

ORDINANCE NUMBER: 82-17

INTRODUCED BY: COMMISSIONER CURTAN

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING A MUNICIPAL SERVICE TAXING UNIT KNOWN AS THE JULINGTON CREEK MUNICIPAL SERVICE DISTRICT, ESTABLISHING THE BOUNDARIES OF THE DISTRICT; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY TO LEVY A MILLAGE NOT EXCEEDING TEN MILLS PER DOLLAR OF VALUE ASSESSED ON ALL PROPERTY IN THE DISTRICT; SUCH FUNDS TO BE USED EXCLUSIVELY IN THE DISTRICT FOR MUNICIPAL SERVICES AS AUTHORIZED BY LAW; PROVIDING FOR EXCEPTIONS FOR A SEPARATE FIRE DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. There is hereby created and established a Municipal Service Taxing Unit to be known as the Julington Creek Municipal Service District, hereinafter referred to as District.

Section 2. The District shall consist of all unincorporated lands in St. Johns County, Florida, that are described on the attached Exhibit A, which is hereby incorporated into and made a part of this Ordinance.

Section 3. The Board of County Commissioners of St. Johns County, Florida, shall be the governing body.

Section 4. The Board of County Commissioners of St. Johns County, Florida, is hereby authorized and empowered to levy a millage not exceeding ten mills per dollar of value assessed on all real property in said District to be used exclusively in said District for municipal services as authorized by law.

Section 5. All such sums collected by said millage shall be administered by the Board of County Commissioners and kept separate and apart from all other funds, and used only to provide municipal services as authorized by law.

Section 6. The Julington Creek Municipal Service District shall and does have all the powers permitted to and for such taxing units under Florida law and all moneys and taxes collected and received by said municipal service taxing unit may be expended for any or all of the purposes allowed such units by Florida law. All terms of the St. Johns County Julington Creek Development order (St. Johns County Resolution #82-87), which refer to the Julington Creek Municipal Service Taxing Unit are incorporated herein and made a part hereof by reference.

Section 7. In the event that the existing St. Johns County Fire Prevention and Control District is not reduced in area to delete therefrom the lands included in the Julington Creek Municipal Service District, then, and only then, the Julington Creek Municipal Service District shall not provide fire prevention and control services and the maximum ten mills permitted for the Julington Creek Municipal Service District shall be reduced each year by the millage actually levied that year by the

St. Johns County Fire Prevention and Control District.

Section 8. This Ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Secretary of State to the Clerk of the Board of County Commissioners that same has been filed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
this 13th day of April, 1982.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis N Boubaker
Its Chairman

ATTEST: CARL "BUD" MARKEL
Its Clerk

BY: Marie Hudson
Deputy Clerk

Adopted regular meeting 04/13/82

Effective: 4-19-82

EXHIBIT A

LEGAL DESCRIPTION

All that tract or parcel of land being a portion of Sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 49 (James James Donations), 54 (Constance McFee Grant), 57 (R. Pengree Grant), Township 4 South, Range 27 East, and a portion of Sections 2, 4, 5, 38 (William Harvey Grant), 39 (Francis P. Fatio Grant), and 42 (R. Pengree Grant), Township 5 South, Range 27 East, more particularly described as follows:

Section 26, Township 4 South, Range 27 East

All of Section 26 lying South of Durbin Creek.

Section 27, Township 4 South, Range 27 East

All of Section 27 lying South of Bishop Estates Road, Durbin Creek, and lying South and East of that property formerly belonging to Sam Hagen; less and except a 60 foot wide road right-of-way decided to St. Johns County in Official Record Book 369, Page 550.

Section 28, Township 4 South, Range 27 East

All of Section 28 lying South of Bishop Estates Road.

Section 29, Township 4 South, Range 27 East

All of Government Lot 3, Section 29, lying South of the southerly boundary of Julington Place as recorded in Map Book 5, Page 23; less and except the rights-of-way for Orange Avenue and Racetrack Road.

Section 30, Township 4 South, Range 27 East

All of Section 30 lying East of State Road 13 and South of Racetrack Road.

Section 31, Township 4 South, Range 27 East

All of Section 31 lying East of State Road 13 described as follows: the East 1/2 of Government Lot 1, less the North 500 feet thereof; and Government Lot 8.

Section 32, Township 4 South, Range 27 East

All of Section 32; less and except the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4, and that portion of Government Lot 13 lying South of Cunningham Creek.

Section 33, Township 4 South, Range 27 East

All of Section 33; less and except Racetrack Road, that certain parcel decided to the Diocese of St. Augustine and recorded in Official Record Book 350, Page 229; the following three parcels decided to the School Board of St. Johns County and recorded in Official Record Book 196, Page 514, Official Record Book 237, Page 199, and Official Record Book 328, Page 514; and a 60 foot wide road right-of-way decided to St. Johns County and recorded in Official Record Book 133, Page 151.

Section 34, Township 4 South, Range 27 East

All of Section 34; less and except Racetrack Road and a 60 foot wide road right-of-way decided to St. Johns County and recorded in Official Record Book 369, Page 550.

Section 35, Township 4 South, Range 27 East

All of Section 35 south of Durbin Creek; less and except Racetrack Road, the West 1/2 of the Southeast 1/4 of the Southeast 1/4, and that certain parcel lying adjacent to and north of Racetrack Road being more particularly described as follows:

Commence at the intersection of the East line of Section 35 and the North right-of-way line of Racetrack Road; thence N 77° 26' 50" W along the Northernly right-of-way line of said Racetrack Road 2333.7 feet to the Point of Beginning; thence N 20° 56' 50" W, 1546.5 feet; thence S 79° 00' 40" W, 789 feet; thence S 23° 33' 10" W, 373 feet; thence S 27° 56' 50" E, 800 feet to the Northernly right-of-way line of said Racetrack Road; thence S 77° 26' 50" E along said Northernly right-of-way line at Racetrack Road to the Point of Beginning, as recorded in Official Record Book 41, Page 186.

Section 36, Township 4 South, Range 27 East

The South 1/2 of the Southwest 1/4 of Section 36; less and except Racetrack Road.

Section 49, Township 4 South, Range 27 East

(James James Donation)

That portion of Section 49 (James James Donation) lying South of Bishop Estates Road; less and except Racetrack Road and the lands now or formerly belonging to James Higginbotham as recorded in Official Record Book 2, Pages 285 and 286.

Section 54, Township 4 South, Range 27 East

(Constance McFee Grant)

All that portion of Section 54 (Constance McFee Grant) lying East of State Road 13.

Section 57, Township 4 South, Range 27 East

(Rebecca Pengree Grant)

That portion of Section 57 (Rebecca Pengree Grant) lying westerly of State Road 13.

Section 2, Township 5 South, Range 27 East

That portion of Section 2 being the East 1/2 of the Northwest 1/4 of the Northeast 1/4.

Section 4, Township 5 South, Range 27 East

That portion of Section 4 being the North 1/2, the North 1/2 of the Southeast 1/4, and the North 1/2 of the Southwest 1/4.

Section 5, Township 5 South, Range 27 East

That portion of Section 5 being the Northeast 1/4 of the Southeast 1/4 and Government Lot 1, less the North 1/2.

Section 38, Township 5 South, Range 27 East

(William Harvey Grant)

That portion of Section 38 (William Harvey Grant) lying easterly of State Road 13.

Section 39, Township 5 South, Range 27 East

(Francis P. Fatio Grant)

That portion of Section 39 lying westerly of State Road 13 and Northeastly of Mill Creek; less and except the following described parcel:

Beginning at the intersection of the Northeastly line of Section 39 (Francis P. Fatio Grant) and the Westerly right-of-way line of State Road 13; thence N 40° 10' 48" W, 102.67 feet along said Northerly line of Section 39; thence S 26° 16' 55" W, 403.34 feet to the waters of Mill Creek; thence Southeastly along the waters following the meanderings of Mill Creek, 110 feet more or less to the Westerly right-of-way line of State Road 13, said point being on a curve having a radius of 2814.79 feet; thence in a northeasterly direction along the arc of said curve, to the left, 310 feet more or less to the Point of Beginning. Said curve being the Westerly right-of-way line of State Road 13.

Section 42, Township 5 South, Range 27 East

(Rebecca Pengree Grant)

That portion of Section 42 (Rebecca Pengree Grant) lying westerly of State Road 13, less and except the following parcels:

1. Beginning at the intersection of the Southwestly line of Section 42 (Rebecca Pengree Grant) and the Westerly right-of-way line of State Road 13; thence N 40° 10' 48" W along said Southeastly line of Section 42, 945.12 feet; thence N 26° 16' 55" E, 471.92 feet; thence S 53° 25' 45" E,

100.00 feet to the Westerly right-of-way line of State Road 13, said point being on a curve with a radius of 2814.79 feet; thence Southwestly along the arc of said curve to the right, 167.06 feet to the Point of Beginning. Said curve being the westerly right-of-way line of State Road 13.

2. Commencing at the intersection of the Southwestly line of said Section 42 and the Westerly right-of-way line of State Road 13; thence northeasterly, along curve, being the Westerly right-of-way line of State Road 13, to the left, having a radius of 2814.79 feet, an arc distance of 229.86 feet to the Point of Beginning; thence N 53° 25' 45" W, 471.92 feet; thence N 36° 35' 15" E, 200 feet; thence S 53° 25' 45" E, 399.92 feet to the Westerly right-of-way line of State Road 13, said right-of-way being a curve with a radius of 2814.79 feet; thence along the arc of said curve, to the right, in a southwestly direction, 212.83 feet to the Point of Beginning.

All Official Records recorded in the Public Records of St. Johns County, Florida.

All lands lying and being in St. Johns County, Florida and contain 4,150 acres more or less.

82-17

The St. Augustine Record
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Robert E. James _____ who on oath says that he is
Advertising Manager _____ of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida;
that the attached copy of advertisement, being a _____
Notice of Public Hearing _____
_____ in the matter of _____
Julington Creek Municipal Service District _____
_____ in the _____ Court,
was published in said newspaper in the issues of _____
March 12, 1982.

Affiant further says that the St. Augustine Record is a newspaper
published at St. Augustine, in said St. Johns County, Florida, and that the
said newspaper has heretofore been continuously published in said St.
Johns County, Florida, each day, except Sundays, and has been entered
as second class mail matter at the post office in the City of St. Augustine,
in said St. Johns County, Florida, for a period of one year next preceding
the first publication of the attached copy of advertisement; and affiant
further says that he 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.

Sworn to and subscribed before me
this 12th day of March _____ *Robert E. James*

APR 19 1982
Ruth M. Walker

SEAL
Notary Public
My Commission Expires May 13, 1985
CLERK OF CIRCUIT COURT
MAR 16 1982

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA, AT ITS REGULAR MEETING ON APRIL 13, 1982, AT 1:45 O'CLOCK P.M., IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING A MUNICIPAL SERVICE TAXING UNIT KNOWN AS THE JULINGTON CREEK MUNICIPAL SERVICE DISTRICT, ESTABLISHING THE BOUNDARIES OF THE DISTRICT; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY TO LEVY A MILLAGE NOT EXCEEDING TEN MILLS PER DOLLAR OF VALUE ASSESSED ON ALL PROPERTY IN THE DISTRICT; SUCH FUNDS TO BE USED EXCLUSIVELY IN THE DISTRICT FOR MUNICIPAL SERVICES AS AUTHORIZED BY LAW; PROVIDING FOR EXCEPTIONS FOR A SEPARATE FIRE DISTRICT AND PROVIDING AN EFFECTIVE DATE.
The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing.
All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.
If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purposes he may need to 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.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
Carl "Bud" Merkel, Its Clerk
By: Marie Hudson Deputy Clerk
L329 March 12, 1982 SAR