

## 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 propertyowners
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 easementrights
- 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 agents(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](mailto:natalie.haney@duke-energy.com)  
Irma Cuadra – Senior Research Specialist Email: [Irma.cuadra@duke-energy.com](mailto:Irma.cuadra@duke-energy.com)  
3300 Exchange Place  
Lake Mary, FL 32746 | Mail Code NP4A

### **Frontier Communications**

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

### **Charter Communications/Spectrum**

Kenneth G. Williams  
Construction Coordinator  
Phone: 727-224-3775

Email: [DL-FL-PIN-CONSTRUCTION@charter.com](mailto:DL-FL-PIN-CONSTRUCTION@charter.com)  
Email: [Kenneth.williams4@charter.com](mailto:Kenneth.williams4@charter.com)

Andrew Holtzhouse  
Construction Supervisor  
Phone: 727-329-2839  
2530 Drew St  
Clearwater, FL 33765

Email: [Andrew.holtzhouse@charter.com](mailto:Andrew.holtzhouse@charter.com)

### **CGS Energy**

Clifton Whitaker  
777 Maple Street  
Clearwater, FL 33755  
Jon Russel,  
Safety & Regulatory Compliance Manager:  
Offic: 727-444-8966

Email: [clifton.whitaker@clearwatergas.com](mailto:clifton.whitaker@clearwatergas.com)  
Phone: 727-562-4900  
Fax: 727-562-4902

E-mail: [jonscott.russell@myclearwater.com](mailto:jonscott.russell@myclearwater.com)

### **WOW Internet – Cable - Phone**

Dave Hamlin  
Construction Project Coordinator  
3001 Gandy Blvd. North  
Pinellas Park, FL 33782

Email: [dave.hamlin@wowinc.com](mailto:dave.hamlin@wowinc.com)  
Phone: 678-409-8721

### **City of St. Petersburg Engineering Department:**

Laura E. Ricu, PE  
727-892-5605  
E-mail: [laura.ricu@stpete.org](mailto:laura.ricu@stpete.org)

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

**City of St. Petersburg  
Water Resources Department:**  
Email: [WRDUtilityReview@stpete.org](mailto: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](mailto: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 CONDITIONSNECESSARY

OBJECTION - REASON: \_\_\_\_\_

NO OBJECTION SUBJECT TO THE FOLLOWINGCONDITIONS:

OTHER

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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: \_\_\_\_\_