

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20030635

1. REQUESTED MOTION:

ACTION REQUESTED: Schedule Public Hearing to vacate a portion of a public drainage easement located in The Rookery Subdivision.

WHY ACTION IS NECESSARY: To construct a pool in the rear of the lot. **The vacation of a portion of the public drainage easement will not alter the existing drainage.**

WHAT THE ACTION ACCOMPLISHES: Sets the time and date of the Public Hearing. (Case # VAC2003-00010)

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 2

C4A

3. MEETING DATE:

06-17-03

4. AGENDA

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)
 STATUTE
 ORDINANCE
 ADMIN. CODE 13-1/13-8
 OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER _____
B. DEPARTMENT Community Development
C. DIVISION Development Services
BY *[Signature]* 5/27/03
Peter J. Eckenrode, Director

7. BACKGROUND:

The Petition to Vacate was submitted by Robert Self, P.E. , R2 Self, Inc. agent for applicant.

LOCATION: The Public Drainage Easement is located in the rear of lot 27, The Rookery Subdivision as recorded in Plat Book 38, page 59. The site is located at 6636 Kestrel Circle, Fort Myers, Florida, Section 18, Township 45 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
					OA	OM	Risk	GC	
<i>[Signature]</i>	N/A	N/A		<i>John J. Sheehan 6-3-03</i>	<i>[Signature] 6/3/03</i>	<i>[Signature] 6/3/03</i>	<i>[Signature] 6/3/03</i>	<i>[Signature] 6/3/03</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

Rec. by CoAtty
Date: <i>6/2/03</i>
Time: <i>1:00 PM</i>
Forwarded to: <i>C.O. Adams 6/3/03 10AM</i>

*REVOCAD 6/3 10⁰⁰ TD
6/4 12⁰⁰*

B.11A

PETITION TO VACATE

Case Number: VAC 2003-00610

Petitioner(s) RODNEY N. MARVER & VICTORIA V. MARVER
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, 12811 KENWOOD LN #205, FORT MYERS, FL 33907
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, Rodney N. Marver and Victoria V. Marver

By: 
Petitioner Signature

By: _____
Petitioner Signature

ROBERT L. SELF
Printed Name

Printed Name

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Lot 21 Rookery SID and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate ROBERT L. SELF as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

[Signature]
Owner* (signature)
RODNEY MARVER
Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

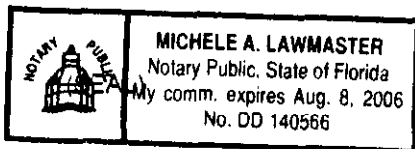
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 31st day of January, 2003, by

FEDL Rodney Marver, who is personally known to me or who has produced

FLDL M616-734-65-048-0 as identification.



Michele A Lawmaster
Notary Public

Michele A Lawmaster
(Name typed, printed or stamped)

ZDS0103 Rev.04
3/11/97 Y2K 1/03/2000

VAC
2003-00010



Exhibit "A"
Petition to Vacate
VAC2003-00010

Vacating only a portion of the twenty-foot wide drainage easement located on the easterly twenty feet of Lot 27 of The Rookery, A Subdivision in the SW 1/4 of the NE 1/4 of Section 18, Township 45 South, Range 25 East, Lee County, Florida, as Recorded in the Office of the Clerk of the Circuit Court at Plat Book 38, Page 58 - 60 of the Public Records of Lee County, Florida.

The portion of the aforesaid drainage easement to be vacated being more particularly described as follows:

Beginning at the northeast corner of Lot 27 of The Rookery Subdivision;

Thence South 67°40' 19" West for 7.0 feet along the north property line to the Point of Beginning;

Thence continuing along the north property line South 67°40'19" West for 13.0 feet;

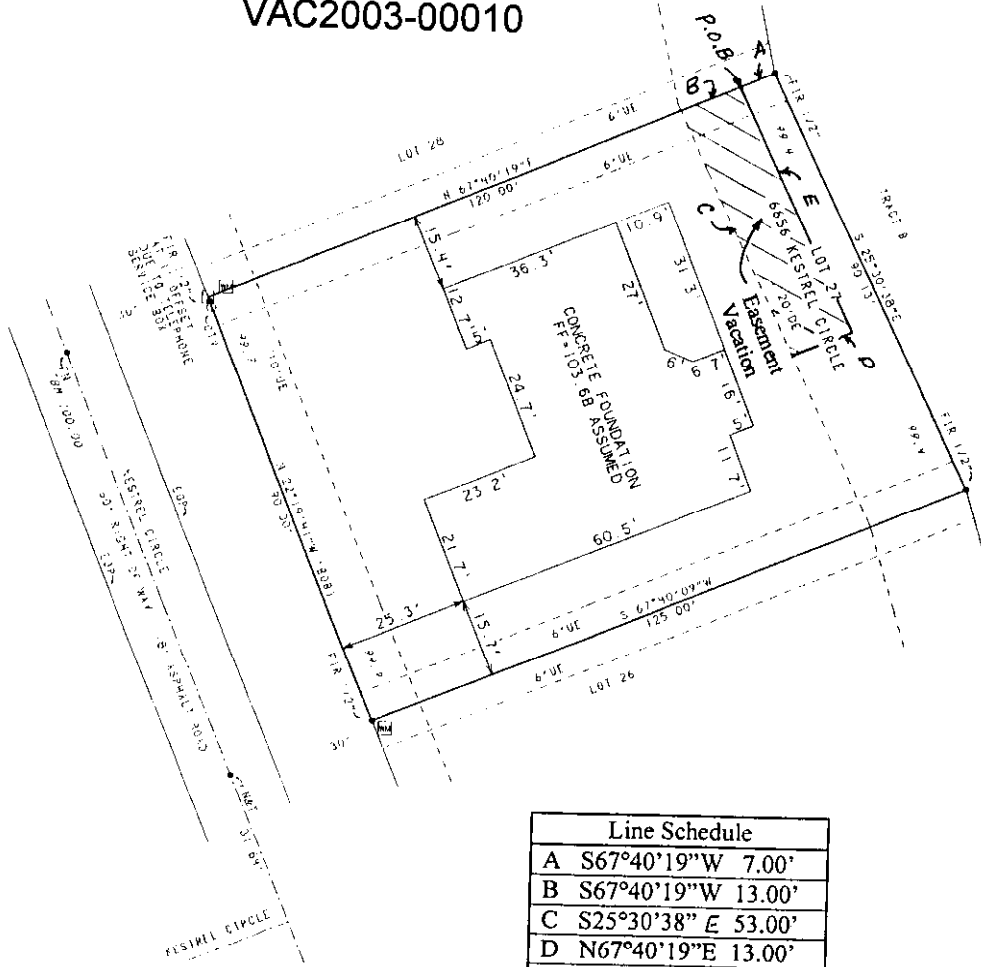
Thence South 25°30'38" East for 53.0 feet;

Thence North 67°40'19" East for 13.0 feet; and

Thence North 25°30'38" West for 53.0 feet to the Point of Beginning.

But not vacating any portion of the six-foot wide public utility easement located along either the northerly or easterly side of Lot 27 of The Rookery Subdivision.

Exhibit "B"
Petition to Vacate
VAC2003-00010



Line Schedule	
A	S67°40'19"W 7.00'
B	S67°40'19"W 13.00'
C	S25°30'38" E 53.00'
D	N67°40'19"E 13.00'
E	N25°30'38"W 53.00'

PARCEL DESCRIPTION
 LOT 27, THE ROOKERY, ACCORDING TO THE
 MAP OR PLAT THEREOF ON FILE IN THE OFFICE
 OF THE CLERK OF THE CIRCUIT COURT,
 RECORDED IN PLAT BOOK 38, PAGE 59.
 PUBLIC RECORDS OF LEE COUNTY, FLORIDA

CERTIFIED TO
 HARMON HOMES
 RODNEY & VICTORIA HARVER
 FIRST NATIONAL BANK OF FLORIDA, DBA
 CAPE CORAL NATIONAL BANK, IT'S SUCCESSORS
 AND/OR ASSIGNS
 STEWART TITLE GUARANTY COMPANY
 EXECUTIVE TITLE INSURANCE SERVICE, INC

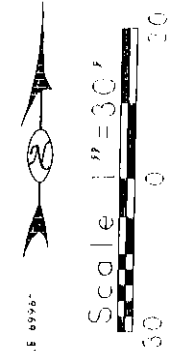
Notes

- 1) Parcel was surveyed from information supplied by the client. No abstract was reviewed.
- 2) No underground utilities or structures, including wells or septic tanks, were located except as shown.
- 3) Only improvements shown were located.
- 4) Parcel subject to restrictions, easements, reservations, and right-of-ways of record.
- 5) Dimensions are in feet (U.S. Survey Feet) and decimals thereof except where shown.
- 6) This certification is only for the land described. It is not a certificate of title, ownership, freedom of encumbrance, zoning, easement, or rights-of-way.
- 7) This document is invalid if altered in any way.
- 8) This survey was performed for the express purposes of meeting the needs of the above named in regards to a mortgage of the subject property. It might not meet the needs of any other persons, any other loans, or any other purposes.
- 9) parcel lies in FLOOD ZONE B AS SHOWN ON FIRM# 125124 0350 B DATED 19 SEP 84
- 10) REVISION: ADDED CONCRETE FOUNDATION, 20 MAR 02

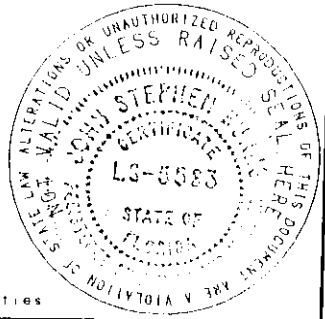
This survey is certified to the above named only, that it meets the minimum technical standards for surveys, set forth by the Florida Board of Professional Land Surveyors pursuant to Section 472.027, Florida Statutes, and Chapter 61G17 b, Florida Administrative Code.

BY John S. Burns Sr.
 Florida Professional Surveyor and Mapper # 5583

This survey is not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties.



- Legend**
- FOUND DEPTH HOLE
 - FINISHED FLOOR ELEVATION
 - FOUND IRON ROD
 - FOUND NAIL & TAG
 - FOUND CONCRETE REMNENT
 - MEASURED POWER LINE
 - ELECTRIC SERVICE BOX
 - BARBED WIRE FENCE
 - CHAIN LINK FENCE
 - CONCRETE
 - FOUND DRILL HOLE
 - PLAT CALL
 - PERMANENT CONTROL POINT
 - PERMANENT REFERENCE MONUMENT
 - SET IRON ROD & TAG
 - SET IRON NAIL & TAG
 - SMALL SET NAIL & TAG
 - SCREED-POREN
 - SEAMLESS IRON ROD & CAP
 - APPROXIMATE TOP BARR
 - UTILITY EASEMENT
 - WALKWAY
 - WATER METER
 - WOOD FENCE
 - POWER POLE
 - STORM DRAIN
 - TELEPHONE SERVICE BOX



- Freshwater Exemptions
- Saltwater Exemptions
- Overview Information
- History
- New License
- License Transfer
- Renewal
- Fees and Exemptions
- Transient Merchants
- Out of Business/Fire Sale
- Search Records

Exhibit "C"

VAC 2003-00010



Lee County, Florida

- Home
- Taxes
- Vehicles & Vessels
- Hunting & Fishing
- Occupational Licenses

[LCTC Home](#)

Information

- Announcements
- Calendar of Events
- Hours & Locations
- Employment
- Contact Information
- Other Agencies
- Related Links
- About Us
- Site Map
- Record Search
 - Vehicles & Vessels
 - Tangible Property
 - Real Estate Property
 - Tax Certificates
 - Occupational Licenses
- Payments
 - Payment Information
 - Pay Online
 - Pay Online Help
- Services
 - Address Change
 - Downloads
 - Forms
 - Glossary of Terms
 - Site Search

Tax Roll Search - Real Property

Search the Lee County Tax Collector's real property records by selecting the 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 interpretation.

View
Account
for Tax Year:

Save as File
 Extensive Search

Your search for 1845250400000270 has returned 5 result(s).

Account	Tax Year	Owner Name and Address	Status
18-45-25-04-00000270	2002	MARVER RODNEY N + VICTORIA V 6656 KESTREL CIR	PAID
18-45-25-04-00000270	2001	MARVER RODNEY N + VICTORIA V 6656 KESTREL CIR	PAID
18-45-25-04-00000270	2000	MARVER RODNEY N + VICTORIA V 6656 KESTREL CIR	PAID
18-45-25-04-00000270	1999	DRAKE DALTON D 6656 KESTREL CIR	PAID
18-45-25-04-00000270	1998	DRAKE DALTON D	PAID

(Click on the account number for more information and/or online payment.)
5 match(es) Page 1 of 1

Prepared By: Donna Shannon
Sunbelt Title Agency
4957 S. Cleveland Ave. Ste 101, Fort Myers, FL 33907
Phone: (941)931-1234
File Number: 16-717-01
Grantee(s) SS#: 390-72-4053 385-86-8844
Parcel ID #: 18-45-25-04-00000-0270

INSTR # 5234002
OR BK 03484 PG 1590

RECORDED 09/14/01 11:29 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD(F.S. 201.02) 241.50
DEPUTY CLERK A Janke

WARRANTY DEED
(Individual)

This Warranty Deed, dated this 11th day of September, 2001

By **Dalton D. Drake**

whose post office address is: 1564 Jefferson Avenue, Fort Myers, FL 33901, hereinafter called the GRANTOR,

To **Rodney N. Marver and Victoria V. Marver, husband and wife**

whose post office address is: 1486 Cranville Square, Fort Myers, Florida 33919, hereinafter called the GRANTEE,
(Wherever used herein, the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and their heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH, that the Grantor, for an in consideration of the sum of \$10.00 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:

Lot 27, THE ROOKERY, a subdivision, according to the plat thereof, as recorded in Plat Book 38, at Pages 58 through 60, in the Public Records of Lee County, Florida.

Grantor hereby warrants that the above captioned property is not his/her homestead as defined in the Constitution of the State of Florida.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements, and agreements of record, if any; taxes and assessments for the year 2001 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,


TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

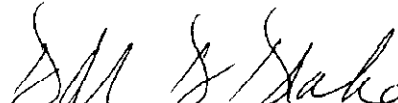
TO HAVE AND TO HOLD, the same in fee simple forever.


AND THE GRANTOR hereby covenants with said Grantee that except as above noted, 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.


IN WITNESS WHEREOF, Grantor has signed and sealed these presents the date set forth above.


Signed, sealed and delivered in the presence of:


Witness


Dalton D. Drake


Print Witness' Name


Witness


Print Witness' Name

State of: **FLORIDA**
County of: **LEE**

The foregoing instrument was acknowledged before me this 11th day of September, 2001, by Dalton D. Drake who is personally known to me or who has provided driver's license as identification and who did not take an oath.

(Seal)


Notary:
Commission Expires:

VAC
2003-00010

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



December 13, 2002

R2 Self, Inc
C/O Robert L Self
12811 Kenwood Ln #205
Ft Myers, FL 33907

Re: Request for a letter of Review and Recommendation on a Proposed
Easement Vacation of the Following Location: Lot 27 Rookery Sub-
Division. Strap No. 18-45-25-04-00000.0270.

Dear Mr. Robert L. Self,

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

Sincerely,

A handwritten signature in cursive script that reads "Mark Cook".

Mark Cook
Design Coordinator

VAC 2005-00010



15834 Winkler Road Ft. Myers, FL 33908
Fax 332-9128

April 16, 2003

Mr. Robert L. Self, P.E.
R2 Self, Inc.
12811 Kenwood Lane, Suite 205
Fort Myers, Florida 33907

RE: Drainage Easement at Lot 27, Rookery Subdivision

Dear Mr. Self:

Florida Power & Light has no objection to the vacation of a portion of the drainage easement on lot 27 of the Rookery Subdivision as describe in your letter of Novemeber 21, 2002.

Please call me at (941)332-9154 if you have any questions or concerns.

Sincerely,

Randy Camp
Sr. System Project Mgr.



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

December 5, 2002

Mr. Robert L. Self, P.E.
R2 Self, Inc.
12811 Kenwood Lane – Suite 205
Ft. Myers, Fl. 33907

Ref: Vacation of 20' Drainage Easement
Strap No. 18-45-25-04-00000.0270
Lot 27 Rookery Subdivision

Dear Mr. Self:

This is in response to your letter of November 21st., regarding your intention to submit a Petition to vacate the drainage easement at the rear of the above property.

Please be advised that Sprint has no objection to your Petition.

If I can be of further assistance, please feel free to contact me at 336-2014.

Sincerely,

A handwritten signature in cursive script that reads "Grabowski".

Denise Grabowski
Engineer I – CSO Network.

VAC
2003-00010



November 27, 2002

Robert L. Self, P.E.
R2 Self, Inc.
12811 Kenwood Lane – Suite 205
Fort Myers, Fla. 33907

Re: Request for a letter of Review and Recommendation on a
Proposed easement vacation located at: Strap: 18-45-25-04-00000.0270
Lot 27, Rookery Subdivision

Dear Mr. Self:

Please accept this letter as notification that I have reviewed your request for the above listed vacation of easement. At this time, Time Warner Cable has no facilities within the area of this proposed vacation. Time Warner Cable has NO CONFLICT with this proposed vacation.

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

Sincerely,

TIME WARNER CABLE

A handwritten signature in cursive script that reads "B Streeter".

Benjamin R. Streeter
Technical Field Inspector

BRS/sgs

6AC 2003-00010



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Jones
District One

Douglas R. St. Genny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John F. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

May 22, 2003

Mr. Robert Self, P.E.
12811 Kenwood Lane
Suite 205
Fort Myers, Florida 33907

Re: VAC2003-00010 - Petition to Vacate a portion of a 20 foot drainage easement located on the rear of lot 27 of the Rockery Subdivision, a subdivision of Lee County, recorded in plat book 38, page 59.

Dear Mr. Self:

You indicated that in order for a pool to be built in the rear of lot 27, Rockery Subdivision, a portion of the 20 foot drainage easement located in the rear of the lot must be vacated.

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 Eckenrode
Director

PJE/rlw

S:\TIDEMARK DOCUMENTS\VACATIONS\Development Review Recommends.wpd

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

Wednesday, January 23, 2003

Bob Jones
District One

Douglas R. St. Gery
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John L. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Mr. Robert L. Self, P.E.
12811 Kenwood Lane Suite 205
Fort Myers, FL 33907

Re: Petition to Vacate a portion of a twenty (20) foot wide drainage easement on the rear lot line of Lot 27 of Rookery Subdivision, as recorded in Plat Book 38 Page 59, in Lee County, Florida.

Dear Mr. Self:

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 drainage easement provided the following:

1. Evidence that the Rookery Community Association does not object to the proposed vacation.

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



2003-00010

S:\NATRES\SURFACE\DOCUMENT\vac299.doc



BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Douglas R. St. Gerny
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

November 27, 2002

Robert L. Self
12811 Kenwood Lane, Suite 205
Fort Myers, Fl. 33907

**SUBJECT: PETITION TO VACATE A PORTION OF A DRAINAGE EASEMENT AT
6656 KESTREL CIRCLE, LOT 27, ROOKERY SUBDIVISION**

Dear Mr. Self:

A) Lee County Utilities has reviewed the Drainage Easement described in your letter of November 21, 2002. Lee County Utilities has no facilities located within the rear of your property within this drainage easement, therefore, there is no objection by Lee County Utilities to the vacation of this easement.

Should you have any questions, or require further assistance, please do not hesitate to contact our office at 479-8532 or 479-8181 ext. 8532.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Engineering Tech II
UTILITIES ENGINEERING

VAC
2003-00010

\\LCFNW15\DATA\SHARED\ENVS\SRV\UTILS\Engr\MMMM\LETTERS\VACATION\ROCKERY SUBDIVISION - LOT 27 - NO-OBJECTION.doc



The Rookery

The Rookery Community Association, Inc.
Since 4-13-87

April 24, 2003

Robert L. Self, P.E.
12811 Kenwood Lane
Suite 205
Fort Myers, FL 33907

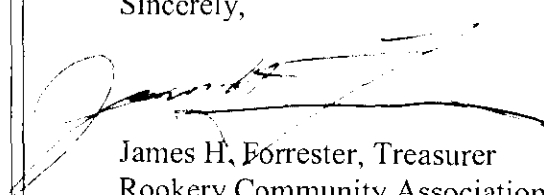
Re: Letter of Review & Recommendation on a proposed easement vacation located on
Lot 27 Rookery Subdivision

Dear Mr. Self,

It is my understanding that our Architectural Review Board has given their approval with respect to the easement. The ARB has authority from the Board of Directors to grant this approval.

Should you have any further questions, please call.

Sincerely,



James H. Forrester, Treasurer
Rookery Community Association
Board of Directors

6687 Kestrel Circle • Fort Myers, FL 33912-1364
(941) 939-1188 • Fax 941-939-1283





SOUTH FLORIDA WATER MANAGEMENT DISTRICT

LOWER WEST COAST REGIONAL SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901
(239) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (239) 338-2936 • www.sfwmd.gov/org/exo/fimyrs/

CON 24-06

May 1, 2003

Robert L. Self, P.E.
12811 Kenwood Lane, Suite 205
Fort Myers, FL 33907

Subject: Vacation Of Drainage Easement
Lot 27 Rookery Subdivision
6656 Kestrel Circle

Dear Mr. Self:

This letter is in response to your request for District approval of a vacation of the drainage easement associated with the surface water management system serving the above referenced development. Drainage easements are typically granted to the property owners association or sometimes the local government, not to the District. The purpose of the drainage easement is to allow the homeowners association legal access to allow for the proper operation and maintenance of the system. The decision to grant a vacation rests with the local government. However, the property owners association will still be responsible for the operation and maintenance of the entire surface water management system. The District cannot recommend nor approve the vacation of this easement.

Please call me at (239) 338-2929 ext. 7731 if you have any questions.

Sincerely,

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

Brian Roberts, E.I.
Senior Regulatory Professional
Environmental Resource Compliance
Lower West Coast Service Center

GOVERNING BOARD

Nicolas I. Gutierrez, Jr., Esq., *Chair*
Pamela Brooks-Thomas, *Vice Chair*
Irela M. Bague

Michael Collins
Hugh M. English
Lennart E. Lindahl, P.E.

Kevin McCarty
Harkley R. Thornton
Trudi K. Williams, P.E.

EXECUTIVE OFFICE

Henry Dean, *Executive Director*

R2 Self, Inc.

Civil Engineering - Design to Completion

12811 Kenwood Lane Suite 205 Ft. Myers, Florida 33907

Telephone: 1/239-278-4415 Fax: 1/239-278-4438 E-mail selfr2@aol.com

www.R2Self.com

March 3, 2003

Mr. Peter J. Eckenrode
Lee Co. Development Services
1500 Monroe Street
Ft. Myers, FL 33902-5500

MAR 04 2003
LEE COUNTY

Re: Request for easement vacation on the following parcels

VAC
2003-00010

Strap No. 18-45-25-04-00000.0270
Lot 27 Rookery Subdivision
6656 Kestrel Circle

Dear Mr. Eckenrode,

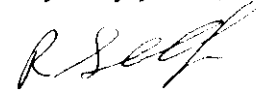
We are submitting a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the drainage easements on the property identified above in order to build a swimming pool.

We have included a drawing of the parcel with the easement to be vacated clearly marked and more particularly described as follows:

A 13' x 53' portion of the 20' wide Drainage Easement located on the rear lot line of Lot 27 of the Rookery Subdivision, a subdivision of Lee County as recorded in Plat Book 38, Page 59.

If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Very truly yours,



Robert L. Self, P.E.
#30072

RLS:

Enclosure

VAC 2003-00010
RECEIVED
VDE
MAR 04 2003
Lee Co. Development
COMMISSIONERS DEVELOPMENT

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2003-00010**

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. VAC2003-00010 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"
Petition to Vacate
VAC2003-00010

Vacating only a portion of the twenty-foot wide drainage easement located on the easterly twenty feet of Lot 27 of The Rookery, A Subdivision in the SW 1/4 of the NE 1/4 of Section 18, Township 45 South, Range 25 East, Lee County, Florida, as Recorded in the Office of the Clerk of the Circuit Court at Plat Book 38, Page 58 - 60 of the Public Records of Lee County, Florida.

The portion of the aforesaid drainage easement to be vacated being more particularly described as follows:

Beginning at the northeast corner of Lot 27 of The Rookery Subdivision;

Thence South 67°40' 19" West for 7.0 feet along the north property line to the Point of Beginning;

Thence continuing along the north property line South 67°40'19" West for 13.0 feet;

Thence South 25°30'38" East for 53.0 feet;

Thence North 67°40'19" East for 13.0 feet; and

Thence North 25°30'38" West for 53.0 feet to the Point of Beginning.

But not vacating any portion of the six-foot wide public utility easement located along either the northerly or easterly side of Lot 27 of The Rookery Subdivision.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00010

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 8th day of July 2003 @5:00 PM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Exhibit "A"
Petition to Vacate
VAC2003-00010

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Thence North $67^{\circ}40'19''$ East for 13.0 feet; and

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