	_ }			
		l Of County Commission a Item Summary		No. 20021143
1. REQUESTED MOTION:				
ACTION REQUESTED: Accept a Percommon to Lots 4 and 5, Block 7, Ui Hearing for 5:00 p.m. on the26t	nit 2, a Subdivision	of Lehigh Acres, in Alv	ot wide Public Utility ar a, Florida. Adopt a Re _, 2002.	d Drainage Easement esolution setting a Public
WHY ACTION IS NECESSARY: To Utility and Drainage Easements w necessary to accommodate any fu	ill not alter existi:	ng utility or drainage o	onditions and the ea	tion of these Public sements are not
WHAT ACTION ACCOMPLISHES:	Setting the time a	nd date of the Public He	earing.	
2. <u>DEPARTMENTAL CATEGORY</u> : COMMISSION DISTRICT #: 5	04	+A	3. MEETING DATE	9-2002
4. AGENDA:	5. REQUIREM (Specify)	1ENT/PURPOSE:	6. REQUESTOR OF	INFORMATION:
X CONSENT ADMINISTRATIVE APPEALS PUBLIC WALK ON TIME REQUIRED:	X STATUTE ORDINAN ADMIN. C OTHER	CE	A. COMMISSIONE B. DEPARTMENT C. DIVISION BY:	Community Development Development Services /o/9/02 Peter J. Eckenrode, Director
7. BACKGROUND:				
The completed Petition to Vacate, VA	\C2002-00045 wa	s submitted by David ar	nd Susan Motter	
LOCATION: Petition #VAC2002-000 the lot lines common to Lots 4 and 5, 100, and also recorded in Plat Book Township 44 South, Range 27 East,	Block 7, Unit 2, a 15, Page 3, LESS	Subdivision of Lehigh A and EXCEPT the east 6	Acres, as recorded in E S-feet and the west 6-f	Deed Book 254, Page eet thereof, Section 01.
Documentation pertaining to this Peti	tion to Vacate is a	vailable for viewing at th	ne Office of Lee Cares	
There are no objections to this Petitic	n to Vacate. Staf	f recommends the sche	duling of the Public He	earing.
Attached to this Blue sheet is the Pet	ition to Vacate, Re	esolution to set Public H	earing, Notice of Publi	c Hearing and Exhibits.
8. MANAGEMENT RECOMMENDA	ATIONS:			
	9. RECON	MMENDED APPROVAL	L:	
			_	
A B C Department Purchasing Human Director or Contracts Resources			F Budget Services / (1/1/1/2)	G County Manager
Mills N/A N/A N/A	N/A	Pac. by Coatty	RECEIVED BY	
DENI	RRED	Times 2 54 Om Forwarded For Art Mari	COUNTY ADMIN. ID II 10:55 A COUNTY ADMIN. 6 FORWARDED TO: 1	X

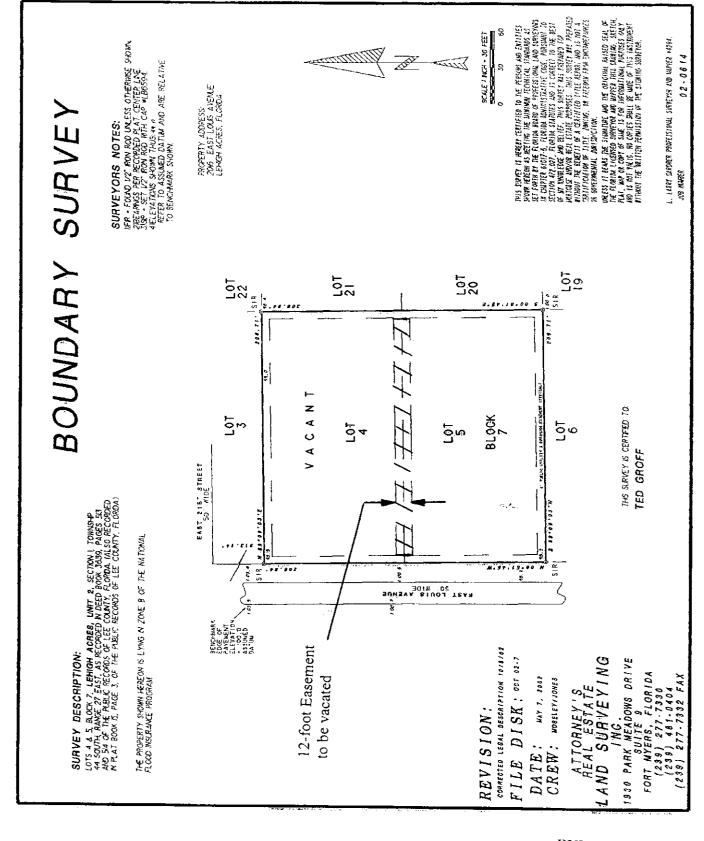
PETITION TO VACATE

Case Number: YAC2002-00045					
Petitioner(s), <u>Novid + Susan Motter</u> requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows: 12/4 Bald wire Place					
1. Petitioner(s) mailing address, 2007 Petrucke Circle. Linigh Acres, 154 33936 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: Natter Petitioner Signature By: Petitioner Signature Petitioner Signature					
Printed Name Susan Mokker Printed Name					

STRAP # 01-44-27-02-00007.0040

VAC2002-00045

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 4 and 5, Block 7, Unit 2, a Subdivision of Lehigh Acres, Section 01, Township 44 South, Range 27 East, as recorded in Deed Book 254, Page 100, of the Public Records of Lee County, Florida, (Also recorded in Plat Book 15, Page 3, of the Public Records of Lee County, Florida), LESS and EXCEPT the east 6-feet and the west 6-feet thereof.



STRAP # 01-44-27-02-00007.0040

VAC2002-00045

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 4 and 5, Block 7, Unit 2, a Subdivision of Lehigh Acres, Section 01, Township 44 South, Range 27 East, as recorded in Deed Book 254, Page 100, of the Public Records of Lee County, Florida, (Also recorded in Plat Book 15, Page 3, of the Public Records of Lee County, Florida), LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

SUITE 9

(239) 277-7332 FAX

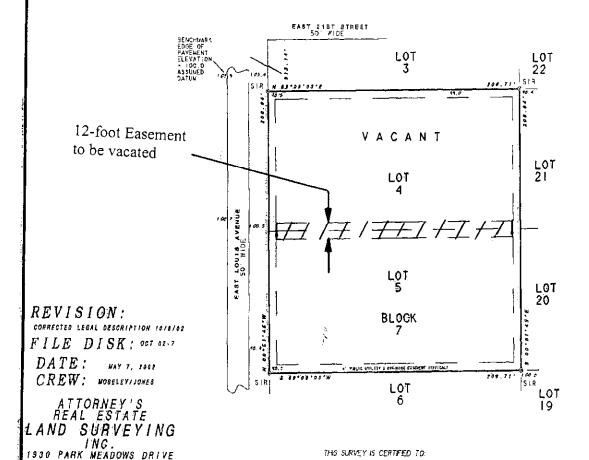
FORT MYERS, FLORIDA (239) 277-7330 (239) 481-0404

BOUNDARY SURVEY

SURVEY DESCRIPTION:

LOTS 4 & 5, BLOCK 7, LEHIGH ACRES, UNIT 2, SECTION 1, TOWNSHIP 44 SOUTH, RAINGE 27 EAST, AS RECORDED IN DEED BOOK 3639, PAGES 53 AND 514 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORDA (ALSO RECORDED IN PLAT BOOK 15, PAGE 3, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORDA)

THE PROPERTY SHOWN HEREON IS LYING IN ZONE B OF THE NATIONAL FLOOD INSURANCE PROGRAM.

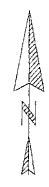


TED GROFF

SURVEYORS NOTES:

WFR - FOUND V2" RON ROD UNLESS OTHERWISE SHOWN 2DEARNIGS PER RECORDED PLAT CENTER LINE. 3159 - SET V2" RON ROD WITH CAP *LB6594.
4ELEVATIONS SHOWN THUS: 44.0
REFER TO ASSUMED DATUM AND ARE RELATIVE TO BENCHMARK SHOWL

PROPERTY ADDRESS: 2016 EAST LOUIS AVENUE LEHIGH ACRES, FLORDA



SCALE I NCH - 30 FEET

THIS SUPREY IS HEREBY CERTIFIED TO HE PERSONS AND CHITTIES SHOWN EXECUTAS LIKE LIMITIMA. TECHNICAL STROWNESS AS SET FORTH BY THE FLORIDA BORNO OF PROFESSIONAL LIKED SWIFTEDOS IN CHIPTER BIGIT-6. FLORIDA ADMINISTRATIVE CODE. PURSUANT TO SECTION APP. 077, FLORIDA STATUTES AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND CELLED. THIS SUPPLY HAS PERFORDED CON MORTGING AND PROFESSIONAL CONTROL THIS SUPPLY HAS PERFORDED MORTGING AND PROFESSION FOR EXPERTING THE CENTRAL HID IT NOT A CERTIFICATION OF THE PERFORMENCES OR GOVERNMENTAL JURISDICTION.

UNIESS IT BEARS THE SIGNATURE AND THE ORIGINAL PAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPER THIS CRAMING. SKETCH, PLAT, MAP OR COPT OF SAME, IS FOR IMPORATIONAL PARPOSES ONLY AND IS NOT YALLO. NO COPIES SHALL BE MADE OF THIS INSTRUMENT ATTROUT THE PRITTEN FEBRUSSIAN OF THE SCHEMIC SURVEYOR.

L. LARRY SARONER PROFESSIONAL SURVEYOR AND MAPPER 14294.

JUB MARBER 0 2 - 0 6 1 4

TAXES TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "01442702000070040" has returned 4 records.

Page 1 of 1

For a DETAIL explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend
01-44-27-02-00007.0040		MOTTER DAVID E + SUSAN D 210 MEADOW RIDGE DR TALLAHASSEE FL 32312	LEHIGH ACRES UNIT 2 BLK.7 DB 254 PG 100 LOTS 4 + 5	PAID
01-44-27-02-00007.0040	1 7000 1	FROSINI F G + JOSEPHINE B 1119 MAPLE ST ROCHESTER NY 14611 USA	LEHIGH ACRES UNIT 2 BLK.7 DB 254 PG 100 LOTS 4 + 5	PAID
01-44-27-02-00007.0040	1999	FROSINI F G + JOSEPHINE B 1119 MAPLE ST ROCHESTER NY 14611 USA	LEHIGH ACRES UNIT 2 BLK.7 DB 254 PG 100 LOTS 4 + 5	PAID
01-44-27-02-00007.0040	1998	1119 MAPLE ST ROCHESTER NY 14611	LEHIGH ACRES UNIT 2 BLK.7 DB 254 PG 100 LOTS 4 + 5	PAID

PRINTING INSTRUCTIONS:

It will help pages to print more completely if:

The Text Size on your browser set to "Smaller" or "Smallest" and the orientation is set to - Landscape.

This web site is best viewed at 800 x 600 resolution, or higher, on your monitor. The information on this web site is provided by the Lee County Tax Collector's Office.

JO This Instrument Prepared by and return to:

Name:

Ava Funderburk

Tradewinds Title, Inc.

Address:

904 Lee Blvd., Suite 106 Lehigh Acres, FL 33936

51193

Parcel I.D. #: 01-44-27-02-00007.0040

INSTR # 5439039 O BK 03639 PG 0513

RECORDED 05/07/2002 08:13:39 AM CHARLIE GREEN, CLERK OF COURT

LEE COUNTY

RECORDING FEE 10.50 DEED DOC 35.00

DEPUTY CLERK L Parent

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 200 day of

by FRED GEORGE FROSINI and JOSEPHINE BETTY FROSINI, hereinafter called the grantors to DAVID E. MOTTER and SUSAN LEEPER MOTTER, husband and wife, whose post office address is 210 Meadow Ridge Dr., Tallahassee, FL 32342, hereinafter called the grantees: 32312

> (Wherever used herein the terms "grantors" and "grantees" include all the parties to this instrument, singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth: That the grantors, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees all that certain land situate in Lee County, State of Florida, viz:

Lots 4 and 5, Block 7, Unit 2, Section 1, Lehigh Acres, Township 44 South, Range 27 East, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Deed Book 254, Page 100, Public Records, Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2002 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

Subject Property is not now nor has it ever been the homestead property of the grantor. Subject property is vacant land.

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 grantors hereby covenant with said grantees that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land, and hereby fully warrant 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 Dccember 3), 2001.

> I CERTIFY THIS DOCUMENT TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE CHARLIE GREEN, CLERK CIRCUIT COURT

LEE COUNTY, FLORID DATED

Notary Public, State of New York
Qualified in Monroe County
Commission Expires June 2,

Signed, sealed and delivered in the presence of: Fred George Frosini c/o Lois McCarthy, 988 Hickory Hollow, Webster, NY 14580 Josephine Betty Frosini c/o Lois McCarthy, 988 Hickory Hollow, Webster, STEVLJ Olyer Printed Name NY 14580 County of 2002, by Fred George Frosini as identification and who did (did not) take an oath. Signature of Acknowledger My commission expires Notary Seal: DEBRA L. THESING

In Witness Whereof, the said grantors have signed and sealed these presents, the day and year first

above written.



Florida Power & Light Company

September 26, 2002

David Motter 20011 Petrucka Circle. Lehigh Acres Fl. 33936

Re: Vacating Of Easement

Dear Mr.Motter

Florida Power and Light Co. has no objection to vacating the easement common to lots 4 & 5, less and except the east and west 6 feet thereof.

These lots have the following combined strap number.

01-44-27-02-00007.0040

If you have any questions, please feel free to contact me at the number listed below.

Sincerely,

Dan Thompson

Customer Project Manager

941-332-9168



September 25, 2002

Mr. David Motter 20011 Petrucka Circle Lehigh Acres, Florida 33936

RE: Vacation of Easement – Lots 4 & 5, Unit 2, Block 7, Section 01, Township 44S, Range 27E.

A 12 foot wide public utility and drainage casement centered on the lot line between the above listed lots.

Dear Mr. Motter:

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

If you should require additional information, please contact me at 239-336-2023.

Sincerely,

Wayneth Jackson
Wayneth Jackson

Engineer



October 2, 2002

David Motter 20011 Petrucka Circle Lehigh Acres, FL 33936

Re:

STRAP# 01-44-27-02-00007-0040

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 4 & 5, Block 7, Unit 2, a subdivision of Section 1 Lehigh Acres, Florida, Township 44 South, Range 27

East.

Dear Mr. Motter:

Please be advised that Florida Water Services Corporation has reviewed the abovereferenced request for a vacation of easement. We have no objection to the vacation of easement as described above.

Please call me at (407) 598-4187, if you need any additional information or other assistance.

Sincerely, Dackel H. Courrey

Rachel L. Cowing

Legal Secretary



301 Tower Road Naples, FL 34113 Telephone: 941-732-3819

FAX: 941-992-1289

October 1, 2002

David Motter 20011 Petrucka Cr Lehigh Acres, FL 33936

Re:

Request for a Letter of Review and Recommendation on a Proposed

Easement Vacation of the Following Location:

Strap#01-44-27-02-00007-0040

Dear David Motter,

Comcast has no existing utilities in the above referenced location and has no objection with the vacation of the above referenced utility easement.

Sincerely,

Lucia Vera

Design Coordinator



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

479-8384

Bob Janes District One

Douglas R St Cerny District Two

Ray Judah District Three

Andrew W. Coy District Four

John E. Albion District Five

Donald D. Stilwell County Manager

James G. Yaeger County Attorney

Diana M. Parket County Hearing Examiner October 9, 2002

David and Susan Motter 20011 Petrucka Circle Lehigh Acres, Florida 33936

Re: Recommendation for proposed vacation of Public Utility and Drainage

Easement located at 2016 Louis Avenue, Alva, Florida 33920.

VAC2002-00045

Dear Mr. Motter:

This office has received your request to vacate 12-foot wide Public Utility and Drainage Easement centered on the lot lines common to Lots 4 & 5, Block 7, Unit 2, a subdivision of Lehigh Acres, as recorded in Deed Book 254, Page 100, and also recorded in Plat Book 15, Page 3, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

You indicate that as the result of combining adjacent lots into one residential building site, these platted easements prohibit the construction of your proposed site plan. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT Development Services Division

Peter J. Eckenrode

Director

PJE/rlm

U:\200210\VAC20020.004\5\D&PUE.WPD

RESOLUTION NO.		SET PUBLIC HEARING
FOR PETITION TO VAC	CATE Case Number:	VAC2002-00045
WHEREAS, a Petition and	to Vacate was filed with t	he Board of County Commissioners;
		liscontinue, close or vacate a portion scribed in the attached Exhibit "A".
•	ring in order to grant a va	ee County Administrative Code, the acation affecting a public easement,
BE IT THEREFORE R County, Florida, as follows:	RESOLVED by the Boar	d of County Commissioners of Lee
1. A Public Hearing or		VAC2002-00045 is set for the ee County Commission Chambers.
2. A Notice of Public accordance with the Lee Cou		ion to Vacate will be published in e.
THIS RESOLUTION p. County Commissioners of Le	e County, Florida this _	BOARD OF COUNTY COMMISSIONERS OF
CHARLIE GREEN, CLERK		LEE COUNTY, FLORIDA
Deputy Clerk Signature		Chairman Signature
Please Print Name		Please Print Name
	APPROVED AS TO F	ORM
	County Attorney Signa	ature
	Please Print Name)

i

STRAP # 01-44-27-02-00007.0040

VAC2002-00045

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 4 and 5, Block 7, Unit 2, a Subdivision of Lehigh Acres, Section 01, Township 44 South, Range 27 East, as recorded in Deed Book 254, Page 100, of the Public Records of Lee County, Florida, (Also recorded in Plat Book 15, Page 3, of the Public Records of Lee County, Florida), LESS and EXCEPT the cast 6-feet and the west 6-feet thereof.

BOUNDARY SURVEY

SURVEY DESCRIPTION:

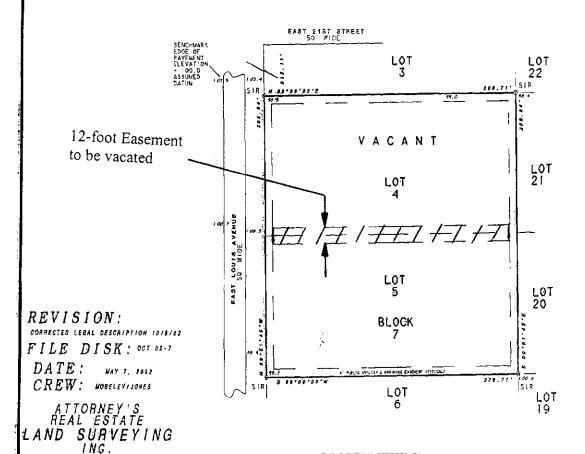
1930 PARK MEADOWS DRIVE SUITE 9 FORT MYERS, FLORIDA

(239) 277-7330 (239) 481-0404

(239) 277-7332 FAX

LOTS 4 & 5, BLOCK 7, LEHIGH ACRES, UNIT 2, SECTION I, TOWNSHP 44 SOUTH, RANGE 27 EAST, AS RECORDED IN DEED BOOK 3639, PAGES 53 AND 54 OF THE RELIC RECORDS OF LEE COUNTY, FLORDA (ALSO RECORDED IN PLAT BOOK IS, PAGE 3, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORDA)

THE PROPERTY SHOWN HEREON IS LYING IN ZONE B OF THE NATIONAL FLOOD INSURANCE PROGRAM.



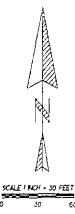
THIS SURVEY IS CERTIFIED TO:

TED GROFF

SURVEYORS NOTES:

IFR - FOLAD V2" RON ROD UNLESS OTHERWISE SHOWN.
2BEARNAS PER RECORDED PLAT CENTER LINE.
3ISR - SET V2" RON ROD WITH CAP ≈LB6594.
4ELEVATIONS SHOWN THUS: 44 \(\rho\) REFER TO ASSUMED DATUM AND ARE RELATIVE TO BENCHMARK SHOWN.

PROPERTY ADDRESS: 2016 EAST LOUIS AVENUE LEHIGH ACRES, FLORIDA



THIS SURVEY IS PERCENT CERTIFIED TO THE PERSONS AND ENTITIES SHOWN MERCON AS MESTING THE MINIMAN TECHNICAL STAPPARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAWD SURVEYORS IN CHIPTER STOTE AS FLORIDA STATUTES AND IS CARRECT TO THE BEST OF AT MONTEBEE AND DELIEF. THIS SURTET HAS PREPARED FOR MESTINGE MODION REAL ESTATE PURPOSES. THIS SURVEY HAS PREPARED AND ATTIONAL MODION REAL ESTATE PURPOSES. THIS SURVEY HAS PREPARED AND ATTIONAL THE SERVET HE SERVEY AS PREPARED ATTIONS THE SERVET HE SERVEY HAS PREPARED ATTIONS THE SERVET HE PREPARED ATTIONS THE SERVET HE PROPARED ATTIONS THE PROPARED ATTIONS TO TH

UMESS IT BEARS THE STIGNATURE AND THE OBTIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPER THIS CRAMING, SKETCH, PLAT, MAP OR COPT OF SAME IS FOR INCOMMITTIONAL PURPOSES ONLY AND IS NOT YALD, NO COPIES SHALL BE MADE OF THIS INSTRUMENT NITHOUT THE RETITEM FERNISSION OF THE STORMING SURVEYOR.

L. LARRY GARDHER PROFESSIONAL SURVEYOR AND MAPPER 14294.

JOB MURBER 0.2 - 0.6 1.4

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00045

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the <u>26th day of November</u>, <u>2002</u> <u>e5:00 PM</u> 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.

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

STRAP # 01-44-27-02-00007.0040

VAC2002-00045

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 4 and 5, Block 7, Unit 2, a Subdivision of Lehigh Acres, Section 01, Township 44 South, Range 27 East, as recorded in Deed Book 254, Page 100, of the Public Records of Lee County, Florida, (Also recorded in Plat Book 15, Page 3, of the Public Records of Lee County, Florida), LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

