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RESOLUTION NO. 14-02-08

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA SETTING FORTH THE TOWN COMMISSION'S INTENT TO USE THE UNIFORM METHOD FOR COLLECTION OF A SPECIAL ASSESSMENTS TO BE LEVIED UPON CERTAIN REAL PROPERTIES AS MORE PARTICULARLY DESCRIBED IN SECTION 2 OF THIS RESOLUTION, TO FUND THE INSTALLATION OF A STORM WATER MANAGEMENT SYSTEM AND RELATED IMPROVEMENTS; STATING A NEED FOR SUCH LEVY; PROVIDING DIRECTIONS TO THE TOWN CLERK TO PROVIDE AN EXECUTED COPY OF THIS RESOLUTION TO THE PALM BEACH COUNTY PROPERTY APPRAISER, THE PALM BEACH COUNTY TAX COLLECTOR, AND THE STATE OF FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission, as the governing body of the Town of Lake Park, Florida ("Town"), pursuant to the authority in Chapter 163, Chapter 166, and Chapter 170, Florida Statutes (2007), is authorized and empowered to declare and levy special assessments for those public improvements authorized by Section 170.01, Fla. Stat. (2007); and

WHEREAS, the Town Commission intends to levy a special assessment ("Special Assessment") upon certain real properties located within the jurisdictional boundaries of the Town of Lake Park: SEE ATTACHED EXHIBIT "A" as more particularly described in Section 2 of this Resolution, to fund the installation of a storm water management system and related improvements; and

WHEREAS, in accordance with Section 197.3632(3)(a), Florida Statutes, (2007), the Town has advertised the Town Commission's intent to use the uniform method for the collection of the Special Assessment once per week in a newspaper of general circulation for four (4) consecutive weeks preceding the public hearing held on the adoption of this Resolution; and

WHEREAS, on February 20, 2008, the Town Commission of the Town of Lake Park held a duly-advertised public hearing prior to adopting this Resolution; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes (2007), the Town Commission hereby expresses its intent to use the uniform method for the collection of special assessments because this method provides an economical and efficient process for such special assessments to be collected annually, commencing with the Fiscal Year beginning on October 1, 2008; and

1 **WHEREAS**, the Town Commission of the Town of Lake Park directs the Town
2 Clerk, subsequent to adoption of this Resolution, to provide an executed copy of this
3 Resolution to the Palm Beach County Property Appraiser, the Palm Beach County Tax
4 Collector, and the State of Florida Department of Revenue.
5

6 **NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION**
7 **OF THE TOWN OF LAKE PARK, FLORIDA:**
8

9 **Section 1. Legislative intent.** The whereas clauses are incorporated herein as
10 true and correct findings of the Town Commission’s legislative intent.
11

12 **Section 2. Declaration of Assessment.** Commencing with the Fiscal Year
13 beginning on October 1, 2008, and with the tax statement mailed for such Fiscal Year, the
14 Town of Lake Park shall use the uniform method authorized in Section 197.3632, Florida
15 Statutes (2007), for collecting a Special Assessment levied upon all real properties located
16 within the jurisdictional boundaries of the Town of Lake Park, as said jurisdictional
17 boundaries are depicted in attached EXHIBIT “A” which is incorporated herein and made a
18 part hereof, and as such boundaries may be amended from time to time.
19

20 **Section 3. Storm water management system funding.** The Town
21 Commission hereby determines that the levy of the special assessments described in Section
22 2 above is needed to fund the cost of the storm water management system and related
23 improvements benefiting the real properties depicted in EXHIBIT “A” of this Resolution.
24

25 **Section 4. Directions to Town Clerk.** The Town Clerk is hereby directed to
26 send an executed copy of this Resolution to the Palm Beach County Property Appraiser, the
27 Palm Beach County Tax Collector, and the State of Florida Department of Revenue.
28

29 **Section 5. Severability.** If any section, subsection, clause or provision of this
30 Resolution is held invalid, the remainder shall not be affected by such invalidity.
31

32 **Section 6. Effective date.** This Resolution shall become effective immediately
33 upon adoption.
34

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Commissioner Osterman, and upon being put to a roll call vote, the vote was as follows:

| | AYE | NAY |
|--------------------------------|----------|-----|
| MAYOR PAUL W. CASTRO | <u>X</u> | ___ |
| VICE-MAYOR ED DALY | <u>X</u> | ___ |
| COMMISSIONER CHUCK BALIUS | <u>X</u> | ___ |
| COMMISSIONER JEFF CAREY | <u>X</u> | ___ |
| COMMISSIONER PATRICIA OSTERMAN | <u>X</u> | ___ |

The Town Commission thereupon declared the foregoing Resolution NO. 14-02-08 duly passed and adopted this 20 day of February, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: 
PAUL W. CASTRO
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK


Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY



February 6, 2008

Town of Lake Park Boundary Map

Legend

- Municipal Roads
- - - Other Roads
-  Lake_Park_Boundary



Patrick Sullivan, AICP - Director
 Community Development Department
 Town of Lake Park
 535 Park Lake Park FL 33403
 561-881-3319 3061-881-3323 (fax)
 psullivan@lakeparkflorida.gov

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

The Town of Lake Park, Florida 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 of Lake Park including such area as may be annexed into the Town, to fund the installation of a storm water management system and related improvements commencing for the Fiscal Year beginning October 1, 2008. The Town of Lake Park will consider the adoption of a resolution or resolutions 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 7:30 p.m. on February 20, 2008, in the Commission Chamber, Town Hall, located at 535 Park Avenue, Lake Park, Florida 33403. 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(s), which contains the legal description of the real property subject to the levy, are on file at the Office of the Town Clerk of the Town of Lake Park, 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 Town Clerk at (561) 881-3311 at least seven (7) days prior to the date of the hearing.

Dated this 22nd day of January, 2008.

Publish: The Palm Beach Post
 January 23, 2008
 January 30, 2008
 February 6, 2008
 February 13, 2008

Vivian Mendez, Town Clerk



Affidavit of Proof of Publication

DR-413
R. 02/91

NO. 9742942
NOTICE OF INTENT TO
USE UNIFORM METHOD
OF COLLECTING NON-AD
VALOREM
ASSESSMENTS

The Town of Lake Park, Florida 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 of Lake Park including such area as may be annexed into the Town, to fund the installation of a storm water management system and related improvements commencing for the Fiscal Year beginning October 1, 2008. The Town of Lake Park will consider the adoption of a resolution or resolutions 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 7:30 p.m. on February 20, 2008, in the Commission Chamber, Town Hall, located at 535 Park Avenue, Lake Park, Florida 33403. 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(s) which contains the legal description of the real property subject to the levy, are on file at the Office of the Town Clerk of the Town of Lake Park, 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 Town Clerk at (561) 881-3311 at least seven (7) days prior to the date of the hearing. Dated this 22nd day of January, 2008. Vivian Mendez, Town Clerk PUB: The Palm Beach Post Jan. 23, 30, Feb. 6, 13, 2008

State of Florida
County of Palm Beach

Before the undersigned authority, personally appeared Marc Kramer, who on oath says that he is the Inside Sales Supervisor of The Palm Beach Post, a newspaper published at West Palm Beach, in Palm Beach County, Florida; that the attached copy of advertisement, being a notice of the local government's intent to use the uniform method for collecting a non-ad valorem assessment, was published in said newspaper in the four consecutive weeks of January 23, January 30, February 6, February 13, in the year 2008.

The affiant further says that the said The Palm Beach Post is a newspaper published at West Palm Beach, in said County, Florida, and that the said The Palm Beach Post newspaper has heretofore been continuously published in said Palm Beach County, Florida, each day, and has been entered as second class mail matter at the post office in West Palm Beach, in Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the affiant further says that 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 13th day of February in the year of 2008.

NOTARY PUBLIC-STATE OF FLORIDA
Kristen J. Maxfield
Commission # DD528685
Expires: MAR. 14, 2010
Bonded Thru Atlantic Bonding Co., Inc.

Handwritten signature of Kristen J. Maxfield
Notary Public
My Commission Expires: 3/14/10

Original: Tax Collector
cc: Property Appraiser
Local Government
Florida Department of Revenue, Property Tax Administration, PO Box 3000, Tallahassee, FL 32315-3000