



Lee County Electric Cooperative, Inc.

Post Office Box 3455

North Fort Myers, FL 33918-3455

(239) 995-2121 • Fax (239) 995-7904

www.lcec.net

May 25, 2023

Mr. Nelson M. Pinney
Ms. Paula A. Sterrenberg
1215 SW 28th Terrace
Cape Coral, FL 33914

Re: Letter of No Objection to Vacation of a Portion of SE 2nd ST, lying between 174424C201339.0010 (Plat Book 13, Page 119) and 174424C201338.0300 (Plat Book 13, Page 116) as recorded in Plat Book 13 Pages 96 through 120, inclusive, of the Public records, Lee County, Florida; Owners: Nelson M. Pinney and Paula A. Sterrenberg, as tenants in common.

Dear Mr. Pinney and Ms. Sterrenberg,

You have opened up negotiations on behalf of yourselves, concerning the vacation of a certain road right of way as depicted on a portion of a plat as known as Cape Coral Subdivision, Unit 18, as recorded in Plat Book 13, Pages 96 through 120, inclusive, of the Public Records of Lee County, Florida.

We have reviewed the Plat, the request submitted, and our internal records. LCEC has **no objection** to the vacation, as submitted and reflected, in the request. However, LCEC requires a continuous perimeter easement surrounding your property in order to serve you. Therefore, in the after situation to the vacation, you, the petitioner, will need to provide to the appropriate local jurisdiction, and impose a six-foot wide easement so that there is a continuous perimeter easement located upon the parcel at the new road right of way and the vacated portion of the road now under new but divided ownership.

Should no definitive action, no approval, by local jurisdiction be received by the petitioner, this letter will terminate upon six months from the date listed above. This letter is not assignable to a third-party, and is non-recordable. This letter will become immediately void upon recordation.

Should there be any questions please call me at 239-656-2207, or, if you prefer, I may be reached by email at Allan.Ruth@lcec.net.

Very truly yours,

LEE COUNTY ELECTRIC COOPERATIVE, INC.

Allan Ruth, Manager
LCEC Operations and Business Support



DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION

Applicant

For Internal Use Only

Case VP21-0016

Date 11/2/2021

Tel. (239) 574-0553

Fax (239) 574-0591

P.O. Box 150027

Cape Coral, FL 33915-0027

VACATIONS OF A PLAT, EASEMENTS, AND RIGHT-OF-WAY APPLICATION

VACATIONS REQUIREMENTS

1. ☒ Application, Acknowledgement Form, Authorization to Represent.
 - All forms must be filled out completely and legible.
 - All forms must be signed by the property owner(s) and must be notarized.
 - If the owner does not own the property in his/her personal name (e.g. LLC, trust, etc.), the owner must sign all applicable forms in his/her corporate capacity.
 - If the authorized representative is an attorney, the application and the Acknowledgement Form may be signed by the attorney, and an Authorization to Represent Property Owner Form is not required.
2. ☒ Letter of intent clearly identifying the request and why the vacation is sought.
3. ☐ Proof of title to the tract or parcel of land covered by the plat or, of the plat of which vacation is sought.
4. ☒ Letters of approval from the following utility companies:

LCEC (Electric)	Century Link (Telephone)	Comcast (Cable)
Russell Goodman	Bill Paul	Timothy Green
Design and Engineering Coordinator	Network Infrastructure Services	Construction Specialist II
PO Box 3455 North Ft Myers, FL 33918-3455	8441 Littleton Rd. North Fort Myers, FL 33903	12600 Westlinks Drive Ste. 4 Fort Myers, FL 33913
Russel.goodman@lcec.net	William.d.paul@centurylink.com	Timothy_Green@Comcast.com
PH: (239) 656-2112	PH: (727) 449-3544	PH: (239) 707-3998

5. ☐ Sketches and legal descriptions of the area proposed to be vacated.
6. ☐ If there are any deed restrictions on the property, a copy of the restrictions will be required.
7. ☐ Certified topographic survey (done within the past six months, and showing all pavement, utility and drainage features in said area, including but not limited to water, sewer and irrigation lines and manholes; power, cable and utility lines and poles; catch basins, inlets, pipes, and swales. In the case where no features exist, a signed, sealed and dated certification by a Florida registered Professional Engineer can be submitted which certifies that there are no such roadway, utility or drainage features within the limits of and adjacent to the proposed vacated area.
8. ☐ Any additional required supporting documents.
9. ☐ Refer to LDC, Section 3.4.5 for information on regulations concerning vacations.



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VACATIONS OF PLAT REQUEST TO THE HEARING EXAMINER AND CITY COUNCIL

FEE: \$843.00 – In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4) Advertising costs must be paid prior to public hearing otherwise the case may be continued to a future hearing date.

If the vacation is approved, the applicant shall be responsible for reimbursing the City to record the final resolution or ordinance with the Lee County Clerk of Court. Until these fees are paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the City from issuing any applicable building permits, site plans, or certificates of occupancy for any property covered by the resolution or ordinance.

PROPERTY INFORMATION	
Project Name: _____	
Location/Address <u>1933 SE 2 STREET CC 33990</u>	
Strap Number <u>17-44-24 C2-1339.0010</u> Unit <u>18</u> Block <u>1339</u> Lot (s) <u>1-2</u>	
Strap Number _____ Unit _____ Block _____ Lot (s) _____	
Plat Book <u>13</u> Page <u>96-120</u> Future Land Use _____ Current Zoning _____	
PROPERTY OWNER (S) INFORMATION	
Owner <u>NELSON M. PINNEY</u> Address <u>1215 SW 28 TERRACE</u>	
Phone <u>239-223-7254</u> City <u>CC</u>	
Email <u>NELSON33914@GMAIL.COM</u> State <u>FL</u> Zip <u>33914</u>	
Owner <u>Paula A. Sterrenberg</u> Address <u>1215 SW 28 TERRACE</u>	
Phone <u>217-778-9685</u> City <u>CC</u>	
Email <u>TRWEEP20@gmail.com</u> State <u>FL</u> Zip <u>33914</u>	
APPLICANT INFORMATION (If different from owner)	
Applicant _____ Address _____	
Phone <u>SAME</u> City _____	
Email _____ State _____ Zip _____	
AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)	
Representative _____ Address _____	
Phone <u>N/A</u> City _____	
Email _____ State _____ Zip _____	



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If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

(ALL SIGNATURE MUST BE NOTARIZED)

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

CORPORATION/COMPANY NAME (IF APPLICABLE)

NELSON M. PINNEY
OWNER'S NAME (TYPE OR PRINT)

PAULA A. STERRENBURG
OWNER'S NAME (TYPE OR PRINT)

N/A
APPLICANT NAME (TYPE OR PRINT)

Nelson M. Pinney
OWNER'S SIGNATURE
Paula A. Sterrenberg
OWNER'S SIGNATURE

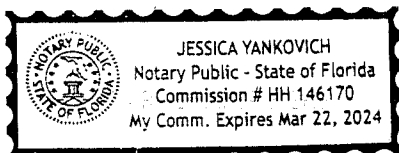
APPLICANT SIGNATURE

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF FL

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online notarization, this 6 day of October, 2021 by Nelson M Pinney
Paula A. Sterrenberg who is personally known to me or produced FIDL as identification.



Exp Date: 3/22/2024 Commission Number: HH 146170

Signature of notary Public: Jessica Yankovich

Printed Name of Notary Public: Jessica Yankovich



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AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT _____
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER
AND CITY COUNCIL.

UNIT _____ BLOCK _____ LOT(S) _____ SUBDIVISION _____

OR LEGAL DESCRIPTION _____

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribe before me, by means of ☐ physical presence or ☐ online
notarization, this _____ day of _____, 20__ by _____ who
is personally known to me or produced _____ as identification.

Exp Date: _____ Commission Number: _____

Signature of notary Public: _____

Printed Name of Notary Public: _____

Note: Please list all owners. If a corporation, please supply the Planning Division with a copy of
corporation papers.



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ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

I will have the opportunity at the hearing to present information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 20 Day of OCTOBER, 2021.

CORPORATION/COMPANY NAME

NELSON M. PINNEY
Paula D. Stervenberg
OWNER'S NAME (TYPE or PRINT)

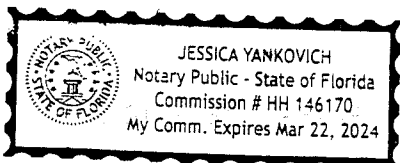
STATE OF FL

COUNTY OF Lee

OWNER'S SIGNATURE

Nelson M. Pinney
Paula D. Stervenberg

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online notarization, this 6 day of October, 2021 by Nelson M Pinney Paula A. Stervenberg who is personally known to me or produced FIDL as identification.



Exp Date: 3/22/2024 Commission Number: HH 146170

Signature of notary Public:

Jessica Yankovich

Printed Name of Notary Public:

Jessica Yankovich



DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION

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Fax (239) 574-0591
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DOCUMENTARY EVIDENCE (LDC, Section 3.1.11F.6)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than three business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

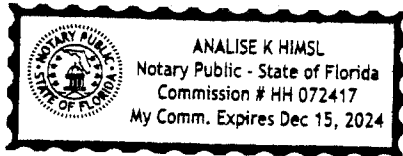
NELSON M. PINNEY Nelson M. Pinney
OWNER/APPLICANT OWNER/APPLICANT SIGNATURE
(PLEASE TYPE OR PRINT)

(SIGNATURE MUST BE NOTARIZED)

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online notarization, this 28th day of October, 2021 by Nelson M Pinney who is personally known to me or produced FDL Exp 3/23/2028 as identification.

Exp Date: 12/15/2024 Commission Number: HH 072417



Signature of Notary Public: Analise Himsl

Printed Name of Notary Public: Analise Himsl



Vacations of Plats, Easements, and Right-of-Way Regulations

Section 3.4.5. Vacations of Plats, Easements, and Rights-of-way.

The purpose and intent of this section is to provide procedures for City Council to vacate rights-of-way, easements, and plats pursuant to authority granted under Florida law. The City Council may adopt ordinances vacating plats in whole or in part of subdivisions within the corporate limits of the city, returning the property covered by such plats either in whole or in part into acreage for the purpose of taxation, or vacating public rights-of-way, public easements, or other property in response to applications filed from adjoining property owners.

A. General.

1. The city may retain an easement for utilities or drainage over any vacated right-of-way and that no use may be made of vacated right-of-way which will be inconsistent with or interfere with the retained easement. The party seeking vacation of a plat, city street, alley, canal, other right-of-way, public easement, or other property must show or submit the following:
 - a. Petitioner has color of title to the tract or parcel of land covered by the plat or portion of 1796 the plat of which vacation is sought, unless the petitioner is the City of Cape Coral;
 - b. Letter of approval from Lee County Electric Cooperative, Inc.;
 - c. Letter of approval from affected telephone companies;
 - d. Letter of approval from affected cable companies; and
 - e. Letter of approval from any other affected utility companies (e.g., water, sewer);
2. Applicants requesting to vacate rights-of-way or easements shall provide a recent boundary survey or survey sketch of the property prepared by a registered surveyor showing the area to be vacated and provide a complete legal description(s). The survey or sketch shall show all pavement and all utility and drainage facilities, including water, sewer, cable lines, utility poles, swales, ditches, manholes, and catch basins. Separate drawings and legal descriptions are required for each vacation area when right-of-way and easement configurations differ.

B. Standards and Criteria. Applications for vacations shall be reviewed in accordance with the following criteria:

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.
2. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION**

*Tel. (239) 574- 0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915- 0027*

3. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way.
4. If alternate routes are required or available that do not cause adverse impacts to surrounding areas.
5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation.

C. Additional Procedures and Noticing Requirements. In addition to the standard notice requirements required by this Code, the following additional notice requirements apply for vacations:

1. Specific notice requirements for vacations. Public hearing notices to vacate a plat or portion thereof shall be published once a week for two consecutive weeks, the first publication being not less than two weeks prior to the date of public hearing on the petition.
2. If the parcel to be vacated includes an alley, all property owners serviced by the alley and all property owners serviced by a connecting alley shall be noticed.
3. Adoption and recording of resolution and ordinance. After public hearing, the City Council may approve an application for a vacation if it determines there is no reasonably foreseeable public use for the vacated area. Approval of a vacation shall be by resolution or ordinance. The City may retain easements for utilities or drainage in and upon the vacated area. Upon adoption of the resolution vacating the plat or portion thereof, the City Clerk shall furnish to the petitioner a certified copy thereof and the petitioner shall cause the same to be recorded in the public records of the county and shall return a copy, showing the recording information, to the Department of Community Development.
4. Effect. The adoption and recording of a vacation shall have the effect of vacating all streets and alleys and city-owned easements shown on the portion of the plat so vacated, unless the resolution or ordinance specifically reserved unto the city such city-owned easements or such streets or alleys. If public rights-of-way are vacated, the resolution or ordinance shall specify whether or not easements are reserved therein for utilities and drainage. The resolution or ordinance shall not have the effect of vacating any public canal shown on the portion of the plat vacated, unless the resolution or ordinance specifically so provides.
5. Petitioner's responsibility. The city, City Council, and all officers, employees, and agents thereof shall not assume any responsibility or liability for any matters and things to be done or completed by the petitioner pursuant to the provisions hereof. It is recognized that this procedure may affect substantial interests in real property and other proprietary rights, and the petitioner shall assume full and complete responsibility for compliance with the requirements of law and these procedures in connection with or arising out of any vacation proceedings instituted by the petitioner.

Nelson M. Pinney
1215 SW 28 TERRACE
Cape Coral 33914
239-458-0052
239-223-7254
nelson33914@gmail.com

TO: City of Cape Coral
Department of Community Development
Planning Division

Attn: Mike Struve

RE: Project # VP21-0016

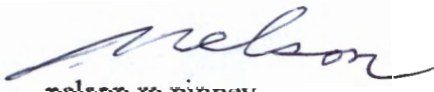
DATE: January 26, 2023

Here is the “missing” survey that was requested. Now, all the dots should be connected.

I am glad for the chance to reopen VP21-0016—hopefully we can bring things to a close.

Please review and advise my further participation.

Thank you,



nelson m pinney



October 18, 2021

Attn: Nelson Pinney

RE: Letter of Review and Recommendation – Vacation Utility Easement
STRAP # 17-44-24-C2-1339.0010
1933 SE 2 Street, Cape Coral, FL 33990

Dear Mr. Pinney,

Thank you for contacting Comcast regarding your proposed vacation. This is to inform you that Comcast **does not** have facilities in the proposed area and Comcast has no objection to the vacation providing that any of Comcast facilities that are in need of being relocated be paid for by the customer and Comcast is granted new easements.

If you have any further question or concerns, please do not hesitate to contact me at (941) 914-7844.

Sincerely,

Paul Brown

Manager, Construction SWFL

12600 Westlinks Dr. Suite #4
Fort Myers, FL 33913
Cell (941) 914-7844
Brown_Paul@Comcast.com

10/12/2021

Nelson Pinney and Paula Sterrenberg
1933 SE 2nd Street
Cape Coral, FL 33990



No Reservations/No Objection

SUBJECT: Lots 1 & 2 Block 1339, Cape Coral Unit 18. According to the plat recorded in Plat Book 13, Page 119 of the Public Records of Lee County.

To Whom It May Concern:

Embarq Florida, Inc., d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you would like to discuss this vacate request, please contact Bill Paul at 727-449-3544 or william.d.paul@centurylink.com

Sincerely yours,

Mike Pietlukiewicz
Contract Manager III
CenturyLink
P839093

Nelson M. Pinney
1215 SW 28 TERRACE
Cape Coral 33914
239-458-0052
239-223-7254
nelson33914@gmail.com

TO: City of Cape Coral
FROM: Nelson M Pinney & Paula A Sterrenberg
RE: Intention to Vacate
DATE: October 28, 2021

We are requesting vacation of a portion of SE 2 Street Right of Way, Cape Coral Unit 18, Plat Book 13, Pages 96-120, Public records of Lee County, Florida.

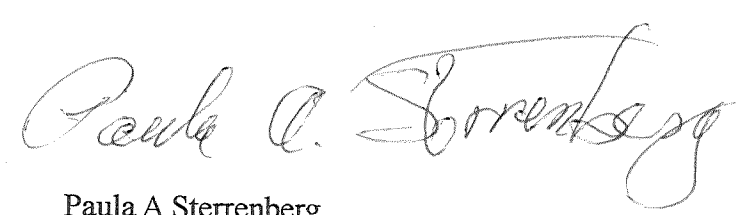
The requested vacation will enable us to provide a circular-type driveway to ease safe automobile egress. Without the vacation vehicles will be limited to unsafe backing out onto SE 2 Street. With vacation vehicles will have safe forward motion exiting the property.

The of adjacent affected property have agreed and suport the vacation request.

There is no intention to vacate underlying utilities or drainage system.

Thank you.


Nelson M Pinney


Paula A Sterrenberg



Lee County Electric Cooperative, Inc.

Post Office Box 3455

North Fort Myers, FL 33918-3455

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www.lcec.net

May 25, 2023

Mr. Nelson M. Pinney
Ms. Paula A. Sterrenberg
1215 SW 28th Terrace
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We have reviewed the Plat, the request submitted, and our internal records. LCEC has **no objection** to the vacation, as submitted and reflected, in the request. However, LCEC requires a continuous perimeter easement surrounding your property in order to serve you. Therefore, in the after situation to the vacation, you, the petitioner, will need to provide to the appropriate local jurisdiction, and impose a six-foot wide easement so that there is a continuous perimeter easement located upon the parcel at the new road right of way and the vacated portion of the road now under new but divided ownership.

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Should there be any questions please call me at 239-656-2207, or, if you prefer, I may be reached by email at Allan.Ruth@lcec.net.

Very truly yours,

LEE COUNTY ELECTRIC COOPERATIVE, INC.

Allan Ruth, Manager
LCEC Operations and Business Support

TO: City of Cape Coral
Planning Department

FROM: ~~Hayth Kim Hyn~~
8422 Torchwood Circle
Westminster, CA 92683


RE: VP21-0016

DATE: July 12, 2021

Please be advised I have no objection to the vacation of a portion of SE 2 Street laying between our respective properties on Block 1338 and Block 1339.

Thank you.

Yours truly,


Kim Hyn

VPd1-cer 6



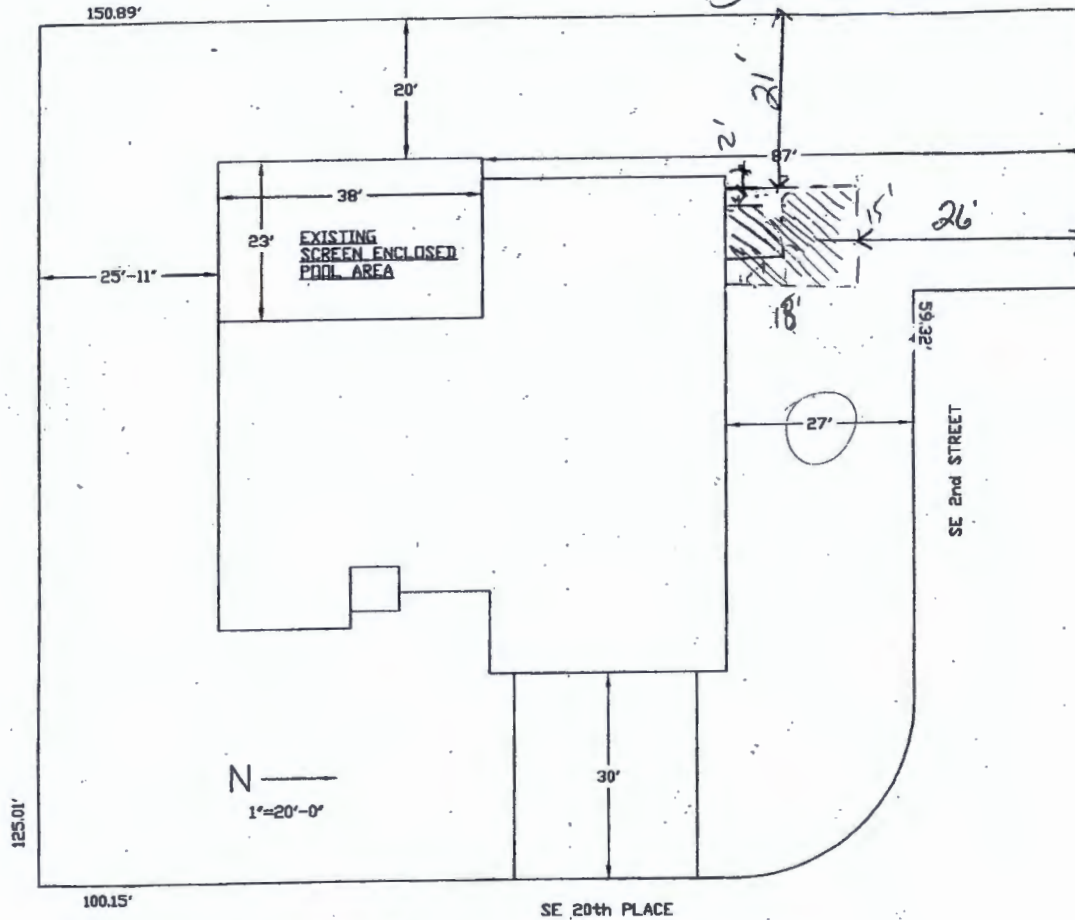
PENGUIN POOLS
1610 S.E. 47th STREET
CAPE CORAL, FL 33904

HUNKINS
204 SE 20th PLACE
Block 1338 Lots 30-31-32

~~B12-13264(B)~~

204 SE 20 PLACE
UNIT 18 BLOCK 1338
PB 13 PG 116
LOT 30-31-32

B14-09682

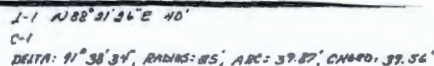


**CAPE CORAL ZONING
REVIEWED**

Subject to conformance to all
Local, State and National Code

Date: 10/31/12 By: RJC

ALL SETBACK DIMENSIONS
ARE FROM PROPERTY LINES



BY: Robert E. Evans DATE: 10-20-92
ROBERT E. EVANS (F.S.# 400)

NOTE: THIS CERTIFICATION IS ONLY FOR THE LAND DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENT, FREEDOM OF ENCUMBRANCE OR RIGHT-OF-WAY. THIS CERTIFICATION IS NOT VALID UNLESS SIGNED BY THE SURVEYOR AND SEALED WITH THE SURVEYOR'S ENCLOSED SEAL.

LEGEND:

- | | |
|--------------------------------------|--|
| 21) BLEK = BLOCK | 23) PP = POWER POLE |
| 22) CA = CALCULATED | 24) PR = PERMANENT REFERENCE |
| 23) CBL = CABLE TV BOX | 25) R = RIGID |
| 24) CDS = CONCRETE DRAIN STRUCTURE | 26) PUB = PUBLIC UTILITY EASEMENT |
| 25) CL = CENTERLINE | 27) RCH = RIGHT-OF-WAY |
| 26) CML = CURB LINE FENCE | 28) SET = SET CONCRETE MONUMENT |
| 27) CO = CONCRETE | 29) S = 3" x 3" FLAG #601 |
| 28) CCM = CONCRETE PAD | 30) S-D = STONE DRAIN |
| 29) CR = CURBLINE EASEMENT | 31) SSI = SET DRILL HOLE |
| 30) CS = DRAINAGE & UTILITY EASEMENT | 32) SW = SET "SW" IRON ROD & CAP FLG # 601 |
| 31) CUP = CURBLINE MONUMENT | 33) T = TIE |
| 32) FCM = FORMED CONCRETE MONUMENT | 34) SWIR = SET WITNESS "SW" IRON ROD & CAP FLG # 601 |
| 33) FCH = FORMED DRILL HOLE | 35) SW = STAKE |
| 34) FCM = FORMED BENCH MARK | 36) T-B = TOP MARK |
| 35) IMBT = FOUND MARK & TAIL | 37) TR = TEMPORARY BENCH MARK |
| 36) HYD = HYDRO INFORMATION | 38) UTS = UNITED TELEPHONE SERVICE |
| 37) IMR = IRON MARK | 39) WDS = WOOD FRAME STRUCTURE |
| 38) L = LEASE LINE | 40) W = WATER METER |
| 39) LCL = OUTDOOR LIGHT | 41) WWS = WALKWAY OR SIDE WALK |
| 40) PL = PLAT | 42) DIA = DIAMETER |
| 41) PERM = PERMANENT CONTROL POINT | |

NOTES:

- 1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- 2) UNDERGROUND UTILITIES WERE NOT FIELD LOCATED.
- 3) ONLY INTERIOR IMPROVEMENTS SHOWN WERE LOCATED.
- 4) PUGCEL WAS SURVEYED FROM INFORMATION FURNISHED BY CLIENT.
- 5) PUGCEL LIES IN FLOOD ZONE B.
- 6) READINGS ARE BASED ON PLAT BOOK 13, PAGE 116.
- 7) PARCELS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD.

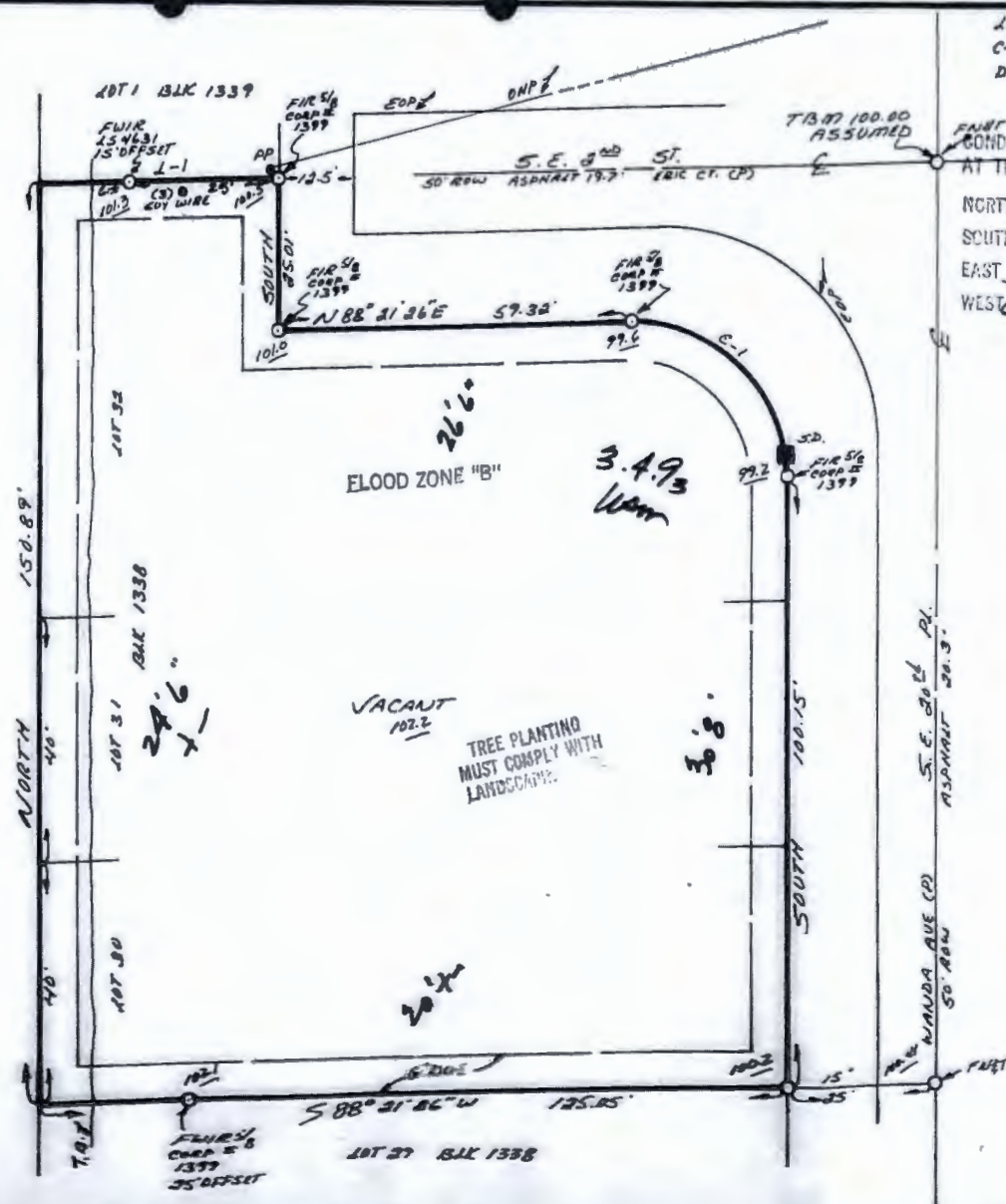
WQ-92-668 R. K. BURNS SURVEYING, INC. 1910-C COURTNEY DRIVE FORT MYERS, FLORIDA 33901 (813) 936-4359 BUSINESS (813) 936-3287 FAX	FR-31 BOUNDARY SURVEY LOTS 30-32, BLOCK 1308, UNIT 18, CAPE CORAL SUBDIVISION, LEE COUNTY, FLORIDA. PLAT BOOK 13, PAGES 18-19. LEE COUNTY RECORDS SECTION 34, TOWNSHIP 44 NORTH, RANGE 34 EAST, LEE COUNTY, FLORIDA	SHEET NO. 1 OF 1
--	---	------------------------

FIELD WORK COMPLETED: 10/18/53

RE: VP21-0016

204 SE 20 PLACE
UNIT 18 BLOCK 1338
LOT 30-32
STRAP# 17-44-24-C2-01338.0300

MANITOBA CANAL



L-1 N88°21'36" E 40'
C-1
DATA: 91°38'34", RADIOS: 85', ARC: 39.87', CHORD: 39.56'

CONDITION OF ADJOINING LOTS
AT TIME OF FOOTER INSP.

NORTH Streets
SOUTH House
EAST Street
WEST Canal

CERTIFICATION:
I HEREBY CERTIFY TO OYSTER BAY HOMES, INC. THAT A BOUNDARY SURVEY OF LOTS 30-32, BLOCK 1338, UNIT 18, CAPE CORAL SUBDIVISION, LEE COUNTY, FLORIDA ACCORDING TO THE RECORD THEREOF AS RECORDED IN PLAT BOOK 13, PAGES 96-120, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA WAS COMPLETED UNDER MY DIRECTION ON OCTOBER 18, 1992

BY: Robert K. Burns DATE: 10-20-92
ROBERT K. BURNS, P.L.S. #4603

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS PURSUANT TO SECTION 471.27, FLORIDA STATUTES, AND CHAPTER 2100.6, FLORIDA ADMINISTRATIVE CODE.

NOTE: THIS CERTIFICATION IS ONLY FOR THE LAND DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, EDDING, EASEMENT, FREEDOM OF ENCUMBRANCE OR RIGHT-OF-WAYS. THIS CERTIFICATION IS NOT VALID UNLESS SIGNED BY THE SURVEYOR AND SEALED WITH THE SURVEYOR'S EMBOSSED SEAL.

ABSTRACT NOT REVIEWED

LEGEND:

- | | |
|---------------------------------------|--|
| 1) BLK = BLOCK | 23) PP = POWER POLE |
| 2) C = CALCULATED | 24) PM = PERMANENT REFERENCE MONUMENT |
| 3) CATV = CABLE TV BOX | 25) PUE = PUBLIC UTILITY EASEMENT |
| 4) CBS = CONCRETE BLOCK STRUCTURE | 26) ROW = RIGHT-OF-WAY |
| 5) CL = CENTERLINE | 27) SCH = SET CONCRETE MONUMENT 5" X 5" PLS # 4603 |
| 6) CLP = CHAIN LINK FENCE | 28) SD = STORM DRAIN |
| 7) CON = CONCRETE | 29) SDH = SET DRILL HOLE |
| 8) CP = CONCRETE PAD | 30) SW = SET 5" IRON ROD & CAP PLS # 4603 |
| 9) DE = DRAINAGE EASEMENT | 31) SNAT = SET NAIL & TAB |
| 10) DEU = DRAINAGE & UTILITY EASEMENT | 32) SWR = SET WITNESS 5" IRON ROD & CAP PLS # 4603 |
| 11) EOP = EDGE OF PAVEMENT | 33) SW = SEAWALL |
| 12) FCM = FOUND CONCRETE MONUMENT | 34) TB = TOP BANK |
| 13) FDM = FOUND DRILL HOLE | 35) TBM = TEMPORARY BENCH MARK |
| 14) FIR = FOUND IRON ROD | 36) UTS = UNITED TELEPHONE SERVICE |
| 15) FMBT = FOUND NAIL & TAB | 37) WTS = WOOD FRAME STRUCTURE |
| 16) KYD = FIRE HYDRANT | 38) WM = WATER METER |
| 17) M = MEASURE | 39) WW = WALKWAY OR SIDEWALK |
| 18) MH = MAN HOLE | 40) DIA = DIAMETER |
| 19) OHP = OVERHEAD POWER LINE | |
| 20) OL = OUTDOOR LIGHT | |
| 21) P = PLAT | |
| 22) PERM = PERMANENT CONTROL POINT | |

- NOTES:
1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2) UNDERGROUND UTILITIES WERE NOT FIELD LOCATED.
3) ONLY INTERIOR IMPROVEMENTS SHOWN WERE LOCATED.
4) PARCEL WAS SURVEYED FROM INFORMATION FURNISHED BY CLIENT.
5) PARCEL LIES IN FLOOD ZONE B.
6) SEARCHES ARE BASED ON PLAT BOOK 13, PAGE 114.
7) PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD.

WCD 92-008	FB 31	PAGES 33	KOB # 894
R. K. BURNS SURVEYING, INC. 1914-C COURTNEY DRIVE FORT MYERS, FLORIDA 33901 (813) 936-4300 BUSINESS (813) 936-1267 FAX	BOUNDARY SURVEY LOTS 30-32, BLOCK 1338, UNIT 18, CAPE CORAL SUBDIVISION, LEE COUNTY, FLORIDA. PLAT BOOK 13, PAGES 96-120. LEE COUNTY RECORDS SECTION 17, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA.		SHEET NO. 1 OF 1

DRAWN BY: R.K.B. DP: [signature] FIELD WORK COMPLETED: 10/20/92



Lee County Electric Cooperative, Inc.
Post Office Box 3455
North Fort Myers, FL 33918-3455
(239) 995-2121 • Fax (239) 995-7904
www.lcec.net

October 26, 2021

Mr. Nelson M. Pinney
Ms. Paula A. Sterrenberg
1215 SW 28th Terrace
Cape Coral, FL 33914

Re: Letter of No Objection to Vacation of a Portion of SE 2nd ST, lying between
174424C201339.0010 (Plat Book 13, Page 119) and 174424C201338.0300 (Plat Book 13, Page
116) as recorded in Plat Book 13 Pages 96 through 120, inclusive, of the Public records, Lee
County, Florida; Owners: Nelson M. Pinney and Paula A. Sterrenberg, as tenants in common.

Dear Mr. Pinney and Ms Sterrenberg,

You have opened up negotiations on behalf of yourselves, concerning the vacation of a certain road
right of way as depicted on a portion of a plat as known as Cape Coral Subdivision, Unit 18, as recorded
in Plat Book 13, Pages 96 through 120, inclusive, of the Public Records of Lee County, Florida.

We have reviewed the Plat, the request submitted, and our internal records. LCEC has **no objection** to
the vacation, as submitted and reflected, in the request. However, LCEC requires a continuous
perimeter easement surrounding your property in order to serve you. Therefore, in the after situation to
the vacation, you, the petitioner, will need to provide to the appropriate local jurisdiction, and impose a
six-foot wide easements so that there is a continuous perimeter easement located upon the parcel at the
new road right of way and the vacated portion of the road now under new but divided ownership.

Should no definitive action, no approval, by local jurisdiction be received by the petitioner, this letter will
terminate upon six months from the date listed above. This letter is not assignable to a third-party, and
is non-recordable. This letter will become immediately void upon recordation.

If there are any questions please call me at 239-656-2112, or, if you prefer, I can be contacted by email
at russel.goodman@lcec.net.

Very truly yours,

Russ Goodman, SR/WA

Digitally signed by Russ
Goodman, SR/WA
Date: 2021.10.26 23:01:19 -04'00'

Russel Goodman, SR/WA
Senior Right of Way Agent

Review Date: August 11, 2023

Property Owners: Nelson M Pinney; Kim Hoa Huynh

Applicant: Nelson M Pinney

Location: 1933 SE 2nd Street, Lots 1-2, Block 1339, Unit 18.
204 SE 20th Place, Lots 30-32, Block 1338, Unit 18.

Requests: 1. Vacate 2,000 sq. ft. of street right-of-way (ROW) associated with SE 2nd Street.
2. Vacate 354 sq. ft. of platted easements in Lots 1 and 2, Block 1339.
3. Vacate 354 sq. ft. of platted easements in Lot 32, Block 1338.

Prepared By: Justin Heller, Senior Planner

Reviewed By: Mike Struve, Planning Team Coordinator and Amy Yearsley, Planning Manager

Recommendation: **Approval with conditions**

Background:

This vacation application was initiated by the owner of property at 1933 SE 2nd Street. The owner intends to construct a new single-family dwelling on the site. The 10,874 square-foot site is improved with a seawall and concrete cantilever dock.

Both sites have Single-Family Residential (R-1) Zoning and a Future Land Use Classification (FLUC) of Single-Family (SF).

The vacation will enlarge the area of both sites involved in this vacation request. New easements granted by both owners will establish new perimeter easements around these two expanded sites. The ROW vacation will provide the owner of 1933 SE 2nd Street with greater flexibility in designing and constructing a new single-family dwelling and driveway for this site.

Analysis:

LDC, Section 3.4.5B state that applications for vacations shall be reviewed in accordance with the following criteria:

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes. **Staff response: The ROW to be vacated is relatively small in area and is at the end of SE 2nd street. The ROW vacation will not eliminate access to any property. The easements underlying the ROW will remain for any future utility access. As a result, the ROW is not needed to provide a future transportation, public access, or other foreseeable public benefit.**

The platted 6 ft. easements requested to be vacated are not needed because underlying easements in the ROW will not be vacated. The City will retain a minimum six-foot wide perimeter easement around each expanded site consistent with the Sketch and legal descriptions provided by the applicant.

2. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way. ***Staff response: As a condition of approval, the City will retain new easements, consistent with those provided by the applicant, that will be sufficient for maintaining a continuous public utility and drainage easement around each site.***
3. If alternate routes are required or available that do not cause adverse impacts to surrounding areas. ***Staff response: As this vacation applies only to the end of SE 2nd Street, only the property owners who are involved in this vacation request will potentially be affected. However, each owner will maintain ROW access to their respective site. No alternate routes will be required, and this vacation will not have adverse impacts to the surrounding area.***
4. If the closure of a right-of-way negatively affects areas utilized for vehicles to turn around and exit an area. ***Staff response: The vacation will not impede the ability of vehicles to turn around and exit the area. Vehicles can still turn left onto SE 20th Place before reaching the end of SE 2nd Ave, as they do currently.***
5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation. ***Staff response: All three utility providers have provided letters of no objection. LCEC, however, does require that a continuous easement be provided around the perimeter of each site. The owners have provided sketches and legal descriptions for the replacement easements requested by LCEC.***

Consistency with the Comprehensive Plan

The City lacks specific policies in the Comprehensive Plan for vacations involving residential-zoned lands.

This request is consistent with Policy 1.15 of the Future Land Use Element.

Policy 1.15: *Land development regulations adopted to implement this comprehensive plan will be based on, and will be consistent with, the standards for uses and densities/intensities as described in the following future land use classifications. In no case shall maximum densities allowable by the following classifications conflict with Policy 4.3.3 of the Conservation and Coastal Management Element regulating density of development within the Coastal High Hazard Area.*

- a. *Single Family Residential:* *Sites of 10,000 square feet and greater, with densities not to exceed 4.4 units per acre.*

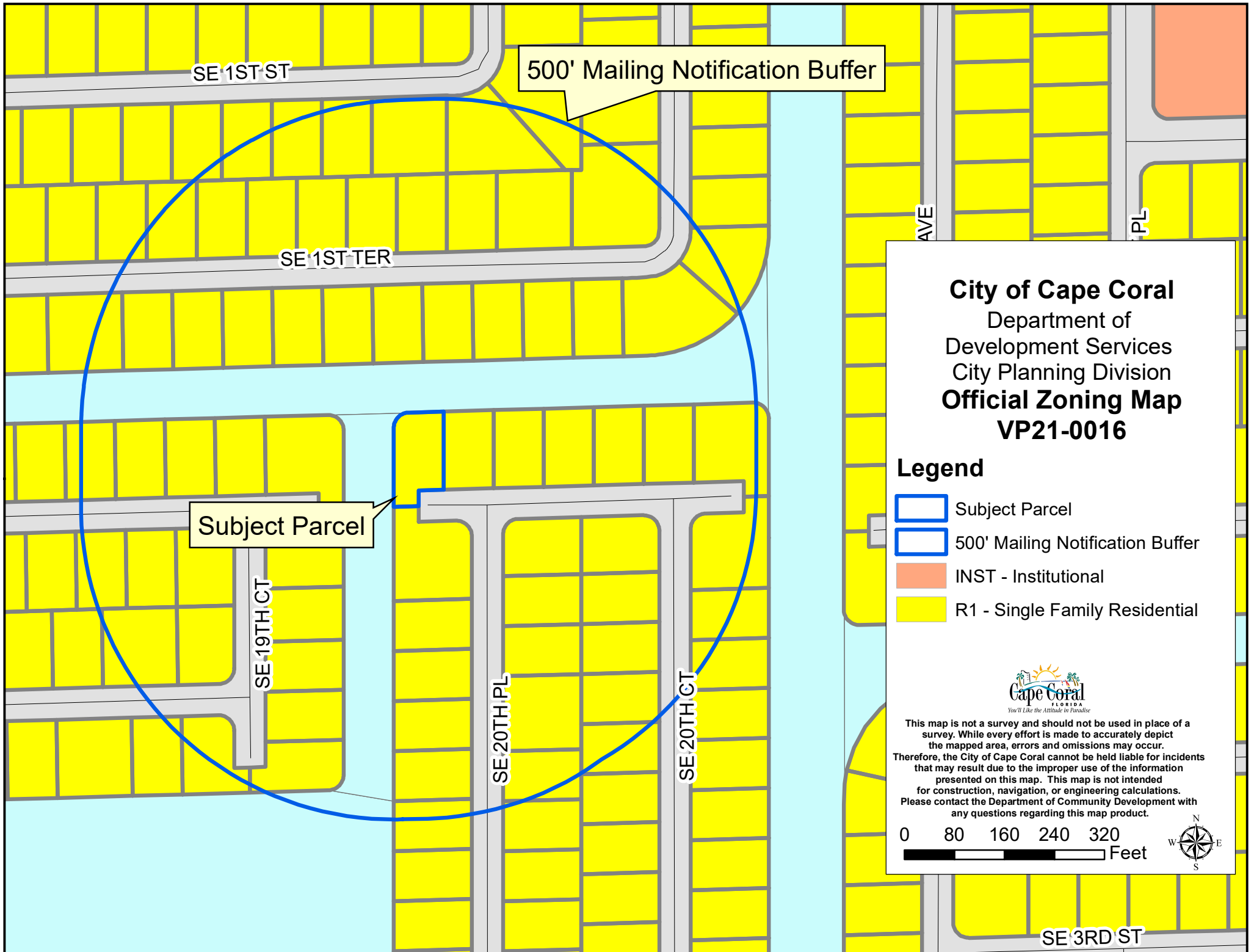
Staff comment: This request is consistent with Policy 1.15 that identifies with R-1 District as being consistent with the Single Family FLUC. This request is consistent with Policy 1.15.a as the site will be developed with a density less than the maximum 4.4 dwelling units per acre allowed within the Single Family FLUC.

Recommendation:

Staff recommends **approval** of the requested vacations with the following conditions.





Conditions of Approval

1. The vacation of the 2,000 sq. ft. of ROW shall be consistent with the sketch and accompanying legal description prepared by Harris-Jorgensen, LLC., dated September 13, 2021, entitled "*Exhibit A*".
2. The vacation of 354 sq. ft. of platted easements in Lots 1 and 2, Block 1339, shall be consistent with the sketch and accompanying legal description prepared by Harris-Jorgensen, LLC., dated September 13, 2021, entitled "*Exhibit B*".
3. The vacation of 354 sq. ft. of platted easements in Lots 30-32, Block 1338, shall be consistent with the sketch and accompanying legal description prepared by Harris-Jorgensen, LLC., dated March 04, 2022, entitled "*Exhibit D*".
4. The City shall retain easements sufficient for maintaining a six-foot wide perimeter easement around the expanded site at 1933 SE 2nd Street as depicted in the accompanying sketch and legal description prepared by Harris-Jorgensen, LLC entitled "*Exhibit C*".
5. The City shall retain easements sufficient for maintaining a six-foot wide perimeter easement around the expanded site at 204 SW 20th Place as depicted in the accompanying sketch and legal description prepared by Harris-Jorgensen, LLC entitled "*Exhibit E*".
6. Prior to the issuance of a certificate of occupancy (CO) for a new house at 1933 SE 2nd Street, the owner of the site shall remove the pavement associated with the vacated street right-of-way. This area shall be sodded following the removal of this pavement. The costs of all improvements identified in this condition shall be borne by the owner of 1933 SE 2nd Street.
7. If utilities are found and/or damaged within the vacated area as described, the applicant will bear the cost of relocation and repair of said facilities at the sole discretion of the affected utility provider.
8. The City shall record this resolution with the Office of the Lee County Clerk of Court following the receipt of the recording fees from the applicant.



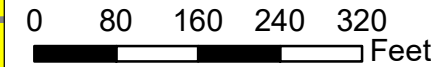
City of Cape Coral
Department of
Development Services
City Planning Division
Official Zoning Map
VP21-0016

Legend

-  Subject Parcel
-  500' Mailing Notification Buffer
-  INST - Institutional
-  R1 - Single Family Residential



This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation, or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.



SE 3RD ST

SE 1ST ST

500' Mailing Notification Buffer

SE 1ST TER

SE 21ST AVE

SE 21ST PL

City of Cape Coral
Department of
Development Services
City Planning Division
2023 Aerial Map
VP21-0016

Subject Parcel

SE 19TH CT

SE 20TH RL

SE 20TH CT

Legend



Subject Parcel



500' Mailing Notification Buffer



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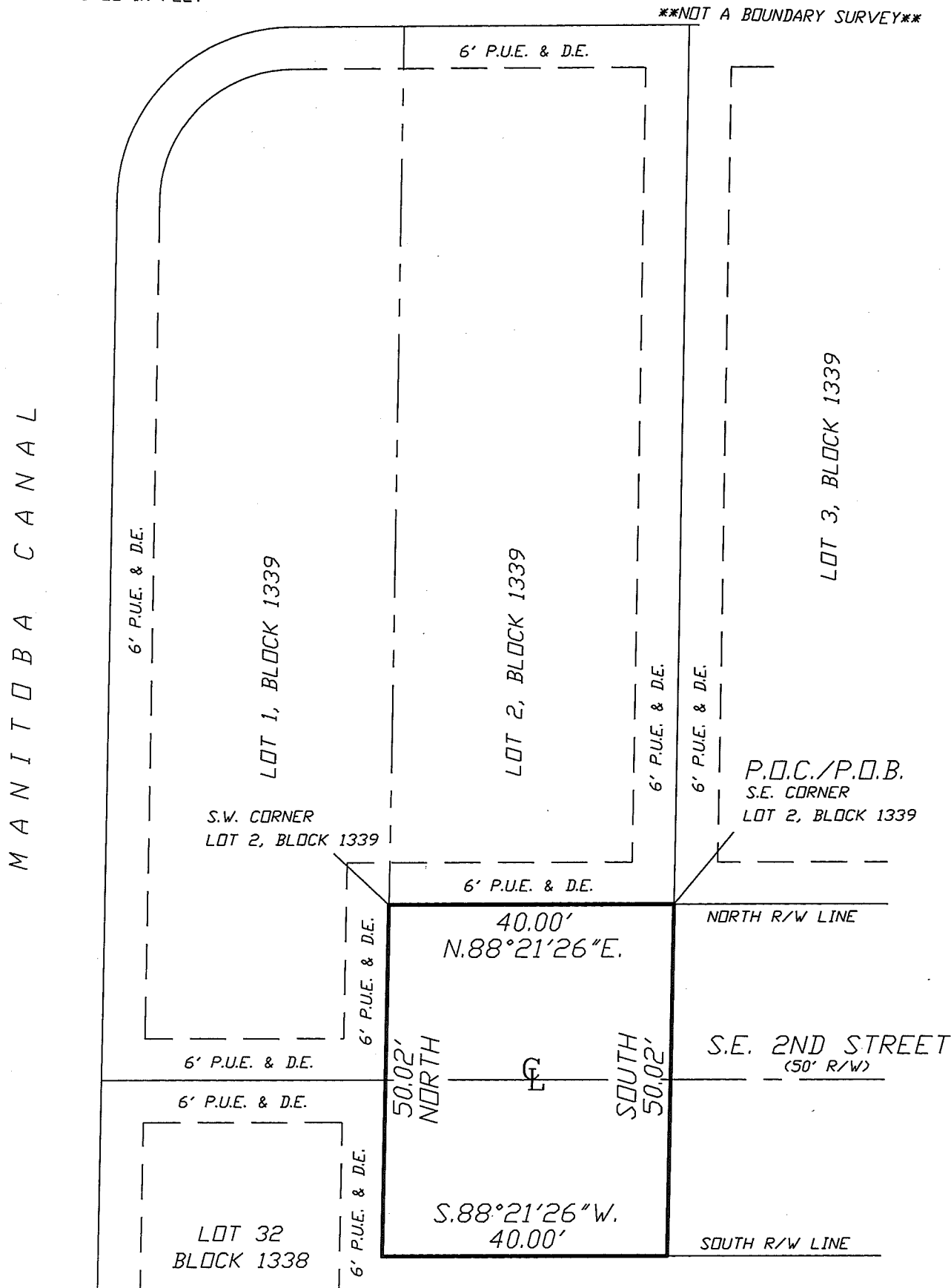
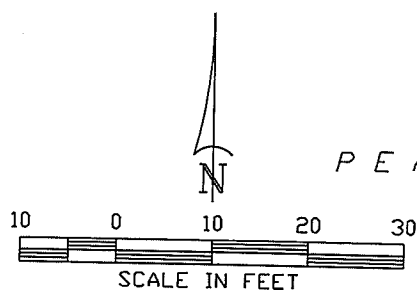
0 80 160 240 320 Feet



SE 3RD ST

VACATION OF A PORTION OF S.E. 2ND STREET
RIGHT OF WAY, CAPE CORAL UNIT 18,
(PLAT BOOK 13, PAGES 96-120.)
PUBLIC RECORDS OF
LEE COUNTY, FLORIDA

****NOT A BOUNDARY SURVEY****



1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE NORTH RIGHT-OF-WAY LINE OF S.E. 2ND STREET, AS BEING N.88°21'26"E.
2. FIELD NOTES IN CAPE CORAL, BLOCK 1339.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 1/2 x 14", 20 SCALE DRAWING.

P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
R/W	RIGHT-OF-WAY
CL	CENTERLINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

"EXHIBIT A"

DESCRIPTION TO ACCOMPANY SKETCH:

(PROPOSED)

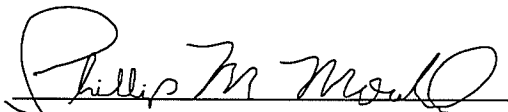
**VACATION OF A PORTION OF S.E. 2ND STREET
RIGHT OF WAY, CAPE CORAL UNIT 18,
(PLAT BOOK 13, PAGES 96-120,)
PUBLIC RECORDS OF
LEE COUNTY, FLORIDA**

****NOT A BOUNDARY SURVEY****

DESCRIPTION:

A PLOT OR PORTION OF RIGHT OF WAY, OF S.E. 2ND STREET, CAPE CORAL UNIT 18, AS RECORDED IN PLAT BOOK 13, PAGES 96-120, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PORTION BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 1339 AND THE NORTH RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE) OF THE AFORESAID CAPE CORAL UNIT 18, FOR A POINT OF BEGINNING; THENCE RUN SOUTH TO A POINT ALONG THE SOUTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE) FOR 50.02 FEET; THENCE RUN S.88°21'26"W. ALONG SAID SOUTH RIGHT OF WAY LINE FOR 40.00 FEET; THENCE RUN NORTH TO THE SOUTHWEST CORNER OF THE AFORESAID LOT 2, BLOCK 1339 FOR 50.02 FEET; THENCE RUN N.88°21'26"E. ALONG THE NORTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE) TO THE SOUTHEAST CORNER OF LOT 2, BLOCK 1339, CAPE CORAL UNIT 18, AS RECORDED IN PLAT BOOK 13, PAGES 96-120, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR 40.00 FEET, TO THE POINT OF BEGINNING. CONTAINING: 1,999.98 SQUARE FEET, MORE OR LESS.



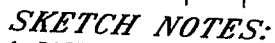
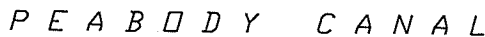
PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
LS6515 - STATE OF FLORIDA
09/13/2021

CC-U18-1339-1

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

VACATION OF A PORTION OF PUBLIC UTILITY AND DRAINAGE EASEMENT,
IN A PORTION OF LOTS 1 AND 2, BLOCK 1339, CAPE CORAL UNIT 18,
(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF LEE COUNTY, FLORIDA

****NOT A BOUNDARY SURVEY****



1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE NORTH RIGHT-OF-WAY LINE OF S.E. 2ND STREET, AS BEING S.88°21'26"W.
2. FIELD NOTES IN CAPE CORAL, BLOCK 1339.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
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P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
R/W	RIGHT-OF-WAY
C	CENTERLINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

"EXHIBIT B"

DESCRIPTION TO ACCOMPANY SKETCH:

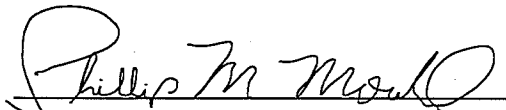
(PROPOSED)

**VACATION OF A PORTION OF PUBLIC UTILITY AND DRAINAGE EASEMENT,
IN A PORTION OF LOTS 1 AND 2, BLOCK 1339, CAPE CORAL UNIT 18,
(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF LEE COUNTY, FLORIDA**

****NOT A BOUNDARY SURVEY****

DESCRIPTION:

A PLOT OR PORTION OF LOTS 1 AND 2, BLOCK 1339, CAPE CORAL UNIT 18, AS RECORDED IN PLAT BOOK 13, PAGES 96-120, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PORTION BEING FURTHER DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 1339 AND THE NORTH RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE) OF THE AFORESAID CAPE CORAL UNIT 18; THENCE RUN S.88°21'26"W. ALONG THE NORTH RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE), OF SAID CAPE CORAL UNIT 18, FOR 6.00 FEET, TO THE POINT OF BEGINNING; THENCE RUN S.88°21'26"W. ALONG THE NORTH RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE), TO THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 1339, FOR 34.00 FEET; THENCE RUN SOUTH ALONG THE WEST RIGHT OF WAY LINE OF SAID S.E. 2ND STREET, FOR 19.01 FEET; THENCE RUN S.88°21'26"W. FOR 6.00 FEET; THENCE RUN NORTH ALONG A LINE 6.00 FEET WEST AS MEASURED ON A PERPENDICULAR, AND PARALLEL WITH THE WEST RIGHT OF WAY LINE OF SAID S.E. 2ND STREET FOR 25.01 FEET; THENCE RUN N.88°21'26"E. ALONG A LINE 6.00 FEET NORTH AS MEASURED ON A PERPENDICULAR, AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE), FOR 40.00 FEET; THENCE RUN SOUTH TO A POINT ALONG THE NORTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE), FOR 6.00 FEET, TO THE POINT OF BEGINNING.
CONTAINING: 354.04 SQUARE FEET, MORE OR LESS.



PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
LS6515 - STATE OF FLORIDA
09/13/2021

CC-U18-1339-1

"EXHIBIT C"

DESCRIPTION TO ACCOMPANY SKETCH:

(PROPOSED)

***PUBLIC UTILITY AND DRAINAGE EASEMENT IN A
PORTION OF S.E. 2ND STREET RIGHT OF WAY,
CAPE CORAL UNIT 18,***

***(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF
LEE COUNTY, FLORIDA***

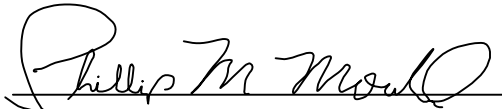
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DESCRIPTION:

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COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 1339 AND THE NORTH RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE) OF THE AFORESAID CAPE CORAL UNIT 18, FOR A POINT OF BEGINNING; THENCE RUN SOUTH TO A POINT ALONG THE CENTERLINE OF S.E. 2ND STREET (50 FEET WIDE) FOR 25.01 FEET; THENCE RUN S.88°21'26"W. TO A POINT ALONG THE WEST RIGHT OF WAY LINE OF S.E. 2ND STREET AND THE SOUTHEAST CORNER OF LOT 1, BLOCK 1339, SAID CAPE CORAL UNIT 18, FOR 40.00 FEET; THENCE RUN NORTH ALONG SAID WEST RIGHT OF WAY LINE FOR 6.00 FEET; THENCE RUN N.88°21'26"E. FOR 34.00 FEET; THENCE RUN NORTH TO A POINT ALONG THE NORTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE) FOR 19.01 FEET; THENCE RUN N.88°21'26"E. TO THE AFORESAID SOUTHEAST CORNER OF LOT 2, BLOCK 1339 AND THE NORTH RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE) OF THE AFORESAID CAPE CORAL UNIT 18, FOR 6.00 FEET, TO THE POINT OF BEGINNING.

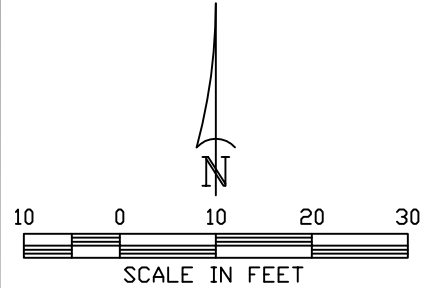
CONTAINING: 354.04 SQUARE FEET, MORE OR LESS.



PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
LS6515 - STATE OF FLORIDA
09/13/2021

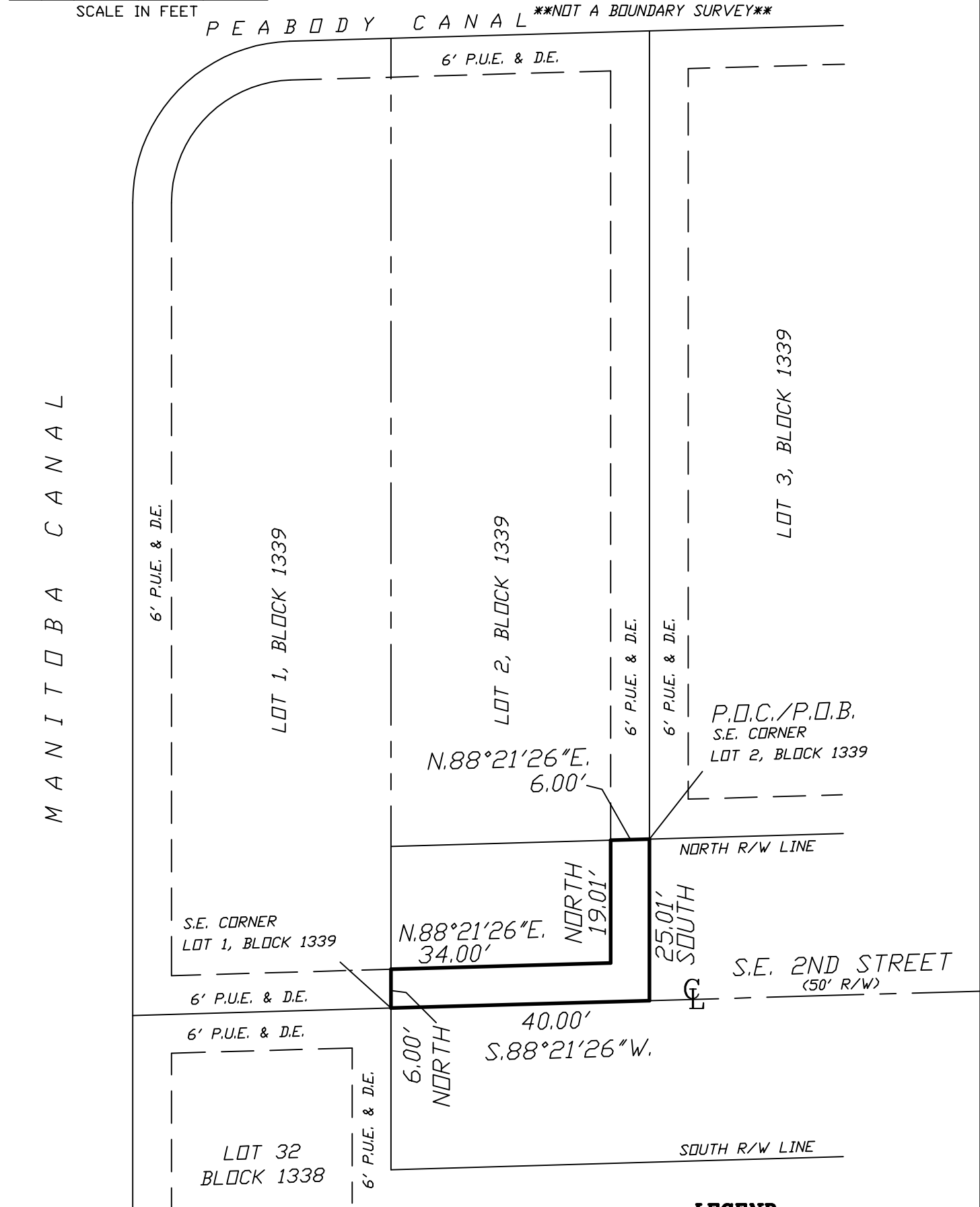
CC-U18-1339-1

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624



SKETCH TO ACCOMPANY DESCRIPTION: (PROPOSED)
**PUBLIC UTILITY AND DRAINAGE EASEMENT IN A
PORTION OF S.E. 2ND STREET RIGHT OF WAY,
CAPE CORAL UNIT 18,**
(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF
LEE COUNTY, FLORIDA

SEE "EXHIBIT C" SHEET 2 OF 2 FOR DESCRIPTION TO ACCOMPANY THIS SKETCH



SKETCH NOTES:

1. BASIS OF BEARING SHOWN HEREDON TAKEN FROM THE NORTH RIGHT-OF-WAY LINE OF S.E. 2ND STREET, AS BEING N.88°21'26"E.
2. FIELD NOTES IN CAPE CORAL, BLOCK 1339.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREDON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 1/2 x 14", 20 SCALE DRAWING.

LEGEND:

- | | |
|--------|-------------------------|
| P.U.E. | PUBLIC UTILITY EASEMENT |
| D.E. | DRAINAGE EASEMENT |
| R/W | RIGHT-OF-WAY |
| CL | CENTERLINE |
| P.O.B. | POINT OF BEGINNING |
| P.O.C. | POINT OF COMMENCEMENT |

CC-U18-1339-1

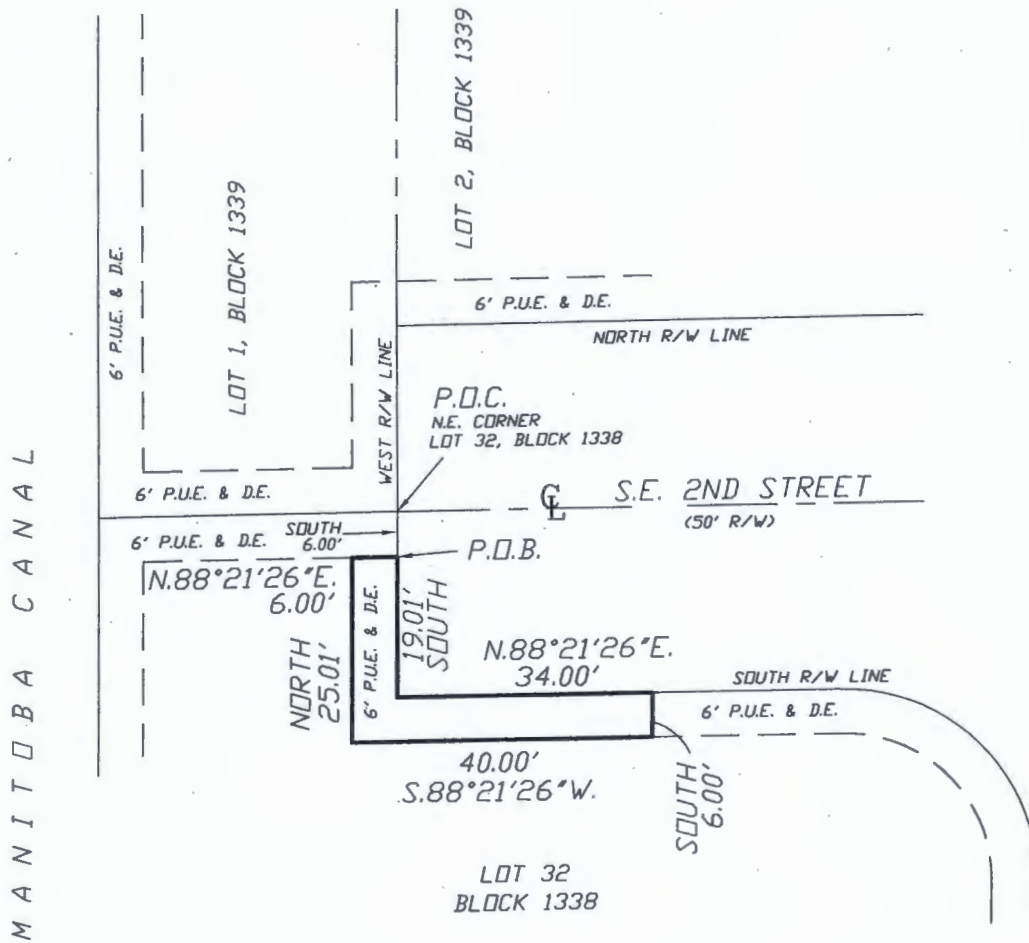
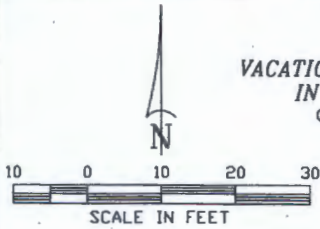
HARRIS-JORGENSEN, LLC,
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

SKETCH TO ACCOMPANY DESCRIPTION (PROPOSED)

VACATION OF A PORTION OF PUBLIC UTILITY AND DRAINAGE EASEMENT,
IN A PORTION OF LOT 32, BLOCK 1338, CAPE CORAL UNIT 18,
(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF LEE COUNTY, FLORIDA

SEE "EXHIBIT D" SHEET 2 OF 2
FOR DESCRIPTION TO ACCOMPANY THIS SKETCH

NOT A BOUNDARY SURVEY



SKETCH NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE SOUTH RIGHT-OF-WAY LINE OF S.E. 2ND STREET, AS BEING N.88°21'26"E.
2. FIELD NOTES IN CAPE CORAL, BLOCK 1339.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 1/2 x 14", 20 SCALE DRAWING.

LEGEND:

P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
R/W	RIGHT-OF-WAY
CL	CENTERLINE
P.D.B.	POINT OF BEGINNING
P.D.C.	POINT OF COMMENCEMENT

CC-U18-1339-1

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

"EXHIBIT D"

DESCRIPTION TO ACCOMPANY SKETCH:

(PROPOSED)

**VACATION OF A PORTION OF PUBLIC UTILITY AND DRAINAGE EASEMENT,
IN A PORTION OF LOT 32, BLOCK 1338, CAPE CORAL UNIT 18,
(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF LEE COUNTY, FLORIDA**

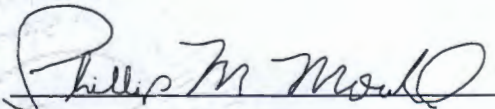
****NOT A BOUNDARY SURVEY****

DESCRIPTION:

A PLOT OR PORTION OF LOT 32, BLOCK 1338, CAPE CORAL UNIT 18, AS RECORDED IN PLAT BOOK 13, PAGES 96-120, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PORTION BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 32, BLOCK 1338 AND THE EAST RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE) OF THE AFORESAID CAPE CORAL UNIT 18; THENCE RUN SOUTH ALONG THE WEST RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE), OF SAID CAPE CORAL UNIT 18, FOR 6.00 FEET, TO THE POINT OF BEGINNING; THENCE RUN SOUTH ALONG SAID WEST RIGHT OF WAY LINE FOR 19.01 FEET; THENCE RUN N.88°21'26"E. ALONG THE SOUTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE) FOR 34.00 FEET; THENCE RUN SOUTH FOR 6.00 FEET; THENCE RUN S.88°21'26"W. ALONG A LINE 6.00 FEET SOUTH, AS MEASURED ON A PERPENDICULAR, AND PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET FOR 40.00 FEET; THENCE RUN NORTH ALONG A LINE 6.00 FEET WEST AS MEASURED ON A PERPENDICULAR, AND PARALLEL WITH THE WEST RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE), FOR 25.01 FEET; THENCE RUN N.88°21'26"E. TO A POINT ALONG THE WEST RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE), FOR 6.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING: 354.03 SQUARE FEET, MORE OR LESS.



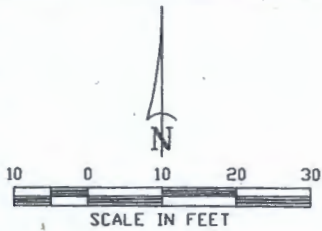
PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
LS6515 - STATE OF FLORIDA
3/4/2022

CC-U18-1339-1

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

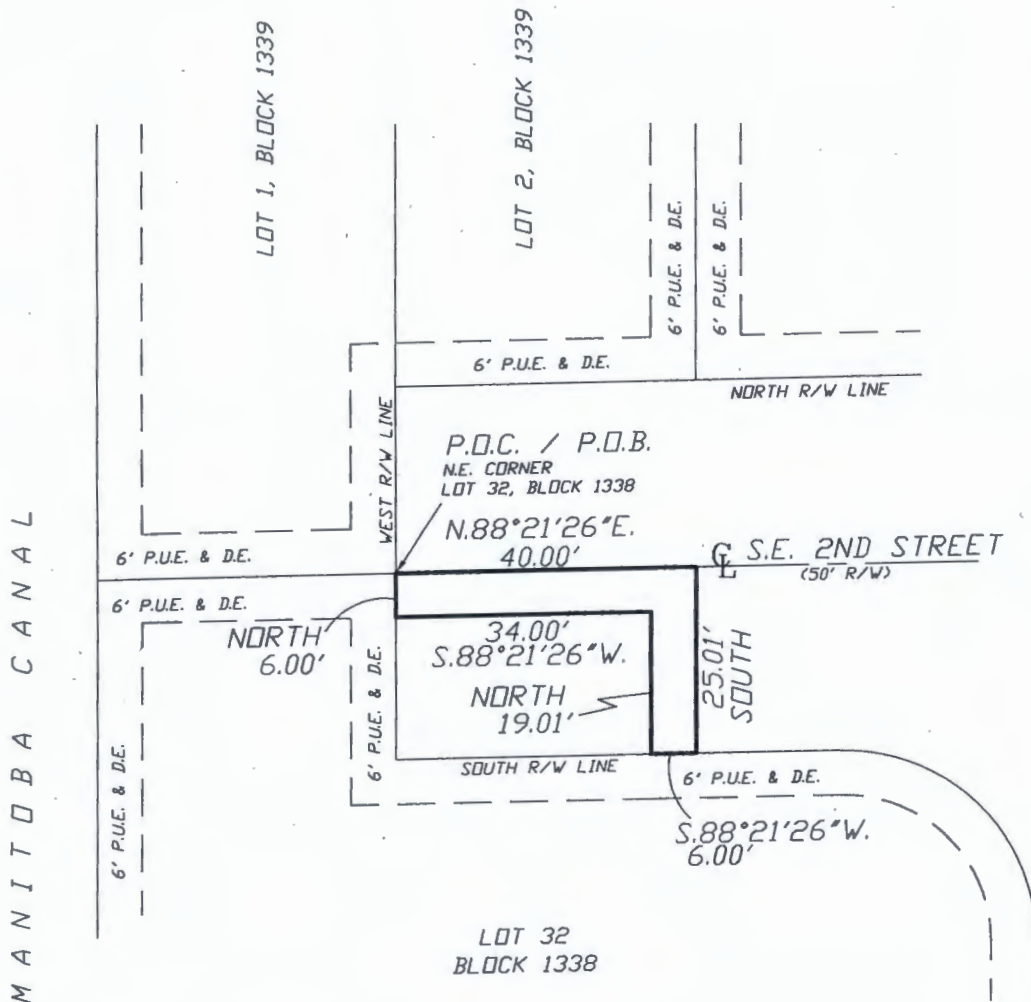
SKETCH TO ACCOMPANY DESCRIPTION: (PROPOSED)

**PUBLIC UTILITY AND DRAINAGE EASEMENT IN A
PORTION OF S.E. 2ND STREET RIGHT OF WAY,
CAPE CORAL UNIT 18,
(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF
LEE COUNTY, FLORIDA**



SEE "EXHIBIT E" SHEET 2 OF 2 FOR DESCRIPTION TO ACCOMPANY THIS SKETCH

NOT A BOUNDARY SURVEY



SKETCH NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE SOUTH RIGHT-OF-WAY LINE OF S.E. 2ND STREET, AS BEING S.88°21'26\"W.
2. FIELD NOTES IN CAPE CORAL, BLOCK 1339.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 1/2 x 14\", 20 SCALE DRAWING.

LEGEND:

P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
R/W	RIGHT-OF-WAY
C	CENTERLINE
P.O.B.	POINT OF BEGINNING
P.D.C.	POINT OF COMMENCEMENT

CC-U18-1339-1

HARRIS-JORGENSEN, L.L.C.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

"EXHIBIT E"

DESCRIPTION TO ACCOMPANY SKETCH:

(PROPOSED)

**PUBLIC UTILITY AND DRAINAGE EASEMENT IN A
PORTION OF S.E. 2ND STREET RIGHT OF WAY,
CAPE CORAL UNIT 18,**

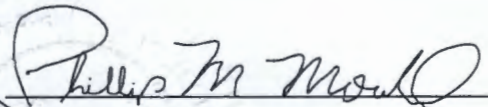
(PLAT BOOK 13, PAGES 96-120,) PUBLIC RECORDS OF
LEE COUNTY, FLORIDA

****NOT A BOUNDARY SURVEY****

DESCRIPTION:

A PLOT OR PORTION OF RIGHT OF WAY, OF S.E. 2ND STREET, CAPE CORAL UNIT 18, AS RECORDED IN PLAT BOOK 13, PAGES 96-120, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PORTION BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 32, BLOCK 1338, AND THE WEST RIGHT OF WAY LINE OF S.E. 2ND STREET (50 FEET WIDE), OF THE AFORESAID CAPE CORAL UNIT 18, FOR A POINT OF BEGINNING; THENCE RUN N.88°21'26"E. ALONG THE CENTERLINE OF SAID S.E. 2ND STREET (50 FEET WIDE), FOR 40.00 FEET; THENCE RUN SOUTH TO A POINT ALONG THE SOUTH RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE), FOR 25.01 FEET; THENCE RUN S.88°21'26"W. ALONG SAID SOUTH RIGHT OF WAY LINE FOR 6.00 FEET; THENCE RUN NORTH FOR 19.01 FEET; THENCE RUN S.88°21'26"W. TO A POINT ALONG THE WEST RIGHT OF WAY LINE OF SAID S.E. 2ND STREET (50 FEET WIDE), FOR 34.00 FEET; THENCE RUN NORTH ALONG SAID WEST RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF THE AFORESAID LOT 32, BLOCK 1338, FOR 6.00 FEET, TO THE POINT OF BEGINNING.
CONTAINING: SQUARE FEET, MORE OR LESS.



PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
LS6515 - STATE OF FLORIDA
03/04/2022

CC-U18-1339-1

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
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239-257-2624