

ORDINANCE NO. 89-42

AN ORDINANCE CREATING THE LAKE ELOISE PLACE SPECIAL STREET LIGHTING DISTRICT; DESCRIBING THE LEGAL BOUNDARIES OF THE DISTRICT; SPECIFYING LIGHTING SERVICES TO BE PROVIDED; PROVIDING A MEANS FOR ASSESSMENT AND COLLECTION OF SPECIAL ASSESSMENTS IN THE DISTRICT; PROVIDING FOR LIENS UPON LANDS IN THE DISTRICT; PROVIDING FOR FORECLOSURE ON LIENS IMPOSED UPON LANDS IN THE DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS pursuant to Article VIII, Section 1 of the Constitution of the State of Florida and Chapter 125, Florida Statutes, the Board of County Commissioners of Polk County, Florida (hereinafter sometimes called the "County"), has all the power of local government to perform county functions and to render county services in a manner not inconsistent with general or special law and such power may be exercised by the enactment of county ordinances; and

WHEREAS Florida Statutes 125.01(q) allows the County to establish special purpose districts; and

WHEREAS the owners of a majority of the parcels included in the property described in Section 1 of this Ordinance have petitioned the County to establish a special street lighting district;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

SECTION 1: The Lake Eloise Place Special Street Lighting District is hereby created and shall include the lands described as:

Lots 1 thru Lot 48 inclusive of "Lake Eloise Place" as recorded in Plat Book 84 at Page 4 of the Public Records of Polk County, Florida.

One 150 watt on wood pole, one 150 watt on concrete pole, nine 100 watt high pressure sodium lights will be installed by Tampa Electric Company

SECTION 2: The special assessment to be levied each year against all taxable real estate located within said District shall be the total annual cost of operating and maintaining the system described in Section 1 of this Ordinance. Such total annual cost shall consist of all charges made by Tampa Electric Company together with an administrative fee set from time to time

by the Board of County Commissioners. The assessments shall be levied equally upon each parcel as shown on the Property Appraiser's tax roll, including homesteads, and shall be computed by dividing the number of parcels as shown on the Property Appraiser's tax roll into the total annual cost.

SECTION 3: The total estimated cost of operation is \$3,024.00 per year. However, this amount may vary according to duly authorized rate modifications. The initial assessment will not exceed \$63.00 per parcel as shown on the Property Appraiser's tax roll, such assessment to cover a 12 month period to include services provided during 1991. Each year after the initial assessment period, the Board of County Commissioners shall determine the amount required for the following fiscal year, according to the procedure set forth in Section 2.

SECTION 4: A special assessment roll setting forth a description of each parcel as shown on the Property Appraiser's tax roll subject to taxation in the District as provided by this ordinance, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board of County Commissioners on the first Monday of July of each year or as soon thereafter as possible. Thereupon the Board of County Commissioners shall levy a special assessment upon all of the real property subject to taxation under this ordinance within the District, including homesteads, to provide such funds as are necessary for the operation of the District for the ensuing fiscal year. The roll shall be fully completed prior to the time the Property Appraisal Adjustment Board sits, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of this ordinance upon application to the Board of County Commissioners. After the adjournment of the Property Appraisal Adjustment Board, the Property Appraiser shall certify the special tax assessment roll to the County Tax Collector for collection of the special assessment in compliance with Chapter 197, Florida Statutes as amended.

SECTION 5: This ordinance shall become effective upon receipt of the official acknowledgment from the Office of the Secretary of State of Florida that this ordinance has been filed with said office.

STATE OF FLORIDA,)
COUNTY OF POLK.)

I, E. D. "Bud" Dixon, Clerk of the Board of County Commissioners of Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 89-42, creating the Lake Eloise Place Special Street Lighting District:

which was adopted by the said Board in regular session on Tuesday, December 5,
1989.

WITNESS my hand and official seal on this 6th day of December
19 89.

E. D. "Bud" Dixon
Clerk

(SEAL)

By: Nettie L. Garland
Deputy Clerk



RECEIVED

12-14-89

Nettie L. Darland
Clerk of the Court

FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

December 11, 1989

Honorable E. D. "Bud" Dixon
Clerk of Circuit Court
Polk County Courthouse
Post Office Box 988
Bartow, Florida 33830

Attention: Nettie L. Darland, Deputy Clerk

Dear Mr. Dixon:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of December 5, 1989 and certified copy of Polk County Ordinances No's. 89-41 through 89-47, which were filed in this office on December 11, 1989.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb



IMPERIAL POLK COUNTY

Clerk and Auditor
Board of County Commissioners
155 W. Davidson
P.O. Box 988
Bartow, Florida 33830

E.D. "BUD" DIXON
CLERK OF THE CIRCUIT COURT AND COUNTY COURT

December 5, 1989

Mrs. Liz Cloud
Chief - Bureau of Administrative Code
Office of Secretary of State
Division of Elections
Room 1802, The Capitol
Tallahassee, Florida 32399-0250

Dear Mrs. Cloud:

Enclosed is certified copy(s) of the following Ordinance(s) adopted
by the Polk County Board of County Commissioners in regular session,
on December 5, 1989.

Ordinance No. 89-41 creating the Kings Point SSLD,
Ordinance No. 89-42 creating the Lake Eloise Place SSLD,
Ordinance No. 89-43 creating the Foxwood Lake Estates Phase Three SSLD,
Ordinance No. 89-44 creating the Stratford Green SSLD,
Ordinance No. 89-45 creating Nottingham SSLD,
~~Ordinance No. 89-46 creating the Derbyshire SSLD and~~
Ordinance No. 89-47 relating to the protection and preservation of the
water quality, recreation potential, and wildlife
values of Polk County's lakes and streams;

Please give the Clerk official notification when the Ordinance(s) have
been filed in your office.

With kind regards, we are

Yours very truly,

E. D. "BUD" DIXON
Clerk and Auditor

By:

Nettie L. Darland
Nettie L. Darland
Deputy Clerk