

# Request for Abandonment of County Right-of-Way

## Application and Instructions

The Board of County Commissioners of Okeechobee County is empowered to abandon streets and alleys in the unincorporated areas of Okeechobee County either upon its own initiative or upon request. To accomplish a fair and proper consideration of abandonment requests the Board has established a process resulting in full County consideration of the request.

To request that the Board abandon a county right-of-way, please do the following:

1. Submit an application that has been completely filled out. The application must be signed and dated. Applications can be submitted only by the adjoining property owner or by their agent.
2. Submit a non-refundable processing fee of \$500.00 with the application.
3. Submit a copy of the deed verifying the applicant's ownership of the adjoining property.
4. On the application or on a separate sheet of paper, submit a legal description that completely describes the property requested to be abandoned. An example of a valid legal description would be:

That portion of NW 5th Street lying between Blocks 14 and 15, Happy Acres Subdivision according to the Plat thereof recorded in Plat Book 17, Page 34, Public Records of Okeechobee County, Florida.

In other circumstances, a metes and bounds or other legal description may be required for a valid description.
5. Submit a map, plat or other drawing indicating the location of the subject street or alley. Maps from the Property Appraiser's office often are adequate. The street or alley as well as the applicant's land must be clearly marked. Also submit a copy of the property card from the Property Appraiser's office if applicable.
6. Submit letters of consent or objection from all utilities. It is the responsibility of the applicant to determine which utilities may have service in the area of the subject street or alley. Depending on the location of the property, this may include one or more of the following:
7.

Florida Power and Light	Century Link Telephone
Glades Electric Co-op	Comcast Cable Television
Okeechobee Utility Authority (water)	Okeechobee Utility Authority (sewer)
Applicable private potable water provider	Applicable private sewage disposal provider
Waste Management	

8. If the applicant is not the owner of both sides of the street or alley, submit the name and mailing address of all other adjoining landowners. A written consent or co-application from other adjoining landowners is preferred.
9. The applicant shall be responsible for the cost of publishing notices in the newspaper required by Florida Law, in addition to the non-refundable \$500 processing fee. The publishing cost must be paid prior to the public hearing.
10. Submit the application together with all documents and required fees to:  
Okeechobee County Community Development Department  
1700 NW 9th Avenue, Suite A  
Okeechobee, Florida, 34972  
Phone: (863) 763-5548  
Fax: (863) 763-5276  
Email: [planning@co.okeechobee.fl.us](mailto:planning@co.okeechobee.fl.us)

Within 30 days of submission, the applicant will be notified whether the application is complete and of the date upon which the Planning Department will request authorization from the Board to advertise for the public hearing. Although the applicant's attendance is not required at the preliminary Board meeting or at the public hearing, applicants are encouraged to be available to answer any questions of the Board or staff. The timing of the public hearing is governed by Florida Statutes and will be scheduled as soon as possible.

11. If the Board approves the abandonment at the public hearing, a resolution will be prepared along with a second newspaper notice advising the public of the action taken. The resolution together with both newspaper notices will be recorded in the Official Records of Okeechobee County and a copy of the resolution will be provided to the applicant.
12. Abandonment by the County affects public rights in the street or alley that is abandoned. It does not eliminate any private access rights that may have arisen in favor of abutting landowners or others in the subdivision or area.
13. Abandonment is permitted when the Board of County Commissioners determines that the property is not needed for public purposes. It is not a sale of real property and the discontinued parcel normally reverts to the abutting property owners by operation of law. The Board cannot direct that the abandonment favor a particular landowner.

**NOTE:** Failure to address all of the issues discussed above will delay the processing of your request and could result in rejection of the request. Although these instructions are provided to assist the public in the application process, specific questions should be directed to the applicant's personal counsel.

## Request for Abandonment of County Right-of-Way

### Application Checklist

No.	Checklist Items	Submitted	Chk
1	Completed and signed application		
2	Non-refundable \$500.00 processing fee		
3	Copy of deed of applicant's property that adjoins right-of-way requested to be abandoned		
4	Legal description that completely describes right-of-way requested to be abandoned		
5a	Map/plat/drawing showing right-of-way requested to be abandoned and that shows applicant's property		
5b	Property Appraiser card of right-of-way to be abandoned if applicable		
6	Consent letters from utility providers		
	Electric company (name _____)		
	Telephone (name _____)		
	Cable T.V. (name _____)		
	Water provider (name _____)		
	Sewer provider (name _____)		
	Waste Management		
	Other utility provider (name _____)		
7	Consent letters from or name and address of other property owners adjoining land requested to be abandoned		
	Adjoining property owner (name _____)		
	Adjoining property owner (name _____)		
	Adjoining property owner (name _____)		

<b>Okeechobee County</b> <b>Community Development Dept.</b> <b>1700 NW 9th Avenue, Suite A</b> <b>Okeechobee, FL 34972</b> <b>Phone: (863) 763-5548</b> <b>Fax: (863) 763-5276</b>	Received Date:
	By: <span style="float: right;">Petition No.</span>
	Processing Fee Paid:
	Advertising Dates:
	Approved: <span style="float: right;">Declined:</span>

### Application for Abandonment of County Right-of-Way

Name of applicant:									
Mailing address:									
City, State, Zip:									
Telephone (day):									
Description of right-of-way sought to be abandoned:									
Parcel identification number of applicant's adjoining property:									
Is the right-of-way being assessed for taxes? <span style="float: right;">If so, to whom?</span>									
Reason abandonment is desired:									
Name and address of all landowners that adjoin the property requested to be abandoned (other than applicant):									
1.									
2.									
3.									
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%; text-align: left;">Utility Providers:</th> <th style="width: 60%; text-align: left;">Name</th> <th style="width: 30%; text-align: left;">Consented?</th> </tr> </thead> <tbody> <tr><td style="height: 25px;">1. Electric</td></tr> <tr><td style="height: 25px;">2. Telephone</td></tr> <tr><td style="height: 25px;">3. Cable Television</td></tr> <tr><td style="height: 25px;">4. Water</td></tr> <tr><td style="height: 25px;">5. Sewer</td></tr> <tr><td style="height: 25px;">6. Solid Waste <span style="float: right;">Waste Management</span></td></tr> </tbody> </table>	Utility Providers:	Name	Consented?	1. Electric	2. Telephone	3. Cable Television	4. Water	5. Sewer	6. Solid Waste <span style="float: right;">Waste Management</span>
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6. Solid Waste <span style="float: right;">Waste Management</span>									
Is the parcel to be abandoned currently used for access: ( <input type="checkbox"/> No ) ( <input type="checkbox"/> Yes ). If yes, name of person who uses parcel for access: ( _____ ). Is parcel intended to serve as access in the future: ( <input type="checkbox"/> No ) ( <input type="checkbox"/> Yes ).									

(rev. 03/01)

<b>CONFIRMATION OF INFORMATION ACCURACY AND RELEASE OF AUTHORITY TO VERIFY</b>		
I hereby certify that the information in this application is correct. The information included in this application is for use by Okeechobee County in processing my request. I understand that should an inaccuracy be discovered following an abandonment, the Board of County Commissioners may vacate its action of abandonment. I further acknowledge that any abandonment approved by the Board of County Commissioners does not constitute a sale of real or personal property and no warranty whatsoever is provided.		
Signature: _____	Title: _____	Date: _____