

CITY OF OKEECHOBEE General Services Department 55 Southeast 3<sup>rd</sup> Street Okeechobee, Florida 34974 863-763-3372 X 9824 Fax: 863-763-1686

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

### PETITION NO.

Application fee (non-refundable) \$600.00 Note: (Resolution No. 98-11) Schedule of Land Development Regulation Fees and Charges 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.	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:

<u>Right-of-way Definition</u>: 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:

 $\sqrt{}$  Name of property owner(s):

Owner(s) mailing address:

Owner(s) e-mail address:

Owner(s) daytime phone(s):

Fax:

$\checkmark$	Required Attachments
	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</b>
	INSTRUCTIONS
	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)
	PLEASE NOTE: 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)

## Confirmation of Information Accuracy

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.

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.

Florida Power & Light	
863-467-3708	
Donna Padgett	

Authorized Signature T	yped Name & Title	Phone No.	Date
Embarq d/b/a Century Link			
941-421-0205			
Camille Knotts			
<u>camille.knotts@lumen.com</u>			
Nre.easement@centurylink.com			

Authorized Signature Ty	rped Name & Title	Phone No.	Date
Comcast Cable			
Anthony Springsteel			
772-321-3425			
anthony_springsteel@cable.comcast.com			

Authorized Signature	Typed Name & Title	Phone No.	Date
Okeechobee Utility Authority			
John Hayford			
863-763-9460			
100 SW 5 <sup>th</sup> Avenue			

Authorized Signature	Typed Name & Title	Phone No.	Date
Florida Public Utilities			
Ivan Gibbs			
561-723-3459			
igibbs@chpk.com			

Authorized Signature	Typed Name & Title	Phone No.	Date
★REQUIRED ONLY FOR CITY OF OKEECHOBE OKEECHOBEE SUBDIVISIONS	EE & FIRST ADDITION TO CITY OF		
Hamrick Estate			
Gil Culbreth, Co-Trustee			
863-763-3154			
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### 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:

1.	Proposed	vacation is	consistent with	the Comp	rehensive Plan:	

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

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

4. Proposed vacation would not jeopardize the location of any utility.

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.\_\_\_\_\_

		<b>D</b> .	
		Date	
	Required Information and Attachments	Rcv'd	Ck'd
1	Application fee (non-refundable) \$600.00		
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	Note: (Decelution No. 09.11) Schedule of Land Development Degulation		
	Note: (Resolution No. 98-11) Schedule of Land Development Regulation		
	Fees and Charges		
	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.		
2	Completed and signed petition		
2	completed and signed perition		
3	Copy of recorded deed of petitioner as well as any other property owner		
	whose property is contiguous to the right-of-way.		
4	Letters of Consent or Objection. (If more than one property owner is involved		
	and they are <b>not</b> signing the petition).		
	and they are not signing the petition.		
5	Location map of subject property and surrounding area within 100' (See		
	Information Request Form attached) and dimensions of right-of-way.		
	internation request i or in actachea) and annensions of right of way.		
6	List of all an anti- and within 200' of subject and a structure of a		
6	List of all property owners within 300' of subject property (See Information		
	Request Form attached)		
7	Site Plan of property after abandonment. (No larger than 11x 17)		
8	Utility Companies Authorization Form. (See attached)		
9	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)		
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	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)				
Rezoning	Special Exception			
Items Needed:	Items Needed:			
Location map 100' surrounding property from the	Location map 100' surrounding property from the outermost			
outermost portion of subject property. Surrounding property owners mailing addresses 300'	portion of subject property. Surrounding property owners mailing address 300' from the			
from the outermost portion of subject property.	outermost portion of subject property.			
Variance	Future Land Use Map Amendment			
<u>Items Needed:</u> Location map 100' surrounding property from the outmost portion of subject property. Surrounding property owners mailing address 300' from the outermost portion of subject property.	<u>Items Needed:</u> Location map 100' surrounding property from the outermost portion of subject property			
Abandonment Right-of-Way / Alley Closing				
<u>Items Needed:</u> Location map 100' surrounding property from the outmost 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 FLORIDA COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  $\Box$  physical presence or  $\Box$  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_, who is personally known to me or who produced

(Name of Person)

as identification.

NOTARY PUBLIC SIGNATURE