

Lee County Board Of County Commissioners

Agenda Item Summary

Blue Sheet No. 20021318

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a resolution on Petition VAC2002-00036 to vacate a twelve-foot (12') wide public utility and drainage easement in Block 34, Unit 11 a subdivision of Lehigh Acres.

WHY ACTION IS NECESSARY: To eliminate an easement between a residential structure on one lot and a pool on the adjacent lot. *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: Vacates the easement.

2. DEPARTMENTAL CATEGORY: 04
COMMISSION DISTRICT # 05

3. MEETING DATE:

5:00 #4

11-26-2002

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE FS177
 - 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 petition to vacate was submitted by _____ I&E Group, Inc.

LOCATION: The easement to be vacated is a twelve-foot (12') wide public utility and drainage easement centered on the lot line common to Lots 20 and 21, Block 34, Unit 11, of Lehigh Acres, as recorded in Plat Book 27, page 174 of the public records of Lee County, Florida; **less and except** for the East six-feet (6') and West six-feet (6') thereof

The site is located at 703 Canterbury Circle, Lehigh Acres, Florida, Section 16, Township 45 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 Resolution to Vacate. Staff recommends adoption of the Resolution.

Attached to this Blue sheet is the Resolution to Vacate with exhibits.

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
<i>M. J. ...</i>	N/A	N/A	N/A	<i>[Signature]</i>	OA <i>[Signature]</i> 11/14 OM <i>[Signature]</i> 11/14 Risk <i>[Signature]</i> 11/14 GC <i>[Signature]</i> 11/14	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

11-14-02
1:55pm
11/14 3:00

Rec. by CoAtty
Date: 11/14/02
Time: 1:30
Forwarded To:
Admin
11/14/02 1:45pm

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: **VAC2002-00036**

WHEREAS, Petitioner; I&E Group, Inc. ^{a Florida Corporation} 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 **26th day of November, 2002 at 5:00 p.m.**; 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. VAC2002-00036 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 26th day of November, 2002.

ATTEST:
COMMISSIONERS
CHARLIE GREEN, CLERK

BOARD OF COUNTY
OF LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairman Signature

Please Print Name

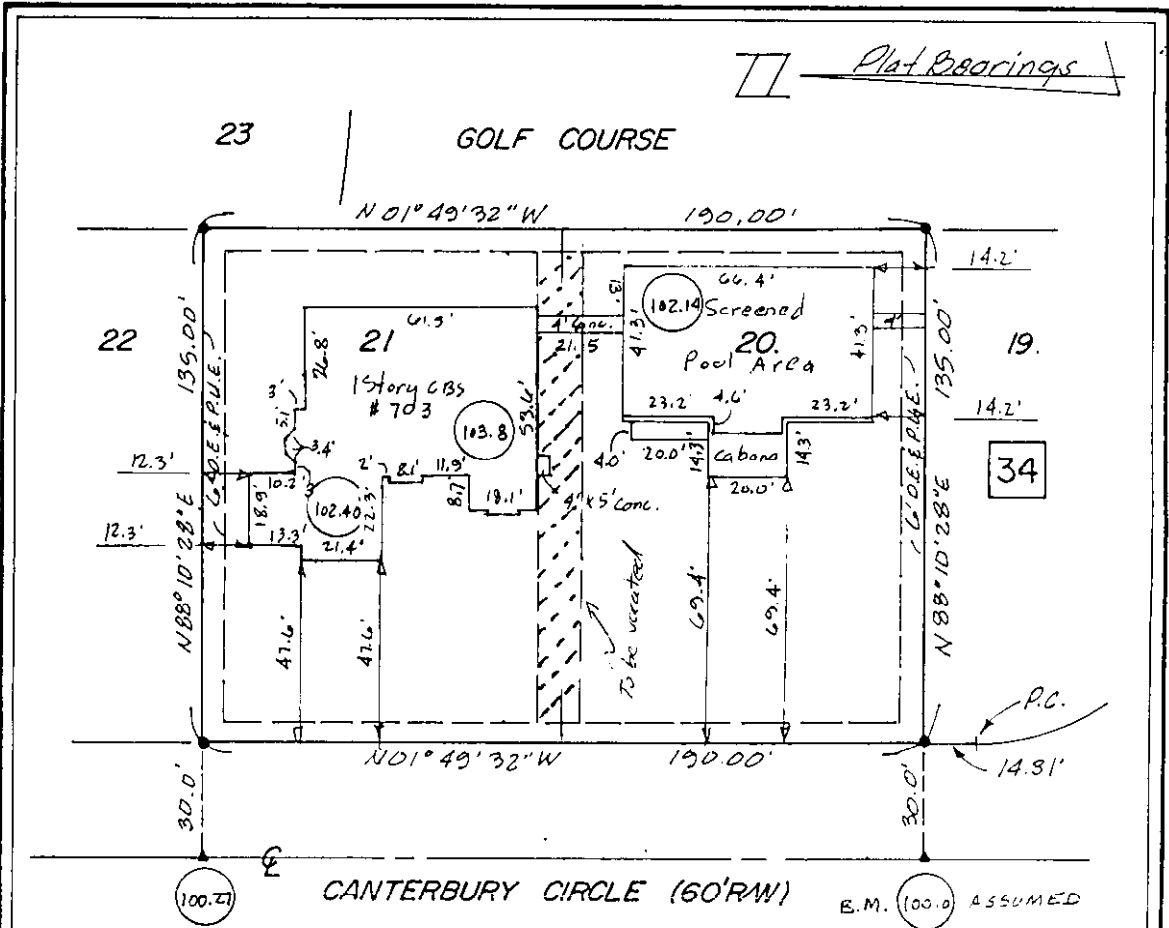
Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Plat Bearings



Subject Property Located in Boundary & Assumed Elevation
 FEMA Flood Zone B
 Panel: 125124-0375-B

LEGAL DESCRIPTION:
 Lots 20 & 21, Block 34, Lehigh Acres, as recorded in
 Plat Book 27, Page 174, in the Public Records of Lee
 County, Florida

CERTIFY TO: Pfuner & Sons Construction
 I & E Real Estate Holding, Inc.

703 Canterbury Circle

- o 1/4" Iron/cap set
- 1/2" Iron rod found
- ▲ PK Nail set
- ▲ PK Nail found
- Concrete Monument Found
- P.U.E. = Public Utility Easement
- D.E. = Drainage Easement
- P.C. = Point of Curve
- P.T. = Point of Tangent
- P.R.C. = Point of Reverse Curve
- R/W = Right of Way
- P.O.B. = Point of Beginning

LEGEND

- P.O.C. = Point of Commencement
- C.B.S. = Concrete Block Stucco
- N.G.V.D. = National Geodetic Vertical Datum (1929)
- P.P. = Power Pole
- T.P.E.D. = Telephone Pedestal
- F.H. = Fire Hydrant
- C.B. = Catch Basin
- = Center Line
- D = Deed
- M = Measured
- C = Calculated
- P = Plat

- NOTES:
1. Description as furnished by client. No search of the Public Records was Conducted by this firm.
 2. Elevations as shown are based on N.G.V.D. 1929 Datum unless otherwise Stated.
 3. Bearings are based on plat or deed.
 4. Encroachments are based on plat.
 5. There may be others easements not shown Hereon recorded in the Public Records of governing county.
 6. No Determination of Hazardous Waste Materials have been made by this firm.
 7. Signor limits liability only up to the Cost of the survey.
 8. This survey is protected by copyright And all rights are reserved.
 9. Not valid without signature and Raised Seal.

DATE: 5/2/02
 SCALE: 1" = 40'
 JOB # 14054

BY: *R.L. Schumann*
 R.L. SCHUMANN, RLS
 FLORIDA REC. #2239

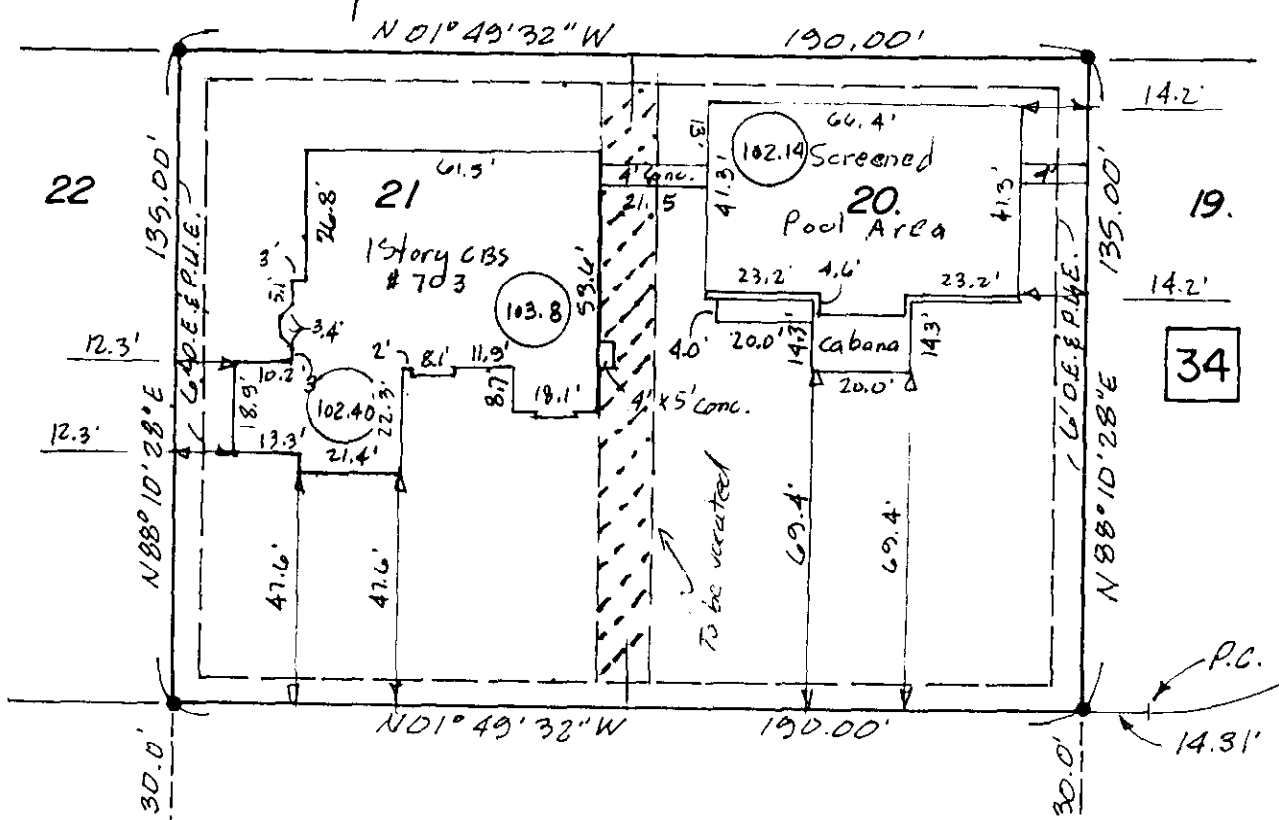
S & H Land Survey Company
 13591 McGregor Blvd., Suite 21
 Ft. Myers, Florida 33919

Date of Signature 5/9/02

Plat Bearings

23

GOLF COURSE



34

(100.27)

CANTERBURY CIRCLE (60'RW)

B.M. (100.0) ASSUMED

Subject Property Located in
FEMA Flood Zone B
Panel: 125124-0375-B

Boundary & Assumed Elevation

LEGAL DESCRIPTION