



# CITY OF BELLEVIEW

City with Small Town Charm  
[www.bellevuefl.org](http://www.bellevuefl.org)

## Development Services

5525 SE 119<sup>th</sup> St.  
Bellevue, FL 34420  
Office: 352-245-7021  
Fax: 352-307-7708

### STREET VACATION/PLAT ABROGATION APPLICATION

**Property Owner Information:**

Owner's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Owner's Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email: \_\_\_\_\_

**Applicant Information:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email: \_\_\_\_\_

**Additional Contact Info:** \_\_\_\_\_

**Project Information:**

Sec: \_\_\_\_\_ Twp: \_\_\_\_\_ Rge: \_\_\_\_\_ Is this part of a larger project? \_\_\_\_\_

Applicant Request (purpose of abrogation or vacation):  
\_\_\_\_\_  
\_\_\_\_\_

Legal Description: \_\_\_\_\_

**Street Vacate Information:**

Street Name(s): \_\_\_\_\_

**Plat Abrogation Information:**

Plat Name: \_\_\_\_\_

Lots: \_\_\_\_\_ Block(s): \_\_\_\_\_

Parcel number(s): \_\_\_\_\_

Site Address(es) (if applicable):  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE**

**OWNER'S AFFIDAVIT:** I certify that the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

I \_\_\_\_\_ (applicant name) understand that the City of Bellevue has regulations regarding Zoning and development activities including: setbacks, lot coverage, and site plans and that I have attended a Site Plan Committee meeting (for commercial projects) or I have read and understand all regulations pertaining to my proposed project and the attached application and submittal package is complete.

**Owner's Signature:**

Date: \_\_\_\_\_  
State of \_\_\_\_\_  
County of \_\_\_\_\_

Sworn to (or affirmed) and  
subscribed before me this  
day of \_\_\_\_\_ 20\_\_\_\_\_  
By \_\_\_\_\_  
Personally known to me \_\_\_\_\_ or has produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Signature  
Print, type, or stamp commissioned name of Notary Public

Seal

## CHECKLIST

- Completed application packet
- Petition to City Commission (example in application packet)
- Letters from all utilities that service the area being vacated/abrogated indicating that they have no objection to the vacation of the rights-of-way at issue.
  - telephone,
  - cable TV,
  - electric provider,
  - water/sewer provider
  - gas provider
- Letter of authorization (if applicable)
- 3 paper copies of signed/sealed survey showing the proposed vacation/abrogation with before/after legal descriptions for staff review. A single copy may be provided if it is 11"x17" or smaller. All surveys must be of scale to be legible.
- 1 digital copy of the signed/sealed survey on DVD or conveyed electronically.

## PLAT ABROGATION CHECKLIST

- Opinion of Title prepared by a title company or attorney (legal description matches verbatim)
- Duplicate copy of tax receipt demonstrating that taxes have been paid on property to be abrogated (duplicate copies of tax receipts can be obtained from tax collector's office)
- Declaration of Restrictive Covenants (if applicable)
- Proof of legal publication consistent with F. S. 177.101(4)
- Signed/sealed Mylar boundary survey of plat in accordance with FS 177.101 for signature and recording (to be provided after City Commission approval)

## PROCESS FOR ABANDONMENT AND VACATION OF STREETS

Street vacations (abandonment) are sometimes necessary to carry out a new proposed development. The following process applies to unimproved streets (paper streets that were never constructed) and improved streets. This section describes the steps involved and the information required for vacation of a street.

1. A completed application is submitted along with petition and supporting documentation and the required fee to the Development Services Division. Letters of no objection must be provided from all utilities that serve the application area. The application will include a survey showing the existing situation and how the street right-of-way is to be divided. Legal descriptions in all documents must match.
2. The application is reviewed for completeness and circulated to staff and the City Attorney for review. Cost of the City Attorney review will be passed on to the applicant. Any deficiencies or concerns will be provided to the applicant in writing.
3. Street vacations will be advertised by the City once prior to the public hearing (F.S. 336.10). Cost of the legal notice will be passed on to the applicant.
4. If the vacation is approved, the City will publish a notice of the adoption in a weekly newspaper that serves Belleview. Cost of the legal notice will be passed on to the applicant. All fees must be paid before the City will record the street vacation in the public record.
5. When a vacation is recorded in the public record, title to the real property, formally occupied by the street, shall vest in fee simple to the abutting landowners. Such abutting owners shall take title to the real property, formally occupied by the street subject to any easements as may be delineated as necessary to preserve public safety, and welfare.

## PROCESS FOR ABROGATION OF RECORDED PLATS

Abrogation of recorded plats returns platted lots into un-platted acreage. This section describes the steps involved and the information required.

1. A completed application is submitted along with petition and supporting documentation and the required fee to the Development Services Division. Letters of no objection must be provided from all utilities that serve the application area. The application will include a survey showing the existing lots of record and proposed un-platted acreage. Legal descriptions in all documents must match.
2. The application is reviewed for completeness and circulated to staff and the City Attorney for review. City Attorney review costs will be passed on to the applicant. Any deficiencies or concerns will be provided to the applicant in writing.
3. Plat abrogation will be advertised by the applicant twice prior to the public hearing (F.S. 177.101(4)). The legal notice must run in two weekly issues of a newspaper of general circulation in Bellevue. A sample notice is provided in this packet. Proof of publication must be received prior to the public hearing.
4. The City will record the plat abrogation in the public record. All fees must be paid before the City will record the resolution.

# SAMPLE

## PETITION

### **TO: THE CITY COMMISSION OF THE CITY OF BELLEVIEW, FLORIDA**

The undersigned, hereby petitions this City Commission to close, vacate, abandon, and discontinue (that, those) certain street(s), road(s), alleyway(s) delineated on the recorded plat of \_\_\_\_\_, recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, public records of Marion County, Florida, described on the attached Exhibit "A", which is hereby made a part hereof by reference; that petitioner would not inconvenience anyone for the same to be closed, that Petitioner recognizes, acknowledges and accepts the reservation by said City, the right to create any easements upon said vacated lands as may be necessary to further and/or preserve the public health, safety, and welfare, and that Petitioner will pay the expense of public notice of the hearing to determine the advisability of closing the same.

WHEREFORE, the undersigned petitions this City Commission to call a public hearing at Petitioner's expense to determine the viability of closing said street(s), road(s) alleyway(s) and that, upon such a hearing, this City Commission will determine that the same should be closed and adopt an appropriate Resolution closing, vacating, abandoning and discontinuing the same, and renouncing and disclaiming any right of the City of Bellevue and the public in and to any land delineated on the recorded plat of said, except for the reservation of the right to any easements as may be found necessary, by the City Commissioners of the City of Bellevue, to further and/or preserve the public health, safety, and welfare.

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Petitioner

**SAMPLE**

**NOTICE OF PETITION TO VACATE PLAT**

The Petitioner, \_\_\_\_\_, on behalf of \_\_\_\_\_, hereby gives notice of their intention to petition the City of Bellevue Board of City Commissioners to vacate a portion of that certain plat of \_\_\_\_\_, as described below and made a part hereof.

By: \_\_\_\_\_

Petitioner

**NOTICE:**

To be published two (2) times, (*date, date*) in the (*name of newspaper*). Please send proof of publication and invoice to (*petitioner or applicant*)