

Petition to Vacate Easement – General Overview & Procedures

Office of Real Estate & Property Information
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GENERAL OVERVIEW

In order to vacate the City of Lakeland's interest in an easement, a Petition to Vacate Easement Application must be submitted to the Office of Real Estate & Property Information along with other required documentation as specified below. Petition to Vacate Easement Applications will be evaluated and reviewed by the Office of Real Estate & Property Information and if all criteria has been met, our office will write a recommendation to the City Manager which will in turn make a request to the City Commission. All completed easement vacation petitions will be approved by the City Commission in the form of an adopted Resolution that will terminate the easement.

PROCEDURE

1. The Petition Package should include the following:
 - a. Completed Petition to Vacate Easement Application Form.
 - b. Written justification from the Petitioner stating the reason for this vacation request.
 - c. A legal description and sketch depicting the easement to be vacated certified or prepared by a registered land surveyor.
 - d. A signed and notarized list of all owners abutting an easement to be vacated and authorizing an agent representative if desired. (See Abutting Property Owners List)
 - e. Proof of property ownership as per the Polk County Property Appraiser's Office must be provided, this information can be obtained from the Property Appraiser's website.
 - f. Letters of Consent must be obtained from all utility providers in the service region for the area to be vacated, as described in the Petition. These letters shall state that the utility provider consents or has no objection to the area proposed for closing. ***If one or more utility providers object to the vacating of an easement, the petitioner must work with the utility provider to come to a resolution, lest the Petition to Vacate cannot move forward.*** Utility providers include: Electric, telephone, cable TV, gas, city services, water management, and in some cases, homeowner associations. (See Public & Private Utilities Checklist)
 - g. Easement Vacation Fee: \$175 (Non-refundable – made payable by check to the City of Lakeland)
2. The completed Petition Package should be submitted to the Office of Real Estate & Property Information, located on the 1st floor of City Hall at 228 S. Massachusetts Avenue, Lakeland, FL 33801.
3. Once the Petition Package requirements have been accepted by the City, the average processing time is four (4) weeks for the public hearing to be scheduled with the City Commission (Please note that this is an estimate and the City is not responsible for extensions of time due to unfulfilled requirements).
4. The City Commission may thereafter adopt an ordinance declaring the easement to be vacated.