			Board Of County Commissioners genda Item Summary			Blue Sheet No. 20040966				
1. REQUESTED M	OTION:					<u>, </u>				
ACTION REQUEST Lehigh Acres, Florid september WHY ACTION IS N will not alter existi requirements.	a 33971, and _, 2004. (Cas <u>ECESSARY</u> :	adopt a resolu se No. VAC200 To build a sing	tion, setting a 04-00026) gle-family resi	Public Hear	ing for 5:00 PN combined lots	M on the 14t	h day of n of this easement			
WHAT ACTION AC	COMPLISHI	S. Sets the tir	ne and date o	of the Public I	Hearing					
WINT TICKLOTTER	200111111111	<u></u>	no ana aato t	7 110 1 45110 1	louring.					
2. DEPARTMENTA COMMISSION E			04			3. MEETING DATE:				
4. AGENDA:			5. <u>REQUIREMENT/PURPOSE</u> :			6. REQUESTOR OF INFORMATION:				
X CONSENT ADMINIST APPEALS PUBLIC	X STA ORI X ADN	(Specify) X STATUTE F ORDINANCE X ADMIN. CODE 13 OTHER			MISSIONER RTMENT ION	Community Development Development Services 7 / 27 / 0 4				
WALK ON TIME REQ	HIRED:	<u>-</u>				Pete	er J. Eckenrode, Director			
7. BACKGROUNI										
The completed petit	ion to vacate,	VAC2004-000	26 was subm	itted by David	d Perkins.					
to vacate a 12-foot v Section 1, Township Public Records of Lo easement.	vide Public Ut o 45 South, Ra ee County, Flo	ility Easement Inge 26 East, a Irida; LESS ar	centered on to a subdivision on and EXCEPT to	he common l of Lehigh Acr he northerly s	ot lines betwe es, as recorde six-feet (6') and	en Lots 19 and ed in Plat Book d southerly six-	2004-00026 proposes 20; Block 19, plat of 15 at Page 93 of the feet (6') of each			
Documentation pert	aining to this F	etition to Vaca	ite is availabl	e for viewing	at the Office o	f Lee Cares.				
There are no object	ons to this Pe	tition to Vacate	e. Staff recon	nmends the s	cheduling of th	ne Public Heari	ng.			
Attached to this Blue	sheet is the	Petition to Vac	ate, Resolutio	n to set Publ	ic Hearing, No	tice of Public H	learing and Exhibits.			
8. MANAGEMENT	RECOMMEN	DATIONS:								
		9. 1	RECOMMEN	DED APPRO	VAL:					
A B Department Purcha Director or Cont	_		E County Attorney		F Budget Service	ces i/e v	G County Manager			
1), N/A	N/A	N/A	the J	9/3/04	OM R	15k EC) 404 8/4/04	1/20-1			
10. COMMISSION	ACTION:			by CoAtty	Tr	RECEIVED BY	ल			
- - - -	D	PPROVED ENIED EFERRED THER	Date: Time: Forwa	aglo4		COUNTY ADMIN COUNTY ADMIN FORWARDED TO:				
RSK/ July 27, 200	14			13 4 17	161\1575910\BI	UESHEETEORI 5/4/04 /.300	SMT.DQC			



PETITION TO VACATE (AC 13-1)

Case Number: VAC 2004-00026
Petitioner(s), DOVID PERTINS 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, P.O. Box H238, N. Ft. Myers. FL. 33918
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:
Dariel Portin
Petitioner Signature Petitioner Signature
Printed Name Printed Name

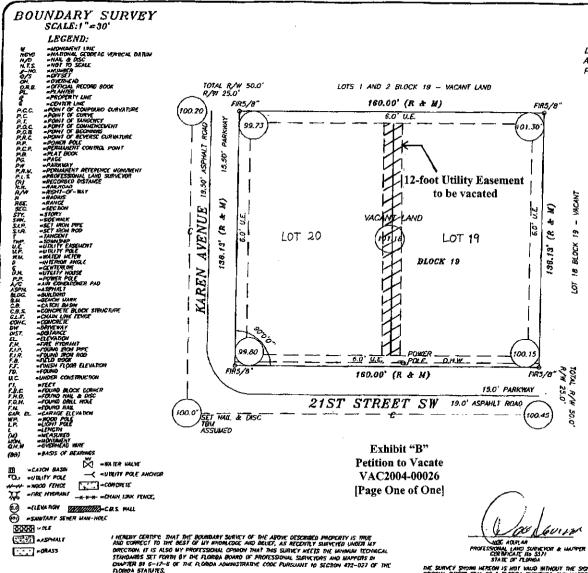
EXHIBIT "A"

Petition to Vacate VAC2004-00026

Legal Description of the Public Utility Easements to be Vacated

The twelve-foot (12') wide Public Utility Easement centered on the common lot lines between Lots 19 and 20; Block 19, plat of Section 1, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 93 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six-feet (6') and southerly six-feet (6') of each easement.



LECAL DESCRIPTION:

LOTS 19 AND 20, BLOCK 19, LEHIGH ACRES SECTION 1 SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15. PAGE 93, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIGA

PROPERTY ADDRESS:

2932 21ST STREET SW. LEHIGH ACRES. FLORIDA 33971

CERTIFIED TO:

DAVID PERKINS AND LINDA PERKINS SUNTRUST FXFCUTIVE TITLE ADVANTAGE BUILDERS STEWART TITLE

SURVEYORS NOTES:

1-OWNERSHIP IS SUBJECT TO OPINION OF TITLE 2-EXAMINATION OF THE ABSTRACT OF THE WILL HAVE TO BE MADE TO DETERMINE RECORDED HAVE TO BE MOUR TO INTERMINE RECURSED WITH MASTRUMENTS. IF ANY, AFFECTING THIS PROPERTY J-NO UNDERGROUND IMPROVEMENTS WERE LOCATED 4-ELEVATIONS ARE REFERRED TO NATIONAL GEODETIC 4-ELEVATIONS ARE REFERRED TO HATCHEL GOWERL VERTICAL DATUM OF 1929 (UNLESS ASSIMED) 5-THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN IN THIS SURVEY THAT MAY BE FOUND IN THE COUNTY PUBLIC RECORDS 6-LEGAL DESCRIPTION PROVIDED BY CLIENT 7-UNLESS OTHERWISE NOTED RECORDED AND MEASURED DATA ARE IN SUBSTANTIAL AGREEMENTS. B-BEFORE ANY CONSTRUCTION THE SET BACKS NUST BE CHECKED 9- THIS SURVERY IS FOR USE AS PER REQUEST AND NOT FOR ANY OTHER PURPOSE. 10-FLOOD ZONE_B___ BASE____ 11- DATE OF FIELD WORK _04/19/2004 FOLIO No. 01-45-26-02-00019.0190 DATE OF PLAT: FEBRUARY, 1956

CARIBBEAN INSPECTIONS & SURVEYS CARIBBEAN N A CONSULTING INC LB7234 7911 N.W 72nd AVE., SUITE 105 MEDLEY, FLORIDA 33166

JOB # W-2932-A DRAWN BY: J.M. REV: N.A.

EASTCOAST OPERATIONS

MIAMI DADE/MONROE (305) 889-1100

BROWARD (954) 435-0220 FAX (305) 889-2900 FAX (854) 418-7272

PALM DEACH MARTIN/ST. LUCIE/INDIAN RIVER (561) 741-4260 (772) 398-6533 PAX (661) 741-4259 FAX (772) 398-6532

WESTCOAST OPERATIONS COLLIER/LEE (239) 549-5911/FAX: (239) 549-5911 TOLL FREE STATE WIDE 1-868-281-CBIC WWW.CDICCORP.COM

THE SURVEY SHOWS HEREON IS HOT VALID WITHOUT THE SIGNATURE AND DRICKIAL RAISED STAL OF A FLORIDA SURVEYOR AND MAPPER

Exhibit "C" Petition to Vacate VAC2004-00026

[Page One of One]

Lee County Tax Collector - Print Results







Real Property Information

Account	Tax Year	Status			
01-45-26-02-00019.0190	2003	PAID			
Original Account	Book/Page	. , , , ,			
01-45-26-02-00019.0190	3602 /4384				
Physical Address	Mailing Addres	SS			
PERKINS DAVID	PERKINS DAV				
2930 21ST ST SW	POBOX 4238				
LEHIGH ACRES FL 33971		MYERS FL 33918			
<u> </u>	USA	E			
Legal Description					
LEHIGH ACRES UNIT 2 BLK 19 P	B 15 PG 93 LOT 19				
Outstanding Balance as of 8/2/2004					

Lee County Tax Collector - Print Results







Real Property Information

Account	Tax Year	Status							
01-45-26-02-00019.0200	2003	PAID							
Original Account	Book/Page								
01-45-26-02-00019.0200	3602/4384								
Physical Address	Mailing Addres	5S							
PERKINS DAVID	PERKINS DAVID								
2932 21ST ST SW	8320 W HOUGHTON LAKE DR								
LEHIGH ACRES FL 33971	HOUGHTON LAKE MI 48629								
	USA								
Legal Description									
LEHIGH ACRES UNIT 2 BLK 19 PB 15 PG 93 LOT 20									
Outstanding Balance as of 8/2/2004									

OR BK 03602 PG 4384

35,00

INSTR # 5388778

RECONDED 03/20/02 09:08 AN

RECORDING FEE 10.50 DOC TAX PD(F.S.201.02)

DEPUTY CLERK IN Dermand

LEE COUNTY

Return to:

Sandra Jones

Executive Title Insurance Services, Inc. 1148 Lee Benievard Suite 121 Lohigh Acres, Fierida 33936

This Instrument Premered:

Sundra Jones Excentive Title Insurance Services, Inc. 1148 Lee Boulevard Suite 111 Lehigh Acrex, Florida 33934

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): 01-45-26-02-00019.0180

File No:7020175

WARRANTY DEED

_day of March, 2002, by This Warranty Deed Made the

Clement P. Vecrapen and Joyce A. Plecirillo Veerapen, Husband and Wife.

hereinafter called the grantor, whose post office address is:

8011 Clinard Farms Road, High Point, NC 27265

to David Perkins,

whose post office address is:

8320 W Houghton Lake Drive, Houghton Lake, MI 48629,

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 grams, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, viz:

Lots 18, 19 and 20, Block 19, Unit 2, Section 1, Lehigh Acres, Township 45 South, Range 26 East, 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 93, in the Public Records of Lee County, Florida.

The property is vacant land and is not the homestead of the Grantor(s).

TOGETHER with all the tenements, hereditaments and appurenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever

And the grantor hereby covenants with said grantos that the grantor is lawfully seized of said land in fee simple; that the grantos has good right and lawful authority to self and convey said land; that the granter 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 Will deterte the same against the fawtor clasms of the persons who moved, and that same many is need in this of secretary subsequent to December 31, 2001, reservations, restrictions and ensurements of record, if any, (The terms "grantor" and "granter" terein shall be construed to include all genders and singular or planel as the construct to include all genders and singular or planel as the construct to include all genders and singular or planel as the construct.

Page 1 of 2 - Warranty Deed

Page 2 of 2 - Warranty Deed

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.

X	SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES (TWO SEPARATE WITNESSES REQUIRED)	
Ϋ́Χ		most P. Veeron
メと	2nd Witness Signature: Many Santuccio Herke & Printed Name: Mary Jo Janhure Joyle A.	P. Veerapen a ficcirello Veerapen Piccirillo Veerapen
•	X STATE OF NC	
X	X COUNTY OF GUILFORD	
	The foregoing instrument was acknowledged before me this Veerapen and Joyce A. Piccirillo Veerapen, Husband and Wife, whas/have_produced driver license(s) as identification, and who did/ did n	vho is/are personally known to me or who
Y	My Commission Expires: 3-7-05	ma Dollin
χ	V STATE	John Senature Print Name: Myra P. Hores Serial Number



April 28, 2004

Mr. David Perkins P. O. Box 4238 North Fort Myers, Florida 33918

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement centered on the lot line common to lots 19 & 20, Block 19, Section 01, Township 45S, Range 26E.

Strap No.: 01-45-26-02-00019.0190 Strap No.: 01-45-26-02-00019.0200

Dear Mr. Bennett:

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/drainage 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



Lee County Electric Cooperative, Inc.

Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 * FAX (239) 995-7904

www.lcec.net * www.iline.com

April 27, 2004

Mr. David Perkins P. O. Box 4238 N. Ft. Myers, FL 33918

Re: Strap No. 01-45-26-02-00019.0190 and

Strap No. 01-45-26-02-00019.0200

Dear Mr. Perkins:

LCEC does not object to vacation of the easements described as follows:

A 12-foot-wide utility and/or drainage easement centered on the line between Lots 19 and 20, Block 19, Unit 2, a subdivision of Lehigh Acres, as recorded in Plat Book 15, page 93, of the Public Records of Lee County, Florida, LESS AND EXCEPT the north 6 feet and the south 6 feet thereof.

Please call me at (239) 656-2422 if I can be of any further assistance.

Sincerely,

Karen Hardin

Real Property Representative

P.O. Box 413018 Naples, FL 34101 Collier: 239-732-3818 Lee: 239-432-1816

FAX: 239-498-4483



April 27, 2004

Mr. David Perkins P.O. Box 4238 N. Ft. Myers, FL 33918

Re: Vacation of Side Easements at 2930 and 2932 21st SW, Lehigh Acres, FL

33971

Dear Mr. Perkins,

Comcast has reviewed the plans of the above referenced properly. Comcast has no Objection to the side easements vacation request at the above mentioned lots.

If I can be of any additional assistance, I can be reached at 239-32-1816.

Sincerely,

Barb Bradford
Planning and Design

Comcast Cablevision



FLORIDA GOVERNMENTAL UTILITY AUTHORITY

280 Wekiva Springs Road, Suite 203, Longwood, Florida 32779, Ph. (407) 629-6900, Fax: (407) 629-6963

July 19, 2004

David Perkins P.O. Box 4238 North Fort Myers, FL. 33918

RE: Vacation of Easement for Lots 19 and 20, Block 19, Unit 2, Plat Book 15, Page 93 in the Lehigh Acres Utility System

Dear Mr. Perkins:

The FGUA Board met July 16, 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 on July 16, 2004.

The vacation of easement was requested for the 12-foot wide (6-feet on each side) utility and drainage easement on the common line of Lot 19 and 20 of Block 19, Unit 2, Section 1 Lehigh Acres Subdivision, Township 45 South, Range 26 East, Plat Book 15, Page 93 (excluding the northern and southern 6 feet). The request is made for the purpose of combining lots for new home construction. All lots in this subdivision have 6-foot utility easements around all sides.

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

Charles Sweat

Director of Operations



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 June 15, 2004

Andrew W. Coy

David Perkins P.O. Box 4238

North Fort Myers, Fl. 33918

John E. Albion District Five

Donald D. Stilwell County Manager

James G. Yaeger

County Attorney

SUBJECT: VACATION OF A UTILITY EASEMENT

STRAP #: 01-45-26-02-00019.0190

LOTS 19 AND 20, BLOCK 19 – 2930 21ST STREET, LEHIGH ACRES, FLORIDA

Diana M. Parker County Hearing Examiner

Dear Mr. Perkins:

Lee County Utilities has reviewed the Public utility easement, described in your request of June 15, 2004. 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 479-8181.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic

Engineering Tech., Senior UTILITIES ENGINEERING

2930 21st street - lehgih acres.htm



BOARD OF COUNTY COMMISSIONERS

July 27, 2004

NORTH FORT MYERS, FL 33918

Bob Janes District One

Douglas R. St. Cerny District Two

Ray Judah District Three

Andrew W. Coy

John E. Albion District Five

Donald D. Stilweil County Manager

James G. Yaeger County Attorney

Diana M. Parker County Hearing Examiner Writer's Direct Dial Number:_____

479-8585

RE: VAC2004-00026 - Petition to Vacate a 12-foot wide Public Utility Easement centered on the common lot line between Lots 19 and 20; Block 19, plat of Section 1, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 93 of the Public Records of Lee County, Florida; LESS and EXCEPT the northerly six-feet (6') and southerly six-feet (6') of each easement.

Dear Mr. Perkins:

DAVID PERKINS

P.O. BOX 4238,

You have indicated that in order to build a single-family residence on the combined lots, you desire to eliminate the Public Utility Easement located between your lots at 2930 21st St. SW, Lehigh Acres, Florida, Lehigh Acres, Florida. 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:\200407\20040514.161\1575910\DCDLETTER.DOC

TO SET PUBLIC HEARING RESOLUTION NO. FOR PETITION TO VACATE Case Number: VAC2004-00026 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. <u>VAC2004-00026</u> 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 _ BOARD OF COUNTY COMMISSIONERS OF ATTEST: LEE COUNTY, FLORIDA CHARLIE GREEN, CLERK 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 VAC2004-00026

Legal Description of the Public Utility Easements to be Vacated

The twelve-foot (12') wide Public Utility Easement centered on the common lot lines between Lots 19 and 20; Block 19, plat of Section 1, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 93 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six-feet (6') and southerly six-feet (6') of each easement.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00026

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 14th day of Sepvember, 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.

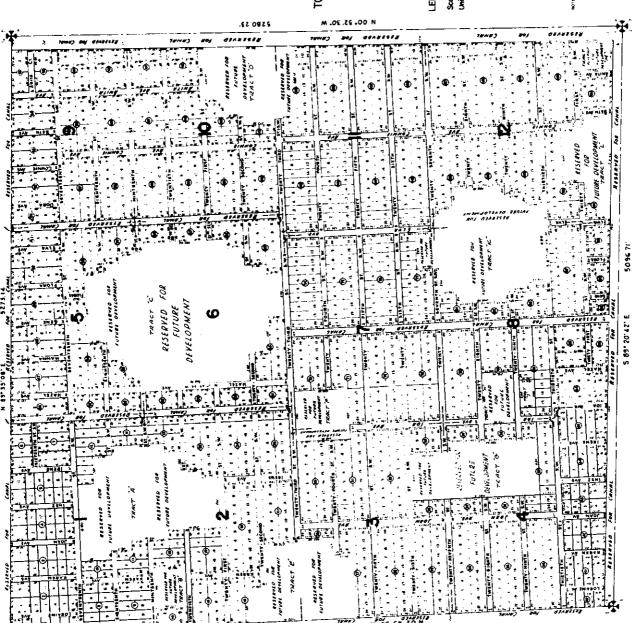
		<i>/</i>	CHAR	LIE G RI	EEN, C	LERK				
\$	**************************************		Dep	uty Clerk	k Signa	ture		gyaciana A	30000000	Å
			PI	ease Pri	int Nam	ne	_			
			APPR	OVED A	S TO F	FORM	l			
			Count	y Attorn	ey Sigr	nature	_			
			PI	ease Pri	int Nan	ne				

EXHIBIT "A"Petition to Vacate VAC2004-00026

Legal Description of the Public Utility Easements to be Vacated

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LESS and EXCEPT the northerly six-feet (6') and southerly six-feet (6') of each easement.



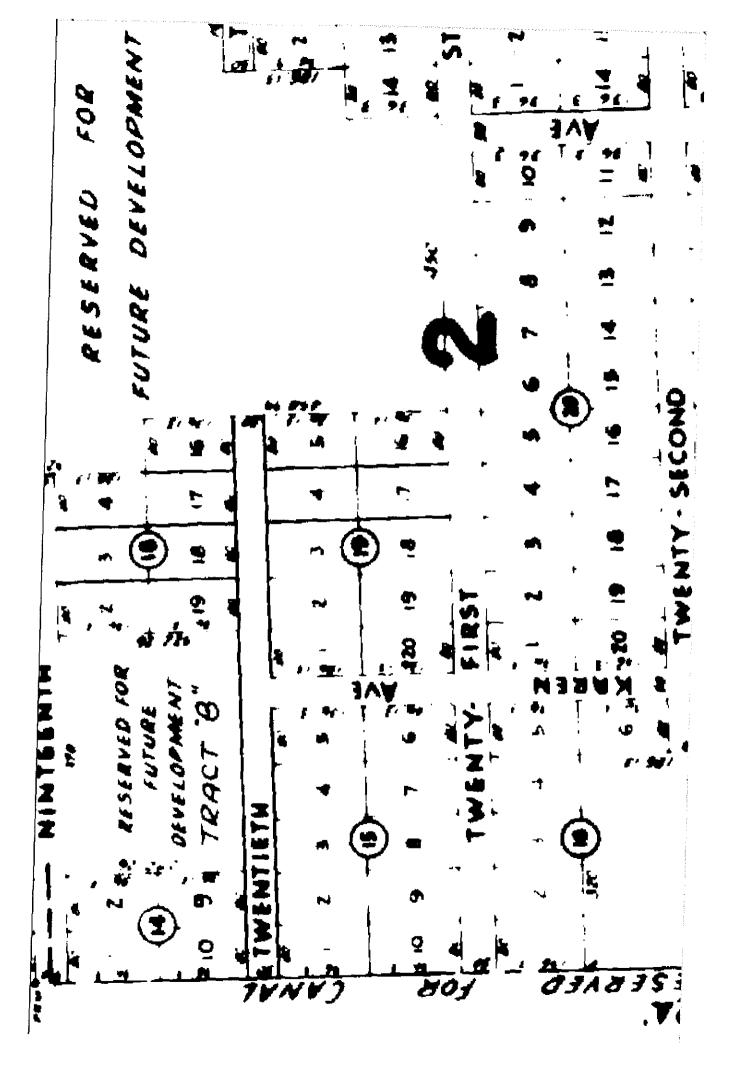
TOWNSHIP 45 SOUTH, RANGE 26 EAST

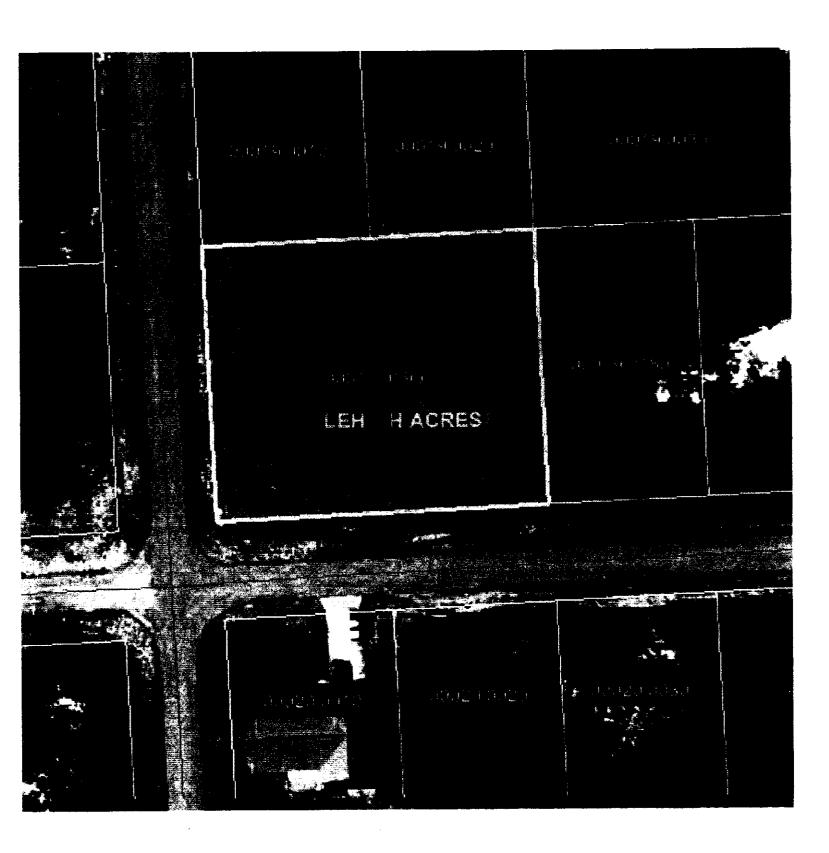
A SUBDIVISION OF

LEHIGH ACRES
LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO. DEVELOPERS Scale: Late Warm of Unit Boundary ---

SURVEYORS CERTIFICATE





Area to be vacated