



HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS ENGINEERING

505 S. Commerce Ave., Sebring, Florida 33870

Office (863) 402-6877 Fax (863) 402-6548 www.highlandsfl.gov

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

Procedures and Policy for

VACATING EASEMENTS

(F.S. 177.101)

STEP 1 – Initial Review

The following items must be submitted to the County Engineer and the Critical Infrastructure Director as part of the initial review. The cost of this review will be Two Hundred Dollars (\$200.00), this is non-refundable. If the initial review is supported by the County Engineer and the Critical Infrastructure Director, those funds will be applied towards the total fee for the Vacation of Easement.

- a. Written Petition (Form Attached).
- b. Aerial Map showing the property line and the right of way. 1" = 200' scale aerial photograph/tax map overlay (available at the County Property Appraisers Office located on the first floor of the Government Center)
- c. Description Sketch signed and sealed by a Licensed Surveyor
- d. Two Hundred Dollars (\$200.00) non-refundable fee.

The County Engineer will issue a letter of determination (objection or no objection). A copy will be forwarded to the Petitioner or representative for their information. Based on the provided determination, the applicant has the opportunity to move forward to the secondary review at their own time and expense.

STEP 2 – Requirements for continuing petition

The following items must be submitted to the Engineering office once the Initial Review is completed by the County Engineer and the Critical Infrastructure Director.

- a. Notice of Public Intent to Vacate Easement (Staff will provide)
- b. Resolution to Vacate (Staff will provide)
- c. One (1) copy of the recorded plat with the petitioned area, or border shaded in red (Staff will provide).
- e. Letters from all utility companies in the affected area of the subject road. If any easements are requested by any utility or the County, a 30-year title search, with all documentations attached, on the properties affected will be required.
- f. A letter from the Highlands County Road & Bridge Director (4344 George Boulevard, Sebring, Florida 33872) approving or disapproving the closing of subject easement.



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- g. A letter from the Highlands County Building Department (501 S. Commerce Ave., Sebring, Florida 33870) approving or disapproving the closing of subject easement.
 - h. The Petitioner shall attach a letter from the County Zoning Supervisor (501 South Commerce Avenue, Sebring, Florida 33870) stating "the closing of the petitioned easement will not cause non-conforming use of any property."
 - i. It must be shown that the Petitioner owns fee simple title to the property on which the easement being vacated lies.
 - j. Petition for vacation of easements either in whole or in part must be accompanied by receipts showing that all State and County taxes have been paid.
 - k. One (1) copy of the Warranty Deed for the property the easement is on.
 - l. Processing fee as adopted by the Board, made payable to the Highlands County Board of County Commissioners.
 - 1. Vacation of Easement – Secondary Review (includes \$200.00 from Preliminary review) \$1,000.00
Zoning Fee \$130.00
 - 2. Vacation of Easement Due to Existing Encroachments \$1,200.00
Review (includes \$200.00 from Preliminary review)
Zoning Fee \$130.00

STEP 3 – Public Notice of Intent to Apply to Vacate Easement

The Board Meeting date will be set by the County Engineer and will be established once the application is deemed complete. The Notice of Public Intent will then be mailed or emailed to the Petitioner for publication. The Petitioner shall publish the Notice of Intent to Apply to Vacate Easement in not less than two (2) weekly issues of a general circulation of Highlands County prior to date stated therein for such hearing. "Proof of Publication" and affidavit must be received in the County Engineer's office prior to the item being put into Granicus to go before the Board of County Commissioners. Petitioner, or a representative, may attend the Board Meeting to explain why the petition is necessary, when the Board meeting is held.

STEP 4 – What to do after the Board Meeting

The County Engineering Department shall forward the necessary originals of the following documents to be recorded to the Recording Department. Items needed prior to forwarding to the Recording Department include the following:

- a. Proof of Publication of Notice of Intent to Apply to Vacate an Easement
- b. Certified Copy of the Resolution to Vacate
- c. Check made payable to Clerk of Courts for the recording fee



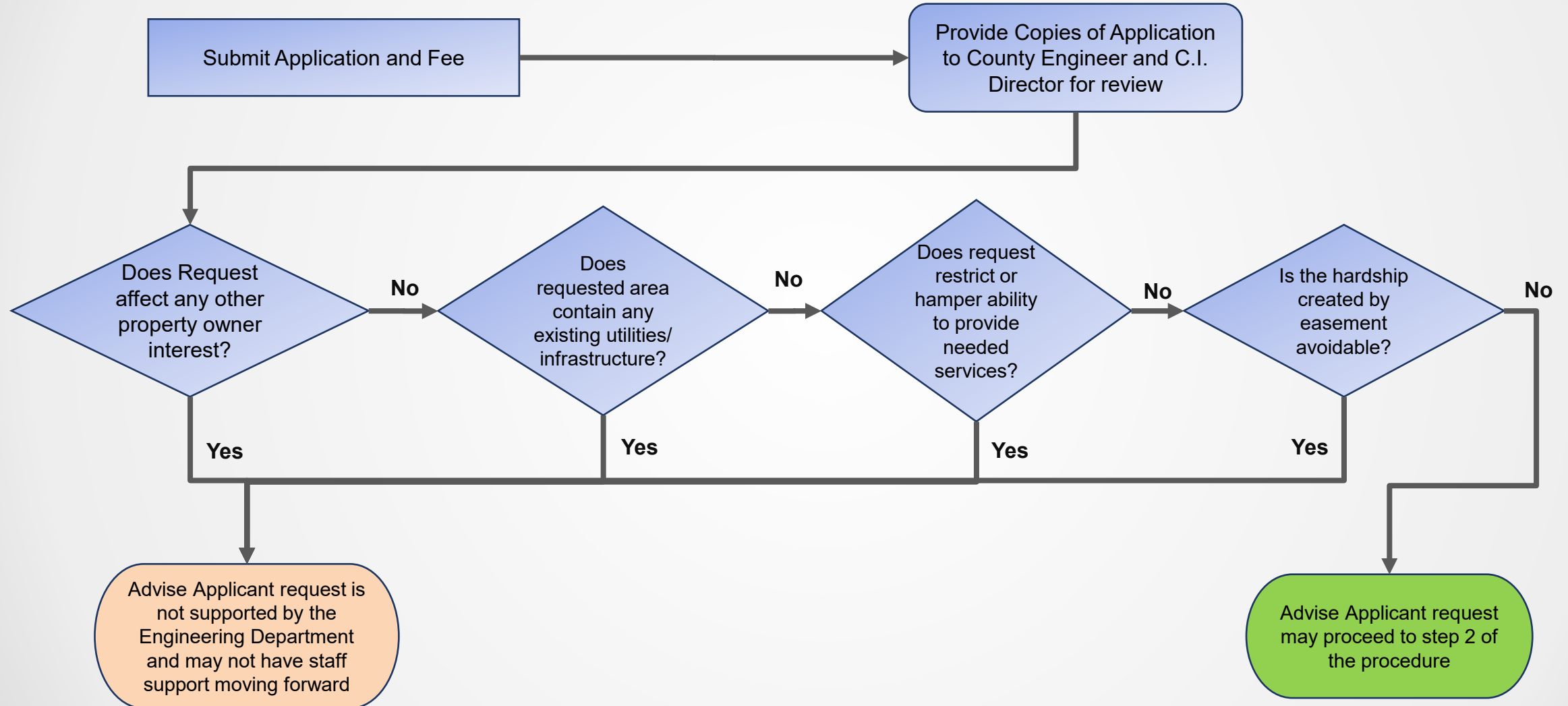
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The Engineering Department will forward the original documents to the Recording Department. Recording will distribute copies of recorded documents to the County Engineer's Office. The County Engineer's Office will send copies of the recorded documents to the Petitioner of record.

Easement Vacate Request Step 1 Process Chart

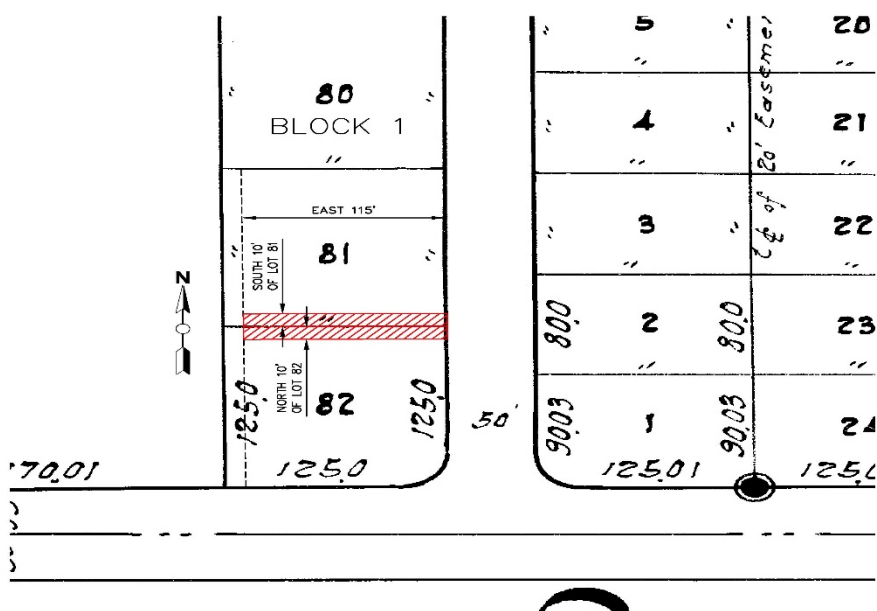


Below is a sample Legal Description to assist you in writing a Legal Description:

THE NORTH 10 FEET OF THE EAST 115 FEET OF LOT 82, BLOCK 1 AND THE SOUTH 10 FEET OF THE EAST 115 FEET OF LOT 81, BLOCK 1, ALL IN PLACID LAKES SECTION NINETEEN, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 14 OF THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA.

The area to be vacated is described first (THE NORTH 10 FEET OF THE EAST 115 FEET OF) followed by the Legal Description for the property where the Easement is located (LOT 82, BLOCK 1 AND THE SOUTH 10 FEET OF THE EAST 115 FEET OF LOT 81, BLOCK1, ALL IN PLACID LAKES SECTION NINETEEN, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 14 OF THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA.).

This diagram shows the area being described in the Legal Description above:



The Legal Description for the property where the Easement is located can be found on your Warranty Deed, if you do not have a copy of your Deed you can obtain a copy from the Clerk of Court. You could also get a Legal Description of your property from the Property Appraisers Office.

PETITION

TO: HIGHLANDS COUNTY
BOARD OF COUNTY COMMISSIONERS
C/O ENGINEERING DEPARTMENT
505 SOUTH COMMERCE AVENUE
SEBRING, FLORIDA 33870

FROM: _____

This is to Petition the Board of County Commissioners to consider vacating an easement, as shown on the attached map, legal description as follows:

The petition is being requested for the following reason:

I will publish the Notice of Public Hearing in not less than two weekly issues of a newspaper of general circulation in Highlands County prior to the date stated therein for such hearing and will have proof of publication in your office prior to the date of hearing.

Signature of Petitioner

Attachments: (MAP)

Proof of Publication

Certificates Showing Taxes Paid

SAMPLE UTILITY LETTER

Date

Utility Company
Street Address
City, State Zip code

Dear Utility Representative:

Please review the enclosed copy of a petition being submitted to the Highlands County Board of County Commissioners regarding a Vacation of Road for the purpose of state reason why here. After your review, please send a Letter of No Objection (or Objection, if any) in the enclosed self-addressed stamped envelope. The legal description for the Road to be vacated is as follows:

Sincerely,

Signature

Printed Name
Mailing Address
Phone Number
Email (Optional)

SAMPLE UTILITY LETTER

Date

Utility company

Street Address

City, State & Zip Code

Dear Utility Representative ,

Please review the enclosed copy of a petition being submitted to the Highlands Board of County Commissioners regarding a Vacation of Easement for the purpose of _state reason why in this space . After your review, please send a Letter of No Objection (or Objection, if any) in the enclosed self-addressed stamped envelope. The legal description for the Easement to be vacated is as follows:

Sincerely,

Printed Name

Street Address

City, State and zip code

Phone Number

Email Address (optional)

G:\Vacate Easements\Forms\VOE Sample Letter to Utilities.docx

Electric Companies

Duke Energy

<https://www.duke-energy.com/community/trees-and-rights-of-way/vacate-request>

****LETTERS FROM BOTH
DEPARTMENTS LISTED BELOW ARE
NEEDED****

Distribution Department

and

Transmission Department

Vacate@duke-energy.com

**Service Area: Portions all over
County**

FL Power and Light

**Donna Padgett
825 NE 34th Ave
Okeechobee, FL 34972
(863) 467-3708
(800) 343-7941**

**Service Area: Kissimmee River
Estates**

Glades Electric Coop., Inc

**Staking Technician/Engineer
PO Box 519
Moore Haven, FL
33471 (863) 946-0061
(863) 946-6262 Fax**

**Service Area: Southern portions
of Sebring, Lake Placid**

Peace River Electric Cooperative Inc.

**Engineering Department
PO Box 1310
Wauchula, FL 33873
(800) 282-3824 Option #2**

**Service Area: Portions all over
Highlands County**

TECO – Tampa Electric

**Engineering
Department Attn:
Real Estate
PO Box 111
Tampa, FL 33601
(813) 635-1500
(813) 228-1111**

**Service Area: Portions all
over Highlands County**

Gas Companies

AmeriGas

Service Manager
2812 Silverstar Rd.
Orlando, FL 32808
(800) 263-7442

Service Area: Portions all over
Highlands County

Coker Fuel, Inc./Sebring Gas

Jerry Melendy
3515 US 27 S
Sebring, FL 33870-5452
(863) 385-0194
(863) 385-3423 Fax
sebringgas@floridasbestgas.com

Service Area: Portions all
over Highlands County

Ferrellgas

(866) 544-3121

Only call if you have a Ferrellgas
tank on your property.

Service Area: Portions all over
Highlands County

FL Gas Transmission (AKA) Call Before You Dig

Dial 811

Help Desk (713) 989-2035

Service Area: Portions all over
Highlands County

Suburban Propane

Engineering Dept.
PO Box 856
Tallevast, FL 34270
(941) 755-1531

Service Area: Portions all over
Highlands County

TECO Peoples Gas

Curt Quisenberry
600 W. Robinson St.
Orlando, FL 32801
(407) 420-6657
jcquisenberry@tecoenergy.com

Service Area: Portions all
over Highlands County

Miscellaneous Companies

Lumen/Century Link

Florida Office
6630 Orion Dr
Fort Myers, FL 33912
(239)437-1700

nre.easement@lumen.com

Service Area: Portions all over
Highlands County

Comcast

Construction SWFL
12600 Westlinks Dr. Suite#4
Fort Myers, FL. 33913
Cell 941-914-7844

Wesley_Vaughn@cable.comcast.com

Service Area: Portions all over
Highlands County

Road & Bridge Department

Jonathan Harrison
Road & Bridge Director
4344 George Blvd.
Sebring, FL 33875
(863) 402-6529
jharrison@highlandsfl.gov

Service Area: Portions all over
Highlands County

Zoning Department

Cynthia Kramer
Zoning Department
501 South Commerce Ave Sebring, FL
33870
(863) 402-6640
pandz@highlandsfl.gov

Service Area: Portions all over
Highlands County

Building Department

Building Official
501 South Commerce Ave
Sebring, FL 33870
(863) 402-6643
hlopez@highlandsfl.gov

Water/Sewer Companies

City of Avon Park

City Manager
110 E Main St
Avon Park, FL 33825
(863) 452-4403
(863) 452-4413 Fax

Service Area: Portions of Avon Park

City of Sebring

Bob Boggus, Utilities
Director 321 N Mango St.
Sebring, FL 33870
(863) 471-5112
(863) 471-5148 Fax
BobBoggus@mySebring.com

Service Area: Portions of Sebring

Pugh Utilities Services Inc.

Danny Holmes
760 Henscratch Rd.
Lake Placid, FL 33852
(863) 465-6911
(863) 465-5159 Fax
Pus79@outlook.com

Service Area: Country Walk
Subdivision

Placid Lakes Utilities

Nathan Brewer
410 Washington Blvd NW
Lake Placid, FL 33852
(863) 465-0345
(863)465-1313 Fax

Service Area: Placid Lakes
Subdivision

Sebring Ridge Utilities

Chris Miller
3625 Valerie Blvd
Sebring, FL 33870
(863)385-8542
(863)402-0407

Service Area: Sewer only in The
Crossings

Short Utilities

Wendell Faircloth
1527 Valiant Ave
Sebring, FL 33870
(863) 471-1400

Service Area: Hickory Ridge &
Valencia Acres

Water/Sewer Companies

Spring Lake Improvement District

Joe DeCerbo
115 Spring Lake Blvd
Sebring, FL 33876
(863) 655-1715
(863)655-4430 Fax

Service Area: Spring Lake
Improvement District

Sun N' Lake Improvement District

Raymond Bossert, General Mgr.
5306 Sun N' Lake Blvd
Sebring, FL 33872
(863) 382-2196
(863) 382-2988
tcannady@snldistrict.org

John Martinez (Sewer)
(863) 382-2196
jmartinez@snldistrict.org

Service Area: Sun N' Lake Estates of
Sebring

Town of Lake Placid/Placid Utilities

Town Administrator/Utilities Director
1069 US Hwy 27 N
Lake Placid, FL 33852
Utilitiesdirector@mylakeplacid.org
(863) 699-3747
(863) 699-3749 Fax

Service Area: Lake Placid City Limits,
Tomoka Heights, Lake June areas,
Highway Park, Lake Huntley areas

US Water Services Corporation

Ron DeRossett (Utility Manager)
4939 Cross Bayou Boulevard
New Port Richey, FL 34652
(866)753-8292
(904) 540-9765

Service Area: Lake Josephine Area

**** PLEASE NOTE ****

If your property is within an improvement district, a letter must be received from that improvement district. The two improvement districts in Highlands County are:

Spring Lake

Sun N' Lake Estates of Sebring