

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20070628

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Public Utility and Drainage Easement located at 5204 and 5206 Blywood St., Lehigh Acres (Case No. VAC2007-00004).

2. FUNDING SOURCE: No funding required.

3. WHAT ACTION ACCOMPLISHES: Eliminates the PUE so as to allow a double car garage and circular driveway on the combined lots. **The vacation of this easement will not alter existing utility or drainage conditions and the easement is not necessary to accommodate any future utility or drainage requirements.**

4. MANAGEMENT RECOMMENDATION: Approve

5. Departmental Category:
COMMISSION DISTRICT #: 5

9:30 PH1

6. Meeting Date:

05-22-2007

7. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

8. Requirement/Purpose: (specify)

- Statute F.S.CH. 177
- Ordinance
- Admin. Code 13-1
- Other

9. Request Initiated:

Commissioner _____
Department Community Development
Division Development Services
By: Peter J. Eckenrode, Director
[Signature] 4/18/07

10. Background:

The completed petition to vacate, VAC2007-00004 was submitted by Lambert and Donna Jordan.

LOCATION: The site is located at **5204 and 5206 Blywood St., Lehigh Acres, Florida 33971** and its strap numbers are **29-44-26-10-00077.0130 and .0140**. Petition No. VAC2007-00004 proposes to vacate a twelve-foot (12') wide Public Utility and Drainage Easement centered on the common line between Lots 13 and 14, both in Block 77, Unit 10 Section 29, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 26, Page 45 of the Public Records of Lee County, Florida; **LESS and EXCEPT** the northerly six feet and southerly 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.

11. 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>M. Gibb</i>				<i>John</i> <i>4/24/07</i>	<i>4/25/07</i>	<i>4/25/07</i>	<i>4/24/07</i>	<i>4/25/07</i>	<i>4-25-07</i>

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: <i>TD</i>
<i>4/24/07</i>
<i>4pm</i>
COUNTY ADMIN
FORWARDED TO: <i>PJL</i>
<i>4/24/07</i>
<i>9:30</i>

Rec. by CoAtty
Date: <i>4/20/07</i>
Time: <i>4:05pm</i>
Forwarded To: <i>Co. Admin</i>
<i>4/24/07 4PM</i>



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: April 13, 2007

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20070628

CASE NUMBER: VAC2007-00004

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: VAC2007-00004

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 22nd of May, 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

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 Chedzner in cursive.

County Attorney Signature

Handwritten signature of John J. Fredyama in cursive.

Please Print Name



ALLEN D. ROHDE, INC., LB 3708
 17598 ROCKEFELLER CIRCLE
 SUITE 101
 FORT MYERS, FLORIDA 33967

EXHIBIT "A"

(Sheet 1 of 2)

LAND SURVEYING

Sec. 29, T44S, R26E

Phone: (239) 267-1551

PROPOSED EASEMENT VACATION

more particularly described as follows:

A public utility and drainage easement, (12 feet in width), centered on the property line common to Lots 13 and 14, less and excepting the northerly and southerly 6 feet thereof, Block 77, Lehigh Acres, Unit 10, Section 29, Township 44 South, Range 26 East, as recorded in Plat Book 26, Page 45, of the public records of Lee County, Florida.

ADDRESS LOT 13

5204 Bywood Street
 Lehigh Acres, Fl. 33971

ADDRESS LOT 14

5206 Bywood Street
 Lehigh Acres, Fl. 33971

RECEIVED
 FEB 13 2007

VAC 0007-00004

COMMUNITY DEVELOPMENT

DATE OF SURVEY: 12/05/06	REVISIONS:
ORDER NO. 06.319	
CLIENT: Lambert & Donna M. Jordan	

CERTIFIED TO:

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; ALSO THAT THERE ARE NO VISIBLE ENCROACHMENTS UNLESS SHOWN THEREON; SAID SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 81G17-6, F.A.C. THIS CERTIFICATION IS INVALID UNLESS SIGNED & EMBOSSED WITH A RAISED SEAL BY THE LAND SURVEYOR IN RESPONSIBLE CHARGE.

DATE: 12/05/06

Allen D. Rohde
 ALLEN D. ROHDE

PLS NO. 3997

Exhibit "A"
Petition to Vacate
VAC2007-00004
 [Page One of One]

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: VAC2007-00004

WHEREAS, Petitioner **Lambert Jordan and Donna M. Jordan** 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. VAC2007-00004 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
SOUTHWEST FLORIDA

APPROVED AS TO FORM

County Attorney Signature

Please Print Name



ALLEN D. ROHDE, INC., LB 3708
 17598 ROCKEFELLER CIRCLE
 SUITE 101
 FORT MYERS, FLORIDA 33967

EXHIBIT "A"

(Sheet 1 of 2)

LAND SURVEYING

Sec. 29, T44S, R26E

Phone: (239) 267-1551

PROPOSED EASEMENT VACATION

more particularly described as follows:

A public utility and drainage easement, (12 feet in width), centered on the property line common to Lots 13 and 14, less and excepting the northerly and southerly 6 feet thereof, Block 77, Lehigh Acres, Unit 10, Section 29, Township 44 South, Range 26 East, as recorded in Plat Book 26, Page 45, of the public records of Lee County, Florida.

ADDRESS LOT 13

5204 Bywood Street
 Lehigh Acres, Fl. 33971

ADDRESS LOT 14

5206 Bywood Street
 Lehigh Acres, Fl. 33971

RECEIVED
 FEB 13 2007

VAC 0007-00004

COMMUNITY DEVELOPMENT

DATE OF SURVEY: 12/05/06	REVISIONS:
ORDER NO. 06.319	
CLIENT: Lambert & Donna M. Jordan	

CERTIFIED TO:

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; ALSO THAT THERE ARE NO VISIBLE ENCROACHMENTS UNLESS SHOWN THEREON; SAID SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, F.A.C. THIS CERTIFICATION IS INVALID UNLESS SIGNED & EMBOSSED WITH A RAISED SEAL BY THE LAND SURVEYOR IN RESPONSIBLE CHARGE.

DATE: 12/05/06

Allen D. Rohde
 ALLEN D. ROHDE PLS NO. 3997

Exhibit "A"
Petition to Vacate
VAC2007-00004
 [Page One of One]



ALLEN D. ROHDE, INC., LB 3708

17698 ROCKEFELLER CIRCLE
SUITE 101
FORT MYERS, FLORIDA 33967

EXHIBIT "B"

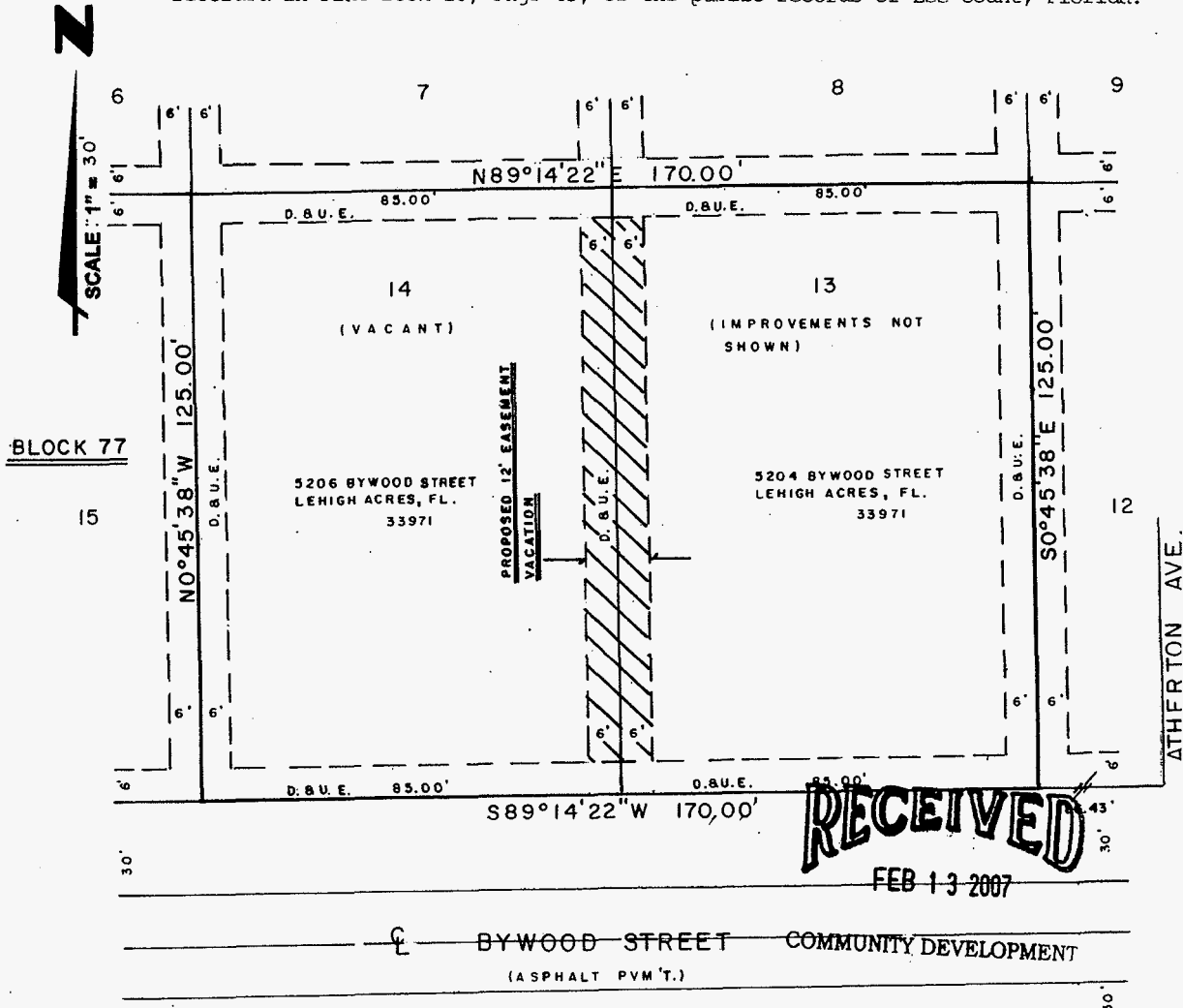
(Sheet 2 of 2)

LAND SURVEYING

Sec. 29, T44S, R26E

PHONE: (239) 267-1551

SKETCH OF: Proposed easement vacation, Lots 13 & 14, Block 77, Lehigh Acres, Unit 10, as recorded in Plat Book 26, Page 45, of the public records of Lee County, Florida.



SURVEYOR'S NOTES:

The above described property is located in Flood Zone B, per Federal Emergency Management Agency.

This is not a survey - for informational purposes only.

LEGEND

D&UE = drainage & utility easement

VAC 0007-00004

THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

DATE OF SURVEY: 12/05/06

REVISIONS:

ORDER NO: 06.319

CLIENT: Lambert & Donna M. Jordan

CERTIFIED TO:

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; ALSO THAT THERE ARE NO VISIBLE ENCROACHMENTS UNLESS SHOWN THEREON; SAID SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, F.A.C. THIS CERTIFICATION IS INVALID UNLESS SIGNED & EMBOSSED WITH A RAISED SEAL BY THE LAND SURVEYOR IN RESPONSIBLE CHARGE.

DATE: 12/05/06

Allen D. Rohde
ALLEN D. ROHDE PLS NO. 3997

Exhibit "B"
Petition to Vacate
VAC2007-00004
[Page One of One]



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FEB 13 2007

PETITION TO VACATE (AC 13-1)

COMMUNITY DEVELOPMENT

VAC 0007-00004

Case Number: _____

Petitioner(s), LAMBERT & DONNA JORDAN
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, 5204 Bywood St Lehigh Acres FL 33971
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:

Donna Jordan
Petitioner Signature

Lambert & Jordan
Petitioner Signature

DONNA JORDAN
Printed Name

LAMBERT JORDAN
Printed Name

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

VAC 0007-00004



ALLEN D. ROHDE, INC., LB 3708

17588 ROCKEFELLER CIRCLE
SUITE 101
FORT MYERS, FLORIDA 33967

EXHIBIT "A"

(Sheet 1 of 2)

LAND SURVEYING

Sec. 29, T44S, R26E

Phone: (239) 267-1551

PROPOSED EASEMENT VACATION

more particularly described as follows:

A public utility and drainage easement, (12 feet in width), centered on the property line common to Lots 13 and 14, less and excepting the northerly and southerly 6 feet thereof, Block 77, Lehigh Acres, Unit 10, Section 29, Township 44 South, Range 26 East, as recorded in Plat Book 26, Page 45, of the public records of Lee County, Florida.

ADDRESS LOT 13

5204 Bywood Street
Lehigh Acres, Fl. 33971

ADDRESS LOT 14

5206 Bywood Street
Lehigh Acres, Fl. 33971

RECEIVED
FEB 13 2007

VAC 2007-00004

COMMUNITY DEVELOPMENT

DATE OF SURVEY: 12/05/06	REVISIONS:
ORDER NO. 06.319	
CLIENT: Lambert & Donna M. Jordan	

CERTIFIED TO:

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; ALSO THAT THERE ARE NO VISIBLE ENCROACHMENTS UNLESS SHOWN THEREON; SAID SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61617-6, F.A.C. THIS CERTIFICATION IS INVALID UNLESS SIGNED & EMBOSSED WITH A RAISED SEAL BY THE LAND SURVEYOR IN RESPONSIBLE CHARGE.

DATE: 12/05/06

Allen D. Rohde
ALLEN D. ROHDE

PLS NO. 3997

Exhibit "A"
Petition to Vacate
VAC2007-00004
[Page One of One]



ALLEN D. ROHDE, INC., LB 3708

17588 ROCKEFELLER CIRCLE
SUITE 101
FORT MYERS, FLORIDA 33967

EXHIBIT "B"

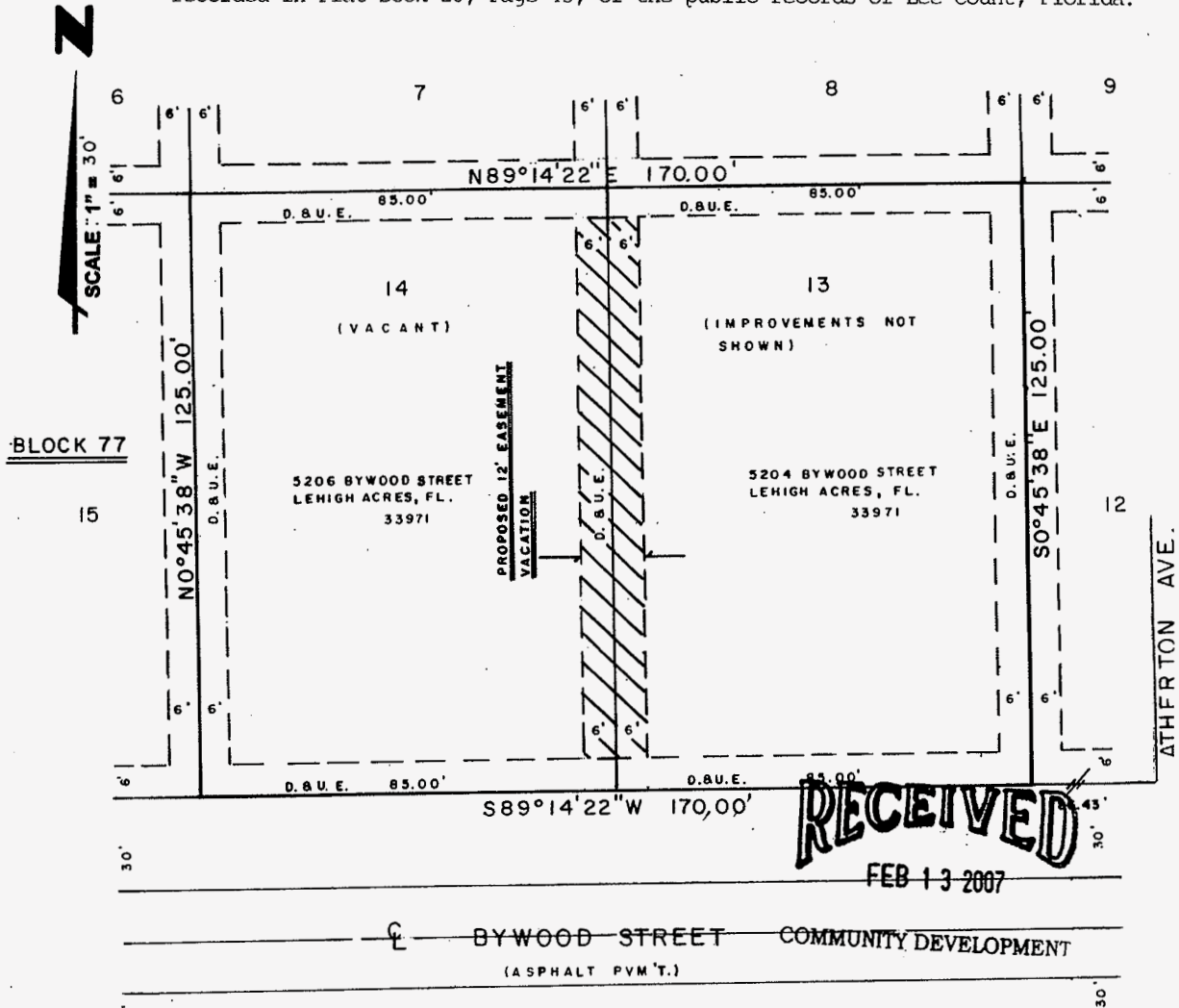
(Sheet 2 of 2)

LAND SURVEYING

Sec. 29, T44S, R26E

PHONE: (239) 267-1551

SKETCH OF: Proposed easement vacation, Lots 13 & 14, Block 77, Lehigh Acres, Unit 10, as recorded in Plat Book 26, Page 45, of the public records of Lee Count, Florida.



SURVEYOR'S NOTES:

The above described property is located in Flood Zone B, per Federal Emergency Management Agency.

This is not a survey - for informational purposes only.

LEGEND

D&UE = drainage & utility easement

VAC 0007-00004

THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

DATE OF SURVEY: 12/05/06

REVISIONS:

ORDER NO: 06.319

CLIENT: Lambert & Donna M. Jordan

CERTIFIED TO:


I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; ALSO THAT THERE ARE NO VISIBLE ENCROACHMENTS UNLESS SHOWN THEREON: SAID SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, F.A.C. THIS CERTIFICATION IS INVALID UNLESS SIGNED & EMBOSSED WITH A RAISED SEAL BY THE LAND SURVEYOR IN RESPONSIBLE CHARGE.


DATE: 12/05/06

Allen D. Rohde
ALLEN D. ROHDE PLS NO. 3997

Exhibit "B"
Petition to Vacate
VAC2007-00004
[Page One of One]

Exhibit "C"
Petition to Vacate
VAC2007-00004
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
29-44-26-10-00077.0130	2006	PAID
Original Account	Book/Page	
29-44-26-10-00077.0130	3407/4531	
Owner		
JORDAN LAMBERT + DONNA		
Physical Address	Mailing Address	
5204 BYWOOD ST LEHIGH ACRES FL 33971	5204 BYWOOD ST LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 10 BLK 77 PB 26 PG 45 LOT 13		
Outstanding Balance as of 2/16/2007		\$0.00

Real Property Information		
Account	Tax Year	Status
29-44-26-10-00077.0140	2006	PAID
Original Account	Book/Page	
29-44-26-10-00077.0140	4338/2563	
Owner		
JORDAN LAMBERT + DONNA M		
Physical Address	Mailing Address	
5206 BYWOOD ST LEHIGH ACRES FL 33971	5204 BYWOOD ST LEHIGH ACRES FL 33971 USA	
Legal Description		
LEHIGH ACRES UNIT 10 BLK 77 PB 26 PG 45 LOT 14		
Outstanding Balance as of 2/16/2007		\$0.00

WARRANTY DEED

This instrument prepared by:
Angela J. Tubbs
Morgan & Associates Title Company
55 Homestead Road North
Lehigh Acres, Florida 33936
(941) 369-8033

Please return to:
John M. Morgan
Box 73

Strap #29-44-26-10-00077.0130

1 PAGE OR MORE FOR THIS INSTRUMENT TO BE RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY

INSTR # 5127352
OR BK 03407 PG 4531

RECORDED 05/05/01 07:45 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD (F.S. 201.02) 833.00
DEPUTY CLERK H Carroll

Space above reserved for recording information

THIS INDENTURE, Made this 13th day of April, 2001, Between

Scott M. Bounds and Kimberly A. Bounds, Husband and Wife
11500 Villa Grand , Apt 308,
Ft. Myers, FL 33913

of the County of Lee, State of Florida, Grantor, and

Lambert Jordan and Donna Jordan, Husband and Wife

5204 Bywood Street
Lehigh Acres, Florida 33971

of the County of Lee, State of Florida, Grantee,

WITNESSETH, That said grantor, for and in consideration of the sum of ***** TEN AND 00/100 ***** DOLLARS, and other good and valuable considerations to said grantor in hand paid by said grantee the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to grantee, grantee's heirs and assigns forever the following described property in Lee County, Florida, to wit:

Lot 13, Block 77, Unit 10, Section 29, Township 44 South, Range 26 East, Lehigh Acres, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 26, page 45, Public Records of Lee County, Florida.

Subject to reservations, restrictions and easements of record.

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

IN WITNESS WHEREOF, Grantor has executed this deed on the day and year first written. Signed, Sealed and delivered in our presence:

Andrea Ross

Witness (Two required)

Andrea Ross

Printed Name of Witness

Sharon Fiore

Witness (Two required)

Sharon Fiore

Printed Name of Witness

Scott M. Bounds

Scott M. Bounds

Kimberly A. Bounds

Kimberly A. Bounds

STATE OF FLORIDA

COUNTY OF LEE

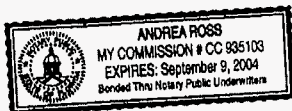
The foregoing instrument was acknowledged before me this 13th day of April, 2001 by Scott M. Bounds and Kimberly A. Bounds, who are personally known to me or who have produced driver license as identification and who [] did [] did not take an oath.

(Notary Seal)

Andrea Ross

Notary Public

(Expiration date and commission number if applicable)



Prepared By: Tammy Stoddard
Morgan & Associates Title Company
55 Homestead Road North
Lehigh Acres, FL
incidental to the issuance of a title insurance policy.
File Number: 04-02633
Parcel ID #: 29-44-26-10-00077.0140



INSTR # 6323052
OR BK 04338 Pgs 2563 - 2564; (2pgs)
RECORDED 06/17/2004 02:25:24 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 105.00
DEPUTY CLERK L Ambrosio

**WARRANTY DEED
(INDIVIDUAL)**

This WARRANTY DEED, dated 06/04/2004 by

**Brad A. Wolfskeil and Deanna L. Wolfskeil, husband and wife,
507 Beauty St., Lehigh Acres, FL 33971,**
hereinafter called the GRANTOR, to

**Lambert Jordan and Donna M. Jordan, husband and wife
whose post office address is 5204 Bywood St. Lehigh Acres FL 33971,**
hereinafter called the GRANTEE:

RECEIVED
FEB 13 2007

COMMUNITY DEVELOPMENT

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Lee County, Florida, viz:

Lot 14, Block 77, Unit 10, Section 29, Township 44 South, Range 26 East, LEHIGH ACRES, according to the plat thereof, recorded in Plat Book 26, Page 45, of the Public Records of Lee County, Florida.

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

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2004 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

VAC 2007-00004



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

479-8585

Bob Janes
District One

April 13, 2007

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Lambert and Donna Jordan
5204 Blywood St.
Lehigh Acres, FL 33971

Re: VAC2007-00004 - Petition to Vacate Public Utility and Drainage Easements centered on the common lot lines between Lots 13 and 14, Block 77, Unit, 10, S 29, T 44S, R 26E, Lehigh Acres, Lee County, Florida, according to the map or plat thereof on file and recorded in Plat Book 26, Page 45 of the Public Records of Lee County, FL, Less and Except the northerly and southerly 6-feet thereof.

Dear Mr. and Mrs. Jordan:

You have indicated that in order to build a double car garage and circular driveway on the combined lots, you desire to eliminate the Public Utility and Drainage Easements located between your two (2) lots. The site is located at 5204 and 5206 Blywood Street, Lehigh Acres, Florida. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Peter J. Eckenrode
Director

PJE/RXW

Petition to vacate

February 12, 2007

Dept of Community Development
1500 Monroe Street 3rd Floor
Fort Myers FL 33901-5500

RE: 29-44-26-10-00077-0130/Improved
29-44-26-10-00077-0140

To Whom It May Concern:


I am requesting a vacation of the public interest in the right of way utility or drainage easement located between the above in order to accomplish the following purpose.

We will be building a double car garage for parking and storage purposes, and a circular driveway which will cross the easement thus the reason for removing the easement.

I have included a sketch of the utility easement we desire to vacate, and the necessary information needed to do so.

If you have any questions or need additional documentation, Please do not hesitate to call.

Yours Respectfully,



Donna Jordan
Petitioner

5204 Bywood Street
Lehigh Acres Fl 33971
239-633-3134 /239-332-4049

RECEIVED
FEB 13 2007

COMMUNITY DEVELOPMENT

VAC 0007-00004



Florida Power & Light Company, 1813 Lee St., Fort Myers, FL 33901
Phone: 239-332-9138, Fax: 239-332-9128

October 23, 2006

Donna Jordan
5204 Bywood Street
Lehigh Acres, Fl. 33971

Re: Proposed Vacation of Easement for 5204 Bywood Street.

Dear Ms. Jordan,

FPL would have no objection to vacating the utility easements common to lots 13 and 14 Block 77 Less the North 10' and the South 10' Thereof. These lots have the following strap numbers:

29-44-26-10-00077-0130
29-44-26-10-00077-0140

If you have any questions, please call me at (239) 332-9138

Sincerely,

A handwritten signature in black ink, appearing to read 'Juan Padron', with a long horizontal flourish extending to the right.

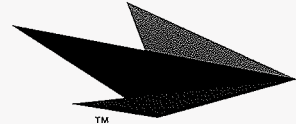
Juan Padron
Associate Project Designer

VAC 02007-00004

RECEIVED
FEB 13 2007

COMMUNITY DEVELOPMENT

Voice | Data | Internet | Wireless | Entertainment



EMBARQTM

Embarq Corporation
2820 Cargo Street
Fort Myers, FL 33916
EMBARQ.com

Donna Jordon
5204 Bywood Street
Lehigh Acres Fl 33971

October 5, 2006

Subject: 29-44-26-10-00077-0130
29-44-26-10-00077-0140

Donna,

Embarq has no objection to the vacation of the above easements. If you should have any question please do not hesitate to call me at 336-2011.

Sincerely

Chet Prendota
Engineer

RECEIVED

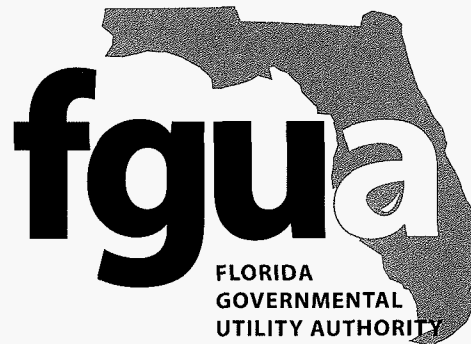
FEB 13 2007

COMMUNITY DEVELOPMENT

VAC 02007-00004

April 4, 2007

Donna and Lambert Jordan
5204 Blywood Street
Lehigh Acres, FL 33971



RE: Vacation of Easement request from Donna and Lambert Jordan for a 12-foot wide public utility and drainage easement centered on the property line common to Lots 13 and 14, Block 77, Unit 10, Section 29, Township 44 South, Range 26 East, Lehigh Acres, Lee County, Florida as recorded in Plat Book 26, Page 45, of the Public Records of Lee County, Florida. Less and except the northerly 6 feet and the southerly 6 feet thereof.

LEA ANN THOMAS, CHAIR
Polk County

BRIAN WHEELER
Osceola County

JIM LAVENDER
Lee County

THOMAS H. DICK
Citrus County

Dear Mr. and Mrs. Jordan:

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

The vacation of easement was requested from Donna and Lambert Jordan for a 12-foot wide public utility and drainage easement centered on the property line common to Lots 13 and 14, Block 77, Unit 10, Section 29, Township 44 South, Range 26 East, Lehigh Acres, Lee County, Florida as recorded in Plat Book 26, Page 45, of the Public Records of Lee County, Florida. Less and except the northerly 6 feet and the southerly 6 feet thereof.

Should you have any further questions in this matter, please do not hesitate to contact me at 407-629-6900.

Sincerely,

Florida Governmental Utility Authority

Charles L. Sweat
Director of Operations

FGUA OPERATIONS OFFICE

Government Services Group, Inc.
Protegrity Plaza, Suite 203
280 Wekiva Springs Road
Longwood FL 32779

877/552-3482 Toll Free
407/629-6900 Tel
407/629-6963 Fax

VAC 2007-00004



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

November 28, 2006

Donna Jordan
5204 Bywood Street
Lehigh Acres, Florida 33971

Re: Strap # 29-44-26-10-00077-0130 & 29-44-26-10-00077-0140

Dear Donna Jordan,

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

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

Cordially,

Mark Cook
Design Coordinator

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COMMUNITY DEVELOPMENT

VAC 0007-00004



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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

Friday, January 05, 2007

Ms. Donna Jordan
5204 Bywood Street
Lehigh Acres, FL 33901-5500

Re: Petition to Vacate a twelve-foot (12') wide public utility easement centered on the common lot lines of Lots 13 and 14, Block 77, Unit 10, Lehigh Acres Subdivision as recorded in Plat Book 26 at Page 45 of the Public Records of Lee County, Florida.

Dear Ms. Jordan:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of the subject public utility 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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COMMUNITY DEVELOPMENT

VAC 2007-00004



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

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District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

January 24, 2007

Ms. Donna Jordan
5204 Bywood Street
Lehigh Acres, FL 33971

Re: Petition to Vacate Drainage Easements-STRAP Nos. 29-44-26-10-00077.0130 and 29-44-26-10-00077.0140; 5204/5206 Bywood Street, Lehigh Acres 33971

Dear Ms. Jordan:

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

Based on your submitted plans and this department's review, DOT offers no objection to this vacation.

Very truly yours,

Margaret Lawson
Right-of-way Supervisor
Lee County Department of Transportation

ML/hc

cc: Ron Wilson, Development Services
Allen Davies, Natural Resources
David Reycraft, Utilities
DOT/PTV File (Bywood Street)

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FEB 13 2007

COMMUNITY DEVELOPMENT

VAC 0007-00004

SEC. 20
SEC. 29

CANAL

Section Line 7

1/4 Section Corner



PLAT OF
UNIT 10
SECTION 29, TWP 44S, RGE. 26 E.
A SUBDIVISION OF
LEHIGH ACRES

LEE COUNTY, FLORIDA

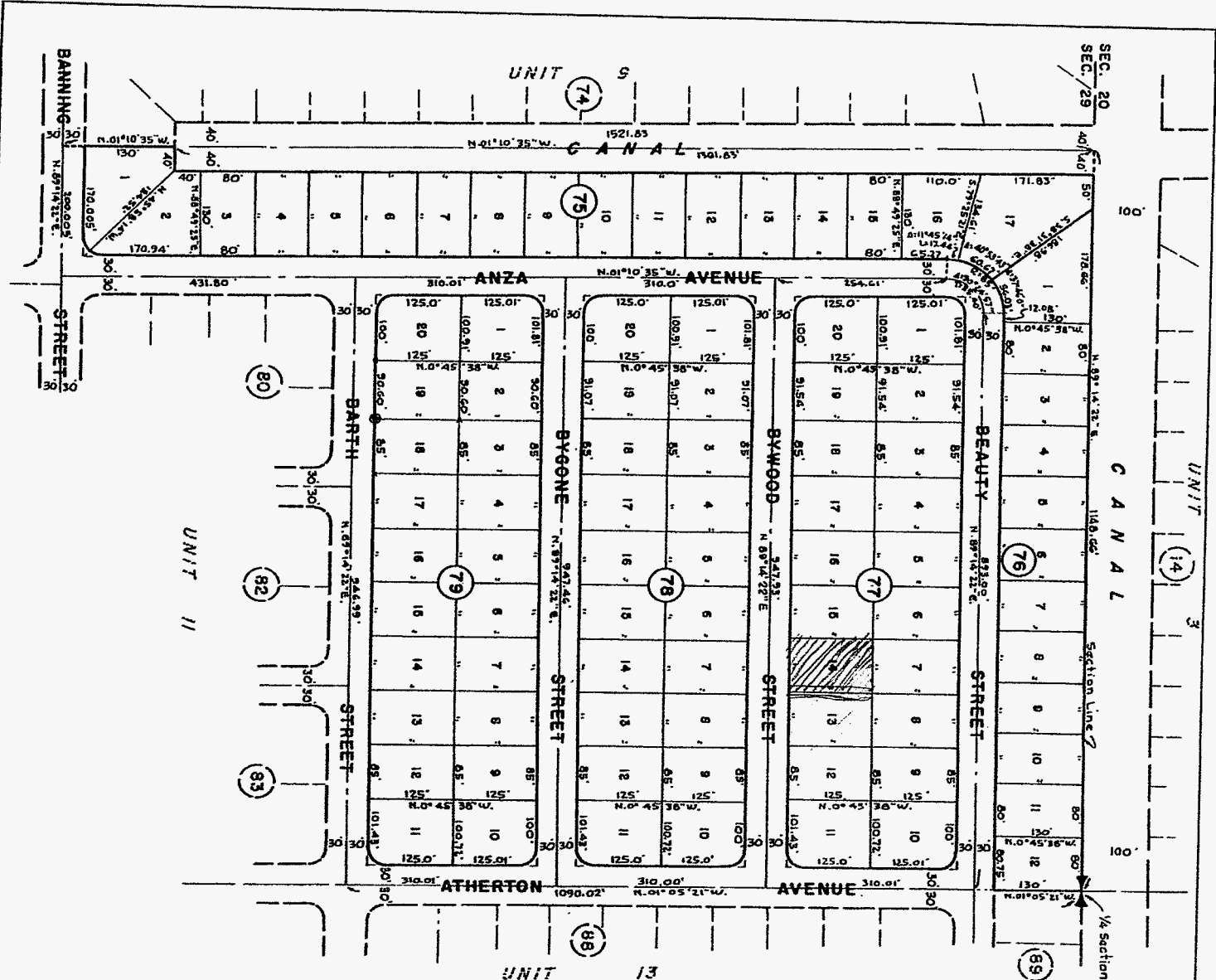
SCALE IN FEET
0 50 100 200

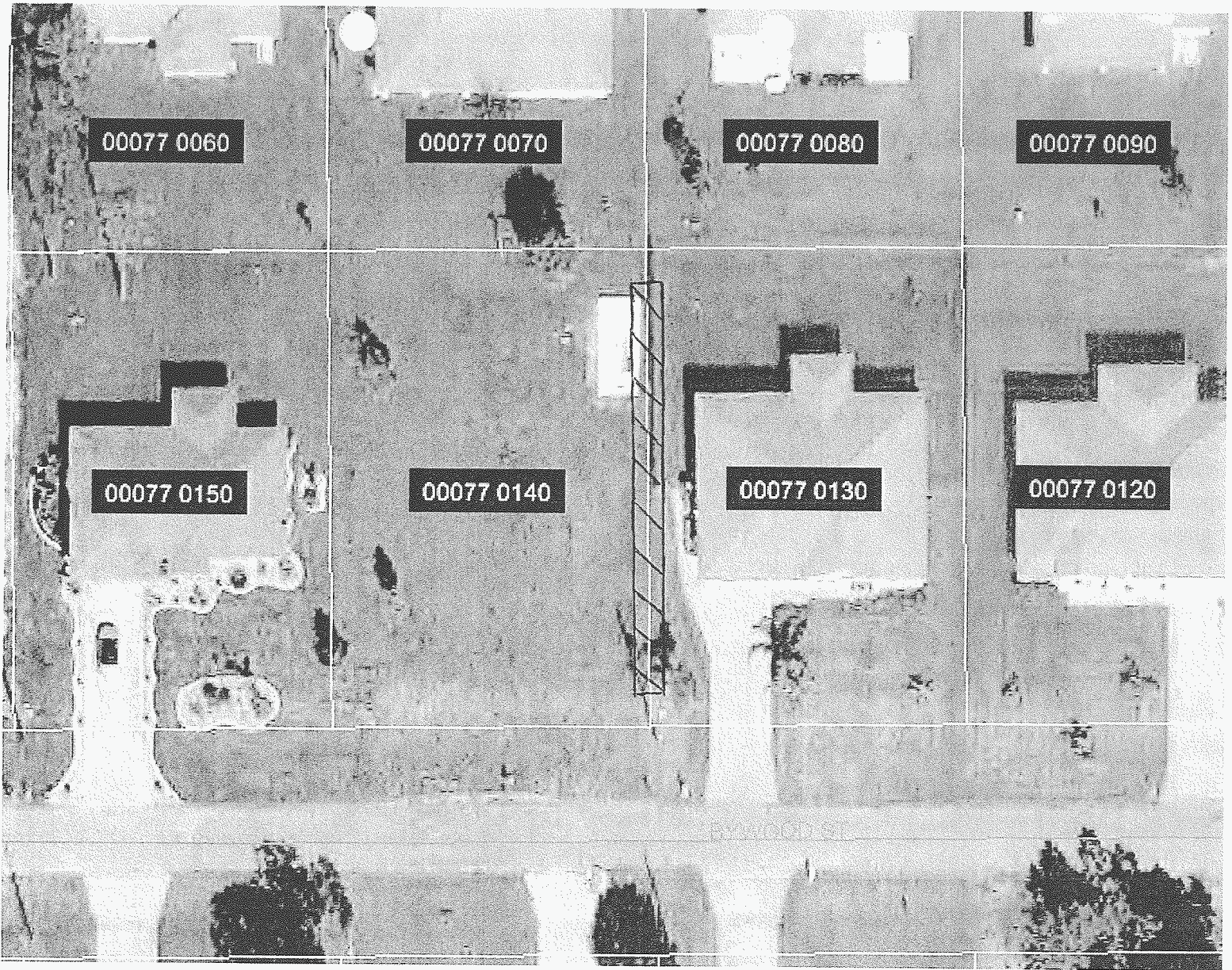
All lots subject to a 6 foot Utility and
Drainage Easement on both sides, front,
and back.
All corners lot 10 will be 25 feet except as
shown and the lot dimensions are to the
straight line intersections, except where
one dimension are shown

COMMUNITY DEVELOPMENT

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FEB 13 2007

VAC 0007-00004





 - AREA TO BE VACATED