



# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00062

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 13th day of May, 2003 @ 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:**

All of SCHULTE SOUTH TAMIAMI PARK Subdivision as recorded in Plat Book 5, Page 33, located in Section 28, Township 46 South, Range 25 East, Lee County, Florida.

### **LESS and EXCEPT the following:**

All of Second Street.

All of Tamiami Trail.

That portion of Logan Avenue adjacent to and between Lots 13 through 17 of Block O and Lots 8 through 12 of Block N.

That portion of an unnamed twenty-foot (20') wide alley along the South side of Lots 13 through 17 of Block N.

Lots 1 through 13 of Block D.

Lots 13 through 17 of Block O.

Lots 8 through 17 of Block N.

**Exhibit A**

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE Case Number: VAC2002-00062**

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. VAC2002-00062 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:**

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Lots 8 through 17 of Block N.

**Exhibit A**

PETITION TO VACATE

PIECE ONE OF THREE

Case Number: VAC 2002-00062

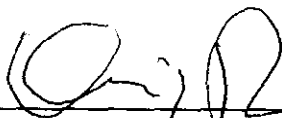
Petitioner(s), Dwight S. Baird, Jr., Trustee  
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 6309 Corporate Court, Fort Myers, FL 33919.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted,

By: \_\_\_\_\_  
Petitioner Signature  
  
\_\_\_\_\_  
Printed Name

By:   
Petitioner Signature  
DWIGHT S. BAIRD, JR., TRUSTEE  
Printed Name

VAC 2002-00062

PETITION TO VACATE

Proceeding of 11/13/02

Case Number: VAC 2002-0062

Petitioner(s), Marbella Estates, Ltd.

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, c/o Boulder Venture, 4340 West Hillsborough Avenue, Suite 212, Tampa, Florida 33614
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted,

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

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

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

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

BY: MARBELLA ESTATES, LTD.

BY: KB Investment Holdings, Ltd., a Florida limited partnership, as General Partner of Marbella Estates, Ltd., a Florida limited partnership

BY: Robert E. Schmidt, Jr.  
ROBERT E. SCHMIDT, JR.

ITS: General Partner

11/13/02 11:58:02

PETITION TO VACATE

PAGE THREE of THREE

Case Number: VAC 2002-00062

Petitioner(s), Nola P. Boomer, John H. Boomer, Jorgine D. Boomer 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, c/o Guy R. Strayhorn, Esq., P. O. Box 1288, Fort Myers, FL, 33902
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: *Nola P. Boomer*  
Petitioner Signature

Nola P. Boomer  
Printed Name

By: *John H. Boomer*  
Petitioner Signature

John H. Boomer  
Printed Name

By: *Jorgine D. Boomer*  
Petitioner Signature

Jorgine D. Boomer  
Printed Name



## **LEGAL DESCRIPTION:**

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### **LESS and EXCEPT the following:**

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Lots 1 through 13 of Block D.

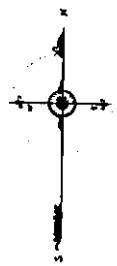
Lots 13 through 17 of Block O.

Lots 8 through 17 of Block N.

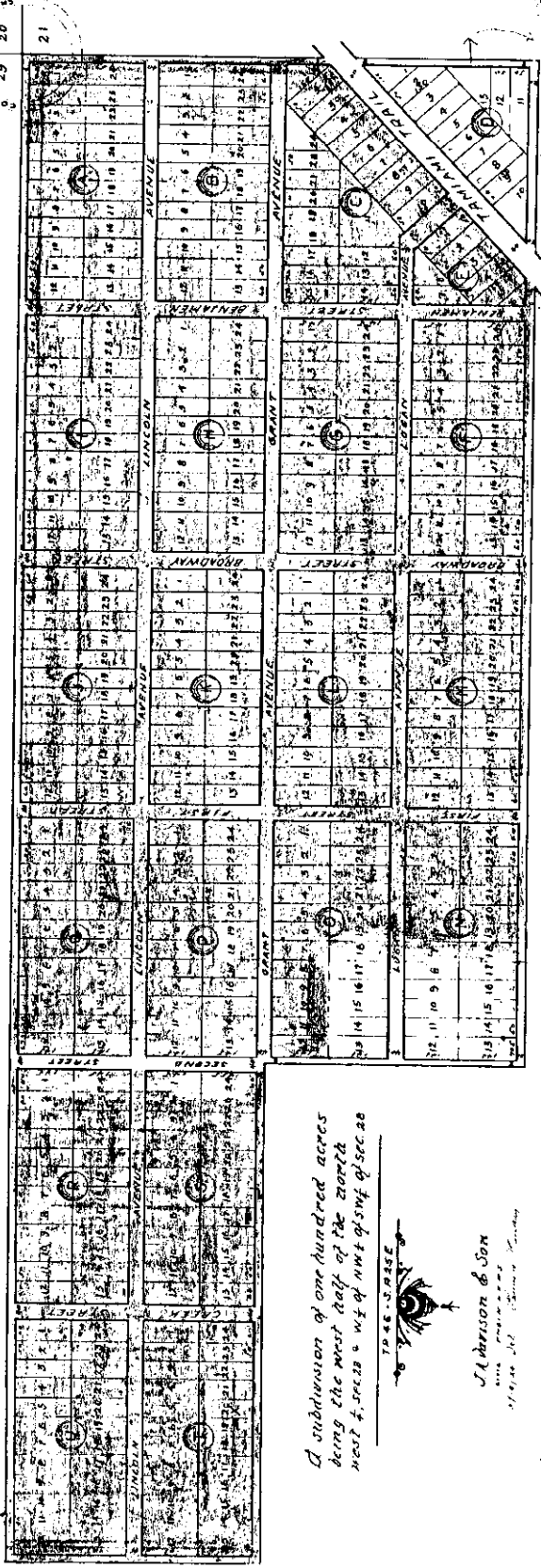
**Exhibit A**

VAC2002-00062

# SCHULTE TAMIAMI PARK



ORIGINAL SCALE 200 FEET TO AN INCH  
THIS SHEET INT.



A subdivision of one hundred acres  
being the west half of the north  
west 4, sec 20 a w 1/4 of nwt 1/4 of sec 20



J. Johnson & Son  
Surveyors  
1714 N. W. 1st St. Tampa, Florida

No. 28854  
FILED IN THE OFFICE OF THE  
Clerk of the Circuit Court,  
LEE COUNTY, FLA.  
On this 1st day of Feb.  
1924  
J. E. Johnson  
Clerk of the Circuit Court  
Tampa, Florida

■ To be vacated

**Real Property Information**

Account	Tax Year	Status
28-46-25-01-00001.0030	2002	PAID
Original Account	Book/Page	
28-46-25-01-00001.0030	2809/1987	
Physical Address	Mailing Address	
BAIRD DWIGHT S JR TR NEEDS ACCESS CONFIRMED FORT MYERS FL 33928	BAIRD DWIGHT S JR TR 6309 CORPORATE CT STE 100 FORT MYERS FL 33919 USA	
Legal Description	PARL LOC IN THE NW 1/4 OF THE NW 1/4 AS DESC IN OR 2809/1987	
<b>Total Amount Due as of 1/29/2003</b>	<b>\$0.00</b>	

**Real Property Information**

Account	Tax Year	Status
28-46-25-01-00001.0020	2002	PAID
Original Account	Book/Page	
28-46-25-01-00001.0020	2689/2452	
Physical Address	Mailing Address	
BAIRD DWIGHT S JR TR NEEDS ACCESS CONFIRMED ESTERO FL 33928	BAIRD DWIGHT S JR TR 6309 CORPORATE CT STE 100 FORT MYERS FL 33919 USA	
Legal Description	SCHULTES TAMIAMI PARK PB5 PG33 LOT F+PT OF LTS C E G H+K L + M	
<b>Total Amount Due as of 1/29/2003</b>	<b>\$0.00</b>	

**Real Property Information**

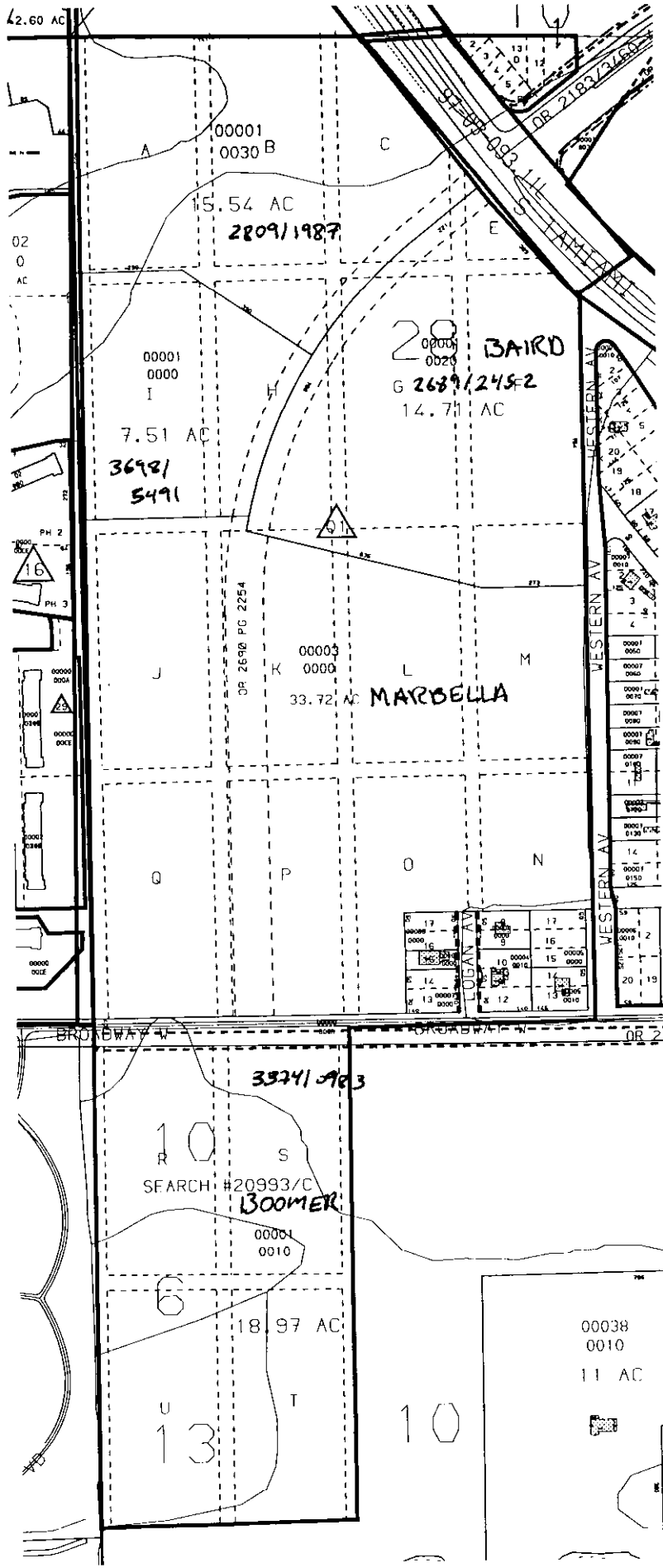
Account	Tax Year	Status
28-46-25-01-00001.0000	2002	PAID
Original Account	Book/Page	
28-46-25-01-00001.0000	3698/5491	
Physical Address	Mailing Address	
MARBELLA ESTATES LTD ACCESS UNDETERMINED ESTERO FL 33928	MARBELLA ESTATES LTD 26811 SOUTH BAY DR STE 350 BONITA SPRINGS FL 34134 USA	
Legal Description	SCHULTES TAMIAMI PARK PB5 PG33 OR1852/2926 LES OR1925/1325+PT OR2689/2452	
<b>Total Amount Due as of 1/29/2003</b>	<b>\$0.00</b>	

**Real Property Information**

Account	Tax Year	Status
28-46-25-01-00003.0000	2002	PAID
Original Account	Book/Page	
28-46-25-01-00003.0000	3698/5491	
Physical Address	Mailing Address	
MARBELLA ESTATES LTD 3800 BROADWAY W ESTERO FL 33928	MARBELLA ESTATES LTD 26811 SOUTH BAY DR STE 350 BONITA SPRINGS FL 34134 USA	
Legal Description	SCHULTES TAMIAMI PK PB5/33 PAR IN NE1/4 OR1925/1325 LES PT OR 2689/2452	
<b>Total Amount Due as of 1/29/2003</b>	<b>\$0.00</b>	

**Real Property Information**

Account	Tax Year	Status
28-46-25-01-00001.0010	2002	PAID
Original Account	Book/Page	
28-46-25-01-00001.0010	3374/983	
Physical Address	Mailing Address	
BOOMER NOLA P 2/3 INT BOOMER JOHN H 1/6 INT BOOMER JORGINE D 1/6 INT 3971 BROADWAY W ESTERO FL 33928	BOOMER NOLA P 2/3 INT BOOMER JOHN H 1/6 INT BOOMER JORGINE D 1/6 INT FOWLER'S MILL RD P O BOX 201 CHOCORUA NH 03817 USA	
Legal Description	SHULTES TAMIAMI PARK PB 5 PG 33 ALL BLOCKS RST+U LESOR2706/2524	
<b>Total Amount Due as of 1/29/2003</b>	<b>\$0.00</b>	



19.50 Recording  
9032.10 Documentary Stamps

Property Appraiser's  
Parcel Identification No. Part of 28-48-28-01-00001.0000

Prepared by:  
Harvey B. Goldberg, Esquire  
GOLDBERG, GOLDSTEIN & BUCKLEY, P.A.  
P. O. BOX 2346  
FORT MYERS, FLORIDA 33902-2346  
328-988

1.0020

3935792

DR2689 P62452

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY J. TURNER, D.C.

[Space above this line for recording data.]

WARRANTY DEED (STATUTORY FORM - SECTION 689.02, F.S.)

THIS INDENTURE, made this 26th day of March, 1996, Between LOUIS JOSEPH, INDIVIDUALLY AND AS TRUSTEE OF THE U.S. 41 TRUST DATED MARCH 19, 1988, with full power and authority to protect, conserve, and to sell, or to lease or to encumber, or to otherwise manage and dispose of the real property described herein, as GRANTOR\*, whose address is 1630 Medical Lane Suite C, Fort Myers, Florida 33916, and DWIGHT S. BAIRD, JR., Trustee, with full power and authority to protect, conserve and to sell, or to lease or to encumber, or to otherwise manage and dispose of the property described herein, as GRANTEE\*, whose address is 1342 Colonial Boulevard, Building E, Suite 38, Fort Myers, Florida 33907;

WITNESSETH that said Grantor, for and in consideration of the sum of TEN AND NO/100'S 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 Grantee's heirs and assigns forever, the following described land, situate, lying and being in LEE County, Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

THIS IS NOT NOW, NOR HAS IT EVER BEEN, HOMESTEAD PROPERTY OF GRANTOR, HIS SPOUSE OR FAMILY, NOR IS IT ADJACENT THERETO.

SUBJECT TO easements, restrictions and reservations of record, and property taxes for the current year.

Documentary Tax Pd. \$ 9032.10  
Intangible Tax Pd.  
\$ CHARLIE GREEN, CLERK, LEE COUNTY  
By *[Signature]* Deputy Clerk

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

\*GRANTOR\* and \*GRANTEE\* are used for singular or plural, as context requires.

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

Signed, sealed and delivered in our presence:

*[Signature]*  
Signature of Witness LOUIS JOSEPH, Individually and as Trustee of U.S. 41 Trust dat March 19, 1988  
Print Name LOUIS JOSEPH

*[Signature]*  
Signature of Witness  
Print Name JANE E. HUTCHINGS

STATE OF FLORIDA; COUNTY OF LEE

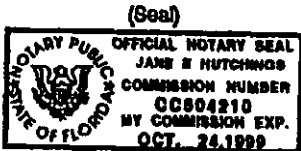
The foregoing instrument was acknowledged before me this \_\_\_ day of MARCH, 1996, by LOUIS JOSEPH, Individually and as Trustee U.S. 41 Trust dated March 19, 1988.

who is/are personally known to me, or

who produced \_\_\_\_\_ as identification.

My commission expires:

*[Signature]*  
NOTARY PUBLIC  
Print Name: JANE E. HUTCHINGS



MC2002 0006

RECEIVED

DEC 12 2002

COMMUNITY DEVELOPMENT

97 APR -4 PM 4:42

EXHIBIT "A"

DESCRIPTION OF A PARCEL  
LYING IN SECTION 28, T-46-S, R-25-E,  
LEE COUNTY, FLORIDA

(PARCEL "A")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PART OF SCHULTE SOUTH TAMiami PARK, A SUBDIVISION AS RECORDED IN PLAT BOOK 5 AT PAGE 33, LEE COUNTY PUBLIC RECORDS, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 28, THENCE S 89°11'12"E. ALONG THE NORTH LINE OF SAID SECTION AND SAID SUBDIVISION, FOR 741.32 FEET, THENCE S 37°10'00"E., ALONG THE EAST RIGHT OF WAY LINE OF TAMiami TRAIL (U.S. 41), FOR 474.92 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2932.79 FEET, A CENTRAL ANGLE OF 01°17'48", A CHORD BEARING OF S 37°48'53"E AND A CHORD LENGTH OF 66.37 FEET, THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE, AN ARC LENGTH OF 66.37 FEET TO THE END OF SAID CURVE, THENCE S 51°13'40"W, FOR 221.33 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1240.00 FEET, A CENTRAL ANGLE OF 18°32'30", A CHORD BEARING OF S 41°57'25"W AND A CHORD LENGTH OF 399.53 FEET, THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 401.28 FEET TO THE END OF SAID CURVE; THENCE N 55°57'53"W, FOR 390.39 FEET, THENCE S 89°09'41"W, FOR 296.00 FEET, THENCE N 00°50'19"W, ALONG THE WEST LINE OF SAID SECTION AND SAID SUBDIVISION, FOR 663.02 FEET TO THE POINT OF BEGINNING

PARCEL CONTAINS 647505 SQUARE FEET OR 14.86 ACRES, MORE OR LESS

BEARINGS ARE BASED ON THE NORTH LINE OF SAID SECTION 28 AS BEARING N. 89°11'12"E

SAID PARCEL SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD

DR2809 PG1988

17  
D

FILED IN THE PUBLIC RECORDS OFFICE OF LEE COUNTY, FLORIDA

Parcel Identification No:  
28-46-25-01-00003.0000  
This Instrument Prepared By  
and Return to:  
MICHAEL J. CICCARONE, ESQ.  
GOLDSTEIN, BUCKLEY, CECHMAN, RICE & PURTZ, P.A.  
1515 Broadway  
Fort Myers, Florida 33901

INSTR # 5525733  
OR BK 03698 PG 5490  
RECORDED 08/02/2002 04:45:57 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DEED DOC B.70  
DEPUTY CLERK C Keller

### QUITCLAIM DEED

This Quitclaim Deed, made this 2<sup>ND</sup> day of August 2002, between Louis Joseph, individually and as Trustee, of U.S. 41 Trust, dated March 19, 1986 whose address is 1630 Medical Lane, Suite C, Fort Myers, Florida 33907, Grantor, and Marbella Estates, Ltd., a Florida Limited Partnership, whose address is 26811 South Bay Drive, Suite 350, Bonita Springs, Florida 34134, Grantee.

Witnesseth, that the Grantor, for and in consideration of the sum of -----TEN & NO/100 (\$10.00)-----DOLLARS, and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and quitclaimed to the said Grantee and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the County of LEE, State of Florida, to-wit:

All of Blocks H through G, and all of those streets, right of ways, and interest of Grantor known as Lincoln Avenue, Grant Avenue, Logan Avenue, Western Avenue, Broadway Street, First Street and Benjamin Street, as per plat of Schulte Tamiami Park, as recorded in Plat Book 5, Page 33, of the Public Records of Lee County, Florida.

SUBJECT TO easements, restrictions, and reservations of record, if any, and property taxes for the current year.

The property is not the Homestead of Grantor. Grantor resides at 1335 Florida Avenue, Fort Myers, Florida 33901.

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, for the use, benefit and profit of the said Grantee forever.

In Witness Whereof, the Grantor has hereunto set his/her hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness #1 Signature

Witness #1 Printed Name

Witness #2 Signature

Witness #2 Printed Name

Louis Joseph  
Louis Joseph, individually and as Trustee of  
U.S. 41 Trust dated March 19, 1986  
1630 Medical Lane, Suite C, Fort Myers, Florida  
33907

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was sworn to, subscribed and acknowledged before me this 2<sup>ND</sup> day of August 2002, by Louis Joseph, individually and as Trustee, of U.S. 41 Trust dated March 19, 1986, who is personally known to me or who has produced \_\_\_\_\_ as identification.

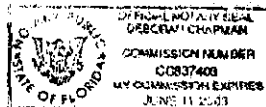
SEAL

Notary Signature

Printed Notary Signature

My Commission Expires:

Our File # 020619



170  
20  
22  
21

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

THIS INSTRUMENT PREPARED BY AND RETURN TO:  
Michael J. Ciccarone, Esquire  
GOLDSTEIN, BUCKLEY, CECHMAN, RICE & PURTZ, P.A.  
1515 Broadway  
Fort Myers, Florida 33901  
Property Appraisers Parcel Identification (Folio) Numbers: 28-46-2-  
Space Above This Line For Recording Data

INSTR # 5525734  
OR BK 03698 PG 3491  
RECORDED 08/02/2002 04:45:57 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEPUTY CLERK C Keller

THIS WARRANTY DEED, made the 2nd day of August, 2002 by **Louis Joseph**, individually and as Trustee of U.S. 41 Trust, dated March 19, 1986, whose post office address is 1630 Medical Lane Suite C, Fort Myers, Florida 33907, herein called the Grantor, to **Marbella Estates, Ltd.**, a Florida Limited Partnership whose post office address is 26811 South Bay Drive, Suite 350, Bonita Springs, Florida 34134, hereinafter called the Grantee:  
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars 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, State of Florida, viz.:

SEE EXHIBIT 'A' ATTACHED HERETO

SUBJECT TO easements, restrictions, and reservations of record, if any, and property taxes for the current year.

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.

The property is not the Homestead of Grantor. Grantor resides at 1335 Florida Avenue, Fort Myers, Florida 33901.

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2001.

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

Signed, sealed and delivered in the presence of:

*Deborah Chapman*  
Witness #1 Signature

*Louis Joseph, Trustee*  
Louis Joseph, individually and as Trustee of  
U.S. 41 Trust, dated March 19, 1986

*Deborah Chapman*  
Witness #1 Printed Name

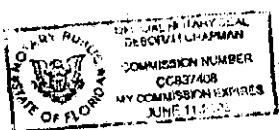
*Linda R. Mintz*  
Witness #2 Signature

LINDA R. MINTZ  
Witness #2 Printed Name

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was sworn to, subscribed and acknowledged before me this 2nd day of August, 2002 by Louis Joseph, individually and as Trustee of U.S. 41 Trust, dated March 19, 1986, who is personally known to me or has produced \_\_\_\_\_ as identification.

SEAL



*Deborah Chapman*  
Notary Public  
*Deborah Chapman*  
Printed Notary Name

My Commission Expires:



## Exhibit "A"

Legal Description for File No.: 020619

### DESCRIPTION:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PART OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2600, PAGE 157, LEE COUNTY PUBLIC RECORDS, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 28; THENCE S.00°49'31"E., ALONG THE WEST LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 28, FOR 663.02 FEET TO THE POINT OF BEGINNING; THENCE N.89°10'29"E. ALONG THE SOUTHERLY LINE OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2809, PAGE 1987, SAID PUBLIC RECORDS (BEING IDENTICAL TO THE LINE DESCRIBED AS BEARING S.89°09'41"W. IN SAID OFFICIAL RECORDS BOOK 2809, PAGE 1987), FOR 296.00 FEET; THENCE S.55°57'04"E. ALONG SAID SOUTHERLY LINE (BEING IDENTICAL TO THE LINE DESCRIBED AS BEARING N.55°57'53"W. IN SAID OFFICIAL RECORDS BOOK 2809, PAGE 1987), FOR 390.39 FEET TO A POINT ON A CURVE TO THE LEFT, HAVING: A RADIUS OF 1240.00 FEET, A CENTRAL ANGLE OF 22°46'34", A CHORD BEARING OF S.21°18'42"W. AND A CHORD LENGTH OF 489.68 FEET; THENCE ALONG THE ARC OF SAID CURVE, BEING THE CENTERLINE OF A 100 FOOT WIDE INGRESS-EGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 2690, PAGE 2254, SAID PUBLIC RECORDS, AN ARC LENGTH OF 492.92 FEET TO THE END OF SAID CURVE; THENCE S.75°56'50"E. ALONG THE SOUTHERLY LINE OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2689, PAGE 2452, SAID PUBLIC RECORDS (BEING IDENTICAL TO THE LINE DESCRIBED AS BEARING N.75°57'39"W. IN SAID OFFICIAL RECORDS BOOK 2689, PAGE 2452), FOR 635.05 FEET; THENCE N.89°16'23"E. ALONG SAID SOUTHERLY LINE (BEING IDENTICAL TO THE LINE DESCRIBED AS BEARING S.89°15'35"W. IN SAID OFFICIAL RECORDS BOOK 2689, PAGE 2452), FOR 273.18 FEET; THENCE S.00°43'37"E. ALONG THE BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2600, PAGE 157, FOR 867.94 FEET; THENCE S.89°29'11"W. ALONG SAID BOUNDARY, FOR 493.95 FEET; THENCE S.00°46'43"E. ALONG SAID BOUNDARY, FOR 255.52 FEET TO THE NORTHERLY LINE OF BROADWAY, A 50.00 FEET WIDE ROADWAY AS DESCRIBED IN COUNTY COMMISSIONERS MINUTES BOOK 6, PAGES 20 AND 24, SAID PUBLIC RECORDS; THENCE S.89°49'00"W. ALONG SAID NORTHERLY LINE, PARALLEL WITH AND 25.00 FEET NORTHERLY OF (AS MEASURED ON A PERPENDICULAR) THE EAST-WEST ONE QUARTER SECTION LINE OF SAID SECTION 28, FOR 823.11 FEET; THENCE N.00°49'31"W. ALONG SAID WEST LINE OF THE NORTHWEST ONE QUARTER OF SECTION 28, FOR 1951.88 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,800,085 SQUARE FEET OR 41.32 ACRES, MORE OR LESS.

PARCEL SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE N.W.1/4 OF SECTION 28-46-25 AS BEARING S.00°49'31"E (NORTH AMERICAN DATUM OF 1983/1990 DATUM).

Guy R. Strayhorn  
STRAYHORN & STRAYHORN, Attorneys  
P. O. Box 1289, Fort Myers, Florida

executive line

2241845

# This Indenture,

Whenever used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties hereto. The use of the singular number shall include the plural, and the plural the singular. The use of any gender shall include all genders, and, if used, the term "note" shall include all the notes hereinafter mentioned if more than one.

Made this 5th day of November A. D. 19 86.

Between JOHN H. BOOMER, Ancillary Personal Representative of the Estate of Joan M. Boomer, deceased, Lee County Probate No. 83-1046, Lee County, Florida.

of the County of Cumberland and State of Maine party of the first part, and

JORGINE D. BOOMER, as to a one-half undivided interest, and JOHN H. BOOMER, as to a one-half undivided interest, as tenants in common,

of the County of Cumberland and State of Maine party of the second part.

Witnesseth, that the said party of the first part, for and in consideration of the sum of Ten and 00/100 Dollars, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto the said party of the second part all that certain parcel of land lying and being in the County of Lee, and State of Florida, more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED

Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining:

To Have and to Hold the same in fee simple forever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year above written.

Signed, Sealed and Delivered in Our Presence:

*Evelyn H.*  
*Loni Jade Aggarose*

(JHB) *Juan D. Boomer*



Charter address, Cp. Guy R. Strayhorn  
Strayhorn & Strayhorn  
P.O. Box 1289, Fort Myers, FL 33902

REC-190310-3221

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2002 0006

State of ~~Delaware~~ <sup>New York</sup>  
County of ~~CUMBERLAND~~ <sup>New York</sup>

I Herby Certify That on this 5<sup>th</sup> day of November  
A. D. 1986, before me personally appeared JOHN H. BOOMER, Ancillary  
Personal Representative of the Estate of Joan M. Boomer, deceased,  
Lee County Probate No. 83-1046, Lee County, Florida  
to me known to be the person described in and who executed the foregoing con-  
veyance to Jorgine D. Boomer as to a one-half undivided interest  
and John H. Boomer as to a one-half undivided interest as  
tenants in common and severally acknowledged  
the execution thereof to be his free act and deed for the uses and purposes  
therein mentioned.

Witness my signature and official seal at ~~Cape Elizabeth~~ <sup>New York N.Y.</sup>  
in the County of ~~Cumberland~~ <sup>New York</sup> and State of ~~Maine~~ <sup>New York</sup>, the day and  
year last aforesaid.

My Commission Expires 12/31/88 [Signature]  
Notary Public

TONI JANE FRAG...  
NOTARY PUBLIC State of New York  
No. 476750  
Qualified in Albany  
Commission Expires 12/31/88

**RED**  
FEE SIMPLE

TO

Date

ABSTRACT OF DESCRIPTION

LEGAL DESCRIPTION

One-Third (1/3) interest in:

The East three quarters (E 3/4) of the North half (N 1/2) of the Southwest quarter (SW 1/4) of Section 28, Township 46 South, Range 25 East. AND, beginning at the Northwest (NW) corner of the SW quarter of the SW quarter of said section; thence East 1930 feet; thence South to the Estero River; thence Westerly along the meanders of said River to the West line of said section; thence North along the section line to the Point of Beginning, less that tract of land heretofore conveyed to George D. Boomer, the deed conveying same being of record in Deed Book 266 at Page 252, of the public records of Lee County, Florida. AND, that portion of the East half (E 1/2) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 29, Township 46 South, Range 25 East, lying North of the Estero River. AND, Blocks "R" "S" "U" and Lots One (1) through 19 inclusive, and Lots 21 through 24 inclusive, in Block "T", all in that certain subdivision known as SCHULTE SOUTH TAMIAMI PARK, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 5 at Page 33. AND, Blocks J, K, L, M, P, Q of SCHULTE TAMIAMI PARK, as recorded in Plat Book 5 at Page 33 of the public records of Lee County, Florida. AND Lots 1 through 7 inclusive, and Lots 18 through 24 inclusive of Block N of said subdivision and Lots 1 through 12 inclusive and Lots 18 through 24 inclusive in Block O of said subdivision. AND Blocks A, B, C, and E through I inclusive, less the right of way of the Tamiami Trail through Lots 1 to 6 inclusive in Block E, and through Lots 7 to 10 inclusive in Block C, and through Lots 4 to 10 inclusive in Block D, all in said subdivision. AND, Beginning at the Northwest corner of the Northwest quarter of the Southeast quarter of Section 28, Township 46 South, Range 25 East, thence East 660 feet; thence South 1155 feet, thence West 660 feet; thence North to the point of beginning.

LESS: that portion of the East half of the Southeast quarter of the Southeast quarter, Section 29, Township 46 South, Range 25 East, lying North of Estero River.

LESS: All of Blocks A, B, C, E, F, G, H, I, J, K, L, M, N, D, P and Q, EXCEPT Lots 8 through 17, Block N, and EXCEPT Lots 13 through 17, Block O, SCHULTE SOUTH TAMIAMI PARK SUBDIVISION as recorded in Plat Book 5, Page 33; a parcel of land lying in the West 1/2 of the Northwest 1/4 of Section 28, Township 46 South, Range 25 East, Lee County, Florida. Together with all roads and alleys lying between or adjacent to all of the aforementioned blocks; LESS the right-of-way of Tamiami Trail through Lots 1-10, inclusive, Block C, and through Lots 1-6, inclusive, Block E, and through Lot 24, Block F.

SUBJECT TO Agreement dated May 25, 1965, between George D. Boomer and Joan M. Boomer recorded in O. R. Book 1883, Page 2884, Public Records of Lee County, Florida.

SUBJECT TO Decree dated August 30, 1965, recorded at O. R. Book 1883, Page 2880, Public Records of Lee County, Florida.

REC 1903PG3229

MAR 13 3 38 PM '67

CLERK OF CIRCUIT COURT  
LEE COUNTY, FLA.

REGISTERED BY RECORDER

THIS INSTRUMENT PREPARED BY  
Guy R. Strayhorn  
STRAYHORN & STRAYHORN  
P.O. Box 1288  
Fort Myers, Florida 33902

executive line

2241846

# This Indenture

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto, the use of the singular number shall include the plural, and the plural the singular, the use of any gender shall include all genders, and, if used, the term "note" shall include all the notes hereto described of more than one

Made this 18 day of February A. D. 1987  
Between

GEORGE D. BOOMER, JOHN H. BOOMER and JORGINE D. BOOMER

of the County of  
New York and State of New York party of the first part,  
and GEORGE D. BOOMER, as to an undivided 2/3 interest, JOHN H.  
BOOMER, as to an undivided 1/6 interest, and JORGINE D. BOOMER,  
as to an undivided 1/6 interest, as tenants in common

of the County of  
New York and State of New York party of the second part,  
**Witnesseth**, that the said party of the first part, for and in consideration of  
the sum of Ten and 00/100----- Dollars,  
in hand paid by the said party of the second part, the receipt whereof is hereby acknowl-  
edged, has remised, released and quitclaimed, and by these presents does remise,  
release and quitclaim unto the said party of the second part all the right, title, interest  
claim and demand which the said party of the first part has in and to the following  
described lot, piece or parcel of land, situate lying and being in the County of  
Lee State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED

50

The above-described property is not the homestead of the grantors herein nor is it contiguous to the homestead of the grantors.

**To Have and to Hold** the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

**In Witness Whereof**, the said party of the first part has hereunto set his hand and seal the day and year first above written.  
Signed, Sealed and Delivered in Our Presence:

*[Signatures]*  
(GDB) *[Signature]*  
(JHB) *[Signature]*  
(JDB) *[Signature]*

State of ~~Florida~~ New York  
County of New York

I HEREBY CERTIFY, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,

GEORGE D. BOOMER

to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at New York  
County of New York and State of New York this 18th  
day of Feb. A. D. 1987.

*[Signature]*  
Notary Public  
My Commission Expires 1/30/87

Grantor address  
c/o Guy R. Strayhorn  
Strayhorn & Strayhorn  
P.O. Box 1288  
Fort Myers FL 33902

OFF: 903 PG 3 23C

2007 00067  
100200 000

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COMMUNITY DEVELOPMENT

STATE OF MAINE  
COUNTY OF CUMBERLAND

OFF REC : 903PG3231

I HEREBY CERTIFY, that on this day personally appeared before me,  
an officer duly authorized to administer oaths and take acknowledgments,

JOHN H. BOOMER

to me well known to be the person described in and who executed the  
foregoing instrument and he acknowledged before me that he executed  
the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Cape Elizabeth, County  
of Cumberland, State of Maine, this 14 day of February, 1987.

*David S. Waite*  
Notary Public

My Commission Expires DECEMBER 1 1992  
DAVID S. WAITE  
NOTARY PUBLIC, MAINE  
COMMISSION EXPIRES DECEMBER 1 1992

STATE OF NEW YORK  
COUNTY OF NEW YORK

I HEREBY CERTIFY, that on this day personally appeared before me,  
an officer duly authorized to administer oaths and take  
acknowledgments,

JORGINE D. BOOMER

to me well known to be the person described in and who executed the  
foregoing instrument and she acknowledged before me that she  
executed the same freely and voluntarily for the purposes therein  
expressed.

WITNESS my hand and official seal at New York, County of  
New York, State of New York, this 14 day of February, 1987.

TONI JANE FRAGAPANE  
NOTARY PUBLIC, State of New York  
No 4767159  
Qualified in Dutchess County  
Commission Expires 6/30/88

*Toni Jane Fragapane*  
Notary Public

My Commission Expires: 6/30/88

**Quit-Claim-Deed**

TO

Date

MAR 13 3 33 PM '87

## LEGAL DESCRIPTION

The East three quarters (E 3/4) of the North half (N 1/2) of the Southwest quarter (SW 1/4) of Section 28, Township 46 South, Range 25 East. AND, beginning at the Northwest (NW) corner of the SW quarter of the SW quarter of said section; thence East 1930 feet; thence South to the Estero River; thence Westerly along the meanders of said River to the West line of said section; thence North along the section line to the Point of Beginning, less that tract of land heretofore conveyed to George D. Boomer, the deed conveying same being of record in Deed Book 266 at Page 252, of the public records of Lee County, Florida. AND, that portion of the East half (E 1/2) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 29, Township 46 South, Range 25 East, lying North of the Estero River. AND, Blocks "R" "S" "U" and Lots One (1) through 19 inclusive, and Lots 21 through 24 inclusive, in Block "T", all in that certain subdivision known as SCHULTE SOUTH TAMIAMI PARK, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 5 at Page 33. AND, Blocks J, K, L, M, P, Q of SCHULTE TAMIAMI PARK, as recorded in Plat Book 5 at Page 33 of the public records of Lee County, Florida. AND Lots 1 through 7 inclusive, and Lots 18 through 24 inclusive of Block N of said subdivision and Lots 1 through 12 inclusive and Lots 18 through 24 inclusive in Block O of said subdivision. AND Blocks A, B, C, and E through I inclusive, less the right of way of the Tamiami Trail through Lots 1 to 6 inclusive in Block E, and through Lots 7 to 10 inclusive in Block C, and through Lots 4 to 10 inclusive in Block D, all in said subdivision. AND, Beginning at the Northwest corner of the Northwest quarter of the Southeast quarter of Section 28, Township 46 South, Range 25 East, thence East 660 feet; thence South 1155 feet, thence West 660 feet; thence North to the point of beginning.

LESS: that portion of the East half of the Southeast quarter of the Southeast quarter, Section 29, Township 46 South, Range 25 East, lying North of Estero River.

LESS: All of Blocks A, B, C, E, F, G, H, I, J, K, L, M, N, O, P and Q, EXCEPT Lots 8 through 17, Block N, and EXCEPT Lots 13 through 17, Block O, SCHULTE SOUTH TAMIAMI PARK SUBDIVISION as recorded in Plat Book 5, Page 33; a parcel of land lying in the West 1/2 of the Northwest 1/4 of Section 28, Township 46 South, Range 25 East, Lee County, Florida. Together with all roads and alleys lying between or adjacent to all of the aforementioned blocks; LESS the right-of-way of Tamiami Trail through Lots 1-10, inclusive, Block C, and through Lots 1-6, inclusive, Block E, and through Lot 24, Block F.



INSTR # 5079170  
OR BK 03374 PG 0983

Parcel ID Number(s) 28-46-25-00-00038 0000  
28-46-25-00-00038 0020  
28-46-25-01-00001 0010

RECORDED 03/08/01 02:49 PM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DOC TAX PD 1%, S. 201, OF 0.70  
DEPUTY CLERK M. Cartwright

THIS INSTRUMENT PREPARED BY  
AND TO BE RETURNED TO  
Guy R. Strayhorn  
STRAYHORN & STRAYHORN  
Post Office Box 1288  
Fort Myers, Florida 33902

**PERSONAL REPRESENTATIVE'S DISTRIBUTIVE DEED**  
(Testate)

THIS INDENTURE is made this 8th day of March, 2001, by and between Nola P. Boomer, the duly qualified and acting Ancillary Personal Representative of the Estate of George D. Boomer, deceased, party of the first part, and Nola P. Boomer, whose post office address is P. O. Box 201, Fowler's Mill Rd., Chocoma, NH 03817, party of the second part

**WITNESSETH**

That WHEREAS, George D. Boomer died testate a resident of Carroll County, New Hampshire, on July 7, 1999, seized and possessed of the real property hereinafter described, and

WHEREAS, title to said property passed to the party of the second part as of the date of said decedent's death pursuant to the provisions of the decedent's Last Will and Testament, which was admitted to probate and record by the Circuit Court for Lee County, Florida, Probate Division, in Case No. 00-2178 CP, subject only to the party of the first part to sell or encumber the property for the purpose of defraying claims, costs, and expenses of administration of decedent's estate, and

WHEREAS, the party of the first part wishes to distribute said property to the party of the second part and evidence the release of the property from said right to sell or encumber.

NOW, THEREFORE, in consideration of the foregoing and in connection with the distribution of the estate of said decedent, the party of the first part has released to the party of the second part the right to sell or encumber said property and granted, conveyed, and confirmed unto the party of the second part, her heirs and assigns forever, all of the interest of said decedent in and to the real property situated in Lee County, Florida, described as follows:

**AN UNDIVIDED 2/3 INTEREST IN AND TO THE FOLLOWING REAL PROPERTY:**

Blocks "R", "S", "T", and "U", all in that certain subdivision known as SCHULTE SOUTH TAMiami PARK, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 5, at page 33, Together with all roads and alleys lying between or adjacent to all of the aforementioned blocks;

AND, Beginning at the Northwest corner of the Northwest quarter of the Southeast Quarter of Section 28, Township 46 South, Range 25 East, thence East 660 feet; thence South 1155 feet; thence West 660 feet; thence North to the point of beginning.

AND, the East three quarter (E 3/4) of the North half (N1/2) of the Southwest quarter (SW 1/4) of Section 28 Township 46 South, Range 25 East.

AND, beginning at the Northwest (NW) corner of the SW quarter of the SW quarter of said section; thence East 1930 feet; thence South to the Estero River; thence Westerly along the meanders of said River to the West line of said section; thence North along the section line to the Point of Beginning.

LESS: that tract of land heretofore conveyed to George D. Boomer, the deed conveying same being of record in Deed Book 266 at Page 252, of the Public Records of Lee County, Florida and said tract of land being described as follows: Beginning at a point on the fractional line which is 310 feet West of the Southeast corner of the Northeast Quarter (NE1/4), of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4), of Section 28, Township 46 South, Range 25 East; thence East along the fractional line, a distance of 786.23 feet; thence South parallel to the Centerline of the Southwest Quarter (SW 1/4), a distance of 413 feet; thence West parallel to Centerline of Southwest Quarter (SW 1/4) a

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distance of 319.30 feet; thence South parallel to Centerline of Southwest Quarter (SW 1/4), a distance of 380 feet, more or less, to the Estero River; thence Westerly along the meanders of the Estero River, a distance of 500 feet, more or less, to a point which is South of the Point of Beginning, thence North parallel to the Centerline of the Southwest Quarter (SW 1/4), a distance of 785 feet, more or less, to the Point of Beginning, containing 11.38 acres, more or less, in the Southwest Quarter (SW 1/4), of Section 28, Township 46 South, Range 25 East, Lee County, Florida, together with all riparian rights thereunto belonging. Together with a perpetual easement for purposes of ingress and egress over and on a strip of land running East therefrom on which a road is now constructed. Containing 11.62 acres more or less.

LESS: A strip of land being a portion of a parcel or tract of land recorded in Official Records Book 1903, Page 3230, Public Records of Lee County, Florida, lying South of the North line of the South half (S1/2) of Section 28, Township 46 South, Range 25 East, the Northerly and Southerly lines of said strip of land extending and shortening from the West line of the Southwest quarter (SW1/4) of Section 28, Township 46 South, Range 25 East and the Westerly right of way of U.S. 41, (S.R. 45). Said strip of land being described as follows:

Commencing at the point of beginning at the Northwest corner of the Southwest quarter (SW1/4) of Section 28, Township 46 South, Range 25 East, Lee County, Florida; thence run S00°02'59" along the West line of said Southwest quarter (SW1/4) of Section 28 for 43.20 feet; thence run S89°18'56"E for 3,217.97 feet to a point on the Westerly right of way line of U.S. 41 (S.R. 45) and to which a radial line bears N81°41'40"E; thence run Northerly along said westerly right of way line and a non-tangent curve to the left of radius 1,569.02 feet having for its elements a central angle 02°05'37", chord bearing N09°21'10"W chord distance 57.33 feet for a distance of 57.33 feet to a point on the North line of the South half (S1/2) of aforesaid Section 28 and to which a radial line bears N79°36'04"E; thence run N89°33'35"W along said North line for 3,208.56 feet to the point of beginning, containing 3.6759 acres more or less.

Bearings mentioned hereinabove are based on the North line of the South half (S1/2) of Section 28, Township 46 South, Range 25 East as bearing S89°33'35"E on an assumed meridian.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations, and easements of record, if any, and ad valorem taxes for the current year.

Because this deed is given to evidence the distribution of assets of a decedent's estate and involves the assumption of no mortgage, minimum state documentary stamps are affixed.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid

Signed, sealed and delivered in our presence

Sign Donna Strayhorn  
Donna Strayhorn

Nola P. Boomer  
Nola P. Boomer,  
as Ancillary Personal Representative of  
the Estate of George D. Boomer, deceased.

Sign Guy R. Strayhorn  
Guy R. Strayhorn

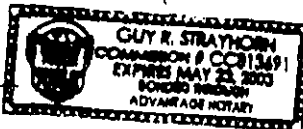
STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of March, 2001 by  
Nola P. Boomer

(SEAL)

Sign Guy R. Strayhorn  
Guy R. Strayhorn, NOTARY PUBLIC

My Commission expires  
Personally known , or Produced Identification   
Type of Identification Produced



**Petition to Vacate - VAC2002-00062**

**List of Affected Property Owners Notified**

Waco Wandle Watts, Trustee - STRAP#: 28-46-25-01-00009.0000  
& STRAP#: 28-46-25-01-00007.0000

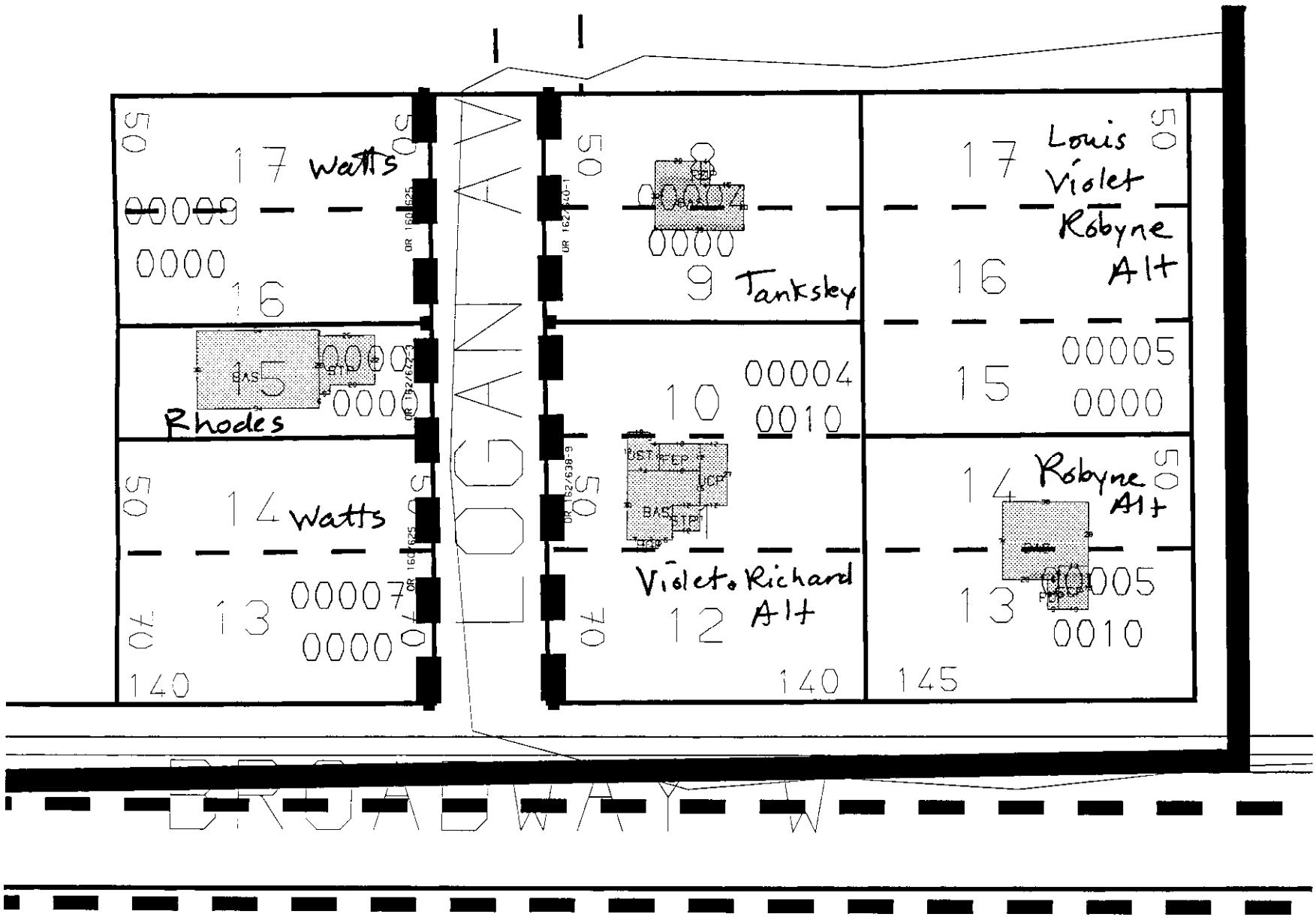
Jerry E. Rhodes - STRAP#: 28-46-25-01-00008.0000

Violet B. Alt - STRAP#: 28-46-25-01-00004.0010

Roger Tanksley - STRAP#: 28-46-25-01-00004.0000

Violet Alt and Louis Alt - STRAP#: 28-46-25-01-00005.0000

Robyne C. Alt - STRAP#: 28-46-25-01-00005.0010



LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 28 46 25 01 00009 0000  
 WATTS WACO WANDLE TR  
 FOR WACO WANDLE WATTS TRUST  
 2906 DORIS #B  
 ANCHORAGE  
 AK

DOR...: 00 VACANT RESIDENTIAL  
 LOC...:  
 LEGAL1: SCHULTES TAMIAMI PARK BLK  
 LEGAL2: O PB 5 PG 33 LOTS 16  
 LEGAL3: 17 LESS E 5 FT.

99517 N/R:  
 \*\*\* VALUES \*\*\* \*\* EX VALUES \*\*\*  
 JUST: 7,730 AG.:  
 ASSD: 7,730 HX.:  
 TXBL: 7,730 WID:  
 BLDG: 0 DIS:  
 LAND: 7,730 WLY:  
 NCST: 0 ENG:  
 PVAL: WDR:  
 SOH : DIFF:

HWDWXA  
 UNIT MEAS.: FF #UNITS...: 100.00  
 1ST TAX YR: 0 FRONTAGE: 100  
 YR SPLIT...: DEPTH...: 140  
 YR CREATED: 1900 E/I NUM.:  
 ENERGY CD.: S/D VAL.:  
 ENERGY YR.: S/D CODE:  
 APRVED BY.: DSC.....:  
 TAX DIST...: ZONING...: RS-1  
 PRIOR DOR.: PEND.....:  
 PRIOR STRP: 00-00-00-00-00000.0000

SITE: 20450 LOGAN AV 33928  
 # SALE PRICE D.O.S. BOOK PAGE TC VI PAGE: 2692 MAINT DATE  
 1: 100 02/00 3233 1846 04 V LINE: 370 SITE:  
 2: 8,000 03/79 1342 1200 02 V NAL.:  
 NBHD CODE: 461170 HIST DIST: N MAF.:  
 NBHD DESC: TRAILSIDE / TRAIL ACRES / TAMIAMI PARK PAV.:

# HENDERSON FRANKLIN

ATTORNEYS AT LAW • FOUNDED 1924

## HENDERSON, FRANKLIN, STARNES & HOLT, P.A.

1715 Monroe Street (33901)  
Post Office Box 280  
Fort Myers, FL 33902-0280

Telephone: (239) 334-4121  
Facsimile: (239) 334-4100

Island Medical & Business Center  
1648 Periwinkle Way, Suite B  
Sanibel, FL 33957

Telephone: (239) 472-6700  
Facsimile: (239) 472-5129

LAURIE H. ANTON  
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DOUGLAS B. SZABO  
RANDAL H. THOMAS  
GUY E. WHITESMAN

**Reply to Fort Myers Office:**

Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: [charles.basinait@henlaw.com](mailto:charles.basinait@henlaw.com)

August 8, 2002

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Waco Wandle Watts  
Waco Wandle Watts Trust  
2906 Doris Street B  
Anchorage, AK 99517

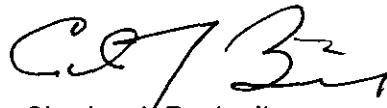
Re: Vacation of a Portion of Schulte's South Subdivision Located in  
Plat Book 5, Page 33, of the Public Records of Lee County, Florida  
Strap Numbers: 28-46-25-01-00001.0000; 28-46-25-01-00003.0000;  
and 28-46-25-01-00001.0010.

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If you have any questions, please feel free to contact me.

Very truly yours,



Charles J. Basinait

CJB:jma  
Enclosures

RECEIVED

DEC 12 2002

COMMUNITY DEVELOPMENT

160-200-0000

2. Article Number



7106 4575 1292 5034 7693

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:  
100 WINDY HILL  
100 WINDY HILL TRUST  
100 HORN STREET B  
ATLANTA, GA 30317

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
8-15-02

C. Signature  
x *[Signature]*  Agent  
 Addressee

D. Is delivery address different from item #?  Yes  
If YES, enter delivery address below:  No

PS Form 3811, June 2000  
CJB - 15028/1

Domestic Return Receipt

RECEIVED  
DEPT OF...  
COMMUNITY...  
VAC 2002

# HENDERSON FRANKLIN

ATTORNEYS AT LAW • FOUNDED 1924

## HENDERSON, FRANKLIN, STARNES & HOLT, P.A.

1715 Monroe Street (33901)  
Post Office Box 280  
Fort Myers, FL 33902-0280

Telephone: (239) 334-4121  
Facsimile: (239) 334-4100

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1648 Periwinkle Way, Suite B  
Sanibel, FL 33957

Telephone: (239) 472-6700  
Facsimile: (239) 472-5129

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Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: charles.basinait@henlaw.com

August 8, 2002

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

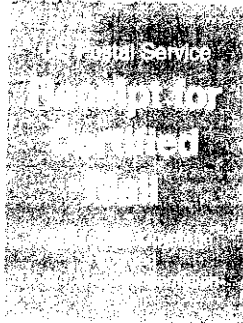
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Waco Wandle Watts Trust  
2906 Doris Street B  
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7106 4575 1292 5034 7693



Postage	\$ 60
Certified Fee	
Return Receipt Fee (Inclusion of Receipt)	
Restricted Delivery Fee (Inclusion of Receipt)	
<b>Total Postage &amp; Fees</b>	<b>\$ 465</b>



ARTICLE  
75 1292 5034 7693  
NUMBER



**WALZ**  
CERTIFIED  
MAIL<sup>®</sup> FROM  
MOORE  
1-800-882-3811  
FORM #35662

Certified Mail Receipt

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 28 46 25 01 00008 0000  
 RHODES JERRY E  
 3860 BROADWAY W

DOR...: 01 SINGLE FAMILY RESIDENTIAL  
 LOC...:  
 LEGAL1: SCHULTES TAMIAMI PARK BLK  
 LEGAL2: O PB 5 PG 33 LOT 15  
 LEGAL3: LESS E 5 FT.

ESTERO

FL HWDWXA  
 33928 N/R: H  
 \*\*\* VALUES \*\*\* \*\*\* EX VALUES \*\*\*  
 JUST: 179,720 AG.:  
 ASSD: 179,720 HX.: 25,000  
 TXBL: 154,720 WID:  
 BLDG: 175,190 DIS:  
 LAND: 4,530 WLY:  
 NCST: 175,190 ENG:  
 PVAL: WDR:  
 SOH : 179,720 DIFF:

UNIT MEAS.: FF #UNITS...: 50.00  
 1ST TAX YR: 0 FRONTAGE: 50  
 YR SPLIT...: DEPTH...: 140  
 YR CREATED: 1900 E/I NUM.:  
 ENERGY CD.: S/D VAL.:  
 ENERGY YR.: S/D CODE:  
 APRVED BY.: DSC.....:  
 TAX DIST...: ZONING...: RS-1  
 PRIOR DOR.: PEND.....:  
 PRIOR STRP: 00-00-00-00-00000.0000

SITE: 3860 BROADWAY W 33928

#	SALE PRICE	D.O.S.	BOOK	PAGE	TC	VI	PAGE: 2692	MAINT DATE
1:	5,500	02/97	2796	3668	06	V	LINE: 360	SITE: 06/07/2002
2:	100	06/91	2232	1812	01	V		NAL.:
NBHD CODE: 461170							HIST DIST: N	MAF.:
NBHD DESC: TRAILSIDE / TRAIL ACRES / TAMIAMI PARK								PAV.:



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**Reply to Fort Myers Office:**

Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: charles.basinait@henlaw.com

August 8, 2002

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Jerry E. Rhodes  
14280 Hickory Links Court #2013  
Fort Myers, FL 33912

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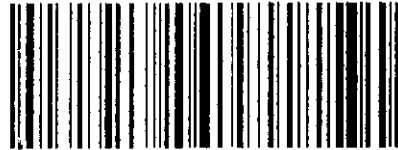
  
Charles J. Basinait

CJB:jma  
Enclosures

RECEIVED  
DEC 12 2002

COMMUNITY DEVELOPMENT  
12 2002 0000

2. Article Number



7106 4575 1292 5035 0808

3. Service Type **CERTIFIED MAIL**

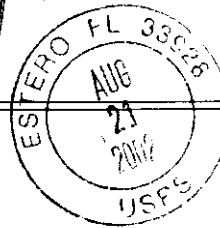
4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

MR JERRY RHODES  
3860 BROADWAY AVE W  
ESTERO FL 33928-2746

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) <i>Jerry Rhodes</i>	B. Date of Delivery
C. Signature <i>[Signature]</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No



PS Form 3811, June 2000

Domestic Return Receipt

CJR/53 #15028/1

RECEIVED

DEC 12 2002

COMMUNITY DEVELOPMENT

# HENDERSON FRANKLIN

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Reply to Fort Myers Office:  
Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: charles.basinait@henlaw.com

August 14, 2002

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Jerry E. Rhodes  
3860 Broadway Avenue W  
Estero, FL 33928-2746

Re: Vacation of a Portion of Schulte's South Subdivision Located in  
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Strap Numbers: 28-46-25-01-00001.0000; 28-46-25-01-00003.0000;  
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7106 4575 1292 5035 0808

Postage	\$ 60
Certified Fee	
Return Receipt Fee	
Restricted Delivery Fee	
Total Postage & Fees	\$ 465

ARTICLE  
16 4575 1292 5035 0808  
NUMBER

W

WD/53 #15028/1

Certified Mail Receipt



**HENDERSON FRANKLIN** CJB

ATTORNEYS AT LAW • FOUNDED 1924

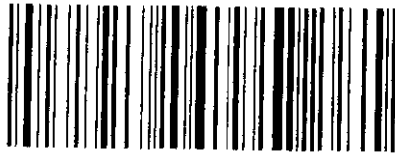
HENDERSON, FRANKLIN, STARNES & HOLT, P.A.

1715 Monroe St. • P.O. Box 280

Fort Myers, Florida 33902-0280

Address Service Requested

**RECEIVED**



7106 4575 1292 5034 7730

RETURN RECEIPT REQUESTED

POST OFFICE  
FIRST CLASS

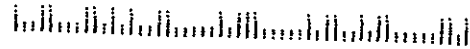


MR JERRY E RHODES  
14280 HICKORY LINKS COURT #2013  
FORT MYERS FL 33912

RHODES 33912 33013 1301 08 08/12  
FORWARD TIME EXP RTN TO SEND  
RHODES JERRY EDWARD  
3060 BROADWAY AVE W  
ESTERO FL 33928-2746

RETURN TO SENDER

33902/0280  
33912/7881



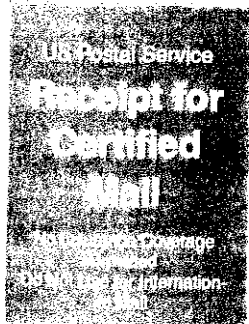
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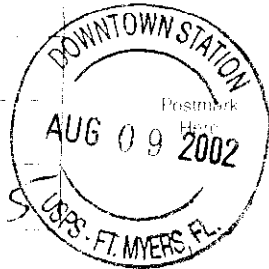
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7106 4575 1292 5034 7730



Postage	\$ 60
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 465</b>



ARTICLE  
5 1292 5034 7730  
NUMBER



**WALZ**  
CERTIFIED MAIL R.  
FROM  
MOORE  
1-800-882-3811  
FORM #35662

Certified Mail Receipt

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: ~~25 46 25 01 00007 0000~~  
 WATTS WACO WANDLE TR  
 FOR WACO WANDLE WATTS TRUST  
 2906 DORIS ST B  
 ANCHORAGE  
 AK

DOR...: 00 VACANT RESIDENTIAL  
 LOC...:  
 LEGAL1: SCHULTES TAMIAMI PARK BLK  
 LEGAL2: 0 PB 5 PG 33 LOTS 13  
 LEGAL3: 14 LESS E 5 FT.

99517 N/R:  
 \*\*\* VALUES \*\*\* \*\*\* EX VALUES \*\*\*  
 JUST: 10,080 AG.:  
 ASSD: 10,080 HX.:  
 TXBL: 10,080 WID:  
 BLDG: 0 DIS:  
 LAND: 10,080 WLY:  
 NCST: 0 ENG:  
 PVAL: WDR:  
 SOH : DIFF:

HWDWXA  
 UNIT MEAS.: FF #UNITS...: 140.00  
 1ST TAX YR: 0 FRONTAGE: 140  
 YR SPLIT...: DEPTH...: 120  
 YR CREATED: 1900 E/I NUM.:  
 ENERGY CD.: S/D VAL.:  
 ENERGY YR.: S/D CODE:  
 APRVED BY.: DSC.....:  
 TAX DIST...: ZONING...: RS-1  
 PRIOR DOR.: PEND.....:  
 PRIOR STRP: 00-00-00-00-00000.0000

SITE: 3840 BROADWAY W 33928

#	SALE PRICE	D.O.S.	BOOK	PAGE	TC	VI	PAGE: 2692
1:	100	02/00	3233	1846	04	V	LINE: 350
2:	8,000	03/79	1342	1200	02	V	

NBHD CODE: 461170 HIST DIST: N  
 NBHD DESC: TRAILSIDE / TRAIL ACRES / TAMIAMI PARK

MAINT DATE  
 SITE:  
 NAL.:  
 MAF.:  
 PAV.:

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 28 46 25 01 00004 0010  
 ALT VIOLET B L/E  
 3770 BROADWAY W

DOR...: 01 SINGLE FAMILY RESIDENTIAL  
 LOC...:  
 LEGAL1: SCHULTES TAMIAMI TRAIL BL  
 LEGAL2: K N PB 5 PG 33 LOTS 10 TH  
 LEGAL3: RU 12 LESS W 5 FT

ESTERO  
 FL HWDWXA

33928 N/R:  
 \*\*\* VALUES \*\*\* \*\*\* EX VALUES \*\*\*  
 JUST: 55,230 AG.:  
 ASSD: 44,560 HX.:  
 TXBL: 19,060 WID:  
 BLDG: 43,680 DIS:  
 LAND: 11,550 WLY:  
 NCST: 0 ENG:  
 PVAL: WDR:  
 SOH : 44,560 DIFF:

UNIT MEAS.: FF #UNITS...: 140.00  
 1ST TAX YR: 1960 FRONTAGE: 140  
 YR SPLIT...: DEPTH...: 170  
 YR CREATED: 1900 E/I NUM.:  
 ENERGY CD.: S/D VAL.:  
 ENERGY YR.: S/D CODE:  
 APRVED BY.: DSC.....:  
 TAX DIST...: ZONING...: RS-1  
 PRIOR DOR...: PEND.....:  
 PRIOR STRP: 00-00-00-00-00000.0000

SITE: 3770 BROADWAY W 33928

#	SALE PRICE	D.O.S.	BOOK	PAGE	TC	VI	PAGE: 2692	MAINT DATE
1:	0	10/00	0	0	99	I	LINE: 320	SITE: 08/27/1999
2:	100	03/93	2376	1411	01	I		NAL.:
NBHD CODE: 461170							HIST DIST: N	MAF.:
NBHD DESC: TRAILSIDE / TRAIL ACRES / TAMIAMI PARK								PAV.:

# HENDERSON FRANKLIN

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DENIS H. NOAH  
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J. ERIC STIFFLER  
DOUGLAS B. SZABO  
RANDAL H. THOMAS  
GUY E. WHITESMAN

### Reply to Fort Myers Office:

Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: charles.basinait@henlaw.com

August 8, 2002

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Violet B. Alt  
3770 Broadway W  
Estero, FL 33928

Re: Vacation of a Portion of Schulte's South Subdivision Located in  
Plat Book 5, Page 33, of the Public Records of Lee County, Florida  
Strap Numbers: 28-46-25-01-00001.0000; 28-46-25-01-00003.0000;  
and 28-46-25-01-00001.0010.

Dear Ms. Alt:

Please be advised that I have been authorized to file a request to vacate a portion of the Schulte's South Subdivision located at Plat Book 5, Page 33, of the Public Records of Lee County, Florida. For your information, I have enclosed a copy of the sketch and legal description (marked as Exhibit "A") identifying part of the area to be vacated. I have also enclosed a copy of a portion of the Plat and legal description (marked as Exhibit "B") which identifies the remainder of the area to be vacated.

If you have any questions, please feel free to contact me.

Very truly yours,



Charles J. Basinait

CJB:jma  
Enclosures

RECEIVED  
DEC 12 2002

COMMUNITY DEVELOPMENT

VAC 2002 00001

2. Article Number



7106 4575 1292 5034 7754

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

J. VINCENT B. ALP  
3770 MONROE W  
MONTROSE, CO. 80520

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

*Richard L. ALP*

B. Date of Delivery

C. Signature

*X Richard L. Alp*

Agent  
 Addressee

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

Yes  
 No

PS Form 3811, June 2000  
CJB 15028/1

Domestic Return Receipt

RECEIVED

DEC 12 2002

COMMUNITY DEVELOPMENT

WILCOX 00002



# HENDERSON FRANKLIN

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1715 Monroe Street (33901)  
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GUY E. WHITESMAN

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E-Mail: charles.basinait@henlaw.com

August 8, 2002

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

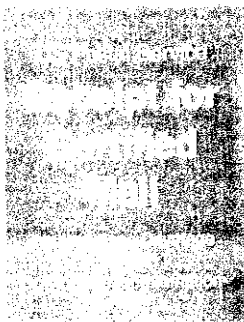
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7106 4575 1292 5034 7754



Postage	\$ 1.30
Certified Fee	
Return Receipt Fee (if payment required)	
Restricted Delivery Fee (if payment required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 46.50</b>



ARTICLE  
75 1292 5034 7754  
NUMBER



**WALZ**  
CERTIFIED  
MAIL<sup>®</sup> FROM  
MOORE  
1-800-882-3811  
FORM #35662

Certified Mail Receipt

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 28 46 25 01 00004 0000  
 TANKSLEY ROGER  
 20451 LOGAN AV

DOR...: 01 SINGLE FAMILY RESIDENTIAL  
 LOC...:  
 LEGAL1: SCHULTES TAMIAMI PARK BLK  
 LEGAL2: N PB 5 PG 33 LOTS 8  
 LEGAL3: + 9 LESS W 5 FT.

ESTERO  
 FL

HWDWXA

33928 N/R:  
 \*\*\* VALUES \*\*\* \*\*\* EX VALUES \*\*\*  
 JUST: 41,620 AG.:  
 ASSD: 38,520 HX.:  
 TXBL: 13,520 WID:  
 BLDG: 33,890 DIS:  
 LAND: 7,730 WLY:  
 NCST: 0 ENG:  
 PVAL: WDR:  
 SOH : 38,520 DIFF:

UNIT MEAS.: FF #UNITS...: 100.00  
 1ST TAX YR: 1961 FRONTAGE: 100  
 YR SPLIT...: DEPTH...: 140  
 YR CREATED: 1900 E/I NUM.:  
 ENERGY CD.: S/D VAL.:  
 ENERGY YR.: S/D CODE:  
 APRVED BY.: DSC.....:  
 TAX DIST...: ZONING...: RS-1  
 PRIOR DOR.: PEND.....:  
 PRIOR STRP: 00-00-00-00-00000.0000

SITE: 20451 LOGAN AV 33928

#	SALE PRICE	D.O.S.	BOOK	PAGE	TC	VI	PAGE: 2692	MAINT DATE
1:	100	11/93	2441	892	03	I	LINE: 310	SITE: 08/27/1999
2:	0	08/93	2435	2575	03	I		NAL.:
NBHD CODE:	461170						HIST DIST: N	MAF.:
NBHD DESC:	TRAILSIDE / TRAIL ACRES / TAMIAMI PARK							PAV.:

# HENDERSON FRANKLIN

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### Reply to Fort Myers Office:

Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: charles.basinait@henlaw.com

August 8, 2002

### VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Roger Tanksley  
20451 Logan Avenue  
Estero, FL 33928

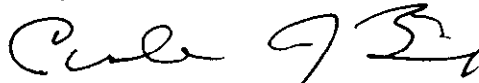
Re: Vacation of a Portion of Schulte's South Subdivision Located in  
Plat Book 5, Page 33, of the Public Records of Lee County, Florida  
Strap Numbers: 28-46-25-01-00001.0000; 28-46-25-01-00003.0000;  
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Dear Mr. Tanksley:

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If you have any questions, please feel free to contact me.

Very truly yours,



Charles J. Basinait

CJB:jma  
Enclosures

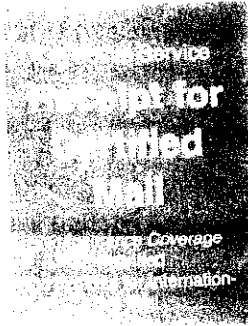
RECEIVED

DEC 12 2002

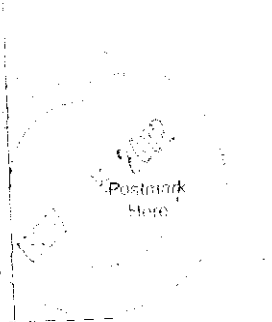
COMMUNITY DEVELOPMENT

VAL 2002 00052

7106 4575 1292 5035 0273



Postage	\$ 60
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 465</b>



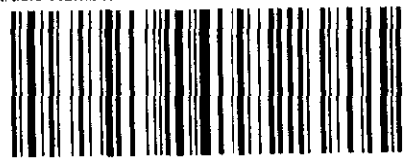
20451

9900

US Postal Service

Certified Mail Receipt

2. Article Number



7106 4575 1292 5035 0273

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

MR ROGER TANKSLEY  
20451 LOGAN AVE  
ESTERO FL 33928

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) <i>Roger A. Tanksley</i>	B. Date of Delivery <i>11/6/02</i>
C. Signature <i>Roger A. Tanksley</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1? <input checked="" type="checkbox"/> YES, enter delivery address below:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 28 46 25 01 00005 0000  
 ALT LOUIS + VIOLET 1/2 INT +  
 ALT ROBYNE C 1/2 INT  
 3770 WEST BROADWAY  
 ESTERO

DOR...: 00 VACANT RESIDENTIAL  
 LOC...:  
 LEGAL1: SCHULTES TAMIAMI PARK BLK  
 LEGAL2: N PB 5 PG 33 LOTS 15 THR  
 LEGAL3: U 17

FL HWDWXA

33928 N/R:  
 \*\*\* VALUES \*\*\* \*\*\* EX VALUES \*\*\*  
 JUST: 8,440 AG.:  
 ASSD: 8,440 HX.:  
 TXBL: 8,440 WID:  
 BLDG: 0 DIS:  
 LAND: 8,440 WLY:  
 NCST: 0 ENG:  
 PVAL: WDR:  
 SOH : DIFF:

UNIT MEAS.: FF #UNITS...: 150.00  
 1ST TAX YR: 1961 FRONTAGE: 150  
 YR SPLIT...: 1994 .: 145  
 YR CREATED: 1900 E/I NUM.:  
 ENERGY CD.: S/D VAL.:  
 ENERGY YR.: S/D CODE:  
 APRVED BY.: DSC.....: 2  
 TAX DIST...: ZONING...: RS-1  
 PRIOR DOR.: PEND....:  
 PRIOR STRP: 00-00-00-00-00000.0000

SITE: 3760 BROADWAY W 33928

#	SALE PRICE	D.O.S.	BOOK	PAGE	TC	VI	PAGE:	2692	MAINT DATE
1:	7,500	03/89	2054	2700	01	I	LINE:	330	SITE:
2:	7,000	11/87	1957	4250	01	I			NAL.:
NBHD CODE: 461170							HIST DIST: N		MAF.:
NBHD DESC: TRAILSIDE / TRAIL ACRES / TAMIAMI PARK									PAV.:

LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 28 46 25 01 00005 0010  
 ALT ROBYNE C  
 3750 W BROADWAY

DOR...: 01 SINGLE FAMILY RESIDENTIAL  
 LOC...:  
 LEGAL1: SCHULTES TAMIAMI PK BLK N  
 LEGAL2: PB 5 PG 33 LOTS 13 + 14  
 LEGAL3:

ESTERO  
 FL HWDWXA

33928 N/R:  
 \*\*\* VALUES \*\*\* \*\*\* EX VALUES \*\*\*  
 JUST: 68,260 AG.:  
 ASSD: 66,040 HX.:  
 TXBL: 41,040 WID:  
 BLDG: 56,710 DIS:  
 LAND: 11,550 WLY:  
 NCST: 0 ENG:  
 PVAL: WDR:  
 SOH : 66,040 DIFF:

UNIT MEAS.: FF #UNITS...: 145.00  
 1ST TAX YR: 1995 FRONTAGE: 145  
 YR SPLIT...: DEPTH...: 140  
 YR CREATED: 1994 E/I NUM.:  
 ENERGY CD.: S/D VAL.:  
 ENERGY YR.: S/D CODE:  
 APRVED BY.: DSC.....: 2  
 TAX DIST...: ZONING...:  
 PRIOR DOR.: PEND...:  
 PRIOR STRP: 28-46-25-01-00005.0000

SITE: 3750 BROADWAY W 33928

#	SALE PRICE	D.O.S.	BOOK	PAGE	TC	VI	PAGE: 2692	MAINT DATE
1:	100	11/93	2443	428	01	I	LINE: 340	SITE: 07/30/2002
2:								NAL.:
NBHD CODE:	461178						HIST DIST: N	MAF.:
NBHD DESC:	NEW HOMES IN TRAIL ACRES							PAV.:

# HENDERSON FRANKLIN

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**Reply to Fort Myers Office:**

Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: [charles.basinait@henlaw.com](mailto:charles.basinait@henlaw.com)

August 8, 2002

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Robyne C. Alt  
3750 W Broadway  
Estero, FL 33928

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If you have any questions, please feel free to contact me.

Very truly yours,



Charles J. Basinait

CJB:jma  
Enclosures

RECEIVED

DEC 12 2002

COMMUNITY DEVELOPMENT

WINDYBUSH

2. Article Number



7106 4575 1292 5034 7747

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

3700 W BROADWAY  
MINNAPOLIS, MN 55409

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

Agent

Addressee

D. Is delivery address different from item 1?

(If YES, enter delivery address below:

Yes

No

QTE 15020/1

RECEIVED

DEC 12 2002

COMMUNITY DEVELOPMENT

15020/1



# HENDERSON FRANKLIN

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GUY E. WHITESMAN

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Charles J. Basinait, Esq.  
Direct Dial Number (239) 337-8433  
E-Mail: charles.basinait@henlaw.com

August 8, 2002

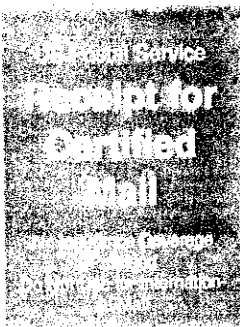
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Postage	\$ 60
Certified Fee	
Return Receipt Fee (Encasement Required)	
Restricted Delivery Fee (Encasement Required)	
Total Postage & Fees	\$ 465



ARTICLE  
575 1292 5034 7747  
NUMBER

7106 4575 1292 5034 7747

WALZ 6668



**WALZ**  
CERTIFIED  
MAILER  
FROM  
MOORE

1-800-882-3811  
FORM #35662

Postage

Postage & Fees

Certified Mail Receipt



# Florida Department of Transportation

JEB BUSH  
GOVERNOR

THOMAS F. BARRY, JR.  
SECRETARY

August 19, 2002

Charles J. Basinait  
Henderson, Franklin, Starnes & Holt, P.A.  
Post Office Box 280  
Ft. Myers, FL 33902-0280

RE: Vacation of A Portion of Schulte's South Subdivision

Dear Mr. Basinait:

Our staff has conducted a review of your request to vacate a portion of the Schulte's South Subdivision as recorded in Plat Book 5, Page 33, Public Records of Lee County, Florida, STRAP #28-46-25-01-00001.0000, #28-46-25-01-00003.0000, #28-46-25-01-00001.0010. This same area was further referenced in your letter and highlighted map of August 7, 2002.

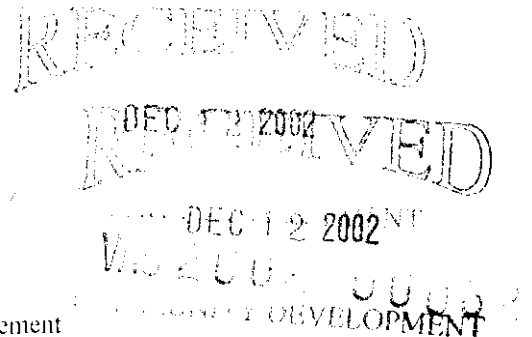
Based on this review, we offer "No Objections" to this vacation request.

Sincerely,

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



District One-Right of Way Department-Property Management  
801 North Broadway Avenue\*Post Office Box 1249\*Bartow, FL 33831-1249  
(863)519-2413\*(863)534-7168(Fax)\*MS 1-66  
[www.dot.state.fl.us](http://www.dot.state.fl.us)





# Florida Department of Transportation

JEB BUSH  
GOVERNOR

THOMAS F. BARRY, JR.  
SECRETARY

October 29, 2002

Mr. Charles J. Basinait  
Henderson, Franklin, Starnes & Holt, P.A.  
Post Office Box 280  
Ft. Myers, Florida 33902-0280

RE: Vacation of A Portion of Schulte's South Subdivision

Dear Mr. Basinait:

Our staff has conducted a review of your request to vacate a portion of Schulte's South Subdivision, Recorded in Plat Book 5, Page 33, Public Records of Lee County, Florida. This same area was further referenced in your letter and highlighted map of October 11, 2002.

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

Sincerely,

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

JWD/jwd

cc: Scott Gilbertson, P.E. - Lee County  
Peter J. Eckenrode - Lee County  
Mike Rippe - FDOT  
Tom Garcia - FDOT

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DEC 12 2002

COMMUNITY DEVELOPMENT

VAC 2002 00002

District One-Right of Way Department-Property Management  
801 North Broadway Avenue\*Post Office Box 1249\*Bartow, FL 33831-1249  
(863)519-2413\*(863)534-7168(Fax)\*MS 1-66

RECYCLED PAPER



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Jones  
District One

Douglas R. St. Gemy  
District Two

Ray Jurab  
District Three

Andrew W. Coy  
District Four

John L. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeqer  
County Attorney

Diana M. Parker  
County Hearing Examiner

September 6, 2002

Charles J. Basinait, Esq.  
Henderson, Franklin, Starnes & Holt, P.A.  
1715 Monroe Street  
Fort Myers, FL 33901

**RE: Proposed Petition to Vacate  
All of Blocks R, S, T and U, Schulte's Tamiami Park  
Subdivision, recorded in Plat Book 5, page 33,  
Section 28, Township 46, Range 25**

Dear Mr. Basinait: *CHUCK*

Lee County DOT has reviewed the request to vacate a portion of Schulte's Tamiami Park Subdivision. Based upon the technical review and a site visit, DOT offers no objection to the vacation. The area is unimproved and DOT does not have any facilities located on the land or appurtenant to the land proposed to be vacated.

I trust this letter responds to the request for review, and if you have any additional requests, please do not hesitate to contact me.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson  
Right-of-way Supervisor

MAI/mlb

Cc: Don Blackburn, Development Services  
Terry Kelley, Lee County Utilities  
Allen Davies, Natural Resources  
Lee County DOT PTV File

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DEC 12 2002  
COMMUNITY DEVELOPMENT

 **LEE COUNTY**  
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Janes  
District One

Douglas B. St. Conny  
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

November 4, 2002

Charles J. Basinait, Esq.  
Henderson, Franklin, Starnes & Holt, P.A.  
1715 Monroe Street  
Fort Myers, FL 33901

**RE: Request for a Letter of Review and Recommendation  
On a Proposed Vacation of the Schulte's South  
Subdivision, found at Plat Book 5, page 33, of the  
Public Records of Lee County, Florida  
(28-46-25-01-00001.0020 and 28-46-25-01-00001.0030)**

Dear Mr. Basinait:

Lee County Department of Transportation has reviewed the above referenced request to vacate and offers no objection to the vacation. There are no constructed drainage or roadway infrastructures located within the area proposed to be vacated. Lee County DOT does not maintain structures appurtenant to the area proposed for vacation.

I trust this letter sufficiently responds to the request for review, and if you need any additional information please do not hesitate to contact me.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

  
Margaret Lawson  
Right-of-way Supervisor

MAL/mlb

Cc: Don Blackburn, Development Services  
Allen Davies, Natural Resources  
Terry Kelley, Utilities  
DOT 2002-10: PTV File (Schultes Subdivision)

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DEC 12 2002

S:\DOCUMENT\Petition To Vacate\2002\Schultes Subdivision-Basinait.doc

 **LEE COUNTY**  
SOUTHWEST FLORIDA

(941) 479-8124

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: \_\_\_\_\_

Friday, August 23, 2002

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*

Mr. Charles J. Basinait  
Henderson, Franklin, Starnes & Holt, P.A.  
P.O. Box 280  
Fort Myers, FL 33902-0280

Re: Petition to Vacate a portion of the Schulte's South Subdivision as found  
in Plat Book 5 at Page 33, Public Records of Lee County, Florida.


Dear Mr. Basinait:

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 subdivision plat.

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\vac278.doc

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COMMUNITY DEVELOPMENT

 **LEE COUNTY**  
SOUTHWEST FLORIDA

(941) 479-8124

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: \_\_\_\_\_

Monday, November 04, 2002

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*

Mr. Charles J. Basinait  
Henderson, Franklin, Starnes & Holt, P.A.  
P.O. Box 280  
Fort Myers, FL 33902-0280

Re: Petition to Vacate a portion of the Schulte's South Subdivision as found in Plat Book 5 at Page 33, Public Records of Lee County, Florida.

Dear Mr. Basinait:

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 subdivision plat.

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

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DEC 12 2002

COMMUNITY DEVELOPMENT

VAC 2002 00002

S:\NATRES\SURFACE\DOCUMENT\vac291.doc

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



August 21, 2002

Charles Basinait  
Henderson, Franklin, Starnes & Holt, P.A.  
1715 Monroe Street  
Fort Myers, Fl 33902-0280

Re: Vacation of a Portion of the Schulte's South Subdivision

Dear Mr. Basinait:

This letter will serve to inform you of Comcast's existing facilities at the above reference property. We have no facilities located from Broadway Avenue north. We do however, have underground facilities located along the West Side of Blocks R, and U as indicated on the prints sent back to you. These existing lines lie in the rear easement of an existing mobile home park and should not interfere with your proposed vacation since they lie on the park property.

If you should require further assistance or information please feel free to contact me here at (941) 432-1865.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lucia Vera".

Lucia Vera  
Design Coordinator

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DEC 12 2002

COMMUNITY DEVELOPMENT

VAC 2002 00054



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



November 4, 2002

Charles J. Basinait  
Henderson, Franklink Starnes & Holt, P.A.  
1715 Monroe Street  
Fort Myers, Florida 33901

Re: Shulte's South Subdivision- Found at Plat Book 5, Page 33, of the Public Records of Lee County, Florida, Strap #28-46-25-01-00001.0020 and #28-46-25-01-00001.0030

Dear Mr. Basinait:

This letter will serve to inform you that Comcast has aerial lines going down the front of US 41 at the entrance to Shulte's subdivision.

We have no problem with your proposed vacation, but should we have to move our lines there will be a fee to relocate our facilities.

If you should require further assistance or information please feel free to contact me here at (941)432-1865.

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.

Lucia Vera  
Design Coordinator

RECEIVED

DEC 12 2002

COMMUNITY DEVELOPMENT

VAC 2002 00062



Florida Power & Light Company

December 4, 2002

Henderson, Franklin, Starnes & Holt, P.A.  
Attn: Charles J. Basinait  
P. O. Box 280  
Fort Myers, Florida 33902

Re: Proposed vacation of Schulte's Tamiami Park, Blocks R,S,T & U. recorded in  
Plat Book 5, Page 33, Lee County, Florida.

Dear Mr. Basinait:

Florida Power & Light Company has no existing facilities located within the above described property. Therefore, we have no objection to the proposed vacation of this property.

If you have any questions or concerns, please call me at (239) 415-1315.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Sanders".

Jeff Sanders  
Customer Project Manager

RECEIVED

DEC 12 2002

WAZUB  
COMMUNITY DEVELOPMENT



Florida Power & Light Company

December 4, 2002

Henderson, Franklin, Starnes & Holt, P.A.  
Attn: Charles J. Basinait  
P.O. Box 280  
Fort Myers, Florida 33902

Re: Proposed vacation of a portion of Schulte's South Tamiami Park Subdivision, found  
In Plat Book 5, Page 33, Lee County, Florida  
Strap numbers: 28-46-25-00001.0000  
28-46-25-00001.0020  
28-46-25-00001.0030  
28-46-25-00003.0000

Dear Mr. Basinait:

Florida Power & Light Company has existing facilities located within the above referenced property. However, we have no objection to the proposed vacation of this property if a recorded easement is provided for our existing facilities before vacation.

If you have any questions or concerns, please call me at (239) 415-1315.

Sincerely,

A handwritten signature in black ink that reads "Jeff Sanders".

Jeff Sanders  
Customer Project Manager

RECEIVED  
DEC 12 2002  
VACUO-00001  
COMMUNITY DEVELOPMENT

# AmeriGas

*America's Propane Company*

August 13, 2002

Charles J. Basinait  
Henderson, Franklin, Starnes & Holt, P.A.  
1715 Monroe Street  
Fort Myers, Florida 33901

RE: VACATE OF EASEMENT

Dear Mr. Basinait:

In reference to your letter dated August 7, 2002, AmeriGas has no interest on right of way on the following parcels:

STRAP NO: 28-46-25-01-00001.0000  
STRAP NO: 28-46-25-01-00003.0000  
STRAP NO: 28-46-25-01-00001.0010

Please feel free to contact me at 941-334-2849, should you have further questions.

Sincerely,



Neyland White  
Service Manager

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DEC 12 2002

COMMUNITY DEVELOPMENT  
VAC 2002 00002

# AmeriGas

America's Propane Company

November 19, 2002

Charles Basinait  
Henderson, Franklin, Stanes & Hott, P.A.  
1715 Monroe Street  
Fort Myers, Florida 33902

**RE: VACATE OF EASEMENT**

Dear Mr. Thinnes:

In reference to your letter dated November 19, 2002, AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO.: 28-46-25-01-00001.0020  
STRAP NO.: 28-46-25-01-00001.0030

Please feel free to contact me at 941-334-2849, should you have further questions.

Sincerely,



Teresa Michaels  
Customer Manager

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DEC 12 2002

COMMUNITY DEVELOPMENT



Gulf Environmental Services, Inc.

19910 S. Linnemont Trail, Suite A  
Estero, FL 33928-2111  
TEL 239-498-1000  
FAX 239-498-0625

August 28, 2002

Mr. Charles J. Basinait  
Henderson, Franklin, Starnes & Holt, PA  
P.O. Box 280  
Ft. Myers, FL 33902-0280

Re: Request for Vacation of Easement  
Portion of Schulte's South Subdivision – Plat Book 5, Page 33, Public Records of  
Lee County, Florida  
Strap Nos. 28-46-25-01-00001.0000, 28-46-25-01-00003.000 & 28-46-25-01-  
00001.0010

Dear Mr. Basinait:

Gulf Environmental Services, Inc. (GES) has reviewed your letter dated August 14, 2002 and has no objection to the vacation of the easement as described in that letter and accompanying attachments, provided that the right-of-way on Broadway, where GES has in-service facilities, is not vacated.

If you have any questions, or need additional information, please do not hesitate to contact me at (239) 498-1000.

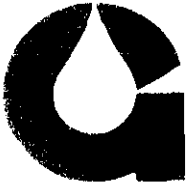
Sincerely,

Kathy Babcock  
Administrative Manager

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DEC 12 2002

WAS 2002-00000  
COMMUNITY DEVELOPMENT



**Gulf Environmental Services, Inc.**

19910 S. Lantana Trail, Suite A  
Estero, FL 33928-2111  
239/498-1000  
FAX 239/498-0625

October 21, 2002

Mr. Charles J. Basinait  
Henderson, Franklin, Starnes & Holt, PA  
P.O. Box 280  
Ft. Myers, FL 33902-0280

Re: Request for Vacation of Easement  
Portion of Schulte's South Subdivision – Plat Book 5, Page 33, Public Records of  
Lee County, Florida  
Strap Nos. 28-46-25-01-00001.0020 & 28-46-25-01-00001.0030

Dear Mr. Basinait:

Gulf Environmental Services, Inc. (GES) has reviewed your letter dated October 11, 2002 and has no objection to the vacation of the easement as described in that letter and accompanying attachments, provided that the right-of-way on U.S. Highway 41, where GES has in-service facilities, is *not* vacated.

If you have any questions, or need additional information, please do not hesitate to contact me at (239) 498-1000.

Sincerely,

Kathy Babcock  
Administrative Manager

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DEC 12 2002

COMMUNITY DEVELOPMENT

VAS 2002 00062



Box 2469  
Naples, FL 34106-2469

August 19, 2002

Mr. Charles J. Basinati  
Henderson, Franklin, Starnes & Holt, P.A.  
P.O. Box 280  
Fort Myers, Florida 33902-0280

**RE: Petition to Vacate - Portion of Schulte's South Subdivision  
Sec 28 Twp 46S Rng 25E County - Lee**

Dear Mr. Basinati:

Sprint-Florida, Inc. has no objection to your petition to vacate the easement described on the attached letter.

If I can be of any further assistance, please contact me at 941-263-6342.

Sincerely,

John T. Reynolds  
Network Engineer II - E&C

JTR:ns

Attach.

cc: Easement File  
Chron File

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DEC 12 2002

COMMUNITY DEVELOPMENT

11/2002 00062



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

April 1, 2003

Mr. Charles J. Basinait  
Henderson/Franklin Attorneys at Law  
Fort Myers, FL 33901

Re: VAC2002-00062 - Petition to vacate SCHULTE SOUTH TAMIAMI PARK Subdivision as recorded in Plat Book 5, Page 33, located in Section 28, Township 46 South, Range 25 East, Lee County, Florida; **LESS and EXCEPT the following:** all of Second Street; all of Tamiami Trail; that portion of Logan Avenue adjacent to and between Lots 13 through 17 of Block O and Lots 8 through 12 of Block N; that portion of an unnamed twenty-foot (20') wide alley along the South side of Lots 13 through 17 of Block N; Lots 1 through 13 of Block D; Lots 13 through 17 of Block O; and Lots 8 through 17 of Block N.

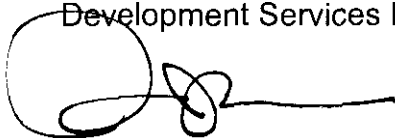
Dear Mr. Basinait:

You have indicated that in order to allow for a planned development; you desire to eliminate the platted lot lines, right-of-way, public utility and drainage easements within the property described above.

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/sbe

H:\Correspondence\Vacations\Vac2002\00062 Schulte\Development Review Recommends.wpd

**From:** "Fire Chief" <firechief@esterofire.org>  
**To:** "Charles Basinait" <charles.basinait@henlaw.com>  
**Date:** 3/19/03 4:37PM  
**Subject:** RE: Logan Avenue

Estero Fire Rescue does not object to the vacation of the undeveloped portion of Logan Avenue without providing a cul-de-sac.

Dennis J. Merrifield  
Fire Chief  
Estero Fire Rescue

-----Original Message-----

**From:** Charles Basinait [mailto:charles.basinait@henlaw.com]  
**Sent:** Wednesday, March 19, 2003 7:29 AM  
**To:** firechief@esterofire.org  
**Cc:** cato@esterofire.org; kjennings@pelbaydev.com; jjenkins@vanday.com  
**Subject:** Logan Avenue

Chief Merrifield

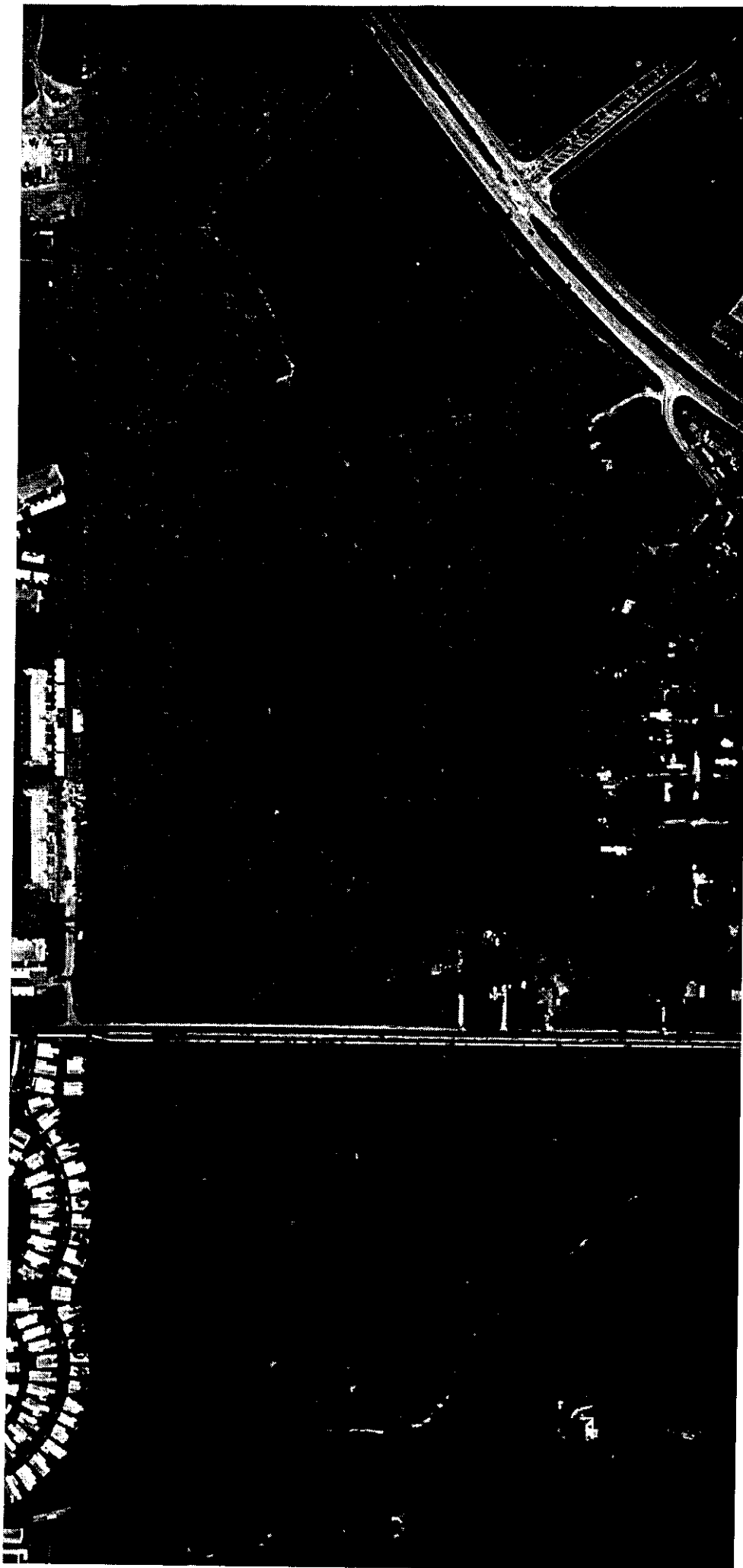
Thank you for your voice mail of last night. Of course we will ask the County to use our road impact fees on Broadway but we can not force them to do so. However, we will do what we can in that regard. As for the Logan cul-de-sac issue I would appreciate it if you could confirm via return email that Estero Fire Rescue is waiving this requirement. Thank you for your kind assistance in this matter. Chuck Basinait

Charles J. Basinait, Esq.  
Henderson, Franklin, Starnes & Holt, P.A.  
1715 Monroe Street  
Post Office Box 280  
Fort Myers, Florida 33902-0280  
Telephone: 239.337.8433  
Facsimile: 239.334.4100  
E-Mail: charles.basinait@henlaw.com

CONFIDENTIALITY STATEMENT

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To reply to our e-mail administrator directly, please send an e-mail to postmaster@henlaw.com



Berm  
nation

37 Zero Lot Line Home Sites  
(50' X 140')  
25 Total Units

From DO File



MH-2  
Single Family

No Buffer  
Required

STRA  
28-46.  
28-46.

Other  
Landscaped  
Areas

RSC-1  
Single Family

Proposed 6'  
Wall/Fence

Other  
Landscaped  
Areas

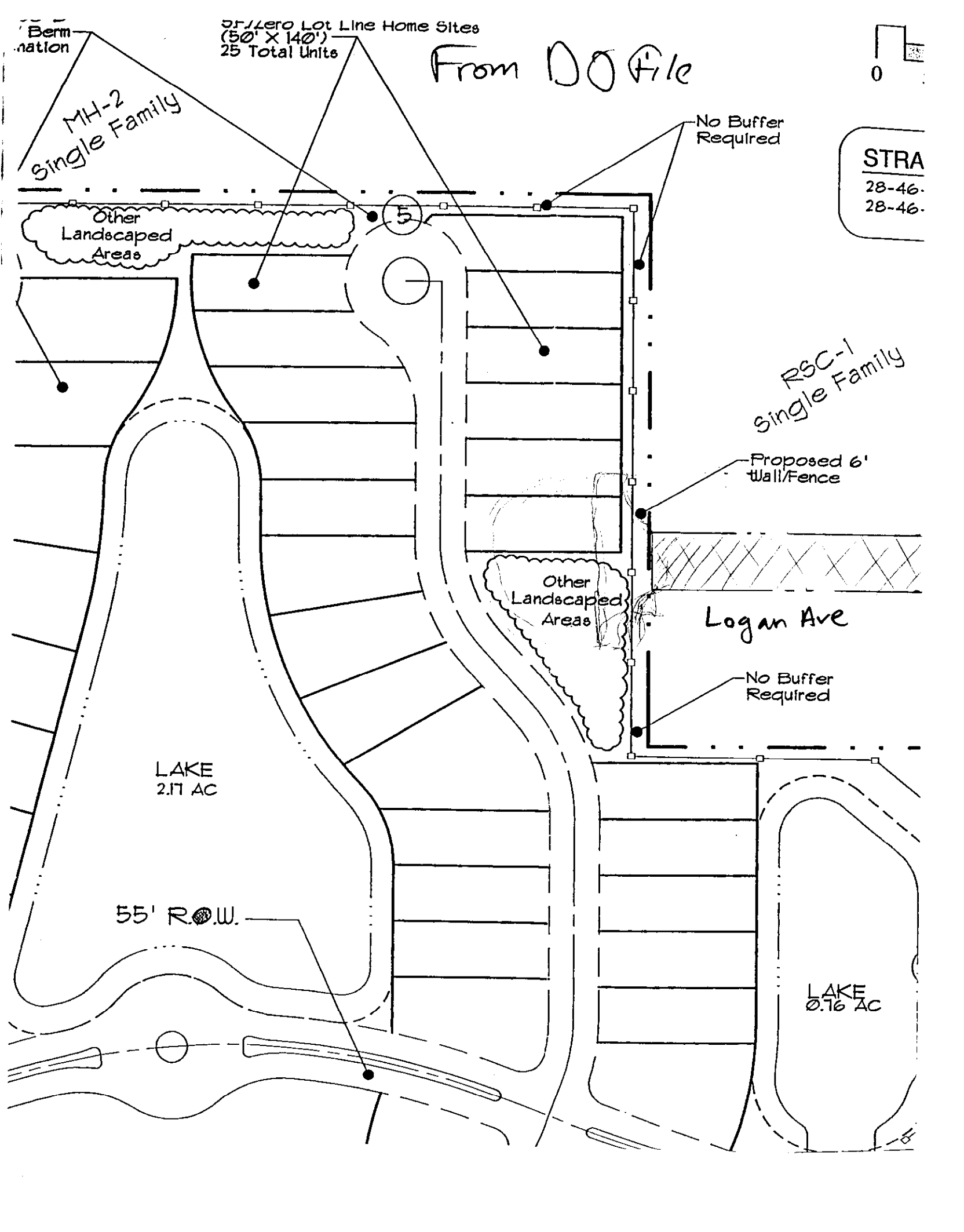
Logan Ave

No Buffer  
Required

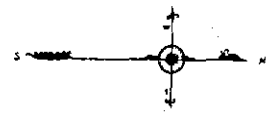
LAKE  
2.17 AC

55' R.O.W.

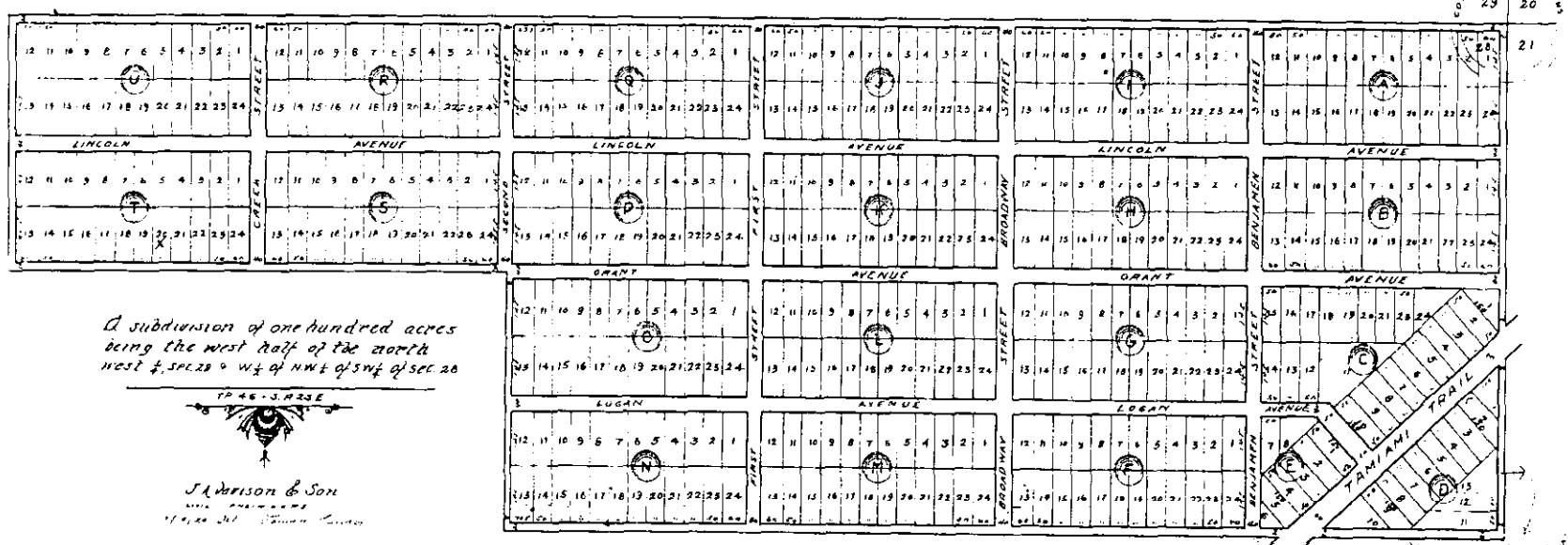
LAKE  
0.16 AC



# SCHULTE TAMIAMI PARK



SCALE 200 FT TO 1 IN.  
SECTION 20 29



A subdivision of one hundred acres  
being the west half of the north  
west 1/4, sec. 20 & W 1/2 of NW 1/4 of sec. 20



J. Addison & Son  
114 So. 1st St. Tampa, Fla.

770.28654  
FILED IN THE OFFICE OF THE  
Clerk of the Circuit Court,  
LEE COUNTY, FLA.  
on this 18th day of Oct.  
1912  
J. S. [Signature]  
Clerk of the Circuit Court