

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a Resolution on Petition VAC2002-00018 to Vacate 12' wide Public Utility and Drainage Easement centered on side and rear lot lines of Lots 12B & 13A and 12B & 11, Block 42, Unit 11, Lehigh Acres, Florida, as recorded in Plat Book 34, Page 34, of the Public Records of Lee County, Florida.

WHY ACTION IS NECESSARY: To develop a residential building site. The vacation of the public utility and drainage easement will not alter existing utilities and the easement is not necessary to accommodate any future utility requirement.

WHAT THE ACTION ACCOMPLISHES: Vacates the Public Utility and Drainage Easement.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 5

5:00 #2

3. MEETING DATE:

07-09-2002

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE 13-1
- OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER _____

B. DEPARTMENT Community Development

C. DIVISION Development Services

BY [Signature] 6/12/02
Peter J. Eckenrode, Director

7. BACKGROUND:

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 p.m. on the 9th day of July, 2002.

LOCATION: The subject 12 foot wide Public Utility and Drainage Easement centered on the following lot line; common to Lots 12B & 13A, LESS AND EXCEPT the North 6 feet and the South 6 feet thereof, and Lots 12B & 11, LESS AND EXCEPT the East 6 feet and the West 6 feet thereof, Block 42, Unit 11, a subdivision of Lehigh Acres as recorded in Plat Book 15, Page 34, of the Public Records of Lee County, Florida. This site is located at 2903 E. 11th Street, Lehigh Acres, Florida, Section 23, Township 44 South, Range 27 East.

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 adoption of this resolution.

Attached to this Blue sheet is the Resolution with exhibits.

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
					OA	OM	Risk	GC	
<u>[Signature]</u> 6/13/02	N/A	N/A	N/A	<u>[Signature]</u>	<u>[Signature]</u> 6/17/02	<u>[Signature]</u> 6/18/02	<u>[Signature]</u> 6/18	<u>[Signature]</u> 6-18-02	<u>[Signature]</u> 6-19-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 6/13/02
Time: 350pm

RECEIVED
COUNTY ADMIN. DIV.
6/17 10:00
6/19 12:00

Forwarded To:
Admin
6/17/02 10:41 AM

THIS INSTRUMENT PREPARED BY:

Department of Community Development
Development Services Division
1500 Monroe Street
Fort Myers Florida 33901

RESOLUTION NO. _____ FOR PETITION TO VACATE

Case Number: VAC2000-00018

WHEREAS, Petitioner Everton A. Hinds and Doris M. Wright in accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, filed a Petition to Vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida held a Public Hearing on this Petition to Vacate on the July 9th, 2002; and

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting; and

WHEREAS, the Petitioner(s) has fee simple title ownership to the underlying land sought to be vacated; and

WHEREAS, the Petitioner(s) has provided proof that all applicable state and county taxes have been paid; and

WHEREAS, Petitioner(s) did provide notice to all affected property owners concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW therefore be it resolved by the Board of County Commissioners as follows:

1. Petition to Vacate No. VAC2002-00018 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

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

EXHIBIT A

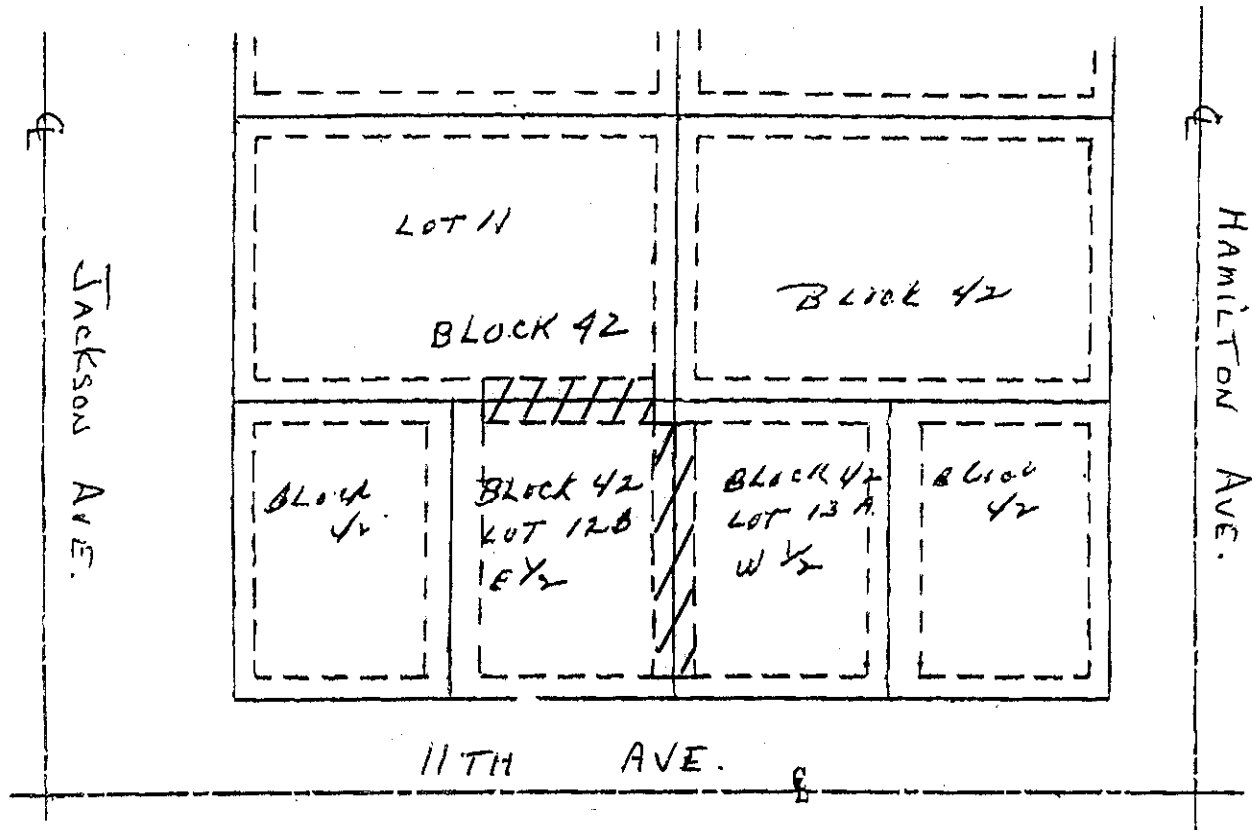
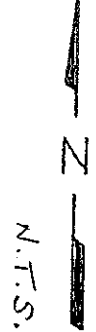
LEGAL DESCRIPTION OF EASEMENT TO BE VACATED

12 FOOT UTILITY EASEMENTS CENTERED ON THE LOT LINES COMMON TO LOTS 12B AND 13A LESS AND EXCEPT THE NORTH 6 FEET AND THE SOUTH 6 FEET THEREOF, AND LOTS 12B AND 11 LESS AND EXCEPT THE EAST 6 FEET AND THE WEST 6 FEET THEREOF, BLOCK 42, UNIT 11, ASUBDIVISION OF LEHIGH ACRES AS RECORDED IN PLT BOOK 15 PAGE 34, LEE COUNTY, FLORIDA.

Sketch to Accompany Description

EXHIBIT "B"

A parcel of land lying in Block 42, Unit 11, a Subdivision of Lehigh Acres as recorded in Plat Book 15, Page 34, of the Public Records of Lee County, Florida. The site is located at 2903 E. 11th Street, Lehigh Acres, Florida, Section 23, Township 44 South, Range 27 East.



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WHAT THE ACTION ACCOMPLISHES: Vacates the Public Utility and Drainage Easement.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 5

3. MEETING DATE:

July 9, 2002 @ 5:00 p.m.

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

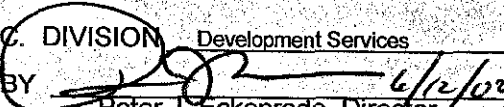
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- STATUTE
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- A. COMMISSIONER _____
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 - C. DIVISION Development Services
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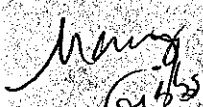
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Attached to this Blue sheet is the Resolution with exhibits.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

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					OA	OM	Risk	GC	
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Department of Community Development
Development Services Division
1500 Monroe Street
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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

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