

1 VILLAGE OF ESTERO, FLORIDA

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3 RESOLUTION NO. 2016 - 22

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5 A RESOLUTION OF THE VILLAGE COUNCIL OF THE  
6 VILLAGE OF ESTERO, FLORIDA, APPROVING THE  
7 VACATION OF AN EASEMENT AND RIGHT-OF-WAY  
8 FOR THE GENOVA PROJECT; AND PROVIDING AN  
9 EFFECTIVE DATE.

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11 WHEREAS, an application was filed for a vacation of an easement and right-of-way  
12 on a project known as Genova (VAC2015-00017); and

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14 WHEREAS, the property is located in Section 34, Township 46 South, Range 25 East,  
15 Village of Estero; and

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17 WHEREAS, the property was rezoned by the Village to Estero Planned  
18 Development on July 13, 2016 for a 205 unit condominium project (Ordinance 2016-08); and

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20 WHEREAS, Florida Statutes, Chapter 177 Administrative Code (AC-13-1) delineate  
21 vacation procedures; and

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23 WHEREAS, the following findings of fact are offered:

- 24  
25 1. The vacation meets the technical requirements of Chapter 177, Part 1  
26 Florida Statutes and the requirements of Administrative Code Section 13-1.  
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28 2. The application was reviewed by the Village Attorney and meets legal  
29 requirements.  
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31 3. There were no objections by the reviewing entities.  
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33 4. Alternate road access has been provided by the construction of Via Coconut  
34 Point.  
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36 5. The Planning and Zoning Board recommended approval on June 21, 2016.

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38 NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero,  
39 Florida:

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41 Section 1. The Genova vacation of the easement and right-of-way are  
42 approved.

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44 Section 2. This Resolution shall take effect immediately upon adoption.  
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46           **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this  
47   17<sup>th</sup> day of August, 2016.

48  
49   Attest:

**VILLAGE OF ESTERO, FLORIDA**

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51  
52   By: Kathy Hall  
53       Kathy Hall, MMC, Village Clerk

By: Nicholas Batos  
     Nicholas Batos, Mayor

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56   Reviewed for legal sufficiency:

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58   By: Burt H. Saunders  
59       Burt Saunders, Esq., Village Attorney  
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