

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate a 12-foot wide Drainage and Public Utility Easement located at 1226 Damen St. E., Lehigh Acres, FL 33936, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 14th day of December, 2004. (Case No. VAC2004-00059)

WHY ACTION IS NECESSARY: To build a single-family residence on the combined lots. The vacation of this easement will not alter existing drainage and utility conditions and the easement is not necessary to accommodate any future drainage and utility requirements.

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

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 5

C4A

3. MEETING DATE:

11-23-2004


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:  11/02/04

Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2004-00059 was submitted by Roxanne V. Ruiz.

LOCATION: The site is located at **1226 Damen St. E., Lehigh Acres, FL 33936**. Petition No. VAC2004-00059 proposes to vacate the twelve-foot (12') wide Public Utility and Drainage Easements centered on the common lot lines between Lots 10 and 11, 11 and 12, 12 and 13, and 13 and 10; all in Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, a subdivision of Lehigh Acres, as recorded in Plat Book 18 at Page 141 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the Northerly six-feet (6') of the easement on the common lot line between Lots 10 and 11; **LESS and EXCEPT** the Easterly six-feet (6') of the easement on the common lot line between Lots 11 and 12; **LESS and EXCEPT** Southerly six-feet (6') of the easement on the common lot line between Lots 12 and 13; **LESS and EXCEPT** Westerly six-feet (6') of the easement on the common lot line between Lots 13 and 10.

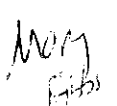
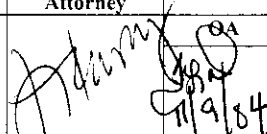
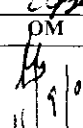
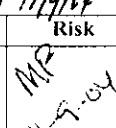
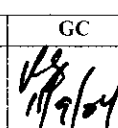
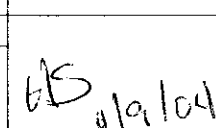
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

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:


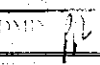
A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager
					OM	Risk	GC	
	N/A	N/A	N/A					

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 11/5/04
Time: 2:45

Forwarded To:
ESM:DOC
11/11/04 3:40 PM

RECEIVED BY
COUNTY ADMIN: 
11/8/04
COUNTY ADMIN: 
11-9-04
SPM



PETITION TO VACATE (AC 13-1)

Case Number: VAC2004-00059

Petitioner(s), Roxanne Ruiz 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, PO Box 2357 Immokalee, FL 34143
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:

[Handwritten Signature]
Petitioner Signature

Petitioner Signature

Roxanne Ruiz
Printed Name

Printed Name

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

EXHIBIT "A"
Petition to Vacate
VAC2004-00059
[Page One of One]

Legal Description of the Public Utility and Drainage Easements to be Vacated:

The twelve-foot (12') wide Public Utility and Drainage Easements centered on the common lot lines between Lots 10 and 11, 11 and 12, 12 and 13, and 13 and 10; all in Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, a subdivision of Lehigh Acres, as recorded in Plat Book 18 at Page 141 of the Public Records of Lee County, Florida,

LESS and EXCEPT the Northerly six-feet (6') of the easement on the common lot line between Lots 10 and 11; **LESS and EXCEPT** the Easterly six-feet (6') of the easement on the common lot line between Lots 11 and 12; **LESS and EXCEPT** Southerly six-feet (6') of the easement on the common lot line between Lots 12 and 13; **LESS and EXCEPT** Westerly six-feet (6') of the easement on the common lot line between Lots 13 and 10.

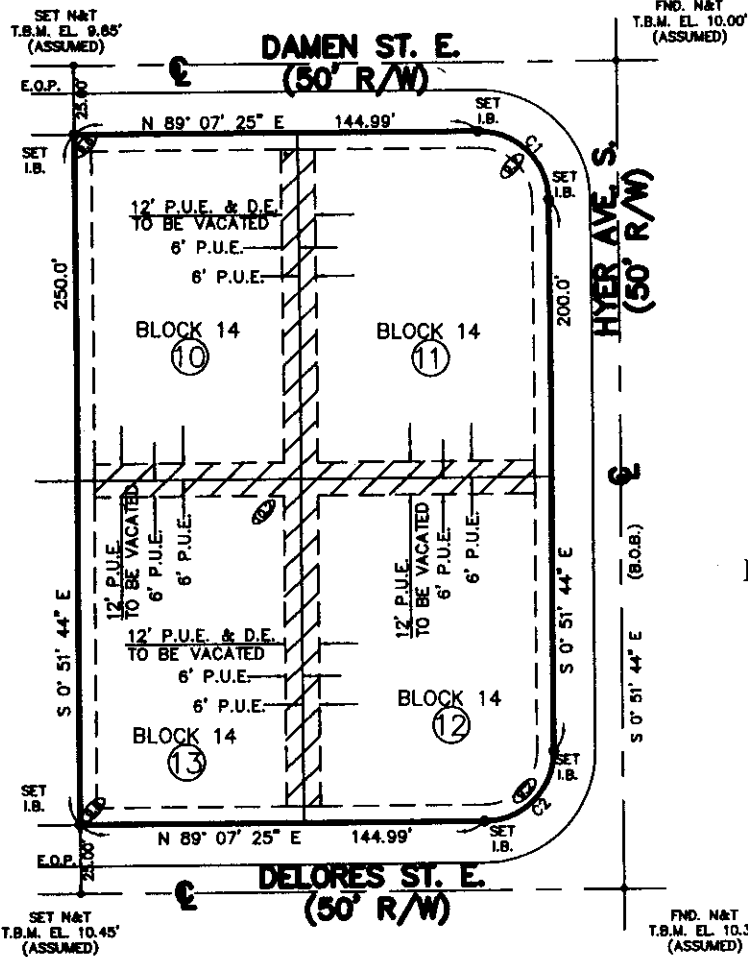


Exhibit "B"
 Petition to Vacate
 VAC2004-00059
 [Page One of One]

BOUNDARY SURVEY
 1228 DAMEN STREET EAST
 LOTS 10, 11, 12, & 13, BLOCK 14, UNIT 3
 SECTION 36, TOWNSHIP 45 SOUTH, RANGE 27 EAST
 LEHIGH ACRES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 18, PAGE 141,
 PLATTED NOVEMBER 27, 1963, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

PREPARED FOR:
 ROXANNE V. RUIZ

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH
C1	90°00'51"	25.00	39.28
C2	89°59'09"	25.00	39.28

Oliver & Sullivan
 PSM 594
 10-28-04

NOT A SURVEY— SKETCH ONLY

S.T.A.R. Surveying, Inc. (LB5449)
 Professional Surveyors and Mappers
 1130-E Lee Boulevard, Lehigh Acres, Florida 33936
 (239) 368-7400 (239) 368-7685 (Fax)

DATE: 7-22-04
 JOB NUMBER: 0364
 DRAWN BY: T.J.K.
 SCALE: 1" = 70'
 SHEET: 1 of 2

Exhibit "C"
Petition to Vacate
VAC2004-00059
[Page One of One]

Lee County Tax Collector - Print Results



Real Property Information

Account	Tax Year	Status
36-45-27-03-00014.0100	2004	PAID
Original Account	Book/Page	
36-45-27-03-00014.0100	3517/2584	
Physical Address	Mailing Address	
RUIZ ROXANNE V 1226 DAMEN ST E LEHIGH ACRES FL 33936	RUIZ ROXANNE V P O BOX 2357 IMMOKALEE FL 34143 USA	
Legal Description		
LEHIGH ACRES UNIT 3 BLK 14 PB 18 PG 141 LOTS 10 THRU 13		
Outstanding Balance as of 10/29/2004		\$0.00

INSTR # 5279705
OR BK 03517 PG 2584

This Instrument Prepared by and return to:

Name: Patricia Regas,
Title Offices, LLC
Address: 904 Lee Boulevard #106
Lehigh Acres, FL 33936
110037

Parcel I.D. #: 36-45-27-03-00014.0100
Rec: 10.50 DS: 36.40 Total: 46.90

RECORDED 11/09/01 10:52 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD(F.S. 201.02) 36.40
DEPUTY CLERK B Cruz

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 16th day of October, A.D. 2001,
by **E. BOGAERT**, hereinafter called the grantor, to **ROXANNE V. RUIZ**, whose post office address is
P.O. Box 2357, Immokalee, FL 34143, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument, singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all that certain land situate in Lee County, State of Florida, viz:

Lots 10, 11, 12, and 13, Block 14, Unit 3, Section 36, 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 18, Page 141, Public Records, Lee County, Florida,

SUBJECT TO TAXES FOR THE YEAR 2001 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

Subject Property is not now nor has it ever been the homestead property of the grantor. Subject property is vacant land.

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 she is lawfully seized of said land in fee simple; that she has good right and lawful authority to sell and convey said land, and 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, 2000.

In Witness Whereof, the said grantor has signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness Signature

Kurt Gysmans
Printed Name

[Signature]
Witness Signature

Bruce Canne
Printed Name

E. Bogaert L.S.
E. Bogaert
Address:
Dyver 15-8000, Brugge, Belgium

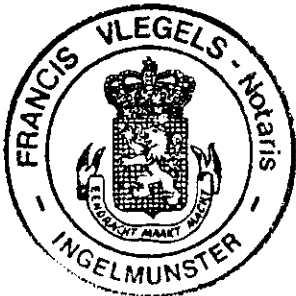
Country of BELGIUM

Province of _____

The foregoing instrument was acknowledged before me this 16 day of october, 2001, by E. Bogaert, who is known to me or who has produced I - D CARD as identification and who did (did not) take an oath.

Signature of Acknowledger
My commission expires NEVER

Notary Seal:



[Signature]
16/10/2001

Notaris F. VLEGELS
Meulebekestraat, 3
8770 INGELMUNSTER

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

November 3, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Roxanne Ruiz
P.O. Box 2357,
Immokalee, FL 34143

Andrew W. Coy
District Four

John E. Albion
District Five

Re: **VAC2004-00059 - Petition to Vacate** the twelve-foot (12') wide Public Utility and Drainage Easements centered on the common lot lines between Lots 10 and 11, 11 and 12, 12 and 13, and 13 and 10; all in Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, a subdivision of Lehigh Acres, as recorded in Plat Book 18 at Page 141 of the Public Records of Lee County, Florida

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Dear Ms. Ruiz:

You have indicated that in order to build a single-family residence on the combined lots, you desire to eliminate the Public Utility and Drainage Easement located between your four (4) lots, less and except the northerly/easterly/southerly/westerly six feet thereof.

The site is located at 1226 Damen St. E., 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:\200411\20041015.154\4506090\DCDLETTER.DOC

To Whom it may Concern

I Roxanne Ruiz have applied for a
Petition to vacate Lot 10, 11, 12, 13
Block 14 strap # 36-45-27-03-00014.0.100
Address Property 1226 Damen St. E.

The reason for my request is because
I would like to build a single family
home on the property and convert
all for lots as one.

Thank You!
Very much
: Roxanne Ruiz

ATTN: Ruth Keith
239-479-8341



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.lline.com

August 7, 2004

Ms. Roxanne Ruiz
P. O. Box 2357
Immokalee, FL 34143

Re: Strap No. 36-45-27-03-00014.0100
1226 Damen Street East, Lehigh Acres

Dear Ms. Ruiz:

LCEC does not object to vacation of the easements shown on the attached sketch and being further described as follows:

1. A 12-foot-wide utility and/or drainage easement centered on the lot line between Lots 10 and 11, Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, Lee County, Florida recorded in Plat Book 18, page 141, of the Public Records of Lee County, Florida, LESS the north 6 feet thereof; and
2. A 12-foot-wide utility and/or drainage easement centered on the lot line between Lots 11 and 12, Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, Lee County, Florida recorded in Plat Book 18, page 141, of the Public Records of Lee County, Florida, LESS the east 6 feet thereof; and
3. A 12-foot-wide utility and/or drainage easement centered on the lot line between Lots 12 and 13, Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, Lee County, Florida recorded in Plat Book 18, page 141, of the Public Records of Lee County, Florida, LESS the south 6 feet thereof; and
4. A 12-foot-wide utility and/or drainage easement centered on the lot line between Lots 10 and 13, Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, Lee County, Florida recorded in Plat Book 18, page 141, of the Public Records of Lee County, Florida, LESS the west 6 feet thereof.

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

Sincerely,

Karen Hardin
Real Property Representative



August 6, 2004

Ms. Roxanne Ruiz
P. O. Box 2357
Immokalee, Florida 34143

Re: Vacation of Public Utility Easement:
A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 10, 11, 12 & 13, Block 14, Unit 3, Section 36, Township 45S, Range 27E.
Strap No. – 36-45-27-03-00014.0100

Dear Ms. Ruiz:

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,

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

Wayneth Jackson
Engineer



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

August 4, 2004

Roxanne Ruiz
P.O. Box 2357
Immokalee, Florida 34143

1226 Damen Street East
Section 36, Township 45 South, Range 27 East
Lots 10, 11, 12, & 13 Block 14, Unit 3 Lehigh Acres, Lee County Fl.

Dear Roxanne Ruiz

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 black ink, appearing to read "Mark Cook". The signature is fluid and cursive.

Mark Cook
Design Coordinator



FLORIDA GOVERNMENTAL UTILITY AUTHORITY

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

October 7, 2004

Roxanne Ruiz
P.O. Box 2357
Immokalee, FL. 34143

RE: Vacation of Easement for Lots 10-13, Block 14, Unit 3 in Lehigh Acres

Dear Ms. Ruiz:

The FGUA Board 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 October 7, 2004.

The vacation of easement was requested for the 6-foot wide utility and drainage easement lying on the interior portions of Lots 10, 11, 12 and 13 (excluding the eastern, western, northern and southern 6 feet), Block 14, Unit 3 in Lehigh Acres. The request is made for the purpose of combining lots for new home construction. Please see site sketch for clarification. 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, which appears to read "Charles L. Sweat". The signature is written in a cursive style and is positioned above the printed name of the signatory.

Charles L. Sweat
Director of Operations

AmeriGas

America's Propane Company

August 12, 2004

Roxanne Ruiz
P.O. Box 2357
Immokalee, Florida 34143

Dear Ms. Ruiz:

In reference to your letter dated July 31, 2004, AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO.: 36-45-27-03-00014.0100

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

Sincerely,



Jim Riefstahl
Sales & Service Manager

Gateway Services District

13240 Commerce Lakes Drive
Fort Myers, Florida 33913
(941) 561-1313 • Fax (941) 561-1350

August 3, 2004

Roxanne Ruiz
P.O. Box 2357
Immokalee, FL 34143

Re: 1226 Damen St East

Dear Mrs. Ruiz,

Gateway Services CDD is the water utility company for the Gateway Community which is located between Colonial Blvd and Daniels off State Rd 82. Therefore the property in question is not within our Community and the District has no say in the removal of your easement.

Thank you



Amy Hofschneider
Administrative Assistant
Gateway Services CDD



5660 Bayshore Road, Suite 36 • North Fort Myers, Florida 33917

Mailing Address: P.O. Box 2547 • Fort Myers, Florida 33902

(239) 543-1005

Fax (239) 543-2226

August 4, 2004

Roxanne Roig
P. O. Box 2357
Immokalee, Fl. 34143

RE: Request for a Letter and Recommendation for a proposed Easement Vacation

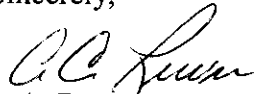
Dear Ms. Roig:

In answer to your petition to vacate a Public Interest in the Utility or Drainage Easement at the following location:

1226 Damen Street, East
Lots 10, 11, 12 & 13 Block 14 Unit 3
Section 36, Township 45 South Range 27 East
Lehigh Acres, Lee County, Florida

This parcel is outside of North Fort Myers Utility's Service Area therefore we do not object to the vacation of the proposed easement.

Sincerely,


A.A. Reeves
Utility Director



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 479-8181

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. Stiwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

August 3, 2004

Roxanne Ruiz
P. O. Box 2357
Immokalee, Fl. 34143

SUBJECT: VACATION OF A UTILITY EASEMENT
STRAP #: 36-45-27-03-00014.0100
1226 DAMEN STREET EAST, LEHIGH ESTATES

Dear Ms. Ruiz:

Lee County Utilities has reviewed the Public utility easement, described in your letter of that we received on August 2, 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) 368-1615.

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

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Engineering Tech., Senior
UTILITIES ENGINEERING

1226 DAMEN.dot



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Thursday, September 02, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Ms. Roxanne Ruiz
P.O. 2357
Immokalee, FL 34143

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate several (12) foot wide public utility easements common to Lots 10, 11, 12 & 13, Block 14, Unit 3, Lehigh Acres Subdivision, as recorded in Plat Book 18 Page 141, in the public records, Lee County, Florida.

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Dear Ms. Ruiz:

Diana M. Parker
County Hearing Examiner

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: John Fredyma, County Attorney's Office
Margaret Lawson, LCDOT
Ruth Keith, Development Services

S:\NATRES\SURFACE\DOCUMENT\vac450.doc

John E. Manning
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

August 12, 2004

Ms. Roxanne Ruiz
P. O. Box 2357
Immokalee, FL 34143

**RE: Petition to Vacate Drainage and Utility Easements
On Lots 10 through 12, Block 14, Unit 3,
Section 36, Township 45 South, Range 27 East,
Plat Book 18, page 141, Lehigh Acres**

Dear Ms. Ruiz:

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

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 10-12 - Ruiz.doc

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2004-00059

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. VAC2004-00059 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

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
VAC2004-00059
[Page One of One]

Legal Description of the Public Utility and Drainage Easements to be Vacated:

The twelve-foot (12') wide Public Utility and Drainage Easements centered on the common lot lines between Lots 10 and 11, 11 and 12, 12 and 13, and 13 and 10; all in Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, a subdivision of Lehigh Acres, as recorded in Plat Book 18 at Page 141 of the Public Records of Lee County, Florida,

LESS and EXCEPT the Northerly six-feet (6') of the easement on the common lot line between Lots 10 and 11; **LESS and EXCEPT** the Easterly six-feet (6') of the easement on the common lot line between Lots 11 and 12; **LESS and EXCEPT** Southerly six-feet (6') of the easement on the common lot line between Lots 12 and 13; **LESS and EXCEPT** Westerly six-feet (6') of the easement on the common lot line between Lots 13 and 10.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00059

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 14th day of December @ 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
VAC2004-00059
[Page One of One]

Legal Description of the Public Utility and Drainage Easements to be Vacated:

The twelve-foot (12') wide Public Utility and Drainage Easements centered on the common lot lines between Lots 10 and 11, 11 and 12, 12 and 13, and 13 and 10; all in Block 14, Unit 3, Section 36, Township 45 South, Range 27 East, Lehigh Acres, a subdivision of Lehigh Acres, as recorded in Plat Book 18 at Page 141 of the Public Records of Lee County, Florida,

LESS and EXCEPT the Northerly six-feet (6') of the easement on the common lot line between Lots 10 and 11; **LESS and EXCEPT** the Easterly six-feet (6') of the easement on the common lot line between Lots 11 and 12; **LESS and EXCEPT** Southerly six-feet (6') of the easement on the common lot line between Lots 12 and 13; **LESS and EXCEPT** Westerly six-feet (6') of the easement on the common lot line between Lots 13 and 10.



PLAT OF UNIT 3
SECTION 36, TWP. 45 S., RGE. 27 E.
A SUBDIVISION OF

LEHIGH ACRES

LEE COUNTY, FLORIDA



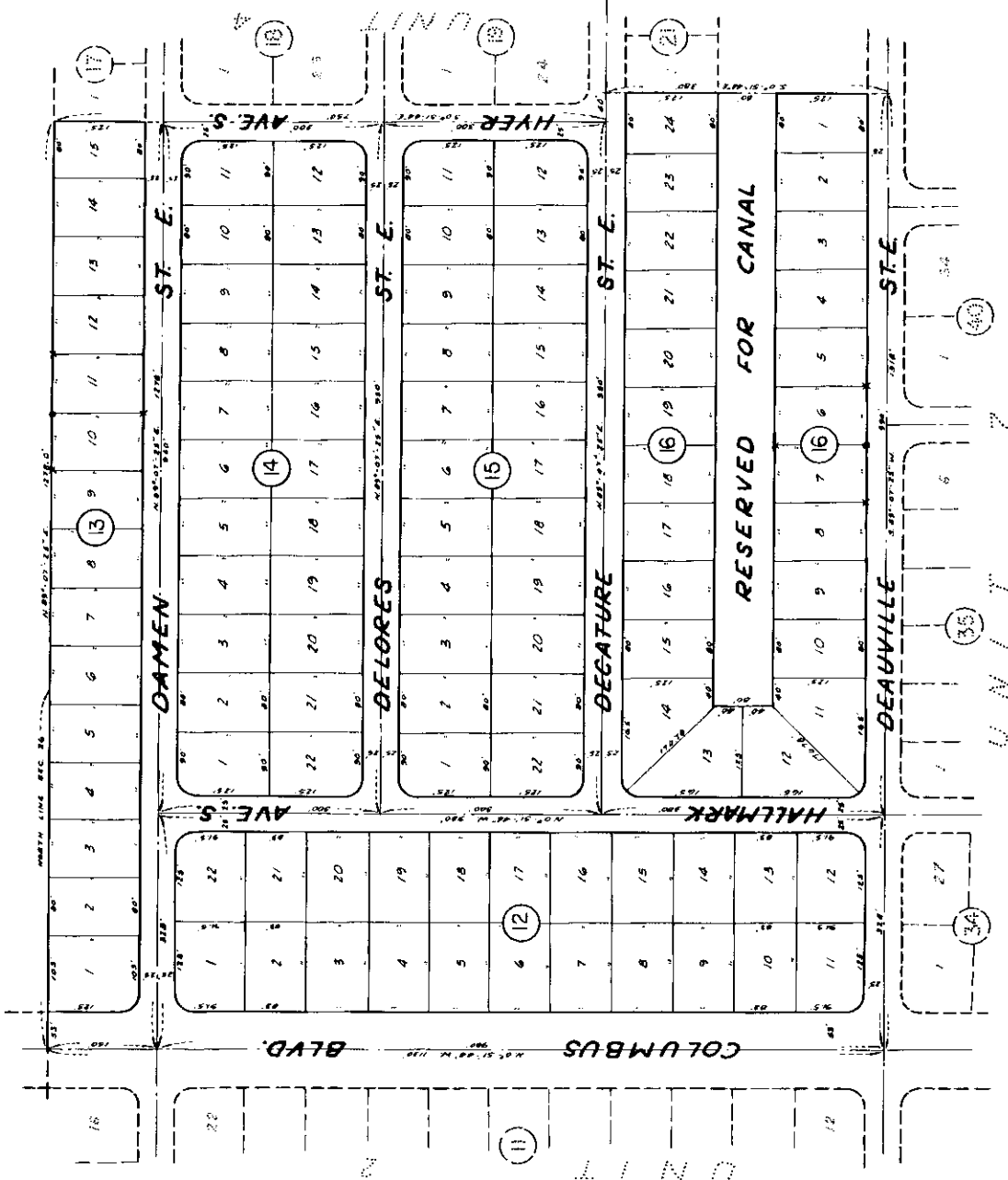
All lots subject to a 6 foot Utility Easement on both sides and back, and a 6 foot Drainage Easement on the front and sides of lots on 60 foot R/W.

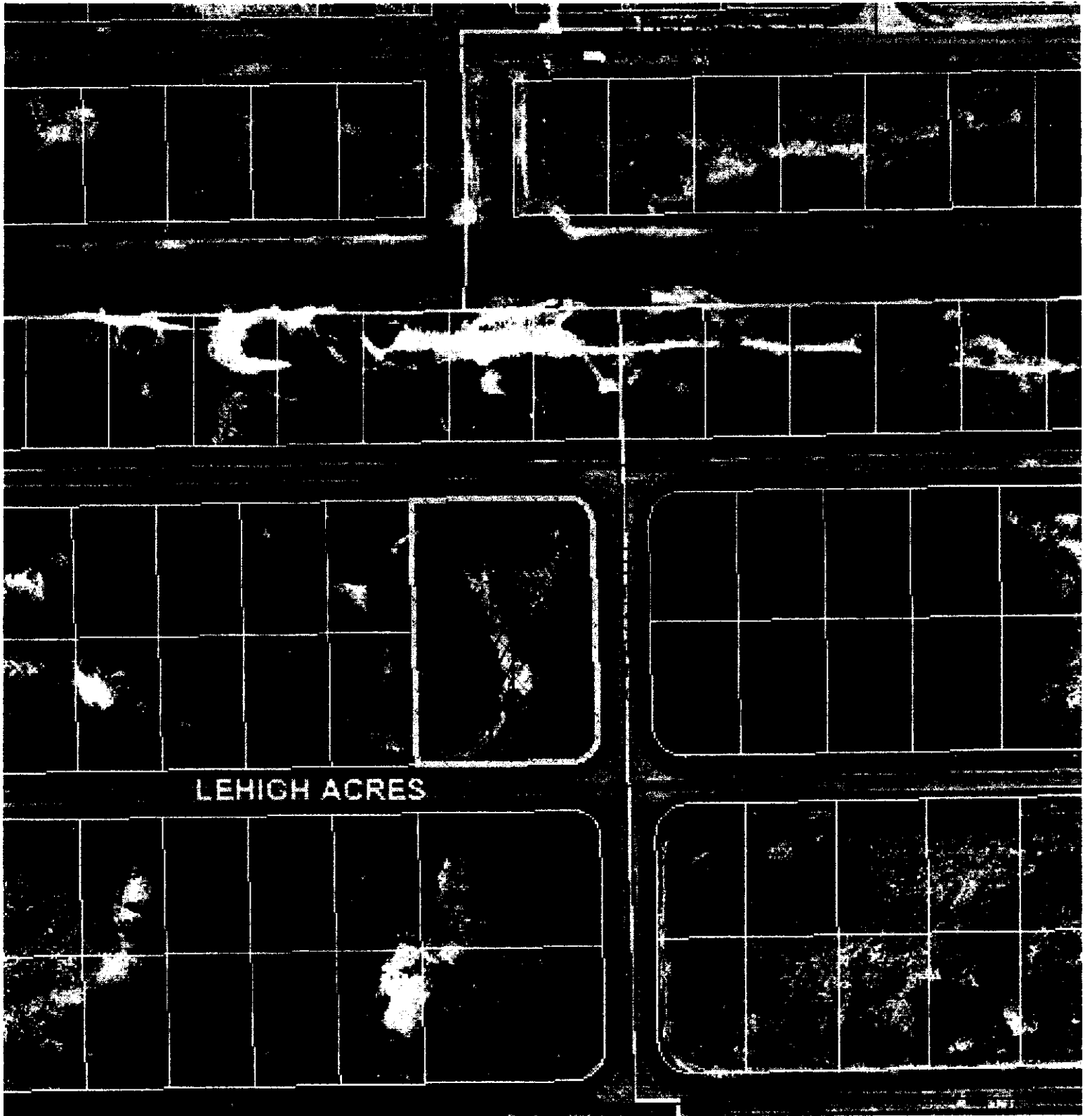
Interior P.R.M.s are 4" x 4" 2' concrete
• Denotes P.R.M.s

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.





Area to be vacated