



## VACATION OF ALLEY OR STREET RIGHT OF WAY

Fee: \$2,000.00

Rehearing/Rescheduling Planning Board: \$250.00

Rehearing/Rescheduling City Council: \$500.00

### Applicant Information:

Name: Pensacola International Airport

Address: 2430 Airport Boulevard, Suite 225, Pensacola, FL 32504

Phone: 850-436-5000

Fax: 850-436-5006

Email: kibold@cityofpensacola.com

### Property Information:

Owner Name: Pensacola International Airport

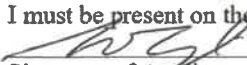
Location/Address: Campus Heights & Executive Plaza

Legal Description: Please attach a full legal description (from deed or survey)

### Purpose of vacation of city right of way/comments:

All parcels in the former subdivision were purchased in their entirety by the City of Pensacola for the purpose of expanding Pensacola International Airport. The property is to be redeveloped as part of a maintenance/repair/overhaul facility to be leased to VT Mobile Aerospace Engineering (also known as Project Titan Element 2). All parcels are vacant with the exception of American Mini Warehouses, which tenants have been properly notified and will be closed August 1, 2022.

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

  
Signature of Applicant

Date

7/7/22

(Owner of Property or Official Representative of Owner)

Matthew Coughlin, Airport Director

### FOR OFFICE USE ONLY

District: \_\_\_\_\_

Date Received: \_\_\_\_\_

Case Number: \_\_\_\_\_

Date Postcards mailed: \_\_\_\_\_

Planning Board Date: \_\_\_\_\_

Recommendation: \_\_\_\_\_

Council Date: \_\_\_\_\_

Council Action: \_\_\_\_\_

#### Sec. 12-12-4. Vacation of Streets, alleys

This section is established to provide for the vacation of streets, alleys or other public rights-of-way by official action of the city council.

(A) *Application.* An application for vacation of streets, alleys or other public right-of-way shall be filed with the community development department and shall include the reason for vacation and a legal description of the property to be vacated. Application for an alley vacation shall be in petition form signed by all property owners abutting the portion of the alley to be vacated. If all property owners do not sign the petition requesting such alley vacation, city staff shall determine the portion of the alley to be vacated.

- (1) An application for vacation of streets, alleys or other public right-of-way must be submitted to the community development department at least twenty-one (21) days prior to the regularly scheduled meeting of the planning board.
- (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (3) No application shall be considered complete until all of the following have been submitted:
  - (a) The application shall be submitted on a form provided by the board secretary.
  - (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
    1. Accurate site plan drawn to scale;
    2. A legal description of the property proposed to be vacated;
    3. Proof of ownership of the adjacent property, including a copy of the deed and a title opinion, title insurance policy, or other form of proof acceptable to the city attorney;
    4. Reason for vacation request;
    5. Petition form signed by all property owners abutting the portion of the right-of-way or alley to be vacated.
  - (c) The applicant shall be required to pay an application fee according to the current schedule of fees established by the city council for the particular category of application. This fee shall be nonrefundable irrespective of the final disposition of the application.
  - (d) Any party may appear in person, by agent, or by attorney.
  - (e) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.

(B) *Planning board review and recommendation.* The community development department will distribute copies of the request to vacate to the appropriate city departments and public agencies for review and comment: Said departments shall submit written recommendations of approval, disapproval or suggested revisions, and reasons therefore, to the city planning department. The planning board shall review the vacation request and make a recommendation to the city council at a regularly scheduled planning board meeting.

- (1) Public notice for vacation of streets, alleys.
  - (a) A sign shall be prominently posted on the property to which the application pertains- at least seven (7) days prior to the scheduled board meeting.
  - (b) The community development department shall notify property owners within a three hundred (300) radius, as identified by the current Escambia County tax roll maps, of the property proposed for vacation with a public notice by post card at least five (5) days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.

(C) *City council review and action.* The planning board recommendation shall be forwarded to the city council for review and action.

- (1) *Notice and hearing.* The city council shall set a date for a public hearing to be conducted during a regularly scheduled city council meeting. Planning staff shall post a sign specifying the date and time of the public hearing at least seven (7) days prior to the hearing. A public notice shall be published in a local newspaper of general distribution stating the time, place and purpose of the hearing at least ten (10) days prior to the public hearing. The community development department shall notify property owners by certified mail, as identified by the current Escambia County tax roll, at least fifteen (15) days prior to the city council public hearing
  - (a) In case of an alley vacation request all adjacent owners shall be notified.
  - (b) In the case of a street vacation request, all property owners within three hundred feet (300') of the request shall be notified.
- (2) *Action.* The city council shall approve, approve with modifications, or deny the vacation request at the council public hearing. If the request is approved by the council, an ordinance will be drawn and read two (2) times following the public hearing, at which time the vacation becomes effective.

(D) *Easements retained.* If the city council determines that any portion of a public street or right-of-way is used or in the reasonably foreseeable future will be needed for public utilities, the street may be vacated only upon the condition that appropriate easements be reserved for such public utilities.

(E) *Zoning of vacated property.* Whenever any street, alley or other public right-of-way is vacated, the district use and area regulations governing the property abutting upon each side of such street, alley or public right-of-way shall be automatically extended to the center of such vacation and all area included within the vacation shall thereafter be subject to all appropriate regulations of the extended use districts.

(F) *Ownership of property.* Whenever any street, alley or public right-of-way is vacated, ownership of said property conferred by such action shall extend from the right-of-way line to the center of said property, unless otherwise specified.

# EXHIBIT A

ALL THAT PORTION OF RIGHT OF WAY OF AIRLANE DRIVE (FORMERLY AUBURN AVENUE), ST. ANNE DRIVE, AIRLANE DRIVE (FORMERLY CLEMSON AVENUE), DOUGLAS DRIVE AND SHERRILL AVENUE, LYING AND BEING WITHIN THE PENSACOLA INTERNATIONAL AIRPORT – COLLEGE HEIGHTS ANNEXATION PHASE I DESCRIPTION AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 3, AIRPORT EXECUTIVE PLAZA, AS RECORDED IN PLAT BOOK 11 AT PAGE 40 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N60°55'16"W ALONG THE SOUTH LINE OF SAID LOT FOR A DISTANCE OF 776.96 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF SAID AIRPORT EXECUTIVE PLAZA;

THENCE N03°10'03"E ALONG THE EAST RIGHT OF WAY OF TIPPIN AVENUE (RIGHT OF WAY VARIES), ALSO BEING THE WEST LINE OF LOT 2 OF SAID AIRPORT EXECUTIVE PLAZA, FOR A DISTANCE OF 110.76 FEET TO THE NORTHWEST CORNER OF SAID LOT;

THENCE S68°50'23"E ALONG THE NORTH LINE OF SAID LOT FOR A DISTANCE OF 75.65 FEET;

THENCE N04°45'32"E FOR A DISTANCE OF 8.34 FEET;

THENCE S75°52'01"E FOR A DISTANCE OF 98.40 FEET TO A POINT OF THE EAST LINE OF LOT 1 OF SAID AIRPORT EXECUTIVE PLAZA;

THENCE N88°12'42"E FOR A DISTANCE OF 111.12 FEET;

THENCE N03°00'43"E FOR A DISTANCE OF 531.92 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF DOUGLAS DRIVE (40' R/W);

THENCE CONTINUE N03°00'43"E FOR A DISTANCE OF 40.18 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF SAID DOUGLAS DRIVE;

THENCE N86°55'24"W FOR A DISTANCE OF 278.42 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY OF DOUGLAS DRIVE (40' R/W) AND THE EAST RIGHT OF WAY OF TIPPIN AVENUE (R/W VARIES);

THENCE N03°21'54"E ALONG THE EAST RIGHT OF WAY OF TIPPIN AVENUE FOR A DISTANCE OF 192.07 FEET;

THENCE S85°51'36"E FOR A DISTANCE OF 164.32 FEET TO A POINT ON THE WEST LINE OF BLOCK 1, CAMPUS HEIGHTS, AS RECORDED IN PLAT BOOK 4 AT PAGE 36 OF SAID COUNTY;

THENCE N03°08'27"E ALONG SAID WEST LINE OF BLOCK 1 FOR A DISTANCE OF 429.83 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID CAMPUS HEIGHTS;

THENCE S87°18'36"E FOR A DISTANCE OF 135.05 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 CAMPUS HEIGHTS, RECORDED IN PLAT BOOK 4 AT PAGE 36 OF SAID COUNTY;

THENCE S55°55'01"E FOR A DISTANCE OF 77.34 FEET TO THE NORTHWEST CORNER OF LOT 9, BLOCK 2, OF SAID CAMPUS HEIGHTS;

THENCE S86°56'30"E ALONG THE NORTH LINE OF SAID BLOCK 2 AND AN EXTENSION THEREOF FOR A DISTANCE OF 778.95 FEET TO A POINT ON THE WEST LINE OF BLOCK 4 OF SAID CAMPUS HEIGHTS;

THENCE S03°14'39"W ALONG SAID WEST LINE OF BLOCK 4 FOR A DISTANCE OF 580.19 FEET;

THENCE S86°52'41"E ALONG THE SOUTH LINE OF SAID BLOCK 4 FOR A DISTANCE OF 135.15 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK;

THENCE S02°51'38"W FOR A DISTANCE OF 39.96 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF DOUGLAS DRIVE (40' R/W);

THENCE N86°55'02"W ALONG THE SOUTH LINE OF DOUGLAS DRIVE FOR A DISTANCE OF 379.91 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY OF SHERRILL AVENUE (50' R/W);

THENCE S03°08'16"W ALONG SAID EAST RIGHT OF WAY FOR A DISTANCE OF 377.78 FEET;

THENCE S79°56'14"E FOR A DISTANCE OF 213.28 FEET;

THENCE S04°24'27"W FOR A DISTANCE OF 50.47 FEET;

THENCE CONTINUE S04°24'27"W FOR A DISTANCE OF 296.20 FEET;

THENCE N75°57'17"W FOR A DISTANCE OF 330.77 FEET TO A POINT ON THE EAST LINE OF LOT 3 OF SAID EXECUTIVE PLAZA;

THENCE S19°35'37"W FOR A DISTANCE OF 283.18 FEET TO THE POINT OF BEGINNING.

AND FURTHER

ALL THAT PORTION OF RIGHT OF WAY OF EXECUTIVE PLAZA, LYING AND BEING WITHIN THE PENSACOLA INTERNATIONAL AIRPORT – COLLEGE HEIGHTS ANNEXATION PHASE I DESCRIPTION AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 3, AIRPORT EXECUTIVE PLAZA, AS RECORDED IN PLAT BOOK 11 AT PAGE 40 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA;

THENCE N60°55'16"W ALONG THE SOUTH LINE OF SAID LOT FOR A DISTANCE OF 776.96 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF SAID AIRPORT EXECUTIVE PLAZA;

THENCE N03°10'03"E ALONG THE EAST RIGHT OF WAY OF TIPPIN AVENUE (RIGHT OF WAY VARIES), ALSO BEING THE WEST LINE OF LOT 2 OF SAID AIRPORT EXECUTIVE PLAZA, FOR A DISTANCE OF 110.76 FEET TO THE NORTHWEST CORNER OF SAID LOT;

THENCE S68°50'23"E ALONG THE NORTH LINE OF SAID LOT FOR A DISTANCE OF 75.65 FEET;

THENCE N04°45'32"E FOR A DISTANCE OF 8.34 FEET;

THENCE S75°52'01"E FOR A DISTANCE OF 98.40 FEET TO A POINT OF THE EAST LINE OF LOT 1 OF SAID AIRPORT EXECUTIVE PLAZA;

THENCE N88°12'42"E FOR A DISTANCE OF 111.12 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 6 OF SAID AIRPORT EXECUTIVE PLAZA AND THE NORTHERN RIGHT OF WAY OF EXECUTIVE PLAZA, SAID INTERSECTION BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED;

THENCE S60°55'16"E FOR A DISTANCE OF 297.97 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 99°27'46";

THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 43.40 FEET TO THE POINT OF TANGENCY;

THENCE N19°36'58"E FOR A DISTANCE OF 155.07 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A DELTA ANGLE OF 36°52'12";

THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 32.18 FEET TO THE POINT OF A REVERSE CURVE TO THE RIGHT, SAID REVERSE CURVE HAVING A RADIUS OF 50.00 FEET AND A DELTA ANGLE OF 253°44'23";

THENCE ALONG THE ARC OF THE SAID CURVE FOR A DISTANCE OF 221.43 FEET TO THE POINT OF A REVERSE CURVE TO THE LEFT, SAID REVERSE CURVE HAVING A RADIUS OF 50.00 FEET AND A DELTA ANGLE OF 36°52'12";

THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 32.18 FEET TO THE POINT OF TANGENCY;

THENCE  $S19^{\circ}36'58''W$  FOR A DISTANCE OF 155.07 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET AND A DELTA ANGLE OF  $99^{\circ}27'46''$ ;

THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 147.56 FEET TO THE POINT OF TANGENCY;

THENCE  $N60^{\circ}55'16''W$  FOR A DISTANCE OF 268.62 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 6 OF SAID AIRPORT EXECUTIVE PLAZA AND THE SOUTHERN RIGHT OF WAY OF EXECUTIVE PLAZA ;

THENCE  $N03^{\circ}00'54''E$  FOR A DISTANCE OF 66.79 FEET TO THE POINT OF BEGINNING.