Lee County Board Of County Commissioners **Agenda Item Summary**

Blue Sheet No. 20021380

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a Resolution on Petition VAC2002-00038 to Vacate a 12 foot Public Utility Easement, located between the common lot lines of lots 15 & 16, Block 21, Lehigh Acres, Florida, less and except the east and west 6 feet thereof.

WHY ACTION IS NECESSARY: To vacate the easement in order to expand a Single Family Residence. These easements are not required to accommodate any future Utility or tight of ways needs and the vacation will not impact any existing utilities...

WHAT ACTION ACCOMPLISHES: Vacates the easement.										
2. DEPARTMENTAL CATEGORY: 04							3. MEETING DATE:			
COMMISS	SION DISTI	RICT #: 5		, سے	NA #	3			-2002	
				5,	<i>00</i> <	<u> </u>				
4. <u>AGENDA</u> :				UIREMENT	<u>/PURPOSE</u> :	6	6. REQUESTO	R OF IN	FORMATION:	
			(Spe	•••						
	SENT		····	ATUTE	F.S. Ch. 17		A. COMMISSION			
ADMINISTRATIVE APPEALS				DINANCE	42.4		B. DEPARTME	N T -	Community Develop	
X PUBI				MIN. CODE HER	13-1	——	C. DIVISION BY:	₽ ₽	11/25/0	
	K ON			HER			B1.	<u> </u>	146310	
	E REQUIRE	CD:						Pete	r J. Eckenrode, Dire	ector
7. BACKGR	OUND:									
		nmissioners	has adopt	ted a Resolut	ion to set a P	ublic H	earing for 5:00	p.m. on	the 10h day of	
December, 20	102.									
LOCATION:	The 12 foot	Public Utilit	v Faseme	nt is located t	petween the o	commo	n lot lines of lot	s 15 & 10	6, Block 21, Lehig	dr
Acrs, Florida,	Unit 6, Sect	tion 18, Tow	nship 44 S	South, range	27 East, less	and ex	cept the east a	nd west	ofeet thereof.	,,,
Property is loc	cated at 130	5 Dixie Ave	., Lehigh A	cres, FL.	,		•			
	n pertaining	to this Peti	tion to Vac	ate is availat	ole for viewing	g at the	Office of the C	erk of Ci	rcuit Court, Minut	tes
Department.										
There are no o	obiections to	o this Petitio	n to Vacat	e. Staff reco	mmends ado	ption of	this resolution			
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Attached to this Blue sheet is the Resolution with exhibits.										
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8. <u>MANAGEN</u>	MENT REC	OMMENDA	ATIONS:							
9. RECOMMENDED APPROVAL:										
	AND CONTRACT OF THE PARTY OF TH									
A Department	B Purchasing	C Human	D Other	E County		D	F dget Services,		G	
	or Contracts	Resources	Offici	Attorney	//	City	1/26/02		County Manag	er
(de		-		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	/ PA	OM	ln: .	GC	1007	
11/25/02 1	V/A	N/A	N/A	1200		My2	1200	NX	140	02
"			1	1818	26/12	11/2	1 1/26/03	11. 26.01	11-26.	_
10. COMMISS	SION ACTI	ΩN,		1)	1 1 100	1	111 1	<u> </u>	1 11	
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THIS INSTRUMENT PREPARED BY:

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

RESOLUTION NO	FOR PETITION TO VACATE
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Case Number: VAC2002-00038

WHEREAS, Petitioner HELEN CHRISTINE SMITH a/k/a HELEN SMITH-CARELLI 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 <u>10TH DAY OF DECEMBER @ 5:00 P.M.</u>, 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.

LEGAL DESCRIPTION

A12 Foot Public Utility Easement located on the common lot lines of lots 15 and 16, Block 21, Unit 6, Section 18, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof, on file in the office of the Clerk of Circuit Court, recorded in Deed Book 252, Page 456, Public Records of Lee County, Florida, less and except the east and west 6 feet thereof.

DESCRIPTION: CLIENT: HELEN C. SMITH 9,10,15,16 BLOCK: 21 IT: 6 PROJECT N BER: 98-0185 SUBDIVISION: LEHIGH ACRES FIELD BOOK 106, PAGES 12-16,20,21 SECTION: 18 TOWNSHIP 44 SOUTH RANGE 27 EAST LEE COUNTY, FLORIDA SECTION 18 AS RECORDED IN: SOUTH TOWNSHIP 44 PLAT BOOK 15 PAGE 22, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA RANGE 27 **EAST** Ave: 1305 DIVIE Noese CENTERLINE WEST FOURTEENTH ST. (P&F) 50' R/W (P) END BOD SPIKE 0.04'(C) 860.23'(F) -27'-44"W (C&F) & B.C. LOT 17 BI OCK UNIT 5 \$89'-18'-42"W (C&F) SIR BENCHMARK C&F) 25.00 208.71' (P&F) EL=100.101 (C&F) (ASSUMED) ŠET N&TT 16'+/-6.0' UE (P) ALL SIDES OF LOT W (C&F 104.40 LOT 16 BLOCK 21 44 (21 UNIT 6 SC-27--7 |8 ecust S89'-18' BENCHMARK 25.00 EL=99.98' (C&F) (ASSUMED) 52.47 SET N&TT W DRAIN 104.40' (F FIELD **CHW** 104.40" (W (C&F) 38.5 10 ¥ 44 - (4) (P) 102 40.01 100.0 ₹ છિ **PROPOSED** -27 RESIDENCE 38, -27 38 99.6 40.4 2,12 ပ္ကုပ္ဆ LOT 15 6.0 BLOCK 21 36 UNIT 6 BENCHMARK SIR 25.00* 208.71' (P&F) EL=100.001 (C&F) (ASSUMED) S89"-18"-42"W (C&F) (C&E) 6.0° UE (P) SET NATT ALL SIDES OF LOT LOT 14 18'+/ - PAVEMENT BLOCK 21 WIDTH 21 а тіми 80 CENTERLINE DIXIE AVE. (P&F) - 50' R/W (P) 1 INCH = 40FEET REVISIONS: 1-29-99 1. ADDED PROPOSED IMPROVEMENTS: REVISED NOTE #7 REVISED ELEVATIONS PER NOTE #7 RTIFIED TO: EN CHRISTINE SMITH 'UBLIC BANK, DBA FLAGSHIP MORTGAGE SERVICES ETWOOD TITLE CORPORATION NOTE: "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER." ELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK SURVEYOR'S CERTIFICATE Solut J. Wilm SIGNATURE: I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY ITS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH NAME: ROBERT J. OLSON THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND

PPERS IN CHAPTER 61G17-6. FLORIDA ADMINISTRATIVE

1 DEAT	ALCOHOLD PACOU		or Will Attended to	[®] Agenda Item	Summary	Agra "	Bl	ue Sheet N	o. 20021380
I. REQU	ESTED MOT	<u>ION</u> :	e general e	কোনো বাহ্যকৈ স্থানিক স্থানিক করে। বিভাগ প্রবাহন কর্মনী হয় । তাই ভাগ	a Recorded to the	45			
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eazemer	TION IS NEC nts are not a act any exis	requirea ta	accommo	ne-easemen odate any fi	t in order ıture Utili	to expand ty or tigh	d a Single I nt of ways	Family Re	esidence. These and the vacation wi
WHAT AC	CTION ACC	<u>OMPLISHES</u>	: Vacates t	he easemer	nt.				
2. DEPAR	TMENTAL (CATEGORY	: 04 Cor	nmunity Dev	elonment	1 2	MEETING	DATE: F)
	ISSION DIST		<u> </u>	04 Community Development			3. MEETING DATE: December 10, 2002 at 5:00 p.m.		
4. AGENI	<u>)A</u> :	· · · · · · · · · · · · · · · · · · ·	5. REQ	UIREMENT/	PURPOSE	: 6.	REQUEST	OR OF IN	FORMATION:
	ONSENT		X STA		F.S. Ch.	177 A	. COMMISS	SIONER	
	DMINISTRA'	TIVE		ORDINANCE			B. DEPARTMENT Community Developmen		
	PPEALS			MIN. CODE	13-1		DIVISION		Development Services
	JBLIC		OTI	HER			BY.	79 -	11/25/02
	ALK ON								1900100
7. <u>BACK</u>	ME REQUIR	ED:						Pete	er J. Eckenrode, Directo
Property is Documenta Department There are n Attached to	located at 13	to this Petitic to this Petitic	wiship 44 So e., Lehigh Ad ition to Vaca on to Vacate solution with	outh, range 2 cres, FL. ite is available . Staff recom	/ East, les	s and exce	opt the east	and west	6, Block 21, Lehigh 6feet thereof. ircuit Court, Minutes
·			9. <u>R</u>	ECOMMEN	DED APPR	OVAL:			
A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County		Budge	D 1 . 0 .		G County Manager
125/2	N/A	N/A	N/A	Attorney	OA	OM	Risk	GC	
0. <u>COMMI</u>	SSION ACTI	<u>ON</u> :		L			<u> </u>		
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Lee County Board Of County Commissioners

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: <u>VAC2002-00038</u>

WHEREAS, Petitioner HELEN CHRISTINE SMITH a/k/a HELEN SMITH-CARELLI 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 <u>10TH DAY OF DECEMBER @ 5:00 P.M.</u>, and

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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.

1. F	Petition to Vacate No	. <u>VAC2002-000</u>	38 is he	ereby granted.	
2	The public's in described in Exhibit "B" is he	nterest in the eachibit "A" and gra	sement, pla phically depi	t or portion of cted in the sket	a plat legally ch attached as
3	. This Resolution	will become effectords of Lee Cou	ctive upon red nty, Florida.	cording of a fully	executed copy
T County (his Resolution passe Commissioners of Le	ed by voice and ee County, Florida	entered into a, this	the minutes of	f the Board of
ATTEST CHARLI	-, E GREEN, CLERK			COUNTY COM LEE COUNTY, I	
	Clerk Signature			rman Signature se Print Name	
8 (APPROVED AS	TO FORM	1. O R	IDA
		County Attorney	Signature		
	-	Please Print	Name		

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

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(ASSUMED) 208.71' (P&F) S89"-18"-42"W (C&F) 'C&F) ŠET N&IT 6.0" UE (P) ALL SIDES OF LOT LOT 14 BLOCK 21 UNIT 6 18'+/~ PAVEMENT 21 40 20 40 80 CENTERLINE DIXIE AVE. (P&F) ---50' R/W (P) 1 INCH = 40FEET REVISIONS: 1--29 -99 ADDED PROPOSED IMPROVEMENTS. REVISED NOTE #7. REVISED ELEVATIONS PER NOTE #. ITIFIED TO: EN CHRISTINE SMITH 'UBLIC BANK, DBA FLAGSHIP MORTGAGE SERVICES ETWOOD TITLE CORPORATION NOTE: "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER." ELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK SURVEYOR'S CERTIFICATE Select J. W.L. SIGNATURE: I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY ITS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND NAME: ROBERT J. OLSON PPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE