

RESOLUTION NO. 1980-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, CONFIRMING THE SPECIAL ASSESSMENTS TO FUND A PORTION OF THE COST OF THE IMPROVEMENTS TO THE ROAD, LANDSCAPING, SIDEWALKS, STREET LIGHTS, TRAFFIC LIGHTS, DRAINAGE PIPES, IRRIGATION AND STORMWATER INLETS (COLLECTIVELY, THE "IMPROVEMENTS") ON A PORTION OF ORANGE AVENUE, FROM U.S. ROUTE 17/92 TO HOLT AVENUE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has determined, and does hereby determine, to make and fund the public improvements to the road, landscaping, sidewalks, street lights, traffic lights, drainage pipes, irrigation and stormwater inlets as authorized by Chapter 170, Florida Statutes, on a portion of Orange Avenue, from U.S. Route 17/92 to Holt Avenue, all of the aforesaid improvements to be hereinafter referred to as the "Improvements"; and

WHEREAS, a portion of the cost and expense of the Improvements is to be paid by special assessments; and

WHEREAS, the City Commission authorized an alternative method of collection of such special assessment upon adoption of Resolution 1965-07 wherein the City declared its intent to use the uniform ad valorem method of collecting non-ad valorem assessments as provided in Section 197.3632, Florida Statutes, in order to allow the collection of the annual assessment installments over twenty years using the property tax bill; and

WHEREAS, pursuant to Sections 197.3632(1)(g) and 197.3632(10)(b), Florida Statutes, the special assessments meet the definition of a "capital project assessment" which allows for annual payments with interest over a period of years, and the City need only adopt the non-ad valorem assessment roll, notify affected property owners, and hold a public hearing in the first year of the capital improvement assessment is levied unless there is a change in the method or purpose of the assessment; and

WHEREAS, the City Commission of the City of Winter Park declared the special assessments and adopted a special assessment roll by virtue of Resolution 1975-07, pursuant to Section 170.03, Florida Statutes; and

WHEREAS, Section 170.07, Florida Statutes, requires that a public hearing be conducted with respect to the special assessment roll which has heretofore been filed with the City Clerk; and

WHEREAS, Section 170.08, Florida Statutes, requires that at said public hearing the City Commission of the City of Winter Park meet as an equalizing board to hear and consider any and all complaints as to such special assessments, and to adjust and equalize said special assessments when necessary on a basis of justice and right; and

WHEREAS, the City Commission of the City of Winter Park has met as such equalizing board and has heard and considered all complaints as to such special assessments raised by the owners of property to be assessed and other interested persons.

NOW, THEREFORE, be it resolved by the City Commission of the City of Winter Park, Florida as follows:

Section 1. This Resolution is adopted pursuant to the provisions of Resolution 1965-07, Resolution 1975-07, Resolution 1976-07, Sections 197.3632 and 170.08, Florida Statutes, and other applicable provisions of law.

Section 2. The lands upon which the aforesaid special assessments shall be levied shall be all lots and lands adjoining and contiguous or bounding and abutting upon the aforesaid Improvements which are specially benefited thereby, as indicated by the Tax Parcels specified in Exhibit "A" attached hereto and incorporated herein by reference (the "Benefited Parcels").

Section 3. The City Commission of the City of Winter Park, after hearing and considering all complaints brought before it as to the special assessments to be charged against the Benefited Parcels for the installation of and funding of the Improvements on a portion of Orange Avenue, from U.S. Route 17/92 to Holt Avenue, does hereby approve and confirm the special assessments as contained in the special assessment roll filed with the City Clerk of the City of Winter Park.


Section 4. The cost of the Improvements and the methodology of the special assessments are set forth in Resolution 1975-07 and the special assessment roll on file with the City Clerk of the City of Winter Park.

Section 5. By being so approved and confirmed, said special assessments shall become legal, valid and binding first liens, upon the Benefited Parcels against which such special assessments are made, until paid.


Section 6. The City Clerk shall cause such approved and confirmed special assessments to be duly recorded in a special book to be known as the "Improvement Lien Book". The record of the lien in said book shall constitute prima facie evidence of its validity.

Section 7. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 25th day of June, 2007.



David C. Strong, Mayor

Attest: 

Cynthia S. Bonham, City Clerk

Exhibit "A"

Tax Parcel IDs

072230056400010	072230737602050	122229660000300
072230056400031	072230737602060	122229660000310
072230056400050	072230737602080	122229660000940
072230056400080	072230737602090	122229660000951
072230341600010	072230737602111	122229660000980
072230341600020	072230737602120	122229660001010
072230341600030	072230737801110	122229660001030
072230341600050	072230737802010	122229660001050
072230361600010	122229104802190	122229660001070
072230361600021	122229660000010	122229660001080
072230361600040	122229660000060	122229660001100
072230361600050	122229660000100	122229660001130
072230651299010	122229660000120	122229660001150
072230737601032	122229660000130	122229660001160
072230737601040	122229660000200	122229660001170
072230737601060	122229660000210	122229660001180
072230737601070	122229660000220	
072230737601080	122229660000250	
072230737601090	122229660000260	
072230737601100	122229660000280	
072230737602040	122229660000290	