

**RESOLUTION NO. 2012- 97**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, PURSUANT TO ORDINANCE NO. 93-14, AS AMENDED, AND ORDINANCE NO. 2000-37, RELATING TO THE SOUTH AMELIA ISLAND SHORE STABILIZATION MUNICIPAL SERVICES BENEFIT UNIT; REIMPOSING SPECIAL ASSESSMENTS TO FUND BEACH RENOURISHMENT IMPROVEMENTS WITHIN THE MSBU; CONFIRMING THE METHOD OF ASSESSING THE ASSESSED COST AGAINST THE PROPERTIES THAT WILL BE BENEFITTED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; DIRECTING THE ASSESSMENT COORDINATOR TO PREPARE AN UPDATED ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED IMPROVEMENT ASSESSMENTS AND THE METHOD OF THEIR COLLECTION; DIRECTING THE PROVISION OF NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This Preliminary Rate Resolution ("Resolution") is adopted pursuant to the Assessment Ordinance, Ordinance No. 93-14, as amended, the Initial Assessment Resolution, Resolution No. 2011-31, the Final Assessment Resolution, Resolution No. 2011-46, Chapter 125, Florida Statutes, Article VIII, Section 1, Florida Constitution, and other applicable provisions of law.

**SECTION 2. DEFINITIONS.** All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Assessment Ordinance, the Initial Assessment Resolution, and the Final Assessment Resolution.

**SECTION 3. INTERPRETATION.** Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof,"

"hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

**SECTION 4. FINDINGS.** The legislative determinations embodied in the Assessment Ordinance, the Initial Assessment Resolution, and the Final Assessment Resolution are hereby affirmed and incorporated herein by reference.

**SECTION 5. PUBLIC HEARING.** There is hereby established a public hearing to be held by the Board at 6:00 p.m. or as soon thereafter as the matter can be heard, on August 27, 2012, in the Nassau County Commission Chambers, at the Nassau County Government Complex located at 96135 Nassau Place, Yulee, Florida, to consider approval of the Assessment Roll and collection of the Assessments pursuant to the Uniform Assessment Collection Act.

**SECTION 6. NOTICE BY PUBLICATION.** Upon completion of the updated Assessment Roll, the Assessment Coordinator shall publish a notice of the public hearing authorized by Section 5 hereof in the manner and the time provided in Section 2.05 of the Ordinance. Such notice shall be in substantially the form attached hereto as Appendix A.

**SECTION 7. NOTICE BY MAIL.** If required, upon completion of the updated Assessment, the Assessment Coordinator shall, at the time and in the manner specified in Section 2.06 of the Ordinance, provide first class mailed notice of the public hearing authorized by Section 5 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. Such notice shall be in substantially the form attached hereto as Appendix B.

**SECTION 8. ANNUAL ASSESSMENTS TO FUND THE BEACH RENOURISHMENT PROJECT.**

(A) The Tax Parcels located within the MSBU and described in the updated Assessment Roll are hereby found to be specially benefited by the provision of Beach Renourishment in the amount of the maximum annual Assessment set forth in the Assessment roll. The methodology for computing the annual Assessments described in Section 4.03 of the Initial Assessment Resolution is hereby approved.

(B) The Assessments shall be imposed against all property located within the MSBU for each Fiscal Year in which Obligations are outstanding in the amount of the maximum annual Assessment and shall be computed in accordance with this Preliminary Rate Resolution. When imposed the Assessments for each Fiscal Year shall constitute a lien upon the Tax Parcels located within the MSBU pursuant to the Ordinance.

**SECTION 9. UPDATED ASSESSMENT ROLL.** The Assessment Coordinator is hereby directed to the updated Assessment Roll in the manner provided in the Ordinance. The Assessment Coordinator shall apportion the Project Cost among the parcels of real property within MSBU as reflected on the Tax Roll in conformity with this Preliminary Rate Resolution. The updated Assessment Roll shall be maintained on file in the office of the Assessment Coordinator and be open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Assessment for each Tax Parcel can be determined by use of a computer terminal available to the public.

**SECTION 10. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds from the Assessments received during each Fiscal Year shall be applied by the County for payment of the Collection Costs, payment of any Transaction Costs not funded from proceeds of the Obligations, payment of interest due on the Obligations, and payment of principal due on the Obligations. Any remaining proceeds will then be used for prepayment of the Obligations.

**SECTION 11. METHOD OF COLLECTION.** The Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

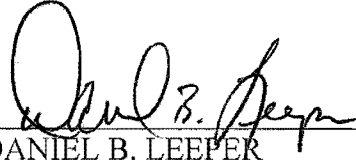
**SECTION 12. SEVERABILITY.** If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 13. EVIDENCE OF PAYMENT.** Prepayment in full of the Assessment imposed against any Tax Parcel shall operate as a release of the Assessment lien upon such Tax Parcel. Upon request, the Assessment Coordinator may issue a written confirmation to evidence such payment; provided however, that the issuance of written confirmation shall not be required to release the Assessment lien. The County may impose an administrative fee to defray the cost of providing written confirmation pursuant to this Section 13.

**SECTION 14. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage.

DULY ADOPTED this 9th day of July, 2012.

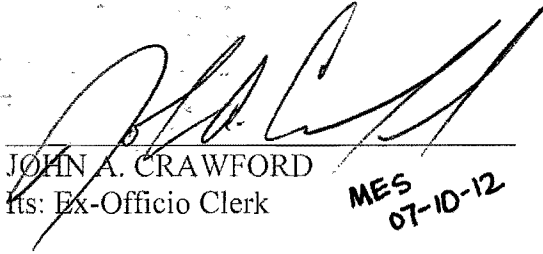
**BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA**



DANIEL B. LEEPER

Its: Chairman

Attest as to Chairman's Signature



JOHN A. CRAWFORD

Its: Ex-Officio Clerk

MES  
07-10-12

Approved as to form by the  
Nassau County Attorney:



DAVID A. HALLMAN

## APPENDIX A

To Be Published on or before August 6, 2012

**[INSERT SMALL MAP OF ASSESSMENT AREA]**

### **NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS IN THE SOUTH AMELIA ISLAND SHORE STABILIZATION MUNICIPAL SERVICE BENEFIT UNIT**

Notice is hereby given that the Board of County Commissioners of Nassau County, Florida will conduct a public hearing to consider continued imposition of special assessments in the South Amelia Island Shore Stabilization Municipal Service Benefit Unit, as shown above, to fund the capital costs of beach renourishment local improvements within the SAISSA MSBU. The hearing will be held at 7:00 P.M., or as soon thereafter as the matter can be heard, on August 27, 2012, in the Nassau County Commission Chambers, at the Nassau County Government Complex located at 96135 Nassau Place, Yulee, Florida, for the purpose of receiving public comment on the imposition and collection of the assessments on the ad valorem tax bill. All affected real property owners have a right to appear at the hearing and to file written objections with the County Clerk anytime prior to the public hearing. If a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, such person 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 Clerk of Court's office at (904) 548-4600, at least seven days prior to the date of the hearing.

The assessment for each parcel of real property is calculated based on a combination of factors, including the property use, the just value of property attributable to the parcel and proximity to the beach. A more specific description of the project costs and the method of computing the assessment for each parcel of real property are set forth in the Initial Assessment Resolution adopted by the Board on January 10, 2011. Copies of the Master Capital Project and Service Assessment Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution and the updated Assessment Roll are available for inspection at the office of the Nassau County Clerk of Court, located at 76347 Veterans Way, Yulee, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2012, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the real property which may result in a loss of title. The County

Commission intends to collect the assessments in eight annual assessments, the first of which was included on the ad valorem tax bill mailed in November 2011.

If you have any questions, please contact the Clerk of Court at (904) 548-4600, Monday through Friday between 8:30 a.m. and 5:00 p.m.

**BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA**

**APPENDIX B**

**FORM OF NOTICE TO BE MAILED**

**Nassau County Clerk of Court  
76347 Veterans Way  
Yulee, Florida 32097  
(904) 548-4600**

August 6, 2012

[Property Owner Name]  
[Street Address]  
[City, State and zip]

Re: Parcel Number [Insert Number]  
South Amelia Island Shore Stabilization Municipal Service Benefit Unit

Dear Property Owner:

The Board of County Commissioners of Nassau County (the "Board") created the South Amelia Island Shore Stabilization Municipal Service Benefit Unit to impose special assessments to fund the capital costs of beach renourishment local improvements within the SAISSA MSBU. The assessment for each parcel of real property is calculated based on a combination of factors including the parcel's property use, the just value of property attributable to such parcel of real property and the proximity to the beach. The initial assessments began in 2011 and are proposed to be collected in eight annual installments, the first of which was collected on the ad valorem tax bill mailed in November 2011, as authorized by Section 197.3632, Florida Statutes. A more specific description of the project costs and the method of computing the assessment for each parcel of real property are set forth in the Initial Assessment Resolution adopted by the Board on January 10, 2011. Copies of the Master Capital Project and Service Assessment Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution and the updated Assessment Roll are available for inspection the Nassau County Clerk of Court, located at 76347 Veterans Way, Yulee, Florida. Information regarding the assessment for your specific real property is attached to this letter.

Failure to pay your assessments will cause a tax certificate to be issued against the real property which may result in a loss of title. The total assessment revenue to be collected in the MSBU is estimated to be \$12,544,297.

The assessment project was financed by a bank loan. This will permit the cost attributable to your property to be amortized over the payment period. The annual assessment will include your share of the principal, interest, collection cost, and the amount Florida law requires the County to discount receipts for its annual budget. The maximum annual assessment proposed for your property is attached hereto. Seven years of Annual Assessments remain to be paid; however, if there are no significant defaults in payment of the assessments, the last loan payment may be made from any



reserve accounts funded by the loan.

The Board will hold a public hearing at 7:00 P.M., or as soon thereafter as the matter can be heard, on August 27, 2012, in the Nassau County Commission Chambers, at the Nassau County Government Complex located at 96135 Nassau Place, Yulee, Florida, for the purpose of receiving comments on the imposition of assessments in the MSBU. You are invited to attend and participate in the public hearing or to file written objections with the Clerk of Court anytime prior to the public hearing.

If you decide to appeal any decision made by the Board with respect to any matter considered at the hearing, 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, if you need a special accommodation or an interpreter to participate in this proceeding, please contact the Clerk of Court's office at (904) 548-4600, at least seven days prior to the date of the hearing.

Questions regarding your assessment and the process for collection may be directed to the Clerk of Court at (904) 548-4600.

**BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA**

**\* \* \* \* \* SEND NO MONEY NOW. THIS IS NOT AN INVOICE \* \* \* \* \***

**South Amelia Island Shore Stabilization Municipal Service Benefit Unit**

[Property Owner Name]  
Parcel Number [Insert Number]

Parcel Land Use [Insert Category-Residential or Commercial]

Property Value [Insert Amount]

Residential Subarea [Insert Subarea]

The total annual Assessment for the above parcel for Fiscal Year 2012-2013 is \$\_\_\_\_\_.

The maximum annual Assessment that can be imposed without further notice for future fiscal years is \$\_\_\_\_\_ for the above parcel.

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**\* \* \* \* \* SEND NO MONEY NOW. THIS IS NOT AN INVOICE \* \* \* \* \***