

Agenda Item Summary

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 17565 and 17557 Rockefeller Cir., Ft. Myers (Case No. VAC2006-00032).
2. **WHAT ACTION ACCOMPLISHES:** To build a future commercial building on the combined lots. **The vacation of this easement will not alter existing utility conditions and the easement is not necessary to accommodate any future utility requirements.**
3. **MANAGEMENT RECOMMENDATION:** Approve

4. Departmental Category: COMMISSION DISTRICT #: 5	5. Meeting Date: 02-27-2007 9:30 PH2
6. Agenda: <input type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input checked="" type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify) <input checked="" type="checkbox"/> Statute F.S. Ch. 177 <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Admin. Code 13-1 <input type="checkbox"/> Other
8. Request Initiated: Commissioner _____ Department Community Development Division Development Services By: <i>Mary Gibbs</i> Peter J. Eckenrode, Director	

9. Background:

The completed petition to vacate, VAC2006-00032 was submitted by Jeffrey Wogoman.

LOCATION: The site is located at 17565 and 17557 Rockefeller Cir., Ft. Myers, Florida 33912 and its strap numbers are 08-46-25-15-00008.0090 and .0110. Petition No. VAC2006-00032 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 10 and 11, both in Block 8, Sections 8 and 9, Township 46 South, Range 25 East, San Carlos Park Commercial Addition, as recorded in Plat Book 28, Page 19 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the northeasterly six feet and southwesterly 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
<i>M Gibbs</i>				<i>John J. ... 1-31-07</i>	Analyst <i>1/31/07</i>	Risk <i>1/31/07</i>	Grants <i>1/31/07</i>	Mgr. <i>1/31/07</i>	<i>2-1-07</i>

11. Commission Action:

Approved
 Deferred
 Denied
 Other

RECEIVED BY COUNTY ADMIN:
 1/31 11:10 AM
 to TD
 COUNTY ADMIN FORWARDED TO:
 2/ 4:00 PM
 1 to PR.

Rec. by CoAtty
 Date: 1/31/07
 Time: 11:35 AM
 Forwarded To: Co. Admin.
 1/31/07 10 AM



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: January 22, 2007

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20070111

CASE NUMBER: VAC2006-00032

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: VAC2006-00032

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 27th Day of February, 2007 at 9:30 A.M. 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

Handwritten signature of John J. Fredyma in black ink.

County Attorney Signature

Handwritten signature of John J. Fredyma in black ink.

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00032

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 10 and 11, both in Block 8, Plat of Sections 8 & 9, Township 46 South, Range 25 East, San Carlos Park Commercial Addition, as recorded in Plat Book 28, Page 19 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northeasterly six feet and southwesterly 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: VAC2006-00032

WHEREAS, Petitioner Jeffrey Wogoman 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. VAC2006-00032 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

Chairman Signature

Please Print Name

Please Print Name

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

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2006-00032

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 10 and 11, both in Block 8, Plat of Sections 8 & 9, Township 46 South, Range 25 East, San Carlos Park Commercial Addition, as recorded in Plat Book 28, Page 19 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northeasterly six feet and southwesterly six feet thereof.

Exhibit "B"

PROPERTY ADDRESS:
 17557/17565 ROCKEFELLER CIRCLE
 FORT MYERS, FLORIDA

SKETCH OF DESCRIPTION

(THIS IS NOT A SURVEY)

A PARCEL OF LAND BEING A 12 FOOT WIDE STRIP OF LAND CENTERED ON THE LINE COMMON TO LOTS 10 & 11, BLOCK 8, SAN CARLOS PARK COMMERCIAL ADDITION, AS RECORDED IN PLAT BOOK 28, PAGE 19, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE PROPERTY CORNER COMMON TO SAID LOTS 10 & 11, AND THE NORTHEAST RIGHT-OF-WAY LINE OF ROCKEFELLER CIRCLE 160' WIDE), THENCE N 57°28'14"E, ALONG SAID PROPERTY LINE FOR A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 57°28'14"E ALONG SAID PROPERTY LINE FOR A DISTANCE OF 113.00 FEET TO A POINT WHICH IS 8.00 FEET SOUTHWEST OF AS MEASURED AT RIGHT ANGLES TO THE NORTHEAST PROPERTY LINES OF SAID LOTS 10 & 11, SAID POINT BEING ALSO THE POINT OF TERMINUS OF SAID PARCEL.

BEARINGS BASED ON THE CENTERLINE OF SAID PLAT, CONTAINING 1,356 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1) FIR - FOUND 1/2" IRON ROD UNLESS SHOWN OTHERWISE.
- 2) BEARINGS PER RECORDED PLAT CENTERLINE.
- 3) SIR - SET 1/2" IRON ROD #LB6594.
- 4) FCM - FOUND CONCRETE MONUMENT.



SCALE 1 INCH = 30 FEET

0 30 60

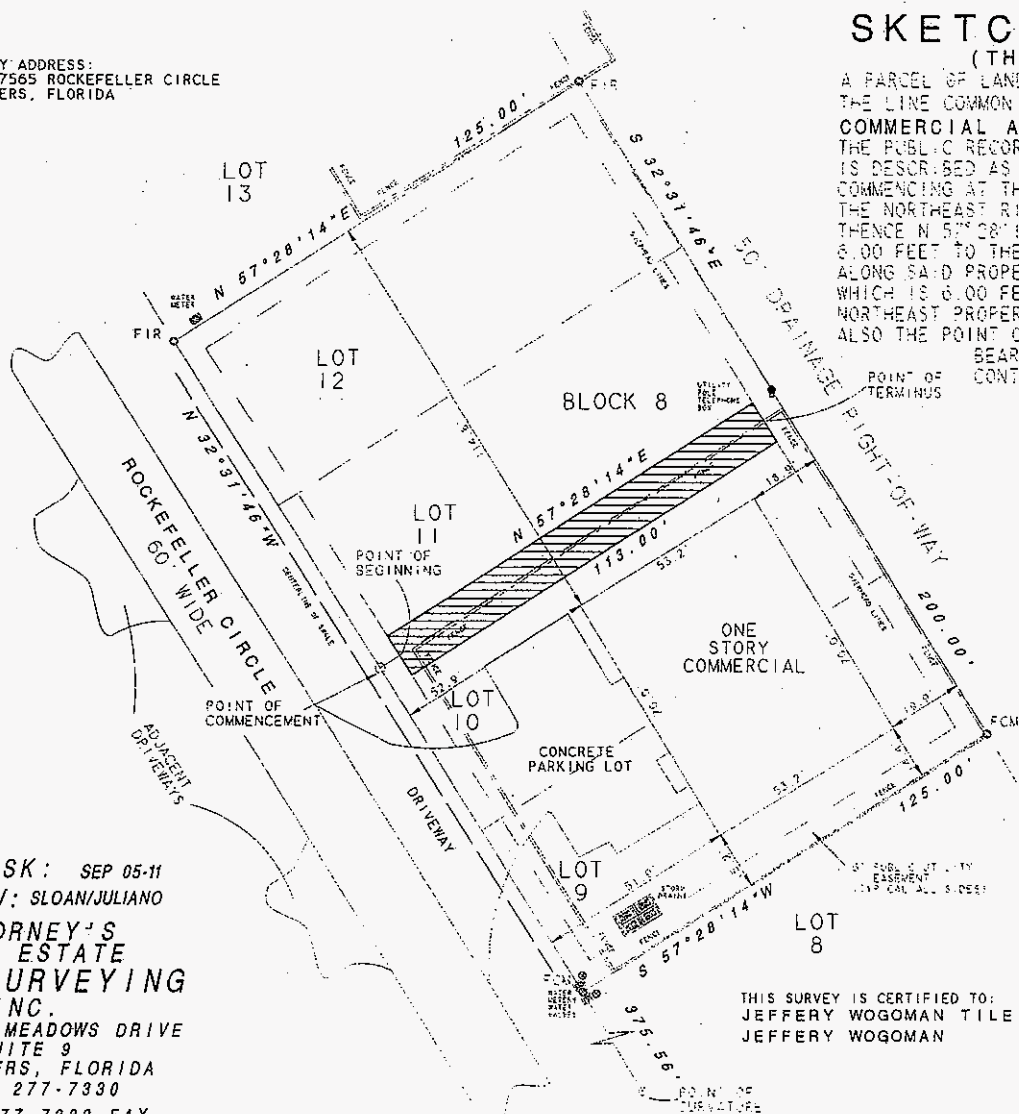
DATE:

SEPTEMBER 21, 2005

THIS SURVEY IS HEREBY CERTIFIED AS MEETING THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPS PURSUANT TO CHAPTER 137, FLORIDA STATUTES, CHAPTER 309, FLORIDA STATUTES AND CHAPTER 6107, FAC AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY WAS PREPARED IN WHOLE OR IN PART FOR THE BENEFIT OF A CERTIFIED TITLE REPORT AND IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM FROM ENCUMBRANCES UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL EMBOSSED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. THIS DRAWING, PLAT, F.A.C. OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID. NO COPIES SHALL BE MADE WITHOUT WRITTEN AUTHORIZATION.

J. HARRY GARDNER, SURVEYOR AND MAPPER #4204
 NO. 13112 WITHOUT EMBOSSED SEAL

05-16275



THIS SURVEY IS CERTIFIED TO:
 JEFFERY WOGOMAN TILE, INC.,
 JEFFERY WOGOMAN

FILE DISK: SEP 05-11
 CREW: SLOAN/JULIANO
 ATTORNEY'S
 REAL ESTATE
 LAND SURVEYING
 INC.
 1930 PARK MEADOWS DRIVE
 SUITE 9
 FORT MYERS, FLORIDA
 (239) 277-7330
 (239) 277-7332 FAX



PETITION TO VACATE (AC 13-1)

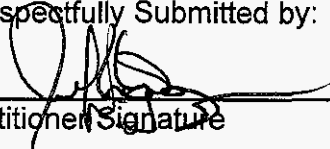
Case Number: VA2006-00032

Petitioner(s), Jeffrey Wogoman
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, 17580 Rockefeller Cir., Ft. Myers, FL 33912
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted by:



Petitioner Signature

Petitioner Signature

Jeffrey Wogoman

Printed Name

Printed Name

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

EXHIBIT "A"
Petition to Vacate
VAC2006-00032

Legal Description of the Public Utility Easement to be Vacated:

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LESS and EXCEPT the northeasterly six feet and southwesterly six feet thereof.

Exhibit "B"

PROPERTY ADDRESS:
 17557/17565 ROCKEFELLER CIRCLE
 FORT MYERS, FLORIDA

SKETCH OF DESCRIPTION

(THIS IS NOT A SURVEY)

A PARCEL OF LAND BEING A 12 FOOT WIDE STRIP OF LAND CENTERED ON THE LINE COMMON TO LOTS 10 & 11, BLOCK 8, SAN CARLOS PARK COMMERCIAL ADDITION, AS RECORDED IN PLAT BOOK 28, PAGE 19, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:
 COMMENCING AT THE PROPERTY CORNER COMMON TO SAID LOTS 10 & 11, AND THE NORTHEAST RIGHT-OF-WAY LINE OF ROCKEFELLER CIRCLE (60' WIDE), THENCE N 57° 28' 14" E, ALONG SAID PROPERTY LINE FOR A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 57° 28' 14" E ALONG SAID PROPERTY LINE FOR A DISTANCE OF 113.00 FEET TO A POINT WHICH IS 6.00 FEET SOUTHWEST OF AS MEASURED AT RIGHT ANGLES TO THE NORTHEAST PROPERTY LINES OF SAID LOTS 10 & 11, SAID POINT BEING ALSO THE POINT OF TERMINUS OF SAID PARCEL.

BEARINGS BASED ON THE CENTERLINE OF SAID PLAT.
 CONTAINING 1,356 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 11FIR - FOUND 1/2" IRON ROD UNLESS SHOWN OTHERWISE
- 21BEARINGS PER RECORDED PLAT CENTERLINE.
- 31SIR - SET 1/2" IRON ROD #LB6594.
- 41FCM - FOUND CONCRETE MONUMENT.



SCALE 1 INCH = 30 FEET

0 30 60

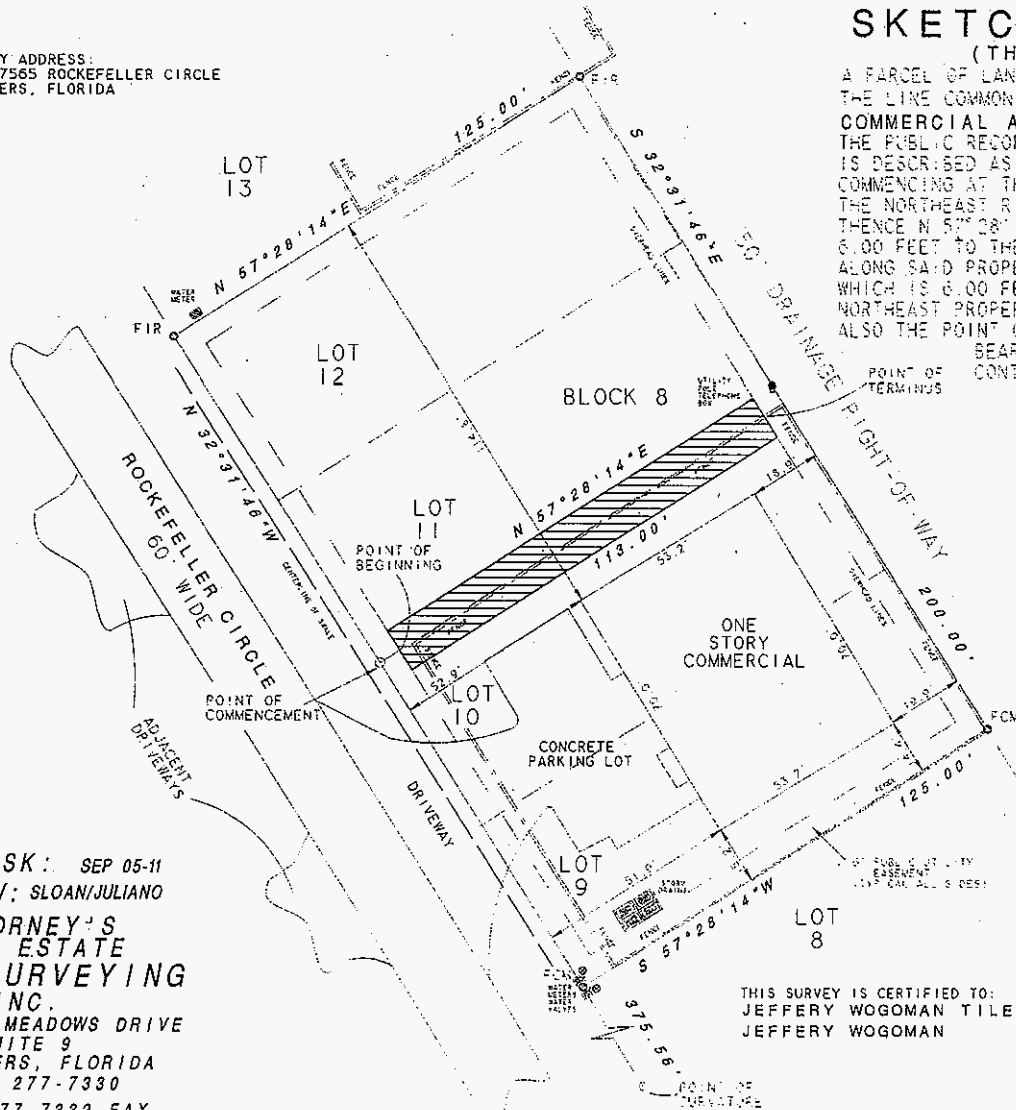
DATE:

SEPTEMBER 2, 2005

THIS SURVEY IS HEREBY CERTIFIED AS MEETING THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPSERS PURSUANT TO CHAPTER 173, FLORIDA STATUTES, CHAPTER 422, FLORIDA STATUTES AND CHAPTER 6107, FAC AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY WAS PREPARED PURSUANT TO THE BENEFIT OF A CERTIFIED TITLE REPORT AND IS NOT A GUARANTEE OF TITLE. ZONING OR FREEDOM FROM ENCUMBRANCES UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL EMBOSSED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. THIS DRAWING, PREPARED BY ME, IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID. NO COPIES SHALL BE MADE WITHOUT WRITTEN AUTHORIZATION.

LARRY GARDNER, SURVEYOR AND MAPPER #4264
 NOT VALID WITHOUT EMBOSSED SEAL


JOB NUMBER 05-16275




THIS SURVEY IS CERTIFIED TO:
 JEFFERY WOGOMAN TILE, INC.,
 JEFFERY WOGOMAN

FILE DISK: SEP 05-11
 CREW: SLOAN/JULIANO
 ATTORNEY'S
 REAL ESTATE
 LAND SURVEYING
 INC.
 1930 PARK MEADOWS DRIVE
 SUITE 9
 FORT MYERS, FLORIDA
 (239) 277-7330
 (239) 277-7332 FAX

Exhibit "C"
Petition to Vacate
VAC2006-00032
[Page One of One]

Real Property Information		
Account	Tax Year	Status
08-46-25-15-00008.0090	2006	PAID
Original Account	Book/Page	
08-46-25-15-00008.0090	3107 /2165	
Owner		
WOGOMAN JEFFREY		
Physical Address	Mailing Address	
17565 ROCKEFELLER CIR FORT MYERS FL 33967	17580 ROCKEFELLER CIR FORT MYERS FL 33967 USA	
Legal Description		
SAN CARLOS PK COMM ADDN BLK 8 PB 28 PG 19 LOTS 9 + 10		
Outstanding Balance as of 1/22/2007		\$0.00

Real Property Information		
Account	Tax Year	Status
08-46-25-15-00008.0110	2006	PAID
Original Account	Book/Page	
08-46-25-15-00008.0110	4386 /3948	
Owner		
WOGOMAN JEFFREY		
Physical Address	Mailing Address	
17557 ROCKEFELLER CIR FORT MYERS FL 33967	17580 ROCKEFELLER CIR FORT MYERS FL 33967 USA	
Legal Description		
SAN CARLOS PK COMM ADDN BLK 8 PB 28 PG 19 LOTS 11 + 12		
Outstanding Balance as of 1/22/2007		\$0.00

10.50
1.00
2.00 Pages
13.50
210.00 Doc
223.50

4617354

OR3107 P62165

THIS INSTRUMENT PREPARED BY:
GUARDIAN TITLE SERVICES CORP.
PAT HICKIN
9311-2 COLLEGE PARKWAY
FORT MYERS, FL 33919

RECORDED BY
BOBBI JO THOMPSON, D.C.

STRAP NO: 08-46-25-15-00008.0090
GRANTEE'S SOCIAL SECURITY NO:

THIS WARRANTY DEED Made this 21st day of April, 1999

by Myron L. Ringer and Gladys L. Ringer, husband and wife

whose post office address is: 317 Coquina Esplanade
Punta Gorda, Florida 33982
herein after called the grantors, to

Jeffrey Wogoman

whose post office address is: 17580 Rockefeller Circle
Fort Myers, Florida 33912

hereinafter called the grantee:

(wherever used herein the terms "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)

Documentary Tax Pd. \$ 10.00
Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
Bobbi Jo Thompson Deputy Clerk

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:

Lots 9 and 10, Block 8, Commercial Addition, San Carlos Park Subdivision, according to the plat thereof recorded in Plat Book 28, at Pages 18 and 19, of the Public Records of Lee County, Florida.

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, 1998, restrictions, reservations and easements of record, if any.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year above written.

Signed, sealed and delivered in our presence:

Witness #1
Also Print: FRANCESIA HUNTER

Witness #2
Also Print: Lori Ann Ringer

Myron L. Ringer
Myron L. Ringer

Gladys L. Ringer
Gladys L. Ringer

RECEIVED

JUN 28 2006

VAC 2006-00032

STATE OF FLORIDA

COUNTY OF CHARLOTTE

EXECUTION OF the foregoing instrument was acknowledged before me this 16 day of April, 1999 by Myron L. Ringer and Gladys L. Ringer, husband and wife, who is/are personally known to me or who has produced sufficient evidence of identification (described below) and who did not take an oath.

Description of identification produced: FL DL license

Francesca Hunter
NOTARY PUBLIC - SIGNATURE ABOVE

NOTARY NAME - FRANCESCA HUNTER

(Affix Notary Seal)

COMMISSION NO. - CC 813718

COMMISSION EXP. DATE - 3-1-2003

OFFICIAL NOTARY SEAL
FRANCESCA HUNTER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC813718
MY COMMISSION EXP. MAR. 1, 2003

Notary Name/Commission No./Exp. Date - typed or printed
FILE NO: F83120R
BATCH.DOC

DR3107 R62166

CHARLIE GREEN, CLERK
LEE COUNTY, FL
99 APR 22 PM 2:53



This Instrument Prepared By: Carol Townsend
PATRIOT TITLE SERVICES, LLC
 2149 McGregor Blvd
 Fort Myers, Florida 33901
 File Number: **CAT-0548**
 Strap Number: 08-46-25-15-00008.0110

INSTR # 6384195
 OR BK 04386 Pgs 3948 - 3949; (2pgs)
 RECORDED 08/03/2004 10:07:45 AM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY, FLORIDA
 RECORDING FEE 10.50
 DEED DOC 595.00
 DEPUTY CLERK J Miller

Warranty Deed

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

Made this 28th day of July, 2004, BETWEEN

Richard H. Houck

whose post office address is: 18714 Spruce Drive W, Fort Myers, FL 33912, **grantor**

and

Jeffrey Wogoman

whose post office address is: 17580 Rockefeller Circle, Fort Myers, FL 33912, **grantee**,

WITNESSETH: That the said grantor, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in Lee County, Florida towit:

Lots 11 & 12, Block 8, San Carlos Park Commerical Addition, according to the plat thereof as recorded in Plat Book 28, Pages 18 & 19, inclusive, 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.

Subject to easements and restrictions of record, if any, which are specifically not extended or reimposed hereby. Subject to taxes and assessments.

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

RECEIVED

JUN 28 2006

VAC 2006 - 00032

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:
(Two Separate Witnesses Required)

[Signature]
Witness #1 signature

[Signature]
Richard H. Houck

Carol A. Townsend

Witness #1 print name

[Signature]
Witness #2 signature

Witness #2 signature

Darlene M. Torrone

Witness #2 print name

STATE OF FLORIDA COUNTY OF LEE

I HEREBY CERTIFY, that on this 28 day of July, 2004, before me personally appeared **Richard H. Houck**, who is **personally known to me** or who has provided _____ as identification and who is the person described in and who executed the foregoing instrument and who after being duly sworn says that the execution hereof is free act and deed for the uses and purposes herein mentioned.

SWORN TO AND SUBSCRIBED before me the undersigned Notary Public by my hand and official seal, the day and year last aforesaid.

[Signature]
Notary Public

My Commission Expires:
(seal)

Notary printed Carol A. Townsend





LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

479-8585

A. Brian Bigelow
District Two

Ray Judah
District Three

January 22, 2007

Tammy Hall
District Four

Frank Mann
District Five

Jeffrey Wogoman
17580 Rockefeller Circle
Fort Myers, FL 33912

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Re: **VAC2006-00032 - Petition to Vacate** a 12-foot wide Public Utility Easement on the combined lots of 10 and 11, Block 8, San Carlos Park Commercial Addition, S 8 & 9, T 46S, R 25E, as recorded in Plat Book 28, Page 19, in the public records of Lee County, FL

Dear Mr. Wogoman:

You have indicated that in order to build a future commercial building on the combined lots, you desire to eliminate the Public Utility Easement located between your two (2) lots. The site is located at 17565 and 17557 Rockefeller Cir., 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

for
Peter J. Eckenrode
Director

PJE/RXW

March 2, 2006

Department of Community Development
Attn: Peter J. Eckenrode
1500 Monroe Street
Ft. Myers, FL 33902

RE: Request for a letter of Review and Recommendation on a proposed utility easement at the following location:


**17557 Rockefeller Cir Ft. Myers FL Lots 11 & 12 Strap # 08-46-25-15-00008.0110
and
17565 Rockefeller Cir Ft. Myers, FL Lots 9 & 10 Strap # 08-46-25-15-00008.0090**

To Whom It May Concern:

We intend to submit a petition to the Lee County Board of Commissioners seeking to vacate the public interest in the utility easement at the location identified above in order to accomplish the following purpose: **To combine two (2) lots into one for future building site of a commercial building.**

We have included a sketch of the utility easement we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Sincerely,



Jeff Wogoman
17580 Rockefeller Circle
Ft. Myers, FL 33912
872-4301 - Cell
267-2015 - Office

RECEIVED

JUN 28 2006

VAC2006-00032



March 22, 2006

Jeff Wogoman
17580 Rockefeller Circle
Fort Myers, FL 33912

Dear Mr. Wogoman,

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

17557 Rockefeller Circle, Fort Myers, FL 33912 – Lots 11/12, Strap # 08-46-25-15-00008.0110

17565 Rockefeller Circle, Fort Myers, FL 33912 – Lots 9/10, Strap # 08-46-25-15-00008.0090

You submitted that your intentions were to vacate public interests in the utility easement along property lines of these adjacent lots for future development. There is an existing utility easement running along the Northeast Property Line (R/O – 10' Width) that currently encompasses Florida Power & Light over-head facilities. The easement you are requesting vacation from does not encompass any of our facilities, therefore, Florida Power & Light has no objections to your proposed intentions.

It should be noted, though, that this is a "letter of no objection" being submitted by Florida Power & Light. 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 horizontal line.

J. Remy Cain, III
Customer Project Manager



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

May 1, 2006

Mr. Jeff Wogoman
17580 Rockefeller Cir.
Ft. Myers, Fl. 33912

Ref: Letter of Review & Recommendation for Vacation of Easements between Lots 11 and 12, and Lots 9 & 10:
Strap # 08-46-25-15-00008.0110
Strap # 08-46-25-15-00008.0090

Dear Mr. Wogoman:

This is in response to your letter of March 2nd., advising of your intention to submit a petition seeking to vacate the 6 foot public utility easements between the lots described above. Please be advised that Sprint has no objection to this proposal.

If I can be of further assistance, please feel free to contact me at 336-2014.

Sincerely,

A handwritten signature in cursive script that reads "Denise Grabowski".

Denise Grabowski
Engineer II – LTD Engineering



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

March 16, 2006

Jeff Wogoman
17580 Rockefeller Circle
Fort Myers, Florida 33912

17557 Rockefeller Cir. & 17565 Rockefeller Cir. (Lots 9, 10, 11, 12)
Strap # 08-46-25-15-00008.0110
Strap # 08-46-25-15-00008.0090

Dear Jeff Wogoman,

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

AmeriGas

America's Propane Company

April 10, 2006

Ms. Teresa Michaels
Amerigas
2600 Katherine St.
Fort Myers, FL 33901

Dear Mr. Jeff Wogoman:

In reference to your letter dated March 2, Amerigas has no interest on the right of way between the following parcel(s):

STRAP#: 08-46-25-15-00008.0110
STRAP#: 08-46-25-15-00008.0090

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

Sincerely,



Teresa Michaels
Sales and Service Manager

RECEIVED

JUN 28 2006

VAC2006-00032



BOARD OF COUNTY COMMISSIONERS

(239) 479-8150

Writer's Direct Dial Number: _____

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

March 06, 2006

Jeff Wogoman
17580 Rockefeller Cir
Fort Myers, FL 33912

**SUBJECT: VACATION OF UTILITY EASEMENT AND/OR DRAINAGE EASEMENT
STRAP #: 08-46-25-15-00008.0010 & 0090
ADDRESS: 17557 & 17565 ROCKEFELLER CIR**

Dear Mr. Wogoman,

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,

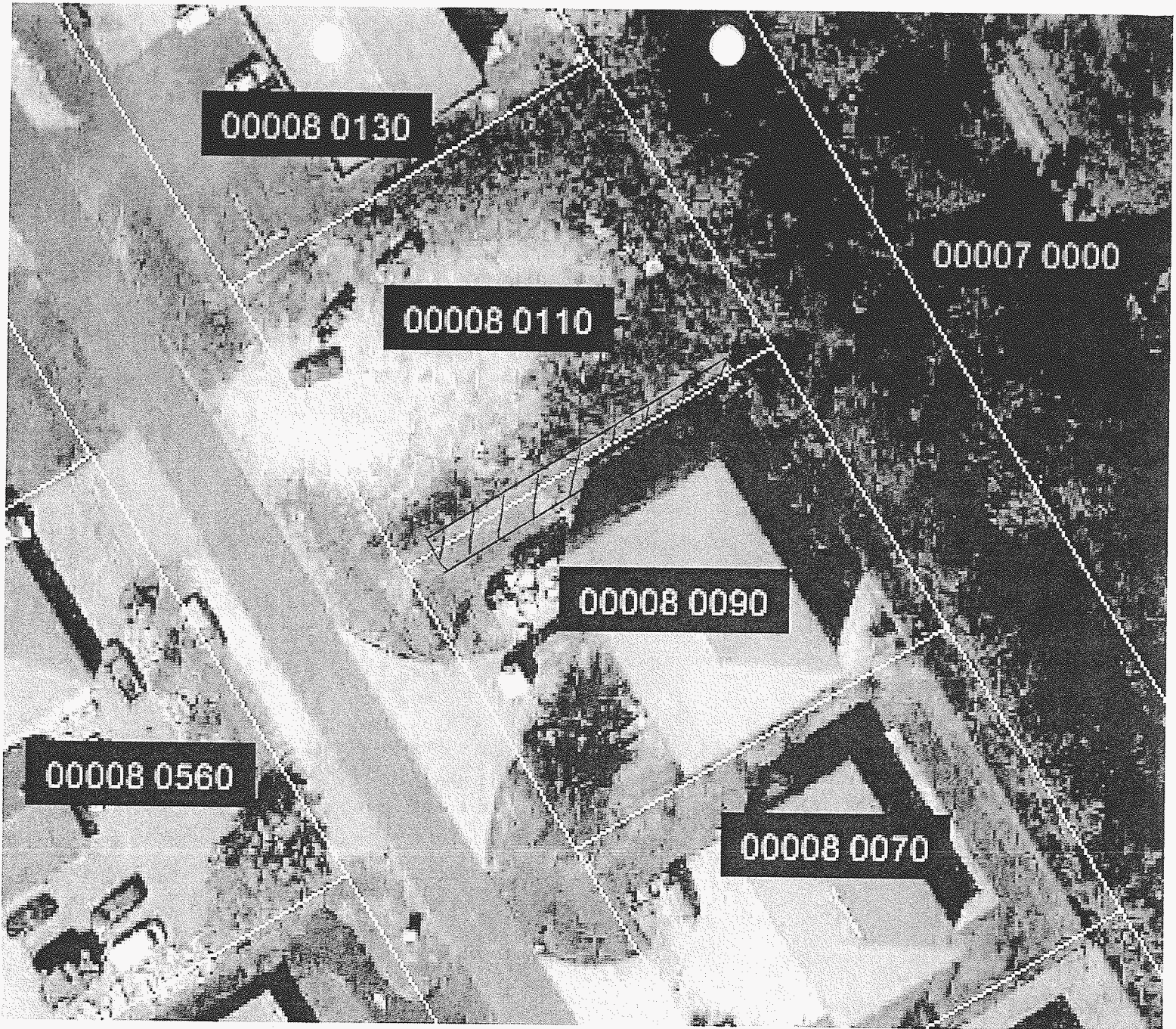
LEE COUNTY UTILITIES


David Reycraft
Utilities GIS Coordinator
Utilities Engineering Division

Original Mailed 03/06/2006

cc: Correspondence File

H:\Vacates\2006\NoObjection\Wogoman03062006.doc



- AREA TO BE VACATED