

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 2014- 03

AN ORDINANCE EXPANDING THE CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1 PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2013); 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 EXPANDED DISTRICT'S BOARD OF SUPERVISORS; ADDRESSING ORDINANCE CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Celebration Pointe Community Development District No. 1 ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, and County of Alachua, Alachua County Ordinance Number 2012-17; and

WHEREAS, Celebration Pointe Partners, LLC ("Petitioner"), having obtained written consent to the expansion 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 expanding the Celebration Pointe Community Development District No. 1 (the "District") by a total of 47.06 acres pursuant to Chapter 190, Florida Statutes (2013); and

WHEREAS, the original Celebration Pointe Community Development District No. 1 containing 165.38 acres was approved by the Board of County Commissioners on December 11, 2014;

WHEREAS, the Petitioner is requesting an additional 47.06 acres be added to the Celebration Pointe Community Development District No. 1, expanding the size of the District to a total of 212.44 acres;

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 January 28, 2014; 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 expansion 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 expanded 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 expansion 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 (2013).

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

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

Sec. 37.3.1. 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. 37.3.2. 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~~ 212.44 acres, more or less.

Sec. 37.3.3. Powers.

The powers of the district are as described in F.S. § 190.011 and 190.012(1) and (3).

Sec. 37.3.4. 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.

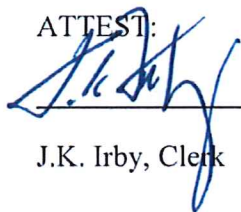
Section 5. Severability. All provisions of this Ordinance are severable and should a court of competent jurisdiction determine finally any provision hereof to be in conflict with law such that the offending provision and other law cannot coexist, such provision shall be deemed stricken and the remainder 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 28th day of January, A.D., 2014.


BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

BY: 
Lee Pinkoson, Chair

ATTEST:

J.K. Irby, Clerk

(SEAL)

APPROVED AS TO FORM


Alachua County Attorney

DEPARTMENT APPROVAL
AS TO CORRECTNESS




Director of Growth Management
or designee

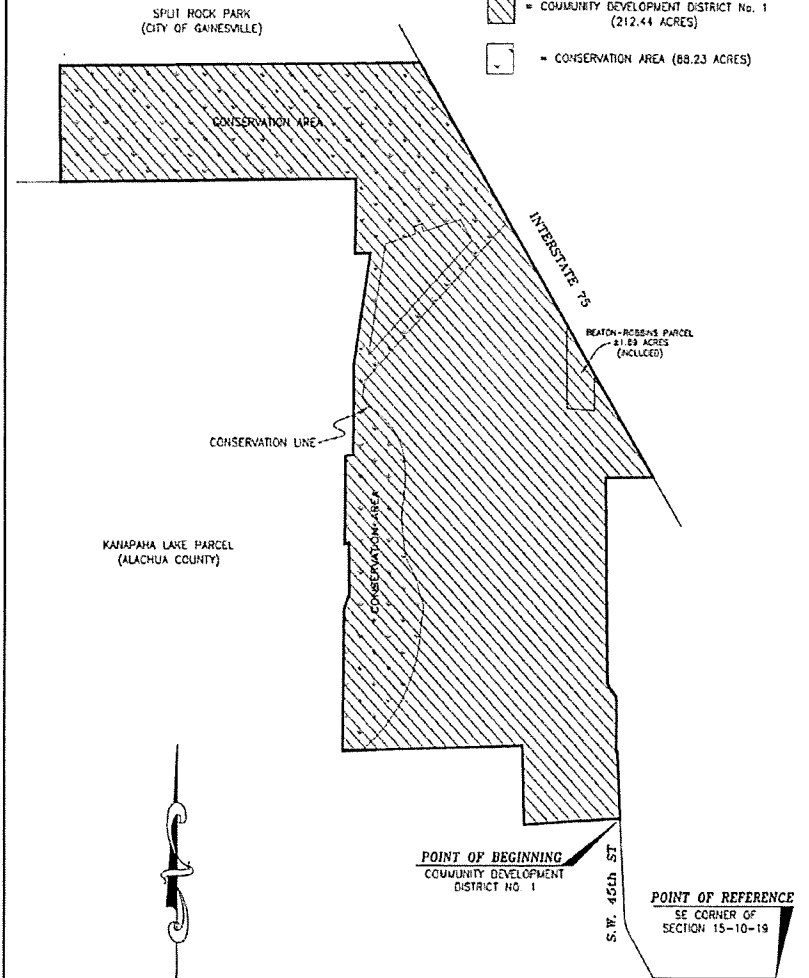
SKETCH

LYING IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 19 EAST,
ALACHUA COUNTY, FLORIDA

THIS IS NOT A BOUNDARY SURVEY

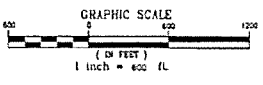
CELEBRATION POINTE

-  = COMMUNITY DEVELOPMENT DISTRICT No. 1 (212.44 ACRES)
-  = CONSERVATION AREA (88.23 ACRES)



POINT OF BEGINNING
COMMUNITY DEVELOPMENT
DISTRICT NO. 1

POINT OF REFERENCE
SE CORNER OF
SECTION 15-10-19



<p>THIS SKETCH IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED FOR THAT PURPOSE. IT IS A PRELIMINARY SKETCH AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.</p>	<p>LEIGH ANN FORDS <i>[Signature]</i> PLANNING AND MAPPING, INC. 207 SE GOROK GLEN HOW SPRING, FLORIDA 32943 (904) 454-8147</p>	<p>PLANNING AND MAPPING, INC. 207 SE GOROK GLEN HOW SPRING, FLORIDA 32943 (904) 454-8147</p>	<table border="1"> <tr> <td>FILE NO.</td> <td>15-10-19</td> </tr> <tr> <td>DRAWN BY</td> <td></td> </tr> <tr> <td>CHECKED BY</td> <td></td> </tr> <tr> <td>DATE</td> <td>12/1/74</td> </tr> <tr> <td>SHEET</td> <td>1 OF 2</td> </tr> </table>	FILE NO.	15-10-19	DRAWN BY		CHECKED BY		DATE	12/1/74	SHEET	1 OF 2
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**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°58'58" WEST, ALONG THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 823.35 FEET TO THE INTERSECTION WITH THE EASTERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 45th STREET (PER MAINTENANCE MAP BOOK 2, PAGES 19-23)(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 837.77 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 86°27'14" WEST, A DISTANCE OF 238.89 FEET; THENCE RUN SOUTH 89°08'40" WEST, A DISTANCE OF 85.60 FEET; THENCE RUN SOUTH 85°54'44" WEST, A DISTANCE OF 302.44 FEET; THENCE RUN SOUTH 87°38'23" WEST, A DISTANCE OF 48.53 FEET; THENCE RUN SOUTH 88°53'02" WEST, A DISTANCE OF 44.00 FEET; THENCE RUN NORTH 01°41'11" WEST, A DISTANCE OF 521.74 FEET; THENCE RUN SOUTH 88°25'19" WEST, A DISTANCE OF 1346.43 FEET TO THE EAST LINE OF THE LAKE KANAPAHA PARCEL; THENCE RUN THE FOLLOWING THIRTEEN (13) COURSES ALONG SAID LAKE KANAPAHA PARCEL BOUNDARY: (1) NORTH 00°25'02" EAST, A DISTANCE OF 940.90 FEET; (2) NORTH 21°16'05" EAST, A DISTANCE OF 112.29 FEET; (3) NORTH 00°43'49" WEST, A DISTANCE OF 330.00 FEET; (4) SOUTH 89°16'11" WEST, A DISTANCE OF 33.37 FEET; (5) NORTH 00°21'06" EAST, A DISTANCE OF 580.82 FEET; (6) NORTH 76°07'00" EAST, A DISTANCE OF 24.19 FEET; (7) SOUTH 89°20'53" EAST, A DISTANCE OF 18.48 FEET; (8) NORTH 77°51'27" EAST, A DISTANCE OF 17.67 FEET; (9) NORTH 00°21'55" EAST, A DISTANCE OF 610.74 FEET; (10) NORTH 09°17'01" EAST, A DISTANCE OF 731.07 FEET; (11) SOUTH 89°18'21" WEST, A DISTANCE OF 113.36 FEET; (12) NORTH 00°21'55" EAST, A DISTANCE OF 494.26 FEET; (13) 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 2680.57 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 75 (A 300 FOOT LIMITED ACCESS RIGHT OF WAY); THENCE RUN SOUTH 32°39'55" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 2680.85 FEET; THENCE RUN SOUTH 32°40'19" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 567.74 FEET; THENCE RUN SOUTH 89°20'04" WEST, A DISTANCE OF 351.16 FEET TO THE AFOREMENTIONED EASTERLY MAINTAINED RIGHT OF WAY LINE OF S.W. 45th STREET; THENCE RUN THE FOLLOWING EIGHT (8) COURSES ALONG SAID EASTERLY MAINTAINED RIGHT OF WAY LINE: (1) SOUTH 00°41'38" EAST, A DISTANCE OF 664.45 FEET; (2) SOUTH 89°49'40" WEST, A DISTANCE OF 1.69 FEET; (3) SOUTH 00°53'53" EAST, A DISTANCE OF 704.25 FEET; (4) SOUTH 38°40'43" EAST, A DISTANCE OF 109.72 FEET; (5) SOUTH 00°53'53" EAST, A DISTANCE OF 50.82 FEET; (6) SOUTH 00°09'49" WEST, A DISTANCE OF 313.71 FEET; (7) SOUTH 89°46'35" EAST, A DISTANCE OF 8.63 FEET; (8) SOUTH 02°59'19" EAST, A DISTANCE OF 443.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 212.44 ACRES, MORE OR LESS.

THIS INSTRUMENT IS VALID AND EFFECTIVE FROM THE DATE OF RECORDATION UNLESS OTHERWISE SPECIFIED HEREIN.
 I, LOCH ANN FLOWERS
 Surveyor
 My Commission Expires 12/31/2011
 My Office is Located at 207 SE Concord Glen, High Springs, Florida 32643
 My Telephone is 352-454-8147
 My Fax is 352-454-8147



**FLOWERS SURVEYING
AND MAPPING, INC.**
 207 SE CONCORD GLEN
 HIGH SPRINGS, FLORIDA 32643
 (352) 454-8147

FIELD BOOK: N/A	SHEET NUMBER: 13-087
DRAWN: LAF	SHEET: 2 OF 2
DATE: 12/7/13	