

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept Petition VAC2002-00006 to Vacate a Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 6 and 7, Block 31, unit 3, in Lehigh Park, a subdivision of Lehigh Acres, as recorded in Plat book 15, at Page 66, and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 14th day of May, 2002.

**WHY ACTION IS NECESSARY:** To combine adjacent lots into one residential building site. **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 Public Utility Easement.

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

04 Community Development

*C4A*

**3. MEETING DATE:**

*04-09-2002*

**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: *[Signature]*
- Peter J. Eckenrode, Director

**7. BACKGROUND:**

The complete Petition to Vacate was submitted by James and Dawn Fellows.

**LOCATION:** A Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 6 and 7, Block 31, Unit 3, in Lehigh Park, a subdivision of Lehigh Acres, as recorded in Plat book 15, at Page 66, of the Public Records of Lee County, Florida, less and except the northwesterly six feet thereof and the southeasterly six feet thereof. The site is located at 1700 Dewit Avenue N, Lehigh Acres, Florida, Section 22, Township 44 South, Range 26 East.

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
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	QA <i>[Signature]</i> 3/21/02	OM <i>[Signature]</i> 3/27/02	Risk <i>[Signature]</i> 3/27	GC <i>[Signature]</i> 3-27-02	<i>[Signature]</i>

**10. COMMISSION ACTION:**

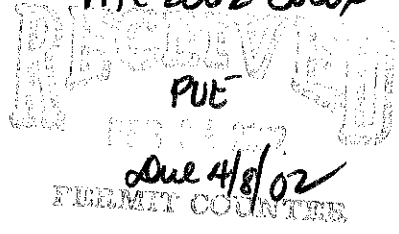
- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: 3/26/02  
Time: 11:30 AM

RECEIVED BY  
COUNTY ATTORNEY  
3/26/02  
4pm  
3/28 8AM

Forwarded To:  
Admin  
3/26/02 3:30

VAC 2002-00006



PETITION TO VACATE

Case Number: VAC 2002-00006-

Petitioner(s), DAWN AND James Fellows

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, 1435 MANDEL ROAD, Ft. Myers, FL 33919
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: James A. Fellows  
Petitioner Signature

JAMES A. FELLOWS  
Printed Name

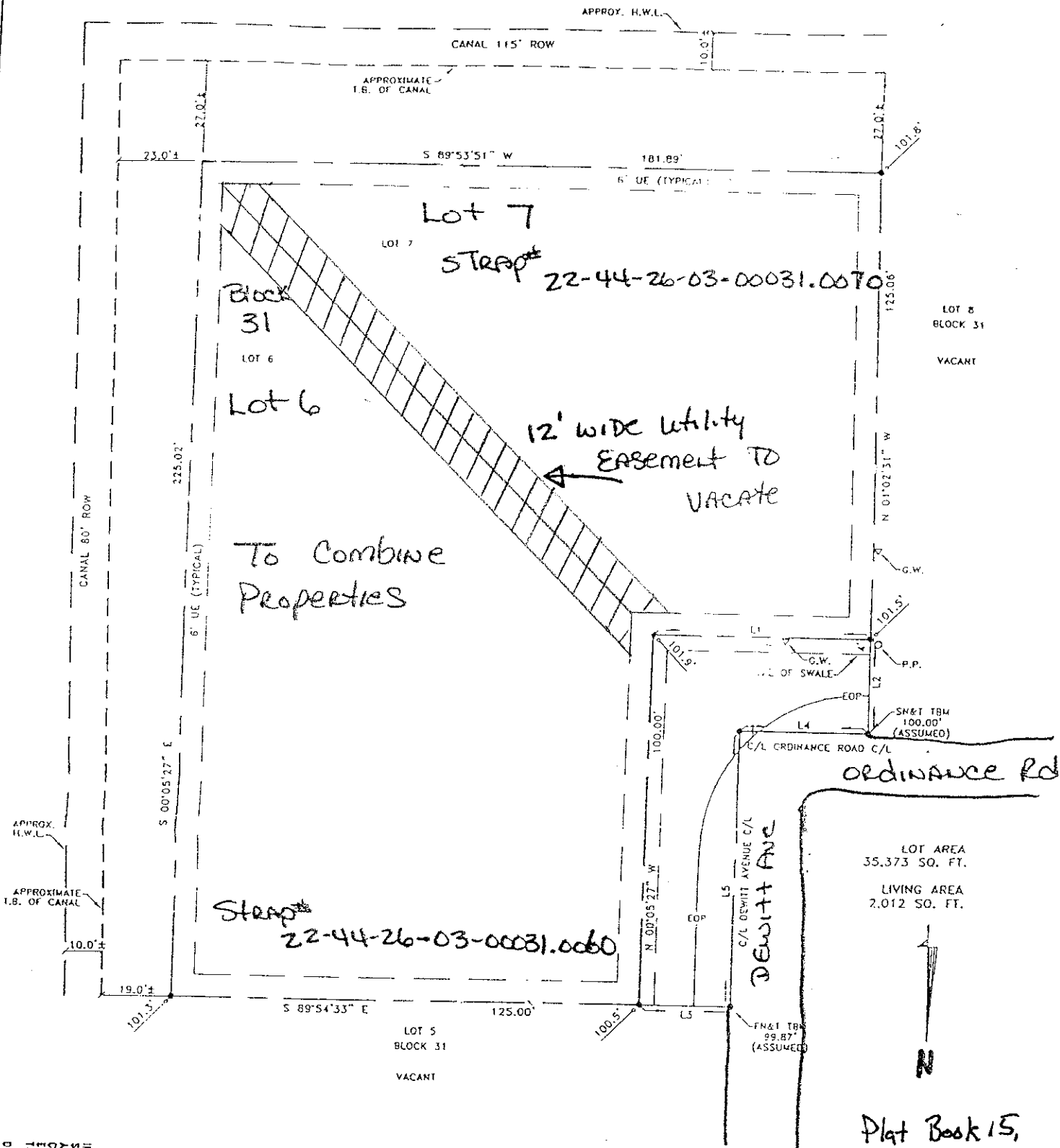
By: Dawn M. Fellows  
Petitioner Signature

DAWN M. FELLOWS  
Printed Name

## Exhibit "A"

A Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 6 and 7, Block 31, Unit 3, in Lehigh Park, a subdivision of Lehigh Acres, as recorded in Plat book 15, at Page 66, of the Public Records of Lee County, Florida, less and except the northwesterly six feet thereof and the southeasterly six feet thereof.

# Exhibit "B"



SITE PLAN  
S.T.R.A.P.: 2244260300031.0060

CERTIFIED TO:  
FELLOWS, JAMES & DAWN  
HOLIDAY BUILDERS, INC.

DAWN AND JAMES FELLOWS  
1700 DEWITT AVE.  
LEHIGH ACRES, FL.

IN LEHIGH PARK  
A SUBDIVISION IN  
LEHIGH ACRES

IF ANY ERRORS OR OMISSIONS EXIST  
SPECIFICATIONS, THE CONTRACTOR SHALL  
ACCEPT THE RECEIPT OF THESE PLANS  
CONSTRUCTION NOTWITHSTANDING THE  
DESIGNER'S OMISSIONS, OR BE HELD  
THE RESULTS AND COST OF RECTIFI-  
DESIGNER DOES NOT ASSUME ANY RE-  
SUPERVISION OF CONSTRUCTION. COME  
FOLLOW THE PLAN OR SPECIFICATIONS.

Exhibit "C"

# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "22442603000310060" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<u>22-44-26-03-00031.0060</u>	2001	FELLOWS JAMES + DAWN 1435 MANDEL RD FORT MYERS FL 33919	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 6	PAID	<a href="#">Click here for outstanding taxes</a>
<u>22-44-26-03-00031.0060</u>	2000	CHERF EUGENE G + JOANN F TR 8431 PIPER PLACE RENO NV 89506	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 6	PAID	<a href="#">Click here for outstanding taxes</a>
<u>22-44-26-03-00031.0060</u>	1999	CHERF EUGENE G + PO BOX 60124 RENO NV 89506 USA	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 6	PAID	<a href="#">Click here for outstanding taxes</a>
<u>22-44-26-03-00031.0060</u>	1998	CHERF EUGENE G + PO BOX 60124 RENO NV 89506 USA	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 6	PAID	<a href="#">Click here for outstanding taxes</a>

# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "22442603000310070" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<u>22-44-26-03-00031.0070</u>	2001	FELLOWS JAMES + DAWN 1435 MANDEL RD FORT MYERS FL 33919	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 7	PAID	<a href="#">Click here for outstanding taxes</a>
<u>22-44-26-03-00031.0070</u>	2000	CHERF EUGENE G + JOANN F TR 8431 PIPER PLACE RENO NV 89506 USA	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 7	PAID	<a href="#">Click here for outstanding taxes</a>
<u>22-44-26-03-00031.0070</u>	1999	CHERF EUGENE G + PO BOX 60124 RENO NV 89506 USA	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 7	PAID	<a href="#">Click here for outstanding taxes</a>
<u>22-44-26-03-00031.0070</u>	1998	CHERF EUGENE G + PO BOX 60124 RENO NV 89506 USA	LEHIGH PARK UNIT 3 BLK 31 PB 15 PG 66 LOT 7	PAID	<a href="#">Click here for outstanding taxes</a>

INSTR # 5274121

OR BK 03513 PG 1207

RECORDED 11/02/01 08:07 AM  
CHARLIE GREEN CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DOC TAX PD(F.S.201.02) 56.00  
DEPUTY CLERK K Cartwright

This Instrument Prepared by and return to:

Name: Patricia Kagas,  
Tradewinds / Title Offices  
Address: 904 Lee Boulevard #106  
Lehigh Acres, FL 33936  
110052

Parcel I.D. #: 22-44-26-03-00031.0060

Rec:10.50 DS: 52.00 Total: 62.50

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED** Made the 22nd day of October, A.D. 2001, by **EUGENE G. CHERF** and **JOANN F. CHERF, TRUSTEES,** of The Cherf Family Trust, hereinafter called the grantors, to **JAMES FELLOWS** and **DAWN FELLOWS**, husband and wife, whose post office address is 1435 Mandel Road, Ft. Myers, FL 33919, hereinafter called the grantees:

(Wherever used herein the terms "grantors" and "grantees" include all the parties to this instrument, singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**Witnesseth:** That the grantors, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees all that certain land situate in Lee County, State of Florida, viz:

Lots 6 and 7, Block 31, Unit 3, Section 22, 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 66, Public Records of Lee County, Florida.

**SUBJECT TO TAXES FOR THE YEAR 2001 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.**

Subject Property is not now nor has it ever been the homestead property of the grantor. Subject property is vacant land.

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 grantors hereby covenant with said grantees that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land, and hereby fully warrant 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 December 31, 2000.

RECEIVED  
FEB 04 2002  
COMMUNITY DEVELOPMENT  
VAC 2002-00006  
PUE  
Due 4/8/02

OR BK 03513 PG 1208

In Witness Whereof, the said grantors have signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

J. Lymphkin  
Witness Signature

Jessica Lymphkin  
Printed Name

Brenda Heller  
Witness Signature

Brenda Heller  
Printed Name

Eugene G. Cherf Trustee  
Eugene G. Cherf, Trustee

Address:  
P.O. Box 60124, Reno, NV 89506

Joann F. Cherf Trustee  
Joann F. Cherf, Trustee

Address:  
P.O. Box 60124, Reno, NV 89506

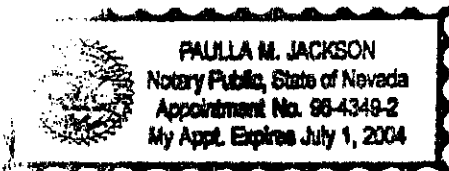
State of Nevada

County of Washoe

The foregoing instrument was acknowledged before me this 22 day of October, 2001, by Eugene G. Cherf and Joann F. Cherf, Trustees, who are known to me or who have produced Nevada state Drivers License as identification and who did (did not) take an oath.

Paula M. Jackson  
Signature of Acknowledger  
My commission expires July 1, 2004

Notary Seal:







**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (941)479-8181

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*

March 1, 2002

Dawn &/or James Fellows  
1435 Mandel Rd.  
Fort Myers, FL 33919

**SUBJECT: VACATION OF PLATTED EASEMENTS  
STRAP #s: 24-44-26-03-00031.0060 & .0070  
LEHIGH ACRES**

Dear Mr. & Mrs Fellows:

Lee County Utilities has no objection to the proposed vacation of the existing platted easements as described in your recent letter and associated legal description. 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 Water Services 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 479-8531.

Sincerely,

**LEE COUNTY UTILITIES**

Terry A. Kelley  
Utilities Engineering Technician III  
Utilities Engineering Division

Via Facsimile #433-9268  
Original Mailed 03/01/02

S:\UTILS\Engr\TAK\LETTERS\VAC\FY 2002\Fellows - Dewitt Av - Lehigh.doc

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111  
Internet address <http://www.lee-county.com>  
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

Hoggin



March 12, 2002

James & Dawn Fellows  
1435 Mandel Rd.  
Ft. Myers, FL 33919

Re: STRAP# 22-44-26-03-00031-0060  
STRAP# 22-44-26-03-00031-0070

A 12' wide Drainage and/or Public Utility Easement centered on the common lot line between Lots 6 & 7, Block 31, Unit 3, in Lehigh Park a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 66 of the Public Records of Lee County, Florida, less and except the north/east 6' and the south/west 6' thereof.

Dear Mr. & Mrs. Fellows:

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

RECEIVED  
LEE COUNTY  
CLERK OF COUNTY  
OFFICE  
MARCH 16 11 01 13  
407 598 4100



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

*Water For Florida's Future*



January 15, 2002

Dawn & James Fellows  
1435 Mandell Road  
Fort Myers, Fla. 33919

RE: Strap #22-44-26-03-00031.0060  
Strap #22-44-26-03-00031.0070

Dear Mr. & Mrs. Fellows:

We are in receipt of your request for the above listed vacation of easement. At this time, Time Warner Cable has no facilities in this area and no future build is anticipated. Time Warner Cable has **NO CONFLICT** with this proposed construction.

If you have any further questions or concern, please do not hesitate to contact me at (941) 772-2218, Ext. 120.

Sincerely,

TIME WARNER CABLE

A handwritten signature in cursive script that reads "BStreeter".

Benjamin R. Streeter  
Technical Field Inspector

BRS/sgs



301 Tower Road  
Naples, FL 34113  
Telephone: 941-732-3819  
FAX: 941-992-1289

January 8, 2002

Dawn & James Fellows  
1435 Mandel Rd.  
Ft. Myers, FL 33919

Re: Request for a Letter of Review and Recommendation on a Proposed vacation of 12 foot Utility or Drainage Easement centered on the lot line common to lots 6 & 7, Block 31, Unit 3 a subdivision of Lehigh Park as recorded in Plat Book 15, Page 66 Less and except the north/east 6 feet and the south/west 6 feet thereof.

Strap # 22-44-26-03-00031.0060  
Strap # 22-44-26-03-00031.0070

Dear Dawn & James,

Comcast has no objection with the vacation of the above referenced 12 foot Utility or Drainage easement.

Sincerely,

A handwritten signature in cursive script that reads "Scott Miller".

Scott Miller  
Design Coordinator

SAM



Box 370  
Fort Myers, Florida 33902-0370

January 11, 2002

Mr. James Fellows  
1435 Mandel Road  
Fort Myers, Fl. 33919

Re: Request vacation of easement located at following parcel(s):  
STRAP NO. 22 44 26 03 00031.0060  
STRAP NO. 22 44 26 03 00031.0070  
Lots 6 & 7 Block 31 Unit 3 Plat Book 15 Page 66

Dear Mr. Fellows:

I am responding to your letter of January 7, 2002. Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, Sprint has no objection to the vacation of easement.

If I can be of further assistance, please contact me at 941-336-2049.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane Whaley".

Diane Whaley  
SPRINT Engineer II



Post Office Box 3455

North Fort Myers, FL 33918-3455

(941) 995-2121 • FAX (941) 995-7904

www.lcec.net • www.ilinc.com

January 8, 2002

Mr. and Mrs. James Fellows  
1435 Mandel Rd.  
Ft. Myers, FL 33919

Re: Strap No. 22-44-26-03-00031.0060 and  
Strap No. 22-44-26-03-00031.0070

Dear Mr. and Mrs. Fellows:

LCEC does not object to vacation of the utility easement lying between lots 6 and 7, Block 31, Unit 3, a subdivision of Lehigh Park; however, you must contact FPL as this property is located in their service area.

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

Sincerely,

Karen Hardin  
Real Property Representative



Dan Thompson  
15834 Winkler Rd  
Ft. Myers Fl. 33908

---

James & Dawn Fellows  
1435 Mandel Rd  
Ft. Myers Fl. 33919

RE: Vacating of Easement

Florida Power and Light Co. has no objection to vacating the easement common to lots 6 & 7, less and except the north/west 6 feet and the south/east 6 feet thereof. These lots have the following strap numbers

22-44-26-03-00031-. 0060  
22-44-26-03-00031-. 0070

If you have any questions, please feel free to contact me at the number listed below.

Sincerely,  
Dan Thompson  
Construction Project Manager  
941-693-4295



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

479-8587

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

Bob Janes  
*District One*

March 25, 2002

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

James and Dawn Fellows  
1435 Mandel Road  
Fort Myers, FL 33919

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Re: Petition to Vacate a Public Utility Easement at 1700 Dewit Ave. N.  
Case #VAC2001-00006

Donald D. Stilwell  
*County Manager*

Dear Mr. & Mrs. Fellows:

James G. Yaeger  
*County Attorney*

This office has received your request to vacate a Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 6 and 7, Block 31, Unit 3, in Lehigh Park, a subdivision of Lehigh Acres, as recorded in Plat book 15, at Page 66, of the Public Records of Lee County, Florida, less and except the northwesterly six feet thereof and the southeasterly six feet thereof.

Diana M. Parker  
*County Hearing Examiner*

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/jgh

U:\200203\VAC20020.000\6\D&PUE.WPD





**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (941) 479-8124

Monday, February 04, 2002

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*

Mr. & Mrs. James Fellows  
1435 Mandel Road  
Fort Myers, FL 33919

Re: Petition to Vacate a twelve (12) foot wide public utility easement common to Lots 6 & 7, Block 31, Unit 3, Lehigh Park Subdivision as recorded in Plat Book 15 at Page 66, Public Records of Lee County, Florida.

Dear Mr. & Mrs. Fellows:

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

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

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr., P.S.M.  
Engineer II  
Natural Resources Division

-cc: Don Blackburn, Development Services  
Joan Henry, County Attorney's Office  
Margaret Lawson, LCDOT  
Roland Ottolini, P.E., NRD

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**LEE COUNTY**  
SOUTH WEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

(941) 479-8580

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

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. Stillwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

January 31, 1002

Dawn & James Fellows  
1435 Mandel Road  
Ft. Myers, FL 33919

**RE: PETITION TO VACATE:  
THE 12 FOOT WIDE PUBLIC UTILITY EASEMENT ON THE  
LOT LINE COMMON TO LOTS 6 AND 7, BLOCK 31,  
UNIT 3, LEHIGH ACRES, SECTION 22, TOWNSHIP 44, RANGE 26**

Dear Mr. & Mrs. Fellows:

The Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 15, Page 66. DOT has no facilities within the easement and does not maintain it.

Therefore, DOT offers no objection to this Petition To Vacate as proposed.

Sincerely,

**DEPARTMENT OF TRANSPORTATION**

Margaret Lawson  
Right-of-way Supervisor

MAL/mlb

cc: Pete Eckenrode, Development Services Director  
Roland Ottolini, Natural Resources Director  
DOT Petition to Vacate File

S:\DOCUMENT\Petition To Vacate\2002\Fellows - Lehigh - PTV.doc



# Florida Department of Transportation

JEB BUSH  
GOVERNOR

THOMAS F. BARRY, JR.  
SECRETARY

January 14, 2002

Dawn and James Fellows  
1435 Mandel Road  
Ft. Myers, Florida 33919

RE: Vacation of A Utility and/or Drainage Easement

Dear Dawn & James Fellows:

Our staff has conducted a review of your request to vacate a 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 6 & 7 Block 31 Unit 3 a subdivision of Lehigh Park as recorded in Plat Book 15 Page 66, Public Records of Lee County, Florida. This same area was further referenced in your letter and highlighted map of January 7, 2002.

Based on this review, we offer "No Objections" to this vacation request.

Sincerely,

James W. Dunsford,  
District R/W Administrator,  
Property Management

JWD/jwd

cc: Scott Gilbertson, P.E. - Lee County  
Walter McCarthy, P.E. - Lee County  
Joe Philips - FDOT  
Tom Garcia - FDOT

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE Case Number: VAC2002-00006**

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. VAC2002-00006 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

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

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

BOARD OF COUNTY  
COMMISSIONERS OF  
LEE COUNTY, FLORIDA

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

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

APPROVED AS TO FORM

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

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

## Exhibit "A"

A Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 6 and 7, Block 31, Unit 3, in Lehigh Park, a subdivision of Lehigh Acres, as recorded in Plat book 15, at Page 66, of the Public Records of Lee County, Florida, less and except the northwesterly six feet thereof and the southeasterly six feet thereof.

**NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE**

Case Number: VAC2002-00006

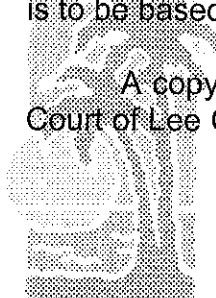
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 14th Day of May 2002 @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.



LEE COUNTY

CHARLIE GREEN, CLERK

SOUTH WEST FLORIDA

Deputy Clerk Signature

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

APPROVED AS TO FORM

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

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

## Exhibit "A"

A Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 6 and 7, Block 31, Unit 3, in Lehigh Park, a subdivision of Lehigh Acres, as recorded in Plat book 15, at Page 66, of the Public Records of Lee County, Florida, less and except the northwesterly six feet thereof and the southeasterly six feet thereof.