

872995

01 APR -3 AM 8:03

ORDINANCE NO. 2001-10

SEMINOLE COUNTY, FLORIDA

ORDINANCE

AN ORDINANCE AMENDING SECTION 2 OF THE ORDINANCE NO.99-10 OF THE SEMINOLE COUNTY CODE, WHICH CREATED THE GENOVA DRIVE WATER SERVICE MUNICIPAL SERVICES BENEFITS UNIT, BY AMENDING THE LEGAL DESCRIPTION OF PROPERTIES WITHIN THE BOUNDARIES OF SAID UNIT TO INCLUDE ADDITIONAL PARCELS; PROVIDING FOR SEVERABILITY, INCLUSION IN SEMINOLE COUNTY CODE, AND AN EFFECTIVE DATE.

SEMINOLE CO. FL

4040 1719

OFFICIAL RECORDS PAGE

WHEREAS, on April 13, 1999 the Board of County Commissioners of Seminole County, Florida established the Genova Drive Water Service Municipal Services Benefits Unit comprised of certain parcels within Section 05, Township 21, Range 32 in Seminole County, Florida; and

WHEREAS, the owners of certain additional land parcels within that Section, Township and Range wish to be included in the Genova Drive Water Service Municipal Services Benefits Unit; and

WHEREAS, the Board of County Commissioners deemed it in the best interest of the County to include the additional parcels in the Genova Drive Water Service Municipal Services Benefits Unit,

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

Section 1. Section 2 of Ordinance 99-10 is hereby amended to read:

Section 2. CREATING UNIT; IMPROVEMENTS.

There is hereby created within Seminole County, the Genova Drive Water Service Municipal Services Benefits Unit for the purpose of providing water service for drinking and household purposes within

application, and to this end the provisions of this Ordinance are declared severable.

**Section 3. INCLUSION OF CODE.** 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 the Sections of this Ordinance may be renumbered or relettered to accomplish such intention; providing, however, that Sections 2, 3, and 4 shall not be codified. Section 1 of this Ordinance shall be codified until all levied special assessments are collected by Seminole County.

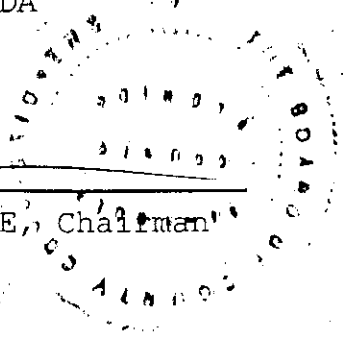
**Section 4. EFFECTIVE DATE.** This Ordinance shall take effect upon receipt of official acknowledgment by the Clerk of the Board of County Commissioners from the Department of State that this Ordinance has been filed with the Department of State.

ENACTED this 13th day of March, 2001.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA



By: \_\_\_\_\_  
DICK VAN DER WEIDE, Chairman



4040 1720

the unit. Said unit shall encompass the following  
described area of Seminole County, Florida:

The following properties within Section 05, Township 21, Range 32, Seminole County, Florida.

Parcels 05-21-32-301-001B-0000, 05-21-32-301-001C-0000,  
05-21-32-301-001F-0000, 05-21-32-301-001G-0000,  
05-21-32-301-0010-0000, 05-21-32-5CD-0000-0790,  
05-21-32-5CD-0000-080A, 05-21-32-5CD-0000-0800,  
05-21-32-5CD-0000-081A, 05-21-32-5CD-0000-0810,  
and 05-21-32-5CD-0000-0840.

The improvements consist of providing a central water system for drinking and household purposes with no provision for irrigation or fire flows through construction of a water distribution system within Genova Drive. Construction will include approximately 1,700 linear feet of a 6" water line on Genova Drive. This water distribution system will provide water to each property owner's property line. The property owners will be responsible for the installation of the water service line from their property lines to their homes. The program does not include water connection fees, meter fees, account deposits or service charges that must be paid prior to actually obtaining water service.

**Section 2. 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

ORDINANCE

AN ORDINANCE CREATING THE GENOVA DRIVE WATER SERVICE MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF PROVIDING WATER SERVICE FOR DRINKING AND HOUSEHOLD PURPOSES 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; PROVIDING FOR PAYMENT IN FULL OR TEN (10) ANNUAL INSTALLMENTS FOR CONSTRUCTION IMPROVEMENTS; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A PRELIMINARY LIST OF ASSESSMENTS FOR ASSESSMENT AND 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 Genova Drive Water Service 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, 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 Genova Drive Water Service Municipal Services Benefits Unit Ordinance.

**Section 2. CREATING UNIT; IMPROVEMENTS.** There is hereby created within Seminole County, the Genova Drive Water Service Municipal Services Benefits Unit for the purpose of providing water service for drinking and household purposes within the unit. Said unit shall encompass the following described area of Seminole County, Florida:

The following properties within Section 05, Township 21, Range 32, Seminole County, Florida. Parcels; 05-21-32-301-001B-0000, 05-21-32-301-001C-0000, 05-21-32-301-001F-0000, 05-21-32-301-001G-0000, 05-21-32-301-0010-0000, 05-21-32-5CD-0000-0790, 05-21-32-5CD-0000-080A, 05-21-32-5CD-0000-0800, and 05-21-32-5CD-0000-0840.

The improvements consist of providing a central water system for drinking and household purposes with no provision for irrigation or fire flows through construction of a water distribution system within Genova Drive. Construction will include approximately 1,700 linear feet of a 6" water line on Genova Drive. This water distribution system will provide water to each property owner's property line. The property owners will be responsible for the installation of the water service line from their property lines to their homes. The program does not include water connection fees, meter fees, account deposits or service charges that must be paid prior to actually obtaining water service.

**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 engineering design, construction, and maintenance 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) Method of financing to be from a commercial source as required 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 5.69%, and an administrative cost of ten (10) percent. Final interest rates are subject to financing from a commercial source as available.

**Section 5. ASSESSMENT FORMULA.** The assessment formula used to determine the amount to be assessed is the per parcel method.

**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. INCLUSION IN CODE. 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 intention; providing, however, that Sections 8, 9 and 10 shall not be codified. Sections 1,2,3,4,5,6 and 7 of this Ordinance shall be codified until all levied special assessments are collected by Seminole County.

Section 10. EFFECTIVE DATE. This Ordinance shall take effect upon receipt of official acknowledgment by the Clerk of the Board of County Commissioners from the Department of State that this Ordinance has been filed with the Department of State.

ENACTED this 23rd day of February 1999.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

S/B  
4/13/99

By:

*Carlton D. Henley*

Carlton D. Henley, Chairman

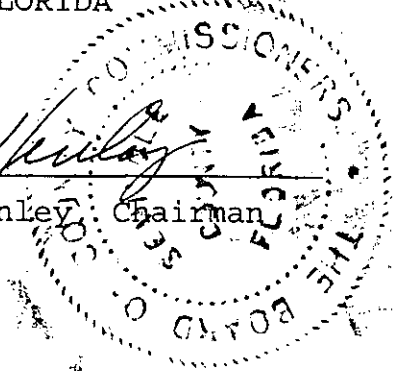


EXHIBIT A