

ORDINANCE NO. 15-11

AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, RELATING TO THE WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-56 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT," TO ESTABLISH THE WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBE THE BOUNDARIES OF THE DISTRICT, NAME THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENT TO THE EXERCISE OF CERTAIN SPECIAL POWERS BY THE DISTRICT BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, Subsection 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 1,000 acres in size; and

WHEREAS, Kolter Acquisitions, LLC, a Florida limited liability company (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the Willow Walk Community Development District (District) pursuant to Chapter 190, Florida Statutes; and

WHEREAS, OK Willow Walk LLC, a Delaware limited liability company, as the owner of approximately 272.36 acres of real property proposed for inclusion within the District, has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with

the requirements and procedures of Paragraphs 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in Paragraphs 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and a local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, Section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in Subsection 190.012(1), Florida Statutes; and

WHEREAS, Section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in Subsection 190.012(2), Florida Statutes; and

WHEREAS, Paragraph 190.005(2)(d), Florida Statutes, as amended, provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under Subsection 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers listed in Paragraph 190.012(2)(a), Florida Statutes, as amended; and

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise by the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

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

Section 1. Legislative findings. The Board of County Commissioners of Manatee County, Florida, hereby adopts the “WHEREAS” clauses stated above as legislative findings in support of this Ordinance.

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

Section 3. Intent and purpose. It is the intent and purpose of this Ordinance to establish the Willow Walk Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board of County Commissioners to the exercise by the District board of supervisors of certain additional special powers pursuant to Subsection 190.012(2), Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-56 of Manatee County Code of Ordinances. Section 2-8-56 of the Manatee County Code of Ordinances is hereby created to read as follows:

Sec. 2-8-56. Willow Walk Community Development District.

(a) Establishment. The Willow Walk Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds description attached hereto as Exhibit “A”.

(c) Initial board of supervisors. The names of five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

- (1) Jim Harvey.
- (2) David Langhout.
- (3) Greg Meath.
- (4) Troy Simpson.
- (5) Paul Martin.

(d) Special powers. Pursuant to Paragraph 190.005(2)(d) and Subsection 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the additional special powers listed in Paragraph 190.012(2)(a), Florida Statutes. Specifically, the District shall have the power to plan, establish,

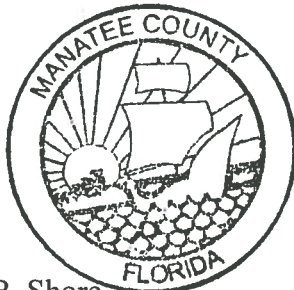
acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses.

Section 5. Codification. This Ordinance shall be codified in the Manatee County Code of Ordinances.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

PASSED AND ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 24th day of February, 2015.



BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: [Signature]
Chairman

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

By: [Signature]
Deputy Clerk



Leo Mills & Associates, Inc.

LICENSED BUSINESS NO. 613 • SURVEYING • LAND PLANNING

620 8th AVENUE WEST, PALMETTO, FL 34221
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WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT

SECTION 5, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

PAGE 1 OF 4


SKETCH OF DESCRIPTION

SEE PAGE 3 FOR GRAPHIC DEPICTION
OF THIS DESCRIPTION.

SHEET INDEX

PAGE 1	DESCRIPTION OF SOUTH PARCEL
PAGE 2	DESCRIPTION OF NORTH PARCEL
PAGE 3	GRAPHIC DEPICTION OF SOUTH PARCEL
PAGE 4	GRAPHIC DEPICTION OF NORTH PARCEL

SURVEYOR'S CERTIFICATE:

BY: 
LEO MILLS, JR.
REGISTERED STATE OF FLORIDA
PROFESSIONAL LAND SURVEYOR NO. 3513
DATE: 3/5/14

LEGEND

R/W = RIGHT-OF-WAY
ORB = OFFICIAL RECORD BOOK
P.I. = POINT OF INTERSECTION

DESCRIPTION: SOUTH PARCEL

THAT CERTAIN PORTION OF LAND LYING IN SECTION 5, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°26'03"E, ALONG THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 1219.37 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTHERLY LINE OF THE SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY, A 50 FOOT WIDE RIGHT-OF-WAY, SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING; THENCE CONTINUE S00°26'03"E, ALONG SAID EAST LINE, A DISTANCE OF 1440.33 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 5; THENCE S00°26'08"E, ALONG THE EAST LINE OF SAID NORTH 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 1285.47 FEET TO A POINT ON THE MONUMENTED NORTH RIGHT-OF-WAY LINE OF MENDOZA ROAD; THENCE N89°42'42"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 2639.81 FEET TO A POINT ON THE WEST LINE OF SAID NORTH 1/2 OF THE SOUTHEAST 1/4; THENCE N00°59'28"W, ALONG SAID WEST LINE, A DISTANCE OF 1291.20 FEET TO THE NORTHWEST CORNER OF SAID NORTH 1/2 OF SOUTHEAST 1/4, ALSO BEING THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE N00°45'20"W, ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 99.69 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE SOUTHERLY LINE OF THE SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY, A 50 FOOT WIDE RIGHT-OF-WAY; THENCE N63°25'42"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2954.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,450,992 SQUARE FEET OR 125.14 ACRES, MORE OR LESS.

NOTES:

1. THIS PLAT IS A "SKETCH OF DESCRIPTION" ONLY AND IS NOT INTENDED TO BE USED AS A BOUNDARY SURVEY.
2. THIS "SKETCH OF DESCRIPTION" CONSISTS OF 4 PAGES. EACH PAGE IS INTENDED TO BE USED IN CONJUNCTION WITH ALL OTHER PAGES. THIS "SKETCH OF DESCRIPTION" IS NOT COMPLETE WITHOUT ALL 4 PAGES.

JOB NO. C8622.....

SCALE: NONE..... FILE INDEX NO.



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WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT

SECTION 5, TOWNSHIP 34 SOUTH, RANGE 18 EAST & SECTION 32,
TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

PAGE 2 OF 4

**SEE PAGE 4 FOR GRAPHIC DEPICTION
OF THIS DESCRIPTION.**

DESCRIPTION: NORTH PARCEL

THAT CERTAIN PORTION OF LAND LYING IN SECTION 5, TOWNSHIP 34 SOUTH, RANGE 18 EAST, AND SECTION 32, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°26'03"E, ALONG THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 383.84 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S00°26'03"E, ALONG SAID EAST LINE, A DISTANCE OF 779.83 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTHERLY LINE OF THE SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY, A 50 FOOT WIDE RIGHT-OF-WAY; THENCE S63°25'42"W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2934.77 FEET; THENCE N00°17'16"W, ALONG AN EXISTING FENCE, A DISTANCE OF 1148.79 FEET TO ITS INTERSECTION WITH AN EXISTING FENCE; THENCE N89°45'05"W, ALONG SAID FENCE LINE, A DISTANCE OF 353.67 FEET; THENCE N01°11'59"E, 5.64 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 5; THENCE N89°48'16"W, ALONG SAID SOUTH LINE, A DISTANCE OF 986.26 FEET TO A POINT ON THE EAST MAINTAINED RIGHT-OF-WAY LINE OF STATE ROAD 683 (ELLENTON-GILLETTE ROAD), SAID EAST MAINTAINED RIGHT-OF-WAY LINE LYING 33 FEET EASTERLY OF THE STATE ROAD 683 CENTERLINE AS SET FORTH BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS DATED JUNE 5, 1979; THENCE N01°04'09"E, ALONG SAID EAST MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 1313.07 FEET TO A POINT THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4; THENCE N89°52'31"E, ALONG SAID NORTH LINE, A DISTANCE OF 1270.05 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4, ALSO BEING THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE N89°58'05"E, ALONG THE NORTH LINE OF THE AFOREMENTIONED NORTHEAST 1/4 OF SECTION 5, A DISTANCE OF 1070.76 FEET TO THE CENTERLINE OF AN EXISTING STREAM; THENCE EASTERLY, ALONG SAID CENTERLINE, THE FOLLOWING 19 COURSES AND DISTANCES: (1) S62°16'15"E, 10.57 FEET; (2) S82°13'21"E, 63.63 FEET; (3) S82°55'35"E, 49.34 FEET; (4) N83°50'40"E, 184.41 FEET; (5) N89°07'43"E, 127.43 FEET; (6) N83°25'34"E, 142.65 FEET; (7) S83°34'04"E, 38.00 FEET; (8) N79°42'58"E, 76.33 FEET; (9) N81°46'10"E, 114.52 FEET; (10) S89°28'40"E, 65.94 FEET; (11) S78°01'01"E, 61.42 FEET; (12) S71°59'29"E, 69.10 FEET; (13) S64°58'57"E, 57.53 FEET; (14) S62°57'01"E, 96.56 FEET; (15) S55°38'00"E, 46.64 FEET; (16) S48°37'03"E, 46.88 FEET; (17) S50°45'59"E, 89.15 FEET; (18) S35°45'01"E, 168.07 FEET; (19) S33°03'33"E, 90.06 FEET; THENCE LEAVING SAID CENTERLINE OF STREAM, N89°33'02"E, 179.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,412,963 SQUARE FEET OR 147.22 ACRES, MORE OR LESS.

JOB NO.C8622.....

SCALE:NONE..... FILE INDEX NO.

DWG. FILE: C8622-NORTH & SOUTH-S & D-6X9.DWG SHEET 2 LAYOUT GHC COGO FILE: C8146.CGO GHC



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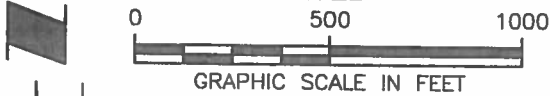
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WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT

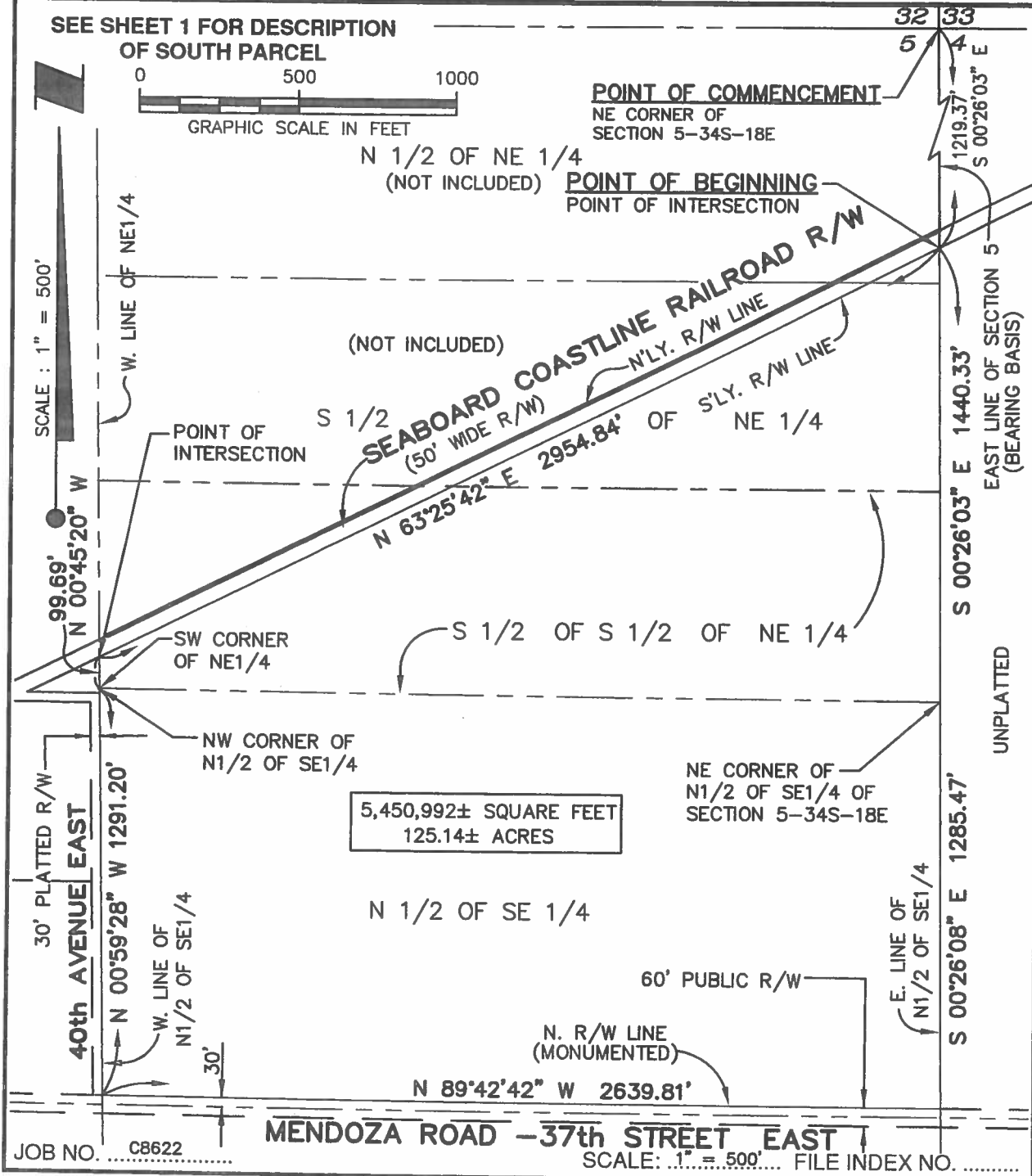
SECTION 5, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

PAGE 3 OF 4

SEE SHEET 1 FOR DESCRIPTION
OF SOUTH PARCEL



SCALE : 1" = 500'



JOB NO. C8622

MENDOZA ROAD - 37th STREET EAST

SCALE: 1" = 500' FILE INDEX NO.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

February 26, 2015

Honorable R. B. "Chips" Shore
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 15-11, which was filed in this office on February 26, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb