



DEPARTMENT OF GROWTH MANAGEMENT

205 North Marion Avenue

Lake City, FL 32055

Telephone: (386) 719-5766

growthmanagement@lcfla.com

APPLICATION FOR VACATING RIGHT-OF-WAY

PETITION# _____

1. Name of Petitioner _____
Telephone _____
Residence Address _____
Mailing Address _____

THE FOLLOWING IS TO BE ATTACHED SEPERATELY

2. Legal description of road, street, alleyway or portion of the same sought to be vacated.
3. Certification that the petitioner is the owner of fee simple title to the lands abutting at least one side of the right-of-way sought to be vacated.
4. If the petitioner owns the lands abutting only one side of the subject right-of-way, the names, residence and mailing address of the owners of the remaining lands abutting the subject right-of-way.
5. Certification that the right-of-way sought to be vacated is not used by the public and that no person will be denied access to any other lands should the petition be granted.
6. A sketch or drawing containing sufficient information to identify the right-of-way or portion of right-of-way sought to be vacated in relation to adjacent lands and cross streets.
7. Payment to the City of a nonrefundable filing fee of \$400.00.

Signature of applicant

Date Signed



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- Sec. 86-96. - Petition—Required.

Prior to vacating any road, street, alleyway or other public right-of-way within the city, the city council shall require the submission of a written petition to vacate, close and abandon such right-of-way, which petition shall include the following:

(1) Name, residence and mailing address of the petitioner.

(2) Legal description of the road, street, alleyway or portion of the same sought to be vacated.

(3) Certification that the petitioner is the owner of fee simple title to the lands abutting at least one side of the right-of-way sought to be vacated.

(4) If the petitioner owns the lands abutting only one side of the subject right-of-way, the names, residence and mailing address of the owners of the remaining lands abutting the subject right-of-way.

(5) Certification that the right-of-way sought to be vacated is not used by the public and that no person will be denied access to any other lands should the petition be granted.

(6) A sketch or drawing containing sufficient information to identify the right-of-way or portion of right-of-way sought to be vacated in relation to adjacent lands and cross streets.

(7) Payment to the city of a nonrefundable filing fee of \$400.00.

(Code 1968, § 23-51)

- Sec. 86-97. - Same—Review.

Upon receipt of a petition complying with the requirements of Section 86-96, the petition shall be reviewed by all proper city departments and public utilities holding franchises from the city, each of which shall determine whether the closing of such street or road would adversely affect the public health, safety or welfare.

(Code 1968, § 23-52)

- Sec. 86-98. - Ordinance to be prepared.

If the city council determines that the proposed street or road closing should be considered further, an appropriate ordinance shall be prepared to vacate the right-of-way, which ordinance shall then be noticed, read and acted upon in accordance with applicable laws of the state.



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- **Sec. 86-99. - Conditions of vacation.**

Prior to and as a condition to adopting an ordinance vacating a municipal right-of-way, the city shall:

- (1) Cause the subject right-of-way to be appraised by generally accepted appraisal methods and valued at a value comparable to unimproved lands contiguous thereto; and
- (2) Require the payment to the city as a closing charge, the value of the right-of-way as established under this section.

(Code 1968, § 23-54)

- **Sec. 86-100. - Expenses.**

Upon the granting of the petition and the adoption of an ordinance vacating the right-of-way, the petitioner shall pay to the city all expenses incurred in connection therewith including, but not limited to, proof of ownership of adjacent lands, surveyor's fees, appraiser's fees, legal fees and expenses and publication expense. The nonrefundable fee paid to the city as required by section 86-96(7), shall be applied toward the payment of the closing charges and expenses required under this article to be paid by the petitioner.

(Code 1968, § 23-55)

- **Sec. 86-101. - Easements.**

Each ordinance adopted in accordance with this article vacating a municipal right-of-way shall contain a reservation unto the city of a perpetual easement for utilities, unless this requirement is waived or modified by formal action of the city council in open session.

(Code 1968, § 23-56)



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FOR USE BY THE LAKE CITY GROWTH DEPARTMENT ONLY

Attachments - Checklist

Legal Description _____

Title _____

Other Abutting Land Owners _____

Right-of-Way Cert _____

Sketch/Drawing _____

Payment _____

Review and Initial all Requirements _____