



APPLICATION FOR VACATION IN THE VILLAGE OF ESTERO

TYPE OF VACATION:

- Of Right-of-Way, or of Plat with Right-of-Way (attach Petition AC13-8)
- Of Plat with no Right-of-Way (attach Petition AC13-1)
- Of Drainage Easement (attach Petition AC13-1)
- Of Utility Easement (attach Petition AC13-1)

NOTE: If more than one type of Vacation is requested at the same time, the charge would be the greater fee. Recording Fee is to be paid at time of recording.

Project Name: _____

Petitioner(s): _____

Contact Person: _____

Company Name: _____

Mailing Address: _____

City, State, Zip: _____

Phone Number: _____ **Email:** _____

STRAP Numbers:

_____	_____
_____	_____
_____	_____

STAFF USE ONLY

Case Number: _____ Council District: _____

Current Zoning: _____ Fee Amount: _____

Land Use Classification: _____ Intake by: _____

Planning Community: _____

**THE VILLAGE OF ESTERO
DEPARTMENT OF COMMUNITY DEVELOPMENT
9401 Corkscrew Palms Circle
ESTERO, FL 33928
PHONE (239) 221-5036**

Recording Fees to "The Clerk of Courts":

\$10.00 for first page and \$8.50 each additional page (typically \$35.50).

The applicant will be provided with a letter at the time of recording requesting the exact amount.

SUBMITTAL REQUIREMENTS

Please provide the following documents and indicate by ✓ mark in the appropriate box that the information was provided.

Signed original petition to vacate. See recommended format of Petition(s) below.

Three (3) paper copies of all the following documents - (one (1) original and two (2) copies) and one(1) electronic copy:

Professional written legal description and street address of easement(s) and/or right-of-way (ROW) to be vacated. (Labeled as **Exhibit "A."**)

Professional sketch (labeled as **Exhibit "B"**) showing easement(s) and/or right-of-way to be vacated (less and except the north/south or east/west _____ feet of each easement and/or right-of-way). Must include all lot numbers, block numbers, street names, scale and north arrow. This sketch should be suitable for recording in the public records (no greater in size than 8-1/2" x 14").

Proof that all property taxes due and payable November 1st of the current year have been paid (i.e. validated tax receipt). (Labeled as Exhibit "C.") For details, contact the Lee Co. Tax Collector at (239) 339-6000 or Tax Talk at (239) 332-8731

If property is within a recorded subdivision, **a copy of the relevant portion of the Recorded Plat** clearly identifying the easement or right-of-way to be vacated is required. Three (3) copies of Recorded Plat with area marked, such as cross-hatching. (Labeled as **Exhibit "D."**) For details, contact the Plat Dept. at (239) 335-2572.

Proof of ownership of the underlying property such as a recorded warranty deed. (Labeled as **Exhibit "E."**) For details, contact the Lee Co. Land Records Dept. at (239) 335-2339.

Letter addressed to Department of Community Development **providing the reason and purpose for the request of your vacation.** (Example of reason: To combine two (2) lots into one for future building site of single-family residence.) Attn: Community Development Director. Include strap number of subject property, petitioner's mailing address and daytime phone number. (Labeled as **Exhibit "F."**)

Three (3) copies of **GIS Map** encompassing the area to be vacated with the proposed vacated area marked, such as cross- hatching. Yellow highlighter should not be used to mark easement or area to be vacated. If applicable, please include a list of affected property owners. If you have questions regarding this item, please call Development Services at (239) 533-8587. (Labeled as **Exhibit "G."**)

Three (3) copies of the **Aerial Photograph** (large blue maps) encompassing the area to be vacated with the proposed vacated area marked, such as cross- hatching. Yellow highlighter should not be used to mark easement or area to be vacated. For GIS Map and Aerial Photograph details, contact the Lee Co. Property Appraisers Office at (239) 339-6150. (Labeled as **Exhibit "H."**)

Proof of notification of affected property owners (drainage or ROW vacation only). If you have questions regarding this item, please call Community Development at (239) 221-5036. Provide Certified Return Receipt Service from local post office. (Labeled as **Exhibit "I."**)

If a public utility easement - **Letters of review and recommendation from proper utility companies** (cable, electric, gas, sewer, telephone, water and any other agencies, see attached). {See Sample Letter as well as list of agencies below.} (Labeled as **Exhibit "J."**)

If a drainage or road easement or road ROW - **Letters of review and recommendation from proper agencies** (Florida DOT, Lee County Transportation (access/maintenance issues), Natural Resources, and Waterway Advisory Committee (if easement abuts a waterway), and the franchise utility companies. {See Sample letter and list of agencies below.} (Labeled as **Exhibit "K."**)

PETITION TO VACATE
REQUEST FOR LETTER OF REVIEW AND RECOMMENDATION

(SAMPLE LETTER)

(Today's date)

Contact Person

Company Name

Mailing Address

City, State, Zip

RE: Request for a letter of Review and Recommendation on (check those that apply):

- Proposed Right-of-way or Road Easement Vacation
- Utility Easement
- Drainage Easement

STRAP No.: _____

To Whom It May Concern:

We intend to submit a Petition to the Village Council of Village of Estero seeking to vacate the public interest in the right-of-way or road easement, utility or drainage easement at the location identified above in order to accomplish the following purpose:

We have included a sketch or drawing of the right-of-way or road easement, utility or drainage easement, we desire to vacate. Please provide us with a letter of review and recommendation so we can proceed with our Petition submittal. If you have any questions, please do not hesitate to contact us directly and thank you in advance for your consideration.

Signed,

The Petitioner
(return mailing address and day time telephone number)

Enclosures:
Copy of Plat or Official Record Page
Sketch of Proposed Easement to Vacate



PETITION TO VACATE (AC 13-8)

Case Number: _____

Petitioner(s), _____ requests the Village Council of the Village of Estero, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address: _____
2. In accordance with Florida Statute (F.S.) Chapter 336 and Administrative Code (AC) 13-8, Petitioner desires to vacate, abandon and discontinue the public's interest in the right-of-way or portion of right-of-way legally described in the attached Exhibit "A".
3. A sketch showing the area(s) the Petitioner desires to vacate is attached as Exhibit "B".
4. Notice concerning the intent of this Petition will be provided in accordance with AC 13-8.
5. In accordance with letters of review and recommendation provided by the various governmental and utility entities, there is no apparent impediment to granting Petitioner's request.

Wherefore, Petitioner respectfully requests that the Village Council adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Petitioner Signature

Petitioner Signature

Printed Name

Printed Name



PETITION TO VACATE (AC 13-1)

Case Number: _____

Petitioner(s), _____ requests the Village Council of the Village of Estero, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address: _____
2. In accordance with Florida Statute (F.S.) Chapter 177 and Administrative Code (AC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and local taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the AC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Village Council grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests that the Village Council of the Village of Estero adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Petitioner Signature

Petitioner Signature

Printed Name

Printed Name

PETITION TO VACATE - LETTERS OF REVIEW AND RECOMMENDATION

You will only need to provide letters for the utilities that service your area

GOVERNMENTAL AGENCIES – Drainage Easement, Lake Maintenance Easement or Right of Way Easement – Letter of Review and Recommendation

- | | |
|--|--|
| <input type="checkbox"/> Mr. Howard Coachman
Lee Co. Transportation Division
1500 Monroe Street, 3rd Floor
Fort Myers, FL 33901-5500
Ph. (239) 533-8580 | <input type="checkbox"/> Mr. Tom Garcia, Field Operations Engineer
Florida Dept. of Transportation
2981 NE Pine Island Road
Cape Coral, FL 33904
Ph. (239) 656-7841 |
| <input type="checkbox"/> Lee Co. Natural Resources
1500 Monroe Street, 3rd Floor
Fort Myers, FL 33901-5500
Ph. (239) 533-8580 | |

FRANCHISE UTILITY COMPANIES – Public Utility Easement or Right of Way Easement - Letter of Review and Recommendation

- | | |
|--|---|
| <input type="checkbox"/> Mr. James Jackson
Mailstop FLFTME0105
CENTURYLINK
2820 Cargo Street
Fort Myers, FL 33916
Ph. (239) 336-2003 | <input type="checkbox"/> Mr. Mark Cook
COMCAST CABLEVISION
12600 West Links Drive
Fort Myers, FL 33913
Ph. (239) 432-1805 |
| <input type="checkbox"/> FLORIDA POWER & LIGHT
15834 Winkler Road
Fort Myers, FL 33908
Ph. (239) 415-1302 | <input type="checkbox"/> Ms. Marilyn D. Aloï
Engineering Project Manager
TECO/PEOPLE'S GAS
5901 Enterprise Parkway
Fort Myers, FL 33905-5004
Ph. (239) 690-5517 |

WATER TREATMENT PLANT FRANCHISES – Public Utility Easement or Right of Way Easement- Letter of Review and Recommendation

- | | |
|--|--|
| <input type="checkbox"/> Ms. Kim Hoskins
BONITA SPRINGS UTILITIES STP
11860 E. Terry Street
Bonita Springs, FL 34135
Ph. (239) 992-0711 | <input type="checkbox"/> Mr. David Reycraft
LEE COUNTY UTILITIES
1500 Monroe Street, Third Floor
Fort Myers, FL 33901-5500
Ph. (239) 533-8150 |
|--|--|

SEWER TREATMENT PLANT FRANCHISES – Public Utility Easement or Right of Way Easement - Letter

of Review and Recommendation

Ms. Kim Hoskins
BONITA SPRINGS UTILITIES STP
11860 E. Terry Street
Bonita Springs, FL 34135
Ph. (239) 992-0711

Mr. David Reycraft
LEE COUNTY UTILITIES
1500 Monroe Street, Third Floor
Fort Myers, FL 33901-5500
Ph. (239) 533-8150

WATER TREATMENT PLANT FRANCHISES – Public Utility Easement or Right of Way Easement- Letter of Review and Recommendation

Ms. Kim Hoskins
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11860 E. Terry Street
Bonita Springs, FL 34135
Ph. (239) 992-0711

Mr. David Reycraft
LEE COUNTY UTILITIES
1500 Monroe Street, Third Floor
Fort Myers, FL 33901-5500
Ph. (239) 533-8150

SEWER TREATMENT PLANT FRANCHISES – Public Utility Easement or Right of Way Easement - Letter of Review and Recommendation

Ms. Kim Hoskins
BONITA SPRINGS UTILITIES STP
11860 E. Terry Street
Bonita Springs, FL 34135
Ph. (239) 992-0711

Mr. David Reycraft
LEE COUNTY UTILITIES
1500 Monroe Street, Third Floor
Fort Myers, FL 33901-5500
Ph. (239) 533-8150

Mr. Paul Pass, Assistant District Manager
GATEWAY SERVICES DISTRICT
13240 Griffin Drive
Fort Myers, FL 33913
Ph. (239) 561-1313

FL GOVERNMENTAL UTILITY AUTHORITY
5560 Bayshore Road, Suite 36
North Fort Myers, FL 33917
Ph. (239) 543-1005

Ms. Bonnie Pringle
GASPARILLA ISLAND WATER ASSOC. INC.
P.O. Box 326
Boca Grande, FL 33921-0326
Ph. (239) 964-2423