

ORDINANCE NO.: 2005-02

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AN ORDINANCE AMENDING THE LEGAL DESCRIPTION OF THE HOLLAND SPRING MULTI-PURPOSED MUNICIPAL SERVICES BENEFIT UNIT; PROVIDING FOR THE EXCLUSION OF THE STERLING HILL COMMUNITY DEVELOPMENT DISTRICT FROM THE BOUNDARIES OF THE HOLLAND SPRING MULTI-PURPOSE MUNICIPAL BENEFIT UNIT; PROVIDING FOR INTENT FOR RETROACTIVE OPERATION; PROVIDING FOR SEVERABILITY AND INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION 1. Amendment of boundaries of Holland Spring Multipurpose Municipal Service Benefit Unit.

The boundaries of the Holland Spring Multipurpose Municipal Service Benefit Unit as created by Hernando County Ordinance No. 91-37 are hereby amended so as to exclude therefrom all land within the Sterling Hill Community Development District, as created by Hernando County Ordinance No. 2003-04, which land is legally described in Exhibit A, attached to and incorporated herein, which is identical to the legal description of the District as set forth in a similar exhibit attached to and incorporated in said Ordinance No. 2003-04.

SECTION 2. Intent and retroactive application.

It is the specific intent of the board of county commissioners in adopting this ordinance that it shall have retroactive application to the effective date of Hernando County Ordinance No. 2003-04, in recognition of the fact that the Sterling Hill Community Development District has independent authority under its enabling statutes and the said ordinance to levy and collect assessments against property within the district for the same or similar purposes as the Holland Spring Multi-Purpose Municipal Services Benefit Unit, and that it would be inequitable to subject properties within the district to separate assessments by separate units of government for the same or similar purposes. The board further recognizes that such retroactive application may entitle the district and/or owners of property therein to refunds of assessments paid to the Holland Spring Multipurpose Municipal Service Benefit Unit upon proper application therefor.

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SECTION 3. Severability.

It is declared to be the intent of the board of county commissioners 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 4. 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, any section or subsection of this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section, "article", or other appropriate designation.

SECTION 5. Effective date.

This ordinance, including the retroactive application provided for herein, shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this ordinance has been filed with said office.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
HERNANDO COUNTY** in Regular Session this 1st day of March 2005.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: Ana D. Martinson, Deputy
KAREN NICOLAI
Clerk

By: Robert C. Schenck
ROBERT C. SCHENCK
Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY [Signature] 1/25/05
County Attorney's Office

DESCRIPTION:

A parcel of land lying in Sections 9 and 10, Township 23 South, Range 18 East, Hernando County, Florida being more particularly described as follows:

Begin at a 4"X4" C.M. at the Northwest corner of Village Van Gogh, Plat Book 24, Pages 6 and 7; thence along the North line of said Section 9, S 89°37'16"E 1032.94 feet to a 4"X4" C.M. being the northwest corner of said Section 10; thence, along the North line of said Section 10, S 89°40'10" E 2641.07 feet to a 4"X4" C.M.; thence, along the East line of the NW 1/4 of said Section 10, S 00°07'06" W 2635.72 feet to a 4"X4" C.M. at the center of said Section 10; thence, along the East line of the SW 1/4 of said Section 10, S 00°09'08" W 2152.73 feet, thence, departing said East line, N 89°41'35" W 251.17 feet; thence S 00°09'08" W 430.04 feet to a point on the North right of way line Elgin Blvd; thence along the North right of way line Elgin Blvd., N 89°41'35" W 78.71 feet to a point of curvature to the right with a Delta of 59°28'05", a radius of 1345.00 feet, a chord of 1334.17 feet, bearing N 59°58'21"W; thence, along the arc of said curve, 1395.99 feet; thence, continuing on said right of way line, N. 30°14'19"W 3718.75 feet to a point of curvature to the left with a Delta of 37°02'54", a radius of 805.00 feet, a chord of 511.50 feet, bearing N 48°47'29"W; thence, along the arc of said curve, 520.53 feet to a point at the Southeast corner of said Village Van Gogh; thence N 22°44'04"E 225.74 feet to a point of curvature to the right with a Delta of 01°11'02", a radius of 1030.74 feet, a chord of 21.30 feet, bearing N 66°42'48" W thence, along the arc of said curve, 21.30 feet; thence N 23°55'06"E 235.00 feet; thence N 00°10'59"W 430.97 feet; thence N 89°36'30" W 120.68 feet; thence N 00°23'30" E 175.00 feet to the Point of Beginning.

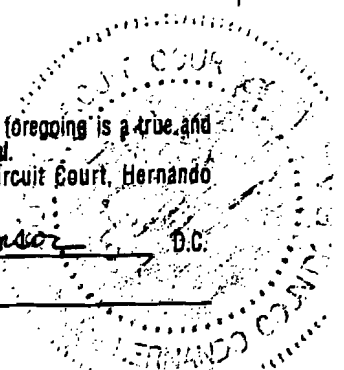
A parcel of land lying in Sections 9 and 10, Township 23 South, Range 18 East, Hernando County, Florida more particularly described as follows:

Begin at the South 1/4 corner of said Section 9; thence, along the East line of the SW 1/4 of said Section 9, N.00°16'14" E 2161.09 feet; thence, departing said Section line, N 09°50'25"E 787.57 feet; thence N 23°43'59"E 586.33 feet; thence N.12°20'16"E 581.58 feet; thence N 00°22'46"E 160.39 feet to a point on the Southerly right of way line Elgin Blvd; thence, along said right of way line S 89°39'36"E 748.72 feet to a point of curvature to the right with a Delta of 59°22'55", a radius of 695.00 feet; a chord of 688.50 feet, bearing S 59°57'46"E; thence along the arc of said curve 720.31 feet; thence continuing along said right of way line S 30°14'19"E 1745.38 feet; thence departing said right of way line, S.59°45'46"W 926.71 feet; thence S 30°14'19"E 1831.56 feet; thence S 65°19'26"W 163.10 feet; thence S 81°21'24" W 275.00 feet; thence S 00°19'58"W 200.00 feet to a point on the South line of the SE 1/4 of said Section 9, thence, along said Section line, N 89°41'28"W 2430.33 feet to the Point of Beginning.

Exhibit A

I hereby certify that the foregoing is a true and correct copy of the original.
Karen Nicolai, Clerk Circuit Court, Hernando County, Florida:

By Karen Nicolai C.C.





Hernando County
Holland Spring MSBU Area



Legend

- Holland Spring MSBU
- Sterling Hill



Hernando County Geographic Information System (GIS)
Standard Legal Disclaimer

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