

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, CONFIRMING THE SPECIAL ASSESSMENTS IN CONNECTION WITH A WATER MAIN EXTENSION FROM 65TH STREET TO 69TH STREET, ALONG 51ST AVENUE TO INCLUDE CERTAIN SPECIALLY BENEFITED PROPERTIES ABUTTING 51ST AVENUE WITHIN A PORTION OF WINTER BEACH HIGHLANDS AND A PORTION OF WINTER BEACH PARK, LOCATED WITHIN UNINCORPORATED INDIAN RIVER COUNTY, FLORIDA; AND PROVIDING FOR SPECIAL ASSESSMENT LIENS TO BE MADE OF RECORD.

WHEREAS, the Board of County Commissioners of Indian River County (“Board”) has, by Resolution No. **2021-012** adopted on January 19, 2021, determined to make special assessments against certain properties to be specially benefited and serviced by a water main extension (“Assessment Project”) from 65th Street to 69th Street, along 51st Avenue to include certain specially benefited properties abutting 51st Avenue within a portion of Winter Beach Highlands and a portion of Winter Beach Park, located within unincorporated Indian River County, Florida (“the Assessment Area”); and

WHEREAS, Resolution No. **2021-012** described the method of assessing the cost of the Assessment Project against the specially benefited properties in the Assessment Area and how the special assessments imposed on the specially benefited properties in the Assessment Area are to be paid; and

WHEREAS, Resolution No. **2021-012** was published in the Indian River Press Journal on February 16, 2021, as required by Section 206.04, Indian River County Code; and

WHEREAS, Resolution No. **2021-013**, adopted by the Board on January 19, 2021, set a time and place for a public hearing at which the owners of the specially benefited properties in the Assessment Area to be assessed for the Assessment Project and other interested persons would have the chance to be heard as to any and all complaints as to the Assessment Project and the special assessments imposed on the specially benefited properties in the Assessment Area, and for the Board to act as required by Section 206.07, Indian River County Code; and

WHEREAS, notice of the time and place of the public hearing was published in the Indian River Press Journal on February 23, 2021 and on March 2, 2021 (at least twice, one week apart; the last being at least one week prior to the hearing), as required by Section 206.06, Indian River County Code; and

WHEREAS, the land owners of record were mailed notices on January 20, 2021 (at least ten days prior to the hearing), as required by Section 206.06, Indian River County Code; and

WHEREAS, the Board, on Tuesday, March 9, 2021, at 9:05 a.m. (or as soon thereafter as the public hearing was heard) conducted the public hearing with regard to the special assessments;

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, as follows:

1. The foregoing recitals are affirmed and ratified in their entirety.
2. The special assessments imposed for the Assessment Project against the specially benefited properties in the Assessment Area shown on the assessment roll attached hereto as Exhibit "A" and incorporated herein by this reference are hereby confirmed and approved, and shall remain legal, valid, and binding first liens upon and against the specially benefited properties shown on attached Exhibit "A" until paid in full. The special assessments for the Assessment Project shall constitute a lien against the specially assessed property in the Assessment Area equal in rank and dignity with the liens of all state, county, district or municipal taxes, and other non-ad valorem assessments. Except as otherwise provided by law, such special assessment lien shall be superior in dignity to all other liens, titles and claims, until paid. The special assessment lien shall be deemed perfected upon adoption by the Board of this Resolution and recordation of this Resolution in the Official Records of the County maintained by the Clerk of Indian River County. Such recordation shall constitute prima facie evidence of the validity of the special assessments imposed for the Assessment Project in the Assessment Area.
3. The special assessment imposed per parcel is in the amount of **\$9,400.00**, and shall be due and payable and may be paid in full without interest within 90 days after the date of the passage of the as-built resolution by the Board. The as-built resolution occurs after completion of the improvements. If not paid in full within the 90-day period from the passage of the as-built resolution, then the special assessment may be paid in ten equal yearly installments of principal plus interest; said interest rate to be determined by the Board when the improvements are completed.
4. The Board hereby finds and determines that the special assessments imposed in accordance with this Resolution and Resolution Nos. **2021-012** and **2021-013** provide an equitable method of funding the construction of the Assessment Project based upon the current uses, sizes, zoning and development potential of the parcels which are equally benefited by the provision of water, and thus the allocation of the assessment will be equal per parcel as described in Resolution No. **2021-012**. The Board hereby finds and determines that the properties assessed by this Resolution will receive special benefits equal to or greater than the cost of the special assessment.

The resolution was moved for adoption by Commissioner _____, and the motion was seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

Chairman Joseph E. Flescher	_____
Vice Chairman Peter D. O'Bryan	_____
Commissioner Susan Adams	_____
Commissioner Joseph H. Earman	_____
Commissioner Laura Moss	_____

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The Chairman thereupon declared the resolution duly passed and adopted this ____ day of March, 2021.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

Attest: Jeffrey R. Smith, Clerk of
Court and Comptroller

By _____
Deputy Clerk

By: _____
Joseph E. Flescher, Chairman

Approved as to form and legal sufficiency:

By _____
Dylan Reingold, County Attorney

Attachment: Exhibit "A" - Assessment Roll (to be recorded on Public Records)



Exhibit A

Parcel #	32390900003000000005.0	Assessment=	\$9,400.00
Owner	LONG, WILLIAM H III & JOANNE H		
Secondary Owner			
Mailing Address	127 KINGSTON DR		
	BEAR DE 19701		
Legal	WINTER BEACH HIGHLANDS LOT 5 PBI 6-58		
			Revision Date:
Site Address	6646 51ST AV		2/18/2021
Parcel #	32390900003000000006.0	Assessment=	\$9,400.00
Owner	PAVLIK, FRANCIS J (LE)		
Secondary Owner	PAVLIK, ALEXANDER M		
Mailing Address	5706 38TH ST		
	VERO BEACH FL 32966		
Legal	WINTER BEACH HIGHLANDS LOT 6 PBI 6-58		
			Revision Date:
Site Address	6636 51ST AV		2/18/2021
Parcel #	32390900003000000007.0	Assessment=	\$9,400.00
Owner	BENTON, TRISHIA N		
Secondary Owner	AUSTIN, CRAIG M		
Mailing Address	6626 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 7 PBI 6-58		
			Revision Date:
Site Address	6626 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900003000000008.0	Assessment=	\$9,400.00
Owner	SMIDLEY, TIFFANY		
Secondary Owner			
Mailing Address	6616 51ST AVE VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 8 PBI 6-58		
			Revision Date:
Site Address	6616 51ST AV		2/18/2021
Parcel #	32390900003000000009.0	Assessment=	\$9,400.00
Owner	WOOD, DANIEL		
Secondary Owner	OGLESBY, LACY COX		
Mailing Address	6596 51ST AVE VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 9 PBI 6-58		
			Revision Date:
Site Address	6596 51ST AV		2/18/2021
Parcel #	32390900003000000010.0	Assessment=	\$9,400.00
Owner	RACANIELLO, ANTHONY D		
Secondary Owner	RACANIELLO, HALEY G		
Mailing Address	6576 51ST AVE VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 10 PBI 6-58		
			Revision Date:
Site Address	6576 51ST AVE		2/18/2021



Exhibit A

Parcel #	32390900003000000011.0	Assessment=	\$9,400.00
Owner	WARREN, JAMES T and PRISCILLA L		
Secondary Owner			
Mailing Address	6570 51ST AVE VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 11 PBI 6-58		
			Revision Date:
Site Address	6570 51ST AV		2/18/2021
Parcel #	32390900003000000012.0	Assessment=	\$9,400.00
Owner	ARIZPE, JUAN F		
Secondary Owner			
Mailing Address	6566 51ST AVE VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 12 PBI 6-58		
			Revision Date:
Site Address	6566 51ST AV		2/18/2021
Parcel #	32390900003000000013.0	Assessment=	\$9,400.00
Owner	SISTLER, WILLIAM H & BRENDA H		
Secondary Owner			
Mailing Address	108 KILDARE DR SEBASTIAN FL 32958		
Legal	WINTER BEACH HIGHLANDS LOTS 13 & 1 4 PBI 6-58		
			Revision Date:
Site Address	6556 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900003000000016.0	Assessment=	\$9,400.00
Owner	SCHENSKY, ELDRIDGE V		
Secondary Owner			
Mailing Address	6535 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 16 PBI 6-58		
			Revision Date:
Site Address	6535 51ST AV		2/18/2021
Parcel #	32390900003000000017.0	Assessment=	\$9,400.00
Owner	THOMPSON-HILL, LINDA J		
Secondary Owner			
Mailing Address	6545 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOTS 17 & 1 8 PBI 6-58		
			Revision Date:
Site Address	6545 51ST AV		2/18/2021
Parcel #	32390900003000000019.0	Assessment=	\$9,400.00
Owner	BRISSETTE, JEFFREY P		
Secondary Owner			
Mailing Address	6565 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 19 & LOT 20 LESS N 1/2 PBI 6-58		
			Revision Date:
Site Address	6565 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900003000000020.1	Assessment=	\$9,400.00
Owner	OHLER, JOHN MICHAEL JR & JOY BASS		
Secondary Owner			
Mailing Address	6585 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS N 1/2 OF LOT 20 & ALL LOT 21 PBI 6-58		
Site Address	6585 51ST AV		Revision Date: 2/18/2021
Parcel #	32390900003000000022.0	Assessment=	\$9,400.00
Owner	OHLER, JOHN M JR		
Secondary Owner			
Mailing Address	6585 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 22 PBI 6-58		
Site Address	6595 51ST AV		Revision Date: 2/18/2021
Parcel #	32390900003000000023.0	Assessment=	\$9,400.00
Owner	BASS, OSCAR E and LAWANA J		
Secondary Owner			
Mailing Address	6615 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOTS 23 & 24 PBI 6-58		
Site Address	6615 51ST AV		Revision Date: 2/18/2021



Exhibit A

Parcel #	32390900003000000025.0	Assessment=	\$9,400.00
Owner	HOPKINS, DUSTIN G		
Secondary Owner	DUPUIS, CARLEE M		
Mailing Address	6635 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH HIGHLANDS LOT 25 PBI 6-58		
			Revision Date:
Site Address	6635 51ST AV		2/18/2021
Parcel #	32390900005000000001.0	Assessment=	\$9,400.00
Owner	LOUDERMILK, STEVEN M		
Secondary Owner			
Mailing Address	6655 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 1 PBI 10-7		
			Revision Date:
Site Address	6885 51ST AV		2/18/2021
Parcel #	32390900005000000002.0	Assessment=	\$9,400.00
Owner	MARTIN, CAROLYN S & ARTHUR T		
Secondary Owner			
Mailing Address	6880 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 2 PBI 10-7		
			Revision Date:
Site Address	6880 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900005000000003.0	Assessment=	\$9,400.00
Owner	COUNCIL, SHAWN M		
Secondary Owner			
Mailing Address	6865 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 3 PBI 10-7		
			Revision Date:
Site Address	6865 51ST AV		2/18/2021
Parcel #	32390900005000000004.0	Assessment=	\$9,400.00
Owner	CAVANAUGH, DIXIE M		
Secondary Owner			
Mailing Address	6868 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 4 PBI 10-7		
			Revision Date:
Site Address	6868 51ST AV		2/18/2021
Parcel #	32390900005000000005.0	Assessment=	\$9,400.00
Owner	COUNCIL, THOMAS F and NADINE C		
Secondary Owner			
Mailing Address	6845 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 5 PBI 10-7		
			Revision Date:
Site Address	6845 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900005000000006.0	Assessment=	\$9,400.00
Owner	MCINTOSH, JAMES M		
Secondary Owner			
Mailing Address	6840 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 6 PBI 10-7		
			Revision Date:
Site Address	6840 51ST AV		2/18/2021
Parcel #	32390900005000000007.0	Assessment=	\$9,400.00
Owner	D'ONOFRIO, SABINA		
Secondary Owner			
Mailing Address	6825 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 7 PBI 10-7		
			Revision Date:
Site Address	6825 51ST AV		2/18/2021
Parcel #	32390900005000000008.0	Assessment=	\$9,400.00
Owner	GIANNA, FRANK J and JANE P		
Secondary Owner			
Mailing Address	6820 51ST AVE		
	VERO BEACH FL 32968		
Legal	WINTER BEACH PARK LOT 8 PBI 10-7		
			Revision Date:
Site Address	6820 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900005000000009.0	Assessment=	\$9,400.00
Owner	MEARS, MARK (TR)		
Secondary Owner			
Mailing Address	6785 51ST AVE VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 9 PBI 10-7		
			Revision Date:
Site Address	6785 51ST AV		2/18/2021
Parcel #	32390900005000000010.0	Assessment=	\$9,400.00
Owner	BRITTINGHAM, STEPHEN T & ROBIN S		
Secondary Owner			
Mailing Address	6780 51ST AVE VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 10 PBI 10-7		
			Revision Date:
Site Address	6780 51ST AV		2/18/2021
Parcel #	32390900005000000011.0	Assessment=	\$9,400.00
Owner	BURZYNSKI, DONALD R and PATRICIA JOY		
Secondary Owner			
Mailing Address	6765 51ST AVE VERO BEACH FL 32966		
Legal	WINTER BEACH PARK LOT 11 PBI 10-7		
			Revision Date:
Site Address	6765 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900005000000012.0	Assessment=	\$9,400.00
Owner	PREZIOSO, CAROL K		
Secondary Owner			
Mailing Address	6760 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 12 PBI 10-7		
			Revision Date:
Site Address	6760 51ST AV		2/18/2021
Parcel #	32390900005000000013.0	Assessment=	\$9,400.00
Owner	BRIGGS, JAMES A & CYNTHIA O		
Secondary Owner			
Mailing Address	6745 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 13 PBI 10-7		
			Revision Date:
Site Address	6745 51ST AV		2/18/2021
Parcel #	32390900005000000014.0	Assessment=	\$9,400.00
Owner	SIMMONS, JEFFREY A		
Secondary Owner	SIMMONS, YUXIA		
Mailing Address	6740 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 14 PBI 10-7		
			Revision Date:
Site Address	6740 51ST AV		2/18/2021



Exhibit A

Parcel #	32390900005000000016.0	Assessment=	\$9,400.00
Owner	WANDS, GERARD K		
Secondary Owner	RICHARDS, REGINA		
Mailing Address	6720 51ST AVE		
	VERO BEACH FL 32967		
Legal	WINTER BEACH PARK LOT 16 PBI 10-7		
			Revision Date:
Site Address	6720 51ST AV		2/18/2021
Parcel #		Assessment=	
Owner			
Secondary Owner			
Mailing Address			
Legal			
			Revision Date:
Site Address			
Parcel #		Assessment=	
Owner			
Secondary Owner			
Mailing Address			
Legal			
			Revision Date:
Site Address			