



Hillsborough
County Florida

VACATING PETITION INFORMATION PACKET

Hillsborough County Facilities Management & Real Estate Services
Department, County Center
601 East Kennedy Boulevard - 23rd Floor
Tampa, Florida 33602
Telephone: (813) 272-5810 | Fax: (813) 272-5597
Submission Email: RP-Vacating@hillsboroughcounty.org

OVERVIEW

This instruction packet has been prepared as a guide to assist you in submitting your vacating Petition. A Petition to Vacate ("Petition") must be submitted to Hillsborough County Facilities Management & Real Estate Services Department along with other required documentation as specified below. Prior to filing the Petition, please read these procedures in their entirety to ensure accurate completion. The Petition will be considered by the Hillsborough County Board of County Commissioners ("BOCC") at a public hearing held at a monthly Land Use Meeting. All vacating Petitions approved by the BOCC shall be evidenced by an officially adopted resolution recorded in the public records of Hillsborough County. The average minimum processing time for bringing a Petition for public hearing before the BOCC is sixty (60) to ninety (90) days from the date the County receives a completed, sufficient Petition with no objections. Please note that this timeframe is only an estimate and Hillsborough County is not responsible for any extensions, delays, or otherwise due to unfulfilled or incomplete Petition requirements.

**** INCOMPLETE PETITIONS WILL NOT BE ACCEPTED OR PROCESSED, AND PAYMENTS WILL NOT BE ACCEPTED ****

I. GENERAL REQUIREMENTS

- The Petition shall contain the notarized signatures of the petitioning parties based on the type of property interest petitioned to be vacated;
- If the petitioner(s) is a corporate entity (corporations, LLCs, etc.), corporate documentation reflecting the petitioner is a corporate body in good standing with its respective state of incorporation must be provided as well as documentation reflecting that the signor is authorized to act on behalf of the entity (*Corporate petitioners only*);
- The Petition shall contain an accurate legal description and description sketch, prepared by a surveyor, of the area to be vacated and identify the public interest requested to be vacated (*See Checklist for legal descriptions and description sketches, attached*);
- The Petition shall clearly state a detailed reasoning for and the purpose of the vacation request. The reason should be why the petitioner(s) is requesting the vacate, not why the County should approve the vacate;
- The Petition shall contain a current Ownership and Encumbrance Report prepared by a title company (issued within 60 days) for the area to be vacated and/or the parent tract which is the subject of or abutting the vacate area (see specific requirements for each type of vacate petition);
- It is the responsibility of the petitioner(s) to notice any mortgage holder(s) on any property affected by the vacating Petition. Upon acceptance of the Petition by the County, the petitioner(s) shall send a *Notice of Intent* to all mortgage-lien holders that a Petition to vacate encumbered property or interests has been filed with Hillsborough County. Notices must be sent within seven (7) business days after the County confirms the Petition is sufficient via the Certificate of Mailing process, with the *Certificate of Mailing* provided as proof of mailing. (*See Sample Letter Notice of Intent to Vacate, attached*);

- The Notice of Intent to vacate must be accompanied by a copy of the County-approved legal description and description sketch, prepared by a surveyor, of the area proposed to be vacated.
- The USPS stamped list and the notice must then be submitted to our office no later than seven (7) business days following mailing.
- Any Certificate of Mailing process requested throughout this information packet requires you to present your mailing list to the United States Postal Service (USPS). The USPS will compare the envelopes to the list, then place an official stamp on the list which authenticates the mailing.
- If the area sought to be vacated is controlled by an entity other than the public, such as an Association or Community Development District, the controlling entity must either join in the Petition, or appropriate documentation must be provided stating that the entity has no objection to the proposed vacating.
- Hillsborough County reserves the right to request any additional information as may be necessary to facilitate the processing of the subject Petition, including, but not limited to, surveys, maps, photos, etc.
- Submittal Requirement Checklists for each type of vacating request are attached to aid petitioners in filing a complete Petition. The sections below address the requirements for each specific type of vacating Petition.

II. VACATION OF RIGHT-OF-WAY:

If your Petition is to vacate Right-of-Way, please ensure the following items are included in addition to the above stated General Requirements:

- The notarized signatures of all abutting owner(s);
 - If the Petition is not signed by an abutting owner(s), please explain in your submittal package why that abutting owner did not sign. Petitions that do not include the signature of all abutting owners will be reviewed on a case-by-case basis and may be deemed insufficient.
- An Ownership and Encumbrance Report must be submitted for the area to be vacated and all lands abutting the portion of right-of-way petitioned to be vacated;
- A legal description and description sketch, prepared by a surveyor, providing an accurate depiction of the existing right-of-way and the area to be vacated;
- A current list, including the owner(s) name, mailing address and the folio number of all surrounding property owner(s) within 150-feet of the right-of-way petitioned to be vacated, (see *Sample Notice List*), as identified on the Hillsborough County Property Appraiser or prepared by a title company; and
- The package must include proof that all real property taxes have been paid for the subject property and all abutting property.
- If a right-of-way petitioned to be vacated contains existing County improvements (pavement, curbs, sidewalks, storm drains, etc.) the following BOCC policy (#08.01.03.00) shall apply:
 - *The Board of County Commissioners approves and authorizes a fee for the reimbursement of improvements made by the County within any right-of-way(s) being vacated. The fee shall be the fair current value of the improvements and shall be computed based on the cost and condition of the improvements, depreciation and other relevant factors. A copy of the detailed calculations will be given to the potential petitioner(s) prior to their filing a vacation Petition with the Facilities Management & Real Estate Services Department. The statement provided must be attached to the Petition once filed with the Facilities Management & Real Estate Services Department.*
(A department contact will be provided upon petitioner's request.)
- Once the County deems the Petition sufficient, the petitioner(s) will send a Notice of Intent to all mortgage holders and surrounding property owner(s) within 150-feet of the right-of-way to be vacated, that a Petition to vacate has been filed with Hillsborough County. Notices must be sent within seven (7) business days of acceptance of the Petition by the County via the Certificate of Mailing process, with the Certificate of Mailing provided as proof of mailing. (See *Sample Letter Notice of Intent to Vacate, attached*);

- The Notice of Intent to vacate right-of-way must be accompanied by a copy of the County-approved legal description and description sketch of the right-of-way proposed to be vacated.
- The USPS stamped list and the notice must then be returned to our office no later than seven (7) business days following mailing.
- Upon establishment of the date and time of the public hearing before the BOCC, the petitioner(s) must notice all abutting and surrounding property owner(s) as defined herein, of the public hearing date. Notices must be sent via the Certificate of Mailing process, with the Certificate of Mailing provided as proof of mailing. (See *Sample Letter Notice of Public Hearing to Vacate and Sample Certificate of Mailing, attached*).
 - The notice of hearing must be accompanied by a copy of the legal description and description sketch of the right-of-way proposed to be vacated.
 - The USPS stamped list and the notice must then be returned to our office no later than thirty-nine (39) calendar days prior to hearing (this deadline may be subject to change).

III. **VACATION OF EASEMENT**

If your Petition is to vacate an Easement, please ensure the following items are included **in addition to** the above stated General Requirements:

- The notarized signatures of the owner(s) of lands encumbered by the easement petitioned to be vacated;
- The Ownership and Encumbrance Report must reflect the entire parent tract of the lands encumbered by the easement to be vacated;
- A legal description and description sketch providing an accurate depiction of the existence of the easement and the portion to be vacated; and
- The package must include proof that all real property taxes have been paid for the subject property.

IV. **VACATION OF PLATTED SUBDIVISION OR PORTION THEREOF:**

If your Petition is to vacate a Platted Subdivision, please ensure the following items are included **in addition to** the above stated General Requirements:

- The notarized signatures of the owner(s) of lands comprising the subdivision plat or any portion thereof petitioned to be vacated;
- The Ownership and Encumbrance Report must reflect all lands included in the plat, or portion thereof, petitioned to be vacated;
- A legal description and description sketch providing an accurate depiction of the existence of the plat and the portion petitioned to be vacated;
- A current list, including the owner(s) name, mailing address and the folio number of all surrounding property owner(s) within 150-feet of the plat, or portion thereof petitioned to be vacated, (see *Sample Notice List*), as identified on the Hillsborough County Property Appraiser's site or provided by a title company; and
- The package must include proof that all real property taxes have been paid for all property included in the plat, or portion thereof, to be vacated.
- If a plat, or portion thereof, petitioned to be vacated contains existing County improvements (pavement, curbs, sidewalks, storm drains, etc.) the following BOCC policy (#08.01.03.00) shall apply:

- *The Board of County Commissioners approves and authorizes a fee for the reimbursement of*

Vacating Petition Information Packet

Submission email RP-Vacating@HillsboroughCounty.org

Page 3 of 4

Revised 2022

improvements made by the County within any right-of-way(s) being vacated. The fee shall be the fair current value of the improvements and shall be computed based on the cost and condition of the improvements, depreciation and other relevant factors. A copy of the detailed calculations will be given to the potential petitioner(s) prior to their filing a vacation Petition within the Facilities Management & Real Estate Services Department. The statement provided must be attached to the Petition once filed with the Facilities Management & Real Estate Services Department.

(A Department contact will be provided upon petitioner's request.)

- Once the County deems the Petition sufficient, the petitioner will send a Notice of Intent to all mortgage holder(s) and surrounding property owner(s) within 150-feet of the plat, or portion thereof, that a Petition to vacate has been filed with Hillsborough County. Notices must be sent within seven (7) business days of acceptance of the Petition by the County via the Certificate of Mailing process, with the Certificate of Mailing provided as proof of mailing. (See *Sample Letter Notice of Intent to Vacate, attached*);
 - The Notice of Intent to vacate plat, or any portion thereof, must be accompanied by a copy of the County-approved legal description and description sketch of the plat or portion thereof proposed to be vacated.
 - The USPS stamped list and the notice must then be returned to our office no later than seven (7) business days following mailing.
- Upon establishment of the date and time of the public hearing before the BOCC, the petitioner(s) must notice all surrounding property owner(s), as defined herein, of the public hearing date. Notices must be sent via the Certificate of Mailing process, with the Certificate of Mailing provided as proof of mailing (See *Sample Letter Notice of Public Hearing to Vacate and Sample Certificate of Mailing, attached*).
 - The Notice of Hearing must be accompanied by a copy of the County-approved legal description and description sketch of the plat or portion thereof proposed to be vacated.
 - The USPS stamped list and the notice must then be returned to our office no later than thirty-nine (39) calendar days prior to hearing (this deadline may be subject to change).

V. ADDITIONAL INFORMATION:

- All Petitions are circulated to internal and external reviewing agencies for review and comment. Petitioner will be notified of any reviewer objection or conditions placed upon the vacating request. *It is the Petitioner's responsibility to address and/or resolve all objections prior to scheduling a public hearing.*
- All fees are nonrefundable and shall be tendered by check.
 - Checks are made payable to the Board of County Commissioners (BOCC)
 - The total fee to process a vacating Petition is \$664.10.
 - Initial filing fee of \$414.10
 - Remaining balance of \$250.00 due prior to scheduling of public hearing
- Should you have questions about these requirements, please call the Technical Services Manager or Project Manager, Facilities Management & Real Estate Services Department, at (813) 272-5810.
- Please submit your completed submission information electronically to the following email address:
RP-Vacating@HillsboroughCounty.org
- ***Important Notice for Code Enforcement Violations: Please be advised that a successful Petition may not resolve a County code enforcement violation and that other curative measures may be required prior to remedy such violation.***

Note: All fees and deadlines are subject to change.



**Hillsborough
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PETITION TO VACATE

CHECKLIST FOR LEGAL DESCRIPTIONS AND DESCRIPTION SKETCHES

Hillsborough County Facilities Management & Real Estate Services Department

County Center

601 East Kennedy Boulevard – 23rd Floor

Tampa, Florida 33602

Telephone: (813) 272-5810 | Fax: (813) 272-5597

Submission email: RP-Vacating @HillsboroughCounty.org

The final signed and sealed sketch and legal description should be submitted on 8 ½” x 11” paper and must contain the following information.

- Access to parcel.
- Company name, Licensed Business number, and name and license number of the professional surveyor and mapper.
- All parcels of land and adjacent land should be numbered and identified with a parcel number or folio number.
- A statement that “This is not a Survey.”
- The initial point (point of commencement) and the point of beginning should be clearly labeled on the sketch.
- Specific identification of Section, Township, Range (and subdivision name with recording information, when applicable) showing a specific identification of Hillsborough County, Florida.
- All pages should be marked as EXHIBIT A, and numbered, 1 of 1, etc., with legal descriptions as page 1.
- Bearings and dimensions on all courses.
- Basis of bearings.
- Street names labeled.
- Right of way lines labeled and information on how it exists.
- North arrow and scale designated.
- Date prepared and date signed.
- The legal description must be labeled as such and be included in square feet and acres. Larger areas should be shown in areas to two (2) decimal places.



**Hillsborough
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PETITION TO VACATE EASEMENT CHECKLIST

Hillsborough County Facilities Management & Real Estate Services Department
County Center
601 East Kennedy Boulevard – 23rd Floor
Tampa, Florida 33602
Telephone: (813) 272-5810 | Fax: (813) 272-5597
Submission email: RP-Vacating@HillsboroughCounty.org

The below items are required at the initial submission and allow the filed Petition to be processed and circulated for review and comment by appropriate reviewing agencies and/or utility providers as to the feasibility of the vacating request from a public use and future need perspective:

1. Completed Petition to Vacate signed and notarized by all owners of land encumbered by the easement requested to be vacated and authorizing an agent representative if desired.
2. A current Ownership and Encumbrance Report (within the previous 60 days) prepared by a title company including the owner(s) of each parcel encumbered by the easement requested to be vacated and listing all encumbrances and taxes.
3. An accurate legal description and description sketch depicting the easement requested to be vacated and its relation to the underlying, encumbered property.
4. Copy of proposed Notice of Intent letter, including legal description and description sketch, to be sent to mortgage holder(s). Notices must be sent within seven (7) business days after the County confirms the Petition is sufficient via the Certificate of Mailing process. The USPS stamped list and copies of the notice must then be returned to our office no later than 7 business days following the mailing. (*See Sample Letter Notice of Intent to Vacate and Sample Certificate of Mailing*)
5. Corporate documentation reflecting the petitioner is a corporate body in good standing with its respective state of incorporation and documentation reflecting that the signor is authorized to act on behalf of the entity. (*Corporate petitioners only*).
6. An initial, non-refundable processing and review fee of \$414.10 (of the total \$664.10 fee) in the form of a check made payable to the Board of County Commissioners.

Prior to scheduling a public hearing before the Board of County Commissioners, the following additional item will be required:

7. The remaining \$250.00 (of the total \$664.10 fee) to defray the public hearing notice and recording costs, in the form of a check made payable to the Board of County Commissioners.

***Please note that the average minimum processing time for bringing a Petition for public hearing before the BOCC is sixty (60) to ninety (90) days from the date the County receives a completed, sufficient Petition with no objections. Please note that this timeframe is only an estimate and Hillsborough County is not responsible for any extensions, delays, or otherwise due to unfulfilled or incomplete Petition requirements. ***

CHECKLIST - EASEMENT

Page 1 of 1

Submission email: RP-Vacating@HillsboroughCounty.org

REV.2022



Hillsborough
County Florida

PETITION TO VACATE RIGHT-OF-WAY CHECKLIST

Hillsborough County Facilities Management & Real Estate Services Department
County Center
601 East Kennedy Boulevard – 23rd Floor
Tampa, Florida 33602
Telephone: (813) 272-5810 | Fax: (813) 272-5597
Submission email: RP-Vacating@HillsboroughCounty.org

The below items are required at the initial submission and allow the filed petition to be processed and circulated for review and comment by appropriate reviewing agencies and/or utility providers as to the feasibility of the vacating request from a public use and future need perspective:

1. Completed Petition to Vacate signed and notarized by all owners abutting the right-of-way requested to be vacated, and authorizing an agent representative if desired.
2. A current Ownership and Encumbrance Report (within the previous 60 days) from a title company covering the area to be vacated and each parcel which abuts the right-of-way requested to be vacated. The report should include the petitioner(s) and owner(s) of the property and list all encumbrances and taxes.
3. A current list, including the owner(s) name, mailing address and the folio number of all surrounding property owner(s) within 150-feet of the right-of-way petitioned to be vacated, as identified on the Hillsborough County Property Appraiser's site or provided by a title company.
4. An accurate legal description and description sketch depicting the right-of-way requested to be vacated and its relation to the abutting and surrounding property owner(s).
5. Copy of proposed Notice of Intent letter, including legal description and description sketch, to be sent to mortgage holder(s) and each surrounding owner within 150-feet of the right-of-way requested to be vacated. Notices must be sent within seven (7) business days after the County confirms the Petition is sufficient via the Certificate of Mailing process. The USPS stamped list and copies of the notice must then be returned to our office no later than 7 business days following the mailing. (See *Sample Letter Notice of Intent to Vacate and Sample Certificate of Mailing*)
6. Estimate of improvement reimbursement **IF** the right-of-way requested to be vacated contains improvements by Hillsborough County, as required by BOCC policy #08.01.03.00. (See *Petition instructions*).
7. Submittal items satisfying conditions set forth by Florida Statute **IF** this petition is to privatize the streets within a residential subdivision.
8. Corporate documentation reflecting the petitioner is a corporate body in good standing with its respective state of incorporation and documentation reflecting that the signor is authorized to act on behalf of the entity. (*Corporate petitioners only*).
9. An initial, non-refundable processing and review fee of \$414.10 (of the total \$664.10 fee) in the form of a check made payable to the Board of County Commissioners.

Prior to scheduling a public hearing before the Board of County Commissioners, the following additional item will be required:

10. The remaining \$250.00 (of the total \$664.10 fee) to defray the public hearing notice and recording costs, in the form of a check made payable to the Board of County Commissioners.

Upon the establishment of a public hearing date before the Board of County Commissioners, the following additional item will be required:

11. Copy of Notice of Public Hearing letter sent to all surrounding property owner(s) within 150-feet of the right-of-way requested to be vacated, advising of the public hearing date, time and location, including legal description and description sketch, along with a Certificate of Mailing provided from the United States Postal Service attesting to the mailed service. Copies of the notice and USPS stamped list must be returned to our office no later than 21 days prior to hearing. (*See Sample Letter Notice of Public Hearing to Vacate*).

***Please note that the average minimum processing time for bringing a Petition for public hearing before the BOCC is sixty (60) to ninety (90) days from the date the County receives a completed, sufficient Petition with no objections. Please note that this timeframe is only an estimate and Hillsborough County is not responsible for any extensions, delays, or otherwise due to unfulfilled or incomplete Petition requirements. ***



**Hillsborough
County Florida**

PETITION TO VACATE SUBDIVISION PLAT (OR PORTION THEREOF) CHECKLIST

Hillsborough County Facilities Management & Real Estate Services Department
County Center

601 East Kennedy Boulevard – 23rd Floor
Tampa, Florida 33602

Telephone: (813) 272-5810 | Fax: (813) 272-5597

Submission email: RP-Vacating@HillsboroughCounty.org

The below items are required at the initial submission and allow the filed petition to be processed and circulated for review and comment by appropriate reviewing agencies and/or utility providers as to the feasibility of the vacating request from a public use and future need perspective:

1. Completed Petition to Vacate signed and notarized by all owners of land in the subdivision plat (or portion thereof) requested to be vacated and authorizing an agent representative if desired.
2. A current Ownership and Encumbrance Report (within the previous 60 days) provided by a title company including the owner(s) of each parcel within the affected subdivision plat (or portion thereof) requested to be vacated and listing all encumbrances and taxes.
3. A current list, including the owner(s) name, mailing address and the folio number of all surrounding owner(s) within 150 feet the subdivision plat (or portion thereof) petitioned to be vacated, as identified on the Hillsborough County Property Appraiser's site or provided by a title company.
4. An accurate legal description and description sketch depicting the subdivision plat (or portion thereof) requested to be vacated and its relation to the surrounding property owner(s).
5. Copy of proposed Notice of Intent letter, including legal description and description sketch, to be sent to mortgage holder(s) and each surrounding owner within 150-feet of the plat (or portion thereof) requested to be vacated. Notices must be sent within seven (7) business days after the County confirms the Petition is sufficient via the Certificate of Mailing process. The USPS stamped list and copies of the notice must then be returned to our office no later than 7 business days following the mailing. (*See Sample Letter Notice of Intent to Vacate and Sample Certificate of Mailing*).
6. Corporate documentation reflecting the petitioner is a corporate body in good standing with its respective state of incorporation and documentation reflecting that the signor is authorized to act on behalf of the entity. (*Corporate petitioners only*).
7. An initial, non-refundable processing and review fee of \$414.10 (of the total \$664.10 fee) in the form of a check made payable to the Board of County Commissioners.
8. Should the subdivision plat (or portion thereof) requested to be vacated also contain right(s)-of-way and/or easement(s), the right-of-way and/or easement submittal process as detailed on the respective checklist(s) shall also apply. A request to vacate more than one type of property interest can be accommodated in one petition.

Prior to scheduling a public hearing before the Board of County Commissioners, the following additional item will be required:

CHECKLIST – SUBDIVISION PLAT (OR PORTION THEREOF)

Page 1 of 2

Submission email: RP-Vacating@HillsboroughCounty.org

REV. 2022

9. The remaining \$250.00 (of the total \$664.10 fee) to defray the public hearing notice and recording costs, in the form of a check made payable to the Board of County Commissioners.

Upon the establishment of a public hearing date before the Board of County Commissioners, the following additional item will be required:

10. Copy of Notice of Public Hearing letter sent to all surrounding property owner(s) within 150-feet of the plat (or portion thereof) requested to be vacated, advising of the public hearing date, time and location, including legal description and description sketch, along with a Certificate of Mailing provided from the United States Postal Service attesting to the mailed service. Copies of the notice and USPS stamped list must be returned to our office no later than 39 days prior to hearing. (*See Sample Notice of Public Hearing to Vacate*).

***Please note that the average minimum processing time for bringing a Petition for public hearing before the BOCC is sixty (60) to ninety (90) days from the date the County receives a completed, sufficient Petition with no objections. Please note that this timeframe is only an estimate and Hillsborough County is not responsible for any extensions, delays, or otherwise due to unfulfilled or incomplete Petition requirements. ***



PETITION TO VACATE

Sample Notice List

Hillsborough County Facilities Management & Real Estate Services Department
 County Center
 601 East Kennedy Boulevard – 23rd Floor
 Tampa, Florida 33602
 Telephone: (813) 272-5810 | Fax: (813) 272-5597

Abutting/Surrounding Owners within 150-feet

	Folio	Name	Mailing Address	City	State	Zip
1.	012345-0000	John Smith	1234 Main Street	Tampa	FL	33602
2.	012346-0000	Jane Doe	1235 Main Street	Tampa	FL	33602
3.	012347-0000	Jennifer Johnson	1236 Main Street	Tampa	FL	33602

Mortgagees

	Mortgagee	Mailing Address	City	State	Zip
1.	Financial Corporation	2234 Main Street	Tampa	FL	33602
2.	Lending Company	2235 Main Street	Tampa	FL	33602
3.	Tampa Banking, Inc.	2236 Main Street	Tampa	FL	33602



**Hillsborough
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PETITION TO VACATE

Sample Certificate of Mailing

Hillsborough County Facilities Management & Real Estate Services Department
County Center
601 East Kennedy Boulevard – 23rd Floor
Tampa, Florida 33602
Telephone: (813) 272-5810 | Fax: (813) 272-5597

John Smith
1234 Main Street
Tampa, FL 33602

Jane Doe
1235 Main Street
Tampa, FL 33602

Jennifer Johnson
1236 Main Street
Tampa, FL 33602



U.S. POSTAGE
PAID
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33569
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R2304M113417-14

**SAMPLE LETTER
NOTICE OF INTENT TO VACATE**

INSTRUCTIONS: (1) FILL IN SHADED AREAS WITH APPROPRIATE INFORMATION; (2) REMOVE SHADING; (3) DELETE THIS HEADER; AND (4) PRINT AND MAIL ABUTTING AND/OR SURROUNDING PROPERTY OWNERS, AND MORTGAGE HOLDERS, ALONG WITH A COPY OF THE LEGAL DESCRIPTION AND DESCRIPTION SKETCH OF THE SUBJECT PROPERTY AND ANY ATTACHMENTS.

[DATE]

SUBJECT: NOTICE OF INTENT TO FILE PETITION TO VACATE [add petition number supplied by staff here _____ – Identify type of vacating, ROW, Easement, or Plat and general description of subject property, street address or folio number]

Dear interested party:

This letter is to inform you that a Petition to Vacate has been filed with the Hillsborough County Facilities Management & Real Estate Services Department by [PETITIONER(S) OR AGENT'S NAME], requesting to vacate the property described and depicted on the attached sheet(s). The purpose for this request is [REASON FOR VACATING]

Should you have an objection to this proposed vacating petition, your written objection should be sent to the following address within thirty (30) calendar days from the date of this letter:

Senior Real Property Specialist – Vacating
Facilities Management & Real Estate Services Department
601 E Kennedy Boulevard, 23rd Floor
Tampa, Florida 33602

Sincerely,

[PETITIONER(S) OR AGENT'S NAME]
[PETITIONER(S) OR AGENT'S FULL MAILING ADDRESS]
[PETITIONER(S) OR AGENT'S CITY, STATE, ZIP CODE]
[PETITIONER(S) OR AGENT'S PHONE NUMBER]

SAMPLE LETTER
NOTICE OF PUBLIC HEARING TO VACATE

INSTRUCTIONS: (1) FILL IN SHADED AREAS WITH APPROPRIATE INFORMATION; (2) REMOVE SHADING; (3) DELETE THIS HEADER; AND (4) PRINT AND MAIL TO ABUTTING AND/OR SURROUNDING PROPERTY OWNERS, ALONG WITH A COPY OF THE LEGAL DESCRIPTION AND SKETCH OF THE PROPERTY PROPOSED TO BE VACATED AND ANY ATTACHMENTS.

[DATE]

SUBJECT: PUBLIC HEARING ON VACATING PETITION # [PETITIONER NUMBER PROVIDED TO YOU BY STAFF]

Dear interested party:

This letter is to inform you that a Public Hearing date has been established on [DAY, DATE, YEAR OF PUBLIC HEARING PROVIDED TO YOU BY STAFF], to consider the above-referenced Petition to Vacate. The purpose of this request is [REASON FOR VACATING]

The Public Hearing is to be held during the Board of County Commissioners' Land Use Meeting on said date. The hearing will be held on the 2nd floor of the County Center, 601 East Kennedy Boulevard, Tampa, Florida, starting at 9:00 a.m.

It is advisable that anyone who has filed an objection to the subject vacating be in attendance at the Public Hearing to voice their objection before the Board.

Should you have any questions or comments about this letter, please contact the Vacating Program Coordinator:

Real Property Specialist – Vacating
Hillsborough Facilities Management & Real Estate Services Department
601 E Kennedy Boulevard, 23rd Floor
Tampa, Florida 33602
(813) 272-5810

Sincerely,

[PETITIONER(S) OR AGENT'S NAME]
[PETITIONER(S) OR AGENT'S FULL MAILING ADDRESS]
[PETITIONER(S) OR AGENT'S CITY, STATE, ZIP CODE]



**Hillsborough
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PETITION TO VACATE

Hillsborough County Facilities Management & Real Estate Services Department
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Submission email: RP-Vacating@HillsboroughCounty.org

Right-of-Way

Easement

Subdivision Plat

PETITIONER'S INFORMATION

Name(s): _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number(s): _____

Email address: _____

For multiple Petitioners, additional signature sheets may be used for each Petitioner.

The above named Petitioner(s) hereby petition(s) the Honorable Board of County Commissioners of Hillsborough County to adopt a resolution vacating, abandoning, renouncing, and disclaiming any right or interest of Hillsborough County and the public in and to the following described right(s)-of-way, easement(s), or subdivision plat or portion thereof (*provide or attach legal description of area or property interest to be vacated*):

Located in Section _____, Township _____, Range _____, Folio # _____

AGENT AUTHORIZATION - PLEASE COMPLETE IF APPLICABLE

The above-named Petitioner(s) hereby authorizes as the following to act as agent on my/our behalf:

Name(s): _____

Company: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number(s): _____

Email address: _____

Provide a detailed reason for, and the purpose of, the Vacating request. Please be specific:

For Right-of-Way Vacating Petitions Only:

If any adjacent property owners have not signed the Petition, please explain why an adjacent property owner has not signed.

If the Petition seeks to clear or resolve an encroachment into an easement or right-of-way, please state the construction date and type of encroachment:

If the Petition seeks to clear or resolve a code enforcement violation, please provide all information regarding such violation (date of violation, nature of violation, assigned officer, etc.):

Please review and initial:

1. _____ The Petitioner(s) hereby acknowledges that the average minimum processing time for bringing a Petition for public hearing is sixty (60) to ninety (90) days from the date the County receives a completed, sufficient Petition. The Petitioner(s) acknowledge that this timeframe is only an estimate and Hillsborough County is not responsible for any extensions, delays, or otherwise due to unfulfilled or incomplete Petition requirements.
2. _____ The Petitioner(s) hereby expressly acknowledges and agrees that all Petitions are circulated for review and comment by both internal and external departments and agencies, and that it is the Petitioner(s) sole responsibility to address and/or resolve any and all objections in writing prior to scheduling the matter for public hearing. Note: failure to cure such objections prior to public hearing may result in a staff recommendation of denial of the Petition.
3. _____ The Petitioner(s) will forward a check for the initial filing fee in the amount of \$414.10 made payable to the Board of County Commissioners of Hillsborough County, Florida, to cover the administrative costs of processing the Petition after direction from staff that the petition submission is sufficient. Petitioner acknowledges and agrees that the initial filing fee is non-refundable in whole or in part.
4. _____ The Petitioner(s) hereby waive(s), renounce(s), absolve(s), relinquish(es) and discharge(s) Hillsborough County from any claims or damages of any nature and kind whatsoever that such Petitioner(s) may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing and abandoning of said right(s)-of-way, easement(s), or subdivision plat.
5. _____ The Petitioner(s) acknowledges and agrees that if the Petition proceeds to public hearing the Petitioner(s) will pay the additional filing fee of \$250.00 made payable to the Board of County Commissioners of Hillsborough County, Florida. Petitioner further acknowledges and agrees the additional filing fee is non-refundable in whole or in part.
6. _____ The Petitioner(s) hereby acknowledges and agrees that all terms and conditions of the Vacating Resolution, if approved and adopted by the Board of County Commissioners, shall be strictly complied with by the Petitioner(s).
7. _____ The Petitioner(s) hereby acknowledges and agrees they have read and understand all applicable steps listed within the VACATING PETITION INFORMATION PACKET received by Petitioner(s) prior to submittal of this PETITION TO VACATE.
8. _____ The Petitioner(s) hereby acknowledges and agrees that the Petition may not cure any and/or all code enforcement violations and that additional curative measures may be required to be completed by Petitioner prior to removal of such violation.
9. _____ The Petitioner(s) hereby acknowledges and agrees that **HILLSBOROUGH COUNTY MAKES NO STATEMENT, OPINION OR WARRANTY AS TO THE TITLE OF VACATED PUBLIC PROPERTY INTERESTS BY VIRTUE OF ANY VACATING ACTION BY ITS BOARD OF COUNTY COMMISSIONERS. PETITIONER(S) SHOULD VERIFY WITH A TITLE COMPANY WHERE TITLE VESTS FOLLOWING THE VACATING ACTION.**

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PETITION

Page 3 of 4

Submission email: RP-Vacating@HillsboroughCounty.org

REV. 2022

The Petitioner(s) herein named hereby waive(s), renounce(s), relinquish(es), absolve(s), and discharge(s) Hillsborough County from any claims for damages of any nature and kind whatsoever that petitioner(s) may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing, and abandoning of public right(s)-of-way, easement(s) or subdivision plat(s), or any part or portion thereof; and shall indemnify and hold harmless Hillsborough County from any claims, damages, expenses and costs that result from damage to or destruction of any improvement, structure or property located within the portion of right(s)-of-way, easement(s) or subdivision plat(s) being vacated herein as a result of the exercise by Hillsborough County of its rights within any remaining public right(s)-of-way, easement(s), or subdivision plat(s) not vacated.

For multiple Petitioners, attach additional signature sheets for each additional Petitioner

PETITIONERS' SIGNATURES	MAILING ADDRESS
Printed name and title if applicable	
Printed name and title if applicable	
Printed name and title if applicable	

STATE OF _____

COUNTY OF _____

The following instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization this ____ day of _____, 20____, by _____ who is/are personally known to me or who has produced _____ as identification.

NOTARY PUBLIC:

Signature: _____

(SEAL)

Printed Name: _____

Title or Rank: _____

Serial / Commission Number: _____

My Commission Expires: _____