

AN ORDINANCE RELATING TO THE CEDAR RIDGE INTERNAL IMPROVEMENTS AND MAINTENANCE MUNICIPAL SERVICES MAINTENANCE UNIT; AMENDING ARTICLE X, PART 7, CHAPTER 160, SEMINOLE COUNTY CODE; PROVIDING A SHORT TITLE; PROVIDING FOR THE CREATION OF A MUNICIPAL SERVICES BENEFIT UNIT; PROVIDING FOR POWERS AND DUTIES OF BOARD; PROVIDING FOR ASSESSMENTS; PROVIDING FOR LIST OF PROPERTIES TO BE ASSESSED; PROVIDING FOR METHOD AND OTHER MATTERS RELATING TO ASSESSMENTS; AMENDING SECTIONS 160.891, 160.892, 160.893, 160.895, 160.896, 160.898 AND 160.899, SEMINOLE COUNTY CODE; REPEALING SECTION 160.894, SEMINOLE COUNTY CODE; PROVIDING FOR LEGISLATIVE FINDINGS AND CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FL

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WHEREAS, the Board of County Commissioners by means of enacting Ordinance, Number 89-29 established the Cedar Ridge Internal Improvements and Maintenance Municipal Services Benefits Unit for the purposes of providing internal improvements and maintenance within the unit; and

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RECORDED & VERIFIED

WHEREAS, due to increased cost estimates the Cedar Ridge property owners requested the amendment of the scope of improvements and the Board of County Commissioners of Seminole County adjusted the scope of improvements and preliminary assessments by means of enacting Ordinance Number 92-3; and

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WHEREAS, issues have arisen relative to the costs of improvements and the Board of County Commissioners and the Cedar Ridge property owners desire to resolve all matters conclusively by means of the actions taken in this Ordinance; and

WHEREAS, the Board of County Commissioners has held a public hearing to hear any and all views and opinions of the Cedar Ridge

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SEMINOLE COUNTY, FLORIDA
BY Joe Roach
COUNTY CLERK

property owners and to make any adjustment it deems fair to insure accurate assessments and to insure that no undue hardship exists or is created; and

WHEREAS, the Board of County Commissioners has approved the continuation of the hereinafter described maintenance project; and

WHEREAS, the Economic Impact Statement has been appropriately prepared and made available for public review in agreement with the provisions of the Seminole County Home Rule Charter,

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

SECTION 1. AMENDMENT OF ARTICLE X, PART 7, CHAPTER 160, SEMINOLE COUNTY CODE. Article X, Part 7, Chapter 160, Seminole County Code is amended to read as follows:

PART 7 MULTIPURPOSE MUNICIPAL SERVICES BENEFIT UNIT

ARTICLE X CEDAR RIDGE ~~INTERNAL IMPROVEMENTS~~

~~AND MAINTENANCE MUNICIPAL SERVICES BENEFITS UNIT~~

Sec. 160.891 Short Title.

This Article shall be known and referred to as the Cedar Ridge ~~Internal Improvements and Maintenance Municipal Services Benefits Unit Ordinance.~~

Sec. 160.892 Creating unit, ~~improvements.~~

(a) There is hereby created within Seminole County, the Cedar Ridge ~~Internal Improvements and Maintenance Municipal Services Benefits Unit~~ for the purpose of providing ~~internal improvements and maintenance~~ within the unit. Said unit shall encompass the following described area of Seminole County, Florida:

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The property within Cedar Ridge Unit I, as recorded in Plat Book 22, Page 80; Cedar Ridge Unit II, as recorded in Plat Book 24, Page 85; and Cedar Ridge Unit III, as recorded in Plat Book 23, Page 30, including Tract A, Public Records of Seminole County, Florida.

(b) ~~The improvements consist of providing maintenance activities of the Unit shall relate only to~~ entranceway lighting and signage; irrigation and landscaping along entire boundary of Cedar Ridge Subdivision abutting Howell Branch Road and Dike Roads; landscaping and irrigation adjacent to retention pond at corner of Houndslake Drive and Bentwood Drive; ~~repair and maintenance of the Houndslake Drive pump, well and timer, and the timer located at the Westdale retention pond at Westdale Avenue and Howell Branch Road,~~ and landscaping, irrigation and lighting adjacent to retention pond on Westdale Avenue; ~~pavers at entrances and throughout subdivision and construction of block wall along retention pond at Westdale Avenue,~~ but shall not relate to the maintenance of walls. Some of these improvements will be constructed subsequent to completion of the Howell Branch Road Widening Project.

Sec. 160.893 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 maintenance~~ within the unit.

(b) To provide for or contract for the ~~engineering design, construction, and maintenance~~ of the improvements as set forth in Section 160.892.

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(c) To levy special assessments upon property abutting, adjoining and contiguous to such ~~maintained~~ improvements when such property is specially benefitted by such ~~improvement maintenance~~.

~~(d) To levy special assessments upon any property which is specially benefitted 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.~~

~~(d) Levy an administrative fee in an amount equal approximately ten percent (10%) of the total cost of maintenance~~

~~(e) Method of financing to be from a commercial source as required by the administrative procedures for Municipal Services Benefits Units.~~

~~Sec. 160.894 Interest and administrative costs.~~

~~All property owners desiring to pay in ten (10) annual installments will be assessed interest at a projected rate of 8.1%, and administrative costs, as promulgated under the Municipal Services Benefits Unit procedures. Final interest rates are subject to financing from a commercial source as available.~~

~~Sec. 160.895 Assessment formula.~~

~~The assessment formula used to determine the amount to be assessed is the per platted lot method specially benefitted from the ~~internal improvements maintenance~~.~~

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Sec. 160.896 Preliminary list of assessments for construction and maintenance improvements.

The amounts hereinafter set forth in Exhibit "A" hereto are preliminary assessments on the property being improved and are based on estimated costs of maintenance of the improvements detailed in Section 160.892—above.

[Drafter's note: Complete Listing of parcels deleted and replaced with Exhibit "A"]

Sec. 160.898 Method of assessment and collection.

(a) All special assessments which may result as herein provided for shall be assessed through the facilities of the Board of County Commissioners of Seminole County and shall be collected through the facilities of the Tax Collector of Seminole County.

(b) The maintenance assessment for each year subsequent to the enactment of this Article shall be implemented by means of a resolution adopted by the Board of County Commissioners of Seminole County which shall be recorded in the Official Land Records of Seminole County, Florida.

Sec. 160.899 Procurement activities. The County Manager shall insure that at least one (1) Cedar Ridge property owner is a member of every selection committee relative to the selection of service providers who would provide maintenance services for the Unit.

SECTION 2. LEGISLATIVE FINDINGS/CODIFICATION.

(a) The recitals (whereas clauses) to this Ordinance are the legislative findings of the Board of County Commissioners relative to this matter.

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(b) 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; provided, however, that Sections 2, 3, and 4 shall not be codified.

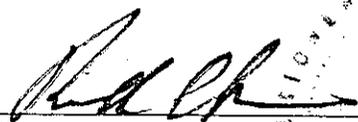
(c) A certified copy of this Ordinance shall be recorded in the Official Land Records of Seminole County, Florida.

SECTION 3. 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 4. EFFECTIVE DATE. This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners.

ENACTED this 27th day of May, 1997.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: 
RANDALL C. MORRIS, Chairman



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EXHIBIT A

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