

THIS INSTRUMENT PREPARED BY:
Lee County M.S.T.B.U. Services
P.O. Box 398
Ft. Myers, FL 33902

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, RATIFYING THE COMPLETION OF THE ACQUISITION AND CONSTRUCTION OF ASSESSABLE IMPROVEMENTS CONSTITUTING A PROJECT AS HEREIN DESCRIBED IN THE CHARLEE ROAD MUNICIPAL SERVICES BENEFIT UNIT; CONFIRMING A PRELIMINARY ASSESSMENT ROLL WITH RESPECT TO SUCH UNIT; PROVIDING FOR THE PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING THE ANTICIPATED INTEREST RATE SUCH ASSESSMENTS WILL BEAR; DIRECTING LEE COUNTY TO NOTIFY THE PROPERTY OWNERS OF THEIR FINAL ASSESSMENT AND RIGHT TO PREPAY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County, Florida (the "Board"), enacted Ordinance No. 98-25, on November 23, 1998 (the "Ordinance"), which Ordinance provides, among other things, for the establishment of municipal service benefit units in the unincorporated area of Lee County, Florida (the "County") and for the levying of special assessments upon

benefited property for the acquisition and construction of essential improvements and facilities within such municipal service benefit unit;

WHEREAS, the Board, on February 22, 2002 adopted Resolution 02-02-29 establishing the Charlee Road Municipal Services Benefit Unit for the purpose of acquiring, constructing or otherwise providing and maintaining various essential municipal services, facilities and improvements within such Unit, and providing a description of the proposed project;

WHEREAS, the Board, on December 12, 2004, adopted Resolution No. 04-12-21 electing to use the Uniform Method of Collecting Non-Ad Valorem Special Assessments;

WHEREAS, the Project has been completed and, pursuant to the terms of the Ordinance, a Preliminary Assessment Roll establishing a preliminary assessment of benefits from the assessable improvements/services (the "Preliminary Assessment Roll") has been prepared and filed with the County Manager, a copy of which is attached hereto as Exhibit A; and

WHEREAS, pursuant to the provisions of the Ordinance, the County is required to confirm the Preliminary Assessment Roll as amended, and after hearing objections of all interested parties; and

WHEREAS, notice of a public hearing has been published and, as required by the terms of the Ordinance, mailed to each property owner proposed to be assessed of their opportunity to be heard, a copy of such notice and the proof of publication of which are attached hereto as Exhibits B and C, respectively; and

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

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

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the Ordinance 98-25, Chapter 125, Florida Statutes, and other applicable provisions of law.

SECTION 2. RATIFICATION OF FINAL COMPLETION OF PROJECT. The Board hereby ratifies and confirms the completion of the Project at a total cost not to exceed (as such term is defined in the Ordinance) of \$356,186.00, as adjusted with the closing interest rate.

SECTION 3. CONFIRMATION OF PRELIMINARY ASSESSMENT ROLL. The Board hereby finds and determines (a) that each lot or parcel of property set forth on the Preliminary Assessment Roll will be benefited in an amount at least equal to the amount proposed by such Preliminary Assessment Roll to be assessed against such lot or parcel of property with respect to the Project on a front footage basis/acreage split, and (b) that no such proposed special assessment exceeds the just, right and fair share of the Cost of the Project to be borne by such lot or parcel of property. Accordingly, the Preliminary Assessment Roll Attached hereto as Exhibit A, is hereby confirmed as required by the terms of the Ordinance (the Preliminary Assessment Roll as amended and confirmed is herein referred to as the "Final Assessment Roll"). The special assessments made as a result of the Final Assessment Roll will be final and conclusive as to each lot or parcel assessed unless proper steps are initiated within 20 days in a court of competent jurisdiction to secure relief.

SECTION 4. PAYMENT OF SPECIAL ASSESSMENTS; ESTABLISHMENT OF INTEREST RATE. All special assessments shall be payable in equal annual principal installments with an anticipated interest rate of 7.5 per year, subject to the provisions of Section 4.01 of the Ordinance. The special assessments shall be paid or prepaid, as the case may be, in accordance with the terms of the Final Approving Resolution and the Ordinance. All special assessments and installments thereof shall constitute a lien upon the property so assessed of the same nature and to the same extent as the lien for general County taxes falling due in the same year or years in which such special assessments or installments thereof fall due. Such liens shall be recorded and shall be superior in dignity to all other liens, titles and claims, until paid.

SECTION 5. COUNTY TO NOTIFY PROPERTY OWNERS.

The County is hereby directed to notify all record owners of property

contained in the Assessment Roll of the final assessment against their property, the dates and amounts of installments of special assessment, the terms of payment of such special assessment and the interest rate such special assessment will otherwise bear, as provided herein and in the Ordinance.

SECTION 6. 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 ALBION _____

DULY PASSED AND ADOPTED THIS 26th DAY OF APRIL, 2005.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

EXHIBIT A

CHARLEE ROAD MSBU ASSESSMENT ROLL

STRAP	NAME/SITE ADDRESS	LEGAL DESCRIPTION	Acreage	Frontage	Assessment w/Financing	Maximum Out of Pocket	Assessment w/o Finance
06432300000040120	HOFFMAN RICHARD C JR & WENDY B 17041 CHARLEE RD, PUNTA GORDA	PARL IN SE 1/4 DESC OR 1882 PG 3507 PARCEL C LESS N 30 FT AS D ESC IN OR 3729 PG 3721 RD RW	1.43	253	\$ 9,449.71	\$ 1,338.71	\$ 8,181.89
0643230000004012A	BERRIOS MARGARITA TR CHARLEE RD, PUNTA GORDA	17051 PARL IN SE 1/4 DESC OR 1455 PG 2246 LESS N 30 FT FOR RD RW IN OR 3743 PG 1840	1.62	181	\$ 8,252.26	\$ 1,170.49	\$ 7,153.75
06432300000040110	BERRIOS MARGARITA TR CHARLEE RD, PUNTA GORDA	17071 A PAR AS DESC IN OR 1364 PG 448 LESS N 30 FT FOR RD RW IN OR 3773 PG 1840	2.5	247	\$ 12,002.77	\$ 1,700.39	\$ 10,392.42
0643230000004012B	EDISON PETROLEUM INC CHARLEE RD, PUNTA GORDA	17021 FR SE COR TH N861 TH W66 TO POB TH W270 TH N385 TH E270 TH S385 TO POB LESS R/W AKA PT LOT 10 CHARLEE RANCHETTES	1.1	134.5	\$ 5,878.47	\$ 832.78	\$ 5,089.78
0643230000004011A	WCI COMMUNITIES INC CHARLEE RD, PUNTA GORDA	17080 N 415 FT OF E 565.71 FT OF W 4525.68 FT OF N 830 FT OF S1660FT SEC6 LES CONDO + LESS LESS SOUTH 30 FT RD R/W OR 3817 PG 1820	3.49	536	\$ 21,178.27	\$ 3,000.26	\$ 18,336.89
06432300000040100	QUANTICK WILLIAM F + TONI 17361 CHARLEE RD, PUNTA GORDA	S 415 FT OF E 565.71 FT OF W1697.13 FT OF N830 FT OF S1660FT LESS E 1/2 LESS N 30 FT RD R/W OR 3705 PG 61	2.49	283	\$ 12,810.34	\$ 1,814.80	\$ 11,091.64

0643230000004010A	QUANTICK WILLIAM F + TONI CHARLEE RD, PUNTA GORDA	17321	W1/2 OF E1/2 OF S415FT OF E565.71FT OF W1697.15FT OF N830FT OF S1660FT LESS N 30 FT RD R/W OR 3705 PG 61	1.26	132 \$	6,223.16 \$	881.61 \$	5,388.23
0643230000004010B	QUANTICK WILLIAM F + TONI CHARLEE RD, PUNTA GORDA	17301	E 1/2 OF E 1/2 OF S 415 FT OF E 565.71 FT OF W1697.15 FT OF N 830FT OF S 1660 FT LESS N 30 FT RD R/W OR 3705 PG 61	1.25	142 \$	6,429.31 \$	910.82 \$	5,566.72
06432300000040090	BURKE CHRISTOPHER L + BETTY F 17261 CHARLEE RD, PUNTA GORDA		THE S 415 FT OF E 565.71 FT OF W 2262.84 FT OF N 830 FT OF S 1660 FT LESS N 30 FT	4.99	543 \$	25,113.81 \$	3,557.79 \$	21,744.42
06432300000040080	METZLER JOHN C JR + JUDITH A 17211 CHARLEE RD, PUNTA GORDA		THE S 415 FT OF E 565.71 FT OF W 2828.55 FT OF N 830 FT OF S 1660 FT OF SEC LESS R/W OR 3659/2466	5	560 \$	25,532.20 \$	3,617.06 \$	22,106.68
0643230000004006B	DESROCHERS JAMES M + BARBARA J 17181 CHARLEE RD, PUNTA GORDA		THE W226.28 FT OF S415 FT OF E565.71 FT OF W3394 FT OF N830 OF S1660 FT LESS R/W	2	220 \$	10,120.36 \$	1,433.72 \$	8,762.56
0643230000004006A	HILL JACK 1/2 INT TR + CHARLEE RD, PUNTA GORDA	17171	PARL IN SEC 06 TWP 43 R 23 DESC IN OR 1323 PG 0548 LESS R/W DESC OR 3656 PG 30	1.03	110 \$	5,135.65 \$	727.55 \$	4,446.63
06432300000040060	MUNGER ROBERT T + HELEN M CHARLEE RD, PUNTA GORDA	17161	THE S 415 FT OF E 565.71 FT OF W 3394.26 FT OF N 830 FT OF S 1660 FT LESS R/W OR 3646 PG 1025	1.03	109 \$	5,112.52 \$	724.27 \$	4,426.60
0643230000004006C	MACONE NICHOLAS 17151 CHARLEE RD, PUNTA GORDA		PARL IN SEC 6 TWP 43 R 23 DESC IN OR 1297 PG 1632 LESS R/W OR 3646 PG 1028	1.03	110 \$	5,135.65 \$	727.55 \$	4,446.63

06432300000040070	FILIPPI RONALD JR + CHARLEE RD, PUNTA GORDA	17210	N 415 FT OF E 565 FT OF W 2828 FT OF N 830 FT OF S 1660 FT LESS R/W OR 3659/2469	5	560	\$ 25,532.20	\$	3,617.06	\$	22,106.68
06432300000040130	WCI COMMUNITIES INC CHARLEE RD, PUNTA GORDA	17170	THE N 415 FT OF E 565.71 FT OF W 3394.26 FT OF N 830 FT OF S 1660 FT LESS SOUTH 30 FT RD R/W OR 3817 PG 1820	5	549	\$ 25,277.76	\$	3,581.02	\$	21,886.37
06432300000040040	WCI COMMUNITIES INC CHARLEE RD, PUNTA GORDA	17030	BEG SEC 6 RUN N ALG E LI & CTR LI S R 765 1246.02 FT TH W 68.06 FT LESS SOUTH 30 FT RD R/W OR 3817 PG 1820	6.33	351	\$ 24,043.74	\$	3,406.20	\$	20,817.91
06432300000040140	WCI COMMUNITIES INC ISLAMORADA BLVD, PUNTA GORDA	480	N 415 FT OF E 565.71 FT OF W 3959.97 FT OF N 830 FT OF S 1660 FT TR K LESS SOUTH 30 FT RD R/W OR 3817 PG 1820	4.9	552	\$ 25,095.58	\$	3,555.21	\$	21,728.63
06432300000040150	GARRISON VIRGIL L JR + WENDY 17111 CHARLEE RD, PUNTA GORDA		LOT 12 CHAR-LEE RANCHETTES UNREC AS DESC OR 2218/3090 LESS N 30 FT FOR RD R/W OR 4100 PG 889	2	221	\$ 10,143.49	\$	1,436.99	\$	8,782.59
0643230000004011B	ROUS JOHN GREGORY + ROBERTA L 17091 CHARLEE RD, PUNTA GORDA		CHAR-LEE RANCHETTES UNREC W 1/2 OF LOT 11 AS DESC IN OR 1364 PG 449 LESS R/W OR 3646 PG 1031	2.5	288	\$ 12,951.15	\$	1,834.75	\$	11,213.56
06432300000040000	WINGER CARL R + ELEANOR B CHARLEE RD, PUNTA GORDA	17131	S 415 FT OF E 565.71 FT OF W 3959.97 FT OF N 830 FT OF S 1660 FT LESS 226 FT + LESS R/W DESC OR 3656/36	3.01	331	\$ 15,228.82	\$	2,157.42	\$	13,185.65

EXHIBIT B

(239) 335-2186

April 5,2005

RE: Charlee Road Paving and Drainage

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held by the Board of County Commissioners in the Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, on Tuesday, April 26, 2005 at 5:00 p.m., concerning the Charlee Road Municipal Service Benefit Unit. The purpose of the meeting will be to consider the adoption of a Resolution entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, RATIFYING THE COMPLETION OF THE ACQUISITION AND CONSTRUCTION OF ASSESSABLE IMPROVEMENTS CONSTITUTING A PROJECT AS HEREIN DESCRIBED IN THE CHARLEE ROAD MUNICIPAL SERVICES BENEFIT UNIT; CONFIRMING A PRELIMINARY ASSESSMENT ROLL WITH RESPECT TO SUCH UNIT; PROVIDING FOR THE PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING THE ANTICIPATED INTEREST RATE SUCH ASSESSMENTS WILL BEAR; DIRECTING LEE COUNTY TO NOTIFY THE PROPERTY OWNERS OF THEIR FINAL ASSESSMENT AND RIGHT TO PREPAY; AND PROVIDING AN EFFECTIVE DATE.

The Charlee Road Paving and Drainage project has been completed and the assessments are based on the final project costs, less the county's contribution. The project cost was estimated to be \$310,667 and the revised final cost is \$356,186.21. The increase in cost is due the delay in the start of the project due to and the cost of the County having to file eminent domain action for right of way. However, as per Administrative Code 3-25 enacted on 8-5-03, Lee County is contributing \$59,529.00 cost of the project, reducing the costs assessed to the property owners to be \$296,657.21. The method of assessment is on a front footage/acreage split. The cost per front foot is \$23.13 and the cost per acre is \$2,515.75.

The Board of County Commissioners will be meeting as an Equalizing Board to hear any and all complaints as to the special assessment and shall adjust and equalize the special assessments on a basis of justice and right. When so equalized and approved by Resolution, such special assessments shall stand confirmed and remain legal, valid and binding first liens upon the property against which such special assessments are made, until paid.

Should the proposed Resolution to Assess be adopted, you will have several options for payment; (a) within thirty (30) days after the Public Hearing approving the Resolution to Assess, you may pay your assessment **in full** without interest, (b) repay your assessment over the next fifteen years by paying one-fifteenth (1/15th) of your principal upon receiving your bill on the annual Tax Bill, and making all subsequent payments of one-fifteenth of the principal plus interest on the unpaid balance on an annual basis as billed; or (c) you may payoff your assessment at any time during the year with the accrued interest. A copy of a typical payment schedule payment is attached for your information.

The Resolution confirming the Preliminary Assessment Roll as amended will provide for the terms on which payments of special assessments may be made and will provide the rate of interest the special assessments, which are not prepaid, will bear. Delinquent special assessments shall be collected as provided for by the Uniform Collection Method for Non-Ad Valorem Taxes.

The special assessments made as a result of the confirmation of the preliminary assessment roll will be final and conclusive as to each lot or parcel of property assessed unless proper steps are initiated within 20 days of confirmation of the preliminary assessment roll in a court of competent jurisdiction to secure relief. You are advised that any person wishing to appeal any decision of the Board with respect to any matter considered would need a record and may need to ensure that a verbatim record is made.

This public hearing is an opportunity for you to express your opinion. Any objection received in writing to this office will be submitted for the record during the public hearing. Should you have any questions you may contact us at this office. If you have a disability that will require special assistance or accommodation for your attendance at the public meeting please call the office of Public Resources at 335-2269 at least seven days prior to the meeting.

Very truly yours,

A handwritten signature in black ink, appearing to read "Libby Walker".

Libby Walker
Director, Public Resources

**PREPAYMENT INVOICE
FOR CHARLEE ROAD MSBU**

To prepay your Charlee Road Assessment, **PAYMENT IN FULL must** be post marked by May 24, 2005 or paid in person in the MSTBU Office located at 2115 Second Street, Fort Myers, FL by Friday, May 27, 2005. Interest will become effective on all assessments not paid in full by May 27, 2005

If you wish to prepay, your assessment is \$8,181.89. **If you choose not to prepay your assessment, do not make any payment at this time**, your first assessment bill will be on the November, 2005 tax bill. If you choose to pay your assessment over time, your assessment including finance charges, closing costs, capitalized interest and carrying costs is estimated to be \$9,449.71, subject to the interest rate at closing. Additionally annual interest will be calculated on the unpaid balance. Your assessment is based on an equivalent residential unit. Any savings the County is able to obtain during the closing on the loan will be passed on to the property owners.

Please remit this portion with payment for proper credit

CHARLEE ROAD MSBU

PREPAYMENTS MUST BE PAID IN FULL, POSTMARKED BY May 24, 2005 OR PAID IN PERSON IN THE MSTBU OFFICE LOCATED ON THE 1st FLOOR OF THE LEE COUNTY ADMINISTRATION BUILDING, 2115 SECOND STREET, FORT MYERS, BY May 27, 2005.

ANY PAYMENT RECEIVED AFTER May 27th WILL BE CREDITED AGAINST THE HIGHER ASSESSMENT RATE WHICH INCLUDES THE FINANCIAL CHARGES.

Prepayment Amount Due: \$8,181.89
Due Date: May 27, 2005
Check No.: _____

Make check payable to the Board of County Commissioners and remit to:

MSTBU Services
P.O. Box 398
Fort Myers, FL 33902-0398

EXHIBIT "C"

NEWS-PRESS

Published every morning - Daily and Sunday

Fort Myers, Florida

Affidavit of Publication

DUPONT PRESS

2005 APR -6 AM 8:50

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

April 5, 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.

Sworn to and subscribed before me this

5th day of April 2005 by

Kathy Allebach

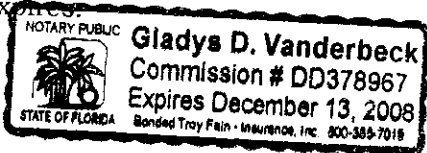
personally known to me or who has produced

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

Notary Public

Print Name

My commission Expires:



LEE COUNTY
SOUTHWEST FLORIDA

NOTICE OF INTENT TO ENACT A COUNTY RESOLUTION
TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 26th day of April 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 pursuant to Article VIII, Section 1, of the State Constitution, Chapter 125, Florida Statutes, and the Lee County Ordinance No. 98-25. The title of the proposed Resolution is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, RATIFYING THE COMPLETION OF THE ACQUISITION AND CONSTRUCTION OF ASSESSABLE IMPROVEMENTS CONSTITUTING A PROJECT AS HEREIN DESCRIBED IN THE CHARLEE ROAD MUNICIPAL SERVICES BENEFIT UNIT; CONFIRMING A PRELIMINARY ASSESSMENT ROLL WITH RESPECT TO SUCH UNIT; PROVIDING FOR THE PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING THE NOT TO EXCEED INTEREST RATE SUCH ASSESSMENTS WILL BEAR; DIRECTING LEE COUNTY TO NOTIFY THE PROPERTY OWNERS OF THEIR FINAL ASSESSMENT AND RIGHT TO PREPAY; AND PROVIDING AN EFFECTIVE DATE.

Copies of this Resolution are on file in the Office of the Clerk of Circuit Court of Lee County, Florida, Minutes Department and the Office of Public Resources, both located in the Administration Building, 2115 Second Street, Fort Myers, Florida.

Pursuant to Ordinance No. 98-25, all objections to the confirmation of the preliminary assessment roll shall be made in writing, and filed with the Public Resources Director, as designee of the County Manager, at or before the time or adjourned time of the hearing.

The Board of County Commissioners shall meet and receive the objections in writing of all interested persons at the public hearing referenced above. The special assessments made as a result of the confirmation of the preliminary assessment roll will be final and conclusive to each lot or parcel assessed unless proper steps have been initiated within 20 days in a court of competent jurisdiction to secure relief.

Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed Resolution. If anyone decides to appeal a decision made by the Board, with respect to any matter considered at this meeting, a record of the proceeding would be needed for the appeal. Whoever appeals may need to insure that a verbatim record of the proceeding is made, which record must include the testimony and evidence upon which any such appeal is to be based.

If you have a disability that will require special assistance or accommodation for your attendance at the public meeting please call the office of Public Resources at 335-2269 at least seven days prior to the meeting.

PLEASE BE GOVERNED ACCORDINGLY.

The text of this Notice is pursuant to and in conformance with Section 125.66, Florida Statutes (2004).

PO: Sekulski

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

REF: D040505-119