June 5, 2014 CEPD Public Hearing
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From: Dist1, Manning <DIST1@leegov.com>
Subject: FW: CEPD request for an Attorney General Opinion
[Quoted text hidden]

4 attachments

Owen Memorandum of Law 052810 AGO Opinion CEPD.pdf
288K

Owen Cover letter 052810 AGO Opinion CEPD.pdf
91K

CEPD AGO Request & Memo 052810.pdf
13207K

John E Manning.vcf
1K

Agenda
(Detailed)

Public Hearing
Captiva Erosion Prevention District
Tween Waters Inn, 15951 Captiva Drive, Captiva, Florida 33924
June 5, 2014 @ 5:01PM

1. Call to Order

2. Roll Call

3. Public to be Heard

4. Assessment Discussion
   - # 1 Gerhard Thelen
   - # 2 Captiva Island Yacht Club
   - # 3 James Smith
   - # 4 Joseph Soukup
   - # 5 Island Water Association
   - # 6 Captiva Civic Association

5. Adoption of Resolution 2014-5

6. Adoption of Resolution 2014-6

Adjourn

Assessment Discussion – Written Objections

#1

Objections to Captiva Beach Renourishment Assessment

Gerhard Thelen <gthelen18@gmail.com> Fri, May 30, 2014 at 5:54 PM
To: mycepd@gmail.com
Cc: Gerhard Thelen <gthelen18@gmail.com>

Ms Kathleen Rooker
Administrator
Captiva Erosion Prevention District

Dear Ms. Rooker,

this correspondence is an official objection to the above noted assessment. I don't object to the idea of assessment in general, but object to the way the assessment is calculated between properties at Captiva.
I own a condo at 15123 Captiva Drive, Unit 202 at Sunset Captiva Bayside and received an assessment of $2,993.63. Upon inquiring with your office as to how it was calculated, I was told that single dwellings have are determined with ~1.2 mills X the tax assessment of the home vs. ~4.2 mills(did not write down the exact numbers) for multi-family homes for Recreational Benefits. Upon inquiry with a person who owns a single home in Sunset Captiva, I determined that my assessment was about 4 times higher than that of a single dwelling of similar size and Tax assessment value.
I fail to see the logic in terms of fairness in this assessment formula.
Assuming that the same number of people can occupy condos or houses of the same size, how can the recreational value be significantly different between single family homes and a condo.
I consider my condo a single family dwelling that is housed in a multi-family building and each condo in the building receives an assessment.
I think my assessment of $2,993.63 does not meet the test of fairness and discriminates against condo owners.
I wish my comments to be submitted for the public hearing on June 5th, 2014.

Respectfully,

Gerhard A Thelen
owner of Thelen Sunset Properties, LLC
1813 Green Hill Rd
Virginia Beach, VA 23454

Captiva
Erosion Prevention District

2010

This is NOT A BILL

-DO NOT PAY-

WATKINS TIMOTHY J + TINA R
5984 CLAYBOURNE DR
BARGERSVILLE, IN 46106

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 354521080000A2020

Beach Location: Non-Beach

Benefit Category: Condominium

		Range
Tentative Apportionment:	$ 5,111.79 *	$ 9,489.91 **

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

Captiva
Erosion Prevention District

May 21, 2014

THELEN SUNSET PROPERTIES LLC
1813 GREENHILL RD
VIRGINIA BEACH, VA 23454

Captiva Beach Renourishment Assessment

2013-2014 Project

Property Strap No: 35-45-21-08-0000A.2020

Benefit Category: Multi-Family, Non-Beach

Assessment: $2,993.63

PAVESE LAW FIRM

#2

STEVEN C. HARTSELL

Direct dial: (239) 336-6244
Email: stevehartsell@paveselaw.com

1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

May 30, 2014

Jim Boyle, Chair
Captiva Erosion Prevention District Board
11513 Andy Rosse Lane
Captiva, FL 33924

Re: Captiva Island Yacht Club Assessment 2014
Our File #84862.001

Dear Mr. Boyle,

I represent the Captiva Island Yacht Club, Inc., ("Yacht Club") a Non-profit Florida Corporation dedicated to promoting sound and safe boating practices, encouraging a respect for the environment of the waterways, and maintaining a club for the social enjoyment of its members who share those same objectives. The Yacht Club owns property at 15903 Captiva Drive that was included in the most recent CEPD Assessment. Please let this letter serve as objection on behalf of the Yacht Club to the assessment proposed for the 2013-14 Beach Nourishment Project Final Apportionment Plan most recently released in April, 2014. It is our understanding that for the Yacht Club the recreation portion of the assessment is $24,941.08 and the storm protection portion is $4,198.80. The total assessment is $29,139.81.

According to the CEPD Methodology that we received, the recreation portion is the largest part of the special benefit provided by the beach renourishment and justifying the special assessment. The methodology bases part of the assessment upon the Department of Revenue (DOR) Code placed upon a property by the Property Appraiser's Office. This year the Yacht Club property (STRAP #35-45-21-04-00000.0090) had a DOR Code for "Tourist Attractions - 35" and so was assessed based upon the Commercial category for the Recreation portion of the assessment. As I understand it, this means that the Yacht Club is paying about 9.5 times what it would pay if it were in the Single-Family category and about 3.75 times what it would pay in the Multi-family category (see Table 10 on page 13 of the methodology).

Footnote #5 reflects that the Yacht Club was categorized by the CEPD as Institutional previously, but was changed to Commercial due to the DOR Code used by the Property Appraiser's Office. When we inquired with the Property Appraiser about why a non-profit, private membership club is not categorized as "Clubs, Lodges, Union Halls – 77" (like the private member Captiva Civic Association) or "Cultural Organizations – 79" we were told that DOR discourages the Property Appraiser from assigning those "-70s-" categories to organizations that are not exempt from paying property taxes. All of the institutional codes appear to be reserved for tax exempt categories so, to satisfy the DOR preferences, the Property Appraiser's Office searches for some non-institutional category to assign, and "Tourist Attraction" was the best fit they thought could find (since last year's "Office" was also clearly wrong).

Most Institutional properties were assessed by the CEPD at the Single-family rate (per page 12 of the

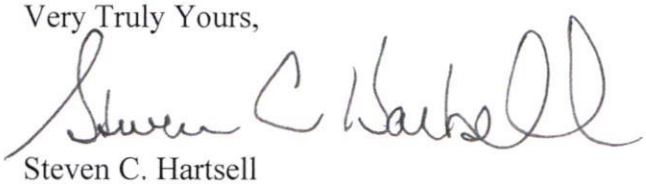
Methodology). Those were owned by Rauschenberg Captiva, LLC and Captiva Civic Association. Yet, even though it is clearly similarly Institutional, the Yacht Club $24,941 portion of the Recreation benefit is 3.75 to 9.5 times more than if it were Single-family or Multi-family like the others. Footnote #1 at the bottom of page 4 reflects that "Commercial properties include those owned by for-profit utilities and other miscellaneous properties owned by for-profit enterprises." As a private, non-profit, membership only club promoting safe boating, respect for the environment and the social enjoyment of those who share similar goals, the Captiva Island Yacht Club does not have any of the characteristics associated with other Commercial designated properties. Yet, because of a DOR coding preference, the Yacht Club is assessed by the CEPD methodology at an arbitrarily and substantially higher rate.

As noted, the DOR Code Commercial characterization of the Yacht Club has a significant effect on the CEPD assessment. The Yacht Club submits that while the use of the DOR Code may be generally applicable for most properties, in the case of the Yacht Club it is clearly having an unintended effect which should be corrected by the CEPD placing the Yacht Club into the Institutional category similar to the other non-profits. The purpose of the methodology is to categorize the parcels by the amount of special benefit they receive based upon their use. Since the Yacht Club is not used for commercial purposes, it is not appropriate to assess it as commercial, regardless of the constraints placed on the Property Appraiser for other reasons unrelated to the CEPD assessments.

Since this is the Recreation portion of the assessment, it is important to note that over 60 members of the Yacht Club are Captiva property owners, so it is especially unfair to assess the Yacht Club property at the highest commercial rate for Recreation when a substantial number of the members are paying for the recreation portion of the special benefit on their own property too. It's not like this membership organization is a hotel or a para-sailing operation drawing tourists to the beach.

For these reasons, the Captiva Island Yacht Club, Inc. objects to the assessment on its property and respectfully asks that the Board would change the categorization from Commercial to Institutional and reassess the property appropriately.

Very Truly Yours,



Steven C. Hartsell

cc: Ed Stringer, Commodore, Captiva Island Yacht Club, Inc.
Nancy Stroud, Esq. Counsel for CEPD

Captiva
Erosion Prevention District

2010

This is NOT A BILL

-DO NOT PAY-

CAPTIVA ISLAND YACHT CLUB
PO BOX 1239
CAPTIVA, FL 33924

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 35452104000000090

Beach Location: Tween Waters Road

Benefit Category: Commercial

		Range
Tentative Apportionment:	$ 50,642.56 *	$ 94,016.68 **

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

Captiva
Erosion Prevention District

May 21, 2014

CAPTIVA ISLAND YACHT CLUB
PO BOX 1239
CAPTIVA, FL 33924

Captiva Beach Renourishment Assessment

2013-2014 Project

Property Strap No: 35-45-21-04-00000.0090

Benefit Category: Commercial, Beach

Assessment: $29,139.81

#3

James F. Smith
15361 Captiva Drive
Captiva, Florida 33924
(239) 849-1987
Intecon123@yahoo.com

June 4, 2014

Captiva Erosion Prevention District
11513 Andy Rosse Lane
Captiva, Florida 33924

RE: Captiva Beach Renourishment Assessment - Strap #35-45-21-06-00000.00C0

To Whom It May Concern,

I respectfully request a reassessment of my property as I believe I have been wrongly assessed. Your assessment shows my home as a "Multi Family" home. It is not. My home is a single family residence. I have attached a letter from the Lee County Property Appraiser specifically stating that our unit type is a "Single Family" home. We are a part of the Captiva Cove Condominium Association so that we may enjoy the common areas, such as the pool, dock and gardens, however our residence is single family only. I have also attached copies of the site plan as well as a floor plan of my home also showing my residence as a "Single Family" home. Also, I have received a second letter in the mail today stating that you have changed our status from "Non-Beach" to "Beach". My home is not on the beach as the site plan clearly shows. We are across the street from the beach.

If you have any questions, please feel free to give me a call at 239-849-1987 or my assistant Allison Weeks at 239-691-5227. I look forward to your reassessment.

Sincerely,

James F. Smith

Enclosures:
Property Appraiser Letter
Warranty Deed
Site Plan
Floor plan
Property Appraiser Report
Printout from Public Property Appraiser Website

STATE OF FLORIDA
LEE COUNTY PROPERTY APPRAISER
KENNETH M. WILKINSON, C.F.A.

MEMBER
International Association of Assessing Officers

Mailing Address:
P.O. Box 1546
Fort Myers, Florida 33902-1546

Physical Address:
2480 Thompson Street
Fort Myers, Florida 33901-3074

Telephone: (239) 533-6100 – (866) 673-2868 (From anywhere in continental US/Canada/Florida except 239 area code)
Facsimile: (239) 533-6160 – Website: www.leepa.org

May 28, 2014

RE: Captiva Cove Condominium
Unit C

To Whom It May Concern:

Unit C of condominium complex, Captiva Cove, is a single family, stand-alone building. The complex consists of one stand-alone unit (C), and three two story buildings designated as Units 1A, 1B, 2A, 2B, 3A and 3B.

The identification in the Property Appraiser's system (35-45-21-06-00000.00C0, copy attached) clearly designates this unit as part of the Captiva Cove complex, with a unit type as "Single Family".

I have also attached recorded Condominium Documents filed with the Clerk of Courts, which indicate that Unit C is part of this condominium.

If you have further questions, please do not hesitate to call me at 239-533-6168.

Sincerely yours,

Michelene Good

Michelene Good, CFE
Condominium Assessment Analyst

4.00
.45

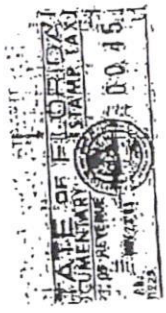
1492696

OFF. REC. 1562 PG 660

WARRANTY DEED

THIS INDENTURE, made this 20th day of November, 1981, by and between JOHN ARMENIA, as Trustee, party of the first part, and CAPTIVA COVE CONSTRUCTION CORPORATION, a Florida corporation, whose address is: Post Office Box 716, County of Lee, State of Florida 33957, party of the second part;

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part forever, the following described condominium unit parcel, situate, lying and being in the County of Lee, State of Florida, to-wit:



Unit No. C of CAPTIVA COVE CONDOMINIUM, according to the Condominium Declaration and exhibits thereof on file and recorded in the office of the Clerk of the Circuit Court in Offical Record Book 1554 at pages 1756 - 1804, inclusive, and as recorded in Condominium Plat Book 7 at pages 182 - 186, inclusive, both of the public records of Lee County, Florida, together with all appurtenances thereunto appertaining and specified in said Condominium Declaration.

SUBJECT TO restrictions, easements and reservations and designations of record as stated in said Condominium Declaration, which party of the second part hereby assumes and agrees to observe, comply with, perform and to be subject to, including but not limited to payment of all assessments as may be determined pursuant to said Condominium Declaration.

And the said party of the first part does hereby fully warrant the title to said condominium parcel, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed the day and year above written.

Judy K. Brodeur
Witness

Patricia K. Kutz
Witness

John Armenia (SEAL)
John Armenia,
Individually and as Trustee

STATE OF FLORIDA

COUNTY OF LEE

I HEREBY CERTIFY that on this 20th day of November, 1981, before me personally appeared John Armenia, to me known to be the person described in and who executed the foregoing Warranty Deed, and acknowledged the execution thereof to be his free act and deed, for the uses and purposes therein mentioned.

WITNESS my signature and official seal, the day and year last aforesaid.

Patricia K. Kutz
Notary Public
My Commission expires:

Notary Public ... at Large
My Com... April 15, 1982

This Instrument prepared by:
Richard John Brodeur, P.A.
Post Office Box 214
Sanibel Island, Florida 33957

SAL GERACI OF CIRCUIT COURT
NOV 23 8 52 AM '81
LEE COUNTY, FLORIDA
RECORD VERIFIED

SUMMARY

OR REC 1554 PG 1757

I. THE CONDOMINIUM UNITS BEING OFFERED FOR SALE AT CAPTIVA COVE CONDOMINIUM ARE BEING SOLD ON A FEE SIMPLE BASIS.

II. ALL COMMON ELEMENTS OF CAPTIVA COVE CONDOMINIUM WILL BELONG TO CONDOMINIUM UNIT OWNERS AND BE CONTROLLED BY THE OWNERS CONDOMINIUM ASSOCIATION, CAPTIVA COVE CONDOMINIUM ASSOCIATION, INC.

III. THERE ARE NO PAYMENTS REQUIRED TO BE MADE BY ANY UNIT OWNERS FOR THE USE OF COMMON FACILITIES AND RECREATION AREAS OTHER THAN THOSE PAYMENTS COLLECTED BY THE CONDOMINIUM ASSOCIATION AS MONTHLY MAINTENANCE FEES ESTABLISHED BY THE CONDOMINIUM ASSOCIATION FOR THE UPKEEP AND MAINTENANCE OF THE FACILITIES. THESE MONTHLY MAINTENANCE FEES SHALL BE IN AN AMOUNT NECESSARY TO MAINTAIN THE COMMON ELEMENTS OF THE CONDOMINIUM.

IV. THERE IS NO RENTAL OR LAND USE FEES REQUIRED TO BE PAID EITHER BY RESIDENTIAL UNIT OWNERS OR THE CONDOMINIUM ASSOCIATION FOR RECREATION OR OTHER COMMONLY USED FACILITIES.

V. NO PARTY OTHER THAN THE CONDOMINIUM ASSOCIATION HAS A LIEN OR LIEN RIGHT AGAINST ANY UNIT OWNER TO SECURE THE PAYMENT OF ASSESSMENTS OR OTHER EXACTIONS COMING DUE FOR THE USE, MAINTENANCE, UPKEEP OR REPAIR OF COMMONLY USED FACILITIES. THE UNIT OWNERS' FAILURE TO MAKE THESE PAYMENTS MAY RESULT IN FORECLOSURE OF THE LIEN BY THE ASSOCIATION. THE ASSOCIATION'S LIEN RIGHTS ARE SET OUT IN SECTION 23-E OF THE CONDOMINIUM DECLARATION AT PAGE CD-8, AND IN ARTICLE V, SECTION 6, OF THE BYLAWS OF THE CONDOMINIUM ASSOCIATION.

VI. RECREATIONAL FACILITIES MAY BE EXPANDED OR ADDED TO WITHOUT THE CONSENT OF UNIT OWNERS, AT DEVELOPER'S EXPENSE, OR BY THE ASSOCIATION AS SET OUT IN ITEM J OF SECTION 24 OF THE CONDOMINIUM DECLARATION AT PAGE CD-8.

VII. THE DEVELOPER, SUBJECT TO THE CONDOMINIUM DECLARATION AND THE BYLAWS, HAS THE RIGHT TO RETAIN CONTROL OF THE CONDOMINIUM ASSOCIATION AFTER A MAJORITY OF THE UNITS HAVE BEEN SOLD. THE DEVELOPER'S RIGHTS ARE DESCRIBED IN SECTION 20 OF THE CONDOMINIUM DECLARATION AT PAGE CD-5 AND IN ARTICLE III, SECTIONS 13-15 OF THE CONDOMINIUM ASSOCIATION BYLAWS APPEARING AT PAGE BL-4.

VIII. THE SALE OR TRANSFER OF THE OWNER'S RESIDENTIAL UNIT IS NOT RESTRICTED OR CONTROLLED BY THE CONDOMINIUM ASSOCIATION. THE LEASE OR RENTAL OF THE OWNER'S RESIDENTIAL UNIT IS LIMITED BY THE CONDOMINIUM DECLARATION, SECTION 26-C, AT PAGE CD-9, WHICH PROVIDES THAT NO MORE THAN ONE RENTAL PER SEVEN DAY PERIOD SHALL BE PERMITTED.

IX. THERE EXISTS A SINGLE FAMILY HOME ON THE PROPERTY WHICH WILL BE CONVERTED TO OWNERSHIP AS A RESIDENTIAL CONDOMINIUM UNIT. DEVELOPER HAS ELECTED TO GIVE ALL WARRANTIES AS PROVIDED BY FLORIDA STATUTE 718.618(7) COVERING THIS UNIT. THE INFORMATION REQUIRED BY FLORIDA STATUTE 718.616 IS CONTAINED IN AND AN EXHIBIT TO THESE CONDOMINIUM DOCUMENTS.

SURVEYOR'S PLAT, EXHIBIT "B" TO CONDOMINIUM DECLARATION OF

CONDOMINIUM PLAT BOOK 7 PAGE 182

SHEET 1 OF 5

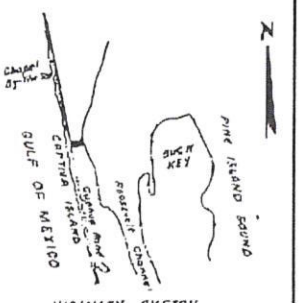
CAPTIVA COVE
A CONDOMINIUM IN

SECTION 35, TOWNSHIP 45 SOUTH, RANGE 21 EAST

CAPTIVA ISLAND, LEE COUNTY, FLORIDA

OCTOBER 1981

JOHNSON ENGINEERING INC.
CIVIL ENGINEERS AND LAND SURVEYORS
FORT MYERS, FLORIDA



VICINITY SKETCH

DESCRIPTION

A lot or parcel of land comprised of a part of Lot 19 and a part of area designated "Upperton Rights reserved" on the plat of John H. Dickey's subdivision recorded in Plat Book 1 at page 4 of the Public Records of Lee County, Florida which lot or parcel is described as follows:

From the point of intersection of the southerly line of said Lot 19 with the easterly line of the County road designated "50 foot street" on said plat which point of intersection is 5.11 feet southeasterly along said southerly line of Lot 19 from a 5"x5" stone monument at which point of intersection is sometimes referred to as the southwest corner of said Lot 19 run N 47° 04' W along the easterly line of said county road for 630.73 feet to a concrete monument marking the intersection with the southerly boundary of lands conveyed by deed recorded in Deed Book 133 at page 340 of said Public Records and the Point of Beginning of the herein described parcel.

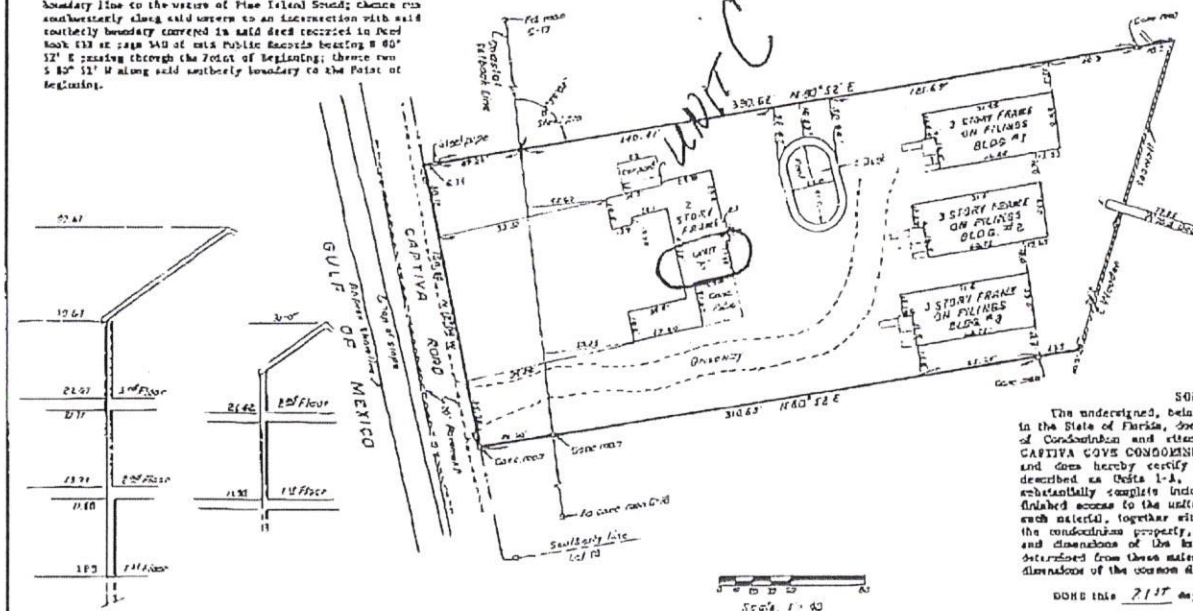
From said Point of Beginning continue S 11° 04' W along the easterly line of said county road for 150.70 feet to an intersection with the line agreed upon by Johnson and Dickey and recorded in Miscellaneous Book 18 at page 420 of said Public Records; thence run N 80° 32' E along said agreed boundary line to the waters of Pine Island Sound; thence run southeasterly along said waters to an intersection with said southerly boundary conveyed in said deed recorded in Deed Book 133 at page 340 of said Public Records bearing N 80° 32' E passing through the Point of Beginning; thence run S 80° 32' W along said southerly boundary to the Point of Beginning.

ALSO

Beginning at the hereinabove described Point of Beginning run N 11° 04' E along the easterly line of said county road for 150.70 feet to an intersection with said agreed boundary line; thence run S 80° 32' W to the waters of the Gulf of Mexico; thence run southeasterly along said waters to an intersection with a line bearing S 63° 32' W passing through the Point of Beginning; thence run N 80° 32' E along said line to the Point of Beginning.

SUBJECT TO THE right-of-way for said county road.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone.



FLOOR ELEVATIONS BLDGS. 1, 2 & 3

FLOOR ELEVATIONS UNIT "C"

NOTE:
Elevations shown are in feet above M.S.L.D.

SURVEYOR'S CERTIFICATE

The undersigned, being a Registered Surveyor authorized to practice in the State of Florida, does certify that he has examined the Declaration of Condominium and attached exhibits, including the Plat thereon of CAPTIVA COVE CONDOMINIUM, and the record plat covering those lands, and does hereby certify that the construction of the improvements described as Units 1-A, 1-B, 2-A, 2-B, 3-A, 3-B and Unit C, are substantially complete including all utilities services, landscaping, and finished access to the units and to the common element facilities, so that such material, together with the provisions of the Declaration describing the condominium property, is an accurate representation of the location and dimensions of the improvements described and that there can be determined from these materials the identification, the relative location and dimensions of the common elements and of each unit.

DONE this 21ST day of OCTOBER, 1981.

Leslie F. Bulow (SEAL)

Professional Land Surveyor
Florida Certificate No. 1965

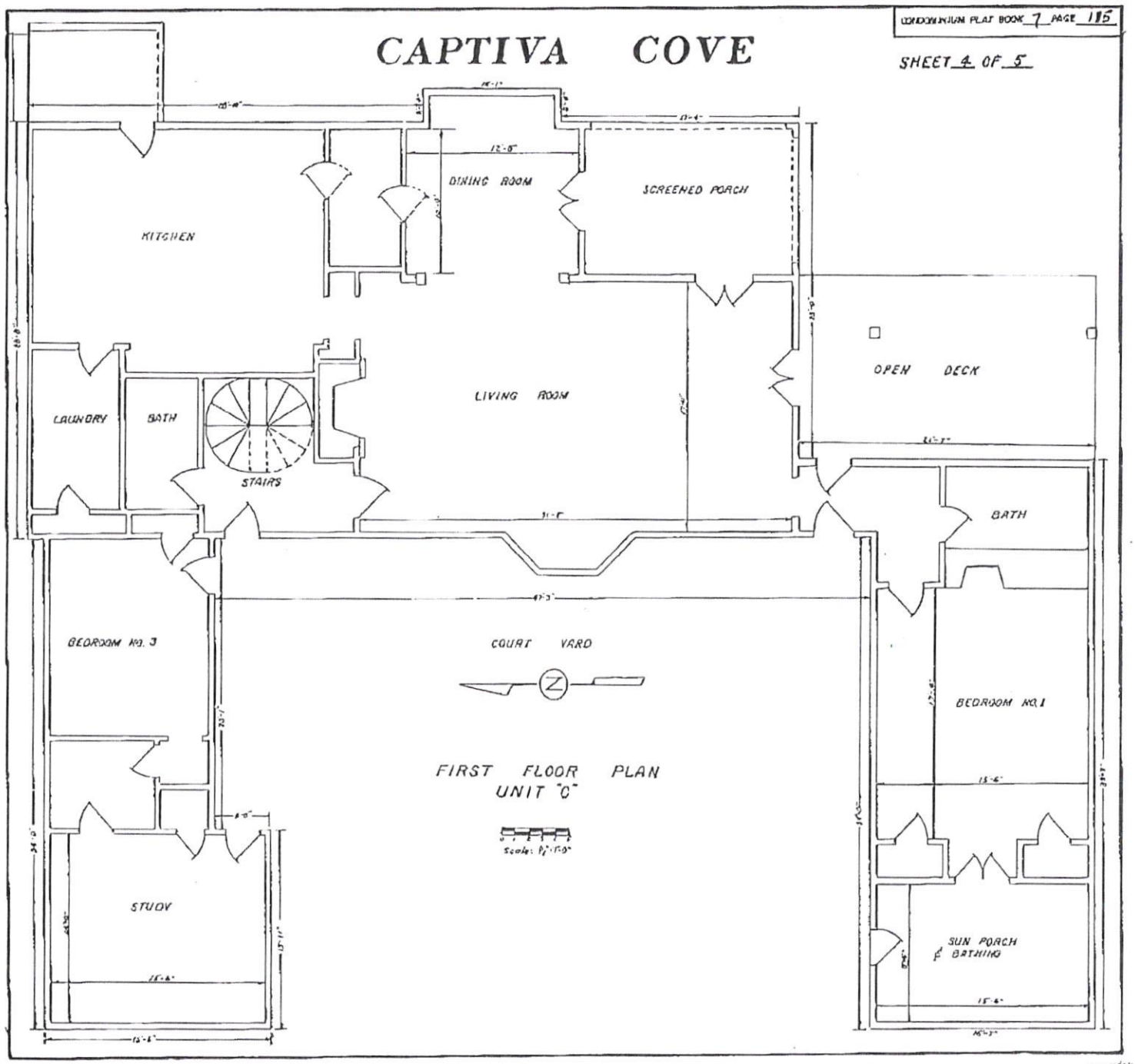
MAY.29'2014 16:10 2395336160 LEE CO PROPERTY APPRAISER #1041 P.005

MAY.29'2014 16:10 2395336160 LEE CO PROPERTY APPRAISER #1041 P.006

CONDOMINIUM PLAT BOOK 7 PAGE 115

CAPTIVA COVE

SHEET 4 OF 5

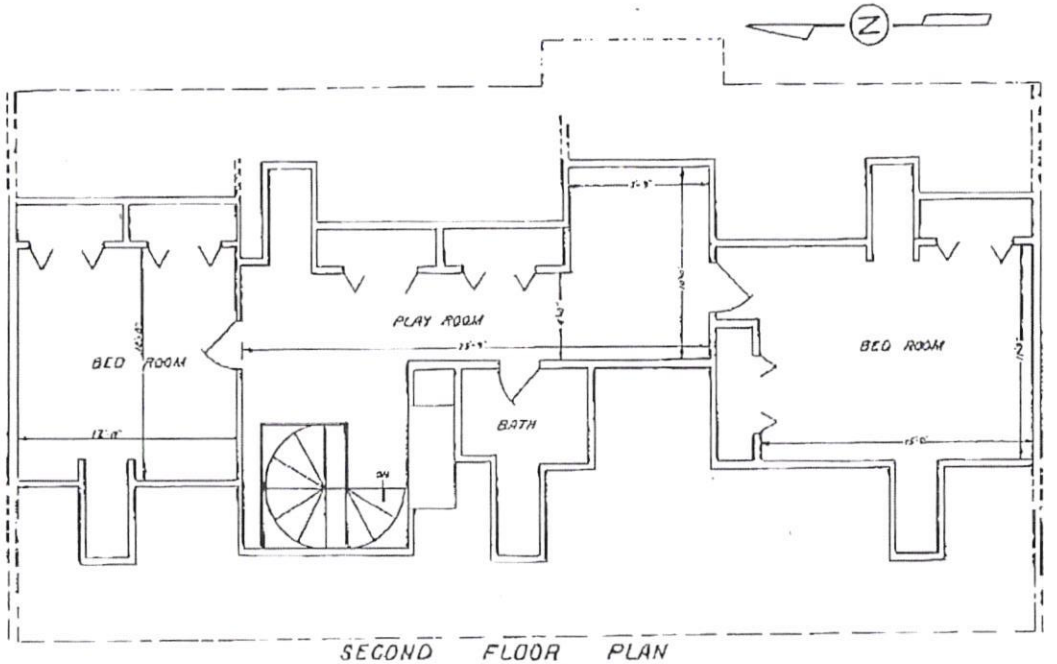


FIRST FLOOR PLAN
UNIT "C"

CAPTIVA COVE

CONDOMINIUM PLAT BOOK 7 PAGE 186

SHEET 5 OF 5



SECOND FLOOR PLAN
UNIT "C"

Scale: 1/4"=1'0"

MAY.29'2014 16:10 2395336160 LEE CO PROPERTY APPRAISER #1041 P.007

Courtesy Property Appraiser
TED ON: May 29, 2014 11:14am

2013 Final

CARD 1 of 1 (1) Folio 10004849

Cell ID 115814521 PARCEL NO: 35-45-21-06-00000.00C0

WNER'S NAME
MITH JAMES F + KASPER PAMELA J T/C

WNER'S ADDRESS
:931 METRO PKWY STE 2
ORT MYERS, FL 33966

EGAL DESCRIPTION
APTIVA COVE CONDO
R 1554 PG 1756
NIT C

R CODE 04 CONDOMINIUM
ID CODE 70-302.2
CAPTIVA/CAPTIVA DRIVE (104)

SITE ADDRESS 15631 CAPTIVA DR 33924

ASSESSOR INSPECTOR INSPECTION DATE

Condo Complex 3545210600000 CAPTIVA COVE
Unit Ins Type 33 CONDOMINIUM - SINGLE FAMILY
IMP TYPE 10 CONDOMINIUM - LOW RISE

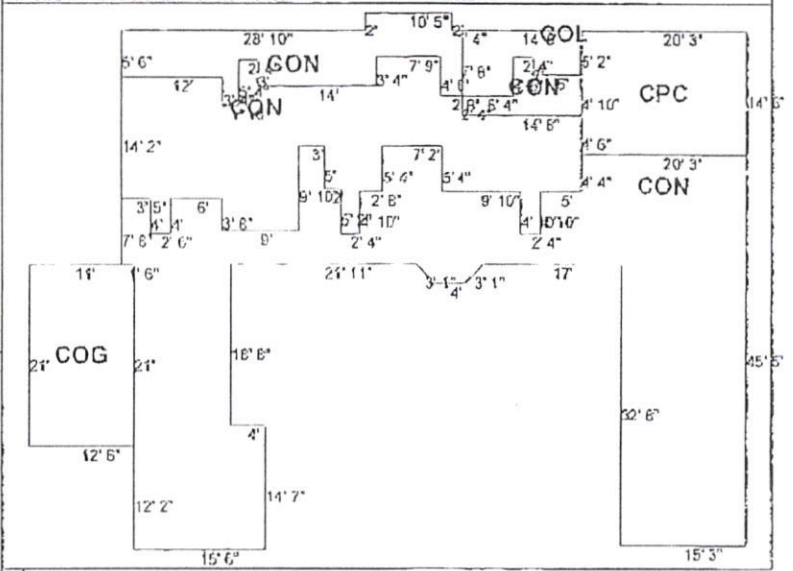
CONDOMINIUM CHARACTERISTICS

ELEMENT	CODE	TYPE / DESCRIPTION
UNIT TYPE	001	4+3+
FLOOR	1	
BEDROOMS	4	
BATHROOMS	4.5	
EXTRA ROOMS	1	DEN
	0	
	0	
SQ. FOOTAGE	3407	
ACT YEAR BUILT	1983	
EFF YEAR BUILT	1981	
BALCONY	6	GLASS
LOCATION	4	STAND ALONE
FRONTAGE	3	BAY
PARKING	5	GARAGE
VIEWS	6	POOL
	0	
	0	
RECREATION	3	COMMUNITY POOL
	15	DOCK
	18	MOORING SLIP
QUALITY	1	AVERAGE
COND FACTOR	1	

BUILDING SUBAREA DETAIL

AREA TYPE	YEAR BUILT	GROSS AREA	PCT BASE	ADJ AREA	CAP
CON	1981	1,646	-	-	-
CON	1981	696	-	-	-
CON	1981	696	-	-	-
CPT	1981	294	-	-	-
CPL	1981	294	-	-	-
CPC	1981	294	-	-	-
COG	1981	263	-	-	-
CON	1981	247	-	-	-
COL	1981	87	-	-	-
CON	1981	60	-	-	-
CON	1981	60	-	-	-
TOTALS:		4,639			

MODEL



LINE	CODE	NAME	DESCRIPTION	LENGTH	WIDTH	UNITS	UNIT PRICE	LG	YEAR	CAP FLAG
1	0000	CFPL C	CONDO FIREPLACE TYPE C	0.00	0.00	3.00	0.00	B	1986	-
2	0000	CCPT C	CONDO CARPORT - CLASS C	0.00	0.00	1.00	5,000.00	B	1986	-

TOTAL OF EXTRA FEATURE VALUES:

LINE	CODE	DESCRIPTION	ZONING	FRONT	DEPTH	TYPE	UNIT PRICE	UNITS	U/T	CAP	SALE NOTES

TOTAL OF LAND LINE VALUES:

NOTES

PERMIT

NUMBER	DATE	CODE	AGCY	VALUE	NOTE
Current Sale Ove...	01/22/14				Post Sale Inspection - date 01/22/2014, amount 1550000,

SALES

BOOK/PAGE OR INSTRUMENT #	DATE	TYPE DEED	QUAL CODE	V I	SALE PRICE
201400014655	01/2014	12	12	I	1,550,000
201000063087	01/2010	12	12	I	3,680,400
1562/661	11/1981	01	01	I	375,000
1562/660	11/1981	01	01	I	100

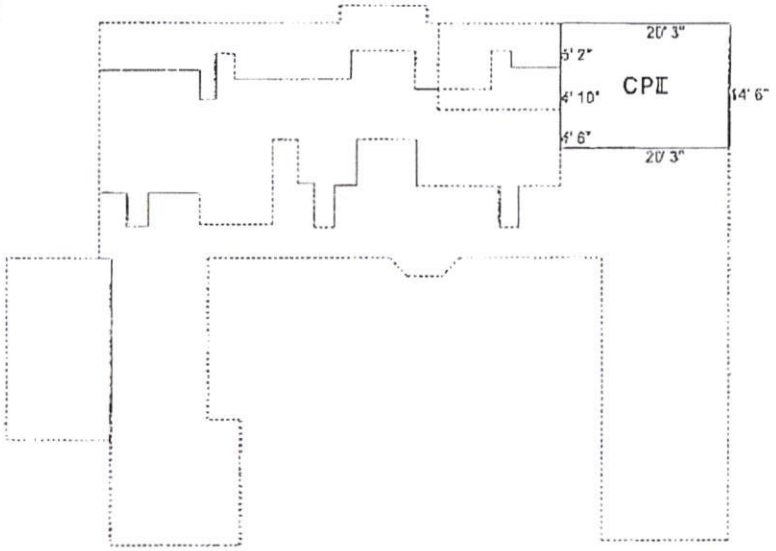
VALUE SUMMARY	2013
JUST PARCEL VALUE	1,705,140

CD1 goodm

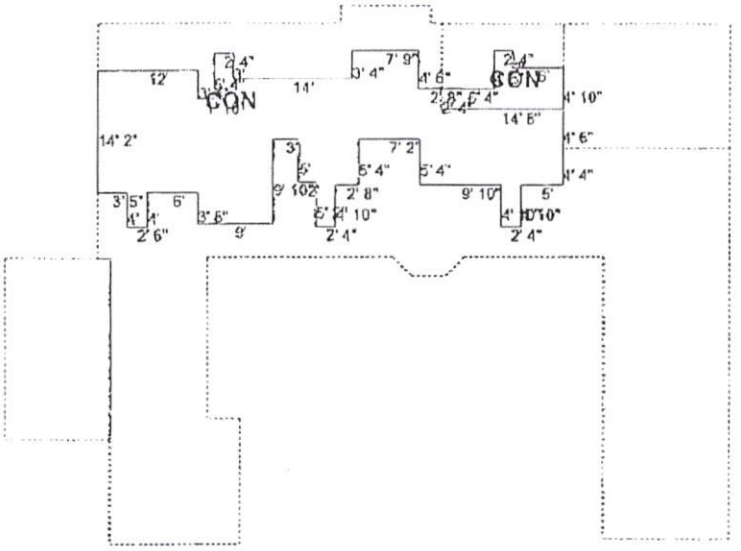
ALL INFORMATION IS SUBJECT TO CHANGE WITHOUT NOTICE

LEE CO PROPERTY APPRAISER #1041 P.010
MAY.29'2014 16:10 2395336160
P16

Floor 0



Floor 2



LEE CO PROPERTY APPRAISER #1041 P.011
MAY.29'2014 16:11 2395336160 P17

ALL INFORMATION IS SUBJECT TO CHANGE WITHOUT NOTICE

Lee County Property Appraiser

8:30 to 5:00

Tax Year 2013

Next Lower Parcel Number | Next Higher Parcel Number | Tax Estimator | Tax Bills | Print

Property Data for Parcel 35-45-21-06-00000.00C0

Owner Of Record

SMITH JAMES F +
KASPER PAMELA J T/C
12931 METRO PKWY STE 2
FORT MYERS FL 33966

Site Address

15631 CAPTIVA DR
CAPTIVA FL 33924

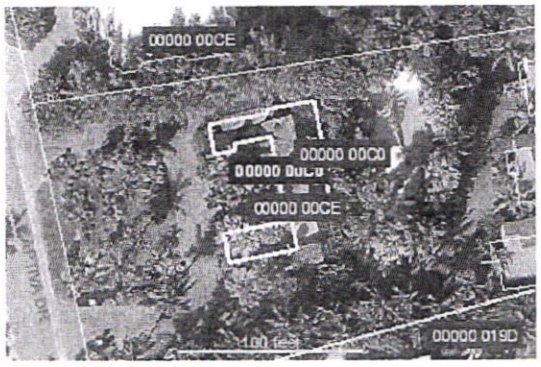
Legal Description

CAPTIVA COVE CONDO
OR 1554 PG 1756
UNIT C

Classification / DOR Code

CONDOMINIUM / 04

[Tax Map Viewer]



[Pictometry Aerial Viewer]

Image of Structure

< Photo Date September of 2009 >

Property Values (2013 Tax Roll)

Just	1,705,140
Assessed	1,705,140
Portability Applied	0
Cap Assessed	1,247,510
Taxable	1,247,510
Cap Difference	457,630

Exemptions

Homestead / Additional	0 / 0
Widow / Widower	0 / 0
Disability	0
Wholly	0
Senior	0
Agriculture	0

Attributes

Land Units Of Measure	
Units	0.00
Frontage	0
Depth	0
Total Number of Buildings	0
Total Bedrooms / Bathrooms	4 / 4.5
Total Living Area	3,494
1st Year Building on Tax Roll	1938
Historic District	No

Property Value History

Tax Year	Just	Market Assessed	Capped Assessed	Taxable	Source
1992	531,030	531,030	531,030	506,030	ROLL
1993	531,030	531,030	531,030	506,030	ROLL
1994	515,100	515,100	515,100	490,100	SOH
1995	515,000	515,000	515,000	490,000	SOH
1996	540,000	540,000	527,880	502,880	SOH
1997	575,000	575,000	543,720	518,720	SOH
1998	575,000	575,000	552,960	527,960	SOH
1999	560,000	560,000	560,000	535,000	SOH
2000	600,000	600,000	575,120	550,120	SOH
2001	615,000	615,000	592,370	567,370	SOH
2002	655,000	655,000	601,850	576,850	SOH
2003	785,000	785,000	616,300	591,300	SOH
2004	1,200,000	1,200,000	628,010	603,010	SOH
2005	1,200,000	1,200,000	646,850	621,850	SOH
2006	1,200,000	1,200,000	666,250	641,250	SOH
2007	1,200,000	1,200,000	682,910	657,910	SOH
2008	1,050,900	1,050,900	703,390	653,390	SOH
2009	1,791,600	1,791,600	704,100	654,100	SOH
2010	635,800	635,800	635,800	585,800	SOH
2011	1,031,000	1,031,000	1,031,000	1,031,000	SOH
2012	1,894,600	1,894,600	1,134,100	1,134,100	SOH
2013	1,705,140	1,705,140	1,247,510	1,247,510	SOH

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to Fair Market Value we produce and is

dated as of January 1st of the tax year in question (F.A.C. 12D-1.002).

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the Highest and Best Use standard or the Present Use standard (F.S. 193.011) . For Agriculturally Classified parcels (or parts thereof), only agricultural uses are considered in the assessment (F.S. 193.461 (6) (a)). The difference between the Highest and Best Use/Present Use and the Agricultural Use is often referred to as the Agricultural Exemption.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the Market Assessment after any Save Our Homes or 10% Assessment Limitation cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the Consumer Price Index or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Taxable** value is the Capped Assessment after exemptions (Homestead, etc.) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Taxing Authorities

CAPTIVA FIRE / EROSION / 006

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY BUDGET SERVICES PO BOX 398 FORT MYERS FL 33902-0398
LEE CO ALL HAZARDS PROTECTION DIST / 101	Dependent District	LEE COUNTY BUDGET SERVICES PO BOX 398 FORT MYERS FL 33902-0398
LEE CO LIBRARY DIST / 052	Dependent District	LEE COUNTY BUDGET SERVICES PO BOX 398 FORT MYERS FL 33902-0398
LEE CO UNINCORPORATED MSTU / 020	Dependent District	LEE COUNTY BUDGET SERVICES PO BOX 398 FORT MYERS FL 33902-0398
CAPTIVA EROSION PREVENTION DIST / 017	Independent District	KATHLEEN ROOKER PO BOX 365 CAPTIVA FL 33924
CAPTIVA ISLAND FIRE CONTROL DIST / 018	Independent District	RICH DICKERSON FIRE CHIEF PO BOX 477 CAPTIVA FL 33924
LEE CO HYACINTH CONTROL DIST / 051	Independent District	VIVIAN H. JONES 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
LEE CO MOSQUITO CONTROL DIST / 053	Independent District	VIVIAN H. JONES 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	CHARLES W LISTOWSKI EXECUTIVE DIRECTOR 200 MIAMI AVE E VENICE FL 34285-2408
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	AMI DESAMOURS BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	AMI DESAMOURS BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
CAPTIVA ISLAND BEACH MAINTENANCE RENOURISHMENT PROJECT / 119	Voter Approved	KATHLEEN ROOKER PO BOX 365 CAPTIVA FL 33924
SFWMD-DISTRICT-WIDE / 110	Water District	MICHELLE QUIGLEY 3301 GUN CLUB RD WEST PALM BEACH, FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	MICHELLE QUIGLEY 3301 GUN CLUB RD WEST PALM BEACH, FL 33406
		MICHELLE QUIGLEY

SFWMD-OKEECHOBEE BASIN / 308 Water District 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

Sale Price	Date	OR Number	Type	Description	Vacant/Improved
1,550,000.00	01/22/2014	2014000014665	12	**Sales disqualified as a result of examination of the deed** Transfer to or from financial institutions; Deed stating "In Lieu of Foreclosure" (including private lenders)	I
3,680,400.00	01/14/2010	2010000063087	12	**Sales disqualified as a result of examination of the deed** Transfer to or from financial institutions; Deed stating "In Lieu of Foreclosure" (including private lenders)	I
375,000.00	11/01/1981	1562/661	01	**Sales disqualified as a result of examination of the deed** Disqualified (Doc Stamp .70 / SP less th $100 / Other Disq)	I
100.00	11/01/1981	1562/660	01	**Sales disqualified as a result of examination of the deed** Disqualified (Doc Stamp .70 / SP less th $100 / Other Disq)	I

Building/Construction Permit Data

Parcel Numbering History

Prior STRAP	Renumber Reason	Renumber Date
35-45-21-04-00025.0000	Split (From another Parcel)	

Solid Waste (Garbage) Roll Data

Flood and Storm Information

Appraisal Details

Land

Land Tracts

Use Code	Use Code Description	Depth	Frontage	Number of Units	Unit of Measure

Condominium

Complex Information

Complex Name	Complex ID	Address	Total Units	Frontage	Structure	Roof	Parking
CAPTIVA COVE	3545210600000	15640 CAPTIVA DR	7	BAY	CB STUCCO	GABLE OR HIP	UNDER BUILDING

Amenities COMMUNITY POOL DOCK MOORING SLIP

Unit Detail

Model	Building	Unit	Floor	Size	Bedrooms	Bathrooms	Location	Balcony	Parking	Year Built	Effective Year Built
HISTORICAL HOUSE ON PROPERTY	C	00C0	1	3407	4	4.5	STAND ALONE	GLASS	GARAGE	1938	1981

TRIM (proposed tax) Notices are available for the following tax years
[2007 2008 2009 2010 2011 2012 2013]

Next Lower Parcel Number Next Higher Parcel Number New Query Search Results Home

Captiva
Erosion Prevention District

2010

This is NOT A BILL

-DO NOT PAY-

SANIBEL CAPTIVA COMMUNITY BANK
2475 LIBRARY WAY
SANIBEL, FL 33957

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 354521060000000C0

Beach Location: Non-Beach

Benefit Category: Condominium

		Range
Tentative Apportionment:	$ 1,013.52	$ 1,881.58
	*	**

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

Captiva
Erosion Prevention District

June 2, 2014

Smith James F
12931 Metro Parkway
Suite 2
Ft. Myers, FL 33966

Captiva Beach Renourishment Assessment

2013-2014 Project

CORRECTED

Property Strap No: 35-45-21-06-00000.00C0

Benefit Category: Multi-Family, Beach

Assessment: $10,706.57

#4

June 3, 2014

Ms. Kathleen Rooker
Captiva Erosion Prevention District
11513 andy Rosse Lane
P.O. Box 365
Captiva, Florida 33924

Re: Bayside Villas 4312
Property strap No. 26-45-21-30-0000C.3060

Dear Ms. Rooker;

I'm sorry for not corresponding sooner but we were out of town for almost three weeks and did not review your letter of May 21, 2014 until our return. I was not pleased with your idea of the assessment for the recent beach renourishment project conducted on Captive Island for my property at South Seas Island Resort.

My condominium unit is located on the bay side of the island, I have no view of the beach and outside of the golf course which I have not been on for the last 7 years nor have I set foot on the beach more then a half-dozen times since 1979.

I have previously paid all the other beach assessments during the period of time I have owned the property. If my property faced the gulf like the Beach Villas', Beach Homes and the single family homes then I would think then I could see this type of assessment.

I have been told that some of the condominiums in the Tennis Villas' that are adjacent to our units were assessed in the area of $200. If this is true I don't see how our assessment could amount to $1,659.89.

Rest assured I plan on attending the meeting at Tween Waters on June 5th.

Respectfully,

Joseph Soukup

2010

Captiva
Erosion Prevention District

This is NOT A BILL

-DO NOT PAY-

SOUKUP JOSEPH TR
19479 SILVER OAK DR
FORT MYERS, FL 33967

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 264521300000C3060

Beach Location: Non-Beach

Benefit Category: Condominium

		Range
Tentative Apportionment:	$ 2,735.43 *	$ 5,078.25 **

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

Captiva
Erosion Prevention District

May 21, 2014

SOUKUP JOSEPH TR
19479 SILVER OAK DR
FORT MYERS, FL 33967

Captiva Beach Renourishment Assessment

2013-2014 Project

Property Strap No: 26-45-21-30-0000C.3060

Benefit Category: Multi-Family, Non-Beach

Assessment: $1,659.89

#5

14-04-14 P01:40 IN

THE ISLAND WATER ASSOCIATION, INC.

June 3, 2014

Board of Commissioners
Captiva Erosion Prevention District
PO Box 65
Captiva, FL 33924

Ladies/Gentlemen:

This letter concerns two invoices dated May 21, 2014 that The Island Water Association (IWA) received from the Captiva Erosion Prevention District for the recently completed beach renourishment project on Captiva. This is the first instance IWA has been noticed of pending assessments on each of its two properties on Captiva.

One invoice, in the amount of $4,198.50, is for our pumping station at South Seas resort. The other invoice, in the amount of $5,869.34, is for a small empty lot on the bay side of Captiva Dr. (16791 Captiva Dr.) This lot is land bound, the former site of a pumping and water tank station.

IWA has two objections to these two charges. First, IWA is a nonprofit, tax exempt utility, which pays no ad valorem property tax. IWA has never been charged for previous beach renourishment projects. I also note that the first sentence on page 4 of the *Captiva Island 2013-2014 Beach Renourishment Project Final Apportionment Plan*, "All residential and commercial properties will pay a share of the cost for providing recreational benefits," is footnoted. The footnote reads, "Commercial properties include those owned by **for profit** utilities...." IWA clearly does not fit into that category.

The second objection concerns the supposed recreational benefit IWA properties provide. The South Seas property consists of a 1 million gallon water tank and a pump house located behind the South Seas Maintenance area. It is wholly unclear how this property could provide a recreational benefit to anyone. The second property on Captiva Drive is a small inland substandard size vacant lot in the Estate zone residential area that does not meet minimum size requirements for residential development.

IWA respectfully requests that you consider removing these two assessments on IWA properties on Captiva Island.

Thank you for your consideration of this matter.

Sincerely,

Donald F. DuBrasky
IWA General Manager

David M. Platt
IWA Legal Counsel

cc: Island Water Board of Director

3651 SANIBEL CAPTIVA ROAD • SANIBEL, FLORIDA 33957-3050 • PHONE (239) 472-1502 • FAX (239) 472-1505 • http://www.islandwater.com

Captiva
Erosion Prevention District

2010

This is NOT A BILL

-DO NOT PAY-

ISLAND WATER ASSOCIATION INC
3651 SANIBEL CAPTIVA RD
SANIBEL, FL 33957

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 2245210000005001A

Beach Location: Non-Beach

Benefit Category: Utility-NT

		Range
Tentative Apportionment:	$ .00 *	$ .00 **

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

Captiva
Erosion Prevention District

2010

This is NOT A BILL

-DO NOT PAY-

ISLAND WATER ASSOCIATION INC
3651 SANIBEL CAPTIVA RD
SANIBEL, FL 33957

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 02462100000120000

Beach Location: Non-Beach

Benefit Category: Utility-NT

		Range
Tentative Apportionment:	$ .00 *	$ .00 **

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

Captiva
Erosion Prevention District

May 21, 2014

ISLAND WATER ASSOCIATION INC
3651 SANIBEL CAPTIVA RD
SANIBEL, FL 33957

Captiva Beach Renourishment Assessment

2013-2014 Project

Property Strap No: 22-45-21-00-00005.001A

Benefit Category: Commercial, Non-Beach

Assessment: $4,198.50

Captiva
Erosion Prevention District

May 21, 2014

ISLAND WATER ASSOCIATION INC
3651 SANIBEL CAPTIVA RD
SANIBEL, FL 33957

Captiva Beach Renourishment Assessment

2013-2014 Project

Property Strap No: 02-46-21-00-00012.0000

Benefit Category: Commercial, Non-Beach

Assessment: $5,869.34

#6

Captiva Civic Association

June 4, 2014

Board of Commissioners
Captiva Erosion Prevention District
P.O. Box 365
Captiva, FL 33924

Re: Captiva Beach Renourishment Assessments
STRAP Numbers: 35-45-21-00-00006.1000
35-45-21-00-00007.0130

Dear Commissioners,

The Captiva Civic Association received notice from the Captiva Erosion Prevention District via of letter dated May 21, 2014 concerning assessments on the Captiva Community Center located at 11550 Chapin Lane and the adjoining historically designated Belton Johnson Cottage located at 11570 Chapin Lane. This is the first official notice received and first indication provided to the Captiva Civic Association of pending beach renourishment assessments for the 2013-14 Project. This is also the first time in the history of the CEPD the Captiva Civic Association, a tax exempt, non-profit organization is assessed for beach renourishment recreational benefits.

The Captiva Civic Association is a community membership based nonprofit organization founded in 1936. It owns and maintains the Captiva Community Center building which provides space for the Captiva Memorial Public Library, a meeting hall, and offices for three nonprofit organizations which includes the Captiva Island Historical Society, Captiva Civic Association and the CCA Foundation. The civic association also maintains space for a Lee County Sherif Deputy Facility in the historically designated Belton Johnson Cottage.

The assessment methodology for the 2013/14 project is described in the May 21, 2014 cover letter and the Captiva Island Beach Renourishment Project Final Apportionment Report dated April 2014 (Report)) as being the same used to determine assessments for the previous beach renourishment projects undertaken since 1989. Inasmuch as the stated assessment methodology is unchanged, it is unclear why the two subject parcels are assessed for recreational benefits. There is no change in ownership, zoning (CF-2), nonprofit tax exempt status, or use since the first beach project in 1989.

Additionally, the Report lists the four types of properties receiving recreational benefits: Single-Family, Multi-Family, Interval Units and Commercial. It is also unclear as to how the two subject parcels in recognition of historical designation, specific community facility zoning, and nonprofit ownership status are categorized as being within any of the four listed benefitting categories.

For the reasons provided above and other considerations, the Captiva Civic Association respectfully requests the CEPD Board of Commissioners remove the pending recreational beach assessments on the two subject parcels.

Sincerely,

Rich Stegmann

Rich Stegmann
President
Captiva Civic Association

cc: Board of Governors

2010

Captiva
Erosion Prevention District

This is NOT A BILL

-DO NOT PAY-

CAPTIVA CIVIC ASSOC INC
PO BOX 778
CAPTIVA, FL 33924

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 35452100000061000

Beach Location: Non-Beach

Benefit Category: Institutional

		Range
Tentative Apportionment:	$ .00 *	$ .00 **

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

2010

Captiva
Erosion Prevention District

This is NOT A BILL

-DO NOT PAY-

CAPTIVA CIVIC ASSOC INC
PO BOX 778
CAPTIVA, FL 33924

This is a tentative apportionment of a preliminary project estimate. You will receive a more accurate *tentative* assessment after the project is completed and project costs are known (likely 2014/2015). Your assessment will be *finalized* ONLY after the CEPD Board holds a FINAL public hearing.

Tentative Apportionment of Estimated Costs

2013-2014 Proposed Beach Nourishment Project

Property Strap No: 35452100000070130

Beach Location: Non-Beach

Benefit Category: Institutional

		Range
Tentative Apportionment:	$ .00 *	$ .00 **

*** Assuming that CEPD obtains cost sharing and/or funding grants from federal, state and county sources (within range of past nourishment projects), totaling at least $ 8,000,000.**

**** Assuming that CEPD obtains absolutely NO cost sharing from federal, state and county funding sources.**

Captiva
Erosion Prevention District

May 21, 2014

CAPTIVA CIVIC ASSN INC
PO BOX 778
CAPTIVA, FL 33924

Captiva Beach Renourishment Assessment

2013-2014 Project

Property Strap No: 35-45-21-00-00006.1000

Benefit Category: Single Family INST, Non-Beach

Assessment: $525.16

Captiva
Erosion Prevention District

May 21, 2014

CAPTIVA CIVIC ASSN INC
PO BOX 778
CAPTIVA, FL 33924

Captiva Beach Renourishment Assessment

2013-2014 Project

Property Strap No: 35-45-21-00-00007.0130

Benefit Category: Single Family INST, Non-Beach

Assessment: $1,511.89

RESOLUTION NO. 2014-5
BY THE BOARD OF COMMISSIONERS
OF THE CAPTIVA EROSION PREVENTION DISTRICT
LEE COUNTY, FLORIDA

WHEREAS, the Captiva Erosion Prevention District ("District") is authorized by Chapter 81-413, Laws of Florida and Section 161.32, Florida Statutes (2012), as a beach and shore preservation district; and is authorized to levy non-ad valorem assessments; and

WHEREAS, the District has completed the Captiva Island 2013-2014 Beach Maintenance Renourishment Project, which was approved at referendum on November 2, 2010; and

WHEREAS, the District, pursuant to Section 197.3632(3)(a), Florida Statutes adopted Resolution 96-4 on August 8, 1996, expressing its intent to use the uniform method of collection of non-ad valorem assessments; and

WHEREAS, the engineer and economist for the District prepared a preliminary assessment roll and filed the same with the District Board on May 14, 2014; and

WHEREAS, the District on May 19, 2014 provided notice by publication in the Fort Myers News-Press and on May 15-17, 2014 provided notice by U.S. Mail to all property owners on Captiva Island regarding the public meeting on June 5, 2014 at 5:01 p.m. to be held to adopt the special assessment roll to be levied upon each property within the District to pay for the Captiva Island 2013-2014 Beach Maintenance Renourishment Project; and

WHEREAS, the District met on June 5, 2014 and received the written objections to the confirmation of the special assessment roll of all interested persons who have filed objections pursuant to Section 81-413(11), Laws of Florida and Section 197.3632(4), Florida Statutes; and

WHEREAS, the District Board has reviewed the preliminary assessment roll according to the special benefits each lot or parcel of land has received or will receive as a result of the Captiva Island 2013-2014 Beach Maintenance Renourishment Project.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CAPTIVA EROSION PREVENTION DISTRICT that:

Section 1. The District hereby modifies or ratifies the preliminary assessment roll filed on May 14, 2014 and hereby adopts the final assessment roll, attached as Exhibit A.

Section 2. This Resolution shall become effective immediately upon adoption.

THE FOREGOING RESOLUTION was offered by Commissioner _____who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to vote, the vote was as follows:

Chairman Boyle	_____
Vice Chair Holzheimer	_____
Secretary Kaiser	_____
Treasurer Jensen	_____
Commissioner Mullins	_____

DULY PASSED AND ADOPTED THIS 5th day of June, 2014.

Board of Commissioners of the
Captiva Erosion Prevention District

By:_____ Certified by:_____
Chairman Secretary

For Form:_____
Board Attorney

RESOLUTION NO. 2014-6
BY THE BOARD OF COMMISSIONERS
OF THE CAPTIVA EROSION PREVENTION DISTRICT
LEE COUNTY, FLORIDA

WHEREAS, the Captiva Erosion Prevention District ("District") is authorized by Chapter 81-413, Laws of Florida and Section 161.32, Florida Statutes (2012), as a beach and shore preservation district; and

WHEREAS, Section 4 "Powers of the District", paragraph (4) authorizes the District to adopt rules for its own government and proceedings; and

WHEREAS, The District has adopted Rules of Procedure, last amended May 14, 2014; and

WHEREAS, Rule 1.23(d) of the District Rules of Procedure provides that a resolution stating budget and purposes shall be required to initiate any project exceeding $10,000; and

WHEREAS, The District desires to initiate such a project exceeding $10,000.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CAPTIVA EROSION PREVENTION DISTRICT that:

Section 1. Resolution No. 2013-05 authorized the District to borrow funds from Fifth Third Bank in the principal amount of $9,600,000 to finance the cost of the erosion control projects described in Resolution No. 2010-04. The District approves the expenditure of $4,000,000 for the purpose of reducing the principal amount of the Firth Third Bank Loan.

Section 2. This Resolution shall become effective immediately upon adoption.

THE FOREGOING RESOLUTION was offered by Commissioner _____who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to vote, the vote was as follows:

Chairman Boyle	_____
Vice Chair Holzheimer	_____
Secretary Kaiser	_____
Treasurer Jensen	_____
Commissioner Mullins	_____

Captiva Erosion Prevention District
Resolution No.

DULY PASSED AND ADOPTED THIS th day of . 201 .

Board of Commissioners of the
Captiva Erosion Prevention District

By:_____ Certified by:_____

Chairman Secretary

For Form:_____
Board Attorney