

RESOLUTION NO. 21-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING A 60 FOOT WIDE PORTION OF THE 58TH STREET NORTH RIGHT-OF-WAY, LOCATED 45 FEET NORTH OF THE EXISTING 126TH AVENUE NORTH RIGHT-OF-WAY AND SOUTH OF A LINE OFFSET 110 FEET TO THE SOUTH OF THE CENTERLINE OF THE CROSS BAYOU; PROVIDING FOR AN EFFECTIVE DATE. (VAC-0821-00016; G A Nichols, LLC)

WHEREAS, the City of Pinellas Park has received a petition to vacate a 60 foot wide portion of the 58th Street North right-of-way, located 45 feet north of the existing 126th Avenue North right-of-way and south of a line offset 110 feet to the south of the centerline of the Cross Bayou Canal; 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 City to vacate such right-of-way.

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, under, above, across, and through 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 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 _____, 2021.

FIRST READING _____ DAY OF _____, 2021.

PUBLIC HEARING THE _____ 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 "A"

Legal Description

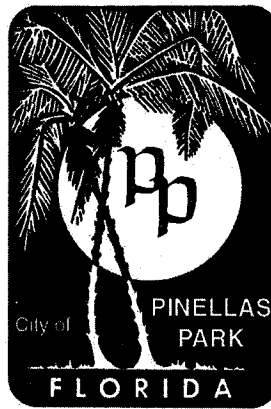
A PARCEL OF LAND BEING A PORTION OF LOTS 9 AND 14, PINELLAS GROVES AS RECORDED IN PLAT BOOK 1, PAGE 55 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND A PORTION OF THE RIGHT-OF-WAY LYING ADJACENT TO SAID LOTS 9 AND 14, LYING IN THE NORTHWEST $\frac{1}{4}$ OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST AND NORTHEAST $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST $\frac{1}{4}$ CORNER OF SAID SECTION 9; THENCE ALONG THE WEST LINE OF SAID NORTHWEST $\frac{1}{4}$, N.00°01'36"E., 45.00 FEET FOR THE POINT OF BEGINNING; THENCE N89°47'57"W., 30.00 FEET; THENCE ALONG A LINE 30 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SECTION 8, SAID LINE ALSO BEING THE WEST LINE OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 9, N00°01'36"E., 184.58 FEET; THENCE LEAVING SAID PARALLEL LINE, N.17°51'40"E., 195.91 FEET TO A POINT ON A LINE 30 FEET EAST OF AND PARALLEL WITH SAID NORTHWEST $\frac{1}{4}$; THENCE ALONG SAID PARALLEL LINE, S.00°01'36"W., 371.17 FEET; THENCE N.89°57'18"W., 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.383 ACRES (16,674 SF), MORE OR LESS.

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

October 21, 2021

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

RE: City Document #21-278
Resolution to Vacate Right-of-Way

Dear Ms. Lindquist:

We have received and reviewed the above-referenced Resolution to vacate a portion of the 58th Street North right-of-way north of 126th Avenue North and south of the Cross Bayou Canal. Assuming the legal description contained in Exhibit A is correct, we would approve of the 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
Bart Diebold, Assistant City Manager
Lisa Hendrickson, Assistant City Manager
Ben Ziskal, Community Development Administrator
Nick Colonna, Planning & Development Services Director

JWD/dh

21-278.10212021.LEL.Res to Vacate Portion of ROW.wpd



PRINTED ON RECYCLED PAPER



I. APPLICATION DATA

- A. **Case Number:** VAC-0821-00016
- B. **Location:** Portion of 58th Street North right-of-way generally located to the west of 5775 126th Ave N
- C. **Request:** Request to vacate a 60 foot wide portion of the 58th Street N right-of-way located to the west of 5775 126th Ave N and south of the Cross Bayou Canal.
- D. **Applicant:** G A Nichols, LLC
- E. **Agent:** Greg Nichols
- F. **Legal Ad Text:** Request to vacate a 60 foot wide portion of the 58th Street N right-of-way located to the west of 5775 126th Ave N and south of the Cross Bayou Canal.
- G. **PARC Meeting:** September 21, 2021
- H. **Public Hearings:**
Planning and Zoning Commission Date: October 7, 2021
Advertising Date: September 22, 2021

City Council Date: November 9, 2021
Advertising Date: October 27, 2021

II. BACKGROUND INFORMATION

- A. **Case Summary:** The applicant is the owner of the adjoining property to the east, 5775 126th Avenue N. They are requesting the subject portion of the 58th Street N right-of-way to be vacated to expand the land available to operate their business. The applicant has worked with Pinellas County to exclude right-of-way along 126th Avenue N for the future expansion of 126th Avenue N and to maintain a 110 foot buffer from the centerline of the Cross Bayou Canal.

Letters of no objection have been received from all applicable utilities and are included in the application package in Exhibit A.

- B. **Existing Use:** N/A
- C. **Current Future Land Use:** N/A
- D. **Current Zoning District:** N/A
- E. **Flood Zone:** The subject right-of-way is located in Flood Zone AE, which is a high-risk flood zone.
- F. **Evacuation Zone:** The subject right-of-way is in Evacuation Zone A, which is the first level to evacuate in preparation for a storm. Zone A is evacuated when storm surge height is predicted to be up to 11 feet.

G. Vicinity Characteristics:

	Zoning	Land Use	Existing Use
North	M-1	IL	UPS Employee Parking
South	P	INS	Pinellas Hope
East	M-1	IL	G A Nichols
West	M-1, E-1 (County)	IL, E (County), P (County)	Vacant, Cross Bayou Canal

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. Comprehensive Plan Policies:

1. Relevant 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. Staff Analysis:

The two parcels adjacent to the right-of-way proposed to be vacated will have access via 126th Avenue N. and will not be negatively impacted by the proposed vacation. There are no current or proposed utilities within the right-of-way proposed to be vacated.

Staff finds that the proposed right-of-way vacation is consistent with the City's adopted Comprehensive Plan.

B. Land Development Code Standards:

1. Key Standards:

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

Sec. 18-1801. - VACATIONS OF RIGHTS-OF-WAY AND EASEMENTS.

Except as provided for by Article 1, Subdivision Code of Chapter 18, Land Development Code, the process for vacating rights-of-way and easements shall follow rules established by this Article.

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. 18-1801.3. - RIGHTS-OF-WAY.

- (A) The City Staff shall prepare a Staff report either recommending approval, approval with modification or denial of the vacation request. The request for the vacation shall be considered by the Planning and Zoning Commission at a public hearing. The date, time and place of the public hearing and identification of the case shall be advertised in a newspaper of general circulation in the City. The City Staff shall present a proposed resolution to the City Council. Public hearings shall be held on the application and proposed resolution, together with a first and final reading of the proposed resolution.*
- (B) At least fifteen (15) days prior to the public hearing before the Planning and Zoning Commission, 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 hearing. 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 and post a sign on the right-of-way to be vacated, which provides notice of the time and date of the public hearing and identifies the case. Failure to post a sign or notify all of the abutting property owners, as shown on the records of the Pinellas Property Appraiser's 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) At least seven (7) days prior to public hearing before City Council, 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 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 and post a sign on the right-of-way to be vacated, which provides notice of the time and date of the public hearing and which identifies the case. Failure to post a sign or notify all of the abutting property owners, as shown on the records of the Pinellas Property Appraiser's 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.*
- (D) A vacation resolution, requiring a public hearing first and final reading, shall be presented to City Council for their action. 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) includes no criteria pertaining to the approval or denial for applications to vacate rights-of-way. 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.

Staff finds that this application is in compliance with regard to these provisions.

IV. SUMMARY

A. Findings:

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

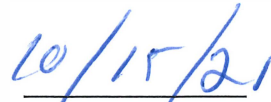
1. The request meets vacation of right-or-way requirements per Section 18-1801 of the Land Development Code; and,
2. The request is consistent with the Goals, Objectives, and Policies of the adopted Comprehensive Plan.

B. Staff Recommendation:

Consistent with the above findings, staff recommends **APPROVAL** of case number VAC-0821-00016.



Nick A. Colonna, AICP
Planning & Development Services Director



Date



Benjamin J. Ziskal, AICP, CEcD
Community Development Administrator



Date

V. ACTION

PLANNING AND ZONING COMMISSION – MOVE TO:

- A. RECOMMEND APPROVAL
- B. RECOMMEND APPROVAL WITH THE FOLLOWING CONDITION(S):
- C. RECOMMEND DENIAL

... of a request to vacate a 60 foot wide portion of the 58th Street N right-of-way adjacent to 5775 126th Ave N and south of the Cross Bayou Canal.

VI. ATTACHMENTS

- Exhibit A: Application**
- Exhibit B: Aerial Map**
- Exhibit C: Future Land Use Map**
- Exhibit D: Zoning Map**
- Exhibit E: FIRM**

CITY OF PINELLAS PARK
AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAMES OF ALL PROPERTY OWNERS:

G A NICHOLS LLC

being first duly sworn, depose(s) and say(s):

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

ADDRESS OR GENERAL LOCATION:

5775 126th Ave N Pinellas Park, FL 33760

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

PINELLAS GROVES NW 1/4, W 1/2 OF LOT 9 LESS CROSS BAYOU CANAL & LESS RD R/W

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

Vacation request of 58 St ROW

3. That the undersigned (has / have) appointed and (does / do) appoint Self - Greg Nichols as (his / their) agent(s) to execute any petitions or other documents necessary to affect such application.

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 entering upon the property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

SIGNED (PROPERTY OWNER 1)

GREG NICHOLS, MANAGER GA NICHOLS, LLC

SIGNED (PROPERTY OWNER 2)

STATE OF FLORIDA

COUNTY OF Pinellas

The foregoing instrument was acknowledged before me by means of

☒ physical presence or ☐ online notarization, this 23rd day of August, 2021.

By Greg Nichols, Manager, who is
(Name of person acknowledging and title of position)

personally known to me or who has produced

as identification and who DID / DID NOT
(Type of identification)
take an oath.

Notary Public, Commission No. Judy A. Battle

Judy A. Battle
(Name of Notary- typed, printed or stamped)



JUDY A. BATTLE
Commission # GG 907196
Expires September 13, 2023
Bonded Thru Budget Notary Services

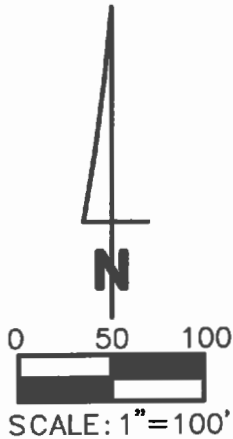
(SEAL ABOVE)

SECTIONS 8 & 9, TOWNSHIP 30S, RANGE 16E
PINELLAS COUNTY, FLORIDA
PROJECT NUMBER 5276-01

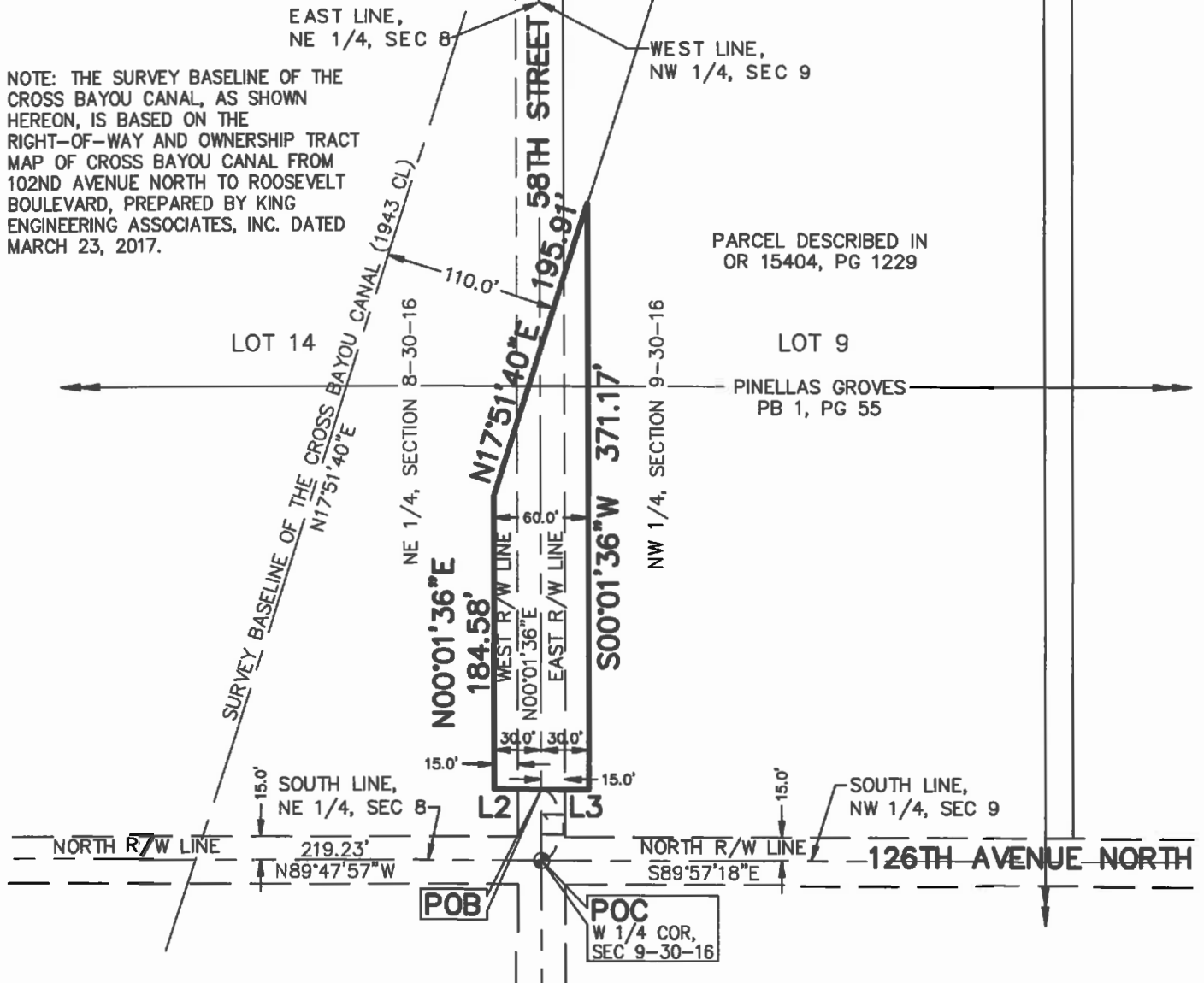
LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°01'36"E	45.00'
L2	N89°47'57"W	30.00'
L3	N89°57'18"W	30.00'

LEGEND

COR = CORNER
OR = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY



NOTE: THE SURVEY BASELINE OF THE CROSS BAYOU CANAL, AS SHOWN HEREON, IS BASED ON THE RIGHT-OF-WAY AND OWNERSHIP TRACT MAP OF CROSS BAYOU CANAL FROM 102ND AVENUE NORTH TO ROOSEVELT BOULEVARD, PREPARED BY KING ENGINEERING ASSOCIATES, INC. DATED MARCH 23, 2017.



NOT A SURVEY

SHEET 1 OF 2

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	05/17/21	JT	DHR
H: \JN\5276\DWG\5276SD.DWG			

**PROPOSED
RIGHT-OF-WAY
VACATION**



POLARIS ASSOCIATES INC.
PROFESSIONAL SURVEYING LB 6113
2165 SUNNYDALE BOULEVARD, SUITE D
CLEARWATER, FLORIDA 33765
(727) 461-611

DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 9 AND 14, PINELLAS GROVES AS RECORDED IN PLAT BOOK 1, PAGE 55 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND A PORTION OF THE RIGHT-OF-WAY LYING ADJACENT TO SAID LOTS 9 AND 14, LYING IN THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST AND NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 9; THENCE ALONG THE WEST LINE OF SAID NORTHWEST 1/4, N.00°01'36"E., 45.00 FEET FOR THE POINT OF BEGINNING; THENCE N.89°47'57"W., 30.00 FEET; THENCE ALONG A LINE 30 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 8, SAID LINE ALSO BEING THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 9, N.00°01'36"E., 184.58 FEET; THENCE LEAVING SAID PARALLEL LINE, N.17°51'40"E., 195.91 FEET TO A POINT ON A LINE 30 FEET EAST OF AND PARALLEL WITH SAID NORTHWEST 1/4; THENCE ALONG SAID PARALLEL LINE, S.00°01'36"W., 371.17 FEET; THENCE N.89°57'18"W., 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.383 ACRES (16,674 SF), MORE OR LESS.

Reviewed by: GD
Date: 6/16/2021
SFN#: 00501_01621

NOTES

1. BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, SAID LINE BEING ASSUMED AS N00°01'36"E.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.




Digitally signed by Dan
Rizzuto
Date: 2021.05.18 06:57:05
-04'00'

DAN H. RIZZUTO
PROFESSIONAL LAND SURVEYOR
LS 5227, STATE OF FLORIDA

NOT A SURVEY

SHEET 2 OF 2

ITEM	DATE	BY	QC	PROPOSED RIGHT-OF-WAY VACATION	 POLARIS ASSOCIATES INC. PROFESSIONAL SURVEYING LB 6113 2165 SUNNYDALE BOULEVARD, SUITE D CLEARWATER, FLORIDA 33765 (727) 461-6113
SKETCH & DESCRIPTION	05/17/21	JT	DHR		
H: \\JN\5276\DWG\5276SD.DWG					



Date July 16, 2020

Re: 5775 126th Ave N Clearwater Florida 33760 Section 9, Township 30 South, Range 16 East, Pinellas County Florida. The Southernmost 58' of Westernmost 33' of Lot 9, Pinellas Groves in the NW ¼ according to the map thereof as recorded in Plat Book 1, Page 55 of Public Records of Pinellas County

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

XXX 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 one call locating. **SEE NOTES**

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

NOTES:

Sincerely,
Ozzie Perez

A handwritten signature in dark ink, appearing to be "Ozzie Perez", written over a horizontal line.

Bright House Networks
Field Engineer
Pinellas County
727-329-2817



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

April 23, 2020

Greg Nichols, President
G.A. Nichols Company
5775 126th Avenue North
Clearwater, Florida 33760

RE: *Approval of a vacation of a Right-of-Way*
Section 09, Township 30 South, Range 16 East, Pinellas County, Florida
Address: 5775 126th Avenue North
Parcel ID Nos.: 09-30-16-70992-200-0900

Mr. Nichols,

Please be advised that **DUKE ENERGY FLORIDA, LLC., d/b/a DUKE ENERGY** *Distribution Department and Transmission Department* have “**NO OBJECTIONS**” to the Approval of a vacation of a Right-of-Way located at 5775 126th Avenue North, Clearwater, FL 33760, as shown on Sketch and Legal Description prepared by Zarra Boyd, Inc., signed by Mark S. Lischalk, and included hereto 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



**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: Greg Nichols
G.A. Nichols Company
5775 126th Avenue
Clearwater, FL 33760

FROM: Pinellas Park Water Management District (PPWMD)

DATE: April 3, 2020

SUBJECT: Vacation of Right-of-Way
5775 126th Avenue
Clearwater, FL 33760

Dear Mr. Greg Nichols,

The Pinellas Park Water Management District (District) has reviewed the information concerning the vacation of the Right-of-Way at 5775 126th Avenue, Clearwater, FL 33760. Your property is outside PPWMD's jurisdiction; therefore, PPWMD has no objection/comments concerning the vacation of this Right-of-Way. Please let me know if you need any additional comments.

Sincerely,

Randal A. Roberts,
Executive Director

**BOARD OF COUNTY
COMMISSIONERS**

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
Kathleen Peters
Karen Williams Seel
Kenneth T. Welch



March 30, 2020

G.A Nichols Company
5775 126th Avenue N
Clearwater FL, 33760

RE: Petition to Release:
5775 126th Avenue N
PID: 09-30-16-70992-200-0900

Dear Mr. Nichols,

Pinellas County Utilities does not have any utilities located within the petition area. PCU has "No Objection" with the vacation as it is presented. If you have any questions, please do not hesitate to contact me at (727) 464-4068.

Sincerely,

Jenelle Ostrowski

Jenelle Ostrowski, P.E.
Engineer 3
Pinellas County Utilities

Pinellas County Utilities Engineering
14 S. Fort Harrison Ave.
Clearwater, FL 33756
Phone: (727) 464-5899
FAX: 727-464-3595
www.pinellascounty.org



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

5/15/2020

Attn: Greg Nichols, President
G.A. Nichols Company
5775 126th Ave N
Clearwater, FL 33760
(727) 561-0509

RE: Vacation of Right-of-Way – Southernmost 58' of the westernmost 33' of Lot 9, Pinellas Groves

Dear Mr. Nichols,

☐ 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,

A handwritten signature in blue ink that reads "Stephen Waidley".

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



DEPARTMENT OF ADMINISTRATIVE SERVICES
REAL PROPERTY DIVISION

MEMORANDUM

TO: G. A. Nichols Company
5775 126th Avenue N.
Clearwater, FL 33760

FROM: Josh Rosado, Real Property Specialist II

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

SUBJECT: REQUEST FOR NO OBJECTION LETTER
Parcel: 09-30-16-70992-200-0900

DATE: June 16, 2021

_____ 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: Josh Rosado 464-3503 DATE: June 16, 2021

APPROVED BY:  DATE: 6/30/2021
Sean Tipton
Right-of-Way Permitting Coordinator



CITY OF LARGO

Engineering Services Department
Jerald Woloszynski, PE, Director

Telephone: (727) 587-6713
Department Fax: (727) 586-7413

Aaron Petersen, MPA, MBA, CFM
Construction Services Director
City of Pinellas Park
6250 82nd Avenue North
Pinellas Park, Florida 33781

September 2, 2021

RE: Letter of No Objection to Vacate a Portion of 58th Street Unimproved Right-of-way


Dear Mr. Petersen,

As a utility owner, the City of Largo has received your request for a letter of no objection to the vacation of a portion of 58th Street North unimproved right-of-way. The proposed vacation of right-of-way has been reviewed by City Departments, including the Environmental Services and Engineering Services Departments.

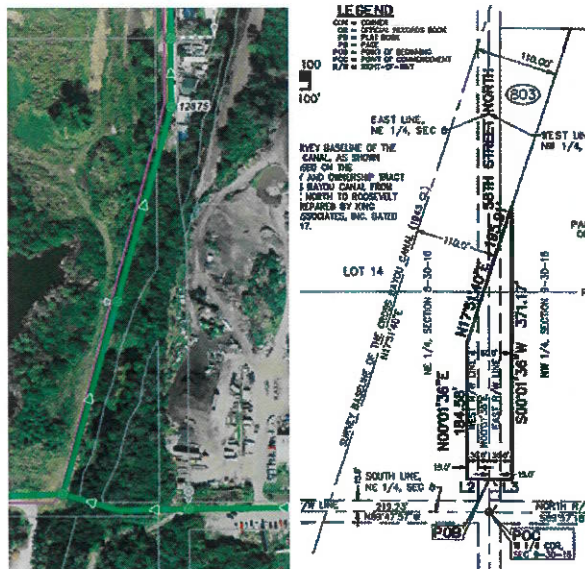
The City of Largo does not have any sanitary sewer or stormwater facilities in the subject right-of-way area and has no future plans for facilities in the subject area. The City of Largo has no objection to the proposed partial vacation.

If you have any questions, please call Ann Rocke at (727) 587-6713, extension 4425.

Sincerely,



Jerald Woloszynski, P.E.
City Engineer





April 1, 2020

G.A. Nichols Company
5775 126th Ave N
Clearwater, FL 33760

RE: 5775 126th Ave N

Matthew,
TECO/Peoples Gas has no facilities in the area around 5775 126th Ave N. We have
no objection to the vacation of the right-of-way.
Thanks

If you need any additional information or need further assistance, I can be contacted at
(727) 423-7124 or (727) 826- 3258.

Thank you,

A handwritten signature in black ink that reads "Ray Zwissler". The signature is written in a cursive style with a large, looped 'R' and a trailing flourish.

Ray Zwissler
Construction Coordinator

Greg Nichols

From: Davis, Oterio <odavis2@wm.com>
Sent: Monday, April 6, 2020 6:42 AM
To: greg@ganichols.com
Subject: Right of Way

Waste Management has no objection to the applicant's request for the vacation of right of way at

"The southernmost 58' of the westernmost 33' of Lot 9, Pinellas Groves in the NW ¼ of Section 9, Township 30 South, Range 16 East, according to map or plot thereof as recorded in Plat Book 1, Page 55 of the Public Records of Pinellas County, Florida."

Our services are not impacted at this location.

Recycling is a good thing. Please recycle any printed emails.

Internet – Cable – Phone

March, 30 2020

3001 Gandy Blvd N
Pinellas Park, FL

Re: Petition to Vacate:
58th Street N
Pinellas Park, Florida 33782

Thank you for contacting Wide Open West (WOW!) with the subject request.

XX WOW! Has 'NO OBJECTION'.

___ In order to properly evaluate this request, WOW! Will need detailed plans of facilities proposed for the subject area.

___ WOW! Maintains facilities within this area that conflict with the subject request. WOW! Has no objections provided easements for our facilities are granted and/or applicant bears the entire expense for relocation of associated WOW! Services.

Please refer any further questions and/or correspondence to:

WOW!
Richard LaGanga
Construction Manager Southeast
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely,



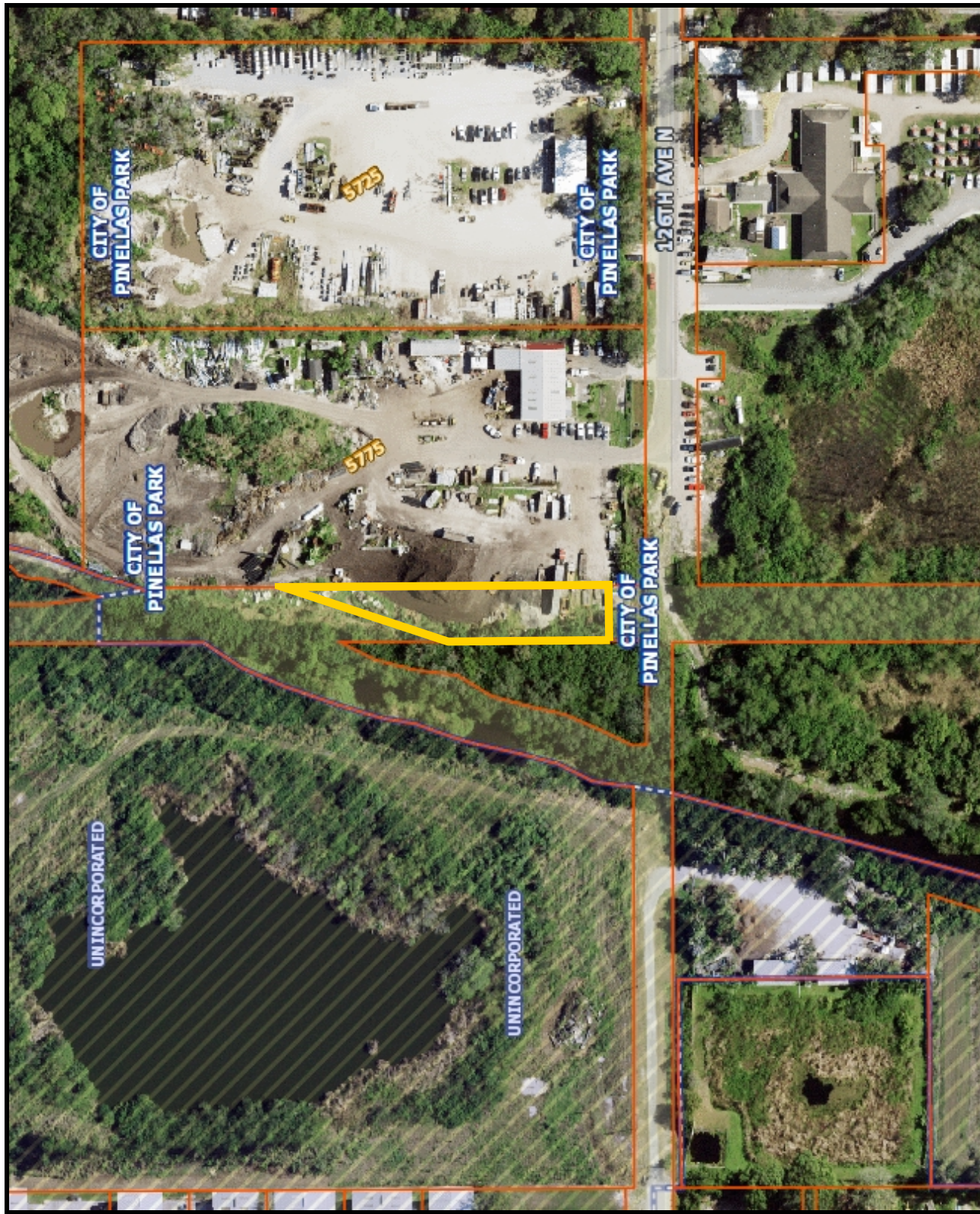
Richard LaGanga
Construction Manager Southeast Region
WOW! Internet – Cable – Phone
(C) (727-422-8040
(E) Richard.laganga@wowinc.com

3001 Gandy Blvd N - Pinellas Park, FL 33782

City of Pinellas Park

Legend

- Master Address Points
- Parcel Lines
- Centerlines
- Private Roads
- Pinellas Park
- Community Redevelopment Area 20;
- Rights of Way
- Annexation Amendment Agreement
- Holes
- Fairways
- Greens
- Course
- Neighboring Cities
- Town of Kenneth City
- City of Largo
- City of Seminole
- City of St. Petersburg
- Unincorporated



Notes:

1: 2,257

188.1 0 94.04 188.1 Feet



WGS_1984_Web_Mercator_Auxiliary_Sphere

City of Pinellas Park

Legend

- Master Address Points
- Parcel Lines
- Centerlines
- Pinellas Park
- Community Redevelopment Area 20;
- Annexation Amendment Agreement
- Land Use Borders
- Commercial General - CG
- Commercial General (Residential Medium) -
- 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) - F
- Residential Urban (Residential Low) - RU/R
- Transportation/Utility - T/U
- Land Use Fill
- Commercial General - CG
- Commercial General (Residential Medium) -
- 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

Exhibit C: FLUM



Notes:

1: 2,257

188.1 0 94.04 188.1 Feet

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City of Pinellas Park

Legend

- Master Address Points
- Parcel Lines
- Centerlines
- Pinellas Park
- Community Redevelopment Area 20;
- Annexation Amendment Agreement
- Zoning Borders

- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - C-PUD
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUD
- IN REVIEW
- Light Industrial - M-1
- Residential / Office / Retail - ROR
- Mixed Use Development - MXD
- Mixed Unit Development - MXD-2
- Mixed Use Planned Unit Development - MU
- 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

Zoning Fill

- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN



Notes:



1: 2,257

188.1 0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

City of Pinellas Park

Legend

- Master Address Points
- Parcel Lines
- Centerlines
- Building Footprints
- Pinellas Park
- Community Redevelopment Area 20;
- Neighboring Cities
 - Town of Kenneth City
 - City of Largo
 - City of Seminole
 - City of St. Petersburg
- Unincorporated
- Letter of Map Amendment
- Flood Hazard Areas
 - <all other values>
 - 1% Annual Chance Flood Hazard (A, AE, AI)
 - 0.2% Annual Chance Flood Hazard (X)
 - Area of Minimal Flood Hazard (X)
 - Floodway (AE)



Notes:

1: 2,257

188.1 0 94.04 188.1 Feet



WGS_1984_Web_Mercator_Auxiliary_Sphere