

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 202 Oregon Way, Lehigh Acres (Case No. VAC2005-00023).

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 **9:30 PH # 1** **5. Meeting Date:** 10-25-2005

6. Agenda:	7. Requirement/Purpose: (specify)		8. Request Initiated:	
	<input checked="" type="checkbox"/> Statute	F.S. Ch. 177		Commissioner
	<input type="checkbox"/> Ordinance			Department Community Development
	<input checked="" type="checkbox"/> Admin. Code	13-1		Division Development Services
	<input type="checkbox"/> Other			By: <i>[Signature]</i> 7/19/05
<input type="checkbox"/> Consent			Peter J. Eckenrode, Director	
<input type="checkbox"/> Administrative				
<input type="checkbox"/> Appeals				
<input checked="" type="checkbox"/> Public				
<input type="checkbox"/> Walk-On				

9. Background:

The completed petition to vacate, VAC2005-00023 was submitted Knott, Consoer, Ebelini, Hart & Swett and Matthew D. Uhle as the agent on behalf of Sunburst Homes, Inc., A Florida Corporation.

LOCATION: The site is located at **202 Oregon Way, Lehigh Acres, Florida 33936** and its strap number is **32-44-27-21-00096.0330**. Petition No. VAC2005-00023 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 33 and 34, both in Block 96, Unit 21, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 46 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the easterly six feet and westerly six feet thereof.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee 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> 7/16/05	<i>[Signature]</i> 7/16/05	<i>[Signature]</i> 7/18/05	<i>[Signature]</i> 7/18/05	<i>[Signature]</i> 7/18/05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
 9-6-05
 11:40
 COUNTY ADMIN FORWARDED TO:
[Signature]
 7/19/05

REC'D. 7/21/05
 by CO. ATTY.
 3:00 PM
 CO. ATTY. FORWARDED TO:
[Signature]
 7/21/05



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: July 18, 2005

To: Patricia Geren
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20051025

CASE NUMBER: VAC2005-00023

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: VAC2005-00023

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 25th day of October, 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
EXHIBIT A**

DESCRIPTION OF EASEMENTS TO BE VACATED:

THE SOUTH SIX FEET OF LOT 34, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

AND

THE NORTH SIX FEET OF LOT 33, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST 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: VAC2005-00023

WHEREAS, Petitioner **Sunburst Homes, Inc., A Florida Corporation** 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. VAC2005-00023 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
EXHIBIT A**

DESCRIPTION OF EASEMENTS TO BE VACATED:

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AND

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PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00023

Petitioner(s), Sunburst Homes, Inc.
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, 5315 Lee Street, Lehigh Acres, FL 33971
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:

James R. Regas President
Petitioner Signature

Valerie L. Regas V.P.
Petitioner Signature

James R. Regas, President
Printed Name

Valerie L. Regas, Vice-President
Printed Name

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

**Legal Description
EXHIBIT A**

DESCRIPTION OF EASEMENTS TO BE VACATED:

THE SOUTH SIX FEET OF LOT 34, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

AND

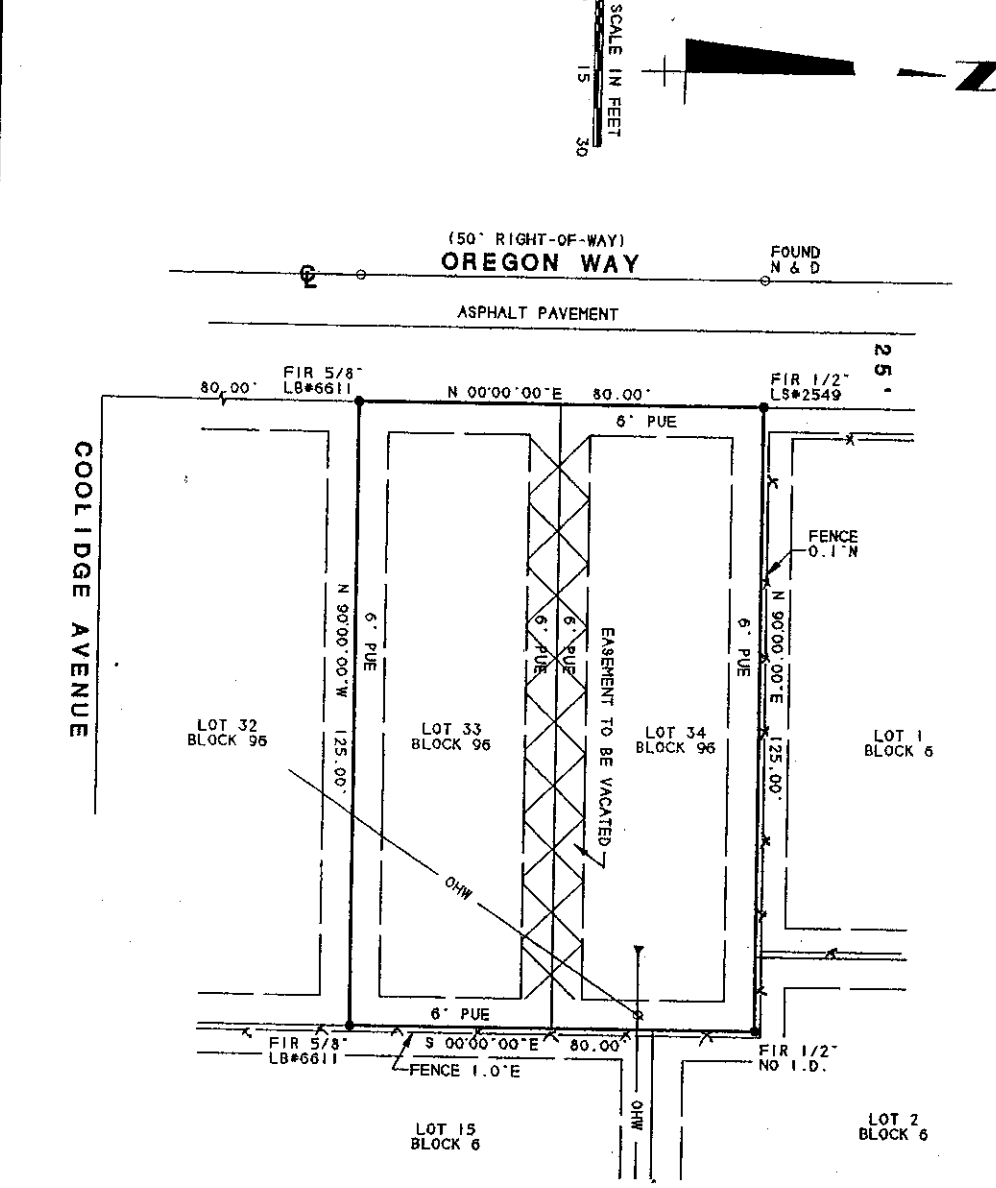
THE NORTH SIX FEET OF LOT 33, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

Exhibit "A"
Petition to Vacate
VAC2005-00023
[Page One of One]

BASE LINE, INC.
 LAND SURVEYING & MAPPING
 1235 MAJDA LANE, SUITE 5-1
 FORT MYERS, FLORIDA 33908
 PHONE (239) 431-5442
 FAX (239) 433-4588

SKETCH OF DESCRIPTION OF EASEMENT TO BE VACATED
 LOTS 33 AND 34, BLOCK 96, UNIT 21, SECTION 32, TOWNSHIP 44 SOUTH,
 RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DEED
 BOOK 256, PAGE 580, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

REV	DATE	DESCRIPTION	PROJECT NO. 03806
1			SHEET 1 OF 1
2			SCALE 1" = 30'
3			FIELD SURVEY DATE: 11/07/05
4			SURVEY ISSUE DATE:



UNIT 20, LEHIGH ACRES
 PLAT BOOK 10, PAGES 86-89

NOTES

- 1) BEARINGS ARE BASED ON THE CENTER LINE OF OREGON WAY. LAST BEARING N 00°00' 00" E.
- 2) THE PROPERTY AND BEARING IS LYING IN ZONE B OF THE NATIONAL FLOOD INSURANCE PROGRAM. COMMUNITY-PANEL NUMBER 229124 0375 B.
- 3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND MAY BE SUBJECT TO OTHER EASEMENTS, RESTRICTIONS, RESERVATIONS, RIGHTS OF RECORD, OR IMPROVEMENTS OTHER THAN THOSE SHOWN LOCATED ON THIS SURVEY.

PROPERTY ADDRESS:
 202 OREGON WAY
 LEHIGH ACRES, FLORIDA


- LEGEND**
- FIR - FOUND FROM ROD (AS NOTED)
 - FR - FOUND FROM PIPE (AS NOTED)
 - FC - FOUND 4"x4" CONCRETE FOUNDMENT
 - DEB - DEBIT 5/8" FROM ROD WITH CAP (LB#3338)
 - PL - PLANT
 - RE - REBARRED POLE
 - WA - WATER METER
 - TE - TELEPHONE COMPANY PRESERVAL
 - WB - WATER METER
 - CB - CEMENT BOX
 - EL - ELECTRIC BOX
 - OW - OVERHEAD WIRE
 - UL - UNDERGROUND UTILITY
 - PL - PUBLIC UTILITY EASEMENT
 - CON - CONCRETE

Exhibit "B"
Petition to Vacate
VAC2005-00023
 [Page One of One]

Robert D. Reigel
 ROBERT D. REIGEL, P.S.S.,
 PROFESSIONAL SURVEYOR & MAPPER No. 4074
 STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Exhibit "C"
Petition to Vacate
VAC2005-00023
 [Page One of One]

Real Property Information			
Account	Tax Year	Status	
32-44-27-21-00096.0330	2004	PAID	
Original Account	Book/Page		
32-44-27-21-00096.0330	4201/2045		
Owner			
SUNBURST HOMES INC			
Physical Address		Mailing Address	
202 OREGON WAY LEHIGH ACRES FL 33936		5315 LEE ST LEHIGH ACRES FL 33971 USA	
Legal Description			
LEELAND HEIGHTS UNIT 21 BLK 96 DB 256 PG 580 LOTS 33 + 34			
Outstanding Balance as of 2/3/2005			\$0.00

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as _____ Having Strap number 32-44-27-21-00096.0330 _____ 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 _____ Knott, Consoer, Ebelini, Hart and Swett, P.A. and Matthew D. Uhle _____ 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.

James R. Regas President
Owner*(signature)
James R. Regas, President
Printed Name

Valerie L. Regas V.P.
Owner*(signature)
Valerie L. Regas, Vice-President
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 4th day of August, 2005, by _____, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Notary Public



(Name typed, printed or stamped)

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as _____ having strap # 32-44-27-21-00096.0330 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 Knott, Consoer, Ebelini, Hart & Sweet, P.A. and Matthew D. Uhle 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.

James Regas
Owner*(signature)
James Regas
Printed Name

Valerie Regas
Owner*(signature)
Valerie Regas
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 29th day of June, 2005, by James & Valerie Regas, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

(SEAL)



Notary Public

Norma M. Allen
(Name typed, printed or stamped)



Florida Profit

SUNBURST HOMES, INC.

PRINCIPAL ADDRESS

5315 LEE ST
LEHIGH FL 33971 US
Changed 04/03/1997

MAILING ADDRESS

5315 LEE ST
LEHIGH FL 33971 US
Changed 03/05/1999

Document Number
P96000051785

FEI Number
650678846

Date Filed
06/17/1996

State
FL

Status
ACTIVE

Effective Date
NONE

Registered Agent

Name & Address
REGAS, JAMES R 5315 LEE STREET LEHIGH ACRES FL 33971
Address Changed: 03/05/1999

Officer/Director Detail

Name & Address	Title
REGAS, JAMES R 5315 LEE STREET LEHIGH ACRES FL 33971	P
REGAS, VALERIE L 5315 LEE STREET LEHIGH ACRES FL 33971	VP

Annual Reports

Report Year	Filed Date
-------------	------------

2003	05/05/2003
2004	02/24/2004
2005	04/04/2005

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

[04/04/2005 -- ANNUAL REPORT](#)
[02/24/2004 -- ANNUAL REPORT](#)
[05/05/2003 -- ANN REP/UNIFORM BUS REP](#)
[03/31/2002 -- COR - ANN REP/UNIFORM BUS REP](#)
[05/12/2001 -- ANN REP/UNIFORM BUS REP](#)
[02/29/2000 -- ANN REP/UNIFORM BUS REP](#)
[03/05/1999 -- ANNUAL REPORT](#)
[05/08/1998 -- ANNUAL REPORT](#)
[04/03/1997 -- ANNUAL REPORT](#)

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

[Corporations Inquiry](#)[Corporations Help](#)

Legal Description
EXHIBIT A

DESCRIPTION OF EASEMENTS TO BE VACATED:

THE SOUTH SIX FEET OF LOT 34, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

AND

THE NORTH SIX FEET OF LOT 33, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

Exhibit "B"
Petition to Vacate
VAC2005-00023
[Page One of One]

- LEGEND**
- FIR - FOUND IRON ROD (AS NOTED)
 - FIP - FOUND IRON PIPE (AS NOTED)
 - FCR - FOUND 4" X 4" CONCRETE MONUMENT
 - DIR - DIAMETER
 - DIR 5/8" - IRON ROD WITH CAP (LB#3368)
 - P - PLAT
 - H - MEASURED
 - WB - WATER BENCH
 - WB - WATER WIRE
 - TE - TELEPHONE COMPANY PEDESTAL
 - TE - TELEPHONE BOX
 - EL - ELECTRICAL BOX
 - EL - ELECTRICAL WIRE
 - OW - OVERHEAD WIRES
 - OW - OVERHEAD WIRE
 - CL - CHAIN LINK FENCE
 - WY - WOOD FENCE
 - WY - WIRE FENCE
 - UT - PUBLIC UTILITY EASEMENT
 - ES - CONCRETE

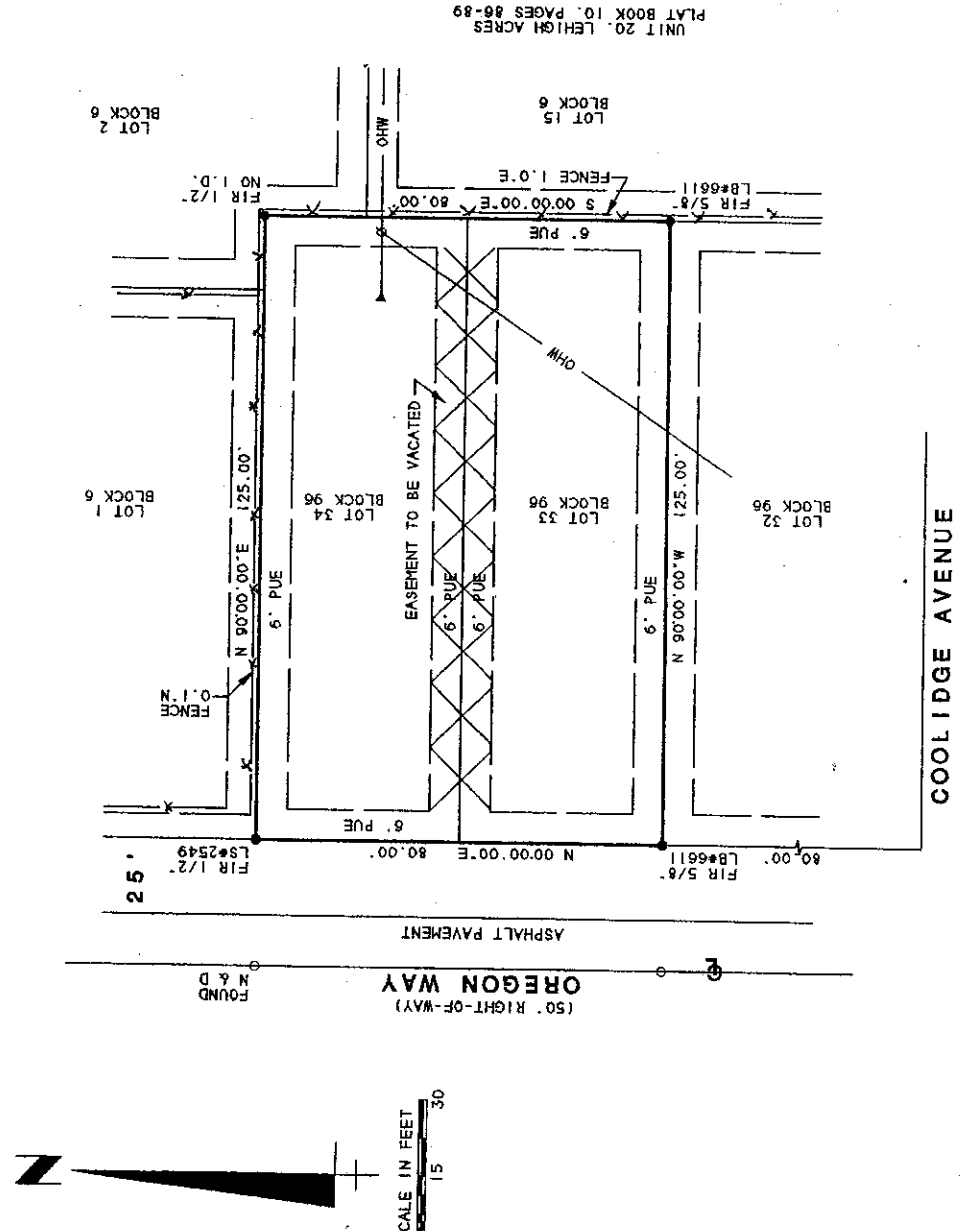
NOTES

- 1) BEARINGS ARE BASED ON THE CENTER LINE OF BEARING 7 AT BEARING N 00°00'00"E.
- 2) THE PROPERTY SHOWN HEREON IS LYING IN ZONE B OF THE FLOOD INSURANCE PROGRAM. COMMUNITY PANEL NUMBER 125124 0375 B. (DATE OF FIRM NUMBER 06/20/98).
- 3) TITLE SEARCH AND MAY BE SUBJECT TO OTHER EASEMENTS. RESTRICTIONS, RESERVATIONS, RIGHTS OF WAY OF RECORD.
- 4) IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED ON THIS SURVEY.

PROPERTY ADDRESS:
202 OREGON WAY
LEHIGH ACRES, FLORIDA

Robert D. Reige
ROBERT D. REIGE, P.S.
PROFESSIONAL SURVEYOR & MAPPER No. 4074
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



UNIT BOOK 10, LEHIGH ACRES 86-89
PLAT BOOK 10, LEHIGH ACRES 86-89

REV	DATE	DESCRIPTION
1		
2		
3		

SKETCH OF DESCRIPTION OF EASEMENT TO BE VACATED
LOTS 33 AND 34, BLOCK 96, UNIT 21, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DEED BOOK 256, PAGE 580, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

BASE LINE, INC.
LAND SURVEYING & MAPPING
186386
7235 MAIDA LANE, SUITE 5-L
FORT MYERS, FLORIDA 33908
PHONE (239) 481-0421
FAX (239) 433-4568

PROJECT NO. 03806
SHEET 1 OF 1
SCALE 1" = 30'
FIELD SURVEY DATE:
11/07/03
SURVEY ISSUE DATE:

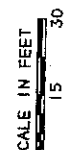



Exhibit "C"
Petition to Vacate
VAC2005-00023
 [Page One of One]

Real Property Information			
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Original Account	Book/Page		
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Owner			
SUNBURST HOMES INC			
Physical Address		Mailing Address	
202 OREGON WAY LEHIGH ACRES FL 33936		5315 LEE ST LEHIGH ACRES FL 33971 USA	
Legal Description			
LEELAND HEIGHTS UNIT 21 BLK 96 DB 256 PG 580 LOTS 33 + 34			
Outstanding Balance as of 2/3/2005			\$0.00



This Instrument Prepared by & return to:
Name:

Tradewinds Title, Inc.
Address: 904 Lee Blvd, Suite 106
Lehigh Acres, FL 33936
60081A

Parcel I.D. #: 32-44-27-21-00096.0330

INSTR # 6150097

OR BK 04201 Pgs 2045 - 2046; (2pgs)

RECORDED 02/17/2004 11:41:42 AM

CHARLIE GREEN, CLERK OF COURT

LEE COUNTY, FLORIDA

RECORDING FEE 10.50

DEED DOC 0.70

DEPUTY CLERK G Sherwood

SPACE ABOVE THIS LINE FOR RECORDING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

10.50
.70

Attn: Dorothy

THIS WARRANTY DEED Made the 2ND day of FEBRUARY

A.D. 2004 by Michael Konradt and Beverly Konradt, Husband and Wife, hereinafter called the grantor, to Sunburst Homes, Inc., A Florida Corporation whose principal address is 5315 Lee Street, Lehigh Acres, FL 33971:

(Wherever used herein the terms "grantor" and "grantees" 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 grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees all that certain land situate in Lee County, State of Florida, viz:

Lot 33, Block 96, Unit 21, Leeland Heights, Section 32, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Deed Book 256, Page 580, Public Records, Lee County, Florida.

Lot 34, Block 96, Unit 21, Leeland Heights, Section 32, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Deed Book 256, Page 580, Public Records, Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2004 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

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

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

And the grantor hereby covenants with said grantees 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, and hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2003

In Witness Whereof, 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.

Signed, sealed and delivered in the presence of:

Benny Sweeney
Witness

Renee Sweeney
Printed Name of Witness

Donna B. Wash
Witness

Donna B. Wash
Printed Name of Witness

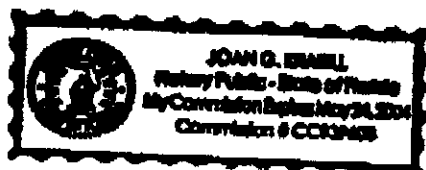
Michael Konradt L.S.
Michael Konradt

Beverly Konradt
Beverly Konradt

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 2nd day of February, 2004, by Michael Konradt and Beverly Konradt, Husband and Wife who is personally known to me or has produced _____ as identification and did (did not) take an oath.

Seal:



Joan G. Kravill
Signature of Acknowledger
My commission expires 5/24/04

BOARD OF COUNTY COMMISSIONERS

239-479-8585

Writer's Direct Dial Number: _____

Bob Janes
District One

July 18, 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

Diana M. Parker
County Hearing Examiner

Matthew D. Uhle
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry St. Suite 301,
Fort Myers, FL 33901

Re: **VAC2005-00023 - Petition to Vacate** a 12-foot wide Public Utility Easement on the combined lots of 33 and 34, Block 96, Unit 21, Lehigh Acres, S 32, T 44S, R 27E, as recorded in Plat Book 15, Page 46, in the public records of Lee County, FL

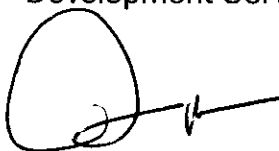
Dear Mr. Uhle:

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 202 Oregon Way, 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\20050503.134\8178410\DCDLETTER.DOC

**Knott, Consoer, Ebelini
Hart & Swett, P.A.**
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MUhle@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Naty Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

May 3, 2005

Peter J. Eckenrode, Development Services Director
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902


Re: Vacation of Easement - 32-44-27-21-00096.0330
Sunburst Homes, Inc.

Dear Peter:

We are requesting a vacation of the public utility easement located six feet on either side of the lot line between Lots 33 and 34 for the property located at 202 Oregon Way in Lehigh Acres. The purpose of this petition is to afford the property owner the ability to build on the property and the vacation is necessary since the easement runs through the center.

Sincerely,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.



Matthew D. Uhle
MDU/ams



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

RECEIVED
Knott, Consoer, Ebelini
Hart & Swett, P.A.
FEB 03 2005
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February 2, 2005

Ms. Allison Stowe
Knott, Consoer, Ebelini, Hart & Swett, P.A.
P O Box 2449
Fort Myers, FL 33902-2449

Re: 202 Oregon Way, Lehigh Acres, Florida
Strap # 32-44-27-21-00096.0330

Dear Ms. Stowe:

LCEC does not object to vacation of the interior easement on the above referenced parcel as indicated on the sketch prepared by Base Line, Inc. dated 11/10/03. It is our understanding that the 6-foot perimeter easement of the combined site will remain intact.

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

Sincerely,

Sandra McIver

Sandra McIver
Real Property Representative

Attachment



July 13, 2005

Ms. Alison M. Stowe
Knott, Consoer, Ebelini, Hart & Swett, P.A.
P. O. Box 2449
Fort Myers, Florida 39902-2449

Re: Vacation of Public Utility Easement
A 12 foot wide public utility and drainage easement centered on the lot line
Common to lots 33 & 34, Block 96, Unit 21, Section 32, Township 44A,
Range 27E.
Strap #: 32-44-27-21-00096.0330

Dear Ms. Stowe:

Relocation of all telephone cables has been completed at the above location.
Sprint-Florida has no objection to the vacation of the 12 foot public utility/drainage easement at 202
Oregon Way in Lehigh Acres, Florida.

Sincerely,

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

Wayneth Jackson
Engineer



April 26, 2005

Ms. Alison M. Stowe
Knott, Consoer, Ebelini, Hart & Swett, P.A.
P. O. Box 2449
Fort Myers, Florida 33902-2449

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 33 & 34, Block 96, Unit 21, Section 32,
Township 44S, Range 27E.
Strap No. – 32-44-27-21-00096.0330

Dear Ms. Stowe:

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, it was determined that there were existing telephone cables in conflict with the above vacation of easement request.

Relocation of the telephone cable is now in progress and scheduled for completion May 6, 2005.

Upon completion of telephone cable relocates, Sprint-Florida has no objection to the vacation of the 12 foot public utility/drainage easement at 202 Oregon Way in Lehigh Acres, Florida.

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

Sincerely,

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

Wayneth Jackson
Engineer

301 Tower Road
Naples, FL 34113
Collier: (239)-732-3861
Lee: (239)-432-1861
FAX: 239-334-8575



RECEIVED
Knott, Consoer, Ebelini,
Hart & Swett, P.A.
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March 11, 2004

Dorothy A. Ryan
Knott, Consoer, Ebelini, Hart & Swett, P.A.
P.O. Box 2449
Fort Myers, Fl. 33902

Re: Vacation of 12' Public Utility Easement / Drainage Easement bisecting 202 Oregon
Way, Lehigh Acres, Florida.
Strap # 32-44-27-21-00096.0330

Dear Ms Ryan:

Comcast Communications has reviewed the plans of the above referenced properties. Comcast has no objection to the vacation of the easement as indicated on the attached sketch.

If I can be of any additional information regarding this project, please do not hesitate to call me.

Sincerely,

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

William Stanton
Design Department



March 16, 2004

Ms. Dorothy A. Ryan
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, Fla. 33902

RE: Vacation of easement
202 Oregon Way, Lehigh Acres, Fla.

Dear Ms. Ryan:

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

If you have any further questions or concerns, please do not hesitate to contact me at (239) 772-2218, Ext. 120.

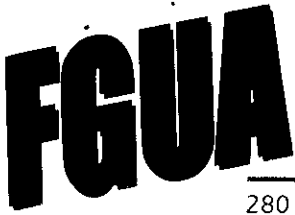
Sincerely,

TIME WARNER CABLE

A handwritten signature in black ink, appearing to read "Adnaldo Rodriguez".

Adnaldo Rodriguez
Technical Field Inspector

AR/ss



FLORIDA GOVERNMENTAL UTILITY AUTHORITY

280 Wekiva Springs Road, Suite 203, Longwood, Florida 32779, Ph: (407) 629-6900, Fax: (407) 629-6963

January 20, 2005

Alison M. Stowe
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Third Floor (33901)
P.O. Box 2449
Fort Myers, FL 33902-2449

RE: Vacation of 6 Foot Easements Between Lots 33 and 34, Block 96, Unit 20, 202 Oregon Way in Lehigh Acres

Dear Ms. Stowe:

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

The vacation of easement was requested for the 6 foot utility easements between Lots 33 and 34, Block 96, Unit 20, 202 Oregon Way in Lehigh Acres, Florida, less the easterly and westerly 6 feet of each easement.

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

Sincerely,

Florida Governmental Utility Authority

Charles L. Sweat
Director of Operations

CLS/vjb

RECEIVED
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Third Floor
Fort Myers, FL 33901

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7 8 9 10 11 12 1 2 3 4 5 6



AmeriGas

America's Propane Company

January 29, 2005

Knott, Consoer, Ebelini Hart & Swett, P.A.
Re: Utility Easements

In reference to your letter dated December 14, 2004 AmeriGas has no interest on right of way on the following locations:

Strap # 32-44-27-21-00096.0330

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

Mike Yonker



SSM



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Thursday, March 11, 2004

Ms. Dorothy A. Ryan
Knott, Consoer, Ebelini, Hart & Swett, P.A.
P.O. Box 2449
Fort Myers, FL 33902

Re: Petition to Vacate a twelve (12) foot wide public utility & drainage easements common to Lots 33 & 34, Block 96, Unit 21, Lehigh Acres Subdivision, as recorded in Deed Book 256 Page 580, in the public records, Lee County, Florida.

Dear Ms. Ryan:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation 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: Don Blackburn, Development Services
Joan Henry, County Attorney's Office
Margaret Lawson, LCDOT
Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac419.doc



Florida Department of Transportation

JEB BUSH
GOVERNOR

801 North Broadway Avenue
Bartow, Florida 33830

JOSE ABREU
SECRETARY

March 11, 2004

Knott, Consoer, Ebelini, Hart & Sweet, P.A.
Attn: Dorothy A. Ryan
P.O. Box 2449
Fort Myers, Florida 33902-2449

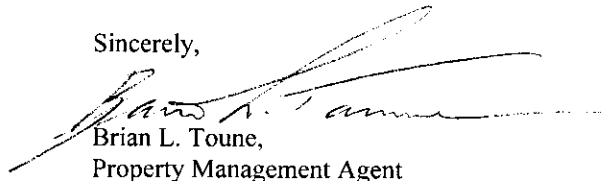
RE: Vacation of a Public Utility Easement

Dear Ms. Ryan:

In response to your letter we received on March 10, 2004, our staff has conducted a review of your request to vacate the subject area as marked and generally described as: Those portions of a 12' wide by 125' long Public Utility and Drainage Easement lying within Lots 33 & 34, Block 96, Unit 21, Leeland Heights, Section 32, Township 44 South, Range 27 East, Leigh Acres, according to the map or plat thereof. Recorded in Deed Book 256, Page 580, of the Public Records of Lee County, Florida.

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

Sincerely,



Brian L. Toune,
Property Management Agent

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

District One-Right of Way Department-Property Management
801 North Broadway Avenue*Post Office Box 1249*Bartow, FL 33831-1249
(863)519-2413 *(863)534-7168 (Fax)*MS 1-66
www.dot.state.fl.us

NOTE

ALL WORK SUBJECT TO A 50% UTILITY
EASEMENT ON ALL SIDES OF LOT
INSTALLATION PERMITS 4-14-2006 CONCRETE
50% OF TOTAL 16' 6" CONCRETE
ALL WORK SHALL BE DONE TO THE ORIGINAL PLAN

NOTE

ALL LOTS SUBJECT TO A 60 UTILITY

EASEMENT ON ALL SIDES OF LOT

INTERIOR PERIMETERS = 4x4x20 CONCRETE

SECTIONS = 4x6 CONCRETE

ALL LOTS EQUAL. CALL FOR LIST WHERE NEEDED

GIS Map Exhibit

