

ORDINANCE

19-2

FINAL
3/12/19
NYT

ORDINANCE NO. 19-2

AN ORDINANCE ESTABLISHING THE LYNWOOD COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lennar Homes, LLC, a Florida limited liability company ("**Petitioner**"), has filed a Petition to Establish the Lynwood Community Development District ("**Petition**") with Hillsborough County requesting that the Board of County Commissioners in and for Hillsborough County, Florida ("**County**"), adopt an ordinance establishing the Lynwood Community Development District pursuant to Chapter 190, Fla. Stat. ("**District**"), and designating the real property described in **Exhibit A**, attached hereto, as the area of land for which the District is authorized to manage and finance basic service delivery; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive, and economic method of delivering community development services, in the area described in **Exhibit A**, which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management, and financing needs for the delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of section 190.005(1)(d), Fla. Stat.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in section 190.005(1)(e), Fla. Stat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 12th DAY OF March, 2019 AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Board of County Commissioners hereby finds and states that:

1. the "WHEREAS" clauses stated above are adopted as findings of fact in support of this Ordinance;
2. all statements contained in the Petition are true and correct;
3. the establishment of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County's Comprehensive Plan;
4. the area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;
5. the establishment of the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
6. the proposed community development services and facilities to be provided by the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

7. the area that will be served by the District is amenable to separate, special-district government.

SECTION 2. CONCLUSIONS OF LAW.

1. This proceeding is governed by Chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to Section 190.005(2), Fla. Stat.; and
3. The granting of the Petition complies with the dictates of Chapter 190, Fla. Stat.

SECTION 3. CREATION, BOUNDARIES AND POWERS.

There is hereby established the Lynwood Community Development District for the area of land described in **Exhibit A**, attached hereto, which shall have, and which may exercise through its Board of Supervisors, the powers of sections 190.011 and 190.012 (1), (2)(a), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), and (3), Fla. Stat. The District shall operate in accordance with the uniform community development district charter as set forth in sections 190.006-190.041, Fla. Stat., including the special powers provided by Section 190.012, Fla. Stat.

SECTION 4. INITIAL BOARD.

The following five persons are designated as the initial members of the Board of Supervisors: Kelly Evans, Laura Coffey, Lori Campagna, Daniel Arnette and Ben Gainer.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, provision, or other part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, PAT COLLIER FRANK, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of March 12, 2019 as the same appears of record in Minute Book 514 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 13th day of March, 2019.

PAT COLLIER FRANK, CLERK

BY:


Deputy Clerk



APPROVED BY COUNTY ATTORNEY AS
TO FORM AND LEGAL SUFFICIENCY

BY:

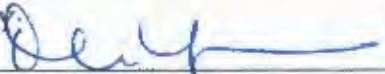

Nancy Y. Takemori
Assistant County Attorney

EXHIBIT A
LEGAL DESCRIPTION

Folio #	Approximate Acreage	Owner of Record
054243-0100	89.16	CalAtlantic Group, Inc.

SKETCH AND DESCRIPTION – NOT A SURVEY

DESCRIPTION: (AS PER TITLE COMMITMENT FILE NO. 17115447 JC4 ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY BEARING AN EFFECTIVE DATE OF AUGUST 22, 2018 AT 8:00 AM REVISED AUGUST 31, 2018 AT 8:17 AM)

THE SOUTH 2,120.04 FEET OF THE EAST 1,396.89 FEET OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 31 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA, LESS RIGHT-OF-WAY FOR 19TH AVENUE NE.; TOGETHER WITH THAT PART OF THE SOUTHEAST 1/4 OF SAID SECTION 33, LYING EAST OF THE RIGHT-OF-WAY OF THE CSX TRANSPORTATION RAILROAD; LESS THE SOUTH 2,120.04 FEET THEREOF.

ALSO KNOWN AS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 31 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA AND PROCEED S 89°00'36" E, ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1583.90 FEET TO A POINT ON THE WEST BOUNDARY OF THE EAST 1396.89 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE N 00°37'13" E, ALONG THE WEST BOUNDARY OF THE EAST 1396.89 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 49.03 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 19TH AVENUE NORTHEAST AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE WEST BOUNDARY OF THE EAST 1396.89 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 33, N 00°37'13" E, A DISTANCE OF 2069.87 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SOUTH 2120.04 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE N 88°57'54" W, ALONG THE NORTH BOUNDARY OF THE SOUTH 2120.04 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 923.30 FEET TO A POINT OF THE EASTERLY RIGHT OF WAY LINE OF CSX TRANSPORTATION RAILROAD; THENCE N 28°37'08" E, ALONG SAID EASTERLY RIGHT OF WAY LINE OF CSX TRANSPORTATION RAILROAD, A DISTANCE OF 508.44 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE S 89°03'00" E, ALONG THE NORTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 2081.80 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE S 00°37'38" W, ALONG THE EAST BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 2523.78 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF 19TH AVENUE NORTHEAST; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF 19TH AVENUE NORTHEAST THE FOLLOWING THREE (3) COURSES AND DISTANCES; (1) N 88°43'24" W, A DISTANCE OF 1241.95 FEET; (2) S 00°54'01" W, A DISTANCE OF 5.00 FEET; (3) N 88°59'28" W, A DISTANCE OF 154.98 FEET TO THE POINT OF BEGINNING.



Aaron J. Murphy, PSM
Date
Florida Professional Surveyor and Mapper No. 6768
for Hamilton Engineering and Surveying, Inc.
Certificate of Authorization No. LB7013



HAMILTON
ENGINEERING & SURVEYING, INC.

3409 W. LEMON STREET
Tampa, FL 33608

LB#7013

Tel (813) 250-3535
Fax (813) 250-3636

SKETCH AND DESCRIPTION LYNWOOD CDD

SEC TWP RGE	JOB NUMBER	SCALE	DATE	SHEET
33-31-19	01427.0084	AS SHOWN	10-29-18	1/2

19-0169

SKETCH AND DESCRIPTION - NOT A SURVEY

EASTERLY
BOUNDARY OF
HARBOR ISLES
PHASE
2A/2B/2C PLAT
BOOK 110, PAGE
25 & WESTERLY
RIGHT OF WAY
LINE CSX
TRANSPORTATION
RAILROAD
(SEABOARD
COASTLINE
RAILROAD)

OWNER:
SUBURBAN LAND RESERVE, INC.
2810 NE 19TH AVENUE, UNIT LOT 2
APOLLO BEACH, FLORIDA
FOLIO #054244-0000

NORTH BOUNDARY OF THE SE 1/4 OF 33-31-19

S 89°03'00" E 2081.80'

NORTH BOUNDARY OF THE SOUTH 2120.04' OF THE SE 1/4 OF 33-31-19

N 88°57'54" W 923.30'

EASTERLY RIGHT OF WAY LINE
CSX TRANSPORTATION RAILROAD
(SEABOARD COASTLINE RAILROAD)

130.0'

EAST 1396.89'(D)

S 00°37'38" W 2523.78'
REFERENCE BEARING

EAST BOUNDARY OF THE SE 1/4 OF 33-31-19

OWNER:
SUBURBAN LAND RESERVE, INC.
2810 NE 19TH AVENUE, UNIT LOT 2
APOLLO BEACH, FLORIDA
FOLIO #054244-0000

VACANT OF STRUCTURES
(NO BUILDINGS)

OWNER:
BHD CAPITAL, INC.
2 SEASIDE LANE, APT. 702
CLEARWATER, FLORIDA 33756
FOLIO #054243-0000

WEST BOUNDARY OF THE SE 1/4 OF 33-31-19

N 00°37'13" E 2069.87'

S 00°54'01" W 5.00'

N 00°37'13" E 49.03'(C)

N 88°59'28" W 154.98'

N 88°43'24" W 1241.95'

S 89°00'36" E 1583.90'

N 89°00'36" W 2980.97'(C)

S 00°24'24" W 47.76'(C)

SOUTH BOUNDARY OF THE SE 1/4 OF 33-31-19

LEGEND:
(C) CALCULATED

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF THE
SOUTHEAST 1/4 OF 33-31-19
FIP 1/2" (NO ID) WITH PK NAIL IN CENTER
C.C.R. # 83087

SOUTHEAST CORNER OF THE
SOUTHEAST 1/4 OF 33-31-19
CALCULATED BASED ON
C.C.R. # 83088

HAMILTON
ENGINEERING & SURVEYING, INC.

3409 W. LEMON STREET
Tampa, FL 33609

LB#7013

Tel (813) 250-3535
Fax (813) 250-3836

SKETCH AND DESCRIPTION
LYNWOOD CDD

SEC TWP RGE	JOB NUMBER	SCALE	DATE	SHEET
33-31-19	01427.0084	AS SHOWN	10-29-18	2/2

19-0169



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 13, 2019

Honorable Pat Frank
Clerk of the Circuit Court
Hillsborough County
419 Pierce Street, Room 140
Tampa, Florida 33601

Attention: Agustin Guerrero

Dear Mrs. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hillsborough County Ordinance No. 19-2, which was filed in this office on March 13, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb