

1. **REQUESTED MOTION:**

*Accept a petition to vacate and*  
**ACTION REQUESTED:** Schedule a Public Hearing for 5:00 P.M. on the 9th Day of September, 2003 to vacate a 12-foot wide Public Utility Easement located at 603 E. 7<sup>th</sup> Street, Lehigh Acres Florida. (VAC2003-00032, BS# 20030846)

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

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

2. **DEPARTMENTAL CATEGORY:**  
COMMISSION DISTRICT #: 5

04  
**C4C**

3. **MEETING DATE:**  
**08-19-2003**

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: *[Signature]* 7/25/03  
Peter J. Eckenrode, Director

7. **BACKGROUND:**  
The completed petition to Vacate, VAC2003-00032 was submitted by Patrick C. Hunt, Agent on behalf of the property owner Raquel Reyes.

**LOCATION:** Petition No. VAC2003-00032 proposes to vacate a 12-foot wide Public Utility Easement centered on the lot lines common to the East 1/2 of Lot 12 and the West 1/2 of Lot 13, Block 43, Unit 11, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 42, Section 28, Township 44 South, Range 27 East, of the Public Records of Lee County, Florida, LESS and EXCEPT the North 6-feet and the South 25-feet thereof. The site is located at 603 E. 7<sup>th</sup> Street, 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 and 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
					OM	Risk	GC	
<i>Man Gabis</i>	N/A	N/A	N/A	<i>[Signature]</i> 8/5/03	<i>[Signature]</i> 8/7/03	<i>[Signature]</i> 8/7/03	<i>[Signature]</i> 8/7/03	<i>[Signature]</i>

10. **COMMISSION ACTION:**

\_\_\_\_ APPROVED  
\_\_\_\_ DENIED  
\_\_\_\_ DEFERRED  
\_\_\_\_ OTHER

Rec. by CoAtty  
Date: **8/5/03**  
Time: **2:45 PM**

RECEIVED BY  
COUNTY ADMIN  
**8-6-03**  
COUNTY ADMIN  
FORWARDED TO  
*[Signature]*

Forwarded To:  
HESMT.DREN.  
8/6/03 12:44

# PETITION TO VACATE

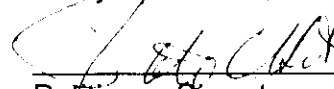
Case Number: VAC2003-00032

Petitioner(s), Raquel Reyes  
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, 285 Maryland Avenue, Patterson, New Jersey 07503 .
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

Patrick C. Hunt, Agent for Raquel Reyes  
Printed Name

By: \_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
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 **Strap# 28-44-27-11-00043.0120** and legally described in exhibit A attached hereto. **603 E 7<sup>th</sup> Street, Lehigh Acres, FL 33972**

The property described herein is the subject of an application for zoning or development. We hereby designate **Patrick C. Hunt or Site Concepts** 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.

Raquel Reyes  
Owner\* (signature)  
**Raquel Reyes**  
Printed Name

\_\_\_\_\_  
Owner\* (signature)  
\_\_\_\_\_  
Printed Name

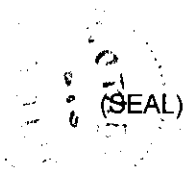
\_\_\_\_\_  
Owner\* (signature)  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Owner\* (signature)  
\_\_\_\_\_  
Printed Name

STATE OF New Jersey  
COUNTY OF LEE Passaic

Sworn to (or affirmed) and subscribed before me this 28<sup>th</sup> day of July, 2003, by

**Raquel Reyes**, who is personally known to me or who has produced her New Jersey Driver License as identification.



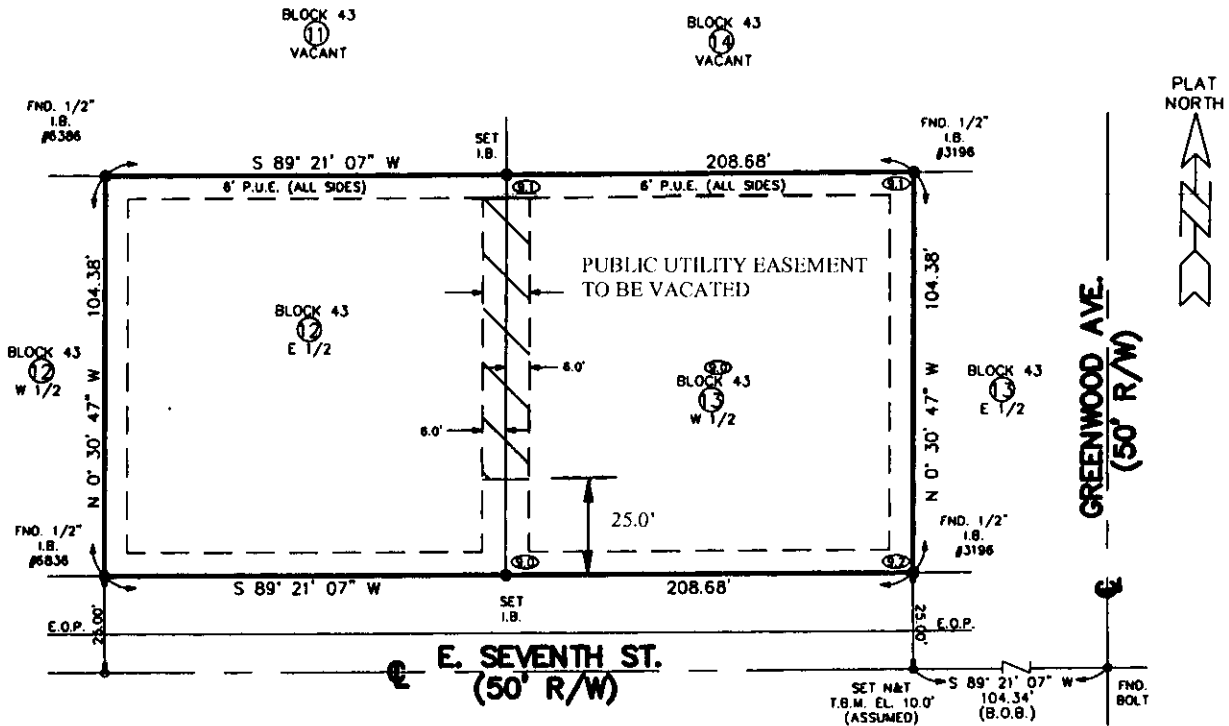
Sandra Galvan  
Notary Public  
**SANDRA GALVAN**  
**ATTORNEY-AT-LAW-NJ**  
(Name typed, printed or stamped)

Exhibit "A"  
Petition to Vacate  
VAC2003-00032

**Legal Description**

A twelve-foot (12') wide public utility easement centered on the common lot line separating Lots 12 and 13 of Block 43, Unit 11 of the plat of Section 28, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 42 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the northerly six feet (6.0') and the southerly twenty-five feet (25.0') thereof.



603 EAST SEVENTH STREET  
 E 1/2 OF LOT 12 & W 1/2 OF LOT 13, BLOCK 43, UNIT 11  
 SECTION 28, TOWNSHIP 44 SOUTH, RANGE 27 EAST  
 LEHIGH ACRES, LEE COUNTY, FLORIDA  
 RECORDED IN PLAT BOOK 15, PAGE 42, AND  
 DEED BOOK 263, PAGE 346, OF THE  
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

**NOT A SURVEY – SKETCH ONLY**

**S.T.A.R. Surveying, Inc.** (LB54449)  
**Professional Surveyors and Mappers**  
 1130-E Lee Boulevard, Lehigh Acres, Florida 33936  
 (941) 368-7400 (941) 368-7685 (Fax)

DATE:	5-16-03
JOB NUMBER:	9486-167A
DRAWN BY:	C.B.S.
SCALE:	1" = 40'
SHEET:	EXHIBIT "B"

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



Lee County, Florida

Cathy

Search...



Home

Taxes

Vehicles & Vessels

Hunting & Fishing

Occupational Licenses

LCTC Home

**Information**

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- Hours & Locations
- Employment
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- 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 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 28442711000430120 has returned 6 result(s).

Account	Tax Year	Owner Name and Address	Status
28-44-27-11-00043.0120	2002	REYES RAQUEL 603 E 7TH ST	PAID
28-44-27-11-00043.0120	2001	REYES RAQUEL 603 E 7TH ST	PAID
28-44-27-11-00043.0120	2000	REYES RAQUEL 603 E 7TH ST	PAID
28-44-27-11-00043.0120	1999	REYES RAQUEL 603 E 7TH ST	PAID
28-44-27-11-00043.0120	1998	REYES RAQUEL	PAID
28-44-27-11-00043.0120	1997	REYES RACHEL	REDEEM

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

EXHIBIT "C"

## Lee County Clerk of Courts

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Help

Zoom In	Zoom Out	Best Fit	Fit To Width	Fit To Height	Rotate
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This instrument Prepared by and return to:

Name: *Virgil Bates*  
*Tradewinds Title, Inc.*  
 Address: *904 Lee Blvd., Suite 106*  
*Lehigh Acres, FL 33936*  
*52565*  
 Parcel I.D. #: *28-44-27-11-00043.0130*  
 Rec. 10.50 DS. 31.50 Total: 42.00

INSTR # 5573403  
 OR BK 03734 PG 1812  
 RECORDED 09/24/2002 08:30:28 AM  
 CHARLIE GREEN, CLERK OF COURT  
 LEE COUNTY  
 RECORDING FEE 10.50  
 DEED DUE 41.50  
 DEPUTY CLERK W. MILLER

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED** Made the 10th day of September, A.D. 2002, by **JOYCE G. MENDEZ**, hereinafter called the grantor, to **RAQUEL REYES**, whose post office address is **285 Maryland Ave., Paterson, NJ 07503**, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" 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 grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all that certain land situate in **Lee County, State of Florida**, viz:

West One-Half (W 1/2) of Lot 13, Block 43, Unit 11, Section 28, 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 252, Page 466, Public Records, 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 grantor hereby covenants with said grantee that she is lawfully seized of said land in fee simple, that she has good right and lawful authority to sell and convey said land, and 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 December 31, 2001.

193

Lee County Clerk of Courts

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Help

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GR BOOK 03734 PAGE 1813

*In Witness Whereof, the said grantor has signed and sealed these presents, the day and year first above written*

Signed, sealed and delivered in the presence of  
**Must be witnessed by two separate people not related to seller or buyer**

*Ava L. Funderburk*  
1<sup>st</sup> Witness Signature

*Ava L. Funderburk*  
Printed Name

*Jackie Phillips*  
2<sup>nd</sup> Witness Signature

*Jackie Phillips*  
Printed Name

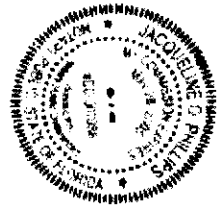
*Joyce G. Mendez* 1 S  
Joyce G. Mendez  
Address  
701 Greenwood Ave., Lehigh Acres, FL 33972

State of *Florida*  
County of *Lee*

The foregoing instrument was acknowledged before me this *14* day of *Sept*, 2002, by *Joyce G. Mendez*, who is known to me or who has produced *proper identification* or identification and who did *not* take an oath

*Jacqueline D. Phillips*  
Signature of Acknowledger  
My Commission Expires *JACQUILINE D. PHILLIPS*

Notary Seal



2/3



Lee County Clerk of Courts

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Page No.: 1  
Help

Zoom In	Zoom Out	Best Fit	Fit To Width	Fit To Height	Rotate
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**This Warranty Deed**

Made this 20th day of January A.D. 19 95 3720452

BY JOYCE MENDEZ

701 GREENWOOD AVENUE  
LEHIGH ACRES, FL 33936  
hereinafter called the grantor, to  
RAQUEL REYES

Documentary Tax \$ 34.30  
County Clerk Lee County  
Sup. of Clerk

whose post office address is: 25 MARYLAND AVENUE  
PATTERSON, NJ 08503

hereinafter called the grantees:

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

Witnesseth, that the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alien, remits, releases, conveys and confirms unto the grantees, all that certain land situate in Lee County, Florida, viz:

THE EAST HALF OF LOT 12, BLOCK 43, UNIT 11, REPLAT OF SECTION 28, 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 IN DEED BOOK 263, PAGE 346, PUBLIC RECORDS, LEE COUNTY, FLORIDA.

SUBJECT TO Covenants, restrictions, easements of records and taxes for the current year.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel Identification Number: 28-64-27-11-00043.0120

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 grantees 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 December 31, 19 94

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature] LEIGH ANN YOUNG  
[Signature] DEBRA L. REYNOLDS

[Signature] JOYCE MENDEZ  
[Signature]

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me this 20th day of January, 19 95  
by JOYCE MENDEZ

who is personally known to me or who has produced DRIVER'S LICENSE as identification and who DID (also as with)

[Signature]  
Signature: Leigh Ann Young  
Leigh Ann Young  
File Name: CC 376193  
My Commission Expires: 2-30-95

PREPARED BY: LEIGH ANN YOUNG  
RECORD AND RETURN TO:  
Executive Title Insurance Services, Inc.  
1140 Lee Blvd., Suite # 111  
Lehigh Acres, FL 33936  
File No: 8165-TT

WD-1  
11/97

082571 P61913  
CHIEF CLERK LEE CO. FL.

3 / 3



Post Office Box 3455  
North Fort Myers, FL 33918-3455  
(239) 995-2121 • FAX (239) 995-7904  
www.lcec.net • www.iline.com

May 7, 2003

Site Concepts  
Attn: Mr. Patrick C. Hunt  
8363 Caloosa Rd.  
Ft. Myers, FL 33912

Re: Strap #28-44-27-11-00043.0120

Dear Mr. Hunt:

LCEC does not object to vacation of a portion of the easement at the referenced site described as follows:

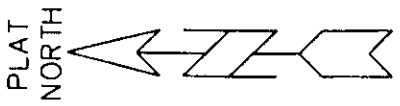
A 12-foot-wide utility and/or drainage easement centered on the lot line between Lots 12 and 13, Block 43, Unit 11, Section 28, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 18, of the Official Records of Lee County, Florida, **LESS AND EXCEPT** the South 25 feet thereof (see attached).

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

Sincerely,

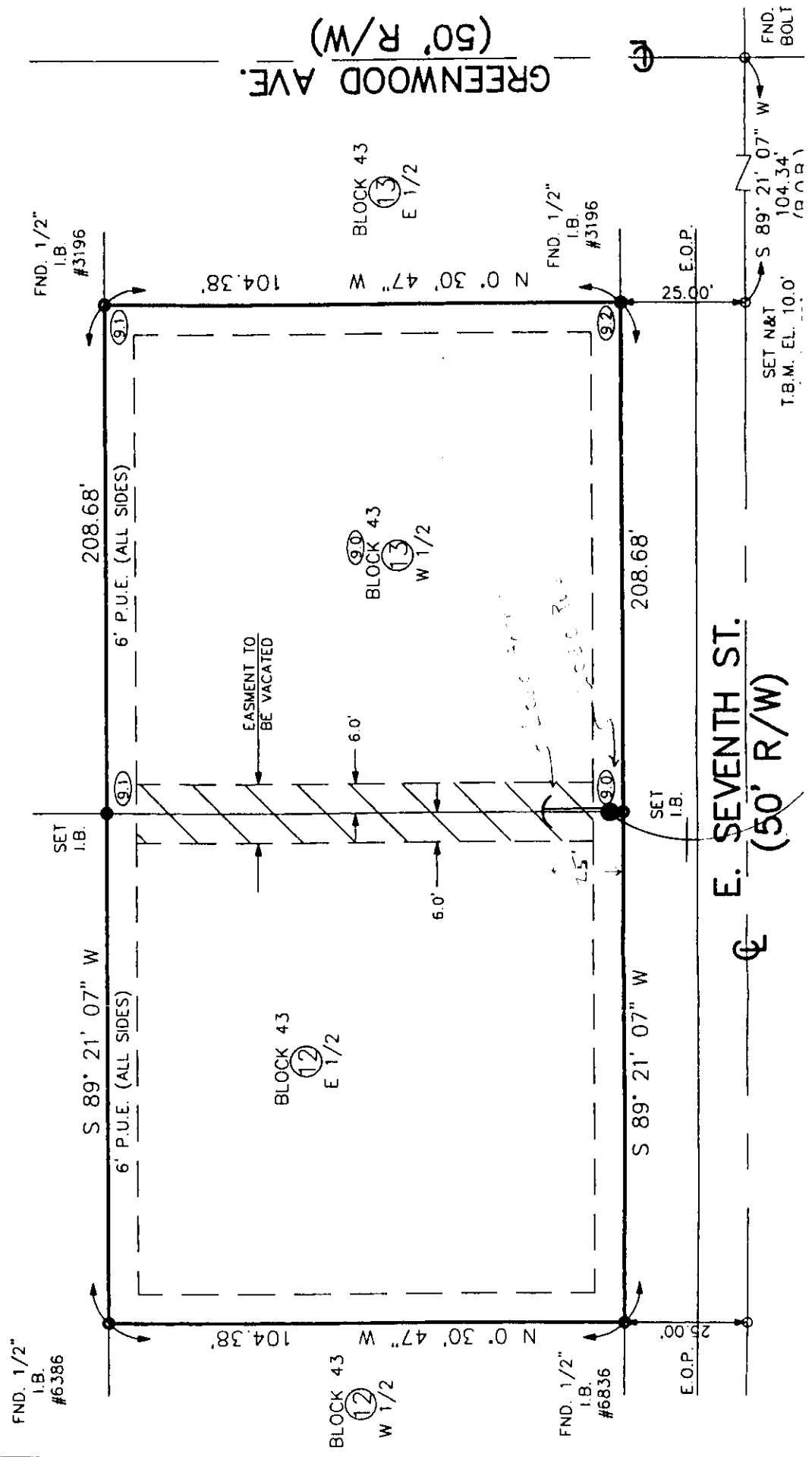
Karen Hardin  
Real Property Representative

Attachment



BLOCK 43  
⑪  
VACANT

BLOCK 43  
⑭  
VACANT



GREENWOOD AVE.  
(50' R/W)

E. SEVENTH ST.  
(50' R/W)

FND. BOLT  
S 89° 21' 07" W  
104.34'  
(B.C.R.)  
T.B.M. EL. 10.0'  
SET N&T  
E.O.P.

FND. 1/2" I.B. #3196

FND. 1/2" I.B. #3196

FND. 1/2" I.B. #6386

FND. 1/2" I.B. #6836

208.68'

208.68'

S 89° 21' 07" W

S 89° 21' 07" W

6' P.U.E. (ALL SIDES)

6' P.U.E. (ALL SIDES)

EASMENT TO BE VACATED

BLOCK 43  
⑫  
E 1/2

BLOCK 43  
⑬  
W 1/2

BLOCK 43  
⑬  
E 1/2

BLOCK 43  
⑫  
W 1/2

N 0° 30' 47" W  
104.38'

N 0° 30' 47" W  
104.38'

SET I.B.

SET I.B.

E.O.P.

E.O.P.

⊕

⊕

⊕

⊕

***Land Investment Services, Inc.***

***8363 Caloosa Road  
Fort Myers, FL 33912***

***PHONE: 239-267-5900***

***FAX: 239-267-4915***

**- Fax -**

**DATE:** June 23, 2003

**TO:** Sal  
Lee Co. DCD

**FROM:** Patrick C. Hunt, V.P.

**PHONE:** 479-8585

**Fax:** 479-8386

**RE:** Raquel Reyes Utility Vacation Request  
Parcel #28-44-27-11-00043.0120  
VAC2003-00032

**Message**

Attached letter of No Objection from Sprint was just received.

If I may be of any assistance, please do not hesitate to contact me on cell phone #340-9389.

Total pages 3



Customer Service Operation

P.O. Box 1531  
Lakeland, Florida 34075-1531

June 23, 2003

Mr. Patrick C. Hunt  
Site Concepts  
8363 Caloosa Road  
Fort Myers, Florida 33912

**RE: Petition to vacate a portion of a public utility easement. Strap #28-44-27-11-00043.0120. A 12 foot wide public utility and drainage easement centered on the lot line common to the E1/2 of lot 12 and the W1/2 of lot 13, Block 43, Section 28, Township 44S, Range 27E.**

Dear Mr. Hunt:

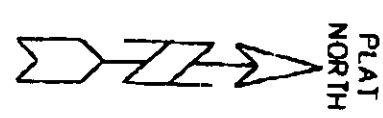
Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, the easement may be vacated with the exception of 20' which runs North of E. 7<sup>th</sup> Street between the East 1/2 of lot 12 and the West 1/2 of lot 13. We have existing utilities in this portion of the easement. Please see attached drawing.

If you need additional information, please contact me at 863-452-3207.

Sincerely,

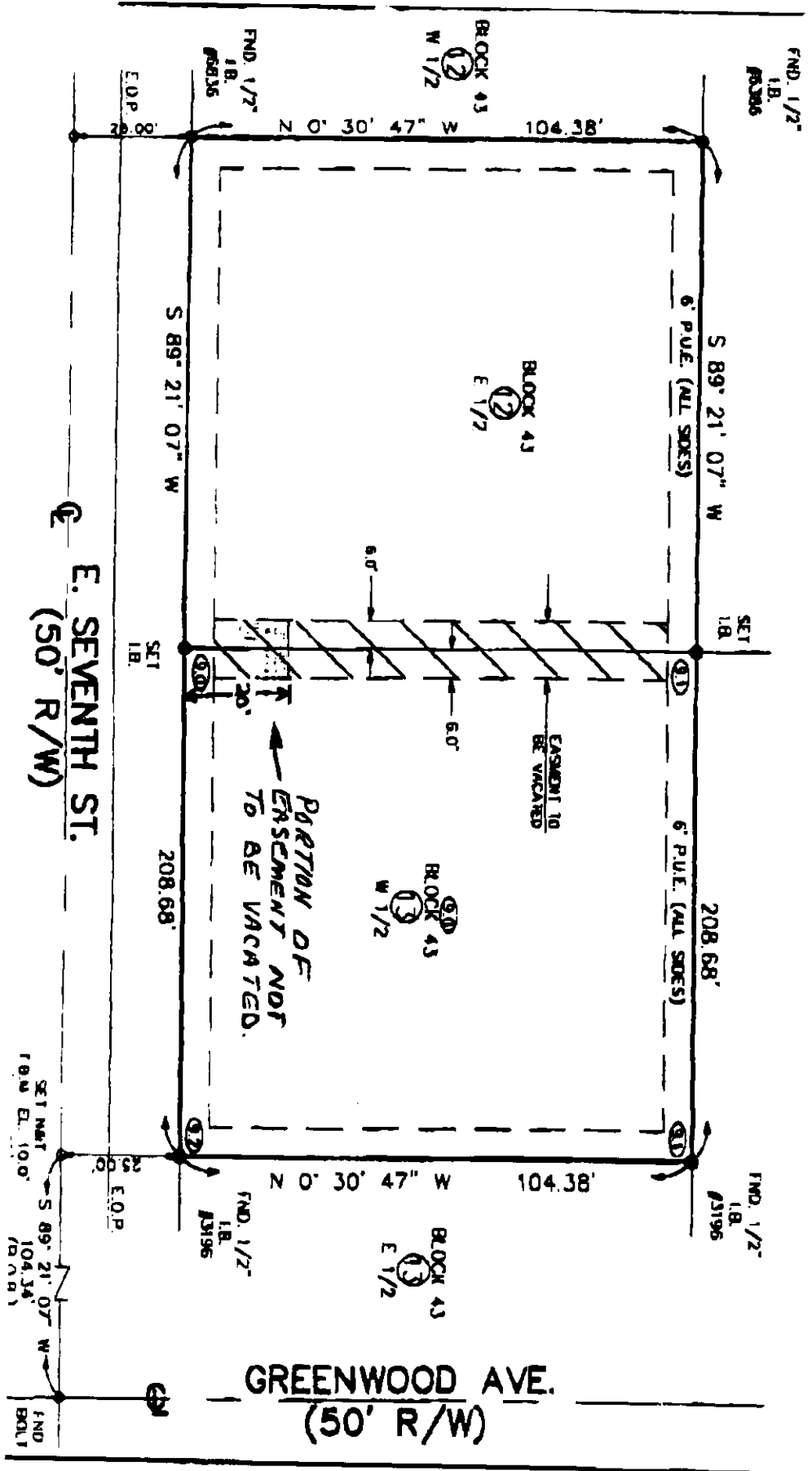
  
Wayneth Jackson

Attachment



BLOCK 43  
①  
VACANT

BLOCK 43  
④  
VACANT



GREENWOOD AVE.  
(50' R/W)

E. SEVENTH ST.  
(50' R/W)



June 3, 2003

Patrick C. Hunt, Agent  
Site Concepts  
8363 Caloosa Road  
Fort Myers, FL 33912

Re: STRAP #28-44-27-11-00043.0120  
A 12-foot wide public utility easement centered on Lots 12 & 13,  
Block 43, Unit 11, Section 28, Township 44 South, Range 27 East,  
a Subdivision of Lehigh Acres, Lee County, Florida, as recorded in  
Plat Book 15, Page 18, of the Official Records of Lee County,  
Florida, less and except the northerly 6-feet and the southerly 6-  
feet thereof.

Dear Mr. Hunt:

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

Florida Water Services Corporation | 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



May 9, 2003

Patrick C. Hunt  
Site Concepts  
8363 Caloosa Road  
Fort Myers, Florida 33912

Re: Petition to Vacate a portion of a utility easement in the residential area of  
Lehigh Acres Replat Unit 11, Strap#28-44-27-11-00043.0120

Dear Mr. Hunt:

This letter will serve to inform you of our existing utilities at the above referenced location. Comcast has aerial facilities down the front easement of this property. We have no objection to your petition to vacate in between lots twelve and thirteen, of Block 43, of E. Seventh Street, in Lehigh Acres.

Should you require additional information or assistance, please feel free to contact me here at (239) 432-1865.

Cordially,

A handwritten signature in cursive script that reads "Lucia Vera".

Lucia Vera  
Project Coordinator





BOARD OF COUNTY COMMISSIONERS

(239) 479-8348

Writer's Direct Dial Number:

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*

July 18, 2003

Site Concepts  
Patrick C. Hunt  
8363 Caloosa Road  
Ft. Myers, Florida 33912

Re: Recommendation for proposed vacation of a 12 foot wide Public Utility Easement located at 603 E. 7<sup>th</sup> Street, Lehigh Acres, Florida.  
VAC2003-00032

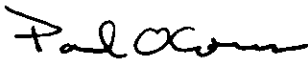
Dear Mr. Hunt:

This office has received your request to vacate 12-foot wide Public Utility Easement centered on the common lot line between Lots 12 (East ½) and 13 (West ½), Block 43, Unit 11, S. 28, T. 44S, R. 27E, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 42, of the Records of Lee County, Florida. LESS and ECXCEPT the North 6 feet and the South 25 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

  
Pete

Pete Eckenrode  
Director

PJE/rlm

U:\200307\VAC20030.003\2\DCDLETTER.DOC

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE** Case Number: VAC2003-00032

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. VAC2003-00032 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

\_\_\_\_\_  
Deputy Clerk Signature

\_\_\_\_\_  
Please Print Name

BOARD OF COUNTY  
COMMISSIONERS OF  
LEE COUNTY, FLORIDA

\_\_\_\_\_  
Chairman Signature

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name

Exhibit "A"  
Petition to Vacate  
VAC2003-00032

**Legal Description**

A twelve-foot (12') wide public utility easement centered on the common lot line separating Lots 12 and 13 of Block 43, Unit 11 of the plat of Section 28, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 42 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the northerly six feet (6.0') and the southerly twenty-five feet (25.0') thereof.

# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00032

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 9th day of September 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**  
**VAC2003-00032**

**Legal Description**

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**LESS AND EXCEPT** the northerly six feet (6.0') and the southerly twenty-five feet (25.0') thereof.

## Site Concepts

PLANS • PERMITS • PROJECT MANAGEMENT

8363 Caloosa Road  
Fort Myers, FL 33912

June 10, 2003

Mr. Peter J. Eckenrode, Director  
Lee County Development Services Division  
Department of Community Development  
1500 Monroe Street  
Fort Myers, FL 33901

VAC 2003-00032

RE: Petition to Vacate Easement in the residential area of Lehigh Acres Replat Unit 11  
STRAP# 28-44-27-11-00043.0120 , to build single family residence on combined lots.

Dear Mr. Eckenrode:

This package is submitted for your attention as per Lee County Administrative Code 13-1 as a petition to vacate a portion of a platted utility easement. The owner has executed a letter of authorization and for whom I am delivering this request to vacate. There are no objections from the franchised utilities in this area as documented by copies of letters attached. The easement is internal to the two lots 12 & 13, therefore, a list of affected property owners is not included.

Attached are the documents necessary to process this request. Should you require any additional information or assistance, please call me at telephone # 340-9389.

Sincerely,

  
Patrick C. Hunt

Attachments: Letter of Authorization.  
Petition to Vacate.  
Legal Description - Exhibit "A" -2 copies.  
Sketch of Legal Description - Exhibit "B" -2 copies.  
Paid Tax Receipt - Exhibit "C" -2 copies.  
Copy of Letters of No Objection.  
Location Map.  
Aerial Photos - 2 Copies.  
Copy of Deeds.  
Copy of Plat.  
Fee Check \$300.00  
Surrounding Property Owners List & Map.

# LOCATION

LEHIGH ACRES

Site Address: 603 E 7<sup>th</sup> Street

Section 28, Township 44 South, Range 27 East

East 1/2 Lot 12 & West 1/2 Lot 13, Block 43, Lehigh Acres Replat Unit 11.

