

JEFFERSON COUNTY PLANNING DEPARTMENT

445 W. PALMER MILL ROAD - MONTICELLO, FLORIDA 32344
Phone (850) 342-0223 - Fax: (850) 342-0225



PETITION FOR ABANDONMENT BY BOARD OF COUNTY COMMISSIONERS

Article 9 of the Land Development Code establishes procedures for right of way abandonment and plat vacation. While the term “right of way” usually infers ownership by a local government or a private entity such as a Homeowners’ Association, there are instances where there are roads that have not been conveyed by deed or easement but that have been historically maintained by Jefferson County for use by the public. Any roads named and/or maintained by Jefferson County can only be abandoned after submittal and approval of a petition for abandonment to the Board of County Commissioners.

9.06.05 Petition Application Procedures

In addition to any other information, the petition shall contain the following:

A. Legal Description of Petition Site. Submit a complete and accurate legal description of the petition site with an accurate illustration of the property.

B. Type of Petition. Submit a statement identifying the type of petition, the source of the County's or public's interest, together with a reference to the recording information for the petition site. The type of petition may be for abandonment of (check one):

1. A plat;
2. A portion of a plat;
3. A County right-of-way;
4. The public's interest in a private right-of-way; or
5. A public easement.

C. Location Map. The petition shall contain a drawing which clearly and legibly identifies the location of the petition site in relation to the nearest public right-of-way, including the petition site, and all affected properties. The location map may be located on the survey map in a separate block or a separate letter- or legal-sized sheet of paper.

D. Access to Affected Property. The petition shall contain a statement that to the best of the petitioner's knowledge, the granting of the petition would not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

E. Federal or State Highway Statement. The petitioner shall certify that the petition site, or any portion thereof, is not a part of any state or federal highway and was not acquired or dedicated for state or federal highway purposes.

F. Evidence of Title. The petition shall state the source of petitioner's ownership or interest in and to the petition site, and a reference to the recording information for same. A copy of the source instrument shall be certified by the Clerk of the Circuit Court and attached to the petition.

G. Evidence of Taxes Paid. The petition shall state that all state, municipal and county taxes on the petition site have been paid. The certificate(s) of the Tax Collector's Office showing payment of same (as payment is defined in Section 177.101.4, F.S.) shall be attached to the petition. If the petition site or any portion thereof is tax-exempt, the petition shall so state and a copy of the tax roll from the Tax Collector's Office which shows such exemption shall be attached to the

petition.

H. Municipal Resolution. The petition shall state whether the petition site lies within the corporate limits of a municipality, within the unincorporated area, or both. If any portion of the petition site lies within the corporate limits of a municipality, the municipality shall first abandon its interest in the petition site by appropriate resolution, and a certified copy of the municipal resolution shall be attached to the petition.

I. Fees. The petition shall state whether the petition site is subject to the application fee, the amount of the fee, and that the fee is submitted herewith. Note: Checks shall be made payable to the Jefferson County Board of County Commissioners.

J. Justification. The petition shall detail the relevant reasons in support of the request and granting of the petition.

APPLICANT(S):

_____ Name (Print)	_____ Address	_____ Signature
_____ Name (Print)	_____ Address	_____ Signature
_____ Name (Print)	_____ Address	_____ Signature
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_____ Name (Print)	_____ Address	_____ Signature
_____ Name (Print)	_____ Address	_____ Signature
_____ Name (Print)	_____ Address	_____ Signature

Add documentation required by items A-J above and additional signature sheets if necessary.