



**CITY OF OKEECHOBEE**  
**General Services Department**  
**55 Southeast 3<sup>rd</sup> Street**  
**Okeechobee, Florida 34974**  
**863-763-3372 X 9820**  
**Fax: 863-763-1686**

**ABANDONMENT OF RIGHT-OF-WAY PETITION**

**PETITION NO. \_\_\_\_\_**

<b>Application fee (non-refundable)</b> <b>\$600.00</b>  <b>Note: (Resolution No. 98-11) Schedule of Land Development Regulation Fees and Charges</b> <b>When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.</b>	Date Fee Paid:	Receipt No:
	TRC Meeting:	Publication Date: Letters Mailed:
	PB/BOA Meeting:	Publication Dates: Letters Mailed:
	City Council 1 <sup>st</sup> Reading:	CMR Letter E-mailed:
	City Council Public Hearing:	Publication Date:

Right-of-way Definition: Land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress, or other purpose by the public, certain designated individuals, or governing bodies. [F.S. Ch. 177 § 177.031(16)]. Easements for roads and related purposes shall be considered as right-of-way.

**Legal Description of the Right-of-Way to be Abandoned:**

**Note:** Upon abandonment of a right-of-way in the City of Okeechobee or First Addition of City of Okeechobee Subdivision's, there may be a Fee Simple Interest from the Hamrick Trust. For more information contact Gil Culbreth, 3550 US Hwy 441 South, Okeechobee, Florida 34974, 863-763-3154.

**Purpose of the Right-of-Way Abandonment:**

√	Name of property owner(s):
	Owner(s) mailing address:
	Owner(s) e-mail address:
	Owner(s) daytime phone(s): <span style="float: right;">Fax:</span>

√	<b>Required Attachments</b>
_____	Copy of recorded deed of petitioner as well as any other property owner whose property is contiguous to the right-of-way.
_____	Letters of Consent or Objection. (If more than one property owner is involved and they are <b>not</b> signing the petition). <b>SEE NOTE BELOW FOR ADDITIONAL INSTRUCTIONS</b>
_____	Location map of subject property and surrounding area within 100' (See Information Request Form attached) and dimensions of right-of-way.
_____	List of all property owners within 300' of subject property (See Information Request Form attached)
_____	Site Plan of property after abandonment. (No larger than 11x 17)
_____	Utility Companies Authorization Form. (See attached)
_____	Supplementary supporting information: Copy of recorded Plat of the Subdivision where right-of-way exists no larger than 11x17. (Can be obtained from the County Clerk's Office, Court House)
	<b>PLEASE NOTE:</b> <i>If there are other property owners that are contiguous to the subject right-of-way, a notarized letter must be attached with the following information: date, their name(s), what property they own, and whether they object to or consent to the right-of-way abandonment. (See attached sample letter)</i>

√	<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information contained in and/or attached with this petition is correct. The information included in this petition is for use by the City of Okeechobee in processing my request. False or misleading information may be punishable by a fine of up to \$500.00 and imprisonment of up to 30 days and may result in the summary denial of this petition.</p>		
Signature	Printed Name	Date

**CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION**

**Utility Companies Authorization Form**

**Instructions:**

**Applicant:** Deliver the petition and this form to the following Utility Companies for their comments. It must be signed and dated with a contact number for each person.

**Utility Companies:** If an easement is needed, provide a complete legal description for it. The City Attorney will address it as a nonexclusive perpetual easement within the Ordinance. If there is going to be a relocated easement, provide legal of where it's to be relocated to. The City Attorney will address this in the Ordinance by denoting the relocated easement is in an attached exhibit to the Ordinance. Additionally, the effective date will be upon the City's receipt of the recorded relocated easement between the owner and utility company and provided on the utility company's form.

<b>Florida Power &amp; Light</b>	
<b>863-467-3708</b>	
<b>Donna Padgett</b>	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name & Title

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Date

<b>Embarq d/b/a Century Link</b>	
<b>863-452-3185</b>	
<b>Kenneth R. Lutz</b>	
<b><u>ken.lutz@centurylink.com</u></b>	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name & Title

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Date

<b>Comcast Cable</b>	
<b>863-763-2824</b>	
<b>107 NW 7<sup>th</sup> Avenue</b>	
<b><u>Rick_Johnson@cable.comcast.com</u></b>	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name & Title

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Date

<b>Okeechobee Utility Authority</b>	
<b>John Hayford</b>	
<b>863-763-9460</b>	
<b>100 SW 5<sup>th</sup> Avenue</b>	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name & Title

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Date

<b>Florida Public Utilities</b>	
<b>Ivan Gibbs</b>	
<b>561-723-3459</b>	
<b><u>igibbs@chpk.com</u></b>	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name & Title

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Date

**\*REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS**

<b>Hamrick Estate</b>	
<b>Gil Culbreth, Co-Trustee</b>	
<b>863-763-3154</b>	

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name & Title

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Date

**PLEASE COMPLETE THE FOLLOWING**

**FINDINGS REQUIRED FOR GRANTING A VACATION OF RIGHTS-OF-WAYS  
(Sec. 78-33, page CD78:4 in the LDR's)**

It is the Petitioner's responsibility to convince the Technical Review Committee, Planning Board/BOA and City Council that approval of the proposed vacation is justified. Specifically, the Petitioner should provide in his/her application and presentation sufficient explanation and documentation to convince the reviewing body to find that:

<b>1. Proposed vacation is consistent with the Comprehensive Plan:</b>

<b>2. Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement:</b>

<b>3. Proposed vacation is in the public interest and provides a benefit to the City:</b>

<b>4. Proposed vacation would not jeopardize the location of any utility.</b>

The City Staff will, in the Staff Report, address the request and evaluate it and the Petitioner's submission in light of the above criteria and offer a recommendation for *approval* or *denial*).

Checklist for Abandonment of Right-of-Way  
Petition No. \_\_\_\_\_

	Required Information and Attachments	Date Rcv'd	Ck'd
<b>1</b>	<p>Application fee (non-refundable) \$600.00</p> <p><b>Note: (Resolution No. 98-11) Schedule of Land Development Regulation Fees and Charges</b>  <b>When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.</b></p>		
<b>2</b>	Completed and signed petition		
<b>3</b>	Copy of recorded deed of petitioner as well as any other property owner whose property is contiguous to the right-of-way.		
<b>4</b>	Letters of Consent or Objection. (If more than one property owner is involved and they are <b>not</b> signing the petition).		
<b>5</b>	Location map of subject property and surrounding area within 100' (See Information Request Form attached) and dimensions of right-of-way.		
<b>6</b>	List of all property owners within 300' of subject property (See Information Request Form attached)		
<b>7</b>	Site Plan of property after abandonment. (No larger than 11x 17)		
<b>8</b>	Utility Companies Authorization Form. (See attached)		
<b>9</b>	Copy of recorded Plat of the Subdivision where right-of-way exists no Larger than 11x17. (Can be obtained from the County Clerk's Office, Court House)		



Okeechobee County Property Appraiser's Office  
Information Request Form for the  
City of Okeechobee

Property Owner Name(s)	
Parcel Identification Number	
Contact Person Name	
Contact Person Phone Number	
Contact Person Email Address	
Requested Items Needed By	

Project Type (Circle One or Check Box)

<b>Rezoning</b> <input type="checkbox"/>	<b>Special Exception</b> <input type="checkbox"/>
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Items Needed:  
Location map 100' surrounding property from the outermost portion of subject property.  
Surrounding property owners mailing addresses 300' from the outermost portion of subject property.

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**Variance**

**Future Land Use Map Amendment**

Items Needed:  
Location map 100' surrounding property from the outermost portion of subject property.  
Surrounding property owners mailing address 300' from the outermost portion of subject property.

Items Needed:  
Location map 100' surrounding property from the outermost portion of subject property

**Abandonment Right-of-Way / Alley Closing**

Items Needed:  
Location map 100' surrounding property from the outermost portion of subject property.  
Surrounding property owners mailing address 300' from the outermost portion of subject property.

**Information is provided by the Okeechobee County Property Appraisers Office. You may hand deliver this request form or fax it to the following attention:**

Okeechobee County Property Appraisers Office  
307 N.W. 5<sup>th</sup> Avenue, Suite A  
Okeechobee, Florida 34972  
Phone: (863) 763-4422  
Fax: (863) 763-4745

**ALLEY AND/OR STREET CLOSING CONSENT LETTER**

TO: City of Okeechobee

I/We, \_\_\_\_\_,  
*(insert name(s) of the owner(s) name, person(s) who is signing the letter of consent)*

own the following property: \_\_\_\_\_  
\_\_\_\_\_  
*(insert the legal description of the property)*

Do hereby consent or agree, with my/our signature below, to the closing of the alley and/or street described below: \_\_\_\_\_  
\_\_\_\_\_  
*(insert the legal description of the street or alley requesting to be closed)*

***(Note: if property is in two names by the word "and" both signatures are required, ie: Jim and Jane Doe. It if is in "or" only one signature is required, ie: Jim or Jane Doe. If company, the Registered Agent or President/Managers Name and attach Sunbiz.com information)***

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who produced  
**(Name of Person)**  
\_\_\_\_\_ as identification.

**(Seal)**

\_\_\_\_\_  
**(NOTARY PUBLIC SIGNATURE-STATE OF FLORIDA)**

Commission Notary Name: \_\_\_\_\_