RESOLUTION NO. ____

PROPOSED RESOLUTION NO. 21-009

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS, AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, FOR COLLECTING NON-AD VALOREM ASSESSMENTS AGAINST CERTAIN LOTS ABUTTING HEATHERPOINT DRIVE IN THE CITY OF LAKELAND; ADOPTING FINDINGS OF FACT; STATING THE NEED FOR THE LEVY OF SAID ASSESSMENTS; PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 7, 2020, the City Commission of the City of Lakeland adopted Resolution No. 5640, approving the levy of a non-ad valorem assessment against each lot abutting Heatherpoint Drive north of Audubon Oaks Circle in Lakeland, Florida ("Heatherpoint Drive") in order to finance stormwater sewer system repairs and improvements as described in said Resolution; and

WHEREAS, the City Commission finds that each lot abutting Heatherpoint Drive will be specially benefited by the City's financing of this project in an amount equal to or greater than the costs to be incurred by the City in financing the project and greater in kind and degree than other properties within the City, and further finds that there is a logical relationship between the financing to be provided by the City and the benefit to the lots abutting Heatherpoint Drive; and

WHEREAS, the City Commission finds that each lot abutting Heatherpoint Drive will be equally benefited by the City's participation in the project and, as a

result, it is fair and equitable to assess against each lot abutting Heatherpoint Drive an equal share of the costs to be financed by the City; and

WHEREAS, the City Commission finds that it is appropriate to spread the obligation of repayment of the City's costs over a period of ten (10) years in order to ease the burden upon the lot owners abutting Heatherpoint Drive; and

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Sections 197.3631, 197.3632 and 197.3635, Florida Statutes (the "Uniform Method of Collection"), provides for the collection of non-ad valorem assessments (also known as "special assessments") by utilizing the tax bills issued for the collection of ad valorem taxes; and

WHEREAS, the City Commission finds that use of the Uniform Method of Collection will result in the most efficient and effective collection of the special assessments to be levied against the lots abutting Heatherpoint Drive and, accordingly, the City Commission wishes to utilize the Uniform Method of Collection to collect the special assessments to be levied against the subject lots; and

WHEREAS, the City Commission is authorized to levy and collect the special assessments described herein pursuant to the Lakeland City Charter, the City's home rule authority, including, without limitation, that set forth in Article VIII, Section 2(b), Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, as well as pursuant to the provisions of Sections 197.3631, 197.3632 and 197.3635, Florida Statutes; and

WHEREAS, in accordance with the requirements of Section 197.3632, Florida Statutes, the City Commission held a duly advertised public hearing prior to the adoption of this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. The City Commission intends to utilize the uniform method of collecting non-ad valorem assessments, as provided in Section 197.3632, Florida Statutes, for collecting an annual non-ad valorem assessment in the amount of $706.00 against each property legally described on Exhibit "A," attached hereto and made a part hereof. It is the City Commission's intention to collect the aforesaid non-ad valorem assessment against each property listed on Exhibit "A" for a period of ten (10) years, beginning with the tax bills issued in November 2021.

SECTION 3. The City Commission hereby determines that the levy of the non-ad valorem special assessments specified herein is necessary to fund the costs of providing the improvements to the benefited properties described herein.

SECTION 4. Upon adoption, the City Attorney or his designee is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Polk County Tax Collector, and the Polk County Property Appraiser by March 10, 2021.

SECTION 5. This Resolution shall take effect immediately upon passage.

PASSED AND CERTIFIED AS TO PASSAGE this 15th day of February, A.D. 2021.

_____
H. WILLIAM MUTZ
MAYOR

ATTEST:_____
KELLY S. KOOS
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

EXHIBIT "A"

PARCEL ID	STREET ADDRESS	LEGAL DESCRIPTION	TOTAL ASSESSMENT PER YEAR
232725-009221-000010	439 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 1 & 2 THAT PART DESC AS BEG AT SW COR LOT 2 RUN NELY ALONG CURVE 10 FT RUN N 09 DEG 36 MIN 48 SEC W PARALLEL WITH W LINE LOT 2 120 FT RUN N 15 DEG 55 MIN 33 SEC W 90.95 FT TO NW COR LOT 2 RUN S 09 DEG 36 MIN 48 SEC E ALONG W LINE OF LOT 2 210.13 FT TO POB	$706.00
232725-009221-000022	431 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 2 LESS BEG AT SW COR LOT 2 RUN NELY ALONG CURVE 10 FT RUN N 09 DEG 36 MIN 48 SEC W PARALLEL WITH W LINE LOT 2 120 FT RUN N 15 DEG 55 MIN 33 SEC W 90.95 FT TO NW COR LOT 2 RUN S 09 DEG 36 MIN 48 SEC E ALONG W LINE OF LOT 2 210.13 FT TO POB	$706.00
232725-009221-000030	423 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 3	$706.00
232725-009221-000050	407 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 5	$706.00
232725-009221-000070	0 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 7	$706.00
232725-009221-000080	323 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 8	$706.00
232725-009221-000090	315 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 9	$706.00
232725-009221-000100	307 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 10	$706.00
232725-009221-000110	245 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 11	$706.00
232725-009221-000120	237 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 12	$706.00

232725-009221-000130	229 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 13	$706.00
232725-009223-000140	209 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES UNIT TWO PB 81 PG 10 LOT 14	$706.00
232725-009223-000010	141 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES UNIT TWO PB 81 PG 10 LOT 1	$706.00
232725-009223-000030	117 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES UNIT TWO PB 81 PG 10 LOT 3	$706.00
232725-009223-000050	118 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES UNIT TWO PB 81 PG 10 LOT 5	$706.00
232725-009223-000060	136 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES UNIT TWO PB 81 PG 10 LOT 6	$706.00
232725-009223-000160	202 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES UNIT TWO PB 81 PG 10 LOT 16	$706.00
232725-009221-000170	208 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 17	$706.00
232725-009221-000180	216 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 18	$706.00
232725-009221-000200	232 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 20	$706.00
232725-009221-000210	240 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 21	$706.00
232725-009221-000220	302 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 22	$706.00
232725-009221-000230	310 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 23	$706.00
232725-009221-000240	318 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 24	$706.00
232725-009221-000250	326 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 25	$706.00
232725-009221-000260	334 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 26	$706.00
232725-009221-000270	342 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 27	$706.00
232725-009221-000280	406 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 28	$706.00

232725-009221-000290	414 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 29	$706.00
232725-009221-000300	422 Heatherpoint Dr.	WEDGEWOOD LAKE ESTATES PB 76 PGS 33 & 34 LOT 30	$706.00