	<u></u>		Board Of Co	•	ssioner B	lue Sheet N	o. 20050307	
North Ave., Lehi	gh Acres, an	se: Accept a	Petition to Va olution, setting	cate a 12-foot	wide Public luring for 5:00	Utility Easen PM on the _	nent located at 406 26th day of	
	lots. The va	cation of thi	s easement w	ill not alter e			e-family residence and the easement	
3. Departmenta COMMISSION DIS	l Category:	•	C4	A	4. Meeting		2005	
5. Agenda:		6. Require	ement/Purpos	se (specify)	7. Request Initiated:			
X Consent	45	X Statute F.S. Ch. 177			Commissioner Community Development			
Administ Appeals	rative		rdinance dmin. Code	13-1	Department Division	The same of the sa	evelopment Services	
Public			ther		By:	1	3/03/05	
Walk-On					P	(F-	- Divertor	
8. Background:					Pe	ter J. Eckenrod	e, Director	
EXCEPT the eastern Documentation per There are no object	rly six feet an taining to this tions to this P	nd westerly six s Petition to Va etition to Vaca	feet thereof. cate is available te. Staff recom	e for viewing a	nt the Office of eduling of the I	Lee Cares. Public Hearing	Florida; LESS and g. earing and Exhibits.	
9. Review for Sc	heduling							
Department Director Control	Resou	Other	County Attorney		Budget Services		County Manager / P.W. Director	
Man Gibs			Hurry	10.	Risk Grants A A A A A A A A A A A A A	3/10/a	WAN	
10. Commission	Action	· · · · · · · · · · · · · · · · · · ·	7				· · · · · · · · · · · · · · · · · · ·	
Approved		Deferre	d	Denie	ed	10 17 20 CH	ther VEDBY	
RSK/ March 3, 2005	<u></u>	Section 1	egir Ra	Unin 4705 11:40	.110\4464270\N am-	EWBLUESHE	ET03-22-05 DOC 7-9-05 STYADMIN PURCONS WARDED TO: PURCONS 3/10/05	

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00005

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 26th day of April 2005 @5:00 PM 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.

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			Co	unty A	Attorne	ey Siç	nature					
			<u></u>	Pleas	se Pri	nt Na	me					

EXHIBIT "A"

Petition to Vacate VAC2005-00005

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 18 and 19, both in Block 1, Unit 1, Section 27, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 40 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

RESOLUTION NO. _____ TO SET PUBLIC HEARING FOR PETITION TO VACATE Case Number: VAC2005-00005

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:

A Public Hearing on Petition to Vacate No in the L	VAC2005-00005 is set for the ee County Commission Chambers.
2. A Notice of Public Hearing on this Petit accordance with the Lee County Administrative Code	
THIS RESOLUTION passed by voice and ente	red into the minutes of the Board of
County Commissioners of Lee County, Florida this	
ATTEST	BOARD OF COUNTY COMMISSIONERS OF
CHARLIE GREEN, CLERK SOUTHWEST	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

Legal Description of the Public Utility Easement to be Vacated:

VAC2005-00005

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 18 and 19, both in Block 1, Unit 1, Section 27, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 40 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

TO SET PUBLIC HEARING RESOLUTION NO. _ FOR PETITION TO VACATE Case Number: VAC2005-00005

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:	
A Public Hearing on Petition to Vacate No. in the Le	VAC2005-00005 is set for the ee County Commission Chambers.
2. A Notice of Public Hearing on this Petiti accordance with the Lee County Administrative Code	-
THIS RESOLUTION passed by voice and ente	red into the minutes of the Board of
County Commissioners of Lee County, Florida this	BOARD OF COUNTY COMMISSIONERS OF
CHARLIE GREEN, CLERK	LEE COUNTY, FLORIDA
Deputy Clerk Signature	Chairman Signature
Please Print Name	Please Print Name
APPROVED AS TO FO	DRM
County Attorney Signa	ture

Please Print Name

EXHIBIT "A"

Petition to Vacate VAC2005-00005

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 18 and 19, both in Block 1, Unit 1, Section 27, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 40 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.



PETITION TO VACATE (AC 13-1)

Case Number: VAC 2005-00005

Petitioner(s), <u>Sanley and Marrene Ragin</u>
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition

- 1. Petitioner(s) mailing address, <u>6851</u> SW 5th Street Margale FC 33068
- 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:

to Vacate and states as follows:

Petitioner Signature

Printed Name

etitioner Signature

Printed Name

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

EXHIBIT "A"Petition to Vacate VAC2005-00005

Legal Description of the Public Utility Easement to be Vacated:

The twelve-foot (12') wide Public Utility Easement centered on the common line between Lots 18 and 19, both in Block 1, Unit 1, Section 27, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 40 of the Public Records of Lee County, Florida;

LESS and EXCEPT the easterly six feet and westerly six feet thereof.

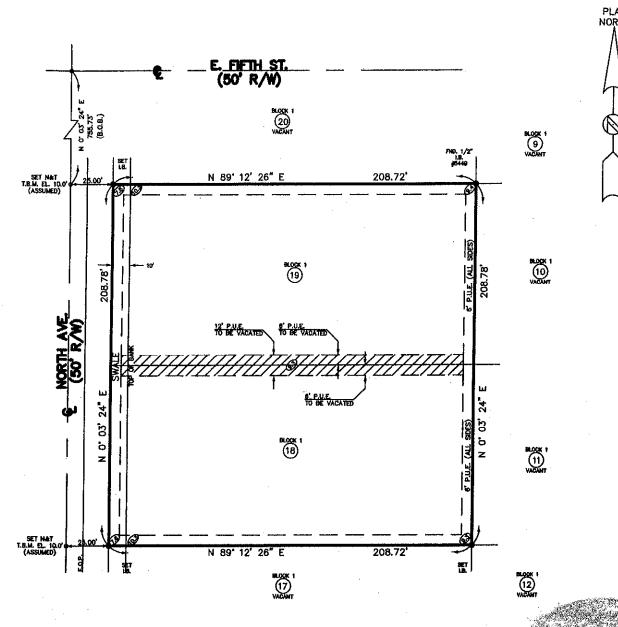


Exhibit "B"
Petition to Vacate
VAC2005-00005
[Page One of One]

406 NORTH AVENUE LOTS 18 & 19, BLOCK 1, UNIT 1 SECTION 27, TOWNSHIP 44 SOUTH, RANGE 27 EAST LEHIGH ACRES, LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 15, PAGE 40, AND PLATTED FEBRUARY 6, 1956, OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

NOT A SURVEY- SKETCH ONLY

S.T.A.R. Surveying, Inc. (LB5440)

Professional Surveyors and Mappers 1130-E Lee Boulevard, Lehigh Acres, Florida 33936 (239) 368-7400 (239) 368-7685 (Fax)

DATE:	1-21-05
JOB NU	MBER: 0423705
DRAWN	····
SCALE:	1" = 60'
SHEET:	1 of 1

Exhibit "C" Petition to Vacate VAC2005-00005

[Page One of One]

Lee County Tax Collector - Print Results







Real Property Information		New A Search
Account	Tax Year	Status
27-44-27-01-00001.0180	2004	PAID
Original Account	Book/Page	
27-44-27-01-00001.0180	3349/836	
Owner		
RAGIN STANLEY + KARRENE		
Physical Address	Mailing Addres	·
406 NORTH AVE	6851 SW 5TH S	
LEHIGH ACRES FL 33972	MARGATE FL	•
	USA	
Legal Description		
LEHIGH ACRES UNIT 1 BLK.1 DB 254 F	PG 35 LOTS 18 + 19	
Outstanding Balance as of 2/16/2005		\$0.00

Prepared By: Vanessa A. Yankowski Executive Title Insurance Services, Inc. 1146 Lee Blvd., #111 Lehigh Acres., FL 13936 incidental to the issuance of a title insurance policy. Pile #: 6-80-888-vy Parcel ID #: 27-44-27-01-00001.0186 INSTR # 5039377 OR BK 03349 PG 0836

RECORDED 01/11/01 09:53 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PO(F.S.201.02) 42.
DEPUTY CLERK L Wheat

WARRANTY DEED (INDIVIDUAL)

This WARRANTY DEED, dated 377 day of December 2000 by
Nancy Teske Carlson

whose post office address is 324 Redbud Lane, Greencastle, IN 46135

berinanter called the GRANTOR, to Stanley Ragin and Karrene Ragin, husband and wife

whose post office address is 6851 SW 5th St., Margate, Fl. 33068

hereinatter called the GRANTEE:
(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Lee County, Florids, viz:

Lots 18 and 19, Block 1, Unit 1, Section 27, Lehigh Acres, Township 44 South, Range 27 East, according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Deed Book 254, Page 35, Public Records, Lee County, Florida.

SAID PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR(S) UNDER THE LAWS AND CONSTITUTION OF THE STATE OF FLORIDA IN THAT NEITHER GRANTOR(S) NOR ANY MEMBER OF THE HOUSEHOLD OF THE GRANTOR(S) RESIDE THEREON.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2000 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

SIGNED IN THE PRESENCE OF THE ROLL OWING WITNESSES.

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, 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.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

Signatural Muldred & Buis Print Name: Mildred & Buis	Nancy Teske Carley
Signature: Ellen Staten Print Nume: Ellen S Steven;	
two separate witnesses required	
State of IN County of Putnam	
THE FOREGOING INSTRUMENT was acknowledged before	me on And day of December, 2000 by
Naucy Teske Carison	rdiana DL
He/She is personally known to me or who has produced	· · · · · · · · · · · · · · · · · · ·
	Notary Public: Cherry Allered
My Continuation Expire.	CHERYL ALLRED, Notery Publis State of Indiana, Publish Co My Conumission Expired 8/1 I/07



BOARD OF COUNTY COMMISSIONERS

479-8585

Writer's Direct Dial Number:

Bob Janes District One

March 2, 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

VAC2005-00005 - Petition to Vacate a twelve-foot (12') wide Public Re: Utility Easement centered on the common line between Lots 18 and 19, both in Block 1, Unit 1, S 27, T 44 S, R 27 E, a subdivision of Lehigh Acres, as recorded in PB 15, Pg 40 of the Public Records of Lee County, FL; LESS and EXCEPT the easterly six feet and westerly six feet thereof.

Dear Mr. & Mrs. Ragin:

Stanley and Karrene Ragin

6851 SW 5th Street,

Margate, FL 33068

You have indicated that in order to build a single-family residence on the combined lots, you desire to eliminate the Public Utility Easement located between your two (2) lots. The site is located at 406 North Ave., Lehigh Acres. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely.

DEPARTMENT OF COMMUNITY DEVELOPMENT **Development Services Division**

Peter J. Eckenrode

Director

PJE/RSK

U:\200503\20050124.110\4464270\DCDLETTER.DOC

KARRENE RAGIN 6851 SW 5TH STREET • MARGATE ,FL 33068 JANUARY 22, 2005

ATT: PETER ECKENRODE
DIRECTOR OF DEVELOPMENT SERVICES

I WOULD LIKE TO REQUEST APPROVAL FOR A VACATION OF A UTILITY EASEMENT ON MY PROPERTY AT 406/408 NORTH AVE, IN LEHIGH ACRES FLORIDA, STRAP # 27-44-27-01-00001.0180. FOR THE PURPOSE OF COMBINING TWO LOTS TO BUILD A SINGLE FAMILY HOME. PLEASE FAX YOUR RESPONSE TO (239) 368-2819. FOR QUESTIONS PLEASE CALL MY CELL AT (954) 309-4654. OR (239) 368-2811 LOCAL (954) 979-6245 HOME YOUR SPEEDY RESPONSE WILL BE MORE THAN APPRECIATED.

THANK YOU,

ARRENE RAGIN

ν.



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.iline.com

January 24, 2005

Ms. Karrene Ragin 6851 SW 5th Street Margate, FL 33068

Re: 406/408 North Avenue, Lehigh Acres, Florida

Strap # 27-44-27-01-00001.0180

Dear Ms. Ragin:

LCEC does not object to vacation of the interior easement on the above referenced parcel as indicated on the sketch by S.T.A.R. Surveying, Inc. dated 1/21/05. It is our understanding that the 6-foot perimeter easement of the combined site will remain intact.

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

Sincerely,

Sandra McIver

Real Property Representative

Landia MSlover

Attachment

408 NORTH AVENUE LOTS 18 & 19, BLOCK 1, UNIT 1 SECTION 27, TOWNSHIP 44 SOUTH, RANGE 27 EAST LEHIGH ACRES, LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 15, PAGE 40, AND PLATTED FEBRUARY 6, 1956, OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

NOT A SURVEY- SKETCH ONLY

S.T.A.R. Surveying, Inc. (125449)

Professional Surveyors and Mappers 1130-E Lee Boulevard, Lehigh Acres, Florida 38938 (239) 358-7400 (239) 368-7685 (Fax)

DATE: DRAWN BY: 1011



January 21, 2005

Ms. Karrene Ragin 6851 S.W. 5th Street Margate, Florida 33068

Re: Vacation of Public Utility Easement:

A 12 foot wide public utility and drainage easement centered on the lot line common to lots 18 and 19, Block 1, Unit 1, Section 27, Township 44S, Range 27E. Strap No. – 27-44-27-01-00001.0180

Dear Ms. Ragin:

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/drainage easement at the Lehigh Acres location.

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

Jackson

Sincerely,

Wayneth Jackson

Engineer



26930 Old US 41 Bonita Springs, FL 34135 Phone: 239-732-3805

FAX: 239-498-4483

January 24, 2005

Karrene Ragin 6851 SW 5th St Margate, Fl 33068

Re: 406/408 North Av, Lehigh Acres, FL

Vacate Right-of-Way and/or Utility Easement

Dear Karrene Ragin,

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,

Mark Cook

Design Coordinator

2393346004

AMERIGAS

America's Propane Company

January 21, 2005

Karrene Ragin 6851 SW 5th Street Margate, FL 33068

Dear Ms. Ragin:

In reference to your letter dated January 21, 2005, AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO.: 27-44-27-01-00001.0180

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

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

February 17, 2005

Karrene Ragin 6851 SW 5th St. Margate, FL 33068

SUBJECT: VACATION OF UTILITY AND/OR DRAINAGE EASEMENT

STRAP #: 27-44-27-01-00001.0180

406 NORTH AVE

Dear Ms. Ragin,

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: 02/17/2005

CC: Correspondence File





February 21, 2005

Stanley and Karrene Ragin 6851 SW 5th Street Margate, FL 33068

RE: Vacation of Easement for Lots 18 & 19, Block 1, Unit 1, Section 27, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 40, of the Official Records of Lee County, Florida, less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

Dear Mr. & Mrs. Ragin:

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 the 12 foot wide drainage and public utility easement centered on Lots 18 & 19, Block 1, Unit 1, Section 27, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 40, of the Official Records of Lee County, Florida less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

Should you have any further questions in this matter, please do not hesitate to contact me at 407-629-6900.

Sincerely,

Florida Governmental Utility Authority

Charles L. Sweat Director of Operations

CLS/vjb

LEA ANN THOMAS, CHAIR Polk County

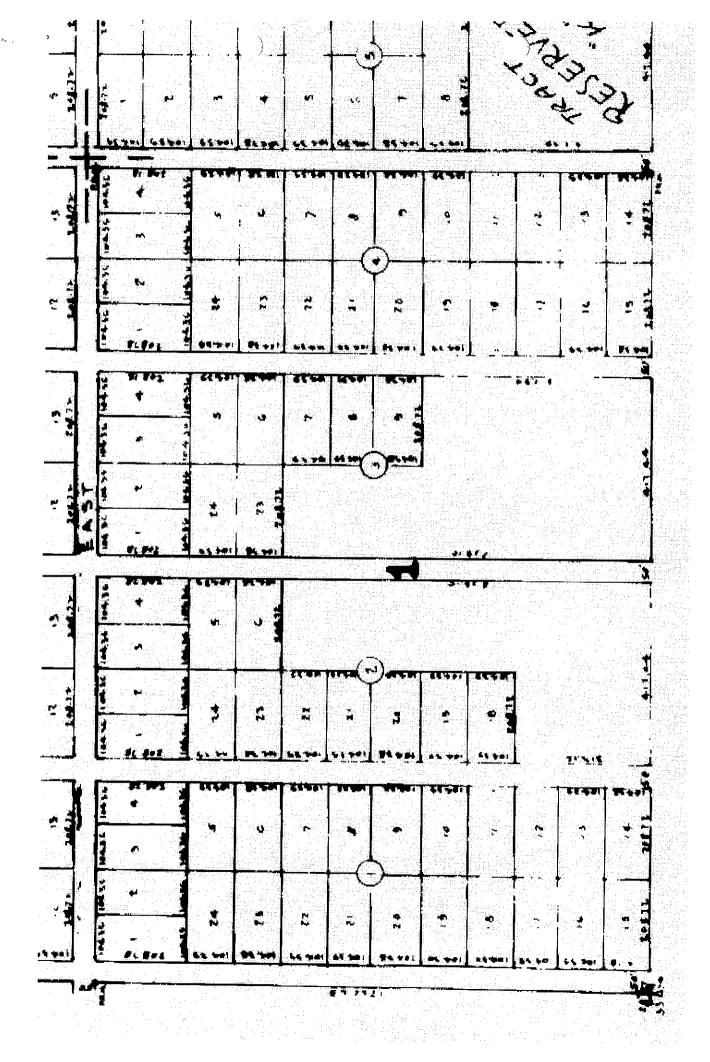
RICHARD W. WESCH Citrus County

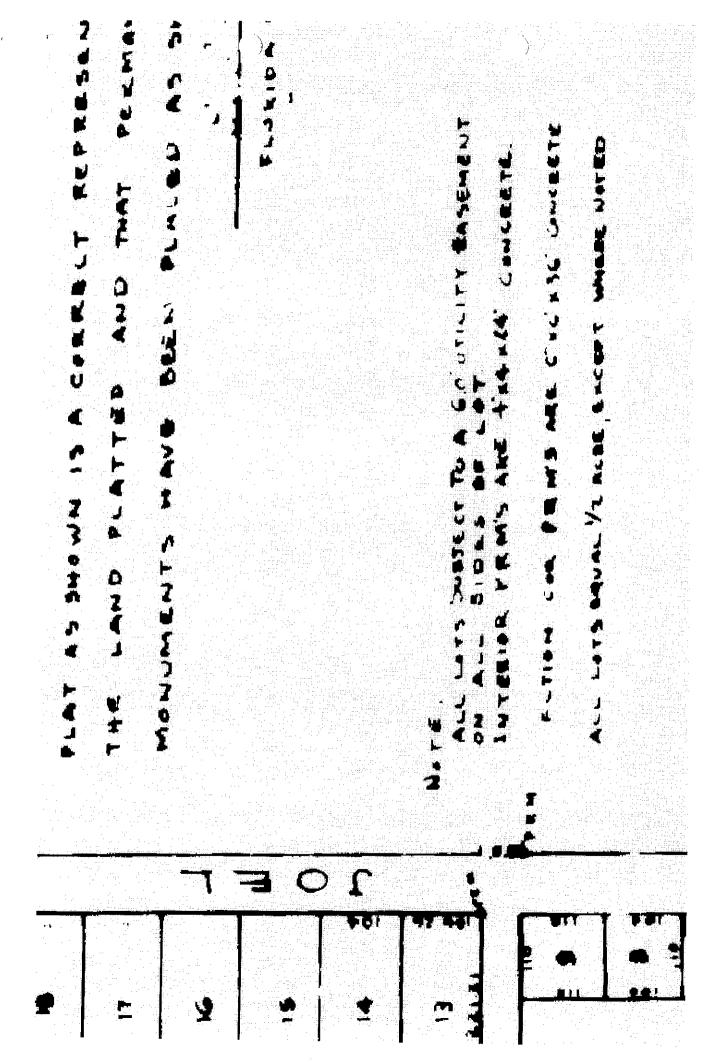
ROBERT NANNI Osceola County

FGUA OPERATIONS OFFICE

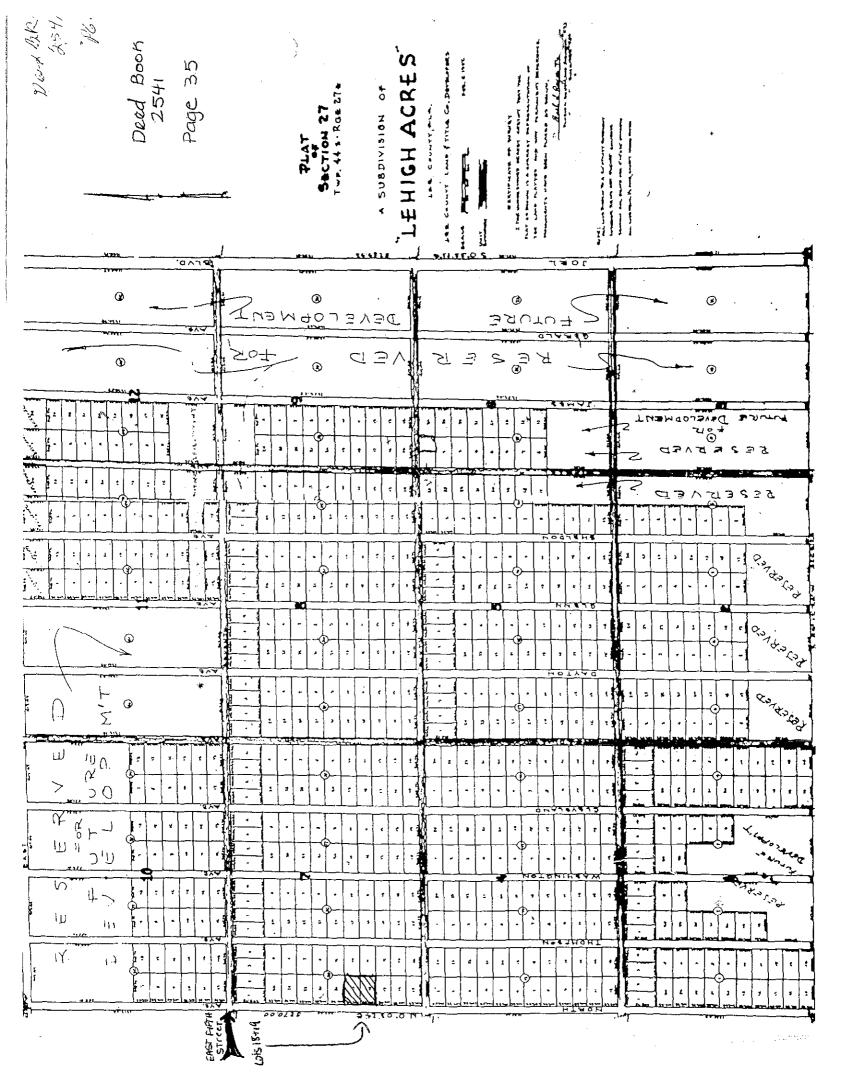
Government Services Group, Inc. Protegrity Plaza, Suite 203 280 Wekiva Springs Road Longwood FL 32779

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





SHEET 40 OF 101



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000010170	000010120
00001 0160	000010130