

ORDINANCE NO. 22-02

AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, REGARDING PUBLIC SERVICES; ESTABLISHING PARRISH LAKES COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-74 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "PARRISH LAKES COMMUNITY DEVELOPMENT DISTRICT," ESTABLISHING THE PARRISH LAKES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENTING TO THE EXERCISE OF CERTAIN SPECIAL POWERS BY THE DISTRICT'S BOARD OF SUPERVISORS PURSUANT TO SECTION 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, Manatee County, Florida ("County") to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, Hawk Land Investors New, LLC, a Delaware limited liability company ("Petitioner"), has filed a Petition with Manatee County Board of County Commissioners of ("Board") to adopt an ordinance establishing the PARRISH LAKES COMMUNITY DEVELOPMENT DISTRICT ("District") pursuant to Chapter 190, Fla. Statutes; and

WHEREAS, FLM, Inc. is the landowner of approximately 547.031 acres of real property for inclusion within the District and 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 sections 190.005(1)(d) and 190.005(2)(b), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(1)(e) and 190.005(2)(c), 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 section 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 in section 190.012(2), Florida Statutes; and

WHEREAS, section 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 section 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 sections 190.012(2)(a) & (d), 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 Section 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 Parrish Lakes 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 establish certain additional special powers pursuant to section 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 2-8-74 of Manatee County Code of Ordinances. Section 2-8-74 of the Manatee County Code of Ordinances ("Code") is hereby created to read as follows:

Section 2-8-74. Parrish Lakes Community Development District.

(a) Establishment. Parrish Lakes 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 hereon 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) Michael Lawson

(2) Doug Draper

(3) Lori Price

(4) Matt Suggs

(5) Christie Ray

(d) Special powers. Pursuant to sections 190.005(2)(d) and 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors to the following special powers listed in sections 190.012(2)(a) & (d), 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:

(1) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses;

(2) Security, including, but not limited to, guardhouses, fences and gates, electronic instruction systems, and patrol cars, when authorized by the Manatee County Sheriff's Department or other property governmental agencies; except that the District may not exercise any policy power, but may contract with appropriate local general-purpose government agencies for an increase level of such services within the District boundaries; and

(3) Waste Collection and Disposal Powers in accordance with section 190.012(2)(f), Florida Statutes.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

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 8th day of March, 2021.



**BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA**

By: [Signature]
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: [Signature]
Deputy Clerk

SKETCH OF DESCRIPTION

SHEET 1 OF 7

A PORTION OF SECTION 22, 23 AND 24 TOWNSHIP 33
SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA
(SKETCH IS NOT A SURVEY)

LEGAL DESCRIPTION: AS PREPARED BY W.R.A. ENGINEERING

A PARCEL OF LAND LYING AND BEING IN SECTIONS 22, 23, AND 24, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 22, THENCE S 03°46'39" W, ALONG THE EAST LINE OF SAID SECTION 22, A DISTANCE OF 40.07' TO A POINT OF THE SOUTH MAINTAINED RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD AS RECORDED IN PLAT BOOK 4, PAGE 153, OF THE PUBLIC RECORDS OF MANATEE COUNTY FLORIDA, AND THE POINT OF BEGINNING; THENCE S 89°31'49" E, ALONG SAID SOUTH MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 77.64'; THENCE S 00°00'00" E A DISTANCE OF 974.31'; THENCE N 90°00'00" E A DISTANCE OF 1181.54'; THENCE N 00°01'29" E A DISTANCE OF 587.89'; THENCE N 90°00'00" E A DISTANCE OF 169.75'; THENCE N 00°00'00" E A DISTANCE OF 375.34' TO A POINT OF THE SAID SOUTH MAINTAINED RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD; THENCE S 89°31'49" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1013.24' TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 23; THENCE S 00°13'40" W, ALONG SAID EAST LINE, A DISTANCE OF 1882.92'; THENCE N 89°17'53" E A DISTANCE OF 2589.72' TO A POINT ON THE EAST LINE OF SAID SECTION 23; THENCE S 00°10'16" W, ALONG SAID EAST LINE, A DISTANCE OF 698.33' TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE S 00°39'29" W, ALONG SAID EAST LINE OF SAID SECTION 23, A DISTANCE OF 1277.87'; THENCE S 89°08'46" E A DISTANCE OF 2585.39'; THENCE S 00°41'37" W A DISTANCE OF 475.04' TO THE APPROXIMATE CENTERLINE OF BUFFALO CANAL; THENCE ALONG SAID APPROXIMATE CENTER LINE OF BUFFALO CANAL THE FOLLOWING FOUR (4) COURSE: (1) THENCE S 76°51'03" W A DISTANCE OF 418.36'; (2) THENCE S 85°01'48" W A DISTANCE OF 792.80'; (3) THENCE N 89°42'57" W A DISTANCE OF 805.86'; (4) THENCE N 89°09'21" W A DISTANCE OF 4555.68'; THENCE N 02°28'22" E A DISTANCE OF 67.57'; THENCE N 89°26'59" W A DISTANCE OF 274.81'; THENCE N 81°14'14" W A DISTANCE OF 128.20'; THENCE N 70°07'20" W A DISTANCE OF 1098.35'; THENCE N 70°03'40" W A DISTANCE OF 298.49' TO A POINT ON THE SOUTH LINE OF REGENCY OAKS PRESERVE, A SUBDIVISION AS RECORDED IN PLAT BOOK 40 PAGE 18 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S 89°34'02" E, ALONG SAID SOUTH LINE, A DISTANCE OF 359.65' TO THE SOUTHEAST CORNER OF SAID REGENCY OAKS PRESERVE SUBDIVISION; THENCE N 00°10'13" W, ALONG THE EAST LINE OF SAID REGENCY OAKS SUBDIVISION, A DISTANCE OF 1439.35' TO THE NORTHEAST CORNER OF SAID REGENCY OAKS SUBDIVISION; THENCE S 89°10'32" W, ALONG THE NORTH LINE OF SAID REGENCY OAKS SUBDIVISION, A DISTANCE OF 2441.94'; THENCE N 02°27'46" E, ALONG THE EAST LINE OF SAID REGENCY OAKS SUBDIVISION AND ALSO ALONG THE EAST LINE OF REGENCY OAKS SUBDIVISION PHASE 1, AS RECORDED IN PLAT BOOK 26, PAGE 12, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 2510.92' TO A POINT OF THE SOUTH MAINTAINED RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD AS RECORDED IN PLAT BOOK 4, PAGE 153, OF THE PUBLIC RECORDS OF MANATEE COUNTY FLORIDA; THENCE S 89°32'22" E, ALONG SAID SOUTH MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 1084.60'; THENCE S 00°28'02" W A DISTANCE OF 349.98'; THENCE S 89°33'40" E A DISTANCE OF 870.36'; THENCE S 00°27'39" W A DISTANCE OF 1095.38'; THENCE N 90°00'00" E A DISTANCE OF 676.15'; THENCE N 00°00'00" W A DISTANCE OF 1439.64' TO A POINT ON THE SAID SOUTH RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD; THENCE S 89°32'22" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 42.36'; TO THE POINT OF BEGINNING, HAVING AN AREA OF 23828651 SQUARE FEET, 547.031 ACRES



WATER RESOURCE ASSOCIATES. LLC

7978 Cooper Creek Blvd.
University Park, Florida 34201
Phone: 941.275.9721 Fax: 941.275.9729
www.wraengineering.com LB 8274

Digitally signed by Robert S Flanary
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dnQualifier=A0141050000017A6851648F00003308,
cn=Robert S Flanary
Date: 2021.11.18 14:03:20 -05'00'

Robert S Flanary

ROBERT S. FLANARY, P.S.M.
Florida Surveyor's Registration No. 5677

DATE

Survey map and report or the copies thereof are not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except those with electronic signature and electronic seal. additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

LEGEND:

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
O.R.B. = OFFICIAL RECORD BOOK
SQ.FT = SQUARE FEET

SURVEYORS NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, APPLICABLE ZONE, NAD 83 (2011 ADJUSTMENT) AND ARE DERIVED BY MULTIPLE REAL-TIME KINEMATIC GPS OBSERVATIONS. BASES OF BEARING ALONG THE NORTH LINE OF SECTION 23, BEING S89°32'24"E

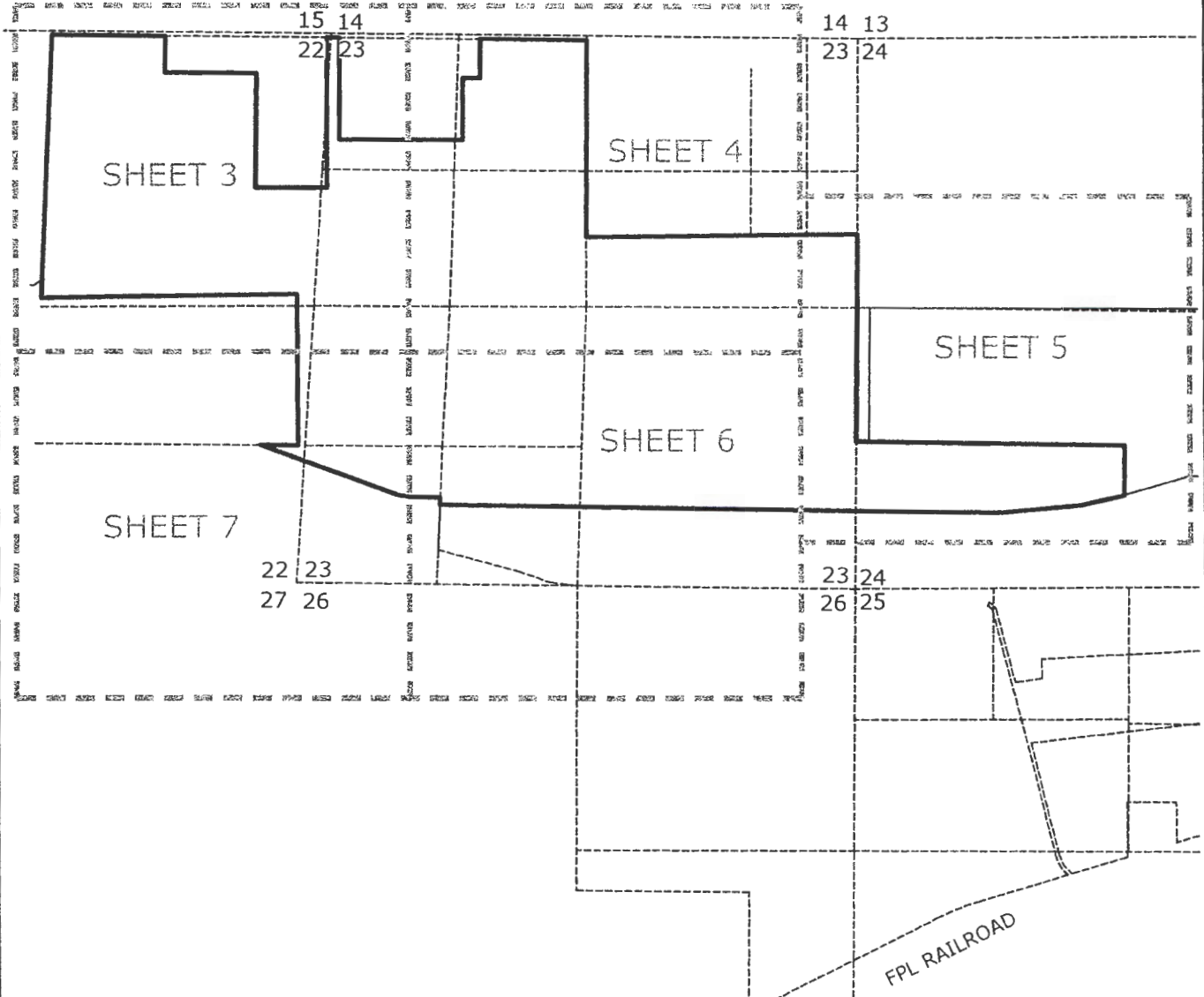
written consent of the signing party or parties.	PHASE 1					
		DRAWN	RSF	DATE:	3/12/21	SCALE: N.T.S.
	REVISION DATE 11/18/2021	SKETCH IS NOT A SURVEY	CHECKED	RSF	DATE:	3/12/21
						JOB NUMBER 1963

SKETCH OF DESCRIPTION

A PORTION OF SECTION 22, 23 AND 24 TOWNSHIP 33
SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA
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SHEET 2 OF 7
KEY SHEET

MOCCASIN WALLOW ROAD
PUBLIC RIGHT OF WAY
(PER ROAD PLAT BOOK 4, PAGE 153)



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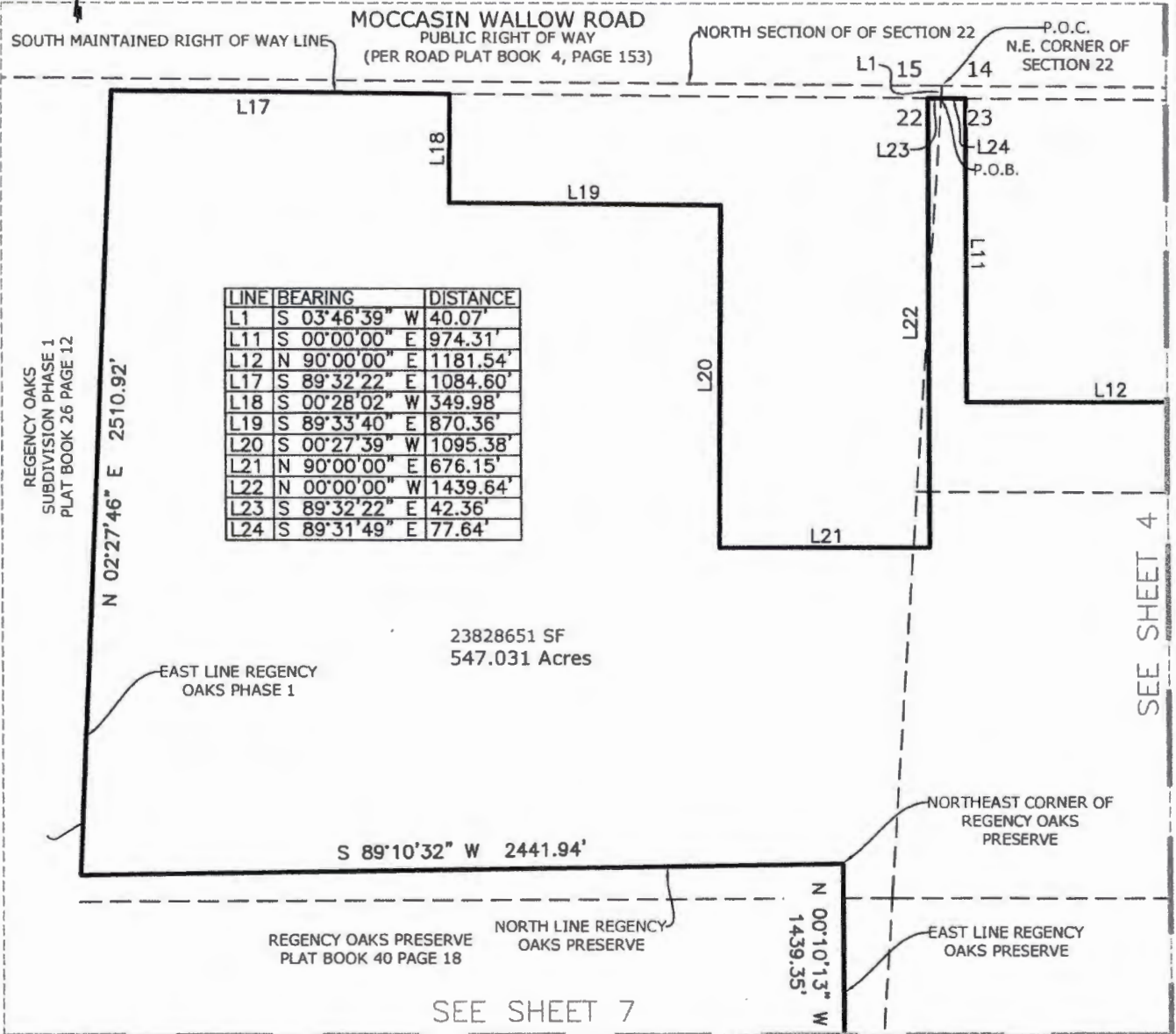
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SKETCH OF DESCRIPTION

SHEET 3 OF 7

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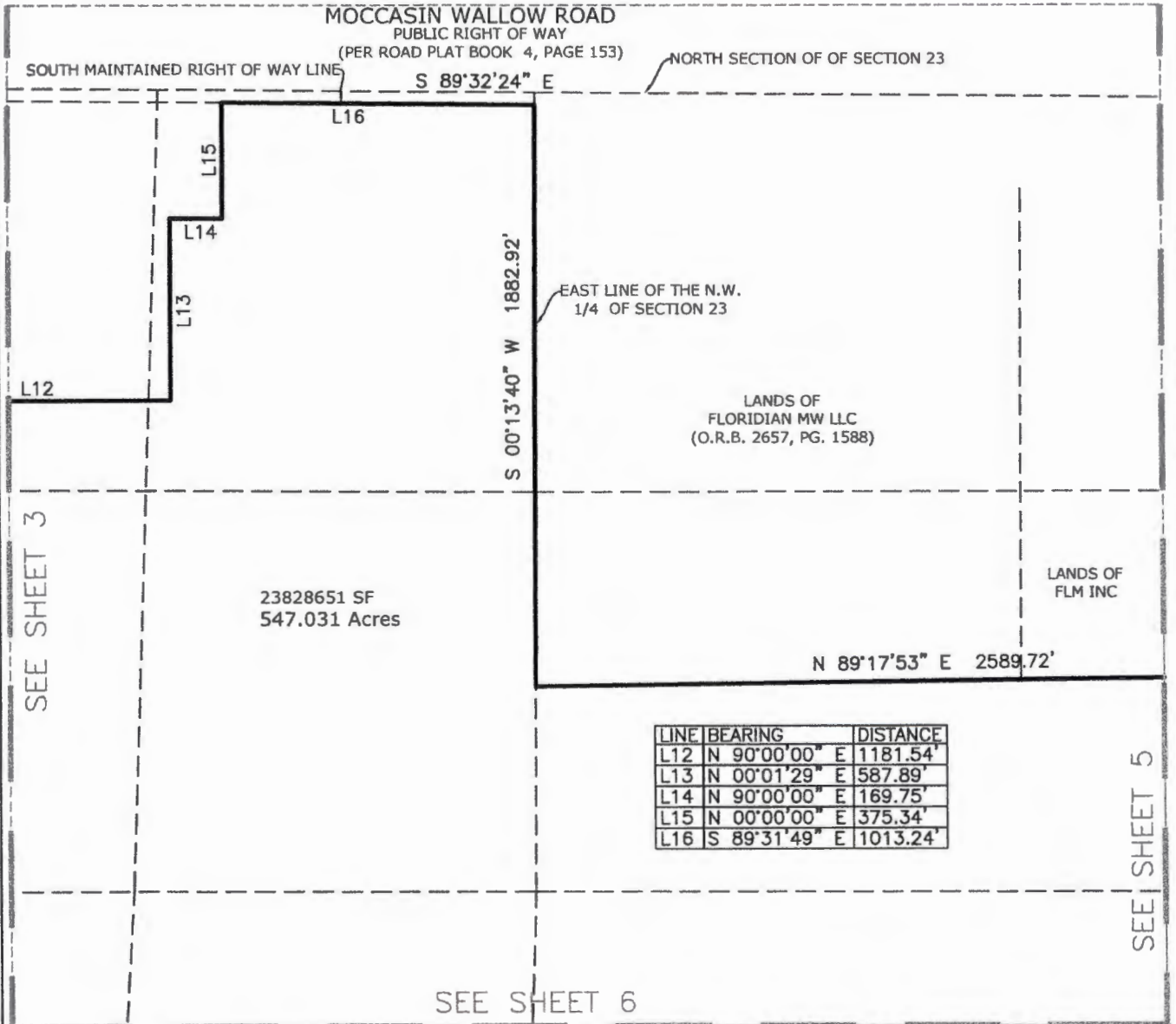
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SHEET 4 OF 7

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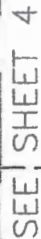
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SHEET 5 OF 7



SEE SHEET 6



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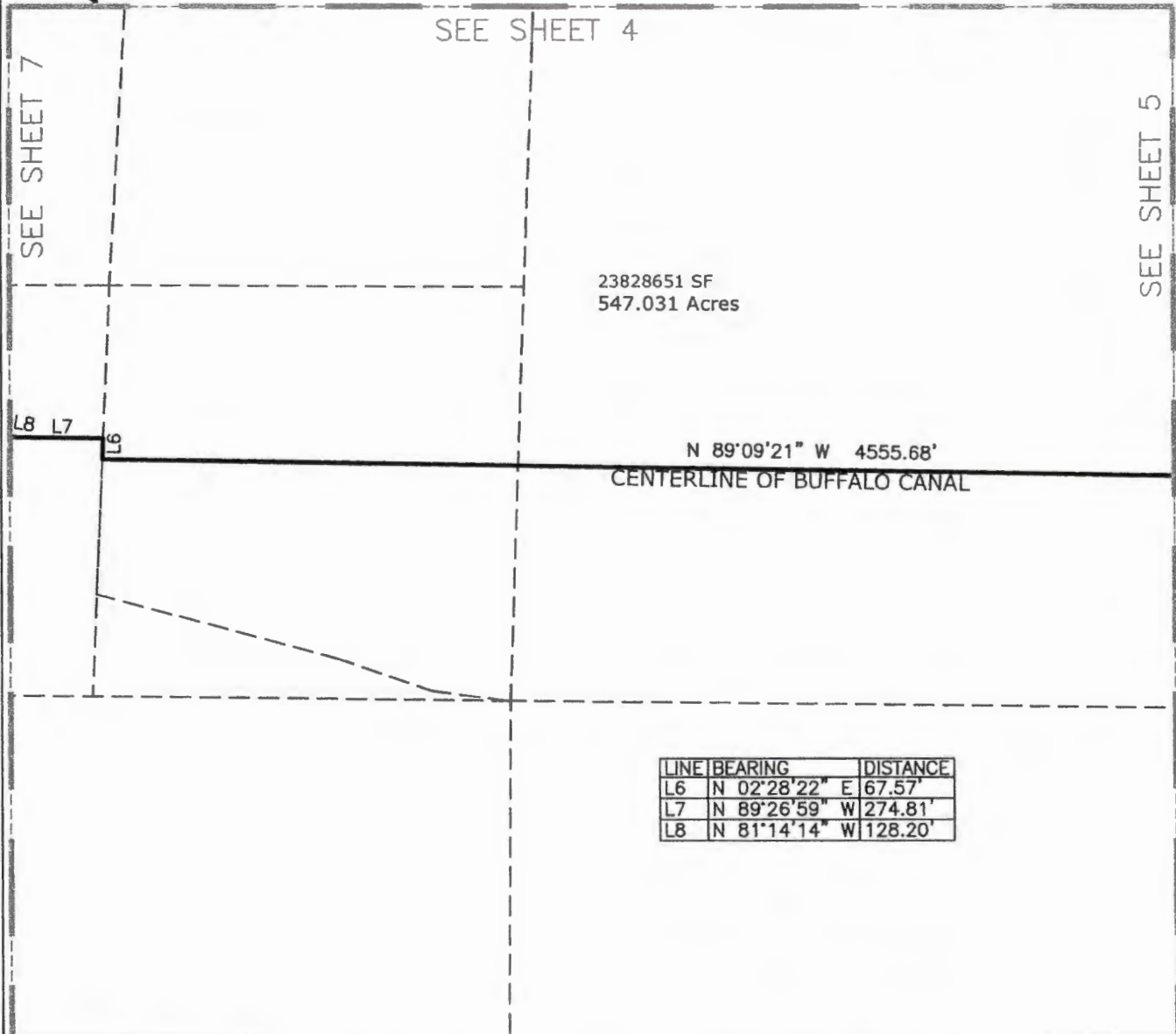
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SHEET 6 OF 7

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LINE	BEARING	DISTANCE
L6	N 02°28'22" E	67.57'
L7	N 89°26'59" W	274.81'
L8	N 81°14'14" W	128.20'



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SHEET 7 OF 7

SEE SHEET 6

79

L8

$$\begin{array}{r} 22 \overline{) 23} \\ 27 \quad 26 \end{array}$$

LINE	BEARING	DISTANCE
L8	N 81°14'14" W	128.20'
L9	N 70°03'40" W	298.49'
L10	S 89°34'02" E	359.65'



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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 10, 2022

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Vicki Tessmer

Dear Ms. Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 22-02, which was filed in this office on March 10, 2022.

Sincerely,

Anya Owens
Program Administrator

AO/lb