

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 220021008

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a resolution on Petition to Vacate VAC2002-00027 to vacate a 12 foot Public Utility Easement located between the common lot line of lots 22 & 23, and 23 & 24, Lehigh Acres, as recorded in Plat Book 15, Page9 of the Public Records of Lee County Florida, Section 8, Township 44, Range 27, less and except the east & west 6' thereof.

WHY ACTION IS NECESSARY: To build a Single family residence. The vacation of the public utility Vacation of the 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 # 03

5:00 # 4

3. MEETING DATE:

09-10-2002

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. BACKGROUND:

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 p.m. on the 10th day of September, 2002.

LOCATION: The PUE is located between the common lot line of lots of 22 & 23, and 23 & 24, Lehigh Acres, as recorded in Plat Book 15, Page9 of the Public Records of Lee County Florida, Section 8, Township 44, Range 27, less and except the east & west 6' thereof. Located at 1619 Plumosa Avenue, Lehigh Acres, FL. Located at 1619 Plumosa Avenue, Lehigh Acres, FL. The address is 5642 & 5648 Sixth Street.

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
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	OA <i>[Signature]</i>	OM <i>[Signature]</i>	Risk <i>[Signature]</i>	GC <i>[Signature]</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

RECEIVED BY
COUNTY ADMIN.
8/30 900

FORWARDED TO:
8/30 945

8/30/02
8:00 AM
FORWARDED TO:
Admin
8/30/02 8:00 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: VAC2002-00027

WHEREAS, Petitioner **William & Wanda Bostick** 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 10th of September, 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. VAC2002-00027 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

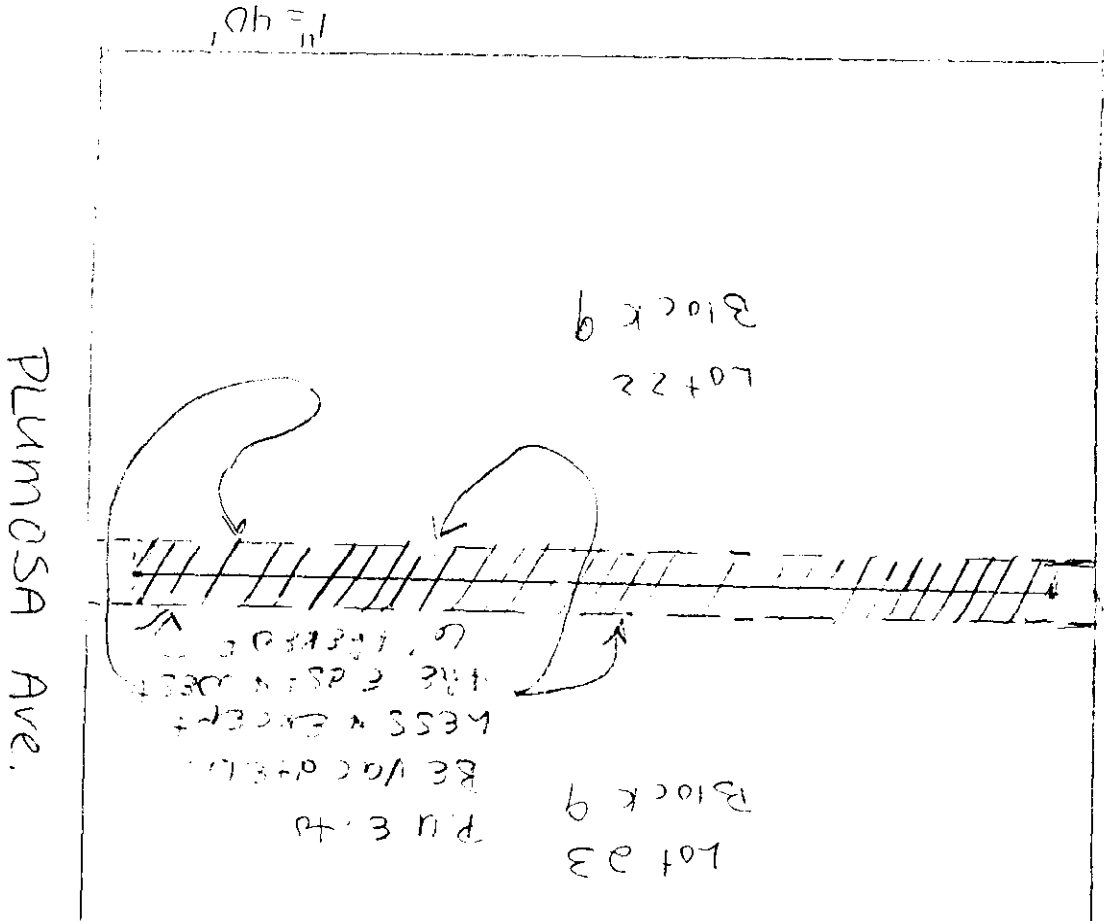
County Attorney Signature

Please Print Name

Legal Description

A 12 foot Public Utility Easement located between the common lot lines of Lots 22 & 23 and 23 and the east half of 24, Block 9, Unit 3, South half of Section 8, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court, Recorded in Plat Book 15, Page 9 of the Public Records of Lee County, Florida, less and except the east and west 6 feet of lots 22 and 23, and less and except the east 6 feet of the east half of lot 24. Located at 1619 Plumosa Avenue, Lehigh Acres, FL.

William & Wanda
1419 Plumosa Rd
Length of
lots 22 & 23
Block 9
0844 & D3 00009.022V

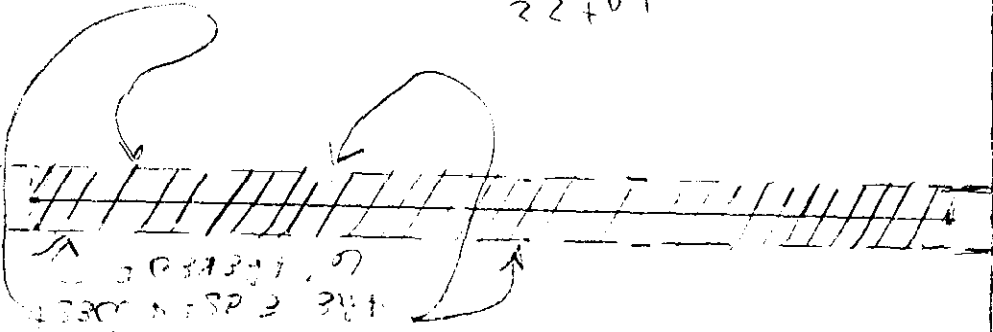


PLUMOSA Ave.

1" = 40'

Block 9

Lot 22

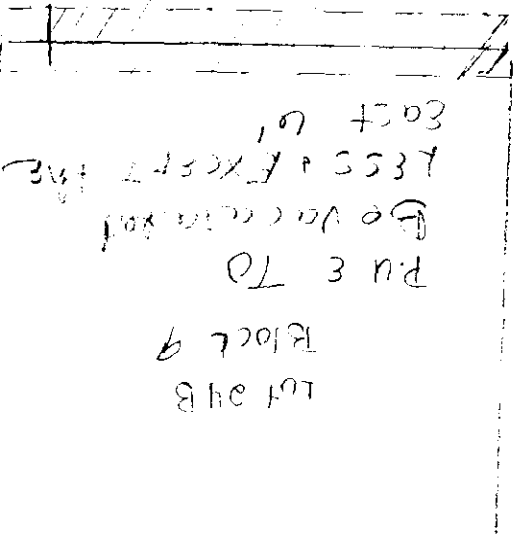


Lot 23
the EASE & DEED
LESS & EXCEPT
BE Vacated

Block 9

Lot 23

PU E, TD



North
1" = 30'

Block 9

Lot 24B

PU E TD
BE Vacated
LESS & EXCEPT the
East 60'