Let Junty Board Of County Commission Agenda Item Summary

Blue Sheet No. 20051025

- 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 202 Oregon Way, Lehigh Acres (Case No. VAC2005-00023).
- 2. WHAT ACTION ACCOMPLISHES: To build a single-family residence on the combined lots. The vacation of this easement will not alter existing utility conditions and the easement is not necessary to accommodate any future utility requirements.
- 3. MANAGEMENT RECOMMENDATION: Approve

| 4. Departmental Category: COMMISSION DISTRICT #: | 59: | 30 PH: | # 1 | 5. Meeting Dat | 22-2005 |
|--|---------|----------------|--------------|-----------------|-----------------------|
| 6. Agenda: | 7. Řequ | irement/Purpos | e: (specify) | 8. Request Init | iated: |
| Consent | X | Statute | F.S. Ch. 177 | Commissioner | |
| Administrative | 1 | Ordinance | | Department | Community Development |
| Appeals | X | Admin. Code | 13-1 | Division | Development Services |
| X Public | | Other | | By: | 7/19/05 |
| Walk-On | | - | | Peter J. | Eckenrode, Director |

9. Background:

The completed petition to vacate, VAC2005-00023 was submitted Knott, Consoer, Ebelini, Hart & Swett and Matthew D. Uhle as the agent on behalf of Sunburst Homes, Inc., A Florida Corporation.

LOCATION: The site is located at 202 Oregon Way, Lehigh Acres, Florida 33936 and its strap number is 32-44-27-21-00096.0330. Petition No. VAC2005-00023 proposes to vacate a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 33 and 34, both in Block 96, Unit 21, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 46 of the Public Records of Lee County, Florida; LESS and EXCEPT the easterly six feet and westerly six feet thereof.

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.

| 10. Review | w for Sched | uling: | | | | | |
|------------------------|--|---|-------|--------------------|--|---|------------------------------------|
| Department Director | Purchasing or Contracts | Human Resources | Other | County Attorney | Budg | et Services | County Manager/P.W. Director |
| Mantil | Κ, | | Ì | XW | Analyst Risk | Grants Mgn | B a!8/25 |
| | mission Act Approve _Deferred _Denied _Other | ion: d _{ere} (122) (122) | is e | <u> </u> | RECEIVED BY COUNTY ADMIN: 9-6-05 LIJO COUNTY ADMIN FORWARDED TO: | RECYD. 7/2 by CO. ATTY. CO. ATTY. FORMARDED TO | |
| RSK/ July 18 | , 2005 | | | | 1014 | | |



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

| | | DATE: | July 18, 2005 | _ |
|--------|---|--------|----------------------|---|
| To: | Patricia Geren | FROM: | Ron Wilson | |
| | Public Resources | | Development Services | |
| | SHEET NUMBER: <u>20051025</u> NUMBER: <u>VAC2005-00023</u> | | | |
| Applic | able Public Noticing Requirement: | | | |
| XX | PTV under AC13-1 | | | |
| | 1 st Notice - 15 days prior to Public Hea 2 nd Notice - 7 days prior to Public Hea | | | |
| | PTV under AC13-8 One Notice - 15 days prior to Public H | earing | | |

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: <u>VAC2005-00023</u>

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 22nd day of November 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.

| | CHARLIE GREEN, CLERK | | | | | |
|---|---------------------------|-------|-----------------------------|-------------|-----|--|
| | Deputy Clerk Signature | - : : | \$15 \$4 \$10 \$10 | the charter | () | |
| | Please Print Name | | | | | |
| | APPROVED AS TO FORM | ı | | | | |
| - | County Attorney Signature | _ | | | | |
| - | Please Print Name | _ | | | | |

Legal Description EXHIBIT A

DESCRIPTION OF EASEMENTS TO BE VACATED:

THE SOUTH SIX FEET OF LOT 34, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

AND

THE NORTH SIX FEET OF LOT 33, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

Exhibit "A"
Petition to Vacate
VAC2005-00023
[Page One of One]

THIS INSTRUMENT PREPARED BY:

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

| DESCULITION NO | FOR PETITION TO VACATE |
|----------------|------------------------|
| RESOLUTION NO | FUR FEITHUN TO VACATE |

Case Number: VAC2005-00023

WHEREAS, Petitioner <u>Sunburst Homes, Inc., A Florida Corporation</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.

| 1. | Petition to Vacate No. <u>VAC200</u> granted. | <u>5-00023</u> is hereby |
|--------------|--|--|
| 2. | • | sement, plat or portion of a plat legally hically depicted in the sketch attached as |
| 3. | This Resolution will become effecting the public records of Lee Countries. | ive upon recording of a fully executed copy ty, Florida. |
| County Com | missioners of Lee County, Florida REEN, CLERK | entered into the minutes of the Board of this BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA |
| Deputy Clerk | s Signature | Chairman Signature |
| Please Print | Name | Please Print Name |
| | APPROVED AS | TO FORM |
| | County Attorney | Signature |

Please Print Name

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

Legal Description EXHIBIT A

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Exhibit "A"
Petition to Vacate
VAC2005-00023
[Page One of One]

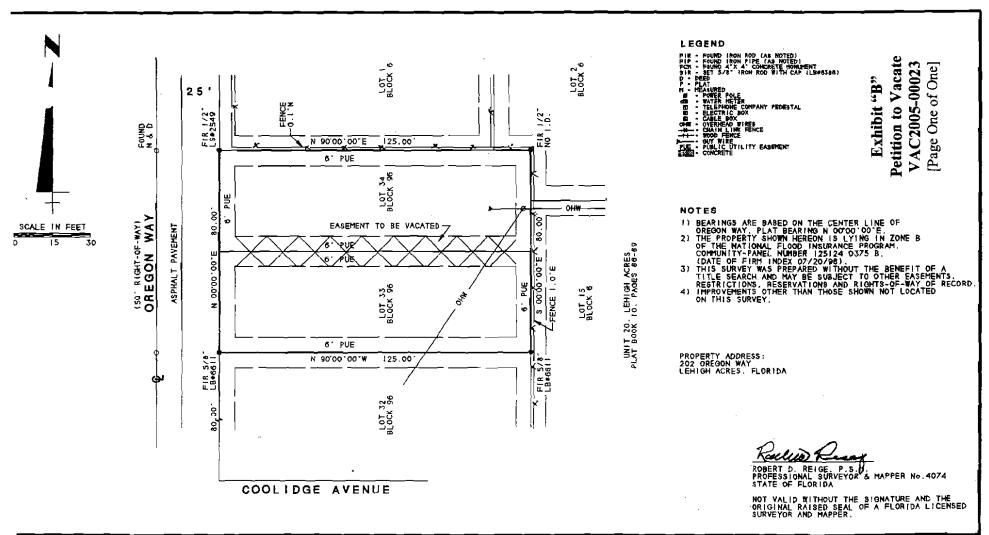
PROJECT NO. 03806

SHEET ! OF I

SCALE 1" . 30"

FIELD SURVEY DATE

SURVEY 188UE DATE:



SKETCH OF DESCRIPTION OF EASEMENT TO BE VACATED

LOTS 33 AND 34, BLOCK 96, UNIT 21, SECTION 32., LEELAND HEIGHTS, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DEED BOOK 256, PAGE 58D, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

BASE LINE, INC.

LAND SURVEYING & MAPPING

LB46386

'235 MAIDA LANE, SUITE 5-L FORT MYERS, FLORIDA 33908 PHONE (239) 481-0421 FAX (239) 433-4588 REV

2

3

DATE

DESCRIPTION



PETITION TO VACATE (AC 13-1)

| Case Number: | VAC2005-00023 |
|---|---|
| Petitioner(s), | Sunburst Homes, Inc. |
| | issioners of Lee County, Florida, to grant this Petition |
| 1. Petitioner(s) mailing address, | 5315 Lee Street, Lehigh Acres, FL 33971 |
| | te (F.S.) Chapter 177 and Lee County Administrative es to vacate the public's interest in the easement, plat in the attached Exhibit "A". |
| 3. A sketch showing the area the P | etitioner desires to vacate is attached as Exhibit "B". |
| 4. Proof Petitioner paid all applicab | le state and county taxes is attached as Exhibit "C". |
| 5. Petitioner is fee simple title holde | er to the underlying land sought to be vacated. |
| 6. Petitioner did provide notice to all Petition in accordance with the LCA | affected property owners concerning the intent of this C 13-1. |
| governmental and utility entities, it is | review and recommendation provided by various apparent if the Board grants the Petitioner's request, t of convenient access of persons owning other parts |
| Wherefore, Petitioner respectadopt a Resolution granting the Pet | etfully requests the Board of County Commissioners ition to Vacate. |
| Respectfully Submitted by: August Resorted Petitioner Signature | Detitioner Signature |
| James R. Regas, President Printed Name | Valerie L. Regas, Vice-President Printed Name |

Legal Description EXHIBIT A

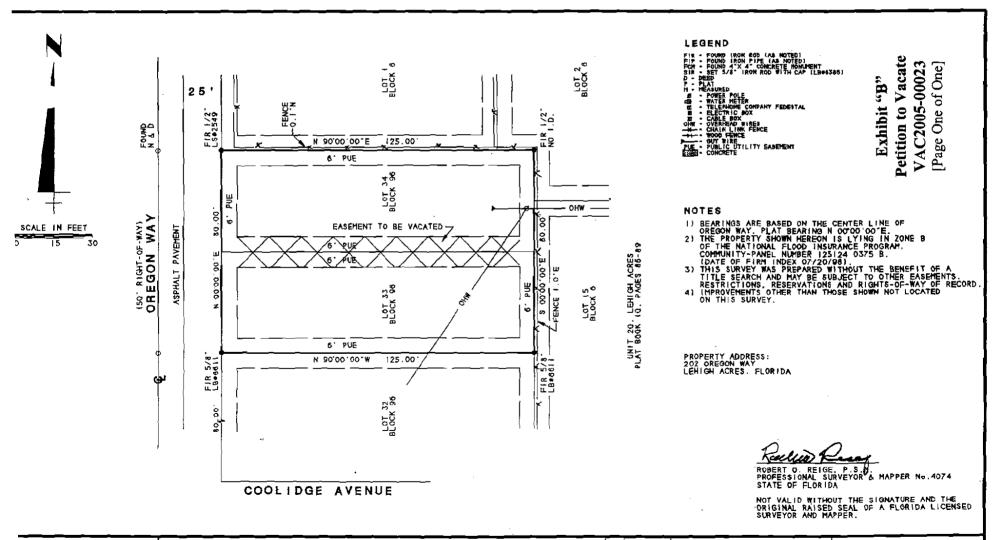
DESCRIPTION OF EASEMENTS TO BE VACATED:

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AND

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Exhibit "A"
Petition to Vacate
VAC2005-00023
[Page One of One]



BASE LINE, INC. LAND SURVEYING & MAPPING L846386 '235 MAIDA LANE. SUITE 5-L FORT MYERS. FLORIDA 33908 PHONE (239) 481-0421 FAX (239) 433-4588

SKETCH OF DESCRIPTION OF EASEMENT TO BE VACATED

LOTS 33 AND 34. BLOCK 98. UNIT 21. SECTION 32., LEELAND HEIGHT9. TOWNSHIP 44 SOUTH. RANGE 27 EAST. LEHIGH ACRES. ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DEED BOOK 258. PAGE 580. OF THE PUBLIC RECORDS OF LEE COUNTY. FLORIDA.

| REV | DATE | DESCRIPTION | PROJECT NO. 03806 |
|----------|------|--------------|--------------------|
| , | | | SHEET (OF) |
| <u> </u> | | | 3CALE 1" - 30" |
| 2 | | | FIELD SURVEY DATE: |
| 3 | | | 11/07/03 |
| | | | SURVEY_ISSUE_DATE: |

Exhibit "C" Petition to Vacate VAC2005-00023

[Page One of One]

| Real Property Information | | | |
|------------------------------------|-----------------------|----------|--------|
| Account | Tax Year | Status | |
| 32-44-27-21-00096.0330 | _ 2004 _ | PAID | |
| Original Account | Book/Page | | |
| 32-44-27-21-00096,0330 | 4201/2045 | | |
| Owner | | | |
| SUNBURST HOMES INC | | |] |
| Physical Address | Mailing Address | s |] |
| 202 OREGON WAY | 5315 LEE ST | | |
| LEHIGH ACRES FL 33936 | LEHIGH ACRES | FL 33971 | |
| | USA | | |
| Legal Desccription | | | |
| LEELAND HEIGHTS UNIT 21 BLK 96 | DB 256 PG 580 LOTS 3: | 3 + 34 | |
| Outstanding Balance as of 2/3/2005 | | | \$0.00 |

LETTER OF AUTHORIZATION

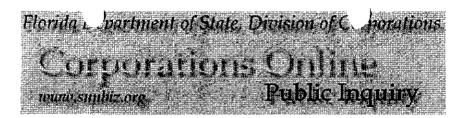
TO LEE COUNTY COMMUNITY DEVELOPMENT

| The undersigned do hereby swear or affirm that they are property commonly known as Having S | the fee simple title holders and owners of record of strap number 32-44-27-21-00096.0330 |
|---|--|
| legally described in exhibit A attached hereto. | |
| The property described herein is the subject of an application Knott. Consoer. Ebelini. Hart and Swett. P.A. and Matthew D. Uhle as the legal individual is authorized to legally bind all owners of the property of develop. This authority includes but is not limited to preparation of applications, plans, surveys, and studies neen the site. This representative will remain the only entity such time as a new or amended authorization is delivered to | al representative of the property and as such, this perty in the course of seeking the necessary approvals the hiring and authorizing of agents to assist in the cessary to obtain zoning and development approval to authorize development activity on the property until |
| Ownfer*(signature) Residen T | Owner*(signature) Owner*(signature) |
| √ames R. Regas, President | Valerie L. Regas, Vice-President |
| Printed Name | Printed Name |
| Owner*(signature) | Owner*(signature) |
| Printed Name | Printed Name |
| Owner*(signature) | Owner*(signature) |
| Printed Name | Printed Name |
| STATE OF FLORIDA | |
| Sworn to (or affirmed) and subscribed before me this, who | is bersonally known to me or who has produced |
| (OFAL) | as identification and who did did not) take an oath. |
| TINA 30G to S MY COMMISS (At 10.0 7550 4 TOXP JEST A event oct 20. 2005 druger four Novery Public Underwiners | (Name typed, printed or stamped) |

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 having strap # 32-44-27-21-00096.0330 legally described in exhibit A attached hereto. The property described herein is the subject of an application for zoning or development. We hereby designate Knock Common, Ebulini, Mark & Sweet, P.A. and Matthew D. Uhle 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. Janaes Regas Valerie Regas Printed Name Printed Name Owner*(signature) Owner*(signature) Printed Name Printed Name Owner*(signature) Qwner*(signature) Printed Name Printed Name STATE OF FLORIDA COUNTY OF LEE Swom to (or affirmed) and subscribed before me this who is personally known to me or who has produced as identification and who did (did not) take an oath. Notary Public (SEAL) Norma Marie Allen Commission # DD377215 Expires December 6, 2008 (Name typed, printed or stamped)



Florida Profit

SUNBURST HOMES, INC.

PRINCIPAL ADDRESS 5315 LEE ST LEHIGH FL 33971 US Changed 04/03/1997

MAILING ADDRESS 5315 LEE ST LEHIGH FL 33971 US Changed 03/05/1999

Document Number P96000051785 FEI Number 650678846

Date Filed 06/17/1996

State FL Status ACTIVE Effective Date NONE

Registered Agent

Name & Address

REGAS, JAMES R 5315 LEE STREET LEHIGH ACRES FL 33971

Address Changed: 03/05/1999

Officer/Director Detail

| Name & Address | Title |
|--|-------|
| REGAS, JAMES R 5315 LEE STREET LEHIGH ACRES FL 33971 | Р |
| REGAS, VALERIE L 5315 LEE STREET LEHIGH ACRES FL 33971 | VP |

Annual Reports

| | Report Year | Filed Date |
|--|-------------|------------|
|--|-------------|------------|

| 2003 | 05/05/2υυ3 |
|------|------------|
| 2004 | 02/24/2004 |
| 2005 | 04/04/2005 |

Previous Filing Return to List

No Events

No Name History Information

Next Filing

Document Images

Listed below are the images available for this filing.

04/04/2005 -- ANNUAL REPORT

02/24/2004 -- ANNUAL REPORT

05/05/2003 -- ANN REP/UNIFORM BUS REP

03/31/2002 -- COR - ANN REP/UNIFORM BUS REP

05/12/2001 -- ANN REP/UNIFORM BUS REP

02/29/2000 -- ANN REP/UNIFORM BUS REP

03/05/1999 -- ANNUAL REPORT

<u>05/08/1998 -- ANNUAL REPORT</u>

04/03/1997 -- ANNUAL REPORT

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

Corporations Inquiry

Corporations Help

Legal Description EXHIBIT A

DESCRIPTION OF EASEMENTS TO BE VACATED:

THE SOUTH SIX FEET OF LOT 34, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

AND

THE NORTH SIX FEET OF LOT 33, BLOCK 96, UNIT 21, LEHIGH ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 46, AND DEED BOOK 256, PAGE 580 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE EAST SIX FEET THEREOF AND ALSO LESS THE WEST SIX FEET THEREOF.

Exhibit "A"
Petition to Vacate
VAC2005-00023
[Page One of One]

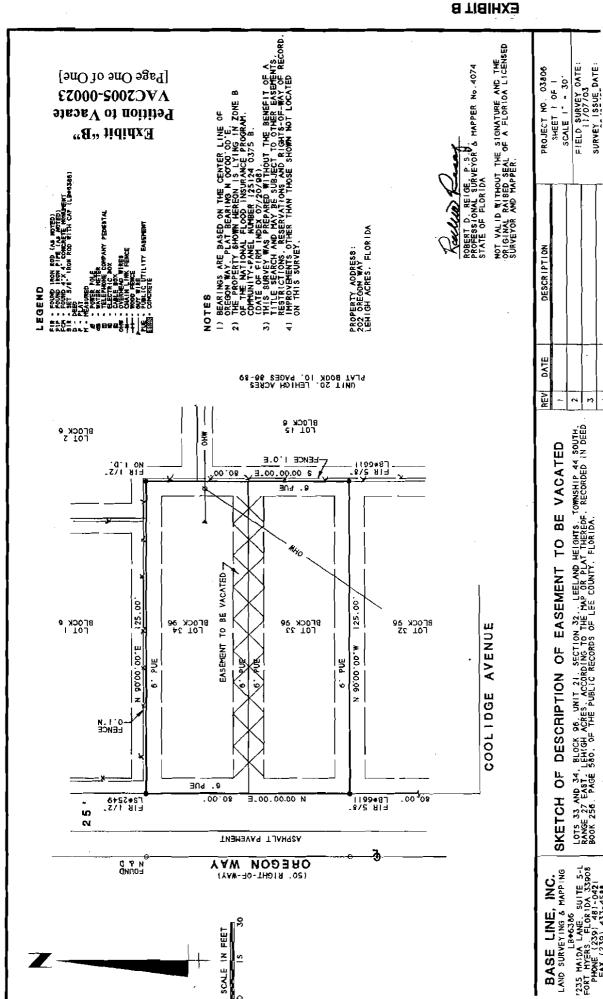


Exhibit "C" Petition to Vacate VAC2005-00023

[Page One of One]

| Real Property Information | | | |
|------------------------------------|----------------------|------------|--------|
| Account | Tax Year | Status | |
| 32-44-27-21-00096.0330 | 2004 | PAID _ | |
| Original Account | Book/Page | | |
| 32-44-27-21-00096.0330 | 4201/2045 | | |
| Owner | | | |
| SUNBURST HOMES INC | | | |
| Physical Address | Mailing Addres | SS | |
| 202 OREGON WAY | 5315 LEE ST | · | |
| LEHIGH ACRES FL 33936 | LEHIGH ACRES | S FL 33971 | - |
| | USA | | |
| Legal Description | | | |
| LEELAND HEIGHTS UNIT 21 BLK 96 | DB 256 PG 580 LOTS 3 | 33 + 34 | |
| Outstanding Balance as of 2/3/2005 | | | \$0.00 |

This Instrument Prepared by & return to:

Name:

Address:

Tradewinds Title, Inc.

904 Lee Blvd, Suite 106 Lehigh Acres, FI 33936

60081A

Parcel I.D. #; 32-44-27-21-00096.0330

INSTR # 6150097

BR BK 04201 Pgs 2045 - 2046; (2pgs) RECDRDED 02/17/2004 11:41:42 RM

CHARLIE GREEN, CLERK OF COURT

LEE COUNTY, FLORIDA RECORDING FEE 10.50

DEED DOC 0.70

DEPUTY CLERK G Sherwood

SPACE ABOVE THIS LINE FOR PROCESSING DATA

THIS WARRANTY DEED Made the 2 10 day of FEBRUAR

A.D. 2004 by Michael Konradt and Beverly Konradt, Husband and Wife, hereinafter called the grantor, to Sunburst Homes, Inc., A Florida Corporation whose principal address is 5315 Lee Street, Lehigh Acres, Fl. 33971:

> (Wherever used herein the terms "granter" and "grantees" include all the parties to this instrument. singular and plural, the hears, legal representatives and assigns of individuals, and the successors and avagus of corporations, wherever the contest so admits or required.)

Wilnesseth: 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 33, Block 96, Unit 21, Leeland Heights, Section 32, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Deed Book 256, Page 580, Public Records, Lee County, Florida.

Lot 34, Block 96, Unit 21, Leeland Heights, Section 32, Township 44 South, Range 27 East, Lehigh Acres, according to the map or plat thercof on file in the office of the Clark of the Circuit Court, recorded in Deed Book 256, Page 580, Public Records, Lee County, Florida.

SUBJECT TO TAXES FOR THE YEAR 2004 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

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 it is lawfully scized of said land in fee simple; that it has good right and lawful authority to sell and convey sald 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, 2003

In Witness Whereof, the said grantor has caused these presents to be executed in its name and its curporate seal to be hereunto affixed by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

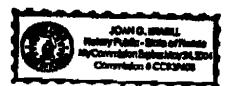
State of Florida County of Lee

The foregoing instrument was acknowledged before me this

,200 4, by Michael Konradt and Beverly Konradt, Husband and Wife who is personally known to me or has produced

identification and did (did not) take an oath.

Scal:



My commission expires



BOARD OF COUNTY COMMISSIONERS

239-479-8585

Writer's Direct Dial Number:

Bob Janes District One

July 18, 2005

Douglas R. St. Cerny District Two

Ray Judah District Three

Matthew D. Uhle

Tammy Hall District Four

John E Albion District Five Knott, Consoer, Ebelini, Hart & Swett, P.A.

four 1625 Hendry St. Suite 301,

Fort Myers, FL 33901

Donald D. Stilwell County Manager

Diana M. Parker County Hearing Examiner Re: VAC2005-00023 - Petition to Vacate a 12-foot wide Public Utility Easement on the combined lots of 33and 34, Block 96, Unit 21, Lehigh Acres, S 32, T 44S, R 27E, as recorded in Plat Book 15, Page 46, in the public records of Lee County, FL

Dear Mr. Uhle:

You have indicated that in order to build a single-family residence on the combined lots, you desire to eliminate the Public Utility Easement located between your two (2) lots. The site is located at 202 Oregon Way, Lehigh Acres. 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

U:\200507\20050503.134\8178410\DCDLETTER.DOC



Knott, Consoer, Ebelini Hart & Swett, P.A. ATTORNEYS - AT - LAW

George H. Knott *+ George L. Consoer, Jr. ** Mark A. Ebelini Thomas B. Hart H. Andrew Swett

Board Certafied Civil Trial Lawyer

** Board Certified Real Estate Lawyer

+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901) P.O. Box 2449 Fort Myers, Florida 33902-2449

> Telephone (239) 334-2722 Telecopier (239) 334-1446

MUhle@knott-law.com

Matthew D. Uhle Aaron A. Haak Derrick S. Eihausen Nady Torres-Alvarado

Director of Zoning and Land Use Planning Michael E. Roeder, AICP

May 3, 2005

Peter J. Eckenrode, Development Services Director Department of Community Development P.O. Box 398 Fort Myers, FL 33902

Re: Vacation of Easement - 32-44-27-21-00096.0330 Sunburst Homes, Inc.

Dear Peter:

We are requesting a vacation of the public utility easement located six feet on either side of the lot line between Lots 33 and 34 for the property located at 202 Oregon Way in Lehigh Acres. The purpose of this petition is to afford the property owner the ability to build on the property and the vacation is necessary since the easement runs through the center.

Sincerely,

KNOTT, CONSOER, EBELINI, HART & SWETT, P.A.

Matt The

Matthew D. Uhle

MDU/ams



RECTIVED Kinki Unitudio Sandal Sanda Sanda Sandal Post Office Box 3455
North Fort Myers, FL 33918-3455
(239) 995-2121 • FAX (239) 995-7904

Lee County Electric Cooperative. Inc.

www.lcec.net • www.iline.com

AM FEB 0 3 2005 PM 7 8 19 10 11 12 11 213 4 15 6

4

February 2, 2005

Ms. Allison Stowe Knott, Consoer, Ebelini, Hart & Swett, P.A. P O Box 2449 Fort Myers, FL 33902-2449

Re: 202 Oregon Way, Lehigh Acres, Florida

Strap # 32-44-27-21-00096.0330

Dear Ms. Stowe:

LCEC does not object to vacation of the interior easement on the above referenced parcel as indicated on the sketch prepared by Base Line, Inc. dated 11/10/03. It is our understanding that the 6-foot perimeter easement of the combined site will remain intact.

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

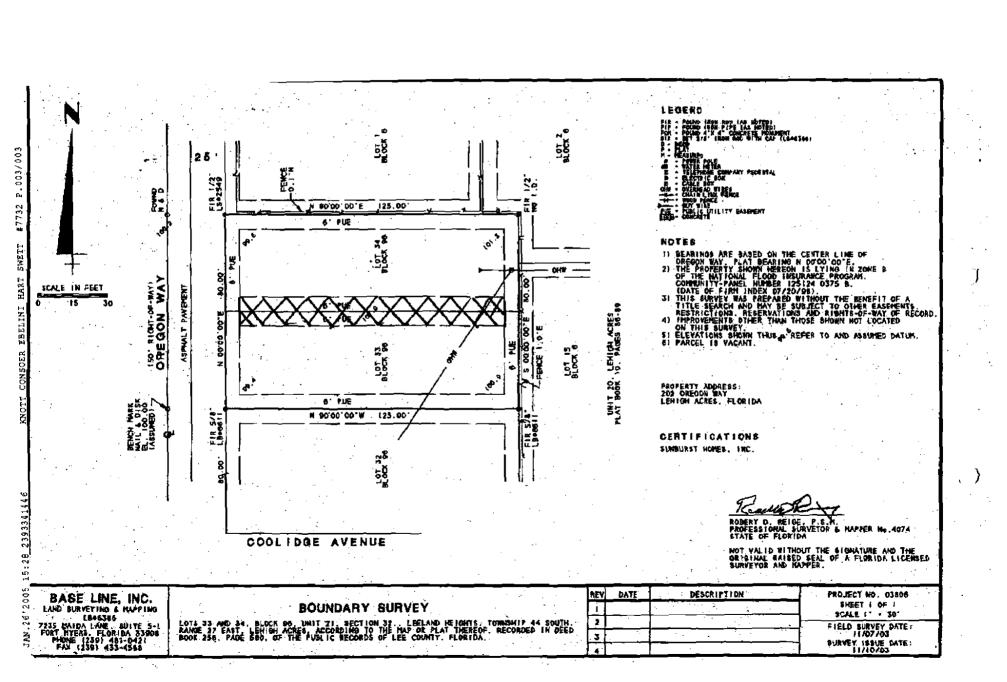
Sincerely,

Sandra McIver

Real Property Representative

Landra MShoe

Attachment





July 13, 2005

Ms. Alison M. Stowe Knott, Consoer, Ebelini, Hart & Swett, P.A. P. O. Box 2449 Fort Myers, Florida 39902-2449

Re: Vacation of Public Utility Easement

A 12 foot wide public utility and drainage easement centered on the lot line Common to lots 33 & 34, Block 96, Unit 21, Section 32, Township 44A,

Range 27E.

Strap #: 32-44-27-21-00096.0330

Dear Ms. Stowe:

Relocation of all telephone cables has been completed at the above location. Sprint-Florida has no objection to the vacation of the 12 foot public utility/drainage easement at 202 Oregon Way in Lehigh Acres, Florida.

Sincerely,

Wayneth Jackson
Wayneth Jackson

Engineer



April 26, 2005

Ms. Alison M. Stowe Knott, Consoer, Ebelini, Hart & Swett, P.A. P. O. Box 2449 Fort Myers, Florida 33902-2449

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement centered on the lot line common to lots 33 & 34, Block 96, Unit 21, Section 32, Township 44S, Range 27E.

Strap No. - 32-44-27-21-00096.0330

Dear Ms. Stowe:

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, it was determined that there were existing telephone cables in conflict with the above vacation of easement request.

Relocation of the telephone cable is now in progress and scheduled for completion May 6, 2005.

Upon completion of telephone cable relocates, Sprint-Florida has no objection to the vacation of the 12 foot public utility/drainage easement at 202 Oregon Way in Lehigh Acres, Florida.

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

Sincerely,

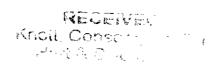
Wayneth Jackson
Wayneth Jackson

Engineer

301 Tower Road Naples, FL 34113 Collier: (239)-732-3861

Lee: (239)-432-1861 FAX: 239-334-8575





AM | HAR 1 2 2004 | PM | 7,8,9,0,11,12,12,3,4,5,6

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March 11, 2004

Dorthy A. Ryan Knott, Consoer, Ebelini, Hart & Swett, P.A. P.O. Box 2449 Fort Myers, Fl. 33902

Re: Vacation of 12' Public Utility Easement / Drainage Easement bisecting 202 Oregon

Way, Lehigh Acres, Florida. Strap # 32-44-27-21-00096.0330

Dear Ms Ryan:

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,

William Stanton

Design Department

W ---



March 16, 2004

Ms. Dorothy A. Ryan Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Fla. 33902

RE: Vacation of easement

202 Oregon Way, Lehigh Acres, Fla.

Dear Ms. Ryan:

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

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

Sincerely,

TIME WARNER CABLE

Adnaldo Rodriguez

Technical Field Inspector

AR/ss



FLORIDA GOVERNMENTAL UTILITY AUTHORITY

280 Wekiva Springs Road, Suite 203, Longwood, Florida 32779, Ph. (407) 629-6900, Fax: (407) 629-6963

January 20, 2005

Alison M. Stowe Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street, Third Floor (33901) P.O. Box 2449 Fort Myers, FL 33902-2449

RE: Vacation of 6 Foot Easements Between Lots 33 and 34, Block 96, Unit 2p, 202 Oregon Way in Lehigh Acres

Dear Ms. Stowe:

The FGUA has determined that it does not presently hold any property rights over the property identified above other than the easement included in the plat reservation. It has also been 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 request for vacation of easement as depicted in the sketch attached to your request is hereby approved.

The vacation of easement was requested for the 6 foot utility easements between Lots 33 and 34, Block 96, Unit 20, 202 Oregon Way in Lehigh Acres, Florida, less the easterly and westerly 6 feet of each easement.

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

Charles L. Sweat Director of Operations

CLS/vjb

FEB 0 4 2005 PM AM 7181911111111111213141516



January 29, 2005

Knott, Consoer, Ebelini Hart & Swett, P.A. Re: Utility Easements

In reference to your letter dated December 14, 2004 AmeriGas has no interest on right of way on the following locations:

Strap # 32-44-27-21-00096.0330

Please feel free to contact me at 239-948-4902, should you have any questions.

Mike Yonker

SSM



BOARD OF COUNTY COMMISSIONERS

Re:

Writer's Direct Dial Number: (239) 479-8124

Bob Janes District One

Douglas R. St. CernyThursday, March 11, 2004

Ray Judah District Three Ms. Dorothy A. Ryan

Andrew W. Coy District Four Knott, Consoer, Ebelini, Hart & Swett, P.A. P.O. Box 2449

John E. Albion District Five Fort Myers, FL 33902

Donald D. Stilwell County Manager ort myors, i E occoz

James G. Yaeger County Attorney Petition to Vacate a twelve (12) foot wide public utility & drainage easements common to Lots 33 & 34, Block 96, Unit 21, Lehigh Acres Subdivision, as recorded in Deed Book 256 Page 580, in the public records, Lee County, Florida.

Diana M. Parker County Hearing Examiner

Dear Ms. Ryan:

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

andy

Allen L. Davies, Jr. Natural Resources Division

-cc: Don Blackburn, Development Services Joan Henry, County Attorney's Office Margaret Lawson, LCDOT Roland Ottolini, P.E., NRD

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JEB BUSH GOVERNOR 801North Broadway Avenue Bartow, Florida 33830 JOSE ABREU SECRETARY

March 11, 2004

Knott, Consoer, Ebelini, Hart & Sweet, P.A. Attn: Dorothy A. Ryan P.O. Box 2449
Fort Myers, Florida 33902-2449

RE: Vacation of a Public Utility Easement

Dear Ms. Ryan:

In response to your letter we received on March 10, 2004, our staff has conducted a review of your request to vacate the subject area as marked and generally described as: Those portions of a 12' wide by 125' long Public Utility and Drainage Easement lying within Lots 33 & 34, Block 96, Unit 21, Leeland Heights, Section 32, Township 44 South, Range 27 East, Leigh Acres, according to the map or plat therof. Recorded in Deed Book 256, Page 580, of the Public Records of Lee County, Florida.

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

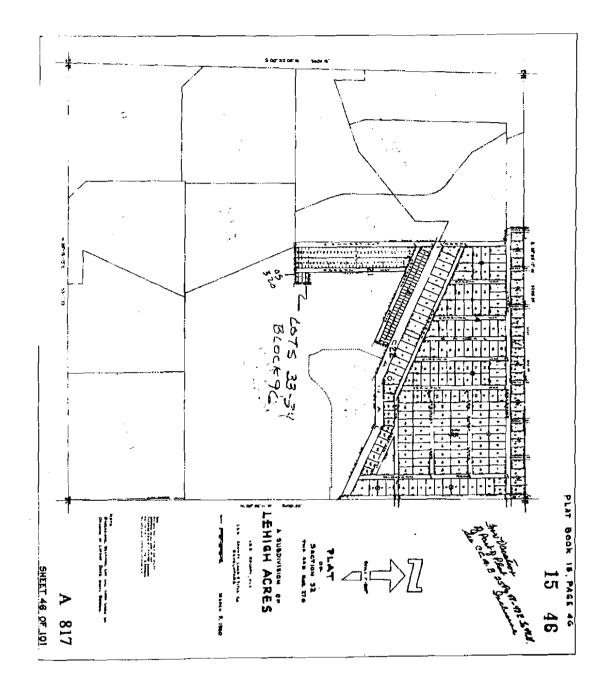
Sincerely,

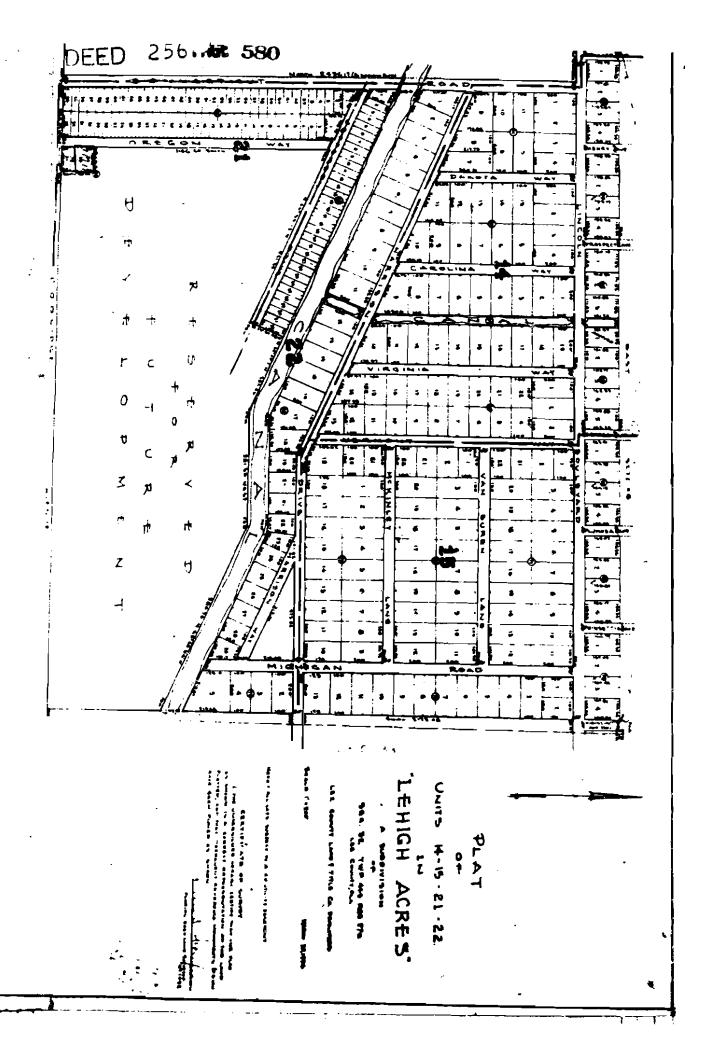
Brian L. Toune,

Property Management Agent

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

And the second s





NOTE

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GIS Map Exhibit

