

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

Blue Sheet No. 20050971

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate the interior 12-foot wide Public Utility Easements located at [REDACTED] 3507 Lee Blvd., Lehigh Acres (Case No. VAC2005-00018). JF

2. WHAT ACTION ACCOMPLISHES: To build a two-story commercial office building on the combined eight (8) lots. The vacation of this easement will not alter existing utility conditions and the easement is not necessary to accommodate any future utility requirements.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: COMMISSION DISTRICT #: 5 **9:30 AM PH** **5. Meeting Date:** **03-14-2006**

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

9. Background:

The completed petition to vacate, VAC2005-00018 was submitted by Site Concepts and Patrick C. Hunt as the agent on behalf of Lee Boulevard Central, LLC, a Florida limited liability company.

LOCATION: The site is located at [REDACTED] 3507 Lee Blvd., Lehigh Acres, Florida 33971 and its strap number is 26-44-26-07-00029-0010, [REDACTED] 3507 Lee Blvd., Lehigh Acres, Florida 33971. Petition No. VAC2005-00018 proposes to vacate the interior twelve-foot (12') wide Public Utility Easements centered on the common line between Lots 7 and 8, 8 and 9, 9 and 10, 10 and 11, 11 and 12, 12 and 13, 13 and 14, 7 and 14, 8 and 13, and 9 and 12 Block 29, Unit 7, Section 26, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County, Florida.

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

There are no objections to this Petition to Vacate.

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

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
<i>M. Eckenrode</i>				<i>John J. Redmond</i> 2-14-06	Analyst <i>J. [Signature]</i>	Risk <i>[Signature]</i>	Grants <i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
[Signature]
DATE
[Date]
FORWARDED TO
[Signature]

Rec. by CoAtty
Date: 3/14/06
Time: 11:00 AM
Forwarded To:
[Signature]

CO. ATTY.
FORWARDED TO:
[Signature]



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: July 7, 2005

To: Patricia Geren
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20050971

CASE NUMBER: VAC2005-00018

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: VAC2005-00018

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 14th day of March 2006 @ 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

John J. Fredyua
County Attorney Signature

John J. FREDYUA
Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00018

Legal Description of the Public Utility Easements to be Vacated:

The twelve-foot (12') wide Public Utility Easements centered on the common lot lines between the following lots, all in the Plat of the N.E. ¼ & S. ½ of Section 26, Township 44 South, Range 26 East, a Subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County Florida:

Lots 7 and 8, 8 and 9, 9 and 10; less and except the northerly six feet of each easement;

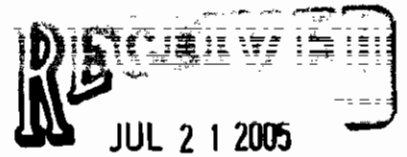
Lots 11 and 12, 12 and 13, 13 and 14; less and except the southerly six feet of each easement'

Lots 7 and 14; less and except the westerly six feet thereof;

Lots 8 and 13,

Lots 9 and 12; and

Lots 10 and 11; less and except the easterly six feet thereof.



MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

COMMUNITY DEVELOPMENT

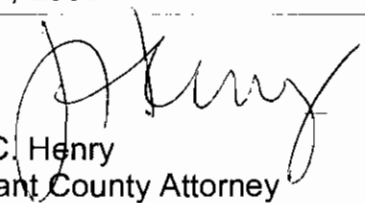
2005 FEB -9 AM 10: 58

RECEIVED BY
LEE CO. ATTORNEY

DATE: July 20, 2005

To: Ron Wilson
Development Services

FROM:


Joan C. Henry
Assistant County Attorney

RE: **Petition to Vacate No. VAC2005-00018**

I am returning the blue sheet and backup to schedule the public hearing for the above-referenced for following reasons:

1. The petition lists the petitioner as Lee Blvd. Central, LLC, and is signed by Harvey Lowell. It appears that the correct name of the Corporation is Lee Boulevard Central, LLC. Additionally, Harvey Lowell signed the document in his individual capacity; he must sign the document as Manager of the LLC, and it should state that on the document.
2. The letter of authorization signed by Harvey Lowell does not indicate his title in the LLC, nor does the notary jurat contain his name. The notary jurat must state the name of the person whose signature the notary is attesting to.

Once the applicant has corrected these items, please resubmit the blue sheet and backup for public hearing scheduling. Should you have any questions or require additional information, please do not hesitate to contact me.

JCH/tmv
Attachment

cc: Peter Eckenrode, Director of Development Services

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: VAC2005-00018

WHEREAS, Petitioner **Lee Boulevard Central, LLC, a Florida limited liability company** 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.

EXHIBIT "A"
Petition to Vacate
VAC2005-00018

Legal Description of the Public Utility Easements to be Vacated:

The twelve-foot (12') wide Public Utility Easements centered on the common lot lines between the following lots, all in the Plat of the N.E. $\frac{1}{4}$ & S. $\frac{1}{2}$ of Section 26, Township 44 South, Range 26 East, a Subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County Florida:

Lots 7 and 8, 8 and 9, 9 and 10; less and except the northerly six feet of each easement;

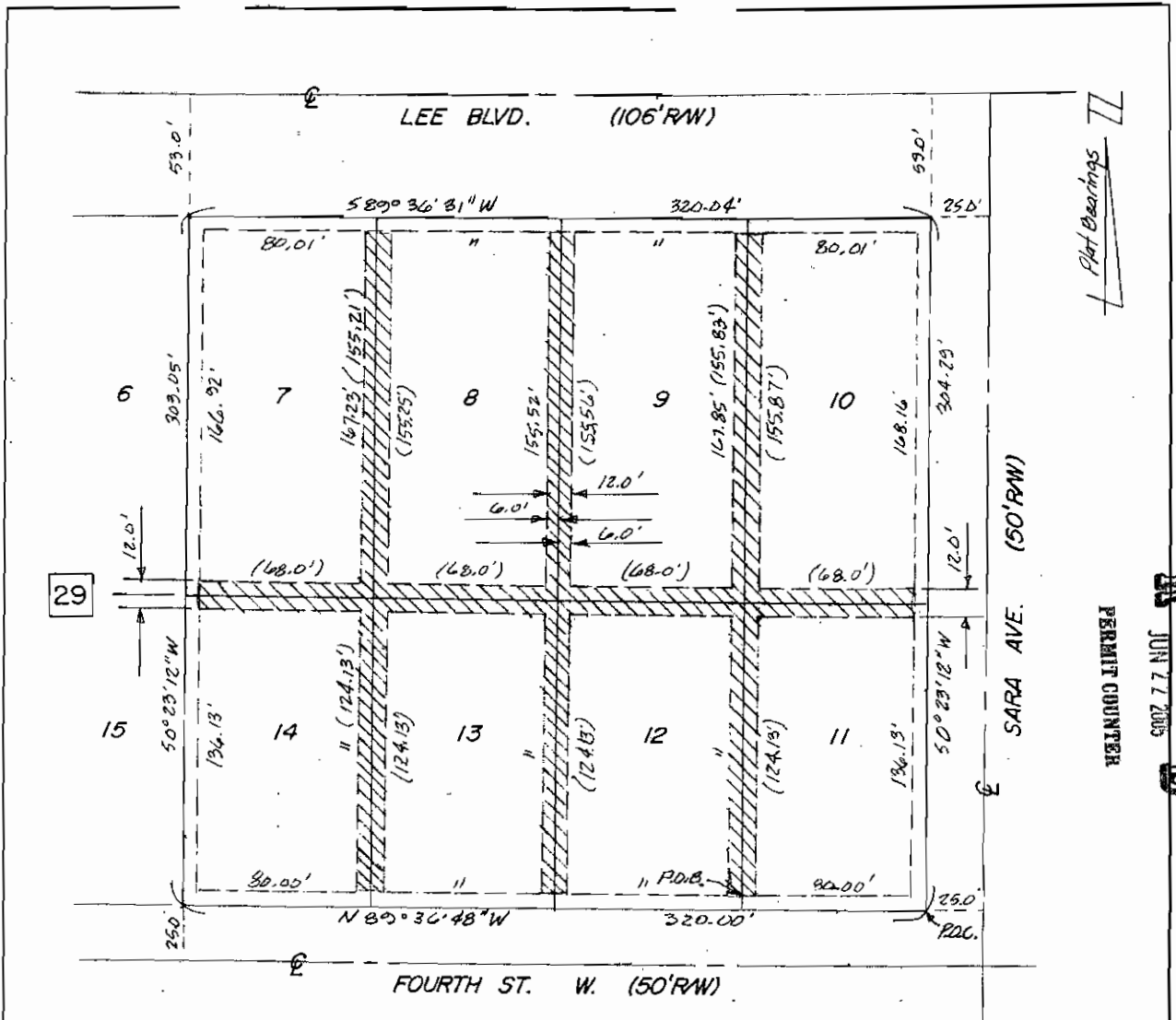
Lots 11 and 12, 12 and 13, 13 and 14; less and except the southerly six feet of each easement'

Lots 7 and 14; less and except the westerly six feet thereof;

Lots 8 and 13,

Lots 9 and 12; and

Lots 10 and 11; less and except the easterly six feet thereof.



Easements to be Vacated
 (0.00') Easement Dimensions

Exhibit "B"
Petition to Vacate
VAC2005-00018
 [Page One of One]

Plat of the N.E. 1/4 & S. 1/2 of Section 26, Township 44 South, Range 26 East, a Subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, Page 75 of the Public Records of Lee County Florida

NOTES:

1. Description as furnished by Client. No search of the Public Records was Conducted by this Firm.
2. Elevations as shown are based on N.G.V.D. 1929 Datum unless otherwise Stated.
3. Bearings are based on Plat or Deed.
4. Encroachments are based on Plat.
5. There may be other easements not shown hereon recorded in the Public Record of Governing County.
6. No Determination of Hazardous Waste Materials have been made by this Firm.
7. Signor limits liability only up to the cost of the Survey.
8. This Survey is protected by Copyright and All Rights Are Reserved.
9. Not Valid without signature and Raised Seal.
10. This Sketch Does Not Reflect or Determine Ownership. This Sketch is Not an ALTA/ACSM Land Title Survey. Photocopying Forbidden, Copyrighted Material.
11. No copies shall be made without written Authorization. Possession of any such document is an offense against Intellectual Property as outlined within Chapter 815.04 & 815.045, Florida Statutes. Authorization by signed and Sealed letter is required prior to possession of any Copyrighted documents. Failure to do so could result, if convicted, in a felony record.
12. Survey valid for 90 days from last field update.

LEGEND

- = 1/2" Iron Pin/Cap Set
- = 1/2" Iron Rod Found
- △ = PK & TT Set
- ▲ = PK & TT Found
- = Concrete Monument Found
- = Centerline of Road
- = Fence
- P.U.E. = Public Utility Easement
- D.E. = Drainage Easement
- P.C. = Point of Curve
- P.T. = Point of Tangent
- P.R.C. = Point of Reverse Curve
- R/W = Right of Way
- P.O.B. = Point of Beginning
- P.O.C. = Point of Commencement
- C.B.S. = Concrete Block Stucco
- N.G.V.D. = National Geodetic Vertical Datum (1929)
- P.P. = Power Pole
- T. PED = Telephone Pedestal
- F.H. = Fire Hydrant
- C.B. = Catch Basin
- D = Deed
- M = Measured
- C = Calculated
- P = Plat

Date: 12/07/04
 Scale: 1" = 50'
 Job #: 16447

R. E. SCHUMAKER, P.L.S.
 REGISTERED LAND SURVEYOR
 #2239 - STATE OF FLORIDA
 DATE OF SIGNATURE: 12/07/04

S & H LAND SURVEY COMPANY, INC.
 13591 MCGREGOR BLVD., SUITE 19
 FORT MYERS, FLORIDA 33919
 PHONE: (239) 481-2366
 FAX: (239) 481-2437

PERMIT COUNTER

JUN 7 2005

NOW therefore be it resolved by the Board of County Commissioners as follows:

1. Petition to Vacate No. VAC2005-00018 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



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00018

Petitioner(s), Lee Boulevard Central, LLC
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, 205 Joel Blvd. #106, Lehigh Acres, FL 33936
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:

Harvey Lowell
Petitioner Signature

Petitioner Signature

Harvey Lowell, Manager
Printed Name

Printed Name

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

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Having Strap numbers 26-44-26-07-00029.0070, 0080, 0090, 0100, 0110, 0120, 0130, 0140 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 Site Concepts and Patrick C. Hunt 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.

Harvey Lowell
Owner*(signature)
Harvey Lowell, Manager of Lee Boulevard Central, LLC
Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 8 day of February, 2006 by Harvey Lowell who is personally known to me or who has produced FL DRIVERS LICENSE as identification and who did (did not) take an oath.

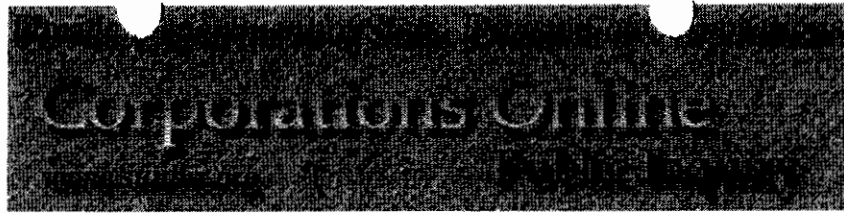
(SEAL)



Timothy R. Cook
My Commission DD279663
Expires January 07, 2008

Timothy R. Cook
Notary Public

(Name typed, printed or stamped)



Florida Limited Liability

LEE BOULEVARD CENTRAL, LLC

PRINCIPAL ADDRESS

205 E. JOEL BOULEVARD, STE. 106
LEHIGH ACRES FL 33936

MAILING ADDRESS

205 E. JOEL BOULEVARD, STE. 106
LEHIGH ACRES FL 33936

Document Number
L04000038733

FEI Number
201186986

Date Filed
05/13/2004

State
FL

Status
ACTIVE

Effective Date
NONE

Total Contribution
0.00

Registered Agent

Name & Address
LOWELL, HARVEY M 205 E. JOEL BOULEVARD, STE. 106 LEHIGH ACRES FL 33936

Manager/Member Detail

Name & Address	Title
LOWELL, HARVEY M 205 E. JOEL BOULEVARD, STE. 106 LEHIGH ACRES FL 33936	MGR

Annual Reports

Report Year	Filed Date
2005	01/13/2005

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

01/13/2005 -- ANNUAL REPORT
05/13/2004 -- Florida Limited Liabilites

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

[Corporations Inquiry](#)

[Corporations Help](#)

EXHIBIT "A"
Petition to Vacate
VAC2005-00018

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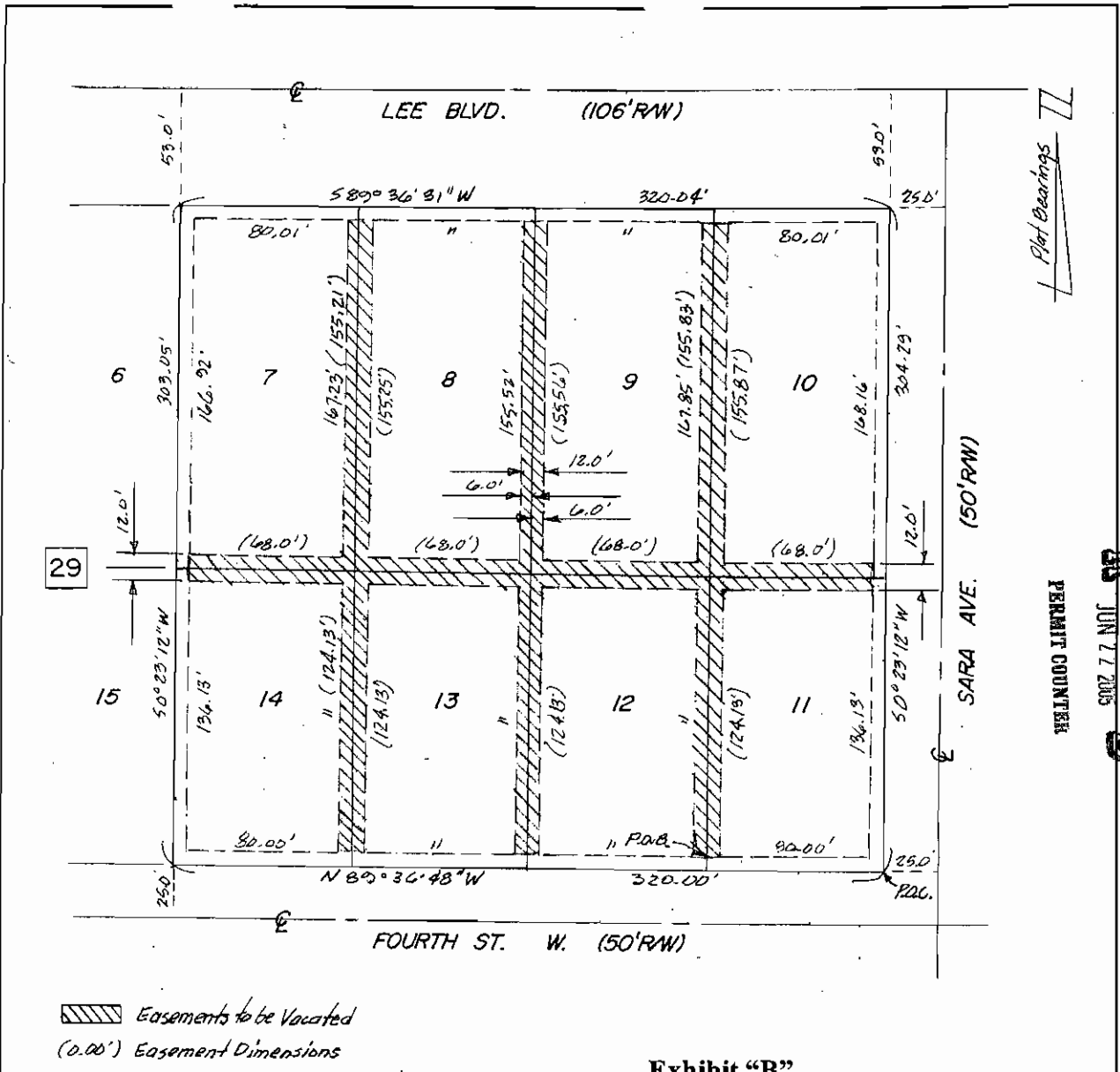
Lots 11 and 12, 12 and 13, 13 and 14; less and except the southerly six feet of each easement'


Lots 7 and 14; less and except the westerly six feet thereof;

Lots 8 and 13,

Lots 9 and 12; and

Lots 10 and 11; less and except the easterly six feet thereof.



 Easements to be Vacated
(0.00') Easement Dimensions

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Exhibit "B"
Petition to Vacate
VAC2005-00018
[Page One of One]

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- Bearings are based on Plat or Deed.
- Encroachments are based on Plat.
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- No Determination of Hazardous Waste Materials have been made by this Firm.
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- This Survey is protected by Copyright and All Rights Are Reserved.
- Not Valid without signature and Raised Seal.
- This Sketch Does Not Reflect or Determine Ownership. This Sketch is Not an ALTA/ACSM Land Title Survey. Photocopying Forbidden, Copyrighted Material.
- No copies shall be made without written Authorization. Possession of any such document is an offense against Intellectual Property as outlined within Chapter 815.04 & 815.045, Florida Statutes. Authorization by signed and sealed paper is required prior to possession of any Copyrighted documents. Failure to do so could result, if convicted, in a felony record.
- Survey valid for 90 days from last field update.

LEGEND

- | | |
|----------------------------------|--|
| ○ = 1/2" Iron Pin/Cap Set | R/W = Right of Way |
| ● = 1/2" Iron Rod Found | P.O.B. = Point of Beginning |
| △ = PK & TT Set | P.O.C. = Point of Commencement |
| ▲ = PK & TT Found | C.B.S. = Concrete Block Stucco |
| ■ = Concrete Monument Found | N.G.V.D. = National Geodetic Vertical Datum (1929) |
| --- = Centerline of Road | P.P. = Power Pole |
| — = Fence | T. PED = Telephone Pedestal |
| P.U.E. = Public Utility Easement | F.H. = Fire Hydrant |
| D.E. = Drainage Easement | C.B. = Catch Basin |
| P.C. = Point of Curve | D = Dead |
| P.T. = Point of Tangent | M = Measured |
| P.R.C. = Point of Reverse Curve | C = Calculated |
| | P = Plat |

Date: 12/07/04

Scale: 1" = 50'

Job #: 16447


R. L. SCHUMAKER, PLS
REGISTERED LAND SURVEYOR
#2239 - STATE OF FLORIDA


DATE OF SIGNATURE: 12/07/04

S & H LAND SURVEY COMPANY, INC.
13591 MCGREGOR BLVD., SUITE 19
FORT MYERS, FLORIDA 33919
PHONE: (239) 481-2366
FAX: (239) 481-2437

PERMIT COUNTER

JUN 27 2005

Exhibit "C"
Petition to Vacate
VAC2005-00018
 [Page One of Three]

Real Property Information		
Account	Tax Year	Status
26-44-26-07-00029.0070	2005	PAID
Original Account	Book/Page	
26-44-26-07-00029.0070	4361/4599	
Owner		
LEE BOULEVARD CENTRAL LLC		
Physical Address	Mailing Address	
3507 LEE BLVD Lehigh Acres FL 33971	12995 CLEVELAND AVE UNIT PBS-3 FORT MYERS FL 33907 USA	
Legal Description		
LEHIGH ACRES UNIT 7 BLK 29 PB 15 PG 75 LOTS 7 THRU 14		
Outstanding Balance as of 2/13/2006		\$0.00



THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:

TERRY V. BROUGHTON, ESQ.
1705-D2 COLONIAL BOULEVARD
FORT MYERS, FL 33907

INSTR # 6353347
OR BK 04361 Pgs 4597 - 4598; (2pgs)
RECORDED 07/12/2004 04:11:34 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 1,715.00
DEPUTY CLERK t hale

[space above this line for recording data]

WARRANTY DEED
(STATUTORY FORM – SECTION 689.02, F.S.)

This Indenture, made this 23rd day of June, 2004, **Between**
FRANK D'ALESSANDRO, INC., A FLORIDA CORPORATION AND
DR. ROBERT F. RAPP AND ESTHER A. RAPP, husband and wife
of the County of LEE, State of FLORIDA, **Grantor***, and

LEE BOULEVARD CENTRAL, LLC, a Florida limited liability company
whose post office address is 12995 Cleveland Avenue, Unit PBS-34, Fort Myers, Florida, 33907,
of the County of LEE, State of FLORIDA, **Grantee***.

(2)

Witnesseth that said Grantor, for and in consideration of the sum of Ten Dollars and no/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situated, lying and being in Lee County, Florida, to-wit: Lots 7, 8, 9, 10, 11, 12 and 14, Block 29, Unit 7, Section 26, Township 44 South, Range 26 East, LEHIGH ACRES, according to the map or plat thereof as recorded in Plat Book 15, Page(s) 75, Public Records of Lee County, Florida.

Subject to easements, restrictions, and reservations of record, if any. And said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. *"Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

WITNESSES to FDI

FRANK D'ALESSANDRO, INC.,
A FLORIDA CORPORATION

Margaret L. Berkeley
Printed Name: Margaret L. Berkeley

By: [Signature]
Frank D'Alessandro, President

Susan M. Galarrith
Printed Name: SUSAN M. GALARRITH

STATE OF FLORIDA)
COUNTY OF LEE)

THE FOREGOING instrument was acknowledged before me this 23rd day of June, 2004, by Frank D'Alessandro as President of Frank D'Alessandro, Inc. He is personally known to me or has produced N/A as identification.
[Seal]



Margaret L. Berkeley
Notary Public Margaret L. Berkeley

WITNESSES to RFR:

Tiffany Ruffolo
Printed Name: Tiffany Ruffolo
Vivian Fisher
Printed Name: Vivian Fisher

By: Dr. Robert F. Rapp
Dr. Robert F. Rapp

STATE OF NORTH CAROLINA)
COUNTY OF HAYWOOD)

THE FOREGOING instrument was acknowledged before me this 23rd day of June, 2004, by Dr. Robert F. Rapp. He is personally known to me or has produced _____ as identification.
[Seal]



Dorothy M. Pope
Notary Public June 6, 2008

WITNESSES EAR:

Tiffany Ruffolo
Printed Name: Tiffany Ruffolo
Vivian Fisher
Printed Name: Vivian Fisher

By: Esther A. Rapp
Esther A. Rapp

STATE OF NORTH CAROLINA)
COUNTY OF HAYWOOD)

THE FOREGOING instrument was acknowledged before me this 23rd day of June, 2004, by Esther A. Rapp. He is personally known to me or has produced _____ as identification.
[Seal]



Dorothy M. Pope
Notary Public June 6, 2008



THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:

TERRY V. BROUGHTON, ESQ. ✓
1705-D2 COLONIAL BOULEVARD
FORT MYERS, FL 33907

INSTR # 6353348
OR BK 04361 Pg 4599; (1pg)
RECORDED 07/12/2004 04:11:34 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 0.70
DEPUTY CLERK t hale

[space above this line for recording data]

WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This Indenture, made this 23rd day of June, 2004, Between
FRANK D'ALESSANDRO, INC., A FLORIDA CORPORATION AND
of the County of LEE, State of FLORIDA, Grantor*, and

LEE BOULEVARD CENTRAL, LLC, a Florida limited liability company
whose post office address is 12995 Cleveland Avenue, Unit PBS-34, Fort Myers, Florida, 33907,
of the County of LEE, State of FLORIDA, Grantee*.

Witnesseth that said Grantor, for and in consideration of the sum of Ten Dollars and no/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situated, lying and being in Lee County, Florida, to-wit **Lot 13, Block 29, Unit 7, Section 26, Township 44 South, Range 26 East, LEHIGH ACRES**, according to the map or plat thereof as recorded in Plat Book 15, Page(s) 75, Public Records of Lee County, Florida. Subject to easements, restrictions, and reservations of record, if any. And said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

WITNESSES to FDI

FRANK D'ALESSANDRO, INC.,
A FLORIDA CORPORATION

Margaret L. Berkeley
Printed Name: Margaret L. Berkeley

By: [Signature]
Frank D'Alessandro, President

Susan M. Galbraith
Printed Name: SUSAN M. GALBRAITH

STATE OF FLORIDA)
COUNTY OF LEE)

THE FOREGOING instrument was acknowledged before me this 23rd day of June, 2004, by Frank D'Alessandro as President of Frank D'Alessandro, Inc. He is personally known to me or has produced N/A as identification.

[Seal]



Margaret L. Berkeley
Notary Public Margaret L. Berkeley



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number. _____

Bob Janes
District One

239-479-8585

Douglas R. St. Cerny
District Two

July 7, 2005

Ray Judah
District Three

Tammy Hall
District Four

Patrick C. Hunt
Site Concepts
17431-3 Alico Center Rd.,
Fort Myers, FL 33912

John E. Albion
District Five

Donald D. Stilwell
County Manager

Diana M. Parker
County Hearing Examiner

Re: **VAC2005-00018 - Petition to Vacate** the interior 12-foot wide Public Utility Easements on the combined lots of 7, 8, 9, 10, 11, 12, 13 and 14, Block 29, Unit 7, Lehigh Acres, S 26, T 44S, R 26E, as recorded in Plat Book 15, Page 75, in the public records of Lee County, FL

Dear Mr. Hunt:

You have indicated that in order to build a commercial office building on the combined lots, your client Lee Blvd. Central, LLC desires to eliminate the interior Public Utility Easements centered on the common lot lines of the eight (8) lots. The site is located at 3500, 3501, 3502, 3503, 3504, 3505, 3506 and 3507 Lee Blvd., Lehigh Acres. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Peter J. Eckenrode
Director

PJE/RXW

U:\200507\20050408.140\6431090\DCDLETTER.DOC

Site Concepts

June 22, 2005

Ms. Ruth Keith
Division of Development Services
Department Of Community Development
1500 Monroc Street
Fort Myers, Fl. 33901

Re: Lee Blvd. Central / Detailed type of Construction
VAC2005-00018

Dear Ms. Keith,

The above named projects detailed construction will consist of building on (1) one lot. There will be (1) one structure of 34,000 sq. feet. This will be a (2) two story commercial office building. Please call me at 340-9389 if you require additional information.

Sincerely,

Patrick C. Hunt, Agent

Site Concepts

PLANS • PERMITS • PROJECT MANAGEMENT

17431-3 Alico Center Rd.
Fort Myers, FL 33912

March 17, 2005

Mr. Pete Eckenrode
Lee County Development Services Division
1500 Monroe Street
Fort Myers, FL 33901

RE: Lee Blvd. Central, LLC
Petition to vacate a utility easement in Lehigh Acres
STRAP #26-44-26-07-00029.0070

Dear Mr. Eckenrode:

This letter is a request for written response to the petition to vacate all interior public utility easements in Lehigh Acres, along the common lot lines of lots 7 thru 14 of block 29, abutting on all properties here within as shown on the attached sketches and legal descriptions. The subdivision is recorded in Plat Book 15, Page 75, in the records of Lee County, Florida. No other facilities occupy this area of the parcels. The applicant owns the parcels for which this request is pending.

Attached is a copy of the description and sketch of the pending request.

Please reply to this request within 7 days of receipt of this letter to the above return address. Should you require any additional information or assistance, please call me at 267-5900.

Sincerely,

Patrick C. Hunt, Agent

Attachments: description & sketch
portion of plat
location map



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

December 29, 2004

Site Concepts

Attn: Mr. Patrick C. Hunt
17431-3 Alico Center Road
Fort Myers, FL 33912

Re: Block 29, Lots 7-14, Unit 7, Lehigh Acres, Florida
Strap #s 26-44-26-07-000029.0080, 26-44-26-07-00029.0090, 26-44-26-07-00029.0100, 26-44-26-07-00029.0110, 26-44-26-07-00029.0120, 26-44-26-07-00029.0130, 26-44-26-07-00029.0140

Dear Mr. Hunt:

LCEC does not object to vacation of the interior easements on the above referenced parcels, **LESS** and **EXCEPT** the Easterly 6 feet, the Westerly 6 feet, the Southerly 6 feet, and the Northerly 6 feet thereof. It is our understanding that the 6-foot perimeter easement of the combined parcel will remain intact.

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

Sincerely,

Sandra McIver
Real Property Representative

Attachment



May 4, 2005

Site Concepts
Attn: Mr. Patrick C. Hunt
17431-3 Alico Center Road
Fort Myers, FL 33912

Re: Block 29, Lots 7-14, Unit 7, Lehigh Acres, Florida
Strap # 26-44-26-07-00029.0070

Dear Mr. Hunt:

LCEC does not object to vacation of the interior easements on the above referenced parcels, **LESS** and **EXCEPT** the Easterly 6 feet, the Westerly 6 feet, the Southerly 6 feet, and the Northerly 6 feet thereof. It is our understanding that the 6-foot perimeter easement of the combined parcel will remain intact.

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

Sincerely,

Sandra McIver
Real Property Representative

Attachment



Customer Service Operations

Post Office Box 1530

LaBelle, Florida 33975-4613



December 16, 2004

Mr. Patrick C. Hunt
Site Concepts
17431-3 Alico Center Rd
Fort Myers, Florida 33912

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 7-14, Block 29, Unit 7, Section 26, Township 44S, Range 26E.

Strap No. – 26-44-26-07-00029.0070, 26-44-26-07-00029.0080, 29-44-26-07-00029.0090,
26-44-26-07-00029.0100, 26-44-07-00029.0110, 26-44-26-07-00029.0120,
26-44-26-07-00029.0130, 26-44-26-07-00029.0140

Dear Mr. Hunt:

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

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

Sincerely,

Wayneth Jackson
Engineer

Attachment



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

December 31, 2004

Site Concepts
C/O Patrick C. Hunt
17431-3 Alico Center Rd
Fort Myers, FL 33912

Re: Lee Bl. Central, LLC
Vacate Right-of-Way and/or Utility Easement

Dear Patrick C Hunt,

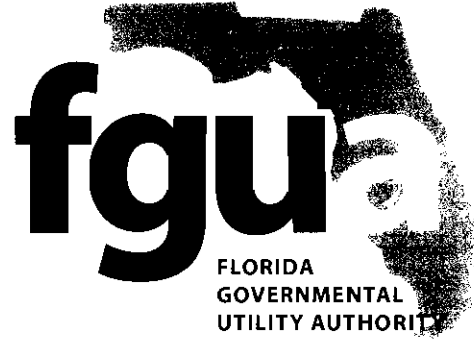
This letter will serve to inform you that Comcast has no objection to your proposed vacation of Right-of-way and/or Utility easement of the above referenced location..

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

Cordially,

A handwritten signature in cursive script that reads "Mark Cook".

Mark Cook
Design Coordinator



May 23, 2005

Patrick C. Hunt
Site Concepts
17431-3 Alico Center Road
Fort Myers, FL 33912

RE: Vacation of a portion of a public utility easements for Lots 7 through 10, and Lots 11 through 14, Block 29, Unit 7, Section 26, Township 44 South, Range 26 East as recorded in Plat Book 15, page 75, of the Official Public Records of Lee County, Florida.

Dear Mr. Hunt:

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

The Vacation of Easement request is for the interior portion of the public utility easements reserved for Lots 7 through 10, and Lots 11 through 14, Block 29, Unit 7, Section 26, Township 44 South, Range 26 East as recorded in Plat Book 15, page 75, of the Official Public Records of Lee County, Florida.

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

Sincerely,

Florida Governmental Utility Authority

Charles L. Sweat
Director of Operations

CLS/jdk

LEA ANN THOMAS, CHAIR
Polk County

RICHARD W. WESCH
Citrus County

ROBERT NANNI
Osceola County

FGUA OPERATIONS OFFICE

Government Services Group, Inc.
Protegrity Plaza, Suite 203
280 Wekiva Springs Road
Longwood FL 32779

877/552-3482 Toll Free
407/629-6900 Tel
407/629-6963 Fax



BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Wednesday, April 27, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Patrick C. Hunt
17431-3 Alico Center Rd.
Fort Myers, FL 33912

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate multiple twelve-foot (12') wide Public Utility easements centered on the common lot lines of Lots 7 through 14, Block 29, Unit 7, Lehigh Acres Subdivision as recorded in Plat Book 15 at Page 75 of the Public Records of Lee County, Florida. (corrected letter)

Donald D. Stilwell
County Manager

Robert W. Gray
Deputy County Attorney

Djana M. Parker
County Hearing Examiner

Dear Mr. Hunt:

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 easements.

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

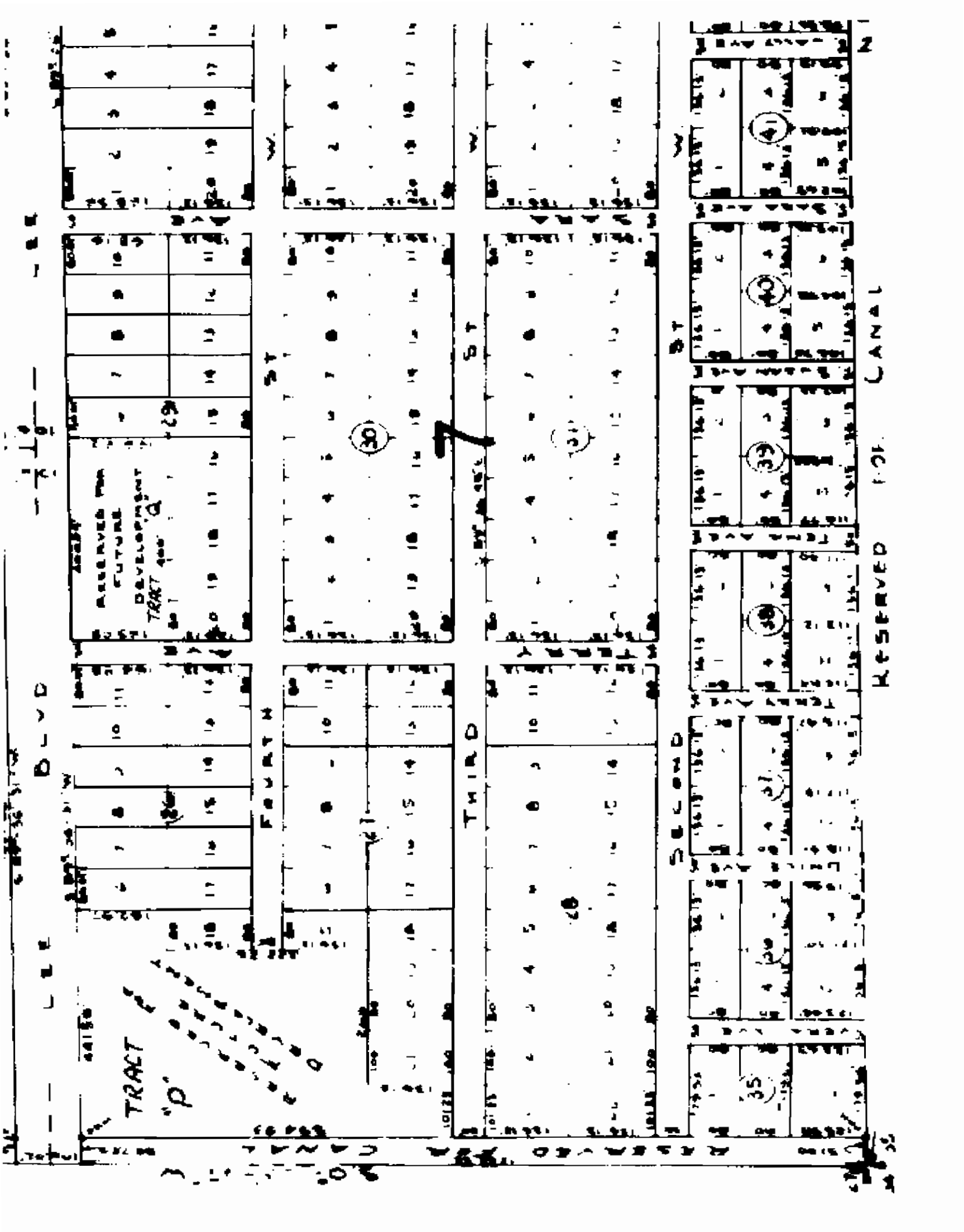
Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr.
Natural Resources Division

Cc: Ruth Keith, Development Services

S:\NATRES\SURFACE\DOCUMENT\vac474a.doc



RESERVED FOR
FUTURE
DEVELOPMENT
TRACT 400

TRACT
"P"

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41

ST

FOURTH

THIRD

ST

SECOND

ST

RESERVED FOR CANAL

N

35

K. V. Yamond

Florida Registered Land Surveyor No. 1120

NOTE

All lots subject to a utility Easement both sides, front and back
Interior P.R.M's are 4' x 4' x 8' concrete
Section Corner P.R.M's are 6' x 6' x 8' concrete



NOTE

LIMENSIONS, EXAMINED, BY AND UNDER THE
DRAWING OF LATEST LATA SMALL JOVANA



PLAT OF
NE. 1/4 & S. 1/2 OF SECTION 26
TOWNSHIP 44 SOUTH RANGE 26 EAST

A SUBDIVISION OF
LEHIGH ACRES

LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO., D. E. JOHNS

DATE APR 3 1958

UNIT BOUNDARY

SURVEYOR: CERRIGLIONE
A true and correct copy of the original plat and field notes on which this plat is based is deposited in the office of the Surveyor General, Tallahassee, Florida, and is available for inspection at that office.

A. V. Cerriglione
Surveyor Registered Under Chapter 100, 1958

NOTE:
All lots subject to a 5% L.P.R. Encumbrance with 10% Bonus, based on area. The 5% L.P.R. Encumbrance shall be paid by the purchaser of each lot. The 10% Bonus shall be paid by the purchaser of each lot. The 10% Bonus shall be paid by the purchaser of each lot.



THE SURVEYOR GENERAL, FLORIDA, HAS REVIEWED THE PLAT AND FINDS IT TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL PLAT AND FIELD NOTES ON WHICH THIS PLAT IS BASED.

