

1. **REQUESTED MOTION:**

ACTION REQUESTED: Adopt a Resolution on Petition VAC2002-00050 to vacate a Twelve foot wide Public Utility Easement common to Lots 11 and 12, Block 77, Unit 8 a Subdivision of Lehigh Acres, Florida

WHY ACTION IS NECESSARY: To construct a Single Family Residence. The vacation of the public utility easement will not alter existing utilities and the easement is not necessary to accommodate any future utility requirement.

WHAT ACTION ACCOMPLISHES: Vacates the easement

2. **DEPARTMENTAL CATEGORY:** 04
COMMISSION DISTRICT #: 5

5:00 #4

3. **MEETING DATE:**

12-10-2002

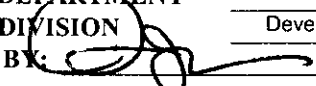
4. **AGENDA:**

CONSENT
ADMINISTRATIVE
APPEALS
 PUBLIC
WALK ON
TIME REQUIRED:

5. **REQUIREMENT/PURPOSE:**
(Specify)

STATUTE F.S. Ch. 177
 ORDINANCE
 ADMIN. CODE 13-1
 OTHER

6. **REQUESTOR OF INFORMATION:**

A. COMMISSIONER
B. DEPARTMENT Community Development
C. DIVISION Development Services
BY:  11/26/02
Peter J. Eckenrode, Director

7. **BACKGROUND:**

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 p.m. on the 10th day of December, 2002.

LOCATION: The Public Utility Easement is between Lots 11 & 12, Block 77, Unit 8, Lehigh Acres, as recorded in the Official Records of Lee County, Florida, Section 34, Township 44, Range 26 East, Less and Except the North and South 6 feet thereof. The site is located at 3900 13th St., SW, Lehigh Acres, Florida.

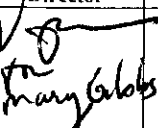
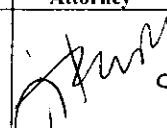
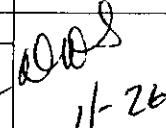
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of the Clerk of Circuit Court, Minutes Department.

There are no objections to this Petition to Vacate. Staff recommends adoption of this resolution.

Attached to this Blue sheet is the Resolution with exhibits.

8. **MANAGEMENT RECOMMENDATIONS:**

9. **RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services Risk			G County Manager
	N/A	N/A	N/A		GM 11/26/02	Risk 11/26/02	GC 11/26/02	 11-26-02

10. **COMMISSION ACTION:**

APPROVED
 DENIED
 DEFERRED
 OTHER

11/26/02

BY
ADMIN. TD
11/26/02
3:30pm
BH

11/26 5:00

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: VAC2002-00050

WHEREAS, Petitioner JAMES & LAURA GARECHT 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 10TH DAY OF DECEMBER @ 5:00 P.M.; 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

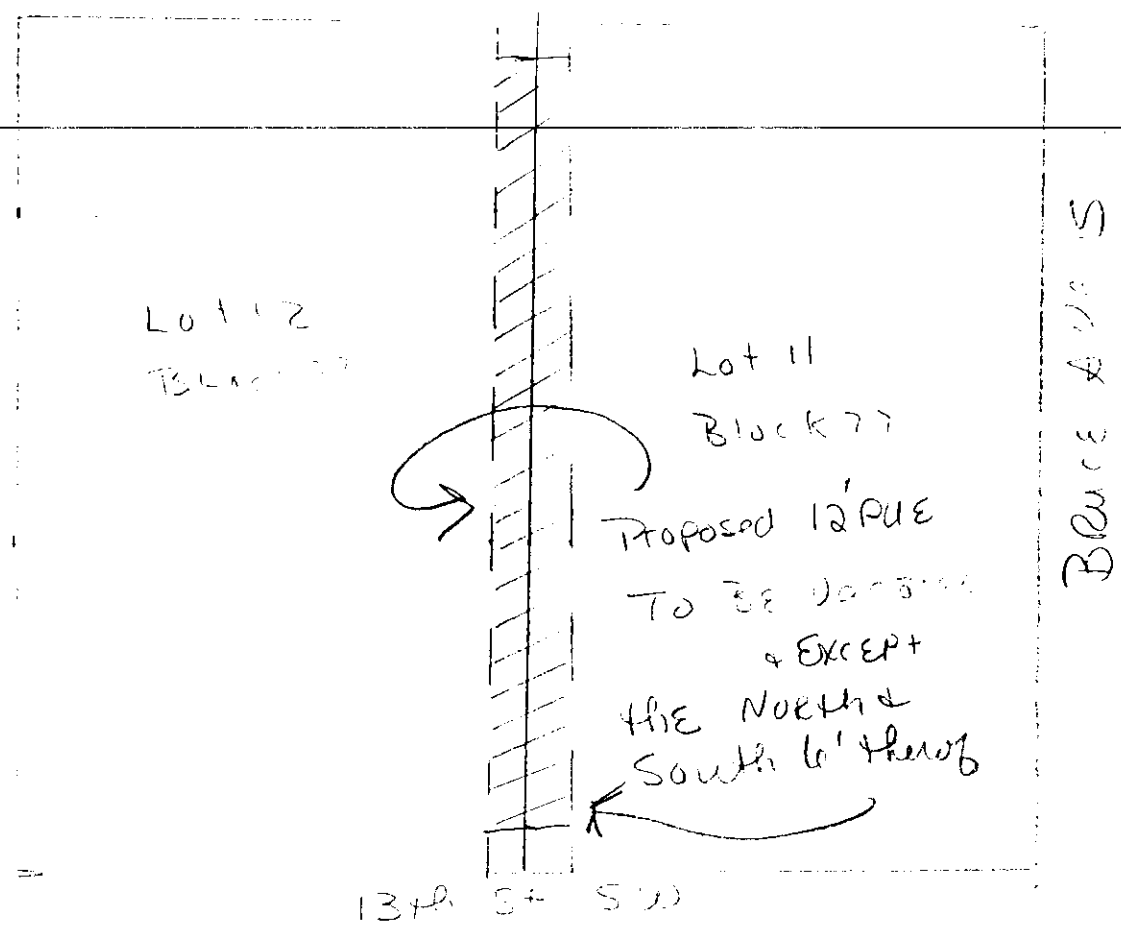
WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

LEGAL DESCRIPTION

A 12 foot wide Public Utility Easement centered on the lot line common to Lots 11 and 12, Block 77, Unit 8, a subdivision of Lehigh Acres as recorded in Plat Book 15, page 90, as recorded in the Official Records of Lee County, Florida, Section 34, Township 44 S, Range 26 East, Less and Except the North and South 6 feet thereof.

EXHIBIT A

↑
NORTH
1" = 30'



MR JAMES JAMES GALECKY
2400 13th St SW
LEWIS & CLARK
34-44-2608 00077-0110
Block 77 lots 11 & 12.

EXHIBIT E

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20021381

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a Resolution on Petition VAC2002-00050 to vacate a Twelve foot wide Public Utility Easement common to Lots 11 and 12, Block 77, Unit 8 a Subdivision of Lehigh Acres, Florida

WHY ACTION IS NECESSARY: To construct a Single Family Residence. The vacation of the public utility easement will not alter existing utilities and the easement is not necessary to accommodate any future utility requirement.

WHAT ACTION ACCOMPLISHES: Vacates the easement

2. DEPARTMENTAL CATEGORY: 04 Community Development
COMMISSION DISTRICT #: 5

3. MEETING DATE: December 10, 2002


4. AGENDA:

5. REQUIREMENT/PURPOSE:
(Specify)

6. REQUESTOR OF INFORMATION:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

- STATUTE F.S. Ch. 177
- ORDINANCE
- ADMIN. CODE 13-1
- OTHER

- A. COMMISSIONER
- B. DEPARTMENT Community Development
- C. DIVISION Development Services
- BY:  11/26/02

Peter J. Eckenrode, Director

7. BACKGROUND:

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 p.m. on the 10th day of December, 2002.

LOCATION: The Public Utility Easement is between Lots 11 & 12, Block 77, Unit 8, Lehigh Acres, as recorded in the Official Records of Lee County, Florida, Section 34, Township 44, Range 26 East, Less and Except the North and South 6 feet thereof. The site is located at 3900 13th St., SW, Lehigh Acres, Florida.

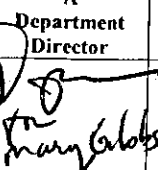
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of the Clerk of Circuit Court, Minutes Department.

There are no objections to this Petition to Vacate. Staff recommends adoption of this resolution.

Attached to this Blue sheet is the Resolution with exhibits.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
	N/A	N/A	N/A						

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

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: VAC2002-00050

WHEREAS, Petitioner JAMES & LAURA GARECHT 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 10TH DAY OF DECEMBER @ 5:00 P.M.; 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. VAC2002-00050 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

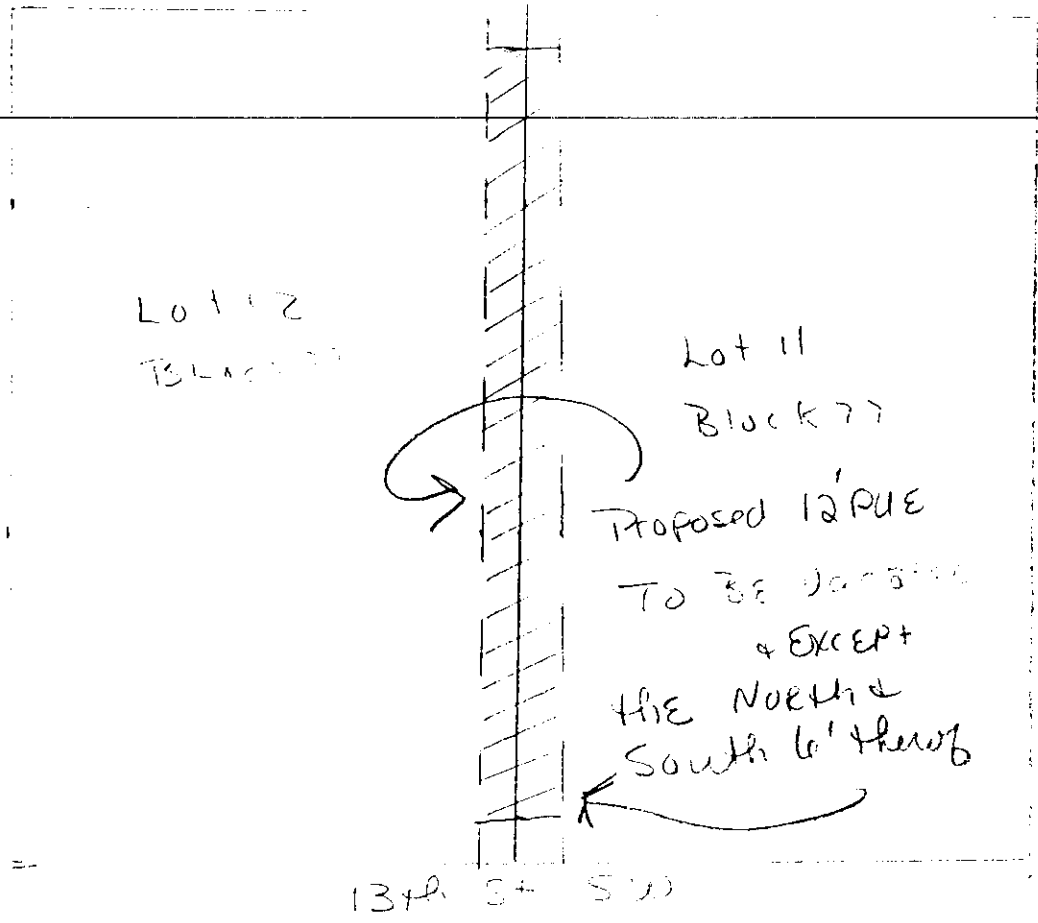
Please Print Name

LEGAL DESCRIPTION

A 12 foot wide Public Utility Easement centered on the lot line common to Lots 11 and 12, Block 77, Unit 8, a subdivision of Lehigh Acres as recorded in Plat Book 15, page 90, as recorded in the Official Records of Lee County, Florida, Section 34, Township 44 S, Range 26 East, Less and Except the North and South 6 feet thereof.

EXHIBIT A

↑
NORTH
1" = 30'



MR & MRS JAMES GALECKY
2900 13th St SW
LEWIS & CLARK
34-44-2608 00077-010
Block 77 lots 11 & 12.

EXHIBIT E

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
 AGENDA ITEM SUMMARY

BLUE SHEET NO: 20020603

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a Resolution on Petition VAC2001-00045 to vacate all of the 20' alley and a 6' Public Utility Easement lying at the rear of lots 11, 12, 13 & 14, within Block 9, San Carlos Park Commercial Addition, a subdivision lying in portions of Section 8, Township 46 South, Range 25 East, Lee County, Florida, recorded in plat Book 28, Pages 18 and 19 of the Public Records of Lee County Florida.

WHY ACTION IS NECESSARY: To provide for the expansion of existing commercial businesses. These easements are not required to accommodate any future utility or right of way needs and the vacation will not impact any existing utilities.

WHAT THE ACTION ACCOMPLISHES: Vacates the easement

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 05

5:00 #4

3. MEETING DATE:

06-11-2002

4. AGENDA

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

STATUTE
 ORDINANCE
 ADMIN. CODE 13-1
 OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER _____

B. DEPARTMENT Community Development

C. DIVISION Development Services

BY Peter J. Eckenrode, Director

7. BACKGROUND:

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 p.m. on the 11th day of June, 2001.

LOCATION: The 20' alley and 6' Public Utility Easement lies at the rear of lots 11, 12, 13 & 14, within Block 9, San Carlos Park Commercial Addition, a subdivision lying in portions of Section 8, Township 46 South, Range 25 East, Lee County, Florida, recorded in plat Book 28, Pages 18 and 19 of the Public Records of Lee County Florida.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of the Clerk of Circuit Court, Minutes Department.

There are no objections to this Petition to Vacate. Staff recommends adoption of this resolution.

Attached to this Blue sheet is the Resolution with exhibits.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

A Department Director	B Purchasing or Contracts	C Human Rel.	D Other	E County Attorney	F County Administration				G County Manager
<i>Manifest</i>	N/A	N/A	N/A	<i>[Signature]</i>	OA <i>[Signature]</i> 5/23/02	OM <i>[Signature]</i> 5/23/02	Risk <i>[Signature]</i> 5/23	GC <i>[Signature]</i> 5/23	<i>[Signature]</i>

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

REC'D.
 by CO. ATTY.
 5/23/02
 3:23pm
 CO. ATTY.
 FORWARDED TO:
 Admin
 5/23/02

RECEIVED BY
 COUNTY ADMIN. *PMC*
 5/23 945 ID
 COUNTY ADMIN.
 5/23 300

9:30AM

Sam