

PF-42

Reviewed for code compliance
Joshua Ooyman
11/26/2024 12:57:35 PM

Stormwater Management Review
Public Works
12/04/2024 11:32:34 AM



City of Marco Island
Growth Management Department
50 Bald Eagle Drive
Marco Island, FL 34145
Phone: 239-389-5000

**APPLICATION FOR VACATING STREETS, ALLEYS, EASEMENTS
& SUBDIVISION PLATS**

APPLICABLE SECTIONS OF THE MARCO ISLAND LAND DEVELOPMENT CODE SEC 30-581(AA)

MIU BB 12/10/24
Reviewed.

Petition number: _____ Date Received: _____

Planner: _____

Above to be completed by Staff

APPLICANT CONTACT INFORMATION

Applicant/Agent Name: Zachary W. Lombardo, Esq.
Applicant/Agent Firm: Woodward, Pires & Lombardo, P.A.
Address: 3200 Tamiami Trail N., Suite 200, Naples, FL 34103
Phone: (239) 649-6555 E-mail: zlombardo@wpl-legal.com; kchylinski@wpl-legal.com

Property owner's name: Carper Family Trust dated February 28, 2019
Address: 917 N. Barfield Dr., Marco Island, FL 34145
Phone: C/O Agent E-mail: C/O Agent

SUBJECT PROPERTY INFORMATION

Reason for Request: Construction across lot line and easement not needed
Address of Subject Property: 917 N. Barfield Dr., Marco Island, FL 34145
Property ID: 56940480103 Zoning Designation: RSF-4
Legal Description: Lot 4, Block 125, MARCO BEACH UNIT FOUR, according to the map or plat thereof as recorded in Plat Book 6, page 32 through 37, inclusive, of the Public Records of Collier County, Florida.

SUBMITTAL REQUIREMENTS CHECKLIST

This completed checklist is to be submitted with the application packet in the exact order. Incomplete submittals will not be accepted.

REQUIREMENTS FOR REVIEW	# OF COPIES
Completed Application (download current form from City website)	2
Signed and sealed boundary survey showing existing and proposed lot dimensions, access to new lots, new lot areas, all easements of record, all utilities, and structures on	2
Recorded warranty deed to show current ownership from Clerk of Courts Recording Office	2
Fee Simple Deed	2
Letters of No Objection from each of the following, as applicable: (addresses may not be current) Electric Company – Lee County Electric Co-op (LCEC), 433 N 15 th St. Immokalee, FL 34142 (239)656-2300. Cable Television - Comcast: ATTN: Mark Cook, 26100 West Links Drive, Ste 4, Fort Myers, FL 33913. (239) 432-1805. Telephone Company- Century Link, Florida: ATTN: Jigs Silang, 3530 Kraft Road, Naples, FL 34105. (239)263-6234. Internet – Summit Broadband, 2367 Vanderbilt Beach Rd, Naples, FL 34109. (407)996-8900 Water & Sewer - Marco Island Utilities: ATTN: Jeff Poteet, 50 Bald Eagle Dr., Marco Island, FL 34145. (239)389-5000 Adjacent Property Owners Homeowners Association	2
Digital copy of all items above	1

FEE REQUIREMENTS

- ☐ Application Fee: \$2,000.00 (payable to the City of Marco Island).

APPROVAL PROCESS

- The planning board shall hold a public hearing to consider such petitions and shall submit its recommendation in writing to the city council.
- The city council shall hold a public hearing to consider the vacation, and shall publish notice thereof in a newspaper of general circulation in the city in not less than two weekly issues of the paper.
- Following the public hearing, the city council may, by resolution, approve the vacation if it is determined that there is no present necessity, or reasonably foreseeable necessity, for the retention of the street, alleyway, easement or subdivision plat, and that the right to convenient access of adjoining property owners will not be affected thereby.

□ Significant portions of Marco Island are subject to recorded deed restrictions. As the city is not responsible for enforcement of private deed restrictions, it is incumbent upon individuals to know what private restrictions may apply to their property. Please contact Marco Island Civic Association (MICA) for more information at (239) 642-7778 or www.marcocivic.com. By signing this application, the owner/applicant certifies that the owner/applicant has been informed about the existence of such private deed restrictions.

By acceptance of this application, the applicant agrees to defend, hold harmless and indemnify the City of Marco Island and its employees and agents from any and all liability which may arise as a result of this meeting.

/s/ Zachary W. Lombardo
Applicant/Agent

11/22/2024

Date

Application accepted by:

Planner

Date _____

AFFIDAVIT

Leslie Carper, as Trustee of the Carper Family Trust dated February 28, 2019

We/I, _____ being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated, or City printed shall not be altered. We/I hereby also consent to access to the subject property (excluding entering any home or other enclosed structure) by City of Marco Island staff members for the limited purpose of evaluating, observing, or understanding the subject property conditions as they relate to the Site Development Plan. While the Site Development Plan is pending, staff members will be allowed access upon the property provided they display a Marco Island City Photo ID or a Valid Driver's License.

Zachary W. Lombardo and the
law firm of Woodward, Pires &
Lombardo, P.A.

As property owner we/I further authorize _____ to act as our/my representative in any matters regarding this Petition.

Leslie Carper
Signature of Property Owner

Leslie Carper

Printed Name of Property Owner

Trustee

Title

The foregoing instrument was acknowledged before me this 25th day of September, 2024
by Leslie Carper, who is personally known to me or has produced FL Driver License
as identification.

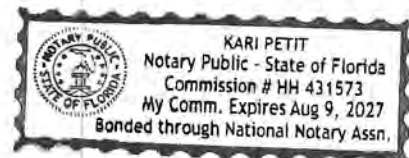
State of Florida

County of Collier

Kari Petit
Signature, Notary Public - State of Florida

Kari Petit
Printed, Typed, or Stamped Name of Notary

(Seal)



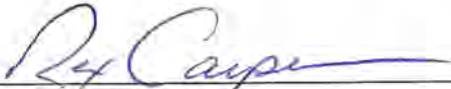
AFFIDAVIT

Rex Carper, as Trustee of the Carper Family Trust dated February 28, 2019

We/I, _____ being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated, or City printed shall not be altered. We/I hereby also consent to access to the subject property (excluding entering any home or other enclosed structure) by City of Marco Island staff members for the limited purpose of evaluating, observing, or understanding the subject property conditions as they relate to the Site Development Plan. While the Site Development Plan is pending, staff members will be allowed access upon the property provided they display a Marco Island City Photo ID or a Valid Driver's License.

Zachary W. Lombardo and the
law firm of Woodward, Pires &
Lombardo, P.A.

As property owner we/I further authorize _____ to act as our/my representative in any matters regarding this Petition.



Signature of Property Owner

Rex Carper

Printed Name of Property Owner

Trustee

Title

The foregoing instrument was acknowledged before me this 25th day of September, 2024, by Rex Carper, who is personally known to me or has produced FL Driver License as identification.

State of Florida

County of Collier

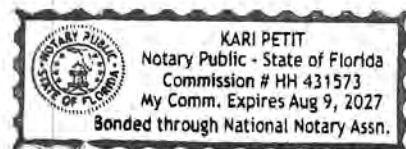


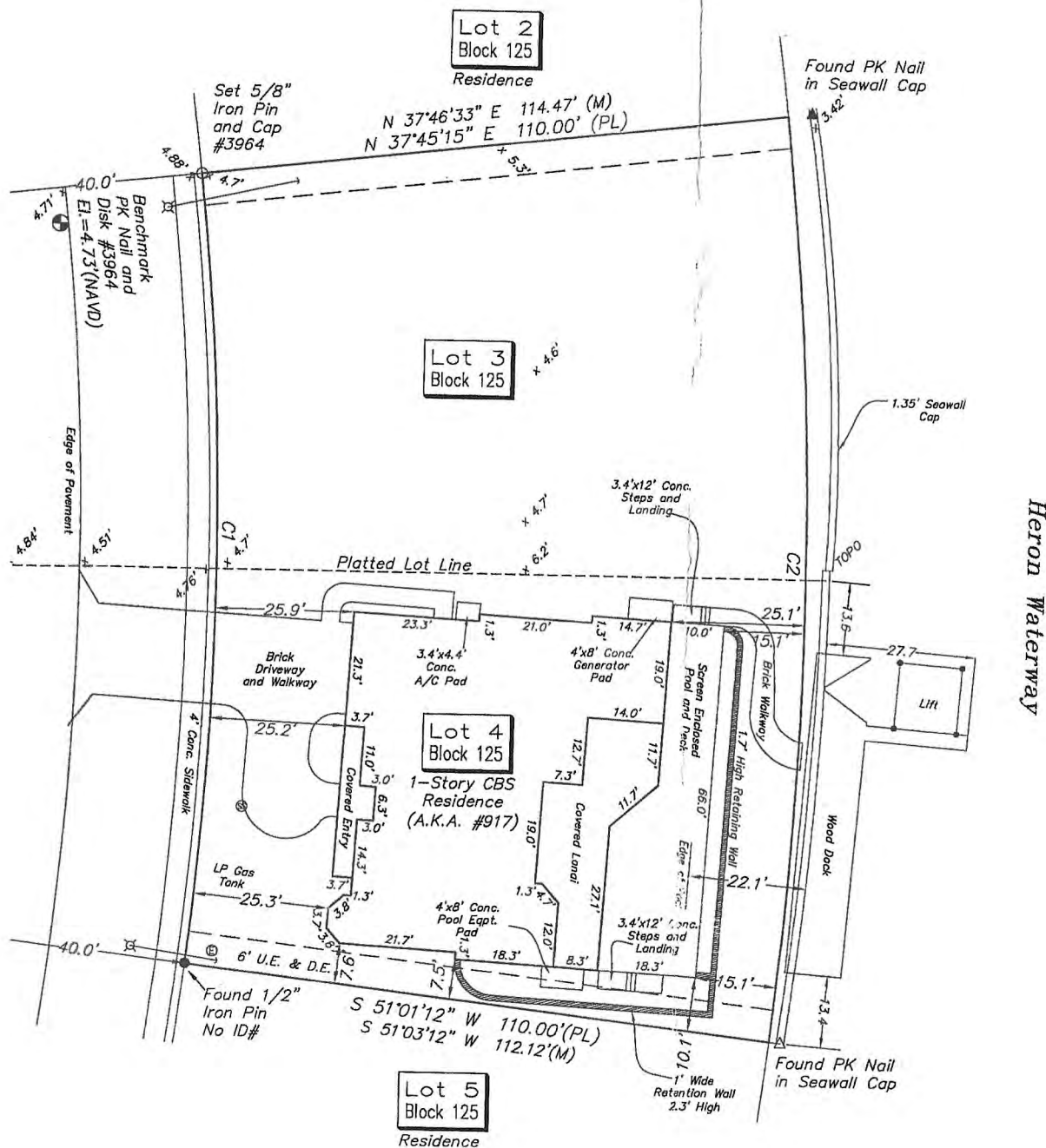
Signature, Notary Public – State of Florida

(Seal)

Kari Petit

Printed, Typed, or Stamped Name of Notary





Legal Description

As provided by client

Lots 3 & 4, Block 125
Marco Beach Unit Four
As Recorded in Plat Book 6, Pages 32-37
of the Public Records of Collier County, Florida

LEGEND:

■ = FOUND CONCRETE MONUMENT	BB = BEARING BASIS-PLAT
□ = SET CONCRETE MONUMENT (LB # 3964)	MEAS = MEASURED = M
● = FOUND IRON PIN	CALC. = CALCULATED
○ = SET 5/8" IRON PIN (LB # 3964)	Δ = DELTA ANGLE
▲ = FOUND NAIL	R = RADIUS
△ = SET NAIL	CH = CHORD
⊙ = FOUND DRILL HOLE	CB = CHORD BEARING
⊗ = SET DRILL HOLE	D.E. = DRAINAGE EASEMENT
P.C. = POINT OF CURVATURE	U.E. = UTILITY EASEMENT
P.T. = POINT OF TANGENCY	CONC. = CONCRETE
P.I. = POINT OF INTERSECTION	R/W = RIGHT-OF-WAY
L.B. = LAND SURVEYING BUSINESS	CL = CENTERLINE
C.B.S. = CONCRETE BLOCK STRUCTURE	L.S. = LAND SURVEYOR
L.M.E. = LAKE MAINTENANCE EASEMENT	ELEV = ELEVATION
P.R.C. = POINT OF REVERSE CURVATURE	PL = PLAT
P.R.M. = PERMANENT REFERENCE MONUMENT	B = CABLE TV SERVICE
P.C.P. = PERMANENT CONTROL POINT = ⊗	⊕ = CONC POWER POLE
⊕ = WATER METER	⊖ = TELEPHONE SERVICE
⊗ = SANITARY CLEAN OUT	⊙ = ELECTRIC SERVICE
⊕ = WATER VALVE	⊖ = SANITARY MANHOLE
	⊕ = FIRE HYDRANT

WE HEREBY CERTIFY TO

REX CARPER

THAT A SURVEY OF THE HEREON DESCRIBED PROPERTY WAS MADE UNDER MY DIRECTION AND AT IT MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

ELECTRONIC SIGNATURE USED IN ACCORDANCE WITH APPLICABLE STATE LAWS AND RULES INCLUDING BUT NOT LIMITED TO FLORIDA STATUTES 668.001, 668.50 AND FLORIDA ADMINISTRATIVE CODE CHAPTER 5J-17.

5J-17.05(3)(b)6 - ADDITION OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES, IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

THERE ARE NO ENCROACHMENTS OTHER THAN SHOWN, NO BOUNDARY LINE DISPUTES, EASEMENTS OR CLAIMS OF EASEMENTS OF WHICH I HAVE KNOWLEDGE, EXCEPT AS SHOWN.

David C. Holman
Digitally signed by
David C. Holman
Date: 2019.04.03
15:47:46 -04'00'

THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED, CERTIFICATION OF TITLE, ZONING OR FREEDOM FROM ENCUMBRANCES, UNDERGROUND IMPROVEMENTS NOT LOCATED UNLESS NOTED

ABSTRACT NOT REVIEWED



THIS INSTRUMENT PREPARED
WITHOUT EXAMINATION OF TITLE OR
TITLE OPINION BY:

Anthony J. Dimora, Esquire
Woodward, Pires & Lombardo, P.A.
606 Bald Eagle Drive, Suite 500
Post Office Box One
Marco Island, Florida 34146
(239) 394-5161

WARRANTY DEED

This is a transfer without consideration for estate planning purposes; minimum documentary stamp tax is due.

This Indenture, made this 28th day of February, 2019, between **Rex Carper, a/k/a Rex A. Carper and Leslie Carper, a/k/a Leslie Hudson Carper, husband and wife, GRANTORS**, whose post office address is: 917 N. Barfield Drive, Marco Island, Florida, 34145 and **Rex A. Carper and Leslie Hudson Carper, as Trustees of the Carper Family Trust dated February 28, 2019 GRANTEES**, whose post office address is: 917 N. Barfield Drive, Marco Island, Florida, 34145.

WITNESSETH, that the Grantors, for and in consideration of the sum TEN DOLLARS, and other good and valuable considerations to said GRANTORS in hand paid by said GRANTEES, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantees, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the County of Collier, State of Florida, to wit:

Lot 4, Block 125, MARCO BEACH UNIT FOUR, according to the map or plat thereof as recorded in Plat Book 6, page 32 through 37, inclusive, of the Public Records of Collier County, Florida.

Subject to restrictions, reservations and easements common to the subdivision, and taxes for the year 2019 and subsequent years.

Tax Folio Number: 56940480103

THIS IS THE HOMESTEAD OF THE GRANTORS.

TO HAVE AND TO HOLD, the same in fee simple forever.

*The Trustees have the power and authority to protect, to conserve and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property described herein, pursuant to F.S. 689.07(3).

AND the Grantors do hereby fully warrant the title to the land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantors have hereunto set Grantors' hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Gwendolyn DeCrow
Signature of Witness No. 1

Rex A. Carper
Rex Carper, a/k/a Rex A. Carper

Gwendolyn DeCrow
Printed Signature of Witness No. 1

Karissa Ziegel
Signature of Witness No. 2

Karissa Ziegelmann
Printed Signature of Witness No. 2

Gwendolyn DeCrow
Signature of Witness No. 1

Leslie Carper
Leslie Carper, a/k/a Leslie Hudson Carper

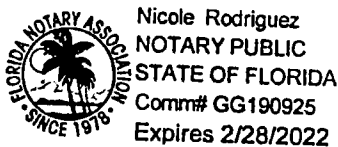
Gwendolyn DeCrow
Printed Signature of Witness No. 1

Karissa Ziegel
Signature of Witness No. 2

Karissa Ziegelmann
Printed Signature of Witness No. 2

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 28th day of February, 2019, by **Rex Carper, a/k/a Rex A. Carper and Leslie Carper, a/k/a Leslie Hudson Carper**, who are personally known to me or presented FL Drivers License as identification and did take an oath.



My commission expires:

Nicole Rodriguez
Notary Public Signature

Nicole Rodriguez
Notary Public Printed Name

11/6/2024



Rex Carper
917 N. Barfield Dr.
Marco Island, FL

P863526
No Reservations/No Objection

SUBJECT: Vacation request for a portion of the platted easements within Lot 3 and Lot 4, Marco Beach Unit 4, Block 125, as recorded in Plat Book 6, Pages 32-37, in Collier County, Florida as shown on the attached exhibits.

To Whom It May Concern:

CenturyLink of Florida, Inc. d/b/a CenturyLink ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference. This Letter of No Objection response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

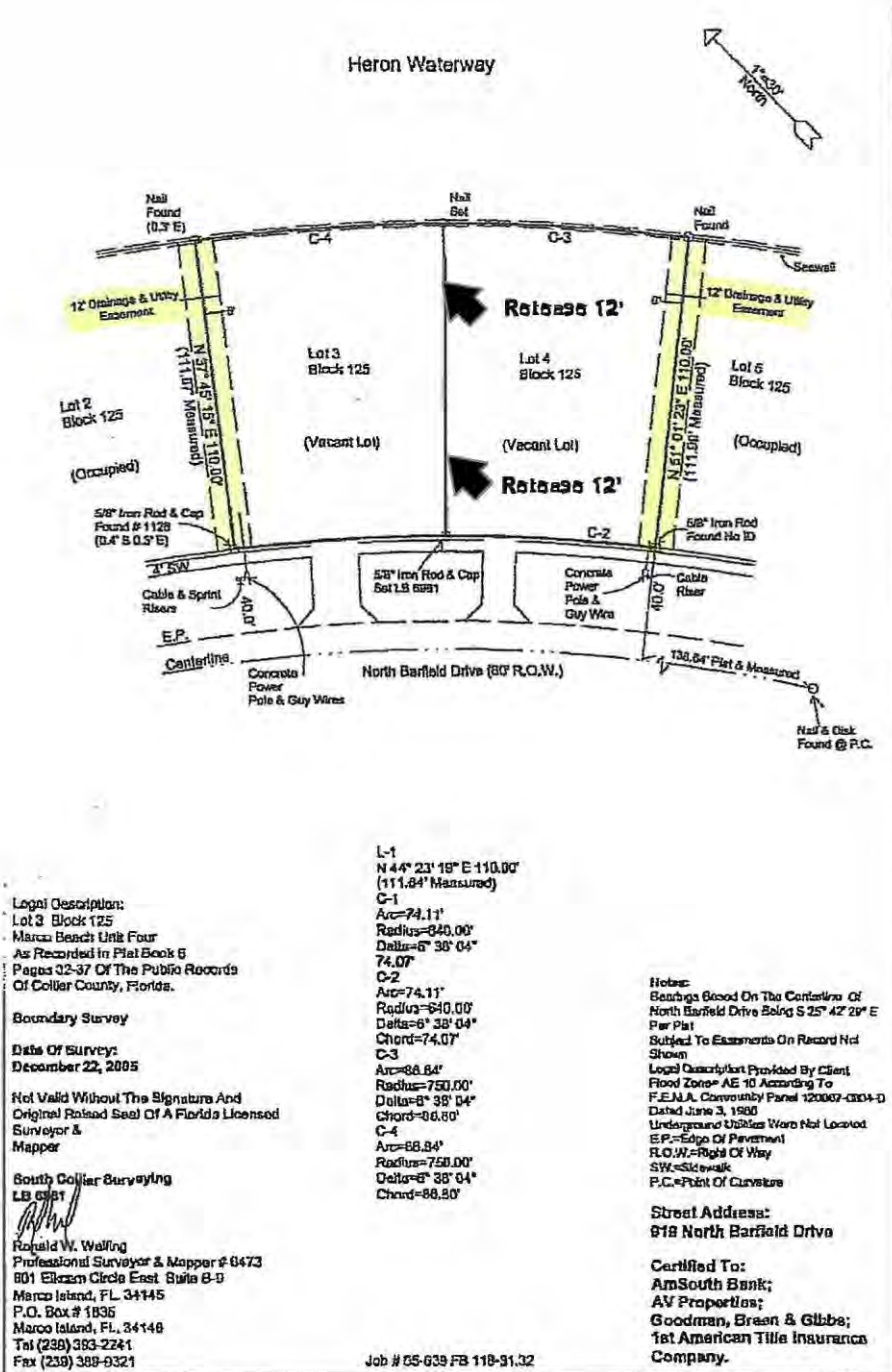
If you have any questions, please contact Derek Grimes at (234)360-9153 or Derek.Grimes@lumen.com.

Sincerely yours,

/s/

CenturyLink Right of Way Team

EXHIBIT A





November 4th, 2024

Attn: Kaitlin Chylinski

RE- Letter of No Objection- Release of Easement 917 N Barfield, Lots 2 & 4 Marco Beach Unit 4, Block 125

Dear Kaitlin Chylinski,

Thank you for contacting Comcast regarding your request to vacate the easement. This is to inform you that Comcast has no facilities within the site's development area. We currently have no objection to your plans at this location.

If Comcast facilities are found and/or damaged within the area as described, the applicant will bear the cost of repairs or relocation of said facilities. If you have any further question or concerns, please do not hesitate to contact me at (574) 808-8943.

Sincerely,

Christopher Plank

Construction Manager SWFL

12600 Westlinks Dr. Suite #4
Fort Myers, FL 33913
574-808-8943
Christopher_Plank@Comcast.com

September 30, 2024

Carper Family Trust
917 N. Barfield Drive
Marco Island, FL 34145

Re: Letter of No Objection to Vacation of Platted Lot Lines located at 917 N. Barfield Drive, Marco Island, 34145.
Folio Number: 56940480103, STRAP NO: 77310012547B16
Owners: Carper Family Trust, 917 N. Barfield Drive, Marco Island, FL 34145

We received your request regarding the vacation of easements for the following lots:

Marco Beach Unit 4, Block 125, Lots 3 & 4, Section 16, Township 52, Range 26, according to Plat Book 6, Pages 32 through 37, inclusive, of the Public Records of Collier County, Florida.

After reviewing your request and related documents, we confirm that LCEC has **no objection** to the vacation of the easements between Lots 3 and 4.

Please note that if there are any substantial changes to the submitted plans, LCEC reserves the right to further review and impose additional conditions as necessary. Additionally, this letter will terminate six months from the date above if no definitive action or approval from the local jurisdiction is received by the petitioner. This letter is non-assignable, non-recordable, and will become void upon recordation.

If you have any questions, please feel free to contact me at 239-656-2228 or via email at Steve.Sousa@lcec.net.

Very truly yours,



Steve Sousa
Right of Way Agent

LEE COUNTY ELECTRIC COOPERATIVE, INC.

RE:401006678



City of Marco Island

Conditional Letter of No Objection

1/4/2024

RE: Vacate Easement
917 N Barfield Dr.
Marco Island, FL 34145

To Whom It May Concern,

The City of Marco Island Water and Sewer Department has been asked to provide a letter of “No Objection” to vacate the utility easement on the property located at 917 N Barfield Drive Marco Island, FL 34145. This utility easement is between Lot 3 and Lot 4 of Marco Beach Unit 4, block 125 based on the recorded information in Plat Book 6, page 32-37, of the Public Records of Collier County, Florida.

Sincerely,

Barton Bradshaw
Collections and Distribution Manager
Marco Island Utilities
50 Bald Eagle Drive
Marco Island, FL 34145
239-825-9001

November, 20th, 2024

Rex and Leslie Carper
917 N. Barfield Dr.
Marco Island, FL 34145

**RE: LETTER OF NO OBJECTION TO VACATION OF UTILITY EASEMENT FOR 917
NORTH BARFIELD DRIVE, LOTS 3 & 4 of MARCO BEACH UNIT 4, BLOCK 125**

Dear Mr. and Mrs. Carper:

Summit Broadband has no objection to the vacation of the 12' utility easement for 917 N Barfield Dr. on the common property line between lots 3 & 4 of Marco Beach Unit 4, Block 125, as recorded in Plat Book 6, Pages 32-37, inclusive, of the Public Records of Collier County, Florida. [LESS & EXCEPT - eight feet (8') of the original easement from the back of the sidewalk toward the seawall].

SUMMIT BROADBAND

Signed by:

521C9D0A203942E...

Print Name: Randall Covard

Title: SVP Legal & People Operations

Date: November 20th, 2024

Date: 09/26/2024

Daniel & Brooke Mehney
912 N Barfield Dr.
Marco Island, FL 34145

LETTER OF NO OBJECTION TO VACATION OF THE 12' UTILITY EASEMENT AT THE COMMON PROPERTY LINE BETWEEN LOTS 3 & 4 of MARCO BEACH UNIT 4, BLOCK 125. [LESS & EXCEPT - eight feet (8') of the original easement from the back of the sidewalk toward the seawall]. As recorded in Plat Book 6, Pages 32-37, inclusive, of the Public Records of Collier County, Florida.

Note – No Utilities or Drainage lines currently exist on this common property line

If you have no objections to vacating this easement, please complete the acknowledgement portion below.

ACKNOWLEDGEMENT:

As an Adjacent Property Owner:

I HAVE NO OBJECTION to the abandonment of the Utility and Drainage Easement described above.

Signature: _____

Print Name: _____

Date: _____

Signature: _____

Print Name: _____

Date: _____

Date: 09/26/2024

Douglas R Woodworth Trust
912 N Barfield Dr.
Marco Island, FL 34145

LETTER OF NO OBJECTION TO VACATION OF THE 12' UTILITY EASEMENT AT THE COMMON PROPERTY LINE BETWEEN LOTS 3 & 4 of MARCO BEACH UNIT 4, BLOCK 125. [LESS & EXCEPT - eight feet (8') of the original easement from the back of the sidewalk toward the seawall]. As recorded in Plat Book 6, Pages 32-37, inclusive, of the Public Records of Collier County, Florida.

Note - No Utilities or Drainage lines currently exist on this common property line

If you have no objections to vacating this easement, please complete the acknowledgement portion below.

ACKNOWLEDGEMENT:

As an Adjacent Property Owner:

I HAVE NO OBJECTION to the abandonment of the Utility and Drainage Easement described above.

Signature: Douglas R. Woodworth

Print Name: Douglas R. Woodworth

Date: 9/26/24

Signature: Valerie M. Woodworth

Print Name: Valerie M. Woodworth

Date: 9/26/24

Date: 09/26/2024

Marilyn A. Pezza
922 N Barfield Dr.
Marco Island, FL 34145

LETTER OF NO OBJECTION TO VACATION OF THE 12' UTILITY EASEMENT AT THE COMMON PROPERTY LINE BETWEEN LOTS 3 & 4 of MARCO BEACH UNIT 4, BLOCK 125. [LESS & EXCEPT - eight feet (8') of the original easement from the back of the sidewalk toward the seawall]. As recorded in Plat Book 6, Pages 32-37, inclusive, of the Public Records of Collier County, Florida.

Note – No Utilities or Drainage lines currently exist on this common property line

If you have no objections to vacating this easement, please complete the acknowledgement portion below.

ACKNOWLEDGEMENT:

As an Adjacent Property Owner:

I HAVE NO OBJECTION to the abandonment of the Utility and Drainage Easement described above.

Signature: Marilyn Pezza

Print Name: Marilyn Pezza

Date: 9/26/24

Date: 09/26/2024

Alan and Lora Ogren
923 N Barfield Dr.
Marco Island, FL 34145

LETTER OF NO OBJECTION TO VACATION OF THE 12' UTILITY EASEMENT AT THE COMMON PROPERTY LINE BETWEEN LOTS 3 & 4 of MARCO BEACH UNIT 4, BLOCK 125. [LESS & EXCEPT - eight feet (8') of the original easement from the back of the sidewalk toward the seawall]. As recorded in Plat Book 6, Pages 32-37, inclusive, of the Public Records of Collier County, Florida.

Note – No Utilities or Drainage lines currently exist on this common property line

If you have no objections to vacating this easement, please complete the acknowledgement portion below.

ACKNOWLEDGEMENT:

As an Adjacent Property Owner:

I HAVE NO OBJECTION to the abandonment of the Utility and Drainage Easement described above.

Signature: _____

Lora Ogren

Print Name: _____

Lora Ogren

Date: _____

9/26/24

Signature: _____

Alan Ogren

Print Name: _____

Alan Ogren

Date: _____

9/26/24