

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition VAC2002-00021 to Vacate 12' wide Public Utility and Drainage Easement lying 6 feet each side of the common lot lines dividing Lots 4 & 5 and Lots 5 & 6, Block D, Airport Woods Commerce Center, as recorded in Plat Book 50, Pages 64-68, of the Public Records of Lee County, Florida, LESS and EXCEPT the 10 feet abutting Bavaria Road and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 9th day of July, 2002. @ 5:00 PM.

WHY ACTION IS NECESSARY: To develop a commercial building site. The vacation of 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 requirements.

WHAT ACTION ACCOMPLISHES: Sets the time and date for the Public Hearing.

2. DEPARTMENTAL CATEGORY: 04 Community Development

3. MEETING DATE:

COMMISSION DISTRICT #: 5

C4A

6-11-02


4. AGENDA:

5. REQUIREMENT/PURPOSE:

6. REQUESTOR OF INFORMATION:

- CONSENT ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

- STATUTE F.S. Ch. 177
- ORDINANCE
- ADMIN. CODE 13-1
- OTHER

- A. COMMISSIONER
- B. DEPARTMENT Community Development
- C. DIVISION Development Services
- BY:  5/28/2002

Peter J. Eckenrode, Director

7. BACKGROUND:

The complete Petition to Vacate was submitted by Airport Woods Commerce Center, an Ohio General Partnership, c/o Erwin Gels, General Partner.

LOCATION: The subject 12-foot wide Public Utility and Drainage Easement lying 6 feet each side of the common lot lines dividing Lots 4 & 5, LESS AND EXCEPT the 10 foot adjoining Bavaria Road, and Lots 5 & 6, Block D, LESS AND EXCEPT the 10 foot adjoining Bavaria Road, Airport Woods Commerce Center, as Recorded in Plat Book 50, Pages 64-68, of the Public Records of Lee County, Florida. The site is located at 10046, 10060 and 10076 Bavaria Road SE. in Ft Myers, Florida, Section 14, Township 45 South, Range 25 East.


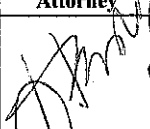
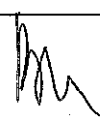
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

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, Resolution to set the Public Hearing, and 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				G County Manager
					OA	OM	Risk	GC	
	N/A	N/A	N/A		5/30/02	5/30/02	5/30/02	5/30/02	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 5/29/02
Time: 3:00pm

RECEIVED BY COUNTY ADMIN. *PMC*
5/30 1:30
COUNTY ADMIN. *ID*
FORWARDED TO:
5/30 *GP*

Forwarded To:
Admin
5/30/02 2:15PM

PETITION TO VACATE

Case Number: VAC 2002-00021

Airport Woods Commerce Center, An Ohio General Partnership
c/o Erwin Geis, General Partner

Petitioner(s), _____

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, 10020 Aurora-Hudson Road Streetsboro, OH 44241

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,

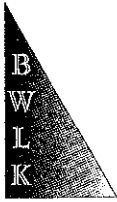
By: *Erwin Geis*
Petitioner Signature

By: _____
Petitioner Signature

Erwin Geis
Printed Name
General Partner
Airport Woods Commerce Center
An Ohio General Partnership

Printed Name

STRAP NUMBERS: ^① 14-45-25-01-0000D.0040 & ^② 14-45-25-01-0000D.0050 ^③ 14-45-25-01-0000D.0060
VAC 2002-00021



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard, Suite 1
Fort Myers, Florida 33919-5910
email – fmoffice@bwlk.net
(Ph) 941-481-1331 (Fax) 941-481-1073

Description of a Parcel of Land
Lying in
Section 14, Township 45 South, Range 25 East
Lee County, Florida
Proposed Vacation of Utility Easement
(Airport Woods Commerce Center Lots 5 and 6 Block "D")

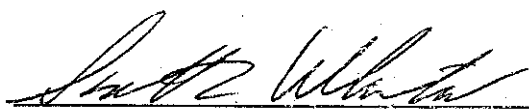
A public utility easement situated in the State of Florida, County of Lee, Section 14, Township 45 South, Range 25 East, being part of Lots 5 and 6, Block "D", Airport Woods Commerce Center, a subdivision, recorded in Plat Book 50, at Pages 64-68, Public Records, and further described as follows:

A drainage and public utility easement (12 feet wide) lying 6 feet each side of the common lot line dividing Lots 5 and 6, Block "D", said Airport Woods Commerce Center.

Less and Except the front drainage and public utility easement (10 feet wide) adjoining Bavaria Road as dedicated on the plat of Airport Woods Commerce Center as recorded in Plat Book 50, at Pages 64-68, Public Records of Lee County, Florida.

Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bean, Whitaker, Lutz & Kareh, Inc. [LB4919]



Scott C. Whitaker, P.S.M. 4324

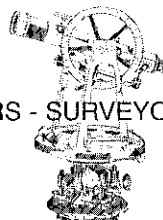
33118DESC8 05/07/02

Exhibit "A" Sheet 2 of 2

PRINCIPALS:

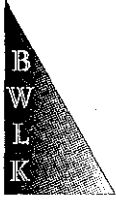
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

CHARLES D. KNIGHT, PSM
ELWOOD FINEFIELD, PSM
TRACY N. BEAN, AICP
PAUL T. POKORNY, PE



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard, Suite 1
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email - fmooffice@bwlk.net
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Description of a Parcel of Land
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Proposed Vacation of Utility Easement
(Airport Woods Commerce Center Lots 4 and 5 Block "D")

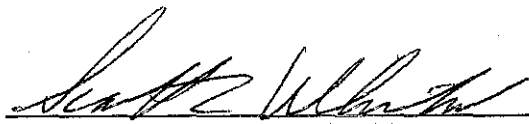
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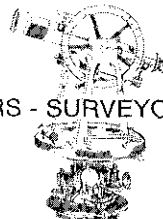
33118DESC7 05/07/02

Exhibit "A" Sheet 1 of 2

PRINCIPALS:

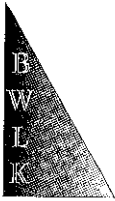
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
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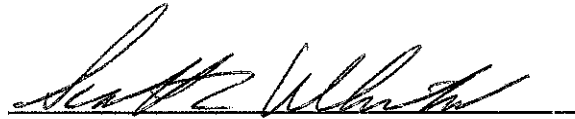
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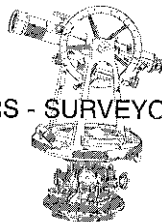
33118DESC7 05/07/02

Exhibit "A" Sheet 1 of 2

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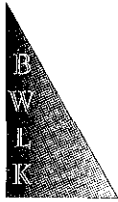
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CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

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Proposed Vacation of Utility Easement
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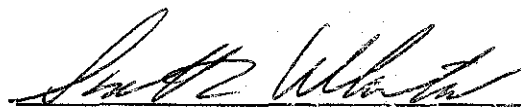
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Bean, Whitaker, Lutz & Kareh, Inc. [LB4919]



Scott C. Whitaker, P.S.M. 4324

33118DESC8 05/07/02

Exhibit "A" Sheet 2 of 2

PRINCIPALS:

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SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

CHARLES D. KNIGHT, PSM
ELWOOD FINEFIELD, PSM
TRACY N. BEAN, AICP
PAUL T. POKORNY, PE

SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL OF LAND
LYING IN
SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.

Exhibit "B"

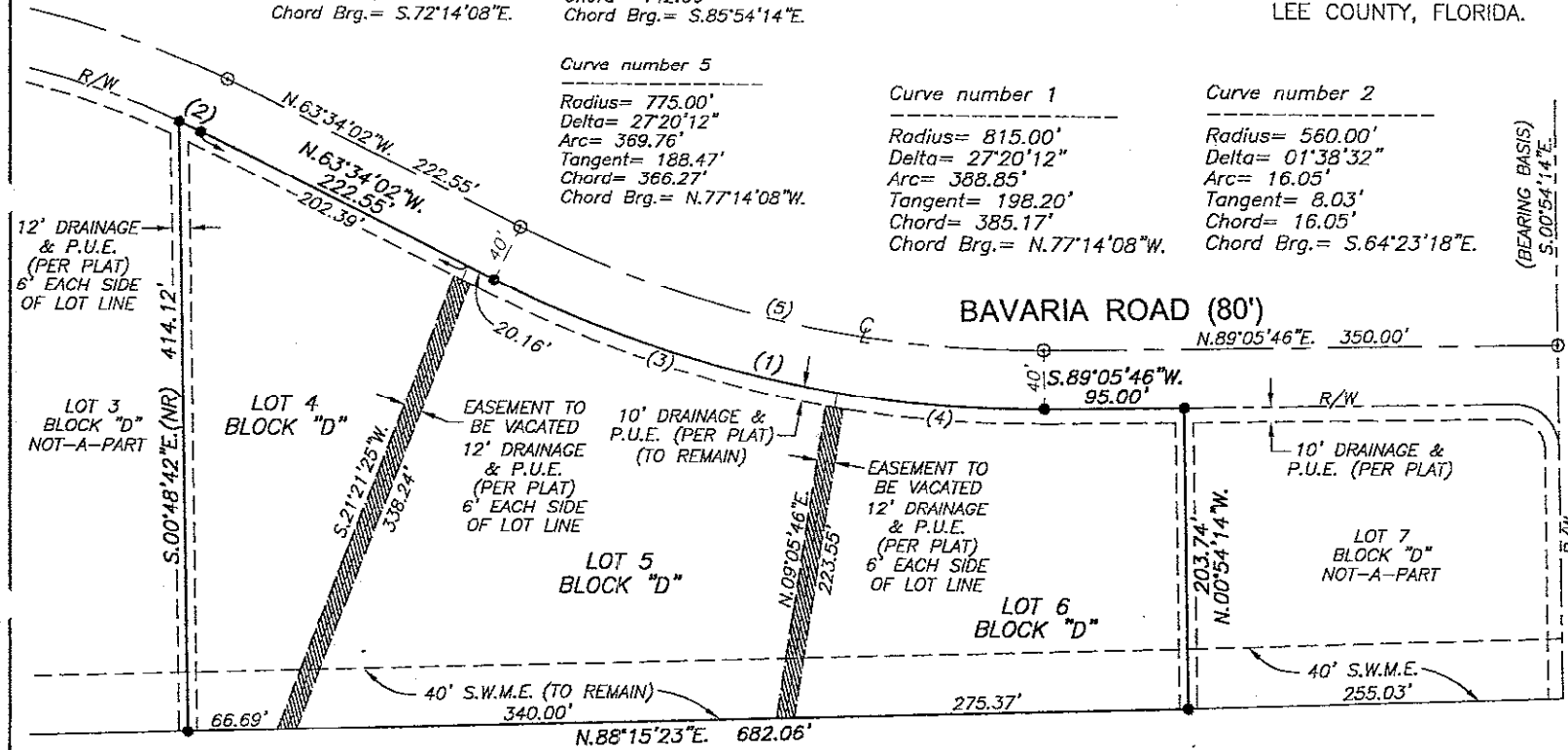
Curve number 3
Radius= 815.00'
Delta= 17°20'12"
Arc= 246.60'
Tangent= 124.25'
Chord= 245.66'
Chord Brg.= S.72°14'08"E.

Curve number 4
Radius= 815.00'
Delta= 10°00'00"
Arc= 142.24'
Tangent= 71.30'
Chord= 142.06'
Chord Brg.= S.85°54'14"E.

Curve number 5
Radius= 775.00'
Delta= 27°20'12"
Arc= 369.76'
Tangent= 188.47'
Chord= 366.27'
Chord Brg.= N.77°14'08"W.

Curve number 1
Radius= 815.00'
Delta= 27°20'12"
Arc= 388.85'
Tangent= 198.20'
Chord= 385.17'
Chord Brg.= N.77°14'08"W.

Curve number 2
Radius= 560.00'
Delta= 01°38'32"
Arc= 16.05'
Tangent= 8.03'
Chord= 16.05'
Chord Brg.= S.64°23'18"E.



BAVARIA ROAD (80')

TREE LINE AVENUE

UNPLATTED

*** THIS IS NOT A SURVEY ***
Bean, Whitaker, Lutz & Kareh, Inc.

Scott C. Whitaker
SCOTT C. WHITAKER, P.S.M.
Florida Certificate No. 4324

LOTS 4 THROUGH 6, BLOCK "D"
AIRPORT WOODS COMMERCE CENTER

EASEMENT NOTE:
DRAINAGE, OVERHEAD AND/OR UNDERGROUND
PUBLIC UTILITY EASEMENTS ARE 6 FEET WIDE
ALONG THE SIDES OF EACH LOT AND 10 FEET WIDE
ALONG THE FRONT LINE ADJACENT TO ROAD
RIGHTS-OF-WAY (PER PLAT).

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

R/W = RIGHT-OF-WAY
S.W.M.E. = STORM WATER MANAGEMENT EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
(NR) = NON-RADIAL

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4818)

CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041-1 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-6910 (941) 481-1331

SK33118_EAS.DWG

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
5-07-02	33118	SHS	1" = 100'	1 OF 1	14-45-25

TAXES

TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "144525010000D0040" 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	Prio: Ta:
14-45-25-01-0000D.0040	2001	AIRPORT WOODS COMMERCE CENTER 10020 AURORA-HUDSON RD STREETSBORO OH 44241 USA	AIRPORT WOODS COMMERCE CTR REPLAT PB 50 PG 67 BLK D LOT 4	PAID	<u>Cli</u> <u>out</u>
14-45-25-01-0000D.0040	2000	AIRPORT WOODS COMMERCE CENTER 10020 AURORA-HUDSON RD STREETSBORO OH 44241 USA	AIRPORT WOODS COMMERCE CTR REPLAT PB 50 PG 67 BLK D LOT 4	PAID	<u>Cli</u> <u>out</u>
14-45-25-01-0000D.0040	1999	AIRPORT WOODS COMMERCE CENTER 10020 AURORA-HUDSON RD STREETSBORO OH 44241 USA	AIRPORT WOODS COMMERCE CTR REPLAT PB 50 PG 67 BLK D LOT 4	PAID	<u>Cli</u> <u>out</u>
14-45-25-01-0000D.0040	1998	AIRPORT WOODS COMMERCE CENTER 10020 AURORA-HUDSON RD STREETSBORO OH 44241 USA	AIRPORT WOODS COMMERCE CTR REPLAT PB 50 PG 67 BLK D LOT 4	PAID	<u>Cli</u> <u>out</u>

PRINTING INSTRUCTIONS:

It will help pages to print more completely if:

The Text Size on your browser set to " Smaller" or "Smallest"
and the orientation is set to - Landscape.

This web site is best viewed at 800 x 600 resolution, or higher, on your monitor.

The information on this web site is provided by the
Lee County Tax Collector's Office.

31678.11

15.00
6,829.80

6829.80
L. Thompson

Prepared by and Return to:
Truman J. Costello, P.A.
COSTELLO, SIMS & ROYSTON
Post Office Box 06205
Fort Myers, FL 33906
(813) 939-2222

OR2283 PG0781

WARRANTY DEED

THIS INDENTURE, made this 9th day of March, 1992 between AIRPORT WOODS, an Ohio General Partnership, having a mailing address of 1670 Enterprise Parkway, Twinsburg, Ohio 44087, Grantor, and AIRPORT WOODS COMMERCE CENTER, an Ohio General Partnership having a mailing address of 1670 Enterprise Parkway, Twinsburg, Ohio 44087, Grantee.

WITNESSETH: That the said Grantor, for and in consideration of the sum of TEN AND 00/100 (\$10.00) DOLLARS, to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land, situate, lying and being in the County of Lee, State of Florida, to-wit:

Per attached Exhibit "A"

This conveyance is subject to easements, restrictions and reservations of record and taxes accruing subsequent to December 31, 1991.

and the said Grantor 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 Grantor has caused this deed to be executed on the date above stated.

Signed, sealed and delivered in the presence of:

Judith A. Warix
Witness #1 as to West

AIRPORT WOODS, an Ohio General Partnership

JUDITH A. WARIX
Printed Name of #1

Wendy L. Mikratto
Witness #2 as to West

BY: [Signature]
WILLIAM N. WEST, General Partner

Wendy L. Mikratto
Printed Name of #2

Peggy A. North
Witness #1 as to Geis

BY: [Signature]
ERWIN GEIS, General Partner

Peggy A. North
Printed Name of #1

[Signature]
Witness #2 as to Geis

JAMES F. MURPHY
Printed Name of #2

STATE OF OHIO
COUNTY OF Cuyahoga

The foregoing instrument was acknowledged before me
this 9th day of March 1992, by William N. West, as
General Partner of Airport Woods, an Ohio General Partnership, on
behalf of the Partnership. He is personally known to me or has
produced N/A as identification and who did take an
oath.

Thelma M. Simonson
Notary Public
THELMA M. SIMONSON
Printed name of Notary Public

My Commission Expires: THELMA M. SIMONSON, Notary Public
State of Ohio, Cuyahoga County
My Commission Expires Dec. 10, 1994

OR2283 PG0782

STATE OF OHIO
COUNTY OF Summit

The foregoing instrument was acknowledged before me
this 9th day of March 1992, by Erwin Geis, as General
Partner of Airport Woods, an Ohio General Partnership, on behalf
of the Partnership. He is personally known to me or has produced
N/A as identification and who did take an oath.

Richard J. Longo
Notary Public

RICHARD J. LONGO
Printed name of Notary Public

My Commission Expires: 2/29/97

EXHIBIT "A"

Those parcels lying in Airport Woods Commerce Center, a subdivision, according to the map or plat thereof as recorded in Plat Book 36, Page 46, of the Public Records of Lee County, Florida more particularly described as follows:

Lot 2 of Block A;

Together with:

A portion of Lot 4, Block A, being described as follows:

Commencing at the SW corner of the NW quarter of Section 14; thence along the Westerly line of Section 14, N 00°-48'-42" W, 1,314.17 feet to the beginning of the parcel herein described thence; along the Westerly line of Section 14, N 00°-48'-42" W, 9.17 feet; thence N 88°-19'-37" E, 295.78 feet; thence S 30°-07'-44" E, 309.52 feet to the Northerly R.O.W. line of Amberwood Road S. E.; thence along said R.O.W. line 111.56 feet along a circular curve having radius of 343.68 feet, central angle 18°-35'-56" and a chord bearing S 50°-34'-18" W; thence N 48°-43'-40" W, 485.77 feet to the point of beginning. (The same being Lot 9 of Block A according to the proposed replat of Airport Woods Commerce Center.)

Together with:

Lots 2, 3 and 5 of Block C;

Together with:

Lots 1, 2 and 5 of Block D;

Lot 6, Block D, less and except the Easterly 15 feet of said Lot 6, also being described as follows:

Commencing at the SW corner of the NW quarter of Section 14; thence along the Southerly line of the NW quarter of Section 14, N 88°-15'-23" E, 769.74 feet to the beginning of the parcel herein described, thence; N 09°-05'-46" E, 223.55 feet to the Southerly R.O.W. line of Bavaria Road S.E., thence along said R.O.W. line along a circular curve having a radius of 815.00 feet, central angle 10°-00'-00" and a chord bearing S 85°-54'-14" E, 142.24 feet; thence along said R.O.W. line N 89°-05'-46" E, 95.00 feet; thence S 00°-54'-14" E, 203.74 feet; thence S 88°-15'-23" W, 275.37 feet to the point of beginning. (The same being Lot 6 of Block D of the proposed replat of Airport Woods Commerce Center.)

awcc.leg

DR 2283 PG 0783

CHARLIE GILLEN LEE CIV PE
92 MAR 11 PM 3:49

15.00
.60

3167810

OR2283 PG0778

Prepared by and Return to:
Truman J. Costello, P.A.
COSTELLO, SIMS & ROYSTON
Post Office Box 06205
Fort Myers, FL 33906
(813) 939-2222

County Tax Fee: .60
R. Thompson
County Clerk

WARRANTY DEED

THIS INDENTURE, made this 9th day of March, 1992
between AIRPORT WOODS BUILDING IV, an Ohio General Partnership,
having a mailing address of 1670 Enterprise Parkway, Twinsburg,
Ohio 44087, Grantor, and AIRPORT WOODS COMMERCE CENTER, an Ohio
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WITNESSETH: That the said Grantor, for and in consideration
of the sum of TEN AND 00/100 (\$10.00) DOLLARS, to it in hand paid
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has granted, bargained and sold to the said Grantee, its successors
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and being in the County of Lee, State of Florida, to-wit:

A portion of Lot 4, Block D, Airport Woods
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the map or plat thereof as recorded in Plat
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in attached Exhibit "A".

This conveyance is subject to easements,
restrictions and reservations of record and
taxes accruing subsequent to December 31,
1991.

and the said Grantor 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 Grantor has executed this deed
on the date above stated.

© 1992 WITNESS - GREAT SMILES, CLARK &
C. P. O. BOX 1000, TAMPA, FL 33601

Signed, sealed and delivered
in the presence of:

Judith A. Warix
Witness #1 as to West

AIRPORT WOODS BUILDING IV, an Ohio
Partnership

JUDITH A. WARIX
Printed Name of #1

Wendy L. Mircotto
Witness #2 as to West

BY: *William N. West*
WILLIAM N. WEST, General Partner

Wendy L. Mircotto
Printed Name of #2

Peggy A. North
Witness #1 as to Geis

BY: *Erwin Geis*
ERWIN GEIS, General Partner

PEGGY A. NORTH
Printed Name of #1

James F. Murran
Witness #2 as to Geis

JAMES F. MURRAN
Printed Name of #2

OR2283 PG0779

STATE OF OHIO
COUNTY OF Cuyahoga

The foregoing instrument was acknowledged before me this 9th day of March 1992, by William N. West, as General Partner of Airport Woods Building IV, an Ohio General Partnership, on behalf of the Partnership. He is personally known to me or has produced N/A as identification and who did take an oath.

Thelma M. Simonson
Notary Public

THELMA M. SIMONSON
Printed name of Notary Public

My Commission Expires:

THELMA M. SIMONSON, Notary Public
State of Ohio, Cuyahoga County
My Commission Expires Dec. 10, 1994

STATE OF OHIO
COUNTY OF Summit

The foregoing instrument was acknowledged before me this 9th day of March 1992, by Erwin Geis, as General Partner of Airport Woods Building IV, an Ohio General Partnership, on behalf of the Partnership. He is personally known to me or has produced N/A as identification and who did take an oath.

Richard J. Longo
Notary Public

RICHARD J. LONGO
Printed name of Notary Public

My Commission Expires:

2/28/97

EXHIBIT "A"

A portion of Lot 4, Block D, Airport Woods Commerce Center, a subdivision, according to the map or plat thereof as recorded in Plat Book 36, Page 46, of the Public Records of Lee County, Florida, more particularly described as follows:

Commencing at the SW corner of the NW quarter of Section 14; thence along the southerly line of the NW quarter of Section 14, N 88°-15'-23" E, 363.05 feet to the beginning of the parcel herein described, thence; N 00°-48'-42" W, 414.12 feet to the Southerly R.O.W. line of Bavaria Road S. E., thence along said R.O.W. line along a circular curve having radius of 560.00 feet, central angle 1°-38'-32" and a chord bearing S 64°-23'-18" E, 16.05 feet; thence along said R.O.W. line S 63°-34'-02" E, 202.39 feet; thence S 21°-21'-25" W, 338.25 feet; thence S 88°-15'-23" W, 66.69 feet to the point of beginning. (The same being Lot 4 of Block D of the proposed replat of Airport Woods Commerce Center.)

OR2283 PG0780

awb4.leg

CHARLE GREENLEE CIV FL
92 MAR 11 PM 3:49



Florida Power & Light Company
15834 Winkler Road
Fort Myers, FL 33908
(941) 415-1326

April 6, 2002

RECEIVED
APR - 9 2002

Mr. Ahmed R. Kareh, P.E., M.S.C.E.
Bean, Whitaker, Lutz & Kareh, Inc.
13041 McGregor Blvd.
Suite 1
Fort Myers, FL 33919-5910

RE: EASEMENT VACATION
AIRPORT WOODS COMMERCE CENTER

Dear Mr. Kareh:

I have reviewed your request to vacate the following easement at the Airport Woods Commerce Center:

Two (2) 12-foot wide Drainage, Overhead and/or Underground Utilities Easements centered on the lot lines common to Lots 4 & 5 and Lots 5 & 6, Block "D" in the Airport Woods Commerce Center, as recorded in Plat Book 50, Page 67 less and except the north 10 feet and the south 40 feet thereof.

Florida Power & Light Company has "NO OBJECTION" to the vacation of these Easements. We have no electric facilities within those Easements at this time nor do we have any plans to install facilities at this time.

If you have any questions, please feel free to call me at (239) 415-1326.

Yours truly,

A handwritten signature in cursive script that reads "John W. Hahn".

John W. Hahn
Senior System Project Manager

Attachments



Box 370
Fort Myers, Florida 33902-0370

April 9, 2002

Bean, Whitaker, Lutz & Kareh, Inc.
13041 McGregor Blvd. Suite 1
Ft. Myers, Fl. 33919-5910

RECEIVED
APR 10 2002

ca-07

Attention: Mr. Ahmad R. Kareh

Ref: Vacation of Easements between Lots 4 & 5 and Lots 5 & 6
10046, 10060, 10076 Bavaria Road, S.E. 33913.

Dear Ahmad:

This is in response to your letter of April 1, advising us of your proposal to submit a petition to vacate the existing side lot easement and rear easement of the abovementioned properties.

Please be advised that Sprint has no objection to vacation of these easements as described in your letter and attachment.

If I can be of further assistance, please feel free to contact me at 336-2014.

Sincerely,

Denise Grabowski
Engineer I - CSO



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941)479-8181

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

April 4, 2002

RECEIVED
APR - 5 2002

Attn. Ahmad Kareh
Bean, Whitaker, Lutz and Kareh
13041 McGregor Blvd, Suite 1
Fort Myers, Fl. 33919-5910

**SUBJECT: PETITION TO VACATE A 12" WIDE DRAINAGE, OVERHEAD
AND/OR UNDERGROUND UTILITIES EASEMENT BETWEEN
STRAP # s 14-45-25-01-0000D.0040 & 0050,
AND BETWEEN LOTS 14-45-25-01-0000D.0050 & .0060**

Dear Mr. Kareh:

Lee County Utilities has reviewed the drainage easement described in your letter of April 2, 2002. Lee County Utilities has no facilities located within the easement, therefore, there is no objection to the vacation of this easement.

Should you have any questions, or require further assistance, please do not hesitate to contact our office at 479-8532.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Engineering Tech III
UTILITIES ENGINEERING

301 Tower Road
Naples, FL 34113
Collier: 941-732-3834
Lee: 941-432-1801
FAX: 941-992-1289

RECEIVED
MAY - 1 2002



April 30, 2002

Ahmad Kareh
Bean, Whitaker, Lutz and Kareh, Inc.
13041 McGregor Blvd., Suite 1
Fort Myers, Florida 33919-5910

Re: The Vacation of two 12-foot wide Drainage / Utility Easements centered on the lot lines common to Lots 4 & 5 and Lots 5 & 6, Block "D", in the Airport Woods Commerce Center, as recorded in Plat Book 50, Page 67 less and except the north 10 feet and the south 40 feet thereof.

Dear Mr. Kareh:

Comcast has reviewed the plans of the above referenced properties. Comcast has no objection to the Vacation of two 12-foot wide Drainage / Utility Easements centered on the lot lines common to Lots 4 & 5 and Lots 5 & 6, Block "D", in the Airport Woods Commerce Center, Lee County, Florida, as recorded in Plat Book 50, Page 67 less and except the north 10 feet and the south 40 feet thereof

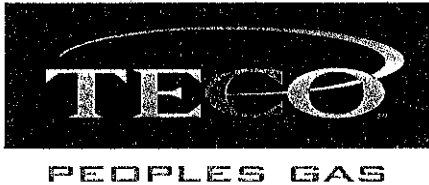
If I can be of any additional information regarding this project, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Gene Howell".

Gene Howell
Construction Manager

GH/whs



RECEIVED
APR 16 2002

02-06

Easement & Right-of-Way


Vacation Letter

To: Ahmad R. Kareh
Bean, Whitaker, Lutz & Kareh, Inc..
13041 McGregor Blvd., Suite 1
Fort Myers, Florida 33919-5910

Date: April 10, 2002

Subject: Vacation of easement 10046 Bavaria Rd.

- (X) Peoples Gas has no facilities within the referenced area to be vacated and has no objections to this vacation.



Angel L. Quant
South Florida Regional Operations Manager

- () Peoples Gas has facilities within the referenced area to be vacated, however, we have no objections to this vacation providing the applicant will pay for the relocation or replacement of these facilities.

Angel L. Quant
South Florida Regional Operations Manager

- () Peoples Gas has facilities within the referenced area to be vacated which cannot be relocated for technical reasons, however, we have no objections to this vacation providing a utility easement, as shown on the attached drawing, is incorporated in the re-plat.

Angel L. Quant
South Florida Regional Operations Manager

- () Peoples Gas objects to the proposed vacation for the following reasons:

Angel L. Quant
South Florida Regional Operations Manager

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

May 28, 2002

**Airport Woods Commerce Center, an Ohio General Partnership
c/o Erwin Geis, General Partner
10020 Aurora - Hudson Road
Streetsboro, Ohio 44241**

**Re: Recommendation for proposed vacation of Public Utility and Drainage
Easement located at 10046, 10060, 10076 Bavaria Road SE. in Ft Myers,
Florida, 33913.
VAC2002-00021**

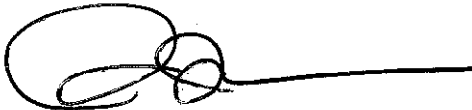
Dear Mr Geis:

This office has received your request to vacate the 12-foot wide Public Utility and Drainage Easements lying 6 feet each side of the common lot lines dividing Lots 4 & 5, LESS AND EXCEPT the 10 foot adjoining Bavaria Road, and Lots 5 & 6, LESS AND EXCEPT the 10 foot adjoining Bavaria Road, Block D, Airport Woods Commerce Center, as Recorded in Plat Book 50, Pages 64 - 68, of the Public Records of Lee County, Florida.

You indicate that as the 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/rIm

U:\200205\VAC20020.002\1D&PUE.WPD



LEE COUNTY
SOUTHWEST FLORIDA

(941) 479-8124

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Monday, April 22, 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. Stillwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Mr. Ahmad R. Kareh, P.E., M.S.C.E.
Bean, Whitaker, Lutz & Kareh, Inc.
13041 McGregor Blvd., Suite 1
Fort Myers, FL 33919-5910

Re: Petition to Vacate two (2) twelve (12) foot wide drainage, overhead and/or underground utility easements common to Lots 4 & 5 & Lots 5 & 6, Block "D" Airport Woods Commerce Center Subdivision as recorded in Plat Book 50 at Page 67, Public Records of Lee County, Florida.

Dear Mr. Kareh:

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

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

RECEIVED
APR 23 2002

02-07

-cc: Don Blackburn, Development Services
Joan Henry, County Attorney's Office
Margaret Lawson, LCDOT
Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac248.doc

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2000-00021**

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. VAC2000-00021 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

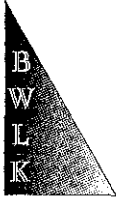
Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard, Suite 1
Fort Myers, Florida 33919-5910
email - fmoffice@bwk.net
(Ph) 941-481-1331 (Fax) 941-481-1073

Description of a Parcel of Land
Lying in
Section 14, Township 45 South, Range 25 East
Lee County, Florida
Proposed Vacation of Utility Easement
(Airport Woods Commerce Center Lots 4 and 5 Block "D")

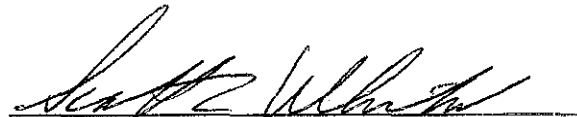
A public utility easement situated in the State of Florida, County of Lee, Section 14, Township 45 South, Range 25 East, being part of Lots 4 and 5, Block "D", Airport Woods Commerce Center, a subdivision, recorded in Plat Book 50, at Pages 64-68, Public Records, and further described as follows:

A drainage and public utility easement (12 feet wide) lying 6 feet each side of the common lot line dividing Lots 4 and 5, Block "D", said Airport Woods Commerce Center.

Less and Except the front drainage and public utility easement (10 feet wide) adjoining Bavaria Road as dedicated on the plat of Airport Woods Commerce Center as recorded in Plat Book 50, at Pages 64-68, Public Records of Lee County, Florida.

Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bean, Whitaker, Lutz & Kareh, Inc. [LB4919]


Scott C. Whitaker, P.S.M. 4324

33118DESC7 05/07/02

Exhibit "A" Sheet 1 of 2

PRINCIPALS:

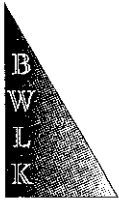
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

CHARLES D. KNIGHT, PSM
ELWOOD FINEFIELD, PSM
TRACY N. BEAN, AICP
PAUL T. POKORNY, PE



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard, Suite 1
Fort Myers, Florida 33919-5910
email - fmooffice@bwik.net
(Ph) 941-481-1331 (Fax) 941-481-1073

Description of a Parcel of Land
Lying in
Section 14, Township 45 South, Range 25 East
Lee County, Florida
Proposed Vacation of Utility Easement
(Airport Woods Commerce Center Lots 5 and 6 Block "D")


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Bean, Whitaker, Lutz & Kareh, Inc. [LB4919]



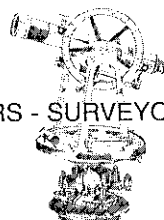
Scott C. Whitaker, P.S.M. 4324

33118DESC8 05/07/02

Exhibit "A" Sheet 2 of 2

PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:
CHARLES D. KNIGHT, PSM
ELWOOD FINEFIELD, PSM
TRACY N. BEAN, AICP
PAUL T. POKORNY, PE

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00021

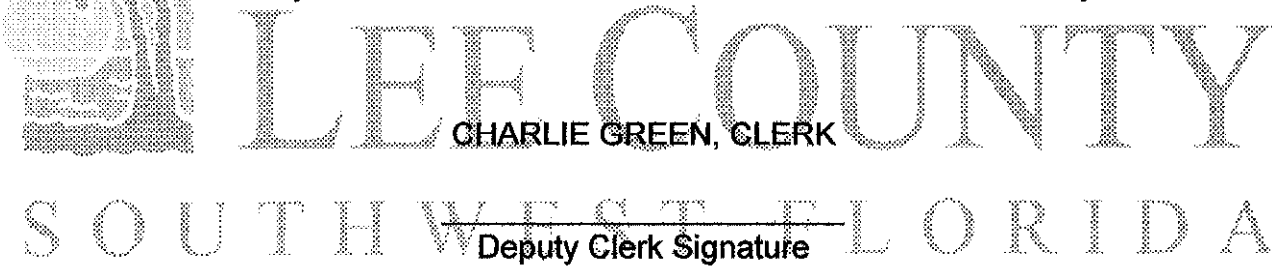
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 9th day of July 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.



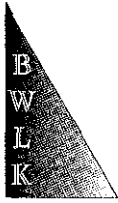
Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard, Suite 1
Fort Myers, Florida 33919-5910
email - fmooffice@bwlk.net
(Ph) 941-481-1331 (Fax) 941-481-1073

Description of a Parcel of Land
Lying in
Section 14, Township 45 South, Range 25 East
Lee County, Florida
Proposed Vacation of Utility Easement
(Airport Woods Commerce Center Lots 4 and 5 Block "D")

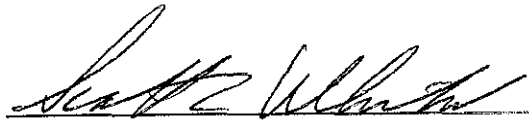
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Bean, Whitaker, Lutz & Kareh, Inc. [LB4919]



Scott C. Whitaker, P.S.M. 4324

33118DESC7 05/07/02

Exhibit "A" Sheet 1 of 2

PRINCIPALS:

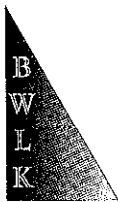
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

CHARLES D. KNIGHT, PSM
ELWOOD FINEFIELD, PSM
TRACY N. BEAN, AICP
PAUL T. POKORNY, PE



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard, Suite 1
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(Ph) 941-481-1331 (Fax) 941-481-1073

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Lying in
Section 14, Township 45 South, Range 25 East
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Proposed Vacation of Utility Easement
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Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bean, Whitaker, Lutz & Kareh, Inc. [LB4919]



Scott C. Whitaker, P.S.M. 4324

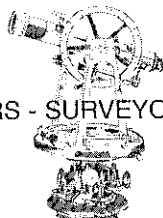
33118DESC8 05/07/02

Exhibit "A" Sheet 2 of 2

PRINCIPALS:

WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

CHARLES D. KNIGHT, PSM
ELWOOD FINEFIELD, PSM
TRACY N. BEAN, AICP
PAUL T. POKORNY, PE