

**RESOLUTION NO. 07-76**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA PROVIDING NOTICE OF THE INTENT TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF MARCO ISLAND FOR FIRE SERVICES; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Marco Island, Florida (the "City") is contemplating the imposition of special assessments for the provision of fire services within the incorporated area of the City commencing with Fiscal Year 2008; and

WHEREAS, if such assessments are imposed, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing fire services to property within the incorporated area of the City as authorized by Section 197.3632, Florida Statutes, as amended, and by the Charter of the City of Marco Island, the City's Assessment Ordinance No. 99-1 and by other applicable provisions of law, because this method will allow such special assessments to be collected annually commencing in November, 2008, in the same manner as provided for ad valorem taxes; and

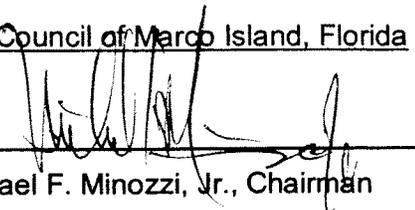
WHEREAS, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of the notice of such hearing being attached hereto as Exhibit A.

**NOW, THEREFORE BE IT RESOLVED:**

1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.
2. Commencing with the Fiscal Year beginning on October 1, 2008, and with the tax statement mailed for such Fiscal Year, the City intends to use the uniform method of collecting non-ad valorem assessments authorized by Section 197.3632, Florida Statutes, as amended, and by the Charter of the City of Marco Island, the City's Assessment Ordinance No. 99-1 and by other applicable provisions of law, for collecting non-ad valorem assessments for the cost of providing fire services, if such assessments are imposed. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessments is attached hereto as Exhibit B and incorporated by reference.
3. The City hereby determines that the levy of the assessments is needed to fund the cost of fire services within the incorporated area of the City.
4. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Collier County Tax Collector, and the Collier County Property Appraiser by January 10, 2008.
5. This Resolution shall be effective upon adoption.

Duly Adopted this 3<sup>rd</sup> day of December, 2007.

City Council of Marco Island, Florida

By: 

Michael F. Minozzi, Jr., Chairman

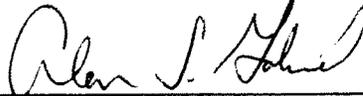
(SEAL)

Attest:



Laura M. Litzan, City Clerk

Approved as to Form:



Alan L. Gabriel, City Attorney  
Weiss, Serota, Helfman, Pastoria  
Cole & Boniske, P.L

EXHIBIT A

11/28/2007 04:03 2392534703

CLASS

HW1 R1

Foreign Account Number : 054361  
 Ad # : 1632711  
 Ad Net Cost : \$725.24  
 Name (Primary) : CUPY OF MURCO  
 Company (Primary) :  
 Street 1 (Primary) : 50 BALD EAGLE DR  
 City (Primary) : MURCO ISLAND  
 State (Primary) : FL  
 ZIP (Primary) : 34145  
 Phone (Primary) : (239) 389-5000  
 Class Code : 0119 - Miscellaneous Notice  
 Start Date : 11/05/2007  
 Stop Date : 11/28/2007  
 Prepayment Amount : \$0.00  
 Ad Sales Rep : 777 - Pamela A. Ferrell  
 Width : 2  
 Depth : 47

NOTICE OF INTENT TO USE UNIFORM METHOD OF  
COLLECTING NON-AD VALUATION ASSESSMENTS

The City of Marco Island, Florida (the "City"), hereby provides notice, pursuant to Section 197.302(2)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied within the (unimproved) area of the City, for the purpose of providing fire services commencing for the fiscal year beginning on October 1, 2008. If such assessments are imposed, the City will consider the adoption of a resolution intended to use the uniform method of collecting such assessments authorized by section 197.302, Florida Statutes, at a public hearing to be held at 8:30 A.M. on October 1, 2007, October 15, 2007 or October 22, 2007 at 8:30 A.M. at the City of Marco Island, Florida (the "City") at the City Clerk's Office, 50 Bald Eagle Drive, Marco Island, Florida 34145. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property to which the levy applies of the proposed form of resolution, which includes the topographical description of the real property subject to the levy and on file at the Office of the City Clerk, 50 Bald Eagle Drive, Marco Island, Florida. All interested persons are invited to attend.

In the event any person desires to appear, any decision by the City with respect to any matter relating to the resolution of the resolution at the above-referenced public hearing, a record of the proceedings may be needed and in such an event such person may need to advise that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the proposal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk's Office at (239) 389-5000, 5 days prior to the date of the hearing.

DATED this 1st day of November 2007.  
 By Order of: Michael F. Minozzi, Jr.,  
 Council Chairman  
 CITY OF MARCO ISLAND, FLORIDA  
 November 1, 2007 No. 1632711

## EXHIBIT B

### ARTICLE II. CORPORATE LIMITS\*

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**\*State law references:** Municipal annexation or contraction, F.S. ch. 171.

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#### Section 2.01. Description of Corporate Limits.

The following shall constitute the Corporate Limits of the City of Marco Island:

A Corporate Line lying offshore from Marco Island, in portions of Township 52 South, Range 26 East, Collier County, Florida, which line is described as follows: From the corner common to Sections 17, 18, 19, and 20, Township 52 South, Range 26 East, run Westerly along the line common to said Sections 18 and 19 to a point 2,640 feet offshore in the Gulf of Mexico from the Mean High Tide Line Section 18 and the point of beginning. From said point of beginning, run Southerly 2,640 feet offshore from the Mean High Tide Line of Marco Island, past the Southerly point of said Island to the mouth of Caxambas Pass, thence run Northeasterly in the waters of Caxambas Pass to the center line of the channel of said Caxambas Pass; thence run Easterly along the centerline of the channel of Caxambas Pass, to a point intersecting a marked channel running Northerly towards Barfield Bay; thence run Northerly along the centerline of said channel to a point 300 feet offshore in Barfield Bay from the Mean High Tide Line of the Easterly end of lands formerly known as J. M. Barfield Subdivision, thence run Northerly, Easterly, and Southerly, 300 feet offshore in Barfield Bay from the Mean High Tide Line of Marco Island to intersection with the centerline of Blue Hill Creek; thence run Southeasterly along the centerline of Blue Hill Creek to a point 300 feet offshore in Blue Hill Bay from the Mean High Tide Line of Marco Island; thence continue Northerly, Easterly, and Southerly 300 feet offshore in Blue Hill Bay from the Mean High Tide Line of Marco Island to centerline of the aforementioned Blue Hill Creek, thence run Northeasterly along the centerline of Blue Hill Creek, but to a point intersecting the line common to Range 26 East and Range 27 East, Township 52 South, Collier County, Florida; thence run Northerly along the line common to said Range 26 and 27, but to a point intersecting the centerline of the channel of the Big Marco River, thence Northerly, Northwesterly, and Westerly along the centerline of the aforementioned Big Marco River and out through the marked Capri Pass, being 2,640 feet offshore from the Mean High Tide Line of Marco Island; thence run Southwesterly, Southerly, and Southeasterly 2,640 feet offshore from the Mean High Tide Line of Marco Island to the point of Beginning lying along the East-West line common to Sections 18 and 19, Township 52 South; Range 26 East.

(Ord. No. 02-20, § 1, 6-17-2002, referendum 9-10-2002)

**DESCRIPTION**  
of Annexation Area  
for the City of Marco Island, Collier County, Florida

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All that part of Township 52 South, Range 26 East, Collier County, Florida, being more particularly described as follows:

COMMENCING at the corner common to Sections 17, 18, 19, and 20, Township 52 South, Range 26 East, Collier County, Florida;  
thence run Westerly along the line common to Sections 18 and 19 to an intersection with a line which lies 2,640 feet offshore in the Gulf of Mexico and parallel with the Mean High Tide Line of Marco Island;  
thence run Southerly along a line which lies 2,640 feet offshore in the Gulf of Mexico and parallel with the Mean High Tide Line of Marco Island to the southerly point of Marco Island at the mouth of Caxambas Pass and the POINT OF BEGINNING of the parcel herein described;

thence run Northeasterly in the waters of Caxambas Pass to the center line of the channel of said Caxambas Pass;

thence run Easterly along the centerline of the channel of Caxambas Pass to a point intersecting a marked channel running Northerly towards Barfield Bay;

thence run Northerly along the centerline of said channel to a point 300 feet offshore in Barfield Bay from the Mean High Tide Line of the Easterly end of lands formerly known as J. M. Barfield Subdivision;

thence run Northerly, Easterly, and Southerly 300 feet offshore in Barfield Bay from the Mean High Tide Line of Marco Island to the intersection with the centerline of Blue Hill Creek;

thence run Southeasterly along the centerline of Blue Hill Creek to a point 300 feet offshore in Blue Hill Bay from the Mean High Tide Line of Marco Island;

thence continue Northerly, Easterly, and Southerly 300 feet offshore in Blue Hill Bay from the Mean High Tide Line of Marco Island to the centerline of aforementioned Blue Hill Creek;

thence run Northeasterly along the centerline of Blue Hill Creek to a point intersecting the line common to Range 26 East and Range 27 East, Township 52 South, Collier County, Florida;

thence run Southerly along the line common to said Range 26 East and Range 27 East to a line defined by the following two pairs of coordinates: N=571301.20 E=443476.15 and N=570492.74 E=441254.92;

thence run along said line S.70°00'00"W. to the Mean High Tide Line of Ramsey Key;

thence run southwesterly along said Mean High Tide Line of Ramsey Key to a line defined by the following two pairs of coordinates: N=569786.12 E=439722.64 and N=569346.13 E=439159.48;

thence run along said line S.52°00'00"W. to the Mean High Tide Line of Helen Key;

thence run Westerly and Southwesterly along said Mean High Tide Line of Helen Key to a line defined by the following two pairs of coordinates: N=568234.97 E=434316.36 and N=568623.84 E=432865.08;  
thence run along said line N.75°00'00"W. to the Mean High Tide Line of Fred Key;  
thence run Northwesterly and Westerly along said Mean High Tide Line of Fred Key to a line defined by the following two pairs of coordinates: N=569403.31 E=428843.50 and N=569403.31 E=427323.02;  
thence run along said line N.90°00'00"W. to the Mean High Tide Line of Curry Island;  
thence run Northwesterly along said Mean High Tide Line of Curry Island to a line defined by the following two pairs of coordinates: N=570231.46 E=425376.10 and N=570531.67 E=424255.68;  
thence run along said line N.75°00'00"W. to the Mean High Tide Line of Allen Key;  
thence run Northwesterly and Westerly along said Mean High Tide Line of Allen Key to a line defined by the following two pairs of coordinates: N=570787.53 E=422263.74 and N=570787.53 E=420743.25;  
thence run along said line N.90°00'00"W. to the Mean High Tide Line of Kice Island;  
thence run Northwesterly, Westerly and Southeasterly along said Mean High Tide Line of Kice Island to an intersection with a line which lies 2,640 feet offshore in Caxambas Pass and the Gulf of Mexico and parallel with the Mean High Tide Line of Marco Island;  
thence run Westerly and Northwesterly along a line which lies 2,640 feet offshore in Caxambas Pass and the Gulf of Mexico and parallel with the Mean High Tide Line of Marco Island to the POINT OF BEGINNING of the Parcel herein described;

Bearings and coordinates are based on the State Plane Coordinate System, Florida East Zone, North American Datum of 1983, NGS adjustment of 1990.

**APPENDIX A**

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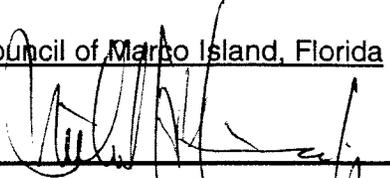
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Duly Adopted this 3<sup>rd</sup> day of December, 2007.

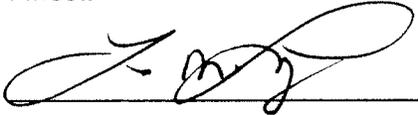
City Council of Marco Island, Florida

By: 

Michael F. Minozzi, Jr., Chairman

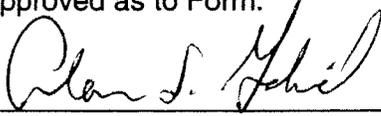
(SEAL)

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