

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>

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 (X.80) \$.....
- Less Filing Fee .....
- Total cost (Privilege Fee) \$ .....

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

Under penalties of perjury, I declare that I have read the foregoing [document] and that the facts stated in it are true

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 known to me (or) produced \_\_\_\_\_ ( type of identification) as identification.

\_\_\_\_\_  
Notary Public

Seal