

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate a portion of 200 feet wide County Road Right-of-Way known as Meeting Street located west of Lemon Street and east of Date Street, in between adjoining properties at 2421 and 2481 Lemon St., St. James City, Florida, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 22nd day of March, 2005. (Case No. VAC2004-00072)

WHY ACTION IS NECESSARY: Vacation of the public interest will allow assembly of a larger lot. **The vacation of this right-of-way will not alter traffic and drainage conditions and the right-of-way are not necessary to accommodate any future traffic and drainage requirement.**

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

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 1

04

C4B

3. MEETING DATE:

02-15-2005

4. AGENDA:

5. REQUIREMENT/PURPOSE:
(Specify)

6. REQUESTOR OF INFORMATION:

STATUTE F.S. Ch. 177
 ORDINANCE
 ADMIN. CODE 13-1
 OTHER

A. COMMISSIONER
B. DEPARTMENT Community Development
C. DIVISION Development Services
BY: *[Signature]* 1/20/05

Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2004-00072 was submitted by Matthew J. and Elizabeth A. Mahl.

LOCATION: The site is located west of Lemon Street and east of Date Street, in between adjoining properties at **2421 and 2481 Lemon St., St. James City, Florida 33956** and its strap numbers are 02-46-22-05-00439.00C0 and 02-46-22-05-00439.00A0. The petitioners own both properties abutting the right-of-way to be vacated. Petition No. VAC2004-00072 proposes to vacate a portion of 200 feet wide County Road Right-of-Way known as Meeting Street, which is not constructed, Block 439, lying in Section 2, Township 46 South, Range 22 East, as recorded in Plat Book 3, Pages 35 and 36, of the Public Records of Lee County, Florida.

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 <i>As follows</i>			G County Manager
					OA	OM	Risk	CC
<i>Mary Gibbs</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>2/2/05</i>	<i>2/3/05</i>	<i>2/2/05</i>	<i>2/2/05</i>
								<i>2-3-05</i>

10. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED

OTHER

Rec. by CoAtty
Date: *2/1/05*
Time: *11:45 Am*

TD
2/2/05
3:40 pm Sun
COUNTY ADMIN
FORWARDED TO: *[Signature]*
2/3/05
4PM

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00072

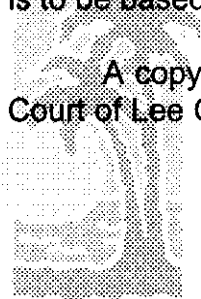
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 22nd day of March 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

SOUTH WEST FLORIDA

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name



SURVEYING, INC.


P.O. BOX 423 OR 3105 STRINGFELLOW ROAD
 ST. JAMES CITY, FLORIDA 33956
 PHONE (941) 283-1518
 LB # 2658

SPECIFIC PURPOSE SKETCH AND DESCRIPTION DELINEATING A PORTION OF MEETING STREET AS SHOWN ON THE PLAT OF ST. JAMES CITY AS RECORDED IN PLAT BOOK 3 AT PGES 35 AND 36 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TO BE VACATED, LYING IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, SEE PAGE 1 OF 2 FOR LEGAL DESCRIPTION.

COMMENCE AT THE SOUTHWEST CORNER OF SAID BLOCK 439; THENCE RUN N 01°00'00" W ALONG THE WEST LINE OF SAID BLOCK 439 AND THE EAST RIGHT OF WAY OF DATE STREET FOR 180.00 FEET TO THE POINT OF BEGINNING, BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUADRANT OF SAID BLOCK 439; THENCE CONTINUE N 01°00'00" W ALONG SAID EAST RIGHT OF WAY FOR 40.00 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUADRANT OF SAID BLOCK 439; THENCE RUN N 89°00'00" E ALONG THE SOUTH LINE SAID NORTHWEST QUADRANT AND THE NORTH RIGHT OF WAY OF MEETING STREET AS SHOWN ON THE AFOREMENTIONED PLAT OF ST. JAMES CITY FOR 200.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUADRANT OF BLOCK 439 AND THE WEST RIGHT OF WAY OF LEMON STREET; THENCE RUN S 01°00'00" E ALONG SAID WEST RIGHT OF WAY FOR 40.00 FEET TO THE NORTHEAST CORNER OF THE AFOREMENTIONED SOUTHWEST QUADRANT OF BLOCK 439; THENCE RUN S 89°00'00" W ALONG THE NORTH LINE SAID SOUTHWEST QUADRANT AND THE SOUTH RIGHT OF WAY OF SAID MEETING STREET FOR 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 8,000 SQUARE FEET OF LAND.

Exhibit "A"
Petition to Vacate
VAC2004-00072
 [Page One of One]

This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.


 ALFRED J. WATSON
 PROFESSIONAL SURVEYOR AND MAPPER
 #2330 - STATE OF FLORIDA

DATE: JANUARY 7, 2005

THIS IS NOT A BOUNDARY SURVEY
 FOR: MATTHEW MAHL AND ELIZABETH A. MAHL
 JOB # 04-0679 F. B. L. 88-25
 STRAP # _____

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2004-00072**

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. VAC2004-00072 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



SURVEYING, INC.

P.O. BOX 423 OR 3105 STRINGFELLOW ROAD
ST. JAMES CITY, FLORIDA 33956
PHONE (941) 283-1518
LB # 2658

SPECIFIC PURPOSE SKETCH AND DESCRIPTION DELINEATING A PORTION OF MEETING STREET AS SHOWN ON THE PLAT OF ST. JAMES CITY AS RECORDED IN PLAT BOOK 3 AT PGES 35 AND 36 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TO BE VACATED, LYING IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, SEE PAGE 1 OF 2 FOR LEGAL DESCRIPTION.

COMMENCE AT THE SOUTHWEST CORNER OF SAID BLOCK 439; THENCE RUN N 01°00'00" W ALONG THE WEST LINE OF SAID BLOCK 439 AND THE EAST RIGHT OF WAY OF DATE STREET FOR 180.00 FEET TO THE POINT OF BEGINNING, BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUADRANT OF SAID BLOCK 439; THENCE CONTINUE N 01°00'00" W ALONG SAID EAST RIGHT OF WAY FOR 40.00 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUADRANT OF SAID BLOCK 439; THENCE RUN N 89°00'00" E ALONG THE SOUTH LINE SAID NORTHWEST QUADRANT AND THE NORTH RIGHT OF WAY OF MEETING STREET AS SHOWN ON THE AFOREMENTIONED PLAT OF ST. JAMES CITY FOR 200.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUADRANT OF BLOCK 439 AND THE WEST RIGHT OF WAY OF LEMON STREET; THENCE RUN S 01°00'00" E ALONG SAID WEST RIGHT OF WAY FOR 40.00 FEET TO THE NORTHEAST CORNER OF THE AFOREMENTIONED SOUTHWEST QUADRANT OF BLOCK 439; THENCE RUN S 89°00'00" W ALONG THE NORTH LINE SAID SOUTHWEST QUADRANT AND THE SOUTH RIGHT OF WAY OF SAID MEETING STREET FOR 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 8,000 SQUARE FEET OF LAND.

Exhibit "A"
Petition to Vacate
VAC2004-00072
[Page One of One]


This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

THIS IS NOT A BOUNDARY SURVEY

FOR: MATTHEW MAHL AND ELIZABETH A. MAHL

JOB # 04-0679 F. B. L. 88-25

STRAP # _____


ALFRED J. WATSON
PROFESSIONAL SURVEYOR AND MAPPER
#2330 - STATE OF FLORIDA

DATE: JANUARY 7, 2005



PETITION TO VACATE (AC 13-1)

Case Number: VAC2004-00072

Petitioner(s), Matthew J. and Elizabeth A. Mahl
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, 2481 Lemon St., St. James City, FL 33956.
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:

Matthew J. Mahl
Petitioner Signature

Elizabeth A. Mahl
Petitioner Signature

Matthew J. Mahl
Printed Name

Elizabeth A. Mahl
Printed Name

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



SURVEYING, INC.

P.O. BOX 423 OR 3105 STRINGFELLOW ROAD
 ST. JAMES CITY, FLORIDA 33956
 PHONE (841) 283-1518
 LB # 2658

SPECIFIC PURPOSE SKETCH AND DESCRIPTION DELINEATING A PORTION OF MEETING STREET AS SHOWN ON THE PLAT OF ST. JAMES CITY AS RECORDED IN PLAT BOOK 3 AT PGES 35 AND 36 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TO BE VACATED, LYING IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, SEE PAGE 1 OF 2 FOR LEGAL DESCRIPTION.

COMMENCE AT THE SOUTHWEST CORNER OF SAID BLOCK 439; THENCE RUN N 01°00'00" W ALONG THE WEST LINE OF SAID BLOCK 439 AND THE EAST RIGHT OF WAY OF DATE STREET FOR 180.00 FEET TO THE POINT OF BEGINNING, BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUADRANT OF SAID BLOCK 439; THENCE CONTINUE N 01°00'00" W ALONG SAID EAST RIGHT OF WAY FOR 40.00 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUADRANT OF SAID BLOCK 439; THENCE RUN N 89°00'00" E ALONG THE SOUTH LINE SAID NORTHWEST QUADRANT AND THE NORTH RIGHT OF WAY OF MEETING STREET AS SHOWN ON THE AFOREMENTIONED PLAT OF ST. JAMES CITY FOR 200.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUADRANT OF BLOCK 439 AND THE WEST RIGHT OF WAY OF LEMON STREET; THENCE RUN S 01°00'00" E ALONG SAID WEST RIGHT OF WAY FOR 40.00 FEET TO THE NORTHEAST CORNER OF THE AFOREMENTIONED SOUTHWEST QUADRANT OF BLOCK 439; THENCE RUN S 89°00'00" W ALONG THE NORTH LINE SAID SOUTHWEST QUADRANT AND THE SOUTH RIGHT OF WAY OF SAID MEETING STREET FOR 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 8,000 SQUARE FEET OF LAND.

Exhibit "A"
Petition to Vacate
VAC2004-00072
 [Page One of One]

This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

THIS IS NOT A BOUNDARY SURVEY

FOR: MATTHEW MAHL AND ELIZABETH A. MAHL
 JOB # 04-0679 F. B. L. 88-25
 STRAP # _____


 ALFRED J. WATSON
 PROFESSIONAL SURVEYOR AND MAPPER
 #2330 - STATE OF FLORIDA

DATE: JANUARY 7, 2005



SURVEYING, INC.

P.O. BOX 423 OR 3105 STRINGFELLOW ROAD
ST. JAMES CITY, FLORIDA 33956
PHONE (841) 283-1518
LB # 2658

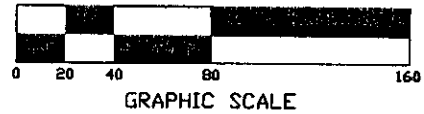
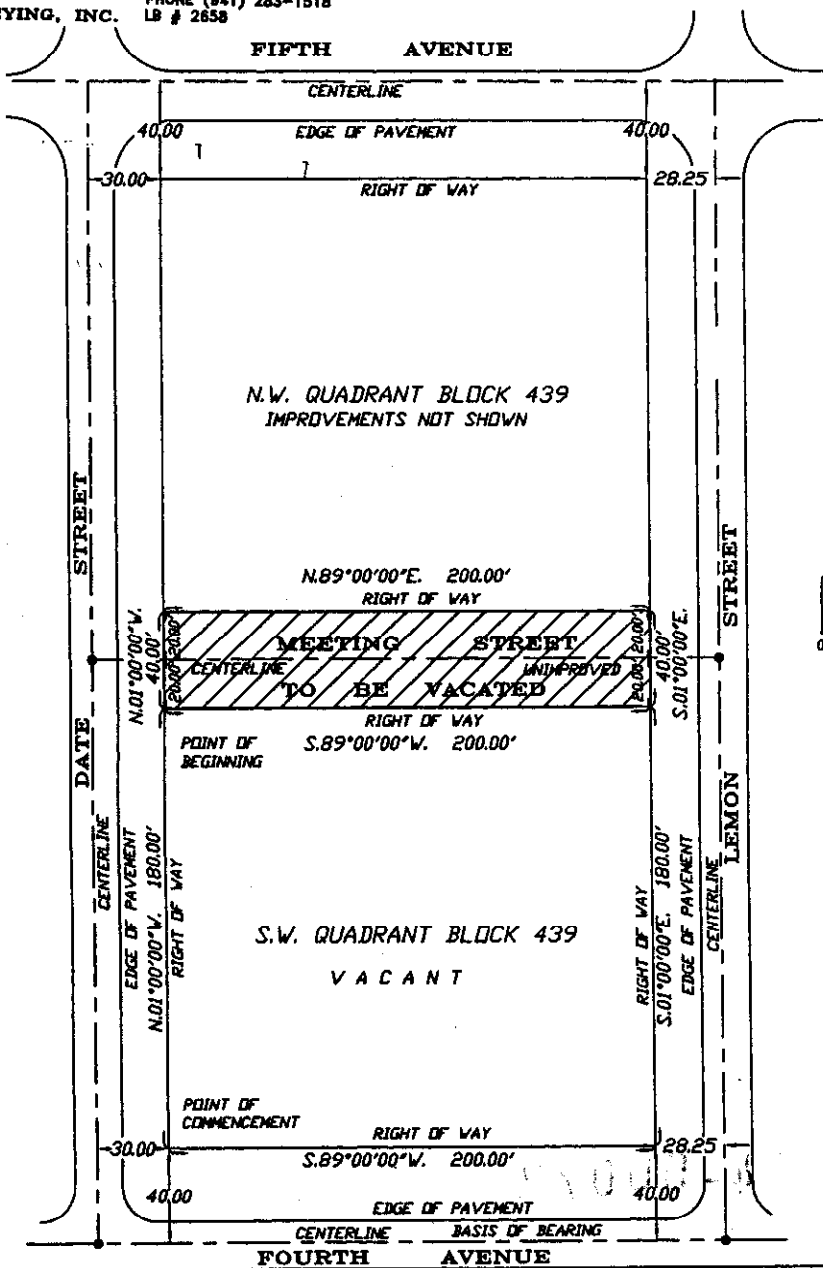


Exhibit "B"
Petition to Vacate
VAC2004-00072
 [Page One of One]

SPECIFIC PURPOSE SKETCH AND DESCRIPTION DELINEATING A PORTION OF MEETING STREET AS SHOWN ON THE PLAT OF ST. JAMES CITY AS RECORDED IN PLAT BOOK 3 AT PGS 35 AND 36 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TO BE VACATED, LYING IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, SEE PAGE 1 OF 2 FOR LEGAL DESCRIPTION.

This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

Alfred J. Watson
 ALFRED J. WATSON
 PROFESSIONAL SURVEYOR AND MAPPER
 #2330 - STATE OF FLORIDA

THIS IS NOT A BOUNDARY SURVEY

FOR: MATTHEW MAHL AND ELIZABETH A. MAHL
 JOB # 04-0679 F. B. L. 88-25
 STRAP # _____

SKETCH OF SURVEY
 SCALE 1" = 80'

DATE: JANUARY 7, 2005

Exhibit "C"
Petition to Vacate
VAC2004-00072
 [Page One of One]

Lee County Tax Collector - Print Results



Real Property Information

Account	Tax Year	Status
02-46-22-05-00439.00C0	2004	PAID
Original Account	Book/Page	
02-46-22-05-00439.00C0	3345 /2259	
Physical Address	Mailing Address	
MAHL MATTHEW J + ELIZABETH A 2421 LEMON ST ST JAMES CITY FL 33956	MAHL MATTHEW J + ELIZABETH A 2481 LEMON ST ST JAMES CITY FL 33956 USA	
Legal Description		
PARL IN ST JAMES CITY IN PB 3 PG 35 SW 1/4 BLK 439		
Outstanding Balance as of 1/5/2005		\$0.00

Lee County Tax Collector - Print Results



Real Property Information

Account	Tax Year	Status
02-46-22-05-00439.00A0	2004	PAID
Original Account	Book/Page	
02-46-22-05-00439.00A0	4317 /2046	
Physical Address	Mailing Address	
MAHL MATTHEW J + ELIZABETH A 2481 LEMON ST ST JAMES CITY FL 33956	MAHL MATTHEW J + ELIZABETH A 2481 LEMON ST ST JAMES CITY FL 33956 USA	
Legal Description		
ST JAMES CITY PB 3 PG 35 NW 1/4 BLK 439		
Outstanding Balance as of 1/5/2005		\$0.00

INSTR # 5033872
OR BK 03345 PG 2259

RECORDED 01/03/01 03:58 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD(F.S.201.02) 280.00
DEPUTY CLERK J Miller

Prepared by and return to:
Timothy J. Bruehl

Waggoner & Bruehl, P.A.
5400 Pine Island Road, Suite D
Bokeelia, Florida 33922

Will Call No.: 105

Parcel Identification No. 02-46-22-05-00438.0110

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 29th day of December, 2000 between Nicholas Varricchione and Florence Varricchione, individually and as Trustees of the The Nicholas Varricchione and Florence Varricchione Trust UAD 1/23/91 whose post office address is 2088 Tocobaga Lane, Nokomis, Florida 34275 of the County of Sarasota, State of Florida, grantor*, and Matthew J. Mahl and Elizabeth A. Mahl, husband and wife whose post office address is 5675 Maria Drive, Saint James City, Florida 33956 of the County of Lee, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida, to-wit:

Lots 11, 12, 13 and 14, Block 438, ST. JAMES CITY, as recorded in Plat Book 3, Pages 35 and 36, Public Records of Lee County, Florida.

AND

Southwest Quarter (SW 1/4) of Block 439, ST.JAMES CITY, as recorded in Plat Book 3, Pages 35 and 36, Public Records of Lee County, Florida.

Strap # 02-46-22-05-00439.0000

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

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

Signed, sealed and delivered in our presence:

Candis L Crocker
Witness Name: Candis L Crocker
Iida White
Witness Name: IIDA white

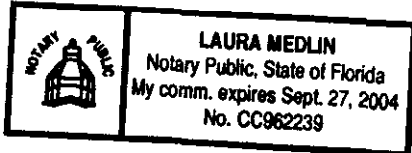
Nicholas Varricchione
Nicholas Varricchione, Individually and as Trustee of
The Nicholas Varricchione and Florence Varricchione
Trust UAD 1/23/91

Florence Varricchione
Florence Varricchione, Individually and as Trustee of
The Nicholas Varricchione and Florence Varricchione
Trust UAD 1/23/91

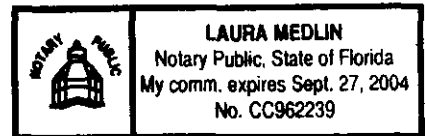
State of Florida
County of Sarasota

The foregoing instrument was acknowledged before me this 20th day of December, 2000 by Nicholas Varricchione, Trustee and Florence Varricchione, Trustee, who are personally known or have produced a driver's license as identification.

[Notary Seal]



Laura Medlin
Notary Public
Printed Name: LAURA MEDLIN
My Commission Expires: 9/27/2004



This instrument prepared by:
PINE ISLAND TITLE INSURANCE AGENCY
5400 Pine Island Road, Suite B,
Bokeelia, Florida 33922
239-283-1067
Carrie Leverrett
Tax Parcel ID: 02-46-22-05-00439.00A0

[space above this line for recording]

Warranty Deed

(Statutory Form - FS 689.02)

This Indenture, made May 10th, 2004, between Clifford Addison and Susan L. Addison husband and wife, party of the first part, whose mailing address is 2481 Lemon Street, St. James City, FL, 33956, **Grantor***, and **Matthew J. Mahl and Elizabeth A. Mahl husband and wife**, party of the second part, **Grantee***, whose mailing address is ~~2307 Date Street, St. James City, FL,~~ *2421 Lemon St. St. James City*, 33956.

**Grantor" and "Grantee" are used for singular or plural, as context requires

Witnesseth:

That the said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, and Grantee's heirs and assigns forever, the following described land, lying in Lee County, Florida, to wit:

Exhibit "A"

Subject to easements, restrictions and reservations of record not coupled with a right of reverter and taxes for the current year.

[space above this line for recording]

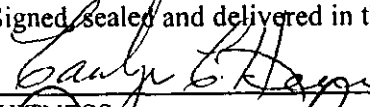
And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

To have and to hold, the same in fee simple forever, together with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

And, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good and lawful authority to sell and convey said land; that the Grantor 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 for taxes accruing subsequent to the current year, and easements and restrictions of record, if any, but this reference to said restrictions shall not serve to reimpose the same.


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

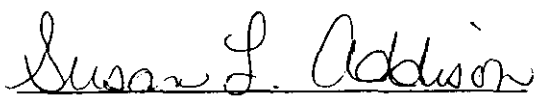
Signed, sealed and delivered in the presence of:


WITNESS:


WITNESS: **CARRIE LEVERRETT**

AS TO BOTH SIGNATURES


Clifford Addison


Susan L. Addison

_____ [space below this line for acknowledgments] _____

[space above this line for recording]

STATE OF Fl
COUNTY OF Lee

ACKNOWLEDGMENT

I hereby certify, that on this day, before me, an officer duly qualified in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Clifford Addison and Susan L. Addison husband and wife, and

who is personally known to me or

who produced a Driver's License as identification,

and who executed the foregoing instrument in his/her/their personal or authorized capacity(ies) indicated above.

Dated: 5/10/04

{notarial seal}

NOTARY PUBLIC:
Carrie Leverrett
(print or type name beneath signature line)

CARRIE LEVERRETT

My commission expires:
My commission number is:

OFFICIAL NOTARY SEAL
CARRIE LEVERRETT
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC966017
MY COMMISSION EXP. SEPT 6, 2004

EXHIBIT A

LEGAL DESCRIPTION:

One Quarter of Block No. 439, said quarter block adjoining and being bounded by the following streets to wit:

Fifth Avenue on the North; Meeting Street on the South; Lemon Street on the East, and Date Street on the West as the same appears on revised plan of ST. JAMES CITY, Lee County, Florida; made by John Nolte and recorded in Plat Book Three at Pages 35 and 36 of the Public Records of Lee County, Florida, together with the one-story frame school building located thereon.

Matthew J. & Elizabeth Mahl

*2481 Lemon Street
St. James City, FL 33956
Phone / Fax (239) 283 2107*

January 10, 2005

Attention: Ms. Ruth Keith
Department of Community Development
PO Box 398 1500 Monroe Street
Fort Myers, FL 33902

Dear Ruth:

RE: VAC2004-00072

Pursuant to our telephone conversation earlier today, below are our neighbors' names, site addresses and strap numbers, as you requested:

<u>Name</u>	<u>Site Address</u>	<u>STRAP #</u>
St. James City Civic Assoc. Inc.	3300 Fourth Ave. St. James City	02-16-22-05-00439.0000
Frank C Reppa TR & Yolanda Mac Reppa	3415 Fifth Ave. St. James City	02-46-22-05-00438.0010
Frank C Reppa TR	2481 Date St, St James City	02-46-22-05-00438.0020
Stuart M Brenner	2471 Date St, St James City	02-46-22-05-00438.0030
Jeffrey H Norman	2461 Date St. St. James City	02-46-22-05-00438.0040
Jonah Holdings	2441 Date St. St. James City	02-46-22-05-00438.0060
William L Brooks	3408 Fourth Ave. St. James City	02-46-22-05-00438.0070

Also, enclosed is a letter regarding the current drainage situation of the unconstructed Meeting St.

I appreciate your time and attention to this matter. If you should have any further questions, I can be reached at the telephone number above. Thank you.

Respectfully,

Elizabeth Mahl

COPY

2421 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

Matthew J. & Elizabeth Mahl

November 9, 2004

St. James City Civic Association, Inc.
PO Box 605
St. James City, FL 33956

Dear St. James City Neighbor:

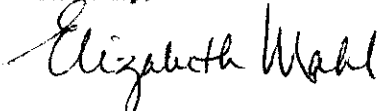
This is a courtesy letter to property owners whose property is adjacent to my property.

Between two lots I own, bordered by Date and Lemon Streets, there is a never-developed, platted right-of-way. The right-of-way is currently overgrown with Australian pine trees, some very large and dead, creating a hazard.

My intent is to vacate that right-of-way with the approval of Lee County, have the trees removed and clean up the area.

Also, I hope you and your families made it through Hurricane Charley healthy.

Sincerely,



Elizabeth Mahl

Enc.

COPY

Matthew J. & Elizabeth Mahl

2421 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

November 9, 2004

Frank C. Reppa & Yolanda Mae Reppa
PO Box 304
St. James City, FL 33956

Dear St. James City Neighbor:


This is a courtesy letter to property owners whose property is adjacent to my property.

Between two lots I own, bordered by Date and Lemon Streets, there is a never-developed, platted right-of-way. The right-of-way is currently overgrown with Australian pine trees, some very large and dead, creating a hazard.

My intent is to vacate that right-of-way with the approval of Lee County, have the trees removed and clean up the area.

Also, I hope you and your families made it through Hurricane Charley healthy.

Sincerely,



Elizabeth Mahl

Enc.

COPY

Matthew J. & Elizabeth Mahl

2421 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

November 9, 2004

Frank C. Reppa
PO Box 304
St. James City, FL 33956

Dear St. James City Neighbor:

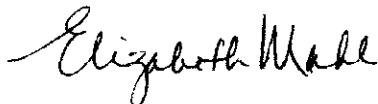
This is a courtesy letter to property owners whose property is adjacent to my property.

Between two lots I own, bordered by Date and Lemon Streets, there is a never-developed, platted right-of-way. The right-of-way is currently overgrown with Australian pine trees, some very large and dead, creating a hazard.

My intent is to vacate that right-of-way with the approval of Lee County, have the trees removed and clean up the area.

Also, I hope you and your families made it through Hurricane Charley healthy.

Sincerely,



Elizabeth Mahl

Enc.

COPY

Matthew J. & Elizabeth Mahl

2421 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

November 9, 2004

Jonah Holdings
6210 Via Tierra
Boca Raton, FL 33433

Dear St. James City Neighbor:

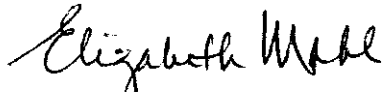
This is a courtesy letter to property owners whose property is adjacent to my property.

Between two lots I own, bordered by Date and Lemon Streets, there is a never-developed, platted right-of-way. The right-of-way is currently overgrown with Australian pine trees, some very large and dead, creating a hazard.

My intent is to vacate that right-of-way with the approval of Lee County, have the trees removed and clean up the area.

Also, I hope you and your families made it through Hurricane Charley healthy.

Sincerely,



Elizabeth Mahl

Enc.

COPY

Matthew J. & Elizabeth Mahl

2421 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

November 9, 2004

Stuart M. Brenner
751 Park of Commerce Dr, Suite 118
Boca Raton, FL 33487

Dear St. James City Neighbor:

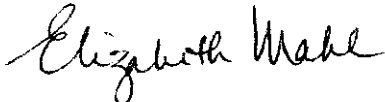
This is a courtesy letter to property owners whose property is adjacent to my property.

Between two lots I own, bordered by Date and Lemon Streets, there is a never-developed, platted right-of-way. The right-of-way is currently overgrown with Australian pine trees, some very large and dead, creating a hazard.

My intent is to vacate that right-of-way with the approval of Lee County, have the trees removed and clean up the area.

Also, I hope you and your families made it through Hurricane Charley healthy.

Sincerely,



Elizabeth Mahl

Enc.

COPY

Matthew J. & Elizabeth Mahl

2421 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

November 9, 2004

Jeffrey H. Norman
153 SE 1st Ave.
Boca Raton, FL 33432

Dear St. James City Neighbor:

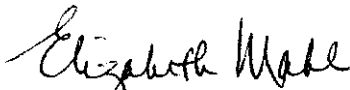
This is a courtesy letter to property owners whose property is adjacent to my property.

Between two lots I own, bordered by Date and Lemon Streets, there is a never-developed, platted right-of-way. The right-of-way is currently overgrown with Australian pine trees, some very large and dead, creating a hazard.

My intent is to vacate that right-of-way with the approval of Lee County, have the trees removed and clean up the area.

Also, I hope you and your families made it through Hurricane Charley healthy.

Sincerely,



Elizabeth Mahl

Enc.

COPY

Matthew J. & Elizabeth Mahl

2421 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

November 9, 2004

William L. Brooks
3408 Fourth Ave.
St. James City, FL 33956

Dear St. James City Neighbor:

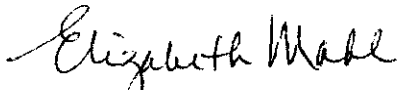
This is a courtesy letter to property owners whose property is adjacent to my property.

Between two lots I own, bordered by Date and Lemon Streets, there is a never-developed, platted right-of-way. The right-of-way is currently overgrown with Australian pine trees, some very large and dead, creating a hazard.

My intent is to vacate that right-of-way with the approval of Lee County, have the trees removed and clean up the area.

Also, I hope you and your families made it through Hurricane Charley healthy.

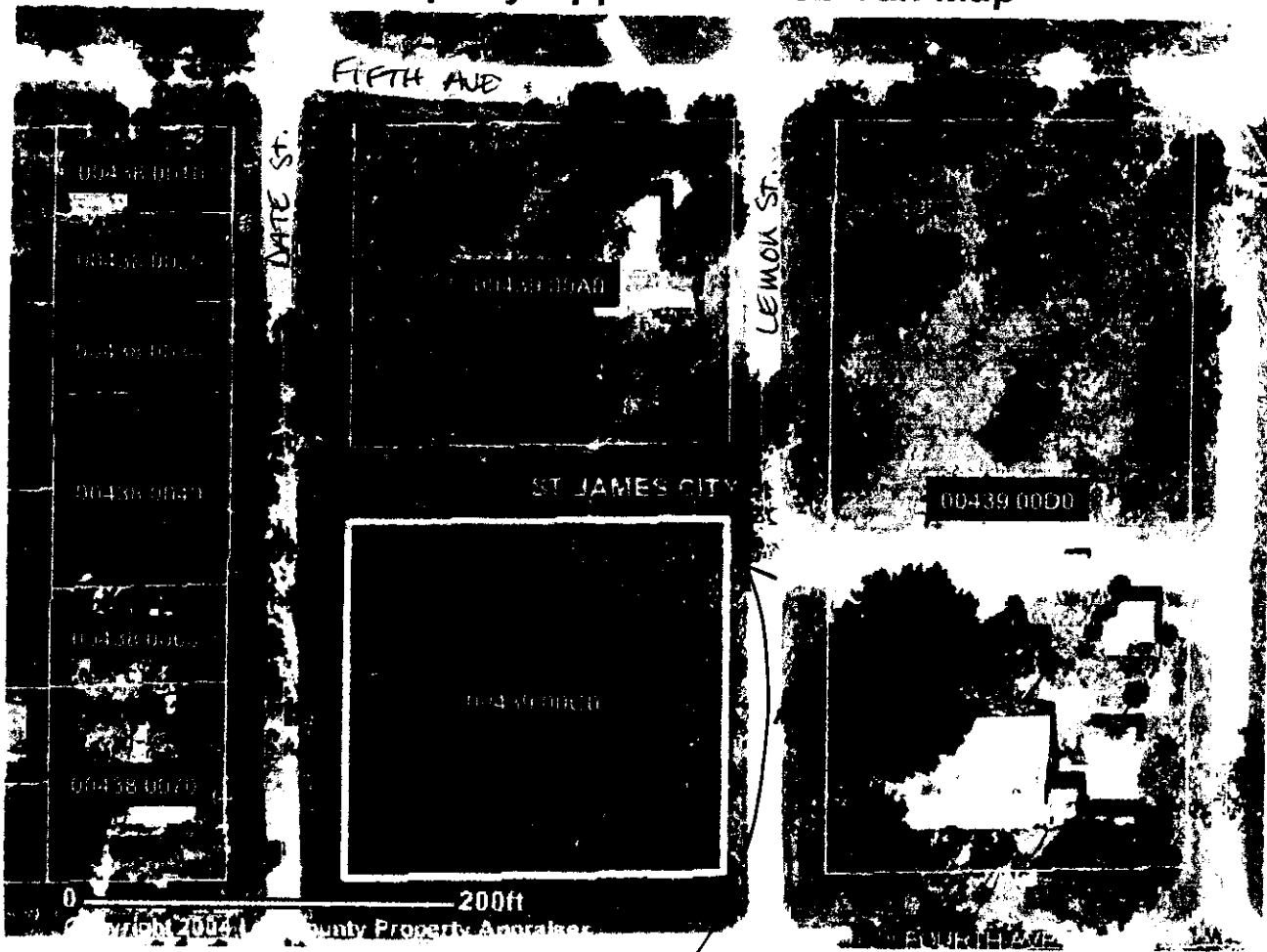
Sincerely,



Elizabeth Mahl

Enc.

Lee Property Appraiser Web Tax Map



Right-of-way

Tax Map Legend

- Selected Parcel
- Road Centerlines
- Subdivisions
- Parcels
- Easements

Aerial Image Set	1998 (Black & White)	Map Currency Date	6/9/2004 9:46:16 AM
Selected Parcel	02-46-22-05-00439.00C0	Legal Description	PARL IN ST JAMES CITY IN PB 3 PG 35 SW 1/4 BLK 439
Parcel Owner	MAHL MATTHEW J + ELIZABETH A 2307 DATE ST ST JAMES CITY FL 33956	Property Address	2421 LEMON ST St James City FL 33956



LEE COUNTY
SOUTHWEST FLORIDA

239-479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

January 13, 2005

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

Matthew J. & Elizabeth A. Mahl
2481 Lemon Street
St. James City, FL 33956

Re: **VAC2004-00072 - Petition to Vacate** a portion of 200 feet wide County Road Right-of-Way known as Meeting Street located west of Lemon Street and east of Date Street

Dear Mr. & Mrs. Mahl:

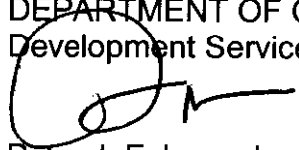
This office has received your request to vacate the above referenced portion of 200 feet wide County Road Right-of-Way known as Meeting Street, which is not constructed, Block 439, lying in Section 2, Township 46 South, Range 22 East, as recorded in Plat Book 3, Pages 35 and 36, of the Public Records of Lee County, Florida. The site is located at 2421 and 2481 Lemon St., St. James City.

The reason of this vacation is to facilitate the clean up and maintenance of the entire area in between adjoining properties. Based on a review of the Information provided and our subsequent research, this office has no objection to the proposed vacation.

You should be aware, however that the Board of County Commissioner's approval of this petition will only extinguish the rights of the public to use the right-of-way. Private rights of use may still remain. This means that certification of fee ownership in the area being vacated will be required prior to issuance of any building permit(s) within that area of the easement as it presently exists, occupied or otherwise. 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:\200412\20041025.155\1566780\DCDLETTER.DOC

Matthew J. & Elizabeth Mahl

2481 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

December 8, 2004

Department of Community Development
Attn: Peter J. Eckenrode, Director Development Services
PO Box 398 1500 Monroe Street
Fort Myers, FL 33902

Dear Mr. Eckenrode:

The purpose of this letter is to request the vacation of a platted right-of-way, the last remaining 200 feet section of unconstructed Meeting Street.

The right-of-way was originally 400 feet in length. A vacation of the east 200 feet has already been approved and recorded. (Petition No: 92-18, Description: East 200 ft. of Meeting St; See CCMB Date of Approval 12/16/92, Resolution No: 92-12-108, CCMB: 1992R Page: 944, Recorded on: 01/14/93 OR Book: 2354, Page: 1398-1400)

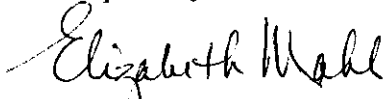
My husband and I own the only adjoining property on either side of this right-of-way. We would appreciate your consideration for the vacation of this right-of-way, which has been neglected and is overgrown with Australian pines, largely dead and hurricane damaged (see attached photos), creating a liability. It seems natural to join our properties, clean up the neglected area and have the ability to maintain the entire area for the betterment of the neighborhood.

To the best of my knowledge, there is no strap number assigned to this right-of-way. Our adjoining property strap numbers are as follows: 02-46-22-05-00439.00C0 and 02-46-22-05-00439.00A0.

Also, enclosed is a letter from Waggoner & Bruehl, PA, our attorney, who performed a title search and private rights research on this right-of-way.

If you should have any questions, please do not hesitate to contact us at the address and phone number above. We would like to thank you in advance for your consideration and time in the matter.

Respectfully,


Elizabeth Mahl

Enclosures

))
LAW OFFICE OF
WAGGONER & BRUEHL, P.A.

Timothy J. Bruehl
Jacqueline Bruehl

5400 Pine Island Road, Suite D
Bokkeelia, FL 33922
(239) 283-1076
(239) 283-7567 Fax

Paul H. Waggoner
of Counsel

December 8, 2004

Lee County Department of Community Development
P.O. Box 398
Fort Myers, FL 33902

Re: Applicant Name: Mahl
Vacation of Meeting Street,
St. James City, FL 33956

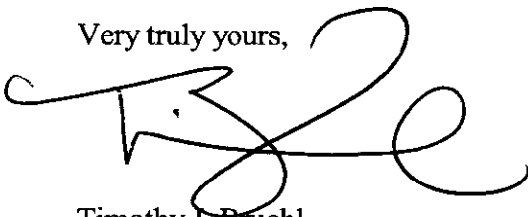
To Whom It May Concern:

The following is an opinion letter relative to "other private rights" located on the public unimproved right-of-way commonly known as Meeting Street. The unimproved right-of-way which the applicants seek to vacate is located between Parcel Nos. 02-46-22-05-00439.00A0 and 02-46-22-05-00439.00C0 being south of .00A0 and north of .00C0. A search of the particular parcel fails to reveal any further private rights vested in the same. The right-of-way which the applicants seek to vacate is unimproved and lies directly between two (2) lots owned by the applicants.

An earlier precedence has been set relative to the Meeting Street right-of-way whereby a petitioner successfully petitioned to vacate a right-of-way of Meeting Street directly to the east of the subject parcel. Said resolution vacating that particular portion of the Meeting Street is Resolution 92-12-108 and can be found recorded in Official Records Book 2354 at Pages 1398 through 1400, a copy of which I have provided herein for your reference.

Upon your receipt and review of this opinion letter should you be in need of any additional information I ask that you please do not hesitate to contact the undersigned.

Very truly yours,



Timothy J. Bruehl
TJB/emg
Enc.

1509R

NEWS-PRESS

Published every morning — Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

3322724

DR2354 PG1398

Before the undersigned authority, personally appeared
Brenda Leighton

who on oath says that he/she is the
legal Coordinator of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the
attached copy of advertisement, being a
Notice

in the matter of Notice of
Vacating

in the _____ Court

was published in said newspaper in the issues of
Dec. 23, 1992

Affiant further says that the said News-Press is a paper of general circulation
daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at
Fort Myers, in said Lee County, Florida and that said newspaper has heretofore
been continuously published in said Lee County, Florida, each day, and has
been entered as a second class mail matter at the post office in Fort Myers in
said Lee County, Florida, for a period of one year next preceding the first
publication of the attached copy of the advertisement; and affiant further says
that he/she has neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of securing this
advertisement for publication in the said newspaper.

Brenda Leighton

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this
23rd day of _____

December, 1992 by

Brenda Leighton

who is personally known to me _____

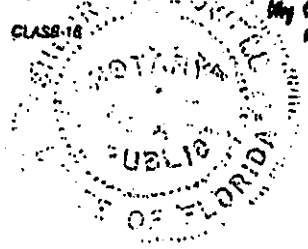
as identification, and who did ~~not~~ take an oath.

Notary Public Sherry McEwell
Print Name Sherry McEwell

My Commission Expires: Notary Public, State of Florida
My Commission Expires Jan. 3, 1994
Bonded thru Trea Hahn Insurance Co.

NOTICE OF VACATING
TO: WHOM IT MAY CONCERN
Notice is hereby given that certain property located in Section 2, Township 46, South, Range 22, East, Lee County, Florida, and more particularly, described as follows:
The East 200 feet of Meeting Street located West of Polyclina Street and East of Lamson Street in Block Number 49, 51, James City, was recorded in Plat Book 3 at Page 35 in the Public Records of Lee County, Florida, has been closed and vacated by Resolution of the Board of County Commissioners of Lee County, Florida on the 15th day of December, 1992.
BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA
BY: Director, Department of Community Development
P. O. Box 231
Dec. 23 No. 19578

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: G. SHERKROD, D.C.



RESOLUTION 192-12-108

Closing or vacating the following described easements and/or parcels:

The East 200 feet of Meeting Street located West of Poinciana Street and East of Lemon Street in Block Number 439, St James City, as recorded in Plat Book 3 at Page 35 in the Public Records of Lee County, Florida.

OR2354 Pg 1399

WHEREAS, a Petition was heretofore filed with the Board of County Commissioners on the 18th day of November, 19 92, by St. James City Civic Assn & F.M. P. Gents and

WHEREAS, the said Petitioner prayed for the closing and vacating certain easements and/or parcels described above, and

WHEREAS, Proof of Publication of Notice of Hearing to be held on the 16th day of December, 19 92, was duly made and filed with the Board and is in conformity with the law and does give notice of the filing of said Petition praying for the vacation of certain property described above; and

WHEREAS, pursuant to said Notice of Hearing, a Public Hearing was held on the 16th day of December, 19 92, and it appearing that there was no objection to the closing of said easements and/or parcels as described above and said easements and/or parcels have no use or value to the general public;

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Lee County, Florida as follows:

1. That the property described hereinabove be and the same is hereby vacated and closed.
2. That the Notice of Vacating said property will be published hereafter, as required by law.
3. The foregoing proceeding, including the Petition to vacate, the Notice of Public Hearing and this Resolution, together with the Notice of Vacating of the aforesaid property be recorded in the Public Records of Lee County, Florida, as required by law.

THIS RESOLUTION passed by voice and entered into the minutes of the Board of County Commissioners of Lee County, Florida this 16th day of December, 19 92.

ATTEST:

Mary Remontout
Deputy Clerk
Clerk of the Circuit Court
of Lee County, Florida.

(0561N/A)

APPROVED AS TO FORM

Lawrence B. Brown
OFFICE OF COUNTY ATTORNEY

J. Manning
Chairman, Board of County
Commissioners of Lee County,
Florida.

5:00 (1)
12-16-92
92-18

42-18
12-16-92
5:00 P1

OR2354 PG1400

NEWS-PRESS

Published every morning — Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

Before the undersigned authority, personally appeared _____
Brenda Leighton

who on oath says that he/she is the _____
Legal Coordinator of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the
attached copy of advertisement, being a _____
notice of public hearing

in the matter of To Vacate 92-18
REF P113092-01

In the _____ Court
was published in said newspaper in the issues of _____
November 30, 1992
December 7, 1992

Affiant further says that the said News-Press is a paper of general circulation
daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at
Fort Myers, in said Lee County, Florida and that said newspaper has heretofore
been continuously published in said Lee County, Florida, each day, and has
been entered as a second class mail matter at the post office in Fort Myers in
said Lee County, Florida, for a period of one year next preceding the first
publication of the attached copy of the advertisement; and affiant further says
that he/she has neither paid nor promised any person, firm or corporation any
discount, rebates, commission or refund for the purpose of securing this
advertisement for publication in the said newspaper.

Brenda Leighton

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this
7th day of _____
December, 1992 by
Brenda Leighton

who is personally known to me _____

as identification, and who did ~~not~~ take an oath.
Notary Public Lydia C. Patterson
Print Name Lydia Patterson

My Commission Expires: 3-19-94

CLASS-16

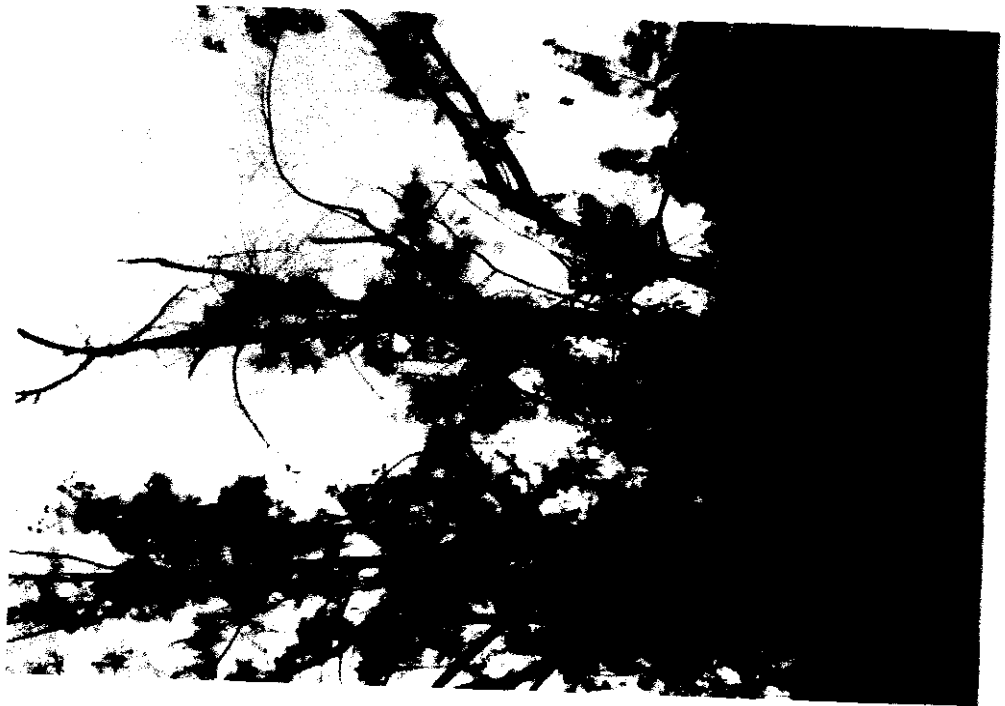
NOTICE OF PUBLIC HEARING ON PETITION TO VACATE 92-18 TO ALL PERSONS INTERESTED: You are hereby notified that a Petition has been filed with the Board of County Commissioners of Lee County, Florida by the property owner to vacate the following: The East 200 feet of Meeting Street located West of Palinciana Street and East of Lemon Street in Block Number 439, St. James City as recorded in Plat Book 3 at Page 33 in the Public Records of Lee County, Florida. Notice is further given that a Public Hearing will be held upon said Petition by the Board of County Commissioners of Lee County, Florida at the Lee County Courthouse, Fort Myers, Florida, at 5:00 o'clock on the 14th day of December, 1992. Board of County Commissioners of Lee County, Florida P.O. 30020 REF: P113092-01 REF: P120792-01 Nov 30, Dec 7 No: 12853

CHARLIE GREEN LEE CIV FL
93 JAN 14 AM 9:46

FILED

DEC 16 1992

CLERK CIRCUIT COURT
FROM Bill Sullivan
5:05 PM



)





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

November 16, 2004

Elizabeth A. Mahl
2421 Lemon Street
St. James City, FL 33956

Re: Vacation of Right-of-Way

Dear Mrs. Mahl:

LCEC does not object to the vacation of the Meeting Street road right-of-way or road easement between Date Street and Lemon Street, St. James City, Florida.

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

Sincerely,

Sandra McIver
Real Property Representative



8441 Littleton Road
North Fort Myers, FL 33903

November 22, 2004

Mrs. Elizabeth Mahl
2421 Lemon Street
St. James City, FL 33956

Dear Mrs. Mahl:

With reference to your letter dated November 9, 2004 requesting Sprint Telephone of Florida's concurrence with the vacation right-of-way easement along Meeting Street. Sprint has **no objection** to the vacation. There are no known Sprint facilities in the right of way. Should you have any questions about this matter please call me at 239-336-2017.

Sincerely,

A handwritten signature in cursive script that reads "Joe Sansone".

Joe Sansone
Outside Plant Engineer



**26930 Old US 41
Bonita Springs, FL 34135
Phone: 239-732-3805
FAX: 239-498-4483**

November 22, 2004

Matthew J. & Elizabeth Mahl,
2421 Lemon St
St James, City FL 33956

Re: Meeting St(Between Date St & Lemon St)
Vacate Right-of-Way and/or Utility Easement

Dear Matthew J & Elizabeth Mahl,

This letter will serve to inform you that Comcast has **no objection** to your proposed vacation of Right-of-way and/or Utility easement of the above referenced location.

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

Cordially,

A handwritten signature in cursive script that reads "Mark Cook".

Mark Cook
Design Coordinator



2004-00072

RECEIVED
JAN 07 2005

vac
ZONING

December 15, 2004

Mrs. Elizabeth Mahl
2421 Lemon Street
St. James City, Florida 33956

RE: Vacation of right-of-way at Meeting Street, between Date Street & Lemon Street

Dear Ms. Mahl:

Your request for the above listed vacation of right-of-way has been reviewed. At this time, Time Warner Cable no facilities in this area and no future build anticipated. Time Warner Cable has **NO CONFLICT** with this proposed vacation of utility easement.

If you have any further questions or concern, please do not hesitate to contact me at (239) 772-2218, Ext. 79247.

Sincerely,

TIME WARNER CABLE

Adnaldo Rodriguez
Technical Field Inspector

AR/sgs



)
Greater
Pine Island
Water Association, Inc.

Elizabeth Mahl
2421 Lemon Street
St. James City, Fl. 33956

Re: Response to Request (letter dated 11/9/04) to vacate the following road easement; Meeting Street, St. James City, Florida, between Date Street and Lemon Street.

Dear Ms. Mahl,

The Greater Pine Island Water Association, Inc. has ~~no objection~~ to the vacation of the above referenced road easement.

Cordially,

William J. Thacher
General Manager
(239) 283-1071
wthacher@pineislandwater.com



Florida Department of Transportation

**JEB BUSH
GOVERNOR**

605 Suwannee Street
Tallahassee, FL 32399-0450

**JOSÉ ABREU
SECRETARY**

June 24, 2004

Elizabeth Mahl
2421 Lemon Street
St. James City, FL 33956

RE: Meeting Street Road Easement

Dear Ms. Mahl:

In response to your letter we received on June 9, 2004 our staff conducted a review of your request to vacate the subject area as marked and generally described as: That portion of proposed right of way or road easement vacation at the following location: Meeting Street, St. James City, FL, between Date Street and Lemon Street.

Based on this review, we offer “No Objection” to this vacation request.

Sincerely,

A handwritten signature in black ink that reads "Tom Kasten".

Tom Kasten

Right of Way Agent

Property Management

cc: Scott Gilbertson, P.E. – Lee County
Peter J. Eckenrode – Lee County
Mike Rippe – FDOT
Tom Garcia - FDOT



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

November 5, 2004

Mrs. Elizabeth Mahl
2421 Lemon Street
St. James City, FL 33956

**RE: Request for Review and Recommendation
For vacation of a platted right-of-way,
Plat Book 3, pages 35-36**


Dear Mrs. Mahl:

Lee County Department of Transportation has reviewed the above request to abandon a portion of a platted right-of-way. Based upon the review, DOT does not object to the vacation of unconstructed Meeting Street.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

DEPARTMENT OF TRANSPORTATION


Margaret Lawson
Right-of-way Supervisor

MAL/mib

cc: Ruth Keith, Development Services
Clay Simmons, DOT Operations
DOT PTV File (Meeting Street)

S:\DOCUMENT\Petition To Vacate\2004\Meeting St.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



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Douglas R. St. Cerny
District Two

Monday, July 12, 2004

Ray Judah
District Three

Ms. Elizabeth Mahl
2421 Lemon Street
St. James City, FL 33956

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate a portion of Meeting Street located in Section 02,
Township 46 South, Range 22 East, and as shown in Plat Book 3, Pages
35-36, Lee County, Florida.

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Dear Ms. Mahl:

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
right of way provided the following:

1. Any drainage conveyance associated with the subject parcel will remain
intact.

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:\WATRES\SURFACE\DOCUMENT\vac436.doc

Matthew J. & Elizabeth Mahl

2481 Lemon Street
St. James City, FL 33956
Phone/Fax (239) 283 2107

January 10, 2005

Department of Community Development
Attn: Peter J. Eckenrode, Director Development Services
PO Box 398 1500 Monroe Street
Fort Myers, FL 33902

Dear Mr. Eckenrode:

RE: VAC2004-00072

The purpose of this letter is to address the July 12, 2004 letter written by Mr. Allen L. Davies, Jr. from the Natural Resources Division of Lee County Public Works Department.

Mr. Davies had expressed "no objection" to the vacation of the unconstructed Meeting St. and requested that "Any drainage conveyance associated with the subject parcel will remain intact". This right-of-way (Meeting St) is level with our bordering properties with existing ditch drainage along Date St.

Our intention is to leave this existing ditch drainage along Date St. All water is contained on this property by road ditches until it reaches the southwest corner, it then flows under Date St. by way of existing street culvert. Our two properties on either side of the right-of-way are bordered by streets, consequently we are the only property owners who would be affected by any drainage issues regarding this right-of-way.

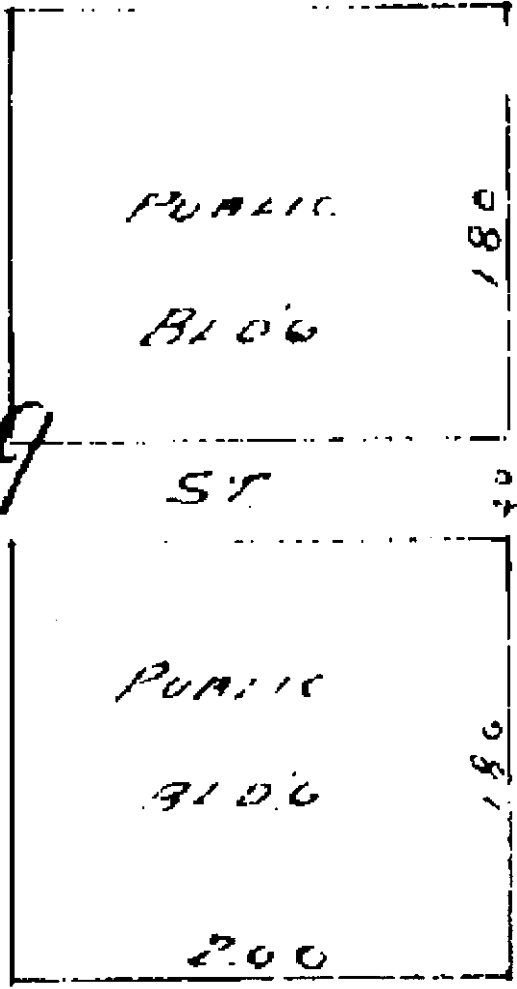
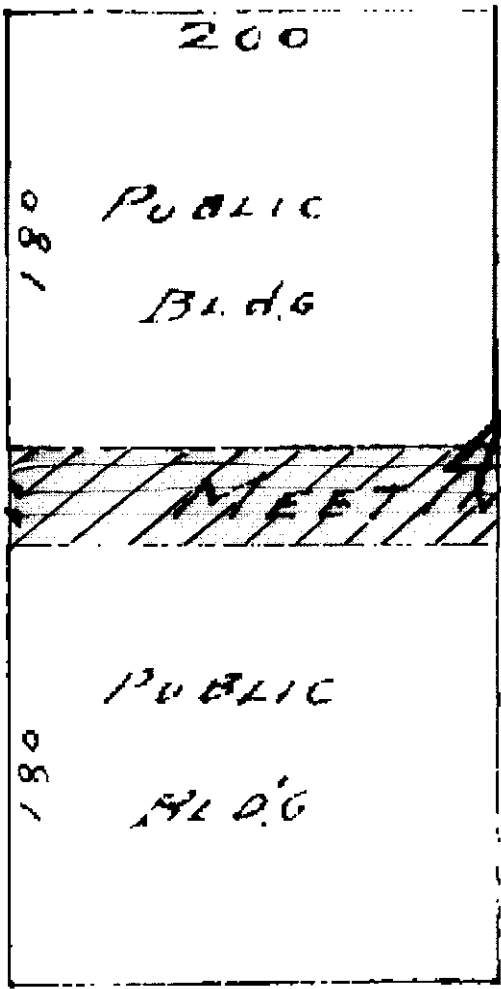
If you should have any questions, please do not hesitate to contact us at the address and phone number above. We would like to thank you in advance for your consideration and time in the matter.

Respectfully,


Elizabeth Mahl

4	10	11	12
---	----	----	----

13	14	15	16
			50



100			
25		17	50
26		18	
27		19	

100			
9		1	50
10		2	
11		3	

121

50							
1	2	3	4	5	6	7	8
							195
4	10	11	12	13	14	15	16
							30

A20

90							
25	17	18	19	20	21	22	23
26	18	19	20	21	22	23	24
27	19	20	21	22	23	24	25
28	20	21	22	23	24	25	26
29	21	22	23	24	25	26	27
30	22	23	24	25	26	27	28
31	23	24	25	26	27	28	29
32	24	25	26	27	28	29	30

A12

80

438

200							
PUBLIC				PUBLIC			
BLDG				HALL			
MEETING				ST			
PUBLIC				PUBLIC			
HALL				HALL			

A39

25	17	18	19	20	21	22	23
26	18	19	20	21	22	23	24
27	19	20	21	22	23	24	25
28	20	21	22	23	24	25	26
29	21	22	23	24	25	26	27
30	22	23	24	25	26	27	28
31	23	24	25	26	27	28	29
32	24	25	26	27	28	29	30

A40

80

68

100							
25	17	18	19	20	21	22	23
26	18	19	20	21	22	23	24
27	19	20	21	22	23	24	25
28	20	21	22	23	24	25	26
29	21	22	23	24	25	26	27
30	22	23	24	25	26	27	28
31	23	24	25	26	27	28	29
32	24	25	26	27	28	29	30

A67

25	17	18	19	20	21	22	23
26	18	19	20	21	22	23	24
27	19	20	21	22	23	24	25
28	20	21	22	23	24	25	26
29	21	22	23	24	25	26	27
30	22	23	24	25	26	27	28
31	23	24	25	26	27	28	29
32	24	25	26	27	28	29	30

A66

80

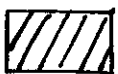
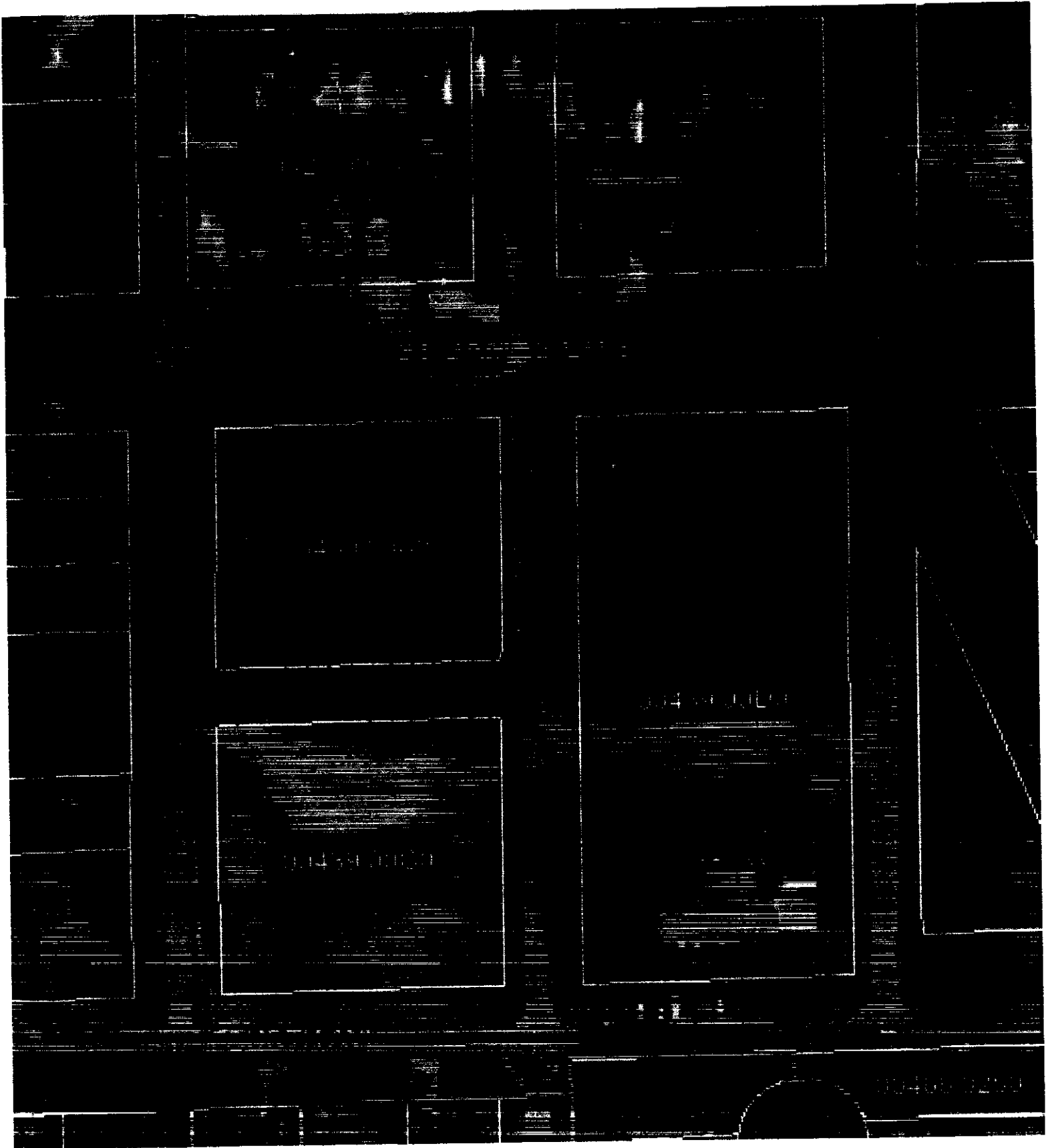
175

25	17	18	19	20	21	22	23
26	18	19	20	21	22	23	24
27	19	20	21	22	23	24	25
28	20	21	22	23	24	25	26

A76

25	17	18	19	20	21	22	23
26	18	19	20	21	22	23	24
27	19	20	21	22	23	24	25
28	20	21	22	23	24	25	26

A77



Area to be vacated

