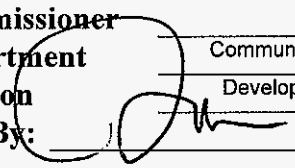


1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Public Utility Easement located at 817 Columbus Ave., Lehigh Acres (Case No. VAC2006-00040).

2. WHAT ACTION ACCOMPLISHES: To clear title for a detached garage inadvertently permitted and constructed in the easement in 2004 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 PH3	5. Meeting Date: 1-30-07
6. Agenda:		7. Requirement/Purpose: (specify)	8. Request Initiated:
<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Statute	F.S. Ch. 177	Commissioner
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance		Department
<input type="checkbox"/> Appeals	<input checked="" type="checkbox"/> Admin. Code	13-1	Division
<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Other		By: 
<input type="checkbox"/> Walk-On			11/21/06
Peter J. Eckenrode, Director			

9. Background:

The completed petition to vacate, VAC2006-00040 was submitted by Earl W. and Vicky J. Kennedy.

LOCATION: The site is located at 817 Columbus Ave., Lehigh Acres, Florida 33972 and its strap number is 23-44-27-02-00008.0210. Petition No. VAC2006-00040 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 20 and 21, both in Block 8, Unit 2, Section 23, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 34 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
Mam Gibbs				John J. Keogh 12-19-06	Analyst 12/19/06	Risk 12/19/06	Grants 12/19/06	Mgr. 12/19/06	12-20-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
 12/19 8:15 AM

COUNTY ADMIN
 FORWARDED TO:
 12/20 3pm
 PR

REC'D
 by CO. ATTY.
 11-22-06
 4115

CO. ATTY.
 FORWARDED TO:
 Co. Admin.
 12/18/06 1:30 PM



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: November 3, 2006

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20061484

CASE NUMBER: VAC2006-00040

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: VAC2006-00040

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 30th day of January 2007 @ 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

SOUTHWEST FLORIDA

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

A handwritten signature in black ink, appearing to read 'John J. Fredyma'.

County Attorney Signature

JOHN J. FREDYMA

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00040

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 20 and 21, both in Block 8, Unit 2, Plat of Section 23, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 34 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

THIS INSTRUMENT PREPARED BY:

Department of Community Development
Development Services Division
1500 Monroe Street
Fort Myers Florida 33901

RESOLUTION NO. _____ FOR PETITION TO VACATE

Case Number: VAC2006-00040

WHEREAS, Petitioner **Earl W. Kennedy and Vicky J. Kennedy** 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. VAC2006-00040 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
SOUTHWEST FLORIDA

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

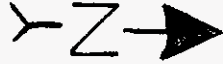
EXHIBIT "A"
Petition to Vacate
VAC2006-00040

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 20 and 21, both in Block 8, Unit 2, Plat of Section 23, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 34 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

PLAT OF SECTION 23, TWP. 44 S., RGE 27 E
 A SUBDIVISION OF LEHIGH ACRES
 LEE COUNTY, FLORIDA
 PLAT BOOK 15, PAGE 34, PUBLIC RECORDS, LEE COUNTY, FLORIDA



SCALE: 1" = 30'-0"

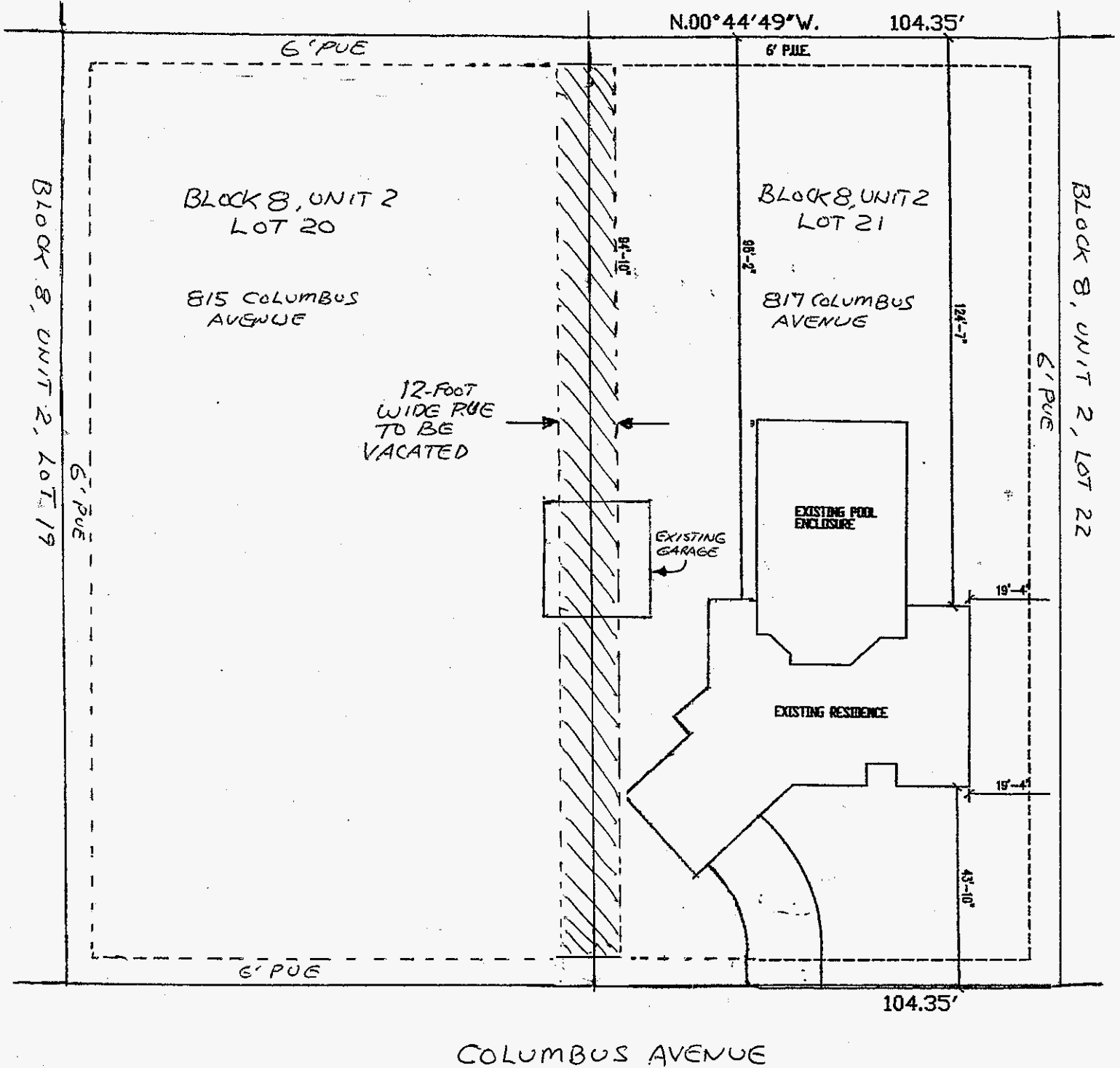


Exhibit "B"
 Petition to Vacate
 VAC2006-00040
 [Page One of One]

VAC2006-00040



PETITION TO VACATE (AC 13-1)

Case Number: VAC2006-00040

Petitioner(s), Earl W. Kennedy and Vicky J. Kennedy 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, 817, Columbus Ave, Lehigh Acres, 33972
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted by:

Signature of Earl W. Kennedy
Petitioner Signature

Signature of Vicky J. Kennedy
Petitioner Signature

Earl W. Kennedy
Printed Name

Vicky J. Kennedy
Printed Name

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

RECEIVED

OCT - 2 2006

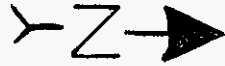
EXHIBIT "A"
Petition to Vacate
VAC2006-00040

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 20 and 21, both in Block 8, Unit 2, Plat of Section 23, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 34 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

PLAT OF SECTION 23, TWP. 44 S., RGE 27 E
 A SUBDIVISION OF LEHIGH ACRES
 LEE COUNTY, FLORIDA
 PLAT BOOK 15, PAGE 34, PUBLIC RECORDS, LEE COUNTY, FLORIDA



SCALE: 1" = 30'-0"

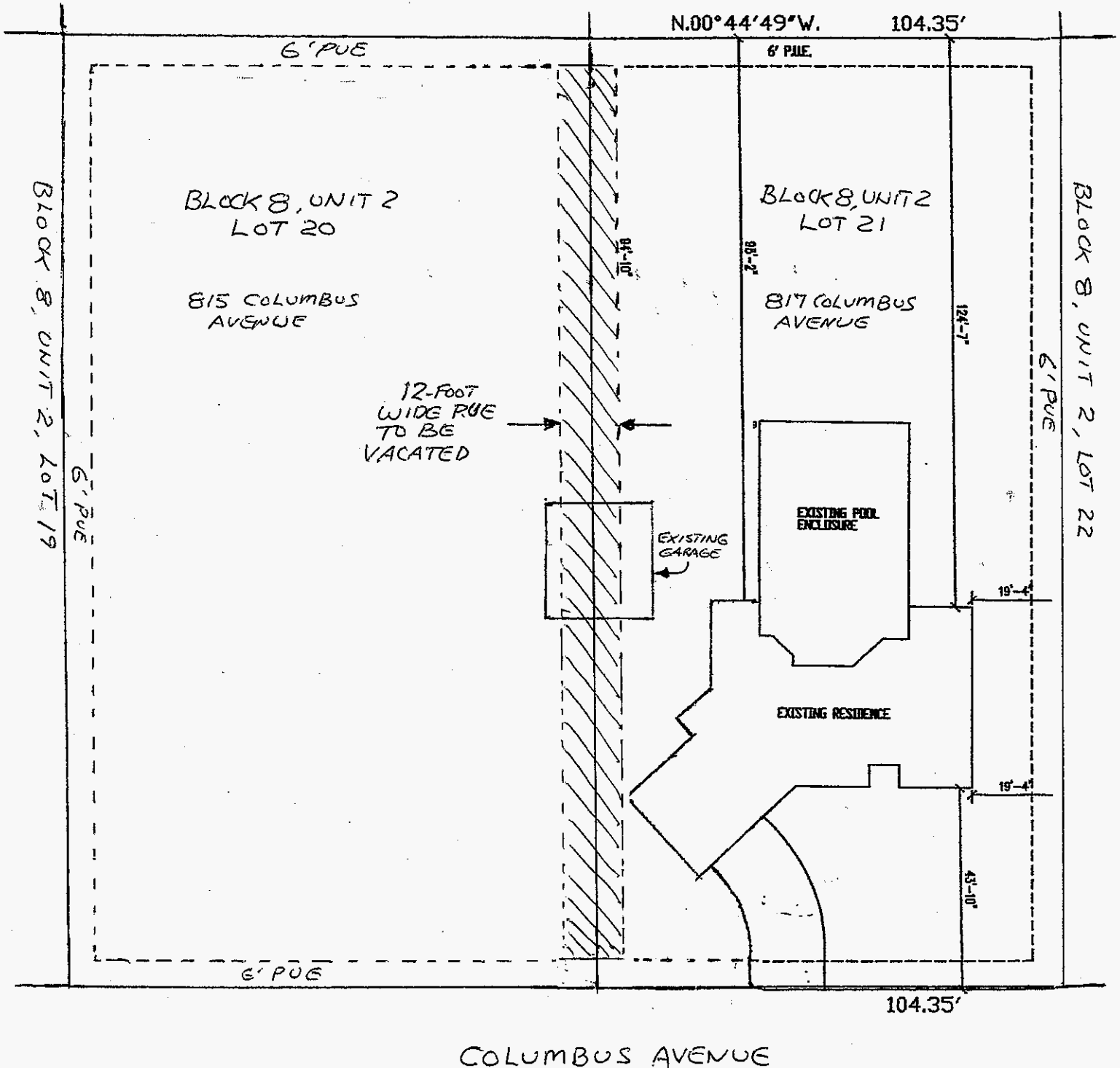



Exhibit "B"
 Petition to Vacate
 VAC2006-00040
 [Page One of One]

VAC2006-00040

Exhibit "C"
Petition to Vacate
VAC2006-00040
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
23-44-27-02-00008.0210	2006	PAID
Original Account	Book/Page	
23-44-27-02-00008.0210	4711/258	
Owner		
KENNEDY EARL W + VICKY J		
Physical Address		Mailing Address
817 COLUMBUS AVE LEHIGH ACRES FL 33972		817 COLUMBUS AVE LEHIGH ACRES FL 33972 USA
Legal Description		
LEHIGH ACRES UT 2 BLK 8 DB 254 PG 55 LOTS 20 + 21 + 22		
Outstanding Balance as of 11/2/2006		\$0.00

Prepared By: Tammy Stoddard
Morgan And Associates Title Company
55 Homestead Road North
Lehigh Acres, FL
incidental to the issuance of a title insurance policy.
File Number: 03-01297
Parcel ID #: 23-44-27-02-00008.0200
Grantee(s) SS #:

**WARRANTY DEED
(INDIVIDUAL)**

RECEIVED
OCT 25 2006

This WARRANTY DEED, dated Aug. 12, 2003 by

**Heinrich Zolk and Isolde Zolk, husband and wife,
Ferd-Barth-STR 17, 82467 Garmish-Partenkirchen, Germany ,
hereinafter called the GRANTOR, to**

**Earl Kennedy and Vicky Kennedy, husband and wife
whose post office address is 2281 Somerset Dr. B-104 Lehigh Acres, FL 33971,
hereinafter called the GRANTEE:**

VAC 2006-00040

(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(s) 20, Block 8, Unit 2, Section 32, Township 44 South, Range 27 East, LEHIGH ACRES, according to the plat thereof, recorded in Plat Book 15, Page(s) 34 and Deed Book 254, Page 55 of the Public Records of Lee County, Florida.

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

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2003 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 Signature: MARTIN SPARKS Heinrich Zolk
Print Name: Martin Sparks Heinrich Zolk

Witness Signature: Wolfgang Reindor Isolde Zolk
Print Name: WOLFGANG REINDOR Isolde Zolk

1028 A

State of Bavaria
County of Garmisch-Partenkirchen

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on 12th August 2003 by:
Heinrich Zolk and Isolde Zolk, husband and wife who is personally known to me ~~or who has produced~~
as identification.

Signature: [Signature]
Print Name: Dr. Peter Aumüller Notary
(My commission is unlimited)

Prepared By: Angela Tubbs
Morgan And Associates Title Company
55 Homestead Road North
Lehigh Acres, FL
incidental to the issuance of a title insurance policy.
File Number: 03-01152
Parcel ID #: 23-44-27-02-00008.0210
Grantee(s) SS #:

**WARRANTY DEED
(INDIVIDUAL)**

This WARRANTY DEED, dated 08/21/03 by

Robert Lorence, a/k/a Robert P. Lorence and Penny Lorence, a/k/a Penny J. Lorence, husband and wife
hereinafter called the GRANTOR, to

Earl W. Kennedy and Vicky J. Kennedy, husband and wife
whose post office address is **817 Columbus Avenue Lehigh Acres FL 33972,**
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(s) 21, Block 8, Unit 2, Section 23, Township 44 South, Range 27 East, LEHIGH ACRES, according to the plat thereof, recorded in Plat Book 15, Page(s) 34 and Deed Book 254, Page 55 of the Public Records of Lee County, Florida.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2001 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 warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

VAC 2006 - 00040

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OCT - 2 2006

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

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Witness Signature: [Signature]
Print Name: SCOTT KOT+KE

[Signature]
Robert Lorence

Witness Signature: [Signature]
Print Name: Lisamarie Meyer

[Signature]
Penny Lorence

State of Minnesota
County of Scott

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on this 5th day of August, 2003 by: **Robert Lorence, a/k/a Robert P. Lorence and Penny Lorence, a/k/a Penny J. Lorence, husband and wife** who is personally known to me or who has produced driver's license as identification.

Expiration Date
Notary Seal

Signature: [Signature]
Print Name:



QUIT CLAIM DEED

For and in consideration of Ten Dollars (Total) We (Party of the first part known as grantors) grant to Earl W Kennedy ,SR. and Vicky J Kennedy, Husband and Wife as tenants by the entirety, whose post office box is 817 Columbus Ave. Lehigh Acres Florida 33972, hereinafter called grantee all that real property situated at Lehigh Acres Florida known as 815 Columbus Ave, strap # 23-44-27--02-00008.0200 located in Lee County Florida Recorded as Book:4065 Page: 1243 in Lee County Florida. Witness our hand {and seal } this 15th day of Nov {month} 2006 {year} Earl W Kennedy and Vicky J Kennedy of 817 Columbus Ave. Lehigh Acres FL. 33972.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written .Signed, sealed, delivered in presence of:

Signature of Witness for Grantor Carl & Linda
Printed Name of Witness for Grantor Carl & Linda
Signature of Witness for Grantor Barbara A Lincoln
Printed Name of Witness for Grantor BARBARA A LINCOLN
State of FL County of LEE
On Nov. 15, 06 Before me TRISHA MILLER Notary
Appeared---Earl W Kennedy Grantor
Appeared---Vicky J Kennedy Grantor
Signature of Grantor [Signature]
Printed Name of Grantor Earl W. Kennedy
Signature of Grantor [Signature]
Printed name of Grantor Vicky J. Kennedy

WITNESS MY HAND AND OFFICIAL SEAL

Signature of Notary _____
AFFIANT---KNOWN------ PRODUCED ID--- TYPE---
Printed Name of Grantee Earl W. Kennedy
Signature of Grantee [Signature]
Printed Name of Grantee Vicky J. Kennedy
Signature of Grantee [Signature]
Signature of Witness for Grantee Barbara A Lincoln
Printed Name of Witness BARBARA A LINCOLN
Signature of Witness for Grantee Carl & Linda
Printed Name of Witness Carl & Linda
State of FL County of LEE
On Nov. 15, 06 before me, TRISHA MILLER Notary
Appeared---Earl W. Kennedy Grantee
Appeared---Vicky J Kennedy Grantee
Grantee (ies) Address: 817 Columbus Ave .Lehigh Acres FL. 33972

Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/ their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE OF NOTARY Trisha Miller
AFFIANT---KNOWN------ PRODUCED ID--- TYPE---

INSTRUMENT WAS PREPARED BY: EARL W KENNEDY



04090-00050AV



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

239-479-8585

Douglas R. St. Cerny
District Two

November 20, 2006

Ray Judah
District Three

Tammy Hall
District Four

Earl W. and Vicky J. Kennedy
817 Columbus Ave.
Lehigh Acres, FL 33972

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Re: **VAC2006-00040 - Petition to Vacate** a 12-foot Public Utility Easement centered on the common lot lines of Lots 20 and 21, Block 8, Unit 2, Section 23, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 34, of the Public Records of Lee County, Florida, **LESS and EXCEPT** the Easterly 6-foot and the Westerly 6-foot thereof.

Diana M. Parker
County Hearing Examiner

Dear Mr. and Mrs. Kennedy:

You have indicated that in order to clear title for a Garage in inadvertently built in 2004, you desire to eliminate the 12-foot wide Public Utility Easement located Between your two (2) lots located at 817 Columbus Ave., Lehigh Acres, 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


Department Of Community Development
P O Box 398,
Fort Myers, Fl 33902-0398
Attn: Ron Wilson

Earl W. Kennedy
817, Columbus Ave
Lehigh Acres, FL.
33972

Dear Sir;

I am requesting the vacation of the utility easement for the above address and strap #23-44-27-02-00008.0210 in order to correct an error of construction for my garage. Although I own both lots 20 and 21 and have combined them I understand the easement still exists .My garage sets on approx.3 ft. of the easement. Thank you for assisting me in this matter.

Sincerely;



Earl W. Kennedy
10/05/2006

239-303-2005

RECEIVED

OCT 25 2006 .

VAC 2006 - 00040



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

August 23, 2006

Mr. Earl W. Kennedy
817 Columbus Avenue
Lehigh Acres, FL 33972

Re: Vacation of Public Utility Easements Between Lots 20-21,
Block 8, Unit 2, Lehigh Acres, Florida

Dear Mr. Kennedy:

LCEC does not object to the vacation of the 12-foot public utility and/or drainage easement centered on the lot line between Lots 20 and 21, Block 8, Unit 2, Lehigh Acres, Florida, **LESS AND EXCEPT** the Westerly 6 feet and the Easterly 6 feet thereof, due to existing facilities.

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

Sincerely,

Sandra McIver

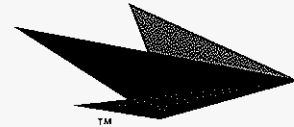
Sandra McIver
Real Property Representative

RECEIVED

OCT - 2 2006

VAC 2006 - 00040

Voice | Data | Internet | Wireless | Entertainment



EMBARQTM

Embarq Corporation
Post Office Box 1530
LaBelle, Florida 33975-4613
EMBARQ.com

September 25, 2006

Earl W. Kennedy
817 Columbus Ave
Lehigh Acres, Florida 33972

Dear : Mr. Kennedy

Re: Vacation of Public Utility Easement:

A 12 foot wide strip of land lying 6 feet each side of the common line between lots 20 and 21, Block 8, Unit 2, Section 23, Township 44 South, Range 27 East, in Lehigh Acres, as recorded in DB 254, Page 55 of the Lee County Public Records.

Embarq Corporation has reviewed the document for the above referenced information. Based on the review, we have no objection to the vacation of a portion of a public utility easement at the Lehigh Acres location.

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

Sincerely,

Sabrina Thompson
Engineer

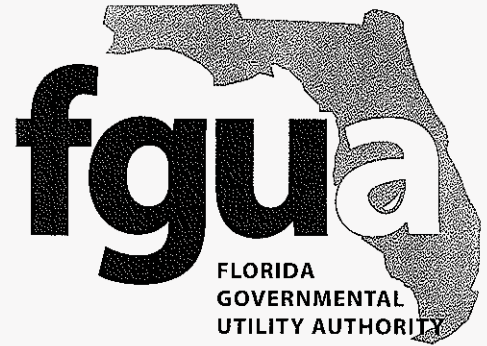
RECEIVED

OCT - 2 2006

VAC 2006-00040

August 1, 2006

Earl W. Kennedy
817 Columbus Ave.
Lehigh Acres, FL 33972



RE: Vacation of Easement request from Earl W. Kennedy for the 6-foot wide drainage and utility easement located on the south side of Lot 21, Block 8, Unit 2, Section 23, Township 44 S, Range 27 E, Lehigh Acres, Plat Book 15, Page 34 and Deed Book 254, Page 55 of the Public Records of Lee County, Florida.

LEA ANN THOMAS, CHAIR
Polk County

BRIAN WHEELER
Osceola County

JIM LAVENDER
Lee County

THOMAS H. DICK
Citrus County

Dear Mr. Kennedy:

The FGUA has determined that it does not presently hold any property rights over the property identified above other than the easement included in the plat reservation. It has also been determined that the FGUA has no current utilities in the utility easement, nor has any foreseeable need for utility placement in the easement to be vacated. Therefore, the request for vacation of easement as depicted in the sketch attached to your request and identified below is hereby approved.

The vacation of easement was requested from Earl W. Kennedy for the 6-foot wide drainage and utility easement located on the south side of Lot 21, Block 8, Unit 2, Section 23, Township 44 S, Range 27 E, Lehigh Acres, Plat Book 15, Page 34 and Deed Book 254, Page 55 of the Public Records of Lee County, Florida.

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

OCT - 2 2006

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

VAC 2006-00040



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

October 13, 2006

Earl W. Kennedy
817 Columbus Ave.
Lehigh Acres, Florida 33972

Re: 817 Columbus Ave. (Strap # 23-44-27-02-00008.0210)

Dear Earl W. Kennedy,

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.

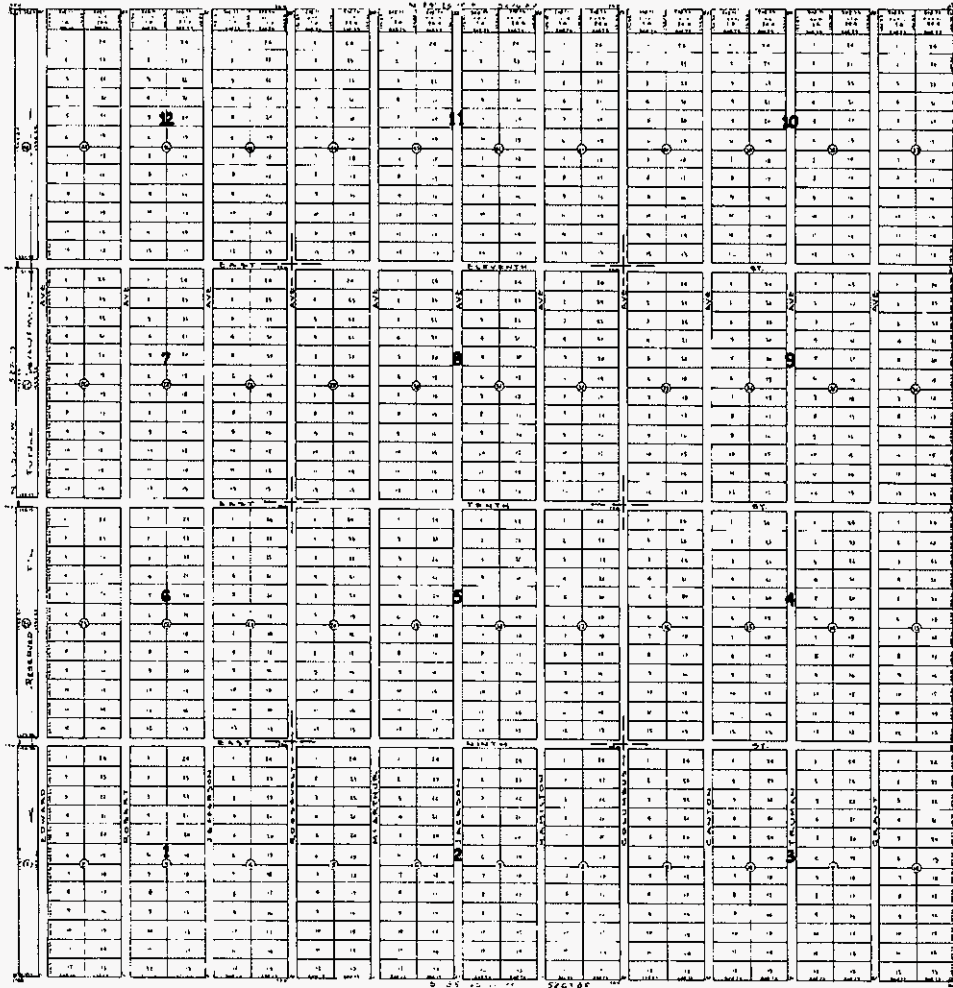
Cordially,

Mark Cook
Design Coordinator

RECEIVED

OCT 25 2006

VAC2006-00040



PLAT
OF
SECTION 23
Twp. 44 S. Rge. 27 E.

A SUBDIVISION OF
"LEHIGH ACRES"
LEWIS COUNTY, PA.

JOSE COUNTY LAND TITLE CO. DEVELOPER
MADE BY INSTRUMENT NO. 11, 1976
DATE 11/11/76

NOTE: THESE LOTS ARE SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE INSTRUMENTS REFERENCED HEREIN.

CONTRACTS OF PURCHASE
IF THE UNDERSIGNED AREN'T SURE THE
FACTS AS STATED IN A CONTRACT SET FORTH IN
THE CASE FILED AND THE RECORD OF MORTGAGE
INSTRUMENTS HAVE BEEN FILED AS ABOVE
SEE INSTRUMENT NO. 11, 1976
RECORD BOOK 15, PAGE 34

NOTE: THESE LOTS ARE SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE INSTRUMENTS REFERENCED HEREIN.

NOTE: DIMENSIONS, BEARINGS, LOT AND LANE LINES ON
DRAWING OF LATEST DATE SHALL GOVERN

00008 001A

00008 001B

00008 0240

00009 001A

00009 001B

00008 0020

00008 0230

00009 0020

00008 0030

00009 0030

00008 0040

00008 0210

00009 0040

00008 0050

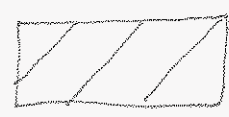
00009 0050

00008 0060

00008 0180

00009 0060

00009 0070



- AREA TO BE VACATED