

## INFORMATION FOR VACATION APPLICANTS

It is recommended that you begin the vacation process at the city engineering office at 750 Main Street in Safety Harbor by requesting an examination of the utility atlases which show the city utilities (water, sewer, storm drains, etc.) present at your location. Although these maps are not infallible, and do not depict the various facilities of the private utility interests such as Duke Energy, Frontier and others, they are helpful in determining the likelihood of a vacation request relative to the City of Safety Harbor's interest.

The city will not vacate easements which have utilities present unless it is expedient to relocate the facilities in some other alignment and at the expense of the applicant. Neither will the city vacate right-of-ways which contain utilities, excepting as a portion is retained as an easement accommodating the utilities.

If you decide to continue, you will be given a package of information and forms. Complete the *Vacation Petition* and submit at the engineering office and send a *Utility Notification of Vacation* to each of the utilities listed in the instructions. When the various utility companies have responded to the notifications, you will then have information as to the presence of their utilities also.

In this manner you can make a judgment as to the likelihood of success before paying the fees required to process the application.

If you continue, you will need to obtain the responses required of the adjacent property owners by use of the *Abutting Property Owners Notification of Vacation* as well as the legal description, location map, affidavit of ownership, any required secondary easement, and any other material called for by the vacation process.

The vacation will not go forward until all required material has been submitted and found satisfactory and all fees are paid.

## **VACATIONS – DUTIES OF THE PARTIES**

### **Applicant**

1. Collects responses to Utility Notifications
2. Collects responses to notifications to adjacent property owners
3. Provides legal description from Registered Land Surveyor
4. Provides any secondary easement required to get release for subject vacation
5. Brings all material to Engineering – Pays all fees

### **City Engineering**

1. Receives and provides instructions to Applicant
2. Collects responses from
  - a. Engineering
  - b. Public Works – Streets & Storm Water
  - c. Public Works – Water & Sewer
  - d. Public Works – Sanitation
  - e. Community Development – Building
  - f. Community Development – Planning & Zoning
  - g. Fire
3. Checks Legal Description, Secondary Easements, all responses and materials
4. Prepares Agenda Memo and submits to City Clerk
5. Mails written notice to all property owners within a 500 feet of the property at least 7 days prior to Commission Meeting, and posts property at least 5 days prior to Commission Meeting.

### **City Clerk**

1. City Clerk schedules for CC meeting
2. City Commission denies or approves by Resolution
3. City Clerk records instruments, notifies applicant, handles closure

CITY OF SAFETY HARBOR

Engineering Department

750 Main Street, Safety Harbor, Florida 34695 (727) 724-1555

VACATION PETITION INSTRUCTIONS

Application fee ..... \$150 (rights-of-way, alleyways, easements)

Public Notice fee .... \$25.00 (rights-of-way/alleyways/easements)

The Applicant shall provide the following:

1. Legal Description. This is a written description of exactly what you are requesting to vacate. *A lot survey is not sufficient.* To be in compliance with the Florida Administrative Code the legal description for a petition must be prepared by a registered professional land surveyor and have his original signature and seal attached.
2. Survey map, if available, or location map.
3. Statement of the action requested including all reasons or justifications for the request and the intended use of the property.
4. Letters of "No Objection" from the following:
  - (a) Duke Energy
  - (b) Frontier
  - (c) Spectrum
  - (d) City of Clearwater Gas System
  - (e) Pin. Co. Public Works, R-O-W Div. (if property located north of State Road 580)
  - (f) WOW (cable)
  - (g) City of St. Petersburg, Public Utilities Department
5. Before a public hearing can be scheduled, any easements and/or rights-of-way necessary to satisfy letters of "no objection" must have a legal description written, signed and sealed by a registered professional land surveyor; be executed; and delivered to this office for review.
6. Names and addresses of abutting property owners. Abutting includes owners of any lot or parcel of land which shares all or part of a common lot line with or that is immediately adjacent to or contiguous with the easement or public right-of-way to be vacated.
7. Completed Petition and required fees to the Engineering office.



FILE #

DATE RECEIVED:

## VACATION PETITION

**PROPERTY OWNER** please use black ink

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Home # \_\_\_\_\_ Work # \_\_\_\_\_ Other \_\_\_\_\_

### GENERAL INFORMATION

Vacation of: \_\_\_\_\_ R.O.W. \_\_\_\_\_ Alley \_\_\_\_\_ Easement \_\_\_\_\_ Plat \_\_\_\_\_ Other

Address of Property: \_\_\_\_\_

Legal Description: Parcel # \_\_\_\_\_ Name of Subdivision \_\_\_\_\_

Lot(s) \_\_\_\_\_ Block # \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Location Map Attached? \_\_\_\_\_ Yes \_\_\_\_\_ No

Legal Description of Vacation: \_\_\_\_\_

### REASONS AND JUSTIFICATIONS FOR THIS REQUEST:

**The following MUST be furnished with this application (please check ✓)**

\_\_\_\_\_ Completed Application Form

\_\_\_\_\_ Application Fee of \$150.00 (Rights-of-Way, Easements and Alleyways)

\_\_\_\_\_ Public Notice Fee of \$25.00 (Rights-of-Way, Easements and Alleyways)

\_\_\_\_\_ Proof of Ownership (Copy of Warranty Deed, Title Certificate, etc.)

\_\_\_\_\_ Legal Description

\_\_\_\_\_ Letters of "No Objection" from all parties with easement rights

\_\_\_\_\_ Names and Addresses of Abutting Property Owners

\_\_\_\_\_ No Abutting Property Owners \_\_\_\_\_ Yes (list on separate sheet of paper)

**APPLICATIONS MUST BE COMPLETE AND FEE(S) PAID PRIOR TO PROCESSING**

**AFFIDAVIT OF OWNERSHIP AND APPOINTMENT OF  
AUTHORIZED AGENT**

I/We, \_\_\_\_\_ certify that I/we is/are the sole owner(s) of the property located at \_\_\_\_\_, as further described within this application to vacate, and have authority to appoint the agent authorized herein without the consent or joinder of any other party. The names of all parties to any existing contract for sale or any options to purchase are filed with this application to vacate.

I/We hereby state that the vacation requested by this application will not cause injury to or otherwise affect any surrounding property owners, and that the property requested to be vacated does not now serve and is not needed for any public purpose.

I/We hereby appoint \_\_\_\_\_ as my/our duly authorized agent(s). I/We certify that the agent(s) is/are authorized to provide subject matter on this application to vacate, whether verbal or written, and appear and act on our behalf at any public hearing(s) involving this application to vacate.

Further, it is understood that this application to vacate must be complete and accurate and any required fees paid prior to processing.

\_\_\_\_\_  
Printed Name of Property Owner      Signature      Date

\_\_\_\_\_  
Printed Name of Property Owner      Signature      Date

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_ by \_\_\_\_\_ of \_\_\_\_\_, a Florida municipal corporation, on behalf of the corporation. He/she is  personally known to me or has  produced \_\_\_\_\_ as identification.

STAMP

Signature \_\_\_\_\_

Name typed/printed/stamped \_\_\_\_\_

Title or rank \_\_\_\_\_

Serial number, if any \_\_\_\_\_

I/We \_\_\_\_\_ hereby accept appointment as authorized agent(s) for \_\_\_\_\_ relating to any matters associated with this application to vacate.

\_\_\_\_\_  
Printed Name of Appointed Agent      Signature      Date

\_\_\_\_\_  
Printed Name of Appointed Agent      Signature      Date

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, \_\_\_\_\_ of \_\_\_\_\_, a Florida municipal corporation, on behalf of the corporation. He/she is  personally known to me or  has produced \_\_\_\_\_ as identification.

Signature \_\_\_\_\_

Name typed/printed/stamped: \_\_\_\_\_

Title of rank: \_\_\_\_\_

Serial number if any: \_\_\_\_\_

## UTILITY NOTIFICATIONS TO BE SENT TO THE FOLLOWING:

1. Kevin O'Dell  
Duke Energy  
2166 Palmetto St., Bldg. A  
Clearwater, FL 33765  
Phone: 562-5662  
Fax: 562-5686
2. Mike Little  
Frontier  
120 E. Lime St  
Lakeland, FL 33801  
Phone: 863-682-8506  
E-Mail: Michael.e.little@ftr.com
3. Ted Bingham  
Spectrum formerly Bright House Networks  
700 Carillon Parkway, Suite 6  
St. Petersburg, FL 33716-1101  
Phone: 329-2847  
Fax: 329-2845  
(notify Mr. Bingham prior to sending fax)
4. Alex McFarlane, Engineering Technician  
City of Clearwater Gas System  
400 N. Myrtle Ave.  
Clearwater, FL 33755  
Phone: 562-4900, Ext. 7425  
Fax: 562-4904
5. James Meloy (Notify only if north of SR580)  
Pinellas County Public Works  
Real Estate Division, Room 105  
509 East Avenue South  
Clearwater, FL 33756  
Phone: 464-8231  
Fax: 464-5251
6. Jay Young, Lead Field Support Technician  
WOW (cable)  
3001 Gandy Blvd. N.  
Pinellas Park, FL 33782  
Phone: 239-0156  
Fax: 217-2649
7. John Parks  
City of St. Petersburg  
Water Resources Department  
1635 Third Avenue North  
St. Petersburg, Florida 33713  
Phone: 893-7261  
Fax: 823-9152

# UTILITY NOTIFICATION OF VACATION

TO: \_\_\_\_\_

NO.

**PLEASE PRINT OR TYPE THE INFORMATION BELOW & RETURN TO THE APPLICANT AS FOLLOWS:**

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

It is the policy of the City of Safety Harbor to notify all appropriate utility agencies for their review and comments prior to the vacation of any right-of-way, alley or easement. Therefore, it is requested that you complete this form and return to the above applicant within 30 days of receipt of notification or it will be concluded that your company has no facilities and vacation will proceed as planned.

In :  R.O.W.  Alley  Easement  Subdivision Plat  Other

Legal Description: Parcel ID #: \_\_\_\_\_ Name of Subdivision \_\_\_\_\_

Lots# \_\_\_\_\_ Block # \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Location Map Attached?  Yes  No

Relative to the referenced vacation, this agency's position is:

NO OBJECTION - NO CONDITIONS NECESSARY

OBJECTION - REASON:

NO OBJECTION SUBJECT TO THE FOLLOWING CONDITIONS:

OTHER

\_\_\_\_\_  
Agency: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



**ABUTTING PROPERTY OWNERS  
NOTIFICATION OF VACATION**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No. \_\_\_\_\_

**PLEASE PRINT OR TYPE THE INFORMATION BELOW & RETURN TO THE APPLICANT AS FOLLOWS:**

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

It is the policy of the City of Safety Harbor to notify all abutting property owners for their review their comments prior to the vacation of any right-of-way, alley or easement. Therefore, it is requested that you complete this form and return to the above applicant within 30 days of receipt of notification.

Vacation of:      R.O.W.      Alley      Easement      Subdivision Plat      Other  
Legal Description: Parcel # \_\_\_\_\_ Name of Subdivision \_\_\_\_\_  
Lot # \_\_\_\_\_ Block # \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
Location Map Attached?      \_\_\_\_\_ Yes      \_\_\_\_\_ No

I HAVE REVIEWED THE REQUEST FOR VACATION OF EASEMENT/RIGHT-OF-WAY  
AND:      \_\_\_\_\_ HAVE NO OBJECTION  
            \_\_\_\_\_ OBJECT TO THE REQUEST FOR THE FOLLOWING REASONS:

Signature of Property Owner

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_