



The Department of Planning, Zoning and Development Vacating of a Plat

You must set up a pre-application meeting **before** submitting your application.

The following background information is required to schedule a pre-application meeting. The City of DeBary will use this to research the project site in preparation for the meeting. Although this is the minimal amount of background material required, more information is welcome. Please reference the list of Required/Recommended Pre-Application Materials. Please attach additional sheets or plans as needed.

APPLICANT

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____ Fax: _____
E-Mail Address: _____
Contact Person: _____

OWNER

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____ Fax: _____
E-Mail Address: _____
Contact Person: _____

Applicant is: Owner Attorney for Owner* Agent for Owner* Contract Purchaser*

Pre-Application Conference held on _____

PROJECT INFORMATION

Project Name: _____
Address of parcel: _____
Parcel ID Number(s): _____
Size of parcel: _____
Existing zoning: _____
Existing Use of Property: _____

Utility: Private Septic/Well by _____ Central Sewer/Water by _____
— Other by _____

***If you are not the property owner, you must have the owner complete the Notarized Authorization of Owner form.**



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Parties petitioning the **City of DeBary** to close or vacate a plat must comply with the following:

- Fee** _____, **Check #** _____ (All deposits & fees should be made payable to the City of DeBary **Please provide a breakdown of fees**)
- 1 Signed and Notarized Development Reimbursement Form
- 1 Copy: A notarized authorization form from the owner or an attorney representing the owner.
- 1 Copy: The Petitioner(s) must file a petition, containing a correct legal description, with the DeBary City Manager's Office requesting the vacation of the plat or portion of a plat.
- 1 Copy: The Petitioner(s) must show that they are the owner(s) of fee simple title by letter from a title company or an attorney stating the records have been searched and the Petitioners are title holders of all of the subject parcel or parcels of land.
- 1 Copy: The Petitioner(s) must show that the vacation will not affect the ownership or the right of access of other persons owning part of the subdivision.
- 1 Copy: The Petitioner(s) shall indicate that the taxes on the property being vacated have been paid. Proof of this will be by certification. (This information could be included in the search letter from the Title Company or attorney)

The City of DeBary will place advertisement in the newspaper setting date of the city council public hearing and will advise the petitioner of the same. Advertising costs are the sole responsibility of the applicant.

STAFF USE ONLY

Planner's Comments/Notes:

Notifications

Discussed

Date Submitted: _____ Taken By: _____ Time: _____ a.m. /p.m.



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PETITION

TO: THE HONORABLE CITY COUNCIL OF THE CITY OF DeBARY, FLORIDA:

The undersigned, pursuant to Section 177.101, Florida Statutes, respectively petitions the City Council of the City of DeBary, Florida, to vacate all or that portion of the subdivision plat described as follows, to-wit:

The reason(s) for requesting this vacation is (are):

Your Petitioner(s) show(s), by a certificate issued by _____, attached hereto and by reference made a part hereof for all purposes, that he/she (they) is (are) the fee simple owner(s) of the above described property.

That none of the streets shown on all or that portion of said plat described above are in actual use, nor are they a part of the County road system.

That the vacation of all or that portion of said plat by the City Council of the City of DeBary, Florida, will not affect the ownership of any other persons, inasmuch as the Petitioner(s) is (are) the sole owner(s) of the land in said plat sought to be vacated.



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Petitioner(s) show(s) that pursuant to said Section 177.101, Florida Statutes, proof of publication of notice of Petitioner's intention to file an application for vacation of all or that portion of said plat described above has been duly and regularly given. A certificate of proof of publication of said notice is attached hereto and by reference made a part hereof for all purposes.

Petitioner(s) show(s) that all State and County taxes on the above described property have been paid. A certificate showing that said taxes have been paid, and that no taxes are owing, is attached hereto and by reference made a part hereof for all purposes.

Upon adoption of a Resolution vacating the above described property, the City Council shall direct the Clerk of the Circuit Court of Volusia County, Florida to affix upon the face of the plat appropriate notice that the above described property has been vacated.

Respectively submitted this ___ day of _____, A.D. 20__.