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By Fowler White Boggs, P.A.
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County Lee
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RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 12-21
VAC2012-0001 - Windover Fort Myers Beach

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, PROVIDING FOR THE VACATION OF PLAT FOR AN EIGHT FOOT (8') WIDE PLATTED STRIP LOCATED ADJACENT TO LOTS 19, 19A, AND 19B, BLOCK 6, GULF HEIGHTS SUBDIVISION, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED IN THE VICINITY OF 5200 ESTERO BOULEVARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a Petition was filed by Windover Fort Myers Beach, LLC requesting a vacation of plat for property described herein; and

WHEREAS, the Petition meets the requirements of Chapter 10, Article II, Division 5, Subdivision II of the Land Development Regulations; and

WHEREAS, the Town Council, pursuant to Section 10-220(e) of the Land Development Code, has reviewed the staff report and has determined that the procedures contained in subsections (c) and (d) of Section 10-220 are not required because the area sought to be vacated is *de minimis* in size, cost and overall impact; and

WHEREAS, the Town Council has determined that the property sought to be vacated is not needed by the Town and it is in the best interest of the public that such Petition be granted.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:

Section One. The above "Whereas" recitals are incorporated herein by reference.

Section Two. The following described property located in Block 6 of Gulf Heights Subdivision, recorded in Plat Book 6 at Page 39, Public Records of Lee County, Florida is hereby vacated by the Town of Fort Myers Beach:

See Exhibit "A," which is attached hereto and incorporated herein by reference.

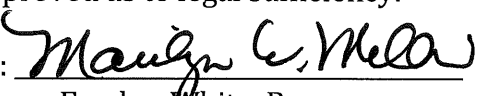
Section Three. Effective Date. This Resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach, Florida.

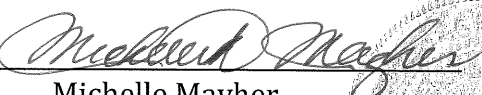
The foregoing Resolution was adopted by the Town Council upon a motion by Councilmember Mandel and seconded by Councilmember List, and upon being put to a vote, the result was as follows:

Larry Kiker, Mayor AYE Bob Raymond, Vice Mayor AYE
Alan Mandel, Councilmember AYE Jo List, Councilmember AYE
Joe Kosinski Councilmember AYE

DULY PASSED AND ADOPTED THIS 1st day of OCTOBER, 2012.

By: 
Larry Kiker, Mayor

Approved as to legal sufficiency:
By: 
Fowler, White, Boggs
Town Attorney

ATTEST:
By: 
Michelle Mayher
Town Clerk





Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmoffice@bwk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

Description of a Parcel of Land Lying in Section 33, Township 46 South, Range 24 East Town of Fort Myers Beach, Estero Island, Lee County, Florida (8' Strip to be Vacated)

A tract or parcel of land situated in the State of Florida, County of Lee, Town of Fort Myers Beach, Estero Island, being an undesignated strip of land (8 feet wide) bounded on the east by Estero Boulevard, bounded on the north by the north line of Government Lot 3, bounded on the south by the north line of Lots 19, 19A and 19B of Block 6 and bounded on the west by the east line of Lot 21, Block 6, all being shown on the plat of Gulf Heights, a subdivision recorded in Plat Book 6 at Page 39, Public Records of Lee County, Florida, and further described as follows:

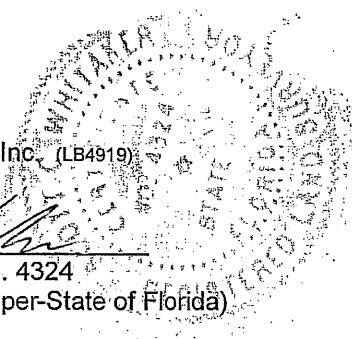
Beginning at a found nail and disk stamped "Estero Blvd RW" marking the intersection of the north line of Government Lot 3 of Section 33, Township 46 South, Range 24 East with the southwesterly right-of-way line of Estero Boulevard; thence S89°17'48"W along the north line of said Government Lot 3 for 128.42 feet to the northeast corner of said Lot 21; thence S43°37'26"W along the east line of said Lot 21 for 11.18 feet to the northwest corner of said Lot 19B; thence N89°17'48"E, parallel with and 8 feet south of the north line of said Government Lot 3, and along the north line of said Lots 19B, 19A and 19 for 144.42 feet to the southwesterly right-of-way line of said Estero Boulevard; thence N46°22'34"W along said southwesterly right-of-way line for 11.45 feet to the Point of Beginning.

Containing 1,091 square feet, more or less.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone NAD 1983 (1990 Adjustment) with the southwesterly line of Estero Boulevard to bear N46°22'34"W.

Bean, Whitaker, Lutz & Kareh, Inc. (LB4919)

Scott C. Whitaker, P.S.M. 4324
(Professional Surveyor and Mapper-State of Florida)



35459_DESC-8' STRIP 8/7/12

Exhibit "A"

PRINCIPALS:

SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

JAMES A. HESSLER, PSM
CHRISTEN N. ALPEN, PSM
MUNIR R. SULEH, PE, M.S.E.E.