

1. **REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition VAC2002-00049 to vacate (3) 12-foot wide Public Utility Easements common to Lots 6/7, 7/8 and 8/9, Block 10, Unit 5, a subdivision of Lehigh Acres, in Lehigh Acres, Florida. Adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 10th day of December, 2002.

**WHY ACTION IS NECESSARY:** To develop a commercial business on the combined lots. **The vacation of these Public Utility Easements will not alter existing utility conditions and the easements are not necessary to accommodate any future utility requirement.**

**WHAT ACTION ACCOMPLISHES:** Setting the time and date of the Public Hearing

2. **DEPARTMENTAL CATEGORY:** 04  
**COMMISSION DISTRICT #:** 5

C4A

3. **MEETING DATE:**

11-12-2002

4. **AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. **REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE F.S. Ch. 177
- ORDINANCE
- ADMIN. CODE 13-1
- OTHER

6. **REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
  - B. DEPARTMENT Community Development
  - C. DIVISION Development Services
- BY: *[Signature]* 10/16/02

Peter J. Eckenrode, Director

7. **BACKGROUND:**

The completed Petition to Vacate, VAC2002-00049 was submitted by Frank Borek.

**LOCATION:** Petition # VAC2002-00049 proposes to vacate three (3) 12-foot wide Public Utility Easements centered on the lot lines common to Lots 6 & 7, 7 & 8 and 8 & 9, Block 10, Unit 5, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, LESS and EXCEPT the east 6-feet and the west 6-feet thereof, Section 04, Township 45 South, Range 26 East, of the Public Records of Lee County, Florida. The site is located at 1511 Gretchen Avenue South, Lehigh Acres, Florida 33936.

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. Staff recommends the scheduling of the Public Hearing.

Attached to this Blue sheet is the Petition to Vacate, Resolution to set Public Hearing, Notice of Public Hearing and Exhibits.

8. **MANAGEMENT RECOMMENDATIONS:**

9. **RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services LCM 10/14 OM 10/25/02 Risk 10/30/02 GC 10/30/02	G County Manager
<i>Mary Gibbs</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>[Signatures]</i>	<i>[Signature]</i>

10. **COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: 10/14/02  
Time: 4:07 pm  
Forwarded To:  
*[Signature]*  
10/16/02 4:19 PM

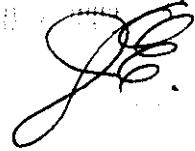
Rec. by CoAtty  
Date: 10/20/02  
Time: 2:38 pm  
Forwarded To:  
*[Signature]*  
10/24/02  
2:30 PM

RECEIVED BY  
COUNTY ADMIN. *[Signature]*  
10/24/02  
COUNTY ADMIN.  
FORWARDED TO: *[Signature]*  
10/31/02

PETITION TO VACATE

Case Number:

AC 2002-00049



Petitioner(s), Pat Boone 1702 100

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 1200 Semoran Blvd NW, NW 33036
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: Pat Boone  
Petitioner Signature

By: \_\_\_\_\_  
Petitioner Signature

Pat Boone  
Printed Name

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

B&B Cool Air Inc.  
1520 Grandale Street  
Lehigh Acres, Florida 33936  
10-17-02

LEE COUNTY  
RECORDED  
02 OCT 21 PM 2:37  
COMM. DE V. /  
REG. BLDG. CNTR.  
SECOND FLOOR

I, Gregory V. Borek, president of B&B Cool Air Inc. hereby authorize Frank Borek Jr, secretary/treasure of B&B Cool Air Inc. to sign any and all necessary documents pertaining to removal of easements between properties belonging to B&B Cool Air Inc.

Gregory V Borek as President

*Gregory V Borek as president*



*Loriann Ursitti*  
Lori Ann Ursitti  
10/17/02

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 1511 Gretchen Ave S 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 Frank Borek 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.

Frank Borek  
Owner\* (signature)  
Frank J Borek  
Printed Name as sec & treasure

\_\_\_\_\_  
Owner\* (signature)  
\_\_\_\_\_  
Printed Name

B. B. Borek Inc  
Owner\* (signature)  
\_\_\_\_\_  
Printed Name

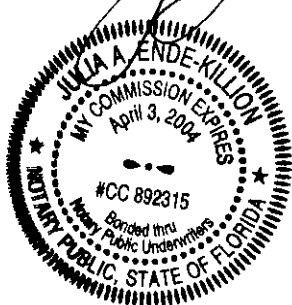
\_\_\_\_\_  
Owner\* (signature)  
\_\_\_\_\_  
Printed Name

STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 3 day of October, 2002 by

Frank Borek, who is personally known to me or who has produced

personally known as identification.



(SEAL)

[Signature]  
Notary Public

\_\_\_\_\_  
(Name typed, printed or stamped)

\*If more than one owner then all owners must sign. See explanation on back.

### **EXPLANATORY NOTES**

Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:

- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
- 2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
- 3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
- 4) Where the fee owner is a partnership, the general partner may initiate the application.
- 5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
- 6) Where the property is a condominium or time-share condominium, refer to Sec. 34-201(a)(1)b. for rules.
- 7) Where the property is a subdivision, refer to Sec. 34-201(a)(1)c. for rules.
- 8) Rezoning initiated by the Board of County Commissioners on property not owned by the county.

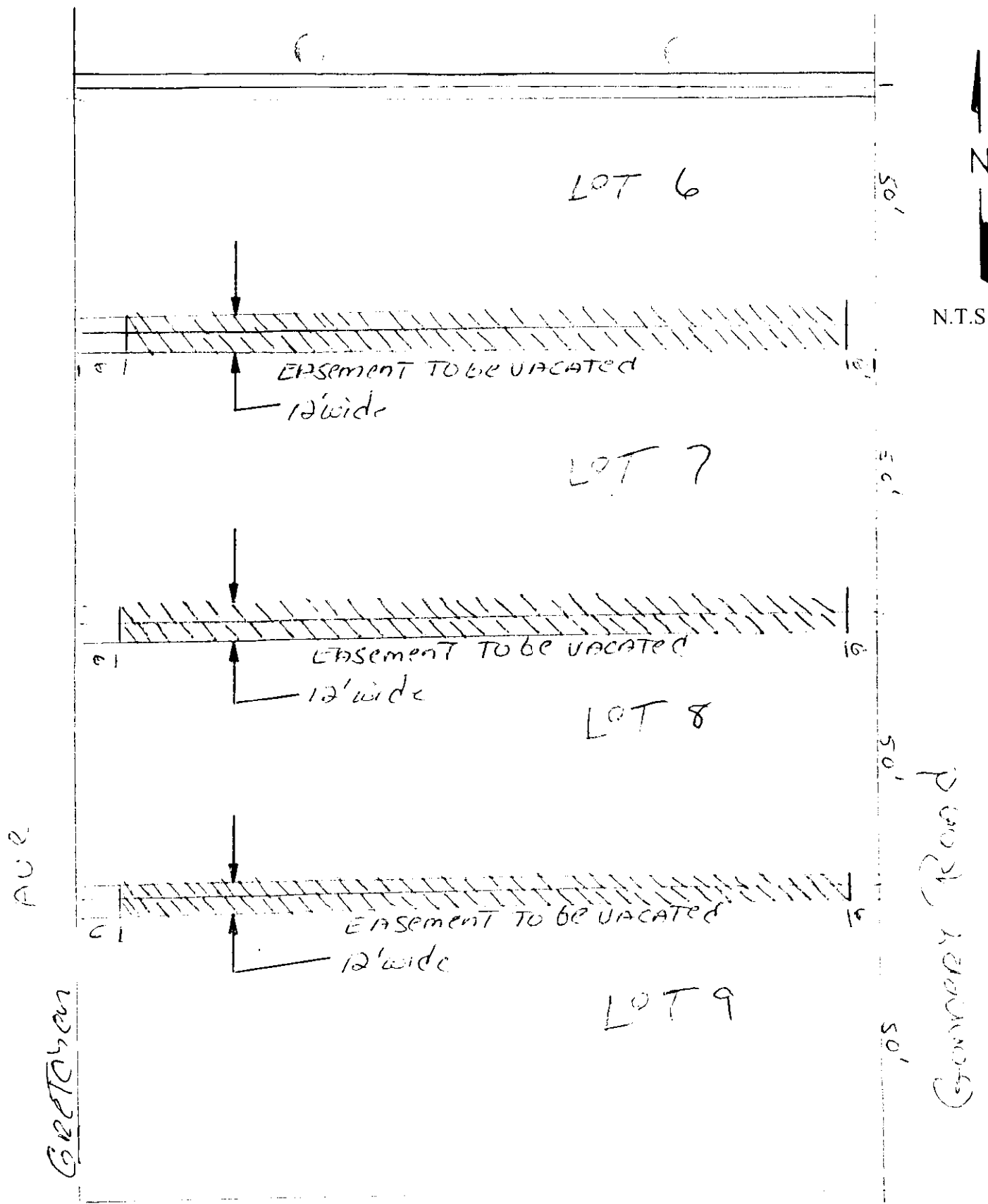
## LEGAL DESCRIPTION

A 12-foot utility easement centered on the lot line common to Lots 6 & 7, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

A 12-foot utility easement centered on the lot line common to Lots 7 & 8, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

A 12-foot utility easement centered on the lot line common to Lots 8 & 9, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

EXHIBIT "A"



175'

## LEGAL DESCRIPTION

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EXHIBIT "A"



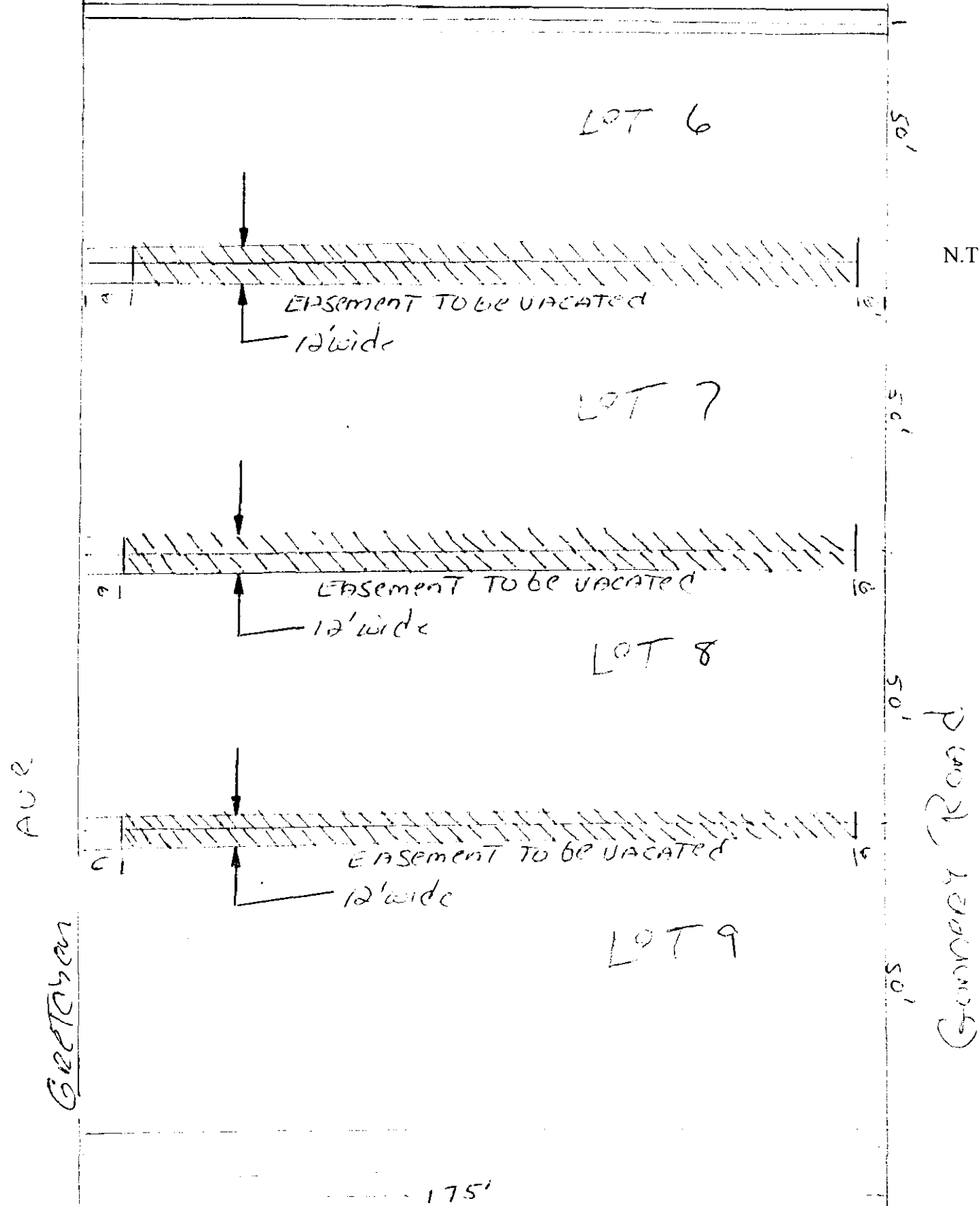


EXHIBIT "B"

**COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001**  
**DUPLICATE**

Discounts have been calculated, pay only one amt:	If Paid By Nov 30, 2001 <b>0.00</b>	If Paid By Dec 31, 2001 <b>0.00</b>	If Paid By Jan 31, 2002 <b>0.00</b>	If Paid By Feb 28, 2002 <b>0.00</b>	If Paid By Mar 31, 2002 <b>0.00</b>	Call for amt due after Mar 31, 2002
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020100 20019 044526050001000602 00000000000 00000000000 00000000

**MAKE CHECK PAYABLE TO:** LEE COUNTY TAX COLLECTOR  
 \*\*\* Paid \*\*\* P O BOX 1609  
 FT MYERS, FLORIDA 33902-1609

**REAL PROPERTY**

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0060  
 1511 GRETCHEN AV S

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.  
 See insert for details. PIN Number: 01-00103050

**PLEASE RETURN THIS PORTION WITH PAYMENT**

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

DOR CODE: 10  
 MORTGAGE CODE: 000  
 DISTRICT CODE: 060

AD VALOREM TAXES			* See reverse side before calling	
MILL RATE	MULTIPLIER	TAXES LEVIED	TAXING AUTHORITY	TELEPHONE *
.0043277	10000.00	43.28	LEE CO GEN REV	(239) 335-2221
.0010124	10000.00	10.12	LEE CO CAP IMP	(239) 335-2221
.0012114	10000.00	12.11	LEE CO UNINCORP	(239) 335-2221
.0026080	10000.00	26.08	LOCAL SCHOOL	(239) 337-8215
.0058700	10000.00	58.70	STATE SCHOOL	(239) 337-8215
.0005970	10000.00	5.97	SF WATR MGT DST	(561) 682-6486
.0000358	10000.00	0.36	LEE CO HYACINTH	(239) 694-2174
.0009630	10000.00	9.63	LEE CO LIBRARY	(239) 335-2221
.0003595	10000.00	3.60	LEE CO MOSQUITO	(239) 694-2174
.0030000	10000.00	30.00	LEHGH ACRS FIRE	(239) 334-1600
.0003082	10000.00	3.08	LEHGH ACS LIGHT	(239) 335-2186
.0001000	10000.00	1.00	SFL WTR MGT/EVR	(561) 682-6486
.0000400	10000.00	0.40	W C INLD WATRWY	(813) 485-9402
.0000733	10000.00	0.73	LEE CO ALL/HAZS	(239) 335-2186

**VALUES & EXEMPTIONS**

MARKET ASSESSED VAL 10000  
 SOH ASSESSED VAL 10000  
 TAXABLE VAL 10000

**REAL PROPERTY**

**LEGAL DESCRIPTION**

LEHIGH ESTATES UNIT 5 BLK 10  
 PB 15 PG 85 LOT 6  
 BOOK: 3268 PAGE: 2589

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0060  
 1511 GRETCHEN AV S

**\*PAID\***

214.31 11718-156-1 11/07/2001

NON-AD VALOREM ASSESSMENTS			* See reverse side before calling	
RATE	BASIS	AMOUNT	LEVYING AUTHORITY	TELEPHONE *
90.89000	PER ACRE	18.18	E CO WATR CONTL	(239) 368-0044
		223.24	<b>COMBINED TOTAL</b>	

The Tax Certificate Sale began on May 16, 2002. Certificates were sold on all unpaid real estate taxes, resulting in additional charges. Contact the Tax Collector's Office at (941) 339-6000 if you have any questions.

**EXHIBIT "C-1"**

RETAIN THIS PORTION FOR YOUR RECORDS

See reverse side for additional information. 

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001  
**DUPLICATE**

Discounts have been calculated, pay only one amt.	If Paid By Nov 30, 2001 <b>0.00</b>	If Paid By Dec 31, 2001 <b>0.00</b>	If Paid By Jan 31, 2002 <b>0.00</b>	If Paid By Feb 28, 2002 <b>0.00</b>	If Paid By Mar 31, 2002 <b>0.00</b>	Call for amt due after Mar 31, 2002
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020100 20019 044526050001000700 0000000000 0000000000 00000000

**MAKE CHECK PAYABLE TO:** LEE COUNTY TAX COLLECTOR  
 \*\*\* Paid \*\*\* P O BOX 1609  
 FT MYERS, FLORIDA 33902-1609

**REAL PROPERTY**

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0070  
 1513 GRETCHEN AV S

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.  
 See insert for details. PIN Number: 01-00103051

**PLEASE RETURN THIS PORTION WITH PAYMENT**

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

DOR CODE: 10  
 MORTGAGE CODE: 000  
 DISTRICT CODE: 060

AD VALOREM TAXES			* See reverse side before calling	
MILL RATE	MULTIPLIER	TAXES LEVIED	TAXING AUTHORITY	TELEPHONE *
.0043277	10000.00	43.28	LEE CO GEN REV	(239) 335-2221
.0010124	10000.00	10.12	LEE CO CAP IMP	(239) 335-2221
.0012114	10000.00	12.11	LEE CO UNINCORP	(239) 335-2221
.0026080	10000.00	26.08	LOCAL SCHOOL	(239) 337-8215
.0058700	10000.00	58.70	STATE SCHOOL	(239) 337-8215
.0005970	10000.00	5.97	SF WATR MGT DST	(561) 682-6486
.0000358	10000.00	0.36	LEE CO HYACINTH	(239) 694-2174
.0009630	10000.00	9.63	LEE CO LIBRARY	(239) 335-2221
.0003595	10000.00	3.60	LEE CO MOSQUITO	(239) 694-2174
.0030000	10000.00	30.00	LEHGH ACRS FIRE	(239) 334-1600
.0003082	10000.00	3.08	LEHGH ACS LIGHT	(239) 335-2186
.0001000	10000.00	1.00	SFL WTR MGT/EVR	(561) 682-6486
.0000400	10000.00	0.40	W C INLD WATRWWY	(813) 485-9402
.0000733	10000.00	0.73	LEE CO ALL/HAZS	(239) 335-2186

**VALUES & EXEMPTIONS**

MARKET ASSESSED VAL	10000
SOH ASSESSED VAL	10000
TAXABLE VAL	10000

**REAL PROPERTY**

**LEGAL DESCRIPTION**

LEHIGH ESTATES UNIT 5 BLK 10  
 PB 15 PG 85 LOT 7  
 BOOK: 3268 PAGE: 2591

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0070  
 1513 GRETCHEN AV S

**\*PAID\***

214.31 11718-157-1 11/07/2001

NON-AD VALOREM ASSESSMENTS				
* See reverse side before calling				
RATE	BASIS	AMOUNT	LEVYING AUTHORITY	TELEPHONE *
90.89000	PER ACRE	18.18	E CO WATR CONTL	(239) 368-0044
		223.24	<b>COMBINED TOTAL</b>	

The Tax Certificate Sale began on May 16, 2002. Certificates were sold on all unpaid real estate taxes, resulting in additional charges. Contact the Tax Collector's Office at (941) 339-6000 if you have any questions.

EXHIBIT "C-2"

RETAIN THIS PORTION FOR YOUR RECORDS

See reverse side for additional information. 

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001  
**DUPLICATE**

Discounts have been calculated, pay only one amt:	If Paid By Nov 30, 2001 <b>0.00</b>	If Paid By Dec 31, 2001 <b>0.00</b>	If Paid By Jan 31, 2002 <b>0.00</b>	If Paid By Feb 28, 2002 <b>0.00</b>	If Paid By Mar 31, 2002 <b>0.00</b>	Call for amt due after Mar 31, 2002
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020100 20019 044526050001000809 0000000000 0000000000 00000000

MAKE CHECK PAYABLE TO:  
 \*\*\* Paid \*\*\*

LEE COUNTY TAX COLLECTOR  
 P O BOX 1609  
 FT MYERS, FLORIDA 33902-1609

**REAL PROPERTY**

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0080  
 1515 GRETCHEN AV S

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.  
 See insert for details. PIN Number: 01-00103052

**PLEASE RETURN THIS PORTION WITH PAYMENT**

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

DOR CODE: 10  
 MORTGAGE CODE: 000  
 DISTRICT CODE: 060

AD VALOREM TAXES			* See reverse side before calling		
MILL RATE	MULTIPLIER	TAXES LEVIED	TAXING AUTHORITY	TELEPHONE *	
.0043277	10000.00	43.28	LEE CO GEN REV	(239) 335-2221	
.0010124	10000.00	10.12	LEE CO CAP IMP	(239) 335-2221	
.0012114	10000.00	12.11	LEE CO UNINCORP	(239) 335-2221	
.0026080	10000.00	26.08	LOCAL SCHOOL	(239) 337-8215	
.0058700	10000.00	58.70	STATE SCHOOL	(239) 337-8215	
.0005970	10000.00	5.97	SF WATR MGT DST	(561) 682-6486	
.0000358	10000.00	0.36	LEE CO HYACINTH	(239) 694-2174	
.0009630	10000.00	9.63	LEE CO LIBRARY	(239) 335-2221	
.0003595	10000.00	3.60	LEE CO MOSQUITO	(239) 694-2174	
.0030000	10000.00	30.00	LEHGH ACRS FIRE	(239) 334-1600	
.0003082	10000.00	3.08	LEHGH ACS LIGHT	(239) 335-2186	
.0001000	10000.00	1.00	SFL WTR MGT/EVR	(561) 682-6486	
.0000400	10000.00	0.40	W C INLD WATRWWY	(813) 485-9402	
.0000733	10000.00	0.73	LEE CO ALL/HAZS	(239) 335-2186	

**VALUES & EXEMPTIONS**

MARKET ASSESSED VAL	10000
SOH ASSESSED VAL	10000
TAXABLE VAL	10000

**REAL PROPERTY**

**LEGAL DESCRIPTION**

LEHIGH ESTATES UNIT 5 BLK 10  
 PB 15 PG 85 LOT 8  
 BOOK: 3268 PAGE: 2591

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0080  
 1515 GRETCHEN AV S

**\*PAID\***

214.31 11718-158-1 11/07/2001

NON-AD VALOREM ASSESSMENTS			* See reverse side before calling		
RATE	BASIS	AMOUNT	LEVYING AUTHORITY	TELEPHONE *	
90.89000	PER ACRE	18.18	E CO WATR CONTL	(239) 368-0044	
		223.24	<b>COMBINED TOTAL</b>		

The Tax Certificate Sale began on May 16, 2002. Certificates were sold on all unpaid real estate taxes, resulting in additional charges. Contact the Tax Collector's Office at (941) 339-6000 if you have any questions.

EXHIBIT "C-3"

RETAIN THIS PORTION FOR YOUR RECORDS

See reverse side for additional information. 

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001  
 DUPLICATE

Discounts have been calculated, pay only one amt:	If Paid By Nov 30, 2001 <b>0.00</b>	If Paid By Dec 31, 2001 <b>0.00</b>	If Paid By Jan 31, 2002 <b>0.00</b>	If Paid By Feb 28, 2002 <b>0.00</b>	If Paid By Mar 31, 2002 <b>0.00</b>	Call for amt due after Mar 31, 2002
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020100 20019 044526050001000907 00000000000 00000000000 00000000

MAKE CHECK PAYABLE TO: LEE COUNTY TAX COLLECTOR  
 P O BOX 1609  
 FT MYERS, FLORIDA 33902-1609  
 \*\*\* Paid \*\*\*

**REAL PROPERTY**

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0090  
 1517 GRETCHEN AV S

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.  
 See insert for details. PIN Number: 01-00103053

PLEASE RETURN THIS PORTION WITH PAYMENT

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001

B + B COOL AIR INC  
 1520 GRANDALE ST  
 LEHIGH ACRES FL 33936

DOR CODE: 10  
 MORTGAGE CODE: 000  
 DISTRICT CODE: 060

AD VALOREM TAXES			* See reverse side before calling		
MILL RATE	MULTIPLIER	TAXES LEVIED	TAXING AUTHORITY	TELEPHONE *	
.0043277	10000.00	43.28	LEE CO GEN REV	(239) 335-2221	
0010124	10000.00	10.12	LEE CO CAP IMP	(239) 335-2221	
.0012114	10000.00	12.11	LEE CO UNINCORP	(239) 335-2221	
0026080	10000.00	26.08	LOCAL SCHOOL	(239) 337-8215	
.0058700	10000.00	58.70	STATE SCHOOL	(239) 337-8215	
.0005970	10000.00	5.97	SF WATR MGT DST	(561) 682-6486	
.0000358	10000.00	0.36	LEE CO HYACINTH	(239) 694-2174	
.0009630	10000.00	9.63	LEE CO LIBRARY	(239) 335-2221	
.0003595	10000.00	3.60	LEE CO MOSQUITO	(239) 694-2174	
0030000	10000.00	30.00	LEHIGH ACRES FIRE	(239) 334-1600	
.0003082	10000.00	3.08	LEHIGH ACS LIGHT	(239) 335-2186	
.0001000	10000.00	1.00	SFL WTR MGT/EVR	(561) 682-6486	
.0000400	10000.00	0.40	W C INLD WATRWWY	(813) 485-9402	
.0000733	10000.00	0.73	LEE CO ALL/HAZS	(239) 335-2186	

**VALUES & EXEMPTIONS**

MARKET ASSESSED VAL	10000
SOH ASSESSED VAL	10000
TAXABLE VAL	10000

**REAL PROPERTY**

**LEGAL DESCRIPTION**

LEHIGH ESTATES UNIT 5 BLK 10  
 PB 15 PG 85 LOT 9  
 BOOK: 3268 PAGE: 2591

**ACCOUNT & SITE ADDRESS**

04-45-26-05-00010.0090  
 1517 GRETCHEN AV S

**\*PAID\***

214.31 11718-159-1 11/07/2001

NON-AD VALOREM ASSESSMENTS					* See reverse side before calling
RATE	BASIS	AMOUNT	LEVYING AUTHORITY	TELEPHONE *	
90.89000	PER ACRE	18.18	E CO WATR CONTL	(239) 368-0044	
		223.24	<b>COMBINED TOTAL</b>		

The Tax Certificate Sale began on May 16, 2002. Certificates were sold on all unpaid real estate taxes, resulting in additional charges. Contact the Tax Collector's Office at (941) 339-6000 if you have any questions.

**EXHIBIT "C-4"**

RETAIN THIS PORTION FOR YOUR RECORDS

See reverse side for additional information. 

**INSTR # 4899890**

**OR BK 03268 PG 2589**

RECORDED 06/16/00 10:41 AM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DGC TAX PD(F. S. 201.02) 87.50  
DEPUTY CLERK K Cartwright

This Instrument Prepared by & return to:

**Name:** L. S. Coyne, an employee of Fleetwood Title Corporation  
**Address:** 904 Lee Blvd., Suite 106 Lehigh Acres, FL 33936 41591

**Parcel** 04-45-26-05-00010.0060

Rec. I.D. #: Doc TTL  
10.50 87.50 98.00

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED** Made the 30 day of May A.D. 2000

by **HOWARD GREEN and ALVERDA GREEN**, Trustees under the Howard Green and Alverda Green Revocable Living Trust dated March 11, 1999, hereinafter called the grantors, to **B & B COOL AIR, INC.**, a Florida Corporation, having its principal place of business at **1520 Grandale Street, Lehigh Acres FL 33936**, hereinafter called the grantee:

*(Wherever used herein the terms "grantors" and "grantee" 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 grantee all that certain land situate in **Lee County, State of Florida**, viz:

Lot 6, Block 10, Unit 5, Section 4, Township 45 South, Range 26 East, Lehigh Acres, Florida, according to the map or plat thereof recorded in Plat Book 15, Page 85, Public Records of Lee County, Florida.

**SUBJECT TO TAXES FOR THE YEAR 2000 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 grantee 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 December 31, 1999.

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

Signed, sealed and delivered in the presence of:

Samantha Conrad  
Witness Signature

\* Howard Green L.S.

Samantha Conrad  
Printed Name

Howard Green  
Address:  
22257 CR 10 E, Elkhart, IN 46514

Emily F. Dickerson  
Witness Signature

EMILY F. DICKERSON  
Printed Name

\* Alverda Green L.S.

Alverda Green  
Address:  
22257 CR 10 E, Elkhart, IN 46514

State of Indiana  
County of Elkhart

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of May, 2000, by Howard Green and Alverda Green, who are known to me or who have produced Drivers License as identification and who did (did not) take an oath.

Samantha Conall  
Signature of Acknowledger  
My commission expires 3-30-05

**INSTR # 4899891**

**OR BK 03268 PG 2591**

RECORDED 06/16/00 10:41 AM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DOC TAX PD(F.S.201.02) 273.00  
DEPUTY CLERK K Cartwright

This Instrument Prepared by & return  
to:  
**Name:** L. S. Coyne, an employee of  
Fleetwood Title Corporation  
**Address:** 904 Lee Boulevard, Suite 106  
Lehigh Acres, FL 33936  
41590  
**Parcel** 04-45-26-05-00010.0070,8&9  
**I.D. #:**

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED** Made the 1 day of JUNE, A.D. 2000  
by **DONALD SCLATER and CAROLYN SCLATER**, husband and wife, hereinafter called the  
grantors, to **B & B COOL AIR, INC.**, a Florida Corporation, having its principal place of business at  
**1520 Grandale Street, Lehigh Acres, FL 33936**, hereinafter called the grantee:

*(Wherever used herein the terms "grantors" and "grantee" 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 grantee all that certain land situate in **Lee County, State of Florida**, viz:

Lots 7, 8 and 9, Block 10, Unit 5, Section 4, Township 45 South, Range 26 East, Lehigh Acres, Florida, according to the map or plat thereof recorded in Book 15, Page 85, Public Records of Lee County, Florida.

**SUBJECT TO TAXES FOR THE YEAR 2000 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 grantee 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 December 31, 1999.

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

Signed, sealed and delivered in the presence of:

Andrew A. DeNunzio  
Witness Signature

ANDREW A. DENUNZIO  
Printed Name

Ky A. McGrew  
Witness Signature

Ky A. McGrew  
Printed Name

Donald Sclater L.S.  
Donald Sclater

Address:  
C/O Ernest Ooley, 1431 Sandy Creek  
Road, Monroe MI 48162

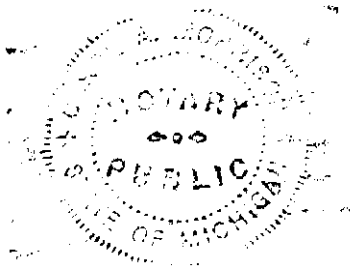
Carolyn Sclater L.S.  
Carolyn Sclater

Address:  
C/O Ernest Ooley, 1431 Sandy Creek  
Road, Monroe MI 48162

State of Michigan  
County of Monroe

The foregoing instrument was acknowledged before me this 1 day of June, 2000, by Donald Sclater and Carolyn Sclater, who are known to me or who have produced Georgia Drivers License as identification and who did (did not) take an oath.

Harold Morrison  
Signature of Acknowledger  
My commission expires June 2003





Florida Power & Light Company  
15834 Winkler Road  
Fort Myers, FL 33908

July 25, 2002

B & B Cool Air, Inc  
1520 Grandale Street  
Lehigh Acres, FL 33936

Re: Vacation of Utility Easements, Unit 5 of Lehigh Estates  
STRAP No: 04-45-26-05-00010.0060  
STRAP No: 04-45-26-05-00010.0070  
STRAP No: 04-45-26-05-00010.0080  
STRAP No: 04-45-26-05-00010.0090

To Whom It May Concern:

Florida Power & Light has no objection to the vacation of the 12 foot wide Utility easements centered on the lot lines common to Lots 6 & 7, 7 & 8, 8 & 9 of Unit 5 of Lehigh Estates, a subdivision recorded in Plat Book 15 on Page 85 of the Public Records of Lee County, Florida less the East six feet and West six feet thereof.

If you have any questions, please call me at (941) 415-1318.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan Sederstrom', written over a white background.

Nathan Sederstrom  
Construction Services



Box 370  
Fort Myers, Florida 33902-0370

July 19, 2002

Mr. Frank Borek  
B & B Cool Air, Inc.  
1520 Grandale Street  
Lehigh Acres, Florida 33936

RE: Vacation of Easement – Lots 6&7, 7&8 , and 8&9, Unit 5,  
Section 4, Township 45 South, Range 26 East.  
A 12 foot wide public utility and drainage easement centered  
On the lot line between the above listed lots.

Dear Mr. Borek:

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 941-336-2023.

Sincerely,

A handwritten signature in cursive script that reads "Wayneth Jackson".

Wayneth Jackson  
Engineer



August 26, 2002

B & B Cool Air, Inc.  
c/o Mr. Frank Borek  
1520 Grandale Street  
Lehigh Acres, FL 33936

Re: STRAP# 04-45-26-05-00010-0070  
STRAP# 04-45-26-05-00010-0060

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 7 & 6, Block 10, Unit 5, a subdivision of Lehigh Acres as recorded in Plat Book 3268, Page 2591, less and except the north/east 6 feet and the south/west 6 feet thereof.

Dear Mr. Borek:

Please be advised that Florida Water Services Corporation has reviewed the above-referenced 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,

A handwritten signature in cursive script that reads "Rachel L. Cowing". The signature is written in dark ink and includes a checkmark at the end.

Rachel L. Cowing  
Legal Secretary

AN ALLETE COMPANY

P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/598-4100

*Water For Florida's Future*



August 26, 2002

B & B Cool Air, Inc.  
c/o Mr. Frank Borek  
1520 Grandale Street  
Lehigh Acres, FL 33936

Re: STRAP# 04-45-26-05-00010-0080  
STRAP# 04-45-26-05-00010-0070

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 8 & 7, Block 10, Unit 5, a subdivision of Lehigh Acres as recorded in Plat Book 3268, Page 2591, less and except the north/east 6 feet and the south/west 6 feet thereof.

Dear Mr. Borek:

Please be advised that Florida Water Services Corporation has reviewed the above-referenced 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,

A handwritten signature in cursive script that reads "Rachel L. Cowing".

Rachel L. Cowing  
Legal Secretary

AN ALLETE COMPANY

P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/598-4100

*Water For Florida's Future*



August 26, 2002

B & B Cool Air, Inc.  
c/o Mr. Frank Borek  
1520 Grandale Street  
Lehigh Acres, FL 33936

Re: STRAP# 04-45-26-05-00010-0090  
STRAP# 04-45-26-05-00010-0080

A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 9 & 8, Block 10, Unit 5, a subdivision of Lehigh Acres as recorded in Plat Book 3268, Page 2591, less and except the north/east 6 feet and the south/west 6 feet thereof.

Dear Mr. Borek:

Please be advised that Florida Water Services Corporation has reviewed the above-referenced 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,

A handwritten signature in cursive script that reads "Rachel L. Cowing".

Rachel L. Cowing  
Legal Secretary

AN ALLETE COMPANY

P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/598-4100

*Water For Florida's Future*



301 Tower Road  
Naples, FL 34113  
Telephone: 941-732-3819  
FAX: 941-992-1289

July 24, 2002

B&B Cool Air Inc.  
1520 Grandale St.  
LeHigh Acres , FL 33936

Re: Request for a Letter of Review and Recommendation on a Proposed 30 Foot wide utility and Drainage Easement Vacation of the Following Locations:

Strap # 04-45-26-05-00010.0070 & 04-45-26-05-00010.0060,

Dear Frank,

Comcast has no existing utilities in the easement and has no objection with the vacation of the above referenced Utility and Drainage easement. Comcast has existing utilities in the 12 foot wide Utility and or Drainage easement centered on the lot line common to lots 6 & 7 Block 10 unit 5 a subdivision in LeHigh Acres.

Sincerely,

A handwritten signature in cursive script that reads "Scott Miller".

Scott Miller  
Design Coordinator



301 Tower Road  
Naples, FL 34113  
Telephone: 941-732-3819  
FAX: 941-992-1289

July 24, 2002

B&B Cool Air Inc.  
1520 Grandale St.  
LeHigh Acres , FL 33936

Re: Request for a Letter of Review and Recommendation on a Proposed 30 Foot wide utility and Drainage Easement Vacation of the Following Locations:

Strap # 04-45-26-05-00010.0080 & 04-45-26-05-00010.0070,

Dear Frank,

Comcast has no existing utilities in the easement and has no objection with the vacation of the above referenced Utility and Drainage easement. Comcast has existing utilities in the 12 foot wide Utility and or Drainage easement centered on the lot line common to lots 7 & 8 Block 10 unit 5 a subdivision in LeHigh Acres.

Sincerely,

A handwritten signature in black ink that reads "Scott Miller".

Scott Miller  
Design Coordinator





301 Tower Road  
Naples, FL 34113  
Telephone: 941-732-3819  
FAX: 941-992-1289

July 24, 2002

B&B Cool Air Inc.  
1520 Grandale St.  
LeHigh Acres , FL 33936

Re: Request for a Letter of Review and Recommendation on a Proposed 30 Foot wide utility and Drainage Easement Vacation of the Following Locations:

Strap # 04-45-26-05-00010.0090 & 04-45-26-05-00010.0080,

Dear Frank,

Comcast has no existing utilities in the easement and has no objection with the vacation of the above referenced Utility and Drainage easement. Comcast has existing utilities in the 12 foot wide Utility and or Drainage easement centered on the lot line common to lots 8 & 9 Block 10 unit 5 a subdivision in LeHigh Acres.

Sincerely,

A handwritten signature in cursive script that reads "Scott Miller".

Scott Miller  
Design Coordinator

Bob Jones  
*District One*

October 14, 2002

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

**Frank Borek**  
**B & B Cool Air, Inc.**  
**1520 Grandale Street**  
**Lehigh Acres, Florida 33936**

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

**Re: Recommendation for proposed vacation of three (3) Utility Easements located at 1511 Gretchen Avenue South, Lehigh Acres, Florida 33936.**

Diana M. Parker  
*County Hearing Examiner*

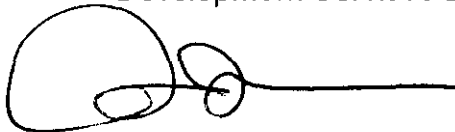
Dear Mr. Borek:

This office has received your request to vacate three (3) separate 12-foot wide Public Utility Easements centered on the lot lines common to Lots 6 & 7, 7 & 8 and 8 & 9, Block 10, Unit 5, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Public Records of Lee County, Florida, 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 commercial 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/rjm

U:\200210\VAC20020.004\9\D&PUE.WPD



**LEE COUNTY**  
SOUTHWEST FLORIDA

(941) 479-8124

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: .....

Thursday, August 15, 2002

Bob Janes  
*District One*

Mr. Frank Borek  
B & B Cool Air, Inc.  
1520 Grandale St.  
Lehigh Acres, FL 33936

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

Re: Petition to Vacate three (3) twelve (12) foot wide public utility and drainage easements common to Lots 6 and 7, Lots 7 and 8, and Lots 8 and 9 Block 10, Unit 5, Lehigh Acres Subdivision as recorded in OR Book 3268 at Page 2591, Public Records of Lee County, Florida.

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Dear Mr. Borek:

Diana M. Parker  
*County Hearing Examiner*

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion of the subject public utility and drainage easements.

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

-cc: Don Blackburn, Development Services  
Joan Henry, County Attorney's Office  
Margaret Lawson, LCDOT  
Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac264.doc



**BOARD OF COUNTY COMMISSIONERS**

(941) 479-8580

Writer's Direct Dial Number:

Bob Janes  
*District One*

Douglas B. St. Gemy  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Shively  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

August 1, 2002

Mr. Frank Borek  
B&B Cool Air, Inc.  
1520 Grandale Street  
Lehigh Acres, FL 33936

**RE: PETITION TO VACATE THE 12 FOOT WIDE UTILITY EASEMENT ON  
THE LOT LINE COMMON TO LOTS 6 & 7, 7 & 8 AND 8 & 9, BLOCK 10,  
UNIT 5, LEHIGH ACRES, SECTION 04, TOWNSHIP 45, RANGE 26**

Dear Mr. Borek:

Lee County Department of Transportation has reviewed your request to vacate the above described utility easements recorded in Plat Book 15, Page 85. DOT does not have any facilities located within the easement and does not maintain the easement.

Lee County Department of Transportation offers no objection to this petition to vacate as proposed.

Sincerely,

**DEPARTMENT OF TRANSPORTATION**

Margaret Lawson  
Right Of Way Supervisor

JK/ML/lhc

cc: PTV File (Lehigh Borek)

S:\DOCUMENT\Petition To Vacate\2002\BOREK - LOTS 7 THRU 10.doc

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE Case Number: VAC2002-00049**

WHEREAS, a Petition to Vacate was filed with the Board of County Commissioners;  
and

WHEREAS, the Petitioner seeks to abandon, discontinue, close or vacate a portion  
of a plat, easement, parcel or right-of-way legally described in the attached Exhibit "A".

WHEREAS, under Florida Statute and the Lee County Administrative Code, the  
Board must hold a Public Hearing in order to grant a vacation affecting a public easement,  
public right-of-way or platted lands.

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Lee  
County, Florida, as follows:

1. A Public Hearing on Petition to Vacate No. VAC2002-00049 is set for the  
\_\_\_\_\_ in the Lee County Commission Chambers.

2. A Notice of Public Hearing on this Petition to Vacate will be published in  
accordance with the Lee County Administrative Code.

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

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

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

## LEGAL DESCRIPTION

A 12-foot utility easement centered on the lot line common to Lots 6 & 7, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

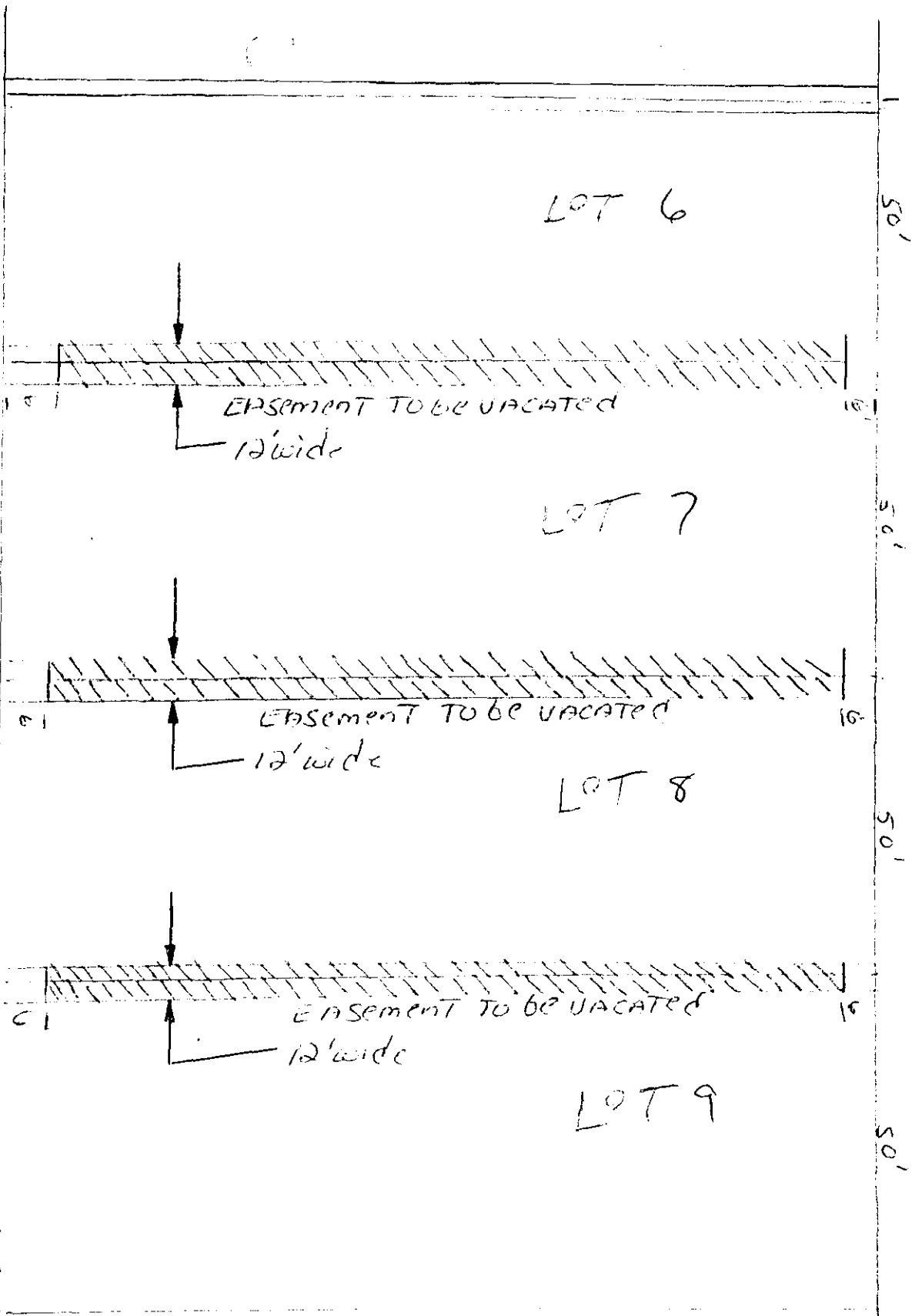
A 12-foot utility easement centered on the lot line common to Lots 7 & 8, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

A 12-foot utility easement centered on the lot line common to Lots 8 & 9, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

EXHIBIT "A"

Ave

Gretchen



N.T.S.



175'

## NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00049

### TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 10th day of December 2002@5:00 PM 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



## LEGAL DESCRIPTION

A 12-foot utility easement centered on the lot line common to Lots 6 & 7, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

A 12-foot utility easement centered on the lot line common to Lots 7 & 8, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

A 12-foot utility easement centered on the lot line common to Lots 8 & 9, Block 10, Unit 5, in Lehigh Estates, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 85, of the Official Records of Lee County, Florida, Section 4, Township 45 South, Range 26 East, LESS and EXCEPT the east 6-feet and the west 6-feet thereof.

EXHIBIT "A"

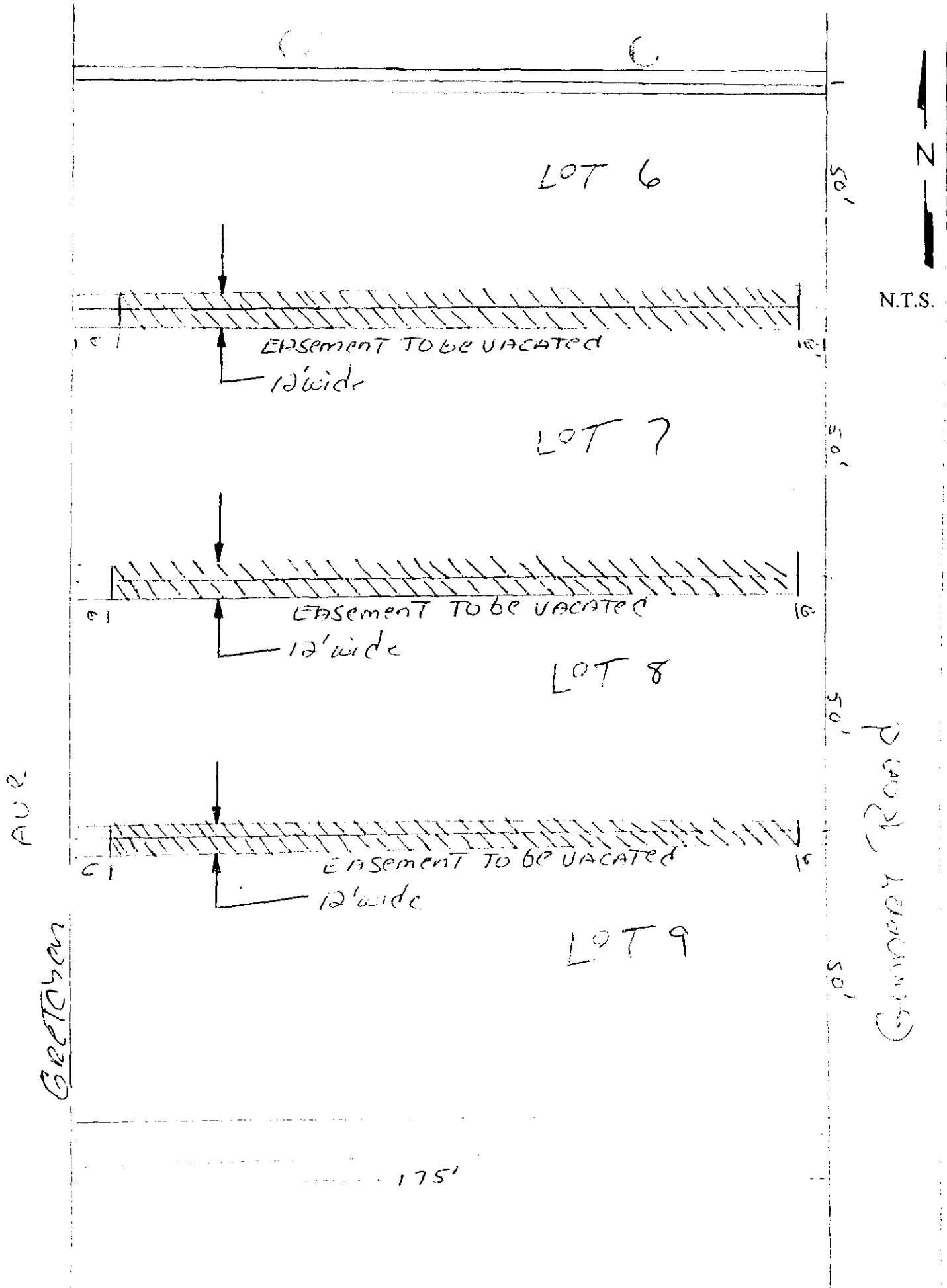


EXHIBIT "B"