

## 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**

\* \* \* \* \*

*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., 2nd Floor  
P.O. Box 1348  
Dunedin, FL 34697-1348

Phone: (727) 298-3182  
[www.dunedingov.com](http://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 must be submitted at least thirty (30) days in advance of initial hearing date. The City Commission acts on applications at their regularly schedule 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 may 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 two 11" x 17" sketches, drawn by a design or survey professional, that include a legal description of the area being proposed for vacation. If sketch is larger than 11" x 17", please supply fourteen (14) copies.

**Property boundary survey-** Submit two 11" x 17" signed and sealed surveys depicting all improvements and boundary measurements of the property. If survey is larger than 11" x 17", please supply fourteen (14) copies. Only two of these copies need to be signed and sealed.

**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<br>100 Smith Street<br>Dunedin, FL 34698 | 2. John and Mary B. Smith<br>105 Smith Street<br>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. ***If the certificate of mailing is not received by the Department of 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: Oswaldo Perez  
700 Carillon Pkwy, Ste #6  
St. Petersburg, FL 33716  
Oswaldo.Perez@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: Xan Rypkema  
1025 Eldorado Blvd  
Broomfield CO, 800021  
xan.rypkema@centurylink.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: Jim Johnson  
2405 Lucien Way, Suite 200  
Maitland, FL 32751  
Jim.Johnson@energyTransfer.com

DUKE ENERGY  
Attn: Jonathan Kasper  
2401 25th St. N., SP-15  
St. Petersburg, FL33713  
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