

AN ORDINANCE CREATING THE SWEETWATER COVE LAKE AQUATIC WEED CONTROL AND LAKE MANAGEMENT MUNICIPAL SERVICES BENEFIT UNIT FOR THE PURPOSE OF PROVIDING AQUATIC WEED CONTROL TO THE LAKE AREAS WITHIN THE MSBU; PROVIDING IDENTIFICATION OF PROPERTY INCLUDED IN SAID MSBU; PROVIDING FOR THE GOVERNING OF SAID MSBU BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR COST SHARING AGREEMENT WITH SWEETWATER OAKS HOMEOWNERS ASSOCIATION, INC.; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A LIST OF ESTIMATED ANNUAL ASSESSMENTS FOR ASSESSMENT AND COLLECTION BY THE UNIFORM METHOD ADOPTED BY THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS ON FEBRUARY 24, 2009, PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County, Florida has the authority to establish a Municipal Services Benefit Unit (MSBU) pursuant to Chapter 125, Florida Statutes; and

WHEREAS, the Board of County Commissioners, via the Seminole County Public Works Department, has provided restoration and environmental improvements at Sweetwater Cove Lake; and

WHEREAS, the long term strategy to restore and maintain the health and balance of the Sweetwater Cove Lake ecosystem includes ongoing aquatic weed control and lake management; and

WHEREAS, treated wastewater discharge from the Hunt Club Water Treatment Plant, a commercial wastewater treatment facility owned and operated by Sanlando Utilities, Inc. and located on the inflow waterway of Sweetwater Cove Lake, with discharge provisions set forth by

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CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY *Evan O'Brien*
DEPUTY CLERK

the Florida Department of Environmental Protection, has contributed and may continue to contribute to the growth of aquatic vegetation and the environmental conditions to be addressed by the ongoing efforts deemed essential to maintain and promote optimal aquatic conditions at Sweetwater Cove Lake; and

WHEREAS, ongoing responsibility for funding aquatic weed control and lake management at Sweetwater Cove Lake requires a financial commitment and partnership between residential properties and the commercial property to ensure optimal environmental outcome given the impact of nutrients in the sediment and future discharge from both the commercial and the residential properties; and

WHEREAS, Sanlando Utilities, Inc. is to participate in an MSBU whereby ongoing aquatic weed control and lake management efforts are coordinated by Seminole County as a public service funded by non-ad valorem assessment with a commercial property cost sharing percentage of fifty-three percent(53%) as deemed reasonable and appropriate compensation and remediation for historic discharge drainage of treated wastewater into the Sweetwater Cove Lake and for potential future discharge and drainage of treated wastewater as permitted by the Florida Department of Environmental Protection; and

WHEREAS, the owners of Sweetwater Oaks property that will benefit from the proposed MSBU have approved the MSBU by a petition supported by more than sixty-five (65%) of the community; and

WHEREAS, Sweetwater Oaks Homeowners Association, Inc., the owner of record for three common element land parcels on Sweetwater Cove Lake and within the proposed assessment boundary for the Sweetwater Cove Lake Aquatic Weed Control and Lake Management Municipal Services Benefit Unit, requests opportunity through formal agreement,

in lieu of prorated allocation and assessment to associated properties, to make direct payment annually to the County for the public aquatic weed control services rendered through the requested MSBU and otherwise allocated for the common element land; and

WHEREAS, the Hunt Club Water Treatment Plant commercial property, the common element land parcels and the Sweetwater Cove Lake residential waterfront properties serving to benefit from aquatic weed control are located within unincorporated Seminole County; and

WHEREAS, the non-ad valorem assessments which result from enactment of this Ordinance may be adjusted annually due to number of benefit units or due to fluctuations in operational expenses necessary to maintain aquatic weed control; and

WHEREAS, the initial assessment per benefit unit is proposed at ONE HUNDRED FORTY FIVE AND NO/100 DOLLARS (\$145.00) as per cost projections provided in Exhibit A; and

WHEREAS, the MSBU Program, working in conjunction with the Seminole County Public Works Department, will select the service provider(s) according to standard Purchasing and Contract provisions; and

WHEREAS, the MSBU Program, working in conjunction with the Seminole County Public Works Department, will maintain decision making authority relative to initial and on-going aquatic weed control efforts; and

WHEREAS, a voluntary liaison group consisting of no more than five (5) community representatives, selected by the owners of assessed property, will be provided opportunity to serve as liaisons of the community by representing the community at annual lake management and budget planning sessions and by encouraging communitywide awareness and response to the environmental stewardship recommendations associated with lake management; and

WHEREAS, the Board of County Commissioners has approved the hereinafter described project,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Short Title. This Ordinance shall be known and referred to as the Sweetwater Cove Lake Aquatic Weed Control and Lake Management Municipal Services Benefit Unit Ordinance.

Section 2. Creating Unit; Improvements. There is hereby created within Seminole County the Sweetwater Cove Lake Aquatic Weed Control and Lake Management Municipal Services Benefit Unit for the purpose of providing aquatic weed control and lake management to Sweetwater Cove Lake within the MSBU. Said MSBU shall encompass and include aquatic weed control by chemical, biological, mechanical and/or other means associated with on-going maintenance efforts to monitor and control aquatic weed growth as defined in Exhibit A. Said MSBU boundary shall encompass the parcels listed in Exhibit B per the property records maintained by the Seminole County Property Appraiser and located within unincorporated Seminole County, Florida.

Section 3. Powers and Duties of Board. The MSBU shall be governed by the Board of County Commissioners of Seminole County, Florida, which Board shall have the following powers and duties:

(a) To provide for the collection and disbursement by the County of such funds as may be necessary to pay the expenses for aquatic weed control and lake management within the MSBU.

(b) To provide for or contract for the design, construction, and maintenance of the chemical, biological, mechanical or any combination of aquatic weed control methodologies as set forth in Section 2.

(c) To levy non-ad valorem assessments upon property abutting, adjoining and contiguous to such aquatic weed control areas when such property is specially benefited by such aquatic weed control.

(d) To levy non-ad valorem assessments upon any property which is specially benefited and/or abuts, adjoins and is contiguous to such aquatic weed control, or which may have been omitted from the hereinafter described assessment listing, upon giving sufficient notice to the owners of such property and holding a public hearing to consider any comments, objections or other relevant information to arrive at such decision to levy such non-ad valorem assessments.

Section 4. Administrative Costs. All property included in the assessed boundary will be assessed administrative costs, as promulgated under the Municipal Services Benefit Unit procedures.

Section 5. Assessment Formula. The assessment formula used to determine the amount to be assessed to each property specially benefited from the aquatic weed control is one (1) benefit unit per residential waterfront parcel, one (1) benefit unit per common element waterfront parcel, one quarter (0.25) benefit unit per specially benefited residential non-waterfront parcel, and one hundred twenty-eight (128) benefit units per the commercial wastewater treatment utility parcel. A special assessment for the MSBU shall be derived annually by dividing the total annual budgeted costs of the MSBU by the number of benefit units in the MSBU and by assigning that cost to each parcel in the MSBU based on the designated benefit units per parcel; and shall be

approved annually by Board Resolution. Said special assessments shall constitute a lien upon the lands assessed. Pending collection by the County of such special assessments, as provided herein, the County may spend from its Municipal Services Benefit Unit Fund such sums as may be necessary to operate, maintain and administer the MSBU hereby created, and the County will be reimbursed to such extent at such time assessments are collected.

Section 6. Common Element Land Cost Sharing Agreement – Sweetwater Oaks Homeowners Association, Inc. The assessed boundary of this MSBU includes three (3) waterfront parcels [29-20-29-5EY-0P00-0000, 32-20-29-300-002A-0000, and 32-20-29-509-0D00-0000] that represent common element land. Common element land is defined as land designated and retained for the exclusive benefit of a group of properties, generally designated to be a subdivision. In conjunction with execution of this Ordinance, an agreement [Exhibit D] between Sweetwater Oaks Homeowners Association, Inc., the owner of three common element waterfront parcels abutting Sweetwater Cove Lake, and Seminole County will be executed for the purpose of assuring payment to Seminole County on an annual basis in the amount equal to the assessment for three benefit units, as would otherwise be assigned individually for the three common element waterfront parcels. Should the agreement with Sweetwater Oaks Homeowners Association, Inc. terminate while the Sweetwater Cove Lake Aquatic Weed Control MSBU is in existence, or should the payment due from Sweetwater Oaks Homeowners Association, Inc. not be provided, the assessment amount otherwise allocated to each of these three parcels shall be divided equally and levied against each parcel then associated with each common element parcel. A listing of the associated properties is provided in Exhibit E.

Section 7. Method of Assessment and Collection. All non-ad valorem assessments which may result as herein shall be assessed and collected by the uniform method adopted by the

Seminole County Board of County Commissioners, pursuant to Section 197.3632, Florida Statutes.

Section 8. Initial Assessment Roll and Annual Assessment. The initial assessment roll as developed per the provisions of the Sweetwater Cove Lake Aquatic Weed Control and Lake Management Municipal Services Benefit Unit Ordinance is provided in Exhibit C.

The assessment amounts may be adjusted annually. An assessment increase in any given year is limited to an amount no greater than twenty percent (20%) above the prior year rate. The maximum allowable assessment is set at THREE HUNDRED AND NO/100 DOLLARS (\$300.00) per benefit unit. An assessment increase amount greater than twenty percent (20%) in any given year and/or an assessment greater than the maximum allowable assessment as set forth in this Ordinance can be authorized by the Board of County Commissioners by resolution at a public hearing or by resolution following confirmation via an MSBU Program petition process that confirms at least sixty-five percent (65%) of the assessed properties support the recommended increase.

Assessments will be adjusted to include any new parcels derived from a property split, merge or join within the said MSBU.

Section 9. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Code, and that the word "ordinance" may be changed to "section", "article", or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; providing, however, that Sections 9, 10 and 11 of this Ordinance shall not be codified.

Section 10. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

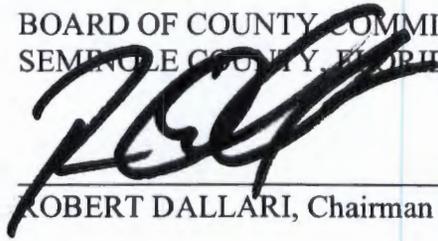
Section 11. Effective Date. This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this 11 day of March, 2014.

ATTEST:



MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA


ROBERT DALLARI, Chairman

Attachments:

- Exhibit A – Service Scope and Estimate of Cost
- Exhibit B – Benefiting Parcels by Parcel Number
- Exhibit C – Initial Assessment Roll 2014
- Exhibit D – Sweetwater Oaks Homeowners Association, Inc. Cost Share Agreement
- Exhibit E – Common Element Land & Associated Parcels

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Exhibit A: SERVICE SCOPE AND ESTIMATE OF COST

The aquatic weed control improvements for Sweetwater Cove Lake may include chemical, mechanical, biological, and/or other activities typically associated with on-going maintenance efforts to monitor and control aquatic weed growth. The required treatments will vary annually with lake conditions and will necessitate variations in scheduling and assessment calculations based on nature of treatments required and cost factors.

The cost components typically considered in estimating aquatic weed control cost and preparing annual budgets are inclusive of; but not limited to contracted services, supplies and/or other items required in association with aquatic weed control and lake management recommendations, contingency funds, administrative costs, and tax collection fees. Long-term financial management of the MSBU may also include provisions associated with short-term fund advancement, such as the coordination of installment payments (principal and financing interest) to repay fund advances, and ensuring funding allocations for establishing and maintaining an operating contingency and/or reserve funds for future needs.

Based on lake conditions as of December 2013, the cost projections for the recommended treatment plan and management of the MSBU, the total estimated budget for the first full fiscal year (October 1, 2014 through September 30, 2015) of MSBU operation is as follows:

Application Processing	\$ 550.00
Contracted Services	\$ 26,500.00
Contingency/Reserve	\$ 5,000.00
Lake Management & MSBU Administration	<u>\$ 1,500.00</u>
Total Annual Cost Estimate:	<u>\$ 33,550.00</u>

Based on above cost estimates, the initial assessment for the Sweetwater Cove Lake Aquatic Weed Control MSBU is established as \$145.00 per benefit unit based on 240.25 benefit units.

The proposed MSBU scope of services, cost estimate and assessment calculation excludes treatment of hydrilla.

Exhibit B: BENEFITING PARCELS BY PARCEL NUMBER

The following parcels are included in the cost share assessment boundary of the Sweetwater Cove Lake Aquatic Weed Control MSBU:

Residential Waterfront Parcels			
2920295EY0A000010	2920295EY0C000220	3220295020A000200	3220295100B000100
2920295EY0A000020	2920295EY0C000230	3220295020A000210	3220295100B000110
2920295EY0A000030	2920295EY0C000240	3220295080D000010	3220295100B000120
2920295EY0A000040	2920295EY0C000250	3220295080D000020	3220295100B000130
2920295EY0A000050	2920295EY0C000260	3220295080D000030	3220295100B000140
2920295EY0A000060	2920295EY0C000270	3220295080D000040	3220295100B000150
2920295EY0A000070	2920295EY0C000280	3220295080D000050	3220295100B000160
2920295EY0C000010	2920295EY0C000290	3220295080D000060	3220295100B000170
2920295EY0C000020	2920295EY0C000300	3220295080D000070	3220295100B000180
2920295EY0C000030	2920295EY0C000310	3220295080D000080	3220295100B000190
2920295EY0C000040	2920295EY0C000320	3220295090A000010	3220295100B000200
2920295EY0C000050	2920295EY0C000330	3220295090A000020	3220295100B000210
2920295EY0C000060	2920295EY0C000340	3220295090A000030	3220295100B000220
2920295EY0C000070	2920295EY0C000350	3220295090A000040	3220295100B000230
2920295EY0C000080	2920295EY0C000360	3220295090A000050	3220295100B000240
2920295EY0C000090	2920295EY0C000370	3220295090A000060	3220295100B000250
2920295EY0C000100	2920295EY0C000380	3220295090A000070	3220295100B000260
2920295EY0C000110	2920295EY0C000390	3220295090A000080	3220295100B000270
2920295EY0C000120	2920295EY0C000400	3220295090A000090	3220295100B000280
2920295EY0C000130	2920295EY0C000410	3220295090A000100	3220295100B000290
2920295EY0C000140	2920295EY0C000420	3220295090A000110	3220295100B000300
2920295EY0C000150	2920295EY0C000440	3220295090A000120	3220295100B000310
2920295EY0C000160	2920295EY0C000450	3220295100B000020	3220295DPOG000010
2920295EY0C000170	2920295EY0C000460	3220295100B000030	3220295DPOG000020
2920295EY0C000180	2920295EY0C000470	3220295100B000040	3220295DPOG000030
2920295EY0C000190	2920295EY0C000480	3220295100B000070	
2920295EY0C000200	2920295EY0C000490	3220295100B000080	
2920295EY0C000210	2920295EY0C000500	3220295100B000090	

Common Element Waterfront Parcels		
2920295EY0P000000	322029300002A0000	3220295090D000000

Commercial Facility Utility Parcel
052129300001B0000

Specially Benefited Residential Parcel
2920295EY0C000430

Exhibit C: INITIAL ASSESSMENT ROLL 2014

The following table represents the initial non-ad valorem assessment roll adopted for the Sweetwater Cove Lake Aquatic Weed Control MSBU, with \$145.00 assessment levied per each benefit unit assigned.

PARCEL	PROPERTY ADDRESS	BENEFIT UNITS	ASSESSMENT
2920295EY0A000010	912 RIVERBEND BLVD	1	\$145.00
2920295EY0A000020	910 RIVERBEND BLVD	1	\$145.00
2920295EY0A000030	908 RIVERBEND BLVD	1	\$145.00
2920295EY0A000040	906 RIVERBEND BLVD	1	\$145.00
2920295EY0A000050	904 RIVERBEND BLVD	1	\$145.00
2920295EY0A000060	902 RIVERBEND BLVD	1	\$145.00
2920295EY0A000070	900 RIVERBEND BLVD	1	\$145.00
2920295EY0C000010	901 RIVERBEND BLVD	1	\$145.00
2920295EY0C000020	845 RIVERBEND BLVD	1	\$145.00
2920295EY0C000030	843 RIVERBEND BLVD	1	\$145.00
2920295EY0C000040	841 RIVERBEND BLVD	1	\$145.00
2920295EY0C000050	839 RIVERBEND BLVD	1	\$145.00
2920295EY0C000060	837 RIVERBEND BLVD	1	\$145.00
2920295EY0C000070	835 RIVERBEND BLVD	1	\$145.00
2920295EY0C000080	833 RIVERBEND BLVD	1	\$145.00
2920295EY0C000090	831 RIVERBEND BLVD	1	\$145.00
2920295EY0C000100	829 RIVERBEND BLVD	1	\$145.00
2920295EY0C000110	827 RIVERBEND BLVD	1	\$145.00
2920295EY0C000120	825 RIVERBEND BLVD	1	\$145.00
2920295EY0C000130	823 RIVERBEND BLVD	1	\$145.00
2920295EY0C000140	821 RIVERBEND BLVD	1	\$145.00
2920295EY0C000150	819 RIVERBEND BLVD	1	\$145.00
2920295EY0C000160	817 RIVERBEND BLVD	1	\$145.00
2920295EY0C000170	815 RIVERBEND BLVD	1	\$145.00
2920295EY0C000180	813 RIVERBEND BLVD	1	\$145.00
2920295EY0C000190	811 RIVERBEND BLVD	1	\$145.00
2920295EY0C000200	809 RIVERBEND BLVD	1	\$145.00
2920295EY0C000210	807 RIVERBEND BLVD	1	\$145.00
2920295EY0C000220	805 RIVERBEND BLVD	1	\$145.00
2920295EY0C000230	803 RIVERBEND BLVD	1	\$145.00
2920295EY0C000240	801 RIVERBEND BLVD	1	\$145.00
2920295EY0C000250	747 RIVERBEND BLVD	1	\$145.00
2920295EY0C000260	745 RIVERBEND BLVD	1	\$145.00
2920295EY0C000270	743 RIVERBEND BLVD	1	\$145.00
2920295EY0C000280	741 RIVERBEND BLVD	1	\$145.00
2920295EY0C000290	739 RIVERBEND BLVD	1	\$145.00
2920295EY0C000300	737 RIVERBEND BLVD	1	\$145.00

PARCEL	PROPERTY ADDRESS	BENEFIT UNITS	ASSESSMENT
2920295EY0C000310	735 RIVERBEND BLVD	1	\$145.00
2920295EY0C000320	733 RIVERBEND BLVD	1	\$145.00
2920295EY0C000330	731 RIVERBEND BLVD	1	\$145.00
2920295EY0C000340	729 RIVERBEND BLVD	1	\$145.00
2920295EY0C000350	727 RIVERBEND BLVD	1	\$145.00
2920295EY0C000360	725 RIVERBEND BLVD	1	\$145.00
2920295EY0C000370	723 RIVERBEND BLVD	1	\$145.00
2920295EY0C000380	721 RIVERBEND BLVD	1	\$145.00
2920295EY0C000390	719 RIVERBEND BLVD	1	\$145.00
2920295EY0C000400	717 RIVERBEND BLVD	1	\$145.00
2920295EY0C000410	715 RIVERBEND BLVD	1	\$145.00
2920295EY0C000420	713 RIVERBEND BLVD	1	\$145.00
2920295EY0C000430	917 RIVERBEND BLVD	.25	\$36.25
2920295EY0C000440	915 RIVERBEND BLVD	1	\$145.00
2920295EY0C000450	913 RIVERBEND BLVD	1	\$145.00
2920295EY0C000460	911 RIVERBEND BLVD	1	\$145.00
2920295EY0C000470	909 RIVERBEND BLVD	1	\$145.00
2920295EY0C000480	907 RIVERBEND BLVD	1	\$145.00
2920295EY0C000490	905 RIVERBEND BLVD	1	\$145.00
2920295EY0C000500	903 RIVERBEND BLVD	1	\$145.00
3220295020A000200	400 SWEETWATER CREEK CT	1	\$145.00
3220295020A000210	500 SWEETWATER CREEK CT	1	\$145.00
3220295080D000010	137 LAUREL OAK DR	1	\$145.00
3220295080D000020	135 LAUREL OAK DR	1	\$145.00
3220295080D000030	133 LAUREL OAK DR	1	\$145.00
3220295080D000040	131 LAUREL OAK DR	1	\$145.00
3220295080D000050	129 LAUREL OAK DR	1	\$145.00
3220295080D000060	127 LAUREL OAK DR	1	\$145.00
3220295080D000070	125 LAUREL OAK DR	1	\$145.00
3220295080D000080	123 LAUREL OAK DR	1	\$145.00
3220295090A000010	100 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000020	200 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000030	202 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000040	204 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000050	206 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000060	208 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000070	210 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000080	212 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000090	300 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000100	302 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000110	304 N SWEETWATER COVE BLVD	1	\$145.00
3220295090A000120	306 N SWEETWATER COVE BLVD	1	\$145.00
3220295100B000020	200 COVERIDGE CT	1	\$145.00
3220295100B000030	300 COVERIDGE CT	1	\$145.00

PARCEL	PROPERTY ADDRESS	BENEFIT UNITS	ASSESSMENT
3220295100B000040	400 COVERIDGE CT	1	\$145.00
3220295100B000070	103 COVERIDGE LN	1	\$145.00
3220295100B000080	105 COVERIDGE LN	1	\$145.00
3220295100B000090	107 COVERIDGE LN	1	\$145.00
3220295100B000100	109 COVERIDGE LN	1	\$145.00
3220295100B000110	111 COVERIDGE LN	1	\$145.00
3220295100B000120	113 COVERIDGE LN	1	\$145.00
3220295100B000130	115 COVERIDGE LN	1	\$145.00
3220295100B000140	117 COVERIDGE LN	1	\$145.00
3220295100B000150	118 COVERIDGE LN	1	\$145.00
3220295100B000160	116 COVERIDGE LN	1	\$145.00
3220295100B000170	114 COVERIDGE LN	1	\$145.00
3220295100B000180	112 COVERIDGE LN	1	\$145.00
3220295100B000190	110 COVERIDGE LN	1	\$145.00
3220295100B000200	106 COVERIDGE LN	1	\$145.00
3220295100B000210	102 COVERIDGE LN	1	\$145.00
3220295100B000220	100 COVERIDGE LN	1	\$145.00
3220295100B000230	603 RIVERBEND BLVD	1	\$145.00
3220295100B000240	605 RIVERBEND BLVD	1	\$145.00
3220295100B000250	607 RIVERBEND BLVD	1	\$145.00
3220295100B000260	609 RIVERBEND BLVD	1	\$145.00
3220295100B000270	701 RIVERBEND BLVD	1	\$145.00
3220295100B000280	703 RIVERBEND BLVD	1	\$145.00
3220295100B000290	705 RIVERBEND BLVD	1	\$145.00
3220295100B000300	707 RIVERBEND BLVD	1	\$145.00
3220295100B000310	709 RIVERBEND BLVD	1	\$145.00
3220295DPOG000010	101 S SWEETWATER COVE BLVD	1	\$145.00
3220295DPOG000020	201 S SWEETWATER COVE BLVD	1	\$145.00
3220295DPOG000030	203 S SWEETWATER COVE BLVD	1	\$145.00
052129300001B0000	SANLANDO UTILITIES CORP, 144 LEDBURY, LONGWOOD	128	\$18,560.00

**Exhibit D: SWEETWATER OAKS HOMEOWNERS ASSOCIATION, INC.
COST SHARE AGREEMENT**

**COST SHARING AGREEMENT
SWEETWATER COVE LAKE AQUATIC WEED CONTROL AND LAKE
MANAGEMENT**

THIS AGREEMENT is made and entered into this 11 day of March, 2014, by and between **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY", and **SWEETWATER OAKS HOMEOWNERS ASSOCIATION, INC.**, c/o Sentry Management, Inc., whose address is 2180 West State Road 434, Suite 5000, Longwood, Florida 32779, hereinafter referred to as "HOA".

WITNESSETH:

WHEREAS, Lakefront property owners of the Sweetwater Oaks subdivision located in Seminole County have submitted an application requesting the creation of a Municipal Services Benefit Unit (MSBU) for aquatic weed control; and

WHEREAS, three (3) of the benefitting parcels are common element land (a/k/a Common Properties per HOA Declarations) parcels owned by HOA; and

WHEREAS, HOA requests opportunity through formal agreement, in lieu of prorated allocation and assessment to associated properties, to make direct payment annually to COUNTY for the public aquatic weed control services rendered through the requested MSBU and otherwise allocated for the common element land,

NOW, THEREFORE, in consideration of the premises and mutual covenant hereinafter contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby covenant and agree as follows:

Section 1. Term. This Agreement is contingent upon the creation of the MSBU by the Seminole County Board of County Commissioners, and the term of this Agreement shall be

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY Eun Euban
DEPUTY CLERK

concurrently with the existence of said MSBU. Dissolution of the MSBU shall automatically terminate this Agreement. Request by the HOA to terminate this Agreement prior to dissolution of the MSBU must be submitted in writing to COUNTY for consideration prior to December 31 of the year preceding the tax year in which dissolution is requested. In the event that agreement termination is granted by COUNTY, the assessments otherwise funded by agreement with the HOA will be allocated for levy and collection from the property with association rights and privileges relative to these properties.

Section 2. COUNTY's Responsibilities. COUNTY hereby agrees to be responsible for the following:

(a) Coordination and preparation of all plans, specifications and other professional services necessary to establish, inspect and maintain aquatic weed control and the MSBU for Sweetwater Cove Lake.

(b) Establish and govern the MSBU and assess the property cost share allocation for the MSBU parcels according to an annual budgeted amount for the MSBU established by COUNTY.

(c) Annually provide HOA with an invoice stating the amount due for Parcel Nos. 29-20-29-5EY-0P00-0000, 32-20-29-300-002A-0000 and 32-20-29-509-0D00-0000, the common element parcels owned by HOA in the assessed boundary of the MSBU for the forthcoming year. Such invoicing will be prepared on a fiscal year basis, with submittal to HOA within the first quarter of the respective fiscal year. COUNTY's fiscal year is October 1 through September 30.

Section 3. HOA's Responsibilities. HOA agrees to be responsible for the following:

(a) To pay the assessment allocated to each of the three (3) HOA owned parcels [Parcel Nos. 29-20-29-5EY-0P00-0000, 32-20-29-300-002A-0000 and 32-20-29-509-0D00-0000] located on Sweetwater Cove Lake as per the provisions set forth in the Sweetwater Cove Lake Aquatic Weed Control and Lake Management MSBU Ordinance. The initial assessment per parcel will be determined by COUNTY upon creation of the MSBU and is proposed as ONE HUNDRED FORTY-FIVE AND NO/100 DOLLARS (\$145.00) per parcel. As set forth in the governing ordinance, subsequent assessments will be determined annually by COUNTY and billed to the HOA.

(b) Payment of said contribution amount to COUNTY within forty-five (45) days of receipt of the invoice issued by COUNTY for said cost share percentage.

Section 4. Binding Parties. This Agreement shall be binding upon and enure to the benefit of the parties hereto and the successor in interest, transferees and designees of the parties.

Section 5. Assignment. This Agreement shall not be assigned by either party without prior written approval of the other party.

Section 6. Notice. When either party desires to give notice to the other party, notice may be sent to:

For COUNTY:

Seminole County Resource Management Department
MSBU Program Manager
1101 East First Street
Sanford, Florida 32771

For HOA:

President
Sweetwater Oaks Homeowners Association, Inc.
c/o Sentry Management, Inc.
2180 West SR 434, Suite 5000
Longwood, Florida 32779

Section 7. Conflict of Interest.

(a) The parties agree that they will not engage in any action that would create a conflict of interest in the performance of their obligations pursuant to this Agreement or which would violate or cause others to violate the provisions of Part III, Chapter 112, Florida Statutes, relating to ethics in government.

(b) The parties hereby certify that no officer, agent or employee has any material interest (as defined in Section 112.312(15), Florida Statutes, as over 5%) either directly or indirectly, in the business of the party to be conducted hereunder; that no such person shall have any such interest at any time during the term of this Agreement; and that no person shall use any monies derived under this Agreement for lobbying the Legislature in contravention of Section 216.347, Florida Statutes. The occurrence of an event of ethics violation as envisioned herein shall be grounds for unilateral termination of this Agreement by the non-offending party.

Section 8. Compliance with Laws and Regulations. In performing under this Agreement, the parties shall abide by all statutes, ordinances, rules and regulations pertaining to or regulating to the acts contemplated to be performed herein, including those now in effect and hereafter adopted. Any material violation of said statutes, ordinance, rules or regulations shall constitute a material breach of this Agreement and entitle the non-violating party to terminate this Agreement immediately upon delivery of written notice of termination to the violating party.

Section 9. Applicable Law. This Agreement shall be construed and interpreted according to the laws of the State of Florida. In the event of litigation between the parties arising from or pertaining to this Agreement, the prevailing party shall be entitled to recover from the other reasonable fees and costs as allowable by law.

Section 10. Severability. If any provision, term or clause of this Agreement is determined to be invalid or unenforceable, then such provision, term, or clause shall be null or void and shall be deemed separable from the remaining covenants of this Agreement and shall in no way affect the validity of the remaining covenants and provisions of this Agreement.

Section 11. Modifications, Amendments, or Alterations. No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.



[Balance of this page left intentionally blank; signatures on next page]

IN WITNESS WHEREOF, the parties hereto have executed this instrument on the date indicated below.

ATTEST:

Carol Ann Miles
[CORPORATE SEAL] CAROL ANN MILES
Notary Public - State of Florida
My Comm. Expires Dec 25, 2015
Commission # EE 149048
Bonded Through National Notary Assn.
Carol Ann Miles

SWEETWATER OAKS HOMEOWNERS ASSOCIATION, INC.

By: *Michael J. Hill*, President

Date: 2/19/14

ATTEST:

Maryanne Morse
MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: *Robert Dallari*
ROBERT DALLARI, Chairman

Date: 3-11-14

For the use and reliance of Seminole County only.

As authorized for execution by the Board of County Commissioners at its MARCH 11, 2014, regular meeting.

Approved as to form and legal sufficiency.

[Signature]
County Attorney

AEC/lpk/sjs
2/17/14
P: Users Legal Secretary CSB\Fiscal Services\MSBU Sweetwater Oaks HOA cost share agt.docx

Exhibit E: COMMON ELEMENT PARCELS

The assessed boundary of this MSBU includes three (3) waterfront common element parcels (29-20-29-5EY-0P00-0000, 32-20-29-300-002A-0000 and 32-20-29-509-0D00-0000). As referenced in Section 6 of this ordinance, the properties associated with these common element parcels are as follows:

EXHIBIT E

Parcel Range	Subdivision
33-20-29-502-0A00-0010	through -0270 SWEETWATER OAKS
33-20-29-502-0B00-0010	through -0220 SWEETWATER OAKS
33-20-29-502-0C00-0010	through -0360 SWEETWATER OAKS
33-20-29-502-0D00-0010	through -0070 SWEETWATER OAKS
32-20-29-5CQ-0A00-0010	through -0040 SWEETWATER OAKS SEC 02
32-20-29-5CQ-0B00-0010	through -0170 SWEETWATER OAKS SEC 02
32-20-29-5CQ-0C00-0010	through -0230 SWEETWATER OAKS SEC 02
32-20-29-5CQ-0D00-0010	through -0160 SWEETWATER OAKS SEC 02
32-20-29-5CQ-0E00-0010	through -0040 SWEETWATER OAKS SEC 02
32-20-29-5CQ-0F00-0010	through -0050 SWEETWATER OAKS SEC 02
32-20-29-5CQ-0G00-0010	through -0060 SWEETWATER OAKS SEC 02
32-20-29-503-0D00-0020	through -0070 SWEETWATER OAKS SEC 02A
32-20-29-503-0E00-0030	through -0030 SWEETWATER OAKS SEC 02A
32-20-29-503-0F00-0010	through -0050 SWEETWATER OAKS SEC 02A
32-20-29-503-0G00-0010	through -0060 SWEETWATER OAKS SEC 02A
32-20-29-502-0A00-0010	through -0380 SWEETWATER OAKS SEC 03
32-20-29-502-0B00-0010	through -0090 SWEETWATER OAKS SEC 03
32-20-29-502-0C00-0010	through -0130 SWEETWATER OAKS SEC 03
32-20-29-502-0D00-0010	through -0020 SWEETWATER OAKS SEC 03
32-20-29-502-0E00-0010	through -0090 SWEETWATER OAKS SEC 03
32-20-29-502-0F00-0010	through -0030 SWEETWATER OAKS SEC 03
33-20-29-503-0A00-0010	through -0220 SWEETWATER OAKS SEC 04
33-20-29-503-0B00-0010	through -0140 SWEETWATER OAKS SEC 04
33-20-29-503-0C00-0010	through -0150 SWEETWATER OAKS SEC 04
33-20-29-503-0D00-0010	through -0010 SWEETWATER OAKS SEC 04
33-20-29-503-0E00-0010	through -0020 SWEETWATER OAKS SEC 04
33-20-29-504-0A00-0010	through -0040 SWEETWATER OAKS SEC 04A
33-20-29-504-0B00-0010	through -0050 SWEETWATER OAKS SEC 04A
33-20-29-505-0A00-0050	through -0080 SWEETWATER OAKS SEC 04B
33-20-29-505-0B00-0060	through -0100 SWEETWATER OAKS SEC 04B
32-20-29-5DK-0A00-0050	through -0220 SWEETWATER OAKS SEC 05
32-20-29-5DK-0B00-0180	through -0350 SWEETWATER OAKS SEC 05
32-20-29-5DK-0C00-0140	through -0180 SWEETWATER OAKS SEC 05
32-20-29-5DK-0D00-0030	through -0140 SWEETWATER OAKS SEC 05
32-20-29-5DK-0E00-0010	through -0350 SWEETWATER OAKS SEC 05
32-20-29-5DK-0F00-0040	through -0070 SWEETWATER OAKS SEC 05
32-20-29-5DK-0G00-0010	through -0060 SWEETWATER OAKS SEC 05
32-20-29-5DK-0H00-0010	through -0130 SWEETWATER OAKS SEC 05
33-20-29-506-0A00-0010	through -0260 SWEETWATER OAKS SEC 06
33-20-29-506-0B00-0010	through -0190 SWEETWATER OAKS SEC 06
33-20-29-506-0C00-0010	through -0390 SWEETWATER OAKS SEC 06
33-20-29-506-0D00-0010	through -0190 SWEETWATER OAKS SEC 06
32-20-29-5DP-0A00-0010	through -0130 SWEETWATER OAKS SEC 07
32-20-29-5DP-0B00-0010	through -0080 SWEETWATER OAKS SEC 07
32-20-29-5DP-0C00-0010	through -0160 SWEETWATER OAKS SEC 07
32-20-29-5DP-0D00-0010	through -0200 SWEETWATER OAKS SEC 07

EXHIBIT E

Parcel Range		Subdivision
32-20-29-5DP-0E00-0010	through -0050	SWEETWATER OAKS SEC 07
32-20-29-5DP-0F00-0010	through -0060	SWEETWATER OAKS SEC 07
32-20-29-5DP-0G00-0010	through -0100	SWEETWATER OAKS SEC 07
32-20-29-504-0A00-0010	through -0050	SWEETWATER OAKS SEC 08
32-20-29-504-0B00-0010	through -0060	SWEETWATER OAKS SEC 08
32-20-29-504-0C00-0010	through -0060	SWEETWATER OAKS SEC 08
32-20-29-504-0D00-0010	through -0140	SWEETWATER OAKS SEC 08
32-20-29-504-0E00-0010	through -0120	SWEETWATER OAKS SEC 08
32-20-29-504-0F00-0010	through -0150	SWEETWATER OAKS SEC 08
32-20-29-504-0G00-0010	through -0050	SWEETWATER OAKS SEC 08
32-20-29-504-0H00-0010	through -0120	SWEETWATER OAKS SEC 08
32-20-29-505-0A00-0010	through -0240	SWEETWATER OAKS SEC 09
32-20-29-505-0B00-0010	through -0060	SWEETWATER OAKS SEC 09
32-20-29-507-0A00-0010	through -0170	SWEETWATER OAKS SEC 10
32-20-29-507-0B00-0010	through -0120	SWEETWATER OAKS SEC 10
32-20-29-507-0C00-0010	through -0150	SWEETWATER OAKS SEC 10
32-20-29-508-0A00-0010	through -0040	SWEETWATER OAKS SEC 11
32-20-29-508-0B00-0010	through -0100	SWEETWATER OAKS SEC 11
32-20-29-508-0C00-0010	through -0190	SWEETWATER OAKS SEC 11
32-20-29-508-0D00-0010	through -0220	SWEETWATER OAKS SEC 11
31-20-29-5EQ-0A00-0010	through -0080	SWEETWATER OAKS SEC 12
31-20-29-5EQ-0B00-0010	through -0150	SWEETWATER OAKS SEC 12
31-20-29-5EQ-0C00-0010	through -0230	SWEETWATER OAKS SEC 12
31-20-29-5EQ-0D00-0010	through -0250	SWEETWATER OAKS SEC 12
32-20-29-511-0A00-0010	through -0070	SWEETWATER OAKS SEC 13
32-20-29-511-0B00-0010	through -0490	SWEETWATER OAKS SEC 13
32-20-29-511-0C00-0010	through -0380	SWEETWATER OAKS SEC 13
32-20-29-511-0D00-0010	through -0180	SWEETWATER OAKS SEC 13
32-20-29-501-0A00-0010	through -0020	SWEETWATER OAKS SEC 14
32-20-29-501-0B00-0010	through -0040	SWEETWATER OAKS SEC 14
32-20-29-501-0C00-0010	through -0200	SWEETWATER OAKS SEC 14
32-20-29-501-0D00-0010	through -0060	SWEETWATER OAKS SEC 14
32-20-29-506-0A00-0010	through -0060	SWEETWATER OAKS SEC 15
32-20-29-506-0B00-0010	through -0120	SWEETWATER OAKS SEC 15
32-20-29-506-0C00-0010	through -0050	SWEETWATER OAKS SEC 15
31-20-29-5EH-0A00-0010	through -0050	SWEETWATER OAKS SEC 16
31-20-29-5EH-0B00-0010	through -0060	SWEETWATER OAKS SEC 16
31-20-29-5EH-0C00-0010	through -0090	SWEETWATER OAKS SEC 16
32-20-29-510-0A00-0010	through -0150	SWEETWATER OAKS SEC 17
32-20-29-510-0B00-0010	through -0310	SWEETWATER OAKS SEC 17
29-20-29-5EY-0A00-0010	through -0140	SWEETWATER OAKS SEC 18
29-20-29-5EY-0B00-0010	through -0450	SWEETWATER OAKS SEC 18
29-20-29-5EY-0C00-0010	through -0500	SWEETWATER OAKS SEC 18
29-20-29-501-0000-0010	through -0210	SWEETWATER OAKS SEC 19
29-20-29-5HC-0000-0010	through -0030	SWEETWATER OAKS SEC 19A