

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20060503

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Public Utility Easement located at 518 Glenn Ave., Lehigh Acres (Case No. VAC2006-00016).

2. WHAT ACTION ACCOMPLISHES: To build an addition to an existing single-family residence on the combined 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		930 AM PH 2	5. Meeting Date: 05-23-2006
6. Agenda:		7. Requirement/Purpose: (specify)	
<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Statute	F.S. Ch. 177	
<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			
		8. Request Initiated:	
		Commissioner _____	
		Department _____ Community Development	
		Division _____ Development Services	
		By: <i>[Signature]</i> 4/20/06	
		Peter J. Eckenrode, Director	

9. Background:

The completed petition to vacate, VAC20065-00016 was submitted by Darwin Richards acting as agent for Brian and Britta Gear.

LOCATION: The site is located at **518 Glenn Ave., Lehigh Acres, Florida 33972** and its strap number is **27-44-27-05-00019.0050**. Petition No. VAC2006-00016 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 23 and 24, both in Block 19, Unit 5, Section 27, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 40 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the easterly six feet and westerly six feet thereof.

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
					Analyst	Risk	Grants	Mgr.
<i>[Signature]</i>				<i>[Signature]</i> 4-24-06	<i>[Signature]</i> 4/25/06	<i>[Signature]</i> 4/25/06	<i>[Signature]</i> 4/27	<i>[Signature]</i> 4/25/06
								<i>[Signature]</i> 4/22/06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
4/25/06
11:30
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
4/27/06
4:34/06

Rec. by CoAtty
Date: <i>[Signature]</i>
Time: 4:30pm
Forwarded To: Co. Adm. 4/25/06 9 AM



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: April 19, 2006

To: Kim Kirton
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20060503

CASE NUMBER: VAC2006-00016

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: VAC2006-00016

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 23rd day of May 2006 at 9:30AM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

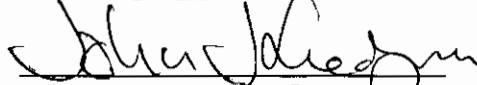
A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM



County Attorney Signature

JOHN J. FREDYMA

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00016

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 23 and 24, Block 19, Unit 5, as shown on the Plat of Section 27, Township 44, South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15 at Page 40 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly and westerly 6 feet thereof.

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: VAC2006-00016

WHEREAS, Petitioner **Brian Gear and Britta Gear** 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. VAC2006-00016 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
VAC2006-00016

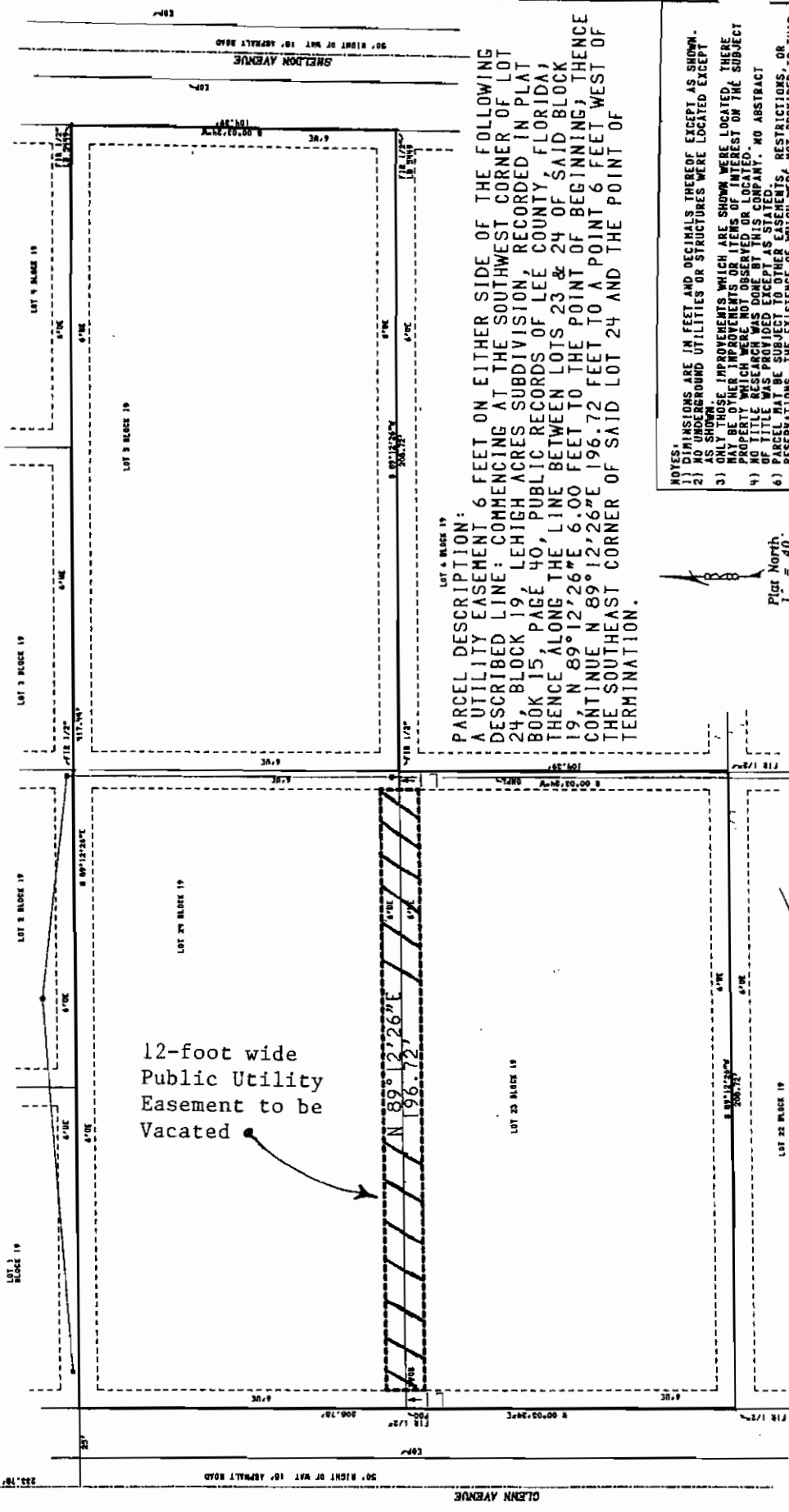
Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 23 and 24, Block 19, Unit 5, as shown on the Plat of Section 27, Township 44, South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15 at Page 40 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly and westerly 6 feet thereof.

LI = N 89°12'26"E 6.00'

6th STREET EAST



12-foot wide
Public Utility
Easement to be
Vacated

LOT 4 BLK 19

PARCEL DESCRIPTION: A UTILITY EASEMENT 6 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF LOT 24, BLOCK 19, LEHIGH ACRES SUBDIVISION, RECORDED IN PLAT BOOK 15, PAGE 40, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE LINE BETWEEN LOTS 23 & 24 OF SAID BLOCK 19, N 89°12'26"E 6.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 89°12'26"E 196.72 FEET TO A POINT 6 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 24 AND THE POINT OF TERMINATION.

- NOTES:
- 1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF EXCEPT AS SHOWN.
 - 2) NO UNDERGROUND UTILITIES OR STRUCTURES WERE LOCATED EXCEPT AS SHOWN.
 - 3) ONLY THOSE IMPROVEMENTS WHICH ARE SHOWN WERE LOCATED. THERE MAY BE OTHER IMPROVEMENTS OR ITEMS OF INTEREST ON THE SUBJECT PROPERTY WHICH WERE NOT OBSERVED OR LOCATED.
 - 4) NO TITLE WAS FOUND FOR THIS COMPANY. NO ABSTRACT OR TITLE WAS FOUND FOR THIS COMPANY.
 - 5) PARCEL MAY BE SUBJECT TO OTHER EASEMENTS, RESTRICTIONS, OR RESERVATIONS, THE EXISTENCE OF WHICH WERE NOT PROVIDED TO THIS COMPANY.

Plat North
1" = 40'

WCH# LS 849

THIS IS NOT A BOUNDARY SURVEY
LEGEND:
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT

John S. Burns, Sr.
Florida Professional Surveyor & Mapper # 5583
R. K. Burns Surveying, Inc. Licensed Survey Business # 6133

R. K. BURNS SURVEYING, INC.

1940 Ricardo Ave.
Miami, Florida 33101
(305) 336-3367 (res)
(305) 336-3367 (fax)

SKETCH TO
ACCOMPANY LEGAL
DESCRIPTION

SEE 1 OF 1



PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00016

Petitioner(s), Brian + Britta Gear
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, 518 Green Ave, Lehigh Acres, Fl. 33972
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:

[Signature]
Petitioner Signature

[Signature]
Petitioner Signature

Brian Gear
Printed Name

Britta Gear
Printed Name

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

RECEIVED

MAR 27 2006

VAC2006-00016

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 number 27-44-27-05-00019.0050 _____ 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 _____ Darwin Richards _____ 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.

[Signature]
Owner*(signature)
Brian Gear
Printed Name

[Signature]
Owner*(signature)
Britta Gear
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 17th day of April, 2006, by Brian Gear & Britta Gear, who is personally known to me or who has produced FL Drivers License as identification and who did (did not) take an oath.

[Signature]
Notary Public
Laurie A. Jerriey
(Name typed, printed or stamped)

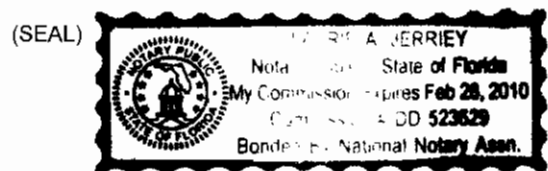


EXHIBIT "A"
Petition to Vacate
VAC2006-00016

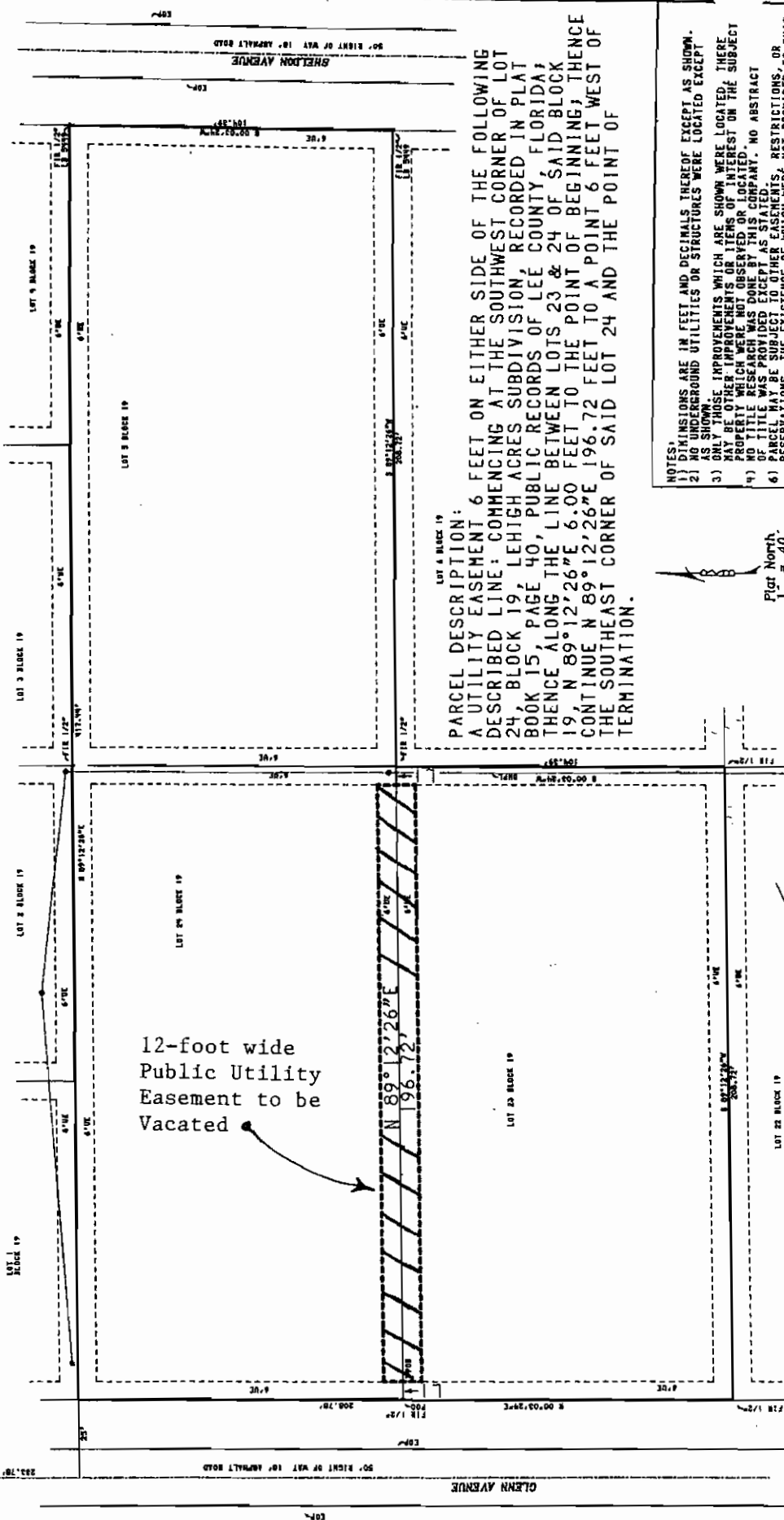
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LESS and EXCEPT the easterly and westerly 6 feet thereof.

LI = N 89°12'26"E 6.00'

6th STREET EAST



12-foot wide
Public Utility
Easement to be
Vacated

LOT 4 BLOCK 19

PARCEL DESCRIPTION:
A UTILITY EASEMENT 6 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF LOT 24, BLOCK 19, LEHIGH ACRES SUBDIVISION, RECORDED IN PLAT BOOK 15, PAGE 40, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE LINE BETWEEN LOTS 23 & 24 OF SAID BLOCK 19, N 89°12'26"E 6.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 89°12'26"E 196.72 FEET TO A POINT 6 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 24 AND THE POINT OF TERMINATION.

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 - 4) NO TITLE RESEARCH WAS DONE BY THIS COMPANY. NO ABSTRACT OR TITLE CURATIVE RECORDS WERE OBTAINED.
 - 5) PARCEL MAY BE SUBJECT TO OTHER EASEMENTS, RESTRICTIONS, OR RESERVATIONS, THE EXISTENCE OF WHICH WERE NOT PROVIDED TO THIS COMPANY.


R. K. BURNS SURVEYING, INC.
1940 Ricardo Ave.
Fort Myers, Florida 33901
(239) 336-3320
(239) 336-3327 (fax)

THIS IS NOT A BOUNDARY SURVEY BY
John S. Burns Sr.
Florida Professional Surveyor & Mapper # 5583
R. K. Burns Surveying, Inc. Licensed Survey Business # 6133

LEGEND:
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT

WO# LS 849
Plat North
1" = 40'

Exhibit "C"
Petition to Vacate
VAC2006-00016
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
27-44-27-05-00019.0050	2005	PAID
Original Account	Book/Page	
27-44-27-05-00019.0050	3388/ 581	
Owner		
GEAR BRIAN + BRITTA		
Physical Address		Mailing Address
518 GLENN AVE Lehigh Acres FL 33972		518 GLENN AV LEHIGH ACRES FL 33972 USA
Legal Description		
LEHIGH ACRES UNIT 5 BLK.19 DB 254 PG 35 LOTS 5 + 23 + 24		
Outstanding Balance as of 3/28/2006		\$0.00

5

This Instrument Prepared by & return to:
Name: **Jackie Phillips, an employee of Fleetwood Title Corporation**
Address: **904 Lee Blvd., Suite 106**
Lehigh Acres, FL 33936
42852
Parcel I.D. #: **27-44-27-65-00019.0230 & 5/24**
Rec \$10.50 Rpt \$1,190.00 Total \$1,200.50

INSTR # 5099264
OR BK 03388 PG 0581
RECORDED 04/04/01 11:20 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD (F.S. 201.02) 1,190.00
DEPUTY CLERK J Miller

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 23rd day of March, A.D. 2001, by SW FLORIDA COAST HOMES, INC., A Florida Corporation, having its principal place of business at P. O. Box 1611, Lehigh Acres, FL 33970-161, hereinafter called the grantor, to BRIAN GEAR and BRITTA GEAR, husband and wife, whose post office address is, 518 Glenn Ave., Lehigh Acres, FL 33972, hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantees" include all the parties to this instrument, singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees all that certain land situate in Lee County, State of Florida, viz:

Lots 5, 23 and 24, Block 19, Unit 5, Section 27, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court recorded in Deed Book 254, Page 35, Public Records of Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2001 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

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 grantees that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land, and 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, 2000.

RECEIVED

MAR 31 2006

VAC 2006-00016

PAGE TWO OF TWO PAGES

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed by its proper officers thereunto duly authorized the day and year first above written.

SOUTHWEST FLORIDA COAST HOMES, INC.

BY X. Baumgartner Matthias
MATTHIAS BAUMGARTNER, PRESIDENT

Patricia A. Regas
Witness

Martina Jacob
Witness

Patricia A. Regas
PRINTED NAME OF WITNESS

Martina Jacob
PRINTED NAME OF WITNESS

STATE OF FLORIDA COUNTY OF Lee

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments personally appeared MATTHIAS BAUMGARTNER, PRESIDENT for SOUTHWEST FLORIDA COAST HOMES, INC., A FLORIDA Corporation to me known to be the persons described in and who executed the foregoing Warranty Deed and they did take an oath and acknowledged then and there before me that they executed the same as such officers for the purposes therein expressed; and that they affixed thereto the official seal of said corporation; and that the said agreement is the act and deed of said corporation and did produce acceptable identification being in the form of personally known along with a current acceptable corporate resolution.

WITNESS my hand and official seal this _____ day of _____, A.D. 2001.

(SEAL)

Patricia A. Regas
NOTARY PUBLIC

Patricia A. Regas
PRINTED NAME OF NOTARY PUBLIC
My Commission Expires:





BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

April 19, 2006

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stiiwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Darwin Richards
214 Lincoln Ave.
Lehigh Acres, FL 33972

Re: **VAC2006-00016 - Petition to Vacate** a 12-foot wide Public Utility Easement on the combined lots of 26 and 24, Block 19, Unit 5, Lehigh Acres, S 27, T 44S, R 27E, as recorded in Plat Book 15, Page 40, in the public records of Lee County, FL, Less and Except the Easterly and Westerly 6 feet therein.

Dear Mr. Richards:

You have indicated that in order to build an addition to an existing single-family residence, your clients desire to eliminate the Public Utility Easement located between the two (2) subject lots. The site is located at 518 Glenn Ave., 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:\200603\20060327.145\5351910\DCDLETTER.DOC



Darwin Richards Construction Ltd Co.



214 Lincoln Ave., Lehigh, Florida 33972

Ph: (239) 369-6797 Fax (239) 368-5352

DrwnRich@earthlink.net CGC 016600

Lee County Department of Community Development
Attention of: Mr. Peter J. Eckenrode
Director of Development Services

02/21/06

Subject: Request for Utility Vacation

Dear Mr. Eckenrode:

The owner of the property is requesting this vacation to allow an addition to their existing home for their own occupancy.

PROPERTY STRAP NUMBER: 27 44 27 05 D0019 0050

PETITIONER'S NAMES: BRIAN & BRITTA GEAR

MAILING ADDRESS: 518 GLENN AVENUE

LEHIGH ACRES, FL. 33972

DAYTIME WORK PHONE NUMBER: 1-239-369-5897 (BRIAN)

CONTACT PERSON: DARWIN RICHARDS 369-6797, CELL 851-4346

Thank you,

Darwin Richards
CGC 016600

RECEIVED:

MAR 27 2006

VAC 2006-00016



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.iline.com

September 21, 2005

Mr. and Mrs. Brian Gear
518 Glenn Avenue
Lehigh Acres, FL 33972

Re: Vacation of the Public Utility Easements between
Lots 23 and 24, Block 19, Unit 5, Lehigh Acres, Florida

Dear Mr. and Mrs. Gear:

LCEC does not object to the vacation of the Public Utility easements between Lots 23 and 24, Block 19, Unit 5, Lehigh Acres, Florida LESS AND EXCEPT the Easterly 6 feet and the Westerly 6 feet as indicated on the attached sketch provided by R.K. Burns Surveying, Inc.

If I can be of further assistance, please call me at 656-2422.

Sincerely,

Sandra McIver
Real Property Representative

Attachment

RECEIVED

MAR 27 2006

VAC 2006-00016



Customer Service Operations

Post Office Box 1530

LaBelle, Florida 33975-4613

November 8, 2005

Darwin Richards Construction LTD CO.
214 Lincoln Avenue
Lehigh Acres, Florida 33972

Dear : Mr. Darwin Richards

Re: Vacation of Public Utility Easement:

A 12 foot wide strip of land lying 6 feet each side of the common line between lots 23 and 24,
Block 19, Unit 5, Section 27, Township 44 South, Range 27 East, in Lehigh Acres,
as recorded in Plat Book 15 Page 40 of the Lee County Public Records.

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 easement at the Lehigh Acres location.

If you should require additional information, please contact me at 863 452-3232.

Sincerely,

A handwritten signature in cursive script that reads "Sabrina Thompson".

Sabrina Thompson
Engineer

RECEIVED

MAR 27 2006

VAC 2006-00016



January 25, 2005

Brian and Britta Gear
518 Glenn Avenue
Lehigh Acres, Florida 33972



**FLORIDA
GOVERNMENTAL
UTILITY AUTHORITY**

RE: Vacation of Easement request from Brian and Britta Gear for a 6-foot wide public utility easement on either side of the following described line: commencing at the southwest corner of Lot 24 Block 19, Lehigh Acres Subdivision, recorded in plat book 15, page 40, public records of Lee County, Florida. Thence along the line between lots 23 & 24 of said block 19, N 89 12'26" E 6.00 feet to the point of beginning; thence continue N 89 12'26"E 196.72 feet to a point 6 feet west of the southeast corner of said lot 24 and the point of termination.

LEA ANN THOMAS,
CHAIR
Polk County

RICHARD W. WESCH
Citrus County

ROBERT NANNI
Osceola County

JIM LAVENDER
Lee County

Dear Mr. and Mrs. Gear:

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 was requested from Brian and Britta Gear for a 6-foot wide public utility easement on either side of the following described line: commencing at the southwest corner of Lot 24 Block 19, Lehigh Acres Subdivision, recorded in plat book 15, page 40, public records of Lee County, Florida. Thence along the line between lots 23 & 24 of said block 19, N 89 12'26" E 6.00 feet to the point of beginning; thence continue N 89 12'26"E 196.72 feet to a point 6 feet west of the southeast corner of said lot 24 and the point of termination.

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

RECEIVED

MAR 27 2006

VAC 2006-00016

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



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

September 30, 2005

Darwin Richards
518 Glenn Av
Lehigh Acres, Fl 33972

Re: 518/16 Glenn Avenue, Lehigh Acres
Vacate Right-of-Way and/or Utility Easement

Dear Darwin Richards,

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

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

Cordially,

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

Mark Cook
Design Coordinator

RECEIVED

MAR 27 2006

VAC2006-00016

AmeriGas

America's Propane Company

April 3, 2006

Darwin Richards
Darwin Richards Construction Ltd. Co.
214 Lincoln Avenue
Lehigh, Florida 33972

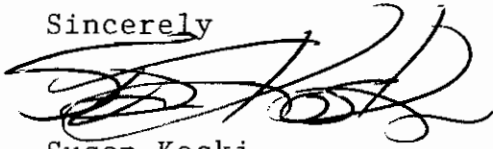
Attn: Darwin Richards

As requested, please note the location of a public utility easement to be vacated, according to your letter dated March 30th, 2006, is clear and there is no gas at the stated location, as follows:

518/16 Glenn Avenue
Lehigh Acres, Florida 33972

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

lp

Bob Janes
District One

September 12, 2005

Douglas R. St. Cerny
District Two

Darwin Richards
214 Lincoln Ave
Lehigh Acres, FL 33972

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF PUBLIC UTILITY EASEMENT
STRAP #: 27-44-27-05-00019.0050
518 GLENN AVE

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Dear Mr. Richards,

Diana M. Parker
County Hearing Examiner

Lee County Utilities has no objection to the proposed vacation of the existing platted easement(s) as described in your recent letter and associated attachment. However, the area in question is not located within Lee County Utilities' service area; therefore, we have no potable water or wastewater lines within the area to be vacated.

You may wish to contact Florida Governmental Utility Authority at 368-1615, concerning your request, as the subject parcels are located within their service area boundaries.

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

Sincerely,

LEE COUNTY UTILITIES

David Reycraft
Utilities GIS Coordinator
Utilities Engineering Division

Original Mailed: 09/20/2005

CC: Correspondence File

RECEIVED

MAR 27 2006

VAC 2006-00016

19
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17
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11

CANAL

"CERTIFICATE OF SURVEY"

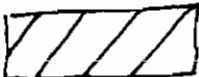
THE UNDERSIGNED HEREBY CERTIFY THAT THE
 PLAN AS SHOWN IS A CORRECT REPRESENTATION
 OF THE LAND PLATTED AND THAT PERMANENT
 MONUMENTS HAVE BEEN PLACED AS SHOWN;

Frank B. Ray
 SURVEYOR

NOTE:

ALL WERE SUBJECT TO A CAPACITY ENCUMBRANCE
 ON ALL SIDES OF LOT.
 INTERIOR BERM'S ARE 4" REINFORCED CONCRETE.
 SECTION FOR BERM'S ARE 12" x 12" CONCRETE.
 ALL MONUMENTS PLACED



 - AREA TO BE VACATED



Lee Property Appraiser Web Tax Map



Tax Map Legend

Selected Parcel

Aerial Image Set	2005 (Color)	Map Currency Date	2/24/2006 7:21:39 AM
Selected Parcel	27-44 27-05-00019.0050	Legal Description	LEHIGH ACRES UNIT 5 BLK 19 DB 254 PG 35 LOTS 5 + 23 + 24
Parcel Owner	GEAR BRIAN + BRITTA 518 GLENN AV LEHIGH ACRES FL 33972	Property Address	518 GLENN AVE Lehigh Acres Fl 33972

RECEIVED

MAR 27 2006

VAC 2006-00016