

**ORDINANCE NO. : 23-96**

**AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, REGARDING PUBLIC SERVICES; ESTABLISHING WOODLAND PRESERVE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-87 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "WOODLAND PRESERVE COMMUNITY DEVELOPMENT DISTRICT," ESTABLISHING THE WOODLAND PRESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENTING TO THE EXERCISE OF CERTAIN SPECIAL POWERS BY THE DISTRICT'S BOARD OF SUPERVISORS PURSUANT TO SECTION 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**, section 190.005(2), Florida Statutes, authorizes the Board of County Commissioners, Manatee County, Florida ("County") 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**, Wilmington Land Company, a Florida corporation ("Petitioner"), has filed a Petition with Manatee County Board of County Commissioners of ("Board") to adopt an ordinance establishing the WOODLAND PRESERVE COMMUNITY DEVELOPMENT DISTRICT ("District") pursuant to Chapter 190, Fla. Statutes; and

**WHEREAS**, Gamble Creek Associates, LLC, a Florida limited liability company, and KH Sarasota, LLC, a Florida limited liability company, are the landowners of approximately 250.099 acres of real property for inclusion within the District and have 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 sections 190.005(1)(d) and 190.005(2)(b), Florida Statutes, as amended; and

**WHEREAS**, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(1)(e) and 190.005(2)(c), 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 Section 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 section 190.012(2), Florida Statutes; and

**WHEREAS**, section 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 Section 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 Section 190.012(2)(a) and (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:**

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 Section 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 Woodland Preserve 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 establish certain additional special powers pursuant to Section 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 2-8-87 of Manatee County Code of Ordinances. Section of the Manatee County Code of Ordinances ("Code") is hereby created to read as follows:

Section 2-8-87. Woodland Preserve Community Development District.

(a) Establishment. Woodland Preserve 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 legal 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) Sandy Foster

(2) Kris Watts

(3) Richard Bedford

(4) Pete Williams

(5) John Blakley

(d) Special powers. Pursuant to section 190.005(2)(d) and section 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors to the following special powers listed in section 190.012(2)(a) and (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 instruction 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 policy 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. Administrative Correction of Scrivener's Errors. The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the County Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the County Clerk.

Section 7. 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 8. 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 25 day of July, 2023.



**BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_

Kevin Van Ostenbridge, Chairman

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_

Julissa Santana

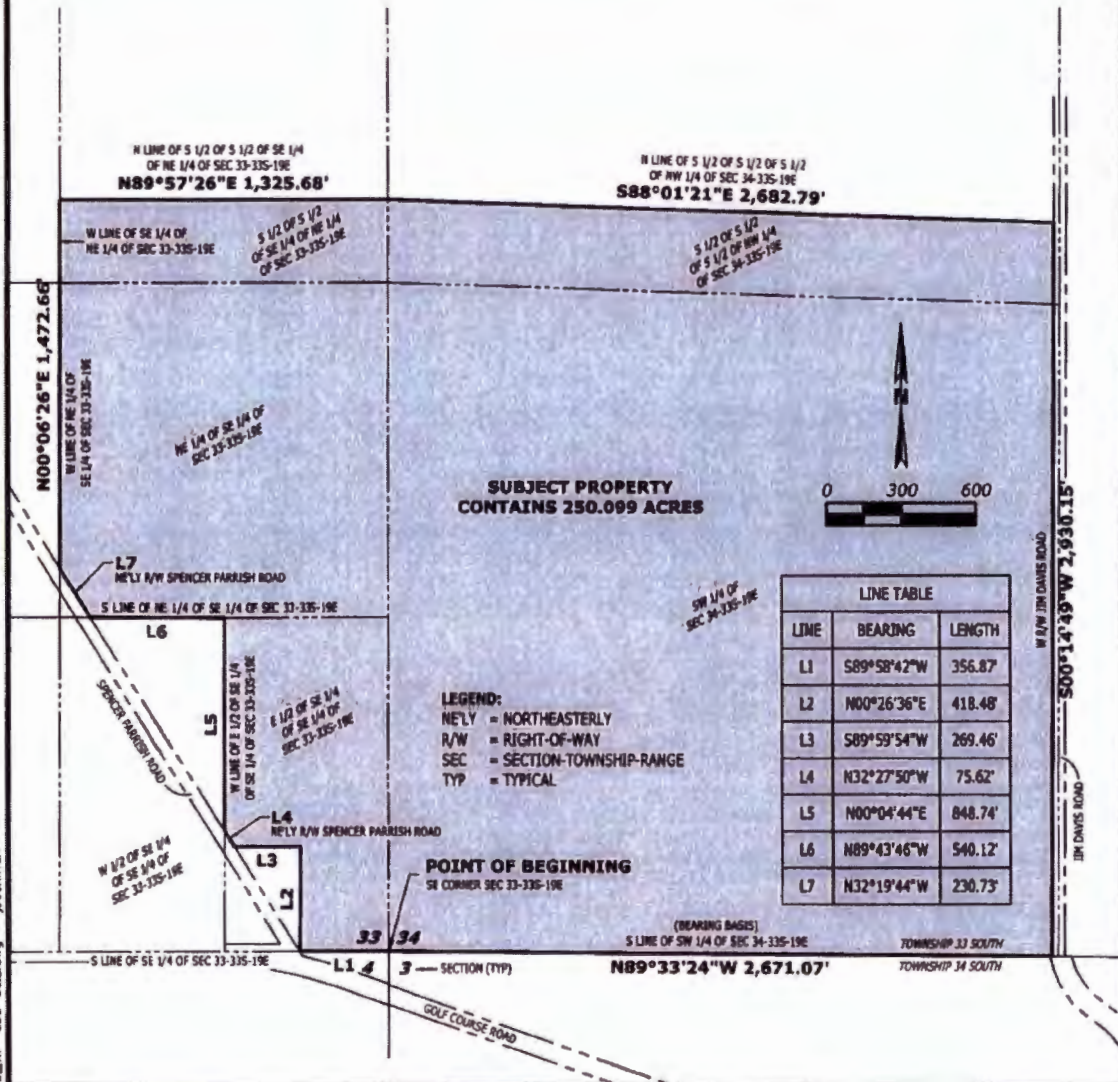
Deputy Clerk

**EXHIBIT “A”**



THIS IS NOT A SURVEY

SECTIONS 33 AND 34, TOWNSHIP 33 SOUTH, RANGE 19 EAST  
MANATEE COUNTY, FLORIDA



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PROJECT NAME

WOODLAND PRESERVE

SHEET NAME

COMMUNITY DEVELOPMENT DISTRICT

DATE	PROJECT	DRAWN	QC	SCALE
5/26/2022	2022-1065	JEB	JEB	1" = 600'



**Florida Land  
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www.flidandp.com  
E-mail: info@flidandp.com  
Engineer # - CA No. 33088  
Survey # - LB8342

**CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION**  
SKETCH AND LEGAL DESCRIPTION NOT VALID WITHOUT THE SIGNATURE AND  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

*Joseph Beckman*  
**JOSEPH E. BECKMAN**  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA #LS 7204  
CERTIFICATE OF AUTHORIZATION #LB 8342

THIS IS NOT A SURVEY

### LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 33 AND 34, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, SOUTH 89°58'42" WEST, FOR 356.87 FEET; THENCE NORTH 00°26'36" EAST, FOR 418.48 FEET; THENCE SOUTH 89°59'54" WEST, FOR 269.46 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY OF SPENCER PARRISH ROAD; THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY, NORTH 32°27'50" WEST, FOR 75.62 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 33; THENCE ALONG SAID WEST LINE, NORTH 00°04'44" EAST, FOR 848.74 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 33; THENCE ALONG SAID SOUTH LINE, NORTH 89°43'46" WEST, FOR 540.12 FEET TO AFORESAID NORTHEASTERLY RIGHT-OF-WAY OF SPENCER PARRISH ROAD; THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY, NORTH 32°19'44" WEST, FOR 230.73 FEET TO THE WEST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33; THENCE ALONG SAID WEST LINE, AND THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33, RESPECTIVELY, NORTH 00°06'26" EAST, FOR 1,472.66 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33; THENCE ALONG SAID NORTH LINE, NORTH 89°57'26" EAST, FOR 1,325.68 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE ALONG SAID NORTH LINE, SOUTH 88°01'21" EAST, FOR 2,682.79 FEET TO THE WEST RIGHT-OF-WAY OF JIM DAVIS ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY, SOUTH 00°14'49" WEST, FOR 2,930.15 FEET TO THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE ALONG SAID SOUTH LINE, NORTH 89°33'24" WEST, FOR 2,671.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 250.099 ACRES.

### SURVEYOR'S NOTES:

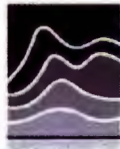
- 1) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO OR PURSUED BY THE UNDERSIGNED.
- 2) UNLESS IT BEARS THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.
- 3) THIS IS A SKETCH AND LEGAL DESCRIPTION ONLY, NOT A FIELD SURVEY. THE GEOMETRY FOR THIS SKETCH AND LEGAL DESCRIPTION IS BASED SOLELY UPON A BOUNDARY SURVEY PREPARED BY ARDURRA GROUP, INC. TITLED "SM RANCH PHASE 1", JOB NUMBER 2020-5273-00, DATED 6/8/2020.
- 4) BEARINGS ARE BASED ON SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 33 SOUTH, RANGE 19 EAST, BEING NORTH 89°33'24" WEST, AS SHOWN HEREON.
- 5) DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.

PROJECT NAME

WOODLAND PRESERVE

SHEET NAME

COMMUNITY DEVELOPMENT DISTRICT



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Engineer # - CA No. 33088  
Survey # - L08342

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## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

July 28, 2023

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

Attention: Vicki Tessmer

Dear Honorable Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 23-96, which was filed in this office on July 27, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh



**From:** [municodeords@civicplus.com](mailto:municodeords@civicplus.com)  
**To:** [Robin Toth](#); [pamala.roberts@mymanatee.org](mailto:pamala.roberts@mymanatee.org)  
**Subject:** Manatee County, FL Code of Ordinances - 1981 (10428) Supplement 122  
**Date:** Wednesday, August 16, 2023 3:09:34 PM

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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 122

Document	Adopted Date	Recorded	Recorded Format
<a href="#">Ordinance No. 21-32</a>	<a href="#">8/24/2021</a>	<a href="#">7/11/2023</a>	PDF
<a href="#">Ordinance No. 23-101</a>	<a href="#">8/8/2023</a>	<a href="#">8/16/2023</a>	Word
<a href="#">Ordinance No. 23-85</a>	<a href="#">7/25/2023</a>	<a href="#">8/4/2023</a>	Word
<a href="#">Ordinance No. 23-94</a>	<a href="#">7/25/2023</a>	<a href="#">8/4/2023</a>	Word
<a href="#">Ordinance No. 23-95</a>	<a href="#">8/8/2023</a>	<a href="#">8/16/2023</a>	Word
<a href="#">Ordinance No. 23-96</a>	<a href="#">7/25/2023</a>	<a href="#">8/4/2023</a>	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.