

RESOLUTION NO. 21-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING RESOLUTION 18-16 TO CORRECT SCRIVENERS ERRORS IN THE LEGAL DESCRIPTIONS CONTAINED IN EXHIBITS "A" AND "B" OF RESOLUTION 18-16; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at a regular meeting held by the Mayor and City Council of the City of Pinellas Park, Florida, on July 26, 2018, Resolution No. 18-16, attached hereto as Exhibit "1," recorded in Official Records Book 20154, Pages 973-976, was adopted approving the vacation of the portion of the 16 feet wide east/west alley for a distance approximately of 254 feet east of 46th Street N. and between 73rd Avenue N. and Park Boulevard, and retaining a perpetual multi-purpose easement over the entire right-of-way to be vacated.

WHEREAS, it has now come to the attention of the City that, due to scrivener's errors, the legal descriptions contained in Resolution 18-16 Exhibit "A" and Exhibit "B" are incorrect, and the City Council wishes to correct the foregoing errors.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: The legal description in Exhibit "A" of Resolution No. 18-16 describing the portion of the alley to be vacated is amended to read as set forth on Exhibit "2" attached hereto and incorporated herein by reference in order to correctly identify the area being vacated.

SECTION TWO: The legal description in Exhibit "B" of Resolution No. 18-16 describing the perpetual multi-purpose

easement is amended to read as set forth on Exhibit "3" attached hereto and incorporated herein by reference in order to correctly identify the area of the perpetual easement.

SECTION THREE: That this Resolution shall be in full force and effect immediately upon its adoption and approval in the manner provided by law. To the extent this Resolution conflicts with any prior Resolutions herein, this Resolution shall govern.

FIRST READING _____ DAY OF _____, 2021.

ADOPTED THIS _____ DAY OF _____, 2021.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2021.

Sandra L. Bradbury
MAYOR

ATTEST:

Diane M. Corna, MMC
CITY CLERK

EXHIBIT "1"

RESOLUTION NO. 18-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING THE WEST 254 FEET PORTION OF A 16 FOOT WIDE ALLEY GENERALLY LOCATED EAST OF 46TH STREET BETWEEN 73RD AVENUE AND PARK BOULEVARD; PROVIDING FOR AN EFFECTIVE DATE. (V 2018-6, BDG 4590 PARK, LLC)

WHEREAS, the City of Pinellas Park has received a petition to vacate portions of the 16 foot wide east/west alley for a distance of 254 feet east of 46th Street and between 73rd Avenue and Park Boulevard; and

WHEREAS, the Planning and Zoning Commission has recommended to City Council that said right-of-way serves no useful purpose and it is in the general interest of the public that the same be vacated, discontinued and closed; and

WHEREAS, the City Council has determined the need for a perpetual multi-purpose easement over the entire right-of-way to be vacated.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That the following described portion of right-of-way over and under, above and across the following described real property be and the same are hereby vacated:

THE PORTION OF LAND LEGALLY DESCRIBED IN **EXHIBIT "A"**, WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

SECTION TWO: That a perpetual multi-purpose easement is

hereby retained over and across the following described real property:

THE PORTION OF LAND LEGALLY DESCRIBED IN EXHIBIT "B" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

SECTION THREE: That this Resolution shall be in full force and effect immediately upon its adoption and approval in the manner provided by law.

PUBLISHED THE 13th DAY OF July, 2018.

FIRST READING 26th DAY OF July, 2018.

PUBLIC HEARING THE 26th DAY OF July, 2018.

ADOPTED THIS 26th DAY OF July, 2018.

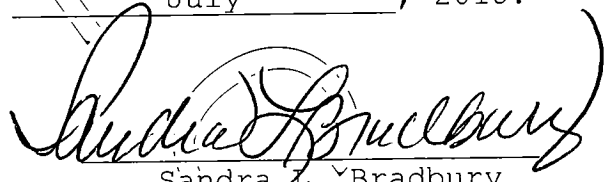
AYES: (5) Council Members; Butler, Johnson, Mullins, Sabiel, Mayor Bradbury

NAYES: (0)

ABSENT: (0)

ABSTAIN: (0)

APPROVED THIS 26th DAY OF July, 2018.


Sandra L. Bradbury
MAYOR

ATTEST:

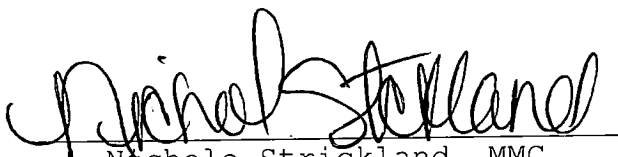

Nichole Strickland, MMC
DEPUTY CITY CLERK

Exhibit "A"

THAT PART OF A 16 FEET WIDE ALLEY WITHIN BLOCK C OF BOULEVARD PARK, AS RECORDED IN PLAT BOOK 7, PAGE 21, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING SOUTHERLY OF THE WEST HALF OF LOT 8, LYING SOUTHERLY OF LOTS 9-13, NORTHERLY OF LOTS 14-18 AND NORTHERLY OF THE WEST HALF OF LOT 19, SAID BLOCK C AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 14, BLOCK C OF SAID BOULEVARD PARK, THENCE PROCEEDING NORTH 00 DEGREES 36 MINUTES, 14 SECONDS, WEST ALONG THE EAST RIGHT-OF-WAY LINE OF 46TH STREET NORTH (PALM STREET PER PLAT), A DISTANCE OF 127.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE SAID 16 FEET WIDE ALLEY AND THE NORTHWEST CORNER OF LOT 14, SAID POINT BEING THE POINT OF BEGINNING: THENCE NORTH 89 DEGREES, 39 MINUTES, 15 SECONDS EAST, A DISTANCE OF 254.12 FEET TO A POINT ON THE WEST BOUNDARY OF THE WEST ½ OF LOT 19, SAID BLOCK C: THENCE NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, A DISTANCE OF 16.00 FEET TO THE SOUTHEAST CORNER OF THE WEST ½ OF LOT 8; (THENCE) SOUTH 89 DEGREES 39 MINUTES 15 SECONDS WEST, A DISTANCE OF 254.19 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 46TH STREET NORTH (PALM STREET PER PLAT); THENCE SOUTH 00 DEGREES 36 MINUTES 14 SECONDS EAST, 16.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 2,032 SQUARE FEET OF 0.0466 ACRES, MORE OR LESS

Exhibit "B"

THAT PART OF A 16 FEET WIDE ALLEY WITHIN BLOCK C OF BOULEVARD PARK, AS RECORDED IN PLAT BOOK 7, PAGE 21, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING SOUTHERLY OF THE WEST HALF OF LOT 8, LYING SOUTHERLY OF LOTS 9-13, NORTHERLY OF LOTS 14-18 AND NORTHERLY OF THE WEST HALF OF LOT 19, SAID BLOCK C AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID TRACT OF LAND CONTAINING 2,032 SQUARE FEET OF 0.0466 ACRES, MORE OR LESS

SPECIFIC PURPOSE SURVEY
LEGAL DESCRIPTION FOR
16 FOOT ALLEY TO BE VACATED

EXHIBIT "2"

THAT PART OF A 16 FOOT ALLEY WITHIN BLOCK C OF BOULEVARD PARK, AS RECORDED IN PLAT BOOK 7, PAGE 21, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING SOUTHERLY OF THE WEST HALF OF LOT 8, SOUTHERLY OF LOTS 9-13, NORTHERLY OF LOTS 14-18 AND NORTHERLY OF THE WEST HALF OF LOT 19, SAID BLOCK C AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 14, BLOCK C OF SAID BOULEVARD PARK, THENCE PROCEEDING NORTH 00°36'14" WEST, ALONG THE EAST RIGHT OF WAY LINE OF 46TH STREET NORTH (PALM STREET PER PLAT), A DISTANCE OF 127.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE SAID 16 FOOT ALLEY AND THE NORTHWEST CORNER OF LOT 14, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 89°39'15" EAST, A DISTANCE OF 254.12 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF LOT 19, SAID BLOCK C; THENCE NORTH 00°20'45" WEST, A DISTANCE OF 16.00 FEET TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF LOT 8; THENCE SOUTH 89°39'15" WEST, A DISTANCE OF 254.19 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 46TH STREET NORTH (PALM STREET PER PLAT); THENCE SOUTH 00°36'14" EAST, 16.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 4,066.46 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

Exhibit "2" - Page 1

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR SKETCH

SECTION	TOWNSHIP	RANGE	COUNTY, STATE
27	30S	16E	PINELLAS COUYNTRY, FLORIDA



AMERICAN SURVEYING INC.
L.B. #7168

4847 NORTH FLORIDA AVENUE
TAMPA, FLORIDA 33603

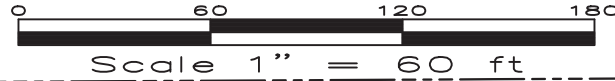
PH. (813)234-0103 • FAX (813)234-0108

PREPARED FOR:

BDG 4590 PARK, LLC

REVISIONS	PROJECT NO.:	02002917C	DATE:	04/24/2018	CC.:		DWN.:	RJB	APRVD.:	JWS
	PROJECT NO.:	02002917C	DESCRIPTION			DATE	DWN.	LCN	APRVD.	JWS
		02002917C	CLIENTS COMMENTS & CHANGED SURVEYOR OF RECORD			06/24/19		LCN		JWS
		02002917C	CLIENTS COMMENTS - REVISED LEGAL DESCRIPTION			12/19/19		LCN		JWS
		02002917C	CLIENTS COMMENTS			11/3/21		LCN		JWS

SPECIFIC PURPOSE SURVEY
16 FOOT ALLEY TO BE VACATED
(NOT A BOUNDARY SURVEY)



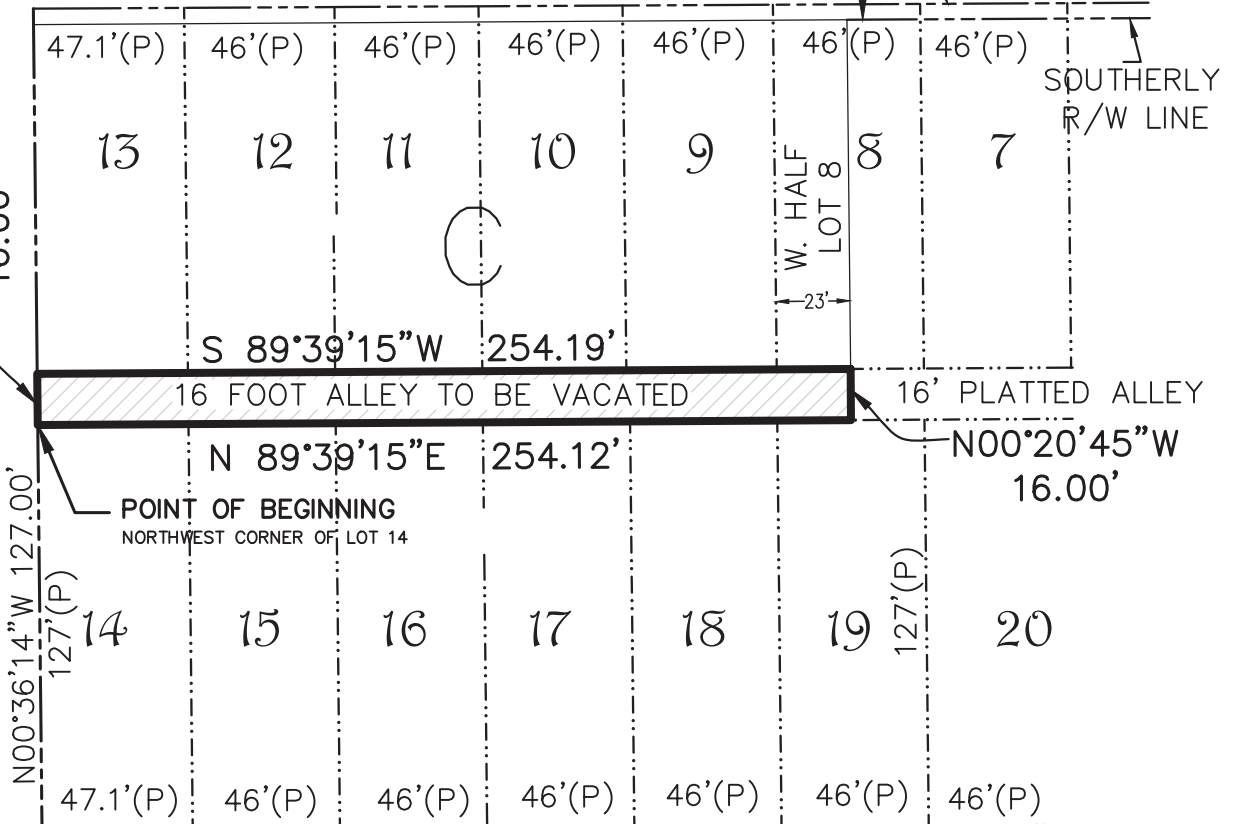
PARK BOULEVARD
(S.R. 694) (74th AVENUE)
100' PUBLIC R/W(P) - ASPHALT PAVEMENT

100' R/W PER
FDOT R/W
MAP SECTION
1506-250

NORTH LINE
OF BLOCK "C"

46th STREET NORTH

PALM STREET(P)
60' PUBLIC R/W(P)
ASPHALT PAVEMENT
S00°36'14"E
16.00'



POINT OF
COMMENCEMENT
SOUTHWEST CORNER OF
LOT 14 & BLOCK 'C'

73rd AVENUE NORTH
MAGNOLIA AVENUE(P)
60' PUBLIC R/W(P) - 19± ASPHALT PAVEMENT

Exhibit "2" - Page 2

SHEET 1 OF 2
SEE SHEET 2 OF 2 FOR
LEGAL DESCRIPTION

SECTION 27 TOWNSHIP 30S RANGE 16E COUNTY, STATE
PINELLAS COUYNTRY, FLORIDA

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN COMPLIANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYS IN FLORIDA AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE CHAPTER 472.027.

John W
Strachan

Digitally signed by John W
Strachan
Date: 2021.11.03 14:31:37
-04'00'



06/24/2019

JOHN W. STRACHAN - PROFESSIONAL SURVEYOR AND MAPPER #6312 DATE OF SKETCH
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER OR ITS ELECTRONIC EQUIVALENT

AMERICAN SURVEYING INC.
L.B. #7168



4847 NORTH FLORIDA AVENUE
TAMPA, FLORIDA 33603

PH. (813)234-0103 • FAX (813)234-0108

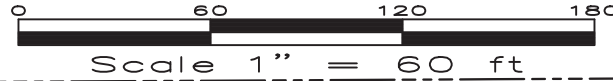
PREPARED FOR:

BDG 4590 PARK, LLC

PROJECT NO.:	DATE:	CC.:	DWN.:	APRVD.:
02002917C	04/24/2018		RJB	JWS
PROJECT NO.:	DESCRIPTION	DATE	DWN.	APRVD.
02002917C	CLIENTS COMMENTS & CHANGED SURVEYOR OF RECORD	6/24/19	LCN	JWS
02002917C	CLIENTS COMMENTS - REVISED LEGAL DESCRIPTION	12/19/19	LCN	JWS
02002917C	CLIENTS COMMENTS	11/9/21		

SPECIFIC PURPOSE SURVEY
PERPETUAL MULTI-PURPOSE EASEMENT
(NOT A BOUNDARY SURVEY)

EXHIBIT "3"



PARK BOULEVARD
(S.R. 694) (74th AVENUE)
100' PUBLIC R/W(P) - ASPHALT PAVEMENT

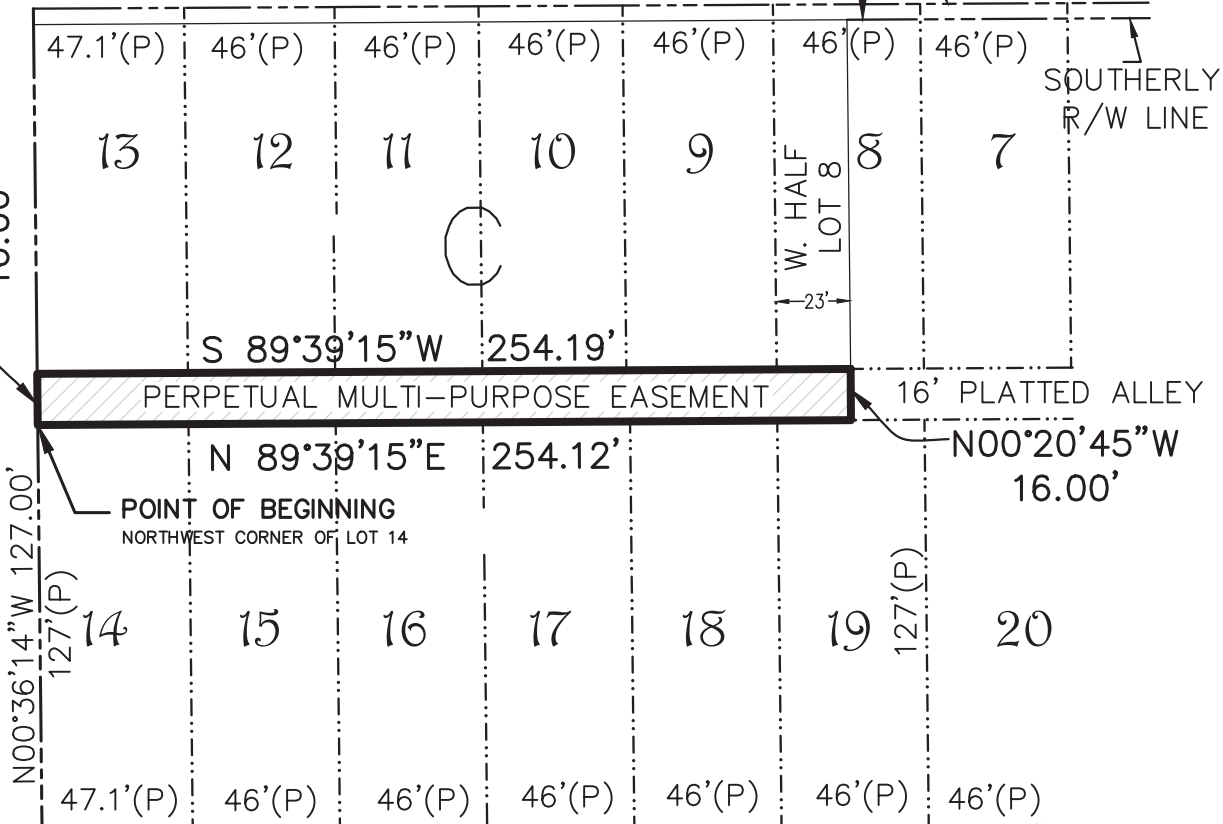
100' R/W PER
FDOT R/W
MAP SECTION
1506-250

NORTH LINE
OF BLOCK "C"

SOUTHERLY
R/W LINE

46th STREET NORTH

PALM STREET(P)
60' PUBLIC R/W(P)
ASPHALT PAVEMENT
S00°36'14"E
16.00'



POINT OF
COMMENCEMENT
SOUTHWEST CORNER OF
LOT 14 & BLOCK 'C'

73rd AVENUE NORTH
MAGNOLIA AVENUE(P)
60' PUBLIC R/W(P) - 19± ASPHALT PAVEMENT

Exhibit "3" - Page 1

SHEET 1 OF 2
SEE SHEET 2 OF 2 FOR
LEGAL DESCRIPTION

SECTION TOWNSHIP RANGE COUNTY, STATE
27 30S 16E PINELLAS COUYNTRY, FLORIDA

SURVEYOR'S CERTIFICATE

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John W Strachan

Digitally signed by John W
Strachan
Date: 2021.11.16 09:12:28 -05'00'



06/24/2019

JOHN W. STRACHAN - PROFESSIONAL SURVEYOR AND MAPPER #6312 DATE OF SKETCH
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
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PREPARED FOR:

BDG 4590 PARK, LLC

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02002917C	04/24/2018		RJB	JWS
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02002917C	CLIENTS COMMENTS - REVISED LEGAL DESCRIPTION	12/19/19	LCN	JWS
02002917C	CLIENTS COMMENTS	11/9/21	LCN	JWS
02002917C	CLIENTS COMMENTS	11/16/21	LCN	JWS

SPECIFIC PURPOSE SURVEY
LEGAL DESCRIPTION FOR
PERPETUAL MULTI-PURPOSE EASEMENT

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SAID TRACT OF LAND CONTAINING 4,066.46 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

Exhibit "3" - Page 2

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR SKETCH

SECTION	TOWNSHIP	RANGE	COUNTY, STATE
27	30S	16E	PINELLAS COUYNTRY, FLORIDA



AMERICAN SURVEYING INC.
L.B. #7168

4847 NORTH FLORIDA AVENUE
TAMPA, FLORIDA 33603

PH. (813)234-0103 • FAX (813)234-0108

PREPARED FOR:

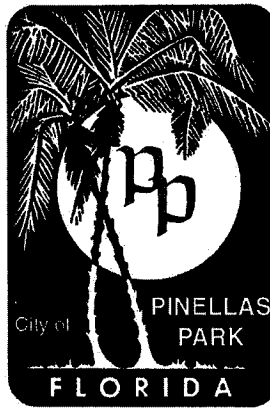
BDG 4590 PARK, LLC

REVISIONS	PROJECT NO.: 02002917C		DATE: 04/24/2018	CC.:	DWN.: RJB	APRVD.: JWS
	PROJECT NO.:	DESCRIPTION		DATE	DWN.	APRVD.
	02002917C	CLIENTS COMMENTS & CHANGED SURVEYOR OF RECORD		6/24/19	LCN	JWS
	02002917C	CLIENTS COMMENTS - REVISED LEGAL DESCRIPTION		12/19/19	LCN	JWS
	02002917C	CLIENTS COMMENTS		11/3/21	LCN	JWS
	02002917C	CLIENTS COMMENTS		11/16/21	LCN	JWS

City of

PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



FLORIDA

PHONE • (727) 369-0700
FAX • (727) 544-7448

Please Respond To:

James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

November 19, 2021

Ms. Erica Lindquist
Planning & Development Services Manager
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #21-306
Resolution to Amend Resolution 18-16

Dear Ms. Lindquist:

We have received and reviewed the above-referenced Resolution Amending Resolution 18-16 to correct scrivener's errors contained in the legal descriptions in Exhibits A and B of Resolution 18-16.

Attached is a revised Resolution, which includes changes to both the title and body of the Resolution. As this Resolution is simply correcting a scrivener's error in a previous Resolution, there is no requirement for such Resolution to be advertised and no requirement for a public hearing. In order to eliminate any confusion, rather than using letters for the attached Exhibits, you will note that I have revised the Resolution to refer to Exhibits 1, 2 and 3. Exhibit 1, which is Resolution 18-16 (including Exhibits A and B), should be labeled as Exhibit 1 on the bottom right hand corner of each page. Exhibit 2 (which the City had previously labeled as Exhibit A-1) should be re-labeled to Exhibit 2 and the label "Exhibit 2" should be included on the bottom right hand corner of each page. Exhibit 3 (which was previously labeled as Exhibit B-1) should be re-labeled as Exhibit 3, and the label should appear on the bottom right hand corner of each page of Exhibit 3.



PRINTED ON RECYCLED PAPER

Ms. Erica Lindquist
November 19, 2021
Page 2

If you have any questions, please do not hesitate to give our office a call.

Very truly yours,

A handwritten signature in black ink, reading "Lauren C. Rubenstein". The signature is fluid and cursive, with the first name "Lauren" being larger and more prominent than the last name "Rubenstein".

Lauren C. Rubenstein
Assistant City Attorney

Attachment

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Bart Diebold, Assistant City Manger
Lisa Hendrickson, Assistant City Manager
Ben Ziskal, Community Development Administrator
Nick Colonna, Planning & Development Services Director

LCR/dh

21-306.11192021.LEL.Res to Amend Res 18-16.wpd