

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2001-00042 to Vacate four 12' wide Public Utility Easement common to lots 29, 30, 31, 32, & 33, Block 28, Unit 4, Plat Book 12, Page 54, and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 9th day of April, 2002.

WHY ACTION IS NECESSARY: To combine all of the lots into one commercial 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 easement.

2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT #: 5	04 Community Development <div style="text-align: center; font-size: 2em; font-family: cursive;">C4C</div>	3. MEETING DATE: <div style="text-align: center; font-size: 1.5em; font-family: cursive;">03-12-2002</div>
4. AGENDA: <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC <input type="checkbox"/> WALK ON TIME REQUIRED:	5. REQUIREMENT/PURPOSE: (Specify) <input checked="" type="checkbox"/> STATUTE F.S. Ch. 177 <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> ADMIN. CODE 13-1 <input type="checkbox"/> OTHER	6. REQUESTOR OF INFORMATION: A. COMMISSIONER B. DEPARTMENT Community Development C. DIVISION Development Services BY:  2/25/02 Peter J. Eckenrode, Director

7. BACKGROUND:

The complete Petition to Vacate was submitted by Don and Shirley Frankle.

LOCATION: Four twelve-foot wide Public Utility Easements located between Lots 29 & 30, 30 & 31, 31 & 32, and 32 & 33, all being in Block 28, Unit 4, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, Page 54, in the Official Records of the Public Records of Lee County, Florida, less and except the easterly six feet and the westerly six feet thereof. The site is located at 104 Lee Boulevard, Lehigh Acres, Florida, Section 32, Township 44 South, Range 27 East.

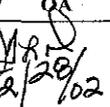
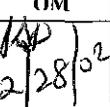
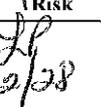
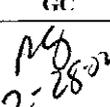
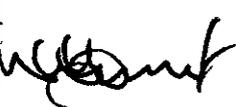
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

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, the Resolution to set the Public Hearing, and the Notice of Public Hearing.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>Admin</i>				G County Manager
					OM	Risk	GC		
	N/A	N/A	N/A		 2/28/02	 2/28/02	 2/28	 2-28-02	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

REC'D.
by CO. ATTY.
2/27/02
11:30 AM
CO. ATTY.
FORWARDED TO:
Admin
2/28/02 12:PM

RECEIVED BY
COUNTY ADMIN.
2/28/02
12:00 PM
COUNTY ADMIN.
FORWARDED TO:
2/28/02 JED

PETITION TO VACATE

Case Number: VAC 2001-00042

Petitioner(s), DONALD FRANKLE AND SHIRLEY FRANKLE 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, 14 CONNECTICUT RD. LEHIGH ACRES, FL 33936
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: *Donald Frankle Jr.*
Petitioner Signature

Don Frankle Jr.
Printed Name

By: *Shirley K. Frankle*
Petitioner Signature

Shirley K. Frankle
Printed Name

Exhibit "A"

**Legal Description
(Vacation of Easements)**

A 12.0 foot wide public utility easement centered on Lots 29 & 30, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

A 12.0 foot wide public utility easement centered on Lots 30 & 31, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

A 12.0 foot wide public utility easement centered on Lots 31 & 32, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

A 12.0 foot wide public utility easement centered on Lots 32 & 33, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

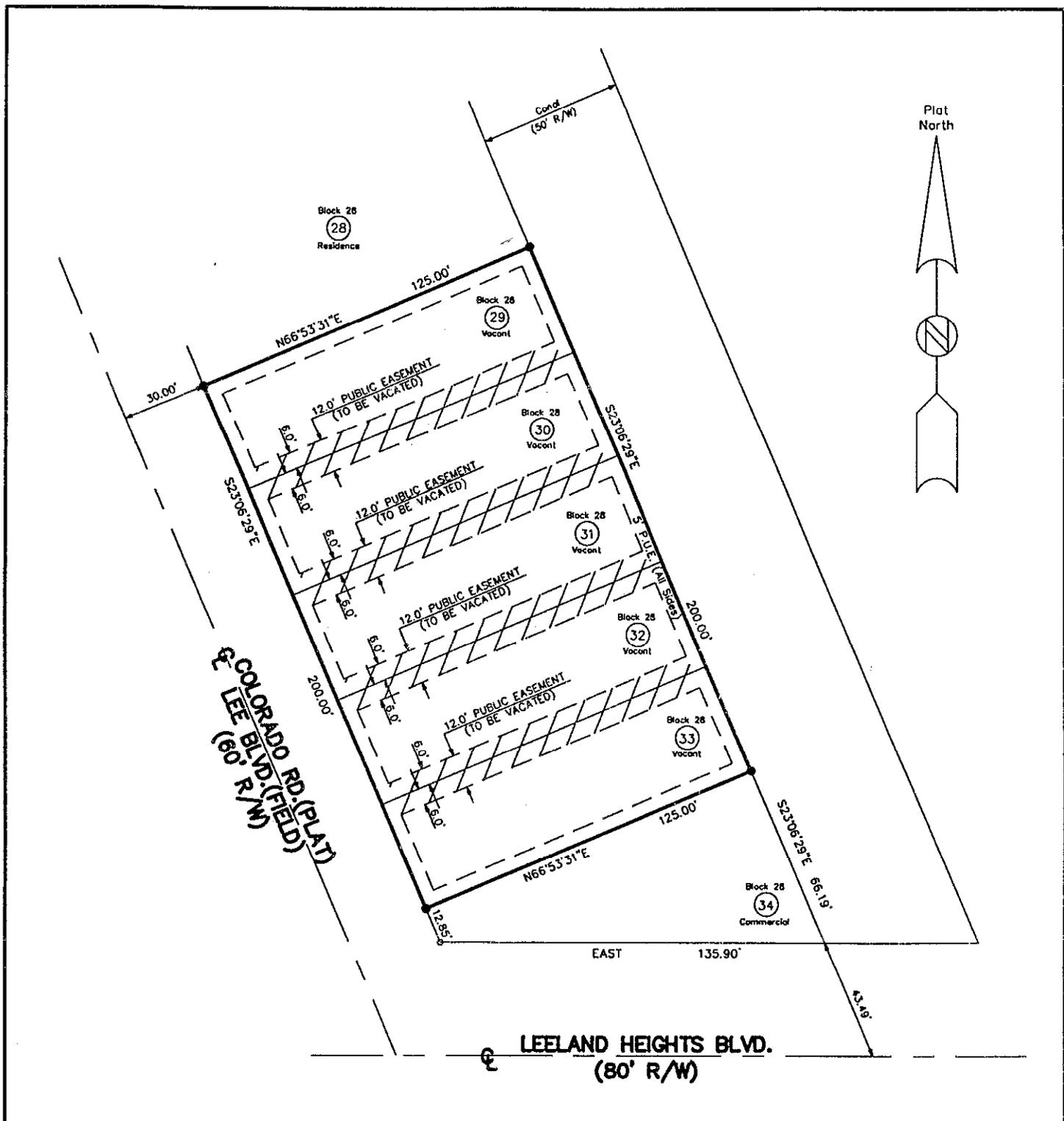


Exhibit "B"

NOT A SURVEY - SKETCH ONLY

S.T.A.R. Surveying, Inc. (LB5449)
 Professional Surveyors and Mappers
 1130-E Lee Boulevard, Lehigh Acres, Florida 33936
 (941) 368-7400 (941) 368-7685 (Fax)

DATE:	5-21-01
JOB NUMBER:	9538-12A
DRAWN BY:	C.B.S.
SCALE:	1" = 50'
SHEET:	1 of 2

TAXES

TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "32442704000280330" 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 <u>Legend</u>	Prior Year(s) Taxes Due
<u>32-44-27-04-00028.0330</u>	2001	FRANKLE DONALD + 14 CONECTICUT RD LEHIGH ACRES FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOT 33	PAID	<u>Click here</u> for <u>outstanding</u> taxes
<u>32-44-27-04-00028.0330</u>	2000	FRANKLE DONALD + 14 CONECTICUT RD LEHIGH ACRES FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOT 33	PAID	<u>Click here</u> for <u>outstanding</u> taxes
<u>32-44-27-04-00028.0330</u>	1999	FRANKLE DONALD + 14 CONECTICUT RD LEHIGH FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOT 33	PAID	<u>Click here</u> for <u>outstanding</u> taxes
<u>32-44-27-04-00028.0330</u>	1998	FRANKLE DONALD + 14 CONECTICUT RD LEHIGH FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOT 33	PAID	<u>Click here</u> for <u>outstanding</u> taxes

TAXES

TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "32442704000280290" 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>32-44-27-04-00028.0290</u>	2001	FRANKLE DONALD + SHIRLEY K 14 CONNECTICUT RD LEHIGH ACRES FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOTS 29 + 30	PAID	Click here for outstanding taxes
<u>32-44-27-04-00028.0290</u>	2000	FRANKLE DONALD + SHIRLEY K 14 CONNECTICUT RD LEHIGH ACRES FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOTS 29 + 30	PAID	Click here for outstanding taxes
<u>32-44-27-04-00028.0290</u>	1999	FRANKLE DONALD + SHIRLEY K 14 CONNECTICUT RD LEHIGH ACRES FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOTS 29 + 30	PAID	Click here for outstanding taxes
<u>32-44-27-04-00028.0290</u>	1998	FRANKLE DONALD + SHIRLEY K 14 CONNECTICUT RD LEHIGH ACRES FL 33936	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12	PAID	Click here for outstanding

TAXES

TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "32442704000280310" 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>32-44-27-04-00028.0310</u>	2001	FRANKLE DONALD + 14 CONNECTICUT RD LEHIGH FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOTS 31 + 32	PAID	Click here for outstanding taxes
<u>32-44-27-04-00028.0310</u>	2000	FRANKLE DONALD + 14 CONNECTICUT RD LEHIGH FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOTS 31 + 32	PAID	Click here for outstanding taxes
<u>32-44-27-04-00028.0310</u>	1999	FRANKLE DONALD + 14 CONNECTICUT RD LEHIGH FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOTS 31 + 32	PAID	Click here for outstanding taxes
<u>32-44-27-04-00028.0310</u>	1998	FRANKLE DONALD + 14 CONNECTICUT RD LEHIGH FL 33936 USA	LEELAND HEIGHTS UNIT 4 BLK.28 PB 12 PG 54 LOTS 31 + 32	PAID	Click here for outstanding taxes

After recording, return to:

Guardian Title
Box 85



PREPARED BY:
Guardian Title of Lehigh
1103 W. Leeland Heights Blvd.
Lehigh, FL 33936
M. Depew

3563115

Doc. No. 15470
Tax Pd.
County
Shompson

Strap #:
32-44-27-02-00014.0090

DR2484 PG2588

Warranty Deed

REC. 6.00
DOC. 154.70
TOT. 160.70

This Indenture, made this 10th day of March A.D. 1994

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

Donald Frankle and Shirley Frankle
14 Connecticut Road
Lehigh, FL 33936

RECORDED VERIFIED - CHARLIE GREEN, CLERK
BY: SUSAN THACKER, 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 9 and 11, Block 14, Unit 2, LEELAND HEIGHTS, Section 32, Township 44 South, Range 27 East, LEHIGH ACRES, according to the map or plat thereof as recorded in Plat Book 9, Page 125, and Lots 31, 32 and 33, Block 28, Unit 4, LEELAND HEIGHTS, Section 32, Township 44 South, Range 27 East, LEHIGH ACRES, according to the map or plat thereof as recorded in Plat Book 12, Page 54, of the Public Records of Lee County, Florida.

Subject to party of the second part's covenant that it is required to connect to water and sewer immediately when same are made available to the aforescribed land; and

Subject to reservations, restrictions, and easements of record, and taxes for the calendar year. Reserving however, all oil, gas, and mineral rights.

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 President and its corporate seal to be affixed the day and year above written.

(Corporate Seal)

Lehigh Corporation
A Florida Corporation

By William I. Livingston
William I. Livingston 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 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.

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:



Janet E. Allison
Notary Public, State of Florida
Janet E. Allison

Search Results	Get Image
File No.: 1	File No. *1

Document Detail

Type: WARRANTY DEED
File Number: 4198727
Date/Time: 07/08/1997 10:03:00
Book Type: Official Records
Book/Page: 2842/2012
Pages: 1
Legal: L29,30,B28,U4,LEELAND HEIGHTS
Mtg Tax: \$6.00
Deed Tax: \$56.00
Intangible: \$0.00

Grantors: TVETEN OMAR A

Grantees: FRANKLE DONALD + SHIRLEY K

COPIES OF DOCUMENTS

Document images cannot be printed from your PC.
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at 2115 Second Street, Fort Myers, FL 33901,
or you can mail a request with SASE to P.O. Box 2278,
Fort Myers, FL 33902. Include \$1 per page.
Certified copies require additional \$1 per document.

Help

Fit Width Fit Height Best Fit 1:1 Zoom In Zoom Out Rotate 90

This Warranty Deed

CHARLIE GREEN LEE CTY. FL

97.KAL-8 AND 03

Made this 27th day of June A.D. 1997
WOMAN A. TYSTEN

1198 N 7TH STREET 4198727
N. ST. RAUL, MN 55198
hereby called the grantor, to
DONALD FRANKLE and HEINRICH K. FRANKLE, Husband
and wife

56.00
L. H. VOIGT
Deputy Clerk

where post office address is: 14 COMBINATION ROAD
LARGO ACRES, FL 33036

hereby called the grantor:

(Wherever used herein the word "grantor" and "grantors" include all the parties to this instrument and the heirs, legal representatives and assigns of both of them, and the successors and assigns of any of them)

Witnessed, that the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipts whereof is hereby acknowledged, hereby grants, conveys, sells, alien, releases, conveys and confirms unto the grantee, all that certain land above to - Leo

County, Florida, viz:

LOTS 25 AND 26, BLOCK 18, UNIT 4, SECTION 12, TOWNSHIP 12N, RANGE 18E, COUNTY OF LARSON ACRES, ACCORDING TO THE MAP OR PLAN THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, RECORDING IN DEED BOOK 250, PAGE 178 AND FIRST BOOK 12, PAGE 54, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT TO Covenants, restrictions, easements of records and taxes for the current year.

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) or any members of the household of Grantor(s) reside thereon.

Federal Identification Numbers: 51-44-27-04-00020, 0250

Together with all the present, hereafter and appurtenant items belonging or to be acquired.

To Have and to Hold, for use in the simple trust,

And the grantor hereby covenants with said grantee that the grantor is lawfully granted of said land in the simple trust; 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 whatsoever; and that said land is free of all encumbrances except those recorded subsequent to December 31, 1996

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

Signed, sealed and delivered in our presence:

Phyllis J. Sherman [Signature] 7146 N. ... ST. RAUL MN
Phyllis J. Sherman [Signature] 1345 N. ... St. Paul MN
Ange Weinberg [Signature] 943 Sylvia Ln. St. Paul MN
Jaga Stotberg [Signature]

State of Minnesota
County of Ancker

The foregoing instrument was acknowledged before me this 27 day of June, 1997
by CHARLIE A. TYSTEN

Who is personally known to me or who has produced and who did not take in cash. as Identification

Notary Public Seal: CHARLIE A. TYSTEN
Notary Public Seal: [Signature]

PREPARED BY: MERRILL P. KENNEDY
RECORDING AND RETURN TO:
Clerk of the Circuit Court in and for
Lee County, Florida
1400 Lee Blvd., Suite 201
Largo Acres, FL 33034
File No. 97-8-00047

6.0000
36.00
1.50

10-7-97 10:00 AM

ONE BY 2 BY 20 IN



Post Office Box 3455

North Fort Myers, FL 33918-3455

(941) 995-2121 • FAX (941) 995-7904

www.lcec.net • www.lline.com

May 24, 2001

Mr. Don Frankle
14 Connecticut Rd.
Lehigh Acres, FL 33936

Re: Strap No. 32-44-27-04-00028.0290,
Strap No. 32-44-27-04-00028.0310, and
Strap No. 32-44-27-04-00028.0330

Dear Mr. Frankle:

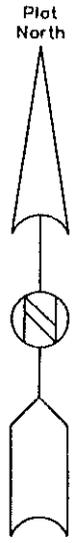
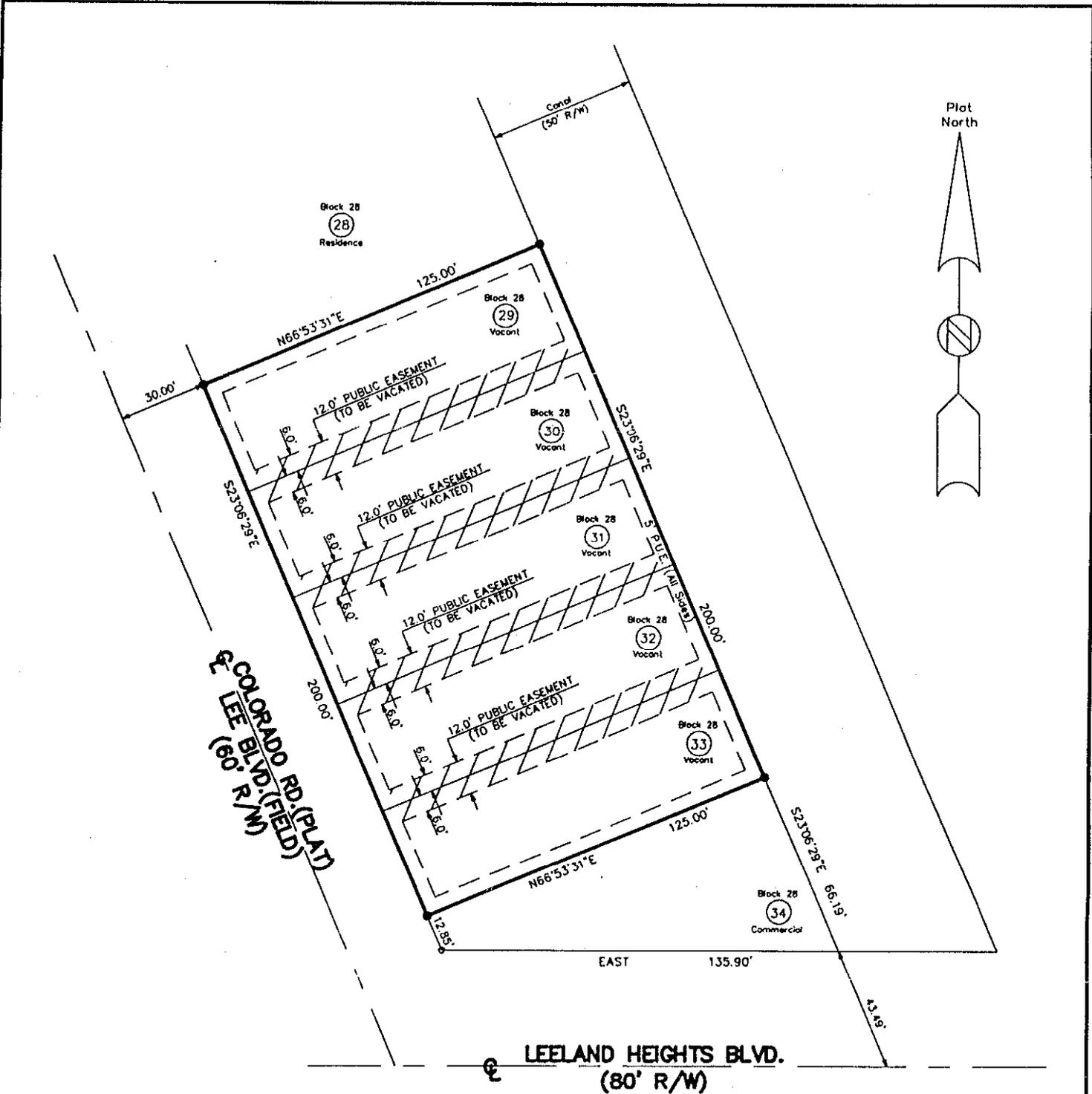
LCEC does not object to vacation of the utility and/or drainage easements further identified on the attached description and sketch.

Please call me at (941) 656-2422 if I can be of any further assistance.

Sincerely,

Karen Hardin
Real Property Representative

Attachments



NOT A SURVEY - SKETCH ONLY

S.T.A.R. Surveying, Inc. (LB5449)
 Professional Surveyors and Mappers
 1130-E Lee Boulevard, Lehigh Acres, Florida 33938
 (941) 388-7400 (941) 388-7885 (Fax)

DATE:	5-21-01
JOB NUMBER:	9538-12A
DRAWN BY:	C.B.S.
SCALE:	1" = 50'
SHEET:	1 of 2

**Legal Description
(Vacation of Easements)**

A 12.0 foot wide public utility easement centered on Lots 29 & 30, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

A 12.0 foot wide public utility easement centered on Lots 30 & 31, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

A 12.0 foot wide public utility easement centered on Lots 31 & 32, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

A 12.0 foot wide public utility easement centered on Lots 32 & 33, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof

Comcast Cablevision
of West Florida, Inc.
22266 Edgewater Dr.
Pt. Charlotte, FL 33980
(941) 625-6000
FAX (941) 624-5862



Don Frankle
14 Connecticut Road
Lehigh Acres, FL 33936

June 27, 2001

Re: STRAP NO. 32-44-27-01-00028.0029 and STRAP NO. 32-44-27-04-00028.0030

Dear Mr. Frankle,

After reviewing Your request for the Vacation of the 12 foot wide Public Utility Easements centered on the lot lines common to Lots 29 and 30, Lots 30 and 31, Lots 31 and 32, Lots 32 and 33, Block 28, Unit 4 in the Lehigh Acres Subdivision as recorded in Plat Book 12, Page 54, less and except the north/east 6 feet and the south/west 6 feet thereof, We at COMCAST Cablevision have found no conflicts and have no Objection to this Vacation.

If you have any questions, please do not hesitate to contact me.

Sincerely,

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

Bobby Miller
Construction Administrator



Box 370
Fort Myers, Florida 33902-0370

June 18, 2001

Mr. Don Frankle
14 Connecticut Rd.
Lehigh Acres, Florida 33936

RE: Vacation of Easement - Lots 29,30,31,32 & 33,
Block 28, Unit 4, Section 32, Township 44S,
Range 27E. Recorded in Plat Book 12, Page 54,
Of the Official Records of Lee County, Florida.

A 12 foot utility easement centered on the lot lines
Between lots 29&30, 30&31, 31&32 and 32&33.
(See attachment)

Dear Mr. Frankle:

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 941-336-2023.

Sincerely,

A handwritten signature in cursive script that reads "Wayneth Jackson".

Wayneth Jackson
Engineer

Attachment



January 28, 2002

Mr. Don Frankle
14 Connecticut Rd
Lehigh Acres, FL 33936

Re: A 12-foot wide Utility and/or Drainage Easement centered on the lot line common to Lots 29 & 30, Lots 30 & 31, Lots 31 & 32, Lots 32 & 33, Block 28, Unit 4 a subdivision of Lehigh Acres as recorded in Plat Book 12 Page 54 less and except the north/east 6 feet and south/west 6 feet thereof.

Dear Mr. Frankle:

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,

A handwritten signature in cursive script that reads "Rachel L. Cowing".

Rachel L. Cowing
Legal Secretary



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

Water For Florida's Future



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8587

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 25, 2002

Mr. & Mrs. Don Frankle
14 Connecticut Road
Lehigh Acres, Florida 33936

Re: VAC2000-00042 Petition to Vacate Public Utility Easements located at 104 Lee Boulevard, Lehigh Acres, Florida, Section 32, Township 44 South, Range 27 East.

Dear Mr. & Mrs. Frankle:

This office has received your request to vacate four twelve-foot wide Public Utility Easements located between Lots 29 & 30, 30 & 31, 31 & 32, and 32 & 33, all being in Block 28, Unit 4, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, Page 54, in the Official Records of the Public Records of Lee County, Florida, less and except the easterly six feet and the westerly six feet thereof. The site is located at 104 Lee Boulevard, Lehigh Acres, Florida, Section 32, Township 44 South, Range 27 East.

You indicated that as a result of combining adjacent lots into one commercial 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



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(941) 479-8124

Writer's Direct Dial Number: _____

Bob Janes
District One

June 21, 2001

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Don Frankle
14 Connecticut Road
Lehigh Acres, FL 33936

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate a four (4) 12- foot wide Public Utility Easements common to Lots 29 & 30, Lots 30 & 31, Lots 31 & 32, and Lots 32 & 33, Block 28, Unit 4, Lehigh Acres as recorded in Plat Book 12 Page 54.

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Dear Mr. Frankle:

Diana M. Parker
County Hearing Examiner

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

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

Regards,

ENVIRONMENTAL SERVICES 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
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(941) 479-8580

Writer's Direct Dial Number: _____

John E. Manning
District One

June 12, 2001

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Don Frankle
14 Connecticut Road
Lehigh Acres, FL 33936

Andrew W. Coy
District Four

John E. Albion
District Five

**RE: Petition to Vacate 4, 12 Foot-wide Public
Utility Easements, Lots 29 through 33,
Block 28, Leeland Heights Subdivision**

Donald D. Stillwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Dear Mr. Frankle:

Lee County DOT has reviewed your request to vacate the above-described easements recorded in Plat Book 12, page 54. DOT has no facilities within the easements and does not maintain them.

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

Yours truly,

DEPARTMENT OF TRANSPORTATION

Scott M. Gilbertson, P.E.
Director

JK/SMG/mlb

cc: Roland Ottolini, Natural Resources Director
Don Blackburn, Development Services
Margaret Lawson, Right-of-way Supervisor
Petition to vacate file

\\LCFNW04\DATA\SHARED\DOT\DOCUMENT\Petition To Vacate\2001\PTV-4, 12ftwide public utility easements.doc

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2001-00042**

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. VAC2001-00042 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

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Exhibit "A"

**Legal Description
(Vacation of Easements)**

A 12.0 foot wide public utility easement centered on Lots 29 & 30, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

A 12.0 foot wide public utility easement centered on Lots 30 & 31, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

A 12.0 foot wide public utility easement centered on Lots 31 & 32, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

A 12.0 foot wide public utility easement centered on Lots 32 & 33, Block 28, Unit 4, Section 32, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 12, page 54, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2001-00042

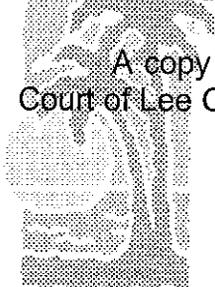
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 9th day of April 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"

**Legal Description
(Vacation of Easements)**

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Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof