

**RESOLUTION NO. 2021-\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR A WATER MAIN EXTENSION FROM 65<sup>th</sup> STREET TO 69<sup>th</sup> STREET, ALONG 51<sup>ST</sup> AVENUE TO INCLUDE CERTAIN SPECIALLY BENEFITED PROPERTIES ABUTTING 51<sup>ST</sup> AVENUE WITHIN A PORTION OF WINTER BEACH HIGHLANDS AND A PORTION OF WINTER BEACH PARK LOCATED WITHIN UNINCORPORATED INDIAN RIVER COUNTY, FLORIDA; PROVIDING THE TOTAL ESTIMATED COST, METHOD OF PAYMENT OF ASSESSMENTS, NUMBER OF ANNUAL INSTALLMENTS, AND DESCRIPTION OF THE AREA TO BE SERVED.**

WHEREAS, the Board of County Commissioners of Indian River County has determined that the improvements herein described are necessary to promote the public welfare of the county and has determined to defray the cost thereof by special assessments against certain specially benefited properties to be serviced by a water main extension from 65<sup>th</sup> Street to 69<sup>th</sup> Street, along 51<sup>st</sup> Avenue within a portion of Winter Beach Highlands and a portion of Winter Beach Park located within unincorporated, Indian River County, Florida

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

1. The County does hereby determine that a water main shall be extended from 65<sup>th</sup> Street to 69<sup>th</sup> Street, along 51<sup>st</sup> Avenue located within unincorporated Indian River County, Florida, to specially benefit 31 parcels located within a portion of Winter Beach Highlands and a portion of Winter Beach Park ("Improvements"), and that the cost thereof shall be specially assessed in accordance with the provisions of Sections 206.01 through 206.09 of The Code of Indian River County.
2. As access to water provides an equal benefit to each property served, the assessment will be equal per parcel.
3. The estimated cost for the Improvements is \$291,400.00 or \$9,400.00 per parcel to be paid by the properties specially benefited as shown on the assessment plat on file with the Department of Utility Services and the Clerk to the Board. Assessments are to be levied against certain lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefited thereby and further designated by the assessment plat with respect to the special assessments.
4. A special assessment in the amount of \$9,400.00 per parcel may be assessed against each of the specially benefited properties designated on the assessment plat on file with the Clerk to the Board. This special assessment may be raised or lowered by action of the Board of County Commissioners serving as the equalizing board at the public hearing, as set forth in Section 206.07 of The Code of Indian River County.
5. The special assessments shall be due and payable and may be paid in full within 90 days after the date of the as-built resolution of the Board with respect to credits against the special assessments after completion of the Improvements (the "Credit Date") without interest. If not paid in full, the

special assessments may be paid in ten equal yearly installments of principal plus interest. If not paid when due, there shall be added a penalty of 1-1/2% of the principal not paid when due. The unpaid balance of the special assessments shall bear interest until paid at a rate to be determined by the Board of County Commissioners when the Improvements are completed.

6. There is presently on file with the Department of Utility Services and the Clerk to the Board an assessment plat showing the area to be assessed, plans and specifications for the Improvements and an estimate of the cost of the proposed Improvements. All of these are open to inspection by the public at the Department of Utility Services and the Clerk to the Board.
7. A proposed preliminary assessment roll with respect to the special assessments is on file with the Department of Utility Services and the Clerk to the Board.
8. Upon the adoption of this resolution, the Department of Utility Services shall cause this resolution (along with a map showing the areas to be served) to be published at least one time in the Indian River Press Journal before the public hearing as required by Section 206.04 of The Code of Indian River County.

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 - Laura Moss	_____
Commissioner – Joseph H. Earman	_____

The Chairman thereupon declared the resolution duly passed and adopted this \_\_\_\_ day of January, 2021.

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

BOARD OF COUNTY COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Joseph E. Flescher, Chairman

Approved as to form and legal sufficiency:

By: \_\_\_\_\_  
Dylan Reingold, County Attorney