

ORDINANCE NO. 2007-70

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, AMENDING COUNTY ORDINANCE 2005-101; AMENDING SPECIFICALLY SECTION 11, IN ORDER TO EXEMPT RAVENSWOOD FOREST FROM THE EFFECT OF SECTION 11; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 1, 2005, the Board of County Commissioners of St. Johns County, Florida, enacted St. Johns County Ordinance 2005-101, which established an Affordable Housing Economic Incentive Program; and

WHEREAS, Section 10 of St. Johns County Ordinance 2005-101 granted Automatic Affordable Housing Economic Incentive Assistance for certain grandfathered affordable housing projects, including 81 units under HOME at Ravenswood Forest; and

WHEREAS, Section 11 of St. Johns County Ordinance 2005-101 imposes a lien on qualified residential units that receive Affordable Housing Economic Incentive Assistance; and

WHEREAS, Section 11 of St. Johns County Ordinance 2005-101 should have exempted 81 units under HOME at Ravenswood Forest from the imposition of a lien on qualified residential units that receive Affordable Housing Economic Incentive Assistance; and

WHEREAS, 12 units under HOME at Ravenswood Forest inadvertently and incorrectly were subjected to the imposition of a lien, in accordance with Section 11 of St. Johns County Ordinance 2005-101; and

WHEREAS, in order to account for the original intent of the Board of County Commissioners of St. Johns County, Florida, it is in the best interests of the County to amend Section 11 of St. Johns County Ordinance 2005-101, in order to exempt all 81 units under HOME at Ravenswood from the imposition of a lien on qualified residential units that receive Affordable Housing Economic Incentive Assistance.

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

Section 1. Effect of Recitals.

The above recitals are incorporated by reference into the body of this Ordinance, and such recitals are adopted as Findings of Fact.

Section 2. Amendment of Section 11 of County Ordinance 2005-101.

Section 11 of County Ordinance 2005-101 is amended to read as follows:

Section 11. Imposition of Lien on Qualified Residential Units that Receive AHEI Assistance; Exemption.

Any Qualified Residential Unit that receives AHEI assistance from the County shall be subject to the imposition of a lien in the manner, form, and format established by County policy, and or County Resolution. Under such circumstances, a Qualified Person shall execute a Mortgage Lien Agreement that is consistent with the County SHIP policies and procedures.

Notwithstanding anything contrary in this Section, or this Ordinance, all 81 units under HOME at Ravenswood Forest are exempted from the imposition of a lien on Qualified Residential Units that receive AHEI Assistance.

To the extent that any of the units under HOME at Ravenswood Forest have had a lien imposed, the County shall take whatever measures necessary, in order to remove such lien.

Section 3. Severability.

It is the intent of the Board, and it is hereby provided, that if any phrase, clause, sentence, subsection, section, or provision of this Ordinance is held to be invalid, or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining phrases, clauses, sentences, subsections, sections, or provisions of this Ordinance.

Section 7. Effective Date.

This Ordinance shall be effective upon its proper filing with the Department of State of Florida.

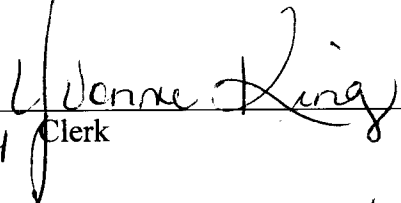
PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 18th day of September, 2007.

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

By: 
Chairman

ATTEST: CHERYL STRICKLAND

RENDITION DATE 09/21/07

By: 
Deputy Clerk

Adopted regular meeting 09/18/07

Effective: 09-26-07



The St. Augustine Record

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

COPY OF ADVE

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHANELL GATEWOOD**

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 a **NOTICE OF MEETING**

in the matter **ORDINANCE 05-101**

was published in said newspaper in the issues of **SEPTEMBER 7, 2007.**

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 **7TH** day of **SEPTEMBER, 2007.**

by Chanel Gatewood who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

(Signature of Notary Public)



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

(Seal)

PATRICIA A. BERGQUIST

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, September 18, 2007 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 OF ST. JOHNS COUNTY, FLORIDA, AMENDING COUNTY ORDINANCE 2005-101; AMENDING SPECIFICALLY SECTION 11, IN ORDER TO EXEMPT RAVENSWOOD FOREST FROM THE EFFECT OF SECTION 11; PROVIDING SEVERABILITY; AND PROVIDING FOR 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
L2431-7 Sept. 7, 2007



FLORIDA DEPARTMENT OF STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

September 27, 2007

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

Attention: Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated September 25, 2007 and certified copies of St. Johns County Ordinance Nos. 2007-70 through 2007-75, which were filed in this office on September 26, 2007.

Sincerely,

Liz Cloud
Program Administrator

LC/lbh

DIRECTOR'S OFFICE

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CHERYL STRICKLAND
CLERK OF THE CIRCUIT COURT
ST. JOHNS COUNTY FL

07 OCT - 1 PM 4:14

FILED