

County Board Of County Commissioners  
Agenda Item Summary

Blue Sheet No. 20031508

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition to Vacate a 12-foot wide Public Utility Easement located at 136 Wanatah Ave. S., Lehigh Acres, Florida 33936, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 10th day of February, 2004. (Case No. VAC2003-00076)

**WHY ACTION IS NECESSARY:** To build a single-family residence on the combined four (4) 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:**

*01-20-2004*

**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]*  
Peter J. Eckenrode, Director

**7. BACKGROUND:**

The completed petition to vacate, VAC2003-00076 was submitted by Jared Lesser of Aim Engineering & Surveying, Inc. as agent for Gerardo and Leticia Cabrera.

**LOCATION:** Petition No. VAC2003-00076 proposes to vacate a 12-foot wide Public Utility Easement centered on the lot lines common to Lots 8 and 9, 9 and 10, 10 and 11, and 11 and 8, Block 5, Unit 2, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 208, Section 3, Township 45 South, Range 27 East, of the Public Records of Lee County, Florida, LESS and EXCEPT the Northeasterly 17-feet of the easement on the common lot line between Lots 8 and 9; less and except the Southeasterly 6-feet of the easement on the common lot line between Lots 9 and 10; less and except Northwesterly 6-feet on Lot 11; less and except Northwesterly 17.67-feet on Lot 8. The site is located at 136 Wanatah Ave. S., Lehigh Acres, Florida 33936.

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
					OA	OM	Risk	GC	
<i>Mam Gibbs</i>	N/A	N/A	N/A	<i>[Signature]</i> 12/29/03	<i>[Signature]</i> 11/11/04	<i>[Signature]</i> 11/17/04	<i>[Signature]</i> 11/16/04	<i>[Signature]</i> 11-6-04	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECS.  
by CO. ATTY.  
12/29/03  
7:30pm  
CO. ATTY.  
FORWARDED TO:  
CO. ADMIN.  
12/31/03

RECEIVED BY  
COUNTY ADMIN. *[Signature]*  
12/29/03  
2:30 PM SLT  
COUNTY ADMIN  
FORWARDED TO: *[Signature]*

## PETITION TO VACATE

Case Number: VAC2003-00076


Petitioner(s), Gerardo Cabrera and Leticia Cabrera 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, 5300 Lee Blvd., P.O. Box 1235, Lehigh Acres, 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:

  
Petitioner Signature

Jared Lesser for Aim Engineering & Surveying, Inc.,  
as Agent for Gerardo & Leticia Cabrera  
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 The Cabrera Property 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 AIM Engineering & Surveying, Inc. 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.

Gerardo Cabrera  
Owner\*(signature)

\_\_\_\_\_  
Owner\*(signature)

Gerardo Cabrera  
Printed Name

\_\_\_\_\_  
Printed Name

Leticia Cabrera  
Owner\*(signature)

\_\_\_\_\_  
Owner\*(signature)

Leticia Cabrera  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Owner\*(signature)

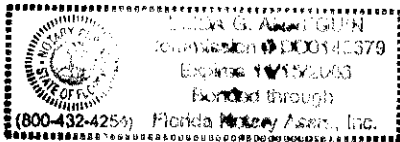
\_\_\_\_\_  
Owner\*(signature)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 22 day of December, 2003, by Gerardo & Leticia Cabrera, who is personally known to me or who has produced as identification and who did (did not) take an oath.



Elida M. Arrequin  
Notary Public

Elida G. Arrequin  
(Name typed, printed or stamped)

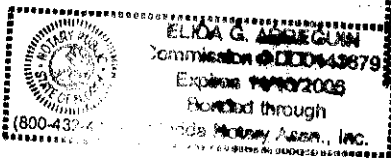


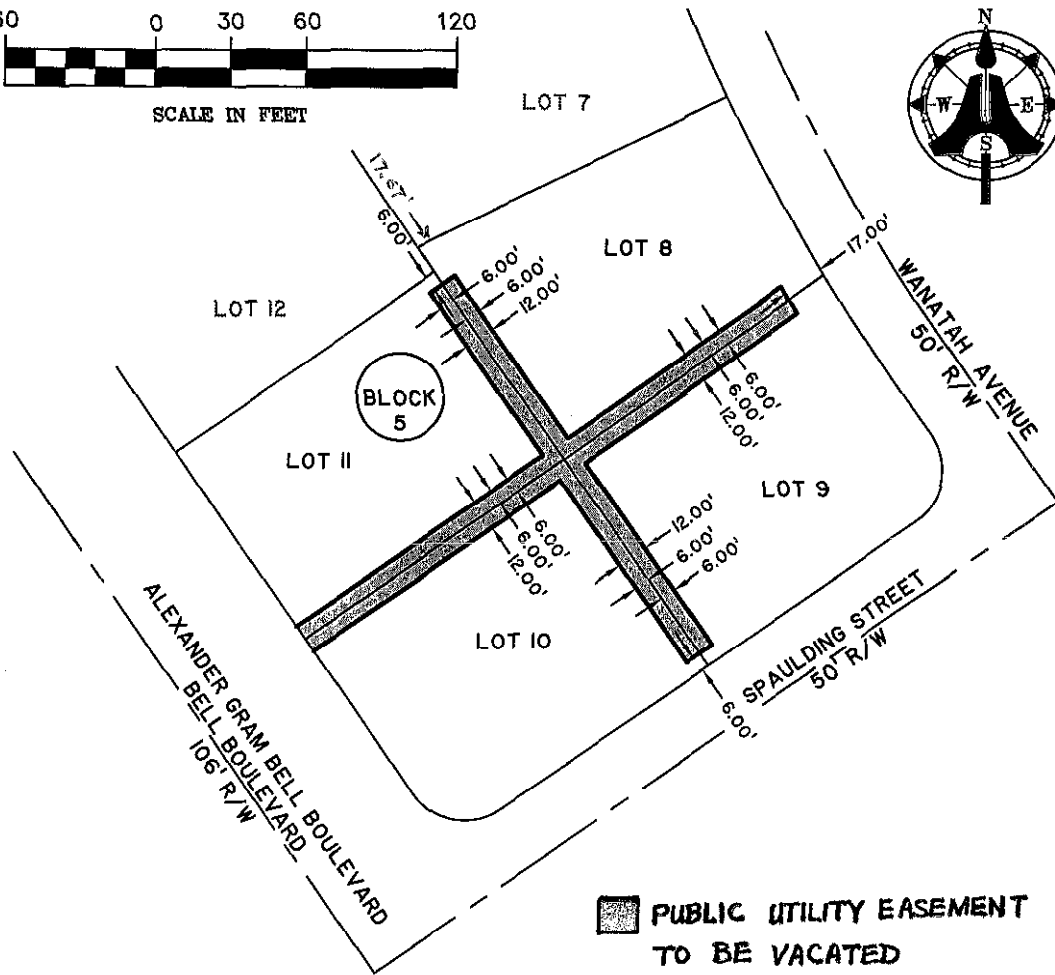
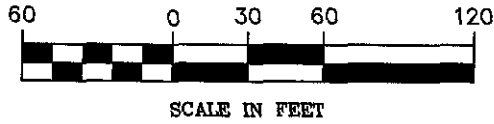
Exhibit "A"  
Petition to Vacate  
VAC2003-00076

**Legal Description**

The twelve-foot wide Public Utility Easements centered on the common lot lines between Lots 8 and 9, 9 and 10, 10 and 11, and 11 and 8, all in Block 5, Unit 2 of Twin Lakes Estates, in Section 3, Township 45 South, Range 27 East, a subdivision of Lehigh Acres, according to map or plat thereon file and recorded in Plat Book 15, Page 208 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the northeasterly 17 feet of the easement on the common lot line between Lots 8 and 9; less and except the southeasterly 6 feet of the easement on the common lot line between Lots 9 and 10; less and except the northwesterly 6 feet of the easement on Lot 11; and less and except the northwesterly 17.67 feet of the easement of Lot 8.

LEGAL AND SKETCH LAYING IN  
SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
LEE COUNTY, FLORIDA



DESCRIPTION:

A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 8 AND 9, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. LESS THE NORTHEASTERLY 17 FEET THEREOF.  
AND  
A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 9 AND 10, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. LESS THE SOUTHEASTERLY 6 FEET THEREOF.  
AND  
A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 10 AND 11, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA  
AND  
A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 11 AND 8, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. THIS LINE ENDS 6 FEET SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT 11.

REVISED 11/10/03 ADJUST ESMT AT NE CORNER  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

EXHIBIT "B"

VAC 2003-00076

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

*Robert Tad Simpson* 11-10-03  
ROBERT TAD SIMPSON, P.S.M. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5559

AIM Engineering & Surveying, Inc.



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

THIS IS NOT A SURVEY SHEET 1 OF 1

PROJECT NUMBER: 03-8534	DESCRIPTION: LEGAL AND SKETCH OF EXISTING EASEMENT TO BE VACATED
DRAWN BY: LWC	CLIENT: GERARDO CABRERA
DATE:	SEC-TWP-RGE:   FILE:   COUNTY:

**Exhibit "C"**  
**Petition to Vacate**  
**VAC2003-00076**

[Page One of One]



**Real Property Information**

<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
03-45-27-02-00005.0080	2003	PAID
<b>Original Account</b>	<b>Book/Page</b>	
03-45-27-02-00005.0080	3163/1404	
<b>Physical Address</b>	<b>Mailing Address</b>	
CABRERA GERARDO + LETICIA 136 WANATAH AVE S LEHIGH ACRES FL 33936	CABRERA GERARDO + LETICIA P O BOX 671 IMMOKALEE FL 34143 USA	
<b>Legal Description</b>		
TWIN LAKE ESTATES UNIT 2 BLK 5 PB 15 PG 208 LOTS 8 - 11		
<b>Outstanding Balance as of 12/31/2003</b>		<b>\$0.00</b>

<b>District</b>	060
<b>Market Assessed Value</b>	\$11,600.00
<b>Agricultural Exemption</b>	\$0.00
<b>Assessed SOH Value</b>	\$11,600.00
<b>Homestead Exemption</b>	\$0.00
<b>Other Exemption</b>	\$0.00
<b>Wholly Exemption</b>	\$0.00
<b>Taxable Value</b>	\$11,600.00
<b>Senior Exemption</b>	\$0.00
<b>Historical Exemption</b>	\$0.00
<b>Economic Exemption</b>	\$0.00
<b>Tax Amount</b>	<b>\$331.63</b>

**Ad Valorem Taxes**

<b>Taxing Authority</b>	<b>Millage Rate</b>	<b>Taxes Levied</b>
PUBLIC SCHOOL - BY LOCAL BOARD	2.5890	\$30.03
PUBLIC SCHOOL - BY STATE LAW	5.7570	\$66.78
LEE COUNTY CAPITAL IMP	1.0124	\$11.74
LEE CO UNINCORPORATED - MSTU	1.2114	\$14.05
LEE COUNTY GENERAL REVENUE	4.3277	\$50.20
LEE COUNTY HYACINTH CONTROL	0.0295	\$0.34
LEE COUNTY LIBRARY FUND	0.9630	\$11.17
LEE COUNTY MOSQUITO CONTROL	0.2984	\$3.46
LEHIGH ACRES FIRE DISTRICT	3.0000	\$34.80
LEHIGH ACRES LIGHT - MSTU	0.3595	\$4.17
SFL WATER MGMT-EVERGLADE CONST	0.1000	\$1.16
WEST COAST INLAND WATERWAY	0.0400	\$0.46
LEE COUNTY ALL HAZARDS - UNINC	0.0733	\$0.85
SFL WATER MGMT-DISTRICT/OKEECHOBEE LEVY	0.5970	\$6.93

**Non Ad Valorem Taxes**

<b>Taxing Authority</b>	<b>Rate</b>	<b>Amount</b>
EAST COUNTY WATER CONTROL 060	86.0300	\$95.49

<b>Nov 2003</b>	<b>Dec 2003</b>	<b>Jan 2004</b>	<b>Feb 2004</b>	<b>Mar 2004</b>
\$318.36	\$321.68	\$325.00	\$328.31	\$331.63

Prepared By: Holly K. Anderson  
Executive Title Insurance Services, Inc.  
1140 Lee Blvd., Suite 111  
incidental to the issuance of a title insurance policy.  
File #: 6\*98-1058-11A  
Parcel ID #: 03-45-27-02-00005.0080.0090

RECORDED BY  
KAMARIE MILLER, D.C.

4455043

6.1K  
52,500

WARRANTY DEED  
(INDIVIDUAL)

This WARRANTY DEED, dated 12<sup>th</sup> day of August 1998 by

Daniel LaForge

whose post office address is P.O. Box 102 New Hartford, CT 06057,

hereinafter called the GRANTOR, to

Gerardo Cabrera and Leticia Cabrera, Husband and Wife

whose post office address is PO Box 671 Immokalee, FL 34143

hereinafter called the GRANTEE:

(Wherever used herein the terms "Grantor" and "Grantee" include all 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, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Lee County, Florida, viz:

LOTS 8 AND 9, BLOCK 5, UNIT 2, OF TWIN LAKE ESTATES, SECTION 3, TOWNSHIP 45 SOUTH, RANGE 37 EAST, LEHIGH ACRES, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LEE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

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) NOR ANY MEMBER OF THE HOUSEHOLD OF THE GRANTOR(S) RESIDE THEREON.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 1997 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 IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Signature: Susan Cassano  
Print Name: Daniel LaForge

Signature: Daniel LaForge  
Print Name: Daniel LaForge

Signature: Beth Jackson  
Print Name: \_\_\_\_\_

(TWO SEPARATE WITNESSES REQUIRED)

State of CT  
County of Litchfield

THE FOREGOING INSTRUMENT was acknowledged before me on 12<sup>th</sup> day of August, 1998 by:

Daniel LaForge

who is personally known to me or who has produced Driver's License as identification and who take an oath.

Signature: Sheila S. Sedlack  
Notary Public:

My commission Expires: 2-28-99

Notary Seal

SHEILA S. SEDLACK  
NOTARY PUBLIC  
MY COMMISSION EXPIRES FEB. 28, 1999

Documentary Tax Pd. \$ 52.50  
Intangible Tax Pd. \$  
CHARLIE GREEN, CLERK, LEE COUNTY  
By Joanna Miller Deputy Clerk

OR 3001 PG 2980

98 AUG 19 AM 10:31  
CHARLIE GREEN, CLERK  
LEE COUNTY, FL

**INSTR # 4708118**  
**OR BK 03163 PG 1404**

FOR OFFICIAL USE ONLY:  
PARCEL # 03-45-27-02-00005.0100

RECORDED 09/01/99 04:04 PM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DOC TAX PD(F.S. 201.02) 28.00  
DEPUTY CLERK K Cartwright

THIS INSTRUMENT PREPARED BY:  
SUNSHINE M. HUMFLEET  
AFTER RECORDING RETURN TO:  
FLEETWOOD TITLE CORPORATION  
904 LEE BLVD., SUITE 106,  
LEHIGH ACRES, FL 33936

REC \$ 10.50  
RPTT \$ 28.00  
COPY \$ \_\_\_\_\_  
CERT. \$ \_\_\_\_\_  
INDEX \$ \_\_\_\_\_  
TOTAL \$ 38.50

**THIS WARRANTY DEED**

FTC-40297-SMH

Made the 17 day of AUGUST, A.D. 1999  
by **HENRY KRZESKI**,  
hereinafter called the grantor,  
acquiring title through instrument as recorded in O. R. Book 1689, Page  
4454, in the public records of LEE County, Florida.  
to **GERARDO CABRERA AND LETICIA CABRERA, HUSBAND AND WIFE**  
whose post office address is:  
P. O. BOX 671,  
IMMOKALEE, FL 34143

herein called the grantee;  
(wherever used herein the terms "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 consideration, receipt whereof is hereby  
acknowledged, conveys and confirms unto the grantee, all that certain land  
situate in LEE County, Florida, viz:

LOT 10, BLOCK 5, TWIN LAKES ESTATES UNIT 2, SECTION 3, TOWNSHIP 45 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 PLAT BOOK  
15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**SUBJECT** property is vacant land and is not now, nor has it ever been the  
homestead property of the grantor. It also is not contiguous to the  
present homestead of the grantor.



PAGE 2 OF 2

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 December 31, 1998. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE County, Florida.

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:

Shirley Hazelwood  
WITNESS

Henry Krzeski LS  
HENRY KRZESKI

SHIRLEY R. HAZELWOOD  
PRINTED NAME OF WITNESS

Wendy L Smith  
WITNESS (NO SEPARATE WITNESSES  
REQUIRED)

315 LYNCHBURG DR.  
NEWPORT NEWS, VA 23606

WENDY L SMITH  
PRINTED NAME OF WITNESS

STATE OF VIRGINIA

CITY OF NEWPORT NEWS

The foregoing instrument was acknowledged before me this 17th day of AUGUST, 1999, by HENRY KRZESKI, who is personally known to me and did produce acceptable identification being in the form of DRIVERS LICENSE and who did understand the body of this instrument and did sign this instrument of their own free act and deed.

Vanessa L. Wiant  
Notary Public  
My Commission Expires:

(Notary Seal)

VANESSA L. WIANT  
PRINTED NAME OF NOTARY PUBLIC



PAGE 2 OF 2

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 December 31, 1998. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE County, Florida.

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]  
WITNESS

[Signature] LS  
FRANK M. ZAHROBSKY

Lee B. Jumba  
PRINTED NAME OF WITNESS

Henrietta Zahrobksky LS  
HENRIETTA ZAHROBSKY

[Signature]  
WITNESS (TWO SEPARATE WITNESSES REQUIRED)

5137 SCENIC DRIVE  
MURRYSVILLE, PA 15668

John J. McGuigan  
PRINTED NAME OF WITNESS

STATE OF Pennsylvania

COUNTY OF Westmoreland

The foregoing instrument was acknowledged before me this 28 day of July, 1999, by FRANK M. ZAHROBSKY AND HENRIETTA ZAHROBSKY, who are personally known to me and did produce acceptable identification being in the form of a valid PA driver's license and who did understand the body of this instrument and did sign this instrument of their own free act and deed.

[Signature]  
Notary Public  
My Commission Expires: Nov 9 2002  
Sharon R Jack  
PRINTED NAME OF NOTARY PUBLIC

(Notary Seal)  
Notarial Seal  
Sharon R. Jack, Notary Public  
Murrysville Boro, Westmoreland County  
My Commission Expires Nov 9, 2002  
Member, Pennsylvania Association of Notaries



November 14, 2003

Mr. Jared Lesser  
Aim Engineering, Inc.  
5300 Lee Boulevard  
P.O. Box 1235  
Lehigh Acres, Florida 33970-1235

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement centered on the lot line common to lots 8&9, 9&10, 10&11 and 11&8, Block 5, Unit 2, of Section 3, Township 45S, Range 27E, as recorded in Plat Book 15 at Page 208, of the Public Records of Lee County, Florida  
Strap No. 03-45-27-02-00005.0080

Dear Mr. Lesser:

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 863-452-3207.

Sincerely,

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

Wayneth Jackson  
Engineer

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



November 3, 2003

Jared Lesser  
Aim Engineering  
& Surveying, Inc.  
5300 Lee Boulevard  
Lehigh Acres, Florida 33970-1235

Re: 136 Wanatah Avenue South, Lehigh Acres

Dear Mr. Lesser:

Currently, Comcast has no aerial or underground plant at the above referenced location. We have no objection to your proposed vacation of easement for this area.

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

Cordially,

A handwritten signature in black ink that reads "Lucia Vera". The signature is written in a cursive, flowing style.

Lucia Vera  
Project Coordinator



October 31, 2003

Mr. Jared Lesser  
AIM Engineering & Surveying, Inc.  
5300 Lee Boulevard  
Post Office – Box 1235  
Lehigh Acres, Fla. 33970

RE: Vacation of easement  
136 Wanatah Avenue, Lehigh Acres

Dear Mr. Lesser:

Your request for the above listed vacation of easement has been reviewed. At this time, Time Warner Cable has no facilities in this area and no future build is anticipated. Time Warner Cable has **NO CONFLICT** with this proposed construction.

If you have any further questions or concern, please do not hesitate to contact me at (239) 772-2218, Ext. 120.

Sincerely,

TIME WARNER CABLE

A handwritten signature in black ink, appearing to read "Adnaldo Rodriguez".

Adnaldo Rodriguez  
Technical Field Inspector

AR/ss



Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 • FAX (239) 995-7904

[www.lcec.net](http://www.lcec.net) • [www.iiline.com](http://www.iiline.com)

October 21, 2003

Aim Engineering & Surveying, Inc.  
Attn: Jared Lesser, E.I.  
P. O. Box 1235  
Lehigh Acres, FL 33970-1235

Re: Proposed Utility Easement Vacation at 136 Wanatah Avenue South, Lehigh Acres

Dear Mr. Lesser:

LCEC does not object to vacation of the utility and/or drainage easements as described on the attached sketch and description. Please note the revision indicated in red.

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

Sincerely,

Karen Hardin  
Real Property Representative

Attachment

## EASEMENT TO BE VACATED

A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 8 AND 9, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3 TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. LESS THE NORTHEASTERLY 6 FEET THEREOF.

AND

A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 9 AND 10, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3 TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. LESS THE SOUTHEASTERLY 6 FEET THEREOF.

AND

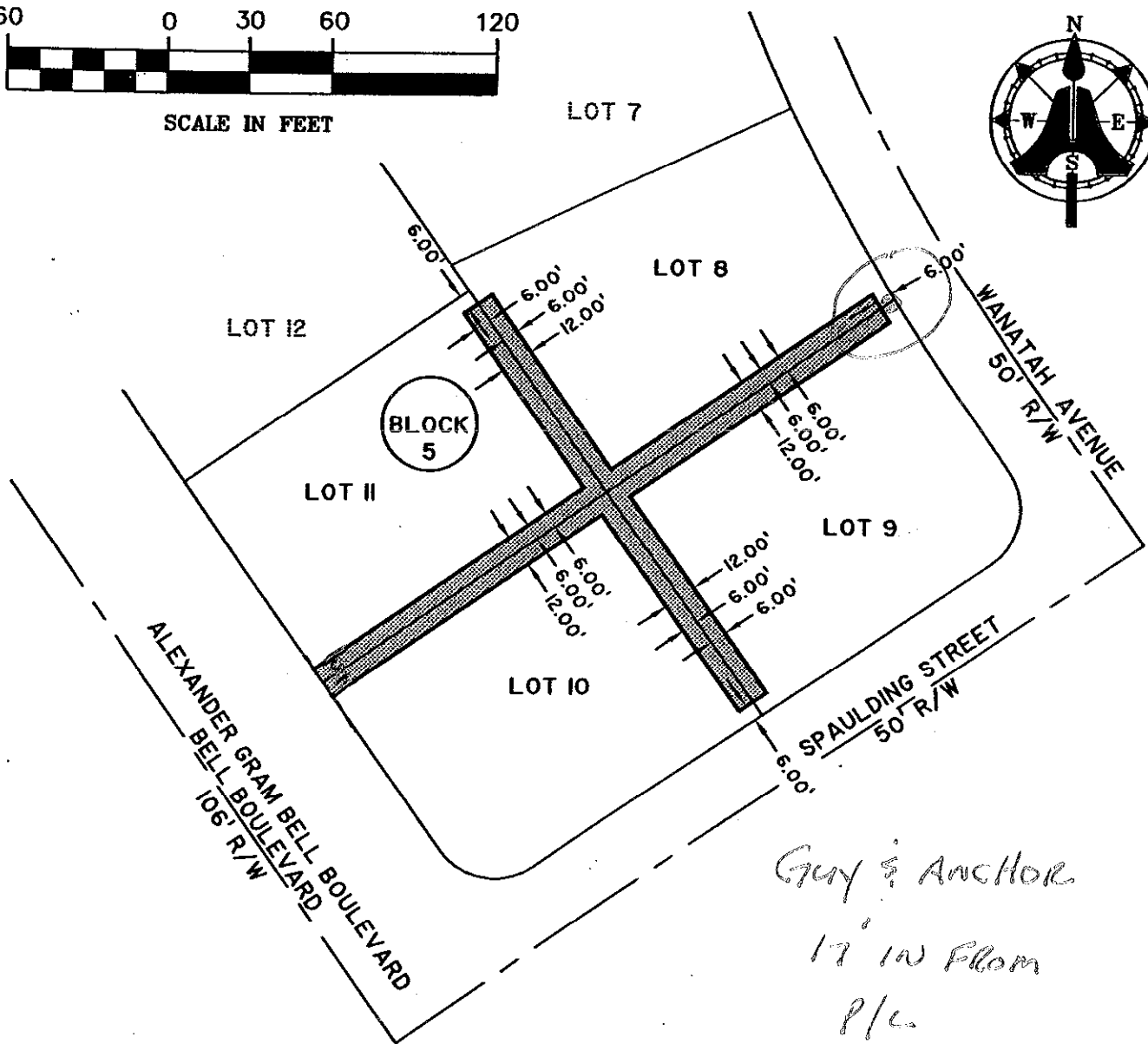
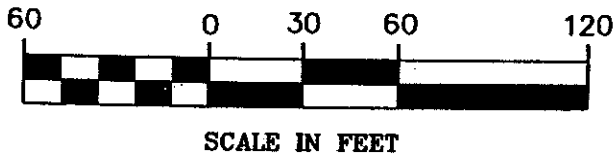
A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 10 AND 11, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3 TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AND

A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 11 AND 8, BLOCK 5, UNIT 2 OF TWIN LAKES ESTATES, SECTION 3 TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 208, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. THIS LINE ENDS 6 FEET SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT 11.



SKETCH LYING IN  
SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
LEE COUNTY, FLORIDA



*Guy & Anchor  
17' W From  
P/L*



November 24, 2003

SENT VIA FACSIMILE AND REGULAR MAIL

Jared Lesser, E.I.  
AIM Engineering & Surveying, Inc.  
Corporate Office  
5300 Lee Boulevard (33971-1026)  
Post Office Box 1235  
Lehigh Acres, Florida 33970-1235

**Re: Gerardo & Leticia Cabrera**

A 12-foot wide drainage and/or utility easement centered on the lot line common to lots 8 & 9, Block 5, Unit 2 of Twin Lakes Estates, Section 3, Township 45 South, Range 27 East, Lehigh Acres, Florida, as recorded in Plat Book 15, Page 208, Public Records of Lee County, Florida. Less and except the Northeasterly ~~X~~feet thereof.

17

And

A 12-foot wide drainage and/or utility easement centered on the lot line common to lots 9 & 10, Block 5, Unit 2 of Twin Lakes Estates, Section 3, Township 45 South, Range 27 East, Lehigh Acres, Florida, as recorded in Plat Book 15, Page 208, Public Records of Lee County, Florida. Less and except the Southeasterly 6 feet thereof

And

A 12-foot wide drainage and/or utility easement centered on the lot line common to lots 10 & 11, Block 5, Unit 2 of Twin Lakes Estates, Section 3, Township 45 South, Range 27 East, Lehigh Acres, Florida, as recorded in Plat Book 15, Page 208, Public Records of Lee County, Florida.

And

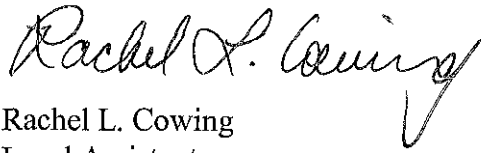
A 12-foot wide drainage and/or utility easement centered on the lot line common to lots 11 & 8, Block 5, Unit 2 of Twin Lakes Estates, Section 3, Township 45 South, Range 27 East, Lehigh Acres, Florida, as recorded in Plat Book 15, Page 208, Public Records of Lee County, Florida. This line ends 6-feet Southeasterly of the Northwesterly Line of said Lot 11.

Dear Mr. Lesser:

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". The signature is written in black ink and is positioned to the right of the typed name.

Rachel L. Cowing  
Legal Assistant

rlc



**LEE COUNTY**  
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8440 \_\_\_\_\_

Bob Janes  
District One

December 24, 2003

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Aim Engineering & Surveying, Inc.

Andrew W. Coy  
District Four

Attn: Jared Lesser

John E. Albion  
District Five

5300 Lee Blvd.,

P.O. Box 1235

Donald D. Stilwell  
County Manager

Lehigh Acres, FL 33970

James G. Yaeger  
County Attorney

Re: VAC2003-00076 - Petition to vacate a 12-foot Public Utility located at 136 Wanatah Ave. S., Lehigh Acres centered on the common lot line between lots 8 and 9, 9 and 10, 10 and 11, and 11 and 8, as recorded in Plat Book 15 at Page 208 of the Public Records of Lee County, Florida, less and except the Northeasterly 17-feet of the easement on the common lot line between Lots 8 and 9; less and except the Southeasterly 6-feet of the easement on the common lot line between Lots 9 and 10; less and except Northwesterly 6-feet on Lot 11; less and except Northwesterly 17.67-feet on Lot 8. (Gerardo and Leticia Cabrera).

Diana M. Parker  
County Hearing Examiner

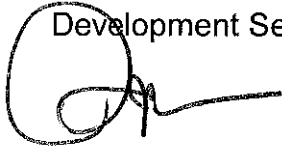
Dear Mr. Lesser:

You have indicated that in order to build a single-family residence on the combined four (4) lots, you desire to eliminate the Public Utility Easement located between your four (4) lots. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division



Peter J. Eckenrode  
Director

PJE/rsk

U:\200312\20031210.125\0460900\DCDLETTER.DOC



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

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

Bob Janes  
*District One* Thursday, October 23, 2003

Douglas R. St. Cerny  
*District Two* Mr. Jared Lesser, E.I.  
Aim Engineering & Surveying, Inc.  
Ray Judah  
*District Three* P.O. Box 1235  
Lehigh Acres, FL 33970-1235

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*

Re: Petition to Vacate several twelve (12) foot wide public utility easements common to Lots 8 & 9, 9 & 10, and 10 & 11, Block 5, Unit 2, Twin Lakes Estates Subdivision, as recorded in Plat Book 15 Page 208, in the public records, Lee County, Florida.

Dear Mr. Lesser:

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\vac397.doc



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: 479-8580

Bob Janes  
District One

October 16, 2003

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. Jared Lesser, E.I.  
AIM Engineering & Surveying, Inc.  
5300 Lee Boulevard  
Post Office Box 1235  
Lehigh Acres, FL 33970-1235

**RE: Petition to Vacate the interior 12 foot  
Wide Drainage and Utility Easements on the  
Lots 8, 9, 10 and 11, Block 5, Unit 2, Lehigh Acres**

Dear Mr. Lesser:

Lee County Department of Transportation has reviewed your request to vacate the above described easements recorded in Plat Book 15, page 208. DOT has no facilities within the easements and does not maintain them.

Therefore, DOT offers no objection to this petition to vacate as proposed.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

David M. Loveland, AICP  
Manager, Transportation Planning

DML/JMK/mlb

cc: Margaret Lawson, Right-of-way Supervisor  
Don Blackburn, Development Services  
Terry Kelley, Utilities  
Allen Davies, Natural Resources  
DOT PTV File

S:\DOCUMENT\Petition To Vacate\2003\Lots 8 9 10 & 11 Lehigh - Lesser.doc



## Florida Department of Transportation

**JEB BUSH**  
GOVERNOR

801 North Broadway Avenue  
Bartow, Florida 33830

**JOSE ABREU**  
SECRETARY

October 21, 2003

AIM Engineering & Survey, Inc.  
Attn: Jarred Lesser, E.I.  
P.O. Box 1235  
Lehigh Acres, Florida 33970-1235

RE: Vacation of a Public Utility Easement

Dear Mr. Jared:

In response to your letter we received on October 20, 2003, our staff has conducted a review of your request to vacate the subject area as marked and generally described as: Those portions of a 12' wide Public Utility and Drainage Easement lying within Lots 8 thru 11, Block 5, Unit 2, Twin Lake Estates, Leigh Acres, Lee County, Florida per Plat Book 15, Page 208 as described in the legal descriptions on the attached "Exhibit A".

Based on this review, we offer "No Objections" to this vacation request.

Sincerely,

Gerald W. Strouse,  
Property Management Administrator

RMC/blt

cc: Scott Gilbertson, P.E. – Lee County  
Peter J. Eckenrode – Lee County  
Mike Rippe – FDOT  
Tom Garcia - FDOT

District One-Right of Way Department-Property Management  
801 North Broadway Avenue\*Post Office Box 1249\*Bartow, FL 33831-1249  
(863)519-2413 \*(863)534-7168 (Fax)\*MS 1-66  
[www.dot.state.fl.us](http://www.dot.state.fl.us)

# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00076

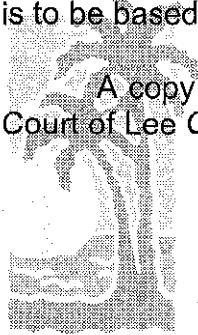
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 10th day of February 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

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

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

APPROVED AS TO FORM

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

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



Exhibit "A"  
Petition to Vacate  
VAC2003-00076

**Legal Description**

The twelve-foot wide Public Utility Easements centered on the common lot lines between Lots 8 and 9, 9 and 10, 10 and 11, and 11 and 8, all in Block 5, Unit 2 of Twin Lakes Estates, in Section 3, Township 45 South, Range 27 East, a subdivision of Lehigh Acres, according to map or plat thereon file and recorded in Plat Book 15, Page 208 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the northeasterly 17 feet of the easement on the common lot line between Lots 8 and 9; less and except the southeasterly 6 feet of the easement on the common lot line between Lots 9 and 10; less and except the northwesterly 6 feet of the easement on Lot 11; and less and except the northwesterly 17.67 feet of the easement of Lot 8.

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE** Case Number: VAC2003-00076

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. VAC2003-00076 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

LEE COUNTY  
BOARD OF COUNTY  
COMMISSIONERS OF  
LEE COUNTY, FLORIDA  
\_\_\_\_\_  
Chairman Signature

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

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

APPROVED AS TO FORM

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

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

Exhibit "A"  
Petition to Vacate  
VAC2003-00076

**Legal Description**

The twelve-foot wide Public Utility Easements centered on the common lot lines between Lots 8 and 9, 9 and 10, 10 and 11, and 11 and 8, all in Block 5, Unit 2 of Twin Lakes Estates, in Section 3, Township 45 South, Range 27 East, a subdivision of Lehigh Acres, according to map or plat thereon file and recorded in Plat Book 15, Page 208 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the northeasterly 17 feet of the easement on the common lot line between Lots 8 and 9; less and except the southeasterly 6 feet of the easement on the common lot line between Lots 9 and 10; less and except the northwesterly 6 feet of the easement on Lot 11; and less and except the northwesterly 17.67 feet of the easement of Lot 8.



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00017 0160

SOUTH BOUNDARY CANAL (EXISTING)

PORTER ST.

SENTINELA BLVD.

ALEXANDER

GRAHAM

WANATAH AVE. S.

CARLISLE AVE. S.

BELL BLVD.

UNIT 2

TWIN LAKE ESTATES  
SECTION 3, TWP. 45 S., RGE. 27 E.  
A SUBDIVISION OF

LEHIGH ACRES

LEE COUNTY, FLORIDA



All lots subject to a 6 foot Utility Easement on both sides and back, and a 6 foot Drainage Easement on the front and sides of lot on 50 foot R/W. Interior P.R.M.s are 4" x 4" x 24" concrete.

- Denotes P.R.M.s

All corner lot radii are 25 feet except as shown and the lot dimensions are to the straight line intersections, except where arc distances are shown.

All Canals are hereby dedicated to East County Water Control District.

x Witness Monument.



# AIM Engineering & Surveying, Inc.

Corporate Office:  
5300 Lee Boulevard (33971-1026)  
Post Office Box 1235  
Lehigh Acres, Florida 33970-1235

239-332-4569  
800-226-4569  
Fax: 239-332-8734

*Consultants in General Civil, Transportation, Land Planning, Site Development, Utilities, Stormwater Management, Permitting, Project Management, Land Surveying & Planning*

December 18, 2003

Lee County Department of Community Development  
1500 Monroe St.  
Fort Myers, Florida 33901

**RE: Reason and purpose for the request for easement vacation  
STRAP number 03-45-27-02-00005.0080**

To Whom It May Concern:

AIM Engineering & Surveying, Inc. has completed review of the requested vacation of easements located in lots 8, 9, 10, and 11 of Block 5, Unit 2 of Twin Lake Estates as recorded in plat book 15, page 208. We request this vacation on behalf of our clients, Gerardo and Leticia Cabrera so they may combine the four (4) lots referenced above into one for the future building site of their single family residence. This vacation of easements is legally described in our December 10, 2003 submittal.

Please feel free to contact me at (239) 332-4569 should any other questions or concerns arise.

Sincerely,

**AIM Engineering & Surveying, Inc.**

Jared Lesser  
Staff Engineer