

VACATING OF RIGHTS OF WAY OR EASEMENTS

Section 336.09 Florida Statutes and Resolution No. 90-161 and Resolution 91-257

Parties petitioning the Volusia County Council to close or vacate a right of way or easement, must comply with the following:

1. The Petitioner(s) must file a petition containing a correct legal description and thoroughly explaining the basis for the request, with the Volusia County Public Works Office, Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, Florida 32720.
2. The Petitioners must show that they are the owners of a fee simple title to the lands bordering subject rights of way or easement and that the taxes have been paid.
3. The Petitioners are responsible for obtaining Letters of No Objection or statement on non-service area from Local Utility providers. Letters from other entities may be requested. Obtain list of utility providers from the Right of Way Department.

The “Utility Package” must include the following information.

- A. Written requests only (no phone or E-Mail requests per utility providers)
 - B. Provide a contact person with name, address and daytime phone number
 - C. A location map showing the area to be vacated highlighted. Major and minor roads to be shown with street names.
 - D. A copy of the plat if applicable
 - E. A copy of property survey if available
 - F. A description of the area to be vacated (a legal description is preferable)
4. Include a fee of \$660.00 to pay for the advertising and associated costs. (MAKE PAYABLE TO: COUNTY OF VOLUSIA)

THE COUNTY OFFICE WILL PLACE AN ADVERTISEMENT IN NEWSPAPER SETTING DATE OF THE PUBLIC HEARING.

PETITION FOR THE ABANDONMENT OF RIGHT(S) OF WAY OR EASEMENTS

TO: THE HONORABLE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA:

The undersigned Petitioner(s) respectfully request your Honorable Body to renounce and disclaim any right of the County and the Public in and to the following right(s) of way or land or interest therein, legally described as:

and the rights of the Public thereto be relinquished.

The reason(s) for requesting this abandonment of right(s) of way or easement(s) is/are: (Please thoroughly explain the basis for your request. i.e. setback or zoning requirements, etc.)

WHEREFORE, we pray that your Honorable Body adopt a Resolution setting forth a time for public hearing for the purpose of considering and taking appropriate action in compliance with Section 336.09(1)(b), Florida Statutes, and any amendments thereto and/or Volusia County Resolution No. 90-161, as amended.

The Petitioner(s) being the owner(s) of the property bordering subject road(s), or street(s), or land or interest therein, hereby deposits the required sum for processing this request as established by the Volusia County Council.

Signed this ____ day of _____, 20____.

SIGNATURE	PRINTED NAME	TAX PARCEL I.D. #
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Address: _____

Phone No.: _____

E-mail Address: _____