

ORDINANCE NO.: 96-10

R42.00

FILED

JUL 25 10 23 AM '96

AN ORDINANCE OF HERNANDO COUNTY AMENDING AND REPEALING ORDINANCES 90-31 AND 93-02; PROVIDING FOR THE CREATION OF THE SPRING HILL FIRE AND RESCUE MUNICIPAL SERVICE TAXING UNIT; PROVIDING FOR A GOVERNING BOARD; PROVIDING FOR BOUNDARIES OF THE TAXING UNIT; PROVIDING FOR THE DUTIES AND POWERS OF THE BOARD OF COUNTY COMMISSIONERS RELATING TO THE TAXING UNIT; PROVIDING FOR A BUDGET AND LEVEL OF MILLAGE IN THE TAXING UNIT; PROVIDING FOR A CAPITAL RESERVE FOR THE TAXING UNIT; AUTHORIZING FIRE PROTECTION RESCUE AND AMBULANCE CONTRACTS; PROVIDING FOR REPEAL OF ORDINANCES 90-31 AND 93-02; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION WITHIN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

FILE# 96-029235
HERNANDO COUNTY, FLORIDA

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

SECTION I. FINDINGS OF FACT AND PURPOSE

It is hereby found by the Board of County Commissioners of Hernando County, Florida, that fire protection, rescue, and ambulance services are essential services 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 a municipal service taxing unit as a taxing vehicle to grant to all counties that taxing flexibility to levy ad valorem taxes 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 incorporated and unincorporated areas in order to provide a needed and necessary service. It is the purpose of this ordinance to create a County Municipal Service Taxing Unit for the purpose of creating, establishing, maintaining and operating

RCO Aug 08 1996 09:39am
KAREN NICOLAI, CLERK

a fire protection, rescue, and ambulance system within the areas described in Section II. This unit shall enter into an Interlocal Agreement to fund the Spring Hill Fire and Rescue District as existing under Chapter 12, Article IV, Section 12-116, of the Hernando County Code which said District had an ad valorem tax levy authority of up to 2 3/4 mills as approved by referendum".

SECTION II. CREATION AND BOUNDARIES OF UNIT

For the purpose of creating, establishing, maintaining, and operating a fire protection, rescue, and ambulance system within the area described, to wit:

[As more fully described in Exhibit "A" attached hereto and incorporated herein].

SECTION III. GOVERNING BODY

The Governing Body of the Spring Hill Fire and Rescue Municipal Service Taxing Unit District shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. DUTIES OF THE BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners shall have the discretion to fund fire protection, rescue, and ambulance services within the MSTU.

SECTION V. POWERS OF THE BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners is authorized and empowered as follows:

A. To make rules and regulations for its own government and proceedings and to adopt an official seal for the unit.

B. To employ engineers, attorneys, accountants, financial and other experts and such other agents and employees as said board may require as deemed necessary to effectuate the purposes of this ordinance or to contract for any such service authorized by

this ordinance.

C. To enter into Interlocal agreements with the Spring Hill Fire and Rescue District to provide for the rendering of fire protection, rescue, and ambulance services to residents of the MSTU".

D. To designate the official address of the unit and where the records and seal shall be kept.

E. To designate a bank or proper institution for the deposit and care of any funds and negotiable documents of the unit not required to be deposited with the Clerk of Court.

F. To sue and be sued in its own name, plead and be impleaded.

G. To determine the rate of ad valorem taxes, the rate of fees and other charges for operation of the system and/or for the use of the above services.

H. To determine the rate of ad valorem taxes, the rate of special assessments, fees, and other charges for operation of the system and/or for the use of the above services.

I. The powers herein granted shall be exercised by the Board of County Commissioners.

SECTION VI. BUDGET AND MILLAGE

The Board of County Commissioners shall annually adopt a budget for the MSTU pursuant to Chapter 129 and Chapter 200, Florida Statutes. The MSTU shall have the authority to levy up to, but not to exceed, 2-3/4 mills on all property within the MSTU subject to ad valorem taxes. The MSTU shall not levy any millage in excess of 2-3/4 mills

unless approved by a referendum of electors residing within the area MSTU.

SECTION VII. CAPITAL RESERVES

The Commissioners are empowered to set up reserves in their budget in excess of their estimated expenditures for the ensuing fiscal year, for the purpose of creating reasonable reserves for the purchase of equipment and making other necessary capital expenditures.

SECTION VIII. FIRE PROTECTION, RESCUE, AND AMBULANCE CONTRACTS

The Spring Hill Fire and Rescue District may enter into contacts with said unit for the operation of fire-fighting rescue and ambulance equipment or for the furnishing of fire protection rescue and ambulance service within said unit and said unit may enter into contracts with said fire district MSTU for furnishing fire protection in said MSTU.

SECTION IX. ADMINISTRATION

The County Administrator shall be responsible for ensuring the administration of the unit.

SECTION X. REPEAL

Ordinances 90-31 and 93-02 are hereby repealed in their entirety; further any ordinances in conflict with this ordinance are hereby repealed to the extent of their conflicts.

SECTION XI. 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 XII. 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 XIII. EFFECTIVE DATE

This ordinance shall take effect upon being filed with the Department of State.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular Session

this 16th day of July, 1996



Attest: Karen Nicolai
KAREN NICOLAI
Clerk

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

By: Hannah M. Robinson
HANNAH M. ROBINSON
Chairwoman

815

For a Point of Beginning (POB), commence at the intersection of the East Section line of Section 34, Township 23, Range 18 East projected South and the Centerline of the Right-of-Way of County Line Road.

Thence; Go Northerly along the aforementioned East Section line of Section 34, Township 23, Range 18 East, Section 27, Township 23, Range 18 East.

Thence; proceed East along the North Section line of Section 26, Township 23, Range 18 East, terminating at the North East corner of the West ½ of Section 26, Township 23, Range 18 East.

Thence; proceed Northerly along the East lines of the West ½ of Sections 23 and 14, Township 23, Range 18 East terminating at the intersection of said line and the southwest corner of a parcel described in ORB 612 page 589.

Thence proceed easterly along the south boundary line of said parcel continuing to the intersection of that line with the C of Spring Hill Drive.

Thence; Easterly along the C of the Right-of-Way of Spring Hill Drive to a point of intersection constructed by extending the East boundary of Candy Road, in a Southerly direction.

Thence; Northerly along the Eastern boundary of Candy Lane to the limits of the plat of Quail Meadows, Phase I.

Thence; Southwesterly along the rear property lines of Lots 13 - 22 inclusive of Quail Meadows, Phase I, to the Northern boundary of Atwater Drive.

Thence; Westerly along said Northern boundary of Atwater Drive to the limits of the plat of Quail Meadows, Phase I, said point being the West Section line of Section 13, Township 23 South, Range 18 East.

Thence; Northerly along said West Section line to the North.

Thence; Northerly along the aforementioned West Section line to a point of intersection with the C of Powell Road and said Section line.

Thence; Westerly along Powell Road to a point of intersection with the East line of the West ½ of Section 10, Township 23 South, Range 18 East.

Thence; Northerly along aforementioned Section line terminating at the North line of said Section 10, Township 23 South, Range 18 East.

Thence; Westerly along the North Section line of Section 10, Township 23 South, Range 18 East continuing Westerly along the South Section line of Section 4, Township 23 South, Range 18 East; terminating at a point, constructed by the intersection of said Section line and the East Boundary line of Spring Hill Unit 18, 19, 20; Plat Book 17, Page 30, sheet 2 of 6 as recorded in the Public Records of Hernando County;

Thence; Northerly along the East Boundary line of the aforementioned Plat.

Thence; Northerly along the East Boundary line of Plat Book #17, Page 69 as recorded in Hernando County Public Records.

Thence; Northerly along the East Boundary line as shown in Plat Book 9, Page 69, Spring Hill Unit 20.

Thence; Easterly along the South Boundary line as shown in Plat Book 9, Sheet 9, of Spring Hill Unit 20.

Thence; Run Northerly along the West Right-of-Way line of the Florida Power Corporation Easement as shown on Sheet 9, Sheet 10, and Sheet 12, Plat Book 9; Spring Hill Unit 20, as recorded in Hernando County Public Records.

Thence; Run S89°38'00"W, a distance of 377.25 feet from the North East corner of the Platted Boundary as recorded in Plat Book 9, Page 76.

Thence; N00°07'10"W, a distance of 944.51 feet.

Thence; N89°44'10"W, a distance of 1,324.27 feet.

Thence; N00°06'12"E; 942.14 feet along the East line of the West ½ of Section 33, Township 22 South, Range 18 East.

Thence; N00°05'42"W, 1,848.49 feet to the South Right-of-Way line of State Road #50.

Thence; Westerly along the South Right-of-Way line of State Road #50; S89°31'17"W a distance of 1,322.86 feet.

Thence; S00°02'58"E, a distance of 916.82 feet; S89°50'34"W, a distance of 1,323.56 feet; S00°00'12"E, a distance of 909.40 feet to the Centerline of the Florida Power Corp. Right-of-way.

Thence; Westerly along the South centerline of a Florida Power Right-of-Way line as described in O.R. Book #713, Pages 20 & 22.

Thence; Northerly along the West Boundary line of aforementioned O.R. Book #713, to the South Right-of-Way line of State Road #50.

Thence; Approximately 1,015.00 feet, Westerly along the South Right-of-Way line of State Road #50.

Thence; South approximately 750.00 feet.

Thence; West approximately 2,500.00 feet.

Thence; North approximately 750 feet to the South Right-of-Way line of State Road #50.

Thence; In a Westerly direction follow the South Right-of-Way line of State Road #50 to the intersection of said line and the easterly boundary of a parcel described in ORB 301 page 72.

Thence proceed southerly, along the eastern perimeter of said parcel to its intersection with a parcel described in ORB 732 page 1907.

Thence proceed easterly, southwesterly, west and northerly around the outer perimeter of said parcels to the intersection of said line and State Road #50.

Thence proceed westerly following the South Right-of-Way line of State Road #50 to the intersection of said line with the East Section line of Section 2, Township 23 South, Range 17 East.

Thence; Run Southerly along the aforementioned East Section line to the North Boundary line of Spring Hill Unit 22, Replat, Block 1484, Plat Book 12, Page 81, as recorded in Hernando County Public Records.

Thence; Westerly along the aforementioned Boundary line to the East Right-of-Way line of U.S. 19.

Thence; Southerly along the East Right of Way line of U.S. 19, to the Centerline of the Right-of-Way of Northcliffe Boulevard.

Thence; Southerly along the $\frac{1}{2}$ of the Right-of-Way of Northcliffe Boulevard to the West Boundary line of Spring Hill Unit #26.

Thence; Southerly along the West Boundary line of Spring Hill Unit #26, terminating at the Southeast corner of Section 10, Township 23 South, Range 17 East.

Thence west along the aforesaid south section line to the south west corner of section 9.

Thence proceed south along the west boundary of section 16 to the southwest corner of said section.

Thence proceed west along the northern section line of section 20 to the northwest corner of said section.

Thence proceed south along the west line of section 20 and section 29 to its intersection with the boundary of the South Hernando US #19 Commerce Center as recorded in plat book 17, pages 11-16.

Thence proceed south westerly along said boundary to its intersection with the north section line of section 31.

Thence proceed west along said northern section line to the northwest corner of said section.

Thence proceed southerly along the west boundary line of said section to the southwest corner of said section 31.

Thence proceed east along the south boundaries of Township 23 South Ranges 17 and 18 East to the intersection of the East Section line of Section 34, Township 23, Range 18 East projected South and the Centerline of the Right-of-Way of County Line Road (POB).

** OFFICIAL RECORDS **
BK: 1080 PG: 1522