

4/6/93  
9:00 A.M.

RESOLUTION 93-57

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA MODIFYING ST. JOHNS COUNTY ORDINANCE 93-14 (THE "ST. JOHNS COUNTY UTILITY ORDINANCE") TO ALLOW AND PROVIDE A PROCEDURE FOR PAYMENT OVER TIME OF WATER AND SEWER UNIT CONNECTION FEES FOR EXISTING IMPROVEMENTS USING 700 OR LESS GPD OF WATER OR SEWER WHICH HAVE PREVIOUSLY USED A PRIVATE WATER AND/OR SEWER FACILITY AND THEN CONNECT TO THE COUNTY'S WATER AND/OR SEWER SYSTEM.

WHEREAS, paragraph D (Payment Over Time of Water and Sewer Unit Connection Fees) of Section 16 of St. Johns County Ordinance 93-14 provides that its terms, conditions and/or provisions may be supplemented, modified, added to, deleted and/or changed by subsequent resolution(s) of the Board of County Commissioners of St. Johns County, Florida (the "Board").

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

The following is hereby added to the end of paragraph D of Section 16 of St. Johns County, Florida Ordinance 93-14 (the "St. Johns County Utility Ordinance").

"In the event an existing improvement which has previously used a private water and/or sewer facility uses 700 or less GPD of water and/or sewer and the owner

thereof desires to connect to the County's Water and/or Sewer System, the applicable Unit Connection Fees at the time of Connection may, at the option of the Owner, be paid over time for a period not to exceed two (2) years in the manner hereinafter set forth. Interest shall be paid on the unpaid balance of the Unit Connection Fee(s) owed at the rate of five percent (5.0%) per annum. The interest rate may be modified by subsequent resolution(s) of the Board. When the owner of such an Improvement requests payment over time of Unit Connection Fees, the owner and the County will agree on the date the final payment shall become due, which date shall be a monthly anniversary date of the proposed date of the physical water or sewer Connection. The payment shall be on a monthly basis.

The County shall then calculate the number of months between the proposed date of the physical Connection and the final payment date. Such number shall constitute the number of Note Payment Dates.

The County shall divide the total amount of the Unit Connection Fees by the integer number that is one less than the number of Note Payment Dates. The quotient shall constitute the Down Payment.

Before the physical water and sewer connection is made, the owner shall pay the Down Payment to the County and shall execute and deliver to the County a Promissory Note in substantially the form attached hereto (ie. to St. Johns County Ordinance 93-14 as amended) as Exhibit A in Appendix B dated the proposed physical connection date and in the principle amount of the Unit Connection Fee(s) less the Down Payment but with the last sentence on the note referring to a mortgage or letter of credit deleted. The owner shall pay for the documentary stamps for the Promissory Note. The principle and interest on the Promissory Note shall be paid in equal monthly installments on each monthly anniversary date of the proposed physical connection thereafter until paid in full.

Upon all payments being paid in full, the Promissory Note shall be satisfied. Should the Promissory Note not be paid in a timely basis, the County may sue on the Promissory Note and/or may disconnect the applicable water and/or sewer connection until all sums due under the Promissory Note have been paid in full and all appropriate disconnect and

reconnect fee have been paid."

PASSED AND ADOPTED this 13<sup>th</sup> May of April, 1993.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Linda Balsavage  
Its Chair - Linda Balsavage

ATTEST: CARL "BUD" MARKEL, CLERK

By: Yvonne Carter  
Deputy Clerk