

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20041323

1. REQUESTED MOTION:

ACTION REQUESTED: Hold a Public Hearing to amend Ordinance 83-23 to expand the legal description to include Phase II of the Country Lakes Streetlighting MSBU.

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

WHAT ACTION ACCOMPLISHES: Provides an opportunity for public input. Satisfies the legal requirements of the Florida Statutes to proceed with the amendment of the Country Lakes Streetlighting MSBU for the purpose of adding Phase II to the unit.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT #: 06

5:00 #4

3. MEETING DATE:

11-09-2004

4. AGENDA:

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC
 WALK ON
 TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)
 STATUTE 125.g
 ORDINANCE
 ADMIN. CODE 3-15
 OTHER

6. REQUESTOR OF INFORMATION:

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

BY: Denise Sabatini

Denise Sabatini 10/15/04

7. BACKGROUND:

Country Lakes Streetlighting MSBU is located in the Country Lakes Subdivision of Lee County. The Property Owner has submitted the required petition requesting the Board of County Commissioners to amend an Operations and Management Municipal Services Benefit Unit (MSBU) for street lighting. The first monthly payment of \$236.58 will be due upon installation of lights between November 2004 and September 2005. Thereafter, the Uniform Collection Method for Non-Ad Valorem taxes will be used. Delinquent amounts will be carried over to the tax roll.

- Exhibit
 "A": Legal Description
 "B": Proof of Publication
 "C": Notice of Intent
 "D": Tentative Assessment Roll
- Attachments
 A: Statistical Sheet
 B: Letter to Property Owner
 C: Map
 D: Existing Ordinance 83-23

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 10/19/04				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i>	N/A	N/A	N/A	<i>S. Grant 10/15/04</i>	<i>OA 10/18/04</i>	<i>OM 10/18/04</i>	<i>OR 10/18/04</i>	<i>GC 10/19/04</i>	<i>[Signature] 10/20/04</i>

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

Rec. by CoAtty
 Date: 10/15/04
 Time: 8:50
 Forwarded To:
 Co. Admin
 10/15/04

10/15/04
 9:45 AM
 10/20/04
 8:00

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE AMENDING LEE COUNTY ORDINANCE NO. 83-23 RELATING TO COUNTRY LAKES STREET LIGHTING UNIT; AMENDING SECTION ONE PROVIDING FOR THE BOUNDARIES TO BE INCLUDED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the governing body in and for Lee County, a charter county and political subdivision of the State of Florida, and holds all powers granted to counties pursuant to the Florida Constitution and state statutes; and

WHEREAS, the Lee County Board of County Commissioners had previously adopted Ordinance No. 83-23 relating to the creation of the Country Lakes Street Lighting Unit; and

WHEREAS, the Board of County Commissioners of Lee County now desires to amend Lee County Ordinance No. 83-23 in order to provide for an amended legal description.

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

SECTION ONE:

This Ordinance amends Lee County Ordinance 83-23 as set forth herein. The amendments and revisions set forth in the following sections are hereby adopted.

SECTION TWO: CREATION OF THE UNIT AND BOUNDARIES

Section One of Lee County Ordinance 83-23 is hereby amended to add the following legal description:

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

SECTION THREE: SEVERABILITY

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

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect immediately upon receipt of notice from the Florida Department of State of its filing with that office.

The foregoing Ordinance 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:

Bob Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Andrew Coy	_____
John Albion	_____

DULY PASSED AND ADOPTED THIS ____ day of _____, 2004.

ATTEST:

CHARLIE GREEN
CLERK OF THE COURT

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

EXHIBIT "A"

AUGUST 18,2004
JOB # 81-7123
FILE # 81-7123LGL

COUNTRY LAKES SUBDIVISION PHASE TWO

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA MORE PARTICULARLY IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF UNIT I, COUNTRY LAKES SUBDIVISION, AS RECORDED IN PLAT BOOK 36, PAGES 12-14 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.89°09'28"W. ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 10 FOR 1231.37 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF S.R. 93 (I-75); THENCE N.00°59'59"W. ALONG SAID EASTERLY RIGHT OF WAY OF S.R. 93 (I-75) FOR 68.78 FEET; THENCE S.47°13'09"W. FOR 100.59 FEET; THENCE N.00°59'59"W. FOR 93.87 FEET; THENCE N.47°13'09"E. LEAVING SAID RIGHT OF WAY AND ALONG THE NORTHWESTERLY LINE OF A FLORIDA POWER & LIGHT COMPANY TRANSMISSION LINE EASEMENT FOR 1225.17 FEET; THENCE ALONG THE LINES OF SAID UNIT I, COUNTRY LAKES SUBDIVISION FOR THE FOLLOWING CALLS, S.14°24'45"E. FOR 136.38 FEET; THENCE S.42°46'51"E. FOR 230.79 FEET; THENCE N.89°09'28"E. FOR 136.61 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, RADIUS 900.00 FEET, CENTRAL ANGLE 07°21'15"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE FOR 115.52 FEET TO THE END OF SAID CURVE; THENCE S.00°50'32"E. NON-RADIALLY FOR 366.73 FEET TO A POINT ON A CURVE, CONCAVE NORTH, RADIUS 900.00 FEET, CENTRAL ANGLE 02°44'47"; CHORD 43.14 FEET, CHORD BEARING S.81°41'46"W.; THENCE WESTERLY ALONG THE ARC OF SAID CURVE FOR 43.14 FEET TO END OF SAID CURVE; THENCE S.00°50'32"E. NON-RADIALLY FOR 245.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.878 ACRES MORE OR LESS.

GORDON D. MEIERS
PROFESSIONAL SURVEYOR AND MAPPER
FL. CERT. # 2858

EXHIBIT "C"

NOTICE OF INTENT TO AMEND A MUNICIPAL SERVICE BENEFIT UNIT

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 9th day of November, 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 amendment 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 AMENDING LEE COUNTY
ORDINANCE NO. 83-23 RELATING TO COUNTRY
LAKES STREET LIGHTING UNIT; AMENDING
SECTION ONE PROVIDING FOR THE BOUNDARIES
TO BE INCLUDED; PROVIDING FOR 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 street lighting. The estimated monthly cost for the remainder of the 2004 – 2005 fiscal year is \$236.58. This unit consists of 1 parcel. The method of assessment will be the same method as Phase I participants.

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 amending 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 (239) 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, (2004).

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

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

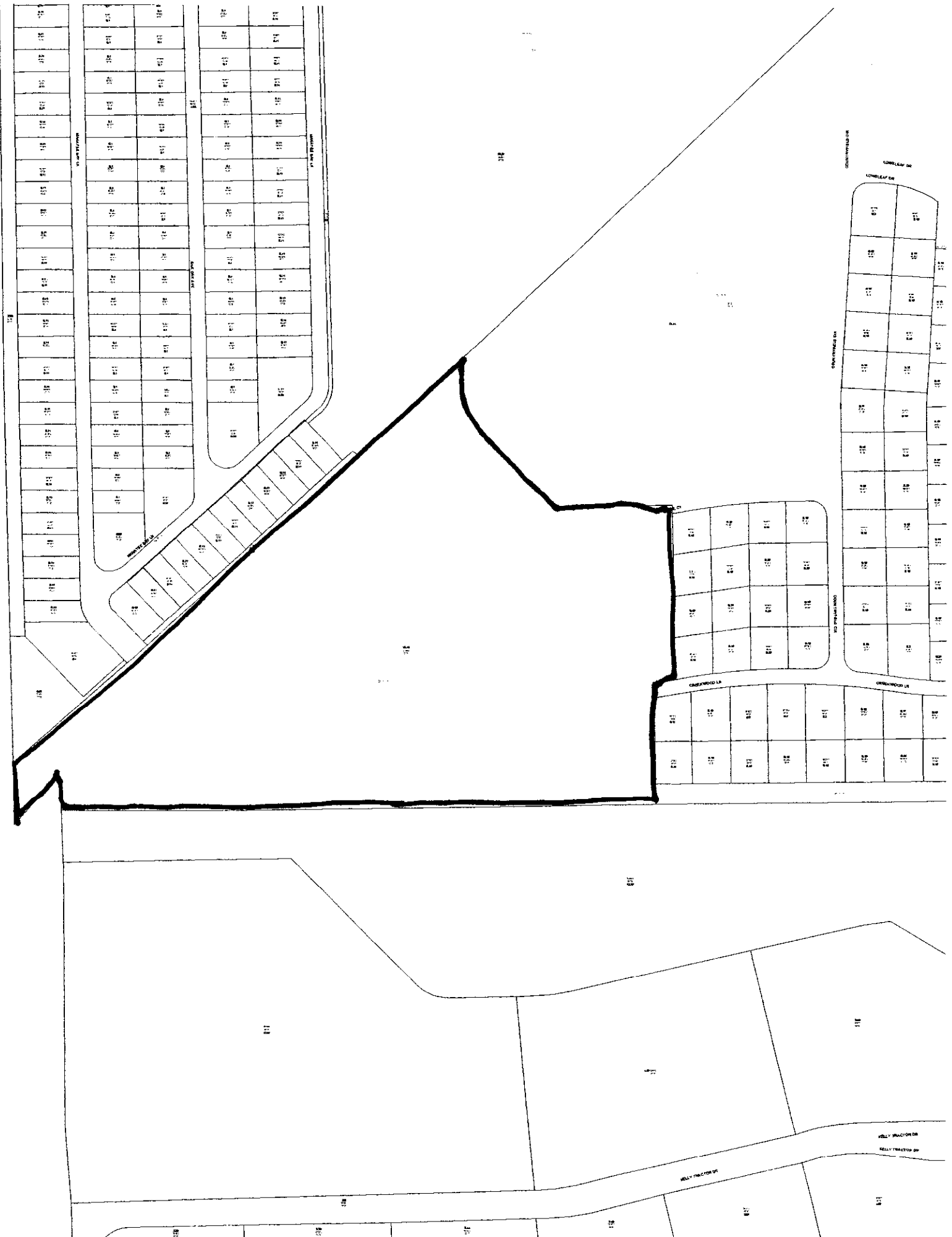
APPROVED AS TO FORM:

By: _____
Assistant County Attorney

P.O. # Direct Voucher 586663

PUBLISHING DATE: 10/20/04

SIZE: 2 x 12 Display Ad



LEE COUNTY PROPERTY APPRAISER - NAME & LEGAL

STRAP: 10 44 25 00 00008 0000
 EASTLAKE DEVELOPMENT COMPANY
 6700-1 DANIELS PKWY

DOR...: 00 VACANT RESIDENTIAL
 LOC...:
 LEGAL1: PARL IN E 1/2 DESC IN OR
 LEGAL2: 1699/2539 LESS SUBDS + PA
 LEGAL3: RLS 8.0020 + 8.0030

FT MYERS
 FL

HWDWXA

33912 N/R:
 *** VALUES *** *** EX VALUES ***
 JUST: 219,730 AG.:
 ASSD: 219,730 HX.:
 TXBL: 219,730 WID:
 BLDG: 0 DIS:
 LAND: 219,730 WLY:
 NCST: 0 ENG:
 PVAL: WDR:
 SOH : DIFF:

UNIT MEAS.: MS #UNITS...: 2.00
 1ST TAX YR: 0 FRONTAGE: 0
 YR SPLIT...: 1991 .: 0
 YR CREATED: 1900 E/I NUM.:
 ENERGY CD.: S/D VAL.:
 ENERGY YR.: S/D CODE:
 APRVED BY.: DSC.....: 2
 TAX DIST...: ZONING...: MH-1
 PRIOR DOR.: PEND....:
 PRIOR STRP: 10-44-25-00-00009.0000

SITE: ACCESS UNDETERMINED 33905

#	SALE PRICE	D.O.S.	BOOK	PAGE	TC	VI
1:	252,500	03/95	2623	3761	04	V
2:	0	11/83	1699	2539	01	V

PAGE: 499 MAINT DATE
 LINE: 510 SITE:
 HIST DIST: N NAL.:
 MAF.:
 PAV.:

NBHD CODE: 161150
 NBHD DESC: COUNTRY LAKES MH SUB

EXHIBIT "D"

ATTACHMENT "A"

STATISTICAL REPORT

MSBU Country Lakes Streetlighting Unit (MSBU)
TYPE OF BENEFIT: Street Lights
LOCATION OF DISTRICT: Country Lakes Subdivision Phase II
METHOD OF PAYMENT: Same as Phase I

FORMAL PETITION RESULTS

Assessment Units Will be based on build-out projections

	Number	%
Total # of Parcels	1	100%
Required Number of Signatures	1	52%
Actual Number of Notarized Signatures	1	100%

ATTACHMENT "B"

239-335-2186

October 20, 2004

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 November 9, 2004, at 5 P.M., to consider adopting an Ordinance to amend a Municipal Service Benefit Unit for Country Lakes (Phase II). The title of the Ordinance is as follows:

AN ORDINANCE AMENDING LEE COUNTY ORDINANCE NO. 83-23 RELATING TO COUNTRY LAKES STREET LIGHTING UNIT; AMENDING SECTION ONE PROVIDING FOR THE BOUNDARIES TO BE INCLUDED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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.

The purpose of the COUNTRY LAKES STREETLIGHTING OPERATION AND MAINTENANCE MUNICIPAL SERVICE BENEFIT UNIT is to provide street lighting. 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. An MSTBU designee will determine the budget in the event that a committee is not formed.

The first monthly invoice (\$236.58) will be sent upon installation of lights. Invoices will cover expenses until the end of the 2004 – 2005 fiscal year. The next billing and subsequent billings will use the Uniform Collection Method for Non-Ad Valorem taxes and commence on the 2005 tax roll. Delinquent amounts will be carried over to the tax roll.

Sincerely,

Denise Sabatini
MSTBU Coordinator

ATTACHMENT C



ATTACHMENT D

LEE COUNTY ORDINANCE NO. 83-23

AN ORDINANCE CREATING THE COUNTRY LAKES SUBDIVISION STREETLIGHTING MUNICIPAL SERVICE TAXING OR 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 OF SERVICES WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; 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 on the proposed ordinance 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.

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, Fla. Stat., the Board hereby creates a municipal service taxing or benefit unit to be known as the COUNTRY LAKES SUBDIVISION STREETLIGHTING MUNICIPAL SERVICE TAXING OR 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 COUNTRY LAKES SUBDIVISION STREETLIGHTING MUNICIPAL SERVICE TAXING OR BENEFIT UNIT is to provide the following municipal services within the boundaries of the Unit: Streetlighting.

The boundaries of the Unit shall be as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND
MADE A PART HEREOF. (EXHIBIT A)

SECTION 2.

THE GOVERNING BODY

The Board shall be the governing body of the COUNTRY LAKES SUBDIVISION STREETLIGHTING MUNICIPAL SERVICE TAXING OR BENEFIT UNIT.

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 the 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 6.

COUNTRY LAKES SUBDIVISION STREETLIGHTING FUND.

There is hereby created a fund to be known as the COUNTRY LAKES SUBDIVISION STREETLIGHT 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 7.

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 has been published in a newspaper of general circulation within Lee County at least fifteen (15) 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 to the special benefit which each parcel of land will receive. The assessment roll may be amended at the public hearing.

(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.

(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) 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 the 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 specially 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 ten (10) 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 8.

LEVYING AD VALOREM TAXES

Ad valorem taxes levied pursuant to this ordinance shall be levied and a budget prepared and adopted by this Board in the same manner as the Board prepares and adopts annual County budgets and levies taxes as provided by law. The levy of an ad valorem tax for the unit shall not exceed five mills per year.

SECTION 9.

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 of 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 10.

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 11.

EFFECTIVE DATE


This ordinance shall become effective upon action from the Secretary of State that the ordinance has been duly filed.

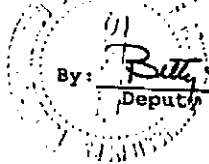
DONE AND ADOPTED this 20th day of July

1983.


ATTEST:

SAL GERACI, CLERK

By: 
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: 
Chairman

APPROVED AS TO FORM

By: 
OFFICE OF COUNTY ATTORNEY

EXHIBIT "A"

Tract or parcel of land in the Northeast quarter and the Northwest quarter of Northwest quarter of Southeast quarter of Section 10, Township 44 South, Range 25 East, Lee County, Florida which is described as follows: from the Northeast corner of said Section 10; thence South $0^{\circ}56'48''$ East along the East line of said section for 30.0 feet to the point of beginning of Tract "A", on the South Right of way of Tice Street; thence South $89^{\circ}21'36''$ West along said South right of way of Tice Street for 90.0 feet to the point of beginning; thence South $0^{\circ}56'48''$ East, parallel to said section line for 2602.30 feet; thence South $89^{\circ}09'28''$ West along said quarter section line for 1880.78 feet; thence South $01^{\circ}00'41''$ East for 640.0 feet; thence South $89^{\circ}09'28''$ West for 270.40 feet; thence North $02^{\circ}08'44''$ West along the East right of way of the limited access of Interstate I-75 for 319.65 feet; thence North $0^{\circ}59'59''$ West for 189.26 feet; thence South $47^{\circ}13'09''$ West for 100.59 feet; thence North $0^{\circ}59'59''$ West along the East right of way of said I-75 for 2037.68 feet to the point of curvature of a curve to the right, having a radius of 7477.44 feet, Delta angle of $03^{\circ}38'56''$ thence Northerly along the arc of said curve for 476.20 feet; thence North $89^{\circ}21'36''$ East along the South right of way of Tice Street for 345.93 feet; thence North $83^{\circ}38'49''$ East for 201.08 feet; thence North $80^{\circ}49'37''$ East for 202.32 feet; thence North $82^{\circ}12'48''$ East for 200.65 feet; thence North $0^{\circ}38'24''$ West for 20.0 feet; thence North $89^{\circ}21'36''$ East (30 feet from the centerline of said Tice Street) for 1277.96 feet to the point of beginning.
CONTAINING 136.226 acres more or less.



FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

July 25, 1983

Honorable Sal Geraci
Clerk of Courts
Post Office Box 2469
Fort Myers, Florida 33902

Dear Mr. Geraci:

Pursuant to the provisions of Section 125.66, Florida Statutes,
this will acknowledge:

1. Receipt of your letter/s of July 21
and certified copy/ies of Lee
County Ordinance/s No/s 83-22, 83-23, 83-24 and 83-26

2. Receipt of _____ County Ordinance/s
relative to:

(a) _____

which we have numbered _____

(b) _____

which we have numbered _____

3. We have filed this/these Ordinance/s in this office on

July 25, 1983

4. The original/duplicate copy/ies showing the filing date is/are
being returned for your records.

Cordially,

Nancy Kavanaugh
(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

NK/

FLORIDA-State of the Arts



DEPARTMENT OF STATE
George Firestone
Secretary of State

The Capitol
Tallahassee, Florida 32301
41488-3680

FLORIDA
STATE OF
THE ARTS

POSTAL
SERVICE



Honorable Sal Geraci
Clerk of Courts
Post Office Box 2469
Fort Myers, Florida 33902

DEPT. OF STATE
McAdams D.C.
8-1-83
8:15 a.m.