

**RESOLUTION NO. 2000- 89**

A RESOLUTION DIRECTING THAT CERTAIN ROADWAYS WITHIN THE UNINCORPORATED AREA OF COLLIER COUNTY BE MAINTAINED BY COLLIER COUNTY.

WHEREAS, certain roadways in unincorporated Collier County have been maintained by the Road and Bridge Section of the Transportation Services Department of Collier County; and

WHEREAS, said roadways have not met the minimum standards for acceptance by Collier County due to lack of sufficient right-of-way, absence of acceptable drainage capability, lack of paved surface, or other similar defects, but said roadways are deemed to be public roadways by virtue of the public's open usage and acceptance of said defects; and

WHEREAS, the Board of County Commissioners has determined that it is in the public interest that the Road and Bridge Section of the Transportation Services Department continue to maintain said roadways, as enumerated below, for reasons of public health, safety and welfare.

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

1. The Road and Bridge Section of the Transportation Services Department will maintain the roadways enumerated on Exhibit "A", attached hereto and made a part hereof.
2. Maintenance operations shall be subject to the following constraints and conditions:
  - a. The existing roadway shall be maintained to the limits of the traveled way which existed on the date of approval of this Resolution. The Road and Bridge Section of the Transportation Services Department has caused an inventory of the specified roadways to be made as of the date of approval of this Resolution. The basis for all maintenance and future improvements shall be as set forth on the inventory attached herewith as Exhibit "A".
  - b. No additional drainage structures or drainage improvements, except for normal road grading operations, shall be undertaken without the express approval of the Board of County Commissioners.
3. If any property owner, or group of property owners, desires to have the roadway improved beyond what exists at the time of approval of this Resolution, then said property owner(s) shall petition the Board of County Commissioners in accordance with the requirements of Resolution No. 95-454. Alternatively, said property owner(s) may petition the Board of County Commissioners in accordance with Ordinance No. 98-45 for the formation of a Municipal Services Benefit Unit (MSBU) for the purpose of improving a roadway(s) to the minimum County standards then in effect.
4. The Board of County Commissioners may, at some future date, determine that it is in the public interest to require the improvement of any or all of the said roadways to the then current minimum county standards. The Board of County Commissioners may, upon finding that it is in the interest of public health, safety and welfare, invoke the power provided under Section 125.01 (1)(q), *Florida Statutes*, to form an MSBU.

16B15

5. The Board of County Commissioners finds that the expenditure of funds for the maintenance of the aforementioned roads is in the best interest of public health, safety and welfare and constitutes a valid public purpose.

This Resolution adopted after motion, second and majority vote favoring same.

DATED: March 28, 2000

ATTEST:  
DWIGHT E. BROCK, Clerk

By: Collie Hoffman  
Deputy Clerk

Attest as to Chairman's  
signature only.

BOARD OF COUNTY COMMISSIONERS  
OF COLLIER COUNTY, FLORIDA

By: Timothy J. Constantine  
TIMOTHY J. CONSTANTINE, CHAIRMAN

Approved as to form and  
legal sufficiency:

Robert N. Zachary  
Robert N. Zachary  
Assistant County Attorney

H:Robt/Resolutions/unnumbered Resolution to Maintain Streets

Exhibit "A"

UNACCEPTED ROAD INVENTORY

as of 03/16/2000

AREA	STREET	LENGTH FT	WIDTH FT	APPARENT R/W (FT)	PIPE CROSSINGS	SIDE DITCHES (SWALES)	VEGETATION	COMMENTS
Innokalee	Dupree Road	6700	18	30	15-18" CMP	None	Trim once annually, owners mow	Graded on 8-10 week cycle
Innokalee	Stokes Avenue	635	18	50	None	Yes, cleaned 1997	Mow on regular cycle	Graded on 8-10 week cycle
Innokalee	State Street	1390	18	60	None	Yes, dug 1995	None	
Innokalee	Whidden Loop Road	5025	12-15	50	None	Mostly swamp	Trim once annually, owners mow	
Plantation	Plantation Parkway	See below	--	--	--	--	--	
Plantation	Spoonbill Avenue	725	18	60	None	None	Mowing 8-10 weeks	Roadway condition - good
Plantation	Clary Court/Croone Ave ??	295	18	60	None	None	None	Roadway condition - good
Plantation	Pelican Lane	295	18	56	None	None	None	Roadway condition - good
Plantation	Egret Lane	675	18	60	None	None	Mow on cycle	Roadway condition - good
Plantation	Flamingo East	674	18	60	None	None	Mow on cycle	Roadway condition - good
Plantation	Flamingo West	470	18	60	None	None	None	Roadway condition - good
Plantation	Cardinal Court	470	18	54	None	None	None	Roadway condition - good
Plantation	Flicker Lane	540	16	56	None	None	None	Roadway condition - good
Plantation	Plantation Drive	1695	18	60	None	None	Trim Twice, mow on cycle	Roadway condition - good
Plantation	Osprey Court	212	18	60	None	None	Trim once annually	Roadway condition - good
Plantation	Plantation Parkway	6010	24	38	3-36" Cross pipes at first curve	None	Mow ROW - 8-10 weeks	Roadway condition - good
Plantation	Plantation Parkway *	3100	18	51			Trim Veg - Twice Annually	Unpaved - canal both sides
Plantation	Beaver Lane	312	12	60			Heavy Vegetation	Canal One Side
Plantation	Coon Court	312	8	60			Heavy Vegetation	Limerock Rd
Plantation	Otter Avenue	312	8				Heavy Vegetation	Limerock Rd
Plantation	Hawk Lane	312	8				Heavy Vegetation	Limerock Rd
Plantation	Osprey Court	312	8				Heavy Vegetation	Limerock Rd

\* Road section beyond 3 cross pipes