

ORDINANCE NO. 1220

AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING A PORTION OF SOUTHWEST 4TH STREET (f/k/a FIFTH AVENUE) AND A PORTION OF SOUTHWEST 5TH STREET (f/k/a FOURTH STREET) MORE PARTICULARLY DESCRIBED HEREIN, LYING WITHIN THE CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 20-002-SC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Okeechobee General Services Department received Abandonment of Right-of-Way Petition No. 20-002-SC submitted by Loumax Development, Inc., for the closing of certain Rights-of-Way as described in this Ordinance; and

WHEREAS, the City of Okeechobee Technical Review Committee reviewed and discussed Petition No. 20-002-SC at a duly advertised public meeting held on September 17, 2020, and recommended approval with conditions as described in this Ordinance; and

WHEREAS, Petition No. 20-002-SC was reviewed and discussed by the City of Okeechobee Planning Board at a duly advertised Public Hearing held on October 15, 2020, and determined such Petition to be consistent with the Comprehensive Plan, and recommended approval with conditions as described in this Ordinance; and

WHEREAS, the City Council reviewed Petition No. 20-002-SC and finds it to be consistent with the Comprehensive Plan, is not the sole access to any property, is in the best interest of the citizens, provides a benefit to the City of Okeechobee, and would not jeopardize the location of any utility; and

WHEREAS, the granting of the Petition will serve a legitimate public interest and is a proper exercise of the municipal authority of the City of Okeechobee as a discretionary function.

NOW, THEREFORE, it is ordained before the City Council for the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

SECTION 1: The unimproved, dedicated Right-of-Way described hereafter and as shown on Exhibit A, is hereby closed, vacated, and abandoned by the City of Okeechobee, Florida to-wit:

THAT PORTION OF SOUTHWEST 4TH STREET (f/k/a FIFTH AVENUE), FROM SOUTHWEST 7TH AVENUE WESTWARD TO DEAD-END, BEING APPROXIMATELY 100-FEET WIDE BY 140-FEET LONG, AND LYING NORTH OF LOT 1 OF BLOCK 190, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; together with THAT PORTION OF SOUTHWEST 5TH STREET (f/k/a FOURTH STREET), FROM SOUTHWEST 7TH AVENUE WESTWARD TO DEAD-END, BEING APPROXIMATELY 70-FEET WIDE BY 103-FEET LONG, AND LYING NORTH OF BLOCK 191, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

SECTION 2: The City of Okeechobee, Florida hereby reserves unto itself, its successors and assigns, perpetual, non-exclusive Easements as a special condition requested by Florida Power and Light, to wit:

Reserving an Easement for the East 10-feet of Southwest 4th Street Right-of-Way and Southwest 5th Street Right-of-Way, all located West of 7th Avenue with unrestricted 24-hour access.

SECTION 3: The Applicant agrees to CenturyLink's request to bear the cost of relocation and repair of any of their facilities and equipment that are found and/or damaged in the vacated areas.

SECTION 4: The City Clerk shall cause the Ordinance to be recorded in the public records of Okeechobee County, Florida.

SECTION 5: Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

SECTION 7: Effective Date. This Ordinance shall be set for Final Public Hearing the 1st day of December, 2020, and shall take effect upon the approval of the Easement provided in Section 2 herein by the City Council and recorded in the public records of the Clerk of Circuit Court, Okeechobee County, Florida.

INTRODUCED for First Reading and set for Final Public Hearing on this 5th day of November, 2020.

Dowling R. Watford, Jr., Mayor

ATTEST:

Lane Gamiotea, CMC, City Clerk

PASSED AND ADOPTED after Second Reading and Final Public Hearing on this 1st day of December, 2020.

Dowling R. Watford, Jr., Mayor

ATTEST:

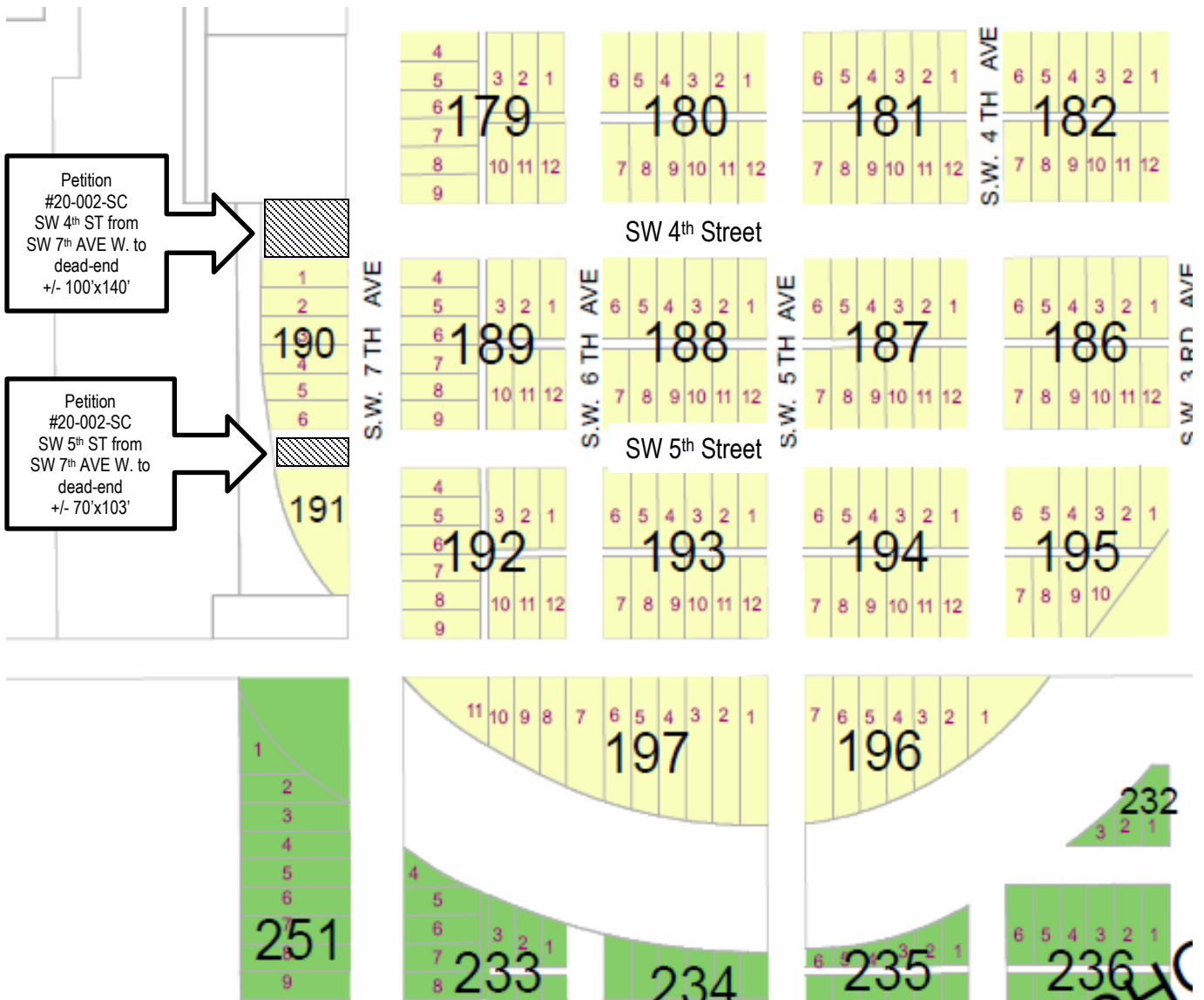
Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney

ORDINANCE NO. 1220 - EXHIBIT A

The following excerpt is from the City of Okeechobee Subdivision Map to identify the portion of Rights-of-Way to be abandoned as requested by Petition No. 20-002-SC.





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

ABANDONMENT OF RIGHT-OF-WAY PETITION

PETITION NO. 20-002-SC

| | | |
|---|---|---|
| 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: 8-4-20 | Receipt No: 54022 |
| | TRC Meeting: 9-17-20 | Publication Date: _____ Letters Mailed: N/A |
| | PB/BOA Meeting: 10-15-20 | Publication Dates: _____ Letters Mailed: 9-30-20 |
| | City Council 1 st Reading: 11-17-20 11-5-20 | CMR Letter E-mailed: |
| | City Council Public Hearing: 12-1-20 | 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:
 That portion of Southwest 4th Street (formerly known per plat as Fifth Avenue), 100 feet in width, lying north of Lot 1, Block 190, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

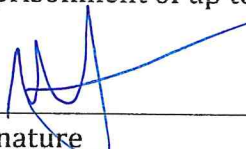
 That portion of Southwest 5th Street (formerly known per plat as Fourth Street), 70 feet in width, lying north of Block 191, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

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:
 SW 4th Street and SW 5th Street ROWs are required to be abandoned to adjoin the already developed parcel to the north so the proposed expansion to the existing building can proceed to the south for the industrial expansion project.

| | |
|---|---|
| ✓ | Name of property owner(s): Loumax Development, Inc. - Neal Markus |
| | Owner(s) mailing address: P. O. Box 5501 |
| | Owner(s) e-mail address: Fort Lauderdale, FL 33310 |
| | Owner(s) daytime phone(s): 954-347-1077 Fax: |

| | |
|---|---|
| ✓ | Required Attachments |
| x | Copy of recorded deed of petitioner as well as any other property owner whose property is contiguous to the right-of-way. |
| x | Letters of Consent or Objection. (If more than one property owner is involved and they are not signing the petition). SEE NOTE BELOW FOR ADDITIONAL INSTRUCTIONS |
| x | Location map of subject property and surrounding area within 100' (See Information Request Form attached) and dimensions of right-of-way. |
| x | List of all property owners within 300' of subject property (See Information Request Form attached) |
| x | Site Plan of property after abandonment. (No larger than 11x 17) |
| x | Utility Companies Authorization Form. (See attached) |
| x | 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) |
| | <p>PLEASE NOTE: <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></p> |

| | | |
|--|---|------------------|
| ✓ | Confirmation of Information Accuracy | |
| <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 | Neal Markus Printed Name | 8/4/2020 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:

| |
|--|
| 1. Proposed vacation is consistent with the Comprehensive Plan: |
| The requested abandonment of the road ROW is consistent with the Comprehensive Plan as it is currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies. |
| _____ |
| _____ |
| _____ |

| |
|---|
| 2. Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement: |
| Neither ROW is sole access to any property and a remaining land will not require an easement. |
| _____ |
| _____ |
| _____ |

| |
|---|
| 3. Proposed vacation is in the public interest and provides a benefit to the City: |
| The proposed vacation of the ROW is within a block that was previously rezoned to Industrial and will allow the existing business to expand to the south so this vacation will allow the existing road ROW square footage to add the required space south of the existing facility for the proposed expansion and return the property to the tax rolls. |
| _____ |
| _____ |
| _____ |

| |
|---|
| 4. Proposed vacation would not jeopardize the location of any utility. |
| There are currently no utilities in the requested abandonment. |
| _____ |
| _____ |
| _____ |

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*).

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2020 Working Values

updated: 7/30/2020

Parcel: << **3-15-37-35-0010-01900-0010 (34183)** >>

Aerial Viewer Pictometry Google Maps

Owner & Property Info

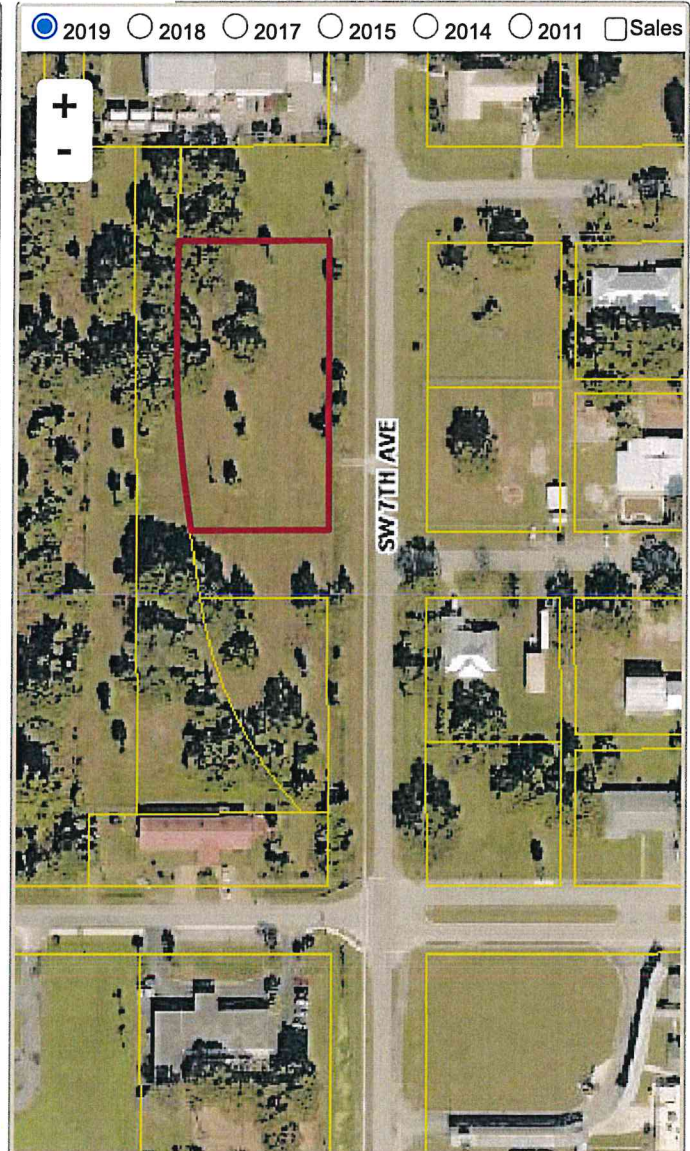
| | | | |
|--------------|---|--------------|----------|
| Owner | SPRADLEY RUTH G & NEMEC GALE B %NEMEC CHILDREN'S TRUST 608 HARBOUR POINTE WAY GREENACRES, FL 33413 | | |
| Site | SW 7TH AVE, OKEECHOBEE | | |
| Description* | CITY OF OKEECHOBEE LOTS 1 TO 6 INC BLOCK 190 | | |
| Area | 0.86 AC | S/T/R | 15-37-35 |
| Use Code** | VACANT (0000) | Tax District | 50 |

*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.
 **The Use Code is a Dept. of Revenue code. Please contact Okeechobee County Planning & Development at 863-763-5548 for zoning info.

Property & Assessment Values

| 2019 Certified Values | | 2020 Working Values | |
|-----------------------|-----------------|---------------------|-----------------|
| Mkt Land | \$41,850 | Mkt Land | \$41,850 |
| Ag Land | \$0 | Ag Land | \$0 |
| Building | \$0 | Building | \$0 |
| XFOB | \$0 | XFOB | \$0 |
| Just | \$41,850 | Just | \$41,850 |
| Class | \$0 | Class | \$0 |
| Appraised | \$41,850 | Appraised | \$41,850 |
| SOH Cap [?] | \$0 | SOH/10% Cap [?] | \$0 |
| Assessed | \$41,850 | Assessed | \$41,850 |
| Exempt | \$0 | Exempt | \$0 |
| Total Taxable | county:\$41,850 | Total Taxable | county:\$41,850 |
| | city:\$41,850 | | city:\$41,850 |
| | other:\$41,850 | | other:\$41,850 |
| | school:\$41,850 | | school:\$41,850 |

Note: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.



Sales History

| Sale Date | Sale Price | Book/Page | Deed | V/I | Quality (Codes) | RCode |
|-----------|------------|-----------|------|-----|-----------------|-------|
| 8/1/1990 | \$0 | 0316/1436 | WD | V | U | 03 |
| 4/6/1964 | \$0 | 0080/0731 | QC | V | U | 03 |
| 2/18/1964 | \$0 | 0079/0499 | QC | V | U | 03 |
| 2/17/1964 | \$0 | 0079/0497 | QC | V | U | 03 |

Building Characteristics

| Bldg Item | Description* | Year Blt | Base SF | Actual SF | Bldg Value |
|-----------|--------------|----------|---------|-----------|------------|
| NONE | | | | | |

Extra Features & Out Buildings (Codes)

| Code | Description | Year Blt | Value | Units | Dims | Condition (% Good) |
|------|-------------|----------|-------|-------|------|--------------------|
| NONE | | | | | | |

Land Breakdown

| Code | Description | Units | Adjustments | Eff Rate | Land Value |
|------|-------------|-------|-------------|----------|------------|
|------|-------------|-------|-------------|----------|------------|

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2020 Working Values

updated: 7/30/2020

Parcel: << **3-15-37-35-0010-01910-0010 (34184)** >>

Aerial Viewer Pictometry Google Maps

Owner & Property Info

Result: 3 of 4

| | | | |
|--------------|---|--------------|----------|
| Owner | SPRADLEY RUTH G & NEMEC GALE B %NEMEC CHILDREN'S TRUST 5243 EUROPA DR UNIT P BOYNTON BEACH, FL 33437 | | |
| Site | SW 6TH ST, OKEECHOBEE | | |
| Description* | CITY OF OKEECHOBEE ALL BLOCK 191 | | |
| Area | 0.409 AC | S/T/R | 15-37-35 |
| Use Code** | VACANT (0000) | Tax District | 50 |

*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.
**The Use Code is a Dept. of Revenue code. Please contact Okeechobee County Planning & Development at 863-763-5548 for zoning info.

Property & Assessment Values

| 2019 Certified Values | | 2020 Working Values | |
|-----------------------|---|---------------------|---|
| Mkt Land | \$25,087 | Mkt Land | \$25,088 |
| Ag Land | \$0 | Ag Land | \$0 |
| Building | \$0 | Building | \$0 |
| XFOB | \$0 | XFOB | \$0 |
| Just | \$25,087 | Just | \$25,088 |
| Class | \$0 | Class | \$0 |
| Appraised | \$25,087 | Appraised | \$25,088 |
| SOH Cap [?] | \$0 | SOH/10% Cap [?] | \$0 |
| Assessed | \$25,087 | Assessed | \$25,088 |
| Exempt | \$0 | Exempt | \$0 |
| Total Taxable | county:\$25,087 city:\$25,087 other:\$25,087 school:\$25,087 | Total Taxable | county:\$25,088 city:\$25,088 other:\$25,088 school:\$25,088 |

Note: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.



Sales History

| Sale Date | Sale Price | Book/Page | Deed | V/I | Quality (Codes) | RCode |
|-----------|------------|-----------|------|-----|-----------------|-------|
| 8/1/1990 | \$0 | 0316/1436 | WD | V | U | 03 |

Building Characteristics

| Bldg Item | Description* | Year Blt | Base SF | Actual SF | Bldg Value |
|-----------|--------------|----------|---------|-----------|------------|
| NONE | | | | | |

Extra Features & Out Buildings (Codes)

| Code | Description | Year Blt | Value | Units | Dims | Condition (% Good) |
|------|-------------|----------|-------|-------|------|--------------------|
| NONE | | | | | | |

Land Breakdown

| Code | Description | Units | Adjustments | Eff Rate | Land Value |
|--------|---------------|-----------------------|------------------------|-----------|------------|
| 161CI2 | CITY LT (MKT) | 223.000 FF (0.409 AC) | 1.0000/.7500 1.0000/ / | \$113 /FF | \$25,088 |

Search Result: 3 of 4

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2020 Working Values

updated: 7/30/2020

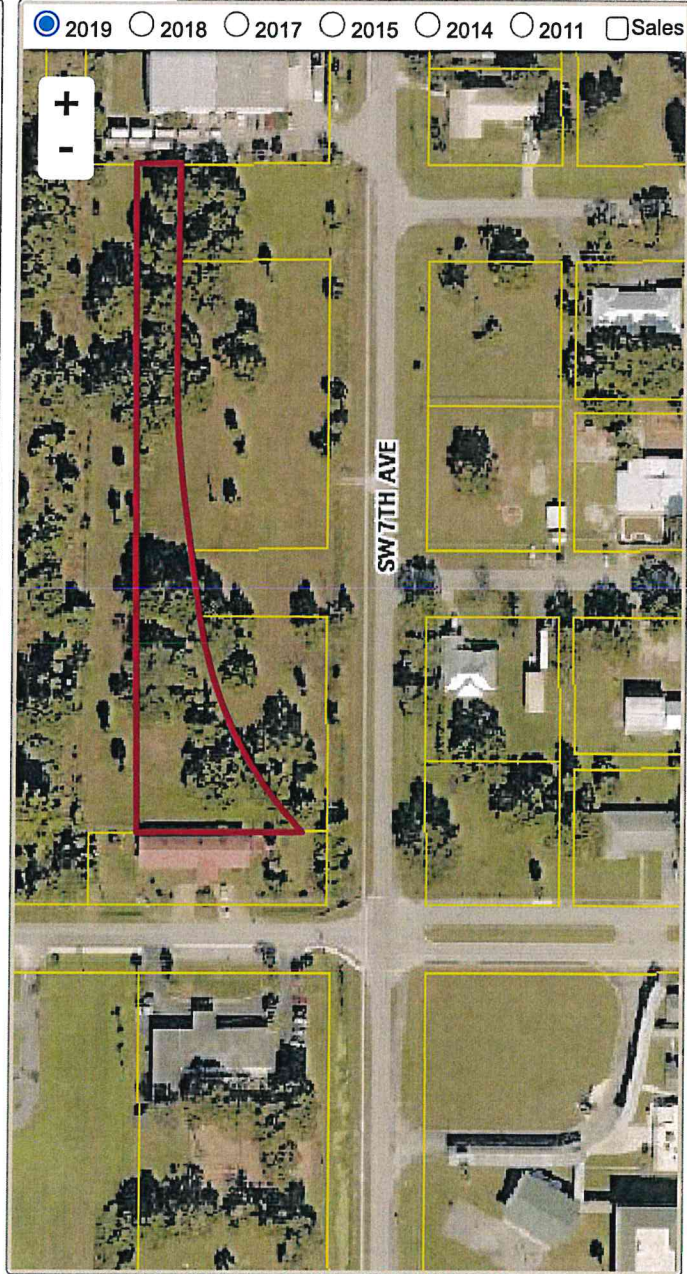
Parcel: << **3-21-37-35-0020-02510-0130 (34741)** >>

Aerial Viewer Pictometry Google Maps

Owner & Property Info

| | | | |
|--------------|---|--------------|----------|
| Owner | SPRADLEY RUTH G & NEMEC GALE B %NEMEC CHILDREN'S TRUST 608 HARBOUR POINTE WAY GREENACRES, FL 33413 | | |
| Site | SW 6TH ST, OKEECHOBEE | | |
| Description* | THAT PORTION OF THE FLORIDA EAST COAST RAILWAY COMPANY RIGHT-OF-WAY, SINCE ABANDONED, AND OF NORTH CURVE STREET, SINCE ABANDONED, AS SHOWN ON PLAT OF FIRST ADDITION TO OKEECHOBEE, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF SAINT ...more>>> | | |
| Area | 1.6 AC | S/T/R | 21-37-35 |
| Use Code** | VACANT (0000) | Tax District | 50 |

*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.
 **The Use Code is a Dept. of Revenue code. Please contact Okeechobee County Planning & Development at 863-763-5548 for zoning info.



Property & Assessment Values

| 2019 Certified Values | | 2020 Working Values | |
|-----------------------|-----------------|---------------------|-----------------|
| Mkt Land | \$16,800 | Mkt Land | \$16,800 |
| Ag Land | \$0 | Ag Land | \$0 |
| Building | \$0 | Building | \$0 |
| XFOB | \$0 | XFOB | \$0 |
| Just | \$16,800 | Just | \$16,800 |
| Class | \$0 | Class | \$0 |
| Appraised | \$16,800 | Appraised | \$16,800 |
| SOH Cap [?] | \$0 | SOH/10% Cap [?] | \$0 |
| Assessed | \$16,800 | Assessed | \$16,800 |
| Exempt | \$0 | Exempt | \$0 |
| Total Taxable | county:\$16,800 | Total Taxable | county:\$16,800 |
| | city:\$16,800 | | city:\$16,800 |
| | other:\$16,800 | | other:\$16,800 |
| | school:\$16,800 | | school:\$16,800 |

Note: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.

Sales History

| Sale Date | Sale Price | Book/Page | Deed | V/I | Quality (Codes) | RCode |
|-----------|------------|-----------|------|-----|-----------------|-------|
| 8/1/1990 | \$0 | 0316/1436 | WD | V | U | 03 |

Building Characteristics

| Bldg Item | Description* | Year Blt | Base SF | Actual SF | Bldg Value |
|-----------|--------------|----------|---------|-----------|------------|
| NONE | | | | | |

Extra Features & Out Buildings (Codes)

| Code | Description | Year Blt | Value | Units | Dims | Condition (% Good) |
|------|-------------|----------|-------|-------|------|--------------------|
| NONE | | | | | | |

Land Breakdown

| Code | Description | Units | Adjustments | Eff Rate | Land Value |
|------|-------------|-------|-------------|----------|------------|
|------|-------------|-------|-------------|----------|------------|

Parcel ID Number: 3-15-37-35-0010-01900-0010

Prepared by and return to:
SUSIE BURK
Okee-Tantie Title Company, Inc.
105 NW 6th Street
Okeechobee, Florida 34972
FILE NO. 37460

Warranty Deed

This Indenture, Executed this JULY 31, 2020 A.D. Between

RUTH G. SPRADLEY, and, JOY N. LOPER, AS CO-TRUSTEES OF THE NEMEC CHILDREN'S TRUST AGREEMENT DATED DECEMBER 30, 1985,

whose address is 5243 EUROPA DRIVE, APT P, Boynton Beach, Florida 33437, hereinafter called the grantor, to

LOUMAX DEVELOPMENT, INC., A FLORIDA CORPORATION,

whose post office address is: P.O. BOX 5501, Fort Lauderdale, Florida 33310, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okeechobee County, Florida, viz:

Legal Description as Exhibit "A"

Parcel ID Number: 3-15-37-35-0010-01900-0010 & 3-15-37-35-0010-01910-0010 & 3-21-37-35-0020-02510-0130

Subject to covenants, restrictions, easements of record and taxes for the current year.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2019.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Printed Name Sylvia E. Burk

NEMEC CHILDREN'S TRUST AGREEMENT DATED
DECEMBER 30, 1985

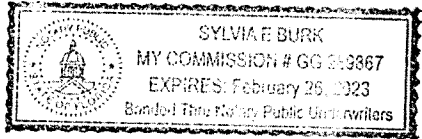
[Signature] (Seal)
BY: RUTH G. SPRADLEY, Its CO-TRUSTEE
Address: 5243 EUROPA DRIVE, APT P, Boynton Beach, Florida
33437

[Signature]
Witness Printed Name Darlene Adams

[Signature] (Seal)
BY: JOY N. LOPER, Its CO-TRUSTEE
Address: 5243 EUROPA DRIVE, APT P, Boynton Beach, Florida
33437

State of Florida
County of Duval

The foregoing instrument was acknowledged before me by means of X physical presence or NA online notarization, this August ^{July} 31, 2020, by NEMEC CHILDREN'S TRUST AGREEMENT DATED DECEMBER 30, 1985, who produced a drivers license as identification.



[Signature]
Notary Public
Print Name: Sylvia E. Burk
My Commission Expires _____

Exhibit "A"

All of Block 191, Town of Okeechobee, according to the plat thereof recorded in Plat Book 2, Page 17, Saint Lucie County, Florida, Public Records, lying in Okeechobee County.

That portion of the Florida East Coast Railway Company right of way, Since Abandoned, and of North Curve Street, Since Abandoned, as shown on plat of First Addition to Okeechobee County, Florida, as recorded in Plat Book 2, Page 26, of the Public Records of Saint Lucie County, Florida, and in Plat Book 1, Page 11, of the Public Records of Okeechobee County, Florida, which is bounded on the West by the Northerly extension of the West line of Block 251 (same also being a part of the East line of a tract of land known as the Station Grounds of said Railway Company), and on the South by a line extending from the Southernmost point of Block 191, as shown on the plat of the Town of Okeechobee, as recorded in Plat Book 2, Page 17, of the Public Records of Saint Lucie County, Florida, and in Plat Book 1, Page 10, of the Public Records of Okeechobee County, Florida, in a Westerly direction, said line being North of and parallel with the Westerly extension of the North line of Third Street, and which is bounded on the North by the Westerly extension of the North line of Fifth Street, of said Town of Okeechobee aforesaid and all that part of Fourth Street and Fifth Street lying West of Seventh Avenue in said Town of Okeechobee .

Lot 1 to 6, inclusive of Block 190, Okeechobee, according to the plat thereof recorded in Plat Book 2, Page 17 of the Public Records of Saint Lucie County, Florida.

File Number: 37460

Legal Description with Non Homestead
Closer's Choice

ONE AND THE SAME AFFIDAVIT

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

Before me a duly Commissioned Notary Public within and for the State and County aforesaid, personally appeared SYLVIA (SUSIE) BURK, after being duly sworn as required by law, deposes and says:

THAT I AM THE CLOSER OF THE PROPERTY DESCRIBED IN THE DEED RECORDED IN OFFICIAL RECORD FILE # 2020007440, PAGE 3, OKEECHOBEE COUNTY RECORDS

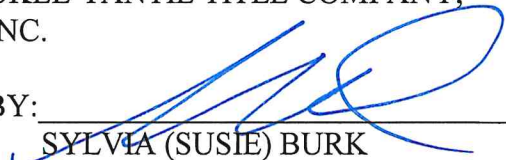
THAT PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA IS THE SAME PLAT AS PLAT BOOK 1, PAGE 10, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, AND IS THE SAME PLAT AS PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

EACH PLAT HAS THE NAME OF "OKEECHOBEE" AND EACH PLAT SHOWS UNDER THE NAME OF THE SUBDIVISION "ST. LUCIE COUNTY, FLORIDA"

FURTHER AFFIANT SAITH NOT.

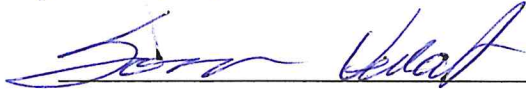
This Affidavit is made for the express purpose of inducing the City of Okeechobee to advertise using the Warranty Deed prepared by Okee-Tantie Title Company, Inc. .

OKEE-TANTIE TITLE COMPANY,
INC.

BY: 
SYLVIA (SUSIE) BURK



- Witness



- Witness

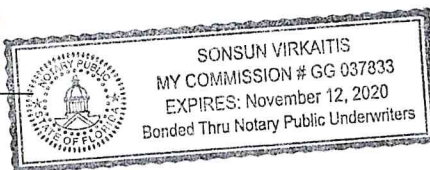
SONSUN VIRKAITIS

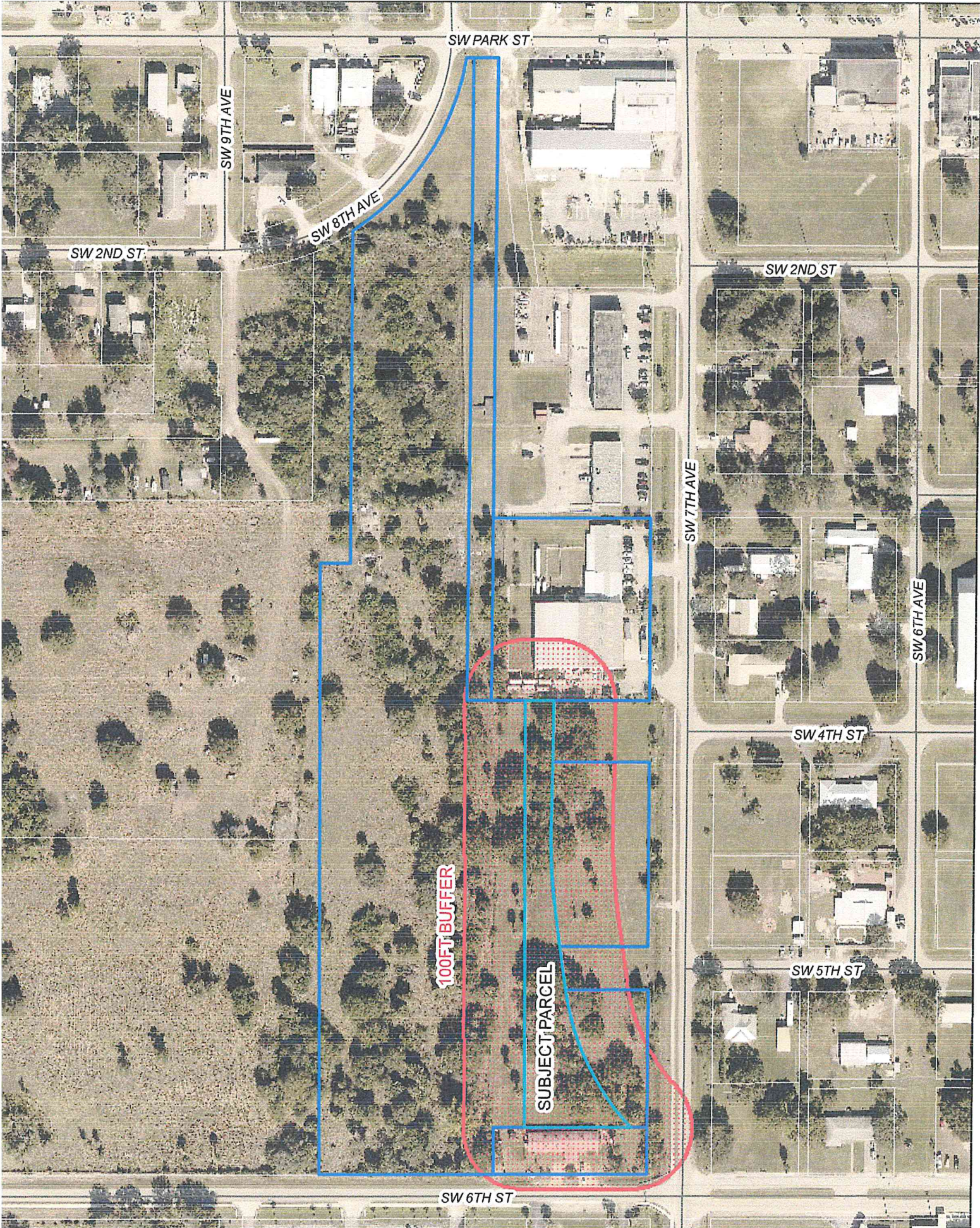
Sorn to and Subscribed before me this 25TH day of AUGUST, 2020, who has produced PERSONALLY KNOWN as identification.


Notary Public

SONSUN VIRKAITIS

(Seal)





SW PARK ST

SW 9TH AVE

SW 8TH AVE

SW 2ND ST

SW 2ND ST

SW 7TH AVE

SW 6TH AVE

SW 4TH ST

SW 5TH ST

SW 6TH ST

100FT BUFFER

SUBJECT PARCEL

THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE AND OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE DOES NOT ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREON

OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE



| PARCEL NUMBER | OWNER | ADDRESS 1 | ADDRESS 2 | ADDRESS 3 | CITY | ST | ZIP |
|----------------------------|--------------------------------|--------------------------------|-----------------------------|---------------------|--------------------|----|-----------|
| 2-21-37-35-0A00-00001-A000 | OKEECHOBEE PLAZA PROPERTIES | MANAGEMENT LLC | 4285 21ST STREET SW | | VERO BEACH | FL | 32968 |
| 2-21-37-35-0A00-00005-0000 | LOUMAX DEVELOPMENT INC | PO BOX 5501 | | | FT LAUDERDALE | FL | 33310 |
| 2-21-37-35-0A00-00006-0000 | ALTOBELLO FRANK CHARITABLE | REMAINDER TRUST III, ETAL. | C/O FRANK IRBY PERSONAL REP | 1385 SE 23RD STREET | OKEECHOBEE | FL | 34974 |
| 2-21-37-35-0A00-00006-C000 | HAVEN OF REST INC | 32801 US HIGHWAY 441 N LOT 244 | | | OKEECHOBEE | FL | 349720296 |
| 2-21-37-35-0A00-00006-D000 | ALTOBELLO FRANK CHARITABLE | REMAINDER TRUST III, ETAL. | C/O FRANK IRBY PERSONAL REP | 1385 SE 23RD STREET | OKEECHOBEE | FL | 34974 |
| 2-21-37-35-0A00-00013-0000 | DIOCESE OF PALM BEACH | ATTN REAL ESTATE DEPT | P O BOX 109650 | | PALM BEACH GARDENS | FL | 334100000 |
| 2-21-37-35-0A00-00053-0000 | SALRY RR | C/O CSX CORP | 500 WATER ST 1910 | | JACKSONVILLE | FL | 332020000 |
| 3-15-37-35-0010-01790-0040 | BELIEVERS FELLOWSHIP INC | PO BOX 653 | | | OKEECHOBEE | FL | 349730553 |
| 3-15-37-35-0010-01790-0060 | CREECH DANIEL B | 406 SW 2ND STREET | | | OKEECHOBEE | FL | 34974 |
| 3-15-37-35-0010-01790-0080 | HILL JUDITH E | 635 SW 85TH AVE | | | OKEECHOBEE | FL | 34974 |
| 3-15-37-35-0010-01890-0040 | SCHOOLEY KEVIN L & DEBORAH S | 2139 SW 22ND CIR N | | | OKEECHOBEE | FL | 349745701 |
| 3-15-37-35-0010-01890-0100 | SCHOOLEY KEVIN L & DEBORAH S | 604 SW 5TH STREET | | | OKEECHOBEE | FL | 349745701 |
| 3-15-37-35-0010-01900-0010 | SPRADLEY RUTH G & NEMEC GALE B | %NEMEC CHILDREN'S TRUST | 608 HARBOUR POINTE WAY | | OKEECHOBEE | FL | 34974 |
| 3-15-37-35-0010-01910-0010 | SPRADLEY RUTH G & NEMEC GALE B | %NEMEC CHILDREN'S TRUST | 5243 EUROPA DR UNIT P | | GREENACRES | FL | 334130000 |
| 3-15-37-35-0010-01920-0040 | SCHOOLEY KEVIN L & DEBORAH S | 2139 SW 22ND CIR N | | | BOYNTON BEACH | FL | 334370000 |
| 3-15-37-35-0010-01920-0070 | UNDERWOOD WILLIAM L & KELLEY A | 615 SW 5TH ST | | | OKEECHOBEE | FL | 349745701 |
| 3-15-37-35-0010-01920-0100 | UNDERWOOD WILLIAM L & KELLEY A | 615 SW 5TH ST | | | OKEECHOBEE | FL | 349744258 |
| 3-15-37-35-0010-01920-0070 | HAMRICK SARAH REGINA REVOC TRU | P O BOX 837 | | | OKEECHOBEE | FL | 349744258 |
| 3-21-37-35-0020-02510-0010 | OKEECHOBEE COUNTY SCHOOL BOARD | | | | OKEECHOBEE | FL | 34972 |
| 3-21-37-35-0020-02510-0010 | A CHILD'S WORLD CHILDCARE & | PRESCHOOL INC | 703 SW 6TH ST | | OKEECHOBEE | FL | 349744288 |
| 3-21-37-35-0020-02510-0120 | 110 MARION ROAD INC | PO BOX 453511 | | | MIAMI | FL | 332453511 |

07#

BOUNDARY SURVEY PREPARED FOR LOUMAX DEVELOPMENT, INC.



SCALE IN FEET
1" = 60'
MAP SCALE
HORIZONTAL DISPLAY SCALE

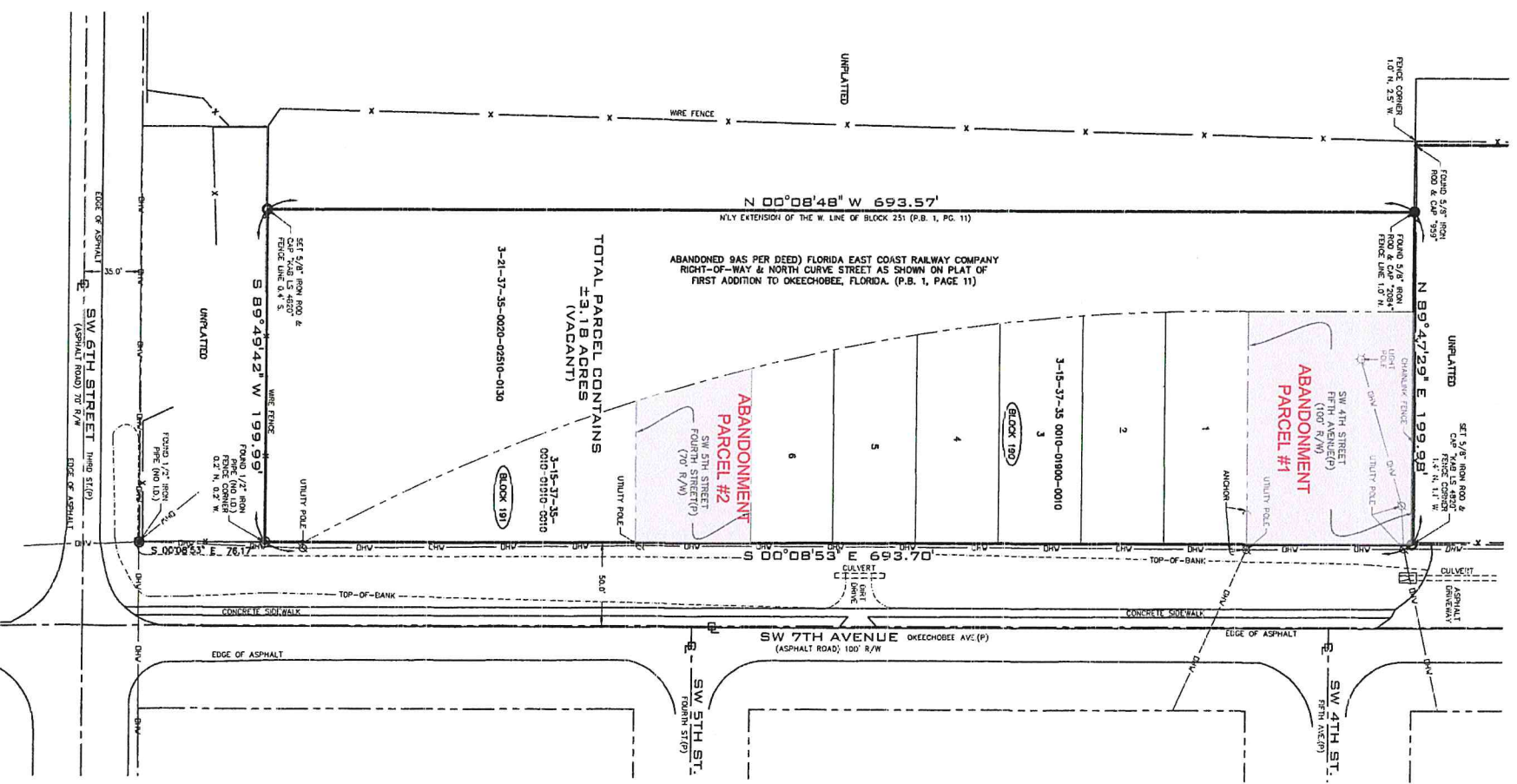
**DESCRIPTION RECITED FROM ORB 316, PAGE 1436,
PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA:**
ALL OF BLOCK 191, TOWN OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, ST. LUCIE COUNTY, FLORIDA, PUBLIC RECORDS, LYING IN OKEECHOBEE COUNTY;

THAT PORTION OF THE FLORIDA EAST COAST RAILWAY COMPANY RIGHT-OF-WAY, SINCE ABANDONED, AND OF NORTH CURVE STREET, SINCE ABANDONED, AS SHOWN ON PLAT OF FIRST ADDITION TO OKEECHOBEE, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF SAINT LUCIE COUNTY, FLORIDA, AND IN PLAT BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, WHICH IS BOUNDED ON THE WEST BY THE NORTHERLY EXTENSION OF THE WEST LINE OF BLOCK 251 (SAME ALSO BEING A PART OF THE EAST LINE OF A TRACT OF LAND KNOWN AS THE STATION GROUNDS OF SAID RAILWAY COMPANY), AND ON THE SOUTH BY A LINE EXTENDING FROM THE SOUTHERMOST POINT OF BLOCK 191, AS SHOWN ON THE PLAT OF THE TOWN OF OKEECHOBEE, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AND IN PLAT BOOK 1, PAGE 10, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, IN A WESTERLY DIRECTION, SAID LINE BEING NORTH OF AND PARALLEL WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF THIRD STREET, AND WHICH IS BOUNDED ON THE NORTH BY THE WESTERLY EXTENSION OF THE NORTH LINE OF FIFTH STREET, OF SAID TOWN OF OKEECHOBEE AFORESAID AND ALL THAT PART OF FOURTH STREET AND FIFTH STREET LYING WEST OF SEVENTH AVENUE IN SAID TOWN OF OKEECHOBEE.

LOTS 1 TO 6, INCLUSIVE OF BLOCK 190, OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

PROJECT SPECIFIC NOTES:
1) UNLESS SHOWN OTHERWISE, ALL DIMENSIONS ARE CALCULATED(C) AND MEASURED(M).

- 2) SITE ADDRESS: NOT ASSIGNED AT TIME OF SURVEY.
- 3) F.I.R.M. ZONE: "X", MAP NO. 120933004800, DATED 07/16/15.
- 4) THIS SURVEY IS NOT INTENDED TO DEPICT JURISDICTIONAL AREAS OR OTHER AREAS OF LOCAL CONCERN.
- 5) SURVEYOR ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF EASEMENT DIMENSIONS SHOWN HEREON, THERE MAY BE OTHER EASEMENTS OR RESTRICTIONS THAT EFFECT THIS PARCEL.
- 6) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 7) DATE OF LAST FIELD SURVEY: 12/30/19.



| | | | |
|--|--|--|---|
| JOB NO: 33421 SHEET NO: 1 OF 1 SCALE: 1" = 60' PREPARED FOR THE EXCLUSIVE USE OF: LOUMAX DEVELOPMENT, INC. | STANDARD NOTES: No search of the public records for determination of ownership or restrictions affecting the lands shown was performed by the surveyor. The survey depicted here is prepared exclusively for those parties noted. No responsibility of liability is assumed by the surveyor for use by others not specifically named. Not valid without the signature and embossed seal of Florida licensed surveyor and mapper #4820. There are no visible above ground encroachments except as outlined in Chapter 51-17, Florida Administrative Code. TRADEWINDS SURVEYING SERVICES, LLC. 200 S.W. 3rd Avenue Okeechobee, FL 34974 Tel: (863) 763-2887 Fax: (863) 763-4342 Email: kab.lwps@yahoo.com Kenneth A. Breaux, Jr. (PSM 4820) LB NO. 8097 | LEGEND ● - Set Iron Rod and Cap "KAB US 4820" ○ - Found CM ○ - Found Iron Rod (and Cap) ○ - Found Pipe (and Cap) ○ - Found CM ○ - Found Iron Rod (and Cap) ○ - Found Pipe (and Cap) ○ - Found CM ○ - Found Iron Rod (and Cap) ○ - Found Pipe (and Cap) | DESCRIPTION BOUNDARY SURVEY DWG. DATE: 01/02/20 BY: WC CK: KAB FB/P/G: 334/79 SCALE: 1" = 60' JOB NO: 33421 FILE: 33421 |
|--|--|--|---|

BOUNDARY SURVEY PREPARED FOR LOUMAX DEVELOPMENT, INC.



0 10 20 30 40 50
Feet
 MAP SCALE 1 INCH = 80 FEET
INTENDED DISPLAY SCALE

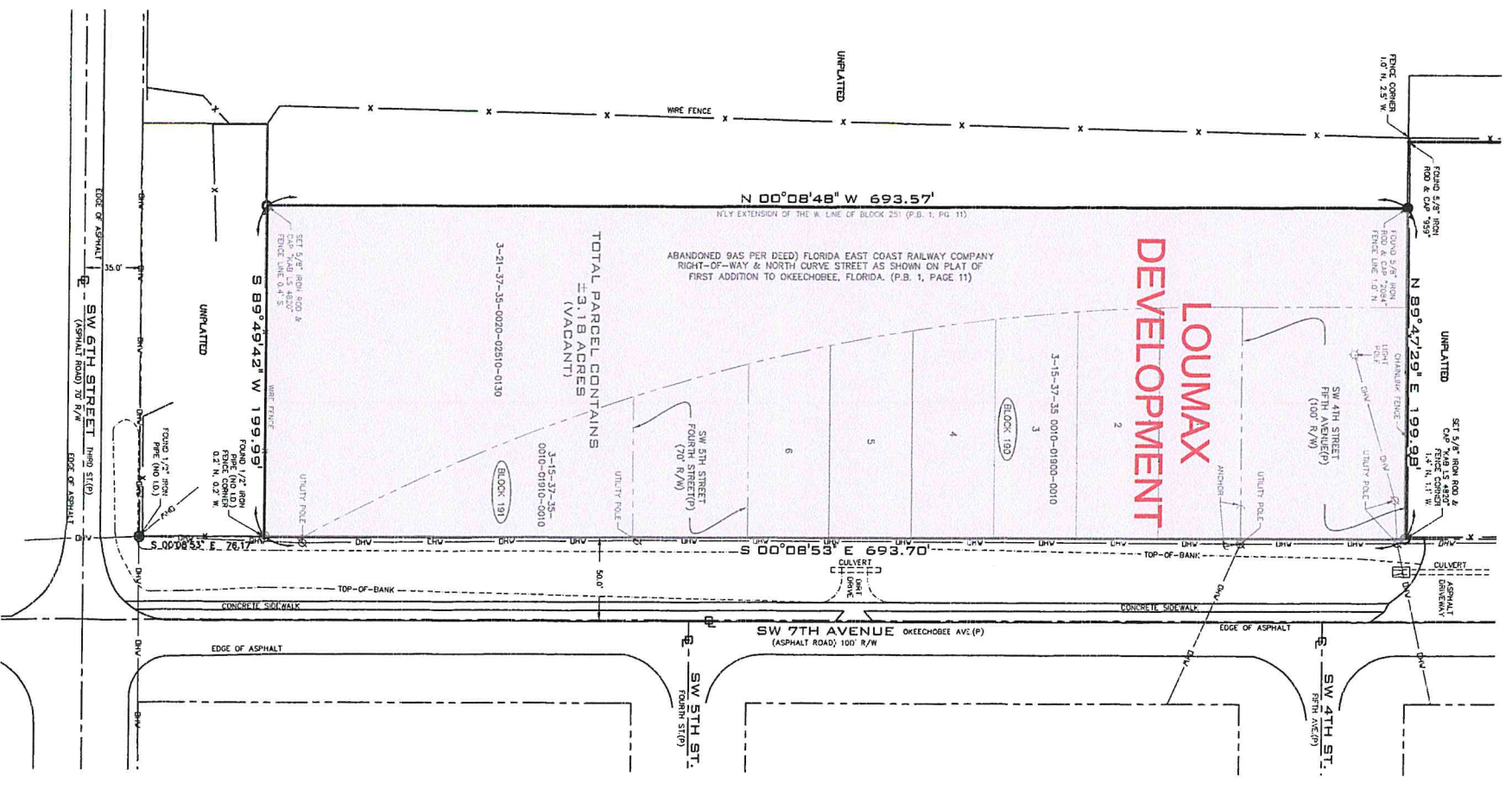
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 FLORIDA, WHICH IS BOUNDED ON THE WEST BY THE NORTHERLY
 EXTENSION OF THE WEST LINE OF BLOCK 251 (SAME ALSO BEING A
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 EXTENDING FROM THE SOUTHERMOST POINT OF BLOCK 191, AS SHOWN
 ON THE PLAT OF THE TOWN OF OKEECHOBEE, AS RECORDED IN PLAT
 BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY,
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 BEING NORTH OF AND PARALLEL WITH THE WESTERLY EXTENSION OF THE
 NORTH LINE OF THIRD STREET, AND WHICH IS BOUNDED ON THE NORTH
 BY THE WESTERLY EXTENSION OF THE NORTH LINE OF FIFTH STREET, OF
 SAID TOWN OF OKEECHOBEE AFORESAID AND ALL THAT PART OF FOURTH
 STREET AND FIFTH STREET LYING WEST OF SEVENTH AVENUE IN SAID
 TOWN OF OKEECHOBEE.**

**LOTS 1 TO 6, INCLUSIVE OF BLOCK 190, OKEECHOBEE, ACCORDING TO
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- 3) F.I.R.M. ZONE: "X", MAP NO. 1209300480C, DATED 07/16/15.
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- 5) SURVEYOR ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF EASEMENT DIMENSIONS SHOWN HEREON, THERE MAY BE OTHER EASEMENTS OR RESTRICTIONS THAT EFFECT THIS PARCEL.
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- 7) DATE OF LAST FIELD SURVEY: 12/30/19.



STANDARD NOTES: No search of the public records for determination of ownership or restrictions affecting the lands shown was performed by the surveyor. The survey depicted here is prepared exclusively for those parties noted. No responsibility or liability is assumed by the surveyor for use by others not specifically named. Not valid without the signature and sealed seal of Florida licensed surveyor and mopper #4820. There are no visible above ground encroachments except as shown, outlined in Chapter S-L-17, Florida Administrative Code.

PREPARED FOR THE EXCLUSIVE USE OF: LOUMAX DEVELOPMENT, INC.

| | |
|------------------------------|-----------------|
| JOB NO: 33421 | SHEET NO: 1 |
| SCALE: 1" = 80' | DATE: 01/02/20 |
| DESCRIPTION: BOUNDARY SURVEY | BY: CK |
| DATE: 01/02/20 | WC: KAB |
| FILE: 33421 | SCALE: 1" = 80' |
| JOB NO: 33421 | JOB NO: 33421 |

TRADEWINDS SURVEYING SERVICES, LLC.
 200 S.W. 3rd Avenue
 Okeechobee, FL 34974
 Tel: (863) 763-2887
 Fax: (863) 763-4342
 Email: kab.lwps@yahoo.com

Kenneth A. Breaux, Jr. (PSM 4820) LB NO. 8097

LEGEND
 ● - Set Iron Rod and Cap "KAB LS 4820"
 ○ - Found Iron Rod and Cap "KAB LS 4820"
 ■ - Found CM
 ● - Found Iron Rod and Cap
 ○ - Found Pipe (and Cap)
 ● - Found CM

ABBREVIATIONS
 ● - Dismantled
 ○ - Calculated
 C - Calculated
 CATV - Cable TV
 C&G - Concrete and Gravel
 E - Electric
 L - Live Electric
 F - Foundation
 G - Gas
 H - Highway
 I - Iron
 L - Live Electric
 M - Mapped
 N - National
 O - Old
 P - Point
 R - Road
 S - Survey
 T - Town
 U - Utility
 W - Water
 X - X
 Y - Y
 Z - Z

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 | FPL requires a 10' easement on the east end of SW 4th Street and SW 5th Street ROWs west of SW 7th Avenue, if abandoned. |
| 863-467-3708 | |
| Donna Padgett | |

Donna Padgett SVC PLANNING 863-467-3708 7/31/20
Authorized Signature Typed Name & Title Phone No. Date

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

Authorized Signature Typed Name & Title Phone No. Date

| | |
|-------------------------------------|--|
| Comcast Cable | |
| 863-763-2824 | |
| 107 NW 7th Avenue | |

Authorized Signature Typed Name & Title Phone No. Date

| | |
|-------------------------------------|--|
| Okeechobee Utility Authority | |
| John Hayford | |
| 863-763-9460 | |
| 100 SW 5th Avenue | |

Authorized Signature Typed Name & Title Phone No. Date

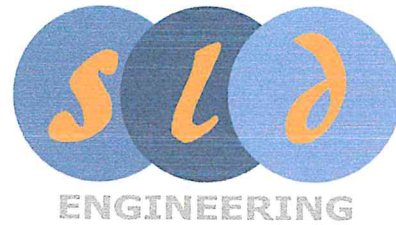
| | |
|---------------------------------|--|
| Florida Public Utilities | |
| Dale M. Butcher | |
| 561-366-1635 | |
| dbutcher@fpuc.com | |

Authorized Signature Typed Name & Title Phone No. Date

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

| | |
|---------------------------------|--|
| Hamrick Estate | |
| Gil Culbreth, Co-Trustee | |
| 863-763-3154 | |

Authorized Signature Typed Name & Title Phone No. Date



August 3, 2020

City of Okeechobee
55 SE 3rd Avenue
Okeechobee, FL 34974

Subject: Loumax Development, Inc. SW 4th and SW 5th Street Abandonment Statement

Dear Mr. Montes de Oca:

As discussed last week, I know the deadline for the abandonment submittal is noon on Tuesday August 4, 2020 and that FPL and Centurylink were on storm watch last week. I was able to get FPL's sign off, but I am still awaiting Centurylink. As soon as I received the signoff, I will forward it to the City for your records.

Should you have any questions or comments, please do not hesitate to call.

Sincerely,

Steven L. Dobbs Engineering

A handwritten signature in blue ink that reads "Steven L. Dobbs".

Steven L. Dobbs, P. E.
President

CC: Neal Markus
File

CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION
Utility Companies Authorization Form

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| | |
|----------------------------------|--|
| Florida Power & Light | |
| 863-467-3708 | |
| Donna Padgett | |

| Authorized Signature | Typed Name & Title | Phone No. | Date |
|----------------------------------|--------------------|-----------|------|
| Embarq d/b/a Century Link | | | |
| 863-452-3185 | | | |
| Kenneth R. Lutz | | | |
| ken.lutz@centurylink.com | | | |

| | | | |
|------------------------|-------------------------------|--------------|------------|
| <i>Kenneth R. Lutz</i> | Kenneth R. Lutz - Engineer II | 863-452-3185 | 08/13/2020 |
| Authorized Signature | Typed Name & Title | Phone No. | Date |

| | |
|-------------------------------------|--|
| Comcast Cable | |
| 863-763-2824 | |
| 107 NW 7th Avenue | |

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

| Authorized Signature | Typed Name & Title | Phone No. | Date |
|---------------------------------|--------------------|-----------|------|
| Florida Public Utilities | | | |
| Dale M. Butcher | | | |
| 561-366-1635 | | | |
| dbutcher@fpuc.com | | | |

| | | | |
|----------------------|--------------------|-----------|------|
| Authorized Signature | Typed Name & Title | Phone No. | Date |
|----------------------|--------------------|-----------|------|

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

| | |
|---------------------------------|--|
| Hamrick Estate | |
| Gil Culbreth, Co-Trustee | |
| 863-763-3154 | |

| | | | |
|----------------------|--------------------|-----------|------|
| Authorized Signature | Typed Name & Title | Phone No. | Date |
|----------------------|--------------------|-----------|------|



CenturyLink

8/13/2020

Loumax Development, Inc.
c/o Steven L. Dobbs, P.E.
208 NE 2nd Avenue
Okeechobee, FL 34972

No Reservations/No Objection

SUBJECT:

Abandonment that portion of SW 4th Street and SW 5th Street, according to plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

To Whom It May Concern:

Embarq Florida, Inc., d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions, please contact Bill Paul at 727-449-3544 / william.d.paul@centurylink.com

Sincerely yours,

Mike Pietlukiewicz
Contract Manager III
CenturyLink
P830678

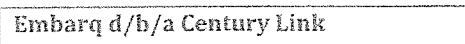
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| Florida Power & Light | |
| 863-467-3708 | |
| Donna Padgett | |


| Authorized Signature | Typed Name & Title | Phone No. | Date |
|---|---------------------------|-----------|------|
|  | Embarq d/b/a Century Link | | |
| | 863-452-3185 | | |
| | Kenneth R. Lutz | | |
| | ken.lutz@centurylink.com | | |

| Authorized Signature | Typed Name & Title | Phone No. | Date |
|---|-------------------------------|-----------|------|
|  | Comcast Cable | | |
| | 863-763-2824 | | |
| | 107 NW 7 th Avenue | | |

1495 NW BRITT RD STUART FL 34994
Construction Coordinator 561-402-4513 7-15-20

| | |
|-------------------------------|--|
| Okeechobee Utility Authority | |
| John Hayford | |
| 863-763-9460 | |
| 100 SW 5 th Avenue | |

| Authorized Signature | Typed Name & Title | Phone No. | Date |
|---|--------------------------|-----------|------|
|  | Florida Public Utilities | | |
| | Dale M. Butcher | | |
| | 561-366-1635 | | |
| | dbutcher@fpuc.com | | |

| Authorized Signature | Typed Name & Title | Phone No. | Date |
|---|---|-----------|------|
|  | *REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS | | |
| | Hamrick Estate | | |
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| | 863-763-3154 | | |

| Authorized Signature | Typed Name & Title | Phone No. | Date |
|----------------------|--------------------|-----------|------|
| | | | |

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| Embarq d/b/a Century Link | |
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| Kenneth R. Lutz | |
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Authorized Signature Typed Name & Title Phone No. Date

| | |
|-------------------------------|--|
| Comcast Cable | |
| 863-763-2824 | |
| 107 NW 7 th Avenue | |

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| | |
|-------------------------------|---|
| Okeechobee Utility Authority | <i>No objection to Parcel - Right of Way abandonment.</i> |
| John Hayford | |
| 863-763-9460 | |
| 100 SW 5 th Avenue | |

Authorized Signature Typed Name & Title Phone No. Date

| | |
|--------------------------|--|
| Florida Public Utilities | |
| Dale M. Butcher | |
| 561-366-1635 | |
| dbutcher@fpuc.com | |

Authorized Signature Typed Name & Title Phone No. Date

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

| | |
|--------------------------|--|
| Hamrick Estate | |
| Gil Culbreth, Co-Trustee | |
| 863-763-3154 | |

Authorized Signature Typed Name & Title Phone No. 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 _____ Typed Name & Title _____ Phone No. _____ Date _____

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

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

| | |
|-------------------------------|--|
| Comcast Cable | |
| 863-763-2824 | |
| 107 NW 7 th Avenue | |

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

| | |
|-------------------------------------|--|
| Okeechobee Utility Authority | |
| John Hayford | |
| 863-763-9460 | |
| 100 SW 5 th Avenue | |

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

| | |
|--|--|
| Florida Public Utilities | |
| Ivan Gibbs | |
| 561-723-3459 | |
| igibbs@fpuc.com | |

Ivan Gibbs _____ Ivan Gibbs Engineering Technician _____ 561-723-3459 _____ 7-28-2020 _____
Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

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

| | |
|--------------------------|--|
| Hamrick Estate | |
| Gil Culbreth, Co-Trustee | |
| 863-763-3154 | |

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION
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| | |
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| Florida Power & Light | |
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| Donna Padgett | |

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

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Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

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| Comcast Cable | |
| 863-763-2824 | |
| 107 NW 7th Avenue | |

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

| | |
|-------------------------------------|--|
| Okeechobee Utility Authority | |
| John Hayford | |
| 863-763-9460 | |
| 100 SW 5th Avenue | |

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

| | |
|--|--|
| Florida Public Utilities | |
| Dale M. Butcher | |
| 561-366-1635 | |
| dbutcher@fpuc.com | |

Authorized Signature _____ Typed Name & Title _____ Phone No. _____ Date _____

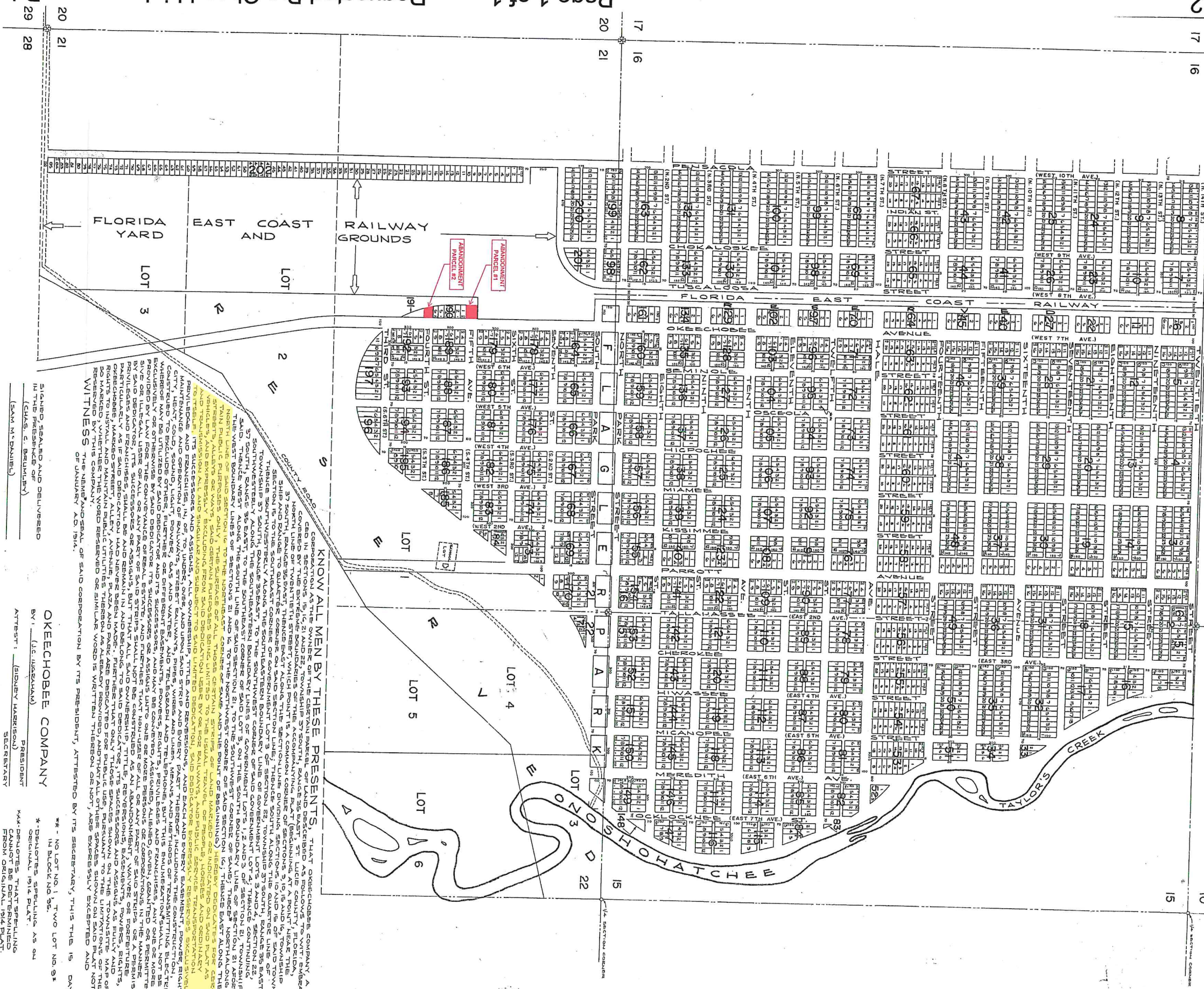
***REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS**

| | |
|---------------------------------|---|
| Hamrick Estate | <i>THE HAMRICK TRUST HAS A FEE SIMPLE INTEREST</i> |
| Gil Culbreth, Co-Trustee | <i>IN THE LEGAL DESCRIPTION OF THE RIGHT-OF-WAY</i> |
| 863-763-3154 | <i>TO BE ABANDONED</i> |

H. Culley _____ *H.G. Culbreth, Jr.* *863-610-0265* *7-29-2020*
Authorized Signature _____ Typed Name & Title *Co-Trustee* Phone No. _____ Date _____

OKEECHOBEE COUNTY, FLORIDA

ST. LUCIE COUNTY, FLORIDA
BEING A SUBDIVISION OF A PART OF
SECTIONS 15, 16, 21 & 22
TOWNSHIP 37 SOUTH
RANGE 35 EAST
SCALE 1" = 300'



KNOW ALL MEN BY THESE PRESENTS, THAT OKEECHOBEE COMPANY, A CORPORATION AS THE SURVIVOR OF THE CERTAIN PARCELS OF LAND DESCRIBED AS PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 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795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

STATE OF FLORIDA
COUNTY OF ST. LUCIE
BEFORE ME, PERSONALLY APPEARED J.E. NIGERMAN AND
SIDNEY HARRISON, TO ME KNOWN TO ME
TO BE THE INDIVIDUALS DESCRIBED IN AND WHOSE NAMES
TO THE FOREGOING INSTRUMENT AS PRESIDENT AND SECRETARY
BY ACKNOWLEDGMENT TO AND BEFORE COMPANY AND SEVERAL
SUCH INSTRUMENT AS SUCH CORPORATION AND SEVERAL
AFFIRMED TRULY TO BE SAID PRESIDENT AND THAT THE SEAL
SEAL OF SAID CORPORATION INSTRUMENT IS THE CORPORA-
TE AND INSTRUMENT BY ONE AND REGULAR CORPORATE
OFFICER AND SAID INSTRUMENT IS THE FREE ACT AND DEED
OF SAID WITNESSES
WITNESSES
DAY OF JANUARY 1914.

WE HEREBY CERTIFY AND DECLARE THAT THE ATTACHED MAP
OF THE SUBDIVISION OF PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

STATE OF FLORIDA
COUNTY OF ST. LUCIE
THIS INSTRUMENT OF WRITING WAS
FILED FOR RECORD IN THE OFFICE
OF THE CLERK OF SAID COUNTY
ON THE 21st DAY OF JANUARY
A.D. 1914, AND THE DATE HAS BEEN
DUPLICATED IN PLAT BOOK
AT PAGE 17 AS SHOWN IN PLAT BOOK
WITNESSES MY HAND AND THE SEAL
OF SAID COUNTY THIS 21st
DAY OF JANUARY 1914.
CLERK OF SAID COUNTY
DEPUTY CLERK

VERIFICATION:
THIS IS A TRUE COPY
OF THE ORIGINAL FILED
RECORDED OF OKEECHOBEE
COUNTY, FLORIDA, PLAT BOOK
PLAT BOOK 5, PAGE 17, AS
SHOWN IN PLAT BOOK
OKEECHOBEE COUNTY,
FLORIDA.
FILED AT PLAT
BOOK 5, PAGE 17, ST.
LUCIE COUNTY, FLORIDA,
VERIFIED ON Sept 4, 1899.
DEPUTY CLERK

51-51
FEBRUARY DIVISION

OKEECHOBEE
FEBRUARY DIVISION

OKEECHOBEE
FEBRUARY DIVISION



Staff Report

Right-of-Way Abandonment

Prepared for: *The City of Okeechobee*
Applicant: *Loumax Development, Inc*
Petition No.: *20-002-SC*

LaRue
planning

1375 Jackson Street # 206 Fort Myers, FL 33901

Request

The matter before the TRC is a request to abandon two sections of public right-of-way:

1. An approximately 15,700 square foot section of ROW described as follows:
“That portion of Southwest 4th Street (formerly known per plat as Fifth Avenue), 100 feet in width, lying north of Lot 1, Block 190, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.”
2. An approximately 9,725 square foot section of ROW described as follows:
“That portion of Southwest 5th Street (formerly known per plat as Fourth Street), 70 feet in width, lying north of, Block 191, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.”

In total, the abandonment request encompasses approximately 25,425 square feet (0.58 acres) of public ROW. The surrounding property which is owned by the applicant was recently approved for a future land use map amendment and a rezoning to industrial. If this request is approved, the applicant has stated their intention is to expand their industrial manufacturing operation that has been in existence on the property to the north.

General Information

| | |
|--|---|
| Owner | Neal Markus |
| Address | Loumax Development, Inc PO Box 5501 Fort Lauderdale, FL 33310 |
| Phone Number | 954-347-1077 |
| For the legal description of the project or other information regarding this application, please refer to the application submittal package which is available by request at City Hall and is posted on the City’s website prior to the advertised public meeting at https://www.cityofokeechobee.com/agendas.html . | |

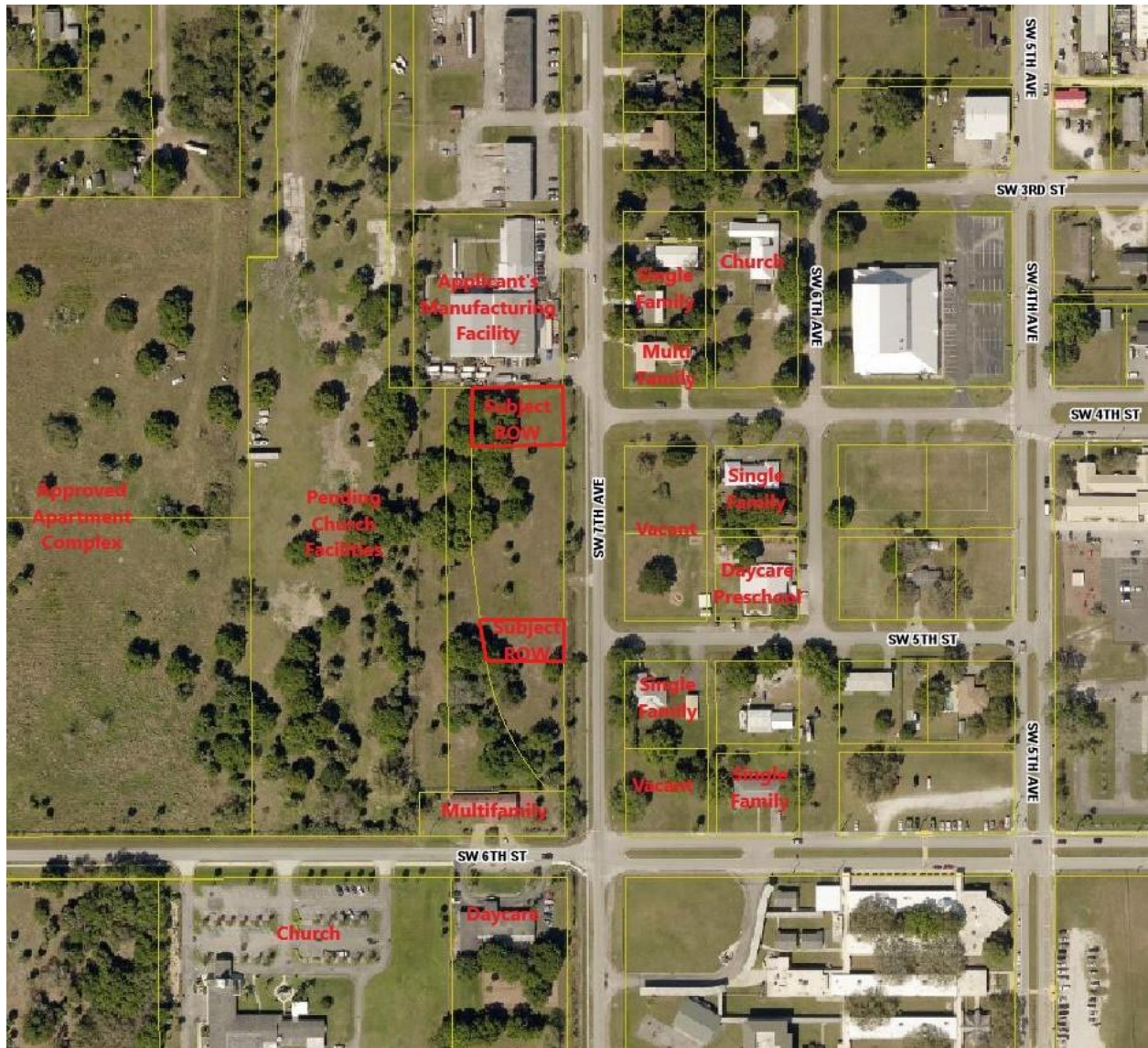
Characteristics of the Subject Property

| | Existing | Proposed |
|-----------------|------------|------------|
| Future Land Use | Industrial | Industrial |
| Zoning District | Industrial | Industrial |
| Use of Property | Industrial | Industrial |
| Acreage | 2.87 acres | 3.45 |

Description of the Subject Site and Surrounding Area

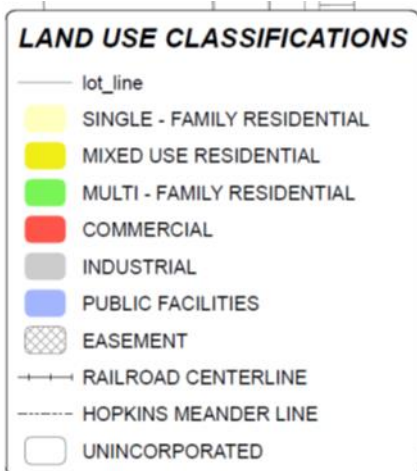
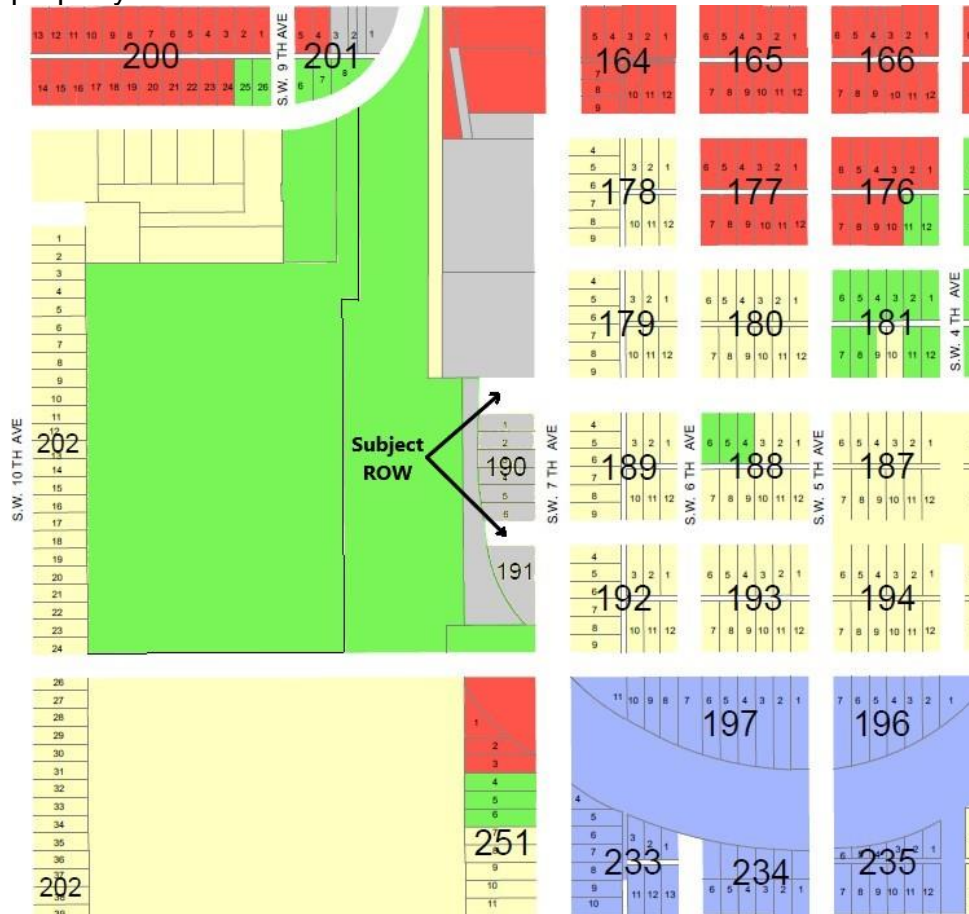
AERIAL

The subject of the abandonment/vacation, the unimproved rights-of-way of SW 4th Street and SW 5th Street, are outlined in Red, and the existing land uses in the vicinity are shown below on the aerial photograph from the Property Appraiser's office. The Applicant owns all four of the surrounding parcels.



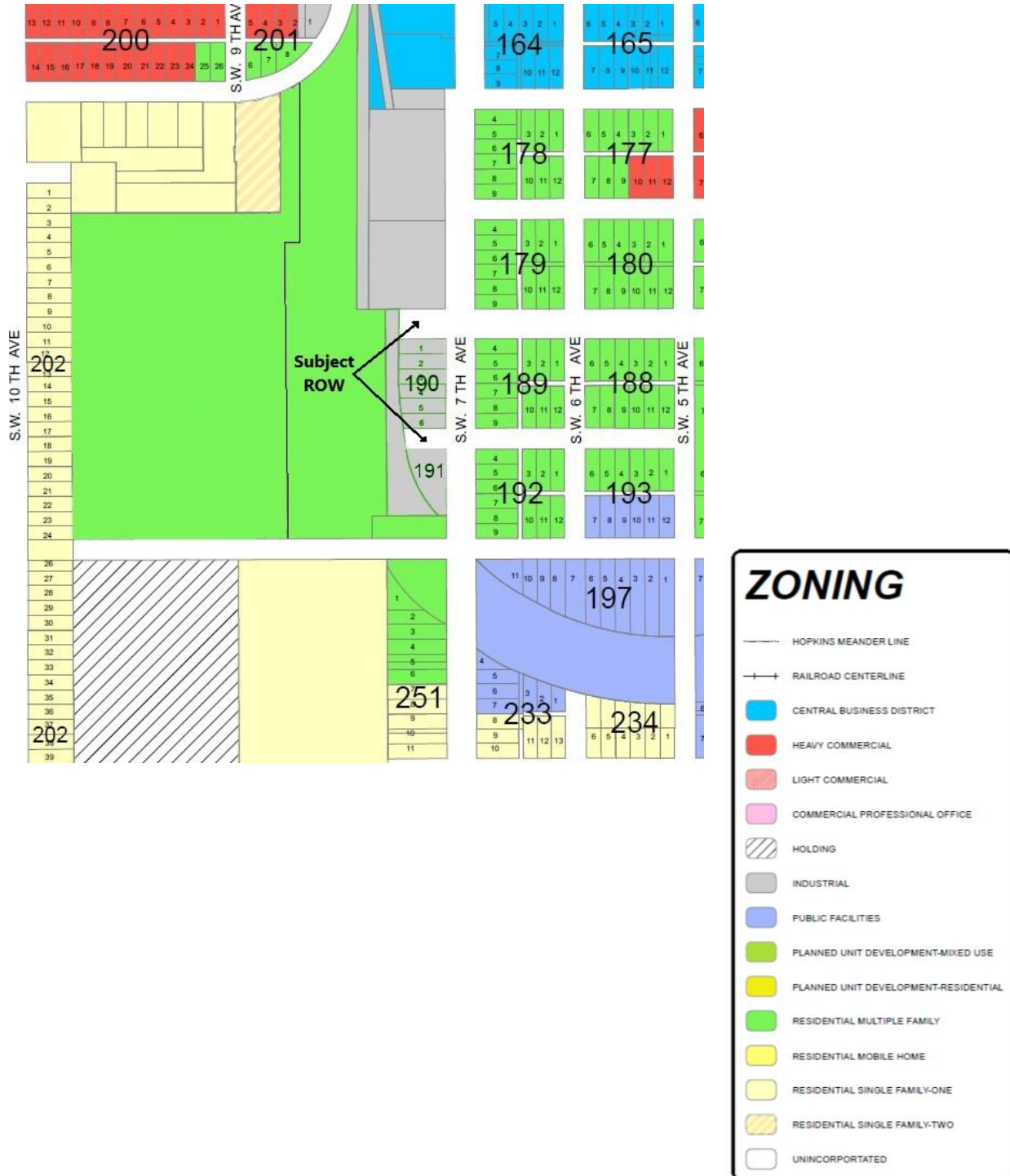
FUTURE LAND USE

The subject of the abandonment/vacation, the unimproved right-of-way of SW 4th Street and SW 5th Street, are identified below and the Future Land Use Map designations are shown on this excerpt from the City's Future Land Use Map. All surrounding properties on the west side of SW 7th Ave are designated Industrial and if this vacation is to be approved, it seems appropriate to place an Industrial designation on the vacated property.



ZONING

The subject of the abandonment/vacation, the unimproved right-of-way of SW 4th Street and SW 5th Street, are identified below and the zoning designations are shown on this excerpt from the City's Zoning Map. All surrounding properties on the west side of SW 7th Ave are designated Industrial and if this vacation is to be approved, it seems appropriate to place an Industrial designation on the vacated property.



Consistency with Sec. 78-33, Vacation of Rights-of-Way

Sec. 78.33 states that applications to vacate an alley or public right-of-way may be approved upon a finding by the City Council that the following requirements have been met. The Applicant's responses are provided in Times Roman typeface and are repeated below exactly as provided by the Applicant. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments. Staff Comments are in Arial typeface.

1. *Proposed vacation is consistent with the Comprehensive Plan.*

Applicant Comment: "The requested abandonment of the road ROW is consistent with the Comprehensive Plan as it is currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies."

Staff Comment: There is nothing in the City's Comprehensive Plan concerning abandonments or vacations of rights-of-way.

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

Applicant Comment: "Neither ROW is sole access to any property and a remaining land will not require an easement."

Staff Comment: The applicant owns all of the surrounding property on the west side of SW 7th Avenue. No other properties require these ROWs for access.

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

Applicant Comment: "The proposed vacation of the ROW is within a block that was previously rezoned to Industrial and will allow the existing business to expand to the south so this vacation will allow the existing road ROW square footage to add the required space south of the existing facility for the proposed expansion and return the property to the tax rolls."

Staff Comment: Since the City recently approved the future land use map amendment and rezoning to industrial designations, it seems appropriate to allow the subject rights-of-way to be vacated. Turning over maintenance responsibility to the applicant and adding this property to the City tax rolls will be a benefit to the City. If the property is developed according to the Applicant's stated plans, additional taxes will be collected by the City and a several jobs will be created by the applicant's proposed expansion of the existing manufacturing facility.

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

Applicant Comment: "There are currently no utilities in the requested abandonment."

Staff Comment: The Applicant has provided signed authorizations from all necessary utility entities including:

- Florida Power & Light
- Century Link (with the condition that the Applicant will bear the cost of relocation and

- repair of any facilities that are found and/or damaged in the vacated areas)
- Comcast
 - Okeechobee Utility Authority
 - Florida Public Utilities

Recommendation

Based on the foregoing information and analysis, we believe, from a planning perspective, that the requested rights-of-way vacation/abandonment **can be considered consistent with the requirements of Sec. 78-33.**

Submitted by:



Benjamin L. Smith, AICP
Sr. Planner

LaRue Planning
September 8, 2020

TRC Meeting: September 17, 2020
PB/BOA Meeting: October 15, 2020
City Council 1st Reading: (tentative) November 17, 2020
City Council 2nd Reading and Public Hearing: (tentative) December 1, 2020



CITY OF OKEECHOBEE, FLORIDA
SEPTEMBER 17, 2020
TECHNICAL REVIEW COMMITTEE MINUTES
SUMMARY OF COMMITTEE ACTION

I. CALL TO ORDER

Chairperson Montes De Oca called the regular meeting of the Technical Review Committee for the City of Okeechobee to order on Thursday, September 17, 2020, at 10:00 A.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and further extended by Executive Order No. 20-193, effective August 7, 2020, the meeting was conducted utilizing communications media technology as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and digital comments are recorded and retained as a permanent record.

A. The Pledge of Allegiance was led by Chairperson Montes De Oca.

II. ATTENDANCE

Technical Review Committee Secretary Patty Burnette called the roll. City Administrator Marcos Montes De Oca, Public Works Director David Allen, Building Official Jeffery Newell, and Fire Chief Herb Smith were present. Police Chief Bob Peterson was absent, and Major Donald Hagan was present in his place.

CITY STAFF

City Planning Consultant Ben Smith, General Services Secretary Yesica Montoya, Executive Assistant Robin Brock and Okeechobee County Environmental Health Director Victor Faconti were present in the Chambers. The School Board Representative and Okeechobee Utility Authority (OUA) Executive Director John Hayford were absent with consent.

III. AGENDA

- A.** Chairperson Montes De Oca asked whether there were any agenda items to be added, deferred or withdrawn. There were none.
- B.** A motion was made by Building Official Newell to approve the agenda as published; seconded by Public Works Director Allen.

Chairperson Montes De Oca, Public Works Director Allen, Building Official Newell, Major Hagan, and Fire Chief Smith voted: Aye. Nays: none. Motion Carried.

IV. MINUTES

- A.** A motion was made by Building Official Newell to dispense with the reading and approve the June 18, 2020 regular meeting minutes; seconded by Major Hagan.

Chairperson Montes De Oca, Public Works Director Allen, Building Official Newell, Major Hagan, and Fire Chief Smith voted: Aye. Nays: none. Motion Carried.

V. NEW BUSINESS

A. City Planning Consultant Ben Smith of LaRue Planning and Management Services briefly reviewed the Planning Staff Report for Abandonment of Right-of-Way Petition No. 20-002-SC, which requests to vacate the portion of Southwest 4th Street (formerly known per plat as Fifth Avenue), 100 feet in width, lying North of Lot 1, of Block 190, and the portion of Southwest 5th Street (formerly known per plat as Fourth Street), 70 feet in width, lying North of, Block 191, both being CITY OF OKEECHOBEE, Plat Book 5, Page 5, Public Records of Okeechobee County. The surrounding property which is owned by the Applicant was recently approved for a Future Land Use Map (FLUM) Amendment and a Rezoning to Industrial. If this request is approved, the Applicant has stated their intention is to expand their industrial manufacturing operation that has been in existence on the property to the North. With the recent FLUM and Zoning approvals and given that all surrounding properties on the West side of Southwest 7th Avenue are designated Industrial, it seems appropriate to place an Industrial designation on the vacated property. Planning Staff's responses to the required findings are: the alleyways are not the sole means of access to any property; the Applicant owns all the surrounding property on the West side of Southwest 7th Avenue; the proposed rights-of-way areas to be vacated have not been improved to facilitate vehicular travel; turning over maintenance responsibilities to the Applicant and adding property to the City's tax rolls will be a benefit to the City; and finally, the Applicant has received authorization from all necessary utility entities. Florida Power & Light (FPL) is requiring a 10-foot easement be provided on the East end of Southwest 4th and 5th Street rights-of-way West of 7th Avenue. Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. Planning Staff is recommending **approval** based on these findings.

1. Building Official Newell confirmed with the Applicant's representative, Mr. Steve Dobbs, that his client agreed with all the Utility Companies comments. Mr. Dobbs confirmed this.

Fire Chief Smith: No issues were received.

Major Hagan: No issues were received.

Public Works Director Allen: No issues were received.

County Environmental Health Dept: No issues were received.

OUA: Director Hayford was not in attendance although forwarded an email to the Committee Secretary stating he had no issues with this application.

2. Mr. Steven Dobbs, Engineering Project Manager, representing the Property Owner, Loumax Development Inc, was present and available for questions. There were none.

3. Chairperson Montes De Oca asked whether there were any comments or questions from those in attendance from the Public. There were none.
4. Chairperson Montes De Oca disclosed he had spoken with Mr. Dobbs regarding the application. There were no other disclosures.
5. A motion was offered by Building Official Newell to recommend approval to the Planning Board for Abandonment of Right-of-Way Petition No. 20-002-SC, which requests to vacate the portion of Southwest 4th Street (formerly known per plat as Fifth Avenue) and the portion of Southwest 5th Street (formerly known as Fourth Street) with the following conditions: FPL is requiring a 10-foot easement be provided on the East end of Southwest 4th Street and 5th Street rights-of-way West of 7th Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas; seconded by Public Works Director Allen.
 - a) The Committee offered no further discussion.
 - b) **Chairperson Montes De Oca, Public Works Director Allen, Building Official Newell, Major Hagan, and Fire Chief Smith voted: Aye. Nays: none. Motion Carried.**

- B.** City Planning Consultant Smith briefly reviewed the Planning Staff Report for Site Plan Review Application No. 20-005-TRC, which pertains to the construction of a proposed Church sanctuary and fellowship hall, on 10.24 vacant acres with parking and drainage facilities located at 807 Southwest 2nd Street. The Applicant proposes to build in phases. The church sanctuary and fellowship hall are proposed in the first phase and the site plan depicts for future development a gym, a conference hall and the reservation of 0.5 acres in the Southeast corner of the parcel for a parsonage. The sanctuary, fellowship hall, gym, and conference hall are all proposed with building footprints of 70-feet by 150-feet and to be 10,500 square feet each. A 20-foot by 25-foot porte-cochere is also proposed for the main sanctuary building. The proposed vacant site is located between Southwest 8th Avenue to the North and Southwest 6th Street to the South. Vacant land, which is the site of an approved, yet unbuilt, 190 dwelling unit apartment complex, lies to the West. To the East lie commercial uses as well as an active industrial manufacturing facility (Ecotec Manufacturing Inc.) that is currently proposed for expansion.

The Applicant is proposing the use of a well for potable water and a septic system for sewage disposal. Regarding solid waste disposal, service will be provided by Waste Management, which has stated service is available and adequate capacity exists in the County's solid waste facility to serve the proposed development. A drainage report has been submitted, and a dry retention area is depicted on the site plan. Regarding traffic generation, the Institute of Traffic Engineers (ITE) trip generation rate for churches is 9.11 weekday trips per 1,000 square feet. At 21,000 square feet, the ITE trip generation rates provide an estimate of 191 daily weekday trips for phase one of the project. Phase two of the project would add another 21,000 square feet, as well as a single-family residence. Upon

completion of all proposed structures, it is estimated that 393 daily weekday trips will be generated by this project.

Combined with the additional vehicle trips that will be generated by the approved yet unbuilt apartment complex on the adjacent property to the West, the level of traffic in this neighborhood has the potential to increase substantially. A more in-depth traffic study may need to be conducted at such time as the phase 2 Two structures are proposed for construction, especially depending on the use of those structures, as gyms, daycares and study areas are often used throughout the week, not just on Sundays. If at that time it is determined that there will be capacity issues, it may be appropriate to require that the access from Southwest 6th Street be converted from an emergency entrance with stabilized grass to a paved secondary entrance. The main ingress/egress for this facility will be from Southwest 8th Avenue. An additional emergency entrance is also proposed from Southwest 6th Street.

The entrance on Southwest 8th Avenue is 24 feet wide, as well as all of the drive aisles with adjacent parking spaces. However, the drive aisle beneath the porte-cochere is only 17-feet wide and one of the drive aisles at the end of a parking row is only 20-feet wide. The dumpster pad is located at the end of a parking row and should be accessible for any truck. The loading zone is located adjacent to the sanctuary building and large trucks will likely need to pass beneath the porte-cochere to access it. Section 90-512(4) requires that places of worship be provided with one parking space per three persons in main auditorium. The plans state that the maximum seating of the auditorium is 450 persons, which requires 150 parking spaces. Section 90-484 of the City's Land Development Regulations (LDR's) Code allows for applicants to request approval for a reduction in the number of required paved parking spaces. The application submittal package did not mention any such request, though the applicant's engineer has indicated in emails that this request will be made. This section further allows for the City Council to approve such a request upon submittal of a parking study which demonstrates that the proposed use normally would have a demand for the total required parking spaces only on one or two days a week; and allows for up to 75 percent of the parking spaces to be reduced. Plans depict a new sidewalk along Southwest 2nd Street and a photometric lighting plan is provided which demonstrates adequate illumination of the parking area.

The dimensional standards review appears to meet the requirements except for paved parking spaces; unclear as to whether the walkway adjacent to the fellowship hall extends to the entrance; no landscaping is shown in the two-foot wide space reserved around the perimeter of the sanctuary building and along the fellowship hall; 39 shrubs are required in the buffer areas on the East property line and only 22 shrubs are shown; and many of the proposed trees in the parking area are palms which do not provide as much shade as other types for the pedestrian walks and parking spaces.

Planning Staff is recommending **approval** based on the above analysis with the following conditions to be met prior to issuance of building permits: City Council approval of a 75 percent reduction in the number of paved parking spaces; should the Fire Chief agree, the stabilized grass driveway that is proposed from Southwest 6th Street is acceptable as long as a security gate is maintained, and use is restricted to emergency situations only; plans should clearly demonstrate that a paved walkway extends to the entrance of the fellowship hall and the Applicant should also consider rerouting that walkway away from the dumpster pad; two-foot wide landscaped buffers should be provided between buildings and vehicular areas; 17 additional shrubs should be provided along the East property line; and the Applicant should consider substituting shade trees for palms in the parking areas and around the walking paths.

1. Building Official Newell suggested maybe having the Applicant come back to another meeting since there are many needed revisions. He reviewed the Planner's conditions on page 10 of the Staff Report with Mr. Dobbs to make sure they were in agreement with them.

Fire Chief Smith commented the plans indicate the building is not sprinkled. Per the National Fire Protection Association (NFPA), the building shall be required to install an automatic fire sprinkler system based on the occupancy load. Underground piping supplying the fire sprinkler system and all associated components is required. In addition, there is nothing indicated on the proposed plans regarding the size of water mains supplying water to the complex or the fire sprinkler system. The fire flow will need to be determined after the water mains are identified and their sizes. The project requires at least one fire hydrant now that will need to be connected with OUA service as a well will not be sufficient. Additional hydrants may be required when the future development stage takes place. Chief Smith inquired as to the rated weight of the access road as he was concerned with the fire trucks sinking when the grassy material was wet. He inquired as to whether the entrance on Southwest 8th Street would be gated and whether the Fire Department would have access. Last item Chief Smith inquired about was in reference to some type of paved Y-shaped turnaround that could be installed again for stability for the fire trucks.

Major Hagan: No issues were received.

Public Works Director Allen pointed out Section 90-511(e)(1) of the City's Land Development Regulations states **except for** single-family dwellings and places of public assembly or worship, each parking and loading space shall be paved. Planner Smith confirmed this to be accurate therefore, no request for a reduction in paved parking spaces is required.

Chairperson Montes De Oca voiced a concern regarding the stabilized access and parking area. Need more detail on the drainage so that areas are not muddy and there is no sinking when people park. Suggested installing a six-inch layer of shell rock underneath the geogrid, which is a geosynthetic made from polymeric materials and used for reinforcement applications in various types of construction projects. He thanked the Applicant for proposing a sidewalk along the frontage on Southwest 2nd Avenue. Lastly, he commented given the parsonage is part of the parcel, access should be internal to the property and there should be no access from Southwest 7th Avenue to the site. All access needs to come through the facility.

County Environmental Health Dept Faconti: No issues where received.

In the absence of OUA Director Hayford, Chairperson Montes De Oca read into the record an email he sent stating the following: since both TRC agenda items for the September 17, 2020 meeting do not require OUA water or sewer, the OUA will not be participating. I will point out the second agenda item does at one point state that OUA water will be required, but, the plans do not show water mains or well location and the City Staff Report states the Applicant will be utilizing a well and septic tank for water and sewer needs. Please confirm as to how potable water and wastewater will be provided.

2. Mr. Steven Dobbs, Engineering Project Manager, on behalf of the Property Owner, Haven of Rest Inc., as well as Mr. Tom Velie, were present for questions. Mr. Dobbs responded to a question from Fire Chief Smith regarding the rated weight of the access road. The road will be highway rated for access and then the grass will grow over it. Regarding water and wastewater, they will provide plans and coordinate with OUA. In the spirit of trying to keep construction costs low, Mr. Velie stated they will drop the seating capacity to try and stay under the NFPA requirement for a fire sprinkler system. Discussion ensued regarding fire walls and establishing fire zones that would be reviewed by both the Building Official and Fire Chief for approval according to all building and fire codes. There is a lockbox installed at the Southwest 6th Street gate for fire department access. Mr. Dobbs commented there would be a stabilized area for the fire trucks to turn around in. Finally, he inquired about a groundbreaking for the Church. This is fine to have although both the Fire Chief and the Building Official stated they can not approve any reviews of the buildings until the infrastructure was in place for the water supply. The hydrant needs to be installed and working before construction starts.
3. Chairperson Montes De Oca asked whether there any comments or questions from those in attendance from the Public. There were none.
4. Chairperson Montes de Oca asked for Disclose of Ex parte Communications by the Committee. There were none.

5. A motion was offered by Building Official Newell to approve Site Plan Review Application No. 20-005-TRC, which pertains to the construction of a proposed Church sanctuary and fellowship hall, on 10.24 vacant acres with parking and drainage facilities located at 807 Southwest 2nd Street with the following contingencies: should the Fire Chief agree, the stabilized grass driveway that is proposed from Southwest 6th Street is acceptable as long as a security gate is maintained, and use is restricted to emergency situations only; plans should clearly demonstrate that a paved walkway extends to the entrance of the fellowship hall and the Applicant should also consider rerouting that walkway away from the dumpster pad; two-foot wide landscaped buffers should be provided between buildings and vehicular areas; 17 additional shrubs should be provided along the East property line; the Applicant should consider substituting shade trees for palms in the parking areas and around the walking paths; add fire zones to the buildings; phase two will require a paved secondary entrance; add stabilized lime rock to grass emergency access; add fire hydrant for fire protection from OUA connection; and no access off of Southwest 7th Street for the parsonage; seconded by Fire Chief Smith.

- a) The Committee offered no further discussion.
- b) **Chairperson Montes De Oca, Public Works Director Allen, Building Official Newell, Major Hagan, and Fire Chief Smith voted: Aye. Nays: none. Motion Carried.**

- VI. There being no further items on the agenda, Chairperson Montes De Oca adjourned the meeting at 10:52 A.M.

Please take note and be advised that any person desiring to appeal any decision made by the Technical Review Committee with respect to any matter considered at this proceeding, such interested person will need a record of the proceedings, and for such purpose may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. General Service's media are for the sole purpose of backup for official records of the Department.

Marcos Montes De Oca, Chairperson

ATTEST:
Patty M. Burnette, Secretary



CITY OF OKEECHOBEE, FLORIDA
PLANNING BOARD & WORKSHOP MEETING
OCTOBER 15, 2020
DRAFT SUMMARY OF BOARD ACTION

I. CALL TO ORDER

Vice Chairperson McCoy called the regular Planning Board and Workshop meeting for the City of Okeechobee to order on Thursday, October 15, 2020, at 7:47 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-246 effective September 30, 2020, the meeting was conducted utilizing communications media technology as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and other digital comments are recorded and retained as a permanent record.

II. ATTENDANCE

Planning Board Secretary Patty Burnette called the roll. Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, and Rick Chartier were present. Alternate Board Members Joe Papasso and Jim Shaw were present. Chairperson Dawn Hoover, Board Members Felix Granados and Mac Jonassaint were absent with consent.

CITY STAFF: City Planning Consultant Ben Smith, City Administrator Marcos Montes De Oca, Deputy City Clerk Bobbie Jenkins, and Executive Assistant Robin Brock were present. City Attorney John Fumero and General Services Secretary Yesica Montoya were absent with consent.

Vice Chairperson McCoy moved Alternate Board Members Papasso and Shaw to voting positions.

III. AGENDA

- A.** Vice Chairperson McCoy asked whether there were any agenda items to be added, deferred, or withdrawn. There were none.
- B.** A motion was made by Board Member Brass to adopt the agenda as presented; seconded by Board Member Papasso.

Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Papasso, and Shaw voted: Aye. Nays: None. Absent: Chairperson Hoover, Board Members Granados and Jonassaint. Motion Carried.

IV. MINUTES

- A.** A motion was made by Board Member Baughman to dispense with the reading and approve the September 17, 2020 Regular Meeting and Workshop minutes; seconded by Board Member Chartier.

Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Papasso, and Shaw voted: Aye. Nays: None. Absent: Chairperson Hoover, Board Members Granados and Jonassaint. Motion Carried.

V. VICE CHAIRPERSON MCCOY OPENED THE PUBLIC HEARING AT 7:50 P.M.

- A.** City Planning Consultant Ben Smith of LaRue Planning and Management Services briefly reviewed the Planning Staff Report for Abandonment of Right-of-Way Petition No. 20-002-SC which requests to vacate an unimproved portion of Southwest 4th Street, (approximately 100-feet by 140-feet±), and a portion of Southwest 5th Street, (approximately 70-feet by 103-feet±) from Southwest 7th Avenue westward to dead-end. The surrounding property which is owned by the Applicant was recently approved for a Future Land Use Map (FLUM) Amendment (Application No. 20-002-SSA) and a Rezoning (Petition No. 20-001-R) to Industrial. If this request is approved, the Applicant has stated their intention is to expand their industrial manufacturing operation that has been in existence on the property to the North.

V. PUBLIC HEARING ITEM CONTINUED

A. With the recent FLUM and Zoning approvals and given all surrounding properties on the West side of Southwest 7th Avenue are designated Industrial, it seems appropriate to place an Industrial designation on the vacated property. Planning Staff's responses to the required findings are: the alleyways are not the sole means of access to any property; the Applicant owns all the surrounding property on the West side of Southwest 7th Avenue; the proposed rights-of-way areas to be vacated have not been improved to facilitate vehicular travel; turning over maintenance responsibilities to the Applicant and adding property to the City's tax rolls will be a benefit to the City; and finally, the Applicant has received authorization from all necessary utility entities. Florida Power & Light (FPL) is requiring a 10-foot easement be provided on the East end of Southwest 4th and 5th Street rights-of-way West of 7th Avenue. Century Link has requested a condition that the Applicant will bear the cost of relocation and repair of any facilities that are found and/or damaged in the vacated areas. Planning Staff is recommending approval based on these findings.

1. Mr. Steven Dobbs, with SLD Engineering LLC, who represents the Property Owner, Loumax Development Inc, was present for questions. There were none.
2. Vice Chairperson McCoy opened the floor for public comment and there was none.
3. No Ex-Parte disclosures were offered from Board Members.
4. A motion was offered by Board Member Baughman to recommend approval to the City Council for Abandonment of Right-of-Way Petition No. 20-002-SC which requests to vacate an unimproved portion of Southwest 4th Street, (approximately 100-feet by 140-feet±), and a portion of Southwest 5th Street, (approximately 70-feet by 103-feet±) from Southwest 7th Avenue westward to dead-end with the following conditions: FPL is requiring a 10-foot easement be provided on the East end of Southwest 4th and 5th Street rights-of-way West of 7th Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas; seconded by Board Member Papasso.
 - a) The Board offered no further discussion.
 - b) **Vice Chairperson McCoy, Board Members Baughman, Papasso, and Shaw voted: Aye. Nays: Board Members Brass and Chartier. Absent: Chairperson Hoover, Board Members Granados and Jonassaint. Motion Carried.** The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for November 5, 2020, and December 1, 2020, 6:00 P.M.

VICE CHAIRPERSON MCCOY CLOSED THE PUBLIC HEARING AT 7:55 P. M.

VI. VICE CHAIRPERSON MCCOY RECESSED THE REGULAR MEETING AND CONVENED THE WORKSHOP AT 7:55 P.M.

A. City Planning Consultant Smith briefly reviewed the Staff Report for the Workshop regarding Rezoning of Holding Properties. As initiated by the Planning Board at the August 20, 2020 workshop and as discussed at the September 17, 2020 workshop, the purpose of this report is to further discuss the potential formulation of a program to incentivize owners of properties zoned Holding to request a rezoning to another zoning district. At one time, the City's Land Development Regulations (LDR's) contained regulations for the development of properties zoned Holding. However, several years ago, the Holding district regulations were removed from the LDR's. Currently, if any property owner of land zoned Holding is seeking to develop that property, a rezoning must be performed first. As members of the City Council and Planning Board have pointed out, the rezoning process can be an uncertain and cost prohibitive process for some property owners and prospective property buyers.

VI. WORKSHOP ITEM CONTINUED

A. If the goal of the City is to encourage owners of Holding properties to rezone, then the City may consider instituting a temporary program that provides some incentivization to rezone by reducing the requirements, lowering the application fee, and providing more certainty to the outcome of the rezoning process. As directed by the Board at the September 17, 2020 workshop, we checked on the possibility of reducing advertisement costs by bundling multiple rezoning requests into one advertisement. The Deputy Clerk informed that this was, unfortunately, not possible. However, please see attached items presented for discussion including; draft letter that could be sent to Holding property owners, draft application specifically for this program, standard City of Okeechobee Rezoning Application, and Holding property parcel analysis and recommendations. Planner Smith explained he prepared a first draft letter to send out to property owners explaining the program and why it is a benefit to them. An application fee has not been agreed upon. He worked on a simple application for submittal, and a simple checklist of submittal items. One would need to show their Warranty Deed, either the property owner and or applicant must show authorization, provide survey if available, provide the legal description, and a surrounding property owners list would be required. Supplemental supporting information could be optional. Planner Smith commented at some point, we need to go over these 55 properties and discuss the recommendations made, some of them are going to be cut and dry, some you will say hold on, as existing Future Land Uses are different. Approving whether they should be Single Family or Multi-Family as an example.

After discussion, the consensus of the Board was to have the City Planner bring it back for further discussion. They were happy with the notification letter and checklist and asked for a proposed fee.

VICE CHAIRPERSON MCCOY ADJOURNED THE WORKSHOP AND RECONVENED THE REGULAR MEETING AT 8:03 P.M.

VII. There being no further items on the agenda, Vice Chairperson McCoy adjourned the meeting at 8:03 P.M.

Doug McCoy, Vice Chairperson

ATTEST:

Patty M. Burnette, Secretary

Please take notice and be advised that when a person decides to appeal any decision made by the Planning Board/Board of Adjustment and Appeals with respect to any matter considered at this proceeding, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. General Services' media are for the sole purpose of backup for official records.