

RECORDED 9/6/94
PAGE NO. 36
MINUTE BOOK NO. 44 (37)

RESOLUTION R-94-245

A RESOLUTION EXTENDING THE PERIOD FOR EXPENDITURE OF PARKS IMPACT FEES COLLECTED IN PARKS IMPACT FEE DISTRICT E, IN ACCORDANCE WITH SECTION 805 OF THE LAND DEVELOPMENT CODE

WHEREAS, Manatee County, Florida has adopted a Land Development Code which provides for impact fees levied pursuant to Article VIII of the Florida Constitution and Chapters 125 and 163 of the Florida State Statutes and;

WHEREAS, Section 803 of the Land Development Code (LDC) authorizes imposition of impact fees on new development, proceeds from which must be used for park projects and;

WHEREAS, Section 803 of the Land Development Code generally requires that fees be spent from districts where the fees collected and;

WHEREAS, Section 805 of the Land Development Code provides that in the event fees are not expended or encumbered for planning, engineering, acquisition or construction by the end of the calendar quarter within seven years from the last Certificate of Occupancy, an extension by up to three years may be granted by adoption of a Resolution by the Board of County Commissioners granting the extension and;

WHEREAS, certain Parks Impact Fee District E funds have been collected that will not be expended or encumbered for planning, engineering, acquisition or construction within the seven years as required by section 805.7.3 of the LDC and;

WHEREAS, there are certain capital improvements planned to be constructed prior to September 30, 1997, that will substantially benefit the development against which fees were assessed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1: The whereas clauses set forth above are hereby adopted as findings of fact in accordance with Section 805.7.3 of the LDC.

Section 2: The deadline for expenditure of Park Impact Fees collected in Parks Impact Fee District E, prior to September 30, 1987 is hereby extended three years, until September 30, 1997.

ADOPTED, in Open Session with a quorum present and voting this 6th day of September, 1994.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: Stan Stegman

ATTEST:

R. B. SHORE
CLERK OF CIRCUIT COURT

BY: [Signature]