



P U B L I C W O R K S M E M O

To: Kelli Hammer Levy, MS, MPA, CPM, ENVSP, Director, Public Works
From: Shirley Zeller, PSM, CPM, Technical Svcs. Section Mgr., Survey and Mapping
Subject: SFN 2193 – JOHN'S PASS WATERWAY OWNERSHIP/LAND RIGHTS
PID # 001851B
DIST: Karen Baker, Administrative Support Specialist, Public Works
John Bishop, Ph.D., Coastal Mgmt Coordinator, Environmental Management
Susan Scholpp, PSM, Division Director, Survey and Mapping
Penny Simone, PLS, Technical Services Section Manager, Survey and Mapping
Cynthia Hasher, Land Survey Support Specialist, Survey and Mapping
Date: August 27, 2020

Enclosed is one (1) exhibit, dated August 24, 2020 for John's Pass Waterway northern boundary. This exhibit replaces the DRAFT exhibit previously provided on August 18, 2020.

Below is a summary of Survey and Mapping's technical comments:

- 1) The attached exhibit is an Exhibit, Not A Survey.
- 2) Per FDEP, Division of State Lands, The State holds title below the mean high-water line (MHWL) outside of deed No. 19572. Said deed is mapped in its approximate location and is shown in brown on attached exhibit. The description calls for the shoreline of John's Pass. Additional review may be needed to determine where the shore line was Feb 23, 1954 (the date the deed) and how the bulkhead line recorded in 1964 affects the waterward limits of this parcel.
- 3) A survey may be needed to determine the current location of the MHWL.
- 4) Per FDEP, Division of State Lands, the accredited lands at the site would be owned by the riparian owner. We have shown the approximate limits of the edge of sand based on a January 2018 aerial and a January 2019 aerial. A more current aerial may be needed, we did not have one that could be used in CADD.
- 5) The upland owners' deed descriptions change over the years. Some descriptions call for the mean high waterline, some call for the mean highwater line also being the sea wall, others call for waters

of John's Pass. Discussion with County Attorney may be needed regarding whether the upland owner or a predecessor is the riparian owner.

- 6) The area is encumbered by many leases, several of which have expired. The leases require lessee (tenant) to keep their facilities in good working order but do not mention maintenance or dredging of accumulation of sand.
- 7) The channel right-of-way easement was granted from the Trustees of the Internal Trust Fund of the State of Florida to the United States of America. The accredited sand area from the 2019 aerial falls outside of the channel right-of-way easement. A survey or more current aerial may be needed to show where the edge of the sand is currently.
- 8) Pinellas County Utilities has a waterline that crosses the channel. The submerged land easement for the waterline expired in 2016. Survey and Mapping is working with Pinellas County Utilities and Real Estate to determine if a newer easement exists or if this existing easement should be renewed.
- 9) The channel right-of-way easement was mapped by Survey and Mapping without benefit of a field survey. Location is approximate. Some of the docks and boats appear to be encroaching into the channel. Further review may be needed.

Also enclosed is the latest title determination letter from FDEP, Division of State Lands, dated July 13, 2020.

If you should have any questions, please call me at (727) 464-5806.

Encl



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

July 13, 2020

Joan Wilke, Public Works Research Tech 2
Pinellas County
22211 US Hwy 19N
Clearwater, FL 33765

RE: Lands East of Johns Pass Bridge

Dear Ms. Wilke:

This letter is in response to your recent inquiry requesting a determination of state owned lands in Section 15, Township 31 South, Range 15 East; Pinellas County.

Records on file within the Title and Land Records Section indicate that the state holds title to the lands below the mean high water line of Johns Pass at the subject site outside of Deed No. 19572. Work at the site is subject to Right of Way Easement No. 24094, Dedication No. 24956, Easement No. 40716(6059-52) and Submerged Land Lease Nos. 520000123, 520005663, 520005633 and 520005623. The Submerged Land Lease Nos. 520005673, 520005643, 520005613 and Use Agreement (146497) appear to have expired. Accredited lands at the site would be owned by the riparian owner.

The conclusions stated herein are based on a review of records currently available within the Department of Environmental Protection as supplemented, in some cases, by information furnished by the requesting party. Additional records will be reviewed if provided.

Should you have any questions regarding this determination, please contact Donelle White, Program Consultant, at mail station 108 at the above address or call at (850) 245-2788.

Sincerely,

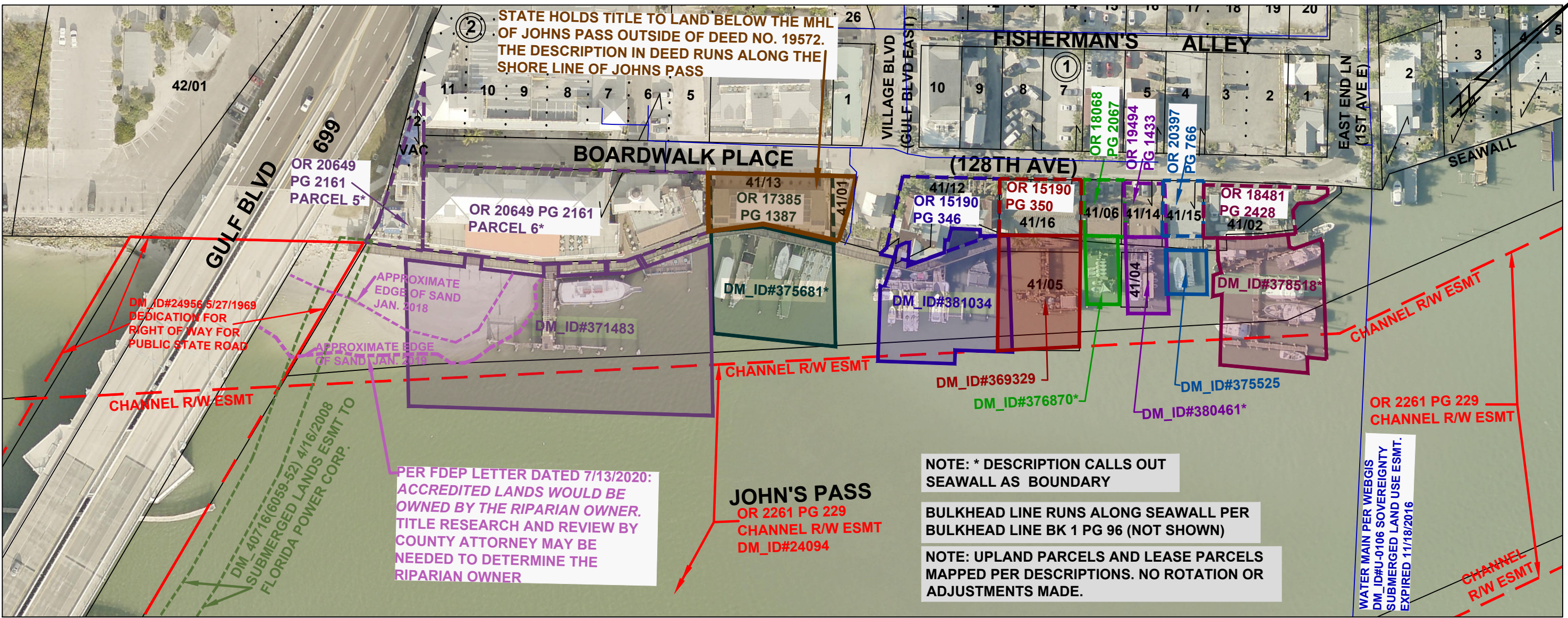
A handwritten signature in blue ink, appearing to read "Eric Silman". Below the signature, the letters "FOR" are written in blue ink.

Richard Malloy, PSM, Bureau Chief
Division of State Lands
Bureau of Survey and Mapping

RM/dw

F:\TITLE\Donelle\2020 April-June\Pinellas\letter to joan @ pinellas county johns pass 6-18-2020docx

SECTION(S) 15 , TOWNSHIP 31 SOUTH, RANGE 15 EAST



SCALE IN FEET 1" = 100'

DM_ID#	LEASE #	LESSEE	LEASE EFFECTIVE DATE	LEASE EXPIRATION DATE	LEASE COMMENTS	UPLAND PARCEL PRIOR OWNER	UPLAND PARCEL OWNER	UPLAND PARCEL RECORDED DATE	UPLAND PARCEL OFFICIAL RECORD
378518	520006273	LUGGERS BACKUP, LLC	March 14, 2016	March 14, 2021		BLUE FISH VENTURES, LLC	LUGGERS BACUP, LLC	August 4, 2014	OR 18481 PG 2428
375525	520005613	DAG BROS., INC	January 16, 2015	January 16, 2020	EXPIRED	DAG BROS., INC	JWBMB HOLDINGS LLC	January 15, 2019	OR 20397 PG 766
380461	520005623	CRITELLI FAMILY LIVING TRUST	December 11, 2017	April 1, 2021		ORCUTT/CRITELLI PROPERTIES	CRITELLI FAMILY LIVING TRUST	January 24, 2017	OR 19494 PG 1433
376870	520005633	PERSHING ENTERPRISE LLC	April 29, 2016	April 1, 2021		CRITELLI FAMILY LIVING TRUST	PERSHING ENTERPRISE LLC	July 2, 2013	OR 18068 PG 2067
369329	520005643	DAG BROS., INC	December 6, 2011	April 1, 2016	EXPIRED	MADEIRA BEACH PROPERTIES, LLC	DAG BROS., INC	June 16, 2006	OR 15190 PG 350
381034	520005663	DAG BROS., INC	April 1, 2018	April 1, 2023		ARTHUR W BROADERICK	DAG BROS., INC	June 16, 2006	OR 15190 PG 346
375681	520000123	JEH INVESTMENTS, LLC	October 31, 2015	October 31, 2020		J PASS II, LLC	JEH INVESTMENTS, LLC	October 19, 2011	OR 17385 PG 1387
371483	520005673	INVESTORS WARRANTY OF AMERICA, INC	August 24, 2012	April 1, 2016	EXPIRED	LCS ASSOCIATES, LLC	JOHN'S PASS PLAZA LLC	August 12, 2019	OR 20649 PG 2161

SURVEY SECTION	BY	DATE
SURVEYED	.	.
TECHNICIAN	CH	8/20
CHECKED	.	.
SURVEY BOOK NO(S): .		

PINELLAS COUNTY, FLORIDA PUBLIC WORKS	
SURVEY AND MAPPING DIVISION 22211 U.S. HWY, 19 NORTH CLEARWATER, FLORIDA 33765-2328 PHONE (727) 464-8904	



JOHN'S PASS WATERWAY
OWNERSHIP/LAND RIGHTS

EXHIBIT
NOT A SURVEY

sfn2193_exhibit_R1.dwg

DATE: AUGUST 26, 2020
PHOTOGRAPHY DATE: 01/19
SURVEY FILE NO.: 2193
SHEET 01 OF 01