

ORDINANCE NO. : 26 -12

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE RYE CROSSING COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CONTRACTING THE BOUNDARIES OF THE DISTRICT PURSUANT TO SUBSECTION 190.046(1), FLORIDA STATUTES, BY REMOVING APPROXIMATELY 5.72 ACRES OF LAND; AMENDING SUBSECTION 2-8-79 OF THE MANATEE COUNTY CODE OF ORDINANCES DESCRIBING THE AMENDED BOUNDARIES OF THE DISTRICT AS CONTRACTED; PROVIDING FOR RELIANCE UPON REPRESENTATIONS; 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 community development district for these improvements within the district's boundaries; and

WHEREAS, subsection 190.046(1), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the contraction of a community development district's boundaries that were established previously by ordinance; and

WHEREAS, Rye Crossing Community Development District (the "District") has been created by law and established pursuant to Manatee County Ordinance No. 22-38, adopted on May 5, 2022, effective as filed with the Secretary of State of Florida on May 12, 2022; and

WHEREAS, Ordinance No. 22-38 described the boundaries of the District, which included approximately 39.65 acres of land; and

WHEREAS, the District was amended pursuant to Manatee County Ordinance No. 23-32, adopted on February 2, 2023, effective as filed with the Secretary of State of Florida on February 2, 2023; and

WHEREAS, Ordinance No. 23-32 amended the boundaries of the District, adding approximately 152.30 acres of land; and

WHEREAS, based on the information provided by the District board of supervisors (the "Petitioner"), the District is active and in good legal standing, and the Board of County

Commissioners of Manatee County, Florida (the “Board”), has relied thereon in adopting this Ordinance; and

WHEREAS, the Petitioner has filed a petition with the Board to adopt an ordinance amending the boundaries of the District pursuant to subsection 190.046(1)(a), Florida Statutes, by contraction; and

WHEREAS, the petition proposes the contraction of approximately 5.72 acres from the District; and

WHEREAS, pursuant to sections 190.046(1)(g) and 125.66, Florida Statutes, the filing of the petition for the boundary amendment by the Petitioner constitutes consent of the landowners within the District other than those landowners whose land is proposed to be removed from the District; and

WHEREAS, Forestar (USA) Real Estate Group, Inc., a Delaware corporation, is the owner of approximately 5.72 acres of land proposed to be removed from the District and has consented in writing to the removal of said land to the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.046(1)(b) and Section 125.66, Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in subsection 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for ordinance amendment contracting the boundaries of the District; and

WHEREAS, the Board has relied upon the representations made in the petition and other documents attached thereto as exhibits in adopting this Ordinance; and

WHEREAS, the District established under Ordinance No. 22-38, as amended by Ordinance 23-32, and further amended by this ordinance, as an independent special district and a local unit of special purpose government and shall continue to be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws within the amended boundaries described and depicted in **Exhibit “A,”** attached hereto and incorporated herein; and

WHEREAS, amendment of the boundaries of the District will protect, promote, and enhance the public health, safety, and 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 sections 190.046(1)(b) and 125.66, 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 amend the boundaries of Rye Crossing 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

Section 4. Contracting of boundaries. The boundaries of the District are hereby contracted pursuant to subsection 190.046(1), Florida Statutes, by removing approximately 5.72 acres of land from the geographic boundaries and control of the District and contracting the boundaries of the District to a total of approximately 186.23 acres of land, are described and depicted in Exhibit “A.”

Section 5. Amending Subsection 2-8-79 of the Manatee County Code of Ordinances. Subsection 2-8-79 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-8-79. Rye Crossing Community Development District.

...

(b) *Boundaries.* The boundaries of the district are described in the metes and bounds description attached to Ord. No. 26-12 as **Exhibit “A.”**

...

Section 6. Reliance upon representations. The contraction of the boundaries of the District is specifically based upon the representations made in the Petition to Amend Manatee County Ordinance No. 26-12 to amend the external boundaries District through contraction dated September 8, 2025 signed by Christian Cotter, chairman of the District, which was filed with Manatee County, Florida, and is attached hereto as **Composite Exhibit “B.”**

Section 7. Codification. The publisher of the County’s Code, CivicPlus, is directed to incorporate the amendments in Section 5 of this Ordinance into the Code.

Section 8. 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 9. 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.

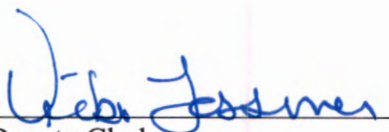
PASSED AND ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 30 day of April, 2026.



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

By: 
Chairperson

**ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: 
Deputy Clerk

LESS AND EXCEPT:

**EXHIBIT "A"
SKETCH OF DESCRIPTION**

Section 16 , Township 33 South, Range 18 East
Manatee County, Florida

DESCRIPTION:

A TRACT OR PARCEL OF LAND, LYING IN THE SOUTHEAST ONE QUARTER OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 19 EAST, BEING A PORTION OF A PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1685, PAGE 7417 AND A PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 2511, PAGE 7743 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 13, THENCE N00°41'21"E ALONG THE EAST LINE OF SAID SECTION FOR 100.00 FEET TO THE SOUTHEAST CORNER THE AFOREMENTIONED PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1685, PAGE 7417 AND THE POINT OF BEGINNING; THENCE CONTINUE N00°41'21"E ALONG THE EAST LINE OF SAID SECTION FOR 1601.16 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE AFOREMENTIONED PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 2511, PAGE 7743; THENCE CONTINUE N00°41'21"E ALONG THE EAST LINE OF SAID SECTION FOR 930.81 FEET TO THE NORTHEAST CORNER OF SAID PARCEL, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SOUTHEAST ONE QUARTER OF SECTION 13; THENCE S65°59'29"W ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 110.07 FEET; THENCE S00°41'21"W PARALLEL WITH AND 100.00 FEET WESTERLY FROM (AS MEASURED ON A PERPENDICULAR) THE EAST LINE OF SECTION 13 FOR 883.29 FEET TO AN INTERSECTION WITH THE COMMON BOUNDARY LINE OF SAID PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 2511, PAGE 7743 AND SAID PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1685, PAGE 7417; THENCE CONTINUE S00°41'21"W FOR 1572.04 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID PARCEL; THENCE S72°16'16"E ALONG THE SOUTHERLY LINE OF SAID PARCEL FOR 104.59 FEET TO AN INTERSECTION WITH THE EAST LINE OF SECTION 13 AND THE POINT OF BEGINNING.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL CONTAINS 249,365 SQUARE FEET, (5.72 ACRES) MORE OR LESS.

NOTES:

1. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 13, AS BEARING N.00°41'21"E.
2. BEARINGS AND STATE PLANE COORDINATES SHOWN HEREON ARE GRID BEARINGS BASED ON NGS CONTROL POINTS RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, BASED ON NORTH AMERICAN DATUM 1983 (2011 ADJUSTMENT).
3. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DALTON R. CROSS, P.S.M.
4. THIS DESCRIPTION IS NOT COMPLETE WITHOUT THE SKETCH.
5. THIS SKETCH IS NOT A SURVEY.
6. THIS SKETCH AND DESCRIPTION IS CERTIFIED TO MANATEE COUNTY.

REVISIONS:



CERTIFICATE OF AUTHORIZATION LB 0007832
8813 STATE ROAD 70 EAST, BRADENTON FLORIDA 34203
(841) 748-9340 (941) 998-9938 FAX

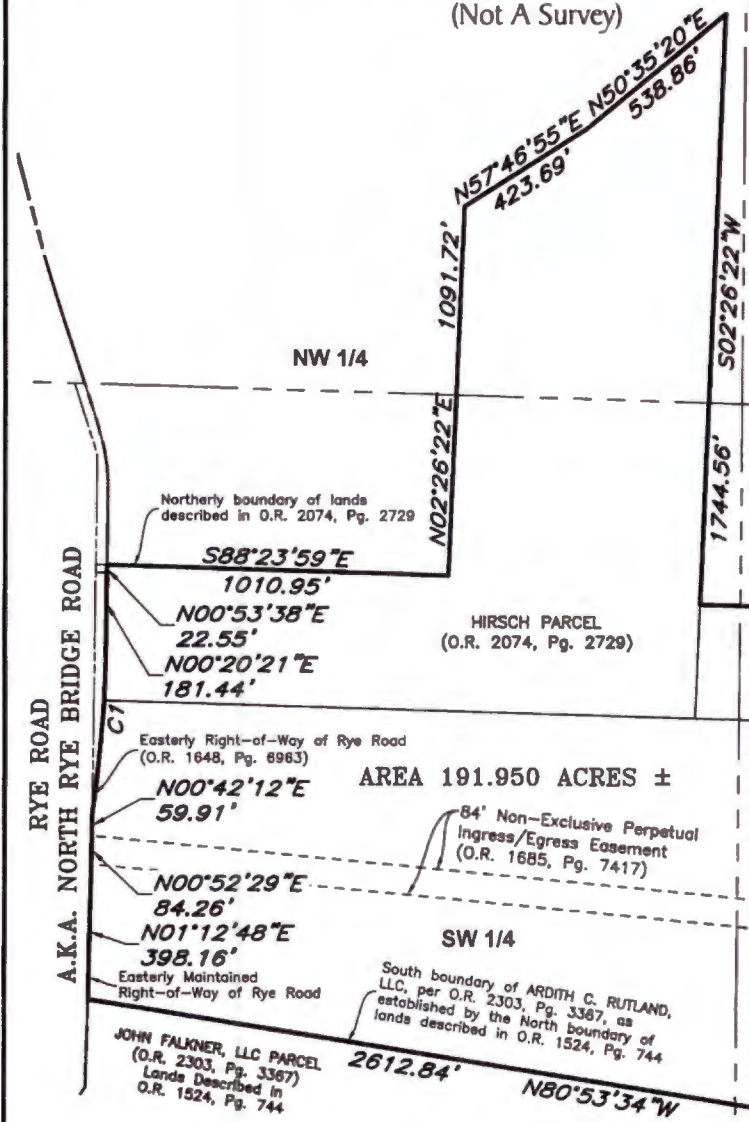
Kyle E. Cross
KYLE E. CROSS, PSM. No 7176

Drawing name: H:\Cond_Proj\proj\13 TWP 34S R19E - RYE PRESERVE.dwg SHEET 1 of 100 FEET.dwg May 28, 2023 5:03pm by pinto

SHEET 1 OF 2	Scale: NA	Drawn by: JN	FB/PG: NONE	DATE: 05/30/2023
				JOB:

Description Sketch

(Not A Survey)



NOTE:
 SEE SHEET NO. 1 FOR LEGAL DESCRIPTION & SURVEYOR'S NOTES
 SEE SHEET NO. 2 FOR KEY SHEET
 SEE SHEET NO. 3 FOR DETAIL

CURVE DATA TABLE					
NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	3869.72'	7°57'31"	537.52'	537.09'	N 04°19'07" E

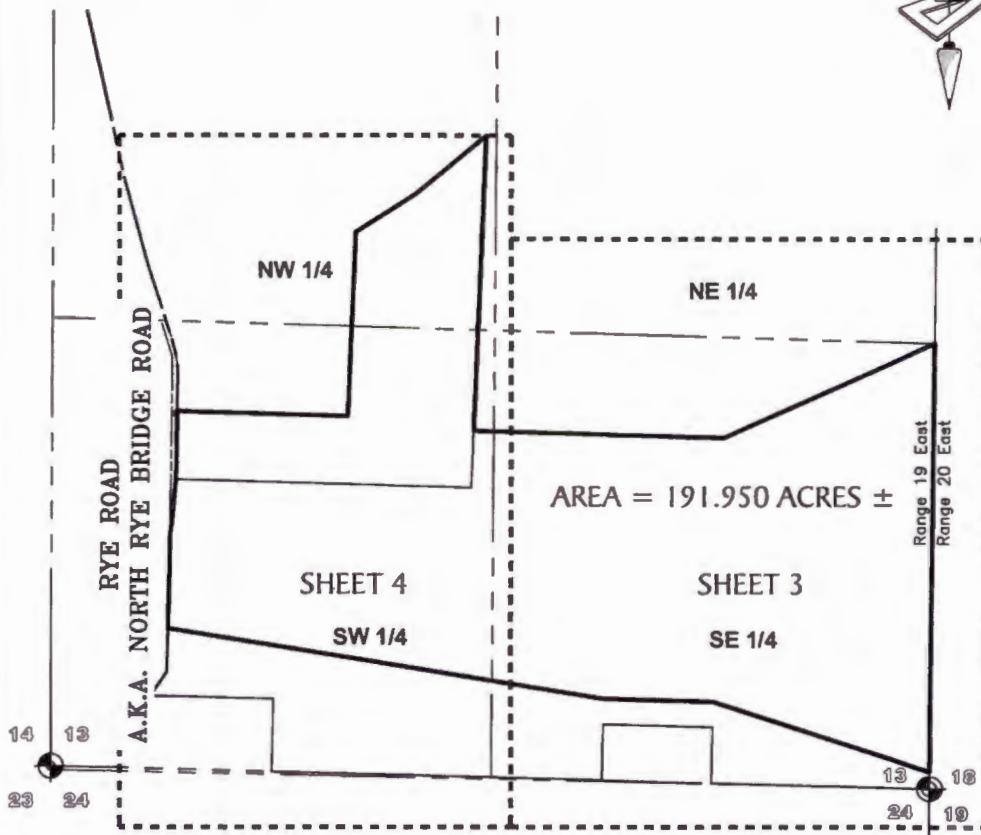
213 Hobbs Street
 Tampa, Florida 33619
 Phone: (813) 248-8888
 Licensed Business No.: LB 7768

GeoPoint
 Surveying, Inc.

Description Sketch

(Not A Survey)

KEY SHEET



NOTE:
SEE SHEET NO. 1 FOR LEGAL DESCRIPTION & SURVEYOR'S NOTES
SEE SHEET NO. 3-4 FOR DETAIL

213 Hobbs Street
Tampa, Florida 33619
Phone: (813) 248-8888
Licensed Business No.: LB 7768



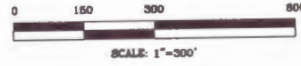
LEGEND:

ID = IDENTIFICATION
 ORB = OFFICIAL RECORDS BOOK
 PG = PAGE
 SQ \square - SQUARE FEET
 D= DELTA
 R= RADIUS
 CH= CHORD BEARING
 L= LENGTH

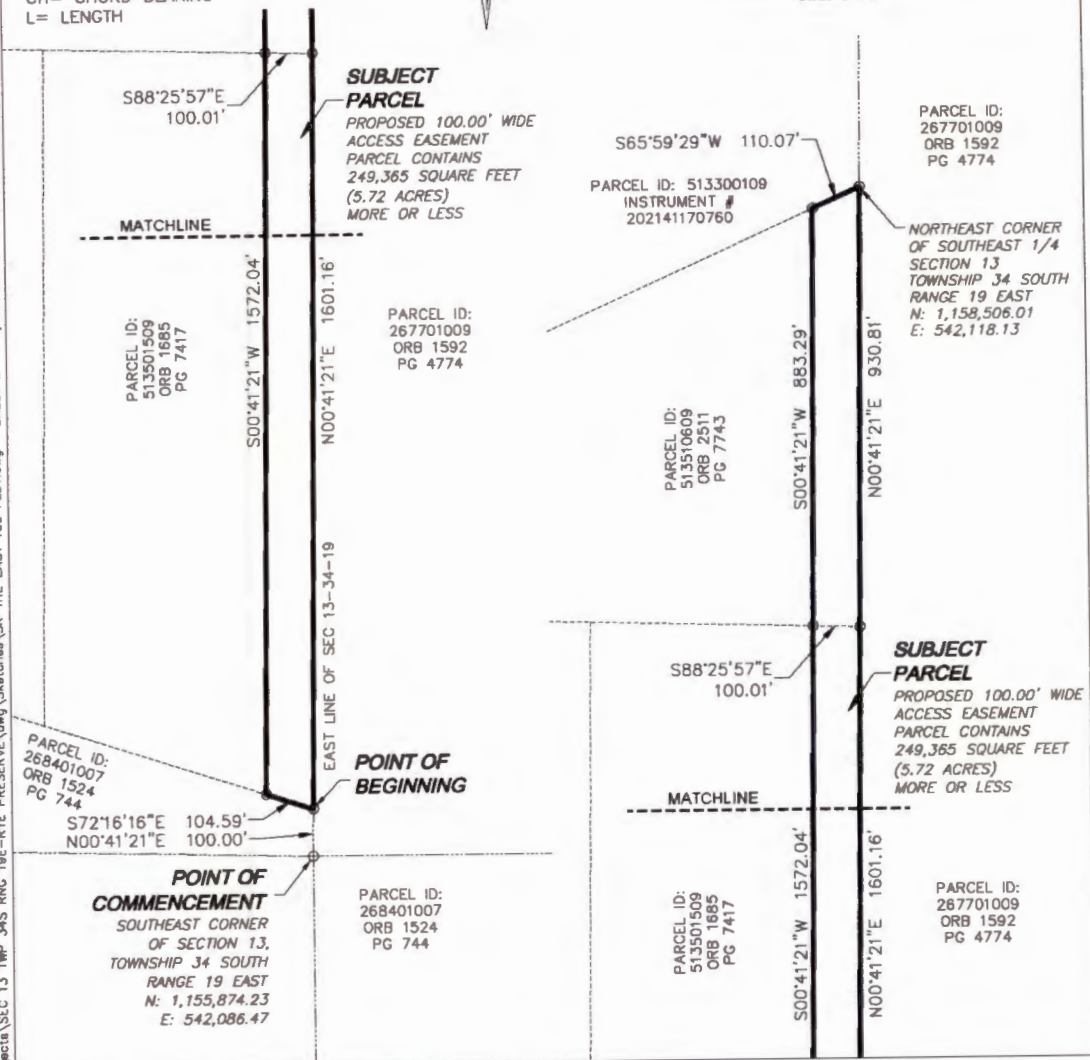


EXHIBIT "A"
SKETCH OF DESCRIPTION

Section 13 , Township 34 South, Range 19 East
 Manatee County, Florida



Drawing name: H:\Land_Projects\SEC 13 TWP 34S RNG 19E-RYE PRESERVE.dwg Sketches\SK THE EAST 100 FEET.dwg SHEET 2 May 28, 2025 5:02pm by: jhnto



REVISIONS:



CERTIFICATE OF AUTHORIZATION LB 0007832
 8813 STATE ROAD 70 EAST, BRADENTON, FLORIDA 34203
 (941) 748-9340 (941) 888-8938 FAX

Kyle E. Cross
 KYLE E. CROSS, PSM. No. 7176

SHEET 2 OF 2	Scale: 1"=300'	Drawn by: JN	FB/PG: NONE	DATE: 05/30/2023
				JOB:

EXHIBIT B

PETITIONER CERTIFICATION

I HEREBY CERTIFY THAT, TO MY KNOWLEDGE, THE FACTS CONTAINED IN THE *PETITION TO AMEND THE BOUNDARIES OF THE RYE CROSSING COMMUNITY DEVELOPMENT DISTRICT* ARE TRUE AND CORRECT.

**RYE CROSSING COMMUNITY DEVELOPMENT
DISTRICT**



Christian Cotter, Chairman
On behalf of the Petitioner,
Rye Crossing Community Development District

**BEFORE THE MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS**

**SECOND PETITION TO AMEND THE BOUNDARIES OF THE
RYE CROSSING COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Rye Crossing Community Development District (“**Petitioner**” or “**District**”), hereby petitions the Manatee County Board of County Commissioners, pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, and specifically Section 190.046(1), *Florida Statutes*, to adopt an amendment to Manatee County Ordinance Nos. 22-38 and 23-32 to remove approximately 5.72 acres to the District. In support of this petition, the District states:

1. **History of the District.** Pursuant to Chapter 190, *Florida Statutes*, the Board of County Commissioners of Manatee County, Florida, adopted Manatee County Ordinance No. 22-38 and established the District, which was effective on May 9, 2022. The Board of County Commissioners of Manatee County, Florida, further adopted Ordinance No. 23-32, amending the boundaries of the District, which was effective on February 2, 2023. The District is a special purpose unit of local government established under the provisions of Chapter 190, *Florida Statutes*, for the purposes of financing, acquiring, constructing, operating and maintaining public infrastructure improvements.

2. **Location and Size.** The District is located entirely within unincorporated Manatee County, Florida, and currently covers approximately 191.950 acres of land. **Exhibit 1** depicts the general location of the existing District and the location of the proposed Contraction Parcel (defined below). The District is located east of North Rye Road and southwest of Rutland Road. The current metes and bounds description of the external boundaries of the District is set forth in **Exhibit 2**. The metes and bounds description of the lands to be removed from the District, which comprise approximately 5.72 acres (“**Contraction Parcel**”), are set forth in **Exhibit 3**. Subsequent to the amendment of the District’s boundary, the District will encompass approximately 186.23 acres in total. **Exhibit 4** contains the metes and bounds description of the District boundary, as amended (“**Amended District**”).

3. **Excluded Parcels.** There are no parcels within the external boundary of the Amended District which are to be excluded.

4. **Landowner and District Consent.** Petitioner has obtained consent of one hundred (100%) percent of the owners of the lands comprising the Contraction Parcel to amend the boundary of the District as set forth in this Petition. The owners of the Contraction Parcel are Forestar (USA) Real Estate Group Inc. Documentation of this consent is attached hereto as **Exhibit 5**. The favorable action of the Board of Supervisors of the District constitutes consent for all of the lands within the District pursuant to Section 190.046(1)(e), *Florida Statutes*, as is evidenced by the District’s Resolution 2025-05 and submission of this Petition. A copy of the Resolution is attached hereto as **Exhibit 6**.

5. District Facilities and Services. There are no services and facilities currently provided by the District to the Contraction Parcel.

6. Future Land Uses. Contraction of the District in the manner proposed is consistent with the adopted Manatee County Comprehensive Plan. The designation of future general distribution, location, and extent of the public and private land uses proposed for the Contraction Parcel and the Amended District by the future land use plan elements of the Manatee County Comprehensive Plan are shown on **Exhibit 7**.

7. Statement of Estimated Regulatory Costs. **Exhibit 8** is the Statement of Estimated Regulatory Costs ("SERC") prepared in accordance with the requirements of Section 120.541, *Florida Statutes*. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

8. Authorization of Agent. **Exhibit 9** identifies the authorized agent for the Petitioner. Copies of all correspondence and official notices should be sent to:

Jere Earlywine
Florida Bar No. 155527
Jere.Earlywine@kutakrock.com
KUTAK ROCK, LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 528-6152 (telephone)

9. This Petition to amend the boundaries of the Rye Crossing Community Development District should be granted for the following reasons:

- a. Amendment of the District boundaries and all land uses and services planned within the District as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the Manatee County Comprehensive Plan.
- b. The area of land within the District, as amended, is part of a planned community. The Amended District will continue to be of sufficient size and sufficiently compact and contiguous to be developed as one functional and interrelated community.
- c. The District currently does not provide services or facilities for the Contraction Parcel. Therefore, community development services and facilities of the Amended District provide for greater enhancement of the District without causing any undue hardship or burdens upon the land.
- d. The Amended District remains the best alternative for delivering community development services and facilities without imposing an additional burden on the general population of the local general-purpose government.

- e. The community development services and facilities of the Amended District will not be incompatible with the capacity and use of existing local and regional community development services and facilities.
- f. The area to be served by the Amended District is still amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the County Commission of Manatee County, Florida to:

- A. Schedule a public hearing in accordance with the requirements of Section 190.046(1)(b), *Florida Statutes*; and
- B. Grant this Petition and amend Manatee Ordinance Nos. 22-38 and No. 23-32 to amend the boundary of the District pursuant to Chapter 190, *Florida Statutes*.

[CONTINUED ON FOLLOWING PAGE]

RESPECTFULLY SUBMITTED, this 8th day of September, 2025.

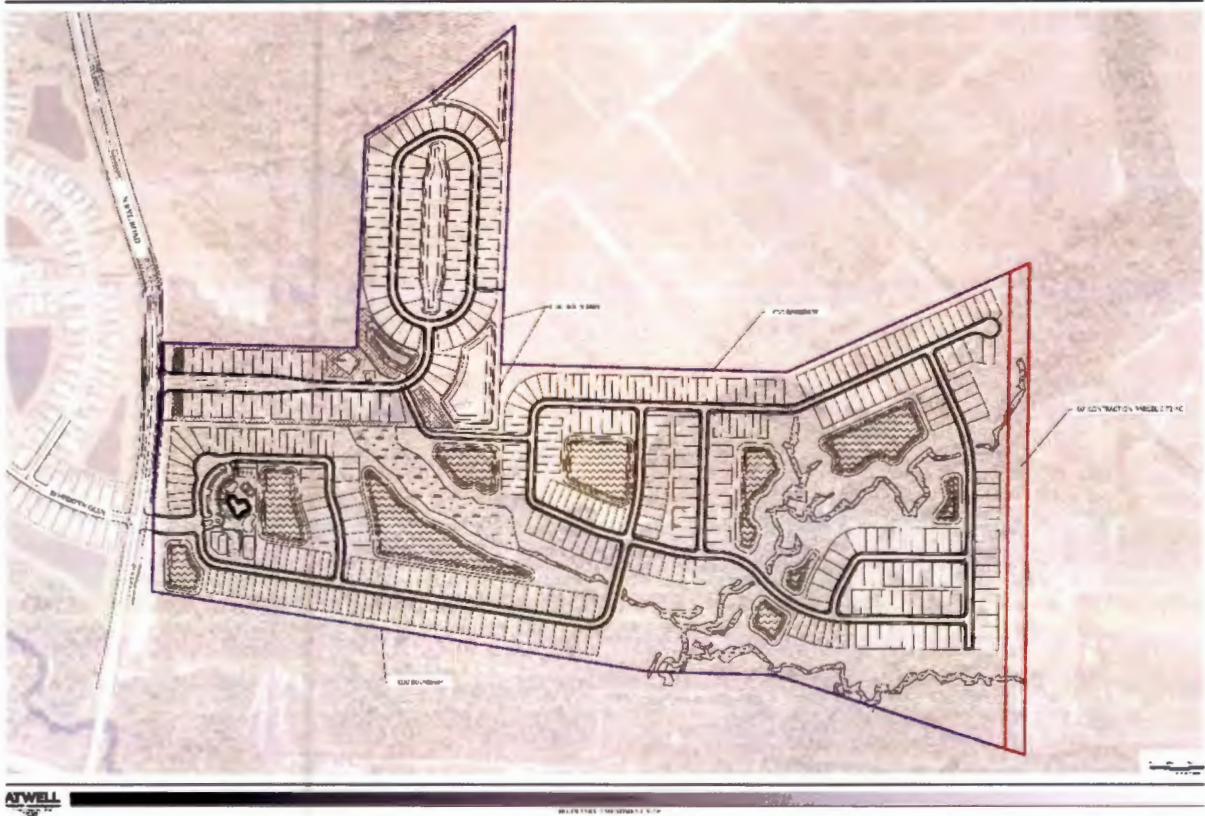
KUTAK ROCK, LLP



Jere Earlywine
Florida Bar No.155527
Jere.Earlywine@kutakrock.com
KUTAK ROCK, LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 528-6152 (telephone)

Attorneys for Petitioner

EXHIBIT 1





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 24, 2026

Angelina Coloneso
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 26-12, which was filed in this office on April 24, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp