

RESOLUTION NO. 19-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, VACATING A 16-FOOT WIDE BY 254-FOOT LONG EASEMENT TO THE WEST HALF OF LOT 8 AND LOTS 9 - 19 OF BLOCK C IN THE BOULEVARD PARK SUBDIVISION; PROVIDING FOR AN EFFECTIVE DATE. (V 2019-1, BDG 4590 PARK, LLC)

WHEREAS, the property owner desires to vacate a 16-foot wide by 254-foot long (MOL) easement, originally created via Resolution 18-16 as recorded in Official Record Book 20154, Pages 973-976 of the Public Records of Pinellas County, Florida (Exhibit "A"), and located on the property addressed as 4590 Park Boulevard and generally located on the east side of 46th Street N, between Park Boulevard and 73rd Avenue N; and

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

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 easement over, under, above, across, and through the following described real property be and the same are hereby vacated:

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

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

PUBLISHED THE _____ DAY OF _____, 2020.

FIRST READING _____ DAY OF _____, 2020.

PUBLIC HEARING THE _____ DAY OF _____, 2020.

ADOPTED THIS _____ DAY OF _____, 2020.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2020.

Sandra L. Bradbury
MAYOR

ATTEST:

Diane M. Corna, MMC
CITY CLERK

I#: 2018247564 BK: 20154 PG: 973, 08/03/2018 at 12:12 PM, RECORDING 4 PAGES
\$35.50 KEN BURKE, CLERK OF COURT AND COMPTROLLER PINELLAS COUNTY, FL BY
DEPUTY CLERK: CLK101097

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.

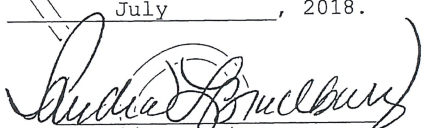
AYES: (5) Council Members; Butler, Johnson, Mullins, Sabiel, Mayor Bradbury

NAYES: (0)

ABSENT: (0)

ABSTAIN: (0)

APPROVED THIS 26th DAY OF July, 2018.


Sandra L. Bradbury
MAYOR

ATTEST:

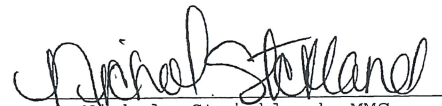

Nichole Strickland, MMC
DEPUTY CITY CLERK

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"

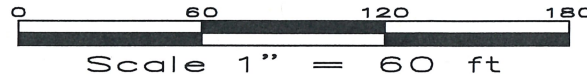
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SAID TRACT OF LAND CONTAINING 2,032 SQUARE FEET OF 0.0466 ACRES, MORE OR LESS

SPECIFIC PURPOSE SURVEY

16 FOOT EASEMENT PER O.R. BOOK 20154, PAGE 973
(NOT A BOUNDARY SURVEY)

**PARK BOULEVARD**

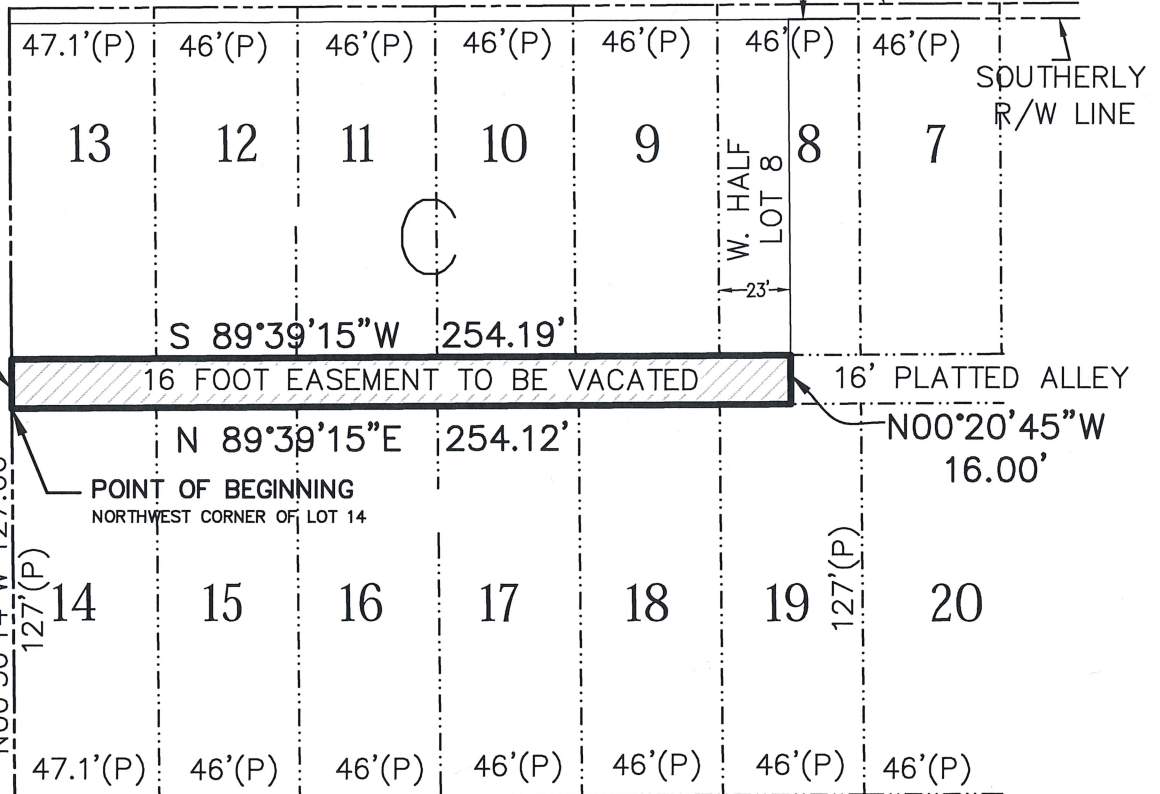
(S.R. 694) (74th AVENUE)
100' PUBLIC R/W(P) - ASPHALT PAVEMENT

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'

**73rd AVENUE NORTH**

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

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

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

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: 2019.12.19 16:57:19 -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
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

SPECIFIC PURPOSE SURVEY

LEGAL DESCRIPTION FOR

16 FOOT EASEMENT PER O.R. BOOK 20154, PAGE 973

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

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

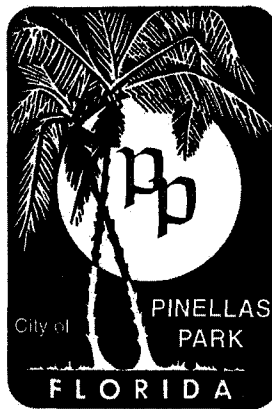
PREPARED FOR:

BDG 4590 PARK, LLC

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	

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, 2019

Mr. Robert G. Tefft
Principal Planner
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #19-362
Resolution for Vacation of Easement

Dear Mr. Tefft:

I have received and reviewed the above-referenced Resolution for vacation of an easement. Assuming the legal description provided in Exhibit A is correct, I would approve of the vacation Resolution as to form and correctness.

Very truly yours,

Lauren C. Rubenstein
Assistant City Attorney

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Benjamin Ziskal, Community Development Administrator

LCR/dh

19-362.11192019.LRT.Res for Vacation of Easement.wpd



PRINTED ON RECYCLED PAPER



I. APPLICATION DATA

- A. **Case Number:** V 2019-1
- B. **Location:** 4590 Park Boulevard (southeast corner of Park Blvd and 46th Street N.)
- C. **Request:** Vacation of a 16-foot wide by 254-foot long multi-purpose easement located within the subject property.
- D. **Applicant:** Carlos A. Yepes / Christian A. Yepes
- E. **Utility Releases:** All utility releases have been sent and responses received.
- F. **Legal Ad Text:** Vacation of a multi-purpose easement.
- G. **Public Hearings:**
 - Planning and Zoning Commission Hearing Date:** November 7, 2019
 - Deadline to Send Public Hearing Notices:** October 18, 2019
 - Advertising Deadline:** October 11, 2019 (submitted), October 25, 2019 (published)
 - City Council Hearing Date:** November 26, 2019
 - Deadline to Send Public Hearing Notices:** November 6, 2019
 - Advertising Deadline:** November 6, 2019 (submitted), November 8, 2019 (published)

II. BACKGROUND INFORMATION

At its meeting of July 26, 2018, the City Council approved Resolution No. 18-16 vacating the west 254-foot portion of a 16-foot wide alley generally located east of 46th Street between 73rd Avenue and Park Boulevard, while retaining a perpetual multi-purpose easement over the vacation area.

The applicant is in the process of developing the subject property and will be removing and relocating the public sanitary sewer line that exists within the easement area elsewhere on the property, and granting the City a new sewer and access easement.

III. APPLICABLE CRITERIA / CONSIDERATIONS

- A. **Comprehensive Plan and Community Redevelopment Plan:**
 - 1. **Relevant Comprehensive Plan Goals, Objectives and Policies:**
 - POLICY T.1.4.1*
Avoid the vacation of rights-of-way, alleys, or easements if they serve a purpose, provide principal or secondary access to a parcel.
 - POLICY T.1.4.2*
When vacating a right-of-way, alley, or access easement that affects an existing or future utility, require the retention or dedication of an easement for an existing or proposed utility.
 - 2. **Relevant Community Redevelopment Plan Issues, Goals, Objectives and Policies:**
 - GOAL: Establish Downtown as a Place of Balance, Diversity, and Vitality:*
 - OBJECTIVE: Enhance Downtown as an attraction for residents, workers, shoppers and tourists.*

POLICY: A strong retail component shall be developed within the Town Center to attract local residents.

GOAL: To Establish a Sense of Place and Quality:

OBJECTIVE: Achieve quality redevelopment and a new construction through a development review process.

POLICY: The zoning standards (setbacks, height, buffer, parking, etc.) shall be reviewed and if necessary revised to ensure quality infill and redevelopment.

3. Staff Analysis:

The proposed vacation of the easement will not result in a detriment of service to any adjacent property, and all utilities located therein shall be relocated as part of the associated development.

B. Land Development Code Standards:

1. Key Standards:

Article 18. Vacations of Rights-of-Way and Easements

Sec. 18-1801.1. - GENERAL PROCEDURES FOR VACATIONS OF RIGHTS-OF-WAY OR EASEMENTS.

- (A) Request for vacation of rights-of-way or easements shall be submitted to the Zoning Division on an application form provided by the City, along with the required filing fee. The applicant shall provide notice, by certified mail/return receipt requested, to all owners of property abutting the right-of-way or easement to be vacated, notifying said abutting property owners that the applicant has applied for the vacation of a right-of-way or easement and enclosing a copy of the application. The applicant shall provide documentation to the City that he has complied with the notice requirements herein. If the applicant is the sole owner of all abutting property, such proof shall not be required. In the event the certified notice has been refused or not retrieved by an abutting property owner, the applicant shall provide documentation thereof and shall send the notice to the said property owner by U.S. Mail.
- (B) The applicant shall include with the application utility releases from the affected telephone, electrical, gas and cable utilities, as well as the Pinellas Park Water Management District. In addition the City may require utility releases from other agencies which have jurisdiction on the property to be vacated.
- (C) The City may notify affected City divisions and departments of the application for vacation and request recommendations. The various reviewing divisions and departments shall review the request for vacation and provide recommendations to the City. The various reviewing divisions and departments shall consider whether the right-of-way or easement is needed for existing or future public use. In the review of the application for a right-of-way, the City shall assess whether or not all or part of the right-of-way should be retained or converted to an easement. In reviewing the request for the vacation of an easement, the City shall assess whether or not all or part of the easement should be retained.

Sec. 18-1801.2. - EASEMENTS.

- (A) The City Staff shall prepare a Staff report either recommending approval, approval with modification or denial of the vacation request.
- (B) At least seven (7) days prior to the public hearing before City Council, the City Staff shall provide notice by U.S. Mail to all abutting property owners of the application for vacation and the date, time and place of the public hearing thereon. For purposes of this Section notification shall be deemed complete upon mailing. The City shall also place an advertisement in a newspaper of general circulation in the City, which provides notice of the time and date of the public hearing and identifying the case. Failure to notify all of the abutting property owners as shown on the records of the Pinellas County Property Appraisers Office shall not constitute grounds for re-advertising the public hearing or conducting additional public hearings, and shall not affect any action or proceeding on the application for vacation.
- (C) A vacation resolution, requiring a public hearing first and final reading, shall be presented to City Council. City Council may take action on the Resolution upon conclusion of the first reading and public hearing.

2. Staff Analysis:

The Land Development Code (LDC) does not include any criteria pertaining to the approval or denial for applications to vacate easements. The LDC does, however, include the above referenced Sections that

detail the process by which such vacations may be applied for and processed, including notification and public hearings. This application is in compliance with regard to these provisions.

C. Essential Services Review:

The proposed easement vacation has been reviewed by all relevant departments/divisions of the City, as well as various utility service providers. While no objections have been received as to the proposed easement vacation from any of the reviewing entities, the Public Works Department has indicated that their approval is contingent upon the relocation of the existing sanitary sewer pipe within the easement and the provision of a new easement.

IV. SUMMARY

A. Findings:

Based on the information and analysis contained in this report, staff finds as follows:

1. That the vacation request concerns a 16-foot wide by 254-foot long multi-purpose easement located on the property addressed as 4590 Park Boulevard (southeast corner of Park Blvd and 46th Street N.);
2. That the various utility companies been notified of the City's intent to consider the vacation of the aforementioned easement and that said utility companies have no objection to such;
3. That the existing sanitary sewer pipe shall be relocated with new easement provided;
4. That the easement vacation is consistent with the applicable Goals, Objectives and Policies of the Comprehensive Plan; and,
5. That the easement vacation is consistent with the applicable Issues, Goals, Objectives and Policies of the Community Redevelopment Plan.

B. Staff Recommendation:

Consistent with the above identified findings, and subject to such additional findings of fact as are established at a public hearing, if applicable, staff recommends **APPROVAL** of case number V 2019-1, subject to the condition that the existing sanitary sewer pipe is relocated with a new easement provided.

Community Development Administrator:

 10/28/19

V. ACTION

PLANNING AND ZONING COMMISSION – MOVE TO:

- A. RECOMMEND APPROVAL
- B. RECOMMEND APPROVAL WITH CONDITIONS
- C. RECOMMEND DENIAL

VI. ATTACHMENTS

Exhibit A: Application

Exhibit B: Sketch and Description of Easement to be Vacated

Exhibit C: Aerial Map

Exhibit D: Land Use Plan Map

Exhibit E: Zoning Map

Exhibit F: Utility Provider Comments

City of Pinellas Park, Florida

APPLICATION FOR VACATION OF EASEMENTS OR RIGHTS-OF-WAY

**

FOR OFFICE USE ONLY

CASE # V 2019-1 UTILITY/MAIL RECEIPTS: _____ PZ MEETING: 11/7/19 CC MEETING: 11/26/19

PLAT SHEET: _____ RELATED CASES: _____ RECEIPT NUMBER: _____

ZONING DISTRICT: _____ LAND USE DESIGNATION: _____ DATE RECEIVED: _____

**

REQUEST AND PROPERTY INFORMATION

GENERAL LOCATION OF PROPERTY TO BE VACATED: 4590 Park Boulevard, Pinellas Park (southeast coner of Park Boulevard N. and 46th Street N.)

REASON FOR VACATION REQUEST: Applicant is requesting to vacate the multi-purpose easement which was retained pursuant to Section Two of Resolution No. 18-16, recorded in O.R. Book 20154, Page 973 of the Public Records, as Applicant will be removing the public sanitary sewer line in the easement area described on Exhibit "A" attached hereto upon re-development of the property, and will be relocating said sewer line on Applicant's property and granting the City of Pinellas Park a new sewer and access easement to be recorded in the Public Records.

AN EXACT LEGAL DESCRIPTION OF THE PROPERTY TO BE VACATED MUST BE SUBMITTED. THE CITY SUGGESTS THE APPLICANT CONTACT A REGISTERED SURVEYOR TO DETERMINE THE EXACT LEGAL DESCRIPTION. IF NEEDED, THE CITY MAY REQUIRE A SURVEY OF THE SUBJECT PROPERTY.

LEGAL DESCRIPTION OF PROPERTY TO BE VACATED (attach if lengthy):

See attached Exhibit "A"

West 1/2 of Lot 8 and Lots 9 thru 19, inclusive
LEGAL DESCRIPTION: LOT 8, BLOCK C, SUBDIVISION Boulevard Park
PARCEL NUMBER(S): 27-30-16-10494-003-0090/27-30-16-10494-003-0160/27-30-16-10494-003-0170/27-30-16-10494-003-0180/27-30-16-10494-003-0190

I (we) the undersigned, do hereby make application for vacation of public easements or rights-of-way and do certify that the information contained in this application is true and correct to the best of my (our) knowledge.
BDG 4590 Park, LLC


Signature of Applicant Christian A. Yepes, Manager

Date 8-21-19

Signature of Applicant _____

Date _____

OWNER / APPLICANT INFORMATION

PROPERTY OWNER: BDG 4590 Park, LLC PHONE: (727) 536-8686

ADDRESS/CITY/ZIP: 6654 78th Avenue N., Pinellas Park, Florida 33781

AUTHORIZED AGENT: Carlos A. Yepes or Christian A. Yepes PHONE: (727) 536-8686

ADDRESS/CITY/ZIP: Same as above

OTHER REPRESENTATIVE: _____ PHONE: (_____) _____

ADDRESS/CITY/ZIP: _____

AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly sworn, depose(s) and say(s):

Carlos A. Yepes, Manager of BDG 4590 Park LLC

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:

4590 Park Boulevard, Pinellas Park (southeast corner of Park Boulevard N. and 46th Street N.)

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:

See attached Exhibit "A"

2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

Request to vacate the multi-purpose easement which was retained pursuant to Section Two of Resolution No. 18-16,
recorded in O. R. Book 20154, Page 973 Public Records of Pinellas County, Florida.

3. That the undersigned (has/have) appointed and (does/do) appoint Carlos A. Yepes or as (his/their) agent(s) to execute any petitions or other documents necessary to affect such application. Christian A. Yepes

4. That this affidavit has been executed to induce the City of Pinellas Park, Florida, to consider and act on the above described property; to include City representatives to enter upon property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

BDG 4590 Park, LLC

Carlos A. Yepes, Manager

SIGNED (PROPERTY OWNER)

SIGNED (PROPERTY OWNER)

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 6-27-19
(Date)

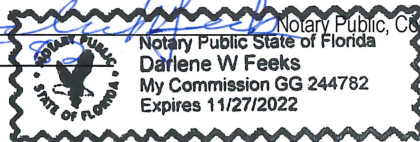
by Carlos A. Yepes, Manager of BDG 4590 Park, LLC
(Name of person acknowledging and title of position)

who is personally known to me or who has
produced _____
(Type of identification)

as identification and who did (did not) take an oath.

(SEAL ABOVE)

No. 244782



(Name of Notary typed, printed or stamped)

EXHIBIT "A"

LEGAL DESCRIPTION OF OWNER'S PROPERTY

Parcel 1 – 4590 Park Blvd.

That part of Lot 9 and the West ½ of Lot 8, Block C of BOULEVARD PARK, as recorded in Plat Book 7, page 21, of the Public Records of Pinellas County, Florida, lying South of the South right of way line of State Road No. 694 (Park Boulevard) and being more particularly described as follows:

Begin at the Southwest corner of Lot 9, Block C of BOULEVARD PARK, as recorded in Plat Book 7, page 21, of the Public Records of Pinellas County, Florida; thence North 0° 30' 08" West, along the West boundary of said Lot 9, a distance of 109.25 feet to a point on the South right of way line of State Road No. 694 (Park Boulevard); thence North 89° 39' 15" East, along said right of way line, a distance of 69.00 feet to a point on the East boundary of the West ½ of Lot 8, said Block C; thence South 0° 30' 08" East, along said East boundary, a distance of 109.25 feet to the Southeast corner of said West ½; thence South 89° 39' 15" West, along the South boundary of said Lots 8 and 9, a distance of 69.00 feet to the point of beginning.

And

That part of Lots 10, 11, 12 and 13, Block C of BOULEVARD PARK, as recorded in Plat Book 7, page 21, of the Public Records of Pinellas County, Florida, lying South of the South right of way line of State Road No. 694 (Park Boulevard) and being more particularly described as follows:

Begin at the Southwest corner of Lot 13, Block C of BOULEVARD PARK, as recorded in Plat Book 7, page 21, of the Public Records of Pinellas County, Florida; thence North 0° 30' 08" West, along the West boundary of said Lot 13, a distance of 109.25 feet to a point on the South right of way line of State Road No. 694 (Park Boulevard); thence North 89° 39' 15" East, along said right of way line, a distance of 185.10 feet to a point on the East boundary of Lot 10, said Block C; thence South 0° 30' 08" East, along said East boundary, a distance of 109.25 feet to the Southeast corner of said Lot 10; thence South 89° 39' 15" West, along the South boundary of Lots 10, 11, 12 and 13, said Block C, a distance of 185.10 feet to the point of beginning.

And

Lots 14 and 15, Block C of BOULEVARD PARK, as recorded in Plat Book 7, page 21, of the Public Records of Pinellas County, Florida, more particularly described as follows:

Begin at the Southwest corner of Lot 14, Block C of BOULEVARD PARK,

as recorded in Plat Book 7, page 21, of the Public Records of Pinellas County, Florida; thence North 0° 30' 08" West, along the West boundary of said Lot 14, a distance of 127.00 feet to the Northwest of said Lot 14; thence North 89° 39' 15" East, along the North boundary of Lots 14 and 15, said Block C, a distance of 93.10 feet to the Northeast corner of said Lot 15; thence South 0° 30' 08" East, along the East boundary of said Lot 15, a distance of 127.00 feet to the Southeast corner of said Lot 15; thence South 89° 39' 15" West, along the South boundary of said Lots 14 and 15, a distance of 93.10 feet to the point of beginning.

Parcel 2 – 4565 Park Blvd.

Lot 16, Block C of BOULEVARD PARK, according to the plat thereof, as recorded in Plat Book 7, Page 21, of the public records of Pinellas County, Florida.

Parcel 3 – 4547 73rd Ave N.

Lot 17, Block C of BOULEVARD PARK, according to the plat thereof, as recorded in Plat Book 7, Page 21, of the public records of Pinellas County, Florida.

Parcel 4 – 4531 73rd Ave N.

Lots 18, Block C of BOULEVARD PARK, according to the plat thereof, as recorded in Plat Book 7, Page 21, of the public records of Pinellas County, Florida,

Parcel 5 – Vacant Lot on 73rd Ave N.

Lots 19, Block C of BOULEVARD PARK, according to the plat thereof, as recorded in Plat Book 7, Page 21, of the public records of Pinellas County, Florida.

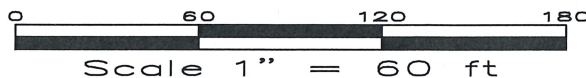
TOGETHER WITH THE VACATED 16 FOOT ALLEY PER O.R. BOOK 20154, PAGE 973, FURTHER DESCRIBED AS FOLLOWS:

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 A POINT ON THE WEST BOUNDARY 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.

SPECIFIC PURPOSE SURVEY

16 FOOT EASEMENT PER O.R. BOOK 20154, PAGE 973
(NOT A BOUNDARY SURVEY)

**PARK BOULEVARD**

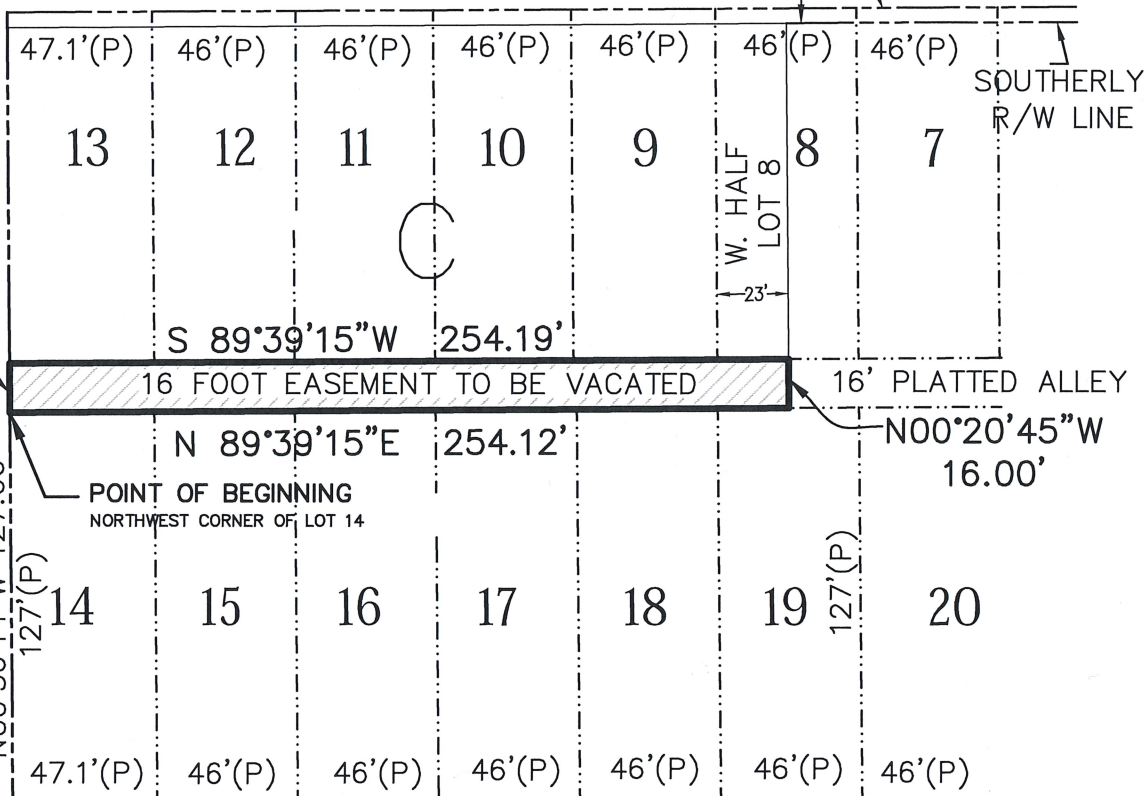
(S.R. 694) (74th AVENUE)
100' PUBLIC R/W(P) - ASPHALT PAVEMENT

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

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

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: 2019.12.19 16:57:19 -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
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

SPECIFIC PURPOSE SURVEY

LEGAL DESCRIPTION FOR

16 FOOT EASEMENT PER O.R. BOOK 20154, PAGE 973

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.

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR SKETCH

SECTION 27 TOWNSHIP 30S RANGE 16E COUNTY, STATE 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

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

V 2019-1 - Aerial Map

- Legend
- Centerlines
 - Parcel Lines



Notes:



1: 2,257

188.1 0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

V 2019-1 - Land Use Plan Map

Legend

Centerlines

Land Use Borders

- Commercial General - CG
- Commercial General (Residential Medium) - CG(R)
- Commercial Neighborhood - CN
- Community Redevelopment District - CRD
- Industrial General - IG
- Industrial Limited - IL
- Institutional - INS
- Preservation - P
- Residential/Office/Retail - R/O/R
- Residential/Office General - R/O/G
- Residential/Open Space - R/O/S
- Residential Low - RL
- Residential Low Medium - RLM
- Residential Medium - RM
- Residential Suburban - RS
- Residential Urban - RU
- Residential Urban (Commercial General) - RU(CG)
- Residential Urban (Residential Low) - RU(RL)
- Transportation/Utility - T/U

Land Use Fill

- Commercial General - CG
- Commercial General (Residential Medium) - CG(R)
- Commercial Neighborhood - CN
- Commercial Recreation - CR
- Community Redevelopment District - CRD
- Industrial General - IG
- Industrial Limited - IL
- Institutional - INS
- Preservation - P
- Residential/Office/Retail - R/O/R
- Residential/Office General - R/O/G
- Recreation/Open Space - R/O/S
- Residential Facilities High - RFH
- Residential Low - RL
- Residential Low Medium - RLM
- Residential Medium - RM
- Residential Suburban - RS
- Residential Urban - RU
- Residential Urban (Commercial General) - RU(CG)



188.1 0 94.04 188.1 Feet

1: 2,257

Notes:



EXHIBIT 1

V 2019-1 - Zoning Map

Legend

Centerlines

Zoning Borders

- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - CPUD
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUD
- Light Industrial - M-1
- Residential / Office / Retail - ROR
- Mixed Use Development - MXD
- Mixed Unit Development - MXD-2
- Open Space - O/S
- Public - P
- Preservation - PRES.
- Single Family Residential - R-1
- Single Family Residential - R-2
- Single Family Residential - R-3
- Duplex Residential - R-4
- Multifamily Residential - R-5
- Multifamily Residential/Commercial - R-6
- Single Family Residential Estate - R-E
- Residential Planned Unit Development - RPUD
- Rural Residential - RR
- Mobile Home Subdivision - T-1
- Mobile Home Park - T-2
- Town Center - TC



Notes:

1: 2,257

188.1 Feet

0 94.04 188.1





REAL ESTATE MANAGEMENT
REAL PROPERTY DIVISION

Real Estate Management
Building Design & Construction Division
Lease Management Division
Fleet Management
Real Property Division
Surplus Warehouse
Young-Rainey STAR Center

EXHIBIT F
(8 pages) -

MEMORANDUM

TO: BDG 4590 PARK, LLC
6654 78TH Avenue North
Pinellas Park, Fl 33781

FROM: Cynthia M. Harris, Real Estate Specialist, Senior

THRU: Sean Tipton, Right-of-Way Permitting Coordinator

SUBJECT: REQUEST FOR NO OBJECTION LETTER

DATE: June 27, 2019

_____ OBJECTION, DO NOT RELEASE FOR THE FOLLOWING REASON:

- _____ There are existing facilities within the requested vacation.
- _____ Subject land is, or is adjacent to, environmentally sensitive land.
- _____ Subject is an open road, used by the public.
- _____ May be required for a future road/drainage project.

Project Name: _____
Funded By: _____ PID NO.: _____

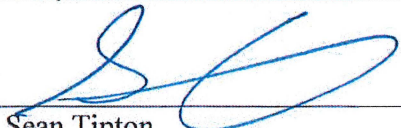
✓ _____ NO OBJECTION

Our review has determined that the vacation will not have a negative effect on the remaining easement area.

_____ NO OBJECTION

Our Division is not involved with this request.

REVIEWED BY: Cynthia Harris 464-3773 DATE: _____

APPROVED BY:  DATE: 7/2/19
Sean Tipton
Right-of-Way Permitting Coordinator



June 27, 2019

CKL, Commercial Realty, LLC
6654 78th Avenue N.
Pinellas Park , FL 33781

Re: 4590 Park Blvd. – Pinellas Park

Attn: Cynthia Lawonn

Thank you for advising **Wide Open West (WOW!)** of the subject project.

XXX **WOW!** Has 'NO OBJECTION' with the proposed vacation.

Please refer any further correspondence to:

WOW!
Dave Hamlin
Construction Coordinator
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely,

A handwritten signature in dark ink, appearing to read "Dave Hamlin Jr.", is written over the typed name and title.

David E. Hamlin Jr.
Construction Project Coordinator
WOW!

(727) 239-0156 Office
(678) 409-8721 Cell

3001 Gandy Blvd N - Pinellas Park, FL 33782

Cynthia Lawonn

From: Davis, Oterio <odavis2@wm.com>
Sent: Monday, July 1, 2019 5:47 AM
To: Cynthia Lawonn
Cc: Carlos Yepes; Christian Yepes
Subject: RE: 4590 Park Blvd. - Pinellas Park - Vacation of Easement

Waste Management has no objection to the applicant's request for a Minor Encroachment in the alley at 4590 Park Blvd North. Our services are provided in the front right-of-way (Park Blvd N).

From: Cynthia Lawonn [mailto:cklawonn01@gmail.com]
Sent: Thursday, June 27, 2019 11:10 AM
To: Davis, Oterio <odavis2@wm.com>
Cc: Carlos Yepes <cyepes@belleairgroup.com>; Christian Yepes <christian@belleairgroup.com>
Subject: [EXTERNAL] 4590 Park Blvd. - Pinellas Park - Vacation of Easement

Dear Sir/Madam - As you may be aware, we are in the process of developing the site located at 4590 Park Boulevard as further described in the attached letter. As part of our development, we will be relocating the sanitary sewer line that is situated within the former alley that was vacated by Resolution #18-16 and relocating such line onto the southern portion of the property. I have attached a copy of the Resolution for your convenience.

As the City retained a multi-purpose easement in the location of the former alley for the existing public sanitary sewer line, the City is requiring us to start the process to vacate the easement which was retained in the Resolution and grant a new easement for the public sanitary sewer line once relocated. A copy of our application, along with the sketch and legal description of the easement area to be vacated is also attached for your review.

If this request meets with your approval, please return an approval letter at your earliest convenience. If you have any questions in the interim, please feel free to contact Carlos or Christian Yepes at 727-536-8686.

Thank you

C.K.

Cynthia ("C.K.") Lawonn

*Specializing in Site Selections, Acquisitions,
Dispositions & Development*

CKL Commercial Realty, LLC
Licensed Real Estate Broker
6654 78th Avenue N.
Pinellas Park, FL 33781
☎813-957-3811 - Cell
☎727-536-8686 - Office
☎727-536-4356 - Fax
✉CKLawonn01@gmail.com
<http://www.cklrealty.com>



**PINELLAS PARK
WATER MANAGEMENT
DISTRICT**

Phone (727) 528-8022

Fax (727) 528-9444

Email: info@ppwmd.com

CHARLES L. TINGLER
Chairman

ED TAYLOR
Vice Chairman

MICHAEL S. FARRELL
Treasurer

RANDAL A. ROBERTS
Executive Director

TO: Cynthia Lawonn
CKL Commercial Realty, LLC
6654 78th Avenue North
Pinellas Park, FL 33781

FROM: Pinellas Park Water Management District (PPWMD)

DATE: July 29, 2019

SUBJECT: Vacation of Easement
4590 Park Blvd.
Pinellas Park, FL 33781
Parcel ID: 27-30-16-10494-003-0090

Dear Ms. Cynthia Lawonn,

The Pinellas Park Water Management District (District) has reviewed the vacation of the Easement for Parcel: 27-30-16-10494-003-0090; the District has no objection/comments concerning the vacation of this easement. Please let me know if you need any additional comments.

Sincerely,

Randal A. Roberts,
Executive Director



August 14, 2019

Cynthia Lawonn
6654 78th Ave N
Pinellas Park, FL 33781

RE: 4590 Park Blvd, Parcel number 27-30-16-10494-003-0090/27-30-16-10494-003-0170/27-30-16-10494-003-0180/27-30-16-10494-003-0190.

Cynthia

TECO/Peoples Gas has no facilities in the area listed above and have no objection to the Vacation of the easement.

If you need any additional information, please contact me at (727) 826-3230.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Zwissler".

Ray Zwissler
Construction Coordinator
TECO/Peoples Gas
sprsz@tecoenergy.com
Office 727-826-3258



Frontier Communications
3712 W Walnut St.
Tampa, FL USA 33607
Office: (727) 462-1760
Fax: (727) 562-1175
Mobile: (941) 266-9218
Email: stephen.waidley@ftr.com

8/14/2019

Attn: Christian A. Yepes
BDG 4590 Park, LLC
c/o Belleair Development
6654 78th Ave N
Pinellas Park, FL 33781

RE: Vacation of Easement – 4590 Park Blvd

Dear Mr. Yepes,

☐ Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided.

☒ Frontier Communications has no objection to the above referenced request as per the attachment.

☐ Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W.

☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project.

☐ Frontier Communications has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier Communications facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier Communications facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Communications
Regional Rights of Way & Municipal Affairs Manager



2401 25th Street North (SP-15)
St. Petersburg, FL 33713
Chris.Pickens@duke-energy.com
O: 727.893-9342

August 21, 2019

Cynthia ("C.K.") Lawonn
CKL Commercial Realty, LLC
Licensed Real Estate Broker
6654 78th Avenue N.
Pinellas Park, FL 33781

RE: ***4590 Park Boulevard - Pinellas Park, Florida***
Parcel ID Nos. 7-30-16-10494-003-0090; 27-30-16-10494-003-0160;
27-30-16-10494-003-0170; 27-30-16-10494-003-0180 and 27-30-16-10494-003-0190

Ms. Lawonn,

Please be advised that Duke Energy Florida, LLC., *Distribution Department* and *Transmission Department* has “**NO OBJECTIONS**” to the vacation of an easement set forth in Resolution No. 18-16, recorded at O.R. Book 20154, Page 973 of the Public Records of Pinellas County, Florida, as shown on Specific Purpose Survey by American Surveying Inc., dated 6/24/2019, and attached as Exhibit “A”.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Chris Pickens

Chris Pickens
Research Specialist-Land Services
Duke Energy Florida

bright house

NETWORKS



Aug. 21-2019

Vacate muit-purpose easement between 73 Ave and park Blvd .resolution #18-16
Better known as 4590-park Blvd.

XXX Bright House Networks has no objections.

____ Bright House Networks has no objections provided easements for our facilities are
Retained / granted

____ Bright House has no objections provided applicant bears the expense for relocation of
any Bright House facilities to maintain service to customers affected by the proposed
Vacate.

____ In order to properly evaluate this request, Bright House will need detailed plans of
facilities proposed for subject areas.

____ Bright House has facilities within this area, which may conflict with subject project
Please call 811 for locating. **SEE NOTES**

____ Bright House requires 30 days written notice prior to construction start date to relocate
their facilities.

NOTES:

Sincerely,
Ted Bingham
Bright House Networks
Field Engineer
Pinellas County
727-329-2847