

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate a 12-foot wide Public Utility Easement located at 3115 11th Street SW., Lehigh Acres, Florida, and adopt a Resolution, setting a Public Hearing for 5:00 PM on the 14th day of October, 2003. (VAC2003-00009)

WHY ACTION IS NECESSARY: To build a single-family residence and detached garage on the combined lots. The vacation of this Public Utility Easement will not alter existing utility conditions and is not necessary to accommodate any future utility requirements.

WHAT ACTION ACCOMPLISHES: Setting the time and date of the Pubic Hearing.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 5

04

C4A

3. MEETING DATE:

09-23-2003

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: *[Signature]* 9/08/03

Peter J. Eckenrode, Director

BACKGROUND:

The completed Petition to Vacate, VAC2003-00009 was submitted by Michael J. Minton.

LOCATION: Petition # VAC2003-00009 proposes to vacate a twelve foot wide Public Utility Easement centered on the common lot line between Lots 1 and 2, Block 102, Unit 11, a subdivision of Lehigh Acres, Section 35, Township 44 South, Range 26 East, as recorded in Plat Book 15, Page 91, of the Public Records of Lee County, Florida, LESS AND EXCEPT the North six feet and the South six feet thereof. The site is located at 3115 11th Street SW., Lehigh Acres, Florida 33971.

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. Staff recommends the scheduling of the Public Hearing.

Attached to this Blue sheet is the Petition to Vacate, Resolution to set Public Hearing, Notice of Public Hearing 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
<i>Mary Gibbs</i>	N/A	N/A	N/A	<i>John V. Reagan 9-9-03</i>	<i>OR 9/9/03</i>	<i>COM 9/9/03</i>	<i>Risk 9/9/03</i>	<i>GC 9-9-03</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *9/8/03*
Time: *3:00 PM*
Forwarded To:
*Co. Adm.
9/9/03 11AM*

RECEIVED BY
COUNTY ADMIN: *[Signature]*
9/9
11:35 am
COUNTY ADMIN
FORWARDED TO: *[Signature]*
2/10/03

PETITION TO VACATE

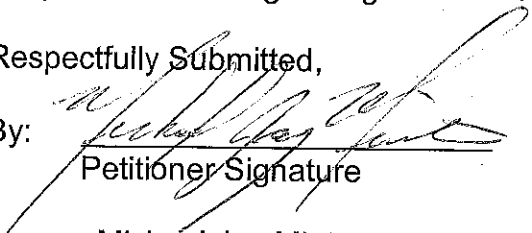
Case Number: VAC2003-00009

Petitioner(s), Michael Jay Minton 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, 3115 11th Street SW., Lehigh Acres, Florida 33971.
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
Michael Jay Minton
 Printed Name

By: _____

 Petitioner Signature

 Printed Name

Exhibit "A"
Petition to Vacate
VAC2003-00009

Legal description of a portion of a Public Utility Easement to be vacated:

A portion of a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 1 and 2 of Block 102, Unit 11 of the plat of Section 35, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 91 of the of the Public Records of Lee County, Florida.

Less and except the north six feet (6') and south six feet (6') thereof.

Exhibit "B"

Petition to Vacate

VAC2003-00009

Portion of a twelve-foot (12') wide public utility easement to be vacated centered on the common line between Lots 1 and 2 of Block 102, Unit 11 of the plat of Section 35, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 91 of the of the Public Records of Lee County, Florida.

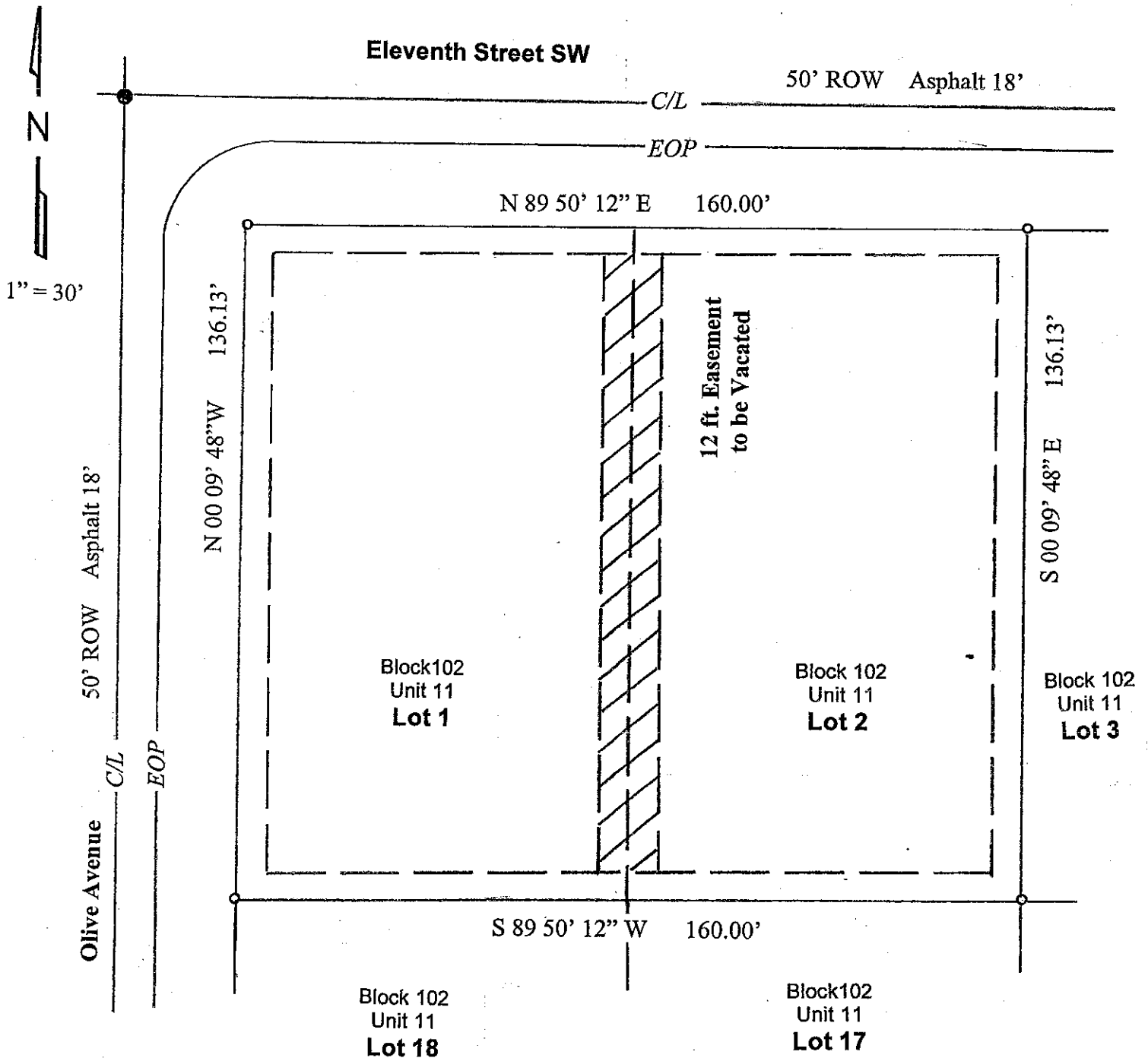


Exhibit "C"

Petition to Vacate - VAC2003-00009

Real Property Information

Account	Tax Year	Status
35-44-26-11-00102.0010	2002	PAID
Original Account	Book/Page	
35-44-26-11-00102.0010	3786 /1239	
Physical Address	Mailing Address	
HOLIDAY BUILDERS INC 3117 11TH ST SW LEHIGH ACRES FL 33971	HOLIDAY BUILDERS INC 1517 SE 16TH PL CAPE CORAL FL 33990	
Legal Description		
LEHIGH ACRES UNIT 11 BLK.102 PB 15 PG 91 LOTS 1 + 2		
Total Amount Due as of 4/8/2003		\$0.00

3115

Being re-recorded to correct property address

Return to: Cheri Bartlett
Name: Southern Title
Address: 2136 MCGREGOR BLVD,
FORT MYERS, Florida 33901

This Instrument Prepared by:
Cheri Bartlett
Southern Title
2136 MCGREGOR BLVD.
FORT MYERS, Florida 33901

as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
35-44-26-11-00102.0010
Grantee(s) I.D.#(s):
File No: fm021240

INSTR # 5851763
Official Records BK 03957 PG 3511
RECORDED 06/11/2003 11:36:29 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DOC 342.20
DEPUTY CLERK J Miller

I CERTIFY THIS DOCUMENT TO BE A
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN THE OFFICE OF
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DATED: May 18, 2003
BY: Janice Randa
Deputy Clerk

WARRANTY DEED
(CORPORATION)

This Warranty Deed Made the 17th day of May, 2003, by HOLIDAY BUILDERS, INC.,
FLORIDA CORPORATION, a corporation existing under the laws of FLORIDA, and having its place
of business at 2293 W. EAU GALLIE BLVD., MELBOURNE, Florida 32935, hereinafter called the
grantor,

to MICHAEL J. MINTON, A SINGLE PERSON, whose post office address is 3117 11TH ST. S.W.,
LEHIGH ACRES, Florida 33971 hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$10.00 Dollars and other valuable
considerations, receipt whereof is hereby acknowledged, by these presents grants, bargains, sells, aliens, remises,
releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, viz:

Lots 1 and 2, Block 102, Unit 11, Section 35, Township 44 South, Range 26 East, Lehigh Acres, according to the
map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 15, Page 91, of the
Public Records of Lee County, Florida.

Job No.: 07-004-373

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor
has good right and lawful authority to sell and convey said land; that the grantor hereby fully 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 1/1/2003, reservations, restrictions and easements of record, if any.
(Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument, and the heirs, legal representatives and
assigns of individuals, and the successors and assigns of corporation.)

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

Signed, sealed and delivered in our presence:


Witness Signature: [Signature]
Printed Name: Laura D. Bramble
Witness Signature: [Signature]
Printed Name: Susan E. Amelio

HOLIDAY BUILDERS, INC.
BY: [Signature]
VALERIE ESPOSITO, AVP

STATE OF FL
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 23 day of May, 2003, by VALERIE ESPOSITO
as AVP of HOLIDAY BUILDERS, INC., A FLORIDA CORPORATION, on behalf of the corporation. He/she
is personally known to me or who has produced driver license(s) as identification.

My Commission Expires:

 Laura D Bramble
My Commission CC948629
Expires June 25, 2004

[Signature]
Printed Name:
Notary Public
Serial Number



INST # 5834455 Official Records BK 04030 PG 0829 RECORDED 08/18/2003 02:28:59 PM
DEPUTY CLERK L Parent
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY





Post Office Box 3455
 North Fort Myers, FL 33918-3455
 (941) 995-2121 • FAX (941) 995-7904
 www.lcec.net • www.lcec.com

December 4, 2002

Michael J. Minton
 18616 Winterhaven Rd.
 Ft. Myers, FL 33912

Re: Strap #35-44-26-11-00102.0010

Dear Mr. Minton:

LCEC does not object to vacation of the easements described as follows:

A 12-foot-wide utility and/or drainage easement centered on the lot line common to Lots 1 & 2, Block 102, Unit 11, a subdivision of Lehigh Acres, as recorded in Plat Book 15, page 91, of the public records of Lee County, Florida, LESS and EXCEPT the north 6 feet and the south 6 feet thereof.

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

Sincerely,

Karen Hardin
 Real Property Representative

Post-it® Fax Note	7671	Date	12/4/02	# of pages	1
To	Sue Brown	From	Karen Hardin		
Co./Dept.	—	Co.	LCEC		
Phone #	239-6341-6036	Phone #	239-6560-3422		
Fax #	239-267-2976	Fax #	239-6562-2239		



January 30, 2003

Mr. Michael J. Minton
18616 Winterhaven
Fort Myers, Florida 33912-3534

Re: Vacation of Public Utility Easement:
A 12 foot wide public utility and drainage easement
centered on the lot line common to lots 1 & 2,
Block 102, Unit 11, Section 35, Township 44S, Range 26E.

Dear Mr. Minton:

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 239-336-2023.

Sincerely,

Wayne Jackson

Wayne Jackson
Engineer



December 20, 2002

Michael J. Minton
18616 Winterhaven Road
Fort Myers, FL 33912

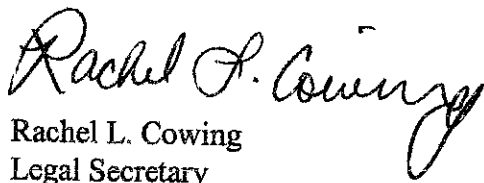
Re: Strap# 35-44-26-11-00102.0010
A 12-foot (12') drainage and/or utility easement centered on Lots 1
& 2, Block 102, Lehigh Acres Unit 11, according to Plat as
recorded in Plat Book 15, Page 91, public records of Lee County,
Florida.

Dear Mr. Minton:

Please be advised that Florida Water Services Corporation has reviewed the above-referenced request for a vacation of easement. We have no objection to the vacation of easement as described above.

Please call me at (407) 598-4187, if you need any additional information or other assistance.

Sincerely,


Rachel L. Cowing
Legal Secretary



P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/598-4100

2931 Michigan Avenue
Fort Myers, Florida 33916
Phone 941-334-8828
Fax 941-334-8575



January 7, 2003

Michael J. Minton
C/O Sue Brown
18616 Winterhaven Rd
Ft Myers, FL 33912

3115
Re: Request for a letter of Review and Recommendation on a Proposed
Easement Vacation of the Following Location: 3117 11th St SW
Lehigh Acres Strap # 35-44-26-11-00102.0010

Dear Sue Brown,

Comcast has no existing utilities in the above referenced location and has no objection with the vacation of the above referenced utility easement.

If you should require further information, please feel free to contact me here at (239) 432-1865.

Sincerely,

A handwritten signature in cursive script that reads "Lueta Vera".

Lueta Vera
Design Coordinator

AmeriGas

America's Propane Company

December 2, 2002

Michael J. Minton
18616 Winterhaven Road
Fort Myers, Florida 33912

RE: VACATE OF EASEMENT

Dear Mr. Minton:

In reference to your letter dated November 19, 2002, AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO.: 35-44-26-11-00102.0010

Please feel free to contact me at 941-334-2849, should you have further questions.

Sincerely,



Neyland White
Service Manager

Bob Janes
District One

April 2nd, 2003

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Michael J. Minton
18616 Winterhaven Road
Ft. Myers, Florida 33912

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

Re: Recommendation for proposed vacation of a 12-foot wide Public Utility Easement located at 3117 11th Street SW., Lehigh Acres, Florida 33971.

3115

James G. Yaeger
County Attorney

Dear Mr: Minton,

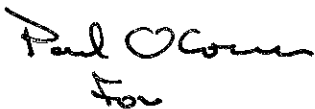
Diana M. Parker
County Hearing Examiner

This office has received your request to vacate a Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 1 and 2, Block 102, Unit 11, a subdivision of Lehigh Acres, Section 35, Township 44 South, Range 26 East, as recorded in Plat Book 15, Page 91 of the Public Records of Lee County, Florida, LESS and EXCEPT the North Six-feet and the South Six-feet thereof.

You indicate that as the result of combining adjacent lots into one residential building site, these platted easements prohibit the construction of your proposed site plan. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division



Peter J. Eckenrode
Director

PJE/rlm

U:\2003031VAC20030.000\9\D&PUE.WPD



LEE COUNTY
SOUTHWEST FLORIDA

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

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

February 3, 2003

Mr. Michael J. Minton
18616 Winterhaven
Fort Myers, FL 33912-3534

**RE: Petition to Vacate
The 12 foot wide Public Utility Easement
Located on the lot line common to Lots
1 and 2, Block 102, Unit 11, Lehigh Acres,
Section 35, Township 44, Range 26**


Dear Mr. Minton:

Lee County Department of Transportation has reviewed the request to vacate the above described easement recorded in Plat Book 15, page 91. DOT has no facilities within the easement and does not maintain it.

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

Yours very truly,

DEPARTMENT OF TRANSPORTATION


Margaret Lawson
Right-of-way Supervisor

MAL/JMK/mlb

Cc: Don Blackburn, Development Services
Allen Davies, Natural Resources
DOT PTV File 03 LA Olive (Minton)

S:\DOCUMENT\Petition To Vacate\2003\Lots 1&2 Block 102 - Minton.doc

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2003-00009

WHEREAS, a Petition to Vacate was filed with the Board of County Commissioners;
and

WHEREAS, the Petitioner seeks to abandon, discontinue, close or vacate a portion
of a plat, easement, parcel or right-of-way legally described in the attached Exhibit "A".

WHEREAS, under Florida Statute and the Lee County Administrative Code, the
Board must hold a Public Hearing in order to grant a vacation affecting a public easement,
public right-of-way or platted lands.

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Lee
County, Florida, as follows:

1. A Public Hearing on Petition to Vacate No. VAC2003-00009 is set for the
_____ in the Lee County Commission Chambers.
2. A Notice of Public Hearing on this Petition to Vacate will be published in
accordance with the Lee County Administrative Code.

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
VAC2003-00009

Legal description of a portion of a Public Utility Easement to be vacated:

A portion of a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 1 and 2 of Block 102, Unit 11 of the plat of Section 35, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 91 of the of the Public Records of Lee County, Florida.

Less and except the north six feet (6') and south six feet (6') thereof.

November 11, 2002

Michael J. Minton
18616 Winterhaven Road
Fort Myers, Florida 33912

RE: Request for a letter of Review and Recommendation on a proposed utility easement vacation at the following location:

Strap Number 35-44-26-11-00102.0010; Legal Description: Lehigh Acres Unit 11 Blk. 102 Pb 15 Pg 91 Lots 1 & 2; Physical Address: ~~3117~~ 11th St SW Lehigh Acres, FL 33971

3115

To Whom It May Concern:

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

To build a single family residential home (primary residence) in the middle of two (2) ¼ acre lots that has been combined into a single ½ acre lot.

I have included a sketch or drawing of the utility easement I desire to vacate. Please provide me with a letter of review and recommendation so I can proceed with my Petition submittal. If you have any questions, please do not hesitate to contact me or my daughter, Krystal Gale, directly and thank you in advance for your consideration.

Signed,

Michael Jay Minton
18616 Winterhaven Road
Fort Myers, Fl 33912
(239) 634-6036

August 07, 2002

This letter is to request that Lots 1 and 2, Block 102, Unit 11, Section 35, Township 44 South, Range 26 East, Lehigh Acres, according to the map or Plat thereof on file in the Office of the Clerk of the Circuit Court, recorded in Plat Book 15, Page 91, of the Public Records of Lee County, Florida be combined into a single lot with the purpose of building a homestead in the middle of the parcel.

Michael Jay Minton

REF ID: A66117

OWNER NAME AND ADDRESS	PIN NUMBER	VALUES AND EXEMPTIONS
MINTON MICHAEL J 18616 WINTERHAVEN RD FORT MYERS FL 33912	02-00502736	MARKET ASSESSED VALUE 2800 SOH ASSESSED VALUE 2800 TAXABLE VALUE 2800
	ACCOUNT/SITE ADDRESS 35-44-26-11-00102.0010 117 11TH ST SW	
	LEGAL DESCRIPTION LEHIGH ACRES UNIT 11 BLK.102 PB 15 PG 91 LOTS 1 + 2 BOOK: 3703 PAGE: 2339	

315

AD VALOREM TAXES		DISTRICT CODE: 060		
TAXING AUTHORITY	TELEPHONE	MILL RATE	MULTIPLIER	TAXES LEVIED
LEE COUNTY GENERAL REVENUE	(239)335-2221	.0043277	2800.00	12.12
LEE COUNTY CAPITAL IMP	(239)335-2221	.0010124	2800.00	2.83
LEE CO UNINCORPORATED - MSTU	(239)335-2221	.0012114	2800.00	3.39
PUBLIC SCHOOL - BY LOCAL BOARD	(239)337-8215	.0025990	2800.00	7.28
PUBLIC SCHOOL - BY STATE LAW	(239)337-8215	.0059730	2800.00	16.72
LEE COUNTY HYACINTH CONTROL	(239)694-2174	.0000327	2800.00	0.09
LEE COUNTY LIBRARY FUND	(239)335-2221	.0009630	2800.00	2.70
LEE COUNTY MOSQUITO CONTROL	(239)694-2174	.0003294	2800.00	0.92
LEHIGH ACRES FIRE DISTRICT	(239)344-1600	.0030000	2800.00	8.40
LEHIGH ACRES LIGHT - MSTU	(239)335-2186	.0003964	2800.00	1.11
SFL WATER MGMT-EVERGLADE CONST	(561)682-6486	.0001000	2800.00	0.28
WEST COAST INLAND WATERWAY	(813)485-9402	.0000400	2800.00	0.11
LEE COUNTY ALL HAZARDS - UNINC	(239)335-2186	.0000733	2800.00	0.21
SFL WATER MGMT-DISTRICT LEVY	(561)682-6486	.0005970	2800.00	1.67
TOTALS FOR AD VALOREM:		0.0206553		57.83

*pl 11/01/02
CR 3713*

Keep for your records

NON-AD VALOREM ASSESSMENTS		ACRES: 0.0000		
LEVYING AUTHORITY	TELEPHONE	RATE	BASIS	AMOUNT
EAST COUNTY WATER CONTROL 060	(239)368-0044	88.10	PER ACRE	44.05
TOTAL FOR NON-AD VALOREM:				44.05
COMBINED TOTAL FOR AD VALOREM AND NON-AD VALOREM:				101.88

Cherie Ross

Amount Due If	97.80	98.82	99.84	100.86	101.88	DELINQUENT*
Postmarked By:	Nov 30, 2002	Dec 31, 2002	Jan 31, 2003	Feb 28, 2003	Mar 31, 2003	Apr 1, 2003

See reverse side for important information

EPS119686 NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS DUE FOR YEAR 2002
 COUNTY OF LEE: REAL PROPERTY

Pay in U.S. funds drawn on a U.S. bank to: Lee County Tax Collector. Payments processed upon receipt.

Amount Due If	97.80	98.82	99.84	100.86	101.88	DELINQUENT
Postmarked By:	Nov 30, 2002	Dec 31, 2002	Jan 31, 2003	Feb 28, 2003	Mar 31, 2003	Apr 1, 2003

ACCOUNT/SITE ADDRESS
 5-44-26-11-00102.0010
 117 11TH ST SW

IF MAKING AN EFT PAYMENT, YOUR INPUT OF THE 10-DIGIT PIN NUMBER ABOVE VERIFIES YOUR AUTHORIZATION TO AN ACH DEBIT.



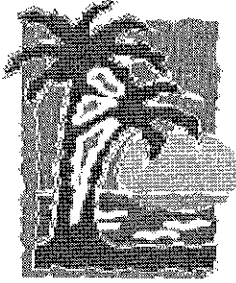
MINTON MICHAEL J
 18616 WINTERHAVEN RD
 FORT MYERS FL 33912

RETURN WITH PAYMENT

EXHIBIT "C"

Make Payable To: P O BOX 1609
 LEE COUNTY FT MYERS FL 33902-1609
 TAX COLLECTOR





LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

Development Services Division
P.O. BOX 398
1500 Monroe Street
Fort Myers, Florida 33902-0398

Direct Phone: (941) 479-8375
FAX: (941) 479-8386

DATE: December 5, 2002

To: Ms. Sue Brown
FROM: Sharon Mihm
Development Review Technician

Per our phone conversation, here is the application and associated paper work.

Pages 1 through 5 give you background and requirements.

Page 6 Fees schedule

Page 7 This is the form letter that will go to each of the applicable agencies, please make copies and send to each agency that I have indicated on page 8 & 9.

Page 8 & 9 Applicable Agencies.

Pages 10 Actual petition to be signed by all owners, or if you have not closed on this property yet, you will need a notarized authorization letter from the owner, allowing you to act as the agent. This form also needs to be an original with the Blue Lee County Logo across it.

Page 11 is a checklist to complete and submit with application.

If you have any questions, please do not hesitate to contact me at 941-479-8375.

(239) 479-8355

March 23, 2003

Sue Brown:

Re: Michael J. Minton to Vacate Public Utility and Drainage Easements
VAC2003-00009.

Dear Ms. Brown:

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

- 1) Identify 3 copies of Aerial Map
- 2) Identify 3 copies of Plat Map
- 3) Legal - Exhibit A
- 4) Incomplete Survey - Exhibit B
- 5) 2002 paid taxes - Exhibit C
- 6) Copy of Recorded Simple Fee Deed, as single adult
- 7) Complete address with Zip of Site
- 8) Statement of need from owner

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Division of Development Services

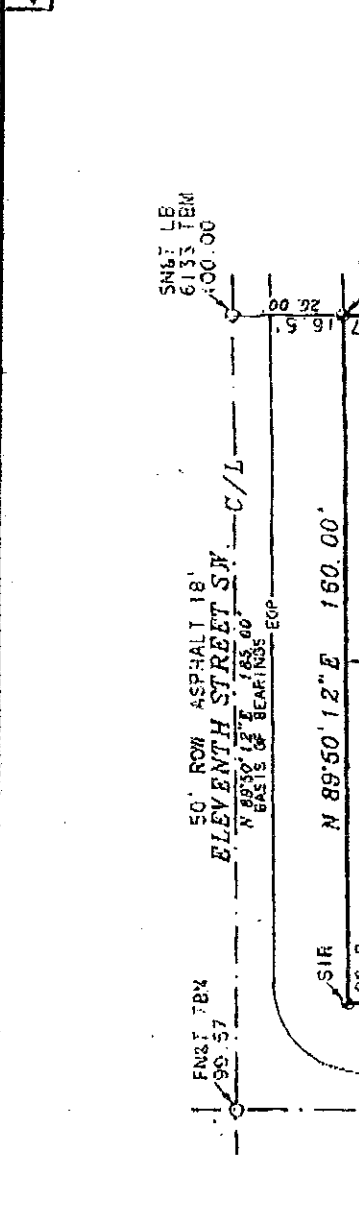


Rick L. Modesitt
Development Review Tech

LEGEND
 1. EXISTING
 2. NON-EXISTING

- 1. SURVEY LINE
- 2. ADJACENT PROPERTY
- 3. PUBLIC UTILITY CASING
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SOILS:
 1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2) UNDERGROUND UTILITIES AND UNDERGROUND FOUNDATIONS WERE NOT FIELD LOCATED OR SHOWN.
 3) ONLY INTERIOR IMPROVEMENTS SHOWN WERE LOCATED.
 4) PARCEL WAS SURVEYED FROM INFORMATION FURNISHED BY THE CLIENT.
 5) PARCEL LIES IN NO SPECIAL FLOOD HAZARD AREA.
 6) PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
 7) ELEVATIONS ARE ASSHED.

LEGAL DESCRIPTION:
 LOT 1, BLOCK 102, UNIT 11,
 LEHIGH ACRES SUBDIVISION,
 PLAT BOOK 13 PAGE 91, LEE COUNTY RECORDS,
 SECTION 35, TOWNSHIP 44 SOUTH, RANGE 26 EAST,
 LEE COUNTY, FLORIDA

CERTIFIED TO:
 1) MICHAEL HINTON
 2) SOUTHERN TITLE GUARANTEE COMPANY
 3) STEWART TITLE GUARANTEE COMPANY
 4) SHULDER MORTGAGE
 5) HOLIDAY BOULDERS, INC.

NOTES:
 THIS CERTIFICATION IS ONLY FOR THE LAND DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENT, FREEDOM OF ENCUMBRANCE, OWNERSHIP OR RIGHTS-OF-WAY. ADDITIONS OR DELETIONS TO THE SURVEY MAP BY OTHERS THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES. THIS CERTIFICATION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SIGNED SEAL OF THE FLORIDA LICENSED SURVEYOR & MAPPER.
 ABSTRACT NOT REVIEWED

BY: Robert K. Burns, PLS&F Number "LS-0004603" or Stevey Z. Bashon, PLS&F Number "LS-0005883" or John S. Burns, Sr., PLS&F Number "LS-0005583" or R. K. Burns Surveying, Inc., Licensed Surveyors Number "LP-0006113"

WQS: 02-183W JB NO: 07-004-373

R. K. BURNS SURVEYING, INC.
 11000-19 Metro Parkway
 Fort Myers, Florida 33912
 (239) 936-4550 Business

EXHIBIT "B"
 LEHIGH ACRES
 A SUBDIVISION OF
 SECTION 35
 TOWNSHIP 44-SOUTH RANGE 26 EAST
 LEE COUNTY, FLORIDA

Exhibit "A"
Petition to Vacate
VAC2003-00009

Legal description of a portion of a Public Utility Easement to be vacated:

A portion of a twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 1 and 2 of Block 102, Unit 11 of the plat of Section 35, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, Lee County, Florida, according to map or plat there on file and recorded in Plat Book 15, Page 91 of the of the Public Records of Lee County, Florida.

Less and except the north six feet (6') and south six feet (6') thereof.