

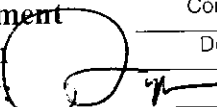
Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a portion of Public Utility Easement and Drainage Easement located at 13661 Night Bird Dr., Fort Myers, located off of McGregor Blvd., and Summerlin Rd. (Case No. VAC2004-00071).

2. WHAT ACTION ACCOMPLISHES: To clear title on the property where a mobile home constructed in 1977 partly encroaches into the easement. **The vacation of this easement will not alter existing drainage and utility conditions and the easement is not necessary to accommodate any future drainage and utility requirements.**

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: COMMISSION DISTRICT #: 1 **9:30 PH 1** **5. Meeting Date:** 08-16-2005

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

9. Background:
The completed petition to vacate, VAC2004-00071 was submitted by Judy A. Bavetz of The Anchor Group, Inc., and Robert Wall as the agent for Ellen Butler Bay, the surviving spouse of Paul C. Bay.

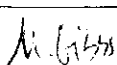
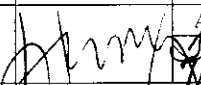
LOCATION: The site is located at **13661 Night Bird Dr., Fort Myers, Florida 33908** and its strap number is 02-46-23-03-00000.0710. Petition No. VAC2004-00071 proposes to vacate a six-foot (6') wide Public Utility Easement across the Northerly six feet (6') of the Southerly twenty-one (21') of Lot 71, and a portion of Drainage Easement commencing at the Southwest corner of Lot 71 comprising an area of 73.24 square feet, McGregor Mobile Manor, a platted subdivision in Section 2, Township 46 South, Range 23 East, as recorded in Plat Book 28, Pages 151 and 152 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
					Analyst	Risk	Grants	Mgr.
					7/15/05			7/18/05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY. RECEIVED 7/14/05

RECEIVED BY COUNTY ADMIN 7-14-05 3:45 COUNTY ADMIN FORWARDED TO: 7/21/05 7:30 AM 2005



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: June 24, 2005

To: Patricia Geren
Public Resources

FROM: Ruth Keith
Development Services

BLUESHEET NUMBER: 20050413

CASE NUMBER: VAC2004-00071

Applicable Public Noticing Requirement:

PTV under AC13-1
1st Notice - 15 days prior to Public Hearing
2nd Notice - 7 days prior to Public Hearing

PTV under AC13-8
One Notice - 15 days prior to Public Hearing

Upon scheduling of Public Hearing date, please provide e-mail notice to Ruth Keith, Development Services (rkeith@leegov.com) and Joan Henry, Assistant County Attorney (jhenry@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00071

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 16th day of August 2005 @ 9:30AM 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

Legal Description of Easements to be vacated:

1) Portion of Drainage Easement:

Commencing at the Southwest corner of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida; a) then N30°00'00"E a distance of 17.32', b) then N90°00'00"E a distance of 6.67' to the **Point of Beginning** of the portion of drainage easement to be vacated. From the **Point of Beginning**; 1) continue N90°00'00"E a distance of 18.43', 2) then turn S60°00'00"W a distance of 15.91', 3) then turn N30°00'00"W a distance of 9.21' returning to the **Point of Beginning**, comprising an area of 73.24 square feet.

2) Portion of Public Utility Easement:

A six-foot (6') wide public utility easement across the Northerly six feet (6') of the Southerly twenty-one feet (21') of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida.

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: VAC2004-00071

WHEREAS, Petitioner **Ellen Butler Bay** 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. VAC2004-00071 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

Legal Description of Easements to be vacated:

1) Portion of Drainage Easement:

Commencing at the Southwest corner of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida; a) then N30°00'00"E a distance of 17.32', b) then N90°00'00"E a distance of 6.67' to the **Point of Beginning** of the portion of drainage easement to be vacated. From the **Point of Beginning**; 1) continue N90°00'00"E a distance of 18.43', 2) then turn S60°00'00"W a distance of 15.91', 3) then turn N30°00'00"W a distance of 9.21' returning to the **Point of Beginning**, comprising an area of 73.24 square feet.

2) Portion of Public Utility Easement:

A six-foot (6') wide public utility easement across the Northerly six feet (6') of the Southerly twenty-one feet (21') of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida.

Lot 64

Lot 63

Lot 62

NIGHTBIRD DRIVE 30' Wide ROW

Legal Description of Easements to be vacated:

1) Portion of Drainage Easement:

Commencing at the Southwest corner of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida; a) then N30°00'00"E a distance of 17.32', b) then N90°00'00"E a distance of 6.67' to the **Point of Beginning** of the portion of drainage easement to be vacated. From the **Point of Beginning**; 1) continue N90°00'00"E a distance of 18.43', 2) then turn S60°00'00"W a distance of 15.91', 3) then turn N30°00'00"W a distance of 9.21' returning to the **Point of Beginning**, comprising an area of 73.24 square feet.

2) Portion of Public Utility Easement:

A six-foot (6') wide public utility easement across the Northerly six feet (6') of the Southerly twenty-one feet (21') of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida.

Legal Description of Lot:

Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida.

Rebar/Cap LS8230

N90°00'00"E 60.00 ft

Concrete Monument

Lot 72

51.96'
N60°00'00"E 51.96 ft

S30°00'00"E 98.15 ft

Lot 70

N30°00'00"W 98.15 ft

Lot 71

6' Wide Public Utility Easement to be vacated

6' Wide Public Utility Easement

6' Wide Public Utility Easement

POB 18.43' 7.95'

N90°00'00"E

9.21'

S60°00'00"W

15.91'

17.32'

N30°00'00"W

6.67'

7.05'

30'

30'

60.00 ft

S90°00'00"W

South 15' of 30' Wide Drainage Easement

Concrete Monument

30' Wide Drainage Easement

North 15' of 30' Wide Drainage Easement

30' Wide Drainage Easement

Lot 82

Lot 81

Lot 80

6' Wide Public Utility Easement

6' Wide Public Utility Easement

Legend



Lot Corner - Iron Pin or Concrete Monument Found



Public Utility Easement to be Vacated



Drainage Easement to be Vacated

SCALE BAR (feet)

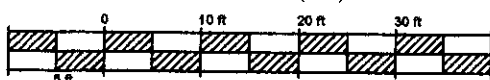


Exhibit "B"

Petition to Vacate

VAC2004-00071

[Page One of One]

SCALE:	1"=20'
DATE:	13661 Nightbird Dr.
TYPE:	Basement Vacation Sketch
SHEET OF	1 1

NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and easement lines previously established on this property by the plat thereof, in order to facilitate the public vacation of these easements. Any easements not specifically shown on the plat are not to be vacated.

All boundary line and easement dimensions and bearings are based upon the record plat of McGregor Mobile Manor, a subdivision recorded in Plat Book 28, Pages 151 and 152 in the Public Records of Lee County, Florida. Survey marks were located where possible and dimensions field verified.

NOTE: This document is not a certification of title, zoning or freedom from encumbrances. This survey is not intended to be used for the conveyance of real property.

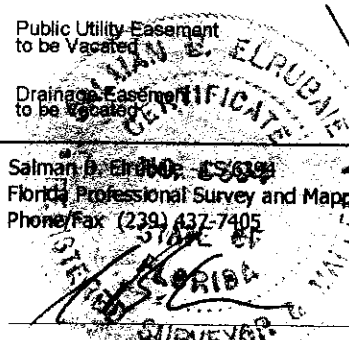
Sketch has been updated using more precise survey equipment.

FIELD VERIFIED BY: SDE
 FIELD DATE: May 4, 2004
 FIELD UPDATE: February 3, 2005
 DRAWN BY: JAM
 DESIGN BY: ASE
 CAD DATE: February 3, 2005

13661 Nightbird Drive
 FORT MYERS, FLORIDA
 SEC. 2, TWN.46S., RNG. 23E.

EXHIBIT B

Salman B. Elrubani, CS 6394
 Florida Professional Survey and Mapper
 Phone/Fax (239) 437-7405





PETITION TO VACATE (AC 13-1)

Case Number: VAC2004-00071

Petitioner(s) ELLEN BUTLER BAY 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, 630 MATANZAS CT., FT. MYERS BEACH, FL 33931
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:

Ellen Butler Bay
Petitioner Signature

Petitioner Signature

ELLEN BUTLER BAY
Printed Name

Printed Name

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

IN THE CIRCUIT COURT FOR LEE COUNTY, FLORIDA
PROBATE DIVISION

IN RE: ESTATE OF

File No. 02- 2760 CP X

PAUL C. BAY,

Division

Deceased.

FILED LEE CO FLORIDA
CLERK OF COURTS

2002 SEP 20 PM 1:53

BY My D.C.

LETTERS OF ADMINISTRATION
(single personal representative)

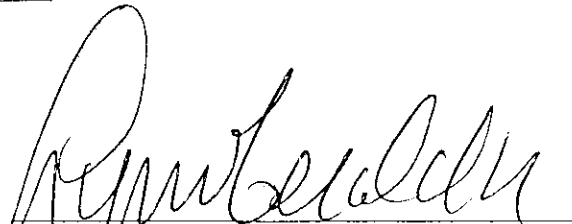
TO ALL WHOM IT MAY CONCERN:

WHEREAS, PAUL C. BAY, a resident of Lee County, Florida, died on June 26, 2002, owning assets in the State of Florida, and

WHEREAS, ELLEN BUTLER BAY has been appointed Personal Representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned Circuit Judge, declare ELLEN BUTLER BAY duly qualified under the laws of the State of Florida to act as Personal Representative of the estate of PAUL C. BAY, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

Ordered on 20 SEPT, 2002.


Circuit Judge

NOTICE OF CLERK'S COMPLIANCE
I hereby certify that the foregoing is a true copy as filed in my office and the same is in full force and effect.
This 20 day of SEP 2002
CHARLIE GREEN
Clerk of Circuit Court
By MAYSON
Deputy Clerk

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 13661 Nightbird Dr, Ft Myers, 33908 Strap #02-46-23-03-00000.0710 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 Robert Wall & Judy A Bavetz 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.

Owner*(signature)

Owner*(signature)

Printed Name

Printed Name

Handwritten signature: Robert Wall & Judy A Bavetz

Owner*(signature)

Printed Name: ROBERT WALL & JUDY A BAVETZ

Printed Name

Owner*(signature)

Owner*(signature)

Printed Name

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 11 day of August, 2007, by Robert Wall & Judy A Bavetz, who is personally known to me or who has produced identification and who did (did not) take an oath.

Handwritten signature of Notary Public

Notary Public

(SEAL)

(Name typed, printed or stamped)



Judy A Bavetz
My Commission DD247343
Expires September 08, 2007

Legal Description of Easements to be vacated:

1) Portion of Drainage Easement:

Commencing at the Southwest corner of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida; a) then N30°00'00"E a distance of 17.32', b) then N90°00'00"E a distance of 6.67' to the **Point of Beginning** of the portion of drainage easement to be vacated. From the **Point of Beginning**; 1) continue N90°00'00"E a distance of 18.43', 2) then turn S60°00'00"W a distance of 15.91', 3) then turn N30°00'00"W a distance of 9.21' returning to the **Point of Beginning**, comprising an area of 73.24 square feet.

2) Portion of Public Utility Easement:

A six-foot (6') wide public utility easement across the Northerly six feet (6') of the Southerly twenty-one feet (21') of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida.

Lot 64

Lot 63

Lot 62

NIGHTBIRD DRIVE 30' Wide ROW

Legal Description of Easements to be vacated:

1) Portion of Drainage Easement:

Commencing at the Southwest corner of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida; a) then N30°00'00"E a distance of 17.32', b) then N90°00'00"E a distance of 6.67' to the Point of Beginning of the portion of drainage easement to be vacated. From the Point of Beginning; 1) continue N90°00'00"E a distance of 18.43', 2) then turn S60°00'00"W a distance of 15.91', 3) then turn N30°00'00"W a distance of 9.21' returning to the Point of Beginning, comprising an area of 73.24 square feet.

2) Portion of Public Utility Easement:

A six-foot (6') wide public utility easement across the Northerly six feet (6') of the Southerly twenty-one feet (21') of Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida.

Legal Description of Lot:
Lot 71 of McGregor Mobile Manor - a platted subdivision in Section 2, Township 46 South, Range 23 East as recorded in Plat Book 28, Pages 151 and 152, of the Official Records of Lee County, Florida.

Lot 72

Lot 71

Lot 70

6' Wide Public Utility Easement to be vacated

6' Wide Public Utility Easement

6' Wide Public Utility Easement

30' Wide Drainage Easement

North 15' of 30' Wide Drainage Easement

30' Wide Drainage Easement

S90°00'00"W 60.00 ft

South 15' of 30' Wide Drainage Easement

Lot 82

Lot 81

Lot 80

6' Wide Public Utility Easement

6' Wide Public Utility Easement

SCALE BAR (feet)

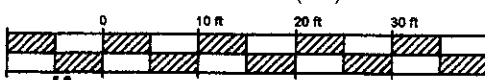


Exhibit "B"
Petition to Vacate
VAC2004-00071
[Page One of One]

Legend

- Lot Corner - Iron Pin or Concrete Monument Found
- Public Utility Easement to be Vacated
- Drainage Easement to be Vacated

SCALE: 1"=20'
ADDRESS: 13661 Nightbird Dr.
TYPE: Easement Vacation Sketch

NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and easement lines previously established on this property by the plat thereof, in order to facilitate the public vacation of these easements. Any easements not specifically shown on the plat are not included.
All boundary line and easement dimensions and bearings are based upon the record plat of McGregor Mobile Manor, a subdivision recorded in Plat Book 28, Pages 151 and 152 in the Public Records of Lee County, Florida. Survey marks were located where possible and dimensions field verified.

NOTE: This document is not a certification of title, zoning or freedom from encumbrances. This survey is not intended to be used for the conveyance of real property.
Sketch has been updated using more precise survey equipment.

FIELD VERIFIED BY: [Signature]
FIELD DATE: May 4, 2004
FIELD UPDATE: February 1, 2005
DRAWN BY: JAM
DESIGN BY: SDE
CAD DATE: February 1, 2005

13661 Nightbird Drive
FORT MYERS, FLORIDA
SEC. 2, TWN.48S., RNG. 23E.

EXHIBIT B

Salman B. Elrubaini
Florida Professional Survey and Mapper
Phone/Fax: (239) 437-7405
STATE OF FLORIDA
SURVEYOR

Exhibit "C"
Petition to Vacate
VAC2004-00071
 [Page One of One]

Lee County Tax Collector - Print Results



Real Property Information		New Search
Account	Tax Year	Status
02-46-23-03-00000.0710	2004	PAID
Original Account	Book/Page	
02-46-23-03-00000.0710	3651 /826	
Owner		
BAY PAUL		
Physical Address		Mailing Address
13661 NIGHTBIRD DR FORT MYERS FL 33908		13661 NIGHTBIRD DR #71 FORT MYERS FL 33908 USA
Legal Description		
MCGREGOR MOBILE MANOR PB 28 PG 151 LOT 71		
Outstanding Balance as of 3/23/2005		\$0.00



850 PARK SHORE DRIVE
TRIANON CENTRE - THIRD FLOOR
NAPLES, FL 34103
239.649.2720 DIRECT
239.649.6200 MAIN
239.261.3659 FAX
JZAKS@ralaw.com

March 24, 2004

Ms. Ellen Butler Bay
630 Matanzas Court
Naples, Florida 33931


Re: Special Warranty Deed

Dear Ellen:

Enclosed please find a copy of the deed recorded in Lee County Official Record Book 03651, Page 0828 for the property known as Lot 71 of that certain subdivision known as McGregor Mobile Manor.

Feel free to give me a call should you have any questions.

Very truly yours,


Joseph D. Zaks
For the firm

JDZ:amd
Enclosure as stated

438056_1

This instrument prepared by:
AMY McGROTTY, ESQ.
AMY McGROTTY, P.A.
17021 N.E. 6th Avenue
N. Miami Beach, FL 33162
CLS-908

INSTR # 5455780
OR BK 03651 PG 0828
RECORDED 05/22/2002 03:32:35 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 15.00
DEED DOC 0.70
DEPUTY CLERK B Cruz

Record & Return to:

AMY McGROTTY, P.A.
17021 Northeast Sixth Avenue
North Miami Beach, Florida 33162

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 19 day of April, 2002, between GRP/AG REO 2000-1, LLC, a limited liability company existing under the laws of Delaware and having its principal place of business at 360 HAMILTON AVENUE, 5TH FLOOR, WHITE PLAINS, NY 10601, herein after called the Grantor(s), to PAUL RAY, A MAN, whose post office address is 13601 Nightbird Dr. Ft. Myers FL 33908 hereinafter called the Grantees. (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.)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in LEE COUNTY, State of Florida, to wit:

LOT 71 OF THAT CERTAIN SUBDIVISION KNOWN AS MCGREGOR MOBILE MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGES 151 AND 152, INCLUSIVE, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TOGETHER WITH A 1977 SKYLINE MOBILE HOME BEING SERIAL NUMBERS 0265443-AK AND 0265443-BK

Subject to:

- a. Taxes for the year of closing and subsequent years.
- b. Easements, restrictions, conditions, limitations and covenants of record and zoning ordinances common to the neighborhood.

Folio# 02-46-23-03-00000.0710

LIMITED POWER OF ATTORNEY ATTACHED AS EXHIBIT "A"

TOGETHER with all the tenements, hereditament 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 it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

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

ATTEST: Kristin Tess
Secretary

Kristin Tess, Secretary

Signed, sealed and delivered in our presence:

Cathy Jones
Print name: Cathy Jones

Tara A. Jennings
Print name: Tara A. Jennings

STATE OF NEW YORK
COUNTY OF WESTCHESTER SS:

WELLS FARGO BANK MINNESOTA, NA
AS INDENTURE TRUSTEE FOR THE
GRP/AG REO 2000-1, LLC
By: GRP FINANCIAL SERVICES
CORP., AS ATTORNEY-IN-FACT

Natalie Bowden President
CORPORATE SEAL

THE FOREGOING INSTRUMENT was acknowledged before me this 19th day of April, 2002 by Natalie Bowden, President and Kristin Tess, Secretary, of GRP FINANCIAL SERVICES CORP., a Delaware Corporation, on behalf of the corporation. They are personally known to me or who have produced _____ as identification and who did (did not) take an oath.

Notary Public

My Commission Expires: 11-23-02

LILLIAN SANCHEZ
Notary Public, State of New York
No. 01RO4912713
Qualified in Kings County
Commission Expires Nov. 23, 2002

EXHIBIT "A"

LIMITED POWER OF ATTORNEY

Wells Fargo Bank Minnesota, National Association, (the "Principal") (formerly known as Norwest Bank Minnesota, N.A.), in its capacity as indenture trustee under that certain Transfer and Servicing Agreement relating to GRP/AG Real Estate Asset Trust Asset Backed Securities, Series 2000-1, dated as of July 1, 2000 (the "Agreement") by and among GRP/AG Real Estate Asset Trust 2000-1, as issuer (the "Issuer"), GRP Financial Services Corp., as servicer (the "Servicer"), GRP/AG Capital, L.L.C. as depositor (the "Depositor"), GRP/AG REO 2000-1 LLC, as REO property owner (the "REO Property Owner), and Wells Fargo Bank Minnesota, N.A., as indenture trustee (as the "Indenture Trustee")

hereby constitutes and appoints:

GRP Financial Services Corp

its true and lawful attorney-in-fact (the "Attorney-in-Fact"), acting by and through its officers and employees, with full authority and power to execute and deliver on behalf of Principal any and all of the following instruments to the extent consistent with the terms and conditions of the Agreement:

- (i) All documents with respect to residential mortgage loans serviced for Principal by said attorney-in-fact which are customarily and reasonably necessary and appropriate to the satisfaction, cancellation, or partial or full release of mortgages, deeds of trust or deeds to secure debt upon payment and discharge of all sums secured thereby; (ii) Instruments appointing one or more substitute trustees to act in place of the trustees named in Deeds of Trust; (iii) Affidavits of debt, notice of default, declaration of default, notices of foreclosure, and all such contracts, agreements, deeds, and instruments as are appropriate to effect any sale, transfer or disposition of real property acquired through foreclosure or otherwise. (iv) All other comparable instruments.

This Limited Power of Attorney is effective as of the date below and shall remain in full force and effect until revoked in writing by the undersigned or termination of the Agreement, whichever is earlier

Dated, March 6, 2002

Wells Fargo Bank Minnesota, National Association, as Indenture Trustee under the Agreement

Attest:

[Signature]
By: Diane E. TenHooopen
Its: Assistant Secretary

[Signature]
By: Barry Akers
Its: Vice President

Unofficial Witnesses:
[Signature]
Ron Millender

[Signature]
Melissa Jennings

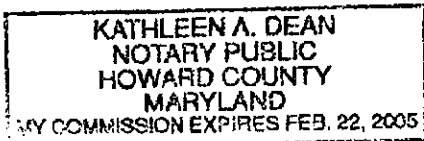
STATE OF MARYLAND
COUNTY OF HOWARD

ss:

On the 6th day of March, 2002 before me, a Notary Public in and for said State, personally appeared Barry Akers, known to me to be Vice President of Wells Fargo Bank Minnesota, National Association, and also known to me to be the person who executed this Power of Attorney on behalf of said bank, and acknowledged to me that such bank executed this Power of Attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my office seal the day and year written above.

[Signature]
Notary Public



LIST OF AFFECTED PROPERTY OWNERS

Edith Ramsey
13660 Catbird Dr.
Ft. Myers, FL 33908

Harriet Allison
13650 Catbird Dr.
Ft. Myers, FL 33908

Jean Kopas
13671 Nightbird Dr.
Ft. Myers, FL 33908

Boyd Jones
13650 Nightbird Dr.
Ft. Myers, FL 33908

Mr. & Mrs. Stuart Pohlman
13670 Catbird Dr.
Ft. Myers, FL 33908

Mr. & Mrs. John Cole
13651 Nightbird Dr.
Ft. Myers, FL 33908

Mr. & Mrs. George Moskevitz
13660 Nightbird Dr.
Ft. Myers, FL 33908

Mr. & Mrs. David Nielson
13670 Nightbird Dr.
Ft. Myers, FL 33908

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>x Edith E. Ramsey</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>EDITH E RAMSEY</i></p> <p>C. Date of Delivery <i>6-17-04</i></p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p><i>MS EDITH RAMSEY 1316 S NINEVEH RD FRANKLIN, IN 46131</i></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p><i>7002 2410 0006 5947 8681</i></p>

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ <i>37</i>	Postmark Here <i>2004</i>
Certified Fee	<i>230</i>	
Return Receipt Fee (Endorsement Required)	<i>175</i>	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ <i>442</i>	

7002 2410 0006 5947 8681

Sent To	
<i>RAMSEY</i>	
Street, Apt. No., or PO Box No. <i>1316 S NINEVEH RD</i>	
City, State, ZIP+4 <i>FRANKLIN IN 46131</i>	

PS Form 3800, June 2002 See Reverse for Instructions

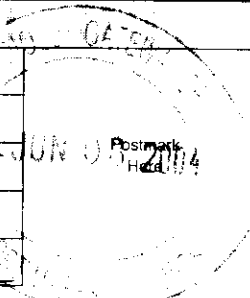
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>*Harriet Allison</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Harriet Allison</i></p> <p>C. Date of Delivery <i>6-4-04</i></p>
<p>1. Article Addressed to:</p> <p><i>Ms HARRIET ALLISON 13650 CATBIRD DR FT MYERS, FL 33908</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <i>7</i></p>	<p><i>7002 2410 0006 5943 3321 2/</i></p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7002 2410 0006 5943 3321

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$	<i>37</i>	
Certified Fee		<i>230</i>	
Return Receipt Fee (Endorsement Required)		<i>175</i>	
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$	<i>442</i>	

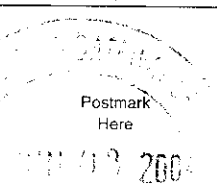
Sent To
HARRIET ALLISON
Street, Apt. No.,
or PO Box No. *13650 CATBIRD DR*
City, State, ZIP+4
FT MYERS FL 33908

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p>Ms JEAN KOPAS 13671 NIGHTBIRD DR FT MYERS, FL 33908</p>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Jean Kopas</i></p> <p>B. Received by (Printed Name) <i>Jean Kopas</i></p> <p>C. Date of Delivery <i>10-4-04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number: (Transfer from service label)</p>	<p>7002 2410 0006 5951 8578</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 37	Postmark Here 
Certified Fee	230	
Return Receipt Fee (Endorsement Required)	175	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

Sent To: KOPAS

Street, Apt. No., or PO Box No.: 13671 NIGHTBIRD DR

City, State, ZIP+4: FT MYERS FL 33908

PS Form 3800, June 2002 See Reverse for Instructions

7002 2410 0006 5951 8578

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Frank B. Jones</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>
<p>1. Article Addressed to: Mr Boyd Jones 13650 Nightbird Dr Ft Myers, FL 33908</p>	<p>B. Received by (Printed Name) <i>Frank Jones</i></p> <p>C. Date of Delivery <i>6-4-4</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>Article Number (Transfer from service label)</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>Form 3811, February 2004</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>7002 2410 0006 5951 8585</p> <p>Domestic Return Receipt</p>

102595-02-M-1540

7002 2410 0006 5951 8585

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 37
Certified Fee	230
Return Receipt Fee (Endorsement Required)	175
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 442

Sent To: *JONES*

Street, Apt. No., or PO Box No.: *13650 NIGHTBIRD DR*

City, State, ZIP+4: *FT MYERS FL 33908*

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

STUART POHLMAN
54 GOLFVIEW RD
LAKE ZURICH, IL
60047

2. Article Number

(Transfer from service label)

7002 2410 0006 5951 8592

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *D. Pohlman*

B. Received by (Printed Name)

D. POHLMAN

C. Date of Delivery

6/8/04

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

7002 2410 0006 5951 8592

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

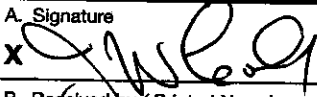
Postage	\$ 37	Postmark Here
Certified Fee	239	
Return Receipt Fee (Endorsement Required)	175	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

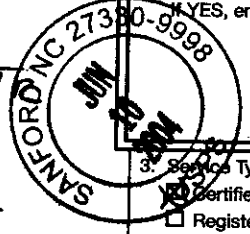
Sent To *POHLMAN*

Street, Apt. No.,
or PO Box No. *54 GOLFVIEW RD*

City, State, ZIP+4 *LAKE ZURICH IL 60047*

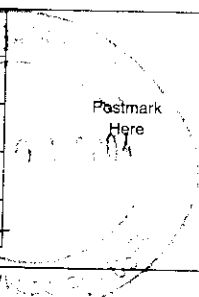
PS Form 3800, June 2002 See Reverse for Instructions

SENDER COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) JOHN COLE</p> <p>C. Date of Delivery 6-10-04</p>
<p>1. Article Addressed to: JOHN COLE 1145 DEERFOOT T SANFORD, NC 27332</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> NO, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7002 2410 0006 5947 6687</p>



U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 37	
Certified Fee	239	
Return Receipt Fee (Endorsement Required)	175	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

Sent To: COLE
 Street, Apt. No. or PO Box No.: Sanford
 City, State, ZIP+4: 27332

PS Form 3800, June 2002 See Reverse for Instructions

7002 2410 0006 5947 6687

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>George A. Moskowitz</i></p>
<p>1. Article Addressed to:</p> <p><i>GEORGE MOSKEVITZ P.O. BOX 210 LINERICK, ME 04048</i></p>	<p>B. Received by (Printed Name)</p> <p>C. Date of Delivery <i>6/7/04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <u>7002 2410 0006 5947 6694</u></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ <i>37</i>	Postmark Here
Certified Fee	<i>230</i>	
Return Receipt Fee (Endorsement Required)	<i>145</i>	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ <i>442</i>	

Sent To *MOSKEVITZ*

Street, Apt. No., or PO Box No. *Box 210*

City, State, ZIP+4 *LINERICK ME 04048*

PS Form 3800, June 2002 See Reverse for Instructions

7002 2410 0006 5947 6694

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery <u>6-7-04</u></p>
<p>1. Article Addressed to:</p> <p>DAVID NIELSON 201 HILLSIDE CT ZURICH, IL 60047</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7002 2410 0006 5947 6700</p>

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7002 2410 0006 5947 6700

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
Postage	\$ <u>37</u>
Certified Fee	<u>230</u>
Return Receipt Fee (Endorsement Required)	<u>1.75</u>
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ <u>442</u>
Postmark Here	
Sent To <u>NIELSON</u>	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4 <u>Zurich IL 60047</u>	
PS Form 3800, June 2002 See Reverse for Instructions	

May 26, 2004

Ms. Edith Ramsey
1316 S. Nineveh Rd
Franklin, IN 46131

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

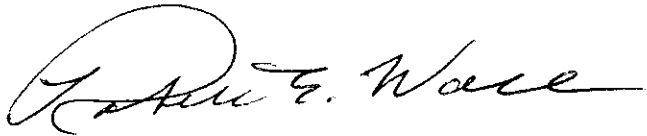
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nightbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in cursive script, appearing to read "Robert Wall". The signature is written in black ink and is positioned to the right of the word "Signed,".

Robert Wall
12071 Cypress Dr
Ft Myers, Fl 33908
(239) 415-1085

May 26, 2004

Ms. Harriet Allison
13650 Catbird Dr
Ft Myers, FL 33908

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

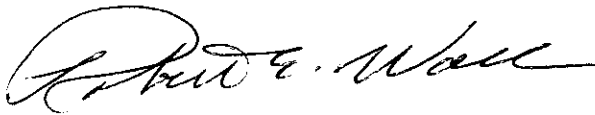
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nightbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in cursive script, appearing to read "Robert Wall".

Robert Wall
12071 Cypress Dr
Ft Myers, FL 33908
(239) 415-1085

May 26, 2004

Ms. Jean Kopas
13671 Nightbird Dr
Ft Myers, FL 33908

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

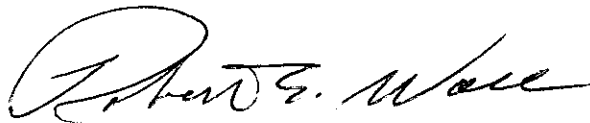
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nightbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in cursive script that reads "Robert Wall". The signature is written in black ink and is positioned to the right of the word "Signed,".

Robert Wall
12071 Cypress Dr
Ft Myers, Fl 33908
(239) 415-1085

May 26, 2004

Mr. Boyd Jones
13650 Nightbird Dr
Ft Myers, FL 33908

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

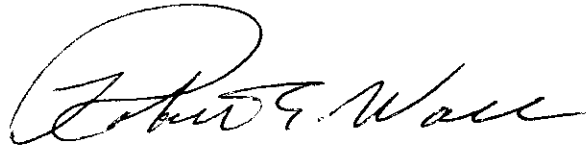
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nightbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in cursive script, appearing to read "Robert Wall". The signature is written in black ink and is positioned to the right of the word "Signed,".

Robert Wall
12071 Cypress Dr
Ft Myers, FL 33908
(239) 415-1085

May 26, 2004

Mr. & Mrs. Stuart Pohlman
54 Golfview Rd
Lake Zurich, IL 60047

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

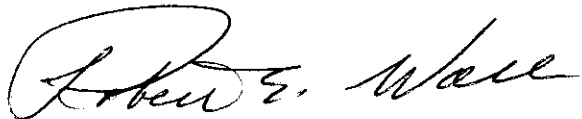
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nightbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in cursive script that reads "Robert E. Wall". The signature is written in black ink and is positioned to the right of the word "Signed,".

Robert Wall
12071 Cypress Dr
Ft Myers, FL 33908
(239) 415-1085

May 26, 2004

Mr. & Mrs. John Cole
1145 Deerfoot TR
Sanford, NC 27332

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

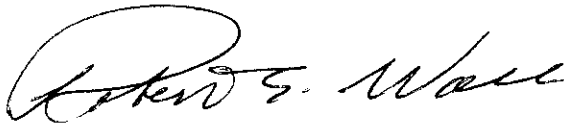
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nightbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in black ink, appearing to read "Robert Wall". The signature is written in a cursive style with a large, looping initial "R".

Robert Wall
12071 Cypress Dr
Ft Myers, FL 33908
(239) 415-1085

May 26, 2004

Mr. & Mrs. George Moskevitz
PO Box 210
Linerick, ME 04048

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

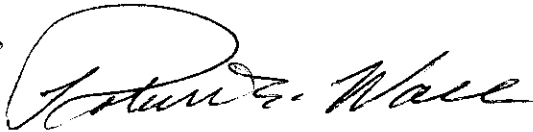
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nighthbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in cursive script, appearing to read "Robert Wall". The signature is written in black ink and is positioned to the right of the word "Signed,".

Robert Wall
12071 Cypress Dr
Ft Myers, Fl 33908
(239) 415-1085

May 26, 2004

Mr. & Mrs. David Nielson
201 Hillside CT
Zurich, IL 60047

RE: PETITION TO VACATE: on a six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

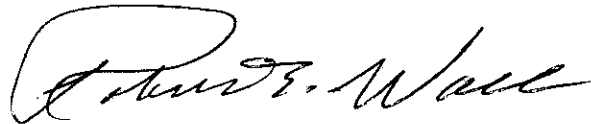
South end of lot 71 located in McGregor Mobile Manor of Ft Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710. Address - 13661 Nightbird Dr, Ft Myers, FL 33908.

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the 6 foot utility and a portion of drainage easement at the location identified above, in order to accomplish the following purpose: Property has been sold and needs to have a clear title.

We have included a sketch of the utility and drainage easement we desire to vacate. If you have any questions, please do not hesitate to contact us directly.

Signed,

A handwritten signature in cursive script, appearing to read "Robert Wall". The signature is written in black ink and is positioned to the right of the word "Signed,".

Robert Wall
12071 Cypress Dr
Ft Myers, Fl 33908
(239) 415-1085

BOARD OF COUNTY COMMISSIONERS

239 479-8585

Writer's Direct Dial Number: _____

Bob Janes
District One

June 24, 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

Judy Baretz
The Anchor Group, Inc.
15670 McGregor Blvd. # 106,
Fort Myers, FL 33908

Re: **VAC2004-00071 - Petition to Vacate** a portion of Drainage and Public Utility Easement on Lot 71, McGregor Mobile Manor, S 2, T 46S, R 23E, as recorded in Plat Book 28, Page 151, in the public records of Lee County, FL

Dear Ms. Baretz:

You have indicated that in order to clear title on the property where a mobile home constructed in 1977 partly encroaches into the easement, your client, Mrs. Ellen Butler Bay desire to eliminate a portion of Drainage and Public Utility Easement. The site is located at 13661 Night Bird Dr., Fort Myers, located off of McGregor Blvd., and Summerlin Rd. 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:\200503\20041124.142\7405150\DCDLETTERDEPUE.DOC



January 19, 2005

Department of Community Development
1500 Monroe Street
Ft, Myers, FL 33901

To Whom It May Concern;

Pertaining to Case Number VAC2004-00071, Petitioner Ellen Butler Bay is requesting the vacating of the six foot wide Public Utility Easement and a portion of Drainage Easement at the following location:

South end of lot 71 located in McGregor Mobile Manor of Ft, Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710, 13661 Nightbird Drive, Ft. Myers, FL 33908.

The problem with this property was caused by the original owner. He had added on three or four times to his original utility shed, located by the back corner of the house. This problem came to light when the property was being sold and the new buyers had a survey.

Any further questions please call me at 239-433-1881. Thank you for your help in this matter.

Sincerely,

Judy A. Bavetz
The Anchor Group, Inc.

Department of Community Development
P.O. Box 398
Ft. Myers, FL 33902

November 23, 2004

Atten: Peter J. Eckenrode, Director Development Services;

We are requesting the Board of County Commissioners of Lee County, Florida, to grant the petition to vacate at 13661 Nightbird Dr., Ft. Myers, FL 33908. Strap #024626030300000.0710. The purpose of this request is to sell the property with a clear title.

Sincerely,

Ellen Butler Bay
Robert Wall

Ellen Butler Bay
630 Matanzas Ct.
Ft. Myers Beach, FL 33931

Robert Wall
12071 Cypress Dr.
Ft. Myers, FL 33908



Florida Power & Light Company

October 27, 2003

Mr. Robert Wall
12071 Cypress Dr
Fort Myers, FL 33908

Re: Proposed Vacation of Easement for Lot 71 McGregor Mobile Manor

Dear Mr.Wall,

FPL would have no objection to vacating a 6-foot wide Public Utility Easement located on the south end of lot 71 located in McGregor Mobile Manor of Fort Myers recorded in Plat Book 28 Pages 151 through 152.

If you have any question, please call me at (941) 415-1349.

Sincerely,

A handwritten signature in black ink that reads "William Midgett". The signature is written in a cursive style with a large, prominent initial 'W'.

William Midgett
Associate Project Designer



P. O. Box 370
Fort Myers, FL 33902-0370

July 20, 2004

Mr. Robert Wall
12071 Cypress Drive
Fort Myers, Florida 33916

RE: REQUEST A LETTER OF REVIEW AND RECOMMENDATION ON A SIX FOOT WIDE PUBLIC UTILITY EASEMENT AND A PORTION OF DRAINAGE EASEMENT FOR THE FOLLOWING LOCATION:

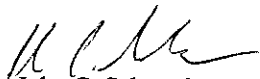
SOUTH END OF LOT 71 LOCATED IN THE MCGREGOR MOBILE MANOR OF FORT MYERS RECORDED IN PLAT BOOK 28, PAGES 151 THROUGH 152. STRAP #02-46-23-03-00000.0710, 13661 NIGHTBIRD DRIVE, FORT MYERS, FL 33908.

Dear Mr. Wall:

Sprint Florida Inc. does have existing telephone facilities located within the referenced public utility easement. However, since you have agreed to reimburse Sprint for relocating the said facilities to an adjacent drainage easement, Sprint has no objection to the referenced request for the easement and a portion of the drainage easement vacation.

If further information is required, please do not hesitate to contact me at (239) 336-2012.

Sincerely,


John C. Schroeder
Engineer 1

Cc: WA File #39179495



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

November 9, 2004

Robert Wall
12071 Cypress Dr
Ft Myers, FL 33908

Re: McGregor Mobile Manor Lot 71 Fort Myers
Vacate easement/drainage easement

Dear Robert Wall,

This letter will serve to inform you that Comcast has no objection to our 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 Coordinator

Sunshine Mobile Village, Inc.

13701 SHOVELER DR.
McGREGOR BLVD. & DAVIS ROAD
FORT MYERS, FLORIDA 33908
(239) 466-1551

October 31, 2003

Mr. Robert Wall
12071 Cypress Dr.
Fort Myers, FL 33908

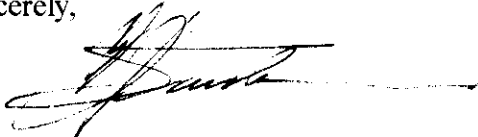
Re: Proposed Vacation of Drainage Easement for Lot 71 McGregor Mobile Manor

Dear Mr. Wall,

Sunshine Mobile Village, Inc., The developer of McGregor Mobile Manor has no objection to vacating a triangular shaped area of the drainage easement located on the south end of lot 71 located in McGregor Mobile Manor of Fort Myers recorded in Plat Book 28 Pages 151 through 152.

If you have any question, please call me at (239)-482-5896.

Sincerely,



Charles C. Souders, President
Sunshine Mobile Village, Inc.



Florida Department of Transportation

**JEB BUSH
GOVERNOR**

605 Suwannee Street
Tallahassee, FL 32399-0450

**JOSÉ ABREU
SECRETARY**

June 24, 2004

Robert Wall
12071 Cypress Drive
Ft. Myers, FL 33908

RE: Vacation of Public Utility Drainage Easement

Dear Mr. Wall:

In response to your letter we received on May 28, 2004 our staff conducted a review of your request to vacate the subject area as marked and generally described as: South end of lot 71 located in McGregor Mobile Manor of Ft. Myers recorded in Plat Book 28, Pages 151 through 152. Strap #02-46-23-03-00000.0710, 13661 Nightbird Drive, Ft. Myers, FL 33908.

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

Sincerely,

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

Tom Kasten

Right of Way Agent
Property Management

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

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Aibon
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

March 11, 2005

Ms. Judy A. Bavetz
The Anchor Group, Inc.
15670 McGregor Blvd., #106
Fort Myers, FL 33908

**RE: Petition to Vacate a portion of a drainage easement
And a 6 foot wide public utility easement on Lot 71,
Of McGregor Mobile Manor, Plat Book 28, page 151,
Section 2, Township 46 South, Range 23 East**


Dear Ms. Bavetz:

Lee County Department of Transportation has reviewed your request to vacate the above described easements. The roads and drainage within McGregor Mobile Manor are maintained by the property owners, not Lee DOT.

Therefore, DOT has no objection to this petition to vacate as proposed,

Very truly yours,

DEPARTMENT OF TRANSPORTATION



Margaret Lawson
Right-of-way Supervisor

MAL/JMK/mlb

cc: Ruth Keith, Development Services
Allen Davies, Natural Resources
DOT PTV File



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Wednesday, June 23, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Robert Wall
12071 Cypress Drive
Fort Myers, FL 33908

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate a portion of a thirty (30) foot wide drainage easement and a six (6) foot wide public utility easement interior to Lots 71, McGregor Mobile Manor Subdivision, as recorded in Plat Book 28 Page 151, in the public records, Lee County, Florida.

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Dear Mr. Wall:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion of the subject public utility and drainage easement.

Should you have any questions, please call me at the above telephone number.

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr.
Natural Resources Division

-cc: John Fredyma, County Attorney's Office
Margaret Lawson, LCDOT
Ruth Keith, Development Services

S:\NATRES\SURFACE\DOCUMENT\vac432.doc



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. Aibion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

June 7, 2004

Robert Wall
12071 Cypress Drive
Fort Myers, Fl. 33908

**SUBJECT: PETITION TO VACATE A PUBLIC UTILITY EASEMENT
13661 NIGHTBIRD DRIVE
STRAP # s 02-46-23-03-00000.0710**

Dear Mr. Wall:

Lee County Utilities has reviewed your request for Review and Recommendations as described in your letter of May 28, 2004. Lee County Utilities has no facilities located within the rear of this property; therefore, Lee County Utilities has no objection to this vacation.

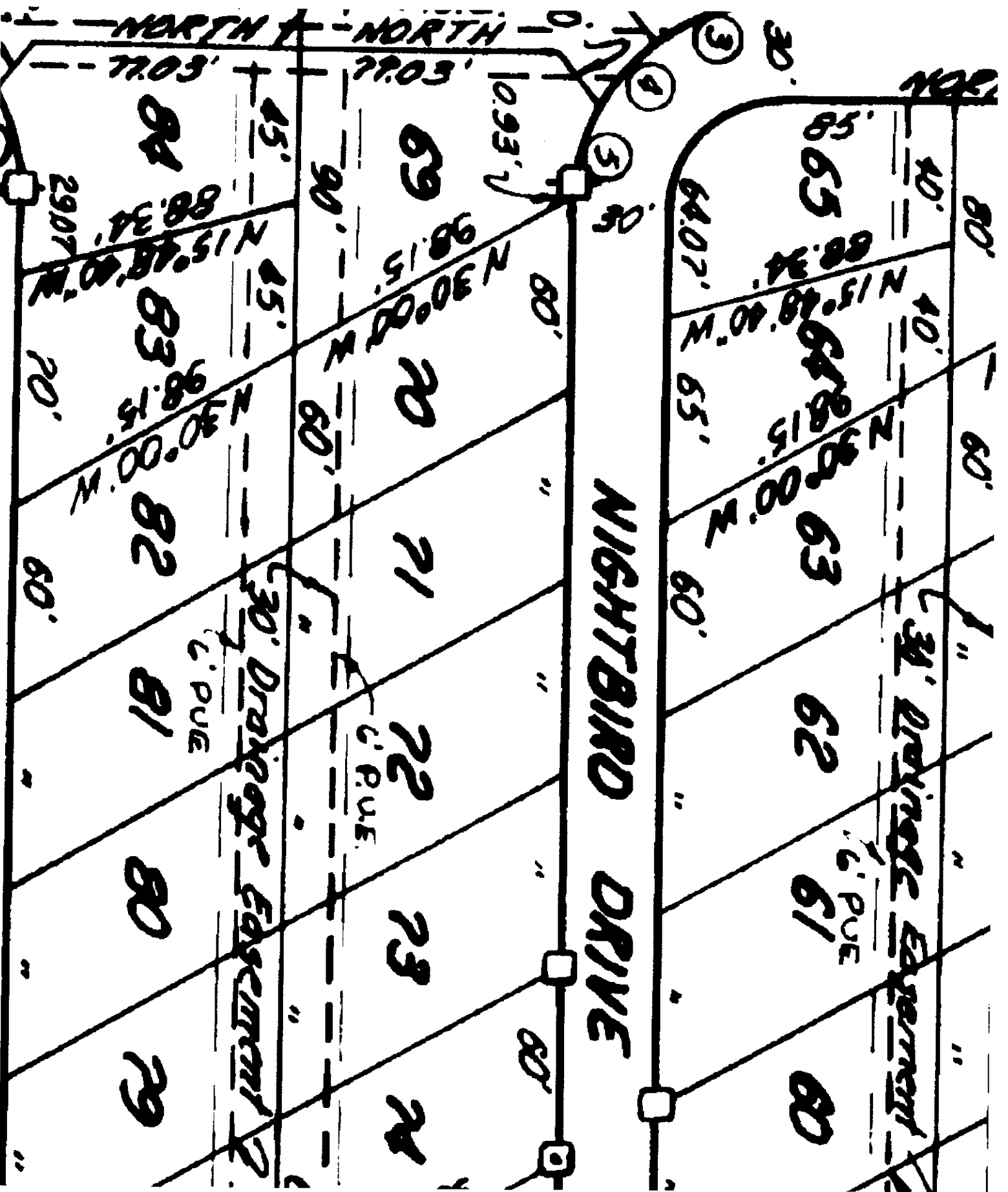
Should you have any questions, or require further assistance, please do not hesitate to contact our office at 479-8532 or 479-8181 ext. 8532.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Engineering Tech., Senior
UTILITIES ENGINEERING

SAUTILS\Engr\MMML\LETTERS\VACATION\GENERAL\13661 NIGHTBIRD DRIVE-NO-OBJECTION.doc





Appraisal
50

00001 0000

00000 0010

WHISPERING PINES

DAVIS COURT CONDO

00000 003E

00023 0040

DAVIS WOOD

00000 00C

00023 0070

00011 0000

00001

00012 0000

