



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 31, 2014

Honorable Don Barbee Jr.
Clerk of the Circuit Court
Hernando County
Room 131, 20 North Main Street
Brooksville, Florida 34601-2800

Attention: Ms. Shannon Andrews, Administrative Services

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2014-2, which was filed in this office on January 31, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosure

Shanna Andrews

From: Hall, Mario R. <Mario.Hall@dos.myflorida.com>
Sent: Friday, January 31, 2014 3:49 PM
To: Shanna Andrews
Cc: County Ordinances
Subject: RE: Hernando County Ordinances
Attachments: Hernando 2014-2 - Ack.pdf

From: Shanna Andrews [<mailto:sandrews@co.hernando.fl.us>]
Sent: Friday, January 31, 2014 3:43 PM
To: County Ordinances
Subject: Hernando County Ordinances

Sender Full Name:	Shanna Andrews
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2014-02

Shanna Andrews
Administrative Services

Hernando County Clerk of Circuit Court
20 N. Main Street, Room 131
Brooksville, FL 34601
Phone (352) 754-4970
Fax (352) 754-4239
sandrews@hernandocounty.us

Please note: Florida has a very broad Public Records Law. Most written communications to or from the Clerk's Office are public records available to anyone upon request. Your e-mail, including your e-mail address, may therefore, be subject to public disclosure.

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ORDINANCE NO. 2014-2

AN ORDINANCE AMENDING A MUNICIPAL SERVICE BENEFIT UNIT KNOWN AS THE "HANCOCK LAKE ROAD PAVING MUNICIPAL SERVICE BENEFIT UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE ROAD PAVING IMPROVEMENT WITHIN SAID UNIT; PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS FOR THE OPERATION OF SAID UNIT; PROVIDING THAT SAID UNIT SHALL BE UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY; PROVIDING FOR THE ADMINISTRATION OF SAID UNIT; PROVIDING FOR THE LEVY OF AN EQUITABLE PER PARCEL ASSESSMENT; PROVIDING A METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF AFORESAID ASSESSMENT; 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 road paving improvements are 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 fund raising vehicle to grant to all counties the financing flexibility to levy special assessments within the limits fixed for municipal purposes for the furnishing of municipal services within those areas receiving the benefit of such municipal services. It is the purpose of this Ordinance to create a County Municipal Service Benefit Unit for the purpose of providing road paving improvements within the boundaries of said unit, described in Exhibit "A" attached hereto and made a part hereof.

SECTION II. CREATION OF UNIT

For the purpose of road paving improvements within the area described herein, there is hereby created a Municipal Service Benefit Unit to be known as the "**Hancock Lake Road Paving 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, as such property currently exists or as it may be split, subdivided, re-platted or otherwise re-designated by the Hernando County Property Appraiser subsequent to the effective date of this ordinance. The improvements to be constructed are described in Exhibit "B" also attached hereto and made a part hereof by reference.

SECTION III. GOVERNING BODY

The Governing Body of the "**Hancock Lake Road Paving Municipal Service Benefit Unit**" shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

A. The "**Hancock Lake Road Paving 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 "**Hancock Lake Road Paving Municipal Service Benefit Unit**" shall have the following duties:

1. To construct or cause to be constructed certain road paving improvements as is necessary to implement the purpose of this Ordinance.
2. To provide road paving improvements which will benefit both improved and unimproved property within the unit.

C. The County Administrator shall be responsible for administering the "**Hancock Lake Road Paving 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 improvements and maintenance services.
2. Negotiate and recommend to the Board of County Commissioners contracts for the 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 for the purpose of providing road paving improvements.
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 purpose of this Ordinance to the extent consistent herewith, including but not limited to the acquisition of such interests in property as may be necessary to construct improvements to County standards in compliance with any applicable permitting requirements.

D. The powers to be exercised by the "**Hancock Lake Road Paving 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 parcels, cooperative parcels and condominium parcels within the Unit, the County Commission is hereby authorized to levy an annual assessment against each parcel, cooperative parcel and condominium parcel within the unit for the purposes set forth herein. The assessment 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 assessment 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 parcel is not paid, a Tax Certificate pertaining to the parcel will be sold by the Tax Collector as set forth in Chapter 197, Florida Statutes.

SECTION VI. REPEAL

All ordinances or parts of ordinance 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 re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "section," "article," or other appropriate designation.

SECTION VIII. SEVERABILITY

It is declared to be intent of the Board of County Commissioners of Hernando County, Florida, that if any section, subsection, clause, sentence, phrase, or provision of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

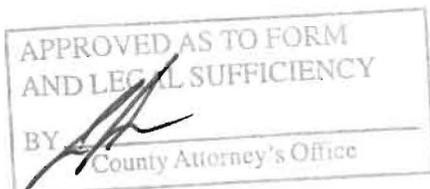
SECTION IX. EFFECTIVE DATE

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.

ADOPTED this 28th day of January, 2014, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By: Wayne Duke
WAYNE DUKES, CHAIRPERSON



Attest:
Sherry Deputy
for DONALD C. BASS, JR., CLERK
A circular seal with a decorative border. The text around the inner edge reads "BOARD OF COUNTY COMMISSIONERS" at the top and "HERNANDO COUNTY, FLORIDA" at the bottom. In the center, the word "SEAL" is prominently displayed.

EXHIBIT "A"

**LEGAL DESCRIPTION FOR HANCOCK LAKE ROAD
PAVING MUNICIPAL SERVICE BENEFIT UNIT**

The following described parcels in Hernando County, Florida as identified below: All parcels on Hancock Lake Road from Hayman Road to the end to include June Bug Trail.

Includes the following legal descriptions:

27.8 Acres MOL in E $\frac{3}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ ORB 1915 PG 745 AKA PAR 4A OF A CLASS D SUB AS APPROVED BY PLANNING DEPT (s-04-085) ORB 2504 PG 1250;

15.3 ACRES MOL IN NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ & IN NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ ORB 1915 PG 792 AKA PAR 4B OF A CLASS D SUB AS APPROVED BY PLANNING DEPT (S-04-085) ORB 2235 PG 265;

PETERS PH 2 – CLASS 1 SUB

N 350 FT MOL OF NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ FRACTL LESS S 40 FT OF E 60 FT AKA TR A IN (S-98-081) DES IN ORB 1264 PG 763;

S 351 FT OF N 701 FT MOL OF NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ FRACTL LESS E 60 FT AKA TR B IN (S-98-081) DES IN ORB 1271 PG 1910 SUBJ TO CONSERVATION ESMT ORB 2191 PG 1466;

NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ FRACTL LESS N 701 FT THEREOF & LESS N 283 FT OF E 60 FT AKA TR C (S-98-081) DES IN ORB 1266 PG 1392;

THAT PART OF SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ LYING S OF SR420 & W OF HANCOCK LAKE ROAD;

MILK A WAY FARMS – CLASS 1 SUB

LOTS 1 AND 5 THRU 13 (S-91-027) BEING THE SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SEC 30-23-20 & NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 31-23-20;

SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ & NE $\frac{1}{4}$ OF SW $\frac{1}{4}$ & NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ ORB 307 PG 267 LESS N $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$;

N $\frac{1}{2}$ OF NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ LESS N 15 FT SUBJECT TO AN EASEMENT OVER THE N 15 FT THEREOF AS DES IN ORB 389 PG 585;

2.5 AC MOL IN W $\frac{1}{2}$ OF N $\frac{1}{2}$ OF NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ SUBJ TO AN ESMT OVER N 15 FT THEREOF DES IN ORB 1830 PG 568 & TOGETHER WITH AN ESMT OVER N 15 FT OF N $\frac{1}{2}$ OF NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ ORB 389 PG 585 AKA PAR 3 IN CLASS D SUB AS APPROVED BY PLANNING DEPT;

2.5 AC MOL IN E $\frac{1}{2}$ OF N $\frac{1}{2}$ OF NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ DES IN ORB 1830 PG 569 TOGETHER WITH AN ESMT OVER N 15 FT OF N $\frac{1}{2}$ OF NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ ORB 389 PG 585 & OVER N 15 FT OF A 2.5 AC TR AS DES IN ORB 1830 PG 568 AKA PAR 4 IN CLASS D SUB AS;

W $\frac{1}{2}$ OF S $\frac{1}{2}$ OF N $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ ORB 438 PG 1131 & SUBJ TO AN ESMT OVER S 15 FT THEREOF AKA PAR 1 IN CLASS D SUB AS APPROVED BY PLANNING DEPT (S-04-005 A);

E $\frac{1}{2}$ OF S $\frac{1}{2}$ OF N $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ ORB 1765 PG 1646 & TOGETHER WITH AN ESMT OVER S 15 FT OF W $\frac{1}{2}$ OF S $\frac{1}{2}$ OF N $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ AKA PAR 2 OF CLASS C SUBD AS APPROVED BY PLANNING DEP (S-04-005 A);

S $\frac{1}{2}$ OF NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ ORB 700 PG 528 ORB 1081 PG 53;

N ½ OF SW ¼ OF NW ¼ ORB 1081 PG 53 LESS N 60 FT & LESS W 60 FT OF N 406 FT MOL DES IN ORB 1360 PG 1157 LESS S 60 FT OF W 1318 FT & LESS W 60 FT OF S 257 FT MOL DES IN ORB 1751 PG 1483;

SE ¼ OF SE ¼;

NE ¼ OF SE ¼ ;

S ½ OF S ½ OF NE ¼ ;

VARNEY – CLASS 1 SUB

W ¼ OF N ½ OF NW ¼ OF SW ¼ LESS N 60 FT OF E 100 FT AKA LOT 1 IN (S-93-067) ORB 1243 PG 1975 ORB 2295 PB 890

E ½ OF W ½ OF N ½ OF NW ¼ OF SW ¼ LESS N 60 FT AKA LOT 2 IN (S-93-067) ORB 1092 PG 442;

E ½ OF N ½ OF NW ¼ OF SW ¼ LESS N 60 FT AKA LOTS 3 & 4 IN (S-93-067) ORB 1005 PG 183

PETTERS PH 1 – CLASS 1 SUB

NE ¼ OF NW ¼ OF NW ¼ AKA LOTS 1 & 2 IN (S-95-044) DESC IN ORB 1017 PG 1669;

SE ¼ OF NW ¼ OF NW ¼ LESS S 60 FT AKA LOTS 3 & 4 IN (S-95-044) DESC IN ORB 1109 PG 73;

SW ¼ OF NW ¼ OF NW ¼ LESS S & W 60 FT AKA LOT 5 IN (S-95-044) DESC IN ORB 1078 PG 1380;

NW ¼ OF NW ¼ OF NW ¼ LESS W 60 FT OF S 100 FT AKA LOT 6 IN (S-95-044) DESC IN ORB 1078 PG 1382;

LANDSBERGER – CLASS 1 SUB

W ¼ OF S ½ OF SW ¼ OF NW ¼ LESS S 60 FT OF E 100 FT AKA TR 1 IN (S-97-111);

E ½ OF W ½ OF S ½ OF SW ¼ OF NW ¼ LESS S 60 FT AKA TR 2 IN (S-97-111) ORB 1428 PG 1017;

W ½ OF E ½ OF S ½ OF SW ¼ OF NW ¼ LESS S 60 FT AKA TR 3 IN (S-97-111) ORB 1428 PG 1017;

N ½ OF E ¼ OF S ½ OF SW ¼ OF NW ¼ AKA TR 4 IN (S-97-111) ORB 1428 PG 1017;

S ½ OF E ¼ OF S ½ OF SW ¼ OF NW ¼ LESS S 60 FT AKA TR 5 IN (S-97-111) ORB 1428 PG 1017;

RASMUSSEN/OLSEN – CLASS 1 SUB

9.1 ACRES MOL IN NE ¼ OF SW ¼ OF SW ¼ AKA TRS 1 & +2 IN (S-00-040) DES IN ORB 1346 PG 764;

5 ACRES MOL IN SE ¼ OF SW ¼ OF SW ¼ IN (S-00-040) DES IN ORB 2126 PG 1543;

A TR 331 FT X 657 FT MOL IN S ½ OF SE ¼ OF SW ¼ OF SW ¼ AKA TR 4 IN (S-00-040) DES IN ORB 1346 PG 777 SUBJ TO A 30 FT ESMT DES IN ORB 2184 PGS 690-97;

A TR 514 FT X 637 FT MOL IN SW ¼ OF SW ¼ OF SW ¼ AKA TR 5 IN (S-00-040) DES IN ORB 1346 PG 794 SUBJ TO A 30 FT EASEMENT DES IN ORB 2184 PGS 690-97;

A TR 637 FT X 810 FT MOL IN W ½ OF SW ¼ OF SW ¼ AKA TR 6 IN (S-00-040) DES IN ORB 1346 PG 820;

HANCOCK PRESERVE – CLASS B SUB

- NW ¼ OF NW ¼ OF SE ¼ OF SW ¼ AKA LOT 1 IN (S-05-061 B);
- SW ¼ OF NW ¼ OF SE ¼ OF SW ¼ LESS S 47.5 FT FOR RD R/W AKA LOT 2 IN (S-05-061 B);
- E ½ OF NW ¼ OF SE ¼ OF SW ¼ LESS S 47.5 FT RD R/W AKA LOT 3 IN (S-05-061 B);
- W ½ OF NE ¼ OF SE ¼ OF SW ¼ LESS S 47.5 FT FOR RD R/W AKA LOT 4 IN (S-05-061 B);
- E ½ OF NE ¼ OF SE ¼ OF SW ¼ LESS A PT FOR RD R/W AKA LOT 5 IN (S-05-061 B);
- NW ¼ OF SW ¼ OF SE ¼ LESS PT FOR RD R/W AKA A PT OF LOT 6 IN (S-05-061 B);
- NE ¼ OF SW ¼ OF SE ¼ LESS RD R/W AKA LOT 7 IN (S-05-061 B);
- SE ¼ OF SW ¼ OF SE ¼ SUBJ TO ESMT OVER S25 FT THEREOF AKA LOT 8 IN (S-05-061 B);
- A PT OF SW ¼ OF SW ¼ OF SE ¼ LESS RD R/W AKA PT OF LOT 9 IN (S-05-061 B) ORB 2820 PGS 207 & 210;
- SE ¼ OF SE ¼ OF SE ¼ OF SW ¼ LESS E 24 FT RD R/W AKA LOT 10 IN (S-05-061 B);
- NE ¼ OF SE ¼ OF SE ¼ OF SW ¼ LESS RD R/W AKA LOT 11 IN (S-05-061 B);
- W ½ OF SE ¼ OF SE ¼ OF SW ¼ LESS N 52.5 FT FOR RD R/W AKA LOT 12 IN (S-05-061 B);
- E ½ OF SW ¼ OF SE ¼ OF SW ¼ LESS N 52.5 FT FOR RD R/W AKA LOT 13 IN (S-05-061 B) ORB 2820 PGS 207 & 210;
- W ½ OF SW ¼ OF SE ¼ OF SW ¼ SUBJ TO ESMT OVER S 30 FT AS DES IN ORB 1726 PG 1244;

SW ¼ OF SW ¼ ORB 304 PG 513;

The Hancock Lake Road Paving MSBU shall include all of the foregoing parcels as presently constituted, as well as any additional or re-designated parcels that may come into existence at a future date by parcel split, subdivision, re-plat, transfer of ownership, or any other process or means occurring on or after the effective date of this ordinance.

EXHIBIT "B"

PROPOSED IMPROVEMENTS FOR HANCOCK LAKE ROAD
PAVING MUNICIPAL SERVICE BENEFIT UNIT

Proposed improvements consist of regrading swales, address drainage concerns, preparation of existing limerock as sub-base, application of six inches (6") prepared limerock base covered with 1-½" of asphalt, sodding, seeding and mulching, as required to meet Limited County Standards.