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ORDINANCE

**NUMBER 97-19
(970190A0)**

AN ORDINANCE AMENDING CHAPTER 4-6, ARTICLE XXXV, CHARLOTTE COUNTY CODE; ABOLISHING ROTONDA III STREET AND DRAINAGE UNIT; CREATING THE ROTONDA SANDS NORTH STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

RECITALS

1. The Board of County Commissioners, pursuant to the provisions of Section 125.01, Florida Statutes, has the power to establish, merge or abolish municipal service benefit units and levy and collect assessments within such units.
2. The Board of County Commissioners, by Resolution 96-0910A0, accepted for maintenance certain described streets, bridges and related drainage facilities within the Rotonda development.
3. It is in the best interest of the citizens of the County to create street and drainage benefit units to provide the funding necessary for the construction and repair of the streets, bridges and related drainage facilities which have been accepted for maintenance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida:

BARBARA T. SCOTT, CLERK OF THE CIRCUIT COURT - CHARLOTTE COUNTY
FILE: 477683 OR BOOK/PAGE: 1523/1809
RECORDED: 4/4/97 09:08:40
Recording Fee: \$19.50
Index Fee: \$1.50
Recorded By: Sida J. Ellis

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Section 1. Charlotte County Code, Chapter 4-6, Article XXXV, is amended by deleting Sections 4-6-731 through 4-6-740 in their entirety and by substituting therefor the following new language, numbered and designated as follows:

"ARTICLE XXXV. ROTONDA SANDS NORTH STREET AND DRAINAGE UNIT

Sec. 4-6-731. Unit established.

There is hereby created, pursuant to the authority contained in Section 125.01, Florida Statutes, a municipal service benefit unit to be known as Rotonda Sands North Street and Drainage Unit (hereinafter "unit").

Sec. 4-6-732. Territory.

The territory included within the unit shall include the following portions of the unincorporated area of Charlotte County:

(1) Portions of Rotonda Sands, a subdivision lying in the following half-section map received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida, 3B29S. Said portions being:

Lots 1093, 1094, 1095 and 1096.

(2) Portions of Rotonda Sands North Replat - Unit One, a subdivision lying in the following half-section maps received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 3B29N, 3B29S, 3B30N, 3B30S, 3B31N, and 3B32N. Said portions being:

Blocks 1 through 13 (inclusive); Block 16; Lots 1, and 15 through 21 (inclusive) of Block 17; Block 18; Lots 1 through 22 (inclusive), and 37 through 58 (inclusive) of Block 19; Blocks 20 through 23

OR BOOK 1523 PAGE 1810

(inclusive); Lots 1 through 48 (inclusive) of Block 24; Lots 1 through 12 (inclusive) of Block 25; and Tracts B, C, D, E, F, I, G, H, N, O, P, and Parcel known as "Lake"

(3) Rotonda Sands Commercial Lots, a subdivision lying in the following half-section maps received October 3, 1996 from the Charlotte County Property Appraiser Charlotte County, Florida: 3B29S and 3B30S.

Sec. 4-6-733. Purpose.

The purpose of the unit is to provide for the construction, reconstruction, repair, paving, repaving, hard surfacing, rehard surfacing, widening, guttering, and draining, of streets, bridges and related drainage facilities in the unit, and of necessary appurtenances and accessory structures thereto located within or without the unit, from funds derived from special assessments within the unit.

Sec. 4-6-734. Governing body.

The Board of County Commissioners of Charlotte County, Florida, shall be the governing body of the unit.

Sec. 4-6-735. Powers of the governing body.

The board shall have those powers set forth in Chapter 4-6, Article I, Charlotte County Code.

Sec. 4-6-736. Assessments and Collection.

The authority and procedure for imposing and collecting capital project and maintenance assessments shall be as provided in Chapter 4-6, Article I, Charlotte County Code.

OR BOOK 1523 PAGE 1811

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Sec. 4-6-737. Issuance of debt obligations.

The authority and procedure regarding the issuance of debt obligations shall be as provided in Chapter 4-6, Article I, Charlotte County Code."

Section 2. Severability. In the event any portion of the foregoing conflicts with any other Charlotte County Code or other applicable law, the more restrictive shall apply. If any subsection, sentence, clause, phrase, or portion of these sections is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remainder of the chapter.

Section 3. Effective Date. This ordinance shall take effect upon its filing in the Office of Secretary of State, State of Florida.

PASSED AND DULY ADOPTED this 25th day of March, 1997

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By 
Matthew D. DeHoer, Chairman

ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-Officio
Clerk to the Board of County
Commissioners

By 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


Renee Francis Lee, County Attorney

AS - 10:15 A.M.
H - P.M. 9:45

SARASOTA HERALD-TRIBUNE
(Charlotte/Englewood AM Editions)

ORD 970110A0
Three ORD 970200A0

Published Daily
Charlotte County FLORIDA

AD NUMBER 36A1400700 PO # 17307-N

STATE OF FLORIDA
COUNTY OF CHARLOTTE

97-19

Before the undersigned authority personally appeared Penny DiGregorio, who on oath says she is Advertising Manager, Charlotte/AM of the Sarasota Herald-Tribune (Charlotte/Englewood editions), a daily newspaper published in Charlotte County, Florida; that the attached copy of advertisement, being a notice in the matter of:

Notice of Intention To Consider Ordinances
in the Court, was published in the Charlotte/Englewood edition of said newspaper in the issues of:

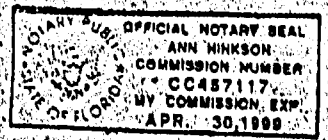
March 7, 1997

Affiant further says that the said Sarasota Herald-Tribune is a newspaper published in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in Charlotte County, Florida, each day, and has been entered as second-class mail matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she 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.

Signed [Signature]

Sworn to and subscribed before me this 7 day of March, A.D. 1997.

SEAL [Signature]
Notary Public



CIRCUIT COURT
OF THE ORIGINAL
JURISDICTION
OF CHARLOTTE COUNTY
FLORIDA
DEPUTY CLERK

NOTICE OF INTENTION TO CONSIDER ORDINANCES

The Board of County Commissioners for Charlotte County, Florida, in a regular meeting held on March 11, 1997, at 10:15 A.M. on the 11th day of March, 1997, considered the ordinance as presented bearing the following title:

- 1. AN ORDINANCE AMENDING CHAPTER 14, ARTICLE V, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS NORTH STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 2. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS SOUTH STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 3. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS WEST STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 4. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS EAST STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 5. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS WEST STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 6. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS NORTH STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 7. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS SOUTH STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 8. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS WEST STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 9. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS EAST STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.
- 10. AN ORDINANCE AMENDING CHAPTER 44, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA SANDS WEST STREET AND DRAINAGE UNIT, DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT, PROVIDING THE PURPOSE OF THE UNIT, PROVIDING FOR A GOVERNING BODY, PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS, PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinances and their Economic Impact Statement are available at the Charlotte County Attorney's Office, 18000 U.S. Road, Fort Charlotte, Florida. Interested parties may appear at the meeting and be heard in respect to the proposed ordinances. Should any agency or person decide to assist any decision by the Board with respect to any matter considered at such a meeting, he or she must file a record of the proceedings, and for each case, he or she must file a record of the proceedings of the proceedings, which record includes the testimony and other facts upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA
By: [Signature] D. DeBeauvoir, Clerk

P.O. #17307-N
Pub. Mar 7, 1997

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Office of International Relations
Division of Administrative Services
Division of Comptrollers
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing



MEMBER OF THE FLORIDA CABINET
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
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Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County Preservation Board
Ringling Museum of Art

FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

March 31, 1997

Honorable Barbara T. Scott
Clerk to Board of County Commissioners
Charlotte County
Post Office Box 1687
Punta Gorda, Florida 33951-1687

Attention: Karen S. Mitchell, Deputy Clerk

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated March 26, 1997 and certified copy each of Charlotte County Ordinance Nos. 97-10 through 97-20 inclusive, which were filed in this office on March 28, 1997.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

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IMAGE
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BUREAU OF ADMINISTRATIVE CODE

The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (904) 488-8427
FAX: (904) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us