

JUN 4 1991 JEC/RHS

RESOLUTION NO. 91-M-21

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3 RESOLUTION OF THE ORANGE COUNTY BOARD OF  
4 COUNTY COMMISSIONERS PERTAINING TO A WAIVER  
5 OF PREPAYMENT OF TAXES PRIOR TO RECORDATION  
6 OF A PLAT FOR THAT PORTION OF PROPERTY BEING  
7 SUBDIVIDED WHICH CONTAINS DEVELOPED ACREAGE;  
8 PROVIDING FOR A CORRESPONDING WAIVER OF  
9 PREPAYMENT OF TAXES FOR A VACATION OF PLAT  
10 REQUESTED AND APPROVED SIMULTANEOUSLY WITH  
11 ANY SUCH SUBDIVISION REQUEST AND APPROVAL;  
12 ALTERNATIVELY, PROVIDING FOR A LETTER OF  
13 CREDIT IN LIEU OF CASH ESCROW AS SUFFICIENT  
14 ASSURANCE OF PREPAYMENT OF TAXES PRIOR TO  
15 PLAT OR VACATION APPROVAL OF DEVELOPED OR  
16 UNDEVELOPED PROPERTY.

17 WHEREAS, the County desires to broaden the scope of  
18 sureties which are deemed to be "sufficient assurance" that  
19 prepayment of taxes will occur prior to recordation of plat,  
20 which "sufficient assurance" is required pursuant to Laws of  
21 Fla., Ch. 59-1646, Section 8, Section 9; as amended by Laws  
22 of Fla., Ch. 59-1658, Section 1, as codified in Article IV,  
23 Section 30-118(7)(c) (formerly Section 32-6 of the 1965 Code);

24 WHEREAS, the County further desires to broaden the scope  
25 of sureties necessary to assure that prepayment of taxes will  
26 occur prior to approval of a plat vacation, as required by  
27 Laws of Florida, Chapter 59-1646, Section 10; Laws of  
28 Florida, Chapter 59-1658, Section 2, as codified in Section  
29 30-120(3) of the Orange County Code (previously Section 32-8  
30 of the 1965 Code);

31 WHEREAS, the County finds that the aforesaid provisions  
32 can be broadened without necessity of repealing said Special  
33 Laws as cited above;

34 NOW, THEREFORE, be it resolved by the Board of County  
35 Commissioners of Orange County, Florida, that:

36 A letter of credit in the amount of 125% of the next  
previous years taxes assessed against the entire acreage  
being platted or vacated, which letter of credit is  
acceptable to Orange County staff, shall be "sufficient  
assurance" of prepayment of taxes as required by Section

1 30-118(c) of the Orange County Code (plat approval) or  
2 Section 30-120(3) of the Orange County Code for (approval of  
3 a plat vacation). Said letter of credit shall be collected  
4 upon in the event taxes for the property being subdivided  
5 become delinquent.

6 PROVIDED FURTHER THAT prepayment of taxes via cash escrow  
7 or a letter of credit acceptable to county staff, either of  
8 which shall be in the amount of 125% of the next previous  
9 years taxes owed on the undeveloped lots contained within the  
10 total acreage being platted, shall be "sufficient assurance"  
11 of prepayment under Section 30-118(c) of the Orange County  
12 Code to allow for final plat approval. Said prepayment would  
13 also be "sufficient assurance" as required by Section  
14 30-120(3) of the Orange County Code to allow for any plat  
15 vacation which is requested and approved simultaneously with  
16 a replat request and approval. Any such prepayment on  
17 undeveloped lots shall result in a waiver of prepayment  
18 requirements for Developed Lots contained within the acreage  
19 being platted. A "Developed Lot(s)" shall be defined as a  
20 fully developed parcel wherein there exists one or more  
21 properly permitted building(s) which have a certificate of  
22 occupancy and are currently occupied and/or used for  
23 commercial storage purposes.

24 Effective Date. This resolution shall become effective  
25 upon the date of passage.

26 ADOPTED this 4<sup>th</sup> day of June, 1991.

27  
28 ORANGE COUNTY, FLORIDA

29 BY: Vera M. Carter  
30 ~~County~~ Chairman  
FOR THE COUNTY CHAIRMAN

31 DATE: June 4, 1991

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

34 BY: Mary Jo Garrison  
Deputy Clerk

35 AMY 5/21/91 sac388

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