

Lee County Board Of County Commissioners  
Agenda Item Summary

Blue Sheet No. 20031309

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Consider Settlement Agreement with Kirk W. Beck, Tr. for the delinquent Colonial Boulevard Extension MSBU Assessment; Parcel No. 25-44-25-P4-00062.0000

**WHY ACTION IS NECESSARY:**

All settlements in lieu of legal action must be approved by the Board of County Commissioners.

**WHAT ACTION ACCOMPLISHES:**

Approval of the proposed settlement offer will resolve all outstanding delinquency issues for the subject parcel in the Colonial Boulevard Extension MSBU.

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT #:

C6C

**3. MEETING DATE:**

11-18-2003

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

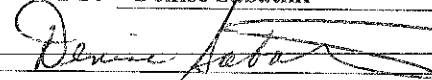
**5. REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE 125.01
- ORDINANCE
- ADMIN. CODE 3-15
- OTHER MSBU Agreement

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT Public Resources
- C. DIVISION MSTBU

BY: Denise Sybatini





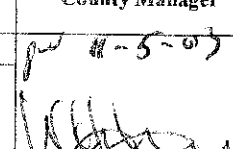
**7. BACKGROUND:**

In 1990, Lee County entered into a "Developer's Agreement" MSBU for the widening and extending of Colonial Boulevard which included all of the adjoining properties along the route. Assessment payments on the subject parcel have been inconsistent and have become delinquent. The County Attorney's office worked with MSTBU Services for the collection of this account. In consideration of the property owner bringing this account current (\$91,437.94) staff is recommending a waiver of 30% of the penalties currently levied (\$6,716.89) with the balance of the penalties (\$15,672.73) due 30 days after execution of the agreement. The terms are consistent with other similar delinquent Colonial Boulevard MSBU accounts.

Attachments : Settlement Agreement  
Copy of check

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services 11/4/03			G County Manager	
 10-21-03	N/A	N/A	N/A	 10/31/03	OA 11/3/03	OM 11/3/03	Risk 10/03/03	GC 11/3/03	 11-5-03

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: 10/31/03  
Time: 4:05 PM  
Forwarded To:  
Budget  
11/3/03 4:30 PM

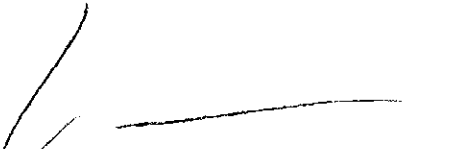
RECEIVED BY  
COUNTY ADMIN: CA  
11/3/03  
9:30 am SLT  
COUNTY ADMIN  
FORWARDED TO: PN  
11/5 11:00

SETTLEMENT AGREEMENT

LEE COUNTY and KIRK BECK, Trustee, desire to amicably resolve the MSTBU Colonial Road Extension assessment and mutually agree as follows:

1. KIRK BECK, Trustee, has paid to LEE COUNTY \$91,437.94 to bring the principal and interest current for the Colonial Road Extension special assessment account for Strap No. 26-44-25-P4-00062.0000. This is in consideration of the Board's approval to waive 30% (\$6,716.89) of the accrued penalty amount of \$22,389.62. KIRK BECK agrees to pay the remaining penalty in the amount of \$15,672.73 within 30 days of execution of the Settlement Agreement.
2. If any future payments are not paid fully when due, LEE COUNTY may file a new action to collect and enforce its special assessment lien. Additionally, a 1% per month penalty for late payments shall apply to any outstanding balance. No future penalty waivers will be considered.

3. This agreement contains the entire agreement of the parties and may not be amended except in writing and duly executed by the parties.

  
\_\_\_\_\_  
KIRK BECK, Trustee

Lee County, Florida

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

Attest:

Charlie Green, Clerk

By: \_\_\_\_\_  
Deputy Clerk

Approved:

By: \_\_\_\_\_  
David M. Owen  
Chief Assistant County Atny

FIRST COMMUNITY BANK  
OF SOUTHWEST FLORIDA  
FORT MYERS, FLORIDA 33907

1224

63,1452/670  
01

**COLONIAL EXTENSION 322 TRUST**

P.O. BOX 61605  
FORT MYERS, FL 33908

10/25/2003

PAY TO THE ORDER OF Lee County Board Of County Commissioners

\$ \*\*91,437.94

Ninety-One Thousand Four Hundred Thirty-Seven and 94/100

DOLLARS

MSTBU Services  
Lee County BOCC  
Post Office Box 398  
Fort Myers, FL 33902



MEMO Account Number: 054254425P4000620000

⑈001224⑈ ⑆067014521⑆

10005389⑈

QUALIPRINT SAFETY

**COLONIAL EXTENSION 322 TRUST**  
P.O. BOX 61605  
FORT MYERS, FL 33906

FIRST COMMUNITY BANK  
OF SOUTHWEST FLORIDA  
FORT MYERS, FLORIDA 33907

1224  
83-1452/870  
01

10/25/2003

PAY TO THE ORDER OF Lee County Board Of County Commissioners

\$ \*\*91,437.94

Ninety-One Thousand Four Hundred Thirty-Seven and 94/100\*\*\*\*\*

DOLLARS

MSTBU Services  
Lee County BQCC  
Post Office Box 398  
Fort Myers, FL 33902



MEMO Account Number: 054254425P4000620000

⑈001224⑈ ⑈067014521⑈ 10005387⑈

GUARDIAN SAFETY