

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition to Vacate a 12-foot wide Drainage and Public Utility Easement located at 1044 Belmont Street East, Lehigh Acres, Florida, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 28th day of October, 2003. (Case No. VAC2003-00057)

**WHY ACTION IS NECESSARY:** To build a single-family residence on the combined lots. **The vacation of this easement will not alter existing drainage and 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:**  
**COMMISSION DISTRICT #: 5**

04

C4C

**3. MEETING DATE:**

09-30-2003

**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: *[Signature]* 9/12/03

Peter J. Eckenrode, Director

**7. BACKGROUND:**

The completed petition to vacate, VAC2003-00057 was submitted by John and Virginia Grubb.

**LOCATION:** Petition No. VAC2003-00057 proposes to vacate a 12-foot wide Drainage and Public Utility Easement centered on the lot lines common to Lots 2 and 3, Block 56, Unit 9, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 199, Section 02, Township 45 South, Range 27 East, of the Public Records of Lee County, Florida, LESS and EXCEPT the North 6-feet and the South 6-feet thereof. The site is located at 1044 Belmont Street East, Lehigh Acres, Florida 33936.

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 <i>Adm 9/16/03</i>				G County Manager
					OP	OM	Risk	GC	
<i>John Grubb</i>	N/A	N/A	N/A	<i>John Grubb</i> 9-15-03	<i>AD</i> 9/16/03	<i>AD</i> 9/16/03	<i>WR</i> 9/16/03	<i>AD</i> 9/16/03	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

9/12/03  
4 PM  
Co. Adm.  
9/15/03 9 AM

RECEIVED BY  
COUNTY ADMIN: *TD*  
9/15  
10-20-03  
COUNTY ADMIN  
FORWARDED TO: *BT*  
9/18 3:00

**PETITION TO VACATE**

Case Number: VAC2003-00057

Petitioner(s), John and VIRGINIA GRubb  
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, 146 Homestead Rd S. #2 Lehigh Acres, FL 33936
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: John C Grubb  
 Petitioner Signature  
John C GRUBB  
 Printed Name

By: Virginia T Grubb  
 Petitioner Signature  
VIRGINIA T GRUBB  
 Printed Name

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2003-00057**

**Legal Description**

A twelve-foot (12') wide Public Utility Easement AND Drainage Easement centered on the common lot line between Lots 2 and 3 of Block 56, Unit 9, Section 2, Township 45 South, Range 27 East, a Subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, at Page 199 of the Public Records of Lee County, Florida, according to map or plat there on file and recorded in Plat Book 35, Page 8 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the north six feet (6') and south six feet (6') thereof.

SN&T LB  
6133 TBM  
100.56

50' ROW ASPHALT 18 1'  
**BELMONT STREET E.**  
N 89°13'15"E 180.00'  
BASIS OF BEARINGS

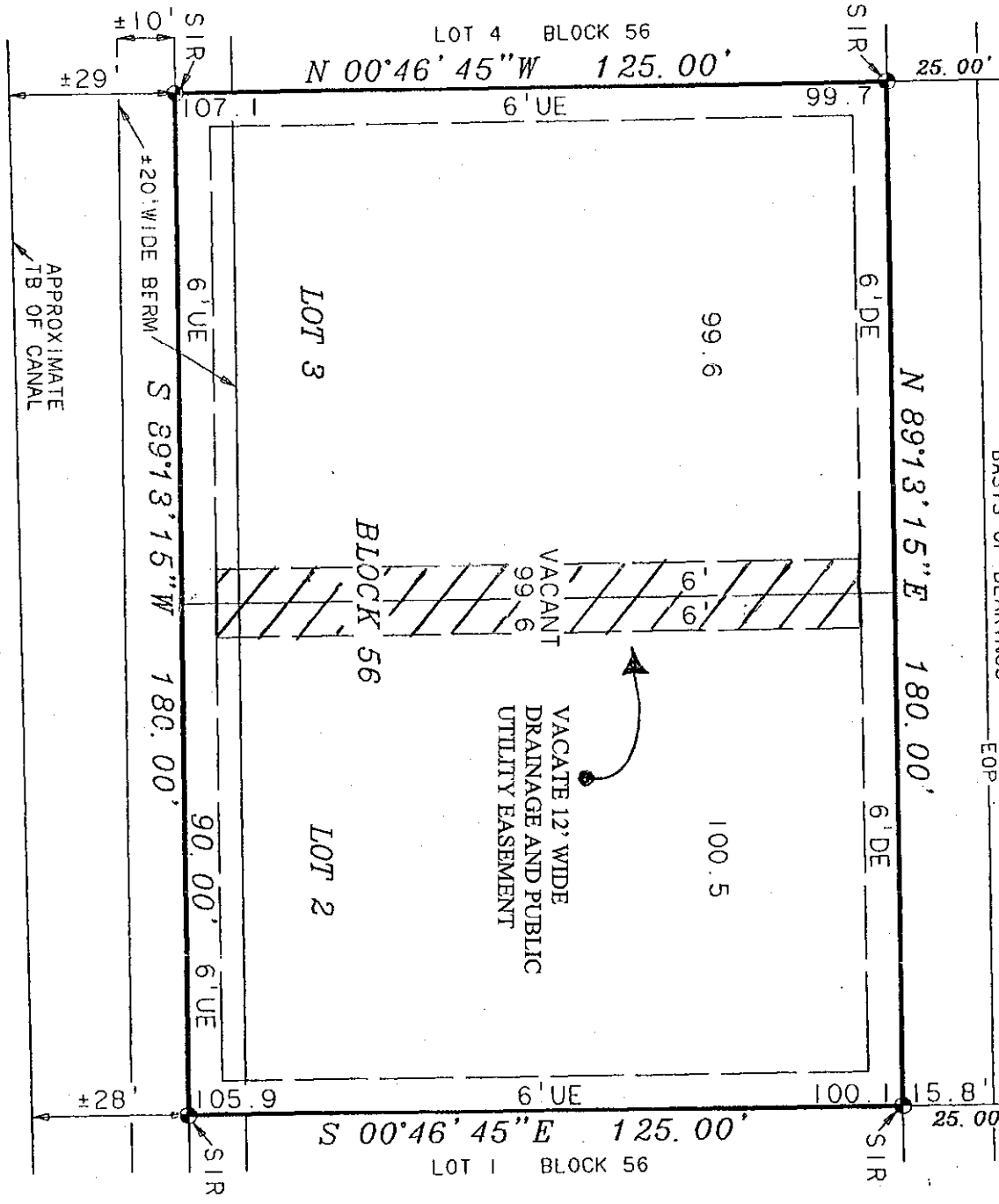
EOP

C/L

SN&T LB  
6133 TBM  
100.00

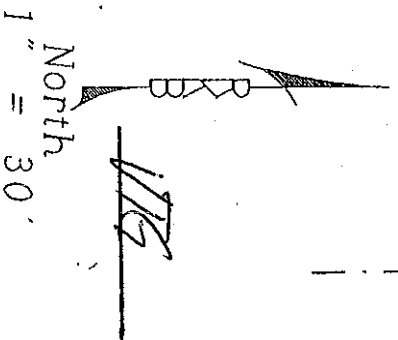
N 89°13'15"E 170.00'

**GRANT BOULEVARD** - C/L -



LOCATED IN BLOCK 56, UNIT 9, OF LEHIGH ACRES,  
AS RECORDED IN PLAT BOOK 15, PAGE 199, OF THE  
OFFICIAL RECORDS OF LEE COUNTY, FLORIDA.

EXHIBIT B  
VAC2003-00057



Pay Online:



**Real Property Information**

<b>Account</b>	<b>Tax Year</b>	<b>Status</b>
02-45-27-09-00056.0020	2002	PAID
<b>Original Account</b>	<b>Book/Page</b>	
02-45-27-09-00056.0020	4005 /796	
<b>Physical Address</b>	<b>Mailing Address</b>	
GRUBB JOHN + VIRGINIA 1044 BELMONT ST E LEHIGH ACRES FL 33936	GRUBB JOHN + VIRGINIA 146 HOMESTEAD RD S APT #2 LEHIGH ACRES FL 33936	
<b>Legal Description</b>		
LEHIGH ACRES UNIT 9 BLK 56 PB 15 PG 199 LOTS 2 + 3		
<b>Total Amount Due as of 9/5/2003</b>		\$0.00

<b>District</b>	070
<b>Market Assessed Value</b>	\$2,200.00
<b>Agricultural Exemption</b>	\$0.00
<b>Assessed SOH Value</b>	\$2,200.00
<b>Homestead Exemption</b>	\$0.00
<b>Other Exemption</b>	\$0.00
<b>Wholly Exemption</b>	\$0.00
<b>Taxable Value</b>	\$2,200.00
<b>Senior Exemption</b>	\$0.00
<b>Historical Exemption</b>	\$0.00
<b>Economic Exemption</b>	\$0.00
<b>Tax Amount</b>	\$84.60

**Ad Valorem Taxes**

<b>Taxing Authority</b>	<b>Millage Rate</b>	<b>Taxes Levied</b>
PUBLIC SCHOOL - BY LOCAL BOARD	2.5990	\$5.72
PUBLIC SCHOOL - BY STATE LAW	5.9730	\$13.14
LEE COUNTY CAPITAL IMP	1.0124	\$2.23
LEE CO UNINCORPORATED - MSTU	1.2114	\$2.67
LEE COUNTY GENERAL REVENUE	4.3277	\$9.52
LEE COUNTY HYACINTH CONTROL	0.0327	\$0.07
LEE COUNTY LIBRARY FUND	0.9630	\$2.12
LEE COUNTY MOSQUITO CONTROL	0.3294	\$0.72
LEHIGH ACRES FIRE DISTRICT	3.0000	\$6.60
LEHIGH ACRES LIGHT - MSTU	0.3964	\$0.87
SFL WATER MGMT-EVERGLADE CONST	0.1000	\$0.22
WEST COAST INLAND WATERWAY	0.0400	\$0.09
LEE COUNTY ALL HAZARDS - UNINC	0.0733	\$0.16
SFL WATER MGMT-DISTRICT LEVY	0.5970	\$1.31

**Non Ad Valorem Taxes**

<b>Taxing Authority</b>	<b>Rate</b>	<b>Amount</b>
EAST COUNTY WATER CONTROL 070	75.3100	\$39.16

<b>Nov 2002</b>	<b>Dec 2002</b>	<b>Jan 2003</b>	<b>Feb 2003</b>	<b>Mar 2003</b>
\$81.22	\$82.06	\$82.91	\$83.75	\$84.60

VAC 2003-00057  
EXHIBIT C

Return to: Melissa Norsworthy  
Name: Executive Title Insurance Services,  
Address: 1140 Lee Boulevard Suite 111  
Lehigh Acres, Florida 33936



INSTR # 5906131  
Official Records BK 04005 PG 0796  
RECORDED 07/25/2003 11:52:57 AM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DEED DOC 21.00  
DEPUTY CLERK W Miller

This Instrument Prepared:  
Melissa Norsworthy  
Executive Title Insurance Services, Inc.  
1140 Lee Boulevard Suite 111  
Lehigh Acres, Florida 33936

as a necessary incident to the fulfillment of conditions  
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):  
02-45-27-09-00056.0020

File No:7030703

**WARRANTY DEED**

This Warranty Deed Made the 8 day of July, 2003,

By  
Paul Walker, a/k/a Paul Doyle Walker  
hereinafter called the grantor, whose post office address is:  
200 Lime Ridge Rd W, Hamilton, ON L9C7M7

to  
John Grubb and Virginia Grubb, Husband and Wife,  
whose post office address is:  
146 Homestead Rd. S. Apt. # 2, Lehigh Acres, FL. 33936,  
hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$10.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, viz:

Lots 2 and 3, Block 56, Unit 9, Section 2, Township 45 South, Range 27 East, Lehigh Acres, a subdivision as recorded in Plat Book 15, Page 199, Public Records of Lee County, Florida.

The property is not the homestead of the Grantor(s).  
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 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; and that said land is free of all encumbrances, except taxes accruing subsequent to January 1, 2003, reservations, restrictions and easements of record, if any.  
(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)  
In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES

**(TWO SEPARATE WITNESSES REQUIRED)**

1<sup>st</sup> Witness Signature: [Signature]  
Printed Name: Ronald Barr Paul Walker, a/k/a Paul Doyle Walker

2<sup>nd</sup> Witness Signature: [Signature]  
Printed Name: Michele Mifsud  
Province of Ontario

COUNTY OF

The foregoing instrument was acknowledged before me this 8 day of July, 2003, by Paul Walker, a/k/a Paul Doyle Walker, who is/are personally known to me or who has/have produced driver license(s) as identification, and who did / did not take an oath.

My Commission Expires:  
at the pleasure of the Queen

[Signature]  
Notary Signature  
Print Name: Ronald Barr  
Serial Number n/a

SEAL



Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 • FAX (239) 995-7904

www.lcec.net • www.lfmc.com

August 12, 2003

Mr. and Mrs. John Grubb  
146 Homestead Rd. S. #2  
Lehigh Acres, FL 33936

Re: Strap No. 02-45-27-09-00056.0020

Dear Mr. and Mrs. Grubb:

LCEC does not object to vacation of the utility easement described as follows:

A 12-foot-wide utility and/or drainage easement centered on the lot line between Lots 2 and 3, Block 56, Unit 9, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 199, of the Public Records of Lee County, Florida; LESS and EXCEPT the north 6 feet thereof.

Please call me at 656-2422 if I can be of any further assistance.

Sincerely,

Karen Hardin  
Real Property Representative



August 7, 2003

Mr. & Mrs. John Grubb  
146 Homestead Rd., S. #2  
Lehigh Acres, Florida 33936

Re: Vacation of Public Utility Easement:  
A 12 foot wide public utility and drainage easement  
centered on the lot line common to lots 2 & 3,  
Block 56, Section 02, Township 45S, Range 27E.as  
Recorded in Plat Book 15, page 199 of the Lee County  
Public Records. Strap No. 02-44-27-09-00056.0020

Dear Mr. & Mrs. Grubb:

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, we have no objection to the vacation of a portion of a public utility easement at the Lehigh Acres location.

If you should require additional information, please contact me at 863-452-3207.

Sincerely,

A handwritten signature in cursive script that reads "Wayneth Jackson".

Wayneth Jackson  
Engineer





September 5, 2003

John & Virginia Grubb  
146 Homestead Rd. S. #2  
Lehigh Acres, FL 33936

Re: A 12-foot wide drainage and/or utility easement centered on the lot line common to Lots 2 & 3, Block 56, Unit 9 Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, Page 199 of the Official Records of Lee County, Florida, less and except the easterly 6-feet and the westerly 6-feet thereof.

Dear Mr. & Mrs. Grubb:

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) 598-4187, if you need any additional information or other assistance.

Sincerely,

A handwritten signature in cursive script that reads "Rachel L. Cowing".

Rachel L. Cowing  
Legal Assistant



August 25, 2003

John & Virginia Grubb  
146 Homestead Rd S #2  
Lehigh Acres, Fla. 33936

RE: Vacation of easement – 1044 Belmont St E  
Lehigh Acres, Fla.

Dear Mr. & Mrs. Grubb:

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

A handwritten signature in black ink, appearing to read "Adnaldo Rodriguez". The signature is written in a cursive style with a long, sweeping underline.

Adnaldo Rodriguez  
Technical Field Inspector

AR/sgs

2931 Michigan Avenue  
Fort Myers, Florida 33916  
Phone 941-334-8828  
Fax 941-334-8575



July 31, 2003

John Grubb  
146 Homestead Rd S #2  
Lehigh Acres, FL 33936

Re: Request for a letter of Review and Recommendation on a Proposed  
Easement Vacation of the Following Location: 1044 Belmont St.  
Lehigh Acres, FL 33936 Strap# 02-45-27-09-00056.0020.

Dear John Grubb,

Comcast has no existing utilities in the above referenced location and has no  
Objection with the vacation of the above referenced utility easement.

If I may be of further assistance please do not hesitate to contact me at (239)  
732-3865.

Sincerely,

A handwritten signature in cursive script that reads "Lucia Vera". The signature is written in black ink and is positioned above the typed name and title.

Lucia Vera  
Design Coordinator



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

(941) 479-8181

Writer's Direct Dial Number: \_\_\_\_\_

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

July 29, 2003

John & Virginia Grubb  
146 Homestead Road, S. #2  
Lehigh Acres, Fl. 33936

**SUBJECT: PETITION TO VACATE A RIGHT-OF-WAY OR ROADWAY EASEMENT  
AT 1044 BELMONT STREET, E., LEHIGH ACRES, FL. 33936  
02-45-27-09-00056.0020**

Dear Sir or Madam:

Lee County Utilities has reviewed the Right-of-Way or Roadway easement described in your letter of July 29, 2003. Lee County Utilities has no facilities located within the easement; therefore, there is no objection to the vacation of this easement. However, you may also want to contact Florida Water Service, as your property is located within their Utility service area. Florida Water Service's phone number is (239) 278-5050.

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  
Senior Engineering Tech.  
UTILITIES ENGINEERING

S:\UTILS\Engr\MMML\LETTERS\VACATION\1044 BELMONT STREET - LEHIGH ACRES -NO-OBJECTION.doc



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

239 479-8348

Writer's Direct Dial Number: \_\_\_\_\_

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*

September 12, 2003

John and Virginia Grubb  
146 Homestead Road South  
Apt. #2  
Lehigh Acres, Florida 33936

Re: Recommendation for proposed vacation of a 12' wide Drainage and Public Utility Easement located at 1044 Belmont Street East, Lehigh Acres, Florida 33936.

Dear Mr. and Mrs. John Grubb:

This office has received your request to vacate 12-foot wide Drainage and Public Utility Easement centered on the common lot line between Lots 2 and 3, Block 56, Unit 9, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 199, of the Official Public Records of Lee County, Florida, LESS and EXCEPT the North 6-feet and the South 6-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

Pete Eckenrode  
Director

PJE/rlm

U:\200309\VAC20030.005\7\DCDLETTER.DOC



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: 479-8580

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*

August 14, 2003

John and Virginia Grubb  
146 Homestead Road S. #2  
Lehigh Acres, FL 33936

**RE: Petition to Vacate the 12 foot wide  
Drainage and Utility Easement on the  
Lot line common to Lots 2 and 3,  
Block 56, Unit 9, Lehigh Acres**

Dear Mr. And Mrs. Grubb:

Lee County Department of Transportation has reviewed your request to vacate the above described easement recorded in Plat Book 15, page 199. DOT has no facilities within the easement and does not maintain it.

Therefore, DOT offers no objection to this petition to vacate as proposed.

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

S:\DOCUMENT\Petition To Vacate\2003\Lots 2&3 Blk 56 - Grubb.doc



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

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

Wednesday, September 03, 2003

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*

Ms. Virginia Grubb  
146 Homestead Rd. S. #2  
Lehigh Acres, FL 33936

Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 2 & 3, Unit 9, Block 5, Lehigh Acres Subdivision, as recorded in Plat Book 15 Page 199, in the public records, Lee County, Florida.

Dear Ms. Grubb:

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 public utility & 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



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

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

Tuesday, September 09, 2003

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*

Mr. & Mrs. John Grubb  
146 Homestead Road South  
Lehigh Acres, FL 33936

Re: Petition to Vacate a twelve (12) foot wide public utility and drainage easement common to Lots 2 & 3, Unit 9, Block 5, Lehigh Acres Subdivision, as recorded in Plat Book 15 Page 199, in the public records, Lee County, Florida.

Dear Mr & Mrs. Grubb:

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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# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2003-00057

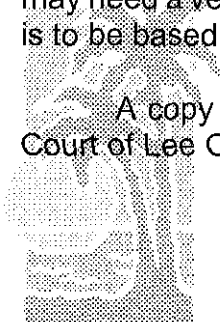
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 28th day of October 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.



LEE COUNTY

CHARLIE GREEN, CLERK

SOUTH WEST FLORIDA

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

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

APPROVED AS TO FORM

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

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

**Exhibit "A"**  
**Petition to Vacate**  
**VAC2003-00057**

**Legal Description**

A twelve-foot (12') wide Public Utility Easement AND Drainage Easement centered on the common lot line between Lots 2 and 3 of Block 56, Unit 9, Section 2, Township 45 South, Range 27 East, a Subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, at Page 199 of the Public Records of Lee County, Florida, according to map or plat there on file and recorded in Plat Book 35, Page 8 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the north six feet (6') and south six feet (6') thereof.

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE Case Number: VAC2003-00057**

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. VAC2003-00057 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"**  
**Petition to Vacate**  
**VAC2003-00057**

**Legal Description**

A twelve-foot (12') wide Public Utility Easement AND Drainage Easement centered on the common lot line between Lots 2 and 3 of Block 56, Unit 9, Section 2, Township 45 South, Range 27 East, a Subdivision of Lehigh Acres, Lee County, Florida, as recorded in Plat Book 15, at Page 199 of the Public Records of Lee County, Florida, according to map or plat there on file and recorded in Plat Book 35, Page 8 of the of the Public Records of Lee County, Florida.

**LESS AND EXCEPT** the north six feet (6') and south six feet (6') thereof.

John & Virginia Grubb  
146 Homestead Rd. S. #2  
Lehigh Acres, Fl. 33936

September 11, 2003

RE: 1044 Belmont St. E.  
Lehigh Acres, FL. 33936  
Strap # 02-45-27-09-00056.0020


We respectfully request to vacate the 12 FT DRAINAGE AND  
Public Utility

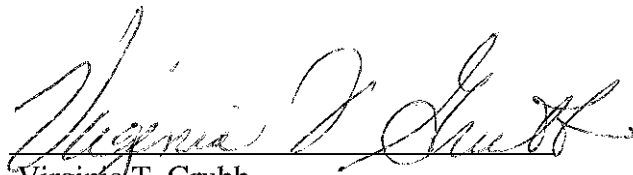
easement identified above in order to be able to build our home in the center of

our two lots.

Re: Vac 2003-00057

Thank you for your consideration in this matter.

  
\_\_\_\_\_  
John C. Grubb

  
\_\_\_\_\_  
Virginia T. Grubb

Grubb, John E Virginia  
146 Homestead Rd S #2 Lehigh Acres, FL. 33936

Lots 2 and 3, Block 56, Unit 9, Section 2, Township 45 South, Range 27 East, Lehigh Acres, a subdivision  
recorded in Plat Book 15, Page 199, Public Records of Lee County, Florida.



SCALE IN FEET  
 0 50 100 200

PLAT OF UNIT 9  
 SECTION 2, TWP. 45 S., RGE. 27 E.  
 A SUBDIVISION OF  
**LEHIGH ACRES**  
 LEE COUNTY, FLORIDA

All lots subject to a 6 foot Utility Easement on both sides and back, and a 6 foot Drillage Easement on the front and sides of lot on 50 foot R/W.  
 Interior P.R.M.s are 4" x 4" x 24" concrete.  
 \* Denotes P.R.M.s  
 All corner lot radii are 25 feet except as shown and the lot dimensions are to the straight line intersections, except where arc distances are shown.  
 All Canals are hereby dedicated to East County Water Control District.  
 x Witness Monument.

