

ORDINANCE NO. 06- 28

SEMINOLE COUNTY, FLORIDA

ORDINANCE

AN ORDINANCE CREATING THE TWIN PINES WATER & WASTEWATER IMPROVEMENT MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF PROVIDING WATER SERVICE FOR DRINKING AND HOUSEHOLD PURPOSES AND WASTEWATER TRANSFER 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 ENVIRONMENT SERVICES WATER DIVISION FUNDING; PROVIDING FOR PAYMENT IN FULL OR FIFTEEN (15) 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 TWIN PINES WATER & WASTEWATER IMPROVEMENT 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 TWIN PINES WATER & WASTEWATER IMPROVEMENT MSBU Ordinance.

RETURN TO SANDY McCANN

MARYANNE MORSE, CLERK OF CIRCUIT COURT SEMINOLE COUNTY, CFN 200608123 BK 02023 Pgs 0471 - 479 (9pgs) RECD 06/28/2006 01:58:43 PM REC FEES 78.00, RECD BY J Edemuth

CERTIFIED COPY  
MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA  
BY *Carolyn Cole*  
DEPUTY CLERK

**Section 2. CREATING UNIT; IMPROVEMENTS.** There is hereby created within Seminole County, the TWIN PINES WATER & WASTEWATER IMPROVEMENT MSBU for the purpose of providing water service for drinking and household purposes and wastewater transfer within the unit. Said unit shall encompass the following described area of Seminole County, Florida:

The following properties located within Twin Pines and abutting Baker Avenue within Section 17, Township 21, Range 29, Seminole County, Florida.

Parcels [further detailed in Exhibit A]:

17-21-29-515-0000-0010, 17-21-29-515-0000-0020,  
17-21-29-515-0000-0030, 17-21-29-515-0000-0040,  
17-21-29-515-0000-0050, 17-21-29-515-0000-0060,  
17-21-29-515-0000-0070, 17-21-29-515-0000-0080,  
17-21-29-515-0000-0090, 17-21-29-515-0000-0100,  
and 17-21-29-515-0000-0120.

The improvements consist of providing a central water system for drinking and household purposes, and wastewater transfer through construction of a water and wastewater distribution system within Twin Pines. Construction will include approximately 515 linear feet of a 8" water line, required fire hydrants, access to existing wastewater conveyance system, and site preparation and restoration. The water and wastewater distribution systems will provide potable water service and wastewater conveyance to each property owner's property line. The property owners will be responsible for the installation of the water service line and wastewater delivery system from the connection point [to be located at the property lines] to their homes. The cost estimated for these improvements do not include connection fees, meter

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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 TWIN PINES WATER & WASTEWATER IMPROVEMENT 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 TWIN PINES WATER & WASTEWATER IMPROVEMENT MSBU Ordinance.

RETURN TO SANDY McCANN

MARYANNE MORSE, CLERK OF CIRCUIT COURT SEMINOLE COUNTY, CFN 2008036123 BK 06283 Pgs 0471 - 479 (3pgs) RECD 06/28/2006 01:58:43 PM REC FEES 78.00, RECD BY J EDENROTH

CERTIFIED COPY  
MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA  
BY *Carolyn Cohen*  
DEPUTY CLERK

**Section 2. CREATING UNIT; IMPROVEMENTS.** There is hereby created within Seminole County, the TWIN PINES WATER & WASTEWATER IMPROVEMENT MSBU for the purpose of providing water service for drinking and household purposes and wastewater transfer within the unit. Said unit shall encompass the following described area of Seminole County, Florida:

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Parcels [further detailed in Exhibit A]:

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17-21-29-515-0000-0030, 17-21-29-515-0000-0040,  
17-21-29-515-0000-0050, 17-21-29-515-0000-0060,  
17-21-29-515-0000-0070, 17-21-29-515-0000-0080,  
17-21-29-515-0000-0090, 17-21-29-515-0000-0100,  
and 17-21-29-515-0000-0120.

The improvements consist of providing a central water system for drinking and household purposes, and wastewater transfer through construction of a water and wastewater distribution system within Twin Pines. Construction will include approximately 515 linear feet of a 8" water line, required fire hydrants, access to existing wastewater conveyance system, and site preparation and restoration. The water and wastewater distribution systems will provide potable water service and wastewater conveyance to each property owner's property line. The property owners will be responsible for the installation of the water service line and wastewater delivery system from the connection point [to be located at the property lines] to their homes. The cost estimated for these improvements do not include 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 fifteen (15) annual installments will be assessed interest at a projected rate of 5.5%. An administrative cost of ten (10) percent of construction cost will be included total project cost calculation. Final interest rates are subject to financing arrangements available at time construction phase is completed.

**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 B are preliminary assessments on the property being improved and are based on estimated costs of improvements detailed in Section 2 above. Construction costs shall not exceed twenty percent [20%] of the projected construction cost (estimated at \$61,000) without continued support from the property owners as demonstrated through a secondary petition process inclusive of participating property owners.

**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.

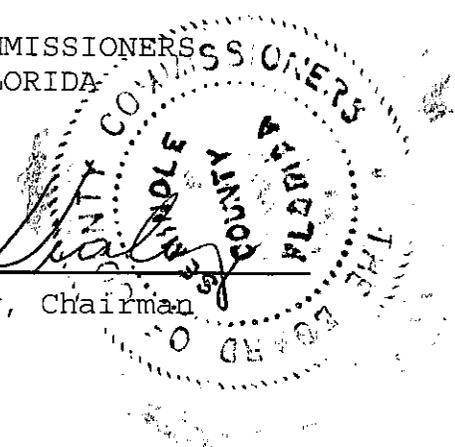
**Section 10. EFFECTIVE DATE.** This Ordinance shall take effect upon receipt of official acknowledgment by the Clerk of the Board of County Commissioners from the Department of State that this Ordinance has been filed with the Department of State.

**ENACTED** this 9th day of May 2006.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By:

  
Carlton Henley, Chairman



**Exhibit A**

Exhibit B

Exhibit B

**The proposed improvements and estimated cost include:**

1. Installation of approximately 515 feet of 8" water main along Baker Avenue as a central water system for drinking and household purposes with optional use of the water supply for residential irrigation purposes with water service connection point at each owner's front property line
2. Installation of approximately 515 feet of sewer lateral gravity line along Baker Avenue for connection to central sewer system; approximately 515 feet with sewer service point at each owner's front property line
3. Installation of fire hydrant(s)
4. Site preparation & Restoration

**The cost estimate for the proposed improvements does not include:**

1. The installation of the water/sewer system from meter connection location to residential unit. Each homeowner will be independently responsible for these modifications.
2. Water/sewer connection impact fees, meter fees, account deposits or service charges required prior to obtaining water/sewer services. Each homeowner will be independently responsible for these expenses unless financing is requested and authorized.

**Project cost projection for water and sewer line installation:**

Estimated Construction, Engineering & Contingency	\$ 60,000.00
Estimated Administrative Fee	\$ 6,000.00
Estimated Total Cost for both water and sewer	\$ 66,000.00

**The estimated individual property cost share can be determined by dividing the total estimated project costs by the number of assessable lots or parcels [11].**

Estimated cost per parcel for both water and sewer if paid at project completion	\$ 6,000.00
Estimated annual assessment per parcel if financed (15 years @ 5.5%)	\$ 610.00

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