

**RESOLUTION NO. 2049-10**

**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 FOR THE PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK, CONSISTING OF PROPERTIES ABUTTING GOLFVIEW TERRACE AND NORTH PARK AVENUE AS MORE PARTICULARLY INDICATED IN EXHIBIT "A" ATTACHED HERETO, TO FUND CERTAIN PUBLIC IMPROVEMENTS OF THE INSTALLATION OF UNDERGROUND ELECTRICAL/BHN FACILITIES; 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 replace the existing overhead electrical/BHN facilities with underground electrical/BHN facilities in the area described as Golfview Terrace and North Park Avenue to impose assessments ("Assessments") against the real property therein to fund the installation of underground electric/BHN facilities within said above-described boundaries; and

**WHEREAS**, in accordance with Section 197.3632(3)(a), Florida Statutes, the City 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 hold 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 April 12, 2010, 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 the real property within the above-described area, more particularly indicated 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 April 12, 2010;

**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 Golfview Terrace and North Park Avenue more particularly indicated 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 City's underground of electric/BHN facilities within the above-described area as referenced in "Exhibit A".

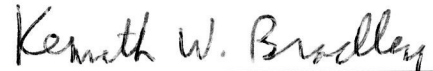
**Section 3.** The City Commission of the City of Winter Park, Florida hereby directs the City Clerk to provide copies of this Resolution to the Property Appraiser, Tax Collector and the Florida Department of Revenue on or prior to April 12, 2010, by the United States mail, in accordance with Section 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.

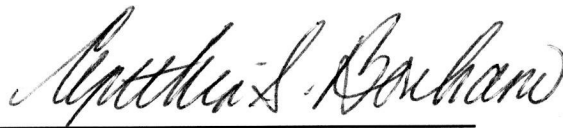
**Section 6.** This Resolution shall become effective immediately upon its passage and adoption.

**ADOPTED** at regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 12<sup>th</sup> day of April, 2010.



Kenneth W. Bradley, Mayor

Attest:



Cynthia S. Bonham, City Clerk

EXHIBIT 'A'

