


1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2002-00012 to Vacate a 12' wide Public Utility and Drainage Easement common to Lots 8 & 9, Block 35, Unit 8, Lehigh Acres, Florida, as recorded in Plat Book 26, Page 8, and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 23rd day of April, 2002.

WHY ACTION IS NECESSARY: To construct a single-family residence. The vacation of the Public Utility and Drainage Easement will not alter existing utilities or drainage and the easement is not necessary to accommodate any future utility or drainage requirement.

WHAT ACTION ACCOMPLISHES: Vacates the Public Utility and Drainage Easement.

2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT #: 5	04 Community Development <div style="font-size: 2em; text-align: center;">C4A</div>	3. MEETING DATE: <div style="font-size: 1.5em; text-align: center;">04-02-2002</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:  03/14/02 Peter J. Eckenrode, Director

7. BACKGROUND:

The complete Petition to Vacate was submitted by Todd and Terisa Grgurich.

LOCATION: A 12-foot wide Public Utility and Drainage Easement centered on the common lot line between Lots 8 & 9, Block 35, Unit 8, a subdivision of Lehigh Acres, as recorded in Plat Book 26, at Page 10, of the Public Records of Lee County, Florida, less and except the north six feet thereof and the south six feet thereof. The site is located at 3850 Highlight Street, Lehigh Acres, Florida, Section 03, Township 44 South, Range 26 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>3/19/02</i>			G County Manager	
					OA	OM	Risk	GC	
<i>Mary G... 3/19/02</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>3/19/02</i>	<i>3/20/02</i>	<i>3/20</i>	<i>3/20/02</i>	<i>[Signature]</i> 3-2-02

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

REC'D.
by CO. ATTY.
3/15/02
10:00 AM
CO. ATTY.
FORWARDED TO:
3/18/02
9:30 AM

RECEIVED BY
COUNTY ADMIN.
3/18/02
COUNTY ADMIN.
FORWARDED TO:
3/21/02

PETITION TO VACATE

Case Number: VAC 2002-00012

Petitioner(s), TODD AND TERESA GREGURICH

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, 4013 10th St West, Lehigh, FL 33971
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:


Petitioner Signature

TODD GREGURICH
Printed Name

By:


Petitioner Signature

TERESA GREGURICH
Printed Name

EXHIBIT "A"

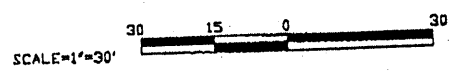
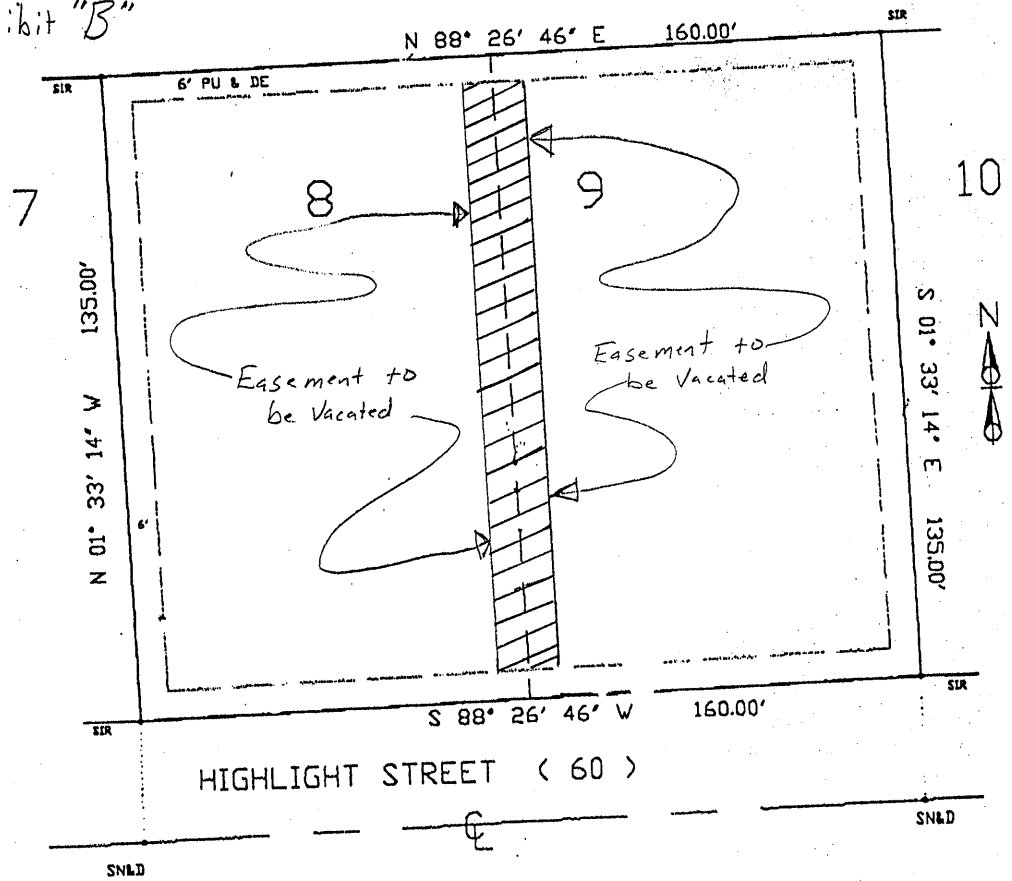
A legal description of the area proposed for vacation:

A twelve-foot wide Drainage and Public Utility Easement centered on the common lot line between Lots 8 and 9, Block 35, Unit 8, a subdivision of Lehigh Acres, as recorded in Plat Book 26, at Page 10 of the Public Records of Lee County, Florida, less and except the north six feet and the south six feet thereof.

SCALE=1"=30'

Exhibit "B"

CANAL (80)



OWNERS: TODD & TERISA GRGURICH
 LOTS 8 & 9, BLOCK 35, UNIT 8
 LEHIGH ACRES SEC. 3, TWP 44S. REG 26E
 LEE COUNTY, FLORIDA 33919
 PLAT BOOK 26, PAGES 1 THRU 20
 JOB NUMBER: 01-2588 FROM (BOUNDARY SURVEY) 11/30/01

SOUTHWEST INNOVATIONS INC.
 MR. RICK WARREN
 P.O. BOX 07071
 FT. MYERS, FL. 33919
 941-939-1817 FAX: 941-939-4244

BASIS FOR BEARING: HIGHLIGHT ST. - PLAT		SCALE:	SURVEY DATE: 11/30/01
COMMUNITY NUMBER: 125124	PANEL NUMBER: 250	SUFFIX: B	DATE OF FIRM INDEX: 12/20/00
FIR: FOUND IRON ROD FIP: FOUND IRON PIPE FDN: FOUND DRILL HOLE FCM: FOUND CONCRETE MONUMENT SIR: SET IRON ROD 1/2" PLS 4839 OR L3 7075 SDM: SET DRILL HOLE SCM: SET CONCRETE MONUMENT PUE: PUBLIC UTILITY EASEMENT SN&D: SET NAIL & DISK PLS 4839 OR L37075 PRM: PERMANENT REFERENCE MONUMENT FN&D: FOUND NAIL & DISK		LEGEND CONC. = CONCRETE E.E. = EXISTING ELEVATION T.P. = TELEPHONE RISER U.P. = UTILITY POLE (P) = PLAT (F) = FIELD (D) = DEED (C) = COMPUTED P.O.B. = POINT OF BEGINNING --- = WIRE FENCE --- = BOARD FENCE	
SOUTHWEST INNOVATIONS INC. MR. RICK WARREN		P.O. BOX 07071 FT. MYERS, FL. 33919 941-939-1817 FAX: 941-939-4244	

Exhibit "C"

TAXES

TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "03442608000350080" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific property displayed, Click on the underlined Account numbers in the column on the left of the table.

FOR A DEFINITION OF THE ABBREVIATION 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>03-44-26-08-00035.0080</u>	1998	LYLES MAJOR W + 8028 E BOULEVARD DR ALEXANDRIA VA 22308 USA	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 8	PAID	Click here for outstanding taxes
<u>03-44-26-08-00035.0080</u>	1999	LYLES MAJOR W + 8028 E BOULEVARD DR ALEXANDRIA VA 22308 USA	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 8	PAID	Click here for outstanding taxes
<u>03-44-26-08-00035.0080</u>	2000	LYLES MAJOR W + 8028 E BOULEVARD DR ALEXANDRIA VA 22308 USA	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 8	PAID	Click here for outstanding taxes
<u>03-44-26-08-00035.0080</u>	2001	GRGURICH TODD + TERISA 4013 10TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 8	PAID	Click here for outstanding taxes

TAXES

TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "03442608000350090" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific property displayed, Click on the underlined Account numbers in the column on the left of the table.

FOR A DEFINITION OF THE ABBREVIATION 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>03-44-26-08-00035.0090</u>	1998	MOONEY JOHN J + ESTHER TRS 8040 MORIAH AVE BROOKSVILLE FL 34613 USA	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 9	PAID	Click here for outstanding taxes
<u>03-44-26-08-00035.0090</u>	1999	MOONEY JOHN J + ESTHER TR 8040 MORIAH AVE BROOKSVILLE FL 34613 USA	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 9	PAID	Click here for outstanding taxes
<u>03-44-26-08-00035.0090</u>	2000	MOONEY JOHN J + ESTHER TR 8040 MORIAH AVE BROOKSVILLE FL 34613 USA	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 9	PAID	Click here for outstanding taxes
<u>03-44-26-08-00035.0090</u>	2001	GRGURICH TODD + TERISA 3200 JOPPA LN FORT MYERS FL 33905	LEHIGH ACRES UNIT 8 BLK 35 PB 26 PG 10 LOT 9	PAID	Click here for outstanding taxes

INSTR # 5284783

OR BK 03521 PG 1514

RECORDED 11/17/01 06:55 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD (F.S. 201.02) 21.00
DEPUTY CLERK K Cartwright

This Instrument Prepared by and return to:

Name: Anna Neumann
Tradewinds/Title Offices
Address: 904 Lee Boulevard #106
Lehigh Acres, FL 33936
110107
Parcel I.D. #: 03-44-26-08-00035.0090

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 31st day of Oct, A.D. 2001,
by **ESTHER MOONEY, TRUSTEE of the JOHN J. MOONEY and ESTHER MOONEY TRUST,**
UTD September 18, 1990 hereinafter called the grantor, to **TODD GRGURICH and TERISA**
GRGURICH, whose post office address is **3200 Joppa Lane, Ft. Myers, FL 33905**, hereinafter called
the grantees:

(Wherever used herein the terms "grantor" 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 grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does 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:

Lot 9, Block 35, Unit 8, Section 3, 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 26, Page 10, Public Records, 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 grantor hereby covenants with said grantees that she is lawfully seized of said land in fee simple; that she has good right and lawful authority to sell and convey said land, and 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, 2000.

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

Signed, sealed and delivered in the presence of:

Dedinda Pedemonte
Witness Signature

Dedinda Pedemonte
Printed Name

Roy H
Witness Signature

Betty Hine
Printed Name

Esther Mooney L.S.
Esther Mooney, Trustee

Address:
8040 Moriah Ave., Brooksville, FL 34613

State of Florida

County of Hernando

The foregoing instrument was acknowledged before me this 31st day of Feb., 2001, by Esther Mooney, Trustee, who is known to me or who has produced Drivers Lic. as identification and who did (did not) take an oath.

Roy H
Signature of Acknowledger
My commission expires _____

Notary Seal:



INSTR # 5292204

OR BK 03526 PG 4833

RECORDED 11/27/01 09:21 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD(F.S.201.02) 28.00
DEPUTY CLERK K Cartwright

This Instrument Prepared by and return to:

Name: **Xiomara Prida**
Title Offices, LLC
Address: **904 Lee Boulevard #106**
Lehigh Acres, FL 33936
110108

Parcel I.D. #: **03-44-26-08-00035.0080**

Rec \$10.50 Rptt \$28.00 Total \$38.50

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 30th day of October, A.D. 2001, by **MAJOR W. LYLES** and **MABLE T. LYLES**, hereinafter called the grantors, to **TODD GRGURICH** and **TERISA GRGURICH**, husband and wife, whose post office address is **4013 10th St., W. Lehigh Acres, FL 33971**, 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:

Lot 8, Block 35, Unit 8, Section 3, 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 26, Page 10, 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.

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:

[Signature]
Witness Signature

Manija F. Karim
Printed Name

[Signature]
Witness Signature

Manija F. Karim
Printed Name

DANNIE FARMER
Witness Signature

[Signature]
Printed Witness DANNIE FARMER

State of VA

County of Fairfax

The foregoing instrument was acknowledged before me this 30 day of Oct, 2001, by Major W. Lyles and Mable T. Lyles, who are known to me or who have produced VADL as identification and who did (did not) take an oath.

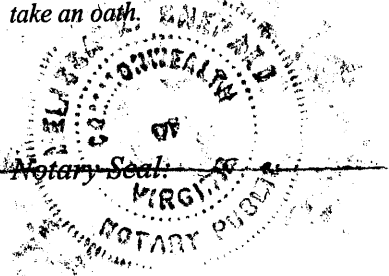
[Signature] L.S.
Major W. Lyles

Address:
8028 E. Boulevard Dr., Alexandria, VA 22308

[Signature] L.S.
Mable T. Lyles

Address:
8028 E. Boulevard Dr., Alexandria, VA 22308

[Signature]
Signature of Acknowledger
My commission expires Aug 31, 2003





Randall Curtis
Customer Project Manager
15834 Winkler Road
Fort Myers, Florida 33908
941 693-4286
FAX 941 693-4287

1-10-02

Terisa Ggrurich
4013 10th St W
Lehigh Acres, FL 33971

RE: Vacating of Easement

Dear Mrs. Grgurich:

Florida Power and Light Co. no objections to vacating the utility (P.U.E) and drainage easements common to lots 8 & 9 on the following two strap numbers.

03-44-26-08-0035.8

03-44-26-08-0035.9

If you have any further questions, please contact me at 941-693-4286

Sincerely,

Randall Curtis
FPL Customer Project Manager I



January 18, 2002

Todd and Terisa Grgurich
4013 10th St. W
Lehigh Acres, Florida 33971

Re: Vacation of Easement between Lots 8 & 9, Block 35, Unit 8,
Lehigh Acres Sec. 3, TWP 44S. REG 26E 3850 High Light Street,
Lehigh Acres, Lee County, FL 33919

Dear Mr. and Mrs. Grgurich:

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) 598-4267, if you need any additional information or other assistance.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Mazurak".

Brenda Mazurak
Legal Assistant



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

Water For Florida's Future



Box 370
Fort Myers, Florida 33902-0370

December 17, 2001

Mr. & Mrs. Todd Grgurich
4013 10th ST. W.
Lehigh Acres, FL. 33971

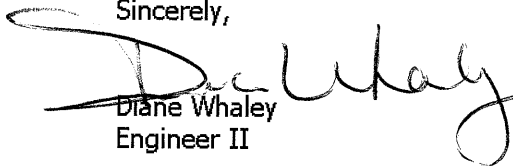
RE: Petition to vacate easement between lots 8 & 9 on Highlight Street.

Dear Mr. Grgurich:

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the information, Sprint has no objection to your easement vacation request.

If you should require additional information, please contact me at 941-336-2049.

Sincerely,


Diane Whaley
Engineer II

AmeriGas

America's Propane Company

January 10, 2001

Ms. Terisa Grgurich
4013 10th Street W.
Lehigh, FL 33971

Dear Ms. Grgurich:

In response to your letter dated 12/27/01, please be advised that to the best of our knowledge, we do not have a line in this area; therefore, we have no objection to the proposed easement vacation.

Sincerely,


Thomas E. Shields
Market Manager

TES/tm



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

February 5, 2002

Todd & Terisa Grgurich
4013 10th Street W.
Lehigh Acres, FL 33971

Re: Request for a Letter of Review and Recommendation on a Proposed 12 foot
Utility or Drainage Easement Vacation of the Following Locations:
Lots 8 & 9, Block 35, Unit 8 A subdivision of Lehigh Acres, Fl. As recorded in
Plat Book 26 Pages 1-20 Less and except the North and the south 6 feet thereof.

Dear Todd & Terisa,

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



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

479-8587

Writer's Direct Dial Number: _____

Bob Janes
District One

March 13, 2002

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Todd and Terisa Grgurich
4013 10th Street West
Lehigh Acres, FL 33971

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Recommendation for proposed vacation of Public Utility and Drainage Easement at 3850 Highlight Street

Donald D. Stilwell
County Manager

Dear Mr. & Mrs. Grgurich:

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

This office has received your request to vacate 12-foot wide Public Utility and Drainage Easement centered on the common lot line between Lots 8 & 9, Block 35, Unit 8, a subdivision of Lehigh Acres, as recorded in Plat Book 26, at Page 10, of the Public Records of Lee County, Florida, less and except the north six feet thereof 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:\200203\VAC20020.001\2D&PUE.WPD



LEE COUNTY
SOUTHWEST FLORIDA

(941) 479-8124

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Tuesday, February 12, 2002

Bob Janes
District One

Mr. & Mrs. Todd A. Grgurich
4013 10th St. West
Lehigh Acres, FL 33971

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 8 & 9, Block 35, Unit 8, Lehigh Acres Subdivision as recorded in Plat Book 15 at Page 79, Public Records of Lee County, Florida.

John E. Albion
District Five

Donald D. Stilwell
County Manager

Dear Mr. & Mrs. Grgurich:

James G. Yaeger
County Attorney


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 easements.

Diana M. Parker
County Hearing Examiner

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\vac234.doc



LEE COUNTY
SOUTHWEST FLORIDA

479-8580

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

December 19, 2001

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Todd and Terisa Grgurich
4013 10th Street W.
Lehigh Acres, FL 33971

Andrew W. Coy
District Four

John E. Albion
District Five

**RE: Petition to Vacate:
The 12 foot wide Drainage and Utility Easement
On the lot line common to Lots 8 and 9, Block 35
Unit 8, Lehigh Acres**

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Dear Mr. And Mrs. Grgurich:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 26, page 10. 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: Peter Eckenrode, Devel. Svcs.
Ronald Ottolini, Natural Resources
Petition to vacate file

\\LCFNW04\DATA\SHARED\DOT\DOCUMENT\Petition To Vacate\2001\grgurich - Lots 8&9, Lehigh.doc

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2002-00012**

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. VAC2002-00012 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

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"

A legal description of the area proposed for vacation:

A twelve-foot wide Drainage and Public Utility Easement centered on the common lot line between Lots 8 and 9, Block 35, Unit 8, a subdivision of Lehigh Acres, as recorded in Plat Book 26, at Page 10 of the Public Records of Lee County, Florida, less and except the north six feet and the south six feet thereof.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00012

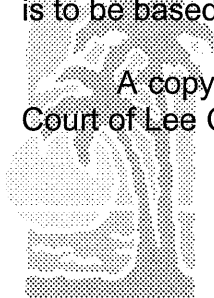
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 23rd 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

S O U T H W E S T F L O R I D A

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"

A legal description of the area proposed for vacation:

A twelve-foot wide Drainage and Public Utility Easement centered on the common lot line between Lots 8 and 9, Block 35, Unit 8, a subdivision of Lehigh Acres, as recorded in Plat Book 26, at Page 10 of the Public Records of Lee County, Florida, less and except the north six feet and the south six feet thereof.