

ORDINANCE NO. 93-29

**AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "ROYAL HIGHLANDS ROAD IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE IMPROVEMENT OF BLACKBIRD AVENUE AND OREGON-CHICKADEE AVENUE 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 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 125.02(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 constructing certain road 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 constructing certain road improvements within the area described herein, there is hereby created a Municipal Service Benefit Unit to be known as the "ROYAL HIGHLANDS ROAD IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNIT" which shall be all the property located in Hernando

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CLERK OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

County, Florida, within the boundaries described in Exhibit "A", attached hereto and made a part hereof by reference. The road 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 ROAD IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNIT** shall be the Board of County Commissioners of Hernando County, Florida.

**SECTION IV. ADMINISTRATION**

A. The **ROYAL HIGHLANDS ROAD IMPROVEMENT 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 ROAD IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNIT** shall have the following duties:

1. To construct or cause to be constructed certain road improvements as is necessary to implement the purpose of this Ordinance.
2. To provide road improvements for improved and unimproved property within the benefitted area.

C. The County Administrator shall be responsible for administering the **ROYAL HIGHLANDS ROAD IMPROVEMENT 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 road improvements.
2. Establish rules and regulations for the administration of the unit, not inconsistent with County policy or administrative rule.

3. 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 **ROYAL HIGHLANDS ROAD IMPROVEMENT 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.

**SECTION VIII. SEVERABILITY**

It is declared to be the 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**

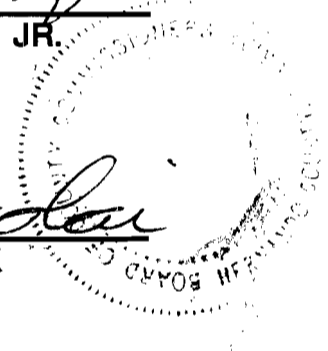
A certified copy of this Ordinance shall be filed in the Office of the Secretary of State by the Clerk of the Board within ten (10) days after adoption of this Ordinance, said Ordinance shall take effect on October 1, 1994, inclusive.

ADOPTED this 21st day of December, 1993, A.D.

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

By: *Anthony C. Mosca, Jr.*  
**ANTHONY C. MOSCA, JR.  
CHAIRMAN**

Attest: *Karen Nicolai*  
**KAREN NICOLAI, CLERK**



**EXHIBIT "A"**

**LEGAL DESCRIPTION FOR ROYAL HIGHLANDS ROAD IMPROVEMENT  
MUNICIPAL SERVICE BENEFIT UNIT:**

AFFECTED LOTS WITHIN THE PROPOSED ROYAL HIGHLANDS ROAD  
IMPROVEMENTS MUNICIPAL SERVICE BENEFIT UNIT

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Abbreviated Legal Description: Unit 9 , Royal Highlands

All lots abutting Blackbird Avenue, from Noddy Tern to Oatbird  
All lots abutting Oregon Chickadee, from Noddy Tern to Blackbird

Number of Lots within district: 117

Unit #	Block #	Lot #
*****		
9	149	1
9	149	2
9	149	5
9	149	6
9	149	7

Number of Affected Lots within the Block: 5

9	150	1
9	150	2
9	150	3
9	150	4
9	150	5
9	150	6
9	150	7

Number of Affected Lots within the Block: 7

9	151	2
9	151	3
9	151	4
9	151	5

Number of Affected Lots within the Block: 4

9	153	1
9	153	2
9	153	3
9	153	4
9	153	5
9	153	6
9	153	7
9	153	8
9	153	9
9	153	10
9	153	11

Number of Affected Lots within the Block: 11

AFFECTED LOTS WITHIN THE PROPOSED ROYAL HIGHLANDS ROAD  
IMPROVEMENTS MUNICIPAL SERVICE BENEFIT UNIT

Abbreviated Legal Description: Unit 9 , Royal Highlands

Number of Lots within district: 117

Unit #	Block #	Lot #
9	157	12
9	157	13
9	157	14
9	157	15
9	157	16
9	157	17
9	157	18
9	157	19
9	157	20
9	157	21
9	157	22
9	157	23

Number of Affected Lots within the Block: 13

9	158	1
9	158	2
9	158	3
9	158	4
9	158	5
9	158	6
9	158	7
9	158	8
9	158	9
9	158	10
9	158	11
9	158	12
9	158	24

NOTE: It should be noted that the records in this report are sorted in ascending order by unit, block, and lot.

AFFECTED LOTS WITHIN THE PROPOSED ROYAL HIGHLANDS ROAD  
IMPROVEMENTS MUNICIPAL SERVICE BENEFIT UNIT

Abbreviated Legal Description: Unit 9 , Royal Highlands

Number of Lots within district: 117

Unit #	Block #	Lot #
9	154	1
9	154	2
9	154	3
9	154	4
9	154	5
9	154	6
9	154	7
9	154	8
9	154	9
9	154	10
9	154	11
9	154	12
9	154	13
9	154	14
9	154	15
9	154	27
<del>9</del>	<del>154</del>	<del>28</del> COUNTY

Number of Affected Lots within the Block: 17

<del>9</del>	<del>155</del>	<del>1</del> COUNTY
9	155	2
9	155	18

Number of Affected Lots within the Block: 3

9	156	1
9	156	17

Number of Affected Lots within the Block: 2

9	157	1
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NOTE: It should be noted that the records in this report are sorted in ascending order by unit, block, and lot.

AFFECTED LOTS WITHIN THE PROPOSED ROYAL HIGHLANDS ROAD  
IMPROVEMENTS MUNICIPAL SERVICE BENEFIT UNIT

Abbreviated Legal Description: Unit 9, Royal Highlands

Number of Lots within district: 117

Unit #	Block #	Lot #
=====		

Number of Affected Lots within the Block: 13

9	159	7.
9	159	8.
9	159	9.
9	159	10
9	159	11.

Number of Affected Lots within the Block: 5

9	160	1.
9	160	2.
9	160	3.
9	160	4.

Number of Affected Lots within the Block: 4

9	167	1
9	167	2.
9	167	3.
9	167	4
<del>9</del>	<del>167</del>	<del>5.</del> COUNTY
9	167	6.
9	167	7
9	167	8

Number of Affected Lots within the Block: 8

9	168	1.
9	168	2
9	168	3
9	168	4
9	168	5
9	168	6
9	168	7
9	168	8

Number of Affected Lots within the Block: 8



AFFECTED LOTS WITHIN THE PROPOSED ROYAL HIGHLANDS ROAD  
IMPROVEMENTS MUNICIPAL SERVICE BENEFIT UNIT

Abbreviated Legal Description: Unit 9, Royal Highlands

Number of Lots within district: 117

Unit #	Block #	Lot #
9	171	9
9	171	10
9	171	11
9	171	12
9	171	13

Number of Affected Lots within the Block: 5

9	172	1
9	172	2
9	172	3
9	172	4

Number of Affected Lots within the Block: 4

9	173	1
9	173	2
<del>9</del>	<del>173</del>	<del>3</del> COUNTY
9	173	4
9	173	5
9	173	6
9	173	7

Number of Affected Lots within the Block: 7

9	174	1
9	174	2
9	174	3
9	174	4
9	174	5

Number of Affected Lots within the Block: 5

END OF REPORT

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**EXHIBIT "B"**

**DESCRIPTION OF IMPROVEMENTS FOR ROYAL HIGHLANDS ROAD IMPROVEMENT  
ASSESSMENT M.S.B.U. (BLACKBIRD AVENUE AND OREGON CHICKADEE AVENUE)**

**Re-grading, preparation of existing limerock as a sub-base, application of 6" limerock base, covered with 1" ACSC crown, 18" wide, with sodding, seeding and mulching as required to meet the Limited County Standards.**