

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

Blue Sheet No. 20050933

1. ACTION REQUESTED/PURPOSE: Conduct a public hearing to approve a Resolution to create the Homestead Lane Road Paving 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 pave Homestead Lane.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 06 **5:00 #4**

Meeting Date: 08-09-2005

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
Denise Sabatini 6/2/10

9. Background: The proposed Homestead Lane Road Paving MSBU is located in Lee County, Sections 01, 07, and 12, Township 44, Range 25. 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 paving of Homestead Lane. The estimated cost of this project is \$ 880,743.00 and consists of 46 parcels. The assessment methodology will be determined by a split assessment between front footage (\$ 59.00 per Front Foot) and acreage (\$ 2,018.00 per acre).

The Administrative Code 3-15 requires signatures from 51% of the property owners OR signatures from 51% of the homesteaded property owners. The homestead method of petitioning has been used. There are a total of 21 homesteaded properties. 11 petitions from the homesteaded properties have been received (52%).

- 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.	
<i>W</i>					<i>OK</i> 6/2/05	<i>OK</i> 6/2/05	<i>OK</i> 6/2/05	<i>OK</i> 7/1/05	<i>OK</i> 7-12-05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
 Date: 8/11/05
 Time:
 Forwarded To:

RECEIVED BY
 COUNTY ADMIN:
 10-29-05
 10:45
 COUNTY ADMIN
 FORWARDED TO:
 7/13/05
 9:30 AM

RESOLUTION RELATING TO THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA: CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "HOMESTEAD LANE PAVING MUNICIPAL SERVICE 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 PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$880,743 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON A FRONT FOOTAGE/ACREAGE SPLIT BASIS; ESTABLISHING THAT THIS NON-AD VALOREM ASSESSMENT WILL 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 "HOMESTEAD LANE PAVING MUNICIPAL SERVICE BENEFIT UNIT".

There is hereby created and established the Homestead Lane Paving 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 road paving 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 \$880,743.00. The Board hereby finds that the formation and completion of the Project within the Unit is an improvement which will primarily benefit those lots and 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 a front footage/acreage split basis. 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	_____
TAMMY HALL	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS 9th DAY OF AUGUST, 2005.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____

BY: _____
Douglas St. Cerny, Chairman

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 9th day of August 2005, 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 "HOMESTEAD LANE ROAD PAVING 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 \$880,743 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON A FRONT FOOT/ACRAGE SPLIT; 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.

The area to be encompassed by the unit is described in the map below. The nature of the project consists of paving Homestead Lane, Lee County and the estimated cost of the project is \$880,743. The proposed method of assessment will be Front Footage/Acreage Split 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 (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: _____
County Attorney's Office

P.O. # Direct Voucher

PUBLISHING DATE July 15, 2005
2" X 5" ad

EXHIBIT "B"

NEWS-PRESS
Published every morning - Daily and
Sunday
Fort Myers, Florida
Affidavit of Publication

RECEIVED
PUBLIC SOURCES
2005 JUL 18 AM 8:24

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
July 15, 2005

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.

[Handwritten signature of Kathy Allebach]

Sworn to and subscribed before me this

15th day of July 2005 by

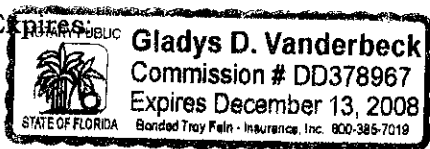
Kathy Allebach
personally known to me or who has produced

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

Notary Public [Handwritten signature of Gladys D. Vanderbeck]

Print Name _____

My commission Expires



LEE COUNTY
SOUTHWEST FLORIDA
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 9th
day of August 2005, at 5:00 P.M. in the County
Courthouse, 2120 Main Street, Fort Myers, Florida,
the Board of County Commissioners of Lee County,
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pursuant to Article VIII, Section 1, of the State
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FLORIDA: CREATING A MUNICIPAL SERVICE
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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,
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AND CONSTRUCTION OF A PROJECT WITHIN
THE UNIT AND THE LEVYING OF SPECIAL
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ESTABLISHING THE ESTIMATED COST TO BE
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AN EFFECTIVE DATE.
Copies of the Resolution are on file in the Office of the
Clerk of the Circuit Court of Lee County, Florida,
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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 paving Homestead Lane, Lee County and the
estimated cost of the project is \$880,743. The
proposed method of assessment will be Front
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Interested parties may appear at the meeting in
person or through counsel, and be heard with respect
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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
(2004).
PO: Sekulski BOARD OF COUNTY COMMISSIONERS
REF: D071505-196 OF LEE COUNTY, FLORIDA
Proposed Area of Homestead Lane Road Paving MSBU
[Map showing the proposed area of Homestead Lane Road Paving MSBU]

Exhibit "C"

Legal Description

1. Willis Subdivision

Plat Book 5 Page 47
Lots 1 through 40

2. Johnson & Parnells Subdivision

Plat Book 5 Page 17
Lots 1 through 3 plus lots 6 through 14 plus W 50' of lot 5

3. La Tosca Gardens Unit A

Pt Blk 2, 3, 4,
Plat Book 1 Page 27
Per OR 1704 Page 4426 Less 4.1

Pt Blk 3 and 4 S ½ of Lots 3, and all of 4, 5, Blk 3, and 4

Blk 4
Plat Book 8 Page 27
Pt Lots 1 and 2
Per OR 1671 Page 1215

Plat Book 8 Page 27
All Blks 5, 6, 7, and 8

4. Orange River Ranchettes UNR

Or 760 Page 281
Lot 4 Less E 281.15 Feet

OR 760 Page 281
Lot 5

Legal Description con't (page 2 of Exhibit "C")

PLUS:

- E 600 Feet of E $\frac{1}{2}$ of SE $\frac{1}{4}$ Lying S. of Rd OR 756/602 Less 5.0020 and 5.0030
- All that Pt of E $\frac{1}{2}$ of SE $\frac{1}{4}$ Lying S Orange River Blvd Except E 600 Feet
- E $\frac{1}{2}$ of W $\frac{1}{2}$ Less Parl 7.101 and Less Parc Desc OR 3931/1716
- N $\frac{1}{2}$ - SW $\frac{1}{4}$ - NE $\frac{1}{4}$ and W $\frac{1}{2}$ - W $\frac{1}{2}$ - NW $\frac{1}{4}$ -NE $\frac{1}{4}$ - S $\frac{1}{2}$ - NW $\frac{1}{4}$ -NE $\frac{1}{4}$
STRAP 12-44-25-00-00008.0000 OR 1873 PG 73
- N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Desc in OR 1608 PG 69
- E $\frac{1}{2}$ of E $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Desc in OR 1608 PG 68
- E $\frac{1}{2}$ of E $\frac{1}{2}$ of W $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ as Desc OR 2756/1405
- W $\frac{1}{2}$ of E $\frac{1}{2}$ of W $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$
- S $\frac{1}{2}$ of S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$
- W $\frac{1}{2}$ of N $\frac{1}{2}$ of S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Desc in OR 2214/2619
- E $\frac{1}{2}$ of N $\frac{1}{2}$ of S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Desc in OR 2214/2618
- E $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ as Desc in OR 1511 PF 1649
- The West 243 Feet of N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ as Desc OR 2496 PG 3449
- Parl in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ as Desc in OR 1888 PG 4605 Less W 131.64 Feet
- E 197 Feet of the W 450 Feet of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ as Desc OR 2516/2674
- BEG NE COR Run W 526.78 Feet to POB Then S 661.35 Feet as Desc OR2209
PG 1481
- S $\frac{2}{1}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$

Exhibit "D"

Proposed Area of Homestead Lane Road Paving MSBU

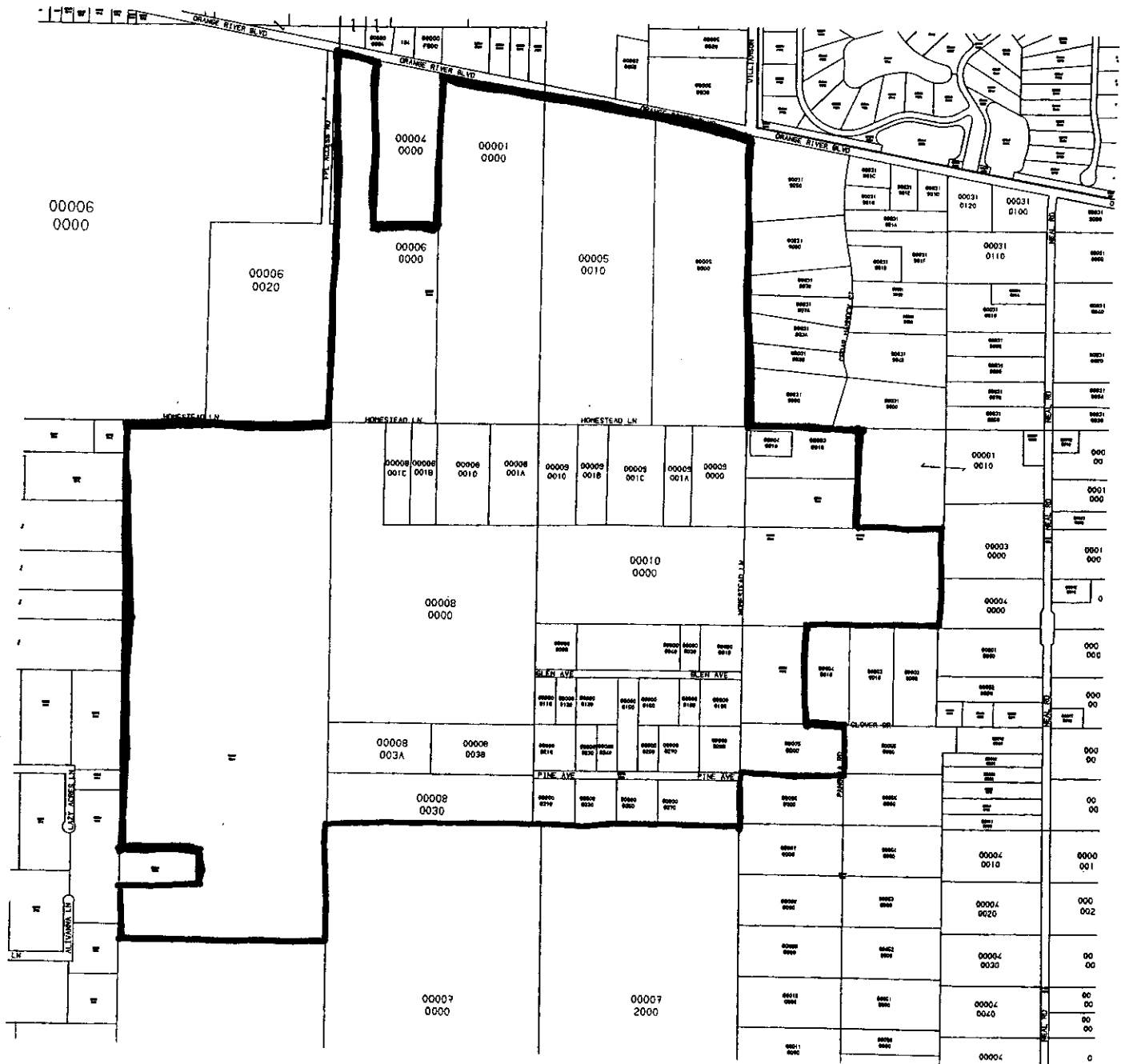


Exhibit "E"

Tentative Assessment Roll

Date of Report: June 24, 2005
Parcels Selected: 46
Source: Lee County Property Appraiser

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>Est. Assess.</u>	<u>LEGAL DESCRIPTION</u>
WINTER LESLIE A 12670 NEW BRITTANY BLVD #203 FORT MYERS FL 33907	01-44-25-00-00005.0000 11940 ORANGE RIVER BLVD FORT MYERS FL 33905	\$45,671	E 600 FT OF E 1/2 OF SE 1/4 LYING S OF RD OR 756/ 602 LES 5.0020 + 5.0030
HIGGINBOTHAM FRED ROGER + DANIEL E MILLER 635 DEEP CREEK RD NEW PORT NEWS VA 23606	01-44-25-00-00005.0010 11820 ORANGE RIVER BLVD FORT MYERS FL 33905	\$57,303	ALL THAT PT OF E 1/2 OF SE 1/4 LYING S ORANGE RIVER BLVD EXCEPT E 600 FT
EIGHTY ONE HUNDRED 2/3 + DANIEL E MILLER 7980 SUMMERLIN LAKES #201 FORT MYERS FL 33907	01-44-25-02-00001.0000 11700 ORANGE RIVER BLVD FORT MYERS FL 33905	\$53,586	JOHNSON + PARNELLS SUBD PB 5 PG 17 LOTS 1 THRU 3 + 11 THRU 14
FLORIDA POWER + LIGHT CO ATTN: PROPERTY TAX DEPT-JLM PO BOX 14000 JUNO BEACH FL 33408	01-44-25-02-00006.0000 11550 ORANGE RIVER BLVD FORT MYERS FL 33905	\$17,866	JOHNSON + PARNELLS SUBD PB 5 PG 17 LOTS 6 THRU 10 + W 50 FT OF LOT 5
STRAYHORN MICHAEL M 5690 HARBORAGE DR FT MYERS FL 33908	12-44-25-00-00007.0010 11450 HOMESTEAD LN FORT MYERS FL 33905	\$61,071	E 1/2 OF W 1/2 LESS PARL 7.101 + LESS PARC DESC OR 3931/1716
SEPIELLI VIRGINIA 4812 ARNOLD PALMON CT NORTH FORT MYERS FL 33903	12-44-25-00-00008.0000 11600 HOMESTEAD LN FORT MYERS FL 33905	\$28,892	N1/2-SW1/4-NE1/4 + W1/2-W1/2-NW1/4-NE1/4 + S1/2-NW1/4-NE1/4
SPENCER EDNA 11700 HOMESTEAD LANE FT MYERS FL 33905	12-44-25-00-00008.0010 11700 HOMESTEAD LN FORT MYERS FL 33905	\$28,869	N 1/2 OF NW 1/4 OF NE 1/4 DESC IN OR 1608 PG 69
BARSHINGER LEONARD K + SUSAN L PO BOX 50971 FT MYERS FL 33994	12-44-25-00-00008.001A 11740 HOMESTEAD LN FORT MYERS FL 33905	\$28,813	E 1/2 OF E 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4 DESC IN OR 1608 PG 68
REYNOLDS T G + ELIZABETH E 11640 HOMESTEAD LN FT MYERS FL 33905	12-44-25-00-00008.001B 11640 HOMESTEAD LN FORT MYERS FL 33905	\$14,527	E 1/2 OF E 1/2 OF W 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4
SCHLACHTA ROBERT E + 2571 FIRST ST FORT MYERS FL 33901	12-44-25-00-00008.001C 11620 HOMESTEAD LN FORT MYERS FL 33905	\$14,567	W 1/2 OF E 1/2 OF W 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4
WAGONER HARRY E 11810 HOMESTEAD LN FT MYERS FL 33905	12-44-25-00-00008.0030 11790 PINE AVE FORT MYERS FL 33905	\$19,874	S 1/2 OF S 1/2 OF SW 1/4 OF NE 1/4
LOPEZ SARETA W PO BOX 50892 FORT MYERS FL 33994	12-44-25-00-00008.003A 11781 PINE AVE FORT MYERS FL 33908	\$9,988	W 1/2 OF N 1/2 OF S 1/2 OF SW 1/4 OF NE 1/4 DESC IN OR 2214/2619
HELMERICH FRANK TR 5845 RIVERSIDE LANE FORT MYERS FL 33919	12-44-25-00-00008.003B 11791 PINE AVE FORT MYERS FL 33908	\$9,988	E 1/2 OF N 1/2 OF S 1/2 OF SW 1/4 OF NE 1/4 DESC IN OR 2214/2618
STOOF JOERG + NAZIHA 620 HENRY AVE LEHIGH ACRES FL 33936	12-44-25-00-00009.0000 11940 HOMESTEAD LN FORT MYERS FL 33905	\$49,194	E 1/2 OF NE 1/4 OF NE 1/4 OF NE 1/4 AS DESC IN OR 1511 PG 1649
MURIN JOHN H P O BOX 61335 N FT MYERS FL 33906	12-44-25-00-00009.0010 11800 HOMESTEAD LN FORT MYERS FL 33905	\$21,892	THE WEST 243 FT OF N 1/2 OF NE 1/4 OF NE 1/4

OWNER NAME AND ADDRESS	STRAP AND LOCATION	Est. Assess.	LEGAL DESCRIPTION
BOYD ELEANOR H TR 11880 HOMESTEAD LN FORT MYERS FL 33905	12-44-25-00-00009.001A 11880 HOMESTEAD LN FORT MYERS FL 33905	\$15,359	PARL IN NE 1/4 OF NE 1/4 AS DESC IN OR 1888 PG 4605 LESS W 131.64 FT
SARGENT CHET A 11840 HOMESTEAD LN FT MYERS FL 33905	12-44-25-00-00009.001B 11840 HOMESTEAD LN FORT MYERS FL 33905	\$18,934	E 197 FT OF THE W 450 FT OF NE 1/4 OF NE 1/4
FLINT ASHLEY 11860 HOMESTEAD LN FORT MYERS FL 33905	12-44-25-00-00009.001C 11860 HOMESTEAD LN FORT MYERS FL 33905	\$32,727	BEG NE COR RUN W526.78FT TO POB THEN S661.35FT AS DESC OR 2209 PG 1481
CLEMONS ROBT L + CAROLYN ANN P O BOX 51133 FT MYERS FL 33994	12-44-25-00-00010.0000 12071 HOMESTEAD LN FORT MYERS FL 33905	\$77,108	S 1/2 OF NE 1/4 OF NE 1/4.
ROSENDE ANTHONY + MARGARET 11981 GLEN AVE FT MYERS FL 33905	12-44-25-01-00000.0010 11981 GLEN AVE FORT MYERS FL 33905	\$13,093	WILLIS SUBD. PB 5 PG 47 LOTS 1 + 2
THOMAS LESLIE M SR + 11931 PINE AV FT MYERS FL 33905	12-44-25-01-00000.0030 11941 GLEN AVE FORT MYERS FL 33905	\$1,755	WILLIS SUBD PB 5 PG 47 LOT 3
BOCK JEFFREY E 509 COOLIDGE AV LEHIGH ACRES FL 33936	12-44-25-01-00000.0040 11921 GLEN AVE FORT MYERS FL 33905	\$9,261	WILLIS SUBD PB 5 PG 47 LOTS 4 THRU 8
PETERS DEWAYNE JR 2806 50TH ST SW LEHIGH ACRES FL 33971	12-44-25-01-00000.0090 11811 GLEN AVE FORT MYERS FL 33905	\$3,672	WILLIS SUBD PB 5 PG 47 LOTS 9 + 10
FISCHER ROBERT W 598 CAROLINA AV FORT MYERS FL 33905	12-44-25-01-00000.0110 11800 GLEN AVE FORT MYERS FL 33905	\$1,897	WILLIS SUBD PB 5 PG 47 LOT 11
FISCHER ROBERT W 598 CAROLINA AV FORT MYERS FL 33905	12-44-25-01-00000.0120 11810 GLEN AVE FORT MYERS FL 33905	\$1,877	WILLIS SUBD. PB 5 PG 47 LOT 12
MATSUMOTO TAI + BONITA A 11820 GLEN AVE FORT MYERS FL 33905	12-44-25-01-00000.0130 11820 GLEN AVE FORT MYERS FL 33905	\$3,834	WILLIS SUBD PB 5 PG 47 LOTS 13 + 14
HERZOG ADOLPHUS ALBERT JR 11880 GLEN AV FORT MYERS FL 33905	12-44-25-01-00000.0150 11880 GLEN AVE FORT MYERS FL 33905	\$3,713	WILLIS SUBD. PB 5 PG 47 LOTS 15 + 25.
RAY WADE W + LAURA A 11900 GLEN AV FORT MYERS FL 33905	12-44-25-01-00000.0160 11900 GLEN AVE FORT MYERS FL 33905	\$3,692	WILLIS SUBD PB 5 PG 47 LOTS 16 + 17
MCNABB BRIGITTE M 11982 GLEN AV FT MYERS FL 33905	12-44-25-01-00000.0180 11940 GLEN AVE FORT MYERS FL 33905	\$1,856	WILLIS SUBD PB 5 PG 47 LOT 18
MCNABB BRIGITTE M 11982 GLEN AV FT MYERS FL 33905	12-44-25-01-00000.0190 11982 GLEN AVE FORT MYERS FL 33905	\$13,032	WILLIS SUBD PB 5 PG 47 LOTS 19 + 20
NOWLING THOMAS LEE + 3751 BLUEBERRY LN ST JAMES CITY FL 33956	12-44-25-01-00000.0210 11801 PINE AVE FORT MYERS FL 33905	\$3,733	WILLIS SUBD PB 5 PG 47 LOTS 21 + 22
MATSUMOTO TAI + BONITA A 11820 GLEN AVE FORT MYERS FL 33905	12-44-25-01-00000.0230 11821 PINE AVE FORT MYERS FL 33905	\$1,897	WILLIS SUBD PB 5 PG 47 LOT 23
MATSUMOTO TAI + BONITA A 11820 GLEN AVE FORT MYERS FL 33905	12-44-25-01-00000.0240 11851 PINE AVE FORT MYERS FL 33905	\$1,856	WILLIS SUBD. PB 5 PG 47 LOT 24.

OWNER NAME AND ADDRESS	STRAP AND LOCATION	Est. Assess	LEGAL DESCRIPTION
HERZOG ADOLPHUS A JR 11890 GLEN AV FORT MYERS FL 33905	12-44-25-01-00000.0260 11901 PINE AVE FORT MYERS FL 33905	\$ 1,877	WILLIS SUBD PB 5 PG 47 LOT 26
THOMAS LESLIE M JR + 11931 PINE AV FT MYERS FL 33905	12-44-25-01-00000.0270 11931 PINE AVE FORT MYERS FL 33905	\$ 3,612	WILLIS SUBD PB 5 PG 47 LOTS 27 + 28
MCNABB BRIGITTE M 11982 GLEN AV FT MYERS FL 33905	12-44-25-01-00000.0290 11951 PINE AVE FORT MYERS FL 33905	\$ 12,667	WILLIS SUBD PB 5 PG 47 LOTS 29 + 30
GILBERT WALTER ESTATE C/O JUANITA VANDUYL EXEC 3611 BAXTER AV NASHVILLE TN 37216	12-44-25-01-00000.0310 11800 PINE AVE FORT MYERS FL 33905	\$ 3,753	WILLIS SUBD PB 5 PG 47 LOTS 31 + 32
GILBERT WALTER ESTATE C/O JOSEPH GILBERT 11840 PINE AVE FORT MYERS FL 33905	12-44-25-01-00000.0330 11820 PINE AVE FORT MYERS FL 33905	\$ 3,753	WILLIS SUBD PB 5 PG 47 LOTS 33 + 34
NOWLING THOMAS LEE + 3751 BLUEBERRY LN ST JAMES CITY FL 33956	12-44-25-01-00000.0350 11880 PINE AVE FORT MYERS FL 33905	\$ 3,692	WILLIS SUBD. PB 5 PG 47 LOTS 35 + 36.
CHURILLA MARK A P O BOX 50686 FORT MYERS FL 33994	12-44-25-01-00000.0370 11920 PINE AVE FORT MYERS FL 33905	\$ 7,224	WILLIS SUBD PB 5 PG 47 LOTS 37 THRU 40 INCL
COMBS BETTY J 12050 HOMESTEAD LN FORT MYERS FL 33905	07-44-26-01-00003.0010 12050 HOMESTEAD LN FORT MYERS FL 33905	\$ 18,206	LA TOSCA GDNS UTA PT BLK 2 3 4 PB 1 PG 27 PER OR 1704 PG 4426 LESS 4.1
SUMMERALL KENNETH + NAOMI R 12070 HOMESTEAD LN FORT MYERS FL 33905	07-44-26-01-00003.0040 12070 HOMESTEAD LN FORT MYERS FL 33905	\$ 29,131	LA TOSCA GARDENS UT A PT BLKS 3 + 4 S1/2 OF LTS 3 + ALL OF 4 + 5 BLK 3 + 4
COMBS BETTY J 12050 HOMESTEAD LN FORT MYERS FL 33905	07-44-26-01-00004.0010 12040 HOMESTEAD LN FORT MYERS FL 33905	\$ 11,248	LA TOSCA GARDENS UN A BLK 4 PB 8 PG 27 PT LOTS 1 + 2 PER OR 1671 PG 1215
OSBORNE DELBERT W L/E 5200 NEAL RD FT MYERS FL 33905	07-44-26-01-00005.0010 HOMESTEAD LN FT MYERS FL 33905	\$ 75,797	LA TOSCA GARDENS UNIT A PB 8 PG 27 ALL BLKS 5 6 7 + 8
FENNEN MARCIA W 12101 CLOVER DR FT MYERS FL 33905	07-44-26-04-00004.0000 12101 CLOVER DR FORT MYERS FL 33905	\$ 24,511	ORANGE RVR RANCHETTES UNR OR 760 PG 281 LOT 4 LESS E 281.15 FT
SCHULTZ VETA JANE + 5430 PANGOLA DR FT MYERS FL 33905	07-44-26-04-00005.0000 5430 PANGOLA RD FORT MYERS FL 33905	\$ 13,877	ORANGE RVR RANCHETTES UNR OR 760 PG 281 LOT 5

Attachment "A"

STATISTICAL REPORT

MSBU: Homestead Lane Road Paving MSBU

TYPE OF BENEFIT: Road Paving

LOCATION OF DISTRICT: Sections 01, 07, and 12; Township 44; Range 25; Lee County

METHOD OF PAYMENT: Front Footage/Acragage Split

FORMAL PETITION RESULTS

Assessed Value: \$880,743

Homestead Method

	Number	%
Total # of Parcels	46	N/A
Total # of Homesteaded Parcels	21	100%
Required Number of Homestead Property Owners' Signatures	11	51%
Actual Number of Notarized Signatures	11	52%

Attachment "B"

(239) 335-2186

July 19, 2005

Name
Address
City, State, Zip

Strap No.:

Dear Property Owner:

On Tuesday, August 9, 2005, 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 Homestead Lane Road Paving 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 "HOMESTEAD LANE PAVING MUNICIPAL SERVICE 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 PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$880,743 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON A FRONT FOOTAGE/ACREAGE SPLIT BASIS; ESTABLISHING THAT THIS NON-AD VALOREM ASSESSMENT WILL BE COLLECTED, IN PART, PURSUANT TO THE UNIFORM COLLECTION ACT; AND PROVIDING AN EFFECTIVE DATE.

Page 2

The area to be encompassed by the proposed Unit shall consist of real property located in Sections 01, 07, and 12; Township 44, Range 25 in Lee County as depicted in the attached map.

The estimated cost of the Project is \$880,743.00, 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 a Front Footage/Acreage Split 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 2006. 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.

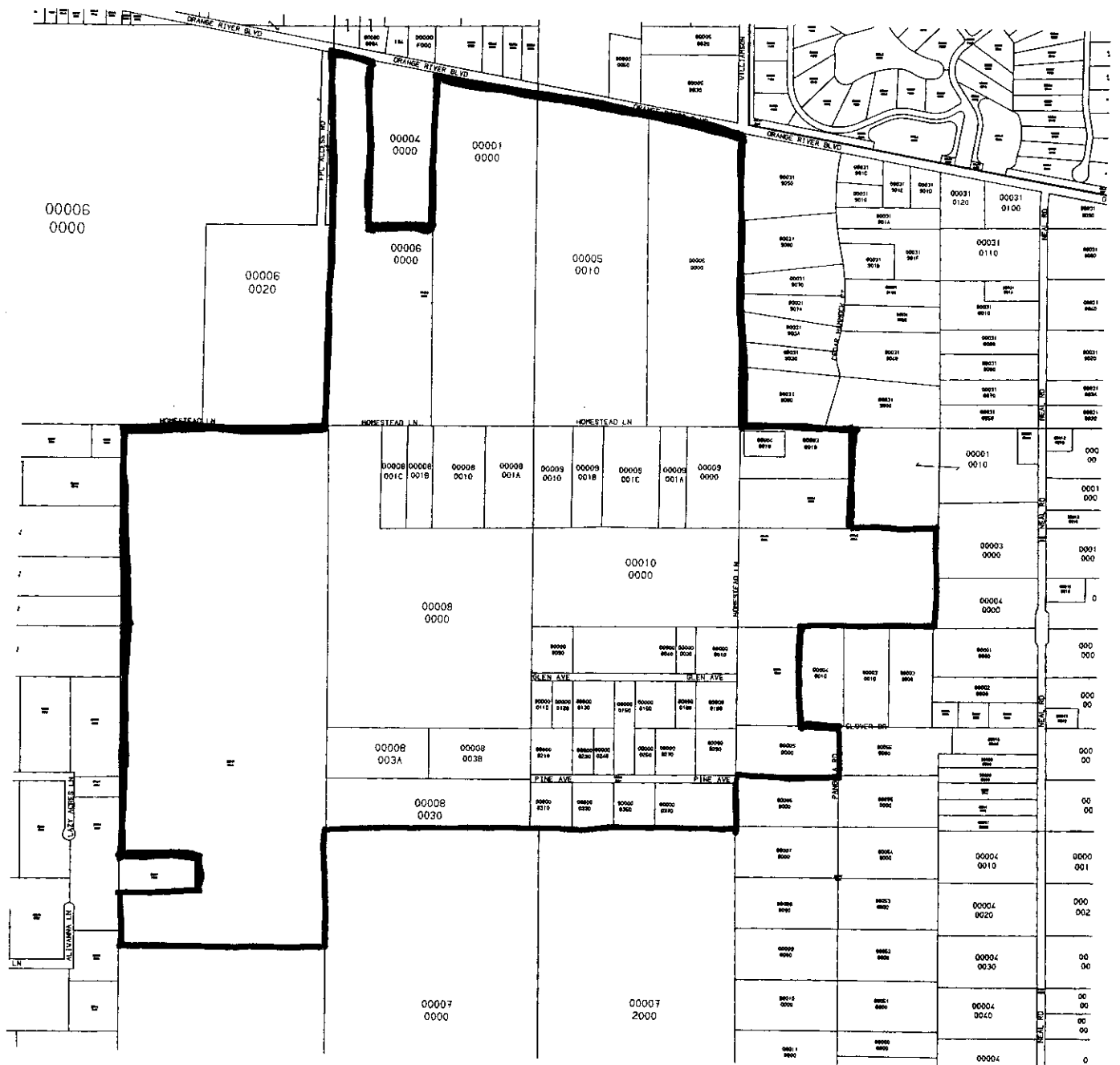
This Public Hearing is an opportunity for you to express your opinion or you may wish to write a letter to the sender at P. O. Box 398, Fort Myers, Florida 33902. All correspondence received within twenty (20) days of this notice will become a part of the Public Record. If you have any questions, please 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

Proposed Area of Homestead Lane Road Paving MSBU



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 HOMSTEAD LANE ROAD PAVING MSBU; AUTHORIZING CERTAIN INCIDENTAL ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in connection with the construction of the "Homestead Lane Road Paving 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 \$700,000.

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 _____
TAMMY HALL _____
JOHN E. ALBION _____

DULY PASSED AND ADOPTED THIS 9th DAY OF AUGUST, 2005.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

BY: _____

BY: _____
Douglas St. Cerny

APPROVED AS TO FORM:

BY: _____
Office of County Attorney

Attachment "A"

Background: The proposed Homestead Lane Road Paving MSBU is located in Lee County, Sections 01, 07, and 12, Township 44, Range 25. 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 paving of Homestead Lane. The estimated cost of this project is \$ 880,743.00 and consists of 46 parcels. The assessment methodology will be determined by a split assessment between front footage (\$ 59.00 per Front Foot) and acreage (\$ 2,018.00 per acre).

The Homestead method of petitioning has been used. There are a total of 21 homesteaded properties. 11 petitions from the homesteaded properties have been received (52%).