
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

**ANNUAL RATE RESOLUTION
FOR
ROADWAY MAINTENANCE SERVICE ASSESSMENTS
RESOLUTION NO. 2022-53**

ADOPTED SEPTEMBER 6, 2022

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RESOLUTION NO. 2022-53

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, RELATING TO THE PROVISION OF ROADWAY MAINTENANCE SERVICES ON SUBDIVISION ROADS; APPROVING THE ROADWAY MAINTENANCE SERVICE ASSESSMENT ROLL; PROVIDING FOR THE REIMPOSITION OF THE ROADWAY MAINTENANCE SERVICE ASSESSMENTS; PROVIDING FOR COLLECTION OF THE ASSESSMENTS PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Levy County (the "Board") has enacted Ordinance No. 2004-03, as codified in Article I, Chapter 78 of the Levy County Code of Ordinances (the "Ordinance"), to provide for the imposition of Service Assessments for Roadway Maintenance Services against Assessed Property located within the County; and

WHEREAS, the Board desires to continue levying the Road Maintenance Services Assessment against Benefitted Property within the County for roadway maintenance services, facilities, and programs using the procedures provided by the Ordinance, including the tax bill collection method for the Fiscal Year beginning October 1, 2022; and

WHEREAS, on July 5, 2022, the Board adopted Resolution No. 2022-36, the Preliminary Rate Resolution; and

WHEREAS, the Preliminary Rate Resolution contains and references a brief and general description of the roadway maintenance services, facilities and programs to be provided to Benefitted Property; describes the method of apportioning the Roadway Maintenance Service Cost to compute the Roadway Maintenance Service Assessment

for roadway maintenance services, facilities, and programs against Benefitted Property; estimates the rates of the Roadway Maintenance Service Assessment; and directs the updating and preparation of the updated Roadway Maintenance Service Assessment Roll and provision of the notice required by the Ordinance; and

WHEREAS, in order to levy a Roadway Maintenance Service Assessment for the Fiscal Year beginning October 1, 2022, the Ordinance requires the Board to adopt an Annual Rate Resolution which establishes the rates of the tax assessment and approves the Roadway Maintenance Service Assessment Roll for the upcoming Fiscal Year, with such amendments as the Board deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Roadway Maintenance Service Assessment Roll has been filed with the County Coordinator, as required by the Ordinance; and

WHEREAS, notice of a public hearing has been published and mailed, if required by the terms of the Ordinance, notifying each property owner of the opportunity to be heard concerning the assessments; the proof of publication and affidavit of mailing are attached hereto as Appendices A and B; and

WHEREAS, a public hearing was held on September 6, 2022, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the Ordinance; the Amended and Restated Initial Assessment Resolution (Resolution No.

2020-078); the Amended and Restated Final Assessment Resolution (Resolution No. 2020-096); the Preliminary Rate Resolution (Resolution No. 2022-36); Article VIII, section 1, Florida Constitution; Chapter 125, Florida Statutes; and other applicable provisions of law.

SECTION 2. DEFINITIONS AND INTERPRETATIONS.

(A) This resolution constitutes the Annual Rate Resolution as defined in the Ordinance.

(B) All capitalized terms in this resolution shall have the meanings defined in the Ordinance, the Amended and Restated Initial Assessment Resolution, the Amended and Restated Final Assessment Resolution, and the Preliminary Rate Resolution.

SECTION 3. CONFIRMATION OF PRELIMINARY RATE RESOLUTION. The Preliminary Rate Resolution is hereby ratified and confirmed.

SECTION 4. APPROVAL OF ROADWAY MAINTENANCE SERVICE ASSESSMENT ROLL.

(A) The Roadway Maintenance Service Assessment Roll, which is currently on file in the office of the County Coordinator and incorporated herein by reference, and which includes the annual assessment amounts for each Tax Parcel within the MSBUs created in Section 9 of the Amended and Restated Initial Assessment Resolution, is hereby approved for the Fiscal Year commencing on October 1, 2022.

(B) Additionally, the Roadway Maintenance Service Assessment Roll, as approved, includes those Tax Parcels of Assessed Property that cannot be set forth in that Roadway Maintenance Service Assessment Roll due to the provisions of Section 119.071(4), Florida Statutes, concerning exempt "home addresses."

SECTION 5. REIMPOSITION OF ASSESSMENTS TO FUND ROADWAY MAINTENANCE SERVICES.

(A) The Tax Parcels included in the Roadway Maintenance Service Assessment Roll are hereby found to be specially benefited by the provision of the Roadway Maintenance Services in the amount of the annual assessment set forth in the Roadway Maintenance Service Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing and is incorporated herein by reference.

(B) It is hereby ascertained, determined and declared that each parcel of Assessed Property within each MSBU will be specially benefited by the County's provision of Roadway Maintenance Services in an amount not less than the Roadway Maintenance Service Assessment for such parcel, computed in the manner set forth in the Preliminary Rate Resolution.

(C) Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Ordinance, the Amended and Restated Initial Assessment Resolution, the Amended and Restated Final Assessment Resolution, and the Preliminary Rate Resolution from the Roadway Maintenance Services to be provided and a legislative determination that the Roadway Maintenance Service Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Preliminary Rate Resolution.

(D) The method for computing the Roadway Maintenance Service Assessments described and referenced in the Preliminary Rate Resolution is hereby approved.

(E) For the Fiscal Year beginning October 1, 2022, the estimated Assessed Costs set forth in Section 4 of the Preliminary Rate Resolution are hereby approved. The Roadway Maintenance Service Assessments to be assessed and apportioned among benefited parcels within each MSBU pursuant to the methodology set forth in Section 9 of the Preliminary Rate Resolution to generate the estimated Assessed Cost for each MSBU for the Fiscal Year commencing October 1, 2022, are hereby established as follows:

MT ROAD #	Neighborhood	Average Annual Assessable Costs	Units	Annual Assessment Rate Per Unit
101	HEATHERWOOD DRIVE	\$611.52	3	\$204
102	MATTHEWS ROAD RALEIGH OAKS	\$3,993.12	14	\$286
103	LYNN ROAD RALEIGH OAKS	\$2,141.46	14	\$153
104	EMERALD FOREST	\$0.00	NA	\$0
105	WILLISTON HIGHLANDS UNIT 5	\$0.00	NA	\$0
106	WILLISTON HIGHLANDS UNIT 7	\$0.00	NA	\$0
107	WILLISTON HIGHLANDS UNIT 12	\$0.00	NA	\$0
108	KINGS HILLS	\$0.00	NA	\$0
109	MEADOWLAND DRIVE IN MEADOWLAND ESTATES	\$509.37	8	\$64
110	GREENHILLS	\$3,955.19	32	\$124
112	TAMARON BLVD IN THE FARMS AT WILLISTON UNIT 2	\$3,676.22	21	\$176
111	STEEPLECHASE FARMS	\$0.00	NA	\$0
113	PINE ROAD IN PINEDEROSA	\$386.21	12	\$33
114	COTTONWOOD FARMS	\$266.71	9	\$30
201	EMANUEL DR IN JORDAN ESTATES	\$1,537.49	13	\$119
203	SPANISH TRACE	\$6,007.35	101	\$60
204	SPANISH TRACE 1ST ADDITION	\$4,278.54	35	\$123
205	LONG POND LANDING & 1ST & 2ND ADDS	\$10,040.98	92	\$110
206	QUAIL & DELMA IN COUNTRYSIDE ESTATES	\$0.00	NA	\$0
207	SALL LANE IN SHADY ACRES	\$1,793.22	14	\$129
208	PINE MEADOWS	\$6,192.00	30	\$207
209	BRYAN & DRUMMOND IN LONG POND OAKS	\$2,627.09	11	\$239

MT ROAD #	Neighborhood	Average Annual Assessable Costs	Units	Annual Assessment Rate Per Unit
210	N CHIEFLAND DR IN N CHIEFLAND ESTATES	\$0.00	NA	\$0
212	MEADOW WOOD PHASE 1 & 2	\$0.00	NA	\$0
301	LAY STREET IN CANNON HOMESITES	\$1,213.49	6	\$203
302	STARTING POINT	\$14,307.44	59	\$243
303	THRASHER & STAR IN NORTH STAR RANCHETTES	\$2,152.51	21	\$103
304	WHISPERING OAKS UNIT 2	\$8,351.20	48	\$174
305	WILD HOG ROAD IN WACCASASSA RIVER ACRES	\$898.15	13	\$70
307	KING RANCH RANCHETTES 1ST ADD	\$2,414.84	16	\$151
309	TRIPLE CROWN FARMS UNIT 1, 2 & 3	\$24,967.71	186	\$135
312	LANGLEY & HITCHCOCK IN LANGLEY ESTATES	\$0.00	NA	\$0
313	DONNA LANE IN ROLLING PINES UNIT 2	\$3,138.35	22	\$143
314	ALL ROADS IN MORGAN FARMS	\$0.00	NA	\$0
315	KING RANCH OF FL RANCHETTES 2	\$1,607.48	14	\$115
401	MAGNOLIA STREET IN DOE RUN	\$2,257.32	30	\$76
404	FAWN DRIVE IN FAWNWOOD ESTATES	\$1,097.10	24	\$46
405	GIBB & SUNSHINE IN SUNSHINE ESTATES 1ST ADD	\$0.00	NA	\$0
407	CEDAR PINES UNIT 2	\$1,100.20	15	\$74
408	COUNTRY WALK UNIT 2	\$833.51	16	\$53
410	DEERE RIVER ESTATES	\$761.81	44	\$18
411	SUNSHINE ESTATES 3RD ADD	\$0.00	NA	\$0
412	MEADOW VIEW ESTATES 1ST ADD	\$778.69	7	\$112
413	RIDGEVIEW RD	\$807.09	8	\$101
414	SUMNER PLACE	\$3,274.03	24	\$137
415	ARROWOOD	\$194.98	7	\$28
416	CEDAR PINES IN CEDAR PINES UNIT 3	\$1,478.38	16	\$93
418	CHIEF LAND WOODS UNIT 2 PHASE 1	\$357.49	15	\$24
419	LONG POND PARADISE	\$1,031.43	23	\$45
422	NW 72 TER IN TISHOMINGO PLANTATION	\$214.07	47	\$5
423	TIMBER RIDGE	\$1,062.43	20	\$54
424	BUCK BAY PHASE 1	\$1,226.49	39	\$32
425	OAK MEADOWS PH 1 & 2	\$1,119.60	65	\$18
503	QUAIL AVE IN QUAIL RUN UNIT 2	\$99.42	30	\$4
505	NE 68TH LANE IN DEERFIELD ESTATES	\$419.95	8	\$53
506	NE 49TH ST IN ROCK WOOD	\$223.80	16	\$14

(F) The above annual Roadway Maintenance Service Assessments are hereby levied and imposed on all Tax Parcels included in the Roadway Maintenance Service Assessment Roll for the Fiscal Year commencing October 1, 2022.

(G) Upon adoption of this Annual Rate Resolution, the Roadway Maintenance Service Assessments shall constitute a lien against the Assessed 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 paid. The lien shall be deemed perfected upon adoption by the Board of this Annual Rate Resolution and shall attach to the property included on the Roadway Maintenance Service Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

SECTION 6. COLLECTION OF ASSESSMENTS.

(A) The Roadway Maintenance Service Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

(B) Upon adoption of this Annual Rate Resolution, the County Coordinator shall cause the certification and delivery of the Roadway Maintenance Service Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act.

(C) The Roadway Maintenance Service Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

SECTION 7. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented herein and in the Preliminary Rate Resolution (including, but not limited to, the method by which the assessments are computed, the Roadway Maintenance Service Assessment Roll, the annual assessment amount, the levy and lien of the assessments, and the

special benefit to assessed property) unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the Board action on this Annual Rate Resolution.

SECTION 8. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 6th day of September, 2022.

**BOARD OF COUNTY COMMISSIONERS OF
LEVY COUNTY, FLORIDA**

(SEAL)

By: _____
Russell Meeks, Jr., Chairman

ATTEST:

By: _____
Danny J. Shipp, County Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Nicolle M. Shalley, County Attorney

APPENDIX A
PROOF OF PUBLICATION

STATE OF FLORIDA

COUNTY OF CITRUS

Before the undersigned authority personally appeared Erica Springer, who on oath says that she is a Legal Advertising Representative of the Levy Citizen, a weekly newspaper published at 17 NE 3rd Street, Chiefland, FL in Levy County, Florida; that the attached copy of advertisement, being a legal notice in the matter of

ROAD ASSESSMENT

was published in said newspaper by print in the issues of August 11, 2022 or by publication on the newspapers website, if authorized, on August 11, 2022. Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

 _____, Affiant

Sworn to and subscribed before me

this 15th day of August 2022,

by Erica Springer who is personally known to me.

 _____, Notary Public

MARIA A. PARKS



MARIA A. PARKS
Commission # HH 099773
Expires April 20, 2025
Bonded Through Budget Notary Services

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS IN THE ROADWAY MAINTENANCE SERVICE MUNICIPAL SERVICE BENEFIT UNIT

Notice is hereby given that the Levy County Board of Commissioners will conduct a public hearing to consider reimposing non-ad valorem special assessments for the provision of roadway maintenance services within the boundaries of the following municipal service benefit units for the Fiscal Year beginning October 1, 2022, and to authorize collection of such assessments on the tax bill. The following table reflects the proposed municipal service benefit units and the proposed Roadway Maintenance Service Assessment schedule for the Fiscal Year beginning October 1, 2022:

MT ROAD #	Neighborhood	Average Annual Assessable Costs	Units	Annual Assessment Rate Per Unit
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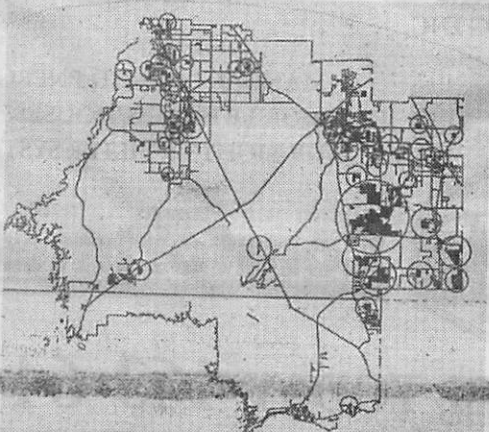
The hearing will be held at 5:15 p.m. on September 6, 2022, in the County Commission meeting room, Levy County Government Center, 310 School Street, Bronson, Florida, for the purpose of receiving public comment on the proposed municipal service benefit units and the special assessments. All affected property owners have a right to appear at the hearing and to file written objections with the County Commission within 20 days of this notice.

Pursuant to section 286.0105, Florida Statutes, if you decide to appeal any decision made by the County Commission with respect to any matter considered at the hearing or at any subsequent meeting to which the Board has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Clerk's Office at (352) 486-5266 at least two days prior to the date of the hearing. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD).

The assessment for each parcel of property will be based upon the total number of lots on which a Single-Family Residential Unit has been or can be constructed or sited in accordance with applicable laws and regulations on the date the assessment is imposed. A more specific description of the services, the municipal service benefit units, and the method of computing the assessment for each parcel of property are set forth in the Preliminary Rate Resolution adopted by the County Commission on July 5, 2022. Copies of the Master Service Assessment Ordinance, the Amended and Restated Roadway Maintenance Initial Assessment Resolution, the Amended and Restated Roadway Maintenance Final Assessment Resolution, the Preliminary Rate Resolution and the updated Assessment Roll are available for inspection at the office of the County Coordinator, located at the Levy County Government Center, 310 School Street, Bronson, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the County Coordinator's Office at (352) 486-5218, Monday through Friday between 8:30 a.m. and 5:00 p.m.



**BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FLORIDA**

APPENDIX B
AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Wilbur Dean, who, after being duly sworn, deposes and says:

1. Wilbur Dean, as County Coordinator of Levy County, Florida ("County"), pursuant to the authority and direction received from the County Commission, timely directed the preparation of the Assessment Roll and the preparation, mailing, and publication of notices in accordance with the Master Service Assessment Ordinance No. 2004-03, as codified in Article I, Chapter 78 of the Levy County Code of Ordinances (the "Ordinance"), and in conformance with Resolution No. 2022-36, the Preliminary Rate for Roadway Maintenance Service Assessments, adopted by the Board on July 5, 2022 (the "Preliminary Rate Resolution").

2. In accordance with the Ordinance and the Preliminary Rate Resolution, Mr. Dean timely provided all necessary information for notification of the Roadway Maintenance Services Assessment to the Property Appraiser of Levy County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. The information provided to the Property Appraiser to be included on the truth-in-millage notification included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the County expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to

appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

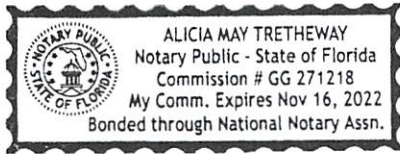
FURTHER AFFIANT SAYETH NOT.

Wilbur Dean

Wilbur Dean, affiant

STATE OF FLORIDA
COUNTY OF LEVY COUNTY

The foregoing Affidavit of Mailing was sworn to before me, by means of physical presence or online notarization, this 2nd day of September, 2022 by Wilbur Dean, County Coordinator, Levy County, Florida. He is personally known to me or has produced _____ as identification and did take an oath.



Alicia May Tretheway
Printed Name: Alicia May Tretheway

Notary Public, State of Florida

At Large

My Commission Expires: November 16, 2022

Commission No.: GG271218

APPENDIX C

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Chairman of the Board of County Commissioners of Levy County, Florida, or an authorized agent of Levy County, Florida (the "County"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for roadway maintenance services assessments (the "Non-Ad Valorem Assessment Roll") for the County is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Levy County Tax Collector by September 15, 2022.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Levy County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this _____ day of _____, 2022.

LEVY COUNTY, FLORIDA

By: _____
Russell Meeks, Jr., Chairman

[to be delivered to Tax Collector prior to September 15]