

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
 AGENDA ITEM SUMMARY

BLUE SHEET NO: 20050193-UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Accept settlement of \$12,182.97, and waive all penalty charges in the amount of \$12,328.28, to allow customer to payoff in full the McGregor II sewer assessment.

WHY ACTION IS NECESSARY:

The Board of County Commissioners must approve or reject all settlements.

WHAT ACTION ACCOMPLISHES:

Establishes a fair and equitable settlement due to customer not knowing there were outstanding liens at time of purchase.

2. DEPARTMENTAL CATEGORY: 10  
 COMMISSION DISTRICT #: 3

A10A

3. MEETING DATE:

03-01-2005

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER Penalty Waiver

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: \_\_\_\_\_
- B. DEPARTMENT: Lee County-Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, P.E., Utilities Director

DATE:

2/15/05

7. BACKGROUND:

In 1991 the Board of County Commissioners adopted a resolution for the acquisition and construction of the McGregor II Sewer project. Property owners' on the McGregor II assessment roll were assessed based on a single parcel of land in the amount of \$3,526.00 plus interest charges of 6% yearly, and a penalty rate for non-payers or late payment in the amount of 12% per year. The property owners were given 20 years to pay the assessment (1991-2010).

Mr. Davis recently purchased this property at a tax sale for \$2,400.00 not knowing that there were outstanding liens on these parcels. The McGregor II sewer assessment balance as of February 14, 2005 is in the amount of \$24,511.25. Mr. Davis has asked Lee County for help with this because he is on a fixed income and the penalties charged from prior years alone have exceeded the appraised value of the parcels. Mr. Davis borrowed money to pay principal and interest in the amount of \$12,182.97 from family members and has no other resources to pay the additional penalty amount of \$12,328.28. (Principal \$7,052.00, Interest \$5,130.97 and penalties \$12,328.28.)

(CONT'D.)

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>[Signature]</i> Lavender Date: 2-16-05	N/A Date:	N/A Date:		S. Coovert Date: 2-17-05	P.M. 2/17/05		2/17/05	2/17/05	<i>[Signature]</i> Lavender Date: 2-16-05

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY  
 COUNTY ADMIN: *[Signature]*  
 2/17/05  
 COUNTY ADMIN  
 FORWARDED TO: *[Signature]*  
 2/17/05

Rec. by CoAtty  
 Date: 2-16-05  
 Time: 4:00  
 Forwarded To:  
*[Signature]*

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At this time, Mr. Davis has paid off the principal and interest of the assessment totaling \$12,182.97 and requests the Board of County Commissioners to waive the current and delinquent penalty charges in the amount of \$12,328.28. Acceptance of the \$12,182.97 is equitable in this circumstance due to the facts of the matter and his financial situation.

Staff recommends the Board of County Commissioners acceptance of the \$12,182.97 from Mr. Davis as payment in full for the McGregor II sewer assessment and waive the current and delinquent penalty charges that were incurred before Mr. Davis purchased these parcels.

Attachments: Invoice/Cashier's Check, Balance Sheet

◆◆◆

Notice to Purchaser: In the event this check is lost, misplaced or stolen, a stop payment and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

VOID AFTER 90 DAYS  
Date: FEBRUARY 11, 2005

30-1/1140 (NTX)

Banking Center DT FORT MYERS

0008246 00008 004001131

CLARENCE DAVIS  
Remitter (Purchased By)

\*\*\*12182.97\*\*

Pay **\*\*TWELVE THOUSAND ONE HUNDRED EIGHTY TWO DOLLARS AND 97 CENTS\*\***

\$

To  
The Order Of **\*\*BOARD OF COUNTY COMMISSIONERS\*\***  
\*\*\*\*

*[Handwritten Signature]*  
Authorized Signature

09-14-3725B 6-2001

Bank of America, N.A.  
San Antonio, Texas

⑈4001131⑈ ⑆114000019⑆ 001641002054⑈

THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK



LEE COUNTY  
SOUTHWEST FLORIDA

LEE COUNTY UTILITIES PAYMENT ON DELINQUENT SEWER ASSESSMENT ACCOUNT

Name Clarence Davis

Strap or Account Number 32-45-24-02-0000B 0140

Amount \$12,182.97 - Cashiers Check # 4001131

Date/received by 2/11/05 Judy Rayer Principal + Interest

Penalty Balance Pending Board  
Approve

White - SEWER ASSESSMENT

Yellow - FISCAL

Pink - CUSTOMER

**STATEMENT OF BALANCE For Lee County Sewer Assessment**

DAVIS CLARENCE + NORMA  
 4461 NW 172ND DRIVE  
 MIAMI FL 33055

Customer Number: 05000647  
 Strap Number: 324524020000B0140

Billing Year	Type of Charge	Amount	Adjustment	Paid	Still Due
1991	Assessment	\$352.60	0	\$0.00	\$352.60
1992	Assessment	\$352.60	0	\$0.00	\$352.60
1993	Assessment	\$352.60	0	\$0.00	\$352.60
1994	Assessment	\$352.60	0	\$0.00	\$352.60
1995	Assessment	\$352.60	0	\$0.00	\$352.60
1996	Assessment	\$352.60	0	\$0.00	\$352.60
1997	Assessment	\$352.60	0	\$0.00	\$352.60
1998	Assessment	\$352.60	0	\$0.00	\$352.60
1999	Assessment	\$352.60	0	\$0.00	\$352.60
1999	Interest	\$2,930.09	0	\$0.00	\$2,930.09
1999	Penalty	\$2,970.71	0	\$0.00	\$2,970.71
2000	Assessment	\$352.60	0	\$0.00	\$352.60
2000	Interest	\$499.99	0	\$0.00	\$499.99
2000	Penalty	\$1,299.73	0	\$0.00	\$1,299.73
2001	Assessment	\$352.60	0	\$0.00	\$352.60
2001	Interest	\$428.02	0	\$0.00	\$428.02
2001	Penalty	\$1,490.92	0	\$0.00	\$1,490.92
2002	Assessment	\$352.60	0	\$0.00	\$352.60
2002	Interest	\$401.96	0	\$0.00	\$401.96
2002	Penalty	\$1,667.40	0	\$0.00	\$1,667.40
2003	Assessment	\$352.60	0	\$0.00	\$352.60
2003	Interest	\$401.96	0	\$0.00	\$401.96
2003	Penalty	\$2,054.06	0	\$0.00	\$2,054.06
2004	Assessment	\$352.60	0	\$0.00	\$352.60
2004	Interest	\$401.96	0	\$0.00	\$401.96
2004	Penalty	\$2,405.21	0	\$0.00	\$2,405.21
2005	Assessment	\$352.60	0	\$0.00	\$352.60
2005	Interest	\$66.99	0	\$0.00	\$66.99
2005	Penalty	\$440.25	0	\$0.00	\$440.25
2006	Assessment	\$352.60	0	\$0.00	\$352.60
2006	Interest	\$0.00	0	\$0.00	\$0.00
2006	Penalty	\$0.00	0	\$0.00	\$0.00
2007	Assessment	\$352.60	0	\$0.00	\$352.60
2007	Interest	\$0.00	0	\$0.00	\$0.00
2007	Penalty	\$0.00	0	\$0.00	\$0.00
2008	Assessment	\$352.60	0	\$0.00	\$352.60
2008	Interest	\$0.00	0	\$0.00	\$0.00
2008	Penalty	\$0.00	0	\$0.00	\$0.00
2009	Assessment	\$352.60	0	\$0.00	\$352.60
2009	Interest	\$0.00	0	\$0.00	\$0.00
2009	Penalty	\$0.00	0	\$0.00	\$0.00
2010	Interest	\$0.00	0	\$0.00	\$0.00
2010	Penalty	\$0.00	0	\$0.00	\$0.00
2010	Assessment	\$352.60	0	\$0.00	\$352.60
Principal		\$7,052.00			
Interest		\$5,130.97			
Penalties		\$12,328.28			
		<u>\$24,511.25</u>			
				<b>Current Balance Due:</b>	\$24,511.25

**Please include STRAP or customer number on the check or money order. Thank you.**

Remittance can be made by check to:

Lee County Board of County Commissioners
Lee County Utilities
PO Box 1641
Ft. Myers, FL 33902

For More Information Call:

(239) 479-8725 and 479-8176

PROPERTY DATA FOR PARCEL 32-45-24-02-0000B.0140  
TAX YEAR 2004

Parcel data is available for the following tax years:  
[ 2001 | 2002 | 2003 | 2004 ]

[ Next Lower Parcel Number | Next Higher Parcel Number | Display Building Permits on this Parcel | Display Tax Bills on this Parcel | **NEW! Tax Estimator** ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2004 ROLL.

### PROPERTY DETAILS

**OWNER OF RECORD**

DAVIS CLARENCE +  
DAVIS NORMA T/C  
4461 NW 172ND DR  
MIAMI FL 33055

**SITE ADDRESS**

10510 ROBINSON ST  
FORT MYERS FL 33908

**LEGAL DESCRIPTION**

LITTLE HARLEM PARK SUBD  
BLK B PB 9 PG 18  
LOTS 14 + 15

**TAXING DISTRICT**  
108 - HARLEM HEIGHTS LIGHT/IONA MCGREGOR FIRE

**PROPERTY VALUES (TAX ROLL 2004) [NEW! HISTORY CHART]**

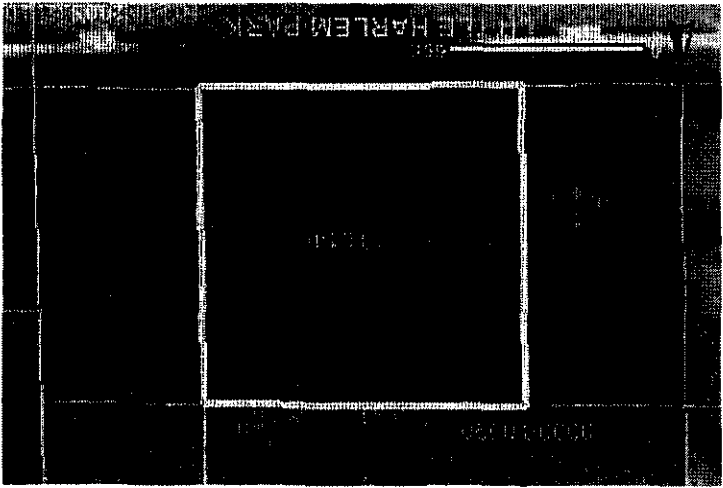
**JUST ASSESSED** 11,130 HOMESTEAD  
**ASSESSED** 11,130 AGRICULTURAL  
**ASSESSED SOH** 11,130 WIDOW

**EXEMPTIONS**

00 - VACANT RESIDENTIAL

**DOR CODE**

[ PICTOMETRY ]



[ VIEWER ] TAX MAP [ PRINT ]

**ATTRIBUTES**

**UNITS OF MEASURE** 0  
**NUMBER OF UNITS** 0  
**FRONTAGE** 0  
**FF** 100.00  
**100**

TAXABLE	11,130	WIDOWER	0	DEPTH	100
BUILDING		0	DISABILITY	0	BEDROOMS
LAND	11,130	WHOLLY	0	BATHROOMS	
BUILDING FEATURES		0	SOH DIFFERENCE	0	TOTAL BUILDING SQFT
LAND FEATURES		0		YEAR IMPROVED	1955

### SALES/TRANSACTIONS

SALE PRICE	DATE	OR BOOK / PAGE	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
2,400	5/27/2004	4315/2805	03	Disqualified (Interest Sales / Court Docs / Government)	
100	11/1/1995	2722/3297	03	Disqualified (Interest Sales / Court Docs / Government) There are 5 additional parcel(s) with this document (may have been split after the transaction date)... 32-45-24-02-0000B.0160,32-45-24-02-0000B.0170,32-45-24-02-0000B.0180, 32-45-24-02-0000B.0190,32-45-24-02-0000B.0200	
10,500	6/1/1981	1955/4583	03	Disqualified (Interest Sales / Court Docs / Government)	

### PARCEL RENUMBERING HISTORY

PRIOR STRAP	RENUMBER REASON	RENUMBER DATE
32-45-24-02-0000B.0130	Split (From another Parcel)	Sunday, January 01, 1984

### SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
001 - Service Area 1 - Fort Myers Beach Area	R - Residential Category		0	0.00

### ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE (FIRM FAQ)				
Category 1	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
	A10:EL8	125124	0325	C	110492

[ Show ]

### APPRAISAL DETAILS

TRIM (proposed tax) Notices are available for the following tax years:  
[ 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 ]

[ Next Lower Parcel Number | Next Higher Parcel Number ]