

**RESOLUTION NO. 2014-230**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING ASSESSMENT ROLLS FOR VARIOUS ASSESSMENT AREAS ESTABLISHED PURSUANT TO ORDINANCE NO. 2002-55; ESTABLISHING THE LIEN ASSOCIATED THEREWITH; DIRECTING THAT THE ASSESSMENT ROLL BE CERTIFIED TO THE ST. JOHNS COUNTY TAX COLLECTOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, the Board of County Commissioners (the Board) of St. Johns County, Florida, enacted Ordinance No. 2002-55 on September 25, 2002 (the Ordinance), to provide for the creation of assessment areas and authorize the imposition of special assessments to fund the construction of local improvements to serve the real property located therein; and

**WHEREAS**, pursuant to the Ordinance, the Board created and imposed special assessments within the Ponte Vedra Wastewater Assessment Area on November 7, 2002, and the Ponte Vedra Wastewater (Phase II) Assessment Area on August 9, 2005; and

**WHEREAS**, the owner of a certain tax parcel located within the Ponte Vedra Wastewater Assessment Area and the Ponte Vedra Wastewater (Phase II) Assessment Area (PIN 060190-0400) has requested that the Board reallocate a portion of the assessments imposed on such tax parcel to properly reflect a split of that tax parcel into (PIN 060190-0410) (the "Split Parcel") and such reallocation appears to provide a fair and reasonable allocation of the remaining costs associated with the Ponte Vedra

Wastewater Assessment Area and the Ponte Vedra Wastewater (Phase II) Assessment Area; and

**WHEREAS**, pursuant to the provisions of the Ordinance, in order to honor the reallocation request the Board is required to provide mailed notice to the owner of the Split Parcel and provide the owner of the Split Parcel an opportunity to be heard; and

**WHEREAS**, an affidavit of the mailing of such notice is attached hereto as APPENDIX A; and

**WHEREAS**, prior to the adoption of this resolution the owner of the Split Parcel was provided an opportunity to be heard as required by the terms of the Ordinance; and

**WHEREAS**, pursuant to the provisions of the Ordinance, the Board is required to adopt an "Annual Assessment Resolution" each fiscal year to approve the assessment roll, inclusive of any reallocations, for such fiscal year.

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

**SECTION 1. RECITALS.** The above recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**SECTION 2. AUTHORITY.** This Resolution is adopted pursuant to the Ordinance, Chapter 125, Florida Statutes, and other applicable provisions of law.

**SECTION 3. DEFINITIONS.** All capitalized terms in this Resolution, not otherwise defined herein, shall have the meanings defined in the Ordinance.

**SECTION 4. APPROVAL OF REALLOCATION AND ASSESSMENT ROLLS.** The assessment rolls on file with the office of the Clerk for the Ponte Vedra Wastewater Assessment Area and the Ponte Vedra Wastewater (Phase II) Assessment Area, including the reallocations set forth therein, are hereby adopted and approved. Pursuant to Section 197.3632, Florida Statutes, the assessment rolls shall be certified to the St. Johns County Tax Collector prior to September 15, 2014, along with any necessary changes subsequent to the date hereof permitted under the Ordinance and Uniform Assessment Collection Act set forth in Sections 197.3632 and 197.3635, Florida Statutes.

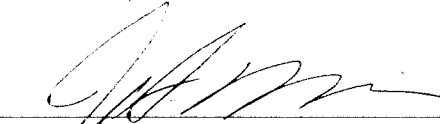
**SECTION 5. ASSESSMENT LIENS.** Special assessments imposed within the assessment areas listed on the rolls in Section 4 hereof shall constitute a lien against assessed real property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until the ad valorem tax bill for such year is otherwise paid in full pursuant to the Uniform Assessment Collection Act. The lien shall be deemed perfected upon adoption of this Resolution, with attached assessment rolls, and shall attach to the real property included on such assessment rolls as of January 1, 2014, the lien date for ad valorem taxes.

**SECTION 6. CONFLICTS.** All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

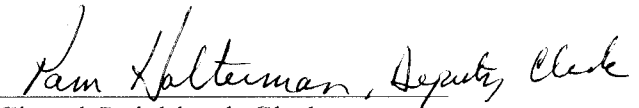
**SECTION 7. SEVERABILITY.** If any portion of this Resolution is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions this Resolution. If this Resolution or any provisions hereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

**SECTION 8. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY THIS 2ND DAY OF SEPTEMBER, 2014.**

  
\_\_\_\_\_  
John H. Morris, Chairman

**ATTESTED TO AND FILED IN MY OFFICE THIS 4 DAY OF SEPTEMBER, 2014.**

*for*   
\_\_\_\_\_  
Pam Halterman, Deputy Clerk  
Cheryl Strickland, Clerk

**RENDITION DATE 9/4/14**

APPENDIX A

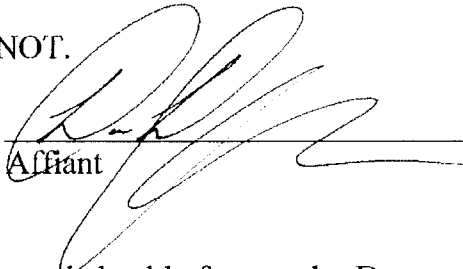
AFFIDAVIT OF MAILING

STATE OF FLORIDA  
ST. JOHNS COUNTY

BEFORE ME, the undersigned authority, personally appeared Damon Douglas, who, after being duly sworn, deposes and say:

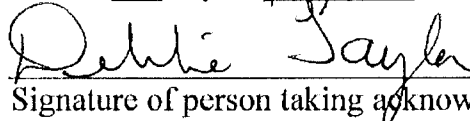
I Damon Douglas, have been designated by the County Administrator of St. Johns County, Florida, to mail the notice required by Section 2.13(B) of Ordinance No. 2002-55, enacted by the Board of County Commissioners of St. Johns County, Florida on September 25, 2002 (the Ordinance). On or before August 13, 2014, I mailed or directed the mailing of, a notice in accordance with Section 2.06 of the Ordinance by first class mail, to the owner of tax parcel (PIN 060190-0410) in conformance with the requirements of the Ordinance, at the address shown on the real property assessment tax roll maintained by the St. Johns County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Affiant

The foregoing instrument was acknowledged before me by Damon Douglas, who is personally known to me or who has produced \_\_\_\_\_ as identification and did (did not) take an oath.

WITNESS, my hand and official seal this 12<sup>th</sup> day of August, A.D., 2014.

  
\_\_\_\_\_  
Signature of person taking acknowledgment

Debbie Taylor  
\_\_\_\_\_  
Name of acknowledger (printed)

My commission expires: 4-14-16

