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BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
REC 27.00

RESOLUTION
NUMBER 2004-129

A RESOLUTION AMENDING RESOLUTION NO. 99-098 TO ESTABLISH AN EXTENDED ASSESSMENT PERIOD AND ADOPTING A FINAL ASSESSMENT FOR FISCAL YEAR 2004-2005 FOR PROPERTY LOCATED IN THE MAPLE LEAF ESTATES AREA OF THE MAPLE LEAF ESTATES/VICTORIA ESTATES/KINGS GATE WATER AND SEWER MUNICIPAL SERVICE BENEFIT UNIT

RECITALS

WHEREAS, the cost of improvements benefiting the Maple Leaf Estates area of the Maple Leaf Estates/Victoria Estates/Kings Gate Water and Sewer Municipal Service Benefit Unit ("unit") has increased; and

WHEREAS, the Board of County Commissioners has determined that the increased cost should be paid by assessments on the properties benefited by the improvements; and

WHEREAS, the Board of County Commissioners has determined that the twenty-year assessment period established by Resolution 99-098 should be extended so that the increased cost of the improvements can be paid without increasing the maximum annual assessment established in Resolution No. 99-098; and

WHEREAS, on July 14, 2004, the Board of County Commissioners, held a duly noticed public hearing for the adoption of a resolution amending Resolution No. 99-098 to establish an extended assessment period and a final assessment for fiscal year 2004-2005 for property located in the Maple Leaf Estates area of the unit; and

WHEREAS, at that time, the Board received any written objections and oral testimony regarding the resolution.

IMAGED
8-25-04
AP

IMAGED IN PG

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NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

1. Section 5(A) of Resolution No. 99-098 is amended to read as follows:

“The Tax parcels described in the Assessment Roll are hereby found to be specially benefited by acquisition of the Rampart Utilities Assets, the demolition of certain assets and construction of the Replacement Facilities in the amount of the maximum annual Assessment set forth in the Assessment Roll. The methodology for computing annual Assessments described in the Initial Assessment Resolution is hereby approved. Annual Assessments computed in the manner described in the Initial Assessment Resolution are hereby levied and imposed on all Tax Parcels described in the Assessment Roll. Tax Parcels located in the Maple Leaf Estates Area of the Maple Leaf Estates/Victoria Estates/Kings Gate Water and Sewer Municipal Service Benefit Unit shall have a maximum annual rate of \$173.63 per ERU for a period of ~~twenty (20) years~~ not to exceed twenty-two (22) years, commencing with the tax bill mailed in November, 1999. Tax Parcels located in the Victoria Estates/Kings Gate Area of the Maple Leaf Estates/Victoria Estates/Kings Gate Water and Sewer Municipal Service Benefit Unit shall have a maximum annual rate of \$57.88 per ERU for a period of twenty (20) years, commencing with the tax bill mailed in November 1999.”

2. The rate of assessment for fiscal year 2004-2005 and the previously established maximum assessment against the taxable real estate in the Maple Leaf Estates Area of the unit are hereby established in accordance with the following schedule:

	<u>2004-2005</u>	<u>Maximum</u>
Per Equivalent Residential Unit (ERU)	\$173.63	\$173.63

3. The assessment adopted herein shall constitute a lien against all real property listed on the assessment roll, such lien being equal in value and dignity with the liens of all state, county, district, or municipal taxes and special assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

4. Any person challenging the assessment provided for herein must initiate such action in a court of competent jurisdiction within 20 days from the date of the Board's adoption of this Resolution.

PASSED AND DULY ADOPTED this 14 day of July, 2004.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By Matthew D. DeBoer
Matthew D. DeBoer, Chairman

ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-officio
Clerk to the Board of County
Commissioners

By Anne L. Pfahler
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Brendan Bradley
Renée Francis Lee, County Attorney

IMAGED
8-25-04
AP