

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 4823 Conover Ct., Ft. Myers (Case No. VAC2006-00018).
4811 & Jf

2. WHAT ACTION ACCOMPLISHES: To build a single-family residence on the reconfigured lot. 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 PH1

5. Meeting Date:

06-27-2006

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]* 5/05/06
Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2006-00018 was submitted by Mike Flaherty as Managing Member of Vision Construction Management, LLC, and as President of A & F Homes, Inc., the owners of both properties.
& .1320 Jf 4811 & Jf

LOCATION: The site is located at 4823 Conover Ct., Ft. Myers, Florida 33908 and its strap number is 29-45-24-16-0000.1340. Petition No. VAC2006-00018 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the former common line between Lots 133 and 134, both in Unit 2, Section 29, Township 45 South, Range 24 East, Palmetto Point, as recorded in Plat Book 30, Page 98 of the Public Records of Lee County, Florida.

Lot reconfiguration was approved under LDO2006-00101.

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.	
MAM (GHS)				John J. [Signature] 5-25-06	[Signature] 5/25/06	[Signature] 5/25/06	[Signature] 5/25/06	[Signature] 6/1/06	W. Sceliver

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: [Signature] 5-25-06 1:30
COUNTY ADMIN FORWARDED TO: [Signature] 6-1-06 4:30pm

Rec. by CoAtty
Date: 5/26/06
Time: 8:30am
Forwarded To: Co. Admin. 5/25/06 11AM



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: May 4, 2006

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20060581

CASE NUMBER: VAC2006-00018

Applicable Public Noticing Requirement:

PTV under AC13-1
1st Notice - 15 days prior to Public Hearing
2nd Notice - 7 days prior to Public Hearing

PTV under AC13-8
One Notice - 15 days prior to Public Hearing

Upon scheduling of Public Hearing date, please provide e-mail notice to Ron Wilson, Development Services (rwilson@leegov.com) and John Fredyma, Assistant County Attorney (fredymjj@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2006-00018

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 27th day of June 2006 @ 9:30 AM 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.

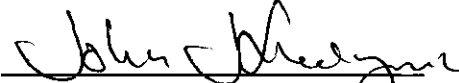
A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.

LEE COUNTY
SOUTHWEST FLORIDA
CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM



County Attorney Signature



Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00018

Legal Description of the Public Utility Easement to be Vacated:

A portion of the twelve-foot wide Public Utility Easement centered on the common lot line between Lots 133 and 134, as shown on the Plat of Palmetto Point Unit 2, a resubdivision of Tracts "A" and "C" of Palmetto Point, in Section 29, Township 45 South, Range 24 East, as recorded in Plat Book 30, Page 98 of the Public Records of Lee County Florida, but not vacating any portion of the six-foot wide Public Utility Easement along the front (southeasterly) side of the either lot.

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: VAC2006-00018

WHEREAS, Petitioner Vision Construction Management, LLC, an Indiana Limited Liability Company authorized to do business in the State of Florida, **AND A & F Homes, Inc.**, a Florida Corporation 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. VAC2006-00018 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

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

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairwoman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

John J. Fredyma
Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00018

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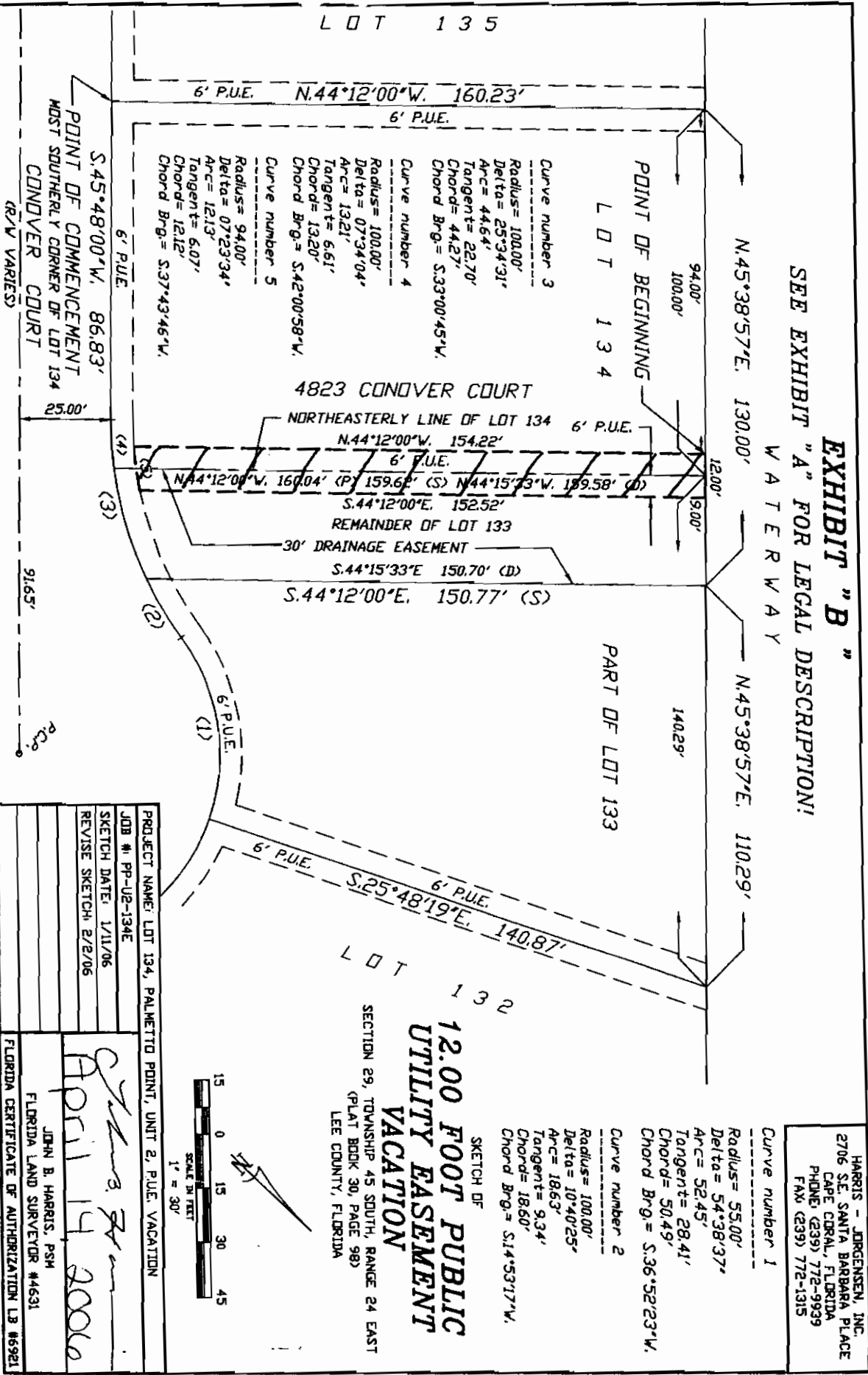
EXHIBIT "B"

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION!

W A T E R W A Y

HARRIS - JORGENSEN, INC.
 2706 S.E. SANTA BARBARA PLACE
 CAPE CORAL, FLORIDA
 PHONE (239) 772-9939
 FAX (239) 772-1315

Exhibit "B"
 Petition to Vacate
 VAC2006-00018
 [Page One of One]



Curve number 1
 Radius= 55.00'
 Delta= 54°38'37"
 Arc= 52.45'
 Tangent= 28.41'
 Chord= 50.49'
 Chord Brg= S.36°52'23"W.

Curve number 2
 Radius= 100.00'
 Delta= 10°40'25"
 Arc= 18.63'
 Tangent= 9.34'
 Chord= 18.60'
 Chord Brg= S.14°53'17"W.

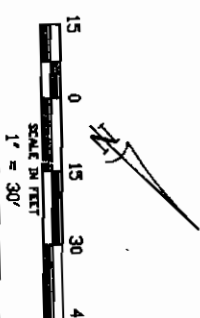
Curve number 3
 Radius= 100.00'
 Delta= 25°34'31"
 Arc= 44.64'
 Tangent= 22.70'
 Chord= 44.27'
 Chord Brg= S.33°00'45"W.

Curve number 4
 Radius= 100.00'
 Delta= 07°34'04"
 Arc= 13.21'
 Tangent= 6.61'
 Chord= 13.20'
 Chord Brg= S.42°00'58"W.

Curve number 5
 Radius= 94.00'
 Delta= 07°23'34"
 Arc= 12.13'
 Tangent= 6.07'
 Chord= 12.12'
 Chord Brg= S.37°43'46"W.

**12.00 FOOT PUBLIC
 UTILITY EASEMENT
 VACATION**

SECTION 29, TOWNSHIP 45 SOUTH, RANGE 24 EAST
 (PLAT BOOK 30, PAGE 98)
 LEE COUNTY, FLORIDA



PROJECT NAME: LOT 134, PALMETTO POINT, UNIT 2, P.U.E. VACATION
JOB #: PP-UB-134E
SKETCH DATE: 1/11/06
REVISE SKETCH: 2/2/06
APR 14 2006
JOHN B. HARRIS, PSM FLORIDA LAND SURVEYOR #4631
FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921



PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00018

Petitioner(s), A & F Homes, Inc., and Vision Construction Management, LLC requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

- 1. Petitioner(s) mailing address, 15065 McGregor Boulevard, #102 Fort Myers, FL 33908
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.

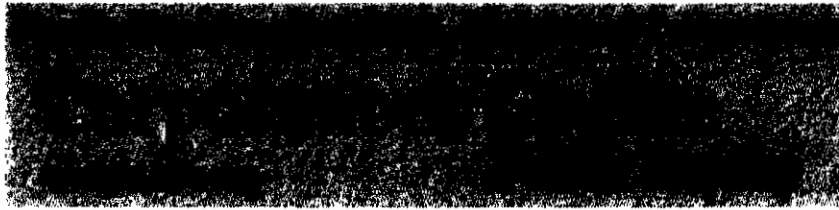
Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Handwritten signature of Michael J. Flaherty, Petitioner Signature, MCMEMBA, Petitioner Signature of Vision Construction Management, LLC, and as President of A & F Homes, Inc.

Printed Name Michael J FLAHERTY, MCMEMBA, Printed Name of Vision Construction Management, LLC, and as President of A & F Homes, Inc.

NOTE: This is a legal document and is therefore not available in Word Perfect format. MAY - 3 2006



Foreign Limited Liability

VISION CONSTRUCTION MANAGEMENT, LLC

PRINCIPAL ADDRESS

98 W. JEFFERSON STREET
 C/O S. HUDDLESTON
 FRANKLIN IN 46131

MAILING ADDRESS

98 W. JEFFERSON STREET
 C/O S. HUDDLESTON
 FRANKLIN IN 46131

Document Number
 M02000000150

FEI Number
 352144265

Date Filed
 01/14/2002

State
 IN

Status
 ACTIVE

Effective Date
 NONE

Total Contribution
 0.00

Registered Agent

Name & Address
FLAHERTY, MICHAEL 15065 MCGREGOR BLVD #102 FORT MYERS FL 33908
Address Changed: 08/20/2003

Manager/Member Detail

Name & Address	Title
FLAHERTY, MICHAEL 15065 MCGREGOR BLVD #102 FORT MYERS FL 33908	MGRM
ELLIS, RICHARD W 12480 GATEWAY GREENS DR FT. MYERS FL 33913	MGRM

Annual Reports

Report Year	Filed Date
2004	03/16/2004
2005	02/02/2005
2006	01/26/2006

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

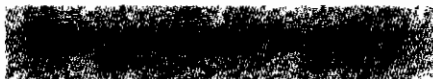
No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

01/26/2006 -- ANNUAL REPORT
02/02/2005 -- ANNUAL REPORT
04/22/2004 -- ANN REP/UNIFORM BUS REP
03/16/2004 -- ANNUAL REPORT
08/20/2003 -- ANN REP/UNIFORM BUS REP
01/14/2002 -- Foreign Limited

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





Florida Profit

A & F HOMES, INC.

PRINCIPAL ADDRESS
15065 MCGREGOR BLVD.
SUITE 102
FORT MYERS FL 33908
Changed 01/10/2005

MAILING ADDRESS
15065 MCGREGOR BLVD.
SUITE 102
FORT MYERS FL 33908
Changed 01/12/2006

Document Number
P02000064065

FEI Number
020616532

Date Filed
06/10/2002

State
FL

Status
ACTIVE

Effective Date
NONE

Registered Agent

Name & Address
FLAHERTY, MICHAEL J 15065 MCGREGOR BLVD. SUITE #102 FT MYERS FL 33908 Address Changed: 01/10/2005

Officer/Director Detail

Name & Address	Title
FLAHERTY, MICHAEL J 15065 MCGREGOR BLVD., #102 FT MYERS FL 33908	PD
APEL, GREG J 560 HIGHLAND PARK AVE. CORALVILLE IA 52241	SD

Annual Reports

Report Year	Filed Date
2004	04/22/2004
2005	01/10/2005
2006	01/12/2006

[Previous Filing](#)

[Return to List](#)

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No Events
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Document Images

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- [01/12/2006 -- ANNUAL REPORT](#)
- [01/10/2005 -- ANNUAL REPORT](#)
- [04/22/2004 -- ANN REP/UNIFORM BUS REP](#)
- [03/31/2003 -- ANN REP/UNIFORM BUS REP](#)
- [06/10/2002 -- Domestic Profit](#)

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

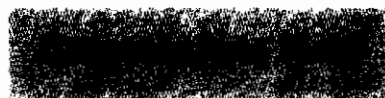
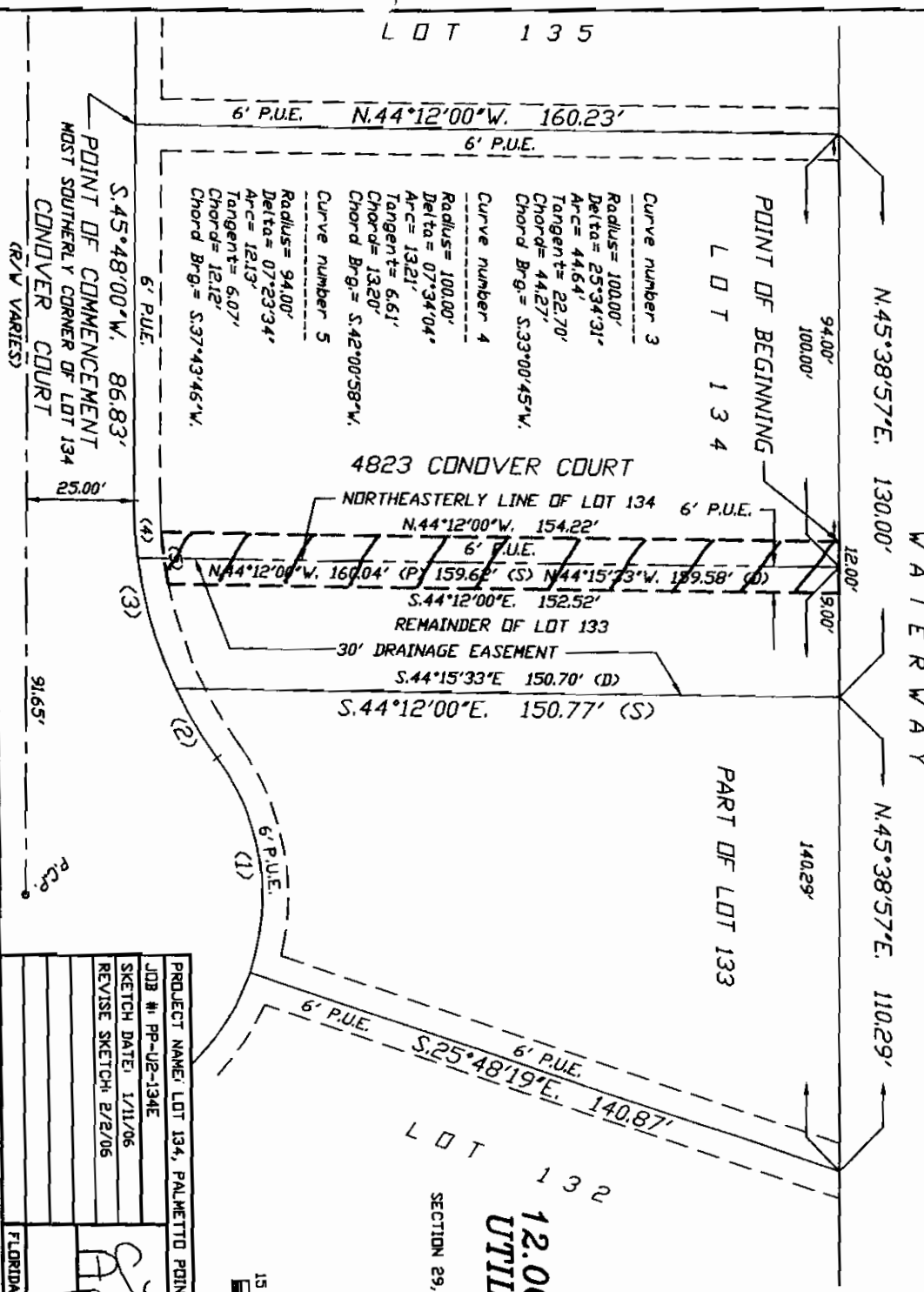


EXHIBIT "A"
Petition to Vacate
VAC2006-00018

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EXHIBIT "B"
SEE EXHIBIT "A" FOR LEGAL DESCRIPTION!
W A T E R W A Y



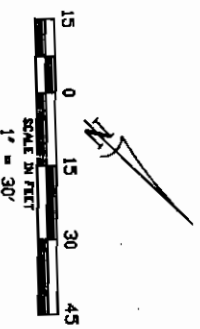
HARRIS - JORGENSEN, INC.
 2706 S.E. SANTA BARBARA PLACE
 CAPE CORRAL, FLORIDA
 PHONE: (239) 772-9939
 FAX: (239) 772-1315

Exhibit "B"
Petition to Vacate
VAC2006-00018
 [Page One of One]

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Curve number 2
 Radius= 100.00'
 Delta= 10°40'25"
 Arc= 18.63'
 Tangent= 9.34'
 Chord= 18.60'
 Chord Brg.= S.14°53'17"W.

12.00 FOOT PUBLIC UTILITY EASEMENT VACATION
 SKETCH OF
 SECTION 29, TOWNSHIP 45 SOUTH, RANGE 24 EAST
 (PLAT BOOK 30, PAGE 98)
 LEE COUNTY, FLORIDA



PROJECT NAME: LOT 134, PALMETTO POINT, UNIT 2, P.U.E. VACATION
JOB # PP-UE-134E
SKETCH DATE: 1/11/06
REVISE SKETCH: 2/2/06
APR 14 2006
JOHN B. HARRIS, PSM
FLORIDA LAND SURVEYOR #4631
FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

Exhibit "C"
Petition to Vacate
VAC2006-00018
[Page One of One]

Real Property Information		
Account	Tax Year	Status
29-45-24-16-00000.1320	2005	PAID
Original Account	Instrument No	
29-45-24-16-00000.1320	2006000090851	
Owner		
A + F HOMES INC		
Physical Address	Mailing Address	
4811 CONOVER CT Fort Myers FL 33908	15065 MCGREGOR BLVD FORT MYERS FL 33908 USA	
Legal Description		
PALMETTO POINT UT 2 PB 30 PG 98 LOTS 132 + 133		
Outstanding Balance as of 5/25/2006		\$0.00

Real Property Information		
Account	Tax Year	Status
29-45-24-16-00000.1340	2005	PAID
Original Account	Instrument No	
29-45-24-16-00000.1340	2006000124510	
Owner		
VISION CONSTRUCTION MANAGEMENT		
Physical Address	Mailing Address	
4823 CONOVER CT Fort Myers FL 33908	15065 MCGREGOR BLVD #102 FORT MYERS FL 33908 USA	
Legal Description		
PALMETTO POINT UT 2 PB 30 PG 98 LOT 134		
Outstanding Balance as of 5/25/2006		\$0.00

Prepared Without Examination of Title by:
Anthony J. Gargano, P.A.
2075 West First Street, #203
Fort Myers, FL 33901

Parcel ID Number: 29-45-24-16-00000.1340
Grantee #1 TTN:
Grantee #2 TTN:

Quitclaim Deed

This Quitclaim Deed, Made this 24th day of March, 2006 A.D., Between
A & F Homes, Inc., a Florida corporation

of the County of Lee, State of Florida, grantor, and
Vision Construction Management, LLC, an Indiana limited liability
company
whose address is: c/o 15065 McGregor Boulevard, #102 Fort Myers, FL 33908

of the County of Lee, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of
-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and quitclaimed to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Lee, State of Florida, to wit:

Lot 134, of that certain subdivision known as PALMETTO POINT, Unit 2,
according to the plat thereof as recorded in Plat Book 30, Page 98,
Public Records of Lee County, Florida.

Subject to easements and restrictions of record and taxes for the
current year and subsequent years.

To Have and to Hold the same together with all and singular the appurtenances thereto belonging or in anywise
appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantor, either in law or equity, for
the use, benefit and profit of the said grantee forever.

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

Barbara Kelly
Printed Name: Barbara Kelly
Witness
Rebecca D Stokes
Printed Name: Rebecca D Stokes
Witness

A & F Homes, Inc., a Florida
corporation
By: *Michael J. Flaherty* (Seal)
Michael J. Flaherty, President
P.O. Address:

By: _____ (Seal)
P.O. Address:

(Corporate Seal)

STATE OF Florida
COUNTY OF Lee
The foregoing instrument was acknowledged before me this 24th day of March, 2006 by
Michael J. Flaherty, President of A & F Homes, Inc., a Florida
corporation



he is personally known to me or he has produced his Florida driver's license as identification.
Rebecca D. Stokes
MY COMMISSION # DD214775 EXPIRES
June 14, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

Rebecca D Stokes
Printed Name: Rebecca D Stokes
Notary Public
My Commission Expires:

This Instrument Prepared by and Return to:
Amanda Giroux
First Fidelity Title, Inc. d/b/a WCI Title
13211 McGregor Boulevard
Fort Myers, Florida 33919
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.
Property Appraisers Parcel I.D. (Folio) Number(s):
29-45-24-16-00000.1320
File No:409785

WARRANTY DEED

This Warranty Deed Made the 1st day of March, 2006, by **Kenneth P. Rittenhouse Sr. and Carolyn L. Rittenhouse, husband and wife**, hereinafter called the grantor, whose post office address is: 4811 Conover Ct., Ft. Myers, Florida 33908

to

A&F Homes, Inc., a Florida corporation, whose post office address is: 15065 McGregor Blvd, Ft. Myers, Florida 33908, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$10.00 Dollars 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:

Lots 132 and 133, PALMETTO POINT, Unit 2, according to the map or plat thereof recorded in Plat Book 30, Page 98, of the Public Records of Lee County, Florida.

The property is ~~not~~ the homestead of the Grantor(s).

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, reservations, restrictions and easements of record, if any.

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

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
Signature: Amanda L. Giroux

Printed Name: Amanda L. Giroux

Witness
Signature: Stacey Watson

Printed Name: STACEY WATSON

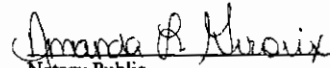
Kenneth P. Rittenhouse Sr. by
Kenneth P. Rittenhouse Sr., by Carolyn L.
Rittenhouse, Attorney in Fact Carolyn L. Rittenhouse
PDA

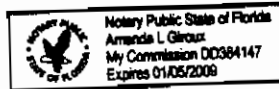
Carolyn L. Rittenhouse
Carolyn L. Rittenhouse

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 1st day of March, 2005, by
Kenneth P. Rittenhouse Sr., by Carolyn L Rittenhouse, Attorney in Fact and Carolyn L. Rittenhouse,
husband and wife,
who is/are personally known to me or who has/have produced driver license(s) as identification.

My Commission Expires: _____


Notary Public
Serial Number





BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

239-479-8585

Douglas R. St. Cemy
District Two

Ray Judah
District Three

May 4, 2006

Tammy Hall
District Four

John E. Albion
District Five

Mike Flaherty
15065 McGregor Blvd., #102
Fort Myers, FL 33908

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Re: **VAC2006-00018 - Petition to Vacate** a 12-foot wide Public Utility Easement on the former lots of 133 and 134, Unit 2, Palmetto Point, S 29, T 45S, R 24E, as recorded in Plat Book 30, Page 98, in the public records of Lee County, FL

Dear Mr. Flaherty:

You have indicated that in order to build a single-family residence on the reconfigured lot, you desire to eliminate the Public Utility Easement located between the former two (2) lots. The site is located at 4823 Conover Ct., Fort Myers. 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:\200605\20060503.090\1205930\DCDLETTER.DOC

VISION CONSTRUCTION MANAGEMENT, LLC

15065 McGregor Boulevard, #102
Fort Myers, FL 33908
Ph: 239-466-5991

April 17, 2006

Peter J. Eckenrode, Director
Development Services
1500 Monroe Street
Fort Myers, FL 33902

Re: Reason and Purpose for Petition to Vacate Public Utilities Easements (PUEs)
Strap #: 29-45-24-16-00000.1340; Lot 134, Palmetto Point, Unit 2

Dear Mr. Eckenrode:

This letter is written as part of the undersigned's Petition For Vacation of two Public Utilities Easements currently encumbering Lot 134, Palmetto Point, Unit 2. We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in two six foot utility easements at the location identified above in order to accomplish the following for the following reasons and purpose:

The undersigned, as owner of Lot 134, Palmetto Point, Unit 2, requests the vacation of the two six foot PUEs on each side of the boundary line between Lot 134 and former Lot 133, Palmetto Point, Unit 2. The reason why the two six foot PUEs are now unnecessary is because after Lots 132 and 133, Palmetto Point, Unit 2 were legally combined into Lot 132A (see enclosed Lot Split/Recombination documents), a 30' PUE Easement on former 133 was legally added to Lot 134 (on the boundary between Lot 134 and Lot 132A). Since Lot 134 is now encumbered by a 30 foot PUE on the boundary between Lot 134 and Lot 132A, the two 6 foot PUEs (both now part of Lot 134) are no longer necessary.

We have included a sketch of the utility easements we desire to vacate. If you have any questions, please do not hesitate to contact the undersigned directly at 239-466-5991. We thank you in advance for your consideration.

Signed,
Vision Construction Management, LLC


Michael J. Flaherty, Managing Member

Enclosures:
Copy of Plat or Official Record Page
Sketch of Proposed Easement to Vacate
Lot Split Documents

RECEIVED

MAY - 3 2006

VAC 2006-00018



Florida Power & Light Company

April 22, 2006

Mr Michael Flaherty
15065 Mcgregor Blvd
Fort Myers FI 33908

Re: Proposed Vacation of Easement for Lot 132 & 133 Palmetto Point

Dear Mr Flaherty:

FPL would have no objection to vacating the utility easements common to lot's 133 & 134 Palmetto Point Unit 2. These lot's have the following strap numbers.

29-45-24-16-00000.133
29-45-24-16-00000.134

If you have any question, please call me at (239) 415-1349.

Sincerely,

A handwritten signature in cursive script that reads "Carl Poole".

Carl Poole
Associate Project Manager
239-415-1349

RECEIVED

MAY - 3 2006

VAC 2006-00018



P. O. Box 370
Fort Myers, FL 33902-0370

April 28, 2006

Vision Construction Management, LLC
15065 McGregor Boulevard, #102
Fort Myers, Florida 33908

ATTN: Michael J. Flaherty

RE: Request for Utility Easement Vacation
Strap# 29-45-24-16-00000.1340; Lot 134, Palmetto Point, Unit 2

Sprint-Florida Incorporated has reviewed the plans for the above referenced proposal. Based on the review of the request, we do not have any objections to the vacation of the two 6' public utility easements on each side of the boundary line between Lot 134 and former Lot 133, Palmetto Point, Unit 2.

If you should have any questions or require additional information, please give me a call at (239) 336-2030.

Sincerely,
Sprint-Florida Incorporated

A handwritten signature in cursive script that reads "Jack H. Mitchell".

Jack H. Mitchell
Network Engineer II

cc: File

RECEIVED
MAY - 3 2006

VAC 2006-00018



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

April 25, 2006

Vision Construction Management, LLC
C/O Michael J. Flaherty
15065 McGregor Boulevard, #102
Fort Myers, Fl. 33908

Re: Strap 29-45-24-16-00000.1340; Lot 134, Palmetto Point, Unit 2

Dear Michael J. Flaherty,

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

MAY - 3 2006

VAC 2006-00018

 **LEE COUNTY**
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 479-8150

Writer's Direct Dial Number: _____

Bob Janes
District One

April 20, 2006

Douglas R. St. Cerny
District Two

Michael J. Flaherty,
Vision Construction Management, LLC.
15065 McGregor Blvd #102
Fort Myers, FL 33908

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF DRAINAGE EASEMENT AND/OR PUBLIC UTILITY EASEMENT
STRAP #: 29-45-24-16-00000-.1340
ADDRESS: 4823 CONOVER CT

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Dear Mr. Flaherty,

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 Public Utility 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 with respect to water and wastewater, our records indicate that we have no water or wastewater infrastructure 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 04/20/2006

cc: Correspondence File

RECEIVED

MAY - 3 2006

VAC 2006-00018

H:\Vacates\2006\NoObjection\Flaherty04202006 doc

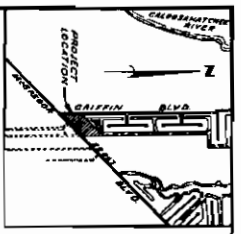
PALMETTO POINT UNIT 2

A RESUBDIVISION OF

TRACTS 'A' AND 'C' OF PALMETTO POINT
(According to plat recorded in Plat Book 29, Pages 21 through 23)

SECTION 29, T. 45S., R. 24E.
LEE COUNTY, FLORIDA

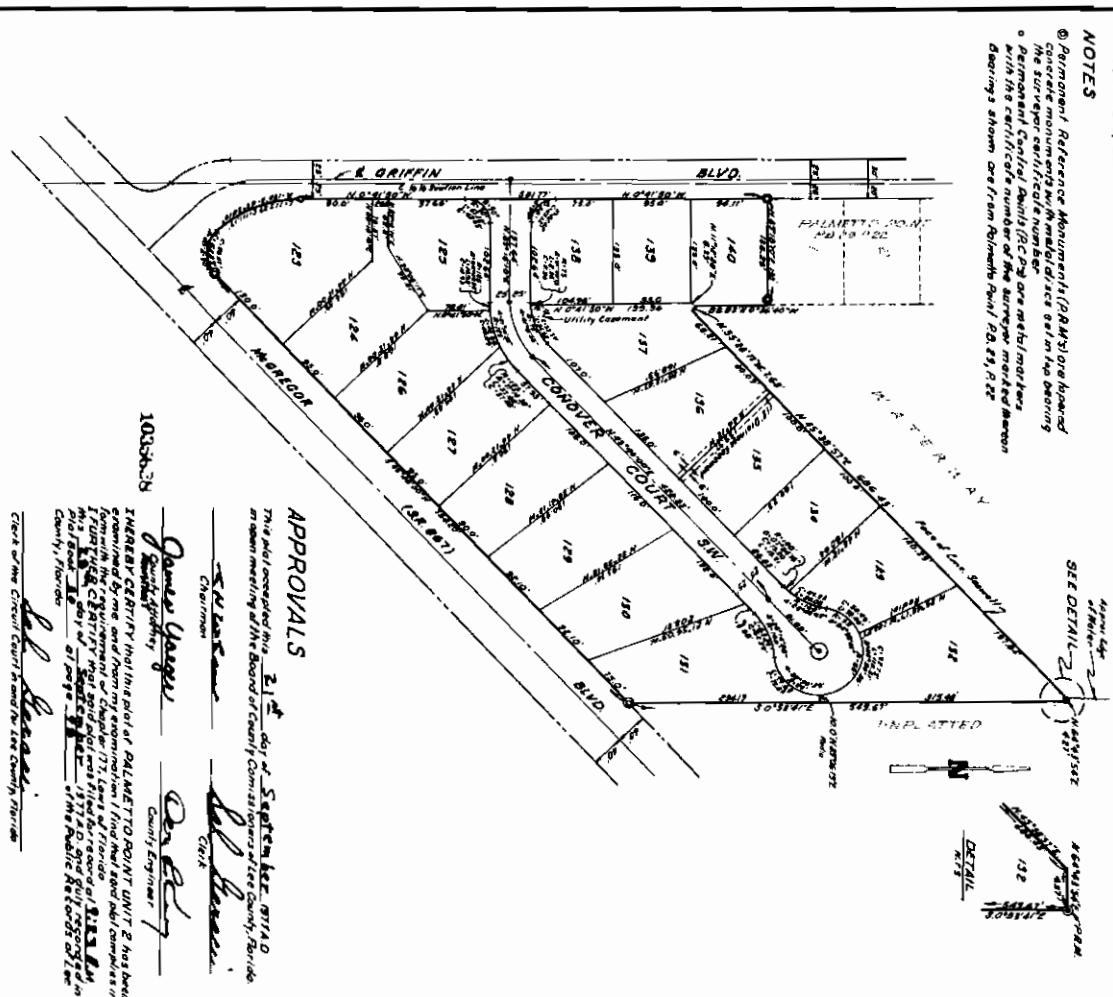
SCALE: 1"=100' JUNE 1977



JOHNSON ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
FORT WORTH, FLORIDA

NOTES

- ① Permanent Reference Monuments (PRM's) are board concrete monuments with metal discs set in the bearing of the survey certificate number.
- ② Permanent Control Points (P.C.P.'s) are metal markers with the certificate number of the survey marked thereon. Bearings shown are from Richmond Plat 29, 23, P. 22.



SEE DETAIL 21
FROM PLAT 29, P. 22



DEDICATION

KNOW ALL MEN BY THESE PRESENTS that QUINN TON, INC., a corporation under the laws of the State of Florida, the owner of the herein described land, has caused this plat of PALMETTO POINT UNIT 2 to be made and does hereby dedicate to the public for use of the public all drives, streets, roads, drainage easements and public utility easements shown thereon, said easements being dedicated solely for the use and purpose herein mentioned. In witness whereof, I, the President of QUINN TON, INC. caused this dedication to be signed in his name by the President and its Corporate Seal to be affixed, signed by its Secretary this 21st day of July, 1977.

Quinn T. Ton
President
John E. [Signature]
Secretary

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF LEE
I, HENRY C. GRIFIN, notary public for and in and for the State of Florida, do hereby certify that on this 21st day of July, 1977, I appeared before me the undersigned, a duly qualified and acting notary public for and in and for the State of Florida, and they acknowledged the execution thereof for the uses and purposes therein mentioned.

Henry C. Griffin
Notary Public, State of Florida at Largo
My Commission Expires 12/31/84

NOTES

- ① Permanent Reference Monuments (PRM's) are board concrete monuments with metal discs set in the bearing of the survey certificate number.
- ② Permanent Control Points (P.C.P.'s) are metal markers with the certificate number of the survey marked thereon.
- Bearings on these shown on Richmond Plat Subdivision, Plat Book 29, Page 21.
- Public utility easements 6 feet wide along boundaries of all tracts including these boundaries on waterways.

CERTIFICATE

THE REBY CERTIFY that this plat of PALMETTO POINT UNIT 2 is a subdivision of Tracts 'A' and 'C' of Palmetto Point Unit 2, as shown and defined under my direction and supervision, and that the same complies with all of the requirements of Chapter 177, Florida Statutes.

John E. [Signature]
John E. [Signature]
Lee County Surveyor
Florida Civil Code # 1850

APPROVALS

This plat accepted this 21st day of September, 1977, at a public meeting of the Board of County Commissioners at Lee County, Florida.

John E. [Signature]
Chairman
James [Signature]
County Engineer

James [Signature]
County Engineer

John E. [Signature]
Lee County Surveyor



00000 1360

00000 1350

00000 1340

00000 1330

00000 1320

00000 1310

CANDOR STREET