

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition VAC2002-00058 to Vacate a portion of a Leetana Road Right of Way  
**DESCRIPTION OF/TYPE OF EASEMENT** and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 13th day of May, 2003.

**WHY ACTION IS NECESSARY:** To allow signage for a proposed subdivision. The vacation of the Right of Way easement will not alter existing utilities and the easement is not necessary to accommodate any future Right of Way requirement.

**WHAT THE ACTION ACCOMPLISHES:** Sets the time and date of the Public Hearing.

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT # 04

*C4C*

**3. MEETING DATE:**

*04/22/2003*

**4. AGENDA**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE 13-8
- OTHER

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER \_\_\_\_\_

B. DEPARTMENT Community Development

C. DIVISION Development Services

BY *[Signature]* 4-1-03  
Peter J. Eckenrode, Director

**7. BACKGROUND:**

The complete Petition to Vacate was submitted by Mr. Steve Hartsell as agent for Richard H Pritchett, III.

**LOCATION:** The Road Right of Way Easement is , Florida, Section 21, Township 43 South, Range 25 East..

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, 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 Rel.	D Other	E County Attorney	F County Administration				G County Manager
<i>[Signature]</i>	N/A	N/A		<i>[Signature]</i> 4-8-03	QA <i>[Signature]</i> 4/8/03	OM <i>[Signature]</i> 4/8/03	Risk <i>[Signature]</i> 4/9/03	GC <i>[Signature]</i> 4/9/03	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *4/4/03*  
Time: *8:10 am*  
Forwarded To:  
*Co. ADM.*  
*4/8/03 1PM*

RECEIVED BY  
COUNTY ADMIN. *[Signature]*  
*4/8/03*  
*2:05 pm*  
COUNTY ADMIN.  
FORWARDED TO: *[Signature]*  
*4/10/03*

PETITION TO VACATE

Case Number: VAC 2002-00058

Pritchett Development Co., Ltd., BY

Petitioner(s), Steven C. Hartsell, Attorney for Pritchett Development Co., Ltd. on behalf of PAVESE, HAVERFELD, DALTON, HARRISON & JENSEN, LLP 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, Pritchett Development Co., Ltd., c/o Steven C. Hartsell Pavese Law Firm, P.O. Drawer 1507, Ft. Myers, FL 33902-1507
- 2. In accordance with Florida Statute (F.S.) Chapter 336 and Lee County Administrative Code (LCAC) 13-8, Petitioner desires to vacate, abandon and discontinue the public's interest in the right-of-way or portion of right-of-way legally described in the attached Exhibit "A".
- 3. A sketch showing the area(s) the Petitioner desires to vacate is attached as Exhibit "B".
- 4. Notice concerning the intent of this Petition will be provided in accordance with LCAC 13-8.
- 5. In accordance with letters of review and recommendation provided by the various governmental and utility entities, there is no apparent impediment to granting Petitioner's request.

Wherefore, Petitioner respectfully requests that the Board of County Commissioners adopt a Resolution granting the Petition to Vacate. Pritchett Development Co., LTD

Respectfully Submitted

By: \_\_\_\_\_  
Petitioner Signature  
\_\_\_\_\_  
Printed Name

By: Steven C. Hartsell  
Petitioner Signature  
Steven C. Hartsell  
Printed Name  
On behalf of Pavese, Haverfield,  
Dalton, Harrison & Jensen, LLP.

NOV 14 2002  
VRE  
11/19/2003  
VAC 2002-00058

**AUTHORIZATION TO REPRESENT**

Please be advised that STEVEN C. HARTSELL, ESQUIRE, of the law firm of PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P., Post Office Drawer 1507, 1833 Hendry Street, Fort Myers, Florida 33902, is hereby authorized to represent PRITCHETT DEVELOPMENT CO., LTD., in the application to Lee County for a vacation of a portion of LeeTana Road on the property located in Section 21, Township 43, Range 25, Lee County, Florida, STRAP #21-43-25-00-00001.1000..

PRITCHETT DEVELOPMENT CO., LTD.

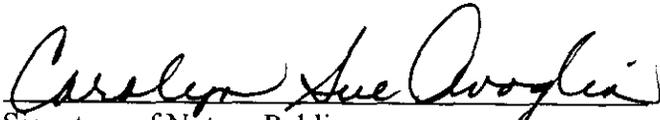
By:   
Richard H. Pritchett, III

STATE OF FLORIDA

COUNTY OF LEE

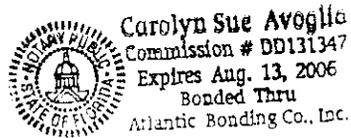
The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of December, 2002, by Richard H. Pritchett, III, as General Partner of Pritchett Development Co., Ltd., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced personally known to me as identification.

(Notary Seal)

  
Signature of Notary Public

CAROLYN SUE AVOGLIA  
(Printed or typed name of Notary Public)

Commission No: DD131347



# Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°06'48"W. ALONG THE WEST LINE OF SAID FRACTION FOR 1581.74 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86' WIDE); THENCE CONTINUE S.00°06'48"W. ALONG SAID WEST LINE FOR 95.27 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID LEETANA DRIVE AND A CURVE TO THE RIGHT HAVING A RADIUS OF 3978.06 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.25°53'42"E.; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°07'02.9" FOR 355.31 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 03°37'47.1" FOR 252.01 FEET; THENCE S.55°21'28"E. ALONG SAID SOUTHERLY LINE FOR 141.78 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3427.62 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°46'28.8" FOR 345.46 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.50°45'17"W.; THENCE NORTHWESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 264.66 FEET THROUGH A CENTRAL ANGLE OF 18°28'34" FOR 370.84 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY THE SAME BEING A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.69°13'52"E.; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE; THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH

EXHIBIT "A"  
VAC 2002-00058

SHEET 1 OF 2

NOV 18 2007

A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.11°39'23"E.; THENCE WESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 76.46 FEET THROUGH A CENTRAL ANGLE OF 28°51'13" FOR 276.97 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 1.05 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.00°06'48"W.

DESCRIPTION PREPARED 10-24-01

S:\proj\143\143703\ACQ\map  
S:\proj\143\143703\REV\YING\DESCR\DESCRIPTIONS\1437\_RW\_ACQ\_SKI.doc  
S:\proj\143\143703\REV\YING\DESCR\DESCRIPTIONS\1437\_RW\_ACQ\_SKI.dwg

EXHIBIT "A"  
VAC2007-00058

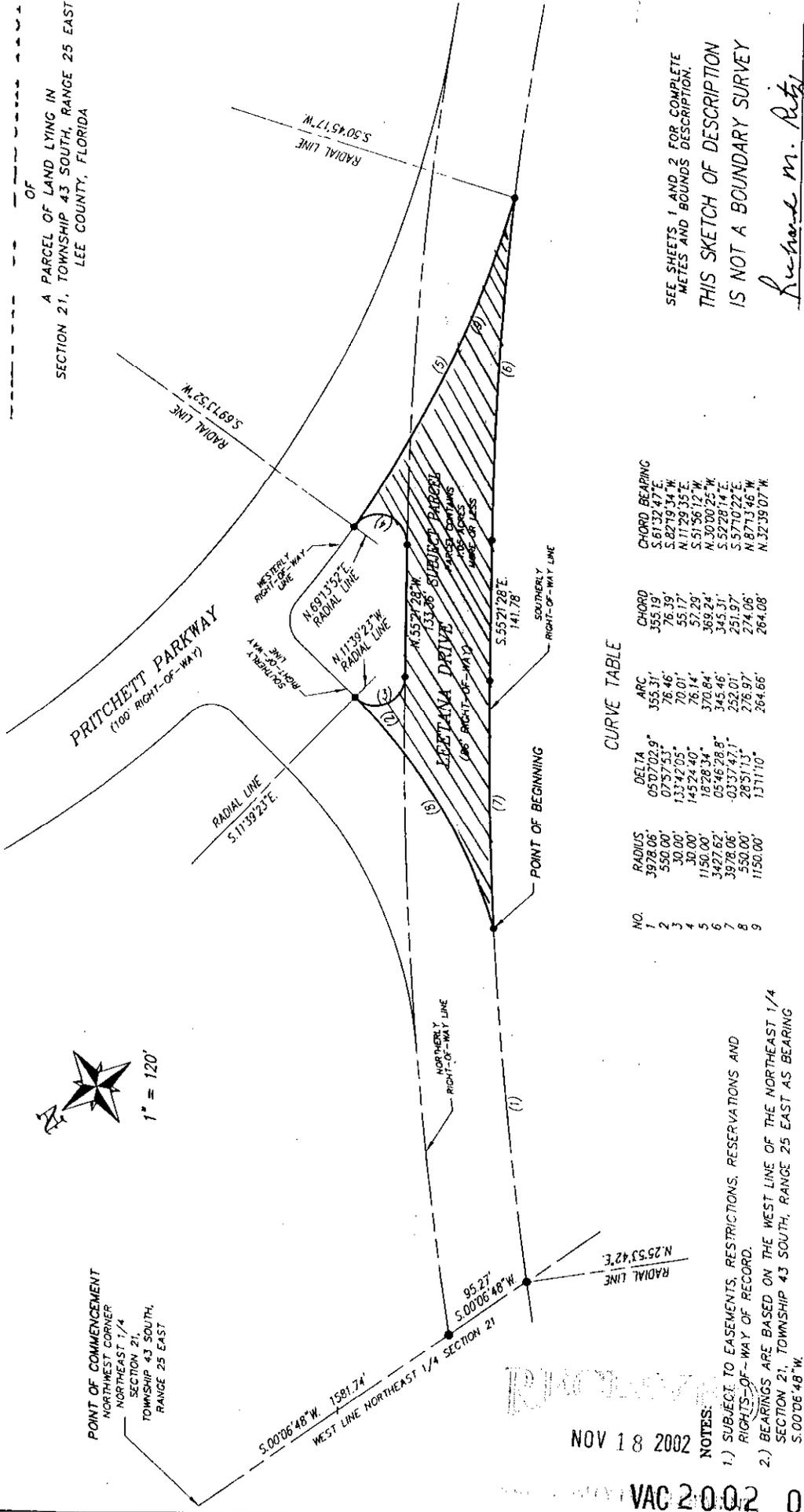
**SHEET 2 OF 2**

VAC 2007-00058

OF  
A PARCEL OF LAND LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA



POINT OF COMMENCEMENT  
NORTHWEST CORNER  
NORTHEAST 1/4  
SECTION 21,  
TOWNSHIP 43 SOUTH,  
RANGE 25 EAST



CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	3978.06'	05°07'02.9"	355.31'	76.46'	S.61°32'47"E
2	550.00'	07°57'53"	76.39'	55.17'	S.82°19'34"W
3	30.00'	133°42'05"	70.01'	52.29'	N.11°28'35"E
4	30.00'	145°24'40"	76.14'	369.24'	S.51°56'12"W
5	1150.00'	18°28'34"	370.84'	345.31'	N.30°00'25"W
6	3427.62'	05°46'28.8"	345.46'	251.97'	S.52°28'14"E
7	3978.06'	-03°37'47.1"	276.97'	274.06'	S.87°02'22"E
8	550.00'	28°51'13"	264.66'	264.08'	N.87°13'46"W
9	1150.00'	13°11'10"	264.66'	264.08'	N.32°39'07"W

SEE SHEETS 1 AND 2 FOR COMPLETE  
METES AND BOUNDS DESCRIPTION.  
THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY

*Richard M. Atty*  
RICHARD M. ATTY  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4005

THIS SKETCH OF DESCRIPTION IS NOT VALID  
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EXHIBIT "B" - VAC2002-00055

PREPARED 10-24-01

- NOTES:
- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
  - 2.) BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.00°06'48"W.

NOV 18 2002

VAC 2002 000

THIS INSTRUMENT PREPARED BY:  
David K. Fowler  
P. O. Box 280  
Fort Myers, FL 33902-0280

3838953

OR 2636 PD0933

QUIT CLAIM DEED

THIS INDENTURE, executed this 1st day of November, 1995, between Barnett Banks Trust Company, N.A., individually, as Trustee, and as successor to First Florida Bank, N.A., Trustee of the Richard H. Pritchett Jr. Restated Revocable Trust dated 3/27/86, whose post office address is P.O. Box 334 Fort Myers, FL 33902-0334, party of the first part, and Pritchett Development Company, Ltd., a Florida limited partnership, whose post office address is 6601 Bayshore Road, North Fort Myers, FL 33917, party of the second part.

W I T N E S S E T H:

The party of the first part, in consideration of the premises and the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, grants, bargains, sells, aliens, remises, releases, conveys and confirms to the party of the second part, their heirs and assigns forever, real property in Lee County, Florida, described as follows:

See Exhibit "A" attached hereto and incorporated by reference

Subject to easements, restrictions, reservations of record, and taxes for the current and subsequent years.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or in equity, to the only proper use, benefit and behoof of the party of the second part.

This is a corrective deed given to confirm those certain conveyances contained in the deeds recorded in O.R. Book 1132, Page 1327, and O.R. Book 2263, Page 3419, Page 3416 and 3418, O.R. Book 2267, Page 3619, and O.R. Book 2605, Page 1161 and Public Records of Lee County, Florida.

IN WITNESS WHEREOF, the party of the first part has signed and sealed this instrument on the day and year first above written.

Signed, sealed & delivered  
in the presence of:

Barnett Banks Trust Company,  
N.A., individually, as  
Trustee, and as successor to  
First Florida Bank, N.A.,  
Trustee of the Richard H.  
Pritchett Jr. Restated  
Revocable Trust dated 3/27/86

Witness - Signature

Witness - Type/Print Name

BY: David K. Fowler  
ITS: VICE PRESIDENT

NOV 2001

VA 2002 07058

002636 PG0994

Cecilia B. Guillard  
Witness - Signature

Cecilia B. Guillard  
Witness - Type/Print Name

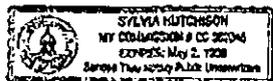
STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of September, 1995, by Diane K. Korb as Vice President of Barnett Bank Trust Company, N.A., individually, as trustee, and as successor to First Florida Bank, N.A., Trustee of the Richard H. Fritchett Jr. Restated Revocable Trust dated 3/27/86, who is personally known to me or who has produced a personally known as identification.

My Commission Expires:

Sylvia Hutchison  
Notary Public - Signature



Sylvia Hutchison  
Notary Public - Print Name

NOV 18 2001

DR 636 PG0995

EXHIBIT "A"

The Northeast 1/4; the Southeast 1/4; the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4; the South 1/2 of the Northwest 1/4 of the Northwest 1/4; the Southwest 1/4 of the Northwest 1/4; the North 1/2 of the Southeast 1/4 of the Northwest 1/4; the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4; the West 1/2 of the Northwest 1/4 of the Southwest 1/4; and the East 1/2 of the East 1/2 of the Southwest 1/4; all in Section 16, Township 43 South, Range 25 East, Lee County, Florida.

AND

The South 1/2 of the South 1/2 of the Southeast 1/4 of the Southwest 1/4; less that portion of Oakmont Subdivision as recorded in Plat Book 34, Page 162 of the Public Records of Lee County, Florida; and the West 1/2 of the West 1/2, less that portion of Oakmont Subdivision as recorded in Plat Book 34, Pages 161-164, of the aforementioned public records of Lee County, Florida and less the northerly 467.00 feet of the westerly 467.00 feet of the Southwest 1/4 of the Northwest 1/4; all in Section 15, Township 43 South, Range 25 East, Lee County, Florida.

AND

\*

The North 1/2 of the Northeast 1/4; the West 1/2 of the Southeast 1/4 of the Northeast 1/4; the Southwest 1/4 of the Northeast 1/4 lying northeast of Interstate Highway I-75 (State Road 93); and the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 lying northeast of Interstate Highway I-75; all in Section 21, Township 43 South, Range 25 East, Lee County, Florida.

AND

Lots 1, 4, 5, 10, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 26, 28, 29, 32, 33, 34, 35, 36, 37, 39, 41, 43, 45, 48, 50, 53, 54, 56, 57 and 58, of the OAKMONT SUBDIVISION, as recorded in the public records, Plat Book 34, Pages 161-164, Lee County, Florida.

AND

Tracts "A", "B", and "C" of the OAKMONT SUBDIVISION, as recorded in Plat Book 34, Pages 161-164, Public Records of Lee County, Florida.

AND

An undivided 46.65881 interest in the following described real property:

Lots 16 through 19, I-75/Bayshore Road Industrial Park, as recorded in Plat Book 34, Page 42, of the Public Records of Lee County, Florida.

AND

NOT  
VAC

MAGE01: FL-01-1596-2 01/18/2001 01: 1pm

OFFICE GREEN LEE CITY, FL

95 SEP 19 PH 3:53

002636 000996

The Easterly 50 feet of the South 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 43 South, Range 25 East, Lee County, Florida, together with and including a drainage and public utility easement extending over and across a strip of land 15 feet wide West of and adjacent to the Westerly boundary line of the above-described parcel; and

The Easterly 50 feet of the North 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 43 South, Range 25 East, Lee County, Florida, together with and including a drainage and public utility easement extending over and across a strip of land 15 feet wide West of and adjacent to the Westerly boundary line of the above-described parcel; and

A parcel of land lying in Section 16, Township 43 South, Range 25 East, Lee County, Florida, more particularly described as follows: Beginning at the Northwest corner of aforesaid Section 16, run North 89°55'39" East along the North line of said Section 16 for 50.00 feet; thence run South 00°28'03" East, parallel to and 50.00 feet East of the West line of said Section 16 for 251.04 feet to a point of curve to the left having a radius of 1450 feet and a delta angle of 20°14'55"; thence run along said curve Southerly and Southeasterly for 377.18 feet to a point of tangency; thence run South 21°02'58" East for 48.10 feet; thence run South 89°59'40" West for 133.93 feet; thence run North 00°29'03" West along the West line of said Section 16 for 664.81 feet to the point of beginning. Containing 1.03 acres, more or less. Together with and including a drainage and public utility easement extending over and across the strip of land 15 feet wide East of and adjacent to the Easterly boundary line of the above-described parcel.

**PAVESE AVERFIELD, DALTON, HARRISON & ISEN, L.L.P.**  
A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW

http://paveselaw.com

1833 HENDRY STREET  
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507  
FORT MYERS, FLORIDA 33902-1507

(941) 334-2195  
FAX (941) 332-2243  
SteveHartsell@Paveselaw.com

STEVEN C. HARTSELL  
(941) 336-6244

PLEASE REPLY TO  
FORT MYERS OFFICE

July 22, 2002

Pritchett Development Co., Ltd.  
6601 Bayshore Road  
Fort Myers, FL 33917

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RE: Application to Vacate Abandoned Portion of LeeTana Road

Dear ~~Sir or Madam~~: *RICK*

This letter is to provide notice to you that, on behalf U.S. Home Corporation, I intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate portions of the abandoned LeeTana Road located adjacent to your property. I have included a sketch or drawing of the parcel with the portion of the conservation easement to be vacated clearly marked.

Very truly yours,

*Steven C. Hartsell*  
Steven C. Hartsell

SCH:llg  
Enclosure

FAWPDATA\SCH\U.S.Home\Stoneybro

**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3. Also item 4 if Restricted Delivery is de
- Print your name and address on so that we can return the card to
- Attach this card to the back of th or on the front if space permits.

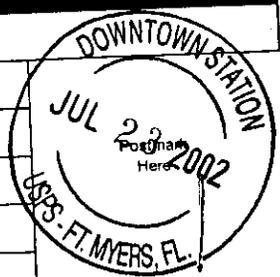
1. Article Addressed to:

*Pritchett Dev't. Co  
16601 Bayshore Rd  
71. 7+ Myers FL 33917*

**COMPLETE THIS SECTION ON DELIVERY**

**U.S. Postal Service  
CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 1.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.92</b>



Recipient's Name (Please Print Clearly) (to be completed by mailer)  
*Pritchett Dev't. Co. Ltd*

Street, Apt. No., or PO Box No.  
*16601 Bayshore Rd.*

City, State, ZIP+4  
*71. 7+ Myers FL 33917*

4635 S. DEL PRADO BLVD.  
P.O. BOX 100088  
CAPE CORAL FLORIDA 33910-0088  
(941) 542-3148  
FAX (941) 542-8953

2. 7  
PS

**PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.**

A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW

<http://paveselaw.com>

1833 HENDRY STREET  
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507  
FORT MYERS, FLORIDA 33902-1507

(239) 334-2195  
FAX (239) 332-2243  
[SteveHartsell@PaveseLaw.com](mailto:SteveHartsell@PaveseLaw.com)

LEE COUNTY  
RECEIVED

00 JAN 30 AM 11:55

REC'D  
CITY/CO. CLERK  
OFFICE

STEVEN C. HARTSELL  
(239) 336-6244

PLEASE REPLY TO  
FORT MYERS OFFICE

January 28, 2003

Ms. Sharon Mihm  
Development Review Technician  
Lee County Development Services  
1500 Monroe Street  
Fort Myers, FL 33901

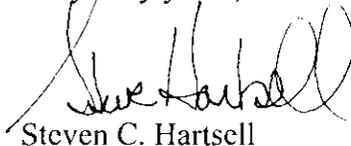
RE: Pritchett Parkway Vacation: Lee County Electric Co-Op Easement

Dear Sharon:

As you requested, I am enclosing the original Easement from the property owner, Pritchett Development Company, Ltd., to Lee County Electric Co-Op showing the easement that will continue to remain for the Co-Op after the Leetana Drive / Pritchett Parkway right-of-way vacation takes place. It is my understanding that this original easement will be held in escrow by the County until such time as the vacation request is granted and will at that time be simultaneously recorded with the right-of-way vacation.

If you have any questions or need additional information, please feel free to call me. I would appreciate it if you would let me know when the vacation is scheduled before the Board of County Commissioners and would like to receive a copy of the backup materials provided to the Board for that item. Thank you very much for your kind assistance.

Very truly yours,



Steven C. Hartsell

SCH:llg  
Enclosure: Original Easement

cc: Deno Benetis  
E:\WPDATA\SCH\U.S.Home\StoneybrookNorth\LecTanaVacation\Mihm.l12.wpd

Prepared By:

Lee County Electric Cooperative, Inc.  
Post Office Box 3455  
N. Ft. Myers, FL 33918-3455  
STRAP # 21-43-25-00-00001.1000

### EASEMENT

Pritchett Development  
**KNOW ALL MEN BY THESE PRESENTS** that Company, Ltd. , as Grantor  
, whose post office address is 6601 Bayshore Rd., N. Ft. Myers, FL 33917, in consideration of the sum of one dollar and other valuable considerations, receipt of which is hereby acknowledged, does hereby grant to Lee County Electric Cooperative, Inc., a Florida corporation, whose post office address is Post Office Box 3455, North Fort Myers, Florida 33918, and to its successors and assigns (the term "assigns" meaning any person, firm, or corporation owning by way of assignment all rights under this Agreement or a portion of such rights, with the Grantee or its other assigns retaining and exercising the other rights), a perpetual easement for a right-of-way to be used for the construction, operation, and maintenance of one or more overhead and underground electric distribution lines, including, but not limited to, wires, poles, cables, conduits, anchors, guys, and roads, trails, and equipment associated therewith, attachments and appurtenant equipment for fiber optic telecommunications and television purposes (all of the foregoing hereinafter referred to as "facilities"), over, under, in, on, upon, and across the lands of the Grantor situated in the County of Lee and State of Florida and being more particularly described as follows:

See Exhibit "A" Attached

together with the right and privilege from time to time to reconstruct, inspect, alter, improve, enlarge, add to, change the voltage, as well as the nature or physical characteristics of, replace, remove, or relocate such facilities or any part of them upon, across, over, or under the right-of-way described above with all rights and privileges necessary or convenient for the full enjoyment or the use thereof for the purposes described herein, including, but not limited to, the right to trim, spray, cut, and keep clear all trees and undergrowth and other obstructions within said right-of-way and on lands of Grantor adjoining said right-of-way that may interfere with the proper construction, operation, and maintenance of such facilities or any part of them, the right to mark the location of any underground facilities by above-ground markers and other suitable markers, and the right of ingress and egress for personnel and equipment of Grantee, its contractors, agents, successors or assigns, over the adjoining lands of the Grantor , for the purpose of exercising and enjoying the rights granted by this easement and any or all of the rights granted hereunder.

By the execution and delivery hereof, Grantor so expressly agrees that no portion of the right-of-way shall be excavated, altered, obstructed, improved, surfaced, or paved without the prior written permission of the Grantee, or its successors or assigns, and no building, well, irrigation system, drainage system, structure, obstruction, or improvement (including any improvements for recreational activities) shall be located, constructed, maintained, or operated over, under, upon, or across said right-of-way by the Grantor , or the heirs, personal representatives, successors or assigns of Grantor .

By the execution hereof, Grantor covenants that they have the right to convey this easement and that the Grantee and its successors and assigns shall have quiet and peaceful possession, use, and enjoyment of this easement and the rights granted hereby.

IN WITNESS WHEREOF, the Grantor has executed this Agreement this day of 1/24 2003.

SIGNED, SEALED, AND DELIVERED IN THE PRESENCE OF:

PRITCHETT DEVELOPMENT COMPANY, LTD.  
By: Pritchett Development Corporation,  
General Partner  
[Signature]  
(Signature)

Carolyn Sue Avoglia  
First Witness (Signature)

Carolyn Sue Avoglia  
Printed, Typewritten, or Stamped Name of First Witness

Richard H. Pritchett, III, President  
Printed, Typewritten, or Stamped Name

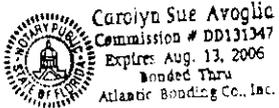
Mary J. Munn  
Second Witness (Signature)

Mary J. Munn  
Printed, Typewritten, or Stamped Name of Second Witness

STATE OF Florida  
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of January 2003 by Richard H. Pritchett, III, who is/are personally known to me or who has/have produced personally from a me as identification, and who is authorized to execute this instrument on behalf of Pritchett Development Company, Ltd., as President of Pritchett Development (NOTARIAL SEAL) Corporation, Gen. Ptnr.

Carolyn Sue Avoglia  
Signature of Notary Public



Carolyn Sue Avoglia  
Name of Notary Public Typewritten, Printed or Stamped

My commission expires: 8/13/2006

# Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

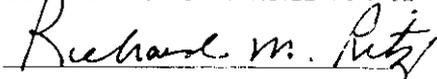
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE S.00°06'48"W. ALONG THE WEST LINE OF SAID NORTHEAST QUARTER FOR 1581.74 FEET; TO AN INTERSECTION THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (WIDTH VARIES) AND AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 4064.06 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.25°18'39"E.; THENCE SOUTHEASTERLY ALONG SAID CURVE, AND SAID NORTHERLY LINE, THROUGH A CENTRAL ANGLE OF 08°15'56.1" FOR 586.29 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100' WIDE) AND THE POINT OF BEGINNING THENCE S.54°11'41"E. FOR 329.41 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.63°19'54"W.; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE, THROUGH A CENTRAL ANGLE OF 01°46'57" FOR 35.78 FEET; THENCE N.54°18'58"W. FOR 382.89 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.00°50'42"E.; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 2°50'48" FOR 27.32 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.13 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.00°06'48"W.

DESCRIPTION PREPARED 10-9-02



RICHARD M. RITZ, R.L.S.  
FLORIDA CERTIFICATION NO. 4009

NO JOB IS TO BE SURVEYED OR DESCRIBED UNLESS THE SURVEYOR HAS  
NO JOB IS TO BE SURVEYED OR DESCRIBED UNLESS THE SURVEYOR HAS

SHEET 1 OF 2

Exhibit A  
Page 1 of 2

# SKETCH OF DESCRIPTION

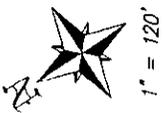
OF  
A PARCEL OF LAND LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

**Banks Engineering, Inc.**

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690  
12511 SIX MILE CYPRESS PARKWAY - SUITE 101  
FORT MYERS, FLORIDA 33912  
(239) 939-5490

POINT OF COMMENCEMENT  
NORTHWEST CORNER  
NORTHEAST 1/4  
SECTION 21,  
TOWNSHIP 43 SOUTH,  
RANGE 25 EAST

S 00°06'48"W 1581.74'  
WEST LINE NORTHEAST 1/4 SECTION 21



PRITCHETT PARKWAY  
(100' RIGHT-OF-WAY)

RADIAL LINE  
S 00°50'42" E

RADIAL LINE  
S 87°54' W

POINT OF BEGINNING

S 54°11'41" E 328.41'  
SUBJECT PARCEL  
N 54°78'58" W 382.89'  
LEETANA DRIVE  
(WIDTH VARIES)

PARCEL CONTAINS  
0.13 ACRES  
MORE OR LESS

C1  
NORTHERLY  
RIGHT-OF-WAY LINE

SOUTHERLY  
RIGHT-OF-WAY LINE

RADIAL LINE  
N 25°18'39" E

Exhibit A  
Page 2 of 2

SEE SHEET 1 FOR COMPLETE  
METES AND BOUNDS DESCRIPTION.  
THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY

*Richard M. Ritz*  
RICHARD M. RITZ  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4009

THIS SKETCH OF DESCRIPTION IS NOT VALID  
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

### CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	4064.06'	08°15'56.1"	586.29'	585.78'	S 60°31'27.7" E
C2	1150.00'	01°46'57"	35.78'	35.77'	N 27°33'52" W
C3	550.00'	02°50'48"	27.32'	27.12'	S 87°43'54" W

PREPARED 10-9-02  
SHEET 2 OF 2

### NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S. 00°06'48"W.

S:\00001442X\1442X.MXD  
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S:\00051442X\1442X.DWG



8441 Littleton Road  
North Fort Myers, FL 33903

July 12, 2002

Pavese, Haverfield, Dalton, Harrison, & Jensen, LLP  
Steven C. Hartshell  
Post Office Drawer 1507  
Fort Myers, Florida 33902-1507

RE: Road easement vacation on Lee Tana Drive, North Fort Myers

Dear Mr. Hartsell:

With reference to your letter of July 9, 2002, requesting Sprint Telephone of Florida's concurrence with the vacation of a road easement on Lee Tana Drive. Sprint Telephone of Florida agrees to the vacation with the following stipulation:

1. Sprint has existing Fiber Optic and Copper cables in the area. Should there be any relocation of telephone facilities all cost will be born by the property owner.

If you have any questions about this matter please call me at 239-336-2117.

Sincerely,

Hal Dever  
Engineer I

RECEIVED JUL 15 2002

NOV 18 2001

VAC 2002 00058



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number **479-8585**

Hobbs James  
*District One*

Douglas R. St. Geme  
*District Two*

Ray Judah  
*District Three*

Andrew W. Cox  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

**March 19, 2003**

**Mr. Steve Hartsell  
Post Office Drawer 1507  
Fort Myers, Florida 33902-1507**

**Re: VAC2002-00058**

**Dear Mr. Hartsell:**

You indicated that as a result of the re-alignment of Leetana Drive/ Pritchett Parkway intersection realignment, a small triangle of land wedged between the unused portion of Leetana Drive and Pritchett Parkway, left a small triangle of land in that southwest corner of the intersection, barely functional for any use, other than possibly project signage. 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/sam

U:\200302\VAC20020.005\8\reviewandrec.wpd



July 29, 2002

Mr. Steven Hartsell  
Pavese, Haverfield, Dalton, Harrison & Jensen, L.L.P.  
1833 Hendry Street  
Fort Myers, Fla. 33901

RE: Vacation of easement , LeeTana Drive  
North Fort Myers, Fl.

Dear Mr. Hartsell:

The plat map sent to us for the above listed vacation of easement has been reviewed. At this time, Time Warner Cable has no facilities in this area and no future build is anticipated. Time Warner Cable has **NO CONFLICT** with this proposed construction.

If you have any further questions or concern, please do not hesitate to contact me at (941) 772-2218, Ext. 120.

Sincerely,

TIME WARNER CABLE

A handwritten signature in black ink, appearing to read "B. Streeter".

Benjamin R. Streeter  
Technical Field Inspector

BRS/sgs



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (941)479-8531

Bob Janes  
District One

July 15, 2002

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Steven C. Hartsell  
Pavese, Haverfield, Dalton, Harrison & Jenses, L.L.P.  
1833 Hendry Street  
Fort Myers, FL 33901

Andrew W. Coy  
District Four

John E. Albion  
District Five

**SUBJECT: VACATE RIGHT-OF-WAY/ROAD EASEMENT  
LEETANA ROAD  
SECTION 21, TOWNSHIP 43, RANGE 25**

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Dear Mr. Hartsell:

Diana M. Parker  
County Hearing Examiner

Lee County Utilities is in receipt of your letter and associated attachments concerning the Petition to Vacate a 1.05+/- acre section of abandoned right-of-way at the intersection of Pritchette Parkway and Leetana Road.

Lee County Utilities has reviewed your request and has **NO OBJECTION** to the proposed vacation. Even though the area in question is located within Lee County Utilities' service area, we have no potable water or sanitary sewer facilities within the area to be vacated.

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

VIA FACSIMILE #332-2243  
Original mailed 07/15/02

RECEIVED JUL 18 2002  
JUL 18 2002

S:\UTILS\Eng\TAK\LETTERS\VAC\FY 2002\Pavese, Haverfield - LeeTana Rd - No Objection.doc

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111  
Internet address <http://www.lee-county.com>  
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

VAC 2002 00058

N O R T H  
F O R T M Y E R S  
U T I L I T Y  
I N C O R P O R A T E D

5660 Bayshore Road, Suite 51 • North Fort Myers, Florida 33917

Mailing Address: P.O. Box 2547 • Fort Myers, Florida 33902

(941) 543-1005

July 11, 2002

Steven C. Hartsell Esq.  
Pavese, Haverfield, Dalton, Harrison & Jensen, L.L.P.  
Post Office Box 1507  
Fort Myers, Florida 33901

RE: Letter of Review and Recommendation on a proposed road easement  
vacation on LeeTana Drive, North Fort Myers.

Dear Steven:

North Fort Myers Utility Inc. has no objection to the proposed road  
easement vacation at the location identified above.

Should you have any questions or need additional information please  
contact me at 239-543-1005.

Sincerely,



A.A. "Tony" Reeves  
Utility Director

RECEIVED JUL 12 2002

VAC 2002 00058

# AmeriGas

America's Propane Company

August 16, 2002

Steven C. Hartsell  
Pavese, Haverfield, Dalton, Harrison & Jensen, LLP  
1833 Hendry Street  
Fort Myers, Florida 33901

RE: VACATE OF EASEMENT

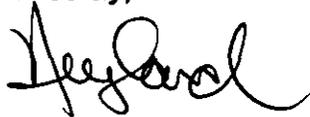
Dear Mr. Hartsell:

In reference to your letter dated July 9, 2002, AmeriGas has no interest on right of way on the following parcels described in your letter as follows:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED... ETC

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

Sincerely,



Neyland White  
Service Manager

RECEIVED AUG 19 2002

AUG 16 2002



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

THOMAS F. BARRY, JR.  
SECRETARY

July 16, 2002

Mr. Steven Hartsell  
Pavese, Haverfield, Dalton, Harrison & Jensen, L.L.P.  
Post Office Drawer 1507  
Fort Myers, Florida 33902-1507

RE: Vacation of A Road Easement Vacation LeeTana Drive

Dear Mr. Hartsell:

Our staff has conducted a review of your request to vacate a portion of LeeTana Drive lying in Section 21, Township 43 South, Range 25 East, Lee County, Florida. This same area was further referenced in your letter and highlighted map of July 9, 2002.

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

Sincerely,

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

JWD/jwd

cc: Scott Gilbertson, P.E. - Lee County  
Walter McCarthy, P.E. - Lee County  
Mike Rippe - FDOT  
Tom Garcia - FDOT

District One-Right of Way Department-Property Management  
801 North Broadway Avenue\*Post Office Box 1249\*Bartow, FL 33831-1249  
(863)519-2413\*(863)534-7168(Fax)\*MS 1-66

[www.dot.state.fl.us](http://www.dot.state.fl.us)





**LEE COUNTY**  
SOUTHWEST FLORIDA

(941) 479-8124

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: \_\_\_\_\_

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. Steven C. Hartsell  
Pavese, Haverfield, Dalton, Harrison & Jensen, L.L.P.  
1833 Hendry St.  
Fort Myers, FL 33901

Re: Petition to Vacate a portion (1.5 Acres more or less) of Leetana Drive,  
and 86 foot wide Right of Way, situate in Lee County, Florida.

Dear Mr. Hartsell:

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 right of way.

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\vac266.doc

RECEIVED AUG 19 2002

Nov 16 2002

VAC 2002 00038



Post Office  
North Fort Myers, FL 33  
(941) 995-2121 • FAX (941)  
www.lcec.net • www

October 3, 2002

Mr. Steven C. Hartsell  
Pavese, Haverfield, Dalton,  
Harrison & Jensen, L.L.P.  
P. O. Drawer 1507  
Ft. Myers, FL 33902-1507

Re: Proposed Vacation of a Portion of Leetana Drive Right-of-Way

LCEC does not object to vacation of that portion of Leetana Drive as described on the attached provided the owner agrees to grant an easement to LCEC for the existing overhead power line crossing this portion of Leetana Drive.

A specific description of a 16-foot-wide strip of land encompassing this line will be required. I've enclosed a copy of the form easement used by LCEC.

The power line is a minimum of 16 ½ feet above ground at its lowest point as required by code.

Please call me at 656-2422 if you have any questions.

Sincerely,

Karen Hardin  
Real Property Representative

Attachment

NOV 15 2002

RECEIVED OCT - 4 2002

# Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°06'48"W. ALONG THE WEST LINE OF SAID FRACTION FOR 1581.74 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86' WIDE); THENCE CONTINUE S.00°06'48"W. ALONG SAID WEST LINE FOR 95.27 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID LEETANA DRIVE AND A CURVE TO THE RIGHT HAVING A RADIUS OF 3978.06 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.25°53'42"E.; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°07'02.9" FOR 355.31 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 03°37'47.1" FOR 252.01 FEET; THENCE S.55°21'28"E. ALONG SAID SOUTHERLY LINE FOR 141.78 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3427.62 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°46'28.8" FOR 345.46 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.50°45'17"W.; THENCE NORTHWESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 264.66 FEET THROUGH A CENTRAL ANGLE OF 18°28'34" FOR 370.84 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY THE SAME BEING A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.69°13'52"E.; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE; THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH

EXHIBIT "A"  
VA02002-0005E

SHEET 1 OF 2

NOV 14 2002

A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.11°39'23"E.; THENCE WESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 76.46 FEET THROUGH A CENTRAL ANGLE OF 28°51'13" FOR 276.97 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.05 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.00°06'48"W.

DESCRIPTION PREPARED 10-24-01

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S:\Jobs\14xx\1447\SUBMITTING DESCRIPTIONS\1447\_KVA\_ACM\_S&E.dwg

EXHIBIT "A"  
VACATED C&S E.  
SHEET 2 OF 2

# Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors  
FORT MYERS • NAPLES • SARASOTA

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°06'48"W. ALONG THE WEST LINE OF SAID FRACTION FOR 1581.74 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86' WIDE); THENCE CONTINUE S.00°06'48"W. ALONG SAID WEST LINE FOR 95.27 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID LEETANA DRIVE AND A CURVE TO THE RIGHT HAVING A RADIUS OF 3978.06 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.25°53'42"E.; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°07'02.9" FOR 355.31 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 03°37'47.1" FOR 252.01 FEET; THENCE S.55°21'28"E. ALONG SAID SOUTHERLY LINE FOR 141.78 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3427.62 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°46'28.8" FOR 345.46 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.50°45'17"W.; THENCE NORTHWESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 264.66 FEET THROUGH A CENTRAL ANGLE OF 18°28'34" FOR 370.84 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY THE SAME BEING A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.69°13'52"E.; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE; THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH

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A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.11°39'23"E.; THENCE WESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 76.46 FEET THROUGH A CENTRAL ANGLE OF 28°51'13" FOR 276.97 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.05 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.00°06'48"W.

DESCRIPTION PREPARED 10-24-01

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EXHIBIT "A"  
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10/26/01 10:00