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**LEVY COUNTY, FLORIDA**

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**AMENDED AND RESTATED**

**FINAL ASSESSMENT RESOLUTION**

**FOR**

**ROADWAY MAINTENANCE SERVICE ASSESSMENTS**

**RESOLUTION NO. 2020-096**

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**ADOPTED SEPTEMBER 8, 2020**

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**RESOLUTION NO. 2020-096**

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

**WHEREAS**, the Board of County Commissioners of Levy County (the "Board") adopted Ordinance No. 2004-03, as codified in Article I of 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**, on July 7, 2020, the Board adopted Resolution No. 2020-078, the Amended and Restated Initial Assessment Resolution for Roadway Maintenance Service Assessments (the "Initial Assessment Resolution"), proposing the creation of various Municipal Service Benefit Units throughout the County, describing the method of assessing the cost of the Roadway Maintenance Services against the real property that will be specially benefited thereby, and directing the preparation of the updated Roadway Maintenance Service Assessment Roll and provision of the notices required by the Ordinance; and

**WHEREAS**, pursuant to the provisions of the Ordinance, the Board is required to confirm or repeal the Initial Assessment Resolution with such amendments as the Board

deems appropriate after hearing comments and receiving objections of all interested parties; and

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

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

**WHEREAS**, a public hearing was held on September 8, 2020, 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 Amended and Restated Final Assessment Resolution is adopted pursuant to the Ordinance, the Initial Assessment Resolution, Chapter 125, Florida Statutes, Article VIII, Section 1, Florida Constitution, and other applicable provisions of law.

**SECTION 2. DEFINITIONS.** This Resolution is the Amended and Restated Final Assessment Resolution as defined in the Ordinance. All capitalized terms in this Amended and Restated Final Assessment Resolution shall have the meanings defined in the Ordinance and the Initial Assessment Resolution.

**SECTION 3. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.** The Initial Assessment Resolution is hereby ratified and confirmed.

**SECTION 4. APPROVAL OF ROADWAY MAINTENANCE SERVICE ASSESSMENT ROLL.** 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, and which includes the annual assessment amounts for each Tax Parcel within the MSBUs created in Section 10 of the Initial Assessment Resolution, is hereby approved for the Fiscal Year commencing on October 1, 2020. Additionally, the Assessment Roll, as approved, includes those Tax Parcels of Residential Property that cannot be set forth in that Assessment Roll due to the provisions of Section 119.071(4), Florida Statutes, concerning exempt "home addresses."

**SECTION 5. IMPOSITION 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. The methodology set forth in Section 11 of the Initial Assessment Resolution for computing the annual Roadway Maintenance Service Assessments is hereby approved and found to be a fair and reasonable method of apportioning the Assessed Cost among the benefited properties within each separate municipal service benefit unit.

(B) For the Fiscal Year beginning October 1, 2020, based upon the Assessed Costs for each MSBU, as provided in Section 5 of the Initial Assessment Resolution, and the apportionment methodology specified in Section 11 of the Initial Assessment

Resolution, which is confirmed, the estimated Roadway Maintenance Service Assessments provided below are hereby established for each MSBU:

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
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

<b>MT ROAD #</b>	<b>Neighborhood</b>	<b>Average Annual Assessable Costs</b>	<b>Units</b>	<b>Annual Assessment Rate Per Unit</b>
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

(C) The annual Roadway Maintenance Service Assessments computed in the manner set forth in the Initial Assessment Resolution are hereby levied and imposed on all Tax Parcels included in the Roadway Maintenance Service Assessment Roll.

(D) Upon adoption of this Amended and Restated Final Assessment 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 Amended and Restated Final Assessment 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.** The Roadway Maintenance Service Assessments shall be collected pursuant to the Uniform Assessment Collection Act. Upon adoption of this Final Assessment Resolution, the County Administrator 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. 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 AMENDED AND RESTATED FINAL ASSESSMENT RESOLUTION.** The adoption of this Amended and Restated Final Assessment Resolution shall be the final adjudication of the issues presented herein and in the Initial Assessment Resolution, as amended herein, (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 Final Assessment Resolution.

**SECTION 8. SEVERABILITY.** If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall remain in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 9. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.



**DULY ADOPTED** this 8<sup>th</sup> day of September, 2020.

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

(SEAL)

By: \_\_\_\_\_  
Matt Brooks, Chairman

ATTEST:

By: \_\_\_\_\_  
Danny J. Shipp, County Clerk

Approved for Form and Correctness:

By: Anne Bast Brown  
Anne Bast Brown, County Attorney

**APPENDIX A**

**PROOF OF PUBLICATION**

# Proof of Publication

Chiefland Citizen, Published Weekly  
Chiefland, Levy County, Florida  
STATE OF FLORIDA, COUNTY OF LEVY:

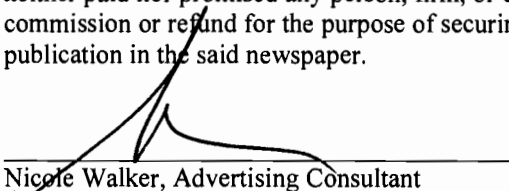
Before the undersigned authority, personally appeared Nicole Walker, who on oath, says she is Advertising Consultant of the Chiefland Citizen, a newspaper published at Chiefland, in Levy County, Florida; that the attached copy of the advertisement, being

## Notice of Hearing – Roadway Maintenance Service

Was published in said newspaper in the issue of:

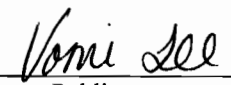
**Published: August 13, 2020**

Affiant further says that the said Chiefland Citizen is a newspaper published at Chiefland, in said Levy County, Florida, and that the said newspaper has heretofore been continuously published in said Levy County, Florida, each week and has been entered as second class mail matter at the Post Office in Chiefland, in said Levy County, for a period of one year next preceding the first publication of the attached copy of the 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 this advertisement for publication in the said newspaper.

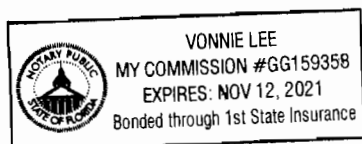
  
\_\_\_\_\_  
Nicole Walker, Advertising Consultant

The foregoing instrument was acknowledged before me this 13th day of August 2020 by Nicole Walker

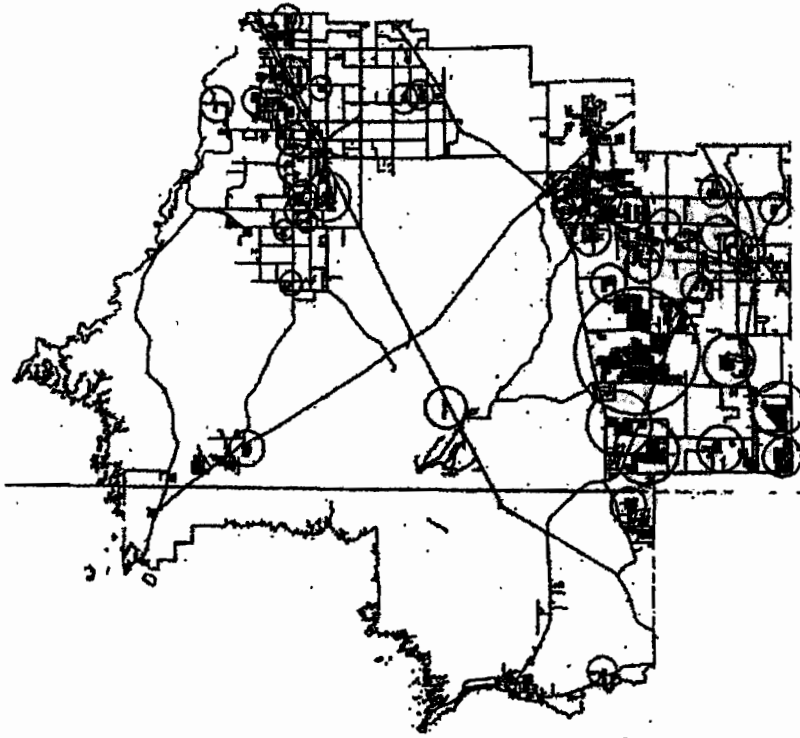
Who appeared by  means of physical presence or ( ) via online notarization.

  
\_\_\_\_\_  
Notary Public

(Seal)



RECEIVED AUG 20 2020  
*Lee*



## 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 imposing 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, 2020. The following table reflects the municipal service benefit units and the proposed Roadway Maintenance Service Assessment schedule:

MT ROAD #	Neighborhood	Average Annual Assessable Costs	Units	Annual Assessment Rate Per Unit
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503	QUAIL AVE IN QUAIL RUN UNIT 2	\$98.42	30	\$4
505	NE 68TH LANE IN DEERFIELD ESTATES	\$419.95	8	\$53
506	NE 49TH ST IN ROCK WOOD	\$223.80	16	\$14

The hearing will be held at 6:00 p.m. on September 8, 2020, in the Levy County Courthouse Annex, 310 School Street, Bronson, Florida, for the purpose of receiving public comment on the 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 seven 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 Amended and Restated Initial Assessment Resolution adopted by the County Commission on July 7, 2020. Copies of the Master Service Assessment Ordinance, the Amended and Restated Initial Assessment Resolution and the updated Assessment Roll are available for inspection at the office of the County Coordinator, located at the Levy County Courthouse Annex, 310 School Street, Bronson, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2020, 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 (the "County"), pursuant to the authority and direction received from the Board of County Commissioners, timely directed the preparation of the Assessment Roll and the preparation, mailing, and publication of notices in accordance with Ordinance No. 2004-03 (the "Ordinance") and in conformance with Resolution No. 2020-078 (the "Initial Assessment Resolution") adopted by the Board of County Commissioners on July 7, 2020.

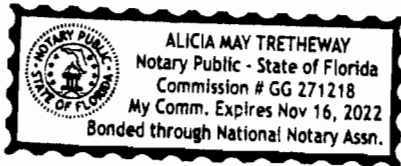
2. In accordance with the Ordinance and the Initial Assessment Resolution, Mr. Dean timely provided all necessary information for notification of the Roadway Maintenance Service Assessment to the Property Appraiser of Levy County to be included as part of the notice of proposed property taxes under section 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.

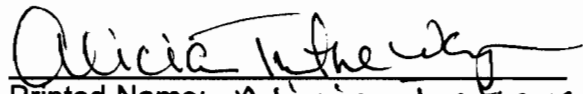
FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Wilbur Dean, affiant

STATE OF FLORIDA  
COUNTY OF LEVY

The foregoing Affidavit of Mailing was sworn to before me, by means of  physical presence or  online notarization, this 2 day of September, 2020 by Wilbur Dean, County Coordinator, Levy County, Florida. He is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.



  
\_\_\_\_\_  
Printed Name: Alicia Tretheway  
Notary Public, State of Florida  
At Large  
My Commission Expires: Nov 16, 2022  
Commission No.: GG 271218



**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, 2020.

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 \_\_\_\_\_, 2020.

**LEVY COUNTY, FLORIDA**

By: \_\_\_\_\_  
Matt Brooks, Chairman

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