

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20051365

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 12-foot wide Drainage and Public Utility Easement located at 2816 and 2818 51st W., Lehigh Acres (Case No. VAC2005-00011).

2. WHAT ACTION ACCOMPLISHES: To construct a single-family home on the combined Lots. The vacation of this easement will not alter existing drainage and utility conditions and the easement is not necessary to accommodate any future drainage and utility requirements.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:
COMMISSION DISTRICT #: 5 **9:30 PM #3**

5. Meeting Date: **11-22-2005**

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

7. Requirement/Purpose: (specify)
 Statute F.S. Ch. 177
 Ordinance
 Admin. Code 13-1
 Other

8. Request Initiated:
 Commissioner
 Department Community Development
 Division Development Services
 By: *[Signature]*
 Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2005-00011 was submitted by Harley D. and Linda J. Eshleman.

LOCATION: The site is located at **2816 and 2818 51st St. W., Lehigh Acres, Florida 33971** and its strap number is **12-44-26-07-00123.0150**. Petition No. VAC2005-00011 proposes to vacate a twelve-foot (12') wide Drainage and Public Utility Easement on Lots 15 and 16, Block 123, Unit 7, Section 12, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 26, Page 107 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>John J. [Signature]</i> 9-28-05	<i>[Signature]</i> 9/29/05	<i>[Signature]</i> 9/29/05	<i>[Signature]</i> 9/29/05	<i>[Signature]</i> 9/29/05	<i>[Signature]</i> 9/29/05

11. Commission Action:

Approved
 Deferred *TU 11-22-05 AS per Res 22P*
 Denied
 Other

RECEIVED BY COUNTY ADMIN. *[Signature]*
 9-28-05
 4:55
 COUNTY ADMIN FORWARDED TO: *[Signature]*
 9/29/05
 3 PM

RECEIVED by CO. ATTY. *[Signature]*
 8:30 AM
 CO. ATTY. FORWARDED TO: *[Signature]*
 9/29/05



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: September 20, 2005

To: Patricia Geren
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20051365

CASE NUMBER: VAC2005-00011

Applicable Public Noticing Requirement:

PTV under AC13-1
1st Notice - 15 days prior to Public Hearing
2nd 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) and Joan Henry, Assistant County Attorney (jhenry@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00011

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

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Exhibit "A"
Petition to Vacate
VAC2005-00011
[Page One of One]

Legal Description of a Portion of a
Public Utility Easement and Drainage Easement
to be Vacated

That portion of the twelve-foot wide Public Utility Easement and Drainage Easement centered on the common lot line between Lots 15 and 16, both in Block 123 of the Replat of Tract J - Unit 7, Section 12, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, according to Plat thereof, as recorded in Plat Book 26, Page 107 of the Public Records of Lee County, Florida;

Less and Except the northerly and southerly six feet thereof.

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: VAC2005-00011

WHEREAS, Petitioner **Harley D. Eshleman and Linda J. Eshleman** 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. VAC2005-00011 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
VAC2005-00011
[Page One of One]

Legal Description of a Portion of a
Public Utility Easement and Drainage Easement
to be Vacated

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Less and Except the northerly and southerly six feet thereof.

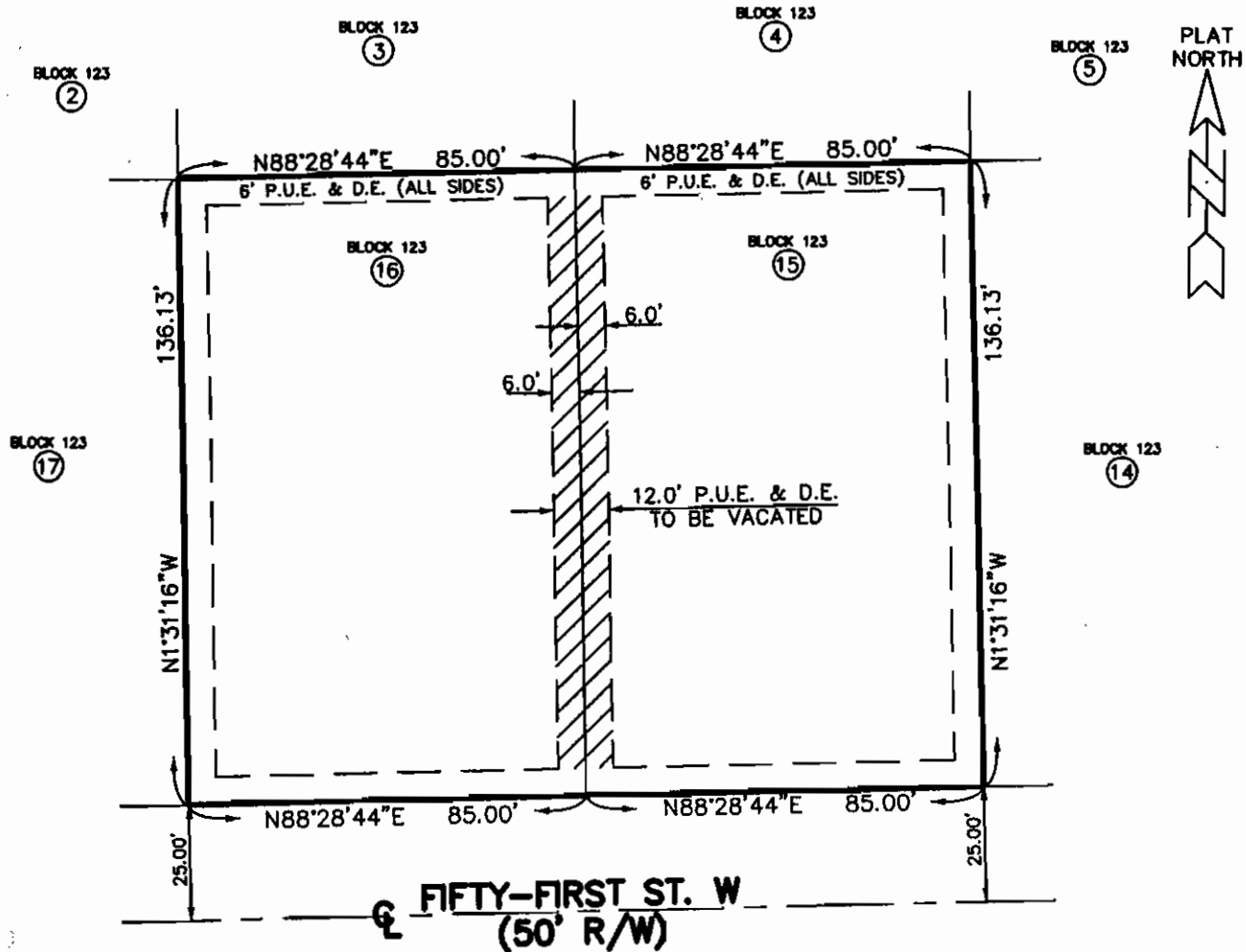


Exhibit "B"
Petition to Vacate
VAC2005-00011
 [Page One of One]

P.U.E. - PUBLIC UTILITY
 EASEMENT
 D.E. - DRAINAGE EASEMENT

Christopher B. Still

CHRISTOPHER B. STILL
 P.S.M. 5941
 JANUARY 26, 2005

2816-2818 FIFTY-FIRST STREET W
 LOTS 15 & 16, BLOCK 123, UNIT 7
 SECTION 12, TOWNSHIP 44 SOUTH, RANGE 26 EAST
 LEHIGH ACRES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 26, PAGE 107, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

NOT A SURVEY - SKETCH ONLY

S.T.A.R. Surveying, Inc. (LB5449)

Professional Surveyors and Mappers

1130-E Lee Boulevard, Lehigh Acres, Florida 33936

(239) 368-7400 (239) 368-7685 (Fax)

DATE: 1-26-05

JOB NUMBER: 0520

DRAWN BY: C.B.S.

SCALE: 1" = 40'

SHEET: 1 of 2



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00011

Petitioner(s), Harley D + Linda J. Eshleman 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, 2 Hillcrest Dr Mechanicsburg, Pa 17050
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:

Harley D Eshleman
Petitioner Signature

Linda J Eshleman
Petitioner Signature

Harley D Eshleman
Printed Name

Linda J Eshleman
Printed Name

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

Exhibit "A"
Petition to Vacate
VAC2005-00011
[Page One of One]

Legal Description of a Portion of a
Public Utility Easement and Drainage Easement
to be Vacated

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Less and Except the northerly and southerly six feet thereof.

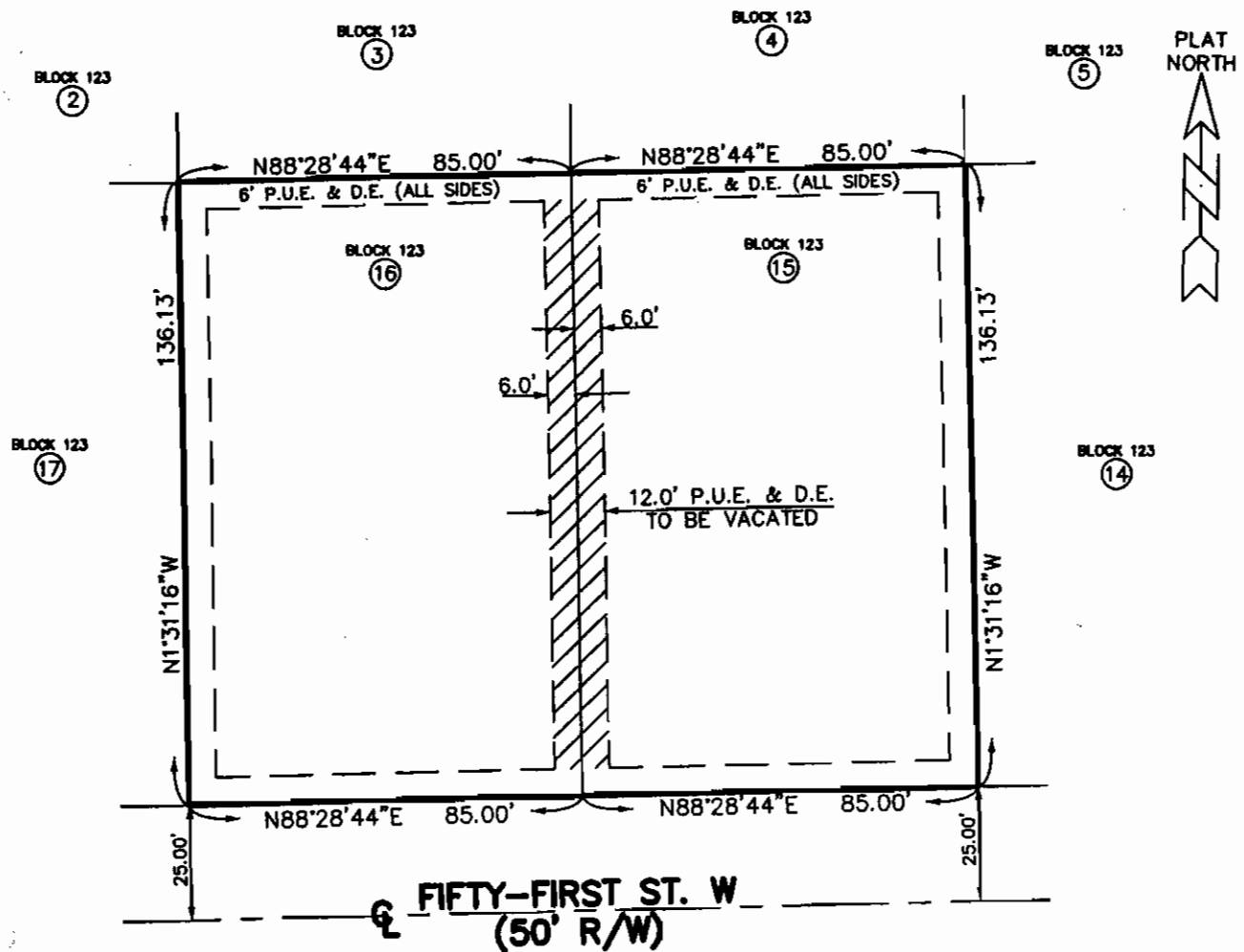


Exhibit "B"
 Petition to Vacate
 VAC2005-00011
 [Page One of One]

P.U.E. - PUBLIC UTILITY
 EASEMENT
 D.E. - DRAINAGE EASEMENT

Christopher B. Still
 CHRISTOPHER B. STILL
 P.S.M. 5941
 JANUARY 26, 2005

2816-2818 FIFTY-FIRST STREET W
 LOTS 15 & 16, BLOCK 123, UNIT 7
 SECTION 12, TOWNSHIP 44 SOUTH, RANGE 26 EAST
 LEHIGH ACRES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 26, PAGE 107, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

NOT A SURVEY - SKETCH ONLY

S.T.A.R. Surveying, Inc. (LB5449)
 Professional Surveyors and Mappers
 1130-E Lee Boulevard, Lehigh Acres, Florida 33936
 (239) 368-7400 (239) 368-7885 (Fax)

DATE:	1-26-05
JOB NUMBER:	0520
DRAWN BY:	C.B.S.
SCALE:	1" = 40'
SHEET:	1 of 2

Exhibit "C"
Petition to Vacate
VAC2005-00011
[Page One of One]

Real Property Information		
Account	Tax Year	Status
12-44-26-07-00123.0150	2004	PAID
Original Account	Book/Page	
12-44-26-07-00123.0150	2328/2856	
Owner		
ESHLEMAN HARLEY D + LINDA J		
Physical Address	Mailing Address	
2816 51ST ST W LEHIGH ACRES FL 33971	2 HILLCREST DR MECHANICSBURG PA 17055 USA	
Legal Description		
LEHIGH ACRES REPLAT UT 7 TR J BLK 123 PB 26 PG 107 LOTS 15 + 16		
Outstanding Balance as of 3/29/2005		\$0.00

OR2328 1856

CHARLIE GREEN LEE CTY FL

92 SEP 22 PM 1:38

GL 646

9/22

After recording, return to:
GUARDIAN TITLE OF LEHIGH
Box 85



PREPARED BY:
Janet Allison
Vice President
LEHIGH CORPORATION
201 East Joel Boulevard
Lehigh Acres, Florida 33936

3267425

Documentary Tax Pd. \$ 84.00
Inspection Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By: Susan Thompson Deputy Clerk

Strap #: 12-44-26-07-00123.0150
12-44-26-07-00123.0160

BL274454-8
11995

Warranty Deed

REC. 6.00
DOC. 84.00
TOT. 90.00

This Indenture, made this 20th day of July A.D. 1992

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors, and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders.

Between LEHIGH CORPORATION, a corporation existing under the laws of the State of Florida, having its principal place of business at 201 East Joel Boulevard, Lehigh Acres, Lee County, Florida 33936, party of the first part, and

HARLEY D. ESHLEMAN, SS#206-34-8377, and

LINDA J. ESHLEMAN, SS#551-60-9158, Husband and Wife

2 Hillcrest Drive

Mechanicsburg, Pennsylvania 17055

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: SUSAN THOMPSON, D.C.

party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his heirs and assigns forever, the following described land, situate, lying, and being in the County of Lee, State of Florida, to wit:

Lots 15 and 16, Block 123, Replat of Tract J,
Unit 7, Section 12,
Township 44 South, Range 26 East,

Lehigh Acres, Florida

According to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 26, Page 107, Public Records, Lee County, Florida. Subject to reservations, restrictions, and easements of record, and taxes for the calendar year. Reserving, however, all oil, gas, and mineral rights (the "Property").

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

In Witness Whereof the said party of the first part has caused these presents to be signed in its name by its Vice President and its corporate seal to be affixed the day and year above written.

(Corporate Seal)

Lehigh Corporation
A Florida Corporation

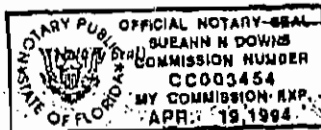
By Janet Allison
JANET ALLISON, Vice President

State of Florida
COUNTY OF LEE

I HEREBY CERTIFY that on this day and year first above written before me personally appeared the above named, the Vice President of LEHIGH CORPORATION, a corporation under the laws of the State of Florida, well-known to me and to me known to be the person described in and who executed the foregoing conveyance and acknowledged the execution thereof to be the free act and deed as such officer, for the uses and purposes therein mentioned; and affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation (and who did not take an oath).

WITNESS my signature and official seal at Lehigh in the County of Lee and State of Florida, the day and year last aforesaid.

My Commission Expires:



Sueann N. Downs
Notary Public, State of Florida
Sueann N. Downs



LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

September 20, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

Diana M. Parker
County Hearing Examiner

Harley D. & Linda J. Eshleman
2 Hillcrest Dr.
Mechanicsburg, PA 17050

Re: VAC2005-00011 - Petition to Vacate a 12-foot wide Public Utility and Drainage Easements centered on the combined Lots of 15 and 16, both in Block 123, Unit 7, Lehigh Acres, S 12, T 44S, R 26E, as recorded in Plat Book 26, Page 107 of the Public Records of Lee County, FL

Dear Mr. and Mrs. Eshleman:

You have indicated that in order to build a single family home on the combined lots, you desire to eliminate the Public Utility and Drainage Easements located between your two (2) lots. The site is located at 2816 and 2818 51st Street W., Lehigh Acres, 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

U:\200509\20050315.144\3475060\DCDLETTER.DOC

March 6, 2005

Dept. of Community Development
Attn: Peter J. Eckenrode
Director of Development Services

Re: 12-44-26-07-00123.0150

Dear Sir:

We own lots 2816 51st Street West and 2818 51st Street West in Lehigh Acres and want to vacate the utility easement between them in order to combine the two (2) lots into one (1) lot for future building site of a single family residence.

Sincerely,


Harley D. Eshleman


Linda J. Eshleman

Mailing address:
2 Hillcrest Drive
Mechanicsburg, PA 17050-1603

Cell phone 717-512-5979



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.lline.com

February 11, 2005

Mr. and Mrs. Harley D. Eshleman
21 Hillcrest Drive
Mechanicsburg, PA 17050

Re: Strap No. 12-44-26-07-00123.0150
2816 51st Street W, Lehigh Acres, Florida

Dear Mr. and Mrs. Eshleman:

LCEC does not object to vacation of the utility easement lying between lots 15 and 16, Block 123, Unit 7, Lehigh Acres, Section 12, Township 44 South, Range 26 East, Lee County, Florida; however, you need to contact FPL as this is in their service area.

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

Sincerely,

A handwritten signature in cursive script that reads 'Sandra McIver'.

Sandra McIver
Real Property Representative



Customer Service Operations

Post Office Box 1530
LaBelle, Florida 33975-4613

February 21, 2005

Harley D. Eshleman
2 Hillcrest Dr
Mechanicsburg, Pa 17050

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement
centered on the lot line common to lots 15 & 16,
Block 123, Unit 7, Section 12, Township 44S, Range 27E,
as recorded in Plat Book 26, Page 127 of the Official Records of Lee County, Florida

Dear : Mr. Eshleman,

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

If you should require additional information, please contact me at 863 452-3232.

Sincerely,

A handwritten signature in cursive script that reads "Sabrina Thompson".

Sabrina Thompson
Engineer



May 17, 2005

Harley D. Eshleman
2 Hillcrest Dr.
Mechanicsburg, PA 17050

RE: Vacation of Easement request for a 12 foot wide public utility easement between Lots 15 & 16, Block 123, Unit 7 Section 12, Township 44 South, Range 26 East Lehigh Acres, Lee County, Florida as recorded in Plat Book 26, Page 107, of the official records of Lee County, Florida.

LEA ANN THOMAS, CHAIR
Polk County

RICHARD W. WESCH
Citrus County

ROBERT NANNI
Osceola County

Dear Mr. Eshleman:

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 and identified below is hereby approved.

The vacation of easement was requested for a 12 foot wide public utility easement between Lots 15 & 16, Block 123, Unit 7 Section 12, Township 44 South, Range 26 East Lehigh Acres, Lee County, Florida as recorded in Plat Book 26, Page 107, of the official records of Lee County, Florida.

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/jdk

FGUA OPERATIONS OFFICE

Government Services Group, Inc.
Protegrity Plaza, Suite 203
280 Wekiva Springs Road
Longwood FL 32779

877/552-3482 Toll Free
407/629-6900 Tel
407/629-6963 Fax



**26930 Old US 41
Bonita Springs, FL 34135
Phone: 239-732-3805
FAX: 239-498-4483**

February 15, 2005

Harley D. Eshleman
2 Hillcrest Dr
Mechanicsburg, PA 17050

Re: Plat Book 26, Page 107, Tract J Lot 15&16 Block 123
Unit &, Sec. 12
Utility Easement Approval and Letter of Availability

Dear Harley D. Eshleman,

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,

A handwritten signature in black ink that reads "Mark Cook".

Mark Cook
Design Coordinator

AmeriGas

America's Propane Company

February 21, 2005

Harley D. Eshleman
Re: Utility Easements

In reference to your letter dated February 3, 2005 AmeriGas has **no interest** on right of way on the following locations:

2816 & 2818 51st W LeHigh Acres

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

Mike Yonker



SSM



1320 Homestead Rd North
Lehigh Ave 33936

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8150

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

February 08, 2005

Harley D. Eshleman
2 Hillcrest Dr.
Mechanicsburg, PA 17050

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT
STRAP #: 12-44-26-07-00123.0150
2816 & 2818 51ST ST W.

Dear Mr. Eshleman,

Lee County Utilities has no objection to the proposed vacation of the existing platted easement(s) as described in your recent letter and associated attachment. However, the area in question is not located within Lee County Utilities' service area; therefore, we have no potable water or wastewater lines within the area to be vacated.

You may wish to contact Florida Governmental Utility Authority at 368-1615, concerning your request, as the subject parcels are located within their service area boundaries.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239)479-8150.

Sincerely,

LEE COUNTY UTILITIES

David Reycraft
GIS Analyst
Utilities Engineering Division
Lee County Utilities

Original Mailed: 02/08/2005

CC: Correspondence File

Part
Ft 12
13
15
3+ E
+ Address
plat plan
7486
PTT MIKE

F lat

368

Carrier

H:\Vacates\2005\Eshleman02082005.doc



BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Friday, July 08, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

**Mr. Harley D. Eshleman
2 Hillcrest Drive
Mechanicsburg, PA 17050**

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate a twelve-foot (12') wide public utility and drainage easements centered on the common lot line of Lot 15 and 16, Block 123, Unit 7, Lehigh Acres Subdivision as recorded in Plat Book 26 at Page 107 of the Public Records of Lee County, Florida.

Donald D. Stilwell
County Manager

Robert W. Gray
Deputy County Attorney

Diana M. Parker
County Hearing Examiner

Dear Mr. II:

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

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

**Allen L. Davies, Jr.
Natural Resources Division**

S:\NATRES\SURFACE\DOCUMENT\vac502.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

August 29, 2005

RECEIVED
SEP 19 2005

COMMUNITY DEVELOPMENT

Mr. Harley D. Eshleman
2 Hillcrest Drive
Mechanicsburg, PA 17055

**RE: Petition to vacate the 12 foot wide public
Utility and drainage easement on the lot line
Common to Lots 15 and 16, Block 123, Tract J,
Unit 7, Plat Book 26, page 107, Lehigh Acres,
Section 12, Township 44 South, Range 26 East**

Dear Mr. Eshleman:

Lee County Department of Transportation has reviewed your request to vacate the above described easement. DOT has no facilities within the easement and does not maintain it.

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

Very truly yours,

DEPARTMENT OF TRANSPORTATION



Margaret Lawson
Right-of-way Supervisor

MAL/JMK/mlb

cc: Ruth Keith, Development Services
Allen Davies, Natural Resources
DOT PTV File



Florida Department of Transportation

JEB BUSH
GOVERNOR

DENVER J. STUTLER, JR.
SECRETARY

September 12, 2005

Harley D. Eshleman
2 Hillcrest Drive
Mechanicsburg, PA 17050

**RE: VACATION OF PUBLIC INTEREST IN THE RIGHT OF WAY OR
ROAD EASEMENT, UTILITY OR DRAINAGE EASEMENT AT 2816 &
2818 51ST STREET W, LEHIGH ACRES, LEE COUNTY, FLORIDA
PM Log# 05-74**

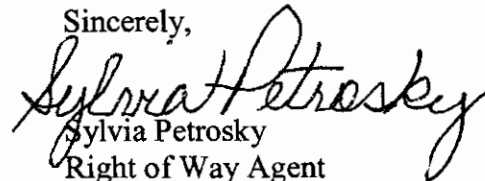
Dear Mr. Eshleman:

In response to your letter we received on July 7, 2005, our staff conducted a review of your request to vacate the subject area as marked and generally described as:

Lots 15 & 16, Block 123, Replat Unit 7, Tract J, Section 12, Township 44 South,
Range 26 East, recorded in Plat Book 26 Page 107, Lehigh Acres, Lee County,
Florida

Based on this review, we offer "No Objection" to this vacation request. If we can be of further assistance, please feel free to contact this office.

Sincerely,


Sylvia Petrosky
Right of Way Agent
Property Management

SAP/jps

cc: Scott Gilbertson, P.E. – Lee County
Peter J. Eckenrode – Lee County
Michael G. Rippe – FDOT
Thomas T. Garcia – FDOT
File, Daily File

RECEIVED
SEP 16 2005

COMMUNITY DEVELOPMENT

District One-Right of Way Department-Property Management
801 North Broadway Avenue*Post Office Box 1249*Bartow, FL 33831-1249
(863)519-2413*(863)519-5183(FAX)*MS 1-66

www.dot.state.fl.us

 RECYCLED PAPER



REPLAT OF
TRACT J-UNIT 7
 SECTION 12, TWP. 44 S., RGE. 26 E.
 A SUBDIVISION OF
LEHIGH ACRES

LEE COUNTY, FLORIDA



SCALE IN FEET

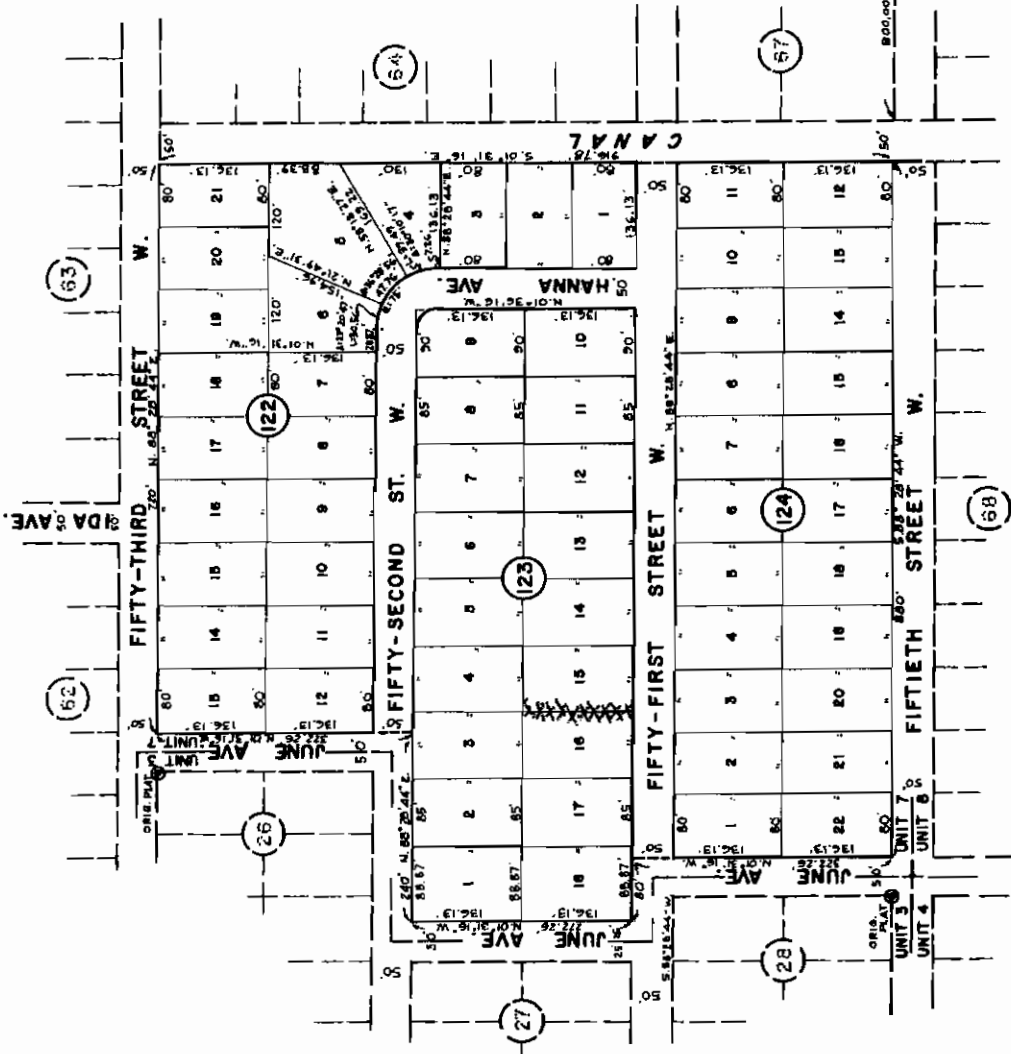
All lots subject to a 6 foot Utility and
 Drainage Easement on both sides, front,
 and back.

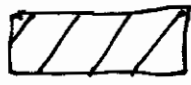
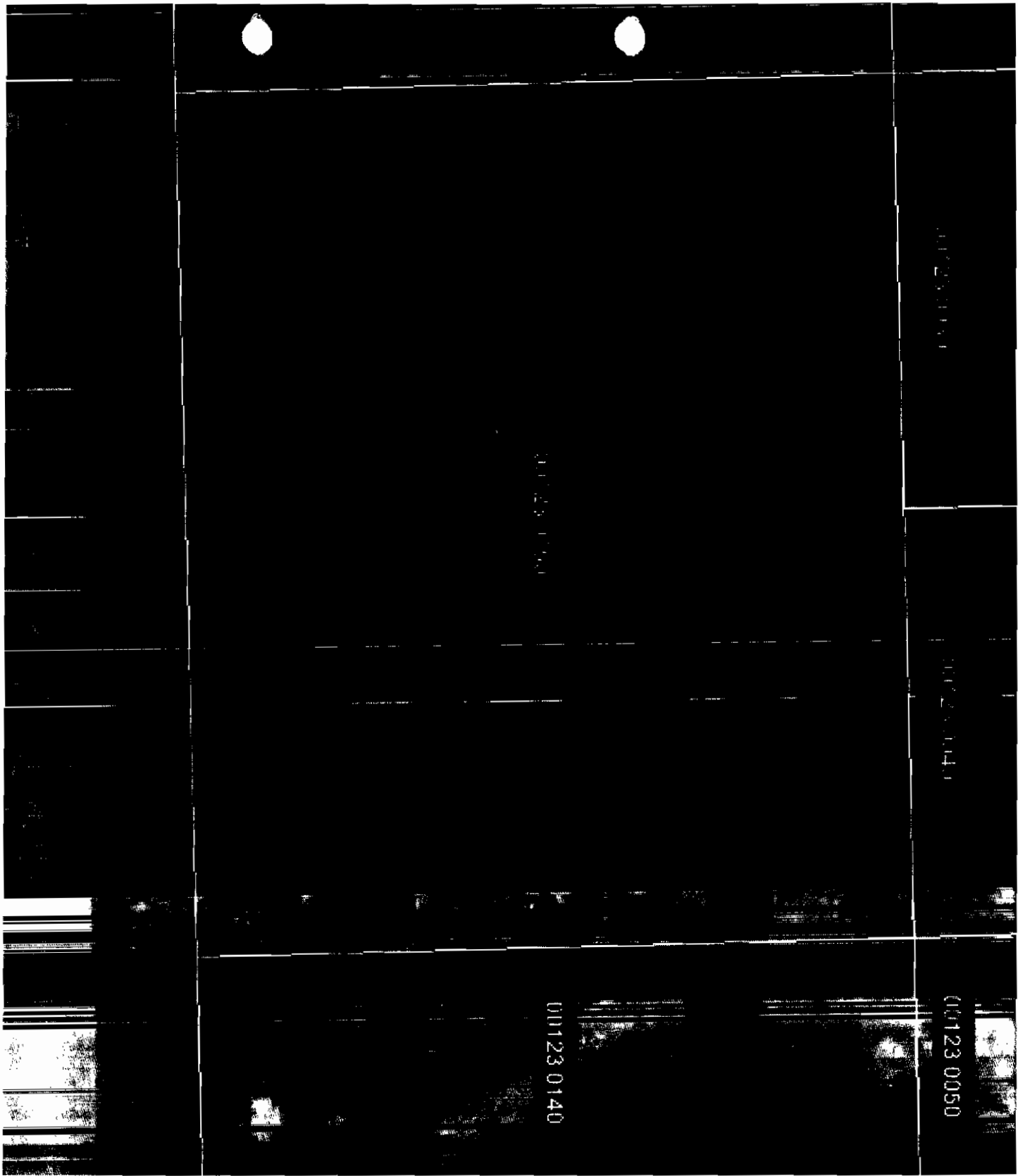
All corner lot radii are 25 feet except as
 shown and the lot dimensions are to the
 straight line intersections, except where
 not distances are shown.

APPROVAL OF THIS

PLAT FOR RECORD
 HAS BEEN GRANTED BY
 THE BOARD OF COUNTY COMMISSIONERS
 OF LEE COUNTY, FLORIDA
 THIS 15th DAY OF FEBRUARY, 2006

NOTE: ORIGINAL PLAT PB. 15 - PG. 61





- AREA TO BE VACATED

