

ORDINANCE NO. 14-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING THE LAKE CLARKE SHORES CODE OF ORDINANCES BY ESTABLISHING A NEW CHAPTER 58, ARTICLE VI, WASTEWATER SPECIAL ASSESSMENTS; PROVIDING FINDINGS; PROVIDING FINDINGS OF FACT AND DETERMINATION OF SPECIAL BENEFIT; PROVIDING A SHORT TITLE; PROVIDING APPLICABILITY; PROVIDING DEFINITIONS; ESTABLISHING THE ASSESSMENT DISTRICT; PROVIDING FOR GOVERNING BODY, POWERS AND DUTIES; PROVIDING FOR FUNDS OF THE DISTRICT; PROVIDING ASSESSMENT PROCEDURES FOR ADOPTING, IMPOSING AND COLLECTING SPECIAL ASSESSMENTS FOR WASTEWATER FACILITIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Lake Clarke Shores (“Town Council”) received a request for central sewer service from a property owner in an area of commercial properties on the south side of Forest Hill Boulevard desiring to intensify the use of certain commercial properties; and

WHEREAS, the Town Council has reviewed the need for central wastewater facilities and services in a portion of the Town and has determined that the construction of central wastewater facilities and central wastewater treatment is needed to encourage and allow for increased development and use of properties within the Town and to reduce potential environmental impacts from use of septic systems; and

WHEREAS, the Town Council has determined that it is in the best interest of the public health, safety and welfare to encourage the construction and use of centralized wastewater facilities; and

WHEREAS, the Town Council has received a Sewer Master Plan for all commercial properties on the south side of Forest Hill Boulevard within the Town boundaries; and

WHEREAS, the Town Council has entered into a Sewer Construction Agreement with 1800 Forest Hill, Inc., owner of some of the properties to be provided sewer service, for construction of some wastewater facilities by 1800 Forest Hill, Inc. which facilities will become part of the Town’s Master Sewer System; and

WHEREAS, the Town Council has determined that the imposition of non-ad valorem special assessments is necessary to generate the funds for the wastewater facilities needed to provide central sewer service in the Forest Hill area analyzed in the Master Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AS FOLLOWS:

SECTION 1. The Town of Lake Clarke Shores Code of Ordinances, Chapter 58 is hereby amended as follows adding a new Article VI, Wastewater Special Assessments as follows:

ARTICLE VI. WASTEWATER SPECIAL ASSESSMENTS.

Sec. 58-151. Findings of fact and determination of special benefit.

- (a) Pursuant to Article VIII, Section 2 of the Florida Constitution, Chapter 166, Florida Statutes, and the Town of Lake Clarke Shores Charter (“Town Charter”), the Town of Lake Clarke Shores Council (“Council”) has all the powers of local self-government to perform municipal functions and to render services for municipal purposes in a manner not inconsistent with general law or with the Town Charter.
- (b) The Council may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the Council may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in (a), (b), (c) and (d) of Section 166.021(3), Florida Statutes. The subject matter of paragraphs (a), (b), (c) and (d) of Section 166.021(3), Florida Statutes are not relevant to the imposition of assessments related to wastewater improvements or the provisions of central sewer service. The purpose of this Ordinance establishing Article VI of Chapter 58 of the Town Code is to provide procedures and standards for the imposition of Wastewater Improvement Assessments within an identified area, Service Area 1, under the general home rule powers of a municipality to impose special assessments, to authorize a procedure for the funding of certain Wastewater Improvements providing special benefit to certain properties within the Town, and to legislatively determine the special benefit provided to Assessed Property from the construction of the Wastewater Improvements.
- (c) On December 10, 2013, the Council, after appropriate advertising and a public hearing, adopted Resolution #13-43 and declared its intent to use the uniform method of collection for non-ad valorem assessments under Section 197.332, Florida Statutes. The Town subsequently provided the Palm Beach County Property Appraiser and the Palm Beach Tax Collector with the required noticed under Section 197.3632, Florida Statutes.
- (d) The Assessments imposed pursuant to this article shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act (F.S. § 197.3632) and are anticipated to commence with the property tax bills mailed in November, 2014.
- (e) The Council expressly finds that the creation of a dependent special district to impose Assessments to provide funds for the Wastewater Improvements is necessary and that the levy, collection and use of Assessments imposed on benefited property to fund the Wastewater Improvements provides an equitable method of funding the Costs of the Wastewater Improvements by fairly and reasonably allocating the costs to specially benefited properties.

- (f) The Assessments imposed pursuant to this article are imposed by the Council, not the Clerk, Property Appraiser or Tax Collector. Any activity of the Clerk, Property Appraiser, or Tax Collector under the provisions of this article shall be construed as ministerial.
- (g) It is hereby ascertained and declared that the Wastewater Improvement Assessments provide a special benefit to property that is improved by the provision or availability of central sewer service through the increased potential for use and development of such benefitted property and potential increased value of such benefitted property.

Sec. 58-152. Short Title. This article shall be known and cited as the “Sewer Service Area 1 Assessment District”.

Sec. 58-153. Applicability. The provisions of this Chapter 58, Article VI and the Town Council’s authority to impose assessments pursuant hereto shall be applicable throughout the Sewer Service Area 1 Assessment District.

Sec. 58-154. Definitions. The following terms shall have the meanings indicated below unless the context clearly indicates otherwise:

Annual Budget shall mean the Town budget adopted annually by the Council.

Assessed Cost shall mean the amount determined by the Council to be assessed to fund all or any portion of the costs of the Wastewater Improvements as defined herein and may also include any costs related to creation, adoption, financing and administration of the District, including but not limited to administrative costs of the Property Appraiser and Tax Collector and a reasonable amount for contingency and anticipated discounts, delinquencies and uncollectible Assessments.

Assessment or *Service Area 1 Assessment* shall mean the non-ad valorem assessments imposed on specially benefitted properties within Service Area 1 to fund the Costs of the Wastewater Improvements. The Assessments shall be collected in annual installments over a period of years, as determined by financial considerations or as otherwise determined by the Council, and are anticipated to begin with the property tax bills mailed in November, 2014 pursuant to the Uniform Assessment Collection Act.

Assessment Roll shall mean the special assessment roll relating to the Service Area 1 Assessment approved by a Final Assessment Roll pursuant to Section 58-158 herein.

Assessed Property shall mean all parcels of land included on the Assessment Roll that receive a special benefit from the provision or availability of central sewer service related to the Wastewater Improvements.

Council shall mean the Town Council of the Town of Lake Clarke Shores, Florida.

Costs shall mean all costs attributable to Wastewater Improvements planned for construction to primarily serve properties within Service Area 1. Financing costs, loan

fees, and initial and annual administrative costs for creation, adoption, collection and administration of the Assessments may be included in the Assessments in addition to the identified principal amount related to design, engineering and construction of the Wastewater Improvements.

Final Assessment Resolution shall mean the resolution described in Section 58-158 herein which shall confirm, modify, or repeal the Initial Assessment Resolution and which shall be the final proceeding for the imposition of the Assessments.

Fiscal Year shall mean that period commencing October 1 of each year and continuing through the next succeeding September 30, or such other periods as may be prescribed by law as the Fiscal Year for the Town.

Initial Assessment Resolution shall mean the resolution described in Section 58-158 herein which shall be the initial proceeding for the identification of the Wastewater Improvements Assessed Cost for which an assessment is to be made and for the imposition of a Wastewater Assessment.

Master Plan or *Sewer Master Plan* shall mean the engineering and design plan for Wastewater Improvements necessary to provide central sewer service to properties within the Town's sewer Service Area 1.

Ordinance shall mean this Wastewater Area 1 Assessment Ordinance.

Owner shall mean the Person reflected as the owner of Assessed Property on the Tax Roll.

Property Appraiser shall mean the property Appraiser for Palm Beach County, Florida.

Service Area 1 shall mean the area identified in Exhibit A, attached and incorporated herein.

Tax Collector shall mean the Tax Collector for Palm Beach County, Florida.

Tax Roll shall mean the real property as valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

Town shall mean the Town of Lake Clarke Shores, Florida.

Uniform Assessment Collection Act shall mean sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

Wastewater Improvements shall mean the sewer collection lines, force main, laterals, lift station and any other associated improvements as identified and defined in the Master

Plan, as may be modified and updated. Wastewater Improvements may include all costs and activities related to the Wastewater Improvements including but not limited to planning, design, surveying, engineering, financing, legal and other services, construction, acquisition of easements, relocation and/or restoration of existing utilities, roadways, sidewalks, driveways, vegetation and other items, costs of any indemnity or surety bonds and premiums for insurance, a reasonable amount for contingencies, and any other costs reasonably related to the Wastewater Improvements.

Sec. 58-155. Establishment of Assessment District. The Council hereby establishes the Town of Lake Clarke Shores Sewer Service Area 1 Assessment District (“Service Area 1 District” or “District”), a dependent district, the boundaries of which are more particularly described in Exhibit A and incorporated herein.

Sec. 58-156. Governing Body, Powers and Duties. The Governing Body of the District shall be the Council which shall meet from time to time as the Council may determine. Notice of such meetings shall be published in a newspaper of general circulation as required by general law. The Council may recess any meeting so called to a subsequent fixed time and date. The Council shall have all of the powers granted by the Town Charter and the general laws of the State of Florida as may be necessary or proper to carry out the intent and purpose of this article.

Sec. 58-157. Funds of the District. Funds of the District shall be accounted for separately from other funds of the Town and may be accounted for as a subaccount of the Utility Fund of the Town. No funds of the District shall be used for any purposes other than those authorized by this article or which the Town may from time to time determine to be in the best interest of the District.

Sec. 58-158. Assessment Procedures.

(a) The initial proceeding for imposition of the Wastewater Assessment shall be the adoption of an Initial Assessment Resolution by the Council which resolution shall contain a brief description of the Wastewater Improvements and costs, determining the amount of Wastewater Improvement Costs to be assessed and identifying costs related to financing and annual costs of administering, imposing and collecting the Assessments, and describing the method of apportioning the Assessed Costs and computation of the Assessment for the Assessed Properties.

(b) Final Assessment Resolution and establishment of assessment roll and liens.

(1) The Assessed Costs shall be divided equitably among all Assessed Properties and prorated into annual installments over a period of years related to the term of any financing obtained related to the Wastewater Improvements, or related to any other term determined as necessary and reasonable by the Council, and shall include anticipated annual costs related to financing and to administering, imposing and collecting the assessments.

(2) An Assessment roll shall be prepared and shall contain the following information:

- a. A summary description of all assessable property conforming to the description contained on the tax roll;
- b. The name of the owner of record of the Assessed Property as shown on the tax roll;
- c. The amount of the Assessment to be imposed against each Assessed Property.

(3) The Town shall publish a notice stating that, at a meeting of the Council on a certain day and hour, which meeting shall be a regular, adjourned or special meeting, the Council will hear objections of all interested persons to the Assessments. The published notice shall conform to the requirements set forth in the Uniform Assessment Collection Act.

(4) The Town shall, in addition to the published notice required in subsection (b)(3) of this section, provide notice of the proposed Assessment by first class mail to the owner of each parcel of property subject to the Assessment ("Assessed Property"). The mailed notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Notice shall be mailed at least 20 calendar days prior to the hearing to each assessed property owner within the District at such address as is shown on the tax roll. Notice shall be deemed mailed upon delivery thereof to the possession of the U.S. Postal Service. The Council may provide proof of such notice by affidavit. The notice required by this section may be combined with the notice required for other non-ad valorem assessments imposed by the Town under the Uniform Assessment Collection Act or with the annual notice of proposed property taxes.

(5) At the time named in such notice, or to which an adjournment or continuance may be taken, the Council shall receive any written objections of interested persons and may then, or at any subsequent meeting of the Council, finally adopt the Assessments. All Assessed Parcels derive a special benefit from development capability provided by the Wastewater Improvements. The Assessment shall be fairly and reasonably apportioned among the Assessed Properties that receive the special benefit. All objections to the Assessment shall be made in writing and filed with the Clerk at or before the time or adjourned time of such hearing.

(6) The Assessment shall be finally established upon adoption of the Final Assessment Resolution, which shall be the final adjudication of the issues presented (including, but not limited to, the method of apportionment and assessment, the determination of special benefit and fair apportionment to the Assessed Property, the rate of assessment, the adoption of the Assessment roll and the levy and lien of the Assessments), unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Council adoption of the Final Assessment Resolution. The Assessment Roll, as approved by the Final Assessment Resolution, shall be delivered to the Tax Collector, as required by the Uniform Assessment Collection Act, or if the alternative method described in subsection (d)(2) herein is used, such other official as the Council by resolution shall designate.

(7) Upon adoption of the Final Assessment Resolution, the Assessment levied on each parcel shall constitute a lien against Assessed Property equal in rank and dignity with the liens of all State, City, District or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon

adoption by the Council of the Final Assessment Resolution and shall attach to the property included on the District Assessment roll as of the date of adoption of the Final Assessment Resolution. The lien for the Assessment to be collected under the alternative method of collection shall constitute a lien against Assessed Property equal in rank and dignity with the liens of all State, City, District or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the Council of the Final Assessment Resolution establishing the assessment and shall attach to the property on such date of adoption.

(c) Revisions, irregularities, corrections and additions.

(1) If any Assessment made under the provisions of this article is either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the Council is satisfied that any such Assessment is so irregular or defective that the same cannot be enforced or collected, or if the Council has failed to include any property on the Assessment roll which property should have been so included, the Council may take all necessary steps to impose a new Assessment against any property benefited by the Wastewater Improvements, following, as nearly as may be practicable, the provisions of this article, and in case such second Assessment is annulled, the Council may obtain and impose other Assessments until a valid Assessment is imposed.

(2) Any informality or irregularity in the proceedings in connection with the levy of any Assessment under the provisions of this article shall not affect the validity of the same after the approval thereof, and any Assessment as finally approved shall be competent and sufficient evidence that such Assessment was duly made and adopted, and that all other proceedings adequate to such Assessment were duly had, taken and performed as required by this article, and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. Notwithstanding the provisions of this subsection, any party objecting to this article must file an objection with a court of competent jurisdiction within the time periods prescribed herein.

(3) No act of error or omission on the part of the Property Appraiser, Tax Collector, Clerk, Council, Town or their deputies or employees shall operate to release or discharge any obligation for payment of any Assessment imposed by the Council under the provisions of this article.

(4) Prior to delivery of the Assessment Roll to the Tax Collector in accordance with the Uniform Assessment Collection Act, the Assessment Roll may be corrected by the Council during the annual budget process. Any such correction which reduces an Assessment shall be considered valid ab initio and shall in no way affect the enforcement of the Assessment imposed under the provisions of this article. Any such correction which increases an Assessment or imposes an assessment on omitted property shall first require notice to the affected owner at the address shown on the tax roll notifying the owner of the date, time, and place that the Council will consider confirming the correction and offering the owner an opportunity to be heard.

(5) After the Assessment roll has been delivered to the Tax Collector in accordance with the Uniform Assessment Collection Act, any changes, modifications or

corrections thereto shall be made in accordance with the procedures applicable to errors and insolvencies for ad valorem taxes.

(6) In the event that additional properties connect to the Wastewater Improvements in the future, Council has the authority to provide for payment of a reasonable and equitable share of appropriate Assessed Costs by such properties through assessments, connection fees or other fees, and rates, alone or in combination, as the Council determines is reasonable, appropriate and in the best interest of the Town. Any additions to the Assessment Roll shall conform to the notice and adoption procedures provided in this Article.

(d) Collection and use of Assessments.

(1) Unless otherwise directed by the Council, the Assessments shall be collected in accordance with the uniform method pursuant to the Uniform Assessment Collection Act, and the Council shall comply with all applicable provisions of that act. Any hearing or notice required by the act may be combined with any other hearing or notice required by that Act or other provision of law. The Assessment to be collected using the Uniform Assessment Collection Act for any specific parcel of Assessed Property may include an amount equivalent to the payment delinquency, delinquency fees and recording costs for one or multiple prior years' assessments if such Assessment remains unpaid at the time of submittal of the roll to the Tax Collector.

(2) In lieu of utilizing the Uniform Assessment Collection Act, the Town may elect to collect the Assessments by any other method which is authorized by law or by the method provided as follows:

a. The Town shall provide Assessment bills by first class mail to the owner of each assessed parcel of property. The bill or accompanying explanatory material shall include a brief explanation of the Assessment, a description of the unit of measurement used to determine the amount of the Assessment, the number of units contained within the parcel, the total amount of the Assessment imposed against the parcel for the appropriate period, the location at which payment will be accepted, the date on which the Assessment is due, and a statement that the Assessment constitutes a lien against Assessed Property equal in rank and dignity with the liens of all State, Town, District or municipal taxes and other non-ad valorem assessments.

b. A general notice of the lien resulting from imposition of the Assessments shall be recorded in the official records of the Town. Nothing herein shall be construed to require that individual liens or releases be filed in the official records.

c. The Town shall have the right to appoint or retain an agent to foreclose and collect all delinquent Assessments in the manner provided by law. An Assessment shall become delinquent if it is not paid within 30 days from the date any installment is due. The Town or its agent shall notify any property owner who is delinquent in payment of his or her Assessment within 60 days from the date such assessment was due. Such notice shall state in effect that the Town or its agent will either initiate a foreclosure action or suit in equity and cause the foreclosure of such property subject to a delinquent Assessment in a method now

or hereafter provided by law for foreclosure of mortgages on real property, or cause an amount equivalent to the delinquent Assessment, not previously subject to collection using the Uniform Assessment Collection Act, to be collected on the tax bill for a subsequent year.

d. All costs, fees and expenses including reasonable attorneys' fees and title search expenses, related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale, pursuant to decree in any such action, the Town may be the purchaser to the same extent as an individual person or corporation. The Town may join in one foreclosure action the collection of Assessments against any or all property assessed in accordance with the provisions hereof. All delinquent owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the Town and its agents, including reasonable attorneys' fees, in collection of such delinquent Assessments, and any other costs incurred by the Town as a result of such delinquent Assessments, and the same shall be collectible as a part of or in addition to the costs of the action.

e. In lieu of foreclosure, any delinquent Assessment, and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided, however, that notice is provided to the owner of the Assessed Property in the manner required by law and this article, and any existing lien of record on the affected parcel for the delinquent Assessment is supplanted by the lien resulting from certification of the Assessment roll, as applicable, to the Tax Collector.

f. Any Town action required in the collection of Assessments may be by resolution.

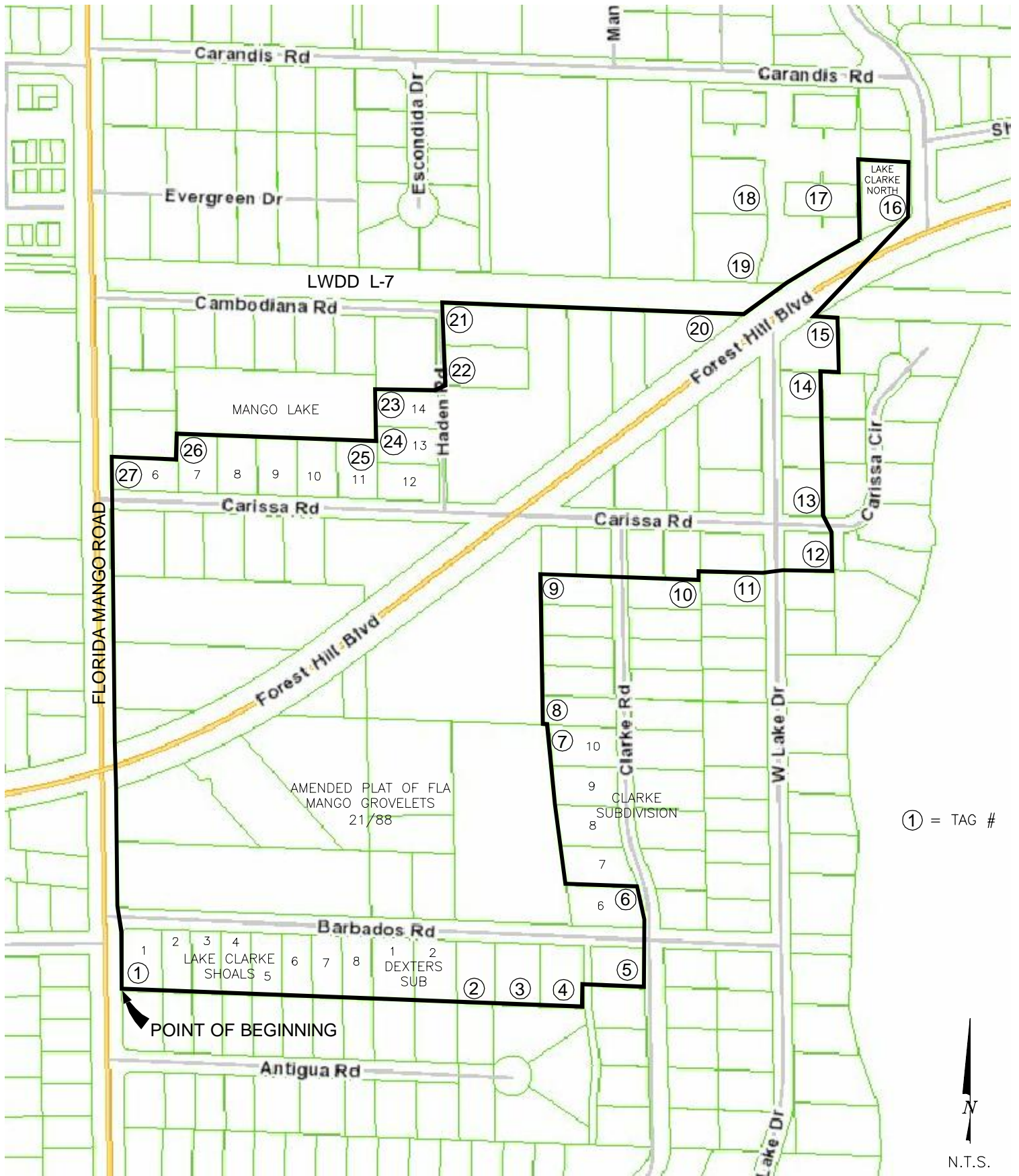
(3) The funds provided by the imposition and collection of Assessments shall be used to pay the Costs associated with the provision of the Wastewater Improvements for the District, including, at the option of the Council, reimbursement of funds advanced by the Utility or the Town for Wastewater Improvements Costs.

(e) Alternative and Additional Method.

(1) This Article VI of Chapter 58 shall be deemed to provide an additional and alternative method for the doing of the things authorized herein and shall be regarded as supplemental and additional to the powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence. This Article VI of Chapter 58, being necessary for the welfare of the inhabitants of the Town, shall be liberally construed to effect the purposes hereof.

(2) Nothing herein shall preclude the Town Council from directing and authorizing, by resolution, the combination with each other of (1) any supplemental or additional notice deemed proper, necessary, or convenient by the Town, (2) any notice required by this Article, or (3) any notice required by law, including the Uniform Assessment Collection Act.

EXHIBIT A



TOWN OF LAKE CLARKE SHORES
SANITARY SEWER SERVICE AREA LEGAL EXHIBIT
 (SEE SHEET 2 OF 8 FOR PARCEL REFERENCES)

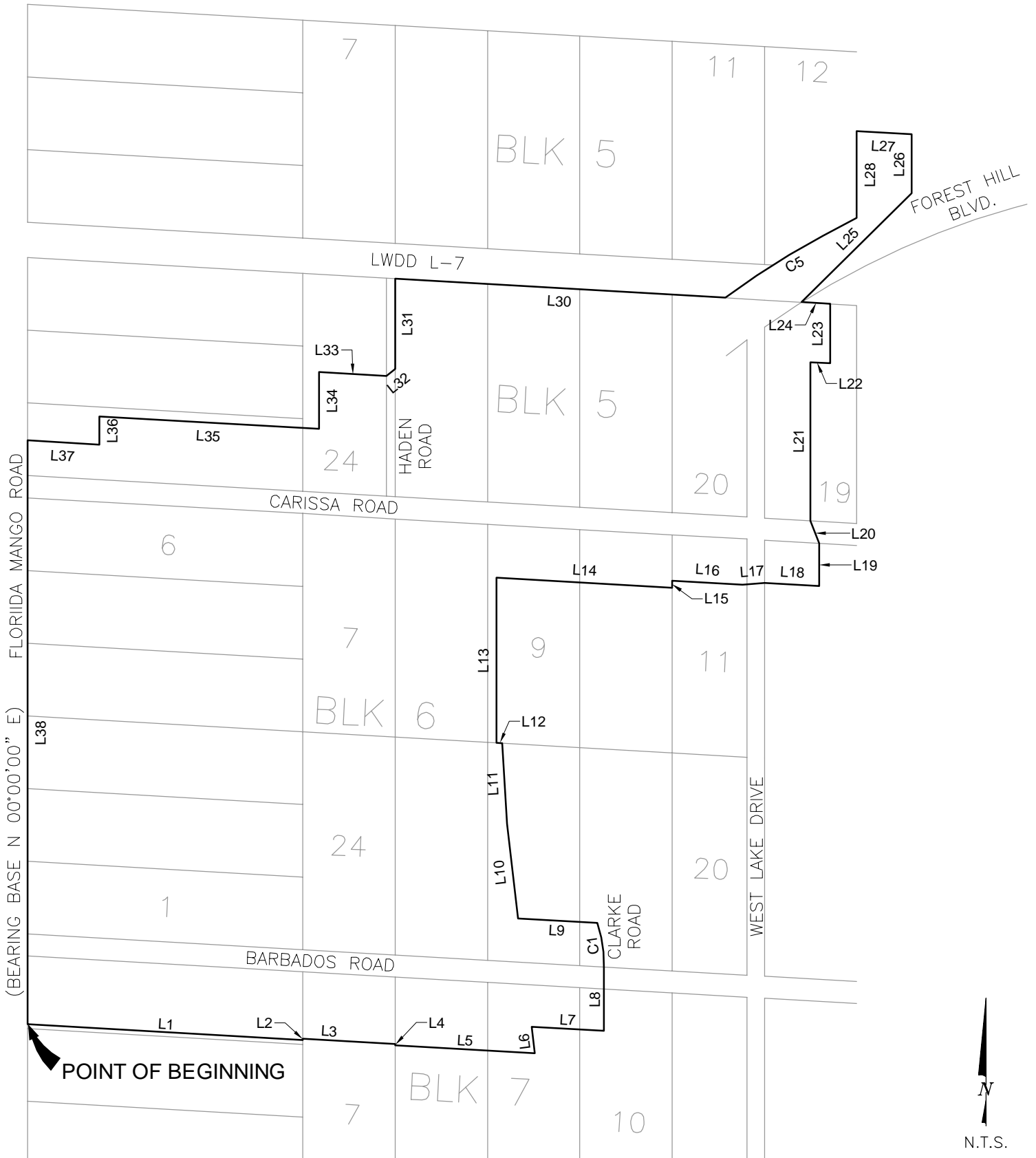
NOTE: UNDERLYING PARCELS & BASEMAP TAKEN FROM PALM BEACH COUNTY PROPERTY APPRAISER WEBSITE. DATE: 12/18/2013

DATE: 04-15-14
SHEET 1 OF 8

SANITARY SEWER SERVICE AREA PARCEL REFERENCES

TAG #	O.R. BK/PG	PARCEL
1	13744/1681	LOT 1 LAKE CLARKE SHOALS 25/105
2	6787/0066	LOT 8, BLK 7 AMD. PLAT OF FLA MANGO GROVELETS 21/88
3	7943/0066	P/O LOTS 8&9, BLK 7 AMD. PLAT OF FLA MANGO GROVELETS 21/88
4	03947/0780	LOT 9, BLK 7 AMD. PLAT OF FLA MANGO GROVELETS 21/88
5	23615/912	P/O LOTS 9&10, BLK 7 AMD. PLAT OF FLA MANGO GROVELETS 21/88
6	04707/1254	LOT 6 CLARKE SUBDIVISION 24/127
7	02896/1666	LOT 10 CLARKE SUBDIVISION 24/127
8	24294/92	P/O LOT 9, BLK 6 AMD. PLAT OF FLA MANGO GROVELETS 21/88
9	13531/1629	P/O LOT 9, BLK 6 AMD. PLAT OF FLA MANGO GROVELETS 21/88
10	11099/1675	P/O LOT 10, BLK 6 AMD. PLAT OF FLA MANGO GROVELETS 21/88
11	05338/0393	P/O LOT 11, BLK 6 AMD. PLAT OF FLA MANGO GROVELETS 21/88
12	11150/1424	SECTION 8, TOWNSHIP 44 SOUTH, RANGE 43 EAST
13	17186/71	P/O LOT 19, BLK 5 AMD. PLAT OF FLA MANGO GROVELETS 21/88
14	26032/1409	P/O LOT 19, BLK 5 AMD. PLAT OF FLA MANGO GROVELETS 21/88
15	12145/1890	P/O LOT 19, BLK 5 AMD. PLAT OF FLA MANGO GROVELETS 21/88
16	10499/1811	LOTS 1&2, LAKE CLARKE NORTH 24/114
17	20166/1954	P/O LOTS 11&12, BLK 5 AMD. PLAT OF FLA MANGO GROVELETS 21/88
18	16019/207	FOREST HILL PROFESSIONAL CONDO
19	14550/948	P/O LOT 11, BLK 5 AMD. PLAT OF FLA MANGO GROVELETS 21/88
LWDD	L-7	LATERAL CANAL No. 7, AMD. PLAT OF FLA MANGO GROVELETS 21/88
20	22883/650	P/O LOTS 20&21, BLK 5 AMD. PLAT OF FLA MANGO GROVELETS 21/88
21	06792/0067	P/O LOT 23 AMD. PLAT OF FLA MANGO GROVELETS 21/88
22	24322/1446	P/O LOT 23 AMD. PLAT OF FLA MANGO GROVELETS 21/88
23	24326/568	LOT 14 MANGO LAKE 24/9
24	05478/0217	LOT 13 MANGO LAKE 24/9
25	05264/0085	LOT 11 MANGO LAKE 24/9
26	25212 / 550	LOT 7 MANGO LAKE 24/9
27	13913 / 1203	LOT 6 MANGO LAKE 24/9

TOWN OF LAKE CLARKE SHORES SANITARY SEWER SERVICE AREA LEGAL EXHIBIT



TOWN OF LAKE CLARKE SHORES
SANITARY SEWER SERVICE AREA LEGAL EXHIBIT
 (SEE SHEET 4 OF 8 FOR LINE & CURVE TABLE)

Line Table		
Line #	Direction	Length
L1	S86°42'42"E	626.00'
L2	N0°00'00"E	2.48'
L3	S86°42'42"E	210.00'
L4	S0°00'00"E	2.77'
L5	S86°42'42"E	318.04'
L6	N7°27'33"W	61.25'
L7	S86°42'42"E	165.01'
L8	N0°00'00"E	145.10'
L9	N86°42'42"W	180.55'
L10	N6°45'42"W	216.68'
L11	N3°25'33"W	183.25'
L12	N86°42'42"W	13.14'
L13	N0°00'00"E	374.80'
L14	S86°42'42"E	399.97'
L15	N0°00'00"E	16.00'
L16	S86°42'42"E	159.92'
L17	N85°35'28"E	50.15'
L18	S86°42'42"E	125.00'
L19	N0°00'00"E	97.47'

Line Table		
Line #	Direction	Length
L20	N21°17'37"W	54.98'
L21	N0°00'00"E	360.00'
L22	S86°42'42"E	45.00'
L23	N0°00'00"E	135.00'
L24	N86°42'42"W	65.07'
L25	N45°19'10"E	351.11'
L26	N0°00'00"E	133.90'
L27	N86°42'42"W	125.00'
L28	S0°00'00"E	197.02'
L30	N86°42'42"W	751.16'
L31	S0°00'00"E	205.00'
L32	S51°36'06"W	25.52'
L33	N86°42'42"W	152.97'
L34	S0°00'00"E	129.00'
L35	N86°42'42"W	500.00'
L36	S0°00'00"E	64.00'
L37	N86°42'42"W	163.00'
L38	S0°00'00"E	1,325.16'

Curve Table			
Curve #	Radius	Length	Delta
C1	354.97	101.29'	16°20'57"
C5	1,963.68	349.40'	10°11'41"

TOWN OF LAKE CLARKE SHORES
SANITARY SEWER SERVICE AREA LEGAL EXHIBIT

Sanitary Sewer Service Area

A parcel of land lying in Section 8, Township 44 South, Range 43 East, Town of Lake Clarke Shores, Palm Beach County, Florida; said parcel being described for the purpose of delineating a sanitary sewer service area with said Town of Lake Clarke Shores. All public records recording information shown is in reference to the public records of said Palm Beach County, Florida.

Beginning at the southwest corner of lot 1, as shown on the plat of Lake Clarke Shoals, as recorded in plat book 25, page 105; said corner lying on the easterly right of way line of Florida Mango Road(said easterly right of way line is taken to bear N 0 00' 00"E and all other bearings are relative thereto) proceed S 86 42' 42" E along the southerly lot lines of lots 1 through 8 of said plat of Lake Clarke Shoals, a distance of 626.00 feet to the southeasterly corner of said lot 8; thence N 0 00' 00" E along the easterly line of said lot 8, a distance of 2.48 feet to the southwesterly corner of lot 1 as shown on the plat of Dexter's Subdivision as recorded in plat book 26, page 47; thence S 86 42' 42"E along the southerly line of said Dexter's Subdivision, a distance of 210.00 feet to the southeasterly corner of lot 2 of said Dexter's Subdivision also being on the westerly line of that certain parcel described in Official Records Book(orb) 6787, page 66, thence S 0 00' 00" E along said westerly line a distance of 2.77 feet to the southerly line of said parcel in orb 6867, thence S 86 42' 42" E along the southerly lines of said parcel described in orb 6787 and those certain parcels described in orb 7943, page 66 and 3947, page 780, all being a portion of lots 8 and 9 as shown on the Amended Plat of Fla-Mango Grovelets, as recorded in plat book 21, page 88, a distance of 318.04 feet to the southeasterly corner of said parcel recorded in orb 3947, page 780; thence N 7 27' 33" W along the easterly line of said parcel in orb 3947, a distance of 61.25 feet to a point on the westerly extension of the southerly line of that certain parcel described in orb 23615, page 912; thence S 86 42' 42" E along said westerly extension and southerly line of said parcel recorded in orb 23615, a distance of 165.01 feet to the southeasterly corner of said parcel recorded in orb 23615, also being on the westerly right of way line of Clarke Road; thence N 0 00' 00" E along the easterly line of said parcel recorded in orb 23615 and westerly right of way line of Clarke Road, a distance of 145.10 feet to the southeasterly corner of lot 6, as shown on the plat of Clarke Subdivision, as recorded in plat book 24, page 127, said point also being on a curve concave to the west having a radius of 354.97 feet; thence northerly along said curve and easterly line of said lot 6 through a central angle of 16 20' 57", an arc distance of 101.29 feet to the northeasterly corner of said lot 6; thence N 86 42' 42" W along the northerly line of said lot 6 and the southerly line of lot 7 said plat of Clarke Subdivision, a

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distance of 180.55 feet to the southwesterly corner of said lot 7; thence along the westerly lot lines of lots 7 through 10 as shown on said plat of Clarke Subdivision, N 6 45' 42" W a distance of 216.68 feet and N 3 25' 33" W, a distance of 183.25 feet to the northwesterly corner of said lot 10, said point being on the southerly line of that certain parcel recorded in orb 24294, page 92; thence N 86 42' 42" W along said southerly line of that certain parcel in orb 24294, a distance of 13.14 feet to the southwesterly corner of said parcel also being a point 20 feet easterly of the westerly line of lot 9, block 6, as shown on the amended plat of Fla-Mango Grovelets, as recorded in plat book 21, page 88; thence N 0 00' 00" E along said line 20 feet easterly of the westerly line of lot 9, block 6, a distance of 374.80 feet to the northwesterly corner of that certain parcel described in orb 13531, page 1629, said point also being 120 feet southerly of the northerly line of said lot 9, block 6; thence S 86 42' 42" E along said line being 120 feet southerly of the northerly lines of said lots 9 and 10, block 6, of said amended plat a distance of 399.97 feet to the northeasterly corner of that certain parcel recorded in orb 11099, page 1675; also being on the westerly line of that certain parcel described in orb 5338, page 393; thence N 0 00' 00" E along said westerly line of that parcel in orb 5338, a distance of 16.00 feet to the northerly line of said parcel in orb 5338; thence S 86 42' 42" E along said northerly line of that parcel in orb 5338, a distance of 159.92 feet to the northeasterly corner of said parcel in orb 5338, said point also being on the westerly right of way line of West Lake Drive; thence N 85 35' 28" E across said right of way, a distance of 50.15 feet to the southwesterly corner of that certain parcel described in orb 11150, page 1424, said point also being on the easterly right of way line of West Lake Drive; thence S 86 42' 42" E along the southerly line of said parcel in orb 11150, a distance of 125.00 feet to the southeasterly corner of said parcel in orb 11150; thence N 0 00' 00" E along the east line of said parcel in orb 11150, a distance of 97.47 feet to the northeasterly corner of said parcel in orb 11150, said point also being on the southerly right of way line of Carissa Road; thence N 21 17' 37"W across said road right of way, a distance of 54.98 feet to the southeasterly corner of that certain parcel described in orb 17186, page 71 and being 105 feet easterly of the westerly lot line of lot 19, block 5 said plat of Fla-Mango Grovelets, said point also being on the northerly right of way line of Carissa Road; thence N 0 00' 00" E along said line 105 feet easterly of the westerly lot line of lot 19, a distance of 360.00 feet to the northeasterly corner of that certain parcel described in orb 26032, page 1409, said point also lying on the southerly line of that certain parcel recorded in orb 12145, page 1890; thence S 86 42' 42" E along the southerly line of that parcel in orb 12145, a distance of 45.00 feet to the southeasterly corner of said parcel in orb 12145; thence N 0 00' 00" E along the easterly line of said parcel in orb 12145, a distance of 135.00 feet to the northeasterly corner of said parcel in orb 12145; thence N 86 42' 42" W along the northerly line of said parcel in orb 12145, a distance of 65.07 feet to the intersection with the southeasterly right of way line of Forest Hill Boulevard; thence N 45 19' 10" E across said Forest Hill Boulevard, a distance of 351.11 feet to the intersection of the southerly

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extension of the easterly line of that certain parcel described in orb 10499, page 1811 and the northwesterly right of way line of Forest Hill Boulevard; thence N 0 00' 00" E along said southerly extension of that parcel described in orb 10499 and along the easterly line of the same parcel in orb 10499, said line also being the easterly lines of lots 1 and 2 as shown on the plat of Lake Clarke North as recorded in plat book 24, page 114, a distance of 133.90 feet to the northeasterly corner of said parcel in orb 10499 and the northeasterly corner of said lot 2 Lake Clarke North; thence N 86 42' 42" W along the northerly line of said parcel in orb 10499 and northerly line of said lot 2, a distance of 125.00 feet to the northwesterly corner of said parcel in orb 10499 and lot 2; thence S 0 00' 00" E along the westerly lines of said lots 1 and 2 as shown on the plat of Lake Clarke North, also being the westerly line of said parcel in orb 10499 and the easterly line of that certain parcel as described in orb 20166, page 1954, a distance of 197.02 feet more or less to the intersection with the northwesterly right of way line of Forest Hill Boulevard, said point also being on a curve concave to the southeast, having a radius of 1963.68 feet, from which a radial line bears S 63 51' 26" E; thence southwesterly along said northwesterly right of way line through a central angle of 10 11' 41", an arc distance of 349.40 feet to the south right of way line of the Lake Worth Drainage District (LWDD) L-7 canal also being the northeasterly corner of that certain parcel described in orb 22883, page 650; thence N 86 42' 42" W along the said southerly right of way line of the L-7, a distance of 751.16 feet to the northwesterly corner of that certain parcel described in orb 6792, page 67, said point also being the northwest corner of lot 23, block 5 said amended plat of Fla-Mango Grovelets and being on the easterly right of way line of Haden Road; thence S 0 00' 00" E along the westerly lines of that parcel in orb 6792 and that certain parcel recorded in orb 24322, page 1446, a distance of 205.00 feet to the southwesterly corner of said parcel in orb 24322; thence S 51 36' 06" W, a distance of 25.52 feet across said right of way of Haden Road to the northeasterly corner of lot 14, as shown on the plat of Mango Lake as recorded in plat book 24, page 9; thence N 86 42' 42" W along the northerly line of said lot 14, a distance of 152.97 feet to the northwesterly corner of said lot 14; thence S 0 00' 00" E along the westerly lines of lot 13 and 14 said plat of Mango Lake, a distance of 129.00 feet to the northeasterly corner of lot 11 said plat of Mango Lake; thence N 86 42' 42" W along the northerly lines of lots 11,10,9,8,and7 said plat of Mango Lake, a distance of 500.00 feet to the northwesterly corner of said lot 7; thence S 0 00' 00" E along the westerly line of said lot 7, a distance of 64.00 feet to the northeasterly corner of lot 6 said plat of Mango Lake; thence N 86 42' 42" W along the north line of said lot 6, a distance of 163.00 feet to the northwesterly

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corner of said lot 6, said point also being on the easterly right of way line of said Florida Mango Road; thence S 0 00' 00" E along said easterly right of way line, a distance of 1325.16 feet to the southwesterly corner of said lot 1 Lake Clarke Shoals also being the point of beginning.

Said parcel containing 49.9 acres more or less

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