

1. REQUESTED MOTION:

**ACTION REQUESTED:** Conduct a Public Hearing to adopt a Resolution a portion of Leetana Road Right-of-Way located at 17600 Pritchett Pkwy, North Fort Myers, Florida 33917 (Case No. VAC2002-00058).

**WHY ACTION IS NECESSARY:** To allow signage for a proposed subdivision. **The vacation of these rights-of-way will not alter existing utilities or traffic conditions, and the rights-of-way are not necessary to accommodate any future utilities or traffic requirement.**

**WHAT ACTION ACCOMPLISHES:** Vacates the Right-of-Way.

2. DEPARTMENTAL CATEGORY:  
COMMISSION DISTRICT #: 4

04

5:00 #3

3. MEETING DATE:

06-08-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:  
(Specify)

- STATUTE F.S. Ch. 336
- ORDINANCE
- ADMIN. CODE 13-8
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Community Development
- C. DIVISION Development Services
- BY: [Signature] 5/24/04

Peter J. Eckenrode, Director

7. BACKGROUND:

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 PM on **8<sup>th</sup> day of June, 2004.**

**LOCATION:** The road Right-of-Way is lying in Section 21, Township 43 South, Range 25 East, as recorded in OR Book 2636, Page 993, of the Public Records of Lee County, Florida. The site is located at **17600 Pritchett Pkwy, North Fort Myers, Florida 33917** and its strap number is 21-43-25-00-00001.1000

A replacement utility easement to LCEC was requested and provided by the property owner. 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 adoption of this resolution.

Attached to this Blue sheet is the Resolution with 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 Risk	G County Manager
	N/A	N/A	N/A	<u>[Signature]</u> 5-26-04	<u>[Signature]</u> 5/26/04	<u>[Signature]</u> 5/26/04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY  
FORWARDED  
TO CC ADMIN.  
5/26/04

RECEIVED BY  
COUNTY ADMIN: [Signature]  
5/26/04  
1:50 pm SLT  
COUNTY ADMIN  
FORWARDED TO: [Signature]  
5/26/04 5PM

THIS INSTRUMENT PREPARED BY:

Department of Community Development  
Development Services Division  
1500 Monroe Street  
Fort Myers Florida 33901

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**RESOLUTION NO. \_\_\_\_\_ FOR PETITION TO VACATE**

Case Number: VAC2002-00058

WHEREAS, Pritchett Development Company, Ltd. Petitioner in accordance with Florida Statute (F.S.) Chapter 336 and Lee County Administrative Code (LCAC) 13-8, filed a Petition to vacate, abandon, close and discontinue the public's interest in the right-of-way or portion of a right-of-way legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida held a Public Hearing concerning a Petition to Vacate on the 8<sup>th</sup> day of June, 2004, at 5:00 p.m.; and

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting and a copy of said Affidavit is attached as Exhibit "C"; and

WHEREAS, notice concerning the intent of the Petition to Vacate was provided in accordance with LCAC 13-8; and

WHEREAS, it appears that vacating, abandoning, closing or discontinuing the subject right-of-way or portion of right-of-way is in the best interest of the public and promotes the public's health, safety and welfare without invading or violating individual property rights; and

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate granting Petitioner's request is appropriate and in accordance with F.S. Chapter 336.

NOW therefore be it resolved by the Board of County Commissioners as follows:

1. Petition to Vacate No. VAC2002-00058 is hereby granted.
2. The public's interest in the right-of-way or portion of right-of-way described in Exhibit "A" and graphically depicted in Exhibit "B" is hereby vacated, abandoned, closed and discontinued.
3. A Notice of Resolution of Adoption will be published one time within 30 days of adoption in a newspaper of general circulation. An Affidavit of Publication for the Notice of Resolution Adoption will be attached to this Resolution as Exhibit "D".
4. This Resolution will become effective upon the recording of a fully executed Resolution, including all exhibits referred to above, in the public records of Lee County, Florida.

This Resolution passed by voice and entered into the minutes of the Board of County Commissioners of Lee County, Florida, this \_\_\_\_\_ .

ATTEST:  
CHARLIE GREEN, CLERK

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

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

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

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

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

APPROVED AS TO FORM

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

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

# Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,  
LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°06'48"W. ALONG THE WEST LINE OF SAID FRACTION FOR 1581.74 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86' WIDE); THENCE CONTINUE S.00°06'48"W. ALONG SAID WEST LINE FOR 95.27 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID LEETANA DRIVE AND A CURVE TO THE RIGHT HAVING A RADIUS OF 3978.06 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.25°53'42"E.; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°07'02.9" FOR 355.31 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 03°37'47.1" FOR 252.01 FEET; THENCE S.55°21'28"E. ALONG SAID SOUTHERLY LINE FOR 141.78 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3427.62 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°46'28.8" FOR 345.46 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.50°45'17"W.; THENCE NORTHWESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 264.66 FEET THROUGH A CENTRAL ANGLE OF 18°28'34" FOR 370.84 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY THE SAME BEING A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.69°13'52"E.; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE; THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH

EXHIBIT "A"  
VAC 2002-00058  
SHEET 1 OF 2

NOV 14 2002

A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF CUSP AND A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.11°39'23"E.; THENCE WESTERLY ALONG SAID CURVE PASSING THROUGH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEETANA DRIVE AT A DISTANCE OF 76.46 FEET THROUGH A CENTRAL ANGLE OF 28°51'13" FOR 276.97 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.05 ACRES MORE OR LESS

~~SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.~~

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.00°06'48"W.

DESCRIPTION PREPARED 10-24-01

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EXHIBIT 'A'  
VAC 2002-00058  
SHEET 2 OF 2

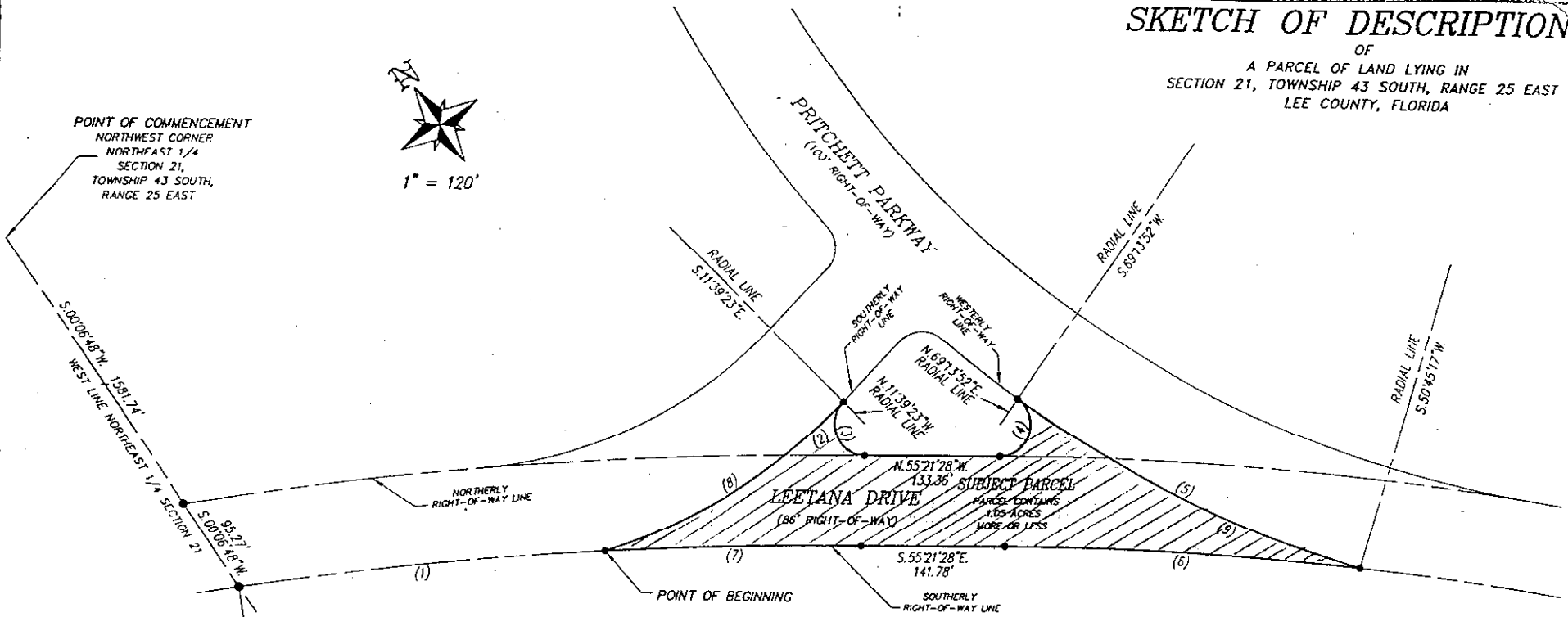
VAC 2002-00058

# SKETCH OF DESCRIPTION

OF  
A PARCEL OF LAND LYING IN  
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA



POINT OF COMMENCEMENT  
NORTHWEST CORNER  
NORTHEAST 1/4  
SECTION 21,  
TOWNSHIP 43 SOUTH,  
RANGE 25 EAST



## CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	3978.06'	05°07'02.9"	355.31'	355.19'	S.61°32'47"E
2	550.00'	07°57'53"	76.46'	76.39'	S.82°19'34"W
3	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E
4	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W
5	1150.00'	18°28'34"	370.84'	369.24'	N.30°00'25"W
6	3427.62'	05°46'28.8"	345.46'	345.31'	S.52°28'14"E
7	3978.06'	03°37'47.1"	252.01'	251.97'	S.57°10'22"E
8	550.00'	28°51'13"	276.97'	274.06'	N.87°13'46"W
9	1150.00'	13°11'10"	264.66'	264.08'	N.32°39'07"W

SEE SHEETS 1 AND 2 FOR COMPLETE  
METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY

*Richard M. Ritz*  
RICHARD H. RITZ  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID  
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

EXHIBIT "B"  
PREPARED 10-24-01  
VAC 2002-00058

### NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST 1/4 SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.00°06'48"W.

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S:\2005\1447\1447SURVEYING\DESCRIPTIONS\1447\_RW\_ACC\_SKT.DWG  
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10/31/2001 08:46:49 AM, Rick Ritz

VAC 2002 00058

APR 13 2002