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ORDINANCE 93- 19

CLERK TO BOARD
HIGHLANDS COUNTY.

JAN 6 11 13 AM '94

AN ORDINANCE AMENDING THE DEFINITION OF "LAND-OWNER" WITHIN SECTION 9-81 OF THE CODE OF ORDINANCES, HIGHLANDS COUNTY, FLORIDA, TO CLARIFY THAT THE SUN 'N LAKE OF SEBRING IMPROVEMENT DISTRICT IS A LANDOWNER BASED UPON, AMONG OTHER THINGS, CERTIFICATES OF TITLE ISSUED PURSUANT TO FORECLOSURE PROCEEDINGS, AND TO AMEND PARAGRAPH (d) OF SECTION 9-106 OF THE CODE OF ORDINANCES, HIGHLANDS COUNTY, FLORIDA, TO ADD THE REQUIREMENT THAT NO LANDOWNER MAY CAST A VOTE FOR A LOT OR OTHER LAND OWNED FOR WHICH ANY ASSESSMENT, FEE, RATE, RENTAL, OR OTHER CHARGE IMPOSED BY THE DISTRICT IS DELINQUENT AT THE TIME OF THE ELECTION OF THE BOARD OF SUPERVISORS

SECRETARY OF STATE

JAN 3 2 19 PM '94

FILED

WHEREAS, it is reasonable that the definition of "landowner" shall extend to the Sun 'n Lake of Sebring Improvement District ("DISTRICT") for lots held in the name of the DISTRICT based upon, among other things, certificates of title issued pursuant to foreclosure proceedings for nonpayment of DISTRICT assessments, fees, rates, rentals, and other charges; and further, that the DISTRICT, as legal title holder of record, shall be entitled to vote said lots in any election in which land or subdivided lot ownership is a prerequisite to casting a vote in any election held within the DISTRICT; and

WHEREAS, this amendment is enacted in clarification of the authority of the right to vote lots held in the name of the DISTRICT in such elections; and

WHEREAS, the DISTRICT imposes assessments, fees, rates, rentals, and other charges (hereinafter "ASSESSMENTS") on certain benefited lots within the DISTRICT to raise sufficient revenues to maintain its facilities and services and to exercise the powers and authorities provided for by Highlands County Ordinance 74-4, as amended from time to time; and

WHEREAS, from time to time landowners within the DISTRICT have failed to pay the said ASSESSMENTS on their respective lots or other land owned; and

WHEREAS, nonpayment of said ASSESSMENTS has caused the DISTRICT financial hardship based upon nonrealization of necessary and anticipated revenues.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA:

SECTION 1.

The definition of "landowner" contained within Section 9-81 of the Code of Ordinances,

Highlands County, Florida, is hereby amended to read as follows:

Landowner means the owner of a freehold estate as appears by the deed record, including a trustee, a private corporation, and an owner of a condominium unit; it does not include a reversioner, remainderman, or mortgagee. For purposes of this definition, "landowner" shall include the Sun 'n Lake of Sebring Improvement District for lots held in the name of the District based upon, among other things, certificates of title issue pursuant to foreclosure proceedings for nonpayment of District assessments, fees, rates, rentals and other charges.

SECTION 2.

Paragraph (d) of Section 9-106 of the Code of Ordinances, Highlands County, Florida, is hereby amended to read as follows:

Each landowner shall be entitled to cast one vote for each acre, or fraction thereof, of land not subdivided into lots and one vote for each subdivided lot, or fraction thereof, owned by him and located in the District for each person to be elected. A landowner may vote in person or by proxy in writing. A landowner shall not be entitled to cast a vote for any land and/or subdivided lots owned by said landowner for which any assessment, fee, rate, rental or other charge imposed by the District is delinquent at the time of the election.

SECTION 3.

This Ordinance shall become effective upon receipt of official acknowledgement from the Secretary of State that this Ordinance has been filed with that office.

DONE AND ADOPTED this 21st day of December, 1993.



**BOARD OR COUNTY COMMISSIONERS
HIGHLANDS COUNTY, FLORIDA**

By: Audrey Vickers
Audrey Vickers, Chairman

ATTEST:

By: L. E. Brooker
L. E. "Luke" Brooker, Clerk