



**INSTRUCTIONS FOR FILING PETITIONS FOR CLOSING OF ROADS,
ALLEYS AND VACATIONS OF RIGHTS-OF-WAY
IN PINECREST, FLORIDA**

REQUIREMENTS:

Two (2) copies of the petition properly executed by ALL property owners abutting on the road, alley, or right-of-way sought to be closed, or who are affected by the proposed road closing, or vacation, shall be filed with the Planning Director, Pinecrest Municipal Center, 12645 Pinecrest Parkway, Pinecrest, Florida 33156.

1. Check for \$200.00 payable to the Village of Pinecrest to cover cost of publishing notices, recording fees and cost of administrative review.
2. Twelve (12) copies of a location and survey sketch prepared by a Florida registered land surveyor, (2 of which shall be sealed), showing and describing the road and roads sought to be closed and showing all encroachments, improvements and utilities.
3. Petitioner should attend Village Council meeting at time of road closing hearing.

Please direct inquiries regarding the request for closing of roads, alleys, etc., to the Planning Director at the above address, or telephone (305) 234-2121.



VILLAGE OF PINECREST

12645 Pinecrest Parkway, Pinecrest, Florida 33156
Building & Planning Department

PETITION TO CLOSE ROAD, ALLEY OR VACATE A RIGHT-OF-WAY

Pursuant to Sections 336.09 through 336.12, Florida Statutes, the Village Council, with respect to property under its control, may in its own discretion, and of its own motion, or upon the request of any agency of the state, or of the federal government, or upon petition of any person or persons, are authorized and empowered to: (1) vacate, abandon, discontinue and close an existing public or private street, alleyway, road, highway, or other place used for travel, or a portion thereof, and to renounce and disclaim any right of the Village and the public in and to any land in connection therewith; (2) renounce and disclaim any right of the Village and the public in and to certain land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes other than lands acquired for state and federal highway; and, (3) renounce and disclaim any right of the Village and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road or highway.

PROCEDURE TO CLOSE A ROAD, ALLEY OR VACATE A RIGHT-OF-WAY

1. Preliminary meeting between the applicant(s) and the Planning Director to analyze the petition.
2. If the petition is considered appropriate by the Planning Director, the applicant(s) must submit a petition signed by all property owners abutting the street, alleyway, road, highway, right-of-way or land to be closed or abandoned and a \$200.00 processing fee.
3. If the application is complete, the Planning Director schedules a public hearing before the Village Council.
4. The Village Council holds a public hearing on the petition. The Council may approve, disapprove or modify the petition.
5. The Village publishes a notice of the adoption, one time only, within 30 days following its adoption, in one issue of a newspaper of general circulation published in the County.

The petition to be submitted by applicant(s) must include the following:

- A complete and accurate legal description of the street, alleyway, road, highway, right-of-way or land, or a portion thereof, sought to be closed.
- Evidence of the title or interest of the Village and the public in and to the above described street, alleyway, road, highway, right-of-way or land, or a portion thereof, stating whether public interest was acquired by deed, dedication or prescription, and setting forth where deed or plat information is recorded in the public records.
- Survey or location sketch accurately showing and describing the above described street, alleyway, road, highway, right-of-way or land, or a portion thereof, its location and relation to surrounding property, and all encroachments and utility easements.
- Letters from utility companies that have utility easements in the road.
- Schedule of all property owners abutting the above described street, alleyway, highway, road, right-of-way or land, or a portion thereof, certifying that in the event that this petition is granted that said property owners will not be prevented from access to and from their property or otherwise adversely affected.
- Certification that the above described street, alleyway, road, highway, right-of-way or land, or a portion thereof, is not a part of any state or federal highway and was not acquired or dedicated for state or federal highway purposes; and, that such street, alleyway, highway, road, right-of-way or land, or a portion thereof, is under the control and jurisdiction of the Village Council of the Village of Pinecrest.
- Grounds and reasons in support of this petition stating why the petition should be granted.
- The signatures of all of the abutting property owners of the above described street, alleyway, road, highway, right-of-way or land, or a portion thereof, which is presented for closure.
- Payment of the public hearing fee in accordance with adopted fee schedule. Please, make checks payable to the Village of Pinecrest.

and its location and relation to surrounding property, and showing all encroachments and utility easements.

4. **ABUTTING PROPERTY OWNERS:** The following constitutes a complete and accurate schedule of all owners and occupants of property abutting upon or adjacent to the above described road, right-of-way or lands and all persons who will be affected by the closing and abandonment thereof (all interested or affected persons must either sign this petition or sign a written consent):

Name	Address	Description of Property
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Add Additional Page(s) if Necessary)

5. **ACCESS TO OTHER PROPERTY:** The undersigned certify that in the event this petition is granted no other property owners will be prevented from access to and from their property and no other property owners in the vicinity will be adversely affected.
6. **NO FEDERAL OR STATE HIGHWAY AFFECTED:** The undersigned certify that the above described road, right-of-way or land is not a part of any state or federal highway and was not acquired or dedicated for state or federal highway purposes; and that such road, right-of-way or land is under the control and jurisdiction of the Village Council.

7. GROUNDS FOR GRANTING PETITION: The undersigned submit as grounds and reasons in support of this petition the following (state in detail why petition should be granted):

The undersigned requests the petition be granted to avoid future public nuisance for persons not to park or loiter in the street area that has not been installed. This street would not serve any future access to any other street and would not have a positive effect on the neighborhood.

Respectfully submitted,

Name

Address

(Petition must be signed by all property owners abutting the road, right-of-way or lands to be closed or abandoned)

Attorney for Petitioner

Address: _____

(Signature of attorney not required)

STATE OF FLORIDA)

) ss.:

COUNTY OF DADE)

BEFORE ME, the undersigned authority, personally appeared _____, who first by me duly sworn, deposes and says that he/she is one of the petitioners named in and who signed the foregoing petition, that he/she is duly authorized to make this verification for and on behalf of all petitioners; that he/she has read the foregoing petition and that the statements therein contained are true.

(Signature of Petitioner)

Sworn and subscribed to before me this _____ day of _____, 20 _____

Notary Public State of Florida at Large

My Commission Expires: _____