

AN ORDINANCE CREATING THE SUMMERHAVEN MUNICIPAL SERVICE TAXING UNIT (THE "MSTU"); DESCRIBING THE BOUNDARIES OF THE MSTU; AUTHORIZING THE MSTU TO ANNUALLY LEVY AD VALOREM TAXES WITHIN THE MSTU TO PROVIDE ROAD CONSTRUCTION, BEACH EROSION CONTROL AND RENOURISHMENT SERVICES, FACILITIES AND PROGRAMS, ADMINISTRATIVE, LEGAL AND OTHER EXPENSES PERTAINING TO THE MSTU; AUTHORIZING A PLEDGE OF THE MSTU AD VALOREM TAX REVENUES TO THE RETIREMENT OF DEBT WHEN APPROVED BY THE ELECTORS OF THE MSTU AS PROVIDED BY GENERAL LAW; AUTHORIZING THE ISSUANCE OF DEBT UPON REFERENDUM APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. FINDINGS. It is hereby ascertained, determined and declared that:

(A) Pursuant to Article VIII, section I of the Florida Constitution, and section 125.01, Florida Statutes, the Board of County Commissioners (the "Board") of St. Johns County, Florida (the "County"), has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law and such power may be exercised by the enactment of county ordinances and resolutions.

(B) Section 125.01(1)(q), Florida Statutes, provides specific legislative authorization for counties to establish a municipal service taxing unit to fund municipal services including road construction, beach erosion control and renourishment services, facilities and programs, as well as pertinent studies, administrative or other services, including legal services, within any part or all of the unincorporated area of the County.

(C) The purpose of this Ordinance is to create the Summerhaven Municipal Service Taxing Unit (the "Summerhaven MSTU") to aid the County if in its discretion it chooses to fund road construction, beach erosion control and renourishment services, facilities and programs, as well as pertinent studies, administrative or other services, including legal services, all within or relating to the Summerhaven MSTU or projects undertaken therein, as established in Section 2 hereof.

(D) The County is required to include and fund the approved annual budget of the Summerhaven Municipal Service Taxing Unit within the County's annual budget.

(E) Road construction, beach erosion control and renourishment services, facilities and programs, as well as pertinent studies, administrative or other services, including legal services relating to the MSTU or projects undertaken therein, constitute municipal services within the meaning of Section 125.01 (1) (q), Florida Statutes.

SECTION 2. CREATION. The Summerhaven Municipal Service Taxing Unit shall be coterminous with the area included within the legal description as provided in Attachment A and as depicted on the map provided in Attachment B.

SECTION 3. AUTHORIZATION OF AD VALOREM TAXES. The Board is hereby authorized but not required to levy annual ad valorem taxes upon taxable real and personal property within the Summerhaven MSTU not to exceed 10 mills, beginning with the County budget for the fiscal year beginning October 1, 2007. The budget and millage rate for the Summerhaven MSTU shall be approved and levied in the manner provided by general law for the levy of County ad valorem taxes.

SECTION 4. AUTHORIZATION OF EXPENDITURES. Revenues derived from ad valorem taxes levied within the Summerhaven MSTU shall be used if levied for the provision of road construction, beach erosion control and renourishment services, facilities and programs, aswell as pertinent studies, administrative or other services, including legal services within or relating to the MSTU or projects undertaken therein, to property located within the boundaries of the Summerhaven MSTU at the discretion of the County.

SECTION 5. BOND REFERENDUM. In the event the Board desires to pledge the MSTU ad valorem tax to the retirement of debt issued for the purpose of financing road construction, beach erosion control and renourishment services, facilities and programs, as well as pertinent studies, administrative or other services, including legal services within or relating to the MSTU or projects undertaken therein, the Board shall cause a bond referendum election to be held in accordance with applicable provision of general law. Upon approval at referendum, the Board shall have all powers necessary to issue bonds in accordance with Florida law.

SECTION 6. EFFECTIVE DATE. The Clerk shall file a certified copy of this Ordinance with the Department of State within five days of its adoption. The Ordinance shall take effect immediately upon its filing with the Department of State.

DULY ENACTED this 21st day of February, 2006.

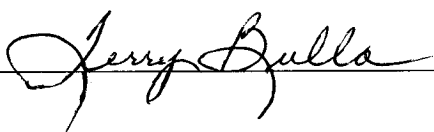
**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**



James E. Bryant, Chairman

ATTEST: **Cheryl Strickland**, Clerk

RENDITION DATE Feb. 23, 2006

By: 

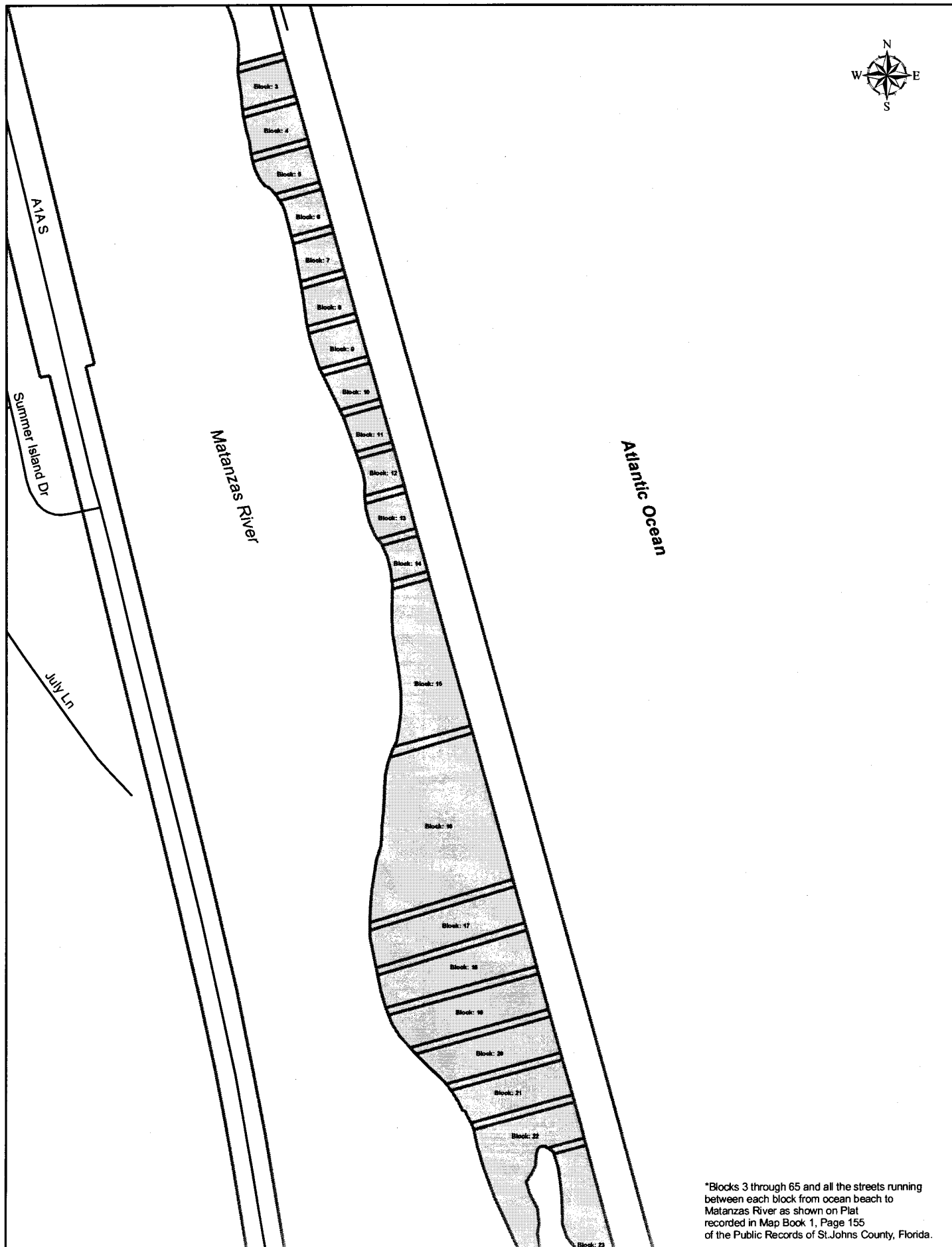
Effective Date: 03/01/06 3

ATTACHMENT A
LEGAL DESCRIPTION OF
SUMMERHAVEN
MUNICIPAL SERVICE TAXING UNIT

ATTACHMENT A

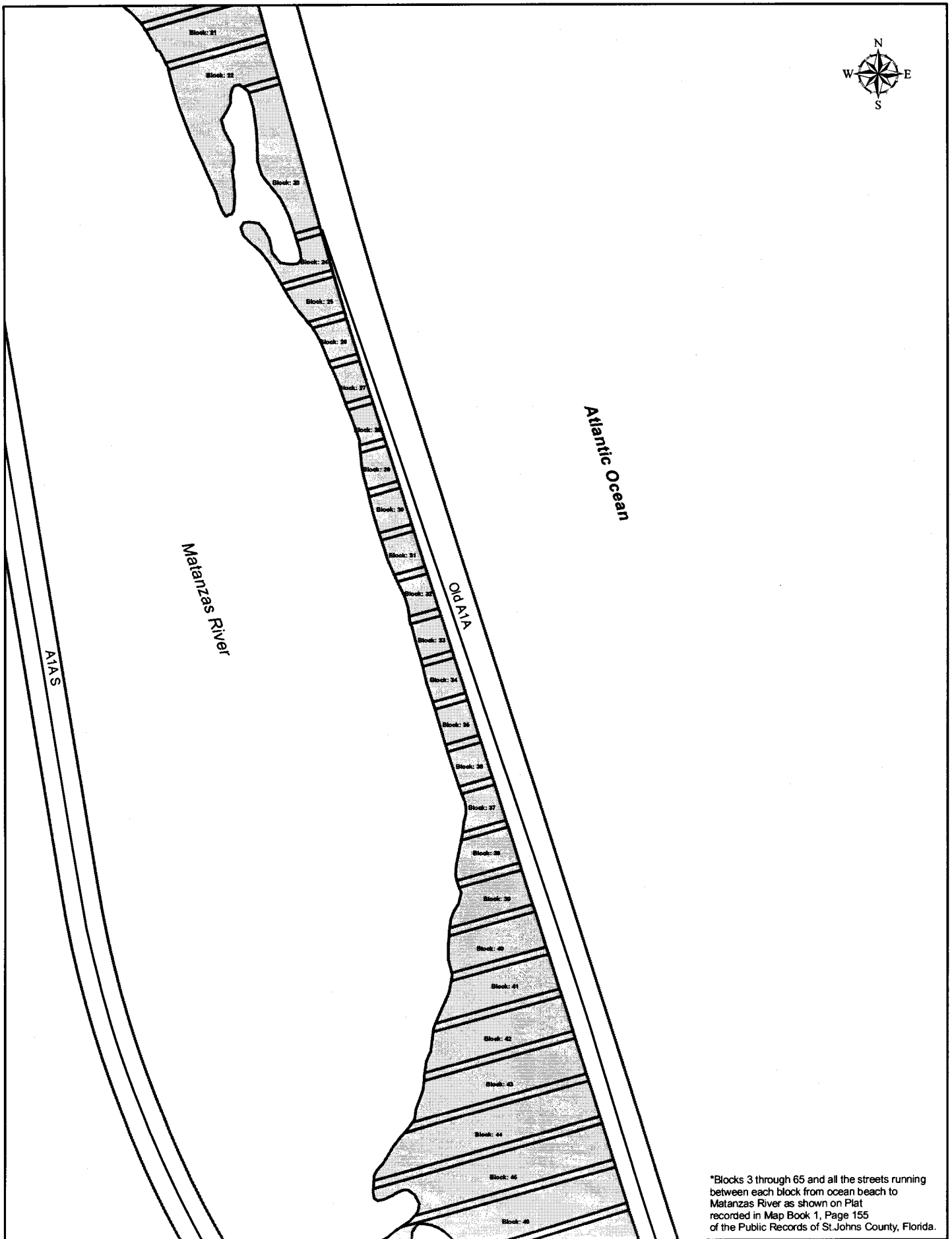
Blocks 3 through 65 and all the streets running between each block from ocean beach to Matanzas River as shown on Plat recorded in Map Book 1, Page 155 of the Public Records of St. Johns County, Florida.

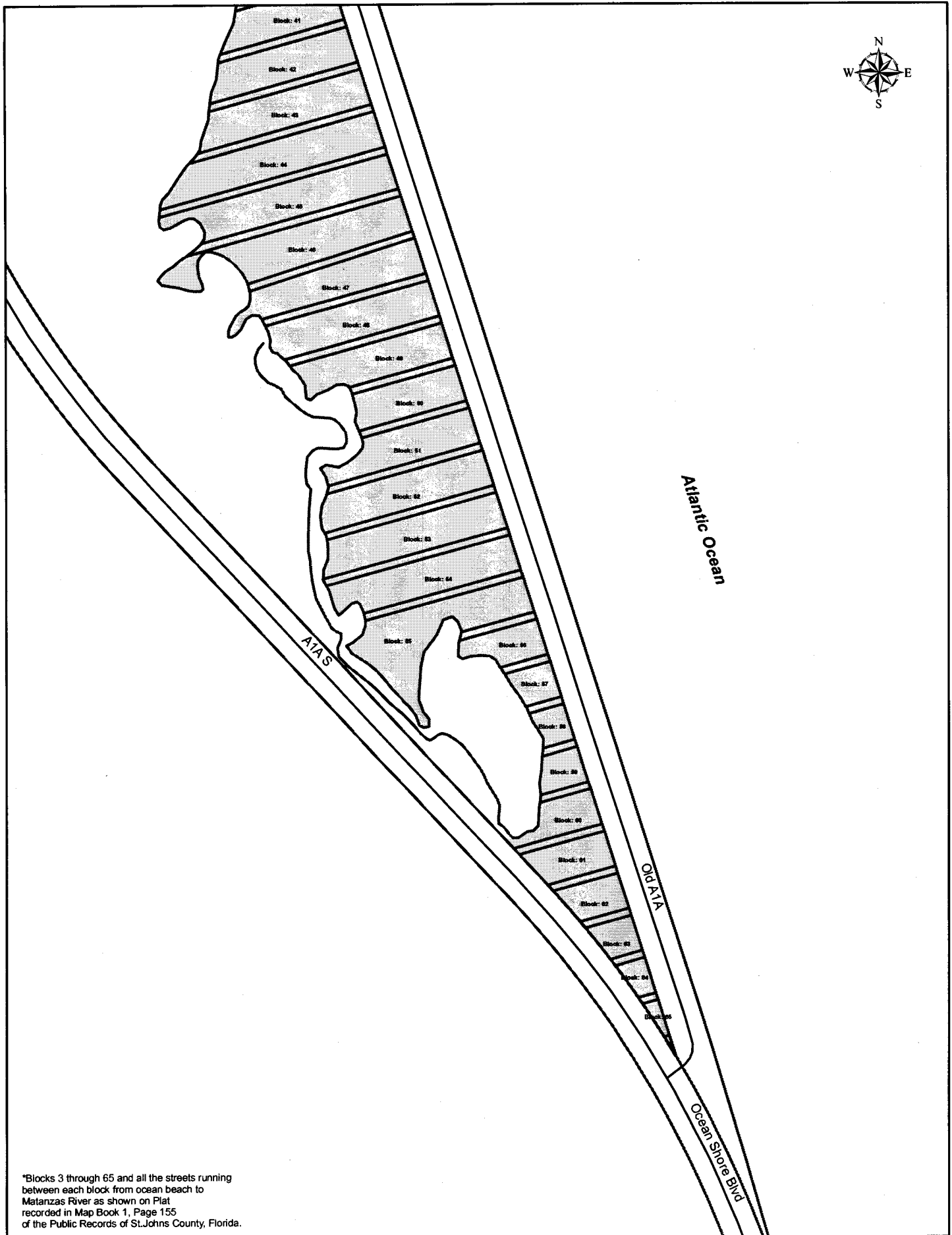
ATTACHMENT B
MAP DEPICTING AREA WITHIN
SUMMERHAVEN
MUNICIPAL SERVICE TAXING UNIT



*Blocks 3 through 65 and all the streets running between each block from ocean beach to Matanzas River as shown on Plat recorded in Map Book 1, Page 155 of the Public Records of St. Johns County, Florida.







*Blocks 3 through 65 and all the streets running between each block from ocean beach to Matanzas River as shown on Plat recorded in Map Book 1, Page 155 of the Public Records of St. Johns County, Florida.

Summer Haven - Map 3
(Attachment B)

ORDINANCE BOOK 39 PAGE 703



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared CHARLES BARRETT who on oath says that he is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being NOTICE OF HEARING in the matter SUMMERHAVEN MSTU was published in said newspaper in the issues of FEBRUARY 10, 2006.

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 heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the 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 the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 10TH day of FEBRUARY, 2006.

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Patricia A. Bergquist]

(Signature of Notary Public)

PATRICIA A. BERGQUIST



Patricia A. Bergquist My Commission DD275991 Expires December 18, 2007

(Seal)

NOTICE OF PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Tuesday, February 21, 2006 at 9:00 a.m. in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida, to consider adoption of the following ordinance: AN ORDINANCE CREATING THE SUMMERHAVEN MUNICIPAL SERVICE TAXING UNIT (THE "MSTU"); DESCRIBING THE BOUNDARIES OF THE MSTU; AUTHORIZING THE MSTU TO ANNUALLY LEVY AD VALOREM TAXES WITHIN THE MSTU TO PROVIDE ROAD CONSTRUCTION, BEACH EROSION CONTROL AND RENOURISHMENT SERVICES, FACILITIES AND

PROGRAMS, ADMINISTRATIVE, LEGAL AND OTHER EXPENSES PERTAINING TO THE MSTU; AUTHORIZING A PLEDGE OF THE MSTU AD VALOREM TAX REVENUES TO THE RETIREMENT OF DEBT WHEN APPROVED BY THE ELECTORS OF THE MSTU AS PROVIDED BY GENERAL LAW; AUTHORIZING THE ISSUANCE OF DEBT UPON REFERENDUM APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the public hearing. Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purposes he/she 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.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact ADA Coordinator, at (904) 209-0650 at the St. Johns County Courthouse, 4010 Lewis Speedway, Room 276, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA CHERYL STRICKLAND, ITS CLERK By: Patricia DeGrande, Deputy Clerk L430-6 Feb 10, 2006



FILED

06 MAR -7 AM 9:44

FLORIDA DEPARTMENT OF STATE

Sue M. Cobb

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

March 2, 2006

Ms. Yvonne King, Deputy Clerk
Minutes and Records Department
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084

Dear Ms. King:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 28, 2006 and certified copies of St. Johns County Ordinance Nos. 2006-15 through 2006-19, which were filed in this office on March 1, 2006.

Sincerely,

Liz Cloud
Program Administrator

LC/mp

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