

ORDINANCE NO. 2005- 20

AN ORDINANCE AMENDING COLLIER COUNTY ORDINANCE NO. 91-107, AS AMENDED, WHICH CREATED THE FOREST LAKES ROADWAY AND DRAINAGE MUNICIPAL SERVICE TAXING UNIT; PROVIDING FOR AMENDMENT TO SECTION ONE TO EXPAND THE PURPOSE OF THE UNIT AND TO INCREASE THE MILLAGE RATE FROM 3 TO 4 MILS; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 10, 1991, the Board of County Commissioners adopted Ordinance No. 91-107, the ordinance that created the Forest Lakes Roadway and Drainage Municipal Service Taxing Unit; providing for its boundaries, purpose and taxing authority; providing for its governing board and defining its powers and duties; providing for an advisory committee and defining its duties and responsibilities; providing for an itemized budget; providing for collection of taxes; providing for construction and severability; and providing for an effective date; and

WHEREAS, the Board of County Commissioners, upon recommendation by the advisory committee, desires to increase the millage rate from 3 mil to 4 mil and to empower the Unit to purchase and install traffic control signage.

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

SECTION ONE: AMENDMENT TO SECTION ONE OF ORDINANCE NO. 91-107, AS AMENDED.

Section One is amended to read as follows:

SECTION ONE: Forest Lakes Roadway and Drainage Municipal Service Taxing Unit
Created: Boundaries, Purpose, Taxing Authority.

1. There is hereby created the Forest Lakes Roadway and Drainage Municipal Service Taxing Unit (hereinafter referred to as the "Unit") with boundaries described as follows, to wit:

A tract of land in Section 14, Township 49 South, Range 25 East, Collier County, Florida, described as follows:

Commencing at the Northwest corner of said Section 14, run S 00° 19' 00" W along the West line of said Section 14 for 50.00 feet to the POINT OF BEGINNING, said point being on the Southerly Right-of-way line of State Road S-896 (Pine Ridge Road) and being the Northwestern most corner of the Forest Lakes Homes as recorded in Plat Book 12, Pages 41-46 in the public records of Collier County, Florida; thence run East, along said

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Right-of-way line for 1275.27 feet to a point on the Western Right-of-way of Forest Lakes Boulevard; thence continuing along said Right-of-way of SR S-896, East for 1,372.88 feet to the North ¼ corner of Section 14; thence continuing along said Right-of-way N 89° 59' 40" E for 1,323.81 feet to a point on the East line of the Northwest ¼ of the Northeast ¼ of said Section 14 and being the eastern Right-of-way of Woodshire Lane; thence leaving SR S-896 and run along the Eastern Right-of-way of Woodshire Lane and the East line of the Northwest ¼ of the Northeast ¼ of said Section 14, S 00° 04' 18" E for 749.54 feet to a point of curvature of said road; thence leaving said road and continuing along said line, S 00° 04' 18" E for 512.50 feet to the Southeast corner of the Northwest ¼ of the Northeast ¼ of said Section 14; thence along the South line of the Northwest ¼ of the Northeast ¼ S 89° 48' 47" W for 512.50 feet to a point on the Southern Right-of-way of Woodshire Lane; thence continuing along said line S 89° 48' 47" W for 811.38 feet to the North-South ½ line of said Section 14; thence along the Eastern Right-of-way of Woodshire Lane and the North-South ½ line S 00° 1' 23" E for 2,508.87 feet to a point; thence leaving said line S 89° 39' 24" W for 21.59 feet to a point, said point being the Southeasterly most corner of Forest Lakes Homes as recorded in Plat Book 12, Pages 41-46 in the public records of Collier County, Florida; thence S 89° 39' 24" W for 476.79 feet to a point of curvature; thence 221.52 feet along the arc of a curve, concave to the Southeast, having a radius of 667.29 feet and subtended by a chord having a length of 220.51 feet and bearing S 80° 08' 46.5" W to a point of tangency; thence S 70° 38' 09" W for 78.45 feet to a point of curvature; thence 990.66 feet along the arc of a curve, concave to the Northeast, having a radius of 1,250.00 feet and subtended by a chord having a length of 964.94 feet and bearing N 86° 39' 35.5" W to a point of reverse curvature; thence 829.00 feet along the arc of a curve, concave to the South, having a radius of 900.00 feet and subtended by a chord having a length of 800.00 feet and bearing S 89° 39' 24" W; thence S 89° 38' 30" W for 64.95 feet to a point on the West line of Section 14, said point being the Southwestern most corner of Forest Lakes Homes subdivision; thence N 02° 15' 35" W along said West line for 1,195.80 feet to the West ¼ corner of Section 14; thence continuing along said West line N 00° 19' 00" E for 2,595.97 feet to the POINT OF BEGINNING.

2. The Unit hereby created and established is for the purpose of providing, installing and maintaining improved roadway lighting, traffic control signage and devises, roadway-related drainage and roadway restoration within the area of the Unit and to that end shall possess all the powers to do all things reasonably necessary in connection therewith. The initial improvements hereunder shall be within that area depicted on Exhibit "A" attached hereto and shall include:

A. Complete restoration of roadway, including:

1. Existing road bed mixed in place.
2. Prime and cover.
3. 2" of asphalt pavement surface course.
4. Installation of necessary drainage pipe.

B. Providing pump and force main for drawdown of lake surface and off-site discharge to enable improved roadway drainage.

C. Maintenance of such improvements, as required.

Said Unit shall have the authority to levy ad valorem taxes as prescribed by law not to exceed ~~three (3)~~ four (4) mil in any one fiscal year.

SECTION TWO: 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 re-lettered to accomplish such, and the word "ordinance" may be changed to "section," or any other appropriate word.

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 the 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: EFFECTIVE DATE.

This Ordinance shall take effect upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 26th day of APRIL, 2005.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS OF
COLLIER COUNTY, FLORIDA

By: [Signature]
DEPUTY CLERK
Attest as to Chairman's
signature only.

By: [Signature: Fred W. Coyle]
FRED W. COYLE, CHAIRMAN

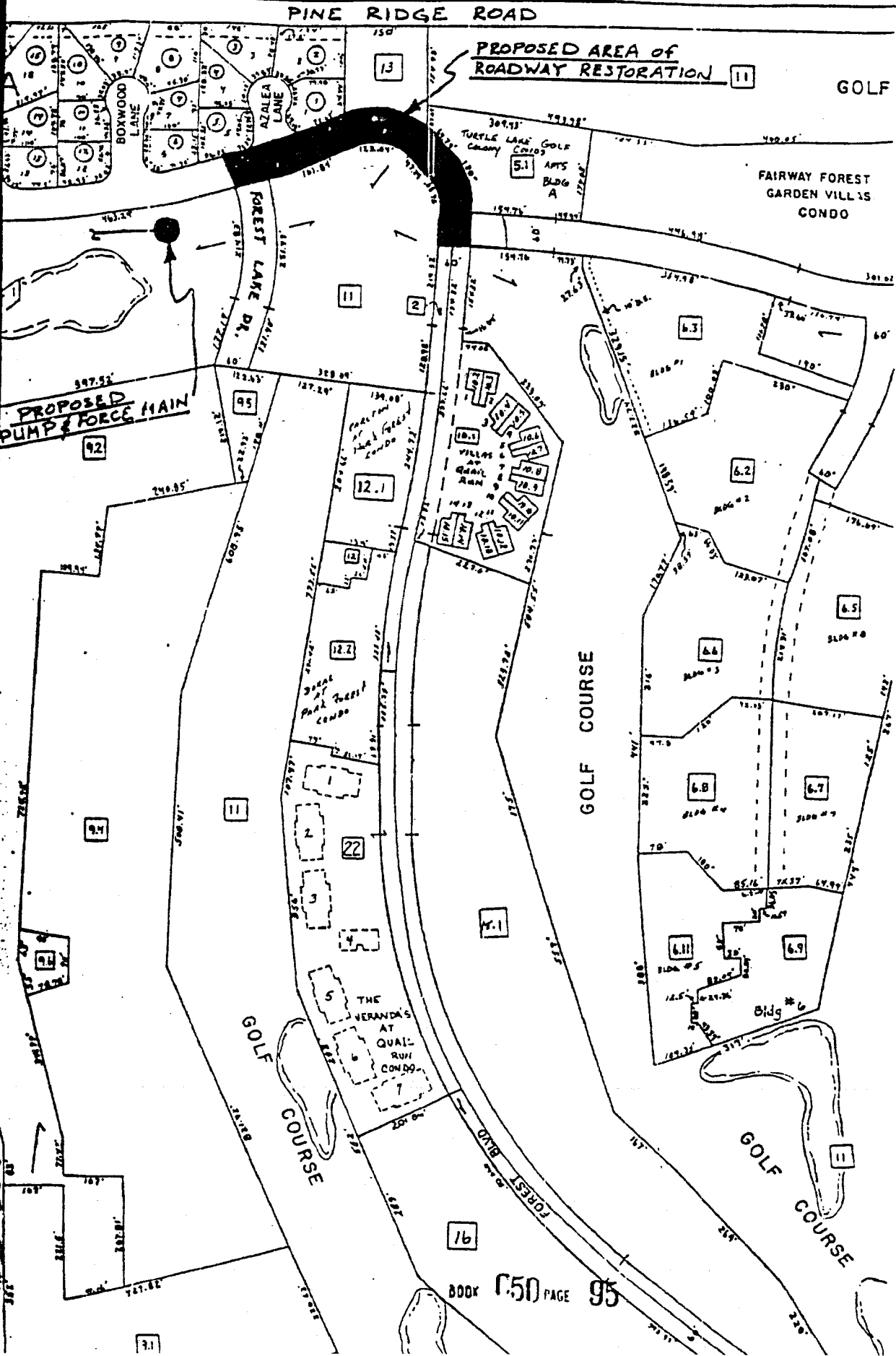
Approved as to form and
legal sufficiency.
[Signature]

Jeffrey A. Klatzkow
Assistant County Attorney

This ordinance filed with the
Secretary of State's Office the
4th day of May, 2005
and acknowledgement of that
filing received this 4th
day of May, 2005
By: [Signature]
Deputy Clerk



EXHIBIT "A"



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 and correct copy of:

ORDINANCE 2005-20

Which was adopted by the Board of County Commissioners on the 26th day of April 2005, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 2nd day of May, 2005.

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

Ann Jennejohn

By: Ann Jennejohn
Deputy Clerk

