

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

RESOLUTION NO. 00-23 — *not adopted*  
PETITION TO VACATE  
Case Number: 99-06-186.03R

WHEREAS, Petitioner, Donald and Marie Corcelli in accordance with Florida Statute (F.S.) Chapter 177, filed a Petition to vacate, abandon, close and discontinue the public's interest in the right-of-way or portion of a right-of-way legally described in the attached Exhibit "A"; and,

WHEREAS, the Town Council of Fort Myers Beach, Florida held a Public Hearing concerning a Petition to Vacate on the 5<sup>th</sup> day of June, 2000; and,

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the Town Council Meeting; and,

WHEREAS, the Petitioner(s) has fee simple title ownership to the underlying land sought to be vacated; and

WHEREAS, the Petitioner(s) has provided proof that all applicable state and county taxes have been paid; and

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

WHEREAS, it appears that vacating, abandoning, closing or discontinuing the subject right-of-way or portion of right-of-way is in the best interest of the public and promotes the public's health, safety and welfare without invading or violating individual property rights; and,

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that 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 Town Council of Fort Myers Beach, as follows:

1. Petition to Vacate No. 99-06-186.03R is hereby granted.
2. The public's interest in the right-of-way or portion of right-of-way described, easement, plat or portion of a plat legally described in Exhibit "A" is hereby vacated, abandoned, closed and discontinued.
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 WAS ADOPTED by the Town Council upon a motion made and seconded, and, upon being put to a vote, the result was as follows:

Anita T. Cereceda	aye
Dan Hughes	aye
Garr Reynolds	aye
Ray Murphy	aye
Terry Cain	aye

DULY PASSED AND ADOPTED this 5th day of June, 2000.

ATTEST:

Town of Fort Myers Beach

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

By: \_\_\_\_\_  
Daniel Hughes, Mayor

Approved as to form by:

\_\_\_\_\_  
Richard V.S. Roosa, Town Attorney