Land Development Division
120 Malabar Road SE
Palm Bay, FL 32907
321-733-3042
Landdevelopment@palmbayflorida.org

REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY

This application must be completed, legible, and returned, with all attachments referred to herein, to the Land Development Division, Palm Bay, Florida. The request will be reviewed by City staff and scheduled before the City Council. A minimum of eight (8) weeks is required to process the application. You or your representative are required to attend the hearing, and will be notified by mail of the date of the meeting. The meeting will be held at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

1) NAME OF APPLICANT (Type or print) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

HOME PHONE # _____ BUSINESS PHONE # _____

FAX # _____ E-MAIL ADDRESS _____

2) **LEGAL DESCRIPTION, PREPARED BY A CERTIFIED SURVEYOR, OF THAT PORTION OF THE EASEMENT REQUESTING TO BE VACATED UPON WHICH THE ENCROACHMENT IS PROPOSED OR CURRENTLY EXISTS:** _____

_____

_____

_____

SECTION _____ TOWNSHIP _____ RANGE _____

3) SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): _____

4) ZONING CLASSIFICATION AT PRESENT (ex.: CC, RS-2, etc.): _____

5) WHICH ACTION APPLYING FOR (ex.: Easement, Drainage): _____

6) REASON FOR REQUESTING VACATION AND INTENDED USE: _____

_____

_____

_____

7) IF THE ENCROACHMENT CURRENTLY EXISTS, PROVIDE THE DATE THAT A PERMIT WAS ISSUED BY THE BUILDING DIVISION: _____

8) THE FOLLOWING ENCLOSURES ARE NEEDED TO COMPLETE THIS APPLICATION:

_____ *$175.00 Application Fee. Make check payable to “City of Palm Bay”;

_____List of names and addresses of property owners abutting the lot or parcel within which the easement or drainage right-of-way is located;

_____Copy of plat, map, etc. depicting area location of easement or drainage right-of-way to be vacated.

_____Original notarized letters from the following utility and service companies are required stating whether or not they object to or if there is no interest in the vacating of the easement or drainage right-of-way. If equipment lies within the easement or drainage right-of-way requested for vacation, the applicant shall be responsible for any expenses incurred for relocating same, unless other arrangements have been made with the company. See attached to contact:

(a) Florida Power & Light Company;
(b) AT&T Telecommunications;
(c) Bright House Networks;
(d) Melbourne-Tillman Water Control District (if applicable);
(e) Ameri Gas (if applicable);
(f) Florida City Gas (if applicable);
(g) Holiday Park, Board of Directors (if applicable).

9) ARE YOU THE PROPERTY OWNER OF RECORD?: _____YES _____NO

IF NO, A NOTARIZED LETTER FROM THE PROPERTY OWNER MUST BE ATTACHED GIVING CONSENT TO THE APPLICANT TO REQUEST THE VACATING.

10) CONTACT THE **LAND DEVELOPMENT DIVISION** (321-733-3042) AS TO WHETHER A VARIANCE IS REQUIRED. IF REQUIRED, YOU MUST OBTAIN APPROVAL FOR THEVARIANCE PRIOR TO PROCEEDING WITH THE VACATING REQUEST.

_____Required _____Not Required

Land Development Division _____Date_____

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION AND ALL DATA ATTACHED MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE CITY COUNCIL.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant _____**Date** _____

Printed Name of Applicant _____

*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY

CONTACTS IN UTILITY COMPANIES

FLORIDA POWER & LIGHT
Ms. Donna Smith
9001 Ellis Road
Melbourne, FL 32904
Phone: (321) 726-4801
Fax: (321) 726-4880

AT & T TELECOMMUNICATIONS
Mr. Brian Ellis
3300 Okeechobee Road
Room 237
Ft. Pierce, FL 34947
Phone: (772) 460-4454
Fax: (772) 466-5651

BRIGHT HOUSE NETWORKS
Mr. Robert Walton
720 Magnolia Ave.
Melbourne, FL 32935
Phone: (321) 757-6454
Fax: (321) 373-5846

MELBOURNE-TILLMAN WATER CONTROL
Mr. Dan Anderson, Manager
5990 Minton Road, NW
Palm Bay, FL 32907
Phone: (321) 723-7233
Fax: (321) 725-5933

AMERI GAS
Mr. Brian Stone
4190 South U.S. 1
Rockledge, FL 32955
Phone: (321) 631-5070
Fax: (321) 636-5361

FLORIDA CITY GAS
Mr. Ron Muller
4180 S. US Highway 1
Rockledge, FL 32955
Phone: (321) 638-3409
Fax: (321) 633-6733

HOLIDAY PARK, BOARD OF DIRECTORS
Cheryl Ennis
215 Holiday Park Boulevard, NE
Palm Bay, FL 32907
Phone: (321) 724-2240
Fax: (321) 724-8166
(HOMEOWNERS ONLY)

Revised 02/05/2013