



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 12/12/06

SUBJECT: Intent to Use the Uniform Method for Collecting Non-Ad Valorem Special Assessment for Capital Improvements for Yorktowne Boulevard Extension lying east of Dunlawton Avenue

DEPARTMENT: Administration

RECOMMENDED MOTION:

Motion to approve Resolution No. 06-114, expressing the City's Intent to Use the Uniform Method for Collecting Non-Ad Valorem Special Assessment for Capital Improvements for Yorktowne Boulevard Extension lying east of Dunlawton Avenue.

SUMMARY:

See attached resolution.

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD *R. W. Wells* Richard Wells
Community Development Director Date *12/5/06*

FINANCE DEPARTMENT Approved as to Budget Requirements Date

CITY ATTORNEY *M. J. Rulo* Approved as to Form and Legality Date *12-05-06*

CITY MANAGER *[Signature]* Approved Agenda Item For: *12/12/06*

COUNCIL ACTION: Approved as Recommended Disapproved Tabled Indefinitely
 Continued to Date Certain Approved with Modification:

RESOLUTION NO. 06-114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, EXPRESSING ITS INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENT FOR CAPITAL IMPROVEMENTS FOR YORKTOWNE BOULEVARD EXTENSION LYING EAST OF DUNLAWTON AVENUE; STATING THE NEED FOR THE LEVY OF A SPECIAL ASSESSMENT CAPITAL IMPROVEMENTS FOR YORKTOWNE BOULEVARD EXTENSION LYING EAST OF DUNLAWTON AVENUE; PROVIDING FOR THE DESCRIPTION OF PROPERTY SUBJECT TO THE LEVY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orange, Florida (the "City") intends to adopt an ordinance imposing a special assessment for capital improvements for Yorktowne Boulevard Extension lying east of Dunlawton Avenue, hereinafter "Yorktowne Extension"; and

WHEREAS, the City intends to use the uniform method for collecting the non-ad valorem special assessment for capital improvements for Yorktowne Extension serving the property within the vicinity of Yorktowne Extension as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessment to be collected annually commencing in November 2007, in the same manner as provided for ad valorem taxes; and

WHEREAS, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. Commencing with the Fiscal Year beginning on October 1, 2007, and with the tax statement mailed for such Fiscal Year, the City intends to use the uniform method of collecting non-ad valorem special assessment for capital improvements for Yorktowne Extension authorized in section 197.3632, Florida Statutes, as amended. Such non-ad valorem special assessment for capital improvements for Yorktowne Extension shall be levied upon the property in the vicinity of the Yorktowne Extension. The public right-of-way within the City shall be exempt from the non-ad valorem special assessment. A legal description of property in the vicinity of the Yorktowne Extension subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

Section 2. The City hereby determines that the levy of the non-ad valorem special assessment is needed to fund the cost of capital improvements for the Yorktowne Extension.

Section 3. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Volusia County Department of Finance and Administrative Services, and the Volusia County Property Appraiser by January 10, 2007.

(Res. No. 06-114)

Section 4. This resolution shall become effective immediately upon adoption.

MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Adopted on the day of

Reviewed and Approved:



City Attorney

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EXHIBIT A

Proof of Publication

EXHIBIT B

Legal Description

Yorktowne Extension District

All of Port Orange Gateway Center Replat as recorded in Map Book 50 Pages 24, 25 26 and 27, Public Records Volusia County, Florida. Parcel # 6318-04-00-0001, 6318-04-00-0020, 6318-04-00-0021, 6318-04-00-0030, 6318-04-00-0040, 6318-04-00-0050, 6318-04-00-0060, and 6318-04-00-0080.

And

All of Daniel Healthcare Center as recorded in Map Book 46 Pages 192, 193 and 194, Public Records Volusia County, Florida. Parcel # 6317-28-00-0010 and 6317-28-00-0020.

And

All of Plat Number Two of Craig Farms lying North of Taylor Road, and except the North 402 feet of Lot 9 as recorded in Map Book 11 page 90 Public Records Volusia County, Florida. Parcel # 6317-03-00-0013, 6317-03-00-0014, 6317-03-00-0017, 6317-03-00-0016, 6317-03-00-0050, 6317-03-00-0060, 6317-03-00-0070, 6317-03-00-0080, and 6317-03-00-0081.

And

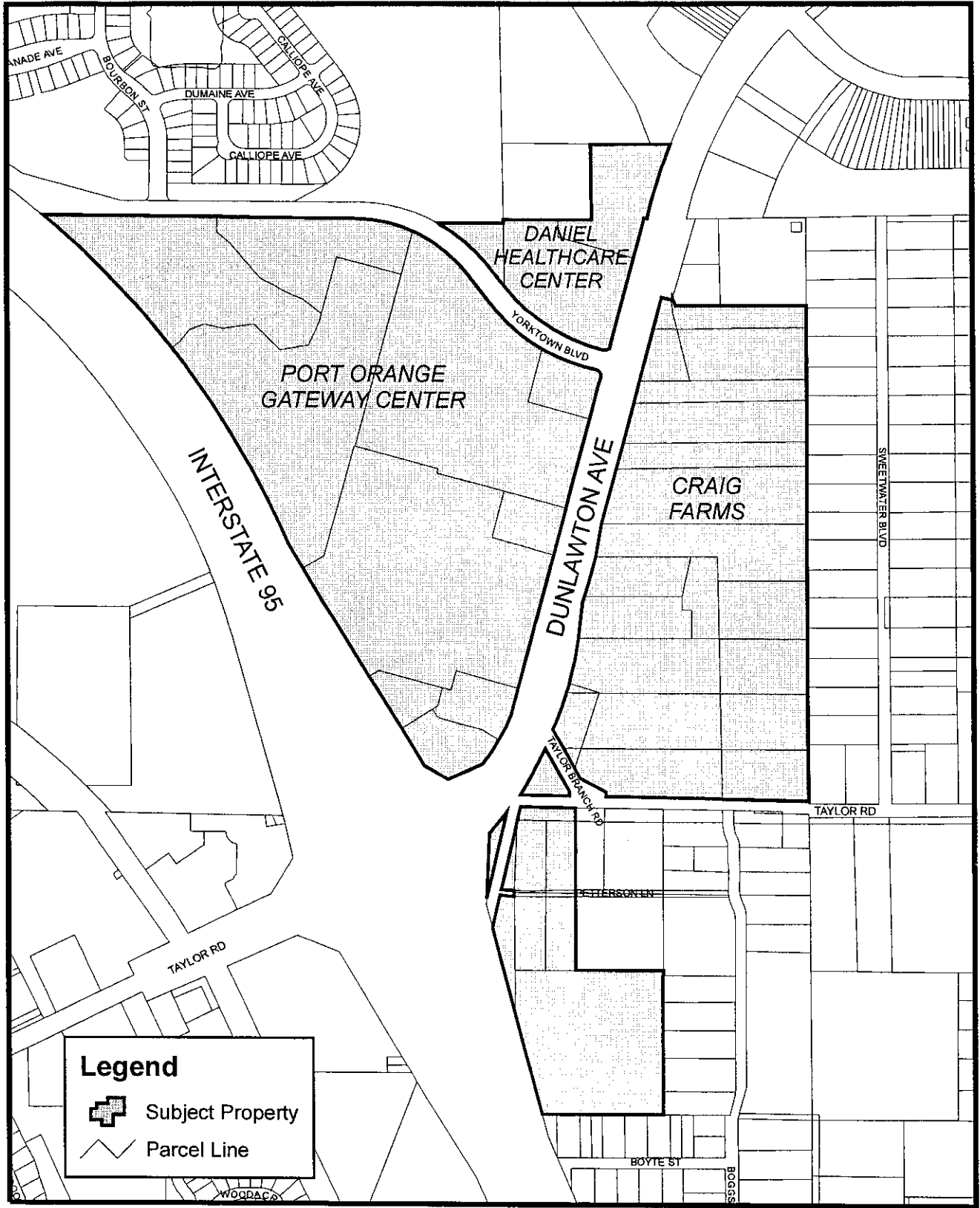
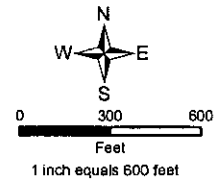
All of Section 19, Township 16 South, Range 33 South, lying East of I-95 and South of Taylor Road as now laid out, and the West 280 feet of the Northwest $\frac{1}{4}$, and the Southwest $\frac{1}{4}$ of Section 20, Township 16 South, Range 33 and the west 280 feet of Lot 1-A , Plat Number Two of Craig Farms, Map Book 11 Page 90, lying South of Taylor Road, as recorded in Public Records of Volusia County, Florida. Parcel # 6317-03-00-0012, 6320-00-00-0420, 6320-00-00-0460, 6320-00-00-0470, 620-00-00-0361, 6320-00-00-0362, 6319-00-00-0020, and 6319-00-00-0030.

And



All of Sweetwater Oaks Commercial as recorded in Map book 50 Page 118, Public Records Volusia County, Florida. Parcel # 6317-34-00-0001, 6317-34-00-0010, and 6317-34-00-0020.



Yorktowne Extension District



Legend

-  Subject Property
-  Parcel Line