

**RESOLUTION NO. 99-23 TO SET PUBLIC HEARING FOR PETITION TO VACATE Case Number: 98-09-227.03R**

WHEREAS, a Petition to Vacate was filed with the Town Council; and

WHEREAS, the Petitioner seeks to abandon, discontinue, close or vacate a portion of a plat, easement, parcel or right-of-way legally described in the attached Exhibit "A".

WHEREAS, under Florida Statute and the laws of the Town of Fort Myers Beach, the Council must hold a Public Hearing in order to grant a vacation affecting a public easement, public right-of-way or platted lands.

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

1. A Public Hearing on Petition to Vacate No. 98-09-227.03R is set for the 1st day of July, 1999 at 3:30 p.m. in the Town of Fort Myers Beach Town Hall.
2. A Notice of Public Hearing on this Petition to Vacate will be published in accordance with the laws of the Town of Fort Myers Beach.

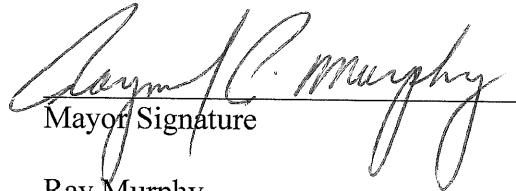
THIS RESOLUTION passed by voice and entered into the minutes of the Town Council of the Town of Fort Myers Beach, Florida, this 7th Day of June, 1999

ATTEST  
MARSHA SEGAL-GEORGE  
TOWN CLERK

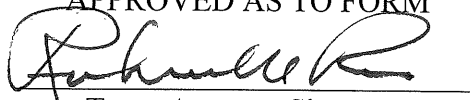
  
Town Clerk Signature

Marsha Segal-George  
Please Print Name

TOWN COUNCIL OF FORT  
MYERS BEACH, FLORIDA  
MAYOR

  
Mayor Signature

Ray Murphy  
Please Print name

APPROVED AS TO FORM  
  
Town Attorney Signature

Richard V.S. Roosa

## Legal Description

DESCRIPTION: (Vacation of part of Fourth Street, Fort Myers Beach, Florida.)

A tract of land being part of Fourth Street as shown on the plat of Business Center as recorded in Plat Book 9, at Pages 9 and 10, Public Records of Lee County, Florida described as follows:

Commencing at the Southeasterly corner of Block 3, of the aforesaid Business Center; thence run N.63°58'26"W. along the Northeasterly right-of-way line of Fourth Street for 51.32 feet to the point of beginning (being a point on a line 25,000 feet Northwesterly of and parallel to the new centerline of Fifth Avenue as shown on Lee County Department of Transportation and Engineering plans for project No. 4965); thence run Southwesterly along said line for 63.05 feet along the arc of a curve concave Southeasterly, having a radius of 205.00 feet, a chord bearing of S.63°15'51"W. and a chord distance of 62.80 feet to a point on the Southerly right-of-way line of the aforesaid Fourth Street; thence run N.63°58'26"W. along said Southerly line for 198.31 feet to the Easterly right-of-way line of State Road 865 (Matanzas Pass Bridge); thence run N.25.59'59"E. along said Easterly line for 50.00 feet to a point on the Northerly right-of-way line of Fourth Street; thence run S.63°58'26"E. along said Northerly line for 26.34 feet to the point of Beginning.

Tract herein described contains 10,765 square feet (0.247 acres) more or less.

Bearings are based on the Northerly right-of-way line of the aforesaid Fourth Street as being N.63°58'26"W.

# EXHIBIT "A"