

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20040549

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve Resolution of Final Assessment for the Country Triple Crown Water MSBU

WHY ACTION IS NECESSARY:

The Board is required by Ordinance to adopt Resolution of Final Assessment

WHAT ACTION ACCOMPLISHES:

Allows staff to finalize project, prepare and assess property owners for the project cost.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT #:

5:00 #4

3. MEETING DATE:

06-08-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE 125.01
- ORDINANCE 98-25
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER Co. Wide
- B. DEPARTMENT Public Resources
- C. DIVISION MSTBU Services
- BY: Libby Walker

7. BACKGROUND: Country Triple Crown Water MSBU was created by Resolution No. 02-10-11 on October 8, 2002 for the purpose of constructing a water line system for the property owners on Country, Shadow Run, and Triple Crown Courts in South Fort Myers. The estimated cost of the waterline MSBU project was \$606,364 with the original estimate per Equivalent Assessment Unit (EAU) to be \$11,229. The final project cost is estimated to be \$468,989.

Administrative Code 3-25 allows the County to contribute up to 20% of certain project costs, which reduces the cost by \$83,173 to \$385,816 to the property owners, which is \$7,014.84 per EAU, or a savings of \$4214.84 per EAU. In addition, should a property owner pay the assessment in full within the next 30 days, their assessment will further be reduced by a proportionate share of the finance costs, and would be \$6,048.95. The final cost to the property owners who chose to finance may vary slightly based on the interest rate at closing and the number of property owners who choose to prepay their assessment. The number of parcels included is 54, with 55 EAUs.

Attachments:

- Exhibit A – Assessment Roll
- Exhibit B – Notice to Property Owners
- Exhibit C – Proof of Publication

- Attachment A - Legal Description

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 <i>(copy 3/23/04)</i>				G County Manager
					OA	OM <i>5/20/04</i>	Risk <i>5/21/04</i>	GC <i>5/21/04</i>	
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>					<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 5/20/04
Time: 2:30 pm
Forwarded To:
[Signature]

RECEIVED BY
COUNTY ADMIN:
5/20/04
10:50 am
COUNTY ADMIN
FORWARDED TO: PL
5-20-04
8:30 am

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, RATIFYING THE COMPLETION OF THE ACQUISITION AND CONSTRUCTION OF ASSESSABLE IMPROVEMENTS CONSTITUTING A PROJECT AS HEREIN DESCRIBED IN THE COUNTRY / TRIPLE CROWN COURT WATERLINE MUNICIPAL SERVICES BENEFIT UNIT; CONFIRMING A PRELIMINARY ASSESSMENT ROLL WITH RESPECT TO SUCH UNIT; PROVIDING FOR THE PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING THE NOT TO EXCEED INTEREST RATE SUCH ASSESSMENTS WILL BEAR; DIRECTING LEE COUNTY TO NOTIFY THE PROPERTY OWNERS OF THEIR FINAL ASSESSMENT AND RIGHT TO PREPAY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County, Florida (the "Board"), enacted Ordinance No. 98-25, on November 23, 1998 (the "Ordinance"), which Ordinance provides, among other things, for the establishment of municipal service benefit units in the unincorporated area of Lee County, Florida (the "County") and for the levying of special assessments upon benefited property for the acquisition and construction of essential improvements and facilities within such municipal service benefit unit;

WHEREAS, the Board, on October 8, 2002 adopted Resolution 02-10-11 establishing the Country / Triple Crown Court Waterline Municipal Service Benefit Unit for the purpose of acquiring, constructing or otherwise providing and maintaining various essential municipal services, facilities and improvements within such Unit, and providing a description of the proposed project;

WHEREAS, the Board, on November 23, 1999, adopted Resolution No. 99-11-32 electing to use the Uniform Method of Collecting Non-Ad Valorem Special Assessments;

WHEREAS, the Project has been completed and, pursuant to the terms of the Ordinance, a Preliminary Assessment Roll establishing a preliminary assessment of benefits from the assessable improvements/services (the "Preliminary Assessment Roll") has been prepared and filed with the County Manager, a copy of which is attached hereto as Exhibit A; and

WHEREAS, pursuant to the provisions of the Ordinance, the County is required to confirm the Preliminary Assessment Roll after hearing objections of all interested parties; and

WHEREAS, notice of a public hearing has been published and, as required by the terms of the Ordinance, mailed to each property owner proposed to be assessed of their opportunity to be heard, a copy of such notice and the proof of publication of which are attached hereto as Exhibits B and C, respectively; and

WHEREAS, a public hearing was held on this date, objections and comments of all interested persons have been heard and considered as required by the terms of the Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the Ordinance 98-25, Chapter 125, Florida Statutes, and other applicable provisions of law.

SECTION 2. RATIFICATION OF SUBSTANTIAL COMPLETION OF PROJECT. The Board hereby ratifies and confirms the completion of the Project at a total cost (as such term is defined in the Ordinance) of \$468,989, as adjusted with the closing interest rate.

SECTION 3. CONFIRMATION OF PRELIMINARY ASSESSMENT ROLL. The Board hereby finds and determines (a) that each lot or parcel of property set forth on the Preliminary Assessment Roll as amended will be benefited in an amount at least equal to the amount proposed by such Preliminary Assessment Roll to be assessed against such lot or parcel of property with respect to the Project on Equivalent Assessment Unit basis, and (b) that no

such proposed special assessment exceeds the just, right and fair share of the Cost of the Project to be borne by such lot or parcel of property. Accordingly, the Preliminary Assessment Roll Attached hereto as Exhibit A, is hereby confirmed as required by the terms of the Ordinance (the Preliminary Assessment Roll as amended and confirmed is herein referred to as the "Final Assessment Roll"). The special assessments made as a result of the Final Assessment Roll will be final and conclusive as to each lot or parcel assessed unless proper steps are initiated within 20 days in a court of competent jurisdiction to secure relief.

SECTION 4. PAYMENT OF SPECIAL ASSESSMENTS; ESTABLISHMENT OF INTEREST RATE. All special assessments shall be payable in equal annual principal installments with interest rate not to exceed 9.0% per year, subject to the provisions of Section 4.01 of the Ordinance. The special assessments shall be paid or prepaid, as the case may be, in accordance with the terms of the Final Approving Resolution and the Ordinance. All special assessments and installments thereof shall constitute a lien upon the property so assessed of the same nature and to the same extent as the lien for general County taxes falling due in the same year or years in which such special assessments or installments thereof fall due. Such liens shall be superior in dignity to all other liens, titles and claims, until paid.

SECTION 5. COUNTY TO NOTIFY PROPERTY OWNERS.
The County is hereby directed to notify all record owners of property contained in the Assessment Roll of the final assessment against their property, the dates and amounts of installments of special assessment, the terms of payment of such special assessment and the interest rate such special assessment will otherwise bear, as provided herein and in the Ordinance.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner _____ ,
who moved its adoption. The motion was seconded by Commissioner
_____ and, being put to a vote, the vote was as follows:

ROBERT P. JANES _____
DOUGLAS ST.CERNY _____
RAY JUDAH _____
ANDREW COY _____
JOHN ALBION _____

DULY PASSED AND ADOPTED THIS 8th DAY OF June, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

"Exhibit A"

*** VARIANCE REPORT ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 18MAY04
SUBJECT PROPERTY : 32-45-25-02-00000.0020
VARIANCE DISTANCE : (ft)
PARCELS AFFECTED : 54

----- Equivalent Assessment Units: 55 @ \$7,014.84 -----

EAU

32-45-25-02-00000.0020

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 2

***** OWNER *****
ESKAY RICHARD A + LINDA A

***** SITE *****

15731 COUNTRY CT

15731 COUNTRY CT

FT MYERS FL 33912

Fort Myers

33912

1

32-45-25-00-00001.1020

PARL IN SE 1/4 OF NE 1/4 +
PT NE 1/4 OF SE 1/4 N OF
RD R/W DESC IN OR514 P53

***** OWNER *****
HUNT COMMERCIAL DEV CORP

***** SITE *****

4061 BONITA BEACH RD STE 201

7941 BRIARCLIFF RD

BONITA SPRINGS FL 34134

Fort Myers

33912

2

32-45-25-00-00002.0030

FR NE COR LT 17 BR DWNS R
UN W 300.41FT N 209.77FT
TO POB OR 3178 PG 1248

***** OWNER *****
KLEINLEIN KEVIN J + ANN

***** SITE *****

15600 TRIPLE CROWN CT

15600 TRIPLE CROWN CT

FORT MYERS FL 33912

Fort Myers

33912

1

32-45-25-00-00002.003A

TH W 1/2 OF E 1/2 OF TRACT
H BRIARCLIFF FARMS UNREC
TH N 660 FT OF S 2475 FT

***** OWNER *****
BELL TERRI M

***** SITE *****

15630 BRIAR PATCH LN

15630 BRIAR PATCH LN

FT MYERS FL 33912

Fort Myers

33912

1

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EAU

~~32-45-25-00-00002.003B~~

~~THE N 660 FT OF S 2475 FT
OF E 1/2 OF E 1/2 OF W 1/
2 OF E 1/2 OF SE 1/4 OF S~~

~~***** OWNER *****
REMUS PAUL B ***** SITE *****~~

~~15631 BRIAR PATCH LN 15631 BRIAR PATCH LN~~

~~FT MYERS FL 33912 Fort Myers 33912~~

~~32-45-25-00-00002.003D~~

~~N 907.5 FT OF S 1815 FT OF
E 1/2 OF W 1/2 OF E 1/2
OF SE 1/4~~

~~***** OWNER *****
OWENS BRIAN + ***** SITE *****~~

~~15726 BRIARCLIFF LANE 15751 BRIAR PATCH LN~~

~~FORT MYERS FL 33912 Fort Myers 33912~~

~~32-45-25-00-00002.003E~~

~~FE NE COR LT 17 BR DWNS B
EING POB W300.41FT N 209.
77FT OR 2745/1084~~

~~***** OWNER *****
DURDEN DONALD R + SANDRA L ***** SITE *****~~

~~15650 TRIPLE CROWN CT 15650 TRIPLE CROWN CT~~

~~FORT MYERS FL 33912 Fort Myers 33912~~

1

~~32-45-25-00-00002.003F~~

~~FR NE COR LT 17 BR DWNS W
300.41FT N 419.56FT TO P
OB OR 2745/1088~~

~~***** OWNER *****
WALDORF DOUGLAS L + DONNA J ***** SITE *****~~

~~15540 TRIPLE CROWN CT 15540 TRIPLE CROWN CT~~

~~FORT MYERS FL 33912 Fort Myers 33912~~

1

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EAU

32-45-25-00-00002.005A

PAR IN NE1/4 OF SE1/4 DESC
 OR 1136/545 + OR 1860 PG
 1790LES 2.005C THRU 2.00

***** OWNER *****
 RYAN JESSICA P +

***** SITE *****

15671 COUNTRY CT

15671 COUNTRY CT

FT MYERS FL 33912

Fort Myers

33912

1

32-45-25-00-00002.005B

PARL IN S1/2 OF NE1/4 OF
 NW1/4 OF SE1/4 DESC AS PA
 RL D IN OR2386/2783

***** OWNER *****
 MCLAUGHLIN THOMAS J + SYBOL O

***** SITE *****

7700 BRIARCLIFF RD

7700 BRIARCLIFF RD

FT MYERS FL 33912

Fort Myers

33912

1

32-45-25-00-00002.005C

PARL IN NE 1/4 OF SE 1/4
 AS DESC IN OR 1574 PG 1297

***** OWNER *****
 HARRIS KENT W + VALERIE L

***** SITE *****

7750 BRIARCLIFF RD

7750 BRIARCLIFF RD

FT MYERS FL 33912

Fort Myers

33912

1

32-45-25-00-00002.005D

PARL IN NE 1/4 OF SE 1/4
 DESC IN OR 1805 PG 3667 +
 OR 1860 PG 1789

***** OWNER *****
 MORE JOHN M + GAIL A

***** SITE *****

15661 COUNTRY CT SE

15661 COUNTRY CT

FT MYERS FL 33912

Fort Myers

33912

1

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EAU

32-45-25-00-00002.005E

PAR IN NE 1/4 OF SE 1/4 S
OF RD DESC OR 1863 PG 279
9 LESS E 135.1 FT

***** OWNER *****
HARRIS KENT W + VALERIE L

***** SITE *****

7750 BRIARCLIFF RD

7780 BRIARCLIFF RD

1

FT MYERS FL 33912

Fort Myers

33912

32-45-25-00-00002.005F

PARL IN NE 1/4 OF SE 1/4
AS DESC IN OR 1912 PG 3388

***** OWNER *****
CARROLL JERRY W + MARY ANN

***** SITE *****

1

7810 BRIARCLIFF RD

7810 BRIARCLIFF RD

FT MYERS FL 33912

Fort Myers

33912

32-45-25-01-00000.0010

BRIARCLIFF DOWNS
PB 30 PG 28 LOT 1

***** OWNER *****
KARYDAS APOSTOLOS E TR

***** SITE *****

1

15551 TRIPLE CROWN CT

15551 TRIPLE CROWN CT

FT MYERS FL 33912

Fort Myers

33912

32-45-25-01-00000.0020

BRIARCLIFF DOWNS
PB 30 PG 28 LOT 2

***** OWNER *****
NICHOLS RICHARD D

***** SITE *****

1

15601 TRIPLE CROWN CT

15601 TRIPLE CROWN CT

FT MYERS FL 33912

Fort Myers

33912

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EAU

32-45-25-01-00000.0030

BRIARCLIFF DOWNS PB 30 PG
28 LOT 3

***** OWNER *****
MULCONREY JOHN PAUL + MARY K

***** SITE *****

15651 TRIPLE CROWN CT
FORT MYERS FL 33912

15651 TRIPLE CROWN CT
Fort Myers
33912

1

32-45-25-01-00000.0040

BRIARCLIFF DOWNS
PB 30 PG 28 LOT 4

***** OWNER *****
BARKIS P MICHAEL + LYNN M

***** SITE *****

15701 TRIPLE CROWN CT
FT MYERS FL 33912

15701 TRIPLE CROWN CT
Fort Myers
33912

1

32-45-25-01-00000.0050

BRIARCLIFF DOWNS PB 30 PG
28 LOT 5

***** OWNER *****
WADE JACQUES E + THERESE L

***** SITE *****

15751 TRIPLE CROWN CT
FORT MYERS FL 33912

15751 TRIPLE CROWN CT
Fort Myers
33912

1

32-45-25-01-00000.0060

BRIARCLIFF DOWNS PB 30 PG
28 LOT 6

***** OWNER *****
MAST ANTHONY D + BRIDGET A

***** SITE *****

15801 TRIPLE CROWN CT
FORT MYERS FL 33912

15801 TRIPLE CROWN CT
Fort Myers
33912

1

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EAU

32-45-25-01-00000.0070

BRIARCLIFF DOWNS PB 30 PG
28 LOT 7

***** OWNER *****
MORRIS BRETT A + STEPHANIE A

***** SITE *****

1

15851 TRIPLE CROWN CT
FORT MYERS FL 33912

15851 TRIPLE CROWN CT
Fort Myers 33912

32-45-25-01-00000.0080

BRIARCLIFF DOWNS PB 30 PG
28 LOT 8

***** OWNER *****
FLEMING EUGENE D JR + LINDA T

***** SITE *****

1

15901 TRIPLE CROWN CT
FORT MYERS FL 33912

15901 TRIPLE CROWN CT
Fort Myers 33912

32-45-25-01-00000.0090

BRIARCLIFF DOWNS PB 30 PG
28 LOT 9

***** OWNER *****
WILLIAMS ANNE G

***** SITE *****

1

15967 TRIPLE CROWN CT
FORT MYERS FL 33912

15967 TRIPLE CROWN CT
Fort Myers 33912

32-45-25-01-00000.0100

BRIARCLIFF DOWNS PB 30 PG
28 LOT 10

***** OWNER *****
NARDUZZI DENNIS + JANICE A

***** SITE *****

1

15971 TRIPLE CROWN CT
FORT MYERS FL 33912

15987 TRIPLE CROWN CT
Fort Myers 33912

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EAU

32-45-25-01-00000.0110

BRIARCLIFF DOWNS PB 30 PG
28 LOT 11

***** OWNER *****
PERLEBERG CHARLES R +

***** SITE *****

1

15991 TRIPLE CROWN CT
FT MYERS FL 33912

15991 TRIPLE CROWN CT
Fort Myers
33912

32-45-25-01-00000.0120

BRIARCLIFF DOWNS PB 30 PG
28 LOT 12

***** OWNER *****
LEFEVRE MARCEL R + NICOLE E

***** SITE *****

1

15990 TRIPLE CROWN CT SE
FT MYERS FL 33912

15990 TRIPLE CROWN CT
Fort Myers
33912

32-45-25-01-00000.0130

BRIARCLIFF DOWNS PB 30 PG
28 LOT 13

***** OWNER *****
WILLIAMS GARY R + JOY ANN

***** SITE *****

1

15970 TRIPLE CROWN CT
FORT MYERS FL 33912

15970 TRIPLE CROWN CT
Fort Myers
33912

32-45-25-01-00000.0140

BRIARCLIFF DOWNS PB 30 PG
28 LOT 14

***** OWNER *****
HUNT STEVEN C

***** SITE *****

1

15830 TRIPLE CROWN CT
FT MYERS FL 33912

15830 TRIPLE CROWN CT
Fort Myers
33912

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EAU

 32-45-25-01-00000.0150

BRIARCLIFF DOWNS PB 30 PG
 28 LOT 15

***** OWNER *****
 LAGACCIA FRED F + MELISSA

***** SITE *****

1

15780 TRIPLE CROWN CT

15780 TRIPLE CROWN CT

FORT MYERS FL 33912

Fort Myers

33912

 32-45-25-01-00000.0160

BRIARCLIFF DOWNS PB 30 PG
 28 LOT 16

***** OWNER *****
 WADE JAMES C + BONNIE I

***** SITE *****

1

15730 TRIPLE CROWN CT

15730 TRIPLE CROWN CT

FT MYERS FL 33912

Fort Myers

33912

 32-45-25-01-00000.0170

BRIARCLIFF DOWNS PB 30 PG
 28 LOT 17

***** OWNER *****
 IHRIG WILLIAM L + CAROLYN R

***** SITE *****

1

15680 TRIPLE CROWN COURT

15680 TRIPLE CROWN CT

FT MYERS FL 33912

Fort Myers

33912

 32-45-25-02-00000.0010

COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 1

***** OWNER *****
 BURROWS JANINE M + JOHN W

***** SITE *****

1

15701 COUNTRY CT

15701 COUNTRY CT

FORT MYERS FL 33912

Fort Myers

33912

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EAU

 32-45-25-02-00000.0030
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 3
 ***** OWNER ***** SITE *****
 COLLELI THOMAS A + ELAINE B
 15761 COUNTRY CT 15761 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

1

 32-45-25-02-00000.0040
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 4
 ***** OWNER ***** SITE *****
 LAZARUS DONALD S + LYNNAE ANN
 15791 COUNTRY CT 15791 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

1

 32-45-25-02-00000.0050
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 5
 ***** OWNER ***** SITE *****
 SCHOFIELD THOMAS W + SANDRA K
 15821 COUNTRY CT 15821 COUNTRY CT
 FORT MYERS FL 33912 Fort Myers
 33912

1

 32-45-25-02-00000.0060
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 6
 ***** OWNER ***** SITE *****
 BATTISTA CORA O
 15831 COUNTRY CT 15831 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

1

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EAU

32-45-25-02-00000.0070

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 7

***** OWNER ***** SITE *****
CHOW KAI-FU

15861 COUNTRY CT 15861 COUNTRY CT 1

FT MYERS FL 33912 Fort Myers 33912

32-45-25-02-00000.0080

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 8

***** OWNER ***** SITE *****
NAIRZ JOHANN + 1

REITHERSPITZSTR 594 15919 COUNTRY CT

A-6100 SEEFELD Fort Myers 33912
AUSTRIA

32-45-25-02-00000.0090

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 9

***** OWNER ***** SITE *****
HAMILTON BERTIS F + ALICIA J

15981 COUNTRY COURT 15981 COUNTRY CT 1

FT MYERS FL 33912 Fort Myers 33912

32-45-25-02-00000.0100

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 10

***** OWNER ***** SITE *****
HUGHES KAREN A 1

15990 COUNTRY CT 15990 COUNTRY CT

FT MYERS FL 33912 Fort Myers 33912

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EAU

32-45-25-02-00000.0110

COUNTRYSIDE ESTATES DB 30
PG 89 LOT 11

***** OWNER *****
GAVIN RONALD W + SHARI L

***** SITE *****

1

15970 COUNTRY CT

15970 COUNTRY CT

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0120

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 12

***** OWNER *****
BROWN TIMOTHY A + TRACY L

***** SITE *****

1

15950 COUNTRY CT SE

15950 COUNTRY CT

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0130

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 13 + TR A S1/2

***** OWNER *****
CEPPALUNI TONY + CINDI

***** SITE *****

1

15920 COUNTRY CT

15920 COUNTRY CT

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0140

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 14 + PT TRACT A
DESC IN OR 1767 PG 0659

***** OWNER *****
BRANDT ROBERT J + CINDY M

***** SITE *****

1

15880 COUNTRY CT

15880 COUNTRY CT

FT MYERS FL 33912

Fort Myers

33912

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EAU

32-45-25-02-00000.0150

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 15

***** OWNER *****
HUOTT LEO J + PATRICIA J

***** SITE *****

24611 IVORY CANE DR #101

15840 COUNTRY CT

1

BONITA SPRINGS FL 34134

Fort Myers

33912

32-45-25-02-00000.0160

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 16

***** OWNER *****
MCGAHEY ROBERT V PER REP +

***** SITE *****

15820 COUNTRY CT

15820 COUNTRY CT

1

FORT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0170

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 17

***** OWNER *****
GEBING RICHARD L + CHERYL G

***** SITE *****

15910 SHADOW RUN CT

15910 SHADOW RUN CT

1

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0180

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 18

***** OWNER *****
RUTH LAWRENCE D + PAMELA J TR

***** SITE *****

RR 13 15900 SHADOW RUM CT

15900 SHADOW RUN CT

1

FT MYERS FL 33912

Fort Myers

33912

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 18MAY04
 SUBJECT PROPERTY : 32-45-25-02-00000.0020
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 54

EAU

32-45-25-02-00000.0190

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 19

***** OWNER *****
CRAWFORD KAREN K

***** SITE *****

1

15890 SHADOW RUN CT

15890 SHADOW RUN CT

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0200

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 20

***** OWNER *****
HOLLAND MICHAEL + CAROLYN

***** SITE *****

1

15700 SHADOW RUN CT

15700 SHADOW RUN CT

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0210

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 21

***** OWNER *****
STOCKMAN JON E + SUSAN

***** SITE *****

1

15701 SHADOW RUN CT

15701 SHADOW RUN CT

FORT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0220

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 22

***** OWNER *****
PRICE WILLIAM A + BARBARA J

***** SITE *****

1

15889 SHADOW RUN SE

15889 SHADOW RUN CT

FT MYERS FL 33912

Fort Myers

33912

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 18MAY04
 SUBJECT PROPERTY : 32-45-25-02-00000.0020
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 54

EAU

32-45-25-02-00000.0230

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 23

***** OWNER *****
SUROSKI A JAMES + BARBARA A

***** SITE *****

15909 SHADOWRUN CT

15909 SHADOW RUN CT

1

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0240

COUNTRYSIDE ESTATES PB 30
PG 89 LOT 24

***** OWNER *****
AMLAW W JEAN COLLIGAN TR

***** SITE *****

15780 COUNTRY CT SE

15780 COUNTRY CT

1

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0250

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 25

***** OWNER *****
AVERY JOHN L + KIM

***** SITE *****

15730 COUNTRY CT

15730 COUNTRY CT

1

FT MYERS FL 33912

Fort Myers

33912

32-45-25-02-00000.0260

COUNTRYSIDE ESTATES PB 30
PG 88 LOT 26

***** OWNER *****
ORR PENNY J

***** SITE *****

15700 COUNTRY CT

15700 COUNTRY CT

1

FORT MYERS FL 33912

Fort Myers

33912

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 18MAY04
 SUBJECT PROPERTY : 32-45-25-02-00000.0020
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED :

 *** END OF REPORT ***

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 18MAY04
 SUBJECT PROPERTY : 32-45-25-02-00000.0020
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 54

 *** END OF REPORT ***



"Exhibit B"

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 239-335-2186

Bob Janes
District One

May 18, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

RE: Country Triple Crown Water MSBU

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held by the Board of County Commissioners in the Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, on **Tuesday, June 8, 2004 at 5:00 p.m.**, concerning the Country Triple Crown Water Municipal Service Benefit Unit. The purpose of the meeting will be to consider the adoption of a Resolution entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, RATIFYING THE COMPLETION OF THE ACQUISITION AND CONSTRUCTION OF ASSESSABLE IMPROVEMENTS CONSTITUTING A PROJECT AS HEREIN DESCRIBED IN THE COUNTRY / TRIPLE CROWN COURT WATERLINE MUNICIPAL SERVICES BENEFIT UNIT; CONFIRMING A PRELIMINARY ASSESSMENT ROLL WITH RESPECT TO SUCH UNIT; PROVIDING FOR THE PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING THE NOT TO EXCEED INTEREST RATE SUCH ASSESSMENTS WILL BEAR; DIRECTING LEE COUNTY TO NOTIFY THE PROPERTY OWNERS OF THEIR FINAL ASSESSMENT AND RIGHT TO PREPAY; AND PROVIDING AN EFFECTIVE DATE.

The Country/Triple Crown Water project has been completed and the assessments are based on the final project costs, less the county's contribution. The project cost was estimated to be \$606,364 and the revised final cost is \$468,989. The method of assessment is on an Equivalent Assessment Unit (EAU) basis. As per Administrative Code 3-25, Lee County is contributing \$83,173 to the cost of the project, reducing the costs assessed to the property owners to be \$385,816. The apportionment is based on 54 parcels, and 55 equivalent assessment units.

The Board of County Commissioners will be meeting as an Equalizing Board to hear any and all complaints as to the special assessment and shall adjust and equalize the special assessments on a basis of justice and right. When so equalized and approved by Resolution, such special assessments shall stand confirmed and remain legal, valid and binding first liens upon the property against which such special assessments are made, until paid.

Should the proposed Resolution to Assess be adopted, you will have several options for payment; (a) within thirty (30) days after the Public Hearing approving the Resolution to Assess, you may pay your assessment **in full** without finance costs, (b) repay your assessment over the next fifteen years by paying one-fifteenth (1/15th) of your principal upon receiving your bill on the annual Tax Bill, and making all subsequent payments of one-fifteenth of the principal plus interest on the unpaid balance on an annual basis as billed; or (c) you may payoff your assessment at any time during the year with the accrued interest. A copy of a typical payment schedule payment is attached for your information.

The Resolution confirming the Preliminary Assessment Roll will provide for the terms on which payments of special assessments may be made and will provide the rate of interest the special assessments, which are not prepaid, will bear. Delinquent special assessments shall be collected as provided for by the Uniform Collection Method for Non-Ad Valorem Taxes.

The special assessments made as a result of the confirmation of the preliminary assessment roll will be final and conclusive as to each lot or parcel of property assessed unless proper steps are initiated within 20 days of confirmation of the preliminary assessment roll in a court of competent jurisdiction to secure relief. You are advised that any person wishing to appeal any decision of the Board with respect to any matter considered would need a record and may need to ensure that a verbatim record is made.

This public hearing is an opportunity for you to express your opinion. Any objection received in writing to this office will be submitted for the record during the public hearing. Should you have any questions you may contact us at this office. If you have a disability that will require special assistance or accommodation for your attendance at the public meeting please call the office of Public Resources at 335-2269 at least seven days prior to the meeting.

Very truly yours,

A handwritten signature in black ink, appearing to read "Libby Walker". The signature is fluid and cursive, with a prominent initial "L".

Libby Walker
Director, Public Resources

**PREPAYMENT INVOICE
FOR COUNTRY / TRIPLE CROWN MSBU**

To prepay your Country/Triple Crown MSBU assessment, **PAYMENT IN FULL** must be post marked by July 5, 2004 or paid in person in the MSTBU Office located at 2115 Second Street, Fort Myers, FL by Friday, July 9, 2004. Finance and interest will become effective on all assessments not paid in full by July 9, 2004.

If you wish to prepay, your assessment is \$6,048.95. **If you choose not to prepay your assessment, do not make any payment at this time**, your first assessment bill will be on the November, 2004 tax bill. If you choose to pay your assessment over time, your assessment including finance charges, closing costs and capitalized interest is estimated to be \$ 7,014.84, subject to the interest rate at closing. Additionally annual interest will be calculated on the unpaid balance. Your assessment is based on an equivalent residential unit. Any savings the County is able to obtain during the closing on the loan will be passed on to the property owners.

Should the Board of County Commissioners not approve the Final Resolution to assess, or modify the assessments at the public hearing on June 8, 2004, a new prepayment invoice will be sent.

Please remit this portion with payment for proper credit

COUNTRY/TRIPLE CROWN WATER MSBU

PREPAYMENTS MUST BE PAID IN FULL, POSTMARKED BY July 5, 2004 OR PAID IN PERSON IN THE MSTBU OFFICE LOCATED ON THE 1st FLOOR OF THE LEE COUNTY ADMINISTRATION BUILDING, 2115 SECOND STREET, FORT MYERS, BY July 9, 2004

ANY PAYMENT RECEIVED AFTER July 9th WILL BE CREDITED AGAINST THE HIGHER ASSESSMENT RATE WHICH INCLUDES THE FINANCIAL CHARGES.

Prepayment Amount Due: \$6,048.95
Due Date: July 9, 2004
Check No.: _____

Make check payable to the Board of County Commissioners and remit to:

MSTBU Services
P.O. Box 398
Fort Myers, FL 33902-0398

**EXAMPLE OF A FIXED PRINCIPAL SCHEDULE
for COUNTRY/TRIPLE CROWN WATERLINE MSBU**

PRINCIPAL: \$7,014.84
 INTEREST: 8.5%
 TERM: 15 years

Please Note: Interest Rate may change pending Bond or Loan rate at closing.

YEAR	PRINCIPAL	INTEREST	PAYMENT	BALANCE
				\$7,014.84
2003	\$467.66	\$596.26	\$1,063.92	\$6,547.18
2004	\$467.66	\$556.51	\$1,024.17	\$6,079.53
2005	\$467.66	\$516.76	\$984.42	\$5,611.87
2006	\$467.66	\$477.01	\$944.66	\$5,144.21
2007	\$467.66	\$437.26	\$904.91	\$4,676.56
2008	\$467.66	\$397.51	\$865.16	\$4,208.90
2009	\$467.66	\$357.76	\$825.41	\$3,741.25
2010	\$467.66	\$318.01	\$785.66	\$3,273.59
2011	\$467.66	\$278.26	\$745.91	\$2,805.94
2012	\$467.66	\$238.50	\$706.16	\$2,338.28
2013	\$467.66	\$198.75	\$666.41	\$1,870.62
2014	\$467.66	\$159.00	\$626.66	\$1,402.97
2015	\$467.66	\$119.25	\$586.91	\$935.31
2016	\$467.66	\$79.50	\$547.16	\$467.66
2017	\$467.66	\$39.75	\$507.41	\$0.00
TOTAL	\$7,014.84	\$4,770.09	\$11,784.93	

"Exhibit C"

**NOTICE OF INTENT TO ENACT A
COUNTY RESOLUTION**

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 8th day of June 2004, 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 enactment of a County Resolution pursuant to Article VIII, Section 1, of the State Constitution, Chapter 125, Florida Statutes, and the Lee County Ordinance No. 98-25. The title of the proposed Resolution is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, RATIFYING THE COMPLETION OF THE ACQUISITION AND CONSTRUCTION OF ASSESSABLE IMPROVEMENTS CONSTITUTING A PROJECT AS HEREIN DESCRIBED IN THE COUNTRY / TRIPLE CROWN WATERLINE MUNICIPAL SERVICES BENEFIT UNIT; CONFIRMING A PRELIMINARY ASSESSMENT ROLL WITH RESPECT TO SUCH UNIT; PROVIDING FOR THE PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING THE NOT TO EXCEED INTEREST RATE SUCH ASSESSMENTS WILL BEAR; DIRECTING LEE COUNTY TO NOTIFY THE PROPERTY OWNERS OF THEIR FINAL ASSESSMENT AND RIGHT TO PREPAY; AND PROVIDING AN EFFECTIVE DATE.

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

Pursuant to Ordinance No. 98-25, all objections to the confirmation of the preliminary assessment roll shall be made in writing, and filed with the MSTBU Coordinator, as designee of the County Manager, at or before the time or adjourned time of the hearing.

The Board of County Commissioners shall meet and receive the objections in writing of all interested persons at the public hearing referenced above. The special

assessments made as a result of the confirmation of the preliminary assessment roll will be final and conclusive to each lot or parcel assessed unless proper steps have been initiated within 20 days in a court of competent jurisdiction to secure relief.

Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed Resolution. 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 record must include the testimony and evidence upon which any such appeal is to be based.

If you have a disability that will require special assistance or accommodation for your attendance at the public meeting please call the office Public Resources at 335-2269 at least seven days prior to the meeting.


PLEASE BE GOVERNED ACCORDINGLY.

The text of this Notice is pursuant to and in conformance with Section 125.66, Florida Statutes (2003).

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

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

APPROVED AS TO FORM:

By:  _____
Office of the County Attorney

DISPLAY AD TO RUN:
May 18, 2004
Ad Size: 2 x 5 Display
Direct Voucher

Attachment "A"

**COUNTRY / TRIPLE CROWN COURT WATERLINE MSBU
LEGAL DESCRIPTION**

Lots 0010 through 0170 as described in Plat Book 30, Page 28
and

Lots 0010 through 0030 as described in Plat Book 30, Page 88
and

Lots 0180 through 0220 as described in Plat Book 30, Page 88
and

Lots 0250 through 0260 as described in Plat Book 30, Page 88
and

Lots 0040 through 0120 as described in Plat Book 30, Page 89
and

Lots 0150 through 0170 as described in Plat Book 30, Page 89
and

Lots 0230 through 0240 as described in Plat Book 30, Page 89
and

Lots 0140 as described in Plat Book 30, Page 89 plus part of Tract A as
described in OR Book 1767, Page 0659
and

Lots 0130 as described in Plat Book 30, Page 89 plus part of Tract A as
described in OR Book 1767, Page 0659
and

Lots 0030 as described in OR Book 3178, Page 1248
and

Lot 003A as described in OR Book 1912, Page 3388
and

Lot 003B as described in OR Book 2751, Page 2600
and

Lot 003E as described in OR Book 2745, Page 1085
and

Lot 003F as described in OR Book 2804, Page 325
and

Lot 005A as described in OR Book 1860, Page 1790
and

Lot 005B as described in OR Book 2386, Page 2783
and

Lot 005C as described in OR Book 1574, Page 1297
and

Lot 005D as described in OR Book 1805, Page 3667
and

Lot 005F as described in OR Book 2779, Page 3357
and

S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; and that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ North of the road right of way as described in OR Book 514, Page 53.