

RESOLUTION 15-2012

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR METHOD OF COLLECTING THE ASSESSMENT WHEN LOCAL STREETS ARE HARD SURFACED AT THE REQUEST OF PROPERTY OWNERS; PROVIDING FOR THE REPEAL OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the code provides for a method of petitioning Council to make certain road improvements to local streets and assess the property owners that benefits from such improvements; and

WHEREAS, the Council has determined that property owners with large amounts of frontage may require more time to pay the assessment and desire to provide a time frame for repayment; and

WHEREAS, after a review of the method used by other municipalities Malabar Town Council has determined that a assessment pay schedule spanning one to three (1 to 3) years is appropriate at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. That the following assessment schedule is established and will be provided to property owners seeking to petition Council for road improvements, namely hard surfacing of dirt roads in the Town of Malabar.

Assessments of \$2,500.00 or less	1 year from assessment date.
Assessments of \$2,501.00 - \$6,000.00 ,	2 years from assessment date.
Assessments of \$6,001.00 - \$10,000.00.	3 years from assessment date.

The assessment amount is determined by adding all expenses related to the road improvement and dividing by the frontage improved. Once a per-foot cost is determined, then each property owner's assessment is determined and invoices will be sent out. Property owners will be provided one to three years to pay the assessment to the Town based on the above schedule. All such properties assessed will be subject to a lien to be recorded in the Public Records of Brevard County, Florida until the assessment is paid in full. Once the assessment is paid in full the lien will be satisfied by the Town.

SECTION 2. Conflict.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 3. Effective Date

This Resolution shall take effect immediately upon passage.

This Resolution was moved for adoption by Council Member Rivet. The motion was seconded by Council Member Beatty and, upon being put to a vote; the vote was as follows:

Council Member Carl Beatty	<u>Aye</u>
Council Member David White	<u>Excused</u>
Council Member Steve Rivet	<u>Aye</u>
Council Member Jeff McKnight	<u>Aye</u>
Council Member Marisa Acquaviva	Excused

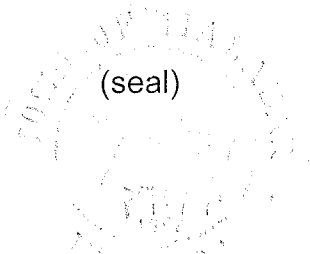
This Resolution was then declared to be duly passed and adopted this 2nd day of July, 2012.

TOWN OF MALABAR

By: Phillip R Crews
Mayor Phillip R. Crews
Council Chair

ATTEST:

Debby Franklin
Debby Franklin, C.M.C.
Town Clerk/Treasurer



Approved as to Form and Content:

Karl W. Bohne, Jr.
Karl W. Bohne, Jr., Town Attorney