

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20020840

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Adopt a Resolution on Petition VAC2002-00019 to vacate 5 (five) 10' Public Utility and Drainage Easements located between the common lot line of lots 735 &, 736; 736 & 738; 739 & 741; 741 & 742; and 740 & 742; Block 7, Island VII, Cherry Estates as recorded in Plat Book 29, Pages 54 - 64, among the Public Records of Lee County, Florida, Section 35, Township 45, Range 22, and accept replacement easements between common lot lines of lots 735-A & 737-A; 739-A & 741-A; 741-A & 740-A; and 736-A & 738-A..

**WHY ACTION IS NECESSARY:** To adjust lot lines for placement of mobile homes. The vacation of the public utility & drainage easement will not alter or otherwise impact existing utilities or drainage, and is not necessary to accommodate future drainage or utility requirements.

**WHAT THE ACTION ACCOMPLISHES:** Vacates the easement

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT # 01

5:00 #1

**3. MEETING DATE:**

08-13-2002

**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 Peter J. Eckenrode, Director 7/15/02

**7. BACKGROUND:**

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 p.m. on the 13<sup>th</sup> day of August, 2002.

**LOCATION:** To vacate 5 (five) 10' Public Utility and Drainage Easements located between the common lot line of lots 735 &, 736; 736 & 738; 739 & 741; 741 & 742; and 740 & 742; Block 7, Island VII, Cherry Estates as recorded in Plat Book 29, Pages 54 - 64, among the Public Records of Lee County, Florida, Section 35, Township 45, Range 22, and accept replacement easements between common lot lines of lots 735-A & 737-A; 739-A & 741-A; 741-A & 740-A; and 736-A & 738-A.. The addresses are 3106, 3107, 3115, 3122, 3123, 3130, & 3131 Sloop Ln., St. James City, FL.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of the Clerk of Circuit Court, Minutes Department.

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	
<i>Mansfield</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

7-25-02 10  
2:30  
COUNTY ADMIN.  
FORWARDED TO:  
7/29 12:00

REC'D.  
by CO. ATTY.  
7/19/02  
2:00 PM  
CO. ATTY.  
FORWARDED TO:  
Admin 17  
7/25/02 11:00

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: VAC2002-00019

WHEREAS, Petitioner Mr. Kevin Cherry 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 13<sup>th</sup> day of August, 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. VAC2002-00019 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

LEE COUNTY  
S O U T H W E S T F L O R I D A

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name

**LEGAL DESCRIPTION**  
**EXHIBIT A**

A Public Utility & Drainage Easement centered on the common lot line between Lots 735 & 737; 736 & 738; 739 & 741; 741 & 742; and 740 & 742, Block 7, of Cherry Estates, as recorded in Plat Book 29, Pages 54-64 of the Public Records of Lee County Florida, Section 35, Township 45, Range 22.

A. J. WATSON

LAND

SURVEYING, INC.

P.O. BOX 423 OR 2284 DATE STREET  
ST. JAMES CITY, FLORIDA 33956  
PHONE (941) 283-1518  
LB # 2858

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	95.00'	16°28'04"	27.30'	13.75'	27.21'	N.08°26'53"E.
2	95.00'	21°44'44"	36.06'	18.25'	35.84'	N.27°33'32"E.
3	45.00'	34°19'09"	26.95'	13.90'	26.55'	N.21°16'13"E.

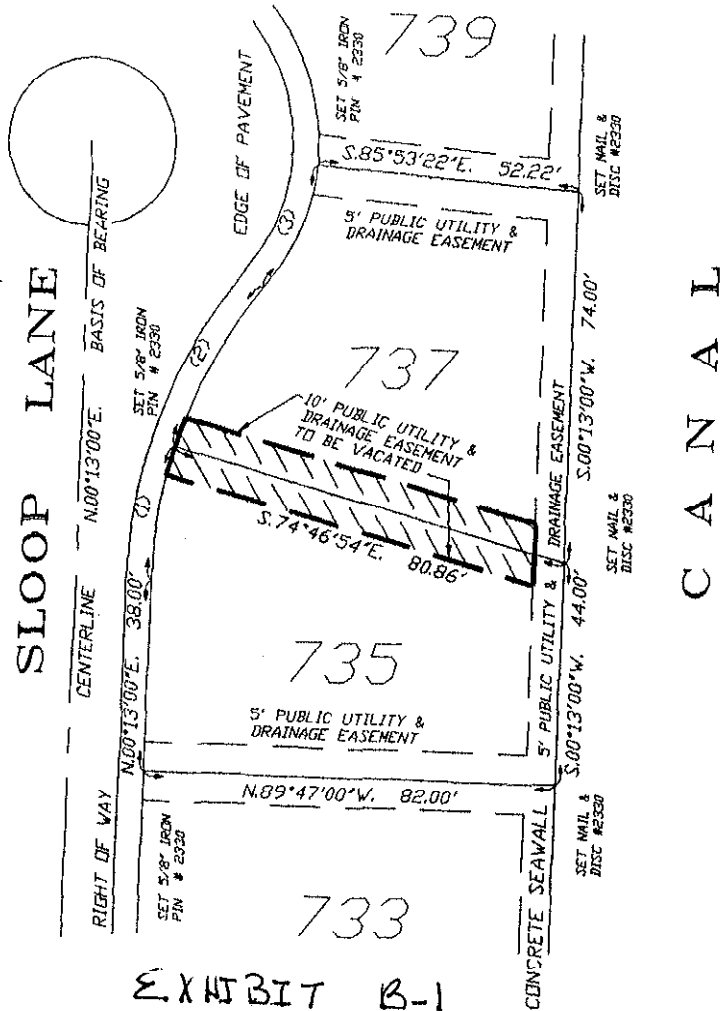


EXHIBIT B-1

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOTS 735 AND 737, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
BEGIN AT THE EASTERLY CORNER COMMON TO SAID LOTS 735 AND 737; THENCE RUN S 74°46'54" E ALONG THE COMMON LINE TO SAID LOTS 735 AND 737 FOR 80.86 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE NORTHWEST BY THE RIGHT-OF-WAY OF SLOOP LANE AND ON THE WEST BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG EAST BOUNDARY OF SAID LOTS 735 AND 737.

NOTE:  
Bearings and Distances shown herein are according to the referenced DEED (D) or PLAT (P) unless otherwise noted as measured (M).

NATIONAL FLOOD INSURANCE DATA, COMMUNITY PANEL NUMBER 125124 0200 B, FEDERAL FLOOD ZONE A9, ELEVATION 9'

SPECIAL PURPOSE SKETCH DELINEATING AND DESCRIBING A PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE VACATED ON LOTS 735 AND 737, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54-64 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

This survey is in compliance with the minimum technical standards as set forth in Chapter 61C17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

*Alfred J. Watson*  
ALFRED J. WATSON  
PROFESSIONAL SURVEYOR AND MAPPER  
#2330 - STATE OF FLORIDA

FOR: CHERRY ESTATES, INC.  
JOB # 01-0541 F. B. FILE  
STRAP # 35-45-22-23-00007.7350 & 7370

SKETCH OF SURVEY  
SCALE 1" = 30'

DATE: FEBRUARY 20, 2002  
DATE:  
DATE:

A. J. WATSON



P.O. BOX 423 OR 2284 DATE STREET  
ST. JAMES CITY, FLORIDA 33956  
PHONE (841) 283-1818  
LB # 2858

SURVEYING, INC.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	45.00'	57°37'43"	45.26'	24.75'	43.38'	S.09°10'56"E.
2	95.00'	11°34'13"	19.18'	9.62'	19.15'	S.32°11'51"E.
3	95.00'	26°38'35"	44.18'	22.49'	43.78'	S.13°06'39"E.

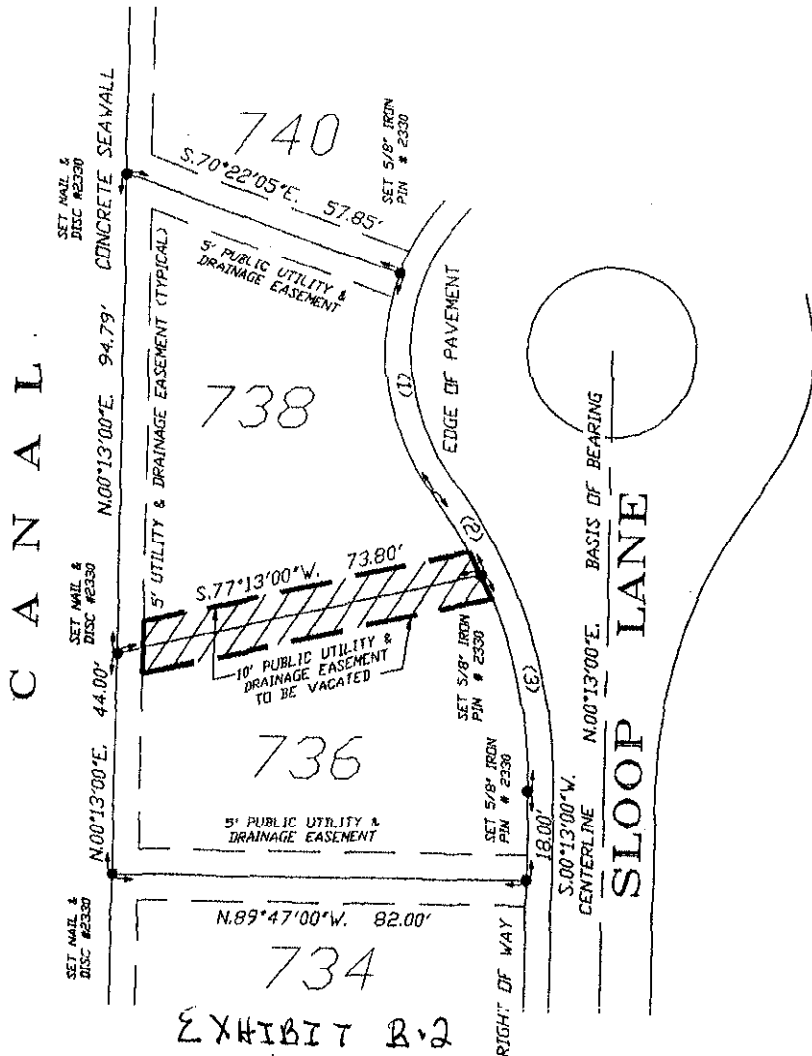


EXHIBIT B.2

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOTS 736 AND 738, ISLAND VII CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
BEGIN AT THE EASTERLY CORNER COMMON TO SAID LOTS 736 AND 738; THENCE RUN S 77°13'00" W ALONG THE COMMON LINE TO SAID LOTS 736 AND 738 FOR 73.80 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE NORTHEAST BY THE RIGHT-OF-WAY OF SLOOP LANE AND ON THE WEST BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG WEST BOUNDARY OF SAID LOTS 736 AND 738.

NOTE:  
Bearings and Distances shown hereon are according to the referenced DEED (D) or PLAT (P) unless otherwise noted as measured (M).

NATIONAL FLOOD INSURANCE DATA, COMMUNITY PANEL NUMBER 125124 0290 B, FEDERAL FLOOD ZONE A9, ELEVATION 9' ELEVATIONS BASED ON N.G.V.D.-29, BENCH MARK

SPECIAL PURPOSE SKETCH DELINEATING AND DESCRIBING A PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE VACATED ON LOTS 736 AND 738, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54-64 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-8, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

*Alfred J. Watson*  
ALFRED J. WATSON  
PROFESSIONAL SURVEYOR AND MAPPER  
#2330 - STATE OF FLORIDA

FOR: CHERRY ESTATES, INC.  
JOB # 01-0541 F.B. FILE  
STRAP # 35-45-22-23-00007.7360 & 7380

SKETCH OF SURVEY  
SCALE 1" = 30'

DATE: NOVEMBER 1, 2001  
DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_

A. J. WATSON



P.O. BOX 423 OR 2254 DATE STREET  
 ST. JAMES CITY, FLORIDA 33556  
 PHONE (841) 283-1514  
 LB # 2058

SURVEYING, INC.

CURVE TABLE

NO	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
3	95.00'	36°12'48"	63.96'	38.91'	68.19'	S16°53'24"E
5	95.00'	38°12'48"	63.96'	38.91'	68.19'	N19°19'24"E
6	30.00'	98°35'00"	61.73'	32.31'	65.10'	N46°30'30"E
7	30.00'	87°25'00"	76.29'	41.79'	78.28'	S43°29'30"E
10	45.00'	57°37'43"	45.26'	24.75'	43.26'	N09°10'56"W
11	45.00'	39°07'02"	38.72'	18.99'	36.13'	N59°11'24"E
12	45.00'	37°32'36"	39.49'	15.27'	36.96'	N77°31'16"E
14	45.00'	30°15'38"	30.15'38"	15.00'	28.96'	S64°56'12"E
15	45.00'	31°19'05"	31.19'05"	15.00'	28.96'	S21°01'41"E
18	30.00'	64°17'20"	28.99'	13.90'	26.53'	S21°16'19"W
19	30.00'	28°17'40"	28.43'	12.60'	24.44'	N78°39'20"E
20	30.00'	51°51'49"	45.87'	24.32'	43.72'	S61°16'34"E
21	30.00'	35°33'11"	31.89'	16.03'	30.53'	S17°32'32"E

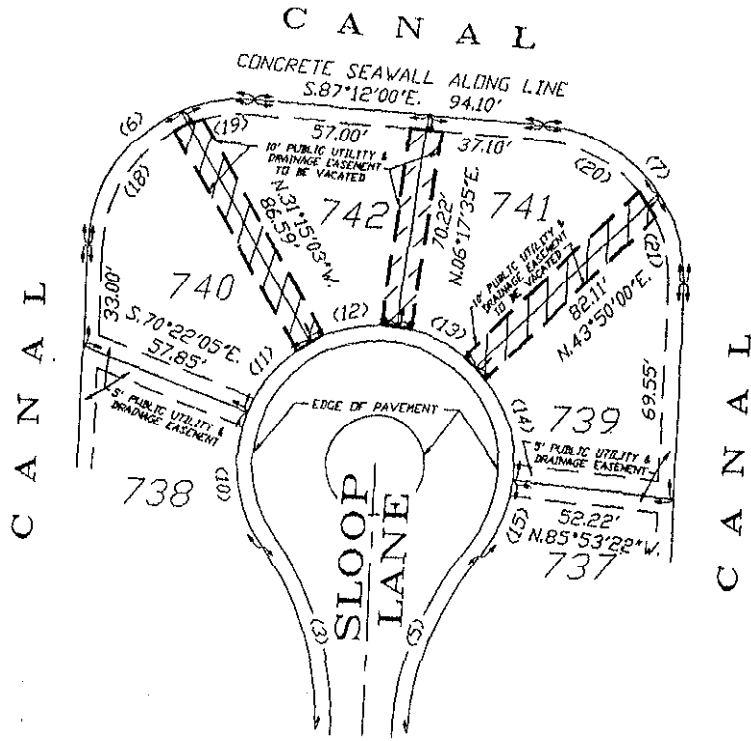


EXHIBIT B-3

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOTS 739 AND 741, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
 BEGIN AT THE SOUTHERLY CORNER COMMON TO SAID LOTS 739 AND 741; THENCE RUN N 43°50'00" E ALONG THE COMMON LINE TO SAID LOTS 739 AND 741 FOR 82.11 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE SOUTHWEST BY THE RIGHT-OF-WAY OF SLOOP LANE AND ON THE NORTHEAST BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOTS 739 AND 741.

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOTS 741 AND 742, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
 BEGIN AT THE SOUTHERLY CORNER COMMON TO SAID LOTS 741 AND 742; THENCE RUN N 06°17'35" E ALONG THE COMMON LINE TO SAID LOTS 741 AND 742 FOR 70.22 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE SOUTH BY THE RIGHT-OF-WAY OF SLOOP LANE AND ON THE NORTH BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG THE NORTH BOUNDARY OF SAID LOTS 741 AND 742.

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOTS 740 AND 742, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
 BEGIN AT THE SOUTHERLY CORNER COMMON TO SAID LOTS 740 AND 742; THENCE RUN N 31°15'03" E ALONG THE COMMON LINE TO SAID LOTS 740 AND 742 FOR 86.59 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE SOUTHEAST BY THE RIGHT-OF-WAY OF SLOOP LANE AND ON THE NORTHWEST BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG THE NORTHWESTERLY BOUNDARY OF SAID LOTS 740 AND 742.

NATIONAL FLOOD INSURANCE DATA, COMMUNITY PANEL NUMBER 125124 0290 B, FEDERAL FLOOD ZONE A9, ELEVATION 9'

SPECIAL PURPOSE SKETCH DELINEATING AND DESCRIBING PUBLIC UTILITY AND DRAINAGE EASEMENTS TO BE VACATED ON LOTS 739, 740, 741 AND 742, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54-64 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

*Alfred J. Watson*  
 ALFRED J. WATSON  
 PROFESSIONAL SURVEYOR AND MAPPER  
 #2330 - STATE OF FLORIDA

FOR: CHERRY ESTATES, INC.

JOB # 01-0602 F.B. FILE

STRAP #

SKETCH OF SURVEY  
 SCALE 1" = 50'

DATE: DECEMBER 12, 2001

DATE:

DATE:

THIS INSTRUMENT PREPARED BY:

Lee County Attorney's Office  
Post Office Box 398  
Fort Myers, Florida 33902

**PERPETUAL PUBLIC UTILITY AND DRAINAGE EASEMENT GRANT**

THIS INDENTURE is made and entered into this 29<sup>th</sup> day of MAY, 2002, by and between KRS DEVELOPMENT, INC., Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, a political subdivision of the State of Florida, whose address is P. O. Box 398, Fort Myers, Florida 33902, hereinafter referred to as GRANTEE.

**WITNESSETH:**

1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility and drainage easement in over and across that portion of Grantor's property situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.

2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances; to construct and maintain stormwater drainage facilities, including the installation of pipe within the easement area in accordance with appropriate permits for construction and maintenance, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains, utility facilities, and/or stormwater drainage facilities.



3. The public utility and drainage easement shall not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service or other stormwater lines or systems for providing drainage to this and any adjacent properties. The total area of this public utility and drainage easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures shall not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.

4. Title to all utilities and/or drainage facilities constructed and/or placed hereunder by GRANTEE or its agents shall remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.

5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free of any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.

6. GRANTOR(S), its heirs, successors or assigns, shall assume liability to the extent allowed by Section 768.28, Florida Statutes, for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3 within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities and/or drainage facilities location within the above-described easement.

7. GRANTEE shall have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage as is reasonably practicable. GRANTEE agrees to coordinate each activity within the easement premises in advance with the manager of the postal facility so as not to interfere with postal operations.

8. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of roads. The easement is strictly for utility and drainage purposes. If GRANTEE fails to utilize the granted easement (Exhibit "A", hereto) for the purposes as set out herein and for the time as set out in Section 255.22, Florida Statutes, then this easement shall be extinguished pursuant to law.

9. This easement shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the GRANTOR has caused this document to be signed on the date and year first above written.

Bo Davis  
Witness

Kevin J. Cherry  
GRANTOR  
Title: PRESIDENT.

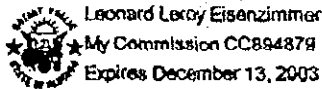
Bo DAVIS  
Printed Name

Deanna J. Eisenzimmer  
Witness

DEANNA J. EISENZIMMER  
Printed Name

STATE OF Florida )  
COUNTY OF LEE ) SS:

The foregoing instrument was signed and acknowledged before me this 21 day of MAY, 2002, by KEVIN J. CHERRY (Print or Type Name) who has produced DRIVER LICENCE C600-510-53-245-0 (Type of Identification and Number) FLORIDA as identification, and who (did) (did not) take an oath.



Leonard Leroy Eisenzimmer  
Notary Public Signature

LEONARD LEROY EISENZIMMER  
Printed Name of Notary Public

(Notary Seal)

CC894879  
Notary Commission Number-



SURVEYING, INC.

P.O. BOX 423 ON 2284 DATE STREET  
ST. JAMES CITY, FLORIDA 33956  
PHONE (841) 283-1018  
LB # 2658

# LEGAL DESCRIPTION Replacement Easement



## A-1

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE DEDICATED ON LOTS 735-A AND 737-A, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
COMMENCE AT THE EASTERLY CORNER COMMON TO LOTS 733 AND 735, SAID CHERRY ESTATES; THENCE RUN N 00°13'00" W ALONG THE EAST LINE OF SAID LOT 735 FOR 48.00 FEET TO THE EASTERLY CORNER COMMON TO SAID LOTS 735-A AND 737-A AND THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE RUN N 80°20'07" W ALONG THE COMMON LINE TO SAID LOTS 735-A AND 737-A FOR 80.22 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE WEST BY THE RIGHT-OF-WAY OF SLOOP LANE, AS SHOWN ON SAID PLAT OF CHERRY ESTATES, AND ON THE EAST BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG THE EAST BOUNDARY OF SAID LOTS 735-A AND 737-A.

## A-2

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE DEDICATED ON LOTS 736-A AND 738-A, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
COMMENCE AT THE EASTERLY CORNER COMMON TO LOTS 734 AND 736, SAID CHERRY ESTATES; THENCE RUN N 00°13'00" W ALONG THE EAST LINE OF SAID LOT 736 FOR 48.00 FEET TO THE EASTERLY CORNER COMMON TO SAID LOTS 736-A AND 738-A AND THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE RUN N 83°19'42" W ALONG THE COMMON LINE TO SAID LOTS 736-A AND 738-A FOR 74.21 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE WEST BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG THE WEST BOUNDARY OF SAID LOTS 736-A AND 738-A.

## A-3

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE DEDICATED ON LOTS 739-A AND 741-A, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
COMMENCE AT THE NORTHERLY TERMINUS OF THE CENTERLINE OF SLOOP LANE AS SHOWN ON SAID PLAT OF CHERRY ESTATES; THENCE RUN N 37°13'20" E FOR 45.00 FEET TO THE RIGHT OF WAY LINE OF SAID SLOOP LANE, BEING THE SOUTHERLY CORNER COMMON TO LOTS 739-A AND 741-A AND THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE CONTINUE RUNNING N 37°13'20" E ALONG THE COMMON LINE OF SAID LOTS 739-A AND 741-A FOR 83.59 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE SOUTH BY SAID RIGHT OF WAY OF SLOOP LANE AND ON THE NORTH BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG THE NORTH BOUNDARY OF SAID LOTS 739-A AND 741-A.

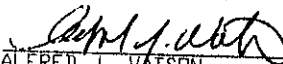
## A-4

THAT CERTAIN 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE DEDICATED ON LOTS 740-A AND 741-A, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54 THROUGH 64, AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:  
COMMENCE AT THE NORTHERLY TERMINUS OF THE CENTERLINE OF SLOOP LANE AS SHOWN ON SAID PLAT OF CHERRY ESTATES; THENCE RUN N 15°32'32" W FOR 45.00 FEET TO THE RIGHT OF WAY LINE OF SAID SLOOP LANE, BEING THE SOUTHERLY CORNER COMMON TO LOTS 740-A AND 741-A AND THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE CONTINUE RUNNING N 15°32'32" W ALONG THE COMMON LINE OF SAID LOTS 740-A AND 741-A FOR 76.16 FEET TO ITS TERMINUS; SAID EASEMENT LIES FIVE FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE AND IS BOUNDED ON THE SOUTH BY SAID RIGHT OF WAY OF SLOOP LANE AND ON THE NORTH BY THE PUBLIC UTILITY AND DRAINAGE EASEMENT THAT RUNS ALONG THE NORTH BOUNDARY OF SAID LOTS 739-A AND 741-A.

## EXHIBIT A

SPECIAL PURPOSE SKETCH DELINEATING AND DESCRIBING PUBLIC UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED ON LOTS 735-A, 736-A, 737-A, 738-A, 739-A, 740-A, AND 741-A, ISLAND VII, CHERRY ESTATES, BEING THE RECOMBINATION OF LOTS 735 THROUGH 742, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54-64 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. SEE SHEET 1 OF 2 FOR SKETCH.

This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

  
ALFRED J. WATSON  
PROFESSIONAL SURVEYOR AND MAPPER  
#2330 - STATE OF FLORIDA

FOR: CHERRY ESTATES, INC.  
JOB # 01-0602 F.P. FILE  
STRAP # 35-45-22-23-00007.7350 THROUGH .7410

DATE: APRIL 23, 2002  
DATE:  
DATE:

A. J. WATSON



P.O. BOX 423 OR 2284 DATE STREET  
ST. JAMES CITY, FLORIDA 33956  
PHONE (841) 283-1518  
LA # 2658

SURVEYING, INC.

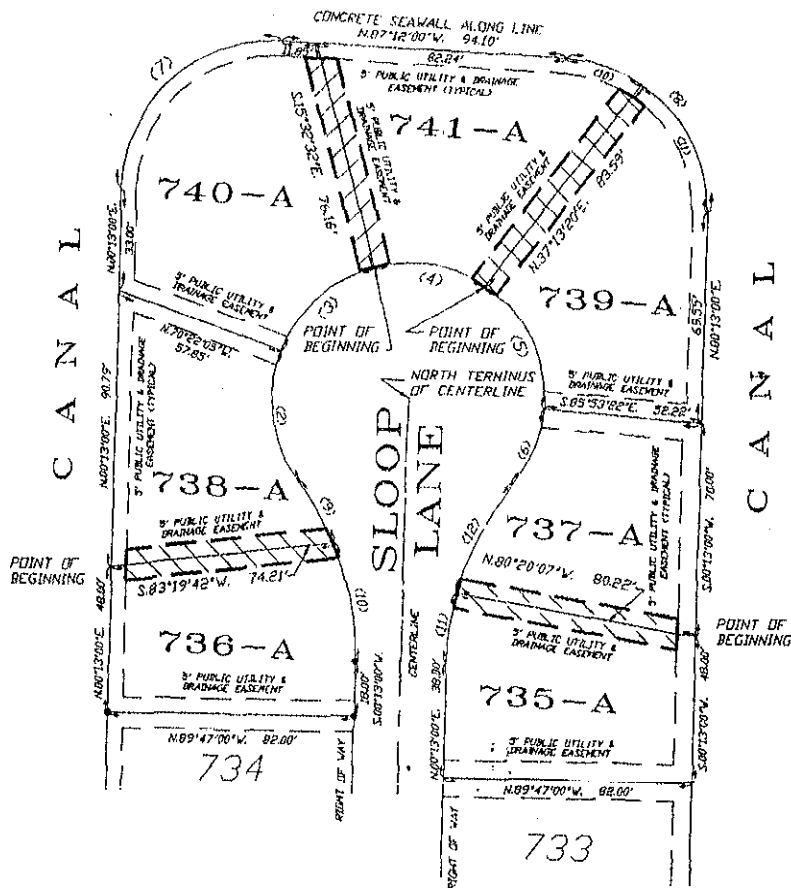
# Replacement Easements

## CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
2	45.00'	57°37'43"	45.26'	24.75'	43.38'	N.09°10'56"W.
3	45.00'	54°49'33"	43.06'	23.34'	41.44'	S.47°02'42"W.
4	45.00'	48°27'22"	38.06'	20.25'	36.93'	S.81°18'51"E.
5	45.00'	61°11'48"	48.06'	26.61'	45.81'	S.26°29'16"E.
6	45.00'	34°19'09"	26.95'	13.90'	26.55'	S.21°16'13"W.
7	50.00'	92°35'00"	80.73'	52.31'	72.29'	N.46°30'30"E.
8	50.00'	87°25'00"	76.29'	47.79'	69.10'	S.43°29'30"E.
9	95.00'	14°02'36"	23.28'	11.70'	23.23'	S.30°58'30"E.
10	95.00'	24°10'12"	40.08'	20.34'	39.78'	S.11°52'06"E.
11	95.00'	14°06'55"	23.40'	11.76'	23.35'	N.07°16'28"E.
12	95.00'	24°03'32"	39.96'	20.28'	39.66'	N.26°22'51"E.



## CANAL



## EXHIBIT A

**NOTES:**

- (1.) ALL UTILITY SERVICES ARE IN PLACE.
- (2.) THERE ARE 5' UTILITY EASEMENTS ALONG THE SIDES AND REAR LOT LINES.

NATIONAL FLOOD INSURANCE DATA, COMMUNITY PANEL NUMBER 125124 0290 D, FEDERAL FLOOD ZONE A9, ELEVATION 8' ELEVATIONS BASED ON H.G.V.D.-29, BENCH MARK

SPECIAL PURPOSE SKETCH DELINEATING AND DESCRIBING PUBLIC UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED ON LOTS 735-A, 736-A, 737-A, 738-A, 739-A, 740-A, AND 741-A, ISLAND VII, CHERRY ESTATES, BEING THE RECOMBINATION OF LOTS 735 THROUGH 742, ISLAND VII, CHERRY ESTATES AS RECORDED IN PLAT BOOK 29, PAGES 54-64 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. SEE SHEET 2 OF 2 FOR DESCRIPTIONS.

This survey is in compliance with the minimum technical standards as set forth in Chapter 81G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

*Alfred J. Watson*  
ALFRED J. WATSON  
PROFESSIONAL SURVEYOR AND MAPPER  
#2330 - STATE OF FLORIDA

FOR: CHERRY ESTATES, INC.  
JOB # 01-0602 F.B FILE  
STRAP # 35-45-22-23-00007.7350 THROUGH .7410

SKETCH OF SURVEY  
SCALE 1" = 40'

DATE: APRIL 23, 2002  
DATE:  
DATE: