
ALACHUA COUNTY PUBLIC WORKS OPERATING PROCEDURE

DIVISION: **Transportation & Development**

SECTION: **Real Property/Survey**

PROCEDURE #: **ERE-8**

SUBJECT: **Street Vacations**

DATE: **11/13/01** **REVISION #:**

PREPARED BY: **Bob Wigglesworth**

APPROVED BY: **Matthew Dominy, P.E., Director Of Public Works**

POLICY: **Requests from citizens for street vacations will be processed in compliance with Alachua County Code Chapter 324.**

- A. When someone inquires about a street vacation, The Real Property Coordinator's (RPC) office mails an application, a list of procedures, and informs them of the filing fee of established in the current adopted fee schedule. Upon receiving the application and filing fees, the RPC's office will review the application, title work, related plats, survey and regulations, do a field check and make a recommendation on the application.
- B. If a negative recommendation is made regarding the application, the applicant may:
1. Accept the negative recommendation and be refunded his or her application fee, less cost to date. The application shall be deemed denied; or,
 2. Request a public hearing before the Board of County Commissioners (Board) on the negative recommendation without any refund of application fees.
- C. Upon a favorable recommendation on the application or if an applicant wishes to proceed on an unfavorable recommendation as provided for in section "B (2)" above, the RPC's office shall:
1. Place item on the Development Review Committee (DRC) Agenda by:
 - a. Preparing a memo to DRC, attach copies of application, maps, etc., memo is routed thru the Real Property Coordinator, the Assistant Director, Transportation and Development and the Development Review Office.
 - b. Include 10 copies of all attachments.
 - c. When DRC notifies the RPC's office that the application is on their agenda, Attend DRC meeting.

2. Request authorization to advertise, by: (see attached examples of the forms needed for the following steps)
 - a. Prepare Blue Sheet for authorization to advertise.
 - b. Prepare Notice of Public Hearing and attaché to blue sheet (leave dates blank at this time)
 - c. Process Blue Sheet with Notice of Public Hearing in accordance with the Departments Blue-Sheet procedures.
 - d. Select a public hearing date. **Note:** The date you want is at least two hearing dates from the date the Resolution to Advertise is approved.

D. After the Board of County Commissioners authorizes advertisement:

1. The notice of public hearing shall be published one (1) time in a newspaper of general circulation within Alachua County. If vacating a plat it has to be published once a week for two weeks. Fax the notice to the legal department of the Classifieds at the *Gainesville Sun*, three working days before you want the ad to run.
2. The RPC's office notifies everyone within 400' of the subject area, by letter with a copy of the Notice of Public Hearing and copies of sketches or maps attached. (This is also done at least two weeks before the actual public hearing.
3. Prepare Resolution for the actual vacation, be it a street or plat.
4. Prepare County Deed(s)
5. Prepare Blue Sheet for Resolution and Deed and process in accordance with the Departments Blue-Sheet procedures.
6. Prepare visuals for public hearing

E. At the Public Hearing:

1. The proof of publication of the notice of public hearing shall be filed in the minutes of the Board.
2. Public Works makes presentation.
3. The Board shall hear all interested parties.
4. If the Board determines that closing the road, street, alleyway, or highway is in the best interest of the public welfare and will not be injurious to the public welfare or violate individual property rights, the Board may adopt a resolution closing the same.

F. After the Public Hearing:

1. The adopted Resolution shall be published (1) time, within 30 days following its adoption, in a newspaper of general circulation published in Alachua County.
2. The adopted Resolution and County Deed (if the vacation was approved) are recorded in the public records of Alachua County at the Official Records department. **Note:** the “Proof of Publication” of the notice of public hearing and the “Proof of Publication” for the adopted resolution are attached to the Resolution and recorded as part of the Resolution, and a “Transfer of Interest” form is filled out and attached to the County Deed. The County pays minimum documentary stamps on the deed only. No recording costs are paid by the County.
3. When the recorded documents are returned to the RPC’s office from Official Records, mark the recording information on the departments tax maps, file the copy of the resolution and copy of the deed in the RPC’s fire-proof cabinet. A copy of the recorded Resolution and original Deed are forwarded to the property owner.