LEE COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

BLUE SHEET NO: 20020673

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. DEPARTMENTA COMMISSION DIS		<u></u>	5:c	0 #2	•	3. MEETING C	4.5	2002	
4. AGENDA CONSENT ADMINISTRATIVE APPEALS X_PUBLIC TIME REQUIRED:	5. REQUIREMENT/PURPOSE: (Specify) STATUTE ORDINANCE X ADMIN. CODE 13-1 OTHER					6. REQUESTOR OF INFORMATION: A. COMMISSIONER B. DEPARTMENT Community Development C. DIVISION Development Services BY 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 su Lots 12B & 13A, LES EXCEPT the East 6 Book 15, Page 34, o Florida, Section 23,	ubject 12 foot v SS AND EXCE feet and the V If the Public Re Township 44 S	wide Public PT the No Vest 6 feet ecords of I South, Ran	c Utility and the Utility and the County and the County are county age 27 Ea	nd Drainage Ea t and the South Block 42, Unit 1 ty, Florida. Thi st.	sement cer 6 feet ther 1, a subdiv s site is loo	ntered on the foll eof, and Lots 12t vision of Lehigh A cated at 2903 E.	owing lot li 3 & 11, LE Acres as re 11 th Street	ine; common to SS AND corded in Plat , Lehigh Acres,	
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	C	ounty Administration		G County Manager	
Mary	N/A	N/A	N/A	Xm	0A 1821 617/02	OM Risk 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	GC 8 618.02	6-19-02	
10. COMMISSION ACTION:									
APPROVED DENIED DEFERRED OTHER				Rec. by Co. Dete: 6/13/ Time: 3501	02	COUNT	Y AT IN	10 0	
RLM-June 7, 2002 J:\200206\VAC20020.001\8	Forward 1	o: 10:4M	4/1	9 10:					

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
accordance with Florida Statute (Everton A. Hinds and Doris M. Wright in F.S.) Chapter 177 and Lee County Administrative Code cate the public's interest in the easement, plat or portion attached Exhibit "A"; and
	County Commissioners of Lee County, Florida held a Vacate on the <u>July 9th, 2002</u> ; and
, ,	eient Affidavit of Publication regarding the Notice of Public was entered into the minutes of the County Commission
WHEREAS, the Petitioner sought to be vacated; and	(s) has fee simple title ownership to the underlying land
WHEREAS, the Petitioner(taxes have been paid; and	s) has provided proof that all applicable state and county

subdivision.

WHEREAS, Petitioner(s) did provide notice to all affected property owners

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

concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

1. Petition to Vacate No. <u>VAC2002-00018</u> 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: **BOARD OF COUNTY COMMISSIONERS** CHARLIE GREEN, CLERK OF LEE COUNTY, FLORIDA Deputy Clerk Signature Chairman Signature Please Print Name Please Print Name APPROVED AS TO FORM County Attorney Signature

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

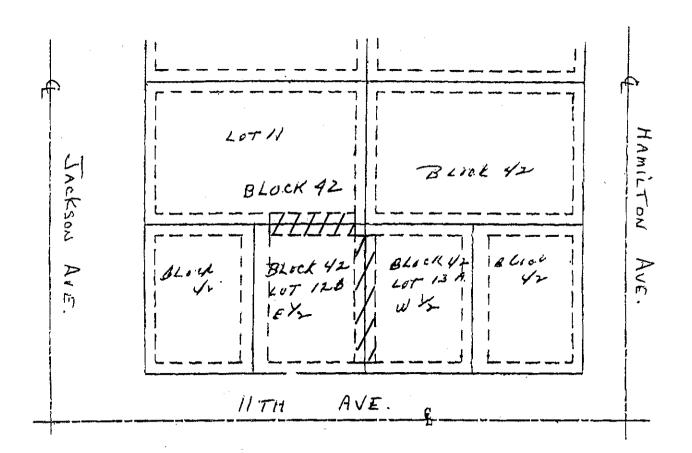
Please Print Name

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.

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.



Easement centered recorded in Plat Boo WHY ACTION IS NI easement will not requirement. WHAT THE ACTIO	on side and re ok 34, Page 34 ECESSARY: 1 alter existing	ear lot lines l, of the Pu To develop utilities a	of Lots 13 ablic Reco a residen and the ea	tial building sit sement is not	12B & 11, nty, Florid e. ⊚ The v t necessa	Block 42, la. acation o ry to acco	Unit 11, f the pul ommoda	Lehigh Ac	res, Floric
2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT # 5						3. MEETING DATE: July 9, 2002 @ 5:00 p.m.			
4. AGENDA CONSENT ADMINISTRATIVE APPEALS X_PUBLIC TIME REQUIRED: 5. REQUIREMENT/PURPOSE: (Specify) STATUTE ORDINANCE X_ADMIN. CODE 13-1 OTHER						6. REQUESTOR OF INFORMATION A. COMMISSIONER B. DEPARTMENT Community Development Services Output Development Services Peter J. Eckenrode, Director			
EXCEPT the East 6	teet and the A	vest o reet	thereor, E	Block 42, Unit 1	1, a subdi	ivision of i	Lehigh A	& 11, LES cres as rec	S AND corded in F
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THIS INSTRUMENT PREPARED BY:

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

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RESOLUTION NO.	FOR PETITION TO VACATE
Case Number: VAC2000)-00018
accordance with Florida Statute (F.S.) Chap	n A. Hinds and Doris M. Wright in ter 177 and Lee County Administrative Code ablic's interest in the easement, plat or portion whibit "A"; and
WHEREAS, the Board of County Co Public Hearing on this Petition to Vacate on	ommissioners of Lee County, Florida held a the; and; and
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WHEREAS, the Petitioner(s) has fee sought to be vacated; and	simple title ownership to the underlying land
WHEREAS, the Petitioner(s) has prov taxes have been paid; and	rided proof that all applicable state and county
WHEREAS, Petitioner(s) did provio concerning the intent of the Petition to Vaca	de notice to all affected property owners ate in accordance with LCAC 13-1; and
governmental and utility entities indicate tha	nd recommendation provided by the various t granting the Petition to Vacate will not affect sess of persons owning other parts of the

subdivision.

1. Petition to Vacate No. VAC2002-00018 is hereby granted. The public's interest in the easement, plat or portion of a plat legally 2. described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated. This Resolution will become effective upon recording of a fully executed 3. 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 _____ BOARD OF COUNTY COMMISSIONERS ATTEST: OF LEE COUNTY, FLORIDA CHARLIE GREEN, CLERK Deputy Clerk Signature Chairman Signature Please Print Name Please Print Name APPROVED AS TO FORM

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

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

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AVE. HAMILTON AVE BLOCK 42 JACKSON AVE.