

ORDINANCE NO. 2024-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, ABANDONING AND VACATING ITS INTEREST IN A PORTION OF THE OKEECHOBEE AVENUE RIGHT OF WAY, LOCATED NORTH OF BLOCK 24 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 35' of Okeechobee Avenue located north of Block 424 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 July 9th, 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 Okeechobee 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 ROADWAY ABANDONMENT.

- A. Beginning at the western boundary of Block 24 35' of that portion of a 65-foot-wide strip of land marked as Okeechobee Avenue directly North of Block 24 and ending at the eastern boundary of Block 24 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 B**.

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 July 15, 2024.


PASSED AND ADOPTED on second and final reading by the City Commission on August 19, 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

Staff Summary Report

Property Abandonment

July 9, 2024

Background Information

Ana Moore on behalf of property owner Cecil Holcomb has requested that 35 feet of city owned property located north of the parcel at 834 W. Royal Palm be abandoned and released back to property owner.

References reviewed and applied:

- Application
- Narrative
- Aerials
- Neighbor letter

Findings

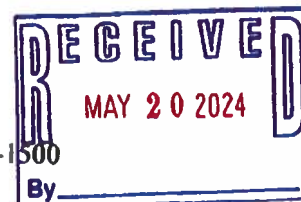
The City of Clewiston now finds and determines that it is in the City's best planning and zoning interests to review the request.

Recommendations

Board Discretion.

Travis Reese
Community Development Department

City Of Clewiston
Community Development Department
121 Central Avenue Clewiston, Florida 33440 • Phone: 863-983-1500
permitting@clewiston-fl.gov



APPLICATION FOR ALLEY/STREET ABANDONMENT

Application Fee (non-refundable): \$2500

This application must have all information fields completed. Return it to the Community Development Department at 121 Central Avenue. It is important that the applicant or a representative be present at each required public meeting to answer any board questions regarding your request. You will be notified of meeting dates.

Owner(s) Name: Ana Moore San Cecil Helcombs
Address: 834 W Royal Palm Ave
City, State: Clewiston, FL 33440
Phone Number: 863-233-3805
Email Address: amoore@gate.net
Legal Description: Lot(s) N 141.67 ft Block 24
Subdivision: GPOC Zoning: _____
Property Information: Address: 834 W. Royal Palm Ave
Street boundaries: _____

The following information and documentation has to be submitted with this application:

- Survey of property
- Narrative how it will benefit and impact the property owners affected, and how it will comply with The Clewiston Comprehensive Plan.
- Proof of ownership, which can be obtained from Hendry County Property Appraiser website
- Aerial of alley/street to be abandoned, making sure to include all adjoining properties.
- Notarized letter of No Objection from all contiguous property owners.

Helpful tips:

- Most of the property information needed can be found on your mortgage survey.
- www.hendryprop.com

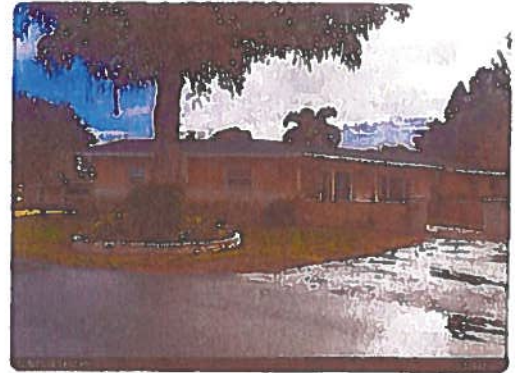
Signature of Owner/Agent

Date

5/20/24

Parcel Summary

Parcel ID 3 34 43 01 010 0024-004.0
Prop ID 32932
Location Address 834 W ROYAL PALM AVE
CLEWISTON, FL 33440
Neighborhood/Area RIDGE AREA (301900.00)
Subdivision CLEWISTON RAILROAD TRACTS
Brief Legal Description* CLEWISTON BLK 24 N 141.67 FT
(Note: *The Description above is not to be used on legal documents.)
Property Use Code SINGLE FAMILY (0100)
Sec/Twp/Rng 01-43-34
Tax District City of Clewiston (District 3)
Millage Rate 22.7055
Acreage 0.980
Homestead Y



View Map

Internal Info

Market Area 30

Owner Information

HOLCOMB CECIL E L/E
HOLCOLM KAREN S L/E, RANSOM
SHANNON H, HOLCOMB BRANDON E,
834 W ROYAL PALM AVE
CLEWISTON, FL 33440

Valuation

Table with 4 columns: Valuation Category, 2023 Certified Values, 2022 Certified Values, 2021 Certified Values. Rows include Just Market Value, Land Value, Agricultural (Market) Value, Agricultural Classified Value, Improvement Value, Non School Assessed Value, School Assessed Value, Exempt Value, Non School Taxable Value, School Taxable Value, Save Our Homes Deferred, and Non Save Our Homes Deferred.

Current Exemptions on this parcel:
HEX - Exemption of Homesteads Reporting requirement on tax roll according to s. 196.002(1)
HEX-A - Additional 25,000 Homestead Exemption

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Trim Notices

2023 TRIM Notice (PDF)

2023 Property Record Cards

2023 Property Record Card (PDF)

Tax Collector

Link to Tax Collector

Land Information

Land Use	Land Use Desc	Acres	Square Feet	Eff. Frontage	Depth	Zoning
0100	SFR	0.49	21344.4	141.6	150	
0100	SFR	0.49	21344.4	141.6	150	

Building Information

Type	Single Family Residential	Heat Index	Electric -- Forced Air Ducted; None -- None
Heated Area	2,952	Air Conditioning	Central Air; None
Exterior Walls	CBS,Slump or Fluted Block; Face Brick	Bathrooms	3
Roof Cover	Asph/Comp. Shingles; Built Up Tar & Gravel	Bedrooms	5
Interior Walls	Masonry or Minimum; Plaster Furred	Stories	1.0
Floor Cover	Carpet; Ceramic Tile; Concrete Finished	Effective Year Built	1973
Actual Year Built	1965		

Sub Area

Type	Description	Sq. Footage	Act Year	Eff Year	Quality	Imprv Use	Imprv Use Descr
BAS	BAS Segment	2,952	1965	1973	05	*	ALL
BBQP RA	BBQ Pit Residential Avg	1	2006	2006	02	*	ALL
CS	XX_Conc Slab (Display only)	72	1965	1973	02	*	ALL
CS	XX_Conc Slab (Display only)	288	1965	1973	05	*	ALL
FOP	Open Porch, Finished	465	1965	1973	05	*	ALL
FOP	Open Porch, Finished	336	1965	1973	02	*	ALL
FST	Utillity, Finished	672	1965	1973	02	*	ALL
PAV ASP	Paving Asphalt	2,314	1991	1978	05	*	ALL
PAVER	Pavers, hardened clay	957	2006	2006	05	*	ALL
POOL SG	Pool Gunlte Under 800 SF	330	2006	2006	05	*	ALL
SLAB C	Slab Concrete	286	2001	1991	05	*	ALL
SLAB C	Slab Concrete	72	2001	1986	05	*	ALL
SPA G	Spa In Ground	1	2006	2006	05	*	ALL
UDG	Garage, Unfin. Detached	700	1965	1973	02	*	ALL
WALL CLV	Wall Conc. Louvered	198	1965	1988	05	*	ALL
WDDK R	Wood Deck Raised	698	1991	1995	05	*	ALL
WDDKR	XX_Wood Deck Raised	698	1965	1973	05	*	ALL
WDSPS	XX_Wood Screen Porch W/S	78	1965	1973	02	*	ALL

Sales

Sales Date	Sale Price	Instrument	Book/Page	Qualification	Vacant/Improved	Grantor	Grantee
6/13/2023	\$100	QC	1053/1475	Unqualified (U)	Improved	HOLCOMB CECIL E & KAREN S	**Multiple Buyers**
6/18/2010	\$240,000	WD	0820/0098	Qualified (Q)	Improved	SMITH DARREN N JOANNA B	HOLCOMB CECIL E & KAREN S
9/5/2003	\$155,000	WD	0657/1565	Qualified (Q)	Improved	MARILLIER FREDRICK MARK SUSAN	**None**
1/22/2002	\$150,000	WD	0626/0275	Qualified (Q)	Improved	GRAY ULMER B HILDA S	**None**
4/28/1988	\$145,000	WD	0412/0221	Qualified (Q)	Improved	MC CONVILLE EDWARD LETICIA G	**None**

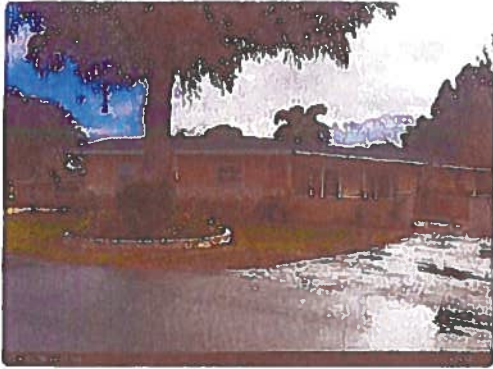
Official Public Records information is provided by the Hendry County Clerk's Office. Clicking on the Book/Page links above will direct you to their web site displaying the document details for this specific transaction.

Permits

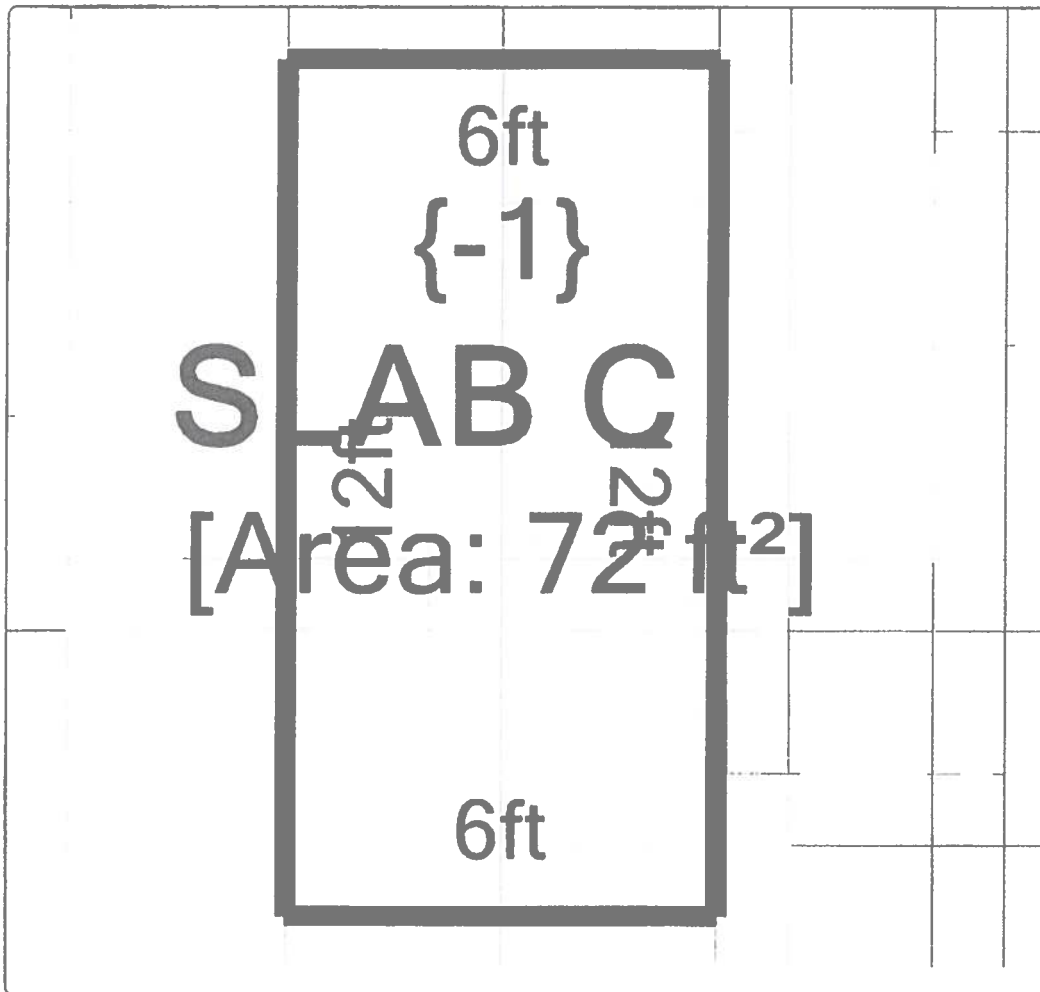
Permit Number	Type	Primary	Active	Issue Date	Value
06C0117	ROOF	Yes	No	1/26/2006	\$11,000
05C0465	RESIDENTIAL SWIMMING POOL	Yes	No	7/8/2005	\$63,500
96CLEW	REVIEW	No	No	9/17/1996	\$0

Our permitting information is pulled from the Hendry County Permitting Offices. Permitting information shown here is all the Property Appraiser has on file for this property. Any detailed questions about permits should be directed to the Permitting Offices. Their website is: <https://hndy-trk.espr.gov/eTRAKIT/>

Photos



Sketches



No data available for the following modules: Extra Features.

This information was derived from data which was compiled by the Hendry County Property Appraiser's Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
 Last Data Upload: 5/17/2024, 10:54:05 PM

Contact Us

Developed by
 Schneider
 GEOSPATIAL



City of Clewiston
121 Central Avenue
Clewiston, FL 33440

Phone: 863-983-1500 863-983-1484
Fax: 863-983-1430

Paid Receipt Summary

Page 1 of 1

DATE	6/26/2024
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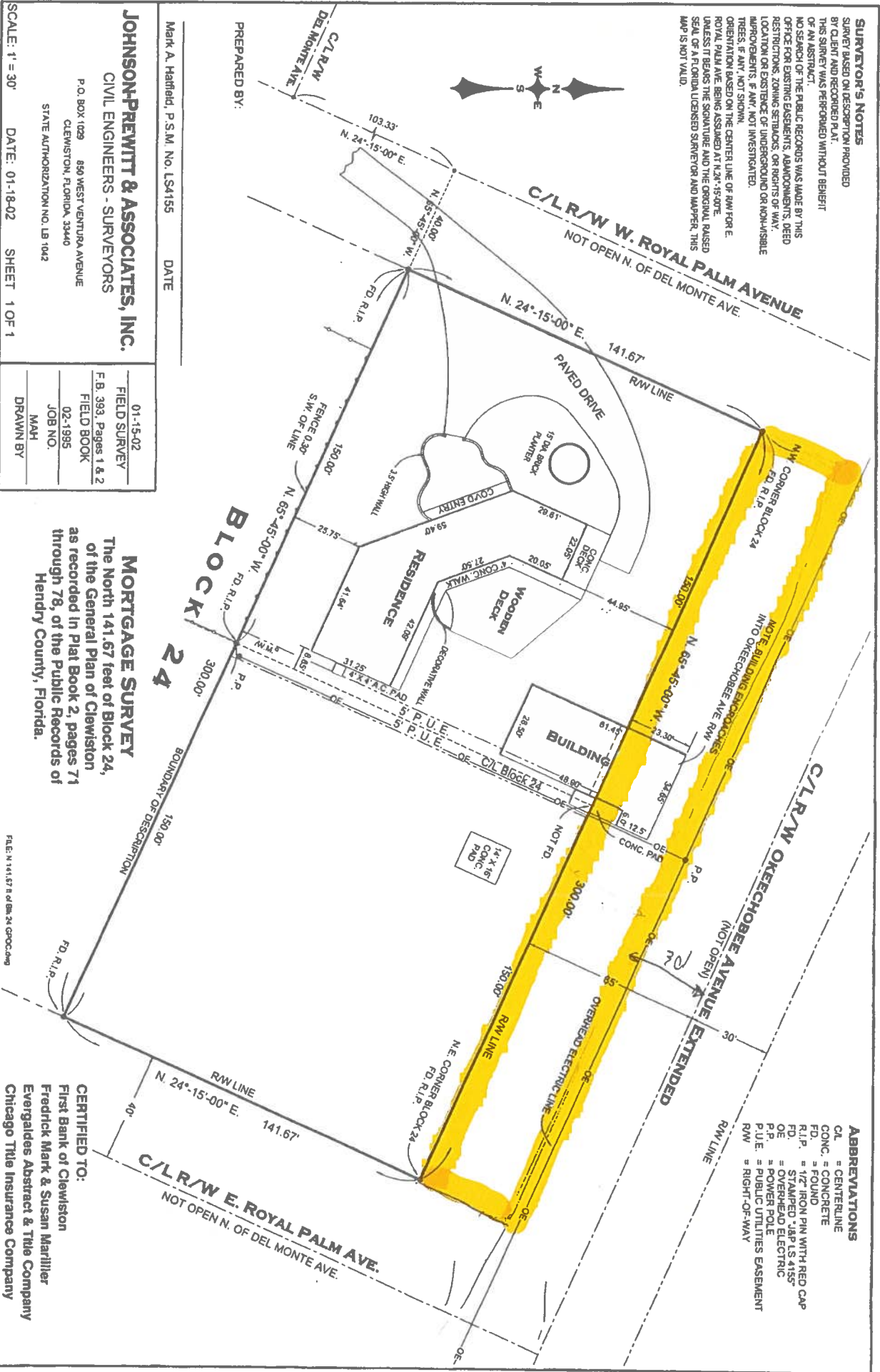
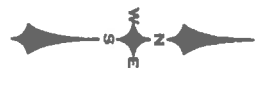
ACCOUNT :
Annabelle Moore 312 W Avenida Del Rio Clewiston FL 33440
Phone:

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
6/27/2024		24000277	001-0034-341200	Property Abandonment - 834 Royal Palm	Paid	(-) 2500.00

Date	InvoiceNum	Status	Payment	Amount
6/27/2024	24000277	Original Due		2500.00
6/27/2024	24000277	Paid	Check 1144	(-) 2500.00

Total Paid	2,500.00
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SURVEYOR'S NOTES
 SURVEY BASED ON DESCRIPTION PROVIDED BY CLIENT AND RECORDED PLAT. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF AN ABSTRACT.
 NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS OFFICE FOR EXISTING EASEMENTS, ADJACENT DEED RESTRICTIONS, ZONING ORDINANCES, OR RIGHTS OF WAY LOCATION OR EXISTENCE OF UNDERGROUND OR NON-VISIBLE IMPROVEMENTS, IF ANY, NOT INVESTIGATED.
 ORIENTATION BASED ON THE CENTER LINE OF RW FOR E. ROYAL PALM AVE. BEING ASSUMED AT N. 24°-15'-00" E. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS MAP IS NOT VALID.



ABBREVIATIONS

CL	= CENTERLINE
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FD.	= STAMPED J&P L.S. 4155
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R.W.	= RIGHT-OF-WAY

JOHNSON-PREWITT & ASSOCIATES, INC.
 CIVIL ENGINEERS - SURVEYORS
 P.O. BOX 1029 850 WESTVENTURA AVENUE
 CLEWISTON, FLORIDA 33440
 STATE AUTHORIZATION NO. LB 1042

01-15-02
 FIELD SURVEY
 F.B. 393, Pages 1 & 2
 FIELD BOOK
 02-1995
 JOB NO.
 MAH
 DRAWN BY

MORTGAGE SURVEY
 The North 141.67 feet of Block 24,
 of the General Plan of Clewiston
 as recorded in Plat Book 2, pages 71
 through 78, of the Public Records of
 Hendry County, Florida.

SCALE: 1" = 30'
 DATE: 01-18-02
 SHEET 1 OF 1

CERTIFIED TO:
 First Bank of Clewiston
 Fredrick Mark & Susan Mariller
 Everglades Abstract & Title Company
 Chicago Title Insurance Company

June 26, 2024

To whom it may concern:

Good Afternoon,

I am writing to request the Planning Board's consideration for the acquisition of an additional 35 feet of land to the rear of the property I am purchasing at 834 W Royal Palm Avenue. The current survey indicates that the northern rear boundary line runs directly through the existing garage, an issue that has apparently existed for some time.

I intend to remodel the garage and seek to adjust the lot line to eliminate this encroachment. Notably, this lot is the only one on the back side missing the 35 feet. After consulting with Franklin at Johnson-Prewitt Surveying, it appears that this adjustment will not interfere with the planned easement or future road developments.

Given the urgency of my construction timeline, I would greatly appreciate a prompt response to this request, as my construction crew is awaiting approval to proceed.

Thank you for your attention to this matter.

Respectfully,

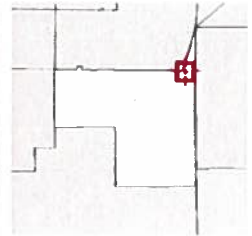
Ana Moore



Dena R. Pittman, CFA
Hendry County Property Appraiser



Overview



Legend

- City Limits
- Banyan Village
- Christopher Lane
- Double J Acres
- Everhigh Acres
- Felda
- LaDeca Acres
- Midway Acres
- Montura Ranch Estates
- Pioneer Plantation
- Pt LaBelle Units 1-9
- Seven K Estates
- Wheeler Road
- Parcels
- County Outlines**
- Hendry
- <all other values>
- Roads**

Parcel ID 3 34 43 01 010 0024-004.0
Sec/Twp/Rng 01-43-34
Property Address 834 W ROYAL PALM AVE
CLEWISTON

Prop ID 32932
Class 0100 - SINGLE FAMILY
Acreage 0.98

Owner Address HOLCOMB CECILE L/E
834 W ROYAL PALM AVE
CLEWISTON, FL 33440

District 3
Brief Tax Description CLEWISTON BLK 24 N 141.67 FT
(Note: Not to be used on legal documents)

Date created: 7/2/2024
Last Data Uploaded: 7/1/2024 10:58:46 PM

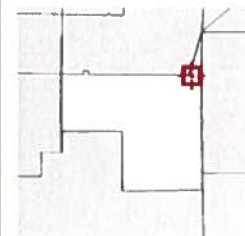
Developed by Schneider
GEOSPATIAL



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Developed by Schneider
 GEOSPATIAL

CITY OF CLEWISTON
121 CENTRAL AVENUE
CLEWISTON, FLORIDA 33440

TELEPHONE
863-983-1500

FACSIMILE
863-983-1430

June 27, 2024

To all Property Owners:

You are receiving this notification because a neighboring parcel that is within 200 feet of your property has requested a property abandonment on the Clewiston Block of 24, north of 834 W. Royal Palm.

A regular meeting of the Planning and Zoning Board is scheduled for Tuesday July 9th, 2024, at 5:30 p.m., in the Commission Room located in City Hall at 115 West Ventura Avenue, Clewiston, Florida. The Board will consider the application for the abandonment.

The City Commission public hearing will be held on Monday July 15th, 2024, at 5:01 p.m. in the Commission Room at City Hall.

All persons interested may appear and be heard concerning the granting or denying of the request. Enclosed is a copy of the Public Notice with a map showing the exact location of the property for the requested abandonment.

If you have any questions, please call the Community Development Department at 863-983-1500.

Sincerely,



Hope Wojack
Planning Assistant
Community Development
121 Central Ave.
Clewiston, FL 33440
863-983-1500 ext. 401

PUBLIC NOTICE

Notice is hereby given that the Planning and Zoning Board of the City of Clewiston, Florida, will hold a meeting on **Tuesday July 9, 2024 at 5:30pm**, in the City Hall Commission Chambers, 115 West Ventura Avenue, Clewiston, Florida. Included in the agenda will be the following request:

- 1) A request for a property abandonment for the block of 24 located at 834 W. Royal Palm Ave., indicated on map below outlined in blue.

The City Commission will hold a **PUBLIC HEARING** to consider the recommendation of the Planning & Zoning Board and take action on the request on **Monday July 15th, 2024 at 5:01pm** in the City Hall Commission Chambers.

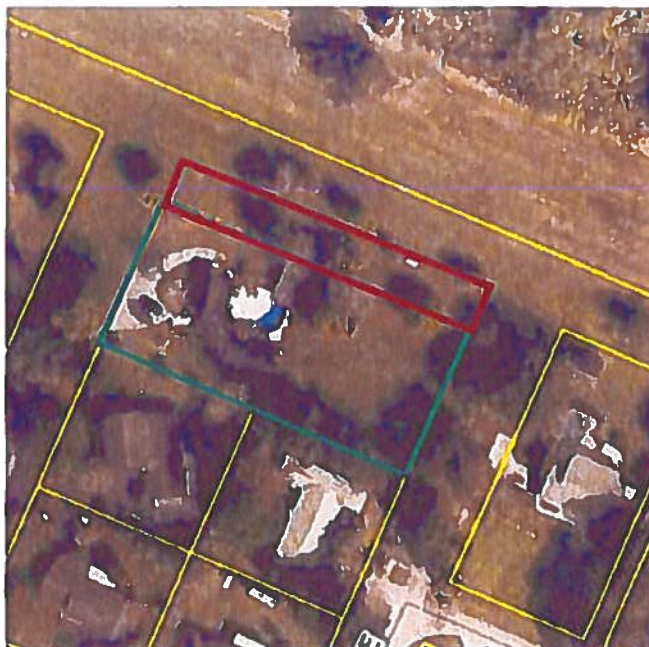
All citizens and interested parties are encouraged to attend the Planning and Zoning Board meeting and the City Commission public hearing. City Hall is wheelchair accessible and accessible parking spaces are available. Accommodation requests or interpretive services must be made 48 hours prior to the meeting. Please contact the City Clerk's office at (863) 983-1484, extension 227, or FAX (863) 983-4055 for information or assistance.

All persons interested may appear and be heard. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and that, for such purpose, the person 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.

I, the undersigned authority, do hereby certify the above Notice of Meeting of the Planning and Zoning Board of the City of Clewiston is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice at the front and rear entrances of City Hall, a place convenient and readily accessible to the general public at all times.

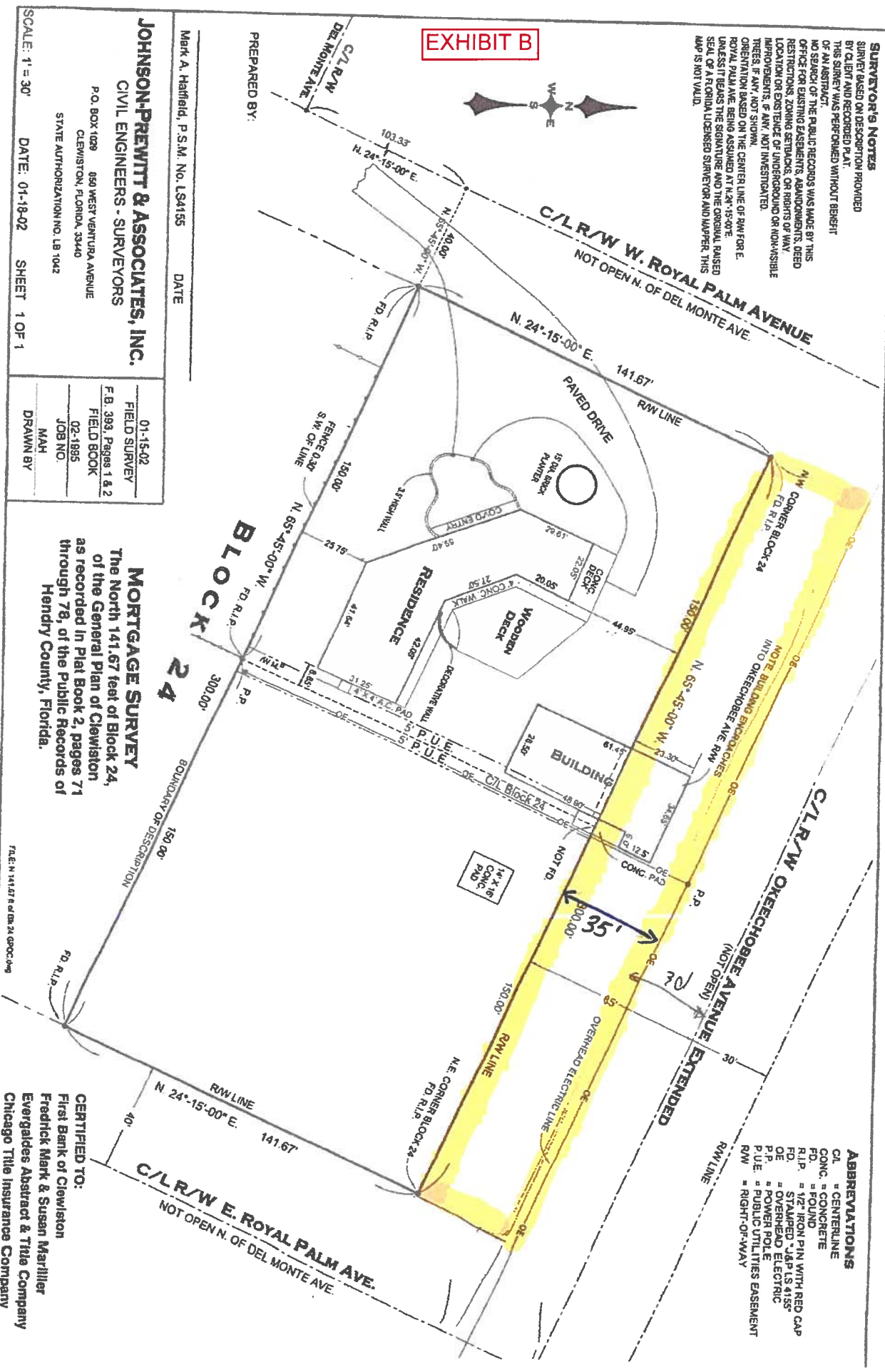
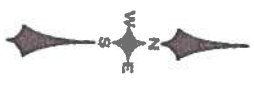
CITY OF CLEWISTON,
FLORIDA

Travis Reese
Community Development Director



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EXHIBIT B



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SCALE: 1" = 30'
 DATE: 01-18-02
 SHEET 1 OF 1

PREPARED BY:
 Mark A. Hanfield, P.S.M. No. L94155
 DATE

PREPARED BY:
 Mark A. Hanfield, P.S.M. No. L94155
 DATE

PREPARED BY:
 Mark A. Hanfield, P.S.M. No. L94155
 DATE