

RESOLUTION NO. AC2022- 09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT LEVYING DRAINAGE TAXES IN THE FORM OF NON-AD VALOREM ASSESSMENTS ON THE LANDS IN UNIT OF DEVELOPMENT 50TH STREET OF THE DISTRICT BENEFITTED BY THE IMPROVEMENTS DESCRIBED IN THE PLAN OF IMPROVEMENTS FOR SUCH UNIT; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT that:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the applicable provisions of Chapter 298, Florida Statutes, as amended, the provisions of Chapter 2003-330, Laws of Florida, as amended, and other applicable provisions of law (the "Act").

SECTION 2. FINDINGS. It is hereby found, ascertained and determined that:

A. On September 6, 2022 the Board of Supervisors (the "Board") of Acme Improvement District (the "District") adopted Resolution No. AC2022-08 approving an Engineer's Report (as amended from time to time, the "Report") and adopted a Plan of Improvements (as amended from time to time, the "Plan") for the District's Unit of Development 50th Street (the "Unit"). The Report includes a list of lands within the Unit together with the benefits assessed thereto as a result of implementation of the Plan, and the same has been filed in office of the Secretary of the District.

B. The Report assesses benefits against the lands in the Unit with respect to the implementation of the Plan in the aggregate amount of \$7,096,875.00 (the "Benefit").

C. It is necessary and desirable that the District levy a non ad valorem assessment upon all lands in the Unit to which benefits have been assessed to pay the cost of the improvements described in the Plan. The assessment shall be apportioned upon and levied against each assessable tract in the Unit in the accordance with the Report.

D. It is now necessary and desirable that the District issue bonds (the "Bonds") to pay all or a portion of the cost of the Improvements to be made pursuant to the Plan.

E. In connection with the issuance of the Bonds, it is necessary and desirable to levy non-ad valorem assessments against the lands within the Unit pursuant to Section 298.305, Florida Statutes. The amount of the assessment levied pursuant to this paragraph "D" (the "Principal Component") is \$7,096,875.00. As required by Section 298.305, Florida Statutes, the Principal Component does not and will not ever exceed the Benefit.

F. The aggregate amount of interest which will accrue on the Bonds shall be included and added to the non-ad valorem assessment as set forth in Section 2.E above, and is referred to herein as the "Interest Component".

SECTION 3. LEVY OF TOTAL DRAINAGE TAXES. The Principal Component and the Interest Component are hereby levied on the benefitted land in the Unit. Such non-ad valorem assessments are sometimes referred to herein as "drainage taxes." Such drainage taxes shall be apportioned to and levied on each tract of land in the Unit annually in accordance with the Act and the Report.

SECTION 4. DRAINAGE TAX RECORD. The Secretary of the Board has, at the expense of the District, prepared, and shall maintain, a list of all drainage taxes levied against the benefitted lands in the Unit in the form of a well bound book endorsed and named "DRAINAGE TAX RECORD OF ACME IMPROVEMENT DISTRICT, UNIT OF DEVELOPMENT 50TH STREET." Such endorsement shall be printed or written at the top of each page in the book and the book shall be signed and certified by the President and Secretary of the Board, and attested by the seal of the District. Such book shall be a permanent record in the office of the Secretary of the Board.

SECTION 5. LIEN OF TAXES. The drainage taxes levied as hereinabove provided together with all penalties for default in payment of the same and all costs in collecting the same, shall, from the date of assessment thereof until paid, constitute a lien of equal dignity with the liens for county taxes upon all the lands against which such drainage taxes shall be levied.

SECTION 6. REPEALER. All resolutions or parts thereof in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

Passed and adopted this 6th day of September, 2022.

(S E A L)

By: \_\_\_\_\_  
President, Board of Supervisors

Attest:

By: \_\_\_\_\_  
Secretary, Board of Supervisors