

RESOLUTION NO. 1965-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, SETTING FORTH THE CITY'S INTENT TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTION OF A NON-AD VALOREM ASSESSMENT TO FUND THE CONSTRUCTION OF CERTAIN STREETScape IMPROVEMENTS, INCLUDING, WITHOUT LIMITATION, 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 AND THE COSTS ASSOCIATED THEREWITH AS MAY BE PROVIDED IN ACCORDANCE WITH CHAPTER 170, FLORIDA STATUTES, LEVIED AGAINST THE PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK, CONSISTING OF ALL LOTS AND LANDS ADJOINING AND CONTIGUOUS OR BOUNDING AND ABUTTING UPON SUCH IMPROVEMENTS ON A PORTION OF ORANGE AVENUE, FROM U.S. ROUTE 17/92 TO HOLT AVENUE, OR SPECIALLY BENEFITED THEREBY, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE PROPERTY APPRAISER, TAX COLLECTOR AND THE FLORIDA DEPARTMENT OF REVENUE IN ACCORDANCE WITH SECTION 197.3632(3)(a), FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Winter Park, Florida, intends to construct certain streetscape improvements, including, without limitation, 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, generally described that portion of Orange Avenue between U.S. Route 17/92 and Holt Avenue, and impose assessments ("Assessments") against all lots and lands adjoining and contiguous or bounding and abutting upon such Improvements on the portion of Orange Avenue, from U.S. Route 17/92 to Holt Avenue, or specially benefited thereby, to fund the Improvements on the portion of Orange Avenue within said above-described boundaries and the costs associated therewith as may be provided in Chapter 170, Florida Statutes; and

**WHEREAS**, in accordance with Section 197.3632(3)(a), Florida Statutes, the City has advertised its intent to use the uniform method for collecting the assessments weekly in a newspaper of general circulation for four (4) consecutive weeks preceding the public hearing held the day hereof; and

**WHEREAS**, the Property Appraiser, Tax Collector and City of Winter Park have agreed that the time for holding the public hearing and adoption of this resolution can be extended to March 1, 2007; and

**WHEREAS**, in accordance with Section 197.3632(3)(a), Florida Statutes, the City desires to hereby set forth its intent to use the uniform method for collecting the Assessments levied against all lots and lands adjoining and contiguous or bounding and abutting upon such Improvements within the above-described area of Orange Avenue, more particularly described in **Exhibit "A"** attached hereto and made a part hereof; and

**WHEREAS**, the City Commission of the City of Winter Park, Florida directs the City Clerk to provide copies of the Resolution to the Property Appraiser, Tax Collector and the Florida Department of Revenue on or prior to March 10, 2007.

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

**Section 1.** The foregoing "Whereas" clauses are true and correct, are hereby ratified and confirmed by the City Commission, and are incorporated herein and made a part hereof.

**Section 2.** The City Commission of the City of Winter Park hereby confirms its intent to use the uniform method for collecting the Assessments levied against real property located on Orange Avenue, generally described as all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements on Orange Avenue, from U.S. Route 17/92 to Holt Avenue, more particularly described in **Exhibit "A"**, attached hereto and made a part hereof, all lying within the municipal boundaries of the City of Winter Park, to fund the Improvements on the above-described portion of Orange Avenue and the costs associated therewith as may be provided in Chapter 170, Florida Statutes.

**Section 3.** The City Commission of the City of Winter Park, Florida hereby directs the City Clerk to provide copies of this Resolution to the Property Appraiser, Tax Collector and the Florida Department of Revenue on or prior to March 10, 2007, by the United States mail, in accordance with Section 197.3632(3)(a), Florida Statutes.

**Section 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or application of this Resolution.

**Section 6.** This Resolution shall become effective immediately upon its passage and adoption.

**ADOPTED** at regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 26<sup>th</sup> day of February, 2007.

  
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David C. Strong, Mayor

Attest:   
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Cynthia S. Bonham, City Clerk

# EXHIBIT "A"

