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VILLAGE OF ESTERO

RESOLUTION NO. 2021 - 02

**A RESOLUTION OF THE VILLAGE OF ESTERO ELECTING TO USE
THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM
SPECIAL ASSESSMENTS LEVIED WITHIN THE VILLAGE;
STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE
MAILING OF THIS RESOLUTION; AND PROVIDING AN
EFFECTIVE DATE**

WHEREAS, the Village of Estero, Florida is contemplating the imposition of special assessments to fund the construction of roadway improvements within the Village boundary; and

WHEREAS, The Village intends to use the uniform method of collecting non-ad valorem special assessments to fund the construction of intersection and signal improvements at the intersection of Puente Ln and Corkscrew Rd to property within the Village limits as authorized by Section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2021, in the same manner as provided for ad valorem taxes; and

WHEREAS, both the Tax Collector and Property Appraiser have agreed to the provision of Notice and adoption of the Resolution prior to March 1, 2021; and

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

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Estero, Lee County, Florida:

Section 1. The forgoing recitals are adopted herein as legislative findings.

Section 2. Commencing with the Fiscal Year beginning on October 1, 2021 and continuing until discontinued by the Village and with the tax statement mailed for such Fiscal Year, the Village intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments to fund the construction of intersection and signal improvements at the intersection of Puente Ln and Corkscrew Rd. Such non-ad valorem assessments shall be levied within the Village. The legal description of the Village is attached hereto as Exhibit B and incorporated herein by reference.

Section 3. The Village hereby determines the levy of the assessments is needed to fund and recover the cost of improvements relating to and benefiting properties within the Village.

Section 4. From time to time, the boundaries of the real property subject to this non-ad valorem special assessment may be expanded or contracted as determined by the Village Council to properly apportion the cost against benefited properties.

Section 5. The method of apportioning the special assessment among the parcels identified will be based on a finding by the Village Council that the chosen method is a fair and reasonable distribution of the cost of the improvements in proportion to the special benefit received by each parcel of land.

Section 6. Upon adoption, the Village 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 10, 2021

Section 7. This Resolution shall be effective upon adoption.

DULY PASSED AND ENACTED by the Village Council of the Village of Estero,
Lee County, Florida, this 24th day of February, 2021.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: _____
Carol Sacco, Village Clerk

By: _____
Bill Ribble, Mayor

Reviewed for legal sufficiency:

By: Burt Saunders, Esq., Village Attorney