

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20020050**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Hold a Public Hearing to consider approval of an Ordinance to create the Anchorage Way/Intracoastal Operations and Maintenance Municipal Service Benefit Unit.

**WHY ACTION IS NECESSARY:** Public hearing is a legal requirement in the consideration of the creation of a Municipal Service Benefit Unit.

**WHAT ACTION ACCOMPLISHES:** Provides an opportunity of public input. Satisfies the legal requirements of the Florida Statutes to proceed with the creation of an Operation and Maintenance MSBU for the purpose of doing channel and canal maintenance dredging.

**2. DEPARTMENTAL CATEGORY:** 06  
**COMMISSION DISTRICT #** 03

5:00 #7

**3. MEETING DATE:** 03-12-2002

**4. AGENDA:**

\_\_\_\_\_ CONSENT  
\_\_\_\_\_ ADMINISTRATIVE  
\_\_\_\_\_ APPEALS

PUBLIC  
\_\_\_\_\_ WALK ON  
\_\_\_\_\_ TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
(Specify)

<input checked="" type="checkbox"/> STATUTE	125.g
_____ ORDINANCE	
<input checked="" type="checkbox"/> ADMIN.	3-15
_____ CODE	
_____ OTHER	

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER \_\_\_\_\_  
B. DEPARTMENT \_\_\_\_\_  
C. DIVISION Public Resources/MSTBU

BY: Denise Sabatini

2/12/02 DS

**7. BACKGROUND:** : Anchorage Way/Intracoastal is located in the Iona Section of Lee County. Property Owners have submitted the required petitions (78%) requesting the Board of County Commissioners to create an Operations and Management Municipal Services Benefit Unit (MSBU) for channel and canal maintenance dredging. The estimate assessment for the first two years is \$29,263 and consists of 23 parcels. The assessment methodology will be an equal split among the 23 parcels.

**Exhibit**

“A”: Legal Description  
“B”: Proof of Publication  
“C”: Notice of Intent  
“D”: Tentative Assessment Roll

**Attachments**

A: Statistical Sheet  
B: Letter to Property Owners  
C: Map

**8. MANAGEMENT RECOMMENDATIONS:** Approve

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 2-12-02	N/A	N/A	N/A	<i>E. Board</i> 2/12/02	<i>CA</i> 2/12/02	<i>9/9</i> 2/12/02	<i>LP/13</i>	<i>09</i> 2-13-02	<i>[Signature]</i> 2-14-02

**10. COMMISSION ACTION:**

\_\_\_\_\_ APPROVED  
\_\_\_\_\_ DENIED  
\_\_\_\_\_ DEFERRED  
\_\_\_\_\_ OTHER

REC'D.  
by CO. ATTY.  
2/12/02  
100 pm  
CO. ATTY.  
FORWARDED TO:  
*[Signature]*

RECEIVED BY  
COUNTY ADMIN.  
2/12/02  
140 pm  
COUNTY ADMIN.  
FORWARDED TO:  
*[Signature]*

LEE COUNTY ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CREATING THE ANCHORAGE WAY/INTRACOASTAL OPERATION AND MAINTENANCE MUNICIPAL SERVICE BENEFIT UNIT; DEFINING THE TERRITORY TO BE INCLUDED; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE UNIT; PROVIDING FOR THE TYPE(S) OF SERVICE WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; PROVIDING FOR REVERTER; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, residents within the boundaries described below presented to the Board of County Commissioners of Lee County, a petition expressing their desire to form a municipal service taxing or benefit unit; and

WHEREAS, the Board of County Commissioners of Lee County held a public hearing to establish this municipal service taxing or benefit unit; and

WHEREAS, all persons having an interest in the municipal service taxing or benefit unit and the public at large were given an opportunity to be heard at such hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION 1.

CREATION OF THE UNIT, PURPOSE AND BOUNDARIES

Pursuant to the powers granted to the Board of County Commissioners of Lee County, Florida, hereinafter referred to as the "Board", by the Constitution of the State of Florida and the Florida Statutes, in particular, Section 125.01, Florida Statute, the Board hereby creates a municipal service taxing or benefit unit to be known as Anchorage Way/Intracoastal Operation and Maintenance Municipal Service Benefit Unit. Unless expressly mandated by State Statute, any and all procedures, administrative or otherwise, which were required to be followed prior to the enactment of this ordinance shall be waived or considered directory in nature and noncompliance with the procedure shall have no effect upon the validity of this ordinance, constitutional or otherwise.

The purpose of the Anchorage Way/Intracoastal Operation and Maintenance Municipal Service Benefit Unit shall be to provide channel and canal dredging located within the boundaries of the Unit as provided by funding from the annual budget of the MSTBU, which shall be determined in Public Meetings.

The boundaries of the Unit shall be as follows:

SEE ATTACHED LEGAL DESCRIPTION WHICH IS LABELED  
"EXHIBIT "A" HEREBY INCORPORATED BY REFERENCE.

SECTION 2.

THE GOVERNING BODY

The Board of County Commissioners shall be the governing body of Anchorage Way/Intracoastal Operation and Maintenance Municipal Service Benefit Unit created pursuant to this Ordinance. The Board of County Commissioners may appoint an Advisory Committee, composed of five (5) property owners within the boundaries of the Municipal Service Taxing and Benefit Unit. The method of appointment and term of office shall be set by the Board of County Commissioners.

SECTION 3.

THE GENERAL POWERS

The governing body shall have all the powers necessary or convenient to carry out the purpose of this ordinance and such additional rights and powers as are provided by the Constitution of the State of Florida and the laws of the State of Florida as granted to counties. The governing body shall also have all powers not otherwise prohibited by law and these powers shall include but are not limited to the power to:

1. Sue or be sued, complain or defend in the name of the County.  
In any and all courts or administrative agencies;
2. Acquire by grant, purchase, gift, devise, exchange or in any other lawful manner any property, real or personal, or any estate or interest therein upon such terms and conditions as the governing body shall determine;
3. Enter into contracts with any public, private or municipal firm, person or corporation for the furnishing of the improvements, within the boundaries of this Unit;

4. Levy and collect special charges, special assessments, or taxes within the Unit;
5. Borrow and expend money and issue bonds, revenue certificates, and other obligations of indebtedness in such manner and subject to such limitations as may be provided by law;
6. Levy and collect without referendum ad valorem taxes for the providing of municipal services within the Unit; and
7. Adopt rules and regulations governing the Unit.

#### SECTION 4.

There is hereby created a fund to be known as “Anchorage Way/Intracoastal Operation and Maintenance Municipal Service Benefit Unit Fund” from which the costs of any municipal service may be paid, either in whole or in part. This fund shall contain all special charges, special assessments, taxes, interest, and other monies collected or otherwise obtained pursuant to this ordinance or any subsequent resolution thereto.

#### SECTION 5.

##### LEVYING SPECIAL ASSESSMENTS; LIENS; ENFORCEABILITY

A) Any special assessment levied pursuant to this ordinance shall be levied only after a Notice of Intent to Adopt a proposed Resolution to Assess shall be published in a newspaper of general circulation within Lee County at least twenty (20) days prior to the public hearing on the proposed resolution.

The method of apportioning the special assessment among the parcels of land within the unit shall be based upon a finding by the Board that the chosen method of

apportionment is a fair and reasonable distribution of the cost of the municipal service improvement in proportion the special benefit which each parcel of land will receive.

B) The special assessment shall be due and payable and interest and penalties for late payment shall accrue thereon from such date as the Board shall provide. The special assessments may be collected pursuant to the Uniform Collection and Enforcement of Non-Ad Valorem assessment methodology in accordance with Florida Statute 197.3632.

C) An assessment roll shall be prepared and shall be attached to the proposed resolution. This assessment roll shall consist of all record legal titleholders of parcels of land within the boundaries of the unit and shall state the apportioned assessment for that parcel of land.

D) Should the uniform assessment collection method not be used, the assessment made by the Board as provided for herein shall constitute a lien against all parcels of land so assessed. Upon failure of any property owner to pay any apportioned assessment when due and payable, the Board shall cause to be brought the necessary legal proceedings to enforce payment thereof with all accrued interest and penalties, together with all legal costs incurred including reasonable attorney's fees, to be assessed as part of the cost. In that event of a default on payment of any assessment when due and payable or any accrued interest on the assessment, the entire assessment with interest and penalties shall immediately become due and payable and subject to foreclosure. The foreclosure proceedings may be prosecuted to a sale and conveyance of the property involved in said proceedings as now provided by law and suits to foreclose mortgages; or, in the alternative, said proceedings may be instituted and prosecuted by any other lawful process or procedure then available for the enforcement of the lien pursuant to any general law of the State relative to the enforcement of the municipal lien. Enforcement of

this lien through foreclosure proceedings or otherwise shall not be construed as the Board's exclusive remedy.

The Board may prosecute any claim, legal or equitable, which it may have against the owner of the special assessed parcel of land who has defaulted on his payment of the assessment.

(E) The property owner, whose property has been assessed, shall have the right to petition the Board for correction of any inaccuracy in the assessment or its apportionment within ten (10) days of the adoption of the Resolution to Assess. After the lapse of 10 (ten) days from the date of the adoption of the Resolution to Assess, including amendments thereto, all assessments made shall be deemed conclusive unless the property owner has filed the petition for administrative review. Failure to exercise this right for an administrative remedy within the time permitted shall be deemed a waiver of the property owner's right to object to the assessment or its apportionment.

## SECTION 6

### REVERTER

By the creation of this MSBU, Anchorage Way/Intracoastal Operation and Maintenance Municipal Service Benefit Unit consisting of the effected properties within the Unit, shall be the responsible entity for the providing channel and canal maintenance dredging within the boundaries of the Unit.

If the MSBU or MSTU created under the provisions of this Ordinance is ever terminated or ceased for any reason, the responsibility for the providing of channel and canal maintenance dredging within the Unit shall revert automatically to the individual property owners within the Anchorage Way/Intracoastal Operation and Maintenance

Municipal Service Benefit Unit in the same form and manner as existed prior to the creation of the MSBU or MSTU pursuant to this Ordinance.

SECTION 7

SEVERABILITY

The provisions of this ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court or competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional provision not been included therein.

SECTION 8.

ALTERNATIVE OR SUPPLEMENTAL AUTHORITY

This ordinance shall not be construed as repealing or superseding any other ordinance or law and is to be construed as alternative or supplemental authority for the exercise of powers provided for herein.

SECTION 9.

EFFECTIVE DATE

This Ordinance shall take effect upon filing in the Office of the Secretary of State, State of Florida.



THE FOREGOING ORDINANCE was offered by Commissioner \_\_\_\_\_ who moved it to adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

ROBERT JANES \_\_\_\_\_  
DOUGLAS R. ST. CERNY \_\_\_\_\_  
RAY JUDAH \_\_\_\_\_  
ANDREW COY \_\_\_\_\_  
JOHN ALBION \_\_\_\_\_

DONE AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Robert Janes, Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of the County Attorney

EXHIBIT "A"

ANCHORAGE WAY/INTRACOASTAL OPERATION AND MAINTENANCE MSBU  
LEGAL DESCRIPTION

Lots 1 - 12, in Intracoastal Harbour Subdivision as identified in Plat Book 45, pages 35 – 37 and Lots 1 – 10 in the Shadows Subdivision as identified in Plat Book 32, page 12, public records of Lee County, Florida,

and

a tract or parcel of land lying in Sections 25 and 36, Township 45 South, Range 23 East, Lee County, Florida which tract or parcel is described as follows:

From the railroad spike marking the southeast corner of Government Lot 1, said Section 36, run North along the easterly line of said lot for 25 feet to an intersection with the northerly line of Iona Loop Road (50 feet wide); thence run West along said northerly line parallel with the south line of said lot for 161.5 feet to a concrete monument; thence continue West along said northerly line for 200 feet; thence run North along the centerline of a roadway 60 feet wide for 1093.10 feet to the centerpoint of a roadway turnaround of radius 65 feet; thence run N 55 ° 06' 56" W for 65 feet to a point on the circumference of said turnaround and the Point of Beginning of the herein described parcel.

From said Point of Beginning run s 55 ° 06' 56" E for 65 feet to the centerpoint of said turnaround; thence run N 87 ° 31' 39" W for 65 feet to a point on the circumference of said turnaround; thence run West for 170.24 feet to an intersection with a line parallel with and 596.68 feet west of the east line of said Government Lot 1; thence run North along said parallel line for 207.64 feet to a concrete monument marking the intersection with the north line of said Section 36; thence run N 00 ° 10' 45" W for 75 feet more or less to the waters of the

Caloosahatchee River; thence run northeasterly along said waters for 190 feet more or less to an intersection with a line bearing North, passing through the Point of Beginning; thence run South along said line for 290 feet more or less to the Point of Beginning.

SUBJECT TO and TOGETHER with the hereinabove described roadway and roadway turnaround.

Bearings hereinabove mentioned are from assuming the east line of said Lot 1 to bear North.

# EXHIBIT "B"

## NEWS-PRESS

Published every morning - Daily and Sunday  
Fort Myers, Florida

### Affidavit of Publication

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared Kieanna Henry who on oath says that he/she is the Asst. Legal Clerk of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a Display in the matter of Municipal Service Benefit Unit in the \_\_\_\_\_ Court was published in said newspaper in the issues of February 20, 2002

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Kieanna Henry*

Sworn to and subscribed before me this  
20<sup>th</sup> day of February 2002 by

Kieanna Henry  
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public *Brenda Leighton*

Print Name \_\_\_\_\_

My commission Expires:



Brenda Leighton  
MY COMMISSION # C0608795 EXPIRES  
February 14, 2003  
STATE OF FLORIDA NOTARY PUBLIC, INC.

LEE COUNTY  
SOUTH FLORIDA

## NOTICE OF INTENT TO CREATE A MUNICIPAL SERVICE BENEFIT UNIT

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 12th day of March, 2002, at 5:00 P.M. in the County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider the creation of a County Ordinance pursuant to Article VIII, Section 1, of the State Constitution, Chapter 125, Florida Statutes. The title of the proposed County Ordinance is as follows:

AN ORDINANCE CREATING THE ANCHORAGE WAY / INTRACOASTAL OPERATION AND MAINTENANCE MUNICIPAL SERVICE BENEFIT UNIT; DEFINING THE TERRITORY TO BE INCLUDED; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE UNIT; PROVIDING FOR THE TYPE(S) OF SERVICE WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; PROVIDING FOR REVERTER; SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the ordinance are on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes

Department and the Office of Public Resources both located in the Courthouse Office Building, 2115 Second Street, Fort Myers, Florida

The area to be encompassed by the unit is described in the map below. The nature of the operation and maintenance Municipal Service Benefit Unit consists of channel and canal maintenance dredging. The estimated cost for the first two years is \$29,263.00 per year and consists of 23 parcels. The method of assessment will be an equivalent residential unit.

Interested parties may appear at the meeting in person or through counsel,

and be heard with respect to the adoption of the proposed ordinance. All objections to the ordinance creating the unit shall be in writing and filed with the County MSTBU Services on or before the time or the adjourned time of the hearing. Upon consideration of the objection and the ordinance, the Board shall consider the ordinance as it deems appropriate or necessary. The adoption of the ordinance shall be the final adjudication of the issues presented thereby unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action on the ordinance.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the county Commission at (941) 335-2259 at least seven days prior to the date of the hearing.

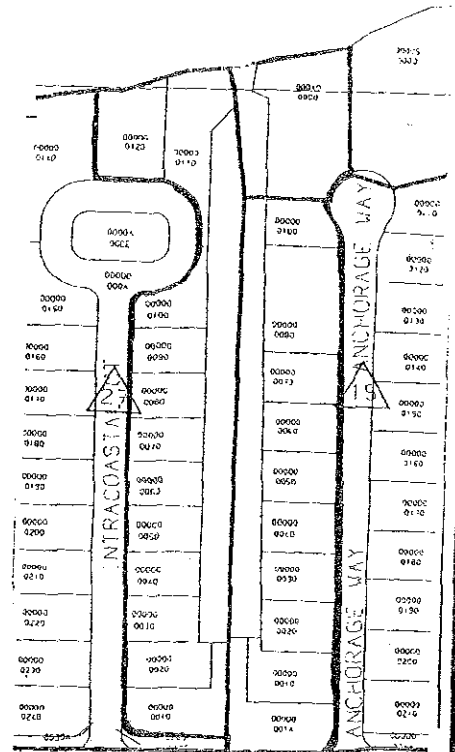
If anyone decides to appeal a decision made by the Board, with respect to any matter considered at this meeting, a record of the proceeding will be needed for the appeal. Whoever appeals may need a verbatim record of the proceeding, including the testimony and evidence upon which the appeal is to be based.

The ordinance shall take effect immediately upon its adoption by the Board of County Commissioners.

The text of this Notice is pursuant to and in conformance with Section 125.66 Florida Statutes 2002.

P.O. Sekulski  
REF:DO22002-56

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA



## EXHIBIT "C"

### NOTICE OF INTENT TO CREATE A MUNICIPAL SERVICE BENEFIT UNIT

TO WHOM IT MAY CONCERN:

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AN ORDINANCE CREATING THE ANCHORAGE  
WAY/INTRACOASTAL OPERATION AND  
MAINTENANCE MUNICIPAL SERVICE BENEFIT UNIT;  
DEFINING THE TERRITORY TO BE INCLUDED;  
ESTABLISHING THE BOARD OF COUNTY  
COMMISSIONERS AS THE GOVERNING BODY OF THE  
UNIT; PROVIDING FOR THE TYPE(S) OF SERVICE  
WHICH MAY BE RENDERED; PROVIDING FOR THE  
POWER TO LEVY SERVICE CHARGES, SPECIAL  
ASSESSMENTS OR TAXES WITHIN THE UNIT;  
PROVIDING FOR A FUND; PROVIDING FOR REVERTER;  
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE  
DATE.

Copies of the ordinance are on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Department and the Office of Public Resources both located in the Courthouse Office Building, 2115 Second Street, Fort Myers, Florida.

The area to be encompassed by the unit is described in the map below. The nature of the operation and maintenance Municipal Service Benefit Unit consists of channel and canal

maintenance dredging. The estimated cost for the first two years is \$29,263.00 per year and consists of 23 parcels. The method of assessment will be an equivalent residential unit.

Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed ordinance. All objections to the ordinance creating the unit shall be in writing and filed with the County MSTBU Services on or before the time or the adjourned time of the hearing. Upon consideration of the objection and the ordinance, the Board shall consider the ordinance as it deems appropriate or necessary. The adoption of the ordinance shall be the final adjudication of the issues presented thereby unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action on the ordinance.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the county Commission at (941) 335-2259 at least seven days prior to the date of the hearing.

If anyone decides to appeal a decision made by the Board, with respect to any matter considered at this meeting, a record of the proceeding will be needed for the appeal. Whoever appeals may need a verbatim record of the proceeding, including the testimony and evidence upon which the appeal is to be based.

The ordinance shall take effect immediately upon its adoption by the Board of County Commissioners.

The text of this Notice is pursuant to and in conformance with Section 125.66 Florida Statutes 2002.

**BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Charlie Green, Ex-Officio  
Clerk to the Board of County  
Commissioners of Lee County,  
Florida

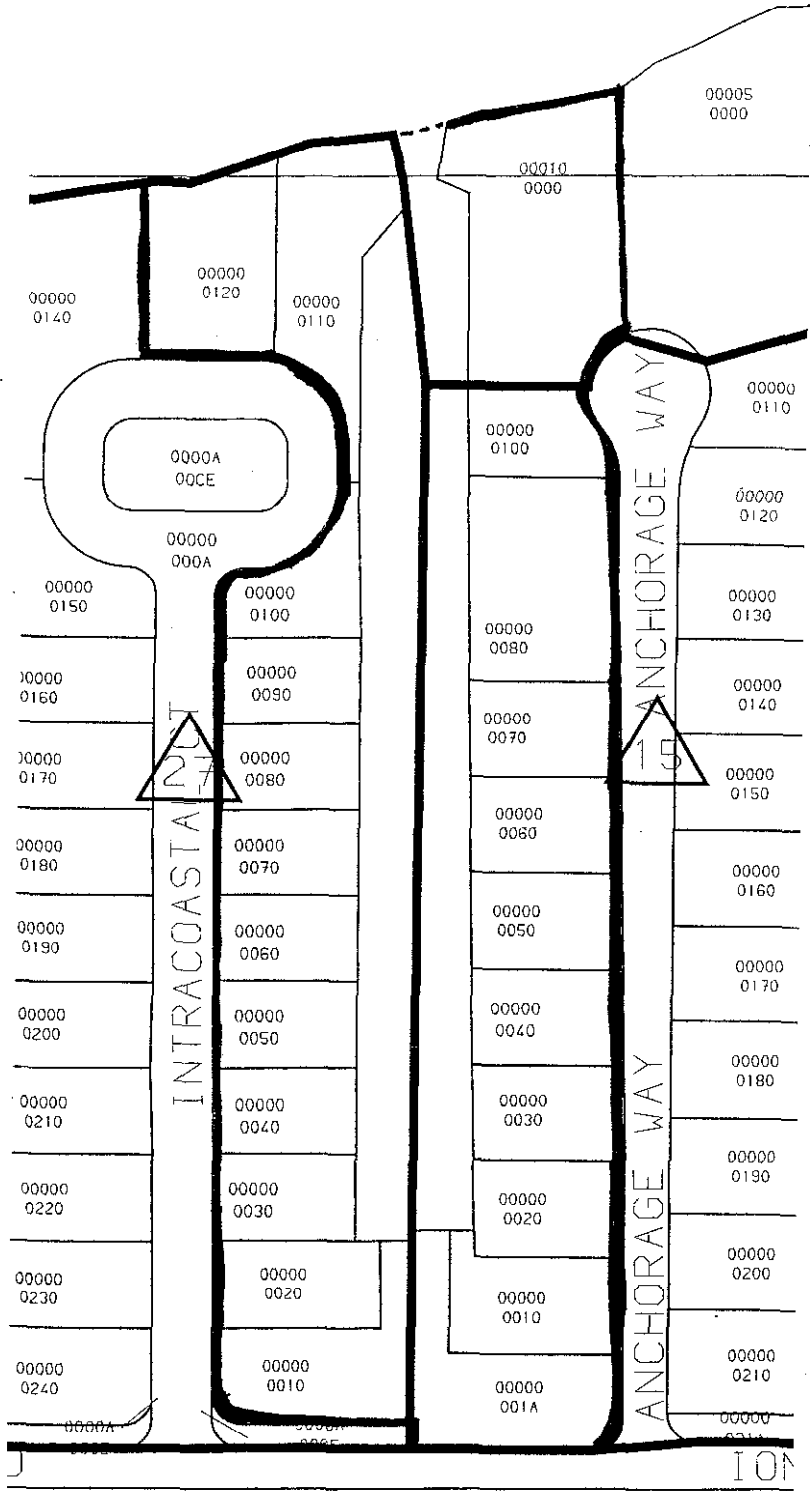
APPROVED AS TO FORM:

By: \_\_\_\_\_  
Assistant County Attorney

P.O. # Direct Voucher

PUBLISHING DATE: 02/20/02

SIZE: 2 x 12 Display Ad



R

TENTATIVE ASSESSMENT ROLL

36-45-23-27-00000.0040		INTRACOASTAL HARBOUR PB 4 5 PG 36 LOT 4
***** OWNER ***** REDLING RICHARD + JOAN		***** SITE *****
15191 INTRACOASTAL CT		15191 INTRACOASTAL CT
FORT MYERS FL 33908		Fort Myers 33908
36-45-23-00-00010.0000		PARL IN SEC 25 + 36 DESC IN OR 1177 PG 577 LESS 25 -45-23-00-00005.0000
***** OWNER ***** FIORE LOUIS A + JEAN H		***** SITE *****
15110 ANCHORAGE WAY		15110 ANCHORAGE WAY
FT MYERS FL 33908		Fort Myers 33908
36-45-23-15-00000.0010		THE SHALLOWS PB 32 PG 12 N 100 FT LOT 1 LESS W 25 FT
***** OWNER ***** FAOUAL MOUNIR DR + BAERBEL		***** SITE *****
AUF DEM WASSERTURM 8		15158 ANCHORAGE WAY
89275 ELCHINGEN GERMANY		Fort Myers 33908
36-45-23-15-00000.001A		THE SHALLOWS PB 32 PG 12 S100 FT LOT 1 + W 25 FT
***** OWNER ***** GONCHER MARIANNE L TR		***** SITE *****
2531 SADDLEBROOK DR		15162 ANCHORAGE WAY
NAPERVILLE IL 60564		Fort Myers 33908



## TENTATIVE ASSESSMENT ROLL

-----			
36-45-23-15-00000.0020		THE SHALLOWS LOT 2 PB 32 PG 12	
***** OWNER *****		***** SITE *****	
HENDRY ROY L + DIANE			
15152 ANCHORAGE WY		15152 ANCHORAGE WAY	
FT MYERS	FL 33908	Fort Myers	33908
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36-45-23-15-00000.0030		THE SHALLOWS LOT 3 PB 32 PG 12	
***** OWNER *****		***** SITE *****	
MORAIN ROBERT M TR			
301 MOCCASIN TRAIL		15148 ANCHORAGE WAY	
GIRARD	OH 44420	Fort Myers	33908
-----			
36-45-23-15-00000.0040		THE SHALLOWS LOT 4 PB 32 PG 12	
***** OWNER *****		***** SITE *****	
HARRISON J ROBERT R + MARGARET			
15144 ANCHORAGE WY		15144 ANCHORAGE WAY	
FT MYERS	FL 33908	Fort Myers	33908
-----			
36-45-23-15-00000.0050		THE SHALLOWS LOT 5 PB 32 PG 12	
***** OWNER *****		***** SITE *****	
STANLEY THEODORE W + ANITA P			
PO BOX 125		15140 ANCHORAGE WAY	
TILTON	NH 03276	Fort Myers	33908

## TENTATIVE ASSESSMENT ROLL

-----			
36-45-23-15-00000.0060		THE SHALLOWS	LOT 6 PB 32 PG 12
***** OWNER *****		***** SITE *****	
LEE GARY A			
15136 ANCHORAGE WAY		15136	ANCHORAGE WAY
FT MYERS	FL 33908	Fort Myers	
			33908
-----			
36-45-23-15-00000.0070		THE SHALLOWS	LOT 7 PB 32 PG 12
***** OWNER *****		***** SITE *****	
BOSACKER LYLE T + NANCY L			
15132 ANCHORAGE WAY		15132	ANCHORAGE WAY
FORT MYERS	FL 33908	Fort Myers	
			33908
-----			
36-45-23-15-00000.0080		THE SHALLOWS	PB 32 PG 12 LOTS 8 + 9
***** OWNER *****		***** SITE *****	
HITTINGER PAUL + HARRIETTE F			
15128 ANCHORAGE WAY		15128	ANCHORAGE WAY
FT MYERS	FL 33908	Fort Myers	
			33908
-----			
36-45-23-15-00000.0100		THE SHALLOWS	LOT 10 PB 32 PG 12
***** OWNER *****		***** SITE *****	
ANKENBRANDT JOHN M + CHERYL L			
15120 ANCHORAGE WAY		15120	ANCHORAGE WAY
FORT MYERS	FL 33908	Fort Myers	
			33908

## TENTATIVE ASSESSMENT ROLL

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36-45-23-27-00000.0010		INTRACOASTAL HARBOUR	PB 4
		5 PG 36	LOT 1
***** OWNER *****		***** SITE *****	
SOUTHWEST DEVELOPMENT CORP			
12798 DENNIS DR		15251	INTRACOASTAL CT
FT MYERS	FL 33908	Fort Myers	
			33908
-----			
36-45-23-27-00000.0020		INTRACOASTAL HARBOUR	PB 4
		5 PG 36	LOT 2
***** OWNER *****		***** SITE *****	
SOUTHWEST DEVELOPMENT CORP			
12798 DENNIS DR		15231	INTRACOASTAL CT
FT MYERS	FL 33908	Fort Myers	
			33908
-----			
36-45-23-27-00000.0030		INTRACOASTAL HARBOUR	PB 4
		5 PG 36	LOT 3
***** OWNER *****		***** SITE *****	
CAGGIANO ANTHONY G + VIRGINIA			
15211 INTRACOASTAL CT		15211	INTRACOASTAL CT
FT MYERS	FL 33908	Fort Myers	
			33908
-----			
36-45-23-27-00000.0050		INTRACOASTAL HARBOUR	PB 4
		5 PG 36	LOT 5
***** OWNER *****		***** SITE *****	
MEDENWALD GARY V + JEAN D			
15171 INTRACOASTAL CT		15171	INTRACOASTAL CT
FORT MYERS	FL 33908	Fort Myers	
			33908

## TENTATIVE ASSESSMENT ROLL

-----	
36-45-23-27-00000.0060	INTRACOASTAL HARBOUR PB 4 5 PG 36 LOT 6
***** OWNER *****	***** SITE *****
SPIVEY RANDALL L JR + TRICIA A	
15151 INTRACOASTAL CT	15151 INTRACOASTAL CT
FORT MYERS FL 33908	Fort Myers 33908
-----	
36-45-23-27-00000.0070	INTRACOASTAL HARBOUR PB 4 5 PG 36 LOT 7
***** OWNER *****	***** SITE *****
MAHANEY EUGENE D JR +	
15131 INTRACOASTAL CT	15131 INTRACOASTAL CT
FORT MYERS FL 33908	Fort Myers 33908
-----	
36-45-23-27-00000.0080	INTRACOASTAL HARBOUR PB 4 5 PG 37 LOT 8
***** OWNER *****	***** SITE *****
AYOUB THOMAS W + DEBRA A	
9812 CUDDY CT	15111 INTRACOASTAL CT
FT MYERS FL 33919	Fort Myers 33908
-----	
36-45-23-27-00000.0090	INTRACOASTAL HARBOUR PB 4 5 PG 37 LOT 9
***** OWNER *****	***** SITE *****
BURGESS BRIAN + DORLAINE J	
15091 INTRACOASTAL CT	15091 INTRACOASTAL CT
FORT MYERS FL 33908	Fort Myers 33908

## TENTATIVE ASSESSMENT ROLL

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36-45-23-27-00000.0100
                                     INTRACOASTAL HARBOUR  PB 4
                                     5 PG 37  LOT 10

***** OWNER *****             ***** SITE *****
WALLACE DEAN R + MONICA S

15071 INTRACOASTAL CT                15071      INTRACOASTAL CT
FT MYERS                             FL  33908   Fort Myers
                                           33908
-----
36-45-23-27-00000.0110
                                     INTRACOASTAL HARBOUR  PB 4
                                     5 PG 37  LOT 11

***** OWNER *****             ***** SITE *****
BAUMER TIMOTHY PATRICK

1560 LAKE RD                          15051      INTRACOASTAL CT
WEBSTER                               NY  14580   Fort Myers
                                           33908
-----
36-45-23-27-00000.0120
                                     INTRACOASTAL HARBOUR  PB 4
                                     5 PG 37  LOT 12 + E 1/2 LT
                                     13
***** OWNER *****             ***** SITE *****
BEACH JUDITH A

116 HARRISON ST                       15031      INTRACOASTAL CT
P O BOX 129                            Fort Myers
DONNELSVILLE                           OH  45319
                                           33908

*****
***      END OF REPORT      ***
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# ATTACHMENT "A"

## STATISTICAL REPORT

**MSBU** Anchorage Way/Intracoastal  
**TYPE OF BENEFIT:** Channel and Canal Maintenance Dredging  
**LOCATION OF DISTRICT:** The Shadows & Intracoastal Harbour Subdivisions  
**METHOD OF PAYMENT:** Equivalent Residential Unit

## FORMAL PETITION RESULTS

Residential Units 23

	Number	%
Total # of Parcels	23	100%
Required Number of Signatures	12	52%
Actual Number of Notarized Signatures	19	83%

# ATTACHMENT "B"

941-335-2186

February 20, 2002

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held by the Board of County Commissioners at the Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, on March 12, 2002, at 5 P.M., to consider adopting an Ordinance to create a Municipal Service Benefit Unit in the Intracoastal Harbour and Shadows Subdivisions. The title of the Ordinance is as follows:

AN ORDINANCE CREATING THE ANCHORAGE WAY/INTRACOASTAL OPERATION AND MAINTENANCE MUNICIPAL SERVICE BENEFIT UNIT; DEFINING THE TERRITORY TO BE INCLUDED; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE UNIT; PROVIDING FOR THE TYPE(S) OF SERVICE WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; PROVIDING FOR REVERTER; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The purpose of the Anchorage Way/Intracoastal Operation and Maintenance Municipal Service Benefit Unit is to provide channel and canal dredging maintenance. The Board of County Commissioners will appoint a five member Advisory Committee to work with County staff to determine your budget each year. The meetings will be held in public and your input will assist the Committee in establishing the level of service you wish to present to the Board of County Commissioners during the annual budget process.

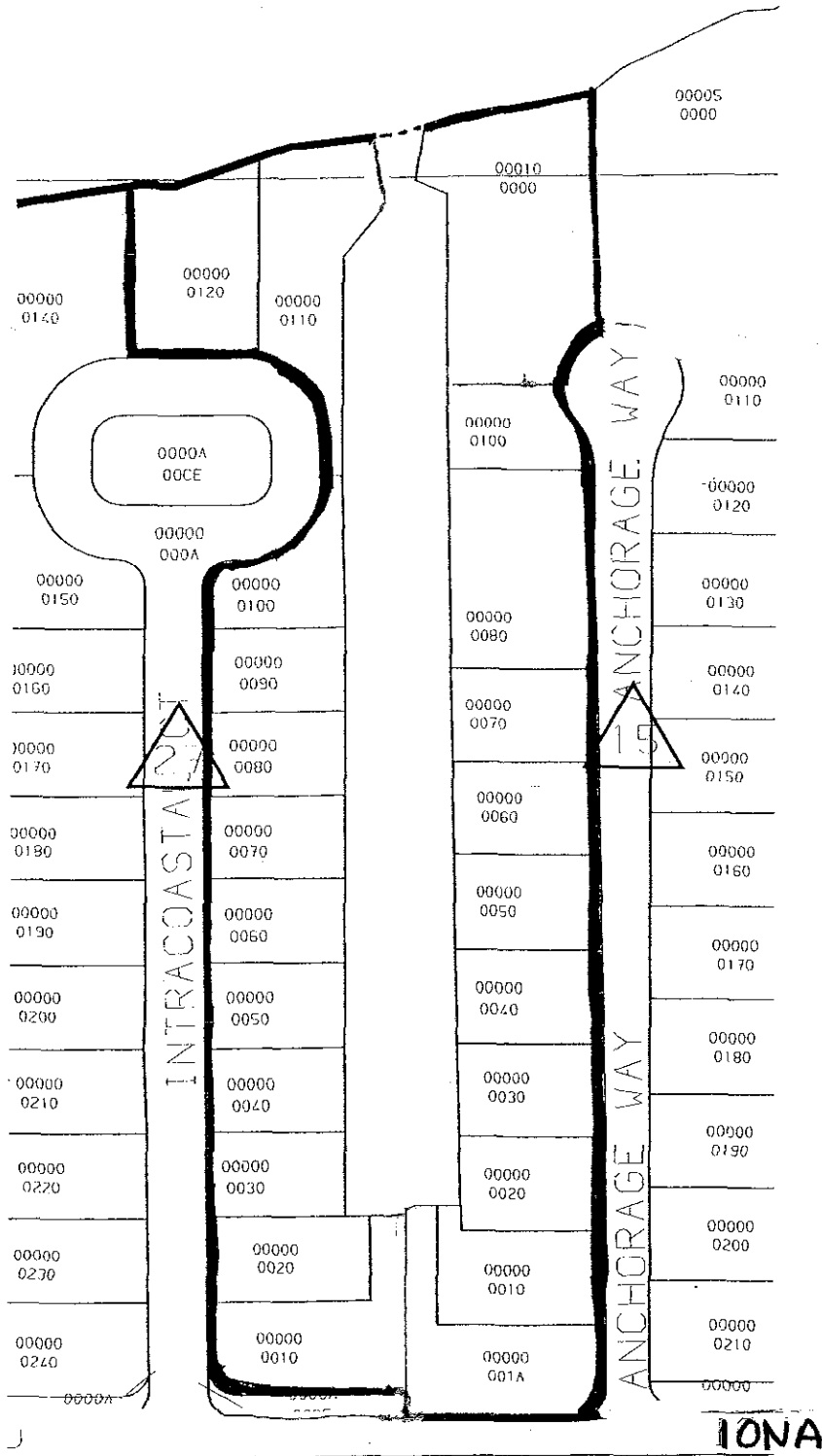
A copy of the proposed ordinance is on file with the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Department on 2115 Second Street and the Office of Public Resources located in the Lee County Administration Building, 2115 Second Street, Fort Myers, Florida.

This Public Hearing is an opportunity for you to express your opinion or you may wish to write a letter to the sender at P. O. Box 398, Fort Myers, Florida 33902. All correspondence received within twenty (20) days prior to the Public Hearing will become a part of the Public Record. Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed County Ordinance. If anyone decides to appeal a decision made by the Board, with respect to any matter considered at this meeting, a record of the proceeding would be needed for the appeal. Whoever appeals may need to insure that a verbatim record of the proceeding is made, which, the record must include the testimony and evidence upon which any such appeal is to be based.

Sincerely,

Denise Sabatini  
MSTBU Coordinator

# ATTACHMENT "C"



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