

VACATING CITY EASEMENT / RIGHT-OF-WAY

A vacation of an easement or City right-of-way is authorized by the City Commission at its regularly scheduled meeting. The request is presented in the form of a City Resolution, and considered at a legislative public hearing.

Prior to submitting an application for vacation of City easement or right-of-way, please contact the Engineering Division at (727) 298-3178.

You will be required to define specifically and in detail the area of land being vacated and the intended use of the land, should the vacation be granted.

City departments may review the application and make a recommendation prior to the public hearing. The review entities include, but are not limited to:

- Fire Division
- Engineering Division
- Solid Waste Division
- Parks Department
- Planning & Development Department

CHECKLIST

Please refer to the "Application Guidelines" for detailed information about each requirement.

- ☐ **Signed & notarized application**
- ☐ **Fee: \$1,500.00**
- ☐ **Proof of ownership**
- ☐ **Sketch and description of land under consideration**
- ☐ **Property boundary survey**
- ☐ **Statement of request**
- ☐ **List of adjacent property owners (Certificate of Mailing)**
- ☐ **Letters to, and responses from all utility companies**

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Applications must be determined complete by City staff prior to scheduling the public hearing.



City of Dunedin

■ VACATION OF EASEMENT / RIGHTS-OF-WAY

APPLICATION FORM

Engineering Division

737 Loudon Ave.
Dunedin, FL 34698

Phone: (727) 298-3178
www.dunedingov.com

☐ **VACATION OF EASEMENT / RIGHT-OF-WAY**
Application Form

FOR OFFICE USE ONLY

APPLICATION No. _____ **DATE RECEIVED** _____ **FEE** _____

OWNER

NAME _____
ADDRESS _____ CITY _____ STATE _____
ZIP CODE _____ PHONE (1) _____ (2) _____

APPLICANT

NAME _____ COMPANY _____
ADDRESS _____ CITY _____ STATE _____
ZIP CODE _____ PHONE (1) _____ (2) _____

REPRESENTATIVE

NAME _____ COMPANY _____
ADDRESS _____ CITY _____ STATE _____
ZIP CODE _____ PHONE (1) _____ (2) _____
E-MAIL _____ FAX _____

PROPERTY LOCATION _____ PARCEL ID _____

INTENT OF THIS REQUEST: *Attach additional sheet if necessary, address all items required under "Statement of Request" in the Application Guidelines, page 2.*

PLEASE LIST ALL INDIVIDUALS AND ENTITIES WITH AN OWNERSHIP INTEREST IN THE PROPERTY. LIST SHOULD INCLUDE, WITHOUT LIMITATION, ANY AND ALL GENERAL PARTNERS, CORPORATE OFFICERS, AND MANAGERS OF LIMITED LIABILITY COMPANIES. PLEASE DISCLOSE ANY INTEREST FOR A CONTRACT OF SALE. _____

I certify that this application and all supplemental data is a true representation of the facts concerning this request. In the event that the applicant/representative is different from the owner, I hereby authorize _____ to act on my behalf in representing this petition.

The filing of this application does not constitute automatic approval. If the request is approved, I will obtain all necessary permits and comply with all applicable codes and regulations pertaining to the use of the subject property.

DATE _____ SIGNATURE OF OWNER/TRUSTEE _____

NOTARY

The foregoing instrument was acknowledge before me on this _____ day of _____, 20____ by _____ (applicant), who is personally known to me or has produced _____ as identification.

(SEAL)

(Signature of Notary)

- Application can be emailed to Clayton T. Watkins, P.E., at cwatkins@dunedinfl.net.
 - Application must be submitted at least sixty (60) days in advance of initial hearing date. The City Commission acts on applications at their regularly scheduled meetings the first and third Thursday of each month.
 - Failure of the owner/applicant/representative to appear and present substantial evidence under oath at all scheduled public hearings shall be cause to deny the request due to lack of evidence.
 - Filing fees are nonrefundable. Checks should be made payable to the City of Dunedin.
 - The owner/applicant/representative may not have any ex-parte contact (outside of the public hearing) with any board member or City Commissioner regarding this application.
 - Vacation of an easement/right-of-way is a legislative decision of the City Commission and entirely within its discretion.
 - An informational sign will be posted on the property referencing the request and public hearing date. Signage should be maintained as posted and shall only be removed by city staff after the hearing.
 - If any person decides to appeal the decision made by the board, he or she may need to ensure that a verbatim record of the proceedings is made, per Florida Statute 286.0105.
 - All data and exhibits submitted with this application become a permanent part of the public records. It is the applicant's responsibility to keep apprised of additional information that may become incorporated into the file.
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Proof of ownership- Submit a letter showing present title holder of record and initial date of acquisition, no more than 60 days old and prepared by a title company or licensed attorney in the State of Florida.
(Deeds, title insurance documents, tax bills, etc. are not acceptable.)

Sketch of land under consideration- Submit a sketch, drawn by a design or survey professional, that includes a legal description of the area being proposed for vacation. Sketch and legal description shall be digitally signed and sealed by a professional licensed in the State of Florida.

Property boundary survey- Submit a signed and sealed survey depicting all improvements and boundary measurements of the property. The property boundary survey shall be digitally signed and sealed by a professional licensed in the State of Florida.

Statement of Request- must include *all* of the following information:

- ☐ Locational description and size (sq. ft. or acreage) of land requested to be vacated
- ☐ Intended use for land requested to be vacated
- ☐ Detailed historical background, including any rights of possession or reversion to present or prior title-holder (provide names)
- ☐ List owner's names (with addresses) of all property abutting area requested to be vacated
- ☐ Statement of public purpose or benefit, if any, to be achieved by the requested vacation of land
- ☐ If the applicant seeks to acquire title to the land, please include a justification for eligibility

(continued on reverse page)

Mailed Letter of Notice, 500’-

A) Find the property record by searching the Pinellas County Property Appraisers Office website, www.pcpao.org. Click “Radius Search” on the record page and enter a distance from subject parcel of 500’. The list can be formatted directly from this website for labels. The list you receive should be type-written or clearly printed in blue or black ink and prepared in a manner similar to the following:

1. John and Mary Smith
100 Smith Street
Dunedin, FL 34698

2. John and Mary B. Smith
105 Smith Street
Dunedin, FL 34698

B) The “Letter of Notice” shall be filled out by the Engineering Division, and sent by the applicant to the adjacent property owners via the U.S. Post Office certificate of mailing process. To acquire a certificate of mailing, take the letters in addressed and stamped envelopes, along with the adjacent property owner list, to any U.S. Postal clerk. The "Letter of Notice" shall not be provided by the Engineering Division until the Commission Meeting date has been determined. ***If the certificate of mailing is not received by the Engineering Division at least 14 days prior to scheduled hearing date, the case will be postponed. Failure to provide a complete list of property owners will render any approval void.***

Letters of No Objection- Submit a copy of the applicant’s letter sent to the following utility companies, and the original of their written response:

CHARTER COMMUNICATION
Attn: Jeremy Cornette
700 Carillon Pkwy, Ste #1
St. Petersburg, FL 33716
Jeremy.Cornette@charter.com

CROWN CASTLE FIBER
Attn: Danny Haskett
1601 NW 136th Ave Ste A-200
Sunrise, FL 33323
Danny.Haskett@crowncastle.com

CLEARWATER GAS
Attn: Jacinta Corcoba
400 N. Myrtle Ave.
Clearwater, FL 33755
jacinta.corcoba@clearwatergas.com

CENTURYLINK
Attn: Amy Potter
941 14th St.
Denver CO, 80202
Amy.Potter@lumen.com

WIDE OPEN WEST (WOW!)
Attn: Dave Hamlin
3001 Gandy Boulevard N
Pinellas Park, FL 33782
dave.hamlin@wowinc.com

FLORIDA GAS TRANSMISSION COMPANY
Attn: Kristin Duke
2405 Lucien Way, Suite 200
Maitland, FL 32751
Kristin.duke@energytransfer.com

DUKE ENERGY
Attn: Jonathan Kasper
2401 25th St. N., SP-15
St. Petersburg, FL 33713
Jonathan.Kasper@duke-energy.com

PIKE
Attn: Aric Rogers
4427 Pet Lane, Suite 101
Lutz, FL 33559
ARogers@pike.com

FRONTIER COMMUNICATIONS
Attn: Stephen Waidley
1280 E Cleveland St
Clearwater, FL 33755
stephen.waidley@ftr.com