

ORDINANCE NO. 2016-70

An Ordinance of the Board of County Commissioners of Osceola County, Florida, establishing the Stoneybrook South at ChampionsGate Community Development District, containing approximately 388.13 acres, pursuant to Chapter 190, Florida Statutes; naming the District; describing the external boundaries of the District; specifying general and special powers of the District; designating five persons to serve as the initial members of the District's Board of Supervisors; providing for severability; providing for conflict; and providing for an effective date.

RECITALS

WHEREAS, the Florida Legislature created Chapter 190, Florida Statutes, to provide a uniform procedure to establish an independent special district as an alternative method to manage and finance basic services for community development; and

WHEREAS, LEN-CG South, LLC, a Florida Limited Liability Company (Petitioner), has filed a Petition to Establish the Stoneybrook South at ChampionsGate Community Development District (the "Petition") with the Osceola County Board of Commissioners (the "County") pursuant to Section 190.005(2)(a), Florida Statutes, to adopt an ordinance establishing the Stoneybrook South at ChampionsGate Community Development District (the "District") pursuant to Chapter 190, Florida Statutes; and

WHEREAS, Petitioner obtained written consent to the establishment of the District by the owners of 100 percent (100%) of the real property to be included in the District; and

WHEREAS, the County held a duly noticed public hearing on the Petition in accordance with the requirements and procedures of section 190.005(2)(b), Florida Statutes; and

WHEREAS, the County has considered the record established at the public hearing and the statutory factors set forth in section 190.005(2)(c), Florida Statutes, in making its determination to grant or deny the Petition; and

WHEREAS, the County has determined pursuant to the information contained within the Petition and based on an investigation conducted by the County Staff and otherwise being fully advised as to the facts and circumstances contained within the Petition: that the statements contained within the Petition are true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the Osceola County Comprehensive Plan; that the area of land within the District is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developable as one functionally interrelated community; that the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; that the community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and that the area to be served by the District is amenable to separate special-district government; and

WHEREAS, pursuant to the information as stated above, the County has decided to grant the Petitioner's Petition to establish the Stoneybrook South at ChampionsGate Community Development District; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described within the Petition.

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

SECTION 1. **RECITALS.**

The above recitals are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. **AUTHORITY.**

This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes.

SECTION 3. **ESTABLISHMENT AND NAME OF THE DISTRICT.**

There is hereby established a Community Development District situated entirely within the unincorporated limits of Osceola County, Florida, which District shall be known as the Stoneybrook South at ChampionsGate Community Development District.

SECTION 4. **EXTERNAL BOUNDARIES OF THE DISTRICT.**

The external boundaries of the District are described in **Exhibit A**, attached hereto and incorporated by reference, encompassing 388.13 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

SECTION 5. **GENERAL AND SPECIAL POWERS.**

The District shall exercise the general and special powers authorized in sections 190.011 and 190.012(1), (2)(a), 2(d), 2(f) and (3), Florida Statutes.

SECTION 6. **BOARD OF SUPERVISORS.**

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Greg Ray, Don Lunko, Dan Stumpf, Brian Cipollone and Joe Catanzariti, Jr. All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7. **SEVERABILITY.**

If any provision of this ordinance or the application thereof is held by a court of competent

jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 8. CONFLICT.

Any ordinance or part thereof, or any resolution or part thereof, which is in conflict with this ordinance or part hereof is hereby repealed to the extent of the conflict.

SECTION 9. EFFECTIVE DATE.

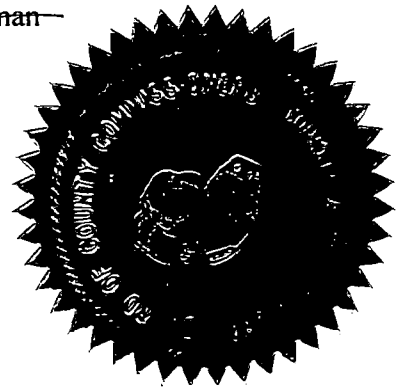
This Ordinance shall take effect upon the effective date of Ordinance #2016-69, relating to the Petition to Contract the Boundaries of the Stoneybrook South Community Development District.

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: *Vivian Javer*
Chairwoman/Vice-Chairwoman

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: *Debra A Davis*
Clerk/Deputy Clerk of the Board



As authorized for execution at the Board of
County Commissioners meeting of:

August 15, 2016

EXHIBIT A
Legal Description of District Boundaries

BEGIN AT THE NORTHEAST CORNER OF SECTION 31, TOWNSHIP 25 SOUTH, RANGE 27 EAST, OSCEOLA COUNTY, FLORIDA; THENCE RUN S00°24'38"W ALONG THE EAST LINE OF SAID SECTION 31, FOR A DISTANCE OF 2640.62 FEET, THENCE RUN S00°29'08"W FOR A DISTANCE OF 2292.33 FEET; THENCE RUN N73°22'50"W A DISTANCE OF 63.92 FEET; THENCE RUN N52°33'12"W A DISTANCE OF 29.68 FEET; THENCE RUN S53°16'27"W A DISTANCE OF 87.50 FEET; THENCE S00°04'17"E A DISTANCE OF 190.09 FEET, TO THE EASTERLY RIGHT OF WAY LINE OF PLATTED WESTSIDE BLVD. AND THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 04°26'42", HAVING A RADIUS OF 690.00 FEET, AND WHOSE LONG CHORD BEARS N60°01'51"W FOR A DISTANCE OF 53.52 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 53.53 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE, THENCE RUN N59°14'00"W FOR A DISTANCE OF 189.80 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 64°41'47", HAVING A RADIUS OF 1440.00 FEET, AND WHOSE LONG CHORD BEARS N29°54'19"W FOR A DISTANCE OF 1540.98 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 1625.99 FEET TO A POINT OF TANGENCY, THENCE RUN N02°26'34"E FOR A DISTANCE OF 456.13 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 38°43'43", HAVING A RADIUS OF 860.00 FEET, AND WHOSE LONG CHORD BEARS N16°55'18"W FOR A DISTANCE OF 570.31 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 581.31 FEET TO A POINT OF TANGENCY, THENCE RUN N36°17'09"W FOR A DISTANCE OF 86.11 FEET, THENCE RUN N89°48'05"E FOR A DISTANCE OF 416.54 FEET, THENCE RUN N34°27'05"W FOR A DISTANCE OF 670.10 FEET, THENCE RUN N31°42'51"E FOR A DISTANCE OF 36.27 FEET, THENCE RUN S89°45'39"W FOR A DISTANCE OF 119.72 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 49°48'24", HAVING A RADIUS OF 175.00 FEET, AND WHOSE LONG CHORD BEARS N60°04'37"W FOR A DISTANCE OF 147.38 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 152.13 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE, THENCE RUN N42°00'28"W FOR A DISTANCE OF 238.18 FEET, THENCE RUN N81°06'07"W FOR A DISTANCE OF 15.00 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90° 00' 00", HAVING A RADIUS OF 15.00 FEET, AND WHOSE LONG CHORD BEARS N36°06'07"W FOR A DISTANCE OF 21.21 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 23.56 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 88°04'36", HAVING A RADIUS OF 60.00 FEET, AND WHOSE LONG CHORD BEARS N35°08'25"W FOR A DISTANCE OF 83.42 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 92.23 FEET TO A POINT OF TANGENCY, THENCE RUN N79°10'43"W FOR A DISTANCE OF 41.19 FEET, THENCE RUN S73°38'29"W FOR A DISTANCE OF 49.74 FEET, THENCE RUN N16°21'31"W FOR A DISTANCE OF 75.35 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 21°36'43", HAVING A RADIUS OF 2060.00 FEET, AND WHOSE LONG CHORD BEARS N27°09'53"W FOR A DISTANCE OF 772.43 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 777.03 FEET TO A POINT OF TANGENCY, THENCE RUN N37°58'14"W FOR A DISTANCE OF 147.49 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 38°09'11", HAVING A RADIUS OF 1040.00 FEET, AND WHOSE LONG CHORD BEARS N18°39'22" W FOR A DISTANCE OF 679.81 FEET, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 692.53 FEET TO A POINT OF TANGENCY, DEPARTING SAID WESTSIDE BLVD. RUN THENCE RUN N00°25'14"E FOR A DISTANCE OF 159.06 FEET, TO THE NORTH LINE OF AFORESAID SECTION 31, THENCE RUN N89°42'08"E, ALONG THE NORTH LINE OF SAID SECTION 31, FOR A DISTANCE OF 2155.66 FEET, THENCE RUN N37°03'09"W FOR A DISTANCE OF 208.17 FEET, THENCE RUN

N72°14'00"W FOR A DISTANCE OF 72.96 FEET, THENCE RUN N00°39'05"W FOR A DISTANCE OF 212.70 FEET, THENCE RUN N50°40'12"E FOR A DISTANCE OF 211.23 FEET, THENCE RUN N00°49'27"W FOR A DISTANCE OF 346.82 FEET, THENCE RUN N38°05'30"W FOR A DISTANCE OF 185.54 FEET, THENCE RUN N25°55'41"W FOR A DISTANCE OF 240.66 FEET, THENCE RUN N22°15'47"E FOR A DISTANCE OF 132.17 FEET, THENCE RUN N52°04'40"E FOR A DISTANCE OF 124.80 FEET, THENCE RUN N41°51'04"E FOR A DISTANCE OF 167.55 FEET, THENCE RUN N00°53'01"E FOR A DISTANCE OF 145.56 FEET, THENCE RUN N15°00'33"W FOR A DISTANCE OF 144.64 FEET, THENCE RUN N33°38'14"W FOR A DISTANCE OF 78.25 FEET, THENCE RUN N02°06'47"W FOR A DISTANCE OF 86.35 FEET, THENCE RUN S85°04'10"W FOR A DISTANCE OF 296.60 FEET, THENCE RUN N78°24'28"W FOR A DISTANCE OF 190.74 FEET, THENCE RUN S81°07'41"W FOR A DISTANCE OF 127.15 FEET, THENCE RUN S07°32'15"E FOR A DISTANCE OF 129.06 FEET, THENCE RUN S16°31'10"W FOR A DISTANCE OF 242.36 FEET, THENCE RUN S01°54'02"E FOR A DISTANCE OF 95.62 FEET, THENCE RUN S77°28'55"W FOR A DISTANCE OF 166.87 FEET, THENCE RUN N00°48'13"E FOR A DISTANCE OF 1119.94 FEET, THENCE RUN N89°47'14"E FOR A DISTANCE OF 495.08 FEET, THENCE RUN N00°48'13"E FOR A DISTANCE OF 30.00 FEET, THENCE RUN S89°47'15"W FOR A DISTANCE OF 516.87 FEET, THENCE RUN N00°00'49"W FOR A DISTANCE OF 1627.50 FEET, THENCE RUN S89°48'29"W FOR A DISTANCE OF 662.10 FEET, THENCE RUN N00°05'08"E FOR A DISTANCE OF 346.54 FEET, THENCE RUN N89°48'41"E FOR A DISTANCE OF 15.00 FEET, THENCE RUN N00°05'08"E FOR A DISTANCE OF 663.09 FEET, THENCE RUN N89°49'09"E FOR A DISTANCE OF 1306.29 FEET, THENCE RUN S00°00'17"E FOR A DISTANCE OF 329.46 FEET, THENCE RUN N89°47'17"E FOR A DISTANCE OF 660.98 FEET, THENCE RUN S00°12'44"E FOR A DISTANCE OF 2322.14 FEET, THENCE RUN S89°46'08"E FOR A DISTANCE OF 1305.51 FEET, THENCE RUN S00°00'36"W FOR A DISTANCE OF 2644.60 FEET, TO THE SOUTH LINE OF SECTION 29, TOWNSHIP 25 SOUTH, RANGE 27 EAST; RUN THENCE N89°43'23"W, ALONG SAID SOUTH LINE OF SECTION 29, A DISTANCE OF 1322.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 388.13 ACRES, MORE OR LESS.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 16, 2016

Ms. Paula J. Carpenter
Clerk of the Board
Osceola County
1 Courthouse Square, Suite 4400
Kissimmee, Florida 34741

Attn: Ms. Debra Davis, Deputy Clerk

Dear Ms. Carpenter:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Osceola County Ordinance No. 2016-70, which was filed in this office on August 16, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb