

GENERAL INFORMATION  
FOR RIGHT-OF-WAY AND EASEMENT CLOSURES

1. The Petition should be submitted to the Real Estate Services Section at the following address:

Robert W. Allen, Manager  
Real Estate Services  
Mailing: P.O. Box 9005, Drawer RE-01, Bartow, FL 33831  
Physical: 515 E. Boulevard St., Bartow, FL 33830

2. Submit complete **Petition package** to Real Estate Services for processing, along with a **check** in the amount of **\$2,500.00**, payable to: **Polk County Board of County Commissioners**. Upon receipt, the Petition will be reviewed by staff and recommendations will be solicited from other affected Polk County Divisions. If the Petition cannot be processed due to failure of performance from Petitioner, the Petition will be voided and fees will be forfeited. **NOTE: NO WORK WILL BE PERFORMED UNTIL THE PROCESSING FEE HAS BEEN RECEIVED BY RIGHT-OF-WAY AND REAL ESTATE.**
3. The Petition Package should include the following:
- a. Written justification from the Petitioner stating the reason for this vacation request.
  - b. A legal description and sketch prepared by the Petitioner, his surveyor, or his authorized representative. If the proposed vacation area contains encroachments, the County reserves the right to request a survey prepared by a registered land surveyor. **The Petitioner shall be responsible for all costs associated with obtaining the survey.**
  - c. The notarized signatures of all landowners adjacent to the proposed vacation area joining in this Petition.
  - d. The notarized signatures of any landowners who rely on the proposed vacation area for access to their property joining in this Petition. NOTE: If the Petition is not signed by adjacent landowners or other landowners who rely on the area being closed, Letters of Consent will be required from these parties.
  - e. A processing fee in the amount of \$2,500.00, payable to the Polk County Board of County Commissioners.
4. 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. Utility providers include: Electric, telephone, cable TV, gas, city services, water management district, and in some cases, homeowner associations.
5. Should any utility provider require an easement for existing facilities, **the recording fees associated with the easement shall be the responsibility of the Petitioner**. Right-of-Way and Real Estate will notify the Petitioner or its representative of these fees and payment will be collected prior to the public hearing. Checks for recording fees should be made payable to: Stacy M. Butterfield, Clerk of Courts.
6. Once the Petition package requirements have been accepted by the County, the **average minimum processing time** is six (6) months for the public hearing to be scheduled with the Board of County Commissioners. (Please note that this time is only an estimate and the County cannot be responsible for extensions of time due to unfulfilled requirements.)
7. Right-of-Way and Real Estate will provide notification of the hearing date to the Petitioner, all affected adjacent landowners, and all other landowners who may use the proposed vacation area for access to their property. **The Petitioner should plan to attend the public hearing.**
8. In accordance with Florida Statute, the County shall publish a Notice of Intention to Vacate and shall post a public notice near the site prior to the Public Hearing.
9. Upon the Board's approval to close and vacate the public's interest in the land or easement described, a Resolution will be adopted declaring the Board's action. In accordance with Florida Statute, a Notice of Adoption will be published in the local newspaper and the Resolution will be recorded in the public records. The County will provide the Petitioner with copies of these documents when the matter is complete.