

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

Blue Sheet No. 20030003

1. REQUESTED MOTION:

ACTION REQUESTED: Consider creation of the Bal Isle Sewer MSBU. Approve Resolution of Intent to reimburse and associated Budget Amendment Resolution. **Funds will be made available from reserves MSTBU restricted fund transfer. (10400) PA**

WHY ACTION IS NECESSARY: BoCC must approve the creation of Special Assessment Units.

WHAT THE ACTION ACCOMPLISHES: Allows staff to proceed with project.

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

5:00 #3

3. MEETING DATE:

01-28-2003

4. AGENDA:

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

6. REQUESTOR OF INFORMATION:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- TIME REQUIRED:

- STATUTE 125.01(1)q
- ORDINANCE 98-25
- ADMIN. CODE 3-15
- OTHER

- A. COMMISSIONER
- B. DEPARTMENT Public Resources
- C. DIVISION MSTBU Services
- BY: Walker *[Signature]*

7. BACKGROUND:

In March, 2001 a cost estimate was completed for the 28 property owners on Bal Isle Drive in the Town and River Subdivision for construction of a sewer line. Bal Isles Drive was one of only several roads in the subdivision which does not have sewer.

The total estimate was for \$243,448. In December, 2002 sixteen formal petitions (57% of the property owners) were submitted to this office requesting the creation of the unit. Due to the delay in receiving the petition, the estimate was modified with a new cost of \$275,644. A letter was sent out to the sixteen property owners supporting the project about the cost increase, providing them with an opportunity to withdraw their support. The methodology for the assessment is an equivalent assessment unit and is currently estimated at \$9,844.

Should the Board create this unit this evening, the anticipated completion date is July, 2003, with the first assessment on the November, 2004 tax bill.

Funding will be available in: Fund #80727535214.

Exhibits:

- A. Notice to Property Owners
- B. Publication/Map
- C. Legal Description

Attachments:

- A. Statistical Report
- B. Cost Estimate Letter 1-2-03
- C. Assessment Roll

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Operations			G County Manager
					OA	OM	Risk	GC
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i> 1/7/03	CA 1/8/03	AS 1/13/03	YG 1/13/03	HY 1-18-03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 1/7/03
Time: 10:48 AM
Forwarded To:
City Admin
1/7/03 2:15 PM

1-7-03
2:25
COUNTY ADMIN.
FORWARDED TO: H2
1/13/03

RESOLUTION

Amending the Budget of Bal Isle Sewer MSBU Fund #35214 to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2002-2003.

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 the Bal Isle Sewer MSBU Fund #35214 budget for \$ 233,492 of the unanticipated revenue from Sub Fund Transfer and an appropriation of a like amount for Various expenditures and;

WHEREAS, the Bal Isle Sewer Fund 35214 budget shall be amended to include the following amounts which were previously not included.

ESTIMATED REVENUES

Prior Total:		
Additions		\$0
GC5810135214.381000.9010400	Interfund Transfer	\$232,492
80727535214.361100.9000	Interest	1,000
Amended Total Estimated Revenues		\$233,492

APPROPRIATIONS

Prior Total:		\$0
Additions		
80727535214.504963	Administrative Charges	\$7,042
80727535214.506510	Professional Services	27,500
80727535214.506511	Permits and Other Fees	4,500
80727535214.506540	Construction	159,710
80727535214.507220	Interest	10,783
GC5890135214.509910	Reserves for Contingency	23,957
Amended Total Appropriations		\$233,492

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that the Bal Isle Sewer Fund Budget #35214 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 _____, 2003.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

BY: _____
DEPUTY CLERK

CHAIRMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

DOC TYPE YA
LEDGER TYPE BA

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Bal Isle Sewer DATE: 1/9/03 BATCH NO.: _____

FISCAL YEAR: 3 FUND NO.: 35214 DOC. TYPE: _____ LEDGER TYPE BA

TO: MSTBU Bal Isle Sewer
 (Division Name) (Program Name)

NOTE: Please list the account number below in the following order:
 Business Unit (dept/div, program, fund, subfund); Object Account; Subsidiary; Subledger
 (Example: BB 5120100100.503450)

<u>Account Number</u>	<u>Object Name</u>	<u>DEBIT</u>
GC581011010400.509110.T35214	Transfer to fund 35214	\$233,492.00

TOTAL TO: \$233,492.00

FROM: MSTBU MSTBU Restricted Fund
 (Division Name) (Program Name)

<u>Account Number</u>	<u>Object Name</u>	<u>CREDIT</u>
GC5890110400.509940	Reserves for cash	\$233,492.00

TOTAL FROM: \$233,492.00

EXPLANATION: Provide funds for anticipated expenses for FY 03

DIVISION DIRECTOR SIGNATURE/DATE DBO: APPROVAL <u>✓</u> DENIAL _____		DEPARTMENT HEAD SIGNATURE/DATE <u>Caryn Agostino</u> <u>1/13/03</u>	
OPS. MGR.: APPROVAL _____ DENIAL _____		OPS. ANALYST SIGNATURE _____ DATE _____	
CO. MGR.: APPROVAL _____ DENIAL _____		OPS. MGR. SIGNATURE _____ DATE _____	
BCC APPROVAL DATE _____		CO. MANAGER SIGNATURE _____ DATE _____	
BA. NO _____		BCC CHAIRMAN SIGNATURE _____	
AUTH CODE _____		TRANS DATE _____	

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 "BAL ISLE SEWER MUNICIPAL SERVICES RESOLUTION RELATING TO THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA: CREATING A 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 \$275,644 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 "BAL ISLE SEWER MUNICIPAL SERVICE BENEFIT UNIT".

There is hereby created and established the Bal Isle Sewer Municipal 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 sewer line 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 \$275,644. 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 during construction of the related improvement, at the office of MSTBU Services within 30 days of adoption of such confirming resolution. Special assessments may be collected pursuant to the Uniform Assessment Collection Act in fifteen (15) equal annual principal installments with interest at the above described rate, subject to the provision of Section 4.01 of the Ordinance.

SECTION 6. POWERS.

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

SECTION 7. EFFECT OF ADOPTION OF RESOLUTION.

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

SECTION 8. EFFECTIVE DATE.

This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner who, moved its adoption. The motion was seconded by Commissioner and, being put to a vote, the vote was as follows:

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

DULY PASSED AND ADOPTED THIS 28th DAY OF JANUARY, 2003.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____

BY: _____

APPROVED AS TO FORM:

BY: _____

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 BAL ISLE SEWER MUNICIPAL SERVICE BENEFIT UNIT; AUTHORIZING CERTAIN INCIDENTAL ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in connection with the construction of the “Bal Isle Sewer Municipal Service Benefit Unit”, 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 \$275,644.

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 28th DAY OF JANUARY, 2003

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

BY: _____

BY: _____

APPROVED AS TO FORM:

BY: _____

Office of County Attorney

“Exhibit A”

January 7, 2003

Strap No.:

Dear Property Owner:

On Tuesday, January 28, 2003 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 Bal Isle Sewer Municipal Service Benefit Unit. The Resolution to be considered is titled as follows:

RESOLUTION RELATING TO THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA: CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE **"BAL ISLE SEWER MUNICIPAL SERVICES BENEFIT UNIT"** FOR THE PURPOSE OF PROVIDING FOR THE ACQUISITION, CONSTRUCTION OF VARIOUS ESSENTIAL MUNICIPAL SERVICES, FACILITIES AND IMPROVEMENTS; PRESCRIBING THE BOUNDARIES OF SAID UNIT, ALL WITHIN THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA; AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF A PROJECT WITHIN THE UNIT AND THE LEVYING OF SPECIAL ASSESSMENTS TO FINANCE SUCH PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$275,644 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 20 and 21, Township 45, Range 24 in the Town & River area of Fort Myers, as depicted in the attached map.

The estimated cost of the Project is \$275,644 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 2004. 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 \$9,844.

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 28th day of January, 2003, 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 “BAL ISLE SEWER MUNICIPAL SERVICES BENEFIT UNIT” FOR THE PURPOSE OF PROVIDING FOR THE ACQUISITION, CONSTRUCTION OF VARIOUS ESSENTIAL MUNICIPAL SERVICES, FACILITIES AND IMPROVEMENTS; PRESCRIBING THE BOUNDARIES OF SAID UNIT, ALL WITHIN THE UNINCORPORATED AREA OF LEE COUNTY, FLORIDA; AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF A PROJECT WITHIN THE UNIT AND THE LEVYING OF SPECIAL ASSESSMENTS TO FINANCE SUCH PROJECT; ESTABLISHING THE ESTIMATED COST TO BE \$275,644 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 Public Resources both located in the Courthouse Office Building, 2115 Second Street, Fort Myers, Florida.

The area to be encompassed by the unit is described in the map below. The nature of the project consists of construction of a sewer line on Bal Isle Drive and the estimated cost of the project is \$275,644. 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 (2002).

**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: 01/07/03
2" X 5" ad



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

TO WHOM IT MAY CONCERN:

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

The area to be encompassed by the unit is described in the map below. The nature of the project consists of construction of a sewer line on Bal Isle Drive and the estimated cost of the project is \$275,644. 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.

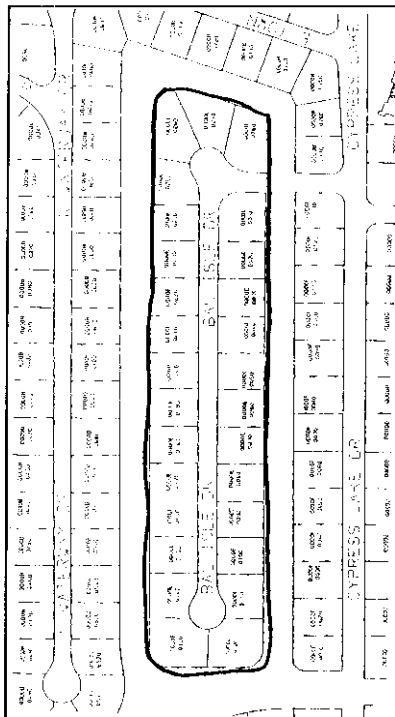
In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the county Commission at (239) 335-2259 at least seven days prior to the date of the hearing.

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 (2002).

BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA



Handwritten: P. SeKulski
REF. DC10703-74

“Exhibit C”

Legal Description
for
Bal Isle Sewer MSBU

Parcels 0010 through 0280 located in Town & River Estates, Block E as recorded in Plat Book 24, Pages 60 and 61.

Attachment "A"

STATISTICAL REPORT

MSBU: Bal Isle Sewer MSBU
TYPE OF BENEFIT: Sewer
LOCATION OF DISTRICT: Town & River Estates
METHOD OF PAYMENT: Equivalent Assessment Unit

FORMAL PETITION RESULTS

Assessed Value: \$275,644

	Number	%
Total # of Parcels	28	100%
Required Number of Signatures	15	51%
Actual Number of Notarized Signatures	16	57%

“Attachment B”

(941) 335-2269

January 2, 2003

Dear Property Owner:

In March of 2001 this office prepared a cost estimate for the construction of a sewer line along Bal Isle Drive. The estimated cost of the project was \$243,448. Over the past twenty months, notarized petitions were collected to obtain support for the project, and delivered to this office earlier this month. Considering the length of time since the original estimate, updated figures for the proposed line were obtained with a new estimate of \$275,644.

The increase is due to several factors. Although we can not be certain of the actual construction costs until the project is bid out, the consulting engineer who estimated the original project felt that there could be as much as a 10% increase in the cost. In addition, there has been an increase in the capitalized interest, not due to an increase in the rate, but due to carrying costs of the loan prior to receiving payments from property owners.

Capitalized Interest is part of the long term financing we borrow at the completion of the project to make the principal and interest payments on the loan until we begin collecting the assessments from the property owners. When the first estimate was done, it was anticipated that we would have to carry the loan payments for approximately one year. With the delay of the project, and due to the timing requirements for placing the assessments on the tax bill, we would be carrying the costs of the loan for approximately 22 months.

With the current project schedule, we would expect the project to be completed and financing obtained in late July/August, 2003. The first assessment for the property owners would not be on your tax bill until **November, 2004**, with payment due by March, 2005.

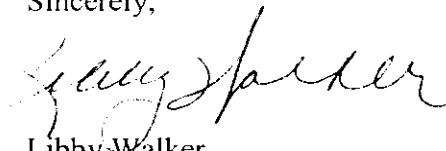
With new figures calculated, the anticipated cost per equivalent assessment unit is \$9,844. Should a property owner decide to pay his/her assessment in full at the completion of the

project, he/she would not be responsible for the long term financing costs and would expect an assessment of approximately \$8,354. These projected costs have been done with our best estimates of what is currently happening in the construction and finance industries.

A public hearing is currently being scheduled for the Board of County Commissioners to consider creation of the Bal Isle Sewer MSBU. You will be receiving a formal letter advising you of when and where that public hearing is being held. However, since you have supported this project in the past, with a slightly lower estimate, we wanted to advise you of these changes. Should you decide that you no longer wish to support the project, please notify me in writing at the above address, and I will remove your petition of support.

Should you have any questions with regard to the project construction, estimate or timing, please don't hesitate to contact me at the above number.

Sincerely,

A handwritten signature in black ink, appearing to read "Libby Walker". The signature is fluid and cursive, with the first name "Libby" written in a larger, more prominent script than the last name "Walker".

Libby Walker
Manager, Public Resources

"Attachment C"

Assessment Roll
Bal Isle Sewer MSBU

Equal Assessment Unit (EAU)
Assessment : \$9,844

20-45-24-08-0000E.0120			TOWN + RVR EST UNIT 4 BLK E PB 24 PG 61 LOT 12
***** OWNER *****			***** SITE *****
PEASE ROBERT + JANET R			
954 BAL ISLE DR		954	BAL ISLE DR
FT MYERS	FL 33919	Fort Myers	33919

20-45-24-08-0000E.0110			TOWN + RIVER EST.UNIT 4 B LK.E PB 24 PG 61 LOT 11
***** OWNER *****			***** SITE *****
LEDDY BARBARA S			
968 BAL ISLE DR		968	BAL ISLE DR
FORT MYERS	FL 33919	Fort Myers	33919

20-45-24-08-0000E.0130			TOWN + RIVER EST.UNIT 4 B LK.E PB 24 PG 61 LOT 13
***** OWNER *****			***** SITE *****
KUHN M ARLENE TR			
955 BAL ISLE DR		955	BAL ISLE DR
FT MYERS	FL 33919	Fort Myers	33919

20-45-24-08-0000E.0140			TOWN + RIVER EST.UNIT 4 B LK.E PB 24 PG 61 LOT 14
***** OWNER *****			***** SITE *****
EVANS FRANK T			
967 BAL ISLE DRIVE		967	BAL ISLE DR
FT MYERS	FL 33919	Fort Myers	33919

Assessment Roll
Bal Isle Sewer MSBU

Equal Assessment Unit (EAU)
Assessment : \$9,844

21-45-24-08-0000E.0010		TOWN + RIVER EST.UNIT 4 B LK.E PB 24 PG 60 LOT 1	
***** OWNER *****		***** SITE *****	
DOWDEN DAVID W + NANCY A			
1151 EAST ADAMS DR		1048 BAL ISLE DR	
FRANKLIN	IN 46131	Fort Myers	33919

21-45-24-08-0000E.0020		TOWN + RIVER EST.UNIT 4 B LK.E PB 24 PG 60 LOT 2	
***** OWNER *****		***** SITE *****	
SANDERS BRAD + ROSEANNE			
1040 BAL ISLE DR		1040 BAL ISLE DR	
FORT MYERS	FL 33913	Fort Myers	33919

21-45-24-08-0000E.0030		TOWN + RIVER EST.UNIT 4 B LK.E PB 24 PG 60 LOT 3	
***** OWNER *****		***** SITE *****	
BREIDERT KAREN A TR			
1032 BAL ISLE DR		1032 BAL ISLE DR	
FORT MYERS	FL 33919	Fort Myers	33919

21-45-24-08-0000E.0040		TOWN + RIVER EST UNIT 4 B LK E PB 24 PG 60 LOT 4	
***** OWNER *****		***** SITE *****	
MASTRO DONALD J + LAURIE S			
1024 BAL ISLE DR		1024 BAL ISLE DR	
FT MYERS	FL 33919	Fort Myers	33919

Assessment Roll
Bal Isle Sewer MSBU

Equal Assessment Unit (EAU)
Assessment : \$9,844

21-45-24-08-0000E.0050

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 60 LOT
5

***** OWNER *****
HAMILTON MARK J + ANNA M

***** SITE *****

1016 BAL ISLE DR

1016 BAL ISLE DR

FT MYERS FL 33919

Fort Myers

33919

21-45-24-08-0000E.0060

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 60 LOT
6

***** OWNER *****
MCGLASSON DANNY L + ELIZABETH

***** SITE *****

1008 BEL ISLE DR

1008 BAL ISLE DR

FT MYERS FL 33919

Fort Myers

33919

21-45-24-08-0000E.0070

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 60 LOT
7

***** OWNER *****
HELGEMO STEPHEN L + MAXINE

***** SITE *****

1000 BAL ISLE DR

1000 BAL ISLE DR

FT MYERS FL 33919

Fort Myers

33919

21-45-24-08-0000E.0080

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 60 LOT
8

***** OWNER *****
WILLIAMSEN CHARLES T + PAULA M

***** SITE *****

992 BAL ISLE DR

992 BAL ISLE DR

FORT MYERS FL 33919

Fort Myers

33919

Assessment Roll
Bal Isle Sewer MSBU

Equal Assessment Unit (EAU)
Assessment : \$9,844

21-45-24-08-0000E.0090

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 60 LOT
9

***** OWNER *****
FURLETTE JAS L + ELIZABETH

***** SITE *****

984 BAL ISLE DR

984 BAL ISLE DR

FT MYERS FL 33919

Fort Myers
33919

21-45-24-08-0000E.0100

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 61 LOT
10

***** OWNER *****
SMITH ABNER J + HELEN S

***** SITE *****

980 BAL ISLE DR

980 BAL ISLE DR

FT MYERS FL 33919

Fort Myers
33919

21-45-24-08-0000E.0150

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 61 LOT
15

***** OWNER *****
GOMEZ JULIE A

***** SITE *****

979 BAL ISLE DR

979 BAL ISLE DR

FORT MYERS FL 33919

Fort Myers
33919

21-45-24-08-0000E.0160

TOWN + RIVER EST.UNIT 4 B
LK.E PB 24 PG 60 LOT
16

***** OWNER *****
ENNEN WILLIAM C

***** SITE *****

989 BAL ISLE DR

989 BAL ISLE DR

FORT MYERS FL 33919

Fort Myers
33919

Assessment Roll
Bal Isle Sewer MSBU

Equal Assessment Unit (EAU)
Assessment : \$9,844

21-45-24-08-0000E.0170		TOWN + RIVER EST.UNIT 4 B	
		LK.E PB 24 PG 60 LOT	
		17	
***** OWNER *****		***** SITE *****	
BERKELEY MARGARET L TR			
997 BAL ISLE DR		997 BAL ISLE DR	
FT MYERS	FL 33919	Fort Myers	33919

21-45-24-08-0000E.0180		TOWN + RIVER EST.UNIT 4 B	
		LK.E PB 24 PG 60 LOT	
		18	
***** OWNER *****		***** SITE *****	
SHORACK VIRGINIA TR			
1001 BAL ISLE DR		1001 BAL ISLE DR	
FT MYERS	FL 33919	Fort Myers	33919

21-45-24-08-0000E.0190		TOWN + RVR EST UNIT 4 BLK	
		E PB 24 PG 60 LOT 19	
***** OWNER *****		***** SITE *****	
CARLSON SHERRI G + ALBERT E			
1009 BAL ISLE DR		1009 BAL ISLE DR	
FORT MYERS	FL 33919	Fort Myers	33919

21-45-24-08-0000E.0200		TOWN + RVR EST UNIT 4 BLK	
		E PB 24 PG 60 LOT 20	
***** OWNER *****		***** SITE *****	
PHILLIPS LAWRENCE L+ ROSANNE J			
1017 BAL ISLE DR		1017 BAL ISLE DR	
FORT MYERS	FL 33919	Fort Myers	33919

Assessment Roll
Bal Isle Sewer MSBU

Equal Assessment Unit (EAU)
Assessment : \$9,844

21-45-24-08-0000E.0210		TOWN + RIVER ESTATES UT 4 BLK E PB 24 PG 60 LO T 21	
***** OWNER *****		***** SITE *****	
WOODHOUSE ALBERT F + DIANE J			
1025 BAL ISLE DR		1025 BAL ISLE DR	
FT MYERS	FL 33919	Fort Myers	33919

21-45-24-08-0000E.0220		TOWN + RVR EST UNIT 4 BLK E PB 24 PG 60 LOT 22	
***** OWNER *****		***** SITE *****	
PECK DAVID A + LISA J			
1033 BAL ISLE DR		1033 BAL ISLE DR	
FORT MYERS	FL 33919	Fort Myers	33919

21-45-24-08-0000E.0230		TOWN + RVR EST UNIT 4 BLK E PB 24 PG 60 LOT 23	
***** OWNER *****		***** SITE *****	
CARRIERE LUC J + ANN M			
1041 BAL ISLE DR		1041 BAL ISLE DR	
FORT MYERS	FL 33919	Fort Myers	33919

21-45-24-08-0000E.0240		TOWN + RVR EST UNIT 4 BLK E PB 24 PG 60 LOT 24	
***** OWNER *****		***** SITE *****	
MARKGRAF KURT + REBECCA S			
1045 BAL ISLE DR		1045 BAL ISLE DR	
FT MYERS	FL 33919	Fort Myers	33919

P11

From: Caryn Agostino
To: Arthur, Paul
Date: 1/13/03 5:01PM
Subject: On the resolution for Bal Isle you put reserves in the 80 account. It should be in GC5890135214.509

On the resolution for Bal Isle you put reserves in the 80 account. It should be in GC5890135214.509910. Please correct and bring up to me tomorrow.

Thanks, Caryn

Caryn Agostino
Management/Budget Analyst
Budget Services
941-335-2806 - office
941-335-2262 - fax

FYI

From: Caryn Agostino
To: Arthur, Paul
Date: 1/13/03 5:03PM
Subject: Please give the resolution to Kathy Geren since she has the bluesheet already. Just send me a copy

Please give the resolution to Kathy Geren since she has the bluesheet already. Just send me a copy of the corrected resolution for my records.

Thanks,

Caryn Agostino
Management/Budget Analyst
Budget Services
941-335-2806 - office
941-335-2262 - fax