

1. **REQUESTED MOTION:**

**ACTION REQUESTED:** Schedule a Public Hearing for vacating a 12-foot wide Drainage and Public Utility Easement located at 20685 Casaly Drive, Alva, Florida. (VAC2003-00044, BS# 20030852)

**WHY ACTION IS NECESSARY:** To build a single-family residence on the combined lots. The vacation of this easement will not alter existing drainage or utility conditions and the easement is not necessary to accommodate any future drainage and utility requirements.

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

2. **DEPARTMENTAL CATEGORY:** 04  
**COMMISSION DISTRICT #:** 5

C4A

3. **MEETING DATE:**

08-12-2003

4. **AGENDA:**

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

5. **REQUIREMENT/PURPOSE:**  
(Specify)

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

6. **REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT Community Development
- C. DIVISION Development Services

BY:  7/23/02

Peter J. Eckenrode, Director

7. **BACKGROUND:**

The completed petition to Vacate, VAC2003-00044 was submitted by Bruce and Raelene Totterdale.

**LOCATION:** Petition No. VAC2003-00044 proposes to vacate a 12-foot wide Drainage and Public Utility Easement centered on the lot lines common to Lots 12 and 13, Block 1, Unit 1, River Oaks subdivision, as recorded in Plat Book 12, Page 133, Section 28, Township 43 South, Range 27 East, of the Public Records of Lee County, Florida, LESS and EXCEPT the South 6-feet thereof. The site is located at 20685 Casaly Drive, Alva, Florida 33920.

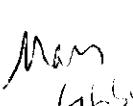
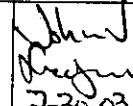
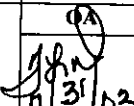
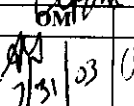
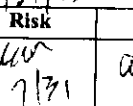
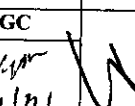
Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

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 Public Hearing, Notice of Public Hearing and 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
					GA	OM	Risk	GC
	N/A	N/A	N/A	 7-30-03	 7/31/03	 7/31/03	 7/31	 7/31

10. **COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: 7/24/02  
Time: 11:45 am  
Forwarded by  
7/31/03 9:00 AM

RECEIVED BY  
COUNTY ADMIN  
7/31/03  
9:40  
COUNTY ADMIN  
FORWARDED TO  
7/31/03

**PETITION TO VACATE**

Case Number: Vac. 2003. 00041

Petitioner(s) Bruce + Raelene Tatterdale  
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, 8345 Big Acorn Circle #604 Naples FL 34119
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:

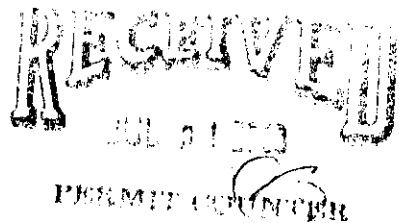
Bruce A. Tatterdale  
Petitioner Signature

Bruce A. Tatterdale  
Printed Name

By:

Raelene Tatterdale  
Petitioner Signature

Raelene Tatterdale  
Printed Name



## Exhibit "A"

### LEGAL DESCRIPTION OF THE AREA TO BE VACATED

A twelve-foot wide public utility and drainage easement centered on the common lot line between lots 12 and 13, Block 1, Unit 1, River Oaks Subdivision, as recorded in Plat Book 12 at Page 133 of the Public Records of Lee County, Florida, less and except the south six feet thereof.

# Exhibit "C"

## Petition to Vacate

### VAC2003-00044

#### Tax Roll Search - Real Property

Search the Lee County Tax Collector's real property records by selecting the search criteria for the tax year. Use the extensive search feature to view a broader range of data.

*By clicking on the 'Start Search' button below, you agree that the information available at this site may not reflect current ownership information. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation.*

View      Account  for Tax Year:

Save as File       Extensive Search  
 View file format.

Your search for 28432702000010120 has returned 5 result(s).

Account	Tax Year	Owner Name and Address	Status
28-43-27-02-00001.0120	2002	TOTTERDALE BRUCE A + RAELENE M 20685 CASALY DR	REDEEM
28-43-27-02-00001.0120	2001	TOTTERDALE BRUCE A + RAELENE M 20685 CASALY DR	PAID
28-43-27-02-00001.0120	2000	WEBSTER ANN S ETAL 20685 CASALY DR	PAID
28-43-27-02-00001.0120	1999	WEBSTER ANN S ETAL 20685 CASALY DR	PAID
28-43-27-02-00001.0120	1998	WEBSTER ANN S ETAL	PAID

(Click on the account number for more information and/or online payment.)  
 5 match(es)      Page 1 of 1

Pay Online:



#### Real Property Information

<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
28-43-27-02-00001.0120	2002	REDEEM
<b>Original Account</b>	<b>Book/Page</b>	
28-43-27-02-00001.0120	3621/4091	
<b>Physical Address</b>	<b>Mailing Address</b>	
TOTTERDALE BRUCE A + RAELENE M 20685 CASALY DR ALVA FL 33920	TOTTERDALE BRUCE A + RAELENE M 5881 18TH AV NW NAPLES FL 34119 USA	
<b>Legal Description</b>		
RIVER OAKS UNIT 1 BLK.1 PB 12 PG 133 LOT 12		
<b>Certificate No</b>	<b>Status</b>	<b>Amount Due as of 7/28/2003</b>
03-002515	REDEEM	\$0.00

# Exhibit "C"

## Petition to Vacate

### VAC2003-00044

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View      Account  for Tax Year:

Save as File       Extensive Search  
 View file format.

Your search for 28432702000010130 has returned 5 result(s).

Account	Tax Year	Owner Name and Address	Status
28-43-27-02-00001.0130	2002	TOTTERDALE BRUCE+ RAELENE 20675 CASALY DR	REDEEM
28-43-27-02-00001.0130	2001	TOTTERDALE BRUCE+ RAELENE 20675 CASALY DR	PAID
28-43-27-02-00001.0130	2000	THOMPSON JACQUELINE TR 20675 CASALY DR	PAID
28-43-27-02-00001.0130	1999	THOMPSON JACQUELINE TR 20675 CASALY DR	PAID
28-43-27-02-00001.0130	1998	THOMPSON W S +JACQUELINE	PAID

(Click on the account number for more information and/or online payment.)  
 5 match(es) Page 1 of 1

Pay Online:



#### Real Property Information

<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
28-43-27-02-00001.0130	2002	REDEEM
<b>Original Account</b>	<b>Book/Page</b>	
28-43-27-02-00001.0130	3613/1358	
<b>Physical Address</b>	<b>Mailing Address</b>	
TOTTERDALE BRUCE+ RAELENE 20675 CASALY DR ALVA FL 33920	TOTTERDALE BRUCE+ RAELENE 5881 18TH AV NW NAPLES FL 34119 USA	
<b>Legal Description</b>		
RIVER OAKS UNIT 1 BLK 1 PB 12 PG 133 LOT 13		
<b>Certificate No</b>	<b>Status</b>	<b>Amount Due as of 7/28/2003</b>
03-002516	REDEEM	\$0.00

6.00  
140 6.00 D3

FILED BY ...

Prepared By: Nancy Drexler-Hensley  
Team Title Insurance, Inc.  
1820 Colonial Boulevard - Suite 101  
Fort Myers, FL 33907  
incidental to the insurance of a title insurance policy.  
File Number 2-02-0349-nh  
Parcel ID #: 28-43-27-02-00001.0120

INSTR # 5414507  
OR BK 03621 PG 4093  
RECORDED 04/11/2002 03:58:56 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DEED DOC 40.60  
DEPUTY CLERK R Thompson

### WARRANTY DEED (INDIVIDUAL)

This WARRANTY DEED, dated April 1, 2002 by  
Julie M. Chapman, Individually and as trustee of the River Oaks Venture Land Trust  
whose post office address is Box 702, Scituate, MA 02066  
hereinafter called the GRANTOR, to

Bruce A. Totterdale and Raelene M. Totterdale, husband and wife  
whose post office address is 5881 18th Ave NW NAPLES FL 34119  
hereinafter called the GRANTEE.

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations )  
WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Lee County, Florida, viz:

**Lot 12, Block 1, Unit 1, River Oaks, a subdivision, according to the Plat thereof, recorded in Plat Book 12, Pages 133 and 134, inclusive, of the Public Records of Lee County, Florida.**

Subject property is not the homestead property of Grantor, nor is it contiguous thereto.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2002 and subsequent years, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

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 GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land, that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING TWO WITNESSES:

Witness  
Signature: Kelley Carrel  
Print Name: Kelley Carrel

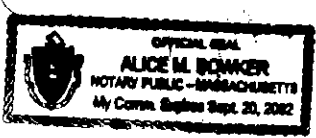
Julie M. Chapman  
Julie M. Chapman, Individually and as Trustee

Witness  
Signature: Lucy Ann Locke  
Print Name: Lucy Ann Locke

State of Massachusetts, County of Plymouth

I am a notary public of the state of Massachusetts and my commission expires September 3, 2002.  
THE FOREGOING INSTRUMENT was acknowledged before me on 4-1-02 by Julie M. Chapman, Individually and as trustee of the River Oaks Venture Land Trust  
who  is/are personally known to me or who  has/have produced \_\_\_\_\_ as identification and who did not take an oath

Notary Seal



Signature: Alice M. Bowker  
Print Name: Alice M. Bowker Notary Public





June 24, 2003

Kenneth M. Wilkinson  
Lee County Property Appraiser  
P.O. Box 1546  
Fort Myers, Fla. 33902-1546

RE: Vacation of easement  
Parcel #28-43-27-02-0000-L0120

To Whom It May Concern:

The plat map sent to us for the above listed vacation of easement has been reviewed. At this time, Time Warner Cable has no facilities in this area and no future build is anticipated. Time Warner Cable has **NO CONFLICT** with this proposed construction.

If you have any further questions or concern, please do not hesitate to contact me at (941) 772-2218, Ext. 120.

Sincerely,

TIME WARNER CABLE

Benjamin R. Streeter  
Technical Field Inspector

BRS/sgs





**ELISA RODRIGUEZ**  
Customer Project Manager  
Fort Myers Service Center

---

Raelene TotterDale  
Suncoast Perfusion Services

June 16, 2003

Re: Petition to Vacate Easement

Florida Power & Light Co. has no objection to vacating the easement common to Lots 12 & 13, Block 1, Unit 1 less the north/~~east~~ 6 feet and the south/~~west~~ 6 feet thereof. These lots have the following strap numbers:

28-43-27-02-00001-0120  
28-43-27-02-00001-0130

Should you need further assistance, please do not hesitate to contact me at (239) 332-9168.

Sincerely,

Elisa Rodriguez  
Customer Project Manager



P. O. Box 370  
Fort Myers, FL 33902-0370

July 1, 2003  
Mr. Bruce A. Totterdale  
5881 18<sup>th</sup> Ave. NW  
Naples, FL 33119

Re: Petition to vacate an alleyway/easement.  
Sprint has no objection in vacating the proposed alleyway/easement.  
The alleyway/easement between lots 12 and 13 located on 20575 Casaly Drive, Alva,  
Florida.

**Description:**

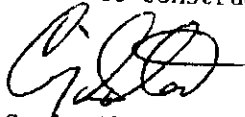
A track or parcel of land being lot 12 and 13, the 12 foot wide alley/ easement  
as shown on the plat of the River Oaks Subdivision, Unit 1 as recorded in Plat  
Book 12, Pages 133 and 134 of the public records of Lee County, Florida.

Section 28, Township 43 South, Range 27 East, as recorded in Plat Book 12, Pages  
133 and 134, in the Public Records of Lee County, Florida. Strap number for  
Parcels 28-43-27-02-00001.0130, 02-00001.0120.

In reviewing this request, Sprint has no objection to this vacation of said  
alleyway/ easement as requested.  
See Att:

If you have any Questions please advise; Craig Sloan 239-336-2039 or Wayneth  
Jackson  
239-336-2023.

Call for locates to verify 1-800-432-4770 ALL CLEAR  
Prior to construction.

  
Craig Sloan  
Eng. I

Cc:DH,WJ



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8795

Bob Jones  
*District One*

Douglas B. St. Gery  
*District Two* July 22, 2003

Ray Judah  
*District Three*

Andrew W. Goy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeqer  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

Bruce and Raelene Totterdale  
8345 Big Acorn Circle #604  
Naples, Florida 34119

Re: VAC2003-00044 - Petition to vacate a twelve-foot public utility and drainage easement centered on the common lot line between lots 12 and 13, Block 1, Unit 1, River Oaks subdivision, as recorded in Plat Book 12 at Page 133 of the Public Records of Lee County, Florida, less and except the south six feet thereof.

Dear Mr. & Mrs. Totterdale:

You have indicated that in order to construct a single family home in the center of lots 12 and 13 you desire to eliminate the public utility and drainage easement between your two lots. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

Should you have any questions, please call me at the above telephone number.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

Peter J. Eckenrode  
Director

PJE/mmr

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**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (239)479-8181

Bob Janes  
District One

Douglas R. St. Cerny June 5, 2003  
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

Bruce A. & Raelene M. Totterdale  
8345 Big Acorn Circle  
Naples, FL 34119-6786

**SUBJECT: VACATION OF PLATTED EASEMENT(S)**  
**STRAP #S: 28-43-27-02-00001.0120 & .0130**  
**LOTS 12 & 13, BLOCK 1 – RIVER OAKS, UNIT 1**  
**20685 CASALY DRIVE**

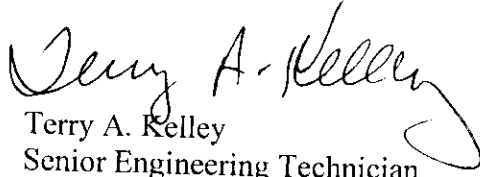
Dear Mr. & Mrs. Totterdale:

Lee County Utilities has no objection to the proposed vacation of the existing platted easements as described in your recent letter and associated attachments. The area in question is not located within Lee County Utilities' service area boundaries; therefore, we have no potable water or wastewater lines in the vicinity of the easement to be vacated.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239)479-8531.

Sincerely,

**LEE COUNTY UTILITIES**

  
Terry A. Kelley  
Senior Engineering Technician  
Utilities Engineering Division

CC: Correspondence File

S:\UTILS\Engr\TAK\LETTERS\VAC\FY 2003\Totterdale - River Oaks - Alva.doc



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number(941) 479-8124

Thursday, April 17, 2003

Bob Jones  
*District One*

Douglas H. St. Corp  
*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*

**Mr. & Mrs Totterdale**  
**5881 18<sup>th</sup> Ave. NW**  
**Naples , FL 34119**

**Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 12 & 13, Block 1, Unit 1, River Oaks Subdivision, as recorded in Plat Book 12 Page 133, in Lee County, Florida.**

**Dear Mr. & Mrs. Totterdale:**

**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 public utility and drainage easement.**

Should you have any questions, please call me at the above telephone number.

Regards,

**LEE COUNTY PUBLIC WORKS DEPARTMENT**

**Allen L. Davies, Jr.**  
**Natural Resources Division**

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

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BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Jones  
District One

Douglas B. St. Conny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John F. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

June 24, 2003

Bruce and Raelene Totterdale  
8345 Big Acorn Circle, #604  
Naples, FL 34119-6786

**RE: Request to Vacate a 12' wide  
Public Utility and Drainage Easement  
Common to Lots 12 and 13, Block 1,  
Unit 1, River Oaks Subdivision as  
Recorded in Plat Book 12, page 133**

Dear Mr. And Mrs. Totterdale:

Lee County Department of Transportation has reviewed the request to vacate a 12' wide public utility and drainage easement located on Lots 12 and 13, River Oaks Subdivision. The request to abandon the public utility and drainage easement is to facilitate the construction of a new home.

DOT offers no objection to the vacation.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson  
Right-of-way Supervisor

MAL/mlb

Cc: Don Blackburn, Development Services  
Allen Davies, Natural Resources  
DOT PTV File – River Oaks Subdivision PUE & DE (Totterdale)

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**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE Case Number: VAC2003-00044**

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. VAC2003-00044 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"

LEGAL DESCRIPTION OF THE AREA TO BE VACATED

A twelve-foot wide public utility and drainage easement centered on the common lot line between lots 12 and 13, Block 1, Unit 1, River Oaks Subdivision, as recorded in Plat Book 12 at Page 133 of the Public Records of Lee County, Florida, less and except the south six feet thereof.



# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00044

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 9th day of September 2003 @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.

CHARLIE GREEN, CLERK

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

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

APPROVED AS TO FORM

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

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

Exhibit "A"

LEGAL DESCRIPTION OF THE AREA TO BE VACATED

A twelve-foot wide public utility and drainage easement centered on the common lot line between lots 12 and 13, Block 1, Unit 1, River Oaks Subdivision, as recorded in Plat Book 12 at Page 133 of the Public Records of Lee County, Florida, less and except the south six feet thereof.

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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.

CHARLIE GREEN, CLERK

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

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

APPROVED AS TO FORM

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

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

## Exhibit "A"

### LEGAL DESCRIPTION OF THE AREA TO BE VACATED

A twelve-foot wide public utility and drainage easement centered on the common lot line between lots 12 and 13, Block 1, Unit 1, River Oaks Subdivision, as recorded in Plat Book 12 at Page 133 of the Public Records of Lee County, Florida, less and except the south six feet thereof.