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C.S. 3544 P. 177

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APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS AT THEIR MEETING
AUG 13 1984

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
ESTABLISHING A MUNICIPAL SERVICE TAXING UNIT FOR
MAINTENANCE OF RETAINAGE POND AND/OR DRAINAGE BASIN

CHICKASAW OAKS PHASE THREE

RETURN TO: SPECIAL TAXING DISTRICTS
Room 712 One North Orange Ave.

WHEREAS, Chapter 125.01 (1) (q), Florida Statutes, 1975 grants Orange county the power to establish municipal service taxing units for any part of the unincorporated areas of the County, and

WHEREAS, the Board of County Commissioners of Orange County has received a request, in writing from Salavatore J. Orlando, Amerifirst Development Corporation for the establishment of such a municipal service taxing unit in that portion of the unincorporated area of Orange County to be known as Chickasaw Oaks Phase Three and which is more fully described below, and

WHEREAS, this Board finds that the request of Salavatore J. Orlando, Amerifirst Development Corporation together with the other information pertaining to the operation of the proposed municipal service taxing unit submitted herewith, to be feasible and in the public interest, and that properties within Chickasaw Oaks Phase Three will be benefited, now and in the future, and that the proposed municipal service taxing unit should be created,

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Orange County, Florida:

1. There is hereby established and created the Chickasaw Oaks Phase Three municipal service taxing unit, the boundaries of which appear on the recorded plat.

Chickasaw Oaks Phase Three, Plat Book 13, pages 101 and 102, Lots 1 thru 127 in Section 13, Township 23, Range 30.

Public Records of Orange County, Florida. The purpose of such municipal service taxing unit is to provide for collection and disbursement by Orange County of such funds as may be necessary to pay annual expense of maintenance services within the municipal service taxing unit. It is the understanding of Orange County that the Developer is to construct, or has constructed in accordance with standards approved by the County, all necessary retainage ponds and/or drainage basins at no expense to the County, prior to or during construction of those portions of Chickasaw Oaks Phase Three and that Orange County will assume operation of such improvements to such construction; to wit maintenance of a retainage pond (s) and/or drainage basin as indicated on said plat for a total estimated annual cost of \$ 1,714.50 excluding the cost of administering the district as set out below, or at a cost as may be set by the properly constituted legal authorities who control, govern, and set the costs for the Developer

for the services described herein. It is further understood by Orange County that the Developer may construct retainage ponds and/or drainage basin only in those portions of the municipal service taxing unit described herein as may be necessary concurrent with the development of Chickasaw Oaks Phase Three and that the retainage ponds and/or drainage basin herein will be built only in such portions of the municipal service taxing unit until such construction is completed in other portions of the municipal service taxing unit; provided that if such construction is only to be in portions of such municipal service taxing unit, a complete legal description of the portion or portions developed be filed with the Clerk of the Board of County Commissioners, after presentation and approval by the Board of County Commissioners, and provided, that should any land be developed in the future which is contiguous to the boundaries of the municipal service taxing unit herein established for which retainage ponds and/or drainage basins are duly requested by the owners thereof, or should such retainage ponds and/or drainage basin be requested to be extended to contiguous previously developed land in accordance with the terms of this Resolution, such land and services may be included within the boundaries of the municipal service taxing unit herein established by an appropriate amendatory Resolution.

2. Upon completion of construction of such retainage ponds and/or drainage basins and the placement into operation, The Board of County Commissioners shall determine the amount required in the current fiscal year to pay the expense of maintaining the retainage ponds and/or drainage basins in the municipal service taxing unit and shall determine such amounts in each and every year thereafter for the following fiscal year, October 1 thru September 30. One & a half dollar (1.50) for each lot or parcel of land shall be added by the Board of County Commissioners to cover the costs of administering the municipal service taxing unit and the total

amount so determined shall be specifically assessed against the real property of the freeholders in the municipal service taxing unit as provided hereafter an additional 2% will be added for payment to Tax Collector for collecting special assessments as specified by General law. Pending collection by Orange County of such special assessments, as provided hereinafter, the County may spend from its general fund, such sums as may be necessary to operate and administer the municipal service taxing unit hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating and administering the municipal service taxing unit is \$ 1,995.00 and the estimated annual charge to each freeholder is \$ 15.00. Proceeds of collection of such assessments as provided hereinafter are to be put into a special account by the County to the credit of the municipal service taxing unit, and are to be used only for the district as provided herein.

3. Upon completion of construction of such retaiuage ponds and/or drainage basins and the placement of subject district into operation, and each and every year thereafter for the following fiscal year, a special assessment roll setting forth a description of each lot or parcel of land, subject to the special assessments in the municipal service taxing unit as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board of County Commissioners, which shall levy a special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plat of Chickasaw Oaks Phase 3, Plat Book 13, pages 101 and 102.

such sums as shall be necessary to pay the estimated expense of the annual operation of subject district and administration of the municipal service taxing unit provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such costs. After such levy of estimated expenses by the Board of County Commissioners, the Property Appraiser shall extend the assessment upon said roll and said roll shall be fully completed prior to the time said Board sits as a Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions herein. After adjournment as a Board of Tax Adjustment, said Board of County Commissioners shall certify said special assessments in the same manner and at the same time as the County tax roll is certified and delivered to the Tax Collector, and said special tax assessments shall be collected in the same manner as and shall have the same priority rights, discounts, and be subject to the same delinquent interest and penalties and be treated in all respects the same as County taxes. Said special tax assessments, when collected by the Tax Collector, shall be remitted to said Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to annual bills for subject district. From the proceeds of said special tax assessments, the Board of County Commissioners shall pay for having a special assessment tax roll made and extended. The Tax Collector's office shall receive the same fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands and issuance of certificates.

4. Special assessments authorized by this resolution will be collected in the manner provided for collection of ad valorem taxes under Florida law. The Board authorizes utilization of this assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, penalty for delinquent payment, issuance of tax certificates and tax deeds for non-payment and commissions of property appraisers and tax collectors, as provided by Florida law.

Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of their title when the ad valorem method of collection is used and of the time and place of the public hearing at which this resolution was adopted.

5. The Board of County Commissioners shall be the governing board of said municipal service taxing unit.

STATE OF FLORIDA

C.E. 3544 PC 181

COUNTY OF ORANGE

THIS IS TO CERTIFY that the above and foregoing is a true and correct copy of a Resolution adopted by the Board of County Commissioners at their regular meeting of August 13, 1984 which is on file in the Office of the Clerk to the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of the Board of County Commissioners, this the 16th day of August, 1984

THOMAS H. LOCKER, Clerk
Board of County Commissioners

By *Anthony E. Lambert*
Asst. Deputy Clerk

RECORDED & RECORD VERIFIED

Anthony E. Lambert
County Clerk, Orange Co., Fla.