

ORDINANCE NO. 22-37

AN ORDINANCE OF MANATEE COUNTY REGARDING PUBLIC SERVICES; ESTABLISHING THE STONEGATE PRESERVE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATION SECTION 2-8-78 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "STONEGATE PRESERVE COMMUNITY DEVELOPMENT DISTRICT," ESTABLISHING THE STONEGATE PRESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENTING TO CERTAIN SPECIAL POWERS BY THE DISTRICT'S BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; 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 district for these improvements within the district boundaries; and

WHEREAS, Subsection 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, Richland Developers – Florida, Inc. (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the Stonegate Preserve Community Development District (District) pursuant to Chapter 190, Florida Statutes, and

WHEREAS, the owner of approximately 417.765 acres of real property proposed for inclusion within the District has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its

determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in Subsection 190.012(1), Florida Statutes; and

WHEREAS, section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in Subsection 190.012(2), Florida Statutes; as amended; and

WHEREAS, section 190.005(2)(d), Florida Statutes, as amended provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under Subsection 190.012(2), Florida Statutes; as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers for parks and recreation listed in Paragraph 190.012(2)(a), Florida Statutes, as amended;

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise of the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general 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, FLORIDA:

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. The Ordinance is adopted pursuant to Subsection 190.005(2), 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 establish the Stonegate Preserve 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. It is further the intent and purpose of this Ordinance to grant the consent of the Board to the exercise by the District board of supervisors of certain additional special powers pursuant to Subsection 190.012(2), Florida Statutes, as amended, with all rights and obligations appertaining thereto, including all obligations pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-78 of Manatee County Code of Ordinances. Section 2-8-78 of the Manatee County Code of Ordinances (“Code”) is hereby created to read as follows:

Sec. 2-8-78. Stonegate Preserve Community Development District.

(a) Establishment. The Stonegate Preserve Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds Description attached hereon as Exhibit “2”.

(c) Initial Board of Supervisors. The names of the five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

(1) J. Curt Wilkinson

(2) Matthew J. Bray

(3) Dawn M. Lemons

(4) Suzanne Lupia

(5) Matthew Young

(d) Special powers. Pursuant to sections 190.005(2)(d) and Subsection 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the following special powers listed in section 190.012(2)(a), Florida Statutes. Specifically, the District shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

Section 6. Administrative Correction of Scrivener's Errors. The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the County Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the County Clerk.

Section 7. 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 8. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of the 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 5th day of May 2022.



BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: 
Kevin Van Ostenbridge, Chairman

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: 
Deputy Clerk

EXHIBIT 2

Metes and Bounds Legal Description

Exhibit 2

Description Sketch

(Not A Survey)

DESCRIPTION: A parcel of land lying in Sections 15 and 16 , Township 33 South, Range 18 East, Manatee County, Florida, and being more particularly described as follows:

COMMENCE at the Southwest corner of Section 15, thence along the West boundary of the Southwest 1/4 of Section 15, N.01°01'37"E., a distance of 346.32 feet to the **POINT OF BEGINNING**; thence N.01°01'33"E., a distance of 150.00 feet; thence N.00°14'00"W., a distance of 650.00 feet; thence N.00°25'54"W., a distance of 539.17 feet; thence N.00°19'00"W., a distance of 600.00 feet; thence N.00°17'14"W., a distance of 739.11 feet; thence S.89°50'16"E., a distance of 29.94 feet; thence N.02°28'39"E., a distance of 2616.32 feet to a point on the Southerly maintained right of way of BUCKEYE ROAD; thence along said maintained right of way in the following 7 (seven) courses: 1) S.89°32'09"E., a distance of 66.69 feet 2) S.89°39'51"E., a distance of 5245.09 feet; 3) S.89°49'42"E., a distance of 239.26 feet; 4) S.00°47'18"W., a distance of 203.72 feet; 5) S.89°49'42"E., a distance of 258.71 feet; 6) N.00°47'18"E., a distance of 203.72 feet; 7) S.89°49'42"E., a distance of 665.57 feet to a point on the Westerly limited access right of way line of Interstate Highway 75, as recorded in Official Records Book 867, Page 368, of Manatee County, Florida ; thence along said Westerly limited access right of way line the following nine (9) courses: 1) S.37°11'54"W., a distance of 333.11 2) N.51°52'35"W., a distance of 65.97 feet; 3) Southwesterly, 2239.78 feet along the arc of a non-tangent curve to the right having a radius of 7400.44 feet and a central angle of 17°20'27" (chord bearing S.46°47'38"W., 2231.24 feet); 4) S.55°27'52"W., a distance of 487.15 feet; 5) S.34°32'08"E., a distance of 65.00 feet; 6) S.55°27'52"W., a distance of 2492.42 feet; 7) Southwesterly, 1583.64 feet along the arc of a tangent curve to the left having a radius of 5903.58 feet and a central angle of 15°22'11" (chord bearing S.47°46'46"W., 1578.90 feet); 8) S.40°05'41"W., a distance of 1108.12 feet; 9) N.89°32'39"W., a distance of 362.84 feet; thence N.01°01'37"E., a distance of 142.94 feet to the **POINT OF BEGINNING**.

Containing 417.765 acres, more or less.



Digitally signed
by David W.
Maxwell
Date: 2021.09.23
11:01:47 -04'00'

SURVEYOR'S NOTES:

- Bearings shown hereon are based on the WEST BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 33 SOUTH, RANGE 18 EAST, having a grid bearing of N.01°01'37"E The grid bearings as shown hereon refers to the state plane coordinate system, North American Horizontal Datum of 1983 (NAD 83-2011 adjustment) for the West zone of Florida, as established from a RTK GPS network.

NOTE:

- SEE SHEET NO. 2 - 8 FOR SKETCH
- SEE SHEET NO. 9 FOR LINE AND CURVE TABLES.
- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PROJECT: Stonegate Preserve		PREPARED FOR: RICHLAND DEVELOPERS-FLORIDA, INC	
PHASE: CDD		(Not A Survey)	213 Hobbs Street Tampa, Florida 33619 Phone: (813) 248-8888 Licensed Business No.: LB 7768
DRAWN: JL	DATE: 6/25/2021		
REVISIONS			
DATE	DESCRIPTION	DRAWN BY	
David W. Maxwell		Signature Date	
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.		LS7311	

Description Sketch

(Not A Survey)

BUCKEYE ROAD

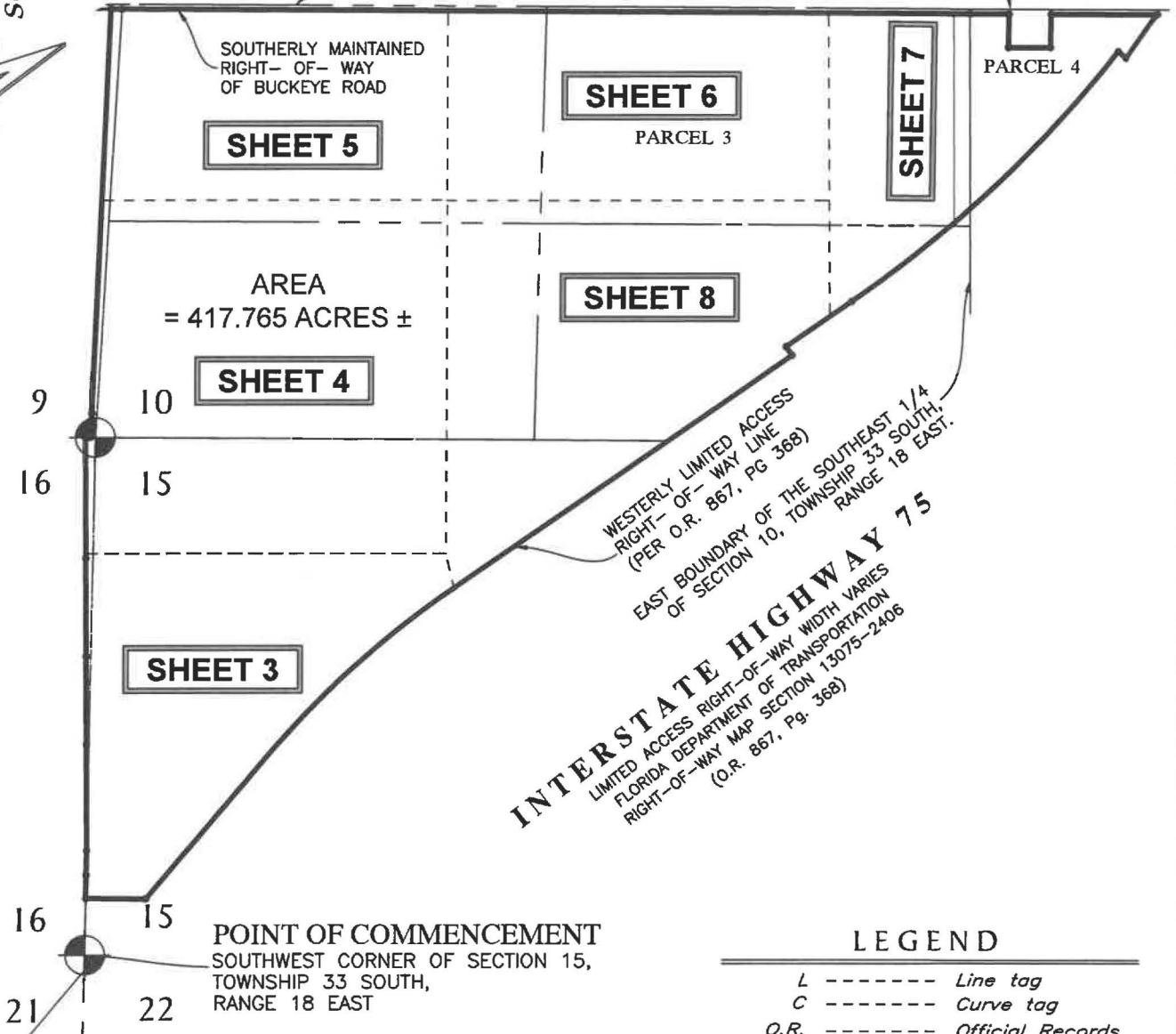
60' RIGHT-OF-WAY 20.3' ASPHALT PAVEMENT

NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 10-33-18

NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 11-33-18



SCALE: 1" = 1000'



AREA = 417.765 ACRES ±

SHEET 5

SHEET 6

SHEET 7

SHEET 8

SHEET 4

SHEET 3

INTERSTATE HIGHWAY 75
 LIMITED ACCESS RIGHT-OF-WAY WIDTH VARIES
 FLORIDA DEPARTMENT OF TRANSPORTATION
 RIGHT-OF-WAY MAP SECTION 13075-2406
 (O.R. 867, Pg. 368)

POINT OF COMMENCEMENT
 SOUTHWEST CORNER OF SECTION 15,
 TOWNSHIP 33 SOUTH,
 RANGE 18 EAST

LEGEND

L	-----	Line tag
C	-----	Curve tag
O.R.	-----	Official Records
Pg.	-----	Page
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- NOTES:
- 1) SEE SHEET NO. 1 FOR LEGAL DESCRIPTION & SURVEYORS NOTES
 - 2) SEE SHEETS NO. 3 - 8 FOR SKETCH
 - 3) SEE SHEET NO. 9 FOR LINE AND CURVE TABLES

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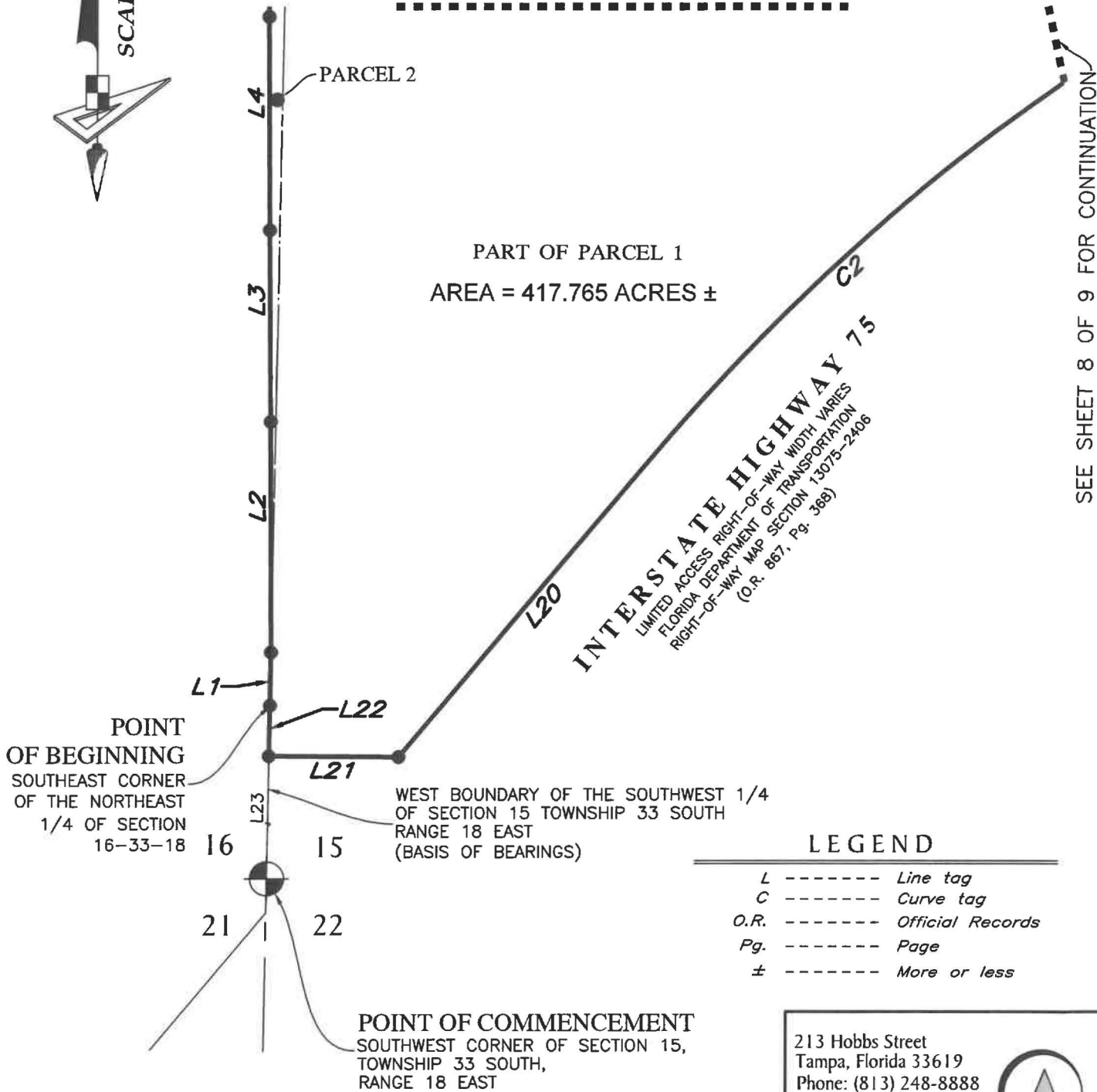


Description Sketch

(Not A Survey)



SEE SHEET 4 OF 9 FOR CONTINUATION



SEE SHEET 8 OF 9 FOR CONTINUATION

LEGEND

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O.R.	-----	Official Records
Pg.	-----	Page
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NOTES:

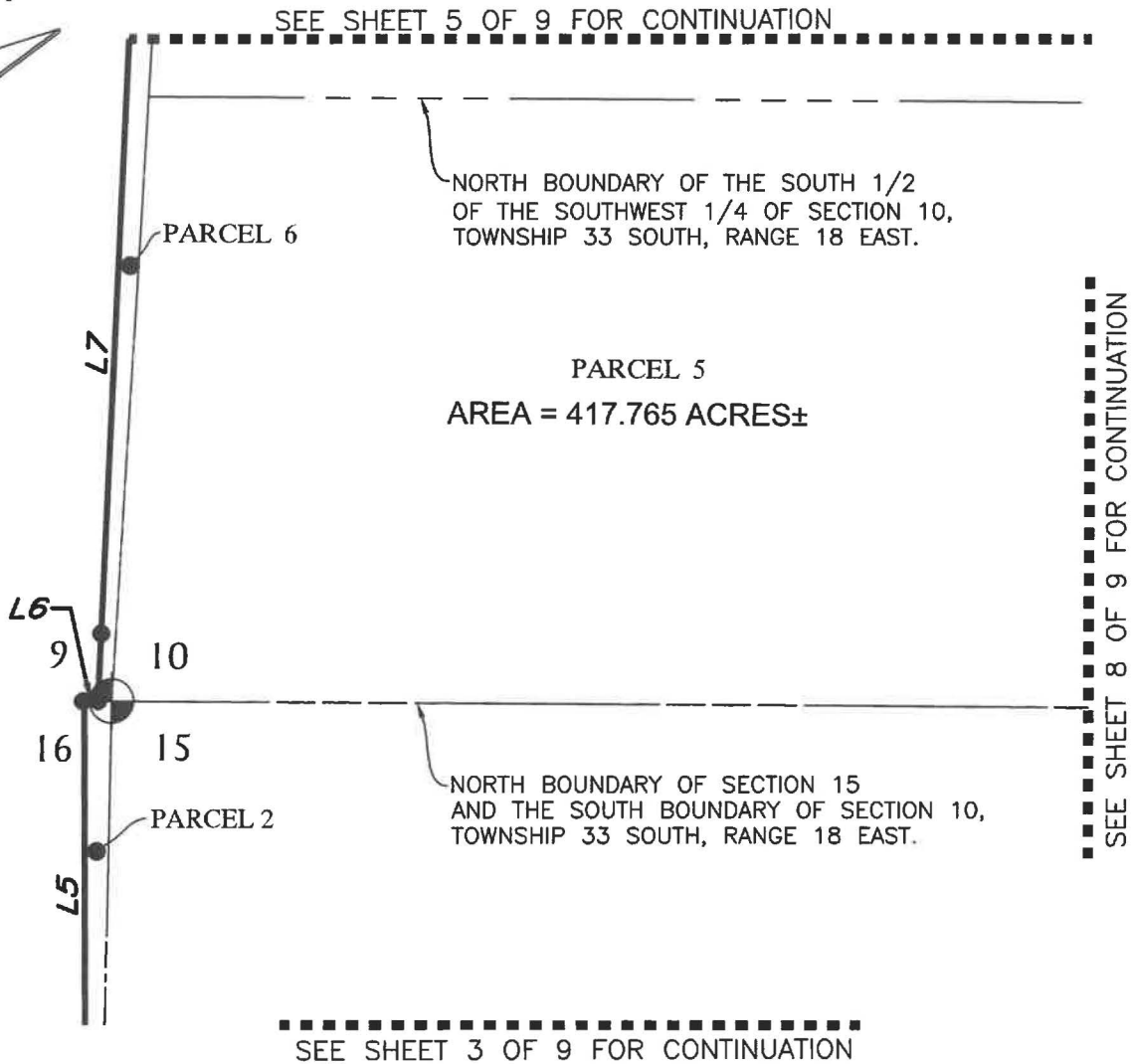
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- 2) SEE SHEETS NO. 2 AND SHEET 4 - 8 FOR SKETCH
- 3) SEE SHEET NO. 9 FOR LINE AND CURVE TABLES

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Description Sketch

(Not A Survey)



LEGEND

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C	-----	Curve tag
O.R.	-----	Official Records
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GeoPoint
 Surveying, Inc.

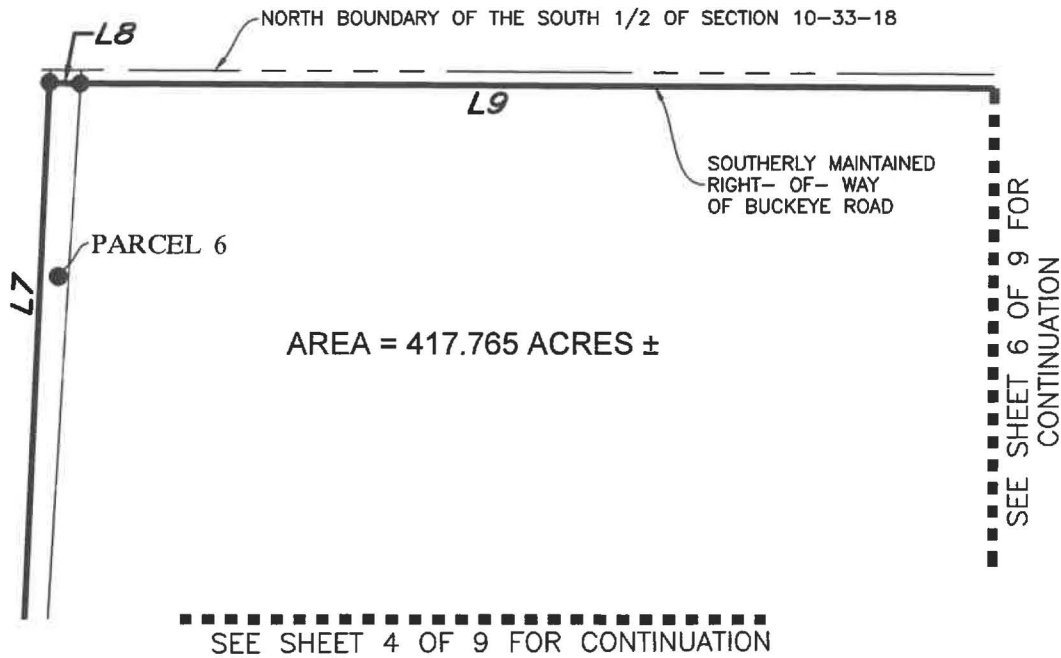
Description Sketch

(Not A Survey)



BUCKEYE ROAD

60' RIGHT-OF-WAY 20.3' ASPHALT PAVEMENT



LEGEND

<i>L</i>	-----	<i>Line tag</i>
<i>C</i>	-----	<i>Curve tag</i>
<i>O.R.</i>	-----	<i>Official Records</i>
<i>Pg.</i>	-----	<i>Page</i>
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- 2) SEE SHEETS NO. 2- 4 AND SHEET 6 - 8 FOR SKETCH
- 3) SEE SHEET NO. 9 FOR LINE AND CURVE TABLES

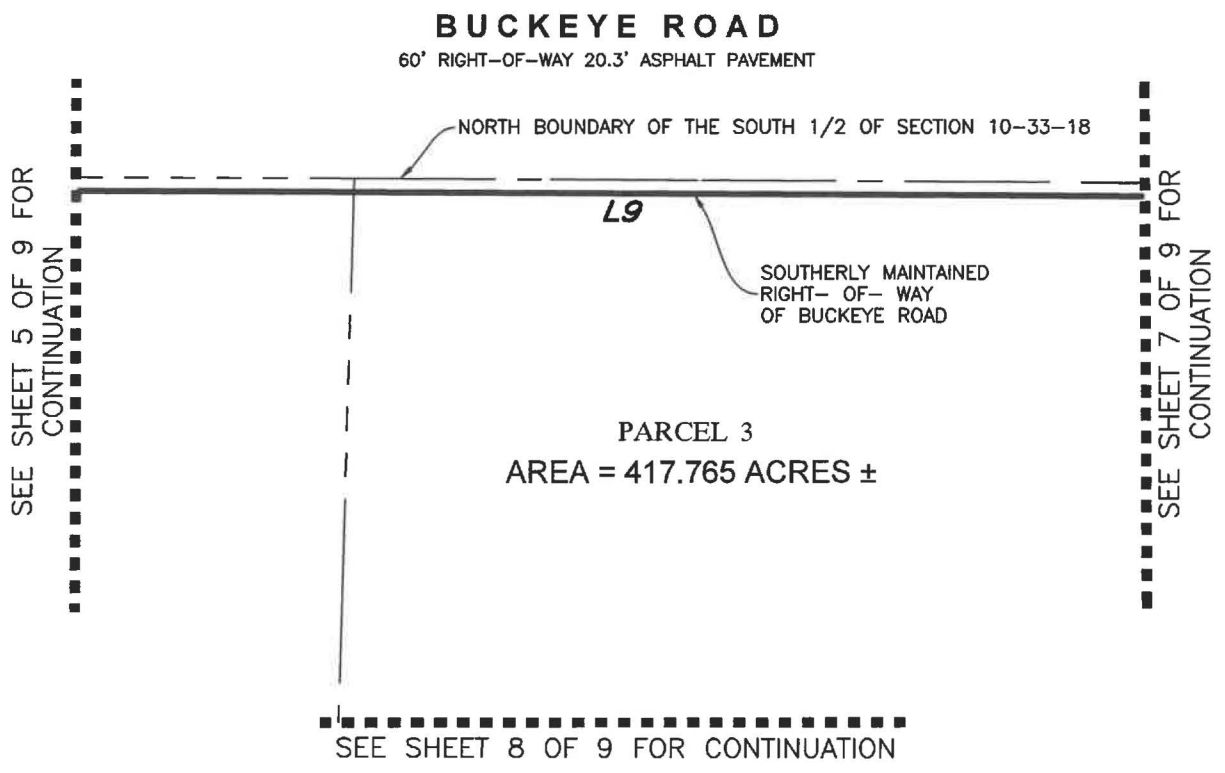
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Description Sketch

(Not A Survey)



LEGEND

<i>L</i>	-----	<i>Line tag</i>
<i>C</i>	-----	<i>Curve tag</i>
<i>O.R.</i>	-----	<i>Official Records</i>
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- 1) SEE SHEET NO. 1 FOR LEGAL DESCRIPTION & SURVEYORS NOTES
- 2) SEE SHEETS NO. 2- 5 AND SHEET 7- 8 FOR SKETCH
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GeoPoint
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Exhibit 2

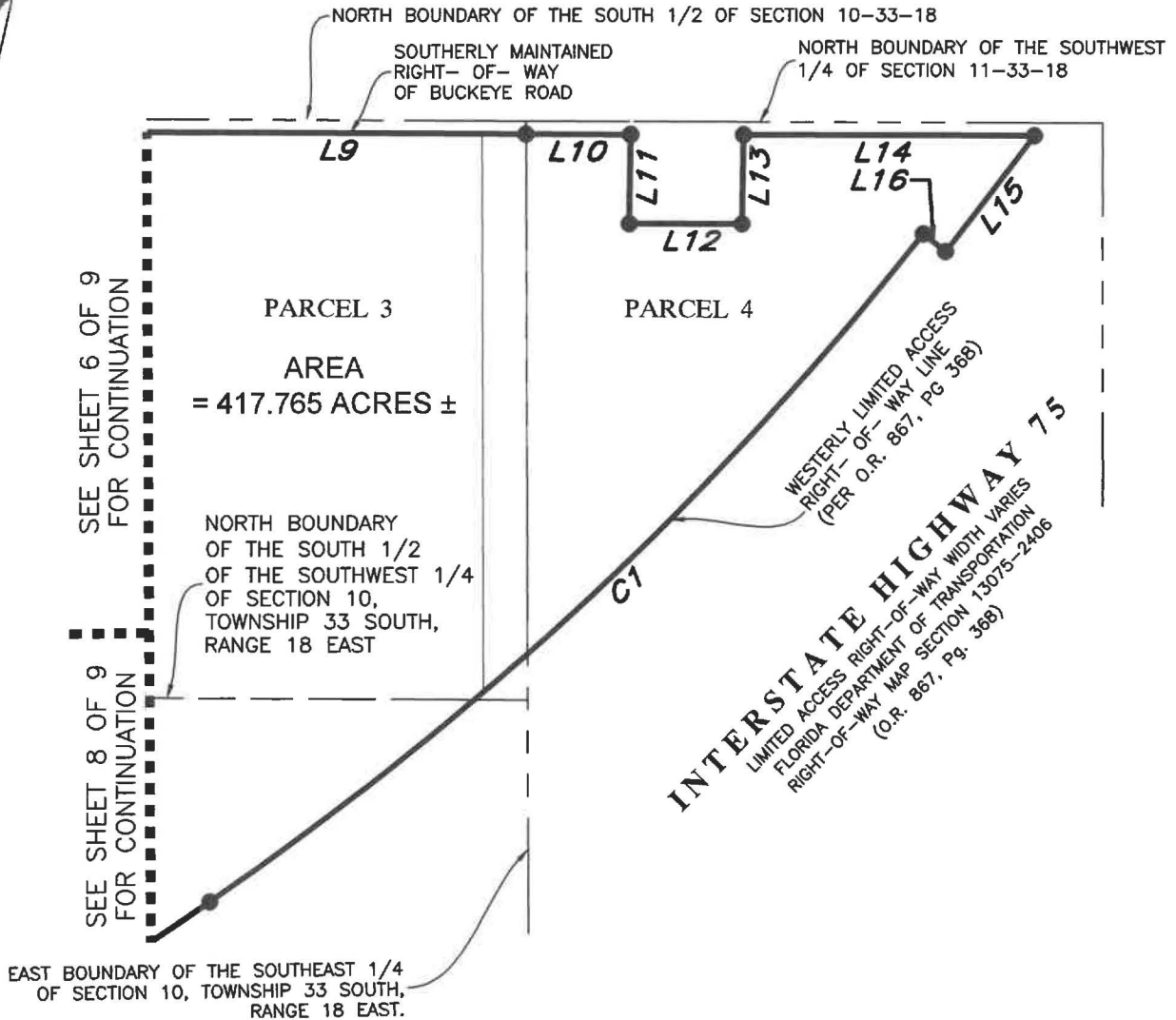
Description Sketch

(Not A Survey)



BUCKEYE ROAD

60' RIGHT-OF-WAY 20.3' ASPHALT PAVEMENT



LEGEND

L	-----	Line tag
C	-----	Curve tag
O.R.	-----	Official Records
Pg.	-----	Page
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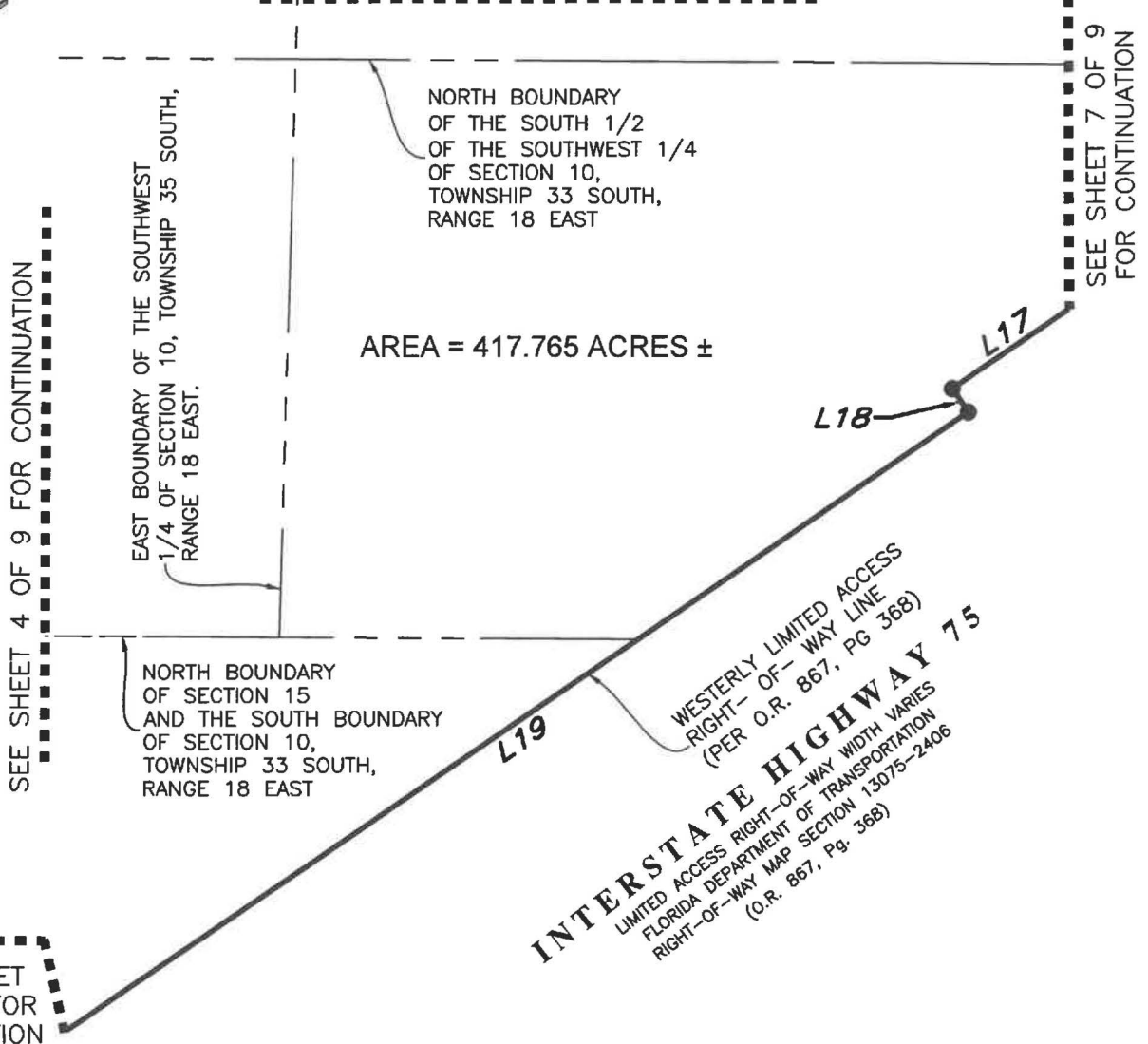


Description Sketch

(Not A Survey)



SEE SHEET 6 OF 9 FOR CONTINUATION



AREA = 417.765 ACRES ±

LEGEND

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O.R.	-----	Official Records
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GeoPoint
 Surveying, Inc.

Description Sketch

(Not A Survey)

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	S 01°01'33" W	150.00'
L2	S 00°14'00" E	650.00'
L3	S 00°25'54" E	539.17'
L4	S 00°19'00" E	600.00'
L5	S 00°17'14" E	739.11'
L6	S 89°50'16" E	29.94'
L7	N 02°28'39" E	2616.32'
L8	S 89°32'09" E	66.69'
L9	S 89°39'57" E	5178.40'
L10	S 89°49'42" E	239.26'
L11	S 00°47'18" W	203.72'
L12	S 89°49'42" E	258.71'
L13	N 00°47'18" E	203.72'
L14	S 89°49'42" E	665.57'
L15	S 37°11'54" W	333.11'
L16	N 51°52'35" W	65.97'
L17	S 55°27'52" W	487.15'
L18	S 34°32'08" E	65.00'
L19	S 55°27'52" W	2492.42'
L20	N 40°05'41" E	1108.12'
L21	S 89°32'39" E	362.84'
L22	S 01°01'37" W	142.94'
L23	N 01°01'37" E	346.32'

CURVE DATA TABLE					
NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD	BEARING
C1	7400.44'	17°20'27"	2239.78'	2231.24'	S 46°47'38" W
C2	5903.58'	15°22'11"	1583.64'	1578.90'	S 47°46'46" W

NOTES:
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 2) SEE SHEETS NO. 2- 8 FOR SKETCH

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GeoPoint

Surveying, Inc.

STATE OF FLORIDA DEPARTMENT OF STATE

I, LAUREL M. LEE, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Manatee County Ordinance No. 22-37, Stonegate Preserve Community Development District which was filed in this office on May 9, 2022, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

**Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
10th of May, A.D., 2022.**



Laurel M. Lee
Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document