

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate a 12-foot wide Public Utility Easement located at 3423 and 3435 Stabile Rd., St. James City, Florida, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 10th day of May, 2005. (Case No. VAC2005-00007)

WHY ACTION IS NECESSARY: To construct a concrete block wall on the common property line between the two lots. There are no existing improvements in the easement and the easement is not necessary to accommodate any future utility requirements.

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

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 1

04

C4A

3. MEETING DATE:

04-12-2005

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]* 3/01/05

Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2005-00007 was submitted by Paul Dinger, Ronald M. and Mary M. Koontz as joint petitioners.

LOCATION: The site is located at **3423 and 3435 Stabile Rd., St. James City, Florida 33956** and its strap numbers are 35-45-22-21-00004.0210 and 35-45-22-21-00004.0190. Petition No. VAC2005-00007 proposes to vacate a 12-foot wide Public Utility Easement centered on the common line between Lots 20 and 21, both in Block 4, Unit 2, Section 35, Township 45 South, Range 22 East, St. Jude Harbors subdivision, as recorded in Plat Book 25, Pages 146 -151 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the northeasterly six feet and southwesterly six feet thereof.

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

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

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

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

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

10. COMMISSION ACTION:

03-15-05 APPROVED
 DENIED
 DEFERRED - *Indefinitely*
 OTHER

Rec. by CoAtty
Date: *3/2/05*
Time: *8:00*
Forwarded To:
Admin
DOC *3/3/05*
10:15 am

RECEIVED BY
COUNTY ADMIN: *[Signature]*
3/5 11:30
COUNTY ADMIN
FORWARDED TO: *[Signature]*
3/3/05
SPM

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00007

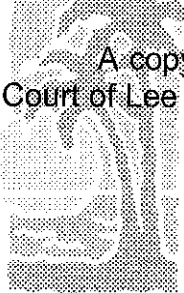
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 10th day of May 2005 @5:00 PM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.



LEE COUNTY

CHARLIE GREEN, CLERK

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

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00007

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 20 and 21, both in Block 4, Unit 2, Section 35, Township 45 South, Range 22 East, St. Jude Harbors subdivision, as recorded in Plat Book 25, Pages 146 -151 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northeasterly six feet and southwesterly six feet thereof.

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2005-00007**

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. VAC2005-00007 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
VAC2005-00007

Legal Description of the Public Utility Easement to be Vacated:

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LESS and EXCEPT the northeasterly six feet and southwesterly six feet thereof.



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00007

Petitioner(s), PAUL DINGER 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, 3423 STABILE Rd ST. JAMES CITY 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:

[Signature]
Petitioner Signature

[Signature]
Petitioner Signature

PAUL DINGER
Printed Name

Printed Name

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



PETITION TO VACATE (AC 13-1)

Case Number: VAC 2005-00007

Petitioner(s), RONALD M. AND MARY M. KOONTZ, HUSBAND & WIFE 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, 3435 STABILE ROAD 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:

Ronald M. Koontz
Petitioner Signature

Mary M. Koontz
Petitioner Signature

RONALD M. KOONTZ
Printed Name

MARY M KOONTZ
Printed Name

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

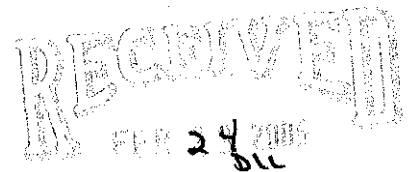


EXHIBIT "A"
Petition to Vacate
VAC2005-00007

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 20 and 21, both in Block 4, Unit 2, Section 35, Township 45 South, Range 22 East, St. Jude Harbors subdivision, as recorded in Plat Book 25, Pages 146 -151 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northeasterly six feet and southwesterly six feet thereof.

Exhibit "C"
Petition to Vacate
VAC2005-00007
 [Page One of One]



Real Property Information		New Search
Account	Tax Year	Status
35-45-22-21-00004.0190	2004	PAID
Original Account	Book/Page	
35-45-22-21-00004.0190	1930/687	
Owner		
KOONTZ RONALD M + MARY M		
Physical Address	Mailing Address	
3435 STABILE RD	3435 STABILE RD	
ST JAMES CITY FL 33956	ST JAMES CITY FL 33956	
	USA	
Legal Description		
ST JUDE HARBORS UNIT 2 BLK 4 PB 25 PG 149 LOTS 19 + 20		
Outstanding Balance as of 2/22/2005		\$0.00



Real Property Information		New Search
Account	Tax Year	Status
35-45-22-21-00004.0210	2004	PAID
Original Account	Book/Page	
35-45-22-21-00004.0210	4045/4270	
Owner		
DINGER PAUL		
Physical Address	Mailing Address	
3423 STABILE RD	3423 STABILE RD	
ST JAMES CITY FL 33956	ST JAMES CITY FL 33956	
	USA	
Legal Description		
ST JUDE HARBORS UNIT 2 BLK 4 PB 25 PG 149 LOTS 21 + 22		
Outstanding Balance as of 2/22/2005		\$0.00

87-14761

prepared

Michelle Mossey

EXECUTIVE TITLE INSURANCE AGENCY, INC.

4049 DEL PRADO BLVD.

CAPE CORAL, FLORIDA 33904

A.D. 1987

2306746

This Warranty Deed Made the 15

day of July

ROHINTON S. NICHOLSON AND DOROTHY NICHOLSON, HUSBAND AND WIFE

hereinafter called the grantor, to

RONALD M. KOONTZ AND MARY M. KOONTZ, HUSBAND AND WIFE

whose post office address is: 2371 Salisbury Boulevard, Winter Park, Florida 32789
Located in Orange County, Florida

hereinafter called the grantee:

(Whichever used herein the term "grantor" and "grantee" include all the parties to this instrument and their 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 \$ TEN & NO/100 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in LEE County, Florida, viz:

Lots 19 and 20, Block 4, Unit 2, ST. JUDE HARBORS SUBDIVISION, according to the plat thereof as recorded in Plat Book 25 Pages 146, to 151, inclusive, in the Public Records of Lee County, Florida.

SUBJECT TO easements, restrictions and reservations as of record in the Public Records of Lee County, Florida.

Documentary Tax Pd. \$ 115.50
\$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By g. H. Green Deputy Clerk

REC-1 9 30 PG 06 07

JUL 17 10 42 AM '87

RECORDED BY: CHARLIE GREEN

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, 19 86

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:

Andree Baais
Jera Haganath

Rohinton S. Nicholson
ROHINTON S. NICHOLSON
Dorothy Nicholson
DOROTHY NICHOLSON

(TWO SEPARATE WITNESSES REQUIRED)
STATE OF PROVINCE OF ONTARIO
COUNTY OF York

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared ROHINTON S. NICHOLSON AND DOROTHY NICHOLSON, HUSBAND AND WIFE

to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same

WITNESS my hand and official seal in the County of York and State of Ontario last aforesaid this thirteenth day of July, A.D. 1987

Virginia H. [Signature]
Notary Public

My commission expires upon death

(Seal)

1/16 2005-00007

RECORD VERIFIED BY: CHARLIE GREEN, CLERK

This instrument prepared by:
PINE ISLAND TITLE INSURANCE AGENCY INC.,
5400 Pine Island Road
Bokeelia, Florida 33922
(239) 283-1067



Joanne Merritt
Property Appraiser's
Parcel Identification No: 35-45-22-21-00004.0210

INSTR # 5952418
Official Records BK 04045 PG 4270
RECORDED 09/02/2003 11:35:09 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 15.00
DEED DOC 2,450.00
DEPUTY CLERK P Johnston

Grantees' Social Security No.:
Paul Dinger a single man - Unknown

Warranty Deed by Trustee
(Section 689.071, Florida Statutes)

15.00
9/1/03

THIS INDENTURE, made August 20, 2003, between **Michael F. Lamb a single man and as Trustee of the Michael F. Lamb Inter-Vivos Trust dated 1/25/96**, pursuant to Florida Statute 689.071 under the provisions of the unrecorded Trust with full power and authority in them jointly, or if one dies, then in the survivor to protect, conserve, and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property described hereafter under the authority of 689.071, Florida Statute (1981), whose post office address is 1540 DeWitt Trail, Roscommon, MI 48653, Grantor*, and **Paul Dinger a single man**, , Grantee*, and whose post office address is 17751 Wildcat Drive, Fort Myers, FL 33913.

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

Witnesseth:

That the Grantor, for and in consideration of the sum of TEN and 00/100 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, situate, lying in Lee County, Florida, to wit:

Lots 21 and 22, Block 4, Unit 2, ST JUDE HARBORS SUBDIVISION, according to the map or plat thereof on file and recorded in the Office of the Circuit Court in Plat Book 25, pages 146 to 151, Public Records of Lee County, Florida

This deed is executed subject to restrictions, reservations and easements of record and taxes for the current year.

TO HAVE AND TO HOLD, this real estate in fee simple to the grantee and the grantee's heirs, successors, and assigns, forever, with the appurtenances

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 taxes accruing subsequent to December 31, 2001, and easements and restrictions of record, if any, but this reference to said restrictions shall not serve to reimpose the same.

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made, and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of being only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in his own right, but solely in the exercise of powers conferred upon him as Trustee and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Trustee or any of the beneficiaries under said Trust Agreement on account of this instrument.

FURTHER, GRANTOR herein, being first duly sworn by the undersigned and by execution hereof, deposes and says: that the named Declaration of Trust set forth above, remains in full force and effect, never having been terminated and/or revoked. That said Declaration of Trust provides that the Trustee shall have the express power to sell, assign, exchange, convey and otherwise transfer any part or all of the property held under the terms of the trust at such times and upon such terms and conditions as the trustee may determine prudent and for the best interest of the trust estate and to receive and receipt for the proceeds of the sale. Further, that the property is not considered homestead property of the grantor or its beneficiaries under the meaning of the laws of the State of Florida.

IN WITNESS WHEREOF, the said grantor has hereunto set grantor's hand and seal the day and year first above written:

Signed, sealed and delivered in our presence:

(1) Lois A. Dorfee
Signature of First Witness
Printed Name: LOIS A. DORFEE

Michael F. Lamb
Michael F. Lamb, Trustee

(2) Debra D. Alexander
Signature of Second Witness
Printed name: Debra D Alexander

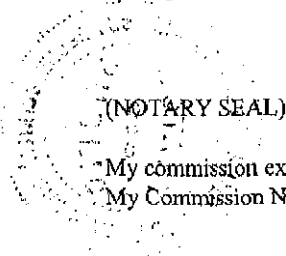
Michael F. Lamb
Michael F. Lamb, Individually

STATE OF Michigan
COUNTY OF Roscommon

I HEREBY CERTIFY that on this date, before me, an officer duly qualified in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Michael F. Lamb a single man and as Trustee of the Michael F. Lamb Inter-Vivos Trust dated 1/25/96, who executed the foregoing instrument in his/her/their personal or authorized representative capacity(ies) indicated above, and

who is personally known to me by ongoing acquaintance of 1 years/months, or
 who has produced their _____ as identification,

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of August, 2003.



(NOTARY SEAL)
My commission expires: 10-28-05
My Commission Number

Mary Jane Sundquist
Notary Public
Printed Notary Signature Mary Jane Sundquist

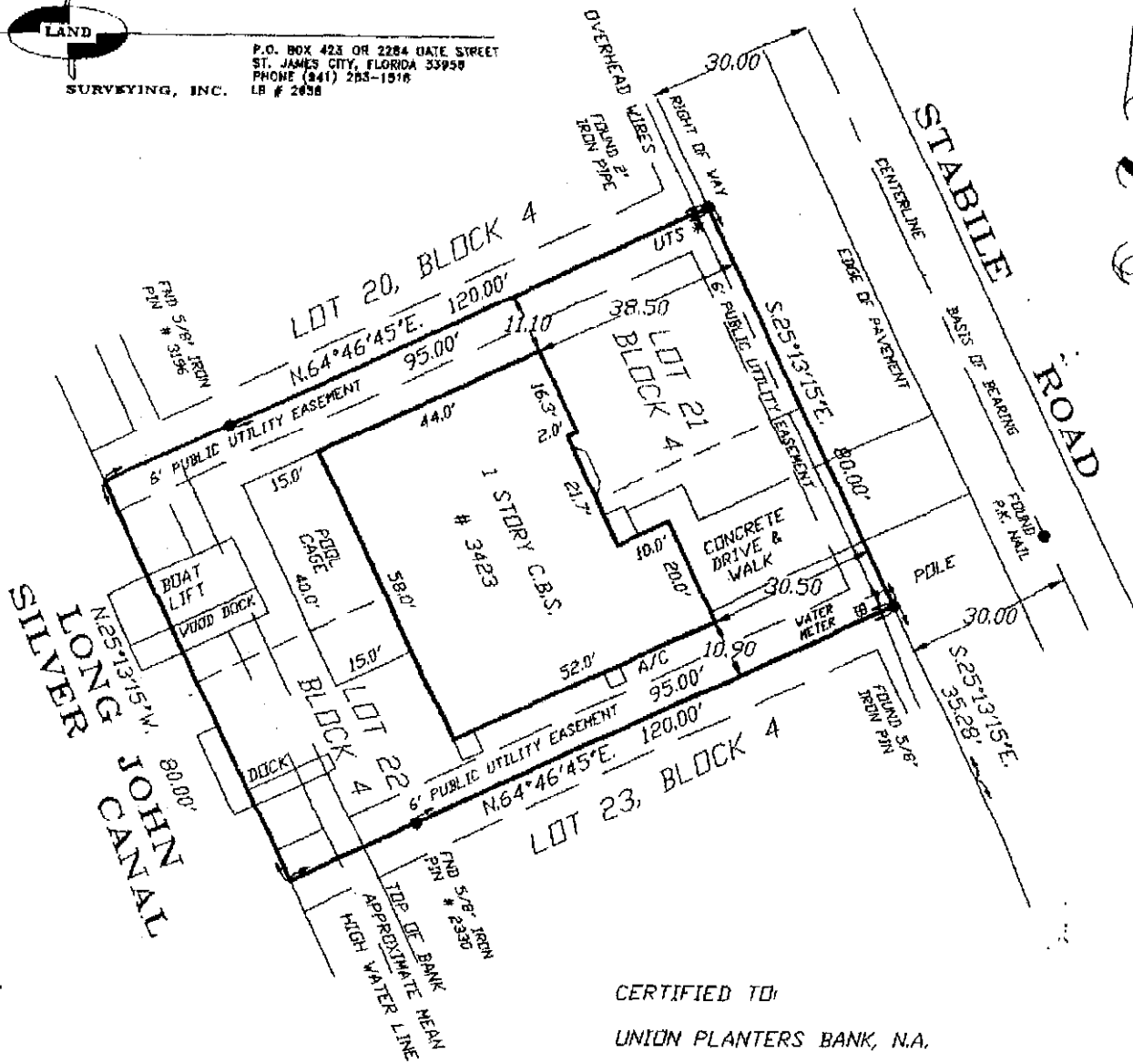
Mary Jane Sundquist -
Notary Public, Crawford County, Michigan
Acting in Roscommon County
My Commission Expires October 28, 2005

A. J. WATSON



P.O. BOX 423 OR 2284 DATE STREET
ST. JAMES CITY, FLORIDA 33959
PHONE (841) 283-1518
LB # 2038

SURVEYING, INC.



CERTIFIED TO:
UNION PLANTERS BANK, N.A.
PINE ISLAND TITLE INSURANCE AGENCY, INC.
ATTORNEYS' TITLE INSURANCE FUND, INC.
PAUL DINGER

NOTE:
Bearings and Distances shown hereon are according
to the referenced DEED (D) or PLAT (P) unless otherwise
noted as measured (M).

NATIONAL FLOOD INSURANCE DATA, COMMUNITY PANEL NUMBER 125124 0290 B, FEDERAL FLOOD ZONE A9, ELEVATION 9'
ELEVATIONS BASED ON N.G.V.D.-29, BENCH MARK A-260 6.0' x = SPOT ELEVATIONS

BOUNDARY AND LOCATION SURVEY OF
LOTS 21 AND 22, BLOCK 4, UNIT NO. 2 ST. JUDE HARBORS
AS RECORDED IN PLAT BOOK 25, PAGES 146-151 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

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

FOR: DINGER
JOB # 03-0420 F.B. L 51-11
STRAP # 35-45-22-21-00004.0210

SKETCH OF SURVEY
SCALE 1" = 30'

DATE: AUGUST 12, 2003
DATE: _____
DATE: _____



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

479-8585

Writer's Direct Dial Number: _____

February 25, 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

Paul Dinger,
3423 Stabile Rd.,
St. James City, FL 33956

Re: **VAC2005-00007 - Petition to Vacate** a 12-foot wide Public Utility Easement centered on the common line between Lots 20 and 21, both in Block 4, Unit 2, S 35, T 45 S, R 22 E, St. Jude Harbors subdivision, as recorded in PB 25, Pgs 146 -151 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the northeasterly six feet and southwesterly six feet thereof.

Dear Mr. Dinger:

You have indicated that in order to construct a concrete block wall across the utility easement on your property, you desire to eliminate the 12-foot Public Utility Easement located at 3423 and 3435 Stabile Rd., St. James City. Your neighbor, Ronald M. and Mary M. Koontz who owns Lot 21 is participating with you in this petition.

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\20050128.124\6503430\DCDLETTER.DOC

January 27, 2005

Mr. Peter J. Eckenrode
Director of Development Services
Department of Community Development
Lee County, Florida

Re: Strap: 35-45-22-21-0004.0210

Dear Mr. Eckenrode:

I have proposed to vacate the easement on the North side of 3423 Stabile Road, St. James City. I wish to do this so that I may be allowed to place a 32" high concrete block fence along the side thereof. It would facilitate my landscaping and help to control erosion.

Thank you in advance for your attention to this matter.

Sincerely

A handwritten signature in black ink, appearing to read "Paul Dinger", written over a horizontal line.

Paul Dinger, Property Owner Phone # 239.994-7155
3423 Stabile Road
St. James City, FL 33956

RECEIVED
FEB 24 2005
DL
ZONING COUNCIL

Ronald and Mary Koontz
3435 Stable Road
St. James City, Fl 33956

February 23, 2005

Re: VAC 2005-00007

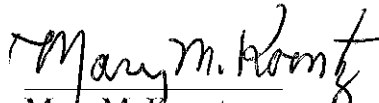
Department of Development Services
Lee County
Fort Myers, Florida

Dear Sir or Madam:

I hereby join Paul Dinger in his petition to vacate the utility easement that lies between our contiguous properties identified as my strap 35-45-22-21-0004.0190 and Paul Dinger's strap 35-45-22-21-00004.0210.

Sincerely:


Ronald M. Koontz


Mary M. Koontz

January 24, 2005

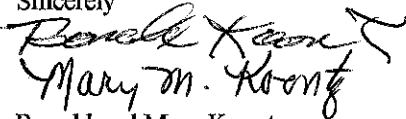
Mr. Paul Dinger Re: Easement between Strap 35-45-22-21-00004.0190 and 35-45-22-21-00004.0210
3423 Stabile Road
St. James City, FL 33956

Dear Mr. Dinger:

This letter is to acknowledge that we have been advised of your intention to have the utility easement that is between our adjoining properties vacated and to construct a 32" wall or fence on your property. We have no objection to your project.

Thanks for advising us of your intentions.

Sincerely

Handwritten signatures of Ronald and Mary Koontz. The signature for Ronald is written in a cursive style, and the signature for Mary is written in a similar cursive style below it.

Ronald and Mary Koontz
3435 Stabile Road
St. James City, FL 33956



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

January 21, 2005

Mr. Paul Dinger
3423 Stabile Road
St. James City, FL 33956

Re: Vacation of Public Utility Easement
3423 Stabile Road, St. James City, Florida

Dear Mr. Dinger:

LCEC does not object to the vacation of the North 6-foot Public Utility Easement on the above referenced parcel, as per the attached sketch from A. J. Watson Land Surveying, Inc. dated May 20, 2002.

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

January 25, 2005

Mr. Paul Dinger
4323 Stabile Road
St. James City, Florida 33956

RE: Request for a letter of Review and Recommendation on proposed easement vacations on the
Following parcels:

4323 Stable Road, St. James City
35-45-22-21-00004.0210

With reference to your letter of January 21, 2005 requesting Sprint's concurrence with your request to vacate the public interest in the 6' public utility easements. Sprint has no objection to the vacation of these easements.

If you have any questions please call me at 239 - 336-2017.

Sincerely,

A handwritten signature in black ink that reads "Joe Sansone".

Joe Sansone
OSP Engineer



301 Tower Rd.
Naples, FL 34113
Phone: 239-732-3805
FAX: 239-498-4483

January 24, 2005

Paul Dinger
3423 Stabile Rd.
St. James City Fl. 33956

Re: 3423 Stabile Rd.

Dear: Paul Dinger,

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

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

Cordially,

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

Mark Cook
Design Coordinator



January 24, 2005

Mr. Paul Dinger
3423 Stabile Rd
St. James City, Florida 33956

RE: Vacation of 12' easement along the North side of 4323 Stabile Rd
St. James City, Florida - 35-45-22-21-00004.0210

Dear Mr. Dinger:

Your request for the above listed vacation of easement has been reviewed. At this time, Time Warner Cable has no facilities in this area. Time Warner Cable has **NO CONFLICT** with this proposed vacation of 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

A handwritten signature in cursive script that reads "Adnaldo Rodriguez".

Adnaldo Rodriguez
Technical Field Inspector

AR/sgs



Greater
Pine Island
Water Association, Inc.

January 27, 2005

Paul Dinger
3423 Stabile Road
St. James City, FL 33956

Re: Vacation of utility easement for Lots 21 and 22, Block 4
3423 Stabile Road, St. Jude Harbors

Dear Mr. Tinger,

The Greater Pine Island Water Association, Inc. has no objection to the vacation of utility easement as described in your letter dated January 25, 2005.

Cordially,

William J. Thacher
General Manager

AmeriGas

America's Propane Company

January 21, 2005

Paul Dinger
3423 Stabile Rd.
Saint James City, FL 33956

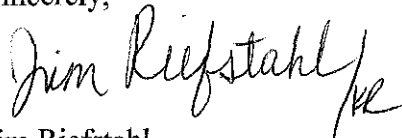
Dear Mr. Dinger:

In reference to your letter dated January 21, 2005, AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO.: 35-45-22-21-00004.0210

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

Sincerely,



Jim Riefstahl
Sales & Service Manager



LEE COUNTY
SOUTH WEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

January 21, 2005

Paul Dinger
4323 Stabile Road
St. James City, Fl. 33956

**SUBJECT: PETITION TO VACATE A 12' EASEMENT ALONG THE NORTH SIDE OF
4323 STABLE ROAD, ST. JAMES CITY
35-45-22-21-00004.0210**

Dear Mr. Dinger:

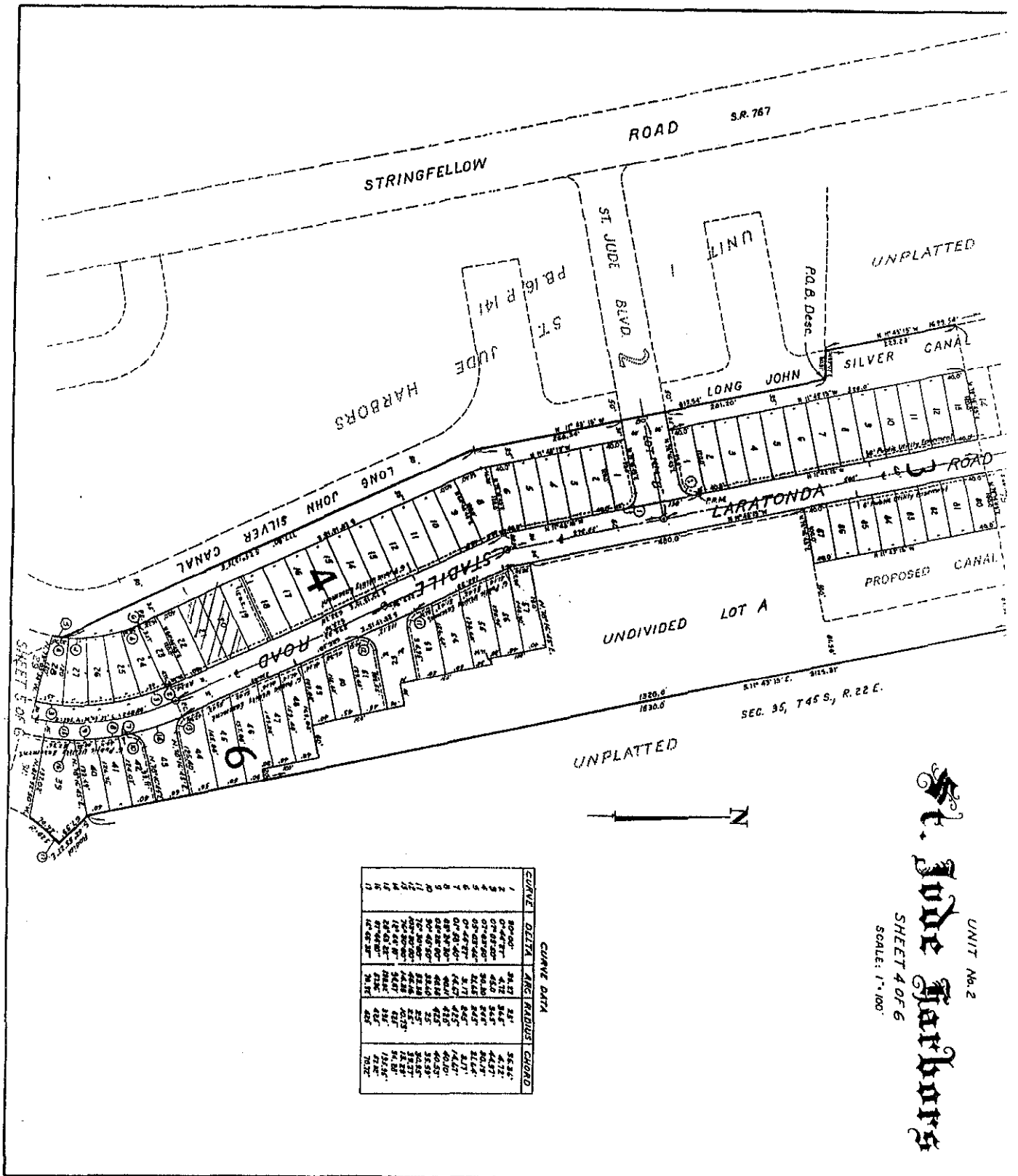
Lee County Utilities is in receipt of your letter and associated attachments concerning the Petition to Vacate 12' easement along the north side of 4323 Stabile Road as described in your letter of January 21, 2005. Lee County Utilities has no facilities located within the easement; therefore, there is no objection to the vacation of this easement.

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

Sincerely,

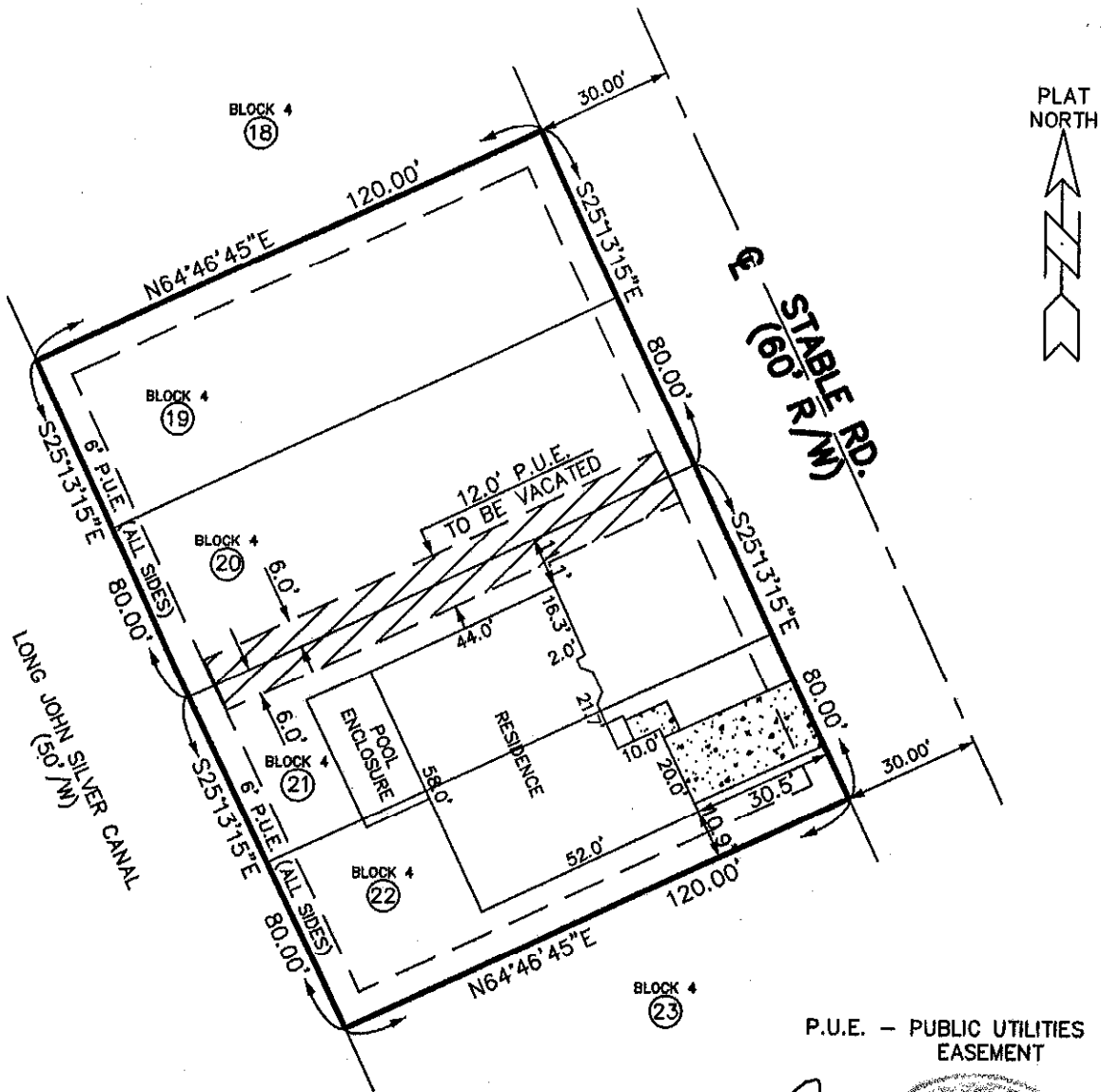
LEE COUNTY UTILITIES

Mary McCormic
Senior Engineering Tech
UTILITIES ENGINEERING



UNIT No. 2
St. Jude Harbors
 SHEET 4 OF 6
 SCALE: 1" = 100'

SEC. 35, T45 S., R. 22 E.



3423 STABILE ROAD
 3435 STABILE ROAD

LOTS 19-22, BLOCK 4
 ST. JUDE HARBORS UNIT NO. 2
 LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 25, PAGES 146-151, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

Exhibit "B"
 Petition to Vacate
 VAC2005-00007
 [Page One of One]

P.U.E. - PUBLIC UTILITIES
 EASEMENT

Christopher B. Still
 CHRISTOPHER B. STILL
 P.S.M. 5944
 MARCH 17, 2005

S.T.A.R. Surveying, Inc. (LB5449)

Professional Surveyors and Mappers

1130-E Lee Boulevard, Lehigh Acres, Florida 33936

(239) 368-7400 (239) 368-7685 (Fax)

DATE: 3-17-05

JOB NUMBER:
 0519

DRAWN BY:
 C.B.S.

SCALE:
 1" = 40'

SHEET:
 1 of 2



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

March 17, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Paul Dinger
3423 Stabile Rd.
St. James City, FL 33956

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF PLATTED EASEMENT(S)
STRAP #: 35-45-22-21-00004.0210
LOTS 21 & 22, BLOCK 4 – ST. JUDE HARBORS, UNIT 2
3423 STABLE ROAD

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Dear Mr. Dinger:

Diana M. Parker
County Hearing
Examiner

Lee County Utilities is in receipt of your letter and associated attachment concerning a proposed Petition to Vacate an existing 12-foot wide public utility easement centered along the common lot lines of Lots 20 & 21 (6-foot along the south property line of lot 20 and 6' along the north property line of Lot 21), St. Judes Harbor, Unit 2 as recorded 25, Page 149 of Lee County Public Records.

Lee County Utilities has reviewed your request and has **NO OBJECTION** to the proposed vacation. The area in question is not located within Lee County Utilities' service area therefore, we have no potable water or sanitary sewer facilities within the area to be vacated.

You may wish to contact the Greater Pine Island Water Association at 283-1071 concerning your request, as the subject parcels 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 479-8531.

Sincerely,

LEE COUNTY UTILITIES

Terry A. Kelley
Senior Engineering Technician
Utilities Engineering Division

cc: Correspondence File
Ruth Keith, Development Services (Via Fax# 479-8341)



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

March 17, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Ronald & Mary Koontz
3435 Stabile Rd.
St. James City, FL 33956

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF PLATTED EASEMENT(S)
STRAP #: 35-45-22-21-00004.0190
LOTS 19 & 20, BLOCK 4 – ST. JUDE HARBORS, UNIT 2
3435 STABILE ROAD

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Dear Mr. & Mrs. Koontz:

Diana M. Parker
County Hearing
Examiner

Lee County Utilities is in receipt of your letter and associated attachment concerning a proposed Petition to Vacate an existing 12-foot wide public utility easement centered along the common lot lines of Lots 20 & 21 (6-foot along the south property line of lot 20 and 6' along the north property line of Lot 21), St. Judes Harbor, Unit 2 as recorded 25, Page 149 of Lee County Public Records.

Lee County Utilities has reviewed your request and has **NO OBJECTION** to the proposed vacation. The area in question is not located within Lee County Utilities' service area therefore, we have no potable water or sanitary sewer facilities within the area to be vacated.

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

Sincerely,

LEE COUNTY UTILITIES

Terry A. Welley
Senior Engineering Technician
Utilities Engineering Division

cc: Correspondence File
Ruth Keith, Development Services (Via Fax# 479-8341)



Lee County Electric Cooperative, Inc.
Post Office Box 3455
North Fort Myers, FL 33918-3455
(239) 995-2121 • FAX (239) 995-7904
www.lcec.net • www.lfinc.com

March 17, 2005

Mr. Paul Dinger
3423 Stabile Road
St. James City, FL 33956

Re: Vacation of Public Utility Easement between Lots 21 and 20
3423 Stabile Road and 3435 Stabile Road, St. James City, Florida

Dear Mr. Dinger:

LCEC does not object to the vacation of the Northerly 6-foot Public Utility Easement on Lot 21 and the Southerly 6-foot Public Utility Easement on Lot 20 as per the attached sketch provided by A. J. Watson Land Surveying, Inc. dated May 20, 2002, **LESS AND EXCEPT** the Northeasterly 6 feet of Lot 21 and the Southeasterly 6 feet of Lot 20 adjacent to the road right-of-way of Stabile Road.

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

Sincerely,

A handwritten signature in cursive script that reads 'Sandra McIver'.

Sandra McIver
Real Property Representative



8441 Littleton Road
North Fort Myers, FL 33903

March 17, 2005

Mr. Paul Dinger
3423 Stable Road
St. James City, Florida 33956

RE: Request for a letter of Review and Recommendation on proposed easement vacations on the
Following parcels:

3423 Stable Road, St. James City
35-45-22-21-00004.0210

With reference to your letter of January 21, 2005 requesting Sprint's concurrence with your request to vacate the public interest in the 6' public utility easements. Sprint has no objection to the vacation of these easements.

If you have any questions please call me at 239 - 336-2017.

Sincerely,

A handwritten signature in black ink that reads "Joe Sansone". The signature is written in a cursive, flowing style.

Joe Sansone
OSP Engineer



8441 Littleton Road
North Fort Myers, FL 33903

March 17, 2005

Ronald M. and Mary M. Koontz
3435 Stabile Road
St. James City, Florida 33956

RE: Request for a letter of Review and Recommendation on proposed easement vacations on the
Following parcels:

3435 Stable Road, St. James City
35-45-22-21-00004.0190

With reference to your letter of January 21, 2005 requesting Sprint's concurrence with your request to vacate the public interest in the 6' public utility easements. Sprint has no objection to the vacation of these easements.

If you have any questions please call me at 239 - 336-2017.

Sincerely,

A handwritten signature in black ink that reads "Joe Sansone".

Joe Sansone
OSP Engineer



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

March 17, 2005

Ronald & Mary Koontz
3435 Stabile Rd
St James City, FL 33956

Re: 3435 Stabile Rd Lot 20 St James City, FL 33956
Vacate easement/Utility

Dear Ronald & Mary Koontz

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

Should you require additional information or assistance, please feel free to contact me here at 732-3861.

Cordially,

A handwritten signature in cursive script that reads "William Stanton".

William Stanton
Design Coordinator



Greater
Pine Island
Water Association, Inc.

March 18, 2005

Ronald & Mary Koontz
3435 Stabile Road
St. James City, FL 33956

Re: Vacation of utility easement for Lots 20 and 21, Block 4
3435 Stabile Road, St. Jude Harbors

Dear Mr. And Mrs. Koontz,

The Greater Pine Island Water Association, Inc. has no objection to the vacation of utility easement as described above.

Sincerely

William J. Thacher
General Manager

rc

AmeriGas

America's Propane Company

March 18, 2005

Ronald & Mary Koontz
3435 Stabile Road
St. James City, Florida 33956

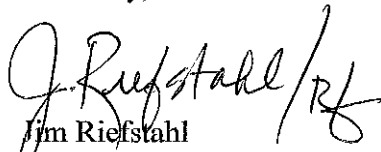
Dear Mr. Koontz:

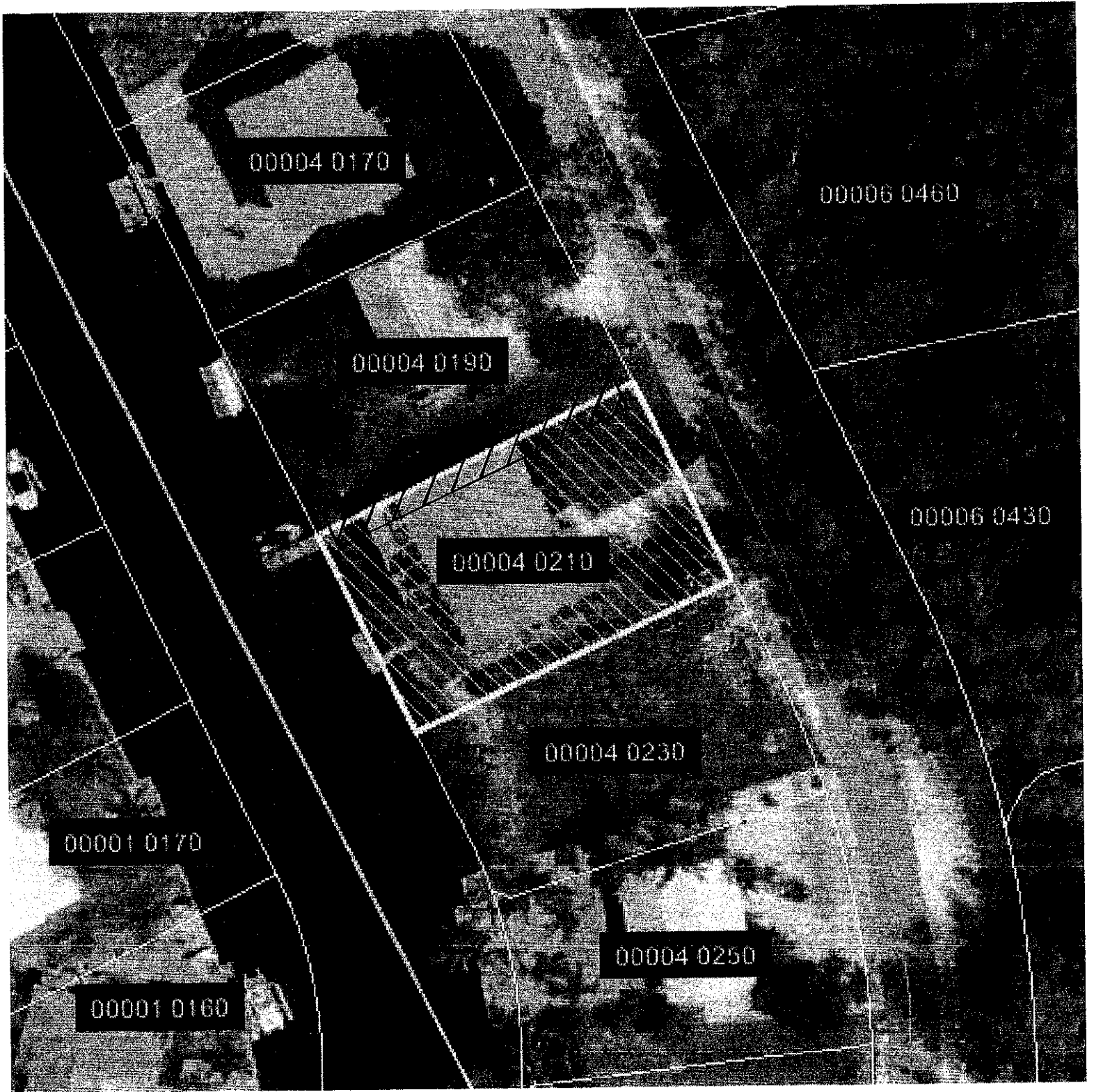
In reference to your letter dated March 17, 2005 AmeriGas has no interest on right of way on the following parcel(s):


STRAP NO.: 35-45-22-21-00004.0190

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

Sincerely,


Jim Riefstahl
Sales & Service Manager



 Area to be vacated

From: Joan Henry
To: Venhuizen, Tanya
Date: 3/24/05 9:17AM
Subject: Fwd: VAC2005-00007 (Dinger & Koontz)

Can you pull this?

Joan C. Henry
Assistant County Attorney
Lee County Attorney's Office
jhenry@leegov.com
Phone: (239) 335-2236
FAX: (239) 335-2606

Tanya
Forward this
to Kathy Heren@
lee.cores.nc.
BS# 20050286
- It may now be rescheduled
for consent w/ these
inserts.

From: Ruth Keith
To: Geren, Patricia
Date: 3/25/05 10:15AM
Subject: Blue Sheet No. 20050286 for VAC2005-00007 (Dinger & Koontz)

Kathy:

This morning, Joan Henry/CAO has approved the additional review and recommendation letters for this Petition. The originals will be routed to your attention from Joan's office. Please confirm that you have the original Blue Sheet No. 20050286, and will reschedule the Consent Agenda for this Petition accordingly. Thanks!

Ruth
x 8440

CC: Eckenrode, Pete; Henry, Joan

From: Pete Eckenrode
To: Geren, Patricia
Date: 3/14/05 3:53PM
Subject: BOCC Consent Agenda 3/15/05

Patricia,

Please pull item 4-E from the Consent agenda for tomorrow's BOCC meeting. Additional information will be required from the applicant so it will be indefinite. Thanks.

Pete

CC: Henry, Joan

*on recap
03-14-05*