



Staff Report

File #: 15-799, **Version:** 1

Agenda Date: 1/12/2016

Subject:

Petition of Jeffrey J. Bednarski and Julia A. Bednarski to vacate a portion of a 65-foot easement on Lot 10, Ozona Trail Subdivision (quasi-judicial hearing).

Recommended Action:

Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statute 177, and authorize the Clerk to attest and 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 subject petition seeks to vacate a portion of a sixty-five (65) foot easement on Lot 10, Ozona Trail Subdivision, to release encroachment of a deck and allow a screened enclosure to be constructed.

Background Information:

A site visit was held on September 9, 2014 and the existing deck was found to be within the top of bank of the Ozona Trail retention pond, and blocking access to a drainage pipe. The ten (10) foot area between the top of the bank and the pond is needed for maintenance. The petitioner was instructed to make changes to the request to keep the proposed structure from blocking access to the drainage pipe. The changes were submitted for review and the revised plan was accepted by County staff.

Fiscal Impact:

The owners have paid the \$750.00 fee.

Staff Member Responsible:

Andrew W. Pupke, Director, Real Estate Management

Partners:

N/A

Attachments:

Resolution

Location Map

Sketch and Legal

Advertising Packet

RESOLUTION NO. _____

RESOLUTION VACATING A PORTION OF A SIXTY FIVE FOOT EASEMENT ALONG THE SOUTH LINE OF LOT 10 OZONA TRAIL SUBDIVISION, SECTION 11, TOWNSHIP 28, RANGE 15 EAST, AS RECORDED IN PLAT BOOK 109, PAGE 77, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

WHEREAS, Jeffrey J. Bednarski and Julia A. Bednarski, petitioned this Board of County Commissioners to vacate the following described property:

Lands described in legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, vacating the requested easement will not have an adverse affect on the remaining easement area; and

WHEREAS, the Petitioner is the apparent owner of record of the portion of the plat requested to be vacated, and the vacation of such portion of the plat will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and

WHEREAS, the Petitioner has shown that the requested vacation will not cause injury to surrounding property owners; and

WHEREAS, the Petitioner has shown that all state and county taxes have been paid; and

WHEREAS, the Publisher's Affidavit, showing compliance with the notice requirements of Chapter 177.101 of the Florida Statutes, has been received by the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, in regular session duly assembled on this _____ day of _____, 20____, that the described property in the legal description attached hereto as Exhibit "A" and plat be hereby vacated, insofar as this Board of County Commissioners has the authority to do so.

BE IT FURTHER RESOLVED that this resolution and the proof of publication of the notice of public hearing, be recorded in the deed records of Pinellas County, Florida.

Commissioner _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____ and upon roll call, the vote was:

AYES:

NAYS:

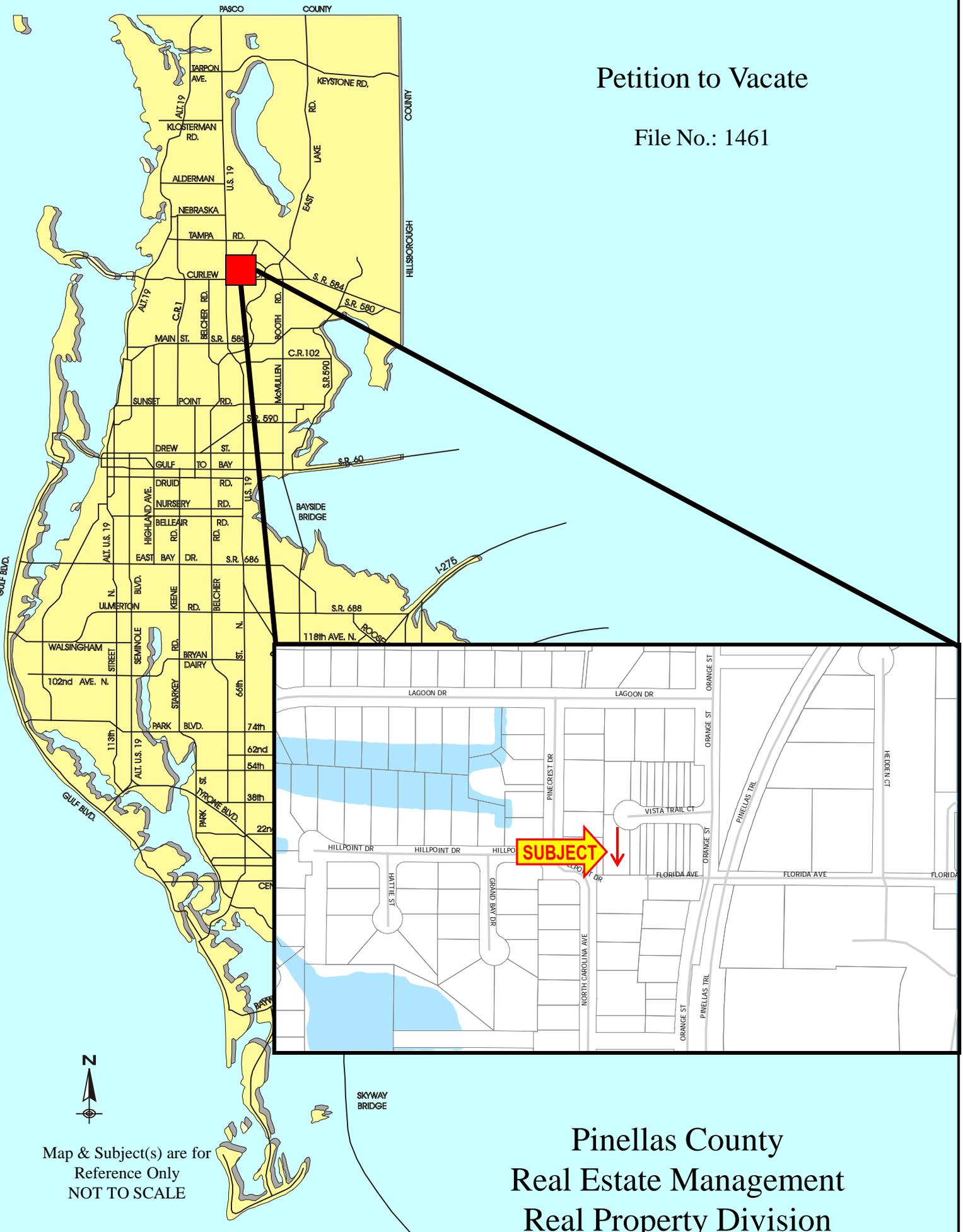
ABSENT AND NOT VOTING:

APPROVED AS TO FORM

By: Chelsea Hardy
Office of the County Attorney

Petition to Vacate

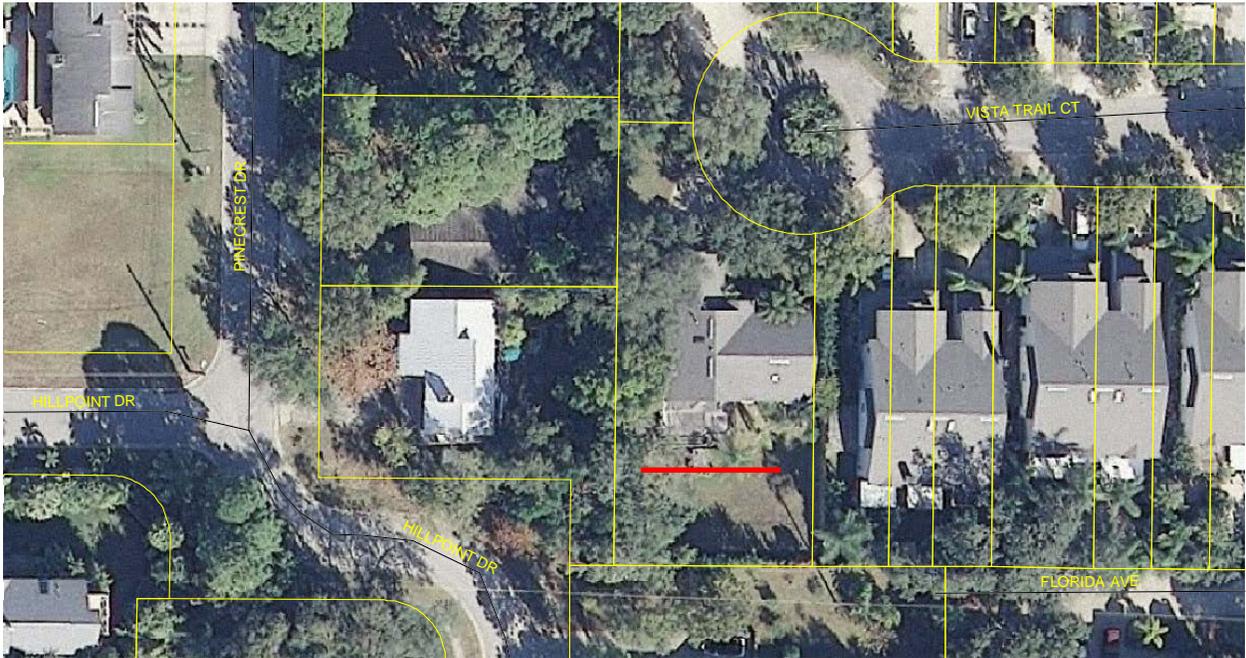
File No.: 1461



Map & Subject(s) are for Reference Only
NOT TO SCALE

Pinellas County
Real Estate Management
Real Property Division

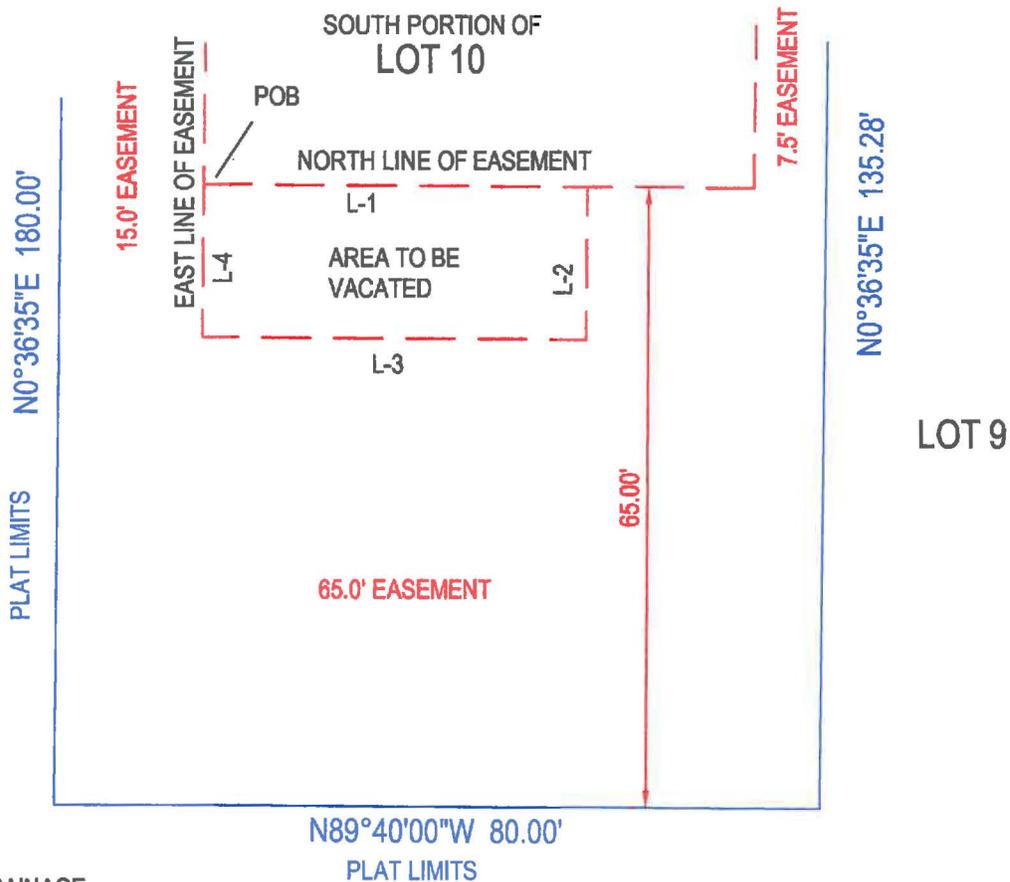
541 VISTA TRAIL COURT FILE NO. 15-799 BEDNARSKI



SEE PAGE 2 FOR LEGAL DESCRIPTION

LEGAL DESCRIPTION AND SKETCH OF AREA TO BE VACATED:

A PART OF THE 65.00 FOOT EASEMENT ON THE SOUTH PORTION OF LOT 10, OZONA TRAIL, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 109, PAGE 77, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA



ALL EASEMENTS ARE DRAINAGE, UTILITY & MAINTENANCE EASEMENTS PER PLAT

LEGEND:

POB = POINT OF BEGINNING = INTERSECTION OF NORTH LINE OF 65' EASEMENT WITH EAST LINE OF 15' EASEMENT

- L-1 = S89°40'00"E 40.00'
- L-2 = S00°36'35"W 16.00'
- L-3 = N89°40'00"W 40.00'
- L-4 = N00°36'35"E 16.00'

NOT A SURVEY

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.027, OF THE FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

Surveyor & Mapper Number 4636

DATE SIGNED 6-3-2014



SCALE: 1" = 20'

Know It Now, Inc.

Florida Business Certificate Of Authorization Number LB 6912

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



FLORIDASURVEYOR@AOL.COM

BILL HYATT

PAGE 2 OF 2

SEE PAGE 1 FOR
SKETCH

LEGAL DESCRIPTION AND SKETCH OF AREA TO BE VACATED:

A PART OF THE 65.00 FOOT EASEMENT ON THE SOUTH PORTION OF LOT 10,
OZONA TRAIL, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 109,
PAGE 77, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

LEGAL DESCRIPTION:

BEING A PORTION OF 65 FOOT EASEMENT ON THE SOUTH PORTION OF LOT 10,
OZONA TRAIL, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 109,
PAGE 77, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE POINT OF INTERSECTION OF
THE EAST LINE OF A 15 FOOT EASEMENT ALONG THE WEST SIDE OF SAID LOT 10
WITH THE NORTH LINE OF A 65 FOOT EASEMENT ALONG THE SOUTH SIDE OF
SAID LOT 10; THENCE DEPART THE EAST LINE AFOREMENTIONED AND RUN
ALONG THE NORTH LINE AFOREMENTIONED, S89°40'00"E, A DISTANCE OF 40.00
FEET; THENCE DEPARTING SAID NORTH LINE AND RUN S00°36'35"W, A DISTANCE
OF 16.00 FEET; THENCE RUN N89°40'00"W, A DISTANCE OF 40.00 FEET; THENCE
RUN N00°36'35"E, A DISTANCE OF 16.00 FEET TO THE POINT AND PLACE OF THE
BEGINNING.

CONTAINING 640 SQUARE FEET.

Reviewed by: CH SBR
Date: 7-28-14
SFN # SD1-1461

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LOCATION = 2011 HEIDELBERG AVENUE, DUNEDIN, FL
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