





Agenda Item Cover Sheet

Agenda Item N^o. _____

Meeting Date April 11, 2023

- Consent Section
 Regular Section
 Public Hearing

Subject: Public Hearing - Vacating Petition by 29:11 County Line LLC and Fairway-Livingston, LLC to vacate a portion of maintained public right-of-way adjacent to Folio Nos. 32951-0000, 32951-0005, and 32956-0000, in Lutz.	
Department Name: Facilities Management & Real Estate Services Department	
Contact Person: Anne-Marie Lenton, (C. Allen)	Contact Phone: 813-272-5810
Sign-Off Approvals:	
N/A	John Muller  <small>Assistant County Administrator</small> <small>Date</small>
N/A	Todd Sobel  <small>County Attorney - Approved as to Legal Sufficiency</small> <small>Date</small>
Management and Budget - Approved as to Financial Impact Accuracy	3/22/2023

Staff's Recommended Board Motion:

Adopt a Resolution vacating a portion of maintained public right-of-way known as Old Livingston Avenue, according to Maintained Right-of-Way Map Book 2, Page 42, of the public records of Hillsborough County, and being more particularly described in the Resolution. The proposed vacate area is located adjacent to Folio No. 32951-0000, 2701 East County Line Road, and Folio No. 32956-0000, with no physical address, both owned by Fairway-Livingston, LLC, and Folio No. 32951-0005, 2651 East County Line Road, owned by 29:11 County Line LLC, generally lying south of East County Line Road (Collier Avenue), and east of Livingston Avenue, in Lutz, and consists of approximately 22,456 square feet (0.52 acres). The primary purpose of this vacating petition is in furtherance of Co-Petitioner Fairway-Livingston, LLC's intent to develop a new shopping center on their property. Secondly, Co-Petitioner 29:11 County Line LLC intends to develop a gas station/convenience store on their property. Approval of this vacate petition will (i) eliminate the potential of commercial traffic arising from the new developments into adjacent residential neighborhoods, and (ii) allow for the Petitioners to incorporate and provide ongoing maintenance to the proposed vacate area. Reviewing departments, agencies, and utility providers have raised no objections to this request. The Planning Commission finds the proposed vacating consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County. The Environmental Protection Commission has stated there is a wetland ditch that is considered as noticed exempt and thus could be removed and therefore the EPC has no objection to the vacate request. 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:

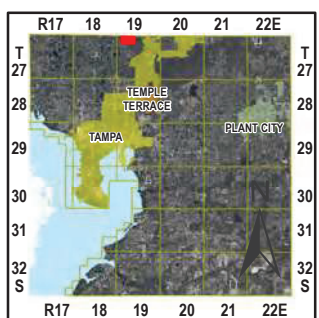
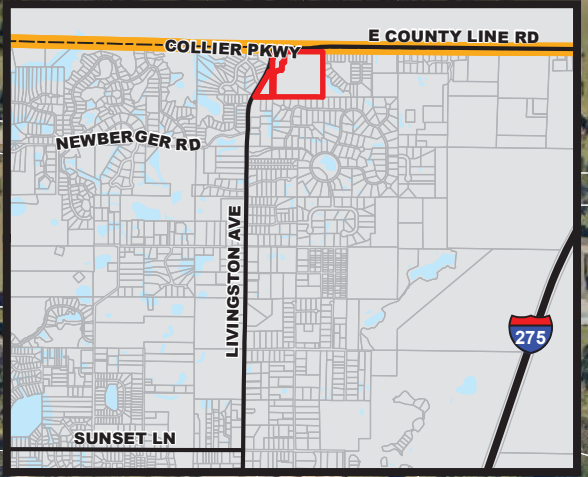
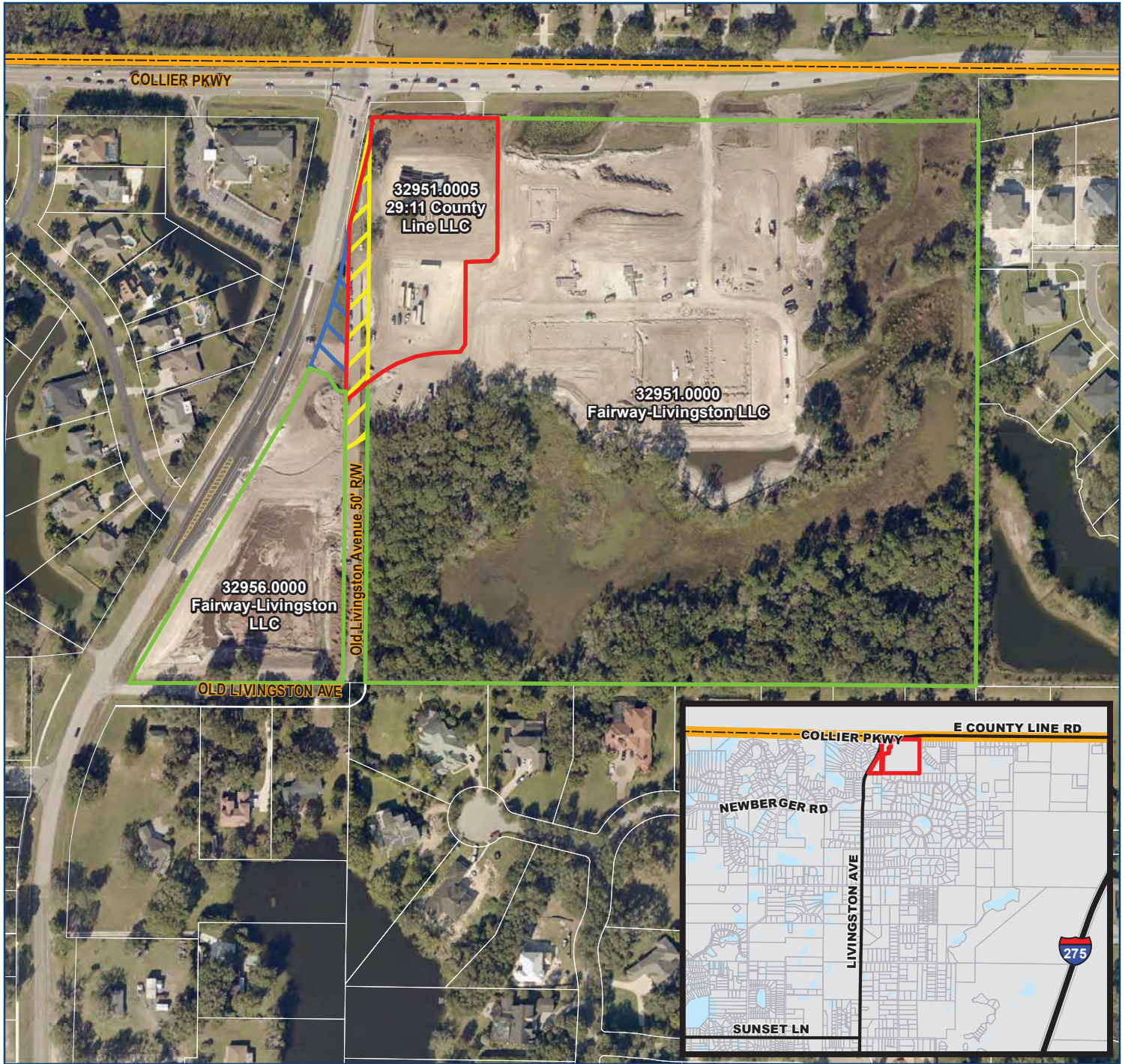
This petition is submitted by 29:11 County Line LLC and Fairway-Livingston, LLC as owners of the properties abutting the proposed vacate area, to vacate a portion of maintained public right-of-way known as Old Livingston Avenue. This portion of maintained right-of-way was established in 1986 by virtue of the Maintained Right-of-Way Map Book 2, Page 42, of the public records of Hillsborough County. The Petitioners are requesting to vacate a portion of right-of-way totaling 0.52 +/- acres (22,456 square feet) that is part of the new development projects. Reviewing departments, agencies, and utility providers have raised no objections to this request. Pursuant to F.S. 336.10, Public Notice of this public hearing was published in *La Gaceta* on February 10, 2023, and February 17, 2023.

Staff Reference: V21-0003 Petition to Vacate a Portion of Maintained ROW (29:11 County Line LLC, Fairway-Livingston, LLC)

List Attachments: Location Map, Overview Map, Resolution, MROW Map Book Excerpt, Review Summary and Comments, Petition

V21-0003

Petition to Vacate a Portion of Maintained ROW (29:11 County Line LLC, Fairway-Livingston, LLC)



LEGEND

- 29:11 COUNTY LINE LLC
Folio - 32951.0005
- FAIRWAY-LIVINGSTON LLC
Folio - 32951.0000 & 32956.0000
- ▢ Folio - 32956.0100
Livingston Avenue Right-of-Way
- ▨ ROW Vacate
22,456 SF (0.52 Ac)

SEC 05 TWP 27S RNG 19E



**Hillsborough
County Florida**

Geospatial Services Division
601 E Kennedy Blvd, Tampa, FL 33602

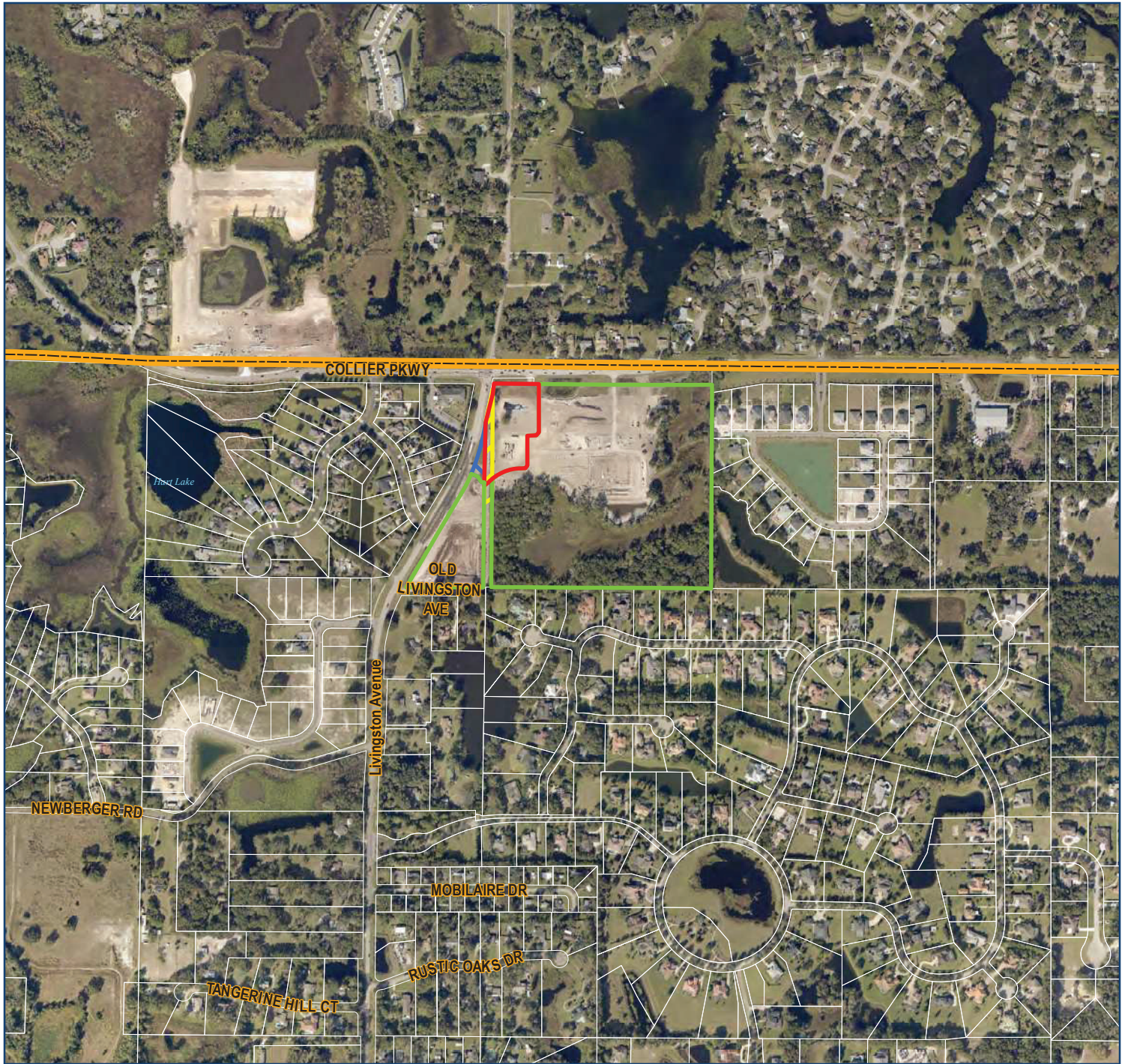
NOTE: Every reasonable effort has been made to assure the accuracy of this map; Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability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

V21-0003

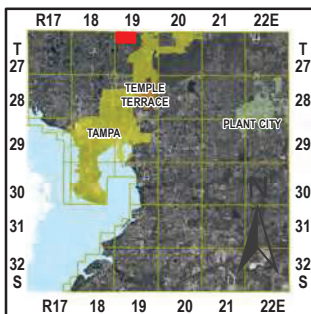
Petition to Vacate a Portion of Maintained ROW (29:11 County Line LLC, Fairway-Livingston, LLC)



LEGEND

-  29:11 COUNTY LINE LLC
Folio - 32951.0005
-  FAIRWAY-LIVINGSTON LLC
Folio - 32951.0000 & 32956.0000
-  Folio - 32956.0100
Livingston Avenue Right-of-Way
-  ROW Vacate
22,456 SF (0.52 Ac)

SEC 05 TWP 27S RNG 19E



**Hillsborough
County Florida**

Geospatial Services Division
601 E Kennedy Blvd, Tampa, FL 33602

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Vacating Petition V21-0003
Project Lead: Cari Allen
29:11 County Line LLC &
Fairway-Livingston, LLC - Petitioners
Portion of maintained public right-of-way
Old Livingston Avenue
Map Book 2, Page 42
Folio: 32951-0000, 32951-0005. And 32956-0000
Section 5, Township 27 South, Range 19 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, 29:11 County Line LLC, a Florida limited liability company, and Fairway-Livingston, LLC, an Alabama limited liability company 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 maintained public right-of-way 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 the portion of maintained public right-of-way 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 April 11, 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 11th day of April 2023:

- 1.□ That the above-described portion of public right-of-way is hereby closed, vacated, and abandoned, and the right of the public and the County in and to the right-of-way 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 right-of-way being vacated herein as a result of the exercise by Hillsborough County of its rights within any remaining public right-of-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 April 11, 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

EXHIBIT A

E. COUNTY LINE ROAD

FLORIDA STATE ROAD DEPARTMENT
RIGHT-OF-MAP SECTION 10511-2601

POINT OF REFERENCE
NORTHEAST CORNER OF
THE NORTHWEST 1/4 OF
SECTION 5-27-19
EAST BOUNDARY OF THE N.W. 1/4
OF SECTION 5-27-19
(BEARING BASIS)

S 00°20'12" W
114.47'

N 89°26'13" W 609.67'

SOUTH RIGHT-OF-WAY LINE
EAST COUNTY LINE ROAD

POINT OF BEGINNING

0.52 Acres

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 11°04'25" W	31.12'
L2	S 51°44'14" W	64.21'
L3	N 00°35'55" E	125.91'
L4	S 33°49'30" E	1.70'
L5	S 87°10'45" E	10.94'
L6	N 11°04'25" E	216.23'



DESCRIPTION:

A portion of the maintained right-of-way of Old Livingston Avenue, as shown on map recorded in Maintained Right-of-Way Map Book 2, Page 42 of the Public Records of Hillsborough County, Florida, lying within the following metes and bounds description:

A parcel of land lying within Section 5, Township 27 South, Range 19 East, Hillsborough County, Florida, being more particularly described as follows: For a POINT OF REFERENCE commence at the Northeast corner of the Northwest 1/4 of said Section 5; thence S.00°20'12"W. along the East boundary of said Northwest 1/4, a distance of 114.47 feet to a point on the South right-of-way line of East County Line Road per Florida State Road Department Right-of-Way Map Section 10511-2601; thence N.89°26'13"W. along South right-of-way line, a distance of 609.67 feet to a point of intersection with the East right-of-way line of Livingston Avenue as described in Warranty Deed recorded in Official Records Book 4948, Page 92 of the Public Records of Hillsborough County, Florida; thence S.11°04'25"W. along said East right-of-way line, a distance of 31.12 feet to a point of intersection with the East maintained right-of-way line of Old Livingston Avenue for a POINT OF BEGINNING; thence S.00°35'55"W. along said East maintained right-of-way line, a distance of 634.23 feet; thence S.51°44'14"W., a distance of 64.21 feet to the West maintained right-of-way line of Old Livingston Avenue; thence N.00°35'55"E. along said West maintained right-of-way line, a distance of 125.91 feet to a point on the Southerly boundary of that parcel described in Order of Taking recorded in Official Records Book 5076, Page 2 of the Public Records of Hillsborough County, Florida; thence along the Southerly and Easterly boundary of said parcel the following three (3) courses: (1) S.33°49'30"E., a distance of 1.70 feet; (2) S.87°10'45"E., a distance of 10.94 feet; (3) N.00°23'36"E., a distance of 337.81 feet to a point on the aforementioned East right-of-way line of Livingston Avenue; thence N.11°04'25"E. along said East right-of-way line, a distance of 216.23 feet to the POINT OF BEGINNING.

Containing 22,456 SQ. FT. (0.52 acres), more or less.

REVISION - 12/21/22 - ADD SQ. FT., "EXHIBIT A" LABEL
REVISION - 02/03/23 - ADD NEW FOLIO NUMBER

**DESCRIPTION AND SKETCH
NOT A BOUNDARY SURVEY**

LIVINGSTON AVENUE
100' PUBLIC RIGHT-OF-WAY
HILLSBOROUGH COUNTY PROJECT NUMBER 86-9--R

EAST RIGHT-OF-WAY LINE
OF LIVINGSTON AVENUE
L1
L6

S 00°35'55" W 634.23'
EAST MAINTAINED R/W LINE OF OLD LIVINGSTON AVE.

FOLIO 032951-0005

FOLIO 032951-0000

BOUNDARY OF PARCEL
DESCRIBED IN
O.R. BOOK 5076, PG. 2
(FOLIO 032956-0100)

WEST MAINTAINED
R/W LINE OF OLD
LIVINGSTON AVE.
L3
L4
L5

OLD LIVINGSTON AVENUE
MAINTAINED R/W MAP BOOK 2, PG.42

FOLIO 032956-0000

Corner Monuments were not set in conjunction with the preparation of this sketch. Improvements, if any, have not been located in conjunction with the preparation of this sketch. This sketch is for graphic illustration only, and does not represent a field survey. Descriptions created per this sketch.

**OLD LIVINGSTON AVENUE
RIGHT-OF-WAY VACATION**

PREPARED FOR

DUNPHY PROPERTIES, LLC

JOB NO: 2019-328A01.BG00008 DRAWN BY: LDJ

We hereby certify that the sketch and description shown hereon are true and correct to the best of our knowledge and belief, and were prepared in accordance with the Standards of Practice as set forth by the Florida Board of Land Surveyors in Chapter 6J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Digitally signed by Daniel Johnson
Date: 2023.03.15 10:25:20
04:00 Date: 3/15/2023
Daniel C. Johnson PLS/PSM License Number 3653
For D.C. Johnson & Associates, Inc.
Not valid without the signature and raised seal of a Florida Licensed Surveyor



SURVEYING AND MAPPING
Florida Licensed Business No. LB 4514
11911 S. Curley St. San Antonio, FL 33576
(352) 588-2768 survey@dcjohnson.com
www.dccjohnson.com

Publisher's Affidavit

LA GACETA

PUBLISHED WEEKLY
Tampa, Hillsborough County, Florida

State of Florida

County of Hillsborough,

Before the undersigned authority personally appeared

Patrick Manteiga

who under oath says he is the Publisher of La Gaceta, a weekly newspaper published in Tampa, Hillsborough County, Florida, that the attached copy of advertisement, being a


Notice of Public Hearing

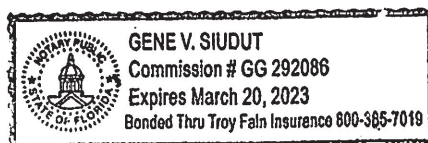
in the matter of Notice of Hearing for Closing and Vacating
Vacating Petition V21-0003
Mar. 7, 2023 9:00 A.M.

Legal Advertisement
Attached To
Reverse Side

In the Thirteenth Judicial Circuit Court, was published in said newspaper in the issues of 2/10/23, 2/17/23

Affiant further says that the said La Gaceta is a newspaper published in Tampa, in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each week and has been entered as second class mailing matter at the post office in Tampa, in said Hillsborough County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


personally known sworn to and subscribed before me
on this 17th day of February, A.D. 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, March 7, 2023, to determine whether or not Vacating Petition V21-0003, a portion of maintained public right-of-way known as Old Livingston Avenue, according to Maintained Right-of-Way Map Book 2, Page 42, of the Public Records of Hillsborough County, located in Section 05, Township 27 S, and Range 19 E, folio number 32951-0005

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. 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 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](https://www.facebook.com/HillsboroughFL)
- The County's official YouTube channel: [YouTube.com/HillsboroughCounty](https://www.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](https://www.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://www.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.

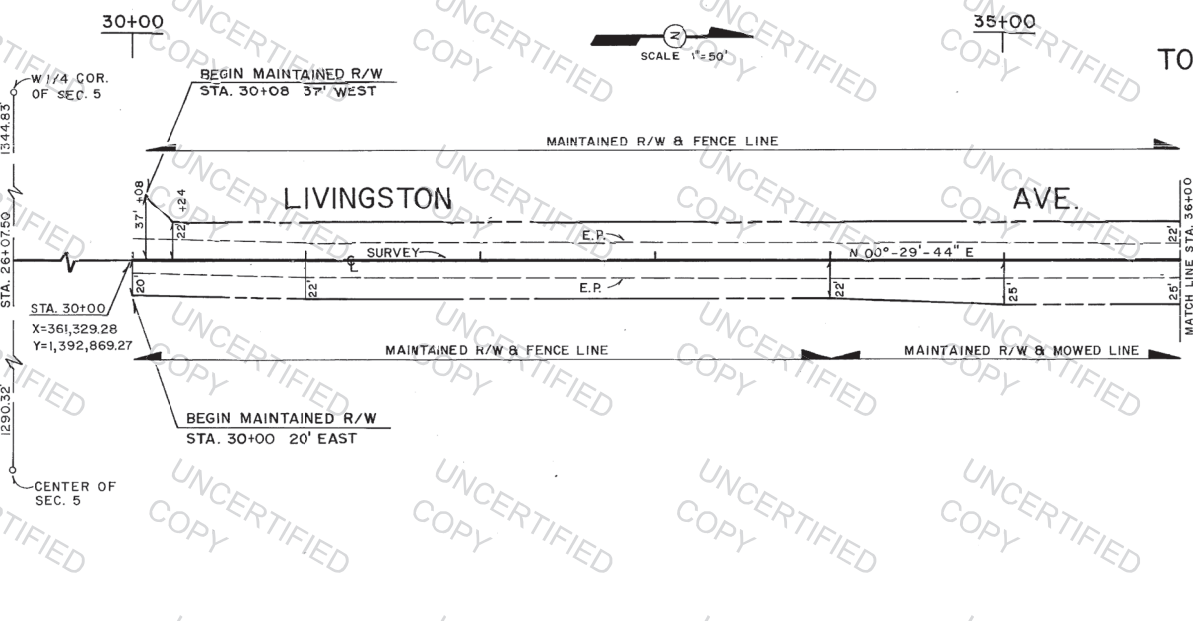
2/10-2/17/23LG 2T

Maintained Right-of-Way Map Book Excerpt

DESIGNATED: Maintained R/W

SK 2 PG 42-1

TOWNSHIP 27S RANGE 19E



I CERTIFY THIS MAP TO CORRECTLY REPRESENT THE SURVEY OF THE LANDS SHOWN AND DESCRIBED HEREON, AND MEETS OR EXCEEDS THE MINIMUM STANDARD REQUIREMENTS OF CHAPTER 21, REV. 8 FLORIDA ADMINISTRATIVE CODE.

John Lester
 JOHN LESTER, PLS #3861
 ASST. COUNTY LAND SURVEYOR

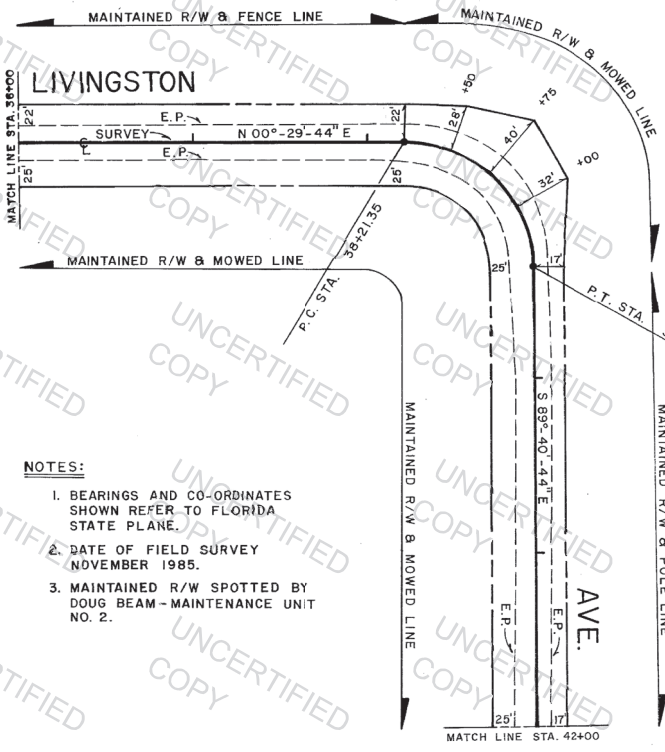
I HEREBY CERTIFY THAT THIS DRAWING IS A CORRECT REPRESENTATION OF THE ROAD AS CONSTRUCTED AND MAINTAINED BY HILLSBOROUGH COUNTY.

Wyatt D. Trent, Jr.
 WYATT D. TRENT, JR.
 DIRECTOR OF ROAD, BRIDGE,
 TRAFFIC & INSPECTION DEPT.

FILED FOR RECORD IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF HILLSBOROUGH, STATE OF FLORIDA, IN MAINTAINED R/W MAP BOOK 2, PAGE 42, ON THE 4th DAY OF APRIL, A.D. 1986, TIME 11:23 AM

RECORDED 071091
 RICHARD L. AKE
 CLERK OF THE CIRCUIT COURT OF HILLSBOROUGH COUNTY, FLORIDA

BY: *Dendra L. Neely*



CURVE DATA
 P. I. STA. 38+93.94
 X=361,337.01
 Y=1,393,763.17
 $\Delta = 99^\circ-49'-32''$
 R=72.81
 L=14.15
 T=72.59
 P. C.=38+21.35
 P. T.=39+35.50

THIS IS TO CERTIFY THAT THIS MAP CONSISTING OF 2 SHEET(S), CONSTITUTES A TRUE COPY OF THE OFFICIAL RIGHT-OF-WAY MAP AS PREPARED BY THE SURVEYING AND MAPPING DEPARTMENT OF HILLSBOROUGH COUNTY, FLORIDA FOR A PORTION OF A COUNTY ROAD LOCATED IN HILLSBOROUGH COUNTY, FLORIDA (SEC. 5-27-19) AND DESIGNATED AS LIVINGSTON AVE.

THE PROPERTY SHOWN ON THIS MAP IS VESTED IN HILLSBOROUGH COUNTY, FLORIDA PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 95.361(1)

THIS CERTIFICATION WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA AT ITS REGULAR MEETING HELD ON THE 5th DAY OF March, 1986 A.D.

ATTEST: *John A. Clinton*
 CLERK

Richard L. Ake
 CHAIRMAN BOARD OF COUNTY COMMISSIONERS

- NOTES:**
1. BEARINGS AND CO-ORDINATES SHOWN REFER TO FLORIDA STATE PLANE.
 2. DATE OF FIELD SURVEY NOVEMBER 1985.
 3. MAINTAINED R/W SPOTTED BY DOUG BEAM - MAINTENANCE UNIT NO. 2.

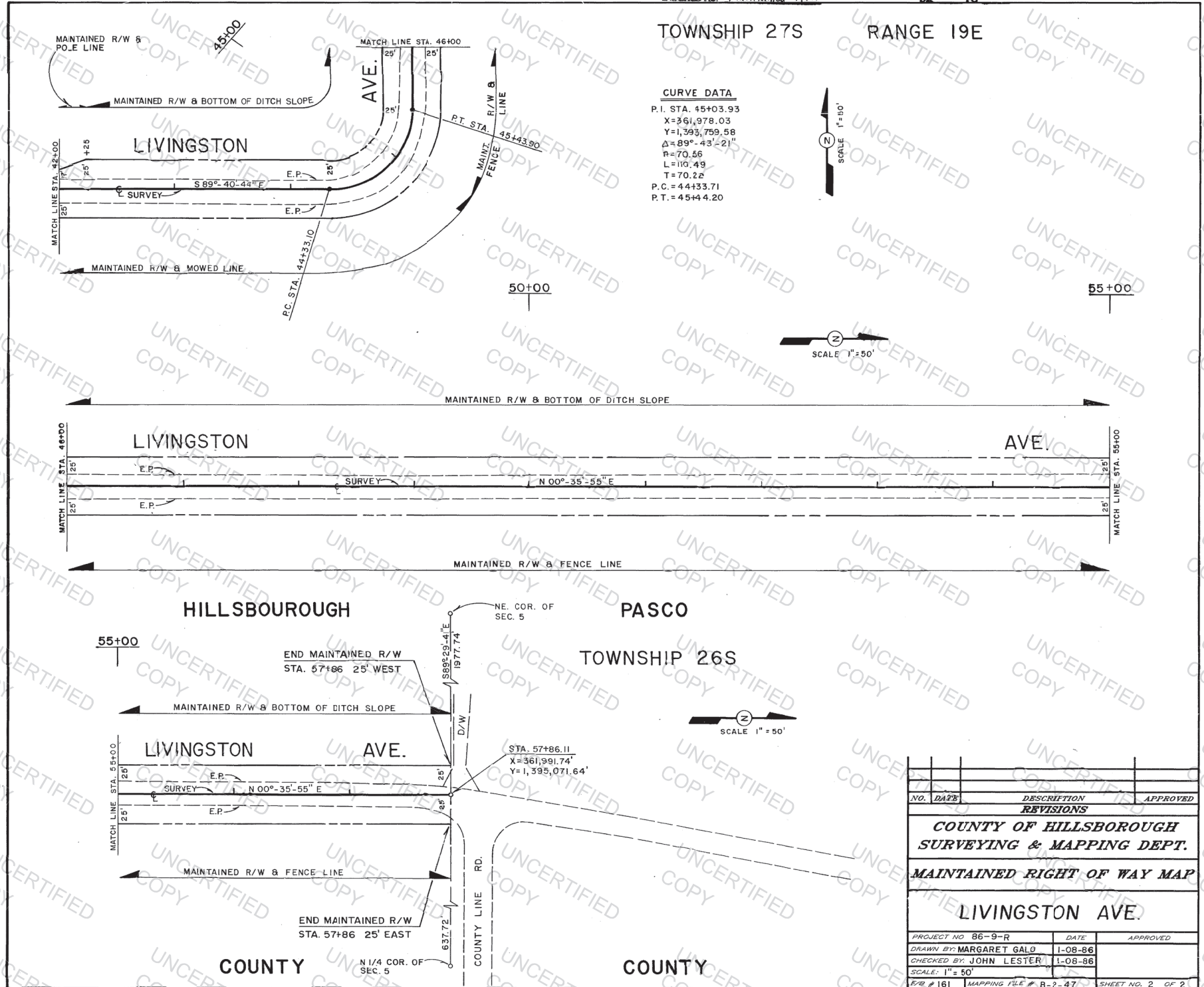
NO.	DATE	DESCRIPTION	APPROVED
REVISIONS			
COUNTY OF HILLSBOROUGH			
SURVEYING & MAPPING DEPT.			
MAINTAINED RIGHT OF WAY MAP			
LIVINGSTON AVE.			
PROJECT NO. 86-9-R	DATE	APPROVED	
DRAWN BY: MARGARET GALO	1-08-86		
CHECKED BY: JOHN LESTER	1-08-86		
SCALE: 1" = 50'			
PB # 161	MAPPING FILE # 8-2-47	SHEET NO. 1 OF 2	

TOWNSHIP 27S

RANGE 19E

CURVE DATA

P.I. STA. 45+03.93
 X=361,978.03
 Y=1,393,759.58
 $\Delta=89^{\circ}43'21''$
 R=70.56
 L=110.49
 T=70.22
 P.C.=44+33.71
 P.T.=45+44.20



NO.	DATE	DESCRIPTION	APPROVED
REVISIONS			
COUNTY OF HILLSBOROUGH			
SURVEYING & MAPPING DEPT.			
MAINTAINED RIGHT OF WAY MAP			
LIVINGSTON AVE.			
PROJECT NO	86-9-R	DATE	APPROVED
DRAWN BY	MARGARET GALO	1-08-86	
CHECKED BY	JOHN LESTER	1-08-86	
SCALE:	1" = 50'		
R/O #	161	MAPPING FILE #	B-2-47
		SHEET NO.	2 OF 2

VACATING REVIEW COMMENT SHEET

DATE: 1/3/2023

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: HC Development Services

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.

Form with checkboxes for 'NO OBJECTION' and 'OBJECTION'.

1) Do you currently use or have facilities in said area to be vacated? YES NO

Horizontal lines for explanation of answer to question 1.

2) Do you foresee a need for said area in the future? YES NO

Horizontal lines for explanation of answer to 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

Horizontal lines for explanation of answer to question 3A.

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

Horizontal lines for explanation of 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

Horizontal lines for explanation of answer to question 4.

Additional Comments:

Reviewed By: Mike Williams/Brian Grady

Date: 1/3/23

Email: williamsm@hillsboroughcounty.org/grad

Phone: 813-276-8343

VACATING REVIEW COMMENT SHEET

DATE 07/08/2022

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

Project: V21-0003 - Vacate a portion of O;dLivingston Rd, as in R/W Map Book 2, PG 42.
Folios# 32956.0000 and 32951.0000

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

S., T., R. 05 - 27 - 19

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
2) Do you foresee a need for said area in the future? YES NO
3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";
A) Could any portion of said area be vacated? 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) 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: 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: July 08, 2022

FROM:

VACATING REVIEW COMMENT SHEET

DATE: 07/26/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

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.

Form with checkboxes for 'NO OBJECTION by this agency to the vacating as petitioned.' and '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

Horizontal lines for explaining answer to question 1.

2) Do you foresee a need for said area in the future? YES NO

Horizontal lines for explaining answer to 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

Horizontal lines for explaining answer to question 3A.

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

Horizontal lines for explaining 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

Horizontal lines for explaining answer to question 4.

Additional Comments: Stormwater has no objections to vacating the requested portion of the Right Of Way.

From a drainage standpoint, since there are no drainage facilities in the referenced area and serves no County drainage purposes in the foreseeable future.
There is no real value with regard to drainage.

Reviewed By: Ronald Steijlen

Date: 07/26/2022

Email: SteijlenR@HillsboroughCounty.Org

Phone: (813) 307-1801

VACATING REVIEW COMMENT SHEET

DATE: 07/21/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

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 Real Estate Department. The back of this form may be used for additional comments.

Form with checkboxes for 'NO OBJECTION' and 'OBJECTION'.

1) Do you currently use or have facilities in said area to be vacated? YES NO

2) Do you foresee a need for said area in the future? YES NO

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES"; A) Could any portion of said area be vacated? 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) 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: Marcia Bento Date: 07/21/22
Email: PW-CIPTransportationReview@hcflgoy Phone:

VACATING REVIEW COMMENT SHEET

DATE: 07/07/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Systems Planning

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.

Form with checkboxes for 'NO OBJECTION by this agency to the vacating as petitioned.' and '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

Horizontal lines for explanation of answer to question 1.

2) Do you foresee a need for said area in the future? YES NO

Horizontal lines for explanation of answer to 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

Horizontal lines for explanation of answer to question 3A.

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

Horizontal lines for explanation of 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

Horizontal lines for explanation of answer to question 4.

Additional Comments: Removed additional comments, as they were addressed. Revised date from 7/7/22 to 2/2/23.

Reviewed By: William Hand

Date: 2/2/23

Email: handwt@hillsboroughcounty.org

Phone: 813-635-5404

VACATING REVIEW COMMENT SHEET

DATE: 07/07/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

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.

Form with checkboxes for 'NO OBJECTION by this agency to the vacating as petitioned.' and '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:

Horizontal lines for explanation of question 1

2) Do you foresee a need for said area in the future? YES NO

IF YES, please explain:

Horizontal 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:

Horizontal 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

Horizontal 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

Horizontal lines for answer to question 4

Additional Comments:

Reviewed By: Landon Hamilton

Date: 07/07/2022

Email: HamiltonL@HCFLGov.net

Phone: 813-538-5452

VACATING REVIEW COMMENT SHEET

DATE: 07/11/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Public Works, Traffic Maintenance Division

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.

Form with checkboxes for 'NO OBJECTION' and 'OBJECTION'.

1) Do you currently use or have facilities in said area to be vacated? YES NO

2) Do you foresee a need for said area in the future? YES NO

3) IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES"; A) Could any portion of said area be vacated? 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) 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: Glen Foster, Project Manager

Date: 7/11/22

Email: fosterg@hillsboroughcouth.org

Phone: 813-298-3011

VACATING REVIEW COMMENT SHEET

DATE: 07/11/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Hillsborough County Fire Rescue

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.

Form with checkboxes for 'NO OBJECTION' and 'OBJECTION'.

1) Do you currently use or have facilities in said area to be vacated? YES NO

Blank lines for explanation of question 1.

2) Do you foresee a need for said area in the future? YES NO

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

Blank lines for explanation of question 3A.

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 explanation of 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 explanation of question 4.

Additional Comments:

Reviewed By: Ray Hansen, Deputy Fire Marshal

Date: 7/11/22

Email: hansenr@hcflgov.net

Phone: 813-744-5541

VACATING REVIEW COMMENT SHEET

DATE: 07/15/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Community & Infrastructure Planning Department

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.

Form with checkboxes for 'NO OBJECTION by this agency to the vacating as petitioned.' and '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

Horizontal lines for explanation of answer to question 1.

2) Do you foresee a need for said area in the future? YES NO

Horizontal lines for explanation of answer to 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

Horizontal lines for explanation of answer to question 3A.

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

Horizontal lines for explanation of 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

Horizontal lines for explanation of answer to question 4.

Additional Comments:

Reviewed By: Sarah Capar

Date: 7/15/22

Email: capers@hillsboroughcounty.org

Phone: 813-807-0743

VACATING REVIEW COMMENT SHEET

DATE: 07/07/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Environmental Protection Commission - Wetlands Division

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.

Form with checkboxes for 'NO OBJECTION by this agency to the vacating as petitioned.' and '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:
A wetland ditch passes under the roadway through a culvert and continues to the south

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:
The associated wetland has been determined to be notice exempt and could be removed

B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? YES NO
Wetland has been determined to be notice exempt and could be removed

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
The wetland has been determined to be notice exempt and could be removed

Additional Comments: From the north a wetland ditch, that is considered to be noticed exempt, flows under the road through a culvert and continues to the south

Reviewed By: Kelly M. Holland
Email: hollandk@epchc.org

Date: July 27, 2022
Phone: 813.627.2600 ext. 1222

VACATING REVIEW COMMENT SHEET

DATE: 07/07/22

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Streets and Addresses 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 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: Deborah S. Franklin

Date: 07/11/2022

Email: franklinds@HCFLGov.net

Phone: 813-264-3050

VACATING REVIEW COMMENT SHEET

DATE: 01-04-2023

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way
MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E
adjacent to Folios 32956-0000, 32956-0100 and 32951-0000

Reviewing Agency: Hillsborough County City-County Planning Commission

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.

Form with checkboxes for 'NO OBJECTION' (checked) and 'OBJECTION'.

1) Do you currently use or have facilities in said area to be vacated? YES NO (NO checked)

If YES, please explain: (blank lines)

2) Do you foresee a need for said area in the future? YES NO (NO checked)

IF YES, please explain: (blank lines)

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)

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

(blank lines)

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)

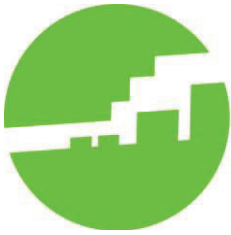
Additional Comments: Please see attached memorandum. (blank lines)

Reviewed By: Melissa Lienhard, AICP, Executive

Date: January 4, 2023

Email: lienhardm@plancom.org

Phone: 813-547-4364



Hillsborough County City-County Planning Commission

Memorandum

January 4, 2023

To: Paul Heiber, Real Property Specialist, Real Estate Division

From: Melissa Lienhard, AICP, Executive Planner

Re: **Vacating Review Petition: V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained right-of-way MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E adjacent to Folios 32956-0000, 32956-0100 and 32951-0000**

Planning Commission staff has reviewed the requested petition to vacate a portion of Old Livingston Road maintained right-of-way MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E adjacent to Folios 32956-0000, 32956-0100 and 32951-0000.

The applicant is requesting to vacate a portion of right-of-way totaling approximately 22,456 square feet (0.52 acres) internal to a shopping center being developed. If the vacating is approved, 29:11 County Line, LLC will be able to clear the right-of-way of existing nuisance conditions and maintain the area going forward. The adjacent folios are owned by the petitioner.

The subject site and the surrounding properties in the area are designated as Residential-1 (RES-1) on the Future Land Use Map, which permits up to 1 dwelling unit per acre or a Floor Area Ratio (FAR) of 0.25. The subject site is in the Rural Area. The subject site is also located within the limits of the Lutz Community Plan. The vacating of this ROW will not have any adverse impacts on the abutting properties. Access to neighboring properties will continue through existing roadways.

The request to vacate this ROW should not have adverse impacts on the future development pattern of this area. The Planning Commission staff finds the proposed vacating of this ROW **CONSISTENT** with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Thank you for the opportunity to review the ROW vacating. If you have any questions regarding these comments or need further information, please contact me at (813) 547-4364.



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813- 272-5940
601 E Kennedy Blvd
18th Floor
Tampa, FL, 33602

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained maintained right-of-way per MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E, adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Spectrum Sunshine LLC

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"/>	CONSENT by this agency to the vacating as petitioned.
<input type="checkbox"/>	OBJECTION by this agency to the vacating as petitioned

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

2) Is QUESTION #1 is "YES", answer question 2, otherwise skip.
 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
 If YES, please specify if easement should be over all or part of the area to be vacated:

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

Additional Comments: _____

Reviewed By: Tony Stevenson
 Email: anthony.stevenson@charter.com

Date: 07/08/2022
 Phone: 813-302-0251

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained maintained right-of-way per MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E, adjacent to Folios 32956-0000 and 32951-0000 2701 E. County Line Rd.

Reviewing Agency: TECO-PGS

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"/>	CONSENT by this agency to the vacating as petitioned.
<input type="checkbox"/>	OBJECTION by this agency to the vacating as petitioned

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

2) Is QUESTION #1 is "YES", answer question 2, otherwise skip.

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? N/A YES NO

If YES, please specify if easement should be over all or part of the area to be vacated:

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

If YES, please explain: N/A

Additional Comments: *Joan D. Domning* 7-8-2022

Joan Domning-Senior Admin Specialist
TECO-PGS-Distribution Engineering
8416 Palm River Rd, Tampa, FL 33619
813-275-3783
jdomning@tecoenergy.com

Date: _____

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained maintained right-of-way per MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E, adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Tampa Electric

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"/>	CONSENT by this agency to the vacating as petitioned.
<input type="checkbox"/>	OBJECTION by this agency to the vacating as petitioned

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

2) Is QUESTION #1 is "YES", answer question 2, otherwise skip.
 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
 If YES, please specify if easement should be over all or part of the area to be vacated:

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

Additional Comments: _____

Reviewed By: Lena Kirby

Date: 10/12/2022

Email: cjkirby@tecoenergy.com

Phone: 813-635-1467

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

VACATING PETITION:

V21-0003 (29: 11 County Line LLC) portion of Old Livingston Road maintained maintained right-of-way per MROW Book 2 Page 42 lying in Section 5, Township 27S, Range 19E, adjacent to Folios 32956-0000 and 32951-0000

Reviewing Agency: Frontier Florida LLC

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"/>	CONSENT by this agency to the vacating as petitioned.
<input type="checkbox"/>	OBJECTION by this agency to the vacating as petitioned

1) Do you currently use or have facilities in said area to be vacated? YES NO
 If YES, please explain:
 Several Copper cables and a Fiber running down through the Right-of-Way requested to be vacated from the north. Also, a Cross Connect Box and Vault are also located within the Right-of-Way requested to be vacated. Also, conduits and out-of-service cables running the full length of the Right-of-Way requested to be vacated. BUT, an easement has been granted to protect the existing facilities, therefore no more objection exists.

2) Is QUESTION #1 is "YES", answer question 2, otherwise skip.
 A) Could any portion of said area be vacated? YES NO
 If YES, please specify which portion may be vacated:
 The entire Right-of-Way, as an easement has been granted to protect the existing facilities.

B) Could said area be vacated subject to reserving an easement over **all or part of area** to be vacated? YES NO
 If YES, please specify if easement should be over all or part of the area to be vacated:
 All of it, and it has been done.

C) If there are existing facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire? YES NO
 If YES, please explain:
 No more need, as an easement has been granted to protect the existing facilities.

Additional Comments: _____

Reviewed By: Stephen Waidley
Email: stephen.waidley@ftr.com

Date: 11/23/2022
Phone: (941) 266-9218



**Hillsborough
County Florida**

PETITION TO VACATE

Hillsborough County Facilities Management & Real Estate Services Department
County Center
601 East Kennedy Boulevard – 23rd Floor
Tampa, Florida 33602
Telephone: (813) 272-5810 | Fax: (813) 272-5597
Submission email: RP-Vacating@HillsboroughCounty.org

Right-of-Way

Easement

Subdivision Plat

PETITIONER'S INFORMATION

Name(s): 29:11 County Line LLC and Fairway-Livingston, LLC

Address: 21760 SR 54 SE 102

City: Lutz State: FL Zip Code: 33549

Phone Number(s): _____

Email address: _____

For multiple Petitioners, additional signature sheets may be used for each 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 05, Township 27, Range 19, Folio # 32951-0000, 32951-0005, 32956-0000

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): Michael Brooks, Esq.

Company: Brooks, Sheppard & Rocha PLLC

Address: 400 N. Tampa Street, Suite 1910

City: Tampa State: FL Zip Code: 33602

Phone Number(s): 813-543-5900

Email address: mbrooks@bsrfirm.com

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

The purpose of this request is to vacate a portion of maintained right-of-way for Old Livingston Avenue located internal to a shopping center being developed at the southeast corner of East County Line Road and Livingston Avenue. If the vacating is approved, 29:11 County Line, LLC will be able to clear the right-of-way of existing nuisance conditions and maintain the area going forward as part of the shopping center.

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:

N/A

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.):

N/A

Please review and initial:

1. MB 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. MB 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. MB 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. MB 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. MB 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. MB 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. MB 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. MB 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. MB 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.**


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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

Michael Brooks, Esq. for 29:11 County Line LLC 400 N. Tampa Street, Suite 1910 Tampa, FL 33602



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 1st day of November, 2021, by Michael Brooks, Esq. who is/are personally known to me or who has produced _____ as identification.

NOTARY PUBLIC:

Signature: 

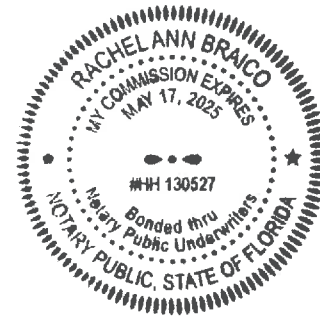
(SEAL)

Printed Name: Rachel Ann Braico

Title or Rank: Notary

Serial / Commission Number: HH 130527

My Commission Expires: May 17, 2025



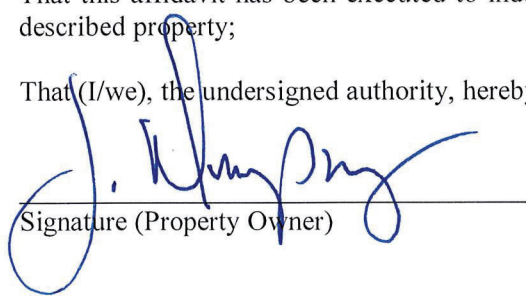
AFFIDAVIT TO AUTHORIZE AGENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

29:11 County Line LLC

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

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:
ADDRESS OR GENERAL LOCATIONS: 19955 Old Livingston Ave 032951.0000 & 19805 Livingston Ave. Folio No: 032956.0000
2. That this property constitutes the property for which a request for a: Petition to Vacate (NATURE OF REQUEST) is being applied to the Board of County Commissioners, Hillsborough County.
3. That the undersigned (has/have) appointed Brooks, Shephard and Rocha PLLC as (his/their) agent(s) to execute any permits or other documents necessary to affect such permit.
4. That this affidavit has been executed to induce Hillsborough County, Florida, to consider and act on the above-described property;
5. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.












Signature (Property Owner)

Signature (Property Owner)

STATE OF FLORIDA COUNTY OF HILLSBOROUGH	
The foregoing instrument was acknowledged before	
me this <u>11/22/2021</u> by <u>JIM DUNPHY</u>	_____
Date	Property Owner
Who: <input checked="" type="checkbox"/> Personally known to me _____ Florida Drivers License <input type="checkbox"/> Other Type of Identification	
And Who: <input checked="" type="checkbox"/> did _____ did not take an oath.	
<u>Brooke Serrano</u> _____ Signature of Notary taking acknowledgement	
<u>Brooke Serrano</u> _____ Type/Print Name of Notary	
<u>121911</u>	<u>4/25/2025</u>
Commission Number	Expiration Date

STATE OF FLORIDA COUNTY OF HILLSBOROUGH	
The foregoing instrument was acknowledged before	
me this _____ by _____	_____
Date	Property Owner
Who: <input type="checkbox"/> Personally known to me _____ Florida Drivers License <input type="checkbox"/> Other Type of Identification	
And Who: <input type="checkbox"/> did _____ did not take an oath.	
_____ Signature of Notary taking acknowledgement	
_____ Type/Print Name of Notary	
_____	_____
Commission Number	Expiration Date

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.
2.  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.  The Petitioner(s) will forward 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 after direction from staff that the petition submission is sufficient. Petitioner acknowledges and agrees that the initial filing fee is non-refundable in whole or in part.
4.  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.  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.
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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

**Michael Brooks Esq, for
Fairway-Livingston LLC**

400 N. Tampa St, Ste 1900 Tampa FL 33602



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 3 day of March, 2023, by Michael Brooks who is/are personally known to me or who has produced _____ as identification.

NOTARY PUBLIC:

Signature:



(SEAL)

Printed Name:

Rachel Ann Braico

Title or Rank:

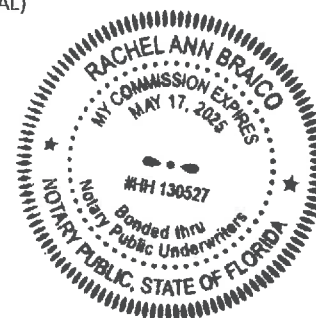
Exec. Asst / Notary

Serial / Commission Number:

130527

My Commission Expires:

5-17-2025



PETITION

Page 4 of 4

Submission email: RP-Vacating@HillsboroughCounty.org

REV. 2022



Affidavit to Authorize Agent (If applicant is other than owner)

State of Florida County of Hillsborough

Fairway - Livingston LLC

(Name of all property owners), being first duly sworn, depose(s) and say(s):

- 1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit: Address or general location: 2701 E COUNTY LINE RD, LUTZ Folio No(s): 032951-0000
2. That this property constitutes the property for which a request for a: Vacation of a portion of the right of way known as Old Livingston Avenue (V21-0003) (Nature of request) is being applied to the Board of County Commissioners, Hillsborough County.
3. That the undersigned (has/have) appointed Michael Brooks Esq./Brooks Sheppard Rocha LLC as (his/their) agent(s) to execute any permits or other documents necessary to affect such permit.
4. That this affidavit has been executed to induce Hillsborough County, Florida, to consider and act on the above-described property;
5. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signed (Property Owner) By: The Thompson Development Company, Inc., its Manager By: A. Sims Garrison, Executive Vice President Type or Print Name

Signed (Property Owner) Type or Print Name

STATE OF FLORIDA Alabama COUNTY OF HILLSBOROUGH Jefferson The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 7 day of March, 2023, by A. Sims Garrison (name of person acknowledging) [X] Personally Known OR [] Produced Identification Type of Identification Produced Sarah H. Plumlee (Signature of Notary taking acknowledgment) Sarah H. Plumlee Type or Print Name of Notary Public Commission number Expiration date 3/24/25

STATE OF FLORIDA COUNTY OF HILLSBOROUGH The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this ___ day of ___, ___, by (name of person acknowledging) [] Personally Known OR [] Produced Identification Type of Identification Produced (Signature of Notary taking acknowledgment) Type or Print Name of Notary Public Commission number Expiration date

