

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate 12-foot wide Public Utility Easements located at 3319 Lee Blvd., Lehigh Acres (Case No. VAC2005-00016).

2. WHAT ACTION ACCOMPLISHES: To build a lawn and garden supply shop on the combined 10 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 # 2** **5. Meeting Date:** 08-02-2005

6. Agenda:	<input type="checkbox"/> Consent	7. Requirement/Purpose: (specify)	<input checked="" type="checkbox"/> Statute	F.S. Ch. 177	8. Request Initiated:		
	<input type="checkbox"/> Administrative		<input type="checkbox"/> Ordinance			Commissioner	
	<input type="checkbox"/> Appeals		<input checked="" type="checkbox"/> Admin. Code	13-1		Department	Community Development
	<input checked="" type="checkbox"/> Public		<input type="checkbox"/> Other			Division	Development Services
	<input type="checkbox"/> Walk-On					By: <i>[Signature]</i>	5/31/05
					Peter J. Eckenrode, Director		

9. Background:
The completed petition to vacate, VAC2005-00016 was submitted by Aim Engineering and Surveying, Inc. and L.J. Lewis as the agent on behalf of FRLS Lee Boulevard, LLC, a Florida limited liability company, and John Cauthen.

LOCATION: The site is located at 3319 Lee Blvd., Lehigh Acres, Florida 33971 and its strap number is 26-44-26-11-00067.0010. Petition No. VAC2005-00016 proposes to vacate twelve-foot (12') wide Public Utility Easements lying: 6 feet each side of the common line between Lots 1 thru 5 and 16 thru 20, **LESS and EXCEPT** the north and south six feet thereof. 6 feet each side of the common line between Lots 1 and 20, 2 and 19, 3 and 18, 4 and 17, and 5 and 16, **LESS and EXCEPT** the west 6 feet of Lots 1 and 20 and the east 6 feet of Lots 5 and 16, all in Block 67, Unit 11, 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.

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.

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
				<i>[Signature]</i>	Analyst	Risk	Grants	Mgr.
					<i>[Signature]</i> 6/9/05	<i>[Signature]</i> 6/9/05	<i>[Signature]</i>	<i>[Signature]</i> 6/9/05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date:
Time:
Forwarded To:

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

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00016

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"

LEGAL DESCRIPTION

A 12 foot wide strip of land lying 6 feet each side of the common line between Lots 1 thru 5 and 16 thru 20, Block 67, Lehigh Acres, Section 26, Township 44 South Range 26 East, as recorded in Plat Book 15 Page 75 of the Lee County Public Records.
Less and Except the North and South 6 feet thereof.

And a 12 foot wide strip of land lying 6 feet each side of the common line between lots 1 and 20, 2 and 19, 3 and 18, 4 and 17 and 5 and 16, Lehigh Acres,
Less and except the west 6 feet of lots 1 and 20 and the east 6 feet of lots 5 and 16, as recorded in Plat Book 15, Page 75, of the Public Records of Lee County, Florida.

Exhibit "A"
Petition to Vacate
VAC2005-00016
[Page One of One]

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: VAC2005-00016

WHEREAS, Petitioner **FRLS Lee Boulevard, LLC, a Florida limited liability company, and John Cauthen** 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. VAC2005-00016 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

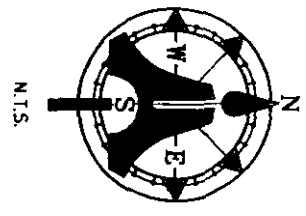
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Less and Except the North and South 6 feet thereof.

And a 12 foot wide strip of land laying 6 feet each side of the common line between lots 1 and 20, 2 and 19, 3 and 18, 4 and 17 and 5 and 16, Lehigh Acres,
Less and except the west 6 feet of lots 1 and 20 and the east 6 feet of lots 5 and 16, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County, Florida.

Exhibit "A"
Petition to Vacate
VAC2005-00016
[Page One of One]



ALL LOTS SUBJECT TO A 6' UTILITY
EASEMENT FRONT, SIDES AND BACK

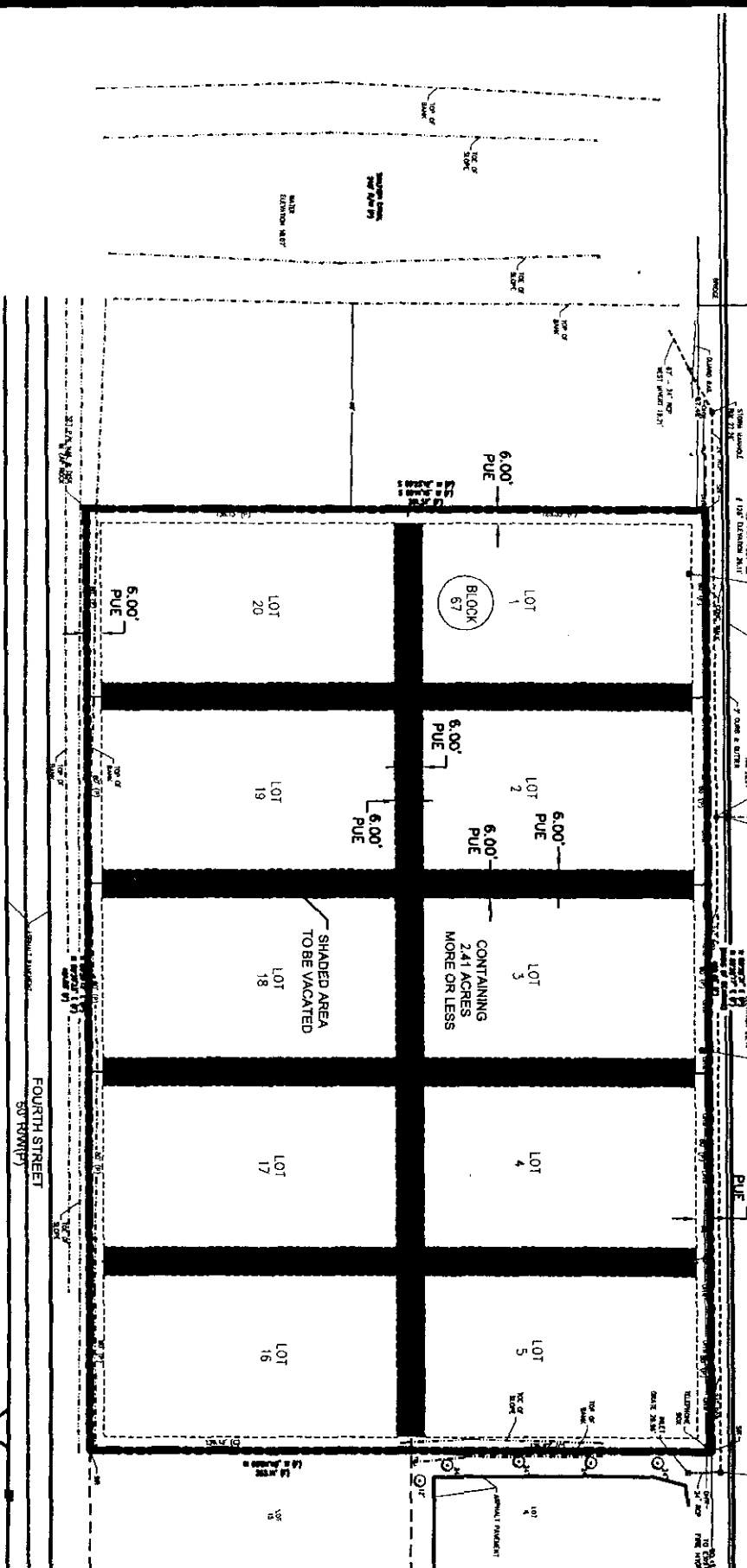


Exhibit "B"
Petition to Vacate
VAC2005-00016
[Page One of One]



AIM Engineering & Surveying, Inc.

5300 Lee Blvd. / P.O. Box 1235
LEHIGH ACRES, FLORIDA 33970 PH:
(239) 332-4569
1-800-226-4569
Fax: (239) 332-8734

JOB NUMBER: 03-8565	CLIENT: FORESTRY RESOURCES		
DRAWN BY P.J.M.	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH		DRAWING:
REVISED L.J.L.	DATE: 20-2005	SEC.	COUNTY: LEE



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00016

Petitioner(s), FRLS LEE BOULEVARD, LLC, a Florida limited liability company 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, 4353 MICHIGAN LINK, FORT MYERS, FL 33916
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

Petitioner Signature

JOHN CAUTHEN, Managing Member

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: VAC2005-00016


Petitioner(s), JOHN CAUTHEN

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, 4353 MICHIGAN LINK, FORT MYERS, FL 33916
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

Petitioner Signature

JOHN CAUTHEN

Printed Name

Printed Name

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

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 _____ having strap numbers: 26-44-26-11-00067.0010, .0020, .0160, .0170, .0180, .0190, and .0200 and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate _____ Aim Engineering and Surveying, Inc. and L.J. Lewis _____ 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 Cauthen, Managing Manager FRLS Lee Boulevard, LLC

Printed Name

[Signature]

Owner*(signature)
John Cauthen, Individual owner of Lot 18

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

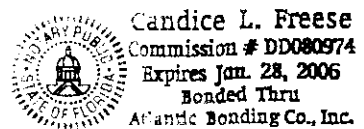
STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 28 day of April, 2005, by John Cauthen, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

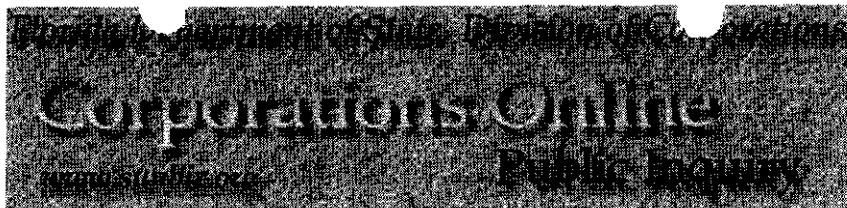
[Signature]

Notary Public

(SEAL)



(Name typed, printed or stamped)



Florida Limited Liability

FRLS LEE BOULEVARD, LLC

PRINCIPAL ADDRESS
 4353 MICHIGAN LINK
 FORT MYERS FL 33916 US

MAILING ADDRESS
 4353 MICHIGAN LINK
 FORT MYERS FL 33916 US

Document Number
 L03000037382

FEI Number
 421620016

Date Filed
 10/01/2003

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Total Contribution
 0.00

Registered Agent

Name & Address
CAUTHEN, JOHN 4353 MICHIGAN LINK FORT MYERS FL 33916

Manager/Member Detail

Name & Address	Title
CAUTHEN, JOHN W 4353 MICHIGAN LINK FORT MYERS FL 33916	MGRM

Annual Reports

Report Year	Filed Date
2004	05/06/2004
2005	03/17/2005

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

03/17/2005 -- ANN REP/UNIFORM BUS REP
05/06/2004 -- ANN REP/UNIFORM BUS REP
10/01/2003 -- Florida Limited Liability

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)

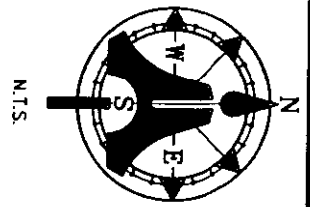
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LEGAL DESCRIPTION

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Less and Except the North and South 6 feet thereof.

And a 12 foot wide strip of land lying 6 feet each side of the common line between lots 1 and 20, 2 and 19, 3 and 18, 4 and 17 and 5 and 16, Lehigh Acres,
Less and except the west 6 feet of lots 1 and 20 and the east 6 feet of lots 5 and 16,
as recorded in Plat Book 15, Page 75, of the
Public Records of Lee County, Florida,

Exhibit "A"
Petition to Vacate
VAC2005-00016
[Page One of One]



ALL LOTS SUBJECT TO A 6' UTILITY
EASEMENT FRONT, SIDES AND BACK

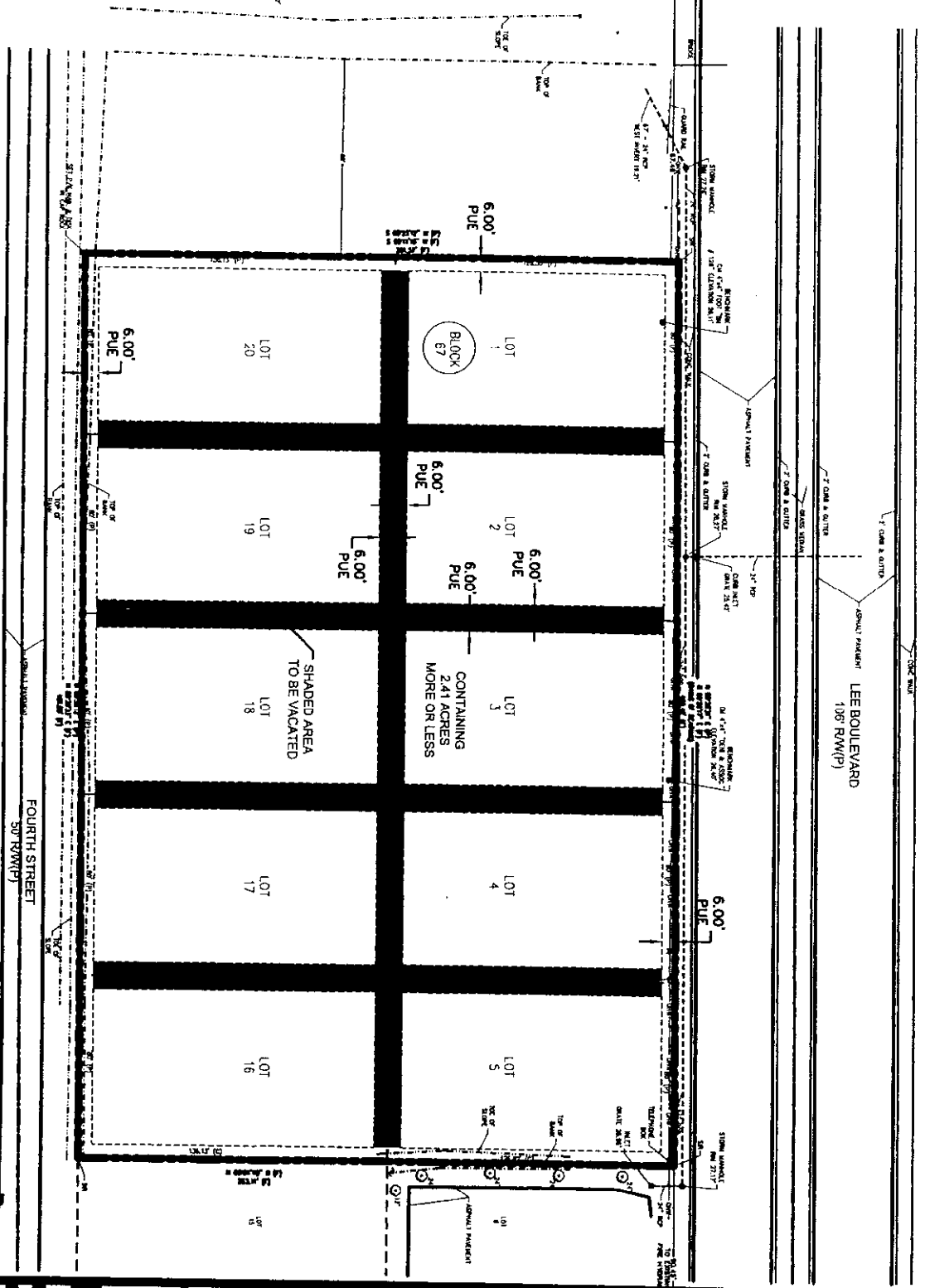
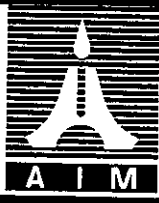


Exhibit "B"
Petition to Vacate
VAC2005-00016
[Page One of One]



AIM Engineering & Surveying, Inc.

5300 Lee Blvd. / P.O. Box 1235
LEHIGH ACRES, FLORIDA 33970 PH:
(239) 332-4569
1-800-226-4569
Fax: (239) 332-8734

JOB NUMBER: 03-8565	CLIENT: FORESTRY RESOURCES		
DRAWN BY: P.J.M.	DESCRIPTION: LEGAL DISCRPTION AND SKETCH	DRAWING:	
REVISED: L.J.L.	DATE: 20-2005	SEC:	COUNTY: LEE

Exhibit "C"
Petition to Vacate
VAC2005-00016
 [Page One of Four]

Lee County Tax Collector - Print Results



Real Property Information		New Search
Account	Tax Year	Status
26-44-26-11-00067.0010	2004	PAID
Original Account	Book/Page	
26-44-26-11-00067.0010	4099/233	
Owner		
FRLS LEE BLVD LLC		
Physical Address	Mailing Address	
3319 LEE BLVD LEHIGH ACRES FL 33971	4353 MICHIGAN AV LINK FORT MYERS FL 33905 USA	
Legal Description		
LEHIGH ACRES UNIT 11 BLK.67 PB 15 PG 75 LOT 1		
Outstanding Balance as of 4/20/2005		\$0.00

Lee County Tax Collector - Print Results



Real Property Information		New Search
Account	Tax Year	Status
26-44-26-11-00067.0020	2004	PAID
Original Account	Book/Page	
26-44-26-11-00067.0020	4099/233	
Owner		
FRLS LEE BOULEVARD LLC		
Physical Address	Mailing Address	
3317 LEE BLVD LEHIGH ACRES FL 33971	4353 MICHIGAN AV LINK FORT MYERS FL 33905 USA	
Legal Description		
LEHIGH ACRES UNIT 11 BLK.67 PB 15 PG 75 LOT 2 THRU 5		
Outstanding Balance as of 4/20/2005		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00016
 [Page Two of Four]

Lee County Tax Collector - Print Results



Real Property Information		
Account	Tax Year	Status
26-44-26-11-00067.0160	2004	PAID
Original Account	Book/Page	
26-44-26-11-00067.0160	4092/4596	
Owner		
FRLS LEE BOULEVARD LLC		
Physical Address	Mailing Address	
3310 4TH ST W LEHIGH ACRES FL 33971	4353 MICHIGAN AVE LINK FORT MYERS FL 33905 USA	
Legal Description		
LEHIGH ACRES UNIT 11 BLK.67 PB 15 PG 75 LOT 16		
Outstanding Balance as of 4/20/2005		\$0.00

Lee County Tax Collector - Print Results



Real Property Information		
Account	Tax Year	Status
26-44-26-11-00067.0170	2004	PAID
Original Account	Book/Page	
26-44-26-11-00067.0170	4092/4596	
Owner		
FRLS LEE BOULEVARD LLC		
Physical Address	Mailing Address	
3312 4TH ST W LEHIGH ACRES FL 33971	4353 MICHIGAN AVE LINK FORT MYERS FL 33905 USA	
Legal Description		
LEHIGH ACRES UNIT 11 BLK 67 PB 15 PG 75 LOT 17		
Outstanding Balance as of 4/20/2005		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00016
 [Page Three of Four]

Lee County Tax Collector - Print Results



Real Property Information		New Search
Account	Tax Year	Status
26-44-26-11-00067.0180	2004	PAID
Original Account	Book/Page	
26-44-26-11-00067.0180	4445 /2694	
Owner		
CAUTHEN JOHN		
Physical Address	Mailing Address	
3314 4TH ST W LEHIGH ACRES FL 33971	4353 MICHIGAN LINK FORT MYERS FL 33916 USA	
Legal Description		
LEHIGH ACRES UNIT 11 BLK 67 PB 15 PG 75 LOT 18		
Outstanding Balance as of 4/20/2005		\$0.00

Lee County Tax Collector - Print Results



Real Property Information		New Search
Account	Tax Year	Status
26-44-26-11-00067.0190	2004	PAID
Original Account	Book/Page	
26-44-26-11-00067.0190	4416/3998	
Owner		
FRLS LEE BOULEVARD LLC		
Physical Address	Mailing Address	
3316 4TH ST W LEHIGH ACRES FL 33971	4353 MICHIGAN AV LINK FORT MYERS FL 33905 USA	
Legal Description		
LEHIGH ACRES UNIT 11 BLK.67 PB 15 PG 75 LOT 19		
Outstanding Balance as of 4/20/2005		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00016
 [Page Four of Four]

Lee County Tax Collector - Print Results



Real Property Information		
Account	Tax Year	Status
26-44-26-11-00067.0200	2004	PAID
Original Account	Book/Page	
26-44-26-11-00067.0200	4160/2026	
Owner		
FRLS LEE BLVD LCC		
Physical Address	Mailing Address	
3318 4TH ST W LEHIGH ACRES FL 33971	4353 MICHIGAN AV LINK FORT MYERS FL 33905 USA	
Legal Description		
LEHIGH ACRES UNIT 11 BLK.67 PB 15 PG 75 LOT 20		
Outstanding Balance as of 4/20/2005		\$0.00



INSTR # 6016841
 Official Records BK 04099 PG 0233
 RECORDED 10/21/2003 01:30:41 PM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY
 RECORDING FEE 6.00
 DEED DOC 2,310.00
 DEPUTY CLERK L Parent

Prepared by and Return To:
 Julia A Colley
 Title Group Of Lehigh, LLC
 1251 Taylor Lane Suite 6A
 Lehigh Acres, FL 33936

File No. 03-99582-JAC

WARRANTY DEED

This indenture made this 1st day of October, 2003, by Siev, Inc., a Florida Corporation hereinafter called the Grantor, to FRLS Lee Boulevard, L.L.C., a Florida limited liability company, whose post office is 4353 Michigan Avenue Link, Fort Myers, FL 33905 hereinafter called the Grantee:

(Whenever used herein the term "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 TEN AND NO/100 DOLLARS (\$10.00), 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 the County of Lee, and State of Florida, viz:

Lot 1 Thru 5, Block 67, Unit 11, the Northeast 1/4 and the South 1/2 of Section 26, Township 44 South, Range 26 East, Lehigh Acres, according to the plat thereof, as recorded in Plat Book 15, Page(s) 75, inclusive, of the Public Records of Lee County, Florida.

PARCEL I.D. #: 26-44-26-11-00067.0010, 26-44-26-11-00067.0020

SUBJECT TO Covenants, restrictions, easements of record and taxes for the current year.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

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, 2002.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written

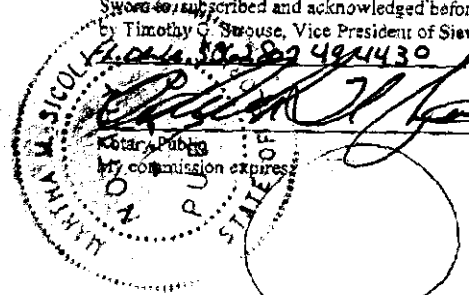
Signed, sealed and delivered in our presence:

* Michael Walsh Witness: [Signature] Witness:
 * Michael Walsh Witness: [Signature] Witness:

Siev, Inc.
 By: Timothy D. Strouse
 By: Timothy D. Strouse, Vice President

State of Florida
 County of DEWAND

Sworn to, subscribed and acknowledged before me this 1st day of October 2003
 by Timothy D. Strouse, Vice President of Siev, Inc. who are personally known to me or who has produced
 Florida ID# 2003 494430 as identification.



MARTHA M. SICOLI
 Notary Public, State of Florida
 My comm. expires Mar. 15, 2005
 No. CC996355
 Bonded thru Ashton Agency, Inc. (800)451-4854

acting as Notary
 Public & Witness

Prepared by and Return To:
Julia A Colley
Title Group Of Lehigh, LLC
1251 Taylor Lane Suite 6A
Lehigh Acres, FL 33936



INSTR # 6009544
Official Records BK 04092 PG 4596
RECORDED 10/14/2003 04:29:25 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DUC 157.50
DEPUTY CLERK L Parent

File No. 03-99583-JAC

WARRANTY DEED

This indenture made this 2nd day of October, 2003, by James Hamilothoris and Eleni Hamilothoris, husband and wife hereinafter called the Grantor, to FRLS Lee Boulevard, LLC, a Florida limited liability company, whose post office is 4353 Michigan Avenue Link, Fort Myers, FL 33905 hereinafter called the Grantee:

(Whenever used herein the term "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 TEN AND NO/100 DOLLARS (\$10.00), 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 the County of Lee, and State of Florida, viz:

Lot 16 And 17, Block 67, Unit 11, Section 26, Township 44 South, Range 26 East, Lehigh Acres, according to the plat thereof, as recorded in Plat Book 15, Page(s) 75, inclusive, of the Public Records of Lee County, Florida.

PARCEL I.D. #: 26-44-26-11-00067.0160, 26-44-26-11-00067.0170

SUBJECT TO Covenants, restrictions, easements of record and taxes for the current year.

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, 2002.

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:

Brooke Sanders
Witness: BROOKE SANDERS
Wendy O. Bement
Witness: WENDY O. BEMENT
James Hamilothoris
James Hamilothoris

Brooke Sanders
Witness: BROOKE SANDERS
Wendy O. Bement
Witness: WENDY O. BEMENT
Eleni Hamilothoris
Eleni Hamilothoris

State of Florida
County of

Sworn to, subscribed and acknowledged before me this 2nd day of October, 2003 by James Hamilothoris and Eleni Hamilothoris who are personally known to me or who has produced FDLH 4543-140-32-327 as identification.
H 543-213-30-919-0

Patricia Lange
Notary Public
My commission expires: 7/9/07



Patricia Lange
Commission #DD230571
Expires: Jul 09, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Prepared By and Return To:
Title Group of Lehigh, LLC
1251 Taylor Lane, Ste 6-A
Lehigh, Florida 33936

File No. 04-990243

Property Appraiser's Parcel I.D. (folio) Number(s)
26-44-26-11-00067.0180



INSTR # 6459910
UR BK 04445 Pgs 2694 - 2695; (2pgs)
RECORDED 09/27/2004 12:34:30 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 18.50
DEED DOC 157.50
DEPUTY CLERK D Schaefer

WARRANTY DEED

THIS WARRANTY DEED dated September 7, 2004, by Peggy Ball formerly known as Peggy Russo hereinafter called the grantor, to John Cauthen, whose post office address is 4353 Michigan Link, Fort Myers, FL 33916, hereinafter 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, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Lee County, Florida, viz:

Lot 18, Block 67, Unit 11, 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.

This is not the homestead of the Grantor.

Subject to easements, restrictions, reservations and limitations of recorded, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise 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

WARRANTY DEED
(Continued)

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

Signed, sealed and delivered in the presence of:

Swann H. Meigen
(Witness Signature)

Peggy Ball
Peggy Ball

Christopher H. Kell
(Witness Signature)

265 Beacon Drive
(Address)
Phoenixville, PA 19460
(Address)

State of Pa

County of Berks

Sworn to, subscribed and acknowledged before me this 8 day of Sept,
2004 by James P. Flanagan who are personally known to me or who have
produced DRIVERS LICENSE as identification.

James P. Flanagan
Notary Public
My Commission Expires: 12/26/2005

Notarial Seal
James P. Flanagan, Notary Public
City of Reading, Berks County
My Commission Expires Dec. 26, 2005
Member, Pennsylvania Association of Notaries

Prepared by and Return To:
Julia A Colley
Tide Group Of Lehigh, LLC
1251 Taylor Lane Suite 6A
Lehigh Acres, FL 33936



INSTR # 6423360
OR BK 04416 Pg 3998; (1pg)
RECORDED 09/02/2004 08:12:51 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.00
DEED DOC 0.70
DEPUTY CLERK T Baer

File No. 03-99655

WARRANTY DEED

Made this 15TH day of JULY, 2004, by **Pompeyo B Bonado and Editha P Bonado, husband and wife** hereinafter called the grantor, to **FRLS Lee Boulevard, LLC, a Florida limited liability company**, whose post office address is **4353 Michigan Avenue Link, Fort Myers, FL 33905** hereinafter called the grantee:

(Whenever used herein the term "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 DOLLARS, 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 the County of Lee, and State of Florida, viz:

Lot 19, Block 67, Unit 11, Section 26, Township 44 South, Range 26 East, Lehigh acres, according to the plat thereof, as recorded in Plat Book 15, Page(s) 75, inclusive, of the Public Records of Lee County, Florida.

THIS INSTRUMENT BEING RECORDED TO CORRECT THE WARRANTY DEED THAT WAS RECORDED MAY 13, 2004, IN OR BOOK 4293, PAGE 3042, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THAT LACKED TWO WITNESSES.

PARCEL ID#: 26-44-26-11-00067.0190

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, 2002.

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:

[Signature]
Witness:
Walter Kukowski
Witness:
Pompeyo B. Bonado
Pompeyo B Bonado

[Signature]
Witness:
Charles L. Beck
Witness:
Editha P. Bonado
Editha P Bonado

State of NEW JERSEY
County of MONMOUTH

Sworn to, subscribed and acknowledged before me this 31 day of July 2004
by **Pompeyo B Bonado and Editha P Bonado** who are personally known to me or who has produced
NJ DRIVER'S LICENSE as identification.

[Signature]
Notary Public
My commission expires: 4/19/09



Prepared by and Return To:
Julia A Colley
Title Group Of Lehigh, LLC
1251 Taylor Lane Suite 6A
Lehigh Acres, FL 33936

INSTR # 6095295
UR BK 04160 Pg 2026; (1pg)
RECORDED 12/30/2003 04:33:34 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 6.00
DEED DOC: 77.00
DEPUTY CLERK C Keller

File No. 03-99641-JAC

WARRANTY DEED

This indenture made this 11th day of December, 2003, by John V Koran and John D Koran, as joint tenants with full rights of survivorship, hereinafter called the Grantor, to FRLS Lee Boulevard, LLC, a Florida limited liability company whose post office is 4353 Michigan Avenue Link, Fort Myers, FL 33905 hereinafter called the Grantee:

(Whenever used herein the term "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 TEN AND NO/100 DOLLARS (\$10.00), 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 the County of Lee, and State of Florida, viz:

Lot 20, Block 67, Unit 11, Section 26, Township 44 South, Range 26 East, Lehigh Acres, according to the plat thereof, as recorded in Plat Book 15, Page(s) 75, inclusive, of the Public Records of Lee County, Florida.

PARCEL I.D. #: 26-44-26-11-00067.0200

SUBJECT TO Covenants, restrictions, easements of record and taxes for the current year.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

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, 2002.

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:

2 separate witnesses

Witness: Deanna W. Warner

Witness: _____

Witness: Dee R. Wierock

Witness: _____

Witness: John V. Koran
John V Koran

Witness: John D. Koran
John D. Koran

RECORDER'S MEMO
Legibility of Writing, Typing or
Printing Unsatisfactory in this
Document When Received.

State of Wisconsin
County of Wood

Sworn to, subscribed and acknowledged before me this 12th day of December 2003
by John V Koran and John D. Koran who are personally known to me or who has produced
as identification.

Heidi J. Spiegel
Notary Public
My commission expires:

10-22-06



LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

Bob Janes
District One **May 27, 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

L.J. Lewis
Aim Engineering and Surveying, Inc.
5300 Lee Blvd.,
P.O. Box 1235,
Lehigh Acres, FL 33970-1235

Re: VAC2005-00016 - Petition to Vacate 12-foot wide Public Utility Easements on the combined Lots 1 thru 5 and 16 thru 20, Unit 74, Lehigh Acres, S 26, T 44S, R 26E, as recorded in Plat Book 15, Page 75, in the public records of Lee County, FL

Dear Mr. Lewis:

You have indicated that in order to construct a lawn and garden supply shop on the combined ten (10) lots, you desire to eliminate the Public Utility Easements, which is lying across these lots. The site is located at 3319 Lee Blvd., 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\20050405.085\0402500\DCDLETTER.DOC



AIM Engineering & Surveying, Inc.

10000 South US Highway 1
Fort Myers, Florida 33907
Phone: 941-933-1111
Fax: 941-933-1112
www.aimeng.com

April 1, 2005
10000 South US Highway 1
Fort Myers, Florida 33907
Phone: 941-933-1111
Fax: 941-933-1112
www.aimeng.com

April 1, 2005

Mr. Peter J. Eckenrode
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902-0398

Re: FRLS Lee Blvd.
Utility Easement Vacation

Dear Mr. Eckenrode,

Please find herewith the Application to Vacate, filing fee \$300, and required documents for the Vacation of the Interior Public Utility easement for Lots 2 thru 5 and 16 thru 20, Block 67, Unit 11, Section 26, Township 44 S. Range 26 East Lee County as recorded in Plat Book 15, page 75.

The easements are being vacated to make way for the construction of the lawn and Garden Supply Shop consisting of 10 lots or 2.41 acres.

Respectfully submitted,

L.J. Lewis
Project Manager
Aim Engineering and Surveying Inc.



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

February 2, 2005

Mr. L. J. Lewis
AIM Engineering & Surveying, Inc.
P O Box 1235
Lehigh Acres, FL 33970-1235

Re: Vacation of Public Utility Easements
Block 67, Lots 1-5 and 16-20, Lehigh Acres, Florida

Dear Mr. Lewis:

LCEC does not object to vacation of the Public Utility Easements as shown on the attached sketch. It is LCEC's understanding that the 6-foot perimeter easement of the combined parcel will remain intact as there is a power line in the Northerly 6-foot easement of Lots 1-5 along Lee Boulevard.

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

Sincerely,

Sandra McIver
Real Property Representative

Attachment



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

March 25, 2005

AIM Engineering
C/O LJ Lewis
PO BOX 1235
Lehigh Acres, FL 33970

Re: Lots 1-5 and 16-20, Block 67, Lehigh Acres, as recorded in Plat Book 15, Page
75 of Public records of Lee County
Vacate Right-of-Way and/or Utility Easement

Dear LJ Lewis,

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 732-3861.

Cordially,

A handwritten signature in black ink, appearing to read 'William Stanton'.

William Stanton
Design/Drafting Technician



Customer Service Operations
Post Office Box 1530
Lakeland, Florida 33975-4613

January 28, 2005

L.J. Lewis.
Aim Engineering & Surveying, Inc
Post Office Box 1235
Lehigh Acres Florida 33970-1235

Re: Vacation of Public Utility Easement:

A 12 foot wide strip of land lying 6 feet each side of the common line between lots 1 and 2, 2 and 3, 3 and 4, 4 and 5, 16 and 17, 17 and 18, 18 and 19, 19 and 20, 1 and 20, 2 and 19, 3 and 18, 4 and 17, and 5 and 16, Block 67, Lehigh Acres, Section 26, Township 44 South, Range 26 East, Unit 11 as recorded in Plat Book 15 Page 75 of the Lee County Public Records. Less and Except the North, East, South, and West 6 feet thereof.

Dear : Mr. Lewis,

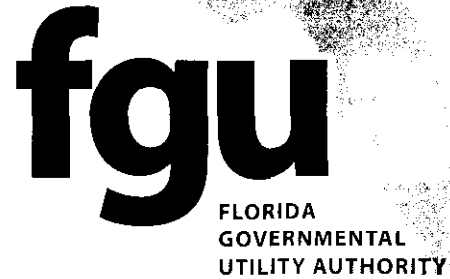
Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, we have no objection to the vacation of a portion of a public utility easement at the Lehigh Acres location.

If you should require additional information, please contact me at 863 452-3232.

Sincerely,

A handwritten signature in cursive script that reads "Sabrina Thompson".

Sabrina Thompson
Engineer



March 23, 2005

L.J. Lewis
AIM Engineering & Surveying, Inc.
5300 Lee Blvd
Post Office Box 1235
Lehigh Acres, FL 33970-1235

LEA ANN THOMAS, CHAIR
Polk County

RICHARD W. WESCH
Citrus County

ROBERT NANNI
Osceola County

RE: Vacation of Easement for a 12 foot wide strip of land lying 6 feet each side of the common line between Lots 1 thru 5 and 16 thru 20, Block 67, Lehigh Acres, Section 26, Township 44 South Range 26 East, as recorded in Plat Book 15 Page 75 of the Lee County Public Records, less and except the North and South 6 feet thereof; and a 12 foot wide strip of land lying 6 feet each side of the common line between lots 1 and 20, 2 and 19, 3 and 18, 4 and 17 and 5 and 16, less and except the West 6 feet of lots 1 and 20 and the East 6 feet of lots 5 and 16.

Dear Mr. Lewis:

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 is hereby approved.

The vacation of easement was requested for a 12 foot wide strip of land lying 6 feet each side of the common line between Lots 1 thru 5 and 16 thru 20, Block 67, Lehigh Acres, Section 26, Township 44 South Range 26 East, as recorded in Plat Book 15 Page 75 of the Lee County Public Records, less and except the North and South 6 feet thereof; and a 12 foot wide strip of land lying 6 feet each side of the common line between lots 1 and 20, 2 and 19, 3 and 18, 4 and 17 and 5 and 16, less and except the West 6 feet of lots 1 and 20 and the East 6 feet of lots 5 and 16.

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

Sincerely,

Florida Governmental Utility Authority

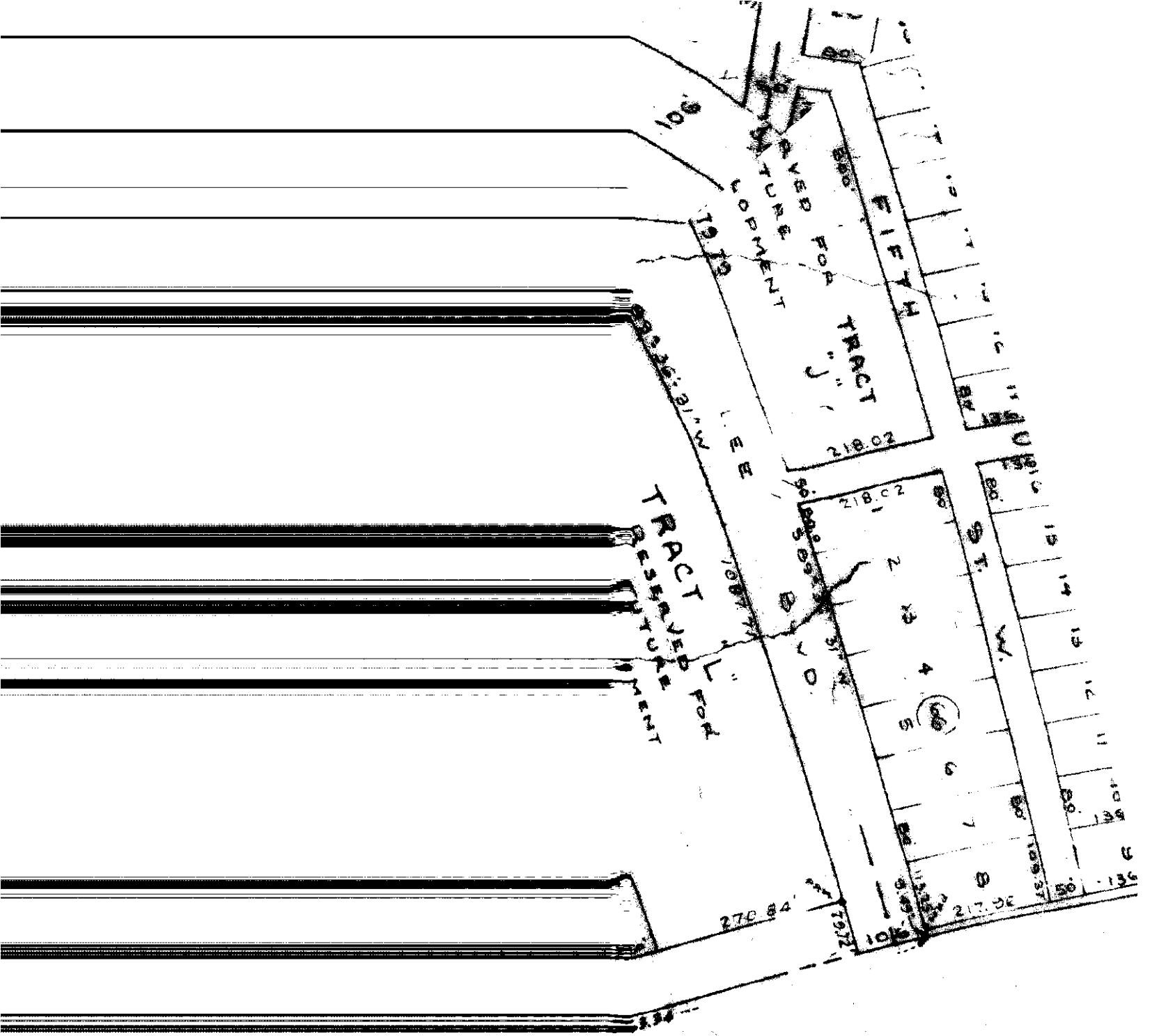
Charles L. Sweat
Director of Operations

CLS/vjb

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



801

TRACT J

FIFTH TRACT

218.02

TRACT K

218.02

ST

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270.04

217.02

136

UNIT BOUNDARY

-SURVEYORS CERTIFICATE-

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

K. V. J. [Signature]

Florida Registered Land Surveyor No. 1198

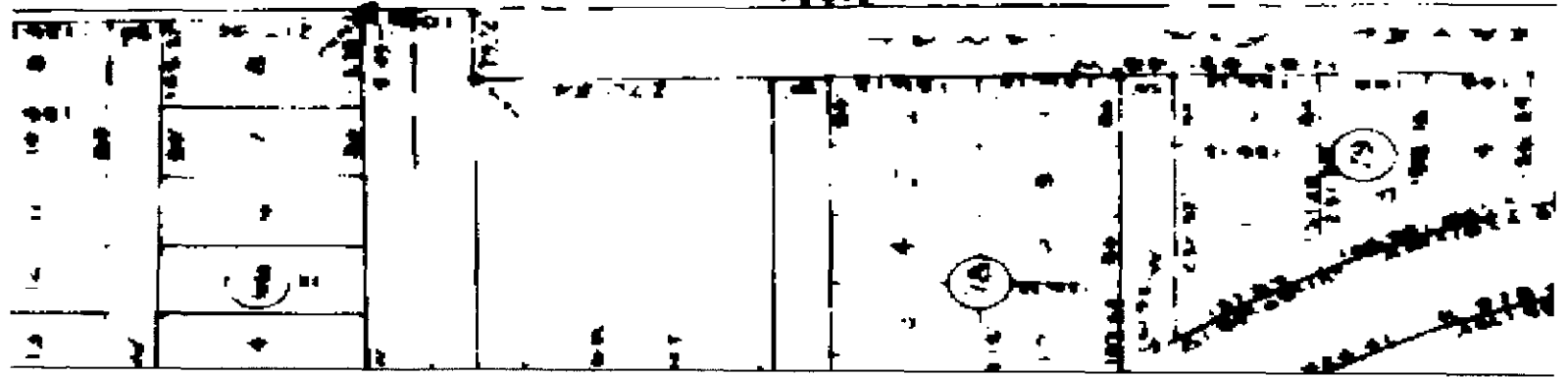
NOTE

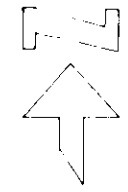
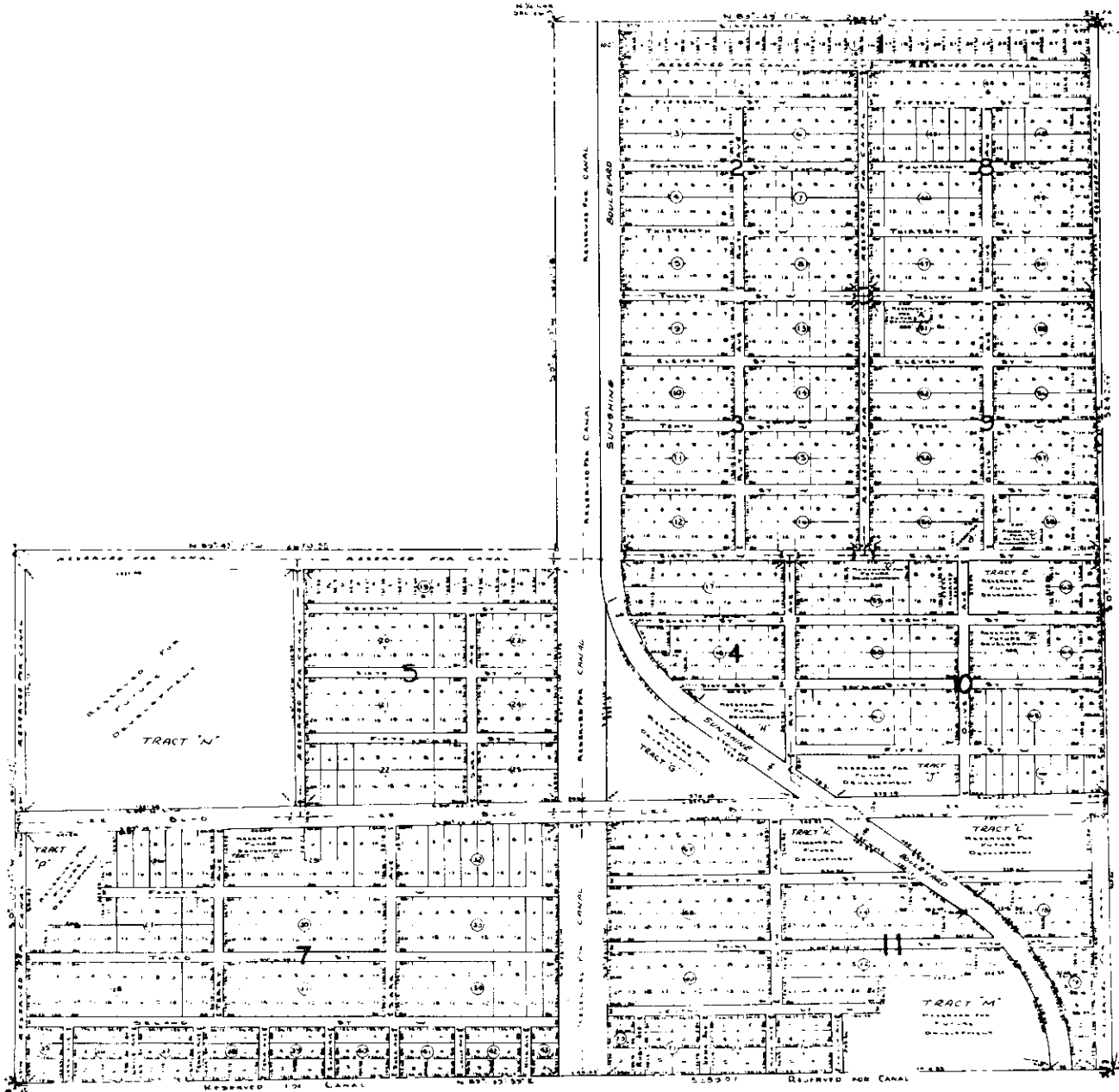
All lots subject to a Utility Easement both sides, front and back
Interior P.M.'s are 4"x4"x24" concrete
Section Corner P.M.'s are 6"x6"x24" concrete



NOTE

LIMBATIONS, EXAMINER, OF ONE - ANG LINES 2M
DRAWING OF LAYOUT LOTS SMALL JOBS





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., DEVELOPER

DATE APR 1 1956

UNIT BOUNDARY

SURVEYOR'S CERTIFICATE

I, the undersigned hereby certify that the plat as shown is a correct representation of the land plattee and that permanent reference measurements have been placed at 21' from corners.

[Signature]
 Florida Registered Land Surveyor No. 1198

NOTE

All lots subject to a Utility Easement both side, Post and back
 distance 60' to 66' and 61' to 66' respectively
 See the letter, 8-16-56 for details of easement.



NOTE

Cornerstones, bearings, etc. are being left to
 bearing of Lehigh Acres shall govern.