

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate a 12-foot wide Public Utility Easement located at 3713 35th St. W., Lehigh Acres, Florida 33971, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 27th day of April, 2004. (Case No. VAC2004-00015)

WHY ACTION IS NECESSARY: To build a single-family residence on the combined two (2) lots. **The vacation of this easement will not alter existing utility conditions and the easement is not necessary to accommodate any future utility requirements.**

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

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 5

C4B

3. MEETING DATE:

03-30-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

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

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Community Development
- C. DIVISION Development Services
- BY: [Signature] 3/09/04
- Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2004-00015 was submitted by Jared Lesser of Aim Engineering & Surveying, Inc. as the agent for Roberto & Lilia Jaime.

LOCATION: Petition No. VAC2004-00015 proposes to vacate a 12-foot wide Public Utility Easement centered on the lot lines common to Lots 4 and 5, Block 58, Unit 4, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 96, Section 10, Township 45 South, Range 26 East, of the Public Records of Lee County, Florida, **LESS and EXCEPT** the northerly 6-feet and southerly 6-feet thereof. The site is located at 3713 35th St. W., Lehigh Acres, Florida 33971.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

There are no objections to this Petition to Vacate. Staff recommends the scheduling of the Public Hearing.

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

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>3/16/04</i>				G County Manager
					GA	OM	Risk	GC	
<i>Man (Gph)</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>1/8/04</i>	<i>3/16/04</i>	<i>3/15/04</i>	<i>3/16/04</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

3/16/04
5:55 PM
Co. Adm.
3/15/04

RECEIVED BY
COUNTY ADMIN: *ID*
11:30 am SET
3/12/04
COUNTY ADMIN
FORWARDED TO: *PL*
3/16/04
2:30 PM



PETITION TO VACATE (AC 13-1)

Case Number: VAC 2004-00015

Petitioner(s), Roberto Jaime and M. Lilia Jaime
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, 5300 Lee Blvd., Lehigh Acres, FL 33971.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted by:
AIM Engineering & Surveying, INC.

BY: [Signature]
Petitioner Signature

Petitioner Signature

Jared Lesser / Staff Engineer
Printed Name

Printed Name

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as The Jaime Property and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate AIM Engineering & Surveying, Inc. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Roberto Jaime
Owner*(signature)

Roberto Jaime
Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

Printed Name

M Lilia Jaime
Owner*(signature)

M Lilia Jaime
Printed Name

Owner*(signature)

Printed Name

Owner*(signature)

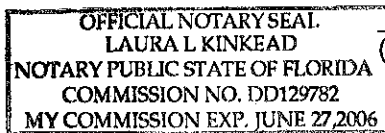
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 30th day of December, 2003, by Roberto Jaime and M Lilia Jaime, who is personally known to me or who has produced A Florida Driver's License as identification and who did (did not) take an oath.

Laura L Kinkead
Notary Public

(SEAL)



(Name typed, printed or stamped)

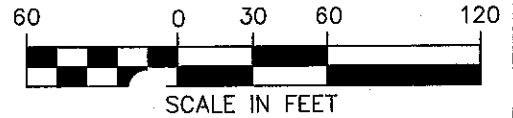
EXHIBIT "A"
Petition to Vacate
VAC2004-00015

Legal Description of the Public Utility Easements to be Vacated:

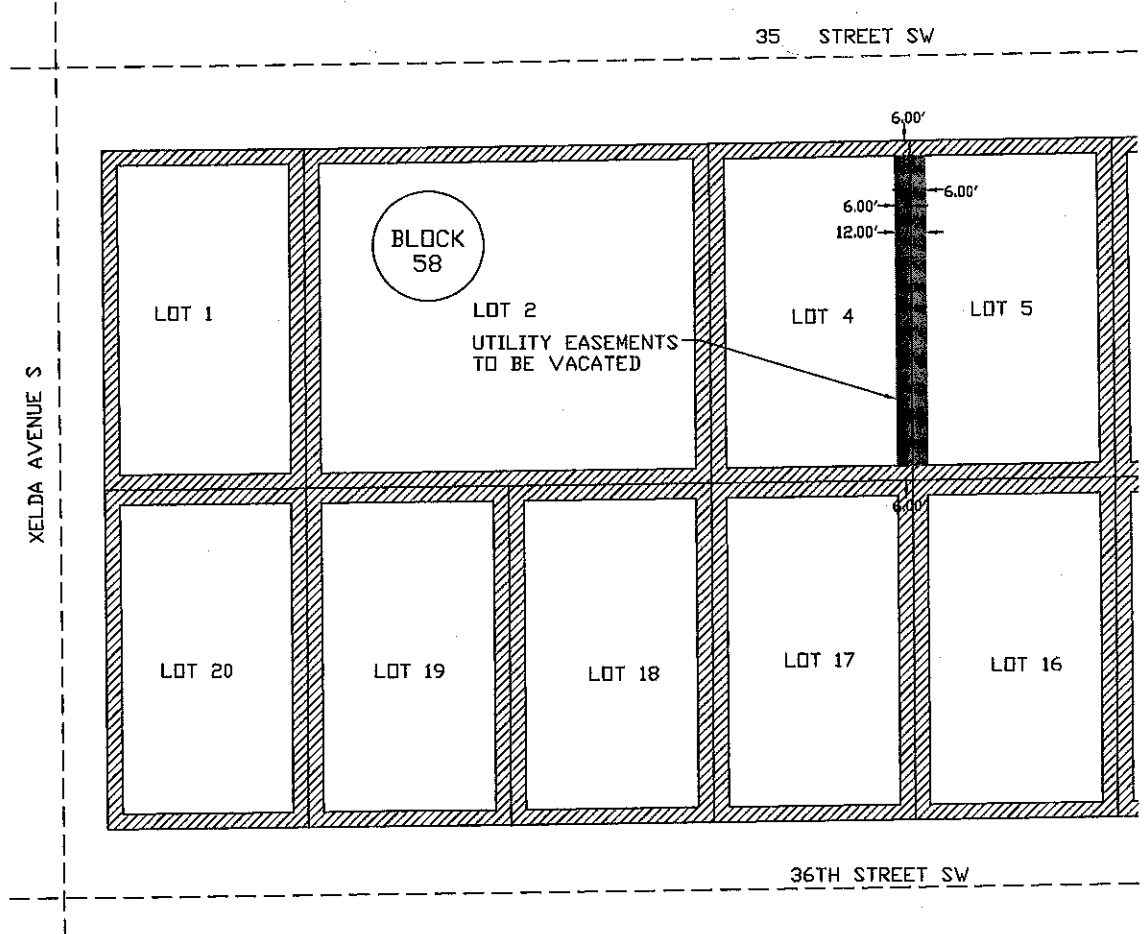
The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 4 and 5, Block 58, Unit 4, Section 10, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 96 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet of each easement.

SKETCH AND LEGAL DESCRIPTION
 OF A TWELVE FOOT WIDE STRIP LYING IN
 SECTION 10, TOWNSHIP 45 SOUTH, RANGE 26 EAST
 LEE COUNTY, FLORIDA



LEGEND	
	ROAD CENTERLINE
	UTILITY EASEMENT
	UTILITY EASEMENT TO BE VACATED



DESCRIPTION:

A 12 FOOT WIDE STRIP LYING 6 FEET EACH SIDE OF THE COMMON LINE BETWEEN LOTS 4 AND 5, BLOCK 58, UNIT 4 OF LEHIGH ACRES, SECTION 10, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEHIGH ACRES, FLORIDA, AS RECORDED IN PLAT BOOK 15, PAGE 96, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. LESS THE NORTHERLY AND SOUTHERLY 6 FEET THEREOF

Exhibit "B"
 Petition to Vacate
 VAC2004-00015
 [Page One of One]

PREPARED BY
 AIM ENGINEERING & SURVEYING, INC.

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

Robert T. Simpson 2-3-04
 ROBERT TAD SIMPSON, III
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5559

THIS IS NOT A SURVEY SHEET 1 OF 1

EXCISIONS, ALTERATIONS, AND OR CHANGES TO AIM ENGINEERING & SURVEYING, INC. DRAWING(S) WITHOUT THE WRITTEN CONSENT OF APPROVAL BY AIM ENGINEERING & SURVEYING, INC. IS PROHIBITED.

<p>AIM Engineering & Surveying, Inc. CIVIL • SANITARY • TRANSPORTATION • DEVELOPMENT • PROJECT MANAGEMENT</p> <p>5300 LEE BOULEVARD POST OFFICE BOX 1235 LEHIGH ACRES, FLORIDA 33971 E-Mail: engineering@aimengr.com</p> <p>FORT MYERS, LEHIGH ACRES 239-332-4569 LABELLE 863-676-3696 FAX 239-332-8734 CERTIFICATION OF AUTHORIZATION No. 00003114</p>	PROJECT NUMBER: 03-8573	DESCRIPTION: LEGAL & SKETCH OF UTILITY EASEMENTS TO BE VACATED	
	DRAWN BY: JSL	CLIENT: MR. AND MRS. JAIME	
	DATE: 1/6/04	SEC-TWP-RGE: 10-45S-26E	FILE: LEGAL.dwg
		COUNTY: LEE	

Exhibit "C"
 Petition to Vacate
 VAC2004-00015
 [Page One of One]

Tax Roll Search - Real Property

Search the Lee County Tax Collector's real property records by selecting the search criteria for the tax year. Use the extensive search feature to view a broader range of data.

*The results to your tax search are based upon information provided to the Lee County Tax Collector by the Lee County Property Appraiser. **This website should not be relied upon for a title search.** Amounts due are subject to change without notice due to statutory compliance (i.e. tax deed application, county held tax certificates, errors & insolvencies (E&I), bankruptcy, litigation, etc.)*

View for Tax Year:
 Save as File Extensive Search
 View file format.



Your search for 10452604000580040 has returned 6 result(s).

Account	Tax Year	Owner Name/ Address	Status/ Outstanding Balance	
10-45-26-04-00058.0040	2003	JAIME ROBERTO + LILIA 3713 35TH ST SW	PAID	<input type="button" value="Details"/>
10-45-26-04-00058.0040	2002	JAIME ROBERTO + LILIA 3713 35TH ST SW	PAID	<input type="button" value="Details"/>
10-45-26-04-00058.0040	2001	MCCARTHY DEBORAH M 3713 35TH ST SW	PAID	<input type="button" value="Details"/>
10-45-26-04-00058.0040	2000	MCCARTHY DEBORAH M 3713 35TH ST SW	PAID	<input type="button" value="Details"/>
10-45-26-04-00058.0040	1999	MCCARTHY DEBORAH M 3713 35TH ST SW	PAID	<input type="button" value="Details"/>
10-45-26-04-00058.0040	1998	MCCARTHY DEBORAH M	PAID	<input type="button" value="Details"/>

(Click on the account number for more information and/or online payment.)
 6 match(es) Page 1 of 1



This Instrument Prepared by and return to:

Name: Patricia Regas
Tradewinds Title, Inc.
Address: 904 Lee Blvd., Suite 106
Lehigh Acres, FL 33936
57620

Parcel I.D. #: 10-45-26-04-00058.0040
Recording Fee \$10.50 Doc Stamps \$49.00

INSTR # 5965046
Official Records BK 04056 PG 4861
RECORDED 09/15/2003 06:38:51 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DEED DDC 49.00
DEPUTY CLERK P Johnston

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 13 day of August, A.D. 2003,
by **DEBORAH M. MCCARTHY**, hereinafter called the grantor, to **ROBERTO JAIME and LILIA JAIME**, Husband and Wife, whose post office address is **325 Taylor Rd., Felda, Fl 33930**, hereinafter called the grantees:

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

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

Lot 4, Block 58, Unit 4, Section 10, Township 45 South, Range 26 East, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court recorded in Plat Book 15, Page 96, Public Records of Lee County, Florida.

Lot 5, Block 58, Unit 4, Section 10, Township 45 South, Range 26 East, Lehigh Acres, according to the map or plat thereof on file in the Office of the Clerk of the Circuit Court recorded in Plat Book 15, Page 96, Public Records of Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2003 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

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

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

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

And the grantor hereby covenants with said grantees that she is lawfully seized of said land in fee simple; that she has good right and lawful authority to sell and convey said land, and hereby fully 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, 2002.

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:

Must be witnessed by two separate people not related to seller or buyer

Sherdal Taylor
1st Witness Signature

Therla T. Taylor
Printed Name

[Signature]
2nd Witness Signature

H. Fitzhugh
Printed Name

[Signature] L.S.
Deborah M. McCarthy

Address:
3590 Mary Adair Av. #1036, Charleston, SC 29414

State of South Carolina

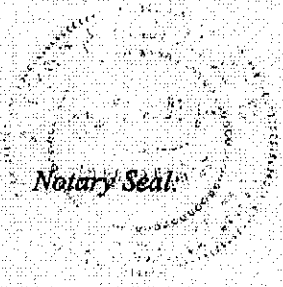
County of Charleston

The foregoing instrument was acknowledged before me this 13th day of August, 2003, by Deborah M. McCarthy, who is known to me or who has produced S.C. Drivers License as identification and who did (did not) take an oath.

[Signature]
Signature of Notary

Allyson H. Driggers
Printed Name of Notary

My commission expires 2-19-2013





January 16, 2004

Mr. Jared Lesser
AIM Engineering & Surveying, Inc.
P. O. Box 370
Ort Myers, Florida 33902-0370

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement centered on the lot line
common to lots 4 & 5, Unit 4, Block 58 of Section 10, Township 45S, Range 26E.
Address: 3713 35th Street S.W., Lehigh Acres, Florida 33971

Dear Mr. Lesser:

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

If you should require additional information, please contact me at 863-452-3207.

Sincerely,

Wayneth Jackson

Wayneth Jackson
Engineer

301 Tower Road
Naples, FL 34113
Collier: (239)-732-3861
Lee: (239)-432-1861
FAX: 239-334-8575



January 9, 2004

Jared Lesser
AIM Engineering & Surveying, Inc.
5300 Lee Blvd.
Lehigh Acres, Fl. 33971-1026

Re: Vacation of Utilities Easement located at 3713 35th Street S.W., Lehigh Acres,
Florida. 33971

Dear Mr. Lesser:

Comcast Communications has reviewed the plans of the above referenced properties. Comcast has no objection to the vacation of the easement as indicated on the attached sketch.

If I can be of any additional information regarding this project, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script, appearing to read "William Stanton".

William Stanton
Design Department



January 12, 2004

Jared Lesser
AIM Engineering & Surveying, Inc.
5300 Lee Boulevard
Post Office Box 1235
Lehigh Acres, Fla. 33970-1235

RE: Vacation of easement
3713 35th Street SW, Lehigh Acres, Fla.

Dear Mr. Lesser:

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

If you have any further questions or concern, please do not hesitate to contact me at (239) 772-2218, Ext. 120.

Sincerely,

TIME WARNER CABLE

A handwritten signature in black ink, appearing to read "Adnaldo Rodriguez", written over the printed name and title.

Adnaldo Rodriguez
Technical Field Inspector

AR/ss



Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 • FAX (239) 995-7904

www.lcec.net • www.iline.com

December 17, 2003

Mr. and Mrs. Roberto Jaime
P. O. Box 72
Felda, FL 33930

Re: Petition to Vacate

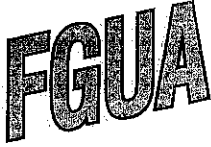
Dear Mr. and Mrs. Jaime:

LCEC does not object to vacation of the 12-foot-wide utility and/or drainage easement centered on the line between Lots 4 and 5, Block 58, Unit 4, a subdivision of Lehigh Acres, as recorded in Plat Book 15, page 96, of the Public Records of Lee County, Florida, LESS and EXCEPT the northerly 6 feet and the southerly 6 feet thereof.

Please call me at 1-800-282-1643, extension 422 if I can be of any further assistance.

Sincerely,

Karen Hardin
Real Property Representative



FLORIDA GOVERNMENTAL UTILITY AUTHORITY

614 N. Wymore Road, Winter Park, Florida 32789, Ph: (407) 629-6900, Fax: (407) 629-6963, E-mail: FGUA@FGUA.com

February 20, 2004

Jared Lesser
AIM Engineering & Surveying, Inc.
Southwest Florida Corporate Office
5300 Lee Boulevard
Lehigh Acres, FL 33971
(239)-332-4569

RE: 3713 35th Street, SW
Lehigh Acres, FL 33971

Dear Mr. Lesser:

The FGUA Board met February 19, 2004 and determined that they do not presently hold any property rights over the address identified above other than the plat reservation. They also determined that the FGUA has no current utilities in the utility easement nor has any foreseeable need for utility placement in the easement to be vacated. Therefore, the Board approved the request for vacation of easement February 19, 2004.

The vacation of easement was requested for the 12 foot wide utility and drainage easement lying 6-feet on each side of the common line between lots 4 and 5, excluding the northerly and southerly 6 foot sections of Block 58, Unit 4, Lehigh Acres, Section 10, Township 45 South, Range 26 East, as recorded in Plat Book 15, Page 96, Public Records of Lee County Florida. The Plat indicates a reservation of a 6-foot utility easement for public utilities and storm drainage on each side of the lots in the subdivision.

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

Sincerely,

Florida Governmental Utility Authority

A handwritten signature in black ink, appearing to read "Charles Sweat", is written over a horizontal line.

Charles Sweat
Director of Operations

MEMORANDUM TO THE BOARD

TO: FGUA BOARD OF DIRECTORS
CC: ROBERT SHEETS, DAVID MILES
FROM: CHARLES L. SWEAT, DIRECTOR OF OPERATIONS
SUBJECT: VACATION OF EASEMENT
DATE: FEBRUARY 19, 2004

3713 35th Street Southwest - Vacation of Easement

Mr. Jared Lesser, Staff Engineer for AIM Engineering, has requested a vacation of the 12 foot wide utility and drainage easement lying 6-feet on each side of the common line between lots 4 and 5, excluding the northerly and southerly 6 foot sections of Block 58, Unit 4, Lehigh Acres, Section 10, Township 45 South, Range 26 East, as recorded in Plat Book 15, Page 96, Public Records of Lee County Florida. The Plat indicates a reservation of a 6-foot utility easement for public utilities and storm drainage on each side of the lots in the subdivision. The request is made for the purpose of combining the associated lots in order to construct a new home.

Lee County requires that all utilities providing service in the area submit a reference of non-objection before granting the vacation of a dedicated easement for public purposes.

Staff has determined that the FGUA does not presently hold any property rights over the lot other than the plat reservation. Staff has also determined that the FGUA has no current utilities in the utility easement nor has any foreseeable need for utility placement in the easement to be vacated.

Staff recommends FGUA Board approval of Mr. Lesser's request and to further authorize the Director of Operations to sign the letter of consent.



BOARD OF COUNTY COMMISSIONERS

479-8440

Writer's Direct Dial Number:

Bob Janes
District One

March 8, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Jared Lesser
Aim Engineering & Surveying, Inc.
5300 Lee Blvd.,
Lehigh Acres, FL 33971

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

Re: **Petition No. VAC2004-00015** proposes to vacate a 12-foot wide Public Utility Easement centered on the lot lines common to Lots 4 and 5, Block 58, Unit 4, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 96, of the Public Records of Lee County, Florida, LESS and EXCEPT the northerly 6-foot and southerly 6-foot thereof.

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Dear Mr. Jared:

You have indicated that in order to construct a single-family residence on the combined two (2) lots, your client Mr. Roberto and Mrs. Lilia Jaime desire to eliminate the Public Utility Easement located between these lots. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Peter J. Eckenrode
Director

PJE/RSK

U:\200403\20040304.142\1157860\DCDLETTER.DOC



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 479-8124

Monday, December 08, 2003
Bob Janes
District One

Mr. Roberto Jaime
P.O. Box 72
Felda, FL 33930
Douglas R. St. Cerny
District Two
Ray Judah
District Three

Re: Petition to Vacate a twelve (12) foot wide public utility & drainage easements common to Lots 4 & 5, Block 58, Unit 4, Lehigh Acres Subdivision, as recorded in Plat Book 15 Page 96, in the public records, Lee County, Florida.
Andrew W. Coy
District Four
John E. Albion
District Five
Donald D. Stilwell
County Manager

Dear Mr. Jaime:
James G. Yaeger
County Attorney

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of the subject public utility and drainage easement.
Diana M. Parker
County Hearing Examiner

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\vac401.doc



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Janes
District One

January 15, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Jared Lesser
AIM Engineering & Surveying, Inc.
5300 Lee Boulevard
P. O. Box 1235
Lehigh Acres, FL 33970-1235

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

**RE: Petition to vacate the 12' wide
Utility Easement on the lot line
Common to Lots 4 and 5, Block 58,
Unit 4, Lehigh Acres,
Section 10, Township 45, Range 26**

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Dear Mr. Lesser:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 15, page 96. DOT has no facilities within the easement and does not maintain it.

Therefore, DOT offers no objection to this petition to vacate as proposed.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson
Right-of-way Supervisor

MAL/JMK/mlb

cc: Ruth Keith, Development Review Technician
Allen Davies, Natural Resources
DOT PTV File (35th St. S.W.)

S:\DOCUMENT\Petition To Vacate\2004\Lot 4 & 5 Lehigh - Lesser.doc

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2004-00015

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. VAC2004-00015 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

Deputy Clerk Signature

Please Print Name

LEE COUNTY
BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Chairman Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2004-00015

Legal Description of the Public Utility Easements to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 4 and 5, Block 58, Unit 4, Section 10, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 96 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet of each easement.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00015

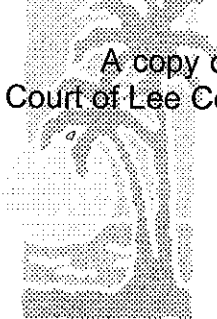
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 27th day of April 2004 @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.



LEE COUNTY
SOUTHWEST FLORIDA

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2004-00015

Legal Description of the Public Utility Easements to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common lot line between Lots 4 and 5, Block 58, Unit 4, Section 10, Township 45 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 96 of the Public Records of Lee County, Florida;

LESS and EXCEPT the northerly six feet and southerly six feet of each easement.



AIM Engineering & Surveying, Inc.

Corporate Office:
5300 Lee Boulevard (33971-1026)
Post Office Box 1236
Lehigh Acres, Florida 33970-1236

239-332-4569
800-226-4569
Fax: 239-332-8734

March 4, 2004

Lee County Department of Community Development
1500 Monroe St.
Fort Myers, Florida 33901

**RE: Reason and purpose for the request for easement vacation
10-45-26-04-00058.0040**

To Whom It May Concern:

AIM Engineering & Surveying, Inc. has completed review of the requested vacation of easements located in lots 4 and 5 of Block 58, Unit 4 of Lehigh Acres as recorded in plat book 15, page 96. We request this vacation on behalf of our clients, Roberto and Lilia Jaime so they may combine the two (2) lots referenced above into one for the future building site of their single family residence. This vacation of easements is legally described within this submittal.

Please feel free to contact me at (239) 332-4569 should any other questions or concerns arise.

Sincerely,

AIM Engineering & Surveying, Inc.

Jared Lesser
Staff Engineer



A PLAT OF

THAT PART OF SECTION 10, LYING
NORTH OF STATE ROAD NO. 82
TOWNSHIP 45 SOUTH, RANGE 26 EAST

A SUBDIVISION OF
LEHIGH ACRES
LEE COUNTY, FLORIDA

LEE COUNTY LAND & TITLE CO. DEVELOPERS

March 1958

Scale: 1 inch = 40 feet

Unit Boundary

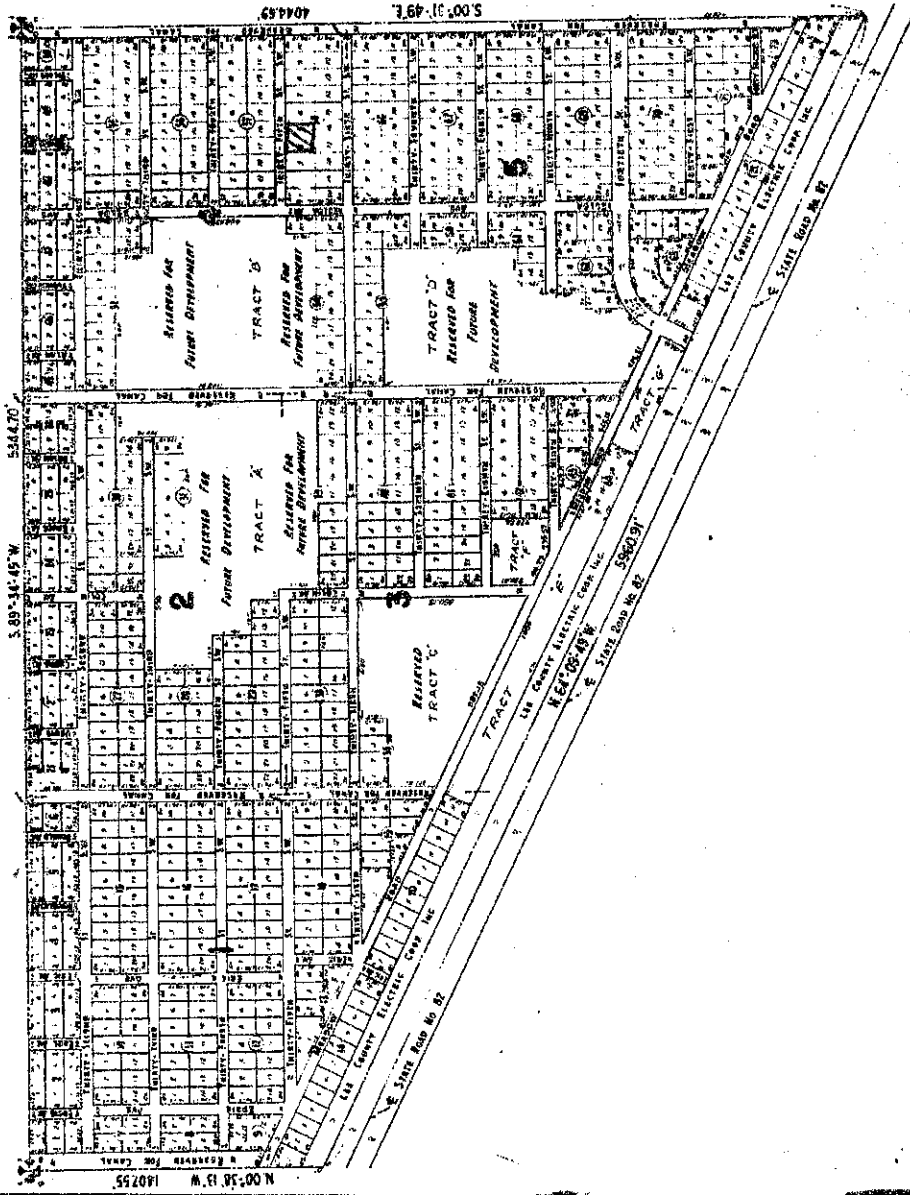
SURVEYORS CERTIFICATE

I, the undersigned, hereby certify that the plat on which is shown the subdivision of the above described land is a true and correct representation of the same.

[Signature]
Surveyor

NOTE: In the event of a change in the plat on which is shown the subdivision of the above described land, the plat on which is shown the subdivision of the above described land shall be amended accordingly.

Lee County, Florida
Lee County, Florida



00056 0170

00056 0170

00057 0120

00058 0020 00058 0040

00059 0080

00066 0070

00066 0070

00066 0070

00067 0020