



ST. LUCIE COUNTY
BOARD OF COUNTY COMMISSIONERS

PETITION FOR ABANDONMENT

TO: BOARD OF COUNTY COMMISSIONERS, ST. LUCIE COUNTY, FLORIDA

The undersigned PETITIONER hereby petitions the St. Lucie County Board of County Commissioners to vacate, abandon, discontinue and close, in whole or in part, specific public rights-of-way, easements, or subdivision plats, as more particularly described in this petition, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith.

This petition is filed pursuant to law as more particularly set forth in Florida Statutes, Section 177.101, as amended, Florida Statutes, Sections 336.09 and 336.10, as amended, and St. Lucie County Land Development Code, Section 11.10.01 et. seq.

TYPE OF ABANDONMENT REQUESTED

(check one or more as applicable)
("*" indicates requirement for public hearing)

- A Plat (*)
A Portion of a Plat (*)
County Road Right-of-way (*)
Drainage Easement not Affecting Road Drainage
Public Utility Easement
Drainage Easement Affecting Road Drainage (*)
Other
Public Interest in a Private Right-of-way or Easement

Petitioner hereby certifies that the filing fee of \$500.00 is enclosed or has been paid to St. Lucie County, and that petitioner hereby further certifies that petitioner understands that the filing fee is non-refundable and that there is no assurance that this petition will be granted, in whole or in part, and no such assurances have been made by any County employee.

This Petition shall contain an affidavit of the Petitioner attesting to the validity of the representations herein and its completeness to the best of Petitioner's knowledge and belief.

1. The Legal Description of the petition site is attached as **(EXHIBIT "A")**.

(Note: The petition site may lie upon property owned by Petitioner, i.e. an easement over Petitioner's property, or adjacent to Petitioner's property, i.e. a public road right-of-way.)

2. Title or interest of the County and the Public in and to the petition site was acquired and is evidenced by:

(Plat Book and identification, Deed, or other title evidence)

recorded in:

(Plat Book and Page, Deed Book and Page, or Official Record Book and Page) Public Records of St. Lucie County, Florida.

3. Attached hereto as **(EXHIBIT "B")** is a sketch, accurately drawn, depicting the petition site as described in (EXHIBIT "A"), showing boundaries of abutting properties, any encroachments, drainage and/or utility easements, any structures within the petition site, and property benefitting from the abandonment.
4. Attached hereto as **(EXHIBIT "C")** 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 (properties within a minimum 500-foot radius of the petition site). A copy of a portion of the appropriate tax map (8 ½ x 11), obtainable from the Property Appraisers Office, may be used for this purpose.
5. Attached hereto as **(EXHIBIT "D")** is a list of property owners, including correct mailing addresses, property tax Identification number and legal descriptions of surrounding affected properties. (Note: County Staff may request additional information if it is determined that the proposed abandonment could have a negative effect on properties located more than 500 feet from the petition site.)
6. Attached hereto as **(EXHIBIT "E")** is a list of **abutting** property owners, including correct mailing addresses, property tax identification number and legal descriptions of the adjacent properties. Such owners of abutting properties have signed a notarized statement consenting to the abandonment of public right-of-way and such signed statements are attached hereto as **(EXHIBIT "E-1", "E-2", etc.)**
7. Attached hereto as **(EXHIBIT "F"), consecutively numbered "F-1", "F-2", etc.,** the signed consent of any affected utility providing service to or within the petition site and/or drainage district having jurisdiction over the petition site.
8. The Petitioner hereby certifies that in the event this petition is granted, the abandonment of the public right-of-way will not prevent other property owners from access to and from their property, and no other property owner in the vicinity will be adversely affected.
9. The Petitioner hereby certifies that the petition site is not a right-of-way which is part of or used for any State or Federal highway purposes; and that such right-of-way is under the control and jurisdiction of the St. Lucie County Board of County Commissioners.

10. The Petitioner hereby certifies that the petition site is not a public accessway to any publicly accessible waters in the County, or that if the petition site proposed to be abandoned does provide such access, Petitioner hereby offers to trade or give the County comparable land or lands necessary for public access to the same body of water.
11. The petitioner hereby certifies that petitioner is the owner of property underlying or adjacent to the petition site as evidenced by an instrument recorded in Official Record Book ____, Page ____, St. Lucie County, Florida, a copy of which is attached as (EXHIBIT "G").
12. The petitioner hereby certifies that all property taxes upon the Petition site, or petitioner's property adjacent to the petition site, are paid and current, or exempt from taxation, and a copy of a paid tax bill or statement of the County Tax Collector is attached hereto as (EXHIBIT "H").
13. The Petitioner hereby certifies: (CIRCLE "a" OR "b" BELOW)
 - a) that the petition site to be abandoned is NOT within the limits of any municipality, OR
 - b) that the petition site to be abandoned lies within the corporate limits of _____ and attached is their resolution of abandonment of the petition site as (EXHIBIT "I").
14. The Petitioner hereby submits a statement (EXHIBIT "J") in support of this petition which states Petitioner's reasons for requesting the abandonment and the use to which the Petitioner intends for the land.
15. The Petitioner hereby submits a statement (EXHIBIT "K") which states if the St. Lucie County Board of County Commissioners chooses to impose a privilege fee pursuant to Ordinance No. 06-022 the Petitioner will submit:
 - a) an appraisal which shall determine the value that the petition site adds to the benefitting property. Such an appraisal shall be prepared in accordance with staff requirements and is subject to approval by the Board of County Commissioners, OR
 - b) the averaged square foot land value of the abutting property, as established by the most current St. Lucie County Property Appraiser records and multiplying said square footage value by the number of square feet of the petition site. The County's interest shall be equal to 120% of this value. If the Board determines that the assessed value does not reflect the fair market value, the Board may, in its discretion, have an appraisal prepared to determine the fair market value.
16. Petitioner hereby certifies that a NOTICE OF INTENT TO FILE A PETITION FOR ABANDONMENT has been published once weekly for two (2) consecutive weeks in a newspaper of general circulation in the County. The name of the newspaper and dates of publication are as follows:

 (Name of newspaper in which Notice of Intent was published)

 (First date published)

 (Second date published)

A COPY OF THE PROOF OF PUBLICATION SHALL BE ATTACHED TO THIS PETITION AS (EXHIBIT "L").

NOTICE TO PETITIONER: IF THE ABANDONMENT REQUESTED REQUIRES A PUBLIC HEARING PURSUANT TO LAW, PETITIONER SHALL BE GIVEN NOTICE TO POST A SIGN (17" x 24" OR 17" x 17") UPON THE PETITION SITE IN A CONSPICUOUS AND EASILY VISIBLE LOCATION, ABUTTING A PUBLIC THOROUGHFARE, WHEN POSSIBLE, AT LEAST TEN (10) DAYS PRIOR TO THE PUBLIC HEARING GIVING NOTICE OF THE TIME AND DATE OF THE PUBLIC HEARING ON THE PETITION TO ABANDON OR VACATE.

THIS PETITION MUST BE EXECUTED BEFORE A NOTARY PUBLIC

DATE: _____

Petitioner's signature

Type or print Petitioner's name

Petitioner's Address

Petitioner's Phone Number

COUNTY OF _____

STATE OF _____

Before me this day personally appeared _____ who, being duly sworn, deposes and says:

That _____ is (are) the Petitioner(s); and,

That all of the representations and information provided in the petition is true and accurate to the best of Petitioner's knowledge, information and belief.

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this _____ (date) by _____ (name of member, officer or agent) of _____, a Florida corporation, on behalf of the company, who is [] personally known to me or [] who has produced _____ (type of identification) as identification.

Notary Public