

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate a 12-foot wide Public Utility Easement located at 3813 3rd St. W., Lehigh Acres, Florida 33971, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 13th day of April, 2004. (Case No. VAC2004-00011)

WHY ACTION IS NECESSARY: To construct an addition to an existing single-family residence. **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: 04
COMMISSION DISTRICT #: 5

C4A

3. MEETING DATE:

03-23-2004

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]* 3-1-04

Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2004-00011 was submitted by Michelle R. Morgan (Smith) & Lawrence R. Smith.

LOCATION: Petition No. VAC2004-00011 proposes to vacate a 12-foot wide Public Utility Easement centered on the lot lines common to Lots 4 and 5, Block 66, Unit 6, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 77, Section 27, Township 44 South, Range 26 East, of the Public Records of Lee County, Florida, **LESS and EXCEPT** the northerly six feet and southerly six feet thereof. The site is located at 3813 3rd St. W., Lehigh Acres, Florida 33971.

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 <i>3/11/04</i>			G County Manager
					OM	Risk		
<i>Mary Gibbs</i>	N/A	N/A	N/A	<i>John J. [Signature] 3-2-04</i>	<i>3/10/04</i>	<i>3/10/04</i>	<i>GC 3/10/04</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *3/2/04*
Time: *3:00m*

RECEIVED BY
COUNTY ADMIN
3/10/04
9:10 am SGT
COUNTY ADMIN
FORWARDED TO: *[Signature]*
3/11/04 3PM

274424 06 000 66 0040

PETITION TO VACATE

Case Number: VAC 2004-00011

RECEIVED
FEB 20 2004
MKW

Petitioner(s) MICHELLE R. SMITH, f/k/a MICHELLE R. MORGAN & LAWRENCE R. SMITH 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, 3813 3rd St West Lehigh Acres FL 33971
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: Michelle R. Smith
Petitioner Signature

By: Lawrence R Smith
Petitioner Signature

Michelle R. Smith *
Printed Name *f/k/a Michelle R. Morgan

Lawrence R Smith
Printed Name

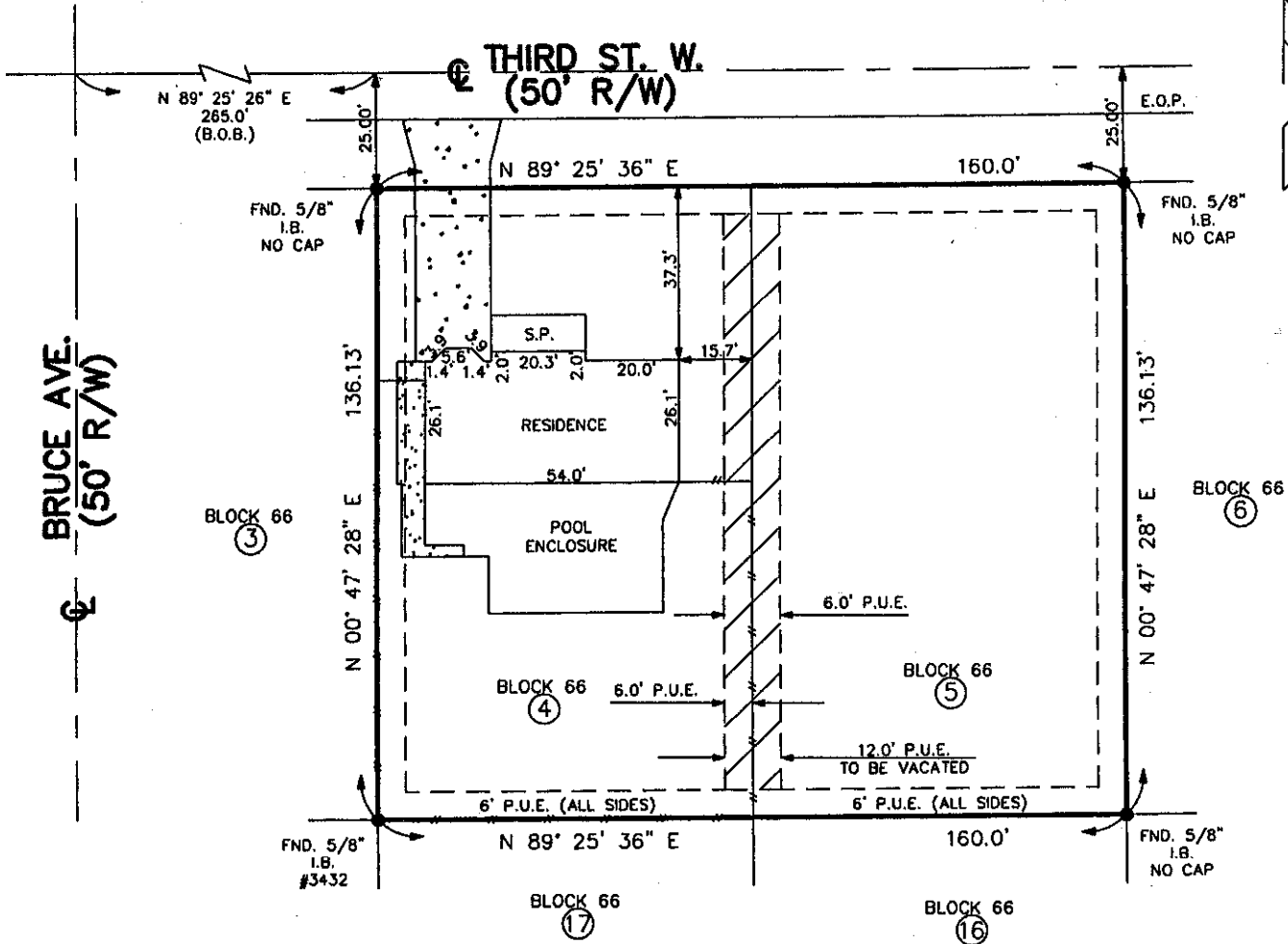
EXHIBIT "A"
Petition to Vacate
VAC2004-00011

Legal Description of the Public Utility Easements to be Vacated

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 4 and 5; all in Block 66, Unit 6, Section 27, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 77 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet of each easement.

EXHIBIT "B"
Petition to Vacate
VAC2004-00011



BOUNDARY SURVEY
 3813 THIRD STREET WEST
 LOTS 4 & 5, BLOCK 66, UNIT 6
 S 1/2 OF SECTION 27, TOWNSHIP 44 SOUTH,
 RANGE 26 EAST
 LEHIGH ACRES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 15, PAGE 77, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

**NOT A SURVEY—
 SKETCH ONLY**

Chris B. Sch
 DSM 5941
 1-9-04

S.T.A.R. Surveying, Inc. (LB5449)
Professional Surveyors and Mappers
 1130-E Lee Boulevard, Lehigh Acres, Florida 33936
 (941) 368-7400 (941) 368-7685 (Fax)

DATE: 1-9-04
JOB NUMBER: 9160A
DRAWN BY: B.J.P.
SCALE: 1" = 40'
SHEET: 1 of 2

Exhibit "C"
 Petition to Vacate
 VAC2004-00011
 [Page One of One]

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.

*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 27442606000660040 has returned 6 result(s).

Account	Tax Year	Owner Name/ Address	Status/ Outstanding Balance	
27-44-26-06-00066.0040	2003	MORGAN MICHELLE R 3813 3RD ST W	PAID	<input type="button" value="Details"/>
27-44-26-06-00066.0040	2002	MORGAN MICHELLE R 3813 3RD ST W	PAID	<input type="button" value="Details"/>
27-44-26-06-00066.0040	2001	MORGAN MICHELLE R 3813 3RD ST W	PAID	<input type="button" value="Details"/>
27-44-26-06-00066.0040	2000	MORGAN MICHELLE R 3813 3RD ST W	PAID	<input type="button" value="Details"/>
27-44-26-06-00066.0040	1999	MORGAN MICHELLE R 3813 3RD ST W	PAID	<input type="button" value="Details"/>
27-44-26-06-00066.0040	1998	PARKER KENNETH A + CYNTHIA J	PAID	<input type="button" value="Details"/>

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

600
629-30

ARLIE GREEN, CLERK
LEE COUNTY, FL

1999 MAY 11 PM 12: 37

4630636

OR3116 P60326

THIS INSTRUMENT PREPARED BY AND RETURN TO:

PERCH AND HILL, P.A.
222 PLAZA DRIVE
LEHIGH ACRES, FLORIDA 33936

Property Appraisers Parcel Identification (Folio) Numbers:
27-44-26-06-00066.0040
Grantee SS #: 380888819

RECORDED BY
JOANNE MILLER, D.C.

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 7th day of May, A.D. 1999 by Kenneth A. Parker and Cynthia J. Parker, husband and wife, herein called the grantors, to Michelle R. Morgan whose post office address is 3691 Winkler Ave. Ext. Apt. 811, Fort Myers, Florida 33916, hereinafter 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 grantors, for and in consideration of the sum of TEN AND 00/100'S (\$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, State of Florida, viz:

Lots 4 and 5, Block 66, Unit 6, Section 27, Township 44 South, Range 26 East, Lehigh Acres, a subdivision according to the plat thereof, as recorded in Plat Book 15, Page 77, in the Public Records of Lee County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 1999 and thereafter.

Documentary Tax Pd. \$ 629.30
Intangible Tax Pd. _____
CHARLIE GREEN, CLERK, LEE COUNTY
By Joanne Miller Deputy Clerk

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 grantors hereby covenant with said grantee that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant 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.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature

Joseph A. Spornhauer
Witness #1 Printed Name

[Signature]
Witness #2 Signature

Stacey Watson
Witness #2 Printed Name

[Signature] L.S.
Kenneth A. Parker

3813 3rd Street West, Lehigh Acres, Florida 33971

[Signature] L.S.
Cynthia J. Parker

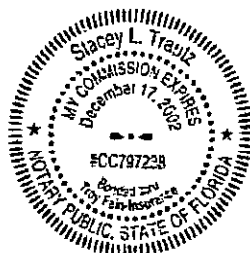
3813 3rd Street West, Lehigh Acres, Florida 33971

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 7th day of May, 1999 by Kenneth A. Parker and Cynthia J. Parker who are personally known to me or have produced driver's license as identification.

SEAL

My Commission Expires:



[Signature]
Notary Signature
Stacey L. Trautz
Printed Notary Signature

File # 12897



Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 • FAX (239) 995-7904

www.lcec.net • www.iline.com

December 17, 2003

Mr. and Mrs. Larry Smith
3813 3rd St. West
Lehigh Acres, FL 33971

Re: Petition to Vacate

Dear Mr. and Mrs. Smith:

LCEC does not object to vacation of the 12-foot-wide utility and/or drainage easement centered on the line between Lots 4 and 5, Block 66, Unit 6, a subdivision of Lehigh Acres, as recorded in Plat Book 15, page 77, of the Public Records of Lee County, Florida, LESS and EXCEPT the northerly 6 feet and the southerly 6 feet thereof.

Please call me at 656-2422 if I can be of any further assistance.

Sincerely,

Karen Hardin
Real Property Representative

6



December 15, 2003

Mrs. Michelle Smith
3813 3rd Street West
Lehigh Acres, Florida 33971

Re: Vacation of Public Utility Easement:
A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 4 & 5, Block 66 of Section 27E, Township 44S, Range 26E.
Strap No. 27-44-26-06-00066.0040

Dear Mrs. Smith:

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,

Wayneth Jackson

Wayneth Jackson
Engineer

10

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



December 9, 2003

Michell R. Morgan Smith
3813 3rd Street West
Lehigh Acres, Florida 33971

Re: Vacation of easement for Parcel 27-44-26-06-00066.0040
3813 3rd Street West, Lehigh Acres, Florida

Dear Mrs. Smith:

This letter will serve to inform you that Comcast has aerial facilities in the front easement, on the opposite side of the road. We do not feel this will hinder your petition to vacate, and therefore, have no objection to your request.

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



January 7, 2004

Lawrence R. Smith
Michelle R. Morgan Smith
3813 3rd Street West
Lehigh Acres, Fla. 33971

RE: Vacation of right of way
Parcel 27-44-26-06-00066.0040

Dear Mr. & Mrs. Smith

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

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


Adnaldo Rodriguez
Technical Field Inspector

AR/ss



December 15, 2003

Michelle R. Morgan-Smith
3813 3rd Street West
Lehigh Acres, FL 33971

RE: Road Easement Vacation at 3813 3rd Street West, Lehigh Acres, FL.

Letter of No Conflict

Dear Jennifer:

Time Warner Cable (TWC), with franchise authority in Lee County, and Florida Cablevision Management Corporation, its operating entity, has reviewed the above mentioned project and find no conflict. This letter will serve as Time Warner Cable's letter of no involvement.

Should you have any questions or require any additional information, please do not hesitate to contact me.

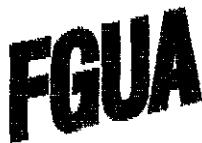
Sincerely,

FOR TIME WARNER CABLE

Benjamin Streeter
Construction Foreman

BS/dm

cc: Commercial Development Dept., TWC
Joe Crone, Technical Operations Director
Miguel Sanchez, Construction Supervisor

**FLORIDA GOVERNMENTAL UTILITY AUTHORITY**

614 N. Wymore Road, Winter Park, Florida 32789, Ph: (407) 629-6900, Fax: (407) 629-6963, E-mail: FGUA@FGUA.com

February 20, 2004

Jared Lesser
AIM Engineering & Surveying, Inc.
Southwest Florida Corporate Office
5300 Lee Boulevard
Lehigh Acres, FL 33971
(239)-332-4569

RE: 3813 3rd St. West
Lehigh Acres, FL 33971

Dear Mr. Lesser:

The FGUA Board met February 19, 2004 and determined that they do not presently hold any property rights over the address identified above other than the plat reservation. They also determined that the FGUA has no current utilities in the utility easement nor has any foreseeable need for utility placement in the easement to be vacated. Therefore, the Board approved the request for vacation of easement February 19, 2004.

The vacation of easement was requested for the 12 foot wide utility and drainage easement lying 6-feet on each side of the common line between lots 4 and 5, excluding the front and rear 6 foot sections of Block 66, Unit 6, Lehigh Acres, Section 27, Township 44 South, Range 26 East, as recorded in Plat Book 15, Page 77, Public Records of Lee County Florida. The Plat indicates a reservation of a 6-foot utility easement for public utilities and storm drainage on each side of the lots in the subdivision.

Should you have any further questions in this matter, please do not hesitate to contact me at 407-629-6900.

Sincerely,

Florida Governmental Utility Authority

A handwritten signature in black ink, appearing to read "Charles Sweat", is written over a horizontal line.

Charles Sweat
Director of Operations

cc: Michelle R. Morgan Smith and Larry Smith (via-fax)

12

AmeriGas

America's Propane Company

January 6, 2004

Larry Smith
3813 3rd Street West
Lehigh Acres, Florida 33971

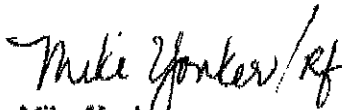
Dear Mr. Smith

In reference to your letter dated December 3, 2003 AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO.: 27-44-26-06-00066.0040

Please feel free to contact me at 239-334-2849, should you have further questions.

Sincerely,



Mike Yonker
Sales & Service Manager

27



December 10, 2003

Lawrence and Michelle Smith
3813 3rd St. West
Lehigh Acres, FL 33971

RE: Request for a letter of Review and Recommendation of a proposed right -of-way, or road easement vacation.

Dear Michelle R. Morgan Smith:

We have no conflict with the easement vacation as noted in your letter dated December 3, 2003.

Sincerely,

Tom Wyant
General Manger
TW:slt



BOARD OF COUNTY COMMISSIONERS

479-8440

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

February 26, 2004

Lawrence & Michelle Smith
3813 3rd St W.,
Lehigh Acres, FL 33971

Re: VAC2004-00011 - **Petition to Vacate** a 12-foot Public Utility centered on the common lot line between Lots 4 and 5; all in Block 66, Unit 6, Section 27, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 77 of the Public Records of Lee County, Florida; LESS and EXCEPT the northerly six feet and southerly six feet of each easement.

Dear Mr. & Mrs. Smith:

You have indicated that in order to build a new addition on to your existing single-family residence on the combined two (2) lots, you desire to eliminate the Public Utility Easement located between those lots at 3813 3rd St. W., Lehigh Acres. 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:\200402\20040220.151\9082960\DCDLETTER.DOC



BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One
Monday, December 08, 2003

Douglas R. St. Cerny
District Two
Mrs. Michele R. Smith
3813 3rd St. West

Ray Judah
District Three
Lehigh Acres, FL 33971

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 a twelve (12) foot wide public utility & drainage easements common to Lots 4 & 5, Block 66, Unit 6, Lehigh Acres Subdivision, as recorded in Plat Book 15 Page 77, in the public records, Lee County, Florida.

Dear Mrs. Smith:

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 and drainage easement.

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr.
Natural Resources Division

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

S:\NATRES\SURFACE\DOCUMENT\vac403.doc



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 479-8580

Bob Janos
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

Lawrence & Michelle Smith
3813 3rd Street West
Lehigh Acres, FL 33971

December 9, 2003

**RE: PETITION TO VACATE THE 12 FOOT WIDE UTILITY EASEMENT
ON THE LOT LINE COMMON TO LOTS 4 AND 5, BLOCK 66, UNIT
6, LEHIGH ACRES, SECTION 27, TOWNSHIP 44, RANGE 26**

Dear Mr. & Mrs. Smith:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 15, Page 77. DOT has no facilities within the easement and does not maintain it.

Therefore, DOT offers no objection to the vacation as proposed.

Sincerely,

DEPARTMENT OF TRANSPORTATION


Margaret Lawson
Right-of-Way Supervisor

MAL/JMK/mlb

cc: Don Blackburn, Development Services
Allen Davies, Natural Resources
DOT PTV File (Lehigh Section 27, Township 44, Range 26)

S:\DOCUMENT\Petition To Vacate\2003\Smith - Lehigh Acres.doc

3



Florida Department of Transportation

JEB BUSH
GOVERNOR

801 North Broadway Avenue
Bartow, Florida 33830

JOSE ABREU
SECRETARY

December 16, 2003

Lawrence and Michelle Smith
3813 3rd Street West
Leigh Acres, Florida 33971

RE: Vacation of a Public Utility Easement:

Dear Mr. and Mrs. Smith:

In response to your letter we received on December 8, 2003 our staff has conducted a review of your request to vacate the subject area as marked and generally described as: That portion of a 12' wide by 136+' long Public Utility Easement identified as lying between Block 66 (Lot 4) and Block 66 (Lot 5) of a Subdivision known as Leigh Acres, Unit 6, Per Plat Book 15, Page 77, in Section 27, Township 44 South, Range 26 East, Lee County, Florida.

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

Sincerely,

Brian L. Toune
Property Management

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



17-25

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(941) 479-8181

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

December 8, 2003

Michelle R. Morgan Smith
3813 3rd Street, West
Lehigh Acres, Fl. 33971

**SUBJECT: PROPOSED VACATION AT THE FOLLOW SITE
3813 3rd STREET W, LEHIGH ACRES, 27-44-26-06-00066.0040**

Dear Ms. Morgan:

Lee County Utilities has reviewed the Public utility easement, described in your letter of December 03, 2003. Lee County Utilities has no facilities located within the easement; therefore, there is no objection to the vacation of this easement. However, you may also want to contact the Governmental Utility Authority, as your property is located within their Utility service area. Their phone number is (239) 278-5050.

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

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Engineering Tech., Senior
UTILITIES ENGINEERING

S:\UTILS\Eng\MMM\LETTERS\VACATION\NOT WITHIN LCU SERVICE AREA\3813 3rd Street West - Lehigh Acres-NO-OBJECTION.doc

Dept of Community Development

Michelle and I are requesting
the easement be removed. We would
like to build across the easement, with
my new addition to my house. My Address
is 3813 3rd St W Lehigh 33971

Thank you
Lawrence R Smith

AH Ruth Keith

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00011

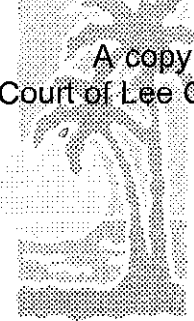
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 13th day of April 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
SOUTHWEST 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
VAC2004-00011

Legal Description of the Public Utility Easements to be Vacated

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 4 and 5; all in Block 66, Unit 6, Section 27, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 77 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet of each easement.

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2004-00011**

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. VAC2004-00011 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

LEE COUNTY
BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Chairman Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

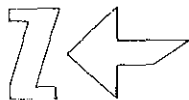
Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2004-00011

Legal Description of the Public Utility Easements to be Vacated

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 4 and 5; all in Block 66, Unit 6, Section 27, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 77 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet of each easement.



PLAT OF
SOUTH 1/2 SECTION 27
TOWNSHIP 44 SOUTH, RANGE 26 EAST

A SUBDIVISION OF
LEHIGH ACRES
LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO. DEVELOPERS

August 1958

Scale: Unit Boundary



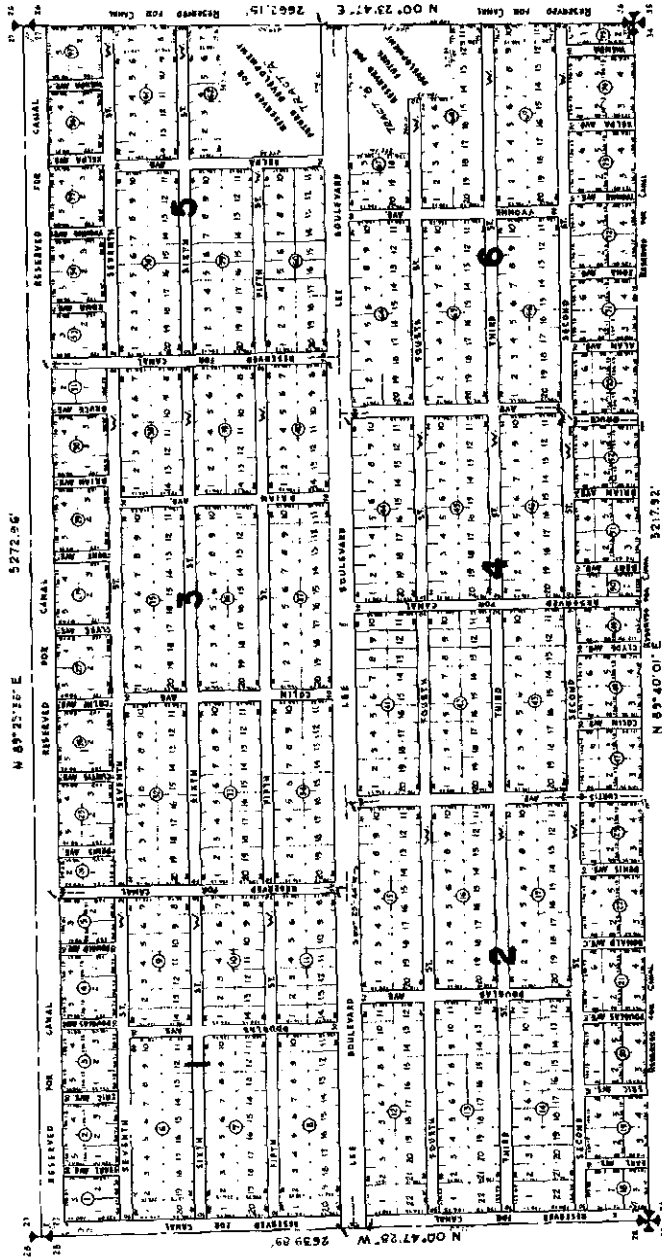
SURVEYORS' CERTIFICATE

I, the undersigned hereby certify that the plat on which is a correct representation of the subdivision and that permanent reference monuments have been placed as shown.

For Official Registered Land Surveyor No. 1188

NOTE: All easements, rights of eminent domain, and other interests therein are hereby reserved and shall be subject to the provisions of the subdivision plat as recorded in the public records of Lee County, Florida.

NOTE: Dimensions, Bearings, Lot and Line Lines on Diagrams or Latest Dotted Lines Corrected.





SUNNYVALE

00065 0030

00066 0040

00066 0160

00070 0040

00070 0060

00070 0020

00070 0050

00070 0030

00070 0040

00071 0010

00071 0060

00071 0020

00071 0050

00071 0030

00071 0040

00072 0010

00072 0060

00072 0020

00072 0050

00072 0030

00072 0040