


**Lee County Board Of County Commission  
Agenda Item Summary**

Blue Sheet No. 20051639

**1. ACTION REQUESTED/PURPOSE:** Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a Portion of a 10-foot wide platted Right-of-Way Easement located at 280 Park Ave., Boca Grande (Case No. VAC2005-00038).

**2. WHAT ACTION ACCOMPLISHES:** To clear title on a Health Clinic building constructed within the alleyway in the 1960's on the combined lots. **The vacation of this right-of-way will not alter existing traffic or drainage conditions and the right-of-way is not necessary to accommodate any future traffic or drainage requirement.**

**3. MANAGEMENT RECOMMENDATION:** Approve

<b>4. Departmental Category:</b> COMMISSION DISTRICT #: 1	<b>930 PH3</b>	<b>5. Meeting Date:</b> <b>1-10-2006</b>
<b>6. Agenda:</b> <input type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input checked="" type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>	
	<input checked="" type="checkbox"/> Statute	F.S. Ch. 177
	<input type="checkbox"/> Ordinance	
	<input checked="" type="checkbox"/> Admin. Code	13-1
	<input type="checkbox"/> Other	
		<b>8. Request Initiated:</b> Commissioner _____ Department _____ Community Development Division _____ Development Services By:  <b>11/6/05</b> Peter J. Eckenrode, Director

**9. Background:**

The completed petition to vacate, VAC2005-00038 was submitted by David G. Bowman, Jr. as the agent on behalf of Boca Grande Health Clinic, Inc.

**LOCATION:** The site is located at **280 Park Ave., Boca Grande, Florida 33921** and its strap number is **14-43-20-01-00006.0080**. Petition No. VAC2005-00038 proposes to vacate a portion of a ten-foot (10') wide Right-of-Way Easement ~~centered on the common line~~ between Lots 8 and 17 and Lots 9 and 18, both in Block 6, Section 14, Township 43 South, Range 20 East, the revised Plat of Boca Grande, as recorded in Plat Book 7, Page 1 of the Public Records of Lee County, Florida.

The remaining portion of the platted alley south of the present request was vacated by the Board of County Commissioners recorded under Resolution 96-04-142.

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>CPM 12/8</i>				
					Analyst	Risk	Grants	Mgr.	
<i>Mam Gibbs</i>				<i>John D. ... 12-6-05</i>	<i>12/6/05</i>	<i>12/6/05</i>	<i>12/6/05</i>	<i>12/6/05</i>	<i>AS 12/31/05</i>

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>12</i>
<i>12-6-05</i>
<i>10:58</i>
COUNTY ADMIN FORWARDED TO: <i>11</i>

Rec. by CoAtty
Date: <i>11/6/05</i>
Time: <i>5:00 PM</i>
Forwarded To: <i>Co. Adm. 12/6/05 9:15 AM</i>



PETITION TO VACATE  
TRANSMITTAL FOR PUBLIC NOTICE  
REQUIREMENTS

DATE: November 8, 2005

To: Richard DeSalvo  
Public Resources

FROM: Ron Wilson  
Development Services

BLUESHEET NUMBER: 20051639

CASE NUMBER: VAC2005-00038

Applicable Public Noticing Requirement:

PTV under AC13-1  
1<sup>st</sup> Notice - 15 days prior to Public Hearing  
2<sup>nd</sup> 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](mailto:rwilson@leegov.com)) and John Fredyma, Assistant County Attorney ([fredymjj@leegov.com](mailto:fredymjj@leegov.com)).

# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00038

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 10th day of January 2006 @9:30A 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

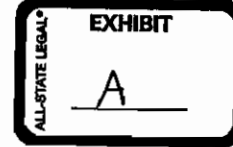
\_\_\_\_\_  
Deputy Clerk Signature

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

John J. Fredyma  
County Attorney Signature

John J. FREDYMA  
Please Print Name



**DESCRIPTION OF A 10' ALLEYWAY LYING IN SECTION 14, TOWNSHIP 43 SOUTH, RANGE 20 EAST, LEE COUNTY, FLORIDA**

**(10' WIDE ALLEYWAY TO BE VACATED)**

A 10.00 FOOT WIDE ALLEYWAY SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 14, TOWNSHIP 43 SOUTH, RANGE 20 EAST, BEING PART OF BLOCK 6 OF THE REVISED PLAT OF BOCA GRANDE AS RECORDED IN PLAT BOOK 7, PAGE 1, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE N.W. CORNER OF LOT 9, BLOCK 6, ALSO BEING THE N.W. CORNER OF SAID BLOCK 6; THENCE DUE EAST ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 100.58 FEET TO THE N.E. CORNER OF SAID LOT 9, FOR A POINT OF BEGINNING; THENCE CONTINUE DUE EAST ALONG THE NORTH LINE OF SAID BLOCK 6, A DISTANCE OF 10.30 FEET TO THE N.W. CORNER OF LOT 18, OF SAID BLOCK 6; THENCE S. 13°-57'-46" E ALONG THE WEST LINE OF LOTS 18 AND 17, A DISTANCE OF 102.99 FEET TO THE S.W. CORNER OF SAID LOT 17; THENCE S. 89°-58'-16" W., 10.30 FEET TO THE S.E. CORNER OF LOT 8, OF SAID BLOCK 6; THENCE N. 13°-57'-46" W. ALONG THE EAST LINE OF LOTS 8 AND 9, OF SAID BLOCK 6, A DISTANCE OF 102.99 FEET TO THE POINT OF BEGINNING

SAID ALLEYWAY CONTAINING 1030 SQ. FT. MORE OR LESS.

BEARINGS ARE BASED ON AN ASSUMED MERIDIAN. A BEARING OF DUE EAST WAS USED FOR THE SOUTH RAW LINE OF THIRD STREET

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2005-00038**  
 [Page One of One]

  
 THOMAS E. ROBINSON, FLA. CERT. NO. 4075



**ROBINSON LAND SURVEYING, INC.**

(841) 954-4473 FAX (841) 957-3416  
 1960 MAIN ST., SARASOTA, FLA. 34236

FOR: BOCA GRANDE HEALTH CLINIC, INC.		
SCALE: N/A	JOB NO.: 2005 160	DATE:
COMP. FILE:	DRW BY: WM	CK BY: TR FILE: 160

THIS INSTRUMENT PREPARED BY:

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

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**RESOLUTION NO. \_\_\_\_\_ FOR PETITION TO VACATE**

Case Number: VAC2005-00038

WHEREAS, Petitioner **Boca Grande Health Clinic, Inc.** 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. VAC2005-00038 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

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

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

\_\_\_\_\_  
Deputy Clerk Signature

\_\_\_\_\_  
Chairman Signature

\_\_\_\_\_  
Please Print Name

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name



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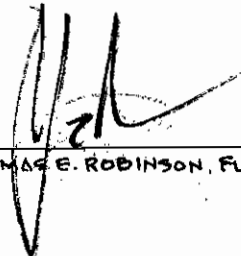
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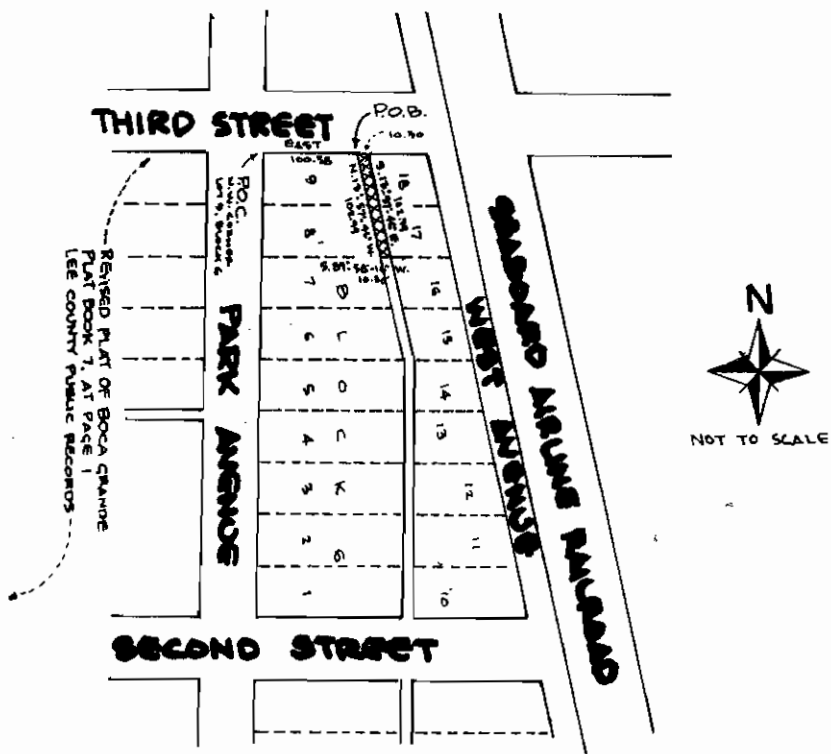
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**Exhibit "A"**  
**Petition to Vacate**  
**VAC2005-00038**  
[Page One of One]

  
\_\_\_\_\_  
THOMAS E. ROBINSON, FLA. CERT. NO. 4075

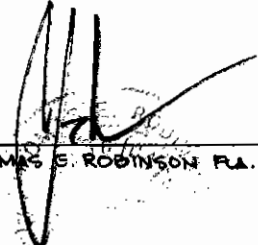
			
<b>ROBINSON LAND SURVEYING, INC.</b>			
(941) 954-4473 FAX (941) 957-3418			
1960 MAIN ST., SARASOTA, FLA. 34236			
FOR: BOCA GRANDE HEALTH CLINIC, INC.			
SCALE: N/A	JOB NO.: 2005 160	DATE:	
COMP. FILE:	DRW BY: WM	CK. BY: TR	FILE: 160


**SKETCH TO ACCOMPANY DESCRIPTION**  
OF A 10' WIDE ALLEYWAY  
LYING IN  
SECTION 14, TOWNSHIP 48 SOUTH, RANGE 20 EAST  
LEE COUNTY, FLORIDA  
(10' WIDE ALLEYWAY TO BE VACATED)



.... THIS IS NOT A SURVEY ....

**Exhibit "B"**  
**Petition to Vacate**  
**VAC2005-00038**  
[Page One of One]

  
THOMAS E. ROBINSON FLA. CERT. NO. 4075

 **ROBINSON LAND SURVEYING, INC.**  
(941) 954-4473 FAX (941) 957-3416  
1960 MAIN ST., SARASOTA, FLA. 34236

FOR: BOCA GRANDE HEALTH CLINIC, INC.			
SCALE: N/A	JOB NO.: 2005 160	DATE:	
COMP. FILE:	DRW BY: WM	CK BY: TR	FILE: 160





PETITION TO VACATE (AC 13-1)

Case Number: ✓ AC 2005-00038

Petitioner(s), BOCA GRANDE HEALTH CLINIC, 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, P. O. Box 517, Boca Grande, Florida 33921.
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:

BOCA GRANDE HEALTH CLINIC, INC.

\_\_\_\_\_  
Petitioner Signature

By: Nancy G. Hayden  
Petitioner Signature

\_\_\_\_\_  
Printed Name

NANCY G. HAYDEN - VP  
Printed Name

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 280 Park Avenue, Boca Grande, Florida 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 David G. Bowman, Jr. 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.

Boca Grande Health Clinic, Inc.

By: [Signature]
Owner\*(signature) DIRECTOR

Owner\*(signature)

Printed Name

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 11th day of August, 2005, by JOHN A. HILLENBRAND II who is personally known to me or who has produced as identification and who did (did not) take an oath.

(SEAL)

NOTARY PUBLIC-STATE OF FLORIDA
Cathleen G. Baer
Commission # DD389860
Expires: MAR. 08, 2009
Bonded Thru Atlantic Bonding Co., Inc.

[Signature]
Notary Public


[Signature]
(Name typed, printed or stamped)

**2005 NOT-FOR-PROFIT CORPORATION ANNUAL REPORT**

**FILED**  
**Apr 20, 2005 8:00 am**  
**Secretary of State**

04-20-2005 90364 049 \*\*\*\*61.25

**DOCUMENT # 706625**  
 1. Entity Name  
**BOCA GRANDE HEALTH CLINIC, INC.**



Principal Place of Business  
 P O BOX 517  
 320 PARK AVENUE  
 BOCA GRANDE, FL 33921

Mailing Address  
 P O BOX 517  
 320 PARK AVENUE  
 BOCA GRANDE, FL 33921

**50041402**



2. Principal Place of Business  
 Suite, Apt. #, etc.

3. Mailing Address  
 Suite, Apt. #, etc.

01262005 Chg-NP CR2E037 (10/03)

City & State  
 Zip Country

4. FEI Number  
 59-0966089

Applied For  
 Not Applicable

5. Certificate of Status Desired  **\$8.75 Additional Fee Required**

6. Name and Address of Current Registered Agent  
**BUSBY, JANICE**  
**3RD ST & PARK AVE**  
**BOCA GRANDE, FL 33921**

7. Name and Address of New Registered Agent  
 Name  
 Street Address (P.O. Box Number is Not Acceptable)  
 City **FL** Zip Code

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.

SIGNATURE \_\_\_\_\_ (NOTE: Registered Agent signature required when reinstating) DATE \_\_\_\_\_

**Filing Fee is \$61.25 Due by May 1, 2005**

9. Election Campaign Financing Trust Fund Contribution.  **\$5.00 May Be Added to Fees**

**Make check payable to Florida Department of State**

10. OFFICERS AND DIRECTORS

TITLE P	NAME FREDERICK, ROBERT R	STREET ADDRESS 4515 SHORE LANE	CITY-ST-ZIP BOCA GRANDE, FL 33921	<input checked="" type="checkbox"/> Delete
TITLE V	NAME HAYDEN, NANCY	STREET ADDRESS 520 PARK AVENUE	CITY-ST-ZIP BOCA GRANDE, FL 33921	<input checked="" type="checkbox"/> Delete
TITLE P	NAME FREDERICK, ROBERT	STREET ADDRESS 4515 SHORE LANE	CITY-ST-ZIP BOCA GRANDE, FL 33921	<input checked="" type="checkbox"/> Delete
TITLE D	NAME JOINER, BETSY	STREET ADDRESS 381 TARPON AVE	CITY-ST-ZIP BOCA GRANDE, FL 33921	<input type="checkbox"/> Delete
TITLE D	NAME LABRECQUE, SHELIA	STREET ADDRESS 4225 SHORE LANE/ PO BOX 1679	CITY-ST-ZIP BOCA GRANDE, FL 33921	<input type="checkbox"/> Delete
TITLE D	NAME LEGGAT, PATRICIA	STREET ADDRESS 1741 17TH STREET	CITY-ST-ZIP BOCA GRANDE, FL 33921	<input checked="" type="checkbox"/> Delete

11. ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 10

TITLE P	NAME NANCY HAYDEN	STREET ADDRESS 3575 SHORE LANE	CITY-ST-ZIP BOCA GRANDE FL 33921	<input checked="" type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE VP	NAME CYNTHIA BUCKHAM	STREET ADDRESS 191 DANFIEL WOOD ST	CITY-ST-ZIP BOCA GRANDE FL 33921	<input type="checkbox"/> Change <input checked="" type="checkbox"/> Addition
TITLE TR	NAME JOHN BISSELL	STREET ADDRESS 1616 TREASURE LN	CITY-ST-ZIP BOCA GRANDE FL 33921	<input type="checkbox"/> Change <input checked="" type="checkbox"/> Addition
TITLE SEC	NAME CHARLES TYLER	STREET ADDRESS 1940 19TH ST W	CITY-ST-ZIP BOCA GRANDE FL 33921	<input type="checkbox"/> Change <input checked="" type="checkbox"/> Addition
TITLE	NAME	STREET ADDRESS	CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
<i>see attached</i>				
TITLE	NAME	STREET ADDRESS	CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition

12. I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Section 119.07(3)(i), Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears in Block 10 or Block 11 if changed, or on an attachment with an address, with all other like empowered.

SIGNATURE: Betsy F. Joiner Date: 4/14/05

SIGNATURE AND TYPED OR PRINTED NAME OF SIGNING OFFICER OR DIRECTOR

ATTACHMENT 50041402  
#706625

**BOCA GRANDE HEALTH CLINIC, INC.**  
**P.O. BOX 517**  
**BOCA GRANDE, FL 33921**

**BOARD OF DIRECTORS**

Nancy Hayden – President

Cynthia Burcham – Vice President

John Bissell – Treasurer

Charles I. Tyler - Secretary

James Agger – Director

John Hillenbrand, II – Director

Betsy Joiner – Director

Sheila C. Labrecque – Director

Russell M. Stewart, Medical Director



**DESCRIPTION OF A 10' ALLEYWAY LYING IN SECTION 14, TOWNSHIP 43 SOUTH, RANGE 20 EAST, LEE COUNTY, FLORIDA**

**(10' WIDE ALLEYWAY TO BE VACATED)**

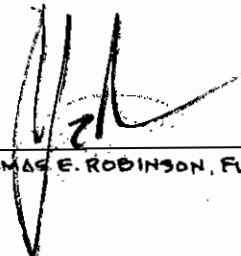
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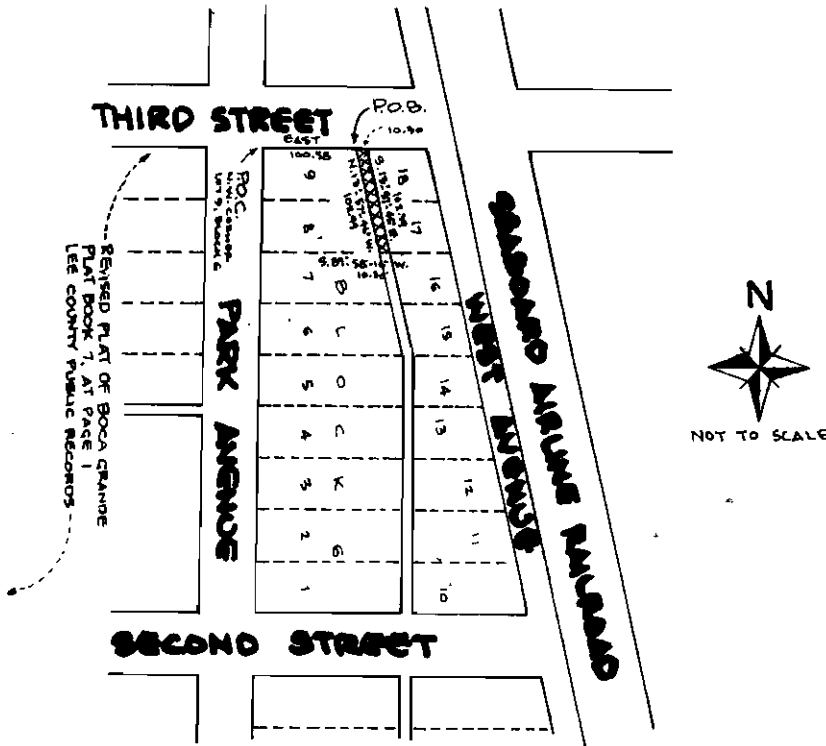
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**Petition to Vacate**  
**VAC2005-00038**  
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\_\_\_\_\_  
THOMAS E. ROBINSON, FLA. CGRT. NO. 4075

			
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(941) 954-4473 FAX (941) 957-3418			
1960 MAIN ST., SARASOTA, FLA. 34238			
FOR: BOCA GRANDE HEALTH CLINIC, INC.			
SCALE: N/A	JOB NO.: 2005 160	DATE:	
COMP. FILE:	DRW BY: WM	CK. BY: TR	FILE: 160


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 (10' WIDE ALLEYWAY TO BE VACATED)



.... THIS IS NOT A QUENBY ....

**Exhibit "B"**  
**Petition to Vacate**  
**VAC2005-00038**  
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SCALE: N/A	JOB NO.: 2005 160	DATE:
COMP. FILE:	DRW BY: WM	CK. BY: TR FILE: 160

**Exhibit "C"**  
**Petition to Vacate**  
**VAC2005-00038**  
[Page One of One]

<b>Real Property Information</b>		
<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
14-43-20-01-00006.0080	2005	ZEROTAX
<b>Original Account</b>	<b>Book/Page</b>	
14-43-20-01-00006.0080	149/ 506	
<b>Owner</b>		
BOCA GRANDE HEALTH CLINIC INC		
<b>Physical Address</b>	<b>Mailing Address</b>	
280 PARK AVE Boca Grande FL 33921	P O BOX 517 BOCA GRANDE FL 33921 USA	
<b>Legal Description</b>		
BOCA GRANDE BLK 6 PB 7 PG 1 LOTS 8 9 17 + 18		
<b>Outstanding Balance as of 11/9/2005</b>		<b>\$0.00</b>

**PROPERTY DATA FOR PARCEL 14-43-20-01-00006.0100  
TAX YEAR 2005 PRELIMINARY**

Parcel data is available for the following tax years:  
[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005 \(Preliminary\)](#) ]

[ [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 2005 PRELIMINARY ROLL.

**PROPERTY DETAILS**

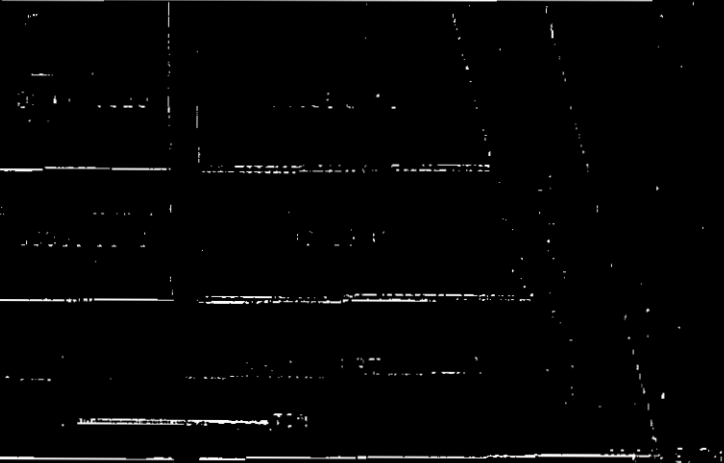

<b>OWNER OF RECORD</b>	[ <a href="#">VIEWER</a> ] TAX MAP [ <a href="#">PRINT</a> ]	IMAGE OF STRU
BISHOP DORIS J + PENZZYKOWSKI JANICE J/T P O BOX 947 BOCA GRANDE FL 33921		
<b>SITE ADDRESS</b> 235 BANYAN ST BOCA GRANDE FL 33921		
<b>LEGAL DESCRIPTION</b> BOCA GRANDE BLK 6 PB 7 PG 1 LOT 10		
[ <a href="#">PICTOMETRY</a> ]		

Photo Date: June

<b>TAXING DISTRICT</b>	<b>DOR CODE</b>
005 - BOCA GRANDE FIRE/ISLAND SOLID WASTE/LIGHTS	01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX ROLL 2005)[ <a href="#">NEW! HISTORY CHART</a> ]	EXEMPTIONS	ATTRIBUTES	
JUST	589,470 HOMESTEAD	25,000 UNITS OF MEASURE	FF
ASSESSED	589,470 AGRICULTURAL	0 NUMBER OF UNITS	50.00
ASSESSED \$OH	571,850 WIDOW	0 FRONTAGE	50
TAXABLE	546,850 WIDOWER	0 DEPTH	114



LEE COUNTY PROPERTY APPRAISER

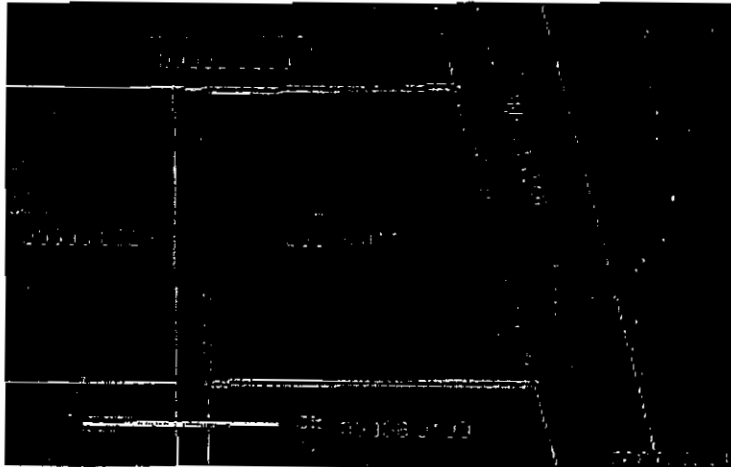

**PROPERTY DATA FOR PARCEL 14-43-20-01-00006.0110  
TAX YEAR 2005 PRELIMINARY**

Parcel data is available for the following tax years:  
[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005 \(Preliminary\)](#) ]

[ [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 2005 PRELIMINARY ROLL.

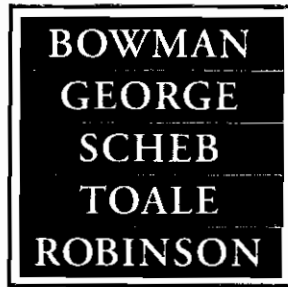
**PROPERTY DETAILS**

<b>OWNER OF RECORD</b>	[ <a href="#">VIEWER</a> ] TAX MAP [ <a href="#">PRINT</a> ]	IMAGE OF STRU
BISHOP DORIS J TR P O BOX 947 BOCA GRANDE FL 33921		
SITE ADDRESS 221 WEST RAILROAD AVE BOCA GRANDE FL 33921		Photo Date: Febru:
LEGAL DESCRIPTION BOCA GRANDE BLK 6 PB 7 PG 1 LOTS 11 + 12	[ <a href="#">PICTOMETRY</a> ]	

<b>TAXING DISTRICT</b>	<b>DOR CODE</b>
005 - BOCA GRANDE FIRE/ISLAND SOLID WASTE/LIGHTS	01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX ROLL 2005)[ <a href="#">NEW! HISTORY CHART</a> ]	EXEMPTIONS	ATTRIBUTES	
JUST	917,610 HOMESTEAD	25,000 UNITS OF MEASURE	FF
ASSESSED	917,610 AGRICULTURAL	0 NUMBER OF UNITS	100.00
ASSESSED SOH	351,710 WIDOW	0 FRONTAGE	0
TAXABLE	326,710 WIDOWER	0 DEPTH	0

DAVID G. BOWMAN  
EUGENE O. GEORGE  
ROBERT P. SCHEB  
JAMES E. TOALE  
DAVID G. BOWMAN, JR.  
ROBERT K. ROBINSON  
KEVIN J. KAPUSTA  
FRED E. MOORE



≈ ATTORNEYS AT LAW ≈  
*Established 1912*  
August 10, 2005

JOHN E. BURKET  
1875-1947  
JOHN E. BURKET, JR.  
1915-1984  
V. MORRIS SMITH  
1921-1996  
JAMES J. DRYMON  
1926-2000  
*Retired*  
I.W. WHITESELL, JR.

Via Certified Mail  
Return Receipt Requested

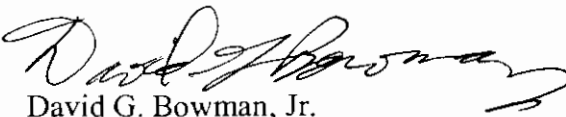
RE: Boca Grande Health Clinic, Inc./  
280 Park Avenue, Boca Grande, Florida

Doris J. Bishop and  
Janice Penzzykowski  
P.O. Box 947  
Boca Grande, FL 33921

Dear Ms. Bishop and Ms. Penzzykowski:

This law firm represents Boca Grande Health Clinic, Inc. regarding its impending petition to vacate the alleyway located between Lots 8, 9, 17 and 18, Block 6, Revised Plat of Boca Grande as shown on the enclosed survey. We are required to send you this notice as an "affected property owner." The Health Clinic has had a building built over this alleyway for many years. If you should have any questions or objections regarding this proposed vacation, please contact either myself or Lee County Development Services, whose number is 239-479-8585.

Very Truly Yours,



David G. Bowman, Jr.

DGB:bis

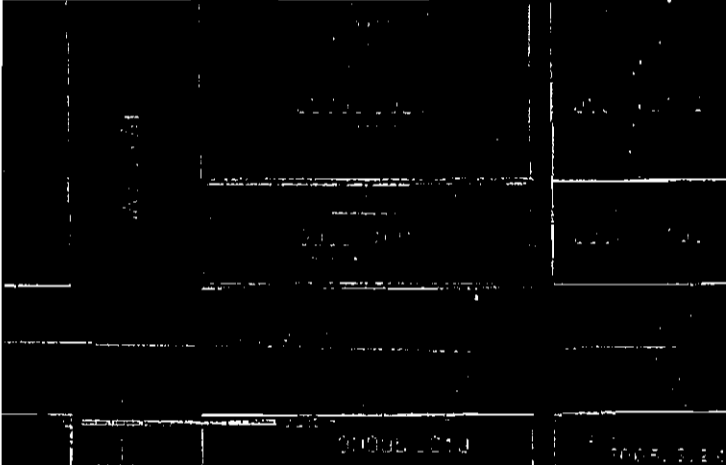

**PROPERTY DATA FOR PARCEL 14-43-20-01-00006.0010  
TAX YEAR 2005 PRELIMINARY**

Parcel data is available for the following tax years:  
[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005 \(Preliminary\)](#) ]

[ [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 2005 PRELIMINARY ROLL.

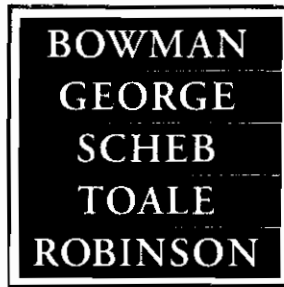
**PROPERTY DETAILS**

<b>OWNER OF RECORD</b>	[ <a href="#">VIEWER</a> ] <a href="#">TAX MAP</a> [ <a href="#">PRINT</a> ]	<b>IMAGE OF STRU</b>
ARMOUR LINDA F 633 WOODLAND RD LAKE FOREST IL 60045		
SITE ADDRESS 233 BANYAN ST BOCA GRANDE FL 33921		
LEGAL DESCRIPTION BOCA GRANDE BLK 6 PB 7 PG 1 LOT 1	[ <a href="#">PICTOMETRY</a> ]	Photo Date: April

<b>TAXING DISTRICT</b>	<b>DOR CODE</b>
005 - BOCA GRANDE FIRE/ISLAND SOLID WASTE/LIGHTS	01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX ROLL 2005)[ <a href="#">NEW! HISTORY CHART</a> ]	EXEMPTIONS	ATTRIBUTES	
JUST	1,300,900 HOMESTEAD	0 UNITS OF MEASURE	UT
ASSESSED	1,300,900 AGRICULTURAL	0 NUMBER OF UNITS	1.00
ASSESSED SOH	1,300,900 WIDOW	0 FRONTAGE	50
TAXABLE	1,300,900 WIDOWER	0 DEPTH	150
BUILDING	871,500 DISABILITY	0 BEDROOMS	3

DAVID G. BOWMAN  
EUGENE O. GEORGE  
ROBERT P. SCHEB  
JAMES E. TOALE  
DAVID G. BOWMAN, JR.  
ROBERT K. ROBINSON  
KEVIN J. KAPUSTA  
FRED E. MOORE



≈ ATTORNEYS AT LAW ≈  
*Established 1912*  
August 10, 2005

JOHN F. BURKET  
1875-1947  
JOHN F. BURKET, JR.  
1915-1984  
V. MORRIS SMITH  
1921-1996  
JAMES J. DRYMON  
1926-2000  
*Retired*  
I.W. WHITESSELL, JR.

Via Certified Mail  
Return Receipt Requested

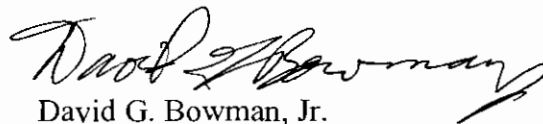
RE: Boca Grande Health Clinic, Inc./  
280 Park Avenue, Boca Grande, Florida

Linda F. Armour  
633 Woodland Rd.  
Lake Forest, IL 60045

Dear Ms. Armour:

This law firm represents Boca Grande Health Clinic, Inc. regarding its impending petition to vacate the alleyway located between Lots 8, 9, 17 and 18, Block 6, Revised Plat of Boca Grande as shown on the enclosed survey. We are required to send you this notice as an "affected property owner." The Health Clinic has had a building built over this alleyway for many years. If you should have any questions or objections regarding this proposed vacation, please contact either myself or Lee County Development Services, whose number is 239-479-8585.

Very Truly Yours,



David G. Bowman, Jr.

DGB:bis

LEE COUNTY PROPERTY APPRAISER

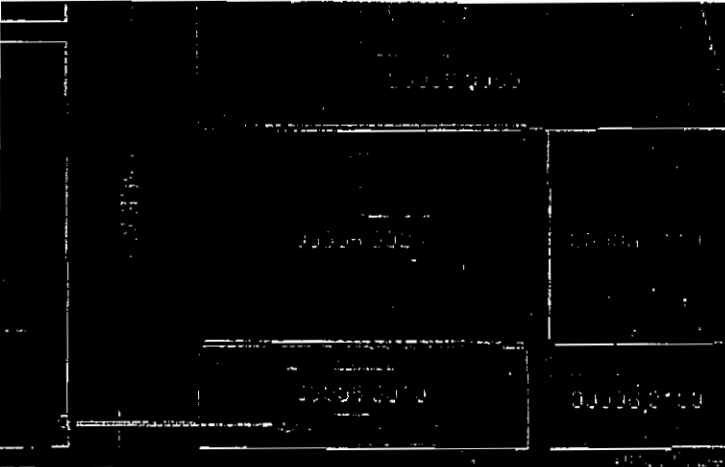

**PROPERTY DATA FOR PARCEL 14-43-20-01-00006.0020  
TAX YEAR 2005 PRELIMINARY**

Parcel data is available for the following tax years:  
[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005 \(Preliminary\)](#) ]

[ [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 2005 PRELIMINARY ROLL.

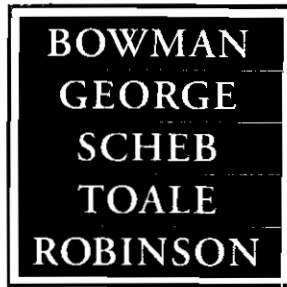
**PROPERTY DETAILS**

<b>OWNER OF RECORD</b>	[ <a href="#">VIEWER</a> ] TAX MAP [ <a href="#">PRINT</a> ]	<b>IMAGE OF STRU</b>
STANTON JAMES H TR + STANTON LUCY K TR FOR JAMES H STANTON TRUST FOR LUCY K STANTON TRUST		
P O BOX 950 BOCA GRANDE FL 33921		Photo Date: Apri
<b>SITE ADDRESS</b> 220 PARK AVE BOCA GRANDE FL 33921		
<b>LEGAL DESCRIPTION</b> BOCA GRANDE BLK.6 PB 7 PG 1 LOTS 2 + 3	[ <a href="#">PICTOMETRY</a> ]	

<b>TAXING DISTRICT</b>	<b>DOR CODE</b>
005 - BOCA GRANDE FIRE/ISLAND SOLID WASTE/LIGHTS	01 - SINGLE FAMILY RESIDENTIAL

<b>PROPERTY VALUES (TAX ROLL 2005)[ <a href="#">NEW! HISTORY CHART</a> ]</b>	<b>EXEMPTIONS</b>	<b>ATTRIBUTES</b>
--	-------------------	-------------------

DAVID G. BOWMAN  
EUGENE O. GEORGE  
ROBERT P. SCHEB  
JAMES E. TOALE  
DAVID G. BOWMAN, JR.  
ROBERT K. ROBINSON  
KEVIN J. KAPUSTA  
FRED E. MOORE



~ ATTORNEYS AT LAW ~  
*Established 1912*  
August 10, 2005

JOHN E. BURKET  
1875-1947  
JOHN E. BURKET, JR.  
1915-1984  
V. MORRIS SMITH  
1921-1996  
JAMES J. DRYMON  
1926-2000  
*Retired*  
I.W. WHITESELL, JR.

Via Certified Mail  
Return Receipt Requested

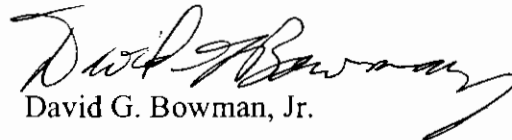
RE: Boca Grande Health Clinic, Inc./  
280 Park Avenue, Boca Grande, Florida

James H. Stanton and  
Lucy K. Stanton  
P.O. Box 950  
Boca Grande, FL 33921

Dear Mr. and Ms. Stanton:

This law firm represents Boca Grande Health Clinic, Inc. regarding its impending petition to vacate the alleyway located between Lots 8, 9, 17 and 18, Block 6, Revised Plat of Boca Grande as shown on the enclosed survey. We are required to send you this notice as an "affected property owner." The Health Clinic has had a building built over this alleyway for many years. If you should have any questions or objections regarding this proposed vacation, please contact either myself or Lee County Development Services, whose number is 239-479-8585.

Very Truly Yours,

  
David G. Bowman, Jr.

DGB:bis

LEE COUNTY PROPERTY APPRAISER

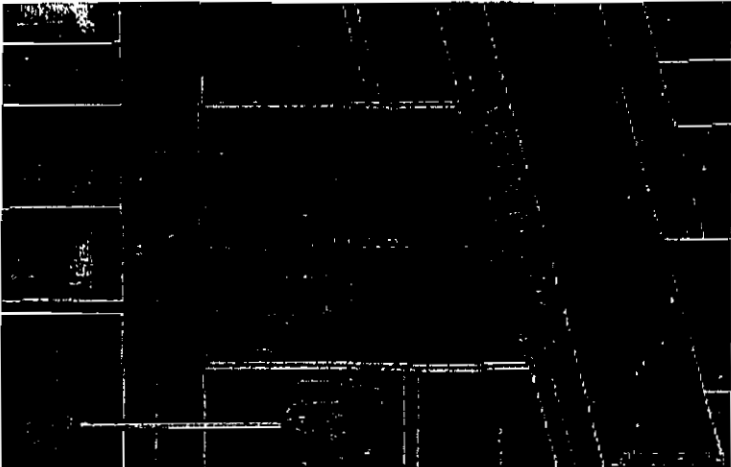
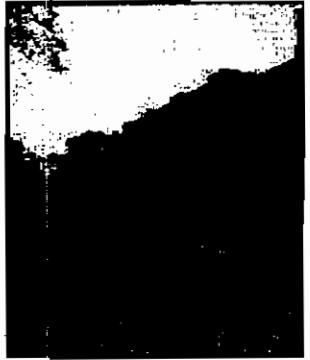
**PROPERTY DATA FOR PARCEL 14-43-20-01-00006.0060  
TAX YEAR 2005 PRELIMINARY**

Parcel data is available for the following tax years:  
[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005 \(Preliminary\)](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#)  
| [Display Tangible Accounts 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 2005 PRELIMINARY ROLL.

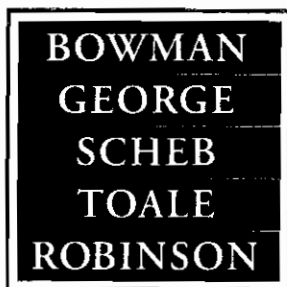
**PROPERTY DETAILS**

<b>OWNER OF RECORD</b>	[ <a href="#">VIEWER</a> ] TAX MAP [ <a href="#">PRINT</a> ]	<b>IMAGE OF STRU</b>
NEVINS JOHN J DIOCESE OF VENICE PO BOX 2006 VENICE FL 34284		
<b>SITE ADDRESS</b> 261 WEST RAILROAD AVE BOCA GRANDE FL 33921		
<b>LEGAL DESCRIPTION</b> BOCA GRANDE BLK 6 PB 7 PG 1 LTS 4-7 + 13-16 + VAC ALLEY	Photo Date: Apri	
[ <a href="#">PICTOMETRY</a> ]		

<b>TAXING DISTRICT</b>	<b>DOR CODE</b>
005 - BOCA GRANDE FIRE/ISLAND SOLID WASTE/LIGHTS	71 - CHURCHES, TEMPLES

PROPERTY VALUES (TAX ROLL 2005)[ <a href="#">NEW! HISTORY CHART</a> ]	EXEMPTIONS	ATTRIBUTES	
JUST	2,243,400 HOMESTEAD	0 UNITS OF MEASURE	SF
ASSESSED	2,243,400 AGRICULTURAL	0 NUMBER OF UNITS	43,900.00
ASSESSED SOH	2,243,400 WIDOW	0 FRONTAGE	0

DAVID G. BOWMAN  
EUGENE O. GEORGE  
ROBERT P. SCHEB  
JAMES E. TOALE  
DAVID G. BOWMAN, JR.  
ROBERT K. ROBINSON  
KEVIN J. KAPUSTA  
FRED E. MOORE



≈ ATTORNEYS AT LAW ≈  
*Established 1912*  
August 10, 2005

JOHN F. BURKE I  
1875-1947  
JOHN F. BURKET, JR.  
1915-1984  
V. MORRIS SMITH  
1921-1996  
JAMES J. DRYMON  
1926-2000  
*Retired*  
I.W. WHITESELL, JR.

Via Certified Mail  
Return Receipt Requested

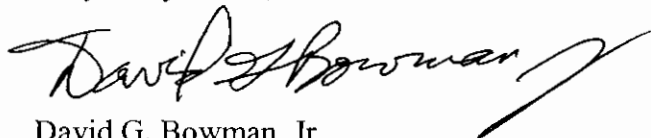
RE: Boca Grande Health Clinic, Inc./  
280 Park Avenue, Boca Grande, Florida

John J. Nevins  
Diocese of Venice  
P.O. Box 2006  
Venice, FL 34284

Dear Bishop Nevins:

This law firm represents Boca Grande Health Clinic, Inc. regarding its impending petition to vacate the alleyway located between Lots 8, 9, 17 and 18, Block 6, Revised Plat of Boca Grande as shown on the enclosed survey. We are required to send you this notice as an "affected property owner." The Health Clinic has had a building built over this alleyway for many years. If you should have any questions or objections regarding this proposed vacation, please contact either myself or Lee County Development Services, whose number is 239-479-8585.

Very Truly Yours,



David G. Bowman, Jr.

DGB:bis



**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:

Doris J. Bishop and  
Janice Penzzykowski  
P.O. Box 947  
Boca Grande FL 33921

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *DORIS J. BISHOP* B. Date of Deliv. *8/12/05*

C. Signature *X Doris J. Bishop*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:



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 (Copy from s)

7002 1000 0005 3369 2790

**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:

Linda F. Armour  
633 Woodland Rd.  
Lake Forest, IL  
60045

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *X Linda F. Armour*  Agent  Addressee

B. Received by (Printed Name) *Linda F. Armour* C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

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 lab)

7002 1000 0005 3369 2783

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> <i>James H. Stanton</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
	B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery <i>James H. Stanton</i> <i>8/19/05</i>	
1. Article Addressed to: <i>James H. Stanton and            Lucy K. Stanton            P.O. Box 950            Boca Grande, FL            33921</i>		
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2. Article Number (Transfer from service label) <b>7002 1000 0005 3369 2806</b>		
PS Form 3811, August 2001	Domestic Return Receipt	102595-01-M-2509

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Received by (Please Print Clearly) B. Date of Delivery <i>E. KIRKLAND</i>	
	C. Signature <input checked="" type="checkbox"/> <i>E. Kirkland</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: <i>John J. Nevins            Venice of Venice            Box 2006            FL 34284</i>		
D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No		
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2. Article Number (Transfer from service label) <b>7002 1000 0005 3369 2776</b>		
PS Form 3811, August 2001	Domestic Return Receipt	102595-99-M-1789

20

FEE SIMPLE DEED

THIS INDENTURE, Made this 17 day of September, A.D. 1962,  
 BETWEEN SUNSET REALTY CORP., a Corporation existing under  
 the laws of the State of Florida, Party of the first part, and  
 BOCA GRANDE HEALTH CLINIC, INC., a Corporation existing under  
 the laws of the State of Florida, of Boca Grande, Florida,  
 Party of the second part,

WITNESSETH: That the said party of the first  
 part, for and in consideration of the sum of TEN DOLLARS AND  
 OTHER VALUABLE CONSIDERATIONS, to it in kind paid, the receipt  
 whereof is hereby acknowledged, has granted, bargained, sold,  
 aliened, remised, released, conveyed and confirmed, and by these  
 presents does grant, bargain, sell, alien, remise, release,  
 convey and confirm unto the said party of the second part, and  
 its successors and assigns forever, all that certain parcel of  
 land lying and being in the County of Lee and State of Florida,  
 more particularly described as follows:

Lots 1, 2, 3 and 18, Block 6, Boca Grande as the same  
 is recorded in Plat Book 7, Pages 1 and 1-A,  
 Records of Lee County, Florida, filed December 10,  
 1921.

SUBJECT TO 1962 TAXES.

SUBJECT, also, however, to the following covenants,  
 conditions and restrictions, all of which will run with and bind  
 the land and premises hereby conveyed and all subsequent owners  
 and occupants thereof, to-wit:



LAW OFFICES  
 FARR AND FARR  
 119 W. OLYMPIA AVE.  
 PENSACOLA, FLA.



1. No house trailer, tent, hut, shack, portable structure or temporary living quarters shall be placed or maintained on any lot or lots.

2. No building or part thereof shall be constructed on any lot within 25 feet of the front property line or within 5 feet of the rear property line, or within 7 feet of the side property lines or within 10 feet of side street lines, provided, the steps, porch, uncovered terraces and balconies and other minor architectural features may project beyond such limits on the front property line by not more than 15 feet. In case of a single ownership of more than one contiguous lot these restrictions shall apply to the parcel owned as a whole and not to the contiguous lot lines. The front parcel line is defined to be, for the purpose hereof, the principal street frontage on lots abutting a street or streets, but the narrowest street frontage of lots abutting two or more streets.

3. Nothing shall be done and no condition shall be allowed to continue which may be or become a nuisance. All lots shall be kept free of accumulation of brush, trash or other material which may constitute a fire hazard or a breeding place for rodents or snakes, and after 30 days notice to the owner or occupant, Sunset Realty Corp., its successors and assigns, may enter upon the land for the purpose of clearing away any such accumulation and assess the cost thereof against the owner of the lands.

TOGETHER WITH ALL THE tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining;

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

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be affixed, attested by its *Paul J. ...* the day and year above written.

(Corporate Seal)

SUNSET REALTY CORP.

ATTENT: *[Signature]*

By *[Signature]* (SEAL)  
President

Signed, Sealed and delivered in our presence:

*[Signature]*  
*[Signature]*

Let office  
FARM AND FARM  
100 W. OLYMPIA AVE.  
FORT WORTH, TEX.

STATE OF NEW YORK  
COUNTY OF NEW YORK

I HEREBY CERTIFY that on this 7<sup>th</sup> day of September, A. D. 1962, before me personally appeared Henry J. Murphy and W. C. [unclear], President and Chief Executive Officer, respectively of SUNSET REALTY CORP., a Corporation under the laws of the State of Florida, to me known to be the persons described in and who executed the foregoing conveyance to [unclear] GRANDE CLINIC, INC., and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at New York City in the County of New York and State of New York, the 10th day of September last aforesaid.

[Signature]  
Notary Public State of New York  
My Commission Expires 1/1/64

NOTARY PUBLIC  
STATE OF NEW YORK  
My Commission Expires  
March 10, 1964

STATE OF FLORIDA, COUNTY OF [unclear]

This 12th day of September 1962 A. D.  
Book 1117 Page 50  
[unclear]  
[unclear]

LAW OFFICE  
FARM AND FAIR  
120 S. OLIVE ST. AND  
PONTA CORRA, FLA.

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: \_\_\_\_\_

Bob Janes  
*District One*

November 8, 2005

Douglas R. St. Cerny  
*District Two*

David G. Bowman, Jr.  
Bowman, George, Scheb, Toale & Robinson, P.A.  
2750 Ringling Blvd., Suite 3  
Sarasota, FL 34237

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

John E. Albion  
*District Five*

Re: **VAC2005-00038 - Petition to Vacate** that portion of a 10-foot wide platted Right-of-Way, lying between Lots 8 and 17 and Lots 9 and 18, all in Block 6, S 14, T 43 S, R 20 E, as shown on the revised Plat of Boca Grande, as recorded in Plat Book 7, Page 1 of the Public Records of Lee County, Florida.

Donald D. Stilwell  
*County Manager*

David M. Owen  
*County Attorney*

Dear Mr. Bowman:

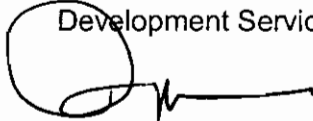
Diana M. Parker  
*County Hearing Examiner*

This office has received your request to vacate the above referenced portion of the platted Right-of-Way between Lots 8 and 17 and Lots 9 and 18, located at 280 Park Ave., Boca Grande, Florida. The road to be vacated include a portion of platted Right-of-Way between Lots 8 and 17 and Lots 9 and 18, the revised Plat of Boca Grande, as recorded in Plat Book 7, Page 1, all in Block 6, Section 14, Township 43 South, Range 20 East, of the Public Records of Lee County, Florida. The reason of this vacation is to allow the property owner to convey title to the existing Health Care Clinic erroneously constructed on the subject parcel in the 1960's. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

You and your clients should be aware, however that the Board of County Commissioner's approval of this petition will only extinguish the rights of the public to use the right-of-way. Private rights of use may still remain. This means that certification of fee ownership in the area being vacated will be required prior to issuance of any building permit(s) within that area of the easement as it presently exists, occupied or otherwise. Should you have any questions, please call me at the above telephone number.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

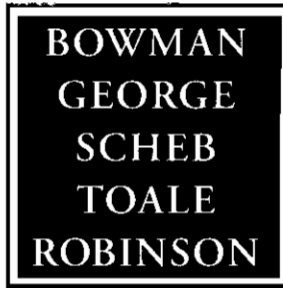


Peter J. Eckenrode  
Director

PJE/RXW

U:\200511\20050920.150\3108750\DCDLETTER.DOC

DAVID G. BOWMAN  
EUGENE O. GEORGE  
ROBERT P. SCHEB  
JAMES E. TOALE  
DAVID G. BOWMAN, JR.  
ROBERT K. ROBINSON  
KEVIN J. KAPUSTA  
FRED E. MOORE



~ ATTORNEYS AT LAW ~  
*Established 1912*

JOHN F. BURKET  
1875-1947  
JOHN F. BURKET, JR.  
1915-1984  
V. MORRIS SMITH  
1921-1996  
JAMES J. DRYMON  
1926-2000  
*Retired*  
L.W. WHITESELL, JR.

September 9, 2005

Board of County Commissioners  
Lee County  
Attn: Peter J. Eckenrode,  
Director Development Services  
Lee County Community Development  
P.O. Box 398  
Fort Myers, Florida 33902

RE: Petition to Vacate Alleyway Located at 280 Park Avenue,  
Boca Grande/Strap #14-43-20-01-0006.0080

Dear Sirs/Madams:

This law firm represents The Boca Grande Health Clinic, Inc., a Florida not-for-profit corporation which was established to address the health needs of the people of Boca Grande. It has come to the Clinic's attention that one of its buildings was erroneously constructed in the 1960's over a platted alley way lying between lots 8,9,17 & 18, Block 6, Revised Plat of Boca Grande, Plat Book 7, Page 1, Public Records of Lee County, Florida. The Clinic had a survey (copy attached) which apparently erroneously showed that the alleyway had been vacated, neither a title search nor a search by your staff has revealed a recorded vacation resolution for this alleyway. The Clinic, therefore, respectfully requests that the Board of County Commissioners grant its petition for vacation so that the Clinic's building will no longer encroach on to this platted right of way.

Very truly yours,

David G. Bowman, Jr.

DBJ/kp

Enclosures

F:\REAL ESTATE\B\Boca Grande Health.1733\Vacation of Alleyway .003\Ltr to Commissioners 9-9-05.doc

RECEIVED  
SEP 20 2005  
VAC 2005-00038



FPL  
2245 Murphy Ct.  
North Port, FL 34286  
Office: (941) 423-4845  
Fax: 1-800-375-7680

---

August 12, 2005

Mr. David G. Bowman, Jr.  
Bowman, George, Scheb, Toale, & Robinson, P.A.  
2750 Ringling Boulevard., Suite 3  
Sarasota, FL 34237

**Re: 280 Park Avenue  
(Lots 8, 9, 17, & 18, Block 6 Revised Plat of Boca Grande)**

Dear Mr. Bowman:

I am writing in response to your letter regarding the proposed vacation of the 10 ft alleyway located at the above address.

FPL would have no objection to this vacation.

If you have any questions, please feel free to contact me at (941) 423-4845.

Sincerely,

Jacquelyn S. Fogarty  
Project Manager

SEP 21 2005

SEP 21 2005





From: Steve Harmatuck Phone 407/889-6817  
P.O. Box 165000 Fax 407/889-1636  
Altamonte Springs, FL  
32716-5000

August 9, 2005

Mr. David Bowman Jr  
Bowman, George, Scheb, Toale & Robinson  
2750 Ringling Blvd. Ste 3  
Sarasota, Fl 334237

RE: Vacation of alleyway at 280 Park Ave. Lots 8, 9, 17 & 18, Block 6  
Revised Plat of Boca Grande.

Dear Mr. Bowman:

Sprint-Florida, Incorporated has reviewed your documents for the above referenced alleyway vacation. Based on the review, we have no objection to the vacation of the referenced parcel.

If I can be of further assistance, please contact me at 407-889-6817.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Harmatuck", with a long horizontal flourish extending to the right.

Steve Harmatuck  
Real Estate

SEP 2 2005

# GASPARILLA ISLAND WATER ASSOCIATION, Inc.

P.O. Box 310  
BOCA GRANDE, FLORIDA 33921-0310  
Telephone (941) 964-2423 Fax (941) 964-0625

July 6, 2005

David G. Bowman, Jr.  
Bowman, George, Scheb, Toale & Robinson  
2750 Ringling Boulevard, Suite 3  
Sarasota, FL 34237

Re: Request for letter of Review and Recommendation on proposed right-of-way vacation or road easement vacation, utility or drainage easement at the following location:

Boca Grande Health Clinic  
280 Park Avenue (Lots 8, 9, 17 & 18, Block 6, Revised Plat of Boca Grande

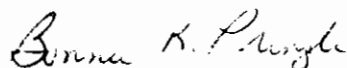
Dear Mr. Bowman,

We are in receipt of your request for a letter of review and recommendation for the above referenced alleyway vacation.

Gasparilla Island Water Association, Inc. has no utilities in the area of the requested right-of-way vacation; therefore, we do not object to the proposed vacation.

Should you have any questions or need any additional information, please feel free to contact me at (941) 964-2423.

Sincerely,



Bonnie K. Pringle  
Utility Director

SEP 26 2005  
VAC 2005 - 00038

Comcast Cablevision  
Of West Florida, Inc.  
Post Office Box 1178  
Sarasota, FL 34230  
(941) 371-4444  
FAX (941) 379-5431



August 9, 2005

David G. Bowman, Jr.  
Bowman, George, Scheb, Toale & Robinson  
2750 Ringling Boulevard, Suite 3  
Sarasota, Florida 34237

**RE: Vacation of easement at 280 Park Avenue, Boca Grande**

Dear Mr. Bowman,

After review of your request dated June 23, 2005 it has been determined that Comcast Cablevision does not object to the request to vacate the easement in question. Comcast Cablevision does not have any facilities within the limits of the proposed vacate. If you have any questions regarding this please call me at 941-342-3577.

Sincerely,

A handwritten signature in cursive script that reads 'Phil Belanger'.

Phil Belanger  
Senior Designer

SEP 2 11 2005

VAC 2005-00038



BOARD OF COUNTY COMMISSIONERS

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

Bob Janes  
District One

Friday, November 04, 2005

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Mr. David G. Bowman, Jr.  
Bowman, George, Scheb, Toale & Robinson, P.A.  
2750 Ringling Boulevard, Suite 3  
Sarasota, FL 34237

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

Re: Petition to Vacate a portion of 280 Park Avenue, a ten-foot (10') wide  
platted right of way adjacent to Lots 8, 9, 17 & 18, Block 6, Revised Plat  
of Boca Grande Subdivision as recorded in Plat Book 7 at Page 1 of the  
Public Records of Lee County, Florida.

Robert W. Gray  
Deputy County Attorney

Diana M. Parker  
County Hearing  
Examiner

Dear Mr. Bowman:

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 right of way.

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

S:\NATRES\SURFACE\DOCUMENT\vac523.doc



**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (239) 479-8580

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 29, 2005

Mr. David G. Bowman, Jr.  
2750 Ringling Boulevard, Suite 3  
Sarasota, FL 34237

**RE: Petition to vacate the 10-foot wide alley between lots 8 and 9 and lots 17 and 18, Block 6, Revised Plat of Boca Grande, Plate Book 7, page 1, Section 14 Township 43 South Range 20 East (280 Park Avenue)**

Dear Mr. Bowman:

Lee County Department of Transportation has reviewed your request to vacate the above-described alley. The alley immediately south of the present request was vacated by the Board of County Commissioners April 3, 1996, Resolution 96-04-142, recorded in Official Record Book 2695, page 671. Vacating the remainder to the north will have no impact on county drainage or county right-of-way.

DOT offers no objection to this petition to vacate.

Sincerely,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson  
Right of Way Supervisor

ML:mlb

cc: Ruth Keith, Development Services  
Allen Davies, Natural Resources  
DOT PTV File (Park Ave./Boca Grande)

S:\DOCUMENT\Petition To Vacate\2005\Alley Boca Grande, Bowman PTV.doc

SEP 14 2005

VAC 2005-00038



# Florida Department of Transportation

JEB BUSH  
GOVERNOR

DENVER J. STUTLER, JR.  
SECRETARY

August 10, 2005

Mr. David G. Bowman, Jr.  
2750 Ringling Blvd., Suite 3  
Sarasota, FL 34237

RE: Review and Recommendation on a proposed right-of-way or road easement  
vacation, utility or drainage easement, at the following location:

280 Park Avenue (Lots 8, 9, 17 & 18, Block 6,  
Revised Plat of Boca Grande)

Dear Mr. Bowman:

In response to your letter we received on June 27, 2005 our staff conducted a review of your request to vacate the subject area as marked and generally described as: That portion of proposed right of way or road vacation at the above referenced location.

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

Sincerely,

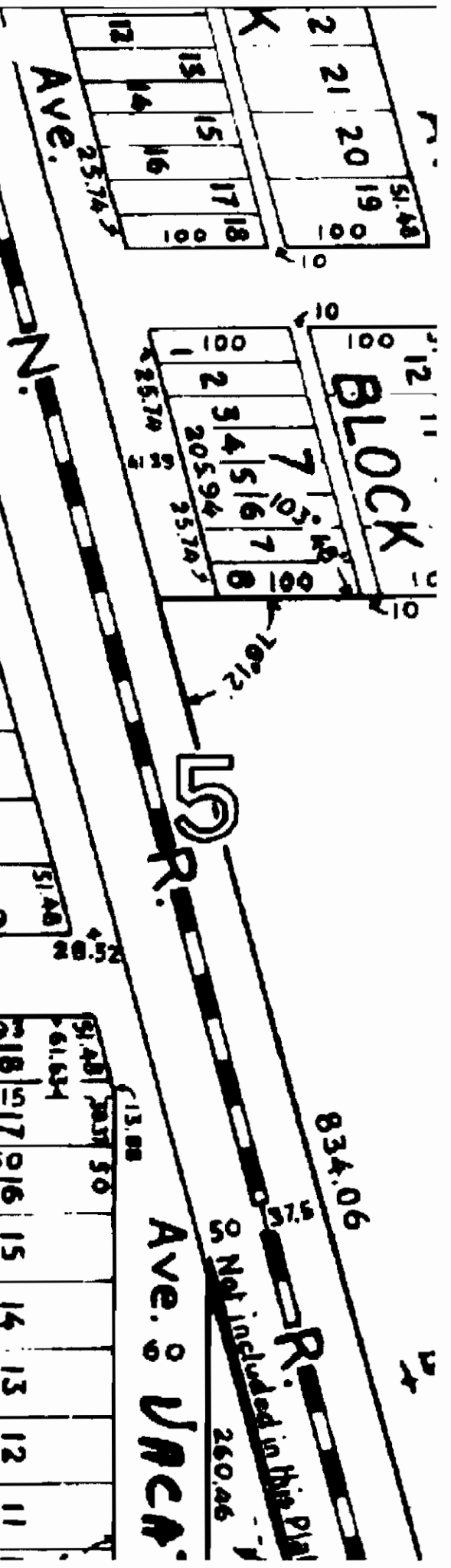
Tom Kasten  
Right of Way Agent  
Property Management

TLK/jps

cc: Scott Gilbertson, P.E. – Lee County  
Peter J. Eckenrode – Lee County  
Michael G. Rippe – FDOT  
Thomas T. Garcia – FDOT  
File, Daily File

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](http://www.dot.state.fl.us)





12	13	14	15	16	17	18
121.35	124.23	130.37	136.51	142.65	148.79	154.93

18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
100.89	113.16	125.44	137.72	150.00	162.28	174.56	186.84	199.12	211.40	223.68	235.96	248.24	260.52	272.80	285.08	297.36	309.64

18	17	16	15	14	13	12	11
134.96	147.44	160.92	174.40	187.88	201.36	214.84	228.32

16	14	12	10
161.95	151.35	140.75	130.15

16	15	14	13	12	11	10
150.00	140.00	130.00	120.00	110.00	100.00	90.00

16	15	14	13	12	11	10	9	8	7
190.00	180.00	170.00	160.00	150.00	140.00	130.00	120.00	110.00	100.00

16	15	14	13	12	11	10
150.00	140.00	130.00	120.00	110.00	100.00	90.00

16	15	14	13	12	11	10
150.00	140.00	130.00	120.00	110.00	100.00	90.00

16	15	14	13	12	11	10	9	8	7
190.00	180.00	170.00	160.00	150.00	140.00	130.00	120.00	110.00	100.00

SUBMITTER'S CERTIFICATE

I, the undersigned, hereby certify that the above described property is the property of the undersigned and that the same is not subject to any lien, mortgage, or other encumbrance of any kind, and that the same is not subject to any claim of any kind, and that the same is not subject to any claim of any kind, and that the same is not subject to any claim of any kind...

COUNTY COMMISSIONERS CERTIFICATE

This is hereby certified that the above described property is the property of the undersigned and that the same is not subject to any lien, mortgage, or other encumbrance of any kind, and that the same is not subject to any claim of any kind, and that the same is not subject to any claim of any kind...

CLAIM OF THE COUNTY CERTIFICATE

I, the undersigned, hereby certify that the above described property is the property of the undersigned and that the same is not subject to any lien, mortgage, or other encumbrance of any kind, and that the same is not subject to any claim of any kind, and that the same is not subject to any claim of any kind...

REVISED PLAT OF BOCA GRANDE, FLORIDA

SCALE 1/4" = 200 FT. DEC. 1928

SHEET 1 OF 2 SHEETS

P/B 7, P.C.E. 1

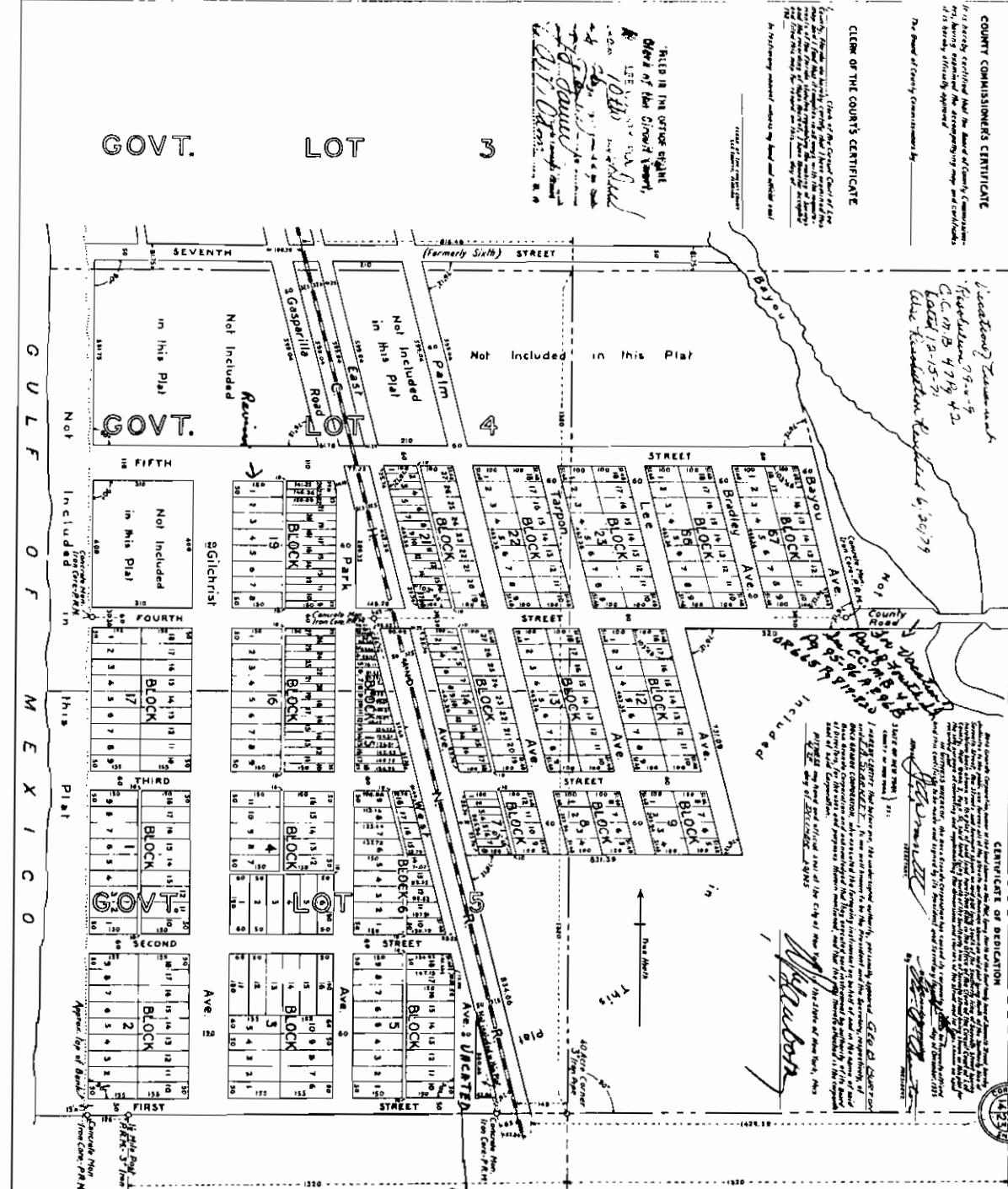
SHEET 1 OF 2 SHEETS



CERTIFICATE OF REGULATION

Whereas the undersigned, Surveyor General of Florida, do hereby certify that the above described property is the property of the undersigned and that the same is not subject to any lien, mortgage, or other encumbrance of any kind, and that the same is not subject to any claim of any kind, and that the same is not subject to any claim of any kind...

*W. S. ...*  
Surveyor General of Florida



(Attendant's address)  
6519 1/2 Ave. 1016  
P.B. 7, P.C.E. 1  
Campbell, 09, 087  
Edith E. ...

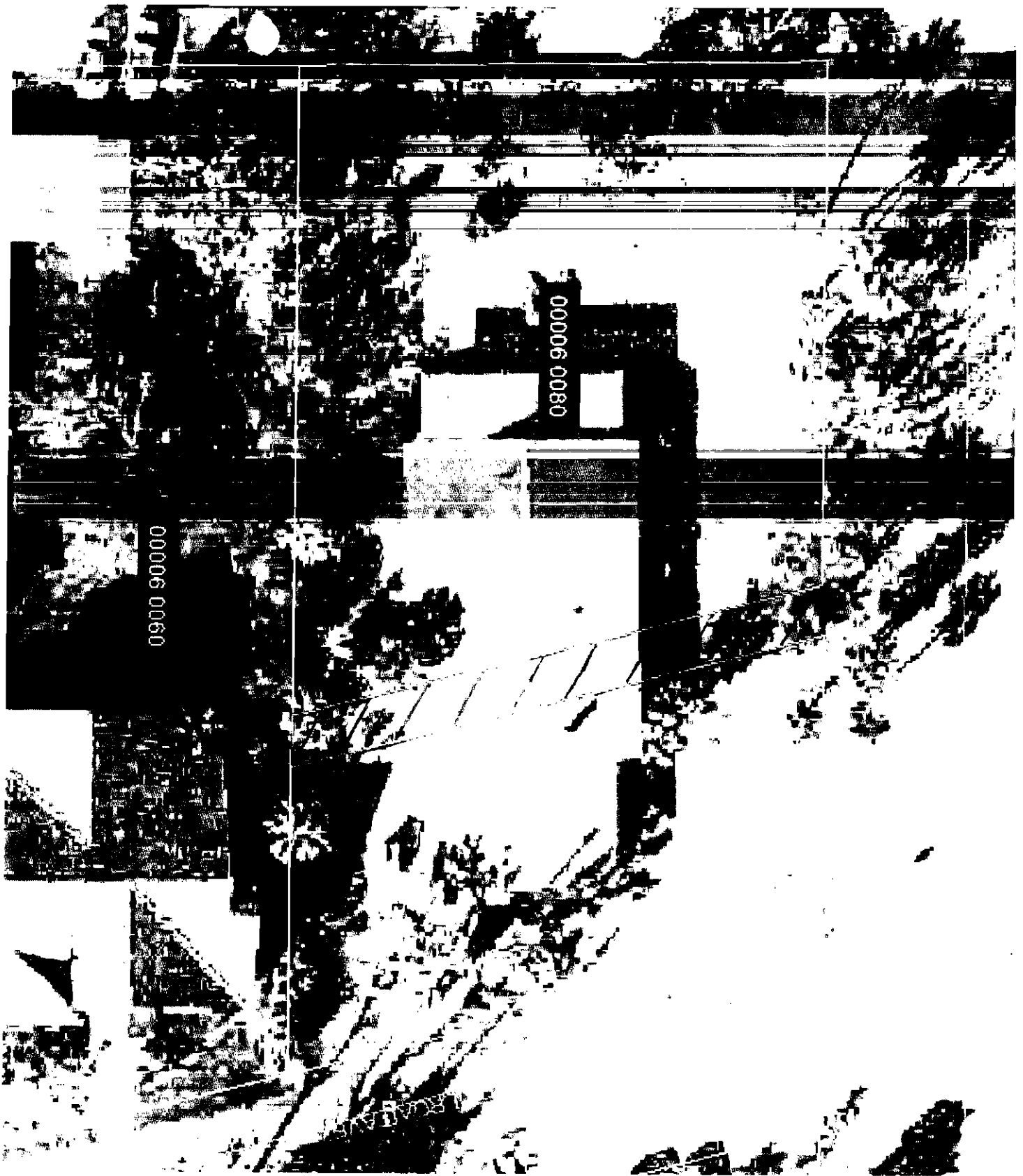
74073-14  
C.O.N.B. 528 BK  
O.R. 1874 974-977  
11/14/73

GOVT. LOT 3

GOVT. LOT 4

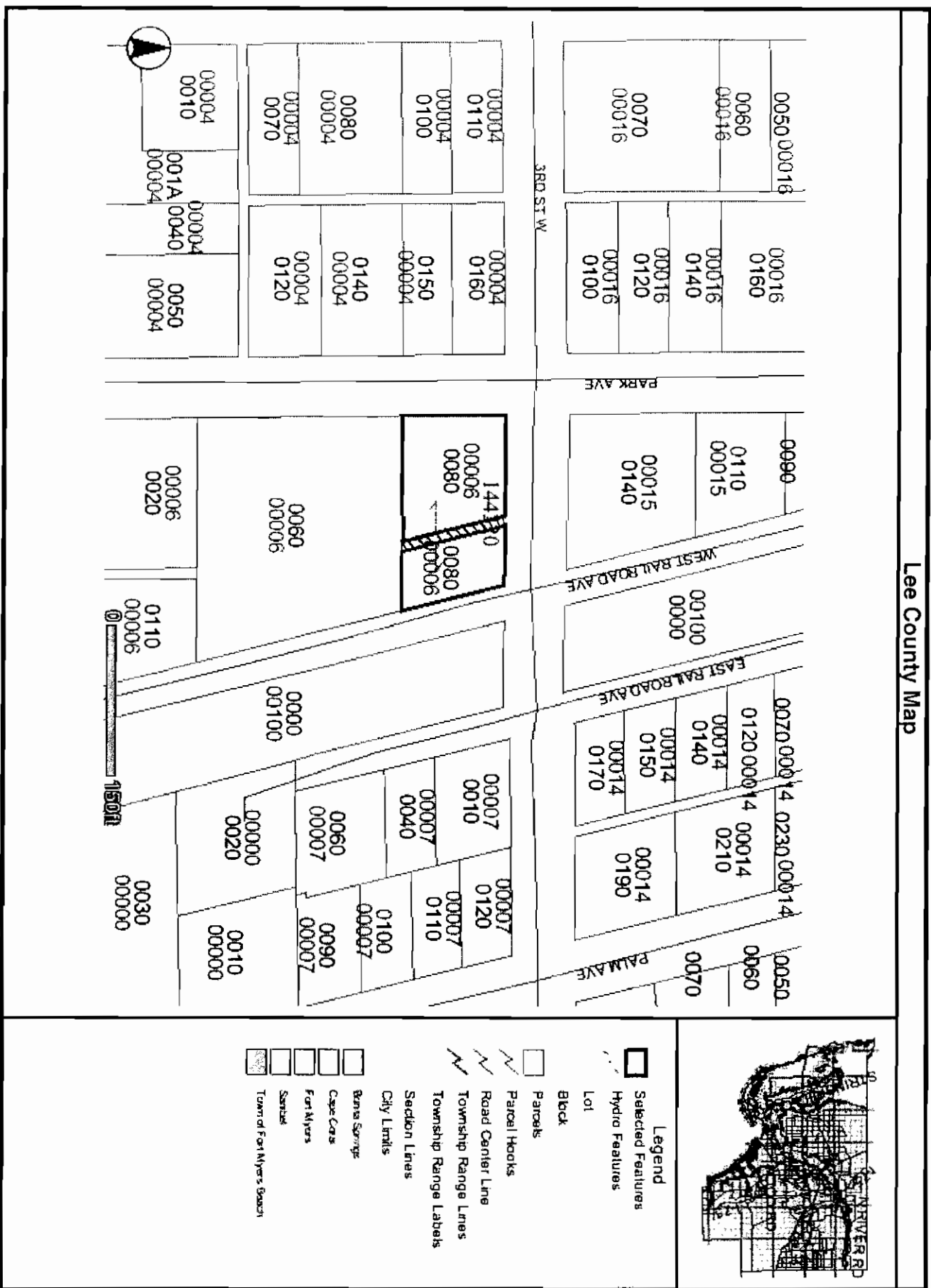
GULF OF MEXICO





 - AREA TO BE VACATED

Lee County Map



- Legend**
- Selected Features
  - Hydro Features
  - Lot
  - Block
  - Parcels
  - Parcel Hooks
  - Road Center Line
  - Township Range Lines
  - Township Range Labels
  - Section Lines
  - City Limits
  - Bays Springs
  - Cape Cays
  - Fort Myers
  - Sanibel
  - Town of Fort Myers Beach

VAC 2005-00038

SEP 26 2005