

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a Portion of a 10-foot wide Public Utility Easement located at 20581 Wildcat Run Dr., Estero (Case No. VAC2006-00011).

2. WHAT ACTION ACCOMPLISHES: To clear title for an encroachment into the easement which occurred when the home was constructed in 1990. **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 #: 3

9:30 AM PH 1

5. Meeting Date: **04-18-2006**

- 6. Agenda:**
- Consent
 - Administrative
 - Appeals
 - Public
 - Walk-On

- 7. Requirement/Purpose: (specify)**
- Statute F.S. Ch. 177
 - Ordinance
 - Admin. Code 13-1
 - Other

8. Request Initiated:
Commissioner _____
Department _____ Community Development
Division _____ Development Services
By: *[Signature]* 03/10/06
Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2006-00011 was submitted by Robert and Leann Carstensen.

LOCATION: The site is located at **20581 Wildcat Run Dr., Estero, Florida 33928** and its strap number is **30-46-26-01-00000.3020**. Petition No. VAC2006-00011 proposes to vacate a portion of a ten-foot (10') wide Public Utility Easement located on the rear of Lot 302, Unit 1, Section 31, Township 46 South, Range 26 East, Wildcat Run, Unit One, as recorded in Plat Book 39, Pages 58 and 59 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>[Signature]</i>				John J. Reszone 3-20-06	Analyst <i>[Signature]</i> 3/20/06	Risk <i>[Signature]</i> 3/20/06	Grants <i>[Signature]</i> 3/20/06	Mgr. <i>[Signature]</i> 3/21/06	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
3-20-06
10:45
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
3/23/06
4:30

Rec. by CoAtty
Date: <i>[Signature]</i>
Time: 11:30pm
Forwarded To: Co. Admin. 3/20/06 10:45



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: March 6, 2006

To: Richard DeSalvo
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20060269

CASE NUMBER: VAC2006-00011

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: VAC2006-00011

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 18th 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 Freny
County Attorney Signature

JOHN J FRENYMA
Please Print Name

Exhibit "A"
Petition to Vacate
VAC2006-00011
[Page One of One]

Exhibit "A"

Commencing at the Southwest corner of Lot 302, Wildcat Run, Unit One as recorded in Plat Book 39, Pages 58-59 of the public records of Lee County, Florida, said point being marked by a concrete monument; thence N77°25'13"E along the South line of said Lot 302 for 10 feet to the East line of a 10' easement reserved in perpetuity for overhead and/or under ground public utilities; thence Northerly along the Easterly line of said 10' easement, having a radius of 817 feet, a chord bearing of N10°22'54"W, a chord distance of 62.68 feet for 62.69 feet to the point of beginning; thence continue along said curve having a chord bearing of N7°20'34"W, a chord distance of 23.97 feet for 23.96 feet; thence S74°05'12"W entering into said easement for 3.55 feet; thence S15°52'07"E passing through said easement 23.70 feet to the point of beginning. Containing 42.0± sq ft.

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: VAC2006-00011

WHEREAS, Petitioner Robert Carstensen and Leann Carstensen 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. VAC2006-00011 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

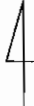
Please Print Name

Exhibit "A"
Petition to Vacate
VAC2006-00011
[Page One of One]

Exhibit "A"

Commencing at the Southwest corner of Lot 302, Wildcat Run, Unit One as recorded in Plat Book 39, Pages 58-59 of the public records of Lee County, Florida, said point being marked by a concrete monument; thence N77°25'13"E along the South line of said Lot 302 for 10 feet to the East line of a 10' easement reserved in perpetuity for overhead and/or under ground public utilities; thence Northerly along the Easterly line of said 10' easement, having a radius of 817 feet, a chord bearing of N10°22'54"W, a chord distance of 62.68 feet for 62.69 feet to the point of beginning; thence continue along said curve having a chord bearing of N7°20'34"W, a chord distance of 23.97 feet for 23.96 feet; thence S74°05'12"W entering into said easement for 3.55 feet; thence S15°52'07"E passing through said easement 23.70 feet to the point of beginning. Containing 42.0± sq ft.

NORTH
ARROW



SCALE
1"=20'

FOUNDATION LOCATION

FIELDBOOK PAGE

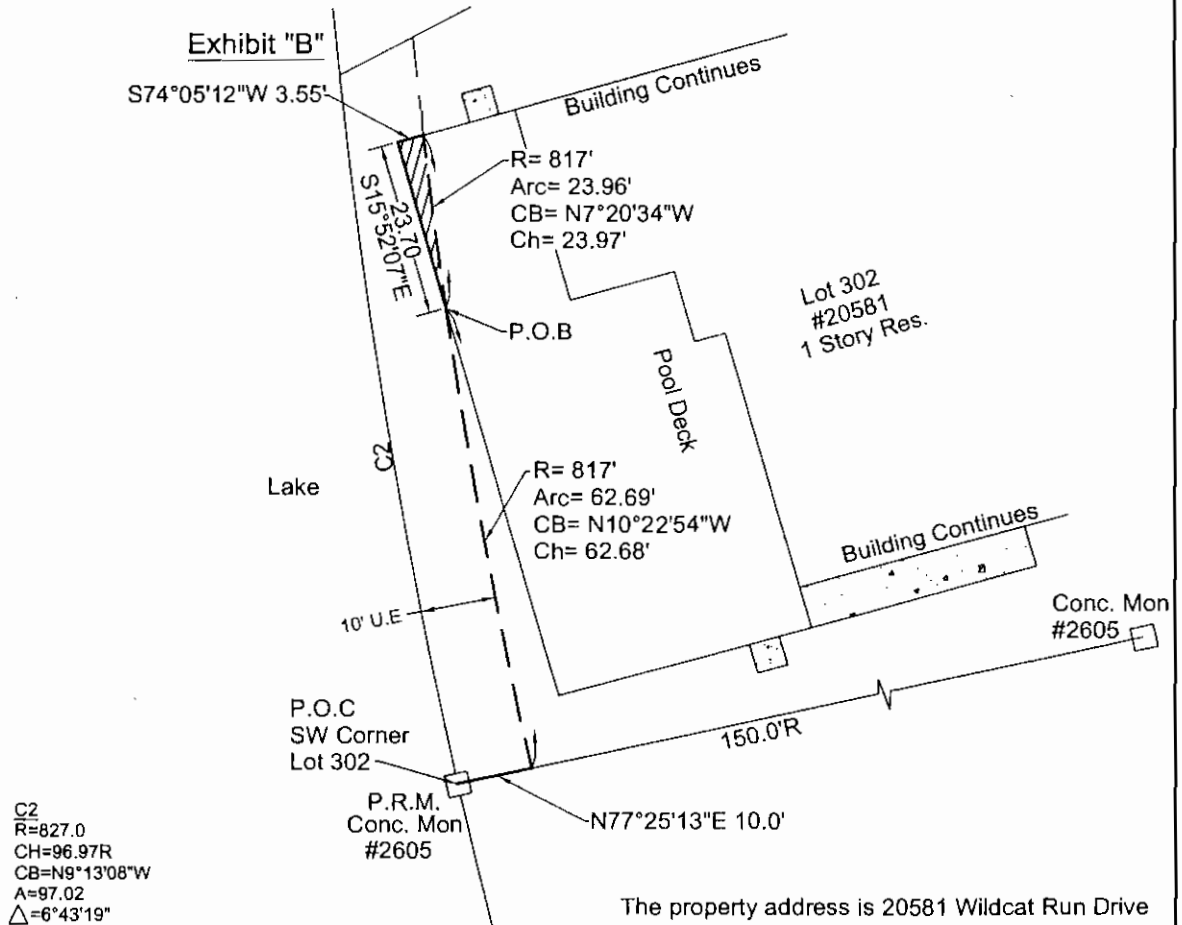
LEGEND

- SET CONC. MON. WCAP I.D.# 3553
 - SET IRON PIN WCAP I.D.# 3553
 - FD. CONC. MON. WCAP
 - FD. CONC. MON.
 - FD. IRON PIN
 - ASSUMED ELEVATION
 - △ BENCHMARK
 - R RECORDED
 - M MEASURED
- CON'T REVERSE SIDE
- FINAL SURVEY DATE

LEGAL DESCRIPTION
(AS PROVIDED BY CLIENT)
Exhibit "A"

Commencing at the Southwest corner of Lot 302, Wildcat Run, Unit One as recorded in Plat Book 39, Pages 58-59 of the public records of Lee County, Florida, said point being marked by a concrete monument; thence N77°25'13"E along the South line of said Lot 302 for 10 feet to the East line of a 10' easement reserved in perpetuity for overhead and/or under ground public utilities; thence Northerly along the Easterly line of said 10' easement, having a radius of 817 feet, a chord bearing of N10°22'54"W, a chord distance of 62.68 feet for 62.69 feet to the point of beginning; thence continue along said curve having a chord bearing of N7°20'34"W, a chord distance of 23.97 feet for 23.96 feet; thence S74°05'12"W entering into said easement for 3.55 feet; thence S15°52'07"E passing through said easement 23.70 feet to the point of beginning. Containing 42.0± sq ft.

Exhibit "B"



C2
R=827.0
CH=96.97R
CB=N9°13'08"W
A=97.02
△=6°43'19"

NOTES

1. REPRODUCTION OF THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
3. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
4. BEARINGS SHOWN HEREON ARE BASED ON South line of Lot 302 being S77°25'13"W
5. THIS PROPERTY LIES IN FLOOD ZONE B EL _____ PER F.I.R.M. PANEL NO. 125124 0500B DATED _____ Panel not printed
6. LAST DATE OF FIELDWORK 1-5-06
7. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

CERTIFICATE

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Rule 61G17 - 6 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.



MARK O. ALLEN P.L.S. #3553
LB #6558

Exhibit "B"
Petition to Vacate
VAC2006-00011
[Page One of One]

FAX: (239) 992-6070
TELE: (239) 992-8900

MARK O. ALLEN, INC.
PROFESSIONAL LAND SURVEYOR

10602 WOODS CIRCLE
BONITA SPRINGS, FL 34135

DWN. BY
JLA

CHK'D BY

ORDERED BY
Robert Carstensen

SHEET 1 OF 1

DWG. NO. 2006-03A

PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00011

Petitioner(s), Robert and LeAnn Carstensen
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, 20581 Wildcat Run Dr., 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:


Petitioner Signature


Petitioner Signature

Robert Carstensen
Printed Name

LeAnn Carstensen
Printed Name

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

RECEIVED

FEB 7 4 2006

Exhibit "A"
Petition to Vacate
VAC2006-00011
[Page One of One]

Exhibit "A"

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NORTH
ARROW

SCALE
1"=20'

FOUNDATION LOCATION FIELDBOOK PAGE

LEGEND

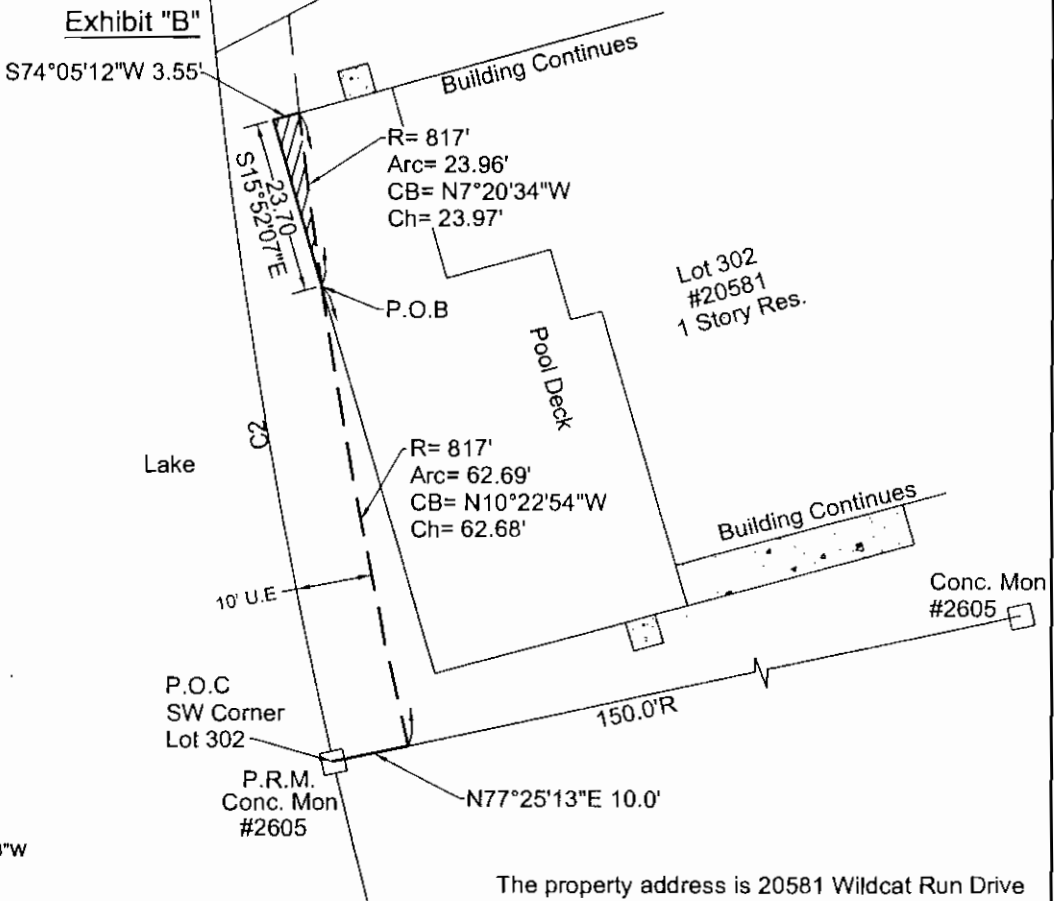
- SET CONC. MON. W/CAP I.D.# 3553
- SET IRON PIN W/CAP I.D.# 3553
- FD. CONC. MON. W/CAP
- FD. CONC. MON.
- FD. IRON PIN
- ASSUMED ELEVATION
- △ BENCHMARK
- R RECORDED
- M MEASURED

CON'T REVERSE SIDE

FINAL SURVEY DATE

LEGAL DESCRIPTION
(AS PROVIDED BY CLIENT)
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C2
R=827.0
CH=96.97R
CB=N9°13'08"W
A=97.02
△=6°43'19"

The property address is 20581 Wildcat Run Drive

NOTES

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CERTIFICATE

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Rule 61G17 - 6 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.




P.L.S.
2-23-06
MARK O. ALLEN P.L.S. #3553
LB #6558

Exhibit "B"
Petition to Vacate
VAC2006-00011
[Page One of One]

MARK O. ALLEN, INC.		PROFESSIONAL LAND SURVEYOR	
FAX: (239) 992-6070 TELE: (239) 992-8900		10602 WOODS CIRCLE BONITA SPRINGS, FL 34135	
DWN. BY JLA	CHK'D BY	ORDERED BY Robert Carstensen	SHEET 1 OF 1 DWG. NO. 2006-03A

Exhibit "C"
Petition to Vacate
VAC2006-00011
[Page One of One]

Real Property Information		
Account	Tax Year	Status
30-46-26-01-00000.3020	2005	PAID
Original Account	Book/Page	
30-46-26-01-00000.3020	2591/ 397	
Owner		
CARSTENSEN ROBERT + LEANN		
Physical Address	Mailing Address	
20581 WILDCAT RUN DR Estero FL 33928	20581 WILCAT RUN DR ESTERO FL 33928 USA	
Legal Description		
WILDCAT RUN UNIT 1 REPLAT PB 39 PG 59 LOT 302		
Outstanding Balance as of 3/6/2006		\$0.00

This Warranty Deed

1505-00

Made this 29th day of March A.D. 19 95
by JANICE K. ALLEN, F/K/A JANICE K. ROSSMAN, AS TO
AN UNDIVIDED ONE-HALF INTEREST, JOINED BY HER
HUSBAND, DEAN W. ALLEN

3757739

hereinafter called the grantor, to
ROBERT CARSTENSEN and LEANN CARSTENSEN, Husband
and Wife

whose post office address is: 20581 WILDCAT RUN DRIVE
ESTERO, FLORIDA 33928

hereinafter called the grantee: **Grantees' ESN:**
(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the
heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

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

LOT 302, WILDCAT RUN, UNIT ONE, A REPLAT OF PART OF WILDCAT RUN,
PLAT BOOK 36, PAGES 30 TO 43, INCLUSIVE, AS RECORDED IN PLAT
BOOK 39, PAGES 58 AND 59, OF THE PUBLIC RECORDS OF LEE COUNTY,
FLORIDA.

SUBJECT TO covenants, restrictions, easements of records and taxes for
the current year.

Parcel Identification Number: 30-46-26-01-00000.3020

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, 19 94

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in our presence:

Sharon O. Young
Sharon O. Young
Jolie H. LaMorte
Jolie H. LaMorte

Janice K. Allen [LS]
Name & Address: JANICE K. ALLEN F/K/A
JANICE K. ROSSMAN

Dean W. Allen [LS]
Name & Address: DEAN W. ALLEN
20581 WILDCAT RUN DRIVE, ESTERO, FLORIDA 33928

[LS]
Name & Address:

[LS]
Name & Address: CHARLIE GREENLEE CIT FL

95 APR 11 PH 3:19

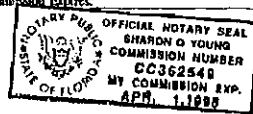
State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 29th day of March, 19 95,
by JANICE K. ALLEN, F/K/A JANICE K. ROSSMAN, JOINED BY HER HUSBAND,
DEAN W. ALLEN,

who is personally known to me or who has produced
and who DID NOT take an oath. *David P. Leland* as identification

Sharon O. Young
Signature Notary Public
Sharon O. Young
Print Name:
Notary Public
My Commission Expires

PREPARED BY: SHARON O. YOUNG
RECORD & RETURN TO:
EXECUTIVE TITLE INSURANCE SERVICES, INC.
4450 Bonita Beach Road, Suite #2
Bonita Springs, Florida 33923
File No: B-6467-SY



RECORDED - CHANGE TO FILE BY 7/20/95

DR2591 P60397

RECEIVED

FEB 24 2006

VAC 2006-00011



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

239-479-8585

Douglas R. St. Cerny
District Two

March 10, 2006

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Robert and Leann Carstensen
20581 Wildcat Run Drive
Estero, FL 33928

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Re: **VAC2006-00011 - Petition to Vacate** a portion of a 10-foot wide Public Utility Easement on the rear of lot 302, Wildcat Run, Unit 1, Estero, S 31, T 46S, R 26E, as recorded in Plat Book 39, Page 58 and 59, in the public records of Lee County, FL

Dear Mr. and Mrs Carstensen:

You have indicated that in order to clear title for an encroachment into the easement which occurred when the home was constructed in 1990, you desire to eliminate a portion of the Public Utility Easement located on the rear of your lot. The site is located at 20581 Wildcat Run Dr., Estero. 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

U:\200603\20060224.103\7330150\DCDLETTER.DOC

February 10, 2006

Lee County
Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33902
Attn: Peter J. Eckenrode, Director Development Services

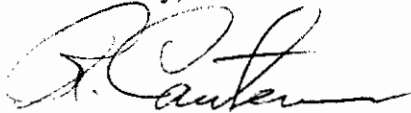
Re: Request for Vacation of Easement
20581 Wildcat Run Drive

To Whom It May Concern:

I, Robert Carstensen, do hereby request that a vacation of the public utility easement be granted for my residence, located at 20581 Wildcat Run Drive, Estero, Florida 33928, Strap #30-46-26-01-00000.3020. The purpose of this request is to allow for permitting and construction of a pool enclosure on my existing pool deck. This pool enclosure will replace the previous enclosure damaged by Hurricane Wilma in October 2005.

Thank you for your time and consideration in this matter. If you have any questions, please feel free to phone me at 239-992-6895.

Sincerely,



Robert Carstensen
20581 Wildcat Run Drive
Estero, Florida 33928
(239)992-6895

RECEIVED

FEB 11 2006

VAD 2006-00011



4105 15th Avenue S.W.
Naples, FL. 34116
FAX 353-6082

February 8, 2006
FPL
26430 Old US 41 Rd
Bonita Springs, FL 34135

Re: Robert Carstensen
20581 Wildcat Run Dr.
Estero, FL 33928

Dear Mr.

In reply to your recent request, FPL Company has no objection to the use of the utility easement located in the rear of property on lot 302, location address 20581 Wildcat Run Dr. Estero FL. 33928.

The approved use is to be for the replacement of existing pool enclosure.

If you have any questions regarding this matter, please contact me at 239-947-7383.

Sincerely,

A handwritten signature in cursive script that reads "Anna Brockway". The signature is written in black ink and is positioned to the left of the typed name and title.

Anna Brockway
Assoc. Project Designer

RECEIVED

FEB 7 2006

VAC 2006-00011



P.O. Box 2469
Naples, Florida 34106-2469

January 18, 2006

Robert Carstensen
20581 Wildcat Run Drive
Estero, Florida 33928

**RE: Petition to Vacate - Utility Easement
Sec 30 & 31 Twp 46S Rng 26E County - Lee**

Dear Mr. Carstensen:

Sprint has no objection to your petition to vacate the easement described on the enclosed letter.

If I can be of any further assistance, please contact me at 239-263-6342.

Sincerely,

A handwritten signature in black ink that reads "John T. Reynolds".

John T. Reynolds
Network Engineer II

JTR:ns

Enclosure

cc: Easement File
Chron File

RECEIVED

FEB 24 2006

VAC 2006-00011



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

January 18, 2006

Robert Carstensen
20581 Wildcat Run Drive
Estero, Florida 33902

Re: 20581 Wildcat Run Drive

Dear Robert Carstensen:

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 24 2006

VAC 2006 - 00011

AmeriGas

America's Propane Company

February 2, 2006

Mr. Robert Carstensen
20581 Wildcat Run Drive
Estero, Florida 33928

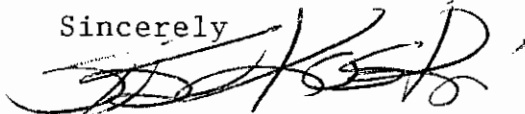
Dear Mr. Carstensen

As requested, please note the location of a public utility easement to be vacated, according to your letter dated January 30th, is clear and there is no gas at the stated location as follows:

20581 Wildcat Run Drive

If you have any questions, please do not hesitate to contact me at your earliest convenience at (239) 261-0843.

Sincerely



Susan Koski
Sales & Service Manager

RECEIVED

FEB 2 2006

VAC 2006-00011



BOARD OF COUNTY COMMISSIONERS

(239) 479-8150

Writer's Direct Dial Number: _____

Bob Janes
District One

January 12, 2006

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Robert Carstensen
20581 Wildcat Run Dr
Estero, FL 33928

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT
STRAP #: 30-46-26-01-00000.3020
ADDRESS: 20581 WILDCAT RUN DR

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Dear Mr. Carstensen,

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 01/12/2006

cc: Correspondence File

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FEB 14 2006

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H:\Vacates\2006\NoObjection\Carstensen12122006.doc

WILDCAT RUN, UNIT ONE

REPLAT OF PART OF WILDCAT RUN, PLAT BOOK 36 PAGES 30-43
SECTIONS 30 B & 31, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	TANGENT
1	827.84	6°27'13"	70.63	70.64	33.24
2	477.24	4°30'45"	37.59	37.58	18.80
3	30.00	90°00'00"	47.12	42.43	30.00
4	827.84	10°02'53"	110.00	109.84	53.14
5	477.24	6°27'13"	70.64	70.63	33.24
6	827.84	10°02'53"	110.00	109.84	53.14
7	477.24	6°27'13"	70.64	70.63	33.24
8	477.24	37°31'40"	312.13	307.03	162.13
9	827.84	26°52'59"	890.85	888.08	467.98
10	477.24	16°02'53"	157.22	157.05	78.92
11	1040.00	04°06'04"	187.82	187.52	87.20
12	1040.00	04°06'04"	187.82	187.52	87.20
13	890.00	04°02'43"	162.84	162.68	81.43
14	287.93	23°46'12"	183.97	184.94	94.48
15	1040.00	07°26'20"	219.70	219.70	110.70
16	575.00	10°39'00"	103.73	103.80	53.13
17	575.00	10°39'00"	103.73	103.80	53.13
18	720.00	10°39'00"	128.83	128.83	64.42
19	720.00	14°13'28"	178.83	178.37	97.81
20	720.00	14°13'28"	178.83	178.37	97.81
21	375.00	21°19'01"	211.90	210.58	107.19
22	375.00	21°19'01"	211.90	210.58	107.19
23	477.00	11°59'51"	172.87	172.87	86.43
24	827.00	04°43'19"	97.02	96.97	48.57
25	194.82	36°01'20"	110.00	108.37	56.48
26	30.00	89°02'58"	46.83	42.07	29.31
27	477.00	05°03'48"	59.83	59.81	29.93
28	375.00	07°03'39"	80.13	80.08	40.07
29	375.00	07°03'39"	80.13	80.08	40.07
30	194.82	25°17'43"	76.97	76.10	39.78
31	320.00	03°18'20"	30.00	30.00	15.00
32	320.00	11°21'04"	103.02	102.85	51.46
33	300.00	09°43'47"	50.00	49.98	25.00
34	300.00	14°39'24"	192.28	192.21	96.14
35	300.00	14°39'24"	192.28	192.21	96.14
36	370.00	39°02'59"	282.17	279.48	141.09
37	194.82	36°19'03"	186.19	179.48	100.97
38	205.00	03°39'01"	12.87	12.87	6.44
39	205.00	21°50'24"	77.00	76.33	38.97
40	205.00	21°50'24"	77.00	76.33	38.97
41	325.00	10°15'17"	60.00	60.00	30.00
42	205.00	23°29'27"	89.87	89.13	45.69
43	325.00	42°39'20"	262.04	256.04	137.44
44	325.00	42°39'20"	262.04	256.04	137.44
45	325.00	0°48'30"	3.00	3.00	1.50
46	325.00	0°48'30"	3.00	3.00	1.50
47	320.00	15°00'00"	138.74	138.87	69.44
48	340.00	40°00'00"	237.36	232.37	123.75
49	447.00	17°03'38"	192.66	191.95	97.03
50	750.00	21°06'37"	276.33	274.77	139.73
51	750.00	30°51'36"	404.03	399.16	207.05
52	750.00	30°51'36"	404.03	399.16	207.05
53	860.00	12°54'39"	195.10	194.43	97.22
54	860.00	12°54'39"	238.82	238.02	120.18
55	447.42	37°31'40"	289.94	287.73	151.94
56	447.24	14°05'19"	109.87	109.70	55.27

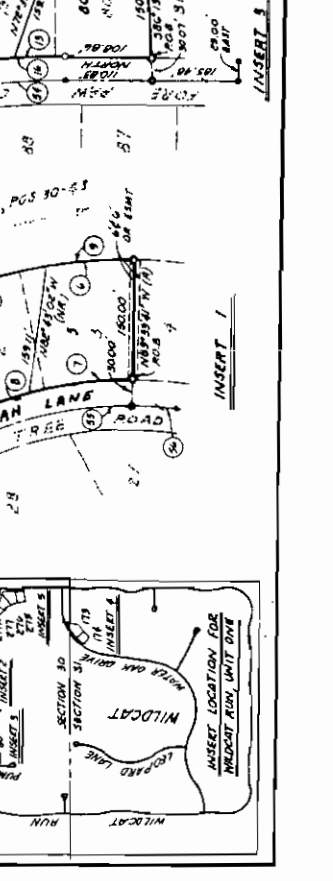
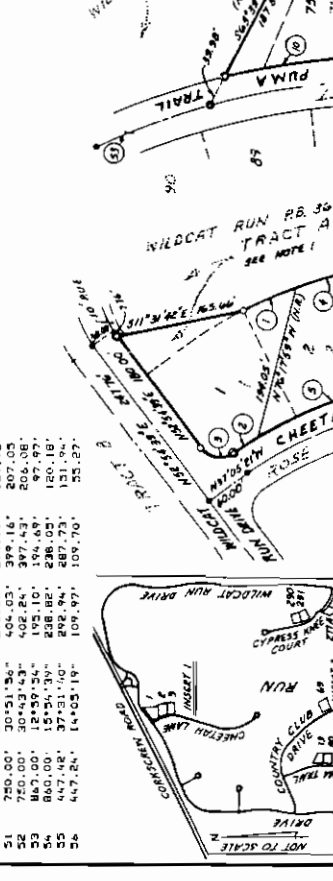
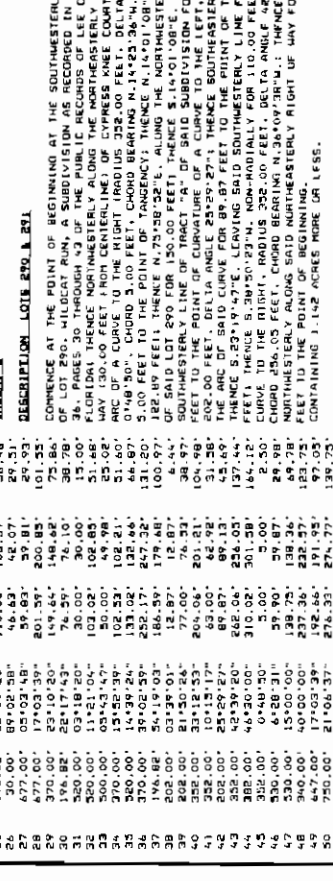
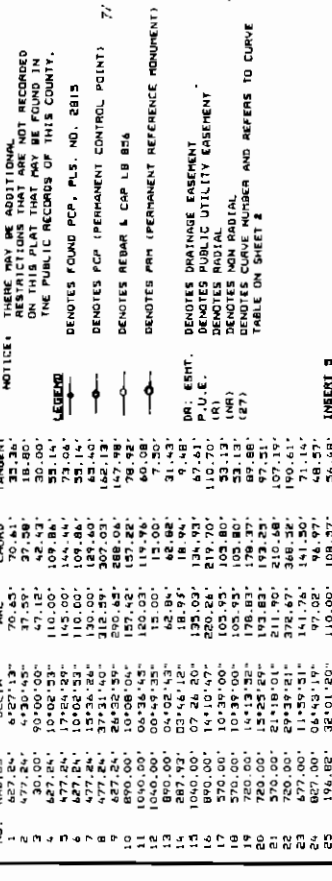
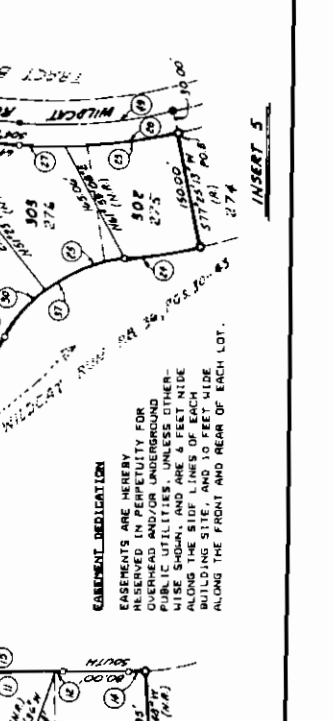
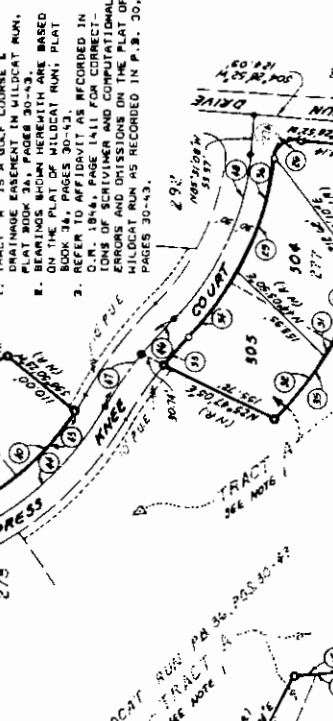
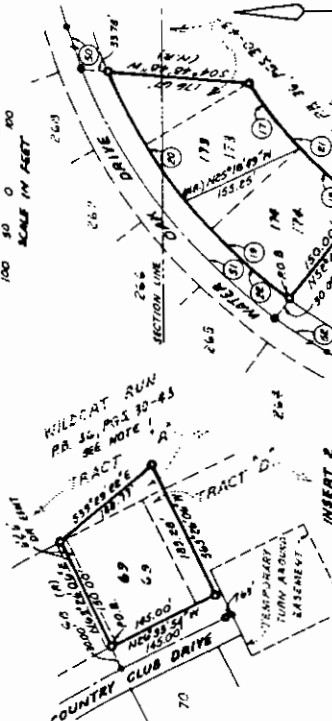
NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

LEGEND:
 DENOTES PCP (PERMANENT CONTROL POINT)
 DENOTES PERMANENT REFERENCE MONUMENT
 DR: ERM.
 P.U.E.
 DENOTES DRAINAGE EASEMENT
 DENOTES PUBLIC UTILITY EASEMENT
 DENOTES RADIAL
 DENOTES NON RADIAL
 TABLE ON SHEET 2


DESCRIPTION LOT 290, A 291
 COMMENCE AT THE POINT OF BEGINNING AT THE SOUTHWESTERLY CORNER OF LOT 290, WILDCAT RUN, A SUBDIVISION AS SHOWN ON PLAT BOOK 36, PAGES 30 THROUGH 43 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 73°58'25"E, LEAVING SAID SOUTHWESTERLY RIGHT OF WAY (300.00 FEET FROM CENTERLINE) OF CYPRESS KNEE COURT AND THE CENTERLINE OF LOT 290, WILDCAT RUN, A SUBDIVISION AS SHOWN ON PLAT BOOK 36, PAGES 30 THROUGH 43 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 73°58'25"E, ALONG THE NORTHWESTERLY LINE OF SAID LOT 290 FOR 130.00 FEET; THENCE S 14°01'08"E, ALONG THE SOUTHWESTERLY LINE OF TRACT "A" OF SAID SUBDIVISION FOR 122.89 FEET; DELTA ANGLE 128°09'11" TO THE POINT OF BEGINNING; THENCE S 23°19'47"E, LEAVING SAID SOUTHWESTERLY LINE FOR 90.00 FEET TO THE POINT OF BEGINNING; THENCE S 23°19'47"E, NON-RADIALLY FOR 110.00 FEET TO A CURVE TO THE RIGHT, RADIUS 325.00 FEET, DELTA ANGLE 42°39'20", NORTHWESTERLY RADIALS SAID NORTHWESTERLY RIGHT OF WAY FOR 262.04 FEET TO THE POINT OF BEGINNING OR LESS.

NOTE:
 1. TRACT "A" IS A GOLF COURSE & DRAINAGE EASEMENT IN WILDCAT RUN, PLAT BOOK 36, PAGES 30-43.
 2. ON THE PLAT OF WILDCAT RUN, PLAT BOOK 36, PAGES 30-43, REFER TO AFFIDAVIT AS RECORDED IN O.R. 184, PAGE 1411 FOR CORRECTIONS OF SCRIBER AND COMPUTATIONAL ERRORS ON THE PLAT OF WILDCAT RUN AS RECORDED IN P.B. 30, PAGES 30-43.

EASEMENTS ARE HEREBY GRANTED IN PERPETUITY FOR OVERHEAD AND UNDERGROUND PUBLIC UTILITIES, UNLESS OTHERWISE SHOWN, AND ARE 5 FEET WIDE ALONG THE SIDE LINES OF EACH BUILDING SITE, AND 10 FEET WIDE ALONG THE FRONT AND REAR OF EACH LOT.





 - AREA TO BE VACATED