

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, REGARDING THE CYPRESS RESERVE COMMUNITY DEVELOPMENT DISTRICT; GRANTING PETITION OF RICHLAND DEVELOPERS – FLORIDA, INC., ESTABLISHING AND NAMING THE CYPRESS RESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND THE POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT’S BOARD OF SUPERVISORS; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING A SEVERABILITY CLAUSE; 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, Richland Developers – Florida, Inc. (the “Petitioner”) petitioned the City Council of the City of Groveland, Florida (the “Groveland City Council”), to enact an ordinance establishing the Cypress Reserve Community Development District (the “District”) pursuant to Chapter 190, *Florida Statutes*, over the real property described in **Exhibit A**, attached hereto; and

WHEREAS, the Petitioner has obtained written consent to the establishment by the owners of one hundred percent of the real property to be included in the District; and

WHEREAS, the Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida, with a principal place of business of 400 N. Ashley Drive, Suite 1750, Tampa, Florida 33602; and

WHEREAS, a public hearing has been conducted by the Groveland City Council on 6-6-2022, 2022 in accordance with the requirements and procedures of section 190.005(2), *Florida Statutes*, and the applicable requirements and procedures of the City’s Charter and Code of Ordinances; all interested persons and affected units of general-purpose local government were afforded and opportunity to present oral and written comments on the Petition at said duly noticed public hearing; and

WHEREAS, upon consideration of the record established at that hearing, the Groveland City Council determined that statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element of any portion of the state comprehensive plan or the City’s comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering

community development services and facilities to the area served by the District, that 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, and that the area to be served by the District is amendable to separate special-district governance; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described, thereby providing a solution to the City's planning, management and financing needs for delivery of capital infrastructure therein without overburdening the City and its taxpayers; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 2. FINDINGS. The foregoing recitals and findings are true and correct and are incorporated herein, adopted, and made part hereof.

SECTION 3. DISTRICT NAME. There is hereby created a community development district situated entirely within the incorporated boundaries of the City of Groveland, Florida, named the "Cypress Reserve Community Development District."

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A**, attached hereto and incorporated by reference. The District, overall, contains 486.36 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

SECTION 5. FUNCTIONS AND POWERS. The District is limited to the performance of those general powers and functions as described in Chapter 190, *Florida Statutes*, and the special powers as set forth in s. 190.012(a) and (d), *Florida Statutes*. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies. The District shall not have any zoning or permitting powers governing land development or use of land.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

<u>Name</u>	<u>Address</u>
Matt Cuarta	555 Winderley Place, Suite 129 Maitland, Florida 32751
Matthew J. Bray	400 N. Ashley Drive, Suite 1750 Tampa, Florida 33602
Dawn M. Lemons	400 N. Ashley Drive, Suite 1750

Tampa, Florida 33602

Suzanne Lupia

400 N. Ashley Drive, Suite 1750
Tampa, Florida 33602

Matthew Young

555 Winderley Place, Suite 129
Maitland, Florida 32751

All the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of the ordinance with the City Clerk and recording a corrected copy of the ordinance in the public records of Lake County, Florida.

SECTION 8. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 9. EFFECTIVE DATE. This ordinance is effective upon adoption.

DONE, THE FIRST READING AND THE PUBLIC HEARING, by the City Council of the City of Groveland, Florida, at a regular meeting, 5-16-2022, 2022.

DONE, THE PUBLIC NOTICES, in a newspaper of general circulation in the City of Groveland, Florida, by the Petitioner, commencing the 22nd day of April, 2022, and running once each week for four consecutive weeks, ending on the 22nd day of May, 2022.

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DONE, THE SECOND READING AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Groveland, Florida, at a regular meeting, this 14th day of June, 2022.

BY THE MAYOR OF THE CITY OF GROVELAND, FLORIDA:

Evelyn Wilson
Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA:

Trigene Wright
City Clerk



APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF GROVELAND, FLORIDA:

Anita Meraci-Carver
City Attorney

Exhibit A:

LEGAL DESCRIPTION

PARCEL 1

THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

PARCEL 2

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

TRACT 23, LESS THE WEST 150 FEET THEREOF. TRACTS 24, 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 44, 45, 51, 52 AND 53 AND THE WEST 1/2 OF TRACT 59, LYING NORTH OF STATE ROAD NO. S-565-A AND TRACTS 60, 61, 62 AND 63 LYING NORTH OF STATE ROAD NO. S-565-A, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 25 EAST.,

AND

THE WEST 1/2 OF TRACT 6 LYING NORTH AND EAST OF STATE ROAD NO. S-565-A. TRACT 7 LYING EAST OF STATE ROAD NO. S-565-A AND TRACT 8, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2., PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 33, TOWNSHIP 22 SOUTH, RANGE 25 EAST. PARCELS

TRACTS 19, 20, 29 AND 30, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 25 EAST, TOGETHER WITH THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

PARCEL 4

THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 25 EAST, ENCOMPASSING TRACTS 1, 2, 15 AND 16, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2., PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 34, TOWNSHIP 22 SOUTH, RANGE 25 EAST.

PARCEL 5

TRACT 46, GROVELAND FARMS, IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 25 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 6

BEGINNING AT A POINT 12 FEET WEST OF THE SOUTHEAST CORNER OF TRACT 11 IN THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 25 EAST IN GROVELAND FARMS, A SUBDIVISION IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2 PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN NORTH 10 FEET; THENCE RUN EAST AND PARALLEL TO THE SOUTH LINE OF TRACTS 9, 10 AND 11 OF THE SAID SUBDIVISION TO A POINT ON THE EAST LINE OF THE SAID TRACT 9; THENCE RUN SOUTH TO THE SOUTHEAST CORNER OF THE SAID TRACT 9; THENCE RUN WEST ALONG THE SOUTH LINE OF THE SAID TRACTS 9, 10 AND 11 TO THE POINT OF BEGINNING.

ALSO:

FROM THE SOUTHEAST CORNER OF THE SAID TRACT 9, RUN NORTH ALONG THE EAST LINE THEREOF 275 FEET TO A POINT HEREBY DESIGNATED AS POINT "A"; BEGIN AGAIN AT THE POINT OF BEGINNING, THENCE RUN WEST ALONG THE SOUTH LINE OF THE SAID TRACT 9 A DISTANCE OF 196 FEET; THENCE RUN IN A NORTHEASTERLY DIRECTION ALONG A STRAIGHT LINE TO THE ABOVE DESIGNATED POINT "A".

AREAS

WET-1 151.070 ACRES ±
WET-2..... 12.008 ACRES ±
WET-3..... 1.592 ACRES ±
WET-4..... 3.281 ACRES ±
WET-5..... 61.646 ACRES ±
WET-6..... 0.420 ACRES ±
WET-7..... 2.788 ACRES ±

UPLAND..... 253.555 ACRES ±

TOTAL AREA 486.360 ACRES ±