



Right-of-Way Vacation of Palmetto Drive

A Portion of The Plat of Palmetto Acres

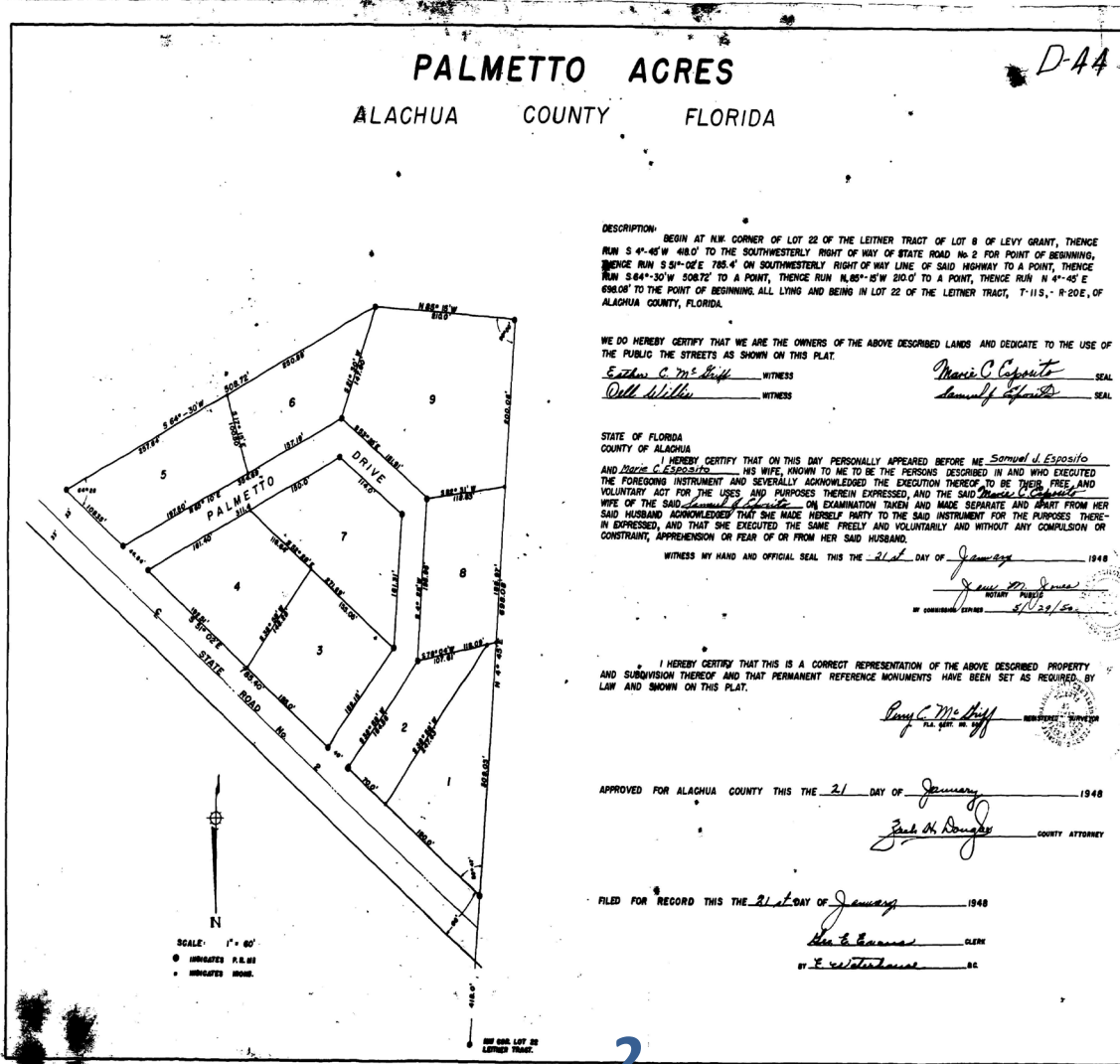
June 13, 2023

Aachua County Public Works

Ramon D. Gavarrete, P.E.

Plat Book D Page 44

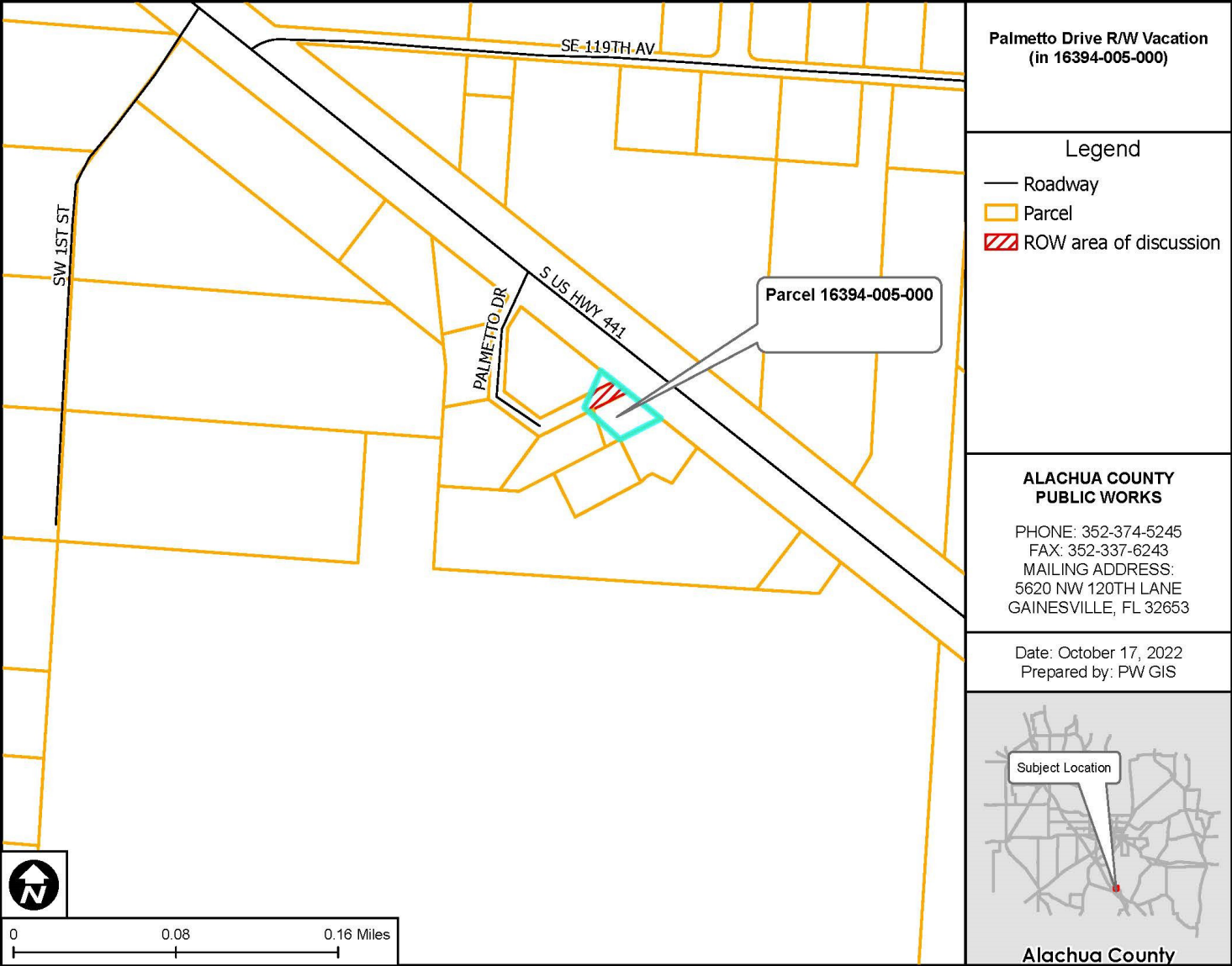
D-44



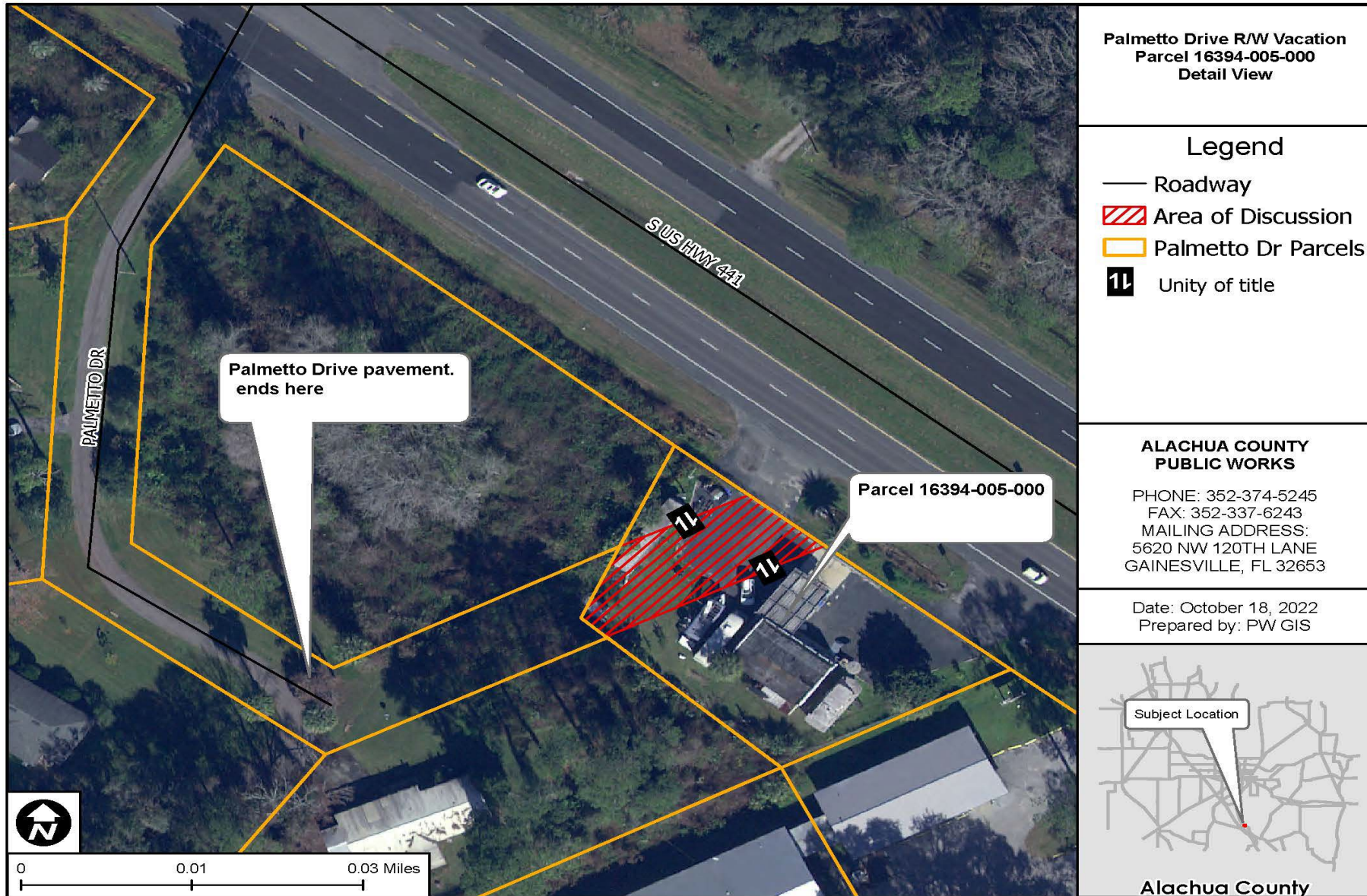
History

- Palmetto Acres was recorded January 21, 1948 in Plat Book D Page 44 of the Public Records of Alachua County, Florida.
- The dedication of Rights-of-Way contained in Plats was formally accepted by the Board on October 24, 2017, by Resolution 17-124.
- August 30, 2022, the property owners filed an application to vacate a portion of Palmetto Drive in the Plat of Palmetto Acres as recorded in Plat Book "D", Page 44 of the Public Records of Alachua County Florida.

Map of Right-of-Way Vacation Palmetto Acres



Unity of Title Details Showing Combined Parcels



Section 324.01 of Alachua County Code

- Pursuant to article VIII, section 1(g) of the Florida Constitution and F.S. § 336.09 et seq., Alachua County, a charter county, is authorized, by motion of the county commission or upon the request to the county commission of any agency of the state or of the federal government, or upon petition of any person or persons, to:
- Vacate, abandon, discontinue, and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof, other than a state or federal highway, and to renounce and disclaim any right of the county and the public in and to any land in connection therewith.
- Renounce and disclaim any right of the county and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication, or prescription for street, alleyway, road, or highway purposes, other than lands acquired for state and federal highways.
- Renounce and disclaim any right of the county and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road, or highway.
- (Ord. No. 93-17, § 1, 6-8-93)



Alachua County,
Florida

Section 402.64(a) of Alachua County Code,

- **Action by Board of County Commissioners Approval of Vacation of Plat**

If the Board determines at a Public Hearing that vacating the plat will not affect the ownership or right of convenient access of persons owning other parts of the subdivision or adjacent properties, it may adopt the appropriate resolution vacating all or a portion of the plat.



Alachua County,
Florida

Section 177.085(1) Fla. Stat.,

- When any owner of land subdivides the land and dedicates streets, other roadways, alleys or similar strips on the map or plat, and the dedication contains a provision that the reversionary interest in the street, roadway, alley or other similar strip is reserved unto the dedicator or his or her heirs, successors, assigns, or legal representative, or similar language, and thereafter conveys abutting lots or tracts, the conveyance shall carry the reversionary interest in the abutting street to the centerline or other appropriate boundary, unless the owner clearly provides otherwise in the conveyance.

Section 177.101 (3), Fla. Stat.,

The governing bodies of the counties of the state may adopt resolutions vacating plats in whole or in part of subdivisions in said counties, returning the property covered by such plats either in whole or in part into acreage. Before such resolution of vacating any plat either in whole or in part shall be entered by the governing body of a county, it must be shown that the persons making application for said vacation own the fee simple title to the whole or that part of the tract covered by the plat sought to be vacated, and it must be further shown that the vacation by the governing body of the county will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Section 336.09, Fla. Stat.,

- **336.09 Closing and abandonment of roads; authority.**—(1) The commissioners, with respect to property under their control may in their own discretion, and of their own motion, or upon the request of any agency of the state, or of the federal government, or upon petition of any person or persons, are hereby authorized and empowered to:(a) Vacate, abandon, discontinue and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof, other than a state or federal highway, and to renounce and disclaim any right of the county and the public in and to any land in connection therewith;
- (b) Renounce and disclaim any right of the county and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes, other than lands acquired for state and federal highway; and
- (c) Renounce and disclaim any right of the county and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road or highway.
- (2) The commissioners, upon such motion, request, or petition, may adopt a resolution declaring that at a definite time and place a public hearing will be held to consider the advisability of exercising the authority granted in this section.

Recommended Motion

Move to adopt the Resolution to vacate a portion of the streets as requested in the application for the Right-of-Way Vacation of a Portion of Palmetto Drive in the Plat of Palmetto Acres.

