Easement Vacation (EV)
Application Package

This package is intended to provide you with the information necessary for you to complete an application for an Easement Vacation. The information requested to be a part of your application represents the minimum requirements for submittal under the Osceola Land Development Code. You are encouraged to submit any additional information you feel necessary to enhance the reviewers understanding of what is being proposed.

Following this page is a form which is intended to serve as the first two pages and/or the cover pages of your application. This form is available from this office via diskette or we will gladly email it to you. You are encouraged to take advantage of working directly on electronic copies of our form.

Included on the two page form is an Easement Vacation Checklist which lists all of the information required to be included with your application in order for it to be processed. **If staff determines within three business days the information submitted is not complete or in conformity with the checklist you will be advised and the application will not be scheduled for review until all information is received.** The requirements for this information can be found in Chapters 2 and 8 of the Osceola County Land Development Code. The Land Development Code can be viewed on our Website ([www.osceola.org](http://www.osceola.org)). You are encouraged to study the appropriate portions of the Code before proceeding with your application.

Included within this packet is the Easement Vacation Petition which must be signed by the Applicant and notarized. A sample utility company letter has been included for your use, as well as a listing of potentially affected utility providers.

A Project Coordinator will work with you throughout the application process and will provide you information about any meetings and public hearings that may affect your application. Please note that Road Vacation requests are not required to be heard by the Planning Commission and will not follow the schedule in regards to the Board of County Commissioners hearing dates. Our objective in this process is to make it as clearly understandable as we can so that you are able to gain all approvals you seek in a timely manner.
Easement Vacation Application Packet
Osceola County Board of County Commissioners  Application Number:
Community Development Department  Date Received:
1 Courthouse Square, Suite 1400  TRC Meeting:
Kissimmee, Florida 34741
Phone: (407)742-0200 / Fax: (407)742-0205

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Development Review Department along with the required fee and additional information necessary to be considered by the Technical Review staff.

The County can provide you with a copy of this form via email upon request.

I  APPLICANT INFORMATION

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<th>Applicant</th>
<th>Owner</th>
<th>Agent</th>
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II  PROPERTY

LEGAL DESCRIPTION/SURVEY: Provide a complete legal description below. Included in the legal description shall be the Subdivision, Section, Township, Range, Plat Book and Page Number. Also include the street address, if it is known, as well as the complete parent parcel number. A legal survey, signed by a registered land surveyor, along with an accurate written legal description of the easement to be vacated must be attached.
III APPLICANT’S REQUEST

Brief description of easement to be vacated:

Detailed reason for easement vacation:

Type of easement to be vacated:

IV UTILITIES

Please check the potential affected utilities:

<table>
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<tr>
<th>Telephone</th>
<th>Electric</th>
<th>Cable TV</th>
<th>Gas</th>
<th>Water Reuse</th>
<th>Water</th>
<th>Sewer</th>
<th>Drainage</th>
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V CERTIFICATION

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is true & accurate:

________________________________________________   __________________________

Date                      Applicant/Owner Signature

Please list signature of all owners of the property:

Please print name(s) listed above

March 2012
EASENT VACATION
SUBMITTAL CHECKLIST

_____ Easement Vacation Application.

_____ Easement Vacation Petition: Must be signed by the owner and notarized.

_____ Authority: The name of all parties having interest in the subject property, or certification that the applicant is authorized to sign the application as the agent pursuant to the Osceola Land Development Code, Chapter 2, Section 2.4.

   All letters of authorization must be notarized.

_____ Legal survey: signed by a registered land surveyor, along with an accurate written legal description of the easement to be vacated. Included in the legal description shall be the subdivision, section, township, range, plat book and page number.

_____ Proof of Ownership: The applicant must provide proof of fee simple title to the property addressed in the easement vacation. The two acceptable methods of demonstrating evidence of title are as follows:

   (1) An opinion from an attorney licensed to practice law in the State of Florida; or
   (2) Certificate from a registered title company

_____ Description: General description of easement to be vacated. A survey or site plan shall be submitted which depicts existing or proposed encroachment.

_____ Explanation: Detailed reason for request of vacation of easement.

_____ Utility company letters: Identification of potential affected utilities, including but not limited to telephone, electric, cable TV, gas, water reuse, water, sewer, and county drainage. In those cases where an easement is in use by a utility company, a letter from the utility company having jurisdiction must be submitted which states that they have no objection to the vacation.

_____ Area Location Map: The location of the subject property indicated on a map or an aerial photograph. This map shall reference known major streets and geographic features with sufficient clarity as to be recognizable by the general public.

_____ Application Fee: $1,165.00
EASEMENT VACATION PETITION

Come now, 

____, Petitioner(s), and say that they are the present owners of the legal title to all of the lands abutting and adjoining the following named public, drainage and/or utility easement shown and delineated on the Plat of ______________________, of Section ________, Township __________, Range ________, Osceola County, Florida, as filed and recorded in the office of the Clerk of the Circuit Court of Osceola County, Florida, Plat Book ________, Page(s) ________, particularly described as follows, to wit:

and Petitioner(s) hereby petition the Board of County Commissioners of Osceola County, Florida, to vacate, abandon and discontinue as public, drainage and/or utility easements and to renounce and disclaim any and all right and title of the County of Osceola, a political subdivision of the State of Florida, and the public in and to said public, drainage and/or utility easements, and/or portions of said public, drainage and/or utility easements, all of which lie outside the corporate limits of any municipality in Osceola County, Florida, and the closing of which will not deprive any person or persons of a reasonable means of ingress and egress to his premises from at least one County, State, or Federal Highway.
WITNESSES:

Signature  
Print Name

Signature  
Print Name

Signature  
Print Name

PETITIONERS:

Signature  
Print Name

Signature  
Print Name

Signature  
Print Name

STATE OF FLORIDA  
COUNTY OF

Sworn to (or affirmed) and subscribed before me this _________ day of ____________, 20____, by _____________________________.

(Name of Person Making Statement)

____________________________________  
Name of Notary typed, printed or stamped

Personally Known ________ or Produced Identification

Type of Identification Produced:
I am processing a request for an easement vacation contained in the documents enclosed with this form. Please respond within ten working days from the date shown above.

Easement to be vacated:

The vacation of this easement will _____ will not _____ affect the operations or services of this utility.

If it will, please state reasons:

Authorized Signature: ___________________________ Utility Name: ___________________________
Telephone Number: ___________________________ Date: ___________________________

March 2012
UTILITY COMPANIES

INVOLVED WITH ROAD AND EASEMENT VACATIONS

Kissimmee Utility Authority (KUA) Phone (407)933-7777 ext. 1204
Engineering Department
RE: Easement Vacation
Post Office Box 423219
Kissimmee, Florida 34742-3219

Embarq Phone (407)814-5344
Jeff Griffin
RE: Easement Vacation
33 North Main Street
Winter Garden, Florida 34787

Toho Water Authority Phone (407)518-2160
Engineering Department
Re: Easement Vacation
Water Resources Department
101 N. Church Street, 2nd Floor
Kissimmee, Florida 34744

TECO/Peoples Gas Company Phone (407)425-4661
Engineering Department
Re: Easement Vacation
600 West Robinson Street
P.O. Box 2433
Orlando, Florida 32802

Bright House Network Phone (407)532-8508
(fka Time Warner)
P.J. King
Senior Construction Manager
Re: Easement Vacation
3767 All American Boulevard
Orlando, Florida 32810

Orlando Utilities Commission (OUC) Phone (407)957-7231
Attn: Mr. Angelo Perri JR.
Re: Easement Vacation
2903 17th Street
St. Cloud, Florida 34769

March 2012
City of St. Cloud
Easement/Road Vacation Specialist
Re: Easement Vacation
Water and Sewer Department
2800 Lakeshore Boulevard
Saint Cloud, Florida 34769

Florida Gas Transmission Company
Allen McCutly
Re: Easement Vacation
727 Old Lake Wilson Road
Kissimmee, Florida 34747

Comcast of Florida/Georgia, LLC
Danny Ferguson
Re: Easement Vacation
8130 C.R. 44, Leg A
Leesburg, Florida 34788

For Progress Energy, send letters to each of the following departmental addresses (regardless of the location of the property):

Progress Energy
Transmission Line Engineering
Tod Boyer
3300 Exchange Plane (NP3D)
Lake Mary, Florida 32746
(407)942-9231

Progress Energy
Distribution Engineering
Lori Herring
3300 Exchange Plane (NP4B)
Lake Mary, Florida 32746
(407)942-9513
Please complete this form and include with your submittal

TRANSMITTAL FORM

Osceola County Community Development Department
1 Courthouse Square, Suite 1400,
Kissimmee, Florida 34741
Phone: (407)742-0200 / Fax: (407) 742-0206

Application #: ________________________________

TYPE OF SUBMITTAL

(Please check one)

□ New Application
□ Revisions to an existing application
□ Response to Staff comments
□ Landscape As-Built: to be scanned and routed directly to Environmental
□ Engineering As-Built Drawings and/or Close Out Documents:
   To be scanned and routed directly to Development Review

Engineering Improvement Plans (EIP) ONLY

□ Residential Subdivision (≤ 100 lots/tracts) Fee: $3,030 + $15 per lot/tract
□ Residential Subdivision (> 100 lots/tracts) Fee: $4,195 + $10 per lot/tract
□ Industrial/Commercial Subdivision Fee: $3,350 + $40 per acre/fraction
□ Site Development/New Development (≤ 2 acres) Fee: $1,385
□ Site Development/New Development (> 2 acres) Fee: $2,695
□ Revision to an approved EIP (EIP#__________) Fee: $340

General Information:

Date: ______________________________________
Address of Property: ______________________________________________________________
Parcel ID Number _________________________________________________________________
Project Name: _________________________________________________________________
Company: __________________________________ Fax Number _______________________
Applicant Name: __________________________________ Phone Number __________________
E-mail Address: ________________________________
Comments/Documents Submitted:
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

Delivered by:

_________________________________________ / __________________________ / ________________
Print Signature Date

For Office Use:

Routing:  □ Scanning  →  □ Sufficiency

Received by: ___________________________________________ / __________________________
Name Date

March 2012
NOTICE TO APPLICANTS:

This application will require one or more public hearings. Attendance at all hearings by the Applicant or a representative is recommended. Inquiries from the public, the Planning Commission or the Board of County Commissioners for information or clarification may necessitate a response from the Applicant. Consequently, non-attendance may result in a vote for denial or continuance to a future hearing date.

Community Development Office