

**1. ACTION REQUESTED/PURPOSE:** Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 6-foot wide Public Utility Easement located at 3011 Bracci Drive, St James City (Case No. VAC2005-00026).

**2. WHAT ACTION ACCOMPLISHES:** To Construct a masonry wall on the north side of the property. 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

<b>4. Departmental Category:</b> COMMISSION DISTRICT #: 1		9:30 PHS		<b>5. Meeting Date:</b> 08-16-2005	
<b>6. Agenda:</b>		<b>7. Requirement/Purpose: (specify)</b>		<b>8. Request Initiated:</b>	
<input type="checkbox"/> Consent		<input checked="" type="checkbox"/> Statute F.S. Ch. 177		Commissioner	
<input type="checkbox"/> Administrative		<input type="checkbox"/> Ordinance		Department Community Development	
<input type="checkbox"/> Appeals		<input checked="" type="checkbox"/> Admin. Code 13-1		Division Development Services	
<input checked="" type="checkbox"/> Public		<input type="checkbox"/> Other		By: <i>[Signature]</i>	
<input type="checkbox"/> Walk-On				Peter J. Eckenrode, Director	

**9. Background:**

The completed petition to vacate, VAC2005-00026 was submitted by James W. O'Connell.

**LOCATION:** The site is located at 3011 Bracci Drive, St James City, Florida 33956 and its strap number is 35-45-22-21-00015.0140. Petition No. VAC2005-00026 proposes to vacate a six-foot (6') wide Public Utility Easement on the north property line on Lot 14, Block 15, Unit 2, Section 35, Township 45 South, Range 22 East, a subdivision of St Jude Harbors, as recorded in Plat Book 25, Page 151 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.

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i>				<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

**11. Commission Action:**

Approved  
 Deferred  
 Denied  
 Other

RECEIVED BY  
 COUNTY ADMIN.  
 7-19-05  
 1:15  
 COUNTY ADMIN.  
 FORWARDED TO:  
*[Signature]*  
 9:30 AM

CO. ATTY.  
 FORWARDED TO:  
*[Signature]*

RXW/ July 13, 2005



## PETITION TO VACATE

### TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: July 11, 2005

To: Patricia Geren  
Public Resources

FROM: Ron Wilson  
Development Services

BLUESHEET NUMBER: 20050977

CASE NUMBER: VAC2005-00026

#### Applicable Public Noticing Requirement:

PTV under AC13-1  
1<sup>st</sup> Notice - 15 days prior to Public Hearing  
2<sup>nd</sup> Notice - 7 days prior to Public Hearing

PTV under AC13-8  
One Notice - 15 days prior to Public Hearing

Upon scheduling of Public Hearing date, please provide e-mail notice to Ron Wilson, Development Services ([rwilson@leegov.com](mailto:rwilson@leegov.com)) and Joan Henry, Assistant County Attorney ([jhenry@leegov.com](mailto:jhenry@leegov.com)).

# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00026

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 16th day of August 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

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2005-00026**  
[Page One of One]

DESCRIPTION OF A SIX FOOT PUBLIC UTILITY EASEMENT TO BE VACATED LYING ALONG THE NORTHERLY LINE OF LOT 14, BLOCK 15, UNIT NO. 2 ST. JUDE HARBORS AS RECORDED IN PLAT BOOK 25 PAGES 146 THROUGH 151 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE RUN S 82°51'45" W ALONG THE NORTHERLY LINE OF SAID LOT 14 FOR 6.00 FEET TO THE POINT OF BEGINNING OF THAT PORTION OF SAID EASEMENT TO BE VACATED; THENCE RUN S 07°08'15" E ALONG A LINE THAT IS 6.00 FEET WEST OF AND PARALLEL TO THE EASTERLY LINE OF SAID LOT 14 AND THE WESTERLY RIGHT OF WAY OF BRACCI DRIVE FOR 6.00 FEET; THENCE RUN S 82°51'45" W ALONG A LINE THAT IS 6.00 FEET SOUTH OF AND PARALLEL TO THE AFOREMENTIONED NORTHERLY LINE OF SAID LOT 14 FOR 124.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 14; THENCE RUN N 07°08'15" W ALONG SAID WESTERLY LINE FOR 6.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE RUN N 82°51'45" E ALONG SAID NORTHERLY LINE OF SAID LOT 14 FOR 124.00 FEET TO THE POINT OF BEGINNING.

THIS INSTRUMENT PREPARED BY:

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

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**RESOLUTION NO. \_\_\_\_\_ FOR PETITION TO VACATE**

Case Number: VAC2005-00026

WHEREAS, Petitioner **James W. O'Connell** 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. VAC2005-00026 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 passed by voice and entered into the minutes of the Board of County Commissioners of Lee County, Florida, this \_\_\_\_\_.

ATTEST  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

\_\_\_\_\_  
Deputy Clerk Signature

\_\_\_\_\_  
Chairman Signature

\_\_\_\_\_  
Please Print Name

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2005-00026**  
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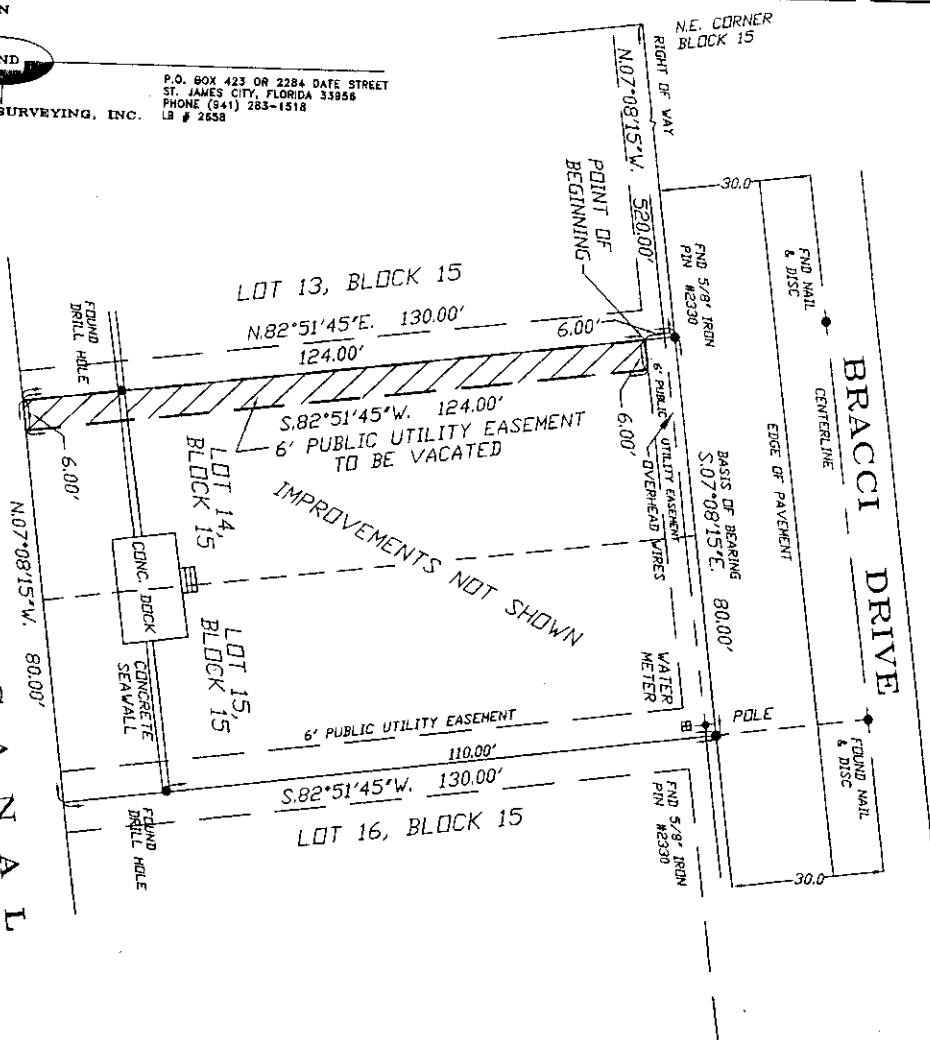
A. J. WATSON



SURVEYING, INC.

P.O. BOX 423 OR 2284 DATE STREET  
ST. JAMES CITY, FLORIDA 33856  
PHONE (941) 283-1518  
LA # 2658

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CERTIFIED TO:  
JAMES O'CONNELL

**Exhibit "B"**  
**Petition to Vacate**  
**VAC2005-00026**  
[Page One of One]

NOTE:  
Bearings and Distances shown hereon are according to the referenced DEED (D) or PLAT (P) unless otherwise noted as measured (M).

NATIONAL FLOOD INSURANCE DATA, COMMUNITY PANEL NUMBER 125124 0290 B, FEDERAL FLOOD ZONE A9, ELEVATION 9'  
ELEVATIONS BASED ON N.G.V.D.-29, BENCH MARK A-260 5.0' x = SPOT ELEVATIONS

SPECIFIC PURPOSE SKETCH DELINEATING AND DESCRIBING A 6' FOOT PUBLIC UTILITY EASEMENT TO BE VACATED ALONG THE NORTHERLY LINE OF LOT 14, BLOCK 15, UNIT NO. 2 ST. JUDE HARBORS AS RECORDED IN PLAT BOOK 25, PAGES 146-151 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

*Alfred J. Watson*  
ALFRED J. WATSON  
PROFESSIONAL SURVEYOR AND MAPPER  
#2330 - STATE OF FLORIDA

FOR: O'CONNELL  
JOB # 05-0507 F.B.  
STRAP # 35-45-22-21-00015.0140

SKETCH OF SURVEY  
SCALE 1" = 30'

DATE: JULY 6, 2005  
DATE: JULY 7, 2005  
DATE:





PETITION TO VACATE (AC 13-1)

Case Number: \_\_\_\_\_

Petitioner(s), JAMES O'CONNELL  
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, 3011 BRACCI DRIVE
- 2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
- 3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
- 4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
- 5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
- 6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
- 7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted by:

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

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

JAMES O'CONNELL

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

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

NOTE: This is a legal document and is therefore not available in Word Perfect format.

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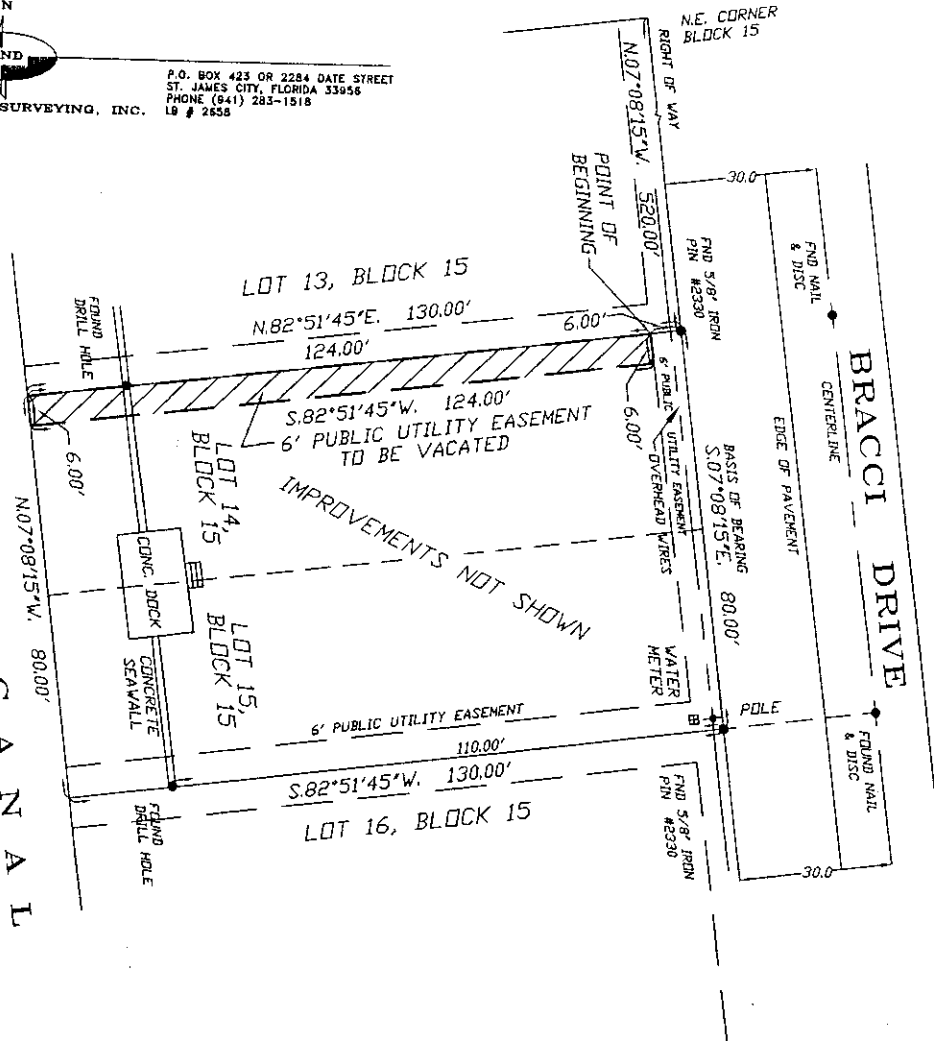
A. J. WATSON



SURVEYING, INC.

P.O. BOX 423 OR 2284 DATE STREET  
ST. JAMES CITY, FLORIDA 33956  
PHONE (841) 283-1518  
LR # 2658

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CERTIFIED TO:  
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This survey is in compliance with the minimum technical standards as set forth in Chapter 61G17-6, Florida Administrative Code. This Survey Map is not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.


*Alfred J. Watson*  
ALFRED J. WATSON  
PROFESSIONAL SURVEYOR AND MAPPER  
#2330 - STATE OF FLORIDA

FOR: O'CONNELL  
JOB # 05-0507 F.B.  
STRAP # 35-45-22-21-00015.0140

SKETCH OF SURVEY  
SCALE 1" = 30'

DATE: JULY 6, 2005  
DATE: JULY 7, 2005  
DATE:

**Exhibit "C"**  
**Petition to Vacate**  
**VAC2005-00026**  
 [Page One of One]

Real Property Information		
<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
35-45-22-21-00015.0140	2004	PAID
<b>Original Account</b>	<b>Book/Page</b>	
35-45-22-21-00015.0140	4176/4798	
<b>Owner</b>		
OCONNELL JAMES W		
<b>Physical Address</b>	<b>Mailing Address</b>	
3011 BRACCI DR ST JAMES CITY FL 33956	3011 BRACCI DR ST JAMES CITY FL 33956 USA	
<b>Legal Description</b>		
ST JUDE HARBORS UNIT 2 BLK 15 PB 25 PG 151 LOTS 14 + 15		
<b>Outstanding Balance as of 7/5/2005</b>		\$0.00

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2005-00026**  
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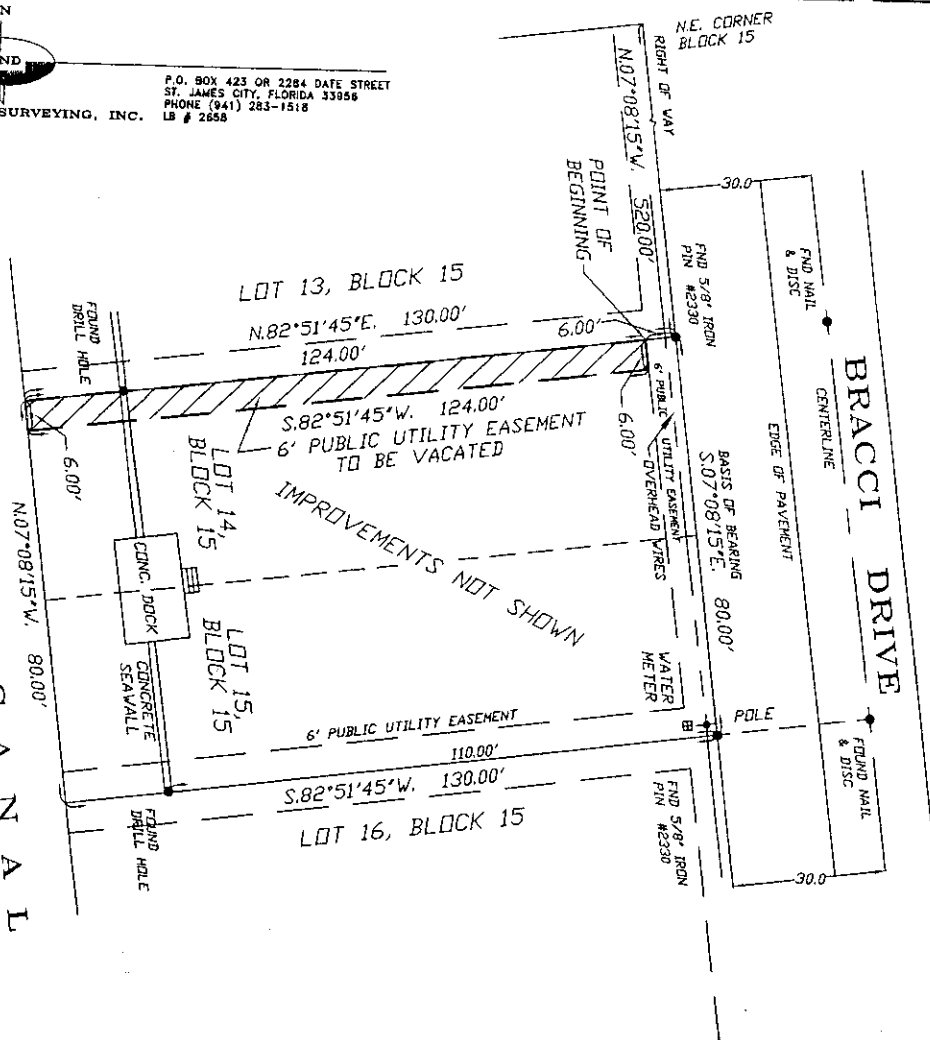
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CERTIFIED TO:  
JAMES O'CONNELL

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*Alfred J. Watson*  
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FDR: O'CONNELL  
JOB # 05-0507 F. B.  
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<b>Legal Description</b>		
ST JUDE HARBORS UNIT 2 BLK 15 PB 25 PG 151 LOTS 14 + 15		
<b>Outstanding Balance as of 7/5/2005</b>		\$0.00

CNS - 239,000.00  
R - 6.00  
D - 1673.00



Prepared by and Return to:  
Accu Title Agency  
3227 South Horseshoe Drive, Suite 104  
Naples, FL 34104  
Folio No: 35-45-22-21-00015.0140

INSTR # 6116607  
OR BK 04176 Pg 4798; (1pg)  
RECORDED 01/21/2004 08:41:03 AM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY, FLORIDA  
RECORDING FEE 6.00  
DEED DOC 1,673.00  
DEPUTY CLERK X Lopez

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

THIS INDENTURE, made this 8th day of January, 2004 by

**Fidel Aguiar, a single person**

herein after referred to as grantor, to

**James W. O'Connell, a single person**

herein after referred to as grantee, whose post office address is:

210 N. Richmond Ave., North Massapequa, NY 11758-3332

WITNESSETH that said grantor, for and in consideration of the sum of TEN DOLLARS, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, assigns, remises, releases, conveys and confirms unto grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida, to-wit:

**LOT 14 AND 15, BLOCK 15, UNIT 2, ST. JUDE HARBORS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 146 TO 151, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.**

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

Subject to easements, restrictions, and reservations of record. Subject to taxes for the year 2002 and subsequent thereto.

\*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, grantor has hereunto set grantors hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

Jennifer Brown  
Witness  
Print: JENNIFER BROWN

Fidel Aguiar  
Fidel Aguiar

Connie Jo Diamond  
Witness  
Print: CONNIE JO DIAMOND

STATE OF FLORIDA  
COUNTY OF COLLIER

THE FOREGOING INSTRUMENT was acknowledged before me this 8th day of January, 2004 by Fidel Aguiar, who is personally known to me or who has produced FL DAIV-UC as identification.

Jennifer Brown  
Notary Public JENNIFER BROWN

My Commission Expires  Jennifer Brown  
MY COMMISSION # DD240219 EXPIRES  
August 31, 2007  
BONDED THROUGH TROY FAIR INSURANCE, INC

(SEAL)





BOARD OF COUNTY COMMISSIONERS

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

Bob Janes  
*District One*

239-479-8585

Douglas R. St. Cerny  
*District Two*

July 11, 2005

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

John E. Albion  
*District Five*

James W. O'Connell  
3011 Bracci Drive,  
St. James City, FL 33956

Donald D. Stilwell  
*County Manager*

Diana M. Parker  
*County Hearing Examiner*

Re: **VAC2005-00026 - Petition to Vacate** a 6-foot wide Public Utility Easement on lot 14, Block 15, Unit 2, St Jude Harbors, S 35, T 45S, R 22E, as recorded in Plat Book 25, Page 151, in the public records of Lee County, FL

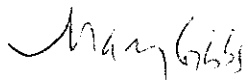
Dear Mr. O'Connell:

You have indicated that in order to build a masonry wall on the above lot, you desire to eliminate the Public Utility Easement located on the north side of your property. The site is located at 3011 Bracci Drive, St. James City. 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

  
for Peter J. Eckenrode  
Director

PJE/RXW

U:\200507\20050525.154\8110200\DCDLETTER.DOC

May 25, 2005

Department of Community Development  
P.O.Box 398 (1500 Monroe Street)  
Fort Meyers, Florida 33902  
Attention: Peter J. Eckenrode, Director Development Services

To Whom It May Concern:

I am requesting to vacate the Utility Easement on the north side of my property. The reason and purpose of this is to build a fence.

Thank you.  
Sincerely,

A handwritten signature in black ink, appearing to read "James O'Connell". The signature is fluid and cursive, with a prominent initial "J" and "O".

James O'Connell  
3011 Bracci Drive  
Saint James City, Florida 33956  
239-699-8106  
Strap number 35-45-22-21-00015.0140



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.lfnc.com

April 28, 2005

Mr. James O'Connell  
3011 Bracci Drive  
St. James City, FL 33956

Re: Vacation of Public Utility Easement  
3011 Bracci Drive, St. James City, Florida

Dear Mr. O'Connell:

LCEC does not object to the vacation of the Northerly 6-foot Public Utility Easement on the above referenced parcel, as per the attached sketch from Exacta Land Services, Inc. dated December 24, 2003, **LESS AND EXCEPT** the Easterly 6 feet as LCEC has facilities located in that area.

Please call me at 656-2422 if I can be of any further assistance.

Sincerely,

Sandra McIver  
Real Property Representative

Attachment



841 Lighthouse Road  
North Fort Myers, FL 33904

April 26, 2005

James O'Connell  
3011 Bracci Drive  
St. James City, Florida 33956

RE: Request for a letter of Review and Recommendation on proposed easement vacations on the  
Following parcels:

3011 Bracci Drive, St. James City  
35-45-22-21-00015.0140

With reference to your letter of April 26, 2005 requesting Sprint's concurrence with your request to vacate the public interest in the 6' public utility easements. Sprint has no objection to the vacation of these easements.

If you have any questions please call me at 239 - 336-2017.

Sincerely,

A handwritten signature in black ink that reads "Joe Sansone".

Joe Sansone  
OSP Engineer



**301 Tower Rd.  
Naples, FL 34113  
Phone: 239-732-3805  
FAX: 239-498-4483**

April 26, 2005

James O'Connell  
3011 Bracci Dr.  
St. James City Fl. 33956

Re: 3011 Bracci Dr.  
Strap # 35-45-22-21-00015.0140

Dear: James O'Connell,

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 black ink, appearing to read "Mark Cook".

Mark Cook  
Design Coordinator



Greater  
Pine Island  
Water Association, Inc.

July 6, 2005

James O'Connell  
3011 Bracci Drive  
St. James City, FL 33956

Re: Strap No. 35-45-22-21-00015.0140

Dear Mr. O'Connell,

We have reviewed your proposed vacation of a 14.61 foot wide Utility and Drainage Easement on the north side of Lot 14 (between Lots 13 and 14) on Bracci Drive.

The Greater Pine Island Water Association, Inc. has no objection to the vacation of the easement with the understanding that the 6 foot eastern utility easement on Bracci Drive remain in place for servicing of the existing water line.

If we can be of further assistance to you in this matter, please feel free to call.

Sincerely

William J. Thacher  
General Manager

rc



Greater  
Pine Island  
Water Association, Inc.

May 4, 2005

James O'Connell  
3011 Bracci Drive  
St. James City, FL 33956

Re: Strap No. 35-45-22-21-00015.0140

Dear Mr. O'Connell,

We have reviewed your proposed vacation of a 14.61 foot wide Utility and Drainage Easement on the north side of Lot 14 (between lots 13 and 14) on Bracci Drive.

The Greater Pine Island Water Association, Inc. has no objection to the vacation of the easement with the understanding that the 6 foot utility easement that parallels Bracci Drive remain in place for servicing of the existing water line.

If we can be of further assistance to you in this matter, please feel free to call. Thank you.

Sincerely,

William J. Thacher  
General Manager

# AmeriGas

*America's Propane Company*

April 26, 2005

James O'Connell  
3011 Bracci Dr.  
St. James City, FL 33956

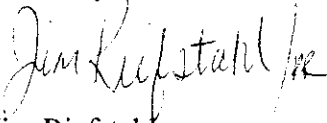
Dear Mr. O'Connell:

In reference to your letter dated April 26, 2005 Amerigas has no obligation to the vacation of the easement list below:

STRAP #: 35-45-22-21-00015.0140

Please feel free to contact me at 239-334-2849, should you have further questions.

Sincerely,



Jim Riefstahl  
Sales & Service Manager



**BOARD OF COUNTY COMMISSIONERS**

(239) 479-8150

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

Bob Janes  
*District One*

April 26, 2005

Douglas R. St. Cerny  
*District Two*

James O'Connell

Ray Judah  
*District Three*

3011 Bracci Dr

Tammy Hall  
*District Four*

St James City, Fl 33956

John E. Albion  
*District Five*

**SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT AND/OR PUBLIC  
RIGHT OF WAY**

Donald D. Stilwell  
*County Manager*

**STRAP #: 35-45-22-21-00015.0140**

David M. Owen  
*County Attorney*

Dear Mr. O'Connell:

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 public right of way located within Section 35, Township 45 South, Range 22 East, on Pine Island.

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 04/26/2005

cc: Correspondence File

H:\Vacates\2005\OConnell04222005.doc

UNIT 2

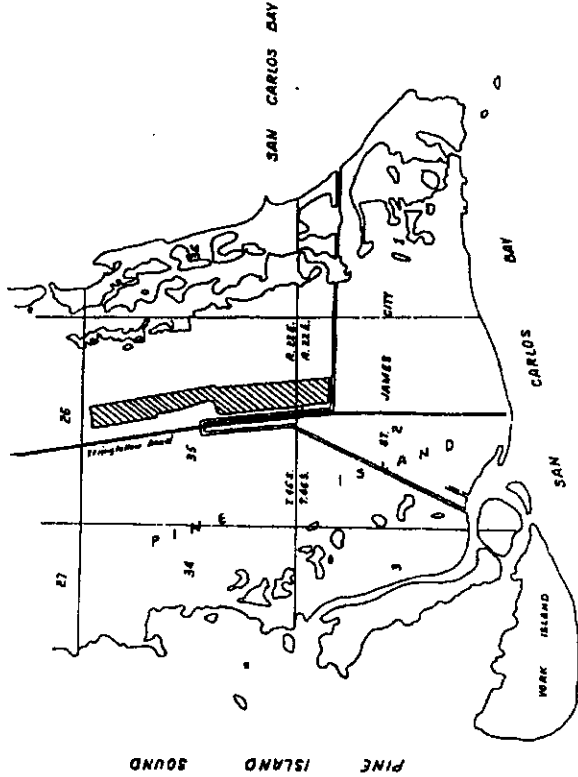
# ST. JUDE HARBORS

A SUBDIVISION OF  
PART OF UNIT 1, ST. JUDE HARBORS  
(ACCORDING TO PLAT RECORDED IN PLAT BOOK 16, PAGE 141)  
AND

PARCELS IN SECTION 35, T. 45 S., R. 22 E.  
AND IN SECTION 2, T. 46 S., R. 22 E.  
PINE ISLAND, LEE COUNTY, FLORIDA  
SCALE 1"=100'

SHEET 1 OF 6

CARL E. JOHNSON, INCORPORATED  
LAND SURVEYORS  
FORT MYERS, FLORIDA



VICINITY SKETCH  
SCALE 1"=100'

### CERTIFICATE

I HEREBY CERTIFY that the part of UNIT #1, ST. JUDE HARBORS is true and correct according to a recent survey made and planned under my direction and that permanent reference monuments (P.R.M.) will be set in accordance with the provisions of Section 173.03, Chapter 70-38, Laws of Florida, Acts of 1971.

*Carl E. Johnson*  
Registered Land Surveyor  
Florida Certificate #17185

### EASEMENT DEDICATION

The owners of this property do hereby dedicate 6 feet along each boundary of each tract to the Public Utility Easements.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS that St. Jude Harbors, Inc. a corporation under the laws of Florida, the number of the above described lands, and the part of UNIT #1, ST. JUDE HARBORS to be made and that hereby dedicate to the perpetual use of the public of Florida, complete and permanent utility easements being substantially for the use and purpose indicated, hereby creating, vesting, and assigning any and all of said lands described herein, IN WITNESS WHEREOF, St. Jude Harbors, Inc. has caused this declaration to be signed as its name by its president and its secretary and to be attested, published by its secretary this 15th day of March, A.D. 1971.

ST. JUDE HARBORS, INC.

*Joseph J. Applegate*  
President  
*John J. ...*  
Secretary

### ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF LEE  
I HEREBY CERTIFY that on this day before me, personally appeared Joseph J. Applegate, President of St. Jude Harbors, Inc. a corporation under the laws of Florida, and John J. ... Secretary of St. Jude Harbors, Inc. and they acknowledged to me that they executed the foregoing instrument for the purposes and in consideration of the contents thereof and that they are duly qualified officers for the uses and purposes therein mentioned and that they are of legal age and of sound mind and of legal capacity, and that their declaration is the act and deed of said corporation.  
WITNESS my hand and official seal of Lee County, Florida, this 15th day of March, A.D. 1971.

*Joseph J. Applegate*  
Notary Public, State of Florida  
My Commission Expires January 19 75

### APPROVALS

This plat executed this 15th day of March, A.D. 1971 in open view of the County Commissioners of Lee County, Florida.

*James ...*  
County Commissioner  
*John ...*  
County Engineer

I HEREBY CERTIFY that the part of UNIT #1, ST. JUDE HARBORS has been examined by me and that my commission expires on March 10 1973 and that I am duly qualified to perform the duties of a Notary Public.

*John ...*  
Notary Public, State of Florida  
My Commission Expires March 10 1973

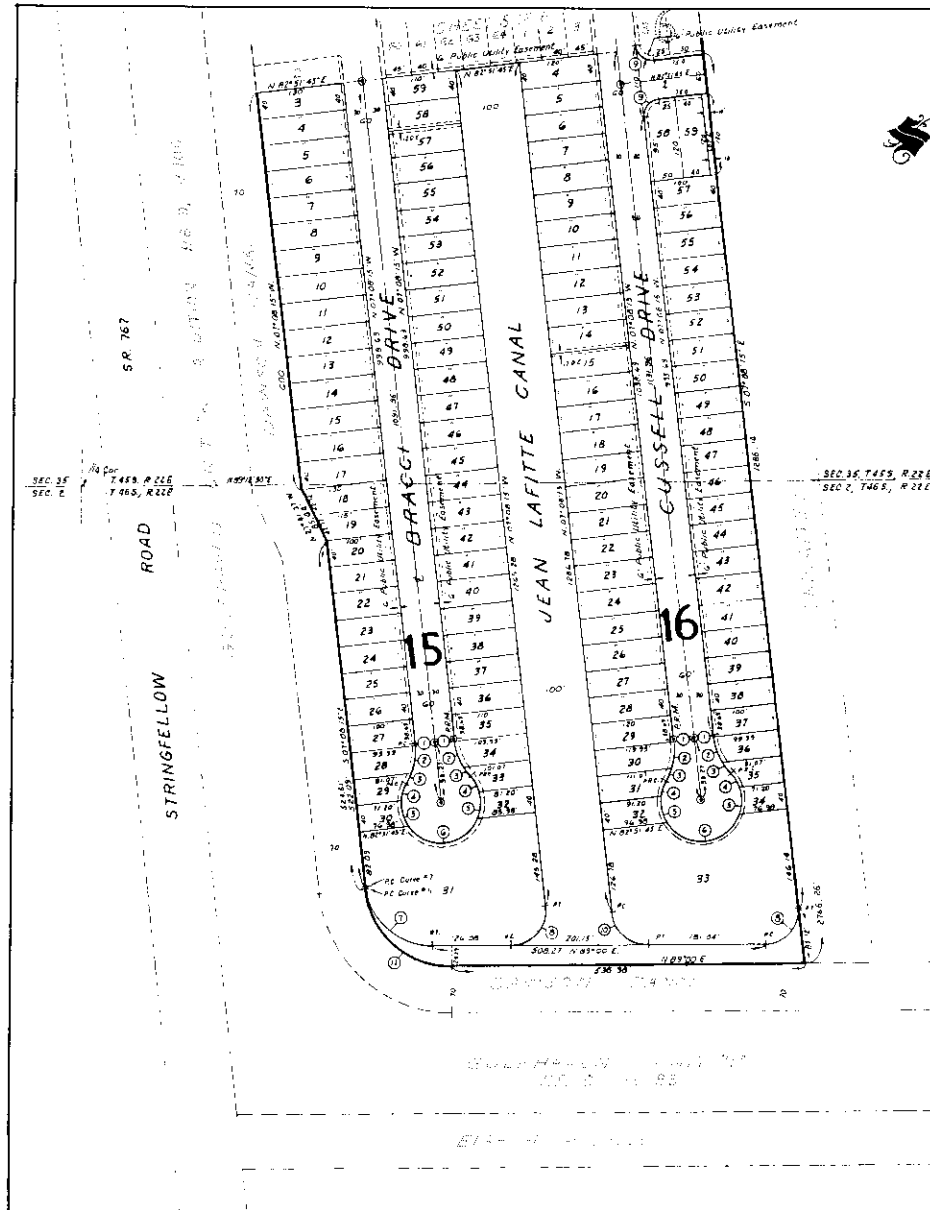
*John ...*  
Notary Public, State of Florida  
My Commission Expires March 10 1973

UNIT No. 2

# St. Jude Harbors

SHEET 6 OF 6

SCALE: 1"=100'



CURVE DATA

CURVE	DELTA	ARC	RADIUS	CHORD
1	0°45'02"	1.31	100'	1.31
2	23°38'37"	41.28	100'	40.98
3	19°15'08"	19.65	100'	19.62
4	24°09'34"	25.30	60'	25.11
5	39°21'34"	41.23	60'	40.41
6	124°16'38"	130.14	60'	108.09
7	83°15'45"	144.37	100'	133.85
8	96°08'15"	83.00	50'	74.29
9	90°00'	19.27	25'	18.86
10	83°51'05"	12.18	50'	66.82
11	83°51'05"	19.08	130'	173.74

S.R. 767

ROAD

UNIT "K" ADDITION P.B. 9, P. 1

OF HAVEN

70'

DAWSON CANAL

600' N. 07° 08' 15" W.

N 21° 41' 31" W  
125.40  
118.97

SEC. 35 7.459, R. 226  
SEC. 2 7.465, R. 228

1189' 14.30'E

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

998.69' N. 07° 08' 15" W.

DRIVE

1091.96'

BRACCI

100' Public Utility Easement

100' Public Utility Easement

56
55
54
53
52
51
50
49
48
47
46
45
44
43
42
41
40
39

998.69' N. 07° 08' 15" W.

1265.28' N. 07° 08' 15" W.

JEAN LAFITTE CANAL

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1205.15'

1286.78' N. 07° 08' 15" W.

1038.29' N. 07° 08' 15" W.

DRIVE

1134.98'

1033.69' N. 07° 08' 15" W.

100' Public Utility Easement

50	40
100	57
56	49
55	
54	
53	
52	
51	
50	
49	
48	
47	
46	
45	
44	
43	
42	
41	

1285.14' S. 07° 08' 15" E.

