

Lee County Board Of County Commissioners

Agenda Item Summary

Blue Sheet No. 20030198

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a resolution on Petition VAC2002-00051 to vacate all the platted internal public utility and drainage easements in Block 55, Unit 14 a subdivision of Lehigh Acres; **less and except** for the public utility and drainage easement along the North six-feet (6'), South six-feet (6'), East six-feet (6'), and West six-feet (6') of said Block 55.

WHY ACTION IS NECESSARY: To eliminate internal easements in order to allow for the construction of one or more single family structures spanning lot lines. **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

5:00 #2

3. MEETING DATE:

02-25-2003

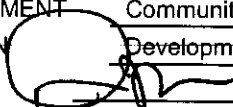
4. AGENDA:

- 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:  2-12-03
 Peter J. Eckenrode, Director

7. BACKGROUND: The petitioners are the extended family of Maria S. Barrios. They include Maria S. Barrios, Rafael A. Delgado, Rafael A. Delgado Rivera, Joan M. Delgado Vazquez, and Minerva Rodriguez.

LOCATION: The easements to be vacated are all of the platted public utility and drainage easements internal to Block 55, Unit 14 a subdivision of Lehigh Acres; **less and except** for the six-foot (6') wide public utility and drainage easement along the existing perimeter roads surrounding Block 55. The easements that are to remain are more particularly described as the North six-feet (6'), South six-feet (6'), East six-feet (6'), and West six-feet (6') of said Block 55.

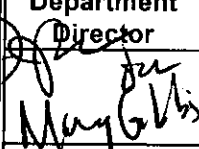

The site is located in Section 02, Township 44 South, Range 27 East of Lehigh Acres, Florida. Block 55 is bounded on the North by Jetridge Street; on the South by East 21st Street; on the East by Jackson Avenue; and on the West by Polar Avenue.

There are no objections to this Petition to Vacate. Staff recommends the adoption of this 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
	N/A	N/A	N/A	John Reynolds 2-13-03	2/14/03				
					OA	OM	Risk	GC	
					2/14/03	2/14/03	2/14/03	2/14/03	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN.

2-14 9:45

COUNTY ADMIN.
FORWARDED TO:

2/14/03 Tam

Rec. by CoAtty

Date: 2/13/03

Time: 9:00 am

Forwarded To:
CO. ADM.
2/14/03 9 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: VAC2002-00051

WHEREAS, Petitioners **Maria S. Barrios, Rafael A. Delgado, Rafael A. Delgado Rivera, Joan M. Delgado Vazquez, and Minerva Rodriguez** 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 **25th day of February, 2003 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. VAC2002-00051 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 25th day of February, 2003 at 5:00 p.m.

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

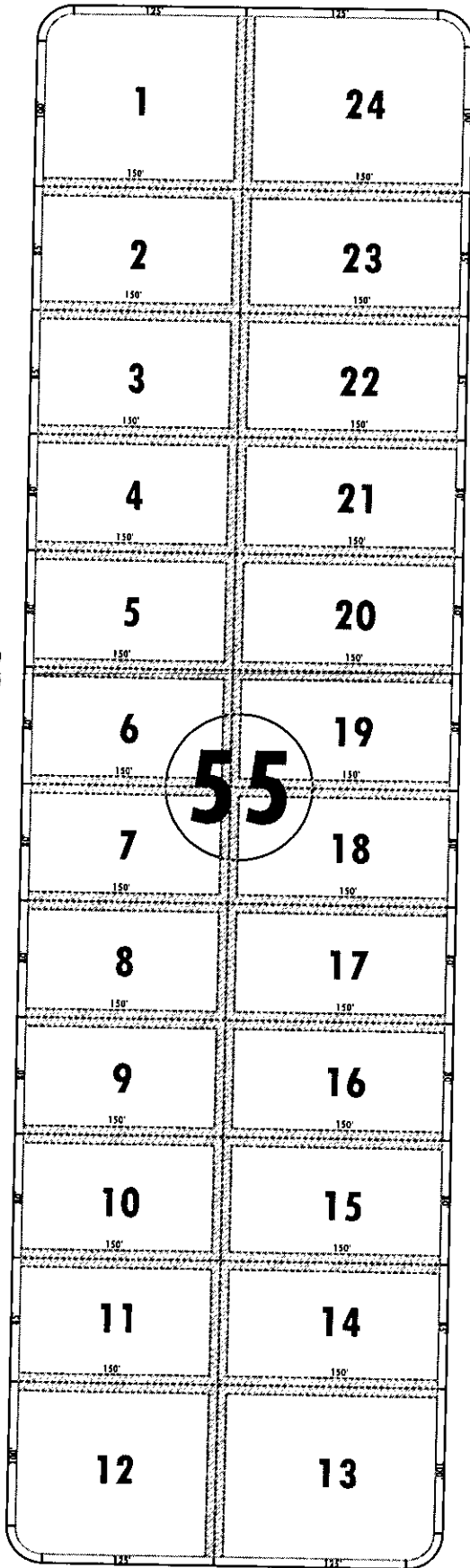
County Attorney Signature

Please Print Name

Legal Description:

All of the internal public utility and drainage easements located in Block 55, Unit 14, a subdivision of Lehigh Acres; as recorded in Plat Book 20, Page 17 of the Official Public Records of Lee County, Florida; **LESS and EXCEPT** the North six feet (6'), South six feet (6'), West six feet (6') and East six feet (6') of said Block.

JetRidge Street



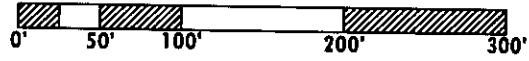
East 21st Street

Polar Avenue

Jackson Avenue



North



1 Lot Numbers

55 Block Numbers

LOTS 1-24 OF BLOCK 55

UNIT 14, LEHIGH ACRES

PLAT BOOK 20, PAGE 17

LEE COUNTY, FLORIDA

Public Utility & Drainage

12'  Total  6' Either Side

Easements to be Vacated

**A 6' PUE & DRAINAGE
EASEMENT TO REMAIN
ALONG ALL ROAD FRONTAGE**

EXHIBIT B