



Inst: 202630002084 Date: 05/27/2026 Time: 8:58AM
Page 1 of 5 B: 713 P: 311, Sam Bailey, Clerk of Court Holmes, Coi
By: T.J
Deputy Clerk

Ordinance 2026-01

AN ORDINANCE OF THE TOWN OF ESTO, FLORIDA, FORMALLY ABANDONING AND VACATING THE TOWN'S INTEREST IN CERTAIN UNOPENED STREETS AND ALLEYS LOCATED WITHIN PARCELS 0328.02-002-18N-001.000, 0328.02-002-06N-009.000, AND 0328.02-002-18N-008.000; CONFIRMING THAT THE TOWN HAS NO FURTHER PUBLIC INTEREST IN SAID RIGHTS-OF-WAY; PROVIDING FOR RECORDING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Esto, Florida is the governing authority with jurisdiction over certain dedicated but unopened streets and alleys within the municipal limits; and

WHEREAS, in 2020 the Town Council executed a quitclaim deed to the then-owner of Parcel 0328.02-002-18N-001.000, Danny and Jacqueline Powell, attempting to abandon the Town's interest in the unopened public rights-of-way located within the parcel; and

WHEREAS, although the 2020 document was accepted by the Holmes County Property Appraiser, questions have since arisen regarding the procedural sufficiency of that abandonment; and

WHEREAS, Parcel 0328.02-002-18N-001.000 has since been conveyed to its current owner, Matthew Chet Sherrer, and parcel 0328.02-002-18N-008.000 has since been conveyed to its current owner, Michelle Campbell and Charles Johnson; and

WHEREAS, the affected rights-of-way also lie partially within Parcel 0328.02-002-06N-009.000, currently owned by Natasha Eve & Cody Summers, and thus any abandonment must apply to all parcels to fully and properly extinguish the Town's interest; and

WHEREAS, the Town Council wishes to re-establish the abandonment through a properly noticed ordinance so that no future uncertainty or dispute may arise; and

WHEREAS, the unopened streets and alleys at issue have never been opened, constructed, maintained, or used by the public and serve no municipal purpose; and



WHEREAS, the Town Council finds that abandoning and vacating the Town's interest in these rights-of-way is in the best interest of the Town and poses no detriment to public access or circulation; and

WHEREAS, proper notice of this Ordinance and public hearing has been provided as required by Florida law;

WHEREAS, a corrected boundary survey titled "Map of Boundary Survey – Drawn to support a petition to abandon unused platted streets and alleys in the Town of Esto, Holmes County, Florida," prepared by Roger Lonsway, P.S.M., dated September 16, 2020 and corrected March 16, 2026, has been provided to accurately depict the rights-of-way to be abandoned; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ESTO, FLORIDA:

SECTION 1. ABANDONMENT AND VACATION OF RIGHTS-OF-WAY.

The Town of Esto hereby abandons, vacates, releases, and disclaims any right, title, or public interest it may have in certain unopened streets and alleys located within Parcel 0328.02-002-18N-001.000, Parcel 0328.02-002-18N-008.000, and Parcel 0328.02-002-06N-009.000, as more particularly depicted on "Exhibit A," attached hereto and incorporated herein by reference.

Exhibit A is a boundary survey titled "Map of Boundary Survey – Drawn to support a petition to abandon unused platted streets and alleys in the Town of Esto, Holmes County, Florida," prepared by Roger Lonsway, P.S.M., dated September 16, 2020 and corrected March 16, 2026.

SECTION 2. EFFECT OF ABANDONMENT.

Upon adoption of this ordinance:

1. The Town of Esto relinquishes all municipal ownership, rights, easements, interests, or claims in the above-described rights-of-way.



2. The vacated areas shall revert to the ownership of the adjoining property owners pursuant to Florida law.
3. The Town assumes no responsibility for maintenance, upkeep, improvement, or liability for the vacated areas.

SECTION 3. RECORDING.

The Town Clerk is authorized and directed to record a certified copy of this Ordinance in the Official Records of Holmes County, Florida, and to provide copies to the Property Appraiser and Tax Collector.

SECTION 4: SEVERABILITY

If any section, subsection, sentence, clause, or provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected.

SECTION 5: EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption.

EXHIBIT A

(Attached Hereto)

Map of Boundary Survey – Drawn to support a petition to abandon unused platted streets and alleys in the Town of Esto, Holmes County, Florida

Prepared by: Roger Lonsway, P.S.M.

Original Date: September 16, 2020

Corrected: March 16, 2026

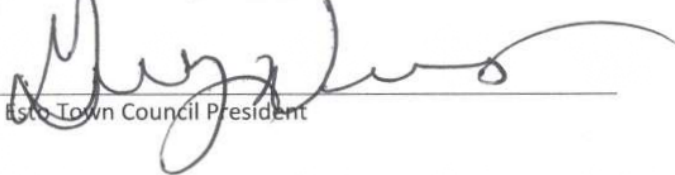


PASSED on first reading on March 18, 2026.

ADVERTISED in The Holmes County Advertiser on April 15, 2026.

PASSED AND ADOPTED on the second reading on April 21, 2026.

TOWN OF ESTO, FLORIDA



Esto Town Council President

ATTEST



Esto Town Clerk

APPROVED TO FORM AND CORRECTNESS



Town Attorney

MAP OF BOUNDARY SURVEY

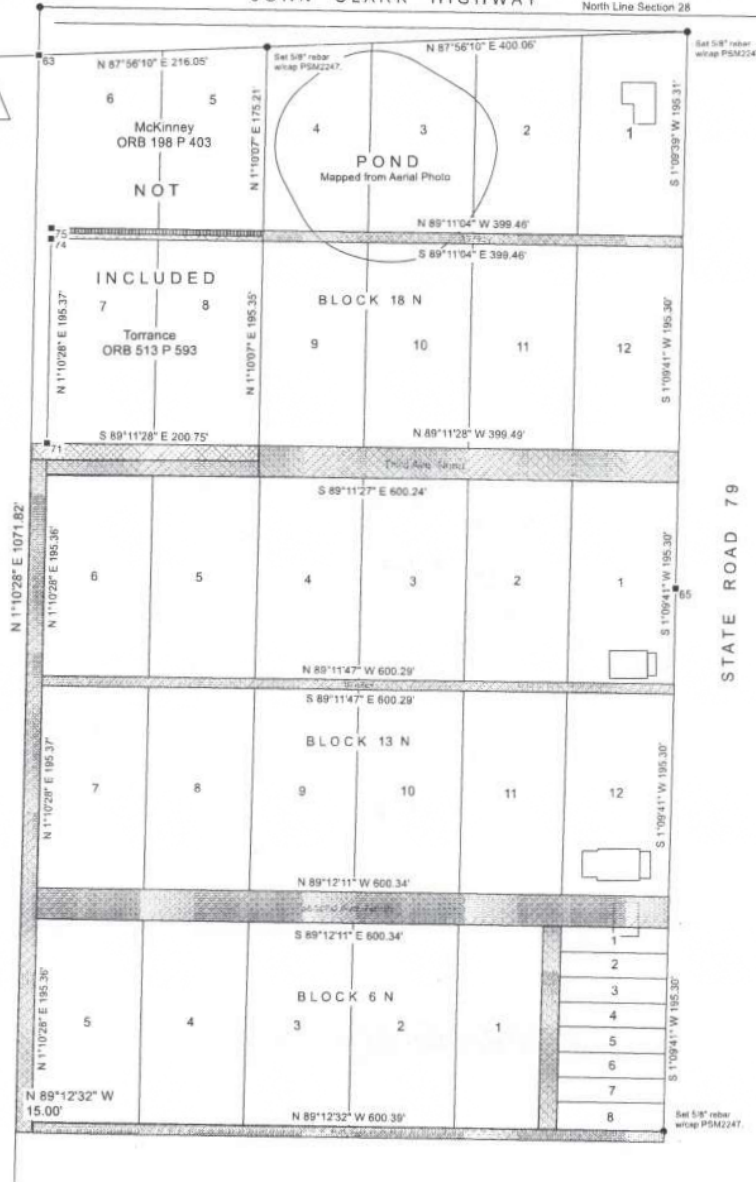
Drawn to support a petition to abandon unused platted streets and alleys
in the Town of ESTO, Holmes County, Florida

NW corner Section 25, T7N, R14W
Found 5/8" rebar w/loop L81335
Same as corner described on FDOT
ROW map and CCR 74262

JOHN CLARK HIGHWAY

North Line Section 28

This line represents the
surveyor's estimate of
the south line of John
Clark Highway based
upon the pavement and
a 60 foot ROW.



Descriptions of streets and alleys in the plat of Esto to be abandoned:

To Danny G. Powell and Jacqueline B. Powell :

A 10 foot alley in Block 18 N lying South of Lots 1 through 4 and North of Lots 9 through 12.

A 30 foot wide street (Third Ave. North) lying South of Lots 9 through 12 of Block 18 N and North of Lots 1 through 4 Block 13 N.

The South half of the 30 foot wide street (Third Ave. North) lying North of Lots 5 and 6 Block 13 N.

A 10 foot wide alley in Block 13 N lying South of Lots 1 through 6 and North of Lots 7 through 12.

A 30 foot wide street (Second Ave. North) lying South of Block 13 N and North of Block 6 N.

An alley of unspecified width lying West of Business Lots 1 through 8 and East of Residential Lot 1, all in Block 6 N.

A 10 foot wide alley lying South of Residential Lots 1 through 5 and Business Lot 8 in Block 6 N.

A 15 foot wide half roadway East of and contiguous with the West line of Section 28, T7N, R14W, the North end of which coincides with the North line of the South half of Third Ave. North, and the South end of which coincides with the South line of the 10 foot alley lying South of Residential Lots 1 through 5 in Block 6 N.

Certificate

This survey is for the exclusive use of and is CERTIFIED TO: Danny G. Powell and Jacqueline B. Powell, and to no other parties, and only for the specific purpose indicated hereon, and is CERTIFIED to meet the FLORIDA STANDARDS OF PRACTICE FOR SURVEYORS AND MAPPERS as set forth in CH. 5J-17 F. A. C.

To Randy S. Torrance and Loanna C. Torrance:

The South half of the 10 foot wide alley lying North of Lots 7 and 8 Block 18 N.

The North half of the 30 foot wide street (Third Ave. North) lying South of Lots 7 and 8 in Block 18 N together with the 15 foot North/South portion of that part of the 15 foot wide half roadway East of and contiguous with the West line of Section 28, T7N, R14W, the North end of which coincides with the center line of Third Ave. North.

To Harrel McKinney and Peggy McKinney:

The North half of the 10 foot wide alley lying South of Lots 5 and 6 in Block 18 N.

Roger Lonsway, P.S.M.

Survey Project Number 45798
Drawn September 16, 2020
Corrected Description 3-16-26

SEAL

Sam Bailey
Clerk of the Circuit Court
Holmes County

PO Box 397
Bonifay, FL 32425

Official Records Receipt Recording

Username: tjones

Changed By: tjones

Receipt#: 135024 **Payee Name:** TOWN OF ESTO

Receipt Date: 05/27/2026

Instrument(s): 202630002084-BK713/PG311-315-NOTICE

Details

CTY COMM JULY 1	\$10.00
FACC JULY 1	\$0.50
Indexing	\$0.00
PRMTF JULY 1	\$9.50
Recording	\$21.00
Records Trust	\$3.00

Receipt Total: \$44.00

Amount Tendered: \$44.00

Amount Paid (including any fees): \$45.54

Overage: \$0.00

Credit Card

Credit Card	\$44.00	19155558
Auth. Code: 027608		Tender: H3k4001779890319000
Card: 9655		AID: A0000000031010
Payment Method: Visa		TID: P400Plus-804065964
Payment Variant: visacommercialcredit		MID: 420429000030705

This payment will be processed by MyFloridaCounty.com and will appear on your credit card or debit card statement as "MyFloridaCounty.com (877-326-8689)". There is a non-refundable 3.5% service fee per transaction to provide this service. MyFloridaCounty.com is powered by CiviTek.