

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

Blue Sheet No. 20020862

1. REQUESTED MOTION:

ACTION REQUESTED: Conduct a Public Hearing and adopt a Resolution to create the Country/Triple Crown Court Waterline MSBU. Approve related budget amendment and Resolution of Intent to Reimburse.

WHY ACTION IS NECESSARY: Public Hearing is a legal requirement in the consideration of the creation of a Municipal Services Benefit Unit.

WHAT ACTION ACCOMPLISHES: Provides an opportunity of public input. Satisfies the legal requirements of the Florida Statutes and County Ordinance to proceed with the acquisition and construction of an MSBU project.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #:**

5:00 # 2

3. MEETING DATE:

10-08-2002

4. AGENDA:

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC 5:00 pm
 WALK ON
 TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

STATUTE 125.01g
 ORDINANCE
 ADMIN. CODE 3-15
 OTHER

6. REQUESTOR OF INFORMATION:

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

7. BACKGROUND:

During the Spring of 2002 property owners on Country Court, Triple Crown Court and Shadow Run experienced significant problems with well water, On May 15th the County committed in a meeting with several property owners to complete a cost estimate for obtaining potable water. On May 17th the estimate was completed by Lee County Utilities and MSTBU Services presented it to the property owners.

The total number of properties included in the proposed unit is 53. MSTBU has received 27 signed petitions, or the 51% required to request the Boards consideration to create a unit.

The projected cost of the project is \$606,364. The methodology used for apportionment of the special assessment is an Equivalent Assessment Unit (EAU). The total number of EAUs is 53, equating to \$11,229 per EAU.

Should the Board create this unit, it is anticipated completion of the project to be in the first quarter of 2003, with the first annual payment to be included on the November 2003 tax bill.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i> 9/17/02	<i>[Signature]</i> 8/20/02	<i>[Signature]</i> 8/20/02	<i>[Signature]</i> 8/20/02	<i>[Signature]</i> 8/20/02	<i>[Signature]</i>

10. COMMISSION ACTION:

on 9/10/02

APPROVED
 DENIED
 DEFERRED
 OTHER

CONTINUED TO 3/10/02
 CO. ATTY. FORWARDED TO
 8/13/02 A.M.

RECEIVED BY
 COUNTY ADMIN. *CA*
 8-14-02
 4:15
 COUNTY ADMIN.
 FORWARDED TO: *ll*
 8/20/02
 5:40 PM

PUBLIC HEARING

Exhibits:

- A-Notice to Property Owners
- B-Notice of Intent
- C-Legal Description

Attachment:

- A-Assessment Roll
- B-Petition Statistical Sheet
- C-Map

RESOLUTION

Amending the Country - Triple Crown Court, MSTBU fund #35284, Budget to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2001-2002.

WHEREAS, in compliance with the Florida Statutes 129.06(2), it is the desire of the Board of County Commissioners of Lee County, Florida, to amend Country - Triple Crown Court, MSTBU fund #35284, budget for \$534,621 of the revenues from Commercial Loan Proceeds and an appropriations of a like amount for Professional Services, Construction, Other Expenditures and;

WHEREAS, the Country - Triple Crown Court, MSTBU fund #35284, budget shall be amended to include the following amounts which were previously not included.

ESTIMATED REVENUES

Prior Total:		\$0
Additions		
80715435284.384000.9003	Commercial Loan Proceeds	534,321
80715435284.361100.9000	Interest	300

Amended Total Estimated Revenues \$534,621

APPROPRIATIONS

Prior Total:		\$0
Additions		
80715435284.504963	Administrative Charges	9,547
80715435284.503150	Appraisal Services	15,000
80715435284.506510	Professional Services	71,795
80715435284.507220	Interest on Commercial Paper	25,458
GC5890135284.509910	Reserves for contingency	53,846
80715435284.506540	Construction	358,975

Amended Total Appropriation accounts. \$534,621

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that the Country - Triple Crown Court, MSTBU fund #35284, budget is hereby amended to show the above additions to its Estimated Revenue and Appropriation accounts.

Duly voted upon and adopted in Chambers at a regular Public Hearing by the Board of County Commissioners on this

_____ Day of _____, 2002.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

BY: _____
DEPUTY CLERK

CHAIRMAN

APPROVED AS TO FORM

DOC TYPE YA
LEDGER TYPE BA

OFFICE OF COUNTY ATTORNEY

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 DEBT FOR CERTAIN CAPITAL EXPENSES INCURRED AND TO BE INCURRED RELATING TO THE CONSTRUCTION OF THE COUNTRY/TRIPLE CROWN COURT WATERLINE MSBU; AUTHORIZING CERTAIN INCIDENTAL ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in connection with the construction of the "Country/Triple Crown Court Waterline MSBU", 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 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 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 debt to be issued to finance the project is expected not to exceed an aggregate principal amount of \$606,364.

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 _____
ANDREW W. COY _____
JOHN E. ALBION _____

DULY PASSED AND ADOPTED THIS 8th DAY OF OCTOBER, 2002.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

BY: _____

BY: _____

APPROVED AS TO FORM:

BY: _____

Office of County Attorney

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 "COUNTRY/TRIPLE CROWN COURT WATERLINE 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 \$606,364 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON AN EQUIVALENT ASSESSMENT UNIT 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 "COUNTRY/TRIPLE CROWN COURT WATERLINE MUNICIPAL SERVICE BENEFIT UNIT".

There is hereby created and established the Country/Triple Crown Court Waterline 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 potable water 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 \$606,364. 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 an equivalent 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 of the related improvement, at the office of MSTBU Services within 30 days of adoption of such confirming resolution. The first annual payment will be billed directly from the MSTBU Office following the adoption of the confirming resolution. Thereafter, all special assessments may be collected pursuant to the Uniform Assessment Collection Act in fourteen (14) 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	_____
ANDREW W. COY	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS 8th DAY OF OCTOBER, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____

BY: _____

APPROVED AS TO FORM:

BY: _____
Office of County Attorney

Exhibit "A"

(239) 335-2186

August 22, 2002

Gary R. Bonwell
16865 Windcrest Drive
Fort Myers, FL 33908

Strap No.: 02-46-23-02-0000G.0090

Dear Property Owner:

On Tuesday, September 10, 2002 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 Country/Triple Crown Court Waterline 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 "**COUNTRY / TRIPLE CROWN COURT WATERLINE 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 \$606,364 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON AN EQUIVALENT ASSESSMENT UNIT BASIS; ESTABLISHING THAT THIS NON-AD VALOREM ASSESSMENT WILL 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 Section 32, Township 45, Range 25 in the Country / Triple Crown Court area of Fort Myers, as depicted in the attached map.

The estimated cost of the Project is \$606,364 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 Equivalent Assessment Unit (EAU) 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 2003. 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. The assessment for one (1) EAU is estimated to be \$11,229.

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 County Commission at (239) 335-2259 at least seven days prior to the date of the hearing.

Sincerely,



Libby Walker
Public Resources Manager

attachment: Map

Exhibit "B"

**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 10th day of September, 2002, 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, 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 "COUNTRY TRIPLE CROWN COURT WATERLINE 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 \$606,364 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON AN EQUIVALENT ASSESSMENT UNIT BASIS; ESTABLISHING THAT THIS NON-AD VALOREM ASSESSMENT WILL 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 Lee Cares 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 construction of a potable water line in Country / Triple Crown Court and the estimated cost of the project is \$606,364. The proposed method of assessment will be on an Equivalent Assessment Unit 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 (1999).

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: 08/22/02

EXHIBIT "C"

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

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

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

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

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

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

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

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

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

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

**Lot 0030 as described in OR Book 3178, Page 1248
and**

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

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

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

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

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

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

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

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

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

Attachment "A"

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

 1 32-45-25-01-00000.0150
 BRIARCLIFF DOWNS PB 30 PG
 28 LOT 15
 ***** OWNER ***** SITE *****
 LAGACCIA FRED F + MELISSA
 15780 TRIPLE CROWN CT 15780 TRIPLE CROWN CT
 FORT MYERS FL 33912 Fort Myers 33912

2 32-45-25-00-00002.0030
 FR NE COR LT 17 BR DWNS R
 UN W 300.41FT N 209.77FT
 TO POB OR 3178 PG 1248
 ***** OWNER ***** SITE *****
 KLEINLEIN KEVIN J + ANN
 15600 TRIPLE CROWN CT 15600 TRIPLE CROWN CT
 FORT MYERS FL 33912 Fort Myers 33912

3 32-45-25-00-00002.003A
 TH W 1/2 OF E 1/2 OF TRACT
 H BRIARCLIFF FARMS UNREC
 TH N 660 FT OF S 2475 FT
 ***** OWNER ***** SITE *****
 BELL TERRI M
 15630 BRIAR PATCH LN 15630 BRIAR PATCH LN
 FT MYERS FL 33912 Fort Myers 33912

4 32-45-25-00-00002.003B
 THE N 660 FT OF S 2475 FT
 OF E 1/2 OF E 1/2 OF W 1/
 2 OF E 1/2 OF SE 1/4 OF S
 ***** OWNER ***** SITE *****
 REMUS PAUL B
 15631 BRIAR PATCH LN 15631 BRIAR PATCH LN
 FT MYERS FL 33912 Fort Myers 33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

 32-45-25-00-00002.003D

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

***** OWNER ***** SITE *****

CRANE HELEN

15751 BRIAR PATCH LN 15751 BRIAR PATCH LN

FT MYERS FL 33912 Fort Myers 33912

5

 32-45-25-00-00002.003E

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

***** OWNER ***** SITE *****

DURDEN DONALD R + SANDRA L

15650 TRIPLE CROWN CT 15650 TRIPLE CROWN CT

FORT MYERS FL 33912 Fort Myers 33912

6

 32-45-25-00-00002.003F

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

***** OWNER ***** SITE *****

WALDORF DOUGLAS L + DONNA J

11681 TIMBERLINE CIR 15540 TRIPLE CROWN CT

FORT MYERS FL 33912 Fort Myers 33912

7

 32-45-25-00-00002.005A

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

***** OWNER ***** SITE *****

RYAN JESSICA P +

15671 COUNTRY CT 15671 COUNTRY CT

FT MYERS FL 33912 Fort Myers 33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

8

32-45-25-00-00002.005B

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

***** OWNER *****
 MCLAUGHLIN T J + SYBOL O

***** SITE *****

7700 BRIARCLIFF RD

7700 BRIARCLIFF RD

FT MYERS

FL 33912

Fort Myers

33912

9

32-45-25-00-00002.005C

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

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

***** SITE *****

7750 BRIARCLIFF RD

7750 BRIARCLIFF RD

FT MYERS

FL 33912

Fort Myers

33912

10

32-45-25-00-00002.005D

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

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

***** SITE *****

15661 COUNTRY CT SE

15661 COUNTRY CT

FT MYERS

FL 33912

Fort Myers

33912

32-45-25-00-00002.005E

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

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

***** SITE *****

7750 BRIARCLIFF RD

7780 BRIARCLIFF RD

FT MYERS

FL 33912

Fort Myers

33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

 11 32-45-25-00-00002.005F
 PARL IN NE 1/4 OF SE 1/4
 AS DESC IN OR 1912 PG 3388
 ***** OWNER ***** SITE *****
 CARROLL JERRY W + MARY ANN
 7810 BRIARCLIFF RD 7810 BRIARCLIFF RD
 FT MYERS FL 33912 Fort Myers
 33912

 12 32-45-25-01-00000.0010
 BRIARCLIFF DOWNS
 PB 30 PG 28 LOT 1
 ***** OWNER ***** SITE *****
 KARYDAS APOSTOLOS E TR
 15551 TRIPLE CROWN CT 15551 TRIPLE CROWN CT
 FT MYERS FL 33912 Fort Myers
 33912

 13 32-45-25-01-00000.0020
 BRIARCLIFF DOWNS
 PB 30 PG 28 LOT 2
 ***** OWNER ***** SITE *****
 NICHOLS RICHARD D
 15601 TRIPLE CROWN CT 15601 TRIPLE CROWN CT
 FT MYERS FL 33912 Fort Myers
 33912

 14 32-45-25-01-00000.0030
 BRIARCLIFF DOWNS PB 30 PG
 28 LOT 3
 ***** OWNER ***** SITE *****
 MULCONREY JOHN PAUL + MARY K
 15651 TRIPLE CROWN CT 15651 TRIPLE CROWN CT
 FORT MYERS FL 33912 Fort Myers
 33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

 15 32-45-25-01-00000.0040
 BRIARCLIFF DOWNS
 PB 30 PG 28 LOT 4
 ***** OWNER ***** SITE *****
 BARKIS P MICHAEL + LYNN M
 15701 TRIPLE CROWN CT 15701 TRIPLE CROWN CT
 FT MYERS FL 33912 Fort Myers
 33912

 16 32-45-25-01-00000.0050
 BRIARCLIFF DOWNS PB 30 PG
 28 LOT 5
 ***** OWNER ***** SITE *****
 WADE JACQUES E + THERESE L
 15751 TRIPLE CROWN CT 15751 TRIPLE CROWN CT
 FORT MYERS FL 33912 Fort Myers
 33912

 17 32-45-25-01-00000.0060
 BRIARCLIFF DOWNS PB 30 PG
 28 LOT 6
 ***** OWNER ***** SITE *****
 MAST ANTHONY D + BRIDGET A
 15801 TRIPLE CROWN CT 15801 TRIPLE CROWN CT
 FORT MYERS FL 33912 Fort Myers
 33912

 18 32-45-25-01-00000.0070
 BRIARCLIFF DOWNS PB 30 PG
 28 LOT 7
 ***** OWNER ***** SITE *****
 MORRIS BRETT A + STEPHANIE A
 15851 TRIPLE CROWN CT 15851 TRIPLE CROWN CT
 FORT MYERS FL 33912 Fort Myers
 33912

*** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
SUBJECT PROPERTY : 32-45-25-01-00000.0150
VARIANCE DISTANCE : (ft)
PARCELS AFFECTED : 55

19

32-45-25-01-00000.0080
BRIARCLIFF DOWNS PB 30 PG
28 LOT 8

***** OWNER ***** SITE *****
FLEMING EUGENE D JR + LINDA T
15901 TRIPLE CROWN CT 15901 TRIPLE CROWN CT
FORT MYERS FL 33912 Fort Myers
33912

20

32-45-25-01-00000.0090
BRIARCLIFF DOWNS PB 30 PG
28 LOT 9

***** OWNER ***** SITE *****
WILLIAMS ANNE G
15967 TRIPLE CROWN CT 15967 TRIPLE CROWN CT
FORT MYERS FL 33912 Fort Myers
33912

21

32-45-25-01-00000.0100
BRIARCLIFF DOWNS PB 30 PG
28 LOT 10

***** OWNER ***** SITE *****
NARDUZZI DENNIS + JANICE A
15971 TRIPLE CROWN CT 15987 TRIPLE CROWN CT
FORT MYERS FL 33912 Fort Myers
33912

22

32-45-25-01-00000.0110
BRIARCLIFF DOWNS PB 30 PG
28 LOT 11

***** OWNER ***** SITE *****
PERLEBERG CHARLES R +
15991 TRIPLE CROWN CT 15991 TRIPLE CROWN CT
FT MYERS FL 33912 Fort Myers
33912

*** VARIANCE REPORT ***

*** Prepared By ***

*** LEE COUNTY PROPERTY APPRAISER ***

*** Kenneth M. Wilkinson ***

DATE OF REPORT : 23JLY02
SUBJECT PROPERTY : 32-45-25-01-00000.0150
VARIANCE DISTANCE : (ft)
PARCELS AFFECTED : 55

23

32-45-25-01-00000.0120

BRIARCLIFF DOWNS PB 30 PG
28 LOT 12

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

15990 TRIPLE CROWN CT SE 15990 TRIPLE CROWN CT
FT MYERS FL 33912 Fort Myers 33912

24

32-45-25-01-00000.0130

BRIARCLIFF DOWNS PB 30 PG
28 LOT 13

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

15970 TRIPLE CROWN CT 15970 TRIPLE CROWN CT
FORT MYERS FL 33912 Fort Myers 33912

25

32-45-25-01-00000.0140

BRIARCLIFF DOWNS PB 30 PG
28 LOT 14

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

15830 TRIPLE CROWN CT 15830 TRIPLE CROWN CT
FT MYERS FL 33912 Fort Myers 33912

26

32-45-25-01-00000.0160

BRIARCLIFF DOWNS PB 30 PG
28 LOT 16

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

15730 TRIPLE CROWN CT 15730 TRIPLE CROWN CT
FT MYERS FL 33912 Fort Myers 33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

27

 32-45-25-01-00000.0170
 BRIARCLIFF DOWNS PB 30 PG
 28 LOT 17

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

15680 TRIPLE CROWN COURT 15680 TRIPLE CROWN CT
 FT MYERS FL 33912 Fort Myers
 33912

28

 32-45-25-02-00000.0010
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 1

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

15701 COUNTRY CT 15701 COUNTRY CT
 FORT MYERS FL 33912 Fort Myers
 33912

29

 32-45-25-02-00000.0020
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 2

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

15731 COUNTRY CT 15731 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

30

 32-45-25-02-00000.0030
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 3

***** OWNER ***** SITE *****
 COLLELI THOMAS A + ELAINE B

15761 COUNTRY CT 15761 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

31

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

32

 32-45-25-02-00000.0050
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 5
 ***** OWNER ***** SITE *****
 MAGNANTE ROBERT L
 15821 COUNTRY COURT SE 15821 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

33

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

34

 32-45-25-02-00000.0070
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 7
 ***** OWNER ***** SITE *****
 CHOW KAI-FU
 15861 COUNTRY CT 15861 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

*** VARIANCE REPORT ***

*** Prepared By ***

*** LEE COUNTY PROPERTY APPRAISER ***

*** Kenneth M. Wilkinson ***

DATE OF REPORT : 23JLY02
SUBJECT PROPERTY : 32-45-25-01-00000.0150
VARIANCE DISTANCE : (ft)
PARCELS AFFECTED : 55

35 32-45-25-02-00000.0080
COUNTRYSIDE ESTATES PB 30
PG 89 LOT 8
***** OWNER *****
NAIRZ JOHANN +
REITHERSPITZSTR 594 15919 COUNTRY CT
A-6100 SEEFELD Fort Myers
AUSTRIA 33912

36 32-45-25-02-00000.0090
COUNTRYSIDE ESTATES PB 30
PG 89 LOT 9
***** OWNER *****
HAMILTON BERTIS F + ALICIA J
15981 COUNTRY COURT 15981 COUNTRY CT
FT MYERS FL 33912 Fort Myers
33912

37 32-45-25-02-00000.0100
COUNTRYSIDE ESTATES PB 30
PG 89 LOT 10
***** OWNER *****
HUGHES KAREN A
15990 COUNTRY CT 15990 COUNTRY CT
FT MYERS FL 33912 Fort Myers
33912

38 32-45-25-02-00000.0110
COUNTRYSIDE ESTATES PB 30
PG 89 LOT 11
***** OWNER *****
GAVIN RONALD W + SHARI L
15970 COUNTRY CT 15970 COUNTRY CT
FT MYERS FL 33912 Fort Myers
33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

39

 32-45-25-02-00000.0120 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 12
 ***** OWNER ***** SITE *****
 BROWN TIMOTHY A + TRACY L
 15950 COUNTRY CT SE 15950 COUNTRY CT
 FT MYERS FL 33912 Fort Myers 33912

40

 32-45-25-02-00000.0130 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 13 + TR A S1/2
 ***** OWNER ***** SITE *****
 CEPPALUNI TONY + CINDI
 15920 COUNTRY CT 15920 COUNTRY CT
 FT MYERS FL 33912 Fort Myers 33912

41

 32-45-25-02-00000.0140 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 14 + PT TRACT A
 DESC IN OR 1767 PG 0659
 ***** OWNER ***** SITE *****
 BRANDT ROBERT J + CINDY M
 15880 COUNTRY CT 15880 COUNTRY CT
 FT MYERS FL 33912 Fort Myers 33912

42

 32-45-25-02-00000.0150 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 15
 ***** OWNER ***** SITE *****
 DESMOND DOUGLAS G + JULIANNE K
 12671 SUMMERWOOD DRIVE 15840 COUNTRY CT
 FT MYERS FL 33908 Fort Myers 33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

43

 32-45-25-02-00000.0160
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 16
 ***** OWNER ***** SITE *****
 MCGAHEY STANLEY R
 15820 COUNTRY CT 15820 COUNTRY CT
 FORT MYERS FL 33912 Fort Myers 33912

44

 32-45-25-02-00000.0170
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 17
 ***** OWNER ***** SITE *****
 GEBING RICHARD L + CHERYL G
 15910 SHADOW RUN CT 15910 SHADOW RUN CT
 FT MYERS FL 33912 Fort Myers 33912

45

 32-45-25-02-00000.0180
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 18
 ***** OWNER ***** SITE *****
 RUTH LAWRENCE D + PAMELA J TR
 RR 13 15900 SHADOW RUM CT 15900 SHADOW RUN CT
 FT MYERS FL 33912 Fort Myers 33912

46

 32-45-25-02-00000.0190
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 19
 ***** OWNER ***** SITE *****
 CRAWFORD KAREN K
 15890 SHADOW RUN CT 15890 SHADOW RUN CT
 FT MYERS FL 33912 Fort Myers 33912

*** VARIANCE REPORT ***

*** Prepared By ***

*** LEE COUNTY PROPERTY APPRAISER ***

*** Kenneth M. Wilkinson ***

DATE OF REPORT : 23JLY02
SUBJECT PROPERTY : 32-45-25-01-00000.0150
VARIANCE DISTANCE : (ft)
PARCELS AFFECTED : 55

47

32-45-25-02-00000.0200
COUNTRYSIDE ESTATES PB 30
PG 88 LOT 20

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

***** SITE *****

15700 SHADOW RUN CT 15700 SHADOW RUN CT

FT MYERS FL 33912 Fort Myers 33912

48

32-45-25-02-00000.0210
COUNTRYSIDE ESTATES PB 30
PG 88 LOT 21

***** OWNER *****
RYAN STEPHEN W + SUSAN A

***** SITE *****

15701 SHADOW RUN CT 15701 SHADOW RUN CT

FORT MYERS FL 33912 Fort Myers 33912

49

32-45-25-02-00000.0220
COUNTRYSIDE ESTATES PB 30
PG 88 LOT 22

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

***** SITE *****

15889 SHADOW RUN SE 15889 SHADOW RUN CT

FT MYERS FL 33912 Fort Myers 33912

50

32-45-25-02-00000.0230
COUNTRYSIDE ESTATES PB 30
PG 89 LOT 23

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

***** SITE *****

15909 SHADOWRUN CT 15909 SHADOW RUN CT

FT MYERS FL 33912 Fort Myers 33912

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 23JLY02
 SUBJECT PROPERTY : 32-45-25-01-00000.0150
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 55

51 32-45-25-02-00000.0240
 COUNTRYSIDE ESTATES PB 30
 PG 89 LOT 24
 ***** OWNER ***** SITE *****
 AMLAW W JEAN COLLIGAN TR
 15780 COUNTRY CT SE 15780 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

52 32-45-25-02-00000.0250
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 25
 ***** OWNER ***** SITE *****
 AVERY JOHN L + KIM
 15730 COUNTRY CT 15730 COUNTRY CT
 FT MYERS FL 33912 Fort Myers
 33912

53 32-45-25-02-00000.0260
 COUNTRYSIDE ESTATES PB 30
 PG 88 LOT 26
 ***** OWNER ***** SITE *****
 ORR PENNY J
 15700 COUNTRY CT 15700 COUNTRY CT
 FORT MYERS FL 33912 Fort Myers
 33912

 *** END OF REPORT ***

Attachment "B"

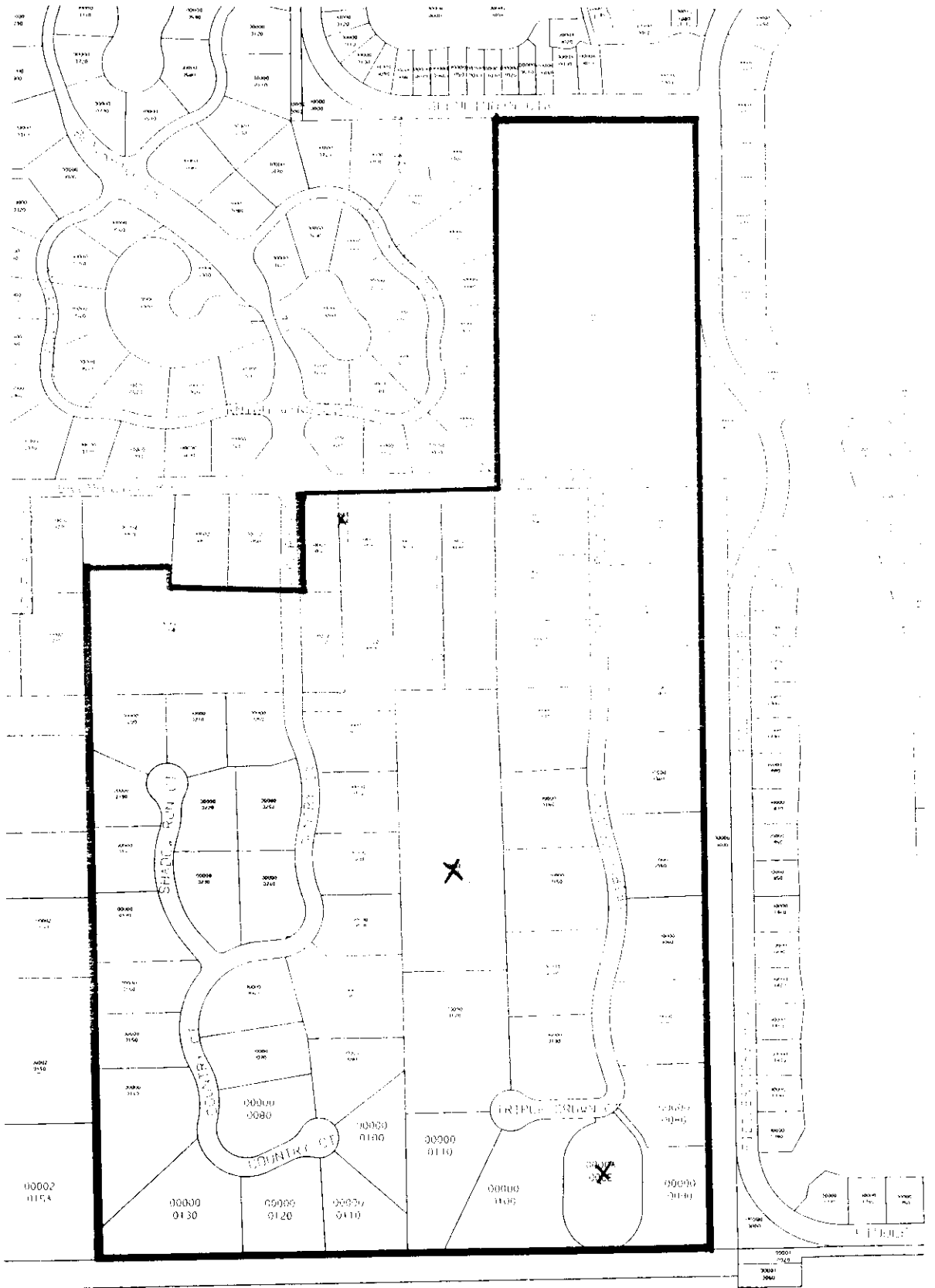
STATISTICAL REPORT

MSBU: Country/Triple Crown Court Waterline
TYPE OF BENEFIT: Potable Water
LOCATION OF DISTRICT: Country/Triple Crown Court
METHOD OF PAYMENT: Equivalent Assessment Unit

FORMAL PETITION RESULTS

Assessed Value: \$606,364

	Number	%
Total # of Parcels	53	100%
Required Number of Signatures	27	51%
Actual Number of Notarized Signatures	28	53%



Country / Triple Crown Court
(proposed area)

ATTACHMENT 'C'

RESOLUTION NO. _____

RESOLUTION RELATING TO THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA: CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE **"COUNTRY/TRIPLE CROWN COURT WATERLINE 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 \$606,364 AND THE PROPOSED METHOD OF ASSESSMENT TO BE ON AN EQUIVALENT ASSESSMENT UNIT 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 COUNTRY/TRIPLE CROWN COURT WATERLINE MUNICIPAL SERVICE BENEFIT UNIT. There is hereby created and established the Country/Triple Crown Court Waterline 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 potable water 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 \$606,364. 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 an equivalent 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 of the related improvement, at the office of MSTBU Services within 30 days of adoption of such confirming resolution. The first annual payment will be billed directly from the MSTBU Office following the adoption of the confirming resolution. Thereafter, all special assessments may be collected pursuant to the Uniform Assessment Collection Act in fourteen (14) 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:

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

DULY PASSED AND ADOPTED THIS 10th DAY OF SEPTEMBER, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____

BY: _____

APPROVED AS TO FORM:

BY: _____

Office of County Attorney

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 DEBT FOR CERTAIN CAPITAL EXPENSES INCURRED AND TO BE INCURRED RELATING TO THE CONSTRUCTION OF THE COUNTRY/TRIPLE CROWN COURT WATERLINE MSBU; AUTHORIZING CERTAIN INCIDENTAL ACTIONS; AND PROVIDING FOR AN EFFECTIVE

WHEREAS, in connection with the construction of the Country/Triple Crown Court Waterline MSBU, 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 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 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 debt to be issued to finance the project is expected not to exceed an aggregate principal amount of \$606,364.

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 adopted by the Lee County Board of County Commissioners upon a motion by Commissioner _____, and seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

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

DULY PASSED AND ADOPTED THIS 10th DAY OF SEPTEMBER, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____

BY: _____

APPROVED AS TO FORM:

BY: _____

Office of County Attorney