



## Walton County Planning and Development Services

31 Coastal Centre Boulevard, Suite 100  
Santa Rosa Beach, Florida 32459  
Phone 850-267-1955  
Facsimile 850-622-9133

47 N 6<sup>th</sup> Street  
DeFuniak Springs, Florida 32433  
Phone 850-892-8157  
Facsimile 850-892-8162

### PETITION FOR ABANDONMENT

This application is used for abandonment purposes only

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#### NOTICE TO ALL APPLICANTS

You are required to schedule a pre-application conference with Planning and Development Services prior to submittal of applications for all petition for abandonments. Your application will not be processed without verification that you have attended a pre-application conference with a representative(s) of Planning and Development Services. To schedule a pre-application conference contact (850)267-1955 (South Walton Annex) or (850)892-8157 (North Walton Annex).

A pre-application conference was held with \_\_\_\_\_  
regarding the development of \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**Planning Official** \_\_\_\_\_ **Title** \_\_\_\_\_

#### PRE-APPLICATION NOTES

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\_\_\_\_\_  
Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Planner's Signature \_\_\_\_\_ Date \_\_\_\_\_

**PETITIONER**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: : \_\_\_\_\_ Email: \_\_\_\_\_

**PROPERTY INFORMATION**

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Driving Directions to Site from nearest major intersection: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AGENT**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: : \_\_\_\_\_ Email: \_\_\_\_\_

**PROPERTY INFORMATION**

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Driving Directions to Site from nearest major intersection: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Ownership of proposed abandonment area:**

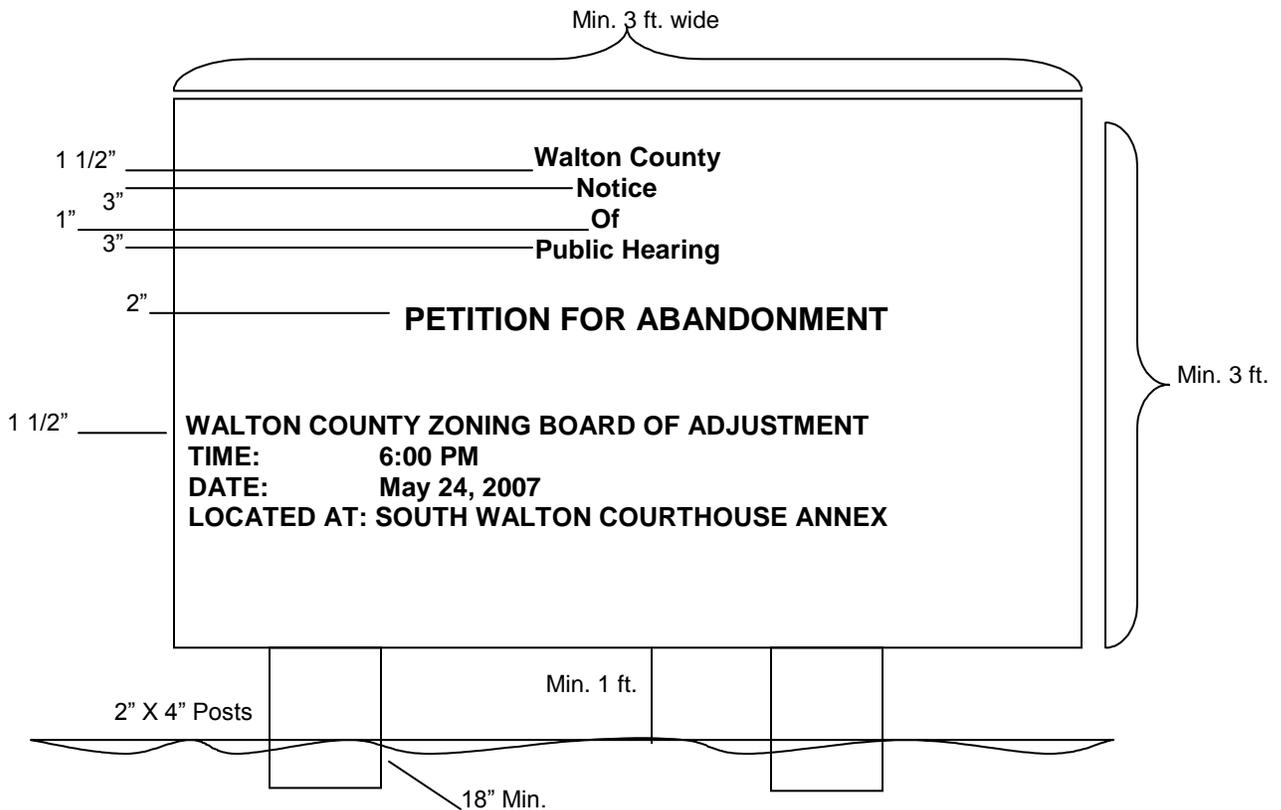
- Fee Simple
- Deeded Easement
- Dedicated Right of Way
- Drainage Easement by Plat
- Drainage Easement by Deed
- Prescriptive Easement
- Other \_\_\_\_\_

## SUBMITTAL CHECKLIST

- Check for Abandonment \$450.00 (non-refundable, regardless of the decision of the Board). Check should be made payable to "Walton County".
- Check for Environmental review fee \$75.00
- Attach a list of names and addresses of all property owners within 300 feet of subject property, and the names and addresses of all parties to the easement as verified by title search (one (1) copy).
- Completed Application, signed and notarized four (4) copies.
- Applicant shall obtain a Boundary Survey (signed and sealed, within 1 year of submittal date to be considered recent) with legal description of proposed abandonment written by a Florida certified surveyor. The boundary survey must include a scale, a north arrow, show existing easements and the area to be abandoned. If the proposed abandonment is for a gulf-front lot, you will need to have a surveyor show the County's Shoreline Protection Zone and the FDEP Control Line on your site plan four (4) copies.
- Copies of a location map showing driving directions from the nearest major road to the site, including pertinent landmarks, section lines, road names, miles from point A to point B, etc. four (4) copies.
- Copies of numbered photographs of the proposed site with the location of view written on the back of each photograph. Please place corresponding numbers for the photographed views on the site plan four (4) copies.
- Resolution including legal description provided by a Florida Certified Surveyor, to the area for the County Commission review four (4) copies.
- A CD with the entire submittal in .pdf files. Do not save a file larger than 2 MB.
- Notice of Public Hearing, Notice of Abandonment and Resolution using example attached (one (1) copy).
- Attach current title search to the property affected/proposed to be abandoned (one (1) copy).

## ABANDONMENT PROCEDURE

1. Submit application with \$450.00 application fee (payable to "Walton County") with required attachments/ documentation.
2. The Processing Department will forward the application for technical review and give the application to the Project Manager to review the application in full.
3. Upon completion of the Project Manager and Technical Review Committee's review, the abandonment may be scheduled for the Planning Commission meeting, review, and recommendation to the County Commission.
4. Applicant shall post 3' X 3' foot sign (4 square feet) with one-inch letters on the property, notifying the public of the Public Hearing date. Sign should read: "A Petition of Abandonment has been filed with Walton County regarding an easement on this property. Planning Commission Hearing: Date/Time/Location. (May post two meetings on one sign, see attached.)
5. Applicant shall send out certified notices to affected property owners within 300 feet of the area to be abandoned at least 10 days prior to the Planning Commission hearing (per LDC Section 10.03.02 and 10.03.03) notifying them of the Planning Commission hearing (see attached draft).
6. Attend Planning Commission hearing. Be prepared to present your request and answer any questions that the Board may have.
7. The application is then set for a meeting date with the County Commission.
8. The final notice will be published in the DeFuniak Herald by the Clerk's Office. The abandonment will be recorded in the Clerk of Circuit Court's office within 30 days of the resolution date. The abandonment is complete and final after it has been recorded.



NOTE: Sign must have a WHITE background & BLACK letters. Sign shall be securely attached to 2 posts, being a minimum of a 2" X 4" post, and the face shall be a minimum of 1 foot above grade. Posts shall be a minimum of 18" below grade.

## **BOARD DIRECTIVE: NOTIFICATION OF PROPERTY OWNERS**

The Board of County Commissioners require that any person applying for an abandonment shall notify all property owners within 300 feet of the perimeter of the subject property and all legal parties to the easement at least 14 days and no more than 30 days prior to the hearing on such application. Such notification shall be made by Certified Mail-Return Receipt Requested. Names and addresses of surrounding property owners shall be obtained from the latest Ad Valorem Tax Roll.

The applicant shall include within the notification the following:

1. Map showing location
2. Summary of the proposed abandonment
3. Legal description
4. Site plan of the proposed abandonment

### **SAMPLE PUBLIC NOTICE LETTER**

Your Letterhead

Date

Re: (Petitioner) are/is requesting an abandonment of (description of proposed abandonment). The proposed abandonment site is located at (tax parcel identification number), (description of property location; e.g., at the intersection of U.S. 98 and U.S. 331; Lot X Block Y, ABC Subdivision, etc.)

Dear Property Owner:

If you have questions or concerns regarding this proposal, please direct them to \_\_\_(applicant)\_\_\_ at \_\_\_(area code & phone number)\_\_\_ . You may also direct your comments or concerns in writing to Planning and Development Services, 31 Coastal Centre Boulevard, Suite 100, Santa Rosa Beach, Florida 32459 or by fax to (850)622-9133 no later than 4:30 p.m. the day prior to the \_\_\_(board)\_\_\_ meeting or you may be present at the scheduled public hearing. Reference the applicant and development proposal in all correspondence.

The Planning Commission will meet (month, day, year) in the (location of meeting). The meeting will begin at (time).

The Walton Board of County Commissioners will consider the Planning Commission's recommendation on (month, day, year) in the (location of meeting). The Planning Commission recommendations are scheduled for (time).

If ownership of your property in this vicinity has changed, please return this package with the name(s) and address of the new owner(s) to (applicant) so that they may be notified regarding this meeting.

Please be advised accordingly.

(Petitioner)

Enclosures:

1. Map showing location
2. Summary of the project
3. Legal description
4. Site plan of the proposed abandonment

**NEWSPAPER LEGAL AD SAMPLE**

**PUBLIC HEARING NOTICE**

You are hereby notified that a Petition for Abandonment of the following (**easement, roadway, alleyway, etc.**) to wit:

**(Insert Your Legal Description)**

will be heard at Time on Date by the Walton County Board of County Commissioners at the (**location**).

In accordance with Section 286.26, Florida Statutes, whenever any board or commissioner of any state agency or authority, or of any agency or authority of any county, municipal corporation, or other political subdivision, which has scheduled a meeting at which official acts are to be taken, receives at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority, such chairperson or director shall provide a manner by which such person may attend the meeting at its scheduled site or reschedule the meeting to a site which would be accessible to such person.

In accordance with Section 286.0105, Florida Statutes, all persons are advised that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Please be advised accordingly.

Petitioner

**(SAMPLE)**

**NOTICE OF ABANDONMENT OF (EASEMENT, ROADWAY, ALLEYWAY, ETC.)**

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED pursuant to Florida Statutes, chapter 336, that:

**(Legal Description)**

As shown in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_ of Walton County, Florida has been abandoned as an (easement, roadway, alleyway, etc.). (Subject to: if applicable, put any restrictions/conditions, etc.) pursuant to Resolution adopted by the Board of County Commissioners of Walton County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Martha Ingle, Clerk of Courts  
Board of County Commissioners of Walton County, Florida

(SAMPLE)

**RESOLUTION – (NUMBER WILL BE ASSIGNED, LEAVE BLANK)**

WHEREAS, the Board of County Commissioners of Walton County, Florida, has been requested by (Name of Person Requesting Abandonment) to abandon (i.e. a portion, all, etc.) of a certain (easement, roadway, alleyway, etc.) in Walton County, Florida, as follows:

**(LEGAL DESCRIPTION)**

WHEREAS, public notice has been published in the local newspaper pursuant to Chapter 336 of Florida Statutes, and

WHEREAS, the Board has determined that said (easement, roadway, alleyway, etc.) as described above serves no useful purpose and does not deny access to any adjacent landowners.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Walton County, Florida that:

**(LEGAL DESCRIPTION)**

Be and the same is hereby abandoned.

BE IT THEREFORE RESOLVED that notice of adoption of this resolution shall be published one time, within thirty (30) days following its adoption, in the local newspaper. Proof of publication of the notice of the adoption of said resolution shall be recorded in the Official Records of Walton County, Florida.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

WALTON COUNTY BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
CLERK

