

R-97-195

RESOLUTION APPROVING
SPECIAL SANITARY SEWER ASSESSMENT PROJECT
21ST STREET WEST

WHEREAS, pursuant to Chapter 63-1582, Laws of Florida as amended, the first public hearing on the above identified special improvement assessment project was duly held by the Board of County Commissioners of Manatee County, Florida and proof of publication of the first public hearing was filed with the Board of County Commissioners; and

WHEREAS, notice of the first public hearing was sent by first class mail to those property owners of record identified in Exhibit "A", and the affidavit of said notice is attached hereto as Exhibit "B", and

WHEREAS, the project and its location is briefly described as sanitary sewer improvements along the following road:

21ST STREET WEST
FROM 69TH AVE WEST (HAY DRIVE), SOUTH APPROXIMATELY 500' TO DEADEND

WHEREAS, this Board of County Commissioners heard and considered all evidence submitted, presentations and documents filed during the public hearing and is fully advised and informed in this matter.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Manatee County, Florida, in connection with Sanitary Sewer Assessment Project No. TBA, described above and referred to as the Project, that:

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1. It is hereby determined that the parcels of real property located within the unincorporated portions of Manatee County, Florida abutting the project and belonging to those owners of record identified in Exhibit "A" attached hereto and made a part hereof, will be especially benefited to the extent of the estimated special assessments shown on Exhibit "A" by the construction or other improvements of the project, and that such project constitutes a valid public purpose. Accordingly, the project is hereby approved.

2. Commencement of the development of the preliminary special improvement assessment rolls is hereby directed.

THE ESTIMATED ASSESSMENTS SHOWN ON EXHIBIT "A" ARE NOT LIENS AND ARE NOT THE FINAL ASSESSMENTS. NO ASSESSMENTS SHALL BE DUE OR PAYABLE UNTIL AFTER NOTICE AND A PUBLIC HEARING HAVE BEEN CONDUCTED IN THE MANNER REQUIRED BY CHAPTER 63-1582, LAWS OF FLORIDA, AS AMENDED, AND THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-A) VALOREM ASSESSMENTS PURSUANT TO CHAPTER 197, FLORIDA STATUTES.

3. Final special assessment liens shall not be levied until after completion of the project.

4. The Clerk of the Circuit Court is hereby authorized and directed to cause this Resolution with Exhibit "A" attached hereto to be filed for record and recorded in the Official Records Books of the County.

The local sanitary sewer improvements shall consist of:

- a. 6" Gravity feed sanitary sewer line
- b. Temporary lift station
- c. Rebuild and resurface areas of paved roads damaged during construction

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6. The approval contained herein may be rescinded in whole or in part:

- a. If it is determined that the special assessments shown on the preliminary special assessment roll exceed the benefits that may accrue to the property as a result of the improvements.
- b. If an agreement with the Tax Collector and Property Appraiser is not obtained.
- c. If it is not possible to complete construction of the project in accordance with the construction cost estimate provided during the public hearing.
- d. If it is not possible to provide financing at a rate of interest not to exceed 7 1/2% and allow for payment of special assessment liens in equal annual payments of principal and interest over a period of fifteen (15) years.

7. Special assessments may be collected in accordance with the uniform method for the levy, collection and enforcement of non-ad valorem assessments or as otherwise permitted by Chapter 63-1582, Laws of Florida, as amended.

ADOPTED WITH A QUORUM present and voting this the 7th day of October, 1997.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *Patricia M. Glass*
Chairman

ATTEST: *E. R. Shore*
Clerk of the Circuit Court

[Signature]
Deputy Clerk

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EXHIBIT "A"

PART 1 OF 2

R-27-195

SPECIAL OWNERSHIP AND ASSESSMENT ROLL FOR
SEWER ASSESSMENT PROJECT

21ST STREET WEST

Pursuant to Chapter 63-1582, Laws of Florida, as amended, a Special Assessment Project has been approved that will specially benefit the hereinafter described real property for the construction or other improvement of:

21ST STREET WEST

From 69th Ave West (Fay Drive), south approximately 500' to deadend

The amount set forth opposite each lot or parcel of real property is not a lien, but is an estimate of the final assessment that may be imposed after construction of the project is complete. The total number of equivalent residential units (ERU's) 2 multiplied by \$ 2,000 equals a total assessable cost of \$ 4,000.

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Board Records

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Exhibit "A"
Part 2 of 2

Sewer Assessment Project
21st Street West

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DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	ERU OR EQUIVALENT	COST PER ERU
6777510006	LOT 17, N 23 FT OF LOT 19, BAY VIEW SHORES P1867775.1000/6 SEC 27 TWP 35-S RNG 17-E PR-USE: 0100 ASSESSED VALUE: 74,543.00 IMPRVMT VALUE: 47,282.00 LAND VALUE: 27,261.00	KIFER, DOROTHY R & RONALD G 6904 21ST ST W BRADENTON, FL 34207	1.000	\$2,000.00
6777520005	5 52 FT OF LOT 18, N 46 FT LOT 19 BAY VIEW SHORES P1867775.1000/6 SEC 27 TWP 35-S RNG 17-E PR-USE: 0100 ASSESSED VALUE: 92,639.00 IMPRVMT VALUE: 44,116.00 LAND VALUE: 48,523.00	WILSON, ELIZABETH C 6908 21ST ST W BRADENTON, FL 34207	1.000	\$2,000.00
6777560005	25 FT OF LOT 19, ALL LOT 20, 21 BAY VIEW SHORES P1867775.0000/5 SEC 27 TWP 35-S RNG 17-E PR-USE: 0100 ASSESSED VALUE: 93,052.00 IMPRVMT VALUE: 56,704.00 LAND VALUE: 36,348.00	LEE, JEFFREY S & CHRISTINA L 6916 21ST ST W BRADENTON, FL 34207	1.000	\$2,000.00
6777620003	5 55 FT LOT 21, LOT 22 BAY VIEW SHORES P1867775.2000/3 SEC 27 TWP 35-S RNG 17-E PR-USE: 0100 ASSESSED VALUE: 145,321.00 IMPRVMT VALUE: 62,822.00 LAND VALUE: 82,822.00	POULOS, RICHARD T 6920 21ST ST W BRADENTON, FL 34207	1.000	\$2,000.00
6777800001	LOT 23, S1/2 LOT 24 BAY VIEW SHORES P1867775.0000/1 SEC 27 TWP 35-S RNG 17-E PR-USE: 0100 ASSESSED VALUE: 130,523.00 IMPRVMT VALUE: 59,129.00 LAND VALUE: 71,444.00	PETERSON, SHIRLEY B, CO-TR HAGER, AN LORENSE W, TRUST PEL BOX 705 FALMOUTH, MA 02541	1.000	\$2,000.00

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DESCRIPTION OF PROPERTY
 N1/2 LOT 25 & S 12 1/2
 P1#67779-0000/9 VIEW SHORES
 SEC 27 TWP 35-8 RNG 17-E PR-USE: 0100
 ASSESSED VALUE: 97,050.00
 IMPRVMT VALUE: 43,287.00
 LAND VALUE: 53,763.00

NAME AND ADDRESS OF OWNER
 JOHNSON, EUGENE D & LORRAINE M
 1792 ORCHARD HILL RD
 CHESHIRE, CT 06410

ERU OR EQUIVALENT COST PER ERU
 1.000 \$2,000.00

TOTAL ASSESSMENT DUE
 AT 7.50 % \$2,000.00

6778000007
 LOT 26 LESS S 12 1/2 FT LOT 27
 LESS N1/2 BAY VIEW SHORES
 P1#67780-0000/7
 SEC 27 TWP 35-5 RNG 17-E PR-USE: 0100
 ASSESSED VALUE: 50,703.00
 IMPRVMT VALUE: 34,091.00
 LAND VALUE: 46,612.00

FEDOTMANN, LINDA L
 6815 21ST ST W
 BRADENTON, FL 34207

1.000 \$2,000.00

TOTAL ASSESSMENT DUE
 AT 7.50 % \$2,000.00

6778100005
 N1/2 LOT 27, LOT 28 BAY VIEW SHORES
 P1#67781-0000/5
 SEC 27 TWP 35-5 RNG 17-E PR-USE: 0100
 ASSESSED VALUE: 134,569.00
 IMPRVMT VALUE: 2,000.00
 LAND VALUE: 57,055.00

RIEDEL, JOHN D
 6907 21ST ST W
 BRADENTON, FL 34207

1.000 \$2,000.00

TOTAL ASSESSMENT DUE
 AT 7.50 % \$2,000.00

6778200003
 LOT 29 BAY VIEW SHORES P1#67782-0000/3
 SEC 27 TWP 35-8 RNG 17-E PR-USE: 0100
 ASSESSED VALUE: 106,022.00
 IMPRVMT VALUE: 65,035.00
 LAND VALUE: 42,997.00

COOK, ALEXANDER E JR
 2020 BAY DR
 BRADENTON, FL 34207

1.000 \$2,000.00

TOTAL ASSESSMENT DUE
 AT 7.50 % \$2,000.00

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SAPPROL TOTAL REPORT

CARD RECORDS READ =	0
DR RECORDS READ =	11
PARCELS LISTED =	9
EXCEPTIONS FOUND =	0
TOTAL ASSESSMENT =	\$16,000.00
TOTAL ERUS	9,000
TOTAL VACANT	0

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AFFIDAVIT OF NOTICE

R-97-195
SPECIAL SANITARY SEWER ASSESSMENT PROJECT
21ST STREET WEST

STATE OF FLORIDA)
COUNTY OF MANATEE)

BEFORE ME, the undersigned authority, this day personally appeared SHERRI ROBINSON who being first duly sworn, deposes and says:

1. That I was an employee of Manatee County at all times material to this affidavit.
2. That I have personal knowledge of the facts stated herein.
3. That a notice conforming with Exhibit "B-1" attached hereto was prepared for first class mailing, that such a notice was addressed to each and every contiguous property owner identified on Exhibit "A", attached to Resolution R-97-195 as presented to the Board of County Commissioners on the 7th day of October, 1997 and prepared for mailing to such owner at the address indicated on Exhibit "A", and deposited for 1st class mailing with the county courier in the ordinary course of business on the 22nd day of September, 1997.

FURTHER YOUR AFFIANT SAITH NOT

Sherri Robinson
Signature of Affiant

SWORN TO and subscribed before me on this 22ND day of
SEPTEMBER, 1997.

William C. Beach
Notary Public



WILLIAM C. BEACH
COMMISSION # CC 483348
EXPIRES JULY 30, 1999
BOUNDED TREE
ATLANTIC BONDING CO., INC.

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**MANATEE COUNTY
GOVERNMENT**
Project Management Department

R-97-195
Notice of 1st Public Hearing
on Special Sanitary Sewer Assessment Project
21st Street West

D.P.#:1-
2-
3-
4-

Exhibit "B-1"
September 22, 1997

Dear 2-:

A public hearing for a sanitary sewer assessment project on 21st Street West has been scheduled by the Board of County Commissioners of Manatee County, Florida, in the Commissioners' Chambers on the 1st Floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, on Tuesday, October 7, 1997 at 9:00 a.m., or as soon thereafter as same may be heard.

The Manatee County Board of County Commissioners has initiated a petition on its own motion after finding that certain property will be especially benefited by sanitary sewer improvements. Since you own property which would be directly benefited by these improvements, your property would be assessed. The proposed project is on:

21ST STREET WEST

From 69th Avenue West (Bay Drive), south approximately 500' to deadend

Estimated costs have been compiled and tentative assessments have been assigned to your specific benefited property. These proposed assessments cannot be increased because of any possible cost overruns. Other funds would cover these cost overruns or the project would be abandoned.

Accordingly, if no adjustment is made, the assessment against your property will be:

SEWER ASSESSMENT = \$ 2,000.00

ANNUAL PAYMENT (15 YEARS @ 7 1/2% INTEREST) = \$ 226.57

The local sanitary sewer improvements shall consist of:

- a. 8" gravity feed sanitary sewer line
- b. Temporary lift station
- c. Rebuild and resurface areas of paved roads damaged during construction

442A - 66th Street West, Bradenton, Florida 34210 • (941) 792-8811 • FAX (941) 795-3442

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The petition proposes that a portion of the costs of this work be assessed against the property which will be especially benefited by the improvements described herein. At the public hearing, the Commissioners will consider the validity of the petition and the appropriateness of the estimated costs of the project. The Commissioners will then either direct staff to proceed with plans for the improvements or reject the project.

If you wish to be heard in support of or in opposition to the project, you may do so by appearing personally or by filing written notice with the Board of County Commissioners prior to the time of the scheduled hearing.

If the project is approved at the hearing, the project would be designed, put out to bid, low bidder selected and then upon completion of the total project, a second public hearing will be scheduled. At that hearing, the Commissioners may adopt the Special Assessment Roll and impose liens pursuant to the provisions of Chapter 63-1582, Laws of Florida, as amended.

It is anticipated that special assessment liens will be collected in the same manner and at the same time as ad valorem taxes and will be payable over a period of fifteen (15) years at approximately 7 1/2% interest. Should the County determine to use the ad valorem tax collection procedures, the same penalties will be applicable and the failure to pay any annual assessment payment at the time you pay your ad valorem taxes could result in the sale of a tax lien certificate on your property. Once a tax lien certificate is sold, and not redeemed, title to your property could be lost.

If a property owner cannot afford the improvements, A Hardship Program managed by the Manatee County Department of Community Services is in place. Qualification is based on income, and you may receive assistance for a portion of your sewer assessment on your tax bill depending on your income.

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said public hearing will need a record of the proceedings and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

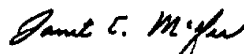
The Board of County Commissioners of Manatee County, Florida does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Rita Dralus at 749-7100; TDD only 749-7100 and wait 60 seconds; FAX 745-3790.

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Rules of Procedure for this public hearing are in effect pursuant to Resolution 94-90. Copies of this Resolution are available for review at the Citizen's Action Center on the ninth floor of the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida, and is available for purchase from the County Administrator's Office at cost.

Anyone wanting more detailed information about the project may contact the Special Assessment Coordinator at 792-8811, extension 5050 between 7:30 a.m. and 4:00 p.m., Monday through Friday.

Sincerely,



Janet E. McAfee
Director, Project Management

JEM\MAV:sr

cc: Lenox E. "Len" Bramble, P.E., Public Works Director
Project File

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Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 821
BRADENTON, FLORIDA 34206
TELEPHONE (813) 748-0411

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

**STATE OF FLORIDA
COUNTY OF MANATEE:**

Before the undersigned authority personally appeared Jill Headings, who on oath says that she is Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of

Notice of First Public Hearing

in the _____ Court,

was published in said newspaper in the issues of

9/22/97

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that 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.

Jill Headings
(Signature of Affiant)

Sworn to and subscribed before me this

30 day of Sept, 1997

SEAL & Notary Public



MARIA E. CURICA
My Comm. Exp. 04/07/2001
Bonded by Service #8
No. CC571142
In Permanently in Office 11/11/97

Personally Known _____ or Produced Identification _____

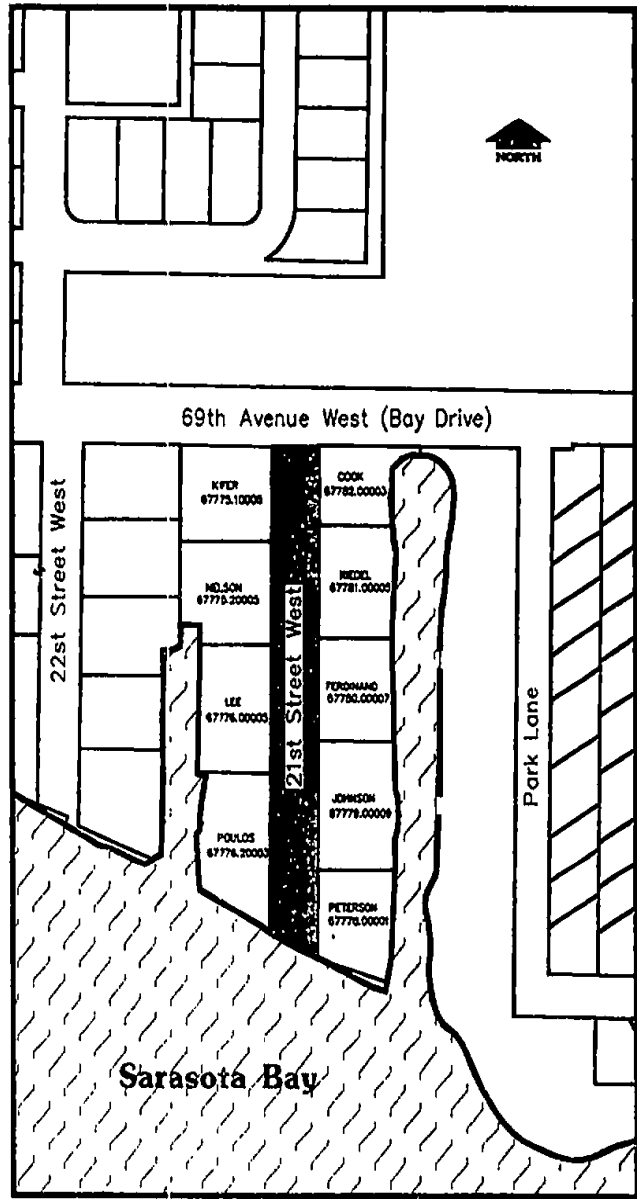
Type of Identification Produced _____

NOTICE OF FIRST PUBLIC HEARING
ADVERTISING REPRESENTATIVE
Jill Headings, who on oath says that she is Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Notice of First Public Hearing in the _____ Court, was published in said newspaper in the issues of 9/22/97. Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that 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.

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SEWER ASSESSMENT PROJECT

21st STREET WEST



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4637 MANATEE COUNTY
PROJECT MANAGEMENT
DEPARTMENT

Commissioner: Lari Ann Harris

 Proposed Area of Sanitary
Sewer Improvements

AGREEMENT RE SPECIAL ASSESSMENTS

PAGE NO. _____
MINUTE BOOK NO. _____

THIS AGREEMENT made and entered into by and between MANATEE COUNTY, FLORIDA (hereinafter referred to as the "County"), the duly elected PROPERTY APPRAISER for the County (hereinafter the "Property Appraiser") and the duly elected TAX COLLECTOR for the County (hereinafter the "Tax Collector").

WITNESSETH

WHEREAS, the County shall by Resolution No. R-97-195 (the "Resolution") approve the construction or acquisition of that certain capital project defined therein and to finance the cost of said project with special assessments levied against properties to be benefited by such project; and

WHEREAS, the County shall duly cause an assessment roll to be prepared as provided by law and the affected property owners have all been notified prior to the adoption of Resolution R-97-195 and shall be notified and given an opportunity to be heard prior to the adoption of a resolution establishing the special assessment roll and given an opportunity to pay such assessments and by not doing so indicate that they wish to pay such assessments in installments over a period of years with interest payable as provided by the resolution; and

WHEREAS, the County wishes to provide for the collection of such special assessments using the procedure set forth in Section 197.3632, Florida Statutes, relating to the collection of special assessments in the manner provided for ad valorem taxes and to enter into an agreement with the Property Appraiser and Tax Collector providing for reimbursement of administrative costs incurred in connection with such procedure;

NOW, THEREFORE, the parties agree as follows:

Section 1. The Property Appraiser and Tax Collector hereby agree that they will take all necessary action to implement the levy and collection of the assessments in the amounts and at the times set forth in the resolution establishing the special assessment roll. Upon collection of such assessments, the County will reimburse the Property Appraiser and Tax Collector as provided in Section 2 hereof.

Section 2. In consideration of such collection, the County hereby agrees to reimburse the Property Appraiser and Tax Collector for reasonable fees and expenses including administrative overhead allocated to collection of such special assessment taxes. The fees and expenses, including administrative overhead, shall be 1.5% of the special assessment taxes so collected to be paid to the Property Appraiser and 1.5% of the special assessment taxes so collected to be paid to the Tax Collector.

Section 3. The special assessments shall be collected by the Tax Collector in the manner provided for collection of ad valorem taxes under Chapter 197.3632, Florida Statutes.

Section 4. It is understood that County must furnish the Property Appraiser and Tax Collector with a certified copy of the resolution adopting the special assessment roll and imposing liens and certify the amounts to be placed on the next tax roll and collected and that any amounts certified after September 15 will not be included in the upcoming tax roll.

IN WITNESS WHEREOF, the County has caused this agreement to be signed in its name by its Chairman, and its corporate seal to be hereunto affixed and attested by its Clerk. The Property Appraiser has signed this contract in front of witnesses and the Tax Collector has signed this contract and affixed his official seal hereto, all as of this 17th day of October, 1996.

ATTEST: R. B. SHORE
CLERK OF THE CIRCUIT COURT

Jan E. Dumas, Deputy Clerk

WITNESSES:
Doug Thompson
Shirley Bryant

Ken G. Thompson
Howell M. Kouch
(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Patrick M. Bless
Chairman

BY: Chas E. Hadeney
Property Appraiser

BY: Ken Birk
Tax Collector