RESOLUTION: 11-_____

ACCEPTANCE OF PETITION FROM OWNERS OF AUGUSTINE HILLS SUBDIVISION, UNITS 1 AND II FOR STORMWATER CONTROL AND DRAINAGE IMPROVEMENTS AND DETERMINATION OF SPECIAL BENEFIT TO OWNERS' PROPERTIES

WHEREAS, pursuant to Article IV, Division 2, of Chapter 18 of the Code of Laws of Leon County, Florida (hereinafter the Code), the Board of County Commissioners of Leon County, Florida (hereinafter the Board) has been presented a petition (hereinafter the Petition) which requests construction of stormwater control and drainage improvements (hereinafter referred to collectively as the Special Improvements) in the Augustine Hills Subdivision, Units I and II located in located in Section 16, Township 1 South, Range 2 East, Leon County, Florida; and

WHEREAS, the Petition requests that the Special Improvements be made over, under, and across the road identified as Brushy Creek Road (hereinafter referred to collectively as the Roadway) and, in accordance with the Code, the Petition was signed by at least sixty percent of the owners of properties determined to receive a benefit from such improvements, such determination being based on such properties' sole access being dependant upon crossing the Roadway; and

WHEREAS, in accordance with the Code, a notice was published in the Tallahassee Democrat, a newspaper of general circulation in Leon County, which stated that the Board, at its regular meeting on May 24, 2011, would hear all interested persons with comments on the Special Improvements, and which also stated in general terms the description, the location, and the estimated cost of the Special Improvements along with a description of the properties to be specially benefitted by the Special Improvements and against which a special assessment is to be made (hereinafter the Notice); and

WHEREAS, in accordance with the Ordinance, a copy of the Notice was timely mailed by certified mail to the record title holders of the properties to be specially benefitted by the Special Improvements and against which a special assessment is to be made, which properties are compiled in the list attached hereto and made a part hereof as Exhibit "A" (hereinafter the Assessed Properties); and

WHEREAS, pursuant to the Notice, the Board conducted the public hearing on May 24, 2011 in the Commission Chambers of the Leon County Courthouse, during which the Board received public comment from each and every person so requesting; and

WHEREAS, the Board has been advised that the determination of whether or not a property will be benefited by the Special Improvements was based on the property's sole access being dependent upon crossing the Roadway; and

WHEREAS, as authorized by the Board at its January 29, 2009 Workshop, and ratified at its regular meeting on February 12, 2009, 20% of the actual costs of the Special Improvements including, but not limited to, the costs of construction, the costs of acquisition of additional rights-of-way, and any administrative and funding costs incurred in connection with the Special Improvements (hereinafter the Total Costs) will be paid by Leon County, with the payment of the remaining 80% of the Total Costs to be equally divided among the owners of the Assessed Properties (hereinafter the Owners' Contributions).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

1. All procedural requirements of Article IV, Division 2, of Chapter 18 of the Code have been met in order for the Board to order the Special Improvements and to make the

determination of the extent to which the Special Improvements will specially benefit the Assessed Properties.

2. The Special Improvements are hereby ordered to be constructed in accordance with the request presented in the Petition to include, but not be limited to, partial construction of stormwater control and drainage improvements.

3. The Special Improvements will specially benefit each of the Assessed Properties to the full extent of each of the Owners' Contributions.

4. After the completion of the Special Improvements and the calculation of the Total Costs incurred for the Special Improvements, Leon County shall be responsible for the payment of 20% of the Total Costs and the payment responsibility for the remaining 80% of the Total Costs shall be equitably apportioned among each of the Assessed Properties and liens in the amount of such equitable apportionment shall be specially assessed against each of the Assessed Properties in accordance with the Code.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the 24th day of May, 2011.

LEON COUNTY, FLORIDA

BY:_____
John Dailey, Chairman
BOARD OF COUNTY COMMISSIONERS

ATTEST:

BOB INZER, CLERK OF THE CIRCUIT COURT
LEON COUNTY, FLORIDA

BY:_____

APPROVED AS TO FORM:

OFFICE OF THE COUNTY ATTORNEY
LEON COUNTY, FLORIDA

BY:_____
Herbert W. A. Thiele
County Attorney

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EXHIBIT "A"

Augustine Hills Subdivision, Units I and II
Ownership List

Tax Item Number	PROPERTY DESCRIPTION (Official Record Book and Page)	Owner	Mailing Address
32-16-09-A-0050	OR 1869/1039	Charles E. and Susan E. O'Bryan	6240 Brushy Creek Road Tallahassee, FL 32311
32-16-09-A-0060	OR 1528/0603	Mohammad and Parivash Amirzadeh	3488 Velda Dairy Drive Tallahassee, FL 32309
32-16-09-A-0070	OR 1378/2037	Michael L. and Mary Cotton Linzy	6228 Brushy Creek Road Tallahassee, FL 32311
32-16-09-A-0080	OR 2888/1283	Reynolds A. Bond	6204 Brushy Creek Road Tallahassee, FL 32311
32-16-09-A-0090	OR 2620/1226	Fedrick D. and Lisa D. Williams	6194 Brushy Creek Road Tallahassee, FL 32311
32-16-09-C-0050	OR 3723/769	Darrell Russell and Angela Begault	6253 Brushy Creek Road Tallahassee, FL 32311
32-16-09-C-0140	OR 2760/1884	Liang-Tsair and Yu-Feng Lin	113 Dawn Lauren Lane Tallahassee, FL 32301
32-16-09-C-0150	OR 1777/0160	David C. and Lois H. White	2208 Turnbridge Court Tallahassee, FL 32311
32-16-09-C-0160	OR 2069/2031	Johnnie Vic and Kathie Jean Camechis	1204 B. Carrin Drive Tallahassee, FL 32311
32-16-09-C-0250	OR 2016/0244	Robert J. Shally	4742 Sweetwater Lane Tallahassee, FL 32311
32-16-29-A-0100	OR 3160/0516	Christine M. Garrison	3765 Chaires Cross Road Tallahassee, FL 32317
32-16-29-A-0110	OR 1859/1755	Marsha G. Roaden	8980 S. Hollybrook Boulevard, Apt. 1103 Pembroke Pines, FL 33025
32-16-29-A-0120	OR 1859/1755	Marsha G. Roaden	8980 S. Hollybrook Boulevard, Apt. 1103 Pembroke Pines, FL 33025
32-16-29-A-0130	OR 1858/1450	Kathleen L. Hewitt	4736 Sweetwater Lane Tallahassee, FL 32311
32-16-29-C-0170	OR 1792/1726	Troy A. and Donna L. Brewer	4773 Sweetwater Lane Tallahassee, FL 32311
32-16-29-C-0180	OR 2847/2064	Brenda J. Moody, aka Brenda J. Pantango	P.O. Box 13963 Tallahassee, FL 32317

EXHIBIT "A"

Augustine Hills Subdivision, Units I and II
Ownership List

Tax Item Number	PROPERTY DESCRIPTION (Official Record Book and Page)	Owner	Mailing Address
32-16-29-C-0190	OR 2025/1665	James W. Coste and Dawn Ries Coste	4785 Sweetwater Lane Tallahassee, FL 32311
32-16-29-C-0200	OR 1987/2279	Carl H. and Donna F. Cavanaugh, Jr.	9153 Yashuntafun Road Tallahassee, FL 32311
32-16-29-C-0210	OR 3272/2055	Donna K. Pottle	4808 Sweetwater Lane Tallahassee, FL 32311
32-16-29-C-0220	OR 1861/1838	Richard A. and Julia M. Webb	4802 Sweetwater Lane Tallahassee, FL 32311
32-16-29-C-0230	OR 1953/0760	Timothy R. and Tina A. Seager	4774 Sweetwater Lane Tallahassee, FL 32311
32-16-29-C-0240	OR 4056/2243	Michael and Debra Kimbler	4760 Sweetwater Lane Tallahassee, FL 32311