

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

APR 22 2003 AA/66

**RESOLUTION
OF THE
BOARD OF COUNTY COMMISSIONERS
FOR COLLECTION OF
SPECIAL ASSESSMENT LIENS
FOR
LOT CLEANING**

RESOLUTION NO. 2003-M-10

WHEREAS, Sections 125.01 and 197.3632, Florida Statutes, grants the Board of County Commissioners of Orange County (hereinafter known as the "Board") the power to levy and collect special assessments against benefited properties within unincorporated Orange County; and

WHEREAS, in accordance with Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning, Sections 28-33, 28-34, 28-35, and 28-36, the zoning director ascertained that trash, junk, debris, nonliving plant material or excessive growth of grass or weeds had accumulated or been allowed to grow on properties utilized or zoned for residential, professional office, commercial or industrial use; and

WHEREAS, subject to and in compliance with the due process procedures specified in Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning, Sections 28-38 and 28-39, the zoning director proceeded to enforce abatement of said nuisances by having such properties cleaned at Board expense; and

WHEREAS, under the authority of Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning, Sections 28-40 the Board, and in compliance with prescribed public notice procedures, has previously adopted resolutions imposing special assessment liens against the subject properties and caused such liens to be recorded in the Official Records of Orange County, Florida; and

WHEREAS, for such liens that still remain unpaid, more fully described in Exhibit "A" attached hereto and incorporated herein by reference, the Board desires to make collection under the Uniform Assessment Collection Act, pursuant to which it adopted on February 19, 2002 and subject to public hearing, a resolution giving notice of intent to use the uniform method of collection; 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 levying the special assessments hereinafter described, (b) the desirability of collecting the assessments through the Uniform Assessment Collection Act, and (c) the amount to be assessed against each benefited property as more fully described in Exhibit "A"; and

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

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS

Section 1. Levy of Special Assessment Liens.

The Board desires to affirm the levy of special assessment liens on the properties and in the respective amounts identified in Exhibit "A" attached hereto, which shall be promptly recorded in the Official Records of Orange County, Florida. The purpose of this resolution is to provide initial approval for collection by Orange County of such funds as may be necessary to reimburse the County for expenditures made for lot cleaning in Orange County, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes. These special assessment liens are created solely for the purpose of payment to cover the costs associated with the lot cleanings.

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, but a public hearing notice, subject to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County four times preceding the public hearing.

Section 2. Assessments.

Portion Paid by Assessments. The total costs in Exhibit "A" shall be paid from the proceeds of special assessments. The proceeds of the special assessments shall reimburse the County for its costs paid out of its general fund.

Manner of Assessment. Each property described in Exhibit "A" shall be assessed a one-time special assessment in the respective amount designated for such property as stated in Exhibit "A". This one-time assessment includes the unpaid lot cleaning costs and administrative fees. The Board hereby finds that each such assessment consists of the unpaid lot cleaning costs and administrative fees directly associated with each respective lot.

One-Time Assessment. Assessments will be a one-time assessment, which includes administrative fees. The non-ad valorem assessment will be levied for the first and only time as of **November 1, 2003**.

Collection of Assessments. It is the intent of Orange County that the assessments imposed hereby shall be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. One and one-half dollars (\$1.50) for each lot or parcel of land shall be added by the Board to cover administrative costs and 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 assessments subject to the provisions of Section 197.3632, Florida Statutes.

Section 3. Assessed Lands; Individual Assessments.

The properties to be assessed are more fully described in Exhibit "A". 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 special assessment lien.

Upon adoption of this resolution by the Board, the Property Appraiser shall extend the unpaid assessments 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 assessments may be protested, reviewed, equalized and adjusted in conformance with the provisions of Sections 197.3632 and 197.3635, Florida Statutes. At such time, the Board will, subject to public hearing, adopt in final form the non-ad valorem assessment roll. After adoption, the Board shall certify the final 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 assessments 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 assessments, when collected by the Tax Collector shall be remitted to said Board, who shall deposit the same in such depositories 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 the 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.

Section 4. General Provisions.

Evidence of Payment. Payment in full of the assessment imposed against each property as described in Exhibit "A" shall operate as a release of the assessment lien upon such property. A satisfaction of lien shall be recorded.

Severability. If any clause, section or provision of this resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

Effective Date. This resolution shall take effect immediately upon its adoption.

DULY ADOPTED THIS 22 DAY OF April, 2003

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: [Signature]
ORANGE COUNTY CHAIRMAN

DATE: 4-22-03



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

BY: [Signature]
DEPUTY CLERK

~The following are the property parcel id numbers that are to be assessed and the amount of assessment for each parcel that are to be assessed a one time only assessment. Please note that the assessment for the listed property parcel id numbers below are based on actual incurred expenses per parcel for lot cleaning necessary to reimburse Orange County for expenditures that were expended by Orange County:

Parcel ID Number	Amount	Parcel ID Number	Amount
		10-23-29-7420-03-120	221.44
		11-23-30-0884-00-360	234.02
01-23-32-7602-36-150	296.22	11-23-29-5571-01-330	337.30
01-23-32-7602-63-110	341.16	11-23-30-7271-01-370	236.44
01-23-32-7597-28-020	327.99	11-23-30-6851-00-010	387.79
01-22-29-3712-15-100	224.79	11-23-30-7276-03-380	203.95
01-23-32-7602-61-320	298.01	11-23-29-5571-01-330	273.51
01-23-32-7597-23-080	195.61	11-23-30-6851-00-020	199.15
02-23-30-3885-00-570	123.90	12-22-27-6496-09-001	478.78
02-23-30-3885-00-150	210.28	12-21-28-9118-01-310	241.44
02-22-29-0066-05-182	896.04	12-22-28-0886-00-710	368.90
02-22-29-2996-07-271	247.79	13-22-27-5264-00-214	159.79
03-23-29-0180-09-090	366.22	13-23-29-9068-01-280	312.02
03-23-29-0180-13-100	1,667.35	13-23-28-7088-02-150	485.72
03-23-29-0180-14-060	231.22	14-23-29-7618-01-180	337.92
03-23-29-1402-05-170	200.85	14-22-30-8644-00-200	379.49
03-23-29-0180-33-060	201.19	14-23-30-1251-02-470	189.22
03-23-29-0180-33-090	296.44	15-23-30-5304-08-130	493.85
03-23-29-0180-40-080	201.19	15-23-30-5306-02-200	250.58
03-23-29-0183-10-150	197.47	16-23-30-9562-01-050	411.36
03-23-29-0183-12-110	201.19	16-21-28-6040-03-260	613.17
03-23-29-0183-19-230	201.19	16-21-28-0000-00-086	824.86
03-23-29-7430-02-260	214.69	16-21-28-6040-02-090	382.42
03-23-29-0180-19-190	201.18	16-21-28-4715-00-050	588.41
03-23-29-0180-33-110	302.44	16-24-29-8169-00-360	296.32
03-23-29-0180-03-180	200.85	16-21-28-0000-00-043	1,308.13
03-23-29-0183-10-150	279.21	17-23-30-2959-00-550	329.30
03-23-29-0183-18-050	308.72	17-22-29-5928-04-030	282.76
04-22-29-2612-04-120	580.08	18-22-29-8051-00-350	195.30
04-22-29-0188-00-630	522.09	18-22-29-1790-03-080	260.47
04-22-20-0188-00-720	723.06	18-22-29-7599-02-040	228.28
06-22-29-5978-02-130	326.79	19-22-29-6978-12-040	344.20
06-23-30-6748-01-040	193.54	19-22-29-6952-04-040	1,305.48
06-22-29-8404-00-010	707.23	19-22-29-6976-07-210	232.03
06-23-30-7218-00-510	323.72	19-22-29-6978-12-040	232.03
07-22-29-5566-02-120	353.22	Parcel ID Number	Amount
07-22-29-5566-01-630	349.18	19-22-31-8848-01-440	294.06
07-22-29-5564-00-070	324.79	20-22-31-9640-00-330	308.44
07-23-30-2992-02-120	258.23	20-23-29-8195-20-010	254.41
Parcel ID Number	Amount	21-21-28-0024-00-020	414.26
09-24-29-8246-00-640	266.36	21-22-30-3932-17-250	495.76
09-21-28-0197-10-036	567.86	21-22-31-0000-00-054	313.72

21-23-28-5938-00-050	521.63	28-21-29-7472-18-120	243.43
22-22-32-0712-17-680	491.32	29-23-30-8040-11-050	232.20
22-22-32-0712-05-390	1,113.71	29-21-29-9362-00-120	276.29
22-22-32-0712-17-006	249.60	29-22-29-4593-14-171	410.84
22-22-32-0712-15-430	248.22	29-21-29-5431-00-020	184.95
22-22-32-0712-02-520	364.95	29-22-29-4593-12-090	426.08
22-22-32-0712-14-300	187.96	29-22-29-0000-00-055	572.29
22-22-32-0724-20-140	314.38	29-23-30-8040-11-050	231.65
22-22-32-0712-06-100	2,749.94	30-22-29-2744-09-210	382.32
22-24-29-8225-00-350	204.13	30-22-29-9230-22-010	245.15
22-22-30-0000-00-071	13,856.77	30-22-29-9228-16-070	243.67
22-22-32-0712-60-001	200.90	30-22-29-5088-02-100	383.53
24-23-29-4668-06-080	254.42	32-22-29-4608-02-220	932.57
24-22-30-2291-00-390	225.62	32-22-29-4608-01-121	233.11
24-22-27-5584-03-110	176.46	32-22-29-9006-02-140	210.35
24-22-28-6264-02-012	316.70	32-22-29-9006-03-090	197.11
25-21-28-9252-07-140	420.11	32-22-29-9004-17-110	197.11
26-23-29-8087-12-410	369.65	32-22-29-9006-01-060	442.38
26-22-30-0440-00-290	292.56	32-22-29-4604-01-470	209.90
26-23-29-0000-00-020	354.46	32-22-29-4604-01-340	295.63
26-22-28-3382-01-840	232.28	32-22-29-9006-05-010	203.96
27-22-30-0384-12-080	342.00	32-22-29-9004-16-050	317.15
27-22-30-0428-02-150	332.47	32-22-29-9004-18-180	273.40
28-22-29-5600-91-530	297.23	32-22-29-9004-09-180	213.65
28-22-29-5600-60-720	550.09	34-22-29-1383-02-060	198.60
28-22-29-1764-01-153	212.42	34-22-33-1327-12-210	436.20
28-22-29-0000-00-055	218.56	34-22-33-1327-02-270	1,472.89
		34-21-29-7542-00-150	260.08
		34-21-29-1144-00-440	174.50
Parcel ID Number	Amount	35-22-30-7271-01-250	174.94
		35-22-30-0484-02-470	212.07
28-22-29-9200-02-270	192.06	36-21-28-9342-00-680	257.41
28-22-32-0766-00-020	288.02~		

All of the above property parcel id numbers are Public Records of Orange County, Florida.

~If you wish to appeal any decision made by the Board of County Commissioners at this meeting, you will need a record of the proceedings. You should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you require special accommodations under the Americans with Disabilities Act of 1990, contact the Orange County Communications Division at 407-836-5500 not later than two (2) business days prior to the hearing.~

Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida