

1                   A bill to be entitled  
2           An act relating to Lee County and the City of  
3           Fort Myers; providing for the annexation of the  
4           enclaves known as "Dunbar" and "Belle Vue" by  
5           interlocal agreement between the city and  
6           county, subject to approval by referendum;  
7           providing for procedures for adoption of the  
8           agreement and for a referendum; providing for  
9           authority for assumption of municipal service  
10          duties and transfer of infrastructure;  
11          providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. The City of Fort Myers and Lee County are  
16 authorized to enter into an interlocal agreement subject to  
17 referendum approval for the orderly municipal annexation of  
18 the following further described areas located within a 1-mile  
19 radius of the City of Fort Myers city limits:

20           (1) The unincorporated enclave commonly known as  
21 "Dunbar"; and

22           (2) The unincorporated enclave considered to be  
23 another portion of the Dunbar enclave, but commonly known as  
24 "Belle Vue."

25           Section 2. The areas proposed to be annexed are  
26 described as follows:

27           (1) The "Dunbar" enclave includes the following  
28 described lands located south of S.R. 82:

29  
30           Tracts or parcels of land lying in Sections 17,  
31 19, 20, 29 and 30, Township 44 South, Range 25

1 East, Lee County, Florida which tracts or  
2 parcels are described as follows:

3  
4 SECTION 17

5 All of George D. Williams Subdivision as  
6 recorded in Plat Book 4 at Page 1 of the Lee  
7 County Records

8 LESS AND EXCEPT:

9 Lots 19, 24, 25 and 26

10 AND

11 Lot 29 and the West 115 feet of Lot 30 of  
12 Sunnyside Farms Subdivision as recorded in Plat  
13 Book 3 at Page 72 of the Lee County Records

14 AND

15 Lot 32 and the South 74 feet of Lot 17 of  
16 Sunnyside Farms Subdivision as recorded in Plat  
17 Book 3 at Page 72 of the Lee County Records

18  
19 SECTION 19

20 Beginning at the intersection of the East  
21 right-of-way (ROW) line of Ford Street and the  
22 South ROW line of Dr. Martin Luther King Jr.  
23 Boulevard (State Road No. 82) run East along  
24 the South line of said road to the Westerly  
25 line of Henderson Avenue; thence run South  
26 along said West line to the Westerly  
27 prolongation of the South line of Lots 1  
28 through 10, Block D of Carver Park; thence run  
29 East along said South line to the Southeast  
30 corner of Lot 4, Block E said Carver Park as  
31 recorded in Plat Book 8 at Page 88 of the Lee

1 County Records; thence run North along the East  
 2 line of said Lot 4 to the South line of said  
 3 Martin Luther King Jr. Boulevard; thence run  
 4 East along said South line to the Northeast  
 5 corner of Lot 2, Block 1 Kaune's Subdivision as  
 6 recorded in Plat Book 1 at Page 60 of said  
 7 public records; thence run South along the East  
 8 line of said Lot 2 and East line of said Lot  
 9 25, said Kaune's Subdivision; thence run East  
 10 along the North line of Conn Avenue to the  
 11 Southeast corner of Lot 18, Block 1, said  
 12 Kaune's Subdivision; thence run North to an  
 13 intersection with the South line of said  
 14 Boulevard; thence run East along said South  
 15 line to the East line of Section 19; thence run  
 16 South along said East line to the South line of  
 17 Edison Avenue; thence run West along said South  
 18 line to the East line of Highlands Avenue;  
 19 thence run South along said East line to the  
 20 North line of Franklin Street; thence run East  
 21 along the North line of Franklin Street to an  
 22 intersection with the East line of Section 19;  
 23 thence run South along said East line to the  
 24 South line of Canal Street; thence run West  
 25 along said South line of Canal Street to the  
 26 East line of Ford Street; thence run North  
 27 along said East line to the South line of  
 28 Franklin Street; thence run East along said  
 29 South line to the West line of Henderson  
 30 Avenue; thence run North along said West line  
 31 to the South line of Edison Avenue; thence run

1 West along said South line to the East line of  
2 Ford Street; thence run North along said East  
3 line to the Point of Beginning.

4  
5 SECTION 20

6 Beginning at the intersection of the South line  
7 of Dr. Martin Luther King Jr. Boulevard and the  
8 West line of Section 20, Township 44 South,  
9 Range 25 East run South to an intersection with  
10 the North line of Harlem Lakes Subdivision as  
11 recorded in Plat Book 13 at Page 136 of the Lee  
12 County Records; thence run East along the North  
13 line of Lot 12, Block 1, said Harlem Lakes  
14 Subdivision to the Northeasterly corner of said  
15 Lot 12; thence run Southeasterly along the  
16 Northeasterly line of said Lot 12 to the North  
17 line of Fairview Avenue; thence run East along  
18 the North line of said Fairview Avenue to the  
19 Southeast corner of Lot 5, said Block 1; thence  
20 run North along the East line of Lot 5 and  
21 Northerly prolongation thereof to an  
22 intersection with the South line of Martin  
23 Luther King Jr. Boulevard; thence run Easterly  
24 along said South line to the Northeast corner  
25 of lands described in Official Record Book 2209  
26 at Page 4434, said public records, 280 feet  
27 Easterly of the East line of Flint Drive;  
28 thence run South along the East line of said  
29 lands and the Southerly prolongation thereof to  
30 the Southeast corner of lands described in  
31 Official Record Book 2352 at Page 4744, said

1 public records; thence run West along the South  
2 line of said lands to the East line of Flint  
3 Drive; thence run South along said East line  
4 for 100 feet; thence run East for 280 feet;  
5 thence run South for 162 feet; thence run West  
6 for 280 feet to the East line of Flint Drive;  
7 thence run South along said East line for 100  
8 feet; thence run East for 280 feet; thence run  
9 South 350 feet to the Southeast corner of lands  
10 described in Official Record Book 1150 at Page  
11 66, said public records; thence run West for  
12 280 feet to the East line of said Flint Drive;  
13 thence run South along said East line to the  
14 North line of Edison Avenue; thence run West  
15 along said North line to an intersection with  
16 the West line of said Section 20; thence run  
17 North along said West line to the Point of  
18 Beginning.

19  
20 SECTION 29

21 Lots I through 8, Block 1, Southside Gardens as  
22 recorded in Plat Book 3 at Page 18, Lee County,  
23 Records

24 AND

25 Lot 1 and the West 220 feet of Lot 2, Block 2  
26 and the South 183 feet of the 196 feet of Lot 8  
27 all in Block 2,

28 AND

29 Lots 2, 3, 4, 5 and 8, Block 3; Lots 2, 3, 6, 7  
30 and 8, Block 4; Lots 3 and 6, Block 5; Lots 2  
31 through 8, Block 6; the West half (W-1/2) of

1 Lot 1, Block 8, Lots 2 through 8, Block 10;  
2 Lots 5 and 6, Block 11 and Lots 2 and 3, Block  
3 12;  
4 AND  
5 All of Resubdivision of Lot 5, Block E,  
6 Southside Gardens as recorded in Plat Book 6 at  
7 Page 8, said public records;

9 SECTION 30

10 Beginning at the Northeast corner of Section 30  
11 run South along said East line to the Southeast  
12 corner of said Section 30; thence run West  
13 along the South line of said Section to the  
14 intersection with the East line of the Seminole  
15 Gulf Railroad; thence run North along said East  
16 line to an intersection with the North line of  
17 Tara Lee Street; thence run Easterly along said  
18 North line to the Southwest corner of lands  
19 described in Official Record Book 2123 at Page  
20 2935, Lee County Records; thence run North  
21 along the West line of said lands to the  
22 Northwest corner of said lands; thence run  
23 Easterly along the North line of said lands and  
24 the Easterly prolongation thereof to the East  
25 line of Metro Parkway; thence run South along  
26 said East line to the Southwest corner of Lot  
27 27, East Stadler Farms as recorded in Plat Book  
28 5 at Page 6 of the Lee County Records; thence  
29 run East along the South line of Lot 27 to the  
30 Southeast corner of the West half (W-1/2) of  
31 Lot 28, said East Stadler Farms; thence run

1 North along said Seat line to an intersection  
 2 with the South line of Lot 21, said East  
 3 Stadler Farms; thence run West along said South  
 4 line and the Westerly prolongation thereof to  
 5 the East line of the Seminole Gulf Railway;  
 6 thence run North along said East line to the  
 7 South line of Hanson Street; thence run East  
 8 along said South line to the West line of Work  
 9 Drive; thence run North along said West line to  
 10 the South line of the North half (N-1/2) of  
 11 Lots 13 and 14, East Stadler Farms; thence run  
 12 West along said South line to the East line of  
 13 Ford Street; thence run North along said East  
 14 line to the South line of Lot 4, said East  
 15 Stadler Farms; thence run East along said South  
 16 line of Lots 3 and 4, said East Stadler Farms  
 17 to the West line of Work Drive; thence run  
 18 North along said West line to an intersection  
 19 with the Westerly prolongation of the South  
 20 line of lands described in Official Record Book  
 21 2359 at Page 2587, said public records; thence  
 22 run East along the South line of said lands to  
 23 an intersection with the West line of Highland  
 24 Circle; thence run North, East and Northerly  
 25 along the West line of Highland Circle to the  
 26 Northeast corner of lands described in Official  
 27 Record Book 2359 at Page 2587, said public  
 28 records; thence run West along the South line  
 29 of said lands for 120 feet; thence run North  
 30 for 100 feet; thence run West to the East line  
 31 of Work Drive; thence run North along said East

1 line to an intersection with the North line of  
2 said Section 30; thence run East along said  
3 North line to the Point of Beginning.

4 (2) The "Belle Vue" enclave includes the following  
5 described lands located north of S.R. 82:

6  
7 Tracts or parcels of lands lying in Sections 8,  
8 9, 16 and 17, Township 44 South, Range 25 East,  
9 Lee County, Florida which tracts or parcels are  
10 described as follows:

11  
12 SECTION 8

13 All that part of the Southeast quarter (SE-1/4)  
14 of Section 8 lying East of Marsh Avenue and  
15 South and West of Arlington Subdivision as  
16 recorded in Plat Book 16 at Pages 38 and 39,  
17 Lee County Records.

18 All that part of the Southwest quarter (SW-1/4)  
19 of Section 8 lying South of Billy's Creek;

20  
21 SECTION 9

22 All of Lots 21, 24, 25 and 28 of N.S. Blunt's  
23 Five Acre Farms as recorded in Plat Book 4 at  
24 Page 66 of the Lee County Records lying South  
25 of Billy's Creek

26 AND

27 All of Sherwood Forest Subdivision as recorded  
28 in Plat Book 10 at Page 35 of said public  
29 records.

30  
31 SECTION 16



1       All of Green Acres Subdivision as recorded in  
2       Plat Book 5 at Page 72 of the Lee County  
3       Records  
4       AND  
5       The North half (N-1/2) of the Southwest quarter  
6       (SW-1/4) of the Northeast quarter (NE-1/4) of  
7       said Section 16;  
8       AND  
9       The West half (W-1/2) of the Southwest quarter  
10       (SW-1/4) of the Southwest quarter (SW-1/4) of  
11       the Northeast quarter (NE-1/4) of said Section  
12       16;  
13       AND  
14       The North half (N-1/2) of the Northeast quarter  
15       (NE-1/4) of the Northwest quarter (NW-1/4) of  
16       the Southeast quarter (SE-1/4) of said Section  
17       16.

18  
19                               SECTION 17

20       All of the North half (N 1/2) of said Section  
21       17.  
22       LESS AND EXCEPT:  
23       East Palm Subdivision as recorded in Plat Book  
24       29 at Page 95 of the Lee County Records.  
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26       LESS AND EXCEPT:  
27       The West 410 feet of the North 360 feet of the  
28       West half (W-1/2) of the Northeast quarter  
29       (NE-1/4) of the Northeast quarter (NE-1/4)  
30       LESS  
31       The West 30 feet.

1  
 2           Section 3. The interlocal agreement for the proposed  
 3 annexation of the Dunbar and Belle Vue enclaves as developed  
 4 by the City of Fort Myers and Lee County shall be filed with  
 5 the clerk of the city and the clerk of the courts for the  
 6 county, and a duly advertised public hearing shall be held by  
 7 both the city and the county respectively, prior to the  
 8 adoption of the interlocal agreement by the city council and  
 9 the county commission. No changes to the terms and conditions  
 10 of the interlocal agreement may be made by either the city or  
 11 the county once filed with the respective clerks prior to the  
 12 public hearings for consideration of the adoption of the  
 13 interlocal agreement.

14           Section 4. (1) Subsequent to the adoption of the  
 15 interlocal agreement between the city and the county, and  
 16 prior to the implementation of the proposed annexation by the  
 17 city of the described "Dunbar" and "Belle Vue" enclaves, a  
 18 referendum shall be held by the city in the City of Fort Myers  
 19 and within the proposed, described enclave areas to be annexed  
 20 for the ratification and approval of the interlocal agreement  
 21 by the registered electorates therein.

22           (2) The interlocal agreement shall be presented  
 23 separately to the registered voters residing within the city  
 24 and the registered voters residing within the proposed annexed  
 25 areas as further described in section 2 of this act. The  
 26 procedures for conducting the referendum shall be pursuant to  
 27 the requirements as set out at s. 171.0413(2), Florida  
 28 Statutes. Upon a majority vote, of the votes cast, in favor of  
 29 the interlocal agreement by the registered electors of the  
 30 City of Fort Myers and a majority of the votes cast by the  
 31 combined registered electors residing in both the "Dunbar" and

1 "Belle Vue" areas, the interlocal agreement shall be deemed to  
2 be ratified and approved, and shall become effective as  
3 provided for in the interlocal agreement, but otherwise for  
4 not more than 1 year following the referendum. The referendum  
5 for ratification and approval of the interlocal agreement for  
6 annexation may be conducted by the city at any regular  
7 election following the adoption of the interlocal agreement by  
8 the city and the county.

9           Section 5. (1) For the areas subsequently annexed by  
10 the city by interlocal agreement, the city shall assume all of  
11 the municipal service duties of Lee County pursuant to the  
12 terms and conditions of the approved interlocal agreement.

13           (2) The transfer from the county to the city of county  
14 municipal service infrastructure located within the annexed  
15 areas shall be pursuant to the terms and conditions of the  
16 approved interlocal agreement.

17           Section 6. This act shall take effect upon becoming a  
18 law.

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