

ORDINANCE NO. 2022 - 12

AN ORDINANCE ESTABLISHING THE WATERFORD 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 OF ORDINANCES, HERNANDO COUNTY, FLORIDA; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Oak Hill Land LLC, a Florida limited liability company ("Petitioner"), has filed a Petition with Hernando County requesting that the Board of County Commissioners of Hernando County, Florida ("County") adopt an Ordinance establishing the Waterford Community Development District pursuant to Chapter 190, *Florida Statutes* ("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 applicable 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**, attached hereto, 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), *Florida Statutes*; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), *Florida Statutes*;

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

Section 1. Findings of Fact.

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.

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, *Florida Statutes*.

2. The County has jurisdiction pursuant to Section 190.005(2), *Florida Statutes*.

3. The granting of the Petition complies with the dictates of Chapter 190, *Florida Statutes*.

Section 3. Creation, Boundaries, and Powers. There is hereby created the Waterford Community Development District for the area of land described in **EXHIBIT A**, attached hereto, which shall exercise the general and special powers authorized by Chapter 190, *Florida Statutes*, with specific consent for the special powers in Sections 190.012(2)(a) and (2)(d), *Florida Statutes*, and which shall operate in accordance with the uniform community development district charter as set forth in Sections 190.006 through 190.041, *Florida Statutes*.

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

1. Ron Bastyr
2. Shane O'Neil
3. Cheri O'Neil
4. Cole Bastyr
5. Ryan O'Neil

Section 5. Severability. It is the intention of the Board of County Commissioners of Hernando County, Florida, 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 part of Article II, Chapter 10.5, of the Code of Ordinances, 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 be effective immediately upon receipt of

acknowledgment from the office of the Secretary of State that this Ordinance has been filed with said office.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, in Regular Session this 10th day of May, 2022.

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

Attest:

Heidi Kuppel, D.C.
for DOUGLAS A. CHORVAT, JR.
Clerk of Circuit Court & Comptroller



By:

[Signature]
STEVE CHAMPION
Chairman

Approved for Form and Legal Sufficiency

Shannon Eller
County Attorney's Office

EXHIBIT A

WATERFORD COMMUNITY DEVELOPMENT DISTRICT

LEGAL DESCRIPTION FOR WATERFORD CDD BOUNDARY:

TRACT-1

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, S89°08'25"E, 2628.49 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE ALONG THE EAST LINE OF SAID NORTHEAST 1/4, S00°18'35"E, 2663.50 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 30, S00°21'15"E, 328.39 FEET; THENCE N89°32'44"W, 1839.56 FEET; THENCE S01°01'05"E, 1125.81 FEET; THENCE S88°58'55"W, 130.00 FEET; THENCE N01°01'05"W, 813.11 FEET; THENCE S90°00'00"W, 302.12 FEET; THENCE N00°00'00"W, 313.77 FEET; THENCE S90°00'00"W, 372.67 FEET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 30; THENCE ALONG SAID WEST LINE N00°06'40"W, 350.60 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE ALONG THE WEST LINE OF SAID NORTHEAST 1/4, N00°06'45"W, 2667.29 TO THE POINT OF BEGINNING. CONTAINING 187.01 ACRES MORE OR LESS.

TRACT-2

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 30, N00°09'55"W, 1324.92 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 30; THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SOUTH 1/2 S89°10'35"E, 2003.80 FEET TO THE CENTERLINE OF A 100 FOOT WIDE POWER EASEMENT AS RECORDED IN DEED BOOK 97, PAGE 414 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA. SAID POINT LYING 646.24 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 30; THENCE ALONG THE CENTERLINE OF SAID POWER EASEMENT S12°15'04"W, 332.07 FEET; THENCE LEAVING SAID CENTERLINE, RUN S38°30'07"E, 400.02 FEET; THENCE N34°08'57"E, 256.39 FEET; THENCE N78°45'35"E, 166.93 FEET; THENCE S52°23'31"E, 96.99 FEET; THENCE S04°44'38"E, 82.01 FEET; THENCE S19°25'39"W, 91.33 FEET; THENCE S26°23'39"W, 81.44 FEET; THENCE S33°04'14"W, 80.13 FEET; THENCE N77°43'22"E, 34.13 FEET; THENCE N65°10'26"E, 61.15 FEET; THENCE N82°04'25"E, 72.23 FEET; THENCE S35°16'34"E, 60.00 FEET TO THE PC OF A CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE SOUTHEAST HAVING A CENTRAL ANGLE OF 45°30'12", A RADIUS OF 270.00 FEET AND A CHORD BEARING AND DISTANCE OF S28°20'32"W, 208.84 FEET; THENCE ALONG THE ARC OF SAID CURVE 214.43 FEET; THENCE S05°35'26"W, 145.35 FEET TO THE PC OF A CURVE TO THE RIGHT. SAID CURVE BEING CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF

65°56'48", A RADIUS OF 330.00 FEET AND A CHORD BEARING AND DISTANCE OF S38°33'50"W, 359.20 FEET; THENCE ALONG THE ARC OF SAID CURVE 379.83 FEET; THENCE S70°33'02"W, 327.81 FEET TO THE PC OF A CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE SOUTHEAST HAVING A CENTRAL ANGLE OF 41°14'55", A RADIUS OF 265.00 FEET AND A CHORD BEARING AND DISTANCE OF S49°55'34"W, 186.69 FEET; THENCE ALONG THE ARC OF SAID CURVE 190.78 FEET; THENCE S29°18'06"W, 96.57 FEET TO THE PC OF A CURVE TO THE RIGHT. SAID CURVE BEING CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF 38°28'56", A RADIUS OF 335.00 FEET AND A CHORD BEARING AND DISTANCE OF S48°32'35"W, 220.79 FEET; THENCE ALONG THE ARC OF SAID CURVE 225.00 FEET TO A POINT OF REVERSE CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE SOUTHEAST HAVING A CENTRAL ANGLE OF 07°36'57", A RADIUS OF 11804.97 FEET AND A CHORD BEARING AND DISTANCE OF S63°58'34"W, 1568.00 FEET; THENCE ALONG THE ARC OF SAID CURVE 1569.16 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE SOUTHEAST HAVING A CENTRAL ANGLE OF 28°01'39", A RADIUS OF 666.30 FEET AND A CHORD BEARING AND DISTANCE OF S45°45'19"W, 322.70 FEET; THENCE ALONG THE ARC OF SAID CURVE 325.94 FEET TO THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE RUN ALONG THE WEST LINE OF SAID NORTHWEST 1/4, N00°28'58"W, 1452.18 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 30 AND THE POINT OF BEGINNING. CONTAINING 109.38 ACRES MORE OR LESS.

TOTAL ACRES 296.39 MORE OR LESS.