

ORDINANCE NO. : 2024-__

AN ORDINANCE ESTABLISHING SUNRISE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN ARTICLE II, CHAPTER 10.5, OF THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW.

WHEREAS, Hawk Sunrise LLC, a Florida limited liability company ("Petitioner"), has filed a Petition with Hernando County requesting that the Board of County Commissioners of Hernando County ("County") adopt an ordinance establishing Sunrise Community Development District pursuant to Chapter 190, Fla. Stat. ("District"), and designating the real property described in Exhibit A, attached hereto, as the area of land for which the District is authorized to manage and finance basic service delivery; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive, and economic method of delivering community development services, in the area described in Exhibit A, which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management, and financing needs

for the delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.005(1)(d), Fla. Stat.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), Fla. Stat.

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

Section 1 Findings of Fact. The County hereby finds and states that:

1. the "WHEREAS" clauses stated above are adopted as findings of fact in support of this Ordinance;
2. all statements contained in the Petition are true and correct;
3. the creation of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County's Comprehensive Plan;
4. 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;
5. the creation of the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
6. the proposed community development services and facilities to be provided by the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

7. the area that will be served by the District is amenable to separate, special-district government.

Section 2. Conclusions of Law.

1. This proceeding is governed by Chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to Section 190.005(2), Fla. Stat.; and
3. The granting of the Petition complies with the dictates of Chapter 190, Fla. Stat.

Section 3. Creation, Boundaries, and Powers. There is hereby created the Sunrise Community Development District for the area of land described in Exhibit A, attached hereto, which shall exercise the powers of Sections 190.011, and 190.012(1), (2)(a) and (d) and (3), Fla. Stat., and which shall operate in accordance with the uniform community development district charter as set forth in Sections 190.006-190.041, Fla. Stat., including the special powers provided under Section 190.012(1), (2)(a) and (d) and (3), Fla. Stat.

Section 4. Initial Board. The following five persons are designated as the initial members of the Board of Supervisors:

1. Mike Lawson
2. Doug Draper
3. Lori Price
4. Christie Ray
5. Brittany Crutchfield

Section 5. Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence, phrase, or provision, of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

Section 6. Inclusion in the Code. It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of

this Ordinance shall become and be made a part of Article II, Chapter 10.5, of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “ordinance” may be changed to “section,” “article,” or any other appropriate designation.

Section 7. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. Effective Date. This Ordinance shall take effect upon receipt of acknowledgment from the Florida Secretary of State of this Ordinance’s filing with said office.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this ____ day of _____, 2024.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
DOUG CHORVAT, JR.
Clerk

By: _____
Chairman

Approved for Form and Legal Sufficiency
Melissa Tartaglia

Acting County Attorney

Exhibit "A"

**SUNRISE
COMMUNITY DEVELOPMENT DISTRICT**

LEGAL DESCRIPTION

A TRACT OF LAND BEING PART OF SECTION 05 AND 08, TOWNSHIP 23 SOUTH, RANGE 21 EAST OF HERNANDO COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 00°00'24" EAST ALONG THE EAST BOUNDARY OF THE WEST 1/2 OF SECTION 8, A DISTANCE OF 2,616.24 FEET; THENCE NORTH 88°37'19" WEST, A DISTANCE OF 1,259.89 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,420.00 FEET AND A CHORD WHICH BEARS NORTH 72°28'27" WEST, A DISTANCE 789.85 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 800.40 FEET; THENCE NORTH 56°19'35" WEST, A DISTANCE OF 751.76 FEET; THENCE NORTH 33°40'25" EAST, A DISTANCE OF 809.20 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,440.00 FEET AND A CHORD WHICH BEARS NORTH 23°14'45" EAST, A DISTANCE 521.27 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 524.16 FEET; THENCE NORTH 12°49'05" EAST, A DISTANCE OF 267.12 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2,760.00 FEET AND A CHORD WHICH BEARS NORTH 28°27'13" EAST, A DISTANCE 1,487.73 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 1,506.36 FEET; THENCE NORTH 44°05'21" EAST, A DISTANCE OF 197.41 FEET TO A POINT TO BE KNOWN AS REFERENCE POINT "A"; ; THENCE NORTH 45°54'39" WEST, A DISTANCE OF 447.69 FEET; THENCE NORTH 62°14'04" WEST, A DISTANCE OF 416.30 FEET; THENCE NORTH 89°18'03" WEST, A DISTANCE OF 511.71 FEET; THENCE NORTH 61°16'19" WEST, A DISTANCE OF 769.17 FEET; THENCE NORTH 81°11'05" WEST, A DISTANCE OF 48.46 FEET; THENCE NORTH 61°16'19" WEST, A DISTANCE OF 122.31 FEET TO THE EASTERLY RIGHT OF WAY OF INTERSTATE 75; THENCE ALONG SAID EASTERLY RIGHT OF WAY THE FOLLOWING THREE (3) COURSES: (1) NORTH 39°04'55" EAST, A DISTANCE OF 238.80 FEET; (2) NORTH 24°25'34" EAST, A DISTANCE OF 768.24 FEET; (3) NORTH 19°45'27" EAST, A DISTANCE OF 385.51 FEET; THENCE SOUTH 69°44'17" EAST, A DISTANCE OF 35.65 FEET; TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 190.00 FEET AND A CHORD WHICH BEARS SOUTH 43°05'35" EAST AND A DISTANCE OF 326.14 FEET; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 392.12 FEET; THENCE NORTH 89°31'48" EAST, A DISTANCE OF 238.51 FEET; THENCE NORTH 81°02'02" EAST, A DISTANCE OF 359.94 FEET; THENCE NORTH 59°21'13" EAST, A DISTANCE OF 211.00 FEET; THENCE NORTH 61°30'33" EAST, A DISTANCE OF 598.69 FEET; THENCE NORTH

59°36'33" EAST, A DISTANCE OF 28.27 FEET; TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 650.00 FEET AND A CHORD WHICH BEARS NORTH 74°47'51" EAST AND A DISTANCE OF 340.90 FEET; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 344.93 FEET; THENCE EAST, A DISTANCE OF 150.05 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 449.99 FEET AND A CHORD WHICH BEARS SOUTH 53°18'37" EAST, A DISTANCE 537.73 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 576.31 FEET; THENCE SOUTH 83°33'54" EAST, A DISTANCE OF 155.87 FEET; THENCE NORTH 09°34'44" EAST, A DISTANCE OF 347.05 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1,560.00 FEET AND A CHORD WHICH BEARS NORTH 22°16'20" EAST, A DISTANCE 685.58 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 691.22 FEET; THENCE NORTH 34°57'57" EAST, A DISTANCE OF 85.19 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 690.00 FEET AND A CHORD WHICH BEARS NORTH 17°36'06" EAST, A DISTANCE 411.86 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 418.23 FEET; THENCE NORTH 00°14'14" EAST, A DISTANCE OF 113.61 FEET; THENCE SOUTH 89°45'46" EAST, A DISTANCE OF 140.00 FEET; THENCE SOUTH 00°14'14" WEST, A DISTANCE OF 84.76 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 810.00 FEET AND A CHORD WHICH BEARS SOUTH 17°36'06" WEST, A DISTANCE 483.48 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 490.96 FEET; THENCE SOUTH 34°57'57" WEST, A DISTANCE OF 120.30 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1,440.00 FEET AND A CHORD WHICH BEARS SOUTH 22°16'20" WEST, A DISTANCE 632.84 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 638.05 FEET; THENCE SOUTH 09°34'44" WEST, A DISTANCE OF 340.46 FEET; THENCE SOUTH 83°33'54" EAST, A DISTANCE OF 355.46 FEET; THENCE SOUTH 85°46'34" EAST, A DISTANCE OF 1,158.24 FEET; THENCE SOUTH 89°33'20" EAST, A DISTANCE OF 846.20 FEET TO THE WESTERLY RIGHT OF WAY OF KETTERING ROAD; THENCE SOUTH 00°26'31" WEST ALONG SAID RIGHT OF WAY, A DISTANCE OF 2,921.71 FEET TO THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SECTION 5; THENCE SOUTH 89°26'10" WEST ALONG SAID SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SECTION 5, A DISTANCE OF 2,588.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 20,246,225.55 SQUARE FEET OR 464.79 ACRES, MORE OR LESS.

LESS AND EXCEPT

COMMENCE AT REFERENCE POINT "A"; THENCE NORTH 44°05'21" EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 45°54'39" WEST, A DISTANCE OF 214.40 FEET; THENCE NORTH 30°41'28" EAST, A DISTANCE OF 553.13 FEET; THENCE NORTH 24°39'31" EAST, A DISTANCE OF 47.29 FEET; THENCE NORTH 14°15'17" EAST, A DISTANCE OF 34.30 FEET; THENCE NORTH 05°05'15" EAST, A DISTANCE OF 37.62 FEET; THENCE NORTH 04°17'26" WEST, A

DISTANCE OF 35.95 FEET; THENCE NORTH 13°11'34" WEST, A DISTANCE OF 33.90 FEET; THENCE NORTH 17°30'45" WEST, A DISTANCE OF 291.16 FEET; THENCE NORTH 72°29'15" EAST, A DISTANCE OF 37.77 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 125.00 FEET AND A CHORD WHICH BEARS NORTH 42°37'39" EAST, A DISTANCE 124.47 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 130.29 FEET; THENCE NORTH 12°46'04" EAST, A DISTANCE OF 281.10 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 277.00 FEET AND A CHORD WHICH BEARS NORTH 47°34'50" EAST, A DISTANCE 316.28 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 336.61 FEET; TO A POINT OF COMPOUND CURVATURE, HAVING A RADIUS OF 17.00 FEET AND A CHORD WHICH BEARS SOUTH 48°48'12" EAST A DISTANCE OF 25.58 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 28.96 FEET; THENCE EAST, A DISTANCE OF 82.00 FEET; THENCE NORTH, A DISTANCE OF 2.29 FEET; TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 16.99 FEET AND A CHORD WHICH BEARS NORTH 45°00'00" EAST AND A DISTANCE OF 24.04 FEET; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 26.71 FEET; THENCE EAST, A DISTANCE OF 283.53 FEET; THENCE SOUTH, A DISTANCE OF 12.00 FEET; THENCE EAST, A DISTANCE OF 4.11 FEET; TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 564.27 FEET AND A CHORD WHICH BEARS SOUTH 85°03'33" EAST AND A DISTANCE OF 93.11 FEET; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 93.22 FEET; TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 125.00 FEET AND A CHORD WHICH BEARS SOUTH 33°34'44" EAST AND A DISTANCE OF 182.37 FEET; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 204.39 FEET; TO A POINT OF COMPOUND CURVATURE, HAVING A RADIUS OF 1,940.00 FEET AND A CHORD WHICH BEARS SOUTH 28°40'34" WEST A DISTANCE OF 1,031.20 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1,043.75 FEET; THENCE SOUTH 44°05'21" WEST, A DISTANCE OF 837.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 970,873.46 SQUARE FEET OR 22.29 ACRES, MORE OR LESS.