

ORDINANCE NO. 2023 - 14

AN ORDINANCE ESTABLISHING THE CABOT CITRUS FARMS 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, Petitioner, Cabot Citrus OpCo LLC, a Delaware 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 Cabot Citrus Farms 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 Cabot Citrus Farms 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. Hank Fishkind
2. Richard Wagner
3. Marcus Motes
4. Steve Blake
5. Thomas Leach

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 24th day of October, 2023.

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

Attest:

Heidi Kupper, Deputy Clerk
for DOUGLAS A. CHORVAT, JR.
Clerk of Circuit Court & Comptroller



By:

John Allocco
JOHN ALLOCCO
Chairman

Approved for Form and Legal Sufficiency

Kyle J. Benda

County Attorney's Office

**SECTION 1,2,11 & 12 TOWNSHIP 21 SOUTH, RANGE 18 EAST
HERNANDO COUNTY, FLORIDA**



EX-B1

LEGAL DESCRIPTION

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE WEST BOUNDARY LINE OF SAID SECTION 11, RUN N00°17'18"E, 1606.70 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF PONCE DE LEON BOULEVARD AND THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY, RUN N48°02'51"W, 2137.55 FEET TO THE EAST RIGHT-OF-WAY LINE OF PALM BOULEVARD SOUTH. SAID POINT ALSO BEING ON THE EAST BOUNDARY LINE OF SUGARMILL WOODS, PALM VILLAGE AS RECORDED IN PLAT BOOK 14, PAGES 3-15 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG SAID EAST BOUNDARY LINE, RUN N41°57'18"E, 40.37 FEET; THENCE S56°28'28"E, 117.51 FEET; THENCE N33°31'32"E, 150.00 FEET; THENCE N56°28'28"W, 7.33 FEET; THENCE N33°31'32"E, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF OWATONNA DRIVE; THENCE N66°29'30"E, 143.03 FEET; THENCE N39°00'46"W, 40.00 FEET TO A NON-TANGENT CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1088.79 FEET, A CENTRAL ANGLE OF 20°06'36", AND A CHORD BEARING AND DISTANCE OF N14°54'51"E, 380.19 FEET; THENCE ALONG THE ARC OF SAID CURVE 382.15 FEET; THENCE N04°51'33"E, 110.00 FEET TO THE PC OF A CURVE TO THE RIGHT. SAID CURVE BEING CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 513.80 FEET, A CENTRAL ANGLE OF 31°35'04", AND A CHORD BEARING AND DISTANCE OF N20°39'05"E, 279.66 FEET; THENCE ALONG THE ARC OF SAID CURVE 283.23 FEET; THENCE N36°26'33"E, 116.12 FEET; THENCE N83°39'17"E, 61.40 FEET; THENCE N09°57'43"E, 126.49 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF HUPA ROAD; THENCE N28°23'49"E, 30.00 FEET TO THE CENTERLINE OF HUPA ROAD; THENCE ALONG SAID CENTERLINE, RUN N61°36'11"W, 48.70 FEET; THENCE N28°23'49"E, 115.00 FEET; THENCE N79°04'24"E, 55.23 FEET TO A NON TANGENT CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1321.78 FEET, A CENTRAL ANGLE OF 4°20'20", AND A CHORD BEARING AND DISTANCE OF N19°42'41"E, 100.07 FEET; THENCE ALONG THE ARC OF SAID CURVE 100.10 FEET; THENCE N40°37'11"W, 56.40 FEET; THENCE N11°01'33"E, 115.00 FEET TO THE CENTERLINE OF SHAWNIGAN CIRCLE; THENCE ALONG SAID CENTERLINE, RUN; THENCE S78°58'27"E, 52.43 FEET; THENCE N11°01'33"E, 110.00 FEET; THENCE N37°22'24"E, 44.64 FEET, THENCE N40°03'32"W, 40.00 FEET TO A NON-TANGENT CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 1321.78 FEET, A CENTRAL ANGLE OF 6°13'11", AND A CHORD BEARING AND DISTANCE OF N00°18'08"E, 143.41 FEET; THENCE ALONG THE ARC OF SAID CURVE 143.49 FEET; THENCE N02°48'28"W, 334.29 FEET; THENCE N39°21'37"E, 50.00 FEET; THENCE N24°30'39"W, 130.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SHAWNIGAN CIRCLE; THENCE N01°53'28"W, 30.00 FEET TO THE CENTERLINE OF SHAWNIGAN CIRCLE; THENCE ALONG SAID CENTERLINE, RUN N88°06'32"E, 10.00 FEET; THENCE N01°53'28"W, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SHAWNIGAN CIRCLE; THENCE N16°32'38"E, 126.49 FEET; THENCE N31°07'15"W, 40.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT. SAID CURVE BEING CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1056.83 FEET, A CENTRAL ANGLE OF 7°05'26", AND A CHORD BEARING AND DISTANCE OF N11°43'49"E, 130.70 FEET; THENCE ALONG THE ARC OF SAID CURVE 130.79 FEET; THENCE N15°16'32"E, 70.24 FEET; THENCE S88°04'10"E, 40.00 FEET; THENCE N08°39'47"W, 170.12 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PONTIAC COURT; THENCE N15°56'32"E, 30.00 FEET TO THE CENTERLINE OF PONTIAC COURT; THENCE ALONG SAID CENTERLINE, RUN S74°03'28"E, 25.00 FEET; THENCE N15°56'32"E, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PONTIAC COURT;

-CONTINUED ON SHEET EX-B3



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Engineering
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METES AND BOUNDS DESCRIPTION

CABOT CITRUS FARMS
COMMUNITY DEVELOPMENT DISTRICT

DATE
8/1/23

22009-28

EX-B2

LEGAL DESCRIPTION

-CONTINUED FROM SHEET EX-B2

THENCE N29°58'33"E, 153.36 FEET; THENCE N31°37'30"W, 40.00 FEET TO A NON-TANGENT CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 9321.56 FEET, A CENTRAL ANGLE OF 0°49'37", AND A CHORD BEARING AND DISTANCE OF N17°37'14"E, 134.54 FEET; THENCE ALONG THE ARC OF SAID CURVE 134.54 FEET; THENCE N66°45'08"E, 50.00 FEET; THENCE N03°45'54"E, 133.74 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF INGALIK ROAD; THENCE N27°06'32"E, 30.00 FEET TO THE CENTERLINE OF INGALIK ROAD AND A NON-TANGENT CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE SOUTH, HAVING A RADIUS OF 654.36 FEET, A CENTRAL ANGLE OF 7°20'19", AND A CHORD BEARING AND DISTANCE OF N66°33'37"W, 83.76 FEET; THENCE ALONG THE CENTERLINE OF INGALIK ROAD, AND THE ARC OF SAID CURVE 83.81 FEET; THENCE N19°46'13"E, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF INGALIK ROAD; THENCE N58°58'52"E, 147.84 FEET; THENCE N05°48'26"W, 40.00 FEET; THENCE N20°06'33"E, 229.10 FEET; THENCE N62°12'06"E, 54.92 FEET; THENCE N08°26'35"W, 67.10 FEET; THENCE N20°06'32"E, 90.00 FEET TO THE CENTERLINE OF PUMA ROAD; THENCE ALONG SAID CENTERLINE, RUN N69°53'28"W, 40.10 FEET; THENCE N20°06'32"E, 105.00 FEET; THENCE N70°18'17"E, 71.19 FEET; THENCE N11°51'36"W, 50.00 FEET TO A NON-TANGENT CURVE TO THE LEFT. SAID CURVE BEING CONCAVE TO THE NORTH, HAVING A RADIUS OF 2174.11 FEET, A CENTRAL ANGLE OF 15°27'54", AND A CHORD BEARING AND DISTANCE OF N07°44'02"E, 585.05 FEET; THENCE ALONG THE ARC OF SAID CURVE 586.83 FEET; THENCE N00°00'05"E, 130.28 FEET TO A POINT ON THE NORTH LINE OF SECTION 03, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG SAID NORTH LINE, RUN S89°51'11"E, 134.77 FEET TO THE NORTHWEST CORNER OF SECTION 02, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID SECTION 2, RUN S89°48'49"E, 2657.70 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE CONTINUING ALONG THE NORTH LINE OF SAID SECTION 2, RUN S89°49'18"E, 2657.79 FEET TO THE NORTHEAST CORNER OF SAID SECTION 2; THENCE ALONG THE EAST LINE OF SAID SECTION 2, RUN S00°06'23"E, 2650.09 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA, RUN S89°42'54"E, 5265.76 FEET TO A POINT LYING 44.72 FEET WEST OF THE EAST LINE OF SAID SECTION 01; THENCE S00°11'59"E, 100.00 FEET; THENCE RUN 100.00 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 01, N89°42'54"W, 1680.15 FEET; THENCE S45°17'06"W, 212.13 FEET; THENCE N89°42'54"W, 200.00 FEET; THENCE N44°42'54"W, 212.13 FEET TO A POINT LYING 100.00 FEET SOUTH OF THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 01; THENCE RUN 100.00 FEET SOUTH OF AND PARALLEL TO SAID SOUTH LINE, N89°42'54"W, 3006.51 FEET; THENCE S38°20'24"E, 2739.41 FEET; THENCE S30°13'40"W, 1351.86 FEET; THENCE S00°00'29"E, 2559.58 FEET; THENCE S89°51'58"W, 969.59 FEET TO A POINT LYING 100.00 FEET EAST OF THE EAST BOUNDARY LINE OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE RUN 100.00 FEET EAST OF AND PARALLEL TO SAID EAST BOUNDARY LINE, S00°08'09"E, 2114.06 FEET; THENCE S41°55'54"W, 379.56 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PONCE DE LEON BOULEVARD;

-CONTINUED ON SHEET EX-B4



METES AND BOUNDS DESCRIPTION

CABOT CITRUS FARMS
COMMUNITY DEVELOPMENT DISTRICT

DATE
9/1/23

22009-28

EX-B3

LEGAL DESCRIPTION

-CONTINUED FROM SHEET EX-B3

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, RUN N48°02'51"W, 1577.77 FEET TO THE NORTHWEST CORNER OF PARCEL 11.1. AS RECORDED IN OFFICIAL RECORDS BOOK 4100, PAGE 1505 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG THE NORTH BOUNDARY LINE OF SAID PARCEL 11.1, RUN S89°54'06"E, 1325.20 FEET TO THE EAST LINE OF SAID SECTION 11; THENCE ALONG SAID EAST LINE, RUN N00°08'09"W, 895.82 FEET TO THE SOUTHEAST CORNER OF PARCEL 4.3 AS RECORDED IN OFFICIAL RECORDS BOOK 4173, PAGE 1520 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID PARCEL 4.3, RUN S89°57'45"W, 802.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4.3; THENCE ALONG THE WEST BOUNDARY LINE OF SAID PARCEL 4.3, RUN N00°08'09"W, 448.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4.3; THENCE S89°57'45"W, 539.24 FEET; THENCE N00°02'21"E, 670.34 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 11; THENCE ALONG SAID SOUTH LINE, RUN S89°53'43"W, 1339.20 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 11; THENCE ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 11, RUN N00°13'20"E, 48.59 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HEBRON CHURCH ROAD; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, RUN N28°30'06"E, 48.42 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY, RUN N26°40'37"E, 1625.42 FEET; THENCE N27°22'22"E, 940.96 FEET; THENCE N38°42'08"E, 302.99 FEET; THENCE N24°57'56"W, 53.65 FEET TO THE NORTH LINE OF SAID SECTION 11; THENCE ALONG SAID NORTH LINE, RUN N89°45'32"W, 22.37 FEET TO THE WEST RIGHT-OF-WAY LINE OF HEBRON CHURCH ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, RUN S24°57'50"E, 50.61 FEET; THENCE S38°42'08"W, 292.43 FEET; THENCE S27°22'22"W, 943.09 FEET; THENCE S26°40'37"W, 1625.22 FEET; THENCE S28°30'06"W, 10.48 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE ALONG SAID EAST LINE, RUN N00°13'20"E, 1243.05 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11, RUN S89°53'49"W, 1331.23 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11, RUN S00°18'10"W, 923.44 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PONCE DE LEON BOULEVARD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, RUN N48°02'51"W, 1784.59 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE PARCEL KNOWN AS THE PENTZ TRACT BEING FURTHER DESCRIBED AS FOLLOWS:

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA. (10.07 AC MORE OR LESS)

TOTAL NET AREA OF PARCEL CONTAINING 1206.00 AC MORE OR LESS.

LEGAL DESCRIPTION

LEGAL DESCRIPTION AND SKETCH AS PROVIDED BY COASTAL ENGINEERING ASSOCIATES, DATED 3/18/23, BY: SCOTT OSBOURNE, PSM



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Engineering
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METES AND BOUNDS DESCRIPTION

CABOT CITRUS FARMS
COMMUNITY DEVELOPMENT DISTRICT

DATE
8/1/23

22009-28

EX-B4