

ORDINANCE NO. 88-6

AN ORDINANCE CREATING A MUNICIPAL SERVICE TAXING UNIT TO BE KNOWN AS THE "REGENCY OAKS MUNICIPAL SERVICE TAXING UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CREATION, MAINTENANCE AND OPERATION OF STREET LIGHTING SYSTEM WITHIN SAID UNIT; PROVIDING FOR THE MAINTENANCE OF CERTAIN COMMON AREAS; 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 THE 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 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 street lighting and maintenance of common areas 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 taxing and benefit unit 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 Taxing Unit for the purpose of creating, establishing, maintaining and operating a street lighting system within the area described in Exhibit "A", as well as maintenance of certain common areas described in Exhibit "B" attached hereto and made a part hereof by reference.

SECTION II. CREATION OF UNIT

For the purpose of creating, establishing, maintaining and operating a lighting system and the maintenance of certain common areas within the area described herein, there is hereby created a Municipal Service Taxing Unit to be known as the "REGENCY OAKS MUNICIPAL SERVICE TAXING UNIT", (MULTI-PURPOSE) 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 REGENCY OAKS MUNICIPAL SERVICE TAXING UNIT (MULTI-PURPOSE) shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

- A. The REGENCY OAKS MUNICIPAL SERVICE TAXING UNIT (MULTI-PURPOSE) 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 REGENCY OAKS MUNICIPAL SERVICE TAXING UNIT (MULTI-PURPOSE) shall have the following duties:
1. To establish, maintain and operate such street lighting as is necessary to implement the purpose of this Ordinance.
 2. To provide street lighting to improved and unimproved property within the benefitted area.
 3. Providing maintenance service for certain designated common areas as described in Exhibit "B" attached hereto and made a part hereof.
- C. The County Administrator shall be responsible for administering the REGENCY OAKS MUNICIPAL SERVICE TAXING UNIT (MULTI-PURPOSE) and shall be responsible 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 street lighting.
 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 REGENCY OAKS MUNICIPAL SERVICE TAXING UNIT (MULTI-PURPOSE) 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 within the Unit, the County Commission is hereby authorized to levy an annual service charge against each lot 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 April 1st of each year.

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.

ADOPTED THIS 16th day of March 1988, A.D.


BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA
By: David D. Russell, Sr.
DAVID D. RUSSELL, SR., CHAIRMAN

Attest: Karen Nicolai
KAREN NICOLAI, CLERK OF COURT

EXHIBIT A

portion of Berkeley-Florida's New Townsite Subdivision of Section 10, Township 23 South, Range 17 East, as shown on the plat recorded in Plat Book 4, Page 10 of the Public Records of Hernando County, Florida, being further described as follows:

Commence at the Southwest corner of said Section 10; thence run along the West boundary line of the Southwest 1/4 of said Section 10, North 00° 20' 53" East, a distance of 1,779.11 feet for a POINT OF BEGINNING; thence continue along the West boundary line of the Southwest 1/4 of said Section 10, North 00° 20' 53" East, a distance of 852.74 feet to the Southwest corner of the Northwest 1/4 of said Section 10; thence along the West boundary line of the Northwest 1/4 of said Section 10, North 00° 22' 08" East, a distance of 2,631.83 feet to the Northwest corner of said Section 10; thence along the North boundary line of the Northwest 1/4 of said Section 10, South 89° 25' 20" East, a distance of 2,632.00 feet to the Northeast corner of the Northwest 1/4 of said Section 10; thence along the North boundary line of the Northeast 1/4 of said Section 10, South 89° 22' 13" East, a distance of 304.25 feet to the Northeast corner of Block 10 of said Berkeley-Florida's New Townsite Subdivision; thence along the East boundary line of said Block 10, the Southerly extension thereof, the East boundary line of Blocks 11 and 29 of said Berkeley-Florida's New Townsite Subdivision and the Southerly extension thereof, South 00° 18' 41" West, a distance of 1,300.59 feet to the North boundary line of Block 30 of said Berkeley-Florida's New Townsite Subdivision; thence along the North boundary line of said Block 30, North 89° 25' 40" West, a distance of 203.96 feet; thence South 39° 18' 20" West, a distance of 517.82 feet; thence South 50° 41' 40" East, a distance of 290.00 feet; thence South 01° 12' 18" East, a distance of 162.79 feet; thence South 32° 47' 09" West, a distance of 176.14 feet; thence South 79° 20' 09" West, a distance of 163.25 feet; thence North 50° 41' 40" West, a distance of 375.00 feet; thence South 39° 18' 20" West, a distance of 760.17 feet to the Northerly extension of the East boundary line of Block 112 of said Berkeley-Florida's New Townsite Subdivision; thence along the Northerly extension of the East boundary line of said Block 112 and the East boundary line of said Block 112, South 00° 20' 42" West, a distance of 282.71 feet; thence South 50° 41' 40" East, a distance of 622.24 feet to the Northwesterly right-of-way line of State Road No. 55 (U. S. Highway No. 19) as it is now established; thence along the Northwesterly right-of-way line of said State Road No. 55, South 39° 18' 20" West, a distance of 926.90 feet; thence North 50° 41' 40" West, a distance of 400.00 feet; thence North 39° 18' 20" East, a distance of 187.87 feet; thence North 47° 13' 34" West, a distance of 400.73 feet; thence North 50° 41' 40" West, a distance of 388.91 feet; thence South 39° 18' 20" West, a distance of 524.48 feet; thence North 89° 39' 06" West, a distance of 400.00 feet to the POINT OF BEGINNING.

LESS AND EXCEPT Lot 5 of Block 121

of said Berkeley-Florida's New Townsite Subdivision.

ALSO LESS AND EXCEPT Lots 3, 4, 5 and 6, Block 75 and a portion of Pine Street, as shown on the plat of said Berkeley-Florida's New Townsite Subdivision, all being further described as follows:

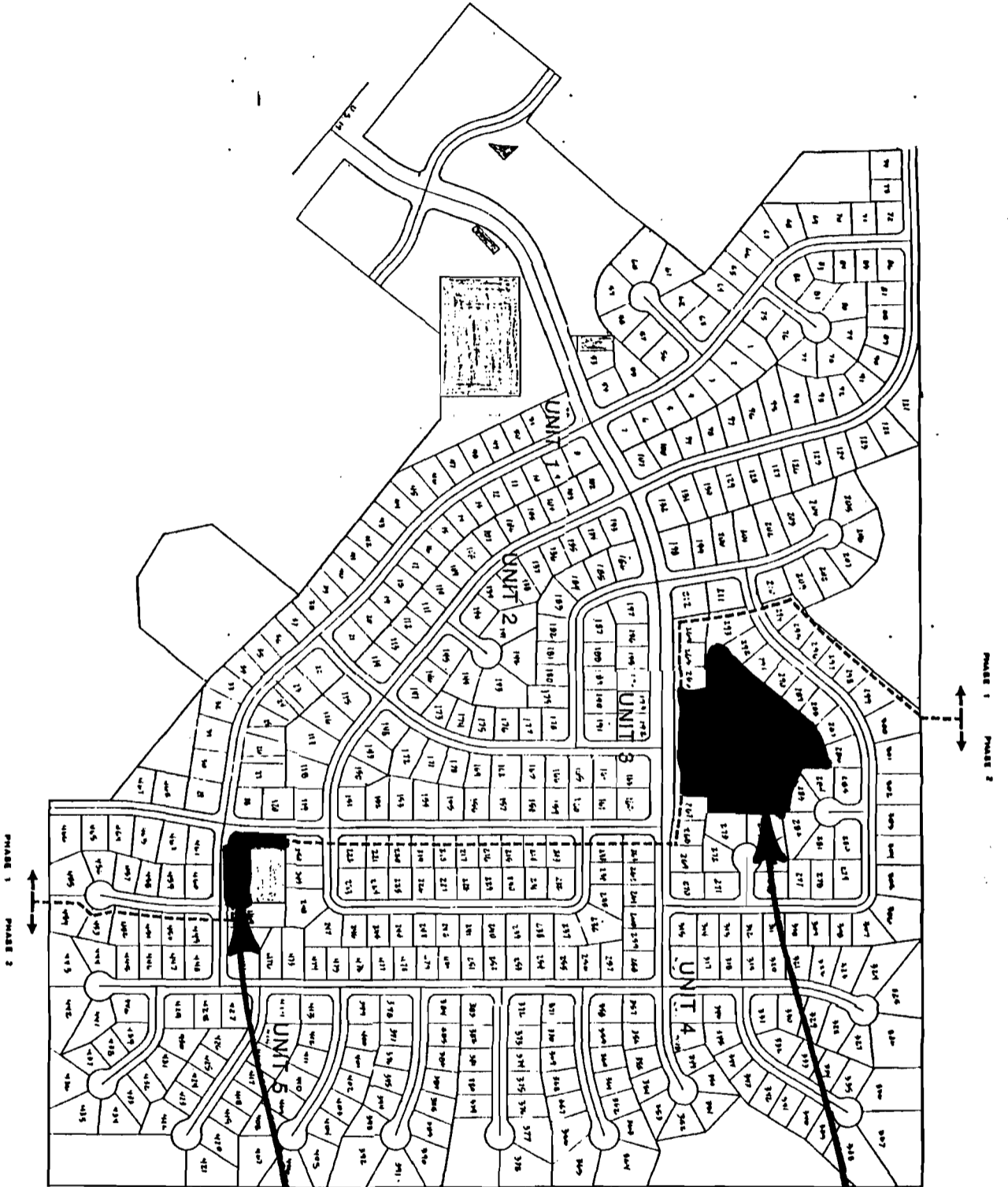
Commence at the Northwest corner of said Lot 3 for a POINT OF BEGINNING; thence along the North boundary line of said Lot 3 and the Easterly extension thereof, South 89° 27' 25" East, a distance of 184.73 feet to the East right-of-way line of said Pine Street; thence along the East right-of-way line of said Pine Street, South 00° 20' 08" West, a distance of 199.91 feet to the Easterly extension of the South boundary line of said Lot 6; thence along the Easterly extension of the South boundary line and the South boundary line of said Lot 6, North 89° 27' 25" West, a distance of 184.74 feet to the Southwest corner of said Lot 6; thence along the West boundary line of said Lots 6, 5, 4 and 3, North 00° 20' 24" East, a distance of 199.91 feet to the POINT OF BEGINNING.

ALSO LESS AND EXCEPT all of Block 112 and a portion of Chestnut Street, West 45th Street, West 46th Street and Market Street, as shown on the plat of said Berkeley-Florida's New Townsite Subdivision, all being further described as follows:

Commence at the Northeast corner of said Block 112 for a POINT OF BEGINNING; thence along the East boundary line of said Block 112, South 00° 20' 42" West, a distance of 210.26 feet; thence South 50° 41' 40" East, a distance of 77.15 feet to the East right-of-way line of said Market Street; thence along the East right-of-way line of said Market Street, South 00° 20' 42" West, a distance of 152.43 feet to the Westtherly right-of-way line of Broadway as shown on the plat of said Berkeley-Florida's New Townsite Subdivision; thence along the Westtherly right-of-way line of said Broadway, South 48° 07' 51" West, a distance of 57.76 feet to the South right-of-way line of said West 45th Street; thence along the South right-of-way line of said West 45th Street, North 89° 28' 26" West, a distance of 341.98 feet to the West right-of-way line of said Chestnut Street; thence along the West right-of-way line of said Chestnut Street, North 00° 21' 01" East, a distance of 479.87 feet; thence North 64° 49' 27" East, a distance of 69.42 feet to the North right-of-way line of said West 46th Street; thence along the North right-of-way line of said West 46th Street, South 89° 28' 19" East, a distance of 262.08 feet to the Northerly extension of the East boundary line of said Block 112; thence along the Northerly extension of the East boundary line of said Block 112, South 00° 20' 42" West, a distance of 60.00 feet to the POINT OF BEGINNING.

EXHIBIT "B"

EXHIBIT "B"



OPEN SPACE PARCEL

190,00 SQUARE FEET

OPEN SPACE PARCEL

21,080 SQUARE FEET

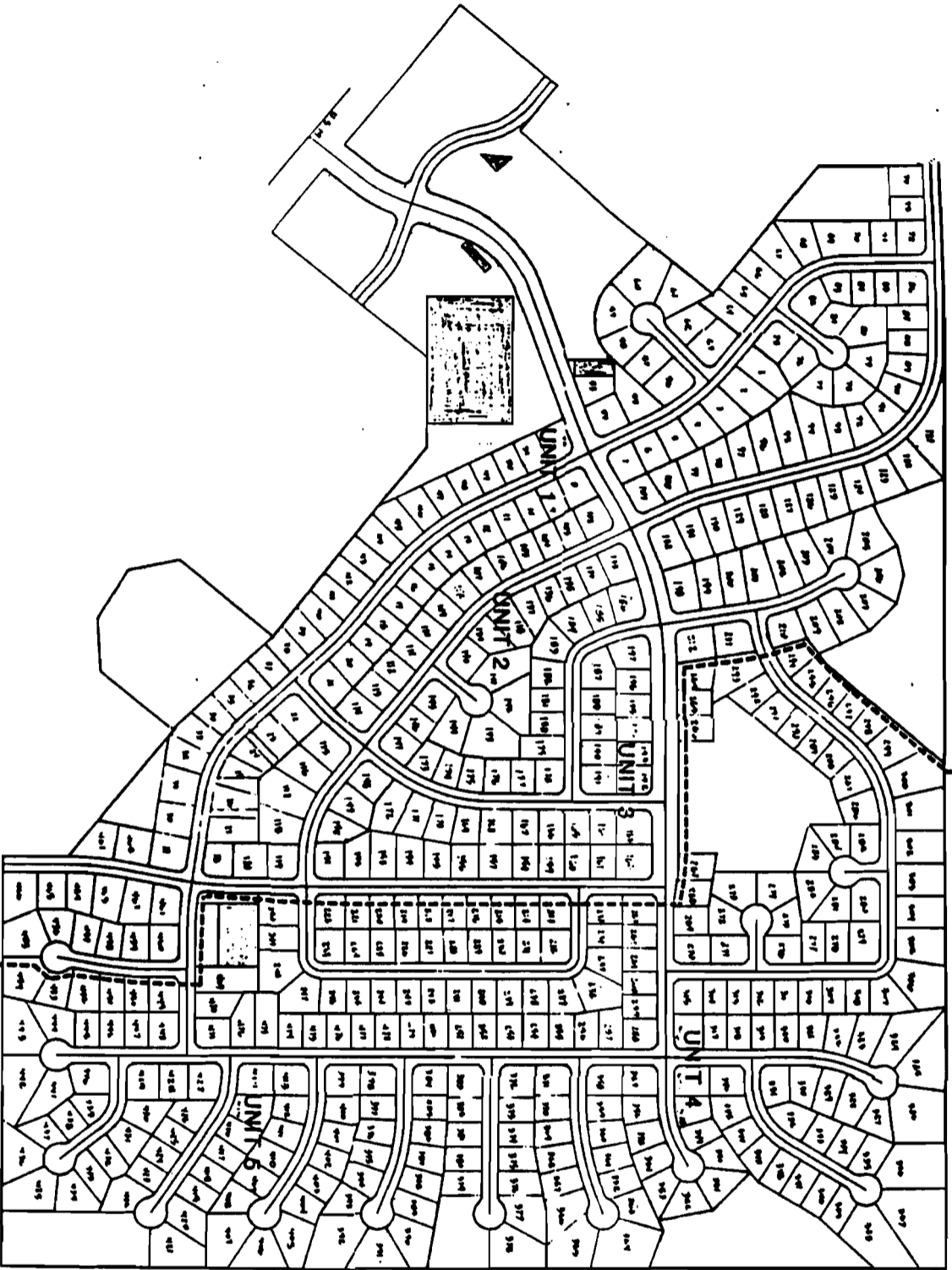
THIS DRAWING PLOTTED ON
 24/11/12
 CAPITAL ENGINEERING ASSOCIATES, INC.

RESIDENTIAL PHASING MAP

REGENCY OAKS

COASTAL ENGINEERING ASSOCIATES, INC.
 CONSULTING ENGINEERS


 THE CONSULTANT'S WORK
 IS LIMITED TO THE DESIGN OF
 THE PROJECT DESCRIBED
 HEREON AND DOES NOT
 INCLUDE THE DESIGN OF
 ANY OTHER WORK.
 PROJECT NO. 12-001



PHASE 1 PHASE 2

PHASE 1 PHASE 2

THE BOUNDING POINTS OF
 DX
 JGE
 CIVIL ENGINEERING ASSOCIATES, INC.

RESIDENTIAL PHASING MAP

REGENCY OAKS

CIVIL ENGINEERING ASSOCIATES, INC.

	388 CANAL/OAK BLVD WINTERVILLE, PA 15389 TEL: 724-838-1111 FAX: 724-838-1112	SHEET 1 OF 2
	DATE: 11/11/01	DRAWN BY: JGE