

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2003-00017 to Vacate a 12-foot wide Public Utility Easement centered on the common lot line between Lots 2 and 3, Block 31, Unit 8, a subdivision of Lehigh Acres.

Adopt a Resolution setting the Public Hearing for 5:00 pm on the 24th day of June, 2003.

WHY ACTION IS NECESSARY: To build a single-family residence on the combined lots. The vacation of this Public Utility Easement will not alter existing utility conditions and is not necessary to accommodate any future utility requirements.

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

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 5

04 Community Development

C4B

3. MEETING DATE:

06-03-2003

4. AGENDA:

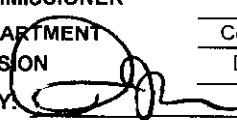
- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

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:  **5/13/03**

Peter J. Eckenrode, Director

BACKGROUND:

The completed Petition to Vacate, VAC2003-00017 was submitted by Barbara Spratlin, Trust Manager for Grace Plantations, UBOT.

LOCATION: Petition # VAC2003-00017 proposes to vacate a twelve foot wide Public Utility Easement centered on the common lot line between Lots 2 and 3, Block 31, Unit 8, a subdivision of Lehigh Acres, Section 11, Township 44 South, Range 27 East, as recorded in Plat Book 15, Page 13, of the Public Records of Lee County, Florida, LESS AND EXCEPT the East six feet and the West six feet thereof. The site is located at 1820 Jackson Avenue., Lehigh Acres, Florida.

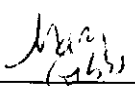
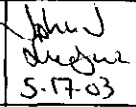



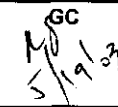
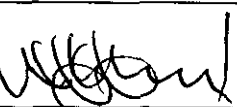
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

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			G County Manager	
	N/A	N/A	N/A	 5-17-03	OA  5/19/03	OM  5/19/03	Risk  5/19/03	GC  5/19/03	

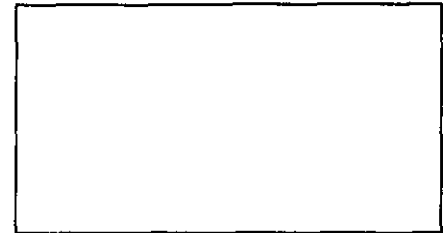
10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN. **TD**
5/19/03
COUNTY ADMIN.
FORWARDED TO: **BH**
5/20 10:30

CO. ATTY.
5/14/03
4:05 PM
CO. ATTY.
FORWARDED TO:
5/14/03

**WITNESS AFFIDAVIT AND NOTICE OF
ASSISTANT MANAGER'S POWERS
of
GRACE PLANTATIONS, UBOT**



non-domestic mail c/o:
P.O. Box 624
Lehigh Acres, Florida Republic
postal zone 33971-0624

COMES NOW the Assistant Trust Manager of GRACE PLANTATIONS, UBOT,
Barbara L Spratlin, and affirms the following:

I AM THE ASSISTANT TRUST MANAGER of GRACE PLANTATIONS, UBOT, a pure, private, common law, non-associated, limited liability, unincorporated business organization trust, hereinafter referred to as "this UBOT," having been named and appointed as Assistant Trust Manager by the Board of Trustees of this UBOT, and that, as such, I have the authority to act for and in behalf of the name "GRACE PLANTATIONS, UBOT," and that my authority includes (without limitation): the power to select, appoint, fire, set the compensation for, and in general, manage any and all Executives, Officers, and other positions as Staff of this UBOT (excluding the Trustees in their capacity as Trustees); the power to execute contracts of any kind and description; to buy, sell, rent, lease, and deal with assets or property of all kinds; to direct and control the routine management concerning any opportunity that may benefit this UBOT; to sell or exchange assets; to make investments of any and all kinds; to pay debts and obligations; and to perform any or all other actions or functions, and have full powers which any person in the world would have naturally or by law. FURTHER, the signature of the Assistant Trust Manager shall be sufficient to execute any conveyance, deed, lease, rental agreement, contract, commercial paper, debt obligation, and any other document or agreement binding upon this UBOT.

THIS AFFIDAVIT may be recorded at the option of the Board of Trustees with the County Clerk and Recorder's Office in whatever state and county the Board of Trustees deems to be beneficial to this UBOT.

FURTHER AFFIANT SAYETH NOT.

Under penalties of perjury, I declare that I have read the foregoing Affidavit and Notice of Manager's Powers of GRACE PLANTATIONS, UBOT and that the facts stated in it are true.

/s/ Barbara L Spratlin
Barbara L Spratlin, Assistant Trust Manager of GRACE PLANTATIONS, UBOT

ASSEVERATION OF WITNESSES

I/We, the undersigned, certify and affirm that I/we personally know the above named Barbara L Spratlin, and that said individual did sign the above signature in our presence for the purpose intended thereunto.

/s/ David W Thielen Date 1-1-95
Printed Name: DAVID W THIELEN

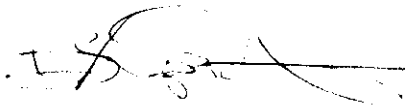
/s/ Theresa Thielen Date 1-1-95
Printed Name: THERESA THIELEN

NOTICE is hereby given to all persons or legal entities doing business with, extending credit to, contracting with, or having claim against this UBOT, that the Board of Trustees is not personally liable when dealing with Trust property or matters, and such persons must look only to the assets of the UBOT Corpus/Estate for payment of, or for settlement of any debt, tort, damage, judgment, or decree, or for any indebtedness which shall become payable thereunder. No trustee shall be liable for the act or omission of a Co-Trustee, or any other person whatsoever, whether employed by such Trustee or not, or for anything other than his own personal breach of the Trust Contract.

EXHIBIT "A"

A legal description of the area proposed for vacation:

A Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 2 and 3, Block 31, Unit 8, Section 11, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 13, of the Public Records of Lee County, Florida, LESS and EXCEPT the East six-feet and the West six-feet thereof.

A handwritten signature in black ink, appearing to be "I. S. [unclear]", written over a horizontal line.

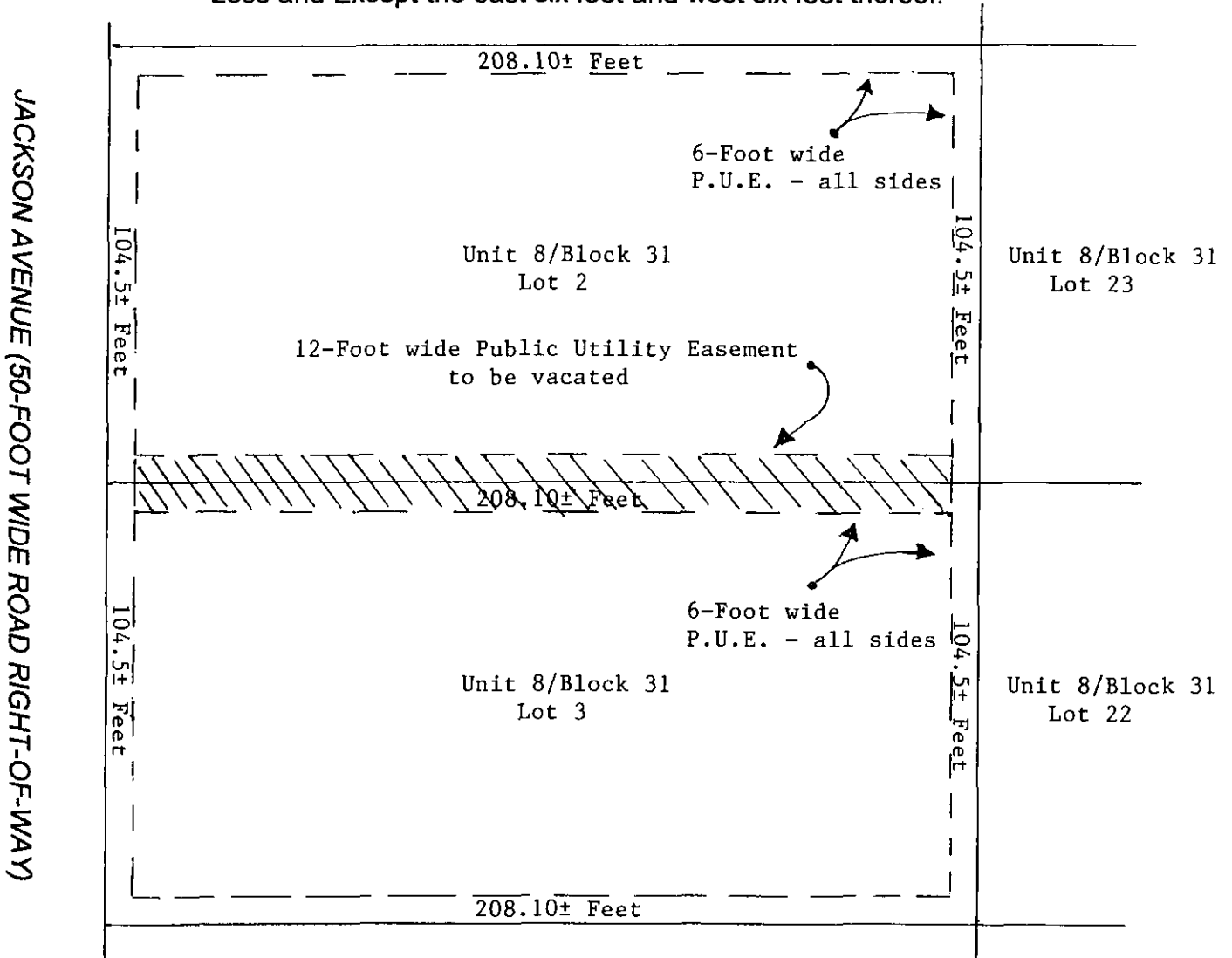
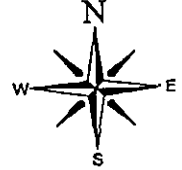
U:\200305\VAC20030.001\7\LEGAL.WPD May 12, 2003

EXHIBIT "A"

EXHIBIT "B"
Petition to Vacate
VAC2002-00017

SKETCH OF PUBLIC UTILITY EASEMENT TO BE VACATED

A portion of the 12-foot wide Public Utility Easement centered on the common lot line between Lots 2 and 3, Unit 8, Block 31 of the Plat of Section 11, 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 13 of the Public Records of Lee County, Florida, Less and Except the east six feet and west six feet thereof.



SCALE: 1 inch = 40 feet

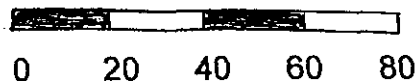


Exhibit "C"

Petition to Vacate

VAC2003-00017

Tax Roll Search - Real Property

Search the Lee County Tax Collector's real property records by selecting the search criteria for the tax year. Use the extensive search feature to view a broader range of data.

By clicking on the 'Start Search' button below, you agree that the information available at this site may not reflect current ownership information. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation.

View Account for Tax Year:

Save as File Extensive Search

Your search for 11442708000310020 has returned 5 result(s).

Account	Tax Year	Owner Name and Address	Status
11-44-27-08-00031.0020	2002	GRACE PLANTATION UBOT 1820 JACKSON AV	PAID
11-44-27-08-00031.0020	2001	KENNEDY JEREMIAH S EST 1820 JACKSON AV	PAID
11-44-27-08-00031.0020	2000	KENNEDY JEREMIAH S EST 1820 JACKSON AV	PAID
11-44-27-08-00031.0020	1999	KENNEDY JEREMIAH S EST 1820 JACKSON AV	PAID
11-44-27-08-00031.0020	1998	KENNEDY JEREMIAH S EST	PAID

(Click on the account number for more information and/or online payment.)

5 match(es) Page 1 of 1

Pay Online:



Real Property Information

Account	Tax Year	Status
11-44-27-08-00031.0020	2002	PAID
Original Account	Book/Page	
11-44-27-08-00031.0020	3895 /4006	
Physical Address	Mailing Address	
GRACE PLANTATION UBOT 1820 JACKSON AV LEHIGH ACRES FL 33972	GRACE PLANTATION UBOT P O BOX 624 LEHIGH ACRES FL 33970	
Legal Description		
LEHIGH ACRES UNIT 8 BLK 31 PB 15 PG 56 LOTS 2 + 3		
Total Amount Due as of 5/17/2003		\$0.00



Return to: Sandra Jones
 Name: Executive Title Insurance Services, Inc.
 Address: 1140 Lee Boulevard Suite 111
 Lehigh Acres, Florida 33936

INSTR # 5776527
 Official Records BK 03895 PG 4006
 RECORDED 04/09/2003 12:30:13 PM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY
 RECORDING FEE 10.50
 DEED DOC 38.50
 DEPUTY CLERK L Parent

2

This Instrument Prepared:
 Sandra Jones
 Executive Title Insurance Services, Inc.
 1140 Lee Boulevard Suite 111
 Lehigh Acres, Florida 33936

as a necessary incident to the fulfillment of conditions
 contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):

11-44-27-08-0031-0020-0030
 11-44-27-08-0031-0020

**This Deed is being re-recorded to remove a Florida Corp
 From Grantees Name. This was a scrivener's error**
 File No: 7030164

WARRANTY DEED

This Warranty Deed Made the 15th day of March, 2003, by

Sandra Bennett Kennedy,

hereinafter called the grantor, whose post office address is:

103 Royal Way, Kingsland, GA 31548

to Grace Plantations, UBOT, ~~A Florida Corporation~~

whose post office address is:

P.O. Box 624, Lehigh Acres, FL 33970,

hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$10.00 Dollars 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, Florida, viz:

Lots 2 and 3, Block 31, Unit 8, Section 11, 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 Official Record Book 15, Page 56, of the Public Records of Lee County, Florida.

13-780

The property is not the homestead of the Grantor(s).
 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.

Page 1 of 2-Warranty Deed

USE THIS DOCUMENT TO BE A
 TRUE AND CORRECT COPY OF THE
 ORIGINAL ON FILE IN MY OFFICE
 CHARLIE GREEN, CLERK OF CIRCUIT COURT
 LEE COUNTY, FLORIDA
 DATED 5/16/03
 BY *[Signature]*

INSTR # 5812849
 Official Records BK 03924 PG 3579
 RECORDED 05/07/2003 03:19:01 PM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY
 RECORDING FEE 10.50
 DEPUTY CLERK G Sherwood



Page 2 of 2-Warranty Deed

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; that the grantor hereby fully warrants 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 January 1, 2003, reservations, restrictions and easements of record, if any. (The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES

~~TWO SEPARATE WITNESSES REQUIRED~~

1st Witness Signature: Judy P. Murphy
Printed Name: Judy P. Murphy

Sandra Bennett Kennedy
Sandra Bennett Kennedy

2nd Witness Signature: Kathleen Levehan
Printed Name: Kathleen LEVEHAN

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this 1ST day of MARCH, 2003, by Sandra, Bennett Kennedy, who is/are personally known to me or who has/have produced driver license(s) as identification, and who did / did not take an oath.

My Commission Expires:
Notary Public, Camden County, Georgia
My Commission Expires 27 April 2006

William A. Murphy
Notary Signature
Print Name: William A. MURPHY
Serial Number





RUSS REED
CUSTOMER PROJECT MANAGER
2425 THOMPSON ST
FT MYERS, FL, 33901
PHONE 239-332-9167
FAX 239-332-9128

B. Spratlin
PO Box 624
Lehigh Acres, FL 33970

Re: Vacating Easement

Florida Power & Light Company has no objection to vacating the easement common to Lots 2 & 3 Block 31 Unit 8 less the east and west 6' thereof. These lots have the following strap number:

11-44-27-08-00031.0020

If we may be of further assistance, please do not hesitate to contact me at 239-332-9167.

Sincerely,

Russ Reed
Customer Project Manager



February 12, 2003

Ms. Barbara Spratlin
P. O. Box 624
Lehigh Acres, Florida 33970-0624

Re: Vacation of Public Utility Easement:
A 12 foot wide public utility and drainage easement
centered on the lot line common to lots 2 & 3,
Block 31, Unit 8, Section 11, Township 44S, Range 27E,
as recorded in Plat Book 15, Page 56 of the Lee County
Public Records.

Dear Ms. Spratlin:

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,

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

Wayneth Jackson
Engineer



February 20, 2003

Barbara Spratlin
P.O. Box 624
Lehigh, FL 33970

Re: Strap# 11-44-27-08-00031.0020
A 15-foot wide utility and/or drainage easement centered on the lot
line common to lots 2 & 3, Block 31, Lehigh Acres Unit 8.

Dear Ms. Spratlin:

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

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

Sincerely,

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

Rachel L. Cowing
Legal Secretary

AN ALLETE COMPANY

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

Water For Florida's Future

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



March 11, 2003

B. Spratlin
PO BOX 624
Lehigh, FL 33970

Re: Request for a letter of Review and Recommendation on a Proposed
Easement Vacation of the Following Location: 1820 Jackson Av
Strap No. 11-44-27-08-00031.0020.

Dear B. Spratlin,

Comcast has no existing utilities in the above referenced location and has no
objection with the vacation of the above referenced utility easement.

If I can be of further assistance to you please do not hesitate to contact me at
(239) 732-3865.

Sincerely,

A handwritten signature in cursive script that reads "Lucia Vera". The signature is written in black ink and is positioned above the printed name.

Lucia Vera
Design Coordinator

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

479-8348

Bob Jones
District One

May 13, 2003

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Barbara Spratlin
P.O. Box 624
Lehigh Acres, Florida 33970

Andrew W. Goy
District Four

John E. Albion
District Five

Re: Recommendation for proposed vacation of a 12-foot wide Public Utility Easement located at 1820 Jackson Avenue, Lehigh Acres, Florida.

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Dear Ms: Spratlin,

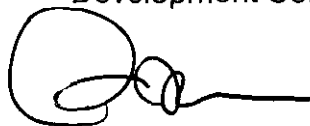
Diana M. Parker
County Hearing Examiner

This office has received your request to vacate a Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 2 and 3, Block 31, Unit 8, a subdivision of Lehigh Acres, Section 11, Township 44 South, Range 27 East, as recorded in Plat Book 15, Page 13 of the Public Records of Lee County, Florida, LESS and EXCEPT the East Six-feet and the West Six-feet 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/rlm

U:\200305\VAC20030.001\7D&PUE.WPD



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

479-8580

Bob Janes
District One

Douglas B. St. Cemy
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stowell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

February 12, 2003

B. Spratlin
P. O. Box 624
Lehigh Acres, FL 33970

**RE: Petition to Vacate
The 12 foot wide Utility Easement on the
Lot Line common to Lots 2 and 3, Block 31,
Unit 8, Lehigh Acres**


Dear Mr. Spratlin:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 15, page 13. 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
DOT PTV File

S:\DOCUMENT\Petition To Vacate\2003\Lots 2&3 Lehigh - Spratlin.doc

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

Monday, February 24, 2003

Bob James
District One

Douglas B. St. Comy
District Two

Ray Judah
District Three

Andrew W. Goy
District Four

John F. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Ms. Barbara L. Spratlin
P.O. Box 624
Lehigh, FL 33970

Re: Petition to Vacate a twelve (12) foot wide public utility easement common to Lots 2 & 3, Block 31, Unit 8, Lehigh Acres Subdivision, as recorded in Plat Book 15 Page 56, in Lee County, Florida

13 433

Dear Ms. Spratlin:

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 easement.

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT



Allen L. Davies, Jr.
Natural Resources Division

-cc: Don Blackburn, Development Services
Joan Henry, County Attorney's Office
Margaret Lawson, LCDOT
Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac315.doc



Florida Department of Transportation

JEB BUSH
GOVERNOR

THOMAS E. BARRY, JR.
SECRETARY

February 17, 2003

Mr. B. Spartlin
P.O. Box 624
Lehigh, Florida 33970

RE: Vacation of An Easement

Dear Mr. Spartlin:

Our staff has conducted a review of your request to vacate a 15-foot public easement centered on the lot lines common to Lots 2 and 3, Block 31, Unit 8, Lehigh Acres, as recorded in Plat Book 15, Page 56, Public Records of Lee County, Florida. This same area was further referenced in your letter and highlighted map of February 10, 2003.

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

05-12-03

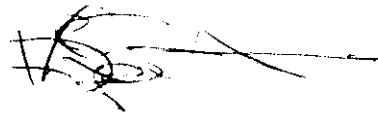
Department of Community Development
Division of Development Services
P.O. Box 398
Ft. Myers, Florida 33902

Re: VAC2003-00017

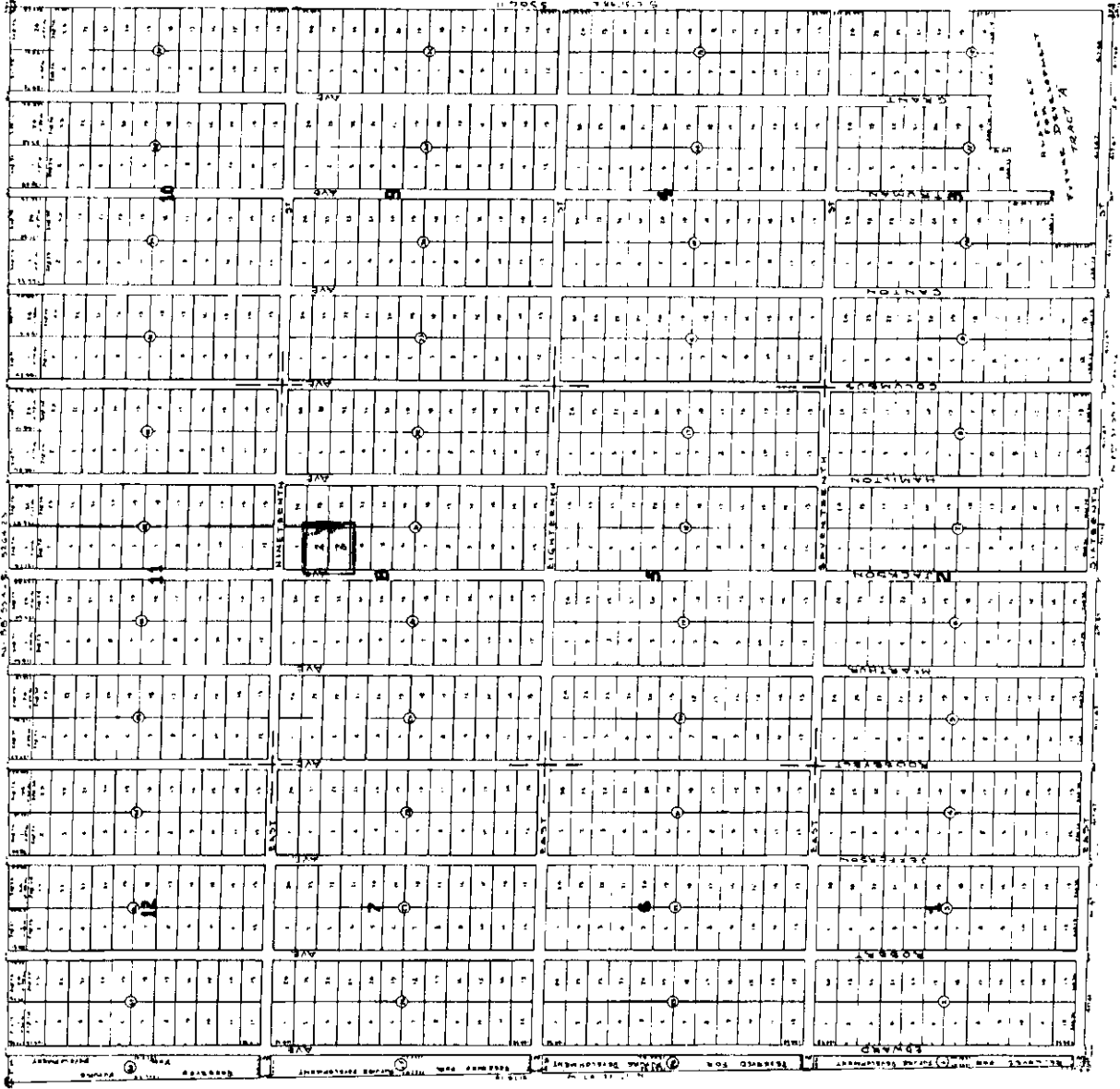
Dear Mr. Eckenrode,

The intent of this Public Utility Easement vacation is to build a single-family home on combined Lots 2 and 3, Block 31, Unit 8, of Lehigh Acres, Section 11, Township 44 South, Range 27 East, according to Plat Book 15, Page 13, of the Public Records of Lee County, Florida.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Spratlin', with a long horizontal line extending to the right.

Barbara Spratlin



PLAT
OF
SECTION 11
Twp 44S R2E 27E

A SUBDIVISION OF
LEHIGH ACRES

LEHIGH COUNTY, PA.
LEHIGH COUNTY LAND OFFICE OF RECORDS
FILED 1915
RECORDED

CERTIFICATE OF SURVEY
I, THE UNDERSIGNED, ASSESSOR GENERAL OF THE
COUNTY OF LEHIGH, DO HEREBY CERTIFY THAT THE
PLAT OF THE SUBDIVISION OF THE LEHIGH ACRES
AS SHOWN ON THIS PLAT, AND THE LOTS THEREON,
WAS BY ME SURVEYED AND FOUND TO BE
CORRECTLY SHOWN AND LAYED OUT.

NOTICE
The Lehigh Acres, as shown on this plat, is
subject to the provisions of the Lehigh Valley
Municipal Code, Chapter 101, Section 101-101,
relating to the use of land for residential purposes.

PETITION TO VACATE

Case Number: VAC 2003 - 00017

Petitioner(s), Grace Plantations, UBOF
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, PO BOX 624 LEHIGH, FL 33970.
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: Howard Spratlin Jr.
Petitioner Signature

Howard Spratlin Jr.
Printed Name

By: Barbara Spratlin
Petitioner Signature

Barbara Spratlin
Printed Name

Barbara Spratlin

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2003-00017**

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. VAC2003-00017 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 Public Utility Easement centered on the common lot line between Lots 2 and 3, Block 31, Unit 8, Section 11, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 13, of the Public Records of Lee County, Florida, LESS and EXCEPT the East six-feet and the West six-feet thereof.

A handwritten signature in black ink, appearing to be "J. B. Smith", written over a horizontal line.

U:\200305\VAC20030.001\7\LEGAL.WPD May 12, 2003

EXHIBIT "A"

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00017

TO WHOM IT MAY CONCERN:

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

LEE COUNTY
SOUTH WEST FLORIDA
CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"

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A handwritten signature in black ink, appearing to be "I. S. A.", written over a horizontal line.

U:\200305\VAC20030.001\7\LEGAL.WPD May 12, 2003

EXHIBIT "A"