

Agenda Item Summary

**1. ACTION REQUESTED/PURPOSE:** Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a Portion of a Plat with no Right-of-Way located at 935 and 936 Entrada Dr. N, Ft. Myers (Case No. VAC2006-00025).

**2. WHAT ACTION ACCOMPLISHES:** To remove (2) lots from the plat of Palm City Park for utilization as a stormwater detention facility for a future Development Order on an adjacent parcel owned by the petitioner. **The vacation of this plat will not alter existing drainage or utility conditions and is not necessary to accommodate any future drainage or utility requirements.**

**3. MANAGEMENT RECOMMENDATION:** Approve

**4. Departmental Category:**  
COMMISSION DISTRICT #: 2

9:30 PH4

**5. Meeting Date:**

1-30-07

**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]* 10/30/06  
 Peter J. Eckenrode, Director

**9. Background:**

The completed petition to vacate, VAC2006-00025 was submitted by Robert Sutton on behalf of Winkler Road Baptist Church, Inc., FKA Fort Myers Baptist Temple, Inc.

**LOCATION:** The site is located at 935 and 936 Entrada Dr. N, Ft. Myers, Florida 33919 and its strap numbers are 15-45-24-12-00X00.0230 and 00Z00.0240. Petition No. VAC2006-00025 proposes to vacate Lots 23 and 24, in Blocks X and Z, Sections 15 and 16, Township 45 South, Range 24 East, Palm City Park, as recorded in Plat Book 12, Page 31 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the existing Public Utility and Drainage Easements on the perimeter of the lots.

JJP  
12-18-06

JJP  
12-18-06

This vacation will implement Condition Number 3 in SEZ2004-00039 which requires the referenced lots to be vacated prior to issuance of a development order for improvements to the adjacent Winkler Road Baptist Church.

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>Mam (12/23)</i>				<i>John Reagin 12-18-06</i>	<i>12/19/06</i>	<i>12/18/06</i>	<i>12/19/06</i>	<i>12/19/06</i>	<i>12-20-06</i>

**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. by CoAtty  
 Date: 1/1/07  
 Time: 11:10 AM  
 Forwarded To:  
 Co. Admin.  
 12/18/06 1:30 PM



## PETITION TO VACATE

### TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: October 13, 2006

To: Molly Schweers  
Public Resources

FROM: Ron Wilson  
Development Services

BLUESHEET NUMBER: 20061397

CASE NUMBER: VAC2006-00025

#### 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: VAC2006-00025

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

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

Handwritten signature of John W. Fredyma in black ink.

County Attorney Signature

Handwritten signature of John W. Fredyma in black ink.

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

**EXHIBIT "A"**  
**Petition to Vacate**  
**VAC2006-00025**

**Legal Description of the Platted Lots to be Vacated:**

Lot 23 in Block X and Lot 24 in Block Z, both as shown on the Plat of the Resubdivision of Palm City Park as recorded in Plat Book 8, Page 19, being a resubdivision of Lot 54 & 55 Bay Shore Park, according to Plat recorded in Plat Book 3, Page 40 in Sections 15 & 16, T.45S. - R.24E.; Lee County, Florida, as recorded in Plat Book 12, Page 31 of the Public Records of Lee County, Florida, BUT not vacating any portion of the following easements: the 10-foot wide Utility & Drainage Easement located along the northeasterly side of Lot 23 herein; the 6-foot wide Utility Easement located along the east side of Lots 23 and 24 herein; the 10-foot wide Utility & Drainage Easement located along the south side of Lot 24 herein; nor any portion of the 6-foot wide Drainage Easement located along the westerly side of Lot 24 herein.

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: VAC2006-00025

WHEREAS, Petitioner **Winkler Road Baptist Church, Inc., FKA Fort Myers Baptist Temple, Inc.** 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.



**EXHIBIT "A"**  
**Petition to Vacate**  
**VAC2006-00025**

**Legal Description of the Platted Lots to be Vacated:**

Lot 23 in Block X and Lot 24 in Block Z, both as shown on the Plat of the Resubdivision of Palm City Park as recorded in Plat Book 8, Page 19, being a resubdivision of Lot 54 & 55 Bay Shore Park, according to Plat recorded in Plat Book 3, Page 40 in Sections 15 & 16, T.45S. - R.24E., Lee County, Florida, as recorded in Plat Book 12, Page 31 of the Public Records of Lee County, Florida, BUT not vacating any portion of the following easements: the 10-foot wide Utility & Drainage Easement located along the northeasterly side of Lot 23 herein; the 6-foot wide Utility Easement located along the east side of Lots 23 and 24 herein; the 10-foot wide Utility & Drainage Easement located along the south side of Lot 24 herein; nor any portion of the 6-foot wide Drainage Easement located along the westerly side of Lot 24 herein.





**PETITION TO VACATE (AC 13-1)**

Case Number: VAC-2006-00025

Petitioner(s), WINKLER ROAD BAPTIST CHURCH  
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, 5770 WINKLER ROAD  
FORT MYERS, FL 33919
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:

Arthur A. Corey  
Petitioner Signature  
Trustee

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

ARTHUR A. COREY  
Printed Name

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

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

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as \_\_\_\_\_ Having Strap numbers 15-45-24-12-00X00.0230 and 00Z00.0240 and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate Robert Sutton, Assoc. Pastor as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Arthur R. Corey (signature)
Arthur R. COREY (Printed Name)

Richard F. Nunery (signature)
RICHARD F. NUNERY (Printed Name)

Owner\*(signature)
Printed Name

Owner\*(signature)
Printed Name

Owner\*(signature)
Printed Name

Owner\*(signature)
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 27th day of June, 2006, by Arthur Corey, Richard Nunery who is personally known to me or who has produced as identification and who did (did not) take an oath.

(SEAL)

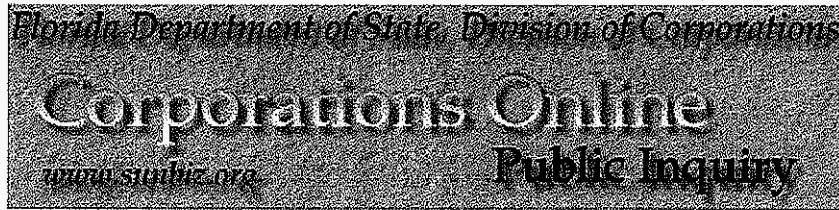


Grace E. Selby
Commission #DD208903
Expires: May 04, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Grace E. Selby (signature)
Notary Public
GRACE E. SELBY (Name typed, printed or stamped)

RECEIVED

OCT 10 2006



**Florida Non Profit**

**WINKLER ROAD BAPTIST CHURCH, INC.**

**PRINCIPAL ADDRESS**

5770 WINKLER ROAD  
 FT MYERS FL 33919  
 Changed 05/12/1989

**MAILING ADDRESS**

5770 WINKLER ROAD  
 FT MYERS FL 33919  
 Changed 05/12/1989

**Document Number**  
 722683

**FEI Number**  
 591817886

**Date Filed**  
 02/15/1972

**State**  
 FL

**Status**  
 ACTIVE

**Effective Date**  
 NONE

**Last Event**  
 NAME CHANGE  
 AMENDMENT

**Event Date Filed**  
 12/31/1980

**Event Effective Date**  
 NONE

**Registered Agent**

<b>Name &amp; Address</b>
HUNTE, DAVID F. 307 SOUTH ROAD FT. MYERS FL 33907
Name Changed: 07/06/1988
Address Changed: 07/06/1988

**Officer/Director Detail**

<b>Name &amp; Address</b>	<b>Title</b>
COREY, ARTHUR 8341 BEACON BLVD. FT. MYERS FL	T
STOUDT, WILLIAM	

1515 SW 40TH TERRACE CAPE CORAL FL 33914	D
DOERSTLING, AXEL 9131 SOUTHMONT COVE #306 FORT MYERS FL 33908	D
CALGER, DAVID 302 SOUTH ROAD FORT MYERS FL 33907	D
CRUMP, BEN 6626 PLANTATION PINES FORT MYERS FL 33912	D
NUNERY, RICHARD 4325 PALM TREE BLVD. CAPE CORAL FL 33904	D

### Annual Reports

Report Year	Filed Date
2004	04/19/2004
2005	03/21/2005
2006	03/13/2006

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

[View Events](#)

[View Name History](#)

### Document Images

Listed below are the images available for this filing.

- [03/13/2006 -- ANN REP/UNIFORM BUS REP](#)
- [03/21/2005 -- ANN REP/UNIFORM BUS REP](#)
- [04/19/2004 -- ANN REP/UNIFORM BUS REP](#)
- [02/17/2003 -- COR - ANN REP/UNIFORM BUS REP](#)
- [03/13/2002 -- COR - ANN REP/UNIFORM BUS REP](#)
- [02/28/2001 -- ANN REP/UNIFORM BUS REP](#)
- [03/30/2000 -- ANN REP/UNIFORM BUS REP](#)
- [03/09/1999 -- ANNUAL REPORT](#)
- [03/09/1998 -- ANNUAL REPORT](#)
- [03/26/1997 -- ANNUAL REPORT](#)
- [03/15/1996 -- 1996 ANNUAL REPORT](#)

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


**EXHIBIT "A"**  
**Petition to Vacate**  
**VAC2006-00025**


**Legal Description of the Platted Lots to be Vacated:**

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**Exhibit "C"**  
**Petition to Vacate**  
**VAC2006-00025**  
 [Page One of One]

Real Property Information		
<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
15-45-24-12-00X00.0230	2006	ZEROTAX
<b>Original Account</b>	<b>Book/Page</b>	
15-45-24-12-00X00.0230	680/482	
<b>Owner</b>		
WINKLER ROAD BAPTIST CHURCH		
<b>Physical Address</b>	<b>Mailing Address</b>	
935 ENTRADA DR N FORT MYERS FL 33919	5770 WINKLER RD FORT MYERS FL 33919 USA	
<b>Legal Description</b>		
PALM CITY PARK RESUB BLK X PB 12 PG 31 LOT 23		
<b>Outstanding Balance as of 11/1/2006</b>		<b>\$0.00</b>

Real Property Information		
<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
15-45-24-12-00Z00.0240	2006	ZEROTAX
<b>Original Account</b>	<b>Book/Page</b>	
15-45-24-12-00Z00.0240	680/482	
<b>Owner</b>		
WINKLER ROAD BAPTIST CHURCH		
<b>Physical Address</b>	<b>Mailing Address</b>	
936 ENTRADA DR N FORT MYERS FL 33919	5770 WINKLER RD FORT MYERS FL 33919 USA	
<b>Legal Description</b>		
PALM CITY PARK RESUB BLK Z PB 12 PG 31 LOT 24		
<b>Outstanding Balance as of 11/1/2006</b>		<b>\$0.00</b>

### PROPERTY DATA FOR PARCEL 15-45-24-12-00Z00.0230 TAX YEAR 2005

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)  
| [Display Tax Bills on this Parcel](#) | **NEW! Tax Estimator** ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2005 ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

BRADLEY  
WINIFRED R TR  
FOR WINIFRED R  
BRADLEY TRUST  
19386  
CONGRESSIONAL  
CT NW  
NORTH FORT  
MYERS FL 33903

### SITE ADDRESS

930 ENTRADA DR  
N  
FORT  
MYERS FL 33919

### LEGAL DESCRIPTION

PALM CITY PARK  
RESUB  
BLK Z PB 12 PG  
31  
LOT 23

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



### IMAGE OF STRU

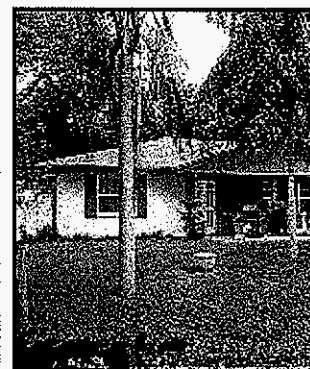


Photo Date: August

[ [PICTOMETRY](#) ]

### TAXING DISTRICT

126 - COUNTY/S FT MYERS SEWER/IONA  
MCGREGOR FIRE

### DOR CODE

01 - SINGLE FAMILY RESIDENTIAL



# Winkler Road Baptist Church

5770 Winkler Road • Fort Myers, FL 33919

Phone: (239) 481-2848 • Website: [www.winklerbaptist.org](http://www.winklerbaptist.org)

Don Strange, Pastor

Robert Sutton, Associate Pastor

June 5, 2006

Ms. Wendy Bradley  
19386 Congressional Ct.  
North Fort Myers, FL 33903

Dear Ms. Bradley,

This letter is to inform you that we are submitting a petition to vacate the properties of 935 and 936 Entrada Dr. N. from the Palm City Park Subdivision as specified by the Hearing Examiners decision back in February. These lots will be designated by be a dry detention area. The property will not be opened up for traffic on to Entrada Dr.

If I can be of further assistance, please feel free to call me at (239) 481-2848.

Sincerely Yours,

Robert Sutton  
Associate Pastor

RECEIVED

OCT 10 2006

*Copy*

VAC 2006 - 00025

*Where The Bible Comes Alive!*

### PROPERTY DATA FOR PARCEL 15-45-24-12-00X00.0220 TAX YEAR 2005

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)  
| [Display Tax Bills on this Parcel](#) | **NEW! Tax Estimator** ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2005 ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

HIRSCH WILBUR  
+ SANDRA A  
931 ENTRADA  
DR  
N FORT MYERS  
FL 33919

### SITE ADDRESS

931 ENTRADA  
DR N  
FORT  
MYERS FL 33919

### LEGAL DESCRIPTION

PALM CITY PARK  
RESUB  
BLK X PB 12 PG  
31  
LOT 22

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]

IMAGE OF STRUC

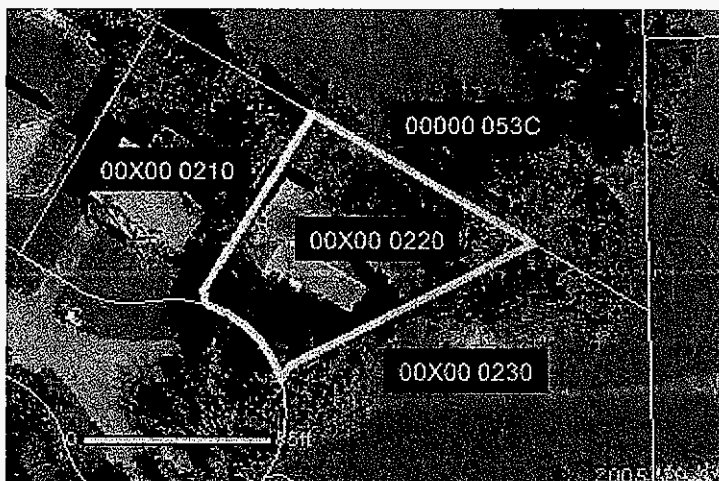


Photo Date: Novemb

[ [PICTOMETRY](#) ]

### TAXING DISTRICT

126 - COUNTY/S FT MYERS SEWER/IONA  
MCGREGOR FIRE

### DOR CODE

01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX  
ROLL 2005)[ [NEW!](#) [HISTORY](#)

EXEMPTIONS

ATTRIBUTES

# Winkler Road Baptist Church

5770 Winkler Road • Fort Myers, FL 33919

Phone: (239) 481-2848 • Website: [www.winklerbaptist.org](http://www.winklerbaptist.org)

Don Strange, Pastor

Robert Sutton, Associate Pastor

June 5, 2006

Mr. & Mrs. Wilbur Hirsch  
931 Entrada Dr. N.  
Fort Myers, FL 33919

Dear Mr. & Mrs. Hirsch,

This letter is to inform you that we are submitting a petition to vacate the properties of 935 and 936 Entrada Dr. N. from the Palm City Park Subdivision as specified by the Hearing Examiners decision back in February. These lots will be designated by be a dry detention area. The property will not be opened up for traffic on to Entrada Dr.

If I can be of further assistance, please feel free to call me at (239) 481-2848.

Sincerely Yours,

Robert Sutton  
Associate Pastor

RECEIVED

OCT 10 2006

*Copy*

VAC 2006-00025

*Where The Bible Comes Alive!*



# This Indenture,

Witness and have the same signed and sealed by the said parties in presence of the undersigned, the Clerk of the Circuit Court of Lee County, Florida, and the same shall be recorded in the public records of said County, Florida, and the same shall be a valid and binding contract of the parties thereto.

Made this **15<sup>th</sup>** day of **MARCH**, A. D. 1971  
 Between **ELINOR B. LEWIS**, joined by her husband **JAMES L. LEWIS**  
 and **JANET M. LOVELESS**, joined by her husband, **JAMES W. LOVELESS**,  
 of the County of **Lee** in the State of **Florida**  
 party of the first part, and  
**FORT MYERS BAPTIST TEMPLE, INC.**, a Florida Corporation,  
 of the County of **Lee** in the State of **Florida**  
 party of the second part,

Witness that the said party of the first part, for and in consideration of the sum of **TEN DOLLARS AND OTHER VALUABLE CONSIDERATION** to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part his heirs and assigns forever, the following described land, situate lying and being in the County of **Lee** State of **Florida**, to wit:

Lot 23, in Block X, and Lot 24, in block 7,  
**PALM CITY PARK RESUBDIVISION**, according to  
 the map or plan thereof on file and recorded  
 in the office of the Clerk of the Circuit  
 Court of Lee County, Florida, in Misc Book 12,  
 page 31.

SUBJECT to reservations, restrictions and easements of record and taxes for 1971 and subsequent years.

This instrument was prepared by  
 RONALD W. BROWN, JR., ATTORNEY AT LAW  
 FORT MYERS, FLORIDA

RECORDED  
 MAY 26 1971  
 \$4.50

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons, whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Witnessed, sealed and Delivered, in Our Presence:

Elinor B. Lewis (E.B.L.)  
James L. Lewis (J.L.L.)  
Janet M. Loveless (J.M.L.)  
James W. Loveless (J.W.L.)

State of Florida

County of Lee

I, **D. Hershey Griffin**, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments.

**ELINOR B. LEWIS**, joined by her husband, **JAMES L. LEWIS**,

to me well known and known to me to be the individuals described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

Witnessed by me at and official seal at **FORT MYERS**, County of **Lee** and State of **Florida**, this **15<sup>th</sup>** day of **March**, A. D. 1971.

My Commission Expires

*[Signature]*  
 Notary Public

RECEIVED  
 MAY 26 2006

VAC 2006-00025

STATE OF MISSOURI OFF. REC. 680 PAGE 483  
COUNTY OF BUCHANAN REC.

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, JANET M. LOVELESS, joined by her husband, JAMES W. LOVELESS, to me well known and known to me to be the individuals described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at St. Joseph, County of Buchanan and State of Missouri, this 29th day of March, A. D. 1971.

My Commission Expires:

My Commission Expires Oct. 27, 1971

*Richard J. C...*  
Notary Public

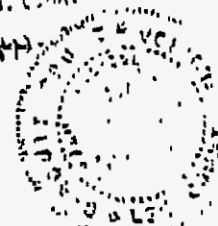
*Book 100*

TO

Date

ABSTRACT OF DESCRIPTION

OFFICIAL  
RECORDED  
MAY 14 4 32 PM '71  
CLERK OF COURT  
12 Mo...



7-5-75  
MOSELEY TITLE & ABSTRACT CO.

RECEIVED  
MAY 26 2006

VAC 2006-00025



**LEE COUNTY**  
SOUTHWEST FLORIDA

**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*

October 13, 2006

Tammy Hall  
*District Four*

Robert Sutton, Assoc. Pastor  
Winkler Road Baptist Church  
5770 Winkler Rd,  
Fort Myers, FL 33919

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

David M. Owen  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

Re: **VAC2006-00025 - Petition to Vacate** a Plat with no Right-of-Way on Lots 23 and 24, in Blocks X and Z, Palm City Park, S 15 & 16, T 45S, R 24E, as recorded in Plat Book 12, Page 31, in the public records of Lee County, FL

Dear Mr. Sutton:

You have indicated that in order to designate the above lots to be used as dry-retention on a future Development Order, your Client, Winkler Road Baptist Church, Inc. desires to eliminate Lots 23 and 24 of the referenced Plat in order to accommodate the dry retention for the church expansion. The site is located at 935 and 936 Entrada Dr., N, Fort Myers. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

Peter J. Eckenrode  
Director

PJE/RXW



# WINKLER ROAD BAPTIST CHURCH

*"Where the Bible Comes Alive!"*

Don Strange, Pastor

Robert Sutton, Associate Pastor

Sunday  
School

February 21, 2006

Bus Ministry

Department of Community Development  
Attn: Peter J. Eckenrode  
P.O. Box 396  
Fort Myers, FL 33902

Children's  
Church

Teen  
Ministry

King's Kids

We are submitting a petition to vacate the properties of 935 and 936 Entrada Dr. N. from the Palm City Park Subdivision as specified by the Hearing Examiners decision: Prior to the issuance of a local development order, Block X, Lot 23 and Block Z, Lot 24 of the Palm City Park Subdivision (shown as "Detention areas" on Attachment B of the Staff Report and designated to be "dry detention" per the Applicant) must be successfully vacated through public hearing from the Palm City Park subdivision and combined with the other subject church parcels identified as Lot 6, and Lot 8-12, Whiskey Creek Terrace Subdivision, Unit 2. Strap Numbers of the two properties are 15-45-24-12-00X00.0230 & 15-45-24-12-00Z00.0240

Supporting  
Missionaries  
Worldwide  
Through  
Faith Promise  
Giving

If you have any questions, feel free to contact me any time.

Sincerely,

Robert Sutton  
Associate Pastor  
Winkler Road Baptist Church  
239-872-7425

Welcome New  
Move-Ins  
Ministry

Monthly  
Newsletter  
Sound Bytes

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5770 Winkler Road . Fort Myers, FL 33919  
Phone: (239) 481-2848 E-Mail: [winklerbaptistchurch@earthlink.com](mailto:winklerbaptistchurch@earthlink.com)  
Visit us on the web at: [www.Winklerbaptist.org](http://www.Winklerbaptist.org)





March 9, 2006

Robert Sutton, Associate Pastor  
Winkler Road Baptist Church  
5770 Winkler Road  
Fort Myers, FL, 33919

Dear Mr. Sutton,

Florida Power & Light has received your submittal for a utility easement vacation request at the following locations:

935 Entrada Ln. N.  
Fort Myers, FL 33919

936 Entrada Ln. N.  
Fort Myers, FL 33919

You submitted that your intentions were to vacate these adjacent lots and combine them into a "dry detention" area. There is an existing utility easement running along the South and East property lines on lot 24 where Florida Power & Light has over-head facilities. There is an existing utility easement running, continued along the East property line for lot 23 that also has Florida Power & Light over-head facilities. After speaking with you, you stated that it was **not** your intention to vacate these particular utility easements or request Florida Power & Light to relocate its facilities within these easements. You confirmed that our facilities will not be impacted, will not need vacation, and these particular existing easements will not be impeded upon. Therefore, Florida Power & Light has no objections to your proposed intentions involving the following;

- Lot 23 – Utility easement(s) along South Property Line.
- Lot 24 – Utility easement(s) along North/West Property Line(s).

It should be noted, though, that this is a "letter of no objection" being submitted by Florida Power & Light to Winkler Road Baptist Church. This is **not** a letter from Florida Power & Light granting the vacation, or release, of a Florida Power & Light utility, distribution easement. Should you have any further questions or concerns, please do not hesitate to contact me at (239) 415-1316.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Remy Cain, III', written over a white background.

J. Remy Cain, III  
Customer Project Manager

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

February 24, 2006

Robert Sutton  
5770 Winkler Road  
Fort Myers, Florida 33919

RE: Vacate a proposed right-of-way or road vacation, utility or drainage easement at 935 Entrada Dr. N..

Dear Robert:

Sprint-Florida Incorporated has reviewed the documents for the above referenced information. Based on the review of the plans, we do not have any objections to the vacation of two family residential lots identified as Lot 6 and Lot 8 through Lot 12, Whiskey Creek Terrace Subdivision, unit 2.

If you should have any questions or require additional information, please give me a call at (941) 336-2131.

Sincerely,  
Sprint-Florida Incorporated

A handwritten signature in cursive script that reads "Leon Bryant".

Leon Bryant  
Network Engineer II

cc: File

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

March 2, 2006  
Robert Sutton  
Winkler Road Baptist Church  
5770 Winkler Road  
Fort Myers, Florida 33919

Re: 935 Entrada Dr. N. / 936 Entrada Dr. N.

Dear Robert Sutton,

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 cursive script that reads "Mark Cook".

Mark Cook  
Design Coordinator

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# AmeriGas

*America's Propane Company*

March 06, 2006

Ms. Teresa Micheals  
Amerigas  
2600 Katherine Street  
Fort Myers, FL 33901

Dear Mr. Robert Sutton:

In reference to your letter dated February 21, Amerigas has no interest on the right of way between the following parcel(s):

Lot 6, and Lot 8 through Lot 12, Whiskey Creek Terrace Subdivision, Unit 2

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

Sincerely,



Teresa Micheals  
Sales & Service Manager

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**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

(239) 479-8150

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

Bob Janes  
District One

February 22, 2006

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Robert Sutton, Associate Pastor  
Winkler Road Baptist Church  
5770 Winkler Rd  
Fort Myers, FL 33919

Tammy Hall  
District Four

John E. Albion  
District Five

**SUBJECT: VACATION OF UTILITY EASEMENT AND/OR DRAINAGE EASEMENT**  
**STRAP #: 15-45-24-12-00X00.0230 & 15-45-24-12-00Z00.0240**  
**ADDRESS: 935 ENTRADA DR N. & 936 ENTRADA DR N.**

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Dear Mr. Sutton,

Diana M. Parker  
County Hearing Examiner


Lee County Utilities is in receipt of your letter and associated attachments concerning the proposed Petition to Vacate an existing 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, our records indicate that we have no potable water or sanitary sewer facilities within the area to be vacated.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at 479-8181.

Sincerely,

**LEE COUNTY UTILITIES**

  
David Reyerat  
Utilities GIS Coordinator  
Utilities Engineering Division

Original Mailed 02/22/2006

cc: Correspondence File

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**MAY 26 2006**

**VAC 2006-00025**

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**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

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

Bob Janes  
District One

Tuesday, February 07, 2006

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Robert Sutton, Associate Pastor  
Winkler Road Baptist Church  
5770 Winkler Road  
Fort Myers, FL 33919

Tammy Hall  
District Four

John E. Albion  
District Five

Re: Petition to Vacate a twelve-foot (12') wide public utility and drainage easement centered on the common lot line of Lot 23, Block X, and Lot 24 Block Z, Re-subdivision of Palm City Park Subdivision as recorded in Plat Book 12 at Page 31 of the Public Records of Lee County, Florida.

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing Examiner

Dear Pastor Sutton:

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 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

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**MAY 26 2006**

**VAC 2006-00025**



**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: \_\_\_\_\_ (239) 479-8517

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

October 6, 2006

Robert Sutton, Associate Pastor  
Winkler Road Baptist Church  
5770 Winkler Road  
Fort Myers, FL 33919

**Re: Petition to Vacate Drainage Easement—935 Entrada Drive North & 936  
Entrada Drive North, Fort Myers 33919**

Dear Pastor Sutton:

Lee County Department of Transportation has reviewed the above referenced request to vacate the drainage easement at the location described above.

Based upon this Department's review, DOT has no objection.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson  
Right-of-way Supervisor

ML/hc

cc: Ron Wilson, Development Services  
Allen Davies, Natural Resources  
Terry Kelley, Utilities  
DOT/PTV File (Entrada Drive)

S:\DOCUMENT\Coachman\Letters\PTV No Objection Letters\Entrada Drive (Winkler Road Baptist Church 4-17-06).doc



# Florida Department of Transportation

JEB BUSH  
GOVERNOR

DENVER J. STUTLER, JR.  
SECRETARY

March 6, 2006

Winkler Road Baptist Church  
Attn.: Robert Sutton  
5770 Winkler Road  
Fort Myers, Florida 33919

**RE: Vacation of Public Interest in the Right of Way, or Road Easement,  
Utility or Drainage Easement Located at 935 Entrada Drive N. & 936  
Entrada Drive N., Fort Myers, Lee County, Florida; Strap #'s 15-45-24-12-  
00X00.0230 & 15-45-24-12-00Z00.0240  
PM Log# 06-20**

Dear Mr. Sutton:

In response to your letter we received on February 28, 2006, our staff has conducted a review of your request to vacate the public interest in the subject area as marked and generally described as referenced above.

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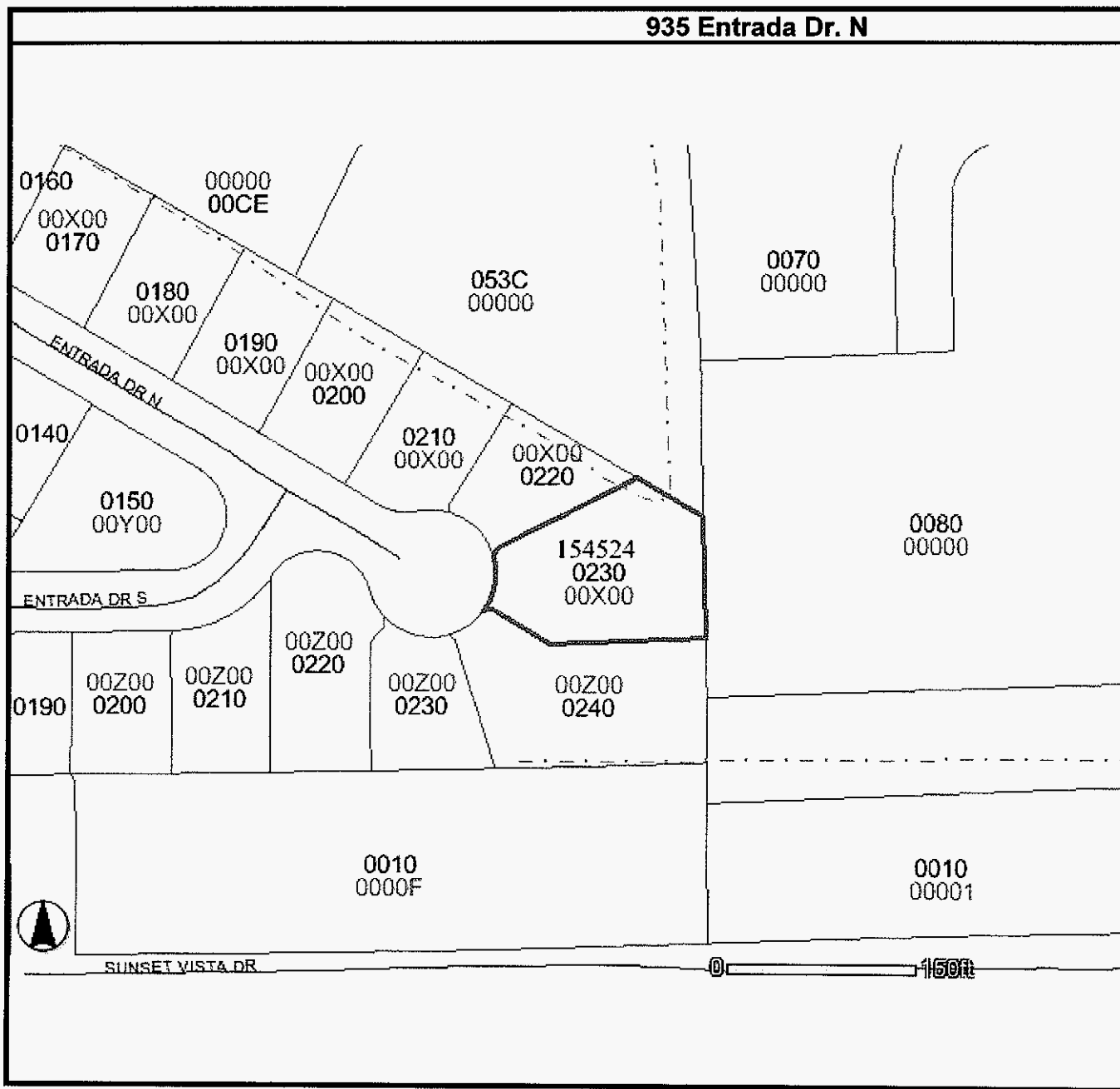
District One-Right of Way Department-Property Management  
801 North Broadway Avenue\*Post Office Box 1249\*Bartow, FL 33831-1249  
(863)519-2413\*(863)519-5183(FAX)\*MS 1-66

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

RECYCLED PAPER

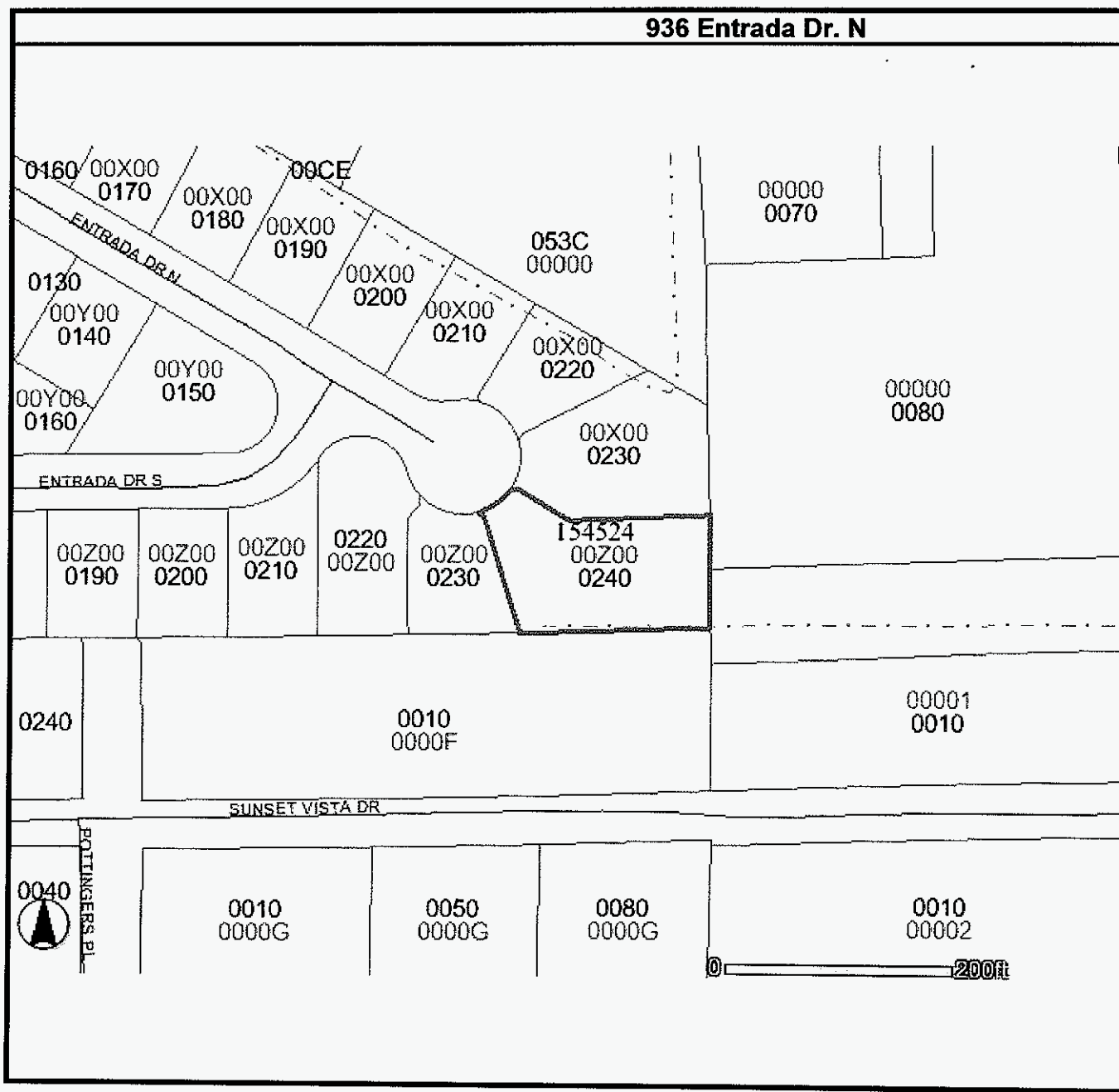






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MAY 26 2006

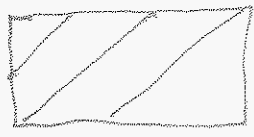
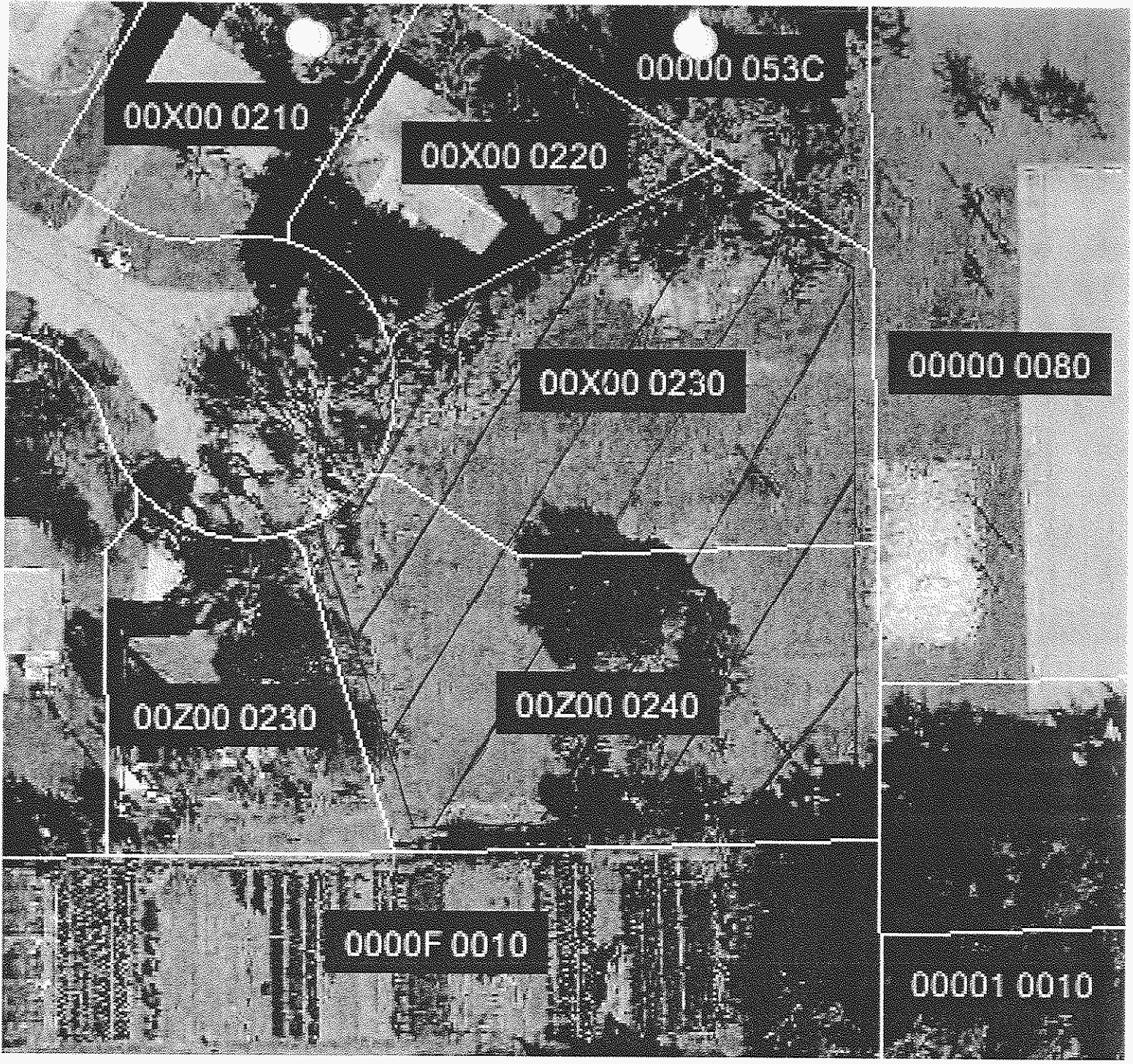
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- AREA TO BE VACATED