

RESOLUTION NO. 183

A RESOLUTION OF THE AMERICAN BEACH WATER AND SEWER DISTRICT, A DEPENDENT DISTRICT OF NASSAU COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE AMERICAN BEACH WATER AND SEWER DISTRICT IN THE UNINCORPORATED AREAS OF NASSAU COUNTY, FLORIDA; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the American Beach Water and Sewer District (the "District") was created as a dependent special district to Nassau County, Florida (the "County") by the adoption of Nassau County Ordinance No. 2020-26; and

WHEREAS, the Nassau County Board of County Commissioners serves as the governing body of the District; and

WHEREAS, the District is contemplating the imposition of special assessments to fund the provision of water and wastewater utility improvements; and

WHEREAS, the District intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing water and wastewater utility improvements to property within the District boundaries, as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2021, in the same manner as provided for ad valorem taxes; and

WHEREAS, the District held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2021, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the District, the District intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments to fund the provision of water and wastewater utility improvements within the American Beach Water and Sewer District in the unincorporated area of the County. A legal description of such area subject to the assessments is attached hereto as Exhibit B and incorporated by reference.

2. The District hereby determines that the levy of the special assessments is needed to fund the cost of water and wastewater utility improvements in the unincorporated area of the County.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Nassau County Tax Collector, and the Nassau County Property Appraiser by January 10, 2021.

4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 9th day of November, 2020.

AMERICAN BEACH WATER AND SEWER DISTRICT, A DEPENDENT SPECIAL DISTRICT TO NASSAU COUNTY, FLORIDA

Chairman of the Nassau County Board of County Commissioners, as the governing body for the District

(SEAL)

~~Attest:~~ Attestation:
Attestation: Only to Authenticity
as to Chairman's Signature:

~~Clerk~~ Ex-Officio Clerk
MES
11-10-20

EXHIBIT A

PROOF OF PUBLICATION

[INSERT PROOF OF PUBLICATION]

NEWS LEADER

AMELIA ISLAND • FERNANDINA BEACH • NASSAU COUNTY

Published Weekly

511 Ash Street/P.O. Box 16766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034

STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared
Foy R. Maloy, Jr.

Who on oath says that (s)he is the Publisher of the Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a DISPLAY LEGAL NOTICE in the matter of

NOTICE OF INTENT NON-AD VALOREM ASSESSMENTS

Was published in said newspaper in the issues of

10/16/2020 10/23/2020 10/30/2020 11/06/2020
LEGAL DISPLAY

Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach, in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that (s)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.

Sworn to and subscribed before me
This 14th day of December, A.D. 2020.

Robert O. Fiege, Notary Public

Personally Known



NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The American Beach Water and Sewer District, a dependent special district to Nassau County, Florida (the "District") hereby provides notice, pursuant to section 197.3632(3) (a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments throughout the American Beach Water and Sewer District in the unincorporated area of the County to fund the cost of providing water and wastewater utility improvements commencing with the Fiscal Year beginning on October 1, 2021 and continuing until discontinued by the District. The District will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 p.m., or as soon thereafter as the matter can be heard, on November 9, 2020 in the Nassau County Commission Chambers, at the Nassau County Government Complex located at 96135 Nassau Place, Yulee, Florida. The Nassau County Commission serves as the governing body for the District. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the office of the Nassau County Clerk of Court, located at 76347 Veterans Way, Yulee, Florida.

In the event any person decides to appeal any decision by the District with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. 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 the Court's Office at (904) 548-4600 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).

By Order of:
AMERICAN BEACH WATER AND SEWER DISTRICT

EXHIBIT B
LEGAL DESCRIPTION

AMERICAN BEACH WATER AND SEWER DISTRICT BOUNDARY

Commencing at the Northwesterly corner of the *Plat of Section Two of American Beach* as recorded in Plat Book 3, Page 6 of the Official Records of Nassau County, Florida, said corner being the POINT OF BEGINNING for this description;

THENCE in an Easterly direction along the Northerly boundary of said Plat, 982 Feet more or less, to the Northwesterly corner of the Plat of *The American Beach* as recorded in the Official Records of Nassau County, Florida;

THENCE in an Easterly direction along the Northerly boundary of said *The American Beach* plat, 725 Feet more or less, to the Northeasterly corner of Block 1, of the aforesaid Plat;

THENCE in a Southerly direction along the Easterly boundary of Block 1 and Block 2, of aforesaid Plat, 840 Feet more or less, to the Southeasterly corner of said Block 2;

THENCE in a Southwesterly direction, 52 Feet more or less, to the Northeasterly corner of Lot 1, Block 1, of the Plat of *Unit One of American Beach - Section Three* as recorded in Plat Book 3, Page 19 the Official Records of Nassau County, Florida;

THENCE in a Southerly direction along the Easterly boundary of said Block 1, also being the approximate mean high-water line of the Atlantic Ocean, 1615 Feet more or less, to the Southeasterly corner of Lot 29, of Block 1 of the aforesaid plat of *Unit One of American Beach - Section Three*, and also being a point on the Northerly boundary of that Parcel conveyed to Amelia Island Plantation Community Association by that Warranty Deed recorded in the OR Book 473, Page 48, Official Records of Nassau County, Florida;

THENCE in an Easterly direction along said Northerly boundary, 110 Feet more or less to the mean high-water line of the Atlantic Ocean;

THENCE in a Southerly direction along said mean high-water line, 200 Feet more or less, to a point on the Southerly boundary of said Parcel:

THENCE in a Westerly direction along said Southerly boundary, 1037 Feet more or less, to the Southwesterly corner of said Parcel;

THENCE in a Northerly direction along the Westerly Boundary of said Parcel, 200 Feet more or less to the Northwesterly corner of said Parcel;

THENCE in an Easterly direction along the Northerly boundary of said Parcel, 47 Feet more or less to the Southwesterly corner of that Parcel conveyed to The Board of County Commissioners of Nassau County, Florida, in the Warranty Deed recorded in OR Book 526, Page 35 of the Official Records of Nassau County, Florida;

THENCE in a Northerly direction along the Westerly boundary of said Parcel, 102 Feet more or less, to the Northwesterly corner of said Parcel, said corner lying on the Southerly right-of-way line of Burney Road as it is now established;

THENCE leaving said Southerly right-of-way line in a Northeasterly direction, 169 Feet more or less, to a point on the Northerly right-of-way of said Burney Road, said point also being the Southwesterly corner of that Parcel conveyed to the United States of America in the Special

Warranty Donation Deed as recorded in OR Book 1532, Page 1026, of the Official Records of Nassau County, Florida;

THENCE in a Northerly direction along the courses of the Westerly boundary of said Parcel, 1287 Feet more or less, to a point on the Southerly boundary of the Plat of *Unit Two of American Beach – Section Three* as recorded in Plat Book 4, Page 1, of the Official Records of Nassau County, Florida;

THENCE in a Westerly direction along the courses of said Southerly boundary, 2255 Feet more or less to the Northeasterly corner of that Parcel conveyed to Board of County Commissioners of Nassau County, Florida, in that Quit Claim Deed recorded as OR Book 1457, Page 1955, Official Records of Nassau County, Florida;

THENCE in a Southerly direction along the Easterly boundary of the aforesaid Parcel, and the Easterly boundary of that Parcel conveyed to Harrison Park Suites, LLC, by that Special Warranty Deed recorded in OR Book 2342, Page 574, of the Official Records of Nassau County, Florida, 300 Feet more or less to the Southeasterly corner of said Parcel;

THENCE in a Westerly direction along the Southerly boundary of said Harrison Park Suites' Parcel, 283 Feet more or less, to a point on the Easterly right-of-way line of State Road A1A, a 200-foot right-of-way as it is now established;

THENCE in a Northerly direction along the said Easterly right-of-way line of State Road A1A, 970 Feet more or less, to the Southerly right-of-way line of Julia Street, a 60-foot right-of-way as it is now established;

THENCE in a Easterly direction along the courses of the said Southerly right-of-way line of Julia Street, 1376 Feet more or less to a point which is the Southerly extension of the Westerly boundary of that Parcel conveyed to Eliphus Jerome Way in that Corrective Quit Claim Deed recorded in OR Book 1535. Page 611 of the Official Records of Nassau County Florida;

THENCE leaving said Southerly right-of-way line of Julia Street, in a Northerly direction along the extension of the aforesaid Westerly boundary, and then along the said Westerly boundary of the Eliphus Jerome Way Parcel, and the Westerly boundary of the Parcel conveyed to John and Kimberly Clemons in that Warranty Deed recorded in OR Book 2188, Page 781, together with the Westerly boundary of the Parcel conveyed to Robert A. Rowell in that Warranty Deed recorded as OR Book 1940, Page 330, all located in the Official Records of Nassau County, Florida, 259 Feet more or less, to the Northwesterly corner of the aforesaid Robert A Rowell Parcel;

THENCE in an Easterly direction along the Northerly boundary of the aforesaid Robert A. Rowell Parcel, 100 Feet more or less to a point on the Westerly right-of-way line of Mary Avenue, a 48-foot right-of-way as it is now established;

THENCE in a Northerly direction along aforesaid Westerly right-of-way line, 252 Feet more or less to the Northwesterly corner of the *Plat of Section Two of American Beach* as recorded in Plat book 3, Page 6 of the Official Records of Nassau County, Florida and the POINT OF BEGINNING for this description.

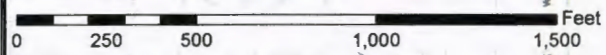
TOGETHER WITH:

That Parcel conveyed to Southern States Utilities, Inc. in that Special Warranty recorded in OR Book 506, Page 391 of the Official Records of Nassau County, Florida.

AND that Parcel conveyed to the Florida Public Utilities Company in that Quit Claim Deed recorded in OR Book 1839, Page 1508 of the Official Records of Nassau County, Florida.

AND that Parcel conveyed to the Florida Public Utilities Company in that Quit Claim Deed recorded in OR Book 189, Page 340 of the Official Records of Nassau County,

AMERICAN BEACH WATER AND SEWER DISTRICT



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBasis, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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