

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: **VAC2019-00005**

WHEREAS, Petitioner **Lee County Mosquito Control District** 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 held a Public Hearing on this Petition to Vacate on the _____ ; and

WHEREAS, a legally sufficient Proof of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting; and the original 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. VAC2019-00005 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:
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chair Signature

Please Print Name

Please Print Name

Approved as to Form for the
Reliance of Lee County Only

County Attorney Signature

Please Print Name

Exhibit A

Exhibit "A"

PLAT OF UNIT 3 OF LEHIGH PARK

LOTS 41 AND 42, BLOCK 13, AS SHOWN ON THE PLAT OF UNIT 3 LEHIGH PARK, A
SUBDIVISION OF LEHIGH ACRES, AS RECORDED IN PLAT BOOK 15, PAGE 66, OF
THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

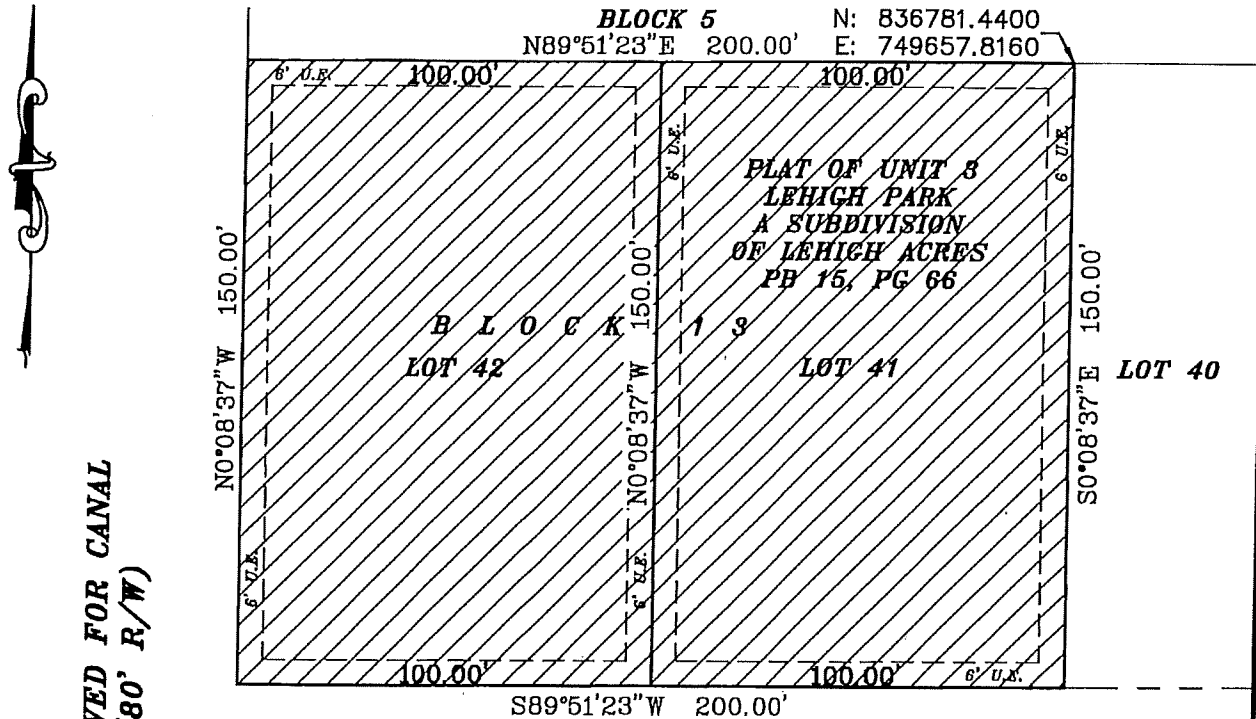
Exhibit B

LOTS 41 AND 42 VACATION DESCRIPTION:

LOTS 41 AND 42, BLOCK 13, AS SHOWN ON THE PLAT OF UNIT 3 LEHIGH PARK, A SUBDIVISION OF LEHIGH ACRES, AS RECORDED IN PLAT BOOK 15, PAGE 66, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

NOTE:

1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
2. THIS IS NOT A BOUNDARY SURVEY.
3. NEITHER THIS SKETCH NOR THE REPORT IS VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE UNDERSIGNED FLORIDA SURVEYOR. ALTERATIONS TO THIS SKETCH ARE NOT VALID WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR.
4. PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYS ADOPTED PURSUANT TO FLORIDA STATUTE 5J-17.



VAC2019-00005

PARK ROAD
(80' R/W)

LEGEND

PG PAGE OR PAGES
PB PLAT BOOK
R/W RIGHT OF WAY
U.E. UTILITY EASEMENT
VACATED AREA

RECEIVED
MAR 27 2019

COMMUNITY DEVELOPMENT

20TH STREET

PLAN TYPE	EASEMENT VACATION
SCALE:	1" = 40'
DATE:	OCTOBER 2, 2018
SHEET	1 OF 1
PROJECT #	LCMCD-UEVAC

LIS

ENGINEERING
LAND SURVEYING

31430 Palm Beach Blvd.
Alva, Fla. 33920
Phone: (239) 693-9244
Facsimile: (239) 693-9828

2572 West State Road 426
Suite 1064, Orlando, FL 32765
Phone: (321) 244-0402
Facsimile: (321) 244-9419

CA NO: 6853
CA NO: 19005
L.D.1057

APPROVED
DONALD HOLT
FLORIDA PSM #3989
VALID ONLY WITH SEAL

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2019-00005

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 the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service, or adarequests@leegov.com at least five business days in advance.

LINDA DOGGETT, CLERK

Deputy Clerk Signature

Please Print Name

Approved as to Form for the
Reliance of Lee County Only

County Attorney Signature

Please Print Name



PETITION TO VACATE TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: October 25, 2019

To: Kim Rasner
Adminsitration

FROM: Gary Rashford
Development Services

BLUESHEET NUMBER: _____

CASE NUMBER: VAC2019-00005

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 John Fredyma, Senior Assistant County Attorney (jfredyma@leegov.com)



PETITION TO VACATE (AC 13-1)

Case Number: VAC2019-00005

Petitioner(s), ED BRANTLEY (BOARD CHAIR, LEE COUNTY MOSQUITO CONTROL) 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: 1591 HOMESTEAD ROAD LEHIGH ACRES FL 33971
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

ED BRANTLEY, BOARD CHAIR

Printed Name

Printed Name

RECEIVED
DEC 05 2019

VAC2019-00005