


1. **REQUESTED MOTION:**

ACTION REQUESTED: Adopt a Resolution on 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, Lehigh Acres, Florida, as recorded in the Official Records of Lee County, Florida.

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 easement.

2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT #: 5	04 Community Development 5:00 #3	3. MEETING DATE: 04-09-2002
4. AGENDA: _____ CONSENT _____ ADMINISTRATIVE _____ APPEALS <input checked="" type="checkbox"/> PUBLIC _____ WALK ON _____ TIME REQUIRED:	5. REQUIREMENT/PURPOSE: (Specify) <input checked="" type="checkbox"/> STATUTE F.S. Ch. 177 _____ ORDINANCE <input checked="" type="checkbox"/> ADMIN. CODE 13-1 _____ OTHER	6. REQUESTOR OF INFORMATION: A. COMMISSIONER B. DEPARTMENT Community Development C. DIVISION Development Services BY:  3/13/02 Peter J. Eckenrode, Director

7. **BACKGROUND:**

The Board of County Commissioners has adopted a Resolution to set a Public Hearing for 5:00 p.m. on the 9th day of April, 2002.

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.

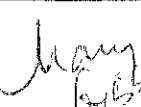
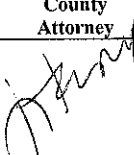
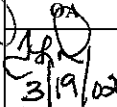
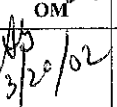
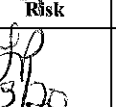
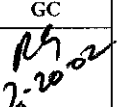
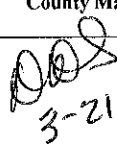
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of the Clerk of Circuit Court, Minutes Department.

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.

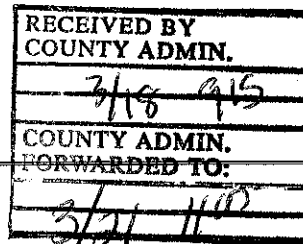
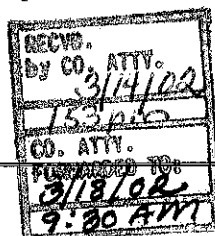
8. **MANAGEMENT RECOMMENDATIONS:**

9. **RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager	
					OM	Risk	GC		
	N/A	N/A	N/A		 3/19/02	 3/20/02	 3/20	 3-20-02	 3-21-02

10. **COMMISSION ACTION:**

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



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: VAC2001-00058

WHEREAS, Petitioner Raymond and Rose Mary Rosemeyer 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 9th day of April 2002 @ 5:00 p.m.; 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. VAC2001-00058 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
S O U T H W E S T F L O R I D A

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.