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March 15, 2018

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Upper Captiva Fire Prevention and
Rescue District
Attn: Board of Commissioners
4511 Hodgepodge Lane
P.O. Box 322
Pineland, FL 33945-0322

Re: Upper Captiva Fire Protection and Rescue District - Accessway Maintenance Work

Dear Commissioners:

In reviewing my notes from the February Board of Commissioners meeting, I see that I was requested to again confirm the District's authority with regard to accessway maintenance work and funding for same.

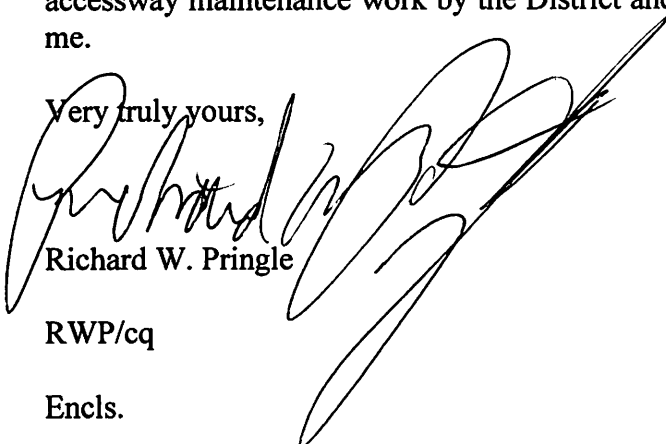
On several occasions in the past, I have provided correspondence to the Commissioners in which I have addressed the subject of the District's authority to perform accessway maintenance and the funding mechanisms for the District's performance of accessway maintenance. As previously indicated, the District's enabling legislation (codification legislation) is found at Chapter 2004-470, Laws of Florida. Section 3 of Chapter 2004-470, Laws of Florida, describes powers of the District which are exercised by a majority vote of the Board of Commissioners. In particular, Section 3 of Chapter 2004-470, Laws of Florida specifically states that the District shall have the power to "...; provide or require maintenance of roadways, rights-of-way, alleyways and pathways and docking facilities for fire safety and rescue purposes and to impose fees, impact fees or assessments upon real property for such purposes;...".

It is my opinion that the above quoted power and authorization granted to the District in Section 3 of Chapter 2004-470, Laws of Florida, authorizes the District to perform accessway maintenance work on "roadways, rights-of-way, alleyways and pathways and docking facilities for fire safety and rescue purposes" throughout the District and to use District revenue, including assessments upon real property in the District, to fund such accessway maintenance work.

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If you have any questions concerning my opinion about the District's powers related to accessway maintenance work by the District and the funding of same, please feel free to contact me.

Very truly yours,



Richard W. Pringle

RWP/cq

Encls.