

ORDINANCE NO. 15-2

AN ORDINANCE ESTABLISHING THE WYNNMERE EAST 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, WYN Group, LLC, a Florida limited liability company (“Petitioner”), has filed a Petition to Establish the Wynnmere East 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 Wynnmere East 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 13th DAY OF January 2015AS 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 created a Community Development District for the area of land described in **Exhibit A**, attached hereto, which shall exercise the powers of sections 190.011 and 190.012 (1), 2(a), 2(d), and (3), Fla. Stat., and which 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(2) (a) and (d), Fla. Stat.

SECTION 4. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Warren (Rennie) Heath, Lauren O. Schwenk, Michelle Cassidy, Andrew Rhinehart and Scott Shapiro.

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 January 13, 2015 as the same appears of record in Minute Book 464 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 13th day of January, 2015

PAT COLLIER FRANK, CLERK

BY: Samia A. Birsch
Deputy Clerk



APPROVED BY COUNTY ATTORNEY
AS TO FORM AND LEGAL SUFFICIENCY

BY: Nancy Y. Takemori
Nancy Y. Takemori
Assistant County Attorney

EXHIBIT A
WYNNMERE EAST
Community Development District
Metes & Bounds Description of the District Boundaries

(O.R. Book 20296, Page 824)

Parcel 1 (Folio # 055370-0050):

That part of Tract 226, lying East of Atlantic Coast Line Railroad, of RUSKIN COLONY FARMS, according to the map or plat thereof as the same is recorded in Plat Book 5, Page 63 of the public records of Hillsborough County, Florida.

Parcel 2 (Folio # 055389-0010):

Tract 236 of RUSKIN COLONY FARMS, LESS the North 257 Feet of the West 170 Feet and also LESS the East 341 Feet, according to the plat thereof, recorded in Plat Book 5, Page 63 of the Public Records of Hillsborough County, Florida.

Parcel 3 (Folio # 055389-0000):

The North 257 Feet of the West 170 Feet of Tract 236 RUSKIN COLONY FARMS, according to the plat thereof, recorded in Plat Book 5, Page 63 of the Public Records of Hillsborough County, Florida.

Parcel 4 (Folio # 055395-0000):

Tract 244, RUSKIN COLONY FARMS, according to the plat thereof as the same is recorded in Plat Book 5, Page 63 of the Public Records of Hillsborough County, Florida.

Parcel 5 (Folio # 055388-0000):

Lot 235, RUSKIN COLONY FARMS, according to the plat thereof as the same is recorded in Plat Book 5, Page 63 of the Public Records of Hillsborough County, Florida.

Parcel 6 (Folio # 055389-0020):

The East 341 of Tract 236 of Map of Ruskin Colony Farms according to the map or plat thereof recorded in Plat Book 5, Page 63 of the Public Records of Hillsborough County, Florida.

Parcel 7 (Folio # 055370-0100):

Lot 227 and Lot 228 LESS the East 10 feet for right of way, RUSKIN COLONY FARMS, according to the plat thereof recorded in Plat Book 5, Page 63 of the Public Records of Hillsborough County, Florida.

Parcel 8 (Folio # 055395-0000):

Lot 237, RUSKIN COLONY FARMS, according to the plat thereof recorded in Plat Book 5, Page 63 of the Public Records of Hillsborough County, Florida.

(O.R. Book 19579, Page 1650)

Parcel 9 (Folio # 055396-0000):

Lot No. 245 of RUSKIN COLONY FARMS, according to plat thereof recorded in Plat Book 5, Page 63, Public Records of Hillsborough County, Florida, containing approximately ten (10) acres less reservation for Public Highway.

STATE OF FLORIDA DEPARTMENT OF STATE

I, KEN DETZNER, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Hillsborough County Ordinance No. 15-2, which was filed in this office on January 13, 2015, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

**Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
20th day of January, A.D., 2015.**



Ken Detzner
Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.