

Easement Vacation (EV)

Application Package

This package is intended to provide you with the information necessary for you to complete an application for an Easement Vacation. The information requested to be a part of your application represents the minimum requirements for submittal under the Osceola Land Development Code. You are encouraged to submit any additional information you feel necessary to enhance the reviewers understanding of what is being proposed.

Following this page is a form which is intended to serve as the first two pages and/or the cover pages of your application. This form is available from this office via diskette or we will gladly email it to you. You are encouraged to take advantage of working directly on electronic copies of our form.

Included on the two page form is an Easement Vacation Checklist which lists all of the information required to be included with your application in order for it to be processed. **If staff determines within three business days the information submitted is not complete or in conformity with the checklist you will be advised and the application will not be scheduled for review until all information is received.** The requirements for this information can be found in Chapters 2 and 8 of the Osceola County Land Development Code. The Land Development Code can be viewed on our Website (www.osceola.org). You are encouraged to study the appropriate portions of the Code before proceeding with your application.

Included within this packet is the Easement Vacation Petition which must be signed by the Applicant and notarized. A sample utility company letter has been included for your use, as well as a listing of potentially affected utility providers.

A Project Coordinator will work with you throughout the application process and will provide you information about any meetings and public hearings that may affect your application. Please note that Road Vacation requests are not required to be heard by the Planning Commission and will not follow the schedule in regards to the Board of County Commissioners hearing dates. Our objective in this process is to make it as clearly understandable as we can so that you are able to gain all approvals you seek in a timely manner.

Easement Vacation Application Packet

Osceola County Board of County Commissioners
Community Development Department
1 Courthouse Square, Suite 1400
Kissimmee, Florida 34741
Phone: (407)742-0200 / Fax: (407)742-0205

Application Number:

Date Received:

TRC Meeting:

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Development Review Department along with the required fee and additional information necessary to be considered by the Technical Review staff.

The County can provide you with a copy of this form via email upon request.

I APPLICANT INFORMATION

	Applicant	Owner	Agent
Contact:			
Address:			
Phone:			
Fax:			
Email:			

II PROPERTY

LEGAL DESCRIPTION/SURVEY: Provide a complete legal description below. Included in the legal description shall be the Subdivision, Section, Township, Range, Plat Book and Page Number. Also include the street address, if it is known, as well as the complete parent parcel number. A legal survey, signed by a registered land surveyor, along with an **accurate written legal description of the easement to be vacated must be attached.**

EASEMENT VACATION SUBMITTAL CHECKLIST

----- **Easement Vacation Application.**

----- **Easement Vacation Petition:** Must be signed by the owner and notarized.

----- **Authority:** The name of all parties having interest in the subject property, or certification that the applicant is authorized to sign the application as the agent pursuant to the Osceola Land Development Code, Chapter 2, Section 2.4.

All letters of authorization must be notarized.

----- **Legal survey:** signed by a registered land surveyor, along with an accurate written legal description of the easement to be vacated. Included in the legal description shall be the subdivision, section, township, range, plat book and page number.

----- **Proof of Ownership:** The applicant must provide proof of fee simple title to the property addressed in the easement vacation. The two acceptable methods of demonstrating evidence of title are as follows:

- (1) An opinion from an attorney licensed to practice law in the State of Florida; or
- (2) Certificate from a registered title company

----- **Description:** General description of easement to be vacated. A survey or site plan shall be submitted which depicts existing or proposed encroachment.

----- **Explanation:** Detailed reason for request of vacation of easement.

----- **Utility company letters:** Identification of potential affected utilities, including but not limited to telephone, electric, cable TV, gas, water reuse, water, sewer, and county drainage. In those cases where an easement is in use by a utility company, a letter from the utility company having jurisdiction must be submitted which states that they have no objection to the vacation.

----- **Area Location Map:** The location of the subject property indicated on a map or an aerial photograph. This map shall reference known major streets and geographic features with sufficient clarity as to be recognizable by the general public.

----- **Application Fee:** \$1,165.00

EASEMENT VACATION PETITION

Come now,

____, Petitioner(s), and say that they are the present owners of the legal title to all of the lands abutting and adjoining the following named public, drainage and/or utility easement shown and delineated on the Plat of _____, of Section _____, Township _____, Range _____, Osceola County, Florida, as filed and recorded in the office of the Clerk of the Circuit Court of Osceola County, Florida, Plat Book _____, Page(s) _____, particularly described as follows, to wit:

and Petitioner(s) hereby petition the Board of County Commissioners of Osceola County, Florida, to vacate, abandon and discontinue as public, drainage and/or utility easements and to renounce and disclaim any and all right and title of the County of Osceola, a political subdivision of the State of Florida, and the public in and to said public, drainage and/or utility easements, and/or portions of said public, drainage and/or utility easements, all of which lie outside the corporate limits of any municipality in Osceola County, Florida, and the closing of which will not deprive any person or persons of a reasonable means of ingress and egress to his premises from at least one County, State, or Federal Highway.

WITNESSES:

PETITIONERS:

Signature

Signature

Print Name

Print Name

Signature

Signature

Print Name

Print Name

STATE OF FLORIDA
COUNTY OF

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
20____, by _____.

(Name of Person Making Statement)

Signature

Name of Notary typed, printed or stamped

Personally Known _____ **or** Produced Identification

Type of Identification Produced:

From:

To:

Date: _____

Owner's Name: _____

I am processing a request for an easement vacation contained in the documents enclosed with this form.

Please respond within ten working days from the date shown above.

Easement to be vacated:

The vacation of this easement will _____ will not _____ affect the operations or services of this utility.

If it will, please state reasons:

Authorized Signature: _____
Telephone Number: _____

Utility Name: _____
Date: _____

UTILITY COMPANIES

INVOLVED WITH ROAD AND EASEMENT VACATIONS

Kissimmee Utility Authority (KUA) Phone (407)933-7777 ext. 1204
Engineering Department
RE: Easement Vacation
Post Office Box 423219
Kissimmee, Florida 34742-3219

Embarq Phone (407)814-5344
Jeff Griffin
RE: Easement Vacation
33 North Main Street
Winter Garden, Florida 34787

Toho Water Authority Phone (407)518-2160
Engineering Department
Re: Easement Vacation
Water Resources Department
101 N. Church Street, 2nd Floor
Kissimmee, Florida 34744

TECO/Peoples Gas Company Phone (407)425-4661
Engineering Department
Re: Easement Vacation
600 West Robinson Street
P.O. Box 2433
Orlando, Florida 32802

Bright House Network Phone (407)532-8508
(fka Time Warner)
P.J. King
Senior Construction Manager
Re: Easement Vacation
3767 All American Boulevard
Orlando, Florida 32810

Orlando Utilities Commission (OUC) Phone (407)957-7231
Attn: Mr. Angelo Perri JR.
Re: Easement Vacation
2903 17th Street
St. Cloud, Florida 34769

City of St. Cloud
Easement/Road Vacation Specialist
Re: Easement Vacation
Water and Sewer Department
2800 Lakeshore Boulevard
Saint Cloud, Florida 34769

Phone (407)957-7341

Florida Gas Transmission Company
Allen McCutly
Re: Easement Vacation
727 Old Lake Wilson Road
Kissimmee, Florida 34747

Phone (407)468-6860

Comcast of Florida/Georgia, LLC
Danny Ferguson
Re: Easement Vacation
8130 C.R. 44, Leg A
Leesburg, Florida 34788

Phone (352)315-6600

For Progress Energy, send letters to each of the following departmental addresses (regardless of the location of the property):

Progress Energy
Transmission Line Engineering
Tod Boyer
3300 Exchange Plane (NP3D)
Lake Mary, Florida 32746
(407)942-9231

Progress Energy
Distribution Engineering
Lori Herring
3300 Exchange Plane (NP4B)
Lake Mary, Florida 32746
(407)942-9513

Please complete this form and include with your submittal

TRANSMITTAL FORM

Application #: _____

Osceola County Community Development Department

1 Courthouse Square, Suite 1400,
Kissimmee, Florida 34741
Phone: (407)742-0200 / Fax: (407) 742-0206

TYPE OF SUBMITTAL

(Please check one)

- New Application**
- Revisions to an existing application**
- Response to Staff comments**
- Landscape As-Built:** to be scanned and routed directly to Environmental
- Engineering As-Built Drawings and/or Close Out Documents:**
To be scanned and routed directly to Development Review

Engineering Improvement Plans (EIP) ONLY

- | | |
|--|--|
| <input type="checkbox"/> Residential Subdivision (\leq 100 lots/tracts) | Fee: \$3,030 + \$15 per lot/tract |
| <input type="checkbox"/> Residential Subdivision ($>$ 100 lots/tracts) | Fee: \$4,195 + \$10 per lot/tract |
| <input type="checkbox"/> Industrial/Commercial Subdivision | Fee: \$3,350 + \$40 per acre/fraction |
| <input type="checkbox"/> Site Development/New Development (\leq 2 acres) | Fee: \$1,385 |
| <input type="checkbox"/> Site Development/New Development ($>$ 2 acres) | Fee: \$2,695 |
| <input type="checkbox"/> Revision to an approved EIP (EIP#_____) | Fee: \$340 |

General Information:

Date: _____

Address of Property: _____

Parcel ID Number _____

Project Name: _____

Company: _____ Fax Number _____

Applicant Name: _____ Phone Number _____

E-mail Address: _____

Comments/Documents Submitted:

Delivered by:

_____ / _____ / _____
Print Signature Date

For Office Use:

Routing: Scanning \rightarrow Sufficiency

Received by: _____ / _____
Name Date

NOTICE TO APPLICANTS:

This application will require one or more public hearings. Attendance at all hearings by the Applicant or a representative is recommended. Inquiries from the public, the Planning Commission or the Board of County Commissioners for information or clarification may necessitate a response from the Applicant. Consequently, non-attendance may result in a vote for denial or continuance to a future hearing date.

Community Development Office