

Lee County Board Of County Commissioners

Agenda Item Summary

Blue Sheet No. 20021393

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2002-00048 to vacate a twelve foot (12') wide public utility easement located six feet (6') to each side of the lot line separating lots 1 and 2 of Block 54; Unit 6 of Lehigh Acres Subdivision, less and except for the front and rear six feet thereof; and adopt a resolution setting a public hearing for ____: 5:00 p.m. on the 14th day of January, 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

C4B

3. MEETING DATE:
12-17-2002

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

[Signature] *12/14/02*
BY: Peter J. Eckenrode, Director

7. BACKGROUND: The Petition to Vacate was submitted by Mr. Brad R. Ervans; Agent for Gary and Janice Baker.

LOCATION: The easement in question is a twelve foot (12') wide public utility and drainage easement located six feet (6') to each side of the lot line separating lots 1 and 2; less and except for the Northeast (front) six-feet (6') and Southwest (rear) six-feet (6') thereof; of Block 54; Unit 6 of Lehigh Acres Subdivision, as recorded in Plat Book 15, Page 80 of the official Public Records of Lee County, Florida.

The site is located at 4919 Lee Circle North, Lehigh Acres, Florida, Section 29, Township 44 South, Range 26 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
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i> 12-5-02	OA <i>[Signature]</i> 11/5/02	OM <i>[Signature]</i> 11/7/02	Risk <i>[Signature]</i> 12/2/02	GC <i>[Signature]</i> 12/5/02	<i>[Signature]</i> 12-5-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN.
12-5-02
FORWARDED TO
COUNTY ADMIN.
12/17/02

Rec. by CoAtty
Date: 12/14/02
Time: 2:25 PM
Forwarded To:
CO. ADM.
12/5/02 1:30 PM

PETITION TO VACATE

Case Number: VAC 2002-00048

Petitioner(s), GARRY W. BAKER and JANICE A. BAKER, represented by Brad Ervans requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

- 1. Petitioner(s) mailing address, 1251 Taylor Lane Ext #61 Lehigh Acres 33936
- 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,

~~GARRY W. BAKER and JANICE A. BAKER~~ (Petitioners)

By: [Signature]
Petitioner Signature

By: _____
Petitioner Signature

BRAD R ERVANS
Printed Name

Printed Name

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as AA19 LEE CR N. and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate Brad Ervans as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Garry W. Baker
Owner* (signature)
GARRY W. BAKER
Printed Name

Janice A. Baker
Owner* (signature)
JANICE A. BAKER
Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

Printed Name

STATE OF ~~FLORIDA~~ INDIANA
COUNTY OF ~~LEE~~ LAWRENCE

Sworn to (or affirmed) and subscribed before me this 9th day of Sept, 2002, by

GARRY W. BAKER & JANICE A. BAKER who is personally known to me or who has produced

as
identification.

Jerry W. Jackson
Notary Public
JERRY W. JACKSON
(Name typed, printed or stamped)

COMMISSION EXPIRES 1-17-2007

Legal Description:

A twelve-foot (12') wide public utility easement located six-feet (6') to each side of the lot line separating lots 1 and 2 of Block 54, Unit 6, of Lehigh Acres Subdivision; as recorded in Plat Book 15, Page 80 of the official Public Records of Lee County, Florida.

LESS and EXCEPT the Northeast (front) six-feet (6') and Southwest (rear) six-feet (6') feet thereof.

Exhibit A

Pay Online:



Real Property Information

Account	Tax Year	Status
29-44-26-06-00054.0010	2002	PAID
Original Account	Book/Page	
29-44-26-06-00054.0010	3603/3389	
Physical Address	Mailing Address	
BAKER GARRY W + JANICE A 4919 LEE CIR N LEHIGH ACRES FL 33971	BAKER GARRY W + JANICE A 1004 SE 8TH ST #202 CAPE CORAL FL 33990 USA	
Legal Description		
LEHIGH ACRES UNIT 6 BLK 54 PB 15 PG 80 LOTS 1 + 2		
Total Amount Due as of 12/2/2002		\$0.00

District	060
Market Assessed Value	\$7,200.00
Agricultural Exemption	\$0.00
Assessed SOH Value	\$7,200.00
Homestead Exemption	\$0.00
Other Exemption	\$0.00
Wholly Exemption	\$0.00
Taxable Value	\$7,200.00
Senior Exemption	\$0.00
Historical Exemption	\$0.00
Economic Exemption	\$0.00
Tax Amount	\$196.29

Ad Valorem Taxes

Taxing Authority	Millage Rate	Taxes Levied
PUBLIC SCHOOL - BY LOCAL BOARD	2.5990	\$18.71
PUBLIC SCHOOL - BY STATE LAW	5.9730	\$43.01
LEE COUNTY CAPITAL IMP	1.0124	\$7.29
LEE CO UNINCORPORATED - MSTU	1.2114	\$8.72
LEE COUNTY GENERAL REVENUE	4.3277	\$31.16
LEE COUNTY HYACINTH CONTROL	0.0327	\$0.24
LEE COUNTY LIBRARY FUND	0.9630	\$6.93
LEE COUNTY MOSQUITO CONTROL	0.3294	\$2.37
LEHIGH ACRES FIRE DISTRICT	3.0000	\$21.60
LEHIGH ACRES LIGHT - MSTU	0.3964	\$2.85
SFL WATER MGMT-EVERGLADE CONST	0.1000	\$0.72
WEST COAST INLAND WATERWAY	0.0400	\$0.29
LEE COUNTY ALL HAZARDS - UNINC	0.0733	\$0.53
SFL WATER MGMT-DISTRICT LEVY	0.5970	\$4.30

Non Ad Valorem Taxes

Taxing Authority	Rate	Amount
EAST COUNTY WATER CONTROL 060	88.1000	\$47.57

Nov 2002	Dec 2002	Jan 2003	Feb 2003	Mar 2003
\$188.44	\$190.40	\$192.36	\$194.33	\$196.29

And the grantors hereby covenant with said grantees that they are lawfully seized of said land in fee simple, that they have good right and lawful authority to sell and convey said land, and hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2001.

In Witness Whereof, the said grantors have signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

Jackie Phillips

Witness

Jackie Phillips

Printed Name of Witness

Linda Sue Coyne

Witness

Linda Sue Coyne

Printed Name of Witness

Barry Gionfriddo L.S.

Barry Gionfriddo

Address:

2512 Queen Dr., Lehigh Acres, FL 33971

Wendy Gionfriddo L.S.

Wendy Gionfriddo Gionfriddo

Address:

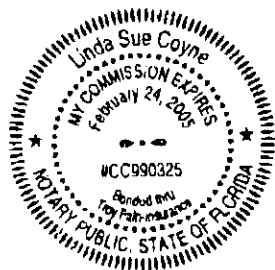
2512 Queen Dr., Lehigh Acres, FL 33971

State of Florida

County of Lee

The foregoing instrument was acknowledged before me this 12th day of March, 2002, by Barry Gionfriddo and Wendy Gionfriddo, who are known to me or who have produced as identification and who did (did not) take an oath.

Seal:



Linda Sue Coyne

Signature of Acknowledger Linda Sue Coyne
My commission expires _____



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number 479-8374

Bob Jones
District One

Douglas R. St. Germy
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

December 4, 2002

Mr. Brad R. Ervans
on behalf of Mr. & Mrs. Baker
#6F - 1251 Taylor Lane
Lehigh Acres, Florida 33936

Re: VAC2002-00048 Lots 1 and 2, Block 54, Unit 6 of Lehigh Acres.

Dear Mr. Ervans:

You indicated that as a result of combining adjacent lots into one residential building site, these platted easements prohibit the construction of your proposed site plan. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Peter J. Eckenrode
Director

PJE/sbe

H:\Correspondence\Vacations\Vac2002\00048 Ervans\Development Review Recommends.wpd



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 479-8124

Thursday, August 15, 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

Mr. Brad Evans
Cypress Construction, Inc.
1251 Taylor Lane Ext. #6F
Lehigh Acres, FL 33936

Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 1 and 2, Block 54, Unit6, Lehigh Acres Subdivision as recorded in Plat Book 15 at Page 80, Public Records of Lee County, Florida.

Dear Mr. Evans:

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 public utility and drainage easement.

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr.
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\vac263.doc



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Jones
District One

Douglas R. St. Gomy
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John F. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

August 20, 2002

Mr. Brad Evans
Cypress Construction, Inc.
1251 Taylor Lane Ext., #6F
Lehigh Acres, FL 33936

**RE: Petition to Vacate the 12 foot wide Utility Easement
On the Lot Line common to Lots 1 and 2, Block 54
Unit 6, Lehigh Acres, S. 29, T. 44, R. 26 (Lee Circle North)**


Dear Mr. Evans:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 15, page 80. DOT has no facilities within the easement and does not maintain it.

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/JMK/mlb

Cc: Don Blackburn, Development Services
Allen Davies, Division of Natural Resources
Terry Kelly, Utilities
DOT PTV File

S:\DOCUMENT\Petition To Vacate\2002\Lots 1&2 Blk 54 Lehigh-Evans.doc



Florida Power & Light Company

July 25, 2002

Brad Evans
Cypress Construction Inc.
1251 Taylor Lane Ext.
Lehigh Acres Fl. 33936

Re: Vacation of Easement

Florida Power & Light has no objection to vacating the easement common to lots 1 & 2 , less and except the north/east 6 feet and the south/west 6 feet thereof. These lots have the following strap numbers:

29-44-26-06-00054.0010
29-44-26-06-00054.0020

If you have any questions, please feel free to contact me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Dan Thompson".

Dan Thompson
Construction Project Manager
239-332-9168

an FPL Group Company



Box 370
Fort Myers, Florida 33902-0370

August 14, 2002

Mr. Brad Ervans
Cypress Construction, Inc.
1251 Taylor Lane, Ext. #6F
Lehigh Acres, Florida 33936

RE: Vacation of Easement – Lots 1 & 2, Unit 6, Block 54,
Section 29, Township 44 South, Range 26 East. As recorded in Plat Book 15, Page 80,
Public Records of Lee County Florida.
A 12 foot wide public utility and drainage easement centered
On the lot line between the above listed lots.

Dear Mr. Ervans:

Sprint-Florida Incorporated has reviewed the document for the above referenced information.
Based on the review, we have no objection to the vacation of a portion of a public utility easement
at the Lehigh Acres location.

If you should require additional information, please contact me at 941-336-2023.

Sincerely,

A handwritten signature in cursive script that reads "Wayneth Jackson".

Wayneth Jackson
Engincer



August 26, 2002

Mr. Brad Ervans
Cypress Construction
1251 Taylor Lane Ext. #6F
Lehigh Acres, FL 33936

Re: STRAP# 29-44-26-06-00054-0010
STRAP# 29-44-26-06-00054-0020
A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 1 & 2, Block 54, Unit 6, a subdivision of Lehigh Acres as recorded in Plat Book 15, Page 80, less and except the north/east 6 feet and the south/west 6 feet thereof.

Dear Mr. Ervans:

Please be advised that Florida Water Services Corporation has reviewed the above-referenced request for a vacation of easement. We have no objection to the vacation of easement as described above.

Please call me at (407) 598-4187, if you need any additional information or other assistance.

Sincerely,

A handwritten signature in cursive script that reads "Rachel L. Cowing".

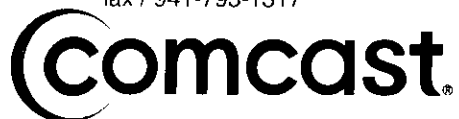
Rachel L. Cowing
Legal Secretary

AN ALLETE COMPANY

P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/598-4100

Water For Florida's Future

301 Tower Road
Naples, FL 34113-8074
tel / 941-793-9600
fax / 941-793-1317



July 31, 2002

Brad Evans
Cypress Construction Inc.
1251 Taylor Lane Ext. # 6F
Lehigh Acres, Florida 33936

Re: Vacation of Easement of Strap:29-44-26-06-00054.0010
Strap:29-44-26-06-00054.0020

Dear Mr. Evans:

This letter will serve to inform you that Comcast has no conflict with your proposed vacation of easement of the following:

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 1 & 2 Block 54 Unit 6 a subdivision of Lehigh Acres as recorded in Plat Book 15 Page 80 less and except the north/east 6 feet and the south/west 6 feet thereof.

Our existing lines run aerial on power poles and should not interfere with your request for a vacation of easement.

Sincerely,

A handwritten signature in cursive script that reads 'Lucia Vera'.

Lucia Vera,
Design Coordinator

AmeriGas

America's Propane Company

August 13, 2002

Brad Evans
Cypress Construction Inc.
1251 Taylor Lane Ext. #8F
Lehigh Acres, Florida 33938

RE: VACATE OF EASEMENT

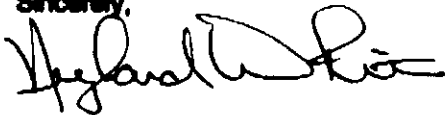
Dear Mr. Evans:

In reference to your letter faxed August 13, 2002, AmeriGas has no interest on right of way on the following parcels:

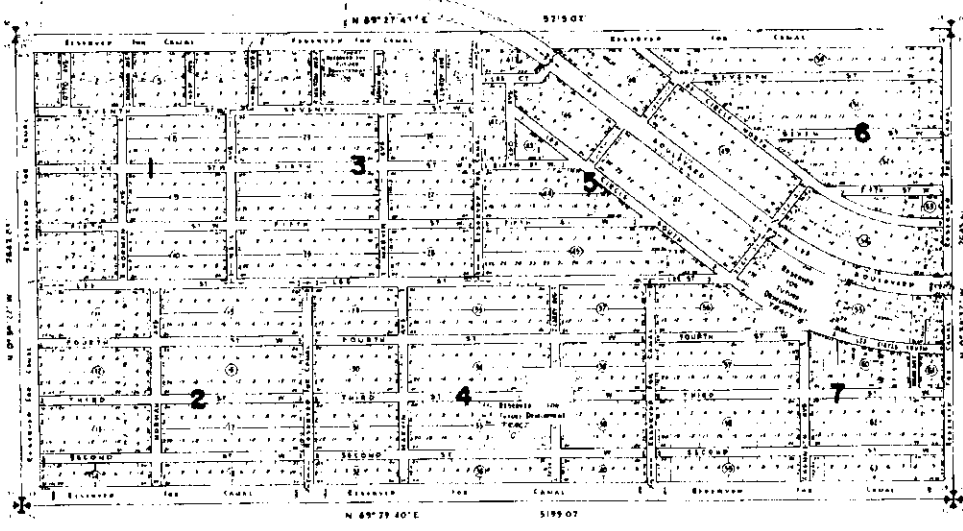
STRAP NO: 29-44-28-08-00064.0010
STRAP NO: 29-44-28-08-00064.0020

Please feel free to contact me at 941-334-2849, should you have further questions.

Sincerely,



Neyland White
Service Manager



PLAT OF
SOUTH 1/2 SECTION 29
TOWNSHIP 44 SOUTH, RANGE 26 EAST

A SUBDIVISION OF
LEHIGH ACRES
LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO. DEVELOPERS
Scale: 1" = 100' August 1958
Unit Boundary

SURVEYORS CERTIFICATE

I, the undersigned hereby certify that the plat on which is a correct representation of the land plotted and that personal reference to the records have been made as shown.

Florida Registered Land Surveyor No. 1198

NOT: All the above described property is shown in a correct representation of the land plotted and that personal reference to the records have been made as shown.

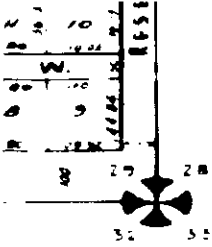
NOTE: The boundary lines shown on this plat are based on the original survey of the land shown on the plat.

LEE COUNTY LAND & TITLE CO. DEVELOPERS

Scale: 0 100 200 300 400

August 1958

Unit Boundary 



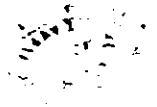
SURVEYORS CERTIFICATE

I, the undersigned hereby certify that the plat as shown is a correct representation of the land platted and that permanent reference monuments have been placed as shown.


Florida Registered Land Surveyor No 1198

NOTE

All lots subject to a 6' Utility Easement, both sides front and back.
Interior P.M.'s are 4" x 4" x 24" concrete.
Section Corner P.M.'s are 6" x 6" x 36" concrete.

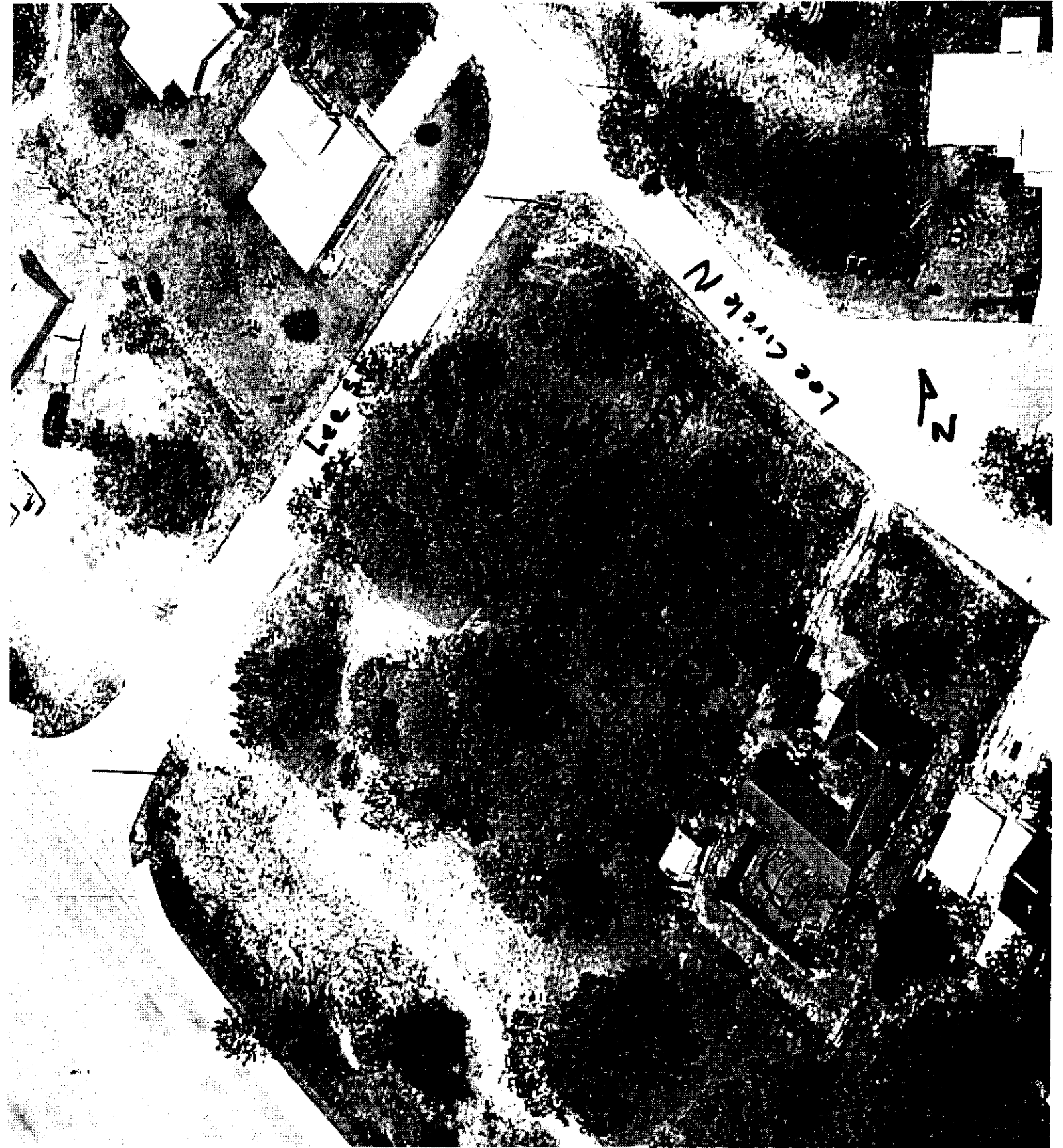


NOTE

DIMENSIONS, BEARINGS, LOT AND LAND LINES ON
DRAWING OF LATEST DATE SHALL GOVERN

SHEET 80 OF 101







NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00048

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 14th day of January 2003 @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.

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Legal Description:

A twelve-foot (12') wide public utility easement located six-feet (6') to each side of the lot line separating lots 1 and 2 of Block 54, Unit 6, of Lehigh Acres Subdivision; as recorded in Plat Book 15, Page 80 of the official Public Records of Lee County, Florida.

LESS and EXCEPT the Northeast (front) six-feet (6') and Southwest (rear) six-feet (6') feet thereof.

Exhibit A

DESCRIPTION:

LOTS 1 & 2, BLOCK 54, LEECH ACRES UNIT 6, PLAT BOOK 15 PAGE 82, LEE COUNTY PUBLIC RECORDS, LYING IN SECTION 29, T-44-S, R-26-E, LEE COUNTY, FLORIDA.

NOTES:

1. LAND DESCRIPTION AS SHOWN HEREON WAS PROVIDED BY THE CLIENT.
2. RIGHTS SHOWN HEREON WERE NOT ABSTRACTED FOR ZONING, EASEMENTS, OR RESTRICTIONS.
3. LOT IS IN FLOOD ZONE "B". THIS INFORMATION TAKEN FROM THE NATIONAL FLOOD INSURANCE PROGRAM RATE MAP 1251A 0373 E, (FRAME NOT PRINTED).
4. ELEVATIONS AS SHOWN HEREON ARE AN ASSUMED BASIS.
5. THIS IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES.
6. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LIMITS OF ANY FEDERAL, STATE, REGIONAL, LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY, EXCEPT THOSE AS NOTED HEREON.
7. ALL DIMENSIONS SHOWN ARE TAKEN FROM PLAT AND ARE MEASURED UNLESS OTHERWISE NOTED.
8. PARCELS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY (RECORDED AND UNRECORDED, WRITTEN & UNWRITTEN).
9. THIS PLAT WAS PREPARED AS A BOUNDARY SURVEY WITH ELEVATIONS.
10. UNDERGROUND AND ABOVE GROUND IMPROVEMENTS NOT LOCATED UNLESS SHOWN.
11. DATE OF LAST FIELD WORK: 4-17-2002.

LEGEND:

- (1) CATCH BASIN
- (2) CENTERLINE
- (3) CONTROL POINT
- (4) ELECTRIC SERVICE
- (5) FIRE HYDRANT
- (6) FOUND 5/8" IRON ROD WITH KUROKO COMPANY CAP
- (7) FOUND IRON ROD
- (8) IRRIGATION CONTROL VALVE
- (9) TELEPHONE PEDESTAL
- (10) TELEVISION PEDESTAL
- (11) TRANSFORMER PAD
- (12) TYPICAL ELEVATION
- (13) WATER METER
- (14) WATER VALVE
- (15) SEWER SERVICE
- (16) SEWER MANHOLE
- (17) CONC. CONCRETE
- (18) C.M. CONCRETE MONUMENT
- (19) FOUND
- (20) IRON ROD
- (21) CURVE NUMBER
- (22) MEASURED
- (23) PLAT
- (24) NON RADIAL LINE
- (25) RADIAL LINE
- (26) POINT OF CURVATURE
- (27) POINT OF INTERSECTION
- (28) POINT OF TANGENCY
- (29) UTILITY EASEMENT

PREPARED FOR: **CYPRESS CONSTRUCTION**

GARY BAKER RESIDENCE

RELEASED TO SHOW PLATTED EASEMENT 9-20-2002 ALH

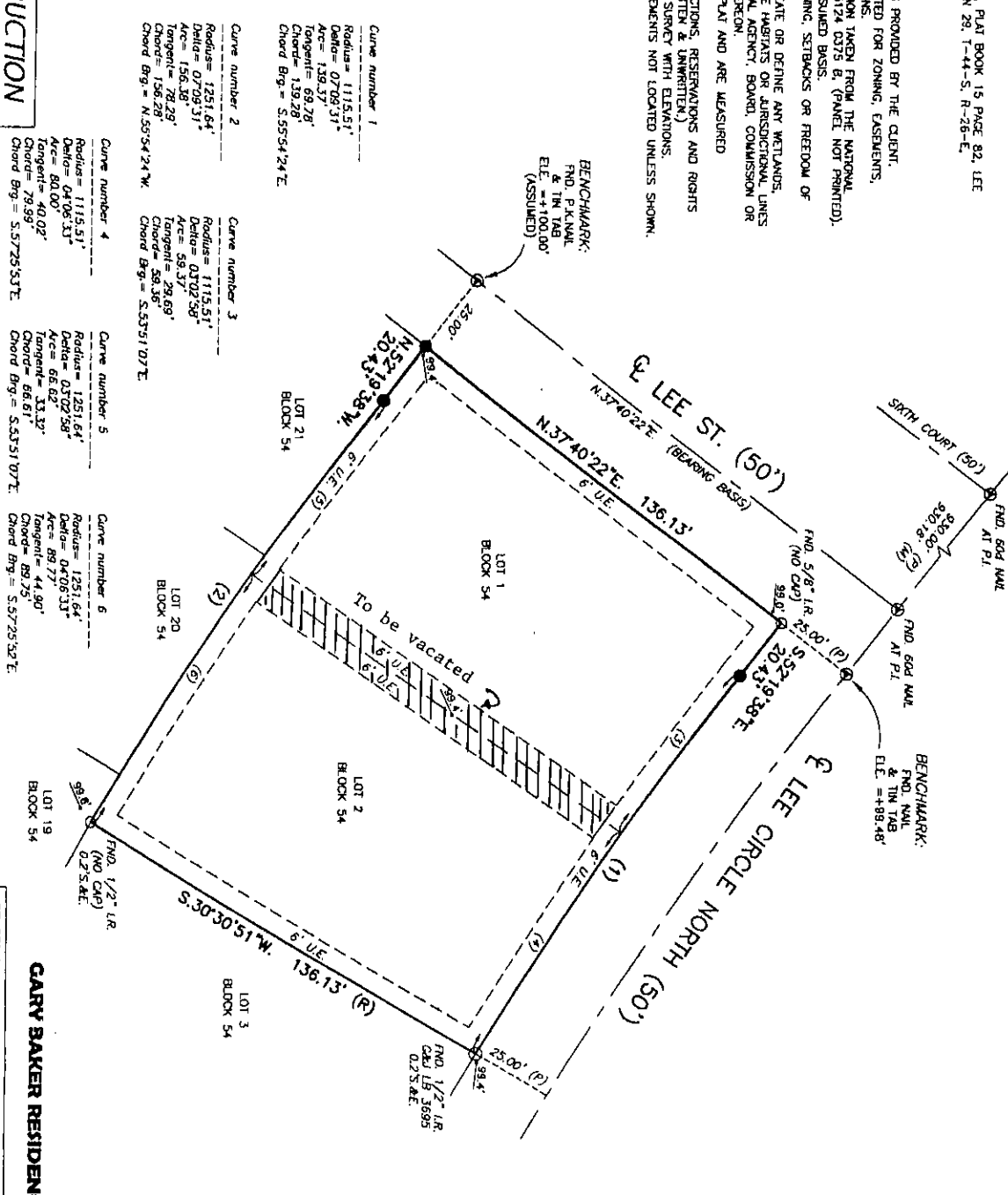


EXHIBIT "B"

SURVEY PLAT
OF A PARCEL LYING IN SECTION 29 T-44-S, R-26-E, LEE COUNTY, FLORIDA.

TRASK ASSOCIATES, INC.
surveyors
5884 Enterprise Parkway, Fort Myers, FL 33905
941-694-2335 phone 941-694-2355 fax
Florida Licensed Business No. LB7136
ktrask@msn.com

LEE COUNTY
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. LS8338
9-20-2002
DATE SIGNED:

DATE: 4-2-2002
SCALE: 1"=40'
DRAWN BY: CFT
CHECKED BY: KT
5-1-8 29-44-26
JOB NO. 01-0205
SHEET 1 OF 1

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2002-00048

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. VAC2002-00048 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

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 twelve-foot (12') wide public utility easement located six-feet (6') to each side of the lot line separating lots 1 and 2 of Block 54, Unit 6, of Lehigh Acres Subdivision; as recorded in Plat Book 15, Page 80 of the official Public Records of Lee County, Florida.

LESS and EXCEPT the Northeast (front) six-feet (6') and Southwest (rear) six-feet (6') feet thereof.

Exhibit A

DESCRIPTION:

LOTS 1 & 2, BLOCK 54, LEHIGH ACRES UNIT 6, PLAT BOOK 15, PAGE 82, LEE COUNTY PUBLIC RECORDS, LYING IN SECTION 29, T-44-S, R-26-E, LEE COUNTY, FLORIDA.

NOTES:

1. LAND DESCRIPTION AS SHOWN HEREON WAS PROVIDED BY THE CLIENT.
2. LANDS SHOWN HEREON WERE NOT ASSUMED FOR ZONING, EASEMENTS, RIGHTS OF WAY, EMINENT DOMAIN OR RESTRICTIONS.
3. LOT 16 IN FLOOD ZONE "A". THIS INFORMATION TAKEN FROM THE NATIONAL FLOOD INSURANCE PROGRAM RATE MAP 123124 D373 B. (PANEL NOT PRINTED).
4. ELEVATIONS AS SHOWN HEREON ARE AN ASSUMED BASIS.
5. THIS IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF EASEMENTS.
6. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS. ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY, EXCEPT THOSE AS NOTED HEREON.
7. ALL DIMENSIONS SHOWN ARE TAKEN FROM PLAT AND ARE MEASURED UNLESS OTHERWISE NOTED.
8. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY (RECORDED AND UNRECORDED, WRITTEN & UNWRITTEN).
9. THIS PLAN WAS PREPARED AS A BOUNDARY SURVEY WITH ELEVATIONS.
10. UNDERGROUND AND ABOVE GROUND IMPROVEMENTS NOT LOCATED UNLESS SHOWN.
11. DATE OF LAST FIELD WORK: 4-17-2002.
12. DATE OF LAST FIELD WORK: 4-17-2002.

LEGEND:

- CATCH BASIN
- CENTERLINE
- CONTROL POINT
- ELECTRIC SERVICE
- FIRE HYDRANT
- FOUND 5/8" IRON ROD WITH KUBOS COMPANY CAP
- FOUND IRON ROD
- IRRIGATION CONTROL VALVE
- TELEPHONE PEDESTAL
- TELEVISION PEDESTAL
- TRANSFORMER PAD
- TYPICAL ELEVATION
- WATER METER
- WATER VALVE
- SEWER SERVICE
- SEWER MANHOLE
- CONC. CONCRETE
- C.M. CONCRETE MONUMENT
- FND. FOUND
- IRON ROD
- CURVE NUMBER
- MEASURED
- PLAT
- MON RADIAL LINE
- POINT OF CURVATURE
- POINT OF INTERSECTION
- P.I. POINT OF TANGENCY
- UTILITY EASEMENT

PREPARED FOR: **CYPRESS CONSTRUCTION**

CARY BAKER RESIDENCE

REUSED TO SHOW PLATTED ESTIMATE 9-20-2002 MJK

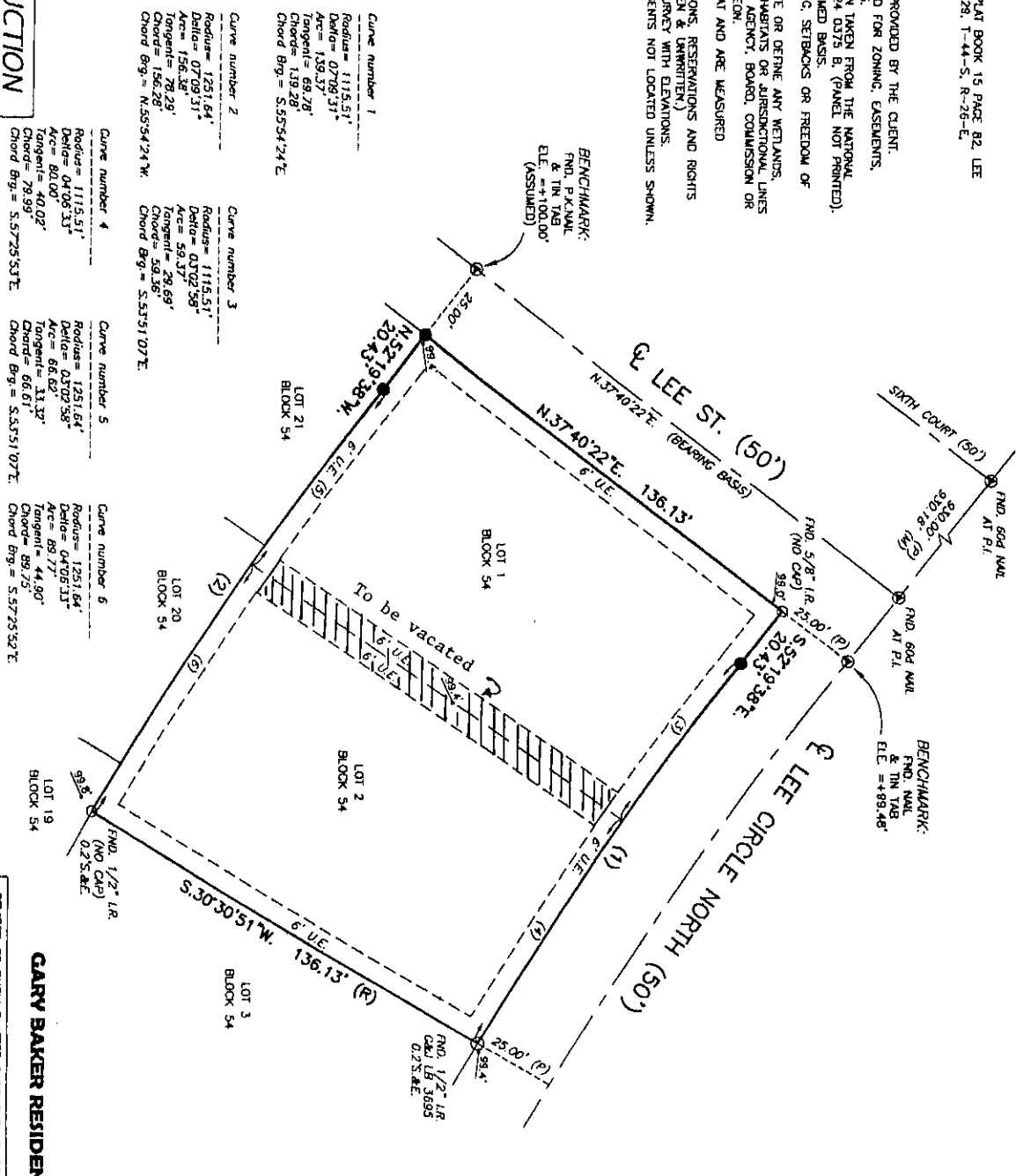


EXHIBIT "B"

SURVEY PLAT
OF A PARCEL LYING IN SECTION 29 T-44-S, R-26-E, LEE COUNTY, FLORIDA.

TRASK ASSOCIATES, INC.
surveyors
5884 Enterprise Parkway, Fort Myers, FL 33905
941-694-2335 phone 941-694-2355 fax
Florida Licensed Business No. LB7136
ktrask@msn.com

DATE: 4-2-2002
SCALE: 1"=40'
DRAWN BY: CTT
CHECKED BY: MJK
S-T-R: 29-44-26
JOB NO: 01-0205
SHEET 1 OF 1

A. LEE HAYNE STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR FLORIDA CERTIFICATE NO. 156338
DATE SIGNED: 9/20/02