

RESOLUTION NO. 2021- 200

A RESOLUTION OF THE AMERICAN BEACH WATER AND SEWER DISTRICT AMENDING RESOLUTION NO.s 2021-153 AND 2021-177 RELATING TO THE CONSTRUCTION AND FUNDING OF THE WATER AND SEWER EXPANSION PROJECTS WITHIN THE DISTRICT; REVISING THE DEFINITION OF "UNITY OF TITLE;" EXTENDING THE UNITY OF TITLE FILING DEADLINE; DIRECTING CORRECTIONS TO THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida (the "Board"), enacted Ordinance No. 2020-26, to create the American Beach Water and Sewer District pursuant to Section 125.01 and 189.02, Florida Statutes, as a dependent special district to construct, own, operate, lease, and maintain water and sewer systems within its boundaries; and

WHEREAS, the Board, sitting as the governing body of the District, adopted Resolution No. 2021-153 (the "Initial Assessment Resolution") and Resolution No. 2021-177 (the "Final Assessment Resolution"), which created the Assessment Area, determined the method of assessing the Capital Cost and Project Cost against the real property that will be specially benefited thereby, imposed the Assessments, and provided for certification of the Assessment Roll for collection in accordance with Section 197.3632, Florida Statutes; and

WHEREAS, the Initial Assessment Resolution authorized a Unity of Title program whereby an Owner of up to two contiguous Lots could file a Unity of Title to voluntarily combine two lots into one Lot for purposes of the Assessments; and

WHEREAS, the Board subsequently determined a need to modify the requirements for the Unity of Title program to expand the number of Lots that may be included in a single Unity of Title declaration and to extend the filing deadline; and

WHEREAS, the Board additionally directs the County Manager to process any necessary changes, modifications, or corrections to the Assessment Roll to implement the clarifications made herein.

NOW, THEREFORE, BE IT RESOLVED BY THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS, SITTING AS THE GOVERNING BODY OF THE AMERICAN BEACH WATER AND SEWER DISTRICT, AS FOLLOWS:

SECTION 1. RECITALS. The above findings are true and correct and are hereby incorporated herein by reference.

SECTION 2. AMENDMENT TO INITIAL ASSESSMENT RESOLUTION AND FINAL ASSESSMENT RESOLUTION.

(A) Section 1.01, Definitions, of the Initial Assessment Resolution, as confirmed by the Final Assessment Resolution, is hereby amended to modify the definition of Unity of Title, to read as follows:

"Unity of Title" means a condition, restriction, and limitation that a property owner of contiguous Lots that otherwise comply with the County's Land Development Code has voluntarily imposed on said Lots in accordance with County policies and procedures to legally condition, restrict, and limit the use of said Lots as a covenant running with the land so that such property will be considered one Lot for purposes of the Assessment.

[~~strike~~through indicates deletions; underline indicates additions]

(B) Section 2.05, Notice By Mail, of the Initial Assessment Resolution, as confirmed by the Final Assessment Resolution, is hereby amended extend the filing deadline for Unity of Title declarations from October 1, 2021 until November 1, 2021.

SECTION 3. CORRECTION OF ERRORS AND OMISSIONS. In accordance with Section 2.13 of the Ordinance, the County Manager is hereby directed to process any changes,


modifications, or corrections to the Assessment Roll, required to comply with the changes made herein through the errors and insolvencies process with the Tax Collector's office.

SECTION 4. FULL FORCE AND EFFECT. All other provisions of the Initial Assessment Resolution and Final Assessment Resolution shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This resolution shall take effect immediately upon its passage and adoption.


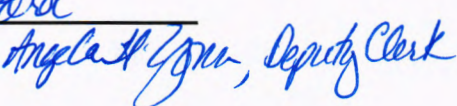
DULY ADOPTED this 11th day of October, 2021.

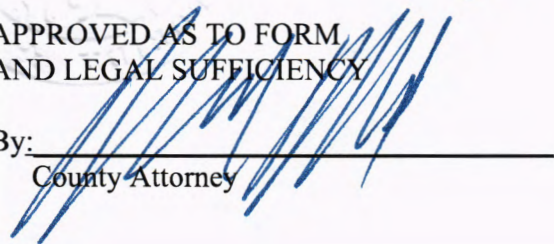
**NASSAU COUNTY BOARD OF
COUNTY COMMISSIONERS,
AS THE GOVERNING BOARD OF
THE AMERICAN BEACH WATER
AND SEWER DISTRICT**



~~THOMAS R. FORD~~ AARON BELL
Its: ~~Chairman~~ VICE CHAIR

ATTEST:

By: 
Clerk of Court 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
By: 
County Attorney