

ORDINANCE

AN ORDINANCE CREATING THE HOWELL CREEK AQUATIC WEED CONTROL MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF PROVIDING AQUATIC WEED CONTROL TO THE CREEK WITHIN THE UNIT; PROVIDING BOUNDARIES OF SAID UNIT; PROVIDING FOR THE GOVERNING OF SAID UNIT BY THE BOARD OF COUNTY COMMISSIONERS; 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 DECEMBER 12, 1989, 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 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 Howell Creek Aquatic Weed Control Municipal Services Benefits Unit Ordinance.

Section 2. CREATING UNIT; IMPROVEMENTS. There is hereby created within Seminole County, the Howell Creek Aquatic Weed Control Municipal Services Benefits Unit for the purpose of providing aquatic weed control to the creek within the unit. Said

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MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY Eva Roach
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CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FL

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

Forest Brook

Lots 21 to 25 inclusive, together with Howell Creek, Plat Book Page 2

Forest Brook - Second Section

Lots 114 to 116 inclusive, Lots 123 to 129 inclusive, together with Howell Creek, Plat Book 15 Page 31

Ultra Vista, A Condominium

Common area together with Howell Creek, Plat Book 26; Pages 61-64

The property within SEC 28 TWP 21S RGE 30E, NW 1/4 of SW 1/4 S of Howell Creek (LESS W 25 FT of E 50 FT & Ultra Vista Condo), identified as # 28-21-30-300-0230-0000-0-3.

Said unit shall encompass and include improvements for aquatic weed control by chemical, biological or mechanical means.

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 aquatic weed control within the unit.

(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.

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(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, but 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 owners will be assessed administrative costs, as promulgated under the Municipal Services Benefits Unit procedures.

Section 5. ASSESSMENT FORMULA. The assessment formula used to determine the amount to be assessed is the front footage method of the property specially benefited from the aquatic weed control.

Section 6. LIST OF ASSESSMENTS FOR AQUATIC WEED CONTROL. The amounts hereinafter set forth are estimated annual assessments on the property detailed in Section 2 above and are based on estimated costs of aquatic weed control detailed in Section 2 above.

Legal Description	Owner	Front Feet	Estimated Annual Assessment
28-21-30-523-0D00-0000 SEC 28 TWP 21S RGE 30E, NW 1/4 OF SW 1/4 S OF HOWELL CREEK (LESS W 25 FT OF E 50 FT & ULTRA VISTA CONDOS) 28-21-30-300-0230-0000-0-3	REMOVED 10/03/01 to 2001 TAX BILL ANNEXED INTO CITY OF CASSELBERY [REDACTED]	1236.3	\$902.50

Legal Description	Owner	Front Feet	Estimated Annual Assessment
LOT 21 FOREST BROOK PB 15 PG 2 28-21-30-503-0000-0210-0-2		224.3	\$163.74
LOT 22 FOREST BROOK PB 15 PG 2 28-21-30-503-0000-0220-0-0		88.4	\$64.53
LOT 23 FOREST BROOK PB 15 PG 2 28-21-30-503-0000-0230-0-8		90.10	\$65.77
LOT 24 FOREST BROOK PB 15 PG 2 28-21-30-503-0000-0240-0-6		88.1	\$64.31
LOT 25 FOREST BROOK PB 15 PG 2 28-21-30-503-0000-0250-0-3		31.2	\$22.78
LOT 114 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1140-0-3		24	\$17.52
LOT 115 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1150-0-0		93.10	\$67.96
LOT 116 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1160-0-8		73.9	\$53.95
LOT 123 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1230-0-4		87.8	\$64.09
LOT 124 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1240-0-2		93.2	\$68.04
LOT 125 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1250-0-9		101.7	\$74.24

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Legal Description	Owner	Front Feet	Estimated Annual Assessment
LOT 126 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1260-0-7	[REDACTED]	100.9	\$73.66
LOT 127 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1270-0-5	[REDACTED]	102.10	\$74.53
LOT 128 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1280-0-3	[REDACTED]	88.7	\$64.75
LOT 129 FOREST BROOK 2ND SEC PB 15 PG 31 28-21-30-505-0000-1290-0-1	[REDACTED]	227.6	\$166.15
COMMON AREA ULTRA VISTA CONDO PB 26 PGS 61 TO 64 28-21-30-512-0C00-0000-0-2	[REDACTED]	278.8	\$203.52

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Section 7. METHOD OF ASSESSMENT AND COLLECTION.

All non-ad valorem assessments which may result as herein provided for shall be assessed and collected by the uniform method adopted by the Seminole County Board of County Commissioners on December 12, 1989, 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.

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 13th day of October, 1992.

BOARD OF COUNTY COMMISSIONERS,
SEMINOLE COUNTY, FLORIDA

By:

Robert J. Sturm
Robert J. Sturm, Chairman

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