



ABANDONMENT OF EASEMENT APPLICATION



INSTRUCTIONS FOR COMPLETING AND FILING THE ABANDONMENT OF EASEMENT APPLICATION

Applications for abandonment of easements may be submitted to the Planning and Zoning Department at any time between the hours of 8:00 a.m. and 5:00 p.m., Monday thru Friday. The application must be accompanied by the \$410.00 (for General Easements) or \$205.00 (for Specific Easements) filing fee (make checks payable to the City of Delray Beach). Please print or type all of the required information, and ensure that the application is complete and accurate. In order to be accepted for processing, the application must be accompanied by the Standard Application Items, as listed on Page 6.

Abandonment of easements is reviewed by the City Commission which meets on the first and third Tuesday of each month. Abandonment of easements is scheduled for City Commission action once all conditions associated with the request have been addressed. It takes approximately eight (8) weeks between submission of the application and final action by the City Commission. This time may vary depending upon the number of comments made by staff, and the time required by the applicant to submit revisions.

Please refer to Section 2.4.6(N) of the City's Land Development Regulations for the processing and findings required for the abandonment application. A pre-application conference with a member of the Planning staff is strongly recommended, and can be scheduled at your convenience. We will be glad to assist you in any way possible.

Note: Development presentations before all Boards and City Commission must be either on a LCD projector (power point) or an overhead projector. If you wish to use the City's equipment please notify staff ahead of time. Board-mounted displays should not be used as a part of a presentation.

**CITY OF DELRAY BEACH PLANNING AND ZONING DEPARTMENT
APPLICATION FOR ABANDONMENT OF EASEMENT**

Project Name: _____

Address or General Location: _____

Description of Easement: _____

PART ONE - APPLICANT INFORMATION:

APPLICANT

Name: _____

Address: _____

Telephone Number: _____ E-Mail/Fax: _____

AGENT

Name: _____

Address: _____

Telephone Number: _____ E-Mail/Fax: _____

OWNER (if other than applicant)

Name: _____

Address: _____

Telephone Number: _____ E-Mail/Fax: _____

OWNER'S CONSENT

(This form must be completed by **ALL** property owners)

I _____, the fee simple owner of the following
(Owner's Name)

described property (give legal description): _____

hereby petition to the City of Delray Beach for the abandonment of easement for

(Project Name)

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. I consent to inspection and photographing of the subject property by the Planning and Zoning Department Staff for purposes of consideration of this application and/or presentation to the approving body. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

(Owner's Signature)

The foregoing instrument was acknowledged before me this _____, day of _____, 20 ____ by _____, who is personally known to me or has produced _____ (type of identification) as identification and who did (did not) take an oath.

(Printed Name of Notary Public)

(Signature of Notary Public)

Commission # _____, My Commission Expires _____

(NOTARY'S SEAL)

OWNER'S DESIGNATION OF AGENCY

(This form must be completed by **ALL** property owners if designating an Agent)

I _____, the fee simple owner of the following
(Owner's Name)

described property (give legal description): _____

hereby affirm that _____
(Applicants/Agent's Name)

is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

(Owner's Signature)

The foregoing instrument was acknowledged before me this _____, day of _____, 20 ____ by _____, who is personally known to me or has produced _____ (type of identification) as identification and who did (did not) take an oath.

(Printed Name of Notary Public)

(Signature of Notary Public)

Commission # _____, My Commission Expires _____

(NOTARY'S SEAL)

Standard Application Items

LDR Section 2.4.3(A)

1. A copy of the latest recorded warranty deed, and a certificate from an attorney or title company (not title insurance) certifying who the current fee simple title holders of record of the subject property are, and the nature and extent of their interest therein. The title certificate must contain the legal description of the subject property exactly as it appears on the survey and list all existing easements, mortgages and other encumbrances (i.e. Unity of Title etc.).
2. The written consent of the owner(s) must be provided in a certified form. When an application is executed on behalf of a corporation or business entity, documentation must be provided which demonstrates that the corporation's representative is authorized to act on behalf of the corporation. These forms are available from the Planning and Zoning Department.
3. A vicinity map which clearly shows the subject property, adjacent properties, and their relationship to streets located at a minimum within one-half mile of the property. Vicinity map shall be at a scale that is readily readable and include sufficient landmarks to quickly identify location of proposed project.
4. Surveys (8 copies) signed and sealed by a surveyor registered in the state of Florida, which shows the property described pursuant to the legal description contained in the warranty deed. The survey shall be drawn at a scale of 1"=10'; or 1"=20' or 1"=30'. The survey must also show the area to be abandoned, its legal description, the total acreage in square feet, all encroachments and utility facilities. Prior to conducting the survey, the surveyor shall notify UNCLE (1-800-432-4770) that a survey is being made and request field verification for any underground utilities. The surveyor will then note on the survey all underground utilities.
5. Application filing fee, pursuant to LDR Section 2.4.3(K)(1).

PLAN EXHIBITS

In addition to the surveys required above, a digital copy of the survey provided on CD is required. The digital copy must be in a PDF format and shall be prepared at a size of 8½" x 11" or 11"x 17", depending upon legibility.