

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2003-00002 to Vacate a 12-foot wide Drainage and/or Public Utility Easement common to Lots 5 & 6, Block 77, Unit 14, a subdivision of Lehigh Acres, in Lehigh Acres, Florida. Adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 22nd day of April, 2003.

WHY ACTION IS NECESSARY: To build a single-family residence on the combined lots. **The vacation of this Drainage and/or Public Utility Easement will not alter existing drainage and utility conditions and the easement is not necessary for future drainage and utility requirements.**

WHAT ACTION ACCOMPLISHES: Setting the time and date of the Public Hearing.

2. DEPARTMENTAL CATEGORY: 04
COMMISSION DISTRICT #: 5

CHA

3. MEETING DATE:

03-25-2003


4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE F.S. Ch. 177
- ORDINANCE
- ADMIN. CODE 13-1
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
 - B. DEPARTMENT Community Development
 - C. DIVISION Development Services
- BY:  2/24/03
Peter J. Eckenrode, Director

7. BACKGROUND:

The completed Petition to Vacate, VAC2003-00002 was submitted by Michael J. and Debra J. Mittica.

LOCATION: Petition # VAC2003-00002 proposes to vacate a 12-foot wide Drainage and/or Public Utility Easement centered on the common lot line between lots 5 & 6, Block 77, Unit 14, a subdivision of Lehigh Acres, as recorded in Plat Book 26, Page 20, of the Public Records of Lee County, Florida, LESS AND EXCEPT the north 6-feet and the south 6-feet thereof. The site is located 15081 Cemetery Road, Lehigh Acres, Florida.

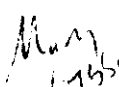
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

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, Resolution to set Public Hearing, Notice of Public Hearing 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 Risk	G County Manager
	N/A	N/A	N/A	John D. Brezina 3-10-03	OM 3/11/03	GC 3/11/03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 3/10/03
Time: 3:15 pm
Forwarded To:
3/11/03 9 AM

RECEIVED BY
COUNTY ADMIN. ID
3-11-03
9:20
3/11/03 9:00

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00002

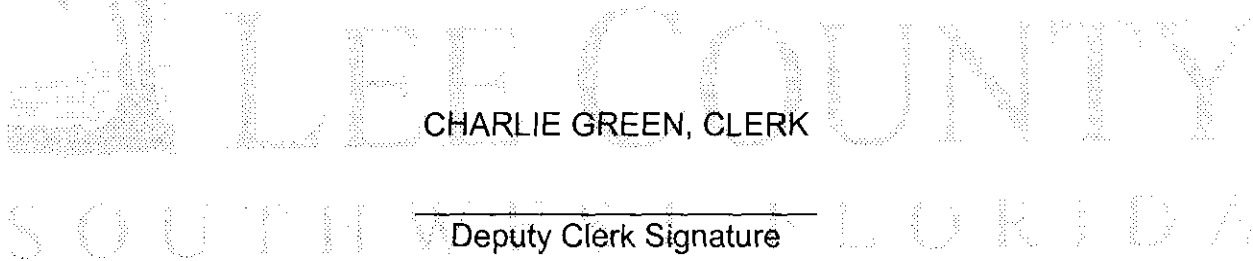
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 22nd day of April 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

EXHIBIT "A"

A legal description of the area proposed for vacation:

A Twelve-foot wide Drainage and/or Public Utility Easement centered on the common lot line between Lots 5 and 6, Block 77, West part of Unit 14, Section 03, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 26 at Page 20 of the Public Records of Lee County, Florida, LESS and EXCEPT the North Six-feet and the South Six-feet thereof.

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2003-00002**

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. VAC2003-00002 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

EXHIBIT "A"

A legal description of the area proposed for vacation:

A Twelve-foot wide Drainage and/or Public Utility Easement centered on the common lot line between Lots 5 and 6, Block 77, West part of Unit 14, Section 03, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 26 at Page 20 of the Public Records of Lee County, Florida, LESS and EXCEPT the North Six-feet and the South Six-feet thereof.

PETITION TO VACATE

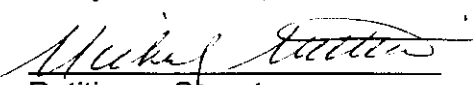
Case Number: JUL 2003-00002

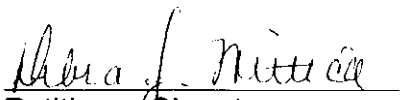
Petitioner(s), MICHAEL J. MITTICA AND Debra J. MITTICA requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 213 S.W 34th ST CAPE CORAL, FL 33914
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,

By: 
 Petitioner Signature
MICHAEL J. MITTICA
 Printed Name

By: 
 Petitioner Signature
DEBRA J MITTICA
 Printed Name

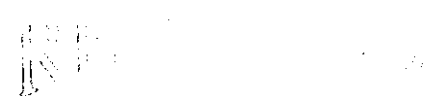


 JAN 29 2003


EXHIBIT "A"

A legal description of the area proposed for vacation:

A Twelve-foot wide Drainage and/or Public Utility Easement centered on the common lot line between Lots 5 and 6, Block 77, West part of Unit 14, Section 03, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 26 at Page 20 of the Public Records of Lee County, Florida, LESS and EXCEPT the North Six-feet and the South Six-feet thereof.

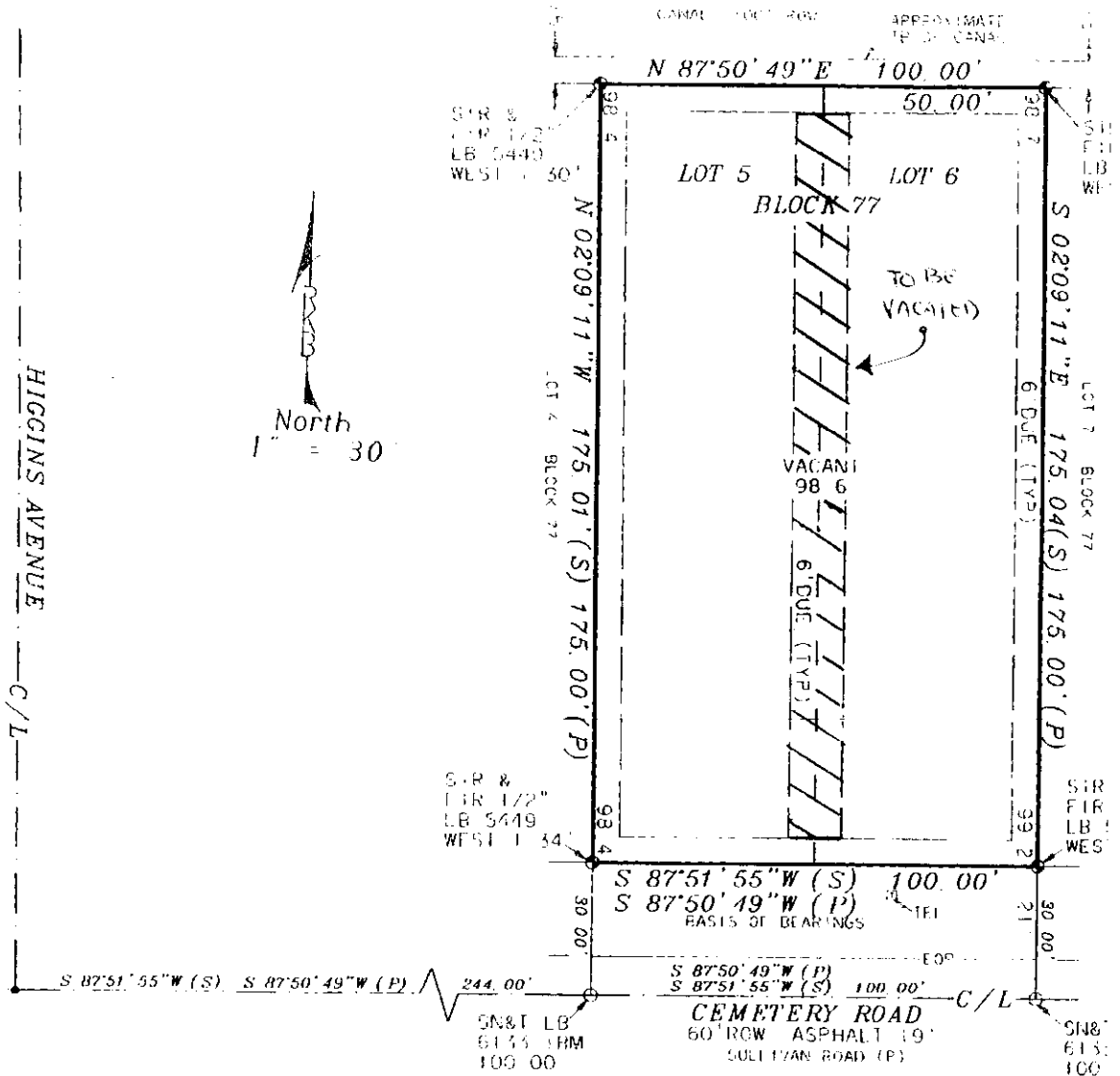
Rib
MCD

Legal Description of property for vacation of easement

15081 Cemetery Rd. Lehigh Acres Florida

Strap No. 03-44-26-14-00077.0050

Lot 5 and 6, Block 77, West Part of Unit 14, Section 3, Township 44 South, Range 26 East
 Lehigh Acres. Recorded in plat book 26, page 20 of the public records of Lee County, Florida.



Handwritten signatures and initials.

EXHIBIT "B"

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS DUE FOR YEAR 2002
COUNTY OF LEE: REAL PROPERTY 12/11/2002

OWNER NAME AND ADDRESS	PIN NUMBER	VALUES AND EXEMPTIONS
CORSENTINO ANTHONY P 14021 RIVER RD FORT MYERS FL 33905	02-00102668	MARKET ASSESSED VAL 5800
	ACCOUNT/SITE ADDRESS	SOH ASSESSED VAL 5800
	03 44 26-14-00077.0050 15081/83 CEMETERY RD	TAXABLE VAL 5800
	LEGAL DESCRIPTION	
	LEHIGH ACRES W PT UNIT 14 BLK 77 PB 26 PG 20 LOTS 5 + 6 BOOK: 3485 PAGE: 1087	
		PAYMENTS 146.63 144682-20 1 11/12/2002

**R
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Keep For Your Records

AD VALOREM TAXES		DISTRICT CODE: 063		
TAXING AUTHORITY	TELEPHONE	MILL RATE	MULTIPLIER	TAXES LEVIED
LEE COUNTY GENERAL REVENUE	(239) 335-2221	.0043277	5800.00	25.10
LEE COUNTY CAPITAL IMP	(239) 335-2221	.0010124	5800.00	5.87
LEE CO UNINCORPORATED - MSTU	(239) 335-2221	.0012114	5800.00	7.03
PUBLIC SCHOOL - BY LOCAL BOARD	(239) 337-8215	.0025990	5800.00	15.07
PUBLIC SCHOOL - BY STATE LAW	(239) 337-8215	.0059730	5800.00	34.64
SFL WATER MGMT-DISTRICT LEVY	(561) 682-6486	.0005970	5800.00	3.46
LEE COUNTY HYACINTH CONTROL	(239) 694-2174	.0000327	5800.00	0.19
LEE COUNTY LIBRARY FUND	(239) 335-2221	.0009630	5800.00	5.59
LEE COUNTY MOSQUITO CONTROL	(239) 694-2174	.0003294	5800.00	1.91
LEHIGH ACRES FIRE DISTRICT	(239) 344-1600	.0030000	5800.00	17.40
SFL WATER NGMT-EVERGLADE CONST	(561) 682-6486	.0001000	5800.00	0.58
WEST COAST INLAND WATERWAY	(941) 485-9402	.0000400	5800.00	0.23
LEE COUNTY ALL HAZARDS - UNINC	(239) 335-2186	.0000733	5800.00	0.43
TOTALS FOR AD VALOREM:		.0202589		117.50

NON-AD VALOREM ASSESSMENTS		ACRES: 0.40000		
LEVYING AUTHORITY	TELEPHONE	RATE	BASIS	AMOUNT
EAST COUNTY WATER CONTROL 060	(239) 368-0044	88.10000	PER ACRE	35.24
TOTALS FOR NON-AD VALOREM:				35.24
COMBINED TOTAL FOR AD VALOREM AND NON-AD VALOREM:				152.74

Amount Due If	0.00	0.00	0.00	0.00	0.00	DELINQUENT *
Postmarked By:	Nov 30, 2002	Dec 31, 2002	Jan 31, 2003	Feb 28, 2003	Mar 31, 2003	Apr 1, 2003

* See reverse side for important information *

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS DUE FOR YEAR 2002
COUNTY OF LEE: REAL PROPERTY 12/11/2002

Pay in U.S. funds drawn on a U.S. bank to: Lee County Tax Collector. Payments processed upon receipt.

Amount Due If	0.00	0.00	0.00	0.00	0.00	DELINQUENT
Postmarked By:	Nov 30, 2002	Dec 31, 2002	Jan 31, 2003	Feb 28, 2003	Mar 31, 2003	Apr 1, 2003

ACCOUNT/SITE ADDRESS
03 44-26-14-00077.0050 15081/83 CEMETERY RD

IF MAKING AN EFT PAYMENT, YOUR INPUT OF THE 10-DIGIT PIN NUMBER ABOVE VERIFIES YOUR AUTHORIZATION TO AN ACH DEBIT.

Paid

CORSENTINO ANTHONY P
14021 RIVER RD
FORT MYERS FL 33905

Make Payable To: LEE COUNTY TAX COLLECTOR
 P O BOX 1609
 FT MYERS FL 33902-1609



Return With Payment

Return to: 8021486
North American Title Company
7051 Cypress Terrace, #201
Ft. Myers, Florida 33907

This Instrument Prepared By:

North American Title Company
7051 Cypress Terrace, #201
Ft. Myers, Florida 33907

Property Appraisers Parcel Identification (Folio) Number: 0344261400077 0050

Grantee(s) S.S. #(s):



INSTR # 5629420
OR BK 03778 PG 3946
RECORDED 11/19/2002 02:37:30 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DOC 70.00
DEPUTY CLERK C Keller

This Warranty Deed Made this 7th day of November, 2002

by Anthony P. Corsentino

hereinafter called the grantor(s), to Michael Mittica and Debra Mittica, Husband and Wife
whose post office address is 213 SW 34th St Cape Coral, FL 33914

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor(s), for and in consideration of the sum of \$10.00 (ten) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Lee County, State of Florida, viz:

Lot 5 and 6, Block 77, West Part of Unit 14, Section 3, Township 44 South, Range 26 East, LEHIGH ACRES, according to the plat thereof recorded in Plat Book 26, Page 20, of the Public Records of Lee County, Florida.

THIS PROPERTY IS NOT THE HOMESTEAD PROPERTY OF THE GRANTOR, NOR IS IT CONTIGUOUS TO ANY HOMESTEAD OF THE GRANTOR.

SUBJECT TO: covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2002 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness
Linda Robinson
Signature
Linda Robinson
Printed Signature
J. Evette Lovelace
Signature
J. Evette Lovelace
Printed Signature

Signature

Printed Signature

Signature

Printer Signature

Anthony P. Corsentino
Signature
Anthony P. Corsentino
Printed Signature
585 Fobor Ln Portat, GA 30450
Post Office Address

Signature

Printed Signature

Post Office Address

STATE OF: Georgia
COUNTY OF: Bulloch

The foregoing instrument was acknowledged before me this 7th day of November, 2002

by Anthony P. Corsentino

who produced a Florida Driver License as identification and who did take an oath.

My Commission Expires

Commission Expires July 1, 2006

J. Evette Lovelace, Georgia - Bulloch Co.
Notary Signature Notary Public, State and County Aforesaid
J. Evette Lovelace
Printed Notary Signature





Post Office Box 3456
North Fort Myers, FL 33918-3456
(941) 995-2121 • FAX (941) 995-7904
www.lcec.net • www.lcec.com

January 13, 2003

Michael & Debra Mittica
213 S.W. 34th St.
Cape Coral, FL 33914

Re: Strap No. 03-44-26-14-00077.0050

Dear Mr. and Mrs. Mittica:

LCEC does not object to vacation of the platted easements described as follows:

A 12-foot-wide utility and/or drainage easement centered on the lot lines common to Lots 5 and 6, Block 77, Unit 14, a subdivision of Lehigh Acres as recorded in Plat Book 26, page 20, of the Public Records of Lee County, Florida, less and except the north 6 feet and the south 6 feet thereof.

Please be advised that you must also contact FPL as this is in their service area.

Sincerely,

Karen Hardin
Real Property Representative



Florida Power & Light Company

January 21, 2003

Michael & Debra Mittica
213 S.W. 34th St.
Cape Coral, FL 33914

Re: Vacating of Easement:

Dear Mr. & Mrs. Mittica

Florida Power & Light has no objection to vacating the easement common to lots 5 & 6 Less and except the north and south 6 feet thereof.

Strap No. 03-44-26-14-00077.0050

If I can be of further assistance please do not hesitate to call me at the number listed below.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan R. Thompson".

Dan Thompson
Customer Project Manager
239-332-9168



P. O. Box 370
Fort Myers, FL 33902-0370

January 22, 2003
Mr. Michael Mittica
213 S.W. 34th St.
Cape Coral, FL 33914

Re: Petition to vacate a utility easement.
Sprint has no objection in vacating the proposed easement.
The Easement between lots 5&6 in Section 3, Township 44 South, Range 26 East, Unit 14
Lots 5 & 6, as recorded in Plat Book 26, Page 20, in the Public Records of Lee
county, Florida. Strap number for Parcel 03-44-26-14-00077.0050

In reviewing this request, Sprint has no objection to this vacation of said easement
between lots 5 & 6 as requested.
See Att:

If you have any Questions please advise; Craig Sloan 239-336-2039

Call for locates to verify 1-800-432-4770 ALL CLEAR
Prior to construction.

A handwritten signature in black ink, appearing to read "Craig Sloan".

Craig Sloan
Eng. I

Cc;WJ



February 28, 2003

Michael & Debra Mittica
213 S.W. 34th Street
Cape Coral, FL 33914

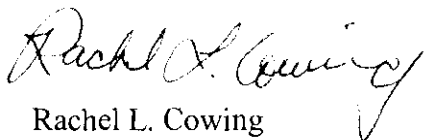
Re: A 12-foot wide drainage and/or utility easement centered on the lot line common to lots 5 & 6, Block 77, West Part of Unit 14, Section 3, Township 44 South, Range 26 East Lehigh Acres as recorded in Plat Book 26, Page 20 of the public records of Lee County, Florida.


Dear Mr. & Mrs. Mittica:

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,


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



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941)479-8181

Bob Jones
District One

Douglas R. St. Coony
District Two **January 15, 2003**

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

Michael J. & Debra J. Mittica
213 SW 34th St.
Cape Coral, FL 33914

SUBJECT: VACATION OF PLATTED EASEMENT
STRAP #: 03-44-26-14-00077.0050
LOTS 5 & 6, BLOCK 77 - LEHIGH ACRES, UNIT 14

Dear Mr. & Mrs. Mittica:


Lee County Utilities has no objection to the proposed vacation of the existing platted easement as described in your recent letter and associated legal description. However, the area in question is not located within Lee County Utilities service area; therefore, we have no potable water or wastewater lines within the area to be vacated.

You may wish to contact Florida Water Services concerning your request, as the subject parcel(s) are located within their service area boundaries.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at 479-8531.

Sincerely,

LEE COUNTY UTILITIES


Terry A. Kelley
Senior Engineering Technician
Utilities Engineering Division

CC: Correspondence File

2931 Michigan Avenue
Fort Myers, Florida 33916
Phone 941-334-8828
Fax 941-334-8575



January 24, 2003

Michael & Debra Mittica
213 SW 34th St
Cape Coral, FL 33914

Re: Request for a Letter of Review and Recommendation on a Proposed
Easement Vacation of the Following Location: 15081 Cemetery Rd
Lot 5 and 6, Block 77, West Part of Unit 14, Section 3, Township 44
South, Range 26 East Lehigh Acres, Recorded in plat book 26, page 20
Of the public records of Lee County, Florida

Dear Michael & Debra Mittica,

This letter will serve to inform you that Comcast facilities are aerial
on the opposite side of Cemetery Rd and should not interfere with your petition to
vacate.

If you should require further information, please feel free to contact me here at
(941) 432-1865.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lucia Vera".

Lucia Vera
Design Coordinator



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: **(941) 479-8133**

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. Yanger
County Attorney

Diana M. Parker
County Hearing Examiner

January 13, 2003

Mr. Michael Mittica
213 SW 34th St.
Cape Coral, Fl. 33914

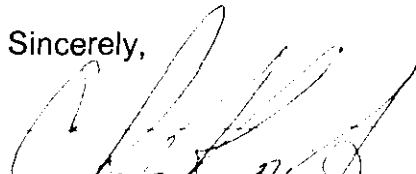
RE: Easement Vacation – STRAP# 03-44-26-14-00077.0050

Dear Mr. Mittica:

This letter is in reference to our meeting on January 13, 2003 regarding your property at the above referenced Strap number in Lehigh Acres and a request to vacate a portion of a utility easement at the back of the lot. The Waterways Advisory Committee (WAC) is required to review vacation requests when the property in question abuts County waterways. This is clearly not the case for your property. Therefore, review by the WAC is not required.

If there are any questions from the reviewing agencies, please have them contact me at the number listed above.

Sincerely,



Chris Koeper, Biologist
Natural Resource Division

xc: Steve Boutelle, Staff Liaison

Bob Janes
District One

February 24, 2003

Douglas R. St. Cemy
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

Michael J. and Debra J. Mittica
213 SW. 34th Street
Cape Coral, Florida 33914

Re: Recommendation for proposed vacation of a 12-foot wide Drainage and/or Public Utility Easement located at 15081 Cemetery Road, Lehigh Acres, Florida.

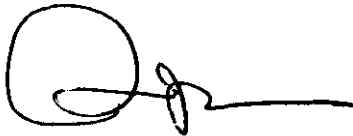
Dear Mr. Mittica:

This office has received your request to vacate a Twelve-foot wide Drainage and/or Public Utility Easement centered on the common lot line between Lots 5 and 6, Block 77, West part of Unit 14, a subdivision of Lehigh Acres, Section 03, Township 44 South, Range 26 East, as recorded in Plat Book 26, Pages 20 of the Public Records of Lee County, Florida, LESS and EXCEPT the North Six-foot and the South Six-foot thereof.

You indicate that as the 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/rjm

U:\200302\VAC20030.000\2\D&PUE.WPD



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

479-8580

Bob James
District One

Douglas B. St. Cerny
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

January 21, 2003

Michael and Debra Mittica
213 SW 34th Street
Cape Coral, FL 33914

**RE: Petition to Vacate
The 12 foot wide Drainage and Utility Easement
On the lot line common to Lots 5 and 6, Block 77,
Unit 14, Lehigh Acres**

Dear Mr. And Mrs. Mittica:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 26, page 20. DOT has no facilities within the easement and does not maintain it.

Therefore, DOT offers no objection to this petition to vacate as proposed.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson
Right-of-way Supervisor

MAL/JMK/mlb

Cc: Don Blackburn, Development Services
Allen Davies, Natural Resources
Terry Kelley, Lee County Utilities
DOT PTV File

S:\DOCUMENT\Petition To Vacate\2003\Lots 5&6 Lehigh - Mittica.doc



LEE COUNTY
SOUTHWEST FLORIDA

(941) 479-8124

Writer's Direct Dial Number:

BOARD OF COUNTY COMMISSIONERS

Friday, January 24, 2003

Bob James,
District One

Douglas B. St. Genny,
District Two

Ray Judah,
District Three

Andrew W. Coy,
District Four

John L. Albion,
District Five

Donald D. Stilwell,
County Manager

James G. Yeager,
County Attorney

Diana M. Parker,
*County Planning
Examiner*

Mr. & Mrs. Micheal Mittica
213 S.W. 34th Street
Cape Coral, FL 33914

Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 5 & 6, Block 77, Unit 14, Lehigh Acres Subdivision, as recorded in Plat Book 26 Page 20, in Lee County, Florida. (Corrective letter)

Dear Mr. & Mrs. Mittica:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation 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

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Florida Department of Transportation

JEB BUSH
GOVERNOR

THOMAS F. BARRY, JR.
SECRETARY

January 21, 2003

Michael J. & Debra J. Mittica
213 S.W. 34th Street
Cape Coral, FL 33914

RE: Vacation of A Drainage and/or Utility Easement

Dear Mr. Mittica:

Our staff has conducted a review of your request to vacate a 12-foot drainage and or utility easement centered on the lot line common to Lot 5, Block 77 and Lot 6, Block 77, of Lehigh Acres West Part Unit 14, as recorded in Plat Book 26, Page 20, Public Records of Lee County, Florida. This same area was further referenced in your letter and highlighted map of ***** **, 2002.

Based on this review, we offer "No Objections" to this vacation request.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Dunsford".

James W. Dunsford,
District R/W Administrator,
Property Management

JWD/jwd

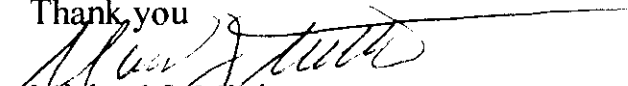
cc: Scott Gilbertson, P.E. - Lee County
Peter J. Eckenrode - Lee County
Mike Rippe - FDOT
Tom Garcia - FDOT

To whom it may concern,

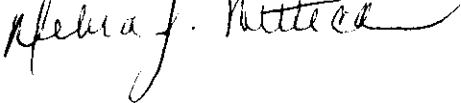
We have not submitted proof of notice to affected property owners, as there are no property owners affected by the easement vacation. The easement runs between my lots.

Also we do not have a letter of review from a water and sewer company as my area is not serviced by water and sewer. We will be on well and septic tank.

Thank you


Michael J. Mittica

Debra J. Mittica



PHONE

239-549-6026



PLAT OF
WEST PART UNIT 14
SECTION 3, TWP. 44S., RGE. 26E.

A SUBDIVISION OF
LEHIGH ACRES
LEE COUNTY, FLORIDA



All lots subject to 6 feet utility and
Drainage Easement on both sides, front,
and back.

All corner lot radii are 25 feet except as
shown and the lot dimensions are to the
straight line intersections, except where
arc distances are shown.

