

**ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, ABANDONING AND VACATING ITS INTEREST IN THAT PORTION OF HAITI AVENUE, LOCATED BETWEEN BLOCK 414 & 413 OF THE GENERAL PLAN OF CLEWISTON, FLORIDA, AS REVISED. SUBJECT TO UTILITY & ACCESS EASEMENT(S) TO BE MAINTAINED ALONG THE ENTIRE LENGTH OF THE EXISTING EASEMENT; PROVIDING FOR RECORDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Clewiston received an application for the abandonment of that portion of Haiti Avenue located between Blocks 414 & 413 as recorded Plat Book 2 Pages 71 through 78 Public Records of Hendry County Florida attached hereto as **Exhibit A**; and

**WHEREAS**, it is the desire of the City to abandon the right of way while reserving a public utility easement over the same; and

**WHEREAS**, the City of Clewiston has the ability to vacate and abandon platted easements and alleyways within the municipal limits that are not a part of the State or County Road system pursuant to Florida Statutes Chapter 166; and

**WHEREAS**, the City Planning and Zoning Board met on February 21<sup>st</sup>, 2024 and recommended approval of the application to abandon the indicated portion of roadway while reserving a non-exclusive public utility easement over the same land.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AS FOLLOWS:**

**SECTION 1. ABANDONMENT.** The City finds and determines that it is in the best interest of the City to abandon and vacate that portion of Haiti Avenue described in Section 2, while reserving a non-exclusive public utility easement more particularly described in Section 3 over the same land.

**SECTION 2. LEGAL DESCRIPTION OF ALLEY.**

- A. That portion of a 60-foot-wide strip of land marked as Haiti Avenue between Blocks 413 & 414 of the general plan of Clewiston, Florida, as revised September 7, 1937, according to the plat thereof recorded in plat book 2, pages 71 through 78, inclusive, of the public records of Hendry County, Florida and as indicated in **Exhibit A**.

**SECTION 3. RESERVATION OF PUBLIC UTILITY EASEMENT.** The City of Clewiston hereby reserves an overlying non-exclusive easement dedicated in perpetuity to the public for the installation, operation, maintenance, repair, expansion and replacement of the utilities, including but not

limited to potable water pipelines, sewer pipelines, reclaimed water pipelines, electric powerlines, telecommunication lines, cable television lines, gas lines and related appurtenances over the area described in Section 2. No buildings, structures, improvements, trees, walls, or fences shall be installed within this easement without the prior written approval of the City of Clewiston Utilities Department, its successors, and assignees.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage and approval consistent with all requirements of general law.

**SECTION 5. CONFLICT.** If there is ever determined to be a conflict between this ordinance and State law, this ordinance shall be considered null and void.

**PASSED on first reading by the City Commission on March 18, 2024.**

**PASSED AND ADOPTED on second and final reading by the City Commission on April 15, 2024.**

**ATTEST:**

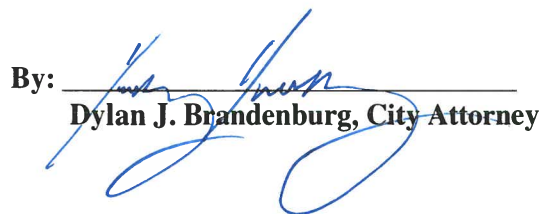
**CITY OF CLEWISTON, FLORIDA**

  
\_\_\_\_\_  
**Mary K. Combass, City Clerk**

  
\_\_\_\_\_  
**James Pittman, Mayor**

**(MUNICIPAL SEAL)**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

By:   
\_\_\_\_\_  
**Dylan J. Brandenburg, City Attorney**



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# GENERAL PLAN OF CLEWISTON

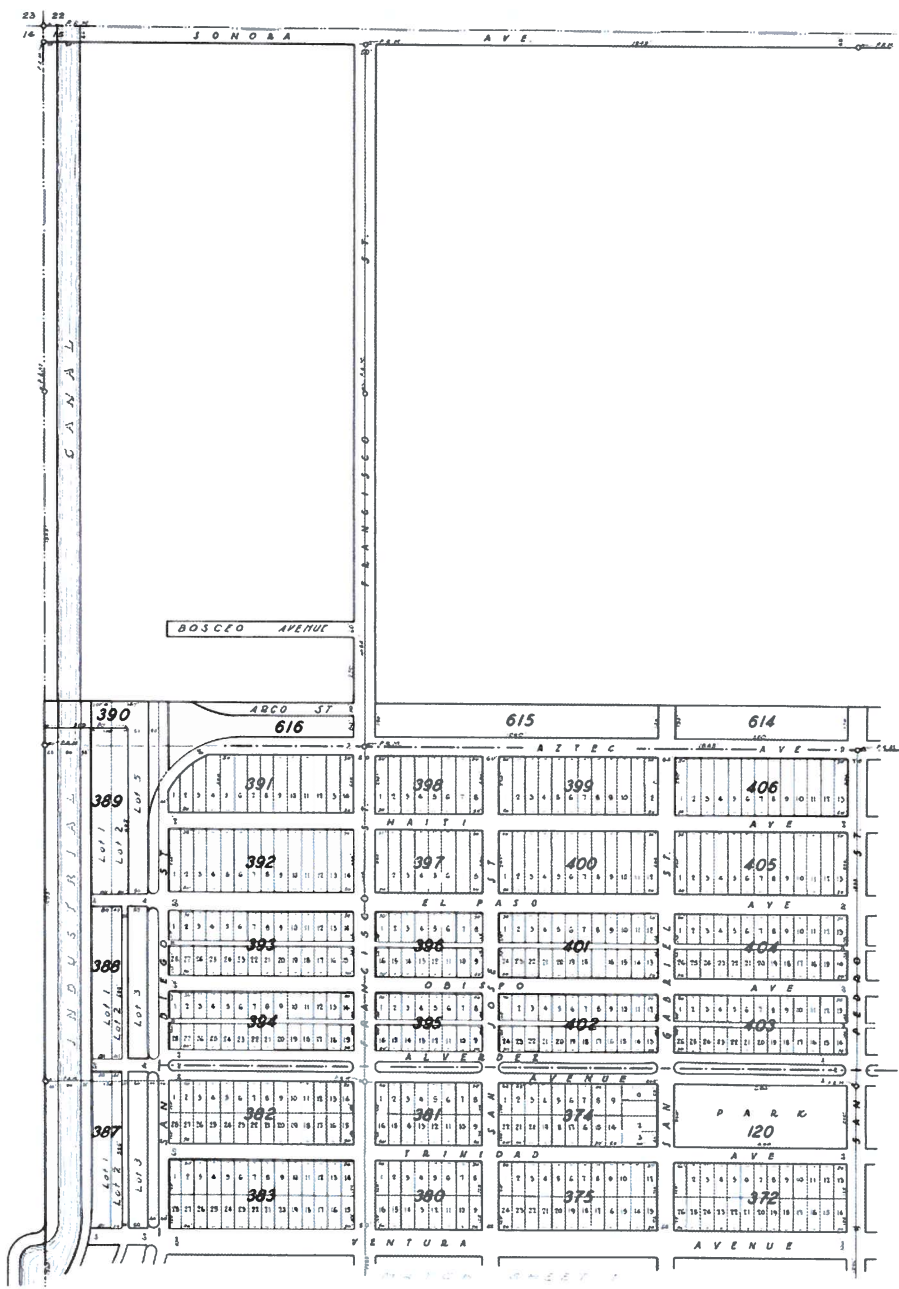
HENDRY COUNTY, FLORIDA  
AS REVISED SEPTEMBER 7, 1937

### DESCRIPTION

Beginning at a point on the North Line of Clewiston Township North of the intersection of the West Line of Monterey Street and the South Line of Esperanza Avenue; thence South to the intersection of the West Line of Monterey Street and the South Line of Esperanza Avenue; thence Southeast along the South Line of Esperanza Avenue to its intersection with the West Line of Arlita Street; thence South on the West Line of Arlita Street to the North Line of Serrano Avenue; thence continuing south along the extension of the West Line of Arlita Street through Blocks 94, 95, 96 to the North Line of Caribbean Avenue; thence Southeast to the intersection of the South Line of Caribbean Avenue and the West Line of Lopez Street; thence South along the West Line of Lopez Street to a point 30 feet South of the Center Line of the Atlantic Coast Line Railroad; thence East along the South Line of Bahama Street to the West Line of Florida Avenue; thence South, Southwest, East, Northeast, North along the West, Southwest, South, Southeast, East Line of Florida Avenue to the point where the East Line of Florida Avenue, extended, intersects the North Line of Bahama Street; thence East along the North Line of Bahama Street to the East Line of Arlita Street; thence continue East along the extension of the North Line of Bahama Street to the East Line of Francisco Street; thence continue East along the South Line of Arlita Street and the extension thereof to the East boundary line Clewiston Township; thence Northerly along the East boundary line of Clewiston Township to the intersection of the North boundary line of Clewiston Township; thence Northwesterly along the North boundary line of Clewiston Township to the point of beginning.

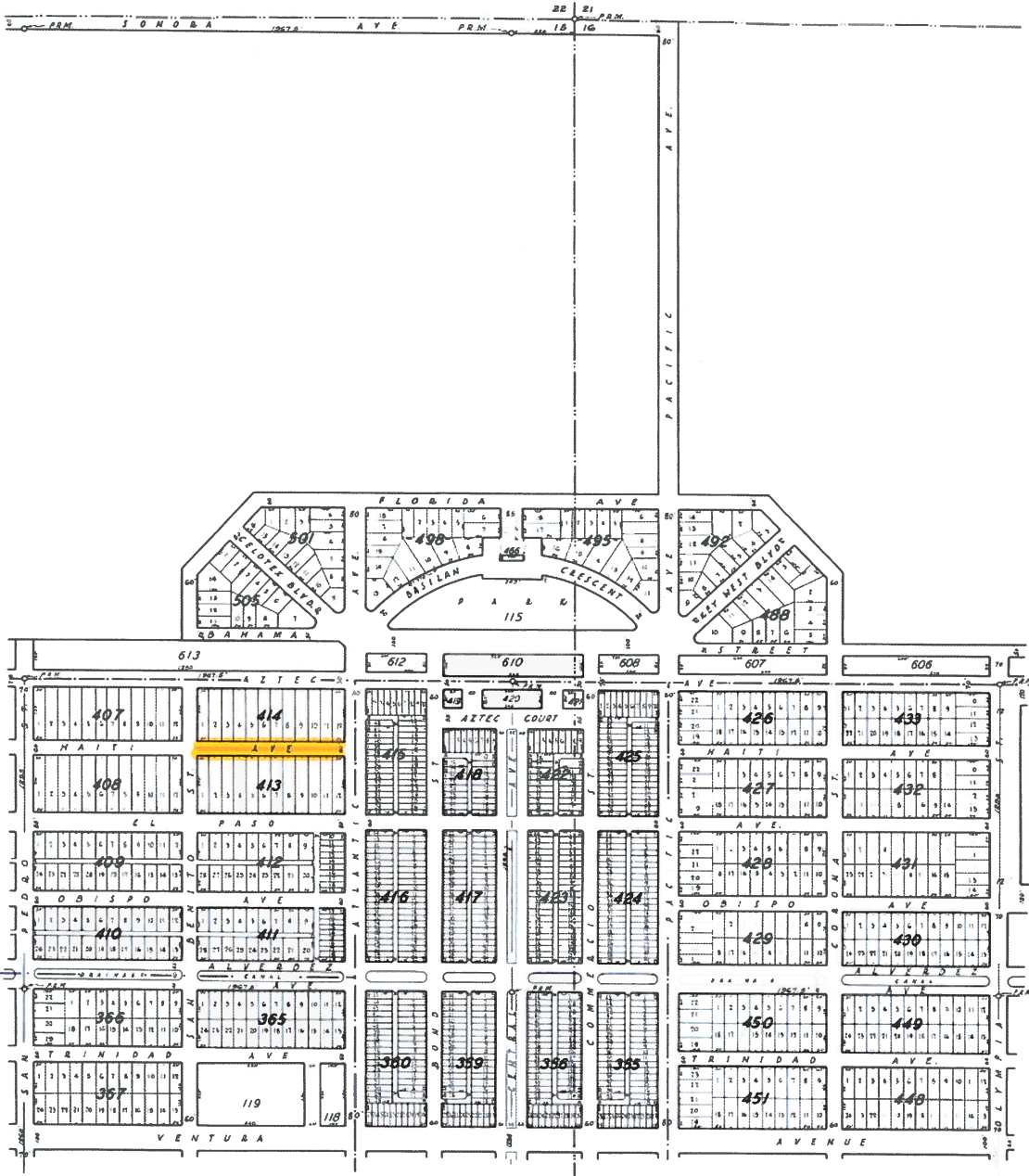


SHEET NO. 1  
OF EIGHT SHEETS



GENERAL PLAN  
OF  
CLEWISTON, FLORIDA  
AS REVISED SEPTEMBER 7, 1937.

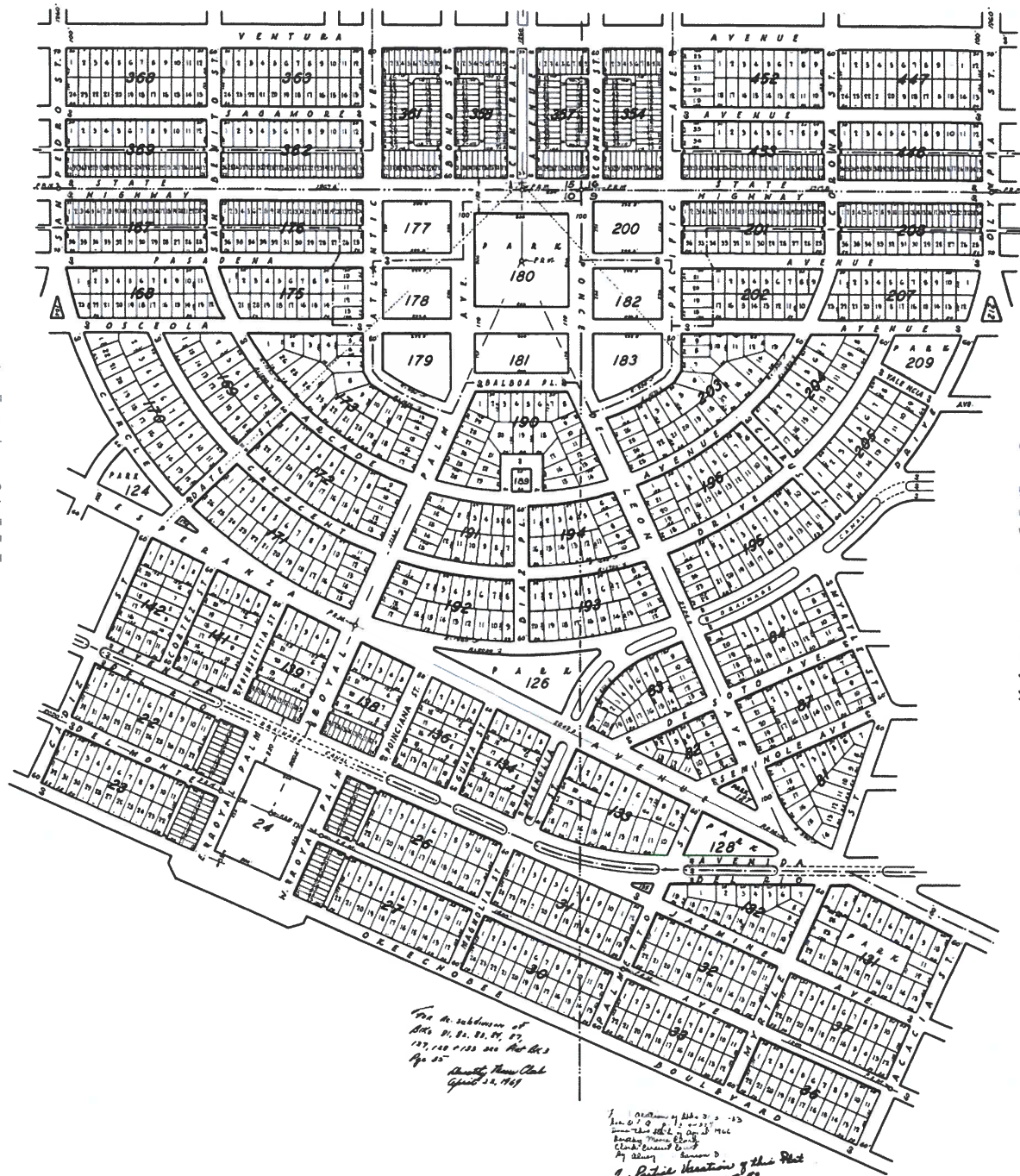
SCALE



GENERAL PLAN  
 OF  
 CLEWISTON, FLORIDA.  
 AS REVISED SEPTEMBER 7, 1937.

SCALE  
 1" = 100'

MATCH SHEET 3



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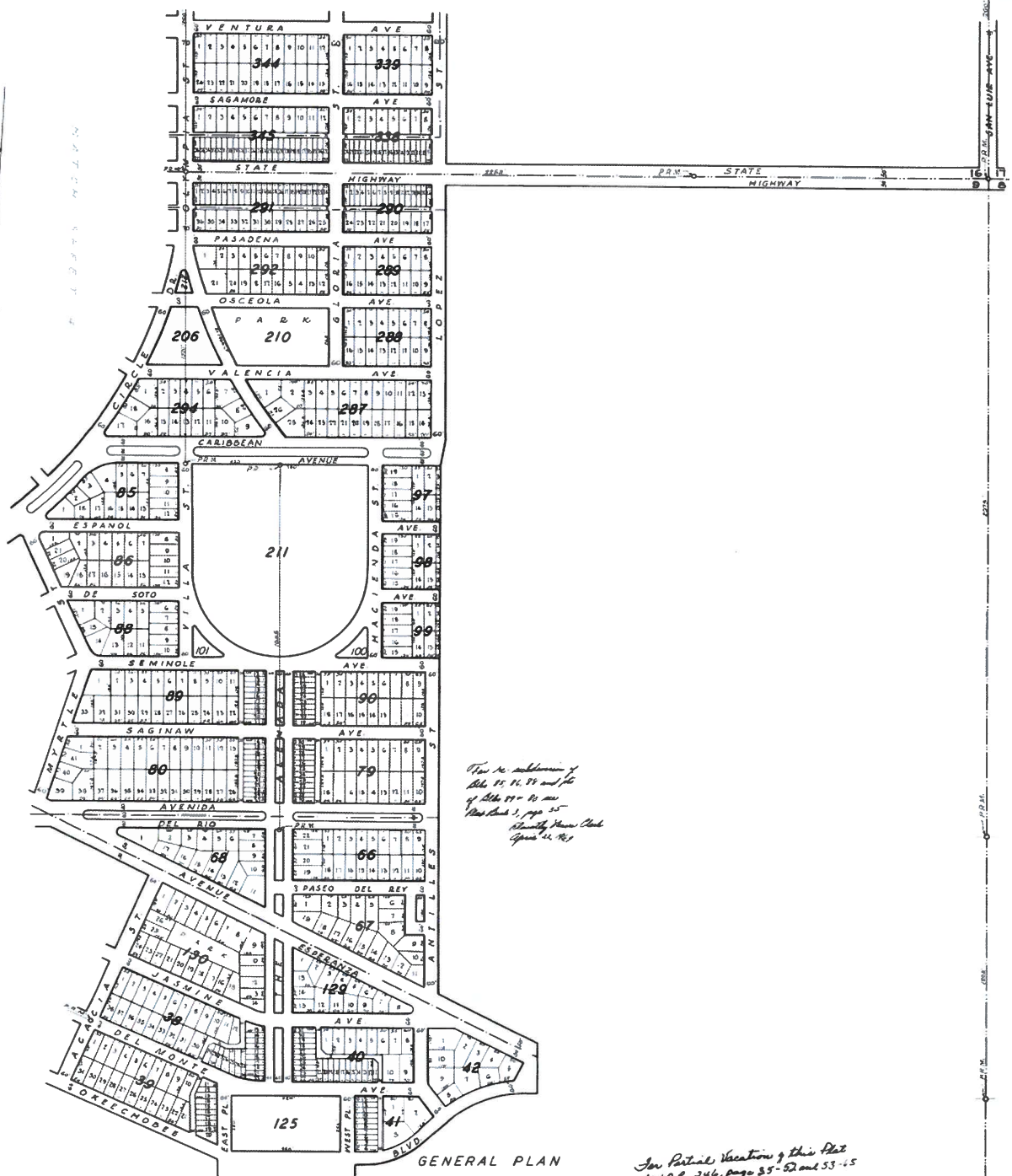
For the subdivision of  
 Lots 21, 22, 23, 24, 25,  
 127, 128, 129, 130, 131, 132  
 Apr 25  
 County, Miami Dade  
 Grant 14, 1969

For the subdivision of Lots 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  
 In Partial Verification of this Plat  
 Res. O.R. 246, Page 35-38  
 Recorded 12-6-77  
 Charlotte E. City Commissioner  
 By: Blanche Blinnest, Sec.

GENERAL PLAN  
 OF  
 CLEWISTON, FLORIDA  
 AS REVISED SEPTEMBER 7, 1937



APPROXIMATE HEIGHT



The No. subdivisions of  
 Lots 25, 26, 27 and 28  
 of Block 29 - 24 are  
 shown on p. 35  
 of the Plat  
 of the  
 State of Florida  
 April 22, 1917

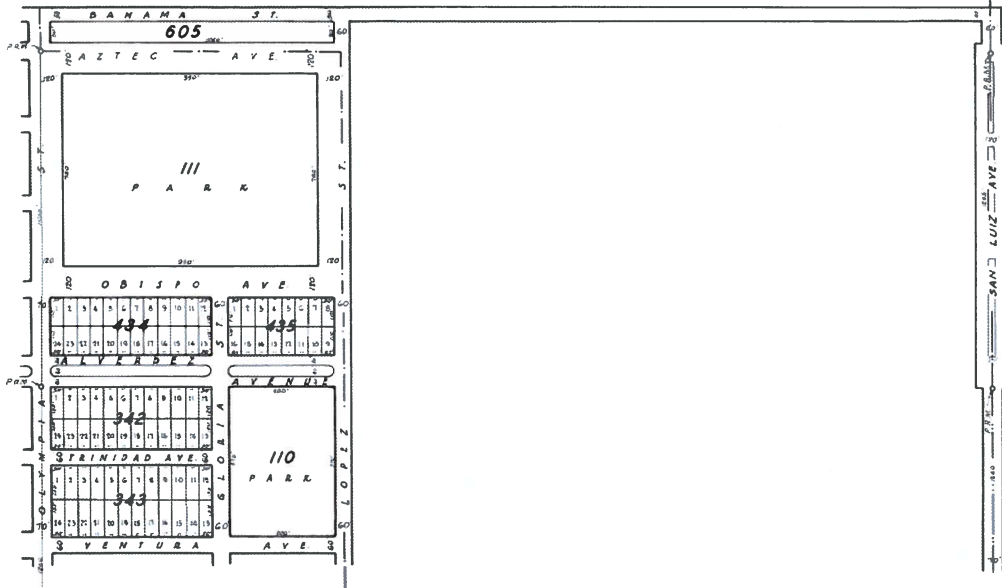
GENERAL PLAN  
 OF  
**CLEWISTON, FLORIDA**  
 AS REVISED SEPTEMBER 7, 1937

SCALE

For Partial Vacation of this Plat  
 see D.R. 246, page 35-52 and 53-55  
 recorded 12-6-37  
 Charlotte R. Schumann  
 by: Blanche Bennett 200.



21 20  
16 17



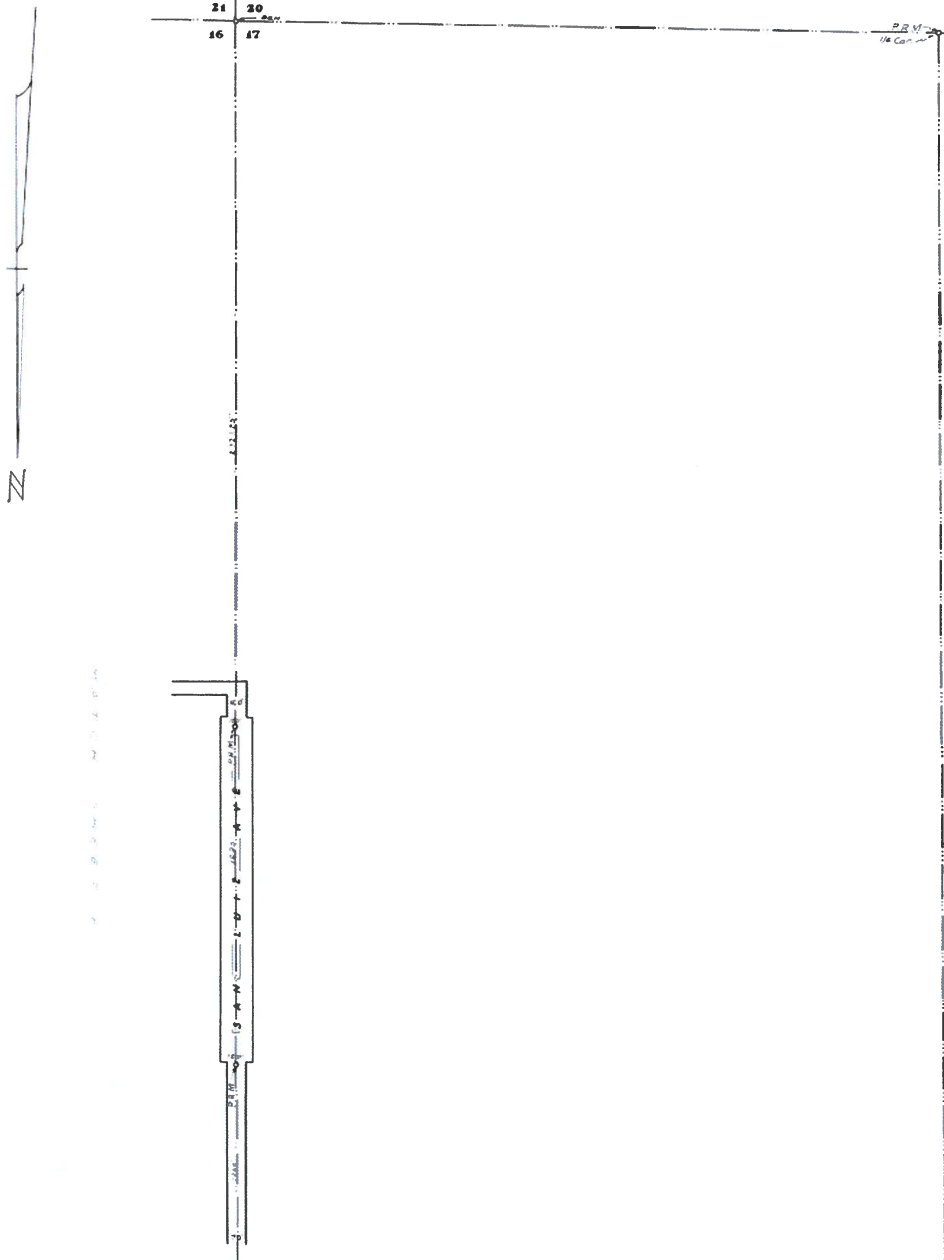
REFER TO SHEET 5

GENERAL PLAN  
OF  
CLEWISTON, FLORIDA  
AS REVISED SEPTEMBER 7, 1937.

SCALE

SHEET NO. 6  
OF EIGHT SHEETS





MADEY SHEET 5

GENERAL PLAN  
OF  
CLEWISTON, FLORIDA  
AS REVISED SEPTEMBER 7, 1937

SCALE  
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SHEET NO. 7  
OF EIGHT SHEETS

**KNOW ALL MEN BY THESE PRESENTS:**

WHEREAS, CLEWISTON LIMITED, a corporation organized and existing under the laws of Florida, filed for record in the office of the Clerk of the Circuit Court of Hendry County, Florida, on October 9, 1933, a plat of the General Plan of Clewiston, Florida, which plat is recorded in Plat Book 2, at pages 7 to 14, inclusive, of the Public Records of Hendry County, Florida, and

WHEREAS, the General Plan of Clewiston, as shown by said plat has been revised and the land within the following described boundaries, to wit:

Beginning at a point on the North Line of Clewiston Township North of the intersection of the West Line of Monterey Street and the South Line of Esperanza Avenue, thence South to the intersection of the West Line of Monterey Street and the South Line of Esperanza Avenue; thence Southwesterly along the South Line of Esperanza Avenue to its intersection with the West Line of Antillas Street; thence South on the West Line of Antillas Street to the North Line of Semnole Avenue; thence continuing South along the extension of the West Line of Antillas Street through Blocks 93, 98, 97, to the North Line of Caribbean Avenue; thence Southwesterly to the intersection of the South Line of Caribbean Avenue and the West Line of Lopez Street; thence South along the West Line of Lopez Street to a point 90 feet South of the Center Line of the South Coast Line Railroad; thence East along the South Line of Bahama Street to the West Line of Florida Avenue; thence South, Southeast, East, Northwest, North along the West, Southeast, South, Southeast, East Line of Florida Avenue to the point where the East Line of Florida Avenue, extended, intersects the North Line of Bahama Street; thence East along the North Line of Bahama Street to the East Line of Frank Street; thence East along the extension of the North Line of Frank Street and the extension thereof to the East Boundary Line of Clewiston Township; thence Northwesterly along the East Boundary Line of Clewiston Township to the point of beginning.

is now known and designated as Revised Clewiston Township, and

WHEREAS, by the aforesaid plat of the General Plan of Clewiston, and Clewiston Limited, offered to dedicate to public use as highways, all strips of land marked streets and avenues and/or shown as alleys, streets, and

WHEREAS, the City Commission of the City of Clewiston, Florida, by Ordinance No. 20 has discontinued, established on vacated all streets, avenues and alleys designated upon the General Plan of Clewiston, Florida, as recorded in Plat Book 2 at pages 7 to 14, inclusive, of the Public Records of Hendry County, Florida, which lie outside of the boundaries of the Revised Clewiston Township, as hereinabove defined, except the following:

Francisco Street from Bahama Street to Senora Avenue  
Pacific Avenue from Florida Avenue to Senora Avenue  
San Luis Avenue from State Highway to Bahama Street  
Bahama Street from Olympia Street to San Luis Avenue  
Senora Avenue from Pacific Avenue to Industrial Canal  
Beaco Avenue from Francisco Street to Industrial Canal

and

WHEREAS, the Board of County Commissioners of Hendry County, Florida, by resolution adopted on the 7th day of September, 1933, pursuant to the provisions of Chapter 14822, Laws of Florida Acts of 1931, has vacated all that part of the plat of General Plan of Clewiston, Florida, lying outside of the boundaries of the Revised Clewiston Township, as hereinabove defined, and has abolished and vacated all streets, avenues and alleys designated on said General Plan of Clewiston, Florida, in said vacated areas except the streets, avenues and alleys above designated;

NOW, THEREFORE, UNITED STATES SUGAR COOPERATION, a Florida corporation, and CLEWISTON REALTY & DEVELOPMENT COOPERATION, a Florida corporation, being the owners in fee simple of all the land designated on the plat of General Plan of Clewiston, Florida, lying outside of the boundaries of said Revised Clewiston Township, have caused the Revised Plat of General Plan of Clewiston, Florida, to be made and filed for record in the office of the Clerk of the Circuit Court of Hendry County, Florida, for the purpose of having the office to dedicate the streets, avenues and alleys which have been discontinued, established and vacated by the City Commission of the City of Clewiston, Florida, and by the Board of County Commissioners of Hendry County, Florida, as aforesaid; and for the purpose of vacating and referring to acreage all that part of the plat of General Plan of Clewiston, Florida, lying outside of the boundaries of the Revised Clewiston Township, as hereinabove defined.

IN WITNESS WHEREOF, said UNITED STATES SUGAR COOPERATION and CLEWISTON REALTY & DEVELOPMENT COOPERATION have caused these presents to be signed by their respective corporate names and their respective corporate seals to be hereunto attested by their respective duly authorized officers, on this 12th day of October, 1937.

UNITED STATES SUGAR COOPERATION  
By: *[Signature]*  
Assistant Secretary

CLEWISTON REALTY & DEVELOPMENT COOPERATION  
By: *[Signature]*  
Assistant Secretary

STATE OF FLORIDA }  
COUNTY OF HENDRY }

I HEREBY CERTIFY that on this 12th day of October, 1937, before me personally appeared *[Name]* in Person *[Name]*, Vice President and Assistant Secretary, respectively, of United States Sugar Corporation, a corporation, to me known to be the persons who signed the foregoing instrument as such officers and severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned, and that they attested thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal of Clewiston, said County and State, the day and year last aforesaid.

*[Signature]*  
Notary Public State of Florida of Large  
My Commission Expires Dec. 17, 1940.

STATE OF FLORIDA }  
COUNTY OF HENDRY }

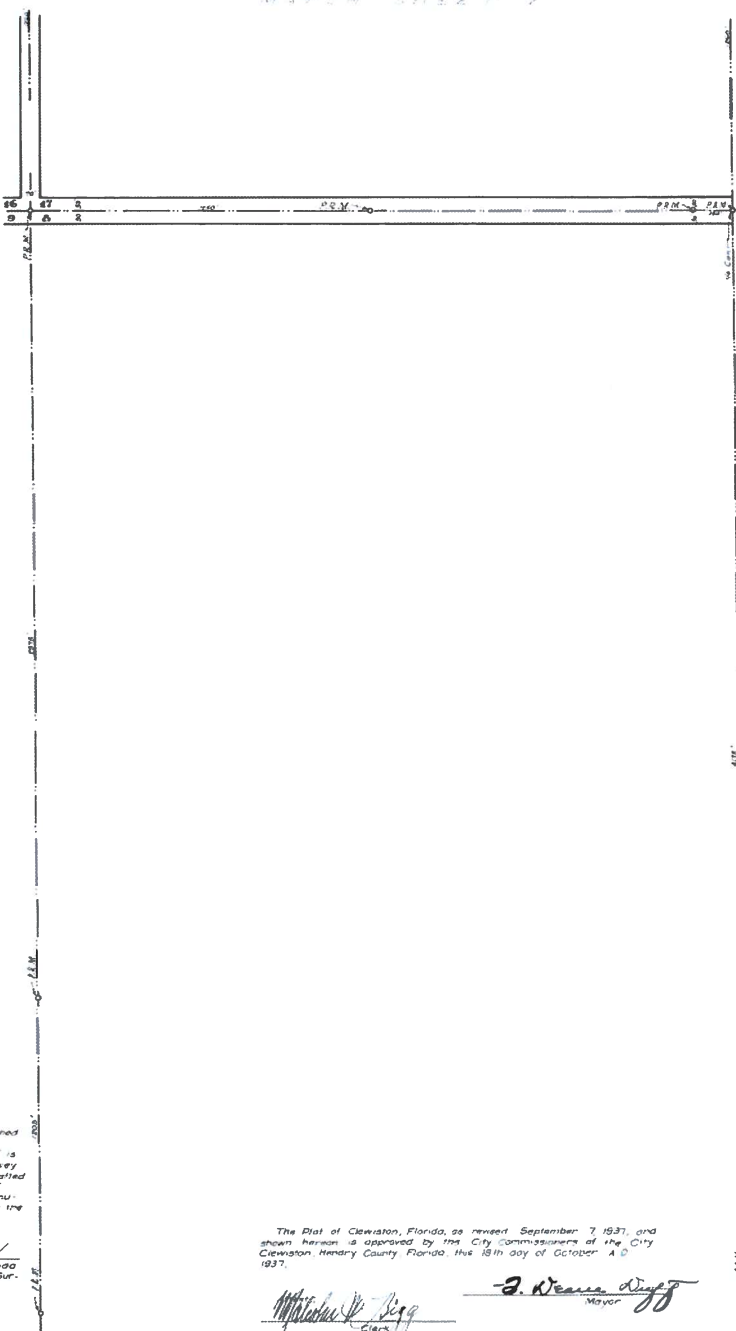
I HEREBY CERTIFY that on this 12th day of October, 1937, before me personally appeared *[Name]* and *[Name]*, Vice President and Assistant Secretary, respectively, of Clewiston Realty and Development Corporation, a corporation, to me known to be the persons who signed the foregoing instrument as such officers and severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned, and that they attested thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal of Clewiston, said County and State, the day and year last aforesaid.

*[Signature]*  
Notary Public State of Florida of Large  
My Commission Expires Dec. 17, 1945.

The Plat of Clewiston, Florida, as revised September 7, 1937, and shown hereon is approved by the Board of County Commissioners of Hendry County, Florida, this 12th day of October A.D. 1937.

Attest:  
*[Signature]*  
Clerk



I HEREBY CERTIFY that the attached Plat of General Plan of Clewiston, Florida, as revised September 7, 1937, is true and correct according to a survey of said described land made and plotted under my direction. I also CERTIFY that the Permanent Reference Monuments were set in accordance with the provision of Section 7 of Chapter 19778 Laws of Florida Acts of 1925.

*[Signature]*  
Registered Engineer, Florida  
No. 7988. Registered Land Surveyor, Florida No. 130.

STATE OF FLORIDA }  
COUNTY OF HENDRY }

I, *[Name]*, Clerk of the Circuit Court in and for Hendry County, Florida, do hereby certify that the above and foregoing map or plat, consisting of eight (8) sheets is a true and correct copy of the map or plat called "General Plan of Clewiston, Florida, as revised September 7, 1937," as recorded in the Public Records of Hendry County, Florida, in Plat Book 2 on pages 7 to 14, inclusive.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 12th day of October A.D. 1937.

*[Signature]*  
Clerk of the Circuit Court in and for Hendry County, Florida.

**SHEET NO. 8  
OF EIGHT SHEETS**

The Plat of Clewiston, Florida, as revised September 7, 1937, and shown hereon is approved by the City Commissioners of the City of Clewiston, Hendry County, Florida, this 12th day of October A.D. 1937.

*[Signature]*  
Mayor

GENERAL PLAN  
OF  
CLEWISTON, FLORIDA  
AS REVISED SEPTEMBER 7, 1937

SCALE  
1" = 100'