

THIS INSTRUMENT PREPARED BY:  
Town of Fort Myers Beach  
2523 Estero Boulevard  
Fort Myers Beach, Florida 33932

**RESOLUTION NO. 01- 38 TO SET PUBLIC HEARING OF PETITION  
TO VACATE A PORTION OF COTTAGE AVENUE Case#VAC2001-00029.**

WHEREAS, A petition to Vacate was filed with the Town Council; and

WHEREAS, the Petitioner seeks to vacate a portion of public right-of-way legally described in the attached Exhibit 'A'; and

WHEREAS, under Florida Statute the Council must hold Public Hearing in order to grant a vacation affection a public right-of-way.

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

1. A Public Hearing on Petition to Vacate VAC2001-00029 is set for the 7<sup>th</sup> of January, 2002 at 6:30 PM in the Town of Fort Myers Beach Town Hall.
2. A Notice of Public Hearing on the Petition to Vacate will be published in accordance with the applicable statutes and codes.

THIS RESOLUTION passed by voice vote and entered into the minutes of the Town of Fort Myers Beach, Florida this 3<sup>rd</sup> day of December, 2001.

ATTEST:  
MARSHA SEGAL-GEORGE  
TOWN CLERK

TOWN COUNCIL OF FORT  
MYERS BEACH, FLORIDA  
MAYOR

By: Marsha Segal-George  
Marsha Segal-George, Town Clerk

By: Dan Hughes  
Dan Hughes, Mayor

Approved as to form by:  
Richard V.S. Roosa  
Richard V.S. Roosa, Town Attorney

EXHIBIT 'A'

DESCRIPTION

THAT PORTION OF COTTAGE AVENUE (30' RIGHT-OF-WAY) OF SEAGRAPE SUBDIVISION PLAT BOOK 4 PAGE 17, AS RECORDED IN LEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF COTTAGE AVE (30' RIGHT-OF-WAY) LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF MANGO STREET (30' RIGHT-OF-WAY). CONTAINING 3190 SQ. FEET MORE OR LESS.

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. THE ATTACHED SKETCH DOES NOT REPRESENT A SURVEY.



DONALD D. SMITH, P.S.M  
FLORIDA REGISTERED NO. 4078  
DATE SIGNED: \_\_\_\_\_