

24.00

ORDINANCE NO. 90-5  
014203

FILED FOR RECORD  
KAREN NICOLA, CLERK  
HERNANDO COUNTY, FL

90 MAY -2 AM 11:11

AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "PRISTINE PLACE MUNICIPAL SERVICE BENEFIT UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CREATION, MAINTENANCE AND OPERATION OF A STREET LIGHTING SYSTEM WITHIN SAID UNIT; PROVIDING FOR THE MAINTENANCE OF SIDEWALKS WITHIN SAID UNIT; PROVIDING FOR THE BOUNDARIES 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 THE ADMINISTRATION OF SAID UNIT; PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS FOR THE OPERATION OF SAID UNIT; PROVIDING THAT THE SAID UNIT SHALL BE UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA; PROVIDING FOR INCLUSION IN THE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.

FILED  
MAY 2 2017  
CLERK OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

BE IT ORDAINED by the Board of County Commissioners  
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 street lighting and sidewalk maintenance is 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 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 creating, establishing, maintaining and operating a lighting system, and for the maintenance of sidewalks, within the area described in Exhibit "A".

SECTION II. CREATION OF UNIT

For the purpose of creating, establishing, maintaining and operating a lighting system, and for the purpose of maintaining existing sidewalks, within the area described herein,

there is hereby created a Municipal Service Benefit Unit to be known as the "PRISTINE PLACE 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.

SECTION III. GOVERNING BODY

The Governing Body of the PRISTINE PLACE MUNICIPAL SERVICE BENEFIT UNIT shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

- A. The PRISTINE PLACE 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 PRISTINE PLACE MUNICIPAL SERVICE BENEFIT UNIT shall have the following duties:
1. To establish, maintain and operate such lighting system as is necessary to implement the purpose of this Ordinance.
  2. To provide a lighting system to improved and unimproved property within the benefited area.
  3. To provide for the maintenance of sidewalks within said unit.
- C. The County Administrator shall be responsible for administering the PRISTINE PLACE 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 maintenance services.
  2. Negotiate and recommend to the Board of County Commissioners contracts for 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 with power companies for the purpose of providing a lighting system.
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 purposes of this Ordinance to the extent consistent herewith.

D. The powers to be exercised by the PRISTINE PLACE 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, 1991, inclusive.

ADOPTED this 10th day of April, 1990, A.D.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

By:

Henry D. Ledbetter  
HENRY D. LEDBETTER  
CHAIRMAN

Attest:

Karen Nicolai  
KAREN NICOLAI, CLERK OF COURT

**O.R. 777 PG 0445**

EXHIBIT "A"

*Pretoria Place*

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 9, 10, 15, 16 AND 22, TOWNSHIP 23 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 23 SOUTH, RANGE 18 EAST THENCE N 89°42'24" W ALONG THE NORTH LINE OF SAID SECTION 15, A DISTANCE OF 893.81 FEET TO A POINT, SAID POINT BEING THE PROPOSED INTERSECTION OF THE CENTERLINES OF POWELL ROAD AND ANDERSON SNOW ROAD, THENCE S 00°09'38" W A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE PARALLEL TO SAID NORTH LINE AND PROPOSED CENTERLINE OF POWELL ROAD, N 89°42'24" W A DISTANCE OF 2088.86 FEET TO THE P.C. OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 59°27'53" AND A RADIUS OF 1455.00 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1510.08 FEET TO A POINT (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N 59°58'28" W 1443.21 FEET), THENCE N 30°14'31" W 105.33 FEET, THENCE S 53°54'26" W 120.38 FEET TO THE P.C. OF A CURVE, CONCAVED NORTHWESTERLY HAVING A CENTRAL ANGLE OF 11°24'54" AND A RADIUS OF 1500.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 298.85 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S 59°36'53" W 298.35 FEET) THENCE S 65°19'20" W 674.45 FEET, THENCE S 81°19'20" W 275.00 FEET, THENCE S 00°19'20" W 200.00 FEET, THENCE S 89°40'40" E 220.99 FEET TO THE NORTHWEST CORNER OF SAID SECTION 15, THENCE S 00°09'56" W ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 15, A DISTANCE 2643.40 FEET THENCE CONTINUE ALONG SAID SECTION LINE S 00°52'19" E 386.94 FEET TO THE NORTH LINE OF SPRING HILL UNIT 24, AS RECORDED IN PLAT BOOK 10, PAGES 53-60 INCL., OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, THENCE ALONG THE NORTH LINE OF SAID RECORD PLAT OF SPRING HILL UNIT 24, N 89°16'57" E A DISTANCE OF 4005.16 FEET, THENCE S 00°40'16" W ALONG THE EAST LINE OF SAID RECORD PLAT, A DISTANCE OF 2688.03 FEET TO THE NORTH RIGHT-OF-WAY OF SPRING HILL DRIVE, THENCE N 48°10'21" E ALONG SAID NORTH RIGHT-OF-WAY A DISTANCE OF 412.94 FEET TO THE P.C. OF A CURVE, SAID CURVE BEING CONCAVED TO THE NORTHEAST AND HAVING A CENTRAL ANGLE OF 132°00'34" AND A RADIUS OF 50.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 115.20 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N 65°49'22" W 91.36 FEET), THENCE N 00°10'55" E A DISTANCE OF 552.96 FEET; THENCE S 89°49'05" E A DISTANCE OF 188.66 FEET TO A POINT ON A CURVE, SAID CURVE BEING THE PROPOSED RIGHT-OF-WAY LINE OF ANDERSON SNOW ROAD (120.00 FOOT RIGHT-OF-WAY), SAID CURVE HAVING A CENTRAL ANGLE OF 23°20'49" AND A RADIUS OF 928.77 FEET, THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 378.46 FEET TO THE P.T. (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S 30°09'14" E 375.84 FEET) SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED SPRING HILL DRIVE, THENCE N 48°10'21" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 60.00 FEET TO THE CENTERLINE OF SAID ANDERSON SNOW ROAD, SAID POINT BEING THE P.C. OF A CURVE CONCAVED NORTHEASTERLY HAVING A CENTRAL ANGLE OF 41°59'17" AND A RADIUS OF 868.77 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 636.66 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N 20°50'01" W 622.51 FEET), THENCE CONTINUE ALONG SAID CENTERLINE N 00°09'38" E A DISTANCE OF 4428.29 FEET TO THE POINT OF BEGINNING.

SAID PARCEL BEING SUBJECT TO AN EASEMENT OVER THE EAST 60.00 FEET FOR INGRESS-EGRESS PURPOSES.

CONTAINING 339.17 ACRES ±.  
AND

THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 23 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA.

CONTAINING 20.12 ACRES ±.

SUBJECT TO EASEMENTS OF RECORD.

29199 N 2250.005