

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

Blue Sheet No. 20020071

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt Resolution of Final Assessment for the Rainbow Farms Waterline MSBU.

WHY ACTION IS NECESSARY: The Board is required by Ordinance to adopt Resolution of Final Assessment

WHAT ACTION ACCOMPLISHES: Allows staff to finalize project and prepare and assess property owners for the project cost.

2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT #: 5:00 #8		3. MEETING DATE: 03-12-2002
4. AGENDA: <input type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> WALK ON TIME REQUIRED:	5. REQUIREMENT/PURPOSE: (Specify) <input checked="" type="checkbox"/> STATUTE 125.01 <input checked="" type="checkbox"/> ORDINANCE 98-25 <input type="checkbox"/> ADMIN. CODE <input type="checkbox"/> OTHER	6. REQUESTOR OF INFORMATION: A. COMMISSIONER B. DEPARTMENT C. DIVISION MSTBU/Public Resources BY: Walker

7. BACKGROUND:

Rainbow Farms MSBU was created by Resolution No. 01-01-26 on January 23, 2001 for the purpose of constructing and installing a waterline system for the property owners on Rainbow Meadows Court.

The estimated cost of the Rainbow Farms MSBU project was \$166,635 and the final cost is estimated to be \$116,947.80, a thirty percent savings. The methodology for this project is an equivalent unit basis and the final cost per unit is \$5,847. The savings on the project are due to a combination of favorable interest rates, a successful bid process for the construction, and reserves budgeted which were not needed. The savings to the property owner is \$2,484 per parcel.

Exhibit A – Assessment Roll
 B - Property Owner Letter
 C - Proof of Publication

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <small>Apr 2/18</small>			G County Manager	
					OA	OM	Risk		
					CA 2-15-02	MS 2/18/02	JP 2/18	GC 2-18-02	

10. COMMISSION ACTION:

<input type="checkbox"/> APPROVED	REC'D. by CO. ATTY. 2/15/02 645 AM CO. ATTY. FORWARDED TO: 10M 2/15/02 9:30	RECEIVED BY COUNTY ADMIN. 2/15 140P COUNTY ADMIN. FORWARDED TO: 2/20 8:30
<input type="checkbox"/> DENIED		
<input type="checkbox"/> DEFERRED		
<input type="checkbox"/> OTHER		

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 RAINBOW FARMS WATERLINE 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.

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 January 23, 2001 adopted Resolution 01-01-26 establishing the Rainbow Farms Waterline Municipal Service 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 11, 2001, adopted Resolution No. 01-12-15 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 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 SUBSTANTIAL COMPLETION OF PROJECT. The Board hereby ratifies and confirms the completion of the Project at a total cost (as such term is defined in the Ordinance) of \$116,947.80 with the closing interest rate determined 3 days prior to the closing on the loan.

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 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. 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 the time of financing. All special assessments shall be payable in equal annual principal installments, with total interest rate not to exceed 8.0% 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 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 _____, being put to a vote, the vote was as follows:

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

DULY PASSED AND ADOPTED THIS 12th DAY OF March, 2002.

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"
ASSESSMENT ROLL

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 05FEB02
 SUBJECT PROPERTY : 04-46-24-01-00000.0140
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 20

04-46-24-01-00000.0140

RAINBOW FARMS PB 32 PG 46
LOT 14

***** OWNER ***** SITE *****
HYATT JOHN F

15131 ANCHORAGE WAY 16386 RAINBOW MEADOWS CT
 FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.0020

RAINBOW FARMS PB 32 PG 44
LOT 2

***** OWNER ***** SITE *****
KESSNER RONALD D + HEDWIG H

16472 RAINBOW MEADOWS CT 16472 RAINBOW MEADOWS CT
 FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.0030

RAINBOW FARMS PB 32 PG 44
LOT 3

***** OWNER ***** SITE *****
PIERCE CLIFFORD D + CONNIE S

16464 RAINBOW MEADOWS CT 16464 RAINBOW MEADOWS CT
 FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.0040

RAINBOW FARMS PB 32 PG 46
LOT 4

***** OWNER ***** SITE *****
WATTS TED ALLEN + MARGARET M

16456 RAINBOW MEADOWS CT 16456 RAINBOW MEADOWS CT
 FT MYERS FL 33908 Fort Myers 33908

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 05FEB02
 SUBJECT PROPERTY : 04-46-24-01-00000.0140
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 20

04-46-24-01-00000.0050

RAINBOW FARMS PB 32 PG 46
LOT 5

***** OWNER ***** SITE *****
LANDRY BETTY L

3481 PALM BEACH BLVD 16448 RAINBOW MEADOWS CT
FORT MYERS FL 33916 Fort Myers 33908

04-46-24-01-00000.0060

RAINBOW FARMS PB 32 PG 46
LOT 6

***** OWNER ***** SITE *****
HENRY PAUL S + TERESA G

16442 RAINBOW MEADOW CT OBOR
FT MYERS FL 33908 00000

04-46-24-01-00000.0070

RAINBOW FARMS PB 32 PG 46
LOT 7

***** OWNER ***** SITE *****
HIGHBAUGH DANIEL R

16434 RAINBOW MEADOWS CT 16434 RAINBOW MEADOWS CT
FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.0100

RAINBOW FARMS PB 32 PG 46
LOT 10

***** OWNER ***** SITE *****
RODRIGUEZ MARIO EDWARD

2 LANGLEY LN 16414 RAINBOW MEADOWS CT
OLD WESTBURY NY 11568 Fort Myers 33908

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 05FEB02
 SUBJECT PROPERTY : 04-46-24-01-00000.0140
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 20

04-46-24-01-00000.0110

RAINBOW FARMS PB 32 PG 46
LOT 11 + PT LOT 12

***** OWNER *****
DALTROFF F ANDREW

***** SITE *****

P O BOX 061043

16410 RAINBOW MEADOWS CT

FT MYERS

FL 33906

Fort Myers

33908

04-46-24-01-00000.0120

RAINBOW FARMS PB 32 PG 46
PT LOT 12 DESC OR2906/17
92

***** OWNER *****
THOMPSON LARRY C + KATHLEEN W

***** SITE *****

6520-A PINE AV

16402 RAINBOW MEADOWS CT

SANIBEL

FL 33957

Fort Myers

33908

04-46-24-01-00000.0130

RAINBOW FARMS PB 32 PG 46
LOT 13

***** OWNER *****
WALSH KEVIN J + THERESA M

***** SITE *****

16394 RAINBOW MEADOWS CT

16394 RAINBOW MEADOWS CT

FORT MYERS

FL 33908

Fort Myers

33908

04-46-24-01-00000.0150

RAINBOW FARMS PB 32 PG 46
LOT 15

***** OWNER *****
SALMAN EMAD K + ALISSAR G

***** SITE *****

16385 RAINBOW MEADOWS CT

16385 RAINBOW MEADOWS CT

FT MYERS

FL 33908

Fort Myers

33908

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 05FEB02
 SUBJECT PROPERTY : 04-46-24-01-00000.0140
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 20

04-46-24-01-00000.0160

RAINBOW FARMS PB 32 PG 46
LOT 16

***** OWNER ***** SITE *****
ROGERS JOYCE D

15880 SUMMERLIN RD #300-144 16393 RAINBOW MEADOWS CT
 FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.0170

RAINBOW FARMS PB 32 PG 46
LOT 17 LESS 17B

***** OWNER ***** SITE *****
NIXON RICHARD W + JILL

16411 RAINBOW MEADOWS CT 16411 RAINBOW MEADOWS CT
 FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.017B

NW1/2 OF LOT 17 RAINBOW F
ARMS PB 32/46 OR 2202-147
4

***** OWNER ***** SITE *****
PAUL JERRY R

3017 TURTLE GAIT LN 16425 RAINBOW MEADOWS CT
 SANIBEL FL 33957 Fort Myers 33908

04-46-24-01-00000.0180

RAINBOW FARMS PB 32 PG 46
LOT 18

***** OWNER ***** SITE *****
CAANGAY A ELIZABETH R TR

3970 HIDDEN ACRES CIR 16439 RAINBOW MEADOWS CT
 N FT MYERS FL 33903 Fort Myers 33908

 *** VARIANCE REPORT ***

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

DATE OF REPORT : 05FEB02
 SUBJECT PROPERTY : 04-46-24-01-00000.0140
 VARIANCE DISTANCE : (ft)
 PARCELS AFFECTED : 20

04-46-24-01-00000.0190

RAINBOW FARMS PB 32 PG 46
LOT 19

***** OWNER ***** SITE *****
AMES JEROME + TRACI

4901 SW 27TH AV 16447 RAINBOW MEADOWS CT
CAPE CORAL FL 33914 Fort Myers 33908

04-46-24-01-00000.0210

RAINBOW FARMS PB 32 PG 44
LOT 21

***** OWNER ***** SITE *****
MERCER RANDAL L

16465 RAINBOW MEADOWS CT 16465 RAINBOW MEADOWS CT
FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.0220

RAINBOW FARMS PB 32 PG 44
LOT 22

***** OWNER ***** SITE *****
REIDY CHARLES D + PATRICIA A

16479 RAINBOW MEADOW CT 16479 RAINBOW MEADOWS CT
FORT MYERS FL 33908 Fort Myers 33908

04-46-24-01-00000.0260

RAINBOW FARMS PB 32 PG 45
LOT 26

***** OWNER ***** SITE *****
PAUUL JERRY R + CONNIE LEA

3017 TURTLE GATE 9000 LIGON CT
SANIBEL FL 33957 Fort Myers 33908

EXHIBIT "B"
NOTICE TO PROPERTY OWNERS



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(941) 335-2186

Writer's Direct Dial Number: _____

Bob Janes
District One

February 19, 2002

Douglas R. St. Cerny
District Two

Ray Judah
District Three

«FirstName» «LastName»

Andrew W. Coy
District Four

«Address1»

John E. Albion
District Five

«City», «State» «PostalCode»

Donald D. Stilwell
County Manager

RE: Rainbow Farms Waterline - Strap Number: «StrapNumber»

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

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, March 12, 2002 at 5:00 p.m.**, concerning the Rainbow Farms Waterline 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 RAINBOW FARMS WATERLINE 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.

The Rainbow Farms water line has been completed and the assessments are based on the final project costs. The project cost was estimated to be \$166,635 and the revised cost is \$116,947. The method of assessment is a equivalent residential unit basis.

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 you 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 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 Lee County Division of Public Resources at 335-2269 at least seven days prior to the meeting.

Very truly yours,
MSTBU SERVICES

Libby Walker
Manager, Public Resources

**PREPAYMENT INVOICE
FOR RAINBOW FARMS WATERLINE MSBU**

To prepay your Rainbow Farms Waterline Assessment, **PAYMENT IN FULL must** be post marked by April 8, 2002 or paid in person in the MSTBU Office located at 2115 Second Street, Fort Myers, FL by Friday April 12, 2002. Interest will become effective on all assessments not paid in full by April 12, 2002.

If you wish to prepay, your assessment is \$4,679.88. **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 2002 tax bill. If you choose to pay your assessment over time, your assessment including finance charges, closing cost, and capitalized interest is estimated to be \$5,847.39, subject to the interest rate obtained at closing. 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

RAINBOW FARMS WATERLINE MSBU

«FirstName» «LastName»
«Address1»
«City», «State» «PostalCode»

Strap Number: «StrapNumber»

PREPAYMENTS MUST BE PAID IN FULL, POSTMARKED BY April 8, 2002 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 April 12, 2002

ANY PAYMENT RECEIVED AFTER April 12th WILL BE CREDITED AGAINST THE HIGHER ASSESSMENT RATE WHICH INCLUDES THE FINANCIAL CHARGES.

Prepayment Amount Due: \$4,679.88
Due Date: April 12, 2002
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

**EXAMPLE OF A FIXED PRINCIPAL SCHEDULE
RAINBOW FARMS WATERLINE MSBU**

PRINCIPAL: \$5,847.39
 INTEREST: 7.5%
 TERM: 15 years

Please Note: Interest Rate may change pending Bond or Loan rate at closing.

YEAR	PRINCIPAL	INTEREST	PAYMENT	BALANCE
				\$5,847.39
2002	\$389.83	\$438.55	\$828.38	\$5,457.56
2003	\$389.83	\$409.32	\$799.14	\$5,067.74
2004	\$389.83	\$380.08	\$769.91	\$4,677.91
2005	\$389.83	\$350.84	\$740.67	\$4,288.09
2006	\$389.83	\$321.61	\$711.43	\$3,898.26
2007	\$389.83	\$292.37	\$682.20	\$3,508.43
2008	\$389.83	\$263.13	\$652.96	\$3,118.61
2009	\$389.83	\$233.90	\$623.72	\$2,728.78
2010	\$389.83	\$204.66	\$594.48	\$2,338.96
2011	\$389.83	\$175.42	\$565.25	\$1,949.13
2012	\$389.83	\$146.18	\$536.01	\$1,559.30
2013	\$389.83	\$116.95	\$506.77	\$1,169.48
2014	\$389.83	\$87.71	\$477.54	\$779.65
2015	\$389.83	\$58.47	\$448.30	\$389.83
2016	\$389.83	\$29.24	\$419.06	\$0.00
TOTAL	\$5,847.39	\$3,508.43	\$9,355.82	

EXHIBIT "C"
PROOF OF PUBLICATION

NEWS-PRESS

*Published every morning – Daily and Sunday
Fort Myers, Florida*

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared Kieanna Henry who on oath says that he/she is the Asst. Legal Clerk 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 to Enact A County Resolution in the _____ Court was published in said newspaper in the issues of February 19, 2002

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, rebato, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Kieanna Henry

Sworn to and subscribed before me this

19th day of February 2002 by

Kieanna Henry
personally known to me or who has produced

as identification, and who did or did not take an oath.
Notary Public Brenda Leighton
Print Name _____

My commission Expires:



Brenda Leighton
MY COMMISSION # CC888985 EXPIRES
February 14, 2003
BONDED THIRD TRUST FARM INSURANCE, INC.

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 12th day of March 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 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 RAINBOW FARMS WATERLINE 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 Lee Cares, 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 MSTBU Coordinator, 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 Lee County Division 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 (2002).

P.O. Sekulski
REF.D021902-58

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA