

SECOND, CORRECTIVE ORDINANCE

ORDINANCE NO. 19-33

AN ORDINANCE OF MANATEE COUNTY, REGARDING PUBLIC SERVICES; ESTABLISHING THE PARRISH PLANTATION COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-70 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "PARRISH PLANTATION COMMUNITY DEVELOPMENT DISTRICT," TO ESTABLISH THE PARRISH PLANTATION COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, TO DESCRIBE THE BOUNDARIES OF THE DISTRICT, TO NAME THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND TO CONSENT TO THE EXERCISE OF CERTAIN SPECIAL POWERS BY THE DISTRICT BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has enacted and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, Subsection 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, Belleair Capital Group Parrish Plantation, LLC. (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the PARRISH PLANTATION COMMUNITY DEVELOPMENT DISTRICT (District) pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Petitioner is the owner of approximately 205 acres of real property proposed for inclusion within the District and has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with

the requirements and procedures of Paragraphs 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in Paragraphs 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and a local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, Section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in Subsection 190.012(1), Florida Statutes; and

WHEREAS, Section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in Subsection 190.012(2), Florida Statutes; and

WHEREAS, Paragraph 190.005(2)(d), Florida Statutes, as amended, provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under Subsection 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers listed in Paragraph 190.012(2)(a) &(d), Florida Statutes, as amended; and

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise by the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

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

Section 1. Legislative findings. The Board of County Commissioners of Manatee County, Florida, hereby adopts the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance.

Section 2. Authority. This Ordinance is adopted pursuant to Subsection 190.005(2), Florida Statutes, as amended, and other applicable provisions of law governing county ordinances.

Section 3. Intent and Purpose. It is the intent and purpose of this Ordinance to establish the Parrish Plantation Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board to the exercise by the District board of supervisors of certain additional special powers pursuant to Subsection 190.012(2), Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-70 of Manatee County Code of Ordinances. Section of the Manatee County Code of Ordinances ("Code") is hereby created to read as follows:

Sec. 2-8-70. Parrish Plantation Community Development District.

(a) Establishment. Parrish Plantation Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds Description attached hereon as Exhibit "A".

(c) Initial board of supervisors. The names of five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

- (1) Bruce Danielson
- (2) Kendra Neter
- (3) Royce Haddad Jr.
- (4) Royce Haddad Sr.
- (5) Eric Davidson

(d) Special powers. Pursuant to Paragraph 190.005(2)(d) and Subsection 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the following special powers listed in Paragraph 190.012(2)(a) & (d) Florida Statutes. Specifically, the District shall have the power to plan, establish,

acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

- (1) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and,
- (2) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion systems, and patrol cars, when authorized by the Manatee County Sheriff's Department or other proper governmental agencies; except that the District may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within the District boundaries.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

PASSED AND ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 8th day of October 2019 and as amended this day 19th of November 2019.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



By: Miguel Benac
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: Uebi Lessner
Deputy Clerk

EXHIBIT A

PARRISH PLANTATION CDD PARCEL

DESCRIPTION: A parcel of land lying in Sections 28 and 29, Township 33 South, Range 19 East, Manatee County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 29, Township 33 South, Range 19 East, Manatee County, Florida, run thence along the East boundary of said Section 29, S 00°05'49"E., a distance of 75.07 feet; to a point on a curve on the Southerly right-of-way line of State Road 62 (per Florida Department of Transportation Right of Way Map Section 13060-2501), said point also being the **POINT OF BEGINNING**; thence along said Southerly right-of-way line, the following two courses: 1) Easterly, 131.74 feet along the arc of a non-tangent curve to the right having a radius of 3759.58 feet and a central angle of 02°00'28" (chord bearing S.83°57'53"E., 131.73 feet); 2) S.82°57'40"E., a distance of 142.76 feet; thence S.13°36'45"E., a distance of 14.60 feet, thence S.02°40'36"W., a distance of 360.49 feet; thence S.00°33'09"W., a distance of 540.76 feet; thence S.81°15'07"E., a distance of 513.61 feet; thence S.85°18'06"E., a distance of 398.09 feet; thence S.71°02'09"E., a distance of 1112.01 feet; thence S.40°05'22"E., a distance of 149.87 feet; thence S.69°34'39"E., a distance of 158.05 feet; thence S.86°22'45"E., a distance of 141.69 feet to a point on the Additional Right-of-Way Parcel 3; thence along the West boundary of said Additional Right-of-Way Parcel 3, S.00°02'09"W., a distance of 167.88 feet to a point on the North boundary of Parcel 102, per Stipulated Order of Taking Case No. 2004-CA-4977, recorded in Official Records Book 2121, Page 7949, of the Public Records of Manatee County, Florida; thence along said North boundary, S.89°53'49"W., a distance of 482.89 feet to the Northwest corner of said Parcel 102; thence along the West boundary of said Parcel 102, S.00°02'09"W., a distance of 260.00 feet to the Southwest corner of said Parcel 102; thence along the South boundary of said Parcel 102, N.89°53'49"E., a distance of 493.41 feet to the Northeast corner of Additional Right-of-Way Parcel 4; thence along the East boundary of said Additional Right-of-Way Parcel 4, S.00°06'32"E., a distance of 982.23 feet to the Southeast corner of said Additional Right-of-Way Parcel 4, said corner also being a point on the South boundary of the Southeast 1/4 of the Northwest 1/4 of aforesaid Section 28; thence along said South boundary, S.89°51'18"W., a distance of 1271.51 feet to the Southwest corner of said Southeast 1/4 of the Northwest 1/4 of Section 28; thence along the East boundary of said Southeast 1/4 of the Northwest 1/4 of Section 28, N.00°06'06"W., a distance of 221.43 feet; thence leaving said East boundary, N.89°39'54"W., a distance of 986.68 feet; thence along a line lying 345.00 feet East of and parallel with the West boundary of aforesaid Section 28, N.00°05'49"W., a distance of 70.17 feet; thence along a line lying 300.00 feet North of and parallel with the South boundary of the Southwest 1/4 of the Northwest 1/4 of said Section 28, S.89°50'49"W., a distance of 345.00 feet to a point on the West boundary of the Southwest 1/4 of the Northwest 1/4 of said Section 28; thence along said West boundary of the Southwest 1/4 of the Northwest 1/4 of Section 28, S.00°05'49"E., a distance of 17.23 feet to the Northeast corner of Ingress/Egress Easement, Per the Official Records Book 1610, Page 2232, of the Public Records of Manatee County, Florida, thence along the North boundary of said Ingress/Egress Easement, S.89°54'11"W., a distance of 20.00 feet to the Northwest corner said Ingress/Egress Easement; thence along the West boundary of said Ingress/Egress Easement, S.00°05'49"E., a distance of 50.43 feet to a point on the Northerly boundary of NALANDA ESTATES, according to the plat thereof, recorded in Plat Book 62, Page 164 through 170, inclusive, of the Public Records of Manatee County, Florida; thence along said Northerly and Westerly boundary of NALANDA ESTATES, the following ten (10) courses: 1) S.88°40'24"W., a distance of 228.80 feet; 2) S.74°47'01"W., a distance of 29.03 feet; 3) S.08°47'00"W., a distance of 170.24 feet; 4) S.20°54'33"W., a distance of 106.88 feet; 5) S.54°29'58"W., a distance of 119.55 feet; 6) S.76°06'50"W., a distance of 628.96 feet; 7) S.45°42'56"W., a distance of 172.51 feet; 8) S.01°14'13"E., a distance of 238.54 feet; 9) S.11°46'23"E., a distance of 91.40 feet; 10) N.89°52'45"W., a distance of 9.56 feet; thence N.89°52'45"W., a distance of 171.39 feet to a point on the West boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 29, thence along said West boundary of the Northeast 1/4 of the Southeast 1/4 of Section 29, N.00°02'13"W., a distance of 984.67 feet to the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 29; thence along the East boundary of said Southwest 1/4 of the Northeast 1/4 of Section 29, the following two (2) courses: 1) N.00°02'06"E., a distance of 699.52 feet; 2) N.00°06'09"W., a distance of 665.03 feet; thence N.89°33'28"W., a distance of 248.46 feet; thence N.00°26'32"E., a distance of 653.39 feet; thence Easterly, 230.40 feet along the arc of a non-tangent curve to the left having a radius of 325.00 feet and a central angle of 40°37'05" (chord bearing N.68°21'30"E., 225.60 feet); thence N.48°02'58"E., a distance of 246.18 feet; thence Easterly, 19.38 feet along the arc of a tangent curve to the right having a radius of 12.00 feet and a central angle of 92°31'18" (chord bearing S.85°41'23"E., 17.34 feet), thence N.39°25'44"W., a distance of 85.78 feet; thence Northerly, 236.96 feet along the arc of a tangent curve to the right having a radius of 347.00 feet and a central angle of 39°07'36" (chord bearing N.19°51'57"W., 232.38 feet); thence N.00°18'09"W., a distance of 205.49 feet to a point on a curve on the South boundary of the Additional Right-of-Way Parcel 1 for State Road 62, thence along said South Right-of-Way line of State Road 62, the following four (4) courses: 1) Easterly, 20.69 feet along the arc of a non-tangent curve to the right having a radius of 2040.00 feet and a central angle of 00°34'52" (chord bearing N.89°27'10"E., 20.69 feet); 2) N.89°44'35"E., a distance of 718.00 feet; 3) N.89°44'35"E., a distance of 208.75 feet; 4) Easterly, 346.99 feet along the arc of a tangent curve to the right having a radius of 3759.58 feet and a central angle of 05°17'17" (chord bearing S.87°36'46"E., 346.87 feet) to the **POINT OF BEGINNING**.

Containing 204.803 acres, more or less

PARRISH PLANTATION CDD PARCEL

Note: See Sheet 2 for Line and Curve Data and See Sheets 3 through 11 for Sketch and Details.



GeoPoint

Surveying, Inc.

213 Hobbs Street
Tampa, Florida 33619
www.geopointsurvey.com

Phone: (813) 248-8888
Fax: (813) 248-2266
Licensed Business Number LB 7768

REVISIONS			
No.	Date	Description	Dwn.

Prepared For: Parrish Plantation, LLC

DESCRIPTION SKETCH (Not a Survey)

David A. Williams
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. **LS6423**

Drawn: SEC	Date: 04/11/19	Data File: _____
Check: DAW	P.C.: N/A	Field Book: _____

Sheet No. 1 of 11 Sheets

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Sections 28 & 29, Twn. 33 S, Rng. 19 E | Job #: PPL-PP-003

DWG NAME: P:\PARRISH PLANTATION\DESCRIPTION\PARRISH PLANTATION-CDD-SHT-1-3-OS DWG PLOTTED BY: SCOTT CROMWELL ON: 4/12/2019 6:16 PM LAST SAVED BY: SCOTTIC ON: 4/11/2019 9:29 PM



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 20, 2019

Honorable Angelina Coloneso
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Vicki Tessmer

Dear Ms. Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your corrected electronic copy of Manatee County Ordinance 19-33, which was filed in this office on November 20, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

From: ords@municode.com
To: [Vicki Tessmer](mailto:Vicki_Tessmer); tammy.larsen@mymanatee.org
Subject: Manatee County, FL Code of Ordinances - 1981 (10428) Supplement 109
Date: Friday, November 22, 2019 11:12:03 AM
Attachments: [ATT00001.bin](#)
[ATT00002.bin](#)

THIS IS AN AUTOMATICALLY GENERATED EMAIL

Below, you will find the material that we have received/recorded to your account. This material is being considered for inclusion in your next/current update, Supplement 109

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 19-33	10/8/2019	11/21/2019	Word
Ordinance No. 19-41	10/22/2019	10/24/2019	Word
Ordinance No. 19-43	11/19/2019	11/21/2019	Word
Ordinance No. 19-44	11/19/2019	11/22/2019	Word
Ordinance No. 19-47	11/19/2019	11/21/2019	Word



Update the internet version of your Code more often than a printed supplement. We can update the Internet quarterly, monthly, even weekly.



We can post newly enacted ordinances in the online Code after each meeting.