

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20030210

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2002-00063 to Vacate two, 12 Public Utility Easements common to lots 56 and 57, and 57 and 58, Block 95, Unit 21, Leeland Heights Subdivision and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 24th day of June, 2003.

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

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

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 03

C4A

3. MEETING DATE:

06-03-2003

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE
 - ORDINANCE
 - ADMIN. CODE 13-1
 - OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT Community Development
- C. DIVISION Development Services
- BY *[Signature]* 4-17-03
Peter J. Eckenrode, Director

7. BACKGROUND:

The complete Petition to Vacate was submitted by Mr. and Mrs. Carmelo Burgos.

LOCATION: The Public Utility Easement is between Lots 56 & 57 and 57 & 58, Block 95, Unit 21, Leeland Heights. The site is located at 222/224 Connecticut Rd., Lehigh Acres, Florida, Section 32, Township 44, Range 27.

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>John J. Fradyne</i> 5-12-03	<i>[Signature]</i> 5/12/03	OM <i>[Signature]</i> 5/12/03	Risk <i>[Signature]</i> 5/12/03	GC <i>[Signature]</i> 5/12/03	<i>WHA</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

2003 MAY 16 AM 7:29

Rec. by CoAtty
Date: *5/2/03*
Time: *2:05 PM*
Forwarded To:
Mr. ADM.
5/2/03

RECEIVED BY
COUNTY ADMIN. *TD*
COUNTY ADMIN.
FORWARDED TO: *[Signature]*
5/16/03

RECEIVED
PUBLIC RESOURCES

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00063

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 24th day of June, 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

June 3, 2003

**LEGAL DESCRIPTION
EASEMENT TO BE VACATED
EXHIBIT A**

Two twelve foot wide Public Utility Easement, common to lots 56 and 57, and 57 and 58, block 95, Unit 21, less and except the east and west 6 feet thereof, Leeland Heights, a subdivision according to the map or plat thereof on file and recorded in Plat Book 15, Page 46, in the Public Records of Lee County, Florida.

224 Connecticut RD

PETITION TO VACATE

Case Number: VAC 2002-00063

Petitioner(s), CARMELO + GAIL BURGOS, JR
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, P.O. Box 11143, WATERBURY, CT. 06703

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.

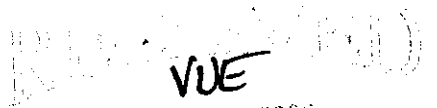
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.

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
CARMELO BURGOS JR.
Printed Name

By: 
Petitioner Signature
GAIL M BURGOS
Printed Name


DEC 12 2002
2/4/2003
00063

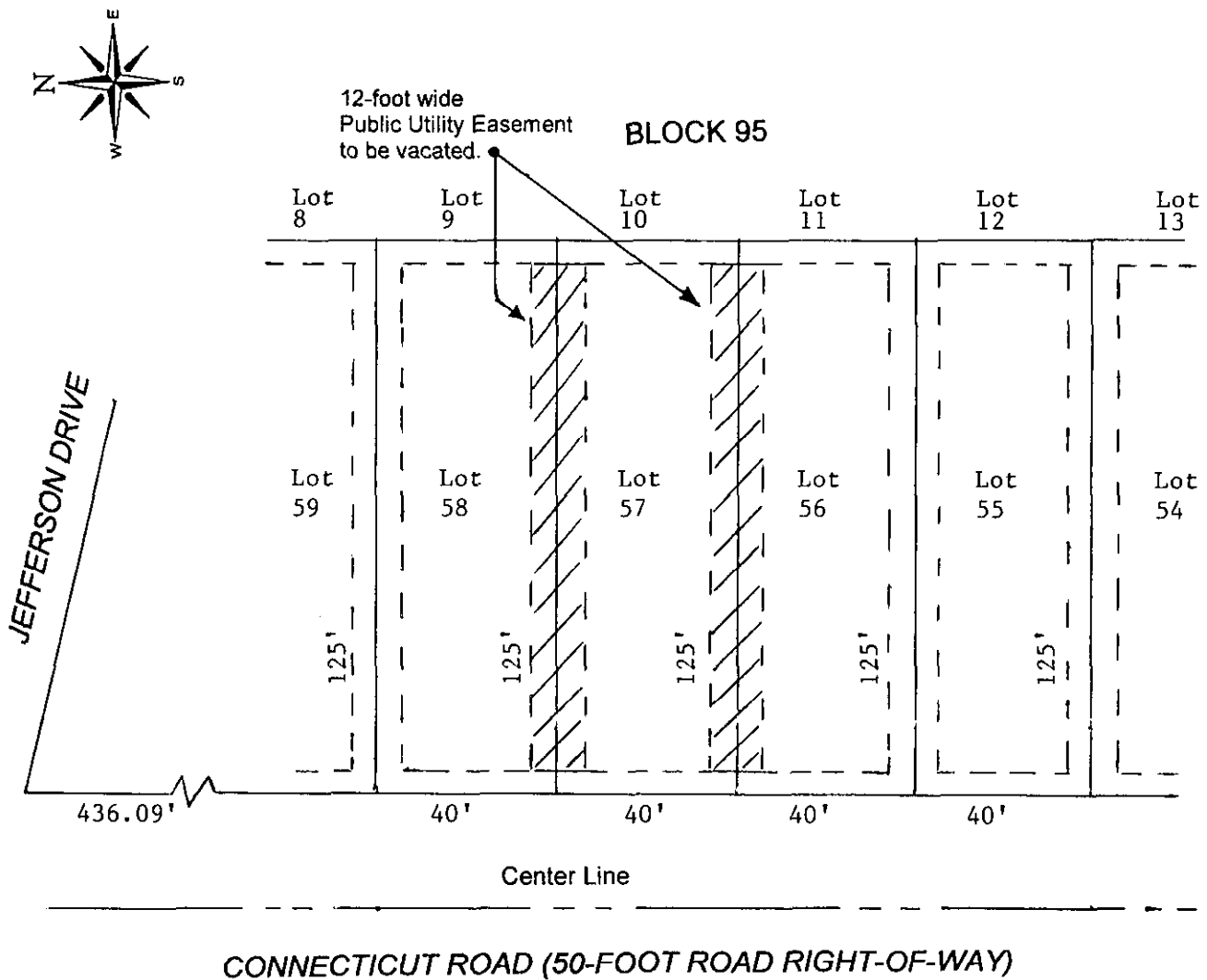
**LEGAL DESCRIPTION
EASEMENT TO BE VACATED
EXHIBIT A**

Two twelve foot wide Public Utility Easement, common to lots 56 and 57, and 57 and 58, block 95, Unit 21, less and except the east and west 6 feet thereof, Leeland Heights, a subdivision according to the map or plat thereof on file and recorded in Plat Book 15, Page 46, in the Public Records of Lee County, Florida.

EXHIBIT "B"
Petition to Vacate
VAC2002-00063

SKETCH OF PUBLIC UTILITY EASEMENT TO BE VACATED

Lots 55 through 58, Block 95, Unit 21 of the Plat of
Section 32, Township 44 South, Range 27 East,
A Subdivision of Lehigh Acres, Lee County, Florida
According to the map or plat thereof on file and recorded
in Plat Book 15, Page 46 of the Public Records of Lee County, Florida



SCALE: 1 inch = 40 feet

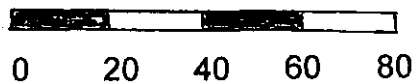


EXHIBIT "C"
Petition to Vacate
VAC2002-00063

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 32 44 27 21 00095 0570
 BURGOS CARMELO JR + GAIL M

DOR...: 00 VACANT RESIDENTIAL
 LOC...:
 LEGAL1: LEELAND HEIGHTS UNIT 21 B
 LEGAL2: LK 95 DB 256 PG 580 LO
 LEGAL3: TS 57 + 58

View Account ▼ for Tax Year: All ▼
 Save as File 32442721000950570 Extensive Search

Your search for 32442721000950570 has returned 8 result(s).

Account	Tax Year	Owner Name and Address	Status
32-44-27-21-00095.0570	2002	BURGOS CARMELO JR + GAIL M 224 CONNECTICUT RD	PAID
32-44-27-21-00095.0570	2001	BURGOS CARMELO JR + GAIL M 224 CONNECTICUT RD	PAID
32-44-27-21-00095.0570	2000	HINSPETER EUGENE J CO-TR + 224 CONNECTICUT RD	REDEEM
32-44-27-21-00095.0570	1999	HINSPETER EUGENE J CO-TR + 224 CONNECTICUT RD	PAID
32-44-27-21-00095.0570	1998	HINSPETER EUGENE J CO-TR +	PAID
32-44-27-21-00095.0570	1997	HINSPETER EUGENE J CO-TR +	REDEEM
32-44-27-21-00095.0570	1995	HINSPETER EUGENE J CO-TR +	REDEEM
32-44-27-21-00095.0570	1994	HINSPETER EUGENE J CO-TR +	REDEEM
(Click on the account number for more information and/or online payment.)			
8 match(es)			Page 1 of 1

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 32 44 27 21 00095 0550
 BURGOS CARMELO JR + GAIL M

DOR...: 00 VACANT RESIDENTIAL
 LOC...:
 LEGAL1: LEELAND HEIGHTS UNIT 21 B
 LEGAL2: LK 95 DB 256 PG 580 LO
 LEGAL3: TS 55 + 56

View Account ▼ for Tax Year: All ▼
 Save as File 32442721000950550 Extensive Search

Your search for 32442721000950550 has returned 5 result(s).

Account	Tax Year	Owner Name and Address	Status
32-44-27-21-00095.0550	2002	BURGOS CARMELO JR + GAIL M 222 CONNECTICUT RD	PAID
32-44-27-21-00095.0550	2001	BURGOS CARMELO JR + GAIL M 222 CONNECTICUT RD	PAID
32-44-27-21-00095.0550	2000	FLORIDA LANDMARK COMMUNITIES 222 CONNECTICUT RD	PAID
32-44-27-21-00095.0550	1999	LEHIGH CORPORATION 222 CONNECTICUT RD	PAID
32-44-27-21-00095.0550	1998	LEHIGH CORPORATION	PAID
(Click on the account number for more information and/or online payment.)			
5 match(es)			Page 1 of 1

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

INSTR # 5433652
O BK 03635 PG 0872
RECORDED 03/21/2002 09:09:37 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DOC 08.00
DEPUTY CLERK L. Parent

THIS INSTRUMENT PREPARED BY:
GUARDIAN TITLE SERVICES CORPORATION
Teri A. Scheall
3501 DEL PRADO BOULEVARD, SUITE 303
CAPE CORAL, FLORIDA 33904

STRAP NO: 32-44-27-21-00095.0550
GRANTEE'S SOCIAL SECURITY NO:

THIS SPECIAL WARRANTY DEED Made this 29th day of April, 2002, by

FLORIDA LANDMARK COMMUNITIES, INC., f/k/a Lehigh Corporation, a Florida Corporation, a corporation existing under the laws of Florida, and having its principal place of business at: 226 E. Joel Boulevard, Lehigh Acres, Florida, 33972 hereinafter called the grantor, to

Carmelo Burgos, Jr. and Gail M. Burgos, Husband and Wife
whose post office address is: 7 Mark Lane #28
Waterbury, CT 06704

hereinafter called the grantee:
(Wherever used herein the terms "grantor" and "grantee" shall include singular and plural, all the parties to this instrument, the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that land situate Lee County, State of Florida, viz:

Lots 55 and 56, Block 95, Unit 21, Leeland Heights, a Subdivision in Lehigh Acres, Section 32, Township 44 South, Range 27 East, according to the map or plat thereof recorded in Deed Book 258, Page 580, et. seq., of the Public Records of Lee County, Florida.

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 it has good, right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: _____
Secretary

(CORPORATE SEAL)

Signed, sealed and delivered in the presence of:
Barbara Ann Plambeck
Witness **Barbara Ann Plambeck**
Tena M. Wyskochil
Witness **Tena M. Wyskochil**

FLORIDA LANDMARK COMMUNITIES, INC.,
f/k/a Lehigh Corporation, a Florida Corporation
By: B. D. Green
Brian D. Green, Vice President

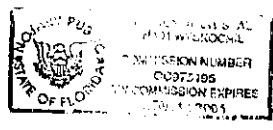
STATE OF FLORIDA
COUNTY OF Lee

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Brian D. Green, known to me to be the Vice President of Florida Landmark Communities, Inc., the corporation in whose name the foregoing instrument was executed, and that he severally acknowledged executing the same for such corporation, freely and voluntarily, under authority duly vested in him by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following form of identification of the above-named person: personally known and that an oath was not taken.

Witness my hand and official seal in the County and State last aforesaid this 29th day of April, 2002.

Tena M. Wyskochil

NOTARY PUBLIC - SIGNATURE ABOVE
NOTARY NAME - Tena M. Wyskochil (Affix Notary Seal)
COMMISSION NO. - CC976195
COMMISSION EXP. DATE - 11/14/2004
Notary Name/Commission No./Exp. Date - typed or printed
FILE #C96342H



Deed

This Instrument Prepared by and return to:

Name: **Kenitha Williams**
Tradewinds Title, Inc.
Address: **904 Lee Blvd., Suite 106**
Lehigh Acres, FL 33936
51261
Parcel I.D. #: **32-44-27-21-00095.0570**
Rec: **10.50 DS: 28.00 Total: 38.50**

SPACE ABOVE THIS LINE FOR PROCESSING DATA

INSTR # 5436611
D BK 03637 PG 1944
RECORDED 05/03/2002 11:52:51 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DEED DOC 28.00
DEPUTY CLERK B Cruz

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 23rd day of April, A.D. 2002, by **EUGENE J. HINSPETER**, and **VIRGINIA M. HINSPETER, CO-TRUSTEES**, of the Eugene J. Hinspeter and Virginia M. Hinspeter Revocable Trust w/a dated August 15, 1994, hereinafter called the grantors, to **CARMELO BURGOS, JR. and GAIL M. BURGOS**, husband and wife, whose post office address is **P.O. Box 11143, Waterbury, CT. 06703**, hereinafter called the grantees:

(Wherever used herein the terms "grantors" and "grantees" include all the parties to this instrument, singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth: That the grantors, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees all that certain land situate in **Lee County, State of Florida**, viz:

Lots 57 and 58, Block 95, Unit 21, Section 32, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Deed Book 256, Page 580, and in Plat Book 15, Page 46, Public Records of Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2002 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

Subject Property is not now nor has it ever been the homestead property of the grantor. Subject property is vacant land.

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 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.

DEC 13 2002

CLERK OF COURT
LEE COUNTY
VAC 2002 00053

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:

Cindy J. [Signature]
Witness Signature

Cindy Junkin
Printed Name

Vanessa Sweigart
Witness Signature

Vanessa Sweigart
Printed Name

Eugene J. Hinspeter L.S.
Eugene J. Hinspeter, Co-Trustee

Address:
2503 Del Prado Blvd., Ste 500, Cape Coral, FL 33904

Virginia M. Hinspeter L.S.
Virginia M. Hinspeter, Co-Trustee

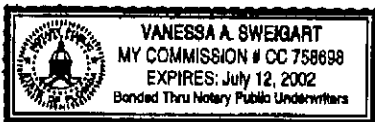
Address:
2503 Del Prado Blvd., Ste 500, Cape Coral, FL 33904

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 23rd day of April, 2002, by Eugene J. Hinspeter, Co-Trustee and Virginia M. Hinspeter, Co-Trustee, who are known to me or who have produced Driver Lic as identification and who did (did not) take an oath.

Vanessa Sweigart
Signature of Acknowledger
My commission expires July 12, 2002

Notary Seal:





October 29, 2002

Leonard Tullo
Permit Express
1735 Brantley Rd. #1411
Ft. Myers, FL 33907

Re: A 12-foot wide Utility and/or Drainage Easement centered on the lo line common to Lots 57 and 58, Block 95, Unit 21 a subdivision of Leeland Heights as recorded in Plat Book 15, Page 46 less and except the ~~north~~/east 6 feet and the ~~south~~/west 6 feet thereof.

Dear Mr. Tullo:

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 black ink that reads "Rachel L. Cowing". The signature is written in a cursive style with a large, sweeping flourish at the end.

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

TOTAL P.02



October 22, 2002

Mr. Leonard Tullo
Prints Express
1735 Brantley Road #1411
Fort Myers, Florida 33907

RE: Vacation of Easement – Lots 56 & 57 and 57 & 58, Unit 21, Block 95,
Section 32, Township 44S, Range 27E.
A 12 foot wide public utility and drainage easement
centered on the lot line between the above listed lots.

Dear Mr. Tullo:

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 239-336-2023.

Sincerely,

Wayne Jackson
Wayne Jackson
Engineer



Post Office Box 3455
North Fort Myers, FL 33918-3455
(941) 995-2121 • FAX (941) 995 7904
www.lcec.net • www.lcec.com

September 10, 2002

Mr. and Mrs. Carmelo & Gail Burgos
P. O. Box 11143
Waterbury, CT 06703

Re: Strap No. 32-44-27-21-00095.0550 and
Strap No. 32-44-27-21-00095.0570

Dear Mr. and Mrs. Burgos:

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

A 12-foot-wide utility and/or drainage easement centered on the lot line common to Lots 55 & 56, 56 & 57 and 57 & 58, Block 95, Unit 21, Leeland Heights, a subdivision of Lehigh Acres as recorded in Plat Book 15, page 46, LESS and EXCEPT the east 6 feet and the west 6 feet thereof.

Please call me at 1-800-282-1643, extension 422 if you have any questions.

Sincerely,

Karen Hardin
Real Property Representative

301 Tower Road
Naples, FL 34113
Collier: 941-732-3834
Lee: 941-432-1801
FAX: 941-992-1289



December 12, 2002

Mr. Leonard Tullo
Permits Express
1735 Brantley Rd. #1411
Fort Myers, Florida 33907

Re: Common Side Easement Vacation of Lots 57 and 58 on Connecticut Rd. in
Leeland Heights Subdivision, Lee County, Florida

Dear Mr. Tullo:

Comcast has reviewed the plans of the above referenced property. Comcast has no conflict with the common side easement vacation of Lots 57 and 58 on Connecticut Rd. in Leeland Heights Subdivision.

If I can be of any additional assistance regarding this project, please do not hesitate to call me (239-432-1816).

Sincerely,

Barb Bradford
Project Coordinator/Comcast Cablevision

bb

VAC 2002-00083

DEC 12 2002

Comcast Cablevision



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Wednesday, October 16, 2002

Bob Jones
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. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

Mr. Carmelo Burgos
P.O. Box 11143
Waterbury, CT 06703

Re: Petition to Vacate a twelve (12) foot wide utility easement common to Lots 55 & 56, Lots 56 & 57, and Lots 57 & 58, Block 95, Unit 21, Leland Heights Subdivision as recorded in Plat Book 15 at Page 46, Public Records of Lee County, Florida.

Dear Mr. Burgos:

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 easements.

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:\WATRES\SURFACE\DOCUMENT\vac285.doc

Approval letters from Utilities.



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Janea
District One

October 1, 2002

Douglas R. St. Camy
District Two

Ray Judeh
District Three

Andrew W. Coy
District Four

Mr. Carmelo Burgos
P. O. Box 11143
Waterbury, CT 06703

John E. Albion
District Five

Donald D. Stilwell
County Manager

**RE: Petition to Vacate
The 12 foot wide Utility Easement on the
Lot line common to Lots 55 and 56, 56 and 57,
And 57 and 58, Block 95, Lehigh Acres**

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

Dear Mr. Burgos:

Lee County Department of Transportation has reviewed your request to vacate the above described easements recorded in Plat Book 15, page 46. The easement between Lots 55 and 56 was vacated by the Board of County Commissioners September 29, 1993, Resolution 93-09-81. DOT has no facilities within the other two easements and does not maintain them.

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/mlb

Cc: Don Blackburn, Development Services
Allen Davies, Natural Resources
DOT PTV File

S:\DOCUMENT\Petition To Vacate\2002\Lots 55&56 Lehigh - Burgos.doc

DEC 12 2002

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



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____
479-8585

John E. Manning
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

April 14, 2003

Mr. & Mrs. Carmello Burgos
P. O. Box 11143
Waterbury, Ct. 06703

Re: VAC2003-00063

Dear Mr. & Mrs. Burgos:

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/sam

U:\200304\VAC20020.006\3\reviewandrec.wpd

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2002-00063**

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. VAC2002-00063 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
EASEMENT TO BE VACATED
EXHIBIT A**

Two twelve foot wide Public Utility Easement, common to lots 56 and 57, and 57 and 58, block 95, Unit 21, less and except the east and west 6 feet thereof, Leeland Heights, a subdivision according to the map or plat thereof on file and recorded in Plat Book 15, Page 46, in the Public Records of Lee County, Florida.