

1. **REQUESTED MOTION:**

ACTION REQUESTED: Accept a Petition to Vacate a 12-foot wide Public Utility Easement located at 5559 6th St. W. Lehigh Acres, Florida 33971, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 9th day of November, 2004. (Case No. VAC2004-00052)

WHY ACTION IS NECESSARY: To construct a light industrial building on the combined lots. **The vacation of this easement will not alter existing utility conditions and the easement is not necessary to accommodate any future utility requirements.**

WHAT ACTION ACCOMPLISHES: Sets the time and date of the Public Hearing.

2. **DEPARTMENTAL CATEGORY:** 04
COMMISSION DISTRICT #: 5

C4A

3. **MEETING DATE:**

10-19-2004

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:  **9/30/04**
Peter J. Eckenrode, Director

7. **BACKGROUND:**

The completed petition to vacate, VAC2004-00052 was submitted by Quattrone & Associates, Inc. as the agent on behalf of Garton Enterprises, Inc.

LOCATION: The site is located at **5559 6th St. W. Lehigh Acres, Florida 33971**. Petition No. VAC2004-00052 proposes to vacate a 12-foot wide Public Utility Easement centered on the common lot line between Lots 8 and 9; both in Block 10, Unit 1, The South 1/2 and the South 100 feet of the North 1/2 of Section 30, Township 44 South, Range 26 East. Except the South 3.28 Feet of said South 1/2 of Section 30, Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 81 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the easterly six feet and westerly six feet thereof.

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 Risk	G County Manager
<i>Mary Gibbs</i>	N/A	N/A	N/A	<i>10/16/04</i>	<i>10/16/04</i>	<i>10/17/04</i>

10. **COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: **10/16/04**
Time: **9:50**
Forwarded To:
C. Azim.
ESMT.DOC

RECEIVED BY
COUNTY ADMIN:
10-16-04
9:30
COUNTY ADMIN
FORWARDED TO:
10/17/04
4pm

TD
HS



PETITION TO VACATE (AC 13-1)

Case Number: VAC 2004-00052

Petitioner(s), Garton Enterprises, Inc.
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 11661 Hampton Greens Drive, Fort Myers, FL 33913
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:

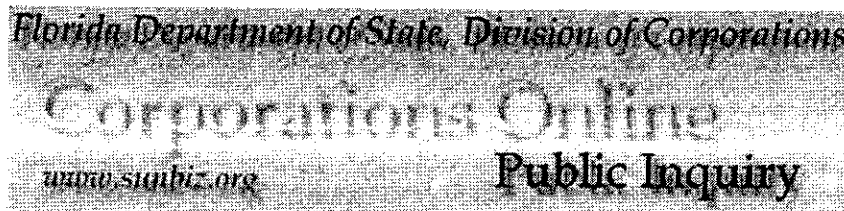
[Signature]
Petitioner Signature

Petitioner Signature

DOUGLAS GARTON,
Printed Name President

Printed Name

NOTE: This is a legal document and is therefore not available in Word Perfect format.



Florida Profit

GARTON ENTERPRISES, INC.

PRINCIPAL ADDRESS
 11661 HAMPTON GREENS DRIVE
 FORT MYERS FL 33913 US
 Changed 01/08/2001

MAILING ADDRESS
 11661 HAMPTON GREENS DRIVE
 FORT MYERS FL 33913 US
 Changed 01/08/2001

Document Number L73769	FEI Number 650198074	Date Filed 05/17/1990
State FL	Status ACTIVE	Effective Date NONE
Last Event REINSTATEMENT	Event Date Filed 12/07/1998	Event Effective Date NONE

Registered Agent

Name & Address
HULETTE, CAROLYN M 1601 JACKSON STREET #205 FT. MYERS FL 33901
Name Changed: 12/07/1998
Address Changed: 12/07/1998

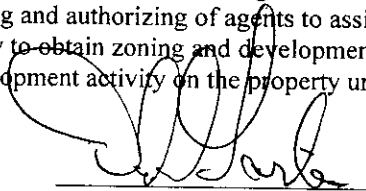
Officer/Director Detail

Name & Address	Title
GARTON, DOUGLAS E. 11661 HAMPTON GREENS DR FT. MYERS FL 33913	P
GARTON, JANET C. 11661 HAMPTON GREENS DR	VS

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Strap # 30-44-26-01-00010.0080 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 Quattrone & Associates, 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 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.


Owner
Douglas Gorton Title Pres. Owner
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 7th day of June, 2004, by Douglas Gorton, who is personally known to me or who has produced A drivers License as identification.



Kim M. Roule
Commission #DD303282
Expires: Mar 24, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

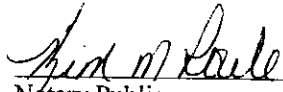

Notary Public
Kim M Roule
(Name typed, printed or stamped)

EXHIBIT "A"
Petition to Vacate
VAC2004-00052

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 8 and 9; both in Block 10, Unit 1, The South ½ and the South 100 feet of the North ½ of Section 30, Township 44 South, Range 26 East. Except the South 3.28 Feet of said South ½ of Section 30, Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 81 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	JRD BEARING
C 1	90°00'00"	25.00'	39.27'	25.00'	35.36'	S 45°29'16"E
C 2	90°00'00"	25.00'	39.27'	25.00'	35.36'	S 44°30'44"W

LOT 10 BLOCK 9

SIXTH STREET 80' RIGHT OF WAY

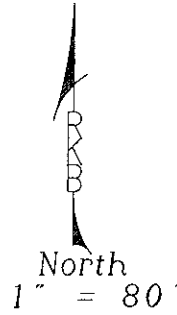
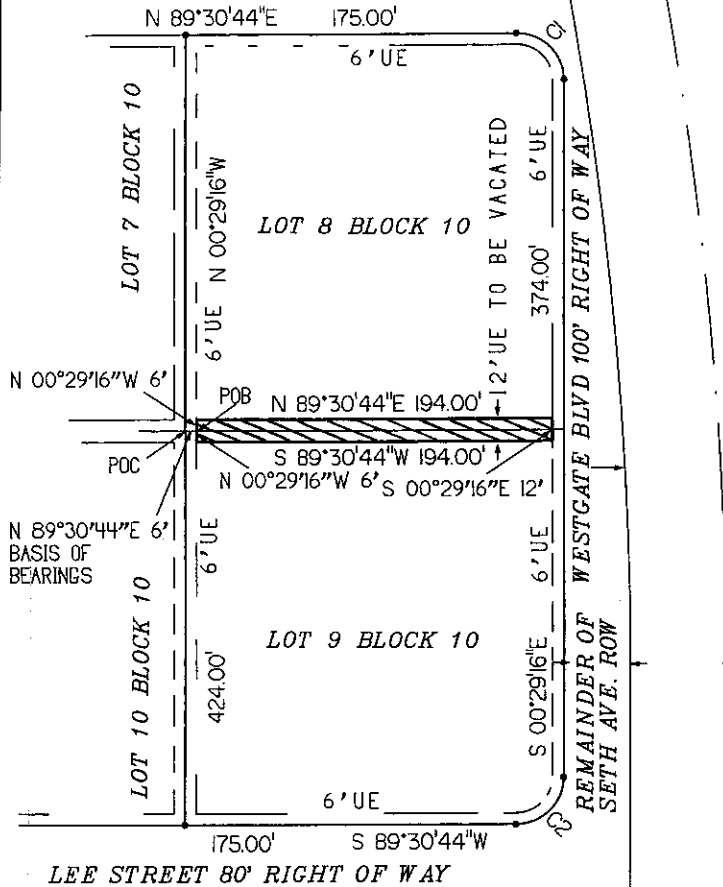


Exhibit "B"
Petition to Vacate
VAC2004-00052
 [Page One of One]

LOT 5 BLOCK 12

LOT 6 BLOCK 12

LEGAL DESCRIPTION:
 A 12 FOOT UTILITY EASEMENT LYING 6 FOOT ON EACH SIDE OF THE LINE BETWEEN LOTS 8 & 9 OF BLOCK 10 OF UNIT 1 OF LEHIGH ESTATES, A SUBDIVISION OF LEHIGH ACRES, RECORDED IN PLAT BOOK 15, PAGE 81, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 8, THENCE N 89°30'44"E ALONG THE SOUTH LINE OF SAID LOT, 6 FEET TO THE POINT OF BEGINNING; THENCE N 00°30'44"E 6 FEET; THENCE N 89°30'44"E 194 FEET; THENCE S 00°30'44"W 12 FEET; THENCE S 89°30'44"W 194 FEET; THENCE N 89°30'44"E 6 FEET TO THE POINT OF BEGINNING.

WD#04-0662V

THIS IS NOT A BOUNDARY SURVEY

LEGEND:
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT

- NOTES:**
- 1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF EXCEPT AS SHOWN.
 - 2) NO UNDERGROUND UTILITIES OR STRUCTURES WERE LOCATED EXCEPT AS SHOWN.
 - 3) ONLY THOSE IMPROVEMENTS WHICH ARE SHOWN WERE LOCATED, THERE MAY BE OTHER IMPROVEMENTS OR ITEMS OF INTEREST ON THE SUBJECT PROPERTY WHICH WERE NOT OBSERVED OR LOCATED.
 - 4) NO TITLE RESEARCH WAS DONE BY THIS COMPANY. NO ABSTRACT OF TITLE WAS PROVIDED EXCEPT AS STATED.
 - 5) PARCEL MAY BE SUBJECT TO OTHER EASEMENTS, RESTRICTIONS, OR RESERVATIONS, THE EXISTENCE OF WHICH WERE NOT PROVIDED TO THIS COMPANY.

R. K. BURNS SURVEYING, INC.

1940 Ricardo Ave.
 Ft. Myers, Florida 33901
 (239) 936-4550
 (239) 936-3267 (fax)

**SKETCH TO
 ACCOMPANY LEGAL
 DESCRIPTION**

SHEET 1 OF 1

By: *John Burns*
 John B. Burns, S.T.C.
 Florida Professional Surveyor & Mapper # 5583

R. K. Burns Surveying, Inc. Licensed Survey Business # 6133

Exhibit "C"
Petition to Vacate
VAC2004-00052
 [Page One of One]

Real Property Information

Account	Tax Year	Status
30-44-26-01-00010.0080	2003	PAID
Original Account	Book/Page	
30-44-26-01-00010.0080	4241 /4669	
Physical Address	Mailing Address	
GARTON ENTERPRISES INC 5559 6TH ST W LEHIGH ACRES FL 33971	GARTON ENTERPRISES INC 11661 HAMPTON GREENS DR FORT MYERS FL 33913 USA	
Legal Description		
LEHIGH ESTATES UNIT 1 BLK 10 PB 15 PG 81 LOTS 8 THRU 11		
Outstanding Balance as of 9/10/2004		\$0.00

This Document Prepared By and Return to:
Pete Doragh, Esquire
Smoot, Adams, Edwards,
Doragh & Brinson, P.A.
P. O. Box 60259

Parcel ID Number: 30-44-26-01-00010.0080
Grantee #1 TIN:
Grantee #2 TIN:

Warranty Deed

This Indenture, Made this 29th day of March, 2004 A.D. Between Steven R. Zeiger

of the County of Palm Beach, State of Florida, grantor, and Garton Enterprises, Inc., a corporation existing under the laws of the State of Florida whose address is: 11661 Hampton Greens Dr., Fort Myers, FL 33913

of the County of Lee, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Lee, State of Florida to wit:

Lots 8 and 9, Block 10 Unit 1, LEHIGH ESTATES, Section 30, Township 44 South, Range 26 East, according to the plat thereof as recorded in Plat Book 15, Page 81, Public Records of Lee County, Florida.

The property herein conveyed DOES NOT constitute the HOMESTEAD property of the Grantor.

Subject to current taxes, easements and restrictions of record.

VAC 2004-00052
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and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever

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

Signed, sealed and delivered in our presence:

Kristine Ann Clements
Printed Name: Kristine Ann Clements
Witness

Steven R. Zeiger (Seal)
Steven R. Zeiger
P.O. Address: 4535 W. 35th St., West Palm Beach, FL 33407

David Hubbs
Printed Name: DAVID Hubbs
Witness

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 29th day of March, 2004 by Steven R. Zeiger

he is personally known to me or he has produced his Florida driver's license as identification.

Kristine Ann Clements
Printed Name: Kristine Ann Clements
Notary Public
My Commission Expires: Commission # DI 024975 Expires May 27, 2005 Bonded Thru Atlantic Bonding Co., Inc.



Exhibit D



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

September 27, 2004

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

Al Quattrone, P.E.
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30,
Fort Myers, FL 33912

Re: **VAC2004-00052 - Petition to Vacate** a 12-foot Public Utility Easement located centered on the common lot line between Lots 8 and 9; both in Block 10, Unit 1; **LESS and EXCEPT** the easterly six feet and westerly six feet thereof

Dear Mr. Quattrone:

You have indicated that in order to construct a light industrial building on the combined lots, your client, Garton Enterprises, Inc. desire to eliminate the Public Utility Easement located between those two (2) lots. The site is located at 5559 6th St. W. 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:\200409\20040913.160\3224820\DCDLETTER.DOC

Quattrone & Associates, Inc.

Engineers, Planners & Development Consultants

11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 13, 2004

Lee County Division of Community Development
Peter Eckenrode
1500 Monroe Street
Fort Myers, Florida 33901

RE: Petition to Vacate Utility Easements
STRAP #30-44-26-01-00010.0080

Dear Reviewer:

Attached please find three (3) copies of the following:

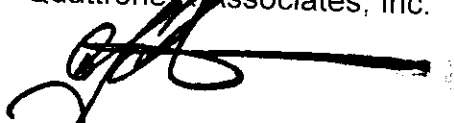
1. Recorded Plat (Exhibit A);
2. Sketch showing area to be vacated and the proposed Drainage/Utility Easement (Exhibit B);
3. Proof of paid taxes (Exhibit C);
4. Title Policy (Exhibit D)
5. Aerial photo (Exhibit E);
6. Written description of easement to be vacated (Exhibit F);
7. Letters of no objection from utility providers;
8. Application fee checks totaling \$300.00.

The owners are requesting approval to vacate the utility easement between lots 8 and 9, block 10, unit 1, Lehigh Estates, Section 30, Township 44 South, Range 26 East, Lehigh Acres, according to the map or plat thereof recorded in plat book 15, page 81, public records of Lee County, Florida.

The owners of the above-mentioned lots are requesting approval to vacate the utility easement to allow a light industrial building to be constructed across the property line.

Should additional information be required or if you have any questions regarding this submittal, please call me.

Respectfully,
Quattrone & Associates, Inc.


Al Quattrone, P.E.

VAC 2004-00052
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SEP 13 2004

COMMUNITY DEVELOPMENT



Eric Walther
Associate Project Designer
15834 Winkler Rd
Ft. Myers, FL 33908
415-1348 Office
415-1350 FAX

To Quattrone & Associates,

Florida Power & Light has no objection to the vacation of the easement described in your petition and shown in your documentation, provided that good and sufficient easements are granted to provide electrical service to the property upon further or future development.

FPL does, however, have electrical facilities along the road, either in the PUE or in the right of way. This document is not to be interpreted as an instrument to vacate these easements.

Strap# 30-44-26-00010.0080

Sincerely,

Eric Walther
FPL

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SEP 13 2004

COMMUNITY DEVELOPMENT

A Tradition of Integrity



BY ACTION ENTERPRISES

Doug and Jan Garton

11661 Hampton Greens Drive
Fort Myers, FL 33913
Fax (941) 561-6896
(941) 561-3800

September 22, 2004

Florida Power & Light
Eric Walther
15834 Winkler Road
Fort Myers FL 33908

Re: Strap # 30-44-26-01-00010.0080

Dear Mr. Waither

Please be advised that we acknowledge and will comply with your request that we provide good and sufficient easement to allow electrical service at this location upon further or future development.

Should you require additional information or assistance, please call us at any time.

Respectfully,
Garton Enterprises

Doug Garton
President

Cc: Quattrone and Associates, Inc.

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SEP 24 2004
JAC 2004-20052
PERMIT COUNTER



July 1, 2004

Mr. Al Quattrone
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, Florida 33912

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, Block 10, Unit 1, Section 30, Township 44S, Range 26E.
Strap No. – 30-44-26-01-00010.0080
534 Meadow Road

Dear Mr. Quattrone:

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

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SEP 13 2004

COMMUNITY DEVELOPMENT



**301 Tower Rd.
Naples, FL 34135
Phone: 239-732-3805
FAX: 239-498-4483**

July, 1 2004
.Quattrone & Associates Inc.
Al Quattrone
11000 Metro Parkway, Suite 30
Fort Myers, Florida 33912

Strap # 30-44-26-01-00010.0080
Lee County Florida

Dear Andrea M. Guerrero

This letter will serve to inform you that Comcast has no objection to your proposed vacation of the address referenced above.

Should you require additional information or assistance, please feel free to contact me here at 732-3805.

Cordially,

A handwritten signature in cursive script, appearing to read "Mark Cook".

Mark Cook
Design Coordinator

RECEIVED

SEP 13 2004

COMMUNITY DEVELOPMENT



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number (239) 479-8124

Bob Janes
District One

Wednesday, June 23, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Al Quattrone
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate a twelve (12) foot wide public utility easement common to Lots 8 & 9, Unit 3, Block 10, Unit One, Lehigh Estates Subdivision, as recorded in Plat Book 15 Page 81, in the public records, Lee County, Florida.

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Dear Mr. Quattrone:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion of the subject public utility and 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: John Fredyma, County Attorney's Office
Margaret Lawson, LCDOT
Ruth Keith, Development Services

S:\NATRES\SURFACE\DOCUMENT\vac433.doc



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

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

June 28, 2004

Mr. Al Quattrone, P.E.
Quattrone & Associates
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

**RE: Petition to Vacate the 12' wide Public Utility Easement
On the lot line common to Lots 8 and 9, Block 10,
Unit 1, Section 30, Township 44 South, Range 26 East,
Lehigh Acres, Plat Book 15, page 81**

Dear Mr. Quattrone:

Lee County Department of Transportation has reviewed your request to vacate the above described easement. DOT has no facilities within the easement and does not maintain it.

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

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson
Right-of-way Supervisor

MAL/JMK/mlb

cc: Ruth Keith, Development Services
Allen Davies, Natural Resources
DOT PTV File

S:\DOCUMENT\Petition To Vacate\2004\Lots 8 & 9, Block 10 - Quattrone.doc



FLORIDA GOVERNMENTAL UTILITY AUTHORITY

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

August 24, 2004

Al Quattrone, P.E.
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

RE: Vacation of Easement for Lots 8 and 9, Block 10, Unit 1 of Lehigh Estates

Dear Mr. Quattrone:

The FGUA Board met August 20, 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 August 20, 2004.

The vacation of easement was requested for the 6-foot wide utility and drainage easement lying on the north side of Lot 9 and the south side of Lot 8 (excluding the eastern and western 6 feet), Block 10, Unit 1 in Lehigh Acres. The request is made for the purpose of combining lots for new home construction. All lots in this subdivision have 6-foot utility easements on the front and rear portions of the properties.

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 L. Sweat', is written over a horizontal line.

Charles L. Sweat
Director of Operations

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2004-00052

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. VAC2004-00052 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

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
VAC2004-00052

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 8 and 9; both in Block 10, Unit 1, The South ½ and the South 100 feet of the North ½ of Section 30, Township 44 South, Range 26 East. Except the South 3.28 Feet of said South ½ of Section 30, Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 81 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00052

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 9th day of November, 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.

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2004-00052

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 8 and 9; both in Block 10, Unit 1, The South ½ and the South 100 feet of the North ½ of Section 30, Township 44 South, Range 26 East. Except the South 3.28 Feet of said South ½ of Section 30, Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 81 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.



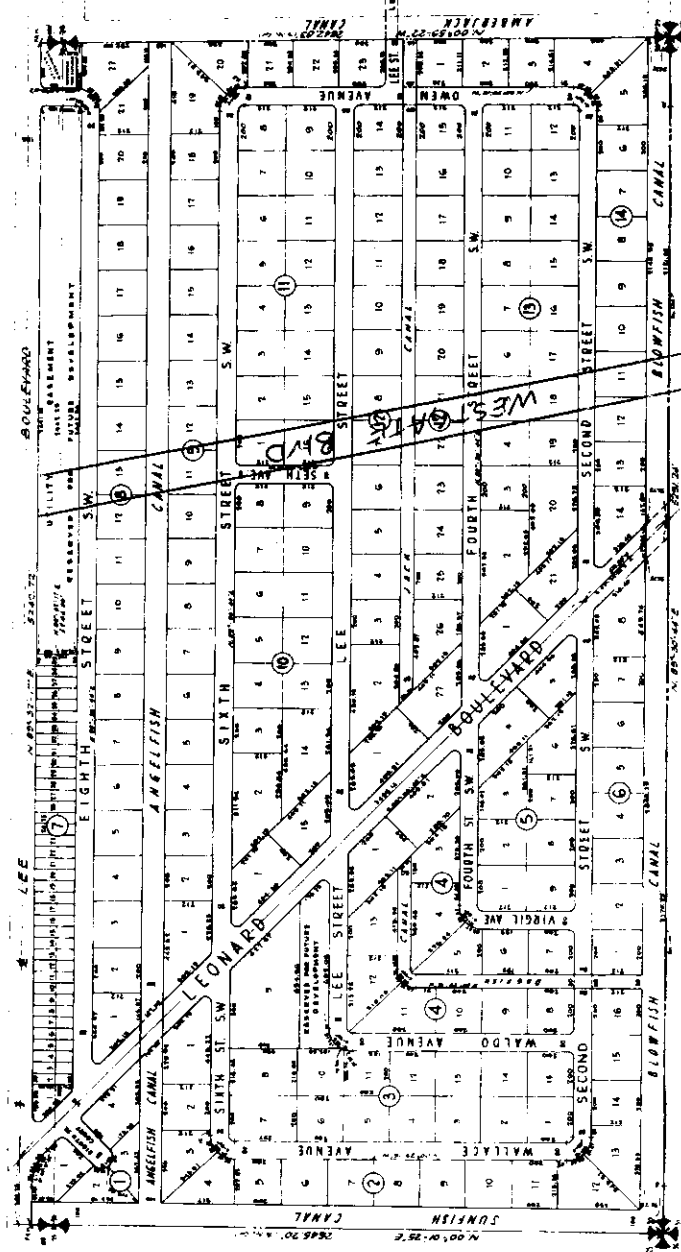
PLAT OF
UNIT I
LEHIGH ESTATES
A SUBDIVISION OF
LEHIGH ACRES
LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO., DEVELOPERS
October 1959

Scale: 0 50 100 200 300

DESCRIPTION

The South 1/2 and the South 1/4 of the North 1/2 of Section 30,
Township 44 South, Range 28 East. Except the South 3.28 Feet of
and South 1/2 of Section 30.



SURVEYORS CERTIFICATE

I the undersigned hereby certify that the plat as shown is a correct
representation of the land platted and that permanent reference
monuments have been placed as shown.

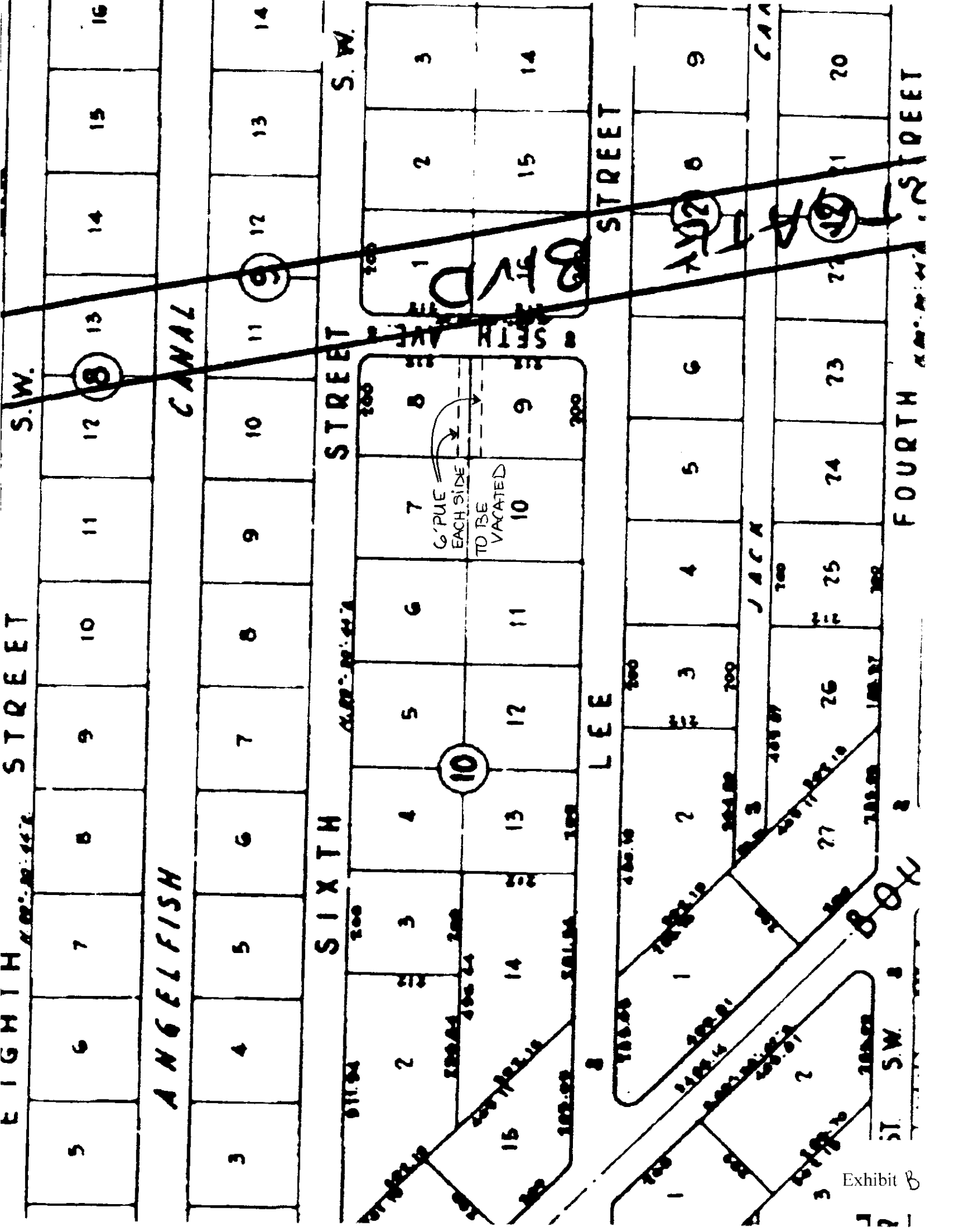
R. J. [Signature]
Florida Registered Land Surveyor, No. 1108

NOTE:
All lots subject to a 6' Utility Easement, both sides front and back
interior P.R.M.'s are 4" x 4" x 24" concrete
Section corner P.R.M.'s are 4" x 4" x 36" concrete
All corner lot radii are 25 feet, except as shown and the lot distances are
to the straight line intersection, except where arc distances are shown.

Map's
Dimensions, 1/4" = 100' - 0" - 0"
Division of Lehigh Acres, Inc.

VAC 2004-00052
RECEIVED
VUE
SEP 13 2004

COMMUNITY DEVELOPMENT



EIGHTH STREET

S.W.

5	6	7	8	9	10	11	12	13	14	15	16
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ANGELFISH CANAL

CANAL

3	4	5	6	7	8	9	10	11	12	13	14
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SIXTH STREET

STREET

S.W.

15	2	3	4	5	6	7	8	9	1	2	3	14
----	---	---	---	---	---	---	---	---	---	---	---	----

D

6' PUE EACH SIDE TO BE VACATED

LEE STREET

STREET

1	2	3	4	5	6	7	8	9
---	---	---	---	---	---	---	---	---

JACK

CANAL

20	21	22	23	24	25	26	27	28
----	----	----	----	----	----	----	----	----

ST. S.W.

FOURTH STREET

STREET

PLAT OF UNIT I

LEHIGH ESTATES A SUBDIVISION OF

LEHIGH ACRES LEE COUNTY, FLORIDA

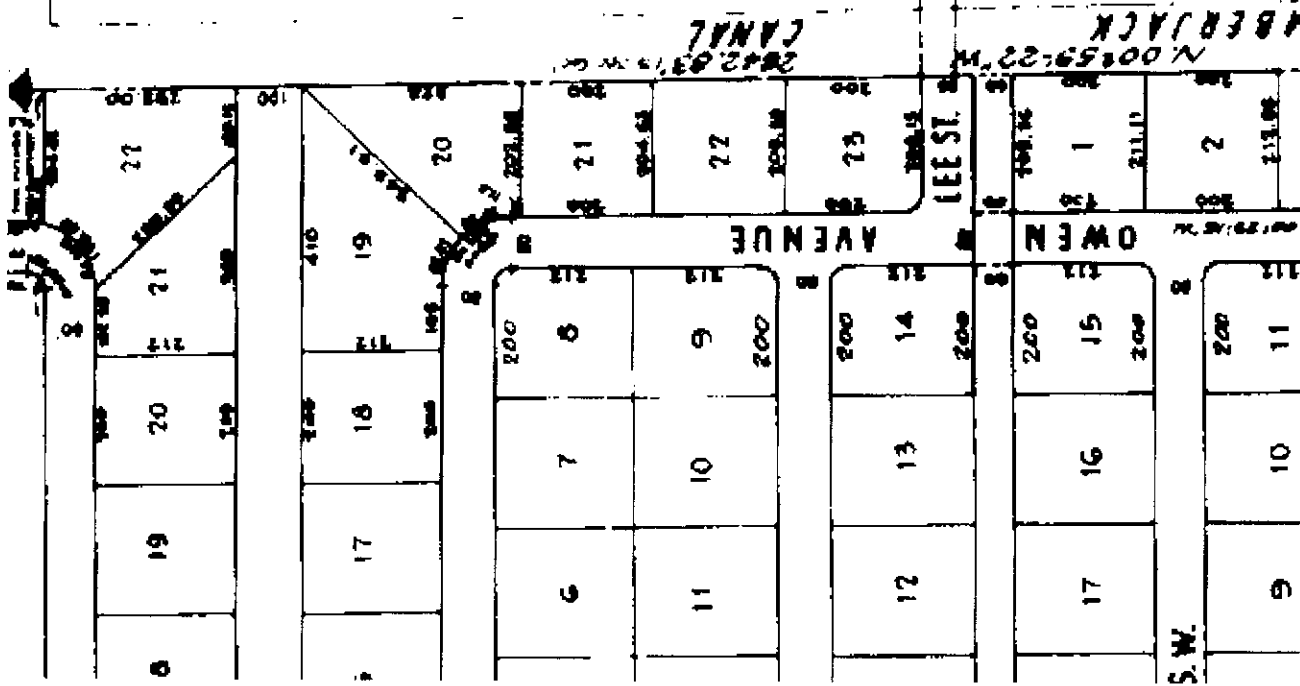
LEE COUNTY LAND & TITLE CO., DEVELOPERS

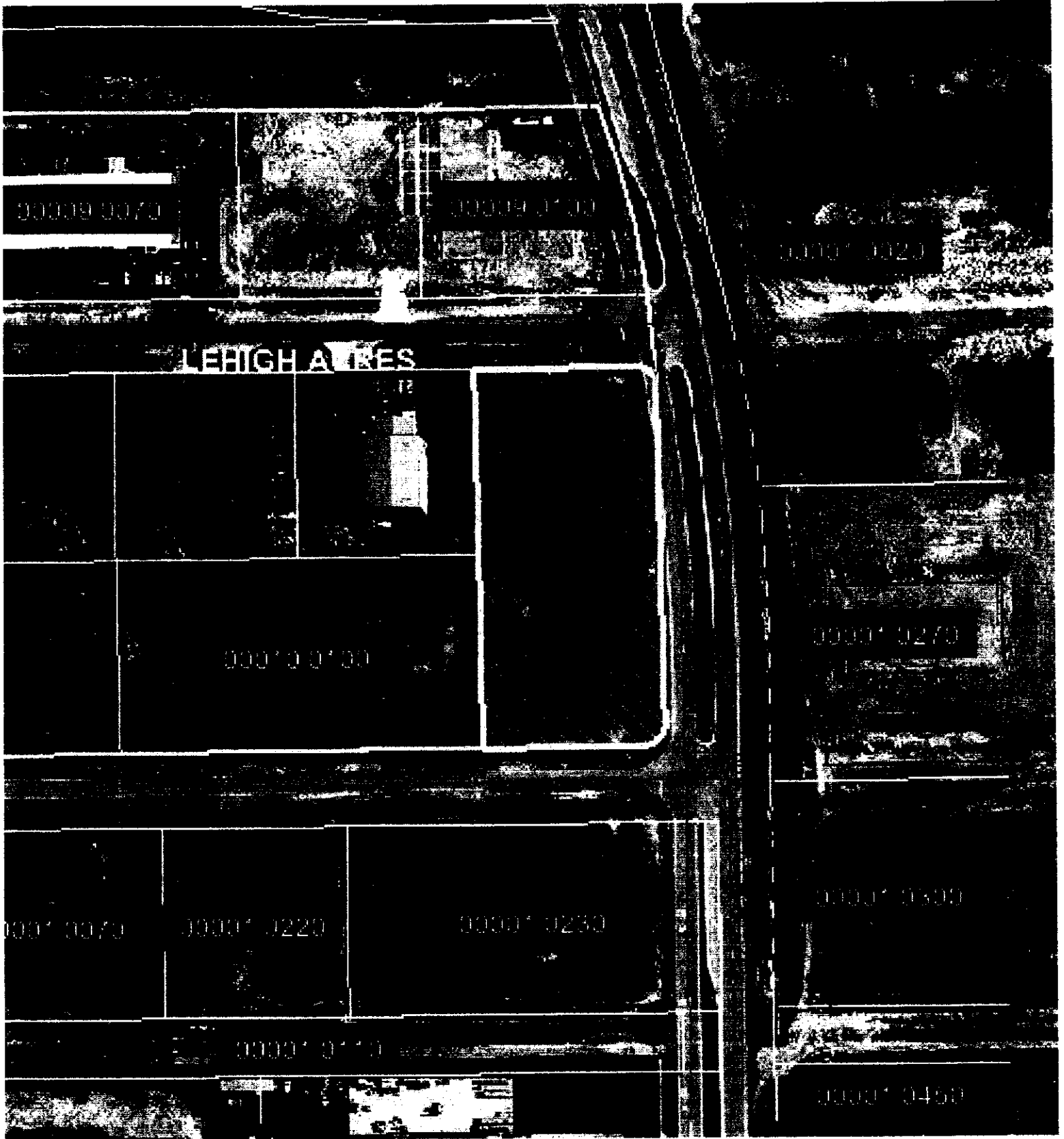
Scale: 0 100 200 300 400

October 1959

DESCRIPTION

The South 1/2 and the South 100 feet of the North 1/2 of Section 30,
Township 4-4 South, Range 26 East. Except the South 3.28 Feet of
said South 1/2 of Section 30.





Area to be vacated