

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

Blue Sheet No. 20060245

1. ACTION REQUESTED/PURPOSE: Conduct a public hearing to approve a Resolution to create the Emily Lane Water/Sewer Municipal Service Benefit Unit and a Resolution to Reimburse.

2. WHAT ACTION ACCOMPLISHES: Allows staff to set up a Municipal Taxing Benefit Unit to coordinate and manage a capital project to install a water and sewer system on Emily Lane.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 06

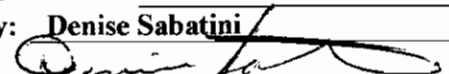
5:00 PM # 1

Meeting Date:

03-28-2006

6. Agenda:
 Consent
 Administrative
 Appeals
 Public 5:00 P.M.
 Walk-On

7. Requirement/Purpose: (specify)
 Statute 125.01 q
 Ordinance
 Admin. Code 3-15
 Other

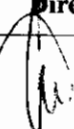
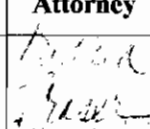
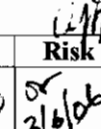
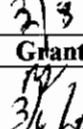
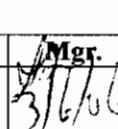
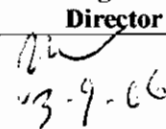
8. Request Initiated:
 Commissioner _____
 Department Public Resources
 Division MSTBU
 By: Denise Sabatini


9. Background: The proposed Emily Lane Water & Sewer MSBU is located in Lee County, Section 19, Township 46, Range 24. Property owners have submitted the required 51% requesting the Board of County Commissioners to create a Municipal Services Taxing Benefit unit, which will allow for the installation of a water and sewer system on Emily Lane. The estimated cost of this project is \$ 952,132.00 and consists of 84 parcels. The assessment methodology will be determined by an Equal Assessment Unit (EAU).

- Exhibits:**
- "A" Notice of Intent
 - "B" Proof of Publication
 - "C" Legal Description
 - "D" Map
 - "E" Tentative Assessment Roll

- Attachments:**
- "A" Statistical Sheet
 - "B" Letter to Property Owner

10. Review for Scheduling

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
									

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN
 3-3-06
 3:35
 COUNTY ADMIN
 FORWARDED TO:
 3/9/06
 8:30

Rec. by CoAtty
 Date: 3/3/06
 Time: 1:30pm
 Forwarded to:

PW

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA: DECLARING THE OFFICIAL INTENT OF THE COUNTY TO REIMBURSE ITSELF FROM THE PROCEEDS OF TAX EXEMPT DEBT FOR CERTAIN CAPITAL EXPENSES INCURRED AND TO BE INCURRED RELATING TO THE CONSTRUCTION OF THE EMILY LANE WATER AND SEWER MSBU; AUTHORIZING CERTAIN INCIDENTAL ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in connection with the construction of the “Emily Lane Water and Sewer MSBU” (a general description, attachment A), the County will incur expenses for which the County will advance internal funds; and

WHEREAS, the County intends to reimburse itself for all or a portion of such expenses from the proceeds of tax exempt debt to be incurred by the County.

NOW, THEREFORE, BE IT RESOLVED THAT THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA:

SECTION 1. Declaration of Official Intent.

The County hereby declares its official intent to reimburse itself from the proceeds of tax exempt debt to be incurred by the County for expenses paid with respect to the project subsequent to the date of this resolution. This resolution is intended as a declaration of official intent under treasury regulation §1.150-2. The original expenditure is expected to be paid from MSBU 10400 fund. The debt to be issued to finance the project is expected not to exceed an aggregate principal amount of \$800,000.

SECTION 2. Incidental Action.

The appropriate officials of the County are hereby authorized to take such actions as may be necessary to carry out the purpose of this Resolution.

SECTION 3. 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 _____
TAMMARA HALL _____
JOHN E. ALBION _____

DULY PASSED AND ADOPTED THIS 28th DAY OF MARCH, 2006.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK
BY: _____

BY: _____
Tammara Hall—Chairwoman

APPROVED AS TO FORM:

BY: _____
Office of County Attorney

Attachment "A"

Background: The proposed Emily Lane Water & Sewer MSBU is located in Lee County, Section 19, Township 46, Range 24. Property owners have submitted the required 51% requesting the Board of County Commissioners to create a Municipal Services Taxing Benefit unit, which will allow for the installation of a water and sewer system on Emily Lane. The estimated cost of this project is \$ 952,132.00 and consists of 84 parcels. The assessment methodology will be determined by an Equal Assessment Unit (EAU).

The property owners feel that installing a new water/sewer system, a grave ecological occurrence will be avoided. Lee County Utilities has inspected this site and is encouraging the new system.

LEE COUNTY RESOLUTION NO. _____

RESOLUTION RELATING TO THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA: CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "EMILY LANE WATER AND SEWER MUNICIPAL SERVICES BENEFIT UNIT" FOR THE PURPOSE OF PROVIDING FOR THE ACQUISITION, CONSTRUCTION OF VARIOUS ESSENTIAL MUNICIPAL SERVICES, FACILITIES AND IMPROVEMENTS; PRESCRIBING THE BOUNDARIES OF SAID UNIT, ALL WITHIN THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA; AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF A PROJECT WITHIN THE UNIT AND THE LEVYING OF SPECIAL ASSESSMENTS TO FINANCE SUCH A PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$952,132 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON AN EQUAL ASSESSMENT UNIT (EAU); ESTABLISHING THAT THIS NON-AD VALOREM ASSESSMENT MAY BE COLLECTED, IN PART, PURSUANT TO THE UNIFORM COLLECTION ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01(1)(q), Florida Statutes, grants the Board of County Commissioners of a charter county the power to establish a municipal service benefit unit for any part or all of the unincorporated areas of the County within which may be provided fire protection, law enforcement, beach erosion control, recreation services and facilities, water, streets, sidewalks, street lighting, garbage and trash collection and disposal, waste and sewage collection and disposal, drainage, transportation and other essential facilities;

WHEREAS, the Board of County Commissioners of Lee County, Florida (the "Board"), on November 24, 1998, enacted Ordinance No. 98-25 (the "Ordinance"), which Ordinance provides for the creation by resolution of municipal service benefit units within the County to provide essential municipal services, facilities and improvements in the unincorporated area of Lee County, Florida (the "County");

WHEREAS, the County has published and mailed notice, as required by the Ordinance, of a meeting of the Board to hear the proposed benefit unit and to consider adoption of a resolution creating such unit, a copy of such notice and the proof of publication of which are attached hereto as Exhibit A and B; respectively; and

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

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

SECTION 1. CREATION OF "EMILY LANE WATER AND SEWER MUNICIPAL SERVICES BENEFIT".

There is hereby created and established the **EMILY LANE WATER AND SEWER MUNICIPAL SERVICES BENEFIT UNIT** (Unit) under the authority of Section 125.01, Florida Statutes, and pursuant to the provisions of the Ordinance. The Unit shall consist of all real property in the unincorporated area of Lee County, Florida outlined on Exhibit C attached hereto.

SECTION 2. PURPOSE FOR CREATION OF UNIT.

The Unit is created for the principal purpose of acquiring, constructing or otherwise providing and maintaining various essential municipal services, facilities and improvements within the Unit.

SECTION 3. THE PROJECT.

The Board hereby determines that the water and sewer improvements (the "Project"), within the boundaries of said Unit is in the best interests of the County and the property owners in the Unit. The estimated Cost (as such term is defined in the Ordinance) of the Project is \$952,132. The Board hereby finds that the formation and completion of the Project within the Unit is an improvement which will primarily benefit those lots an parcels of property within the Unit in a manner that is in addition to or different from the benefit that the general public will enjoy. The Cost of the project shall be assessed in

accordance with the terms of the Ordinance. All funds borrowed, from either an internal County source or from an external source, and expended during the project are to be reimbursed with the long-term finance obtained upon the completion of the project.

SECTION 4. PROPOSED METHOD OF ASSESSMENT.

The proposed method of assessment to be made upon benefited property within the Unit is by EQUAL ASSESSMENT UNIT (EAU). Each lot or parcel of property within the Unit shall be assessed in proportion to the benefit the lot or parcel derives from the Project.

SECTION 5. INTEREST RATE AND TERMS OF SPECIAL ASSESSMENTS.

The interest rate on the special assessments levied and imposed in regard to the Project shall be one percent greater than the interest rate the County is able to borrow at time of financing. No prepayments of special assessments shall be accepted prior to adoption of the final resolution confirming the preliminary assessment roll. Upon adoption of such confirming resolution, special assessments may be prepaid in full, without interest, other than interest included as a cost during construction of the related improvement, at the office of MSTBU Services within 30 days of adoption of such confirming resolution. Special assessments may be collected pursuant to the Uniform Assessment Collection Act in fifteen (15) equal annual principal installments with interest at the above described rate, subject to the provision of Section 4.01 of the Ordinance.

SECTION 6. POWERS.

For the purpose of providing the services within the Unit, describing in this Resolution, the County shall have all the authority and powers provided in the Ordinance and Chapter 125, Florida Statutes. Should a parcel as described in the legal description attached hereto be subdivided, the assessment will remain with the parent parcel, unless the MSTBU Coordinator is notified prior

to the subdivision. Upon notification the MSTBU may reallocate any remaining assessment due among parcels involved in the subdivision.

SECTION 7. EFFECT OF ADOPTION OF RESOLUTION.

The adoption of this Resolution will be the final adjudication of the issues presented hereby unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of adoption of this Resolution.

SECTION 8. 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	_____
TAMMARA HALL	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS 28TH DAY OF MARCH, 2006.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____

BY: _____
TAMMARA HALL—CHAIRWOMAN

APPROVED AS TO FORM:

BY: _____
Office of County Attorney

Exhibit "A"

NOTICE OF INTENT TO ENACT COUNTY RESOLUTION CREATING A MUNICIPAL SERVICE BENEFIT UNIT

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 28th day of March 2006, 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 creating a Municipal Service Benefit Unit pursuant to Article VIII, Section 1, of the State Constitution, and Chapter 125, Florida Statutes. The title of the proposed Resolution is as follows:

RESOLUTION RELATING TO THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA: CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "EMILY LANE WATER/SEWER MUNICIPAL SERVICES BENEFIT UNIT" FOR THE PURPOSE OF PROVIDING FOR THE ACQUISITION, CONSTRUCTION OF VARIOUS ESSENTIAL MUNICIPAL SERVICES, FACILITIES AND IMPROVEMENTS; PRESCRIBING THE BOUNDARIES OF SAID UNIT, ALL WITHIN THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA; AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF A PROJECT WITHIN THE UNIT AND THE LEVYING OF SPECIAL ASSESSMENTS TO FINANCE SUCH A PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$952,132 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON AN EQUAL ASSESSMENT UNIT (EAU); ESTABLISHING THAT THIS NON-AD VALOREM ASSESSMENT MAY BE COLLECTED, IN PART, PURSUANT TO THE UNIFORM COLLECTION ACT; AND PROVIDING AN EFFECTIVE DATE.

Copies of the Resolution 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.

Copies of the Resolution 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 project consists of installing a water and sewer system on Emily Lane, Lee County and the estimated cost of the project is \$952,132. The proposed method of assessment will be an Equal Assessment Unit (EAU) basis.

Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed Resolution. All objections to the resolution 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 resolution, the Board shall consider the resolution with such amendments as it deems appropriate or necessary. The adoption of the resolution 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 Resolution.

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 resolution shall take effect immediately upon their adoption by the Board of County Commissioners.

The text of this Notice is pursuant to and in conformance with Section 125.66 Florida Statutes (2005).

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

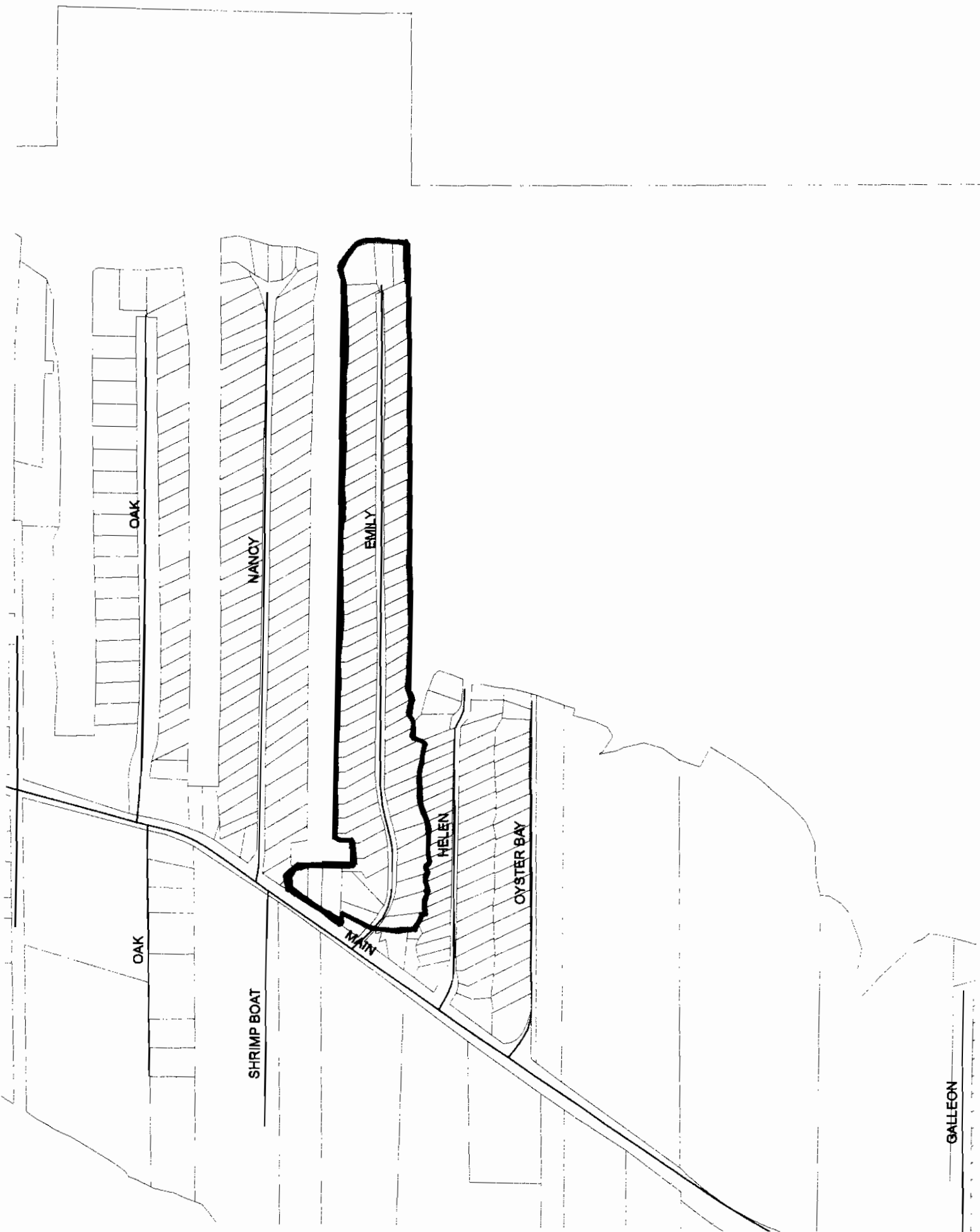
By: _____
Charlie Green, Ex-Officio
Clerk to the Board of County
Commissioners of Lee County,
Florida

APPROVED AS TO FORM:

By: _____
County Attorney's Office

P.O. # Direct Voucher

PUBLISHING DATE March 8, 2006
2" X 5" ad



OAK

OAK

SHRIMP BOAT

NANCY

EMILY

HELEN

OYSTER BAY

MAIN

GALLEON

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

Kathy Allebach

who on oath says that he/she is the

Legal Assistant

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

Notice of Intent

In the court was published in said newspaper in the issues of

March 8, 2006

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.

Sworn to and subscribed before me this

8th day of March 2006 by

Kathy Allebach

personally known to me or who has produced

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

Notary Public

Print Name

NOTARY PUBLIC
Gladys D. Vanderbeck
Commission # DD378967
Expires December 13, 2008
STATE OF FLORIDA Bonded Troy Fahn - Insurance, Inc. 800-365-7019

My commission Expires

LEE COUNTY
FOURTEENTH JUNE 1820

NOTICE OF INTENT TO ENACT COUNTY RESOLUTION CREATING A MUNICIPAL SERVICE BENEFIT UNIT

TO WHOM IT MAY CONCERN

NOTICE IS HEREBY GIVEN that on the 28th day of March 2006, 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 adoption of the Resolution Creating a Municipal Service Benefit Unit pursuant to Article VIII, Section 12, Florida Statutes. The title of the proposed Resolution is as follows:

RESOLUTION RELATING TO THE UNIFORM WATER AND SEWER LEE COUNTY, FLORIDA: CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "EMILY LANE WATER/SEWER MUNICIPAL SERVICES BENEFIT UNIT" FOR THE PURPOSE OF PROVIDING FOR THE ACQUISITION, CONSTRUCTION OF VARIOUS ESSENTIAL MUNICIPAL SERVICES, FACILITIES AND IMPROVEMENTS INCLUDING THE CONSTRUCTION OF SAID UNIT, ALL WITHIN THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA, AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF A PROJECT WITHIN THE UNIT; AND THE LIFTING OF THE SPECIAL ASSESSMENTS TO FINANCE SUCH A PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$952,132 AND THE PROPOSED METHOD OF ASSESSMENT TO BE AN EQUAL ASSESSMENT UNIT WAIVER; ESTABLISHING THAT THIS NON-AD VALUATION ASSESSMENT MAY BE COLLECTED, IN PART, PURSUANT TO THE UNIFORM COLLECTION ACT; AND PROVIDING AN EFFECTIVE DATE.

Copies of the Resolution 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 portion of the project consists of installing a water and sewer system on Emily Lane, Lee County, and the estimated cost of the project is \$952,132. The proposed method of assessment will be an Equal Assessment (per \$2.00) Basis.

Interested parties may appear at the meeting in person or through counsel and be heard with respect to the adoption of the proposed Resolution. All objections to the Resolution must be in writing and filed with the County MSTBU Services on or before the time of the adjourned time of the hearing. Upon consideration of the objection and the resolution, the Board shall consider the resolution with such amendments as it deems appropriate or necessary. The adoption of the resolution 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 Resolution.

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 resolution shall take effect immediately upon their adoption by the Board of County Commissioners.

The text of this Notice is pursuant to and in conformance with Section 125.66 Florida Statutes (2005).

NO. 002006-118
REF. D030806-118

BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

Exhibit "C"

Legal Description

Emily Lane Condo OR 1724, PG 1128:

Units 2, 3 & 4, 4A through 41

Units 43 through 83

Units 85 through 86

Unit 87 Part of Unit 88 Description in OR 1798 PG 2537

EXHIBIT "D"

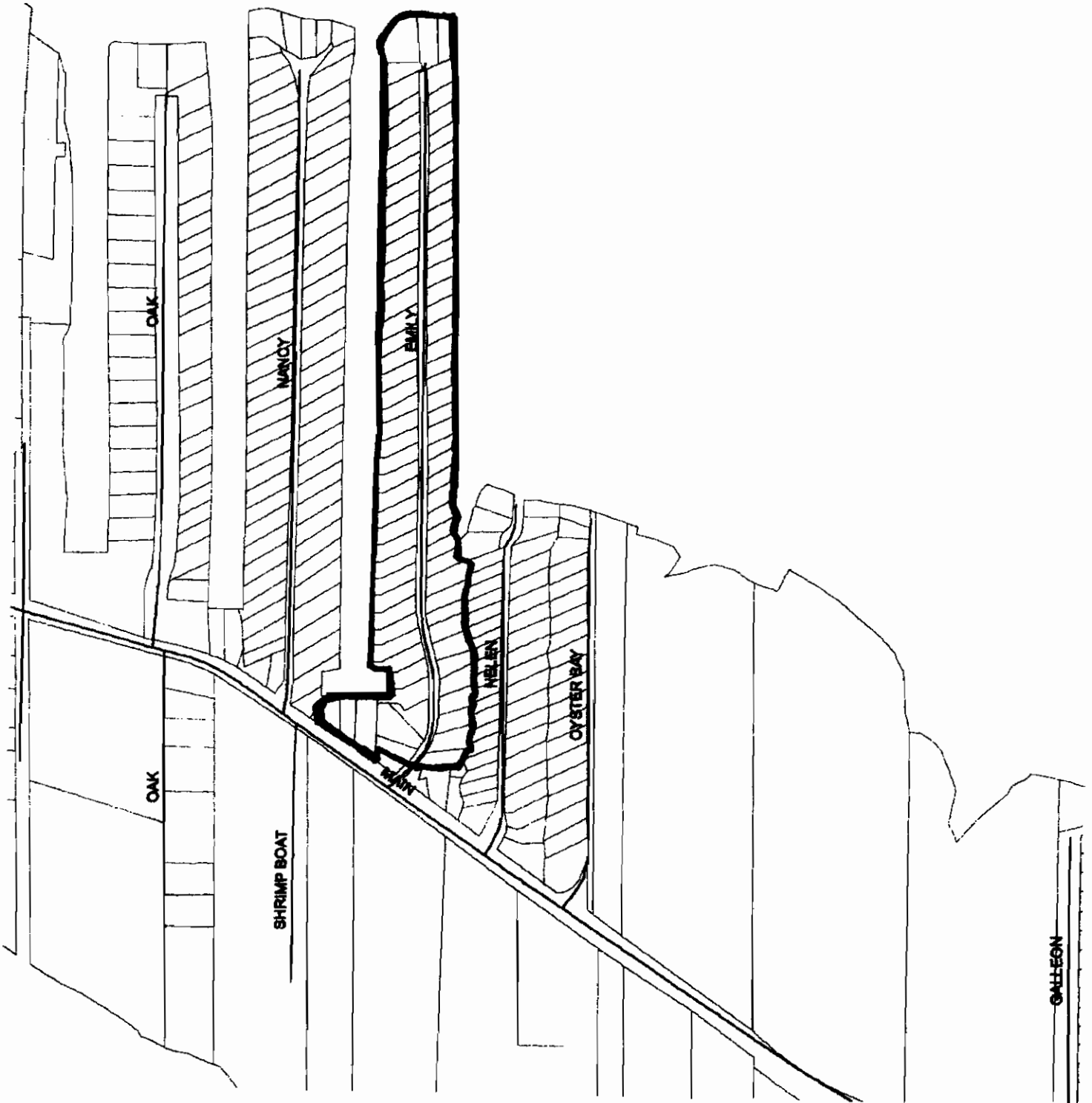


Exhibit "E"

PROPERTY OWNERSHIP REPORT

Date of Report: March 02, 2006

Parcels Selected: 84

Source: Lee County Property Appraiser

**EACH PROPERTY = 1 EAU = \$11,335: MAXIMUM ANNUAL WITH INTEREST = \$1,805;
MAXIMUM WITH INTEREST = \$19,723**

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>
HAYNES G DAVID 203 E 2ND ST FOWLER IN 47944	19-46-24-37-00000.0020 2 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 2
BETTS TERRY F + SANDRA J 17760 BROADWAY AV FORT MYERS BEACH FL 33931	19-46-24-37-00000.0030 4 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 3 + 4
MCNEIL DEWEY + 4 EMILY LN #A FORT MYERS BEACH FL 33931	19-46-24-37-00000.004A 4 EMILY LN #A FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 4A
MILEY STEPHEN K + DONNA J 17840 CHESTERFIELD RD NORTH FORT MYERS FL 33917	19-46-24-37-00000.0050 5 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 5
KOLATA RONALD J + PATRICIA W 11316 GIDEON LN CINCINNATI OH 45249	19-46-24-37-00000.0060 6 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 6
JONES HAROLD E + VIRGIE 7 EMILY LANE FT MYERS BEACH FL 33931	19-46-24-37-00000.0070 7 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 7
NEWBERRY ROBERT LEE PO BOX 1331 RUSKIN FL 33575	19-46-24-37-00000.0080 8 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 8
WORTH ROBERT L + TERRY L 8048 N SANTA MONICA BLVD FOX POINT WI 53217	19-46-24-37-00000.0090 9 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 9
TRAYWICK BERNARD R + PAMELA 90 HOWE LN HOLLIS NH 03049	19-46-24-37-00000.0100 10 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 10
BREWER BETH 11 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0110 11 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 11
CARLSON CYNTHIA ANN + 10210 219TH ST N FOREST LAKE MN 55025	19-46-24-37-00000.0120 12 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 12
GIZZI RICHARD P + MARY E 7491 SIKI DEER WAY FORT MYERS FL 33912	19-46-24-37-00000.0130 13 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 13
DYKSTRA TERENCE B 14 EMILY LN FORT MYERS FL 33931	19-46-24-37-00000.0140 14 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 14
MORRIS LEONARD C 15 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0150 15 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 15
BEVELACQUA JOHN TR 896 BUTTONWOOD DR #112 FORT MYERS BEACH FL 33931	19-46-24-37-00000.0160 16 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 16
SCHRUNK DON E + TERRACE L 17 EMILY LN FT MYERS BEACH FL 33931	19-46-24-37-00000.0170 17 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 17

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>
BEVELACQUA JOHN TR 896 BUTTONWOOD AV #112 FORT MYERS BEACH FL 33931	19-46-24-37-00000.0180 18 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 18
PICKETT LESLIE E + PATRICIA H 19 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0190 19 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 19
WHITEHEAD CHARLES K + DEBORAH 20 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0200 20 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 20
CRANE DOYLE E + ROSE M 615 TETON CIRCLE CAROL STREAM IL 60188	19-46-24-37-00000.0210 21 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 21
DUNLAP TIMOTHY E + LINDA L 604 S MAIN ST FORT ATKINSON WI 53538	19-46-24-37-00000.0220 22 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 22
EASTMAN DONALD 23 EMILY LN FT MYERS BEACH FL 33931	19-46-24-37-00000.0230 23 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 23
HENDRY RALPH B + KAREN M 24 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0240 24 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 24
WHITEHEAD ALVIN R + JANET C 7211 COUNTY ROAD 28 ZANESFIELD OH 43360	19-46-24-37-00000.0250 25 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 25
FAIR RITA 26 EMILY LN FT MYERS BEACH FL 33931	19-46-24-37-00000.0260 26 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 26
CRIVELLO JAMES +TAMMY 36802 GENESSE LAKE RD OCONOMOWOC WI 53066	19-46-24-37-00000.0270 27 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 27
LEVESQUE BRUCE J + 28 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0280 28 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 28
RICHARDSON D ALAN 29 EMILY LANE FORT MYERS FL 33931	19-46-24-37-00000.0290 29 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 29
STRALEY BERNARD K + 8466 BEACON BLVD FORT MYERS FL 33907	19-46-24-37-00000.0300 30 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 30
GRUBER JAY + ALLISON 5121 ATLANTIC CT CAPE CORAL FL 33904	19-46-24-37-00000.0310 31 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 31
KRUG DANIEL 32 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0320 32 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 32
RUDDICK ROGER A + MARY ELLEN 33 EMILY LN FT MYERS BEACH FL 33931	19-46-24-37-00000.0330 33 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 33
DAVIES JAMES L + EDNA G H/W 204 SEGAR RD HORSEHEAD NY 14845	19-46-24-37-00000.0340 34 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 34
KUEHNE RALPH PETER + NANCY E 35 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0350 35 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 35

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
MITCHELL JOHN T + BERNADETTE Y 61 TEMPLE ST SPENCER MA 01562	19-46-24-37-00000.0360 36 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 36
DAVIS BRUCE A 37 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0370 37 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 37
CRAMER GARY L 740 KINGSWOOD DR LIME OH 45804	19-46-24-37-00000.0380 38 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 38
WHITE NICHOLAS J + LINDA S 39 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0390 39 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 39
TROCZYNSKI CHESTER R 4511 W TERRITORIAL RD DEXTER MI 48130	19-46-24-37-00000.0400 40 EMILY LN FORT MYERS BEACH FL 33931	EMILY LAND CONDO OR 1724 PG 1128 UNIT 40
TROCZYNSKI CHESTER R 40 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0410 41 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 41
WINTER ALBERT D + JOAN 43 EMILY LN FORT MYERS FL 33931	19-46-24-37-00000.0430 43 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 43
YARNES GERALD J + REBECCA L 138 GILLARD AVE SE BUFFALO MN 55313	19-46-24-37-00000.0440 44 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 44
MAGNARINI ELLEN TR 45 EMILY LANE FT MYERS BEACH FL 33931	19-46-24-37-00000.0450 45 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE COND OR 1724 PG 1128 UNIT 45
TENNEY TOM + LINDA 336 LAWRENCE BLVD E WABASHA MN 55981	19-46-24-37-00000.0460 46 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 46
CARBONA EUGENE A + MAUREEN E 6220 BROOKSHIRE TER FT MYERS FL 33912	19-46-24-37-00000.0470 47 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 47
WEBER JAMES M + WANDA L 6063 STATE ROUTE 380 WILMINGTON OH 45177	19-46-24-37-00000.0480 48 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 48
KONING KEES 49 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0490 49 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 49
BRANDANO JOSEPH P + ELEANOR M 50 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0500 50 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 50
ANDREW RALPH + CINDY PO BOX 2432 FORT MYERS BEACH FL 33932	19-46-24-37-00000.0510 51 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 51
HARVILL DAN M + JOYCE A 52 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0520 52 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 52
STEVICK PATRICIA A 11350 S JACKSON RD CEMENT CITY MI 49233	19-46-24-37-00000.0530 53 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 53
PIERZCHALA JOHN M 54 EMILLY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0540 54 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 54
WILLIAMS PAUL F + CAROL J 6770 JOHN RIVERS RD FAIRBURN GA 30213	19-46-24-37-00000.0550 55 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 55

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
ROBERTSHAW RICHARD L + STELLA UPWOOD HALL WEST MORTON REIGHLEY WEST YORKSHIRE UNITED KINGDOM	19-46-24-37-00000.0560 56 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 56
LOESSER THOMAS J + RITA J 33 WESTWOOD DR TIFFIN OH 44883	19-46-24-37-00000.0570 57 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 57
HALL MICHAEL J + 58 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0580 58 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 58
SMITH RONALD J + 26974 COOK RD OLMSTED FALLS OH 44138	19-46-24-37-00000.0590 59 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 59
HOAG JAMES F JR 60 EMILY LN FT MYERS BEACH FL 33931	19-46-24-37-00000.0600 60 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 60
FRASE DENNIS J + KATHLEEN 8 FORMAN RD ENGLISH TOWN NJ 07726	19-46-24-37-00000.0610 61 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 61
1031 TAX FREE STRATEGIES 226 MIRAMAR ST FORT MYERS BEACH FL 33931	19-46-24-37-00000.0620 62 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 62
HAEFNER JAMES E + KIMBERLY C 63 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0630 63 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 63
HILLIER WILLARD NORRIS + 15 SEVERANCE ST HAMPDEN ME 04444	19-46-24-37-00000.0640 64 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 64
MORGAN DON 9235 BELLEZA WAY #201 FORT MYERS FL 33908	19-46-24-37-00000.0650 65 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 65
GROLL KATHE D 1617 CEDARBROOK ST LAKE PLACID FL 33852	19-46-24-37-00000.0660 66 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 66
RICHARDSON FRED + DOTTIE 67 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0670 67 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 67
PILCHER ROBERT + 68 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0680 68 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 68
JOHNSON BYRON + MARYLOU 5120 SAINT ALBANS BAY RD EXCELSIOR MN 55331	19-46-24-37-00000.0690 69 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 69
PLUMMER JANE 340 FAIRWEATHER LN FT MYERS BEACH FL 33931	19-46-24-37-00000.0700 70 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 70
WADDELL DONALD L + SUSAN KIM 1519 N 350 E SHELBYVILLE IN 46176	19-46-24-37-00000.0710 71 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 71
HOLMES RANDAL R 2002 S 75TH ST WEST ALLIS WI 53219	19-46-24-37-00000.0720 72 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 72
WHITE WINSTON A 70 S R 60 S NEW LONDON OH 44851	19-46-24-37-00000.0730 73 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 73

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>
MERIDETH SARAH D 74 EMILY LN FT MYERS BEACH FL 33931	19-46-24-37-00000.0740 74 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 74
WIESMAN KATHERINE LORRAINE + 75 EMILY LANE FT MYERS BEACH FL 33931	19-46-24-37-00000.0750 75 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 75
NEELON PETER C 837 SAINT CLAIRE AVE ERIE PA 16505	19-46-24-37-00000.0760 76 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 76
PICARD BRUCE G SR + KATHERINE 77 EMILY LANE FT MYERS BEACH FL 33931	19-46-24-37-00000.0770 77 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 77
ZEINERT LEE E TR P O BOX 6271 FORT MYERS BEACH FL 33932	19-46-24-37-00000.0780 78 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 78
MENDRES MARTINA 79 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0790 79 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 79
LOY LARRY + WANDA 7541 KINLOU RD KINMUNDY IL 62854	19-46-24-37-00000.0800 80 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 80
MARTIN SUSAN R 81 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0810 81 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 81
TAGTMEIR LORRAINE 82 EMILY LANE FT MYERS BEACH FL 33931	19-46-24-37-00000.0820 82 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 82
BEHM EDWIN E 83 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0830 83 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 83
ROSS WILLIAM C + KATHRYN M 85 EMILY LN FORT MYERS BEACH FL 33931	19-46-24-37-00000.0850 85 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 85
CHILDS L LYNETTE + 1605 MAIN ST FORT MYERS BEACH FL 33931	19-46-24-37-00000.0860 86 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR 1724 PG 1128 UNIT 86
JANKOWSKI JEAN A W377 S11050 BETTS RD EAGLE WI 53119	19-46-24-37-00000.0870 87 EMILY LN FORT MYERS BEACH FL 33931	EMILY LANE CONDO OR1724 PG1128 UT 87 PT OF UT 88 DESC IN OR1798-2537

84 RECORDS PRINTED

Attachment "A"

STATISTICAL REPORT

MSBU: Emily Lane Water and Sewer MSBU
TYPE OF BENEFIT: Water and Sewer
LOCATION OF DISTRICT: San Carlos Island, Lee County
METHOD OF PAYMENT: Equal Assessment Unit

FORMAL PETITION RESULTS

Assessed Value: \$952,132

	Number	%
Total # of Parcels	84	100%
Required Number of Signatures	43	51%
Actual Number of Notarized Signatures	48	57%

Attachment "B"

(239) 335-2186

March 8, 2006

Name
Address
City, State, Zip

Dear Property Owner:

On Tuesday, March 28, 2006 at 5:00 P.M., in the County Commissioner Meeting Room of the Lee County Courthouse, Fort Myers, Florida, a public hearing will be held regarding the creation of the Emily Lane Water and Sewer Municipal Service Benefit Unit. The Resolution to be considered is titled as follows:

RESOLUTION RELATING TO THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA: CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "EMILY LANE WATER AND SEWER MUNICIPAL SERVICES BENEFIT UNIT" FOR THE PURPOSE OF PROVIDING FOR THE ACQUISITION, CONSTRUCTION OF VARIOUS ESSENTIAL MUNICIPAL SERVICES, FACILITIES AND IMPROVEMENTS; PRESCRIBING THE BOUNDARIES OF SAID UNIT, ALL WITHIN THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA; AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF A PROJECT WITHIN THE UNIT AND THE LEVYING OF SPECIAL ASSESSMENTS TO FINANCE SUCH A PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$952,132 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON AN EQUAL ASSESSMENT UNIT (EAU); ESTABLISHING THAT THIS NON-AD VALOREM ASSESSMENT MAY BE COLLECTED, IN PART, PURSUANT TO THE UNIFORM COLLECTION ACT; AND PROVIDING AN EFFECTIVE DATE.

The area to be encompassed by the proposed Unit shall consist of real property located in Sections 19; Township 46, Range 24 in Lee County as depicted in the attached map.

The estimated cost of the Project is \$952,132.00, which shall be paid as a special assessment on the properties within the Unit, which are specially benefited by the Project. The proposed method of assessment for purposes of paying the costs of the project is on an Equal Assessment Unit basis to be billed as a non-ad valorem special assessment. Payments will be billed as a non-ad valorem special assessment on your annual tax bill, beginning November 2007. Failure to pay the special assessment may cause a tax certificate to be issued against the property, which may result in the loss of title.

Should the proposed Unit be created, the Board of County Commissioners of Lee County, Florida (the "Board") shall act as its governing body, and, acting on behalf of the Unit, will obtain the necessary financing and contract for the acquisition and construction of the Project. At the public hearing on the creation of the Unit, the Board will hear further public input regarding the acquisition and construction of the Project and establishment and apportionment of special assessments within the Unit.

The adoption of the resolution creating the Unit will 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 adoption of such resolution. You are advised that any person wishing to appeal any decision of the Board with respect to any matter considered will need a record and may wish to ensure that a verbatim record is made.

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 of this notice will become a part of the Public Record. If you have any questions, please call 335-2186. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Public Resources Office at (239) 335-2269 at least seven days prior to the date of the hearing.

Sincerely,

Denise Sabatini
MSTBU Coordinator

attachment: Map



OAK

NANCY

EMILY

HELEN

OYSTER BAY

OAK

SHRIMP BOAT

MAIN

GALLEON