

1. **REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition to Vacate a 12-foot wide Drainage and Public Utility Easement located at 6360 Maytree Circle, Lehigh Acres, Florida 33905, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 27th day of April, 2004. (Case No. VAC2004-00013)

**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 drainage and/or utility conditions and the easement is not necessary to accommodate any future drainage and/or utility requirements.

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

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

**C4C**

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]* 3/04/04
- Peter J. Eckenrode, Director

7. **BACKGROUND:**

The completed petition to vacate, VAC2004-00013 was submitted by Darwin Richards of DR Construction Services as the agent for Sherry L. Taylor.

**LOCATION:** Petition No. VAC2004-00013 proposes to vacate a 12-foot wide Drainage and Public Utility Easement centered on the lot lines common to Lots 59 and 60, Block 13, East Part of Unit 3, Replat of Resubdivision of Block B, Northwest Section in Section 16, Township 44 South, Range 26 East, Buckingham Park, a subdivision of Lehigh Acres, as recorded in Plat Book 27, Page 190, of the Public Records of Lee County, Florida, **LESS and EXCEPT** the northerly 6-foot and the southerly 6-foot thereof. The site is located at 6360 Maytree Circle, Lehigh Acres, Florida 33905.

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>3/18/04</i>				G County Manager
					OA <i>120</i> <i>3/17/04</i>	OM <i>3/18/04</i>	Risk <i>3/18/04</i>	GC <i>3/18/04</i>	
<i>Man</i> <i>(7/5)</i>	N/A	N/A	N/A	<i>John</i> <i>Richards</i> <i>3-16-04</i>					<i>[Signature]</i>

10. **COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY  
COUNTY ADMIN  
3-17-04  
9:00 am  
COUNTY ADMIN  
FORWARDED TO  
3/18/04

RECEIVED BY  
COUNTY ADMIN  
3/17/04  
9:00 am  
COUNTY ADMIN  
FORWARDED TO  
3/18/04

**PETITION TO VACATE (AC 13-1)**

Case Number: VAC2004-00013

Petitioner(s), Sherry Taylor  
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, Box 2002, Lehigh Acres, FL 33970
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:

X Sherry Taylor  
Petitioner Signature

\_\_\_\_\_  
Petitioner Signature

Sherry Taylor  
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 VACANT Lot 6360 Magnolia Circle Lehigh 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 DARWIN RICHARDS 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.

Sherry Taylor  
Owner\*(signature)

Sherry Taylor  
Printed Name

NA  
Owner\*(signature)

NA  
Printed Name

NA  
Owner\*(signature)

NA  
Printed Name

NA  
Owner\*(signature)

NA  
Printed Name

NA  
Owner\*(signature)

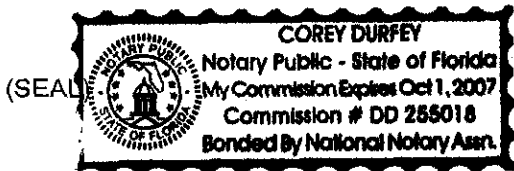
NA  
Printed Name

NA  
Owner\*(signature)

NA  
Printed Name

STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 5 day of March, 2004, by Sherry Taylor, who is personally known to me or who has produced FL DL T460-792-67-074-1 as identification and who did (did not) take an oath.



Corey Durfey  
Notary Public  
Corey Durfey  
(Name typed, printed or stamped)

**EXHIBIT "A"**  
Petition to Vacate  
VAC2004-00013

**Legal Description of the Public Utility Easement  
& Drainage Easement to be Vacated**

The twelve-foot (12') wide Public Utility Easement and Drainage Easement centered on the common lot line between Lots 59 and 60; all in Block 13, East Part of Unit 3, Replat of Resubdivision of Block B, Northwest Section in Section 16, Township 44 South, Range 26 East, Buckingham Park, a subdivision of Lehigh Acres, as recorded in Plat Book 27 at Page 190 of the Public Records of Lee County, Florida;

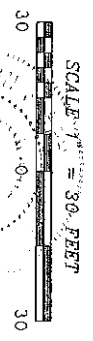
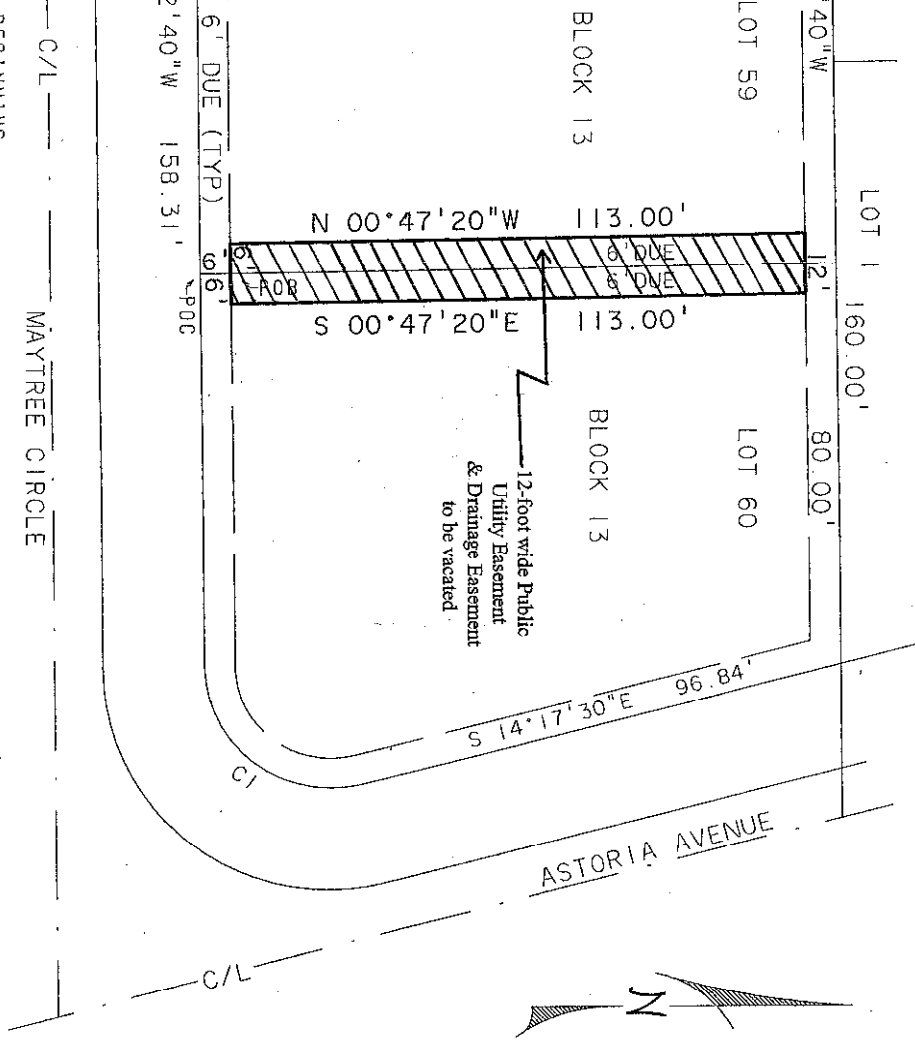
**LESS and EXCEPT** the northerly six feet and southerly six feet of each easement.

LOT 58 BLOCK 13  
N 00°47'20"W 125.00'

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	103°30'10"	25.00'	45.16'	31.71'	39.27'	S 37°27'35"W

LEGEND:  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 DUE = DRAINAGE & UTILITY EASEMENT

**R. K. BURNS SURVEYING, INC.**  
 1940 Riceville Avenue  
 Ft. Lauderdale, Florida 33301  
 (954) 966-4500  
 (954) 966-4501  
 (954) 966-4502  
 (954) 966-4503  
 (954) 966-4504  
 (954) 966-4505  
 (954) 966-4506  
 (954) 966-4507  
 (954) 966-4508  
 (954) 966-4509  
 (954) 966-4510  
 (954) 966-4511  
 (954) 966-4512  
 (954) 966-4513  
 (954) 966-4514  
 (954) 966-4515  
 (954) 966-4516  
 (954) 966-4517  
 (954) 966-4518  
 (954) 966-4519  
 (954) 966-4520  
 (954) 966-4521  
 (954) 966-4522  
 (954) 966-4523  
 (954) 966-4524  
 (954) 966-4525  
 (954) 966-4526  
 (954) 966-4527  
 (954) 966-4528  
 (954) 966-4529  
 (954) 966-4530

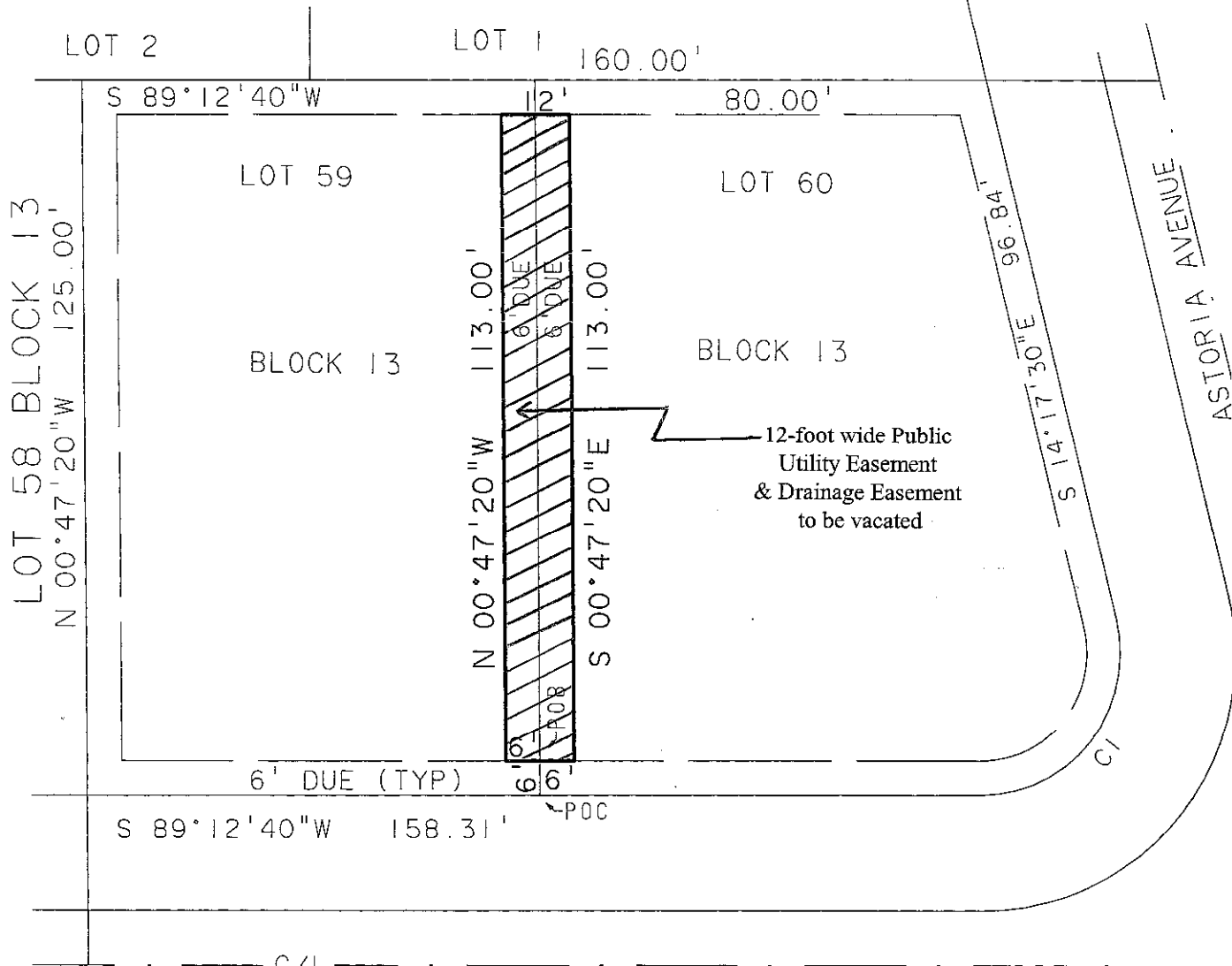


By: *[Signature]*  
 John S. Burns, Sr., P.S. & M. LSS583  
 R.K. Burns Surveying, Inc. 486133  
 15 JAN 2004

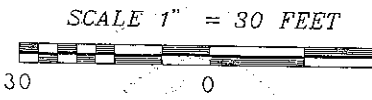
**LEGAL DESCRIPTION:**  
 AN EXISTING 12 FOOT DRAINAGE AND UTILITY EASEMENT AS DESCRIBED IN THE PLAT NOTES, LYING 6 FOOT EACH SIDE OF THE LINE BETWEEN LOT 59 AND LOT 60, OF BLOCK 13, LESS AND EXCEPT THE NORTH AND SOUTH 6 FEET THEREOF, AS SHOWN IN THE MAP OR PLAT OF THE EAST PART OF UNIT 3, OF THE REPLAT OF THE RESUBDIVISION OF BLOCK B, OF BUCKINGHAM PARK - NORTHEAST SECTION, AS RECORDED IN PLAT BOOK 27, PAGES 185 THROUGH 193, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHWEST CORNER OF AFORESAID LOT 60, BEING THE SOUTHEAST CORNER OF AFORESAID LOT 59, BLOCK 13; THENCE N 00°47'20"W ALONG THE LINE BETWEEN SAID LOTS 59 & 60, A DISTANCE OF 6 FEET TO THE POINT OF BEGINNING OF THE DRAINAGE AND UTILITY EASEMENT HEREIN DESCRIBED;  
 THENCE S 89°12'40"W PARALLEL WITH THE SOUTH LINES OF SAID LOTS 59 AND 60, A DISTANCE OF 6 FEET TO THE WEST SIDE OF SAID DRAINAGE AND UTILITY EASEMENT; THENCE ALONG THE WEST SIDE OF SAID EASEMENT; N 00°47'20"W PARALLEL WITH THE LINE BETWEEN SAID LOTS 59 & 60, A DISTANCE OF 113 FEET TO A POINT 6 FEET FROM THE NORTH LINE OF SAID LOT 59; THENCE ALONG A LINE 6 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINES OF SAID LOTS 59 & 60 N 89°12'40"E 12 FEET TO THE EAST SIDE OF SAID DRAINAGE AND UTILITY EASEMENT; THENCE ALONG THE EAST SIDE OF SAID DRAINAGE AND UTILITY EASEMENT S 00°47'20"E PARALLEL WITH THE LINE BETWEEN SAID LOTS 59 & 60, A DISTANCE OF 113 TO A POINT 6 FEET FROM THE SOUTH SIDE OF SAID LOT 60; THENCE ALONG A LINE 6 FEET NORTH OF AND PARALLEL WITH THE SOUTH SIDE OF SAID LOT 60 A DISTANCE OF 6 FEET TO THE POINT OF BEGINNING.

Exhibit "B"  
 Petition to Vacate  
 VAC2004-00013  
 [Page One of One]

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD E
C 1	103°30'10"	25.00'	45.16'	31.71'	39.27'	S 37°



LEGEND:  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 DUE = DRAINAGE & UTILITY EASEMENT



**R. K. BURNS SURVEYING, INC.**  
 1940 Ricardo Avenue  
 Fort Myers, Florida 33901  
 (239) 936-4550 Business  
 (239) 936-3267 Fax

THIS IS NOT A BOUNDARY SURVEY  
 SKETCH TO ACCOMPANY LEGAL  
 DESCRIPTION

WO#:04-0007L  
 SHEET 1 OF 1

By: *[Signature]*  
 John S. Burns, Sr., P.S. & M. LS5583  
 R.K. Burns Surveying, Inc. LB6133

Exhibit "C"  
 Petition to Vacate  
 VAC2004-00013  
 [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      Account  for Tax Year:

Save as File       Extensive Search  
 View file format.



Your search for 16442606000130590 has returned 10 result(s).

Account	Tax Year	Owner Name/ Address	Status/ Outstanding Balance	
16-44-26-06-00013.0590	2003	TAYLOR SHERRY L 6360 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	2002	GLOVER WILLIAM L 6360 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	2001	GLOVER WILLIAM L 6360 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	2001	GLOVER WILLIAM L 6350 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	2000	GLOVER WILLIAM L + JETTA 6360 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	2000	GLOVER WILLIAM L + JETTA L 6350 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	1999	GLOVER WILLIAM L + JETTA 6360 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	1999	GLOVER WILLIAM L + JETTA L 6350 MAYTREE CIR	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	1998	LISI MICHAEL + ROSEMARY	PAID	<input type="button" value="Details"/>
16-44-26-06-00013.0590	1998	GLOVER WILLIAM L + JETTA L	PAID	<input type="button" value="Details"/>



**This Instrument Prepared by and return to:**

**Name:** Patricia Regas  
**Tradewinds Title, Inc.**  
**Address:** 904 Lee Blvd., Suite 106  
Lehigh Acres, FL 33936  
58580  
**Parcel I.D. #:** 16-44-26-06-00013.0590/0600  
**Recording Fee \$10.50 Doc Stamps \$105.00**

INSTR # 6038295  
Official Records  
BK 04115 Pgs 4155 - 4156; (2pgs)  
RECORDED 11/07/2003 08:52:02 AM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEED DOC 105.00

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED** Made the 17th day of October, A.D. 2003, by **WILLIAM L. GLOVER**, hereinafter called the grantors, to **SHERRY L. TAYLOR**, whose post office address is **P.O. Box 2002, Lehigh Acres, FL 33970**, hereinafter called the grantee:

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

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

Lot 59, Block 13, East Part of Unit 3, Replat of Resubdivision of Block B, Buckingham Park, Northwest Section in Section 16, Township 44 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 27, Page 190, Public Records of Lee County, Florida.

Lot 60, Block 13, East Part of Unit 3, Replat of Resubdivision of Block B, Buckingham Park, Northwest Section in Section 16, Township 44 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 27, Page 190, 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 grantors hereby covenant with said grantee that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land, and hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.*



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

Signed, sealed and delivered in the presence of:

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

[Signature]  
1<sup>st</sup> Witness Signature

William L. Glover L.S.  
William L. Glover  
Address:  
6390 Astoria Ave, Fort Myers, FL 33905

Notma M. Allen  
Printed Name

[Signature]  
2<sup>nd</sup> Witness Signature

Xiomara Prida  
Printed Name

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of October, 2003, by William L. Glover, who are known to me or who have produced H. H. Leg. as identification and who did (did not) take an oath.

[Signature]  
Signature of Notary

Xiomara Prida

Printed Name of Notary  
My commission expires Sept 8, 2004



Notary Seal  
OFFICIAL NOTARY SEAL  
XIOMARA PRIDA  
COMMISSION NO. CC 960651  
MY COMMISSION EXP. SEPT 8, 2004



P. O. Box 370  
Fort Myers, FL 33902-0370

February 2, 2004

Att: Sherry Taylor  
Petitioner  
P.O. Box 2002  
Lehigh Acers, FL. 33970

Re: D.R. Construction Services  
Mr. Darwin Richards  
214 Lincoln Ave  
Lehigh Acres, FL 33972

Ref: Petition to vacate a 6 foot utility easement in the Buckingham Park-Northwest. To vacate the 6 foot utility easement between westerly lot line, of lot 60 and the Easterly lot line, of lot 59 in the Lehigh Acers subdivision, known as the Replat of block B, Buckingham Park section 16. STRAP # 16-44-26-06-00013.0590.as recorded in Pb 27, Pg 190, Lot 59+60, in the Lee County Records.

Mr. Darwin Richards

This letter is a follow up in examining the property at 6360 Maytree Cir. Sprint has no objection to the vacation of the existing utility easement, between Lots 59 and 60. The lots are to be combined as lot 60.

See attached:

Questions please advise Craig Sloan 293-336-2039 or Dick Hayman 239-336-2032.

Call before you dig 1800-432-4770 Call One.

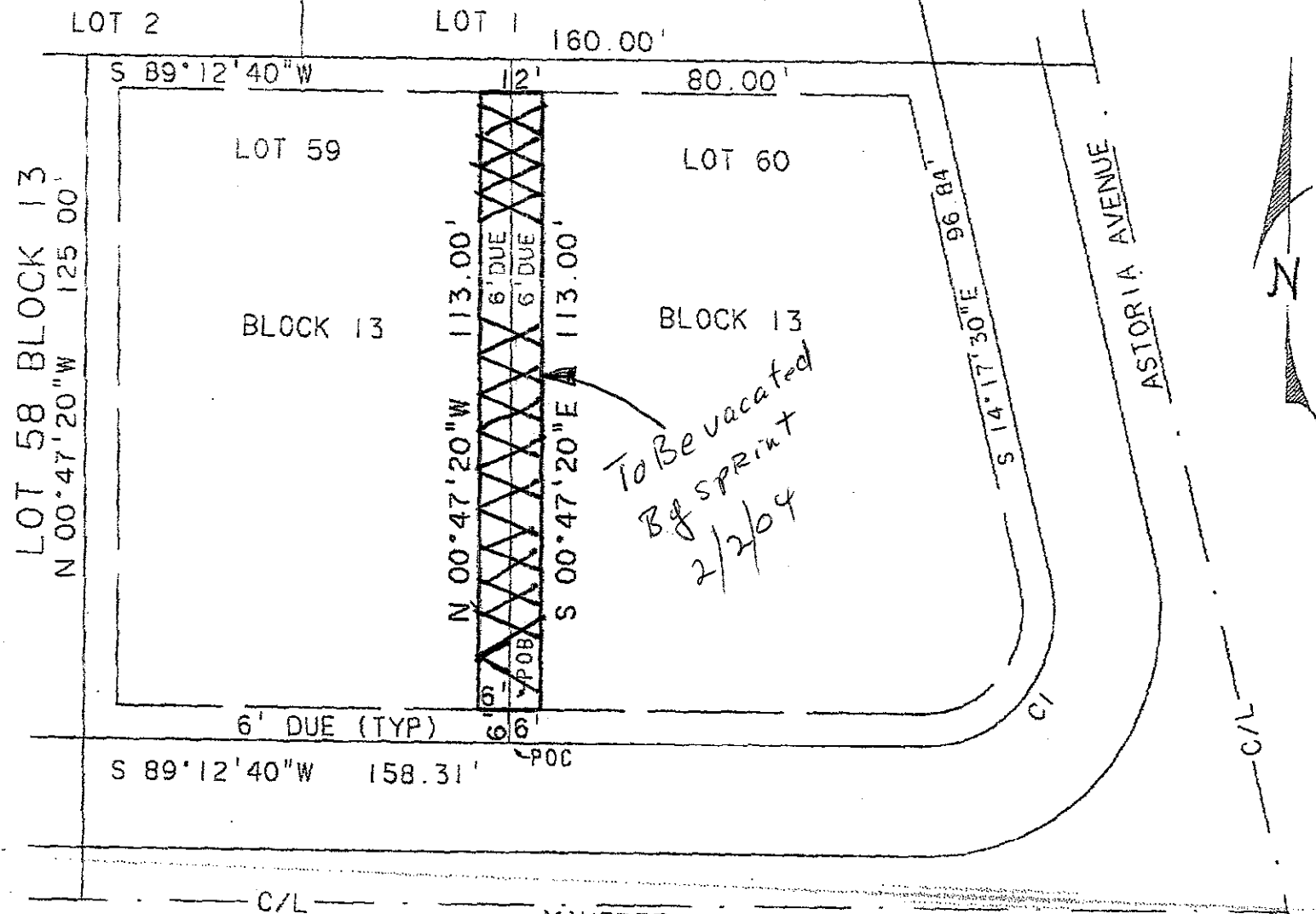
Sincerely,

A handwritten signature in black ink, appearing to read "Craig Sloan".

Craig Sloan  
Engineer 1 Sprint

Cc: RH, RT,

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENTI	CHORD	CHORD BEARING
C 1	103°30'10"	25 00'	45 16'	31.71'	39.27'	S 37°27'35"W



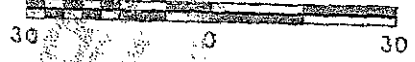
*To Be vacated  
By Sprint  
2/2/04*



LEGEND:  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 DUE = DRAINAGE & UTILITY EASEMENT

WD#04-0007L

SCALE 1" = 30 FEET



**R. K. BURNS SURVEYING, INC.**

1940 Ricardo Avenue  
 Fort Myers, Florida 33901  
 (239) 336-4550 Business  
 (239) 926-3267 Fax

THIS IS NOT A BOUNDARY SURVEY  
 SKETCH TO ACCOMPANY LEGAL  
 DESCRIPTION SHEET 1 OF 1

By: *[Signature]*  
 John S. Burns, Sr., P.S. & M. LS5583 15 JAN 2004  
 R.K. Burns Surveying, Inc. LB6133



**Roy Winfrey**  
**Customer Project Manager**  
**2425 THOMPSON ST**  
**FT MYERS, FL, 33901**  
**PHONE 239-332-9160**  
**FAX 239-332-9128**

---

Sherry Taylor  
P. O. BOX 2002  
Lehigh Acres, Fl. 33970

Re: Vacating of Easement

Florida Power & Light Co. has no objection to vacating the easement common to lots 59 & 60 Block 13 pb 27 pg 190 less the north and south 6' thereof. The lot has the following strap number:

16-44-26-06-00013.0590

If I may be of further assistance, please do not hesitate to contact me at 239-332-9160

Sincerely,

Roy Winfrey  
Customer Project Manager



Lee County Electric Cooperative, Inc.  
Post Office Box 3455  
North Fort Myers, FL 33918-3455  
(239) 995-2121 • FAX (239) 995-7904  
www.lcec.net • www.lfline.com

January 23, 2004

Ms. Sherry Taylor  
P. O. Box 2002  
Lehigh Acres, FL 33970

Re: Strap No. 16-44-26-06-00013.0590

Dear Ms. Taylor:

LCEC does not object to vacation of the platted easements described below; however, please be advised that you must contact FPL as this is in their service area.

A 12-foot-wide utility and/or drainage easement centered on the line between Lots 59 and 60, Block 13, being the East Part of Unit 3, Replat of Resubdivision of Block B, Buckingham Park – Northwest Section in Section 15, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida; LESS and EXCEPT the north 6 feet and the south 6 feet thereof.

Please call me at (239) 656-2422 if you have any questions.

Sincerely,

Karen Hardin  
Real Property Representative



**2931 Michigan Ave.  
Fort Myers, FL 33916  
Phone: 239-732-3805  
FAX: 239-334-8575**

January 28, 2004  
D.R. Construction Services.  
Darwin Richards  
214 Lincoln Ave.  
Lehigh Acres , Florida 33972

Re: Buckingham Park Between Lots 59 & 60 , Block 13 Lehigh Acres, Florida 33972

Dear Darwin Richards:

This letter will serve to inform you that Comcast has no objection to your proposed vacation of the address referenced above.

Should you require additional information or assistance, please feel free to contact me here at 732-3805.

Cordially,

A handwritten signature in cursive script that reads 'Mark Cook'.

Mark Cook  
Design Coordinator



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

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

Bob Janes  
District One

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

January 26, 2004

Darwin Richards  
D.R. Construction Services  
214 Lincoln Ave.  
Lehigh Acres, Fl. 33972

**SUBJECT: PETITION TO VACATE A UTILITY EASEMENT BETWEEN  
6390 ASTORIA AVE. AND 6571 MAYTREE LANE.  
LEHIGH ACRES.**

Dear Sir:

Lee County Utilities has reviewed the Public utility easement, Right-of-Way or Roadway easement described in your letter of January 22<sup>nd</sup> 2004. Lee County Utilities has no facilities located within the easement; therefore, there is no objection to the vacation of this easement. However, you may also want to contact the Governmental Utility Authority, as your property is located within their Utility service area. Their phone number is (239) 368-1615 ext. 10.

Should you have any questions, or require further assistance, please do not hesitate to contact our office at 479-8532.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic  
Engineering Tech II  
UTILITIES ENGINEERING

Responded by phone, have no interest in site.  
Dan [Signature]

6390 ASTORIA AVE- Lehigh Acres - NO-OBJECTION.doc

Florida  
GOVERNMENTAL  
UTILITY  
Authority

D

December 30, 2003  
Today's Date

Darwin Richards  
Contact Person

NOT IN THIS SERVICE  
AREA.

D.R. Construction Services  
Company Name

Mike Currier  
368-1615

214 Lincoln Avenue  
Mailing Address

Lehigh Acres, Florida 33972  
City State Zip

RE: Request for a letter of Review and Recommendation on a proposed ~~right-of-way~~  
easement vacation at the following location:  
Westerly lot line easements between lots 59 and 60, Block 13, Buckingham Park,  
East Part of Unit 3, REPLAT OF RESIBDIVISION OF BLOCK B,  
BUCKINGHAM PARK-NORTHWEST SECTION IN SECTION 16,  
TWP 44S,  
RGE. 26E a subdivision of LEHIGH ACRES.

TO WHOM IT MAY CONCERN:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the ~~right-of-way~~ or road easement at the location identified above in order to accomplish the following:

Combine lots 59 & 60 and construct a single family CBS home on the combined lots. Now identified by the tax accessory's office as lot 60.

We have included a sketch or drawing of the ~~right-of-way~~ easement we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

*Sherry Taylor*  
Sherry Taylor  
The Petitioner

Return Address: Post Office Box 2002, Lehigh Acres, Florida 33970  
Daytime telephone no. 693-9979 or cell phone no. 770-1231

NIS



Florida  
GOVERNMENTAL  
Utility  
Authority

D

December 30, 2003  
Today's Date

Darwin Richards  
Contact Person

NOT IN THIS SERVICE  
AREA.

D.R. Construction Services  
Company Name

Mike Currier  
368-1615

214 Lincoln Avenue  
Mailing Address

Lehigh Acres, Florida 33972  
City State Zip

RE: Request for a letter of Review and Recommendation on a proposed ~~right-of-way~~  
easement vacation at the following location:  
Westerly lot line easements between lots 59 and 60, Block 13, Buckingham Park.  
East Part of Unit 3, REPLAT OF RESIBDIVISION OF BLOCK B,  
BUCKINGHAM PARK-NORTHWEST SECTION IN SECTION 16,  
TWP.44S.  
RGE. 26E a subdivision of LEHIGH ACRES.

TO WHOM IT MAY CONCERN:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the ~~right-of-way~~ or road easement at the location identified above in order to accomplish the following:  
Combine lots 59 & 60 and construct a single family CBS home on the combined lots. Now identified by the tax accessory's office as lot 60.

We have included a sketch or drawing of the ~~right-of-way~~ easement we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,  
*Sherry Taylor*  
Sherry Taylor  
The Petitioner

Return Address: Post Office Box 2002, Lehigh Acres, Florida 33970  
Daytime telephone no. 693-9979 or cell phone no. 770-1231

NIS

Florida  
GOVERNMENTAL  
UTILITY  
Authority

D

December 30, 2003

Today's Date

NOT IN THIS SERVICE  
AREA.

Darwin Richards

Contact Person

Mike Carrier  
368-1615

D.R. Construction Services

Company Name

214 Lincoln Avenue

Mailing Address

Lehigh Acres, Florida 33972

City State Zip

RE: Request for a letter of Review and Recommendation on a proposed ~~right-of-way~~ easement vacation at the following location:  
Westerly lot line easements between lots 59 and 60, Block 13, Buckingham Park.  
East Part of Unit 3, REPLAT OF RESIBDIVISION OF BLOCK B,  
BUCKINGHAM PARK-NORTHWEST SECTION IN SECTION 16,  
TWP. 44S,  
RGE. 26E a subdivision of LEHIGH ACRES.

TO WHOM IT MAY CONCERN:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the ~~right-of-way~~ or road easement at the location identified above in order to accomplish the following:

Combine lots 59 & 60 and construct a single family CBS home on the combined lots. Now identified by the tax accessory's office as lot 60.

We have included a sketch or drawing of the ~~right-of-way~~ easement we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

*Sherry Taylor*  
Sherry Taylor

The Petitioner

Return Address: Post Office Box 2002, Lehigh Acres, Florida 33970

Daytime telephone no. 693-9979 or cell phone no. 770-1231

NIS 3



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8440

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

March 8, 2004

Darwin Richards  
DR Construction Services  
214 Lincoln Ave.,  
Lehigh Acres, FL 33972

Re: **Petition No. VAC2004-00013** 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-foot and southerly 6-foot thereof.

Dear Mr. Richards:

You have indicated that in order to construct a single-family residence on the combined two (2) lots, your client Ms. Sherry Taylor desire to eliminate the Public Utility Easement located between these lots. The site is located at 3713 35<sup>th</sup> St. W., Lehigh Acres, Florida 33971. 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\20040301.091\1572010\DCDLETTER.DOC



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

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

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*

Thursday, February 05, 2004

Ms. Sherry Taylor  
P.O. Box 2002  
Lehigh Acres, FL33970

Re: Petition to Vacate a twelve (12) foot wide public utility & drainage easements common to Lots 59 & 60, Block 13, Unit 3, Buckingham Park Subdivision, as recorded in Plat Book 13 Page 27, in the public records, Lee County, Florida.

Dear Ms. Taylor:

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

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

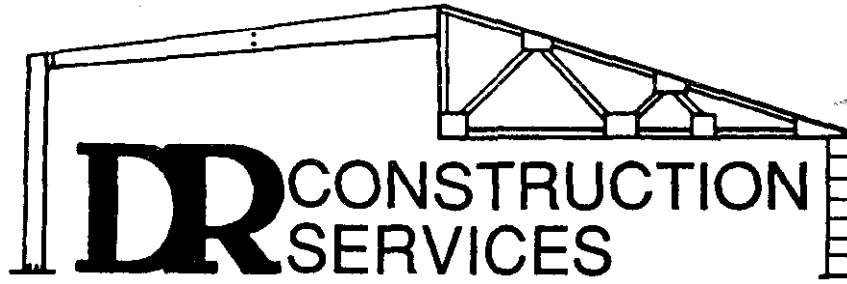
Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr.  
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\vac412.doc



*O'ter. Ruth Keith*

*2nd floor*

State Certified General Contractor CGC 016600  
214 Lincoln Avenue • Lehigh, FL 33972 • (239) 369-6797

Ms. Margaret Lawson  
Lee County Transportation Division  
1500 Monroe Street, 3<sup>rd</sup> Floor  
Fort Myers, Florida 33901-5500

03/04/04

RE: REQUESTED VACATION OF EASEMENT

Dear Ms. Lawson:

Please allow me to request the vacation of the drainage/utility easements between strap number lots: 59 and 60, Block 13, Buckingham Park, East Part of Unit 3, Replat of Resubdivision of Block B. Buckingham Park-Northwest Section in Section 16, Twp. 44S, Rge 26E a subdivision of Lehigh Acres. Strap No.'s 16-44-26-06-00013.0590 and 16-44-26-06-00013.0600.

Reason for this request is to combine two (2) lots into one for future building site of a single family residence to be owned by the petitioner:

Sherry Taylor  
Box 2002  
Lehigh Acres, Florida 33970  
Phone #: (239) 693-9979  
Cell Phone #: 770-1231

*3/4/04*

Thank you for your consideration,

*Darwin Richards*

Darwin Richards  
CGC 016600  
Contact Person  
239- 369-67697  
Cell 851-4346

*\* NOT A ROW VACATION.*

*IT IS A FUE + DE NO letter from DOT REQUIRED. w/ative DOT Letter*

*Margaret Lawson*

~~January 22, 2004~~  
~~December 30, 2003~~  
Today's Date

Darwin Richards  
Contact Person

D.R. Construction Services  
Company Name

214 Lincoln Avenue  
Mailing Address

Lehigh Acres, Florida 33972  
City State Zip

RE: Request for a letter of Review and Recommendation on a proposed ~~right-of-way~~  
easement vacation at the following location:  
Westerly lot line easements between lots 59 and 60, Block 13, Buckingham Park,  
East Part of Unit 3, REPLAT OF RESUBDIVISION OF BLOCK B,  
BUCKINGHAM PARK-NORTHWEST SECTION IN SECTION 16,  
TWP. 44S,  
RGE. 26E a subdivision of LEHIGH ACRES.

TO WHOM IT MAY CONCERN:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the ~~right-of-way or road easement~~ at the location identified above in order to accomplish the following:

Combine lots 59 & 60 and construct a single family CBS home on the combined lots. Now identified by the tax accessory's office as lot 60.

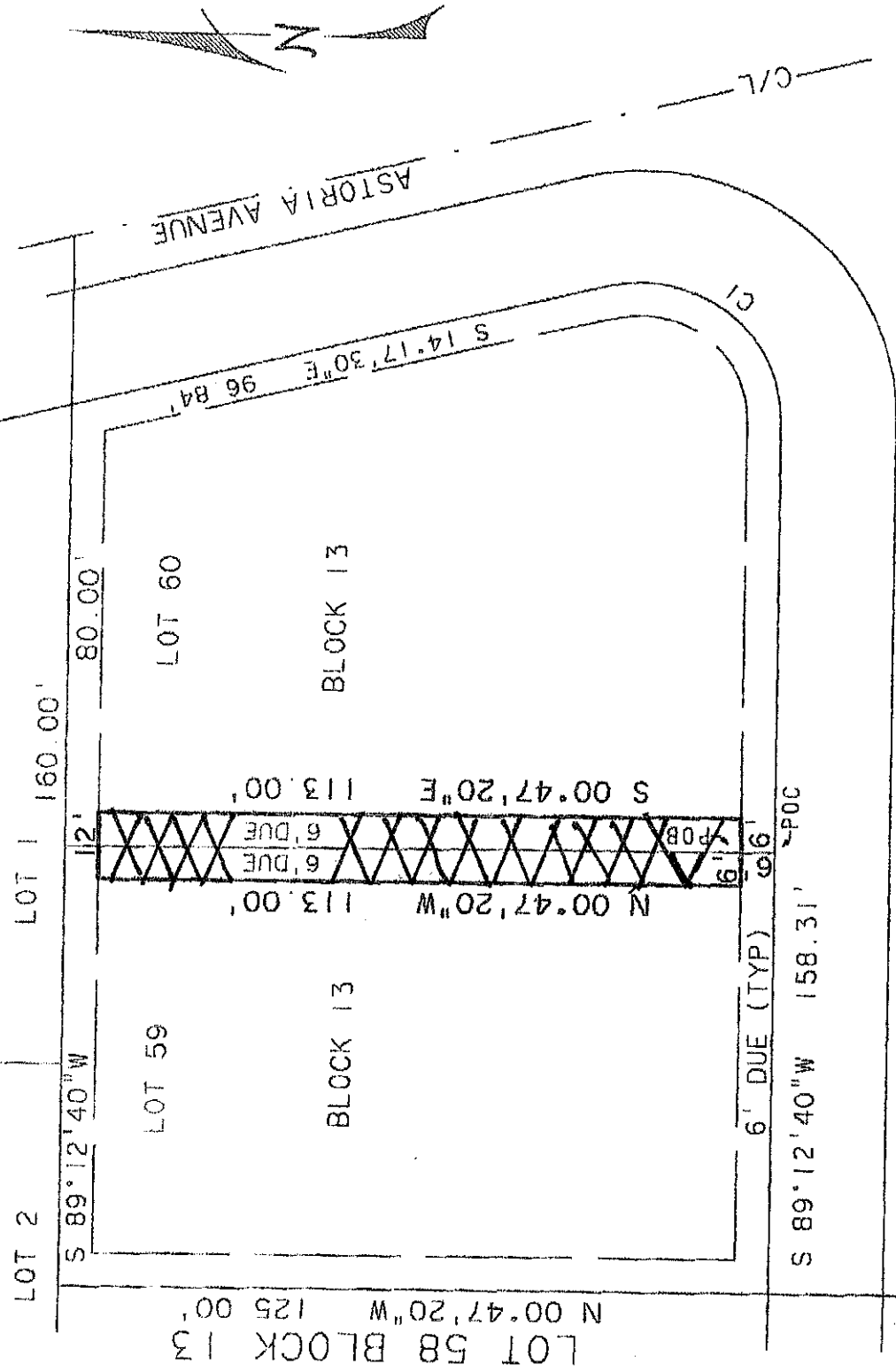
We have included a sketch or drawing of the right-of-way easement we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

  
Sherry Taylor  
The Petitioner

Return Address: Post Office Box 2002, Lehigh Acres, Florida 33970  
Daytime telephone no. 693-9979 or cell phone no. 770-1231

CURVE DELTA ANGLE RADIUS ARC TANGENTI CHUKU CHUKU BEARING  
 C 1 103°30'10" 25 00' 45 16' 31.71' 39.27' S 37°27'35"W



LEGEND:  
 PDB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 DUE = DRAINAGE & UTILITY EASEMENT

W0#04-0007L

**R. K. BURNS SURVEYING, INC.**  
 1940 Riverside Avenue  
 Fort Myers, Florida 33901  
 (239) 936-1550 Business  
 (239) 926-3267 Fax

THIS IS NOT A BOUNDARY SURVEY  
 SKETCH TO ACCOMPANY LEGAL  
 DESCRIPTION SHEET 13/1

By: *[Signature]*  
 John S. Burns, Sr., P.S. & M. L55583  
 R.K. Burns Surveying, Inc. LB6133

15 JAN 2004



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

801 North Broadway Avenue  
Bartow, Florida 33830

JOSE ABREU  
SECRETARY

January 27, 2004

Sherry Taylor  
P.O. Box 2002  
Leigh Acres, Florida 33970

RE: Vacation of a Public Utility Easement:

Dear Mrs. Taylor:

In response to your letter we received on January 26, 2004 our staff has conducted a review of your request to vacate the subject area as marked and generally described as: That portion of a 12' wide by 113' long Public Utility Easement identified as lying between Block 13 (Lot 59) and Block 13 (Lot 60) of a Subdivision known as Leigh Acres, Buckingham Park, East part of Unit 3, Replat of Resubdivision of Block 13, in Section 16, Township 44 South, Range 26 East, Lee County, Florida.

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

Sincerely,

Brian L. Toune  
Property Management

cc: Scott Gilbertson, P.E. – Lee County  
Peter J. Eckenrode – 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)





State Certified General Contractor CGC 016600  
214 Lincoln Avenue • Lehigh, FL 33972 • (239) 369-6797

Department of Community Development  
Mr. Peter J. Eckenrode, Director of Development Services

02/25/04

RE: REQUESTED VACATION OF EASEMENT

Dear Mr. Eckenrode:

Please allow me to request the vacation of the drainage/utility easements between strap number lots: 59 and 60, Block 13, Buckingham Park, East Part of Unit 3, Replat of Resubdivision of Block B. Buckingham Park-Northwest Section in Section 16, Twp. 44S, Rge 26E a subdivision of Lehigh Acres. Strap No.'s 16-44-26-06-00013.0590 and 16-44-26-06-00013.0600.

Reason for this request is to combine two (2) lots into one for future building site of a single family residence to be owned by the petitioner:

X *Sherry Taylor*

Sherry Taylor  
Box 2002  
Lehigh Acres, Florida 33970  
Phone #: (239) 693-9979  
Cell Phone #: 770-1231

Thank you for your consideration,

*Darwin Richards*

Darwin Richards  
CGC 016600  
Contact Person  
239- 369-67697  
Cell 851-4346

December 30, 2003

Today's Date

Darwin Richards

Contact Person

D.R. Construction Services

Company Name

214 Lincoln Avenue

Mailing Address

Lehigh Acres, Florida 33972

City State Zip

RE: Request for a letter of Review and Recommendation on a proposed right-of-way easement vacation at the following location:  
Westerly lot line easements between lots 59 and 60, Block 13, Buckingham Park.  
East Part of Unit 3, REPLAT OF RESIBDIVISION OF BLOCK B,  
BUCKINGHAM PARK-NORTHWEST SECTION IN SECTION 16,  
TWP.44S,  
RGE. 26E a subdivision of LEHIGH ACRES.

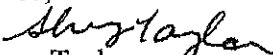
TO WHOM IT MAY CONCERN:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the right-of-way or road easement at the location identified above in order to accomplish the following:

Combine lots 59 & 60 and construct a single family CBS home on the combined lots. Now identified by the tax accessory's office as lot 60.

We have included a sketch or drawing of the right-of-way easement we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

  
Sherry Taylor

The Petitioner

Return Address: Post Office Box 2002, Lehigh Acres, Florida 33970

Daytime telephone no. 693-9979 or cell phone no. 770-1231

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE** Case Number: VAC2004-00013

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. VAC2004-00013 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  
VAC2004-00013

**Legal Description of the Public Utility Easement  
& Drainage Easement to be Vacated**

The twelve-foot (12') wide Public Utility Easement and Drainage Easement centered on the common lot line between Lots 59 and 60; all in Block 13, East Part of Unit 3, Replat of Resubdivision of Block B, Northwest Section in Section 16, Township 44 South, Range 26 East, Buckingham Park, a subdivision of Lehigh Acres, as recorded in Plat Book 27 at Page 190 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: VAC2004-00013

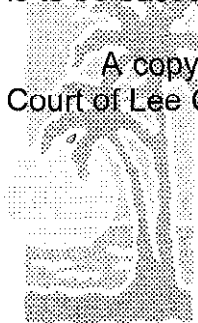
TO WHOM IT MAY CONCERN:

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  
VAC2004-00013

**Legal Description of the Public Utility Easement  
& Drainage Easement to be Vacated**

The twelve-foot (12') wide Public Utility Easement and Drainage Easement centered on the common lot line between Lots 59 and 60; all in Block 13, East Part of Unit 3, Replat of Resubdivision of Block B, Northwest Section in Section 16, Township 44 South, Range 26 East, Buckingham Park, a subdivision of Lehigh Acres, as recorded in Plat Book 27 at Page 190 of the Public Records of Lee County, Florida;

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

NOTE: ORIGINAL PLAT PB. 9 - PG. 92 & 93  
 RESUBDIVISION PB. 18 - PG. 152, 153 & 154

PLAT BOOK 27 PAGE 190



EAST PART OF UNIT 3  
 REPLAT OF  
 RE SUBDIVISION OF BLOCK B,  
 BUCKINGHAM PARK - NORTHWEST SECTION  
 IN SECTION 16, TWP. 44S., RGE. 28E.

LEHIGH ACRES

A SUBDIVISION OF  
 LEE COUNTY, FLORIDA



All lots subject to a 6 foot Utility and  
 Drainage Easement on both sides, front,  
 and back.

All corner lot radii are 25 feet except as  
 shown and the lot dimensions are to the  
 straight line intersections, except where  
 arc distances are shown.

BUCKINGHAM  
 NORTHWEST  
 SECTION

