



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 12, 2019

Honorable Karen E. Rushing
Clerk of the Circuit Court
Board Records Department
Sarasota County
1660 Ringling Boulevard, Suite 210
Sarasota, Florida 34236

Attention: Brenda White

Dear Ms. Rushing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Sarasota County Ordinance No. 2019-051, which was filed in this office on December 11, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

MAKEL E. JESSONS
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL
09 DEC 12 PM 3:43
MAKEL E. JESSONS
FILED FOR INT. MAIL

ORDINANCE NO. 2019-051

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, ESTABLISHING THE LAKES OF SARASOTA COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FINDINGS OF FACT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; NAMING THE DISTRICT; PROVIDING STATUTORY PROVISIONS GOVERNING THE DISTRICT; CONSENTING TO THE EXERCISE OF SELECT POWERS BY THE DISTRICT UNDER SECTION 190.12, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Neal Communities of Southwest Florida, LLC ("Petitioner") has petitioned the Board of County Commissioners ("Board") of Sarasota County, Florida, a political subdivision of the State of Florida to establish the Lakes of Sarasota Community Development District ("District"); and

WHEREAS, the Board of County Commissioners, after proper published notice, conducted a public hearing on the petition and determined the following with respect to the factors to be considered in Section 190.005(1)(e), Florida Statutes, as required by Section 190.005(2)(c), Florida Statutes:

1. The petition is complete in that it meets the requirements of Section 190.005(1)(a), Florida Statutes, as required by Section 190.005(2)(a), Florida Statutes; and all statements contained within the petition are true and correct.
2. Establishment of the District on the property proposed in the petition is not inconsistent with any applicable element or portion of the Sarasota County Comprehensive Plan, or the State Comprehensive Plan.
3. The area of land proposed to be within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional and interrelated community.
4. The District is a viable alternative available for delivering community development services and facilities to the area that will be serviced by the District.
5. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.

BOARD OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FLORIDA
OFFICE OF THE CLERK
1100 W. TAMPA AVENUE
SARASOTA, FLORIDA 34236
TELEPHONE: 941.553.3300
FAX: 941.553.3301
WWW.SARASOTACOUNTYFLORIDA.GOV

02019-051

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

WHEREAS, it is the policy of the state of Florida, as provided for in Section 190.002(2)(c), Florida Statutes, that the exercise by any independent district of its powers as set forth by uniform general law comply with all applicable governmental laws, rules, regulations and policies governing planning and permitting of the development to be serviced by the District, to ensure that neither the establishment nor operation of such District is a development order under Chapter 380 and that the District so established does not have any zoning or permitting powers governing development; and

WHEREAS, Section 190.004(3), Florida Statutes, provides that "... all governmental planning, environmental, and land development laws, regulations and ordinances apply to all development of the land within a community development district. Community development districts do not have the power of a local government to adopt a comprehensive plan, building code, or land development code, as those terms are defined in the Local Government Comprehensive Planning and Land Development Regulation Act. A district shall take no action which is inconsistent with applicable comprehensive plans, ordinances or regulations of the applicable local general purpose government."; and

WHEREAS, the charter of the District is Sections 190.006-190.041, Florida Statutes, as provided expressly in Section 190.004(4) and confirmed in Section 189.4031(2), Florida Statutes; and

WHEREAS, the single, specialized and narrow purpose of the District is the delivery of community infrastructure pursuant to its state created charter and the exercise of its general and special powers complying with all applicable policies and regulations of statutes and ordinances, State v. Frontier Acres Community Development District, 472 So. 2d, 455, at p. 457 (Fla.1985).

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

SECTION ONE: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to Section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances. This Ordinance is also adopted pursuant to Sarasota County Resolution No. 2005-042.

**SECTION TWO: ESTABLISHMENT OF THE LAKES OF SARASOTA
COMMUNITY DEVELOPMENT DISTRICT**

The District is hereby established within the boundaries of the real property described

in Exhibit "A" attached hereto and incorporated by reference herein.

SECTION THREE: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are herewith designated to be the initial members of the Board of Supervisors of the District:

Priscilla Heim
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

Sandy Foster
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

Dale Weidemiller
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

Pete Williams
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

John Blakely
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

SECTION FOUR: DISTRICT NAME

The community development district herein established shall henceforth be known as the "Lakes of Sarasota Community Development District".

SECTION FIVE: STATUTORY PROVISIONS GOVERNING THE DISTRICT

The District shall be governed by the provisions of its general law charter in and created by Chapter 190, Florida Statutes, and all other applicable general law.

SECTION SIX: CONSENT TO SPECIAL POWERS

Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain

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 intrusion-detection systems, and patrol cars, both as authorized and described by Section 190.012(2), *Florida Statutes*.

SECTION SEVEN: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance of Sarasota County or other applicable law, the more restrictive shall apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION EIGHT: INCLUSION IN THE CODE OF ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Sarasota County, Florida. The sections of the Ordinances may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION NINE: EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Department of State.


PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida on this 11 day of December, 2019.

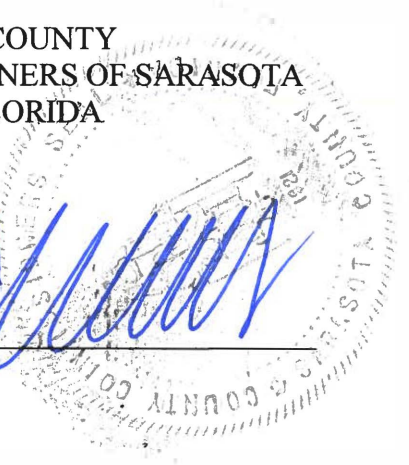
Attest:

KAREN E. RUSHING,
Clerk of the Circuit Court and Ex-Officio
Clerk to the Board of County
Commissioners of Sarasota County, Florida

By: 
Deputy Clerk

BOARD OF COUNTY
COMMISSIONERS OF SARASOTA
COUNTY, FLORIDA

By: 
Chair



CONTAINING 533.302 ACRES, MORE OR LESS

TO THE POINT OF BEGINNING.

PARALLEL WITH AND 25' WEST OF THE EAST LINE OF SAID SECTION 30, N.02°19'36"W., 2702.47' SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING IBIS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 62, PAGE 432, PUBLIC RECORDS OF CORNER OF SAID SECTION 30, SAID POINT ALSO BEING THE WESTERLY RIGHT OF WAY LINE OF POINT THAT BEARS S.89°18'42"W., 25.01 FEET FROM A 5/8" IRON ROD FOUND AT THE EAST 1/4 ALONG THE NORTH LINE OF LANDS DESCRIBED IN ORI 2009159882, N.89°18'42"E., 1307.52' TO A DESCRIBED IN SAID OFFICIAL RECORDS BOOK 1924, PAGE 527, AND ORI 2009159882; THENCE OF SAID LANDS, N.00°22'13"E., 666.03' TO A 2" IRON PIPE FOUND AT THE NW CORNER OF LANDS OFFICIAL RECORDS BOOK 1924, PAGE 527, AND ORI 2009159882; THENCE ALONG THE WEST LINE FOUND AT THE NW CORNER OF LANDS DESCRIBED IN SAID ORI 2013154221; THENCE N.00°20'54"E., 1332.28' TO A 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "RLS 2030" OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 30, BEING THE WEST LINE OF THE SAID NORTH 1/2 OF THE SE1/4 OF THE SE1/4, AND THE WEST LINE CORNER OF LANDS DESCRIBED IN SAID ORI 2013154221; THENCE ALONG SAID WEST LINE, ALSO 1200.35' TO A 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "RLS 2030" FOUND AT THE SW LINE OF LANDS DESCRIBED IN ORI 2013154221; THENCE ALONG SAID LINE, S.89°34'15"W., CY BISPHAM DATED APRIL 20, 1981, DRAWING NO. 540-249-1, SAID LINE ALSO BEING THE SOUTH WALTER MCCracken, RLS #2030 BY PASSALACQUA ENGINEERING ASSOCIATES SURVEY FOR MR. OF THE NORTH 1/2 OF THE SE1/4 OF SAID SECTION 30 AS FIELD MONUMENTED BY LINE OF SAID SECTION 30, N.00°12'43"E., 667.79' TO ITS INTERSECTION WITH THE SOUTH LINE ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING PARALLEL WITH AND 25' WEST OF THE EAST RECORDS BOOK 62, PAGE 432, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE POINT ALSO BEING THE WESTERLY RIGHT OF WAY LINE OF IBIS ROAD AS DESCRIBED IN OFFICIAL

5"X5" SARASOTA COUNTY SECTION CORNER MONUMENT AS REFERENCED BY CCR#091451, SAID SECTION 30, N.89°40'31"E., 2741.21' TO A POINT BEARING S.89°40'31"W., 25.00 FEET FROM A SOUTH 1/4 CORNER OF SAID SECTION 30 (BY PROPORTIONATE MEASUREMENT TO 1847 GLO SURVEY) AS REFERENCED BY CCR#108142; THENCE CONTINUE ALONG THE SOUTH LINE OF SAID N.89°40'31"E., 2143.82' TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "PLS 4521" SET AT THE THE SW CORNER OF SAID SECTION 30; THENCE ALONG THE SOUTH LINE OF SAID SECTION 30, SARASOTA COUNTY SECTION CORNER MONUMENT AS REFERENCED BY CCR#091450 FOUND AT CONTINUE ALONG THE WEST LINE OF SAID SECTION 30, S.00°49'51"W., 2640.95' TO A 5"X5" REFERENCED BY CCR#108143 FOUND AT THE WEST 1/4 CORNER OF SAID SECTION 30; THENCE S.00°49'50"W., 2637.35' TO A 5"X5" SARASOTA COUNTY SECTION CORNER MONUMENT AS AT THE NW CORNER OF SAID SECTION 30; THENCE ALONG THE WEST LINE OF SAID SECTION 30, 5"X5" SARASOTA COUNTY SECTION CORNER MONUMENT AS REFERENCED BY CCR#106570 FOUND THENCE CONTINUE ALONG THE NORTH LINE OF SAID SECTION 30, S.88°31'18"W., 2067.47' TO A AS REFERENCE BY CCR#106581 FOUND AT THE NORTH 1/4 CORNER OF SAID SECTION 30; S.88°31'18"W., 2642.69' TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "CIVILSURV LB 7805" BEING DESCRIBED; THENCE CONTINUE ALONG THE NORTH LINE OF SAID SECTION 30, 31, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA FOR A POINT OF BEGINNING OF LAND SE CORNER OF TRACT 100, SERENOA LAKES, A SUBDIVISION RECORDED IN PLAT BOOK 40, PAGE (PLAT=25), TO A 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "PRM 1747" FOUND AT THE SECTION 30; THENCE ALONG THE NORTH LINE OF SAID SECTION 30, S.88°31'18"W., 24.88 FEET CORNER MONUMENT AS REFERENCED BY CCR#073840 FOUND AT THE NE CORNER OF SAID COMMENCE AT A NAIL AND DISK STAMPED "LB 6754" FOUND OVER OLD COUNTY SECTION

THAT PART OF SECTION 30, TOWNSHIP 37 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

EXHIBIT A