RESOLUTION NO. 2000-82

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT: MAKING FINDINGS; FINDING BLIGHTED AREAS EXIST IN THE COUNTY; FINDING THE REHABILITATION, CONSERVATION OR REDEVELOPMENT OF SUCH AREAS IS NECESSARY IN THE PUBLIC INTEREST; FINDING A SPECIFIED AREA TO BE A BLIGHTED AREA AND A COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR CONFLICT WITH OTHER RESOLUTIONS AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has received and considered a report and presentation by County staff and consultant which identified conditions within the boundaries of Collier County in the areas identified, described and depicted on Exhibit "A" attached hereto and made a part of this resolution (the "Area"); and

WHEREAS, after having considered the determinations and the facts and evidence of conditions in the Area and has received and considered such other evidence of the conditions in the Area as have been presented to it, the Board of County Commissioners desires to proceed in accordance with the authorization and powers granted by Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Area and that certain actions are appropriate and necessary and should be taken to address the conditions now present and expected to be present in the Area;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AS FOLLOWS:

Section 1. Findings. The Board of County Commissioners does hereby find:

(a) Based upon the facts and evidence presented to and considered by the Board of County Commissioners, the following conditions exist in the Area:

1. Conditions are present in the Area that are detrimental to the sound growth of the county and which substantially impair or arrest the growth within the
Area, and present conditions and uses in the Area are detrimental to the public health, safety, morals and public welfare; and

2. There is a predominance of inadequate or defective street layout; and

3. There is faulty and inadequate lot layout in relation to size, adequacy, accessibility, or usefulness; and

4. There are unsanitary conditions as such relates to the conditions of the sanitary system and there are unpaved and deteriorating roadways resulting in unsafe public conditions; and

5. There has been a deterioration of site and other improvements; and

6. There is a diversity of ownership or defective or unusual conditions of title, which prevent the free alienability of land.

(b) The notices required by Section 163.346, Florida Statutes (1999), have been timely published or mailed in accordance with said statute.

(c) Action must be taken immediately to prevent further blight and deterioration and to protect and enhance public expenditures previously made in the Area.

Section 2. Finding of Necessity. The Board of County Commissioners, based upon evidence presented to it and in the public record, does hereby find that one or more "blighted areas" (as defined in Section 163.340(8), Florida Statutes), exist within Collier County, Florida, and, further finds that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area or areas described is necessary in the interest of the public health, safety, morals or welfare of the residents of Collier County, Florida.

Section 3. Community Redevelopment Area. Based upon the facts presented to it and contained in the public record, the Board of County Commissioners does hereby find the Area (as hereinbefore defined) is a "blighted area" (as that term is defined in Section 163.340(8), Florida Statutes (1999), and that such area constitutes a
*community redevelopment area* as defined in Section 163.340(10), Florida Statutes (1999).

Section 4. **Conflicts.** All resolutions and parts of resolutions in conflict with any of the provisions of this resolution are hereby repealed, provided, however, nothing herein is intended nor should be applied to affect, repeal, alter, amend or supersede any previous resolutions adopted by the Board of County Commissioners finding any other area or areas within Collier County to be a "blighted area" for purposes of the Community Redevelopment Act.

Section 5. **Severability.** If any section or portion of a section of this resolution, including any part of the exhibit, proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this resolution. Should either area constituting part of the Area or part thereof shall be severed from the Area and the remainder shall constitute the Area for purposes of this resolution.

Section 6. **Effective Date.** This resolution shall become effective immediately upon its passage and adoption.

Section 7.

This Resolution adopted after motion, second and majority vote this 14th day of March, 2000.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: Karen A. Fisher
Attest as to Chairman's signature only.

BY: TIMOTHY J. CONSTANTINE, CHAIRMAN

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

David C. Weigel
County Attorney
EXHIBIT A

BAYSHORE/GATEWAY TRIANGLE REDEVELOPMENT AREA DESCRIPTION


AND

IMMOKALEE COMMUNITY REDEVELOPMENT AREA DESCRIPTION
