

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 4.67-foot portion of the existing 20 foot Drainage and Public Utility Easement located at 11730 Timberline Circle, Fort Myers (Case No. VAC2005-00017).

2. WHAT ACTION ACCOMPLISHES: To build a two-room addition and pool enclosure to an existing single-family residence. **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 #: 2

9:30 PH #2

5. Meeting Date: *10-25-2005*

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]* *9/6/05*
 Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2005-00017 was submitted by Jeff S. Steele and Lisa J. Steele.

LOCATION: The site is located at **11730 Timberline Circle, Fort Myers, FL 33912** and its strap number is **08-45-25-01-0000B.0210**. Petition No. VAC2005-00017 proposes to vacate the south 4.67 feet (4 feet 8 inches) of the north 20 feet of Lot 21, Block B, The Timbers Subdivision according to the plat thereof, as recorded in Plat Book 41, Pages 51 through 53, inclusive, of the Public Records of Lee County, Florida, said north 20 feet being a platted 20 feet Drainage and Utility Easement.

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

There are no objections to this Petition to Vacate.

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

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>[Signature]</i>				<i>[Signature]</i>	Analyst <i>[Signature]</i> <i>9/13/05</i>	Risk <i>[Signature]</i>	Grants <i>[Signature]</i> <i>9/14/05</i>	Men <i>[Signature]</i> <i>9/14/05</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN:
9-17-05
[Signature]
 COUNTY ADMIN FORWARDED TO:
9-18-05
[Signature]

REC'D 7/8/05
 by CO. ATTY.
3:20 pm
 CO. ATTY.
 FORWARDED TO:
[Signature]



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: August 22, 2005

To: Patricia Geren
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20050938

CASE NUMBER: VAC2005-00017

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: VAC2005-00017

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

EXHIBIT 'A'

LEGAL DESCRIPTION :

THE SOUTH 4.67 FEET (4 FEET 8 INCHES) OF THE NORTH 20 FEET OF LOT 21, BLOCK B, THE TIMBERS SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 51 THROUGH 53, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID NORTH 20 FEET BEING A PLATTED 20 FEET DRAINAGE AND UTILITY EASEMENT

Exhibit "A"
Petition to Vacate
VAC2005-00017
[Page One of One]

F.L.A. SURVEYS CORP.

PROFESSIONAL LAND SURVEYORS & MAPPERS-LB 6569

6561 TAYLOR ROAD, SUITE 1
NAPLES, FLORIDA 34109
239-598-5936 FAX 598-5939

8359 BEACON BLVD., SUITE 117
FT. MYERS, FLORIDA 33907
239-274-9518 FAX 274-9519

REVISIONS

PROJECT NO:
05-25227

DRAWN BY: 95-2407 PARTY CHIEF: N/A

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: VAC2005-00017

WHEREAS, Petitioners **Jeff S Steele and Lisa J. Steele** 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. VAC2005-00017 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'

LEGAL DESCRIPTION :

THE SOUTH 4.67 FEET (4 FEET 8 INCHES) OF THE NORTH 20 FEET OF LOT 21, BLOCK B, THE TIMBERS SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 51 THROUGH 53, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID NORTH 20 FEET BEING A PLATTED 20 FEET DRAINAGE AND UTILITY EASEMENT

Exhibit "A"
Petition to Vacate
VAC2005-00017
[Page One of One]

F.L.A. SURVEYS CORP. PROFESSIONAL LAND SURVEYORS & MAPPERS—LB 6569		6561 TAYLOR ROAD, SUITE 1 NAPLES, FLORIDA 34109 239-598-5936 FAX 598-5939		REVISIONS
		8359 BEACON BLVD., SUITE 117 FT. MYERS, FLORIDA 33907 239-274-9518 FAX 274-9519		PROJECT NO: 05-25227
DRAWN BY:	95-2407	PARTY CHIEF:	N/A	

SKETCH OF LEGAL DESCRIPTION
THIS IS NOT A SURVEY

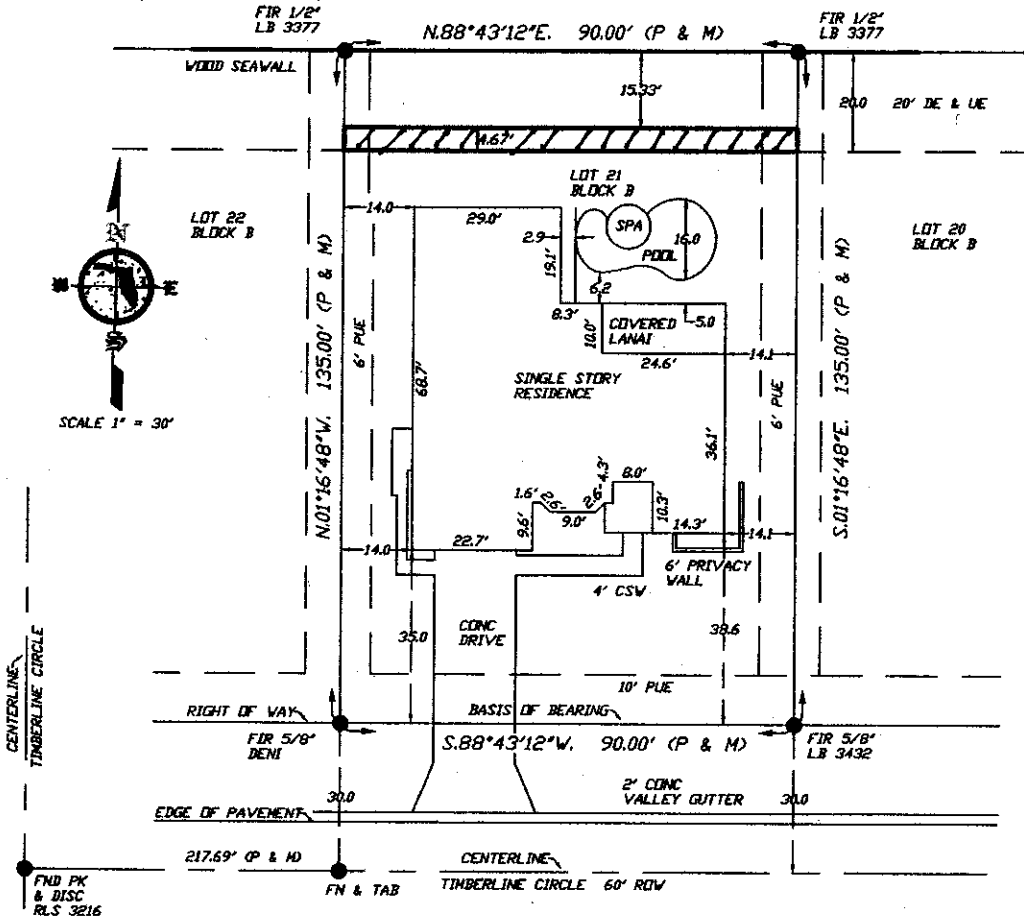
COPYRIGHT 2005 F.L.A. SURVEYS CORP.

NOTE:
 BOUNDARY INFORMATION AND OTHER
 IMPROVEMENTS SHOWN WERE TAKEN
 FROM BOUNDARY SURVEY BY THIS
 FIRM DATED 8-5-1995.

EXHIBIT "B"

STREET ADDRESS
 11730 TIMBERLINE CIRCLE
 FORT MYERS, FLORIDA

TRACT "E" (2.70 AC. LAKE)



LEGAL DESCRIPTION :

THE SOUTH 4.67 FEET (4 FEET 8 INCHES) OF THE NORTH 20 FEET OF LOT 21, BLOCK B, THE TIMBERS SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 51 THROUGH 53, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID NORTH 20 FEET BEING A PLATTED 20 FEET DRAINAGE AND UTILITY EASEMENT

Exhibit "B"
Petition to Vacate
VAC2005-00017
 [Page One of One]

CERTIFICATION :

I CERTIFY THAT THIS SKETCH WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOTE:
 IN COMPLIANCE WITH F.A.C. 61G17-6.0031 (3) (E) OF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.

BY: *Clinton W. Finstad* DATE: 2-28-2006
 CLINTON W. FINSTAD, PLS #2453
 LEONARD F. DEWARD, PLS #3859
 STEPHEN MACDONALD, PLS #4001

NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
 NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL
 PLEASE REFER TO REVERSE SIDE FOR GENERAL NOTES & ABBREVIATIONS.

F.L.A. SURVEYS CORP. PROFESSIONAL LAND SURVEYORS & MAPPERS—LB 6569		6561 TAYLOR ROAD, SUITE 1 NAPLES, FLORIDA 34109 239-598-5936 FAX 598-5939	REVISIONS
DRAWN BY: 95-2407	PARTY CHIEF: N/A	8359 BEACON BLVD., SUITE 117 FT. MYERS, FLORIDA 33907 239-274-9518 FAX 274-9519	PROJECT NO: 05-25227



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00017

Petitioner(s), Jeff S. & Lisa J. Steele

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, 11730 Timberline Circle Ft Myers Fl 33912
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:

[Handwritten signature of Jeff Steele]
Petitioner Signature

[Handwritten signature of Lisa J. Steele]
Petitioner Signature

Jeff Steele
Printed Name

LISA J. STEELE
Printed Name

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

PROPERTY DATA FOR PARCEL 08-45-25-01-0000B.0200
TAX YEAR 2004

Parcel data is available for the following tax years:

[[2001](#) | [2002](#) | [2003](#) | [2004](#)]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#)

| [Display Tax Bills on this Parcel](#) | **NEW!** [Tax Estimator](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2004 ROLL.

PROPERTY DETAILS

OWNER OF RECORD

NEAL JOSEPH E +
LISA
11724
TIMBERLINE CIR
FT MYERS FL
33912

SITE ADDRESS

11724
TIMBERLINE CIR
FORT
MYERS FL 33912

LEGAL DESCRIPTION

TIMBERS S/D BLK
B
PB 41 PG 53
LOT 20

[[VIEWER](#)] TAX MAP [[PRINT](#)]

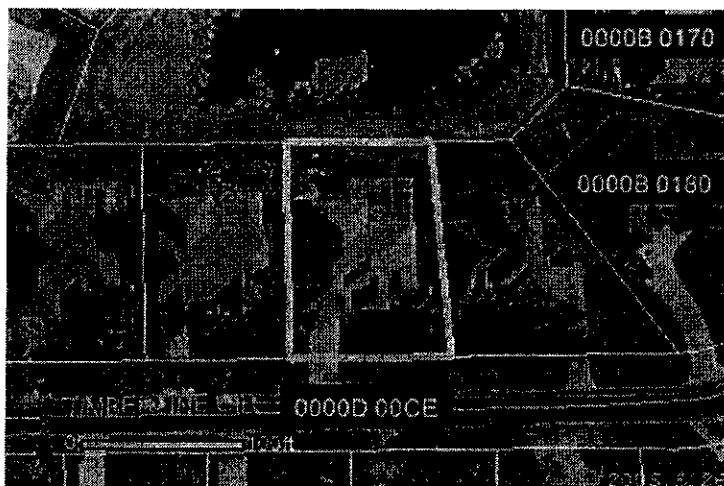


IMAGE OF STRUCTURE



Photo Date: August of 2003

[[PICTOMETRY](#)]

TAXING DISTRICT

012 - SOUTH TRAIL FIRE DISTRICT/SOUTH COUNTY

DOR CODE

01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX ROLL 2004) [[NEW!](#) [HISTORY CHART](#)]

EXEMPTIONS

ATTRIBUTES

PROPERTY VALUES (TAX ROLL 2004)	EXEMPTIONS	ATTRIBUTES	
JUST	194,670 HOMESTEAD	25,000 UNITS OF MEASURE	LT
ASSESSED	194,670 AGRICULTURAL	0 NUMBER OF UNITS	1.00
ASSESSED SOH	194,670 WIDOW	0 FRONTAGE	0
TAXABLE	169,670 WIDOWER	0 DEPTH	0

PROPERTY DATA FOR PARCEL 08-45-25-01-0000B.0220

TAX YEAR 2004

Parcel data is available for the following tax years:

[[2001](#) | [2002](#) | [2003](#) | [2004](#)]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#)

| [Display Tax Bills on this Parcel](#) | **[NEW! Tax Estimator](#)**]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2004 ROLL.

PROPERTY DETAILS

OWNER OF RECORD

BROWN
STEPHEN C +
ROBERTA L
11736
TIMBERLINE CIR
FORT MYERS FL
33912

SITE ADDRESS

11736
TIMBERLINE CIR
FORT
MYERS FL 33912

LEGAL DESCRIPTION

TIMBERS S/D BLK
B
PB 41 PG 53
LOT 22

[[VIEWER](#)] TAX MAP [[PRINT](#)]

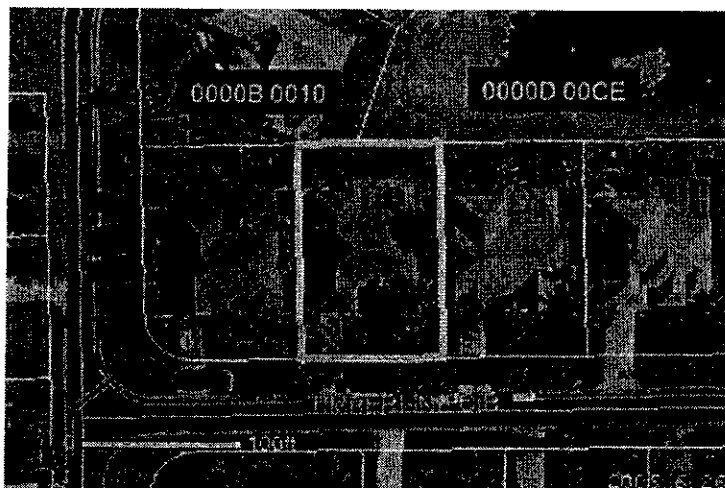


IMAGE OF STRUCTURE



Photo Date: December of 2000

[[PICTOMETRY](#)]

TAXING DISTRICT

012 - SOUTH TRAIL FIRE DISTRICT/SOUTH COUNTY

DOR CODE

01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX ROLL 2004)[[NEW! HISTORY CHART](#)]

EXEMPTIONS

ATTRIBUTES

PROPERTY VALUES (TAX ROLL 2004)	EXEMPTIONS	ATTRIBUTES
JUST ASSESSED	191,260 HOMESTEAD	25,000 UNITS OF MEASURE
ASSESSED SOH	191,260 AGRICULTURAL	0 NUMBER OF UNITS
	191,260 WIDOW	0 FRONTAGE

LT
1.00
0

August 1, 2005

Steve and Roberta Brown
11736 Timberline Circle
Fort Myers, Florida 33912

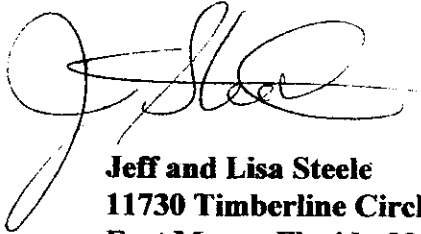
To Whom It May Concern:

We intend to submit to the Lee County Board of Commissioners seeking to vacate the public interest in the right of way or road easement, utility, or drainage easement at 11730 Timberline Circle in order to accomplish the following purpose:

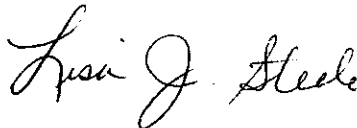
A 4.6 foot portion to enable the construction of a two room addition to our single family home. The proposed addition will extend approximately 16 feet beyond the north facing the outside wall of the structure as it exists today.

Should you have any questions regarding this request for vacation or our planned addition, please contact us at the following address.

Sincerely,



Jeff and Lisa Steele
11730 Timberline Circle
Fort Myers, Florida 33912
(239)936-3205



August 1, 2005

**Joe and Lisa Neal
11724 Timberline Circle
Fort Myers, Florida 33912**

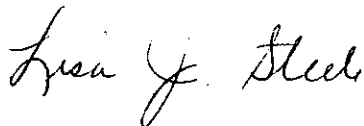
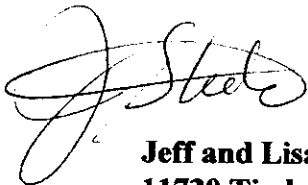
To Whom It May Concern:

We intend to submit to the Lee County Board of Commissioners seeking to vacate the public interest in the right of way or road easement, utility, or drainage easement at 11730 Timberline Circle in order to accomplish the following purpose:

A 4.6 foot portion to enable the construction of a two room addition to our single family home. The proposed addition will extend approximately 16 feet beyond the north facing the outside wall of the structure as it exists today.

Should you have any questions regarding this request for vacation or our planned addition, please contact us at the following address.

Sincerely,



**Jeff and Lisa Steele
11730 Timberline Circle
Fort Myers, Florida 33912
(239)936-3205**

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:

MR. & MRS. STEVE BROWN
11736 TIMBERLINE CIR
FORT MYERS, FLA.
33912

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Cameron Brown

Agent

Addressee

B. Received by (Printed Name)

Cameron Brown

C. Date of Delivery

8/4/05

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

2. Article Number

(Transfer from service label)

7005 0390 0005 4696 6888

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>Joseph E Neal</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name) C. Date of Delivery <i>Joseph E Neal</i> <i>8-12-05</i></p>
<p>1. Article Addressed to:</p> <p><i>MR. & MRS. JOE NEAL</i> <i>11724 TIMBERLINE CIRCLE</i> <i>FORT MYERS, FLA.</i> <i>33912</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 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>7005 0390 0005 4696 6871</i></p>

EXHIBIT 'A'

LEGAL DESCRIPTION :

THE SOUTH 4.67 FEET (4 FEET 8 INCHES) OF THE NORTH 20 FEET OF LOT 21, BLOCK B, THE TIMBERS SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 51 THROUGH 53, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID NORTH 20 FEET BEING A PLATTED 20 FEET DRAINAGE AND UTILITY EASEMENT

Exhibit "A"
Petition to Vacate
VAC2005-00017
[Page One of One]

F.L.A. SURVEYS CORP. PROFESSIONAL LAND SURVEYORS & MAPPERS-LB 6569		6561 TAYLOR ROAD, SUITE 1 NAPLES, FLORIDA 34109 239-598-5936 FAX 598-5939 8359 BEACON BLVD., SUITE 117 FT. MYERS, FLORIDA 33907 239-274-9518 FAX 274-9519	REVISIONS
			PROJECT NO: 05-25227
DRAWN BY:	95-2407	PARTY CHIEF:	N/A

SKETCH OF LEGAL DESCRIPTION

COPYRIGHT 2005 F.L.A. SURVEYS CORP.

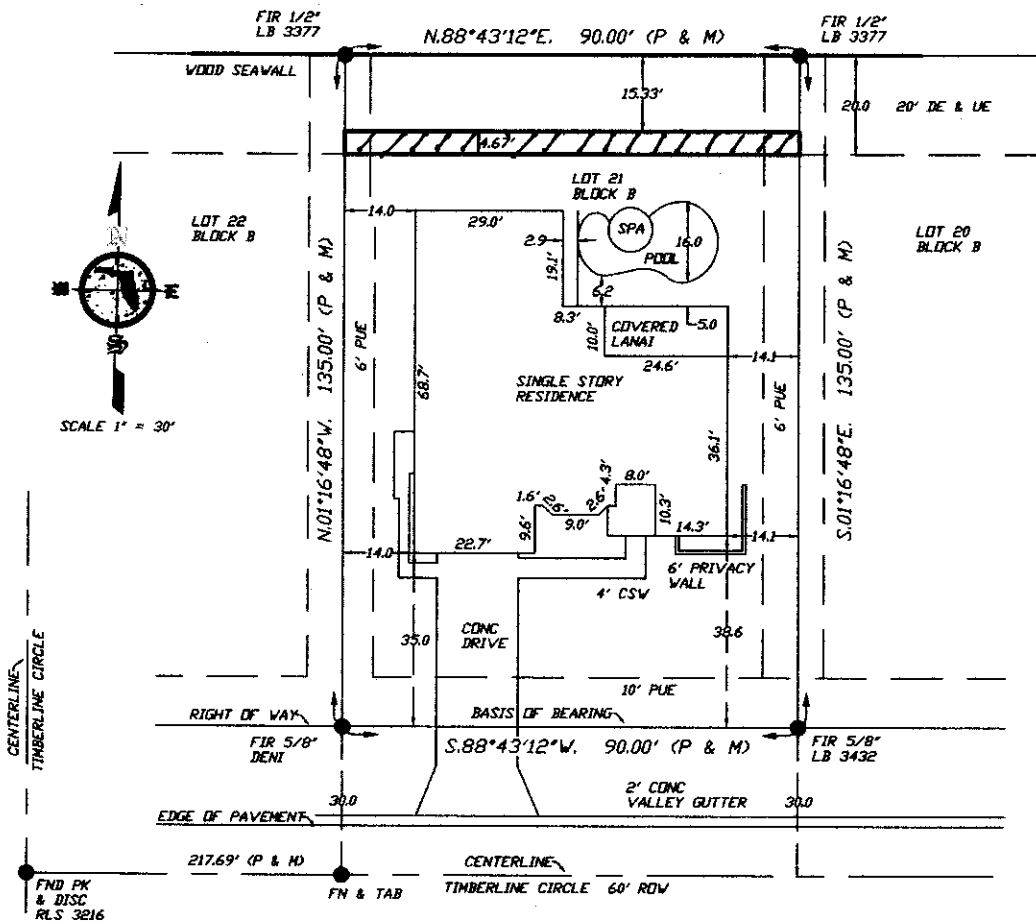
THIS IS NOT A SURVEY

NOTE:
BOUNDARY INFORMATION AND OTHER
IMPROVEMENTS SHOWN WERE TAKEN
FROM BOUNDARY SURVEY BY THIS
FIRM DATED 8-5-1995.

EXHIBIT "B"

STREET ADJ. SS
11730 TIMBERLINE CIRCLE
FORT MYERS, FLORIDA

TRACT "E" (2.70 AC. LAKE)



LEGAL DESCRIPTION :

THE SOUTH 4.67 FEET (4 FEET 8 INCHES) OF THE NORTH 20 FEET OF LOT 21, BLOCK B, THE TIMBERS SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 51 THROUGH 53, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID NORTH 20 FEET BEING A PLATTED 20 FEET DRAINAGE AND UTILITY EASEMENT

Exhibit "B"
Petition to Vacate
VAC2005-00017
[Page One of One]

CERTIFICATION :

I CERTIFY THAT THIS SKETCH WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOTE:
IN COMPLIANCE WITH F.A.C. 61G17-6.0031 (5) (E) IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.

BY: *Leland F. Dyard* DATE: 2-28-2005

LELAND F. DYARD, PLS #3859 CLINTON W. FINSTAD, PLS #2453 STEPHEN MACDONALD, PLS #4001

NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL.
PLEASE REFER TO REVERSE SIDE FOR GENERAL NOTES & ABBREVIATIONS.

F.L.A. SURVEYS CORP. PROFESSIONAL LAND SURVEYORS & MAPPERS-LB 6569		6561 TAYLOR ROAD, SUITE 1 NAPLES, FLORIDA 34109 239-598-5936 FAX 598-5939	REVISIONS
DRAWN BY: 95-2407	PARTY CHIEF: N/A	8359 BEACON BLVD., SUITE 117 FT. MYERS, FLORIDA 33907 239-274-9518 FAX 274-9519	PROJECT NO: 05-25227

Exhibit "C"
Petition to Vacate
VAC2005-00017
[Page One of One]

Lee County Tax Collector - Print Results



Real Property Information		
Account 08-45-25-01-0000B.0210	Tax Year 2004	Status PAID
Original Account 08-45-25-01-0000B.0210	Book/Page 2627/3332	
Owner STEELE JEFF S + LISA J		
Physical Address 11730 TIMBERLINE CIR FORT MYERS FL 33912		Mailing Address 11730 TIMBERLINE CIR FT MYERS FL 33912 USA
Legal Description TIMBERS S/D BLK B PB 41 PG 53 LOT 21		
Outstanding Balance as of 3/29/2005		\$0.00

3824587

THIS INSTRUMENT PREPARED BY:
GUARDIAN TITLE SERVICES CORPORATION
LINDA GREGORY
13391 MCGREGOR BOULEVARD
FORT MYERS, FLORIDA 33919

Documentary Tax Pd \$ 1715.00
Intangible Tax Pd.
By DA Robinson Clerk

STRAP NO: 08-45-25-01-0000B.0210
GRANTEE'S SOCIAL SECURITY NO:

THIS WARRANTY DRED Made this 17th day of August, 1995,

by Santford Ripley Boley III, A SINGLE MAN

whose post office address is: 31 BROADTOWN, FORT MYERS, FL 33919

herein after called the grantor, to

Jeff S. Steele and Lisa J. Steele, husband and wife

whose post office address is: 11730 TIMBELLWE CIR FORT MYERS, FL 33912

hereinafter called the grantee:

(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida:

Lot 21, Block B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.

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

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994, restrictions, reservations and easements of record, if any.

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

Signed, sealed and delivered in our presence:

Donna M. Wieland
Witness DONNA M. WIELAND
Also Print:

Santford Ripley Boley III
Santford Ripley Boley III

Sharon Tabbers
Witness SHARON TABBERS
Also Print: SHARON TABBERS

DR2627 PG3332

GREEN LEE CITY FL.
95 AUG 18 PM 2:53

STATE OF FLORIDA
COUNTY OF LEE

EXECUTION OF the foregoing instrument was acknowledged before me this 17th day of August, 1995 by Santford Ripley Boley III who is personally known to me or who has produced sufficient evidence of identification (described below) and who did not take an oath.

Description of identification produced: License

Donna M. Wieland
NOTARY PUBLIC - SIGNATURE ABOVE

NOTARY NAME - DONNA M. WIELAND

(Affix Notary Seal)

COMMISSION NO. - _____

COMMISSION EXP. DATE - _____



Notary Name/Commission No./Exp. Date - typed or printed

FILE NO: P64189R

DR2627 P63333



LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

August 22, 2005

Bob Janes
District One

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

JEFF & LISA STEELE
11730 TIMBERLINE CIRCLE
FORT MYERS, FL 33912

Re: VAC2005-00017 - Petition to Vacate a 4.67-foot portion of the existing 20' Drainage and Public Utility Easement at 11730 Timberline Circle, Fort Myers situated on the rear lot of 21, Block B as recorded in Plat Book 41 at Pages 51 - 53 of the Public Records of Lee County, FL

Dear Mr. & Mrs. Steele:

You have indicated that in order to build a two-room addition and pool enclosure on lot 21, you desire to eliminate a 4.67-foot portion of the existing 20 foot Drainage and Public Utility Easement, as shown on the cross section drawing, which you faxed on 6/7/05. The site is located at your primary residence in The Timbers subdivision. Please be advised that the minimum lake bank slope must be maintained at a minimum of 6:1 Horizontal to Vertical. Prior to construction, you should apply for a Letter of Transmittal and provide site plan to Lee County permitting. Upon the completion of this construction, you must notify Development Services Review Technician, in order for Development Services to field check for compliance. 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:\200506\20050405.104\2586660\DCDLETTER.DOC

April 4, 2005

RECEIVED
JUN 17 2005

COMMUNITY DEVELOPMENT

Mr. Peter J. Eckenrode
Director Development Services
1500 Monroe Street, 3rd Floor
Fort Myers, FL 33901-5500

RE: Strap # 08-45-25-01-0000B.0210

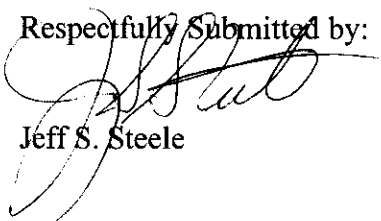
Dear Mr. Eckenrode:

The purpose of the attached "Petition to Vacate" a 4.67 foot portion of the 20 foot DE & PUC right-of-way associated with lot 21 of The Timbers subdivision is to enable the Construction of a two room addition to the single family home presently located at this address. The proposed addition will extend approximately 16 feet beyond the north facing outside wall of the structure as it exist today. In order to facilitate this construction it will be necessary to encroach on a small portion, (4.67 feet) of the easement written into the property deed.

The Timbers subdivision is a mature community. In this regard, the utilities have been installed for several years without using the original developers PUC right-of-way. Our proposed addition will not infringe on any other property owners access to this right-of-way as we are only requesting the vacation a 4.67 foot section of the existing 20 foot. As encroaching upon this right-of-way setting precedence for our request.

Should you have any questions concerning this request for vacation or our planned addition, please contact me at the following address.

Respectfully Submitted by:



Jeff S. Steele

11730 Timberline Circle
Fort Myers, FL 33912
Phone 239-936-3205



March 14, 2005

Jeff S Steele
11730 Timberline Cir
Ft Myers FL 33912

Re: Vacating of Easement

Florida Power & Light Co. has **no objection** to vacating the 5 foot portion of the rear easement of **lot 20 block B** in the **Timbers** Subdivision

Sincerely,

Carl Poole
Associate Project Designer



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

March 14, 2005

Jeff S. Steele
11730 Timberline Circle
Fort Myers, Fla. 33912

Re: Letter of request for vacation of Road Right-of-Way, Strap

08-45-25-01-0000B.0210.

Dear Jeff,

Sprint Florida has **no objection** to the proposed vacation as described in your attachments in your letter March 7th 2005 same subject. If you have any further questions please contact me at 239-336-2123.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald H. Wilhelm".

Ronald H. Wilhelm



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

March 14, 2005

Jeff S. Steele
11730 Timberline Cr
Ft Myers, FL 33912

Re: 11730 Timberline Cr
Vacate Right-of-Way and or Utility Easement

Dear Jeff S. Steele,

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



The Timbers

6900-29 Daniels Parkway #152 Ft. Myers, Florida 33912

Department of Community Development
Division of Development Services
Development Review
P. O. Box 398
Fort Myers, Florida 33902-0398

July 21, 2005

RE: VAC2005-00017-Petition to Vacate

The Timbers Property Owners Association approves the request of Mr. and Mrs. Jeff Steele to vacate a 4.67 foot portion of the existing 20' Drainage and Public Utility Easement at 11730 Timberline Circle, Fort Myers situated on the rear lot of 21, Block B as recorded in Plat Book 41 at Pages 51-53 of the Public Records of Lee County, FL.

Sincerely,

Donna J. Burun
Secretary
The Timbers Property Owner's Association Inc.

Cc: Jeff and Lisa Steele

March 09, 2005

Jeff S. Steele
11730 Timberline Cir
Fort Myers, FL 33912

SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT
STRAP #: 08-45-25-01-0000B.0210
11730 TIMBERLINE CIRCLE

Dear Mr. Steele,

Lee County Utilities has **no objection** to the proposed vacation of the existing platted easement(s) as described in your recent letter and associated attachment. Even though the parcel in question falls inside the service area for Lee County Utilities we have no potable water or sanitary sewer facilities within the area to be vacated; therefore, Lee County Utilities is in the position of No Objection to your proposed vacation.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239) 479-8150.

Sincerely,

LEE COUNTY UTILITIES

David Reycraft
GIS Analyst
Utilities Engineering Division
Lee County Utilities

Original Mailed: 03/09/2005

CC: Correspondence File



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Friday, April 01, 2005

Douglas R. St. Camy
District Two

Ray Judah
District Three

Mr. Jeff S. Steele
11730 Timberline Circle
Fort Myers, FL 33912

Andrew W. Coy
District Four

John E. Alblon
District Five

Re: Petition to Vacate a small portion (approx. 420 s.f.) of a twenty-foot (20') wide public utility and drainage easement on the northerly lot line of Lot 21, Block B, Timbers Subdivision, as recorded in Plat Book 41 at Page 51, of the Public Records of Lee County, Florida.

Donald D. Stillwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Dear Mr. Steele:

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: Ruth Keith, Development Services

S:\NATRES\SURFACE\DOCUMENT\vac481.doc

Bob Janes
District One

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

July 28, 2005

Mr. Jeff S. Steele
11730 Timberline Circle
Fort Myers, FL 33912

**RE: Petition to Vacate the south 4.67 feet of the 20 foot
Wide drainage and utility easement along the
North line of Lot 21, Block B, The Timbers Subdivision,
Plat Book 41, page 53, Section 8, Township 45 South,
Range 25 East**

Dear Mr. Steele:

Lee County Department of Transportation has reviewed your request to vacate the above described easement. The roads and drainage within The Timbers are dedicated to the lot owners and are not maintained by DOT.

Therefore, DOT offers 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

AVALON ENGINEERING INC.
 4518-3 DEL PRADO BLVD.
 CAPE CORAL, FLORIDA.

THE TIMBERS SUBDIVISION

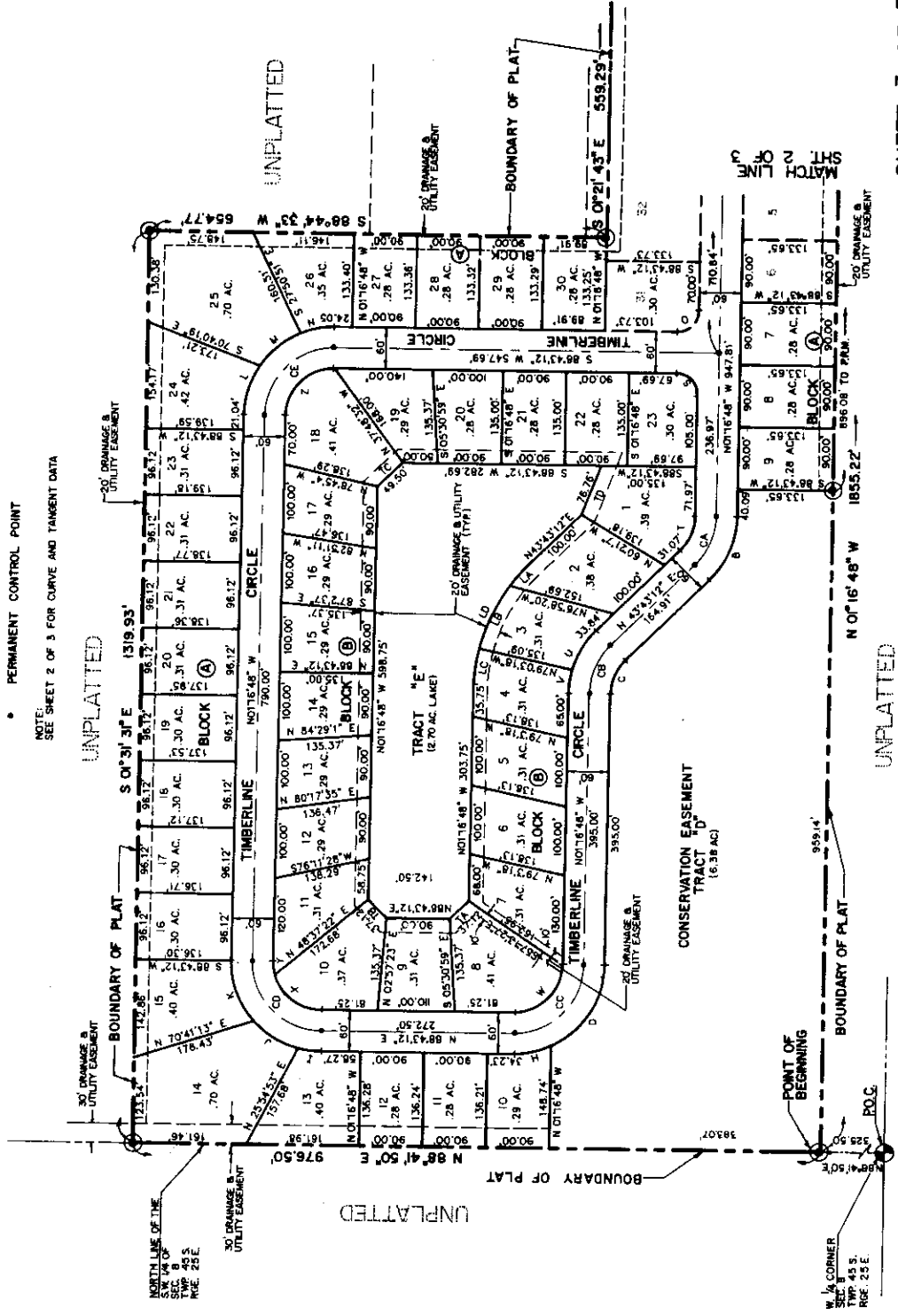
SITUATED IN
 SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA



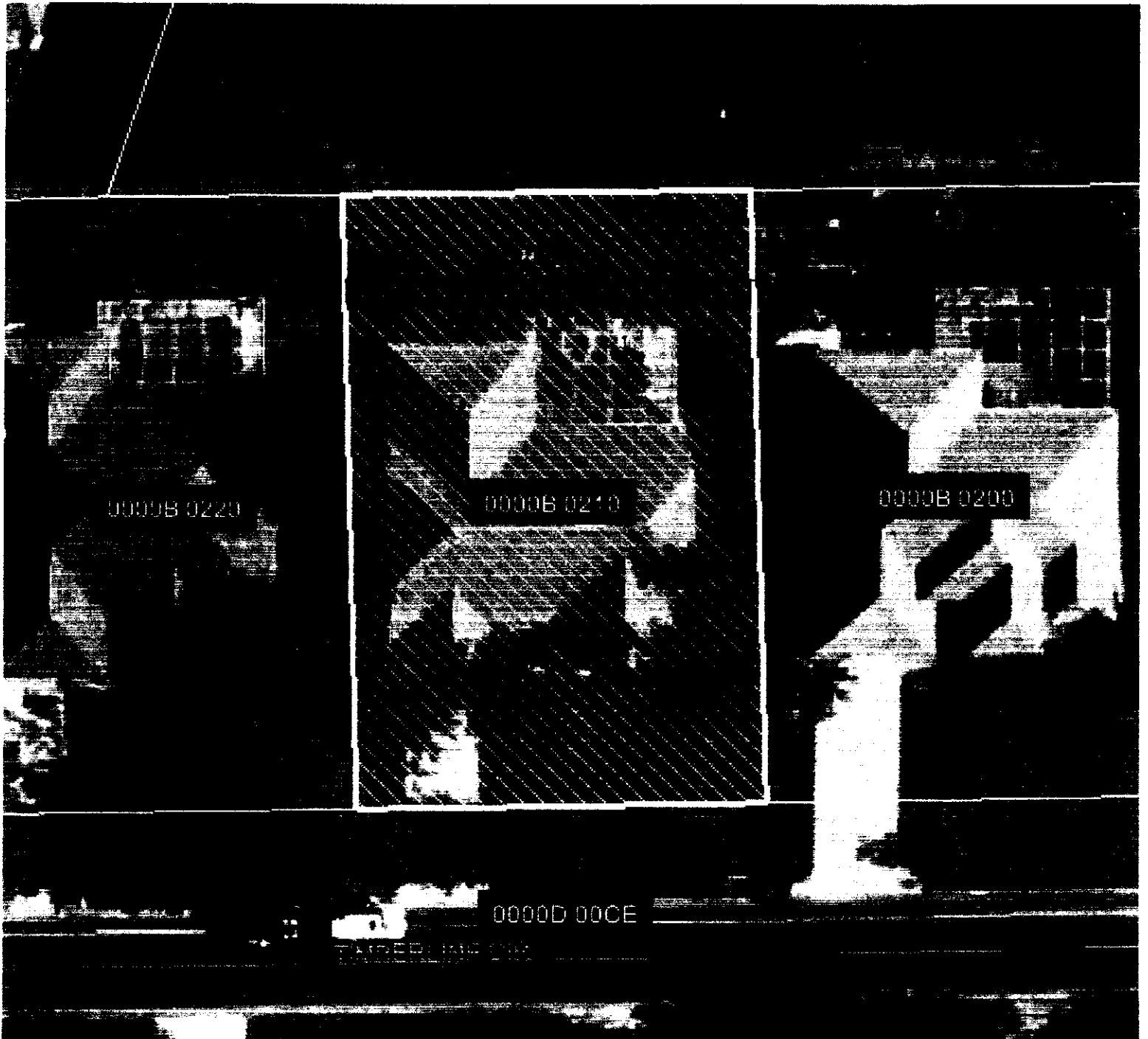
SURVEYOR'S NOTES

- ⊙ PERMANENT REFERENCE MONUMENT
- ⊕ SECTION OR 1/4 CORNER
- EASEMENT LINE
- PERMANENT CONTROL POINT

NOTE:
 SEE SHEET 2 OF 3 FOR CURVE AND TANGENT DATA

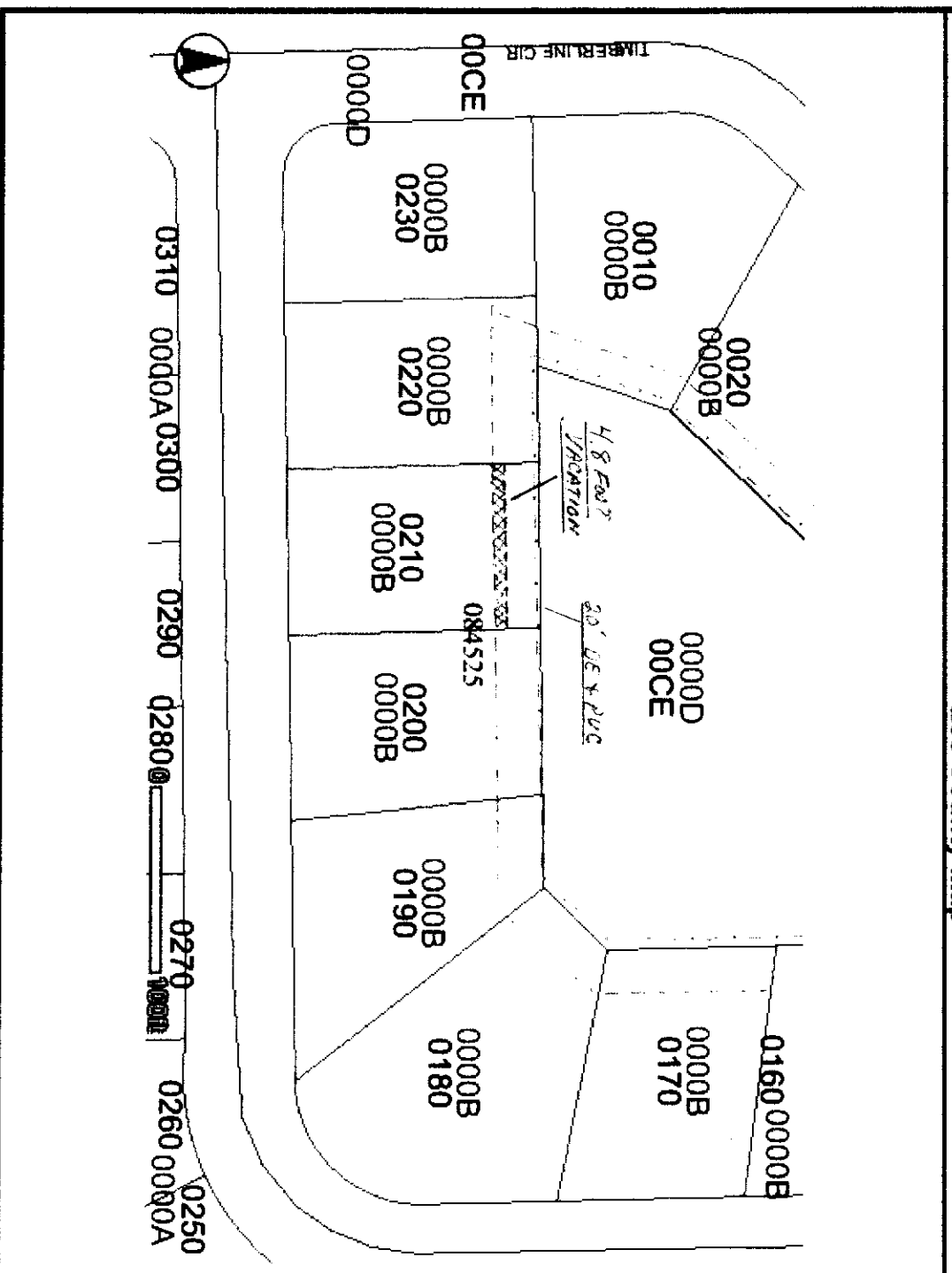


BY: W. GLASCO
 D.W. B. EDWARDS
 C.D. B. HENDRICK
 T. NO.



Area to be vacated

Lee County Map



Legend

- Hydro Features
- Lot
- Block
- Parcels
- Parcel Hooks
- Road Center Line
- Section Lines
- City Limits
- Bonus Springs
- Case Cuts
- Fort Myers
- Service
- Town of Fort Myers Beach

