

Ashley Hofecker

From: County Ordinances <CountyOrdinances@dos.myflorida.com>
Sent: Thursday, November 14, 2013 1:47 PM
To: Ashley Hofecker
Cc: County Ordinances
Subject: RE: Hernando County Ordinances
Attachments: Hernando 2013-35 - Ack.pdf

From: Ashley Hofecker [<mailto:ahofecker@co.hernando.fl.us>]
Sent: Thursday, November 14, 2013 11:39 AM
To: County Ordinances
Subject: Hernando County Ordinances

Sender Full Name:	Ashley Hofecker
Sender Phone number:	352-754-4716
County Name:	Hernando
Ordinance Number:	2013-35


Ashley Hofecker

Deputy Clerk
Hernando County Clerk of Circuit Court
20 N. Main Street, Room 131
Brooksville, FL 34601
(352) 754-4716
ahofecker@hernandocounty.us
www.hernandoclerk.com

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.

@ItsWorkingFL



 The Department of State is leading the commemoration of Florida's 500th anniversary in 2013. For more information, please go to <http://www.vivaflorida.org>

The Department of State is committed to excellence.
Please take our [Customer Satisfaction Survey](#).



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 14, 2013

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

Attention: Ms. Ashley Hofecker, Deputy Clerk

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. 2013-35, which was filed in this office on November 14, 2013.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosure

ORDINANCE NO. 2013-35

AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "ROYAL HIGHLANDS 2013-AREA B 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 LOT 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 "**Royal Highlands 2013-Area B 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 "**Royal Highlands 2013-Area B Road Paving Municipal Service Benefit Unit**" shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

A. The "**Royal Highlands 2013-Area B 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 "**Royal Highlands 2013-Area B 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 "**Royal Highlands 2013-Area B 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 "**Royal Highlands 2013-Area B 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, tracts, cooperative parcels and condominium parcels within the Unit, the County Commission is hereby authorized to levy an annual assessment against each parcel, tract, 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 12th day of November, 2013, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

David D. Russell, Jr.
DAVID D. RUSSELL, JR., CHAIRPERSON

Attest:

Sherrie L. Crum
for DONALD C. BARBEE, JR., CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY

[Signature]
County Attorney's Office

EXHIBIT "A"

**LEGAL DESCRIPTION FOR ROYAL HIGHLANDS 2013-
AREA B ROAD PAVING MUNICIPAL SERVICE
BENEFIT UNIT**

The following described parcels in Hernando County, Florida as identified below: All lots in the Royal Highlands 2013-Area B - Includes:

- Atlanta (from paved portion to Eakin)
- Campfield Road (from Hexam to Murre)
- Convent Garden (from Meinert to Sunshine Grove)
- Eakin (from Atlanta north to the end)
- Ester (from Meinert to Sunshine Grove)
- Fieldvue Road (from Meinert to Convent Garden)
- Finch Road (from Old Squaw to Parade)
- Flycatcher (from Convent Garden to Hexam)
- Jenny Wren (from Hexam to Murre Ave)
- Labrador Duck (from Hexam north to the end)
- Lark Sparrow (from Mirage to Ipswich Sparrow)
- Liberto Road (from Hexam to Mirage)
- Linnet Road (from Mirage to Phoenix)
- Little Gull Rd (from Hexam to Mirage)
- Lomita Wren (from Mirage to Pheasant)
- Mandlin Road (from Lomita Wren to Pheasant)
- Marcella (from Labrador Duck to Mexican Canary)
- Maripoe (from Osprey north to the end)
- Marvelwood Road (from Mirage north to the end)
- Meinert (from Convent Garden to Ester Drive)
- Mirage (from Linnet west to the end)
- Murre (from Labrador Duck to Marvelwood)
- Osprey (from Finch to North Marvelwood)
- Papercraft (from Jaybird east to the end)
- Phoebe Court (from Finch to the end)
- Phoenix Ave (from Lomita Wren to Pheasant)
- Philander (from Lark Sparrow to Phoenix Ave)
- Robina Road (from Lomita Wren north to the end)

ROYAL HIGHLANDS UNIT 4 BLK 181 LOTS 1-9, BLK 182 LOTS 1-4, BLK 183 LOTS 1-10, BLK 184 LOTS 23-29, BLOCK 185 LOTS 1-12 & 32, BLK 186 LOTS 1, 21-33, BLK 187 LOTS 9-18, BLK 188 LOTS 1, 8-9, & 16, BLK 189 LOTS 1, 10, 11, & 19, BLK 190 LOTS 1, 10-11, & 20, BLK 191 LOTS 1, 13, 14, & 17, BLK 194 LOTS 9-18, BLK 195 LOTS 1-13, BLK 196 LOTS 1-4, 6-30, BLK 197 LOTS 1-14, BLK 198 LOTS 1-13, BLK 199 LOTS 1-13, & 20-32, BLK 203 LOTS 11-14, BLK 205 LOTS 5-16, BLK 211 LOTS 9-16, BLK 212 LOTS 1-23, BLK 213 LOTS 1-11, BLK 214 LOTS 1-11, BLK 216 LOTS 1 & 20, BLK 217 LOTS 17-27, BLK 218 LOT 1-3 & 17-18, BLK 219 LOTS 5-10, BLK 220 LOTS 1-3 & 6, BLK 221 LOTS 1-8, BLK 222 LOTS 1, 3-24, BLK 223 LOTS 1-15, BLK 224 LOTS 1-2, BLK 225 LOTS 1-2, BLK 226 LOTS 1-10, BLK 227 LOTS 1-3, BLK 228 LOTS 1-9 & 11-12, BLK 229 LOTS 1-7, BLK 230 LOTS 1-4, BLK 232 LOT 7, BLK 233 LOT 1, BLK 234 LOTS 6-7, BLK 235 LOTS 1 & 23, BLK 236

LOTS 1-4, BLK 237 LOTS 1-5, BLK 238 LOTS 1-5, BLK 239 LOTS 1-6, BLK 243 LOTS 1-9, BLK 244 LOTS 8-9, BLK 245 LOTS 7-12, BLK 246 LOTS 4-10, BLK 247 LOTS 1-7, BLK 248 LOTS 1-11 & 22, BLK 249 LOTS 1-6, BLK 250 LOTS 1, 4-13, BLK 251 LOTS 1-5, BLK 252 LOTS 1 & 20, BLK 253 LOTS 1-8, BLK 256 LOTS 1 & 20, **UNIT 5** BLK 257, LOT 1, BLK 184 LOTS 31 & 32, BLK 185 LOTS 15- 17, BLK 186 LOTS 16-19, BLK 199 LOTS 14-16, BLK 230 LOTS 5-8, BLK 258 LOTS 1-10, BLK 259 LOT 1, BLK 260 LOTS 1 & 16, BLK 261 LOTS 1 & 16, BLK 262 LOTS 1 & 14, BLK 269 LOTS 11-14, BLK 285 LOTS 1, 3-4, BLK 286 LOT 1 & 11, BLK 287 LOTS 1-7, & 15, BLK 288 LOTS 1-16, BLK 290 LOTS 10-11, BLK 292 LOTS 1-12, 14-15, & 28-29, BLK 293 LOTS 1, 15-31, BLK 294 LOTS 1-13, & 16-18, BLK 295 LOTS 1-11, BLK 296 LOTS 6-10, BLK 297 LOT 1, 4-5, 10-18, BLK 298 LOT 1-8, & 17, BLK 299 LOT 1-5, BLK 300 LOT 1-12, BLK 301 LOTS 1-11, BLK 302 LOTS 1-3, 13-27, BLK 303 LOTS 1-5, & 16-17, BLK 304 LOTS 1-10, BLK 305 LOTS 8-10, BLK 306 LOT 8, BLK 307 LOTS 1-4, BLK 308 LOTS 1-13, & 24, BLK 309 LOTS 1-10, & 20, BLK 310 LOTS 1, 11-20, BLK 311 LOTS 1 & 12-24, BLK 312 LOT 1-6 & 9-11, BLK 313 LOTS 1-9 & 16-18, BLK 315 LOTS 1 & 15, BLK 318 LOTS 3-6, BLK 320 LOTS 7-13, BLK 321 LOTS 1-6, BLK 332 LOTS 8-14, BLK 333 LOT 1-7, BLK 349 LOTS 12-22, BLK 350 LOT 1, BLK 351 LOTS 1 & 11, BLK 352 LOTS 1 & 10, BLK 353 LOTS 1 & 6-10, BLK 354 LOTS 8 & 10-16, BLK 355 LOTS 9-16, BLK 356 LOT 4, BLK 357 LOTS 1-16 & 21-28, BLK 358 LOTS 1-15, BLK 359 LOTS 1-14, BLK 360 LOTS 1-2, BLK 361 LOTS 1-6, BLK 362 LOTS 1-9, BLK 363 LOTS 1-8, BLK 364 LOTS 1-2, **UNIT 6** BLK 364 LOT 3, BLK 182 LOT 5, 6, & 14, BLK 184 LOTS 7-14, BLK 307 LOTS 10-14, BLK 369 LOT 8, BLK 370 LOTS 13-28, BLK 371 LOTS 1-23, BLK 372 LOTS 1 & 6-12, BLK 373 LOTS 1-18, BLK 374 LOTS 1-7 & 18, BLK 375 LOTS 3-5

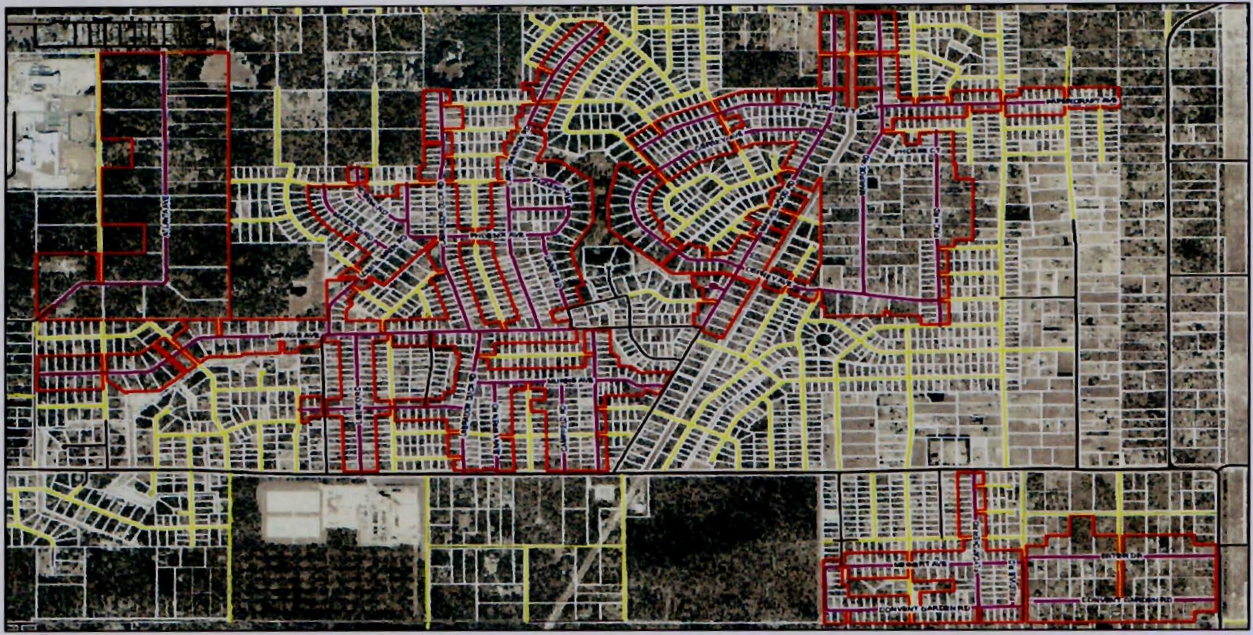
HI-WAY FARMS SUBDIVISION LOTS 4-17, **HI-WAY FARMS SUBDIVISION FIRST ADD** LOTS 1-4, LOTS 8-11

HEXAM HIEGHTS UNIT 2 BLK C LOTS 3 & 5-8, BLK D LOTS 5-8, BLK E LOTS 1-8, BLK F LOTS 1-8, BLK G LOTS 1-8

ROYAL HILLS LOTS 1-32

The Royal Highlands 2013-Area B 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.

The recommended method for assessing the benefitting properties for the paving improvement is an equal per lot assessment as described in the plat recorded in public records, or as those lots have been split into a separate residential lot/parcel, as well as non-platted acreage parcels and corner lots/parcels, unless corner lots abut two or more unimproved roadways for which they will receive one-half assessment for each improved road.



Legend
 — Area B Roads
 □ Assessment Boundary

**Royal Highlands
 Area "B"
 Proposed MSBU**

Scale - Not To Scale
 Modified by: Travis Harrison/Engineering Dept.
 Date: 08/13

This information is for informational purposes only. It is not intended to be used as a legal document. The City of Royal Highlands is not responsible for any errors or omissions in this information. The information herein is for informational purposes only.



EXHIBIT "B"

PROPOSED IMPROVEMENTS FOR ROYAL HIGHLANDS 2013-
AREA B 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.