FOSTER AND FOSTER ATTORNEYS, P.A.

Dail W. Fish

Conway/KSK Homes
Petition to Vacate ROW

PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1507

PETITIONERS

KSK HOMES, INC. 13250 72ND TERRACE SEMINOLE, FLORIDA 33776

JEFFREY CONWAY 13200 72ND AVENUE SEMINOLE, FL 33776

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

REAL ESTATE MANAGEMENT ATTN: ANDREW W. PUPKE **509 EAST AVENUE S** CLEARWATER, FL 33756

HELLER GARY L 7100 131ST ST **SEMINOLE FL 33776-42**

CASEY DENNIS CASEY KRISTY J 13180 72ND AVE SEMINOLE FL 33776-4213

SIGLER GERALD P JR 7000 131ST ST **SEMINOLE FL 33776-4205**

CONWAY JEFFREY M CONWAY PAMELA G 13200 72ND AVE **SEMINOLE FL 33776-4213**

CORBISSERO PETER D CORBISSERO SUSAN M 13137 72ND AVE **SEMINOLE FL 33776-4214**

ICHIRO INVESTMENTS LAND 6822 22ND AVE N UNIT 122 ST PETERSBURG FL 33710

KAPPER THOMAS W JR KAPPER YVONNE M 13125 72ND AVE SEMINOLE FL 33776-4214

HELINGER MICHAEL A HELINGER AMY K 13179 72ND AVE SEMINOLE FL 33776-4214 STONE REVOCABLE TRUST STONE CHARLES K TRE 13150 72ND TER **SEMINOLE FL 33776-4215**

SCHLAEPPI SHARON A SCHLAEPPI SHARON A TRE 13163 72ND AVE SEMINOLE FL 33776-4214

WINKLER BRYON C 13166 72ND TER SEMINOLE FL 33776-4215

LAUE DOUGLAS A LAUE KELLEY A 13138 72ND AVE SEMINOLE FL 33776-4213

CORNNELL BRIAN P CORNNELL PATRICIA M 7090 131ST STREET SEMINOLE, FL 33776

STRICKLAND CYDNEY M 13198 72ND TER SEMINOLE FL 33776-4215

REDDERSON RACHEL L 13182 72ND TER SEMINOLE, FL 33776-4212 ROHRMANN REV TRUST ROHRMANN PIERCE TRE 13141 72ND AVE SEMINOLE, FL 33776

NOTICE OF PUBLIC HEARING

Notice is hereby given that on August 15, 2017, beginning at 6:00P.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 KSK Homes, Inc. and Jeffrey Conway, to vacate, abandon and/or close the following:

That portion of the unnamed Street lying South of 72nd Avenue North between Lot 31 (13200 72nd Avenue N) and Lot 34 (13250 72nd Terrace) as shown on Harbor View #2 Subdivision, as recorded in Plat Book H6, Page 6, bounded on the South by the Northerly Right-of-Way Line of Beach Parkway, lying in Section 29-30-15, 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. Lov, 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. 1507 – KSK Homes, Inc. and Jeffrey M. Conway
DATE:	July 5, 2017
336.10. ADV PRIOR TO THE RESOI 30 DAYS FO AD COPY A	APPEAR: <u>7/28/2017</u> : ADER:
SPECIAL IN	STRUCTIONS OR COMMENTS:
<u></u>	

R:\REAL PROPERTY\VACATIONS AND RELEASES\PETITIONS-PENDING 1500'S\File#1507-V KSK Homes Inc - Conway\Req Ad Form.doc