

ORDINANCE 06-30

AN ORDINANCE OF MANATEE COUNTY, FLORIDA ESTABLISHING A MUNICIPAL SERVICE BENEFIT UNIT WHICH SHALL BE KNOWN AS THE HERNANDO AVENUE STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU); PROVIDING DEFINITIONS; IDENTIFYING ALL PROPERTY INCLUDED IN THE MSBU; PROVIDING A GOVERNING BODY FOR THE MSBU; ESTABLISHING THE SERVICES AND FACILITIES TO BE PROVIDED WITHIN THE MSBU; PROVIDING FOR THE LEVY, COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS IN ACCORDANCE WITH THE UNIFORM METHOD TO FUND THE FACILITIES AND SERVICES PROVIDED FOR THE MSBU; PROVIDING AN ALTERNATIVE METHOD FOR THE ENFORCEMENT AND COLLECTION OF SUCH SPECIAL ASSESSMENTS; PROVIDING FOR A SEPARATE ACCOUNTING OF FUNDS; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE, THE CORRECTION OF SPECIAL ASSESSMENTS AND THE INCREASE IN SPECIAL ASSESSMENTS BEYOND THE MAXIMUM RATE AUTHORIZED; PROVIDING FOR CURTAILMENT OF SERVICES; PROVIDING FOR THE CORRECTION OF ERRORS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

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MANATEE COUNTY CLERK COURT
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WHEREAS, Section 125.01(1)(q), Florida Statutes, provides that the legislative and governing body of a county, to the extent not inconsistent with general or special law, may establish municipal service taxing or benefit units, within which may be provided street lighting and other essential facilities and municipal services from funds derived from service charges, special assessments, or taxes within such unit only; and

WHEREAS, Section 125.01(1)(r), Florida Statutes, empowers the County to levy and collect special assessments within a municipal service taxing or benefit unit; and Section 125.01(1)(q), Florida Statutes, provides that the Board of County Commissioners shall be the governing body of any municipal service taxing or benefit unit created thereunder; and

WHEREAS, the owners of each lot or parcel of land within the boundaries of the municipal service benefit unit established herein, as identified on Exhibit "A", have been provided with notice by mail of the public hearing substantially in accordance with the form of notice attached hereto as Exhibit "B", to consider the adoption of this ordinance; of the

special assessment charge that may be levied against their lot or parcel of land and of the fact that a copy of this Ordinance was available for review at the Project Management Department; and

WHEREAS, the Board of County Commissioners has reviewed the special assessment roll and determined that the lots or parcels of land will be benefited to the extent of the special assessments provided herein; and

WHEREAS, this Board of County Commissioners heard and considered all evidence submitted, presentations made and documents filed before and during the public hearing and is fully advised and informed in this matter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that:

SECTION 1 - DEFINITIONS:

Unless the context clearly indicates that a different meaning was intended, the following words and terms shall have the following meaning:

A. Assessment Unit shall mean each subdivision lot or equivalent, subject to such adjustments as determined by the Board to be fair and equitable and in accordance with the benefits received from the facilities and services that will be furnished. A single family residence located on more than one lot will be considered a single lot.

B. Board means the Board of County Commissioners of Manatee County, Florida.

C. Clerk means the Clerk of the Circuit Court for Manatee County, Florida, ex-officio clerk for the Board.

D. Costs mean all costs and expenses associated with the provision of services and facilities within the MSBU, including, but not limited to, the operating and maintenance charges of Florida Power and Light Company, reserves for contingency and reserves necessary to replace, repair and rehabilitate any facilities or equipment, amounts necessary

due to uncollected or uncollectible special assessments and to provide for the enforcement or collection of delinquent special assessments, all administrative and overhead costs associated with the creation and affairs of the MSBU, including, but not limited to, wages, salaries and benefits for personnel and administrators of the MSBU, advertising and conducting hearings and meetings, auditing and record keeping expenses, engineering fees and legal fees, and court costs, reimbursement or payment for any services, materials, supplies or emergency sources provided for the benefit of the MSBU and reimbursement of any monies or services provided in advance by the Board for services, supplies or materials provided for the benefit of the MSBU.

E. Governing body shall mean the Board sitting as the governing body of the MSBU.

F. MSBU shall mean the municipal service benefit unit established under this Ordinance.

G. Notice as used herein shall mean notice mailed by first class mail to the owner or agent at the address on file with the Property Appraiser or Tax Collector for notice associated with ad valorem taxes.

H. Owner shall mean the owner or owners of record and shall include any corporation, partnership, trust or other entity or agent of the owner of record as shown on the records of the Tax Collector or Property Appraiser or a deed of record.

I. Uniform Method shall mean the uniform method for the levy, collection and enforcement of non-ad valorem assessments pursuant to Section 197.3632, Florida Statutes (1990 supplement) including any subsequent amendments thereto.

SECTION 2 – HERNANDO AVENUE STREET LIGHTING MSBU ESTABLISHED:

There is hereby created and established a municipal service benefit unit which shall be known and designated as the Hernando Avenue Street Lighting Municipal Service Benefit

Unit, hereinafter referred to as the "MSBU".

SECTION 3 - BOUNDARIES:

The MSBU shall include all property abutting Hernando Avenue lying and being in Section 35, Township 35-S and Range 17-E, Manatee County, Florida.

SECTION 4 - GOVERNING BODY; ADVISORY COMMITTEE:

The Board shall serve as the governing body of the MSBU. The Board may at its discretion appoint an advisory committee composed of owners of property located within the MSBU if the Board deems such an advisory committee beneficial to the operation of the MSBU. The advisory committee may be established by resolution. The resolution shall set forth the powers and responsibilities of the advisory committee.

SECTION 5 - POWER AND AUTHORITY OF THE GOVERNING BODY:

The Board shall have the power and authority to administer the affairs of the MSBU and to make necessary rules and regulations for the handling of the affairs of the MSBU, provided, however, that all matters related to the MSBU shall be in accordance with this Ordinance and all applicable provisions of the general law.

SECTION 6 - MANAGEMENT OF FUNDS FOR THE MSBU:

The Clerk shall act as custodian of the funds for the MSBU and shall establish an account for such funds and maintain proper accounting records identifying the receipts, expenditures and cash balances of the MSBU, and all other records for the MSBU in accordance with the customary practices of the County and all applicable provisions of law

SECTION 7 - SERVICES AND FACILITIES FOR THE MSBU:

The services and facilities to be provided within the MSBU shall consist of the operation and maintenance of the existing street lights.

SECTION 8 - LEVY, COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS:

Funds for the services and facilities authorized under Section 7, of this Ordinance

shall be provided by special assessments which shall be levied, collected and enforced in accordance with the Uniform Method. The special assessments shall be collected annually, from the owner of each lot or parcel of land in the MSBU and shall be in an amount equal to the estimated annual costs for providing the services and facilities described in Section 7. The assessment shall be levied upon the lots or parcels of land within the MSBU benefited by the services authorized herein and the cost shall be apportioned equally among the assessment units subject to such adjustments as may be determined by the Board to be fair and equitable and in accordance with the benefits received from the facilities and services that will be furnished.

SECTION 9 - INITIAL BUDGET AND SPECIAL ASSESSMENTS ESTABLISHED:

The budget for the MSBU for Fiscal Year 2005-2006 has been prepared and shows that the estimated cost for all services and facilities shall not exceed \$ 1,105.16. The assessment rate for each assessment unit is \$ 39.47, and special assessments are hereby levied against each parcel in accordance with the special assessment roll attached hereto as Exhibit "A". Such special assessments shall be paid annually unless altered or amended in accordance with the provisions of this ordinance.

SECTION 10 - SUBSEQUENT ASSESSMENTS; PROCEDURES FOR LEVYING ESTABLISHED:

Beginning with Fiscal Year 2006-2007, adjustments in the special assessments shall be established by resolution of the Board. At the direction of the County Administrator, a budget shall be prepared and made available for review on or before May 1. If the budget indicates a need to amend the assessment rate, a preliminary special assessment roll shall be prepared and on or before June 1, a date and time shall be scheduled for presentation of the budget and assessment roll to the Board, if:

1. the special assessments are increased beyond the rate authorized by the previous year's final assessment roll, applicable law or judicial decree at the time of the initial

imposition;

2. the boundaries of the MSBU have changed, unless all newly affected property owners have provided written consent for such assessment to the Board; or

3. there is a change in the purpose for the special assessments or in the use of the revenue generated by such assessment, then a public hearing shall be held with notice provided in the manner established pursuant to the provisions of the Uniform Method.

SECTION 11 - ALTERNATIVE METHOD FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS:

If, for any reason, the uniform method is not used for the collection and enforcement of special assessments established pursuant to this Ordinance, the Board may provide for the collection and enforcement of such assessments by any other lawful means. The manner in which such assessments are to be collected and enforced shall be established by resolution of the Board adopted at a public hearing provided notice of the public hearing has been provided to each owner at least twenty (20) days prior to a public hearing adopting or confirming the special assessment roll and advising the owner of each and every item of information required pursuant to the uniform method with the exception of details pertaining to collection and enforcement by the Tax Collector pursuant to the uniform method. Such notice shall include the date by which payment may be made without default, any interest or penalties that may be assessed if payment is not made and any consequences that may result from the failure to pay the assessment when due.

Any special assessments established or confirmed pursuant to this section shall constitute a lien upon the lots or parcels of land assessed. A resolution imposing liens for unpaid assessments may be adopted by the Board and recorded in the public records at any time payment has not been made within the times required by the resolution adopted at the public hearing.

SECTION 12 - NO COUNTY FUNDS OBLIGATED:

Notwithstanding any other provisions of this Ordinance, the Board will not be obligated to expend county funds over and above those collected from the MSBU through the special assessments in order to provide the facilities and services described in Section 7. The Board is under no obligation to continue providing such facilities and services when revenues collected from within the MSBU have been depleted.

SECTION 13 - MSBU FUNDS; RETURN OF EXCESS:

Nothing contained herein shall allow the expenditure of funds collected from within the MSBU or interest earned on an account maintained for the MSBU for purposes other than the payment of costs associated with the MSBU including costs related to additional services and facilities provided pursuant to an amendment to this Ordinance for and specially benefiting parcels within the MSBU. If any revenues in excess of the funds reasonably needed to maintain the facilities and services in the MSBU and reasonable contingency or surplus funds for purposes related thereto should be available in the fund at any time or if the MSBU created under this Ordinance should be dissolved or abolished, such funds shall be returned to the owner of record on the date such returns or refunds are made.

SECTION 14 - LIMITATION ON AMENDMENTS:

This Ordinance may be amended in accordance with the provisions of Chapter 125, Florida Statutes, except that prior to any amendment that would require additional notice pursuant to Chapter 197, Florida Statutes, or any applicable provision of general law, notice of the intent to consider such an amendment shall be published and mailed to each owner within the MSBU, in accordance with the requirements of such law.

SECTION 15 - SERVICES TO COMMENCE:

The operation and maintenance of the facilities and services authorized herein shall commence on the 1st day of January 2007.

SECTION 16 - CORRECTION OF ERRORS:

Corrections or alterations in any special assessment roll, not otherwise provided for by law, may be provided by resolution of the Board. However, no resolution increasing the amount of the special assessment against any lot or parcel of land or including any lot or parcel of land not previously included on the special assessment roll shall be adopted except at a public hearing at a time and place provided in a notice to the owner mailed by first class mail at least twenty (20) days prior to the date of the meeting at which the resolution is adopted unless such owners have provided written consent for such assessment.

SECTION 17 - SEVERABILITY:

Should any portion of this Ordinance be held invalid, the remainder thereof shall not be affected.

SECTION 18 - EFFECTIVE DATE:

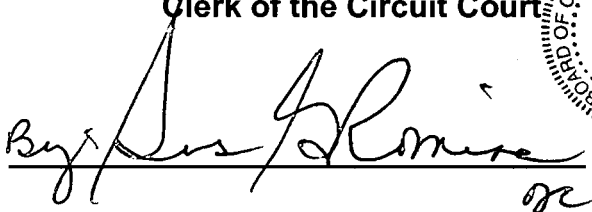
This Ordinance shall become effective immediately upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida, this 6th day of June, 2006.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: 
Chairman

**ATTEST: R. B. SHORE
Clerk of the Circuit Court**

By: 
rc



BOARD RECORDS

EXHIBIT "A"

**STREET LIGHTING
MUNICIPAL SERVICE BENEFIT UNIT (MSBU)
HERNANDO AVENUE**

DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	CURRENT YEAR ASSESSMENT
6802700002	S1/2 OF LOT 5 BLK H BALLENTINE MANOR ESTATES PI#68027.0000/2 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 367 HERNANDO AVE SCT	DINOIA, R RICHARD DINOIA, GAIL M 367 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6802900008	LOT 7 BLK H BALLENTINE MANOR ESTATES SUBJECT TO AIRSPACE EASEMENT REC IN OR 1934/6976 PI#68029.0000/8 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 363 HERNANDO AVE SCT	GUZMAN-VERA, AMAEL ENRIQUE GUZMAN, MARIA T 363 HERNANDO AVE SARASOTA, FL 34243-2031	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6803100004	LOT 9 BLK H BALLENTINE MANOR ESTATES PI#68031.0000/4 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 359 HERNANDO AVE SCT	TIRHI, YASEN M 359 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6803300000	LOT 11 BLK H BALLENTINE MANOR ESTATES; SUBJECT TO PERPETUAL AVIGATION EASEMENT THAT SHALL RUN WITH TITLE TO THE LAND PER EASEMENT AGREEMENT REC 1873/6430 PI#68033.0000/0 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 355 HERNANDO AVE SCT	MITCHELL, ALICE EARLENE 355 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6803510053	LOT 13 BLK H BALLENTINE MANOR ESTATES; SUBJ TO AIR SPACE EASEMENT REC 1637/2966 PI#68035.1005/3 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 351 HERNANDO AVE SCT	STOKES, JOSEPH STOKES, LINDA 351 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6803600003	LOT 15 BLK H BALLENTINE MANOR ESTATES; TOGETHER WITH A PERPETUAL AVIGATION EASEMENT (1941/7097) PI#68036.0000/3 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 347 HERNANDO AVE SCT	ATKINSON, STANLEY L ATKINSON, CHERYL L 347 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75

DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	CURRENT YEAR ASSESSMENT
6803700109	LOT 17, BLK H, BALLENTINE MANOR ESTATES; SUBJ TO AIR SPACE EASEMT (1746/7483) PI#68037.0010/9 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 343 HERNANDO AVE SCT	LYON, THOMAS A MORGAN-LYON, JEAN F ANDERSEN, JOHN D 740 47TH STREET SARASOTA, FL 34234	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6803700209	LOT 19, BLK H, BALLENTINE MANOR ESTATES; SUBJ TO AIR SPACE EASEMT (1746/7483) PI#68037.0020/9 SEC 35 TWP 35-S RNG 17-E PR_USE: 0000 TAX_CD: 0001 SPLIT: LOCATION: 339 HERNANDO AVE SCT	ANDERSEN, JOHN D 740 47TH ST SARASOTA, FL 34234	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6804100003	LOT 21 BLK H BALLENTINE MANOR ESTATES PI#68041.0000/3 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 335 HERNANDO AVE SCT	ALLEN, J STEWART ALLEN, CAROLINE B 335 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6804300009	LOT 23 BLK H BALLENTINE MANOR ESTATES, SUBJECT TO AIRSPACE EASEMENT REC 1831/6179 PI#68043.0000/9 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 331 HERNANDO AVE SCT	BANDY, JEAN M BANDY, CHRISTOPHER J 331 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6804500004	LOT 25 BLK H BALLENTINE MANOR ESTATES PI#68045.0000/4 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 327 HERNANDO AVE SCT	FISHMAN, PAUL L 327 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6804800008	LOT 27 BLK H BALLENTINE MANOR ESTATES PI#68048.0000/8 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 323 HERNANDO AVE SCT	TWIBLE, HARLAN M 323 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6805000004	LOT 29 BLK H BALLENTINE MANOR ESTATES PI#68050.0000/4 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 319 HERNANDO AVE SCT	THEISEN, ANNETTE M RICH, BETTY ANN TRUST C/O UNITED BANK & TRUST PO BOX 1127	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75

DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	CURRENT YEAR ASSESSMENT
6805500059	LOTS 31 & 33, BLK H, BALLENTIN MANOR ESTATES; ALSO ALL LAND LY BET LONGBAY BLVD & SARASOTA BAY & RIP RTS & BET NLY & SLY LNS OF LOT 33 EXT FM WLY LN OF LONGBAY BLVD TO SARASOTA BAY SUBJ TO SEAWALL MAINT EASMT AS DESC (OR 1056 P 87); TOGETHER WITH THAT PART OF VACATED STREET AS DESC IN (1449/2985) LYING BETWEEN THE N & S LNS OF SD LOT 33 EXTENDED. PI#68055.0005/9 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 8011 LONGBAY BLVD SCT	THEISEN, ANNETTE M THEISEN, ANNETTE M TRUST C/O UNITED BANK & TRUST, ATTN: D PO BOX 1127 ANN ARBOR, MI 48106-1127	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 DUNHAM TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6806500002	LOT 6 BLK I SUBJ TO UTY EASMT AS DESC ON OR 990 P 3103 PRMCF BALLENTINE MANOR ESTATES SUBJ TO AIRSPACE EASMT REC IN 2026/7386 PI#68065.0000/2 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 368 HERNANDO AVE SCT	SHERR, S SY COLUCCI, MAURIZIO COLUCCI, PAULA SHERR 8076 N TAMIAMI TRL SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6806600059	LOT 8 BLK I BALLENTINE MANOR ESTATES, ACCORDING TO THE PLAT THEREOF REC IN PB 2 P 136, LESS & EXCEPT: COM AT A PT ON THE SW COR OF LOT 8 BLK I BALLENTINE MANOR ESTATES & RUNNING TH N 02 DEG 55 MIN 00 SEC W A DIST OF 80 FT; RUNNING TH SE TO A PT ON THE ELY LINE OF SD LOT 8 BLK I BALLENTINE MANOR ESTATES, THAT IS 80 FT N OF THE SE COR OF SD LOT & RUNNING S 02 DEG 56 MIN 15 SEC E TO THE SE COR OF SD LOT; RUNNING TH 100 FT +/- S 87 DEG 05 MIN 00 SEC W TO THE POB (1553/4632); TOGETHER WITH A PERPETUAL AVIGATION EASEMENT (1941/7116) PI#68066.0005/9 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 364 HERNANDO AVE SCT	BOUQUIN, BRIDGET 364 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6806800006	LOT 10 BLK I BALLENTINE MANOR ESTATES PI#68068.0000/6 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 360 HERNANDO AVE SCT	KUTY, DENNIS E 44 COLONY POINT DR PUNTA GORDA, FL 33950	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6806900004	LOT 12 BLK I BALLENTINE MANOR ESTATES SUBJECT TO AIRSPACE EASEMENT REC IN OR 1934/7000 PI#68069.0000/4 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 356 HERNANDO AVE SCT	MCCREADY, DOROTHY O LEACH, DIANE G LEACH, GEFREY 356 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75

COUNTY OF MANATEE
 REAL ESTATE SPECIAL ASSESSMENT ROLL FOR HERNANDO AVENUE LIGHTING

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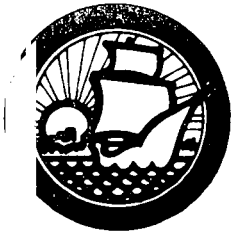
DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	CURRENT YEAR ASSESSMENT
6807100000	LOT 14 BLK I BALLENTINE MANOR ESTATES SUBJECT TO AIRSPACE EASEMENT REC IN OR 1934/7003 P1#68071.0000/0 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 352 HERNANDO AVE SCT	MCANALLY, DIANE G MCCREADY, DOROTHY 352 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6807300006	LOT 16 & ELY 15 FT OF LOT 18 BLK 1 BALLENTINE MANOR ESTATES P1#68073.0000/6 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 348 HERNANDO AVE SCT	WEISS, WARREN 348 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6807400004	W 85 FT OF LOT 18 BLK I BALLENTINE MANOR ESTATES P1#68074.0000/4 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 344 HERNANDO AVE SCT	REESE, JAMES 344 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6807600009	LOT 20 BLK I BALLENTINE MANOR ESTATES P1#68076.0000/9 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 340 HERNANDO AVE SCT	GULLICKSON, DOUGLAS W GULLICKSON, JEANETTE B 340 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6807800005	LOT 22 BLK I BALLENTINE MANOR ESTATES P1#68078.0000/5 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 336 HERNANDO AVE SCT	BENTON, DAVID A 336 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6808100009	LOT 24 BLK I BALLENTINE MANOR ESTATES P1#68081.0000/9 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 332 HERNANDO AVE SCT	NEE, COLEMAN J NEE, MARY B NEE 2000 TRUST DTD 02/03/04 332 HERNANDO AVE	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6808300005	LOT 26 BLK I BALLENTINE MANOR ESTATES P1#68083.0000/5 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 326 HERNANDO AVE SCT	MENDES, JAMES 326 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75

COUNTY OF MANATEE
 REAL ESTATE SPECIAL ASSESSMENT ROLL FOR HERNANDO AVENUE LIGHTING

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DP#	DESCRIPTION OF PROPERTY	NAME AND ADDRESS OF OWNER	CURRENT YEAR ASSESSMENT
6808500000	LOT 28 BLK I BALLENTINE MANOR ESTATES PI#68085.0000/0 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 322 HERNANDO AVE SCT	MILLER, SCOTT WADE 322 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6808800004	LOT 30 BLK I BALLENTINE MANOR ESTATES PI#68088.0000/4 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 318 HERNANDO AVE SCT	BIANCARDI, STEFANO BIANCARDI, BARBARA 318 HERNANDO AVE SARASOTA, FL 34243	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75
6809900001	LOT 34 & LAND ABUTTING SD LOT & LY BET N & S LINES THEREOF EXTENDED WESTWARD TO SARASOTA BAY & RIP RTS BLK I, SUBJ TO SEAWALL MAINTENANCE EASMT AS DESC IN OR 1051 P 2733 PRMCF BALLENTINE MANOR ESTATES; TOGETHER WITH THAT PART OF VACATED STREET AS DESC IN (1449/2985) LYING BETWEEN N & S LNS OF SD LOT 34 EXTENDED. PI#68099.0000/1 SEC 35 TWP 35-S RNG 17-E PR_USE: 0100 TAX_CD: 0001 SPLIT: LOCATION: 312 HERNANDO AVE SCT	BELLM, WALTER P BELLM, ELLEN J 312 HERNANDO AVE SARASOTA, FL 34243-2030	HERNANDO AVENUE LIGHTING 1 UNIT 39.75 PER UNIT TOTALS 39.75 TOTAL ASSESSMENT: 39.75 ANNUAL PAYMENT: 39.75



MANATEE COUNTY GOVERNMENT

Project Management Department

May 12, 2006

Exhibit "B"
Page 1 of 2

D.P. #:«dp»
«name»
«address»
«city»

**RE: NOTICE OF PUBLIC HEARING – ORDINANCE 06-30
HERNANDO AVENUE
STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU)**

Dear «name»:

County records show that you are the owner of real property that will be subject to a special assessment pursuant to Ordinance 06-30.

The Board of County Commissioners of Manatee County, Florida will conduct a public hearing in the Chambers on the 1st floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida on **Tuesday, June 6, 2006** at **9:00 a.m.**, or as soon thereafter, to consider, act upon, adopt or reject Ordinance 06-30 which will establish the Hernando Avenue Street Lighting Municipal Service Benefit Unit (MSBU). The Ordinance will establish boundaries for the MSBU and assessment rates provided for the collection of special assessments by the Tax Collector in accordance with the Uniform Method established in Section 197.3632, Florida Statutes.

Accordingly, you are hereby notified of the following:

1. The purpose of the assessment will be to fund the operation and maintenance of the existing street lights.
2. The total amount to be levied against your parcel is **\$39.47**.
3. The unit of measurement applied against each parcel to determine the assessment is based upon the number of lots. However, a single family home located on more than one lot will be considered a single lot. Records indicate that **one (1)** unit is contained within your parcel.
4. The revenues that will be collected by Manatee County from the parcels within the Hernando Avenue Street Lighting Municipal Service Benefit Unit (MSBU) total **\$1,105.16**
5. The failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title.

6. All affected property owners have a right to appear at the hearing and to file written objections with the Board of County Commissioners within (20) days of this notice. Written objections should be sent to the Manatee County Project Management Department, 1026 26th Avenue East, Bradenton, Florida 34208.
7. Assessments not exceeding the maximum established above will be collected annually and a new public hearing shall not be conducted for future years unless it becomes necessary to increase the annual assessment.

According to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the Board with respect to any matter to be considered at the public hearing, a record of the proceedings may be required and for such purpose, you may need to insure that a verbatim record of the proceedings is made, which would include any testimony or evidence upon which the appeal is to be based.

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 749-7100; TDD ONLY 749-7100 and wait 60 seconds; FAX 745-3790.

Rules of Procedure for this public hearing are in effect pursuant to R-94-90. Copies of this Resolution are available for review at the Citizens Action Center on the ninth floor of the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida, and is available for purchase from County Administrator's Office at cost.

Copies of the proposed Ordinance and the special assessment roll are available for review at the Manatee County Project Management department, located at 1026 26th Avenue East, Bradenton, Florida during normal business hours. For additional information, please contact Peter Bonk, Project Manager at (941) 708-7450, extension 7332 or Sherri Robinson, Assessment Coordinator at extension 7334.

Sincerely,



Timothy A. Hochuli, P.E.
Director

CC: Peter Bonk, Project Manager
Project File: Hernando Avenue

EXHIBIT "B-1"

AFFIDAVIT OF NOTICE

R-06-30

HERNANDO AVENUE
STREET LIGHTING
MUNICIPAL SERVICE BENEFIT UNIT (MSBU)

STATE OF FLORIDA }
COUNTY OF MANATEE }

BEFORE ME, the undersigned authority, this day personally appeared SHERRI ROBINSON who being first duly sworn, deposes and says:

1. That I was an employee of Manatee County at all times material to this affidavit.
2. That I have personal knowledge of the facts stated herein.
3. That a notice conforming with Exhibit "B" attached hereto was prepared for first class mailing, that such a notice was addressed to each and every contiguous property owner identified on Exhibit "A", attached to Resolution R-06-30 as presented to the Board of County Commissioners on the 6th day of June, 2006 and prepared for mailing to such owner at the address indicated on Exhibit "A", and deposited for 1st class mailing with the county courier in the ordinary course of business on the 12th day of May, 2006.

FURTHER YOUR AFFIANT SAITH NOT

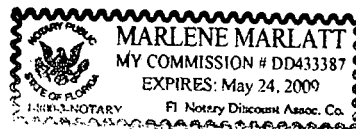
Sherri Robinson
Signature of Affiant

State of Florida
County of Manatee

Sworn to (or affirmed) and subscribed before me this 12 day of May, 2006 by Sherri Robinson.

Signature of Notary Public - State of Florida: Marlene Marlatt

Print, Type or Stamp Commissioned Name of Notary Public:



Personally Known X Or Produced Identification _____
Type of Identification Produced _____

June 6, 2006

**HERNANDO AVENUE
STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU)**

TOTAL ASSESSABLE PARCELS:	28
COST PER PARCEL:	\$39.47
TOTAL ASSESSMENTS:	\$1,105.16

	D.P. #	NAME	LOT	TOTAL ASSESSMENT
	68027.0000/2	DINOIA	PT LOT 5 - H	\$39.47
	68029.0000/8	GUZMAN-VERA	LOT 7 - H	\$39.47
*	68031.0000/4	TIRHI	LOT 9 - H	\$39.47
*	68033.0000/0	MITCHELL	LOT 11 - H	\$39.47
*	68035.1005/3	STOKES	LOT 13 - H	\$39.47
*	68036.0000/3	ATKINSON	LOT 15 - H	\$39.47
	68037.0010/9	WILDE	LOT 17 - H	\$39.47
	68037.0020/9	ANDERSEN	LOT 19 - H	\$39.47
*	68041.0000/3	ALLEN	LOT 21 - H	\$39.47
	68043.0000/9	BANDY	LOT 23 - H	\$39.47
*	68045.0000/4	FISHMAN	LOT 25 - H	\$39.47
*	68048.0000/8	TWIBBLE	LOT 27 - H	\$39.47
*	68050.0000/4	THEISEN	LOT 29 - H	\$39.47
*	68055.0005/9	THEISEN	LOTS 31 & 33 - H	\$39.47
*	68065.0000/2	SHERR & COLUCCI	LOT 6 - I	\$39.47
	68066.0005/9	BOUQUIN	LOT 8 - I	\$39.47
*	68068.0000/6	KUTY	LOT 10 - I	\$39.47
*	68069.0000/4	MCCREADY & LEACH	LOT 12 - I	\$39.47
*	68071.0000/0	MCANALLY & MCCREADY	LOT 14 - I	\$39.47
*	68073.0000/6	WEISS	LOT 16 & PT LOT 18 - I	\$39.47
	68074.0000/4	REESE	PT LOT 18 - I	\$39.47
*	68076.0000/9	GULLICKSON	LOT 20 - I	\$39.47
*	68078.0000/5	BENTON	LOT 22 - I	\$39.47
*	68081.0000/9	NEE	LOT 24 - I	\$39.47
*	68083.0000/5	MENDES	LOT 26 - I	\$39.47
*	68085.0000/0	MILLER	LOT 28 - I	\$39.47
*	68088.0000/4	BIANCARDI	LOT 30 - I	\$39.47
*	68099.0000/1	BELM	LEGAL	\$39.47
				\$1,105.16

* = SIGNED PETITION (21 PROPERTY OWNERS OUT OF 28 PROPERTY OWNERS) = 75%

June 6, 2006

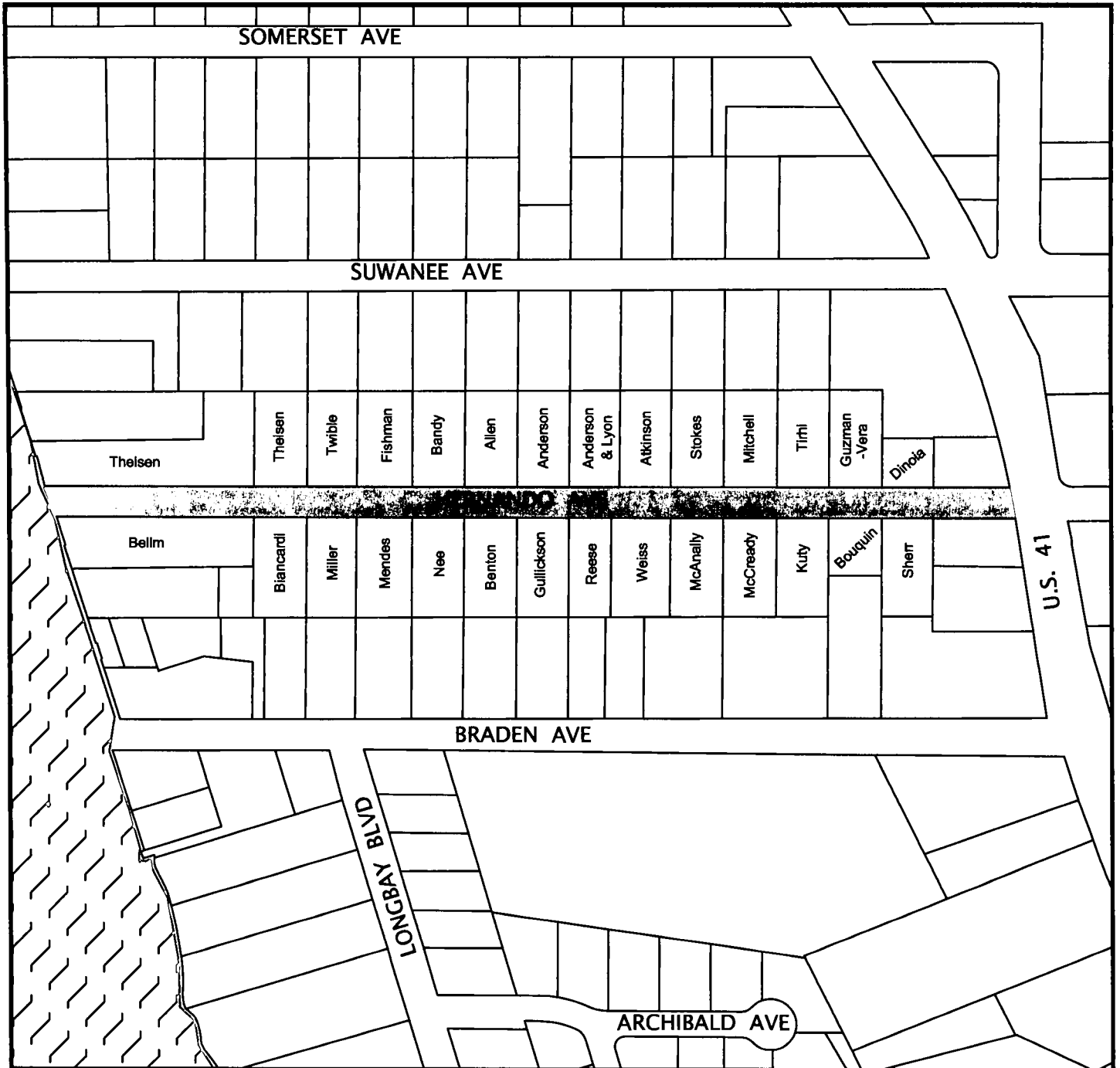
**STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU)
HERNANDO AVENUE**

POSTCARD POLL

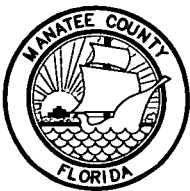
IN FAVOR OF A STREET LIGHTING MSBU:	<u>21</u>	=	<u>75%</u>
IN OPPOSITION TO A STREET LIGHTING MSBU:	<u>2</u>	=	<u>7%</u>
NO RESPONSE:	<u>5</u>	=	<u>18%</u>

D.P. #	NAME	IN FAVOR	IN OPPOSITION	NO RESPONSE
68027.0000/2	DINOIA		1	
68029.0000/8	GUZMAN-VERA			1
68031.0000/4	TIRHI			1
68033.0000/0	MITCHELL			1
68035.1005/3	STOKES	1		
68036.0000/3	ATKINSON	1		
68037.0010/9	WILDE	1		
68037.0020/9	ANDERSEN	1		
68041.0000/3	ALLEN	1		
68043.0000/9	BANDY			1
68045.0000/4	FISHMAN	1		
68048.0000/8	TWIBBLE	1		
68050.0000/4	THEISEN	1		
68055.0005/9	THEISEN		1	
68065.0000/2	SHERR & COLUCCI	1		
68066.0005/9	BOUQUIN			1
68068.0000/6	KUTY	1		
68069.0000/4	MCCREADY & LEACH	1		
68071.0000/0	MCANALLY & MCCREADY	1		
68073.0000/6	WEISS	1		
68074.0000/4	REESE	1		
68076.0000/9	GULLICKSON	1		
68078.0000/5	BENTON	1		
68081.0000/9	NEE	1		
68083.0000/5	MENDES	1		
68085.0000/0	MILLER	1		
68088.0000/4	BIANCARDI	1		
68099.0000/1	BELM	1		
		21	2	5

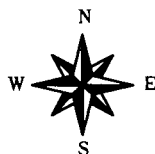
STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU) HERNANDO AVENUE

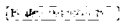


Prepared by: MCPMD - Utility Records Hernando ave.dwg



MANATEE COUNTY
PROJECT MANAGEMENT
DEPARTMENT



LEGEND:	
	AREA OF EXISTING STREET LIGHTS

County Commissioner: Ron Getman

AGREEMENT RE SPECIAL ASSESSMENTS

THIS AGREEMENT made and entered into by and between MANATEE COUNTY, FLORIDA (hereinafter referred to as the "County"), the duly elected PROPERTY APPRAISER for the County (hereinafter the "Property Appraiser") and the duly elected TAX COLLECTOR for the County (hereinafter the "Tax Collector").

WITNESSETH

WHEREAS, the County shall by Ordinance 06-30 (the "Ordinance") establish the Hernando Avenue Street Lighting Municipal Service Benefit Unit to provide facilities and services authorized therein and shall finance the cost of such facilities and services with special assessments levied against properties to be benefited by such project; and

WHEREAS, the County shall duly cause an assessment roll to be prepared as provided by law and the affected property owners have all been noticed prior to the adoption of Ordinance 06-30 and given an opportunity to be heard prior to the adoption of the special assessment roll;

WHEREAS, the County wishes to provide for the collection of such special assessments using the procedure set forth in Section 197.3632, Florida Statutes, relating to the collection of special assessments in the manner provided for ad valorem taxes and to enter into an agreement with the Property Appraiser and Tax Collector providing for reimbursement of administrative costs incurred in connection with such procedure;

NOW, THEREFORE, the parties agree as follows:

Section 1. The Property Appraiser and Tax Collector hereby agree that they will take all necessary action to implement the levy and collection of the assessments in the amounts and at the times set forth in the Ordinance establishing the special assessment roll. Upon collection of such assessments, the County will reimburse the Property Appraiser and Tax Collector as provided in Section 2 hereof.

Section 2. In consideration of such collection, the County hereby agrees to reimburse the Property Appraiser and Tax Collector for reasonable fees and expenses including administrative overhead allocated to collection of such special assessment taxes. The fees and expenses, including administrative overhead, shall be 1.5% of the special assessment taxes so collected to be paid to the Property Appraiser and 1.5% of the special assessment taxes so collected to be paid to the Tax Collector.

Section 3. The special assessments shall be collected by the Tax Collector in the manner provided for collection of ad valorem taxes under Chapter 197.3632, Florida Statutes and as provided in Ordinance 06-30.

Section 4. It is understood that County must furnish the Property Appraiser and Tax Collector with a certified copy of the Ordinance adopting the special assessment roll and imposing liens and certify the amounts to be placed on the next tax roll and collected and that any amounts certified after September 15 will not be included in the upcoming tax roll.

IN WITNESS WHEREOF, the County has caused this agreement to be signed in its name by its Chairman, and its corporate seal to be hereunto affixed and attested by its Clerk. The Property Appraiser has signed this contract in front of witnesses and the Tax Collector has signed this contract and affixed his official seal hereto, all as of this 6TH day of JUNE, 2006.

ATTEST: R. B. SHORE
CLERK OF THE CIRCUIT COURT

By: [Signature]

WITNESSES:
[Signature]
[Signature]
[Signature]
[Signature]



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: [Signature]
THIRD VICE-CHAIRMAN

PROPERTY APPRAISER
BY: [Signature]

TAX COLLECTOR
BY: [Signature]

(SEAL)

THE HERALD

WWW.HERALDTODAY.COM
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

The Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

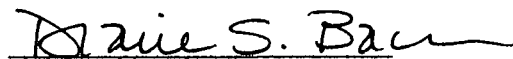
Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of The Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **PUBLIC HEARING** in the Court, was published in said newspaper in the issues of, **5/12/06**

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this
15th Day of May, 2006

DIANE S. BACRO
Notary Public
State of Florida
My comm. exp. 08-15-2007
Comm. No. DD 206531


SEAL & Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF
PUBLIC HEARING
ORDINANCE 06-30
ESTABLISHING THE
HERNANDO AVENUE
STREET LIGHTING
MUNICIPAL SERVICE
BENEFIT UNIT
(MSBU)

Notice is given,
pursuant to Section 197.3632, Florida Statutes, and Chapter 63-1582, Laws of Florida, as amended, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing in the Chambers of the Board at Manatee County Administrative Complex, 1112 Manatee Avenue West, first floor, Bradenton, Florida, on the **6th day of June, 2006, at 9:00 a.m.**, or soon thereafter, to consider, act upon, adopt or reject the following Ordinance:

ORDINANCE 06-30

AN ORDINANCE OF
MANATEE COUNTY,
FLORIDA ESTABLISHING A MUNICIPAL
SERVICE BENEFIT

UNIT WHICH SHALL BE KNOWN AS THE HERNANDO AVENUE STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU); PROVIDING DEFINITIONS; IDENTIFYING ALL PROPERTY INCLUDED IN THE MSBU; PROVIDING A GOVERNING BODY FOR THE MSBU; ESTABLISHING THE SERVICES AND FACILITIES TO BE PROVIDED FOR WITHIN THE MSBU; PROVIDING FOR THE LEVY, COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS BY THE TAX COLLECTOR IN ACCORDANCE WITH THE UNIFORM METHOD TO FUND THE FACILITIES AND SERVICES PROVIDED FOR THE MSBU; PROVIDING AN ALTERNATIVE METHOD FOR THE ENFORCEMENT AND COLLECTION OF SUCH SPECIAL ASSESSMENTS; PROVIDING FOR A SEPARATE ACCOUNTING OF FUNDS; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE, THE CORRECTION OF

SPECIAL ASSESSMENTS AND THE INCREASE IN SPECIAL ASSESSMENTS BEYOND THE MAXIMUM RATE AUTHORIZED; PROVIDING FOR CURTAILMENT OF SERVICES; PROVIDING FOR THE CORRECTION OF ERRORS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Subject to such adjustments as may be determined at the public hearing, you are hereby notified of the following:

1. The property that will be subject to the special assessments is located adjacent to Hernando Avenue.
2. The purpose of the assessments will be to fund the operation and maintenance of the existing street lights.
3. The assessments will be payable annually beginning with the 2006 tax bills. The unit of measurement to be applied will be based upon the number of units and will be \$39.47 per unit.
4. The maximum revenues that will be collected by Manatee County from parcels within the Hernando Avenue Street Lighting Municipal Service Benefit Unit total \$1,105,16.
4. The failure to pay assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

5. The assessments will be collected by the Tax Collector in the manner provided for collecting ad valorem taxes as provided in 197.3632, Florida Statutes.

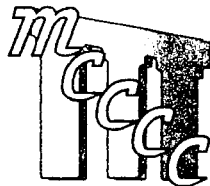
All affected property owners have the right to appear at the public hearing and the right to file written objections within twenty (20) days of the publication of the notice, addressed to Manatee County Project Management Department, 1026 26th Avenue East, Bradenton, Florida 34208.

According to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the Board with respect to any matter to be considered at the meeting

or hearing, he will need a record of the proceedings and for such purpose, he may need to insure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 749-7100; TDD ONLY 749-7100 and wait 60 seconds; FAX 745-3790

Copies of the proposed Ordinance and the special assessment roll are available at the Manatee County Project Management Department, 1026 26th Avenue East, Bradenton, Florida 34208, during normal business hours. For additional information, you may call Peter Bonk, Project Manager at (941) 708-7450, extension 7332 or Sherri Robinson, Assessment Coordinator at extension 7334. A reasonable charge may be made for the provision of copies.
5/12/06



Manatee County

Clerk of the Circuit Court and Comptroller

R.B. Chips Shore

P.O. Box 25400 • Bradenton, Florida 34206 • (941) 749-1800 • FAX (941) 741-4082 • www.manateeclerk.com

June 19, 2006

Liz Cloud, Chief
Florida Department of State
Administrative Code Unit
R.A. Gray Building, Room 101
500 S. Bronough Street
Tallahassee, Florida 32399-0250

Dear Ms. Cloud:

Enclosed are two certified copies of Ordinance **06-30** adopted by the Board of County Commissioners, Manatee County, Florida, in open session on June 6, 2006.

Please stamp both copies with the date filed by the Office of the Secretary of State, retain one copy of each Ordinance for your file and return one copy of each to my office.

Sincerely,

R. B. Shore

By: Nancy Harris, D.C.

RBS/SGR/NJH
Enclosures (2)
cc: Board Records

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	ORDINANCE 06-30 PUBLIC HEARING – HERNANDO AVENUE MSBU	TYPE AGENDA ITEM	ADVERTISED PUBLIC HEARING (PRESENTATIONS UPON REQUEST)
DATE REQUESTED	JUNE 6, 2006	DATE SUBMITTED/REVISED	MAY 24, 2006
BRIEFINGS? Who?	NONE REQUIRED	CONSEQUENCES IF DEFERRED	N/A <i>T. Hochuli 4/12/06</i>
DEPARTMENT/DIVISION	PROJECT MANAGEMENT ADMINISTRATION	AUTHORIZED BY TITLE	TIMOTHY A. HOCHULI, P.E. DIRECTOR, PROJECT MGMT
CONTACT PERSON TELEPHONE/EXTENSION	SHERRI ROBINSON, ASSESSMENT COORD. – 7334	PRESENTER/TITLE TELEPHONE/EXTENSION	TIMOTHY A. HOCHULI, P.E. DIRECTOR – 7348
ADMINISTRATIVE APPROVAL		<i>[Signature]</i>	

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

ADVERTISED PUBLIC HEARING:
ADOPTION OF ORDINANCE 06-30 ESTABLISHING A MUNICIPAL SERVICE BENEFIT UNIT (MSBU) FOR STREET LIGHTING ON HERNANDO AVENUE.
EXECUTION OF AN AGREEMENT WITH THE PROPERTY APPRAISER AND TAX COLLECTOR FOR COLLECTION OF SPECIAL ASSESSMENTS FOR THIS PROJECT.

ENABLING/REGULATING AUTHORITY
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

CHAPTER 125.01(G), FLORIDA STATUTES, PROVIDES FOR THE ESTABLISHMENT OF A MUNICIPAL SERVICE BENEFIT UNIT (MSBU).
CHAPTER 125.01(R), FLORIDA STATUTES, PROVIDES FOR THE COUNTY TO LEVY AND COLLECT SPECIAL ASSESSMENTS WITHIN A MUNICIPAL SERVICE BENEFIT UNIT (MSBU).
CHAPTER 125.01(Q), FLORIDA STATUTES, PROVIDES THAT THE BCC SHALL BE THE GOVERNING BOARD OF ANY MUNICIPAL SERVICE BENEFIT UNIT (MSBU) CREATED.
CHAPTER 197.3632, FLORIDA STATUTES, PROVIDES FOR THE USE OF THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS IMPOSED AFTER JANUARY 1, 1990.

BACKGROUND/DISCUSSION

SEE PAGE "2"

APPROVED IN OPEN SESSION
JUN 06 2006
BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input checked="" type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)	INSTRUCTIONS TO BOARD RECORDS:		
1. FEASIBILITY REPORT 2. ORDINANCE 06-30 3. EXHIBIT "A" (ASSESSMENT ROLL) 4. EXHIBIT "B" (LETTER TO PROPERTY OWNERS) 5. EXHIBIT "B-1" (AFFIDAVIT) 6. LIST OF PROPERTY OWNERS 7. POSTCARD POLL 8. LOCATION MAP 9. AGREEMENT 10. PROOF OF PUBLICATION	RECORD ORDINANCE, EXHIBIT "A", EXHIBIT "B", EXHIBIT "B-1", LOCATION MAP, AGREEMENT AND PROOF OF PUBLICATION. SEND COPIES TO THE OFFICE OF THE SECRETARY OF STATE IN TALLAHASSEE, TAX COLLECTOR'S OFFICE (DEBRA SCOTT), PROPERTY APPRAISER'S OFFICE (JOANN WAINWRIGHT) AND PROJECT MANAGEMENT (SHERRI ROBINSON). <i>6/11/2006</i>		
COST:	COST TO BE ASSESSED TO BENEFITING PROPERTY OWNERS	SOURCE (ACCT # & NAME):	AR300026
COMMENTS:	N/A	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	N/A

BACKGROUND/DISCUSSION:

- DECEMBER 8, 2005, PETITION RECEIVED FROM 75% OF THE PROPERTY OWNERS ON HERNANDO AVENUE REQUESTING THAT THE COUNTY TAKE OVER THE MAINTENANCE AND OPERATION OF THE EXISTING STREET LIGHTS BY CREATING A MUNICIPAL SERVICE BENEFIT UNIT (MSBU).
- JANUARY 19, 2006, A FIRST PUBLIC INFORMATION MEETING WAS HELD WITH THE PROPERTY OWNERS ON HERNANDO AVENUE TO DISCUSS THE PROPOSED MUNICIPAL SERVICE BENEFIT UNIT (MSBU) FOR STREET LIGHTING.
- JANUARY 20, 2006, LETTERS WERE MAILED TO THE PROPERTY OWNERS ALONG WITH A POSTCARD. THE PURPOSE OF THE POSTCARD WAS TO ENABLE EACH PROPERTY OWNER TO REGISTER WHETHER THEY WERE IN FAVOR OF OR OPPOSED TO THE PROPOSED MUNICIPAL SERVICE BENEFIT UNIT (MSBU) FOR STREET LIGHTING ON HERNANDO AVENUE.
- FEBRUARY 6, 2006, A REMINDER LETTER WAS MAILED TO THE PROPERTY OWNERS WHO DID NOT RESPOND TO THE FIRST POSTCARD POLL.
- FEBRUARY 21, 2006, A SECOND REMINDER LETTER WAS MAILED TO THE PROPERTY OWNERS WHO DID NOT RESPOND TO THE PREVIOUS MAILINGS.

- **MARCH 10, 2006, A THIRD REMINDER LETTER WAS MAILED TO THE PROPERTY OWNERS WHO DID NOT RESPOND TO THE PREVIOUS MAILINGS.**
- **THE RESULTS OF THE POSTCARD POLL WERE AS FOLLOWS:**

IN FAVOR:	21 = 75%
IN OPPOSITION:	2 = 7%
NO RESPONSE:	5 = 18%
- **APRIL 25, 2006, PETITION WAS GRANTED BY THE BCC AND THE BCC AUTHORIZED SETTING A PUBLIC HEARING FOR JUNE 6, 2006.**

FOR THE HERNANDO AVENUE MUNICIPAL SERVICE BENEFIT UNIT (MSBU) TO BE EFFECTIVE FOR 2006, THE PUBLIC HEARING AND ADOPTION OF THE ORDINANCE MUST BE HELD BETWEEN JUNE 1 AND SEPTEMBER 15, 2006.

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**FEASIBILITY REPORT
FOR
STREET LIGHTING
MUNICIPAL SERVICE BENEFIT UNIT (MSBU)
HERNANDO AVENUE**

BACKGROUND DATA

EXISTING STREET LIGHTS: HERNANDO AVENUE - FROM U.S. 41, WEST TO LONBAY BOULEVARD

TOTAL ASSESSABLE PARCELS: 28

CHARACTER OF NEIGHBORHOOD: SINGLE FAMILY HOMES

RIGHT OF WAY (EXISTING): N/A

RIGHT OF WAY (REQUIRED): N/A

DESIGN STANDARDS: MAINTENANCE AND OPERATION OF EXISTING STREET LIGHTS

THE FOLLOWING IS A BREAKDOWN OF THEIR FP&L BILLS:

	<u>TOTAL</u>
DECEMBER 7, 2004 - JANUARY 10, 2005	\$74.68
JANUARY 10, 2005 - FEBRUARY 9, 2005	\$76.37
FEBRUARY 9, 2005- MARCH 11, 2005	\$76.37
MARCH 11, 2005 - APRIL 11, 2005	\$76.37
APRIL 11, 2005 - MAY 10, 2005	\$76.37
MAY 10, 2005 - JUNE 9, 2005	\$76.37
JUNE 9, 2005 - JULY 11, 2005	\$76.37
JULY 11, 2005 - AUGUST 9, 2005	\$76.37
AUGUST 9, 2005 - SEPTEMBER 8, 2005	\$76.37
SEPTEMBER 8, 2005 - OCTOBER 7, 2005	\$75.04
OCTOBER 7, 2005 - NOVEMBER 7, 2005	\$75.04
NOVEMBER 7, 2005 - DECEMBER 8, 2005	\$75.04
	<u>\$910.76</u>

DEPARTMENT FINDINGS

METHOD OF ASSESSMENT: COST PER UNIT. EACH BUILDABLE LOT REPRESENTS ONE UNIT.

PRELIMINARY COST ESTIMATES:

1. ANNUAL OPERATING AND MAINTENANCE COSTS.....	\$910.76
2. CONTINGENCY (10%).....	\$91.08
3. SUBTOTAL.....	<u>\$1,001.84</u>
4. PROJECT MANAGEMENT AND ADMINISTRATION COSTS (7%).....	\$70.13
5. SUBTOTAL.....	<u>\$1,071.97</u>
6. PROPERTY APPRAISER AND TAX COLLECTOR (3%).....	\$33.19
7. TOTAL ASSESSMENTS.....	<u><u>\$1,105.16</u></u>
 COST PER UNIT.....	 <u><u>\$39.47</u></u>

DEPARTMENT FINDINGS: TAKE THE NECESSARY ACTION TO MAINTAIN THE EXISTING STREET LIGHTS.

From: Diane Vollmer
Sent: Friday, June 30, 2006 3:27 PM
To: 'debras@taxcollector.com'; 'joann.wainwright@co.manatee.fl.us';
'sherri.robinson@co.manatee.fl.us'
Cc: Nancy Harris
Subject: Ordinance 06-30 - Street Lighting MSBU

Contacts: Debra Scott
Attachments: Ord06-030DOC001.pdf

Attached is Ordinance 06-30, which was adopted by the Board on June 6, 2006,
recorded on June 7, 2006, and filed with the Secretary of State on June 21, 2006.

Diane E. Vollmer
Board Records
(941) 749-1800, ext. 4182
diane.vollmer@manateeclerk.com