

FILED FOR RECORD  
DEC 31 2 18 AM '99

**ORDINANCE NO. 99-58**

**AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA ESTABLISHING THE TARA COMMUNITY DEVELOPMENT DISTRICT 1 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 THE ADMINISTRATION, OPERATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR ACKNOWLEDGMENT AND AGREEMENT BY THE PETITIONER; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Florida Legislature created and amended Chapter 190, Florida Statutes to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, Tara-Manatee, Inc., a Florida Corporation ("Petitioner"), has petitioned the Manatee County, Florida to adopt an ordinance establishing Tara Community Development District 1 (the "District") pursuant to Chapter 190, Florida Statutes; and

WHEREAS, a public hearing has been conducted by the Manatee County Board of County Commissioners (the "County") in accordance with the requirements and procedures of Section 190.005(1)(d), Florida Statutes, as amended and supplemented; and

WHEREAS, based on the information provided by the Petitioner, the County finds all statements contained in the petition are true and correct and has relied thereon in adopting this Ordinance; and

WHEREAS, the creation of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local comprehensive plan; and

WHEREAS, the area of land within the District is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developable as one functional interrelated community planned for mixed commercial uses; and

WHEREAS, the creation of the District is the best alternative available for delivering the community development services and facilities to the area that will be developed with residential uses, a golf course, clubhouse, and other amenities and that will be served by the District, as provided herein; and

WHEREAS, the proposed 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

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TALLAHASSEE, FLORIDA

**WHEREAS, the area that will be developed with residential homes, a golf course, a clubhouse, and other amenities, and that will be served by the District, is amenable to separate special-district government; and**

**WHEREAS, the acquisition, construction, financing and operation of such systems and facilities will protect, promote and enhance the public health, safety and general welfare of the County and its inhabitants, including the residences located within the District; and**

**WHEREAS, the District desires to levy special assessments on purchasers of benefitted land within the District to pay for infrastructure constructed by the District; and**

**WHEREAS, the District does not have any zoning or development permitting power and the establishment of the District is not a development order; and**

**WHEREAS, all applicable planning and permitting laws, rules, regulations, and policies control the development of the land to be serviced by the District; and**

**WHEREAS, the Board has considered the record of the public hearing and has decided that the establishment of the Tara Community Development District 1 shall have the general powers described in Section 190.011, Florida Statutes, as amended and supplemented**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA THIS 14<sup>th</sup> DAY OF DECEMBER, 1999, AS FOLLOWS:**

SECTION 1. Intent and Findings of Fact. The Board of County Commissioners of Manatee County, Florida, hereby adopts the "WHEREAS" clauses stated above as findings of fact in support of this ordinance.

SECTION 2. Authority. This Ordinance is adopted pursuant to Section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

SECTION 3. Establishment of the District. There is hereby established the Tara Community Development District 1 which shall operate in accordance with Chapter 190, Florida Statutes.

SECTION 4. Boundaries. The boundaries of the Tara Community Development District 1 are those described and attached in Exhibit "A".

SECTION 5. Initial Board. The following five persons are designated as the initial members of the Board of Supervisors of the District.

1. Antony Greising  
whose address is: 2554 Brimhollow Drive  
Valrico, FL 33594
  
2. William H. Sedgeman, Jr.  
whose address is: 6000 State Road 70, E.  
Bradenton, FL 34203
  
3. Dale Johnson  
whose address is: 5416 Stoneybrook Lane  
Bradenton, FL 34203
  
4. James B. Miller  
whose address is: 3315 Plantation Drive  
Sarasota, FL 34231
  
5. Matt Loiacano  
whose address is: 2666 Airport Road South  
Naples, FL 34112

SECTION 6. Charter. The Tara Community Development District 1 shall be governed by the provisions of Chapter 190, Florida Statutes, specifically Sections 190.006 - 190.041, Florida Statutes (1999) as amended.

SECTION 7. The Tara Community Development District 1 shall be governed by the development standards of the Land Development Code on its construction projects as if it were a developer.

SECTION 8. County Rights of Termination, Contraction, Expansion, and Limitation. All rights of Manatee County to terminate, contract, expand, or otherwise limit or affect the District as set forth in Section 190.046, Florida Statutes, are hereby specifically reserved.

SECTION 9. Severability. If any section, subsection, sentence, clause, provision, or part shall be held invalid for any reason, the remainder of this ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 10. Effective Date. This Ordinance shall be effective immediately upon being filed with the Secretary of State.

SECTION 11. Petitioner Acknowledgment. Petitioner acknowledges and agrees to the statements and provisions contained herein and evidences such by execution of the Acknowledgment provided below.

ADOPTED, with a quorum present and voting, this 14th day of December, 1999.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: Stan Stephens  
Stan Stephens, Chairman

ATTEST: R.B. SHORE  
Clerk of the Circuit Court

By: [Signature]

ACKNOWLEDGMENT

The undersigned Petitioner, Tara-Manatee, by and through its Vice President, Matthew J. Loiacano, does hereby acknowledge and agree to the statements and provisions contained herein.

Tara-Manatee, Inc.

By: Matthew Loiacano  
Matthew J. Loiacano,  
Vice-President

Witnesses:

Rachel Kyle  
[Signature]

DESCRIPTION: TARA COMMUNITY DEVELOPMENT DISTRICT

COMMENCE AT A CONCRETE MONUMENT P.R.M. NO. 3723, MARKING THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA; THENCE RUN S 89°29'51" E, ALONG THE SOUTH LINE OF SAID SECTION 14 (ALSO BEING THE NORTH LINE OF SECTION 23, TOWNSHIP 35 S., RANGE 18 E.), A DISTANCE OF 3203.01 FT., TO THE INTERSECTION WITH THE EASTERLY MAINTAINED RIGHT-OF-WAY LINE OF BRADEN RIVER ROAD (ALSO KNOWN AS LINGER LODGE ROAD), THENCE S 01°23'49" E, ALONG SAID MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 78.90 FT. TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°23'49" E, ALONG SAID MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 1245.56 FT. TO THE INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 35 S., RANGE 18 E.; THENCE S 01°29'59" E, ALONG SAID EASTERLY MAINTAINED RIGHT-OF-WAY, 1324.58 FT.; THENCE S 01°39'03" E, ALONG SAID EASTERLY MAINTAINED RIGHT-OF-WAY, 1248.50 FT.; THENCE S 50°52'01" E, ALONG SAID MAINTAINED RIGHT-OF-WAY, 79.43 FT.; THENCE N 89°35'42" E, ALONG THE NORTHERLY MAINTAINED RIGHT-OF-WAY OF SAID "BRADEN RIVER ROAD", (ALSO KNOWN AS LINGER LODGE ROAD), 738.21 FT.; THENCE S 80°03'24" E, ALONG SAID MAINTAINED RIGHT-OF-WAY, 135.08 FT.; THENCE S 65°54'45" E, ALONG SAID MAINTAINED RIGHT-OF-WAY, 40.39 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 23; THENCE CONTINUE S 65°54'45" E, ALONG SAID MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 2.83 FT.; THENCE S 60°53'51" E, ALONG THE AVERAGE MAINTAINED RIGHT-OF-WAY LINE OF SAID BRADEN RIVER ROAD, A DISTANCE OF 1383.22 FT. TO THE MOST NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN A DEED TO TARA MANATEE, INC., RECORDED IN O.R. BOOK 1405, PAGE 659 THROUGH 661 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST, WHOSE RADIUS POINT BEARS S 40°33'11" W, 522.00 FT.; THENCE ALONG THE SOUTHWESTERLY SIDE OF SAID PARCEL (BEING ALSO THE NORTHEASTERLY RIGHT-OF-WAY LINE FOR SAID BRADEN RIVER ROAD), THE FOLLOWING TWO (2) COURSES: SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°30'17", A DISTANCE OF 95.70 FT. AND S 38°56'32" E, A DISTANCE OF 341.99 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 23 (BEING ALSO THE WEST LINE OF SECTION 24) SAID POINT ALSO BEING THE NORTHERLY MOST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN A DEED TO MANATEE COUNTY FOR BRADEN RIVER ROAD RIGHT-OF-WAY RECORDED IN O.R. BOOK 1405, PAGE 654, SAID PUBLIC RECORDS; THENCE CONTINUE ALONG THE SAID BRADEN RIVER ROAD RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES: S 38°56'32" E, A DISTANCE OF 168.78 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 438.00 FT.; THENCE SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 50°32'34", A DISTANCE OF 386.38 FT.; THENCE S 01°03'19" W, A DISTANCE OF 17.14 FT. TO THE INTERSECTION WITH THE NORTH MAINTAINED RIGHT-OF-WAY OF SAID BRADEN RIVER ROAD; THENCE S 89°20'57" E, ALONG SAID MAINTAINED RIGHT-OF-WAY-LINE, 488.83 FT., TO THE INTERSECTION WITH THE WESTERLY D.O.T. RIGHT-OF-WAY OF "BRADEN RIVER ROAD", (ALSO KNOWN AS LINGER LODGE ROAD); THENCE N 00°28'00" E, ALONG SAID WESTERLY D.O.T. RIGHT-OF-WAY 52.65 FT.; THENCE N 83°24'46" E, ALONG THE NORTHERLY D.O.T. RIGHT-OF-WAY OF SAID "BRADEN RIVER ROAD", 654.90 FT.; THENCE S 89°32'00" E, ALONG SAID NORTHERLY D.O.T. RIGHT-OF-WAY, 30.24 FT. TO THE BEGINNING OF THE D.O.T. LIMITED ACCESS RIGHT-OF-WAY (160 FT. LEFT OF CENTERLINE CONSTRUCTION, BRADEN RIVER ROAD, D.O.T. STA. 25+80.24); THENCE CONTINUE S 89°32'00" E, ALONG SAID D.O.T. LIMITED ACCESS RIGHT-OF-WAY, 200.00 FT. TO THE INTERSECTION WITH THE WESTERLY D.O.T. LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (I-75); THENCE N 13°41'35" W, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, 2701.06 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5857.62 FT.; THENCE RUN NORTHERLY, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°36'40", A DISTANCE OF 1493.76 FT. TO THE P.T. OF SAID CURVE; THENCE N 00°55'05" E, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, 1418.11 FT.; THENCE N 00°13'40" W, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, 899.24 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 5635.58 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°28'53", A DISTANCE OF 637.51 FT. TO THE P.C.C. OF A

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REFER TO SKETCH OF DESCRIPTION ON SHEET 3 of 3

JOB NUMBER \_\_\_\_\_

SHEET 1 of 3

**LOMBARDO, SKIPPER & FOLEY, INC.**

Consulting Engineers, Surveyors and Planners

825 4th Street West • P.O. Box 188 • Palmetto, Florida 34221 • (941) 722-4561

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CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2770.79 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°08'09", A DISTANCE OF 200.00 FT.; THENCE LEAVING SAID LIMITED ACCESS RIGHT-OF-WAY, RUN S 79°09'18" W, RADIAL WITH LAST DESCRIBED CURVE, 42.00 FT. TO A POINT ON A CURVE WHOSE RADIUS POINT LIES S 79°09'18" W, 220.00 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°00'00", A DISTANCE OF 234.22 FT. TO THE P.C.C. OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 720.00 FT.; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°00'00", A DISTANCE OF 339.29 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 957.39 FT.; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°30'39", A DISTANCE OF 476.40 FT. TO THE P.T. OF SAID CURVE; THENCE N 70°20'03" W, PARALLEL WITH THE CENTERLINE CONSTRUCTION OF STATE ROAD NO. 70 (D.O.T. SECTION 13075-2402), 861.81 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 720.00 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°26'11", A DISTANCE OF 307.08 FT. TO THE P.R.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 720.00 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°44'41", A DISTANCE OF 436.61 FT. TO THE INTERSECTION WITH THE EAST LINE OF "TARA PHASE II, SUBPHASE B", A SUBDIVISION AS RECORDED IN PLAT BOOK 28, PAGES 163 THROUGH 167, AFORESAID PUBLIC RECORDS; THENCE S 00°27'04" W, ALONG THE EAST LINE OF SAID SUBDIVISION, 1348.22 FT. TO THE SOUTHEAST CORNER THEREOF, SAID POINT LYING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 02°49'33" E, 1075.00 FT.; THENCE RUN WESTERLY ALONG THE SOUTH LINE OF SAID "TARA PHASE II, SUBPHASE B", AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°35'40", A DISTANCE OF 161.25 FT. TO THE INTERSECTION WITH THE EAST LINE OF "MELROSE GARDENS AT TARA", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 32, PAGES 191 THROUGH 193, SAID PUBLIC RECORDS; THENCE ALONG SAID "MELROSE GARDENS AT TARA", THE FOLLOWING TWO COURSES: S 00°27'04" W, A DISTANCE OF 713.03 FT.; THENCE N 81°12'32" W, A DISTANCE OF 236.16 FT. TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF "TARA BOULEVARD", A 120 FT. WIDE PUBLIC RIGHT-OF-WAY, AS SHOWN ON THE PLAT OF "TARA PHASE I, UNIT 5", A SUBDIVISION AS RECORDED IN PLAT BOOK 27, PAGES 61 THROUGH 64, AFORESAID PUBLIC RECORDS, SAID POINT LYING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 65°09'22" W, 1000.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID EAST RIGHT-OF-WAY AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°00'00", A DISTANCE OF 436.33 FT., TO THE P.T. OF SAID CURVE; THENCE S 00°09'22" W, ALONG THE PROPOSED EAST RIGHT-OF-WAY LINE OF SAID "TARA BOULEVARD", A DISTANCE OF 410.14 FT.; THENCE N 89°50'38" W, A DISTANCE OF 120.00 FT. TO THE INTERSECTION WITH THE PROPOSED RIGHT-OF-WAY LINE FOR "TARA LANE" AT A POINT ON THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS N 89°50'38" W, 35.00 FT.; THENCE ALONG THE PROPOSED RIGHT-OF-WAY LINE OF SAID "TARA LANE", THE FOLLOWING FIVE COURSES: NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 93°42'32", A DISTANCE OF 57.24 FT. TO THE P.C.C. OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 576.00 FT.; THENCE WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°12'48", A DISTANCE OF 343.95 FT. TO THE P.R.C. OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 342.00 FT.; THENCE SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°16'08", A DISTANCE OF 228.43 FT. TO THE P.T. OF SAID CURVE; THENCE N 89°29'51" W, A DISTANCE OF 14.26 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 35.00 FT.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 91°59'45", A DISTANCE OF 56.20 FT.; THENCE S 88°36'11" W, A DISTANCE OF 19.12 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 13, 14, 23 AND 24, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

CONTAINING 548.65 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

REFER TO SKETCH OF DESCRIPTION ON SHEET 3 of 3

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SHEET 2 of 3

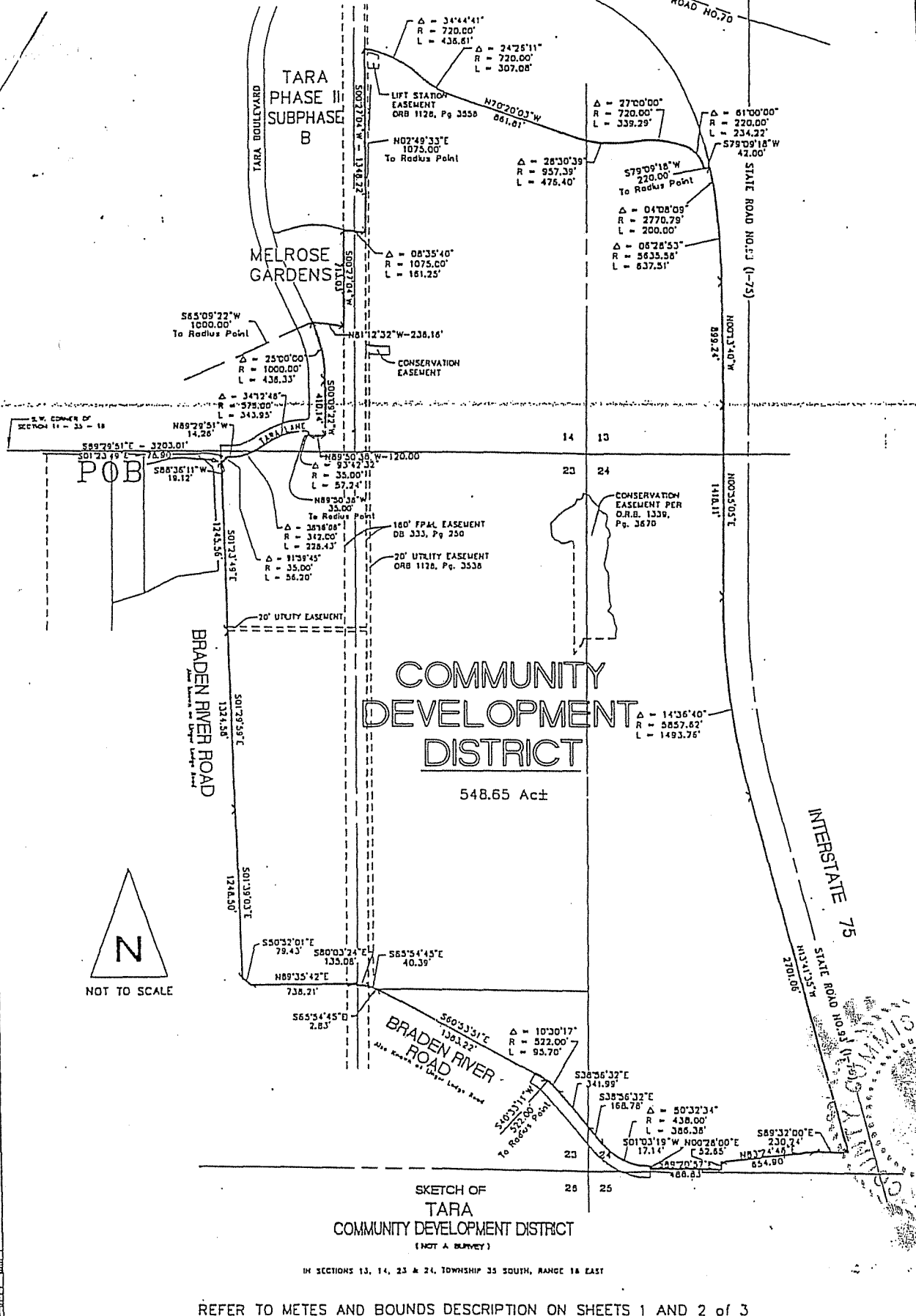
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STATE OF FLORIDA COUNTY OF MANATEE

This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 1st day of

*[Signature]*

**R. B. MOORE**  
Clerk of Circuit Court  
D.C.

JOB NUMBER \_\_\_\_\_ SHEET 3 of 3

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