

Agenda Item Summary

1. **ACTION REQUESTED/PURPOSE:** Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a ~~12~~ ^{six} foot wide Public Utility Easement located at 12 Highland Ave., Lehigh Acres (Case No. VAC2006-00022). *JLF*

2. **WHAT ACTION ACCOMPLISHES:** To build a single-family residence on the subject 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 #: 5 **9:30 AM PH 2** 5. Meeting Date: **10-17-2006**

6. Agenda: <input type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input checked="" type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)		8. Request Initiated:
	<input checked="" type="checkbox"/> Statute	F.S. Ch. 177	Commissioner
	<input type="checkbox"/> Ordinance		Department
	<input checked="" type="checkbox"/> Admin. Code	13-1	Division
	<input type="checkbox"/> Other		By: <i>[Signature]</i> 9/12/06

Peter J. Eckenrode, Director

9. **Background:**
The completed petition to vacate, VAC2006-00022 was submitted by John and Kathleen A. McElroy.

LOCATION: The site is located at 12 Highland Ave., Lehigh Acres, Florida 33936 and its strap number is 33-44-27-03-00012.0070. Petition No. VAC2006-00022 proposes to vacate a ~~twelve~~ ^{six} foot (~~12~~) wide Public Utility Easement running diagonally east and west on Lot 7, Block 12, Section 33, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 48 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the southerly 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> 9-20-06	<i>[Signature]</i> 9/21/06	<i>[Signature]</i> 9/21/06	<i>[Signature]</i> 9/21/06	<i>[Signature]</i> 9/21/06	<i>[Signature]</i> 9/21/06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN:
9-20-06 11:20
COUNTY ADMIN FORWARDED TO:
9-21-06 4:30pm

Rec. by CoAtty
Date: 9/21/06
Time: 3:05pm
Forwarded To: Co. Admin 9/20/06 10AM



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: September 11, 2006

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20061215

CASE NUMBER: VAC2006-00022

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: VAC2006-00022


TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 17th day of October 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.

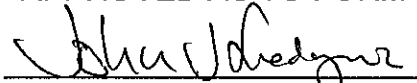
A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.

 **LEE COUNTY**
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



Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00022

Legal Description of the Public Utility Easement to be Vacated:

A portion of the six-foot wide Public Utility Easement (as measured as a right angle) lying to the southwest of and being parallel, adjacent and contiguous to the northeast lot line of Lot 7, Block 12, as shown on the Plat of Section 33, Township 44 South, Range 27 East, a Subdivision of Lehigh Acres, Lee County Florida, as recorded in Plat Book 15, Page 48 of the Public Records of Lee County, Florida, but not vacating any portion of the six-foot wide Public Utility Easement along either the southerly or westerly sides of the aforesaid 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: VAC2006-00022

WHEREAS, Petitioner John McElroy and Kathleen A. McElroy 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. VAC2006-00022 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

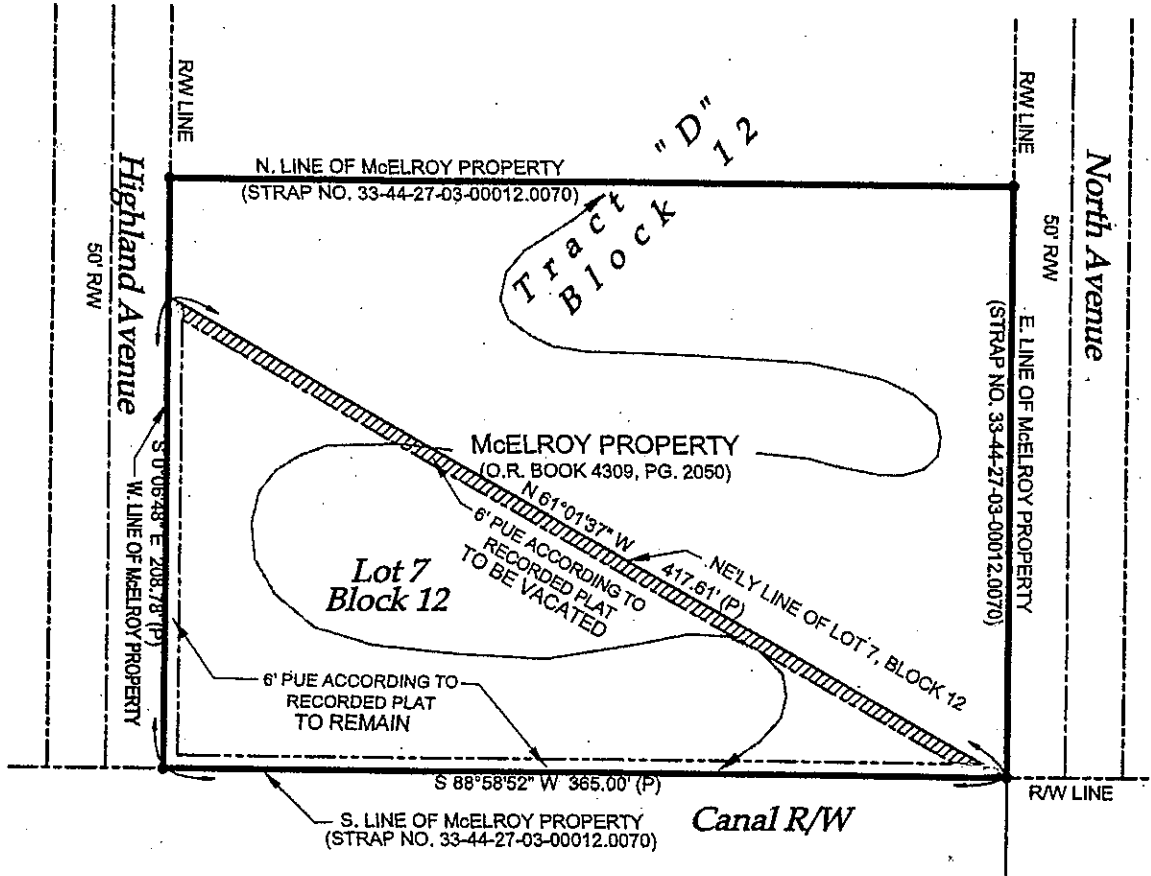
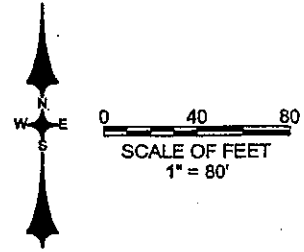
Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00022

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Exhibit "B"
Petition to Vacate
VAC2006-00022
 [Page One of One]



SURVEYORS NOTES:

SKETCH BASED ON RECORDED PLAT AND ALSO ON SURVEY
 PREPARED BY ROBERT M. STILL, P.S.M. FLA. CERT. NO. 3695,
 DATED 6-11-04.

ABBREVIATIONS:

- O.R. = OFFICIAL RECORDS
- (P) = DIMENSION ACCORDING TO RECORDED PLAT
- PG. = PAGE
- P.O.B. = POINT-OF-BEGINNING
- P.U.E. = PUBLIC UTILITY EASEMENT
- R/W = RIGHT-OF-WAY

ORIENTATION IS BASED ON THE EAST LINE OF SECTION 33, T.44 S., R. 27 E., AS BEARING S.00°06'48"E.
 CERTIFICATE OF AUTHORIZATION LICENSE BUSINESS NO. 6891.
 UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, THIS MAP IS NOT VALID.
THIS IS NOT A SURVEY!

DESCRIPTION DRAWING

PUBLIC UTILITY EASEMENT TO BE VACATED
 WITHIN LOT 7, BLOCK 12, OF THE "PLAT OF
 SECTION 33, TOWNSHIP 44 SOUTH, RANGE 27
 EAST, A SUBDIVISION OF LEHIGH ACRES, LEE
 COUNTY, FLORIDA"

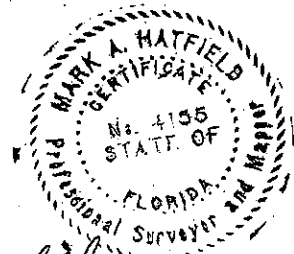
FOR
 JOHN AND KATHLEEN McELROY



MORRIS - DEPEW ASSOCIATES, INC.
 ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
 2218 Altamonte Avenue * Fort Myers, Florida 33901 * (239) 337-3693 * (FAX) 337-3694
CERTIFICATE OF AUTHORIZATION NUMBER LB6891

PREPARED BY:

Mark A. Hatfield
 MARK A. HATFIELD, P.S.M. DATE
 FLA. CERT. NO. 4155





PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00022

Petitioner(s), JOHN H. McELROY AND KATHLEEN A. McELROY 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, 209 IDLEVIEW AVE., 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.

[Handwritten signature]
Petitioner Signature

Kathleen A. McElroy
Petitioner Signature

JOHN H. McELROY
Printed Name

KATHLEEN A. McELROY
Printed Name

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

RECEIVED
MAY 19 2006

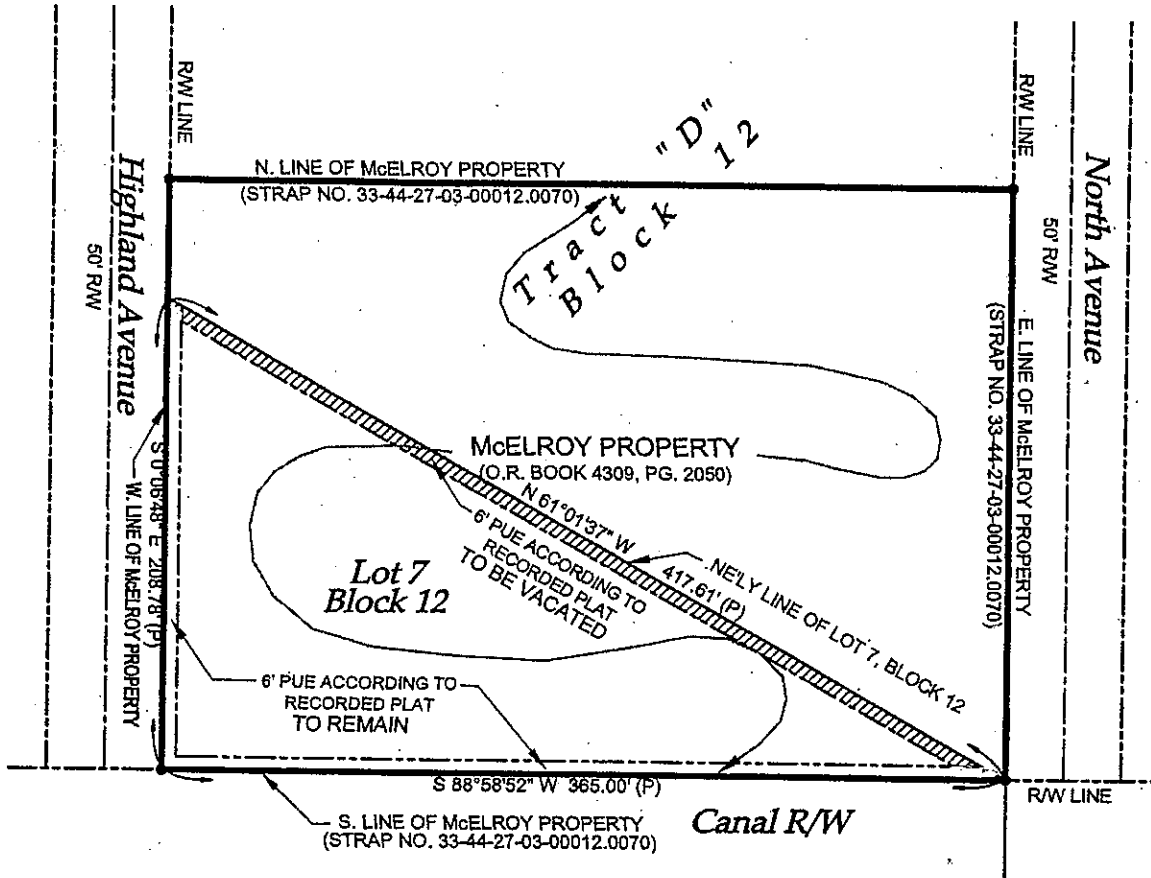
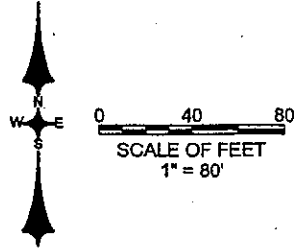
VAC2006-00022

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VAC2006-00022

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 [Page One of One]



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 WITHIN LOT 7, BLOCK 12, OF THE "PLAT OF
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 EAST, A SUBDIVISION OF LEHIGH ACRES, LEE
 COUNTY, FLORIDA"**

**FOR
 JOHN AND KATHLEEN McELROY**



MORRIS - DEPEW ASSOCIATES, INC.
 ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
 2216 Altamont Avenue * Fort Myers, Florida 33901 * (238) 337-3893 * (FAX) 337-3894
CERTIFICATE OF AUTHORIZATION NUMBER LB0891

PREPARED BY:

Mark A. Hatfield
 MARK A. HATFIELD, P.S.M. DATE
 FLA. CERT. NO. 4165

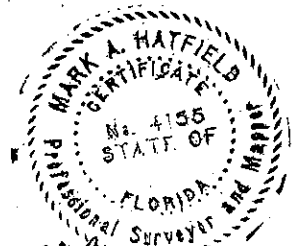


Exhibit "C"
Petition to Vacate
VAC2006-00022
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
33-44-27-03-00012.0070	2005	PAID
Original Account	Book/Page	
33-44-27-03-00012.0070	4309/2050	
Owner		
MCELROY JOHN + KATHLEEN A		
Physical Address	Mailing Address	
12 HIGHLAND AVE Lehigh Acres FL 33936	P O BOX 61610 FORT MYERS FL 33906 USA	
Legal Description		
LEHIGH ACRES UNIT 3 BLK 12 DB 248 PG 460 LOT 7 + PT OF TRACT D PB 15 PG 48		
Outstanding Balance as of 5/22/2006		\$0.00





Prepared by & Return to:
 Title Professionals of Florida
 13241 University Drive, # 103
 Fort Myers, FL 33907
 incidental to the issuance of a title insurance policy.
 File Number: paf-3667-04
 Parcel ID #: 33-44-27-03-00012.0070

INSTR # 6288166
 DATE RECORDED 05/14/2004 - 2051; (2pgs)
 RECORDED 05/24/2004 04:58:20 PM
 CLERK OF COURT
 COUNTY, FLORIDA
 RECORDING FEE 10.50
 FEE 544.60
 CLERK L Ambrosio

**WARRANTY DEED
 (INDIVIDUAL)**

This WARRANTY DEED, dated 05/14/2004 by

William R. Weaver and Shari S. Weaver, Husband and Wife

hereinafter called the GRANTOR, to

John McElroy and Kathleen A. McElroy, husband and wife

whose post office address is:

1275 Fruitland Avenue, Marco Island, FL 34145

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 12, Unit 3, Section 33, Township 44 South, Range 27 East. Commencing at the Southeast corner of Section 33, Township 44 South, Range 27 East, as shown on the plat of Section 33, Township 44 South, Range 27 East, a Subdivision of LEHIGH ACRES, Lee County, Florida, recorded in Plat Book 15, Page 48, of the Public Records of Lee County, Florida; thence North 00 degrees 06' 48" West, along the East Section line of said Section 33, a distance of 104.39 feet to the Northerly right-of-way line of a drainage canal, and the Point of Beginning of the combined Lot 7, and the Southerly part of Tract D; thence South 89 degrees 58' 52" West, along said drainage canal, a distance of 365.00 feet, to the Easterly right-of-way line of Highland Avenue; thence North 00 degrees 06' 48" West, along the Easterly right-of-way line of Highland Avenue, a distance of 260.97 feet; thence North 89 degrees 58' 50" East, a distance of 365.00 feet to the Westerly right-of-way line of North Ave and the East Section line of said Section 33; thence South 00 degrees 06' 48" East, along the Westerly right-of-way line of North Avenue and the East Section line of said Section 33, a distance of 260.97 feet, to the Point of Beginning.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2004 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:

Witness 1 Signature: M. A. Goss
Print Name: M. A. Goss

Witness 2 Signature: Jessie Turner
Print Name: Jessie Turner

Witness 1 Signature: M. A. Goss
Print Name: M. A. Goss

Witness 2 Signature: Jessie Turner
Print Name: Jessie Turner

} William R. Weaver
William R. Weaver

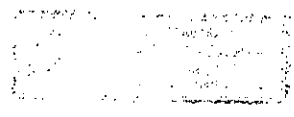
} Shari S. Weaver
Shari S. Weaver

State of FL
County of Lee

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared William R. Weaver and Shari S. Weaver, husband and wife and 1031 Tax Free Strategies, LLC, known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that; he, she and/or they, executed the same, and an oath was not taken. (Check one:) Said person(s) is/are personally known to me. Said person(s) provided the following type of identification: FL Driver Licenses.

WITNESS my hand and official seal in the County and State last aforesaid this .

(SEAL)



Mary Anne Goss
Notary Signature

Print/Type/Stamp Notary Signature

My Commission Expires: 2/1/05



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

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

239-479-8585

Douglas R. St. Cerny
District Two

Ray Judah
District Three

September 11, 2006

Tammy Hall
District Four

John E. Albion
District Five

John H. and Kathleen A. McElroy
209 Idleview Ave.
Lehigh Acres, FL 33936

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Re: **VAC2006-00022 - Petition to Vacate** a 12-foot wide Public Utility Easement running diagonally east to west on lot 7, Block 12, Lehigh Acres, S 33, T 44S, R 27E, as recorded in Plat Book 15, Page 48, in the public records of Lee County, FL

Dear Mr. and Mrs. McElroy:

You have indicated that in order to build a single-family residence on the subject lot, you desire to eliminate the Public Utility Easement located diagonally east to west on your lot. The site is located at 12 Highland Ave., Lehigh Acres. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Peter J. Eckenrode
Director

PJE/RXW

DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTN: PETER J. ECKENRODE, DIRECTOR DEVELOPMENT
SERVICES

OUR REASON TO VACATE THIS UTILITY EASEMENT:

EASEMENT RUNS DIAGONALLY THROUGH OUR PROPERTY
ESSENTIALLY CUTTING OUR PROPERTY IN TWO. THIS
EASEMENT WAS CREATED IN THE 1930'S AND SHOULD
HAVE BEEN CHANGED WHEN THE PROPERTY WAS
CHANGED BACK TO A RECTANGLE. WE WOULD LIKE
THIS EASEMENT VACATED SO WE CAN USE THE
ENTIRE PROPERTY. THANK YOU

JOHN H. MCELROY AND KATHLEEN A. MCELROY
209 IDLEVIEW AVE.

LEHIGH ACRES, FL 33936

239-368-8413 - HOME PHONE W/MACHINE

239-896-3875 - (JOHN) CELL PHONE

STRAP # 33 44 27 03 0002.0070

RECEIVED

MAY 19 2006

VAC2006-00022



Lee County Electric Cooperative, Inc.
Post Office Box 3455
North Fort Myers, FL 33918-3455
(239) 995-2121 • FAX (239) 995-7904
www.lcec.net • www.iline.com

August 15, 2005

Mr. John H. McElroy, III
P. O. Box 61610
Fort Myers, FL 33906

Re: Vacation of Internal Public Utility Easements
Lehigh Acres Unit 3, Block 12, Lot 7 and Part of Tract D

Dear Mr. McElroy:

LCEC does not object to the vacation of the internal Public Utility Easements on the above referenced parcel, **LESS AND EXCEPT**, the Northwesterly 6 feet and the Southeasterly 6 feet. LCEC understands the 6-foot perimeter easement of the combined parcel will remain intact.

If you have any questions, I can be reached at 1-800-282-1643, extension 422.

Sincerely,

Sandra McIver
Real Property Representative

RECEIVED

SEP 01 2006

VAC 2006-00022



Customer Service Operations
Post Office Box 1530
LaBelle, Florida 33975-4613

August 23, 2005

Mr. John H. McElroy, III
P.O. Box 61610
Fort Myers, Florida 33906

Re: Vacation of Public Utility Easement:
Vacation of Internal Public Utility Easements Lehigh Acres Unit 3, Block 12, Lot 7 and Part of
Tract D.

Dear : Mr. McElroy,

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, we have no objection to the vacation of the internal Public Utility Easements on the above referenced parcel, Less And Except, the Northwesterly 6 feet and the Southeasterly 6 feet. Sprint understands the 6 foot perimeter easement of the combined parcel will remain intact.

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

Sincerely,

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

Sabrina Thompson
Engineer

RECEIVED

MAY 19 2006

VAC 2006 - 00022



26930 Old US 41
Bonita Springs, FL 34135
Phone: 239-732-3805
FAX: 239-498-4483

August 11, 2005

John McElroy III
PO BOX 61610
Ft Myers, FL 33906

Re: 21 Highland Av, Lehigh Acres
Vacate Right-of-Way and/or Utility Easement

Dear John McElroy,

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

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

Cordially,

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

Mark Cook
Design Coordinator

RECEIVED

MAY 19 2006

VAC2006-00022



August 18, 2005

John H. McElroy III
P.O. Box 61610
Fort Myers, Fla. 33906

RE: Vacation of easement – 12 Higland Ave, Lehigh Acres, Fla.

Dear Mr. McElroy:

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

A handwritten signature in black ink, appearing to read "Adnaldo Rodriguez".

Adnaldo Rodriguez
Technical Field Inspector

AR/ss

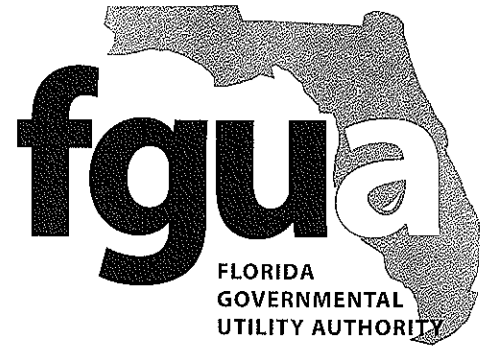
RECEIVED

MAY 19 2006

VAC 2006-00022

January 18, 2006

Re-Issued August 15, 2006



John H. McElroy, III
P.O. Box 61610
Fort Myers, Florida 33906

RE: Vacation of Easement request from John H. McElroy, III for a 12-foot wide public utility easement between lots 7 and 8, block 12, Lehigh Acres, Lee County, Florida.

LEA ANN THOMAS, CHAIR
Polk County

Dear Mr. McElroy:

BRIAN WHEELER
Osceola County

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.

JIM LAVENDER
Lee County

The vacation of easement was requested from John H. McElroy, III for a 12-foot wide public utility easement between lots 7 and 8, block 12, Lehigh Acres, Lee County, Florida.

THOMAS H. DICK
Citrus County

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

SEP 01 2006

VAC 2006-00022

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

AmeriGas

America's Propane Company

August 30, 2005

John H. McElroy III
P.O. Box 61610
Ft. Myers, FL 33906

Dear Mr. McElroy:

The location of a public utility easement to be vacated pertaining to your letter dated August 11, 2005 is clear and there is no gas at the stated location: 12 Highland Ave., Lehigh Acres.

Please feel free to contact me at 239-334-2849, should you have further questions.

Sincerely,



Jim Riefstahl
Sales & Service Manager

RECEIVED

MAY 19 2006

VAC 2006 - 00022



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number (239) 479-8124

Bob Janes
District One

Thursday, September 01, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. John H. Mcelroy, III
P.O. Box 61610
Fort Myers, FL 33906

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate a twelve-foot (12') wide public utility and drainage easement encumbering Lots 7, Block 12, Unit 3, Lehigh Acres Subdivision as recorded in Plat Book 15 at Page 48 of the Public Records of Lee County, Florida.

Donald D. Stilwell
County Manager

Robert W. Gray
Deputy County Attorney

Diana M. Parker
County Hearing Examiner

Dear Mr. Mcelroy:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion of the subject public utility and drainage easement.

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT



Allen L. Davies, Jr.
Natural Resources Division

S:\NATRES\SURFACE\DOCUMENT\vac514.doc

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VAC 2006-00022

MAY 19 2006



Florida Department of Transportation

JEB BUSH
GOVERNOR

DENVER J. STUTLER, JR.
SECRETARY

August 17, 2005

Mr. John H. McElroy III
Post Office Box 61610
Fort Myers, Florida 33906

**RE: VACATION OF PUBLIC INTEREST IN THE RIGHT OF WAY, ROAD
EASEMENT, UTILITY OR DRAINAGE EASEMENT AT 12 HIGHLAND
AVENUE, LEHIGH ACRES, LEE COUNTY, FLORIDA
PM LOG #05-89**

Dear Mr. McElroy:

In response to your letter we received on August 15, 2005, our staff conducted a review of your request to vacate the subject area as marked and generally described as:

That portion of proposed right of way, road easement, utility or drainage easement at the above referenced location.

Based on this review, we offer "No Objection" to this vacation 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

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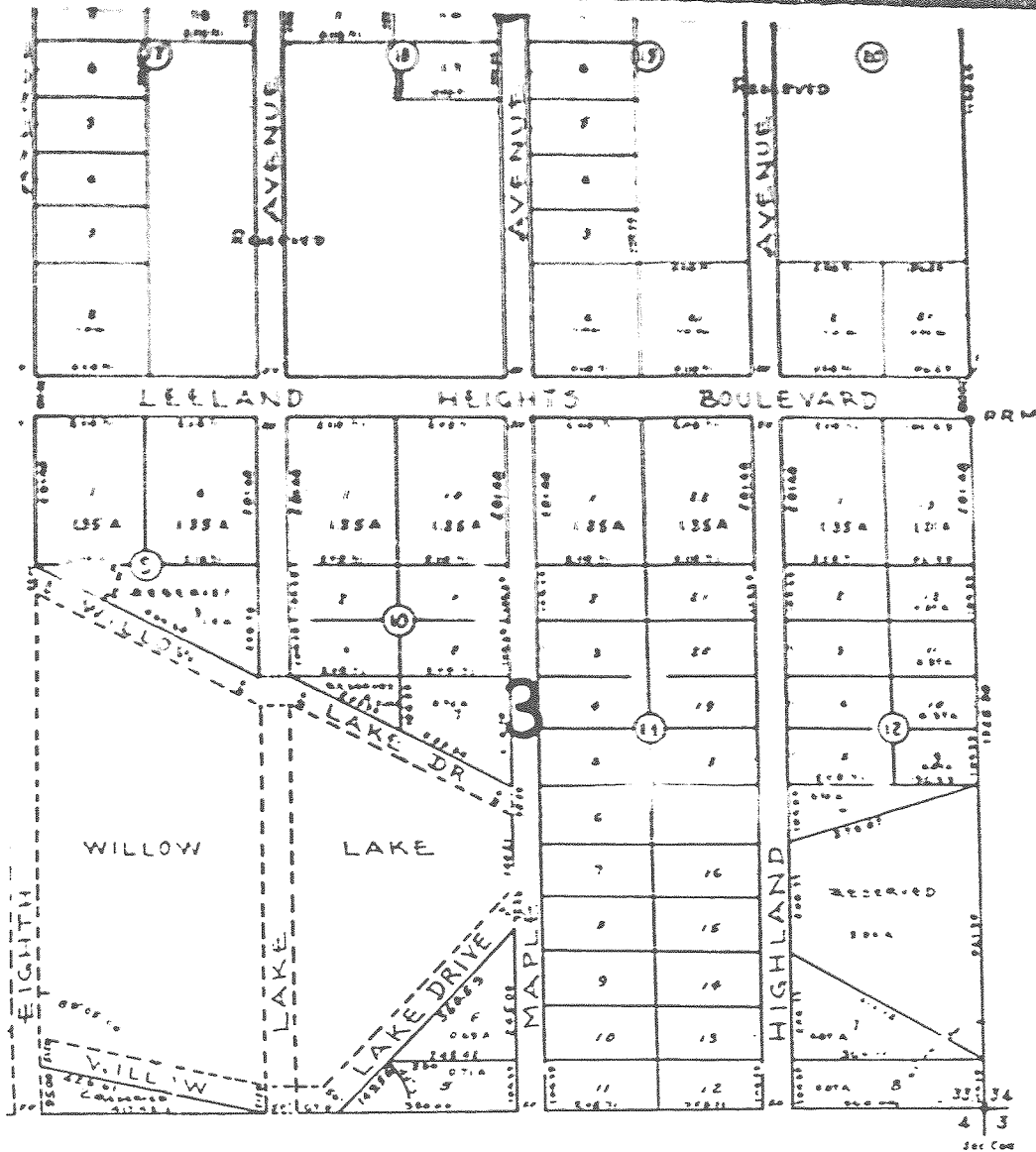
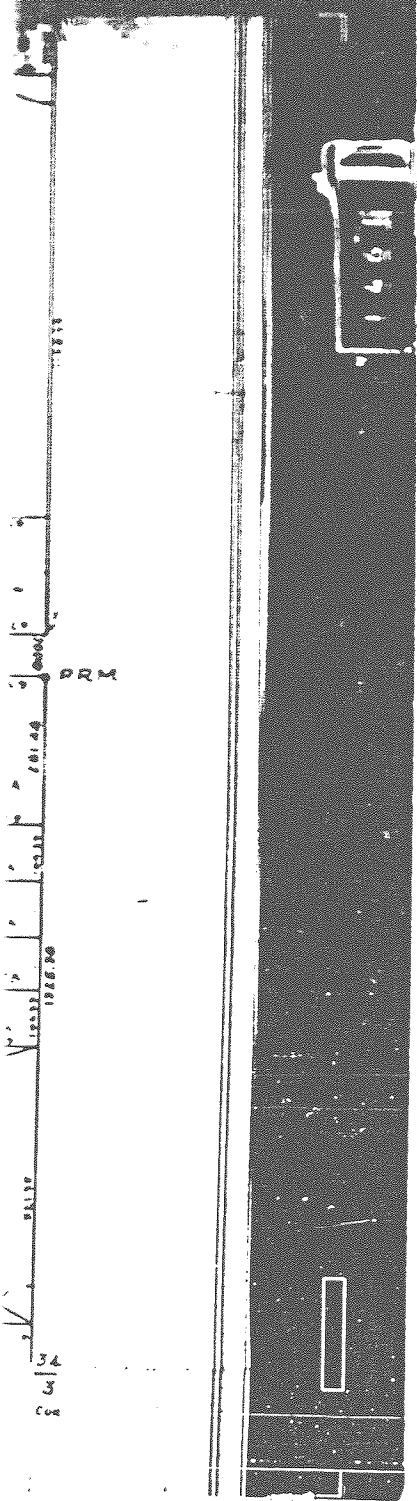
MAY 19 2006

VAC 2006-00022

District One-Right of Way Department-Property Management
801 North Broadway Avenue*Post Office Box 1249*Bartow, FL 33831-1249
(863)519-2413*(863)534-7168(FAX)*MS 1-66

www.dot.state.fl.us





1/4" = 200'
 ALL LOTS 1/4 AC
 BY WOODS M-100
 SUBJECT TO A CO-
 OP AGREEMENT

PLAT OF BLOCKS 9, 10, 11, 12 UNIT No 3
 BLOCKS 17, 18, 19, 20 UNIT No 5

LEHIGH ACRES
 A SUBDIVISION OF SECTION 33 TWP. 44S-R27E

LEE COUNTY, FLORIDA
 LEE COUNTY LAND & TITLE CO.
 ~DEVELOPERS~

BY OF SURVEY
 I DO HEREBY CERTIFY THAT THE PLAT
 IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED
 IT REFERENCE NUMBERS HAVE BEEN PLACED



William Stark
 FLORIDA REGISTERED LAND SURVEYOR

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MAY 19 2006

VAC 2006-00022



 - AREA TO BE VACATED

STRAP 33-44-27-03-00012.0070

[Draw | Select]

Search - Select one -

Applications - Select one -



Select map layers to view

- Sample Visible Layers
- Sample Zoom in to see these
- Sample Zoom out to see these
-
- Save layers in cookie
- Parcels (Land Records)
 - Easement Labels
 - Mobile Home Lots
 - Easements
 - Street Number
 - Lot Lines
 - Subdivisions
 - Parcel Labels
 - Parcel Lines
 - Pointers

Parcel Query Report

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MAY 19 2006

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