

INFORMATION FOR VACATION APPLICANTS

It is recommended that you begin the vacation process at the City Engineering Department 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 a right-of-way that contains utilities, except 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. Engineering Dept will schedule City Commission meeting with City Clerk
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 Sketch and Legal.
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: (Reference attached utilities notification list)
 - (a) Duke Energy
 - (b) Frontier
 - (c) Charter Communications/Spectrum
 - (d) Clearwater Gas System
 - (e) Pinellas County Facilities and Real Property Division (if property is north of State Road 580)
 - (f) WOW (cable)
 - (g) City of St. Petersburg, Engineering and Capital Improvements Department (to check location of City of St. Petersburg's 36-inch water transmission main)
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. Return completed Petition and required fees to the Engineering Department.



FILE #

DATE RECEIVED:

VACATION PETITION

PROPERTY OWNER:

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

Sworn or affirmed and subscribed before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____ 20__ by _____.

He/she is ☐ personally known to me OR ☐ 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:

Duke Energy

Natalie Haney – Real Estate Research Specialist Email: natalie.haney@duke-energy.com
Irma Cuadra – Senior Research Specialist Email: Irma.cuadra@duke-energy.com
3300 Exchange Place
Lake Mary, FL 32746 | Mail Code NP4A

Frontier Communications

Stephen Waidley Phone: 727-462-1760
3712 W. Walnut St. Email: stephen.waidley@ftr.com
Tampa, FL 33607

Charter Communications/Spectrum

Kenneth G. Williams Email: DL-FL-PIN-CONSTRUCTION@charter.com
Construction Coordinator Email: Kenneth.williams4@charter.com
Phone: 727-224-3775

Andrew Holtzhouse Email: Andrew.holtzhouse@charter.com
Construction Supervisor
Phone: 727-329-2839
2530 Drew St
Clearwater, FL 33765

CGS Energy

Clifton Whitaker Email: clifton.whitaker@clearwatergas.com
777 Maple Street Phone: 727-562-4900
Clearwater, FL 33755 Fax: 727-562-4902
Jon Russel,
Safety & Regulatory Compliance Manager: E-mail: jonscott.russell@myclearwater.com
Offic: 727-444-8966

WOW Internet – Cable - Phone

Dave Hamlin Email: dave.hamlin@wowinc.com
Construction Project Coordinator Phone: 678-409-8721
3001 Gandy Blvd. North
Pinellas Park, FL 33782

City of St. Petersburg Engineering Department:

Laura E. Ricu, PE
727-892-5605
E-mail: laura.ricu@stpete.org

1650 Third Avenue North
St. Petersburg, FL 33764-8962

City of St. Petersburg

Water Resources Department:

Email: WRDUtilityReview@stpete.org
Phone: 727-893-4056

Pinellas County Public Works

Facilities and Real Property Division

Cynthia M. Harris

509 East Avenue

Clearwater, FL 33756

Notify only if North of State Road 580

Email: cmharris@pinellascounty.org

Phone: 727-464-3773

Fax: 727-464-5251

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: _____