



# Right-of-Way Vacation of Third Street and Alleyways

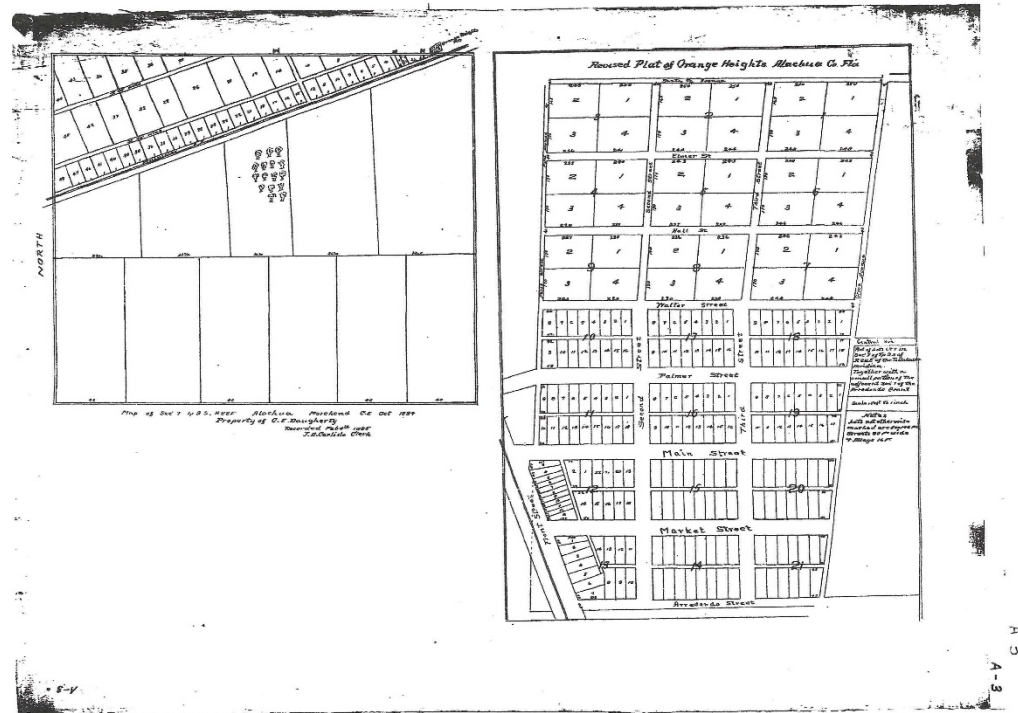
A Portion of The Revised Plat of Orange Heights

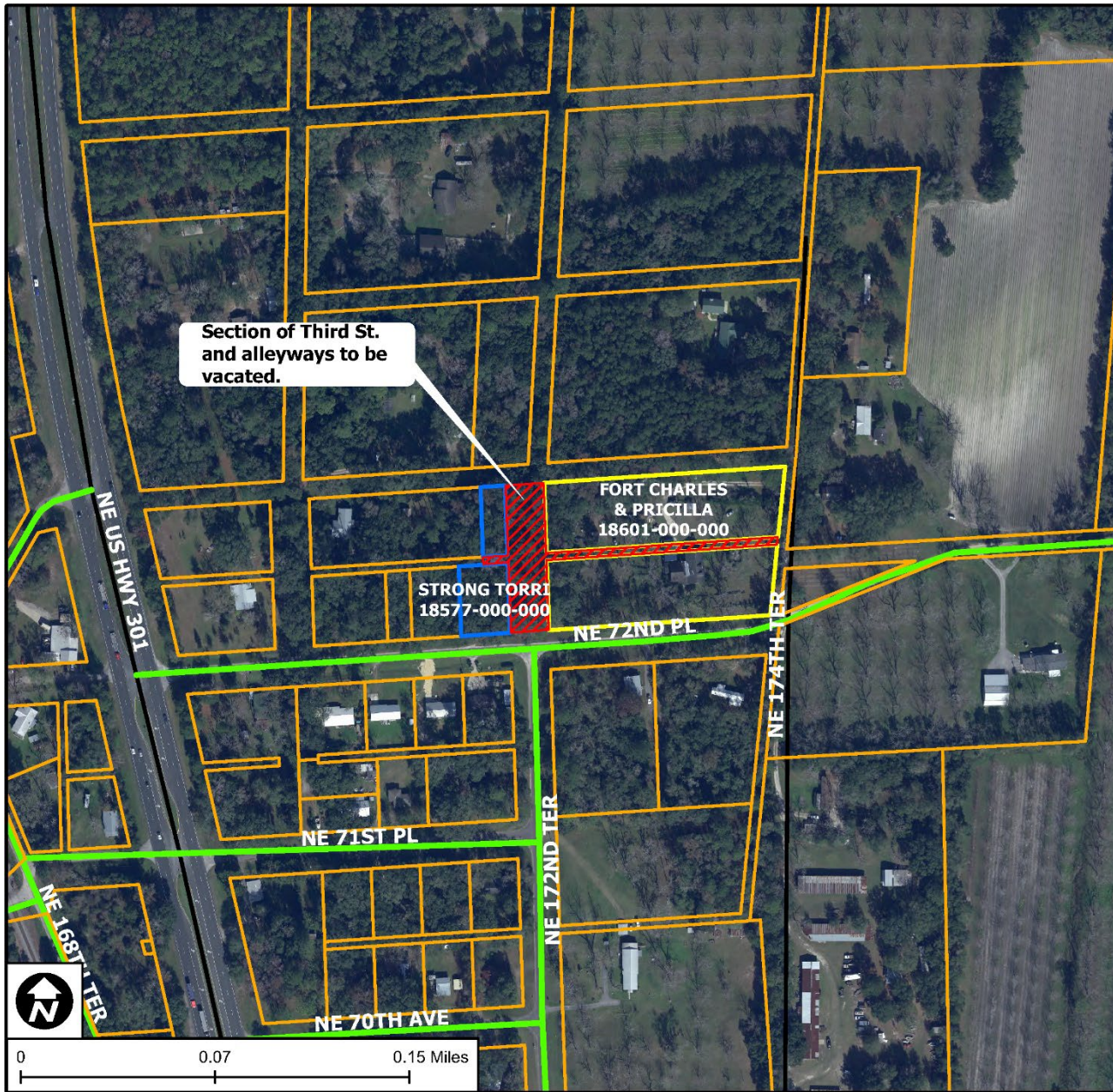
June 13, 2023

Alachua County Public Works

Ramon D. Gavarrete, P.E.

# Plat Book A Page 3





Section of Third St.  
and alleyways to be  
vacated.

FORT CHARLES  
& PRICILLA  
18601-000-000

STRONG TORR  
18577-000-000

NE 72ND PL

NE 71ST PL

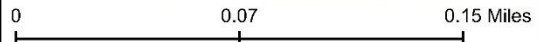
NE 70TH AVE

NE US HWY 301

NE 168TH TER

NE 172ND TER

NE 174TH TER



**Orange Heights  
Right-of-Way  
Vacation  
Owner Detail**

**Legend**

- Roadway, Not County Maintained
- Roadway, County Maintained
- Parcel
- Proposed Vacation Area

**ALACHUA COUNTY  
PUBLIC WORKS**

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5620 NW 120TH LANE  
GAINESVILLE, FL 32653

Date: May 03, 2023  
Prepared by: PW GIS



**Alachua County**

# History

- The Revised Plat of Orange Heights was recorded February 4, 1885 in Plat Book A Page 3 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.
- October 13, 2022, the property owners filed an application to vacate a portion of Third Street and alleyways in the Revised Plat of Orange Heights as recorded in Plat Book "A", Page 3 of the Public Records of Alachua County Florida.

# 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 rights-of-way and alleyways as requested in the application for the Right-of-Way Vacation of a Portion of Third Street and Alleyways in the Revised Plat of Orange Heights.



Alachua County,  
Florida