

**I County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20051068

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Public Utility Easement located at 3910 21st St. SW, Lehigh Acres (Case No. VAC2005-00028).

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

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:
COMMISSION DISTRICT #: 5

PH3

5. Meeting Date: **09-06-2005**

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

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

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

9. Background:

The completed petition to vacate, VAC2005-00028 was submitted by James M. Cheverie as the agent of behalf of Tonya K. Kirby.

LOCATION: The site is located at **3910 21st St. SW, Lehigh Acres, Florida 33971** and its strap number is **03-45-26-06-00050.0150**. Petition No. VAC2005-00028 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 15 and 16, both in Block 50, Unit 6, Section 3, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 95 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the northerly six feet and southerly six feet thereof.

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

There are no objections to this Petition to Vacate.

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

10. Review for Scheduling:

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

11. Commission Action:

Approved
 Deferred
 Denied
 Other

RECEIVED BY COUNTY ADMIN:
 8-1-05
 8-45
 COUNTY ADMIN FORWARDED TO:
 8-13-05
 8-13-05

CO. ATTY. FORWARDED TO:
 8-13-05

RXW/ July 22, 2005

611



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: July 22, 2005

To: Patricia Geren
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20051068

CASE NUMBER: VAC2005-00028

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 Ron Wilson, Development Services (rwilson@leegov.com) and Joan Henry, Assistant County Attorney (jhenry@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00028

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 6th day of September 2005 @9:30 AM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

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

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

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

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00028

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 15 and 16, both in Block 50, Unit 6, Plat of Section 3, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 95 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet thereof.

THIS INSTRUMENT PREPARED BY:

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

RESOLUTION NO. _____ FOR PETITION TO VACATE

Case Number: VAC2005-00028

WHEREAS, Petitioner **Tonya K. Kirby** 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. VAC2005-00028 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

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

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00028

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LESS and EXCEPT the northerly six feet and southerly six feet thereof.



PETITION TO VACATE (AC 13-1)

Case Number: VAC 2005-00028

Petitioner(s), TONYA K KIRBY
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, 27900 QUINN ST BONITA SPRINGS FL 34135
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Tonya Kirby
Petitioner Signature

Petitioner Signature

Tonya Kirby
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 Street # 03-45-26-06-0085, 0150 and legally described in exhibit A attached hereto 03-45-26-06-0085, 0150

The property described herein is the subject of an application for zoning or development. We hereby designate James M Cheverie 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.

Tonya K. Kirby
Owner*(signature)
Tonya K. Kirby
Printed Name

Owner*(signature)

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 21st day of July, 2005, by Tonya Kirby who is personally known to me or who has produced as identification and who did (did not) take an oath.

Elizabeth Severo
Notary Public
Elizabeth Severo
(Name typed, printed or stamped)

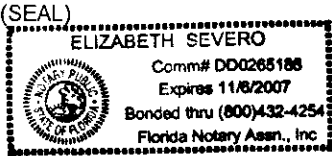


EXHIBIT "A"
Petition to Vacate
VAC2005-00028

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 15 and 16, both in Block 50, Unit 6, Plat of Section 3, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 95 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet thereof.

Exhibit "B"
Petition to Vacate
VAC2005-00028
 [Page One of One]

LEGAL DESCRIPTION
 LOT 15 AND 16, BLOCK 50, LEHIGH ACRES UNIT
 NO. 6, AS RECORDED IN PLAT BOOK 15, PAGE
 95, OF THE PUBLIC RECORDS OF LEE COUNTY,
 FLORIDA.

- ABBREVIATIONS**
- BOB = BASIS OF BEARING
 - C/L = CENTERLINE
 - CLV = CENTERLINE VERTICALLY
 - EDP = EDGE OF DRIVEWAY
 - ELEC = ELECTRIC BOX
 - FIN = FOUNDATION
 - FF. ELEV. = FINISHED FLOOR ELEVATION
 - FN = FOUNDATION
 - FLORIDA = FLORIDA
 - ME = MEASURED
 - MEVD = MEASURED VERTICAL DISTANCE
 - DRV = DRIVEWAY
 - P = PLAT
 - POP = PERMANENT CONTROL POINT
 - PK WALL = POINT OF COMMENCEMENT
 - PK = POINT OF BEGINNING
 - PRM = PERMANENT RIGHT-OF-WAY
 - PSM = PROFESSIONAL SURVEYOR
 - PAUDE = PUBLIC UTILITY AND DRAINAGE EASEMENT
 - P/V = RIGHT OF WAY LINE
 - SIR = SIDEWALK
 - TEL. = TELEPHONE BOX
 - UTILITY = UTILITY EASEMENT
 - VEHICLE = VEHICLE EASEMENT
 - WAB = WATER METER BOX
 - WPP = WATER PUMP PILE
 - = ELEVATION

- NOTES**
- BEARINGS ARE BASED ON THE WEST LINE BRUCE AVENUE AS BEING N 00°05' W.
 - ELEVATIONS ARE BASED ON N.G.V.D., 1989 UNLESS NOTED.
 - FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.
 - SUBJECT TO EASEMENTS OF RECORD.
 - ABSTRACT NOT REVIEWED.
 - THIS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE, ENCUMBRANCES, AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.
 - NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, WERE LOCATED UNLESS OTHERWISE NOTED.
 - ALL DIMENSIONS ARE TO THE CENTER AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
 - LEGAL DESCRIPTION WAS FURNISHED BY CLIENT.
- FLOOD ZONE PANEL NO. 125124 0375 B MAP REVISION DATE ZONE B NOT PRINTED

CERTIFICATION:
 I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO CHAPTER 47E.097, FLORIDA STATUTES.

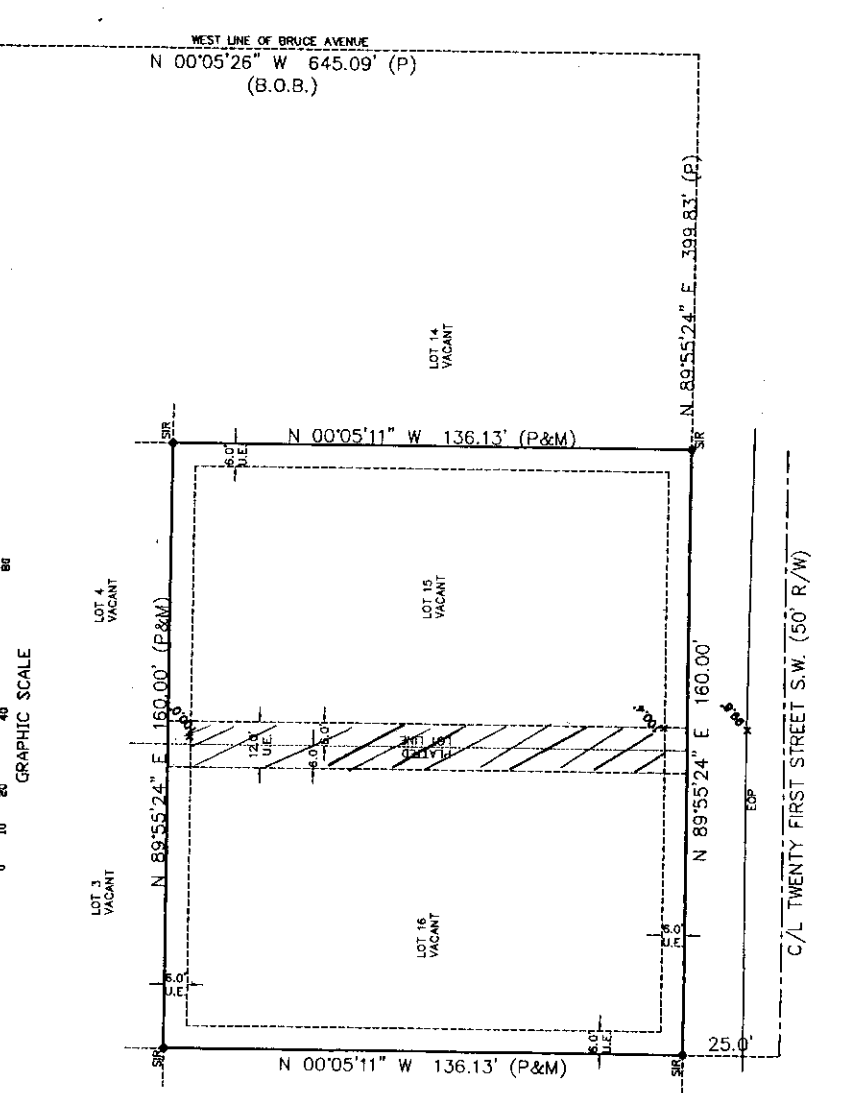
BY: *Thomas E. Rhodes*
 THOMAS E. RHODES SR.PSM #5854

BOUNDARY SURVEY

CERTIFIED BY: TONYA KIRBY

DATE	246	DD	84
DATE	OCTOBER 8, 2003		
SCALE	1" = 40'		
CORO #	03-1228		

1440 RAIL HEAD BOULEVARD, #1
 NAPIES, FLORIDA 34110
 (239) 593-0570 (239) 593-0581 FAX



GRAPHIC SCALE
 0 10 20 40 80

LOT 4 VACANT
 LOT 14 VACANT
 LOT 15 VACANT
 LOT 16 VACANT
 LOT 17 VACANT

WEST LINE OF BRUCE AVENUE
 N 00°05'26" W 645.09' (P)
 (B.O.B.)

N 00°05'11" W 136.13' (P&M)
 N 89°55'24" E 160.00' (P&M)
 N 89°55'24" E 160.00'
 N 00°05'11" W 136.13' (P&M)

C/L TWENTY FIRST STREET S.W. (50' R/W)

Exhibit "C"
Petition to Vacate
VAC2005-00028
[Page One of One]

Real Property Information		
Account	Tax Year	Status
03-45-26-06-00050.0150	2004	PAID
Original Account	Book/Page	
03-45-26-06-00050.0150	4124/2303	
Owner		
KIRBY TONYA K		
Physical Address	Mailing Address	
3910 21ST ST SW LEHIGH ACRES FL 33971	27900 QUINN ST BONITA SPRINGS FL 34135 USA	
Legal Description		
LEHIGH ACRES UNIT 6 BLK 50 PB 15 PG 95 LOT 15		
Outstanding Balance as of 7/22/2005		\$0.00



This Instrument Prepared by and return to:

Name: Patricia Regas
Tradewinds Title, Inc.
Address: 904 Lee Blvd., Suite 106
Lehigh Acres, FL 33936
59536
Parcel I.D. #: 03-45-26-06-00050.0150
Recording Fee \$10.50 Doc Stamps \$69.30

INSTR # 6049693
OR BK 04124 Pgs 2303 - 2304; (2pgs)
RECORDED 11/18/2003 04:02:01 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.50
DEED DOC 69.30

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA



THIS WARRANTY DEED Made the 3rd day of November A.D. 2003, by **JACQUES R. DUMONT** and **MICHELINE M. DUMONT**, husband and wife, hereinafter called the grantors, to **TONYA K. KIRBY**, whose post office address is **27900 Quinn Street Bonita Springs Florida 34135**, hereinafter called the grantee:

(Wherever used herein the terms "grantors" and "grantee" include all the parties to this instrument, singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth: That the grantors, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all that certain land situate in **Lee County, State of Florida**, viz:

Lot 15, Block 50, Unit 6, Section 3, Township 45 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 95, Public Records of Lee County, Florida.

Lot 16, Block 50, Unit 6, Section 3, Township 45 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 95, Public Records of Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2003 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

Subject Property is not now nor has it ever been the homestead property of the grantor. Subject property is vacant land.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold the same in fee simple forever.

And the grantors hereby covenant with said grantee that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land, and hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

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

Signed, sealed and delivered in the presence of:

Must be witnessed by two separate people not related to seller or buyer

Shere Hoza
1st Witness Signature

Theresa HOZAY
Printed Name

Mary R. Fullerton
2nd Witness Signature

MARY R. FULLERTON
Printed Name

Jacques R. Dumont L.S.
Jacques R. Dumont

Address:
70 Coachman Ave, Auburn, ME 04210

Micheline M. Dumont L.S.
Micheline M. Dumont

Address:
70 Coachman Ave, Auburn, ME 04210

State of ARIZONA

County of Maricopa

The foregoing instrument was acknowledged before me this 3rd day of November, 2003, by Jacques R. Dumont and Micheline M. Dumont, who are known to me or who have produced Drivers Licences as identification and who did (did not) take an oath.



Meda Cates
Signature of Notary

Meda Cates
Printed Name of Notary
My commission expires 6-28-05

Notary Seal:



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

239-479-8585

Douglas R. St. Cerny
District Two

July 22, 2005

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

James M. Cheverie
4308 4th St. SW,
Lehigh Acres, FL 33971

Donald D. Stilwell
County Manager

Diana M. Parker
County Hearing Examiner

Re: **VAC2005-00028 - Petition to Vacate** a 12-foot wide Public Utility Easement centered on the common line between lots 15 and 16, both in Block 50, Unit 6, Lehigh Acres, S 3, T 45S, R 26E, as recorded in Plat Book 15, Page 95, in the public records of Lee County, FL

Dear Mr. Cheverie:

You have indicated that in order to build a single-family residence on the combined lots, you desire to eliminate the Public Utility Easement located between your two (2) lots. The site is located at 3910 21st St. SW, 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/RXW

U:\200507\20050606.162\8198580\DCDLETTER.DOC

TO: DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTN: PETER J. ECKENRODE, DIRECTOR DEVELOPMENT SERVICES

REQUEST TO VACATE A UTILITY EASEMENT

I am requesting to vacate a utility easement for the purpose of combining my two lots in to one for a future building site of a single-family residence.

I have already received a single strap number for the two combined lots.
The new strap number is 03452606000500150

My mailing address is 27900 Quinn Street
Bonita Springs FL 34135

My daytime phone # is (239) 289-0108

Respectfully Submitted

Tonya K Kirby



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

February 24, 2004

Ms. Tonya K. Kirby
27900 Quinn Street
Bonita Springs, FL 34135

Re: Block 50, Lots 15 & 16, Unit 6, Lehigh Acres, Florida
Strap # 03-45-26-06-00050.0150

Dear Ms. Kirby:

LCEC does not object to vacation of the utility easements lying between lots 15 and 16, Block 50 Unit 6, Lehigh Acres, Section 3, Township 45 South, Range 26 East, Lee County, Florida; **LESS** and **EXCEPT** the Easterly 6 feet and the Westerly 6 feet thereof. It is LCEC's understanding that the 6-foot perimeter easement of the combined parcel will remain intact.

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

Sincerely,

Sandra McIver
Real Property Representative

Attachment



March 4, 2005

Ms. Tonya K. Kirby
27900 Quinn Street
Bonita Springs, Florida 34135

Re: Vacation of Public Utility Easement:
A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 15 & 16, Block 50, Unit 6, Section 3,
Township 45S, Range 26E.

Dear Ms. Kirby:

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

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

Sincerely,

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

Wayneth Jackson

Wayneth Jackson
Engineer



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

February 24, 2005

Tonya K. Kirby
27900 Quinn St
Bonita Springs, FL 34135

Re: Lot 15 & 16, Block 50, Lehigh Acres Unit No #6, Section 3, Township
45 South, Range 26 East, According to the plat , as recorded in the plat book 15
Page 95, of the public records of Lee County, Fl.

Vacate Right-of-Way and/or Utility Easement

Dear Tonya K. Kirby,

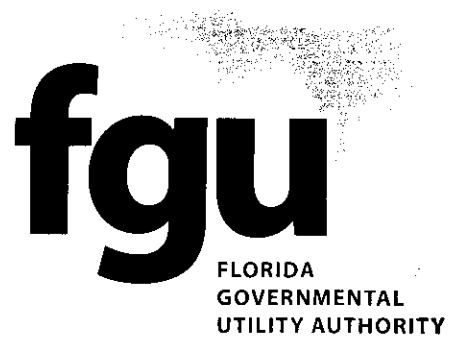
This letter will serve to inform you that Comcast has no objection to your proposed vacation of Right-of-way and/or Utility easement of the above referenced location.

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

Cordially,

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

Mark Cook
Design Coordinator



May 23, 2005

Ms. Tonya Kirby
27900 Quinn Street
Bonita Springs, FL 34135

RE: Vacation of Easement for the 12' public utility easement between Lots 15 and 16, Block 50, of Lehigh Acres Florida, Unit 6, Section 3, Township 45 South, Range 26 East as recorded in Plat Book 15, page 95, of the Public Records of Lee County, Florida, less and except the northerly 6.0 feet and the southerly 6.0 feet thereof.

LEA ANN THOMAS, CHAIR
Polk County

RICHARD W. WESCH
Citrus County

ROBERT NANNI
Osceola County

Dear Ms. Kirby:

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

Vacation of Easement for the 12' public utility easement between Lots 15 and 16, Block 50, of Lehigh Acres Florida, Unit 6, Section 3, Township 45 South, Range 26 East as recorded in Plat Book 15, page 95, of the Public Records of Lee County, Florida, less and except the northerly 6.0 feet and the southerly 6.0 feet thereof.

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

Sincerely,

Florida Governmental Utility Authority

A handwritten signature in black ink that reads "Charles L. Sweat". The signature is written in a cursive style and is positioned above the printed name and title.

Charles L. Sweat
Director of Operations

CLS/jdk

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

AmeriGas

America's Propane Company

March 5, 2005

Tonya K. Kirby
Re: Utility Easements

In reference to your letter dated February 15, 2005 AmeriGas has no interest on right of way on the following locations:

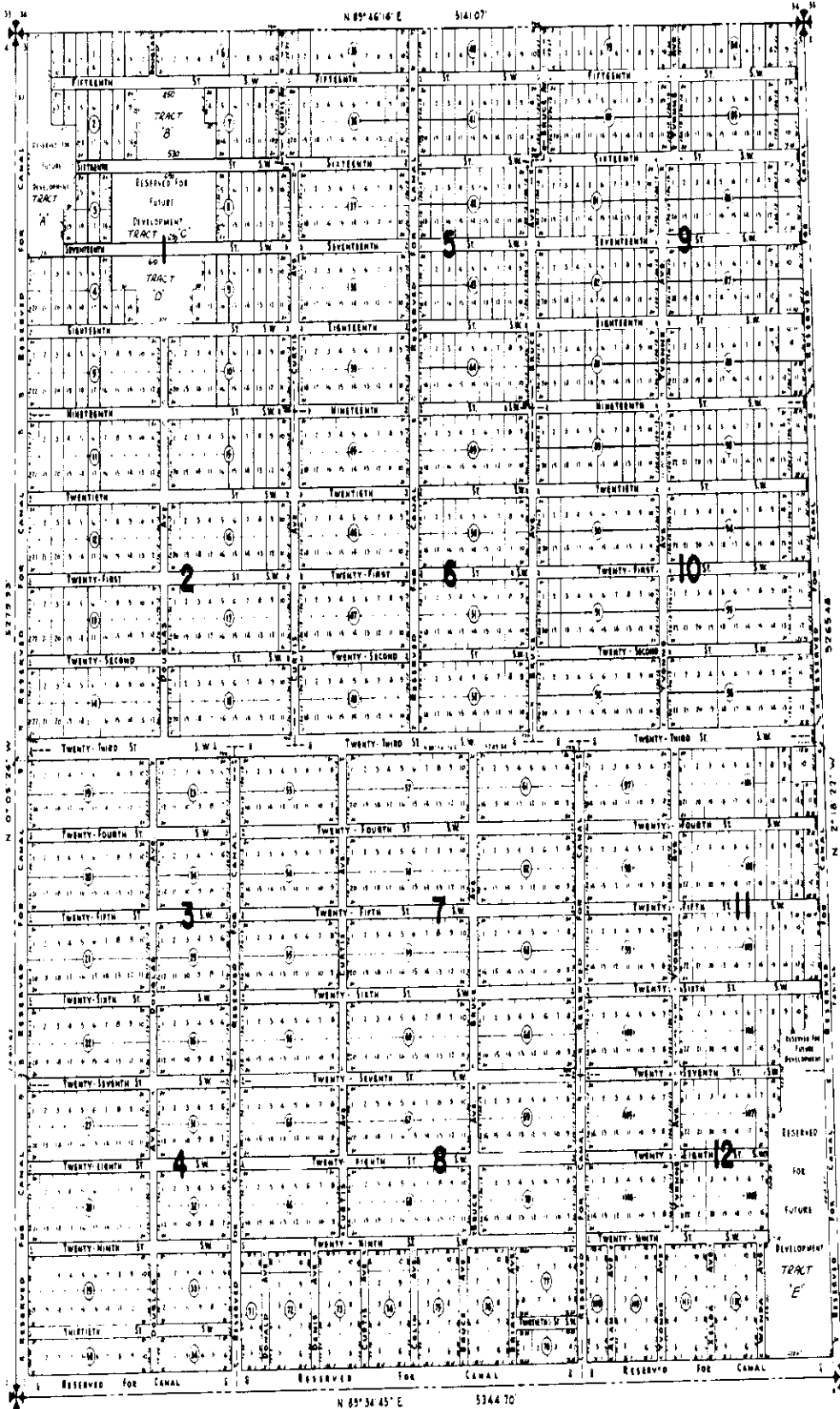
See Attached

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

Mike Yonker



SSM



PLAT OF SECTION 3
TOWNSHIP 45 SOUTH, RANGE 26 EAST

A SUBDIVISION OF
LEHIGH ACRES
 LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO. DEVELOPERS

Scale: March 1958

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.

Florida Registered Land Surveyor No. 1198

NOTE:
 All lots subject to 6.5 City Easement, both sides front and back.
 Sewer PRM are 12" x 24" concrete.
 Street corner PRM are 6" x 6" x 36" concrete.

NOTE:
 Dimensions, Bearings, Lot and Line Lines are
 Checked on Latest Data (see) Given.

NINETEENTH

3	4	5	6	7	8	9
(45)						
16	15	14	13	12	11	10

TWENTIETH

3	4	5	6	7	8	9
(46)						
16	15	14	13	12	11	10

TWENTY-FIRST

3	4	5	6	7	8	9
(47)						
16	15	14	13	12	11	10

TWENTY-SECOND

3	4	5	6	7	8	9
(48)						
16	15	14	13	12	11	10

TWENTY-THIRD

ST. S.W.

1	2	3	4	5	6	7	8	9
(49)								
18	17	16	15	14	13	12	11	10

ST. S.W.

1	2	3	4	5	6	7	8	9
(50)								
18	17	16	15	14	13	12	11	10

ST. S.W.

1	2	3	4	5	6	7	8	9
(51)								
18	17	16	15	14	13	12	11	10

ST. S.W.

2	3	4	5	6	7	8	9	
(52)								
18	17	16	15	14	13	12	11	10

ST. S.W. 5249 04

NINETEENTH

1	2	3	4	5	6	7	8	9	10
(89)									
19	18	17	16	15	14	13	12	11	10

TWENTIETH

1	2	3	4	5	6	7	8	9	10
(90)									
19	18	17	16	15	14	13	12	11	10

TWENTY-FIRST

1	2	3	4	5	6	7	8	9	10
(91)									
19	18	17	16	15	14	13	12	11	10

TWENTY-SECOND

1	2	3	4	5	6	7	8	9	10
(92)									
19	18	17	16	15	14	13	12	11	10

TWENTY-THIRD

RESERVED FOR CANAL

AVENUE

AVENUE

AVENUE

Scale: 

March 1958

Unit Boundary 

SURVEYORS CERTIFICATE

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



Florida Registered Land Surveyor No 1198

NOTE

All lots subject to a 6' Utility Easement, both sides front and back

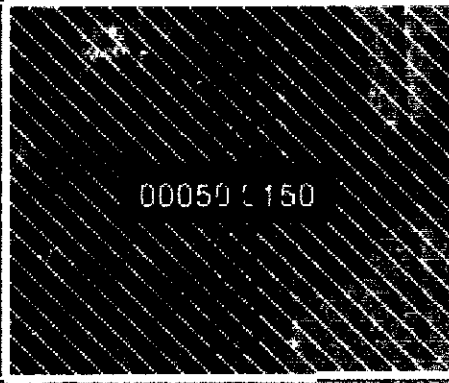
Interior P.R.M.'s are 4" x 4" x 24" concrete

Section corner P.R.M.'s are 6" x 6" x 36" concrete

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	00050 0020	00050 0030	00050 0040	
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	00050 0170		00050 0130
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	00051 0020	00051 0030	00051 0040	00051 0050	
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Area to be vacated