



Town Council Agenda Report

SUBJECT: Resolution

CONTACT PERSON/NUMBER: Chris Wallace, 797-1050

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE TOWN; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

This Resolution preserves the Town's ability to use the property appraiser and tax collector process for the collection of our fire rescue fee. This does not actually levy the fee or approve a fee. This process will put the Town's Fire/Rescue fee on a property owner's property tax bill.

The "Uniform Assessment Collection Act" means sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

PREVIOUS ACTIONS:

A similar resolution has been adopted each year since the Town began assessing a fire rescue fee.

CONCURRENCES:

not applicable

FISCAL IMPACT:

Has request been budgeted? not applicable

Additional Comments: not applicable

RECOMMENDATION(S):

Motion to approve the resolution.

Attachment(s):

Resolution

Item No.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE TOWN; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council (the "Council") of Davie, Florida (the "Town") is contemplating the imposition of special assessments for the provision of fire rescue services; and

WHEREAS, the Council intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing to property within the incorporate area of the Town 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 2000, in the same manner as provided for ad valorem taxes; and

WHEREAS, the Council held a duly advertised pubic 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 by the Town Council of Davie, Florida, as follows:

SECTION 1. Commencing with the Fiscal Year beginning on October 1, 2000, and with the tax statement mailed for such Fiscal Year, the Town 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 for the cost of providing fire rescue services. Such non-ad valorem assessments shall be levied within the incorporated area of the Town. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

SECTION 2. The Town hereby determines that the levy of the assessments is needed to fund the cost of fire rescue services within the incorporated area of the Town.

SECTION 3. Upon adoption, the Town Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Broward County Department of Revenue Collection, and the Broward County Property Appraiser by January 10, 2000.

SECTION 4. This Resolution shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED this 15th day of December, 1999.

Mayor/Councilmember

Attest:

Town Clerk

Approved this _____ day of _____, 1999.

Exhibit A - Proof of Publication

The following advertisement was run in the Sun Sentinel on the following dates:

- ◊ November 17, 1999
- ◊ November 24, 1999
- ◊ December 1, 1999
- ◊ December 8, 1999

Upon receipt, proof of publication will be inserted in the adopted resolution.

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

The Town of Davie, Florida (the "Town") 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 to be levied within the incorporated area of the Town, for the cost of providing fire rescue services commencing for the Fiscal Year beginning on October 1, 2000. The Council 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 7:00 p.m., December 15, 1999, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida. 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 Town Clerk of Davie, 6591 Orange Drive, Davie, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the Town 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 Director of Administrative Services at (954) 797-1020 at least seven days prior to the date of the hearing.

By: Gail Reinfeld
Town Clerk

DESCRIPTION of TOWN LIMITS OF TOWN OF DAVIE:

COMMENCE at the Southwest corner of Section 33, Township 50 South, Range 41 East, Broward County, Florida; thence Easterly along the South line of said Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 33 and the POINT OF BEGINNING; thence

Northerly along the West line of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 28, Township 50 South, Range 41 East; thence continue Northerly along the West line of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 28 to a point on the original centerline of the South New River Canal (C-11 South) (260 foot right-of-way); thence Westerly along said centerline to an intersection with the East line of Section 28, Township 50 South, Range 40 East; thence southerly along said East line and the East line of Section 33, Township 50 South, Range 40 East of the Plat of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida to a point of intersection with the South boundary of the Plat of "REGENCY" (Plat Book 121, Page 48, Broward County Records); thence Westerly along said South boundary to an intersection with the Easterly right-of-way line of Interstate 75; thence Southerly along said right-of-way line to an intersection with the South line of Tract 64 in said Section 33; thence Easterly along said South line of Tract 64 to the Southeast corner thereof; thence Northerly along the Easterly line of said Tract and a Northerly prolongation thereof to an intersection with the North line of the Southeast one-quarter (SE 1/4) of said Section 33; thence Easterly along said North line to an intersection with the East section line of said Section 33; thence Southerly along said line and the east line of Section 4, Township 51 South, Range 40 East of "CHAMBERS LAND COMPANY SUBDIVISION", as recorded in Plat Book 1, Page 5B of the Public Records of Broward County, Florida to an intersection with the South line of said Section 4; thence Westerly along said South line to an intersection with the West line of the East one-half (E 1/2) of the Southwest one-quarter (SW 1/4) of said Section 4; thence Northerly along said West line to an intersection with the South line of the Northwest one-quarter (NW 1/4) of said Section 4; thence Westerly along said South line to an intersection with the East line of Section 5, Township 51 South, Range 40 East of said plat of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1"; thence Westerly along the South line of the Northeast one-quarter (NE 1/4) of said Section 5, also being the South line of Tract 8 of said Section 5, to the Southwest corner of said Tract 8; thence Northerly along the West line of Tract 8 and Tract 7 of said Section 5 to an intersection with a line being parallel with and 13.30 feet North of the South line of Tract 10 of said Section 5; thence Westerly along said parallel line to an intersection with the West line of the East one-half (E 1/2) of said Tract 10; thence Southerly along said West line to an intersection with the South line of said Tract 10; thence Westerly along said South line to the southwest corner of said Tract 10; thence northerly along the west line of Tracts 10 through 13 to the northwest corner of Tract 13; thence Easterly along the North line of said Tract 13 to the Northeast corner of said Tract 13, also being the Southwest corner of Tract 3 of said Section 5; thence Northerly along the West line of Tracts 3, 2 and 1 of said Section 5 to an intersection with a line 55 feet south of the north line of said Tract 1; thence Easterly along said line to an intersection with the East line of the West one-half (W 1/2) of Tracts 1 through 5 inclusive; thence Southerly along said East line to an intersection with the north line of Tract 6 of said Section 5; thence Easterly along said North line to a point of intersection with the West right-of-way line of S. W. 160th Avenue; thence Northerly along said right-of-way line to a point 1400 feet North of the South line of Section 33, Township 51 South, Range 40 East; thence Easterly to a point of intersection with a line 55 feet east of and parallel to the west line of said Section 33; thence Northerly along said parallel line to an intersection with the North line of Tract 45 of Section 33, Township 50 South, Range 40 East; thence Easterly along said North line to an intersection with the West line of the East one-half (E 1/2) of the West one-half of said Section 33; thence Northerly along said West line and the West line of the East one-half (E 1/2) of the West one-half (W 1/2) of Section 28,

Township 50 South, Range 40 East, to an intersection with the Original Centerline of the South New River Canal (C-11 South); thence Westerly along said centerline to an intersection with the West right-of-way line of Southwest 160th Avenue, being a line being parallel with and 100 feet West of the West line of said Section 28; thence Northerly along said parallel line and along a line being 100 feet West of and parallel with the West line of Section 21, 16 and 9 of Township 50 South, Range 40 East to an intersection with a line being parallel with and 15.00 feet North of the South line of said Section 9; thence Easterly along said parallel line to an intersection with the West line of Section 10, Township 50 South, Range 40 East; thence Northerly along the West line of said Section 10 to an intersection with the South boundary of the North one-half (N 1/2) of the Northeast one-quarter (NE 1/4) of the Northeast one-quarter (NE 1/4) of Section 9, Township 50 South, Range 40 East of said Plat of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1"; thence Westerly along said South boundary also being the South line of Tract 2 of said Section 9 to the Southwest corner of said Tract 2; thence Northerly along the West boundary of said North one-half (N 1/2) of the Northeast one-quarter (NE 1/4) of the North east one-quarter (NE 1/4) of said Section 9, also being the West line of said Tract 2 and Tract 1 of said Section 9 to an intersection with the North line of said Section 9; thence Easterly along said North line to the Northeast corner of said Section 9, also being the Southwest corner of Section 3, Township 50 South, Range 40 East; thence Northerly along the West line of said Section 3 to an intersection with the North right-of-way line of State Road No. 84, also being the South right-of-way line of the North New River Canal (C-11 North); thence Southeasterly along said South right-of-way line to the Northwest corner of the East one-half (E 1/2) of Tract 1, Tier 7 in Section 24, Township 50 South, Range 41 East of said Plat of "JOHN W. NEWMAN'S SURVEY"; thence Northeasterly along an extension of the Westerly line of said East one-half (E 1/2) of said Tract 1 to the South bank of said North New River Canal; thence Southeasterly along said bank to the Westerly right-of-way line of State Road No. 7; thence Northeasterly along said right-of-way line to the centerline of said North New River Canal; thence Northwesterly along said centerline to the Southwesterly extension of the West right-of-way line of Southwest 41st Avenue; thence Northeasterly along said right-of-way line and its extension to the North line of Section 24, Township 50 South, Range 41 East; thence Easterly to a point on the Easterly right-of way line of Southwest 41st Avenue being 298.34 feet Northerly from the Southwest corner of Tract 2, Tier 4 of said Plat of "JOHN W. NEWMAN'S SURVEY"; thence Southeasterly to a point on the Westerly right-of-way line of State Road No. 7, being 300.00 feet, (as measured along said Westerly right-of-way line) from the Southerly line of said Tract 2; thence Northerly along said Westerly right-of-way line to its intersection with the Westerly prolongation of the North right-of-way line of Riverland Road; thence Easterly along said prolongation to the Easterly right-of-way line of State Road No. 7; thence Southerly along said East right-of-way line to an intersection with the centerline of said North New River Canal; thence Easterly along said centerline to its intersection with the West line of the Southeast one-quarter (SE 1/4) of the Northeast one-quarter (NE 1/4) of Section 19, Township 50 South, Range 42 East; thence Southerly along said West line to the South bank of said Canal; thence Easterly and Southerly along said South bank and the Westerly bank of the South Fork of the New River Canal to the Northerly right-of-way line of State Road No. 84; thence Westerly along said Northerly right-of-way line to the East boundary of Section 19, Township 50 South, Range 42 East; thence Southerly along said East boundary to the Southerly right-of-way line of State Road No. 84; thence Westerly along said right-of-way line to the West line of the East 192.00 feet of said Section 19; thence Southerly along said West line to the Northerly bank of the South Fork of the New River Canal; thence Southwesterly along said Northerly bank to a point lying 3478.00 feet West of, (as measured at right angles to) the East line of said Section 19, thence Northerly and parallel with the East line of said Section 19 to the Southerly Limited Access right-of-way line of Interstate 595 as shown on the Florida Department of Transportation Right-of-Way Map, Project Section No. 86095-2403; thence Westerly and Southwesterly along said Limited Access right-of-way line to an intersection with the Northerly line of Tract 5, Tier 1 in Section 24, Township 50 South, Range 41 East of

"JOHN W. NEWMAN'S SURVEY", (Plat Book 2, Page 26, Dade County Records); thence Southeasterly along said Northerly line 50.78 feet to the Easterly right-of-way line of Access Road 7 as shown on the aforesaid Interstate 595 Right-of-Way Map, Project Section No. 86095-2403; thence Southwesterly along said Easterly right-of-way line to an intersection with the North line of Section 25, Township 50 South, Range 41 East; thence Westerly along said North line to an intersection with the Northerly prolongation of the East line of the West three-quarters (W 3/4) of Tract 3 of said Section 25; thence Southerly along said prolongation and said East line to the Southeast corner of said West three-quarters (W 3/4) of the North one-half (N 1/2) of the North one-half (N 1/2) of said Tract 3; thence Westerly along the South line of the West three-quarters (W 3/4) of the North one-half (N 1/2) of the North one-half (N 1/2) of said Tract 3 to the Easterly right-of-way line of State Road No. 7; thence Southwesterly along said Easterly right-of-way line to a point radially Southeast from the intersection of the West line of Tract 20 in said Section 25 of said Plat of "JOHN W. NEWMAN'S SURVEY" with the Westerly right-of-way line of State Road No. 7; thence radially Northwest from said point to the Westerly right-of-way line of State Road No. 7; thence Southerly along said Westerly right-of-way line to an intersection with the centerline of said South New River Canal; thence Easterly along said centerline to an intersection with the East right-of-way line of State Road No. 7; thence Southerly along said right-of-way line to an intersection with the easterly prolongation of the North line of Tracts 11 and 12 in Section 36, Township 50 South, Range 41 East of "JOHN W. NEWMAN'S SURVEY"; thence Westerly along said line to an intersection with the West right-of-way line of the Sunshine State Parkway; thence Southerly along the right-of-way line to the intersection with the South line of Section 36, Township 50 South, Range 41 East; thence Westerly along the South line of Section 36 and 35, Township 50 South, Range 41 East to the Northeast corner of Section 2, Township 51 South, Range 41 East; thence Southerly along the East line of said Section 2 for 289.55 feet to a point on the North line of Northwest 42nd Street; thence Westerly along the North line of Northwest 42nd Street for 1215.54 feet, more or less, to a point on the West line of Northwest 65th Avenue; thence Southerly along said West line 30 feet to a point on the South line of Parcel "A" in Block 1 of "LINWOOD GARDENS"(Plat Book 46, Page 5, Broward County Records); thence Westerly along the South line of said Parcel "A", for 105 feet to the Southwest corner of said Parcel "A"; thence Southerly along the East line of the Northeast one-quarter (NE 1/4) of the Northwest one-quarter (NW 1/4) of the Northeast one-quarter (NE 1/4) of said Section 2 for 67.77 feet, more or less, to the Southeast corner of Lot 4 in Block 1 of the Plat of "HERITAGE LAKE ESTATES SECTION 1" (Plat Book 53, Page 16, Broward County Records); thence Westerly along the South line of said Lot 4, in Block 1 and along the South line of Lot 4 in Block 2 of said Plat of "HERITAGE LAKES ESTATES SECTION 1" for 275.14 feet more or less to a point on the East line of Tract "B" of said Plat of "HERITAGE LAKES ESTATES SECTION 1"; thence Southerly along the East line of said Tract "B" for 3.34 feet, more or less, to a point of curvature of a circular curve to the right; thence Southwesterly along the arc of said circular curve to the right, at the Southeast corner of said Tract "B", having a radius of 27 feet, for an arc distance of 42.08 feet to a point of tangency with the South line of said Tract "B"; thence Westerly along the South line of said Tract "B" and along the South line of Tract "A" of said "HERITAGE LAKES ESTATES SECTION 1" for 510.53 feet, more or less, to a point of curvature of a circular curve to the right; thence Westerly along the South line of said Tract "A" and along the arc of said circular curve to the right having a radius of 340 feet, for an arc distance of 149.82 feet to a point of reverse curvature; thence Westerly along the arc of a circular curve reversing to the left, being the South line of said Tract "A", having a radius of 630 feet, for an arc distance of 277.60 feet to a point of tangency with the South line of said Tract "A"; thence Westerly along the South line of said Tract "A" for 120.76 feet, more or less, to the East line of the Northwest one-quarter (NW 1/4) of said Section 2; thence Southerly along the East line of the Northwest one-quarter (NW 1/4) of said Section 2 for 18.31 feet; thence Westerly along a line parallel with and 313 feet South of the North line of the Northwest one-quarter (NW 1/4) of said Section 2 for 1980.2 feet, more or less, to the East line of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the

Northwest one-quarter (NW 1/4) of said Section 2; thence Southerly along the East line of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 2 for 1001.97 feet, more or less, to the Southeast corner of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 2; thence Westerly along the South line of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 2 and along the North line of Tract 5 of the Plat of "A.J. BENDLE SUBDIVISION OF SECTION 3, TOWNSHIP 51 SOUTH, RANGE 41 EAST" (Plat Book 1, Page 27, Dade County Records) to a point of intersection with the Northwesterly right-of-way line of Davie Road Extension according to the Davie Road Extension Centerline Location Map Number (M-197 r/w) dated March 1957, Field Book 56-2, File No. 491, Broward County Engineering Department; thence Southwesterly along said Northwesterly right-of-way line to a point of intersection with the South line of Section 4, Township 51 South, Range 41 East; thence Westerly along said South line to an intersection with the West line of that certain 100 foot canal reservation whose easterly line is contiguous with the westerly right-of-way line of University Drive; thence Northerly along said West line to an intersection with the South line of Tract 62 of said Section 4, of "THE EVERGLADES SUGAR AND LAND COMPANY'S SUBDIVISION" (Plat Book 2, Page 75, Dade County Records); thence Westerly along said South line to the Southwest corner of said Tract 62; thence Northerly along the West line of said Tract 62, to the Northwest corner of said Tract 62; thence Easterly along the North line of said Tract 62 to the West line of said 100 foot canal reservation; thence northerly along the westerly line of said canal reservation to its northern terminus; thence northeasterly along the northerly line of said canal reservation and a prolongation thereof to a point of intersection with the easterly right-of-way line of University Drive; thence Southerly along said easterly right-of-way line to an intersection with a line being parallel with and 150.00 feet West of the East line of said Section 4; thence Northerly along said parallel line to a point of intersection with the southerly right-of-way line of Stirling Road; thence westerly along said southerly right-of-way line to a point of intersection with the east line of the west one-half of Tract 9; thence Southerly along the East line of the West one-half (W 1/2) of said Tract 9 to the South line of said Tract 9; thence Westerly along the South line of Tracts 9, 10 and 11 of said Section 4 to an intersection of the West line of the East one-half (E 1/2) of said Tract 11; thence Northerly along the West line of the East one-half (E 1/2) of said Tract 11 and its Northerly extension to the South line of Section 33, Township 50 South, Range 41 East; thence Westerly along the South line of said Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 33 and the POINT OF BEGINNING.

LESS THEREFROM

Commencing at the southeast corner of Section 17, Township 50 South, Range 41 East; thence westerly along the south line of said Section 17 to a point of intersection with the west right-of-way line of Pine Island Road (Southwest 88th Avenue); thence northerly along said west right-of-way line to a point of intersection with the south right-of-way line of Orange Grove Drive; thence westerly and southwesterly along said southerly right-of-way line to a point of intersection with the southeasterly projection of the southerly line of Tract "C" of NEW ISLAND PLAZA ASSOCIATES, according to the Plat thereof, as recorded in Plat Book 115, Page 35 of the Public Records of Broward County, Florida; thence northwesterly along said southeasterly projection and the southerly line of said Tract "C" and its northwesterly projection to a point of intersection with the westerly right-of-way line of Pine Ridge Drive; thence northeasterly along said westerly right-of-way line to the southeast corner of Tract "Q", RIDGE PLAZA, according to the Plat thereof, as recorded in Plat Book 116, Page 27 of the Public Records of Broward County, Florida; thence northwesterly along the southerly line of said Tract "Q" to the Northeast corner of Tract "A", PINE ISLAND RIDGE SECTION 2, according to the plat thereof, as

recorded in Plat Book 83, Page 20 of the Public Records of Broward County, Florida; thence southwesterly along the southerly line of said Tract "A" to the southwest corner thereof; thence northeasterly along the westerly line of said Tract "A" and the westerly line of Tract 1, Tier 81 of NEWMAN'S SURVEY", according to the Plat thereof, as recorded in Plat Book 2, Page 26 of the Public records of Dade County, Florida; and the westerly line of ROUTE 84 SQUARE, according to the Plat thereof, as recorded in Plat Book 117, Page 11 of the Public Records of Broward County, Florida, to a point of intersection with the southerly right-of-way line of State Road No. 84; thence northwesterly along said southerly right-of-way line to a point of intersection the easterly line of T. BRYAN'S SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 32, Page 16 of the Public Records of Broward County, Florida; thence southerly along the east line of said T. BRYAN'S SUBDIVISION and the southerly prolongation of said east line to a point of intersection with the northerly right-of-way line of Pine Ridge Drive; thence southwesterly along the curve of said northerly right-of-way line to a point of intersection with a line 500 feet south and parallel to the south line of Tract 3 of T. BRYAN'S SUBDIVISION; thence westerly along said parallel line to a point of intersection with the easterly right-of-way line of Nob Hill Road (Southwest 100th Avenue); thence southerly along said easterly right-of-way line to a point of intersection with the south line of said Section 17; thence easterly along said south line to the POINT OF BEGINNING.