



Agenda Item Cover Sheet

Agenda Item N^o. _____

Meeting Date February 7, 2023

- Consent Section
 Regular Section
 Public Hearing

Subject: Public Hearing – Vacating Petition by Rhodine Holdings, LLC, and Belmont Reserve Community Development District to vacate a portion of a platted public drainage easement within Folio 077426-0505, in Riverview.			
Department Name: Facilities Management & Real Estate Services Department			
Contact Person: Anne-Marie Lenton (C. Allen)		Contact Phone: 813-272-5810	
Sign-Off Approvals:			
Thomas H. Fass		1/18/23	
<small>Assistant County Administrator</small>		<small>Date</small>	
N/A			
<small>Management and Budget – Approved as to Financial Impact Accuracy</small>		<small>Date</small>	
John Muller		1/17/23	
<small>Department Director</small>		<small>Date</small>	
Todd Sobel		1/17/23	
<small>County Attorney – Approved as to Legal Sufficiency</small>		<small>Date</small>	

Staff's Recommended Board Motion:

Adopt a Resolution vacating a portion of a platted public drainage easement located within Tract 101 of Belmont Reserve Phase 1, as recorded in Plat Book 140, Page 198, of the public records of Hillsborough County, and being more particularly described in the Resolution. The proposed vacate area is located within Folio 077426-0505 (no physical address), generally lying south of Rhodine Road and east of Balm Riverview Road, in Riverview, and consists of approximately 36,826 square feet (0.85 acres). The vacate area is part of a larger area that was originally designated for use as a drainage pond for the Belmont Reserve Development; however, this portion of land is no longer needed for drainage as part of the Cedarbrook Phase 6 Development. Rhodine Holdings, LLC and Belmont Reserve Community Development District (“Petitioners”), have submitted this request along with a separate submittal for a replat of the area with an adequate replacement public drainage easement (as further explained in the background) and will use the vacate area for residential lots. Reviewing departments, agencies, and utility providers have raised no objections to this request with the exception of the Public Works Stormwater Department, whose consent is conditioned upon the approval of the Cedarbrook Phase 6 replat which will provide an adequate replacement public drainage easement. The financial impact associated with this item consisted of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid for by the Petitioners.

Financial Impact Statement:

The financial impact associated with this item consists of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid by the Petitioners.

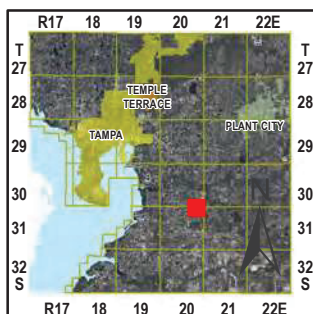
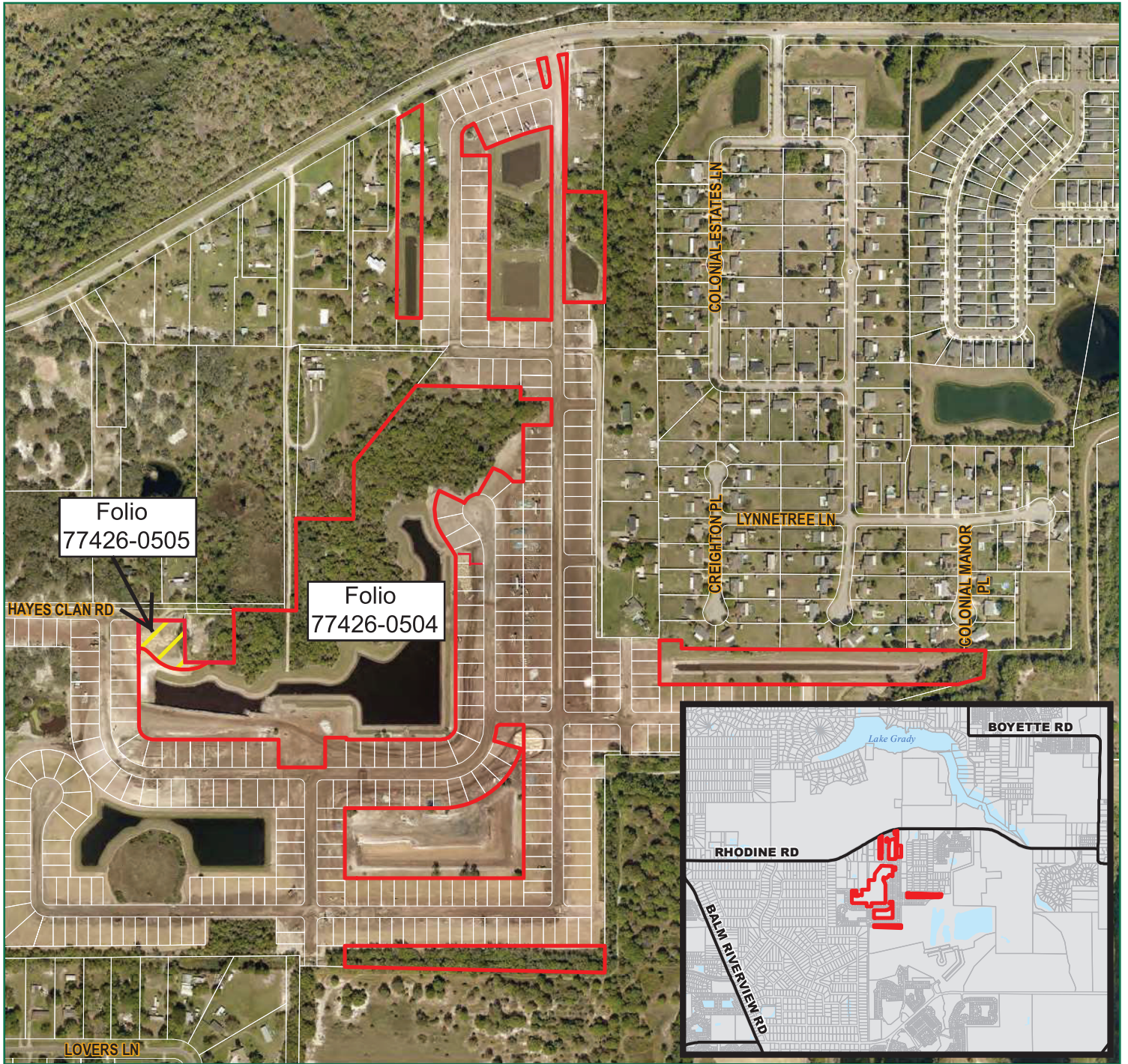
Background:

This petition is submitted by Rhodine Holdings, LLC, and Belmont Reserve Community Development District as owners of the property underlying the proposed vacate area, to vacate a portion of a platted public drainage easement consisting of approximately 36,826 square feet (0.85 acres). This drainage easement was established per the plat of Belmont Reserve Phase 1, as recorded in Plat Book 140, Page 198, of the public records of Hillsborough County, Florida. Following the platting of Belmont Reserve Phase 1, the property owners reduced the size of the proposed pond within Tract 101 and the construction modification permit for the pond adjustment has been approved, built, and inspected. Since this area is no longer needed as a drainage pond, the petitioners are replatting the area with residential lots and the approval of the vacate petition is required before the replat can be approved. Reviewing departments, agencies, and utility providers have raised no objections to this request with the exception of the Public Works Stormwater Department whose consent is conditioned upon the approval of the Cedarbrook Phase 6 replat. Stormwater has reviewed the proposed Cedarbrook Phase 6 replat and confirmed it provides an adequate replacement drainage easement to accommodate drainage infrastructure from the new cul-de-sac to the pond. Pursuant to F.S. 177.101(4), Public Notice of this public hearing was published in *La Gaceta* on January 13, 2023, and January 20, 2023. Staff Reference: V22-0006 Vacate portion of platted drainage easement (Rhodine Holdings, LLC)



List Attachments: Location Map, Overview Map, Resolution, Existing Plat Excerpt, Proposed Replat Excerpt, Review Summary and Comments, Petition.

V22-0006

Vacate portion of platted drainage easement (Rhodine Holdings, LLC)



LEGEND

-  Tract 101- Folios: 77426.0504 and 77426.0505, owned by Belmond Reserve CDD and Rhodine Holdings, LLC
-  Drainage Easement-Subject Area to be Vacated- 36,826 SF (0.85 Ac)

SEC 02 TWP 31S RNG 20E



Hillsborough County Florida

601 E Kennedy Blvd, Tampa, FL 33602
(813) 272-5900
printroom@hillsboroughcounty.org

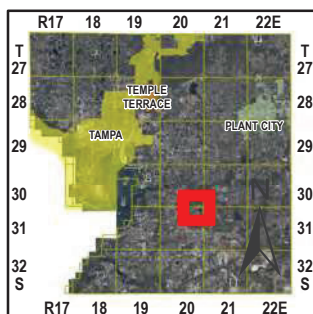
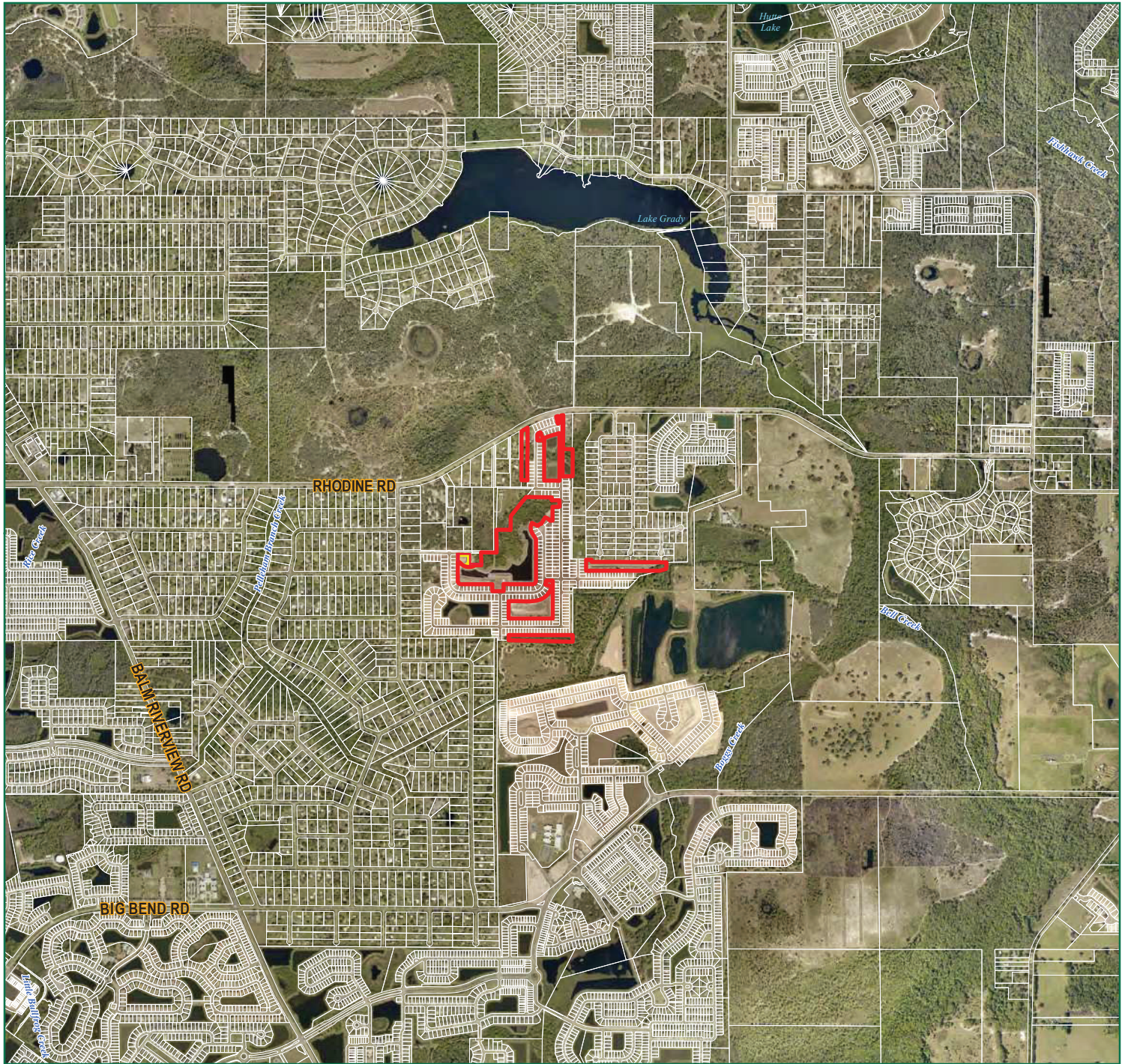
NOTE: Every reasonable effort has been made to assure the accuracy of this map; Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.



Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

V22-0006

Vacate portion of platted drainage easement (Rhodine Holdings, LLC)



LEGEND

-  Tract 101 - Folios - 77426.0504 and 77426.0505 - owned by Belmont Reserve CDD and Rhodine Holdings, LLC
-  Drainage Easement - Subject Area to be Vacated - 36,826 SF (0.85 Ac)

SEC 02 TWP 31S RNG 20E



**Hillsborough
County Florida**

601 E Kennedy Blvd, Tampa, FL 33602
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Vacating Petition V22-0006
Project Lead: Valerie Georgelin
Rhodine Holdings, LLC and
Belmond Reserve Community
Development District- Petitioners
Portion of platted public
drainage easement
Belmond Reserve Phase 1 plat
PB 140 PG 198
Folio: 077426-0505
Section 2, Township 31 South, Range 20 East

RESOLUTION NUMBER R23-_____

Upon motion by Commissioner _____, seconded by Commissioner _____, the following resolution was adopted by a vote of _____ to _____, Commissioner(s) _____ voting no.

WHEREAS, Rhodine Holdings, LLC, a Florida limited liability company, and Belmond Reserve Community Development District, have petitioned the Board of County Commissioners of Hillsborough County, Florida, in which petition said Board is asked to close, vacate, and abandon a portion of a platted public drainage easement described as follows:

**LANDS DESCRIBED IN EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF.
SKETCHES ATTACHED HERETO FOR ILLUSTRATIVE PURPOSES ONLY**

WHEREAS, it appears that said property affected by such closure is owned by the above-named petitioner; and,

WHEREAS, the Board of County Commissioners finds that granting the petition to vacate a portion of the platted public drainage easement is in the best interest of the general public and does not violate any individual property rights; and,

WHEREAS, there is attached Proof of Publication and Notice of Hearing of said request; and,

WHEREAS, said petition came on for hearing before this Board of County Commissioners on February 7, 2023, and the same having been investigated and considered, and it is appearing that the representations and statements contained therein are true:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 7th day of February 2023:

1. That the above-described portion of the platted public drainage easement is hereby closed, vacated, and abandoned, and the right of the public and the County in and to that portion of the easement as shown on the plat of said subdivision is hereby renounced, disclaimed, and terminated.
2. That the petitioners and successors in title shall indemnify and hold harmless Hillsborough County from any claims, damages, expenses and costs that result from damage to or destruction of any improvement, structure or property located within the above-described platted interests being vacated herein as a result of the exercise by Hillsborough County of its rights within any remaining platted interests way not vacated herein.
3. That notice of said adoption of this Resolution be published in one issue of a newspaper of general circulation published in Hillsborough County, Florida, such publication to be made within thirty days of the adoption of this Resolution.
4. That this Resolution shall be filed in the offices of the Circuit Court Clerk and duly recorded on the public records of Hillsborough County, Florida.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Cindy Stuart, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of _____, 2023, as the same appears of record in Minute Book _____, of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this _____ day of _____, 2023.

Cindy Stuart, CLERK

APPROVED BY COUNTY ATTORNEY

BY: Todd Sobel
Approved as to Form and Legal
Sufficiency

BY: _____
Deputy Clerk

THIS IS NOT A SURVEY
 INFORMATION IS NOT COMPLETE
 WITHOUT THE ACCOMPANYING SKETCH

**SECTION 2, TOWNSHIP 31 SOUTH, RANGE 20 EAST
 HILLSBOROUGH COUNTY, FLORIDA
 EXHIBIT "A"**

LEGAL DESCRIPTION: (BY ARDURRA)

A PORTION OF TRACT 101, BELMOND RESERVE PHASE 1, ACCORDING TO PLAT BOOK 140, PAGE 198, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LYING IN SECTION 2, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT 101, BELMOND RESERVE PHASE 1, ACCORDING TO PLAT BOOK 140, PAGE 198, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, SAME BEING THE NORTHEAST CORNER OF LOT 161, BELMOND RESERVE PHASE 2, ACCORDING TO PLAT BOOK 140, PAGE 251, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY LINE OF SAID TRACT 101 THE FOLLOWING THREE (3) COURSES: 1) SOUTH 89°09'38" EAST, A DISTANCE OF 197.63 FEET; 2) SOUTH 00°25'56" EAST, A DISTANCE OF 178.04 FEET; 3) SOUTH 89°09'38" EAST, A DISTANCE OF 98.84 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE, DEPARTING SAID BOUNDARY LINE, WESTERLY 275.77 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 83°09'38", AND A CHORD BEARING AND DISTANCE OF NORTH 81°19'09" WEST 252.19 FEET TO A POINT OF REVERSE CURVE TO THE LEFT; THENCE NORTHWESTERLY 55.57 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 67.50 FEET, A CENTRAL ANGLE OF 47°10'16", AND A CHORD BEARING AND DISTANCE OF NORTH 63°19'27" WEST 54.02 FEET TO THE BOUNDARY LINE OF SAID TRACT 101; THENCE, ALONG SAID BOUNDARY LINE, NORTH 00°05'48" WEST, A DISTANCE OF 120.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 36826 SQUARE FEET OR 0.845 ACRES.

SURVEYOR'S NOTES:

1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO OR PURSUED BY THE UNDERSIGNED.
2. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
3. THIS IS A SKETCH AND LEGAL DESCRIPTION ONLY, NOT A FIELD SURVEY.
4. BEARINGS ARE BASED ON NORTH LINE OF TRACT 101, BEING SOUTH 89°09'38" EAST, AS SHOWN HEREON.
5. DISTANCES SHOWN HEREON ARE IN U.S. FEET.

PUBLIC DRAINAGE EASEMENT VACATION

REVISED 2/15/2022

TRACT 101, BELMOND RESERVE PHASE 1

SCALE 1"=60'	DATE 1/24/2022	JOB No. 00067-2020-0463-00		
DRAWN RBC	CHECKED RBC	SECTION 2	TOWNSHIP 31S	RANGE 20E

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
 Sketch and Legal Description not valid without the original
 signature and seal of a Florida licensed Surveyor and Mapper.

Robert B Curtis, State of Florida,
 Professional Surveyor and Mapper,
 License No. 146651. This form has
 been electronically signed and sealed
 by Robert B Curtis, PLS, using a
 SHA-1 authentication code.
 Printed copies of this document are
 not considered signed and sealed
 and the SHA-1 authentication code
 must be verified on any electronic
 copies.

Robert B
 Curtis:A01410C00000177D3D
 7705900013819
 2022.02.15 07:01:39 -05'00'



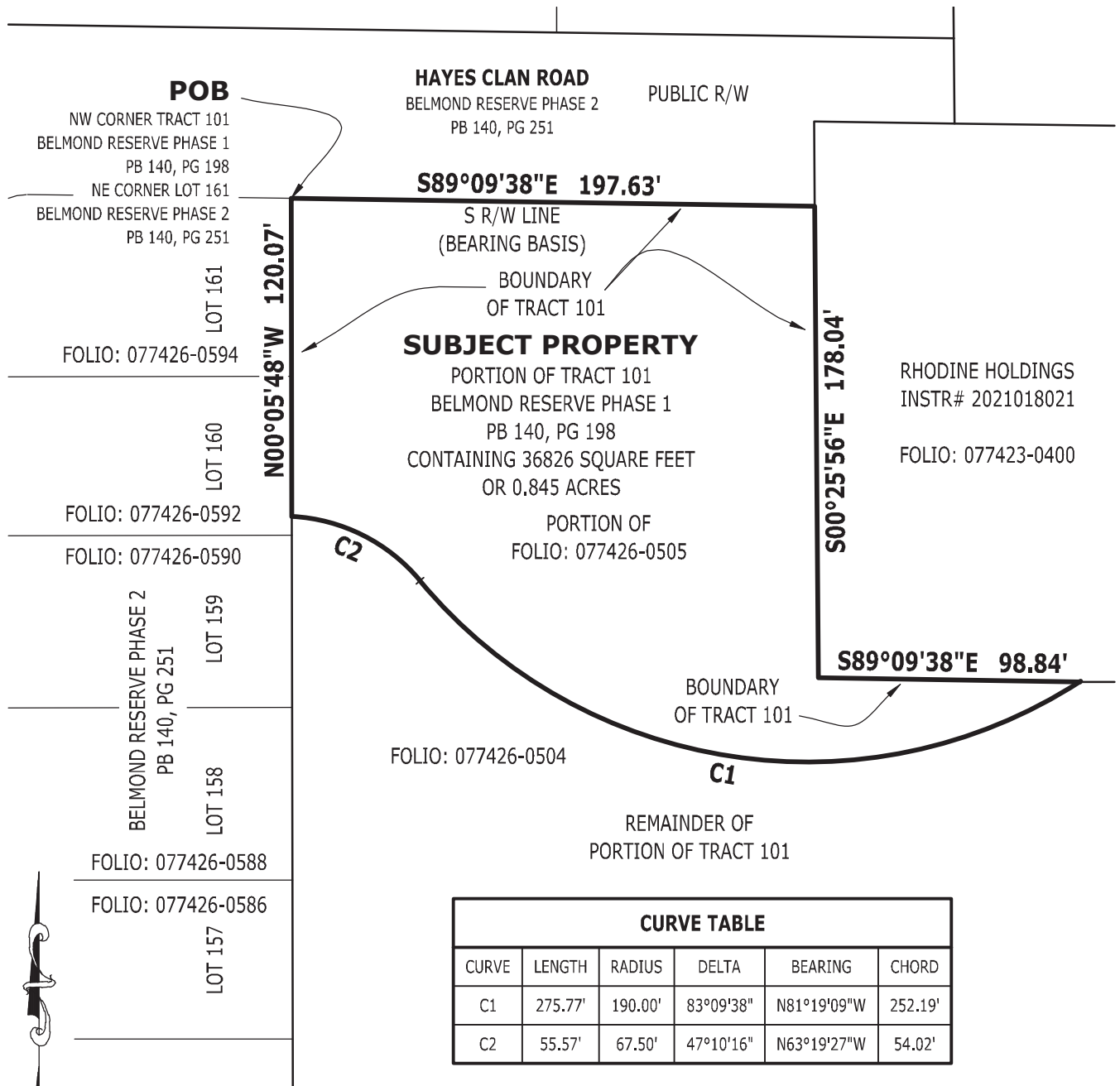
4921 Memorial Highway
 One Memorial Center, Suite 300
 Tampa, Florida 33634
 Phone: (813) 880-8881
 www.Ardurra.com
 License #2610

ROBERT B. CURTIS
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA # LS6051
 CERTIFICATE OF AUTHORIZATION No. LB 2610

C:\SURVEY\00067\2020\0463\Production\Drawings\BELMOND- PDE-VACATION-REV1-S&L.dwg, February 15, 2022 7:00 AM, ARDURRA GROUP, INC.

THIS IS NOT A SURVEY

**SECTION 2, TOWNSHIP 31 SOUTH, RANGE 20 EAST
HILLSBOROUGH COUNTY, FLORIDA
EXHIBIT "A"**



POB
NW CORNER TRACT 101
BELMOND RESERVE PHASE 1
PB 140, PG 198
NE CORNER LOT 161
BELMOND RESERVE PHASE 2
PB 140, PG 251

HAYES CLAN ROAD
BELMOND RESERVE PHASE 2
PUBLIC R/W
PB 140, PG 251

S89°09'38"E 197.63'

S R/W LINE
(BEARING BASIS)

BOUNDARY
OF TRACT 101

SUBJECT PROPERTY

PORTION OF TRACT 101
BELMOND RESERVE PHASE 1
PB 140, PG 198
CONTAINING 36826 SQUARE FEET
OR 0.845 ACRES

RHODINE HOLDINGS
INSTR# 2021018021

FOLIO: 077423-0400

FOLIO: 077426-0594

LOT 161

LOT 160

FOLIO: 077426-0592

FOLIO: 077426-0590

LOT 159

BELMOND RESERVE PHASE 2
PB 140, PG 251

LOT 158

FOLIO: 077426-0588

FOLIO: 077426-0586

LOT 157

C2

BOUNDARY
OF TRACT 101

S00°25'56"E 178.04'

S89°09'38"E 98.84'

FOLIO: 077426-0504

C1

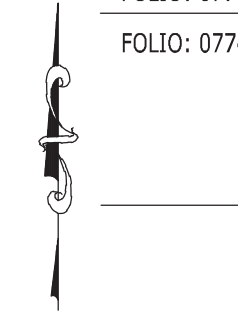
REMAINDER OF
PORTION OF TRACT 101

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	275.77'	190.00'	83°09'38"	N81°19'09"W	252.19'
C2	55.57'	67.50'	47°10'16"	N63°19'27"W	54.02'

LEGEND:

- POB = POINT OF BEGINNING
- INSTR = INSTRUMENT
- PB = PLAT BOOK
- PG = PAGE
- R/W = RIGHT-OF-WAY



0 30' 60'
SCALE: 1"=60'

PUBLIC DRAINAGE EASEMENT VACATION

TRACT 101, BELMOND RESERVE PHASE 1



4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

C:\SURVEY\000671\2020\0463\Production\Drawings\BELMOND- PDE-VACATION-REV1-S&L.dwg, February 15, 2022 7:00 AM, ARDURRA GROUP, Inc.

Placeholder for Notice of Hearing Affidavit

A notice of the hearing will be published on January 13, 2023, and
January 20, 2023

NOTICE OF HEARING FOR CLOSING AND VACATING

Notice is hereby given that a Public Hearing will be held by the Board of County Commissioners of Hillsborough County, Florida, 2nd Floor, County Center, 601 East Kennedy Boulevard, Tampa, Florida, at 9:00 A.M., Tuesday, February 7, 2023, to determine whether or not:

Vacating Petition V22-0006, a portion of a platted drainage easement within Tract 101 of Belmond Reserve Phase 1, as recorded in Plat Book 140 Page 198 of the public records of Hillsborough County, Florida, located in Section 02, Township 31 South, Range 20 East, lying within folio number 077426-0505

shall be closed, vacated, discontinued and abandoned, and any rights of Hillsborough County, Florida, and the public in and to any lands in connection therewith renounced and disclaimed.

PARTICIPATION OPTIONS. In response to the COVID-19 pandemic, Hillsborough County is making it possible for interested parties to participate in this public hearing by means of communications media technology or in person.

Virtual Participation: In order to participate virtually, you must have access to a communications media device that will enable you to be heard (audio) during the public hearing. Additionally, should you opt to participate virtually in this public hearing, you will be able to provide oral testimony, but you will be unable to submit documentation during the public hearing. Therefore, if you opt to participate virtually in this public hearing, you must submit any documentation you wish to be considered by the Board of County Commissioners to the staff of the Facilities Management & Real Estate Services Department at least two business days prior to the Land Use Meeting so that it may be included in the record for the hearing.

Anyone who wishes to participate virtually in this public hearing will be able to do so by completing the online Public Comment Signup Form found at: [HillsboroughCounty.org/SpeakUp](https://www.hillsboroughcounty.org/SpeakUp). You will be required to provide your name and telephone number on the online form. This information is being requested to facilitate the audio conferencing process. The Chair will call on the applicant representatives and speakers by name, depending on the application(s) to which each speaker signed up to speak. An audio call-in number will be provided to participants that have completed the form after it is received by the County. All callers will be muted upon calling and will be unmuted in the submission order after being recognized by the Chair by name. Call submissions for the public hearing will close 30 minutes prior to the start of the hearing. Public comments offered using communications media technology will be afforded equal consideration as if the public comments were offered in person.

In Person: While virtual participation is being offered, standard in-person participation is still available. The format and procedures for in-person participation may differ from a traditional hearing. For the safety of participants and staff, social distancing will be properly adhered to at all times. For planning purposes, parties wishing to participate in person are encouraged to sign up ahead of time at [HCFLGov.net/SpeakUp](https://www.hillsboroughcounty.org/SpeakUp).

The BOCC fully encourages public participation in its communications media technology hearing in an orderly and efficient manner. For more information on how to view or participate in a virtual meeting, visit: <https://www.hillsboroughcounty.org/en/government/meeting-information/speak-at-a-virtual-meeting>.

You will be required to provide your name and telephone number on the online form. This information is being requested to facilitate the audio-conferencing process. The Chair will call on speakers by name in the order in which they have completed the online Public Comment Signup Form. Prioritization is on a first-come, first-served basis. An audio call-in number will be provided

The public can listen and view the public hearing live in the following ways:

- Hillsborough County's Facebook page: HillsboroughFL
- The County's official YouTube channel: YouTube.com/HillsboroughCounty
- The County's HTV channels on cable television: Spectrum 637 and Frontier 22
- The HCFLGov.net website by going to HCFLGov.net/newsroom and selecting the "Live Meeting" button
- Listen to the meeting on smart phones by going to the above Facebook or YouTube link.

Participants are encouraged (whenever possible) to submit questions related to vacating petitions to Facilities Management & Real Estate Services Department in advance of the meeting by email to RP-Vacating@hcflgov.net or by calling (813) 307-1059. To best facilitate advance public comments, visit <https://hillsboroughcounty.org/en/government/board-of-county-commissioners> to leave comments with the Commissioners who represents your district.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to contact the Hillsborough County ADA Officer Carmen LoBue at lobuec@hcflgov.net or 813-276-8401; TTY: 7-1-1. For individuals who require hearing or speech assistance, please call the Florida Relay Service Numbers, (800) 955-8771 (TDD) or (800) 955-8700 (v) or Dial 711 no later than 48 hours prior to the proceedings. All BOCC meetings are closed captioned.

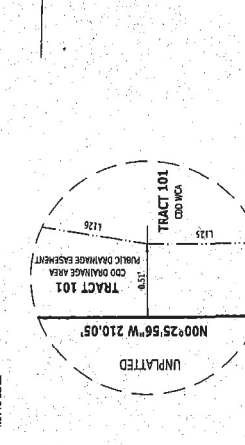
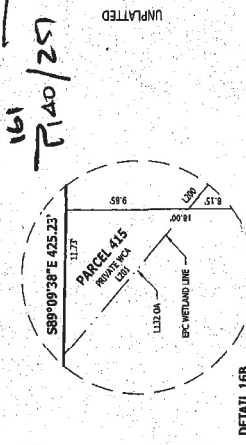
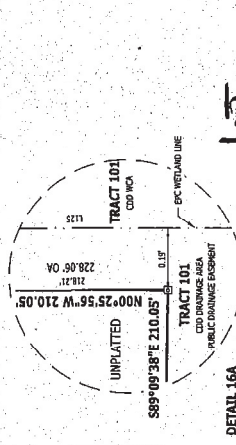
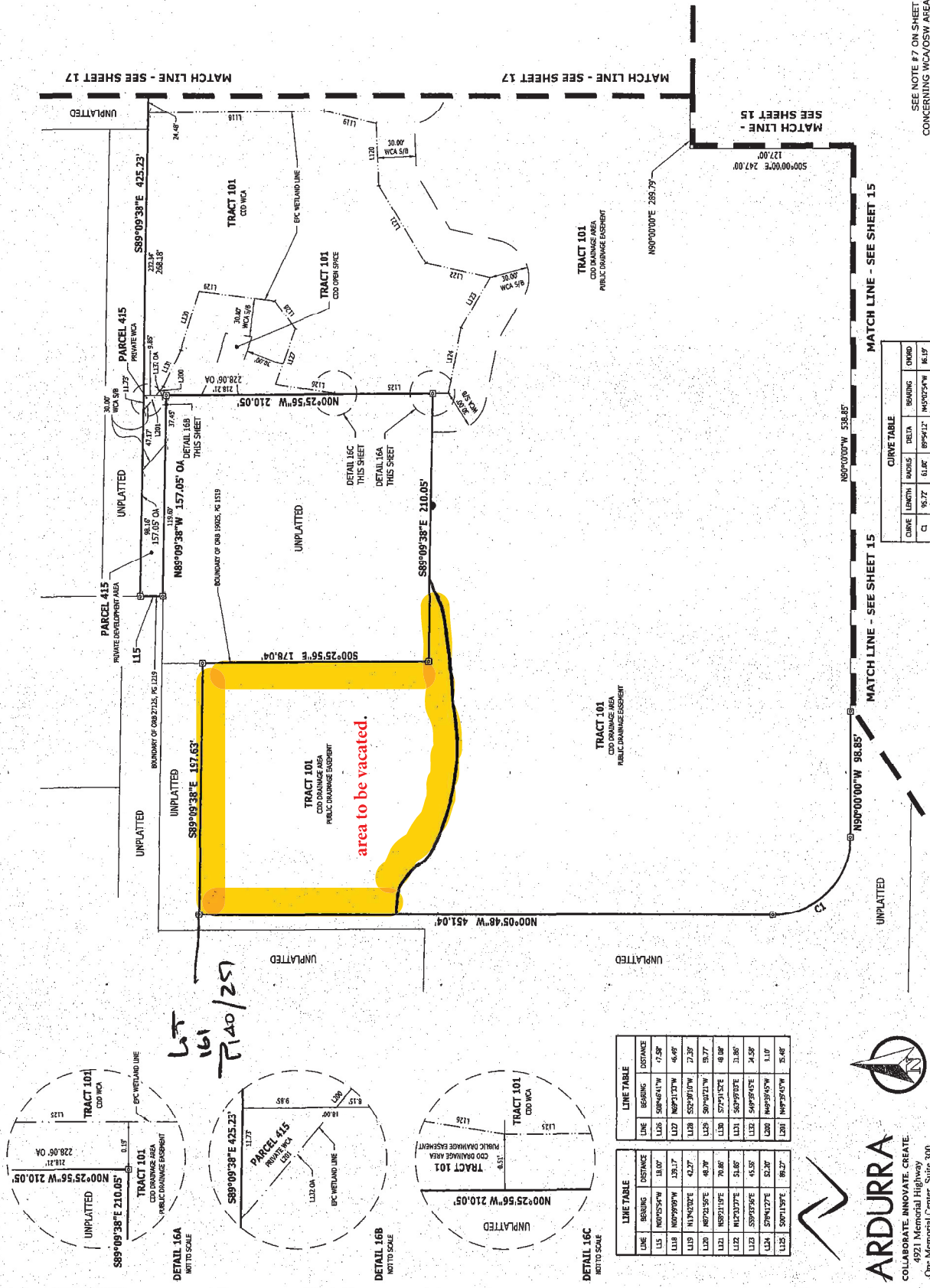
The Notice of Hearing Publication Affidavit will be inserted prior to execution of the Resolution.

Existing Plat Excerpt

BELMOND RESERVE PHASE 1

A REPLAT OF LOTS 3 THROUGH 6 AND 12 THROUGH 15, BLOCK 1, OF SHADY OAKS SUBDIVISION ACCORDING TO PLAT BOOK 83, PAGE 7, BEING A PORTION OF SECTION 35, TOWNSHIP 30 SOUTH, RANGE 20 EAST, AND A PORTION OF SECTIONS 1 & 2, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA

PLAT BOOK 140 PAGE 213



LINE TABLE		
LINE	BEARING	DISTANCE
L15	N07°55'54"W	18.00'
L16	S58°46'41"W	71.50'
L17	N69°11'37"W	46.60'
L18	N00°00'00"W	139.17'
L19	N14°02'06"E	42.27'
L20	N67°24'56"E	48.70'
L21	N89°21'59"E	70.06'
L22	N12°23'27"E	51.85'
L23	S59°39'36"E	45.58'
L24	S78°41'27"E	52.20'
L25	S00°11'59"E	86.27'

ARDURRA
COLLABORATE. INNOVATE. CREATE.
4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License: #2610

Scale: 1" = 50'

CURVE TABLE

DATE	LENGTH	ARC	DELTA	BEARING	CHORD
CL	65.77	61.82	89°54'12"	N02°05'54"W	16.19'

SEE NOTE #7 ON SHEET 3 CONCERNING WCA/OSW AREAS SEE SHEET 3 OF 17 FOR KEY MAP SEE SHEET 3 OF 17 FOR LEGEND

SHEET 16 OF 17

Vacating Petition V22-0006

Portion of a platted public drainage easement
Belmond Reserve Phase 1 (Plat Book 140 Page 198)
Section 2– Township 31 S – Range 20 E
Folio: 77426-0505
Petitioners – Rhodine Holdings, LLC and Belmond
Reserve CDD

1ST FEE (\$169.00) REC'D 2ND FEE (\$250.00) REC'D
 NOTICE OF HEARING AD PUBL'D NOTICE OF HEARING SIGN PST'D

REVIEWING DEPARTMENTS

- HC DEVELOPMENT SERVICES – NO OBJECTION
- HC PUBLIC UTILITIES – NO OBJECTION
- HC PUBLIC WORKS-STORMWATER – NO OBJECTION, CONDITIONAL
- HC PUBLIC WORKS-TRANSPORTATION – NO OBJECTION
- HC PUBLIC WORKS-SYSTEMS PLANNING – NO OBJECTION
- HC PUBLIC WORKS-STREET LIGHTING – NO OBJECTION
- HC PUBLIC WORKS-SERVICE UNIT – NO OBJECTION

VACATING REVIEW COMMENT SHEET

DATE: 7/5/22

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

VACATING PETITION: V22-0006 (Rhodine Holdings, LLC) a portion of Tract 101, a platted drainage easement lying south of Rhodine Rd and east of Balm Riverview Road, Section 2, Township 31 South, Range 20 East, in Belmond Reserve Phase 1, as per Plat Book 140, Page 198, Folio: 077426-0505.

Reviewing Agency: __Development SeVICES_____

Please review attached information on above-stated petition to vacate and check appropriate boxes (making comments when necessary) as the following statements pertain to your company or agency. Upon completion, please return this form to the County Real Estate Department. The back of this form may be used for additional comments.

<input checked="" type="checkbox"/> NO OBJECTION by this agency to the vacating as petitioned. <input type="checkbox"/> OBJECTION (If you have objections, check here, complete and sign below.
--

1) Do you currently use or have facilities in said area to be vacated? _____YES ___X___NO
If YES, please explain:

2) Do you foresee a need for said area in the future? _____YES ___X___NO
IF YES, please explain:

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";
A) Could any portion of said area be vacated? _____YES _____NO
If YES, please specify which portion may be vacated:

B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? _____YES _____NO

4) If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? ___N/A___YES _____NO

Additional Comments: _____

Reviewed By: __Mike Williams / Brian Grady_____ Date: __7/5/22_____

Email: __gradyb@hillsboroughcounty.org_____ Phone: __276-8343_____

VACATING REVIEW COMMENT SHEET

DATE 04/06/2022

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

Project: V22-0006 - Vacate a portion of a platted drainage easement in Tract 101, lying south of Rhodine Rd & east of Balm Riverview Rd - PB 140, Page 198, Folio# 77426.0505

Reviewing Agency: Public Utilities department - Administrative Division - Randy Sears General Manager II - 925 Twiggs Street Tampa, FL 33602

S., T., R. 02 - 31 - 20

Please review attached information on above-stated petition to vacate and check appropriate boxes (making comments when necessary) as the following statements pertain to your company or agency. Upon completion, please return this form to the County Real Estate Department. The back of this form may be used for additional comments.

NO OBJECTION by this agency to the vacating as petitioned. (If you have no objections, check here and sign below.)

1) Do you currently use or have facilities in said area to be vacated? YES NO (with X) If YES, please explain:

2) Do you foresee a need for said area in the future? YES NO (with X) IF YES, please explain:

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES"; A) Could any portion of said area be vacated? YES NO (with X) If YES, please specify which portion may be vacated:

B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? YES NO (with X)

4) If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? YES NO (with X)

Phone No.

Additional Comments: Hillsborough County has no existing or proposed water, wastewater and/or reclaimed water facilities located within the area to be vacated, therefore we have no objections to the proposed vacating request.

Reviewed By: Randy Rochelle Date: April 06, 2022

FROM:

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

VACATING PETITION: V22-0006 (Rhodine Holdings, LLC) a portion of Tract 101, a platted drainage easement lying south of Rhodine Rd and east of Balm Riverview Road, Section 2, Township 31 South, Range 20 East, in Belmont Reserve Phase 1, as per Plat Book 140, Page 198, Folio: 077426-0505.

Reviewing Agency: PW Engineering & Operations Dept./ Stormwater Services Section _____

Please review attached information on above-stated petition to vacate and check appropriate boxes (making comments when necessary) as the following statements pertain to your company or agency. Upon completion, please return this form to the County Real Estate Department. The back of this form may be used for additional comments.

<input checked="" type="checkbox"/>	NO OBJECTION by this agency to the vacating as petitioned, (Conditions, see below) .
<input type="checkbox"/>	OBJECTION (If you have objections, check here, complete and sign below.

1) Do you currently use or have facilities in said area to be vacated? _____ YES ___X___ NO
If YES, please explain:
_Platted drainage easement only, no drainage facilities _____

2) Do you foresee a need for said area in the future? ___X___ YES _____ NO
IF YES, please explain:
_ Future drainage of the proposed will be required for Phase 6 drainage. _____

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";
A) Could any portion of said area be vacated? ___X___ YES _____ NO
If YES, please specify which portion may be vacated:
_A 20' drainage easement should be clearly dimensioned and labeled on the re-plat.

B) Could said area be vacated subject to reserving an
easement over all or part of area to be vacated? ___X___ YES _____ NO
_A 20' drainage easement to Lake A needs to be retained and should be clearly dimensioned and labeled on the re-plat.

4) If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? _____ YES _____ NO
_ N/A _____

Additional Comments: Our department has reviewed the proposed replat and confirmed that it has adequate replacement drainage.

There are no current drainage facilities in the referenced area, and the drainage calcs were approved as part of a construction modification permit for Lake A to be re-sized and was deemed as being sufficient to allow for Phase 6. The replat provides a 30' drainage easement to the south, which will be sufficient for drainage infrastructure from the proposed cul-de-sac in the future.

Reviewed By: Ronald Steijlen _____ Date: 01/06/2023 _____

Email: SteijlenR@HillsboroughCounty.Org Phone: (813) 307-1801 _____

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

VACATING PETITION: V22-0006 (Rhodine Holdings, LLC) a portion of Tract 101, a platted drainage easement lying south of Rhodine Rd and east of Balm Riverview Road, Section 2, Township 31 South, Range 20 East, in Belmont Reserve Phase 1, as per Plat Book 140, Page 198, Folio: 077426-0505.

Reviewing Agency: Public Works - Technical Services Division - Transportation Design

Please review attached information on above-stated petition to vacate and check appropriate boxes (making comments when necessary) as the following statements pertain to your company or agency. Upon completion, please return this form to the County Geospatial & Land Acquisition Services Department. The back of this form may be used for additional comments.

Form with two options: [x] NO OBJECTION by this agency to the vacating as petitioned. [] OBJECTION (If you have objections, check here, complete and sign below.)

1) Do you currently use or have facilities in said area to be vacated? [] YES [x] NO
If YES, please explain:

Blank lines for explanation of question 1.

2) Do you foresee a need for said area in the future? [] YES [x] NO
IF YES, please explain:

Blank lines for explanation of question 2.

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";
A) Could any portion of said area be vacated? [] YES [] NO
If YES, please specify which portion may be vacated:

Blank lines for specification of portion to be vacated.

B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? [] YES [] NO

Blank lines for answer to question 3B.

4) If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? [] YES [] NO

Blank lines for answer to question 4.

Additional Comments: Transportation Review Team has no Objection to the Drainage Easement vacate request.

Reviewed By: Marcia Bento Date: 04/11/22

Email: PW-CIPTransportationReview@hcflgov.net

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

VACATING PETITION: V22-0006 (Rhodine Holdings, LLC) a portion of Tract 101, a platted drainage easement lying south of Rhodine Rd and east of Balm Riverview Road, Section 2, Township 31 South, Range 20 East, in Belmond Reserve Phase 1, as per Plat Book 140, Page 198, Folio: 077426-0505.

Reviewing Agency: ___ Systems Planning Stormwater Team _____

Please review attached information on above-stated petition to vacate and check appropriate boxes (making comments when necessary) as the following statements pertain to your company or agency. Upon completion, please return this form to the County Real Estate Department. The back of this form may be used for additional comments.

<input checked="" type="checkbox"/> NO OBJECTION by this agency to the vacating as petitioned. <input type="checkbox"/> OBJECTION (If you have objections, check here, complete and sign below.
--

1) Do you currently use or have facilities in said area to be vacated? _____ YES ___x___ NO
If YES, please explain:

2) Do you foresee a need for said area in the future? _____ YES ___x___ NO
IF YES, please explain:

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";
A) Could any portion of said area be vacated? _____ YES _____ NO
If YES, please specify which portion may be vacated:

_____ n/a _____

B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? _____ YES _____ NO
_____ n/a _____

4) If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? ___x___ YES _____ NO

Additional Comments: _____

Reviewed By: _William Hand _____

Date: _4/4/22 _____

Email: handwt@hillsboroughcounty.org _____

Phone: _813-635-5404 _____

VACATING REVIEW COMMENT SHEET

DATE: 4/01/22

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

VACATING PETITION: V22-0006 (Rhodine Holdings, LLC) a portion of Tract 101, a platted drainage easement lying south of Rhodine Rd and east of Balm Riverview Road, Section 2, Township 31 South, Range 20 East, in Belmond Reserve Phase 1, as per Plat Book 140, Page 198, Folio: 077426-0505.

Reviewing Agency: Hillsborough County Residential Street Lighting Program

Please review attached information on above-stated petition to vacate and check appropriate boxes (making comments when necessary) as the following statements pertain to your company or agency. Upon completion, please return this form to the County Real Estate Department. The back of this form may be used for additional comments.

X NO OBJECTION by this agency to the vacating as petitioned.
OBJECTION (If you have objections, check here, complete and sign below.

1) Do you currently use or have facilities in said area to be vacated? YES NO
If YES, please explain:

2) Do you foresee a need for said area in the future? YES NO
IF YES, please explain:

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";
A) Could any portion of said area be vacated? YES NO
If YES, please specify which portion may be vacated:

B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? YES NO

4) If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? YES NO

Additional Comments:

Reviewed By: Landon Hamilton

Date: 04/01/2022

Email: HamiltonL@HCFL.net

Phone: 813-538-5452

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

VACATING PETITION: V22-0006 (Rhodine Holdings, LLC) a portion of Tract 101, a platted drainage easement lying south of Rhodine Rd and east of Balm Riverview Road, Section 2, Township 31 South, Range 20 East, in Belmond Reserve Phase 1, as per Plat Book 140, Page 198, Folio: 077426-0505.

Reviewing Agency: PW – South Service Unit

Please review attached information on above-stated petition to vacate and check appropriate boxes (making comments when necessary) as the following statements pertain to your company or agency. Upon completion, please return this form to the County Real Estate Department. The back of this form may be used for additional comments.

<input checked="" type="checkbox"/>	NO OBJECTION by this agency to the vacating as petitioned.
<input type="checkbox"/>	OBJECTION (If you have objections, check here, complete and sign below.)

1) Do you currently use or have facilities in said area to be vacated? _____ YES ___X___ NO
 If YES, please explain:

2) Do you foresee a need for said area in the future? _____ YES ___X___ NO
 IF YES, please explain:

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";
 A) Could any portion of said area be vacated? _____ YES _____ NO
 If YES, please specify which portion may be vacated:

B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? _____ YES _____ NO

4) If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? _____ YES _____ NO

Additional Comments: _____

Reviewed By: Juan O. Olivero Lopez

Date: 04/01/2022

Email: Oliveroj@hillsboroughcounty.org

Phone: 813-671-7624 Ext. 41539



**Hillsborough
County Florida**

PETITION TO VACATE

Hillsborough County Geospatial & Land Acquisition Services Department
County Center
601 East Kennedy Boulevard – 23rd Floor
Tampa, Florida 33602
Telephone: (813) 272-5810 | Fax: (813) 272-5597

Right-of-Way

Easement

Subdivision Plat

PETITIONER'S INFORMATION

Name(s): Rhodine Holdings, LLC - Nicholas Dister and Belmond Reserve Community Development District

Address: 111 S Armenia Ave, Suite 201

City: Tampa State: Florida Zip Code: 33609

Phone Number(s): 727-743-4792

Email address: ksmith@eisenhowerpropertygroup.com

For multiple Petitioners, attach additional signature sheets for each additional Petitioner

The above named Petitioner(s) hereby petition(s) the Honorable Board of County Commissioners of Hillsborough County to adopt a resolution vacating, abandoning, renouncing, and disclaiming any right or interest of Hillsborough County and the public in and to the following described right(s)-of-way, easement(s), or subdivision plat or portion thereof (*provide or attach legal description of area or property interest to be vacated*):

Located in Section 2, Township 31S, Range 20E, Folio # 077426-0505

AGENT AUTHORIZATION - PLEASE COMPLETE IF APPLICABLE

The above-named Petitioner(s) hereby authorizes as the following to act as agent on my/our behalf:

Name(s): Ely Payne

Company: LevelUp Consulting, LLC

Address: 505 E Jackson St, Suite 200

City: Tampa State: Florida Zip Code: 33602

Phone Number(s): 813-375-0616

Email address: ely@levelupflorida.com

Provide a detailed reason for, and the purpose of, the Vacating request. Please be specific:

We are petitioning to vacate a portion of the Public Drainage Easement within Tract 101 located on the northwest corner of Pond A of our Belmont Reserve Project. Pond A was reduced in size as part of a construction modification permit. This construction mod permit has already been approved, built, inspected, and a has been CO issued. Drainage calculations were submitted with justification to reduce the pond.

For Right-of-Way Vacating Petitions Only:

If any adjacent property owners have not signed the Petition, please explain why an adjacent property owner has not signed.

If the Petition seeks to clear or resolve an encroachment into an easement or right-of-way, please state the construction date of the encroachment:

If the Petition seeks to clear or resolve a code enforcement violation, please provide all information regarding such violation (date of violation, nature of violation, assigned officer, etc.):

Please review and initial: Initials are for both owners


1. NO The Petitioner(s) hereby acknowledges that the average minimum processing time for bringing a Petition for public hearing is sixty (60) to ninety (90) days from the date the County receives a completed, sufficient Petition. The Petitioner(s) acknowledge that this timeframe is only an estimate and Hillsborough County is not responsible for any extensions, delays, or otherwise due to unfulfilled or incomplete Petition requirements.
2. NO The Petitioner(s) hereby expressly acknowledges and agrees that all Petitions are circulated for review and comment by both internal and external departments and agencies, and that it is the Petitioner(s) sole responsibility to address and/or resolve any and all objections in writing prior to scheduling the matter for public hearing. Note: failure to cure such objections prior to public hearing may result in a staff recommendation of denial of the Petition.
3. NO The Petitioner(s) attaches a check for the initial filing fee in the amount of \$414.10 made payable to the Board of County Commissioners of Hillsborough County, Florida, to cover the administrative costs of processing the Petition prior to the scheduling of a public hearing. Petitioner acknowledges and agrees that the initial filing fee is non-refundable in whole or in part.
4. NO The Petitioner(s) hereby waive(s), renounce(s), absolve(s), relinquish(es) and discharge(s) Hillsborough County from any claims or damages of any nature and kind whatsoever that such Petitioner(s) may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing and abandoning of said right(s)-of-way, easement(s), or subdivision plat.
5. NO The Petitioner(s) acknowledges and agrees that if the Petition proceeds to public hearing the Petitioner(s) will pay the additional filing fee of \$250.00 made payable to the Board of County Commissioners of Hillsborough County, Florida. Petitioner further acknowledges and agrees the additional filing fee is non-refundable in whole or in part.
6. NO The Petitioner(s) hereby acknowledges and agrees that all terms and conditions of the Vacating Resolution, if approved and adopted by the Board of County Commissioners, shall be strictly complied with by the Petitioner(s).
7. NO The Petitioner(s) hereby acknowledges and agrees they have read and understand all applicable steps listed within the VACATING PETITION INFORMATION PACKET received by Petitioner(s) prior to submittal of this PETITION TO VACATE.
8. NO The Petitioner(s) hereby acknowledges and agrees that the Petition may not cure any and/or all code enforcement violations and that additional curative measures may be required to be completed by Petitioner prior to removal of such violation.
9. NO The Petitioner(s) hereby acknowledges and agrees that **HILLSBOROUGH COUNTY MAKES NO STATEMENT, OPINION OR WARRANTY AS TO THE TITLE OF VACATED PUBLIC PROPERTY INTERESTS BY VIRTUE OF ANY VACATING ACTION BY ITS BOARD OF COUNTY COMMISSIONERS. PETITIONER(S) SHOULD VERIFY WITH A TITLE COMPANY WHERE TITLE VESTS FOLLOWING THE VACATING ACTION.**

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

The Petitioner(s) herein named hereby waive(s), renounce(s), relinquish(es), absolve(s), and discharge(s) Hillsborough County from any claims for damages of any nature and kind whatsoever that petitioner(s) may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing, and abandoning of public right(s)-of-way, easement(s) or subdivision plat(s), or any part or portion thereof; and shall indemnify and hold harmless Hillsborough County from any claims, damages, expenses and costs that result from damage to or destruction of any improvement, structure or property located within the portion of right(s)-of-way, easement(s) or subdivision plat(s) being vacated herein as a result of the exercise by Hillsborough County of its rights within any remaining public right(s)-of-way, easement(s), or subdivision plat(s) not vacated.

PETITIONERS' SIGNATURES


MAILING ADDRESS


Nicholas J. Dister on behalf of Rhodine Holdings, LLC

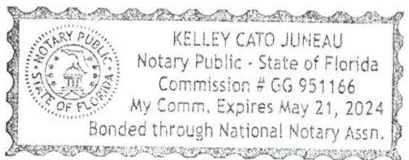
111 S. Armenia Avenue, Suite 201, Tampa, FL 33609

STATE OF Florida
COUNTY OF Hillsborough

The following instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization this 14th day of February, 2022, by Nicholas J. Dister on behalf of Rhodine Holdings, LLC who is/are personally known to me or who has produced _____ as identification.

NOTARY PUBLIC: 
Signature: _____
Printed Name: Kelley Cato Juneau
Title or Rank: Notary Public
Serial / Commission Number: GG951166
My Commission Expires: May 21, 2024

(SEAL)



The Petitioner(s) herein named hereby waive(s), renounce(s), relinquish(es), absolve(s), and discharge(s) Hillsborough County from any claims for damages of any nature and kind whatsoever that petitioner(s) may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing, and abandoning of public right(s)-of-way, easement(s) or subdivision plat(s), or any part or portion thereof; and shall indemnify and hold harmless Hillsborough County from any claims, damages, expenses and costs that result from damage to or destruction of any improvement, structure or property located within the portion of right(s)-of-way, easement(s) or subdivision plat(s) being vacated herein as a result of the exercise by Hillsborough County of its rights within any remaining public right(s)-of-way, easement(s), or subdivision plat(s) not vacated.

For multiple Petitioners, attach additional signature sheets for each additional Petitioner

PETITIONERS' SIGNATURES	MAILING ADDRESS
<p><u><i>[Signature]</i></u> <u>NICHOLAS J. DISTER</u> <small>Printed name and title if applicable</small> <u>VICE CHAIRMAN</u> <u>BELMOND RESERVE CDD</u></p>	<p><u>C/O MERITUS</u> <u>2005 PANAM CIR, STE 300</u> <u>TAMPA, FL 33607-6008</u></p>
<p>_____ <small>Printed name and title if applicable</small></p>	<p>_____</p>
<p>_____ <small>Printed name and title if applicable</small></p>	<p>_____</p>

STATE OF Florida
COUNTY OF Hillsborough

The following instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization this 29 day of December, 2022, by Nicholas J. Dister who is/are personally known to me or who has produced _____ as identification.

NOTARY PUBLIC:
Signature: *[Signature]*
Printed Name: _____
Title or Rank: _____
Serial / Commission Number: _____
My Commission Expires: _____

