

Agenda Item Summary

**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 5261 and 5271 Doug Taylor Cir., Pine Island Center (Case No. VAC2006-00026).

**2. WHAT ACTION ACCOMPLISHES:** To provide for a Future Industrial Building and parking 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 #: 1

9:30 PH 1

**5. Meeting Date:** 8-22-2006

**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]* 7/21/06  
 Peter J. Eckenrode, Director

**9. Background:**

The completed petition to vacate, VAC2006-00026 was submitted by Charlie Garcia and Florida Marine Construction, Inc.

**LOCATION:** The site is located at 5261 and 5271 Doug Taylor Cir., Pine Island Center, Florida 33956 and its strap numbers are 28-44-22-09-0000D.0060 and .0070. Petition No. VAC2006-00026 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 6 and 7, both in Block D, Section 28, Township 44 South, Range 22 East, Pine Island Industrial Park, as recorded in Plat Book 45, Page 53 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the easterly ten feet and westerly ten 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	
<i>[Signature]</i>				<i>[Signature]</i> 7-24-06	<i>[Signature]</i> 7/24/06	<i>[Signature]</i> 7/24/06	<i>[Signature]</i> 7/24/06	<i>[Signature]</i> 7/26/06

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*  
 7-24-06 11:05 AM  
 COUNTY ADMIN FORWARDED TO: *[Signature]*  
 7/26/06  
 4:45 PM

Rec. by CoAtty  
 Date: 7/24/06  
 Time: 4:00 pm  
 Forwarded To: Co. Admin  
 7/24/06 10:14 AM



## PETITION TO VACATE

### TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: July 3, 2006

To: Molly Schweers  
Public Resources

FROM: Ron Wilson  
Development Services

BLUESHEET NUMBER: 20060894

CASE NUMBER: VAC2006-00026

#### Applicable Public Noticing Requirement:

PTV under AC13-1  
1<sup>st</sup> Notice - 15 days prior to Public Hearing  
2<sup>nd</sup> 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](mailto:rwilson@leegov.com)) and John Fredyma, Assistant County Attorney ([fredymjj@leegov.com](mailto:fredymjj@leegov.com)).

## NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2006-00026

### TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 22nd day of August 2006 @ 9:30am in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

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

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

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

CHARLIE GREEN, CLERK

\_\_\_\_\_  
Deputy Clerk Signature

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

John J. Fredyima  
County Attorney Signature

JOHN J. FREDYIMA

\_\_\_\_\_  
Please Print Name

**EXHIBIT "A"**  
**Petition to Vacate**  
**VAC2006-00026**

**Legal Description of the Public Utility Easement to be Vacated:**

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 6 and 7, both in Block D, Plat of Section 28, Township 44 South, Range 22 East, Pine Island Industrial Park, as recorded in Plat Book 45, Page 53 of the Public Records of Lee County, Florida;

**LESS and EXCEPT** the easterly ten feet and westerly ten feet thereof.

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2006-00026**  
[Page One of One]

June 13, 2006

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: VAC2006-00026

WHEREAS, Petitioner **Florida Marine Construction, 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. VAC2006-00026 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**  
**VAC2006-00026**

**Legal Description of the Public Utility Easement to be Vacated:**

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 6 and 7, both in Block D, Plat of Section 28, Township 44 South, Range 22 East, Pine Island Industrial Park, as recorded in Plat Book 45, Page 53 of the Public Records of Lee County, Florida;

**LESS and EXCEPT** the easterly ten feet and westerly ten feet thereof.

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2006-00026**  
[Page One of One]

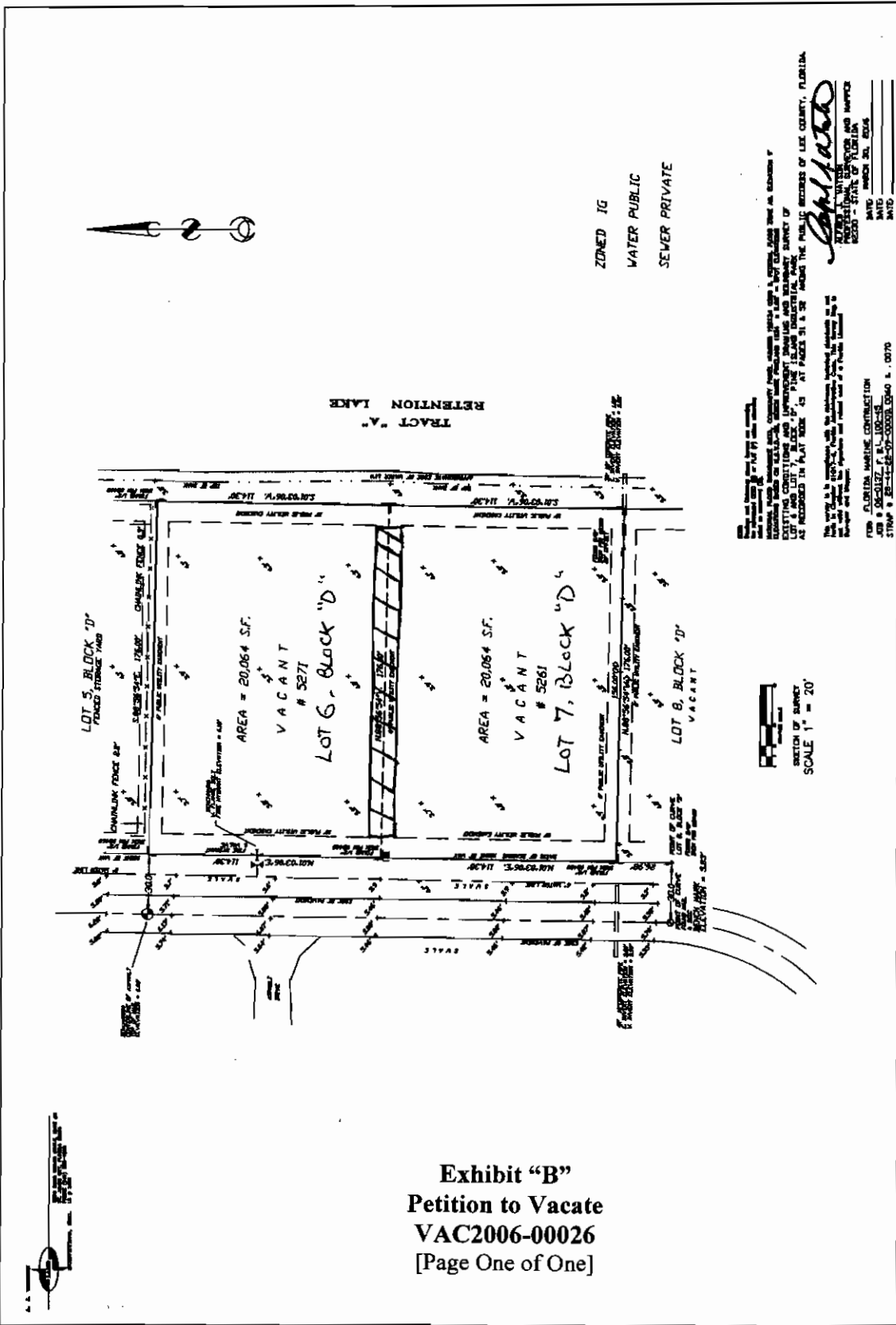


Exhibit "B"  
Petition to Vacate  
VAC2006-00026  
[Page One of One]

89000-0-023000





PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00026

Petitioner(s), FLORIDA MARINE CONSTRUCTION INC 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, P.O. Box 248 MATLACHA, FL 33993
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: FLORIDA MARINE CONSTRUCTION, INC.

BY: [Signature] Petitioner Signature

\_\_\_\_\_  
Petitioner Signature

CHARLIE GARCIA - DIRECTOR  
Printed Name

\_\_\_\_\_  
Printed Name

RECEIVED JUN - 9 2006

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

VAC2006-00026



**Florida Profit**

**FLORIDA MARINE CONSTRUCTION, INC.**

**PRINCIPAL ADDRESS**  
 5300 DOUG TAYLOR CIRCLE  
 ST. JAMES CITY FL 33956  
 Changed 11/01/2002

**MAILING ADDRESS**  
 P.O. BOX 248  
 MATLACHA FL 33993  
 Changed 11/01/2002

<b>Document Number</b> K55234	<b>FEI Number</b> 650092378	<b>Date Filed</b> 01/03/1989
<b>State</b> FL	<b>Status</b> ACTIVE	<b>Effective Date</b> NONE
<b>Last Event</b> REINSTATEMENT	<b>Event Date Filed</b> 11/01/2002	<b>Event Effective Date</b> NONE

**Registered Agent**

<b>Name &amp; Address</b>
GARCIA, CHARLIE 5280 DOUG TAYLOR CIRCLE ST. JAMES CITY FL 33956
Name Changed: 03/14/2000
Address Changed: 12/01/2003

**Officer/Director Detail**

<b>Name &amp; Address</b>	<b>Title</b>
GARCIA, CHARLES 3827 S.W. 2ND LANE CAPE CORAL FL 33991	D

## Annual Reports

Report Year	Filed Date
2004	04/20/2004
2005	01/18/2005
2006	01/10/2006

---

[Previous Filing](#)
[Return to List](#)
[Next Filing](#)

View Events

No Name History Information

## Document Images

Listed below are the images available for this filing.

<a href="#">01/10/2006 -- ANNUAL REPORT</a>
<a href="#">01/18/2005 -- ANN REP/UNIFORM BUS REP</a>
<a href="#">04/20/2004 -- ANNUAL REPORT</a>
<a href="#">12/01/2003 -- Reg. Agent Change</a>
<a href="#">04/25/2003 -- ANN REP/UNIFORM BUS REP</a>
<a href="#">11/01/2002 -- REINSTATEMENT</a>
<a href="#">03/08/2001 -- ANN REP/UNIFORM BUS REP</a>
<a href="#">03/14/2000 -- ANN REP/UNIFORM BUS REP</a>
<a href="#">04/07/1999 -- ANNUAL REPORT</a>
<a href="#">04/03/1998 -- ANNUAL REPORT</a>
<a href="#">04/14/1997 -- ANNUAL REPORT</a>
<a href="#">04/30/1996 -- 1996 ANNUAL REPORT</a>

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

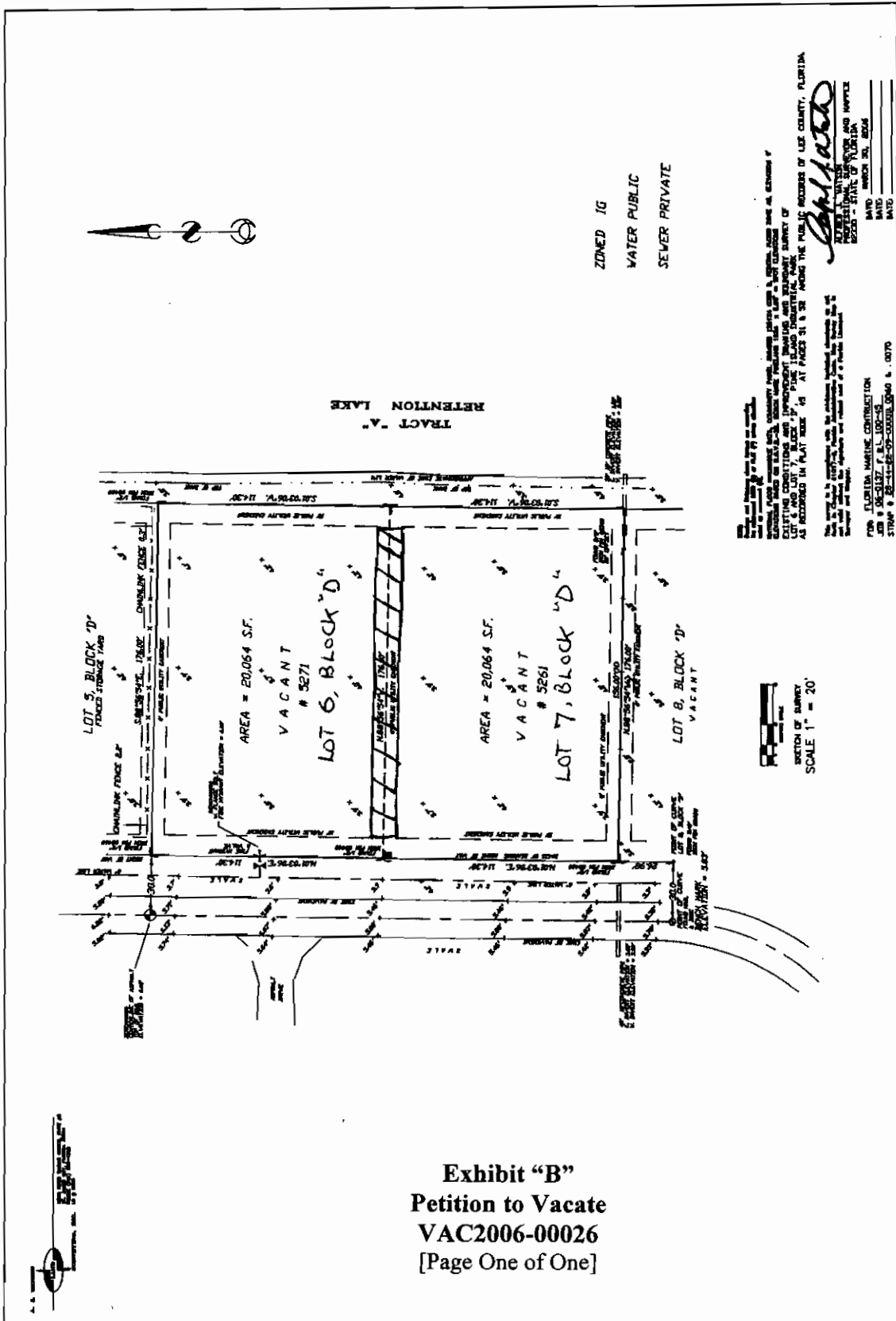
**EXHIBIT "A"**  
**Petition to Vacate**  
**VAC2006-00026**

**Legal Description of the Public Utility Easement to be Vacated:**

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 6 and 7, both in Block D, Plat of Section 28, Township 44 South, Range 22 East, Pine Island Industrial Park, as recorded in Plat Book 45, Page 53 of the Public Records of Lee County, Florida;

**LESS and EXCEPT** the easterly ten feet and westerly ten feet thereof.

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2006-00026**  
[Page One of One]



**Exhibit "B"**  
**Petition to Vacate**  
**VAC2006-00026**  
[Page One of One]

VAC2006-00026

**Exhibit "C"**  
**Petition to Vacate**  
**VAC2006-00026**  
 [Page One of One]

<b>Real Property Information</b>		
<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
28-44-22-09-0000D.0060	2005	PAID
<b>Original Account</b>	<b>Book/Page</b>	
28-44-22-09-0000D.0060	3242/3963	
<b>Owner</b>		
FLORIDA MARINE CONSTRUCTION		
<b>Physical Address</b>	<b>Mailing Address</b>	
5271 DOUG TAYLOR CIR St James City FL 33956	P O BOX 248 MATLACHA FL 33993 USA	
<b>Legal Description</b>		
PINE ISLAND INDUSTRIAL PK BLK D PB 45 PG 53 LOT 6		
<b>Outstanding Balance as of 6/12/2006</b>		<b>\$0.00</b>

<b>Real Property Information</b>		
<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
28-44-22-09-0000D.0070	2005	PAID
<b>Original Account</b>	<b>Book/Page</b>	
28-44-22-09-0000D.0070	3242/3968	
<b>Owner</b>		
FLORIDA MARINE CONSTRUCTION		
<b>Physical Address</b>	<b>Mailing Address</b>	
5261 DOUG TAYLOR CIR St James City FL 33956	P O BOX 248 MATLACHA FL 33993 USA	
<b>Legal Description</b>		
PINE ISLAND INDUSTRIAL PK BLK D PB 45 PG 53 LOT 7		
<b>Outstanding Balance as of 6/12/2006</b>		<b>\$0.00</b>

1-40-00  
1-40-00

Prepared By: Gina Noonan  
Executive Title Insurance Services, Inc  
4049 Del Prado Blvd. Cape Coral, FL 33904  
incidental to the issuance of a title insurance policy.  
File #: 1-90-352  
Parcel ID #: 28-44-22-09-0000D.0660  
Grantee(s) SS #: 65-0092378/

INSTR # 4853603  
OR BK 03242 PG 3963  
RECORDED 04/12/00 12:27 PM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DOC TAX PD (F.S. 201.02) 140.00  
DEPUTY CLERK J Miller

**WARRANTY DEED  
(INDIVIDUAL)**

This WARRANTY DEED, dated 11th day of April ~~March~~, 2000

by **Constance Cromley**,  
whose post office address is  
**14041 Clubhouse Dr., Bokerella, FL 33922**

hereinafter called the GRANTOR, to  
**Florida Marine Construction, Inc., a Florida Corporation**  
whose post office address is  
**PO Box 227 St James City, FL 33956**

hereinafter called the GRANTEE:  
(Wherever used herein the terms "Grantor" and "Grantee" include all 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 6, Block D, Pine Island Industrial Park, according to the plat thereof recorded in Plat Book 45, Pages 52 to 53, Public Records of Lee County, Florida.**

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2000 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, 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 GRANTEE that except as above noted, 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.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Signature: [Signature]  
Print Name: Witness # Marianne Jackowski

Signature: [Signature]  
Print Name: Constance Cromley

Signature: [Signature]  
Print Name: Witness # JUDY GORDON

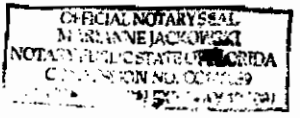
(TWO SEPARATE WITNESSES REQUIRED)

State of Florida  
County of Lee

I am a notary public of the state of Florida, and my commission expires: May 12, 2001  
THE FOREGOING INSTRUMENT was acknowledged before me on 11th day of March 2000 by: April

Constance Cromley,  
who is personally known to me or who has produced Dr. Kie as identification and who did not take an oath.

Signature: [Signature]  
Print Name: Marianne Jackowski Notary Public



140.00

Prepared By: Gina Noonan  
Executive Title Insurance Services, Inc  
4049 Del Prado Blvd. Cape Coral, FL 33904  
incidental to the issuance of a title insurance policy.  
File #: 1-00-352  
Parcel ID #: 28-44-22-09-0000D.0070  
Grantee(s) SS #: 65-0092378/

INSTR # 4853605  
OR BK 03242 PG 3968  
RECORDED 04/12/00 12:27 PM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DOC TAX PD (F.S. 201.02) 140.00  
DEPUTY CLERK J Miller

WARRANTY DEED  
(INDIVIDUAL)

This WARRANTY DEED, dated 5th day of April, 2000  
by

Lon E. Cromley, Individually & as Trustee of the Cromley Veterinary Clinic, Inc., Profit Sharing Plan  
whose post office address is  
14041 Clubhouse Dr., Bocaella, FL 33922  
hereinafter called the GRANTOR, to  
Florida Marine Construction, Inc., a Florida Corporation

whose post office address is  
PO Box 227 St James City, FL 33956

hereinafter called the GRANTEE:

(Wherever used herein the terms "Grantor" and "Grantee" include all 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 7, Block D, Pine Island Industrial Park Subdivision, according to the plat thereof, as recorded in Plat Book 45, Pages 52 and 53, Public Records of Lee County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2000 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, 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 GRANTEE that except as above noted, 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.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Signature: [Signature]  
Print Name: Witness #1 M. Jackowski  
Signature: [Signature]  
Print Name: Witness #2 J. GORDON

[Signature]  
Lon E. Cromley, Individually & as Trustee

(TWO SEPARATE WITNESSES REQUIRED)

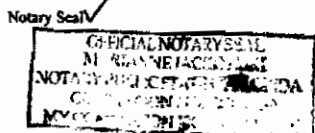
State of Florida  
County of Lee

I am a notary public of the state of Florida, and my commission expires: May 12, 2001

THE FOREGOING INSTRUMENT was acknowledged before me on 5th day of April, 2000 by:  
Lon E. Cromley, Individually & as Trustee of the Cromley Veterinary Clinic, Inc., Profit Sharing Plan

who is personally known to me or who has produced Dr. Lic as identification and who did not take an oath.

Signature: [Signature]  
Print Name: Marganne Jackowski Notary Public







**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: \_\_\_\_\_

Bob Janes  
*District One*

239-479-8585

Douglas R. St. Cemy  
*District Two*

July 19, 2006

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

John E. Albion  
*District Five*

Charlie Garcia  
Florida Marine Construction, Inc.  
P. O. Box 248  
Matlacha, FL 33993

Donald D. Stilwell  
*County Manager*

David M. Owen  
*County Attorney*

Re: **VAC2006-00026 - Petition to Vacate** a 12-foot Public Utility Easement centered on the common lot lines of Lots 6 and 7, Pine Island Industrial Park, both in Block D, Section 28, Township 44 South, Range 22 East, as recorded in Plat Book 45, Page 53, in the Public Records of Lee County, Florida, **LESS and EXCEPT** the Easterly 10-foot and the Westerly 10-foot thereof.

Diana M. Parker  
*County Hearing Examiner*

Dear Mr. Hunt:

You have indicated that in order to provide for a future industrial building and parking on the combined lots, your client, Florida Marine Construction, Inc., Desires to eliminate the 12-foot wide Public Utility Easement between the two (2) lots. The site is located at 5261 and 5271 Doug Taylor Circle, Matlacha, Florida. Based on a review of the information provided and our subsequent research, this Office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

Peter J. Eckenrode  
Director

PJE/RXW

Florida Marine  
Construction



June 9th, 2006

Department of Community Development  
Attn: Peter J. Eckenrode, Director Development Services  
P.O. Box 33902  
Fort Myers, FL 33902

Dear Mr. Eckenrode:

Florida Marine Construction, Inc is requesting a Vacation of Easement for the following properties:

Street Address:

5261 and 5271 Doug Taylor Circle, St. James City, FL 33956

Strap Number:

28-44-22-09-0000D.0060

28-44-22-09-0000D.0070

The purpose for this request is to enable development of the property as one continuous parcel of property. Should you have questions regarding this request I can be contacted at 239-850-6707 and thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlie Garcia". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charlie Garcia, President  
Florida Marine Construction, Inc.

VAC 2006 - 00026

RECEIVED

JUN - 9 2006



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.lfnc.com

April 12, 2006

Mr. Charlie Garcia  
Florida Marine Construction  
P. O. Box 248  
Matlacha, FL 33993

Re: Vacation of Public Utility Easement between Lots 6 and 7, Block "D",  
Pine Island Industrial Park, Strap # 28-44-22-09-0000D.0060 and  
Strap # 28-44-22-09-0000D.0070, St. James City, Florida

Dear Mr. Garcia:

LCEC does not object to the vacation of the 6-foot Public Utility Easement located along the South boundary of Lot 6 and the 6-foot Public Utility Easement located along the North boundary of Lot 7, Pine Island Industrial Park, St. James City, Florida, as shown on the attached sketch **LESS AND EXCEPT** the Easterly 10 feet and the Westerly 10 feet thereof.

I can be reached at 656-2422 if you have any questions.

Sincerely,

*Sandra McIver*

Sandra McIver  
Real property Representative

Attachment

RECEIVED

JUN - 9 2006

VAC2006-00026



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

RECEIVED  
JUN 29 2006

COMMUNITY DEVELOPMENT

June 22, 2006


Charlie Garcia  
Florida Marine Construction, Inc.  
P.O.Box 248  
Matlacha, FL 33993

RE: REQUEST TO VACATE A PUBLIC UTILITY EASEMET BETWEEN 5261 & 5272 DOUG TAYLOR CIRCLE, ST. JAMES CITY, FL 33956 (STRAP #28-44-22-09-0000D.0060 & #24-44-22-09-0000D.0070)

Dear Mr. Garcia,

Embarq has no objection to the proposed referenced utility easements as detailed on the attached documents. If further information is required please contact me at (239) 336-2012.

Sincerely,

  
John Schroeder  
Embarq Engineer-II

Cc: File



Greater  
Pine Island  
Water Association, Inc.

May 3, 2006

Charlie Garcia, President  
Florida Marine Construction, Inc.  
P O Box 248  
Matlacha, FL 33993

Re: 5261 and 5271 Doug Taylor Circle, Pine Island Industrial Park  
28-44-22-09-0000D.0060, 28-44-22-09-0000D.0070

Dear Mr. Garcia,

The Greater Pine Island Water Association, Inc. has no objection to your request to vacate the public utility easement at the location listed above.

If we can be of further assistance to you, please feel free to call.

Sincerely,

William J. Thacher  
General Manager

rc

RECEIVED

JUN - 9 2006



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

April 14 2006

Florida Marine Construction  
C/O Charlie Garcia  
P.O. Box 248  
Matlacha, Fl. 33993

Re: 5261 & 5271 Doug Taylor Circle, St. James City, Fl. 33956

Dear Charlie Garcia,

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

JUN - 9 2006

VAC 2006-00026



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

(239) 479-8150

Writer's Direct Dial Number: \_\_\_\_\_

Bob Janes  
*District One*

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

David M. Owen  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

April 11, 2006

Charlie Garcia  
Florida Marine Construction, Inc.  
P.O. Box 248  
Matlacha, FL 33993

**SUBJECT: VACATION OF UTILITY EASEMENT AND/OR DRAINAGE EASEMENT**  
**STRAP #: 28-44-22-09-0000D.0060 & 0070**  
**ADDRESS: 5261 & 5271 DOUG TAYLOR CIR**

Dear Mr. Garcia,

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 with respect to wastewater, our records indicate that we have no sanitary sewer facilities within the area to be vacated. Please contact Greater Pine Island Water Association for locations of potable water mains.

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 04/11/2006  
Original Faxed 04/11/2006

cc: Correspondence File

VAC 2006-00026

RECEIVED

JUN - 9 2006

H:\Vacates\2006\NoObjection\Garcia04112006.doc



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

DENVER J. STUTLER, JR.  
SECRETARY

April 17, 2006

Florida Marine Construction, Inc.  
Attn.: Charlie Garcia, President  
Post Office Box 248  
Matlacha, Florida 33993


**Re: Vacation of a Public Interest on a Proposed Public Utility Easement at  
5261 and 5271 Doug Taylor Circle, St. James City, Lee County,  
Florida**

Dear Mr. Garcia:

In response to your letter we received on April 12, 2006, our staff has conducted a review of your request to vacate the subject area as marked and generally described as referenced above.

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

Sincerely,

  
Sylvia Petrosky  
Right of Way Agent  
Property Management

SAP/jps

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

RECEIVED

JUN - 9 2006

VAC 2006 - 00026

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

[www.dot.state.fl.us](http://www.dot.state.fl.us)





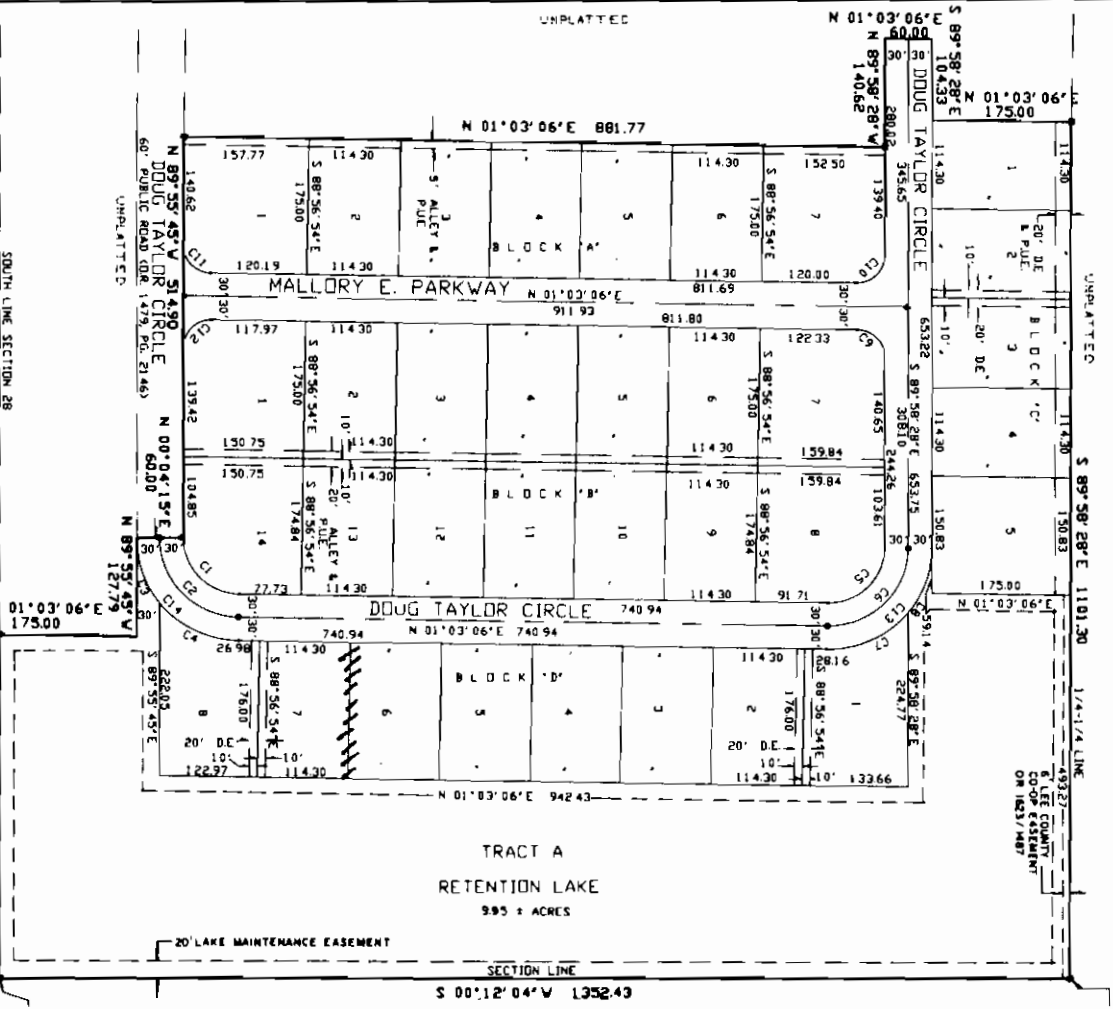
JORGENSEN SURVEYING, INC.  
 2706 SE. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA 33904  
 MARCH, 1990

# PINE ISLAND INDUSTRIAL PARK

A SUBDIVISION LYING IN  
 SECTION 28, TOWNSHIP 44 SOUTH, RANGE 22 EAST  
 PINE ISLAND, LEE COUNTY, FLORIDA

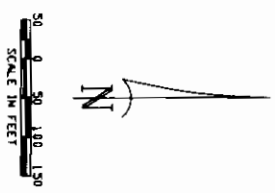
PLAT BOOK 45 Pg. 22

D.O. # 5-21-85



TRACT A  
 RETENTION LAKE  
 9.95 ± ACRES

CURVE	BEARING	RADIUS	ARC	CORNER	INCREASING	CORNER
1	89° 01' 09"	110.67	110.67	99.01	40' 0"	99.01
2	89° 01' 09"	101.23	137.28	141.93	99.51	141.93
3	39° 30' 48"	131.23	90.50	88.72	47.13	88.72
4	49° 30' 21"	131.23	113.39	109.90	60.51	109.90
5	91° 01' 34"	170.00	111.21	149.88	71.26	149.88
6	91° 01' 34"	170.00	138.21	149.88	101.26	149.88
7	51° 18' 40"	130.00	112.42	112.27	62.44	112.27
8	39° 42' 54"	130.00	90.11	88.32	46.99	88.32
9	88° 58' 26"	35.00	54.35	49.05	34.78	49.05
10	91° 01' 34"	25.00	35.60	49.94	37.63	49.94
11	89° 01' 14"	32.00	34.38	49.07	34.41	49.07
12	89° 01' 34"	32.00	34.38	49.07	34.41	49.07
13	91° 01' 34"	130.00	205.32	185.49	132.28	185.49
14	89° 01' 09"	131.23	203.90	184.00	129.01	184.00



**LEGEND:**  
 C1 CURVE NUMBER  
 --- PERMANENT REFERENCE MONUMENT (PRM)  
 --- PERMANENT CONTROL POINT (PCP)  
 --- DRAINAGE EASEMENT  
 --- PUBLIC UTILITY EASEMENT  
 --- POINT OF BEGINNING

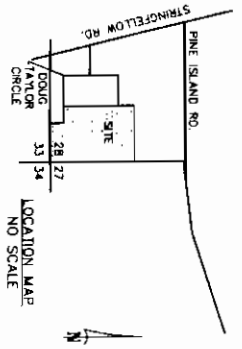
**NOTES:**  
 1. BEARINGS SHOWN ARE ASSUMING THE EAST LINE OF SECTION 28 AS BEARING N 00° 12' 04" E.  
 2. A 10 FOOT PUBLIC UTILITY EASEMENT (PUE) IS RESERVED ALONG THE STREET SIDE OF ALL LOTS AND TRACTS. A 6 FOOT PUE IS RESERVED ALONG THE EAST AND WEST SIDES OF EACH LOT. OTHER EASEMENTS ARE AS SHOWN.

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

SECTION COR. SEC. COR. OF SEC. 28-44-22  
 UNPLATTED

JORGENSEN SURVEYING, INC.  
2706 SE SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA 33904  
MARCH, 1990

PLAT BOOK **HC** PAGE **512**



**PINE ISLAND INDUSTRIAL PARK**  
A SUBDIVISION LYING IN  
SECTION 28, TOWNSHIP 44 SOUTH, RANGE 22 EAST, PINE ISLAND  
LEE COUNTY, FLORIDA

**DESCRIPTION**

A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 28, THENCE RUN N89°55'45" W ALONG THE SOUTH LINE OF SAID SECTION 28 FOR 44.135 FEET; THENCE RUN N01°03'06" E FOR 175.00 FEET; THENCE RUN N89°55'45" W FOR 127.78 FEET; THENCE RUN N40°04'15" E FOR 80 FEET ALONG THE BOUNDARY OF A ROAD RIGHT OF WAY AS RECORDED IN D.R. BOOK 1479 AT PAGE 2146 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N89°55'45" W FOR 127.78 FEET; THENCE RUN N01°03'06" E FOR 100.00 FEET; THENCE RUN N01°03'06" E FOR 801.27 FEET; THENCE RUN N89°54'28" W FOR 146.62 FEET; THENCE RUN N01°03'06" E FOR 60.00 FEET; THENCE RUN S89°58'28" E FOR 104.33 FEET; THENCE RUN N01°03'06" E FOR 175.00 FEET; THENCE RUN S89°58'28" E FOR 1101.30 FEET TO THE EAST LINE OF SAID SECTION 28; THENCE RUN S 00°12'04" W ALONG SAID EAST LINE FOR 1352.43 FEET TO THE POINT OF BEGINNING.  
TRACT HEREIN DESCRIBED CONTAINS 30.41 ACRES.

**NOTES:**

1. BEARINGS SHOWN ARE BASED ON THE EAST LINE OF SECTION 28 AS BEARING N. 00°12'04" E.
2. A 10 FOOT PUBLIC UTILITY EASEMENT (P.U.E.) IS RESERVED ALONG THE STREET SIDE OF ALL LOTS AND TRACTS. A 6 FOOT P.U.E. IS RESERVED ALONG THE SIDE AND REAR LOT LINES OF EACH LOT. OTHER EASEMENTS ARE AS SHOWN.

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

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT PINE ISLAND INDUSTRIAL PARK, INC., A CORPORATION EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA, THE OWNER OF THE LANDS DESCRIBED HEREON, HAS CAUSED THIS PLAT OF THE SAID INDUSTRIAL PARK TO BE LAYED OUT AND HEREBY DEDICATED TO THE TRACT "A", ALLEYS AND LAKE MAINTENANCE EASEMENT ARE DEDICATED TO ALL LOT OWNERS IN WITNESS WHEREOF, THE SAID OWNER OF THE LANDS DESCRIBED HEREON HAS CAUSED THIS DEDICATION TO BE MADE AND SIGNED IN HIS NAME AND IT'S CORPORATE SEAL AFFIXED, THIS 25 DAY OF March, A.D. 1990.

*Alexander W. Curraney*  
ALEXANDER W. CURRANEY  
PRESIDENT



*Robert L. Sullivan*  
ROBERT L. SULLIVAN  
VICE PRESIDENT

**ACKNOWLEDGEMENT**

STATE OF FLORIDA  
COUNTY OF LEE  
I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME DELIVER L. SULLIVAN AND \_\_\_\_\_ MEMBER OF GOVERNMENT, ONE PRESENT AND RESIDENT RESPECTIVELY OF PINE ISLAND INDUSTRIAL PARK AND \_\_\_\_\_ MEMBER OF GOVERNMENT, ONE PRESENT AND RESIDENT RESPECTIVELY OF PINE ISLAND INDUSTRIAL PARK AND DEED AS SUCH OFFICERS FOR THE USES AND PURPOSES THEREIN EXPRESSED AND THEY AFFIRMED TO BE THE OFFICIAL SEAL OF SAID CORPORATION.  
WITNESS MY HAND AND OFFICIAL SEAL AT SAID COUNTY AND STATE THIS 25 DAY OF March, A.D. 1990.

*Robert L. Sullivan*  
ROBERT L. SULLIVAN  
VICE PRESIDENT



**APPROVALS**

THIS PLAT APPROVED THIS 25 DAY OF March, A.D. 1990, IN AN OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

*Delia Manning* BOARD CHAIRMAN  
*Charles A. Allen* CLERK OF COURT  
*Donald Johnson* CO. ATTORNEY  
*Howard L. Hines* CO. ENGINEER  
*Walter H. Schmitt* DIR. DEPARTMENT OF COMM. DEVELOPMENT

I HEREBY CERTIFY THAT THIS PLAT OF PINE ISLAND INDUSTRIAL PARK HAS BEEN EXAMINED BY ME AND FROM MY EXAMINATION I FIND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF CHAPTER 177 OF THE FLORIDA STATUTES. THE 25 DAY OF March, A.D. 1990, AND THAT SAID PLAT HAS BEEN FILED FOR RECORD IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND DULY RECORDED IN PLAT BOOK HC AT PAGE 512.

*Charles A. Allen*  
CLERK OF THE COUNTY COURT AND FOR LEE COUNTY, FLORIDA

2850477

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF PINE ISLAND INDUSTRIAL PARK, A SUBDIVISION, IS A TRUE AND CORRECT REPRESENTATION OF THE HEREBY DESCRIBED LAND ACCORDING TO A RECENT SURVEY MADE BY ME AND THAT SAID PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177 FLORIDA STATUTES, AND THE PLAT'S HAVE BEEN SET.

*Robert L. Sullivan*  
ROBERT L. SULLIVAN  
VICE PRESIDENT





00000 0000