

AN ORDINANCE ESTABLISHING THE EAST PARK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2001); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, K-TNo.1, L.L.C. ("Petitioner"), having obtained written consent to the establishment of the District by the owners of one hundred percent (100%) of the real property to be included in the District, petitioned the City Council of the City of Orlando (the "City") to adopt an ordinance establishing the East Park Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2001); and

WHEREAS, Petitioner is a company authorized to conduct business in the State of Florida whose address is 3100 Clay Street, Suite 275, Orlando, Florida, 32804; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on April 22, 2002; and

WHEREAS, upon consideration of the record established at that hearing, the City determined that the statements within the Petition were 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 local government comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, that the 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 governance; 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 in the petition.

City Council Meeting: 04-22-02
Item: 7-2 Documentary: 020422 70 2

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF ORLANDO, FLORIDA THAT:

SECTION 1: AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2001).

SECTION 2: DISTRICT NAME. There is hereby created a community development district situated entirely within incorporated Orlando, Florida, which District shall be known as the "East Park Community Development District."

SECTION 3: EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in Exhibit A attached hereto, the overall parcel containing 545 acres, more or less.

SECTION 4: FUNCTIONS AND POWERS. The powers and functions of the District are described in Chapter 190, Florida Statutes (2001). Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities described and authorized by Section 190.012(2), Florida Statutes.

SECTION 5: BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

Name: Dwayne R. Hamner
Address: 3100 Clay Street, Suite 275, Orlando, FL 32804

Name: Stuart Kramer
Address: 3100 Clay Street, Suite 275, Orlando, FL 32804

Name: Paul E. Rosenthal
Address: 111 North Orange Avenue, Suite 1800, Orlando, Florida 32802

Name: Shannon D. Marks
Address: 369 North New York Avenue, Winter Park, Florida 32789

Name: Sumner Kramer
Address: 3100 Clay Street, Suite 275, Orlando, FL 32804

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 6. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 7: EFFECTIVE DATE. This Ordinance shall take effect pursuant to general law.

ADVERTISED APRIL 11, 2002.

READ FIRST TIME APRIL 1, 2002.

READ SECOND TIME AND ENACTED APRIL 22, 2002.

CITY OF ORLANDO, FLORIDA

Daisy W. Lyness
Mayor Pro Tem

ATTEST:

Candice Crawford
City Clerk

(Seal)

Exhibit A

