

ORDINANCE NO. 2249

AN ORDINANCE

To Be Entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, CREATING A COMMUNITY REDEVELOPMENT AGENCY; AMENDING CHAPTER 2, BY ADDING ARTICLE VI ENTITLED FORT MYERS DOWNTOWN REDEVELOPMENT AGENCY; CONFERRING THE POWERS OF THE COMMUNITY REDEVELOPMENT AGENCY UPON THE CITY COUNCIL, PROVIDING FOR A NAME AND PURPOSE, ESTABLISHING A REDEVELOPMENT TRUST FUND, PROVIDING FOR LIMITATIONS AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:

SECTION 1. Based upon the findings and declarations in Resolution No. 84-22, the City Council does hereby create and establish a Community Redevelopment Agency of the City of Fort Myers with the responsibility and duty to carry out the redevelopment of the area located within the City found and declared in Resolution No. 84-22 to be a blighted area.

SECTION 2. Pursuant to the authority in Chapter 163.357, Florida Statutes, the City Council hereby declares itself to be the Community Redevelopment Agency established in Section 1 hereof and all of the rights, powers, privileges, duties and immunities of a community redevelopment agency vested in such an agency by Part III, Chapter 163, Florida Statutes are hereby vested in the City Council.

SECTION 3. The agency shall exercise its powers and perform its duties in accordance with the provisions of Part III, Chapter 163, Florida Statutes, and Chapter 2, Article VI of the Code of Ordinances.

SECTION 4. The Code of Ordinances of the City of Fort Myers is hereby amended by adding Chapter 2, Article VI, as follows:

Section 2-52. (Reserved)

Section 2-53. Name and Purpose.

The Community Redevelopment Agency created and established by Ordinance No. 2249 shall be known as the Fort Myers Downtown Redevelopment Agency, which

Ordinance No. 2249

purpose shall be to function in the area, as more fully described in Appendix "A", attached hereto and made a part hereof, to provide for the redevelopment, conservation, rehabilitation or combination thereof of such area of downtown Fort Myers.

Section 2-54. Redevelopment Trust Fund.

(a) There is hereby established in accordance with the provisions of Chapter 163.387, Florida Statutes, a redevelopment trust fund, hereinafter referred to as "Fund". The Director of Finance is hereby authorized and directed to maintain and administer the fund in accordance with applicable laws, ordinances, resolutions and directives of the Agency. The monies allocated to and deposited into the Fund are hereby appropriated to and may only be used by the Downtown Redevelopment Agency.

(b) There shall be annually paid into the Fund, an amount not less than that increment in the income, proceeds, revenues and funds derived from or held in connection with its undertaking and carrying out of community redevelopment. Such increment shall be determined annually and shall be that amount equal to ninety-five percent (95%) of the difference between:

- (1) The amount of ad valorem taxes levied each year on taxable real property contained within the geographic boundaries of the community redevelopment project; and
- (2) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year upon the total of the assessed value of the taxable real property in the community redevelopment area as shown

Ordinance No. 2249

upon the most recent assessment roll used in connection with the taxation of such property prior to the effective date of this ordinance.

(c) The Agency shall annually receive and deposit into the Fund an amount from each taxing authority equal to the investment as calculated in accordance with 163.387(1), Florida Statutes, and this ordinance. For the purposes of this ordinance, "taxing authority" shall have the same meaning as that in 163.340(2), Florida Statutes.

(d) Payment of the increment shall be made no later than January 1 of each year. The obligation to annually appropriate to the fund shall commence immediately upon the effective date of this ordinance and shall continue until all loans, advances and indebtedness, if any, and any interest thereon incurred by the Downtown Redevelopment Agency have been paid.

Section 2-55. Limitations.

The Fort Myers Downtown Redevelopment Agency shall be the sole community redevelopment agency authorized to operate within the downtown area (Appendix "A"). The area of operation, jurisdiction and undertakings of the Agency shall not conflict with those of any other community redevelopment agencies, presently existing or which may be established, except as described above.

SECTION 5. Section 2 of this ordinance shall automatically expire on October 25, 1984.

SECTION 6. This ordinance shall become effective immediately upon its adoption.

Ordinance No. 2249

PASSED in Public Session of the City Council of the City of Fort  
Myers, Florida, this 17 day of Sept, A.D., 1984.

Joan Pigott Porter  
Joan Pigott Porter

Veronica S. Shoemaker

Lawrence J. Jones  
Lawrence J. Jones

Wilbur C. Smith, III

James T. Williams  
James T. Williams  
Council Members

APPROVED this 17 day of Sept, A.D., 1984,  
at 11:00 o'clock p.m.

Ellis Solomon  
Ellis Solomon, Mayor

FILED in the Office of the City Clerk this 17 day of

Sept, A.D., 1984.

M.W. Matz  
M.W. Matz, City Clerk

APPENDIX "A"

CENTRAL BUSINESS DISTRICT  
PART OF SECTIONS 13, 14, 23 and 24  
TOWNSHIP 44 SOUTH, RANGE 24 EAST AND  
PART OF SECTION 18, TOWNSHIP 44 SOUTH, RANGE 25 EAST  
CITY OF FORT MYERS  
FORT MYERS, LEE COUNTY, FLORIDA

Beginning at the intersection of the centerline of the thread of Billy's Creek and the east line of Section 13, Township 44 South, Range 24 East, City of Fort Myers, Lee County, Florida run southeasterly and southerly along said centerline of said Creek for 340 feet more or less to an intersection with the northerly prolongation of the east line of Lot 8, Block C, Dean's Subdivision (Plat Book 4, Page 24, Lee County Records); thence run southerly along said prolongation, said east line and a southerly prolongation thereof for 950 feet more or less to an intersection with the southerly line of Michigan Avenue; thence run westerly along said southerly line for 1,465 feet more or less to an intersection with the east line of Evans Avenue; thence run southerly along said easterly line for 2,610 feet more or less to an intersection with the south line of said Section 13 in Anderson Avenue; thence run easterly along said south line for 5 feet to an intersection with the northerly prolongation of the easterly line of Evans Avenue as shown on the plat of Evans Second Addition (Plat Book 2, Page 1A, Lee County Records); thence run southerly along said prolongation and said easterly line for 1,480 feet more or less to an intersection with the easterly prolongation of the southerly line of Market Street as shown on the plat of Anderson Heights (Plat Book 3, Page 59, Lee County Records); thence run westerly along said prolongation, said southerly line and a westerly prolongation thereof for 1,410 feet more or less to an intersection with the west line of Central Avenue; thence run northerly along said westerly line of Central Avenue for 160 feet more or less to an intersection with the south line of Victoria Avenue; thence run westerly along said southerly line and a westerly prolongation thereof for 3,900 feet more or less to an intersection with the west line of Euclid Avenue; thence run northwesterly along the southwesterly line of Altamont Avenue for 57 feet more or less to an intersection with the southeasterly line of McGregor Boulevard; thence run southwesterly along said southeasterly line for 1,185 feet more or less to an intersection with the northeasterly line of the Edison Estate; thence run northwesterly for 1,200 feet more or less to the Point of Beginning of the former City of Fort Myers bulkhead line as established by City Ordinance No. 545; thence continue northwesterly for 5,530 feet more or less to a point of intersection in the northwest Corporate Limit of the City of Fort Myers; thence run northeasterly along said Limit 5,464.19 feet to an intersection with a line parallel with and 300 feet (as measured on a perpendicular) southwesterly from the centerline of State Road No. 45; thence run northeasterly along said Limit, perpendicular to and passing through a point on said centerline at 300 feet, for 600.00 feet; thence run northeasterly along said Limit for 1,934.95 feet to an intersection with a line 200 feet southwesterly (as measured on a perpendicular) from the centerline of Business 41 (State Road No. 45A); thence run northeasterly along said Limit (perpendicular to said centerline) for 500 feet; thence run northeasterly along said Limit for 1,600 feet more or less to an intersection with the northeast limit of City ownership of submerged lands as established by Chapter 6962, Laws of Florida, 1915; thence run southeasterly along said northeasterly limit for 6,200 feet more or less to said centerline of Billy's Creek; thence run southeasterly along said centerline for 530 feet more or less to the Point of Beginning.

ORDINANCE NO. 2249

### Central Business District

