

ORDINANCE NO. 03-19

AN ORDINANCE ESTABLISHING THE SOUTH FORK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2003); 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 SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, South Fork, L.L.C. ("Petitioner"), having obtained written consent to the establishment of the District by the owner of one hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners of Hillsborough County (the "County") to adopt an ordinance establishing the South Fork Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2003); and

WHEREAS, Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida and whose address is 2502 Rocky Pointe Drive, Suite 1050, Tampa, Florida 33607; 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 July 22, 2003; 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

*Recorded
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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, 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; and now, therefore,

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

SECTION 1. AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2003).

SECTION 2. DISTRICT NAME. There is hereby created a community development district situated entirely within unincorporated Hillsborough County, Florida, which District shall be known as the "South Fork Community Development District."

SECTION 3. EXTERNAL BOUNDARIES OF THE DISTRICT. Encompassing approximately 156.351 acres, the external boundaries of the District are described in Exhibit A attached hereto.

SECTION 4. RECREATION POWERS. Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses as authorized and described by Section 190.012(2)(a), Florida Statutes.

SECTION 5. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Patricia Ryan, Robert Clanton, Paul Ray, Jr., Bill Eshenbaugh, Kathleen Nicholson.

All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

SECTION 6. SEVERABILITY. If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgement that a copy of this Ordinance has been filed with the Secretary of State.

Adopted this 22nd day of July, 2003.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of July 22, 2003, as the same appears of record in Minute Book 326 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 29th day of July, 2003.

RICHARD AKE, CLERK

By: Julene W. Hegory
Deputy Clerk



Approved as to form and legal sufficiency:
COUNTY ATTORNEY

By: RMK
Rebecca M. Kert
Assistant County Attorney

DC

EXHIBIT "A"

LEGAL DESCRIPTION:

A portion of Section 17, Township 31 South, Range 20 East and a portion of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Begin at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 16; thence N.89°57'23"E. along the North boundary line of said Southwest 1/4 of the Northwest 1/4, a distance of 400.00 feet; thence S.00°02'00"W., a distance of 1306.82 feet; thence N89°49'06"W a distance of 398.64 feet; thence S.00°00'09"W., along the East boundary line of the Southeast 1/4 of said Section 17, a distance of 1338.47 feet; thence N.59°49'00"W. a distance of 2649.55 feet; thence S.89°50'22"W. a distance of 200.00 feet; thence S.00°09'28"E. a distance of 351.54 feet; thence S89°46'15"W. a distance of 950.29 feet; thence N00°02'00"W, along the East boundary of SOUTH FORK UNIT 2, as recorded in Plat Book 94, Page 75 of the public records of Hillsborough County, Florida and the southerly extension thereof, a distance of 1040.19 feet to the Northeast corner of said SOUTH FORK UNIT 2; thence N.87°35'00"E., a distance of 140.31 feet; thence N.00°03'01"W., a distance of 623.04 feet to the North boundary line of the Southeast 1/4 of the Northwest 1/4 of said Section 17; thence S89°58'09"E a distance of 619.01 feet; thence N.89°58'09"E., along the North boundary line of the South 1/2 of the Northeast 1/4 of said Section 17, a distance of 2681.04 feet to the POINT OF BEGINNING.

Containing 156.351 acres, more or less.