

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a portion of a 12-foot wide Drainage and Public Utility Easement located at 15131 and 15151 Flightline Ct. in Buckingham Air Park, Ft. Myers (Case No. VAC2006-00006).

2. WHAT ACTION ACCOMPLISHES: To construct a single-family home and airplane hangar on the combined Lots. **The vacation of this easement will not alter existing drainage and utility conditions and the easement is not necessary to accommodate any future drainage and utility requirements.**

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: COMMISSION DISTRICT #: 5 **9:30AM PH 1** **5. Meeting Date:** **04-11-2006**

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

9. Background:

The completed petition to vacate, VAC2006-00006 was submitted by Richard E. Schmidt and Peggy Ann Apgar Schmidt.

LOCATION: The site is located at **15131 and 15151 Flightline Ct., Ft. Myers, Florida 33905** and its strap numbers are **15-44-26-03-00000.0060 and .0070**. Petition No. VAC2006-00006 proposes to vacate a portion of a twelve-foot (12') wide Drainage and Public Utility Easement on Lots 6 and 7, Section 15, Township 44 South, Range 26 East, Buckingham Air Park, as recorded in Plat Book 56, Pages 57 and 58 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>Man</i>				<i>John W. ... 3-15-06</i>	Analyst	<i>Risk</i>	<i>Grants</i>	<i>3-16-06</i>

11. Commission Action:

Approved
 Deferred
 Denied
 Other

RECEIVED BY COUNTY ADMIN: *TJ*
 3-15-06
 3:00
 COUNTY ADMIN FORWARDED TO: *[Signature]*

Rec. by CoAtty
 Date: *3/16*
 Time: *1:30 PM*
 Forwarded to: *Co. Adm. 3/15/06 JPH*



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: February 27, 2006

To: Richard DeSalvo
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20060238

CASE NUMBER: VAC2006-00006

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 John Fredyma, Assistant County Attorney (fredymjj@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2006-00006

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 11th day of April 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. Fredyma
County Attorney Signature

JOHN J. FREDYMA
Please Print Name

Exhibit "A"
Petition to Vacate
VAC2006-00006
[Page One of One]

LEGAL DESCRIPTION
(PROPOSED VACATED EASEMENT)

A 12' DRAINAGE AND PUBLIC UTILITY EASEMENT LYING ON LOTS 6 AND 7, BUCKINGHAM AIR PARK AS RECORDED IN PLAT BOOK 56, PAGES 57 AND 58, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING IN SECTION 15, TOWNSHIP 44 SOUTH, RANGE 26 EAST. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF AFORESAID LOT 6; THENCE N 39°40'20" W, 20.00' FEET ALONG THE PLATTED PROPERTY LINE BETWEEN SAID LOTS 6 AND 7 TO THE INTERSECTION WITH A 20' FOOT DRAINAGE, PUBLIC UTILITY EASEMENT AND THE POINT OF BEGINNING; THENCE S 50°19'40" W, 6.00' FEET; THENCE N 39°40'20" W, 237.05' FEET TO THE INTERSECTION WITH A DRAINAGE, PUBLIC UTILITY EASEMENT AND A TORTOISE HABITAT EASEMENT; THENCE N 50°19'40" E, 12.00' FEET ALONG SAID EASEMENT; THENCE S 39°40'20" E, 236.79' FEET TO THE AFORESAID 20' DRAINAGE, PUBLIC UTILITY EASEMENT, SAID POINT BEING ON A CURVE CONCAVE TO THE NORTHWEST, HAVING FOR ITS ELEMENTS, RADIUS OF 70.00' FEET, CHORD BEARING OF S 47°52'09" W, A CHORD DISTANCE OF 6.01' FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 6.01' FEET TO THE INTERSECTION OF THE PROPERTY LINE COMMON TO AFORESAID LOTS 6 AND 7 AND THE POINT OF BEGINNING.
CONTAINING 2,844 SQUARE FEET ±.

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: VAC2006-00006

WHEREAS, Petitioner **Richard E. Schmidt and Peggy Ann Apgar Schmidt** 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. VAC2006-00006 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

Chairwoman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Exhibit "A"
Petition to Vacate
VAC2006-00006
[Page One of One]

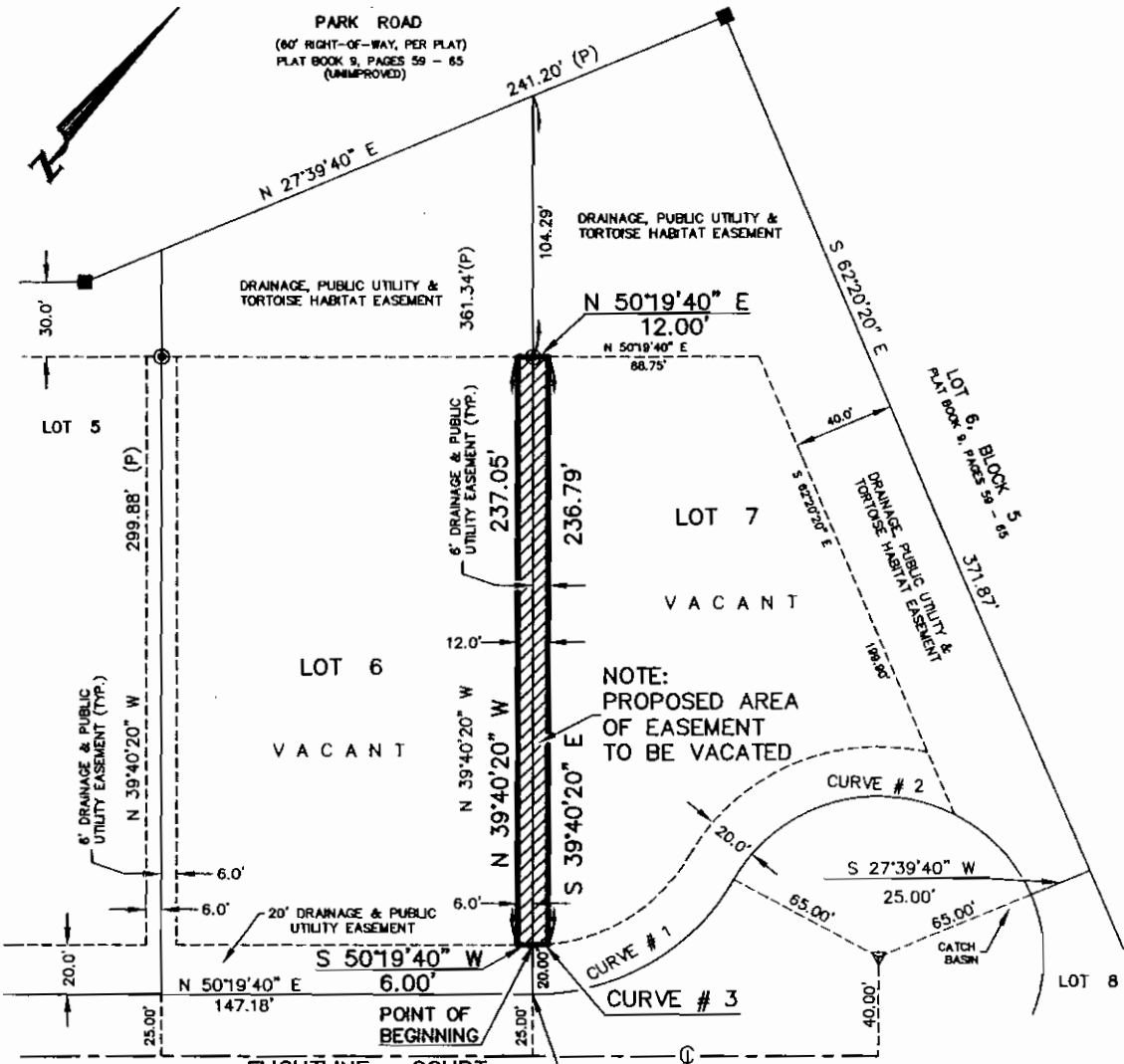
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CONTAINING 2,844 SQUARE FEET ±.

SCALE
1" = 60'

ETCH AND LEGAL DESCRIPTION
(THIS IS NOT A SURVEY)



CURVE # 1
RADIUS = 90.00'
ARC = 95.92'
CENTRAL ANGLE = 61°03'42"
CHORD BEARING = N 19°47'49" E
CHORD DISTANCE = 91.44'

CURVE # 2
RADIUS = 65.00'
ARC = 145.66'
CENTRAL ANGLE = 128°23'42"
CHORD BEARING = N 53°27'49" E
CHORD DISTANCE = 117.04'

CURVE # 3
RADIUS = 70.00'
ARC = 6.01'
CENTRAL ANGLE = 04°55'02"
CHORD BEARING = S 47°52'09" W
CHORD DISTANCE = 6.01'

LEGAL DESCRIPTION
(PROPOSED VACATED EASEMENT)

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CONTAINING 2,844 SQUARE FEET ±.

- NOTES:**
1. THIS IS NOT A SURVEY.
 2. BEARINGS ARE BASED ON THE NORTHWEST RIGHT-OF-WAY LINE OF FLIGHTLINE COURT, BEING S 50°19'40" W, (PER PLAT).

PROJECT NO. 05-1652			
SURVEY DATE: JANUARY 12, 2006			
STREET ADDRESS			
15151 FLIGHTLINE COURT FORT MYERS, FLORIDA			
REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1.	2-13-06	LEGAL DESC.	R.J.O.

JRI & ASSOCIATES, INC.
LAND SURVEYORS and MAPPERS
LICENSED BUSINESS No. 0427

12811 KENWOOD LANE, SUITE 116
FORT MYERS, FLORIDA 33907

TEL. (239) 278-4858 FAX (239) 278-4799

MICHAEL C. SELPH
PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5067

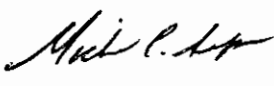


Exhibit "B"
Petition to Vacate
VAC2006-00006
[Page One of One]



PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00006

Petitioner(s), RICHARD E SCHMIDT AND PEGGY APGAR SCHMIDT 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, 21400 CORKSCREW RD., ESTERO, FL 33928
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:

RE Schmidt
Petitioner Signature

Peggy Apgar Schmidt
Petitioner Signature

RICHARD E. SCHMIDT
Printed Name

PEGGY APGAR SCHMIDT
Printed Name

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

RECEIVED

FEB - 1 2006

VAC2006-00006

Exhibit "A"
Petition to Vacate
VAC2006-00006
[Page One of One]

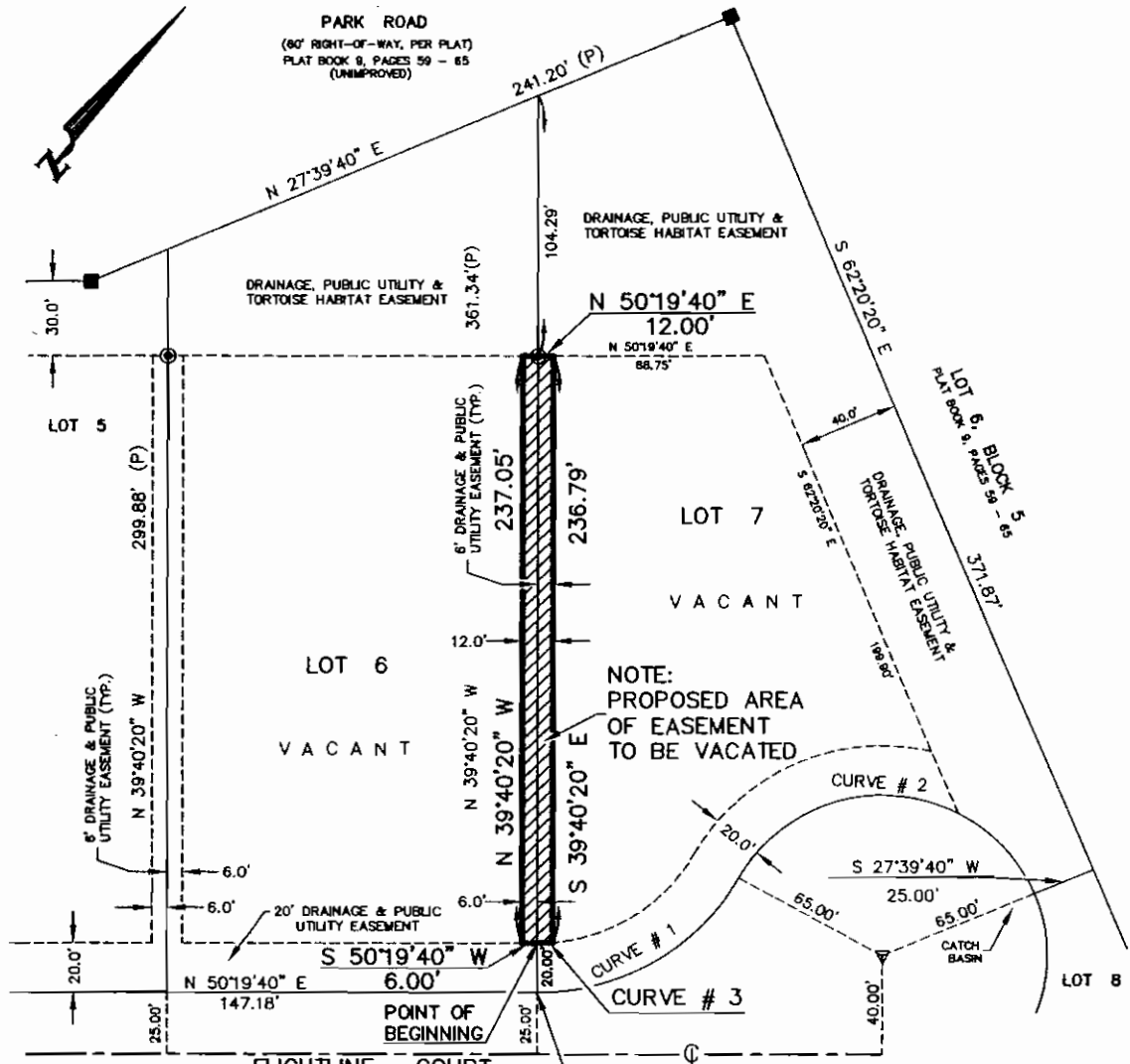
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CONTAINING 2,844 SQUARE FEET ±.

- NOTES:**
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PROJECT NO. 05-1652			
SURVEY DATE: JANUARY 12, 2006			
STREET ADDRESS			
15151 FLIGHTLINE COURT FORT MYERS, FLORIDA			
REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1.	2-13-06	LEGAL DESC.	R.J.O.

JRI & ASSOCIATES, INC.
LAND SURVEYORS and MAPPERS
LICENSED BUSINESS No. 6427

12811 KENWOOD LANE, SUITE 116
FORT MYERS, FLORIDA 33907

TEL. (239) 278-4858 FAX (239) 278-4799

MICHAEL C. SELPH
PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5067

Michael Selph

Exhibit "B"
Petition to Vacate
VAC2006-00006
[Page One of One]

Exhibit "C"
Petition to Vacate
VAC2006-00006
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
15-44-26-03-00000.0060	2005	PAID
Original Account	Book/Page	
15-44-26-03-00000.0060	2819/3006	
Owner		
SKINNER B W + THERESA P		
Physical Address	Mailing Address	
15131 FLIGHTLINE CT Fort Myers FL 33905	15050 FLIGHTLINE CT FORT MYERS FL 33905 USA	
Legal Description		
BUCKINGHAM AIR PARK EAST PB 56 PGS 57+58 LT 6		
Outstanding Balance as of 2/8/2006		\$0.00

Real Property Information		
Account	Tax Year	Status
15-44-26-03-00000.0070	2005	PAID
Original Account	Book/Page	
15-44-26-03-00000.0070	2819/3006	
Owner		
SKINNER B W + THERESA P		
Physical Address	Mailing Address	
15151 FLIGHTLINE CT Fort Myers FL 33905	15050 FLIGHTLINE CT FORT MYERS FL 33905 USA	
Legal Description		
BUCKINGHAM AIR PARK EAST PB 56 PGS 57+58 LT 7		
Outstanding Balance as of 2/8/2006		\$0.00

INSTR # 2006000074095, Pages 1
Doc Type DRR, F dated 01/24/2006 at 11:52 AM,
Charlie Green, Lt. Inty Clerk of Circuit Court
Rec. Fee \$10.00
Deputy Clerk TBAER
#1

RECORDED IN CLERK'S OFFICE
INSTRUMENT # 2005280259 1 PG
2005 DEC 21 02:57 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
MMARSH Receipt#727566

Prepared by and return to:
Dennis R. Haber, Esq.
Attorney at Law
Miami Legal, Title & Mediation Services
8925 S.W. 148th St. #200
Miami, FL 33176
305-256-3002
File Number: 05-192
Will Call No.:

Doc Stamp-Deed: 1,750.00



[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 22nd day of November, 2005 between B. W. Skinner and Theresa P. Skinner, husband and wife whose post office address is 15050 FLIGHTLINE RD. FT MYERS, FL 33905 Grantors, and Richard E. Schmidt and Peggy Ann Apgar Schmidt, husband and wife whose post office address is 21400 Corkscrew Rd., Estero, FL 33928, Grantees:

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

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) 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, situate, lying and being in Lee County, Florida to-wit:

Parcel 1: Lots 6 and 7, in BUCKINGHAM PARK EAST SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 56, Pages 56 and 57, of the Public Records of Lee County, Florida.

Parcel Identification Number: 15-44-26-03-00000-0060 & 0070

Subject to Deed Restrictions filed on 12/15/05 under CFN:2005-00017221

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005.

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:

Witness Name: EVA MIRD

Witness Name: ANNE ASDOURIAN

B. W. Skinner (Seal)
Theresa P. Skinner (Seal)

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 22nd day of November, 2005 by B. W. Skinner and Theresa P. Skinner, who are personally known or have produced a driver's license as identification.

[Notary Seal]



ANNE M. ASDOURIAN
MY COMMISSION # DD 473278
EXPIRES: October 28, 2009
Bonded thru Budget Notary Services

Anne M. Asdourian
Notary Public

Printed Name: _____

My Commission Expires: _____

RECEIVED
FEB 1 2006

VAC 2006-00006

Bob Janes
District One

February 27, 2006

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

Richard and Peggy Schmidt
21400 Corkscrew Rd.
Estero, FL 33928

Re: VAC2006-00006 - Petition to Vacate a 12-foot wide Public Utility and Drainage Easement centered on the common lot lines between lots 6 and 7, Buckingham Air Park, in S 15, T 44S, R 26E, according to the map or plat thereof on file and recorded in Plat Book 56, Pages 57 and 58 of the Public Records of Lee County, FL

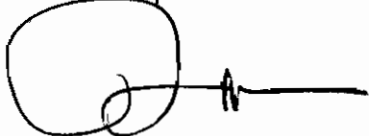
Dear Mr. and Mrs. Schmidt:

You have indicated that in order to build a single family residence and hangar on the combined lots, you desire to eliminate the Public Utility and Drainage Easements located between your two (2) lots. The site is located at 15131 and 15151 Flightline Ct. Ft. Myers, Florida. 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:\200602\20060201.154\0595560\DCDLETTER.DOC

Richard Schmidt and Peggy Apgar' Schmidt
21400 Corkscrew Road
Estero, Florida 33928

January , 2006

Attn: Peter Eckenrode, Director Development Services
Department of Community Development
Lee County Florida 33901

**RE: Vacation of Utility Easement between
Lots 6 and 7 of Buckingham Airpark East**

We are requesting the vacation of this Utility Easement between Lots 6 and 7, both of which we now own. Our intention is to combine two lots into one in order to build a single family residence and hangar consistent with the other homes and hangars in the Airpark Community.

Strap Numbers of Lots 6 and 7 are 15 44 26 03 00000.0060 and 15 44 26 03 00000.0070.

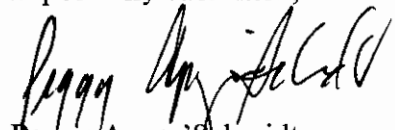
Our mailing address is 21400 Corkscrew Road, Estero, Fl 33928. Telephone numbers are as follows: Home – 239.658.1112 (this is long distance from Ft Myers); Richard's cell phone 994-4169; Peggy's cell phone 994-4147.

Thank you for your consideration.

Respectfully submitted,



Richard E. Schmidt



Peggy Apgar' Schmidt

RECEIVED

FEB - 1 2006

VAC 2006-00006



Florida Power & Light Company

January 9, 2006

Mr & Mrs Richard E Schmidt
21400 Corkscrew Rd
Estero FL 33928

Re: Proposed Vacation of Easement for 15131 & 15151 Flightline Ct

Dear Mr & Mrs Schmidt,

FPL would have no objection to vacating the utility easements common to lot's 6 & 7 of Buckingham Air Park, Less the East 20' thereof. These lot's have the following strap numbers.

15-44-26-03-00000.0070
15-44-26-03-00000.0060

If you have any question, please call me at (239) 332-9160.

Sincerely,

A handwritten signature in black ink that reads "Russ Reed". The signature is written in a cursive, flowing style.

Russ Reed
Customer Project Manager
239-332-9167

an FPL Group Company

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FEB 1 2006

VAC 2006-00006



December 2, 2005

Richard E. Smith
21400 Corkscrew Road
Estero, FL 33928

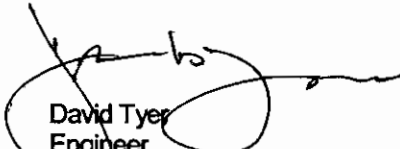
RE: Letter of Review and Recommendation

Dear Richard,

I have reviewed your provided drawings of the proposal to vacate the right of way easement located in the Buckingham Air Park East. Sprint has no facilities affected by the vacation of the easement, and have no objections to your request.

If you have any questions, comments, or require additional information, please feel free to contact me. I can be reached at 239-336-2066

Yours truly,



David Tyer
Engineer
Sprint

djt



November 29, 2005

To Whom It May Concern:

The below listed property is not in the Florida Governmental Utility Authority service area:

LEA ANN THOMAS, CHAIR
Polk County

RICHARD W. WESCH
Citrus County

ROBERT NANNI
Osceola County

Property Location: Lots 6 & 7 of Buckingham Air Park East according to the Plat thereof as recorded in PB 56 Pg 57, 58 of the Public Records of Lee County, Florida.

Street Address: 15131 and 15151 Flightline Ct, Ft Myers, Florida 33905

Strap Numbers: 15-44-26-03-00000.0070 and 15-44-26-03-00000.0060

Florida Governmental Utility Authority

Mike Currier
Project Manager

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FEB 1 2006

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

VAC 2006-00006



26102 Bonita Grande Dr.
Bonita Springs, FL 34135
Phone: 239-732-3805
FAX: 239-498-5456

November 30, 2005

Richard E. Schmidt
21400 Corkscrew Road
Estero, Florida 33928

Re; Lots 6&7, 15131 & 15151 Flightline Ct.
Strap # 15-44-26-03-00000.0070 & 15-44-26-03-00000.0060
Dear Richard Schmidt,

This letter will serve to inform you that Comcast has no objection to your proposed vacation of the address referenced above.

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

Cordially,

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

Mark Cook
Design Coordinator

RECEIVED

FEB - 1 2006

VAC 2006-00006

AmeriGas

America's Propane Company

November 28, 2005

Richard Schmidt
21400 Corkscrew Road
Estero, FL 33928

Dear Mr. Schmidt:


In reference to your letter dated November 28th, AMERIGAS has no interest on right of way between the following parcel(s):

STRAP NO.: 15 44 26 03 00000.0070

STRAP NO.: 15 44 26 03 00000.0060

Please feel free to contact me at 239-334-2849, should you have further questions.

Sincerely,



Jim Riefstahl
Sales & Service Manager

VAC 2006-00006

RECEIVED

FEB 1 2006



BOARD OF COUNTY COMMISSIONERS

(239) 479-8150

Writer's Direct Dial Number: _____

Bob Janes
District One

November 29, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Richard Schmidt
21400 Corkscrew Rd
Estero, FL 33928

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT
STRAP #: 15-44-26-03-00000.0060 & 0070
ADDRESS: 15131/15151 FLIGHTLINE CT

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Dear Mr. Schmidt,

Diana M. Parker
County Hearing Examiner

Lee County Utilities is in receipt of your letter and associated attachments concerning the proposed Petition to Vacate an existing utility and/or drainage easement.

Lee County Utilities has reviewed your request and has ***NO OBJECTION*** to the proposed vacation. Even though the area in question is located within Lee County Utilities' service area, our records indicate that we have no potable water or sanitary sewer facilities within the area to be vacated.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at 479-8181.

Sincerely,

LEE COUNTY UTILITIES

David Reycraft
Utilities GIS Coordinator
Utilities Engineering Division

Original Mailed 11/29/2005

cc: Correspondence File

RECEIVED

FEB 1 2006

VAC 2006-00006

H:\Vacates\2005\NoObjection\Schmidt.11292005.doc

 **LEE COUNTY**
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

479-8124

Writer's Direct Dial Number: _____

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

December 6, 2005

Ms. Peggy Schmidt
21400 Corkscrew Road
Estero, FL 33928

Re: Petition to Vacate, six foot (6') utility easements (common)
Lots 6 & 7, Buckingham Air Park East

Dear Ms. Schmidt:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of the subject easements.

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

for
Bradley Davies

Allen L. Davies, Jr.
Natural Resources Division

S:\NATRES\SURFACE\DOCUMENT\vac530.doc

RECEIVED

FEB 14 2006

VAC 2006-00006



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8517

Bob Janes
District One

February 10, 2006

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Richard E. Schmidt
21400 Corkscrew Road
Estero, FL 33928

Tammy Hall
District Four

John E. Albion
District Five

Re: Petition to Vacate Public Utility Easement—Lots 6 & 7, Buckingham Air Park East, Plat Book 56, Page 57 and 58; Section 15, Township 44, Range 26; 15131 and 15151 Flightline Court, Fort Myers

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Mr. Schmidt:

Diana M. Parker
County Hearing Examiner

Lee County Department of Transportation has reviewed the above referenced request to vacate a public utility. Lee County DOT does not maintain the drainage or utility easement within Buckingham Air Park.

Based upon this department's review, DOT offers no objection to this vacation.

Very truly yours,

Margaret Lawson
Right-of-way Supervisor
Lee County Department of Transportation

ML/hc

cc: Ron Wilson, Development Services
Allen Davies, Natural Resources
Terry Kelley, Utilities
DOT/PTV File (Flightline Court/Buckingham Air Park)



Florida Department of Transportation

JEB BUSH
GOVERNOR

DENVER J. STUTLER, JR.
SECRETARY

December 29, 2005

Richard E. Schmidt
Peggy Apgar Schmidt
21400 Corkscrew Road
Estero, Florida 33928

**RE: Vacation of a Public Interest in a Proposed Utility Easement Located
at 15131 & 15151 Flightline Ct., Fort Myers, Lee County, Florida
33905
Strap Nos. 15-44-03-00000.0070 & 15-44-26-03-00000.0060
PM Log #05-139**

Dear Mr. & Mrs. Schmidt:

In response to your letter we received on December 2, 2005, our staff conducted a review of your request to vacate/relocate the subject area as marked and generally described as:

Lots 6 & 7 of Buckingham Air Park East according to the Plat thereof as recorded in Plat Book 56, Pages 57 & 58 of Official Records of Lee County, Florida.

Based on this review, we offer "No Objection" to this vacation request. If we can be of further assistance, please feel free to contact this office.

Sincerely,

Sylvia Petrosky
Right of Way Agent
Property Management

SAP/jps

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

RECEIVED

FEB - 1 2006

VAC 2006-00006

District One-Right of Way Department-Property Management
801 North Broadway Avenue*Post Office Box 1249*Bartow, FL 33831-1249
(863)519-2413*(863)519-5183(FAX)*MS 1-66
www.dot.state.fl.us



JRT ASSOCIATES, INC.
 LAND SURVEYORS
 2514 W. UNIVERSITY BLVD., SUITE 200, TAMPA, FLORIDA 33618
 TEL. 813-728-4888 FAX 813-728-4285

BUCKINGHAM AIR PARK EAST

A REPLAT OF LOTS 1, 2, 3, 4 & 5, BLOCK 5, BUCKINGHAM PARK, NORTHEAST SECTION, PLAT BOOK 59 - 65, AND VACATED PORTIONS OF INDUSTRY AVENUE AND CADET AVENUE SECTIONS 15 & 16, TOWNSHIP 44 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

LEGAL DESCRIPTION
 A TRACT OR PARCEL OF LAND LYING IN SECTIONS 15
 AND 16, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE
 COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED
 AS FOLLOWS:

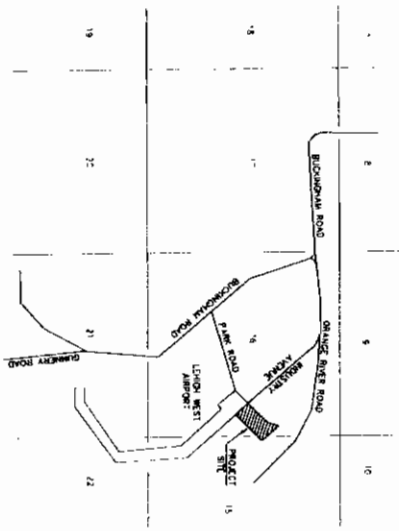
COMMENCE AT THE SOUTHEAST CORNER OF THE
 NORTHWEST QUARTER OF THE NORTHWEST QUARTER
 OF SECTION 15, TOWNSHIP 44 SOUTH, RANGE 26 EAST,
 LEE COUNTY, FLORIDA; THENCE S 00° 40' 00" W. ALONG
 THE EAST LINE OF SAID SECTION 15, A DISTANCE OF
 800.00 FEET; THENCE S 89° 40' 00" W. ALONG
 THE POINT OF BEGINNING; THENCE CONTINUE
 S 89° 40' 00" W. A DISTANCE OF 888.58 FEET; THENCE
 S 28° 40' 20" E. A DISTANCE OF 30.00 FEET; THENCE
 S 89° 40' 00" W. A DISTANCE OF 450.00 FEET; THENCE
 S 89° 40' 00" W. A DISTANCE OF 450.00 FEET; THENCE
 N 89° 40' 00" E. A DISTANCE OF 281.28 FEET; THENCE
 N 27° 29' 40" E. A DISTANCE OF 274.48 FEET; THENCE
 S 82° 20' 20" E. A DISTANCE OF 760.87 FEET TO THE
 POINT OF BEGINNING.

SURVEYOR'S NOTES
 MEASUREMENTS MADE ON THE NORTH LINE OF SECTION 15,
 TOWNSHIP 44 SOUTH, RANGE 26 EAST, BEING 3 SECTIONS W.
 ■ SPORTS PREPARATORY CENTER, PLANT
 ■ SPORTS PREPARATORY CENTER, PLANT
 C-1 SPORTS COURT NUMBER

APPROVALS

THIS PLAT OF RECONSTRUCTION AND RE-PLAT OF
 LOTS 1, 2, 3, 4 AND 5, BLOCK 5, BUCKINGHAM PARK, NORTHEAST
 QUARTER OF THE NORTHWEST QUARTER OF SECTION 15,
 AND VACATED PORTIONS OF INDUSTRY AVENUE AND CADET AVENUE,
 TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA,
 WAS PREPARED BY ME, SURVEYOR, IN ACCORDANCE WITH THE
 REQUIREMENTS OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY,
 FLORIDA.

<i>John P. Smith</i>	<i>John P. Smith</i>
Director, Department of Development	Director, Planning and Development Services Division
<i>David L. Gaskin</i>	<i>David L. Gaskin</i>
Director, Department of Development	Director, Planning and Development Services Division
<i>John P. Smith</i>	<i>John P. Smith</i>
Director, Department of Development	Director, Planning and Development Services Division



LOCATION MAP
NOT TO SCALE

NOTICE

LANDS DESCRIBED IN THIS PLAT ARE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED THAT HE MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OF OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE AND SEWER FACILITIES.

HERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS PLAT. YOU MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

9772471

DATE: 11-15-94

BY: *John P. Smith*
 SURVEYOR

DATE: 11-15-94

BY: *John P. Smith*
 SURVEYOR

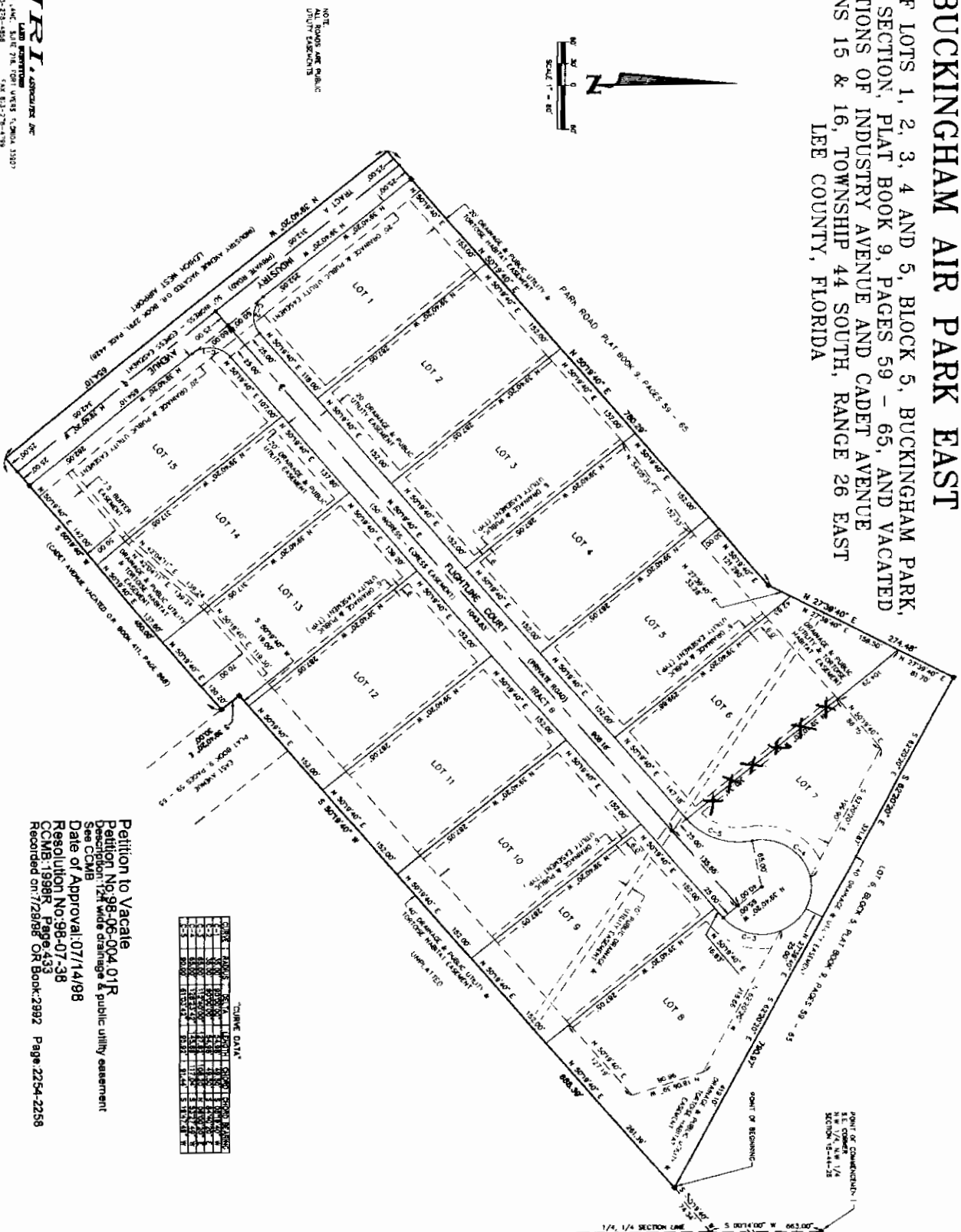
ACCOMMODATION:
 STATE OF FLORIDA
 COUNTY OF LEE
 THE FOREGOING DEED WAS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

RECORDING:
 DATE OF RECORDING: 11-15-94
 BOOK AND PAGE: 59-65

NOTARY PUBLIC:
John P. Smith
 STATE OF FLORIDA
 NO. 12345

BUCKINGHAM AIR PARK EAST

A REPLAT OF LOTS 1, 2, 3, 4 AND 5, BLOCK 5, BUCKINGHAM PARK,
NORTHEAST SECTION, PLAT BOOK 9, PAGES 59 - 65, AND VACATED
PORTIONS OF INDUSTRY AVENUE AND CADET AVENUE
SECTIONS 15 & 16, TOWNSHIP 44 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



LOT 15
AIR RIGHTS ARE PUBLIC
UTILITY EASEMENTS

JRI
JRI ASSOCIATES, INC.
12811 KENNEDY, AVE. SUITE 700, DORAL, FLORIDA 33126
TEL: 813-453-4858 FAX: 813-276-4139

PLAT BOOK 56 PAGE 58

Petition to Vacate
Petition No: 98-06-004 01R
Description: 12' wide drainage & public utility easement
See CCMB
Date of Approval: 07/14/98
Resolution No: 98-07-38
CCMB: 1998R App: 433
Recorded on: 7/28/98 ON Book: 2992 Page: 2254-2258

"CURVE DATA"

STATION	CHORD BEARING	CHORD DIST.	TANGENT BEARING	TANGENT DIST.	ARC DIST.	ANGLE
1+00.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+10.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+20.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+30.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+40.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+50.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+60.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+70.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+80.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
1+90.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"
2+00.00	S 89° 54' 00" W	100.00	S 00° 00' 00" E	100.00	100.00	90° 00' 00"

