1	VILLAGE OF ESTERO, FLORIDA
2 3	
3 4	RESOLUTION NO. 2021 – 09
5	A RESOLUTION OF THE VILLAGE OF ESTERO,
6	FLORIDA, VACATING A PORTION OF THE
7	PUBLIC UTILITY EASEMENTS AND DRAINAGE
8	EASEMENTS OF THAT PART OF THE PLAT OF
9	LOTS 9 THROUGH 14, MARSHALL'S ESTERO
10	RIVER GROVES, UNIT 1, ACCORDING TO THE
11	PLAT THEREOF AS RECORDED IN PLAT BOOK 12,
12	PAGE 131, PUBLIC RECORDS OF LEE COUNTY,
13	FLORIDA, LYING AND BEING IN SECTION 28,
14	TOWNSHIP 46 SOUTH, RANGE 25 EAST, VILLAGE
15	OF ESTERO, LEE COUNTY, FLORIDA; AND
16	PROVIDING FOR AN EFFECTIVE DATE.
17	
18	WHEREAS, lots 9 through 14 within the Marshall's Estero River Groves, Unit 1
19	subdivision contains drainage and utility easements, and the owner has filed an application
20 21	to vacate that portion of the plat described herein to expand the existing church building (VAC2021-E002); and
21	(VAC2021-E002), and
22	WHEREAS, the lots have been combined to form one lot, and the owner desires
24	to expand the existing church structure over the proposed vacated easements; and
25	to expand the existing endeed structure over the proposed vacated easements, and
26	WHEREAS, the Village received letters of "No Objection" to the vacation of the
27	proposed easements from Lee County Utilities, Lumen, Comcast, FPL, TECO, Lee County DOT,
28	FDOT, and Lee County Division of Natural Resources; and
29	
30	WHEREAS, the public notice of said application was published and evidence
31	thereof given, as required by law; and
32	
33	WHEREAS, the Village Council finds that the easements described herein no
34	longer serve a public purpose, because the lots have been combined to form one lot, and
35	the owner desires to expand the existing church structure over the proposed vacated
36	easements, and this is a proper subject for vacation pursuant to Chapter 177, Florida
37	Statutes; and
38	WHEDEAS the Village Attempty has never attempted the second findents of the
39 40	WHEREAS, the Village Attorney has reviewed the vacation and finds that it meets
40 41	the technical requirements of the Florida Statutes; and
41	WHEREAS, the Village held a duly advertised public hearing prior to the adoption
43	of this Resolution; and
44	or and resolution, und
	Resolution 2021-09

Resolution 2021-09 VAC2021-E002

Page 1 of 2

45 NOW, THEREFORE, be it resolved by the Village Council of the Village of 46 Estero: 47 48 <u>Section 1</u>. The above recitals are true and correct and are incorporated herein by 49 reference. 50 51 Section 2. The Village Council hereby vacates that portion of the plat of the Marshall's Estero River Groves, Unit 1 subdivision as described in Exhibit A attached 52 53 hereto. 54 55 Section 3. This Resolution shall take effect immediately upon adoption. 56 ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida, 57 this 7th day of April, 2021. 58 59 60 Attest; **VILLAGE OF ESTERO, FLORIDA** 61 62 63 64 By: By: 65 Carol Sacco, Village Clerk Katy Errington, Mayor 66 67 68 Reviewed for legal sufficiency: 69 70 71 By: Burt Saunders, Esq., Village Attorney 72 73 74 Exhibits: 75 A. Legal Description 76

Resolution 2021-09 VAC2021-E002

CHRIS COMMUNITY MINISTRIES

"TO KNOW CHRIST AND TO MAKE HIM KNOWN"

EXHIBIT "A"- REVISED 2-9-2021 PG 1

All public utility easements and drainage easements, with the exception of the PUE/DE along the northern property line are requesting to be vacated within the boundaries of the below described property of 20810 Highlands Ave. STRAP # 28-46-25-E3-05033.0010.

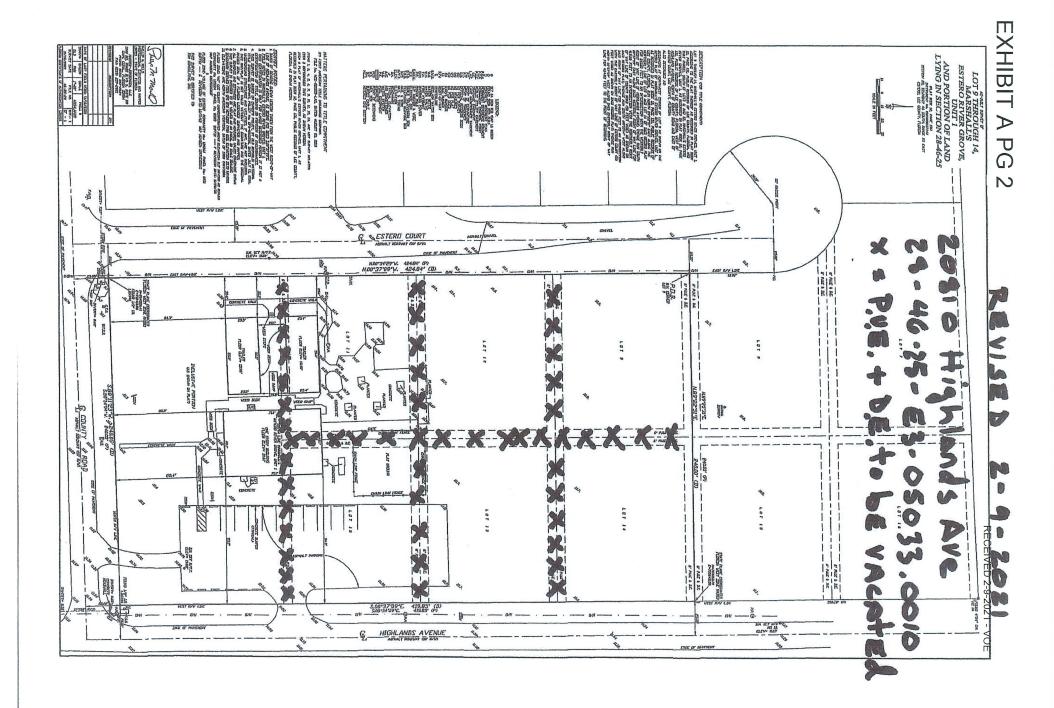
Lots 9 through 14, Marshall's Estero River Groves, Unit 1, according to the plat thereof as recorded in Plat Book 12, Page 131, Public Records of Lee County, Florida, and that parcel South of Lots 11 and 12, Marshall's Estero River Groves, Unit 1, as recorded in Plat Book 12, Page 131, Public Records of Lee County, Florida, West of Highland Avenue, North of County Road and East of Estero Court, Lee County, Florida.

Also described as:

Beginning at Northwest corner of Lot 9 as shown on the record plat of Marshall's Estero River Groves, Unit 1, as recorded in Plat Book 12, Page 131, Public Records of Lee County, Florida, run North 89° 22' 51" East along the Northerly line of Lot 9 and Lot 14 jof said record plat for 240.00 feet to an intersection with the Westerly right of way line for 419.88 feet to an intersection with the Northerly right of way line of County Road (50 feet wide) as shown on said record plat; thence run South 88° 12' 14" West along said right of way line for 240.05 feet to an intersection with the Easterly right of way line of Estero Court (50 feet wide) as shown on said record plat; thence run North 00° 37' 09" West along said Easterly right of way line for 242.82 feet to the Point of Beginning.

Parcel Identification Number: 28-46-25-E3-05033.0010

P.O Box 1080 Estero, FL 33928 p 239-498-4352 f 239-498-6773 www.CCMchurch.com



EXHIBITAPG3 REVISED 2-9-ZOZEPEIVED 2-9-2021-VOE All Public Utility + Drainage EASEMENTS, Except the PUE (DE along the North property line to be vacated. PLAT BOOK 12. PAGE /3/ P/812, PGE. 131 MARSHALL'S DESCRIPTION raw of Section 20, rowship of South Ronge (S Col Jung Ho and section (SSB.C) to the Security of the of Section of the Section (SSB.C) (ST to 6), Concert Show 25 of the Section (SSB (ST to 6), Concert Section (SSB) (ST to 6), Concert Section (SSB) (SST 2), USART; (Assee SST Section (SSB) (SST 2), USART; (Assee SST Section (SSB) (SST 2), USART; (Assee SST Section (SSB) (SST 2), (SSB) (ESTERO RIVER GROVES UNIT A SUBDIVISION IN SECTION 28, T46 S, R25 E ESTERO, LEE COUNTY, FLORIDA SCALE: I'= 80' MAY 1960 ACKNOWLEDGMENT N 15 5 r v L A18.46 Rand 14 MIOF ų 000 4 10 1 TAMIAMI 3 13 This plat of cp (sra 2 0 The state 4 12 240970 -----K 2 2 COUNTY 2000 DETAIL OF SE 14 SEC. 28, T445, E25E Ling



I CERTIFY THIS DOCUMENT TO SEA TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE LINDA DOGGETT, CLERK OF CIRCUIT COURT, STATE OF FLORIDA, COUNTY OF LEE

E REDACTED COPY PER F.S.118.071

BY: elecant 24 ackerral DATE: 7- Jan Diaxity Clerk