



MEMORANDUM

TO:

Katherine Carpenter, Deputy Clerk

BCC Records

FROM:

Diana Sweeney

Asset Management and Real Property Division Manager

SUBJECT:

PETITION TO VACATE - Submitted by Christopher and Laura Muller

File No. 1548

CATS 50523

Legistar 20-2097A

Property Address: 920 Illinois Avenue, Palm Harbor, FL 34683

DATE:

December 18, 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 31-JAN-2018 and 08-DEC-2019 and copy of checks #1114 and #2210 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of January 26, 2021, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time at least 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.

APPLICATION AND FINDINGS OF FACT

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

APPLICANT(S):	Christopher and Laura Muller	•	NECEIVE
Address:	920 Illinois Avenue		ECEIVE
City, State, Zip:	Palm Harbor, FL 34683		FEB 1 2 2018
Daytime Telephone	Number: 727-389-3122		В
SUBJECT PROPE	RTY ADDRESS:		Resulmitted 8/16/19
City, State, Zip:	Palm Harbor, FL		0/16/19
	Parcel Number: East 20' Wi	de – Alley lying betv	veen Lots 7, 8, 9 and 10,
	Sutherland, as recorded in Plat		
Hillsborough Count	y, Florida, of which Pinellas Co	unty was formerly a	part.
	OLLOWING QUESTIONS TO THE BE		
1. The righ	-of-way or alley is:open a	nd used X_unop	ened "paper" street
2. Is there	pending "Contract for Sale"	?Yes	X No
If was nless	e list all parties involved in the	e sales contract:	
II yes, picas	o Hot wit har non mi on on our mi	DESIGN COLLEGE MEET	
_	oration involved as owner or	_	
If yes, pl	ease give corporation name ar	id list corporate offi	cers:
4. Complet	e subdivision name as shown o	on the subdivision p	lat:
Block 135,	Town of Sutherland		
5. Subdivis	ion Plat Book Number <u>H1</u>	_ Page number(s)	<u>1A</u>
6. Is there	Homeowners Association?	Yes <u>X</u>	No
7. Reason() for requesting this release –	check all that apply	7:
-Nee	d to release to clear an existin Pool Screened Po	_	Building Other

-Need to release to clear title: Yes 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?YesX_ 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:
This is a follow-up to a prior application that was withdrawn in 2015. This request significantly reduces
the scope of the original request
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 Katle Cole Title Attorney
,
Address Hill Ward Henderson, 600 Cleveland Street, Suite 800, Clearwater, KL 33755 Phone (727) 259-6791 206 AV. S. Sf. Pefe CITIZEN DISCLOSURE 3, 701
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
Elected Official, of Pinellas County Government.
3) I am an employee of Pinellas County Government, in the
Department, or the Office of
, Elected Official.
finition of family relationship, for the purposes of this document, is the immediate family

	t to release to	o allow for: creened Pool/Deck	Building Additi	on	Other
		nclude the vacated righerty sizeProbi			7 for:
	_ Other:				
8. Is Board of	Adjustment	required?Yes	No		
		is required, please call (ARTMENT at 464-388		/ELOPMENT	ŗ
9. Please prov	vide any relev	ant additional commen	is:		
	g information	you with the prepara on your behalf, please			
Name			Title		
Address		i#	Phone		
		CHVANDE	CLOSURE		
11.	1) I have	a current family relation	nship to an employe	ee, or an elect	ed official.
		nment. That person			
employed in	the Depa	artment of		or (Office of
		, Elected Official			
×x		not aware of any curre	nt family relationsh	ip to any em	ployee, or
Elected Officia	,	County Government.			
	_3) I am	an employee of	<u> </u>		
		Departme , Elected Officia		he Offic	e of
consisting of: father,	mother, bro	hip, for the purposes of ther, sister, half-brother r-in-law, brother-in-lay	f this document, is to or sister, adopted b		
		APPLICANT(S	SIGNATURE		
DATE: 6/6/	19	— <i>Ya</i>	MB Ju	Oer.	

SUPPLEMENTAL PAGE FOR ADDITIONAL APPLICANTS/PETITIONERS

or Property Address	
PPLICANT: Chris + Laura Muller	
ddress: 920 Illinois Ave	_
ity, State, Zip: Palm Harbor, FL 34683	_
aytime Telephone Number 727 - 389, -3/22	
ignature: XINNE() NUC	_
ate: (/ 6728/19	
PPLICANT: Debra J. Schaefer	
ddress: 945 Illinois Ave.	_
Sity, State, Zip: Palm Harbor FL 34683	_
Paytime Telephone Number: 954 - 562 - 6562	
ignature:	_
ate: 5.29.19	
38	
PPLICANT:	
ddress:	_
City, State, Zip:	_
Paytime Telephone Number:	
ignature:	_
Date:	
APPLICANT:	
Address:	
City, State, Zip:	_
Daytime Telephone Number:	
lignature:	
Date:	

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

PETITION TO VACATE, PUBLIC RIGHTS OF WAY OR ALLEYS

Comes now your Petitioners, <u>Christopher D. Muller and Laura T. Muller</u>
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 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.

Christopher D. M	nd/or affirm that the forgoing statements are true: Muller Much or affirm that the forgoing statements are true:
Ilayra T. Muller) hull
STATE OF FLORIDA COUNTY OF PINELLAS	
Sworn to (or affirmed) and subscribed before me this Christopher D. Muller and Laura T. Muller. They are	personally known to me, or have produced a as identification, and who did (did
not lieks an OSHERRI MANSURE MY COMMISSION # GG141082 EXPIRES December 09, 2021 NOTARY SEAL	NOTARY Sheri Mansure Print Name Sherri Mansure
My Commission Expires: 12-09-2021	Commission Number: G6 141082

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

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

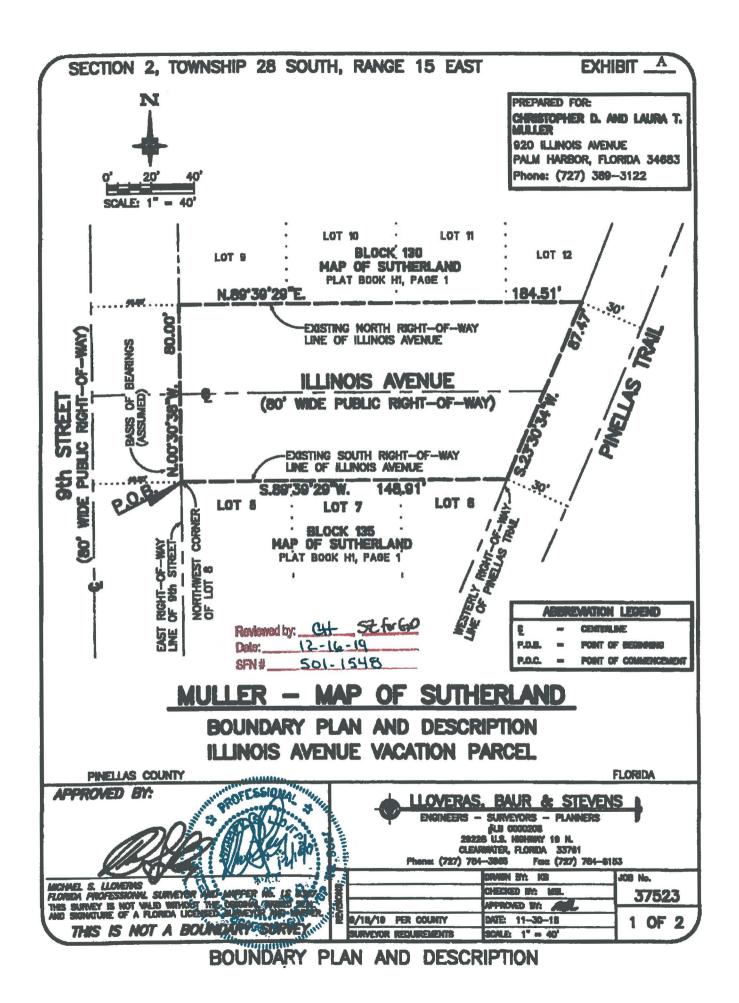
Comes now your Petitioners, Debra Schaefer				
Name of Petitioners				
and respectfully requests this Honorable Board of County Commissioners to adopt a resolution vacating:				
Lands described in legal description attached hereto and by this reference made a part hereof.				
Your petitioners represent 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. In reference to Petition to Vacate #1548.				
I hereby swear and/or affirm that the forgoing statements are true:				
DOS				
STATE OF FLORIDA COUNTY OF PINELLAS				
Sworn to (or affirmed) and subscribed before me this 29th day of May ,2019, by Debra Schaefer . He/She is personally known to me, or has produced Fl. Drivers Licence as identification, and who did (did not) take an oath.				
SHERRI MANSURE NOTARY EXPIRES December 09, 2021 NOTARY NOTARY Print Name Sherri Mansure SEAL				
My Commission Expires: 12/9/2021 Commission Number: 66/4/082				

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, Raymond Bennett

	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. In reference to Petition to Vacate #1548
	Owning any ones parts of sale substitution in research to remine to vacato it to
	I hereby swear and/or affirm that the forgoing statements are true:
	STATE OF FLORIDA COUNTY OF PRIELLAS Broward
Driv	Sworn to (or affirmed) and subscribed before me this day of
	NOTARY NOTARY DEOISE Tode Y
	My Commission Expires: 10-3-22 Commission Number: 66 26 51 13
	DENIES BOOLEY



DESCRIPTION:

The 80 foot wide public right—of—way of Illinois Avenue lying between Lots 6, 7 and 8, Block 135, and Lots 9, 10, 11 and 12, Block 130, MAP OF SUTHERLAND, as recorded in Plat Book H1, Page 1, of the Public Records of Pinelias County, Florida, being described as follows:

Begin at the northwest corner of said Lot 8, and run N.00°30′38°W., along the east right—of—way line of 9th Street, 80.00 feet to the existing north right—of—way line, N.89°39°29°E., along said north right—of—way line, N.89°39°29°E., along said north right—of—way line, 184.51 feet to the westerly right—of—way line of Pinellas Trail; thence, leaving said north right—of—way line, S.23°30′34°W., along said westerly right—of—way line, 87.47 feet to the existing south right—of—way line of said illinois Avenue; thence, leaving said westerly right—of—way line, S.89°39′25°W., along said south right—of—way line, 148.91 feet to the Point of Beginning.

MULLER - MAP OF SUTHERLAND

BOUNDARY PLAN AND DESCRIPTION ILLINOIS AVENUE VACATION PARCEL

PINELLAS COUNTY

FLORIDA

PREPARED FOR:
CHRISTOPHER B. AND LAURA T.
MULLER
920 ILLINOIS AVENUE

PALM HARBOR, FLORIDA 34683

Phone: (727) 389-3122

لم	LOVERAS	BAUR	& STEV	ens_
4	ENGINEERS -	- SURVEYORS	- PLANNERS	1

28228 U.S. HIGHBOY 10 N. CLEURINGER, FLOREDA 33761 Phone: (727) 784-3865 Fee: (727) 784-8163

ORNIN SY: KS JOS No.

CHECKED BY: MSL 37523

APPROVED BY: ARE

B/18/19 PER COUNTY DATE: 11-30-18 2 OF 2.

BURNEYOR REQUIREMENTS



Date August 16, 2019

Re: Section 2, Township 28 South, Range 15 East Southwest Corner of Lot 8 Block 135

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

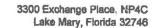
Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES:

Sincerely, Ozzie Perg

Bright House Networks

Field Engineer Pinellas County 727-329-2817





July 11, 2019

Christopher D. Muller and Laura T. Muller ("REQUESTOR") 920 Illinois Avenue
Palm Harbor, FL 34683

Attn: Todd Pressman

Todd Pressman, President, Pressman & Associates, Inc.

200 2nd Avenue, South, #451 Saint Petersburg, FL 33701 Email: todd@pressmaninc.com

Phone: 727-804-1760, Fax: 1-888-977-1179

RE:

Encroachment request dated 12/07/2018 concerning 920 Illinois Avenue, Palm Harbor, FL 34683

Mr. and Mrs. Muller,

Duke Energy Florida, LLC ("DUKE ENERGY") is in receipt of the vacate request dated the 7th day of December, 2018. At this time, the Distribution Department and Transmission Department of DUKE ENERGY has "NO OBJECTION" to the request for a vacation of the public right-of-way as depicted in the sketch by Lloveras, Baur & Stevens, dated 9-5-17 and 11-30-18, and known as Job No. 37523, included herein within the Easement attached hereto as EXHIBIT "A" and included herein.

Furthermore, DUKE ENERGY grants this Letter of No Objection under the following terms and conditions; REQUESTOR shall notify DUKE ENERGY within ten (10) business days upon resolution of the Vacate Request with Pinellas County, whether or not the outcome was favorable to REQUESTOR.

Tax Parcel IDs: 01-28-15-88560-135-0600 (Muller), 01-28-15-88560-135-0900 (Bennett), 01-28-15-88560-130-1100 (Bennett), and 01-28-15-88560-130-1200 (Schaefer)

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

Sincerely.

Kalen Mason

Real Estate Representative
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

6/11/2019

Sincerely,

Attn: Todd Pressman, President Pressman & Associates, Inc. 334 East Lake Rd, # 102 Palm Harbor, FL 34685 (727) 804-1760

RE: Petition to Vacate Portion of Illinois Ave adjacent to 702 9th St and 945 Illinois Ave Dear Mr. Pressman, ☐ Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided. M 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.

Stephen Waidley
Frontier Communications
Regional Rights of Way & Municipal Affairs Manager



Jay J. Beyrouti
Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
Karen Williams Seel
Kenneth T. Welch



December 12th, 2018

Todd Pressman
Pressman & Associates, Inc.
334 East Lake Rd. Ste.102
Palm Harbor, Fl. 34683

RE: Petition to Vacate:

Section 01, Township 28 S, Range 15 E, Pinellas County, FL. PID# 01/28/15/88560/135/0600
Petition to Vacate Alley Way and Right of Way:
920 Illinois Ave.
Palm Harbor, Fl. 34683

Dear Todd Pressman,

We are in receipt of your email dated December 7th, 2018 requesting a response to vacate an Alley Way and Right of Way located between and adjacent to the Parcel mentioned above. Pinellas County Utilities has a "No Objection" to the proposed vacation petition with the following condition. The condition is the Utility Easements you have attached need to be recorded and granted with Pinellas County Real Estate Management following the release of the proposed Right of Way and Alley Way. Pinellas County Utilities has water, sewer, and reclaimed water facilities within the proposed vacation. 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

www.pinellascounty.org



December 10, 2018

Todd Pressman 334 East Lake Rd., #102 Palm Harbor, FL 34685

RE:

Petition to Release: See attached Legal Description Section 02, Township 28 South, Range 15 East 920 Illinois Avenue, Palm Harbor, FL 34683

Dear Mr. Pressman,

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 tilegratt@tecoenergy.com.

Sincerely.

Taylor J. Leggatt Real Estate Services

Distribution Easement Coordinator



8/9/2019

To: Josh Rosado Real Estate Mgt-Pinellas County 509 East Avenue Clearwater, FL 33756

RE: Release of Easement Section 01, Township 28, Range 15 East Christopher & Laura Miller 920 Illinois Ave., Palm Harbor, FL 34683 Parcel ID # 01-28-15-88560-135-0600

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the petition to release the easement at the above referenced location. After reviewing the documents provided, TECO-PGS has <u>NO</u> objection to this release. If you have further questions, please do not hesitate to call.

Sincerely,

Joan Donining

Administrative Specialist, Senior Peoples Gas-Distribution Engineering

8416 Palm River Road

Office: 813-275-3783

Tampa, FL 13619



July 25, 2019

Todd Pressman
President , Pressman & Associates , Inc
334 East Lake Rd. #102, Palm Harbor , FL 34685

Attn: Todd Pressman

Re: 920 Illinois Ave. Palm Harbor , FL 34683

Thank you for advising Wide Open West (WOWI) of the subject project.

XXX WOW! Has "No Objection "with proposed Vacations .

Please refer any further correspondence to:

WOW!
Dave Hamiin
Construction Coordinator
3001 Gandy Bivd. N.
Pinelias Park, FL 33782

000

David E. Hamlin Jr.
Construction Project Coordinate

WOW

(727) - 239-0156 Office (678) - 409-8721 Cell



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.

CHRISTOPHER MULLER	1114
920 ILLINOIS AVE PALM HARBOR, FL \$4693	-31-18 00-27/03 PL
OP Board of Country	Commissioners \$ 350.00
The over of hundred both	mel 00/100 Dollars (1)
Bankof America	e atti
ACH BYT 080100877	Early of America Adventuge
7or	June 11 mil

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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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 177.101, 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.

ADVACENS BY BUILDING

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.

LAURA MULLER CHRISTOPHER MULLER	2210
920 ILLINOIS AVE PALM HARBOR, FL 34683-4231	12-8-19 43-27/831 FL 23088
Pay to the Board of Compre Co	Determination \$ 400.00
Bank of America	Land March
#1063100277# 0037648936	3 %= 5 5 7 0
	S-14-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1

FILE	No.:	PTV	1548	- Muller
BCC:	Dec	emb	er 18,	2020

SPECIAL INSTRUCTIONS

_{12/22/20} - 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.

_{12/29/20}- 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.

- 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.)

<u>PLEASE NOTE</u>: When the Request to Advertise package is delivered to Board Records/Norman, a copy of the ad is provided to Jo. Thank you.

1/6/21