

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20011344

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition Vac2001-00022 to vacate a 60' Right of Way known as Tech Road, for 340' along lot 3, Block 28, Buckingham Air Park Northeast Section, as recorded in Plat Book 9, Page 64 of the Public Records of Lee County Florida, Section 16, Township 44, Range 26. Located along the north east side of 6720 Cadet Ave., and adopt

a Resolution setting a Public Hearing 5:00 P.M. on the 9th Day of April ²⁰⁰².
WHY ACTION IS NECESSARY: The Right of Way (ROW) is currently undeveloped and the applicant wishes to utilize the ROW to pave an extension to an existing taxiway which is located on a previously vacated section of Tech Road. This extension will enable residents to move their aircraft from the runway to their on-lot private storage facilities.

WHAT THE ACTION ACCOMPLISHES: Sets the time and date of the Public Hearing.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 5

C4A

3. MEETING DATE:

03-19-2002

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE 13-8
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT _____
- C. DIVISION Development Services

BY *[Signature]* 12/17/01

7. BACKGROUND: The ROW Easement is 60' x 340' lying on the northeast side of 6720 Cadet Ave., lot 3, Block 28, Buckingham Air Park Northeast Section, as recorded in Plat Book 9, Page 64 of the Public Records of Lee County Florida, Section 16, Township 44, Range 26.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

There are no objections to this Petition to Vacate. Staff recommends the scheduling of the Public Hearing.

Attached to this Blue sheet is the Petition to Vacate, The Resolution to set the Public Hearing and the Notice of Public Hearing.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

A Department Director	B Purchasing or Contracts	C Human Rel.	D Other	E County Attorney	F County Administration				G County Manager
<i>Mary Gibbs</i>	N/A	N/A		<i>[Signature]</i>	QA <i>[Signature]</i> 2/26/02	OM <i>[Signature]</i> 2/27/02	Risk <i>[Signature]</i> 2/27	GC <i>[Signature]</i> 2/27	<i>[Signature]</i> 2-27-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 12/18/01
Time: 2:50pm
Forwarded To:
[Signature]
2/26/02 11:11M

RECEIVED BY
COUNTY ADMIN.
2/26/02
1:15 pm
COUNTY ADMIN.
FORWARDED TO:
[Signature]
2/28 7:30

PETITION TO VACATE

Case Number: VAC 2001-00022

Petitioner(s), Wayne E. McDermott

requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 6731 Cadet Avenue Ft. Myers, FL
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted,

By: Wayne E. McDermott
Petitioner Signature

Wayne E. McDermott
Printed Name

By: _____
Petitioner Signature

Printed Name

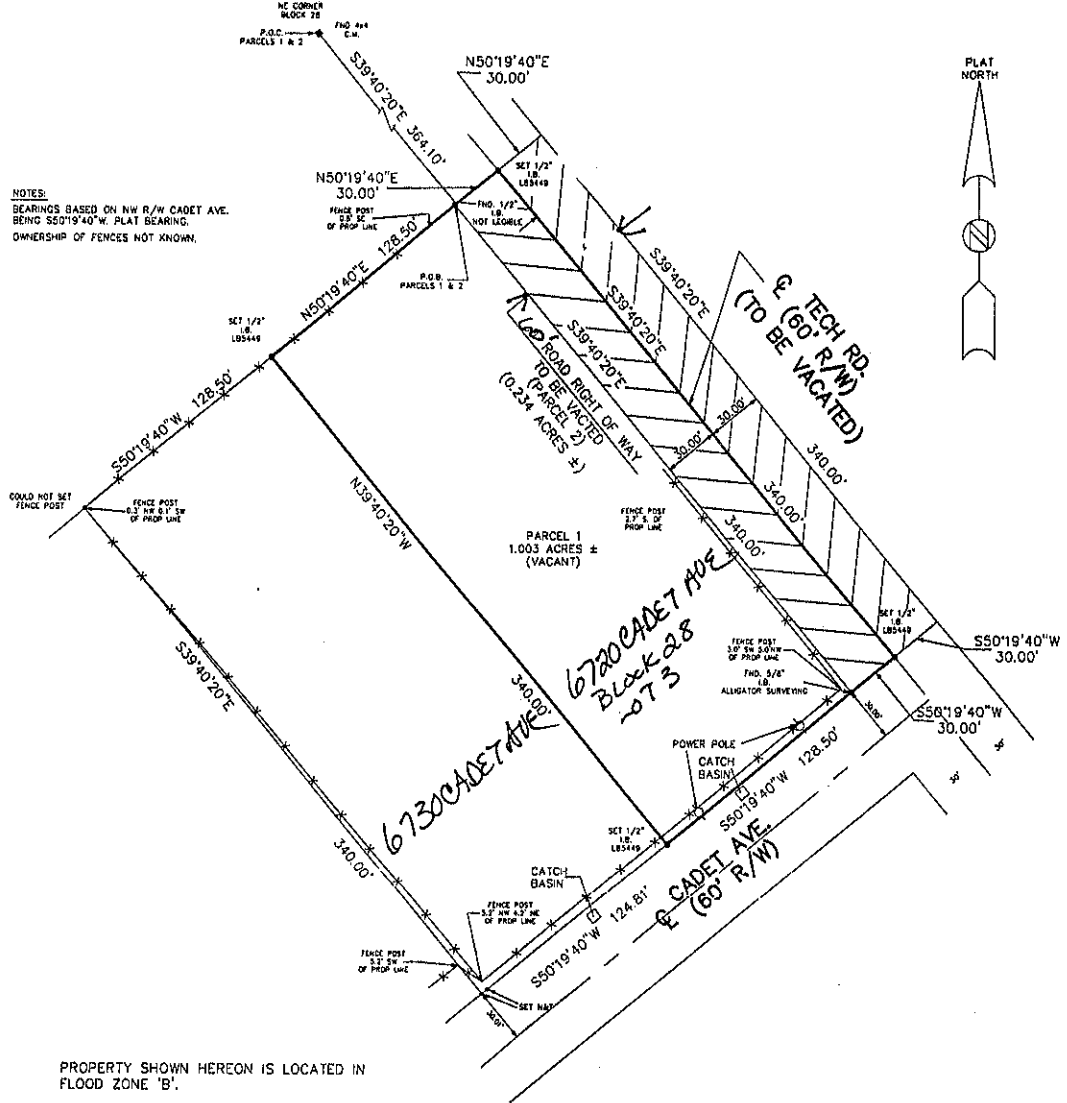
LEGAL DESCRIPTION
EXHIBIT A

PARCELS OF LAND SITUATED IN BLOCK 28, BUCKINGHAM PARK NORTHEAST SECTION, AS RECORDED IN PLAT BOOK 9, PAGE 64, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT:

COMMENCING AT A 4X4 CONCRETE MONUMENT AT THE NE CORNER OF SAID BLOCK 28, THENCE SOUTH 39 DEGREES 40'20" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF TECH ROAD (60' WIDE), A DISTANCE OF 364.10 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED, THENCE CONTINUE SOUTH 39 DEGREES 40' 20" EAST A DISTANCE OF 340.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF CADET AVENUE (60' WIDE); THENCE NORTH 50 DEGREES 19' 40" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 60'; THENCE NORTH 39 DEGREES 40' 20" WEST A DISTANCE OF 340 FEET; THENCE SOUTH 50 DEGREES 19' 40" WEST FOR A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING.

NOTES:
 BEARINGS BASED ON NW R/W CADET AVE.
 BEING S50°19'40"W. PLAT BEARING.
 OWNERSHIP OF FENCES NOT KNOWN.



PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE 'B'.

BOUNDARY SURVEY
 PART OF BLOCK 28
 BUCKINGHAM PARK, NORTHEAST SECTION
 LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 9, PAGE 64, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA
 FOR LEGAL DESCRIPTION SEE ATTACHED PAGE 2

CERTIFIED TO:
 WAYNE MCDERMOTT

SHEET 1 OF 2

<p>LEGEND:</p> <p>A - ARC A/C - AIR CONDITIONER (C) - CALCULATED C.B. - CABLE BOX C.B.S. - CONCRETE BLOCK STRUCTURE CH - CHORD C.M. - CONCRETE MONUMENT CONC. - CONCRETE C.P. - CONCRETE PAD COR. - CORNER (D) - DEED</p>	<p>D.E. - DRAINAGE EASEMENT DH - DRILL HOLE EL - ELEVATION ENC. - ENCROACHMENT E.O.P. - EDGE OF PAVEMENT FND. - FOUND I.B. - IRON BAR (M) - MEASURED N & T - NAIL AND TAP N.T.S. - NOT TO SCALE O.R. - OFFICIAL RECORD</p>	<p>(P) - PLAT P.B. - PLAT BOOK P.C. - POINT OF CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE P.E. - POOL ENCLOSURE P.L. - PAGE P.O.B. - POINT OF BEGINNING P.O.C. - POINT OF COMMENCEMENT P.P. - POWER POLE P.R.C. - POINT OF REVERSE CURVATURE (S) - CONCRETE PAD</p>	<p>P.R.M. - PERMANENT REFERENCE MONUMENT P.T. - POINT OF TANGENCY P.U.E. - PUBLIC UTILITY EASEMENT R - RADIUS (R) - RADIAL R/W - RIGHT-OF-WAY SET 1/2" I.B. L85449 S.P. - SCREENED PORCH S.T. - SEPTIC TANK T.B. - TELEPHONE BOX (T) - TANKHOLE</p>	<p>T.B.M. - TEMPORARY BENCHMARK U.P. - UTILITY POST/STAKE W.M. - WATER METER Δ - DELTA X - CENTER FENCE -// - WOOD FENCE -X- - WIRE FENCE -P- - POWER POLE -D- - FIRE HYDRANT -L- - POWER LINES + - TEMPORARY BENCHMARK</p>
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NOTES:
 This map of survey is only for the lands herein described and is not an instrument of title, zoning, or freedom of encumbrances.
 The legal description was furnished by the client or their agent.
 No title search was conducted by this office.

Elevations shown are based on data from the National Geodetic Vertical Datum of 1929 unless otherwise noted.
 There are no visible encroachments other than shown.
 Only improvements shown were field located.

Subject to restrictions, easements, and reservations of records.

NOTE: Location of underground utilities and/or structures NOT located NOT VALID without the signature and the original raised seal of a Florida Licensed Surveyor and mapper. 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.

Robert M. Still
 6-14-01
 ROBERT M. STILL, REGISTERED LAND SURVEYOR NO. 3695
 CHRISTOPHER B. STILL, REGISTERED LAND SURVEYOR NO. 5941
 S.T.A.R. SURVEYING, INC. L85449
 1130-E LEE BLVD., LEHIGH ACRES, FL. 33936
 (941) 368-7400 FAX.(941) 368-7685

FIELD SURVEY: 6-13-01
REV.:
DRAWN BY: C.B.S.
SCALE: 1" = 60'
FILE NO: 9815-5

Exhibit "B"



Figure 1 Road to be vacated



Figure 2 Drainage Canal to the east of the road. Runs under Mosquito Control property



Figure 3 Drainage Canal to the north of drain pipe.



Figure 4 Drainage canal to the north of the drain pipe.



Figure 5 East property line at fence, trees at the north, no thru access.



Figure 6 Tech road to the south of proposed vacation site.



April 21, 2001

Wayne E. McDermott
6731 Cadet Avenue
Fort Myers, FL 33905

RE: Request for letter of Review and Recommendation on proposed right-of-way or road easement vacation at the following location: From Cadet Avenue NW 340 Ft.
N39 40' 20" W

Dear Mr. McDermott:

Florida Power & Light Co. has no objections to vacating the proposed right-of-way at the above mention location.

Strap # 16-44-26-01-00028.0020

If you have any further questions, please feel free to call me at (941) 693-4286

Sincerely,

Randall Curtis
Distribution Designer
Florida Power & Light Co.



Box 370
Fort Myers, Florida 33902-0370

April 25, 2000

Mr. Wayne E. McDermott
6731 Cadet Avenue
Ft. Myers, FL 33905

RE: Petition to vacate easement: From Cadet Ave. NW 340Ft. N39*40' 20" W.

Dear Mr. McDermott:

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the information, Sprint has no objection to your easement vacation request.

If you should require additional information, please contact me at 941-336-2049.

Sincerely,

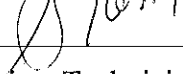
A handwritten signature in cursive script that reads "Diana Whaley".

Diana Whaley
Engineer II

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: December 5, 2001

TO: Joan Henry
Assistant County Attorney

FROM: Sharon Mihm 
Development Review Technician

RE: WATER & SEWER REVIEW AND RECOMMENDATION

This area is well and septic, water & sewer not applicable.

2212 McGregor Boulevard
Fort Myers, Florida 33901
Phone 941 334-8055
Fax 941 334-7023



May 7, 2001

Wayne E. McDermott
6731 Cadet Avenue
Fort Myers, FL 33905

RE: Request for Letter of Review and Recommendation

Dear Mr. McDermott:

Comcast Cable has no objection to the vacation of the public interest in the Road Easement described as Tech Road. The section to be vacated is a 60' wide section extending to the Northwest of Cadet Road for 340' and parallel to Parcel 1 that is identified with Strap Number 16-44-26-01-00028.0020.

Comcast Cable has no existing or proposed facilities in the area to be vacated. Requests were made by petitioner to Jones Intercable and MediaOne. Since Comcast Cable now owns both former entities, and this letter shall serve as fulfillment of both petitioner requests.

If you have any questions or need additional information, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Erp". The signature is stylized with a large, sweeping loop at the end.

Jim Erp
Director of Operations

Comcast Cablevision
of West Florida, Inc.
22266 Edgewater Dr.
Port Charlotte, FL 33980
(941) 625-2981
FAX (941) 624-5862



Wayne E. McDermott
6731 Cadet Avenue
Fort Myers, FL 33905

June 27, 2001

Re: STRAP NO. 16-44-26-01-00028.0020

Dear Mr. M,

After reviewing your request for the vacation of the right of way or road easement along the parcel of land situated in Block 28, Buckingham Park Northeast Section, as recorded in Plat Book 9, Page 64, of the Public Records of Lee County. We at COMCAST Cablevision have found no conflicts and have no Objection to this Vacation.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Bobby Miller".

Bobby Miller
Construction Administrator

AmeriGas

America's Propane Company

April 26, 2001


Mr. Wayne E. McDermott
6731 Cadet Avenue
Ft. Myers, FL 33905

RE: Request for a letter of Review and Recommendation on a proposed right-of-way or road easement at the following location: From Cadet Ave NW 340 ft. N39°40'20" W

Dear Mr. McDermott:

In response to the above referenced request, please be advised that to the best of our knowledge, we do not have a line in this area; therefore, we have no objection to the proposed easement vacation.

Sincerely,



Thomas E. Shields
Market Manager

TES/lp



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

(941)479-8181

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

April 18, 2001

Andrew W. Coy
District Four

Wayne E McDermott
6731 Cadet Avenue
Fort Myers, Fl. 33905

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

**SUBJECT: PROPOSED RIGHT OF WAY OR ROAD EASEMENT VACATION AT
FROM CADET AVE. NW 340 FT N39°40'20"W.**

Diana M. Parker
County Hearing
Examiner

Dear Mr McDermott:

Lee County Utilities has reviewed the easement vacation request described in your letter of April 09, 2001. Lee County Utilities has no facilities located within the easement, therefore, there is no objection to the vacation of this easement.

Should you have any questions, or require further assistance, please do not hesitate to contact our office at 479-8181, ext. 8532.

Sincerely,

Mary McCormic
Utilities Engineering Technician III
Lee County Department of Public Works
Environmental Services Division, Utilities Section



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

December 10, 2001

Mr. Wayne McDermott
6731 Cadet Avenue
Fort Myers, FL 33905

Re: VAC2001-00022

Dear Mr. McDermott:

You indicated a desire to vacate these platted easements in order to use as a taxiway, as was done on the portion of Tech Road to the South of this location. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division



Peter J. Eckenrode
Director

PJE/sam

U:\200112\VAC20010.002\2\reviewandrec.wpd



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 479-8132

Bob Janes
District One

Douglas R. St. Cerny **REVISED**
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stillwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

May 21, 2001

Wayne McDermott
6731 Cadet Avenue
Fort Myers, FL 33905

**SUBJECT: PETITION TO VACATE RIGHT OF WAY
TECH DRIVE (340 FEET N. OF CADET AVENUE SE)**

Dear Mr. McDermott:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to that proposed.

Should you have any questions, please call me at the above telephone number.

Sincerely,

ENVIRONMENTAL SERVICES DEPARTMENT

Bradley S. Vance
Professional Engineer II
Natural Resources Division

cc: Don Blackburn, Development Services
Joan Henry, County Attorney Office
Margaret Lawson, LCDOT
Roland Ottolini, P.E., NRD



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(941) 479-8580

Writer's Direct Dial Number: _____

John E. Manning
District One

June 15, 2001

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Wayne E. McDermott
6731 Cadet Avenue
Fort Myers, FL 33905

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

**RE: Petition to Vacate a Portion of Tech Road
Right-of-Way, Buckingham Park Subdivision**

James G. Yaeger
County Attorney

Dear Mr. McDermott:

Diana M. Parker
County Hearing
Examiner

Lee County Department of Transportation (DOT) has reviewed your request to vacate a portion of Tech Road recorded in Plat Book 9, page 63. This portion of Tech Road has not been constructed and approximately half the right-of-way is occupied by a drainage ditch. DOT does not maintain the right-of-way or the ditch.

Therefore, DOT offers no objection to this vacation as proposed.

Yours truly,

Lee County Department of Transportation

Scott Gilbertson, P.E.
Director

JK/SMG/mlb

cc: Roland Ottolini, Natural Resources Director
Don Blackburn, Development Services
Margaret Lawson, Right-of-way Supervisor
Petition to vacate file

\\LCFNW04\DATA\SHARED\DOT\DOCUMENT\Petition To Vacate\2001\PTV tech road row buckingham park sub.doc



Florida Department of Transportation

JEB BUSH
GOVERNOR

THOMAS F. BARRY, JR.
SECRETARY

April 26, 2001

Wayne E. McDermott
6731 Cadet Avenue
Ft. Myers, Florida 33905

RE: Vacation of A Right of Way or Road Easement

Dear Mr. McDermott:

Our staff has conducted a review of your request to vacate the public interest in the right of way or road easement on unimproved right of way known as Tech Road lying from Cadet Avenue northwest for 340.00 feet. This same area was further referenced in your letter and highlighted map of April 9, 2001.

Based on this review, we offer "No Objections" to this vacation request.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Dunsford".

James W. Dunsford,
District R/W Administrator,
Property Management

JWD/jwd

cc: Scott Gilbertson, P.E. - Lee County
Walter McCarthy, P.E. - Lee County
Joe Philips - FDOT
Tom Garcia - FDOT

LEE COUNTY MOSQUITO CONTROL DISTRICT

BOARD OF COMMISSIONERS

GEORGE T. MANN, JR., CHAIRMAN
TIMOTHY A. GARDNER, VICE CHAIRMAN
PAUL W. SANBORN, SECRETARY-TREASURER
JOSEPH H. BURGESS
THOMAS B. HART
LARRY J. MURPHY
RICHARD H. PRITCHETT, III

877-844-2174
941-694-2174
SUNCOM 725-1011
FAX 941-693-5011
POST OFFICE BOX 60005
FORT MYERS, FLORIDA 33906
WWW.LCHCD.ORG

WILLIAM R. OPP, DIRECTOR

September 17, 2001

Mr. Wayne E. McDermott
6731 Cadet Avenue
Ft. Myers, FL 33905

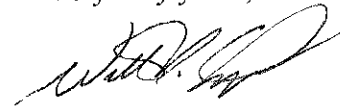
RE: Request for a letter of Review and Recommendation on a proposed right-of-way or road
easement vacation at the following location: From Cadet Ave. NW 340 Ft. N 39 40'
20'' W

Dear Mr. McDermott:

We have received your signed easement allowing the Lee County Mosquito Control District to
perpetually maintain the perimeter ditch associated with the Buckingham Air Field adjacent to your
property.

I appreciate your quick response on this.

Very truly yours,



William R. Opp, P.E.
Director

WRO/ms

120.10.5
Doc # 111111

INSTR # 4793406
OR BK 03209 PG 4172

RECORDED 01/13/00 11:51 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD (F.S. 201.02) 140.00
DEPUTY CLERK K Cartwright

Prepared by and return to:
HARRY O. HENDRY, ESQ.

THE HENDRY LAW FIRM, P.A.
2242 MAIN STREET P.O. BOX 1509
Fort Myers, Florida 33902
941-332-7123
File Number: 99332
Will Call No.: 82

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 4th day of January, 2000 between RANDOLPH W. CRAMER, Individually and as Trustee of the Randolph W. Cramer Trust, joined by DONNA R. CRAMER, his wife, whose post office address is 6770 Cadet, Buckingham Park, Fort Myers, Florida 33905, grantors, and Wayne E. McDermott, a married person whose post office address is 200 Main Street, Sullivan, Wisconsin 53178, grantee:

(Whenever used herein the terms "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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida to-wit:

Parcels of land situated in Block 28, BUCKINGHAM PARK NORTHEAST SECTION, as recorded in Plat Book 9, Page 64, of the Public Records of Lee County, Florida, more particularly described as follows:

Parcel 1:

Commencing at a 4X4 concrete monument at the Northeast corner of said Lot 28, thence S. 35 degrees 40' 20" E. along the southerly right-of-way line of Tech Road (60' wide), a distance of 364.10 feet to the point of beginning of the land herein described, thence continue S. 39 degrees 40' 20" E. a distance of 340.00 feet to a point on the northerly right-of-way line of Cadet Avenue (60' wide); thence S. 50 degrees 19' 40" W. along said Northerly right-of-way line a distance of 128.50 feet; thence N. 39 degrees 40' 20" W. a distance of 340.00 feet; thence N. 50 degrees 19' 40" E. a distance of 128.50 feet to the point of beginning.

Parcel 2:

Commencing at a 4X4 concrete monument at the Northeast corner of said Lot 28; thence S. 39 degree 40' 20" E. along the Southerly right-of-way line of Tech Road (60' wide), a distance of 364.10 feet; thence S. 50 degrees 19' 40" W. a distance of 128.50 feet to the point of beginning of the land herein described; thence S. 39 degrees 40' 20" E. a distance of 340.00 feet to a point on the northerly right-of-way line of Cadet Avenue (60' wide); thence S. 50 degrees 19' 40" W. along said Northerly right-of-way line 124.81 feet to the point of curvature of a curve concave to the southeast, having a radius of 1490.00 feet; thence along the arc of said curve 3.69 feet through a central angle of 00 degrees 08' 31"; thence N. 39 degrees 40' 20" W. a distance of 340.00 feet; thence N. 50 degrees 19' 40" E. a distance of 128.50 feet to the point of beginning.

Parcel Identification Number: 16 44-26-01-00028.0000

Subject to easements, restrictions and reservations of record.

DoubleTimes

Subject to the following special restriction: No buildings or other structures constructed of tarpaper or metal shall be erected on the property.

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, 1999.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Stacy J. Kirk
Witness Name: Stacy J. Kirk

Randolph W. Cramer (Seal)
RANDOLPH W. CRAMER, Individually and as Trustee

Ron Garcia
Witness Name: RON GARCIA

Stacy J. Kirk
Witness Name: Stacy J. Kirk

Donna R. Cramer (Seal)
DONNA R. CRAMER

Ron Garcia
Witness Name: RON GARCIA

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 4th day of January, 2000 by RANDOLPH W. CRAMER, individually and as trustee, and DONNA R. CRAMER, who are personally known or have produced a Driver's License as identification.

[Notary Seal]



Stacie MacInnes
Notary Public

Printed Name: Stacie MacInnes

My Commission Expires: 1-03-03

PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.

A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW

<http://paveselaw.com>

1833 HENDRY STREET
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507
FORT MYERS, FLORIDA 33902-1507

(941) 334-2195
FAX (941) 332-2243

FRANK A. PAVESE, SR.
(941) 336-6228

PLEASE REPLY TO
FORT MYERS OFFICE

November 30, 2001

William R. Opp, Director
Lee County Mosquito Control District
Post Office Box 60005
Fort Myers, FL 33906-0005

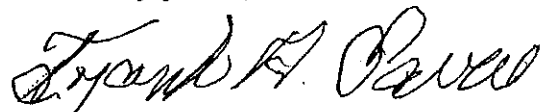
Re: Wayne McDermott Easement

Dear Bill:

Enclosed please find the Easement agreement which we have prepared for Mr. McDermott's signature. Please review it and if there are any changes or additions you feel should be made, please let me know. Otherwise, please have Wayne McDermott sign where indicated. **Please make sure he signs before a Notary Public and two witnesses, who must each sign where indicated and then print their names beneath their signatures. The Notary must also affix their Notary Stamp or Seal beside their signature and state their commission number and the date their commission expires. Please note that the Notary can also be one of the witnesses.** Then if you will return to me in the enclosed stamped, self-addressed envelope, I will get the Easement recorded in Lee County Records. If you have any questions, please let me know.

With kindest regards, I am

Sincerely yours,



FRANK A. PAVESE, SR.

FAP/dz

Enclosures - 2

F#-60403.014

F:\WPDATA\FAP\MOSQUITO\Opp5.wpd

EASEMENT

THIS INDENTURE, made this _____ day of _____, 2001, between WAYNE E. McDERMOTT of 6731 Cadet Avenue, Fort Myers, Florida 33905, hereinafter referred to as the party of the first part, and LEE COUNTY MOSQUITO CONTROL DISTRICT, Post Office Box 60005, Fort Myers, Florida 33906, hereinafter referred to as the party of the second part,

WITNESSETH: That for and in consideration of the sum of One (\$1.00) Dollar cash in hand paid, the receipt of which is hereby acknowledged, the party of the first part has this day bargained and sold, and by these presents do bargain, sell, convey, transfer and deliver unto the party of the second part a permanent easement and right of way, including the perpetual right to enter upon the real estate hereinafter described, at any time that it may see fit, to clear, maintain and dig the existing ditch or canal that runs along said easement and right of way, and do such clearance and drainage work as may be necessary for an adequate control of mosquitoes, including the right to dig and do other work incidental to the construction of drainage ditches, to maintain patrols, and to make such application of larvicides as may be necessary to inhibit the reproduction of, and to destroy, mosquito larvae.

The real property affected by the grant of this easement and right of way is located in the County of Lee and State of Florida and is more particularly described as:

See Exhibit A attached hereto and made a part hereof

TO HAVE AND TO HOLD said Easement and right of way unto the party of the second part and unto its successors and assigns forever.

The party of the first part does hereby covenant with the party of the second part that it is lawfully seized and possessed of the real estate above described, that it has a good and lawful right to convey it, or any part thereof, that it is free from all encumbrances and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever. Said party of the first part further covenants not to build any fences, improvements or other obstacles on said easement and right of way.

As a part of the consideration for this grant, the party of the first part does hereby release any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted, including damage to trees, growth, shrubbery and lawn and ornamental plants.

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed the day and year above written.

WITNESSES:

Patricia F. Ferrara

Printed Name of Witness

PATRICIA F. FERRARA

Wayne E. McDermott

WAYNE E. McDERMOTT

Jean T. Maurer

Printed Name of Witness

JEAN T. MAURER

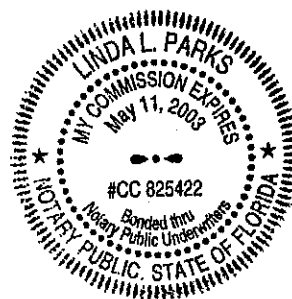
STATE OF FLORIDA)
)
COUNTY OF LEE)

I HEREBY CERTIFY that on this 3rd day of December, 2001,
before me personally appeared WAYNE E. McDERMOTT, to me known to be the
person described in and who executed the foregoing Easement, and acknowledged the
execution thereof to be his free act and deed.

WITNESS my signature and official seal at Fort Myers, in the County of Lee and
State of Florida, the day and year aforesaid.

Linda L. Parks

Notary Public
My Commission expires 5-11-03



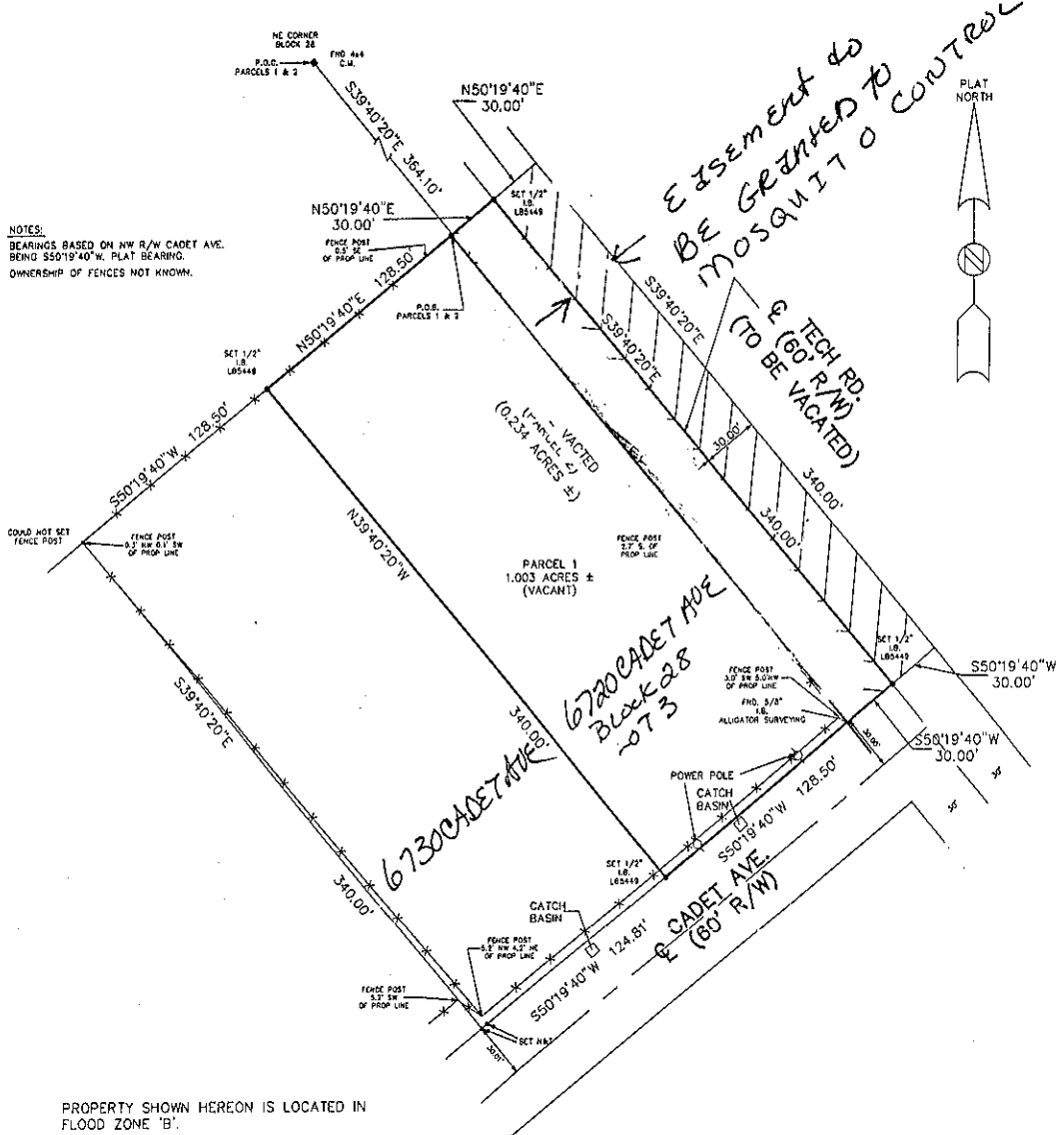
LEGAL DESCRIPTION
EXHIBIT A
EASEMENT TO BE GRANTED TO MOSQUITO CONTROL

PARCELS OF LAND SITUATED IN BLOCK 28, BUCKINGHAM PARK NORTHEAST SECTION, AS RECORDED IN PLAT BOOK 9, PAGE 64, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT:

COMMENCING AT A 4X4 CONCRETE MONUMENT AT THE NE CORNER OF SAID BLOCK 28, THENCE SOUTH 39 DEGREES 40'20" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF TECH ROAD (60' WIDE), A DISTANCE OF 364.10 FEET, THENCE NORTH 50 DEGREES 19'40" FOR 30', TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED, THENCE CONTINUE NORTH 50 DEGREES 19' 40" EAST, FOR 30; THENCE SOUTH 39 DEGREES 40'20" EAST FOR 340'; THENCE SOUTH 50 DEGREES 19'40" WEST FOR 30'; THENCE NORTH 39 DEGREES 40'20" WEST FOR A DISTANCE OF 30'; THENCE NORTH 39 DEGREES 40' 20" WEST A DISTANCE OF 340 FEET TO THE POINT OF COMMENCEMENT.

NOTES:
 BEARINGS BASED ON NW R/W CADET AVE.
 BEING S50°19'40"W. PLAT BEARING.
 OWNERSHIP OF FENCES NOT KNOWN.



PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE 'B'.

BOUNDARY SURVEY
 PART OF BLOCK 28
 BUCKINGHAM PARK, NORTHEAST SECTION
 LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 9, PAGE 64, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA
 FOR LEGAL DESCRIPTION SEE ATTACHED PAGE 2

CERTIFIED TO:
 WAYNE McDERMOTT

SHEET 1 OF 2

LEGEND: A - ARC A/C - AIR CONDITIONER (C) - CALCULATED C.B. - CABLE BOX C.B.S. - CONCRETE BLOCK STRUCTURE CH - CHORD C.M. - CONCRETE MONUMENT CONC. - CONCRETE C/P - CONCRETE PAD COR. - CORNER (D) - DEED	D.E. - DRAINAGE EASEMENT DH - DRILL HOLE EL. - ELEVATION ENC. - ENCROACHMENT E.O.P. - EDGE OF PAVEMENT FND. - FOUND I.B. - IRON BAR (M) - MEASURED N & T - NAIL AND TAB N.T.S. - NOT TO SCALE O.R. - OFFICIAL RECORD	(P) - PLAT P.B. - PLAT BOOK P.C. - POINT OF CURVATURE P.C.C. - POINT OF CURVATURE P.E. - POOL ENCLOSURE PG. - PAGE P.G.B. - POINT OF BEGINNING P.O.C. - POINT OF COMMENCEMENT P.P. - POWER POLE P.R.C. - POINT OF REVERSE CURVATURE [] - CONCRETE PAD	P.R.M. - PERMANENT REFERENCE MONUMENT P.T. - POINT OF TANGENCY P.U.E. - PUBLIC UTILITY EASEMENT R - RADIUS (R) - RADIAL R/W - RIGHT-OF-WAY SET I.B. - SET 1/2" I.B. LB5449 SP. - SCREENED PORCH S.T. - SEPTIC TANK T.B. - TELEPHONE BOX M - MANHOLE	T.B.M. - TEMPORARY BENCHMARK U.P. - UTILITY PEDESTAL W.M. - WATER METER Δ - DELTA C - CENTER LINE -/- - WOOD FENCE -X- - WIRE FENCE -P- - POWER POLE -F- - FIRE HYDRANT -P- - POWER LINES + - TEMPORARY BENCHMARK
---	--	--	---	---

NOTES:
 This map of survey is only for the lands herein described and is not on testimony of title, zoning, or freedom of encumbrance.
 The legal description was furnished by the client or their agent.
 No title search was conducted by this office.

Elevations shown are based on data from the National Geodetic Vertical Datum of 1929 unless otherwise noted.
 There are no visible encroachments other than shown.
 Only improvements shown were field located.

Subject to restrictions, easements, and reservations of record.

NOTE: Location of underground utilities and/or structures NOT located NOT VALID without the signature and the original raised seal of a Florida Licensed Surveyor and mapper. 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.

Robert M. Still
 6-14-01
 ROBERT M. STILL, REGISTERED LAND SURVEYOR NO. 3695
 CHRISTOPHER B. STILL, REGISTERED LAND SURVEYOR NO. 5941
 S.T.A.R. SURVEYING, INC. LB5449
 1130-E LEE BLVD., LEHIGH ACRES, FL. 33936
 (941) 368-7400 FAX.(941) 368-7685

FIELD SURVEY: 6-13-01
REV:
DRAWN BY: C.B.S.
SCALE: 1" = 60'
FILE NO: 9815-5

4/09/01

Mr Timothy Wheeler
6740 Cadet Avenue
Fort Myers, FL 33905

RE: Request for a letter of Review and Recommendation on a proposed right-of-way or road easement vacation at the following location: From Cadet Ave. NW 340 Ft.

N39 40' 20" W

To Whom It May Concern:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the right-of-way or road easement at the location identified above in order to accomplish the following purpose: It will never be improved and Tech Road has been previously vacated from Cadet Ave. SE.

We have included a sketch or drawing of the right-of-way or road easement we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Yours truly,

Wayne E McDermott

Wayne E. McDermott
6731 Cadet Avenue
Ft. Myers, FL 33905
(941)693-2767

*Neighbor to
the Northwest*

No objections

[Signature]

October 8, 2001

Mr. Randolph Cramer
6770 Cadet Avenue
Ft. Myers, FL 33905
16-44-26-01-00028-0000

RE: Request for a letter of Review and Recommendation on a proposed right-of-way or
Road easement vacation at the following location: **From Cadet Ave. NW 340 FT.
N39 40' 20" W**

To Whom it may concern:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the right-of-way or road easement at the location identified above in order to accomplish the following purpose: **It will never be improved and Tech Rd has been previously vacated from Cadet Ave SE.**

We have included a Certified Survey map of the right-of-way we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any question, please do not hesitate to contact us directly and thank you in advance for you consideration.

Yours truly,



Wayne E. McDermott

No objections



4/09/01

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Wayne E McDermott

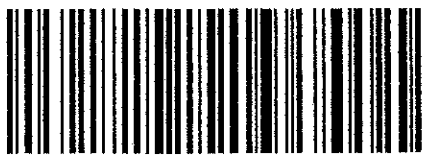
Wayne E. McDermott
6731 Cadet Avenue
Ft. Myers, FL 33905
(941)693-2767

*Neighbor to
the Northwest*

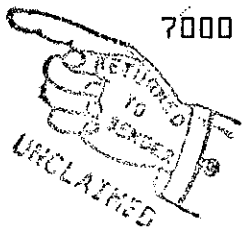
No objections

[Signature]

McDermott
Cadet Avenue
Ft. Myers, FL 33905



7000 0520 0016 5998 7085



10-10-01
ll

Carmon L. Hanners
14431 Park Rd.
Mailing Address:
14040 Chancelor St.
Ft. Myers, FL 33905



0000

U.S. POSTAGE
PAID
LEHIGH ACRES, FL
33936
OCT 09, 01
AMOUNT

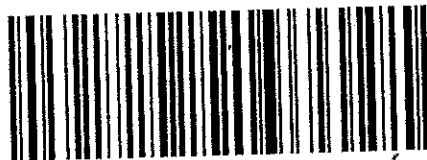
\$3.94
00045263-03

10-22
10-25

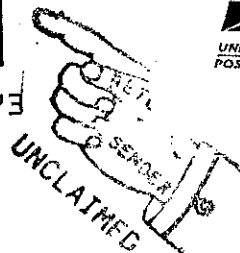
**RETURN RECEIPT
REQUESTED**

McDermott
Cadet Avenue
Ft. Myers, FL 33905

CERTIFIED MAIL



7000 0520 0016 5998 7673



10-10-01
ll

Paul & Brenda Dearmond
14431 Park Rd.
Ft. Myers, FL 33905



0000



33905

U.S. POSTAGE
PAID
LEHIGH ACRES, FL
33936
OCT 09, 01
AMOUNT

\$3.94
00045263-03

10-22
10-25

**RETURN RECEIPT
REQUESTED**

33905-7637 01

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Charles & Ruby Vause
 14401 Park Rd.
 Ft. Myers, Fl. 33905

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
 C. Signature *Ruby Vause* Agent Addressee

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

14601 W. Hurl Ct.
 Ft. Myers, Fl 33905

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7000 0580 0016 5998 7030

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2001-00022**

WHEREAS, a Petition to Vacate was filed with the Board of County Commissioners;
and

WHEREAS, the Petitioner seeks to abandon, discontinue, close or vacate a portion
of a plat, easement, parcel or right-of-way legally described in the attached Exhibit "A".

WHEREAS, under Florida Statute and the Lee County Administrative Code, the
Board must hold a Public Hearing in order to grant a vacation affecting a public easement,
public right-of-way or platted lands.

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Lee
County, Florida, as follows:

1. A Public Hearing on Petition to Vacate No. VAC2001-00022 is set for the
_____ in the Lee County Commission Chambers.

2. A Notice of Public Hearing on this Petition to Vacate will be published in
accordance with the Lee County Administrative Code.

THIS RESOLUTION passed by voice and entered into the minutes of the Board of
County Commissioners of Lee County, Florida this _____.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

LEGAL DESCRIPTION
EXHIBIT A

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LEGAL DESCRIPTION
EXHIBIT A

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