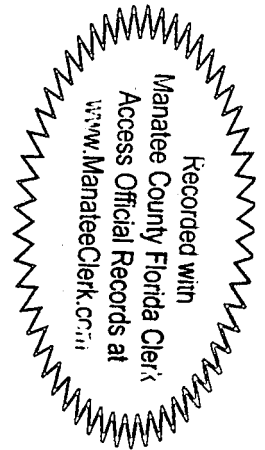


**R-11-028**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING SPECIAL ASSESSMENT LIENS FOR CANAL DREDGING PROJECT NO. 5101500 IN BRA-WIN PALMS CANAL DREDGING MUNICIPAL SERVICE BENEFIT UNIT [MSBU]); CONFIRMING THE SPECIAL ASSESSMENT ROLL; AUTHORIZING AND PROVIDING FOR THE COLLECTION OF SPECIAL ASSESSMENTS BY THE TAX COLLECTOR, IN ACCORDANCE WITH THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, PROVIDING FOR THE CORRECTION OF ERRORS; SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**



**WHEREAS**, pursuant to the provisions of Section 125.01, Florida Statutes, the Board of County Commissioners adopted Ordinance No. 99-63 on November 9, 1999 to establish a municipal service benefit unit known as the Bra-Win Palms Canal Dredging Municipal Service Benefit Unit (MSBU), upon holding a duly noticed public hearing; and

**WHEREAS**, the Board of County Commissioners by adoption of Ordinance 99-63 determined that the parcels of real property described in the preliminary special assessment roll attached thereto would derive a special benefit from the project and the assessment is designed to be fairly and reasonably apportioned among the property within the MSBU, approved the project and made certain other determinations in connection therewith; and

**WHEREAS**, the first public hearing was conducted by the Board of County Commissioners on **November 9, 1999** as required by Section 197.3632, Florida Statutes, and Ordinance **99-63** was adopted on said date and recorded in the Official Record Book **1616**, Pages **6879-6895**, respectively, of the Public Records of Manatee County, Florida; and

**WHEREAS** Ordinance 99-63 approved canal dredging improvements along the following canal as described in Exhibit C, a copy attached hereto and made a part of by reference; and

**WHEREAS**, a second public hearing on the final special assessment roll was duly noticed and held by the Board of County Commissioners on September 14, 2010 and proof of publication of the notice of the Second Public Hearing has been filed with the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners on September 14, 2010 upon receiving public input from the residents postponed action until the County Administrator could report back on possible actions.

**WHEREAS**, a continued second public hearing on the final special assessment roll was duly noticed and held by the Board of County Commissioners on February 22, 2011 and proof of publication of the notice of the Second Public Hearing has been filed with the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners on February 22, 2011 upon receiving public input and recommendations by staff, determined to reduce the amount of the special assessment borne by the parcels within the MSBU from \$12,021.25 per parcel to \$3,437.75 per parcel so as to be in proportion to the special benefit derived by each parcel; and

**WHEREAS**, the Board of County Commissioners also determined to extend the period of time for repayment of the special assessment from five (5) years as initially set forth in Ordinance No. 99-63 to ten (10) years as provided herein.

**WHEREAS**, the Board of County Commissioners heard and considered all evidence submitted, presentations made and documents filed before and 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, that:

1. Definitions: Unless the context clearly indicates that a different meaning was intended, the following words and terms shall have the following meaning:

A. *Assessment Unit* shall mean each subdivision lot or equivalent, subject to such adjustments as determined by the Board to be fair and equitable and in accordance with the benefits received from the facilities and services that will be furnished. A single-family residence located on more than one lot will be considered a single lot.

B. *Board* means the Board of County Commissioners of Manatee County, Florida.

C. *Clerk* means the Clerk of the Circuit Court for Manatee County, Florida, ex-officio clerk for the Board.

D. *Costs* mean all costs and expenses associated with the provision of services and facilities within the MSBU, including but not limited to, reserves for contingency and reserves necessary to replace, repair and rehabilitate any facilities or equipment, amounts necessary due to uncollected or uncollectible special assessments and to provide for the enforcement or collection of delinquent special assessments, all administrative and overhead costs associated with the creation and affairs of the MSBU, including but not limited to, wages, salaries and benefits for personnel and administrators of the MSBU, advertising and conducting hearings and meetings, auditing and recordkeeping expenses, engineering and survey fees and legal fees, and court costs, damages incurred as a result of the project, reimbursement or payment for any services, materials, supplies or emergency resources provided for the benefit of the

MSBU and reimbursement of any monies or services provided in advance by the Board for services, supplies or materials provided for the benefit of the MSBU.

E. *Governing body* shall mean the Board sitting as the governing body of the MSBU.

F. *MSBU* shall mean the municipal service benefit unit established under this ordinance.

G. *Notice* as used herein shall mean notice mailed by first class to the owner or agent at the address on file with the Property Appraiser or Tax Collector for notice associated with ad valorem taxes.

H. *Owner* shall mean the owner or owners of the record and shall include any corporation, partnership, trust or other entity or agent of the owner of record as shown on the records of the Tax Collector or Property Appraiser or a deed of record.

I. *Uniform Method* shall mean the uniform method for the levy, collection and enforcement of non-ad valorem assessments pursuant to Section 197.3632, Florida Statutes, including any subsequent amendments thereto.

2. The final special assessment roll for the Bra-Win Palms Canal Dredging MSBU Project is attached hereto as Exhibit "A" and by reference is incorporated herein and made a part hereof and is hereby approved and confirmed.

3. The owners of each lot or parcel of land as identified on "Exhibit "A" have been provided with notice by first class mail of the public hearing in accordance with the form of notice attached hereto as Exhibit "B" and the affidavit of said notice is attached hereto as Exhibit "B-1"; and

4. Liens are hereby imposed against all lots and parcels of land upon which the amount of the assessment has not been paid as indicated on the special assessment roll.

5. All assessment liens established by this resolution are subject to modification in accordance with the Uniform Method as provided in Chapter 197, Florida Statutes.

6. All assessment liens shall become payable in equal annual installments of principal and interest in each of the succeeding ten (10) years with interest at the rate of 5 percent per annum, from the owner of each lot or parcel of land in the MSBU. The liens shall bear interest at said rate from the date of the adoption of this resolution except that special assessment liens may be paid without interest within thirty (30) days after adoption of this resolution. Any assessment may be paid at any time together with interest accrued thereon to the date of payment. The above interest rate may be adjusted upon the issuance and sale of bonds secured by the special assessment liens established herein as authorized by the uniform method provided for in Chapter 197, Florida Statutes.

7. The Tax Collector for Manatee County is hereby authorized to collect all special assessments provided for in this Resolution in accordance with the uniform method for the levy, collection and enforcement of non-ad valorem assessments as provided in Chapter 197, Florida Statutes, and all applicable provisions shall apply to the collection and enforcement of the special assessment liens, including the date on which payment becomes due. The first payment is due on the date of payment of ad valorem taxes for 2011 and shall become delinquent in any year on the day when unpaid ad valorem taxes would become delinquent.

8. Severability: If any section, sentence, clause or other provision of this resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity on unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clause or provisions of this

resolution.

9. Upon the subdividing of all or a portion of a lot or parcel against which a special assessment lien has been established, all installments of principal remaining unpaid and interest due thereon shall be due and payable without notice or other proceedings, and the county may, at any time after such subdividing, institute foreclosure or other appropriate proceedings for the collection of all principal or interest on any or all portions of a lot or parcel against which the lien has been established.

10. The Clerk of the Circuit Court is hereby authorized and requested to cause this resolution with the final special assessment roll attached hereto as Exhibit "A" to be filed for record and recorded in the Official Records Books of the county, and to forward a certified copy to the Tax Collector for Manatee County.

**ADOPTED** with a quorum present and voting this 22nd day of February, 2011.

**BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_

**Carol Whitmore, Chairman**

**ATTEST: R. B. SHORE  
Clerk of the Circuit Court**

By: Susan Bonine



**EXHIBIT "A"**

**PART 1 OF 2**

**R-11-028**

**SPECIAL OWNERSHIP AND ASSESSMENT ROLL FOR  
CANAL DREDGING ASSESSMENT PROJECT NO. 5101500**

**BRA-WIN PALMS**

Pursuant to Chapter 63-1582, Laws of Florida, as amended, a Special Assessment Lien is levied against the hereinafter described real property for the dredging of the canal located in Bra-Win Palms further described as follows:

**SEE EXHIBIT "C"**

in the amount set forth opposite each lot or parcel of real property with 1/5th of the total amount thereof due and payable each year, together with interest thereon at the rate of 5% per annum, with the total unpaid balance due and payable ten (10) years from the date thereon. The total cost of the project is \$326,195.64. After County contribution of \$286,180.23, the total net assessable project cost is \$41,253.00. Accordingly, \$41,253.00 divided by 12 total assessable parcels equals \$3,437.75 per parcel.

**BOARD RECORDS**

**EXHIBIT "A"  
PART 2 OF 2**

**CANAL DREDGING ASSESSMENT PROJECT NO. 5101500  
BRA-WIN PALMS**



COUNTY OF MANATEE  
 REAL ESTATE SPECIAL ASSESSMENT ROLL FOR BRA-WIN CANAL DREDGING

PROJ115

PAGE 1

DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	CURRENT YEAR ASSESSMENT
1415900008	BEG AT SE COR OF TRACT 83 OF ELWOOD PK, THENCE GO NLY ALG THE E LN OF TRACTS 83 & 85 OF SD ELWOOD PK A DIST OF 1285.9 FT TO THE NLY COR OF SD E LN OF TRACT 85, THENCE GO SWLY ALG MARSH LN & MAKING AN I/A OF 36 DEG 17 MIN 30 SEC WITH LAST DESC LN A DIST OF 212.3 FT TO A PT 125.3 FT W OF SD E LN OF TRACT 85, THENCE GO SLY THROUGH SD TRACTS 85 & 83 A DIST OF 1111 FT TO A PT 157 FT WLY FM THE SE COR TRACT 83, THENCE ELY 157 FT TO POB LESS S 33 FT FOR RD R/W DESC IN OR 107/648 ELWOOD PARK PI#14159.0000/8 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2206 42ND ST E 34208 SCT	BILLS, MARVIN R BILLS, PATRICIA P 2206 42ND ST E BRADENTON, FL 34208-7102	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1416700001	LOTS 1 & 2 BRA-WIN PALMS LESS RD R/W OFF LOT 1 PI#14167.0000/1 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2512 41ST ST E 34208 SCT	JOHNSON, KEITH JOHNSON, HEATHER 2512 41ST ST E BRADENTON, FL 34208-7133	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1416800009	LOT 3 BRA-WIN PALMS PI#14168.0000/9 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2506 41ST ST E 34208 SCT	COYLE, MICHAEL J COYLE, ELLA M 2506 41ST STREET E BRADENTON, FL 34208-7133	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1416900007	LOT 4 BRA-WIN PALMS PI#14169.0000/7 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2418 41ST ST E 34208 SCT	ALLRED, BRETT R ALLRED, TERESA R 2418 41ST ST E BRADENTON, FL 34208-7109	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1417000005	LOT 5 BRA-WIN PALMS PI#14170.0000/5 SEC 33 TWP 34-S RNG 18-E PR_USE: 0000 TAX_CD: 0303 SPLIT: LOCATION: 2412 41ST ST E 34208 SCT	GODFREY, DENNIS E 115 WHITFIELD AVE SARASOTA, FL 34243-1438	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1417100003	LOT 6 BRA-WIN PALMS PI#14171.0000/3 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2406 41ST ST E 34208 SCT	GODFREY, DENNIS E 115 WHITFIELD AVE SARASOTA, FL 34243-1438	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21

DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	CURRENT YEAR ASSESSMENT
1417200001	LOT 7 BRA-WIN PALMS PI#14172.0000/1 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2318 41ST ST E 34208 SCT	UNCAPHER, JOANN STRUTT 2318 41ST ST E BRADENTON, FL 34208-7108	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1417300009	LOT 8 BRA-WIN PALMS PI#14173.0000/9 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2306 41ST ST E 34208 SCT	GORDON, MICHAEL S GORDON, ABBY M 2306 41ST ST E BRADENTON, FL 34208-7108	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1417400007	LOT 9 BRA-WIN PALMS PI#14174.0000/7 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2218 41ST ST E 34208 SCT	JACKSON, JOHN M JR JACKSON, MARY ANNE H 2218 41ST ST E BRADENTON, FL 34208-7106	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1417500004	LOT 10 BRA-WIN PALMS PI#14175.0000/4 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2212 41ST ST E 34208 SCT	ALDRICH, JACK E ALDRICH, DOROTHY E ALDRICH, JACK E AND DOROTHY E TRUST 2212 41ST ST E	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1417600002	LOT 11, BRA-WIN PALMS PI#14176.0000/2 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2206 41ST ST E 34208 SCT	BURLING, DONALD V 2206 41ST ST E BRADENTON, FL 34208-7106	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21
1418100051	BEG AT NE COR OF LOT A BRA-WIN PALMS; TH S 0 DEG 04 MIN 30 SEC W, ALG E LN OF SD LOT A, 345.83 FT; TH N 89 DEG 55 MIN 30 SEC W, 168 FT TO A PT ON W LN OF SD LOT A; TH N 04 DEG 00 MIN 30 SEC E, ALG SD W LN OF SD LOT A, 101.23 FT; TH N 75 DEG 02 MIN 10 SEC W, 80.8 FT TO A PT ON SELY R/W OF 41ST ST E; TH N 47 DEG 03 MIN 09 SEC E, ALG SD SELY R/W LN OF 41ST ST E, 326.98 FT TO THE POB; ALSO RESERVE AREA LYING BETWEEN LOTS 7 & 8 BRA-WIN PALMS, (1127/3752) PI#14181.0005/1 SEC 33 TWP 34-S RNG 18-E PR_USE: 0100 TAX_CD: 0303 SPLIT: LOCATION: 2317 41ST ST E 34208 SCT	BROWER, CHRISTOPHER D BROWER, JULIANNA P 2317 41ST ST E BRADENTON, FL 34208-7107	BRA-WIN CANAL DREDGING 1 ERU 3437.75 PER ERU TOTALS 3437.75 TOTAL ASSESSMENT: 3437.75 ANNUAL PAYMENT: 445.21



MANATEE COUNTY  
FLORIDA

January 28, 2011

Exhibit "B"  
Page 1 of 3  
Part 1 of 2

D.P. #: «dp»  
«name»  
«address»  
«city»

**RE: Notice of Public Hearing  
Resolution R-11-028 (Previously R-10-075) Providing for the Adoption of the  
Special Assessment Roll and Collection of Special Assessment Liens for Canal  
Dredging Assessment Project No. 5101500 in Bra-Win Palms.**

Dear «name»:

On November 9, 1999, a First Public Hearing was held for the dredging of the canal located in Bra-Win Palms and Ordinance 99-63, with a 40 year County Contribution (50.39%), was adopted by the Board of County Commissioners (BCC). Your not to exceed assessment was \$12,021.25. The dredging has now been completed and a Second Public Hearing is required to adopt the special assessment roll, impose liens against all benefiting property owners and provide for the collection of special assessments by the Tax Collector in accordance with the Uniform Method established in Section 197.3632, Florida Statutes.

As many of you are aware, a Second Public Hearing was held on September 14, 2010. During the Public Hearing, staff recommended reducing your assessment from \$12,021.25 to \$3,437.75 and extending the time period for collection to 10 years. After hearing testimony from many of you claiming that the dredging did not benefit you and that you should not be assessed, a motion was made to continue the Public Hearing until such time as staff could report back on possible options.

The continued Second Public Hearing has been scheduled for **February 22, 2011** at **9:00 a.m.** or as soon thereafter in the Chambers on the 1st floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida. Please be advised that, at this time, there is no time certain for this Public Hearing. However, once we have a time certain, you will be notified.

Your assessment, which is based on the actual cost of the dredging is shown on the attached statement. Based on staff's presentation at the Public Hearing, your assessment may be reduced.

Public Works Department / Project Management Division  
Mailing Address: P.O. BOX 1000, Bradenton, FL 34206-1000 \* Street Address: 1022 26<sup>th</sup> Avenue East, Bradenton, FL 34208  
PHONE: 941.708.7400 \* FAX: 941.708.7549  
[www.mymanatee.org](http://www.mymanatee.org)

LARRY BUSTLE \* MICHAEL GALLEN \* JOHN R. CHAPPIE \* ROBIN DiSABATINO \* DONNA HAYES \* CAROL WHITMORE \* JOE McCLASH  
District 1                      District 2                      District 3                      District 4                      District 5                      District 6                      District 7

The final special assessment roll has been completed and is on file at the Public Works Department and is open for inspection.

The improvements for which special assessment liens will be imposed are described as canal dredging improvements in the canal located in Bra-Win Palms.

The enclosed statement provides details pertaining to the special assessment.

Pursuant to State Law, we are required to notify you of the following:

1. **Your assessment, the unit of measurement applied against each parcel to determine the assessment, and the total revenue the county will collect is shown on the attached statement.**
2. **The failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title.**
3. **Assessments may be paid in equal payments over a period of five (5) years with interest at the rate of 5% per annum.**
4. **All affected property owners have a right to appear at the hearing and to file written objections with the Board of County Commissioners within twenty (20) days of this notice. Written objections should be sent to the Manatee County Public Works Department located at 1022 26th Avenue East, Bradenton, Florida.**
5. **Upon the subdividing of all or a portion of a lot or parcel against which a special assessment lien has been established, all installments of principal remaining unpaid and interest due thereon shall be due and payable without notice or other proceedings.**
6. **According to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the Board with respect to any matter to be considered at the public hearing, a record of the proceedings may be required and for such purpose, you may need to insure that a verbatim record of the proceedings is made, which would include any testimony or 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 Kaycee Ellis at (941) 742-5800; TDD ONLY (941) 742-5802 and wait 60 seconds; FAX: (941) 745-3790.

Rules of Procedure for this public hearing are in effect pursuant to Resolution R-10-195 which was adopted by the Board of County Commissioners on December 7, 2010. Copies of

Second Public Hearing – Bra-Win Palms

January 28, 2011

Page 3 of 3

this Resolution are available for review at the Citizens 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.

Copies of the proposed resolution and the special assessment roll are available for review at the Manatee County Public Works Department located at 1022 26th Avenue East, Bradenton, Florida during normal business hours. For additional information, please contact Sherri Robinson, Assessment Coordinator, at (941) 708-7450, extension 7334.

Sincerely,



Ron Schulhofer  
Public Works Director

RS/sr

Attachment

cc: Sia Mollanazar, P.E., Deputy Director, Engineering Services  
Sarah Schenk, Deputy County Attorney  
Bruce Simington, Project Management Division Manager  
Project File: 5101500 – Bra-Win Palms

January 28, 2011

EXHIBIT "B-1"  
PART 2 OF 2

**THIS IS NOT A BILL!**  
**SPECIAL CANAL DREDGING ASSESSMENT STATEMENT**  
**FOR**  
**PROJECT NO. 5101500**  
**BRA-WIN PALMS**

THE TOTAL REVENUE THAT THE COUNTY WILL COLLECT FROM THE CANAL DREDGING ASSESSMENT:	<u>\$144,255.00</u>
THE UNIT OF MEASUREMENT APPLIED AGAINST EACH PARCEL TO DETERMINE THE ASSESSMENT IS COST PER UNIT:	<u>\$12,021.25</u>
THE TOTAL NUMBER OF UNITS ASSIGNED TO YOUR PROPERTY IS:	<u>1</u>
YOUR TOTAL CANAL DREDGING ASSESSMENT:	<u>\$12,021.25</u>
THE PRINCIPAL AND INTEREST PAYMENT DUE WITH YOUR 2011 TAXES WILL BE:	
$\begin{array}{rcl} \$2,404.25 & = & \text{PRINCIPAL} \\ \underline{\$372.36} & = & \text{INTEREST} \\ \underline{\underline{\$2,776.61}} & = & \text{CANAL DREDGING ASSESSMENT PAYMENT WHICH WILL} \\ & & \text{APPEAR ON YOUR 2011 TAX BILL} \end{array}$	
<b>NOTE: NO MONEY IS DUE AT THIS TIME. YOU WILL RECEIVE A BILL FROM THE TAX COLLECTOR'S OFFICE GIVING YOU 30 DAYS TO PAY YOUR TOTAL CANAL DREDGING ASSESSMENT WITHOUT ANY INTEREST. IF NOT PAID IN THE 30 DAY PERIOD, YOUR FIRST PAYMENT WILL AUTOMATICALLY APPEAR ON YOUR 2011 TAX BILL.</b>	

EXHIBIT "B-1"

AFFIDAVIT OF NOTICE

R-11-028  
(PREVIOUSLY R-10-075)

CANAL DREDGING ASSESSMENT PROJECT NO. 5101500  
BRA-WIN PALMS

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" 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-11-028 (Previously R-10-075) as presented to the Board of County Commissioners on the 22nd day of February, 2011 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 28th day of January 2011.

FURTHER YOUR AFFIANT SAITH NOT

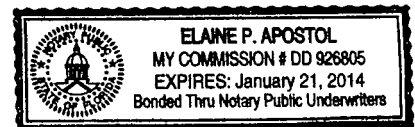
Sherril Robinson  
Signature of Affiant

State of Florida  
County of Manatee

Sworn to (or affirmed) and subscribed before me this 28 day of January, 2011 by Sherril Robinson.

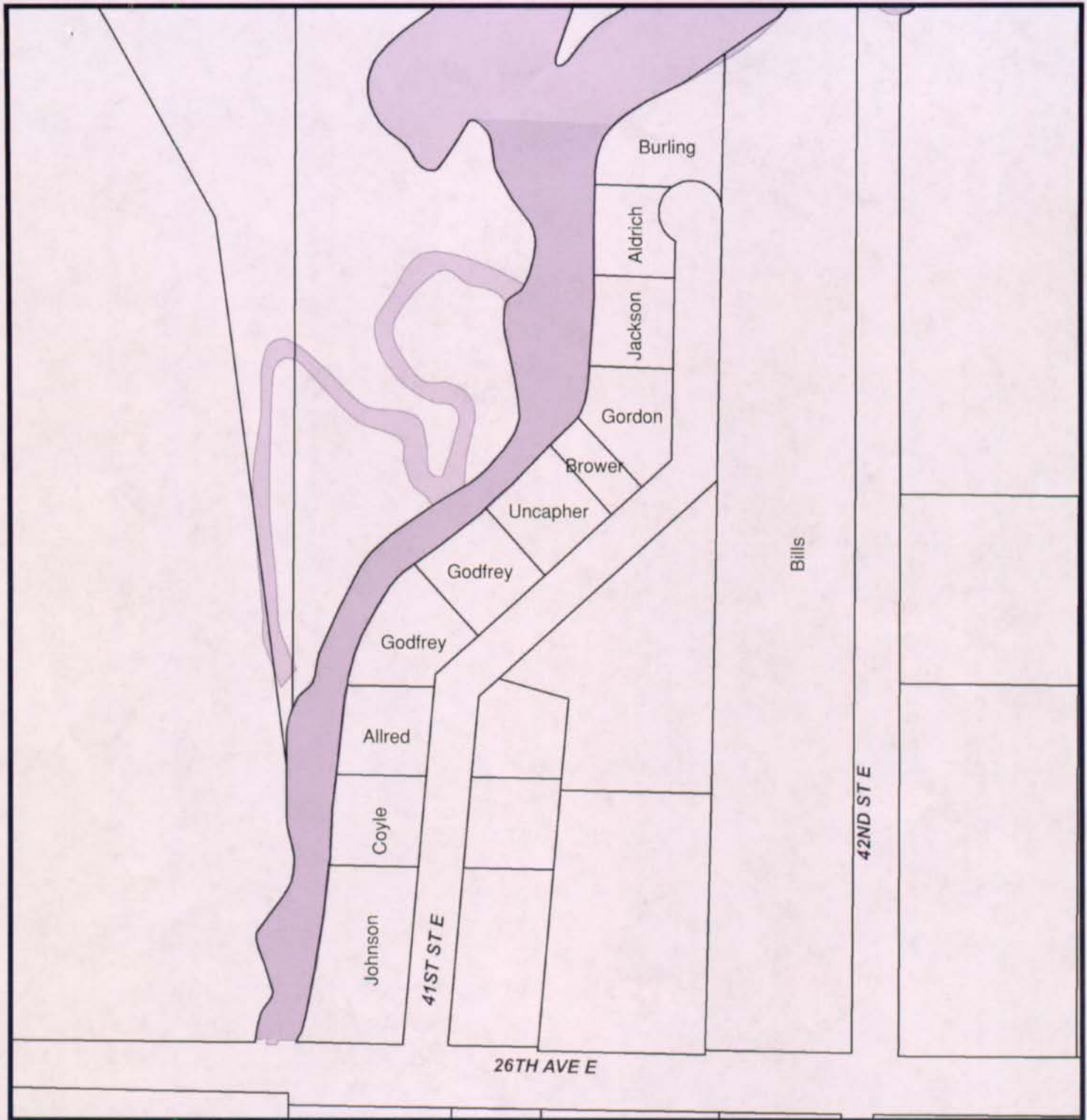
Signature of Notary Public - State of Florida: Elaine P. Apostol

Print, Type or Stamp Commissioned Name of Notary Public:



Personally Known  Or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

# CANAL DREDGING PROJECT NO. 5101500 BRA-WIN PALMS



MANATEE COUNTY  
PUBLIC WORKS  
DEPARTMENT


1 inch = 150 feet



County Commissioner: Michael Gallen

Prepared by MCPWD - Utility Records

### Legend

 Area of Canal Dredging Improvements



# BRADENTON HERALD

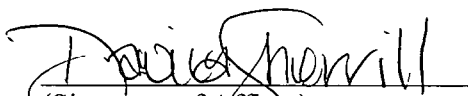
WWW.BRADENTON.COM  
P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
Ph: 941-745-7066  
Fax: 941-708-7758

Bradenton Herald  
Published Daily  
Bradenton, Manatee County, Florida

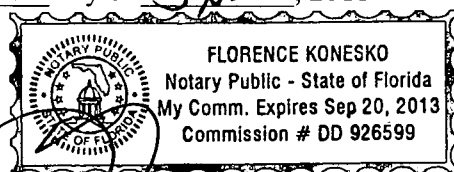
STATE OF FLORIDA  
COUNTY OF MANATEE

Before the undersigned authority personally appeared Danica Sherrill, who, on oath, says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, **LEGAL NOTICE OF PUBLIC HEARING** as published in said newspaper in the issue **01/28/2011**.

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.

  
(Signature of Affiant)

Sworn to and subscribed before me this  
28 Day of Jan, 2011



SEAL & Notary Public

Personally Known  OR Produced Identification   
Type of Identification Produced \_\_\_\_\_

# BRADENTON HERALD

# CLASSIFIED ADVERTISING

Order:	132012300	Pubs:	1	Rate:	LE
Phone:	9417087450	Class:	4995	Charges:	\$ 0.00
Account:	11928	Start Date:	01/28/2011	List Price:	\$ 392.77
Name:	MANATEE,	Stop Date:	01/28/2011	Payments:	\$ 0.00
Firm:	MANATEE CO PROJECT	Insertions:	1	Balance:	\$ 392.77

**NOTICE OF  
PUBLIC HEARING  
SPECIAL ASSESSMENTS  
FOR CANAL DREDGING  
ASSESSMENT PROJECT NO.  
5101500**

**BRA-WIN PALMS**

NOTICE IS HEREBY GIVEN, pursuant to Section 197.3632, Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing in the Chambers of the Board at Manatee County Administrative Complex, 1112 Manatee Avenue West, first floor, Bradenton, Florida, on the 22nd day of February, 2011, at 9:00 a.m., or soon thereafter, to consider, act upon, adopt or reject the following Resolution.

**RESOLUTION R-11-028  
(PREVIOUSLY R-10-075)**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING SPECIAL ASSESSMENT LIENS FOR CANAL DREDGING PROJECT NO. 5101500 IN THE BRA-WIN PALMS CANAL DREDGING MUNICIPAL SERVICE BENEFIT UNIT (MSBU); CONFIRMING THE SPECIAL ASSESSMENT ROLL; AUTHORIZING AND PROVIDING FOR THE COLLECTION OF SPECIAL ASSESSMENTS BY THE TAX COLLECTOR, IN ACCORDANCE WITH THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, PROVIDING FOR THE CORRECTION OF ERRORS; SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The final special assessment roll has been completed and is on file in the Public Works Department and is open for inspection.

Upon the adoption of the Resolution and subject to such adjustments as may be determined at the public hearing, you are hereby notified of the following:

1.The property that will be subject to the special assessments consists of those lots and parcels that are adjacent to the canal in Bra-Win Palms.

2.The amount of revenues that will be collected from the special canal dredging assessments is **\$144,255.00**. The unit of measurement applied against each parcel to determine the assessment is **\$12,021.25 per parcel** subject to such adjustments to any affected property as may be required based upon the benefit provided to the property with the revenue generated by the assessments.

3.The assessments will be payable in five (5) annual payments with interest at the rate of 5% per annum and will be collected by the Tax Collector in accordance with the provisions of Section 197.3632, Florida Statutes.

4.The failure to pay assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

All affected property owners have the right to appear at the public hearing and the right to file written objections within twenty (20) days of the publication of the notice, addressed to Manatee County Public Works Department, located at 1022 26th Avenue East, Bradenton, Florida 34208.

According to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the Board with respect

to any matter to be considered at the meeting or hearing, he will need a record of the proceedings and for such purpose, he may need to insure that a verbatim record of the proceedings is made, which record would include any testimony or 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 Kaycee Ellis at (941) 742-5800; TDD ONLY (941) 742-5802 and wait 60 seconds; FAX (941) 745-3790.

Rules of Procedure for this public hearing are in effect pursuant to Resolution R-10-195 which was adopted by the Board of County Commissioners on December 7, 2010. Copies of this Resolution are available for review at the Citizens Action Center on the ninth floor of the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida and are available for purchase from the County Administrator's Office at cost.

Copies of the proposed Resolution and the final special assessment roll are available at the Manatee County Public Works Department during normal business hours. For additional information, please contact Sherri Robinson, Assessment Coordinator at (941) 708-7450, extension 7334. A reasonable charge may be made for the provision of copies.  
**01/28/2011**

Clerk of the Circuit Court - Manatee County  
R.B. "Chips" Shore  
P.O. Box 25400 Bradenton FL 34206  
Visit our website: "www.manateeclerk.com"

INVOICE

MAN CO PROJECT MGT  
RETURN TO: QUANTANA IN BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

FL

AR PAYOR: AR300026 GOMC Book# 2371 Page# 447  
DOC TYPE: LN CALC AMOUNT: \$0.00  
PAGES: 18 FILE# 002894913  
Receipt: 450020532 3/01/11 1:31PM

By: LSABLUKOVA

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEE\$
R	RECORDING TRUST	199	000000341150	0	9.50
R	RECORDING FEES	001	000000341100	0	73.00
R	CLERK CT TECH FUND	199	000000341160	0	34.20
R	FL ASSOC COURT CLERK	001	000000208911	0	1.80
R	BD OF COUNTY COMM	001	000000208912	0	36.00
ADN	ADDITIONAL NAMES	001	000000341100	16	16.00



RECEIPT TOTAL: \$170.50  
GRAND TOTAL: \$170.50

Receipt#  
450020532 thru 450020532

OFFICE HOURS \*\*\*\*\*8:30 AM - 5:00 PM  
"Pride in Service with a Vision to the Future"