

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 97- 25

WHEREAS, petitioners Russel V. Davison , Patricia Davison and John W. Richard, Trustee, in accordance with Florida Statute (F.S.) Chapter 177 and Town of Fort Myers Beach Administrative Code, filed a Petition to vacate, abandon, close and discontinue the public's interest plat or portion of a plat legally described in attached Exhibit "A"; and,

WHEREAS, the Council of Town of Fort Myers Beach, Florida held a Public Hearing concerning the Petition to Vacate on the 21st day of July, 1997; and,

WHEREAS, the Petitioner is the fee simple title holder to the underlying land sought to be vacated: and,

WHEREAS, the Petitioner did provide proof that all applicable state, county and town taxes have been paid; and,

WHEREAS, the Petitioner did provide notice to all affected property owners concerning the intent of the Petition to Vacate; and,

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Fort Myers Beach as follows:

- i. Petition to Vacate No. 97-06-230.03R is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon the recording of a fully executed Resolution, including all exhibits referred to above, in the public records of Lee County Florida.

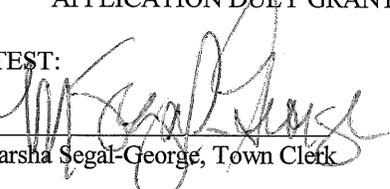
The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

Anita T. Cereceda	<u>aye</u>
Ted FitzSimons	<u>aye</u>
William (Rusty) Isler	<u>aye</u>
Garr Reynolds	<u>aye</u>
Ray Murphy	<u>aye</u>

APPLICATION DULY GRANTED this 21st day of July, 1997.

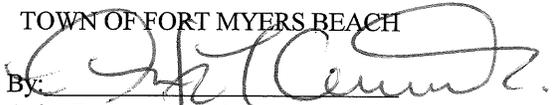
ATTEST:

By:


Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By:


Anita T. Cereceda, Mayor

Approved as to form by:

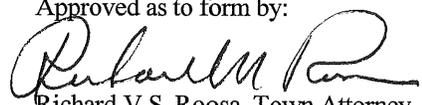

Richard V.S. Roosa, Town Attorney

EXHIBIT "A"

LEGAL DESCRIPTION AS PER S & H LAND SURVEY CO., INC.

Part of a Lagoon Right-of-Way being more particularly described as follows:

Beginning at the Southwest Corner of Lot 9, Block A, ISLAND SHORES SUBDIVISION, Unit No. 2, as recorded in Plat Book 9 at Page 25 of the Public Records of Lee County, Florida; thence run N 63°58'21" W, 11.82 feet to the outer face of a seawall; thence run N 29°45'28" E, 50.11 feet to the outer face of a second seawall; thence run N 26°01'39" E, 58.50 feet along said second seawall to a point of curve to the left in said second seawall; said curve having a radius of 10 feet; thence run along said seawall and curve an arc distance of 6.39 feet thru a delta angle of 36°37'27" to a point which bears S 71°01'39" W, 14.90 feet from the Northwest corner of Lot 5, Block A, of said subdivision; thence run S 26°01'39" W, 125.00 feet to the Point of Beginning. Said parcel contains 1120.6 square feet more or less.

EXHIBIT "B"

