

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate 12-foot wide Public Utility Easements located at 3419 Lee Blvd., 3400, 3402, 3404, 3406, 3410, 3412, 3414, 3416 and 3418 4th St. W., Lehigh Acres, Florida, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 12th day of April, 2005. (Case No. VAC2005-00004)

WHY ACTION IS NECESSARY: To construct a commercial plaza on the combined twenty (20) lots. **The lots are now zoned for a Commercial Planned Development (CPD) and the vacation of these easements will not alter existing utility conditions and the easements are 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

C4D

3. MEETING DATE:

03-15-2005

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]* 3/16/05

Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2005-00004 as submitted by Garlick, Stetler & Peeples, L.L.P. and Richard J. Swift, Jr. as the agent on behalf of Lee West, L.L.C., Barry and Wendy Gionfriddo, and John and Elaine Eberhard.

LOCATION: The site is located at **3419 Lee Blvd., 3400, 3402, 3404, 3406, 3410, 3412, 3414, 3416, and 3418 4th St. W., Lehigh Acres, Florida 33971** and its strap numbers are 26-44-26-07-00032.0010, .0110, .0120, .0130, .0140, .0160, .0170, .0180, .0190, and .0200 respectively. Petition No. VAC2005-00004 proposes to vacate 12-foot wide Public Utility Easements centered on the common line between Lots 1 thru 20, Block 32, Unit 7, Section 26, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the six feet utility easement around the perimeter of the site.

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

There are no objections to this Petition to Vacate. Staff recommends the scheduling of the Public Hearing.

Attached to this Blue sheet is the Petition to Vacate, Resolution to set Public Hearing, Notice of Public Hearing and Exhibits.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services, Risk			G County Manager
<i>Mary (4/3)</i>	N/A	N/A	N/A	<i>[Signature]</i>	OA <i>[Signature]</i> 3/3/05	OM <i>[Signature]</i> 3/3/05	Risk <i>[Signature]</i> 3/3/05	GC <i>[Signature]</i> 3/3/05

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *3/12/05*
Time: *5:00*
Forwarded To:
[Signature]
3/3/05

RECEIVED BY
COUNTY ADMIN:
[Signature]
3/3/05
COUNTY ADMIN
FORWARDED TO:
[Signature]
3/3/05

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2005-00004**

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. VAC2005-00004 is set for the
_____ in the Lee County Commission Chambers.
2. A Notice of Public Hearing on this Petition to Vacate will be published in
accordance with the Lee County Administrative Code.

THIS RESOLUTION passed by voice and entered into the minutes of the Board of
County Commissioners of Lee County, Florida this _____.

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk Signature

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00004

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 1 thru 20, Block 32, Unit 7, Section 26, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County, Florida;

LESS and EXCEPT the six feet utility easement around the perimeter of the site.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00004

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 12th day of April 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.

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00004

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 1 thru 20, Block 32, Unit 7, Section 26, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County, Florida;

LESS and EXCEPT the six feet utility easement around the perimeter of the site.



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00004

Lee West, LLC, Barry and Wendy Gionfriddo, and John and
Petitioner(s), Elaine Eberhard

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, 9200 Bonita Beach Road, Suite 215, Bonita Springs Florida 34135
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:

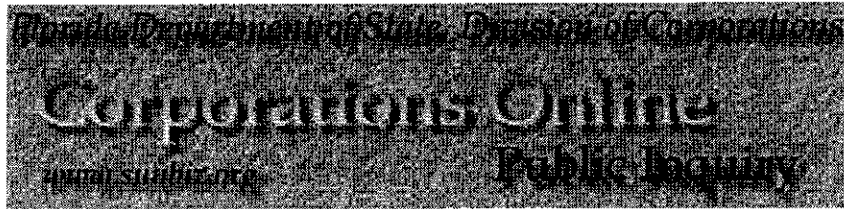
Petitioner Signature

Printed Name

Petitioner Signature
per letter of authorization

KENNETH P. SAUNDRY, JR.

Printed Name



Florida Limited Liability

LEE WEST, LLC

PRINCIPAL ADDRESS

9220 BONITA BEACH ROAD, SUITE 215
 BONITA SPRINGS FL 34135

MAILING ADDRESS

9220 BONITA BEACH ROAD, SUITE 215
 BONITA SPRINGS FL 34135

Document Number
 L04000069101

FEI Number
 NONE

Date Filed
 09/20/2004

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Total Contribution
 0.00

Registered Agent

Name & Address
PEEPLES, C. PERRY 5551 RIDGEWOOD DRIVE, SUITE 101 C/O GARLICK, STETLER & PEEPLES, LLP NAPLES FL 34108

Manager/Member Detail

Name & Address	Title
SAUNDRY, KENNETH P JR. 9220 BONITA BEACH ROAD, SUITE 215 BONITA SPRINGS FL 34135	MGRM

Annual Reports

--

NAME AFFIDAVIT

STATE OF FLORIDA
COUNTY OF Lee

Before me, the undersigned authority, appeared Wendy Gionfriddo formerly known as Wendy Chambers, after first being sworn on her oath, deposes and says:

1. Affiant, was formerly Wendy Chambers until she married Barry Gionfriddo.
2. After marrying Barry Gionfriddo, Affiant changed her name to Wendy Gionfriddo.
3. Thus Wendy Chambers and Wendy Gionfriddo are one and the same person.

Wendy Gionfriddo
Wendy Gionfriddo f/k/a Wendy Chambers

Sworn to and subscribed before me this 17 day of February, 2005, by Wendy Gionfriddo f/k/a Wendy Chambers, who is personally known to me or produced Wendy Gionfriddo as identification.

Michele A Radcliff
Notary Public

(Seal)

My Commission Expires: 10/29/08



MICHELE A. RADCLIFF
MY COMMISSION # DD 363107
EXPIRES: October 29, 2008
Bonded Third Budget Notary Services

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 26-44-26-00032 and legally described in exhibit A attached hereto. Lot 17

The property described herein is the subject of an application for zoning or development. We hereby designate Kenneth P. Saundry, Jr. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Lee West LLC, a Florida limited liability company

Kenneth P. Saundry, Jr.
Owner*(signature)

Owner*(signature)

Kenneth P. Saundry, Jr., Managing Member
Printed Name

Printed Name

Owner*(signature)

Owner*(signature)

Printed Name

Printed Name

Owner*(signature)

Owner*(signature)

Printed Name

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 200__, by _____, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

(SEAL)

Notary Public

(Name typed, printed or stamped)

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as _____ 24-44-26-07-00032 _____ and legally described in exhibit A attached hereto.

lots 1-16 & 18-20

The property described herein is the subject of an application for zoning or development. We hereby designate Kenneth P Saundry Jr as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

[Signature]
Owner (signature)

BARRY GIONFRIDDO
Printed Name

Owner (signature)

Printed Name

[Signature]
Owner (signature)

Wendy Gionfriddo
Printed Name

Owner (signature)

Printed Name

Owner (signature)

Printed Name

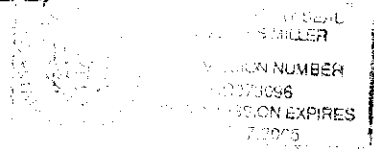
Owner (signature)

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 19th day of APRIL, 2004, by BARRY + Wendy Gionfriddo who is personally known to me or who has produced as identification and who did (did not) take an oath.

(SEAL)



[Signature]
Notary Public
Kimberly S. Miller
(Name typed, printed or stamped)

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 24-44-26-07-00032 and legally described in exhibit A attached hereto.

lots 1-16 & 18-20

The property described herein is the subject of an application for zoning or development. We hereby designate Kenneth P Saundry Jr as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

[Signature]
Owner (signature)

John E. Eberhard
Printed Name

[Signature]
Owner (signature)

Elaine Eberhard
Printed Name

Owner (signature)

Printed Name

Owner (signature)

Printed Name

Owner (signature)

Printed Name

Owner (signature)

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 13 day of April, 2004, by John E. Eberhard who is personally known to me or who has produced CID # 193002287 as identification and who did (did not) take an oath.

(SEAL)

[Signature]
Notary Public

Angela D. Coy
(Name typed, printed or stamped)

EXHIBIT "A"
Petition to Vacate
VAC2005-00004

Legal Description of the Public Utility Easement to be Vacated:

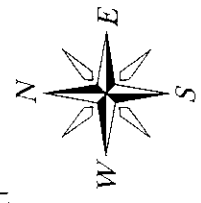
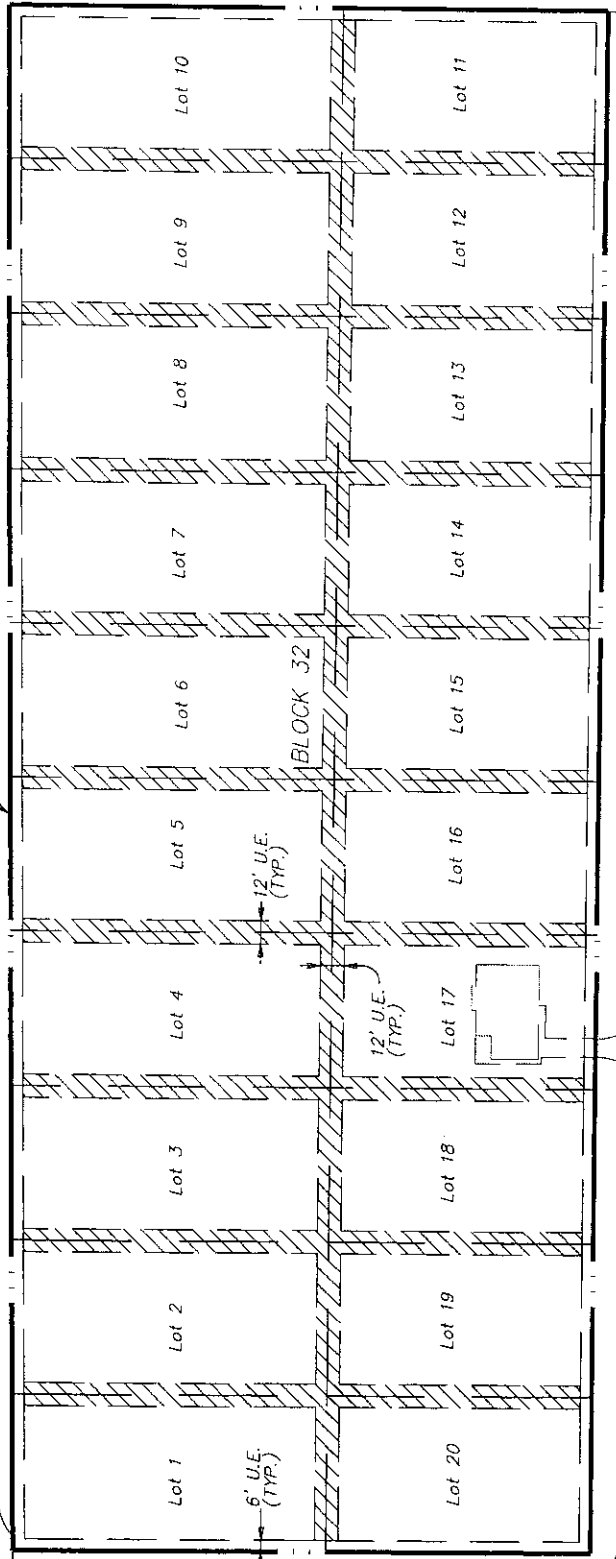
The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 1 thru 20, Block 32, Unit 7, Section 26, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County, Florida;

LESS and EXCEPT the six feet utility easement around the perimeter of the site.

Existing Canal

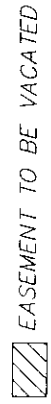
Lee Boulevard

PROJECT BOUNDARY



SCALE: 1" = 100'

LEGEND



4th Street W.

Exhibit "B"
 Petition to Vacate
 VAC2005-00004
 [Page One of One]

PREPARED FOR:
Saundry Associates, Inc.
 9220 Bonito Beach Road, Suite 215
 Bonita Springs, Florida 34135



**Vanasse
 Daylor**

PROJECT NO:
 80707
 JOB NO:
 80707-EX01
 DRAWN BY:
 SWP

PREPARED FOR:
Saundry Associates, Inc.
 9220 Bonito Beach Road, Suite 215
 Bonita Springs, Florida 34135

PROJECT TITLE:
**Lee West Center
 Easement Vacation Exhibit**

SCALE:
 1"=100'
 DATE:
 10-12-04
 Exhibit
 B

Exhibit "C"
Petition to Vacate
VAC2005-00004
 [Page One of Five]



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0010	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0010	2666/1987	
Physical Address	Mailing Address	
GIONFRIDDO BARRY 1/2 INT + T/C 3419 LEE BLVD LEHIGH ACRES FL 33971	GIONFRIDDO BARRY 1/2 INT + T/C 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK.32 PB 15 PG 75 LOT 1 THRU 10		
Outstanding Balance as of 12/28/2004		\$0.00



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0110	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0110	2680/3568	
Physical Address	Mailing Address	
GIONFRIDDO BARRY 1/2 INT + EBERHARD J S + ELAINE G 1/2INT 3400 4TH ST W LEHIGH ACRES FL 33971	GIONFRIDDO BARRY 1/2 INT + EBERHARD J S + ELAINE G 1/2INT 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK.32 PB 15 PG 75 LOT 11		
Outstanding Balance as of 12/28/2004		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00004
 [Page Two of Five]



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0120	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0120	3210/4246	
Physical Address	Mailing Address	
GIONFRIDDO BARRY + J/T CHAMBERS WENDY S + EBERHARD ELAINE G + EBERHAND JOHN S 3402 4TH ST W LEHIGH ACRES FL 33971	GIONFRIDDO BARRY + J/T CHAMBERS WENDY S + EBERHARD ELAINE G + EBERHAND JOHN S 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK 32 PB 15 PG 75 LOT 12		
Outstanding Balance as of 12/28/2004		\$0.00



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0130	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0130	3162/3651	
Physical Address	Mailing Address	
GIONFRIDDO BARRY 1/2 INT T/C EBERHARD JOHN S + ELAINE 1/2 I 3404 4TH ST W LEHIGH ACRES FL 33971	GIONFRIDDO BARRY 1/2 INT T/C EBERHARD JOHN S + ELAINE 1/2 I 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK 32 PB 15 PG 75 LOT 13		
Outstanding Balance as of 12/28/2004		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00004
 [Page Three of Five]



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0140	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0140	3296/3083	
Physical Address	Mailing Address	
EBERHARD JOHN + ELAINE 50% + GIONFRIDDO BARRY + WENDY 50% 3406 4TH ST W LEHIGH ACRES FL 33971	EBERHARD JOHN + ELAINE 50% + GIONFRIDDO BARRY + WENDY 50% 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK.32 PB 15 PG 75 LOTS 14 + 15		
Outstanding Balance as of 12/28/2004		\$0.00



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0160	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0160	2780/4161	
Physical Address	Mailing Address	
EBERHARD JOHN S + ELAINE G + GIONFRIDDO BARRY 1/2INT 3410 4TH ST W LEHIGH ACRES FL 33971	EBERHARD JOHN S + ELAINE G + GIONFRIDDO BARRY 1/2INT 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK 32 PB 15 PG 75 LOT 16		
Outstanding Balance as of 12/28/2004		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00004
 [Page Four of Five]



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0170	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0170	4472 /3427	
Physical Address	Mailing Address	
LEE WEST LLC 3412 4TH ST W LEHIGH ACRES FL 33971	LEE WEST LLC 9200 BONITA BEACH RD STE 215 BONITA SPRINGS FL 34135 USA	
Legal Description	LEHIGH ACRES UNIT 7 BLK 32 PB 15 PG 75 LOT 17	
Outstanding Balance as of 12/28/2004		\$0.00



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0180	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0180	2682/3025	
Physical Address	Mailing Address	
GIONFRIDDO BARRY 1/2 INT + EBERHARD JOHN S + ELAINE G 1/2 3414 4TH ST W LEHIGH ACRES FL 33971	GIONFRIDDO BARRY 1/2 INT + EBERHARD JOHN S + ELAINE G 1/2 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description	LEHIGH ACRES UNIT 7 BLK 32 PB 15 PG 75 LOT 18	
Outstanding Balance as of 12/28/2004		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00004
 [Page Five of Five]



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0190	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0190	2682/3025	
Physical Address	Mailing Address	
GIONFRIDDO BARRY 1/2 INT + EBERHARD JOHN S + ELAINE G 1/2 3416 4TH ST W LEHIGH ACRES FL 33971	GIONFRIDDO BARRY 1/2 INT + EBERHARD JOHN S + ELAINE G 1/2 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK 32 PB 15 PG 75 LOT 19		
Outstanding Balance as of 12/28/2004		\$0.00



Real Property Information

Account	Tax Year	Status
26-44-26-07-00032.0200	2004	PAID
Original Account	Book/Page	
26-44-26-07-00032.0200	2717/638	
Physical Address	Mailing Address	
EBERHARD J S + ELAINE G 1/2 GIONFRIDDO BARRY 1/2 INT 3418 4TH ST W LEHIGH ACRES FL 33971	EBERHARD J S + ELAINE G 1/2 GIONFRIDDO BARRY 1/2 INT 2512 QUEEN DR LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK 32 PB 15 PG 75 LOT 20		
Outstanding Balance as of 12/28/2004		\$0.00

1050R
551 1/2 D
362 10

PAGE ONE OF TWO PAGES

PARCEL # 26-44-26-07-00032.0010

3893958

WARRANTY DEED

FTC-32033-PR

THIS WARRANTY DEED, delivered this 8TH day of JANUARY, A.D. 1996, by LEHIGH ACRES DEVELOPMENT CORPORATION, NOW KNOWN AS LEHIGH CORPORATION A FLORIDA Corporation authorized to do business in the State of Florida, and having a place of business in the State of FLORIDA, hereafter called the "Grantor", to BARRY GIONFRIDDO, A SINGLE MAN, AS TO A 1/2 INTEREST AND JOHN S. EBERHARD AND ELAINE G. EBERHARD, HUSBAND AND WIFE AS TO A 1/2 INTEREST AS TENANTS IN COMMON. whose post office address is: 4304 LEE BLVD., LEHIGH ACRES, FL 33971 herein called the "Grantee":

WITNESSETH: That said Grantor, for and in consideration of the sum of Ten 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 the Grantee's heirs and assigns forever, the following described real property, situate, lying and being in LEE COUNTY, FLORIDA, to-wit:

LOTS 1 THROUGH 10, INCLUSIVE, BLOCK 32, UNIT 7, LEHIGH ACRES, SECTION 26, TOWNSHIP 44 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 15, PAGE 75, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Said Grantor does hereby fully warrant the title to said property, and will defend the same against the lawful claims of all persons whomsoever, except taxes accruing subsequent to December 31, 1995, and subject to easements, reservations, restrictions, conditions and limitations of record in the Public Records of LEE, County, Florida.

Documentary Tax Pd. \$ 551.00
Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By: *[Signature]* Deputy Clerk

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: G. SHERWOOD, S.C.

DR2666 PG1987

OR2666 Pg 1988

PAGE TWO OF TWO PAGES

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed by its proper officers thereunto duly authorized the day and year first above written.

LEHIGH CORPORATION

BY *Janet Allison*
JANET ALLISON, VICE-PRESIDENT

Patricia A Regas
Witness

Norma Allen
Witness

PATRICIA A. REGAS
PRINTED NAME OF WITNESS

NORMA ALLEN
PRINTED NAME OF WITNESS

STATE OF FLORIDA COUNTY OF LEE

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments personally appeared JANET ALLISON, AS VICE PRESIDENT for LEHIGH ACRES DEVELOPMENT CORPORATION NOW KNOWN AS LEHIGH CORPORATION, A FLORIDA Corporation to me known to be the persons described in and who executed the foregoing Warranty Deed and they did take an oath and acknowledged then and there before me that they executed the same as such officers for the purposes therein expressed; and that they affixed thereto the official seal of said corporation; and that the said agreement is the act and deed of said corporation and did produce acceptable identification being in the form of *personally known to me* along with a current acceptable corporate resolution.

WITNESS my hand and official seal this *8th* day of JANUARY, A.D., 1996.

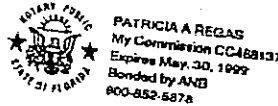
(SEAL)

Patricia A Regas
NOTARY PUBLIC

PATRICIA A. REGAS
PRINTED NAME OF NOTARY PUBLIC
My Commission Expires:

CHARLIE GREEN LEE CITY FL
96 JAN 10 AM 8:56

This instrument prepared by: PATRICIA A. REGAS
FLEETWOOD TITLE CORPORATION
904 LEE BVLD., SUITE 106
LEHIGH ACRES, FL 33936
X-25



FOR OFFICIAL USE ONLY:
PARCEL # 26-44-26-07-00032.0110

REC \$ 10.50
RPTT \$ 37.10
TOTAL \$ 47.60

3920295

PAGE 1 OF 2

THIS WARRANTY DEED

FTC-32230-LCG

Documentary Tax Pd \$ 37.10
Title Tax Pd.
\$ CHARLIE GREEN, CLERK LEE COUNTY
M. JOHNSON Deputy Clerk

OR2680 PG3568

Made the 21 day of FEB, A.D. 1996
by JOHN W. EPP
1312 R PITTSTON AVE. SCRANTON, PA. 18505
acquiring title through instrument as recorded in O. R. Book
2595, Page 2983 in the public records of LEE County, Florida.
hereinafter called the grantor,
to HARRY GIONFRIDDO, A SINGLE MAN, AS TO A 1/2 INTEREST AND
JOHN S. EBERHARD AND ELAINE G. EBERHARD, HUSBAND AND WIFE AS TO A
1/2 INTEREST AS TENANTS IN COMMON.
whose post office address is:
4304 LEE BLVD.,
LEHIGH ACRES, FL 33971
herein called the "Grantee":

(wherever used herein the terms "grantor" and "grantee" include
all the parties to this instrument and the heirs, legal
representatives and assigns of individuals, and the successors
and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the
sum of \$10.00 and other valuable consideration, receipt whereof
is hereby acknowledged, conveys and confirms unto the grantee,
all that certain land situate in LEE County, Florida, viz:

LOT 11, BLOCK 32, UNIT 7, SECTION 26, 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 PLAT BOOK 15, PAGE 75, 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.

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.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: MARY JO JOHNSON, D.C.

96 FEB 29 AM 9:07

DR2680 PG3569

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 right 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 taxes accruing subsequent to December 31, 1995. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE County, Florida.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Songia Shevlin
WITNESS

John W. Epp LS
JOHN W. EPP

SONGIA SHEVLIN
PRINTED NAME OF WITNESS

Maile M. Cron
WITNESS (TWO SEPARATE WITNESSES
REQUIRED)

1312 R PITTSTON AVE.
SCRANTON, PA. 18505

Maile M. Cron
PRINTED NAME OF WITNESS

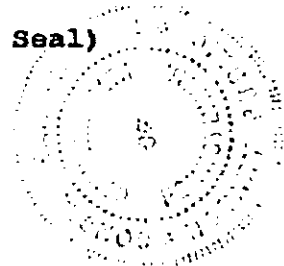
STATE OF PENNSYLVANIA

COUNTY OF LACKAWANNA

The foregoing instrument was acknowledged before me this 21 day of FEB, 1996 by JOHN W. EPP, who is/are personally known to me and did produce acceptable identification being in the form of PA DR. LIC # 19537827 and who did understand the body of this instrument and did sign this instrument of their own free act and deed.

Songia Shevlin
Notary Public
My Commission Expires:

(Notary Seal)



NOTARIAL SEAL
SONGIA JEAN SHEVLIN, Notary Public
Scranton, Lackawanna County
My Commission Expires July 7, 1997

PRINTED NAME OF NOTARY PUBLIC

This Instrument prepared by: LISA GIMBENZ
FLBETWOOD TITLE CORPORATION
904 LEE BLVD., SUITE 106,
LEHIGH ACRES, FL 33936

THIS DOCUMENT PREPARED AND RECORDED BY:

WENDY CHAMBERS
4304 LEE BLVD.
LEHIGH ACRES, FL 33971

INSTR # 4795307

OR BK 03210 PG 4246

RECORDED 01/18/00 11:34 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD (F.S. 201.02) 0.70
DEPUTY CLERK M Robinson

RECORDING \$ 6.00
RPTT \$.70

TOTAL \$ 6.70

QUITCLAIM DEED

A298-10
R298-04

THIS QUITCLAIM DEED, Executed this 12th day of JANUARY, 2000

by first party, WENDY S. CHAMBERS, A SINGLE PERSON

whose post office address is 4304 LEE BLVD.
LEHIGH ACRES, FL 33971

to second party, BARRY GIONFRIDDO, A SINGLE PERSON, WENDY S. CHAMBERS, A SINGLE PERSON, ELAINE G. EBERHARD AND JOHN S. EBERHARD, HUSBAND AND WIFE, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP.
whose post office address is 4304 LEE BLVD.

LEHIGH ACRES, FL 33971
WITNESSETH, That the said first party, for good consideration and for the sum of Dollars (\$ 10.00) 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 _____, State of _____ to wit:

LOT 12, BLOCK 32, UNIT 7, SECTION 26, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEHIGH ACRES, ACCORDING TO THE MAP OR PLAN THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, RECORDED IN PLAT BOOK 15, PAGE 75, 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 the day and year first above written. Signed, sealed and delivered in presence of:

Richard M Thomas
Signature of Witness
Richard M Thomas
Print name of Witness
Jeanette Howard
Signature of Witness
Jeanette Howard
Print name of Witness

Wendy S Chambers
Signature of First Party
Wendy S. Chambers
Print name of First Party

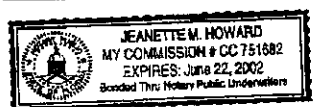
Signature of First Party

Print name of First Party

State of Florida)
County of LEE)
On JANUARY 12, 2000 before me, JEANETTE M. HOWARD

appeared WENDY S. CHAMBERS
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.
Jeanette Howard
Signature of Notary



Affiant Known Produced ID
Type of ID _____
(Seal)
(Revised 1/7/95)

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
LEE COUNTY, FLORIDA CIVIL ACTION**

**BARRY GIONFRIDDO,
JOHN S. EBERHARD
and ELAINE EBERHARD,**

Plaintiffs,

v.

CASE NO. 99-4739 CA JBR

**ELMER THOMAS WALTON
a/k/a E.T. WALTON**

Defendant.

FINAL JUDGMENT QUIETING TITLE IN PLAINTIFF

IT IS ORDERED AND ADJUDGED that:

1. The title of the Plaintiffs, **BARRY GIONFRIDDO**, $\frac{1}{2}$ interest, and **JOHN S. EBERHARD** and **ELAINE EBERHARD**, husband and wife, $\frac{1}{2}$ interest, as tenants in common, to the following described real property in Lee County, Florida:

LOT 13, BLK 32, UNIT 7, LEHIGH ACRES,
PB 15 PG 75, OR 0123 PG 0656

is a good title against the claims or purported claims of the Defendant, **ELMER THOMAS WALTON a/k/a E.T. WALTON**, and if dead, his unknown spouses, heirs, devisees, grantees and creditors and all other parties claiming by, through, under or against them; all other parties claiming to have any right, title or interest in the property herein described and of all persons claiming by, through or under the named Defendant

since the filing of the Notice of Lis Pendens; said claims or purported claims are hereby canceled, and the title to the property is forever quieted in the Plaintiffs.

DONE AND ORDERED in Chambers at Fort Myers, Lee County , Florida, this 26 day of July, 1999.

S/ JAY B. ROSMAN

CIRCUIT JUDGE

Service of the foregoing Order, pursuant to Rule 1.080, has been made this 26 day of July, 1999, upon:

Maria L. Drumm
Attorney for Plaintiff
6201 Presidential Ct.
Suite 105
Fort Myers, FL 33919

By: [Signature]
Judicial Assistant

10.50
231.00
2.00

243.50

INSTR # 4950060
OR BK 03296 PG 3083

This Instrument Prepared by & return
to:
Name: L. S. Coyne, an employee of
Fleetwood Title Corporation
Address: 904 Lee Blvd., Suite 106
Lehigh Acres, FL 33936
41859
Parcel 26-44-26-07-00032.0140
I.D. #:

RECORDED 08/28/00 03:15 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD (F.S. 201.02) 231.00
DEPUTY CLERK L Wheat

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 11th day of August, A.D. 2000,
by **JACK SLATER JORDAN** and **PATRICIA HERMINA JORDAN**, husband and wife, hereinafter
called the grantors, to John Eberhard and Elaine Eberhard, husband and wife as to an undivided 50%
interest and Barry Gionfriddo and Wendy Gionfriddo, husband and wife, as to an undivided 50%
interest whose post office address is 4304 Lee Blvd, Lehigh Acres, Fl 33971, hereinafter called the
grantee:

*(Wherever used herein the terms "grantors" 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 grantors, for and in consideration of the sum of \$10.00 and other valuable
consideration, receipt whereof is hereby acknowledged, do 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 14 and 15, Block 32, Unit 7, Section 26, 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 Plat Book 15, Page 75, Public Records of
Lee County, Florida.

**SUBJECT TO TAXES FOR THE YEAR 2000 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 grantors hereby covenant with said grantee that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land, and hereby fully warrant 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, 1999.

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

Signed, sealed and delivered in the presence of:

Kathy Nolan
Witness Signature

Kathy Nolan
Printed Name

Julie Dugan
Witness Signature

Julie Dugan
Printed Name

Jack Slater Jordan L.S.

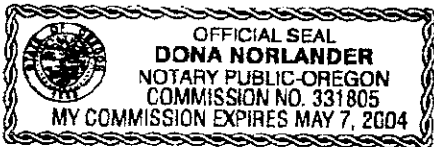
Jack Slater Jordan
Address:
17542 Kirkwood Road, Gladstone, OR
97027

Patricia Hermina Jordan L.S.

Patricia Hermina Jordan
Address:
17542 Kirkwood Road, Gladstone, OR
97027

State of Oregon
County of Clackamas

The foregoing instrument was acknowledged before me this 11th day of August, 2000, by Jack Slater Jordan and Patricia Hermina Jordan, who are known to me or who have produced Drivers license as identification and who did ~~(did not)~~ take an oath.



Dona Norlander
Signature of Acknowledger
My commission expires 5/7/04

FOR OFFICIAL USE ONLY:
PARCEL # 26-44-26-07-00032.0160

This Instrument prepared and recorded by:
PATRICIA A. REGAS
FLEETWOOD TITLE CORPORATION
904 LEE BLVD., SUITE 106,
LEHIGH ACRES, FL 33936

4093445

REC \$ 10.50
RPTT \$ 38.50
TOTAL \$ 49.00

PAGE 1 OF 2

THIS WARRANTY DEED

FTC-34399-PR

Made the 8TH day of JANUARY, A.D. 1997
by ANTHONY L. CATICCHIO,
1717 CHELMSFORD RD., MAYFIELD HTS, OH 44124
acquiring title through instrument as recorded in O. R. Book 2569,
Page 2902 in the public records of LEE County, Florida.
hereinafter called the grantor,
to JOHN S. EBERHARD AND ELAINE G. EBERHAND, HUSBAND AND WIFE, AS
TO AN UNDIVIDED 1/2 INTEREST AND BARRY GIONFRIDDO, AN UNMARRIED
MAN, AS TO AN UNDIVIDED 1/2 INTEREST
whose post office address is: 4304 LEE BLVD.
LEHIGH ACRES, FL 33971

Documentary Tax \$ 38.50
Intangible Tax \$ 10.50
Total Tax \$ 49.00
LEE COUNTY
Copy Cost

herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include
all the parties to this instrument and the heirs, legal
representatives and assigns of individuals, and the successors
and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the
sum of \$10.00 and other valuable consideration, receipt whereof
is hereby acknowledged, conveys and confirms unto the grantee,
all that certain land situate in LEE County, Florida, viz:

LOT 16, BLOCK 32, UNIT 7, SECTION 26, 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 PLAT
BOOK 15, PAGE 75, 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.

RECORD VERIFIED - CIRCULAR ACRES, CLERK
By J. G. G. S. G.

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 the grantor is lawfully seized of said land in fee simple; that the grantor has good right 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 taxes accruing subsequent to December 31, 1996. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE County, Florida.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Mary Ann R. Lewan
WITNESS

Anthony L. Caticchio LS
ANTHONY L. CATICCHIO

MARY ANN R. LEWAN
PRINTED NAME OF WITNESS

Edward J. Kelley
WITNESS (TWO SEPARATE WITNESSES REQUIRED)

1717 CHELMSFORD RD.
MAYFIELD HTS, OH 44124

Edward J. Kelley
PRINTED NAME OF WITNESS

STATE OF Ohio

COUNTY OF Cuyahoga

The foregoing instrument was acknowledged before me this 30th day of December, 1996, by ANTHONY L. CATICCHIO who ~~is~~ are personally known to me and did produce acceptable identification being in the form of Business License and who did understand the body of this instrument and did sign this instrument of their own free act and deed.

Clarice J. White

(Notary Seal)

Notary Public
My Commission Expires:

CLARICE J. WHITE, Notary Public
STATE OF OHIO
My Commission Expires May 15, 1999

PRINTED NAME OF NOTARY PUBLIC

97 JAN 10 PM 4:23
MARLE GREEN LIT OFF



INSTR # 6496243
 DR BK 04472 Pg 3427; (1pg)
 RECORDED 10/21/2004 04:24:31 PM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY, FLORIDA
 RECORDING FEE 10.00
 DEED DOC 525.00
 DEPUTY CLERK L Anbrosio

C. Perry Peeples, Esq.
 Garlick, Stettler & Peeples, LLP
 5551 Ridgewood Drive, Suite 101
 Naples, FL 34108

Parcel ID Number: 26 44 26 07 00032.0170

Warranty Deed

This Indenture, Made this October day of October, 2004 A.D., Between
Kenneth P. Saundry, Jr.

of the County of Lee, State of Florida, grantor, and
Lee West, LLC, a Florida limited liability company

whose address is: **9200 Bonita Beach Road, Ste 215, Bonita Springs, FL 34135**

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

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

-----**TEN DOLLARS (\$10)**----- DOLLARS,
 and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
 granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
 lying and being in the County of LEE State of Florida to wit:
**Lot 17, Block 32, Unit 7, LEHIGH ACRES, SECTION 26, TOWNSHIP 44
 SOUTH, RANGE 26 EAST, a subdivision according to the plat thereof, as
 recorded in Plat Book 15 Page 75, Public Records of Lee County,
 Florida.**

This property is not the homestead of Kenneth P. Saundry, Jr. nor is
 it adjacent to homestead property of him nor of any member of his
 family. The grantor resides in Naples, Florida

SUBJECT TO zoning, building code and other use restrictions imposed
 by governmental authority, outstanding oil, gas, and mineral
 interests of record, if any, and restrictions and easements common to
 the subdivision. Real estate taxes accruing subsequent to December
 31, 2003.

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

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

Signed, sealed and delivered in our presence:

C. Perry Peeples
 Printed Name: C. Perry Peeples
 Witness

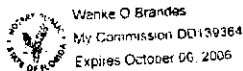
Kenneth P. Saundry, Jr. (Seal)
 Kenneth P. Saundry, Jr.
 P.O. Address: 9200 Bonita Beach Road, Suite 215
 Bonita Springs, FL 34135

Wenke O Brandes
 Printed Name: Wenke O Brandes
 Witness

STATE OF Florida
 COUNTY OF Lee

The foregoing instrument was acknowledged before me this 20 day of October, 2004 by
Kenneth P. Saundry, Jr.

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



Wenke O Brandes
 Printed Name:
 Notary Public
 My Commission Expires:

FOR OFFICIAL USE ONLY:
PARCEL # 26-44-26-07-00032.0180
PARCEL # 26-44-26-07-00032-0190

REC \$ 10.50
RPTT \$ 70.00
TOTAL \$ 80.50

3923689

PAGE 1 OF 2

Documentary Tax Pd. \$ 70.00
Intangible Tax Pd.
\$ 10.50
CLERK, LEE COUNTY
Deputy Clerk

THIS WARRANTY DEED

FTC-32231-LCG

Made the 21 day of February, A.D. 1996
by CUTHBERT K. ABERDEEN AND VIRGINIA E. ABERDEEN, HUSBAND AND WIFE
1315 PRIMROSE CT., LAKE LAND, FL. 33811

acquiring title through instrument as recorded in O. R. Book
1853, Page 1597 in the public records of LEE County, Florida.
hereinafter called the grantor,

to BARRY GIONFRIDDO, A SINGLE MAN, AS TO A 1/2 INTEREST AND JOHN
S. EBERHARD AND ELAINE G. EBERHARD, HUSBAND AND WIFE AS TO A 1/2
INTEREST AS TENANTS IN COMMON.

whose post office address is:
4304 LEE BLVD.

LEHIGH ACRES, 33971

herein called the grantee:

(wherever used herein the terms "grantor" and "grantee" include
all the parties to this instrument and the heirs, legal
representatives and assigns of individuals, and the successors
and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the
sum of \$10.00 and other valuable consideration, receipt whereof
is hereby acknowledged, conveys and confirms unto the grantee,
all that certain land situate in LEE County, Florida, viz:

LOT 18, BLOCK 32, UNIT 7, SECTION 26, 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 PLAT
BOOK 15, PAGE 75, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LOT 19, BLOCK 32, UNIT 7, SECTION 26, 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 PLAT
BOOK 15, PAGE 75, 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.
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.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: J. TURKIN, D.C.

DR2682 PG3025

(2)

CHARLIE GREEN LEE CTY FL

96 MAR -5 AM 11:22

PAGE 2 OF 2

DR2682 PG3026

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 right 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 taxes accruing subsequent to December 31, 1995. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE County, Florida.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Linda A. Wiggs
WITNESS

Cuthbert K Aberdeen LS
CUTHBERT K. ABERDEEN

Linda A. Wiggs
PRINTED NAME OF WITNESS

Virginia E. Aberdeen LS
VIRGINIA E. ABERDEEN

Christine Adams
WITNESS (TWO SEPARATE WITNESSES
REQUIRED)

1315 PRIMROSE CT.
LAKE LAND, FL. 33811

Christine Adams
PRINTED NAME OF WITNESS

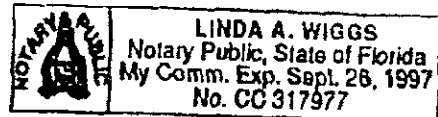
STATE OF Florida
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 21 day of February, 1996 by CUTHBERT K. ABERDEEN AND VIRGINIA E. ABERDEEN, who is/are personally known to me and did produce acceptable identification being in the form of FL de Lic / Resident Alien card and who did understand the body of this instrument and did sign this instrument of their own free act and deed.

Linda A. Wiggs
Notary Public
My Commission Expires: 9-26-97

(Notary Seal)

Linda A. Wiggs
PRINTED NAME OF NOTARY PUBLIC



This Instrument prepared by: LISA GIMENEZ
FLEETWOOD TITLE CORPORATION
904 LEE BLVD., SUITE 106,
LEHIGH ACRES, FL. 33936

RECORDED & INDEXED
25 11 1996

3983173

FOR OFFICIAL USE ONLY:
PARCEL # 26-44-26-07-00032.0200

REC	\$	10.50
RPTT	\$	56.00
COPY	\$	_____
CERT.	\$	_____
INDEX	\$	1.00
TOTAL	\$	67.50

PAGE 1 OF 2

THIS WARRANTY DEED

FTC-32981-LAW

Documentary Tax \$ 56.00
 Transfer Tax \$ 2.00
 CHATHAM GREEN, CLIFF, LEE COUNTY
 By *[Signature]* Deputy Clerk

Made the 5TH day of JUNE, A.D. 1996
 by SALVATORE J. RINALDI AND ALPHENA B. RINALDI,
 2937 EL TORRO ROAD, GRAND JUNCTION, CO 81503
 acquiring title through instrument as recorded in O. R. Book
 1632, Page 1995 in the public records of LEE County, Florida.
 hereinafter called the grantor,
 to JOHN S. EBERHARD AND ELAINE G. EBERHARD, HUSBAND AND WIFE,
 AS TO AN UNDIVIDED 1/2 INTEREST, AND BARRY GIONFRIDDO, A SINGLE
 MAN, AS TO AN UNDIVIDED 1/2 INTEREST
 whose post office address is:
 4304 LEE BLVD.
 LEHIGH ACRES, FL 33971
 herein called the grantee:
 (wherever used herein the terms "grantor" and "grantee" include
 all the parties to this instrument and the heirs, legal
 representatives and assigns of individuals, and the successors
 and assigns of corporations)

DR2717 PG0638

WITNESSETH: That the grantor, for and in consideration of the
sum of \$10.00 and other valuable consideration, receipt whereof
is hereby acknowledged, conveys and confirms unto the grantee,
all that certain land situate in LEE County, Florida, viz:

LOT 20, BLOCK 32, UNIT 7, SECTION 6, 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 PLAT BOOK 15, PAGE 75, 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.

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.

96 JUN 18 PM 4:46

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 right 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 taxes accruing subsequent to December 31, 1995. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE County, Florida.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Denise Alch...
WITNESS

Salvatore J. Rinaldi LS
SALVATORE J. RINALDI

Pamela Dickey
PRINTED NAME OF WITNESS

Alphena B. Rinaldi LS
ALPHENA B. RINALDI

[Signature]
WITNESS (TWO) SEPARATE WITNESSES
REQUIRED)

2937 EL TORRO ROAD
GRAND JUNCTION, CO 81503

Robert K. Burger
PRINTED NAME OF WITNESS

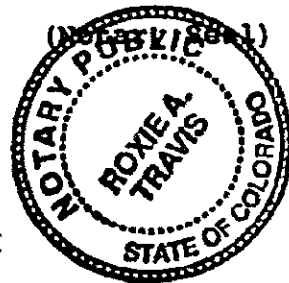
STATE OF Colorado

COUNTY OF Mesa

The foregoing instrument was acknowledged before me this 5th day of June, 1996 by SALVATORE J. RINALDI AND ALPHENA B. RINALDI, who is/are personally known to me and did produce acceptable identification being in the form of Driver License & ID Card and who did understand the body of this instrument and did sign this instrument of their own free act and deed.

Roxie A. Travis
Notary Public
My Commission Expires: 8.7.99

Roxie A. Travis
PRINTED NAME OF NOTARY PUBLIC



This Instrument prepared by: LISA WISKOWSKI
FLEETWOOD TITLE CORPORATION
904 LEE BLVD., SUITE 106,
LEHIGH ACRES, FL 33936

DR2717 PG0639

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

February 24, 2005

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Richard J. Swift, Jr.
Garlick, Stetler & Peeples, L.L.P.,
5551 Ridgewood Drive, Suite 101,
Naples, FL 34108

Re: **VAC2005-00004 - Petition to Vacate** 12-foot Public Utility Easements centered on the common line between Lots 1 thru 20, Block 32, Unit 7, S26, T44 S, R26 E, a subdivision of Lehigh Acres, as recorded in PB 15, Pg 75 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the six feet utility easement around the perimeter of the site

Dear Mr. Swift:

You have indicated that in order to construct a commercial plaza on the combined twenty (20) lots, your clients, Lee West, L.L.C., Barry and Wendy Gionfriddo, and John and Elaine Eberhard desire to eliminate the 12-foot Public Utility Easements located at 3419 Lee Blvd., 3400, 3402, 3404, 3406, 3410, 3412, 3414, 3416, and 3418 4th St. W., Lehigh Acres. Resolution Z-04-045, adopted on 30th day of August, 2004 provides for a rezoning of the 5.55-acre parcel from RS-1 to CPD.

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:\200502\20050113.150\7200000\DCDLETTER.DOC

December 28, 2004

Department of Community Development
Attention: Peter J. Eckenrode, Director of Development Services
1500 Monroe Street
Ft. Myers, FL 33901

Re: Lots 1-20, Block #132 per Plat Book 15, Page 75
Client File No: 642.004

Dear Mr. Eckenrode:

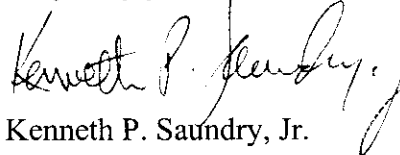
We are submitting a petition to the Lee County Board of Commissioners seeking to vacate the public's interest in a six foot utility easement along the boundaries of each lot at the location identified above in order to accomplish the following purpose: to rezone lots for the commercial purposes to construct a commercial plaza. The strap numbers for the applicable lots above are as follows:

Lots 1- 10:	26-44-26-07-00032.0010
Lot 11:	26-44-26-07-00032.0110
Lot 12:	26-44-26-07-00032.0120
Lot 13:	26-44-26-07-00032.0130
Lots 14, 15:	26-44-26-07-00032.0140
Lot 16:	26-44-26-07-00032.0160
Lot 17:	26-44-26-07-00032.0170
Lot 18:	26-44-26-07-00032.0180
Lot 19:	26-44-26-07-00032.0190
Lot 20:	26-44-26-07-00032.0200

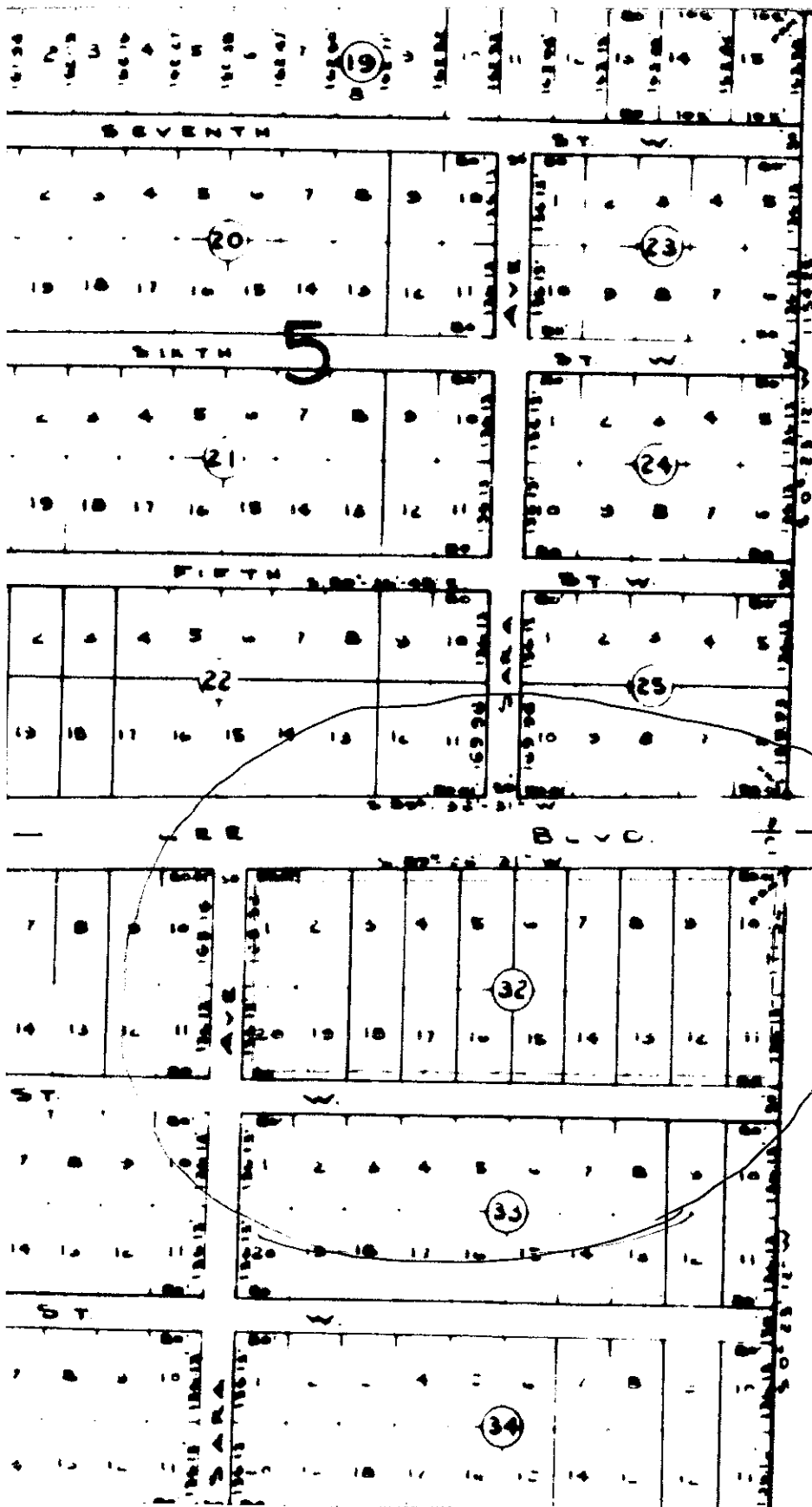
My address is 9200 Bonita Beach Road, Suite 215, Bonita Springs, Florida, 34135 and I can be contacted at (239) 498-9026.

If you should have any questions or require any additional information, please feel free to give me a call.

Very truly yours,

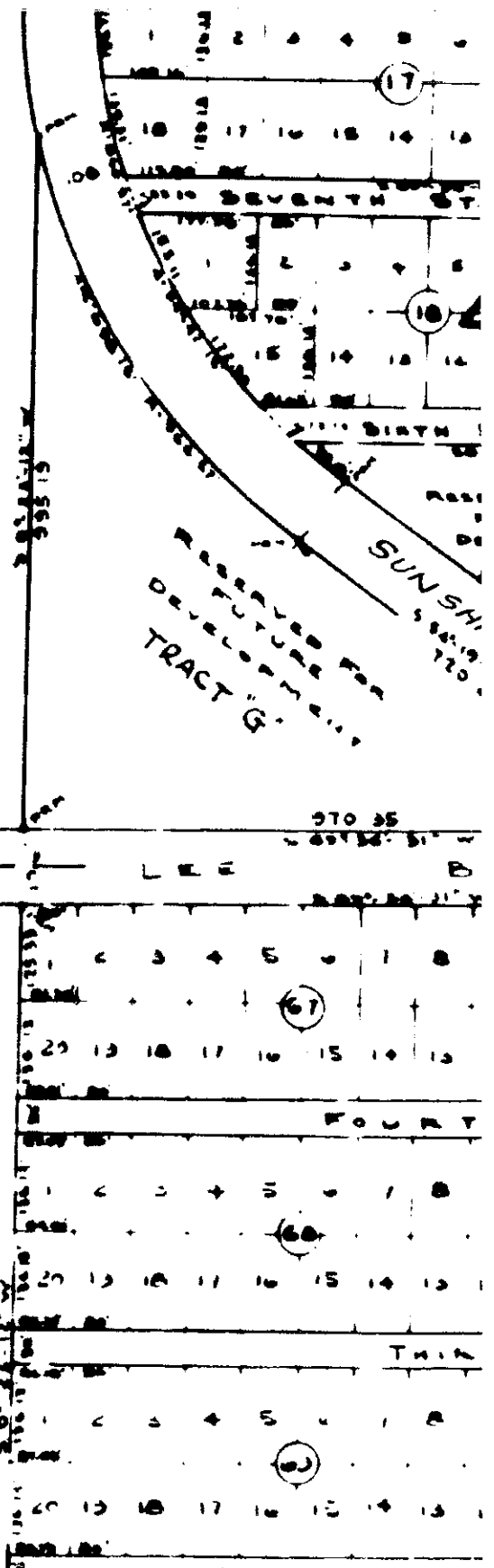


Kenneth P. Saundry, Jr.



RESERVED FOR CANAL

RESERVED FOR CANAL



RESERVED FOR FUTURE DEVELOPMENT TRACT 'G'

SUNSHINE TRACT

370 35



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.iilne.com

May 28, 2004

Mr. Richard J. Swift, Jr., Esquire
5551 Ridgewood Dr., Suite 101
Naples, FL 34108

Dear Mr. Swift:

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

Interior utility and/or drainage easements, Lots 1-20, Block 32, Unit 7, a subdivision of Lehigh Acres, Section 26, Township 44 South, Range 26 East, as recorded in Plat Book 15, page 75, of the Public Records of Lee County, Florida; **LESS** and **EXCEPT** the 6-foot utility easement around the perimeter of this site.

Please call me at 1-800-282-1643, extension 422 if I can be of any further assistance.

Sincerely,

Karen Hardin
Real Property Representative



May 20, 2004

Mr. Richard J. Swift, Jr., Esquire
Garlick, Stetler & Peeples, LLP
5551 Ridgewood Drive, Suite 101
Naples, Florida 34108-2718

Re: Vacation of Public Utility Easement:
A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 1-20, Block 32, Section 26, Township 44S, Range 26E.
As recorded in Plat Book 15, Page 75 of the Lee County Public Records.

Dear Mr. Swift:

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, we have no objection to the vacation of a portion of a public utility/drainage easement at the Lehigh Acres location.

If you should require additional information, please contact me at 863-452-3207.

Sincerely,

Wayneth Jackson
Wayneth Jackson
Engineer

Rec'd 5/24/04



**301 Tower Rd.
Naples, FL 33916
Phone: 239-732-3805
FAX: 239-498-4483**

May 13, 2004

Richard J. Swift
5551 Ridgewood Drive Suite 101
Naples, Florida 34108

Re: Lots 1 – 20 Block #32

Dear Richard J. Swift:

This letter will serve to inform you that Comcast has no objection to your proposed vacation of the address referenced above. Comcast is not in your area.

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

Cordially,

Mark Cook
Design Coordinator

AMENDED
PETITION TO VACATE
REQUEST FOR LETTER OF REVIEW AND RECOMMENDATION

May 6, 2004

Ms. Lucia Vera
COMCAST CABLEVISION
301 Tower Road
Naples, FL 34113

RE: Request for a letter of Review and Recommendation on a proposed vacation of utility easement, at the following location: Lots 1 -20, Block #32 per Plat Book 15, Page 75

To Whom It May Concern:

Please note we are amending our request of May 3, 2004 to include Lot 17, which was inadvertently left out of our request.

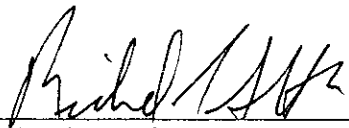
We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the six (6) foot utility easement along the boundaries of each lot at the locations identified above in order to accomplish the following purpose:

To rezone lots for commercial purposes to construct a commercial plaza.

We included a copy of the plat in our request of May 3, 2004, describing the utility easements we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly, and thank you in advance for your consideration.

Signed,
GARLICK, STETLER & PEEPLES, LLP

By: _____


Richard J. Swift, Jr., Esquire
Counsel for Petitioner
5551 Ridgewood Drive Suite 101
Naples, FL 34108

WE HAVE OVERHEAD COAX & FIBER
AND A POWER SUPPLY CABINET WITHIN
THE LEE BLVD. RIGHT OFWAY ALONG THE
NORTH SIDE OF THESE PROPERTIES.

THERE SHOULD NOT BE ANY CONFLICTS WITH
THE SIDE AND REAR EASEMENTS WITHIN
THIS BLOCK.

BILL STANTON 5/10/04



September 7, 2004

Richard J. Swift, Jr., Esquire
Counsel for Petitioner
5551 Ridgewood Drive, Suite 101
Naples, FL 34108

RE: *Lots 1-16 and 18-20 as per Plat Book 15, Page 75*
Lots 1-20, Block #32 per Plat Book 15, Page 75

Utility Easement Approval

Dear Mr. Swift:

Time Warner Cable (TWC), with franchise authority in Lee County, and Florida Cablevision Management Group Corp., its operating entity, has reviewed the plans you provided for the above-referenced project. TWC does not service Lehigh Acres at this time.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,

FOR TIME WARNER CABLE

A handwritten signature in cursive script that reads "Adnaldo Rodriguez". The signature is written in black ink and includes a small circular mark at the end.

Adnaldo Rodriguez
Technical Field Inspector
TIME WARNER CABLE

AR:dm

cc: John Chapple, Construction Manager, TWC
Commercial Development Dept., TWC



FLORIDA GOVERNMENTAL UTILITY AUTHORITY

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

June 21, 2004

Richard J. Swift, Jr., Esquire
Counsel for Petitioner
551 Ridgewood Drive Suite 101
Naples, FL 34108

RE: Vacation of Easement for Lots 1-20, Block 32, Unit 6, Section 35 of
Lehigh Acres

Dear Mr. Swift:

The FGUA Board met June 18, 2004 and determined that they do not presently hold any property rights over the address identified above other than the plat reservation. They also determined that the FGUA has no current utilities in the utility easement nor has any foreseeable need for utility placement in the easement to be vacated. Therefore, the Board approved the request for vacation of easement for the petitioner on June 18, 2004.

The vacation of easement was requested for the 6-foot wide utility and drainage easement lying along the bonds of Lots 1-20 (excluding the perimeter 6 feet easement of Block 32 in its entirety) of Block 32, Unit 6, section 35 in Lehigh Acres, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County, Florida. The request is made for the purpose of combining lots for commercial plaza construction. All lots in this subdivision have 6-foot utility easements around all sides.

Should you have any further questions in this matter, please do not hesitate to contact me at 407-629-6900.

Sincerely,

Florida Governmental Utility Authority

A handwritten signature in black ink, appearing to read "Charles Sweat", is written over a light blue circular stamp.

Charles Sweat
Director of Operations

AmeriGas

America's Propane Company

September 10, 2004

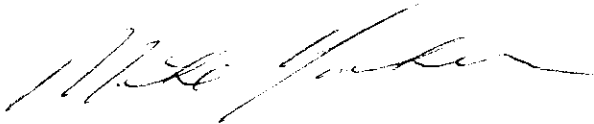
Garlick, Stetler & Peeples LLP
Attn: Adam P. Chenell
RE: Utility Easements

In reference to your letter dated September 9, 2004 Amerigas has no interest on right of way on the following locations:

Lots 1-20, Block #32 per plat book 15, Page 75.

Please feel free to contact me at 239-948-4902, should you have any questions.

Sincerely



Mike Yonker
SSM



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239)479-8531

Bob Janes
District One

May 17, 2004

Douglas R. St. Cerny
District Two

Richard J. Swift, Jr.

Ray Judah
District Three

Garlick, Stetler & Peebles, LLP
5551 Ridgewood Drive, Suite 101

Andrew W. Coy
District Four

Naples, FL 34108

John E. Albion
District Five

SUBJECT: VACATION OF PLATTED EASEMENT(S)

Donald D. Stilwell
County Manager

STRAP #: 26-44-26-07-00032.0010

James G. Yaeger
County Attorney

LOTS 1 THRU 20, BLOCK 32 - LEHIGH ACRES, UNIT 7

3419 LEE BOULEVARD

Diana M. Parker
County Hearing Examiner

Dear Mr. Swift:

Lee County Utilities has no objection to the proposed vacation of the existing platted easements as described in your recent letter and associated attachment. However, the area in question is not located within Lee County Utilities' service area; therefore, we have no potable water or wastewater lines within the area to be vacated.

You may wish to contact Mike Currier with the Florida Governmental Utility Authority at 368-1615, extension 14 concerning your request, as the subject parcel appear to be located within their service area boundaries.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239)479-8531.

Sincerely,

LEE COUNTY UTILITIES

Terry A. Kelley
Senior Engineering Technician
Utilities Engineering Division

CC: Correspondence File

S:\UTILS\Engr\TAK\LETTERS\VAC\FY 2004\Garlick, Stetler & Peebles - Swift - 3419 Lee Blvd - Lehigh.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

Scale 

AUGUST, 1950

UNIT BOUNDARY

SURVEYORS CERTIFICATE

I the undersigned hereby certify that the plot as shown is a correct representation of the land plotted and that permanent reference monuments have been placed as shown hereon

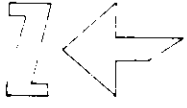
W. V. Garrison

Florida Registered Land Surveyor No. 1190

NOTE

All lots subject to a Utility Easement both sides, front and back
Interior P.M.'s are 4' x 4' x 24' concrete
Section Corner P.M.'s are 6' x 6' x 24' concrete





PLAT OF
NE 1/4 S 1/2 of SECTION 26
TOWNSHIP 44 SOUTH RANGE 26 EAST

A SUBDIVISION OF
LEHIGH ACRES'

LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO., DE-I-1-07423

DATE APR 3 1950

UNIT BOUNDARY

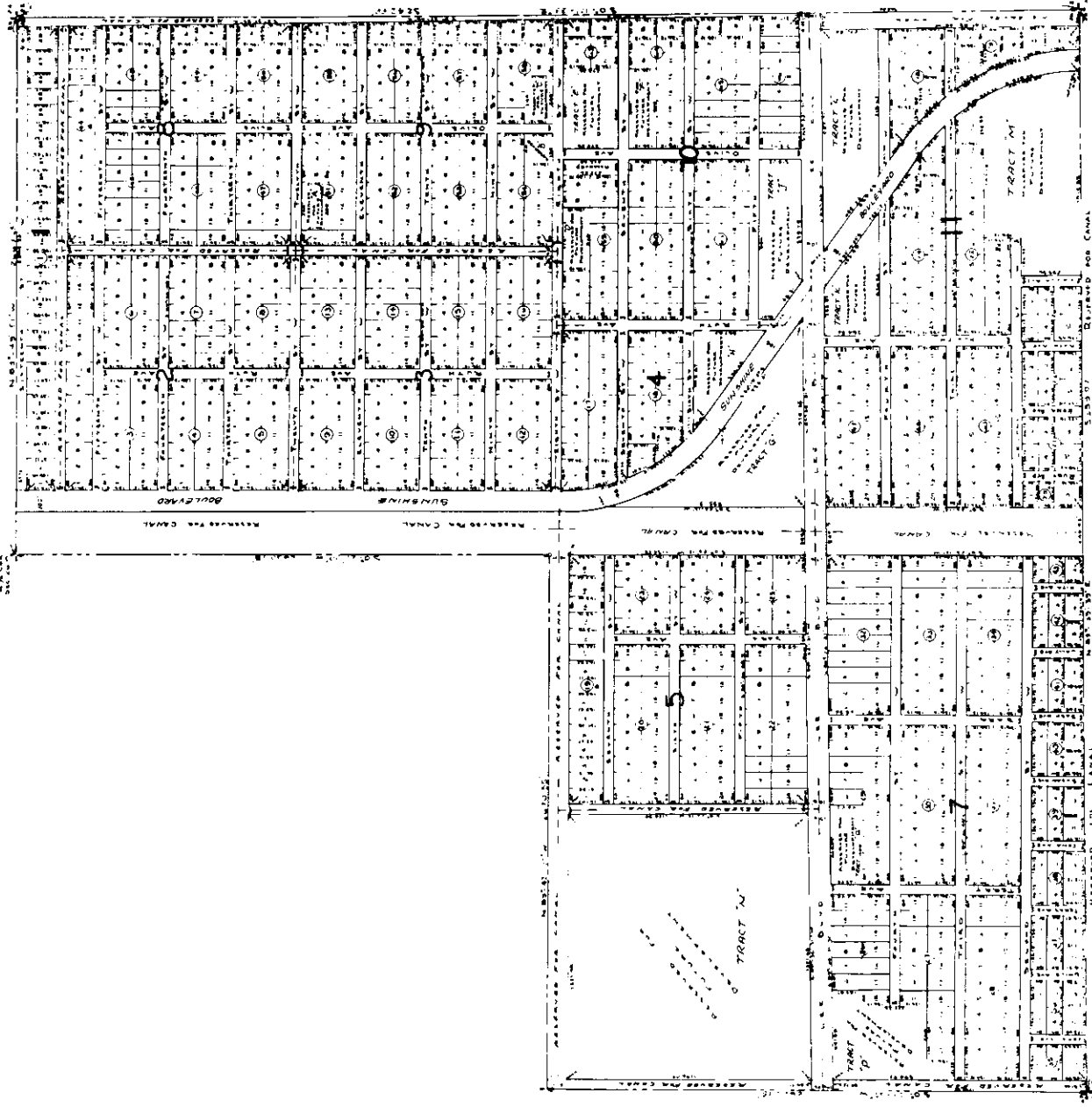
SUBJECTS' CERTIFICATE
I, the undersigned hereby certify that this plat as shown is
correctly prepared and that the same is a true and correct
copy of the original as shown to me by the owner.

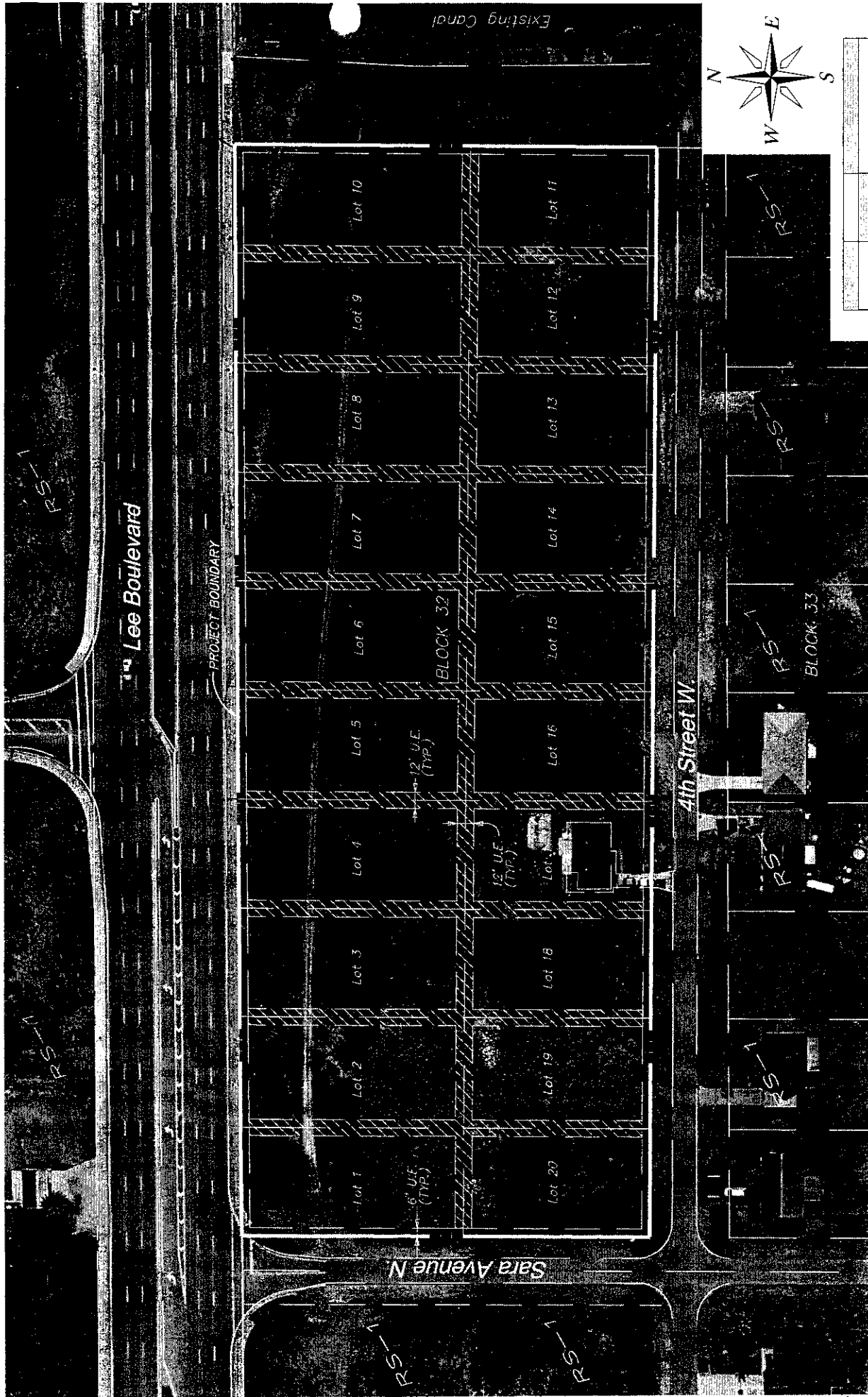
[Signature]
Florida Registered Land Surveyor No. 11118

NOTE
All lots subject to a utility easement for water, sewer and gas
lines as shown on this plat and as shown on the
plans on file in the office of the Lee County Engineer.




FILED
Lee County Engineer, Lee County, Florida





LEGEND

 EASEMENT TO BE VACATED

SCALE: 1" = 100'

PROJECT NO:
80707
ACAD NO:
80707-EX01
DRAWN BY:
SWP

**Vanasse
Daylor**



Urban Planning
Landscape Architecture
Civil Engineering
Traffic Engineering
Environmental Science
FL 316
12730 New Brittany Boulevard, Suite 600
Fort Myers, FL 33907
T 239.437.4601 F 239.437.4636
W vandy.com

PREPARED FOR:
Saundry Associates, Inc.
9220 Bonita Beach Road, Suite 215
Bonita Springs, Florida 34135

PAGE TITLE:
**Lee West Center
Aerial Exhibit**
Aerial Source : Lee County PA April - May 2002

SCALE: 1"=100'
DATE: 10-12-04
Exhibit
3