

ORDINANCE NO. 2001- 24

AN ORDINANCE AMENDING ORDINANCE NO. 87-100, AS AMENDED, WHICH CREATED THE LELY GOLF ESTATES BEAUTIFICATION MUNICIPAL SERVICE TAXING UNIT; AMENDING SECTIONS ONE AND FOUR TO INCREASE THE MILLAGE FROM ONE AND ONE-HALF TO TWO MILS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE COLLIER COUNTY CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

FILED
2001 MAY 11 PM 4:40
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA



WHEREAS, on December 22, 1987, the Board of County Commissioners adopted Ordinance No. 87-100, which created the Lely Golf Estates Beautification Municipal Service Taxing Unit; and

WHEREAS, the Board of County Commissioners desires to increase the maximum millage rate from one and one-half to two mils.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA; that:

SECTION ONE. Amendment to Section One of Ordinance No. 87-100, As Amended.

Section One is hereby amended to read as follows:

SECTION ONE. Lely Golf Estates Beautification Municipal Service Taxing Unit Created, Boundaries, Purposes, Taxing Authority.

There is hereby created the Lely Golf Estates Beautification Municipal Service Taxing Unit (hereinafter referred to as the "Unit") with boundaries described as follows:

All lands within the platted boundaries of Lely Golf Estates Unit No. 1, as recorded in Plat Book 8, Page 49, of the Public Records of Collier County, Florida;

Less and except that Westerly Florida Power & Light Company Easement; and

All lands within the platted boundaries of Lely Golf Estates Unit No. 2, as recorded in Plat Book 8, Page 58, of the Public Records of Collier County, Florida; and

All lands within the platted boundaries of Lely Golf Estates Forest Hills Section, as recorded in Plat Book 10, Page 84, of the Public Records of Collier County, Florida; and

All lands within the platted boundaries of Lely Golf Estates St. Andrews East, as recorded in Plat Book 10, Page 98, of the Public Records of Collier County, Florida;

Less and except Lots 11-12-13, Block 29; Lots 1-2, Block 30, and Lot 1, Block 31, vacated September 5, 1978, recorded in Public Records Book 770, Pages 1539-1541; and

All lands within the platted boundaries of Lely Golf Estates St. Andrews West, as recorded in Plat Book 10, Page 93, of the Public Records of Collier County, Florida;

Less and except that portion of Tract J of the following:

BEGIN at the Southeast corner of Section 19, Township 50 South, Range 26 East, run North 39° 06' 20" West, 359.82 feet; thence South 50° 53' 40" West 473.35 feet to the Easterly right-of-way line of S.R. 90, U.S. 41 (Tamiami Trail); thence North 39° 06' 20" West, along said right-of-way line 550.00 feet; thence North 50° 53' 40" East 604.72 feet to the Easterly boundary line of said Tract J; thence South 58° 29' 44" East along said Easterly boundary of said Tract J 580.78 feet; thence South 2° 44' 35" West 485.94 feet to POINT OF BEGINNING; and

All lands within the platted boundaries of Pinehurst Estates, as recorded in Plat Book 12, Page 1 of the Public Records of Collier County, Florida; and

Lands within the platted boundaries of Lely Golf Estates Tract Map, as recorded in Plat Book 8, Page 20, of the Public Records of Collier County, Florida, as described as:

The North 300 feet of Tract A; and

That Parcel as described in Official Records Book 1233, Pages 2220 and 2221 of the Public Records of Collier County, Florida, and being more particularly described as follows:

Commence at a point where the Southwesterly right-of-way line of Forest Hills Boulevard intersects the East line of Section 19 and run North 44° 48' 32" West, along said right-of-way line, for 675.54 feet to the Northerly most corner of Lot 7, Block 24 of Lely Golf Estates, Forest Hills Section as recorded in Plat Book 10, Page 84, Collier County Records, for POINT OF BEGINNING; thence run South 45° 11' 28" West for 149.07 feet; thence North 43° 33' 59" West for 128.61 feet; thence North 62° 59' 42" West for 51.57 feet; thence North 24° 08' 16" West for 51.57 feet; thence North 43° 33' 59" West for 237.39 feet; thence North 32° 04' 50" West for 205.38 feet; thence North 77° 23' 56" East for 200.27 feet; thence South 50° 44' 51" East for 351.14 feet; thence South 62° 57' 15" East for 218.36 feet; thence South 45° 11' 28" West for 180.00 feet to the POINT OF BEGINNING and containing 3.51 acres more or less; and

All of Tract K.

The Unit hereby created and established is for the purposes of beautifying and maintaining the median strips of streets and certain other public areas within the Unit as determined by the Advisory Committee. Said Unit shall have the authority to levy ad valorem taxes as prescribed by law not to exceed ~~one and one-half (1-1/2)~~ two (2) mils in any one fiscal year.

SECTION TWO. Amendment to Section Four of Collier County Ordinance No. 87-100, as Amended.

Section Four is hereby amended to read as follows:

SECTION FOUR. Itemized Budget.

For the purpose of implementing this Ordinance, the Board of County Commissioners shall annually, at the time required by general law, make an itemized estimate of the amount of money required to carry out the business of the Unit for the next fiscal year, which shall be from

October 1 to and including September 30 following. The estimate shall have for what purpose the monies are required and the amount necessary to be raised by taxation within the Unit. At the item and place for fixing the annual rate of taxation for County purposes, the Board of County Commissioners shall fix and cause to be levied on all property within the Unit subject to taxation a millage sufficient to meet the purposes and obligations of the Unit; provided, however, the total millage shall not exceed ~~one and one-half (1-1/2)~~ two (2) mils in any one fiscal year.

SECTION THREE. Conflict and Severability.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is 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 remaining portion.

SECTION FOUR. Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION FIVE. Effective Date.

This Ordinance shall be effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 8th day of MAY, 2001.

ATTEST:
DWIGHT E. BROCK, Clerk

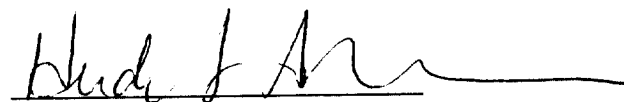
Attest as to Chairman's
signature only.

By: Jeri Michaels, D.C.

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: 
JAMES D. CARTER, Ph.D., Chairman

Approved as to form and
legal sufficiency:



Heidi F. Ashton
Assistant County Attorney

h:/HFA\Ord2001-LelyGolfEstates MSTU

This ordinance filed with the
Secretary of State's Office the
11th day of May, 2001
and acknowledgement of that
filing received this 16th day
of May, 2001

By Callie Hoffman
Deputy Clerk

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE NO. 2001-24

Which was adopted by the Board of County Commissioners on the 8th day of May, 2001, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 8th day of May, 2001.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

Teri Michaels

By: Teri Michaels,
Deputy Clerk

