

Lee County Board Of County Commissioners

Agenda Item Summary

Blue Sheet No. 20020851

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2002-00010 to vacate a platted six-foot (6') wide drainage easement located along the eastern side of lot 7, Block S, Unit 1, a subdivision of Fort Myers Beach Kampground; as recorded in Plat Book 35, Pages 47-49 of the official Public Records of Lee County, Florida **LESS** and **EXCEPT** the North fifteen (15') feet thereof and remaining subject to any existing platted utility easements; and adopt a resolution setting a public hearing for : 5:00 p.m. on the 8th day of October, 2002:

WHY ACTION IS NECESSARY: To construct a residential structure spanning both lots. *The vacation of this easement will not alter existing drainage or utilities; nor is this easement necessary to accommodate any future drainage or utility requirements.*

WHAT ACTION ACCOMPLISHES: Sets the date for Public Hearing.

2. DEPARTMENTAL CATEGORY: 04
COMMISSION DISTRICT # 05

C4A

3. MEETING DATE:

09-03-2002

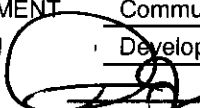
4. AGENDA:

- CONSENT
- ADMINISTRATIVE APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE F.S.177
- ORDINANCE
- ADMIN. CODE 13-1
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
 - B. DEPARTMENT Community Development
 - C. DIVISION Development Services
- BY:  8/19/02
Peter J. Eckenrode, Director

7. BACKGROUND: The Petition to Vacate was submitted by Ms. Priscilla Thornton; the property owners.

LOCATION: The easement in question is a platted six-foot (6') wide drainage easement located along the eastern side of lot 7, Block S, Unit 1, a subdivision of Fort Myers Beach Kampground; as recorded in Plat Book 35, Pages 47-49 of the official Public Records of Lee County, Florida **LESS** and **EXCEPT** the North fifteen (15') feet thereof.

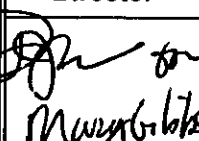


The site is located at 11142 Sunburst Lane, Fort Myers, Florida, Section 6, Township 46 South, Range 24 East.

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 Resources	D Other	E County Attorney	F Budget Services	G County Manager
	N/A	N/A	N/A		<div style="font-size: 0.8em;"> <u>8/21</u> OA <u>8/20/02</u> OM <u>8/21/02</u> Risk <u>8/21/02</u> GC <u>8/21/02</u> </div>	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
 Date: 8/19/02
 Time: 3:20pm

Forwarded To:
 8/20/02 9:AM

RECEIVED BY
 COUNTY ADMIN.
 8-20-02
 9:30
 COUNTY ADMIN.
 FORWARDED TO:

Legal Description:

A six-foot (6') wide drainage easement located along the eastern side of lot 7, Block S, Unit 1, a subdivision of Fort Myers Beach Kampground; as recorded in Plat Book 35, Pages 47-49 of the official Public Records of Lee County, Florida.

LESS and EXCEPT the North fifteen (15') feet thereof.

Remaining subject to Public Utility Easements across the South six feet (6') of the North twenty-one feet (21') and the South five feet (5') of lot 7.

Exhibit A

**Lot 7, Block S
Fort Myers Beach Kampground Subdivision
Unit One**

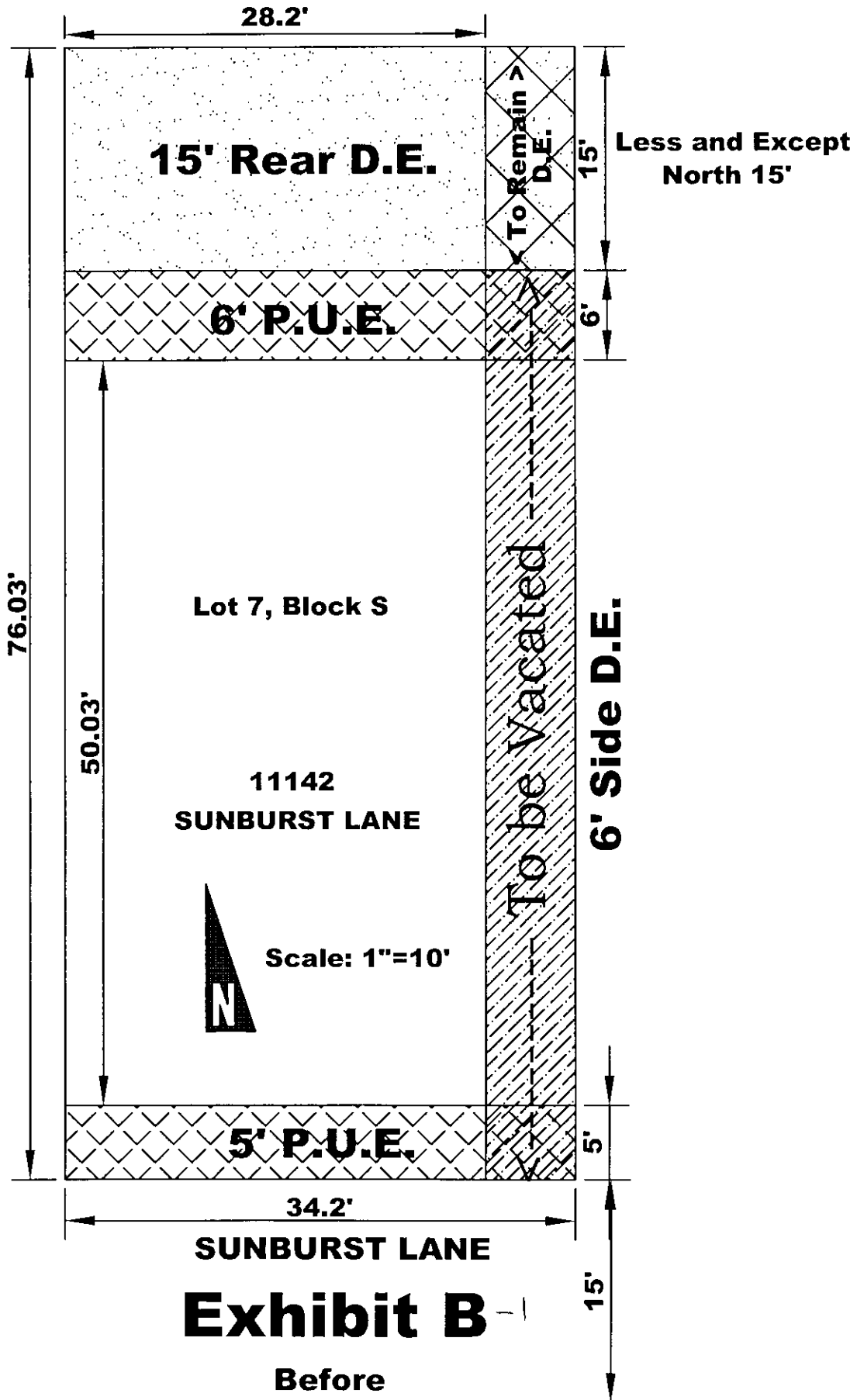


Exhibit B
Before

**Lot 7, Block S
Fort Myers Beach Kampground Subdivision
Unit One**

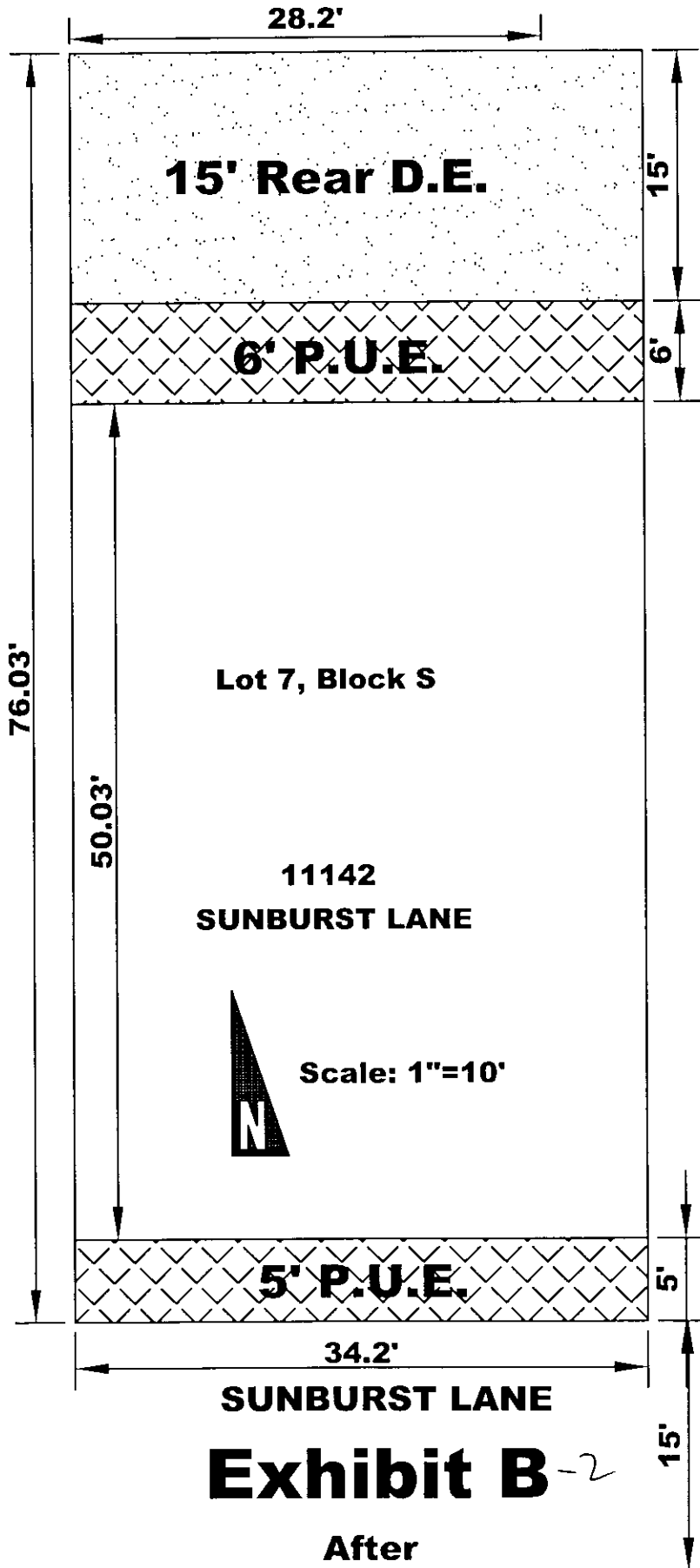


Exhibit B⁻²

After

PETITION TO VACATE

Case Number: VAC2002-00010

Petitioner(s), PRISCILLA F THORNTON

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

101 HOOD ACRES RD

1. Petitioner(s) mailing address, CLEVELAND, GA 30528

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: Priscilla F Thornton

Petitioner Signature

By: _____

Petitioner Signature

PRISCILLA F THORNTON

Printed Name

Printed Name

064624-18-00500.0070

Legal Description:

A six-foot (6') wide drainage easement located along the eastern side of lot 7, Block S, Unit 1, a subdivision of Fort Myers Beach Kampground; as recorded in Plat Book 35, Pages 47-49 of the official Public Records of Lee County, Florida.

LESS and EXCEPT the North fifteen (15') feet thereof.

Remaining subject to Public Utility Easements across the South six feet (6') of the North twenty-one feet (21') and the South five feet (5') of lot 7.

Exhibit A

**Lot 7, Block S
Fort Myers Beach Kampground Subdivision
Unit One**

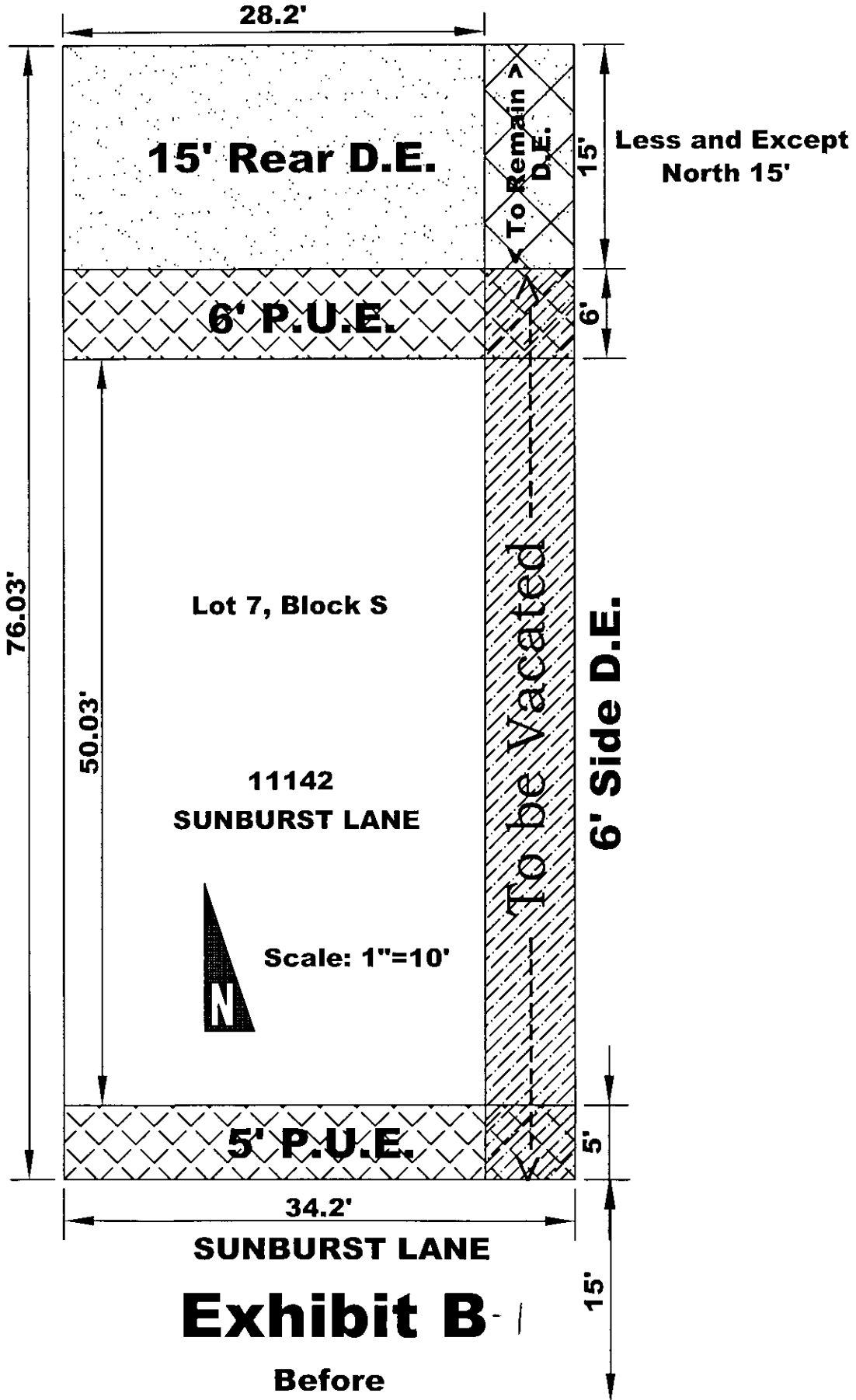


Exhibit B - 1
Before

**Lot 7, Block S
Fort Myers Beach Kampground Subdivision
Unit One**

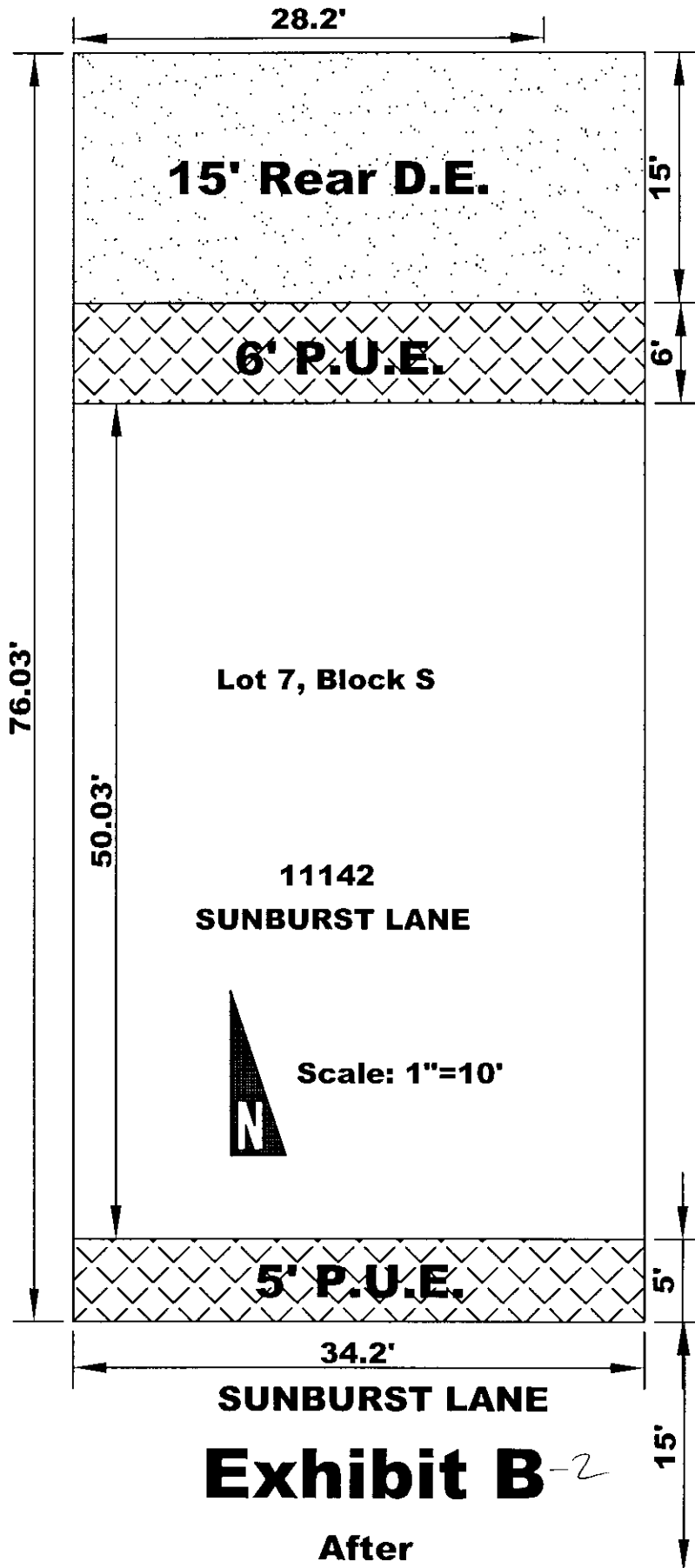


Exhibit B⁻²

After

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001
 DUPLICATE

Discounts have been calculated, pay only one amt:	If Paid By Nov 30, 2001 0.00	If Paid By Dec 31, 2001 0.00	If Paid By Jan 31, 2002 0.00	If Paid By Feb 28, 2002 0.00	If Paid By Mar 31, 2002 0.00	Call for amt due after Mar 31, 2002
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020100 20019 0646241800S0000704 0000000000 0000000000 00000000

MAKE CHECK PAYABLE TO:
 *** Paid ***

LEE COUNTY TAX COLLECTOR
 P O BOX 1609
 FT MYERS, FLORIDA 33902-1609

REAL PROPERTY

ACCOUNT & SITE ADDRESS

06-46-24-18-00S00.0070
 11142 SUNBURST LN

THORNTON PRISCILLA F
 101 HOOD ACRES RD
 CLEVELAND GA 30528

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.

See insert for details. PIN Number: 01-00136292

PLEASE RETURN THIS PORTION WITH PAYMENT

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001

THORNTON PRISCILLA F
 101 HOOD ACRES RD
 CLEVELAND GA 30528

DOR CODE: 02
 MORTGAGE CODE: 000
 DISTRICT CODE: 110

AD VALOREM TAXES			* See reverse side before calling	
MILL RATE	MULTIPLIER	TAXES LEVIED	TAXING AUTHORITY	TELEPHONE *
.0043277	27110.00	117.32	LEE CO GEN REV	(941) 335-2221
.0010124	27110.00	27.45	LEE CO CAP IMP	(941) 335-2221
.0026080	27110.00	70.70	LOCAL SCHOOL	(941) 337-8215
.0058700	27110.00	159.14	STATE SCHOOL	(941) 337-8215
.0012114	27110.00	32.84	LEE CO UNINCORP	(941) 335-2221
.0016800	27110.00	45.54	IONA MCG FIRE	(941) 433-0660
.0000358	27110.00	0.97	LEE CO HYACINTH	(941) 694-2174
.0009630	27110.00	26.11	LEE CO LIBRARY	(941) 335-2221
.0003595	27110.00	9.75	LEE CO MOSQUITO	(941) 694-2174
.0001000	27110.00	2.71	SFL WTR MGT/EVR	(561) 687-6461
.0000400	27110.00	1.08	W C INLD WATRWWY	(813) 485-9402
.0000733	27110.00	1.99	LEE CO ALL/HAZS	(941) 335-2221
.0005970	27110.00	16.18	SF WATR MGT DST	(561) 687-6461

VALUES & EXEMPTIONS

MARKET ASSESSED VAL 27110
 SOH ASSESSED VAL 27110
 TAXABLE VAL 27110

REAL PROPERTY

LEGAL DESCRIPTION

FT MYERS BEACH KAMPGROUND S/D
 UNIT 1 PB 35 PG 47 BLK S LOT 7
 BOOK: 2286 PAGE: 1528

ACCOUNT & SITE ADDRESS

06-46-24-18-00S00.0070
 11142 SUNBURST LN

PAID

513.77 11787-107-1 11/13/2001

NON-AD VALOREM ASSESSMENTS					* See reverse side before calling	
RATE	BASIS	AMOUNT	LEVYING AUTHORITY	TELEPHONE *		
1.000000	ACTL LEVY	23.40	SOLID WSTE ASMT	(941) 479-8181		
		535.18	COMBINED TOTAL			

RETAIN THIS PORTION FOR YOUR RECORDS

Exhibit D

See reverse side for additional information. 

Lee County Property Appraiser, PO Box 1546, Ft Myers, FL 33902-1546
or submit on-line to: www.leepa.org

Pay in U.S. funds drawn on a U.S. bank and return payment made payable to Lee County Tax Collector.
Payments made to any other authority will be returned.

Please do NOT staple or paper clip your check to the payment portion being returned.

Please make sure that the Tax Collector's address on the reverse side is visible in the window of the return envelope.

KEEP THIS PORTION FOR YOUR RECORDS

AUTOMATED SYSTEM: To pay by phone or confirm receipt of payment call the automated tax system (941) 332-8731. Discover, Visa, Master Card or American Express will be accepted for payment of your taxes through the automated system. A convenience fee of 2% will be charged on the total amount due. You may access the automated system using your PIN Number: 01-00136292

PROPERTY SOLD: If this property has been sold, please forward this notice to the new owners or return it to the Lee County Tax Collector's Office.

RECEIPT OF NOTICE: If you have not received notices for all your Lee County properties, contact the Lee County Tax Collector's Office immediately.

TAXPAYER'S RESPONSIBILITIES: Taxpayers are responsible for determining when taxes are due and remitting payment prior to the date of delinquency.

Taxes and assessments are due November 1 and become delinquent April 1 of the following year, at which time the law imposes the following interest rates:

Real Estate - 3% minimum mandatory charge plus advertising

Tangible Personal Property - 1 1/2% per month plus advertising and fees

Discounts and penalties are determined by postmark of payment. If the postmark indicates your payment was mailed on or after APRIL 1 (delinquent date), the amount due is determined by the date received by the Tax Collector. Delinquent payments must be remitted in certified U.S. funds drawn on a U.S. bank.

ASSESSMENT PERIODS: Ad valorem taxes - January 1 through December 31 for the tax year specified on this notice

Non ad valorem assessments - vary depending on the levying authority

TAX SALE: Certificates will be sold on all unpaid real estate taxes on or before June 1, resulting in additional charges.

TAX WARRANTS: Warrants will be issued on unpaid personal property taxes, resulting in additional charges.

TAX COLLECTOR: The Tax Collector's Office is responsible for mailing tax notices and collection pursuant to Florida Statute 197.332. Questions concerning payment of taxes, contact the Lee County Tax Collector at (941) 339-6000 or www.leetc.com.

PROPERTY APPRAISER: Questions relating to exemptions, assessed owner(s) name and address, change of mailing address, legal description, assessed or taxable value, contact the Lee County Property Appraiser at PO Box 1546, Ft Myers, FL 33902, (941) 339-6100 or www.leepa.org.

AD VALOREM TAXING AUTHORITIES: Questions relating to millage or taxes levied, contact taxing authority on reverse side.

NON AD VALOREM ASSESSMENTS: Questions relating to assessments, contact levying authority on reverse side.

SPECIAL NOTICE: Pursuant to Florida Statute 590.125, be advised the Florida Division of Forestry will be control burning selected parcels in the following townships to reduce fire hazard and establish fuel continuity breaks between 1/1 - 12/31, T43S R22E, T43S R23S, T44S R20E, T44S R21E, T44S R22E, T44S R26E, T44S R27E, T45S R22E, T45S R26E, T45S R27E. For more information call (941) 694-2181.

NOTICE OF RIGHT TO PREPAY NEXT YEAR'S TAX BY INSTALLMENT METHOD - You may obtain an application form to prepay next year's taxes by contacting the Lee County Tax Collector's Office at (941) 339-6000 or www.leetc.com. Application must be made prior to May 1 of the taxable year. Your taxes must be at least \$100 to qualify. Reapplication is not necessary if you participate in the plan for the current year.

SCHEDULE OF DISCOUNTS: 4% If paid in November, 3% If paid in December, 2% If paid in January, 1% If paid in February, 0% If paid in March

10.50
134.50
148.50

3174805

Property Appraiser's Identification
#06-46-24-18-00S00.0070

This instrument prepared by and return to:
William E. Shenko, Jr.
Echols, Cotter & Shenko
Post Office Box 2579
Fort Myers Beach, Florida 33932-2579

Grantee S. S. No. 019-24-3764

WARRANTY DEED

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: KAY JANNER, D.C.

OR2286 Pg1528

THIS INDENTURE, made this _____ day of March, 1992, between
FAYE STEPHENS a/k/a FAYE B. STEPHENS, a single person, of the
County of Clayton, State of Georgia, Grantor*, and
PRISCILLA F. THORNTON, whose address is: Route 3. Box 3131,
Cleveland, GA 30528, of the County of _____, State of
Georgia, Grantee*,

WITNESSETH, that said Grantor, for and in consideration of
the sum of Ten and No/100 (\$10.00) Dollars, 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:

Documentary Tax Pd. \$ 10.00
1. Charlote Green, Clerk, Lee County
By [Signature] Deputy Clerk

Lot 7, Block S, of that certain subdivision known as
FORT MYERS BEACH KAMPGROUND, UNIT ONE, as recorded in
Plat Book 35 at Pages 47 through 49, inclusive, Public
Records of Lee County, Florida.

Subject to easements, restrictions and reservations of
record and taxes for the year 1992 and all subsequent
years.

and said Grantor does hereby fully warrant the title to said
land, and will defend the same against the lawful claims of all
persons whomsoever.

*"Grantor" and "Grantee" are used for singular or plural, as
context requires.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's
hand and seal the day and year first above written.

Signed in the presence of:

1. Tommy Cable
John Cable
(type/print name of witness)

2. Louise M. Cable
Louise M. Cable
(type/print name of witness)

Faye Stephens
Faye Stephens
Address: 6141 Twilight Trail
Morrow, GA 30160

STATE OF GEORGIA
COUNTY OF Clayton

Execution of the foregoing instrument was acknowledged
before me this 13th day of March, 1992, by FAYE STEPHENS, who is

Exhibit E-1

personally known to me or who has produced sufficient evidence of
✓ identification (described below) and who (✓) did or () did not
take an oath.

Description of identification produced: personally known to me

Signature of Notary Public *Lorene M. Cable*
Type/Print Name of Notary LORENE M. CABLE
Commission Number
Commission Exp. Date

Notary Public, Clayton County, Georgia
My Commission Expires March 17, 1992



OR2286 P01529

CHARLIE GREEN LEE CITY FL
92 MAR 25 AM 11:14

Exhibit E-2

PINE RIDGE PALMS ASSOCIATION, INC.

16300 Pine Ridge Road
Fort Myers, FL 33908-3515
USA

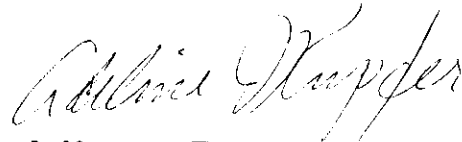
Phone: 941-466-2707
Fax: 941-466-2707
E-mail: pineridge3@juno.com

December 20, 2001

To whom it may concern:

This is to certify that Pine Ridge Palms Association (known on Lee County tax records as Fort Myers Beach Campground) has no problem with owner's of Lot S-07 placing a new unit and vacating a six (6) foot drainage easement. The Board of Directors have unanimously agreed to vacation at a regular Board meeting. It is no longer functional.

We assume Lee County zoning will otherwise be adhered to in placing the unit between lot lines and retaining ten (10) feet between buildings



Adeline J. Kupfer, President
PRP Board of Directors



January 8, 2002

Priscilla F. Thornton
16300 Pine Ridge Road
Fort Myers, FL 33908

Re: Proposed Vacation of Easement for Lot 7 Sunburst Lane

Dear Ms. Thornton,

FPL would have no objection to vacating a 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 7 & 8 Block S Unit 1 a subdivision of Fort Myers Kampgrounds recorded in Plat Book 35 Page 47 less and except the north/east 6 feet and the south/west 6 feet thereof.

If you have any question, please call me at (941) 415-1329.

Sincerely,

A handwritten signature in cursive script that reads "Jane Gunter".

Jane Gunter
Customer Project Manager



Box 570
Fort Myers, Florida 33902-0570

January 8, 2002

Ms. Priscilla F. Thorntor
16300 Pine Ridge Road
Fort Myers, Florida 33908
Lot S-7

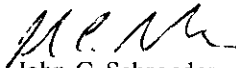
RE: PROPOSED EASEMENT VACATION LOCATED ON THE FOLLOWING PARCEL:
STRAP #06-46-24-18-00500.0070

Dear Ms. Thorntor:

Sprint Florida, Inc. has no objection to the proposed easement vacation of the referenced and attached property.

If further information is required, please contact me at (941) 336-2012.

Sincerely,


John C. Schroeder
Engineer 1

CC: File



301 Tower Road
Naples, FL 34113
Telephone: 941-732-3819
FAX: 941-992-1289

January 7, 2002

Ms. Priscilla F. Thornton
16300 Pine Ridge Rd. Lot S-7
Fort Myers, Fla. 33908

Re: Request for a Letter of Review and Recommendation on a Proposed
Easement Vacation of the Following Location: Strap # 06-46-24-18-00500.0070
Vacating a utility and Drainage easement on a portion of property within
Lots 7 & 8 Block S, Unit 1, Ft. Myers Beach Subdivision, as recorded in Plat Book 35
page 47 of the public records of Lee County, Florida.

A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 7 and 8, Less and Except the north/east 6 feet and the south/east 6 feet
thereof.

Dear Priscilla,

Comcast has no objection with the vacation of the above referenced utility and
drainage easement.

Sincerely,

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

Scott Miller
Design Coordinator

SAM



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

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

January 3, 2002

Pricilla F. Thornton
16300 Pine Ridge Road, Lot S-7
Fort Myers, FL 33908

**SUBJECT: VACATE PUBLIC UTILITY/DRAINAGE EASEMENT
STRAP #: 06-46-24-18-00S00.0070
LOT 7, BLOCK S – FORT MYERS BEACH KAMPGROUND**

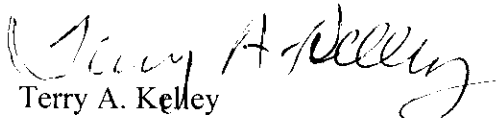
Dear Ms. Thornton:

Lee County Utilities has no objection to the proposed vacation of the existing 6-foot wide drainage easement located along the east lot line of Lot 7, Block S of the Fort Myers Beach Kampground Subdivision as described in your letter of December 19, 2001. Even though the area in question is located within Lee County Utilities' service area, we have no potable water or sanitary sewer facilities within the area to be vacated.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at 479-8531.

Sincerely,

LEE COUNTY UTILITIES


Terry A. Kelley
Utilities Engineering Technician III
Utilities Engineering Division

S:\UTILS\Eng\TAK\LETTERS\VAC\FY 2001\Gross, R - Skyline Woods - Lots 19 & 20.doc

Rob Jones
District One

Douglas R. St. Cerny
District Two

Ray J. Lulah
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

July 17, 2002

Ms. Priscilla F. Thornton
101 Hood Acres Road
Cleveland, GA 30528

Case Number: **VAC2002-00010** - 11142 Sunburst Lane

Dear Ms. Thornton:

You indicate that a platted drainage easement described as follows unnecessarily hinders the proposed placement of a mobile home:

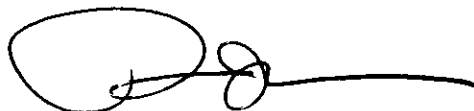
A six-foot (6') wide drainage easement located along the eastern side of lot 7, Block S, Unit 1, a subdivision of Fort Myers Beach Kampground; as recorded in Plat Book 35, Pages 47-49 of the official Public Records of Lee County, Florida.

LESS and EXCEPT the North fifteen (15') feet thereof and remaining subject to any existing platted utility easements.

Based on a review of the information provided, the comments of the utility providers serving the area and our subsequent research; this office will recommend this easement be vacated to the Board of County Commissioner's.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division



Peter J. Eckenrode
Director

BOARD OF COUNTY COMMISSIONERS

(941) 479-8124

Writer's Direct Dial Number:

Friday, February 08, 2002

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

Priscilla F. Thorton
16300 Pine Ridge Rd.
Fort Myers, FL 33908
Lot S-7

Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 7 & 8, Block S, Unit 1, Fort Myers Beach Kampground Subdivision as recorded in Plat Book 35 at Page 47, Public Records of Lee County, Florida.


Dear Ms. Thorton:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion of the subject easements.

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT



Allen L. Davies, Jr., P.S.M.
Engineer II
Natural Resources Division

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

S:\NATRES\SURFACE\DOCUMENT\vac232.doc



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

479-8580

Writer's Direct Dial Number: _____

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

January 31, 2002

Ms. Priscilla Thornton
16300 Pine Ridge Road
Fort Myers, FL 33908

**RE: Petition to Vacate:
The 12 foot wide Drainage Easement on the
Lot Line common to Lots 7 and 8, Block S,
Fort Myers Beach Kampground Subdivision Unit One**

Dear Ms. Thornton:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 35, page 48. The roads and drainage within Fort Myers Beach Kampground are not maintained by DOT.

Therefore, DOT offers no objection to this petition to vacate as proposed.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson
Right-of-way Supervisor

MAL/mlb

cc: Roland Ottolini, Director, Natural Resources
Don Blackburn, Development Services
DOT PTV File

S:\DOCUMENT\Petition To Vacate\2001\Ft. Myers Beach Kampground.doc

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2002-00010

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. VAC2002-00010 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

Deputy Clerk Signature

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Legal Description:

A six-foot (6') wide drainage easement located along the eastern side of lot 7, Block S, Unit 1, a subdivision of Fort Myers Beach Kampground; as recorded in Plat Book 35, Pages 47-49 of the official Public Records of Lee County, Florida.

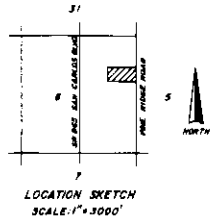
LESS and EXCEPT the North fifteen (15') feet thereof.

Remaining subject to Public Utility Easements across the South six feet (6') of the North twenty-one feet (21') and the South five feet (5') of lot 7.

Exhibit A

FORT MYERS BEACH KAMPGROUND SUBDIVISION UNIT ONE

A REPLAT OF PART OF LOT 5 & THE NORTH HALF OF LOT 6, BLOCK 2, E.P.
BATES PINE RIDGE TRUCK FARMS AS RECORDED IN PLAT BOOK 3 PAGE 68.
SECTION 6, TOWNSHIP 46 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA.
NOVEMBER 1982.



DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER (1/4 E. 1/4) OF SECTION 6,
TOWNSHIP 46 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING PART OF LOT 5, BLOCK 2
AND PART OF THE NORTH HALF (1/2) OF LOT 6, BLOCK 2 OF E.P. BATES PINE RIDGE TRUCK
FARMS, AS RECORDED IN PLAT BOOK 3, PAGE 68 OF THE PUBLIC RECORDS OF LEE COUNTY, FLA.
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF COASTAL ESTATES, A MOBILE HOME SUBDIVISION,
AS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 28 ON PAGES 78 AND 79 OF THE PUBLIC RECORDS
OF LEE COUNTY, FLORIDA, SAID POINT BEINGS ON THE WEST RIGHT-OF-WAY LINE OF PINE RIDGE RD,
THENCE RUN S 0°47'28"E ALONG SAID WEST LINE FOR 482.84 FEET TO THE NORTHEAST CORNER
OF THUNDERBIRD MOBILE HOME SUBDIVISION AS SHOWN ON PLAT RECORDED IN PLAT BOOK 483 ON
PAGE 431 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S 89°08'12"E
ALONG THE NORTH LINE OF SAID THUNDERBIRD SUBDIVISION FOR 1882.73 FEET TO THE SOUTHWEST
CORNER OF THE NORTH HALF (1/2) OF LOT 6, BLOCK 2 IN SAID E.P. BATES PINE RIDGE TRUCK
FARMS; THENCE RUN N 0°37'03"W ALONG THE WEST LINE OF SAID LOT 6 AND LOT 5 FOR 482.33
FEET TO THE SOUTHWEST CORNER OF SAID COASTAL ESTATES, ALSO BEING THE NORTHWEST
CORNER OF LOT 6, BLOCK 2 IN SAID E.P. BATES PINE RIDGE TRUCK FARMS; THENCE RUN N 80°08'12"E
ALONG THE SOUTH LINE OF SAID COASTAL ESTATES FOR 347.17 FEET; THENCE RUN S 0°37'03"E
FOR 82.89 FEET; THENCE RUN N 80°08'12"E FOR 12 FEET; THENCE RUN S 0°37'03"E FOR 482.00 FEET;
THENCE RUN S 89°08'12"E FOR 12.00 FEET; THENCE RUN S 0°37'03"E FOR 86.00 FEET; THENCE
RUN S 89°08'12"E FOR 147.17 FEET; THENCE RUN S 0°37'03"E FOR 100.20 FEET; THENCE RUN
N 80°08'12"E FOR 238.84 FEET; THENCE RUN N 84°17'46"E FOR 184.17 FEET; THENCE RUN N 0°05'04"W
FOR 232.55 FEET TO THE SOUTH LINE OF SAID COASTAL ESTATES; THENCE RUN N 80°38'12"E ALONG
THE SOUTH LINE OF SAID COASTAL ESTATES FOR 382.00 FEET TO THE POINT OF BEGINNING.
TRACT HEREIN DESCRIBED CONTAINS 13.041 ACRES.

NOTICE

Lands described in this plat are subdivided
by the Developer without the roads, drainage
and sewage facilities being specifically
approved or accepted by Lee County. Any
purchaser of a lot in this subdivision is
advised that he may be subject to assessment
or called upon to bear a portion of or all
of the expense of construction, maintenance
or improvement of roads, drainage and
sewage facilities within the subdivision.

SURVEYOR CERTIFICATE

I HEREBY CERTIFY that the information on this plat was obtained from the original plat of Fort Myers Beach Kampground Subdivision Unit One, a replat of part of Lot 5 and the North Half of Lot 6, Block 2, E.P. Bates Pine Ridge Truck Farms, as recorded in Plat Book 3, Page 68 of the Public Records of Lee County, Florida, and that the same has been carefully examined and found to be correct.

William A. Jensen
Professional Surveyor
Florida Registration No. 2659
Date Nov. 23, 1982



DEDICATION

KNOW ALL MEN BY THESE PRESENTS that Jack B. Patterson, President of Fort Myers Beach Kampground, Inc., a Florida Corporation, the Owner of the lands described herein, has caused this plat of Fort Myers Beach Kampground Subdivision Unit One, a replat of part of Lot 5 and the North Half of Lot 6, Block 2, E.P. Bates Pine Ridge Truck Farms to be made, and that he dedicates the perpetual use of the Open all road rights - if - any and easements herein created, meeting, and abutting and part or parts of said lands heretofore made.

IN WITNESS WHEREOF, the said Owner of the lands described herein has caused this plat to be made and signed in its name by and in the presence of the President of Fort Myers Beach Kampground, Inc.

STATE OF FLORIDA
COUNTY OF LEE
I HEREBY CERTIFY that on this day personally appeared before me Jack B. Patterson, President of Fort Myers Beach Kampground, Inc., the Owner of the lands described herein, to do and execute the same described in and on the attached plat and to acknowledge the same to be his free act and deed, and I certify that the same and appurtenant thereto easements and other interests therein are not subject to any lien or claim of any person other than the person named in said plat.
My Commission Expires Dec. 31, 1982
A. D. 1982

CONSENT TO DEDICATION

KNOW ALL MEN BY THESE PRESENTS that Florida Beach, Inc., a Florida Corporation, the Owner of a one-half acre parcel of land, has caused this plat to be made, and that he dedicates the perpetual use of the Open all road rights - if - any and easements herein created, meeting, and abutting and part or parts of said lands heretofore made.

IN WITNESS WHEREOF, Florida Beach, Inc. has caused this plat to be made and signed in its name by and in the presence of the President of Florida Beach, Inc.

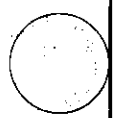
ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF LEE
I HEREBY CERTIFY that on this day personally appeared before me Donald J. Jensen, President of Florida Beach, Inc., a Florida Corporation, to do and execute the same described in and on the attached plat and to acknowledge the same to be his free act and deed, and I certify that the same and appurtenant thereto easements and other interests therein are not subject to any lien or claim of any person other than the person named in said plat.
My Commission Expires Dec. 31, 1982
A. D. 1982

APPROVALS

This plat was approved by the Board of County Commissioners of Lee County, Florida, on this day of November, A. D. 1982, in an open meeting of the Board of County Commissioners of Lee County, Florida.

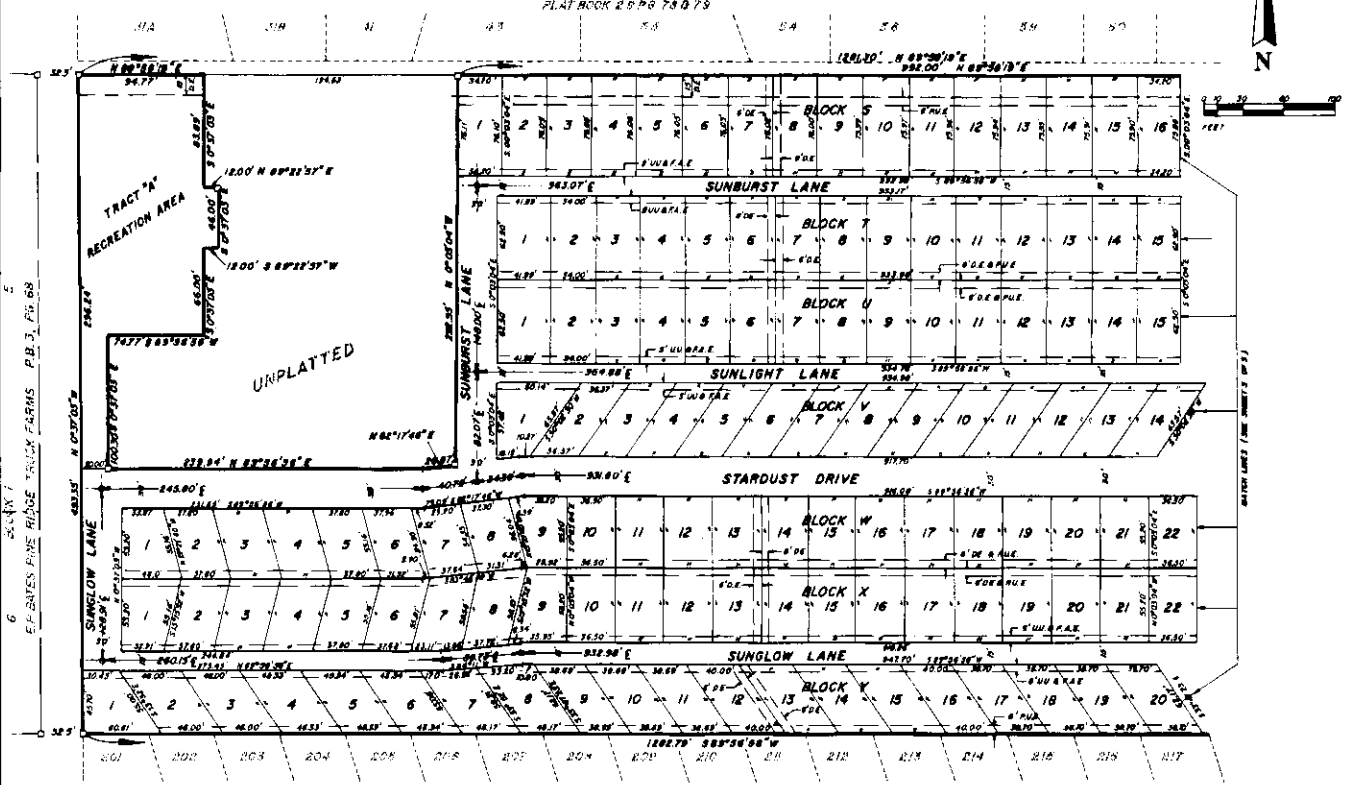
I HEREBY CERTIFY that this plat of Fort Myers Beach Kampground Subdivision Unit One, a replat of part of Lot 5 and the North Half of Lot 6, Block 2, E.P. Bates Pine Ridge Truck Farms has been examined by me, and from my examination, I find that the same complies in form with the requirements of Chapter 177 of the Florida Statutes.
I FURTHER CERTIFY that this plat was filed for record on this day of November, A. D. 1982, and duly recorded in Plat Book 35 of Page 27 of the Public Records of Lee County, Florida.



FORT MYERS BEACH KAMPGROUND SUBDIVISION UNIT ONE

A REPLAT OF PART OF LOT 5 & THE NORTH HALF OF LOT 6, BLOCK 2, E.P.
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LEE COUNTY, FLORIDA.
NOVEMBER 1982.

COASTAL ESTATES
PLAT BOOK 25 PG 78 & 79



- LEGEND**
- RR.M. Permanent Reference Monument
 - P.C.P. Permanent Control Point
 - D.E. Drainage Easement
 - P.U.E. Public Utility Easement
 - U.U.F.A.E. Underground Utility & Fire Apparatus Easement

THUNDERBIRD MOBILE HOME SUB.
ON BOOK 103 PG 431

NOTE
Bearings shown herein taken from record plat of
COASTAL ESTATES as recorded in Plat Book 25, Pages 78 & 79.

SHEET 2 OF 3

JORGENSEN SURVEYING
1334 LAFAYETTE STREET
CAPE CORAL, FLA. 33904

Exhibit C-2

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00010

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 8th day of October 2002 @5:00^{PM} in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.

LEE COUNTY
SOUTH WEST FLORIDA
CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Legal Description:

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