

ORDINANCE 05 - 21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 99-60 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN TO EXPAND THE BOUNDARIES OF STONEYBROOK WEST COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the BOARD OF SUPERVISORS OF STONEYBROOK WEST COMMUNITY DEVELOPMENT DISTRICT ("Petitioner"), has petitioned the City of Winter Garden (the "City") to adopt an Ordinance amending Ordinance 99-60 to expand the boundaries of the Stoneybrook West Community Development District (the "District") pursuant to Chapter 190, Florida Statutes; and

WHEREAS, all statements contained in the Petition filed by Petitioner with the City on November 3, 2004, are found to be true and correct; and

WHEREAS, the expansion of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the City of Winter Garden Comprehensive Plan; and

WHEREAS, the area of land being added to the District ("Additional Property") is entirely within the municipal boundaries of the City and is of sufficient size, is sufficiently compact, and is sufficiently contiguous to the existing boundary of the District to be developable as one functional interrelated community; and

WHEREAS, the services and facilities to be provided by the District to the Additional Property will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

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WHEREAS, the area, including the Additional Property, that will be served by the District is amenable to separate special district government; 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 served by the District; and

WHEREAS, publication of notice has been given pursuant to Section 190.005, Florida Statutes.

NOW, THEREFORE, BE IT ENACTED by the City of Winter Garden, Florida:

SECTION 1. EXPANSION OF BOUNDARIES

That the Charter attached as Exhibit "A" to Ordinance 99-60 is hereby amended to include the Additional Property, which property is more particularly described in Exhibit "1" attached hereto which is hereby adopted by this reference as if set forth in full herein.

SECTION 2. SEVERABILITY

It is declared to be the intent of the City of Winter Garden that if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. CONFLICT

Any ordinance or part thereof in conflict with this Ordinance or any part hereof is hereby repealed to the extent of the conflict.

SECTION 4. EFFECTIVE DATE

This Ordinance is effective immediately upon receipt of official acknowledgement of its being filed with the Department of State.

READ FIRST TIME: Feb. 24, 2005

READ SECOND TIME AND PUBLIC HEARING HELD: March 10, 2005

APPROVED:

CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA

By: Jack Quesinberry
Jack Quesinberry, Mayor

ATTEST:

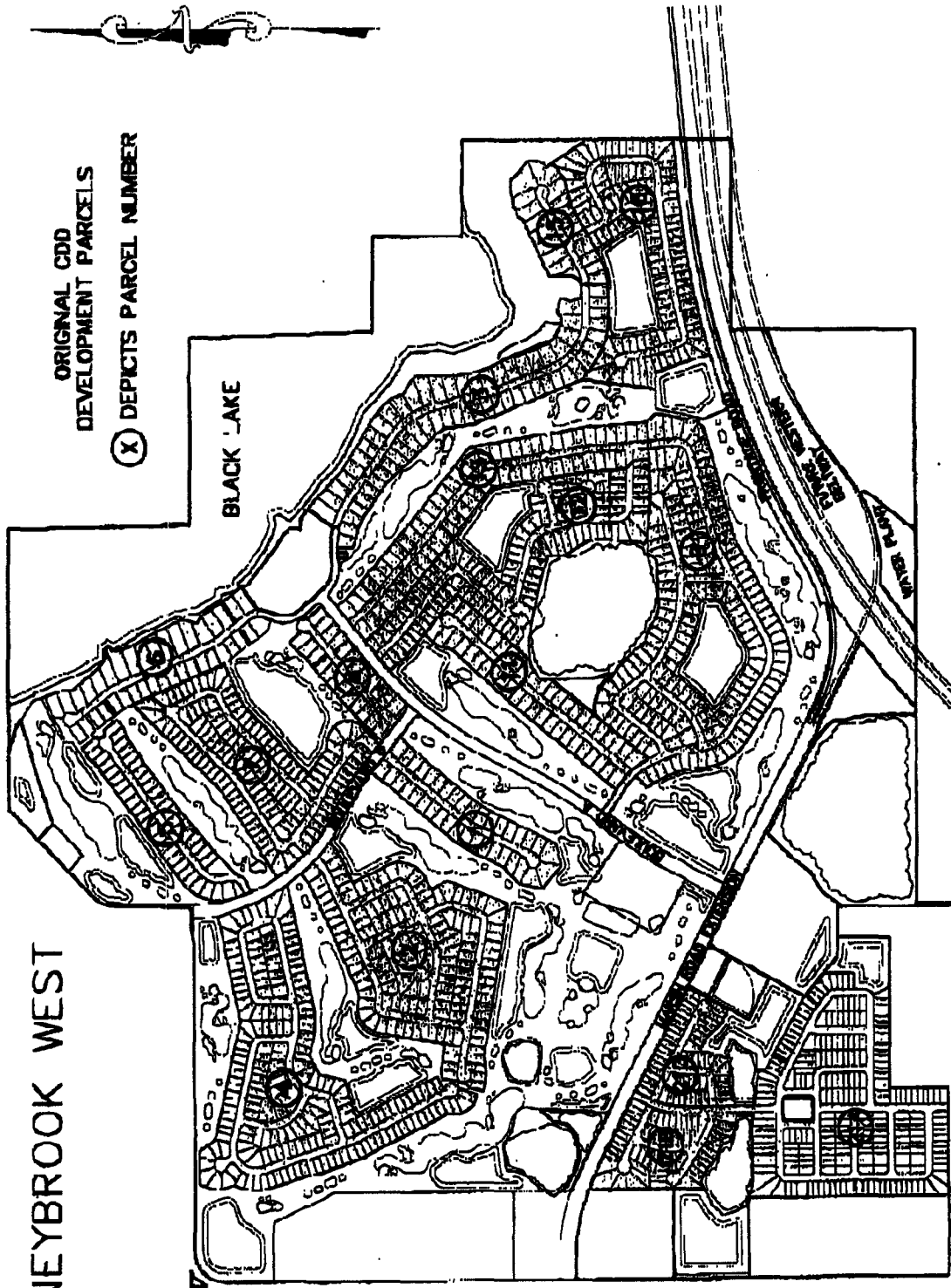
Kathy Golden
Kathy Golden, City Clerk

STONEBROOK WEST

ORIGINAL CDD
DEVELOPMENT PARCELS

(X) DEPICTS PARCEL NUMBER

BLACK LAKE



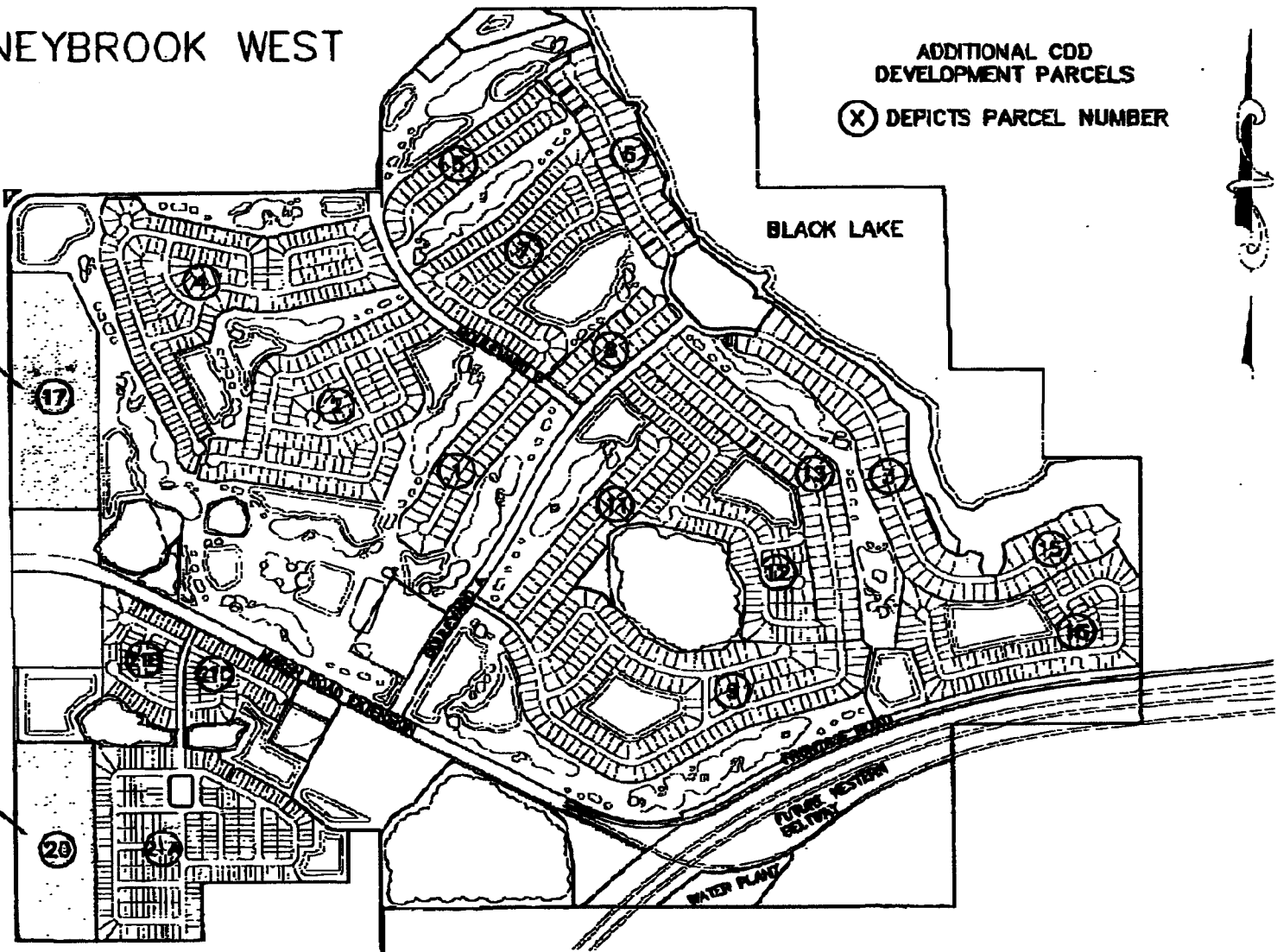
DONALD W. NICINTOSH ASSOCIATES, INC.
 ENGINEERS ▾ PLANNERS ▾ SURVEYORS
 2005 PINE AVENUE, NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4000

STONEYBROOK WEST

ADDITIONAL CDD
DEVELOPMENT PARCELS
(X) DEPICTS PARCEL NUMBER

ADDED
PARCEL

ADDED
PARCEL



DONALD W. MCINTOSH ASSOCIATES, A.C.
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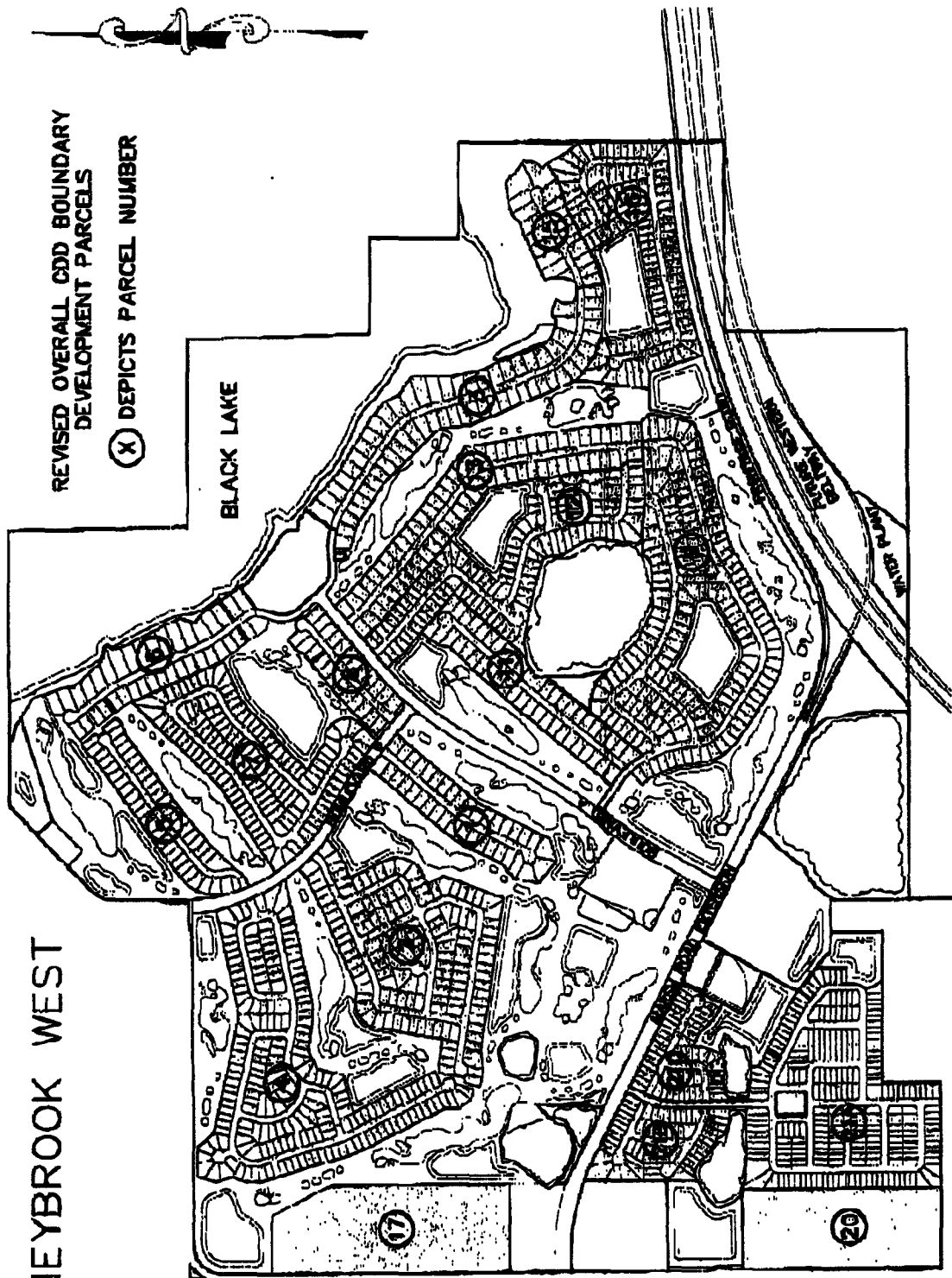
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NO. 357 005

REVISED OVERALL CDD BOUNDARY
DEVELOPMENT PARCELS

(X) DEPICTS PARCEL NUMBER



STONEBROOK WEST

 DONALD W. MCINTOSH ASSOCIATES, INC.
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Rec'd. 3-21-05

FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

March 16, 2005

Ms. Kathy Golden, CMC
City Clerk
City of Winter Garden
251 West Plant Street
Winter Garden, Florida 34787

Dear Ms. Golden:

This will acknowledge receipt of your letter dated March 11, 2005 and copy of Ordinance No. 05-21, expanding the boundaries within the City of Winter Garden, which was filed in this office on March 16, 2005.

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

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