



# Pinellas County

## Legislation Details (With Text)

**File #:** 22-1487A **Version:** 1  
**Type:** Petition to Vacate **Status:** Passed  
**File created:** 8/17/2022 **In control:** Board of County Commissioners  
**On agenda:** 9/22/2022 **Final action:** 9/22/2022  
**Title:** Petition of Pinellas County to vacate a portion of a thirty-foot-wide platted right-of-way, lying in Sections 08, Township 27 South, Range 16 East, Pinellas County, Florida (Legislative Hearing).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Second Affidavit of Publication, 2. Final Letter to Petitioner, 3. Recorded Resolution 22-82, 4. Adopted RES 22-82, 5. AATF - Resolution, 6. Exhibit A, 7. Project Location Map, 8. Powerpoint Presentation - McAlpin, 9. PTV Mcalpin Legal Ad Request v2, 10. PTV McAlpin\_Mail\_AddressLabels, 11. PTV Ad Mcalpin\_Schoderbock First Letter, 12. PTV Ad Mcalpin\_Schoderbock Electronic Affidavit of Publication, 13. PTV Ad Mcalpin\_Schoderbock Affidavit of Publication, 14. 2nd Notification Electronic Affidavit of Publication

Date	Ver.	Action By	Action	Result
9/22/2022	1	Board of County Commissioners	approved	Pass

### **Subject:**

Petition of Pinellas County to vacate a portion of a thirty-foot-wide platted right-of-way, lying in Sections 08, Township 27 South, Range 16 East, Pinellas County, Florida (Legislative Hearing).

### **Recommended Action:**

Consider granting petition of Pinellas County to vacate a portion of a thirty-foot-wide platted right-of-way, lying in Sections 08, Township 27 South, Range 16 East in Tarpon Springs; and if granted, adopt the attached Resolution pursuant to §336, Florida State Statutes.

- Thirty-foot-wide platted right-of-way lays adjacent to the property located at 0 North Highland Avenue, Tarpon Springs, as described in Exhibit A.
- Staff is requesting the vacation because it is related to previous exchange of property along North Highland Avenue. The right-of-way should not have been included in the original exchange.
- Approval will correct a scrivener's error in Resolution 22-16, previously approved by the Board of County Commissioners (Board) at the February 22, 2022 Board meeting and authorize the Chairman to execute corrective instruments, if any, as may be needed.
- If Petition is granted, the Board is asked to adopt the attached Resolution pursuant to §336, Florida State Statutes.

Authorize the Clerk of the Circuit Court to record the Resolution in the public records of Pinellas County.

**Strategic Plan:**

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 Petition is to vacate the thirty foot (30') wide right of way that lays adjacent to the property located at 0 North Highland Avenue in Tarpon Springs. Approval will remove any associated County maintenance responsibilities from the right-of-way and adds this property section to the tax rolls.

Staff has no objection to the vacation. Furthermore, no letters of objection were received from Frontier, Duke Energy, Spectrum, Pinellas County Utilities, TECO Electric, TECO Gas and WOW!

**Background Information:**

The Board previously approved Resolution 22-16 at the February 2, 2022 Board Meeting, which authorized an exchange of property along N Highland Avenue. Resolution 22-16 inadvertently included the referenced thirty foot (30') wide platted right-of-way and it is County's intent to vacate this portion in accordance with Section 336.09, Florida Statutes. By approval, Resolution 22-16 will be revised by the new Resolution, correcting references mistakenly identified or referenced therein. The vacation will remove any associated County maintenance responsibilities for this right-of-way and add the property section to the tax rolls.

The petition has been properly advertised in accordance with §336, Florida State Statutes. 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 and yard signs were placed on the property. The Deputy Clerk will report to the Board any citizen support or opposition.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Kelli Hammer Levy, Director, Public Works

**Partners:**

N/A

**Attachments:**

Resolution

Exhibit A

Project Location Map