RESOLUTION NO. 90-M-35

A RESOLUTION AMENDING THE OXFORD COVE MSTU RESOLUTION FOR MAINTENANCE OF RETAINAGE POND AND/OR DRAINAGE BASIN; PROVIDING FOR DELAYED COLLECTION UNDER THE MSTU; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by a Resolution by the Board of County Commissioners of Orange County, Florida (hereinafter known as the "Board"), established the Oxford Cove Municipal Service Taxing Unit (hereinafter known as "MSTU") for maintenance of Retainage Pond and/or Drainage Basin (hereinafter known as the "Resolution"), said Resolution being recorded in Official Records Book 4018, Page 2303, Public Records of Orange County, Florida;

WHEREAS, the Oxford Cove Homeowners Association (hereinafter "Association") has the ability, is willing, and acknowledges its obligations pursuant to Note 7 on the plat recorded at Plat Book 21, Page 124, to perform minimum maintenance services for the retention area; and

WHEREAS, the Board of County Commissioners has determined that said MSTU for Oxford Cove has been established, however, an amendment to the Resolution is appropriate to provide that collection and disbursement of such MSTU funds by the County to perform the necessary services under the MSTU shall only occur in the event it becomes apparent to the County that the Association cannot satisfactorily perform such services without County intervention.

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

Section 1. Format of Amendments. The Oxford Cove MSTU Resolution for Maintenance of Retainage Pond and/or Drainage Basin which is recorded in Official Records Book 4018, Page 2303, Public Records of Orange County, Florida, is hereby amended as set forth in Section 2 below with the additional language being shown by underlining and the deleted language being shown by struck-through type.
Section 2. The Oxford Cove MSTU Resolution is hereby amended by adding the following language as Section 6:

6. At the request of the Association, and provided that the Association is willing to, able to, and does provide the minimum maintenance services required by this resolution, the County may delay the collection of the special assessments until requested by the Association to begin collection, or until it becomes apparent to the Board of County Commissioners that the Association is no longer capable of maintaining the retainage pond and drainage basin area in a satisfactory condition.

Section 3. Continuing Validity of Non-Amended Portions. Except as indicated above, the Oxford Cove MSTU Resolution for Maintenance of Retainage Pond and Drainage Basin shall remain in full force and effect.

Section 4. Each property owner affected by this Resolution has been provided notice by First Class mail of the potential for loss of their title when the ad valorem method of collection is used, and of the time and place of the public hearing at which this Resolution was adopted.

Section 5. Effective Date. This Resolution shall become effective pursuant to general law.

ADOPTED THIS 9TH DAY OF JULY, 1990.

ORANGE COUNTY, FLORIDA

BY: Chairman, Board of County Commissioners

DATE: 7/9/90

ATTEST: MARTHA O. HAYNIE, Comptroller as Clerk to the Board of County Commissioners

BY: Deputy Clerk