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VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2021 – 09

A RESOLUTION OF THE VILLAGE OF ESTERO, FLORIDA, VACATING A PORTION OF THE PUBLIC UTILITY EASEMENTS AND DRAINAGE EASEMENTS OF THAT PART OF THE PLAT OF 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, LYING AND BEING IN SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, VILLAGE OF ESTERO, LEE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, lots 9 through 14 within the Marshall's Estero River Groves, Unit 1 subdivision contains drainage and utility easements, and the owner has filed an application to vacate that portion of the plat described herein to expand the existing church building (VAC2021-E002); and

WHEREAS, the lots have been combined to form one lot, and the owner desires to expand the existing church structure over the proposed vacated easements; and

WHEREAS, the Village received letters of "No Objection" to the vacation of the proposed easements from Lee County Utilities, Lumen, Comcast, FPL, TECO, Lee County DOT, FDOT, and Lee County Division of Natural Resources; and

WHEREAS, the public notice of said application was published and evidence thereof given, as required by law; and

WHEREAS, the Village Council finds that the easements described herein no longer serve a public purpose, because the lots have been combined to form one lot, and the owner desires to expand the existing church structure over the proposed vacated easements, and this is a proper subject for vacation pursuant to Chapter 177, Florida Statutes; and

WHEREAS, the Village Attorney has reviewed the vacation and finds that it meets the technical requirements of the Florida Statutes; and

WHEREAS, the Village held a duly advertised public hearing prior to the adoption of this Resolution; and

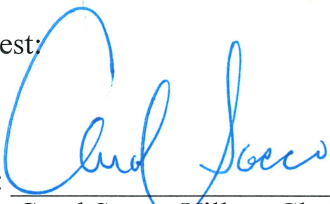

45 **NOW, THEREFORE**, be it resolved by the Village Council of the Village of
46 Estero:

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48 **Section 1.** The above recitals are true and correct and are incorporated herein by
49 reference.


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51 **Section 2.** The Village Council hereby vacates that portion of the plat of the
52 Marshall's Estero River Groves, Unit 1 subdivision as described in Exhibit A attached
53 hereto.

54
55 **Section 3.** This Resolution shall take effect immediately upon adoption.

56
57 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida,
58 this 7th day of April, 2021.

59
60 Attest: 
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64 By: 
65 Carol Sacco, Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: 
Katy Errington, Mayor

66
67
68 Reviewed for legal sufficiency:

69
70
71 By: 
72 Burt Saunders, Esq., Village Attorney

73
74 Exhibits:
75 A. Legal Description
76

CHRIST COMMUNITY MINISTRIES

RECEIVED 2-9-2021 - VOE

"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.

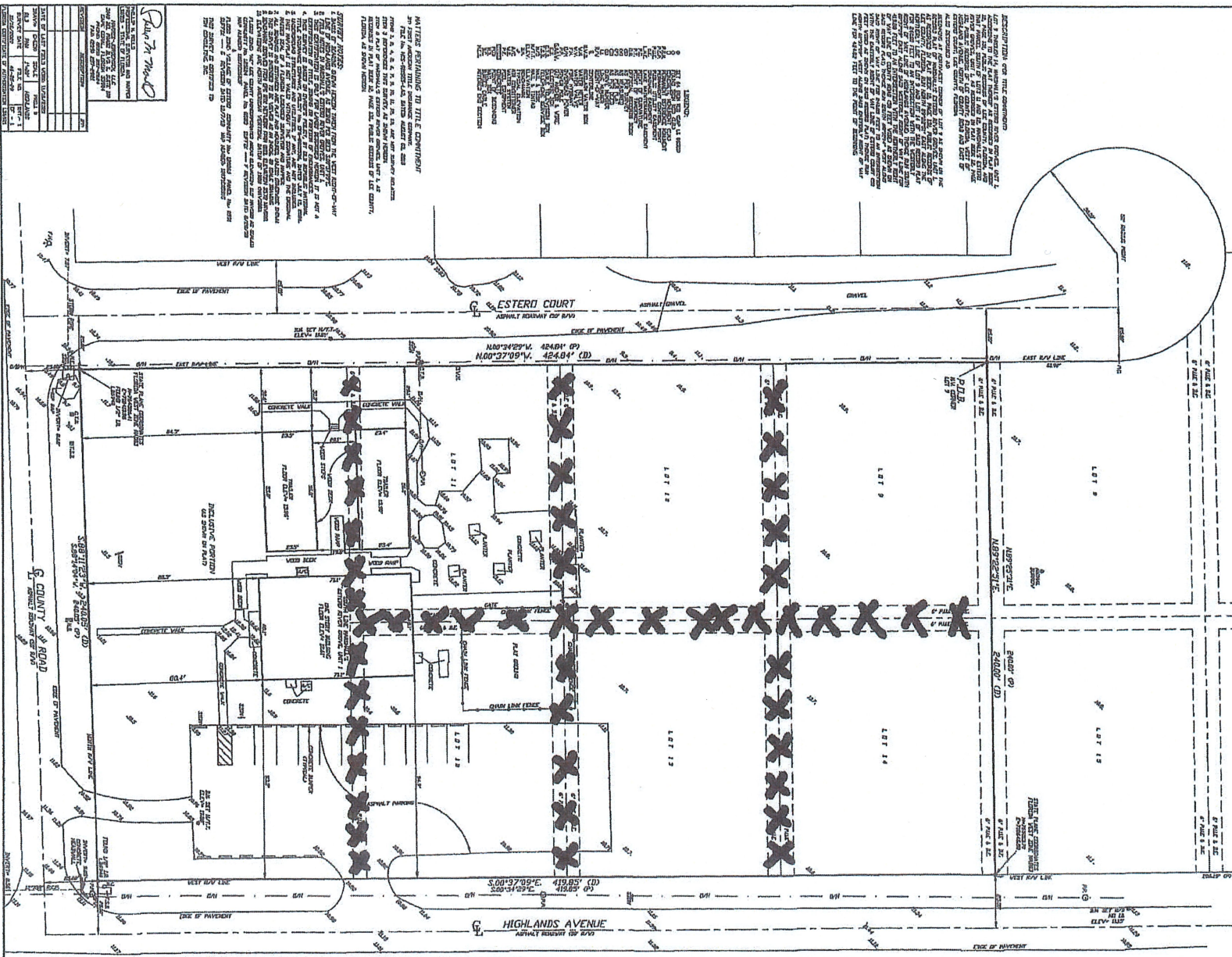
Lots 9 through 14, Marshall's Estero River Groves, Unit 1, according to the plat thereof as recorded in Plat Book 12, Page 131, Public Records of Lee County, Florida, and that parcel South of Lots 11 and 12, Marshall's Estero River Groves, Unit 1, as recorded in Plat Book 12, Page 131, Public Records 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 of said record plat for 240.00 feet to an intersection with the Westerly right of way line of Highlands Avenue; thence run South 00° 37' 09" East along said 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 424.82 feet to the Point of Beginning.

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

INVESTMENT AND COMMERCIAL
SECTION 88, TOWN OF 46 SOUTH AVE. IN EAST
CITY, LEE COUNTY, FLORIDA



BY: [Signature]
DATE: 7-8