

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

BLUE SHEET NO: 20021015

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2002-00038 to vacate a 12 foot Public Utility Easement, located between the common lot lines of lots 15 & 16, Block 21, Lehigh Acres, Florida, less and except the east and west 6 feet thereof, and adopt a Resolution setting a Public Hearing for 5:00p.m. on the 10th day of December, 2002.

WHY ACTION IS NECESSARY: Vacate the easement in order to expand a Single Family Residence. These easements are not required to accommodate any future utility or right of way needs and the vacation will not impact any existing utilities.

WHAT THE ACTION ACCOMPLISHES: Sets the time and date of the Public Hearing.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 5

C4A

3. MEETING DATE:

11-19-2002

4. AGENDA

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)
 STATUTE
 ORDINANCE
 ADMIN. CODE 13-1
 OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER _____
 B. DEPARTMENT _____
 C. Development Services
 Peter J. Beckenrode, Director *10/28/02*

7. BACKGROUND:

The complete Petition to Vacate was submitted by Helen Smith-Carelli.

LOCATION: The 12 foot Public Utility Easement is located between the common lot lines of lots 15 & 16, Block 21, Lehigh Acres, Florida, Unit 6, Section 18, Township 44 South, Range 27 East, less and except the east and west 6 feet thereof. Property is located at 1305 Dixie Ave., Lehigh Acres, FL.

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, the Resolution to set the Public Hearing, and the Notice of Public Hearing.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

A Department Director	B Purchasing or Contracts	C Human Rel.	D Other	E County Attorney	F County Administration				G County Manager
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	OM <i>[Signature]</i> 11/6/02	OM <i>[Signature]</i> 11/7/02	Risk <i>[Signature]</i> 11/07/02	GC <i>[Signature]</i> 11/7/02	<i>[Signature]</i>

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

Rec. by CoAtty
 Date: *10/30/02*
 Time: *1:17 pm*
 Forwarded To: *Adm 11/5/02*

ADMIN. TD
7-5-02
COUNTY ADMIN. FORWARDED TO: BH
11/7/02

12:00 Noon

PETITION TO VACATE

Case Number: VAC.2002-00038

Petitioner(s), Helen Smith-Carelli a/k/a Helen Christine Smith 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, 1305 Dixie Avenue, Lehigh Acres Fl 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: <u>Helen Smith-Carelli AKA Helen Christine Smith</u>	By: _____
Petitioner Signature	Petitioner Signature
<u>Helen Smith-Carelli, aka Helen Christine Smith</u>	_____
Printed Name	Printed Name

LEGAL DESCRIPTION

A12 Foot Public Utility Easement located on the common lot lines of lots 15 and 16, Block 21, Unit 6, Section 18, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof, on file in the office of the Clerk of Circuit Court, recorded in Deed Book 252, Page 456, and Plat Book 15, Page 22 of the Public Records of Lee County, Florida, less and except the east and west 6 feet thereof.

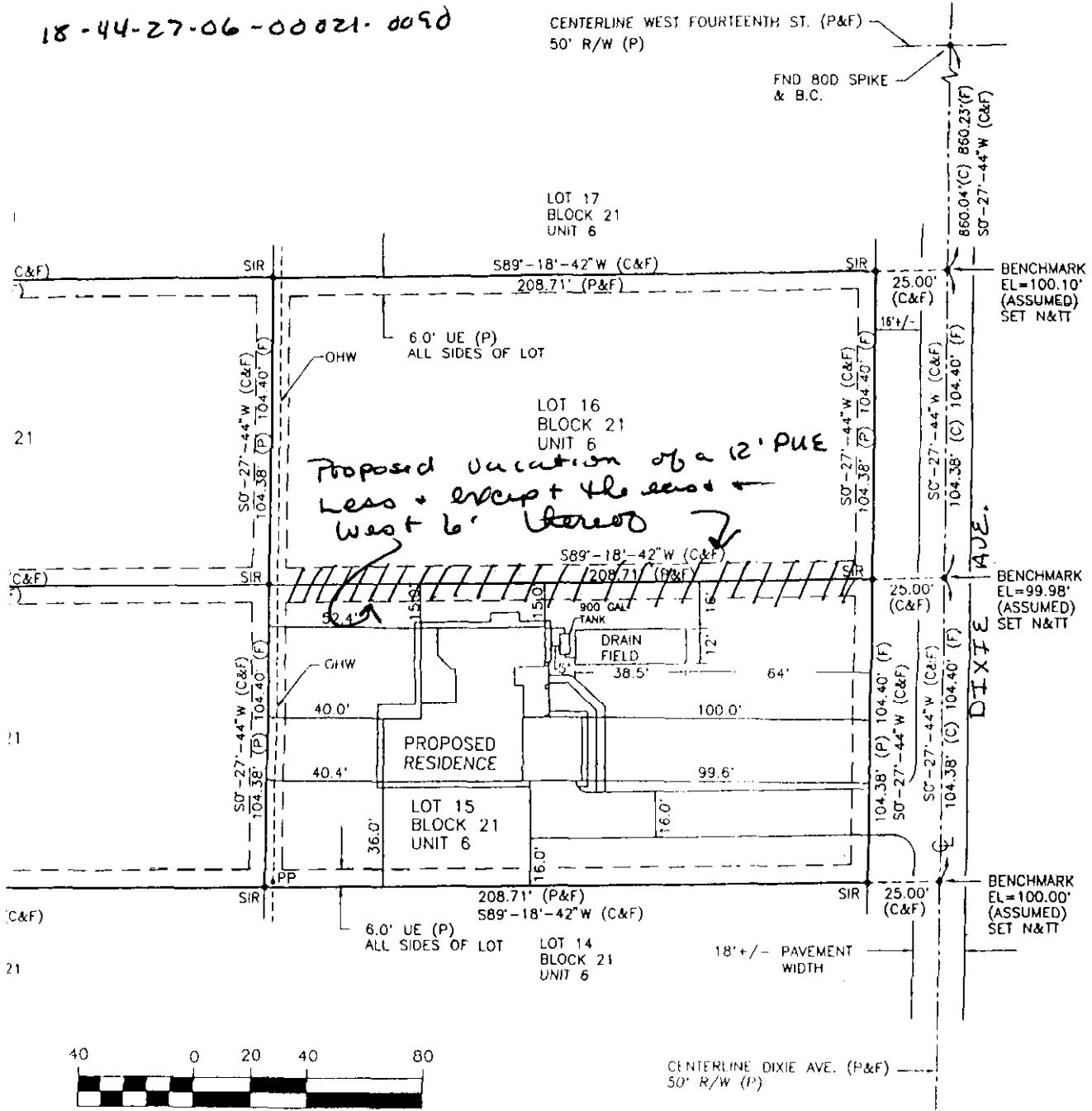
DESCRIPTION:

LOTS: 9,10,15,16 BLOCK: 21 UNIT: 6
SUBDIVISION: LEHIGH ACRES
SECTION: 18 TOWNSHIP 44 SOUTH RANGE 27 EAST
LEE COUNTY, FLORIDA
AS RECORDED IN:
PLAT BOOK 15 PAGE 22, OF THE PUBLIC RECORDS OF
LEE COUNTY, FLORIDA

CLIENT: HELEN C. SMITH
PROJECT NUMBER: 98-0185
FIELD BOOK 106, PAGES 12-16,20,21
SECTION 18
TOWNSHIP 44 SOUTH
RANGE 27 EAST

1305 DIXIE AVE.

18-44-27-06-00021-0090



Proposed vacation of a 12' PUE less + except the area west 6' thereof

- REVISIONS: 1-29-99
1. ADDED PROPOSED IMPROVEMENTS.
 2. REVISED NOTE #7.
 3. REVISED ELEVATIONS PER NOTE #7.

TESTIFIED TO:
 HEN CHRISTINE SMITH
 PUBLIC BANK, DBA FLAGSHIP MORTGAGE SERVICES
 BETWOOD TITLE CORPORATION
 ELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK

NOTE: "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

SIGNATURE: *Robert J. Olson*
 NAME: ROBERT J. OLSON
 LICENSE NO.: LS 5528

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 0.00	aid By Dec 31, 2001 0.00	If Paid By Jan 31, 2002 0.00	If Paid B, Feb 28, 2002 0.00	If Paid By Mar 31, 2002 0.00	Call for amt due after Mar 31, 2002
---	---	---------------------------------------	---	---	---	-------------------------------------

020100 20019 184427060002100900 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

18-44-27-06-00021.0090
 1305 DIXIE AV

SMITH HELEN CHRISTINE
 1305 DIXIE AV
 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: 01-00218436

PLEASE RETURN THIS PORTION WITH PAYMENT

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001
 SMITH HELEN CHRISTINE
 1305 DIXIE AV
 LEHIGH ACRES FL 33936

DOR CODE: 01
 MORTGAGE CODE: 000
 DISTRICT CODE: 060

AD VALOREM TAXES

* See reverse side before calling

MILL RATE	MULTIPLIER	TAXES LEVIED	TAXING AUTHORITY	TELEPHONE *
.0043277	115280.00	498.90	LEE CO GEN REV	(239) 335-2221
.0010124	115280.00	116.71	LEE CO CAP IMP	(239) 335-2221
.0012114	115280.00	139.65	LEE CO UNINCORP	(239) 335-2221
.0026080	115280.00	300.65	LOCAL SCHOOL	(239) 337-8215
.0058700	115280.00	676.69	STATE SCHOOL	(239) 337-8215
.0005970	115280.00	68.82	SF WATR MGT DST	(561) 682-6486
.0000358	115280.00	4.13	LEE CO HYACINTH	(239) 694-2174
.0009630	115280.00	111.01	LEE CO LIBRARY	(239) 335-2221
.0003595	115280.00	41.44	LEE CO MOSQUITO	(239) 694-2174
.0030000	115280.00	345.84	LEHGH ACRS FIRE	(239) 334-1600
.0003082	115280.00	35.53	LEHGH ACS LIGHT	(239) 335-2186
.0001000	115280.00	11.53	SFL WTR MGT/EVR	(561) 682-6486
.0000400	115280.00	4.61	W C INLD WATRWW	(813) 485-9402
.0000733	115280.00	8.45	LEE CO ALL/HAZS	(239) 335-2186

VALUES & EXEMPTIONS

MARKET ASSESSED VAL	115280
SOH ASSESSED VAL	115280
TAXABLE VAL	115280

REAL PROPERTY

LEGAL DESCRIPTION

LEHIGH ACRES UNIT 6 BLK 21
 DB 252 PG 456 LOTS 9 + 10 +
 15 + 16
 BOOK: 3055 PAGE: 1843

ACCOUNT & SITE ADDRESS

18-44-27-06-00021.0090
 1305 DIXIE AV

PAID

2655.60 12198-83-2 12/27/2001

NON-AD VALOREM ASSESSMENTS

* See reverse side before calling

RATE	BASIS	AMOUNT	LEVYING AUTHORITY	TELEPHONE *
90.89000	PER ACRE	181.78	E CO WATR CONTL	(239) 368-0044
1.000000	ACTL LEVY	191.99	SOLID WSTE ASMT	(239) 338-3302
		2737.73	COMBINED TOTAL	

The Tax Certificate Sale began on . Certificates will be 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.

RETAIN THIS PORTION FOR YOUR RECORDS

See reverse side for additional information. 

This instrument prepared by: PAT REGAS
FLEETWOOD TITLE CORPORATION
904 LEE BLVD., SUITE 106
LEHIGH ACRES, FL 33936

4477585

JK3016 PG1898

PARCEL # 18-44-27-06-00021.0090
PARCEL # 18-44-27-06-00021.0150

REC \$10.50
RPTT \$77.00
TOTAL \$87.50

RECORDED BY
JOANNE MILLER, D.C.

PAGE ONE OF TWO PAGES

WARRANTY DEED

FTC-38408-PR

THIS WARRANTY DEED, delivered
this 19th day of SEPTEMBER, A.D. 1998,
by SIEV, INC., A FLORIDA Corporation
authorized to do business in the State of
Florida, and having a place of business in
the State of FLORIDA,
hereafter called the "Grantor", to
HELEN CHRISTINE SMITH, A SINGLE WOMAN
whose post office address is: 1325 NE 153 ST.
N. MIAMI, BCH FL 33162
herein called the "Grantee":

Intangible Tax Pd
CLERK, LEE COUNTY
Joanna Miller Deputy Clerk

WITNESSETH: That said Grantor, for and in consideration of the
sum of Ten Dollars (\$10.00) and other good and valuable considerations
to said Grantor in hand paid by said Grantee, the receipt whereof is
hereby acknowledged, has granted, bargained and sold to the said
Grantee, and the Grantee's heirs and assigns forever, the following
described real property, situate, lying and being in LEE COUNTY,
FLORIDA, to-wit:

LOTS 9, 10, 15 AND 16, BLOCK 21, UNIT 6, SECTION 18, TOWNSHIP 44 SOUTH,
RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE MAP OR PLAT THEREOF ON
FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, RECORDED IN DEED
BOOK 252, PAGE 456, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Said Grantor does hereby fully warrant the title to said property, and
will defend the same against the lawful claims of all persons
whomsoever, except taxes accruing subsequent to December 31, 1998, and
subject to easements, reservations, restrictions, conditions and
limitations of record in the Public Records of LEE, County, Florida.

*Title deed compared by
with the original, is hereby certified to be a true
and correct copy of same as being recorded in
the Public Records.

Attest: 3/7 2000
FLEETWOOD TITLE CORPORATION

by: [Signature]

PAGE TWO OF TWO PAGES

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed by its proper officers thereunto duly authorized the day and year first above written.

SIEV, INC.

BYX [Signature]
THOMAS W. STROUSE PRESIDENT
2108 NORTHEAST 1ST AVE.
FORT LAUDERDALE, FL 33305

[Signature]
Witness
MELISSA NORSWORTHY
PRINTED NAME OF WITNESS

[Signature]
Witness
JACKIE PHILLIPS
PRINTED NAME OF WITNESS

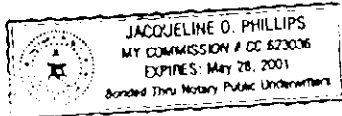
STATE OF FLORIDA COUNTY OF LEE

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments personally appeared THOMAS E. STROUSE, PRESIDENT FOR SIEV, INC., A FLORIDA CORPORATION to me known to be the persons described in and who executed the foregoing Warranty Deed and they did take an oath and acknowledged then and there before me that they executed the same as such officers for the purposes therein expressed; and that they affixed thereto the official seal of said corporation; and that the said agreement is the act and deed of said corporation and did produce acceptable identification being in the form of PERSONALLY KNOWN TO ME along with a current acceptable corporate resolution.

WITNESS my hand and official seal this 19th day of SEPTEMBER, A.D. 1998.

(SEAL)

[Signature]
NOTARY PUBLIC
JACQUELINE O. PHILLIPS
PRINTED NAME OF NOTARY PUBLIC
My Commission Expires:



JACQUELINE GREEN, CLERK
LEE COUNTY, FL
98 SEP 28 PM 1:10

JK3016 PG1899



RUSS REED
CUSTOMER PROJECT MANAGER
15834 WINKLER RD
FT MYERS, FL, 33908
PHONE 239-332-9167
FAX 239-332-9167

Helen Smith-Carelli
1305 Dixie Ave
Lehigh Acres, FL 33936

Re: Vacating Easement

Florida Power & Light Co has no objection to vacating the easement common to Lots 15 & 16 Block 21 Unit 6 less the north/east and south/west 6 feet thereof. The lots have the following strap numbers:

18-44-27-06-00021-0090

If I may be of further assistance, please do not hesitate to contact me at 239-332-9167.

Sincerely,

Russ Reed
Customer Project Manager



Box 570
Fort Myers, Florida 33902-0570

June 10, 2002

Helen Smith-Carelli
1305 Dixie Avenue
Lehigh Acres, Florida 33936

RE: Vacation of Easement - Lots 15 & 16, Unit 6,
Section 18, Township 44 South, Range 27 East.
A 12 foot wide public utility and drainage easement centered
On the lot line between the above listed lots.

Dear Ms. Carelli:

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

Attachment



July 24, 2002

Helen Smith-Carelli
1305 Dixie Avenue
Lehigh Acres, FL 33936

Re: STRAP# 18-44-27-06-00021-0090
A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 15&16, Block 21, Unit 6, a subdivision of Lehigh Acres as recorded in Plat Book 252, Page 456 less and except the north/east 6 feet and the south/west 6 feet thereof.

Dear Ms. Carelli:

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



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941)479-8181

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. Parker
County Hearing
Examiner

July 1, 2002

Helen Smith-Carelli
1305 Dixie Ave.
Lehigh Acres, FL 33936

**SUBJECT: VACATION OF PLATTED EASEMENTS
STRAP #s: 18-44-27-06-00021.0090
LEHIGH ACRES**

Dear Ms. Smith-Carelli

Lee County Utilities has no objection to the proposed vacation of the existing platted easements as described in your recent letter and associated legal description. However, the area in question is not located within Lee County Utilities service area; therefore, we have no potable water or wastewater lines within the area to be vacated.

You may wish to contact Florida Water Services concerning your request, as the subject parcel(s) are located within their service area boundaries.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at 479-8531.

Sincerely,

LEE COUNTY UTILITIES

Terry A. Kelley
Senior Engineering Technician
Utilities Engineering Division



July 15, 2002

Helen Smith – Carelli
1305 Dixie Avenue
Lehigh Acres, Fla. 33936

RE: Vacation of easement
Strap #18-44-27-06-00021.00090

Dear Ms. Smith-Carelli:

Your request for the above listed vacation of easement has been reviewed. At this time, Time Warner Cable has no facilities in this area and no future build is anticipated. Time Warner Cable has **NO CONFLICT** with this proposed construction.

If you have any further questions or concern, please do not hesitate to contact me at (941) 772-2218, Ext. 120.

Sincerely,

TIME WARNER CABLE

A handwritten signature in black ink, appearing to read "B Streeter".

Benjamin R. Streeter
Technical Field Inspector

BRS/sgs

301 Tower Road
Naples, FL 34113-8074
tel / 941-793-9600
fax / 941-793-1317



July 11, 2002

Helen Smith- Carelli
1305 Dixie Avenue
Lehigh Acres, Florida 33936

Re: Strap:18-44-27-06- 00021.0090

Dear Ms. Carelli:

This letter will serve to inform you that Comcast has no conflict with your proposed vacation of easement of the following: a 12-foot wide utility and/ or drainage easement centered on the lot line common to Lots 15 & 16, Block 21, Unit 6 a subdivision of Lehigh Acres as recorded in Plat Book 252 Page 456 less and except the north/east 6 feet and the south/west 6 feet thereof.

If you should require additional information please feel free to contact me here.

Cordially,

A handwritten signature in cursive script that reads "Lucia Vera". The signature is written in black ink and is positioned above the typed name and title.

Lucia Vera
Project Coordinator
Comcast



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: ~~479-8585~~

John E. Manning
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. Parker
County Hearing
Examiner

September 17, 2002

Ms. Helen Smith Carelli
1305 Dixie Ave.
Lehigh Acres, FL 33936

Re: VAC2002-00038-Vacation of a platted public utility easement on the
common lot lines of lots 15 & 16, 18-44-27-06-00021.0090

Dear Ms. Carelli:

You indicated that as a 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/sam

U:\200209\VAC20020.00318\reviewandrec.wpd

BOARD OF COUNTY COMMISSIONERS

(941) 479-8124

Writer's Direct Dial Number:

Thursday, June 06, 2002

Bob James
District One

Douglas B. 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. Parker
County Hearing Examiner

Ms. Helen Smith-Carelli
1305 Dixie Avenue
Lehigh Acres, FL 33936

Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 15 & 16, Block 21, Unit 6, Lehigh Acres Subdivision as recorded in O.R. Book 2582 at Page 456, Public Records of Lee County, Florida.


Dear Ms. Smith-Carelli:

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 and drainage easement.

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT


Allen L. Davies, Jr., P.S.M.
Engineer II
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\vac257.doc



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number 479-8580

Bob Janes
District One

June 10, 2002

Douglas R. St. Cerny
District Two

Ray Jurdak
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Shihwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Ms. Helen Smith-Carelli
1305 Dixie Avenue
Lehigh APcres, FL 33936

**RE: Lehigh Acres Petition to Vacate
Utility and Drainage Easement
Lots 15 and 16, Unit 6, Block 21
Lehigh Acres, Plat Book 252, page 456
(Dixie Avenue)**

Dear Ms. Carelli:

Lee County Department of Transportation has reviewed the above referenced petition to vacate request. Based upon the Department's review, DOT offers no objection to the vacation of the drainage and utility easement.

I trust this letter responds to your inquiry, and should you have any questions please do not hesitate to contact me.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson
Right-of-way Supervisor

Cc: Peter Eckenrode, Development Services Director
Terry Kelly, Utilities
Allen Davies, Division of Natural Resources
PTV File – Lehigh Acres – Carelli – Dixie Avenue

S:\DOCUMENT\petition To Vacate\2002\Dixie Avenue.doc



Florida Department of Transportation

JEB BUSH
GOVERNOR

THOMAS F. BARRY, JR.
SECRETARY

June 6, 2002

Helen Smith-Carelli
1305 Dixie Avenue
Lehigh Acres, Florida 33936

RE: Vacation of A Utility and/or Drainage Easement

Dear Ms Smith-Carelli:

Our staff has conducted a review of your request to vacate a 12-foot wide utility and/or drainage easement centered on the lot line common to Lots 15 and 16, Block 21, Unit 6 a subdivision of Lehigh Acres as recorded in Plat Book 252 Page 456, Public Records of Lee County, Florida. This same area was further referenced in your letter and highlighted map of May 28, 2002.

Based on this review, we offer "No Objections" to this vacation request.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Dunsford".

James W. Dunsford,
District R/W Administrator,
Property Management

JWD/jwd

cc: Scott Gilbertson, P.E. - Lee County
Walter McCarthy, P.E. - Lee County
Mike Rippe - FDOT
Tom Garcia - FDOT

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00038

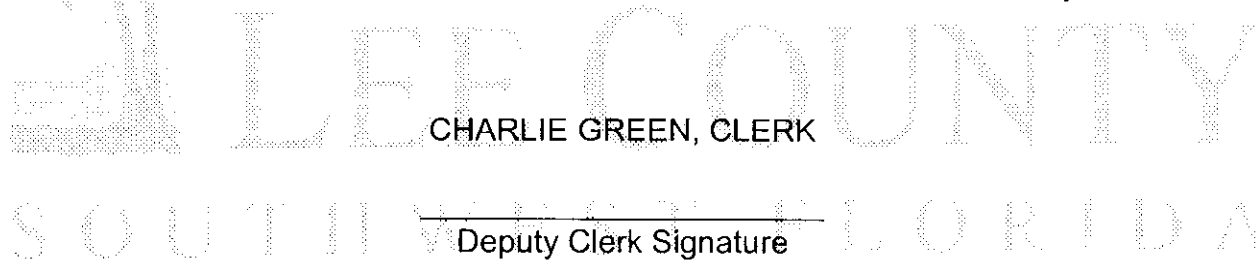
TO WHOM IT MAY CONCERN:

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 Public Utility Easement located on the common lot lines of lots 15 and 16, Block 21, Unit 6, Section 18, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof, on file in the office of the Clerk of Circuit Court, recorded in Deed Book 252, Page 456, and Plat Book 15, Page 22 of the Public Records of Lee County, Florida, less and except the east and west 6 feet thereof.

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: _____ VAC2002-00038**

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. _____ 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

A12 Foot Public Utility Easement located on the common lot lines of lots 15 and 16, Block 21, Unit 6, Section 18, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof, on file in the office of the Clerk of Circuit Court, recorded in Deed Book 252, Page 456, and Plat Book 15, Page 22 of the Public Records of Lee County, Florida, less and except the east and west 6 feet thereof.