

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20030603

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a Resolution to Vacate 2 (two) Public Utility Easements located at 311 Grant Avenue, Lehigh Acres, Florida.

WHY ACTION IS NECESSARY: To construct a Single Family Residence on the combined lots. The vacation of the public utility easements will not alter existing utilities and the easements are not necessary to accommodate any future utility requirements.

WHAT THE ACTION ACCOMPLISHES: Vacates both easements. (Case #VAC2003-00020)

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 5

5:00 #3

3. MEETING DATE:

06-24-2003

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

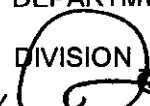
TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

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

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT Community Development
- C. DIVISION Development Services
- BY  6/04/03
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 24th day of June, 2003.

LOCATION:

Petition # VAC2003-00020 proposes to vacate (2) two, twelve foot wide Public Utility Easements centered on the common lot lines between Lots 18 & 19 and 19 & 20, Block 38, Unit 10, a subdivision of Lehigh Acres, Section 35, Township 44 South, Range 27 East, as recorded in Plat Book 15, Page 52, of the Public Records of Lee County, Florida, LESS AND EXCEPT the East six feet and the West six feet thereof. The site is located at 311 Grant Avenue, Lehigh Acres, Florida.


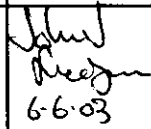
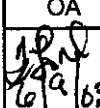
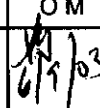
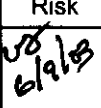
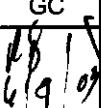

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

There are no objections to this Petition to Vacate. Staff recommends 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 Rel.	D Other	E County Attorney	F County Administration				G County Manager
	N/A	N/A	N/A	 6-6-03	OA  6/9/03	OM  6/9/03	Risk  6/9/03	GC  6/9/03	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 6/6/03
Time: 1:00 PM
Forwarded To: Co. Atty
6/6/03 4:14

RECEIVED BY
COUNTY ADMIN. TD
6-6-03 4:10
COUNTY ADMIN. BHA
FORWARDED TO:
6/11/03
C

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: VAC2003-00020

WHEREAS, Petitioner John W. Logan 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 24th of June, 2003; 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. VAC2003-00020 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

APPROVED AS TO FORM

County Attorney Signature

Please Print Name


**Legal Description
(Vacation of Easements)**

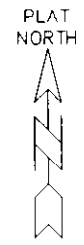
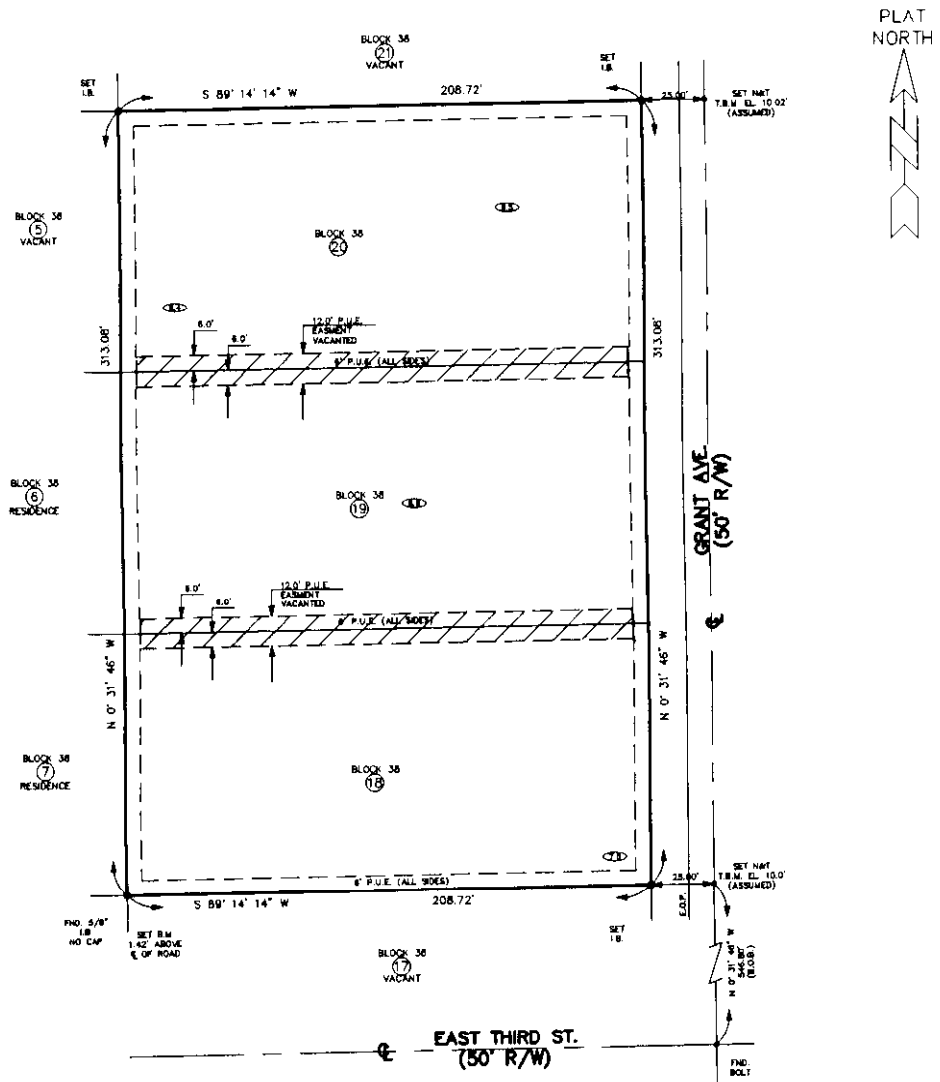
A 12.0 foot wide public utility easement centered on Lots 18 & 19, Block 38, Unit 10, Section 35, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 52, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.

A 12.0 foot wide public utility easement centered on Lots 19 & 20, Block 38, Unit 10, Section 35, Township 44 South, Range 27 East, a subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, page 52, of the Official Records of Lee County, Florida.

Less and except the easterly 6.0 feet and the westerly 6.0 feet thereof.


PSM 5941



BOUNDARY SURVEY
 311, 313, 315 GRANT AVENUE
 LOTS 18, 19, & 20, BLOCK 38, UNIT 10
 SECTION 35, TOWNSHIP 44 SOUTH, RANGE 27 EAST
 LEHIGH ACRES, LEE COUNTY, FLORIDA
 RECORDED IN PLAT BOOK 15, PAGE 52, OF THE
 OFFICIAL RECORDS OF LEE COUNTY, FLORIDA

EXHIBIT "B"

COMMUNITY-PANEL NUMBER: DATE OF MAP: FLOOD ZONE: BASE FLOOD ELEVATION:

LEGEND: A - ARC A/C - AIR CONDITIONER (C) - CALCULATED C.B. - CABLE BOX C.B.S. - CONCRETE BLOCK STRUCTURE CH - CHORD C.M. - CONCRETE MONUMENT CONC - CONCRETE C.P. - CONCRETE PAD COR - CORNER (D) - DEED B.O.B. - BASIS OF BEARINGS	D.E. - DRAINAGE EASEMENT DH - DRILL HOLE EL. - ELEVATION ENC - ENCROACHMENT E.O.P. - EDGE OF PAVEMENT FND. - FOUND IB - IRON BAR (M) - MEASURED N & T - NAIL AND TAB N.T.S. - NOT TO SCALE O.R. - OFFICIAL RECORD	(P) - PLAT P.B. - PLAT BOOK P.C. - POINT OF CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE P.E. - POOL ENCLOSURE PG. - PAGE P.O.B. - POINT OF BEGINNING P.O.C. - POINT OF COMMENCEMENT P.P. - POWER POLE P.R.C. - POINT OF REVERSE CURVATURE (P.C.S.) - CONCRETE PAD (M) - MEASURED	P.R.M. - PERMANENT REFERENCE MONUMENT P.T. - POINT OF TANGENCY P.U.E. - PUBLIC UTILITY EASEMENT R - RADIOS (R) - RADIAL R/W - RIGHT-OF-WAY SET 1.B. - SET 1/2" 1B: LB5448 S.P. - SCREENED PORCH S.T. - SEPTIC TANK T.B. - TELEPHONE BOX (M) - MANHOLE (PR) - PRORATED	T.B.M. - TEMPORARY BENCHMARK U.P. - UTILITY PEDESTAL WM - WATER METER Δ - DELTA E - CENTER LINE --- - WOOD FENCE --- - WIRE FENCE --- - POWER POLE --- - FIRE HYDRANT --- - POWER LINES + - TEMPORARY BENCHMARK
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NOTES:
 This map of survey is only for the lands hereon described and is not an instrument of title, zoning, or freedom of encumbrance.
 Elevations shown are based on data from the National Geodetic Vertical Datum of 1928 unless otherwise noted.
 Subject to restrictions, easements, and reservations of record.
 The legal description was furnished by the client or their agent.
 There are no visible encroachments other than shown.
 No title search was conducted by this office.
 Only improvements shown were field located.

NOTE: Location of underground utilities and/or structures NOT located NOT VALID without the signature and the original raised seal of a Florida Licensed Surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

Robert M. Still
 3-13-03
 ROBERT M. STILL, REGISTERED LAND SURVEYOR NO. 3695
 CHRISTOPHER B. STILL, REGISTERED LAND SURVEYOR NO. 5941
 S.T.A.R. SURVEYING, INC. LB5449
 1130-E LEE BLVD., LEHIGH ACRES, FL. 33936
 (239) 368-7400 FAX.(239) 368-7685

FIELD SURVEY: 3-11-03
REVISION:
DRAWN BY: B.J.P.
SCALE: 1" = 50'
SHEET: 1 OF 1
FILE NO: 0.331