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OFFICE OF COMPTROLLER

INTEROFFICE MEMO

ORANGE
COUNTY
FLORIDA

Phil Diamond, CPA
County Comptroller
Finance and Accounting Department
Special Assessments
201 South Rosalind Avenue
Orlando, FL 32802
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Fax: 407-836-5753

Date: February 16, 2022
To: Katie Smith, Deputy Clerk
Through: Cheryl Gillespie, Agenda Development
From: Eric Gassman, Chief Deputy Comptroller 
Contact: Ann Dawkins, 407-836-5770
Subject: Request Number **M22-007** for Lake Roberts and Lake Reaves MSBU

Applicant: Liz Johnson
Orange County Environmental Protection Division

Type of Hearing: To amend a Municipal Service Benefit Unit (MSBU) for general lake cleaning, water quality improvement, maintenance and aquatic plant control services for Lake Roberts and Lake Reaves.

Hearing Required by F. S.# Florida Statute Sections 125.01 (01) (q) and 197.3632. This public hearing may be scheduled any time prior to May 31, 2022. **The resolution must be approved by May 31, 2022 to be included on the November 2022 real estate tax bill.**

Advertising Requirements / Timeframe: **Publish only one (1) time and must be published at least twenty (20) days prior to the public hearing with the tentative advertisement date as Sunday, February 27, 2022.**

Notify Abutters: Special Assessments will mail public hearing notices to all of the affected property owners.

Estimated Time Required: One (1) minute

District: Commissioner Wilson, District 1

Hearing Controversial: No.

Report: The property owners with lake access to Lake Roberts and Lake Reaves property owners abutting Lake Roberts and Environmental Protection Division have requested the amendment of an MSBU for general lake cleaning, water quality improvement, maintenance and aquatic plant control services. Three hundred and seven ballots were mailed to property owners to determine majority opinion. Approximately 67% of the ballots returned were in favor of establishment of the MSBU. The ballot results are as follows:

<u>In favor of the MSBU</u>	94
<u>Not in favor of the MSBU</u>	46
Returned <u>undeliverable</u>	7
Received after deadline	0
No ballots submitted	<u>160</u>
Total ballots distributed	307

The estimated annual non-ad valorem special assessment to each freeholder of lake access property is \$200.00. The estimated annual non-ad valorem special assessment to each freeholder to non-lakefront property is \$100.00. This MSBU would be effective November 1, 2022.

Materials being submitted as backup for public hearing request:

1. Resolution – one (1) copy of the proposed resolution for general lake cleaning maintenance and aquatic plant control.

ADDITIONAL SPECIAL INSTRUCTIONS TO CLERK:

1. Notify Special Assessments Section / Finance and Accounting Department of public hearing date(s) to prepare public hearing notice. Special Assessments will e-mail the public hearing notice to the Clerk.
2. **Send the original adopted resolution to the Special Assessments Section / Finance and Accounting Department.**
3. Send 1 (one) certified copy of the adopted resolution to the Special Assessments Section / Finance and Accounting Department.

**RESOLUTION
OF THE
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
REGARDING
ADOPTING THE FIRST AMENDMENT (“FIRST AMENDMENT”)
TO THE RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS
(ORIGINALLY ADOPTED MAY 19, 2009)
REGARDING AMENDING A
MUNICIPAL SERVICE BENEFIT UNIT
FOR GENERAL LAKE CLEANING, WATER QUALITY
IMPROVEMENT, MAINTENANCE
AND AQUATIC PLANT CONTROL SERVICES FOR**

**Lake Roberts / Lake Reaves
11/2022**

WHEREAS, Section 125.01 (01) (q), Florida Statutes, grants Orange County, Florida (“County”) the power to establish Municipal Service Benefit Units ("MSBU") for any part of the unincorporated areas of the County (“County”); and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem special assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida (the "Board") is the governing board of the County; and

WHEREAS, the Board established an MSBU by resolution adopted on **May 19, 2009** recorded in Official Records Book **9881**, Pages **1087 through 1092**, Public Records of Orange County, Florida (“Resolution”), and

WHEREAS, the Board has received a request from the Orange County Environmental Protection Division (“EPD”) to modify the MSBU boundaries in that portion of the County known as Lake Roberts to include certain benefited property surrounding Lake Reaves and to include certain benefited properties located in the City of Winter Garden and more particularly described in Exhibit “D” and Exhibit “E” attached to this First Amendment (“Winter Garden Property”); and

WHEREAS, the City of Winter Garden (“City”) intends to amend Ordinance No.10-22 consenting to the modification of the Lake Roberts MSBU boundaries to include the Winter Garden Property as set forth in this First Amendment and the levy of special assessments on the Winter Garden Property in order to pay for a portion of the costs of general cleaning, water quality improvement, maintenance and aquatic plant control services for Lake Roberts and Lake Reaves (the Ordinance Amendment”); and

WHEREAS, the Board has determined on the basis of the information submitted with such request from EPD that the provision of general lake cleaning, water quality improvement, maintenance and aquatic plant control services for Lake Roberts and Lake Reaves will specially benefit the Winter Garden Property; and

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS

WHEREAS, the Board hereby finds that the boundaries of the Lake Roberts MSBU should be modified and that the Resolution should be amended; and;

WHEREAS, the Board now desires to rename the MSBU as the "Lake Roberts / Lake Reaves MSBU" ("MSBU"); and

WHEREAS, in accordance with Section 197.3632, Florida Statutes, the County published notice of its intent to use the uniform method of collecting special assessments on property within the Lake Roberts / Lake Reaves MSBU on January 16, 2022, January 23, 2022, January 30, 2022 and February 6, 2022 and adopted a resolution stating its intent to do so on February 22, 2022.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of this First Amendment.
2. Exhibit "A", Exhibit "B", and Exhibit "C" attached to the Resolution are hereby deleted in their entirety and replaced with the versions of **Exhibit "A"**, **Exhibit "B"**, **Exhibit "C"** attached to this First Amendment. The Resolution is hereby amended to expand the boundaries of the MSBU to include and assess all properties described on **Exhibit "B"** for metes and bounds parcels and **Exhibit "C"** for certain subdivisions. **Exhibit "A"** provides a map of the area that surrounds Lake Roberts and Lake Reaves.
3. The estimated annual non-ad valorem special assessment to each freeholder of lake access property is \$200.00. The estimated annual non-ad valorem special assessment to each freeholder of non-lakefront property is \$100.00.
4. Each property owner affected by this First Amendment has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this First Amendment has been provided first class mail notice of the time and place of the public hearing at which this First Amendment was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within the County four times preceding the public hearing.
5. Except as herein specifically provided all the remaining terms and conditions of the Resolution shall remain in full force and effect.
6. The First Amendment shall take effect upon the later of: (a) adoption by the Board, or (b) enactment of the Ordinance Amendment by the City (the "Effective Date"). From and after the Effective Date, the Resolution shall apply to all properties described on "**Exhibit "A"**, **Exhibit "B"**, **Exhibit "C"**, **Exhibit "D"** and **Exhibit "E"**."

ADOPTED THIS _____ DAY OF _____, 2022

ORANGE COUNTY, FLORIDA

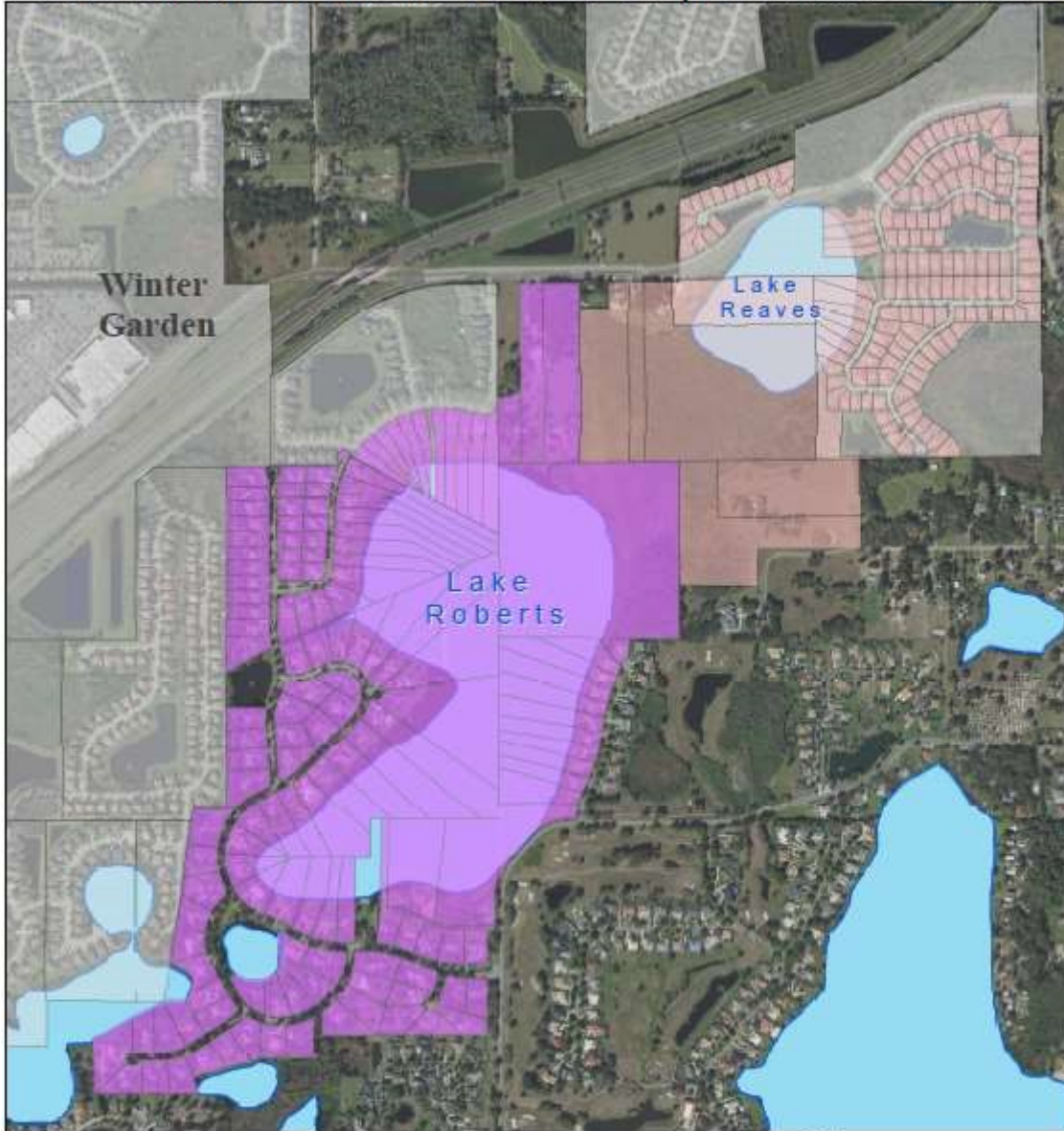
BY: _____
ORANGE COUNTY MAYOR




DATE: _____

ATTEST: Phil Diamond, County Comptroller as Clerk of
the Board of County Commissioners

BY: _____
DEPUTY CLERK

Lake Roberts and Lake Reaves Proposed MSBU Parcels



Legend	
	Lake Reaves Proposed Parcels (163)
	Lake Roberts Current Parcels (144)
	Winter Garden Jurisdiction

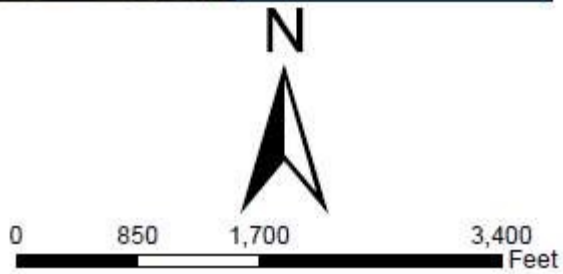


Exhibit "B"
All Parcels

Lake Roberts
Metes and Bounds

Parcel ID Number	Parcel Legal Description
01-23-27-0000-00-003	417.42 FT OF E 1043.75 FT GOVT LOT 2 IN SEC 01-23-27 SEE 2526/1176
01-23-27-0000-00-004	N1/2 OF GOVT LOT 2 (LESS E 1043.75 FT OF N 417.42 FT & LESS E1/2 OF S 370 FT & LESS S 379 FT OF W1/2) & (LESS FROM SE COR OF NE1/4 TH N 1337.56 FT W 1324.32 FT TO SE COR OF N1/2 OF SEC N 370.01 FT TO NE COR OF E1/2 OF S 370 FT FOR POB W 662.28 FT N 9 FT W 86.09 FT N 281.65 FT E 748.40 FT S 293.58 FT TO POB) IN SEC 01-23-27
01-23-27-0000-00-009	NE1/4 OF NW1/4 OF SEC 01-23-27 112/8
01-23-27-0000-00-015	BEG 378.17 FT E OF NW COR OF NW1/4 OF SW1/4 RUN E 130 FT FOR POB CONT E 416.05 FT S 718.70 FT S 65 DEG E 125.90 FT E 359.65 FT S 25 FT W 365 FT N 65 DEG W 405 FT W 83.16 FT N 63 1.33 FT FOR POB (LESS E 30 FT FOR RD) IN SEC 01-23-27
01-23-27-0000-00-031	BEG 924.05 FT E OF NW COR OF SW1/4 RUN E TO NE COR 40 ACRES S 764.4 FT W 359.65 FT N 65 DEG W 125.90 FT N 718.70 FT TO POB (LESS E 30 FT FOR RD R/W) IN SEC 01-23-27
36-22-27-0000-00-045	THE W 600 FT OF SE1/4 OF SW1/4 (LESS W1/4 OF SE1/4 OF SW1/4) SEC 36-22-27
36-22-27-0000-00-049	THE W1/8 OF SE1/4 OF SW1/4 SEC 36-22-27 (LESS RD R/W) & (LESS PT CUT FOR AG 36-22-27-0000-00-092)
36-22-27-0000-00-053	THE E1/2 OF W1/4 OF SE1/4 OF SW1/4 OF SEC 36-22-27 (LESS RD R/W)
36-22-27-0000-00-058	BEG AT SE COR OF SE 1/4 OF THE SW 1/4 OF SEC, TH RUN S88-42-04W 256.59 FT, TH N00-37-05W 1332.48 FT, TH N88-58-00E 208.7 FT, TH S00-37-05E 346 FT, TH N88-57-41E 49.48 FT, TH S00-31-27E 985.31 FT TO POB & THE SOUTH 985.27 FT OF W 3/4 OF SW1/4 OF SE1/4 OF SEC 36-22-27
36-22-27-0000-00-062	THE E 358.70 FT OF W 958.70 FT OF SE1/4 OF SW1/4 OF SEC 36-22-27 (LESS N 208.70 FT OF W 208.70 FT THEREOF) & (LESS RD R/W)
36-22-27-0000-00-071	BEG 256.59 FT W OF SE COR OF SE1/4 OF SW1/4 TH W 110.72 FT N 1333 FT E 110.72 FT S 1332.48 FT TO POB IN SEC 36-22-27

Lake Roberts / Lake Reaves
Parcels in Winter Garden
Metes and Bounds

Parcel ID Number	Parcel Legal Description
36-22-27-0000-00-032	THAT PART OF THE SE 1/4 OF THE SW 1/4 (LESS THE WEST 1278 FT THEREOF) AND THAT PART OF THE W3/4 OF SW1/4 OF SE1/4 SEC 36-22-27 ALL LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESC LANDS: BEG AT SE COR OF SE 1/4 OF THE SW 1/4 OF SEC, TH RUN S88-42-04W 256.59 FT, TH N00-37-05W 1332.48 FT, TH N88-58-00E 208.7 FT, TH S00-37-05E 346 FT, TH N88-57-41E 49.48 FT, TH S00-31-27E 985.31 FT TO POB & THE SOUTH 985.27 FT OF W 3/4 OF SW1/4 OF SE1/4 OF SEC 36-22-27 (REF DB 633/412 & ORB 4013/2199)
36-22-27-0000-00-033	BEG 1043.13 FT W OF SE COR OF SE1/4 TH RUN N 47 DEG W 29.08 FT W 410.65 FT N 335.21 FT W 106.07 FT N 248.47 FT N 25 DEG W 181.38 FT TO W LINE OF E1/4 OF SW1/4 OF SE1/4 TH S 769.98 FT E 613.61 FT TO POB SEC 36-22-27

Exhibit "C"
All Subdivisions

Lake Roberts

Subdivisions

Subdivision Name	Plat Book / Pages	Section Township Range	Lot Numbers
Butler Bay Unit 3	18/4-9	01-23-27	Lots 101-112
Lake Roberts Landing	69/6-10	36-22-27	Lots 48-58
Reserve at Waterford Pointe Phase 1	42/23-27	01-23-27	Lots 10-47
Waterford Pointe	24/19-22	01-23-27	Lots 1-5 Lots 60-66 Lots 69-96
Waterford Pointe Lot 59 Replat	38/121	02-23-27	Lot 59
Waterford Pointe Lots 67 and 68 Replat	33/78	01-23-27	Lots 67-68
Waterford Pointe Phase 2 Replat	34/125-127	01-23-27	Lots 6-35 Lots 55-58

Lake Reaves

Winter Garden Subdivisions

Subdivision Name	Plat Book / Pages	Section Township Range	Lot Numbers
Cambridge Crossing Phase 1	42/96-97	36-22-27	Lots 1-71
Cambridge Crossing Phase 1A	69/6-10	36-22-27	Lots 48-58
Cambridge Crossing Phase 2	24/19-22	36-22-27	Lots 1-5 Lots 60-66 Lots 69-96

Exhibit "D"

Lake Roberts / Lake Reaves Parcels
in Winter Garden

Parcel ID Number	Parcel Legal Description
36-22-27-0000-00-032	THAT PART OF THE SE 1/4 OF THE SW 1/4 (LESS THE WEST 1278 FT THEREOF) AND THAT PART OF THE W3/4 OF SW1/4 OF SE1/4 SEC 36-22-27 ALL LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESC LANDS: BEG AT SE COR OF SE 1/4 OF THE SW 1/4 OF SEC, TH RUN S88-42-04W 256.59 FT, TH N00-37-05W 1332.48 FT, TH N88-58-00E 208.7 FT, TH S00-37-05E 346 FT, TH N88-57-41E 49.48 FT, TH S00-31-27E 985.31 FT TO POB & THE SOUTH 985.27 FT OF W 3/4 OF SW1/4 OF SE1/4 OF SEC 36-22-27 (REF DB 633/412 & ORB 4013/2199)
36-22-27-0000-00-033	BEG 1043.13 FT W OF SE COR OF SE1/4 TH RUN N 47 DEG W 29.08 FT W 410.65 FT N 335.21 FT W 106.07 FT N 248.47 FT N 25 DEG W 181.38 FT TO W LINE OF E1/4 OF SW1/4 OF SE1/4 TH S 769.98 FT E 613.61 FT TO POB SEC 3622-27

Exhibit "E"

Lake Reaves
Winter Garden Subdivisions

Subdivision Name	Plat Book / Pages	Section Township Range	Lot Numbers
Cambridge Crossing Phase 1	42/96-97	36-22-27	Lots 1-71
Cambridge Crossing Phase 1A	69/6-10	36-22-27	Lots 48-58
Cambridge Crossing Phase 2	24/19-22	36-22-27	Lots 1-5 Lots 60-66 Lots 69-96