

Agenda Item Cover Sheet

Agenda Item Nº.

Meeting Date February 8, 2022

☐ Consent Section	Regular Section	I Public Hearing	
public lift sta		by Starlight Homes Florida L.L.C a private landscape area, private di 200 and 56773-0202, in Ruskin.	
Department Name:	Facilities Management & Real E	state Services Department	
Contact Person:	Anne-Marie Lenton (C. Allen)	Contact Phone:	813-272-5810
Sign-Off Approvals: Thomas H. Fass	1/16/22	John Muller	Mer
Assistant County Administrator N/A Management and Budget – Approved as to Financial	Impact Accuracy Date	Department Director Richard Tschantz Richar County Attorney – Approved as to Legal Sufficiency	d Tschartz

#### **Staff's Recommended Board Motion:**

a) Adopt a resolution vacating all of tract 400 (public lift station tract), a portion of tract 105 (private landscape area), and a portion of tract 500 (private drainage area and public drainage easement) within the plat of Ruskin Reserve, as recorded in Plat Book 140, Page 1, of the public records of Hillsborough County, and being more particularly described in the Resolution. b) Accept a warranty deed for a new public lift station over the entirety of the vacate area. The purpose of this vacating petition is to accommodate a larger public lift station and rededicate the area to Hillsborough County (as explained further in the background). The proposed vacate area consists of approximately 6,318 square feet (.15 acres) and is generally located west of 9<sup>th</sup> Street Southeast and north of 14<sup>th</sup> Avenue Southeast, in Ruskin.

Reviewing departments, agencies, and utility providers have raised no objections to the vacate and replacement of the public lift station. The Water Resources Department recommends acceptance of the warranty deed. 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.

#### **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 Starlight Homes Florida L.L.C. as owner of the property underlying the proposed vacate area, to vacate all of tract 400 (public lift station tract), a portion of tract 105 (private landscape area), and a portion of tract 500 (private drainage area and public drainage easement), lying within Folios No. 56773-0200 and 56773-0202, in Ruskin (no physical address). These platted areas were established in March 2021 by virtue of the plat of Ruskin Reserve, as recorded in Plat Book 140, Page 1 of the public records of Hillsborough County, Florida.

After the plat of Ruskin Reserve was approved and recorded, the Petitioner discovered that the platted lift station tract was not of sufficient size to support the Ruskin Reserve subdivision. In order to utilize the necessary additional land as a lift station, the underlying platted interests must first be vacated. Acceptance of the warranty deed will provide Hillsborough County with an expanded public lift station to support the Ruskin Reserve subdivision.

Reviewing departments, agencies, and utility providers have raised no objections to the vacate and replacement of the public lift station. The Water Resources Department recommends acceptance of the warranty deed.

Pursuant to F.S. 177.101(4), Public Notice of this public hearing was published in *La Gaceta* on January 14, 2022 and January 21, 2022.

Staff Reference: V21-0011 Petition to vacate and replace Lift Station, Ruskin Reserve (Starlight Homes) List Attachments: Location Map, Overview Map, Resolution, Warranty Deed, Water Resources Department Recommendation, Plat Excerpt, Review Summary and Comments, Petition

#### V21-0011

## Petition to vacate and replace Lift Station, Ruskin Reserve (Starlight Homes)





#### LEGEND

- Folio 56773.0202 Vacate Tract 400 - Lift Station Tract Approx. 3,770 SqFt (0.087 Ac)
- Folio 56773.0200
- Vacate Portion of Tract 500 Private Drainage Area & Public Drainage Esmt Approx. 2,505 SqFt (0.058 Ac)
- Folio 56773.0200 Vacate Portion of Tract 105 - Private Landscape Area Approx. 43 SqFt (0.001 Ac)
  - Total Vacate Area: Approx. 6,318 SqFt (0.15 Ac) SEC 08 TWP 32S RNG 19E



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 lability 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 warranti 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.

Date: 11/1/2021 Path: W:\AppliedGIS\RealEstate\R20\_BoardItemMaps\W21-0011.mxd

V21-0011 Petition to vacate and replace Lift Station, Ruskin Reserve (Starlight Homes)





### LEGEND

Folio 56773.0200 Total Vacate Area and Rededication of Public Lift Station - Approx. 6,318SqFt (0.15 Ac)

Folio 56773.0202

SEC 08 TWP 32S RNG 19E



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Date: 1/10/2022 Path: W:\AppliedGIS\RealEstate\R20\_BoardItemMaps\Waps\V21-0011.mxd

Vacating Petition V21-0011 Starlight Homes Florida, L.L.C. - Petitioner Vacate & Replace lift station Ruskin Reserve (PB 140, PG 1) Folios: 56773-0200 and 56773-0202 Section 8, Township 32 South, Range 19 East

#### RESOLUTION NUMBER R22-

Upon motion by	Commissioner				_, seconded	l by
Commissioner		,	the	following	resolution	was
adopted by a $\overline{vo}$	te of	to		,	Commissione	r(s)
					voting a	no.

WHEREAS, Starlight Homes Florida, L.L.C. has petitioned the Board of County Commissioners of Hillsborough County, Florida, in which petition said Board is asked to close, vacate, and abandon all of tract 400 (public lift station tract), a portion of tract 105 (private landscape area), and a portion of tract 500 (private drainage area and 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 petitioners; and,

WHEREAS, the Board of County Commissioners finds that granting the petition to vacate all of tract 400 (public lift station tract), a portion of tract 105 (private landscape area), and a portion of tract 500 (private drainage area and 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 8, 2022, and the same having been investigated and considered, and it 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 8th DAY OF FEBRUARY, 2022:

- 1. That the above described tract 400 (public lift station tract), a portion of tract 105 (private landscape area), and a portion of tract 500 (private drainage area and public drainage easement) are hereby closed, vacated, and abandoned, and the right of the public and the County in and to these platted interests 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 \_\_\_\_\_\_, 2022, 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 \_\_\_\_\_, 2022.

CINDY STUART, CLERK

APPROVED BY COUNTY ATTORNEY

BY: Richard Tschantz

Approved As to Form and Legal Sufficiency

BY:

Deputy Clerk

# EXHIBIT "A" SHEET 1 OF 2

IN SECTION 8, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA. DESCRIPTION & SKETCH

(THIS IS NOT A FIELD SURVEY)

LEGAL DESCRIPTION (PREPARED BY THE UNDERSIGNED 09/07/2021)

ALL OF TRACT 400, RUSKIN RESERVE, A SUBDIVISION RECORDED IN PLAT BOOK 140, PAGES 1 THROUGH 8 INCLUSIVE, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LYING IN SECTION 8, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA.

**"TOGETHER WITH"** THOSE PORTIONS OF TRACTS 105 AND 500, OF SAID RUSKIN RESERVE, BEING DESCRIBED AS FOLLOWS;

COMMENCE AT THE SE CORNER OF TRACT 400 OF SAID RUSKIN RESERVE; THENCE ALONG THE EAST LINE OF SAID TRACT 400, N.00°06'54"E., A DISTANCE OF 58.00 FEET TO THE NE CORNER OF SAID TRACT 400 FOR A POINT OF BEGINNING OF LAND BEING DESCRIBED; THENCE ALONG THE NORTH LINE OF SAID TRACT 400, N.89°53'06"W., A DISTANCE OF 5.00 FEET TO THE SW'LY MOST CORNER OF TRACT 105, OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG THE NORTH LINE OF SAID TRACT 400, N.89°53'06"W., A DISTANCE OF 60.00 FEET TO THE NW CORNER OF SAID TRACT 400; THENCE ALONG THE WEST LINE OF SAID TRACT 400, S.00°06'54"W., A DISTANCE OF 58.00 FEET TO THE SW CORNER OF SAID TRACT 400; THENCE ALONG THE WEST LINE OF SAID TRACT 400, S.00°06'54"W., A DISTANCE OF 58.00 FEET TO THE SW CORNER OF SAID TRACT 400; THENCE ALONG THE SOUTH LINE OF TRACT 500 OF SAID RUSKIN RESERVE, N.89°53'06"W., A DISTANCE OF 30.00 FEET; THENCE ALONG A LINE PARALLEL WITH AND 30.00 FEET WESTERLY OF THE WEST LINE OF SAID TRACT 400, N.00°06'54"E., A DISTANCE OF 66.50 FEET TO A LINE THAT IS 8.50 FEET NORTHERLY OF AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 400, S.89°53'06"E., A DISTANCE OF 90.00 FEET TO THE WEST LINE OF TRACT 105 OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG SAID PARALLEL LINE, S.89°53'06"E., A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID TRACT 400, S.89°53'06"E., A DISTANCE OF 90.00 FEET TO THE WEST LINE OF TRACT 105 OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG SAID PARALLEL LINE, S.89°53'06"E., A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID TRACT 105; THENCE ALONG SAID EAST LINE OF TRACT 105, S.00°06'54"W., A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE FORMS ONE CONTIGUOUS PARCEL CONTAINING 6,317.5 SQUARE FEET, OR 0.15 ACRES, MORE OR LESS; (INDIVIDUAL AREAS: TRACT 105=42.5 SQ. FT.; TRACT 400=3,770.0 SQ. FT.; TRACT 500=2,505 SQ. FT.)

BEARINGS ARE BASED ON THE RECORD PLAT OF RUSKIN RESERVE (PLAT BOOK 140/1). A BEARING OF N.00°06'54"E. FOR THE EAST LINE OF TRACT 400 WAS USED.

R.J. RHODES ENGINEERING, INC. STATE OF FLORIDA, LB NO. 6924

Steven E Burkholder Digitally signed by Steven E Burkholder Date: 2021.10.29 10:51:51 -04'00'

STEVEN E. BURKHOLDER, P.L.S., VICE PRESIDENT PROFESSIONAL LAND SURVEYOR, FLORIDA CERTIFICATE LS 4521



NOT FULL & COMPLETE NOR VALID UNLESS ACCOMPANIED BY SHEET 2 OF 2 (THIS DOCUMENT HAS NOT BEEN AUTHORIZED NOR VALID UNLESS SIGNED IN INK WITH EMBOSSED SEAL AFFIXED HERETO, OR ACCOMPANIED BY AN AUTHENTICATED ELECTRONIC DIGITAL SIGNATURE & DATE, AND ANY COPIES OF THIS DOCUMENT ARE FOR INFORMATIONAL PURPOSES ONLY) © COPYRIGHT 2021, R. J. RHODES ENGINEERING, INC. ALL RIGHTS RESERVED

R.J. RHODES ENGINEERING, INC. FLORIDA LB #6924, FLORIDA EB#8120 CIVIL ENGINEERING & SURVEYING 325 INTERSTATE BOULEVARD SARASOTA, FL. 34240 PHONE: 941-924-1600



## Placeholder for Notice of Hearing Affidavit

# A notice of hearing will be published on January 14, 2022 and January 21, 2022.

#### 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 at 9:00 A.M., Tuesday, February 8, 2022, to determine whether or not:

Vacating Petition V21-0011, petition to vacate and replace lift station within Tract 400 (lift station) and portions of Tracts 105 and 500 (drainage and landscape), within the plat of Ruskin Reserve, as recorded in Plat Book 140, Page 1, of the public records of Hillsborough County, lying within folios 56773-0200 & 56773-0202, within Section 8, Township 32 South, Range 19 East

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: Virtual participation is highly encouraged. 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 and 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.** 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 encouraged, 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**.

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: <a href="https://www.hillsboroughcounty.org/en/government/meeting-information/speak-at-a-virtual-meeting">https://www.hillsboroughcounty.org/en/government/meeting-information/speak-at-a-virtual-meeting.</a>

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 and 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 <a href="https://hillsboroughcounty.org/en/government/board-of-county-commissioners">https://hillsboroughcounty.org/en/government/board-of-county-commissioners</a> 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 <u>lobuec@hcflgov.net</u> 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.

This instrument prepared by: Hillsborough County Facilities Management & Real Estate Services Department Attn: Cari Allen P.O. Box 1110 Tampa, Florida 33601

Project: V21-0011 Project Name: Petition to vacate and replace Lift Station, Ruskin Reserve (Starlight Homes) Folio #: 56773-0200 and 56773-0202 Sec 8, Twp 32 South, Rge 19 East

### WARRANTY DEED

**THIS INDENTURE**, Made this <u>day of</u>, A.D., 20, between **STARLIGHT HOMES FLORIDA L.L.C.**, a limited liability company existing under the laws of the State of Delaware, hereinafter "Grantor," whose address is 9720 Princess Palm Avenue, Suite 130, Tampa, Florida 33610, and **HILLSBOROUGH COUNTY**, a political subdivision of the State of Florida, whose post office address is: P.O. Box 1110, Tampa, Florida 33601, of the County of Hillsborough and State of Florida, hereinafter "Grantee."

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable considerations, to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, and its heirs and assigns forever, all that certain parcel of land lying and being in the County of Hillsborough and State of Florida. The lands conveyed herein being the same as the land vacated by Hillsborough County per Resolution \_\_\_\_\_, as recorded per Instrument # \_\_\_\_\_\_, of the public records of Hillsborough County, Florida, and said conveyed lands being more particularly described as follows:

#### LANDS DESCRIBED IN EXHIBIT "A" CONSISTING OF 2 PAGES ATTACHED HERETO AND MADE A PART HEREOF

#### SKETCHES INCLUDED FOR ILLUSTRATIVE PURPOSES ONLY

**TOGETHER** with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the same in fee simple forever.

And the Grantor doth covenant with the Grantee that it is lawfully seized of the said premises; that they are free of all encumbrances, and that it has good right and lawful authority to sell the same; and the Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF,** the Grantor has caused these presents to be duly executed on the date first above written.

Signed, sealed and delivered in the presence of:

Signature of Witness #1 Mike Lewis

Print Name of Witness #1

Signature of Witness #2

ANDY RICHARDSON Print Name of Witness #2

#### STARLIGHT HOMES FLORIDA L.L.C.,

a Delaware limited liability company

By:

Print Name: Darryl Colwell

Title: <u>Authorized Representative</u>

#### STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  $[\sqrt{]}$  physical presence or [] online notarization, this 5 day of 2000, 2021, by Darryl Colwell, as Authorized Representative of Starlight Homes Florida L.L.C., a limited liability company under the laws of the State of Delaware, on its behalf. He is personally known to me or has produced as identification.

(SEAL)



NOTARY PUBLIC:
Sign:
Print: Towna Potlard
My Commission Expires: $6/4/25$

# EXHIBIT "A" SHEET 1 OF 2

IN SECTION 8, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA. DESCRIPTION & SKETCH

(THIS IS NOT A FIELD SURVEY)

LEGAL DESCRIPTION (PREPARED BY THE UNDERSIGNED 09/07/2021)

ALL OF TRACT 400, RUSKIN RESERVE, A SUBDIVISION RECORDED IN PLAT BOOK 140, PAGES 1 THROUGH 8 INCLUSIVE, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LYING IN SECTION 8, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA.

**"TOGETHER WITH"** THOSE PORTIONS OF TRACTS 105 AND 500, OF SAID RUSKIN RESERVE, BEING DESCRIBED AS FOLLOWS;

COMMENCE AT THE SE CORNER OF TRACT 400 OF SAID RUSKIN RESERVE; THENCE ALONG THE EAST LINE OF SAID TRACT 400, N.00°06'54"E., A DISTANCE OF 58.00 FEET TO THE NE CORNER OF SAID TRACT 400 FOR A POINT OF BEGINNING OF LAND BEING DESCRIBED; THENCE ALONG THE NORTH LINE OF SAID TRACT 400, N.89°53'06"W., A DISTANCE OF 5.00 FEET TO THE SW'LY MOST CORNER OF TRACT 105, OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG THE NORTH LINE OF SAID TRACT 400, N.89°53'06"W., A DISTANCE OF 60.00 FEET TO THE NW CORNER OF SAID TRACT 400; THENCE ALONG THE WEST LINE OF SAID TRACT 400, S.00°06'54"W., A DISTANCE OF 58.00 FEET TO THE SW CORNER OF SAID TRACT 400; THENCE ALONG THE WEST LINE OF SAID TRACT 400, S.00°06'54"W., A DISTANCE OF 58.00 FEET TO THE SW CORNER OF SAID TRACT 400; THENCE ALONG THE SOUTH LINE OF TRACT 500 OF SAID RUSKIN RESERVE, N.89°53'06"W., A DISTANCE OF 30.00 FEET; THENCE ALONG A LINE PARALLEL WITH AND 30.00 FEET WESTERLY OF THE WEST LINE OF SAID TRACT 400, N.00°06'54"E., A DISTANCE OF 66.50 FEET TO A LINE THAT IS 8.50 FEET NORTHERLY OF AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 400, S.89°53'06"E., A DISTANCE OF 90.00 FEET TO THE WEST LINE OF TRACT 105 OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG SAID PARALLEL LINE, S.89°53'06"E., A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID TRACT 400, S.89°53'06"E., A DISTANCE OF 90.00 FEET TO THE WEST LINE OF TRACT 105 OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG SAID PARALLEL LINE, S.89°53'06"E., A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID TRACT 105; THENCE ALONG SAID EAST LINE OF TRACT 105, S.00°06'54"W., A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE FORMS ONE CONTIGUOUS PARCEL CONTAINING 6,317.5 SQUARE FEET, OR 0.15 ACRES, MORE OR LESS; (INDIVIDUAL AREAS: TRACT 105=42.5 SQ. FT.; TRACT 400=3,770.0 SQ. FT.; TRACT 500=2,505 SQ. FT.)

BEARINGS ARE BASED ON THE RECORD PLAT OF RUSKIN RESERVE (PLAT BOOK 140/1). A BEARING OF N.00°06'54"E. FOR THE EAST LINE OF TRACT 400 WAS USED.

R.J. RHODES ENGINEERING, INC. STATE OF FLORIDA, LB NO. 6924

Steven E Burkholder Digitally signed by Steven E Burkholder Date: 2021.10.29 10:51:51 -04'00'

STEVEN E. BURKHOLDER, P.L.S., VICE PRESIDENT PROFESSIONAL LAND SURVEYOR, FLORIDA CERTIFICATE LS 4521



NOT FULL & COMPLETE NOR VALID UNLESS ACCOMPANIED BY SHEET 2 OF 2 (THIS DOCUMENT HAS NOT BEEN AUTHORIZED NOR VALID UNLESS SIGNED IN INK WITH EMBOSSED SEAL AFFIXED HERETO, OR ACCOMPANIED BY AN AUTHENTICATED ELECTRONIC DIGITAL SIGNATURE & DATE, AND ANY COPIES OF THIS DOCUMENT ARE FOR INFORMATIONAL PURPOSES ONLY) © COPYRIGHT 2021, R. J. RHODES ENGINEERING, INC. ALL RIGHTS RESERVED

R.J. RHODES ENGINEERING, INC. FLORIDA LB #6924, FLORIDA EB#8120 CIVIL ENGINEERING & SURVEYING 325 INTERSTATE BOULEVARD SARASOTA, FL. 34240 PHONE: 941-924-1600



From:	Allen, Cari
To:	<u>Allen, Cari</u>
Subject:	FW: V21-0011 Petition to vacate portion of Drainage Easement, Ruskin Reserve (Starlight Homes)
Date:	Thursday, January 6, 2022 1:56:00 PM
Attachments:	image004.png
	image008.png
	image001.png
	image002.png

From: Rochelle, Randy
Sent: Tuesday, December 28, 2021 2:23 PM
To: Dion, Bryan <<u>DionB@hillsboroughcounty.org</u>>
Subject: RE: V21-0011 Petition to vacate portion of Drainage Easement, Ruskin Reserve (Starlight Homes)

Dion, we recommend acceptance of the deed as written.

Regards,

Randy Rochelle Engineering Associate Water Resources Department

P: (813) 209-3079 M: (813) 272-5977 Ext. 43387 E: <u>RochelleR@HCFLGov.net</u> W: <u>HCFLGov.net</u>

#### Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

Facebook | Twitter | YouTube | LinkedIn | HCFL Stay Safe

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Dion, Bryan <<u>DionB@hillsboroughcounty.org</u>> Sent: Monday, November 1, 2021 4:07 PM To: Padron, Ingrid <<u>PadronI@hillsboroughcounty.org</u>>; Garcia, Christina - PUD <<u>GarciaCh@hillsboroughcounty.org</u>>; Rochelle, Randy <<u>RochelleR@HillsboroughCounty.ORG</u>>; Schaedler, Paul <<u>SchaedlerP@HillsboroughCounty.ORG</u>>; Steijlen, Ronald <<u>SteijlenR@HillsboroughCounty.ORG</u>>; PW-CIPTransportationReview <<u>PW-</u> CIPTransportationReview@hillsboroughcounty.org>; Hand, William - PW <<u>HandWT@HillsboroughCounty.ORG</u>>; Riveron, Sharbel <<u>RiveronS@hillsboroughcounty.org</u>>; Hamilton, Landon <<u>HamiltonL@hillsboroughcounty.org</u>>; Olivero-Lopez, Juan <<u>OliveroJ@hillsboroughcounty.org</u>>; Schrock, Heidi <<u>SchrockH@hillsboroughcounty.org</u>> **Cc:** Sears, E. Randy <<u>SearsR@HillsboroughCounty.ORG</u>>; Suess, Robert <<u>SuessR@HillsboroughCounty.ORG</u>>; Campbell, Robert <<u>CampbellR@HillsboroughCounty.ORG</u>>; Ho, Chin <<u>HoC@HillsboroughCounty.ORG</u>>; Dicus, Leland <<u>DicusL@hillsboroughcounty.org</u>> **Subject:** V21-0011 Petition to vacate portion of Drainage Easement, Ruskin Reserve (Starlight Homes)

Good Afternoon,

Hillsborough County has been petitioned by Starlight Homes Florida, LLC to vacate tract 400 (lift station tract), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat (PB 140, PG 1) which is a total of approximately 6,318 sqft (.15 acres).

The subject area is located in Section 8, Township 32 South, Range 19 East, in Ruskin, and the vacate area is within folios 56773-0202 (lift station tract) and 56773-0200 (public drainage easement and private landscape easement).

The vacate is requested so that the lift station can be expanded to an adequate size and rededicated to Hillsborough County.

We are requesting your review of this vacate to be returned no later than Monday November 15, with an objection or no objection to the proposed vacation. Should you have any questions or concerns, please do not hesitate to contact me.

Best,

**Bryan C. Dion, Esq. Real Property Specialist, Technical Services** Real Estate Division Facilities Management & Real Estate Services Department

P: (813) 307-1011 E: <u>DionB@HillsboroughCounty.org</u> W: <u>HCFLGov.net</u>

Hillsborough County 601 E. Kennedy Blvd., Tampa, FL 33602

Facebook | Twitter | YouTube | LinkedIn | HCFL Stay Safe



Please note: All correspondence to or from this office is subject to Florida's Public Records law.



### Vacating Petition V21-0011

Vacate and replace platted lift station Ruskin Reserve (Plat Book 140 Page 1) Section 8– Township 32 S – Range 19 E Folio: 56773-0200; 56773-0202 Petitioner - Starlight Homes Florida, L.L.C.

区 1 <sup>st</sup> FEE (\$169.00) REC'D	⊠ 2 <sup>№</sup> FEE (\$250.00) REC'D
INOTICE OF HEARING AD PUBL'D	INOTICE OF HEARING SIGN PST'D

#### **REVIEWING DEPARTMENTS**

٠	HC DEVELOPMENT SERVICES	- NO OBJECTION
٠	HC PUBLIC UTILITIES	- NO OBJECTION
•	HC PUBLIC WORKS-STORMWATER	- NO OBJECTION
٠	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

#### **REVIEWING AGENCIES**

•	CHARTER/SPECTRUM	– CONSENT
•	PEOPLES GAS	– CONSENT

- TAMPA ELECTRIC COMPANY
- FRONTIER

- CONSENT - CONSENT

Hillsborough County Facilities Management & Real Estate Services Department, to Return to: DionB@hillsboroughcounty.org

\*\*\*\*\*

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

Reviewing Agency: <u>Development Services</u>

	XNO OBJECTION by this agency to the vacating as petitioned.				
	OBJECTION (If you have objections, check here, complete and sign be	low.			
1)	Do you currently use or have facilities in said area to be vacated? If YES, please explain:		_YES _	X	_NO
2)	Do you foresee a need for said area in the future? IF YES, please explain:		YES _	X_	NC
3)	IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES"; A) Could any portion of said area be vacated? If YES, please specify which portion may be vacated:		YES _		NO
	<ul> <li>B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?</li> </ul>		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
***** Additi	onal Comments:				*****
Revie	wed By: _J.Brian Grady/Mike Williams Date: _12/16/21_				
Email	: _padronl@hillsboroughcounty.org Phone: _307-170	9			<u>-</u>

VACATING REVIEW COMMENT SHEET
***************************************

DATE 11/02/2021

\*\*\*\*\*

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

Project: V21-0011 - Vacate tract 400, a portion of tract 500 and a portion of tract 105 of the Ruskin Reserve Plat, PB 140, Page 1, Folio# 56773.0202 & 56773.0200 Reviewing Agency: Public Utilities department - Administrative Division - Randy Sears General Manager II - 925 Twiggs Street Tampa, FL 33602

## **S.-, T.-**, **R.** <sub>08</sub> – 32 – 19

		NO OBJECTION by this agency to the vacating as petitioned.		
		(If you have no objections, check here and sign below.		
1)		you currently use or have facilities in said area to be vacated? ES, please explain:	YES	NO
2)		you foresee a need for said area in the future? /ES, please explain:	YES	NO
3)		THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES"; Could any portion of said area be vacated? If YES, please specify which portion may be vacated:		NO
	B)	Could said area be vacated subject to reserving an easement over all or part of area to be vacated?	YES	NO
4)		here are facilities in said area to be vacated, could they be ved at petitioner's expense if they so desire?	YES	NO
		Phone No Comments: <u>Hillsborough County has no existing water, wastewater and/or reclai</u> the area to be vacated, therefore we have no objections to the propo	med water facilities located	
Revie	wed E	By: <u>Randy Rochelle</u> Date: <u>Novemb</u>		
FROM		·		

#### VACATING REVIEW COMMENT SHEET

*******	*****	*****	******	*****	- ' ***********	*******	*******	*****	******	*******	*******	******	*****	******	*****
Return DionB@	to: @hillsbor				Facilities	Mana	gement	&	Real	Estate	Servio	ces D	epa:	rtmen	t, to
public recorde	drainage	easeme t Book 1	ent) ar 40, Pa	nd a porti ages 1, lo	te tract 40 on of tract cated in S	t 105 (p	rivate la	andsc	ape a	rea), of	the Ru	skin R	eser	ve pla	at, as
Review	ving Ager	ncy: _PV	V Engi	neering &	Operation	is Dept./	Stormw	vater	Servic	es Sect	ion				
comme please	ents whe	n neces is form t	sary) a o the (	as the foll County Ge	above-st owing stat eospatial a	tements	pertain	to ye	our co	mpany	or agen	cy. Up	on c	comple	etion,
	X	NO OE	BJECTI	ION by this	agency to	the vaca	ting as pe	etition	ed.						
		OBJE	CTION	(If you hav	e objection	s, check	here, cor	nplete	e and s	ign belov	v.				
1)	If YES,	please e	explain	1:	cilities in s							YES			NO
	_ <u>The re</u> (dedicat			on of Trac vate	<u>xt 500 (+/-</u> drainag		(or only area,	1%)	to be publ		is part draina			arger easei	
2)	IF YES,	please	explai	n:	area in the s not expe			ny aj	oprecia	able effe		YES			NO
3)	A) Co	uld any	portior	n of said a	QUESTIOI rea be vac ch portion	cated?			2 IS "Y	ES"; 	X	YE	S _		NO
	ea	sement	over a	ll or part o	d subject to of area to b	e vacat	ed?					_YES		_N/A_	NO
4)	moved	at petitio	ner's e	expense if	a to be vac f they so d	esire?	-					YES		N/A	NO
Additio			<u>Hillsl</u> 2505 easer	borough C sf (or on ment), The	County Sto Ily 1%) of area will ins no Co	rmwater Tract st be use	<u>r has no</u> 500 (deo d to exp	obje dicate and	<u>ctions</u> ed Pri Tract 4	to vaca vate dra 400 for	ting the ainage the pub	<u>reques</u> area, p lic san	sted oubli	<u>portio</u> c dra lift st	n (+/- inage
Review	/ed By: _	Ronald	Steijle	n			[	Date:	11/	01/2021					
Email:	_Steijlen	R@Hills	borou	ghCounty.	Org		F	Phon	e: _(8′	13) 307-	1801				

Hillsborough County Facilities Management & Real Estate Services Department, to Return to: DionB@hillsboroughcounty.org

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VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

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

	xNO 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 _	<u>x</u> NO
2)	Do you foresee a need for said area in the future? IF YES, please explain:	YES	<u>x</u> NC
3)	IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES"; A) Could any portion of said area be vacated? If YES, please specify which portion may be vacated:	YES	NC
	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	NC
Additi	onal Comments:		
Revie Email	wed By: <u>Marcia Bento</u> Date: <u>11/12/21</u>		

VACATING REVIEW COMMENT SHEET	DATE: 11/01/2021

Hillsborough County Facilities Management & Real Estate Services Department, to Return to: DionB@hillsboroughcounty.org 

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

Reviewing Agency: \_\_\_\_\_Systems Planning Stormwater Team\_\_\_\_\_

	XNO OBJECTION by this agency to the vacatir	ng as petitioned.			
	OBJECTION (If you have objections, check he	ere, complete and	sign below.		
1)	Do you currently use or have facilities in said area t If YES, please explain:			X	
2)	Do you foresee a need for said area in the future? IF YES, please explain:		YES	X	NO
3)	IF THE ANSWER TO EITHER QUESTION 1 OR Q A) Could any portion of said area be vacated? If YES, please specify which portion may be va		YES"; YES		NO
	<ul> <li>B) Could said area be vacated subject to reservin easement over all or part of area to be vacated</li> </ul>		YES		NO
4)	If there are facilities in said area to be vacated, cou moved at petitioner's expense if they so desire?	·	YES		NO
	onal Comments:				
Revie	wed By:William Hand, P.E	Date:	12/2/21		
Email	:handwt@hillsboroughcounty.org	Phone:	813-635-5404		

#### VACATING REVIEW COMMENT SHEET \*\*\*\*\*\*

Hillsborough County Facilities Management & Real Estate Services Department, to Return to: DionB@hillsboroughcounty.org

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

Hillsborough County Residential Street Lighting Program Reviewing Agency:

	XNO OBJECTION by this agency to the vacat	ing as petitioned.		
	OBJECTION (If you have objections, check I	here, complete and s	ign below.	
1)	Do you currently use or have facilities in said area If YES, please explain: 	to be vacated?	YES	<u>X</u> NC
2)	Do you foresee a need for said area in the future? IF YES, please explain:		YES	<u>X</u> NC
3)	IF THE ANSWER TO EITHER QUESTION 1 OR ( A) Could any portion of said area be vacated? If YES, please specify which portion may be v		′ES"; YES _	NC
	<ul> <li>B) Could said area be vacated subject to reservi easement over all or part of area to be vacated</li> </ul>		YES	NO
4)	If there are facilities in said area to be vacated, commoved at petitioner's expense if they so desire?	uld they be	YES	NC
	 onal Comments:			
Revie	wed By: Landon Hamilton	Date:	11/02/2021	
Email	HamiltonL@HCFLGov.net	Phone:	813-538-5452	

Hillsborough County Facilities Management & Real Estate Services Department, to Return to: DionB@hillsboroughcounty.org

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

Reviewing Agency: PW South Service Unit

	X	NO OBJECTION by this agency to the vacating as petitioned		
		OBJECTION (If you have objections, check here, complete a	nd sign below.	
1)		you currently use or have facilities in said area to be vacated ES, please explain:	?YES	NC
2)		you foresee a need for said area in the future? YES, please explain:		NO
3)		THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 I Could any portion of said area be vacated? If YES, please specify which portion may be vacated:	S "YES"; YES	NO
	B)	Could said area be vacated subject to reserving an easement over all or part of area to be vacated?	YES	NO
4)		nere are facilities in said area to be vacated, could they be ved at petitioner's expense if they so desire?	YES	NO
Addit		Comments:		
Revie	ewed E	By: Juan O. Olivero Lopez Date:11	/02/2021	
Emai	l: olive	eroj@hillsboroughcounty.org Phone:	813-671-7624 Ext.41539	

#### VACATING REVIEW COMMENT SHEET \*\*\*\*\*

Hillsborough County Facilities Management & Real Estate Services Department, to Return to: DionB@hillsboroughcounty.org

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

Reviewing Agency: \_\_\_ \_Spectrum\_

X		CONSENT by this agency to the vacating as petitioned	d.		
		OBJECTION by this agency to the vacating as petition	ed		
1)		you currently use or have facilities in said area to b ES, please explain:	e vacated?	YES _	XNO
2)	ls C	QUESTION #1 is "YES", answer question 2, otherwi	se skip;		
	A)	Could any portion of said area be vacated? If YES, please specify which portion may be vaca	ted:	YES	NO
	B)	Could said area be vacated subject to reserving a easement over <b>all or part of area</b> to be vacated?		YES	NO
	C)	If there are existing facilities in said area to be vac- they be moved at petitioner's expense if they so de		YES _	NO
Additio		Comments:			·····
Review	ved E	By: _Aaron Sweet	Date:11/0	2/2021	
Email:	Aa	aron.Sweet@Charter.com	Phone:(8	313)927-1716	

VACATING REVIEW COMMENT SHEET

DATE: 11/01/2021

Return to: Hillsborough County Facilities Management & Real Estate Services Department, to DionB@hillsboroughcounty.org

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202. Reviewing Agency: TECO-PGS
Reviewing Agency: TECO-PGS

-	CONSENT by this agency to the vacating as petitioned.	
	OBJECTION by this agency to the vacating as petitioned	/
1)	Do you currently use or have facilities in said area to be vacated?YESYYESY	_NO
2)	Is QUESTION #1 is "YES", answer question 2, otherwise skip;	
	A) Could any portion of said area be vacated? If YES, please specify which portion may be vacated:	NO
	B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? N/AYESYAYES	NO
	C) If there are existing facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire?	NO
Additi	hal Comments:	*****
J	n Domning-Senior Admin Specialist ECO-PGS-Distribution Engineering 16 Palm River Rd, Tampa, Fl 33619 813-275-3783 jdomning@tecoenergy.com Date:	

#### VACATING REVIEW COMMENT SHEET

Return to: Hillsborough County Facilities Management & Real Estate Services Department, to DionB@hillsboroughcounty.org

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

Reviewing Agency: \_\_\_\_\_ Tampa Electric

	<	CONSENT by this agency to the vacating	as petitioned.		
		OBJECTION by this agency to the vacating	g as petitioned		
1)		you currently use or have facilities in sai ES, please explain:	d area to be vacated?	YES>	(NO
2)	ls (	QUESTION #1 is "YES", answer question	12, otherwise skip;		
	A)	Could any portion of said area be vaca If YES, please specify which portion m		YES	NO
	B)	Could said area be vacated subject to reasement over <b>all or part of area</b> to be		YES	NO
	C)	If there are existing facilities in said area they be moved at petitioner's expense if		YES	NO
		Comments: We have no objections to the vill not be affected.	vacation of a drainage ar	nd landscape easement si	nce a utility
Revie	wed E	By: Taylor J. Leggatt	Date: <u>11/2/2</u>	021	
Email	: <u>tjleg</u>	gatt@tecoenergy.com	Phone: <u>813-</u>	228-1424	

Return to: Hillsborough County Facilities Management & Real Estate Services Department, to DionB@hillsboroughcounty.org

VACATING PETITION: V21-0011 Vacate tract 400 (lift station), a portion of tract 500 (private drainage area with public drainage easement) and a portion of tract 105 (private landscape area), of the Ruskin Reserve plat, as recorded in Plat Book 140, Pages 1, located in Section 08, Township 32 South, Range 19 East, in Ruskin, Folio nos.: 056773-0200 & 056773-0202.

Reviewing Agency: Frontier Florida LLC

		CONSENT by this agency to the vacating as petitioned			
		OBJECTION by this agency to the vacating as petitione	eu		
1)		you currently use or have facilities in said area to be 'ES, please explain:	e vacated?	YES	NO_NO
2)	ls (	QUESTION #1 is "YES", answer question 2, otherwis	se skip;		
	A)	Could any portion of said area be vacated? If YES, please specify which portion may be vacat	ed:	YES	NO
	B)	Could said area be vacated subject to reserving an easement over <b>all or part of area</b> to be vacated?	ו	YES	NO
	C)	If there are existing facilities in said area to be vaca they be moved at petitioner's expense if they so de		YES	NO
		Comments:			***********
Review	/ed l	3y: <u>Stephen Waidley</u>	Date:	11/2/2021	
		stephen.waidley@ftr.com	Phone:	(941) 266-9218	



### **PETITION TO VACATE**

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

**Right-of-Way** Subdivision Plat Easement **PETITIONER'S INFORMATION** Name(s):\_Starlight Homes Florida, LLC Address:\_9720 Princess Palm Ave, Suite 130 <sub>Citv:</sub>Tampa State: FL Phone Number(s): (321) 363-6151 Email address:\_\_\_\_\_ 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): Legal Description is attached , Township 32S \_\_, Range 19E \_\_\_, Folio # 056773-0200 & 056773-0202 Located in Section 8 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): Charles A. Otero Company: Otero Engineering, Inc Address: 13902 N. Dale Mabry Hwy, Suite 230 Zip Code: 33618 City: Tampa State: FL

Phone Number(s): (813) 918-2498

Email address: \_\_\_\_\_\_@oteroengineering.com

PETITION Page 1 of 4

REV. 2020-01-01

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

The purpose of this petition is to vacate and rededicate tract 400 and a portion of tract 500 and a portion of tract 105 in order to accomodate a larger lift station lot.

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.

N/A

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:

The construction of the lift station has been initiated.

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.):

There are no code enforcement violations associated with this request.

PETITION Page 2 of 4

#### Please review and initial:

1

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.

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.

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 nonefundable in whole or in part.

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.

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. 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).

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.

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.

(<u>J</u> 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 Notary Public State of Florida Tonya Pollard My Commission HH 138235 Expires 06/04/2025

PETITION Page 3 of 4

REV. 2020-01-01

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

AND	
Darryl Colwell, Authorized Representative	9720 Princess Palm Ave, Suite 130
Starlight Homes Florida, LLC	Tampa, FL 33619
STATE OF Florida	_
COUNTY OF Pasco	_
The following instrument was sworn to (or affirm notarization this _5_ day of	ed) and subscribed before me by means of $A$ physical presence or [] online , 20,21, by Coluct
who is/are personally known to me or who has pro	ducedas identification.
NOTARY PUBLIC:	$D_{1}$
Signature:	(SEAL)
Printed Name: Toway Pol	land
Title or Rank: Notary	
Serial / Commission Number:	Notary Public State of Florida Tonya Pollard My Commission HH 138235
My Commission Expires: 6	4/25 Expires 06/04/2025

PETITION Page 4 of 4

REV. 2020-01-01

# EXHIBIT "A" SHEET 1 OF 2

IN SECTION 8, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA. DESCRIPTION & SKETCH

(THIS IS NOT A FIELD SURVEY)

LEGAL DESCRIPTION (PREPARED BY THE UNDERSIGNED 09/07/2021)

ALL OF TRACT 400, RUSKIN RESERVE, A SUBDIVISION RECORDED IN PLAT BOOK 140, PAGES 1 THROUGH 8 INCLUSIVE, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LYING IN SECTION 8, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA.

**"TOGETHER WITH"** THOSE PORTIONS OF TRACTS 105 AND 500, OF SAID RUSKIN RESERVE, BEING DESCRIBED AS FOLLOWS;

COMMENCE AT THE SE CORNER OF TRACT 400 OF SAID RUSKIN RESERVE; THENCE ALONG THE EAST LINE OF SAID TRACT 400, N.00°06'54"E., A DISTANCE OF 58.00 FEET TO THE NE CORNER OF SAID TRACT 400 FOR A POINT OF BEGINNING OF LAND BEING DESCRIBED; THENCE ALONG THE NORTH LINE OF SAID TRACT 400, N.89°53'06"W., A DISTANCE OF 5.00 FEET TO THE SW'LY MOST CORNER OF TRACT 105, OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG THE NORTH LINE OF SAID TRACT 400, N.89°53'06"W., A DISTANCE OF 5.00 FEET TO THE SW'LY MOST CORNER OF TRACT 105, OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG THE NORTH LINE OF SAID TRACT 400, N.89°53'06"W., A DISTANCE OF 58.00 FEET TO THE SW CORNER OF SAID TRACT 400; THENCE ALONG THE WEST LINE OF SAID TRACT 400, S.00°06'54"W., A DISTANCE OF 58.00 FEET TO THE SW CORNER OF SAID TRACT 400; THENCE ALONG THE SOUTH LINE OF TRACT 500 OF SAID RUSKIN RESERVE, N.89°53'06"W., A DISTANCE OF 30.00 FEET; THENCE ALONG A LINE PARALLEL WITH AND 30.00 FEET WESTERLY OF THE WEST LINE OF SAID TRACT 400, N.00°06'54"E., A DISTANCE OF 66.50 FEET TO A LINE THAT IS 8.50 FEET NORTHERLY OF AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 400, S.89°53'06"E., A DISTANCE OF 90.00 FEET TO THE WEST LINE OF TRACT 105 OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG SAID PARALLEL LINE, S.89°53'06"E., A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID TRACT 400, S.89°53'06"E., A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID TRACT 400, S.89°53'06"E., A DISTANCE OF 90.00 FEET TO THE WEST LINE OF TRACT 105 OF SAID RUSKIN RESERVE; THENCE CONTINUE ALONG SAID PARALLEL LINE, S.89°53'06"E., A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID TRACT 105; THENCE ALONG SAID EAST LINE OF TRACT 105, S.00°06'54"W., A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING.

ALL OF THE ABOVE FORMS ONE CONTIGUOUS PARCEL CONTAINING 6,317.5 SQUARE FEET, OR 0.15 ACRES, MORE OR LESS; (INDIVIDUAL AREAS: TRACT 105=42.5 SQ. FT.; TRACT 400=3,770.0 SQ. FT.; TRACT 500=2,505 SQ. FT.)

BEARINGS ARE BASED ON THE RECORD PLAT OF RUSKIN RESERVE (PLAT BOOK 140/1). A BEARING OF N.00°06'54"E. FOR THE EAST LINE OF TRACT 400 WAS USED.

R.J. RHODES ENGINEERING, INC. STATE OF FLORIDA, LB NO. 6924

Steven E Burkholder Digitally signed by Steven E Burkholder Date: 2021.10.29 10:51:51 -04'00'

STEVEN E. BURKHOLDER, P.L.S., VICE PRESIDENT PROFESSIONAL LAND SURVEYOR, FLORIDA CERTIFICATE LS 4521



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