

JUL 11 2006

BY THE CITY COMMISSION

ORDINANCE 2006-0925

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, ESTABLISHING THE HIGHLAND LAKES COMMUNITY DEVELOPMENT DISTRICT WITHIN A PARCEL OF LAND LYING IN SECTIONS 1 AND 2, TOWNSHIP 25 SOUTH, RANGE 21 EAST PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Metro Development Group, LLC, a Florida limited liability company (the "Petitioner"), has submitted a Petition with the City Commission of the City of Dade City, Florida (the "City") pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish the Highland Lakes Community Development District (the "District"), and designating the land area for which the District would manage and finance the delivery of basic infrastructure services; and

WHEREAS, pursuant to Chapter 190, Florida Statutes, the City conducted a public hearing on May 9, 2006 to consider oral and written comments on the Petition; and

WHEREAS, the proposed District complies with the requirements of law, and is in the best interest and promotes the health, safety and welfare of the citizens of the City of Dade City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby incorporated as if fully set forth herein.

Section 2. The **Highland Lakes Community Development District** is hereby established, the administration of which shall be subject to the provisions of Chapter 190, Florida Statutes, as amended; and the boundaries of which are more particularly described in Exhibit "A" attached hereto.

Section 3. The five initial members of the Board of Supervisors are:

- A. Mr. Michael Lawson, 2502 N. Rocky Point Drive, Suite 1050, Tampa, FL 33607
- B. Mr. Paul Ray, Jr., 2502 N. Rocky Point Drive, Suite 1050, Tampa, FL 33607
- C. Mr. William Eshenbaugh, Eshenbaugh Land Company, 2502 N. Rocky Point Drive, Suite 675, Tampa, FL 33607
- D. Ms. Patricia Ryan, 2502 N. Rocky Point Drive, Suite 1050, Tampa, FL 33607
- E. Mr. Robert Clanton, 2502 N. Rocky Point Drive, Suite 1050, Tampa, FL 33607

Section 4. All statements contained within the Petition have been found to be true and correct to the best of the Commission's knowledge.

Section 5. The establishment of the District is consistent with any applicable element or portion of the State Comprehensive Plan and with the City's Comprehensive Plan.

Section 6. The area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

Section 7. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District.

Section 8. The community development services and facilities of the District will be compatible with the capacity and uses of existing local and regional community development services and facilities.

Section 9. The area that will be served by the District is amenable to separate special-district government.

Section 10. The City hereby consents to the exercise by the District of the special powers set forth in Section 190.012(2), Florida Statutes.

Section 11. **Severability.** If any section, subsection, sentence, clause, provision, or part of this Ordinance shall be invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

Section 12. Effective Date. This Ordinance shall become effective pursuant to the provisions of the City Charter.

Read and approved upon first reading this 25th day of April, 2006.

ATTEST:

CITY OF DADE CITY, FLORIDA

By: James D. Class
James D. Class, City Clerk

By: R. Hutchison Brock, II
R. Hutchison Brock, II, Mayor

Read and continued to a date certain on the 9th day of May, 2006 and approved following public hearing this 23rd day of May, 2006.

ATTEST:

CITY OF DADE CITY, FLORIDA

By: James D. Class
James D. Class, City Clerk

By: R. Hutchison Brock, II
R. Hutchison Brock, II, Mayor

Approved as to legal form and content

Karla S. Owens
Karla S. Owens, City Attorney

THIS IS NOT A SURVEY

LEGAL DESCRIPTION; PARENT TRACT

PARCEL 1

ALL THAT PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ LYING WEST OF A. C. L. RAILROAD RIGHT-OF-WAY, IN SECTION 1, TOWNSHIP 25 SOUTH, RANGE 21 EAST, PASCO COUNTY, FLORIDA. LESS ROAD RIGHT-OF-WAY;

AND LESS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 21 EAST, PASCO COUNTY, FLORIDA, THENCE ALONG THE WEST LINE THEREOF NORTH 00°05' 15" WEST 1200.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 35-A, THENCE ALONG SAID LINE SOUTH 25°54' EAST 74.30 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 25°54' EAST 50.00 FEET, THENCE LEAVING SAID LINE SOUTH 64°06' WEST, 50.00 FEET, THENCE NORTH 25°54' WEST 50.00 FEET THENCE NORTH 64°06' EAST 50.00 FEET TO THE POINT OF BEGINNING.

AND

THE NORTH ½ OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼, SECTION 1, TOWNSHIP 25 SOUTH, RANGE 21 EAST, PASCO COUNTY, FLORIDA.

PARCEL 2

SOUTH ½ OF THE NORTHEAST ¼; EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼; WEST ½ OF THE SOUTHEAST ¼; AND NORTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼, LESS THE FOLLOWING DESCRIBED PARCEL; COMMENCE 686 FEET NORTH OF THE SOUTHEAST CORNER OF SAID NORTHEAST ¼ OF THE SOUTHEAST ¼, THENCE RUN WEST 100 FEET, THENCE RUN NORTH 100 FEET, THENCE RUN EAST 100 FEET, THENCE RUN SOUTH, 100 FEET TO THE POINT OF BEGINNING; AND LESS ROAD RIGHT-OF-WAY; AND SUBJECT TO TAMPA ELECTRIC COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1119, PAGE 1736, PUBLIC RECORDS OF PASCO COUNTY, FLORIDA.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTH 20 FEET OF THE FOLLOWING DESCRIBED PARCEL: COMMENCE 686 FEET NORTH OF THE SOUTHEAST CORNER OF SAID NORTHEAST ¼ OF THE SOUTHEAST ¼, THENCE RUN WEST 100 FEET, THENCE RUN NORTH 100 FEET, THENCE RUN EAST 100 FEET, THENCE RUN SOUTH 100 FEET TO THE POINT OF BEGINNING.

ALL BEING IN SECTION 2, TOWNSHIP 25 SOUTH, RANGE 21 EAST, PASCO COUNTY, FLORIDA.

AND LESS:

THE WEST 600.00 FEET OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 2, TOWNSHIP 25 SOUTH, RANGE 21 EAST, PASCO COUNTY, FLORIDA.

PARCEL 3

COMMENCE AT NORTHEAST CORNER OF THE SOUTH ½ OF THE NORTHEAST ¼ OF SECTION 2-25-21, THENCE, BEARING NORTH 89°48'26" WEST, A DISTANCE OF 62.77 FEET TO A POINT; THE POINT OF BEGINNING. THENCE, BEARING SOUTH 26°01'32" EAST, A DISTANCE OF 215.22 FEET TO A POINT; THENCE, BEARING SOUTH 63°58'55" WEST, A DISTANCE OF 50.06 FEET TO A POINT; THENCE, BEARING SOUTH 26°03'46" EAST, A DISTANCE OF 50.05 FEET TO A POINT; THENCE, BEARING NORTH 64°04'03" EAST, A DISTANCE OF 49.93 FEET TO A POINT; THENCE, BEARING SOUTH 25°50'34" EAST, A DISTANCE OF 178.24 FEET TO A POINT; THENCE, BEARING NORTH 89°48'26" WEST, A DISTANCE OF 443.59 FEET TO A POINT; THENCE, BEARING NORTH 25°56'20" WEST, A DISTANCE OF 443.59 FEET TO A POINT; THENCE, BEARING SOUTH 89°48'26" EAST, A DISTANCE OF 443.59 FEET TO A POINT; THE POINT OF BEGINNING.

AND LESS:

THAT PART OF THE NORTH ½ OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ LYING WEST OF STATE ROAD 35-A


(±187.10 ACRES)

HIGHLAND LAKE DESCRIPTION

Drawing name: H:\049710000 Highland Lake\CADD\CIVIL\XHEBITS\98119-TEST-R.dwg Layout1 (2) Dec 13, 2005 4:48pm by Sergio.Penton

This document, together with the concepts and design presented herein, is an instrument of service, it is intended only for the specific purpose and client for which it was prepared. Plans of and dependent reference to the document without written authorization and signature by Kinley-Horn and Associates, Inc. shall be without liability to Kinley-Horn and Associates, Inc.

SCALE AS NOTED
DESIGNED BY SP
DRAWN BY SP
CHECKED BY SWR



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 3344 N.W. Street, Zephyrhills, FL 33542
 PHONE (813) 788-0400 FAX (813) 782-4976
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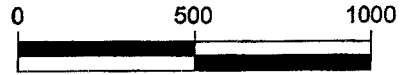
DATE 11-28-05
PROJECT NO. 049710003

METRO DEVELOPMENT

DESIGN ENGINEER: STUART W. ROGERS
FLORIDA P.E. LICENSE NUMBER: 42718

SHEET NUMBER 2 2 of 2

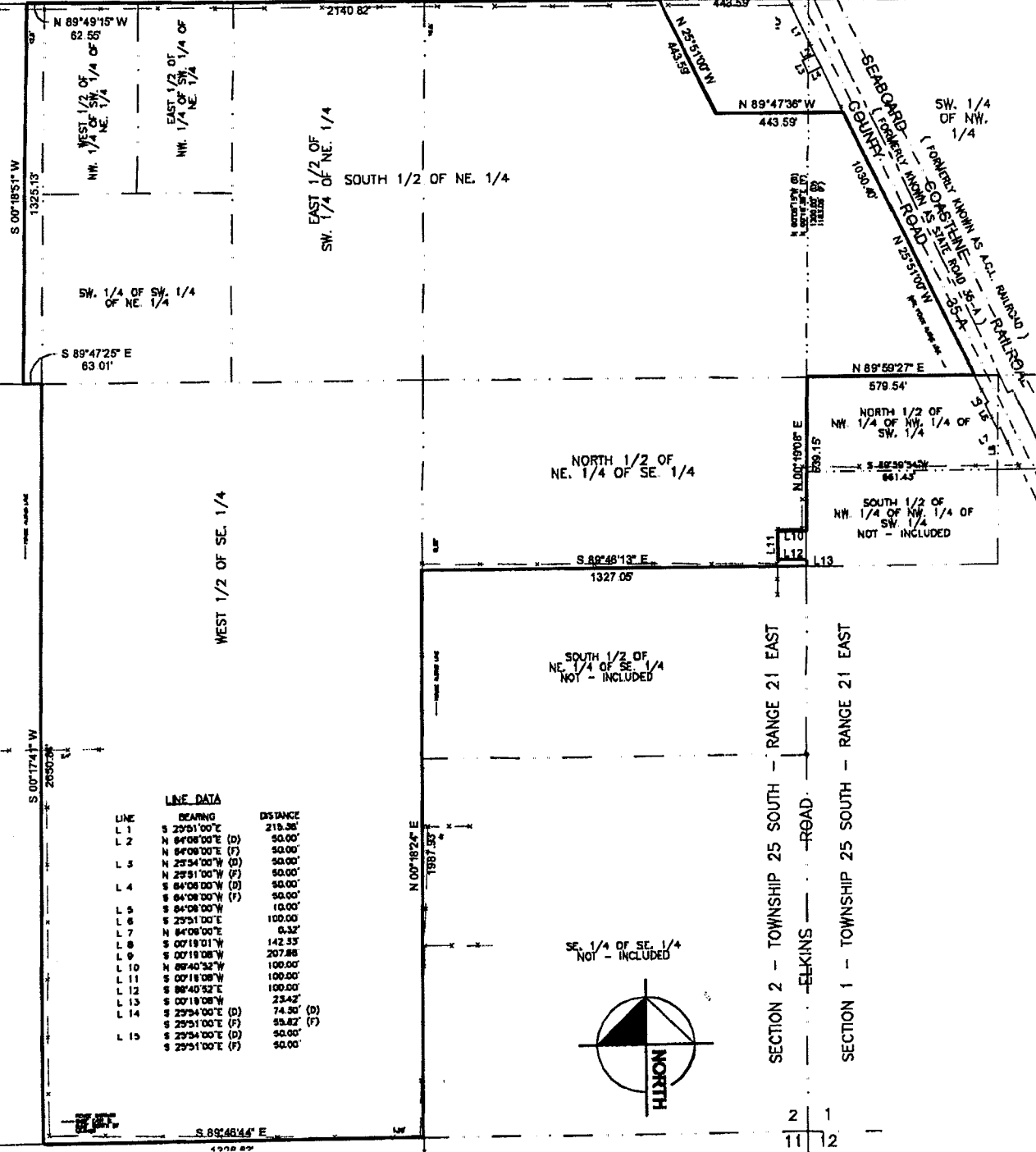
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SCALE AS SHOWN

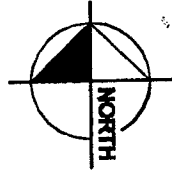
SECTIONS 1 & 2
TOWNSHIP 25 SOUTH, RANGE 21 EAST
PASCO COUNTY, FLORIDA
SEE SHEET 1 FOR LEGAL DESCRIPTION

MORNINGSIDE DRIVE



LINE DATA

LINE	BEARING	DISTANCE
L 1	S 29°51'00\"	215.26'
L 2	N 89°08'00\"	50.00'
L 3	N 29°54'00\"	50.00'
L 4	N 29°51'00\"	50.00'
L 5	N 89°08'00\"	50.00'
L 6	S 29°51'00\"	100.00'
L 7	N 89°08'00\"	10.00'
L 8	S 00°19'01\"	142.35'
L 9	N 00°19'08\"	207.88'
L 10	N 89°40'52\"	100.00'
L 11	S 00°19'08\"	100.00'
L 12	N 89°40'52\"	100.00'
L 13	S 00°19'08\"	234.2'
L 14	S 29°54'00\"	74.50'
L 15	S 29°51'00\"	55.82'
L 15	S 29°54'00\"	50.00'
L 15	S 29°51'00\"	50.00'



HIGHLAND LAKE SKETCH

Drawing name: H:\049710000 Highland Lake\CADD\Civ\EXHIBITS\98119-TEST-R.dwg Layout1 Dec 13, 2005 4:48pm by: Sergio Panton
This document represents the final design and design information only for the specific purpose and client for which it was prepared. Plans and engineer releases the document without obligation to the client. No liability is accepted for any errors or omissions.

SCALE AS NOTED
DESIGNED BY SP
DRAWN BY SP
CHECKED BY SMR

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DATE
11-28-05
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METRO DEVELOPMENT

DESIGN ENGINEER:
STUART M. ROGERS
FLORIDA P.E. LICENSE NUMBER:
42718

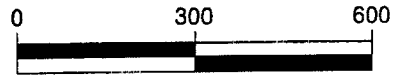
SHEET NUMBER
2
2 of 3

THIS IS NOT A SURVEY

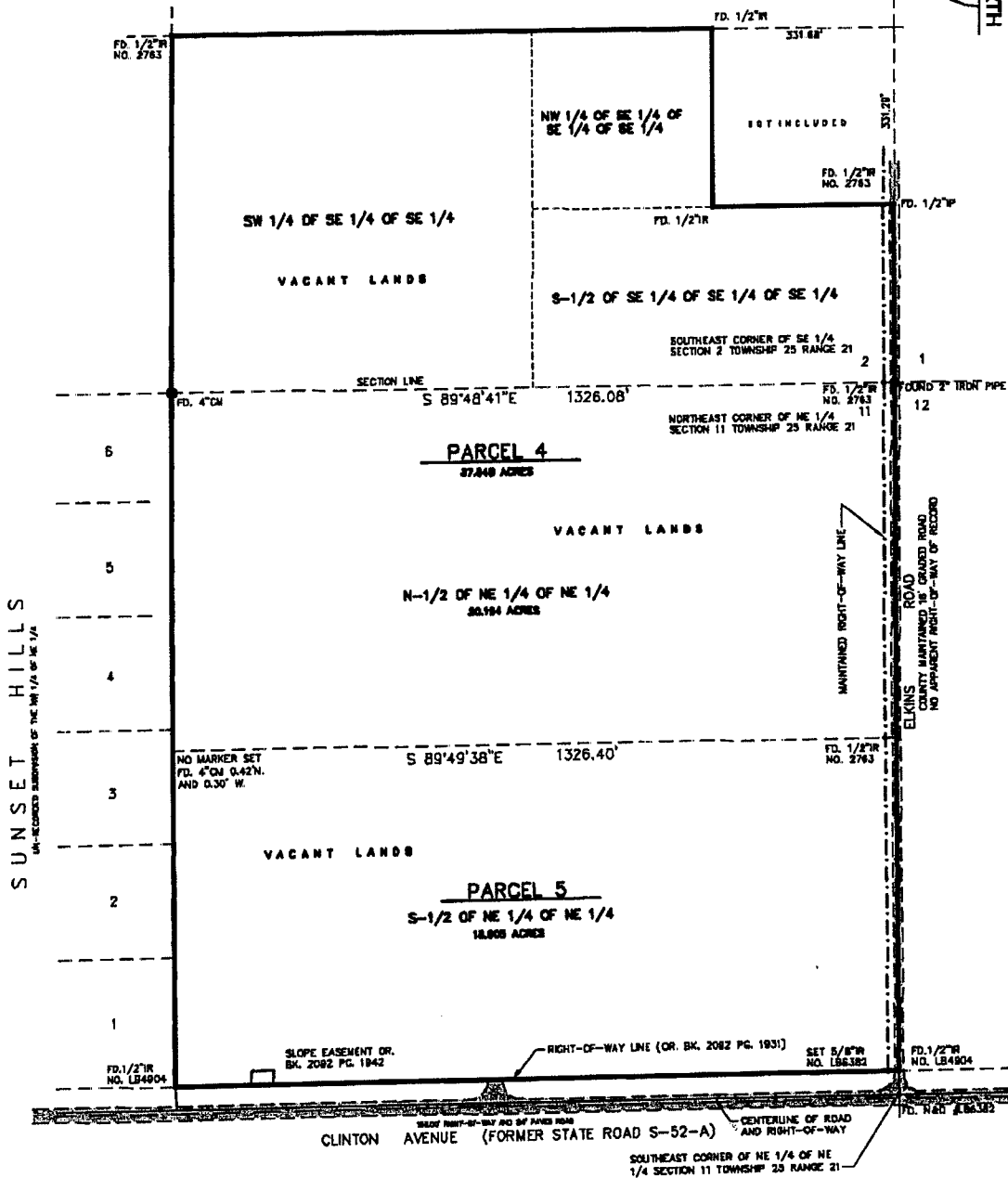
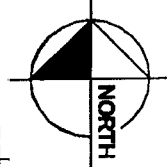
DESCRIPTION:

PARCEL #1:
THE SOUTH 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SE 1/4; SW 1/4 OF SE 1/4 OF SE 1/4; NW 1/4 OF SE 1/4 OF SE 1/4 OF SE 1/4; ALL IN SECTION 2, TOWNSHIP 25 SOUTH, RANGE 21 EAST; AND THE NORTH 1/2 OF NE 1/4 OF NE 1/4 OF SECTION 11, TOWNSHIP 25 SOUTH, RANGE 21 EAST; LESS ROAD RIGHT-OF-WAY FOR ELKINS ROAD; ALL LYING AND BEING IN PASCO COUNTY, FLORIDA.

PARCEL #2:
THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, LESS RIGHT-OF-WAY FOR CLINTON AVENUE, IN SECTION 11, TOWNSHIP 25 SOUTH, RANGE 21 EAST, PUBLIC RECORDS OF PASCO COUNTY, FLORIDA. (±56.75 ACRES)



SCALE AS SHOWN



SECTIONS 2 AND 11 TOWNSHIP 25 SOUTH RANGE 21 EAST
PASCO COUNTY, FLORIDA

CLINTON AVENUE SKETCH AND DESCRIPTION

Drawing name: H:\049710000 Highland Lake\CADD\GMD\VERHEITS\03265-Survey.dwg Layout1 Dec 13, 2005 4:48pm by Sergio.Penton
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DRAWN BY		11-28-05		STUART M. ROGERS	
CHECKED BY		PROJECT NO.		FLORIDA P.E. LICENSE NUMBER:	
SP		049710003		42718	
SMR					x of x

City of Dade City

AGENDA MEMO

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director *KS*
Subject: Creation of Highland Lakes Community Development District
Date: March 27, 2006

It is requested that the City Commission consider the following information and recommendations:

BACKGROUND AND ISSUES:

Before you for your approval is an ordinance creating the Highland Lakes Community Development District (CDD). The subject property contains 243.85 acres and extends from the northwest corner of Morningside Drive and County Road 35A down to Clinton Avenue. A CDD is an independent district established through the authority set forth in Chapter 190, Florida Statutes. This mechanism is used by developers of large projects to issue bonds to finance the construction of the necessary infrastructure within the project, often constructing enhanced recreation facilities, landscaped entrance areas and roadways for residents within the project. Once created, the CDD becomes an independent special district, and will oversee and manage all phases of construction including subsequent responsibility for the maintenance and management of the common areas on an ongoing and permanent basis. All costs associated with these activities, including payment of the bonds, will be borne only by property owners within the District that benefit from the improvements. **No Dade City funds will be used for creation of the District or construction of the necessary improvements, nor will any Dade City resident be affected other than those purchasing property within the this new subdivision project.** Although the City has no controlling authority or obligation to oversee the affairs of the District, Chapter 190, Florida Statutes, requires adoption of the attached Ordinance by the appropriate local authorities prior to the creation of the District.

ALTERNATIVES:

1. Introduce the attached Ordinance creating the Highland Lakes Community Development District.
2. Do not introduce the attached Ordinance creating the Highland Lakes Community Development District.

RECOMMENDATION:

This office recommends that the Commission approve Alternative No. 1 above. The applicant has previously paid for and published the required legal advertisement for this matter.

FUNDING:

No funding is required since the applicant previously paid for and published the required legal advertisement for this matter.