

City of Brooksville



(352) 544-5400 (Phone)
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August 20, 2004

Glenda E. Hood
Secretary of State
Florida Department of State
R. A. Gray Building
500 S. Bronough
Tallahassee, FL 32399-0250

Re: City of Brooksville Ordinance 676

Dear Ms. Hood:

This will confirm City Council action taken Monday, August 2, 2004 establishing the Southern Hills Plantation I Community Development District, pursuant to Florida Statute 190.0485.

Attached please find Ordinance 676, with legal description.

If you have any questions or need any more information please advise.

Sincerely,



Lindsay A. Morgan

Acting Deputy City Clerk

pc: Richard E. Anderson, City Manager
Bill Geiger, Community Development Director
Thaddeus Cohen, Secretary, Department of Community Affairs
Chairman, Land and Water Adjudicatory Committee
Gary Adams, Hernando County Administrator
Alvin Mazourek, Hernando County Property Appraiser
Juanita B. Sikes, Hernando County Tax Collector
Mark Straley, Akerman Senterfitt

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ORDINANCE NO. 676

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, ESTABLISHING THE SOUTHERN HILLS PLANTATION I COMMUNITY DEVELOPMENT DISTRICT WITHIN A PARCEL OF LAND LYING IN SECTIONS 3, 4, 9 AND 10, TOWNSHIP 23 SOUTH, RANGE 19 EAST, AND SECTION 33, TOWNSHIP 22 SOUTH, RANGE 19 EAST, IN HERNANDO COUNTY, FLORIDA (868.39 ACRES, MORE OR LESS, GENERALLY DESCRIBED AS LYING EAST OF U.S. HWY. 41, SOUTH OF STATE ROAD 50 AND NORTH OF POWELL ROAD, THE SAME BEING MORE PARTICULARLY DESCRIBED IN SECTION 2 HEREOF), PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, HAMPTON RIDGE DEVELOPERS, LLC, (the "Petitioner") has submitted a petition with the City Council of the City of Brooksville, Florida (the "City") pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish the Southern Hills Plantation I Community Development District ("CDD"), and designating the land area for which the CDD would manage and finance the delivery of basic infrastructure services; and

WHEREAS, pursuant to Chapter 190 Florida Statutes the City conducted a public hearing to consider oral and written comments on the petition on August 2, 2004; and

WHEREAS, the proposed District complies with the requirements of law, is in the best interest and promotes the health, safety and welfare of the citizens of the City of Brooksville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AS FOLLOWS:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Southern Hills Plantation I Community Development District is hereby established, the administration of which shall be subject to the provisions of Chapter 190, Florida Statutes, as amended from time to time, and the boundaries of which are more particularly described in Exhibit "A" attached hereto.

SECTION 3. The five (5) initial members of the Board of Supervisors of the CDD are:

- Mr. James P. Harvey, of 2202 N. Westshore Boulevard, Suite 115, Tampa, FL 33607
- Mr. Joe Carbonara, of 10161 Centurion Parkway North, Jacksonville, FL 32256
- Mr. Roger Postlethwaite, of 10161 Centurion Parkway North, Jacksonville, FL 32256
- Mr. William Mallery, of 10161 Centurion Parkway North, Jacksonville, FL 32256
- Mr. Daniel Coe, of 2202 N. Westshore Boulevard, Suite 115, Tampa, FL 33607.

SECTION 4. All statements contained within the petition have been found to be true and correct.

SECTION 5. The establishment of the CDD is consistent with any applicable element or portion of the state comprehensive plan or of the effective City of Brooksville comprehensive plan.

SECTION 6. The area of land within the proposed CDD is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional, interrelated community.

SECTION 7. The CDD is the best alternative available for delivering community development services and facilities to the area that will be served by the CDD.

SECTION 8. The community development services and facilities of the CDD will be compatible with the capacity and uses of existing local and regional community development services and facilities.

SECTION 9. The area that will be served by the CDD is amenable to separate special-district government.

SECTION 10. The CDD shall comply in all respects with the Development Agreement entered into between the Petitioner and the City on May 28, 2003.

SECTION 11. Any ordinance or code of the city, or any portion thereof, in conflict with the provisions of this ordinance, is hereby repealed to the extent of such conflict.

SECTION 12. In the event that any portion or section of this ordinance is determined to be invalid, unlawful or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance, which shall remain in full force and effect.

SECTION 13. This ordinance shall take effect immediately upon its adoption by the Brooksville City Council.

ADOPTED IN REGULAR SESSION THIS 2nd DAY OF August, 2004, A.D.

CITY OF BROOKSVILLE, FLORIDA

By: Mary A. Staib
Mary A. Staib, Mayor

ATTEST:

Karen M. Phillips
Karen M. Phillips, CMC, City Clerk

PASSED on First Reading July 12, 2004

PASSED on Second and Final Reading August 2, 2004

Approved as to form and content for the reliance of the City of Brooksville only:

David La Croix
David La Croix, City Attorney

VOTE OF COUNCIL:

Bernardini	<u>AYE</u>
Johnston	<u>AYE</u>
Lewis	<u>AYE</u>
Staib	<u>AYE</u>
Wever	<u>AYE</u>

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EXHIBIT "A"

SOUTHERN HILLS PLANTATION I

COMMUNITY DEVELOPMENT DISTRICT

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN AND BEING A PART OF SECTIONS 3, 4, 9 AND 10, TOWNSHIP 23 SOUTH, RANGE 19 EAST AND SECTION 33, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE S 89° 44' 35" E A DISTANCE OF 203.67 FEET; THENCE S 00° 06' 41" W A DISTANCE OF 736.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 00° 06' 41" W A DISTANCE OF 2670.33 FEET; THENCE N 89° 43' 46" E A DISTANCE OF 1311.20 FEET; THENCE S 00° 10' 24" W A DISTANCE OF 2667.13 FEET; THENCE N 89° 53' 34" E A DISTANCE OF 1320.86 FEET; THENCE S 00° 21' 13" W

A DISTANCE OF 318.00 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF SEABOARD COASTLINE RAILROAD; THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE S 50° 27' 18" W A DISTANCE OF 345.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3187.78 FEET, A DELTA OF 03° 22' 33", A CHORD DISTANCE OF 187.79 FEET AND A CHORD BEARING OF S 48° 46' 01" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 187.82 FEET; THENCE S 89° 56' 58" W A DISTANCE OF 14.67 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3197.78 FEET, A DELTA OF 27° 43' 33", A CHORD DISTANCE OF 1532.38 FEET AND A CHORD BEARING OF S 33° 01' 24" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1547.43 FEET TO THE POINT OF TANGENCY; THENCE S 19° 09' 38" W

A DISTANCE OF 230.44 FEET; THENCE S 00° 21' 13" W A DISTANCE OF 93.06 FEET; THENCE S 19° 09' 38" W A DISTANCE OF 406.95 FEET; THENCE N 89° 52' 50" W

A DISTANCE OF 21.10 FEET; THENCE S 19° 09' 38" W A DISTANCE OF 16.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2814.79 FEET, A DELTA OF 33° 02' 00", A CHORD DISTANCE OF 1600.46 FEET AND A CHORD BEARING OF S 35° 40' 38" W; THENCE ALONG THE ARC OF

SAID CURVE A DISTANCE OF 1622.84 FEET TO THE POINT OF TANGENCY; THENCE S 52° 11' 38" W A DISTANCE OF 9.77 FEET; THENCE N 89° 50' 22" W A DISTANCE OF 16.25 FEET; THENCE S 52° 11' 38" W A DISTANCE OF 1096.13 FEET; THENCE N 39° 12' 36" W A DISTANCE OF 1222.00 FEET; THENCE N 69° 56' 33" W A DISTANCE OF 1013.97 FEET; THENCE N 03° 48' 51" W A DISTANCE OF 991.52 FEET; THENCE N 25° 17' 46" W A DISTANCE OF 508.97 FEET; THENCE N 18° 22' 51" W A DISTANCE OF 1983.76 FEET; THENCE N 03° 49' 30" W A DISTANCE OF 574.96 FEET; THENCE N 09° 16' 01" E

A DISTANCE OF 1062.00 FEET; THENCE N 06° 49' 07" E A DISTANCE OF 848.04 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 6160.00 FEET, A DELTA OF 17° 23' 33", A CHORD DISTANCE OF 1862.72 FEET AND A CHORD BEARING OF N 01° 52' 39" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1869.90 FEET TO THE POINT OF TANGENCY; THENCE N 10° 34' 26" W A DISTANCE OF 124.57 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 2040.00 FEET, A DELTA OF 47° 48' 39", A CHORD DISTANCE OF 1653.33 FEET AND A CHORD BEARING OF N 13° 19' 54" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1702.29 FEET; THENCE N 89° 45' 17" E A DISTANCE OF 509.88 FEET; THENCE S 58° 34' 17" E A DISTANCE OF 268.28 FEET; THENCE S 47° 36' 09" E A DISTANCE OF 262.10 FEET; THENCE S 17° 30' 29" E A DISTANCE OF 175.65 FEET; THENCE N 84° 52' 26" E

A DISTANCE OF 118.23 FEET; THENCE S 26° 56' 16" E A DISTANCE OF 106.64 FEET; THENCE N 86° 05' 00" E A DISTANCE OF 110.47 FEET; THENCE S 60° 58' 28" E A DISTANCE OF 361.30 FEET; THENCE S 69° 31' 02" E A DISTANCE OF 465.76 FEET; THENCE N 56° 34' 10" E A DISTANCE OF 305.71 FEET; THENCE N 88° 56' 00" E

A DISTANCE OF 499.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 868.39 ACRES, MORE OR LESS.