

R- Km. 131

IN WITNESS WHEREOF AND
KAREN NICOLAI, CLERK
By [Signature]
DEPUTY CLERK

ORDINANCE NO. 92-22

AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "COOPER TERRACE ROAD IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CONSTRUCTION OF ROAD IMPROVEMENTS 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

BR 28.50
FILED FOR RECORD
KAREN NICOLAI, CLERK
HERNANDO COUNTY, FL
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BE IT ORDAINED by the Board of County Commisloners

of Hernando County, Florida, as follows:

SECTION I. FINDINGS OF FACT AND PURPOSE

It is hereby found by the Board of County Commisloners 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 Commisloners 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 area 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 "COOPER TERRACE ROAD IMPROVEMENT 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. The road Improvements to be constructed are described in Exhibit "B", also attached hereto and made a part hereof by reference.

SECRETARY OF STATE
Dec 31 2 57 PM '93
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SECTION III. GOVERNING BODY

The Governing Body of the **COOPER TERRACE ROAD IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNIT** shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

A. The **COOPER TERRACE 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 **COOPER TERRACE 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 benefited area.

C. The County Administrator shall be responsible for administering the **COOPER TERRACE ROAD IMPROVEMENTS 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 **COOPER TERRACE 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 non-ad valorem assessment against each lot, tract, parcel, cooperative parcel and condominium parcel within the unit for the purposes set forth herein. The non-ad valorem 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 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, 1993, inclusive.

ADOPTED this 22nd day of December, 1992, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By: John Richardson
JOHN RICHARDSON
CHAIRMAN

Attest:
Karen Nicolai
KAREN NICOLAI, CLERK

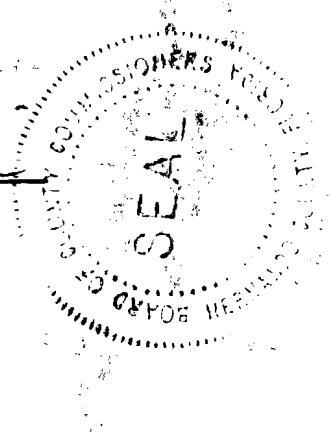


EXHIBIT "A"

LEGAL DESCRIPTION FOR COOPER TERRACE ROAD IMPROVEMENT M.S.B.U.

Cooper Terrace Subdivision, a subdivision lying within the NE 1/4 of the NW 1/4 of Section 21, Township 22 South, Range 20 East, as recorded in Plat Book 3, Page 46, Public Records of Hernando County, Florida

AND THE FOLLOWING DESCRIBED PARCELS:

PARCEL NO. 21-422-20-0000-0170-0000

W 3/4 of N 1/2 of SE 1/4 less St. Rd. R/W, as described in O.R. Book 285, Page 874 and O.R. Book 714, Page 1622, Official Records of Hernando County, Florida, aka Tract 17 in Section 21, Township 22, Range East

PARCEL NO. 21-422-20-0000-0190-0000

S 1/2 of SE 1/4 of SE 1/4 of NW 1/4, less E 60 ft. and S 15 ft., Official Records of Herando County, Florida, aka Tract 19, Section 21, Township 22, Range 18 East

PARCEL NO. 21-422-20-0000-0190-0010

W 301.92 ft. of N 1/2 of N 1/2 of E 1/2 of SE 1/4 of NW 1/4, Official Records of Hernando County, Florida, aka Tract 19.1, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0190-0020

S 1/2 of N 1/2 of E 1/2 of SE 1/4 of NW 1/4, less E 60 ft. for Rd, as described in O.R. Book 454, Page 1381 and O.R. Book 566, Page 1828, and less S 20' thereof, O.R. Book 688, Page 1122, Official Records of Hernando County, Florida, aka Tract 19.2, Section 21, Range 20 East

PARCEL NO. 21-422-20-0000-0190-0030

N 1/2 of N 1/2 of E 1/2 of SE 1/4 of NW 1/4, less east 60 ft. for road and less west 301.92 ft as described in O.R. Book 472, Page 362, Official Records of Hernando County, Florida, aka Tract 19.3, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0190-0040

N 1/2 of SE 1/4 of SE 1/4 of NW 1/4, less E 60 ft., aka Tract 19.4, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0030-0000

N 1/2 of NE 1/4, less road right of way, aka Tract 3, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0030-0001

NW 1/4 of SE 1/4 of NW 1/4, as described in O.R. Book 327, Page 820 and the S 20 ft. of S 1/2 of N 1/2 of E 1/2 of SE 1/4 of NW 1/4, O.R. Book 688, Page 1122, Official Records of Hernando County, Florida, aka Tract 3.1, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0220-0000

W 1/2 of SW 1/4 of SE 1/4 of NW 1/4, less 15 ft. for road, as described in O.R. Book 838, Page 1891, aka Tract 22, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0280-0000

NE 1/4 of SW 1/4, less W 3/4 of S 1/2 of NE 1/4 of SW 1/4 + less St. Rd. r/w, aka Tract 28, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0290-0000

E 1/2 of W 1/2 of SE 1/4 of NE 1/4 of SW 1/4, less N 20 ft, as described in O.R. Book 476, page 1196, aka Tract 29, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0350-0000

E 1/2 of SW 1/4 of SE 1/4 of NW 1/4, less 15 ft. for road, as described in O.R. Book 643, Page 1135 and O.R. Book 838, Page 1891, aka Tract 35, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-0000-0360-0000

N 1/2 of NW 1/4 of SW 1/4 of NE 1/4, aka Tract 36, Section 21, Range 20 East

PARCEL NO. 21-422-20-0000-0360-0010

S 1/2 OF NW 1/4 OF SW 1/4 OF NE 1/4 AND NE 1/4 OF SW 1/4 OF NE 1/4, aka Tract 36.1, Section 21, Township 22, Range 20 East

PARCEL NO. 21-422-20-000-0310-000

S 1/2 OF SW 1/4 OF NE 1/4, aka Tract 31, Section 21, Township 22, Range 20 East

EXHIBIT "B"

**DESCRIPTION OF IMPROVEMENTS - COOPER TERRACE ROAD IMPROVEMENT
M.S.B.U.**

8" prepared limerock base covered with 1" of ACSC crown, sodding, seeding, mulching and 15 driveway turn-outs.

Approximately 4,200 l.f. in length and 18'-24' wide, extending from Mondon Hill Road, northward to the southern boundary of Section 21 in Township 22 South, Range 20 East.