

RESOLUTION NO. 18-12-23

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED IN THE UNINCORPORATED AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners ("Board") of Lee County, Florida ("County") is contemplating the imposition of special assessments for the acquisition and construction of essential improvements and facilities within the OAK CREEK ROAD PAVING CIP MSBU; and

WHEREAS, the Board intends to use the uniform method for collecting non-ad valorem special assessments for the cost of acquisition and construction of essential improvements and facilities within such municipal benefit unit as authorized by §197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing fiscal year October 1, 2019, and for each year thereafter in the same manner as provided for ad valorem taxes; and

WHEREAS, the Board held a duly advertised public hearing prior to the adoption of this Resolution, with the proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, as follows:

1. Commencing with the Fiscal year beginning on October 1, 2019, and with the tax statement mailed for such Fiscal Year, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in §197.3632, Florida Statutes, for acquisition and construction of essential improvements and facilities in the OAK CREEK ROAD PAVING CIP MSBU. Such non-ad valorem assessments shall be levied within the unincorporated area of the County. A legal description/assessment rolls of such area subject to the assessment is attached hereto as Exhibit B and incorporated herein by reference.
2. The County hereby determines that the levy of the assessments is needed to fund the cost of acquisition and construction of essential improvements and facilities within such municipal service benefit unit.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Lee County Tax Collector and the Lee County Property Appraiser by March 1, 2019.
4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 18th day of December, 2018.

ATTEST:
LINDA DOGGETT, CLERK

By: Melissa Butler
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: Brian Hunter
Chair (Vice)



Approved as to form for the
Reliance of Lee County only:

By: John J. Lyons
Office of the County Attorney

Attachments:

- Exhibit A: Notice of Intent
- Exhibit B: Proposed Legal Descriptions/Assessment Rolls

EXHIBIT A

THE 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 **Sue Bridges** who on oath says that he/she is an Assistant of the News-Press, a daily newspaper, published in print and online at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

Legal Display

In the matter of:

NOI Non-Ad Valorem, Public Hearing December 18, 2018

In the court was published in said newspaper and/or on
the website in the issues of

Nov, 19, 26, Dec. 3, 10, 2018

Affiant further says that the said News-Press is a newspaper 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.

Sue Bridges

Sworn to and subscribed before me this **10th** day of **December**.

By Sue Bridges

personally known to me or who has produced

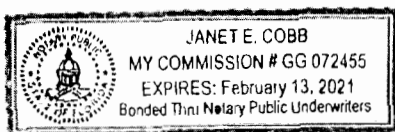
as identification, and who did or did not take an oath.

Notary Public

Janet E. Cobb

Print Name: **Janet E. Cobb**

My commission Expires: February 13, 2021



LEE COUNTY

NOTICE OF INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF A NON-AD VALOREM ASSESSMENTS

NOTICE IS HERBY GIVEN to all owners of lands located within the boundaries of the CHERRY ESTATES SIDE STREETS ROAD PAVING CIP MSBU, MARINA/CORAL CIRCLE CHANNEL DREDGING CIP MSBU, SUNSET COVE DREDGING CIP MSBU, OAK CREEK ROAD PAVING CIP MSBU, AND TELEGRAPH CREEK BRIDGE REPAIR CIP MSBU, that the Lee County Board of County Commissioners will hold a public hearing on Tuesday, the 18th day of December, 2018, at 9:30 a.m., or as soon thereafter, as may be heard, in the County Commissioners Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida.

The purpose of the public hearing is to consider the adoption of Resolutions for the first time commencing Fiscal Year October 2019, and annually thereafter, authorizing Lee County Government to use the uniform method of collecting non-ad valorem assessments within the unincorporated area of Lee County, levied by the Lee County Board of County Commissioners as provided in §197.3632, Florida Statutes.

Copies of this Notice and the proposed Resolutions are available for inspection or copying during regular business hours at the Minutes Office of the Clerk of Court of Lee County, and at the Office of Management & Budget, MSTBU, located in the County Administration Building, 2115 Second Street, Fort Myers, FL. Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the enactment of the proposed Resolutions.

Anyone wishing to appeal the Board's decision(s) with respect to any matter considered at this meeting will need a record of the proceedings. Generally, a verbatim record, including all testimony and evidence upon which the appeal is to be based, will be necessary.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or adarequests@laegov.com, at least five business days in advance.

P.O. RASNER

NP 060656157

D111918-12, D112618-13, D120318-14, D121018-15

EXHIBIT B

OAK CREEK ROAD ASSESSMENT ROLL

STRAP	SITEADDR	SITECITY	SITEZIP	LEGAL
25432600001190060	17951 OAK CREEK RD	ALVA	33920	E 1/2 OF SE 1/4 OF NE 1/4 OF SE 1/4 AKA E 1/2 LOT 16
25432600001190000	17931 OAK CREEK RD	ALVA	33920	E 1/2 OF THE W 1/2 OF THE SE 1/4 OF THE NE 1/4 OF THE SE 1/4
25432600001180080	17651 OAK CREEK RD	ALVA	33920	E1/2 OF THE W1/2 OF THE SE 1/4 OF NE1/4 OF SE1/4 AKA LT 14 OAK CREEK FARMS U/R
25432600001180060	17541 OAK CREEK RD	ALVA	33920	E1/2 OF W1/2 OF SW1/4 OF NW1/4 OF SE1/4 AKA E1/2 OF W1/2 OF LT13 OAK CRK FARMS
25432600001180040	17521 OAK CREEK RD	ALVA	33920	W 1/2 OF W 1/2 OF SW 1/4 OF NW1/4 OF SE1/4 AKA W1/2 OF W1/2 LT 13 OAK CREEK
25432600001220280	17371 OAK CREEK RD	ALVA	33920	E1/2 OF E1/2 OF SW1/4 AKA E1/2 OF E1/2 LOT 11 OAK CREEK FARMS + OR 4604/3550
25432600001220270	17341 OAK CREEK RD	ALVA	33920	W 1/2 OF E 1/2 OF SW 1/4 OF NE 1/4 OF SW 1/4 AKA W 1/2 OF E 1/2 LT 11
25432600001220090	17301 OAK CREEK RD	ALVA	33920	W 1/2 OF W 1/2 OF SW 1/4 OF NE 1/4 OF SW 1/4 AKA W 1/2 OF W 1/2 OF LOT 11
25432600001220110	17251 OAK CREEK RD	ALVA	33920	W 1/2 OF E 1/2 OF SE 1/4 OF NW 1/4 OF SW 1/4
25432600001190110	17801 OAK CREEK RD	ALVA	33920	W 1/2 OF E 1/2 OF SW 1/4 OF NE 1/4 OF SE 1/4
25432600001180070	17691 OAK CREEK RD	ALVA	33920	W 1/2 OF E 1/2 OF SE 1/4 OF NW 1/4 OF SE 1/4 AKA W 1/2 OF E1/2 LT 14 OAK CRK
25432600001180090	17595 OAK CREEK RD	ALVA	33920	E1/2 OF E1/2 OF SW 1/4 OF NW1/4 OF SE1/4 AKA E1/2 OF E1/2 LT 13 OAK CR FARMS
25432600001220140	17471 OAK CREEK RD	ALVA	33920	E 1/2 OF SE 1/4 OF NE 1/4 OF SW 1/4 DESC IN OR 1584 PG 818
25432600001190180	17901 OAK CREEK RD	ALVA	33920	W1/2 OF W1/2 OF SE1/4 OF NE1/4 OF SE1/4 AKA W1/2 OF W1/2 OF LT16 OAK CREEK FRM
25432600001190120	17781 OAK CREEK RD	ALVA	33920	E 1/2 OF W 1/2 OF SW 1/4 OF NE 1/4 OF SE 1/4 SEC 25 DESC OR 1843 PG 1028
25432600001180030	17711 OAK CREEK RD	ALVA	33920	E 1/2 OF E 1/2 OF SE 1/4 OF NW 1/4 OF SE 1/4 AKA E 1/2 OF E 1/2 LT 14
25432600001180050	17571 OAK CREEK RD	ALVA	33920	W1/2 OF E1/2 OF SW1/4 OF NW1/4 OF SE1/4 AKA W1/2 OF E1/2 LOT 13
25432600001220130	17451 OAK CREEK RD	ALVA	33920	W 1/2 OF SE 1/4 OF NE 1/4 OF SW 1/4 OR 1584/834 AKA W1/2 LT 12 OAK CRK
25432600001220120	17321 OAK CREEK RD	ALVA	33920	E 1/2 OF W 1/2 OF SW 1/4 OF NE 1/4 OF SW 1/4 OF SEC 25 TWP 43 RGE 26
25432600001220030	17221 OAK CREEK RD	ALVA	33920	W 1/2 OF SE 1/4 OF NW 1/4 OF SW 1/4 AKA W 1/2 LOT 10 OAK CREEK FARMS UNREC
25432600001220070	17151 OAK CREEK RD	ALVA	33920	S W 1/4 OF N W 1/4 OF S W 1/4
25432600001190240	17800 OAK CREEK RD	ALVA	33920	W 1/2 OF THE E 1/2 OF NW 1/4 OF THE SE 1/4 OF THE SE 1/4
25432600001190030	17540 OAK CREEK RD	ALVA	33920	PARL IN NW 1/4 OF SW 1/4 OF SE 1/4 DESC OR 3188 PG 3761
25432600001190050	17950 OAK CREEK RD	ALVA	33920	E 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4 AKA E 1/2 LOT 24
25432600001190130	17900 OAK CREEK RD	ALVA	33920	W 1/2 OF W 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4 AKA W 1/2 OF W 1/2 LT 24 OAK CREEK FARMS
25432600001190140	17930 OAK CREEK RD	ALVA	33920	E1/2 OF W1/2 OF NE1/4 OF SE1/4 OF SE1/4 AKA E1/2 OF W1/2 LT 24 OAK CRK FRMS
25432600001190250	17850 OAK CREEK RD	ALVA	33920	E 1/2 OF THE E 1/2 OF THE NW 1/4 OF THE SE 1/4 OF THE SE 1/4
25432600001190070	17630 OAK CREEK RD	ALVA	33920	W 1/2 OF W 1/2 OF NE 1/4 OF SW 1/4 OF SE 1/4
25432600001190150	17530 OAK CREEK RD	ALVA	33920	W 1/2 OF W 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4
25432600001220150	17520 OAK CREEK RD	ALVA	33920	E 1/2 OF E 1/2 OF NE 1/4 OF SE 1/4 OF SW 1/4
25432600001190160	17750 OAK CREEK RD	ALVA	33920	W1/2 OF W1/2 OF NW1/4 OF SE1/4 OF SE1/4 AKA W1/2 OF W1/2 OF LT23 OAK CREEK
25432600001190190	17700 OAK CREEK RD	ALVA	33920	E1/2 OF E1/2 OF NE1/4 OF SW1/4 OF SE1/4 AKA E1/2 OF E1/2 LOT 22 OAK CREEK
25432600001190200	17690 OAK CREEK RD	ALVA	33920	W1/2 OF E1/2 OF NE1/4 OF SW1/4 OF SE1/4 AKA W1/2 OF E1/2 LOT 22 OAK CREEK FARMS UNREC
2543260000119004A	17536 OAK CREEK RD	ALVA	33920	PARL IN NW 1/4 OF SW 1/4 OF SE 1/4 DESC OR 1381 PG 1883
25432600001220300	17370 OAK CREEK RD	ALVA	33920	E1/2 OF E1/2 OF NW 1/4 OF SE 1/4 OF SW 1/4 SEC 25 TWP 43 RGE 26
25432600001220040	17270 OAK CREEK RD	ALVA	33920	E 1/2 OF N E 1/4 OF S W 1/4 OF S W 1/4
25432600001220080	17200 OAK CREEK RD	ALVA	33920	W 1/2 OF W 1/2 OF N E 1/4 OF S W 1/4 OF S W 1/4
25432600001220170	17470 OAK CREEK RD	ALVA	33920	W1/2 OF E1/2 OF NE1/4 OF SE1/4 OF SW1/4 AKA E 1/2 LOT 20 OAK CREEK FARMS UNREC
25432600001220240	17450 OAK CREEK RD	ALVA	33920	W1/2 OF W1/2 OF NE1/4 OF SE1/4 OF SW1/4 AKA W1/2 OF W1/2 OF LOT 20
25432600001220050	17310 OAK CREEK RD	ALVA	33920	W 1/2 OF N W 1/4 OF S E 1/4 OF S W 1/4
25432600001220060	17240 OAK CREEK RD	ALVA	33920	E1/2 OF W1/2 OF NE1/4 OF SW1/4 OF SW1/4 AKA E1/2 OF LT 18 OAK CRK FARMS U/N
25432600001220310	17340 OAK CREEK RD	ALVA	33920	W1/2 OF E1/2 OF NW 1/4 OF SE 1/4 OF SW 1/4 OF SEC 25 TWP 43 RGE 26
2543260000122002A	17180 OAK CREEK RD	ALVA	33920	E 1/2 OF NW 1/4 OF SW 1/4 OF SW 1/4 LESS W 138 FT + LESS N 30 FT RESERVED FOR RD R/W
25432600001220020	17140/150 OAK CREEK RD	ALVA	33920	NW 1/4 OF SW 1/4 OF SW 1/4 LESS N 30 FT RESERVED FOR RD R/W + ALSO LESS E 1/2
25432600001190170	17851 OAK CREEK RD	ALVA	33920	E 1/2 OF E 1/2 OF SW 1/4 OF NE 1/4 OF SE 1/4
25432600001190230	17751 OAK CREEK RD	ALVA	33920	W1/2 OF W1/2 OF SW1/4 OF NE1/4 OF SE 1/4 OF SEC 25 AKA LT 15 OAK CREEK FARMS
25432600001180020	17621 OAK CREEK RD	ALVA	33920	W 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4 OF SE 1/4 AKA W 1/2 OF W 1/2 LOT 14
25432600001220100	17281 OAK CREEK RD	ALVA	33920	E1/2 OF E1/2 OF SE1/4 OF NW1/4 OF SW1/4 AKA E 1/2 OF LOT 10
25432600001190210	17780 OAK CREEK RD	ALVA	33920	E1/2 OF W1/2 OF NW1/4 OF SE1/4 OF SE1/4 AKA E1/2 OF W1/2 OF LOT 23
25432600001190100	17650/660 OAK CREEK RD	ALVA	33920	E 1/2 OF W 1/2 OF NE 1/4 OF SW 1/4 OF SE 1/4 AKA LOT 22 OAK CREEK FARMS
25432600001190090	17600 OAK CREEK RD	ALVA	33920	E 1/2 OF E 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4
25432600001220180	17460 OAK CREEK RD	ALVA	33920	E1/2 OF W1/2 OF NE1/4 OF SE1/4 OF SW1/4 AKA PT LT 20 OAK CREEK FARMS UNREC
2543260000122002B	17160 OAK CREEK RD	ALVA	33920	W 138 FT OF E 1/2 OF NW 1/4 OF SW 1/4 OF SW 1/4 LESS N 30 FT RESERVED FOR RD R/W