

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, John C. and Elizabeth P. Kagan have properly filed an application for a rezoning from RM-2 with stipulations to AG-2; and

WHEREAS, the subject property is located west of US 41, south of Hendry Creek Drive, described more particularly as:

LEGAL DESCRIPTION: In Section 35, Township 45 South, Range 24 East, Lee County, Florida:

BEGINNING AT a point on the Eastern boundary of Section 35 in Township 45 South, Range 24 East, 110 yards South of the Northeast corner of the Southeast Quarter (SE 1/4) of said Section;
THENCE South to the Southeast corner of said Section;
THENCE West 715 yards;
THENCE North 440 yards;
THENCE East 275 yards;
THENCE North to a Branch of Hendry Creek;
THENCE Easterly along said Branch of Hendry Creek to the POINT OF BEGINNING of the lands herein conveyed:
ALSO DESCRIBED AS: The East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 35, Township 45 South, Range 24 East lying South of a Branch of Hendry Creek
AND
BEGINNING AT the Northeast corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 35, Township 45 South, Range 24 East;
THENCE West 275 yards;
THENCE South 440 yards;
THENCE East 275 yards;
THENCE North to the POINT OF BEGINNING.

WHEREAS, the applicant has indicated the property's current STRAP number is 35-45-24-00-00023.0000; and

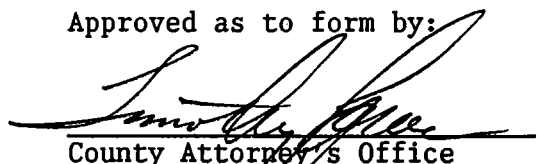
WHEREAS, proper authorization has been given to Morris-Depew Associates, by John C. and Elizabeth P. Kagan, the fee simple property owners of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised to be held before the Lee County Hearing Examiner, with full consideration of all the evidence available, and was deferred to an undetermined date; and

WHEREAS, on November 25, 1991, the applicant withdrew the application; and

NOW, THEREFORE, BE IT RESOLVED that the act of withdrawing the rezoning request prior to review by the Board of County Commissioners does hereby nullify the request of this application and the RM-2 with stipulations zoning remains in full force and effect.

Approved as to form by:


County Attorney's Office