

Rm-131

24.00

AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "WOODLAND WATERS AND A PORTION OF ROYAL HIGHLANDS, UNIT 2 MUNICIPAL SERVICE BENEFIT UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CREATION, MAINTENANCE AND OPERATION OF A STREET LIGHTING SYSTEM WITHIN SAID UNIT; PROVIDING FOR THE BOUNDARIES OF SAID UNIT; PROVIDING FOR THE LEVY OF AN EQUITABLE PER LOT ASSESSMENT; PROVIDING A METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF AFORESAID ASSESSMENT; PROVIDING FOR THE ADMINISTRATION OF SAID UNIT; PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS FOR THE OPERATION OF SAID UNIT; PROVIDING THAT THE SAID UNIT SHALL BE UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA; PROVIDING FOR INCLUSION IN THE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Hernando County, Florida, as follows:

SECTION I. FINDINGS OF FACT AND PURPOSE

It is hereby found by the Board of County Commissioners of Hernando County, Florida, that street lighting is an essential service for the benefit of the health, safety and welfare of the public. It is further the finding of the Board of County Commissioners that the Legislature has in Section 125.01(1)(q), Florida Statutes, provided for the creation of municipal service benefit units as a taxing vehicle to grant to all counties that taxing flexibility to levy special service charges within the limits fixed for municipal purposes for the furnishing of municipal services within those areas receiving the benefit of such municipal services in order to solve the controversy of double taxation between residents of the incorporated and unincorporated areas. It is the purpose of this Ordinance to create a County Municipal Service Benefit Unit for the purpose of creating, establishing, maintaining and operating a lighting system, within the area described in Exhibit "A".

SECTION II. CREATION OF UNIT

For the purpose of creating, establishing, maintaining and operating a lighting system, within the area described herein, there is hereby created a Municipal Service Benefit Unit to be known as the "WOODLAND WATERS AND A PORTION OF ROYAL HIGHLANDS, UNIT 2 MUNICIPAL SERVICE BENEFIT UNIT", which shall be

all the property located in Hernando County, Florida, within the boundaries described in Exhibit "A", attached hereto and made a part hereof by reference.

SECTION III. GOVERNING BODY

The Governing Body of the WOODLAND WATERS AND A PORTION OF ROYAL HIGHLANDS, UNIT 2 MUNICIPAL SERVICE BENEFIT UNIT shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

- A. The WOODLAND WATERS AND A PORTION OF ROYAL HIGHLANDS, UNIT 2 MUNICIPAL SERVICE BENEFIT UNIT shall be administered in accordance with the policies and procedures adopted by the Board of County Commissioners for the administration of all County departments, divisions and operations.
- B. The WOODLAND WATERS AND A PORTION OF ROYAL HIGHLANDS, UNIT 2 MUNICIPAL SERVICE BENEFIT UNIT shall have the following duties:
1. To establish, maintain and operate such lighting system as is necessary to implement the purpose of this Ordinance.
 2. To provide a lighting system to improved and unimproved property within the benefited area.
- C. The County Administrator shall be responsible for administering the WOODLAND WATERS AND A PORTION OF ROYAL HIGHLANDS, UNIT 2 MUNICIPAL SERVICE BENEFIT UNIT for the following to the extent necessary to implement the purpose of this Ordinance:
1. Negotiate and recommend to the Board of County Commissioners contracts for providing specific maintenance services.
 2. Negotiate and recommend to the Board of County Commissioners contracts for purchase of such capital equipment as necessary.
 3. Establish rules and regulations for the administration of the unit, not inconsistent with County policy or administrative rule.
 4. Negotiate contracts with power companies for the purpose of providing a lighting system.

5. Hire such personnel as are necessary to implement the purposes of this Ordinance.
 6. Perform such other acts as are necessary to implement the purposes of this Ordinance to the extent consistent herewith.
- D. The powers to be exercised by the WOODLAND WATERS AND A PORTION OF ROYAL HIGHLANDS, UNIT 2 MUNICIPAL SERVICE BENEFIT UNIT are specifically made subject to all applicable State and County laws.

SECTION V. ASSESSMENTS, LEVY AND LIEN PROVISIONS

It being recognized that the value of the benefits accrued by virtue of this Ordinance directly benefits equally all lots, tracts, parcels, cooperative parcels and condominium parcels within the Unit, the County Commission is hereby authorized to levy an annual service charge against each lot, tract, parcel, cooperative parcel and condominium parcel within the unit for the purposes set forth herein. The service charge imposed hereunder shall constitute a lien on all real property of the unit as of the date ad valorem taxes become liens. Unless fully paid and discharged or barred by law, said annual service charges shall remain liens equal in rank and dignity with the lien of County ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved. If the annual assessment levied on a lot is not paid, a Tax Certificate pertaining to the lot will be sold by the Tax Collector as set forth in Chapter 197 Florida Statutes.

SECTION VI. REPEAL

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION VII. INCLUSION IN THE CODE

It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "Ordinance" may be changed to "section", "article", or other appropriate designation.

invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

SECTION IX. EFFECTIVE DATE

A certified copy of this Ordinance shall be filed in the Office of the Secretary of State by the Clerk of the Board within ten (10) days after adoption of this Ordinance, said Ordinance shall take effect on October 1, 1991, inclusive.

ADOPTED this 24th day of July, 1990, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By: Henry D. Ledbetter
HENRY D. LEDBETTER
CHAIRMAN

Attest:

Karen Nicolai
KAREN NICOLAI, CLERK OF COURT

EXHIBIT "A"

A. Legal Description - Woodland Waters:

1) S. 1/2 of the SE 1/4; NW 1/4 of SE 1/4; S 1/2 of NE 1/4; NE 1/4 of NE 1/4; SE 1/4 of NW 1/4; and the SW 1/4 all in Section 18, Township 22 South, Range 18 East, Hernando County, Florida. Containing 443.39 acres more or less.

2) Beginning at the Northeast corner of Section 24, Township 22 South, Range 17 East, Hernando County, Florida and thence go South 01° 26' 43" West along Section line, a distance of 1320.22 feet; thence go North 88° 33' 19" West a distance of 1312.71 feet; thence go South 01° 35' 23" West a distance of 1322.12 feet; thence go North 88° 38' 16" West a distance of 2473.43 feet; thence go North 14° 10' 35" East a distance of 413.30 feet; thence go North 75° 49' 25" West a distance of 40.00 feet; thence go North 14° 10' 35" East a distance of 1401.15 feet; thence go South 88° 35' 07" East a distance of 200.00 feet; thence go North 72° 21' 48" East a distance of 1669.77 feet; thence go North 48° 00' 00" East a distance of 470.00 feet; thence go South 88° 28' 22" East a distance of 1309.38 feet to the Point of Beginning. Containing 149.19 acres more or less.

3) N.E. 1/4 of the S.E. 1/4 of Section 18, Township 22 South, Range 18 East, containing 40.706 acres more or less.

4) The South 200.00 feet of the East 400.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 22 South, Range 17 East, Hernando County, Florida. Containing 1.837 acres more or less.

5) A portion of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 22 South, Range 17 East, Hernando County, Florida, being more particularly described as follows: For a point of reference

commence at the Northeast corner of the Southeast 1/4 of said Section 13; thence South 00° 57' 11" West, along the East boundary of said Southeast 1/4, 549.35 feet for a Point of Beginning; thence continue South 00° 57' 11" West, along said East boundary, 380.00 feet; thence North 89° 02' 49" West, 150.00 feet; thence North 00° 57' 11" East, 380.00 feet; thence South 89° 02' 49" East, 150.00 feet to the Point of Beginning. Containing 1.309 acres more or less.

6) A portion of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 22 South, Range 17 East, Hernando County, Florida, being more particularly described as follows: For a Point of Beginning commence at the Northeast corner of the Southeast 1/4 of said Section 13; thence South 00° 57' 11" West along the East boundary of said Southeast 1/4, 480.00 feet; thence North 48° 51' 11" West, 498.36 feet; thence North 49° 33' 55" East, 240.83 feet; thence South 88° 48' 04" East, along the North boundary of said Southeast 1/4, 200.00 feet to the Point of Beginning. Containing 2.465 acres more or less.

7) The North 400 feet of the North 600 feet of the East 363 feet of the Northeast one-quarter (1/4) of the Southeast one-quarter (1/4) of the Southeast one-quarter (1/4), Section 13, Township 22 South, Range 17 East, in Hernando County, Florida.

B. Legal Description - Royal Highlands, Unit 2 (plat previously furnished);

- Royal Highlands, Unit 2
- Block 1, Lots 1-6 inclusive
- Block 2, Lots 1-8 inclusive
- Block 3, Lot 1
- Block 4, Lots 1, 7 and 8
- Block 6, Lot 1
- Block 7, Lots 1-8 inclusive
- Block 8, Lots 1-4 inclusive, and Lots 11-14 inclusive
- Block 9, Lots 1-7 inclusive
- Block 10, Lot 1

as recorded in Plat Book 11, at page 63, Sheet 3 of 11, Public Records of Hernando County, Florida

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FILED FOR RECORD
KAREN NICOLAI, CLERK
HERNANDO COUNTY, FL