

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Public Utility Easement located at 1108 Cleveland Ave., Lehigh Acres (Case No. VAC2005-00015).

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

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:
COMMISSION DISTRICT #: 5

PH #1

5. Meeting Date: *08-02-2005*

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

7. Requirement/Purpose: (specify)
 Statute F.S. Ch. 177
 Ordinance
 Admin. Code 13-1
 Other

8. Request Initiated:
 Commissioner _____
 Department _____ Community Development
 Division _____ Development Services
 By: *[Signature]* *5/25/05*
 Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2005-00015 was submitted by Jason M. and Briana L. Dent.

LOCATION: The site is located at **1108 Cleveland Ave., Lehigh Acres, Florida 33972** and its strap number is 22-44-27-12-00041.0080. Petition No. VAC2005-00015 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 8 and 9, both in Block 41, Unit 12, Section 22, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 32 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the easterly six feet and westerly six feet thereof.

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

There are no objections to this Petition to Vacate.

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

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.
<i>[Signature]</i>				<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

Approved
 Deferred
 Denied
 Other

Rec. by CoAtty
Date:
Time:
Forwarded To:

RECEIVED BY COUNTY ADMIN. <i>[Signature]</i>
<i>10-8-05</i>
<i>2 pm</i>
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
<i>6/9/05</i>
<i>3:30 pm</i>

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00015

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 2nd day of August 2005@9:30 AM 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
VAC2005-00015

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 8 and 9, both in Block 41, Unit 12, Section 22, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 32 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

THIS INSTRUMENT PREPARED BY:

Department of Community Development
Development Services Division
1500 Monroe Street
Fort Myers Florida 33901

RESOLUTION NO. _____ FOR PETITION TO VACATE

Case Number: VAC2005-00015

WHEREAS, Petitioner **Jason M. and Briana L. Dent** in accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, filed a Petition to Vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida held a Public Hearing on this Petition to Vacate on the _____; and

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting; and

WHEREAS, the Petitioner(s) has fee simple title ownership to the underlying land sought to be vacated; and

WHEREAS, the Petitioner(s) has provided proof that all applicable state and county taxes have been paid; and

WHEREAS, Petitioner(s) did provide notice to all affected property owners concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW therefore be it resolved by the Board of County Commissioners as follows:

1. Petition to Vacate No. VAC2005-00015 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

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

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00015

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 8 and 9, both in Block 41, Unit 12, Section 22, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 32 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

BOUNDARY SURVEY

SCALE: 1" = 40'

Exhibit "B"
Petition to Vacate
VAC2005-00015
 [Page One of One]

LEGAL DESCRIPTION

LOT 8+9 BLOCK 41 OF LEHIGH ACRES UNIOT 12
 A SUBDIVISION, ACCORDING TO THE PLAT THEREOF
 AS RECORDED IN PLAT BOOK (DB) 254, PAGE 60, PUBLIC
 RECORDS OF LEE COUNTY, FLORIDA.
PLAT BOOK 15 PAGE 32

PROPERTY ADDRESS:

1108 CLEVELAND AVENUE LEHIGH ACRES, FL 33972

CERTIFIED TO:

JASON AND BRIANA DENT
 GROFF CONSTRUCTION, INC

SURVEYORS NOTES:

- 1- OWNERSHIP IS SUBJECT TO OPINION OF TITLE
- 2- EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THIS PROPERTY
- 3- NO UNDERGROUND IMPROVEMENTS WERE LOCATED
- 4- ELEVATIONS ARE REFERRED TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 (UNLESS ASSUMED).
- 5- THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN IN THIS SURVEY THAT MAY BE FOUND IN THE COUNTY PUBLIC RECORDS
- 6- LEGAL DESCRIPTION PROVIDED BY CLIENT
- 7- UNLESS OTHERWISE NOTED RECORDED AND MEASURED DATA ARE IN SUBSTANTIAL AGREEMENTS.
- 8- BEFORE ANY CONSTRUCTION THE SET BACKS MUST BE CHECKED
- 9- THIS SURVEY IS FOR USE AS PER REQUEST AND NOT FOR ANY OTHER PURPOSE.
- 10- FLOOD ZONE B BASE --- PANEL 0250
- 11- DATE OF FIELD WORK 08-13-04

NORTH

STRAP/ 22-44-27-12-00041.0080 DATE OF PLAT/ FEB- 7-15

CARIBBEAN INSPECTIONS & SURVEYS

7911 NW 72nd AVE., SUITE 105 MEDLEY, FL 33166
JOB # 1108-VACANT DRAWN: D.P. REV: N.A.
MIAMI DADE/MONROE BROWARD
 (305) 889-1100 (954) 435-0220
 FAX (305) 889-2900 FAX (954) 438-7272
PALM BEACH MARTIN/ST. LUCIE/INDIAN RIVER
 (561) 741-4260 (772) 398-6533
 FAX (561) 741-4259 FAX (772) 398-6532

WESTCOAST OPERATIONS

COLLIER/LEE (239) 549-5911/FAX: (239) 549-5811
 TOLL FREE STATE WIDE 1-866-261-CBIC

WWW.CBICORP.COM

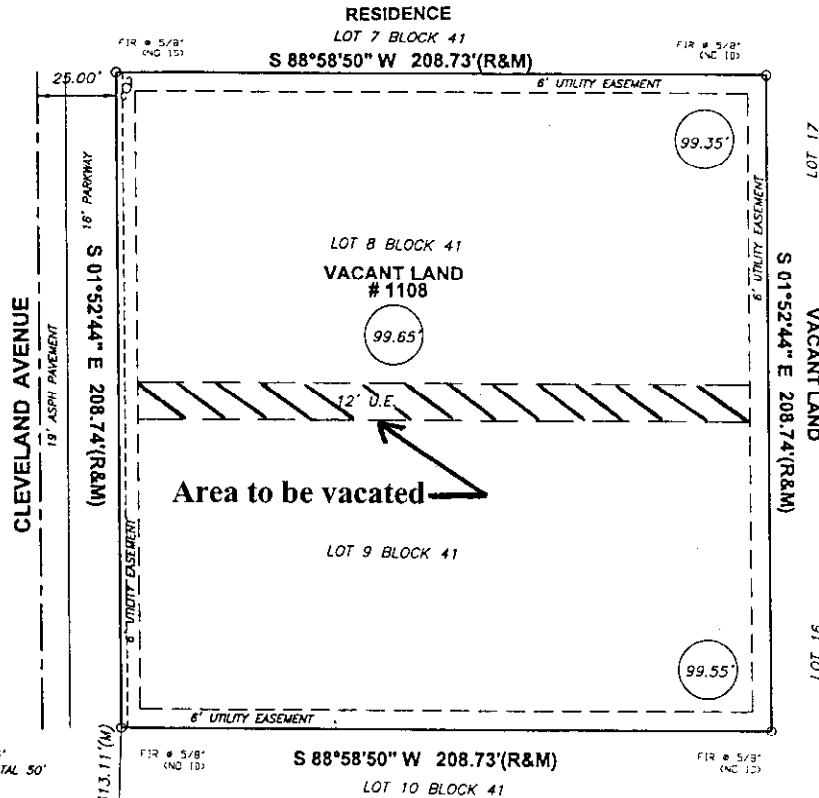
LEGEND:

- M = MONUMENT LINE
- NGVD = NATIONAL GEODETIC VERTICAL DATUM
- N/D = NAIL & DISC
- N.T.S. = NOT TO SCALE
- F-NO. = NUMBER
- O/S = OFFSET
- OH = OVERHEAD
- O.R.B. = OFFICIAL RECORD BOOK
- PL = PLASTER
- PL = PROPERTY LINE
- P.C.C. = POINT OF COMPOUND CURVATURE
- P.C. = POINT OF CURVE
- P.T. = POINT OF TANGENCY
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- P.R.C. = POINT OF REVERSE CURVATURE
- P.P. = POWER POLE
- P.C.P. = PERMANENT CONTROL POINT
- P.B. = PLAT BOOK
- PG = PAGE
- PW = PARKWAY
- P.R.M. = PERMANENT REFERENCE MONUMENT
- P.L.S. = PROFESSIONAL LAND SURVEYOR
- (R) = RECORDED DISTANCE
- R.R. = RAILROAD
- R/W = RIGHT-OF-WAY
- R = RADIUS
- ROE = RANGE
- SEC. = SECTION
- STY. = STORY
- SWK = SIDEWALK
- S.I.P. = SET IRON PIPE
- S.I.R. = SET IRON ROD
- T = TANGENT
- TWP. = TOWNSHIP
- U.E. = UTILITY EASEMENT
- U.P. = UTILITY POLE
- W.M. = WATER METER
- D = INTERIOR ANGLE
- C = CENTERLINE
- U.H. = UTILITY HOUSE
- A/C = AIR CONDITIONER PAD
- ASPH. = ASPHALT
- BLDG. = BUILDING
- B.M. = BENCH MARK
- C.B. = CATCH BASIN
- C.B.S. = CONCRETE BLOCK STRUCTURE
- C.L.F. = CHAIN LINK FENCE
- CONC. = CONCRETE
- DW. = DRIVEWAY
- DIST. = DISTANCE
- EL. = ELEVATION
- F.H. = FIRE HYDRANT
- F.I.P. = FOUND IRON PIPE
- F.I.R. = FOUND IRON ROD
- F.B. = FIELD BOOK
- F.F. = FINISH FLOOR ELEVATION
- FD. = FOUND
- U.C. = UNDER CONSTRUCTION
- FT. = FEET
- F.B.C. = FOUND BLOCK CORNER
- F.N.D. = FOUND NAIL & DISC
- F.D.H. = FOUND DRILL HOLE
- F.N. = FOUND NAIL
- GAR. EL. = GARAGE ELEVATION
- W.P. = WOOD POLE
- L.P. = LIGHT POLE
- L = LENGTH
- (M) = MEASURED
- MON. = MONUMENT
- O.H.W. = OVERHEAD WIRE
- (BS) = BASIS OF BEARINGS
- (S) = SANITARY SEWER MAN-HOLE
- WV = WATER VALVE
- U.P. = UTILITY POLE
- U.P.A. = UTILITY POLE ANCHOR
- WOOD FENCE = WOOD FENCE
- FIRE HYDRANT = FIRE HYDRANT
- ELEVATION = ELEVATION
- C.B.S. WALL = C.B.S. WALL
- TILE = TILE
- ASPHALT = ASPHALT
- GRASS = GRASS

I HEREBY CERTIFY THAT THE BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AS RECENTLY SURVEYED UNDER MY DIRECTION. IT IS ALSO MY PROFESSIONAL OPINION THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 81 C-17-6 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472-027 OF THE FLORIDA STATUTES.

NOE AGUILAR
 NOE AGUILAR
 PROFESSIONAL LAND SURVEYOR & MAPPER
 CERTIFICATE No 5571
 STATE OF FLORIDA

THE SURVEY SHOWN HEREON IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER





PETITION TO VACATE (AC 13-1)

Case Number: VAC 2005-00015

Petitioner(s), Jason Dent and Briana Dent 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, 105 Theodore Vail St., E. Lehigh Acres, FL 33936
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:

Jason Dent signature line and label

Briana Dent signature line and label

Jason Dent printed name line and label

Briana Dent printed name line and label

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

EXHIBIT "A"
Petition to Vacate
VAC2005-00015

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 8 and 9, both in Block 41, Unit 12, Section 22, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 32 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

Exhibit "C"
Petition to Vacate
VAC2005-00015
 [Page One of One]

Lee County Tax Collector - Print Results



Real Property Information		New Search 
Account	Tax Year	Status
22-44-27-12-00041.0080	2004	PAID
Original Account	Book/Page	
22-44-27-12-00041.0080	4451 /2001	
Owner		
DENT JASON M + BRIANA L		
Physical Address		Mailing Address
1108 CLEVELAND AVE LEHIGH ACRES FL 33972		105 THEODORE VAIL ST E LEHIGH ACRES FL 33936 USA
Legal Description		
LEHIGH ACRES UNIT 12 BLK.41 DB 254 PG 60 LOTS 8 + 9		
Outstanding Balance as of 4/19/2005		\$0.00



INSTR # 6467445
 DR BK 04451 Pgs 2001 - 2002; (2pgs)
 RECORDED 09/30/2004 04:02:29 PM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY, FLORIDA
 RECORDING FEE 18.50
 DEED DOC 342-30 -----
 DEPUTY CLERK J Miller

Prepared by and return to:

Corrine Collins
 Duncan & Tardif, P.A.
 1601 Jackson Street Suite 101
 Fort Myers, FL 33901

File Number: 2004593
 Will Call No.: 41

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 24th day of September, 2004 between Lehigh Landmark, LLC, a Florida Limited Liability Company whose post office address is 10901 Reed Hartman Highway #205, Cincinnati, OH 45242, grantor, and Jason M. Dent and Briana L. Dent, husband and wife whose post office address is 105 Theodore Vail Street E, Lehigh Acres, FL 33936, grantee:

(Whenever 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, trusts and trustees)

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

Lots 8 and 9, Block 41, Unit 12 of LEHIGH ACRES, Section 22, Township 44 South, Range 27 East, according to the Plat thereof as recorded in Deed Book 254, Page 60, of the Public Records of Lee County, Florida. *PLAT BOOK 15 PAGE 32*

Parcel Identification Number: 22-44-27-12-00041.0080

Subject to: Covenants, conditions, restrictions, easements, limitations and zoning ordinances, of record, if any and Taxes for the year 2004 and subsequent.

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, 2003**.

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

Signed, sealed and delivered in our presence:

Elaine M. Kitchen
Witness Name: Elaine M. Kitchen
Lanita Stribley
Witness Name: Lanita Stribley

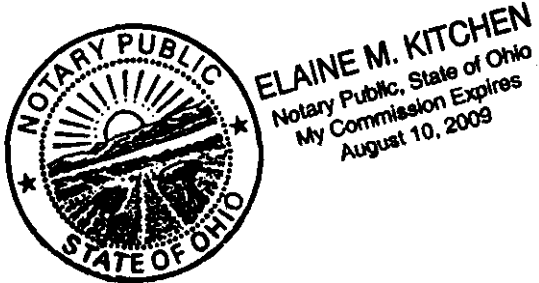
Lehigh Landmark, LLC,
By: Gerald J. Mussari
Gerald J. Mussari, Managing Member
of Landmark Investment Properties, LLC
an Ohio LLC

State of Ohio
County of Butler

The foregoing instrument was acknowledged before me this 24th day of September, 2004 by Gerald J. Mussari, Managing Member of Landmark Investment Properties, LLC, an Ohio Limited Liability Company,, on behalf of said firm. He/she is personally known or has produced a driver's license as identification.

[Notary Seal]

Elaine M. Kitchen
Notary Public
Printed Name: Elaine M. Kitchen
My Commission Expires: August 10, 2009





LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One May 19, 2005

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

Jason & Briana Dent,
105 Theodore Vail St. E.,
Lehigh Acres, FL 33936

Re: **VAC2005-00015 - Petition to Vacate** a 12-foot wide Public Utility Easement on the combined lots of 8 and 9, both in Block 41, U 12, S 22, T44 S, R 27 E, a subdivision of Lehigh Acres, as recorded in PB 15, Pg 32 of the Public Records of Lee County, FL; **LESS and EXCEPT** the easterly six feet and westerly six feet thereof.

Dear Mr. & Mrs. Dent:

You have indicated that in order to build a single-family residence on the combined lots, you desire to eliminate the Public Utility Easement located between your two (2) lots. The site is located at 1108 Cleveland Ave., Lehigh Acres. 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:\200505\20050330.151\9204450\DCDLETTER.DOC

February 7, 2005

Peter Eckenrode, Director of Development Services
Lee County Community Development
P.O. Box 398, 1500 Monroe St.
Ft. Myers, FL 33902

RE: Lot 8+9 BLOCK 41, Unit 12 of LEHIGH ACRES, Section 22, Township 44 South, Range 27 East, according to the Plat thereof as recorded in Deed Book 4451, Page(s) 2001-2002 of the Public Records of Lee County, Florida. Strap Number 22-44-27-12-00041.0080.

PLAT BOOK 15 PAGE 32

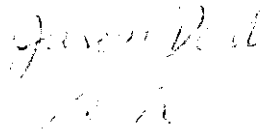
Dear Mr. Eckenrode

We are submitting a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the right-of-way or road easement, utility or drainage easement at the location identified above in order to accomplish the following purpose:

To combine two (2) lots into one for future building site of single-family residence.

We have included a sketch or drawing of the right-of-way or road easement, utility or drainage easement we desire to vacate. Thank you for your consideration.

Sincerely,



Jason and Briana Dent
105 Theodore Vail St., E.
Lehigh Acres, FL 33936
239-369-4464



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.iline.com

February 18, 2005

Jason and Briana Dent
105 Theodore Vail St E
Lehigh Acres, FL 33936

Re: 1108 Cleveland Avenue, Lehigh Acres, Florida
Strap # 22-44-27-12-00041.0080

Dear Mr. and Mrs. Dent:

LCEC does not object to vacation of the interior easement on the above referenced parcel, **LESS AND EXCEPT** the Westerly 6 feet **AND** the Easterly 6 feet. It is LCEC's understanding that the 6-foot perimeter easement of the combined site will remain intact.

Please call me at 656-2422 if you have any questions.

Sincerely,

Sandra McIver
Real Property Representative

Attachment



February 17, 2005

Mr. and Mrs. Dent
105 Theodore Vail Street East
Lehigh Acres, Florida 33936

Re: Vacation of Public Utility Easement:
A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 8 & 9, Block 41, Unit 12, Section 22,
Township 44S, Range 27E.
Strap No. – 22-44-27-12-00041.0080

Dear Mr. and Mrs. Dent:

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

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

Sincerely,

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

Wayneth Jackson
Engineer



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

February 15, 2005

Jason & Briana Dent
105 Theodore Vail St E
Lehigh Acres, FL 33936

Re: Plat Book 15, Page 32, Lot 8+9 Block 41, Unit 12 of
Lehigh Acres, Section 22, Township 44 South, Range 27 East
Utility Easement Approval and Letter of Availability

Dear Jason & Briana Dent,

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

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

Cordially,

A handwritten signature in black ink, appearing to read 'Mark Cook'.

Mark Cook
Design Coordinator



March 3, 2005

Jason & Briana Dent
105 Theodore Vail Street E
Lehigh Acres, Fla. 33936

RE: Vacation of easement
Block 41, Lots 8 & 9, Unit 12
Lehigh Acres, Fla.

Dear Mr & Mrs. Dent:

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

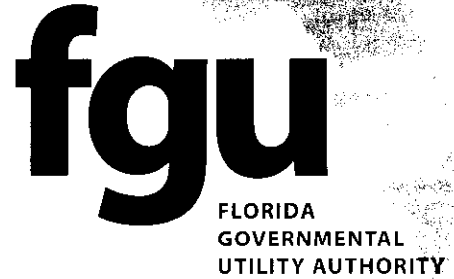
If you have any further questions or concern, please do not hesitate to contact me at (239) 772-2218, Ext. 79247.

Sincerely,

TIME WARNER CABLE


Adnaldo Rodriguez
Technical Field Inspector

AR/sgs



March 22, 2005

Jason and Briana Dent
105 Theodore Vail St., E.
Lehigh Acres, FL 33936

RE: Vacation of Easement for Lots 8 and 9, Block 41, Unit 12 of Lehigh Acres, Florida, as recorded in Plat Book 254, page 60, of the Official Records of Lee County, Florida, less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

LEA ANN THOMAS, CHAIR
Polk County

RICHARD W. WESCH
Citrus County

ROBERT NANNI
Osceola County

Dear Mr. Dent:

The FGUA has determined that it does not presently hold any property rights over the property identified above other than the easement included in the plat reservation. It has also been determined that the FGUA has no current utilities in the utility easement, nor has any foreseeable need for utility placement in the easement to be vacated. Therefore, the request for vacation of easement as depicted in the sketch attached to your request and identified below is hereby approved.

The vacation of easement was requested for the 12 foot wide drainage and public utility easement between Lots 8 & 9, Block 41, Unit 12 of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 254, page 60, of the Official Records of Lee County, Florida less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

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 L. Sweat", is written over a horizontal line.

Charles L. Sweat
Director of Operations

CLS/vjb

FGUA OPERATIONS OFFICE

Government Services Group, Inc.
Protegrity Plaza, Suite 203
280 Wekiva Springs Road
Longwood FL 32779

877/552-3482 Toll Free
407/629-6900 Tel
407/629-6963 Fax



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8150

Bob Janes
District One

February 10, 2005

Douglas R. St. Cerny
District Two

Jason and Briana Dent
105 Theodore Vail St. E.
Lehigh Acres, FL 33936

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT
STRAP #: 22-44-27-12-00041.0080
1108 CLEVELAND AVE

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Dear Mr. and Mrs. Dent,

Diana M. Parker
County Hearing
Examiner

Lee County Utilities has no objection to the proposed vacation of the existing platted easement(s) 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 Florida Governmental Utility Authority at 368-1615, concerning your request, as the subject parcels are 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)479-8150.

Sincerely,

LEE COUNTY UTILITIES

David Reycraft
GIS Analyst
Utilities Engineering Division
Lee County Utilities

Original Mailed: 02/10/2005

CC: Correspondence File

H:\Vacates\2005\Dent02102005.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

N 88° 37' 43" E

RESERVED
FUTURE DEVELOPMENT
TRACT "A"

ELEVENTH

24076	24075
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EAST

CERTIFICATE OF SURVEY

I THE UNDERSIGNED HEREBY CERTIFY THAT THE
PLAN AS SHOWN IS A CORRECT REPRESENTATION OF
THE LAND PLATTED AND THAT PERMANENT REFERENCE
MONUMENTS HAVE BEEN PLACED AS SHOWN

Frank S. Hopper, Jr.

FLORIDA RESID. LAND SURVEYOR # 675
ENGINEER # 680

NOTE

- ALL LOTS SUBJECT TO A CO-UTILITY EASEMENT ON ALL SIDES OF LOT
- INTERIOR P.D.M.'S ARE 4" DIA. X 24" CONCRETE
- SECTION COR. P.D.M.'S ARE 6" DIA. X 24" CONCRETE
- ALL LOTS EQUAL 1/4 ACRES EXCEPT WHERE NOTED

4 0 ft

BOUNDARY

1621

1621

000420200	000410060	000410200
000420190	000410060	000410180
000420180	000410070	000410180
000420170	000410080	000410170
000420160	000410080	000410160
000420150	000410100	000410150
000420140	000410120	000410140



Area to be vacated