Lee County Board Of County Commissioners Agenda Item Summary

Blue Sheet No. 20021381

1. REQUESTED MOTION:

<u>ACTION REQUESTED</u>: Adopt a Resolution on Petition VAC2002-00050 to vacate a Twelve foot wide Public Utility Easement common to Lots 11 and 12. Block 77, Unit 8 a Subdivision of Lehigh Acres, Florida

WHY ACTION IS NECESSARY: To construct a Single Family Residence. The vacation of the public utility easement will not alter existing utilities and the easement is not necessary to accommodate any future utility requirement.

WHAT ACTION ACCOMPLISHES: Vacates the easement

2. <u>DEPARTMENTAL CATEGORY</u> :	04	3. MEETING DATE:
COMMISSION DISTRICT #: 5	5:00 #4	12-10-2002
4. <u>AGENDA</u> :	5. REQUIREMENT/PURPOSE: (Specify)	6. REQUESTOR OF INFORMATION:
CONSENT ADMINISTRATIVE APPEALS X PUBLIC	X STATUTE F.S. Ch. 177 ORDINANCE X ADMIN. CODE 13-1 OTHER	A. COMMISSIONER B. DEPARTMENT C. DIVISION BX: Community Development Development Services
WALK ON TIME REQUIRED:		Peter J. Eckenrode, Director

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 December, 2002.

LOCATION: The Public Utility Easement is between Lots 11 & 12, Block 77, Unit 8, Lehigh Acres, as recorded in the Official Records of Lee County, Florida, Section 34, Township 44, Range 26 East, Less and Except the North and South 6 feet thereof. The site is located at 3900 13th St., SW, Lehigh Acres, Florida.

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:

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9. RECOMMENDED APPROVAL:

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—Department	Purchasing	Human	Other	County	Budget Services	County Manager
Director	or Contracts	Resources		Attorney	appet 11/76/02	n "
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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

Case Number: <u>VAC2002-00050</u>

WHEREAS, Petitioner <u>JAMES & LAURA GARECHT</u> 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 DAY OF DECEMBER @ 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

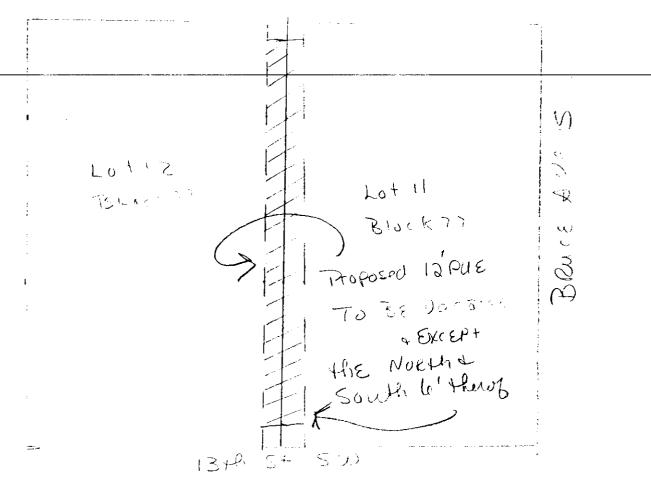
WHEREAS, Petitioner(s) did provide notice to all affected property owners concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

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.

LEGAL DESCRIPTION

A 12 foot wide Public Utility Easement centered on the lot line common to Lots 11 and 12, Block 77, Unit 8, a subdivision of Lehigh Acres as recorded in Plat Book 15, page 90, as recorded in the Official Records of Lee County, Florida, Section 34, Township 44 S, Range 26 East, Less and Except the North and South 6 feet thereof.





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		Lee Count	y Board Of (Agenda Iten	County Con a Summary	mission		Blue Sheet	No. 20021381	
1. REQUESTED MO	TION:		ı					Province Section 400	
ACTION REQUESTS Easement common	ED: Adopt a linto Lots 11 a	Resolution on and 12, Bloc	on Petition \ k 77, Unit 8	/AC2002- 3 a Subdiv	00050 (ision of	o vacate a Lehigh Ac	Twelve for res, Florid	oot wide Public Utility la	
WHY ACTION IS NE	CESSARY:	To construc	t a Single F	amily Res	idence.	The vaca	ition of th	e public utility	
easement will not utility requirement	aiter existi	ng utilities	and the ea	sement is	not ne	ecessary t	o accomr	nodate any future	
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WHAT ACTION ACC	COMPLISHES	S: Vacates t	ne easemei	nt					
2. DEPARTMENTAL		: 04 Con	nmunity De	velopment		3. MEETI	NG DATE:	December 10, 2002	
COMMISSION DIS	STRICT#: 5								
4. AGENDA:		5. REQ	UIREMENT ify)	PURPOSE	:	6. REQUE	STOR OF I	NFORMATION:	
CONSENT		X STA		F.S. Ch.	177	A. COMM	ISSIONER		
ADMINISTR. APPEALS	ATIVE		DINANCE MIN. CODE	13-1		B. DEPAR		Community Development	
X PUBLIC		OTH		13-1		C. DIVISIO BK: C		Development Services	
WALK ON	DED							- 1/2/02	
7. BACKGROUND:	KED:			····			Pe	eter J. Eckenrode, Director	
The Board of County day of December, 20 LOCATION: The Public Official Records and South 6 feet the	olic Utility Ea of Lee Coun	sement is b	etween Lot Section 34	s 11 & 12, Township	Block	77, Unit 8,	Lehigh Ad		
Documentation perta	ining to this							Clerk of Circuit	
There are no objection	ons to this Pa	etition to Va	cata Stoff	10.00mm a.					
There are no objection					ius add	purion of th	is resolutio	on.	
Attached to this Blue	sheet is the	Resolution	with exhibit	s.					
B. MANAGEMENT RE	COMMENDA	ATIONS:							
		9. R	ECOMMEN	DED APPR	OVAL:				
A B	T C								
Department Purchasing Director or Contracts	Human	D Other	E County Attorney		F G Budget Services County Manage				
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0. COMMISSION ACT	<u>ION</u> :	<u> </u>		<u> </u>	l				
	APPR DENI DEFE OTHE	RRED							

8.

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: VAC2002-00050

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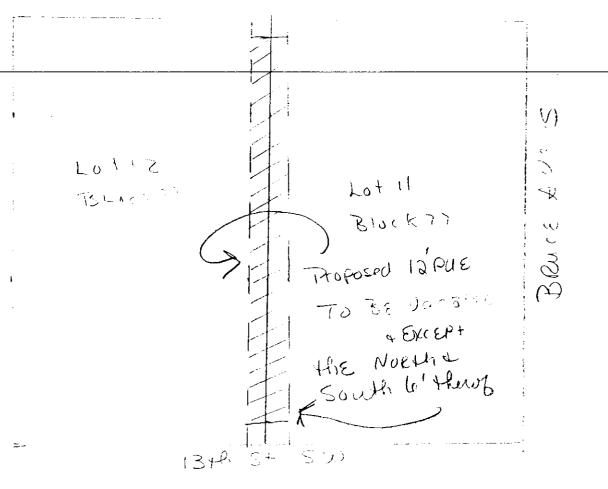
1.	Petitio	on to Vacate No.	VAC200	2-00050	is he	ereby gra	nted.	
	2.	The public's ir described in Ex Exhibit "B" is he	thibit "A" and	d graphically	t, plat or depicted	portion in the sk	of a pla etch atta	it legally ached as
	3.	This Resolution in the public rec	will become	effective up		ing of a fu	lly execu	ted copy
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		-	County Att	orney Signa	ture			
			Please	Print Name				

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

LEGAL DESCRIPTION

A 12 foot wide Public Utility Easement centered on the lot line common to Lots 11 and 12, Block 77, Unit 8, a subdivision of Lehigh Acres as recorded in Plat Book 15, page 90, as recorded in the Official Records of Lee County, Florida, Section 34, Township 44 S, Range 26 East, Less and Except the North and South 6 feet thereof.





M2 8 M2 S JAMES GALECAT Z 900 13 th St SWALECAT LENIG - ACTES 34-44-26 08 00077-0110 Block 77 10ts 11812.

LEE COUNTY BOARD OF COUNTY COMMISSIONERS AGENDAITEM SUMMARY BLUE SHEET NO:

20020603

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a Resolution on Petition VAC2001-00045 to vacate all of the 20' alley and a 6' Public Utility Easement lying at the rear of lots 11, 12, 13 & 14, within Block 9, San Carlos Park Commercial Addition, a subdivision lying in potions of Section 8, Township 46 South, Range 25 East, Lee County, Florida, recorded in plat Book 28, Pages 18 and 19 of the Public Records of Lee County Florida.

WHY ACTION IS NECESSARY: To provide for the expansion of existing commercial businesses. These easements are not required to accommodate any future utility or right of way needs and the vacation will not impact any existing utilities.

WHAT THE ACTION ACCOMPLISHES: Vacates the easement

2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT #_05						3. MEETING DATE:				
COMMISSION DIST		06-11-2002								
4. AGENDA CONSENTADMINISTRATIVEAPPEALSx_PUBLIC TIME REQUIRED:	(Specify) STA	ATUTE DINANCE MIN. CODE HER	A B C	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 of LOCATION: The 20' a Commercial Addition, recorded in plat Book						·		•		
Documentation pertain Department. There are no objection	ning to this P	etition to V	acate is ava	ailable for viewing	g at the Office	of the Clerk of C				
Attached to this Blue s	heet is the R	lesolution v	vith exhibits							
8.MANAGEMENT RE	8.MANAGEMENT RECOMMENDATIONS:									
			9. RECO	MMENDED API	PROVAL					
A Department Director	B Purchasin g or Contracts	C Human Rel.	D Other	E County Attorney	Coun	ty Administration 好い ジッカ		G County Manager		
Managita	N/A	N/A	N/A	Kmm,	18 D X	M Risk 3/23	GC 012-3			
10. COMMISSION AC APPROVED DENIED DEFERRED OTHER		1,000,450,0	1	ECW. 5/23/02 123/00 2. 2177. 03/4000 123/00	20110	RECTIVED COUNTY A	OUS.	MC ID.		
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