

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 2012- 17

AN ORDINANCE ESTABLISHING THE CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1 PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2012); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPER VISORS; ADDRESSING ORDINANCE CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Celebration Pointe Partners, LLC ("Petitioner"), having obtained written consent to the establishment of the District by the owners of 100 percent of the real property to be included in the District, petitioned the Alachua County Board of Commissioners (the "County") to adopt an ordinance establishing the Celebration Pointe Community Development District No. 1 (the "District") pursuant to Chapter 190, Florida Statutes (2012); and

WHEREAS, the Petitioner is a Florida Limited Liability Partnership, authorized to conduct business in the State of Florida; 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 County on December 11, 2012; and

WHEREAS, upon consideration of the record established at that hearing, the County 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, the 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.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Section 1. Findings. The above recitals are adopted as findings of fact in support of this Ordinance.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2012).

Section 3. Chapter 37.3, Alachua County Code, is hereby amended as follows:

**CHAPTER 37.3
CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT
No. 1**

Sec. 37.2.1. District Name.

There is hereby established a Community Development District situated entirely within Alachua County, Florida, which District shall be known as the “Celebration Pointe Community Development District No. 1.”

Sec. 37.2.2. External Boundaries of the District.

The external boundaries of the District are described in Exhibit A attached hereto and incorporated by reference, the overall parcel containing 165.38 acres, more or less.

Sec. 37.2.3. Powers.

The powers of the District are as described in Sections 190.011 and 190.012(1) and (3), Florida Statutes.

Sec. 37.2.4. Board of Supervisors.

The five persons designated to serve as initial members of the District’s Board of Supervisors are as follows: Heather Williams Dyrkolbotn, Troy Ely, Charles Olinger,

Will Olinger, Jonathan Paul. All of the above-named persons are residents of the State of Florida and citizens of the United States.

Section 4. Conflict. The terms of this Ordinance shall govern to the extent of any conflict with any other County ordinance.

Section 5. Severability. All provisions of this Ordinance are severable and should a court of competent jurisdiction determine finally any provision hereof to be in conflict with law such that the offending provision and other law cannot coexist, such provision shall be deemed stricken and the remainder shall survive in full force and effect to the extent legally possible.

Section 6. Effective Date. A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by Board of County Commissioners, and shall take effect upon filing with the Department of State.

DULY ADOPTED in regular session, this 11th day of December, A.D., 2012.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

BY: Mike Byerly
Mike Byerly, Chair

ATTEST:
J.K. Irby
J.K. Irby, Clerk

APPROVED AS TO FORM

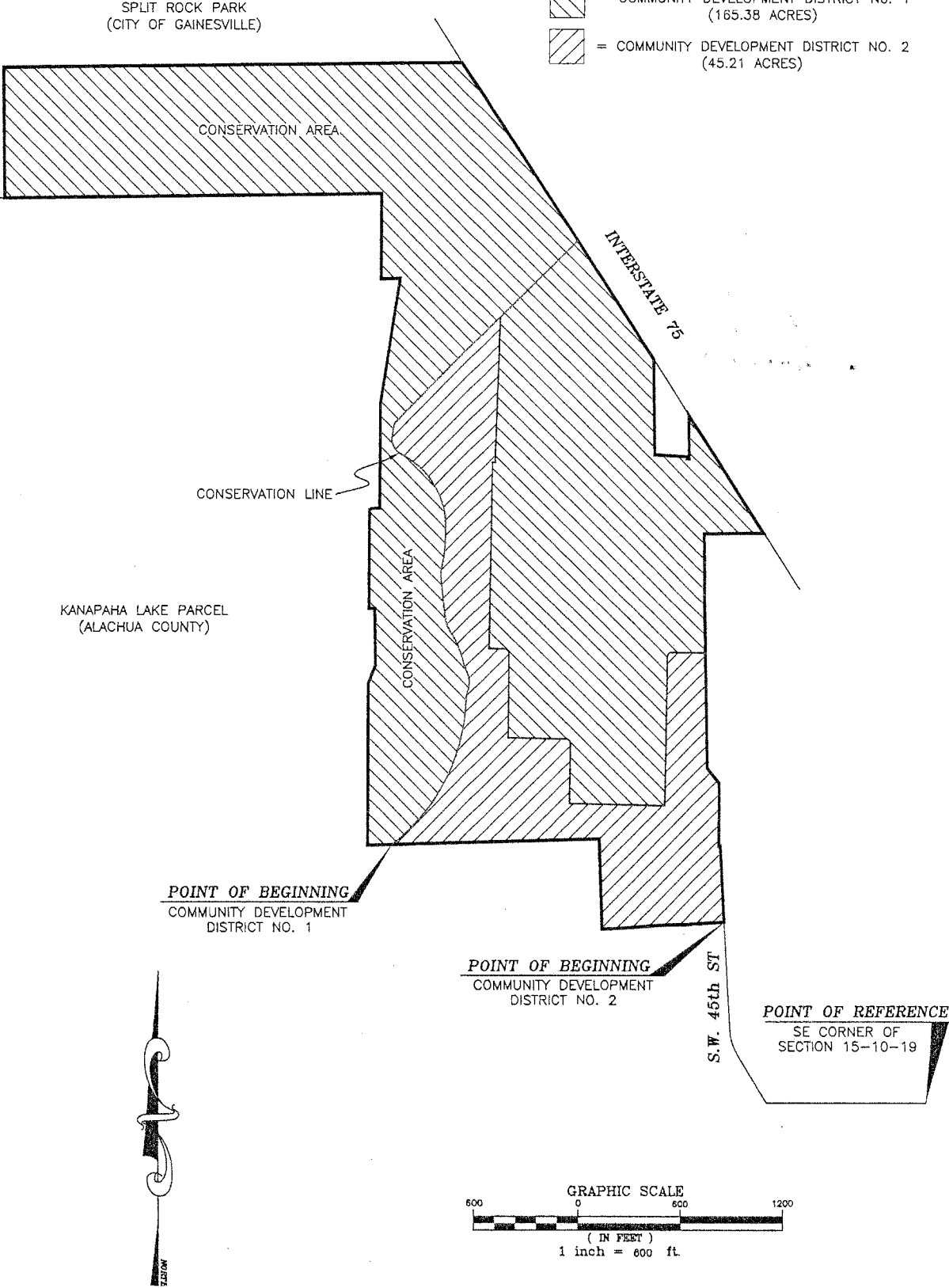
D. Wes
Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL
AS TO CORRECTNESS

Steven Jacknick
Director of Growth Management
or designee

CELEBRATION POINTE



CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT No. 1

LEGAL DESCRIPTION (BY THIS SURVEYOR)

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15 FOR A POINT OF REFERENCE; THENCE RUN NORTH 89°58'56" WEST, ALONG THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 923.35 FEET TO THE INTERSECTION WITH THE EASTERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 45TH STREET (PER MAINTENANCE MAP BOOK 2, PAGES 19-25)(RIGHT OF WAY WIDTH VARIES); THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG SAID EASTERLY MAINTAINED RIGHT OF WAY LINE: (1) NORTH 31°35'14" WEST, A DISTANCE OF 327.55 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 300.00 FEET; (2) NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 149.39 FEET THROUGH A CENTRAL ANGLE OF 28°31'54", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF NORTH 17°15'19" WEST, 147.85 FEET TO THE END OF SAID CURVE; (3) NORTH 02°59'19" WEST, A DISTANCE OF 637.77 FEET; THENCE RUN SOUTH 86°25'48" WEST, A DISTANCE OF 238.86 FEET; THENCE RUN SOUTH 89°08'04" WEST, A DISTANCE OF 85.58 FEET; THENCE RUN SOUTH 85°54'51" WEST, A DISTANCE OF 302.42 FEET; THENCE RUN SOUTH 87°40'23" WEST, A DISTANCE OF 48.53 FEET; THENCE RUN SOUTH 88°50'35" WEST, A DISTANCE OF 44.02 FEET; THENCE RUN NORTH 01°41'24" WEST, A DISTANCE OF 521.74 FEET; THENCE RUN SOUTH 88°25'19" WEST, A DISTANCE OF 1207.10 FEET TO THE EAST LINE OF A CONSERVATION AREA AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°25'19" WEST, A DISTANCE OF 139.49 FEET TO THE EAST LINE OF THE LAKE KANAPAHA PARCEL; THENCE RUN THE FOLLOWING TWELVE (12) COURSES ALONG SAID LAKE KANAPAHA PARCEL BOUNDARY: (1) NORTH 00°25'01" EAST, A DISTANCE OF 940.52 FEET; (2) NORTH 21°16'11" EAST, A DISTANCE OF 112.71 FEET; (3) NORTH 00°43'49" WEST, A DISTANCE OF 330.00 FEET; (4) SOUTH 89°16'11" WEST, A DISTANCE OF 33.52 FEET; (5) NORTH 00°25'01" EAST, A DISTANCE OF 580.69 FEET; (6) NORTH 69°18'33" EAST, A DISTANCE OF 14.80 FEET; (7) NORTH 86°19'41" EAST, A DISTANCE OF 44.83 FEET; (8) NORTH 00° 21'55" EAST, A DISTANCE OF 611.07 FEET; (9) NORTH 09°16'11" EAST, A DISTANCE OF 732.00 FEET; (10) SOUTH 89°16'11" WEST, A DISTANCE OF 113.33 FEET; (11) NORTH 00° 21'55" EAST, A DISTANCE OF 494.07 FEET; (12) SOUTH 89°16'11" WEST, A DISTANCE OF 2198.22 FEET TO THE BOUNDARY OF SPLIT ROCK PARK; THENCE RUN NORTH 00°32'40" WEST, ALONG SAID BOUNDARY, A DISTANCE OF 761.70 FEET; THENCE RUN NORTH 89°17'18" EAST, ALONG SAID BOUNDARY, A DISTANCE OF 2681.15 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 75 (A 300 FOOT LIMITED ACCESS RIGHT OF WAY); THENCE RUN SOUTH 32°39'28" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 2047.95 FEET; THENCE RUN SOUTH 00°36'10" EAST, A DISTANCE OF 556.90 FEET; THENCE RUN SOUTH 87°01'19" EAST, A DISTANCE OF 194.75 FEET; THENCE RUN SOUTH 02°16'56" WEST, A DISTANCE OF 11.50 FEET; THENCE RUN SOUTH 89°29'44" EAST, A DISTANCE OF 12.09 FEET; THENCE RUN NORTH 00°40'48" WEST, A DISTANCE OF 252.55 FEET TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF INTERSTATE 75; THENCE RUN SOUTH 32°39'28" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 245.28 FEET; THENCE RUN SOUTH 32°40'28" EAST, CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 567.68 FEET; THENCE RUN SOUTH 89°19'10" WEST, A DISTANCE OF 351.13 FEET TO THE AFOREMENTIONED EASTERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 45TH STREET; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG SAID EASTERLY MAINTAINED RIGHT OF WAY LINE: (1) SOUTH 00°41'38" EAST, A DISTANCE OF 664.55 FEET; (2) SOUTH 88°49'40" WEST, A DISTANCE OF 1.69 FEET; (3) SOUTH 00°53'53" EAST, A DISTANCE OF 34.42 FEET; THENCE RUN NORTH 89°06'21" WEST, A DISTANCE OF 197.29 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 39.21 FEET, THROUGH A CENTRAL ANGLE OF 89°52'25", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 45°57'26" WEST, 35.32 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 01°01'14" WEST, A DISTANCE OF 865.60 FEET; THENCE RUN NORTH 88°46'41" WEST, A DISTANCE OF 556.78 FEET; THENCE RUN NORTH 00°55'10" EAST, A DISTANCE OF 349.41 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 39.20 FEET, THROUGH A CENTRAL ANGLE OF 89°49'45", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF NORTH 43°59'42" WEST, 35.30 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 88°54'35" WEST, A DISTANCE OF 332.37 FEET; THENCE RUN NORTH 00°41'11" EAST, A DISTANCE OF 490.39 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 39.12 FEET, THROUGH A CENTRAL ANGLE OF 89°39'53", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF NORTH 44°08'45" WEST, 35.25 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 88°58'42" WEST, A DISTANCE OF 90.08 FEET; THENCE RUN NORTH 01°01'08" EAST, A DISTANCE OF 1088.39 FEET; THENCE RUN NORTH 89°23'03" EAST, A DISTANCE OF 15.89 FEET; THENCE RUN NORTH 02°01'52" EAST, A DISTANCE OF 844.80 FEET TO THE EASTERLY LINE OF THE AFOREMENTIONED CONSERVATION AREA; THENCE RUN THE FOLLOWING THIRTEEN (13) COURSES ALONG SAID EASTERLY LINE: (1) SOUTH 45°04'00" WEST, A DISTANCE OF 875.90 FEET; (2) SOUTH 09°17'15" WEST, A DISTANCE OF 75.08 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 100.00 FEET; (3) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 127.50 FEET THROUGH A CENTRAL ANGLE OF 73°03'03", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 27°14'16" EAST, 119.04 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 473.07 FEET; (4) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 459.11 FEET THROUGH A CENTRAL ANGLE OF 55°36'20", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 35°57'38" EAST, 441.31 FEET TO THE POINT OF COMPOUND CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1011.69 FEET; (5) SOUTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 302.88 FEET THROUGH A CENTRAL ANGLE OF 17°09'11", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 03°54'32" WEST, 301.75 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 200.00 FEET; (6) SOUTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 67.78 FEET THROUGH A CENTRAL ANGLE OF 19°25'02", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 02°46'36" WEST, 67.46 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 5968.23 FEET; (7) SOUTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 217.57 FEET THROUGH A CENTRAL ANGLE OF 02°05'19", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 05°53'15" EAST, 217.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 200.00 FEET; (8) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 98.99 FEET THROUGH A CENTRAL ANGLE OF 28°21'27", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 19°01'19" EAST, 97.98 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 575.10 FEET; (9) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 200.08 FEET THROUGH A CENTRAL ANGLE OF 19°56'01", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 23°14'02" EAST, 199.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 200.00 FEET; (10) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 48.08 FEET THROUGH A CENTRAL ANGLE OF 13°46'24", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 20°09'14" EAST, 47.96 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 151.11 FEET; (11) SOUTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 121.72 FEET THROUGH A CENTRAL ANGLE OF 46°09'07", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 03°57'53" EAST, 118.45 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 200.00 FEET; (12) SOUTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 58.27 FEET THROUGH A CENTRAL ANGLE OF 16°41'32", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 10°45'54" WEST, 58.06 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1094.64 FEET; (13) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 977.90 FEET THROUGH A CENTRAL ANGLE OF 51°11'08", SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF SOUTH 28°00'42" WEST, 945.71 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING.

CONTAINING 165.38 ACRES, MORE OR LESS.