

**BEFORE THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

RESOLUTION NUMBER 18-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF WATER DISTRIBUTION FACILITIES AND RELATED CAPITAL FACILITY CHARGES; CREATING THE JAMES VILLAS WATER MAIN MUNICIPAL SERVICE BENEFIT UNIT; CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; IMPOSING SPECIAL ASSESSMENTS; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (the "Board") of Martin County, Florida, enacted Ordinance No. 96-493 on April 9, 1996 (the "Ordinance"), to provide for the creation of municipal service benefit units and authorize the imposition of special assessments to fund the construction of local improvements to serve the property located therein; and

WHEREAS, on August 14, 2018, the Board adopted Resolution No. 18-8.4 (the "Initial Assessment Resolution") proposing creation of the James Villas Water Main Municipal Service Benefit Unit and describing the method of assessing the cost of Water Distribution Facilities and related Capital Facility Charges against the real property that will be specially benefited thereby, and directing preparation of the tentative Assessment Roll and provision of the notices required by the Ordinance; and

WHEREAS, pursuant to the provisions of the Ordinance, the County is required to confirm or repeal the Initial Assessment Resolution, with such amendments as the

Board deems appropriate, after hearing comments and receiving objections of all interested parties; and

WHEREAS, the Assessment Roll has heretofore been filed with the office of the County Administrator, as required by the Ordinance; and

WHEREAS, as required by the terms of the Ordinance, notice of a public hearing has been published and mailed to each property owner proposed to be assessed notifying such property owner of the opportunity to be heard; the proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively; and

WHEREAS, a public hearing was held on September 11, 2018 and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the Ordinance, Chapter 125, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This Resolution is the Final Assessment Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in the Ordinance and the Initial Assessment Resolution.

SECTION 3. CREATION OF MSBU. The James Villas Water Main Municipal Service Benefit Unit is hereby created to include the property described in Appendix E attached hereto and incorporated herein. The MSBU is created for the purpose of improving the use and enjoyment of property located therein by funding the

construction of Water Distribution Facilities to provide access to potable water and financing the related Capital Facility Charges to reduce the immediate cost of connecting to the County's potable water distribution system.

SECTION 4. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION. The Initial Assessment Resolution is hereby confirmed and ratified and such terms and provisions are hereby incorporated by reference.

SECTION 5. APPROVAL OF ASSESSMENT ROLL. The Assessment Roll, a copy of which is attached hereto as Appendix D, is hereby approved.

SECTION 6. ASSESSMENTS.

(A) The Tax Parcels described in the Assessment Roll are hereby found to be specially benefited by construction of the Water Distribution Facilities and related Capital Facility Charges in the amount of the maximum annual Assessment set forth in the Assessment Roll. The methodology for computing annual Assessments described in the Initial Assessment Resolution is hereby approved. Annual Assessments computed in the manner described in the Initial Assessment Resolution are hereby levied and imposed on all Tax Parcels described in the Assessment Roll at a maximum annual rate of \$752.12 per ERC for a period of 15 years, commencing in November 2019. The resulting Initial Prepayment Amount is \$7,499.00 per ERC.

(B) Upon adoption of the Annual Assessment Resolution for each Fiscal Year:

(1) The Assessments shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by

law, such lien shall be superior in dignity to all other liens, titles and claims, until the ad valorem tax bill for such year is otherwise paid in full pursuant to the Uniform Assessment Collection Act. The lien shall be deemed perfected upon adoption by the Board of the Annual Assessment Resolution and shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

(2) As to any Tax Parcel that is to be acquired or otherwise transferred to an entity for which Assessments cannot be collected pursuant to the Uniform Assessment Collection Act through condemnation, negotiated sale or otherwise prior to adoption of the next Annual Assessment Resolution, the Adjusted Prepayment Amount shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments to the extent permitted by law. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the Board of the Annual Assessment Resolution and shall attach to the property included on the Assessment Roll upon adoption of the Annual Assessment Resolution.

SECTION 7. COLLECTION OF ASSESSMENTS. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act. Upon adoption of the Annual Assessment Resolution for each Fiscal Year, the County Administrator shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act.

SECTION 8. EFFECT OF FINAL ASSESSMENT RESOLUTION.

The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented herein and in the Initial Assessment Resolution (including, but not limited to, the method by which the Assessments will be computed, the Assessment Roll, the maximum annual Assessment, the levy and lien of the Assessments and the terms for prepayment of the Assessments) unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action on this Final Assessment Resolution.

SECTION 9. ASSESSMENT NOTICE. The County Administrator is hereby directed to record this Resolution as notice of the Assessments in the Official Records Book in the office of the Martin County Clerk of Courts. The preliminary Assessment Roll and each annual Assessment Roll shall be retained by the County Administrator and shall be available for public inspection.

SECTION 10. PREPAYMENT NOTICE. The County Administrator is hereby directed to provide notice by first class mail to the owner of each Tax Parcel described in the Assessment Roll of the opportunity to prepay all future annual Assessments, without financing cost. The notice, in substantially the form attached as Appendix C, shall be mailed to each property owner at the address utilized for the notice provided pursuant to Section 2.05 of the Initial Assessment Resolution.

SECTION 11. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 11th day of September, 2018.

**BOARD OF COUNTY COMMISSIONERS
OF MARTIN COUNTY, FLORIDA**

(SEAL)

By: _____
Edward V. Ciampi, Chairman

ATTEST:

By: _____
Carolyn Timmann, Clerk of the
Circuit Court and Comptroller

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Sarah Woods, County Attorney

APPENDIX A

PROOF OF PUBLICATION

APPENDIX B

AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared Renee Matonti, who, after being duly sworn, deposes and says:

1. I, Renee Matonti, have been designated by the County Administrator of Martin County, Florida, to mail the notices required by Section 2.05 of Resolution No. 18-8.4, adopted by the Board of County Commissioners of Martin County, Florida, on August 14, 2018 (the "Initial Assessment Resolution").

2. On or before August 22, 2018, I mailed, or directed the mailing of, a notice in accordance with Section 2.05 of the Initial Assessment Resolution by first class mail, to each owner of property within the James Villas Water Main Municipal Service Benefit Unit in conformance with the requirements of Ordinance No. 96-493, enacted by the Board of County Commissioners of Martin County, Florida, on April 9, 1996, at the address shown on the real property assessment tax roll maintained by the Martin County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANT SAYETH NOT.

Affiant

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by Renee Matonti, who is personally known to me or who has produced _____ as identification and did (did not) take an oath.

WITNESS, my hand and official seal this ____ day of _____, A.D., 2018.

Signature of person taking acknowledgment

Name of acknowledger (printed)

My commission expires: _____

APPENDIX C

FORM OF PREPAYMENT NOTICE

Martin County, Florida
Utilities Department
P.O. Box 9000
Stuart, Florida 34995-9000

RE: James Villas Water Main Municipal Service Benefit Unit

This is the bill for your water main assessment. The amount listed is your prepayment amount and should you choose this option, payment must be received in our office no later than . Please make your check payable to Martin County Utilities Department and return it with the extra copy of the invoice that is enclosed to ensure proper credit. We have provided a return envelope for your convenience.

If you choose to finance your assessment, do nothing at this time. Your first annual assessment will appear on the ad valorem tax bill mailed to you in November 2019. If you have any questions, please call the Martin County Utilities Department at 772/288-5652.

MARTIN COUNTY, FLORIDA
UTILITIES DEPARTMENT
P. O. BOX 9000
STUART, FLORIDA 34995-9000

INVOICE

[INSERT DATE]

JAMES VILLAS WATER MAIN MUNICIPAL SERVICE BENEFIT UNIT

Parcel Control Number

PAR #

Prepayment Amount\$_____

Prepayment due Date:

FIRST *LAST*

ADDR1

ADDR2

CITY *STATE* *ZIP*

APPENDIX D

ASSESSMENT ROLL

James Villas Water Main Extension Municipal Service Benefit Unit

Tax Parcel	Owner Name	ERC	Initial Prepayment	Annual Assessment
0639410010010006030000	CONFIDENTIAL OWNER	1	\$7,499.00	\$752.12
0639410010010003190000	CONFIDENTIAL OWNER	1	\$7,499.00	\$752.12
0639410010030011090000	CLARK LOUISE G	1	\$7,499.00	\$752.12
0639410010010009070000	CHAPMAN JOSEPH R	1	\$7,499.00	\$752.12
0639410010020009140000	NOTTINGHAM, NATHANIEL D III NOTTINGHAM, MARY L	1	\$7,499.00	\$752.12
0639410010010010140000	ZRALLACK MARK	1	\$7,499.00	\$752.12
0639410010030010010000	SMITH ROBERT F SR SMITH NELDA R	1	\$7,499.00	\$752.12
0639410010020014050000	LITTLE SHAWN P LITTLE NICHOLETTE M	1	\$7,499.00	\$752.12
0639410010030002170000	CLARK VERNON LLOYD	1	\$7,499.00	\$752.12
0639410010020011010000	COMERFORD (L/E) MARIE E	1	\$7,499.00	\$752.12
0639410000010008000000	MAXEY, ROBERT MAXEY, JOYCE	1	\$7,499.00	\$752.12
0639410010020019040000	LIVERMORE FAMILY REVOCABLE TRUST	1	\$7,499.00	\$752.12
0639410010010004170000	COOPER AIMEE	1	\$7,499.00	\$752.12
0639410010010002020000	WERNER BOLS REVOCABLE TRUST	1	\$7,499.00	\$752.12
0639410010010011030000	STARINCHUCK, TIMOTHY STUART & JACQUE	1	\$7,499.00	\$752.12
0639410000010001050000	URIBE JOSE LUIS URIBE DONNA	1	\$7,499.00	\$752.12
0639410000010005060000	SMITH LINDA C	1	\$7,499.00	\$752.12
0639410010030005010000	TROPICAL FMS BAPTIST CH. (TR)	1	\$7,499.00	\$752.12
0639410040000002010000	JOHNSON, JAMES N III & LORRAINE M	1	\$7,499.00	\$752.12
0639410070000002300000	LAWRENCE, STACEY R	1	\$7,499.00	\$752.12
0639410010020012090000	HOLT LAURA LEE	1	\$7,499.00	\$752.12
0639410000010004090000	RYBICKI DANIEL S ESTATE	1	\$7,499.00	\$752.12
0639410010030008050000	MCDOWELL DOUGLAS R MCDOWELL ANNE E	1	\$7,499.00	\$752.12
0639410000160001120000	SHAW ALBERT W & FRANCE H	1	\$7,499.00	\$752.12
0639410010020005120000	CHONDRITE REO LLC	1	\$7,499.00	\$752.12
0639410010020020020000	SMITH DANA JAMES & MARY ANN	1	\$7,499.00	\$752.12
0639410010020008160000	PURINGTON, NANCY L VANDEVENDER ROBERT L II	1	\$7,499.00	\$752.12
0639410010030003060000	HALUCK, DAVID A & SANDRA	1	\$7,499.00	\$752.12
0639410010030006090000	MARYANN MAGUIRE IRREVOCABLE TRUST	1	\$7,499.00	\$752.12
0639410010010008090000	WRIGHT GARY B	1	\$7,499.00	\$752.12
0639410010030011180000	LITTLE MICHAEL & SANDRA L	1	\$7,499.00	\$752.12
0639410070000002080000	ZBINDEN DOMINIQUE J	1	\$7,499.00	\$752.12
0639410010020006100000	JENSEN MEREDITH L	1	\$7,499.00	\$752.12
0639410010030012070000	LINDAHL STEPHEN J LINDAHL DENISE POUPARD	1	\$7,499.00	\$752.12
0639410010020010120000	LORE, HERBERT J & JEAN E	1	\$7,499.00	\$752.12
0639410010010010050000	PORRAS ERIK & AMANDA J	1	\$7,499.00	\$752.12
0639410010020007180000	WEISGERBER, KEITH S WEISGERBER EILEEN R	1	\$7,499.00	\$752.12
0639410040000003090000	DULMAGE CHRISTOPHER	1	\$7,499.00	\$752.12
0639410010020020110000	AMBROSE STEVEN M & PATTI J	1	\$7,499.00	\$752.12
0639410010030007160000	JACKSON GREGG C & ROSALIND S	1	\$7,499.00	\$752.12
0639410010010013090000	KIRK WILLIAM D & SARAH E	1	\$7,499.00	\$752.12
0639410020000001050000	MOYNIHAN PHILIP B & ROBIN D	1	\$7,499.00	\$752.12
0639410030000002020000	ENGLAND CHRISTOPHER ENGLAND SAFINA	1	\$7,499.00	\$752.12
0639410010010004080000	NELSON, GARY T	1	\$7,499.00	\$752.12
0639410000010007020000	DUCKWORTH, ROY F (L/E) DUCKWORTH, ROY F (TR)	1	\$7,499.00	\$752.12
0639410010020013070000	DYE ROBERT JAMES DYE TAMI POWELL	1	\$7,499.00	\$752.12
0639410010030010100000	CHERRI HG SMITH REVOCABLE TRUST	1	\$7,499.00	\$752.12
0639410050000001020000	ENGLAND, LOUISE	1	\$7,499.00	\$752.12
0639410010030009210000	EARNEST ROBERT A & ALLISON J	1	\$7,499.00	\$752.12
0639410030000001040000	ROBERTSON, KEITH & RHONDA	1	\$7,499.00	\$752.12
0639410010020009050000	GUILLEMET, RAYMOND A	1	\$7,499.00	\$752.12
0639410010010008180000	WRIGHT, ROY A WRIGHT, WANDA S	1	\$7,499.00	\$752.12
0639410010020016000000	CURTO ROBERT J & LAUREEN	1	\$7,499.00	\$752.12
0639410010020015110000	BEAULIEU LOUIS M & LEE L (TR)	1	\$7,499.00	\$752.12
0639410010010002110000	VANDE ZANDE CHASE R VANDE ZANDE DANIELLE M	1	\$7,499.00	\$752.12
0639410010020016190000	SMITH, EDMOND C & MYRA SIEGEL	1	\$7,499.00	\$752.12
0639410010020011100000	OMAR & ANALIA BORGES 1500 SOUTHWEST	1	\$7,499.00	\$752.12
0639410010030004040000	BINGERMAN DENNIS & CAROL	1	\$7,499.00	\$752.12
0639410010020018150000	SMITH, ALLAN A & FRANCES B	1	\$7,499.00	\$752.12
0639410070000002260000	PARKER RICKY LEE	1	\$7,499.00	\$752.12
0639410040000004070000	VALLAS, RONALD B & JANICE G	1	\$7,499.00	\$752.12
0639410010020018060000	VALLETTA GLENN VALLETTA BETH	1	\$7,499.00	\$752.12
0639410010020021000000	TATJE, KENNETH R & BARBARA K	1	\$7,499.00	\$752.12
0639410020000002030000	HARRIS, DEBORAH L	1	\$7,499.00	\$752.12
0639410010010006120000	BUSTIN, DONALD W & KERRI L	1	\$7,499.00	\$752.12
0639410040000001030000	VALDEZ MICHAEL KONING-VALDEZ RENEE H	1	\$7,499.00	\$752.12
0639410010030005100000	SIEBERT JOHN R	1	\$7,499.00	\$752.12

0639410010030009120000	MCGAHAN STEPHEN F	1	\$7,499.00	\$752.12
0639410070000002170000	IRETON-HEWITT ROBERT S & JESSICA S	1	\$7,499.00	\$752.12
0639410010020015020000	KOENKE STEVEN EDWARD JR KOENKE KELLY FITZGERALD	1	\$7,499.00	\$752.12
0639410010020022080000	DIXON STEPHANIE K	1	\$7,499.00	\$752.12
0639410010020007090000	WRIGHT ROY WRIGHT WANDA S	1	\$7,499.00	\$752.12
0639410010020010030000	KOENKE DONALD KOENKE TONI	1	\$7,499.00	\$752.12
0639410010020006010000	GALLOWAY, EARL T & MARGARET S	1	\$7,499.00	\$752.12
0639410010020021190000	JUREWICZ, JAMES F & KAREN L	1	\$7,499.00	\$752.12
0639410010010011120000	BROWN MARY R	1	\$7,499.00	\$752.12
0639410050000002000000	BARDZINSKI, STEVEN A	1	\$7,499.00	\$752.12
0639410010020017080000	COOPER STEPHEN & RHONDA	1	\$7,499.00	\$752.12
0639410010020005030000	DAVIS, J M & VICKI H	1	\$7,499.00	\$752.12
0639410010030002080000	ETHERIDGE, JAMES & JACQUELINE	1	\$7,499.00	\$752.12
0639410010020008070000	COPPOLA, ANTHONY J	1	\$7,499.00	\$752.12
0639410010030004130000	TALBOT, ROBERT & DAWN	1	\$7,499.00	\$752.12
0639410000010003010000	DAVIS, DAVID KENT DAVIS, CHERYL A	1	\$7,499.00	\$752.12
0639410010010003000000	KITE, EDWIN L KITE, DOROTHY A	1	\$7,499.00	\$752.12
0639410010030007070000	HACKNEY TIMOTHY P & CAROL T	1	\$7,499.00	\$752.12
0639410010020017100000	PASKIEWICZ MICHELE R	1	\$7,499.00	\$752.12
0539410010000015080000	CONN KENNETH A	1	\$7,499.00	\$752.12
0639410000010012020000	CONNORS MELBA J	1	\$7,499.00	\$752.12
0639410000010002030000	PREBLE WILBUR A L/E PREBLE DONNA M L/E	1	\$7,499.00	\$752.12
0539410010000014010000	NGUYEN DONG T DAO TUYET	1	\$7,499.00	\$752.12
0639410000010006040000	HYDE, DONNA J ESTATE	1	\$7,499.00	\$752.12

APPENDIX E

PARCEL I.D. LIST OF PROPERTY LOCATED IN JAMES VILLAS WATER MAIN MSBU (as of the date of adoption of this Resolution)

0539410010000015080000	0639410010010013090000
0639410000010002030000	0639410010020011010000
0639410000010001050000	0639410010020011100000
0639410010020013070000	0639410010010011030000
0639410010030012070000	0639410010010011120000
0639410010020014050000	0639410010010010050000
0639410010030011090000	0639410010020010120000
0639410010030011180000	0639410010010010140000
0639410010030010100000	0639410010020010030000
0639410010020015020000	0639410010020009050000
0639410010030010010000	0639410010010009070000
0639410010020015110000	0639410010020009140000
0639410010020016190000	0639410010020008070000
0639410010030009210000	0639410010010008090000
0639410010030009120000	0639410010020008160000
0639410010020016000000	0639410010010008180000
0639410010030008050000	0639410010020007090000
0639410010020017080000	06394100500000001020000
0639410010020017100000	06394100500000002000000
0639410010020018150000	0639410010020007180000
0639410010030007070000	0639410010020006010000
0639410010020018060000	0639410010010006030000
0639410010030007160000	0639410010020006100000
0639410010030006090000	0639410010010006120000
0639410010020019040000	0639410010020005030000
0639410010020020110000	06394100400000001030000
0639410010020020020000	0639410010020005120000
0639410010030005010000	06394100400000002010000
0639410010020021000000	06394100400000003090000
0639410010030005100000	0639410010010004170000
0639410010030004040000	0639410010010004080000
0639410010020021190000	06394100400000004070000
0639410010030004130000	0639410010010003000000
0639410010030003060000	06394100300000001040000
0639410010020022080000	0639410010010003190000
0639410010030002080000	06394100300000002020000
0639410010030002170000	0639410010010002020000
0639410000010003010000	06394100200000002030000
0639410000010004090000	06394100200000001050000
0639410000010005060000	0639410010010002110000
0639410000010006040000	0639410000010012020000
0639410000010007020000	0539410010000014010000
0639410000010008000000	0639410000160001120000
0639410010020012090000	06394100700000002300000

0639410070000002080000
0639410070000002170000
0639410070000002260000