



Pinellas County

Legislation Details (With Text)

File #: 22-2348A **Version:** 1

Type: County Attorney Item **Status:** Regular Agenda

File created: 12/22/2022 **In control:** County Attorney

On agenda: 1/17/2023 **Final action:**

Title: Proposed initiation of litigation in the case of Pinellas County v. Estancia Townes Homeowners Association, Inc. - action for declaratory and injunctive relief.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/17/2023	1	Board of County Commissioners	approved	Pass

Subject:

Proposed initiation of litigation in the case of Pinellas County v. Estancia Townes Homeowners Association, Inc. - action for declaratory and injunctive relief.

Recommended Action:

Approval and authorization for the County Attorney to initiate litigation in the case of Pinellas County v. Estancia Townes Homeowners Association, Inc.

Strategic Plan:

N/A

Summary:

A portion of Estancia Blvd. in Palm Harbor was retained and developed as common area for Estancia Townes and the developer subsequently transferred an "easement deed" to a private corporation. Historically, when the private road has fallen into disrepair, successors in interest to the holder of the "easement deed" have repaired the roadway. Eventually, however, the corporation purporting to hold title to the road was administratively dissolved. The private road is in disrepair with open holes in violation of the condominium site plan.

A Notice of Violation was previously issued for failure to maintain property in strict compliance with approved site plan in violation of Pinellas County Code 138-179, but compliance has not been achieved. Although Public Works previously placed a temporary cover over one hole, another hole has opened up.

This authorization includes bringing suit against all defendants that may be or become necessary to fully litigate this action for declaratory and injunctive relief.

Background Information:

On August 29, 2022, Code Enforcement issued the Notice of Violation.

Fiscal Impact:

Unknown.

Staff Member Responsible:

Jewel White, County Attorney

Christy Donovan Pemberton, Managing Assistant County Attorney

Partners:

N/A

Attachments:

N/A