



OFFICE OF COMPTROLLER

INTEROFFICE MEMO

ORANGE COUNTY FLORIDA

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County Comptroller
Finance and Accounting Department
Special Assessments
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Date: February 26, 2016

To: Katie Smith, Deputy Clerk

Through: Cheryl Gillespie, Agenda Development

03-02-16A08:46 RCVD

From: Margaret A. McGarrity, Chief Deputy Comptroller

03-02-16A08:58 RCVD

Contact: Ann Troutman, 407-836-5770

Subject: Request Number M16-018 for an MSBU for Chicora Crossing Boulevard - Avalon Park Village 3

Applicant: Frank Yokiel
Orange County Public Works Traffic Engineering

Type of Hearing: To establish a Municipal Service Benefit Unit (MSBU) for one time only speed hump installation.

Hearing Required by F. S.# Florida Statute Sections 125.01 (01) (q) and 197.3632. This public hearing may be scheduled any time prior to May 31, 2014. The resolution must be approved by May 31, 2016 to be included on the November 2016 real estate tax bill.

Advertising Requirements / Timeframe: Publish only one (1) time and must be published at least twenty (20) days prior to the public hearing with the tentative advertisement date as Sunday, March 13, 2016.

Notify Abutters: Special Assessments will mail public hearing notices to all of the affected property owners.

Estimated Time Required: One (1) minute

District: Commissioner Thompson, District 4

Hearing Controversial: No.

Handwritten notes: 4-5-16 2:10

Report: The property owners and Orange County Public Works Traffic Engineering Department have requested the establishment of an MSBU for speed hump installation. A total of **28** ballots were mailed to property owners to determine majority opinion. Approximately **69.2%** of the ballots returned were in favor of the establishment of the MSBU. The ballot detail is as follows:

<u>In favor of the MSBU</u>	9
<u>Not in favor of the MSBU</u>	4
Returned <u>Undeliverable</u>	0
Returned After Deadline	0
No Ballot Submitted	<u>15</u>
Total Ballots Distributed	28

The one-time cost for this MSBU is **135.00** per lot. This MSBU would be effective **November 1, 2016**.

Materials being submitted as backup for public hearing request:

1. Resolution – one (1) copy of the proposed resolution for speed hump installation.

ADDITIONAL SPECIAL INSTRUCTIONS TO CLERK:

1. Notify Special Assessments Section / Finance and Accounting Department of public hearing date(s) to prepare public hearing notice. Special Assessments will e-mail the public hearing notice to the Clerk.
2. Copy distribution is noted on file folder(s) containing resolution(s) and / or agreement(s).
3. Mail the following documents to the Tax Collector, Property Appraiser, and Department of Revenue:
 - a. Certified copy of the adopted resolution(s)
 - b. Copy of the newspaper advertisements (entire page)
 - c. Certification or proofs of publication showing the dates of publication on form DR-413
4. **Send the original adopted resolution to the Special Assessments Section / Finance and Accounting Department.**

**RESOLUTION
OF THE
BOARD OF COUNTY COMMISSIONERS
ESTABLISHING A
MUNICIPAL SERVICE BENEFIT UNIT
FOR INSTALLING SPEED HUMPS FOR**

**Chicora Crossing Boulevard
Avalon Park Village 3
11/2016**

WHEREAS, Section 125.01 (l) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Unit (hereinafter known as "MSBU") for any part of the unincorporated areas of Orange County; and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem special assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board"), is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, the County has received a request, in writing from a portion of the property owners of Avalon Park Village 3 subdivision for the establishment of such an MSBU to provide for the capital costs of installing speed humps by imposing special assessments against property benefited by the improvements in that portion of the unincorporated area of Orange County to be known as Avalon Park Village 3 subdivision and which is more fully described below; and

WHEREAS, the Board has, pursuant to notice duly given both by mail and by publication, held a hearing at which all interested persons who appeared were heard or given an opportunity to be heard as to (a) the desirability of undertaking the improvements hereinafter described, (b) the desirability of defraying the cost thereof through special assessments, (c) the amount by which each lot or parcel of real estate which is more fully described below will be benefited by the speed humps, and (d) the amount to be assessed against each benefited property; and

WHEREAS, the Board has determined that the request of a portion of the property owners of Avalon Park Village 3 subdivision, together with the other information pertaining to the speed humps, to be feasible, necessary to facilitate the services desired, and in the interest of the public health and safety, the improvements to a portion of Avalon Park Village 3 subdivision which is more fully described below should be made, and that the properties will be benefited, now and in the future, and that the MSBU should be created; and

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. Creation of MSBU.

There is hereby established and created the **Chicora Crossing Boulevard - Avalon Park Village 3 11/2016 MSBU**, subject to final adjustment and approval as provided for in Section 197.3632, Florida

RECORDING DEPARTMENT: RETURN TO FINANCE AND ACCOUNTING SPECIAL ASSESSMENTS

Statutes, the boundaries of which appear on the recorded plat of **Avalon Park Village 3** subdivision, Plat Book **47**, Pages **96 through 104**, Lots as shown in "**Exhibit A**" of this resolution, Section **5**, Township **23**, Range **32**, Public Records of Orange County, Florida. The purpose of this MSBU is to provide for collection and disbursal by Orange County of such funds as may be necessary to reimburse Orange County for expenditures made for installing speed humps in a portion of Avalon Park Village 3 subdivision. It is understood and agreed that this MSBU is created solely for the purpose of payment to cover the costs associated with installing the speed humps in a portion of Avalon Park Village 3 subdivision.

Section 2. The Project.

- (a) Nature of Improvement. The following project to be paid for (either partially or in full) from special assessment proceeds is installing **3 (three) speed humps** in a portion of Avalon Park Village 3 subdivision in accordance with the Resolution approved by the Orange County Board of County Commissioners on April 15, 1994.
- (b) Location of Project. These improvements in Avalon Park Village 3 subdivision shall be made on Chicora Crossing Boulevard, between Tanja King Boulevard and Peacock Springs Trail. These locations have been determined by the Orange County Public Works Traffic Engineering Department.
- (c) Estimated Capital Cost. The estimated capital cost of installing the 3 (three) speed humps is **\$10,500.00 with District 4 Funding paying \$3,500.00, Orange County paying \$3,500.00 and the property owners shown in Exhibit "A" of this resolution paying \$3500.00.**

Section 3. Assessments.

- (a) Portion of Capital Costs Paid by Assessments. Of the total estimated capital cost for installing speed humps in Section 2 (c), **\$ \$3,500.00** shall be paid from the proceeds of the special assessments. The proceeds of the special assessments shall reimburse the County for cost paid out of the **Orange County Public Works Traffic Calming Program Funding.**
- (b) Manner of Assessment; Declaration of Benefit. All benefited property shall be assessed a one-time special assessment of **\$135.00** per lot in a portion of Avalon Park Village 3 subdivision. This one-time special assessment includes the capital cost of installation and administrative fees. The Board hereby declares that such method of special assessment is proportionate to and not in excess of the special benefits to be derived by each benefited property from installing 3 (three) speed humps.
- (c) One Time Assessment. Assessments will be a one-time special assessment, which includes administration fees. The non-ad valorem special assessment is levied for the first and only time as of **November 1, 2016.**
- (d) Collection of Annual Installments. It is the intent of Orange County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, as Sections 197.3632 and 197.3635, Florida Statutes, grants, shall be used for collecting the non-ad valorem special assessments. One and one half dollars (\$1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specifically assessed against the real property of the freeholders in the MSBU as provided hereafter. An additional amount will be added to provide for reimbursement of necessary

administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem special assessments subject to the provisions of Section 197.3632, Florida Statutes.

Section 4. Assessed Lands; Individual Assessments.

The specific properties benefited by installing these speed humps and the special assessment imposed on each of them are the boundaries of which appear on the recorded plat of Avalon Park Village 3 subdivision, Plat Book 47, Pages 96 through 104, Lots as shown in "Exhibit A" of this resolution, Section 5, Township 23, Range 32, Public Records of Orange County, Florida. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU non-ad valorem special assessments.

After adoption of the non-ad valorem special assessment roll by the Board, the Property Appraiser shall extend the non-ad valorem special assessment upon the non-ad valorem special assessment roll, which roll shall be fully completed prior to the time said Board sits as a Board of Tax Adjustment, during which time such non-ad valorem special assessment may be protested, reviewed, equalized and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board of County Commissioners shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the non-ad valorem special assessment shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County taxes. Said non-ad valorem special assessment, when collected by the Tax Collector shall be remitted to said Board, who shall deposit the same in such depository as shall be designated by the Board. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, Section 197.3632, Florida Statutes, shall be used.

Section 5. Termination of MSBU.

Upon final payment of this one time only non-ad valorem special assessment, this MSBU shall automatically terminate.

Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

The Board of County Commissioners shall be the governing Board of said Municipal Service Benefit Unit.

ADOPTED THIS _____ DAY OF _____, 2016

ORANGE COUNTY, FLORIDA

BY: _____
ORANGE COUNTY MAYOR

DATE: _____

ATTEST: Martha O. Haynie, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

Chicora Crossing Boulevard
Avalon Park Village 3
Exhibit "A"

Assessment Number	Parcel ID Number / Legal Description	Property Owners(s)	Total Assessment
01	05-23-32-1001-02-190 AVALON PARK VILLAGE 3 47/96 LOT 19 BLK B	PEREZ ANGEL UZBELGER KATHY 2703 RAINBOW SPRINGS LN ORLANDO, FL 32828-7782	\$135.00
02	05-23-32-1001-02-200 AVALON PARK VILLAGE 3 47/96 LOT 20 BLK B	ORTEGA ORESTES JR ORTEGA VICTORIA E 2704 FANNING SPRINGS LN ORLANDO, FL 32828-7784	\$135.00
03	05-23-32-1001-03-080 AVALON PARK VILLAGE 3 47/96 LOT 8 BLK C	MAGEE ROBERT J MAGEE GLADYS E 14306 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00
04	05-23-32-1001-03-090 AVALON PARK VILLAGE 3 47/96 LOT 9 BLK C	KOBERNAT DOLLY F 14310 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00
05	05-23-32-1001-03-100 AVALON PARK VILLAGE 3 47/96 LOT 10 BLK C	LEE JIN 630 GLENARBOR DR DULUTH, GA 30097-5788	\$135.00
06	05-23-32-1001-03-110 AVALON PARK VILLAGE 3 47/96 LOT 11 BLK C	SERGIO REBECCA 14318 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00
07	05-23-32-1001-03-120 AVALON PARK VILLAGE 3 47/96 LOT 12 BLK C	CULPEPPER JOSHUA A CULPEPPER REBECCA A 14322 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00

Chicora Crossing Boulevard
Avalon Park Village 3
Exhibit "A"

Assessment Number	Parcel ID Number / Legal Description	Property Owners(s)	Total Assessment
08	05-23-32-1001-03-130 AVALON PARK VILLAGE 3 47/96 LOT 13 BLK C	BENT SHERYL 14326 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00
09	05-23-32-1001-03-140 AVALON PARK VILLAGE 3 47/96 LOT 14 BLK C	INGOGLIA JOSEPH C INGOGLIA DOROTHY M 14330 CHICORA CROSSING BLD ORLANDO, FL 32828-7793	\$135.00
10	05-23-32-1001-03-150 AVALON PARK VILLAGE 3 47/96 LOT 15 BLK C	PHILIPS SUZANNE 14334 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00
11	05-23-32-1001-03-160 AVALON PARK VILLAGE 3 47/96 LOT 16 BLK C	SMOTHERS BEVERLEY 14338 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00
12	05-23-32-1001-03-170 AVALON PARK VILLAGE 3 47/96 LOT 17 BLK C	CHILDS WILLIAM H CHILDS SARAH A 14342 CHICORA CROSSING BLVD ORLANDO, FL 32828-7793	\$135.00
13	05-23-32-1001-04-170 AVALON PARK VILLAGE 3 47/96 LOT 17 BLK D	BRYANT MICHAEL G 1458 ALOMA AVE WINTER PARK, FL 32789-4027	\$135.00
14	05-23-32-1001-04-180 AVALON PARK VILLAGE 3 47/96 LOT 18 BLK D	CONTINI CARONI 14412 CHICORA CROSSING BLVD ORLANDO, FL 32828-7794	\$135.00
15	05-23-32-1001-04-190 AVALON PARK VILLAGE 3 47/96 LOT 19 BLK D	BANKS CANDACE PEKINS 14416 CHICORA CROSSING BLVD ORLANDO, FL 32828-7794	\$135.00
16	05-23-32-1001-04-200 AVALON PARK VILLAGE 3 47/96 LOT 20 BLK D	GUIDO PATRICIA E 14420 CHICORA CROSSING BLVD ORLANDO, FL 32828-7794	\$135.00
17	05-23-32-1001-04-210 AVALON PARK VILLAGE 3 47/96 LOT 21 BLK D	GONZALEZ RAMOS GABRIEL L 14424 CHICORA CROSSING BLVD ORLANDO, FL 32828-7794	\$135.00
18	05-23-32-1001-04-220 AVALON PARK VILLAGE 3 47/96 LOT 22 BLK D	AD-RI 1 LLC 10 EDGEWATER DR APT 14E CORAL GABLES, FL 33133-6968	\$135.00
19	05-23-32-1001-04-230 AVALON PARK VILLAGE 3 47/96 LOT 23 BLK D	HIMES JOSHUA A 14432 CHICORA CROSSING BLVD UNIT 23 ORLANDO, FL 32828-7794	\$135.00
20	05-23-32-1001-04-240 AVALON PARK VILLAGE 3 47/96 LOT 24 BLK D	PROGRESS RESIDENTIAL 2015 1 BORROWER LLC 201 N FRANKLIN ST STE 1750 TAMPA, FL 33602-5840	\$135.00
21	05-23-32-1001-05-150 AVALON PARK VILLAGE 3 47/96 LOT 15 BLK E	VASSALLO PATRICIA B 14510 CHICORA CROSSING BLVD ORLANDO, FL 32828-7795	\$135.00

Chicora Crossing Boulevard
Avalon Park Village 3
Exhibit "A"

Assessment Number	Parcel ID Number / Legal Description	Property Owners(s)	Total Assessment
22	05-23-32-1001-05-160 AVALON PARK VILLAGE 3 47/96 LOT 16 BLK E	SAAVEDRA-VIZCAINO FAMILY REVOCABLE TRUST C/O RUBEN DARIO SAAVEDRA TRUSTEE 14514 CHICORA CROSSING BLVD ORLANDO, FL 32828-7795	\$135.00
23	05-23-32-1001-05-170 AVALON PARK VILLAGE 3 47/96 LOT 17 BLK E	TRAN TOM 3905 CASSIA DR ORLANDO, FL 32828-7714	\$135.00
24	05-23-32-1001-05-180 AVALON PARK VILLAGE 3 47/96 LOT 18 BLK E	THOMPSON BRANDON LEE 14522 CHICORA CROSSING BLVD ORLANDO, FL 32828-7795	\$135.00
25	05-23-32-1001-05-190 AVALON PARK VILLAGE 3 47/96 LOT 19 BLK E	CORDARO VITO J CORDARO PAMELA M 14655 TANJA KING BLVD ORLANDO, FL 32828-7348	\$135.00
26	05-23-32-1001-05-200 AVALON PARK VILLAGE 3 47/96 LOT 20 BLK E	BAILEY BRETT LAWRENCE EMERIC SIENA 14530 CHICORA CROSSING BLVD ORLANDO, FL 32828-7795	\$135.00
27	05-23-32-1001-05-210 AVALON PARK VILLAGE 3 47/96 LOT 21 BLK E	THOMAS GEORGE 14536 CHICORA CROSSING BLVD ORLANDO, FL 32828-7795	\$135.00
28	05-23-32-1001-05-220 AVALON PARK VILLAGE 3 47/96 LOT 22 BLK E	HOUGLAND ERIK SOMERS 14540 CHICORA CROSSING BLVD ORLANDO, FL 32828-7795	\$135.00