



Pinellas County

Legislation Details (With Text)

File #: 16-1866A **Version:** 1

Type: Petition to Vacate **Status:** Passed

File created: 10/11/2016 **In control:** Board of County Commissioners

On agenda: 1/10/2017 **Final action:** 1/10/2017

Title: Termination, General Release and Vacation of Sewer Easements and Easements by Plat to Circle K Stores, Inc., Ken-Tre Addition to Pinellas Park, Florida, Official Record Plat Book 15, Page 21 in Section 31/30/16 (quasi-judicial hearing).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Recorded RES 17-01, 2. Final Letter to Petitioner, 3. Adopted RES 17-01, 4. Affidavit of Publication - Notice of Public Hearing, 5. Resolution Circle K Stores.pdf, 6. Notification Mailing to Affected Property Owners, 7. Map Exhibit of Parcels.pdf, 8. PTV 1514 Circle K Copy of Plat.pdf, 9. Location Map Circle K.pdf, 10. Advertising Packet.pdf, 11. Sketch and Legal Exhibit A.pdf, 12. Recorded Easements.pdf

Date	Ver.	Action By	Action	Result
1/10/2017	1	Board of County Commissioners	approved	Pass

Subject:

Termination, General Release and Vacation of Sewer Easements and Easements by Plat to Circle K Stores, Inc., Ken-Tre Addition to Pinellas Park, Florida, Official Record Plat Book 15, Page 21 in Section 31/30/16 (quasi-judicial hearing).

Recommended Action:

Consider granting the petition to vacate and the termination of easement by general release, and if granted, adopt the attached resolution pursuant to Florida State Statute 177.

Authorize the Clerk to attest and record the resolution in the public records of Pinellas County, in favor of Circle K Stores, Inc. (Circle K).

Strategic Plan:

Foster Continual Economic Growth and Vitality

4.1 Proactively attract and retain businesses with targeted jobs to the county and the region

Deliver First Class Services to the Public and Our Customers

5.2 Be responsible stewards of the public’s resources

5.3 Ensure effective and efficient delivery of county services and support

Summary:

The purpose of this action is to vacate and release easements for redevelopment of the subject property. Circle K’s proposed redevelopment requires the easements by plat and acquired by instrument be vacated and released, along with any interest in unrecorded easements that may be on the property.

Background Information:

Circle K proposes the redevelopment of the subject site with a convenience store, gas canopy, and car wash. The easements by Official Record (OR) Book and Page overlap the platted easements and also extend beyond the limits of the platted easements. The platted easements for roadway, drainage, utility, and sidewalk were dedicated to the public; the easements by OR Book and Page were granted to the South Cross Bayou Sanitary District and Pinellas County. The overlap of the easements will require a vacation of “possible unrecorded easements” where there are apparent gaps between recorded instruments.

County departments were queried and have no objection to the proposed vacation.

Letters of no objection were received from Bright House, Duke Energy, Pinellas County Utilities, TECO Electric, TECO People Gas, Verizon and WOW!.

The petition was properly advertised in accordance with Florida State Statute 177. Pursuant to the Real Property Division Procedures, notice was mailed by the Clerk of the Court to property owners within two hundred feet of the subject property. The Deputy Clerk will report to the Board any citizen support or opposition.

On October 26, 2016, through delegated authority, the County Administrator approved a variance to allow a single access to Circle K parcels along 54th Avenue North. The variance reduced access from three to one in the proposed development area.

Fiscal Impact:

The owner has paid the \$750.00 fee.

Staff Member Responsible:

Andrew W. Pupke, Director, Real Estate Management

Partners:

N/A

Attachments:

Resolution
Recorded Easements
Location Map
Sketch and Legal
Advertising Packet