

Agenda Item Summary

- 1. ACTION REQUESTED/PURPOSE:** Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 6-foot wide Public Utility Easement located at 14208 Caribbean Blvd., located in Ft. Myers Shores (Case No. VAC2006-00041).
- 2. WHAT ACTION ACCOMPLISHES:** To build a single-family residence 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 PH2	5. Meeting Date: 07-20-2007	
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 Community Development
<input type="checkbox"/> Appeals	<input checked="" type="checkbox"/> Admin. Code	13-1		Division Development Services
<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Other			By: <i>[Signature]</i> 10/27/06
<input type="checkbox"/> Walk-On				Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2006-00041 was submitted by Donald J. Monacell Jr.

LOCATION: The site is located at **14208 Caribbean Blvd., Ft. Myers, Florida 33905** and its strap number is **28-43-26-06-00063.0360**. Petition No. VAC2006-00041 proposes to vacate a six-foot (6') wide Public Utility Easement located on the east lot line of Lot 38, Block 63, Unit 6, Section 21, 28 and 29, Township 43 South, Range 26 East, Ft. Myers Shores, as recorded in Plat Book 17, Page 77 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the northerly 30-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> 1-9-07	<i>[Signature]</i> 1/9/07	<i>[Signature]</i> 1-10-07	<i>[Signature]</i> 1/10/07	<i>[Signature]</i> 1/10/07	<i>[Signature]</i> 1-11-07

11. Commission Action:

Approved
 Deferred
 Denied
 Other

RECEIVED BY COUNTY ADMIN: <i>MP</i> 1-9-07 3:25	Rec. by CoAtty Date: 1/9/07 Time: 11:50 AM
COUNTY ADMIN FORWARDED TO: 1/11 2:30 PR	Forwarded To: <i>Co. Admin</i> 1/9/07 1 PM



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: October 26, 2006

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20061454

CASE NUMBER: VAC2006-00041

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: VAC2006-00041

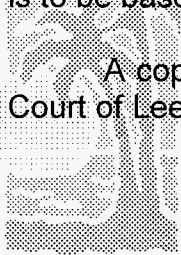
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 20th day of February 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 Whayne in cursive script.

County Attorney Signature

Handwritten signature of John J. Fredyma in cursive script.

Please Print Name

**Legal Description
(Vacation of Easements)**

A 6.0 foot wide public utility easement being the easterly 6.0 feet of lot 38, Block 63, Unit 6, Fort Myers Shores, Lee County, Florida, as recorded in Plat Book 17, page 77, of the Official Records of Lee County, Florida.

LESS and EXCEPT the northerly 30 feet thereof.



Christopher B. Still
P.S.M. 5941
October 23, 2006

THIS INSTRUMENT PREPARED BY:

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

RESOLUTION NO. _____ FOR PETITION TO VACATE

Case Number: VAC2006-00041

WHEREAS, Petitioners **Sterling Trust Company, Custodian, FBO Donald J. Monacell, Jr., Account 02087328** 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. VAC2006-00041 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

Chair Signature

Please Print Name

Please Print Name

LEE COUNTY
SOUTHWEST FLORIDA

APPROVED AS TO FORM

County Attorney Signature

John J. Fredyma
Please Print Name

**Legal Description
(Vacation of Easements)**

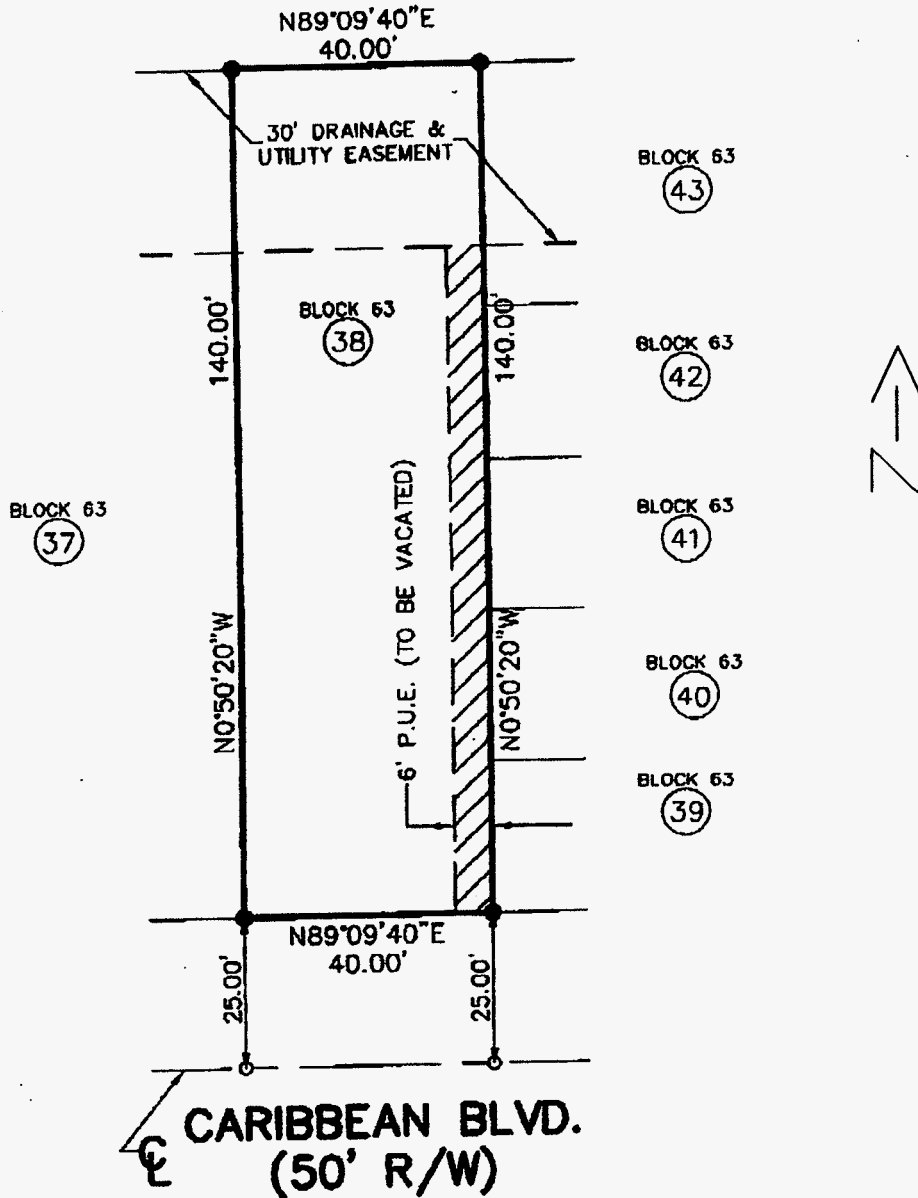
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LESS and EXCEPT the northerly 30 feet thereof.



Christopher B. Still
P.S.M. 5941
October 23, 2006

NOT A SURVEY - SKETCH ONLY



CARIBBEAN BOULEVARD
 LOT 38, BLOCK 63, UNIT 6
 FORT MYERS SHORES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 17, PAGE 77, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

LEHIGH SURVEYING, INC.

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

Christopher B. Still

10-17-06

CHRISTOPHER B. STILL
REGISTERED LAND SURVEYOR NO. 5941

JOB NUMBER:	0618-55
DRAWN BY:	C. STILL
SCALE:	1" = 30'
SHEET:	1 of 2

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Exhibit "B"
 Petition to Vacate
 VAC2006-00041
 [Page One of One]



PETITION TO VACATE (AC 13-1)

Case Number: UAC 2006-00041

Petitioner(s), STERLING TRUST CO. FBO DONALD J. MONACELL JR, 02087328 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, 7901 FISH POND RD., WACO TEXAS 76710
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.

Read & Approved [Signature] 02087328

Respectfully Submitted by:

Petitioner Signature

[Signature] Petitioner Signature - Anthony Carl - AUP

Printed Name

Sterling Trust Company FBO Donald J. Monacell # 02087328 Printed Name

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



STERLING TRUST COMPANY
CERTIFICATE OF RESOLUTION

I hereby certify that a meeting of the Board of Directors of Sterling Trust Company, a corporation organized and existing under and by virtue of the laws of the State of Texas, held on the 27th day of September, 2006, at which meeting a quorum was present and acting throughout, the following resolution was adopted and is in full force and effect:

RESOLVED, that any of the following: Paul E. Skretny, Chairman of the Board, CEO & President; Kelli L. Click, Vice President; Jeff A. Kelley, Vice President; Jeffrey D. Thompson, Vice President; Kristen Villas, Vice President; Anthony G. Carl, Assistant Vice President; Vicky Smith, Assistant Vice President; Karen A. Sonnenberg, Assistant Vice President; Will Driskell; Jesse Acosta; Forest Reel; Sharon Hrabal; Charles Ives, Trish Kubitza Willie Strickland, Scott Hall, Rhonda Fitch, Hope Gonzales, Sonja Pesina, Tineca Wells and Michelle Williams are hereby authorized and empowered to transfer, endorse, sell, assign and deliver all shares of stocks, bonds, debentures, proxies or other securities or documents related to real estate transactions or viatical and life settlement agreements now or hereafter standing in the name of or owned in trust or custodial capacity by this Corporation and to make, execute and deliver any and all written instruments necessary or proper to effectuate the authority hereby conferred.

I further certify that the authority conferred above is not inconsistent with the charter or by-laws of the Corporation and that the following is a true and correct list of the Officers of this Corporation as of this date:

- Paul E. Skretny - Chairman of the Board, CEO and President
Michele B. Maruri - Vice President, Chief Financial Officer and Secretary
Kelli L. Click - Vice President
Jeff A. Kelley - Vice President
Jeffrey D. Thompson - Vice President
Kristen Villas - Vice President
Virginia N. Chapline - Vice President
Anthony G. Carl - Assistant Vice President
Vicky Smith - Assistant Vice President
Karen A. Sonnenberg - Assistant Vice President
Will Driskell - Assistant Vice President

I hereby certify that the above resolution is in full force and effect this 4 day of January 2007, and that the signatures on Exhibit A are true and accurate signatures of the persons authorized to sign on behalf of Sterling Trust Company.

Signature of Michele B. Maruri, Secretary

ATTEST

Signature of the attesting officer

(SEE REVERSE SIDE)



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 # 28-43-26-06-00063.0380 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 DONALD J. MORACELL JR. 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.

[Signature]
Owner*(signature) Anthony Carl - AUP

Sterling Trust Co. FBO Donald J. Moracell Jr.
Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

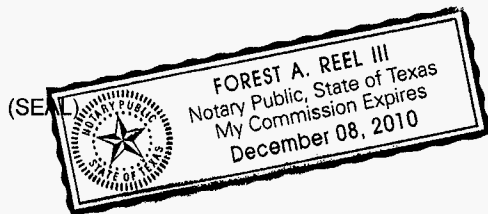
Printed Name

Owner*(signature)

Printed Name

STATE OF ~~FLORIDA~~ Texas
COUNTY OF LEE McCleann

Sworn to (or affirmed) and subscribed before me this 4th day of January, 2007, by Anthony Carl, who is personally known to me or who has produced as identification and who did (did not) take an oath.



[Signature]
Notary Public

(Name typed, printed or stamped)

**Legal Description
(Vacation of Easements)**

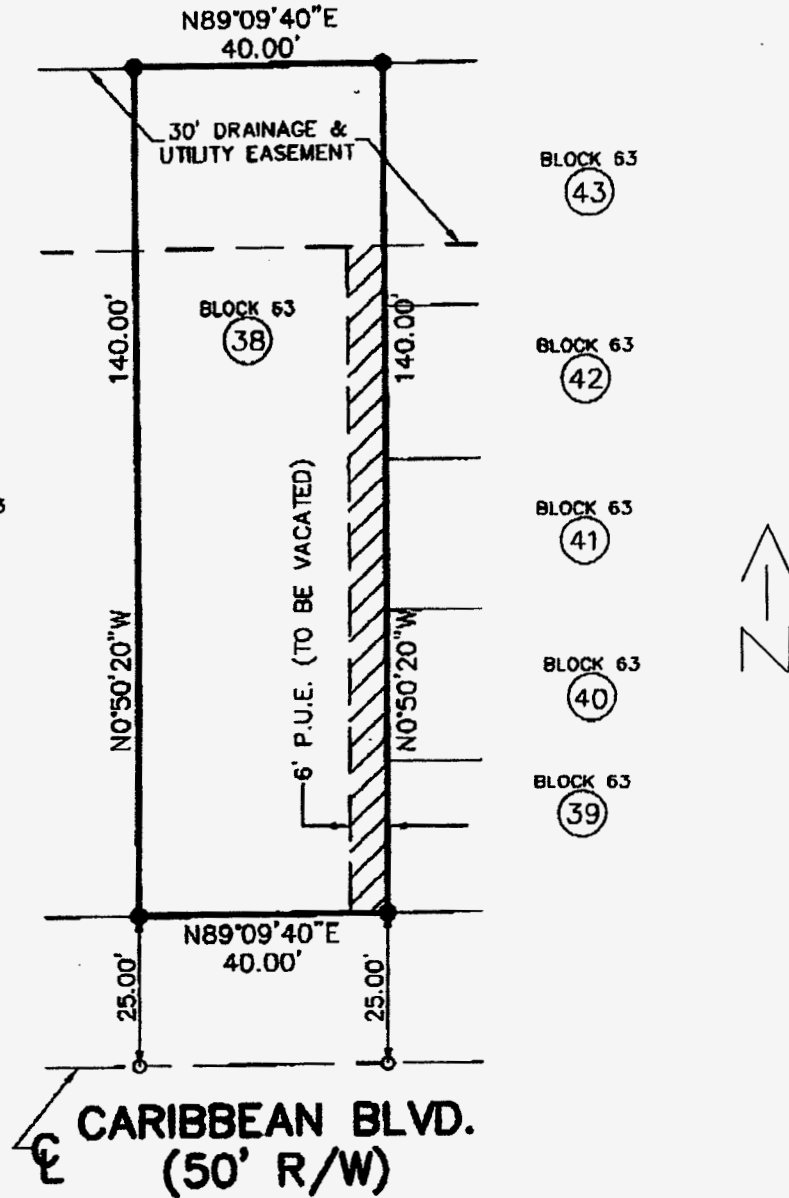
A 6.0 foot wide public utility easement being the easterly 6.0 feet of lot 38, Block 63, Unit 6, Fort Myers Shores, Lee County, Florida, as recorded in Plat Book 17, page 77, of the Official Records of Lee County, Florida.

LESS and EXCEPT the northerly 30 feet thereof.



Christopher B. Still
P.S.M. 5941
October 23, 2006

NOT A SURVEY - SKETCH ONLY



CARIBBEAN BOULEVARD
 LOT 38, BLOCK 63, UNIT 6
 FORT MYERS SHORES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 17, PAGE 77, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

LEHIGH SURVEYING, INC.

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

10-17-06


CHRISTOPHER B. STILL
REGISTERED LAND SURVEYOR NO. 5941

JOB NUMBER:	0618-55
DRAWN BY:	C. STILL
SCALE:	1" = 30'
SHEET:	1 of 2

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Exhibit "B"
 Petition to Vacate
 VAC2006-00041
 [Page One of One]

Exhibit "C"
Petition to Vacate
VAC2006-00041
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
28-43-26-06-00063.0360	2006	PAID
Original Account	Instrument No	
28-43-26-06-00063.0360	2006000149200	
Owner		
STERLING TRUST COMPANY FOR DONALD J MONACELL JR #02087328		
Physical Address	Mailing Address	
14208 CARIBBEAN BLVD FORT MYERS FL 33905	2193 SANTIAGO AVE FORT MYERS FL 33905 USA	
Legal Description		
FT MYERS SHORES UNIT 6 BLK 63 PB 17 PG 77 LOT 36		
Outstanding Balance as of 11/28/2006		\$0.00

Prepared By & Return To:
Tracy A. Rison
New Title Services, LLC
1910 Park Meadows Drive, Suite B
Fort Myers, Florida 33907

File Number: 06-01024

P.00
\$25.00

General Warranty Deed

Made this April 14, 2006 A.D. By **Barbara M. Waldee /k/a Barbara M. Fussell**, widow and surviving spouse of Charles E. Fussell, 2143 Unity Street, Fort Myers, FL 33901, hereinafter called the grantor, to **Sterling Trust Company, Custodian, FBO Donald J. Monacell Jr. Account 02087328**, whose post office address is: 7901 Fish Pond Rd., Waco, TX 76710, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the 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 Ten Dollars, (\$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:

Lots 36, 37 and 38, Block 63, Unit No. 6, FORT MYERS SHORES, a subdivision, according to the map or plat thereof recorded in Plat Book 17, Pages 75 through 79, inclusive, of the Public Records of Lee County, Florida.

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

Parcel ID Number: 28-43-26-06-00063.0360

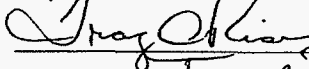
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.


And the grantor hereby covenants with said grantee that 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; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2005.

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

Signed, sealed and delivered in our presence:
(TWO SEPARATE WITNESSES)


Witness Printed Name Tracy A. Rison

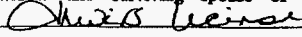

Barbara M. Waldee /k/a Barbara M. Fussell (Seal)
Address: 2143 Unity Street, Fort Myers, FL 33901


Witness Printed Name MANA L. LAWLESS


(Seal)
Address:

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 14th day of April, 2006, by Barbara M. Waldee /k/a Barbara M. Fussell, widow and surviving spouse of Charles E. Fussell, who is/are personally known to me or who has produced as identification.



(NOTARY SEAL)


Notary Public
First Name: Tracy A. Rison
My Commission Expires: _____



DEED Individual Warranty Deed With Non-Homestead-Legal on Face Closers' Choice

VAC 2006-00041

RECEIVED
OCT - 4 2006



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

October 26, 2006

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald J. Monacell Jr.
2193 Santiago Ave.
Fort Myers, FL 33905

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Re: VAC2006-00041 - Petition to Vacate a 6-foot wide Public Utility Easement located on the east lot line of Lot 38, Block 63, Unit 6, Ft. Myers Shores, S 21,28 & 29, T 43S, R 26E, as recorded in Plat Book 17, Page 77, in the public records of Lee County, FL

Dear Mr. Monacell:

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 on the east lot line of your lot. The site is located at 14208 Caribbean Blvd., 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

U:\200610\20061004.114\9358400\DCDLETTER.DOC

To : Department of Community Development
Division of Development Services
Attn: Ron Wilson

RECEIVED
OCT 19 2006

From: Donald J. Monacell Jr.
Sterling Trust Company, Custodian,
2193 Santiago Ave.
Fort Myers, Florida 33905

COMMUNITY DEVELOPMENT

Subject: Response to request from Department of Community Development


In regards to VAC2006-00041- Petition to vacate a 6 foot wide public utility easement located on the east lot line of lot 38, block 63, unit 6, Fort Myers Shores, S21,28 & 29, T 43S, R 26E, as recorded in Plat Book 17, Page 77, in the public records of Lee County, Florida.

In response to your two questions the following information is being provided.

1. The removal of the easement will allow and facilitate the construction of a single family residence on that location. The Strap number of that location is 28-43-26-06-00063.0380 and the address is 14214 Caribbean Blvd., Fort Myers, Fl. 33905.
2. The legal description of the Public Utility easement is enclosed under separate cover.

I have included three copies of each document

Thank you for your assistance


Donald J. Monacell Jr.
2193 Santiago Ave.
Fort Myers, Florida 33905
239-694-8232

.....

Larry Valentine
Customer Project Manager
2425 Thompson St
Ft Myers, FL 33901
Phone 239-332-9135
Fax 239-332-9128

Florida Power & Light

July 13, 2006

Sterling Trust Company FBO
Donald J. Monacell Jr.
2193 Santiago Ave
Ft Myers, FL 33905
Phone 239-745-5305

Dear Sir:

Florida Power & Light has no objection to vacating the 6' public utility easement on the East side of Lot 38 Block 63 at 14214 Caribbean Blvd in Ft Myers Shores per your sketch dated July 7th, 2006. Lot 38 has the following strap number:

STRAP # 28-43-26-06-00063.0380

If I may be of further assistance, please do not hesitate to contact me at 239-332-9135.

Sincerely,



Larry Valentine
Customer Project Manager

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OCT - 4 2006

VAC 2006-00041



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

July 10, 2006

Mr. Donald J. Monacell, Jr.
Sterling Trust Company FBO
2193 Santiago Avenue
Fort Myers, FL 33905

Re: Vacation of Public Utility Easement, 14214 Caribbean Boulevard,
Fort Myers, Florida, Strap # 28-43-26-06-00063.0380

Dear Mr. Monacell:

LCEC does not object to the vacation of the Public Utility Easement at the above referenced location, however, you will need to contact FPL as this is in their service territory.

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

Sincerely,

Sandra McIver

Sandra McIver
Real Property Representative

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OCT - 4 2006

VAC 2006-00041

Voice | Data | Internet | Wireless | Entertainment



EMBARQ™

Embarq Corporation
8441 Littleton Rd.
North Fort Myers, Florida
33903

Sterling Trust Company FBO
Donald J. Monacell Jr,
2193 Santiago Ave
Fort Myers Florida 33905

August 8, 2006

Subject: Strap# 28-43-26-06-00063.0380 14214 Caribbean Blvd.

Sir, after further review Embarq has no objection to the 6ft utility easement noted on your drawing. If you have any further questions I can be reached at (239) 336-2011.

Sincerely,

Chet Prendota
Engineer

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OCT - 4 2006

VAC 2006-00041



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

July 14, 2006

Sterling Trust Company
C/O Donald J. Monacell Jr.
2193 Santiago Ave.
Fort Myers, Fl. 33905

Re: 14214 Caribbean Blvd.

Dear Donald Monacell,

This letter will serve to inform you that Comcast has no objection to your proposed vacation of the address referenced above.

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

Cordially,

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

Mark Cook
Design Coordinator

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OCT - 4 2006

VAC 2006 - 00041



July 13, 2006

Donald J. Monacell Jr.
Sterling Trust Company FBO
2139 Santiago Ave
Fort Myers, Fla. 33905

RE: Strap #28-43-26-06-00063.0380
1421 Caribbean Blvd, Fort Myers, Fla.

Dear Mr. Monacell:

Your request for the above listed vacation of easement has been reviewed. At this time, Time Warner Cable has no facilities in the above listed area. 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. 79241.

Sincerely,

TIME WARNER CABLE

Robert A. Enfinger
Construction

RAE/sgs

RECEIVED

OCT - 4 2006

VAC 2006-00041

AmeriGas®

America's Propane Company

July 28th, 2006

Mr. Donald J. Monacell Jr.
Sterling Trust Company FBO
2193 Santiago Ave
Fort Myers, FL 33905

Dear Mr. Donald Monacell:

In reference to your letter dated July 7th Amerigas has no interest on the right of way between the following parcel(s):

STRAP#: 28-43-26-06-00063.0380

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

Sincerely,



Teresa Michaels
Sales & Service Manager

RECEIVED

OCT - 4 2006

VAC 2006-00041

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8150

Bob Janes
District One

August 22, 2006

Douglas R. St. Cerny
District Two

Donald J. Monacell, Jr.
Sterling Trust Company FBO
2193 Santiago Ave
Fort Myers, FL 33905

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

SUBJECT: VACATION OF UTILITY EASEMENT AND/OR RIGHT-OF-WAY
STRAP #: 28-43-26-06-00063.0380
14214 CARIBBEAN BLVD

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

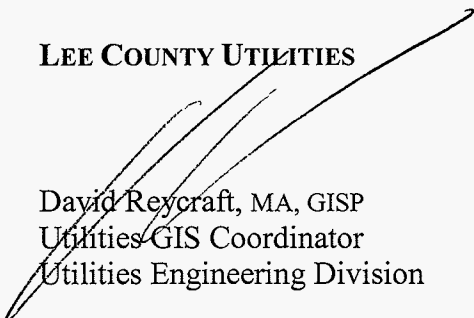
Dear Mr. Monacell,

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 water or wastewater 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 (239) 479-8150.

Sincerely,

LEE COUNTY UTILITIES



David Rexcraft, MA, GISP
Utilities GIS Coordinator
Utilities Engineering Division

Original Mailed: 08/22/2006
Original Faxed: 08/22/2006

CC: Correspondence File

RECEIVED

OCT - 4 2006

H:\Vacates\2006\Monacell\08222006.doc

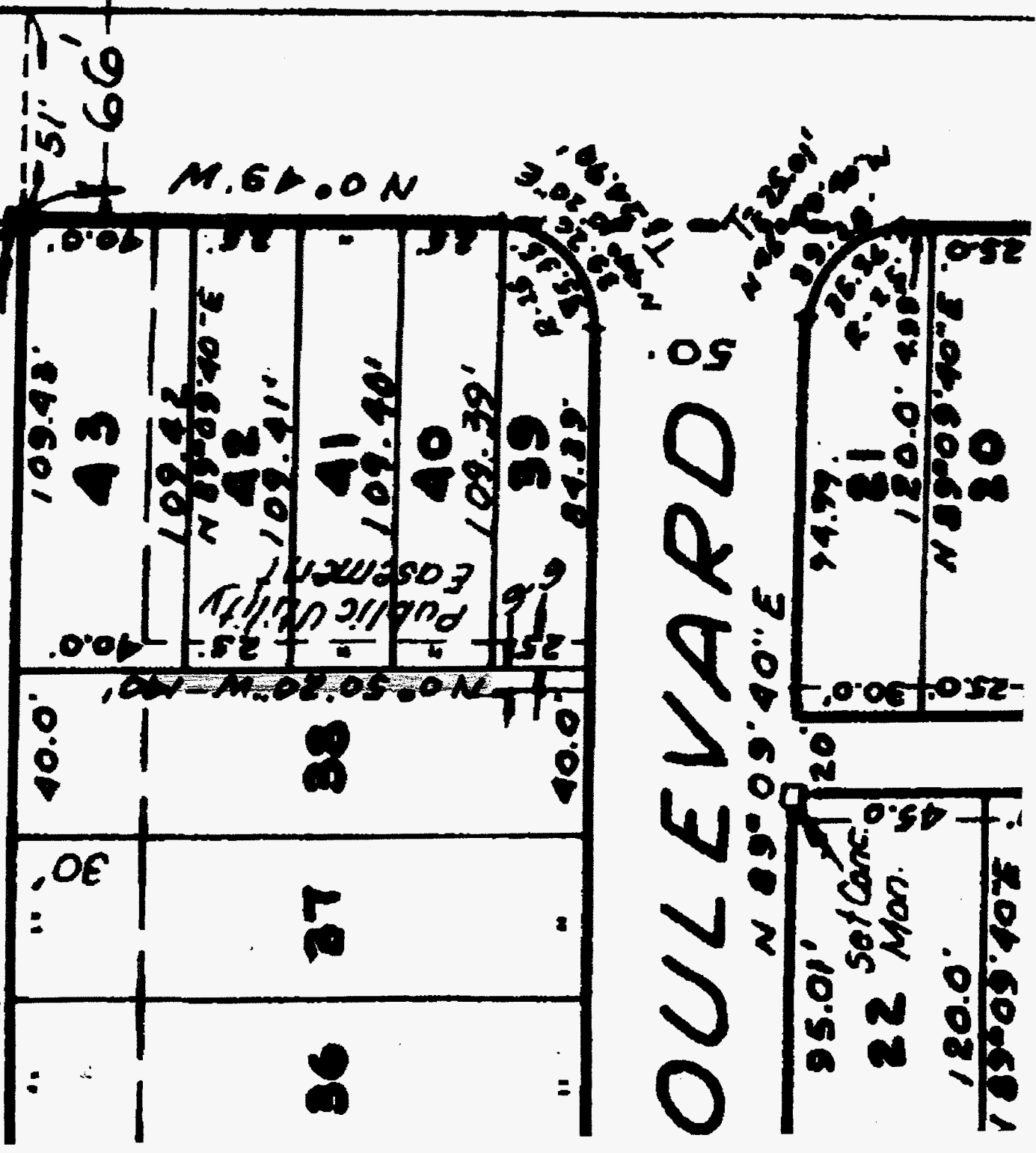
P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111
Internet address <http://www.lee-county.com>

VAC 2006-00041

40" E of NW 1/4

RECEIVED
VAC 2006-00041
OCT - 4 2006

Set Conc.
Post



OULEVARD

N 89° 09' 40" E

95.01'
Set Conc. Post
22 Mar. 05
120.0'
N 89° 09' 40" E

74.77'
21
120.0' 49.04'
N 89° 09' 40" E
20



 - AREA TO BE VACATED