

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20061135

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Public Utility Easement centered on the common lot lines of (4) lots located at 1519 Gretchen Ave. S, Lehigh Acres (Case No. VAC2006-00037).

2. WHAT ACTION ACCOMPLISHES: To build a commercial building 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 **9:30 AM PH2**

5. Meeting Date: **10-3-2006**

6. Agenda:
 Consent
 Administrative
 Appeals
 Public **9:30 AM**
 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]* **8/30/06**
 Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2006-00037 was submitted by John Marcantonio.

LOCATION: The site is located at **1519 Gretchen Ave. S, Lehigh Acres, Florida 33971** and its strap number is **04-45-26-05-00010.0100**. Petition No. VAC2006-00037 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 10 and 11, 11 and 12, and 12 and 13, all in Block 10, Unit 5, Section 4, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85 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>	<i>[Signature]</i> 9/1/06	<i>[Signature]</i> 9/1/06	<i>[Signature]</i> 9/1/06	<i>[Signature]</i> 9/1/06	<i>[Signature]</i> 9/1/06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN. *[Signature]*
 8/31/06 4pm. *[Signature]*
 COUNTY ADMIN FORWARDED TO: *[Signature]*
 9-6-06
 8:46am

Rec. by CoAtty
 Date: 8/30/06
 Time: 3:45pm
 Forwarded To: Co. Admin.
 8/31/06 1PM

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2006-00037


TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 3rd day of October 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.

 **LEE COUNTY**
CHARLIE GREEN, CLERK
S O U T H W E S T F L O R I D A
Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM



County Attorney Signature

Timothy Jones

Please Print Name



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: August 28, 2006

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20061135

CASE NUMBER: VAC2006-00037

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

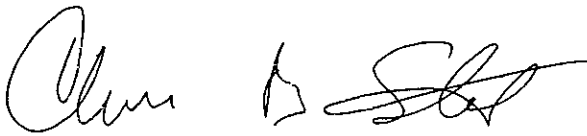
One Notice - 15 days prior to Public Hearing

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).

**Legal Description
(Vacation of Easements)**

A 12.0 foot wide public utility easement centered on Lots 10 & 11, 11 & 12, 12 & 13, Block 10, Unit 5, Section 4, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 85, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.



Christopher B. Still
P.S.M. 5941
May 16, 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: VAC2006-00037

WHEREAS, Petitioner John Marcantonio 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. VAC2006-00037 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

LEE COUNTY
S O U T H W E S T F L O R I D A

APPROVED AS TO FORM

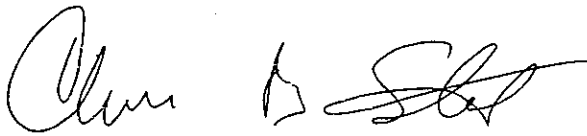
County Attorney Signature

Please Print Name

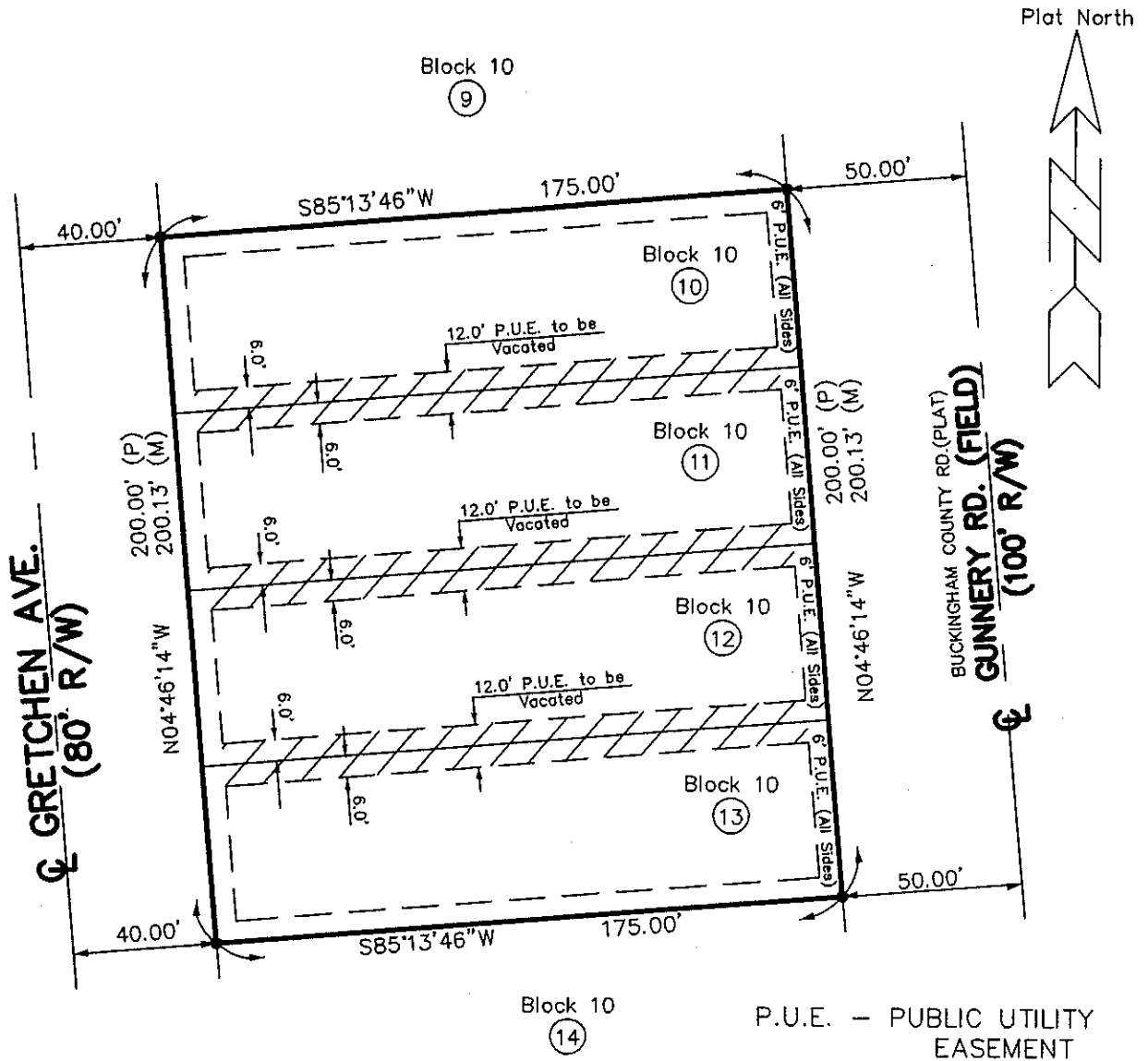
**Legal Description
(Vacation of Easements)**

A 12.0 foot wide public utility easement centered on Lots 10 & 11, 11 & 12, 12 & 13, Block 10, Unit 5, Section 4, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 85, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.



Christopher B. Still
P.S.M. 5941
May 16, 2006



LOTS 10, 11, 12, & 13, BLOCK 10, UNIT 5
 SECTION 4, TOWNSHIP 45 SOUTH, RANGE 26 EAST
 LEHIGH ACRES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 15, PAGE 65, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

NOT A SURVEY – SKETCH ONLY

Exhibit "B"
 Petition to Vacate
 VAC2006-00037
 [Page One of One]

LEHIGH SURVEYING, INC.

LB7462
 1130-E LEE BOULEVARD
 LEHIGH ACRES, FLORIDA 33936
 235-368-7400 239-368-7685 (FAX)

Christopher B. Still

5-16-06

CHRISTOPHER B. STILL
 REGISTERED LAND SURVEYOR NO. 5941

JOB NUMBER:	06157
DRAWN BY:	C. STILL
SCALE:	1" = 50'
SHEET:	1 OF 2



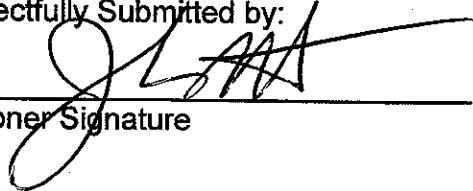
PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00037

Petitioner(s), JOHN MARCANTONIO
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, 602 HARRISON DR. LEHIGH ACRES, FL 33936
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted by:


Petitioner Signature

Petitioner Signature

John MARCANTONIO
Printed Name

Printed Name

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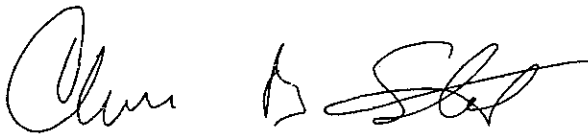
AUG 17 2006

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

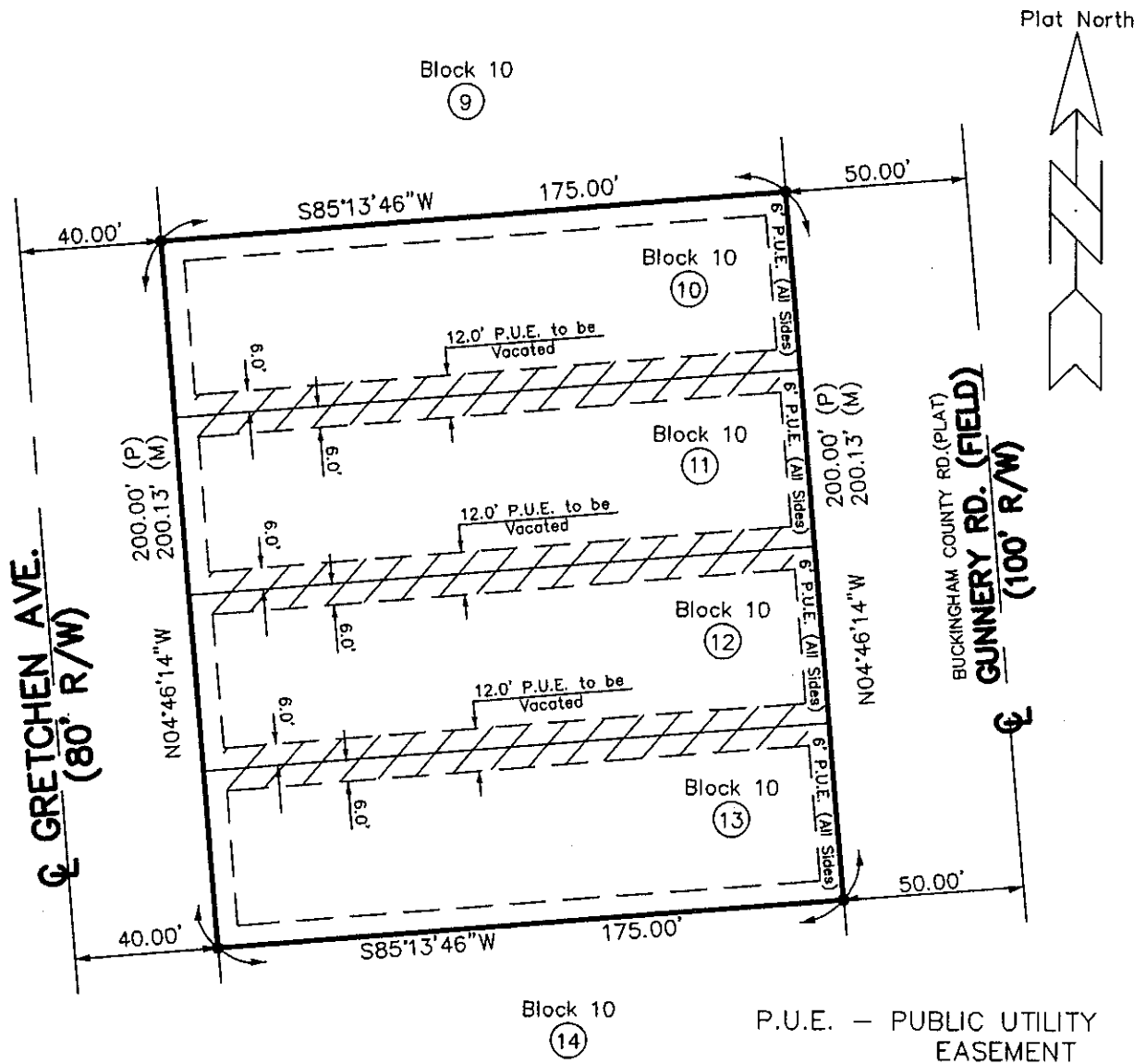
**Legal Description
(Vacation of Easements)**

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Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.



Christopher B. Still
P.S.M. 5941
May 16, 2006



LOTS 10, 11, 12, & 13, BLOCK 10, UNIT 5
 SECTION 4, TOWNSHIP 45 SOUTH, RANGE 26 EAST
 LEHIGH ACRES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 15, PAGE 65, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

NOT A SURVEY — SKETCH ONLY

Exhibit "B"
 Petition to Vacate
 VAC2006-00037
 [Page One of One]

LEHIGH SURVEYING, INC.

LB7462
 1130-E LEE BOULEVARD
 LEHIGH ACRES, FLORIDA 33936
 235-368-7400 239-368-7685 (FAX)


Christopher B. Still

5-16-06

CHRISTOPHER B. STILL
 REGISTERED LAND SURVEYOR NO. 5941

JOB NUMBER:	06157
DRAWN BY:	C. STILL
SCALE:	1" = 50'
SHEET:	1 OF 2

Exhibit "C"
Petition to Vacate
VAC2006-00037
 [Page One of One]

Real Property Information		New Search 
Account	Tax Year	Status
04-45-26-05-00010.0100	2005	PAID
Original Account	Book/Page	
04-45-26-05-00010.0100	3300/2810	
Owner		
MARCANTONIO JOHN		
Physical Address	Mailing Address	
1519 GRETCHEN AVE S Lehigh Acres FL 33971	602 HARRISON DR LEHIGH ACRES FL 33936 USA	
Legal Description		
LEHIGH ESTATES UNIT 5 BLK 10 PB 15 PG 85 LOTS 10 THRU 13		
Outstanding Balance as of 8/16/2006		\$0.00

10.50
84.00
2.00

1 1000 11 000 10 000 11 000 11 000 11 000 11 000 11 000

INSTR # 4957549
OR BK 03300 PG 2810

RECORDED 09/07/00 02:20 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD(F.S.201.02) 84.00
DEPUTY CLERK B Cruz

This Instrument Prepared by & return
to:
Name: Sunshine M. Humfleet, an
employee of
Fleetwood Title Corporation
Address: 904 Lee Boulevard, Suite 106
Lehigh Acres, FL 33936
42001
Parcel 04-45-26-05-00010.0100
I.D. #:

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 3rd day of August, A.D. 2000
by **GEORGE FREISS**, hereinafter called the grantor, to **JOHN MARCONTONIO**, a single person,
whose post office address is **602 Harrison Drive, Lehigh Acres, FL 33936**, hereinafter called the
grantee:

(Wherever used herein the terms "grantor" and "grantee" 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 grantee all that certain land situate in Lee County, State of Florida, viz:

Lot 10, Block 10, Unit 5, Lehigh Estates, Section 4, Township 45 South, Range 26 East, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court recorded in Plat Book 15, Page 85, Public Records of Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2000 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

Subject Property is not now nor has it ever been the homestead property of the grantor. Subject property is vacant land.

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.

RECEIVED
AUG 17 2000

VAC 2006-00037

And the grantor hereby covenants with said grantee that he is lawfully seized of said land in fee simple; that he 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, 1999.

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

Signed, sealed and delivered in the presence of:

Sandra L. Bennett
Witness Signature (as to first Grantor)

SANDRA L. BENNETT
Printed Name

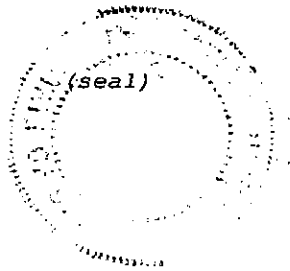
Douglas L. Klein
Witness Signature (as to first Grantor)

DOUGLAS L. KLEIN
Printed Name

George H. Freiss L.S.
George Freiss
Address:
501 Parkside Drive, Akron, Ohio 44313

State of Ohio
County of Summit

The foregoing instrument was acknowledged before me this 3rd day of August, 2000, by George Freiss, who is known to me or who has produced Driver's License as identification and who did (~~did not~~) take an oath.



Patty A. Adolphson
Signature of Acknowledger
My commission expires

PATTY A. ADOLPHSON, NOTARY PUBLIC
State of Ohio
Resident Summit County
My Commission Expires
April 23, 2003

WARRANTY DEED
This instrument prepared by:
Lorre Clouse
Morgan & Associates Title Company
55 Homestead Road
Lehigh Acres, FL 33936
(941) 369-8033

INSTR # 4875934
OR BK 03255 PG 1595
RECORDED 05/15/00 03:18 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD (F.S. 201.02) 269.50
DEPUTY CLERK K Cartwright

Strap No. _____

THIS INDENTURE, Made this 26th day of April 2000, Between

Harry A. Donovan
1867 West Market Street
Akron, OH 44313
County of Summit, State of Ohio, herein called the Grantor, and

John Marcontonio, a single person
602 Harrison Drive
Lehigh Acres, FL 33936
County of Lee, State of Florida, herein called the Grantee,

WITNESSETH, That said grantor, for and in consideration of the sum of ***** TEN AND 00/100 ***** DOLLARS, and other good and valuable considerations to said grantor in hand paid by said grantee the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to grantee, grantee's heirs and assigns forever the following described property in Lee County, Florida, to wit:

Lots 11, 12 and 13, Block 10, Unit 5, LEHIGH ESTATES, Section 4, Township 45 South, Range 26 East, Lehigh Acres, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 15, page 85, Public Records of Lee County, Florida.

Subject to reservations, restrictions and easements of record.

The subject property is not now nor has it ever been the homestead property, nor contiguous to the homestead property, of the Grantor herein.

And the grantor does hereby fully warrant the title to such land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed this deed on the day and year first written. Signed, Sealed and delivered in our presence:

Sandra L. Bennett
Witness
Sandra L. Bennett
Printed Name of Witness

Frederick G. Freese
Witness
Frederick G. Freese
Printed Name of Witness

Harry A. Donovan
Harry A. Donovan
RECEIVED
AUG 17 2006

VAC 2006-00037

STATE OF Ohio

COUNTY OF Summit

The foregoing instrument was acknowledged before me this 26th day of April, 2000 by Harry A. Donovan, who is personally known to me or who has produced Driver's License as identification and who did (~~did not~~) take an oath.

My Commission Expires:

Patty A. Dolphson
Notary Public (Notary Seal)
PATTY A. DOLPHSON, NOTARY PUBLIC
State of Ohio
Resident Summit County
My Commission Expires
April 23, 2003

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

August 28, 2006

John Marcantonio
602 Harrison Dr.
Lehigh Acres, FL 33936

Re: **VAC2006-00037 - Petition to Vacate** a 12-foot wide Public Utility Easement centered on the common lot lines of lots 10 & 11, 11 & 12, and 13 & 13, all in Block 10, Unit 5, Lehigh Acres, S 4, T 45S, R 26E, as recorded in Plat Book 15, Page 85, in the public records of Lee County, FL

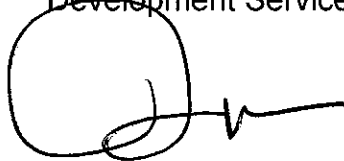
Dear Mr. Marcantonio:

You have indicated that in order to build a commercial building on the combined lots, you desire to eliminate the Public Utility Easement located between your four (4) lots. The site is located at 1519 Gretchen Ave. S, 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

Petitioner:

***John Marcantonio
602 Harrison Dr.
Lehigh Acres, Fl 33936
(239) 209-1390***

Thursday, August 17, 2006

TO:

***Lee County Department of Community Development
P.O. Box 398
Fort Myers, Fl 33902***

***Attn: Peter J. Eckenrode
Director Development Services***

RE: Strap #04-45-26-05-00010.0100

***I am submitting an application to vacate the easement between lots 10 and 11,
lots 11 and 12, and lots 12 and 13.***

***The reason is combine all four (4) lots into one (1) future building site for a
commercial building***

Thank you


John Marcantonio

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AUG 17 2006

VAC2006-00037



Florida Power & Light Company

May 8, 2006

Micki Regas
904 Lee Blvd, Suite 106
Lehigh Acres, FL 33936

Re: Proposed Vacation of Easement for StrapNo. 04-45-26-05-00010.0100

Dear Mrs Regas,

FPL would have no objection to vacating the utility easements common to lot's 10 & 11, 11 & 12, 12 & 13 Block 10, less the PUE along Gunnery Rd and Gretchen Ave S. The PUE along the north property line of lot 10 and the south property line of lot 13 will remain intact.

These lot's have the following strap numbers.

04-45-26-05-00010.0100
04-45-26-05-00010.0110
04-45-26-05-00010.0120
04-45-26-05-00010.0130

If you have any question, please call me at (239) 415-1348.

Sincerely,

A handwritten signature in cursive script that reads "Eric Walther".

Eric Walther
Customer Project Manager

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AUG 17 2006

VAC2006-00037



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.lline.com

April 14, 2006

Ms. Micki Regas
904 Lee Boulevard, Suite 106
Lehigh Acres, FL 33936

Re: Vacation of Internal Public Utility Easements
Bloc 10, Lots 10-13, Unit 5, Lehigh Acres, Florida

Dear Ms. Regas:

LCEC does not object to the vacation of the easements on the above referenced parcel as identified on the attached sketch provided by Lehigh Surveying, Inc., dated 3-12-06, identified as Job # 06157. However, please be advised that you must contact FPL as this is in their service territory.

Sincerely,

Sandra McIver

Sandra McIver
Real Property Representative

Attachment

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AUG 17 2006

VAC 2006-00037



April 21, 2006

Micki Regas
904 Lee Blvd., Suite 106
Lehigh Acres, Florida 33936

Re: Vacation of a 12' Public Utility and drainage easement between lots 10 & 11, lots 11 & 12, and lots 12 & 13, Section 4, Township 45S, Range 26E, Lehigh Acres, Lee County, Florida
Recorded in Plat Book 15, Page 65, of the official records of Lee County, Florida.
Strap No.: 04-45-26-05-00010.0100

Dear Micki Regas:

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 and drainage easement at the Lehigh Acres location.

If you should require additional information, please contact me at 863-452-3207.

Sincerely,


Wayneth Jackson
Engineer

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AUG 17 2006

VAC 2006-00037



301 Tower Rd.
Naples, FL 34135
Phone: 239-732-3805
FAX: 239-498-5456

April 25, 2006

Micki Regas
904 Lee Blvd, Suite 106
Lehigh Acres, Florida 33936

Re: Strap # 04-45-26-05-00010.0100
Lots 10 through 13

Dear Micki Regas,

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 that appears to read "Mark Cook".

Mark Cook
Design Coordinator

RECEIVED

AUG 17 2006

VAC 2006-00037



April 17, 2006

Micki Regas
904 Lee Blvd, Suite 106
Lehigh Acres, Fla. 33936

RE: Vacation of easement
Strap #04-45-26-05-00010.0100

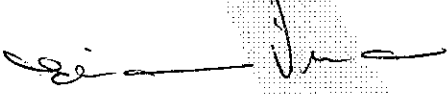
Dear Ms. Regas:

A request for the above listed vacation of easement has been reviewed. At this time, Time Warner Cable has **NO CONFLICT** with this proposed vacation of easement.

If you have any further questions or concerns, please do not hesitate to contact me at (239) 772-2218, Ext. 79247.

Sincerely,

TIME WARNER CABLE


Eliacim Viera
Quality Control Coordinator

EV/sgs

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AUG 17 2006

VAC2006-00037

AmeriGas

America's Propane Company

April 20, 2006

Micki Regas
904 Lee Blvd, Suite 106
Lehigh Acres, FL 33936

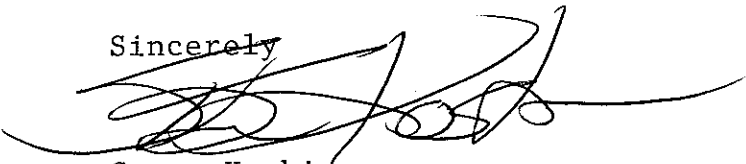
Attn: Micki Regas

As requested, please note the location of a public utility easement to be vacated, according to your letter, dated April 11th, is clear and there is no gas at the stated location as follows:

A 12.0 foot wide public utility easement centered on lots, 10 & 11, 11 & 12, 12 & 13, block 10, unit 5, section 4, township 45 south, range 26 east, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in plat book 15, page 85, of the official records of Lee County, Florida.

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

Sincerely



Susan Koski
Sales & Service Manager

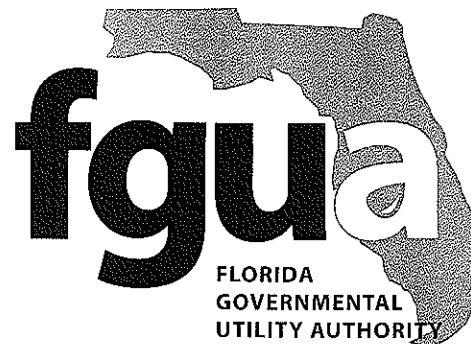
lp

RECEIVED
AUG 17 2006

VAC2006-00037

August 1, 2006

Micki J. Regas
Tradewinds Title, Inc.
904 Lee Blvd. Ste 106
Lehigh Acres FL 33936



RE: Vacation of Easement request from Micki J. Regas on behalf of John Marcantonio for the three (3) 12-foot wide public utility easements centered on Lots 10 and 11, 11 and 12, 12 and 13, Block 10, Unit 5, Section 4, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 85 of the Public Records of Lee County, Florida. Less and except the easterly 6-feet and the westerly 6-feet thereof.

LEA ANN THOMAS, CHAIR
Polk County

BRIAN WHEELER
Osceola County

JIM LAVENDER
Lee County

THOMAS H. DICK
Citrus County

Dear Mr. Regas:

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 Micki J. Regas on behalf of John Marcantonio for the 12-foot public utility easement centered on Lots 10 and 11, 11 and 12, 12 and 13, Block 10, Unit 5, Section 4, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 85 of the Public Records of Lee County, Florida. Less and except the easterly 6-feet and the westerly 6-feet thereof.

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
AUG 17 2006

VAC2006-00037

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



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 479-8150

Writer's Direct Dial Number: _____

Bob Janes
District One

April 17, 2006

Douglas R. St. Cerny
District Two

Micki Regas,
904 Lee Blvd, Suite 106
Lehigh Acres, FL 33936

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF UTILITY AND/OR RIGHT-OF-WAY EASEMENT
STRAP #: 04-45-26-05-00010.0100
1519 GRETCHEN AVE S.

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Dear Ms. Regas,

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
Lee County Utilities

Original Mailed: 04/17/2006

Fax Sent: 04/17/2006

CC: Correspondence File

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AUG 17 2006

VAC2006-00037

H:\Vacates\2006\Regas04172006.doc

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111
Internet address <http://www.lee-county.com>
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER



**PLAT OF
UNIT 5
LEHIGH ESTATES
A SUBDIVISION OF
LEHIGH ACRES
LEE COUNTY, FLORIDA**

LEE COUNTY LAND & TITLE CO., DEVELOPERS

Scale: 0 400 800 1200

October 1999

Petition to Vacate
Petition No: 2002-00049
Description: 12ft wide PUE on lots 11&
12. See CCMB
Date of Approval: 12/10/02
Resolution No: 02-12-07
CCMB: 2002R Page: 819
Recorded on: 12/31/02 OR Bk: 3809
Page: 3196-3199

Petition to Vacate
Petition No: 98-01-169.04R
Description: 5' 12ft wide utility
easements. See CCMB
Date of Approval: 04/14/98
Resolution No: 98-04-06
CCMB: 1998 Page: 208
Recorded on: 4/23/98 OR Bk: 2950
Page: 3128-3131

DESCRIPTION

All that part of Section 4, Township 43 South, Range 26 East, lying West of the Western right of way of Buckingham County Road, Northernly of the Northernly right of way of State Road No. 82 and lying East of a line described as follows: Commencing at a point in the North line of said Section 4, a distance of 2769.20 feet East of the Northwest corner thereof; thence S 25° 50' 11" W, a distance of 4911.58 feet more or less to an intersection with the Northernly right of way of State Road No. 82, said point being 768.11 feet, Southwest as measured along said right of way from the intersection of said right of way 82 and the West line of said Section 4, and there terminating. And all that part of Section 9, Township 43 South, Range 26 East, lying West of the Western right of way of Buckingham County Road and North of the Northernly right of way of State Road No. 82.

NOTE:
All lots subject to a 6' Utility Easement, both sides front and back
Interior P.M.'s are 4" x 4" x 24" concrete
Section corner P.M.'s are 6" x 6" x 36" concrete
All corner lot radii are 25 feet, except as shown and the lot distances are
to the straight line intersections, except where arc distances are shown.

NOTE:
Dimensions, Bearings, Light and Laser Levels or
Degrees of Locus Data shown herein.

Petition to Vacate
Description: Vacation of 6ft PUE
Resolution No: 04-01-35
Date of Approval: 01/27/04
CCMB: 2004R Page: 49

SURVEYORS CERTIFICATE

I the undersigned hereby certify that the plat as shown is a correct representation of the land platted and that permanent reference monuments have been placed as shown.

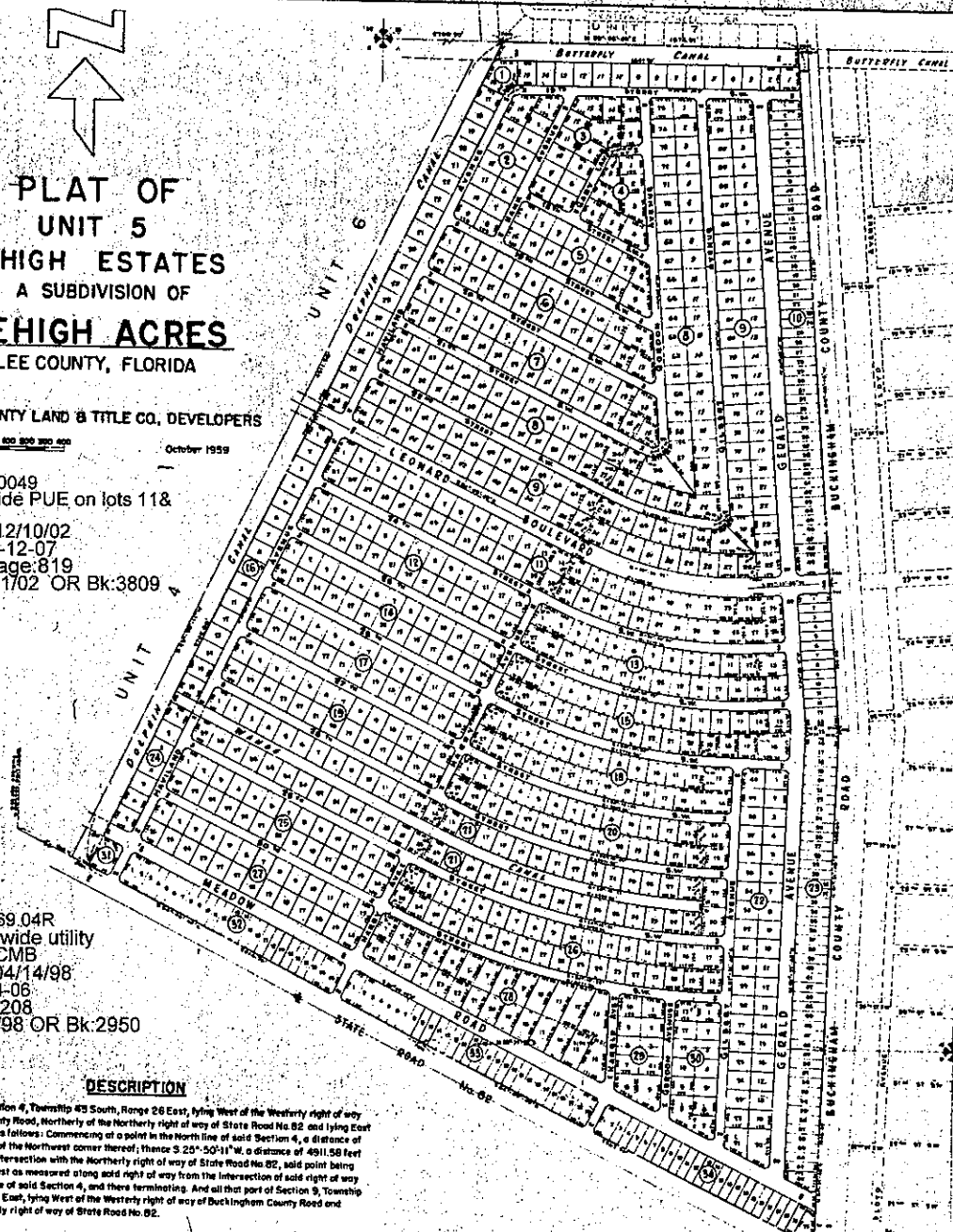
R. J. [Signature]
Florida Registered Land Surveyor, No. 1188



Petition to Vacate
Petition No: 95-12-183.04R
Description: 2ft wide PUE;
See CCMB
Date of Approval: 02/25/97
Resolution No: 97-02-09
CCMB: 1997R Page: 759
Recorded on: 02/25/97
OR Bk: 2783 Pg: 125-1260

PLAT BOOK 15, PAGE 85

SHEET 85 OF 101



150	2
140	1
130	2
120	3
110	4
100	5
90	6
80	7
70	8
60	9
50	10
40	11
30	12
20	13
10	14
1	15

74	2	108
75	3	
72	4	
71	5	
70	6	
69	7	
68	8	
67	9	
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65	11	
64	12	
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59	17	
58	18	

100	01	2	108
	02	3	
	03	4	
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ROAD
 COUNTY

17th St	
16th St	
15th St	
14th St	
13th St	
12th St	
11th St	
10th St	
9th St	
8th St	
7th St	
6th St	
5th St	
4th St	
3rd St	
2nd St	
1st St	

FLOYD

