



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

January 31, 2007

Honorable Karen E. Rushing
Clerk of Circuit Court
Sarasota County
1660 Ringling Boulevard
Sarasota, Florida 34230-0008

2007 FEB -8 AM 8:29
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL
DO NOT RECORD
FILED FOR FILE 2007000

Dear Ms. Rushing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 24, 2007 and certified copy of Sarasota County Ordinance No. 2006-064, which was filed in this office on January 29, 2007.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/cga
Enclosures

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dls.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

ORDINANCE NO. 2006-064

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, ESTABLISHING THE STONEYBROOK AT VENICE COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; NAMING THE DISTRICT; PROVIDING STATUTORY PROVISIONS GOVERNING THE DISTRICT; PROVIDING PROCEDURES FOR CONSENT TO EXERCISE SPECIAL POWERS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lennar Homes, Inc., ("Petitioner") has petitioned the Board of County Commissioners ("Board") of Sarasota County, Florida, a political subdivision of the State of Florida to establish, the STONEYBROOK AT VENICE COMMUNITY DEVELOPMENT DISTRICT; and

WHEREAS, the Board of County Commissioners, after proper published notice, conducted public hearing on the petition and determined the following with respect to the factors to be considered in Section 190.005(1)(e), Florida Statutes, as required by Section 190.005(2)(c), Florida Statutes:

1. The petition is complete in that it meets the requirements of Section 190.005(1), Florida Statutes and 190.005(2)(a), Florida Statutes; and all statements contained within the petition are true and correct;
2. Establishment of the District on the property proposed in the petition is not inconsistent with any applicable element or portion of the local

comprehensive plan of Sarasota County, known as the Sarasota County Growth Management Plan, or the State Comprehensive Plan.

3. The area of land proposed to be within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one function interrelated community.

4. The District is a viable alternative available for delivering community development services and facilities to the area that will be serviced by the District.

5. The community development 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.

6. The area that will be served by the District is amenable to separate special-district government; and

WHEREAS, it is the policy of this State, as provided for in Section 190.002(2)(c), Florida Statutes, that the exercise by any independent district of its powers as set forth by uniform general law comply with all applicable governmental laws, rules, regulations and policies governing planning and permitting of the development to be serviced by the District, to ensure that neither the establishment nor operation of such District is a development order under chapter 380 and that the District so established does not have any zoning or permitting powers governing development; and

WHEREAS, Section 190.004(3), Florida Statutes, provides that all governmental planning, environmental, and land development laws, regulations and ordinances apply to all development of the land within a community development district. Community development districts do not have the

power of a local government to adopt a comprehensive plan, building code, or land development code, as those terms are defined in the Local Government Comprehensive Planning and Land Development Regulation Act. A District shall take no action which is inconsistent with applicable comprehensive plans, ordinances or regulations of the applicable local general purpose local government; and

WHEREAS, pursuant to Section 190.012, Florida Statutes, upon the establishment of the community development district on the land proposed in the petition, the District Board of Supervisors may request consent from Sarasota County to exercise any one or more of the state granted powers in Subsection 190.012(2)(a)-(f), Florida Statutes, and the consent from the County shall be without question as to the continued right, authority and power to exercise its limited special powers as granted to the district by the state charter.

WHEREAS, the charter of the District is Sections 190.006 - 190.041, Florida Statutes, as provided expressly in Section 190.004(4) and confirmed in Section 189.4031(2), Florida Statutes; and

WHEREAS, the single, specialized and narrow purpose of the District is the delivery of community infrastructure pursuant to its state created charter the exercise of its general and special powers complying with all applicable policies and regulations of statutes and ordinances, State v. Frontier Acres Community Development District, 472 So. 2d, 455, at p. 457 (Fla. 1985);

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

SECTION ONE: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to Section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances. This Ordinance is also adopted pursuant to Sarasota County Resolution No. 2005-042.

SECTION TWO: ESTABLISHMENT OF THE STONEYBROOK AT VENICE COMMUNITY DEVELOPMENT DISTRICT

The Stoneybrook at Venice Community Development District is hereby established within the boundaries of the real property described in Exhibit "A" attached hereto and incorporated by reference herein.

SECTION THREE: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are herewith designated to be the initial members of the Board of Supervisors of the District:

- | | |
|---|--|
| (1) Anthony J. Squitieri
7903 Royal Birkdale Circle
Bradenton, FL 34202 | (2) Robyn Fischer
7573 Plantation Circle
Bradenton, FL 34201 |
| (3) Robert C. Price
5696 Eastwind Dr
Sarasota, FL 34233 | (4) Charles A. Danna
510 Woodview Way
Bradenton, FL 34202 |
| (5) Michael Rego
5307 Redfield Lane
Tampa, FL 33624-1031 | |

SECTION FOUR: DISTRICT NAME

The community development district herein established shall henceforth be known as the "Stoneybrook at Venice Community Development District".

**SECTION FIVE: STATUTORY PROVISIONS
GOVERNING THE DISTRICT**

The Stoneybrook at Venice Community Development District shall be governed by the provisions of its general law charter in and created by chapter 190, Florida Statutes, and all other applicable general law.

SECTION SIX: CONSENT TO SPECIAL POWERS.

Upon the effective date of this Ordinance, the Stoneybrook at Venice Community Development District will be authorized duly and legally to exist and exercise all of its general and special powers as granted and limited by law; and may petition Sarasota County for consent to exercise any of the special powers granted to the district in Section 190.012(2), Florida Statutes.

SECTION SEVEN: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance of Sarasota County or other applicable law, the more restrictive shall apply. If any phase or portion of this Ordinance is 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 portion.

SECTION EIGHT: INCLUSION IN THE CODE OF ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Sarasota County, Florida. The sections of the Ordinances may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

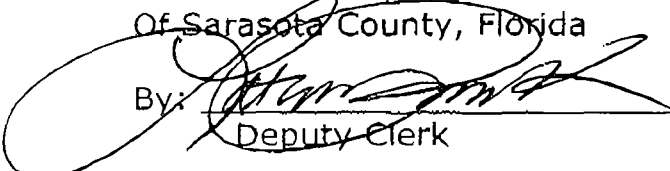
SECTION NINE. EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida on this 23rd day of January 2007.

Attest:

KAREN E. RUSHING,
Clerk of the Circuit Court and
Ex-Officio Clerk to the
Board of County Commissioners
Of Sarasota County, Florida

By: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

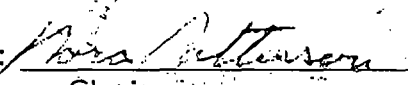
By: 
Chairman

EXHIBIT A
DESCRIPTION

A TRACT OF LAND IN SECTIONS 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N.00°31'33"E.. ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 18, A DISTANCE OF 75.00 FEET TO A LINE 25.00 FEET NORTHERLY OF AND PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE OF CENTER ROAD (100 FOOT WIDE PUBLIC RIGHT OF WAY PER OFFICIAL RECORDS BOOK 339 AT PAGE 291 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND ROAD PLAT BOOK 2 AT PAGE 44) FOR THE POINT OF BEGINNING; THENCE CONTINUE N.00°31'33"E.. ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 18, A DISTANCE OF 2578.87 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 18; THENCE N.00°31'11"E.. ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 18, A DISTANCE OF 2654.14 FEET TO THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 18; THENCE N.89°16'52"E.. ALONG SAID NORTHERLY LINE, A DISTANCE OF 33.00 FEET; THENCE S.00°40'24"W., A DISTANCE OF 8.95 FEET TO THE SOUTHERLY LINE OF PREMISES DESCRIBED IN OFFICIAL RECORDS INSTRUMENT#2001050249 OF SAID PUBLIC RECORDS (THE FOLLOWING ELEVEN CALLS ARE ALONG SAID SOUTHERLY LINE); THENCE S.89°26'31"E., A DISTANCE OF 367.50 FEET TO THE POINT OF CURVE (PC) OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2732.00 FEET AND A CENTRAL ANGLE OF 27°44'38"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 1322.90 FEET; THENCE S.61°41'54"E., A DISTANCE OF 405.00 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1883.00 FEET AND A CENTRAL ANGLE OF 11°34'46"; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 380.55 FEET; THENCE S.73°16'40"E.. A DISTANCE OF 200.00 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1520.00 FEET AND A CENTRAL ANGLE OF 08°22'33"; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 222.20 FEET; THENCES.81°39'13"E.. A DISTANCE OF 470.00 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 693.00 FEET AND A CENTRAL ANGLE OF 15°20'38"; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 185.59 FEET; THENCE N.83°00'09"E.. A DISTANCE OF 299.97 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1680.00 FEET AND A CENTRAL ANGLE OF 08°50'30"; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 259.25 FEET; THENCE N.74°09'39"E., A DISTANCE OF 284.99 FEET TO THE WESTERLY RIGHT OF WAY LINE OF RIVER ROAD, STATE ROAD No. 777 (100 FOOT WIDE PUBLIC RIGHT OF WAY PER OFFICIAL RECORDS BOOK 339 AT PAGE 291 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND ROAD PLAT BOOK 2 AT PAGE 44); THENCE S.30°37'47"E., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 2935.44 FEET TO A POINT ON A CURVE OF WHICH THE RADIUS POINT LIES S.59°22'13"W., A RADIAL DISTANCE OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 90°00'16", A DISTANCE OF 39.27 FEET; THENCE S.59°21'57"W, A DISTANCE OF 384.75 FEET TO A PC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1000.00 FEET AND A CENTRAL ANGLE OF 03°57'08"; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 68.98 FEET; THENCE S.10°52'42"E., A DISTANCE OF 486.36 FEET; THENCE S.79°07'18"W., A DISTANCE OF 340.66 FEET; THENCE S.30°37'47"E., A DISTANCE OF 375.61 FEET TO THE PC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 125.66 FEET; THENCE S.59°22'13"W., A DISTANCE OF 183.70 FEET; THENCE S.10°27'44"W., A DISTANCE OF 60.71 FEET TO THE PC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 310.00 FEET AND A CENTRAL ANGLE OF 28°29'44"; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 154.18 FEET; THENCE S.59°45'38", A DISTANCE OF 87.16 FEET TO A POINT ON A CURVE OF WHICH THE RADIUS POINT LIES S.59°45'38"E., A RADIAL DISTANCE OF 372.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 29°43'12", A DISTANCE OF 192.96 FEET; THENCE S.00°31'10"W., A DISTANCE OF 156.36 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 162.00 FEET AND A CENTRAL ANGLE OF 17°55'51"; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 50.70 FEET TO THE POINT OF REVERSE CURVE (PRC) OF A CURVE TO THE RIGHT HAVING A RADIUS OF 188.00 FEET AND A CENTRAL ANGLE OF 17°55'51"; THENCE SOUTHEASTERLY ALONG THE ARC, A DISTANCE OF 58.84 FEET; THENCE S.00°31'10"W., A DISTANCE OF 60.97 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°01'23"; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 39.28 FEET TO THE AFOREMENTIONED LINE 25.00 FEET NORTHERLY OF A PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE OF CENTER ROAD (THE FOLLOWING TWO CALLS ARE ALONG SAID PARALLEL LINE); THENCE N.89°30'13"W., A DISTANCE OF 2515.25 FEET; THENCE N.89°29'32"W., A DISTANCE OF 2614.30 FEET TO THE POINT OF BEGINNING.

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THE OFFICE WITHIN MY HAND AND OFFICIAL

January 24, 2007

MEARIN DONALD
SARASOTA, RECORDING CLERK OF THE COUNTY CLERK
OFFICE, APPEAR TO THE CLERK OF COURTS
SARASOTA COUNTY, FLORIDA

BY: 