

RESOLUTION NO. 96 - 126

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY REQUIRING A BOND REFERENDUM TO BE HELD ON TUESDAY, SEPTEMBER 3, 1996 TO DETERMINE WHETHER OR NOT A MAJORITY OF THE ELECTORS RESIDING (A) WITHIN ST. JOHNS COUNTY PRECINCTS 13 AND 42 OF ST. JOHNS COUNTY COMMISSION DISTRICT ONE AND (B) WITHIN ST. JOHNS COUNTY COMMISSION DISTRICT FOUR, EXCLUDING PRECINCTS 14 AND 54, ARE IN FAVOR OF THE GOVERNING BODY OF THE DAVIS PARK RECREATION MUNICIPAL SERVICE TAXING UNIT (IF SUCH TAXING UNIT IS APPROVED BY BALLOT AND ESTABLISHED IN SUBSTANTIALLY THE FORM OF THE ORDINANCE FORM ATTACHED TO ST. JOHNS COUNTY RESOLUTION 96-125) ISSUING BONDS OR INCURRING OTHER FORMS OF INDEBTEDNESS TO BE SECURED AND PAYABLE FROM THE ADDITIONAL AD VALOREM TAXES NOT EXCEEDING ½ MILL PER YEAR LEVIED FOR 5 YEARS WITHIN THE TAXING UNIT IN ORDER TO CONSTRUCT AND MAINTAIN DAVIS PARK AS PROVIDED IN RESOLUTION 96-125 AND THE ORDINANCE FORM ATTACHED THERETO.

BE IT RESOLVED, THIS 17TH DAY OF JULY, 1996, BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA as follows:

Section 1. The Board of County Commissioners of St. Johns County, Florida (the "Board") hereby finds, determines and declares the following:

A. St. Johns County Resolution 96-125 requires that a ballot be included in the September 3, 1996 election held (A) in St. Johns County Precincts 13 and 42 of St. Johns County Commission District One and (B) in St. Johns County Commission District Four, excluding Precincts 14 and 54, (A and B collectively 'the Precincts') to determine whether the citizens residing in those Precincts desire that the Board create the Davis Park Recreation Municipal Service Taxing Unit in substantially the form described in the Resolution and the ordinance form attached to the Resolution; and

B. It is necessary and appropriate that a bond referendum be held in the Precincts to determine whether a majority of the electors in the Precincts are in favor of the governing body of the Davis Park Recreation Municipal Service Taxing Unit (if such Taxing Unit is approved by ballot) issuing bonds or incurring other forms of indebtedness to be secured and payable from the additional ad valorem taxes not exceeding ½ mill per year levied for 5 years within the taxing unit in order to construct and maintain Davis Park as provided in Resolution 96-125 and the ordinance form attached thereto, and

C. Ponte Vedra/Palm Valley Athletic Association, Inc., a Florida not-for-profit corporation, has assured the Board that it will pay all election costs, as defined in Section 97.021(8) Florida Statutes, that are associated with placing the ballot question set forth below on the September 3, 1996 ballot within such Precincts.

Section 2. The Board hereby directs the following proposition to be placed on the ballot in the Precincts at the 1996 Primary election which is scheduled for September 3, 1996.

**SHALL THE GOVERNING BODY OF THE DAVIS PARK RECREATION MUNICIPAL SERVICE TAXING UNIT ISSUE BONDS?**

Shall the governing body of the Davis Park Recreation Municipal Service Taxing Unit (if such Unit is approved by ballot) issue bonds or incur other forms of indebtedness not exceeding \$4,000,000 plus interest not exceeding the maximum rate prescribed by law with maturities not exceeding 5 years payable from ad valorem taxes of the Unit for the park purposes described in the ordinance attached to Resolution 96-125?

\_\_\_\_\_ FOR BONDS

\_\_\_\_\_ AGAINST BONDS

Section 3. The Clerk of the Circuit Court, ex-officio Clerk of the Board of County Commissioners of St. Johns County, Florida (the "Clerk") shall prepare and give notice of the Davis Park Recreation Municipal Service Taxing Unit bond referendum by causing a copy of a notice substantially in the form attached hereto as Exhibit A to be published at least twice, once in the fifth (5th) week and once in the third (3rd) week prior to the week in which the referendum is to be held, in the St. Augustine Record and the Ponte Vedra Recorder, newspapers of general circulation in the County, the first publication to be not less than thirty (30) days prior to the date of the Davis Park Recreation Municipal Service Taxing Unit bond referendum. The Clerk shall secure from the publishers of said newspapers an appropriate affidavit of proof that such notice has been duly published as herein provided, and said affidavits of proof shall be filed in the minutes of the Board of County Commissioners of St. Johns County. The Clerk shall cause copies of this resolution to be timely placed at the locations described in the Exhibit A notice.

Section 4. The officials responsible for the canvass of the primary election shall also canvass the returns of the Davis Park Recreation Municipal Service Taxing Unit bond referendum and shall certify the same to the Board. The finding and declaration of results shall be recorded in the minutes of the Board. Failure to fully comply with this Section 4 shall not adversely effect the validity or effect of this resolution or the election.

Section 5. The Clerk is directed to immediately forward a certified copy of this Resolution to Penny Halyburton, Supervisor of Elections of St. Johns County, Florida.

Section 6. In the event that any word, phrase, clause, sentence or paragraph

hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, phrase, clause, sentence or paragraph hereof.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Donald Jordan  
Chair - Donald Jordan

ATTEST: CARL "BUD" MARKEL, CLERK

By: Jeanne Carter  
Deputy Clerk

EXHIBIT A

NOTICE OF A BOND REFERENDUM TO BE HELD ON SEPTEMBER 3, 1996 (A) IN ST. JOHNS COUNTY PRECINCTS 13 AND 42 OF ST. JOHNS COUNTY COMMISSION DISTRICT ONE AND (B) IN ST. JOHNS COUNTY COMMISSION DISTRICT FOUR, EXCLUDING PRECINCTS 14 AND 54, PERTAINING TO THE ISSUANCE OF BONDS OR OTHER INDEBTEDNESS BY THE GOVERNING BODY OF THE DAVIS PARK RECREATION MUNICIPAL SERVICE TAXING UNIT IF THE TAXING UNIT IS APPROVED BY BALLOT AND ESTABLISHED IN SUBSTANTIALLY THE FORM OF THE ORDINANCE FORM ATTACHED TO ST. JOHNS COUNTY RESOLUTION 96-125.

NOTICE IS HEREBY GIVEN THAT A BOND REFERENDUM will be held on the 3rd day of September, 1996 (A) in St. Johns County Precincts 13 and 42 of St. Johns County Commission District One and (B) in St. Johns County Commission District Four, excluding Precincts 14 and 54, (A and B collectively "the Precincts") for the purpose of determining whether a majority of the electors in such Precincts are in favor of the governing body of the Davis Park Recreation Municipal Service Taxing Unit (if such Taxing Unit is approved by ballot) issuing bonds or incurring other forms of indebtedness not exceeding \$4,000,000 plus interest not exceeding the maximum rate prescribed by law with maturities not exceeding 5 years payable from ad valorem taxes of the Taxing Unit for the park purposes described in the ordinance attached to St. Johns County Resolution 96-125.

Copies of Resolution 96-126 providing for the Davis Park Recreation Municipal Service Taxing Unit bond referendum and copies of Resolution 96-125 with the ordinance form attached are available for review and may be copied at:

Main Library

1960 Ponce de Leon Blvd.  
St. Augustine, FL 32084

Reference Department

Ponte Vedra/Palm Valley Library

101 Library Blvd.  
Ponte Vedra Beach, FL 32082

Circulation Desk

Ponte Vedra Courthouse Annex

5430 E. Palm Valley Road  
Ponte Vedra Beach, FL 32082

County Administration Bldg.

4020 Lewis Speedway  
St. Augustine, FL

Clerk's Office

The times and places for voting on the Davis Park Recreation Municipal Service Taxing Unit bond referendum shall be the same as the times and places for voting in the primary election held in those Precincts that day, and the polls will be open at the voting places on the date of said election from 7:00 A.M. until 7:00 P.M.

All qualified electors residing in the Precincts shall be entitled and permitted to vote on such Davis Park Recreation Municipal Service Taxing Unit bond referendum.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

# The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_

Barbara Dresslar

who on oath says that she is

Accounting Clerk

of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a \_\_\_\_\_

Notice of Bond Referendum

in the matter of \_\_\_\_\_

Sept. 3, 1996

in the \_\_\_\_\_ Court, was published in said newspaper in the

issues of July 30, Aug. 13, 1996

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 13th day of Aug., 1996,

by Barbara Dresslar who is personally

known to me or who has produced \_\_\_\_\_ as

(Type of Identification)

identification.

Zoe Ann Moss  
(Signature of Notary Public) (Seal)

Zoe Ann Moss

(Print, Type or Stamp Commissioned Name of Notary Public)

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Copies of the Resolution 96-125 providing for the Davis Park Recreation Municipal Service Taxing Unit bond referendum and copies of Resolution 96-125 with the ordinance form attached are available for review and may be copied at:  
Main Library, Reference Department, 1960 Ponce de Leon Blvd., St. Augustine, FL 32084  
Ponte Vedra/Palm Valley Library, Circulation Dept., 101 Library Blvd., Ponte Vedra Beach, FL 32082  
Ponte Vedra Courthouse Annex, 5400 Palm Valley Road, Ponte Vedra Beach, FL 32082  
County Administration Bldg., Clerk's Office, 4020 Lewis Speedway, St. Augustine, FL

The times and places for voting on the Davis Park Recreation Municipal Service Taxing Unit referendum shall be the same as the times and places for voting in the primary election held in those Precincts that day, and the polls will be open at the voting places on the date of said primary election from 7:00 a.m. until 7:00 p.m.

All qualified electors residing in the Precincts shall be entitled and permitted to vote on such Davis Park Recreation Municipal Service Taxing Unit referendum.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
BY: Yvonne Carlier  
Deputy Clerk  
L675 July 30, August 13, 1996