

October 12, 2021

Via E-mail and Hand Delivery

City of Marco Island

Mary Holden

Attn: Growth Management Department

50 Bald Eagle Drive

Marco Island, FL 34145

Re: Lot Combination/Vacation of Easements between properties formerly known as 1066 Goldenrod Ave and 1049 Admiralty Ct, Marco Island, 34145 (Now combined by Collier County Appraiser into 1066 Goldenrod Ave, Property ID #57393320000).

#### Dear Ms. Holden:

Attached is a completed Application for Vacating the Easements between the lots referenced above, which have been combined into one lot. I have included all the required attachments. Thank you for your help in advising me on putting this together as we went through the process. Please note the survey includes the City Utilities requested 10x10 proposed easement which will remain between the two properties.

Also enclosed is a check for \$2000.00.

Please let me know if you require anything additional to process the application and to get on the agenda for the Planning Board on November 5, 2021. Thank you very much for all your help!

Sincerely.

dinifer M. Tenney, Esq.

1770 San Marco Road

Suite 201

Marco Island, Florida 34145

(239)610-1101

itenney@tenneylawmarco.com



### Tenney Law PLLC IOTA Trust Account

Marco Island, FL 34145 239-610-1101

First Florida Integrity Bank NAPLES, FL 34105

63-1632/670

10/12/2021

PAY TO THE

ORDER OF

City of Marco Island

\*\*2,000.00

Two thousand and 00/100\*

**DOLLARS** 

City of Marco Island

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**MEMO** 

00428-1066 Goldenrod Ave-Vacation of Easements

4067016325#

1153741#

**Tenney Law PLLC IOTA Trust Account** 

1413

10/12/2021

City of Marco Island

00428-Vacation of Easements

2,000.00

Trust Summary: Tenney Law PLLC IOTA

00428-1066 Goldenrod Ave-Vacation of Easements

2,000.00

**Tenney Law PLLC IOTA Trust Account** 

1413

10/12/2021

City of Marco Island

00428-Vacation of Easements

2,000.00

Trust Summary: Tenney Law PLLC IOTA

00428-1066 Goldenrod Ave-Vacation of Easements

2,000.00

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Deluxe Corporation 1-800-328-0304 or www.deluxe.com/shop



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)

Petition number:Date Received:	
Planner:	
Above to be completed by Staff	
APPLICANT CONTACT INFORMATION	-
Applicant/Agent Name: <u>Jennifer M. Tenney, Esq.</u> Applicant/Agent Firm: <u>Tenney Law, PLLC</u>	
Address: 1770 San Marco Rd, Suite 201, Marco Island, FL 34145  Phone: 239-610-1101	
Property owner's name:  Steven A. Hollingsworth, Trustee of the Revocable Agreement of Trust  Steven A. Hollingsworth dated 7/17/2018  Address: 401 Berlo Lane, Newtown Square, PA 19073	of
Phone: 610-564-3847 E-mail: stevenhinsurance@gmail.com	
SUBJECT PROPERTY INFORMATION	-
Reason for Request: Lot Combination  Address of Subject Property: 1066 Goldenrod Ave, Marco Island, FL 34145 and 1049 Admiralty  Marco Island, FL 34145  Property ID: 57393320000 & 57395720006 Zoning Designation: Vacant Residential	_
Legal Description: Lot 1, Block 256 and Lot 30, Block 257, Marco Beach Unit 6, according to the or plat thereof as recorded in Plat Book 6, Page 47, Public Records of Collie County, Florida.	<u>ə</u> map :r

### 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				
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 15th 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.  Felephone 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).

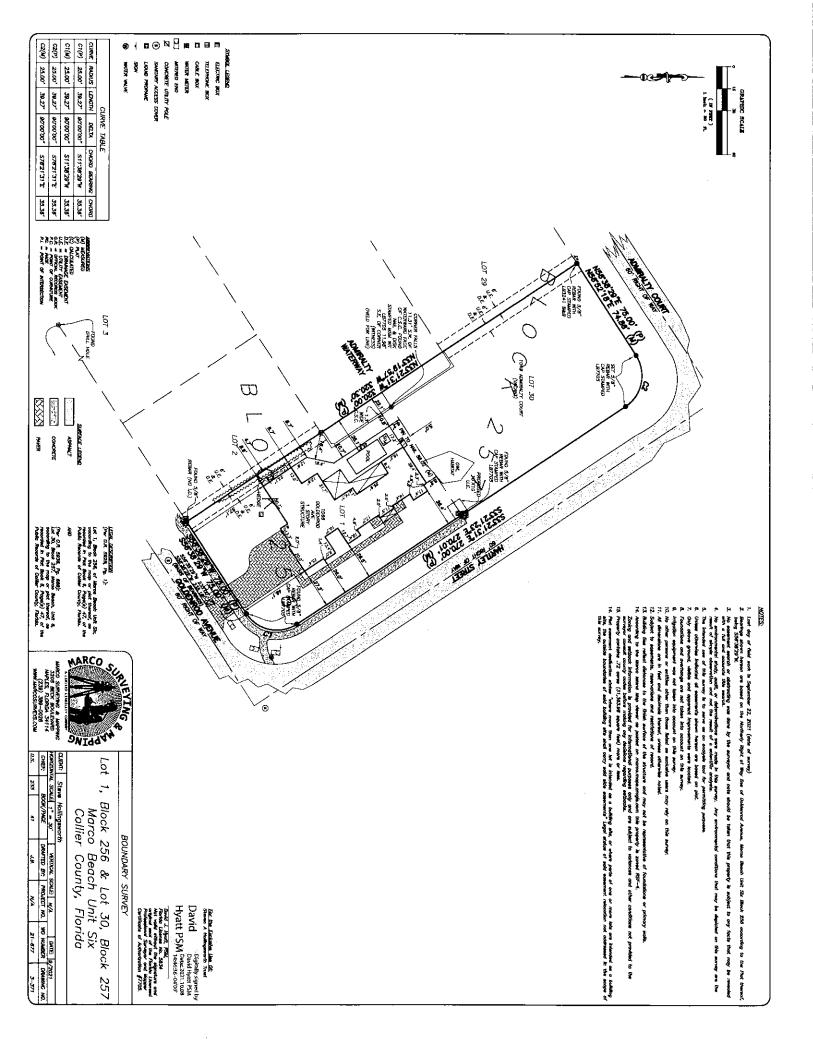
### **APPROVAL PROCESS**

- 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 <a href="www.marcocivic.com">www.marcocivic.com</a>. 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.

Applicant/Agent			
Application accepted by:			
Planner	 Date		



INSTR 6038671 OR 5928 PG 1
RECORDED 4/14/2021 4:27 PM PAGES 2
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
COLLIER COUNTY FLORIDA
DOC@.70 \$12,950.00 REC \$18,50
CONS \$1,850,000.00

Property Appraiser's Parcel I.D. (folio) Number: 57393320000

#### WARRANTY DEED

THIS INDENTURE, made this 7<sup>m</sup> day of April, 2021, between Markus Distel and Milagros Perez-Distel, husband and wife, whose post office address is 905 San Marco Road, Marco Island, Florida 34145, grantor, and Steven A. Hollingsworth, Trustee of the Revocable Agreement of Trust of Steven A. Hollingsworth dated 7/17/2018, with the full 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), whose post office address is 401 Berlo Ln, Newtown Square, Pennsylvania 19073, grantee.

(Wherever used herein the terms "grantor" and "grantee" are used for singular and plural and the use of a gender shall include both genders.)

WITNESSETH, that the grantor for and in consideration of the sum of TEN AND 0/100 (\$10.00), to him in hand paid by grantee, the receipt whereof is hereby acknowledged, has granted bargained, and sold to grantee, his heirs and assigns forever, the following described land, situated, and being in Collier County, Florida, to wit:

Lot 1, Block 256, Marco Beach Unit Six, according to the map or plat thereof, as recorded in Plat Book 6, Page(s) 47, of the Public Records of Collier County, Florida.

Subject to restrictions, reservations, and easements of record and the taxes subsequent to December 31, 2020.

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

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

# Collier County Property Appraiser Property Summary

Parcel No	57393320000		1066 GOLDENR AVE	OD	Site City	MARCO ISLAND	Site Zone *Note	34145
Name / Address	STEVEN A HO	LLINGSWORT	TH TRUST	HERMAL-HERMANNA PENGLISH .		<u></u>	The second secon	
	401 BERLO LN		000-000 (000-000-000-000-000-000-000-000	TRANSPORTER A PORTER DE LA CONTRACTOR DE L		-		
City	NEWTON SQL	JARE	Sta	te P	A	Zip	19073	
Map No.	Strap	No.	Section	Tow	nship Ra	nge	Acres *Estin	<u>nated</u>

## Legal MARCO BCH UNIT 6 BLK 256 LOT 1 AND MARCO BCH UNIT 6 BLK 257 LOT 30

52

Millage Area •	58	<u>Millage</u> l	Rates • *Ca	lculations
Sub./Condo	774900 - MARCO BEACH UNIT 6	School	Other	Total
<u>Use Code</u>	0 - VACANT RESIDENTIAL	4.889	5.9354	10.8244

## **Latest Sales History**

774900 256 17B08

7B08

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
04/07/21	<u>5928-1</u>	\$ 1,850,000
02/24/20	<u>5747-2451</u>	\$ 335,000
03/20/18	5490-48	\$ 270,000
09/28/12	<u>4843-3957</u>	\$0
12/01/87	1316-1309	\$ 36,500
11/01/84	1107-1733	\$0
03/01/80	<u>860-1701</u>	\$0

## **2021 Preliminary Tax Roll**

26

0.74

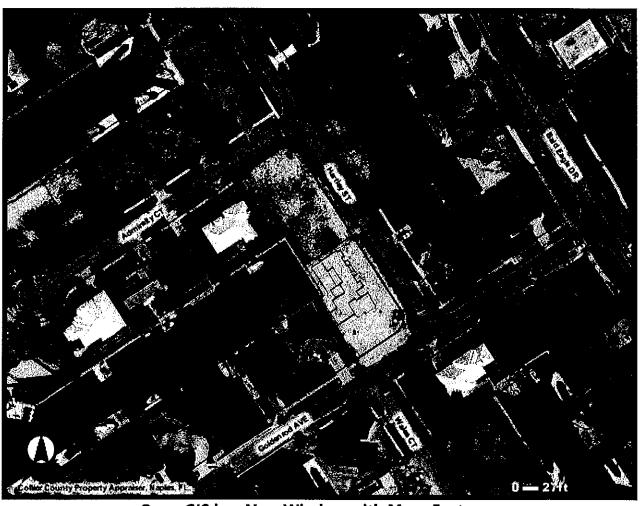
(Subject to Change)

\$ 828,158
\$0
\$ 828,158
\$ 828,158
\$ 828,158
\$ 828,158

If all Values shown above equal 0 this parcel was created after the Final Tax Roll

# Collier County Property Appraiser Property Aerial

Parcel No 57393320000 Site Address \*Disclaimer AVE Site City NARCO | Site Zone AVE | Site City | MARCO | Site Zone \*Note | Site Zone AVE | Site City | Site Zone |



Open GIS in a New Window with More Features.





Post Office Box 3455 North Fort Myers, FL 33918-3455 (239) 995-2121 = Fax (239) 995-7904

www.lcec.net

August 16, 2021

Ms. Jennifer Tenney, Esq. Tenney Law, PLLC 1770 San Marco Road Suite 201 Marco Island, Florida34145

Re:

Letter of No Objection to Vacation of Platted Lot Line Between 1066 Goldenrod Avenue and 1049 Admiralty Court, Marco Island, FL 34145; Owner: the Revocable Agreement of Trust of Steven A. Hollingsworth, dated 7/17/2018; Folio#: 57393320000 and 57395720006

Dear Ms. Tenney:

You have opened up negotiations on behalf of your clients, the Hollingsworth Trust, concerning the vacation of a particular lot line and the related utility easements that exists there. The particular easements lie along the common line between Lot 1, Block 256 and Lot 30, Block 257, MARCO BEACH UNIT SIX, according to the Plat thereof as recorded amongst the Public records of Collier County, Florida, at Plat Book 6, at Pages, 47.

We have reviewed the Plat, the request submitted, and our internal records. LCEC has no objection to the vacation as submitted and reflected in the request. However, The LCEC requires that a 6 foot perimeter easement be established in order to serve you

Should no definitive action, or no approval, by local jurisdiction be received by the petitioner, this letter will terminate upon six months from the date listed above. This letter is not assignable to a third-party, and is non-recordable. This letter will become immediately void upon recordation.

Should there be any questions please call me at 239-656-2112, or, if you prefer, I can be reached by email at russel.goodman@lcec.net.

Very truly yours.

Russ Goodman, Goodman, SR/WA SR/WA

Digitally signed by Russ

Date: 2021.08.16 07:53:31

-04'00'

Russel Goodman, SR/WA Senior Right of Way Agent



September 23, 2021

Attn: Jennifer M. Tenney

RE: Request for Letter of No Objection for Lot Combination – 1066 Goldenrod AVE and 1049 Admiralty CT, Marco Island, FL 34145

Lot 1, Block 256 and Lot 30, Block 257, Marco Beach Unit 6, according to the map or plat thereof as recorded in Plat Book 6, Page 47, Public Records of Collier County, Florida.

Dear Jennifer,

Thank you for contacting Comcast regarding your proposed vacation. This is to inform you that Comcast does have facilities in the proposed area and Comcast has no objection to the vacation providing that any of Comcast facilities that are in need of being relocated be paid for by the customer and Comcast is granted new easements.

It is the intent and understanding of Comcast that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area. This vacation response is submitted WITH THE STIPULATION that if Comcast 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 further question or concerns, please do not hesitate to contact me at (941) 914-7844.

Sincerely,

Paul Brown
Manager, Construction SWFL

12600 Westlinks Dr. Suite #4
Fort Myers, FL 33913
Cell (941) 914–7844
Brown Paul@Comcast.com

### LUMEN

August 12, 2021

Jennifer Tenney Esq. Tenney Law PLLC 1770 San Marco Road Suite 201 Marco Island, Florida 34145

RE: No Objection to Vacate Utility Easement between 1066 Goldenrod Ave and 1049 Admiralty Ct., Marco Island, FL

Dear Jennifer,

In response to your request of proposed vacation of 12'public platted utility easement between 1066 Goldenrod Ave and 1049 Admiralty Ct., as presented on the print sent to this office; LUMEN has no objection, as long as LUMEN cables are not in conflict with the vacation of the easement.

Please be advised that LUMEN has a 50-pair buried copper cable in the east front right of way/easement paralleling Hartley Street associated with this request for vacation of easement. Any conflicts discovered of said cable will be at the owner's expense to relocate and provide a new easement.

<u>Customer and/or Contractor will need to call for Locates</u> prior to beginning any work. Customer will be responsible for any damages to CenturyLink utilities.

Please see attached drawing for general location of buried facilities.

If I can be of further assistance, feel free to contact me at 239-920-5935 or email Kenneth.Stinnett@lumen.com.

Sincerely,

Kenneth Stinnett
Local Network Engineer II
LUMEN
3530 Kraft Rd, Unit 100
Naples, FL3410
Tel: 239-920-5935
Kenneth.Stinnett@lumen.com





August 12, 2021

VIA E-MAIL TO: mholden@cityofmarcoisland.com and jtenney@tenneylawmarco.com

Mary P. Holden Senior Planner City of Marco Island 50 Bald Eagle Drive Marco Island, FL 34145

And

Sincerely,

Jennifer Tenney Esq.
Tenney Law PLLC
1770 San Marco Road Suite 201
Marco Island, Florida 34145

RE: Letter of No Objection submitted by Summit Broadband Inc. ("Summit Broadband") for an easement formerly utilized by Summit Broadband located between 1066 Goldenrod Ave., Marco Island, FL 34145 and 1049 Admiralty Court, Marco Island, FL 34145.

Dear Ms. Holden and Ms. Tenney,

Please be advised that Summit Broadband has reviewed the property survey for the above referced easement location and Summit Broadband has no objection to the vacation of the easement located between 1066 Goldenrod Ave., Marco Island, FL 34145 and 1049 Admiralty Court, Marco Island, FL 34145, with said lots to be combined to create the new address of 1066 Goldenrod Ave., Marco Island, FL 34145.

Signature

Randall Covard

Print Name

Vice President - Legal and HR

Title

summit-broadband.com



## City of Marco Island

September 20, 2021

Jennifer M. Tenney, Esq. Tenney Law, PLLC 1770 San Marco Rd, Suite 201 Marco Island, Florida, 34145

Subject:

**Utility Easement Vacation** 

1049 Admiralty Ct. & 1066 Goldenrod Ave., Marco Island

Ms. Tenney,

The City of Marco Island has a water meter within the existing utility easement that will need to remain in an easement. The city's water and sewer department will accept a reduced residual 10' x 10' utility easement as depicted in the attached .pdf aerial photo of the subject properties. If this proposed reduced residual easement meets the property owner's needs, then please prepare a legal sketch and description, and modify the utility easement vacation documents accordingly for recording. Please provide a draft of the revised documents and legal sketch and description for our review.

If this proposed reduced residual easement does not meet the property owner's needs, then the existing easement shall remain, or the property owner's contractor shall relocate the water meter and backflow preventer to a property corner within a utility easement dedicated to the City of Marco Island.

Please reply with the property owner's decision regarding the course of action.

Please feel free to contact me if you have any questions.

Kind Regards,

Jeffrey E. Poteet | DN: cn=Jef

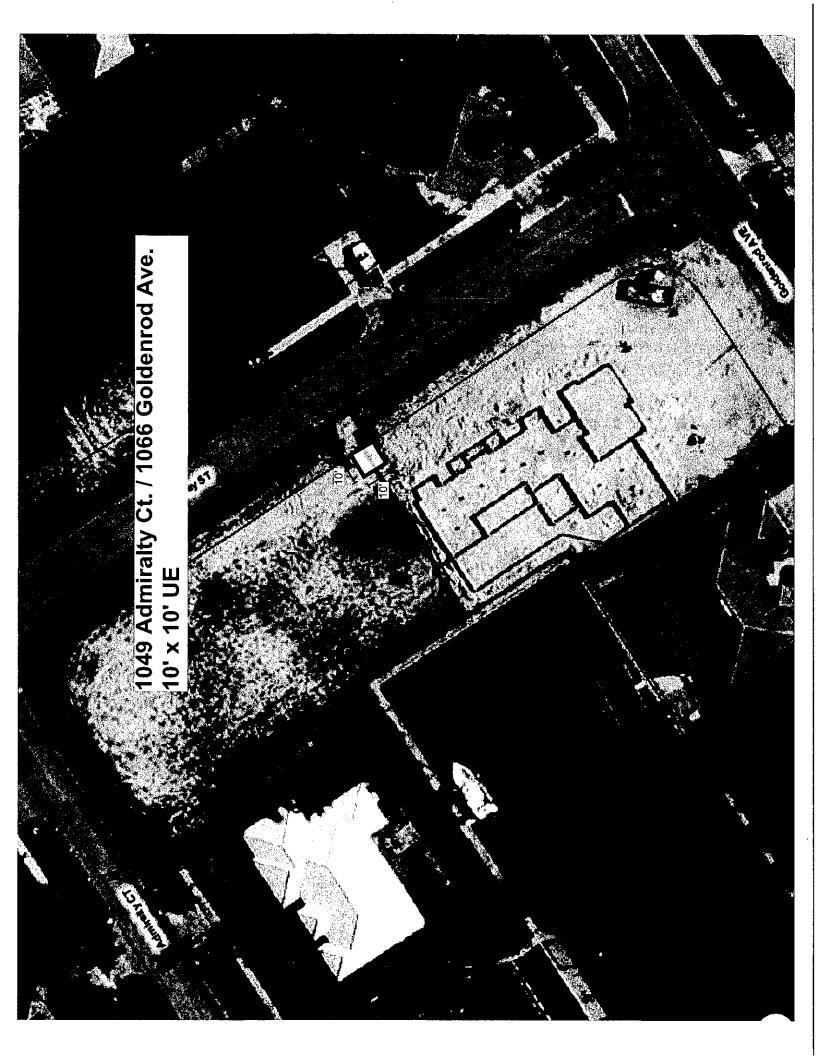
Digitally signed by Jeffrey E. Poteet DN: cn=Jeffrey E. Poteet, o=City of Marco 'island, ou, email=jpoteet@cityofmarcoisland.com, c=US Date: 2021.09.20 15:15:25 -04'00'

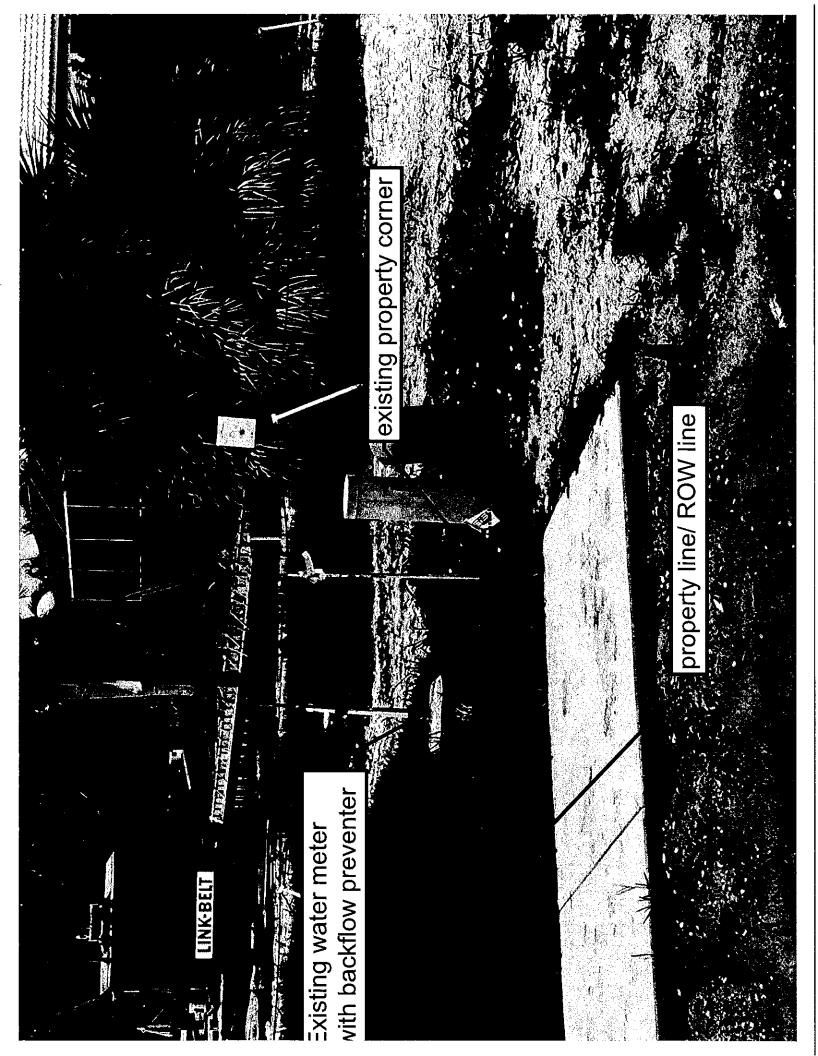
Jeffrey E. Poteet General Manager Water and Sewer Department

Cc:

Bart Bradshaw Mary Holden

> 50 Bald Eagle Dr., Marco Island, Florida 34145 Tel (239) 389-5000 www.cityofmarcoisland.com





Jennifer M. Tenney, Esq.

Tenney Law, PLLC

1770 San Marco Rd, Suite 201

Marco Island, FL 34145

Re: Letter of No Objection to Vacation of Utility Easement Between Two Lots Being Combined-1066 Goldenrod Ave and 1049 Admiralty Ct

We have no objection to the utility easement between the two lots described below being vacated due to the lots being combined in one lot, resulting in the standard easements running along the resulting borders of the combined property.

Lot 1, Block 256, Marco Beach Unit 6, according to the map or plat thereof as recorded in Plat Book 6, Page 47, Public Records of Collier County, Florida. Parcel 57393320000

And

Lot 30, Block 257, Marco Beach Unit 6, according to the map of plat thereof as recorded in Plat Book 6, Page 47, Public Records of Collier County, Florida. Parcel 57395720006

Sincerely,

James R. Altig and Beverly Saltig

Owner of 1058 Goldenrod Ave

Marco Island, FL 34145

Jennifer M. Tenney, Esq.

Tenney Law, PLLC

1770 San Marco Rd, Suite 201

Marco Island, FL 34145

Re: Letter of No Objection to Vacation of Utility Easement Between Two Lots Being Combined-1066 Goldenrod Ave and 1049 Admiralty Ct

We have no objection to the utility easement between the two lots described below being vacated due to the lots being combined in one lot, resulting in the standard easements running along the resulting borders of the combined property.

Lot 1, Block 256, Marco Beach Unit 6, according to the map or plat thereof as recorded in Plat Book 6, Page 47, Public Records of Collier County, Florida. Parcel 57393320000

And

Lot 30, Block 257, Marco Beach Unit 6, according to the map of plat thereof as recorded in Plat Book 6, Page 47, Public Records of Collier County, Florida. Parcel 57395720006

Charge Ruth Toplak

Sincerely,

Martin Michael Zofchak and Cheryl Ruth Zofchak

Owner of 1043 Admiralty Ct

Marco Island, FL 34145