

ORDINANCE NO. 18-08

AN ORDINANCE OF MANATEE COUNTY, REGARDING PUBLIC SERVICES; ESTABLISHING THE NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-65 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT," TO ESTABLISH THE NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, TO DESCRIBE THE BOUNDARIES OF THE DISTRICT, TO NAME THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND TO CONSENT TO THE EXERCISE OF CERTAIN SPECIAL POWERS BY THE DISTRICT BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has enacted and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, Subsection 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, MFC LAND GROUP, LLC, (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the North River Ranch Community Development District (District) pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Petitioner is the owner of approximately 1295.51 acres of real property proposed for inclusion within the District and has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with

the requirements and procedures of Paragraphs 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in Paragraphs 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and a local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, Section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in Subsection 190.012(1), Florida Statutes; and

WHEREAS, Section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in Subsection 190.012(2), Florida Statutes; and

WHEREAS, Paragraph 190.005(2)(d), Florida Statutes, as amended, provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under Subsection 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers listed in Paragraph 190.012(2)(a)&(d), Florida Statutes, as amended; and

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise by the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

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

Section 1. Legislative findings. The Board of County Commissioners of Manatee County, Florida, hereby adopts the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance.

Section 2. Authority. This Ordinance is adopted pursuant to Subsection 190.005(2), Florida Statutes, as amended, and other applicable provisions of law governing county ordinances.

Section 3. Intent and Purpose. It is the intent and purpose of this Ordinance to establish the North River Ranch Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board of County Commissioners to the exercise by the District board of supervisors of certain additional special powers pursuant to Subsection 190.012(2), Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-65 of Manatee County Code of Ordinances. Section of the Manatee County Code of Ordinances ("Code") is hereby created to read as follows:

Sec. 2-8-64. North River Ranch Community Development District.

(a) Establishment. North River Ranch Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds Description attached hereon as Exhibit "2".

(c) Initial board of supervisors. The names of five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

- (1) Priscilla Heim
- (2) Sandy Foster
- (3) Brooke Pelsh
- (4) Mark Evans
- (5) Dale Weidemiller

(d) Special powers. Pursuant to Paragraph 190.005(2)(d) and Subsection 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the following special powers listed in Paragraph 190.012(2)(a)&(d) Florida Statutes. Specifically, the District shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

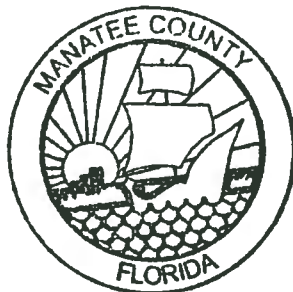
- (1) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and,
- (2) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion systems, and patrol cars, when authorized by the Manatee County Sheriff's Department or other proper governmental agencies; except that the District may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within the District boundaries.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

PASSED AND ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 5th day of April, 2018.



BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

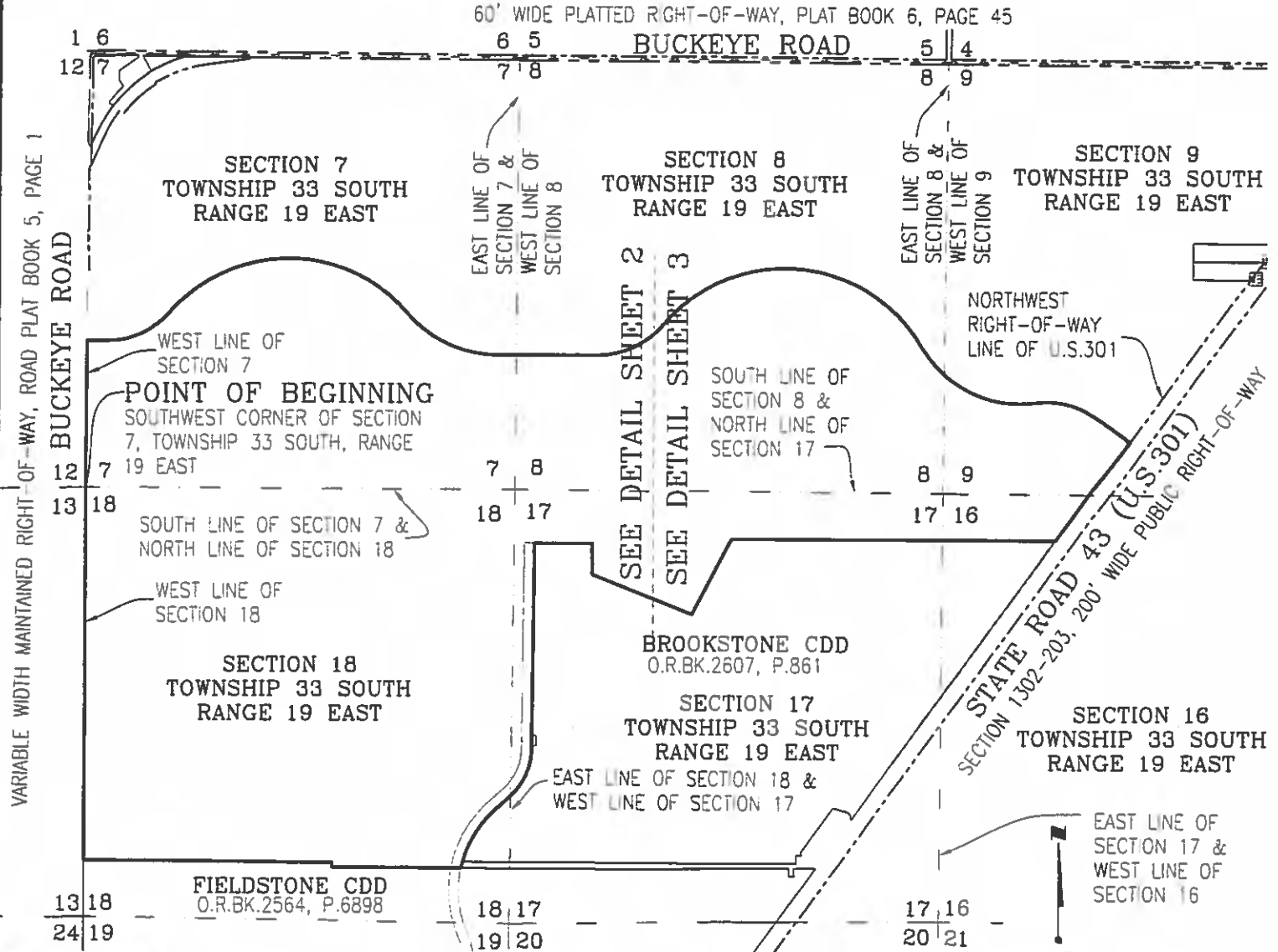
By: *[Signature]*
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: *[Signature]*
Deputy Clerk

Exhibit "2"

NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT
METES AND BOUNDS DESCRIPTION



O.R.BK. = OFFICIAL RECORDS BOOK
P. = PAGE

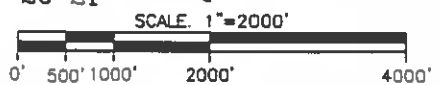
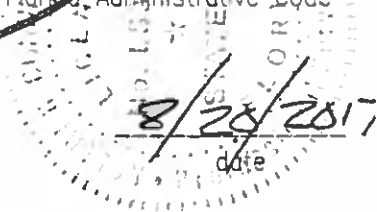
- NOTES:
1. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER, THIS SKETCH, DRAWING, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.
 2. BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF THE SECTION 18, BEING N.00°08'15"E
 3. THIS IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

CERTIFICATE OF SURVEYOR:

I, the undersigned Professional Surveyor & Mapper, hereby certify that the sketch map and metes and bounds description as set forth in Exhibit "NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT (Community Development District) are true and correct, were made under my direction and meets the Standards of Practice set forth by the Florida Board of Surveying and Mapping, pursuant to Section 472.027, Florida Statutes, and Chapter 5J-17, Florida Administrative Code as of the following date.

Date of Certification: August 20, 2017.

Robert R. Cunningham
Robert R. Cunningham, PSM#3924



SEE SHEETS 2 & 3 FOR SKETCH DETAIL
SEE SHEET 4 FOR TABLES & DESCRIPTION

FOR: HAVAL FARMS, LLC

This is NOT a Survey and Not valid without all sheets

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SKETCH & DESCRIPTION OF NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT
A 1,295.5060 ACRE TRACT LOCATED IN SECTIONS 7, 8, 9, 16, 17 & 18, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA

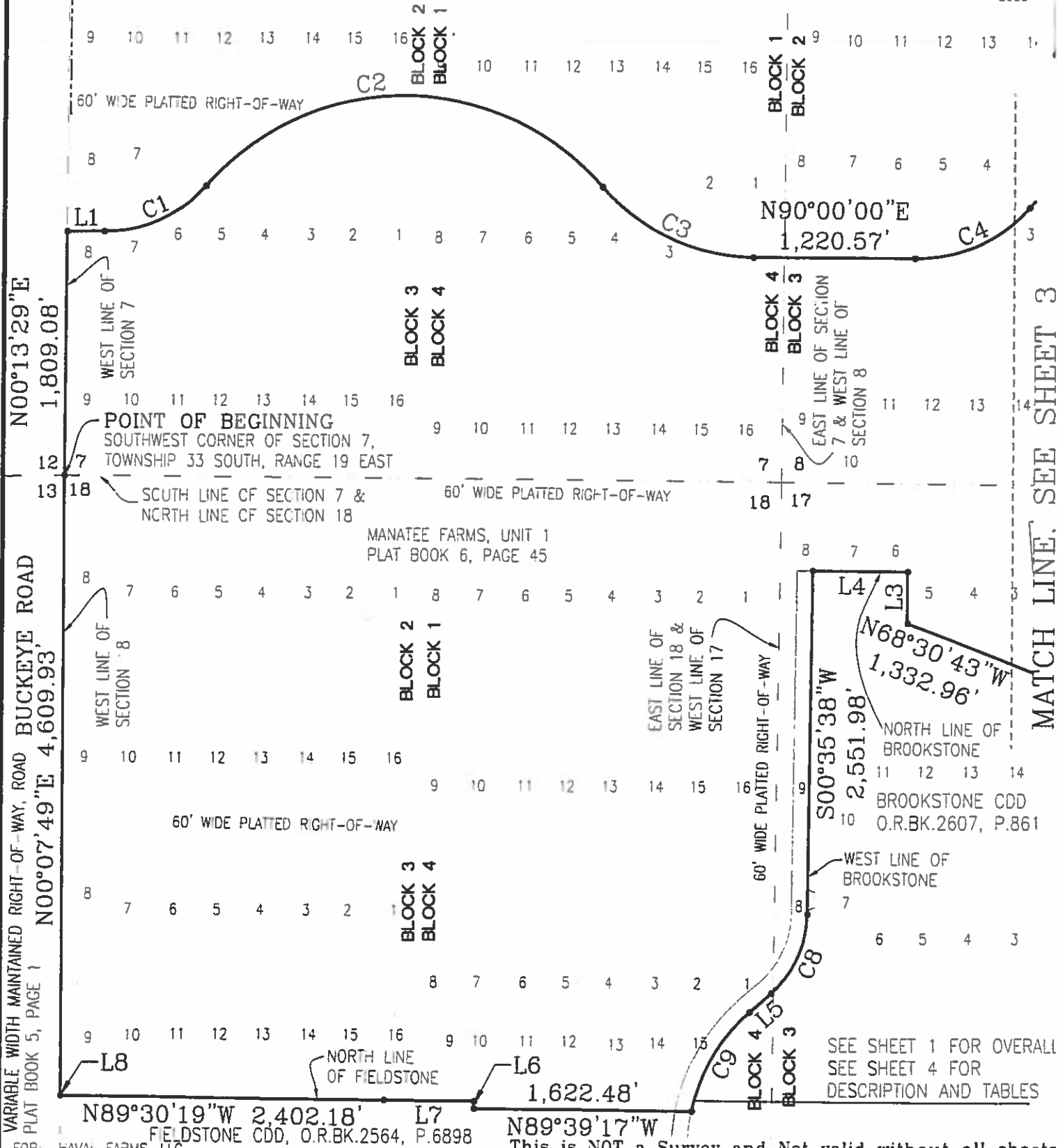
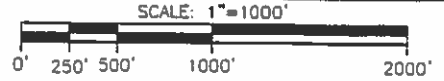


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NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT
METES AND BOUNDS DESCRIPTION



VARIABLE WIDTH MAINTAINED RIGHT-OF-WAY, ROAD BUCKEYE ROAD
PLAT BOOK 5, PAGE 1
N00°07'49"E 4,609.93'

MATCH LINE, SEE SHEET 3

SEE SHEET 1 FOR OVERALL
SEE SHEET 4 FOR
DESCRIPTION AND TABLES

FOR: HAVAL FARMS, LLC
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SKETCH & DESCRIPTION OF NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT
A 1,295.5060 ACRE TRACT LOCATED IN SECTIONS 7,
8, 9, 16, 17 & 18, TOWNSHIP 33 SOUTH,
RANGE 19 EAST, MANATEE COUNTY, FLORIDA

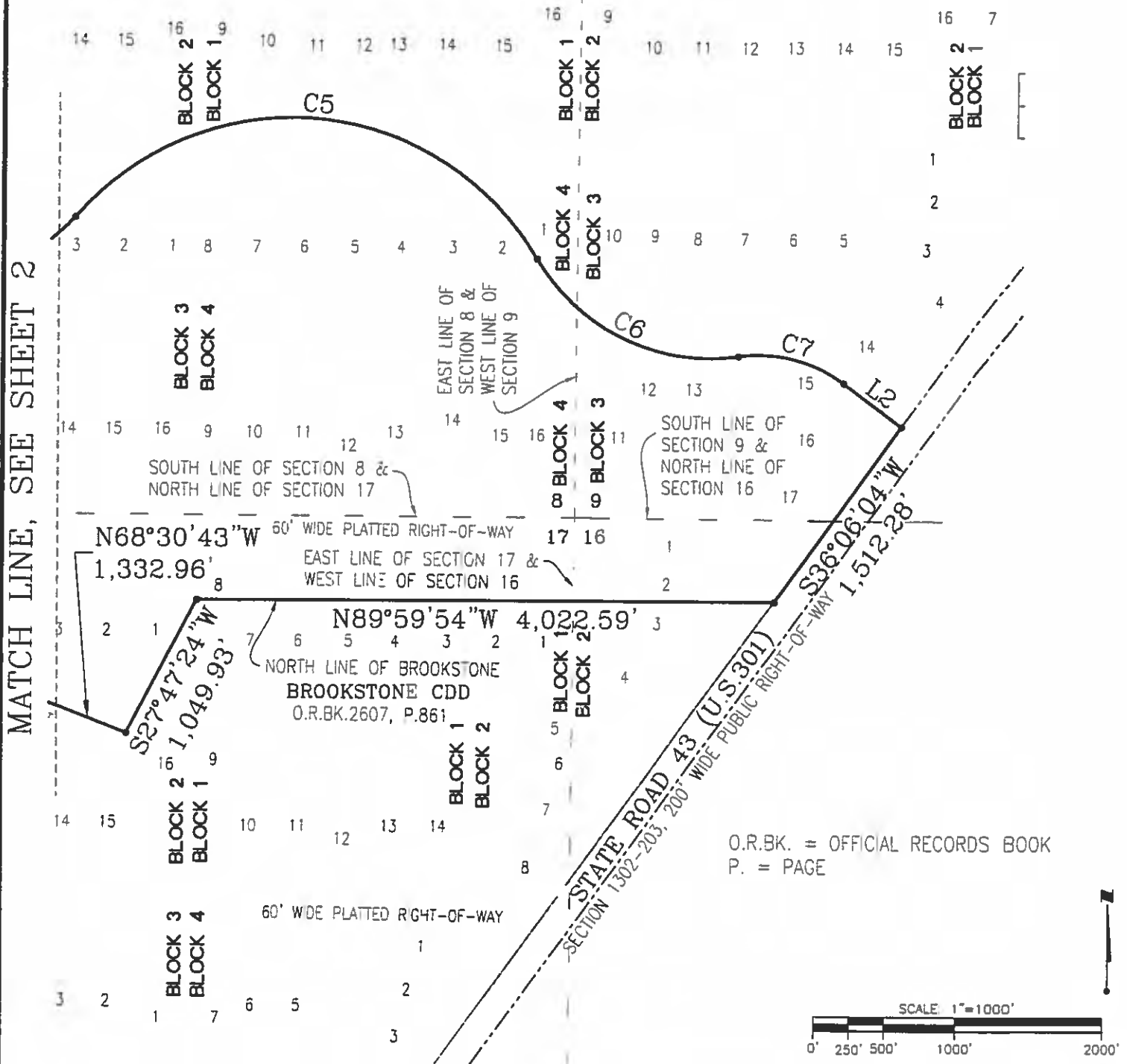


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NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT
METES AND BOUNDS DESCRIPTION



MATCH LINE, SEE SHEET 2

O.R.BK. = OFFICIAL RECORDS BOOK
P. = PAGE



SEE SHEET 1 FOR OVERALL
SEE SHEET 4 FOR DESCRIPTION & TABLES
FOR: HAVAL FARMS, LLC

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SKETCH & DESCRIPTION OF NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT
A 1,295.5060 ACRE TRACT LOCATED IN SECTIONS 7,
8, 9, 16, 17 & 18, TOWNSHIP 33 SOUTH,
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NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT METES AND BOUNDS DESCRIPTION

DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land being portions of Blocks 1, 2, 3 and 4, Section 7, Township 33 South, Range 19 East, Blocks 1, 2, 3 and 4, Section 8, Township 33 South, Range 19 East, Block 3, Section 9, Township 33 South, Range 19 East, Block 2, Section 16, Township 33 South, Range 19 East, Blocks 1, 2, 3 and 4, Section 17, Township 33 South, Range 19 East, and Blocks 1, 2, 3 and 4, Section 18, Township 33 South, Range 19 East, all in Manatee River Farms, Unit 1 as recorded in Plat Book 6, Page 45, Public Records of Manatee County, Florida, and described as follows:

BEGIN at the southwest corner of said Section 7; thence N.00°13'29"E. along the west line of said Section 7, a distance of 1,809.08 feet; thence N.90°00'00"E., a distance of 272.18 feet to the point of curvature of a curve to the left having a radius of 1,000.00 feet and a central angle of 48°54'32"; thence northeasterly along the arc of said curve, a distance of 853.62 feet to the point of reverse curvature of a curve to the right having a radius of 1,962.46 feet and a central angle of 97°43'17"; thence easterly along the arc of said curve, a distance of 3,347.09 feet to the point of reverse curvature of a curve to the left having a radius of 1,500.00 feet and a central angle of 48°48'45"; thence southeasterly along the arc of said curve, a distance of 1,277.91 feet to the point of tangency of said curve; thence N.90°00'00"E., a distance of 1,220.57 feet to the point of curvature of a curve to the left having a radius of 1,100.00 feet and a central angle of 49°18'03"; thence northeasterly along the arc of said curve, a distance of 946.51 feet to the point of reverse curvature of a curve to the right having a radius of 1,990.00 feet and a central angle of 108°30'13"; thence easterly along the arc of said curve, a distance of 3,768.56 feet to the point of reverse curvature of a curve to the left having a radius of 1,400.00 feet and a central angle of 67°34'16"; thence southeasterly along the arc of said curve, a distance of 1,651.07 feet to the point of reverse curvature of a curve to the right having a radius of 1,000.00 feet and a central angle of 44°28'10"; thence easterly along the arc of said curve, a distance of 776.14 feet to the point of tangency of said curve; thence S.53°53'56"E., a distance of 509.73 feet to a point on the northwest right-of-way line of State Road 43 (U.S.301 Section 1302-203, 200.00' wide public right-of-way); thence S.36°06'04"W. along said northwest right-of-way line, a distance of 1,512.28 feet to a point on the north line of Brookstone Community Development District as recorded in Official Records Book 2607, Page 861 of said Public Records; the following nine (9) calls are along said north line: (1) thence N.89°59'54"W., a distance of 4,022.59 feet; (2) thence S.27°47'24"W., a distance of 1,049.93 feet; (3) thence N.68°30'43"W., a distance of 1,332.96 feet; (4) thence N.00°11'16"E., a distance of 383.27 feet; (5) thence N.89°43'15"W., a distance of 719.63 feet; (6) thence S.00°35'38"W., a distance of 2,551.98 feet to the point of curvature of a curve to the right having a radius of 795.00 feet and a central angle of 48°08'26"; (7) thence southwesterly along the arc of said curve, a distance of 667.97 feet to the point of tangency of said curve; (8) thence S.48°44'04"W., a distance of 213.94 feet to the point of curvature of a curve to the left having a radius of 1,355.00 feet and a central angle of 36°48'01"; (9) thence southwesterly along the arc of said curve, a distance of 870.29 feet to the a point on the north line of Fieldstone Community Development District as recorded in Official Records Book 2564, Page 6898 of said Public Records; the following five (5) calls are along said north line: (1) thence N.89°39'17"W., a distance of 1,622.48 feet; (2) thence N.00°51'43"E., a distance of 54.26 feet; (3) thence N.89°32'06"W., a distance of 674.93 feet; (4) thence N.89°30'19"W., a distance of 2,402.18 feet; (5) thence S.89°39'04"W., a distance of 3.35 feet to the west line of said Section 18; thence N.00°07'49"E., along said west line, a distance of 4,609.93 feet to the POINT OF BEGINNING.

Said tract contains 56,432,242 square feet or 1,295.5060 acres, more or less.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N90°00'00"E	272.18'
L2	S53°53'56"E	509.73'
L3	N00°11'16"E	383.27'
L4	N89°43'15"W	719.63'
L5	S48°44'04"W	213.94'
L6	N00°51'43"E	54.26'
L7	N89°32'06"W	674.93'
L8	S89°39'04"W	3.35'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1,000.00'	48°54'32"	853.62'	827.94'	N65°32'44"E
C2	1,962.46'	97°43'17"	3,347.09'	2,955.90'	N89°57'07"E
C3	1,500.00'	48°48'45"	1,277.91'	1,239.61'	S65°35'37"E
C4	1,100.00'	49°18'03"	946.51'	917.58'	N65°20'58"E
C5	1,990.00'	108°30'13"	3,768.56'	3,230.14'	S85°02'56"E
C6	1,400.00'	67°34'16"	1,651.07'	1,557.04'	S64°34'58"E
C7	1,000.00'	44°28'10"	776.14'	756.80'	S76°08'01"E
C8	795.00'	48°08'26"	667.97'	648.49'	S24°39'51"W
C9	1,355.00'	36°48'01"	870.29'	855.41'	S30°20'04"W

SEE SHEET 1 FOR OVERALL
SEE SHEETS 2 & 3 FOR DETAIL SKETCH
FOR: HAVAL FARMS, LLC

This is NOT a Survey and Not valid without all sheets

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SKETCH & DESCRIPTION OF NORTH RIVER RANCH COMMUNITY DEVELOPMENT DISTRICT
A 1,295.5060 ACRE TRACT LOCATED IN SECTIONS 7,
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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 5, 2018

Honorable Angelina Coloneso
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Quantana Acevedo

Dear Ms. Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance 18-08, which was filed in this office on April 5, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

From: Ords Admin
To: [Quantana Acevedo](mailto:Quantana.Acevedo@manateeclerk.com)
Subject: RE: Manatee County, FL Code of Ordinances - 1981(10428) OrdLink/OrdBank, Manatee County, FL Land Development Code - 2016(12202) OrdBank, Manatee County, FL Comprehensive Plan - 2017(15530) OrdBank
Date: Friday, April 06, 2018 4:47:11 PM

We have received your file.

Thank you and have a nice day,
Ords Administrator

ords@municode.com

1-800-262-2633

P.O. Box 2235

Tallahassee, FL 32316

When available, please send all documents in WORD format to Ords@municode.com. However, if WORD format is not available, we welcome any document format including PDF.

ems

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From: Quantana Acevedo <quantana.acevedo@ManateeClerk.com>
Sent: Friday, April 6, 2018 9:47 AM
To: Ords Admin <ords@municode.com>
Subject: Ordinance 18-08, North River Ranch Community Development District

The attached ordinance was adopted by the Board of County Commissioners on April 5, 2018.

Thank you,

Quantana Acevedo, Deputy Clerk
Board Records Department
for Angelina "Angel" Colonnese
Manatee County Clerk of Circuit Court and Comptroller
quantana.acevedo@manateeclerk.com
941-741-4018 ext. 4181
"Pride in Service with a Vision to the Future"