

2178976  
index

2178976 ORANGE COUNTY

C.F. 3544 PC 192

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING

AUG 13 1984

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

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
ESTABLISHING A MUNICIPAL SERVICE TAXING UNIT FOR  
STREET LIGHTING FOR

CHICKASAW OAKS PHASE THREE

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

Public Record of Orange County, Florida. The purpose of such Municipal Service Taxing Unit is to provide for collection and disbursal by Orange County of such funds as may be necessary to pay annual expense of operation and maintenance of street lighting equipment within the municipal service taxing unit, including poles, wires, conduits, lights and all appurtenances necessary for such street lighting, and for the payment of electrical services and current used in their operation. It is the understanding of Orange County that the Florida Power Corporation is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Department, all necessary street lighting equipment at no expense to the County, prior to or during construction of those portions of Chickasaw Oaks Phase Three

and that the Florida Power Corporation will assume maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such maintenance and operation. Such equipment is to include xxxxxxxx wooden poles @ \$ xxxxxxxx per pole per month, and 29 concrete poles @ \$ 2.14 per pole per month, and xxxxxxxx fiberglass pole @ \$ xxxxxxxx per pole per month, and 29 fixtures of 4000 Lumens Sodium Vapor Lamps @ \$ 5.28 per lamp per month, and xxxxxx fixtures of xxxxxxxx Lumens Mercury Vapor Lamps @ \$ xxxxxxxx per lamp per month for a total monthly rental rate of \$ 220.98 excluding the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern, and set the rates for the Florida Power Corporation for the services described herein.

It is further understood by Orange County that the Florida Power Corporation may construct such street lighting equipment only in those portions of the Municipal Service Taxing Unit as may be necessary concurrent with the development of Chickasaw Oaks Phase 3 and that the lighting district created herein will be operated 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 to 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 street lighting is duly requested by the owners thereof, or should such street lighting be requested to be extended to contiguous previously developed land in accordance with the terms of this Resolution, such lands and street lighting 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 street lighting equipment and the placement of such equipment into operation, the Board of County Commissioners shall determine the amount required in the current fiscal year to pay the expense of maintaining and operating the street lighting equipment in the Municipal Service Taxing Unit and shall determine the amounts in each and every year thereafter for the following fiscal year, October 1 thru September 30. One and a half dollars (\$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 specially 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 the 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, maintain 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, maintaining, and administering such street lighting equipment is \$ 4,064.00, and the estimated annual charge to each individual freeholder is \$ 32.00. 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 by the district as provided herein.
  
3. Upon completion of construction of such street lighting equipment and the placement of such equipment 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 Tax Assessor 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 Three, Plat Book 13, Pages 101 and 102.

such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such street lighting equipment and administration of the district, 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 cost. After such levy of estimated expenses by the Board of County Commissioners, the Tax Assessor 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 tax 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 monthly bills rendered by the Florida Power Corporation. 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 method for collection. The special assessment will be listed on the 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.S. 3544 PG. 196

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 *Harvey E. Lambert*  
Asst. Deputy Clerk

RECORDED & RECORD VERIFIED

*Thomas H. Miller*

County Comm. Clerk, Orange Co., Fla.