



RIGHT-OF-WAY VACATION APPLICATION
CITY OF LABELLE, FLORIDA

APPLICATION NUMBER: VAC20__ - ____ (Assigned by City)
DATE RECEIVED: _____

1. APPLICANT: _____
(as shown on deed or Articles of Incorporation)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Work Phone Number: _____ Home Phone Number: _____

Fax number: _____ Email: _____

2. FIRST OWNER (adjacent to proposed vacation): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Work Phone Number: _____ Home Phone Number: _____

Fax number: _____ Email: _____

3. SECOND OWNER (adjacent to proposed vacation): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Work Phone Number: _____ Home Phone Number: _____

Fax number: _____ Email: _____

NOTE: The application must include all pertinent information (Name, address, phone numbers, etc.) for all owners of land affected by this application. If the space provided above is not sufficient to list all of the owners then, the additional information must be provided on a separate sheet(s).

4. SPECIFIC LOCATION OF SUBJECT PROPERTY AFFECTED BY THIS APPLICATION:

Township: _____ Range: _____ Tax Parcel I. D. #: _____

Lot: _____ Block: _____ Plat Book: _____ Page Number: _____

Subdivision Name: _____

5. SITE DETAILS:

Total acreage of the right-of-way area to be vacated: _____

Name of right-of-way (street) to be vacated: _____

6. APPLICANT’S REQUEST (Purpose of Vacation):

7. THE FOLLOWING ITEMS ARE REQUIRED TO COMPLETE THE APPLICATION AND MUST BE ATTACHED:

___ **Completed Right-of-Way Vacation Application Form**

___ **Affidavit of Ownership and Agent Authorization:** The name of all parties having interest in the subject property and certification that the applicant is authorized to sign the application as owner or authorized agent.

___ **Vacation Petition:** Must be signed by all adjacent owner(s) and notarized.

___ **Boundary Survey:** Signed by a registered land surveyor, along with an accurate written legal description of the right-of-way to be vacated and depicting the location of the right-of-way in question, the surrounding parcels that will be affected by said street vacation (e. g. parcels abutting the portion of the street requested to be vacated; parcels using the portion of the street that is vacated for ingress and egress), any and all easements of record located on the portion of the right-of-way requested to be vacated (utility, drainage, electric, etc.) along with any physical improvements which may be present. Included in the legal description shall be the subdivision, section, township, range, plat book and page number.

___ **Ownership and Encumbrance Report with all Attachments:** The Ownership and Encumbrance Report must indicate the portion of the right-of-way that is to be vacated and must be certified by an established Title Company. The Ownership and Encumbrance Report must indicate that the City of LaBelle owns or holds dedication to the right-of-way.

___ **List of Affected Property Owners:** A list of affected property owners must be provided for all owners within 500 feet of the right-of-way to be vacated and three (3) sets of mailing labels. A list of abutting owners can be obtained from the Hendry County Property Appraiser’s Office.

___ **Utility Authorization:** 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 right-of-way

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.

_____ **Vacation Exhibit/Drawing:** Drawing demonstrating right-of-way to be vacated on 8-1/2" x 11" paper with legible text showing all data pertinent to the proposed vacation, including at least the following:

1. Date of drawing
2. Scale
3. North arrow
4. Name of person or firm preparing the plan
5. Location of existing parcels of land within 500 feet of the property proposed to be vacated and other information which may be pertinent
6. All properties immediately adjacent to and across an alley or street
7. Clear graphic illustration of area to be vacated

_____ **Provide Proof of Ownership:** A copy of the tax bill or a print out from the Property Appraisers office is required.

_____ **Application Fee:** Check made payable to "City of LaBelle" with fee per adopted Fee Schedule.

AFFIDAVIT

I, _____ certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief.

Signature of owner or authorized agent Date: _____

Print or type name of person signing above

Name of owner/agent entity if a corporation, L.L.C., partnership, or trust

Representative capacity of person signing Affidavit:
President or Vice President of Corporation, Managing
Member of L.L.C., General Partner, or Trustee

STATE OF _____
COUNTY OF _____

The foregoing instrument was sworn to (or affirmed) and subscribed before me on _____ (date) by (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY PUBLIC STAMP/SEAL:

Signature of Notary Public

Printed Name of Notary Public

AGENT AUTHORIZATION

The undersigned to hereby swear or affirm that they are the fee simple title holders and owners of the record of property commonly known as _____
And legally described in Exhibit A attached hereto.

We hereby designate _____ as the legal representative of the property in the course of seeking approval of this application. This representative will remain the only entity to authorize development activity until such time as anew or amended authorization is delivered to the City.

Signature of owner or authorized agent Date: _____

Print or type name of person signing above

Name of owner/agent entity if a corporation, L.L.C., partnership, or trust

Representative capacity of person signing Affidavit:
President or Vice President of Corporation, Managing
Member of L.L.C., General Partner, or Trustee

STATE OF _____
COUNTY OF _____

The foregoing instrument was sworn to (or affirmed) and subscribed before me on _____ (date) by (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY PUBLIC STAMP/SEAL:

Signature of Notary Public

Printed Name of Notary Public

ATTENTION

This application must be completed (please type or legibly print) and resubmitted, with all requirements herein, to the Superintendent of Public Works, City Hall, City of LaBelle. This application must be filled out completely and must be signed by the owner or his designated agent. If the applicant is different than the owner of the subject property, then an agent affidavit in a form approved by the City is required from the owner of the property that is requesting the vacation. The agent affidavit must be completely filled out and submitted with this application. If the property is in multiple-ownership, then all of the owners or their designated agent(s) must sign this application. All owners of property that will be affected by this application must either sign this application or fill out an agent affidavit.

This application will be reviewed by City staff for completeness and their recommendation, then to the City Commission for action. The City staff will place an advertisement in a newspaper of general circulation in the City, notify all affected property owners by mail and post a sign on the right-of-way to be vacated prior to the public hearing. The applicant will be advised of the date and time of the public hearing before the City Commission. The applicant must appear at the public hearing or be represented by an authorized agent or attorney for the City Commission to take action on the application. The application may be terminated for failure to appear at a scheduled public hearing.

The applicant is fully responsible for researching and knowing any and all laws, which may be applicable and affect the outcome of the any decision on the application request. The City assumes no responsibility or liability relating to the failure to research and know all applicable laws including, but not limited to, state, federal and city laws, codes, land development regulations or the adopted comprehensive plan. The City strongly recommends that all applicants consider consulting an attorney regarding their application.

NOTE: The entire process can take approximately 2-3 months from start to finish. The Applicant will be responsible for all expenses for advertising, mailing and cost recovery for outside consultants.