

**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 Travis and Christina Duvall
File No. 1566 CATS 51120 Legistar 19-964A
Property Address: 1637 Countrywood Street, Tarpon Springs, FL 34689

DATE: June 6, 2019

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
Rolling Oaks HOA
TECO Electric
TECO Peoples Gas
WOW! (Knology)

Receipts dated 13-OCT-2018 and 29-MAY-2019 and copy of checks #6469 and #9415 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of August 6, 2019, 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

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, Travis H. Duvall and Christina N. Duvall
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:



Travis H. Duvall

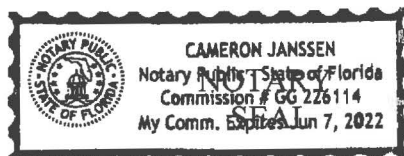
I hereby swear and/or affirm that the forgoing statements are true:




Christina N. Duvall

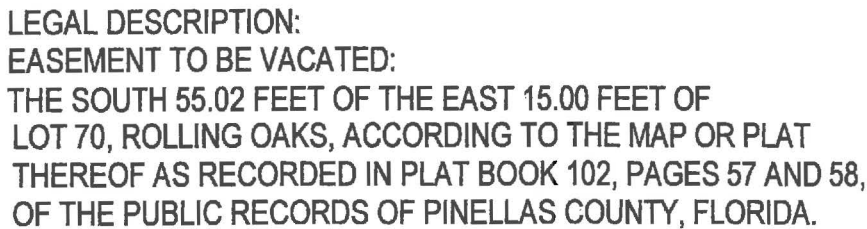
STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 29 day of May, 2019,
by Travis H. Duvall and Christina N. Duvall. He/She is personally known to me, or has produced Florida Drivers License
as identification, and who did (did not) take an oath.



NOTARY 
Print Name Cameron Janssen

My Commission Expires: 06-07-2022 Commission Number: 66 226114



Reviewed by: CH 57
Date: 1-22-19
SFN # 501-1566

Surveyor & Mapper Number 4636

NOT A SURVEY
DATE SIGNED 11-09-18

FLORIDASURVEYOR@AOL.COM **BILL HYATT**

(C) 2018

(P) = PER PLAT

Know It Now, Inc.

Florida Business Certificate Of
Authorization Number LB 6912

LOCATION - 2011 HEIDELBERG AVENUE, DUNEDIN, FL
VOICE 727-415-8305 FAX 727-736-2455



APPLICATION AND FINDINGS OF FACT

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

APPLICANT(S): Christina Duvall + Travis Duvall
Address: 1637 Countrywood Street
City, State, Zip: Tarpon Springs, FL 34689
Daytime Telephone Number: 443-534-0328

SUBJECT PROPERTY ADDRESS: 1637 Countrywood Street
City, State, Zip: Tarpon Springs, FL 34689
Property Appraiser Parcel Number: 23.27.15.76447.000.0700

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:

Rolling Oaks

5. Subdivision Plat Book Number 102 Page number(s) 57+58

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



Date May 31, 2019

Re: 1637 Country wood St Tarpons springs Florida, 34689 Parcel 23.27.15.76447.000.0700

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:

A handwritten signature in blue ink, appearing to be "Ozzie Perez", written over the "NOTES:" text.

Sincerely,
Ozzie Perez
Bright House Networks
Field Engineer
Pinellas County
727-329-2817



3300 Exchange Place, NP4C
Lake Mary, Florida 32746

kalen.mason@duke-energy.com
o: 407.942.9407

June 7, 2019

Christina Duvall
1637 Countrywood St.
Tarpon Springs, FL 34689
443-534-0328
orangedreamer2@yahoo.com

**RE: *Encroachment of platted utility easement at PB 102, Page 57
Section 23, Township 27 South, Range 15 East, Pinellas County, Florida
1637 Countrywood Street, Tarpon Springs, FL 34689***

Ms. Duvall,

Please be advised that the Distribution Department and Transmission Department of Duke Energy Florida, LLC has "**NO OBJECTION**" to the encroachment within the platted 15' utility easement area at 1637 Countrywood Street, Tarpon Springs, FL 34689 and depicted in the subdivision plat of ROLLING OAKS at Plat Book 102, Pages 57 and 58 and identified in the Sketch of Survey by Know It Now, Inc. and dated 08-20-18.

Tax Parcel ID: 23-27-15-76447-000-0700

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Kalen Mason', with a large, stylized 'K' and 'M'.

Kalen Mason
Duke Energy Florida, Land Services
3300 Exchange Place, NP4C
Lake Mary, Florida 32746
407-942-9407 Office



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

5/28/2019

Attn: Nicole Wilson and/or Christina Duvall
1637 Countrywood St
Tarpon Springs, FL 34689

RE: Petition to Release Easement – 1637 Countrywood St

Dear Ms. Wilson and/or Ms. Duvall,

- ☐ 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

**BOARD OF COUNTY
COMMISSIONERS**

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



June 3rd, 2019

Christina Duvall
1637 Countrywood St.
Tarpon Springs, Fl. 34689

RE: Petition to Vacate Utility/Drainage Easement:

Section 23, Township 27 S, range 15 E, Pinellas County, FL.
PID# 23-27-15-76447-000-0700
Petition to vacate a 10' and 15'Drainage/Utility Easement located at 1637 Countrywood St.
Tarpon Springs, Fl. 34689

Dear Christina Duvall,

We are in receipt of your email dated September 13th, 2018 requesting a response to vacate a Drainage/Utility Easement located at the mentioned Parcel. Pinellas County Utilities has "No Objection" to the proposed vacation petition. 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

S:\Shared\Engineering\DRS\Easement Reviews\2019\1637 Countrywood St. No Objection
20190528.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





Rolling Oaks Homeowners' Association of Pinellas, Inc.
PO Box 1094
Tarpon Springs FL 34689-1089
rollingoaks@ymail.com

October 5, 2018

Christina Duvall 1637 Countrywood St. Tarpon Springs, Fl. 34689

RE: Petition to Vacate Utility/Drainage Easement:

Section 23, Township 27 S, range 15 E, Pinellas County, FL. PID# 23-27-15-76447-000-0700 Petition to vacate a 10' and 15'Drainage/Utility Easement located at 1637 Countrywood St. Tarpon Springs, Fl. 34689

Dear Christina Duvall,

We are in receipt of your email dated September 29th, 2018 requesting a response to vacate a Drainage/Utility Easement located at the mentioned Parcel. Rolling Oaks Homeowners Association has "No Objection" to the proposed vacation petition. If you have any questions, please do not hesitate to contact our president at 727-512-2764

Sincerely,

Rolling Oaks Homeowners Association of Pinellas Inc.



AN EMERA COMPANY

May 28, 2019

Cynthia Harris
Real Estate Management
509 East Avenue

RE: Petition to Vacate: See attached Legal Description
Section 23, Township 27 South, Range 15 East
Lot 70, Rolling Oaks, 1637 Countrywood St

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, which appears to read "Taylor J. Leggatt".

Taylor J. Leggatt
Real Estate Services
Distribution Easement Coordinator



9/13/2018

To: Christina Duvall
1637 Countrywood St
Tarpon Springs, FL 34689

RE: Vacation of Utility Easement
Lot 70, Rolling Oaks, according to the map or plat thereof as recorded in plat book 102, pages 57 and 58
of the public records of Pinellas County, Florida.

From: TECO Peoples Gas

To Whom It May Concern,

Thank you for contacting TECO Peoples Gas Company regarding a Vacation of Easement at the above referenced location. After reviewing the documents you provided, TECO-Peoples Gas has NO objection to the easement vacate. Furthermore, TECO-PGS does not have gas facilities on the property or in the area.

If I can be of further assistance, please do not hesitate to call me at 813-275-3783

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert H. Duvall".

Robert H. Duvall
Acquisition Office, gas & electric
Peoples Gas
Department of Engineering & Construction
34150 Pella Drive, Port St. Lucie
Port St. Lucie, FL 34952
Office: 888-222-5555

Enclosure (1)



September 18, 2018

Christina Duvall
1637 Countrywood St.
Tarpon Springs, FL 34689

Re: **Vacation of Rear Easement: 1637 Countrywood St, Tarpon Springs, FL
Lot 70 / Parcel 23-27-15-76447-000-0700**

Dear Christina Duvall:

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

XXX WOW! has 'NO OBJECTION'.

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

— 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!
James Sandman
Construction Project Coordinator
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely,

A handwritten signature in black ink, appearing to read "James Sandman", written over a horizontal line.

James Sandman
Construction Project Coordinator
WOW!
(727)239-0154 Office
(727)235-1492 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.

CHRISTINA N DUVALL OR TRAVIS H DUVALL 1637 COUNTRYWOOD ST TARPON SPGS, FL 34689-8040		6469 9-32/720
PAY TO THE ORDER OF <u>Board of County Commissioners</u>		DATE <u>10/31/18</u>
<u>Three Hundred Fifty Dollars</u>		<u>\$ 350.00</u>
CHASE JPMorgan Chase Bank, N.A. www.Chase.com		CO 100 DOLLARS
MEMO <u>Petition For Release</u>		MP
072000326		6330631316469

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.

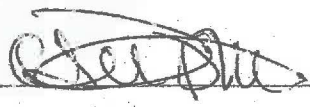
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ADVERTISEMENT

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CHRISTINA N DUVALL 1637 COUNTRYWOOD ST. TARPON SPGS, FL 34689-8040		9415 DATE <u>5/29/19</u> 9-32/720
PAY TO THE ORDER OF <u>Board of County Commissioners</u>		<u>\$400.00</u>
<u>Four Hundred Dollars</u>		<u>00</u> <u>100</u> DOLLARS
CHASE JPMorgan Chase Bank, N.A. www.Chase.com		
MEMO _____		MP
072000326		63306313119415

SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

7/2/19

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:

7/9/19

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

- (for F.S. 177.101:) (for F.S. 336.09, 10, 12)

7/17/19

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.