				ty Board Of Co Agenda Item	Summary	Blu	ne Sheet No. 20050948
1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Public Utility Easement located at 4841 Golf Club Ct., North Fort Myers, located off of Orange Grove Blvd., south of Hancock Bridge Pkwy. (Case No. VAC2005-00020).							
The vacat	ACTION ion of this ea date any futu	sement wi	u not aite	er existing utility	8,000 square fo	oot commercial bu d the easement is	s not necessary to
3. MANA	GEMENT	RECOM	MENDA	TION: Approv	e		
COMM	tmental Cat ISSION DIST	tegory: 'RICT #: <u>4</u>	9:30	PHI		5. Meeting Da	te:09-20-2005
6. Agend			7. Requi	rement/Purpos	e: (specify)	8. Request Ini	itiated:
	onsent	_	X	Statute	F.S. Ch. 177	Commissioner	•
···	lministrativ	re		Ordinance		Department	Community Development
	peals		<u>X</u>		13-1	Division	Development Services
	blic	_		Other		By:	Vicass
W	alk-On					, Peter	J. Eckenrode, Director
9. Backgr	ound:					F eter (J. Eckernode, Director
LOCATION: The site is located at 4841 Golf Club Ct., North Fort Myers, Florida 33903 and its strap number is 16-44-24-11-00000.0110. Petition No. VAC2005-00020 proposes to vacate a portion of a twelve-foot (12') wide Public Utility Easement along the east twelve feet (12') of Lot 11 and portions of Lots 10 and 12, Section 16, Township 44 South, Range 24 East, a subdivision of Rio Condominium, as recorded in Plat Book 24, Page 1 of the Public Records of Lee County, Florida. 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. Attached to this Blue sheet is the Petition to Vacate, Notice of Public Hearing and Exhibits.							
•	v for Sched					·	
Department Director	or Contracts	Human Resources	Othe	r County Attorney	M	Budget Services	County Manager/P.W. Director
Nichty				Alle	Analyst R	Grants	Mgr. (8 4) 5100
11. Comi	nission Acti	on:			-/ ///		1112 316,40
	Approved	ŀ		RECEIVED I		RECVU.	(A) (S)(C)
	Deferred			COUNTY AI	MIN:		्रे १५५ के वि ग्रे
	Denied			4.2		ICA NECES	
	_Other			COUNTY AT		CO. ATTY.	: FORWARDED TO:
RXW/ July 8,	2005	<u> </u>		FORWARDI	י אַטוּ עני		
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PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE **REQUIREMENTS**

		DATE:	July 8, 2005	
To:	Patricia Geren	FROM:	Ron Wilson	
	Public Resources		Development Services	
	SHEET NUMBER: 20050948 NUMBER: VAC2005-00020			
Applic	cable Public Noticing Requirement:			
XX	PTV under AC13-1			
	1 st Notice - 15 days prior to Public He 2 nd Notice - 7 days prior to Public Hea	earing aring		
	PTV under AC13-8			
	One Notice - 15 days prior to Public H	Hearing		
Upon scheduling of Public Hearing date, please provide e-mail notice to Ron Wilson, Development Services (rwilson@leegov.com) and Joan Henry, Assistant County				

Attorney (jhenry@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00020

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 20th day of September 2005 @ 9:30AM 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.

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LEGAL DESCRIPTION - Public Utility Easement ±3,681 sq. ft.

A portion of a twelve (12) foot wide public utility easement along the East twelve (12) feet of Lot 11 and portions of Lots 10 and 12 in the subdivision of Rio Condominium as recorded in Plat Book 24, Page 1 of the public records of Lee County, Florida; more particularly described as follows: Commencing at the Southwest corner of Tract "C" of said El Rio Condominium plat; thence N0°13'02"E along the Eastern edge of the right-of-way for Orange Grove Boulevard (100' wide), a distance of 111.26 feet to the Southwest corner of Lot 12 of same said subdivision: continue N0°13'02"E along the Eastern edge of the right-of-way for Orange Grove Boulevard, a distance of 50.06 feet; turn S89°46'58"E for a distance of 145.00' to the West line of Lot 7 and the point of beginning of that portion of the easement to be vacated; turn N0°13'02"E, a distance of 281.77 feet along the East line of Lots 11 and 12 of said subdivision; to the Southerly line of Lot 10 of said subdivision; continue N0°13'02"E, a distance of 25.00 feet; turn N89°46'58"W, a distance of 12.00 feet; turn S0°13'02"W, parallel to and 12 feet West of the East line of Lots 11 and 12 of said subdivision, a distance of 306.77 feet; turn S89°46'58"E, a distance of 12.00 feet returning to the point of beginning of the herein described portion of the easement.

l _		
scale N/A	NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and essement lines previously established on this property by	
GRSvacation	the plat thereof, in order to facilitate the public vacation of these essements. Any easements not specifically shown on the plat are not included.	
rype Easement Legal Description	All boundary line and easement dimensions and bearings are based upon the record plat of El Rio Condominium, a subdivision recorded in Plat Book 24. Page 1 of the Public Records of Lee County, Florida.	
1 ** 2	NOTE: This document is not a certification of title, zoning or freedom from encumberances. This survey is not intended to be used for the conveyance of	

4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E.

EXHIBIT A

Measurement Science Corporation - LB7359
S.B. Elrubaie - Florida Professional Survey and Mappe
Phone/Fax (239) 437 -7405

1.186____



BOARD OF COUNTY COMMISSIONERS

2005 AUG 23 AM 10: 24

239 479-8585 Writer's Direct Dial Number:

Bob Janes District One August 1, 2005

RECEIVED BY LEE CO. ATTORNEY

Douglas R. St. Cerny
Brian Roberts

Re:

Ray Judah District Three Exceptional Engineering, Inc. 2053 West First Street,

Fort Myers, FL 33901

Tammy Hall District Four

John E. Albion District Five

VAC2005-00020 - Petition to vacate a portion of a 12-foot wide Public Utility Easement along the east twelve feet (12') of Lot 11 and portions of Lots 10 and 12, Section 16, township 44 South, Range 24 East, a subdivision of Rio Condominium, as recorded in Plat Book 24, Page

Donald D. Stilwell County Manager

1, in the public records of Lee County, FL

County Hearing Examiner

Diana M. Parker Dear Mr. Roberts:

The Development Services Division has reviewed the above referenced Petition and found that additional items are needed prior to further processing. These items are as follows:

1) Please see attached letter from the Lee County Attorneys Office pertaining to the Public Utility Easement to be vacated and resubmit the corrected documents. Please disregard item number 4 of the above letter.

When we receive all additional items as identified above, we will forward the Petition for scheduling the Public Hearing.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT Division of Development Services **Development Review**

Ron Wilson Enclosure 5 pages DOCUMENTS

U:\200508\20050415.154\0496250\DEFICIEN.WPD

MEMORANDUM FROM THE OFFICE OF COUNTY ATTORNEY



COMMUNITY DEVELOPMENT

		DATE:	July 21, 2005
To:	Ron Wilson	FROM:	Alumy
	Development Services		Joan C. Henry Assistant County Attorney

RE: Petition to Vacate No. VAC2005-00020

Blue sheet No. 20050948

am returning the blue sheet and backup scheduling a public hearing for the above-referenced petition to vacate. The petition to vacate and supporting documents are insufficient for the for following reasons:

- I am unable to match up calls listed in the legal description with those shown on the sketch. I have circled certain areas on the sketch attached as Exhibit D for reference.
- 2. The petition was submitted by GRS Development, LLC. The petition was signed by Michael P. Gargiula individually. According to the corporations online site Mr. Gargiula is the managing member of the LLC, and the petition should be signed in that capacity.
- 3. The letter of authorizatin is signed by Michael Gardiula and the notary jurat indicates the notary notarized the signature of Michael Gardiula. This is different and most likely a typographical error for the spelling of Mr. Gardiula's name on the petition and as shown on the corporations online printout.
- 4. The letter of review and recommendation from the Department of Community Development is not signed.

Please inform the petitioner of the insufficiencies and once they have corrected them, please resubmit the package for my review and scheduling of the public hearing. Should you have any questions or require additional information, please do not hesitate to contact me.

JCH/tmv Attachment

cc: Peter J. Eckenrode, Director of Development Services



PETITION TO VACATE (AC 13-1)

		Case Number:	VAC2005-00020
1	Petitioner(s)	·	GRS Development, LLC.
reques to Vaca	ts the Board ate and state	of County Commi s as follows:	issioners of Lee County, Florida, to grant this Petitio
1. Peti	tioner(s) mai	iling address,	12611 Panasoffkee Dr., North Ft. Myers, FL
Code (I	.UAU) 13-1,	Petitioner desires	e (F.S.) Chapter 177 and Lee County Administratives to vacate the public's interest in the easement, plain the attached Exhibit "A".
3. A sk	etch showing	g the area the Pe	titioner desires to vacate is attached as Exhibit "B"
4. Proc	f Petitioner i	paid all applicable	e state and county taxes is attached as Exhibit "C".
5. Petit	oner is fee s	simple title holder	to the underlying land sought to be vacated.
6. Petiti Petition	oner did prov in accordan	vide notice to all a ce with the LCAC	ffected property owners concerning the intent of this 13-1.
it will not	ientai and ut	IIITY entities, it is a	eview and recommendation provided by various apparent if the Board grants the Petitioner's request of convenient access of persons owning other parts
W adopt a	/herefore, P Resolution g	etitioner respectfor	ully requests the Board of County Commissioners on to Vacate.
Respect	fully Submitt	ed by:	
Petitione	r Signature		Petitioner Signature
		Managing Memb	per
Printed N	lame	-	Printed Name
NOTE: This is	a legal document	and is therefore not avai	lable in Word Perfect format.

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

are the fee simple title holders and owners of record o ring Strap number 16-44-24-11-00000.0110
and
cation for zoning or development. We hereby designate legal representative of the property and as such, this
regal representative of the property and as such, this property in the course of seeking the necessary approvals to the hiring and authorizing of agents to assist in the necessary to obtain zoning and development approval tity to authorize development activity on the property until d to Lee County.
Owner*(signature)
Printed Name
Owner*(signature)
Printed Name
Owner*(signature)
Printed Name
day of AUGUST, 2005 by no is personally known to me or who has produced as identification and who stated in any total and the stated in the state of
Notary Public Notary Public Name typed, printed or stamped)

LEGAL DESCRIPTION - Public Utility Easement ±3,681 sq. ft.

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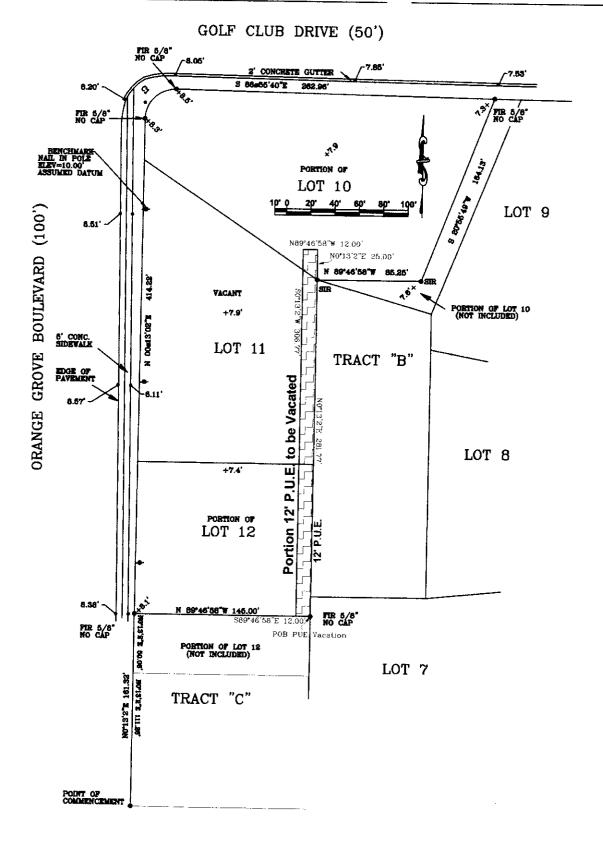
	NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and easement lines previously established on this property by
GRSvacation	the plat thereof, in order to facilitate the public vacation of these easements. Ar easements not specifically shown on the plat are not included.
TYPE Essement Legal Description	All boundary line and easement dimensions and bearings are based upon the record plat of El Rio Condominium, a subdivision recorded in Mat Book 24, Page 1 of the Public Records of Lee County, Florida.
1 SHEET 2	NOTE: This document is not a certification of title, zoning or freedom from

4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E.

EXHIBIT A

Measurement Science Corporation - LB7359 S.B. Elrubaie - Florida Professional Survey and Mapper Phone/Fax (239) 437 -7405

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\$ <ale 1 "=8()"</ale 	NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and essement lines previously established on this property by			
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TYPS Essement Vacation Sketch	All boundary line and easement dimensions and bearings are based upon the record plat of El Rio Condominium, a subdivision recorded in Plat Book 24, Page 1 of the Public Records of Lee County, Florida.			

2 or 2

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4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E.

EXHIBIT B

Measurement Science Corporation - LB7359 S.B. Elrubaie - Fiorida Professional Survey and Mapper Phone/Fax (239) 437 -7405

1.136

LEGAL DESCRIPTION - Public Utility Easement ±3,681 sq. ft.

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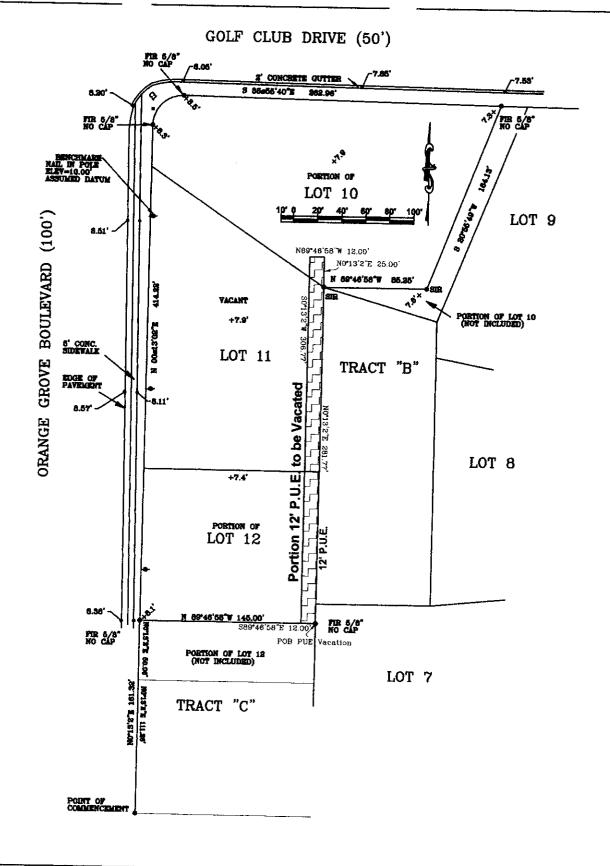
90ALE. N/A	NOTE: This is a special purpose sketch solely for the purpose of describing the appearant boundary and essement lines previously established on this property by
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1 ^{sheet} 2	NOTE: This document is not a certification of title, zoning or freedom from encumberances. This survey is not intended to be used for the conveyance of real property.

4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E.

EXHIBIT A

| Measurement Science Corporation - LB7359 | S.B. Elrubaie - Florida Professional Survey and Mapper | Phone/Fax (239) 437 -7405

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1"=80	NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and assement lines proviously established on this property.
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4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E.

EXHIBIT B

Measurement Science Corporation - LB7359 S.B. Elrubaie - Florida Professional Survey and Mapper Phone/Fax (239) 437 -7405

1136_

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1 SHEET 2

Page 1 of the Public Records of Lee County, Florids.

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4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG, 24E.

EXHIBIT A

I	Measurement Science Corporation - LB7359
ļ	S.B. Elrubaie - Florida Professional Survey and Mapper
	Phone/Fax (239) 437 -7405

MC

THIS INSTRUMENT PREPARED BY:

Department of Community Development Development Services Division 1500 Monroe Street Fort Myers Florida 33901

RESOLUTION NO.	FOR PETITION TO VACATE

Case Number: <u>VAC2005-00</u>020

WHEREAS, Petitioner <u>GRS Development</u>, <u>LLC</u>, a <u>Florida limited liability</u> <u>company</u> in accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, filed a Petition to Vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida held a Public Hearing on this Petition to Vacate on the ______; and

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting; and

WHEREAS, the Petitioner(s) has fee simple title ownership to the underlying land sought to be vacated; and

WHEREAS, the Petitioner(s) has provided proof that all applicable state and county taxes have been paid; and

WHEREAS, Petitioner(s) did provide notice to all affected property owners concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW therefore be it resolved by the Board of County Commissioners as follows:

- 1. Petition to Vacate No. <u>VAC2005-00020</u> is hereby granted.
- 2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
- 3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

This Resolution passe County Commissioners of Lea	ed by voice and entered into the minutes of the Board of e County, Florida, this
ATTEST CHARLIE GREEN, CLERK	BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA
Deputy Clerk Signature Please Print Name	Chairman Signature Please Print Name
801111	APPROVED AS TO FORM
-	County Attorney Signature
-	Please Print Name

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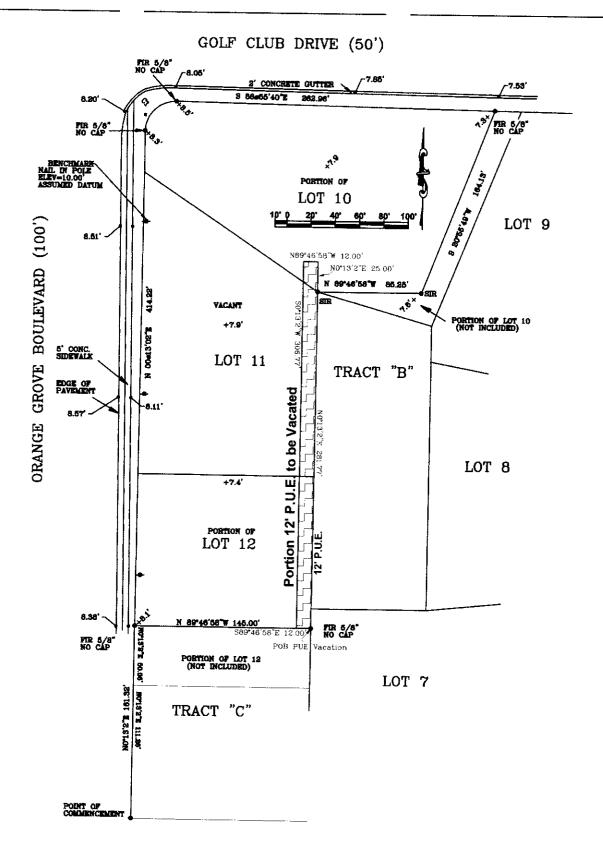
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4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E.

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4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E.

EXHIBIT B

Measurement Science Corporation - LB7359 S.B. Elrubaie - Florida Professional Survey and Mapper Phone/Fax (239) 437 -7405

186



PETITION TO VACATE (AC 13-1)

	Case Number:	VAC2005-00020
Petitioner((s),	GRS Development, LLC.
to Vacate and sta	rd of County Comm ates as follows:	issioners of Lee County, Florida, to grant this Petition
1. Petitioner(s) n	nailing address,	12611 Panasoffkee Dr., North Ft. Myers, FL
Code (ECAC) 13-	· I, Petitioner desire:	e (F.S.) Chapter 177 and Lee County Administrative s to vacate the public's interest in the easement, plain the attached Exhibit "A".
3. A sketch show	ving the area the Pe	etitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitions	er paid all applicable	e state and county taxes is attached as Exhibit "C".
5. Petitioner is fe	e simple title holder	to the underlying land sought to be vacated.
6. Petitioner did p Petition in accorda	rovide notice to all a ance with the LCAC	iffected property owners concerning the intent of this 13-1.
governmental and	outility entities, it is a convership or right	review and recommendation provided by various apparent if the Board grants the Petitioner's request, of convenient access of persons owning other parts
Wherefore, adopt a Resolution	Petitioner respecti granting the Petiti	fully requests the Board of County Commissioners on to Vacate.
Respectfully Subm	July	
Petitioner Signatur	re	Petitioner Signature
	ıla, Managing Mem	
Printed Name		Printed Name
NOTE: This is a legal docun	nent and is therefore not ava	ilable in Word Perfect format.

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm property commonly known as	that they are the fee simple title holders and owners of record of
legally described in exhibit A attached hereto.	and
individual is authorized to legally bind all owner to develop. This authority includes but is no preparation of applications, plans, surveys, an	of an application for zoning or development. We hereby designate as the legal representative of the property and as such, this ers of the property in the course of seeking the necessary approvals of limited to the hiring and authorizing of agents to assist in the studies necessary to obtain zoning and development approvals only entity to authorize development activity on the property until studies development.
Much / In	
Owner*(signature)	Owner*(signature)
Michael P. Gargiula, Managing Mem	nber
Printed Name	Printed Name
Owner*(signature)	Owner*(signature)
Printed Name	Printed Name
Owner*(signature)	Owner*(signature)
Printed Name	Printed Name
STATE OF FLORIDA COUNTY OF LEE	
Sworn to (or affirmed) and subscribed before MICHAEL P. GARGIULA	e me this day of AUGUST, 2005 by, who is personally known to me or who has produced
(SEAL) NINA SHAPOWALENKO MY COMMISSION # DD 24 EXPIRES: September 10, 2 Bonded Thru Notary Public Unden	NINA SHAPOWALOUKO

Blorida Department of State, Division of Corporations

Corporations Online www.sunbiz.org Public Inquiry

Florida Limited Liability GRS DEVELOPMENT, LLC

PRINCIPAL ADDRESS 21 FALCONWOOD COURT FORT MYERS FL 33919

MAILING ADDRESS 21 FALCONWOOD COURT FORT MYERS FL 33919

Document Number L04000066715

FEI Number 201606703

Date Filed 09/10/2004

State FL

Status ACTIVE

Effective Date 09/10/2004

Total Contribution 0.00

Registered Agent

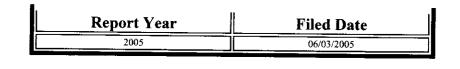
Name & Address

KYLE, KEVIN A 1520 ROYAL PALM SQUARE BOULEVARD SUITE 320 FORT MYERS FL 33919

Manager/Member Detail

Name & Address	Title
GARGIULA, MICHAEL 12611 PANASOFFKEE DRIVE	MGRM
NORTH FORT MYERS FL 33903 US	

Annual Reports



Previous Filing Return to List Next Filing

No Events

No Name History Information

Document Images

Listed below are the images available for this filing.

06/03/2005 -- ANNUAL REPORT 09/10/2004 -- Florida Limited Liabilites

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry

Corporations Help

GRS DEVELOPMENT, LLC

WRITTEN CONSENT OF THE MEMBERS IN LIEU OF A SPECIAL MEETING

The undersigned, being all of the members of GRS Development, LLC, a Florida limited liability company (the "Company"), hereby take the following actions by written consent (this "Written Consent"), in lieu of a special meeting, pursuant to the authority of the Florida Limited Liability Company Act and the Operating Agreement of the Company, and direct that this Written Consent be filed with the records of the Company:

RESOLVED, that the number of Managers of the Company shall be set as one.

RESOLVED, that Michael Gargiula is hereby nominated and elected to act as sole Manager of the Company until the next annual meeting of the Members or until his successor is elected and qualifies.

This Written Consent of the Members in lieu of a Special Meeting may be executed in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same instrument. The exchange of copies of this Written Consent of the Members in lieu of a Special Meeting and of signature pages by facsimile transmission shall constitute effective execution and delivery of this instrument as to the parties and may be used in lieu of the original Written Consent of the Members in lieu of a Special Meeting for all purposes. Signatures of the parties transmitted by facsimile shall be deemed to be their original signatures for all purposes.

The undersigned have executed this Written Consent as of the date above.

Members:

Paul J. Richards Revocable Trust, dated March 6, 2002, Member

Paul J. Richards, Trustee

Charles P. Springer Revocable Trust, dated April 5, 2002, Member

Charles P. Springer, Vi

Michael Gargiula, Member

2005 LIMITED LIAE JITY COMPANY ANNUAL REPORT

GRS D	EVELOPMENT, LLC	6715	(
	lace of Business	Melling Address			4			
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	Piace of Business	3. Melling Address	44.					
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City & St	ale	City & State	<u> </u>		4. FEI Num	ber	CR2E083 (10/0	·
Žip	Country	Zp	Country			20-1606703	\$5.00	Applied Fo
	8. Name and Address of Curren	t Statistical August	_!		i.		\$5.00 / Fee Requ	idditional
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ORT MY	'ERS, FL 33919		C			per la Not Addeptable		
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		NOT	E: Registered Agent	Highwaye required a	rhéri helnetaling)		DATE	
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LEGAL DESCRIPTION - Public Utility Easement ±3,681 sq. ft.

A portion of a twelve (12) foot wide public utility easement along the East twelve (12) feet of Lot 11 and portions of Lots 10 and 12 in the subdivision of Rio Condominium as recorded in Plat Book 24, Page 1 of the public records of Lee County, Florida; more particularly described as follows: Commencing at the Southwest corner of Tract "C" of said El Rio Condominium plat; thence N0°13'02"E along the Eastern edge of the right-of-way for Orange Grove Boulevard (100' wide), a distance of 111.26 feet to the Southwest corner of Lot 12 of same said subdivision; continue N0°13'02"E along the Eastern edge of the right-of-way for Orange Grove Boulevard, a distance of 50.06 feet; turn S89°46'58"E for a distance of 145.00' to the West line of Lot 7 and the point of beginning of that portion of the easement to be vacated; turn N0°13'02"E, a distance of 281.77 feet along the East line of Lots 11 and 12 of said subdivision; to the Southerly line of Lot 10 of said subdivision; continue N0°13'02"E, a distance of 25.00 feet; turn N89°46'58"W, a distance of 12.00 feet; turn S0°13'02"W, parallel to and 12 feet West of the East line of Lots 11 and 12 of said subdivision, a distance of 306.77 feet; turn S89°46'58"E, a distance of 12.00 feet returning to the point of beginning of the herein described portion of the easement.

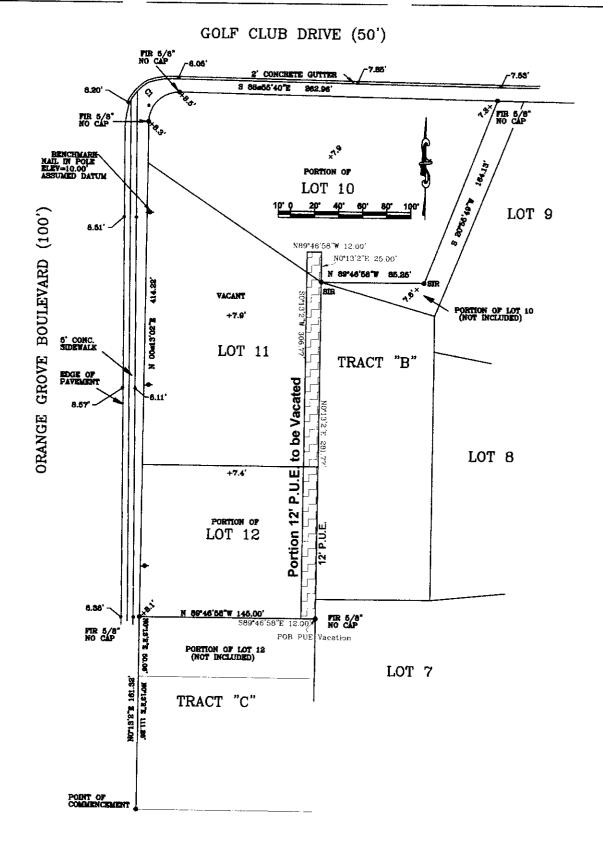
SCALE N/A CADRLE	NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and essentent lines previously established on this property by the plot the second of the property by			
GRSvacation	plat thereof, in order to facilitate the public vacation of these easements. Any ements not specifically shown on the plat are not included.			
T×PC Sastement Legal Description	All boundary line and easement dimensions and bearings are based upon the record plat of El Rio Condominium, a subdivision recorded in Plat Book 24, Page 1 of the Public Records of Lee County, Florida.			
1 ° 2	NOTE: This document is not a certification of title, zoning or freedom from encumberances. This survey is not intended to be used for the conveyance of			

4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG. 24E. EXHIBIT A

S.B. Elrubaie - Florida Professional Survey and Mapper Phone/Fax (239) 437 -7405

Measurement Science Corporation - LB7359

186____



304.E 1"=80'	NOTE: This is a special purpose sketch solely for the purpose of describing the apparent boundary and essement lines previously established on this property by
GRSvacation	the plat thereof, in order to facilitate the public vacation of these essements. An essements not specifically shown on the plat are not included.
TYPE Electronic Vacation Sketch	All boundary line and essement dimensions and bearings are based upon the record plat of El Ric Condominium, a subdivision recorded in Mat Book 24, Page 1 of the Public Records of Lee County, Florida.
2 3 2	NOTE: This document is not a certification of title, zoning or freedom from encumberances. This survey is not intended to be used for the conveyance of real property.

4841 GOLF CLUB COURT FORT MYERS, FLORIDA SEC. 16, TWN.44S., RNG, 24E.

EXHIBIT B

Measurement Science Corporation - LB7359 S.B. Elrubaie - Florida Professional Survey and Mapper Phone/Fax (239) 437 -7405

1186___

Exhibit "C" Petition to Vacate VAC2005-00020

[Page One of One]

Real Property Information		New Search	
Account	Tax Year		
16-44-24-11-00000.0110	2004	Status	
Original Account		PAID	
16-44-24-11-00000.0110	Book/Page		
Owner	4491 /2323		
GRS DEVELOPMENT LLC			
Physical Address			
1841 GOLF CLUB CT	Mailing Address		
NORTH FORT MYERS FL 33903	12611 PANASOFFKEE DR		
MORTINIERS FL 33903	FORT MYERS FL	33003	
onal D	USA	. 00903	
egal Desccription			
L RIO CONDO S/D PB 24 PG 1 LT 11 +	PT LTC 10 + 40		
Outstanding Balance as of 5/31/2005	1 1 2 10 + 12		
312.156 as 01 5/3 1/2005			\$0.0

Prepared by and return to Stephen E. Dalton, Req. PAVESE LAW FIRM 1833 Hendry Street Fort Myers, FL 33981 239-334-2195 File Number: 69272.001 Will Call No.: 18

[Spare Above This Line For Recording Date]

Special Warranty Deed

This Special Warranty Deed made this day of November, 2004 between El Rio Condordinum Development, Inc., a dissolved Florida corporation, by Reynold F. Berti, as the surviving sole trustee of El Rio Condordinum Development, Inc., whose post office address is

Development, LLC, a Florida Hmitad liability company whose post office address is 12611 Panasofikee Drive, Fort

(Whenever used herein the terms granter and grantes include all the parties to this manument and the being, legal representatives, and sasigns of individuals, and the successors and assigns of corporations, musta and musices)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 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 beirs and assigns forever, the following described land, situate. lying and being in Lee County, Florida, to-wif:

See Exhibit "A" attached hereto and incorporated herein

Parcel Identification Number: 16-44-24-11-90000.0110

Subject to taxes for 2005 and subsequent years.

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 grantee that the grantor is lawfully seized or said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully watrams the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, granter has hereunts set granter's hand and seal the day and year first above written

Signed, scaled and delivered in our presence:

Witness Name

Reynold F. Berti, Sole Trustee in Dissolution of ElRic Condominum Development, Inc., a

dissolved Florida corporation

State of Florida County of Lee

The foregoing instrument was acknowledged before me this 11 cay of November, 2004 by Reynold F. Berti, was 13 personally known to me or [] has produced a driver's license as identification.

[Notaty Seal]

Margaret A. Struze Expires, May 25, 2008

Printed Name:

My Commission Expires:

EXHIBIT "A"

TRACT OR PARCEL
LOT 11, PART OF LOTS 10 4 12
EL RIO CONDONINIUM SUBDIVISION
5 PART OF EL RIO CONDONINIUM,
BUILDINGS A.S.C.D.E. 4 F. IN
GECTION 16, TOWNSHIP 44 SOUTH, RANGE 24 MAST
LEE COUNTY, FLORIDA

E. 1665 11334W

DESCRIPTION
TRACT OF FARCEL OF LAND IN LOT 11 AND FART OF LOTS 10 & 12, EL RIO
CONDONISON SUPDIVISION AS RECORDED IN PLAT BOOK \$4, FAGE 1 AND
FART OF EL RIO CONDONINIUM, BUILDINGS A,B,C,D,Z & F PER
DROLARATION RECORDED IN O.R. SOOK 1078, FAGE 212 ALL OF THE FUELIC
RECORDE OF LEE COUNTY, FLORIDA AND ALL LYING AND BEING IN SECTION
16. TOMBSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA HAICH 18
DESCRIPTED AS POLLOGS:

PRON THE POINT OF COMMENCEMENT AT THE SOUTH WEST CONNER OF TRACT C OF SAID EL RIO CONDOMINION SUBDIVISION: THENCE N.O'13'02'E. FOR 141.32 FEET ALONG THE EASTERLY RIGHT OF MAY (\$6.00 FEET FROM CENTERLINE) OF ORANGE OROUG BLVD TO THE FOINT OF ERCLANIBU.

FROM SAID FOIRT OF BEGINNING; THENCE CONTINUE W.0'13'02"E.
FOR '414.22 FERT ALONG SAID RIGHT OF HAY TO THE POIRT OF CURVATURE
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30'51'18". THENCE RORTHEASTERLY FOR 39.14 FEET ALONG THE ACC OF
SAID CURVE TO THE POINT OF THEOREMS. 38'55'40"E. FOR
262.96 FEET ALONG THE COUTMERLY RIGHT OF HAY (25.00 FEET FROM
CENTERLINE) OF GOLF CLUB DRIVE; THENCE S.20'55'47'W. FOR 164.13
FEET LEAVING SAID RIGHT OF RAY, THENCE S.39'46'55'W. FOR 25.25
FEET; THENCE S.0'13'02"W. FOR 181.77 FEET; THENCE N.89'44'56"W.
FOR 145.00 FEET TO THE POINT OF SEGINNING.



BOARD OF COUNTY COMMISSIONERS

July 8, 2005

Writer's Direct Dial Number:

479-8585

Bob Janes District One

Douglas R. St. Cerny District Two

Ray Judah District Three

Tammy Hall District Four Brian Roberts, P.E.

Exceptional Engineering, Inc.

2053 West First Street, Fort Myers, FL 33901

John E. Albion District Five

Donald D. Stilwell County Manager

Diana M. Parker County Hearing Examiner

VAC2005-00020 - Petition to Vacate a portion of a twelve-foot (12') wide Re: Public Utility Easement along the east twelve feet (12') of Lot 11 and portions of Lots 10 and 12, Section 16, Township 44 South, Range 24 East, a subdivision of Rio Condominium, as recorded in Plat Book 24, Page 1 of the Public Records of Lee County, Florida.

Dear Mr. Roberts:

You have indicated that in order to construct an 18,000 square foot commercial building on the combined lots, your client, GRS Development, LLC desire to eliminate the 12-foot Public Utility Easement located at 4841 Golf Club Ct., North Fort Myers, Florida.

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

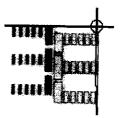
Peter J. Eckenrode

Director

PJE/RXW

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Exceptional Engineering, Inc.

February 16, 2005

Mr. Peter J. Eckenrode Lee County Development Services 1500 Monroe Street, 2nd Floor Fort Myers, FL 33901-5500

RE: Request for a letter of Review and Recommendation on a proposed utility and drainage easement vacation at the following location: 4841 Golf Club Court, North Fort Myers, Florida 33903

Dear Mr. Eckenrode:

We intend to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the utility and roadway easement at the location identified above in order to accomplish the following purpose:

 Construct a 18,000 square foot building with site layout, utilities and drainage for the owner of lots 10, 11 & 12 in the El Rio Condo Subdivision.

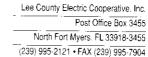
We have included a sketch of the utility and easement we desire to vacate. All utilities have been accounted with the exception of gaslines, because the property contains no gaslines on site. Please provide us with a letter of review and recommendation so we proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Sincerely,

Brian Roberts, P.E. President

Enclosure

Cc: GRS Development LLC



www.lcec.net • www.iline.com



April 5, 2005

Mr. Brian Roberts, P.E. Exceptional Engineering, Inc. 2053 West First Street Fort Myers, FL 33901

Re: Request for Vacation of Existing Utility and Drainage Easements

Dear Mr. Roberts:

LCEC does not object to vacation of the Public Utility and drainage easements as identified on the attached sketch provided by Davis Engineering, Inc. dated 11-9-04.

Sincerely,

Sandra McIver

Real Property Representative

Linda MBhote

Attachment



April 6, 2005

Exceptional Engineering, Inc. Mr. Brian Roberts, P.E. 2053 West First Street Fort Myers, Florida 33901

RE: Utility easement vacation: 4841 Golf Club Court, North Fort Myers, Florida.

Dear Mr. Roberts:

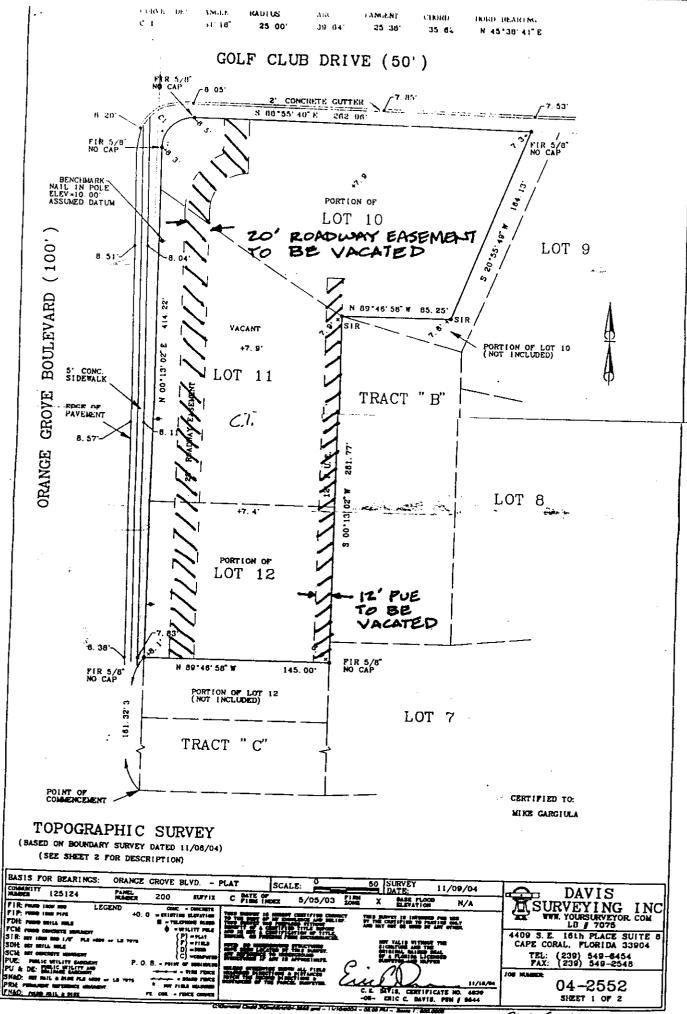
With reference to your letter of February 17, 2005, requesting Sprint Telephone of Florida's concurrence with the vacation of a utility easement at 4841 Golf Club Court North Fort Myers, Florida Strap # 16-44-24-11-00000.0110. Sprint Telephone of Florida agrees to the vacation with the following stipulation:

1. Sprint has existing Fiber Optic and copper cables in the LDOT right of way on the east side of Orange Grove Blvd. Should there be any relocation of telephone facilities all cost will be born by the property owner. I have red lined a copy of your sketch showing our fiber and copper cables in the LDOT right of way, this is not to scale.

If you have any questions about this matter please call me at 239-336-2117.

Sincerely,

Hal Dever Engineer





26930 Old US 41 Bonita Springs, FL 34135 Phone: 239-732-3805

FAX: 239-498-4483

April 6, 2005

Exceptional Engineering Inc C/O Nina Chaikin 2053 West First St Ft Myers, FL 33901

Re: 4841 Golf Club Court North Ft Myers, Florida 33903 Vacate Right-of-Way and/or Utility Easement

Dear Nina Chaikin,

This letter will serve to inform you that Comcast has no objection to your proposed vacation of Right-of-way and/or Utility easement of the above referenced location.

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

Cordially,

Mark Cook

Design Coordinator

Mil Cl



BOARD OF COUNTY COMMISSIONERS

(239) 479-8150

Writer's Direct Dial Number:

Bob Janes

District One

April 05, 2004

Douglas R. St. Cerny District Two

Brian Roberts

Ray Judan
District Three

Exceptional Engineering, Inc.

Tammy Hall District Four 2053 West First St Fort Myers, FL 33901

John E. Albion District Five

SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT

Donald D. Stilwell County Manager

STRAP#: 16-44-24-11-00000.0110

David M. Owen County Attorney

Dear Mr. Roberts:

Diana M. Parker County Hearing Examiner

Lee County Utilities is in receipt of your letter and associated attachments concerning the proposed Petition to Vacate an existing utility and/or drainage easement located within Section 16, Township 44 South, Range 24 East, in North Fort Myers.

Lee County Utilities has reviewed your request and has *No OBJECTION* to the proposed vacation. Even though the area in question is located within Lee County Utilities' service area, our records indicate that we have no potable water or sanitary sewer facilities within the area to be vacated.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at 479-8181.

Sincerely,

LEE COUNTY UTILITIES

David Reycraft GIS Analyst Utilities Engineering Division

Original Mailed 04/05/2005 Faxed: 04/05/2005

cc: Correspondence File

H Vacates Roberts04052005 doc



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Janes District One

Douglas R. St. Cerny District Two

Ray Judah District Three

Tammy Hall District Four

John E. Albion District Five

Donald D. Stilwell County Manager

David M. Owen County Attorney

Diana M. Parker County Hearing Examiner

April 4, 2005

Mr. Brian Roberts, P.E. Exceptional Engineering, Inc. 2053 West First Street Fort Myers, FL 33901

RE:

Petition to Vacate a portion of a 20 foot wide Roadway Easement and a portion of a 12 foot Wide Public Utility Easement across Lots 10, 11 12 and Tract C, El Rio Condominium, Plat Book 24, page 1, Section 16, Township 44 South, Range 24 East

Dear Mr. Roberts:

Lee County Department of Transportation has reviewed your request to vacate the two above described easements. DOT has no facilities within the easements and they have no significant impact on drainage or access.

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

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson

Right-of-way Supervisor

Magael Lusion

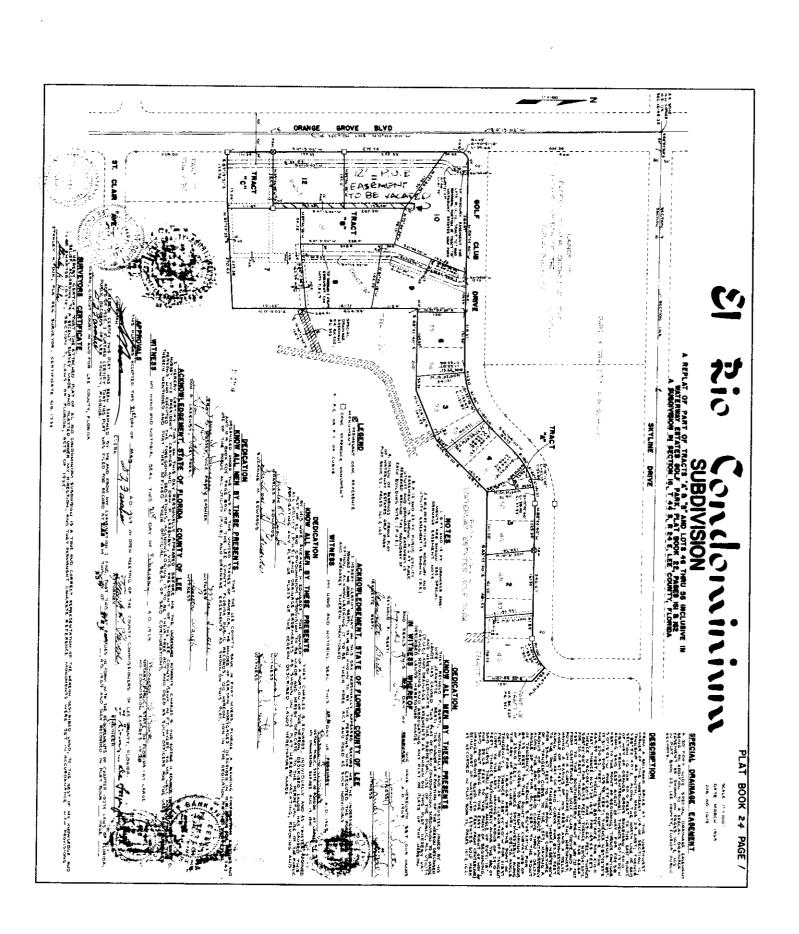
MAL/JMK/mlb

CC:

Allen Davies, Natural Resources Ruth Keith, Development Services Clay Simmons, DOT Operations DOT PTV File (Golf Club Drive)

S:\DOCUMENT\Petition To Vacate\2005\EI Rio Condominium.doc





TRACTS AND LOTS 46 THRU 55 **NCLUSIVE** かあれ Z

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SPECIAL DRAINAGE EASEMENT

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DEDICATION

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WATERWEY ESTATES GOLF PARK EACH GUILDING SITE. (PU.E)

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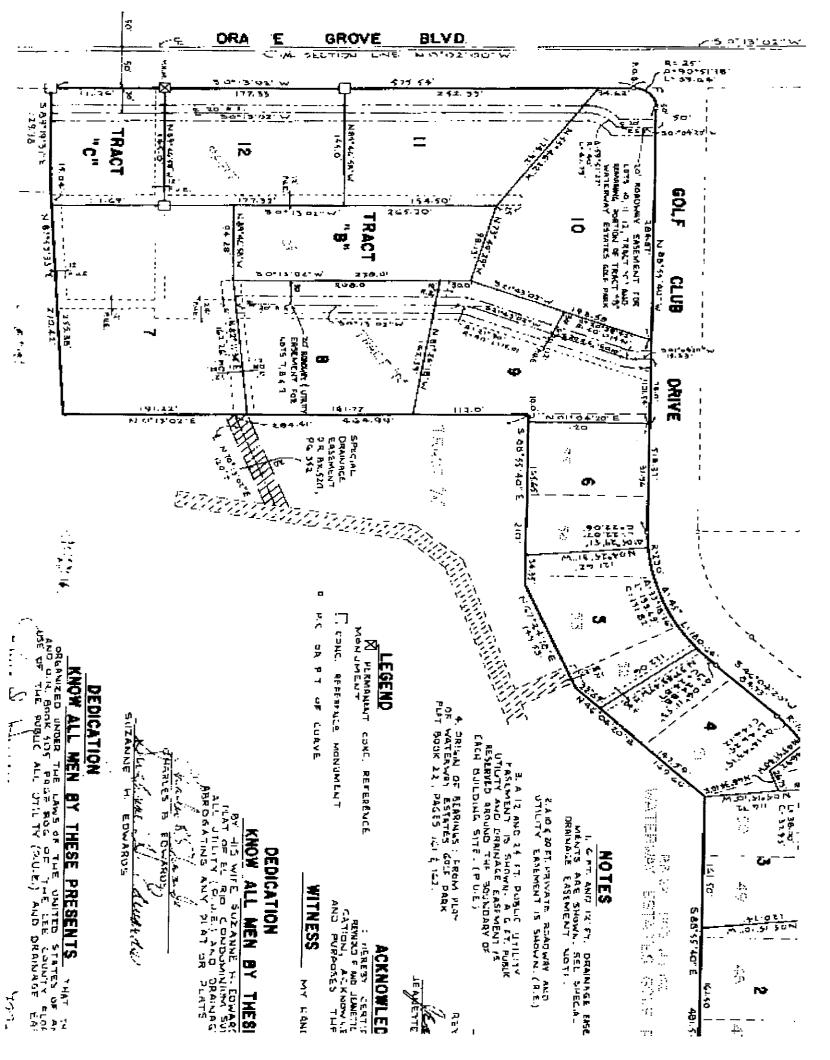
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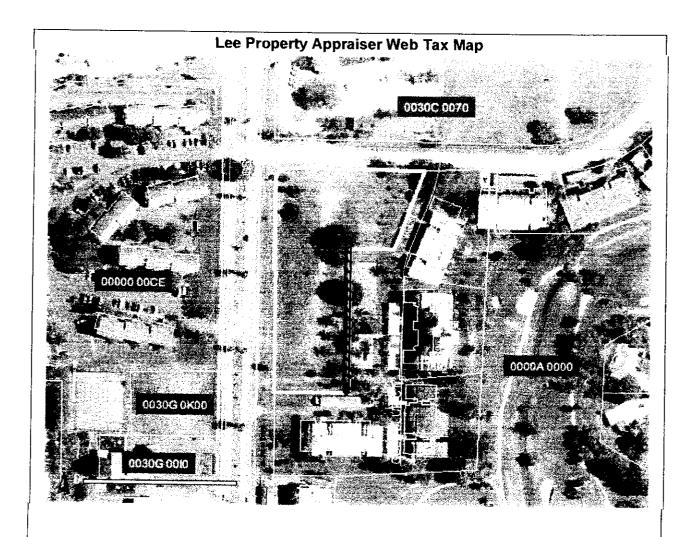
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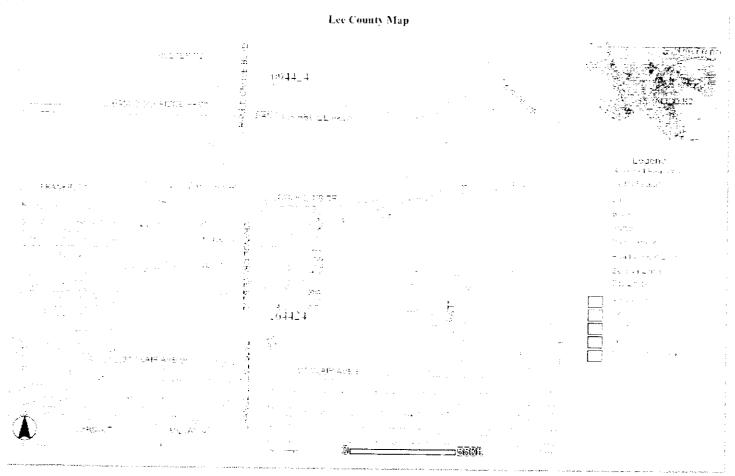
Tax Map Legend

Aerial Image Set	2002 (Color)	Map Currency Date	4/13/2005 3:41:11 PM
Selected Parcel	16-44-24-11-00000.0110	Legal Description	EL RIO CONDO S/D PB 24 PG 1 LT 11 + PT LTS 10 + 12
Parcel Owner	GRS DEVELOPMENT LLC 12611 PANASOFFKEE DR FORT MYERS FL 33903	Property Address	4841 GOLF CLUB CT North Fort Myers FL 33903



AREA TO BE VACATED

Map Output



http://gis.leepa.org/servlet/com.csm.csmmap/Ismniap/ServiceName/inst/ceP/Almemet&t/hem/Version/3/1&Form/Truc&f/nesde/False4/3/2005/)1/29/33/AM