



CITY OF BELLEVIEW

City with Small Town Charm

www.belleviewfl.org

Development Services

5525 SE 119th St.

Belleview, 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 Belleview. 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 Belleview 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 Belleview, to further and/or preserve the public health, safety, and welfare.

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*)