

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

BLUE SHEET NO: 20020183

**1. REQUESTED MOTION:** Adopt a Resolution on Petition VAC2001-00059 to vacate a 12 foot Public Utility Easement centered on the common lot line between Lots 8 & 9, Block 10, Unit 3, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 54 (Deed Book 254 at Page 25) of the Public Records of Lee County, Florida, less and except the east six feet and the west six feet thereof.

**ACTION REQUESTED:** To adopt a Resolution..

**WHY ACTION IS NECESSARY:** To vacate the easement to build a Single Family Residence. There are no facilities within the easement and the easement is not required to accommodate any future utility needs.

**WHAT THE ACTION ACCOMPLISHES:** Vacates the easement.

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT # 5

*5:00 #3*

**3. MEETING DATE:**

*03-12-2002*

**4. AGENDA**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER 13-1

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER \_\_\_\_\_
- B. DEPARTMENT \_\_\_\_\_
- C. DIVISION Development Services

BY Peter J. Eckenrode, Director *02/18/02*

**7. BACKGROUND:** The 12 foot Public Utility Easement centered on the common lot line between Lots 8 & 9, Block 10, Unit 3, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 54 (Deed Book 254 at Page 25) of the Public Records of Lee County, Florida, less and except the east six feet and the west six feet thereof. The subject property is located at 8 Abbott Ave, Lehigh Acres, Florida.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL**

A Department Director	B Purchasing or Contracts	C Human Rel.	D Other	E County Attorney	F County Administration				G County Manager
					OA	OM	Risk	GC	
<i>Mary Griggs</i>	N/A	N/A		<i>[Signature]</i>	<i>[Signature]</i> 2/21/02	<i>[Signature]</i> 2/21/02	<i>[Signature]</i> 2/21	<i>[Signature]</i> 2/21/02	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY  
COUNTY ADMIN.  
*2/21 1030*  
COUNTY ADMIN.  
FORWARDED TO:  
*2/21 430*

REC'D. 2/20/02  
by CO. ATTY.  
11:28 AM  
CO. ATTY.  
FORWARDED TO:  
Admin  
2/21/02 10:11 AM

THIS INSTRUMENT PREPARED BY:

Department of Community Development  
Development Services Division  
1500 Monroe Street  
Fort Myers Florida 33901

**RESOLUTION NO. \_\_\_\_\_ FOR PETITION TO VACATE**

Case Number: VAC2001-00059

WHEREAS, Petitioner Michael Saylor  
in accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, filed a Petition to Vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida held a Public Hearing on this Petition to Vacate on the \_\_\_\_\_; and

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting; and

WHEREAS, the Petitioner(s) has fee simple title ownership to the underlying land sought to be vacated; and

WHEREAS, the Petitioner(s) has provided proof that all applicable state and county taxes have been paid; and

WHEREAS, Petitioner(s) did provide notice to all affected property owners concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW therefore be it resolved by the Board of County Commissioners as follows:

1. Petition to Vacate No. VAC2001-00059 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

This Resolution passed by voice and entered into the minutes of the Board of County Commissioners of Lee County, Florida, this \_\_\_\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

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

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

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

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

LEE COUNTY  
SOUTHWEST FLORIDA  
APPROVED AS TO FORM

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

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

**EXHIBIT A**

**LEGAL DESCRIPTION**

A Twelve-foot wide Public Utility Easement centered on the common lot line between Lots 8 & 9, Block 10, Unit 3, a subdivision of Lehigh Acres, as recorded in Plat Book 15 at Page 54(Deed Book 254 at Page 25) of the Public Records of Lee County, Florida, less and except the east six feet and the west six feet thereof.

# BOUNDARY SURVEY

OF

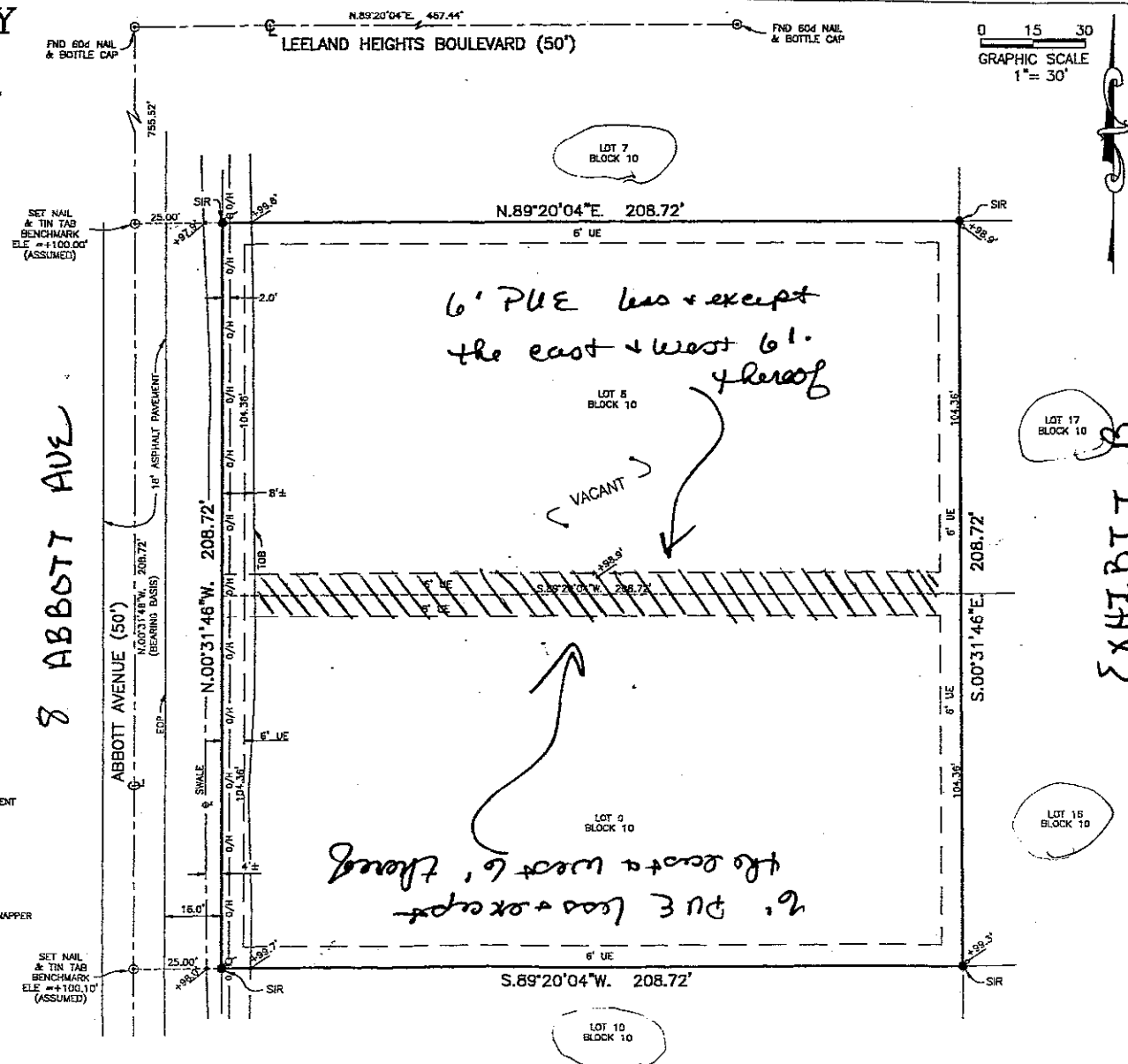
LOTS 8 & 9, BLOCK 10, LEHIGH ACRES,  
RECORDED IN PLAT BOOK 15, AT PAGE 54,  
LYING IN SECTION 36, TOWNSHIP 44 SOUTH, RANGE 27 EAST,  
LEE COUNTY, FLORIDA

### NOTES:

- THIS PLAT PREPARED AS A BOUNDARY SURVEY WITH ELEVATIONS AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT THOSE SHOWN OR NOTED HEREON.
- LAND DESCRIPTION AS SHOWN HEREON WAS PROVIDED BY THE CLIENT.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR ZONING, EASEMENTS, RIGHTS OF WAY, OWNERSHIP OR RESTRICTIONS.
- ELEVATIONS SHOWN HEREON ARE BASED ON ASSUMED DATUM.
- LANDS SHOWN HEREON LIE IN NO SPECIAL FLOOD HAZARD AREA, THIS INFORMATION TAKEN FROM INSURANCE RATE MAP 125124 0375 B, EFFECTIVE DATE: 7-20-93.
- 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.
- ALL DIMENSIONS SHOWN ARE PER PLAT AND ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED.
- UNDERGROUND AND ABOVEGROUND IMPROVEMENTS NOT LOCATED UNLESS OTHERWISE SHOWN.
- PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
- THIS PLAT IS NOT A CERTIFICATION OF TITLE, SETBACKS, OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
- ANY ADDITIONS OR DELETIONS TO THE SURVEY DEPICTED HEREON BY OTHERS THAN THE SIGNING PROFESSIONAL SURVEYOR AND MAPPER IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PROFESSIONAL SURVEYOR AND MAPPER.
- THE INFORMATION DEPICTED HEREON REPRESENTS THE EXISTING CONDITIONS AS REFERENCED ON THE DATE OF LAST FIELD WORK, 7-14-00.

### LEGEND:

ANCHOR	LS	LICENSED BUSINESS
BATCH BASIN	LS	LICENSED SURVEYOR
ELECTRIC SERVICE	O/H	OVERHEAD UTILITY LINES
FIRE HYDRANT	PC	PERMANENT REFERENCE POINT
LIGHT POLE	PC	POINT OF CURVATURE
3"x3" TRANSFORMER PAD	PI	POINT OF INTERSECTION
SANITARY SEWER MANHOLE	PCC	POINT OF COMPOUND CURVE
STORM SEWER MANHOLE	PCP	PERMANENT CONTROL POINT
TELEPHONE SERVICE	PT	POINT OF TANGENCY
TELEVISION SERVICE	PRC	POINT OF REVERSE CURVE
WATER METER	PK	PARKER KALON NAIL
WATER VALVE	PLS	PROFESSIONAL LAND SURVEYOR
WELL	PSM	PROFESSIONAL SURVEYOR AND MAPPER
SPOT ELEVATION	UE	UTILITY EASEMENT
UTILITY POLE	RCP	REINFORCED CONCRETE PIPE
CENTERLINE	SIR	SET 5/8" IRON ROD
CONCRETE MONUMENT		& CAP BCI LB 6868
CONCRETE	TOB	TOP OF BANK
DRAINAGE & UTILITY EASEMENT	(1)	CURVE # 1. SEE CURVE TABLE
DRAINAGE EASEMENT	(C)	CALCULATED
ELEVATION	(NR)	NON RADIAL
EDGE OF PAVEMENT	(M)	MEASURED
FOUND	(P)	PLAT
IRON ROD	(R)	RADIAL



0 15 30  
GRAPHIC SCALE  
1" = 30'

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER

*William E. Trask*  
WILLIAM E. TRASK  
FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR  
DATE SIGNED 7-26-00  
No. 4681

**BOCI**  
ENGINEERS & SCIENTISTS, INC.  
ENGINEERS • SCIENTISTS • SURVEYORS  
2726 SWAMP CABBAGE COURT, FORT MYERS, FL 33901  
PHONE: (813) 274-0891  
FAX: (813) 274-0892  
FLORIDA CERTIFICATE OF AUTHORIZATION #8885

PREPARED FOR	DIANE SAYLOR
CLIENT #:	8433
SCALE:	1" = 30'
SURV. BY:	30/11/27
DATE:	7-14-00

EXHIBIT B