

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate (4) four 12-foot wide Public Utility Easements located at 5140/42/44 and 46 24th Street Southwest and 5141/43/45 and 47 Leonard Blvd. South, Lehigh Acres, Florida, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 13th day of January, 2004 (Case No. VAC2003-00063)

WHY ACTION IS NECESSARY: To build (2) residential duplexes 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

C4A

3. MEETING DATE:

12-09-2003

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]* 10/31/03

Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2003-00063 was submitted by Faye H. Self, Agent on behalf of the property owner.

LOCATION: Petition No. VAC2003-00063 proposes to vacate (4) four 12-foot wide Public Utility Easements located on Lots: N ½ and S ½ of Lots 18 and 19, also N ½ and S ½ of Lots 20 and 21, Block 4, Unit 2, in Lehigh Estates Subdivision, recorded in Plat Book 15, Page 82, of the official records of Lee County, Florida, LESS AND EXCEPT the Northerly 6 feet and Southerly 6 feet thereof. The site is located at 5140/42/44 and 46 24th Street Southwest and 5141/43/45 and 47 Leonard Blvd. South, 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 11/2-4/03			G County Manager
					QA	OM	Risk	GC
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i> 11-21-03	<i>[Signature]</i> 11/24/03	<i>[Signature]</i> 11/24/03	<i>[Signature]</i> 11/24/03	<i>[Signature]</i> 11-24-03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 11/30/03
Time: 3:12 PM
Forwarded to:

Rec. by CoAtty
Date: 11/10/03
Time: 3:35 PM
Forwarded to:
Co. Adm.
11/24/03 4PM

RECEIVED BY
COUNTY ADMIN: TP
11/21/03
4:25 pm EDT
COUNTY ADMIN
FORWARDED TO: BH
11/25/03

PETITION TO VACATE

Case Number: VAC 2003-00063

Petitioner(s), ROSS HOME BUILDERS INC

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, 10 R2 SELF, INC, 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,

By: Faye Self
Petitioner Signature

FAYE SELF, LEGAL REP.
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 the properties commonly known as N 1/2 & S 1/2 of Lots 18+19 and N 1/2 & S 1/2 of Lots 20 + 21 of the Lehigh Estates Subdivision of Lee County as recorded in Plat Book 15, Page 82 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 Faye H. 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 new or amended authorization is delivered to Lee County.

[Signature]
Owner (signature)

[Signature]
Owner (signature)

Ross Home Builders, Inc.
Gary McGettrick - President

Ross Home Builders, Inc.
Terrence Whetsell - Vice President

Owner (signature)

Owner (signature)

Printed Name

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 3rd day of Nov., 2003

by Gary McGettrick, Terrence Whetsell, who is personally known to me or who has produced

as
identification.



[Signature]
Notary Public

Com. Expires 4/28/07
Diannette L. Gonzalez

Exhibit "A"
Petition to Vacate
VAC2003-00063

Legal description of a portion of Public Utility Easements to be vacated:

A portion of a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 18 and 19, and also between Lots 20 and 21, all in Block 4 of the Plat of Unit 2 of Lehigh Estates, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 82 of the of the Public Records of Lee County, Florida.

Less and except the northeasterly six feet (6') and southwesterly six feet (6') of each easement.

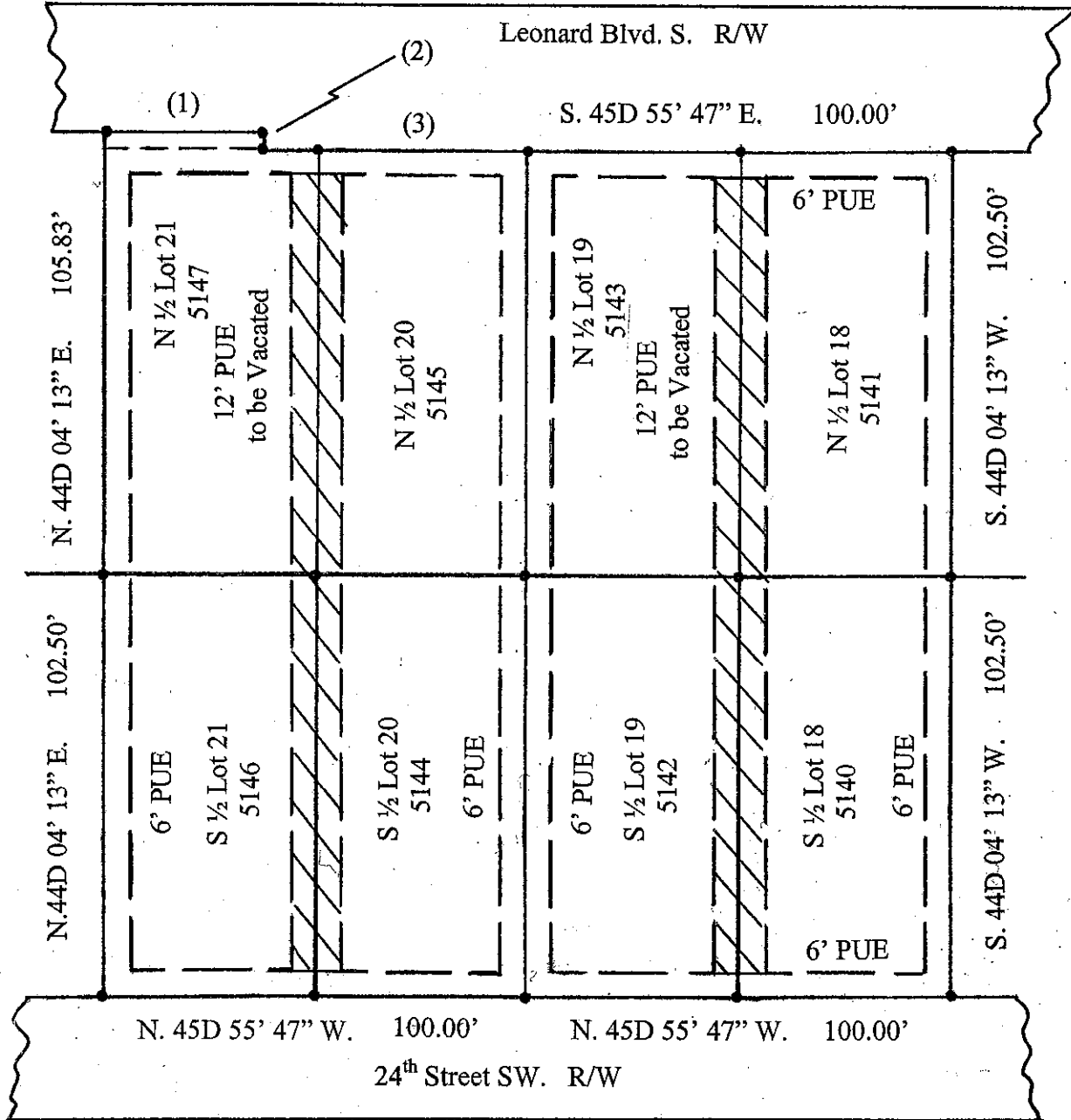
Exhibit "B"

Petition to Vacate

VAC2003-00063

- (1) S. 45D 55' 47" E. 36.73'
- (2) S. 44D 04' 12" W. 3.00'
- (3) S. 45D 55' 47" E. 63.27'

SCALE: 1" = 40'



5147/45 and 5143/41 LEONARD BLVD. S.
 5146/44 and 5142/40 24TH STREET SW.
 LOTS 21, 20, 19 and 18
 BLOCK 4, UNIT 2
 SECTION 31, TOWNSHIP 44 SOUTH, RANGE 26 EAST
 A SUBDIVISION OF LEHIGH ESTATES
 LEHIGH ACRES, FLORIDA
 RECORDED IN PLAT BOOK 15, PAGE 82,
 OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA


Easements to
 be vacated. 

Exhibit "C"

Petition to Vacate

VAC2003-00063

[Page One of Two]

*The results to your tax search are based upon information provided to the Lee County Tax Collector by the Lee County Property Appraiser. **This website should not be relied upon for a title search.** Amounts due are subject to change without notice due to statutory compliance (i.e. tax deed application, county held tax certificates, errors & insolvencies (E&I), bankruptcy, litigation, etc.)*

View Account for Tax Year:

Save as File Extensive Search
 View file format.

Your search for 31442602000040180 has returned 6 result(s).

Account	Tax Year	Owner Name and Address	Status
31-44-26-02-00004.0180	2003	ROSS HOME BUILDERS INC 5141/43 LEONARD BLVD S	PAID
31-44-26-02-00004.0180	2002	ROSS HOME BUILDERS INC 0 NEED ACCESS	PAID
31-44-26-02-00004.0180	2001	BLASI + SONS PROPERTIES INC C/O JOHN BLASI SR 0 NEED ACCESS	PAID
31-44-26-02-00004.0180	2000	BLASI + SONS PROPERTIES INC 0 NEED ACCESS	PAID
31-44-26-02-00004.0180	1999	HONG CAROL 5126/5128 24TH ST SW	REDEEM
31-44-26-02-00004.0180	1998	HONG CAROL	PAID

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

View Account for Tax Year:

Save as File Extensive Search
 View file format.

Your search for 31442602000040190 has returned 6 result(s).

Account	Tax Year	Owner Name and Address	Status
31-44-26-02-00004.0190	2003	ROSS HOME BUILDERS INC 5140/42 24TH ST SW	PAID
31-44-26-02-00004.0190	2002	ROSS HOME BUILDERS INC 0 NEED ACCESS	PAID
31-44-26-02-00004.0190	2001	BLASI + SONS PROPERTIES INC C/O JOHN BLASI SR 0 NEED ACCESS	PAID
31-44-26-02-00004.0190	2000	BLASI + SONS PROPERTIES INC 0 NEED ACCESS	PAID
31-44-26-02-00004.0190	1999	HONG CAROL 5130/5132 24TH ST SW	REDEEM
31-44-26-02-00004.0190	1998	HONG CAROL	PAID

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

Exhibit "C"

Petition to Vacate

VAC2003-00063

[Page Two of Two]

*The results to your tax search are based upon information provided to the Lee County Tax Collector by the Lee County Property Appraiser. **This website should not be relied upon for a title search.** Amounts due are subject to change without notice due to statutory compliance (i.e. tax deed application, county held tax certificates, errors & insolvencies (E&I), bankruptcy, litigation, etc.)*

View
 Save as File
 View file format.

Account for Tax Year:
 Extensive Search

Your search for 31442602000040200 has returned 6 result(s).

Account	Tax Year	Owner Name and Address	Status
31-44-26-02-00004.0200	2003	ROSS HOME BUILDERS INC 5145/47 LEONARD BLVD S	PAID
31-44-26-02-00004.0200	2002	ROSS HOME BUILDERS INC 0 NEED ACCESS	PAID
31-44-26-02-00004.0200	2001	BLASI + SONS PROPERTIES INC C/O JOHN BLASI SR 0 NEED ACCESS	PAID
31-44-26-02-00004.0200	2000	BLASI + SONS PROPERTIES INC 0 NEED ACCESS	REDEEM
31-44-26-02-00004.0200	1999	HONG CAROL 5134-5140 24TH ST SW	REDEEM
31-44-26-02-00004.0200	1998	HONG CAROL	PAID

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

View
 Save as File
 View file format.

Account for Tax Year:
 Extensive Search

Your search for 31442602000040210 has returned 1 result(s).

Account	Tax Year	Owner Name and Address	Status
31-44-26-02-00004.0210	2003	ROSS HOME BUILDERS INC 5144/46 24TH ST SW	PAID

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



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

INSTR # 5897913
Official Records BK 03998 PG 1610
RECORDED 07/19/2003 10:24:52 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DOC 182.00
DEPUTY CLERK W Miller

This Instrument Prepared:
Sandra Jones
Executive Title Ins.
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):
31-44-26-00004.0180

File No: 7030720

WARRANTY DEED

This Warranty Deed Made the 8th day of July, 2003,
By
Blasi & Sons Properties, Inc., / John Blasi, President,
hereinafter called the grantor, whose post office address is:
412 Catus Circle, Lehigh Acres, FL. 33936
to
Ross Home Builders, Inc., a Florida Corporation,
whose post office address is:
16050 S. Tamiami Trail # 101, Ft. Myers, FL. 33908,
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 18, 19, 20 and 21, Block 4, Lehigh Estates Unit 2, Section 31, Township 44 South, Range 26 East, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court recorded in Plat Book 15, Page 82, of the Public Records of Lee County, Florida.

*****THIS CONVEYANCE IS IN ADDORDANCE WITH THE WINDING UP OF THE OFFICERS OF THE CORPORATION *****

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.
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

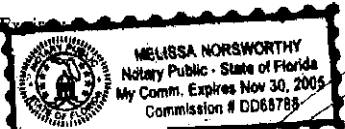
(TWO SEPARATE WITNESSES REQUIRED)

1st Witness Signature: Melissa Norsworthy
Printed Name: Melissa Norsworthy
Blasi & Sons Properties, Inc., / John Blasi, President

2nd Witness Signature: Annette M. Deatz
Printed Name: Annette M. Deatz

STATE OF FL
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 8 day of July, 2003, by Blasi & Sons Properties, Inc., / John Blasi, President, 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 Signature: Melissa Norsworthy
Print Name: Melissa Norsworthy
Serial Number: _____

SEAL



Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 • FAX (239) 995-7904

www.lcec.net • www.lfnc.com

September 5, 2003

Mr. Robert L. Self
R2 Self Inc.
12811 Kenwood Ln., Suite 205
Ft. Myers, FL 33907

Re: Strap No. 31-44-26-02-00004.0180,
Strap No. 31-44-26-02-00004.0200,
Strap No. 31-44-26-02-00004.0190,
Strap No. 31-44-26-02-00004.0210

Dear Mr. Self:

LCEC does not object to vacation of the easements located in the middle of N ½ & S ½ of Lots 18 & 19 and N ½ & S ½ of Lots 20 and 21 of the Lehigh Estates Subdivision of Lee County as recorded in Plat Book 15, page 82, and further shown on the attached.

Please be advised however; that you must contact FPL as this is in their service area.

Sincerely,

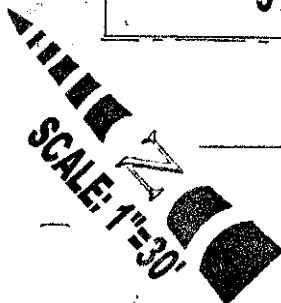
A handwritten signature in black ink that reads "Karen Hardin". The signature is written in a cursive style.

Karen Hardin
Real Property Representative

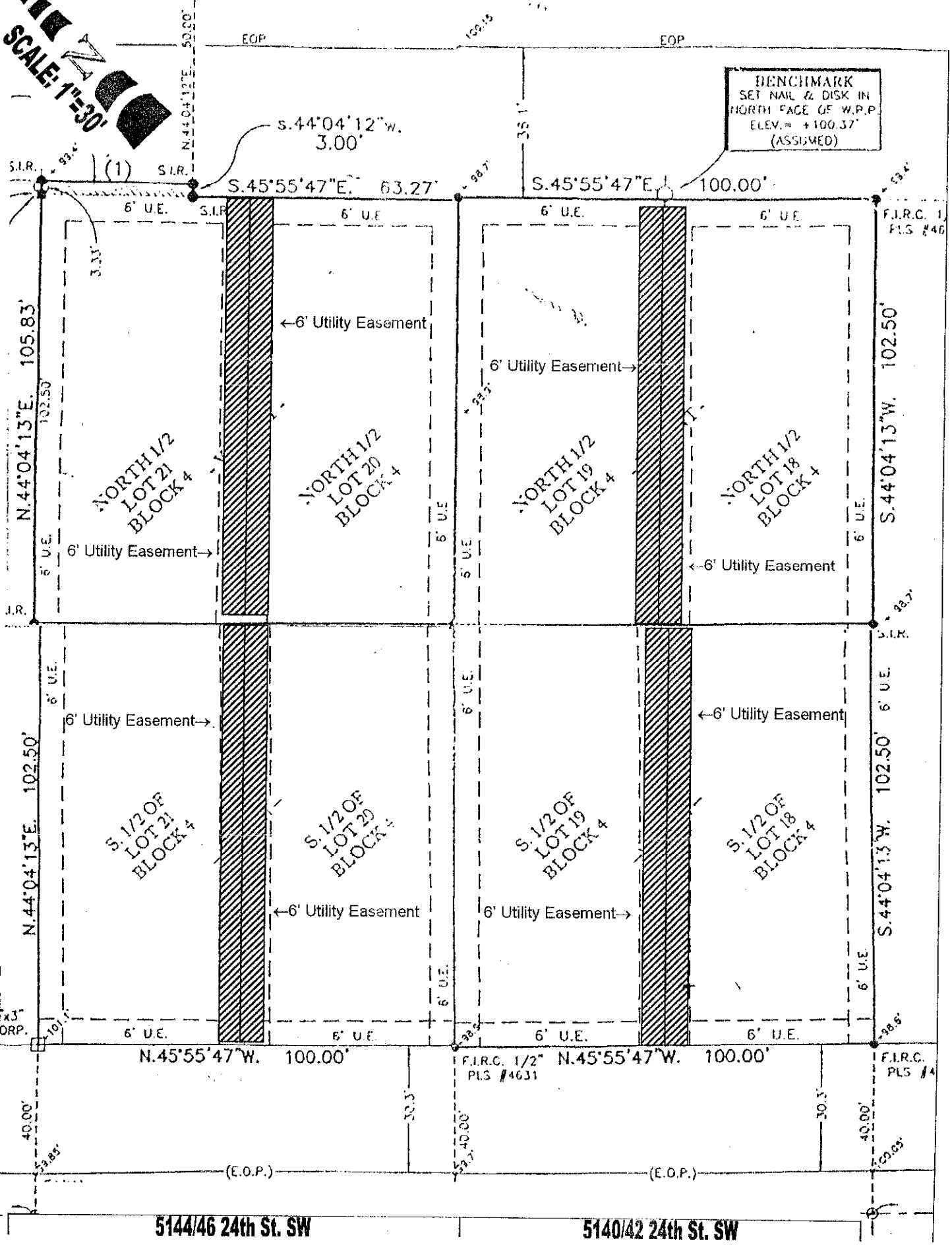
Attachment

5145/47 Leonard Blvd.

5141/4 Leonard Blvd.



BENCHMARK
SET NAIL & DISK IN
NORTH FACE OF W.P.P.
ELEV. = +100.37'
(ASSUMED)



5144/46 24th St. SW

5140/42 24th St. SW



September 5, 2003

Robert L Self
12811 Kenwood Ln
Fort Myers, Florida 33907

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement
centered on the lot line common to lots 18 & 19, 20 & 21, 19 & 18, and 21 & 20
Block 4, Unit 2, Section 31, Township 44S, Range 26E,
as recorded in Plat Book 15, Page 82 of the Official Records of Lee County.

Dear Mr. Self:

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 239-336-2162.

Sincerely,

A handwritten signature in cursive script that reads "Sabrina Thompson".

Sabrina Thompson
Engineer



October 10, 2003

Robert L. Self
R2 Self, Inc.
12811 Kenwood Lane, Suite 205
Ft. Myers, Florida 33906

Re: **Ross Home Builders**

A 12-foot wide drainage and/or utility easement centered on the north ½ and the south ½ of Lots 18 & 19, Block 4, Unit 2 of Lehigh Estates Subdivision,

And

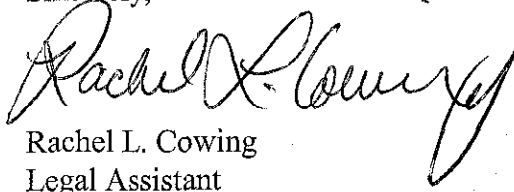
A 12-foot wide drainage and/or utility easement centered on the north ½ and the south ½ of Lots 20 & 21, Block 4, Unit 2 of Lehigh Estates Subdivision as recorded in Plat Book 15, Page 82 of the Public Records of Lee County, Florida.

Dear Robert:

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,


Rachel L. Cowing
Legal Assistant

 2003-00063



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239)479-8181

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

September 24, 2003

Robert L. Self
R2 Self, Inc.
12811 Kenwood Av., Suite 205
Fort Myers, FL 33907

SUBJECT: VACATION OF PLATTED EASEMENT(S)
STRAP #S: 31-44-26-02-00004.0180, .0190, .0200 & .0210
LOTS 18 THRU 21, BLOCK 4 - LEHIGH ESTATES, UNIT 2
5141/43 & 5145/47 LEONARD BOULEVARD AND
5140/42 & 5144/46 24TH ST SW

Dear Mr. Self:

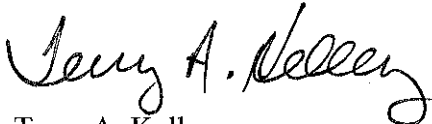
Lee County Utilities has no objection to the proposed vacation of the existing platted easements as described in your recent letter and associated attachment. However, the area in question is not located within Lee County Utilities' service area; therefore, we have no potable water or wastewater lines within the area to be vacated.

You may wish to contact Florida Water Services concerning your request, as the subject parcels are located within their service area boundaries.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239)479-8531.

Sincerely,

LEE COUNTY UTILITIES



Terry A. Kelley
Senior Engineering Technician
Utilities Engineering Division

CC: Correspondence File

VIA FACSIMILE #278-1138
ORIGINAL MAILED 09/24/03

S:\Utils\Engr\TAK\LETTERS\VAC\FY 2003\R2 Self, Inc - Leonard Blvd - Lehigh.doc

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111
Lee On Line Access (LOLA) Internet address <http://lola.co.lee.fl.us>
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

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



September 8, 2003

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

Re: Strap# 31-44-26-02-00004.0180
Strap#31-44-26-02-00004.0190
Strap#31-44-26-02-00004.0200
Strap#31-44-26-02-00004.0210

Dear Mr. Self:

This letter will serve to inform you of our cable facilities at the above referenced locations. We currently do not have any plant at these sites, but do intend to feed them in the future, aerially down the rear easement. We do not have a conflict with your vacation of all the side easements of above lots.

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

Sincerely,

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

Lucia Vera
Project Coordinator

AmeriGas

America's Propane Company

September 22, 2003

R2 Self, Inc.
12811 Kenwood Lane, Suite 205
Fort Myers, Florida 33907

Dear Mr. Self:

In reference to your letter dated August 18, 2003 AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO.: 31-44-26-02-00004.0180
STRAP NO.: 31-44-26-02-00004.0200
STRAP NO.: 31-44-26-02-00004.0190
STRAP NO.: 31-44-26-02-00004.0210

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

Sincerely,



Mike Yonker
Sales & Service Manager



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

October 30, 2003

Robert L. Self
R2 Self, Inc.
12811 Kenwood Lane
Suite 205
Ft Myers, Florida 33907

Re: Recommendation for proposed vacation of (4) Public Utility Easements located at 5140/42/44 and 46 24th Street Southwest and 5141/43/45 and 47 Leonard Blvd. South, Lehigh Acres, Florida.

Dear Mr. Self:

This office has received your request to vacate (4) 12-foot wide Public Utility Easements located on Lots: N ½ and S ½ of Lots 18 and 19, also N ½ and S ½ of Lots 20 and 21, Block 4, Unit 2, in Lehigh Estates Subdivision, recorded in Plat Book 15, Page 82, of the official records of Lee County, Florida, LESS AND EXCEPT the Northerly 6 feet and Southerly 6 feet thereof.

You indicate that as the result of combining adjacent lots into four residential duplex building sites, 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 Eckenrode
Director

PJE/ rlm

U:\200310\VAC20030.006\3\DCDLETTER.DOC



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 479-8124

Friday, October 03, 2003

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

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

Re: Petition to Vacate several (12) foot wide public utility easements common to Lots 18,19,20 & 21, Unit 2, Lehigh Estates Subdivision, as recorded in Plat Book 15 Page 82, in the public records, 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 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:\NATRES\SURFACE\DOCUMENT\vac382.doc

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00063

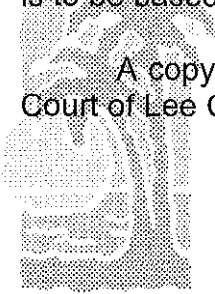
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 13th day of January, 2004 @ 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

CHARLIE GREEN, CLERK

SOUTH WEST FLORIDA

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Exhibit "A"
Petition to Vacate
VAC2003-00063

Legal description of a portion of Public Utility Easements to be vacated:

A portion of a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 18 and 19, and also between Lots 20 and 21, all in Block 4 of the Plat of Unit 2 of Lehigh Estates, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 82 of the of the Public Records of Lee County, Florida.

Less and except the northeasterly six feet (6') and southwesterly six feet (6') of each easement.

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2003-00063

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. VAC2003-00063 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

Exhibit "A"
Petition to Vacate
VAC2003-00063

Legal description of a portion of Public Utility Easements to be vacated:

A portion of a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 18 and 19, and also between Lots 20 and 21, all in Block 4 of the Plat of Unit 2 of Lehigh Estates, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 82 of the of the Public Records of Lee County, Florida.

Less and except the northeasterly six feet (6') and southwesterly six feet (6') of each easement.



Civil Engineering ♦ Design to Completion

October 23, 2003

Pete Eckenrode
Lee County Development Services
1500 Monroe Street
Fort Myers, Florida 33902-5500

Re: Petition to Vacate Case No. VAC2003-00063

Dear Mr. Eckenrode:

The purpose for this Public Utility Easement vacation is to construct four duplex family residence on the combined lots, as listed below.

Strap No. 31-44-26-02-00004.0180
N ½ of Lots 18+19, Lehigh Estates Unit 2
5141/43 Leonard Blvd. S.
Owner of Record: Ross Home Builders Inc.

Strap No. 31-44-26-02-00004.0200
N ½ of Lots 20+21, Lehigh Estates Unit 2
5145/47 Leonard Blvd. S.
Owner of Record: Ross Home Builders Inc.

Strap No. 31-44-26-02-00004.0190
S ½ of Lots 19+18, Lehigh Estates Unit 2
5140/42 24th St. SW
Owner of Record: Ross Home Builders Inc.

Strap No. 31-44-26-02-00004.0210
S ½ of Lots 21+20, Lehigh Estates Unit 2
5144/46 24th St. SW
Owner of Record: Ross Home Builders Inc.

Very truly yours,

A handwritten signature in black ink that reads "Faye H. Self". The signature is written in a cursive, flowing style.

Faye H. Self
Vice-President

NOTE

Lee County Department of Transportation

A letter of review and recommendation is not required from Florida Department of Transportation or Lee County Transportation Division for vacations of easements located along the rear and side lot lines. Per Administrative Code 13-1, D, d

R2 Self INC

Civil Engineering ♦ Design to Completion

September 30, 2003

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

Re: Request for utility easement vacation on the following parcels:

Strap No. 31-44-26-02-00004.0180
N ½ of Lots 18+19, Lehigh Estates Unit 2
5141/43 Leonard Blvd. S.
Owner of Record: Ross Home Builders Inc.

Strap No. 31-44-26-02-00004.0200
N ½ of Lots 20+21, Lehigh Estates Unit 2
5145/47 Leonard Blvd. S.
Owner of Record: Ross Home Builders Inc.

Strap No. 31-44-26-02-00004.0190
S ½ of Lots 19+18, Lehigh Estates Unit 2
5140/42 24th St. SW
Owner of Record: Ross Home Builders Inc.

Strap No. 31-44-26-02-00004.0210
S ½ of Lots 21+20, Lehigh Estates Unit 2
5144/46 24th St. SW
Owner of Record: Ross Home Builders Inc.

Dear Mr. Eckenrode:

We are submitting the following:

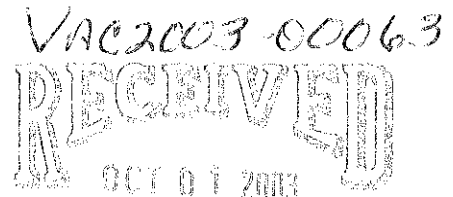
1. Petition to Vacate
2. Filing fee in the amount of \$300.00
3. Two (2) copies of the drawing
4. Letters of review and recommendation (5)
5. Two (2) copies of the Plat
6. Two(2) aerials of the area
7. Copy of the deed
8. Copy of the paid property tax
9. Letter of Authorization

If you have any questions or need any additional information, please do not hesitate to contract us and thank you in advance for your consideration.

Very truly yours,


Faye H. Self
Vice-President

Enclosures



FORGING COUNTRY

R2 Self INC

Civil Engineering ♦ Design to Completion

September 30, 2003

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

Re: Case No. VAC2003-00063

Dear Mr. Eckenrode:

With our submittal, we neglected to include the following items:

1. Two (2) copies of the Plat
2. Two(2) acrials of the area
3. Proof of notice to all Affected Property Owners

Please find these items attached. Please pardon the inconvenience.

If you have any questions or need any additional information, please do not hesitate to contract us and thank you in advance for your consideration.

Very truly yours,



Faye H. Self
Vice-President

Enclosures