

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 04-35

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, TO ESTABLISH AND LEVY AD VALOREM TAXES WITHIN THE CORPORATE LIMITS OF THE TOWN OF FORT MYERS BEACH, FOR THE TAX YEAR 2005, PROVIDING AUTHORITY; LEVY OF AD VALOREM TAXES IN THE AMOUNT OF 0.8500 MILLS (\$0.8500 PER \$1,000) BASED ON THE ASSESSED VALUE ON NON-EXEMPT REAL AND PERSONAL PROPERTY LOCATED WITHIN THE LIMITS OF THE TOWN OF FORT MYERS BEACH; PROVIDING MANNER OF ASSESSMENT AND COLLECTION; CHANGE IN THE ASSESSMENT ROLL; SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Fort Myers Beach, incorporated under Chapter 95-494, Laws of Florida, which by Section 11.03, provides for the adoption of a budget; and,
WHEREAS, the Town Council held the required public hearings.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA:

SECTION ONE: Authority. This Resolution is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION TWO: Levy of Ad Valorem Taxes in the Amount of 0.8500 Mills (\$0.8500 Per \$1,000) based on the assessed value on non-exempt real and personal property located within the limits of the Town of Fort Myers Beach.

That the Town Council of the Town of Fort Myers Beach does hereby establish and fix ad valorem taxes for the taxable year 2005 in the amount of 0.8500 mills, \$0.8500 for each \$1,000 of assessed valuation, less exemptions. The millage rate levied is less than the roll-back rate of 0.8870 mills as computed pursuant to Florida Law and represents a 4.2% decrease.

SECTION THREE: Manner of Assessment and Collection. That the levy of taxes provided for by this Resolution shall be based on the assessed value of all non-exempt real and personal property assessed and established pursuant to law by the Lee County Property Appraiser for the year 2004 and shall be collected as provided by law. When collected, taxes fixed and levied by this resolution shall be used for all lawful purposes for the Fiscal Year beginning October 1, 2004, and ending September 30, 2005, for the Town of Fort Myers Beach, Florida.

SECTION FOUR: Change in the Assessment Roll. If the property appraiser notifies the Town of an aggregate change in the assessment roll from the certified assessment roll, from corrections of errors in the assessment roll, the millage will be adjusted by the Town Manager by issuing a

certificate of adjusted millage. The adjustment shall be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to the taxable value on the roll to be extended. The certificate shall be delivered to the property appraiser not later than three days after receipt of notification of the aggregate change in the assessment roll.

SECTION FIVE: Severability. If any one of the provisions of this resolution should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this resolution, and in no way affect the validity of all other provisions of this resolution.

SECTION SIX: Effective Date. This resolution shall become effective upon adoption.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

Howard Rynearson	<i>ayf</i>
Don Massucco	<i>ayf</i>
Bill Thomas	<i>ayf</i>
W. H. "Bill" Van Duzer	<i>ayf</i>
Garr Reynolds	<i>ayf</i>

Adopted this 11th day of October, 2004.

ATTEST:

By: *Marsha Segal-George*
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By: *Bill Thomas*
Bill Thomas, Mayor

Approved as to form by:

Richard V.S. Roosa
Richard V.S. Roosa, Town Attorney