

PETITION TO ABANDON/VACATE

TO: BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA

The undersigned hereby petitions the Board of County Commissioners of Palm Beach County, to vacate, abandon, discontinue and close (**use an introductory description of petition site**) and to renounce and disclaim any easement, plat or right-of-way to the County and the public in and to any land in connection therewith.

The undersigned hereby certify:

1. That attached hereto is a signed and sealed Survey accurately drawn and legally describing the (**easement, plat or right-of-way**) of the petition site to be abandoned (exhibit #1).
2. That title of interest of the County and the Public in and to the (**easement, plat or right-of-way**) was acquired and is evidenced by **plat number and identification**, as recorded in Plat Book ___ Page(s)___ through ___ **or type of deed recorded in the Official Record Book and Page** of the Public Records, of Palm Beach County Florida.
3. That attached hereto is a location map which clearly and legibly identifies the location of the petition site in relation to the nearest public right-of-way and all affected properties (exhibit #2).
4. That attached hereto is a listing which clearly and legibly identifies the ownership, including correct mailing addresses and legal descriptions of the affected properties (exhibit 3)
5. That said lists shall be accompanied by a Number Ten (10) white envelope for each affected and abutting property owner. The return address shall be printed or typed on the envelope and certifying postal documents: Engineering and Public Works Department, Attn: Land Development Division , Post Office Box 21229, West Palm Beach, FL 33416-1229. The envelopes shall be pre-stamped with sufficient postage for certified, return receipt postage for addresses in the United States and registered mail postage for addresses in foreign countries. A properly completed certified mail receipt or registered mail receipt, as applicable, shall be attached to each envelope. No pre-dated metered postage allowed (exhibit #4).
6. That attached hereto is an affidavit attesting to the validity of the ownership listing of the affected properties (exhibit #5).
7. That attached hereto is the approval of, or consent to, this petition by the utility providing service to or within the petition site and/or the drainage district having jurisdiction over the petition site (exhibit #6).
8. That the following constitutes a complete and accurate schedule of all owners **abutting** the petition site:

<u>Name</u>	<u>Address</u>	<u>Description of Property</u>
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The owners above have signed a notarized statement consenting to the abandonment of public right-of-way and those consents are attached hereto and made a part hereof (exhibit #7).

9. That in the event this petition is granted, the vacation of the subject right-of-way will not adversely affect other property owners.
10. That the petition site is not a part of any State or Federal highway and was not acquired or dedicated for State and Federal highway purposes and that such right-of-way is under the control and jurisdiction of the Board of County Commissioners.
11. That proof of publication of "Notice of Intent" is attached hereto and made a part hereof (exhibit #8).
12. That the petitioner's ownership and/or interest in and to the petition site is evidenced by an instrument recorded in Official Record book_____, **Page**_____, of the Public records of Palm Beach County, Florida. A certified copy of that source instrument is attached hereto (exhibit #9).
13. That attached hereto and made a part hereof is evidence of payment of all current taxes on said property (exhibit #10).

14. a) That the **(easement, plat or right-of-way)** to be abandoned is not within the corporate limits of any municipality.

OR

b) That the **(easement, plat or right-of-way)** to be abandoned lies within the corporate limits of **(name of the municipality)** and attached is their resolution of abandonment of the **(easement, plat or right-of-way)**, as applicable (exhibit 11).

15. a) That this petition site is not subject to a privilege fee.

OR

b) That this petition site is subject to a privilege fee in the amount of \$_____. Said amount submitted by Check Number _____. The documentation supporting the calculation of the privilege fee is attached hereto (exhibit #12)

- Total square footage of Right-of-way (Petition Site) =
- Total square footage of Right-of-way for =
- Total square feet subject to Privilege Fee =
- Average sq ft value of parcels abutting the right-of-way =
- Overall value \$.....
- 80% of value (.80).\$.....
- Less Filing Fee (if approved) \$- 1,600.00
- Total cost (Privilege Fee)\$

16. That the grounds and reasons in support of this petition are as follows (exhibit #13):

Date_____

Name of Corporation

Signature of Petitioner

Address

Print Petitioner's Name

Indicate position if Corporation

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by _____ who is personally know to me or who has produced _____ (type of identification) as identification.

Notary Public

My Commission Expires:

Seal