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AN ORDINANCE AMENDING CHAPTER 1-6.5 "COMMUNITY DEVELOPMENT" OF THE CODE OF ORDINANCES OF ST. LUCIE COUNTY, FLORIDA; ESTABLISHING THE LAKE LUCIE COMMUNITY DEVELOPMENT DISTRICT; ESTABLISHING BOUNDARIES FOR THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CODIFICATION; AND SETTING FORTH THE VOTE ON ADOPTION

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:

1. The Board is authorized, pursuant to §§ 125.01 and 190.005, Fla. Stat., to establish community development districts that are less than 1,000 acres in size and located within the unincorporated areas of the county.

2. St. Lucie Investment Corporation has filed with the Board a petition for the establishment of a community development district, which petition contains the information required by § 190.005(1)(a), Fla. Stat.

3. St. Lucie Investment Corporation has paid to the county the filing fee required by § 190.005(1)(b)1, Fla. Stat.

4. In accordance with § 190.005(1)(d) and (2)(b), Fla. Stat., the Board held a public hearing on March 21, 1989, after publishing notice of such hearing in the Fort Pierce News Tribune on February 21 and 28, and March 7 and 14, 1989.

5. The Board has considered the record of the public hearing and the factors set forth in § 190.005(1)(e), Fla. Stat., and has found that

- (a) All statements contained within the petition are true and correct;
- (b) The creation of the district is consistent with all applicable elements and portions of the state comprehensive plan and the effective local government comprehensive plan;

- (c) 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;
- (d) The district is the best alternative available for delivering community development services and facilities to the area that will be served by the district;
- (e) 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; and
- (f) The area that will be served by the district is amenable to separate special-district government.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St.

Lucie County, Florida:

PART A. ARTICLE III "LAKE LUCIE COMMUNITY DEVELOPMENT DISTRICT" OF CHAPTER 1-6.5 "COMMUNITY DEVELOPMENT" OF THE CODE OF ORDINANCES OF ST. LUCIE COUNTY, FLORIDA, IS CREATED TO READ:

Section 1-6.5-31. Established.

The Lake Lucie Community Development District is hereby established.

Section 1-6.5-32. Boundaries.

The boundaries of the Lake Lucie Community Development District are as set forth in the legal description contained in the attached Exhibit A.

Section 1-6.5-33. Initial Board of Supervisors.

The following five persons are designated as the initial members of

the Board of Supervisors of the Lake Lucie Community Development District: Richard Caster, John Shortridge, William Center, Maurice D. Snyder, and Susan Bagby.

Section 1-6.5-34. Special Conditions.

The following special conditions shall apply to the creation, operation, and existence of the Lake Lucie Community Development District:

- (a) The district will connect its sewer and water collection and distribution lines with those of any publicly owned regional facility providing centralized sewer and water services, and will dedicate or convey, without cost, to St. Lucie County or such entity as the Board of County Commissioners directs, all district-owned sewer and water collection and distribution lines and lift stations, upon request of the Board, provided that (1) concurrently with such requested connection and dedication or conveyance fully permitted sewer and water services are available to the district from a regional facility, and (2) by such dedication or conveyance the district will not be in default of or breach or abrogate any bond covenant, revenue pledge, or other contractual obligation. Prior to construction of the sewer and water systems, the district will cooperate with St. Lucie County and design the systems to facilitate interconnection with any regional water and sewer service or facility once such service becomes available to the district.
- (b) If the district develops and constructs central sewer and water facilities and provides such services within the district

boundaries, any nondistrict property constituting an enclave of the district shall be afforded the opportunity to receive such services at a rate or rates not greater than the fully allocated costs of providing such services.

- (c) The district will use its best efforts to develop in an integrated fashion the traffic circulation, water, and sewer facilities on the district property as one functional interrelated community.

PART B. CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, and adopted prior to January 1, 1969, County ordinances, and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART C. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

PART D. APPLICABILITY.

This ordinance shall be applicable as stated in Paragraph A.

PART E. FILING WITH THE DEPARTMENT OF STATE.

The Clerk is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code and Laws, Department of State, the Capitol, Tallahassee, Florida 32304.

PART F. EFFECTIVE DATE.

This ordinance shall take effect on April 1, 1989.

PART G. CODIFICATION.

Provisions of this ordinance shall be incorporated in the County Code and the word "ordinance" may be changed to "section," "article," or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts B through H shall not be codified.

PART H. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

Chairman Judy Culpepper	Absent
Vice Chairman Havert L. Fenn	Aye
Commissioner Jack Krieger	Absent
Commissioner R. Dale Trefelner	Aye
Commissioner Jim Minix	Aye

DULY PASSED AND ADOPTED this 21st day of March, 1989.

ATTEST:

Marcen J. McMahon
DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS OF
ST. LUCIE COUNTY, FLORIDA

By: *[Signature]*
CHAIRMAN

APPROVED AS TO FORM AND CORRECTNESS:

[Signature]
COUNTY ATTORNEY

EXHIBIT A

Lot 8 and a portion of Lots 5,6 and 7, all in Block 3 in Section 26, Township 36 South, Range 40 East, of subdivision entitled PLAT NO. 1 SAINT LUCIE GARDENS as recorded in Plat Book 1 at Page 35 of the Public Records of St. Lucie County, Florida, TOGETHER WITH all that portion of the Northwest 1/4 of the Southwest 1/4 of said Section 26, if any, lying adjacent to and West of said Lots 7 and 8 and adjacent to and North of that portion of said Lot 7 as contained within the total parcel as hereinafter described; the total parcel being geometrically described as follows:

From the POINT OF BEGINNING (P.O.B.), being the Northwest corner of the Southwest 1/4 of said Section 26, run thence S 89°42'05" E along the North line of the Southwest 1/4 of said Section 26, a distance of 951.62 feet to a point on the Westerly right-of-way line of U.S. Highway No. 1; thence run S 27° 31' 37" E along said Westerly right-of-way line of a 200 foot wide right-of-way for U.S. Highway No. 1 a distance of 22.61 feet; thence run N 89° 42' 05" W parallel to and 20 feet South of the North line of the Southwest 1/4 of Section 26; thence run S 00°00'32" E, a distance of 301.29 feet; thence run S 62°28' 23" W, a distance of 20.82 feet to the Easterly line of a 33 foot wide A.T. & T. easement; thence run along the Easterly line of said A.T. & T. easement as follows: S 47°18'25" E, a distance of 16.77 feet; thence run S 31°09'08" E, a distance of 622.74 feet; thence run S 28° 20'08" E, a distance of 281.78 feet; thence run S 27° 26'47" E, a distance of 138.89 feet to the intersection of the Easterly line of said A.T. & T. easement and the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 26, said intersection point being N 89° 41'14" W of and 271.72 feet distant from the Southeast corner of said Lot 5; thence departing from the Easterly line of said A.T. & T. easement, run N 89°41'14" W along the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 26, being the South line of said Lots 5,6 and 8, a distance of 1047.50 feet to the West line of said Section 26; thence run N 00° 02'06" E along the West line of said Section 26, a distance of 1323.55 feet to the POINT OF BEGINNING,

AND,

That portion of the South 40 feet of the North 1/2 of Section 26, Township 36 South, Range 40 East, St. Lucie County, lying West of U.S. Highway One; LESS AND EXCEPTING the West 320 feet thereof,

AND,

Lots 1 and 2 of Block 3 of Section 26, Township 36 South, Range 40 East, of subdivision entitled PLAT NO. 1 ST. LUCIE GARDENS; LESS AND EXCEPTING the following parcels: The West 330 feet, less the North 330 feet of Lot 2; The North 165 feet of the South 330 feet of the West 330 feet of Lot 1,

AND,

Lots 1-8, inclusive of Block 4 of Section 26, Township 36 South, Range 40 East, of subdivision entitled PLAT NO. 1 ST. LUCIE GARDENS; LESS AND EXCEPTING the following parcels: Lot 3, less the North 1140 feet, thereof; The South 495 feet of the North 645 feet of Lot 3; The North 150 feet of Lot 4; The South 165 feet of the North 975 feet of Lot 5; The East 330 feet, less the South 495 feet of Lot 7,

AND,

Lots 5-8, inclusive of Block 3 of Section 25, Township 36 South, Range 40 East, of subdivision entitled PLAT NO. 1 ST. LUCIE GARDENS; LESS AND EXCEPTING the following parcels: The East 330 feet, less the North 495 feet of Lot 8; The North 165 feet of the South 330 feet of the East 330 feet of Lot 7.

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