

THIS INSTRUMENT PREPARED BY:

Department of Community Development  
Development Services Division  
1500 Monroe Street  
Fort Myers Florida 33901

INSTR. # 2020000067636, Pages 5  
Doc Type: GOV, Recorded: 3/17/2020 at 3:03 PM  
Linda Doggett Lee County Clerk of the Circuit Court  
Rec Fees: \$44.00

Deputy Clerk TBAER  
#2

## RESOLUTION NO. 20-02-07 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 18th Day of February, 2020; 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.

PH3  
02/18/20R

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 18th Day of February, 2020.

ATTEST:

LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

Missy Flint

Deputy Clerk Signature

Brian Hamman

Chair Signature

Missy Flint

Please Print Name

Brian Hamman

Please Print Name

Approved as to Form for the  
Reliance of Lee County Only

John J. Fredyma

County Attorney Signature

JOHN J FREDYMA

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.

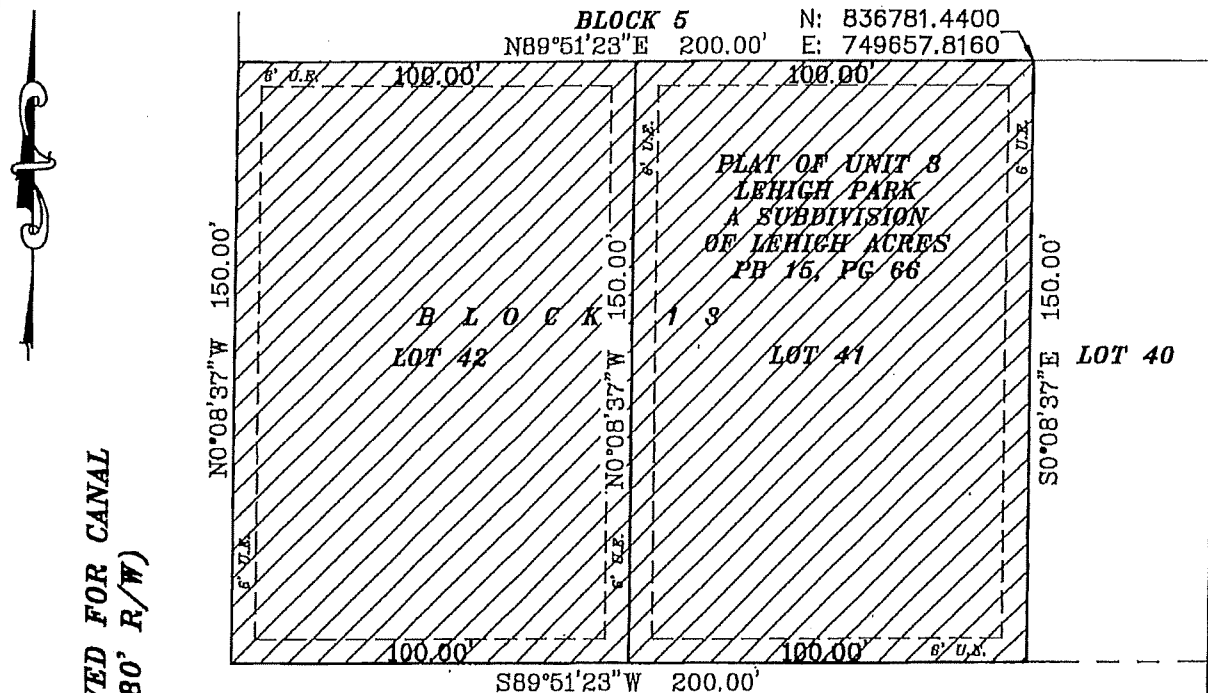
# Exhibit B

## 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.



RESERVED FOR CANAL  
(80' R/W)

### LEGEND

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

VAC2019-00005

PARK ROAD  
(80' R/W)

RECEIVED  
MAR 27 2019

COMMUNITY DEVELOPMENT

20TH STREET

BLOCK 21  
LOT 27

BLOCK 20  
LOT 23

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

**LIS**

ENGINEERING  
LAND SURVEYING

CA NO.: 6853  
CANO.: 39008  
LB1057

31430 Palm Beach Blvd.  
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DONALD HOLT  
FLORIDA PSM #3989  
VALID ONLY WITH SEAL

# The News-Press media group

news-press.com A GANNETT COMPANY

## NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2019-00005

Attn:

LCBC-COUNTY ADMINISTRATION  
2115 2ND ST  
FORT MYERS, FL 33901

Notice is hereby given that on the 18th day of February, 2020 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 as follows:

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

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 711, or [adarequests@leegov.com](mailto:adarequests@leegov.com), at least five business days in advance.

AD#4033898 2/3, 2/11/2020

### STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

### Notice Public Hearing

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

02/03/20, 02/11/20

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 13th of February 2020, by legal clerk who is personally known to me.

Legal Clerk

Notary Public State of Wisconsin County of Brown

My commission expires

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

021820R 930PH3



LEE COUNTY  
SOUTHWEST FLORIDA

PETITION TO VACATE  
TRANSMITTAL FOR PUBLIC NOTICE  
REQUIREMENTS

DATE: October 25, 2019

To: Kim Rasner  
Administration

FROM: Gary Rashford  
Development Services

BLUESHEET NUMBER: \_\_\_\_\_

CASE NUMBER: VAC2019-00005

Applicable Public Noticing Requirement:

☒ PTV under AC13-1

1<sup>st</sup> Notice - 15 days prior to Public Hearing

2<sup>nd</sup> 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](mailto:grashford@leegov.com)) and John Fredyma, Senior Assistant County Attorney ([jfredyma@leegov.com](mailto:jfredyma@leegov.com))

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