ORDINANCE NO.: 2006-05

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, AMENDING THE BOUNDARIES OF THE STERLING HILL COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; MAKING FINDINGS OF FACT WITH RESPECT THERETO; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, STERLING HILL COMMUNITY DEVELOPMENT DISTRICT, by and through the attorneys for the District’s Board of Supervisors, has filed a petition with Hernando County (“Petition”) requesting that the Board of County Commissioners of Hernando County (“County”) adopt an ordinance amending the boundaries of the Sterling Hill Community Development District (“District”) pursuant to Chapter 190, Florida Statutes, and designating the real property depicted on Exhibit “A” attached hereto as “CDD Expansion Area,” and legally described in Exhibit “B”, attached hereto; and

WHEREAS, the District as expanded will constitute an efficient, effective and economical method of delivering community development services and facilities within its defined boundaries as amended, within which area such community development services and facilities can be more feasibly provided at a level and quality appropriate to the District by the District, rather than by the County; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.046 (1)(b), Florida Statutes; and

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

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

SECTION 1. FINDINGS OF FACT.

The County hereby finds and states that:

1. All statements contained in the Petition are true and correct.
2. The expansion of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County’s Comprehensive Plan.
3. The area of land within the District as expanded is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional, interrelated community.
4. The expansion of the District is the best alternative available for delivering community development services and facilities to the parcel being added to the District.
5. The proposed community development services and facilities to be provided by the expanded District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.
6. The area that will be served by the expanded District is amenable to separate, special-district government.

SECTION 2. STERLING HILL COMMUNITY DEVELOPMENT DISTRICT BOUNDARIES AMENDED

DISTRICT BOUNDARIES AMENDED
Pursuant to Chapter 190, Florida Statutes, the boundaries of the Sterling Hill Community Development District ("District") are hereby amended so as to include the parcel described on the attached "Exhibit A" as the "CDD Expansion Area", which parcel is legally described on the attached "Exhibit B" as "The South ½ of the Northeast ¼ of Section 16, Township 23 South, Range 18 East, LESS the West ½ of the Southwest ¼ of the Northeast ¼ of said section, all being in Hernando County, Florida."

SECTION 3. SEVERABILITY

It is declared to be the intent of the Board of County Commissioners of Hernando County, Florida, that if any section, subsection, clause, sentence, phrase or provision of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. INCLUSION IN THE CODE

It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

SECTION 5. EFFECTIVE DATE

This ordinance shall become effective upon filing with the Department of State.
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in

Regular Session this 18th day of April, 2006.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By: DIANE B. ROWDEN
Chairperson

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY
County Attorney's Office
DESCRIPTION:

The South ½ of the Northeast ¼ of Section 16, Township 23 South, Range 18 East, LESS the West ½ of the Southwest ¼ of the Northeast ¼ of said section, all being in Hernando County, Florida.

Containing 60.214 acres, more or less.

I hereby certify that the foregoing is a true and correct copy of the original.
Kari H. Nichol
Clerk Circuit Court, Hernando County, Florida

By
Karen E. Minchak, D.C.