

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2001-00058 to Vacate a 12' wide Public Utility and Drainage Easement common to Lots 6 & 7, Block 13, Unit 2, Plat Book 18, Page 38 and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 9th day of April, ~~2001~~ 2002.

WHY ACTION IS NECESSARY: To construct a Single Family Residence. **The vacation of the Public Utility and Drainage easements will not alter existing utilities or drainage and the easements are not necessary to accommodate any future utility or drainage requirements.**

WHAT ACTION ACCOMPLISHES: Vacates the right-of-way.

2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT #: 5	04 Community Development <i>C4D</i>	3. MEETING DATE: <i>03-12-2002</i>
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 <u>Community Development</u> C. DIVISION <u>Development Services</u> BY: <i>[Signature]</i> <u>2/25/02</u> Peter J. Eckenrode, Director

7. BACKGROUND:

The complete Petition to Vacate was submitted by Raymond and Rose Mary Rosemeyer.

LOCATION: A Twelve-foot wide Public Utility and Drainage Easement centered on the lot line common to Lots 6 and 7, Block 13, Unit 2, a subdivision of Lehigh Acres, Florida, as recorded in Plat Book 18, Page 38, Less and Except the north six feet and the south six feet thereof. The site is located at 712 Little Rock Street East, Lehigh Acres, Florida, Section 15, Township 45 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 / Risk				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>[Signature]</i> 2/28/02	<i>[Signature]</i> 2/28/02	<i>[Signature]</i> 2/28	<i>[Signature]</i> 2-28-02	<i>[Signature]</i>

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 12:00 NOON

RECEIVED BY
COUNTY ADMIN.
2/28/02
1:00 PM
BY ADMIN.
2/28/02
4:00

PETITION TO VACATE

Case Number: VAC2001-00058

Petitioner(s), Raymond & Rose Mary Rosemeyer
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 Del Prado Blvd #201, Cape Coral, FL 33909
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: Raymond Rosemeyer
 Petitioner Signature
RAYMOND ROSEMEYER
 Printed Name

By: Rose Mary Rosemeyer
 Petitioner Signature
Rose Mary Rosemeyer
 Printed Name

Exhibit "A"

A Twelve-foot wide Public Utility and Drainage Easement centered on the lot line common to Lots 6 and 7, Block 13, Unit 2, a subdivision of Lehigh Acres, Florida, as recorded in Plat Book 18, Page 38, Less and Except the north six feet and the south six feet thereof.

Exhibit "B"

SURVEY PLAT

OF
 LOTS 6 & 7, BLOCK 13, LEHIGH ACRES UNIT 2
 AS RECORDED IN PLAT BOOK 18, PAGE 38
 LYING IN
 SECTION 15, TOWNSHIP 45 SOUTH, RANGE 27 EAST,
 LEE COUNTY, FLORIDA

NOTES:
 SURVEY BASED ON THE RECORDED PLAT OF LEHIGH ACRES UNIT 2, SECTION 15, TOWNSHIP 45 SOUTH, RANGE 27 EAST, AS RECORDED IN PLAT BOOK 18, PAGE 38 AND EXISTING MONUMENTATION.

BEARINGS BASED ON THE CENTERLINE OF LITTLE ROCK STREET E. AS BEARING N.89°29'51"E.

PARCEL LIES IN FLOOD ZONE "B", NO BASE FLOOD ELEVATION. THIS INFORMATION WAS TAKEN FROM FLOOD INSURANCE RATE MAP 125124 0375 B, WITH A REVISION DATE 12-20-2000 (PANEL NOT PRINTED).

THE F.E.M.A. FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL GOVERNMENT. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERMITTING REGULATORY ENTITIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

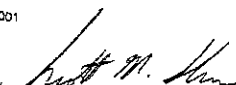
ABOVE GROUND OR UNDERGROUND IMPROVEMENTS, UTILITIES AND/OR FOUNDATIONS WERE NOT LOCATED UNLESS OTHERWISE NOTED.

THIS PLAT PREPARED AS A BOUNDARY SURVEY AND IS NOT INTENDED TO DELINEATE THE JURISDICTION OR JURISDICTIONAL AREAS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

ALL DIMENSIONS PLAT AND FIELD VERIFIED, UNLESS OTHERWISE SHOWN.

DATE OF LAST FIELD WORK: 7-2-2001


BY: 
 SCOTT M. SHORE
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. LS# 5743
 DATE SIGNED: 1-8-2002

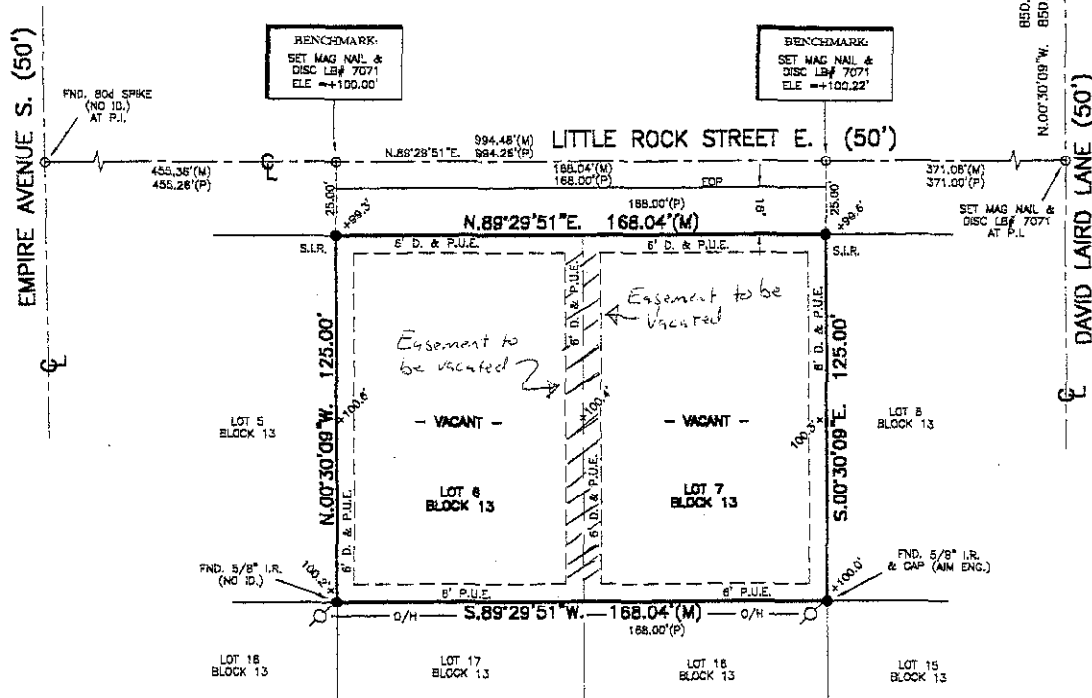
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

THIS BOUNDARY SURVEY IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

LOTS 6 & 7, BLOCK 13, LEHIGH ACRES
 UNIT 2, SECTION 15-45-27

TITLE: BOUNDARY SURVEY			
 MERIDIAN SURVEYING & MAPPING, LLC LAND SURVEYORS/PLANNERS L.B.# 7071		8245 RAMSEY WAY, SUITE #2 FORT MYERS, FLORIDA 33907 PHONE: (841) 275-8575 FAX: (841) 275-8467 www.meridiansurf.com	
FILE NAME: 1417SR.DWG	FIELD BOOK/PAGE: 13/31	PROJECT NO.:	1417
SURVEY DATE: 7-2-2001	DRAWN BY: SMS	SCALE: 1" = 50'	CHECKED BY: TLM/SMS
SHEET:		1 OF 1	
FILE NO. (S-140)		15-45-27	



LEGEND:

- | | |
|---|--|
| EDP = EDGE OF PAVEMENT | — — — = GUY WIRE & ANCHOR |
| P.C. = POINT OF CURVATURE | (C) = CALCULATED |
| CONC. = CONCRETE | (M) = MEASURED |
| S.L.R. = SET 5/8" IRON ROD & CAP LB# 7071 | (P) = PLAT |
| ID. = IDENTIFICATION | P.C.P. = PERMANENT CONTROL POINT |
| P.I. = POINT OF INTERSECTION | FND. = FOUND |
| P.U.E. = PUBLIC UTILITY EASEMENT | I.R. = IRON ROD |
| D. = DRAINAGE | ⊗ = WATER METER |
| M.E. = MAINTENANCE EASEMENT | ⊕ = TELEPHONE SERVICE BOX |
| ⊙ = SEWER MANHOLE | ⊞ = CABLE TELEVISION BOX |
| P.C. = POINT OF CURVATURE | ⊙ = UTILITY POLE |
| (R) = RADIAL | — O/H — = OVERHEAD UTILITY LINES |
| | D. & P.U.E. = DRAINAGE & PUBLIC UTILITY EASEMENT |

FOR THE EXCLUSIVE USE OF:
 - LEGEND CUSTOM HOMES

Exhibit "C"

TAXES

TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "15452702000130060" 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
15-45-27-02-00013.0060	2001	ROSEMEYER RAYMOND + ROSE MARY 3405 W COLDSPRINGS RD GREENFIELD WI 53221 USA	LEHIGH ACRES UNIT 2 BLK 13 PB 18 PG 38 LOTS 6 + 7	PAID	Click here for outstanding taxes
15-45-27-02-00013.0060	2000	ROSEMEYER RAYMOND + ROSE MARY 3405 W COLDSPRINGS RD GREENFIELD WI 53221 USA	LEHIGH ACRES UNIT 2 BLK 13 PB 18 PG 38 LOT 6	PAID	Click here for outstanding taxes
15-45-27-02-00013.0060	1999	DEVEAU VIRGINIA I P O BOX 8265 LAKE SHORE CLUB FEDHAVEN FL 33854 USA	LEHIGH ACRES UNIT 2 BLK 13 PB 18 PG 38 LOT 6	PAID	Click here for outstanding taxes
15-45-27-02-00013.0060	1998	DEVEAU VIRGINIA I 3 CHELETTE MANOR MHP LAKE WALES FL 33853 USA	LEHIGH ACRES UNIT 2 BLK 13 PB 18 PG 38 LOT 6	PAID	Click here for outstanding taxes

INSTR # 4636423

OR BK 03232 PG 4093

FOR OFFICIAL USE ONLY:
This Instrument prepared by:
L. S. COYNE
FLEETWOOD TITLE CORPORATION
904 LEE BLVD., SUITE 106,
LEHIGH ACRES, FL 33936

RECORDED 03/21/00 09:09 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD(F.S. 201.02) 42.00
DEPUTY CLERK N Robinson

PARCEL # 15-45-27-02-00013.0060
15-45-27-02-00013.0070

REC \$ 10.50
RPTT \$ 42.00
COPY \$
CERT \$
TOTAL \$ 52.50

PAGE 1 OF 2

THIS WARRANTY DEED

FTC-41205-LSC

Made the 25 day of Feb, A.D. 2000
by VIRGINIA I. DEBEAU AN UNREMARIED WIDOW,
P. O. BOX 7823, INDIAN LAKE FL 33855
acquiring title through instrument as recorded in O. R. Book 1418, Page
1595, in the public records of Lee County, Florida.
hereinafter called the grantor,
to RAYMOND R. ROSEMEYER AND ROSE MARY ROSEMEYER, HUSBAND AND WIFE
whose post office address is:
3405 W COLDSPRINGS ROAD
GREENFIELD WI 53221
herein called the grantee:

(wherever used herein the terms "grantor" and "grantee" include all the
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 consideration, receipt whereof is hereby
acknowledged, conveys and confirms unto the grantee, all that certain
land situate in Lee County, Florida, viz:

LOTS 6 AND 7, BLOCK 13, UNIT 2, SECTION 15, TOWNSHIP 45 SOUTH, RANGE 27
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
18, PAGE 38, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT property is vacant land and is not now, nor has it ever been
the homestead property of the grantor. It also is not contiguous to
the present homestead of the grantor.

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 December 31, 1999. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of Lee County, Florida.

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:

[Signature]
WITNESS

Virginia I. Deveau
VIRGINIA I. DEVEAU

Jouce Louge
PRINTED NAME OF WITNESS

William D. Price
WITNESS (TWO SEPARATE WITNESSES
REQUIRED)

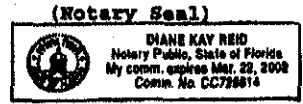
P. O. BOX 7823
INDIAN LAKE FL 33855

William D. Price
PRINTED NAME OF WITNESS

STATE OF Florida
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 25 day of February, 2002 by VIRGINIA I. DEVEAU, who is/are personally known to me/and did produce acceptable identification being in the form of _____ and who did understand the body of this instrument and did sign this instrument of their own free act and deed.

Diane Kay Reid
Notary Public
My Commission Expires Mar 22, 2002
Diane Kay Reid
PRINTED NAME OF NOTARY PUBLIC





Post Office Box 3455

North Fort Myers, FL 33918-3455

(941) 995-2121 • FAX (941) 995-7904

www.lcec.net • www.iline.com

November 7, 2001

Fabiola Esposito
Construction Coordinator
Legend Custom Builders, Inc.
14 DelPrado Blvd., Suite 201
Cape Coral, FL 33909

Re: Strap No. 15-45-27-02-00013.0060

Dear Fabiola:

LCEC does not object to vacation of the platted easements at the referenced site, LESS and EXCEPT that portion described in the following:

A 12-foot-wide utility and/or drainage easement centered on the lot line common to Lots 6 & 7, Block 13, Unit 2, a subdivision of Lehigh Acres, as recorded in Plat Book 18, page 38, 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



Box 370
Fort Myers, Florida 33902-0370

January 15, 2002

Mr. Fabiola Esposito
Construction Coordinator
Legend Custom Builders, Inc.
14 Del Prado Blvd., Suite 201
Cape Coral, Florida 33909

RE: Vacation of Easement – Lots 06 & 07,
Block 13, Section 15, Township 45 South,
Range 27 East. Recorded in Plat Book 18, Page 38
Of the Public Records of Lee County, Florida.

A 12 foot wide public utility and drainage easement centered on the lot line common to
Lots 06 & 07.

Dear Mr. Esposito:

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



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

January 21, 2002

Fabiola Esposito
Legends Custom Builders, Inc.
14 Del Prado Boulevard, Suite 201
Cape Coral, FL 33909

Re: Request for a Letter of Review and Recommendation on a Proposed 12 foot
Utility or Drainage Easement Vacation of the Following Locations:
Strap # 15-45-27-02-00013.0060, Lots 6 & 7 Block 13,
Unit 2 A subdivision of Lehigh Acres, Fl. As recorded in Plat Book 18, Page 38 Less
and except the north and the south 6 feet thereof.

Dear Fabiola,

Comcast has no existing utilities in the easement and 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



January 24, 2002

Sent via fax (941) 573-5284

Fabiola Esposito
Legend Custom Builders, Inc.
14 Del Prado Blvd., Suite 201
Cape Coral, Florida 33909

Re: Mr. and Mrs. Raymond Rosemeyer - a 12-foot wide Public Utility and Drainage Easement centered on the lot line common to Lots 6 & 7, Block 13, Unit 2, a subdivision of Lehigh Acres, as recorded in Plat Book 18, Page 38, less and except the north 6 feet and the south 6 feet thereof.

Dear Ms. Esposito:

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 "Brenda Mazurak".

Brenda Mazurak
Legal Assistant

AN ALLETE COMPANY

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

Water For Florida's Future



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

479-8587

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. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

February 25, 2002

Mr. & Mrs. Raymond Rosemeyer
14 Del Prado Boulevard
Suite 201
Cape Coral, Florida 33909

Re: VAC2001-00058 Petition to Vacate a Public Utility and Drainage
Easement located at 712 Little Rock Street East, Lehigh Acres, Section
15, Township 45 South, Range 27 East

Dear Mr. & Mrs. Rosemeyer:

This office has received your request to vacate a Twelve-foot wide Public Utility and Drainage Easement centered on the lot line common to Lots 6 and 7, Block 13, Unit 2, a subdivision of Lehigh Acres, Florida, as recorded in Plat Book 18, Page 38, 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/jgh

U:\200202\VAC20010.005\8\D&PUE.WPD



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(941) 479-8124

Writer's Direct Dial Number: _____

Friday, January 25, 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. Fabiola Esposito
Legend Custom Builders
14 Del Prado Boulevard, Suite 201
Cape Coral, FL 33909

Re: Petition to Vacate a twelve (12) foot wide public utility & drainage easement common to Lots 6 & 7, Block 13, Unit 2, Lehigh Acres Subdivision as recorded in Plat Book 18 at Page 38, Public Records of Lee County, Florida.


Dear Mr. Esposito:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion 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

S:\NATRES\SURFACE\DOCUMENT\vac221a.doc



BOARD OF COUNTY COMMISSIONERS

479-8580

Writer's Direct Dial Number: _____

Bob Janes
District One

January 11, 2002

Douglas R. St. Comy
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

Ms. Fabiola Esposito
Legend Custom Builders, Inc.
14 Del Prado Boulevard, Suite 201
Cape Coral, FL 33909

John E. Albion
District Five

Donald D. Stilwell
County Manager

**RE: Petition to Vacate
The 12 foot wide Drainage and Utility Easement
On the Lot Line common to Lots 6 and 7,
Block 13, Unit 2, Lehigh Acres**

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Dear Ms. Esposito:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 18, page 38. DOT has no facilities within the easement and does not maintain it.

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

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson
Right-of-way Supervisor

MAL/mlb

cc: Roland Ottolini, Natural Resources
Don Blackburn, Devel. Svcs.
Petition to Vacate File

S:\DOCUMENT\Petition To Vacate\2001\Esposito 2.doc



Florida Department of Transportation

JEB BUSH
GOVERNOR

THOMAS F. BARRY, JR.
SECRETARY

November 13, 2001

Fabiola Esposito
Legend Custom Builders, Inc.
14 Del Prado Boulevard, Suite 201
Cape Coral, Florida 33909

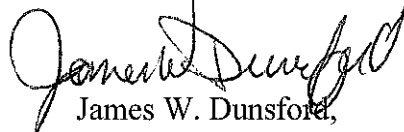
RE: Vacation of A Utility Easement

Dear Mr. Esposito:

Our staff has conducted a review of your request to vacate a 12-foot wide Utility Easement centered on the lot line common to Lots 6 & 7, Block 13, Unit 2, a subdivision of Lehigh Acres, as recorded in Plat Book 18, Page 38, less and except the north 6 feet and the south 6 feet thereof, Public Records of Lee County, Florida. This same area was further referenced in your letter and highlighted map of November 6, 2001.

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: VAC2001-00058**

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. VAC2001-00058 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 and Drainage Easement centered on the lot line common to Lots 6 and 7, Block 13, Unit 2, a subdivision of Lehigh Acres, Florida, as recorded in Plat Book 18, Page 38, Less and Except the north six feet and the south six feet thereof.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2001-00058

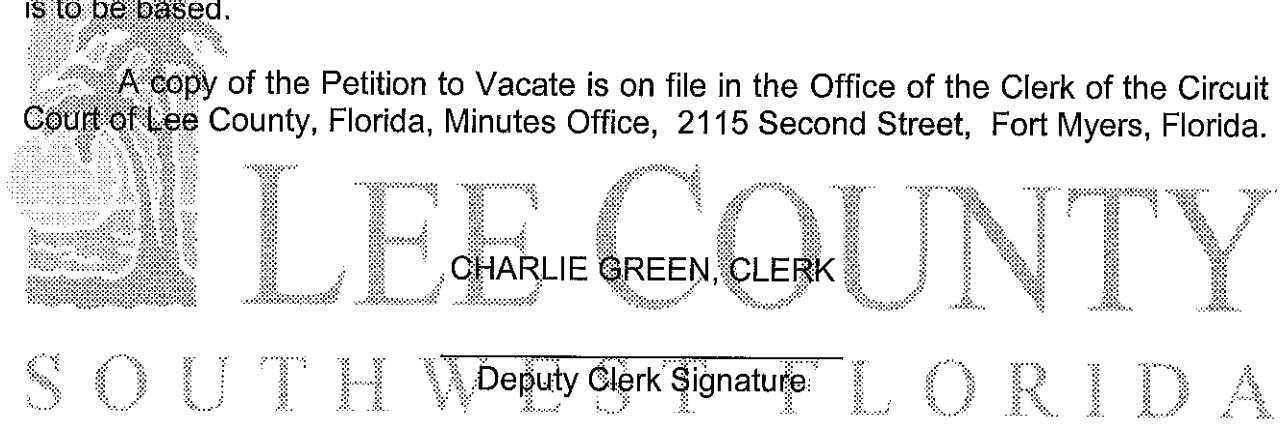
TO WHOM IT MAY CONCERN:

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.



CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Exhibit "A"

A Twelve-foot wide Public Utility and Drainage Easement centered on the lot line common to Lots 6 and 7, Block 13, Unit 2, a subdivision of Lehigh Acres, Florida, as recorded in Plat Book 18, Page 38, Less and Except the north six feet and the south six feet thereof.