

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition to Vacate a 12-foot wide Public Utility Easement located at 3314 66<sup>th</sup> St. W., Lehigh Acres, Florida 33971, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 11<sup>th</sup> day of January, 2005. (Case No. VAC2004-00025)

**WHY ACTION IS NECESSARY:** To build a single-family residence 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:**  
**COMMISSION DISTRICT #:** 5

04

*C4C*

**3. MEETING DATE:**

*12-14-2004*

**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]* 11/23/04

Peter J. Eckenrode, Director

**7. BACKGROUND:**

The completed petition to vacate, VAC2004-00025 was submitted by Denise K. Walters.

**LOCATION:** The site is located at **3314 66<sup>th</sup> St. W. Lehigh Acres, FL 33971** and its strap number is 02-44-26-07-00065.0180. Petition No. VAC2004-00025 proposes to vacate a 12-foot wide Public Utility Easement centered on the common lot line between Lots 18 and 19; all in Block 65, Unit 7, Section 2, Township 44 South, Range 26 East, Lehigh Acres, as recorded in Plat Book 15 at Page 59 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the northerly six feet and southerly six feet of the easement.

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
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
					Risk	GC		
					<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *11/24/04*  
Time: *3:45*  
Forwarded to  
*Admin. 12/1/04 4:15 pm*

RECEIVED BY  
COUNTY ADMIN: *TD*  
*12/1/04*  
*4:35 pm SLT*  
COUNTY ADMIN  
FORWARDED TO: *PL*  
*12/2/04*  
*3pm*

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE** Case Number: VAC2004-00025

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. VAC2004-00025 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**  
**VAC2004-00025**

**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 18 and 19; all in Block 65, Unit 7, Section 2, Township 44 South, Range 26 East, Lehigh Acres, as recorded in Plat Book 15 at Page 59 of the Public Records of Lee County, Florida;

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

# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00025

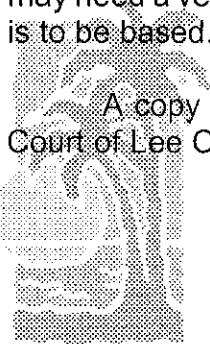
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 11th day of January 2005 @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

CHARLIE GREEN, CLERK

S O U T H W E S T F L O R I D A

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

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

APPROVED AS TO FORM

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

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

**EXHIBIT "A"**  
**Petition to Vacate**  
**VAC2004-00025**

**Legal Description of the Public Utility Easements to be Vacated**

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

PETITION TO VACATE

Case Number: VAC 2004-00025

Petitioner(s), Denise Kay Walters  
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, 5953 Licking Valley Road  
FRAZEYSBURG, Ohio 143822
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: Denise Kay Walters  
Petitioner Signature

Denise Kay Walters  
Printed Name

By: \_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
Printed Name

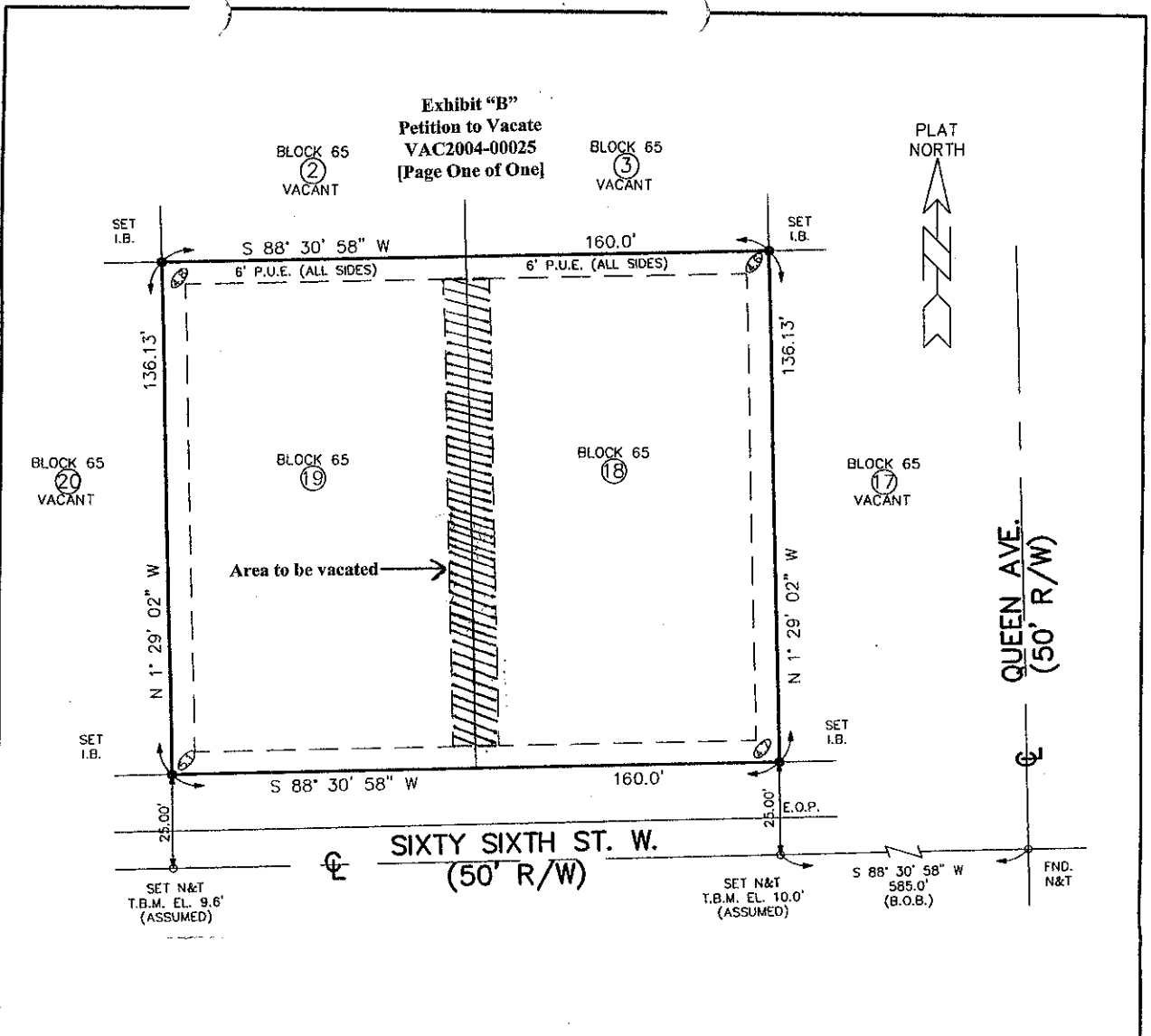
**EXHIBIT "A"**  
**Petition to Vacate**  
**VAC2004-00025**

**Legal Description of the Public Utility Easements to be Vacated**

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

**Exhibit "B"**  
**Petition to Vacate**  
**VAC2004-00025**  
**[Page One of One]**



BOUNDARY SURVEY  
 3314 SIXTY SIXTH STREET WEST  
 LOTS 18 & 19, BLOCK 65, UNIT 7  
 SECTION 2, TOWNSHIP 44 SOUTH, RANGE 26 EAST  
 LEHIGH ACRES, LEE COUNTY, FLORIDA  
 RECORDED IN PLAT BOOK 15, PAGE 59, OF THE  
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

PREPARED FOR:  
 CHARLES D. MATSON  
 DENISE K. WALTERS

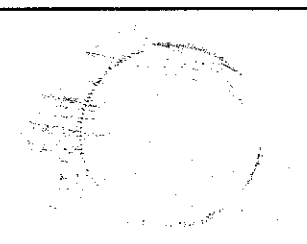
COMMUNITY-PANEL NUMBER: 125124 0250 B      DATE OF MAP: 9-19-84      FLOOD ZONE: B      BASE FLOOD ELEVATION: N/A

<p><b>LEGEND:</b>                  A - ARC                  A/C - AIR CONDITIONER                  (C) - CALCULATED                  C.B. - CABLE BOX                  C.B.S. - CONCRETE BLOCK STRUCTURE                  CH - CHORD                  C.M. - CONCRETE MONUMENT                  CONC. - CONCRETE                  C.P. - CONCRETE PAD                  COR. - CORNER                  (O) - ODD                  B.O.B. - BASIS OF BEARINGS</p>	<p>DE. - DRAINAGE EASEMENT                  DH - DRILL HOLE                  EL. - ELEVATION                  ENC. - ENCROACHMENT                  E.O.P. - EDGE OF PAVEMENT                  FND. - FOUND                  I.B. - IRON BAR                  (M) - MEASURED                  N &amp; T - NAIL AND TAG                  N.T.S. - NOT TO SCALE                  O.R. - OFFICIAL RECORD</p>	<p>(P) - PLAT                  P.B. - PLAT BOOK                  P.C. - POINT OF CURVATURE                  P.C.C. - POINT OF COMPOUND CURVATURE                  PE. - POOL ENCLOSURE                  PD. - PAD                  P.O.B. - POINT OF BEGINNING                  P.O.C. - POINT OF COMMENCEMENT                  P.P. - POWER POLE                  P.R.C. - POINT OF REVERSE CURVATURE                  [ ] - CONCRETE PAD                  (M) - MEASURED</p>	<p>P.R.M. - PERMANENT REFERENCE MONUMENT                  P.T. - POINT OF TANGENCY                  P.U.E. - PUBLIC UTILITY EASEMENT                  R. - RADIUS                  (R) - RADIAL                  R/W - RIGHT-OF-WAY                  SET I.B. - SET 1/2" I.B. LBS449                  S.P. - SCREENED PORCH                  S.T. - SEPTIC TANK                  T.B. - TELEPHONE BOX                  (H) - HANDBOLE                  (PR) - PRORATED</p>	<p>T.B.M. - TEMPORARY BENCHMARK                  U.P. - UTILITY PEDESTAL                  WM - WATER METER                  Δ - DELTA                  S - CENTER LINE                  --- - WOOD FENCE                  - - - WIRE FENCE                  ⊕ - POWER POLE                  ⊕ - FIRE HYDRANT                  ⊕ - POWER LINES                  ⊕ - TEMPORARY BENCHMARK</p>
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**NOTES:**  
 This map of survey is only for the lands herein described and is not an instrument of title, zoning, or freedom of encumbrances.  
 The legal description was furnished by the client or their agent.  
 No title search was conducted by this office.

Elevations shown are based on data from the National Geodetic Vertical Datum of 1928 unless otherwise noted.  
 There are no visible encroachments other than shown.  
 Only improvements shown were field located.

Subject to restrictions, easements, and reservations of record.



NOTE: Location of underground utilities and/or structures NOT located NOT VALID without the signature and the original raised seal of a Florida Licensed Surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

*Robert M. Still*  
 4-2-03  
 ROBERT M. STILL, REGISTERED LAND SURVEYOR NO. 3695  
 CHRISTOPHER B. STILL, REGISTERED LAND SURVEYOR NO. 5941  
 S.T.A.R. SURVEYING, INC. LB5449  
 1130-E LEE BLVD., LEHIGH ACRES, FL. 33936  
 (239) 368-7400 FAX.(239) 368-7685

FIELD SURVEY: 3-27-03
REVISION:
DRAWN BY: B.J.P.
SCALE: 1" = 30'
SHEET: 1 OF 1
FILE NO: 0338



**Exhibit "C"**  
**Petition to Vacate**  
**VAC2004-00025**  
**[Page One of One]**

Lee County Tax Collector - Print Results



**Real Property Information**

<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
02-44-26-07-00065.0180	2004	PAID
<b>Original Account</b>	<b>Book/Page</b>	
02-44-26-07-00065.0180	3872/534	
<b>Physical Address</b>	<b>Mailing Address</b>	
WALTERS DENISE K 3314 66TH ST W LEHIGH ACRES FL 33971	WALTERS DENISE K 5953 LICKING VALLEY RD FRAZEYSBURG OH 43822 USA	
<b>Legal Description</b>		
LEHIGH ACRES UNIT 7 BLK 65 PB 15 PG 59 LOTS 18 + 19		
<b>Outstanding Balance as of 11/19/2004</b>		<b>\$0.00</b>

THIS DOCUMENT FILED AND RECORDED BY:

DENISE K WALTERS  
3314 W 66th ST  
LEHIGH ACRES, FL 33471



INSTR # 5747257  
Official Records BK 03872 PG 0534  
RECORDED 03/14/2003 09:12:11 AM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DEED DOC 11.20  
DEPUTY CLERK W Miller

RECORDING \$6.00  
RPTT \$11.20  
TOTAL \$17.20

A 298-10  
R 298-04

### QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 18th day of March, 2003

by first party, CHARLES D MATSON  
whose post office address is 3314 W 66th ST, LEHIGH ACRES, FL 33471  
to second party, DENISE K WALTERS  
whose post office address is 3314 W 66th ST, LEHIGH ACRES, FL 33471

WITNESSETH, That the said first party, for good consideration and for the sum of SIXTEEN Dollars (\$ 1600.00) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of LEE, State of FLORIDA.

LOTS 18 & 19, BLOCK 65, UNIT 07, SECTION 02, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEHIGH ACRES, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, RECORDED IN BOOK 1407, PAGE 305, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT PROPERTY IS VACANT LAND AND IS NOT NOW, NOR HAS IT EVER BEEN THE HOMESTEAD PROPERTY OF THE GRANTOR. IT ALSO IS NOT CONTIGUOUS TO THE PRESENT HOMESTEAD OF THE GRANTOR.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents this day and year first above written. Signed, sealed and delivered in presence of:

Patsy A Regas  
Signature of Witness  
Patsy A. Regas  
Print name of Witness  
Norma M. Allen  
Signature of Witness  
Norma M. Allen  
Print name of Witness

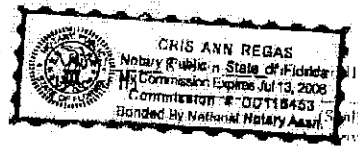
Charles D Matson  
Signature of First Party  
CHARLES D MATSON  
Print name of First Party  
Charles D Matson  
Signature of First Party  
Charles D Matson  
Print name of First Party

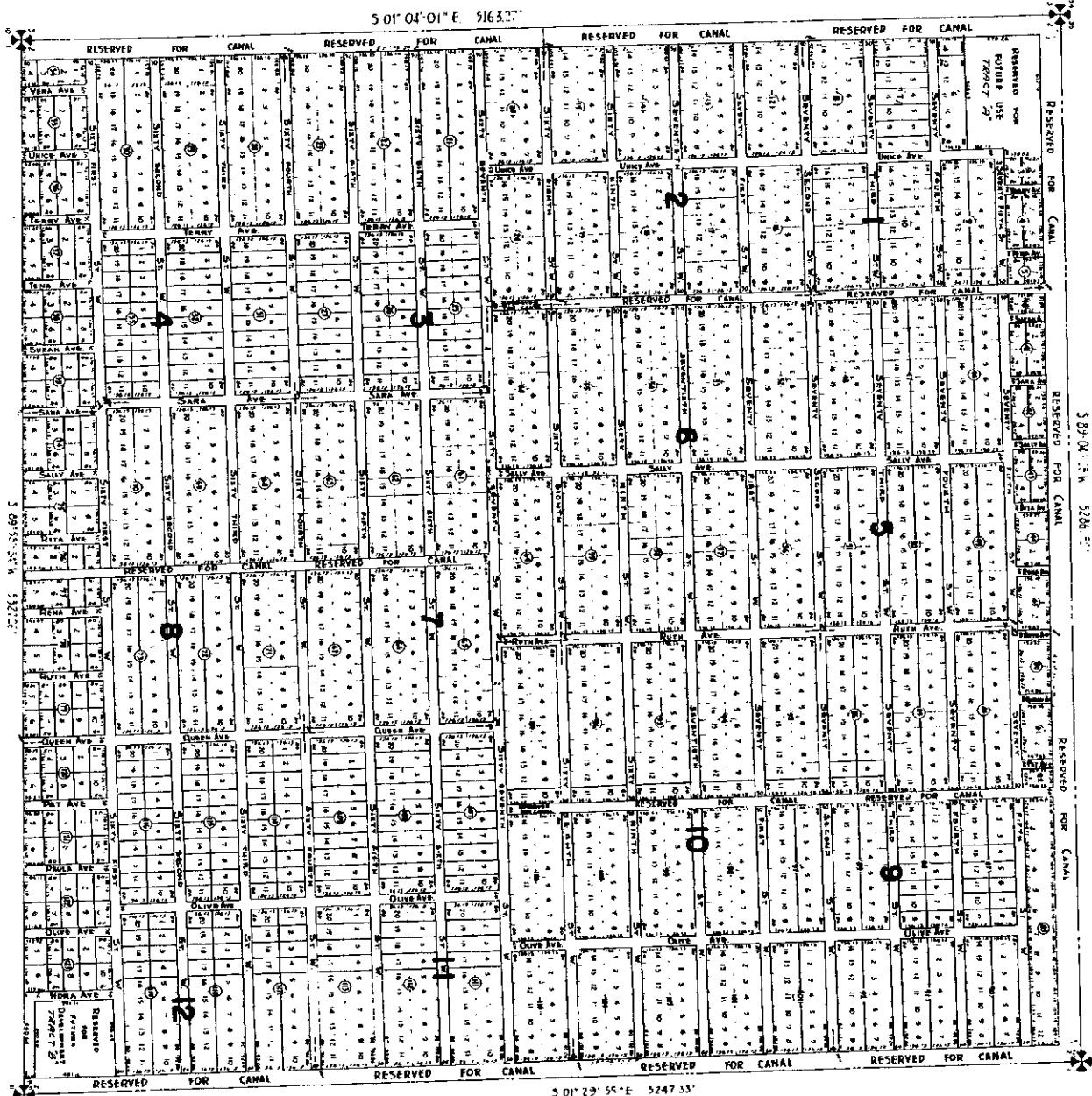
State of Florida  
County of Lee  
On 18th day of March, 2003, before me, Charles D Matson appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.  
Cris Ann Regas  
Signature of Notary

CRIS ANN REGAS





**PLAT OF SECTION 2**  
**TOWNSHIP 44 SOUTH, RANGE 26 EAST**

A SUBDIVISION OF  
**LEHIGH ACRES**  
 LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO. DEVELOPERS

Scale:  $\frac{1}{4}$  inch = 100 feet  
 August 1958

**SURVEYORS CERTIFICATE**

I, the undersigned hereby certify that the plat or shown is a correct representation of the land platfiled and that permanent reference may therein here be had to the original plat on file in the office of the Surveyor General, Lee County, Florida.

Filed for Record in Lee County, Florida, August 1958

NOTE: All lot boundaries shown are based on the original plat on file in the office of the Surveyor General, Lee County, Florida.

NOTES:  
 DIMENSIONS OF LOTS AND LINES AS SHOWN ON THIS PLAT ARE BASED ON THE ORIGINAL PLAT ON FILE IN THE OFFICE OF THE SURVEYOR GENERAL, LEE COUNTY, FLORIDA.



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

239 479-8585

Writer's Direct Dial Number: \_\_\_\_\_

Bob Janes  
*District One*

November 22, 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*

**DENISE K. WALTERS**  
5953 LICKING VALLEY RD.,  
FRAZEYSBURG, OH 43822

Re: **VAC2004-00025 - Petition to Vacate a 12-foot Public Utility Easement**  
located at 3314 66<sup>th</sup> Street W., Lehigh Acres, as recorded in Plat Book 15  
at Page 59 of the Public Records of Lee County, Florida (Lots 18 and  
19).

Dear Ms. Walters:

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 two (2) lots. The site is located at 3314 66<sup>th</sup> Street 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:\200411\20040512.130\5096350\DCDLETTER.DOC

ATTN: Ruth Keith

11-19-2004

Department of Community Development

RE: Lot 18 & 19

Strap # 02 44 26 07 00065 0180

Block 65, Unit 7, section 2, Twp 44 South, Range 26 East

Combining Two lots for future Building site of single family residence.

Denise Kay Watters

Mailing Address: 5953 Licking Valley Rd

FRAZEYSBURG, OH 43822

# 740-763-3478

Property Tax Paid 10-31-2004 \$133.06

Ac # 1167

<input checked="" type="checkbox"/> Track Your Expenses...		1167										
<input type="checkbox"/> Auto/Travel <input type="checkbox"/> Business <input type="checkbox"/> Charities <input type="checkbox"/> Clothing <input type="checkbox"/> Dependent Care	<input type="checkbox"/> Education <input type="checkbox"/> Entertainment <input type="checkbox"/> Food <input type="checkbox"/> Home <input type="checkbox"/> Insurance	<input type="checkbox"/> Medical/Dental <input type="checkbox"/> Savings <input type="checkbox"/> Taxes <input type="checkbox"/> Utilities <input type="checkbox"/> Other										
<p>10-31-04</p> <p>ONE C. TAX COLLECTOR</p> <p>one hundred thirty three and 00/100</p> <p>Call to Reorder 1-800-204-2244</p> <p>Memo: FL Prop Tax</p>		<table border="1"> <tr><td>BAL. FOR'D</td><td></td></tr> <tr><td>ITEM AMOUNT</td><td>133.06</td></tr> <tr><td>BALANCE</td><td></td></tr> <tr><td>DEPOSIT</td><td></td></tr> <tr><td>FOR'D</td><td></td></tr> </table>	BAL. FOR'D		ITEM AMOUNT	133.06	BALANCE		DEPOSIT		FOR'D	
BAL. FOR'D												
ITEM AMOUNT	133.06											
BALANCE												
DEPOSIT												
FOR'D												
<p>1344 1805370 004072520 1167</p>		<p>NOT-NEGOTIABLE</p>										



April 18, 2003

Denise Kay Walters  
5953 Licking Valley Road  
Frazeyburg, Ohio 43822

**Re: Vacation of Public Utility Easement:**

A 12 foot wide public utility and drainage easement  
centered on the lot line common to lots 18 & 19,  
Block 65, Unit 7, Section 02, Township 44S, Range 26E,  
as recorded in Plat Book 15, Page 59 of the Official Records of Lee County.

Dear Ms. Walters

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 239-336-2162.

Sincerely,

Sabrina Thompson  
Engineer



Florida Power & Light Company

April 22, 2004

Denise Walters  
5953 Licking Valley Rd  
Frazeyburg Oh , 43822

Re: Proposed Vacation of Easement for 3314 66<sup>th</sup> ST W Lehigh Acres Fl

Dear Ms Walters,

FPL would have no objection to vacating the two public utility easement of 6ft each along the lot line between lots 18 & 19 at 3314 66<sup>th</sup> St W Lehigh Acres , Unit 7 BLK 65 PB 15 PG 59.

If you have any question, please call me at (239) 332-9168.

Sincerely,

A handwritten signature in black ink that reads "Billy Midgett". The signature is written in a cursive, slightly slanted style.

Billy Midgett  
Customer Project Manager



Comcast Cable Communications, Inc.  
301 Tower Road  
Naples, FL 34113-8074  
941-793-9600 Tel  
941-793-1317 Fax

Friday, April 11, 2003

Denise Walters  
3314 W 66<sup>th</sup> St.  
Lehigh Acres, FL 33971

To whom it may concern;

This letter is to inform you that we "Comcast Cablevision" do not have any cable plant built on or around the property listed above. Should we build a plant in the future, and should the customer decide to get cable, it would be the customer's responsibility to get satellite service if her home interfered with getting cable service to this residence. If you have any questions, please do not hesitate to call me @ 239-415-4705.

Thank you

Sincerely,

Stacie Wallace  
Customer Service Supervisor





**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (941) 479-8130

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*

April 11, 2003

Ms Denise Kay Walters  
5953 Licking Valley Road  
Frazeyburg, Ohio 43822

RE: Easement Vacation – STRAP# 02-44-26-07-00065.0180

Dear Ms. Walters:

This letter is in reference to your request for information regarding property at the above referenced Strap number in Lehigh Acres and a request to vacate utility easements dividing the property. The Waterways Advisory Committee (WAC) is required to review vacation requests when the property in question abuts County waterways. This is clearly not the case for your property. Therefore, review by the WAC is not required.

If there are any questions from the reviewing agencies, please have them contact me at the number listed above.

Sincerely,



Justin D. McBride – Sr. Environmental Specialist  
Natural Resource Division

xc: Steve Boutelle, Staff Liaison  
Chris Koepfer, Staff Biologist



**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. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

April 11, 2003

Denise Kay Walters  
3314 West 66<sup>th</sup> Street  
Lehigh Acres, Fl. 33971

**SUBJECT:** PETITION TO VACATE A PUBLIC UTILITY EASEMENT AT  
3314 West 66<sup>th</sup> Street

Dear Ms. Walters:

Lee County Utilities has reviewed the Public utility easement described in your letter of April 11, 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 Florida Water Services as your property is located within their water and wastewater 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 II  
UTILITIES ENGINEERING

S:\UTILS\Eng\MMMLLETTERS\VACATION\3314 WEST 66th STREET-NO-OBJECTION.doc

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111  
Internet address <http://www.lee-county.com>  
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER



**FLORIDA GOVERNMENTAL UTILITY AUTHORITY**

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

November 3, 2004

Ruth Keith  
Department of community Development  
P.O. Box 398  
Fort Myers, FL. 33902

RE: Vacation of Easement for Lot 18 & 19, Block 65, Unit 7 in Lehigh Acres.

Dear Ms. Keith:

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 request for vacation of easement is hereby approved.

The vacation of easement was requested for the 12-foot wide utility and drainage easement lying on the west side of Lot 18 and the east side of Lot 19 (excluding the northern and southern 6 feet), Block 65, Unit 7 in Lehigh Acres. 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*

Charles L. Sweat  
Director of Operations

CLS/vjb

cc: Denise Kay Walters  
5953 Licking Valley Road  
Frazeyburg, Ohio 43822

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11:00 AM  
COMMUNICATIONS SECTION



Area to be vacated