ORDINANCE NO. 2005-3 SEMINOLE COUNTY, FLORIDA

ORDINANCE

AN ORDINANCE CREATING THE CHARTER OAKS/TAMARAK MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF WALL RECONSTRUCTION WITHIN THE UNIT; PROVIDING BOUNDARIES OF SAID UNIT; PROVIDING FOR THE GOVERNING OF SAID UNIT BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING THE METHOD OF FINANCING TO BE ADVANCED BY SEMINOLE COUNTY FROM COMMERCIAL LENDING SOURCES OR MSBU PROGRAM FUNDS; PROVIDING FOR PAYMENT IN FULL OR BY TEN ANNUAL INSTALLMENTS FOR CONSTRUCTION IMPROVEMENTS; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A PRELIMINARY LIST OF ASSESSMENTS FOR ASSESSMENT; COLLECTION BY THE UNIFORM METHOD PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, INCLUSION IN SEMINOLE COUNTY CODE, AND AN EFFECTIVE DATE.

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

WHEREAS, the Board of County Commissioners has adopted administrative procedures for the establishment of Municipal Services Benefits Units, and the proposed CHARTER OAKS/TAMARAK MUNICIPAL SERVICES BENEFITS UNIT will be administered under the criteria as established by the Board of County Commissioners for said Municipal Services Benefits Units, and

WHEREAS, an Economic Impact Statement has been prepared and is available for public review in accordance with the provisions set forth in the Seminole County Home Rule Charter,

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:

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Section 1. SHORT TITLE. This Ordinance shall be known and referred to as the CHARTER OAKS/TAMARAK MSBU Ordinance.

Section 2. CREATING UNIT; IMPROVEMENTS. There is hereby created within Seminole County, the CHARTER OAKS/TAMARAK MSBU for the purpose of reconstructing the subdivision wall and entranceway walls within the unit. Said unit shall encompass the following described area of Seminole County, Florida:

The following properties within the CHARTER OAKS/TAMARAK subdivision within Section 25, Township 21, Range 30, Seminole County, Florida.
Parcels:

25213050500000010	25213050500000170	25213050500000330
25213050500000020	25213050500000180	25213050500000340
25213050500000030	25213050500000190	25213050500000350
25213050500000040	25213050500000200	25213050500000360
25213050500000050	25213050500000210	25213050500000370
25213050500000060	25213050500000220	25213050500000380
25213050500000070	25213050500000230	25213050500000390
25213050500000080	25213050500000240	25213050500000400
25213050500000090	25213050500000250	25213050500000410
25213050500000100	25213050500000260	25213050500000420
25213050500000110	25213050500000270	25213050500000430
25213050500000120	25213050500000280	25213050500000440
25213050500000130	25213050500000290	25213050500000450
25213050500000140	25213050500000300	25213050500000460
25213050500000150	25213050500000310	25213050500000470
25213050500000160	25213050500000320	

The improvements consist of providing the removal of the existing wall located on Dike Road and the construction of a replacement wall with an entranceway structure located at the subdivision entrance located at the intersections of Dike Road and Bomi Circle. Construction will include approximately 563 linear feet brick wall with a minimum height of 6 feet, inclusive of entrance structures as per proposed in Exhibit "B" and in accordance with County Building code requirements for wall construction. The

property owners will be responsible for the installation of landscaping and irrigation provisions, as well as all wall, landscaping and irrigation related maintenance and repairs.

Section 3. POWERS AND DUTIES OF BOARD. The unit 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 disbursal by the County of such funds as may be necessary to pay the expenses for improvements within the unit.

(b) To provide for, or contract for, the final engineering design and construction of the improvements as set forth in Section 2.

(c) To levy special assessments upon property abutting, adjoining, and contiguous to such improvement when such property is specially benefited by such improvement.

(d) To levy special assessments upon any property which is specially benefited and abuts, adjoins, and is contiguous to such improvement, but which may have been omitted from the hereinafter described preliminary 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 special assessments.

(e) To provide method of financing to be from a commercial source or from County funds as authorized by the administrative procedures for Municipal Services Benefits Units.

Section 4. INTEREST AND ADMINISTRATIVE COSTS. All property owners desiring to pay in ten (10) annual installments will be assessed interest at a projected rate of approximately five and 25/100 percent

(5.25%), and an administrative cost of ten percent (10%). Final interest rates are subject to financing terms available from selected lending source.

Section 5. ASSESSMENT FORMULA. The assessment formula used to determine the amount to be assessed is the per parcel method based on parcel location relative to the wall. Parcels abutting the wall will be assessed one and one quarter (1.25) benefit units; non-abutting parcels will be assessed one (1) benefit unit.

Section 6. PRELIMINARY LIST OF ASSESSMENTS. The amounts set forth in Exhibit "A" are preliminary assessments on the property being improved and are based on estimated costs of improvements detailed in Section 2 above.

Section 7. METHOD OF ASSESSMENT AND COLLECTION. All special assessments which may result as herein provided for in Exhibit "A" shall be assessed and collected by the uniform method pursuant to Section 197.3632, Florida Statutes.

Section 8. 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 the 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 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 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 relettered to accomplish such

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intention; providing, however, that Sections 8, 9 and 10 shall not be codified.

Section 10. EFFECTIVE DATE. This Ordinance shall take effect upon filing a copy of this Ordinance with the Florida Department of State by the Clerk of the Board of County Commissioners.

ENACTED this 8th day of February 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: Carlton Henley

Carlton Henley, Chairman

BK 319 PG 0489

Exhibit A

Improvements, Estimated Cost & Benefiting Properties

BK319PG0490

Exhibit A

Improvements:

1. Removal of existing wall structure and related debris.
2. Construction of a brick screen wall with a minimum height of 6 feet, approximately 563 feet in length with entrance structures located at the intersection of Dike Road and Bomi Circle. Gallagher Loop entrances.

Estimated Cost of Improvements:

Estimated Construction & Engineering Costs	$ 133,323.00
Estimated Contingency @ 5%	$ 6.667.00
Estimated County Administrative Fee @10%	$ 14,000.00
Estimated Tax Collector Fees	$ 1,031.00
Total Estimated Cost of Project	$ 155,021.00

Estimated Total Cost Per Property

The estimated assessment if paid at time of project completion is $4,008.00 per abutting parcel; $3,206.00 per non-abutting. The estimated annual assessment with 10 year financing is $501.00 per abutting parcel; $400.00 per non-abutting.

Benefiting properties:

25213050500000010	25213050500000170	25213050500000330
25213050500000020	25213050500000180	25213050500000340
25213050500000030	25213050500000190	25213050500000350
25213050500000040	25213050500000200	25213050500000360
25213050500000050	25213050500000210	25213050500000370
25213050500000060	25213050500000220	25213050500000380
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25213050500000110	25213050500000270	25213050500000430
25213050500000120	25213050500000280	25213050500000440
25213050500000130	25213050500000290	25213050500000450
25213050500000140	25213050500000300	25213050500000460
25213050500000150	25213050500000310	25213050500000470
25213050500000160	25213050500000320	

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Exhibit B

Proposed Design

BK319PG0492

Seminole Masonry, Inc.
Jamie Hodges
1726 W. Broadway Street
Oviedo, FL 32765

Office: 407-971-2464
Cell: 407-467-4806
Fax: 407-971-2519

Proposal

Charter Oaks H.O.A.
Attn: Helen Summerville
Phone: 407-679-9164
Fax: 407-677-1379

June 15, 2004

Project: Charter Oaks #04-086

This proposal is for the construction of:

Jefferson Brick grey mud

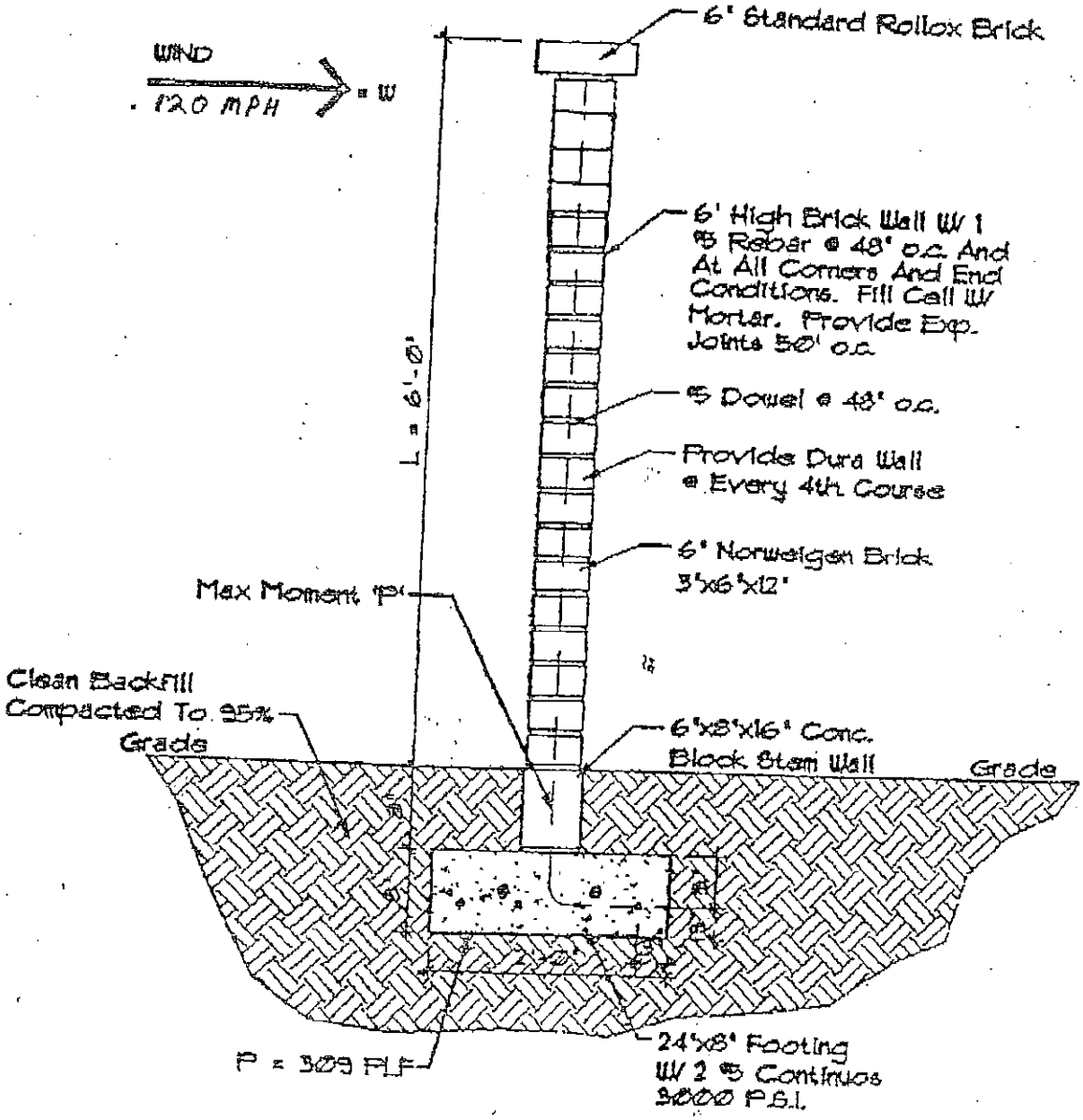
Same as Alhumn Glen

1. 563 L.F. of 6' high a.f.g. brick screen wall with a standard brick rowlock cap
2. (20) 18" x 18" x 6'-8" a.f.g. brick columns with a brick cap @ 30' o.c. spacing
3. (2) 25' long x 8'-0" high a.f.g. arched brick sign walls with a standard brick rowlock cap. (these sign walls will match the picture supplied of a sign wall @ Dunhill)

Oak Park

4. (2) 2'-0" high planter walls @ each sign wall with standard brick rowlock cap
5. (4) 30" x 30" x 7'-6" high a.f.g. brick columns with brick caps. (these columns will be located @ each end of the sign walls)
6. Demo of (41) existing columns, 563 L.F. of wood fence, removal of 6+/- trees, and 563 L.F. of 4'-0" wide existing sidewalk
7. Installation of 563 L.F. of 5'-0" wide by 4" thick sidewalk to replace sidewalk that was removed

LEGIBILITY UNSATISFACTORY
FOR MICROFILMING



A/2 BRICK WALL DETAIL

Scale: 3/4" = 1'-0"

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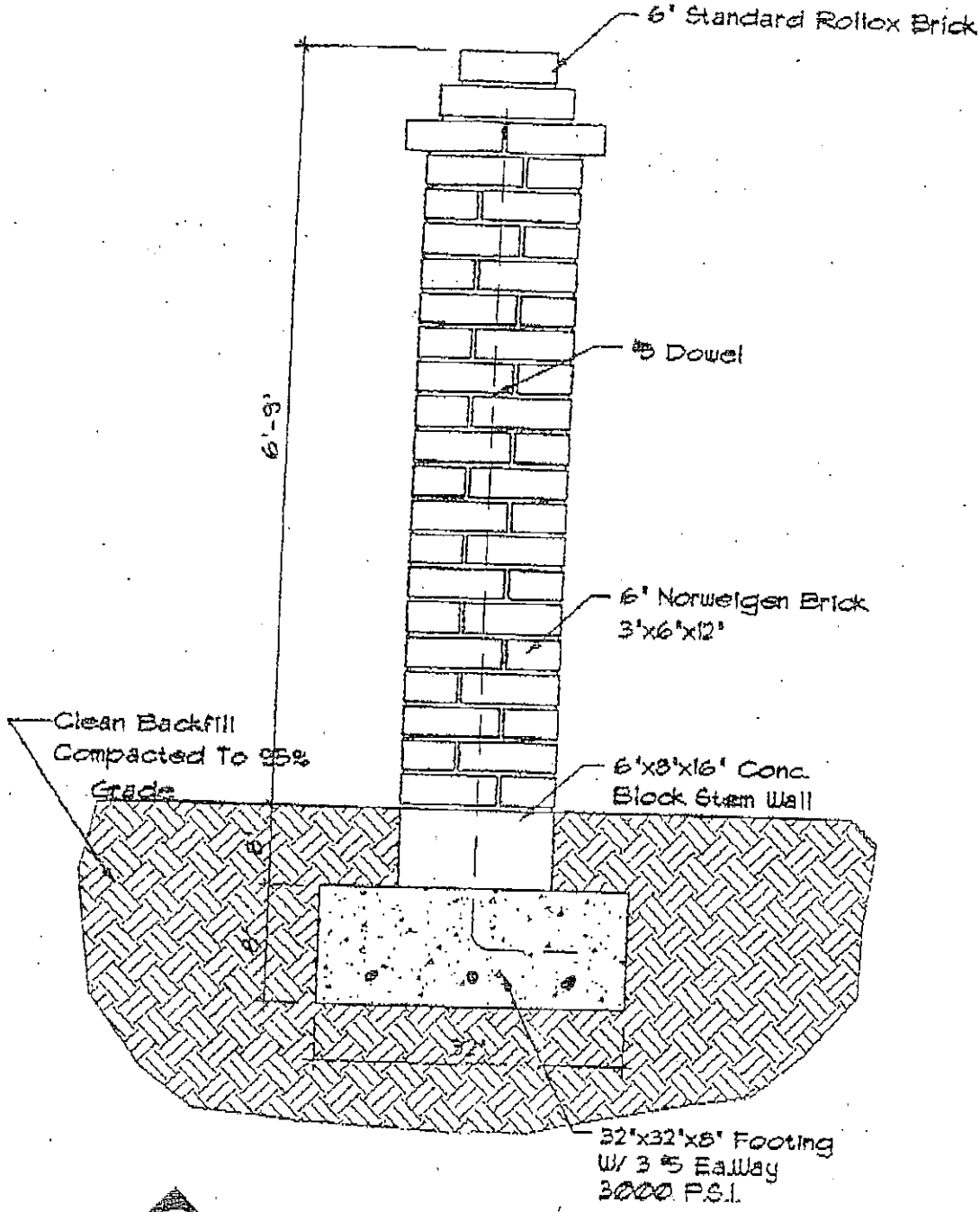
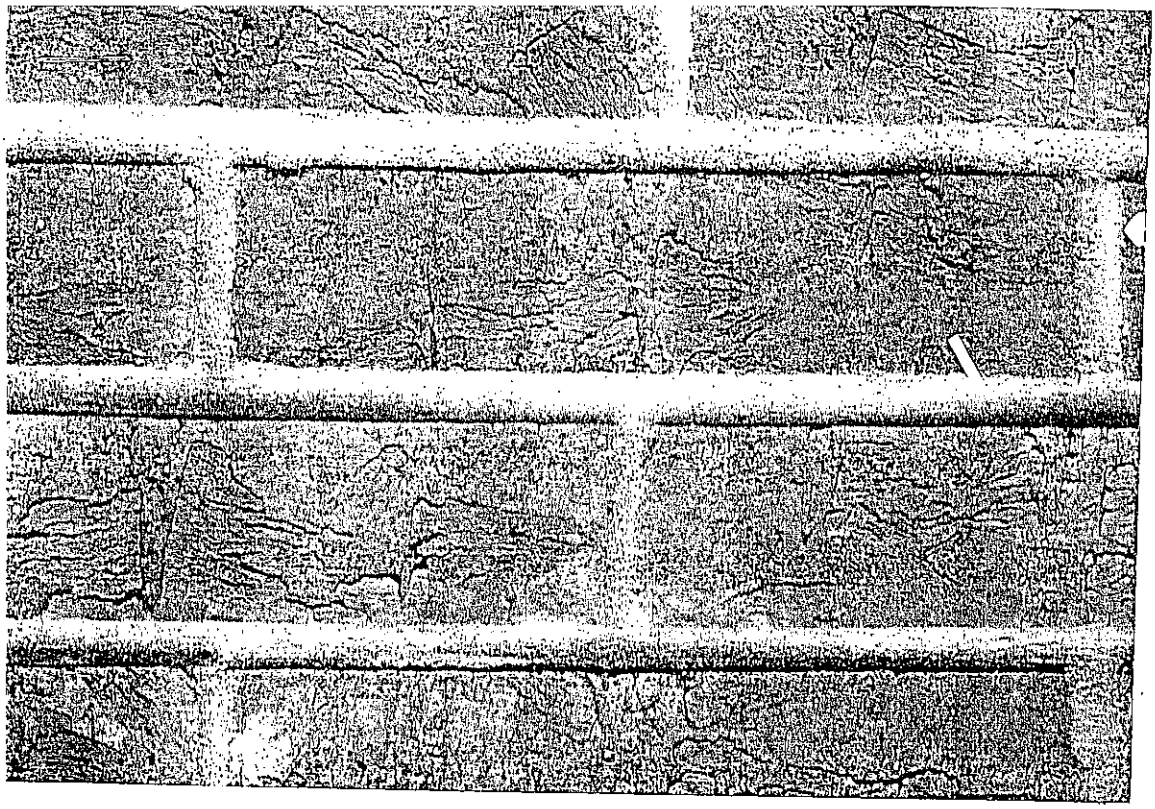
LEGIBILITY UNSATISFACTORY
FOR MICROFILMING



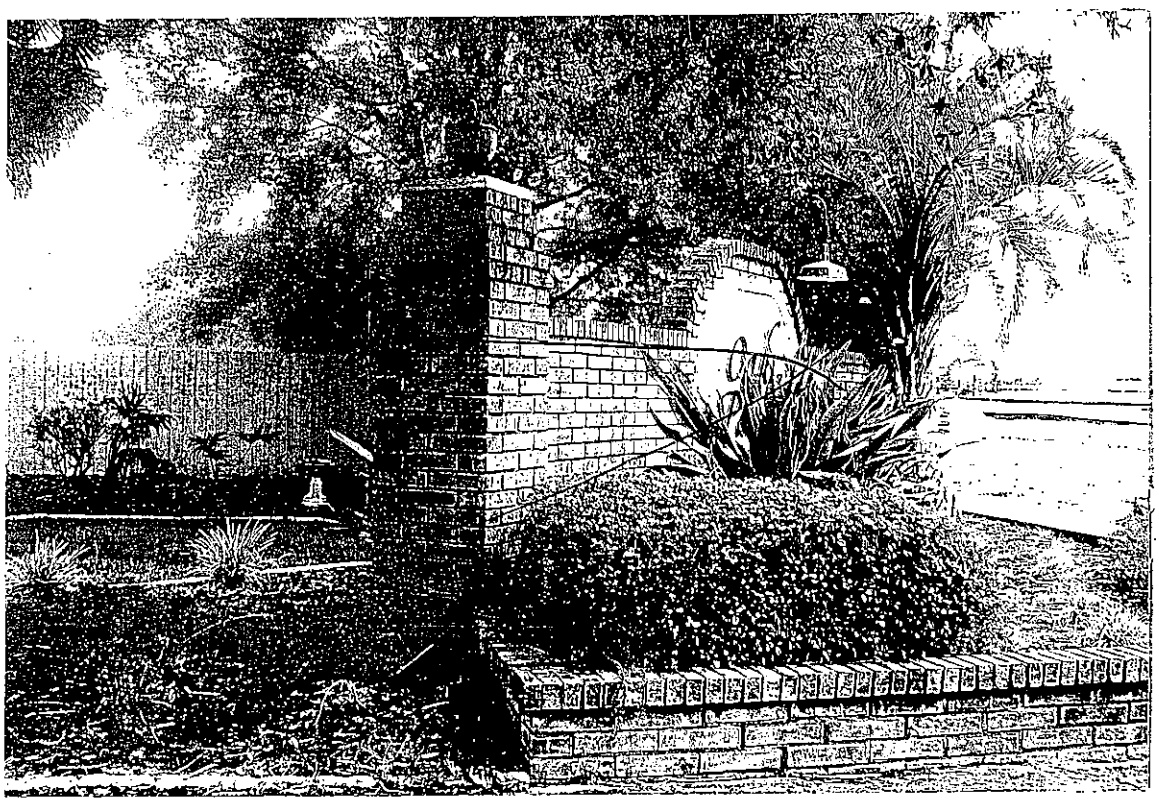
A/1 BRICK COLUMN DETAIL

Scale: 3/4"=1'-0"

LEGIBILITY UNSATISFACTORY
FOR MICROFILMING



Brick + Planter Box



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