

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: **VAC2023-00033**

WHEREAS, Petitioner **Chrislene Lafond** 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 easements legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida considered this Petition to Vacate on the _____ ; and

WHEREAS, a legally sufficient Proof of Publication regarding the Notice of Intent on this Petition to Vacate was provided to the Clerk of Court; and the said Proof of Publication is attached as Exhibit "C"; 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 (if any) 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. **VAC2023-00033** is hereby granted.
 2. The public's interest in the easements 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:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY

BY: _____
Deputy Clerk

BY: _____
Chair Signature

Approved as to Form for the
Reliance of Lee County Only

BY: _____
County Attorney

SKETCH AND DESCRIPTION

**PLAT BOOK 15, PAGE 90
SECTION 34, TOWNSHIP 44 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

DESCRIPTION OF EASEMENT TO BE VACATED

Lots 8 and 9, Block 114, Unit 12, Section 34, Township 44 South, Range 26 East, Lehigh Acres according to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 15, Page 90, Public Records of Lee County, Florida and being more particularly described as follows:

Commencing at the Northwest corner of Lot 8 run North 87°52'35" East for a distance of 80.00 feet, thence run South 02°07'25" East for a distance of 6.00 feet to the Point of Beginning.

From said point of beginning run South 87°52'35" West for a distance of 6.00 feet, thence run South 02°07'25" East for a distance of 124.13 feet, thence run North 87°52'35" East for a distance of 12.00 feet, thence run North 02°07'25" West for a distance of 124.13 feet, thence run South 87°52'35" West for a distance of 6.00 feet to the Point of Beginning of the lands herein described.

Parcel Contains 1,489.56 Square Feet, of 0.03 Acres, Plus or Minus.

THIS IS NOT A SURVEY

Reviewed and Approved By:



**ELITE
SURVEYING**

4371 NOCATEE LANE.
FORT MYERS, FL 33905
239-362-3928(OFFICE)
INFO@ELITESURVEYING.NET
LB8427

(SIGNED) _____

**John Robert Avery III, P.S.M.
Professional Surveyor & Mapper
FL License No. 5298**

Not Valid without Signature and Original Raised Seal or Adobe Electronic Signature of John Robert Avery III, P.S.M.

NOTICE OF INTENT FOR PETITION TO VACATE

Case Number: VAC2023-00033

Notice is hereby given that on the _____ 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 Lee County Community Development, 1500 Monroe Street, Fort Myers, Florida, 33902-0398 (239) 533-8585.

Lee County will not discriminate against individuals on the basis of race, color, national origin, sex, age, disability, religion, income or family status. To request language interpretation, document translation or an ADA-qualified reasonable modification at no charge to the requestor, contact Joan LaGuardia, (239) 839-6038, Florida Relay Service 711, at least five business days in advance. El Condado de Lee brindará servicios de traducción sin cargo a personas con el idioma limitado del inglés

KEVIN C. KARNES
CLERK OF CIRCUIT COURT

Deputy Clerk

Approved as to Form for the
Reliance of Lee County Only

County Attorney



PETITION TO VACATE TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: February 19, 2024

To: Rose Bahena
Administration

FROM: Colleen Bennett
Development Services

CASE NUMBER: VAC2023-00033

Applicable Public Noticing Requirement:

PTV under AC13-1
1st Notice - 15 days prior to Public Hearing
2nd Notice - 7 days prior to Public Hearing

PTV under AC13-8
One Notice - 15 days prior to Public Hearing

Upon scheduling of Public Hearing date, please provide e-mail notice to Gary Rashford, Development Services Surveyor, Development Services (grashford@leegov.com) and David Halverson, Assistant County Attorney (dhalverson@leegov.com)



PETITION TO VACATE (AC 13-1)

Case Number: VAC 2023 - 00033

Petitioner(s), Christene Lafond 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: P.O. Box 9243 Naples, FL 34104
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 that the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:


Petitioner Signature


Petitioner Signature

Christene Lafond
Printed Name

Christene Lafond
Printed Name