

ORDINANCE NO. 2014-173

AN ORDINANCE OF THE COUNTY OF OSCEOLA, STATE OF FLORIDA, ESTABLISHING THE ROLLING OAKS COMMUNITY DEVELOPMENT DISTRICT, AT APPROXIMATELY 320.54 ACRES, 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 A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Rolling Oaks Splendid, LLC, a Florida limited liability company ("Petitioner") has filed a Petition with Osceola County requesting that the Board of County Commissioners of Osceola County ("County") adopt an ordinance establishing the Rolling Oaks Community Development District pursuant to Chapter 190, Fla. Stat. ("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 basic 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, 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), Fla. Stat.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 190.005 (1) (e), Fla. Stat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA THIS 15TH DAY OF DECEMBER, 2014 AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The County hereby finds and states that:

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; and
7. the area that will be served by the District is amenable to a separate, special-district government.

SECTION 2. CONCLUSIONS OF LAW.

1. This proceeding is governed by Chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to Section 190.005 (2), Fla. Stat.; and
3. The granting of the Petition complies with the dictates of Chapter 190, Fla. Stat.

SECTION 3. CREATION, BOUNDARIES AND POWERS. There is hereby created the Rolling Oaks Community Development District, which shall encompass approximately 320.54 acres, for the area of land described in Exhibit A attached hereto, which shall exercise the powers of Sections 190.011, and 190.012(1), (2)(a), (d) & (f), and (3), Fla. Stat., and which shall operate in accordance with the uniform community development district charter as set forth in Sections 190.006-190.041, Fla. Stat., including the special powers provided under Section 190.012(1), (2)(a), (d) and (f), and (3) Fla. Stat.

SECTION 4. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Zachary Johnson, Cora DiFiore, John Chiste, Jared Meyers, Jared Bouskila.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, provision, or other part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

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DULY ENACTED in regular session this 15th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: 
Chairman/Vice Chairman

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: 
Clerk/ Deputy Clerk of the Board



As authorized for execution at the Board of
County Commissioners meeting of:

December 15, 2014
Ordinance #2014-173

EXHIBIT A

LEGAL DESCRIPTION:

A PORTION OF SECTIONS 3 AND 4, TOWNSHIP 25 SOUTH, RANGE 27 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 1, FLORIDA SPLENDID CHINA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 152, PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA, THENCE RUN WESTERLY, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF OAK ISLAND ROAD, THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) SOUTH $00^{\circ}12'47''$ EAST, A DISTANCE OF 25.00 FEET; THENCE RUN SOUTH $89^{\circ}12'32''$ WEST, A DISTANCE OF 1136.81 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 429, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, FINANCIAL PROJECT NO. 403497-3; THENCE RUN NORTHERLY, ALONG SAID EASTERLY LIMITED ACCESS, RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES AND DISTANCES: RUN NORTH $04^{\circ}02'39''$ WEST, A DISTANCE OF 2716.07 FEET; THENCE RUN NORTH $00^{\circ}02'38''$ WEST, A DISTANCE OF 518.75 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 7,545.44 FEET A CENTRAL ANGLE OF $04^{\circ}31'51''$ AND A CHORD DISTANCE OF 596.52 FEET WHICH BEARS NORTH $02^{\circ}13'15''$ EAST, THENCE NORTHERLY ALONG SAID ARC, A DISTANCE OF 596.68 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE NORTH $89^{\circ}36'26''$ EAST, A DISTANCE OF 971.31 FEET THENCE NORTH $00^{\circ}23'34''$ WEST, A DISTANCE OF 32.00 FEET; THENCE NORTH $89^{\circ}36'26''$ EAST, A DISTANCE OF 625.69 FEET; THENCE NORTH $00^{\circ}23'34''$ WEST, A DISTANCE OF 1,295.12 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 530; THENCE RUN SOUTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH $89^{\circ}36'26''$ EAST, A DISTANCE OF 544.67 FEET (2) TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 2,764.79 FEET A CENTRAL ANGLE OF $24^{\circ}22'54''$ AND A CHORD DISTANCE OF 1,167.68 FEET WHICH BEARS SOUTH $78^{\circ}12'07''$ EAST, THENCE EASTERLY ALONG SAID ARC, A DISTANCE OF 1,176.54 FEET; THENCE RUN SOUTH $00^{\circ}12'39''$ EAST, A DISTANCE OF 981.24 FEET TO A POINT ON THE NORTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE RUN NORTH $89^{\circ}34'15''$ EAST, ALONG THE NORTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3, A DISTANCE OF 663.44 FEET TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE RUN SOUTH $00^{\circ}10'00''$ EAST, ALONG THE EAST LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3, A DISTANCE OF 663.15 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE RUN SOUTH $89^{\circ}32'47''$ WEST, ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID

SECTION 3, A DISTANCE 1325.86 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 3; THENCE RUN SOUTH 00°15'19" EAST, ALONG THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 344.77 FEET TO A POINT ON THE NORTHERLY LINE OF THE AFORESAID LOT 1, FLORIDA SPLENDID CHINA; THENCE SOUTHEASTERLY, ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID LOT 1, THE FOLLOWING COURSES AND DISTANCES; RUN SOUTH 65°02'30" EAST, A DISTANCE OF 112.68 FEET; THENCE RUN SOUTH 74°32'04" EAST, A DISTANCE OF 109.47 FEET; THENCE RUN SOUTH 87°04'54" EAST, A DISTANCE OF 62.66 FEET; THENCE RUN SOUTH 69°12'46" EAST, A DISTANCE OF 61.52 FEET; THENCE RUN SOUTH 81°52'08" EAST, A DISTANCE OF 65.58 FEET; THENCE RUN SOUTH 75°51'13" EAST, A DISTANCE OF 125.02 FEET; THENCE RUN SOUTH 81°25'55" EAST, A DISTANCE OF 103.89 FEET; THENCE RUN SOUTH 12°07'28" EAST, A DISTANCE OF 65.60 FEET; THENCE RUN SOUTH 44°25'11" EAST, A DISTANCE OF 147.85 FEET; THENCE RUN SOUTH 55°34'28" WEST, A DISTANCE OF 38.42 FEET; THENCE RUN SOUTH 09°34'46" WEST, A DISTANCE OF 146.07 FEET; THENCE RUN SOUTH 16°18'18" EAST, A DISTANCE OF 264.94 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 255.84 FEET A CENTRAL ANGLE OF 121°39'51" AND A CHORD DISTANCE OF 446.80 FEET WHICH BEARS SOUTH 20°34'01" WEST, THENCE SOUTHERLY ALONG SAID ARC, A DISTANCE OF 543.26 FEET TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 810.00 FEET A CENTRAL ANGLE OF 22°10'04" AND A CHORD DISTANCE OF 311.44 FEET WHICH BEARS SOUTH 29°15'45" EAST, THENCE SOUTHEASTERLY ALONG SAID ARC, A DISTANCE OF 313.39 FEET; THENCE RUN SOUTH 18°10'43" EAST, A DISTANCE OF 217.54 FEET; THENCE RUN SOUTH 71°49'17" WEST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET A CENTRAL ANGLE OF 90°00'00" AND A CHORD DISTANCE OF 35.36 FEET WHICH BEARS SOUTH 26°49'17" WEST, THENCE SOUTHWESTERLY ALONG SAID ARC, A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY THEREOF; THENCE RUN SOUTH 71°49'17" WEST, A DISTANCE OF 171.74 FEET TO A POINT OF CURVATURE A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 850.00 FEET, A CENTRAL ANGLE OF 71°57'01" AND A CHORD DISTANCE 998.64 FEET WHICH BEARS SOUTH 35°50'47" WEST; THENCE SOUTHWESTERLY ALONG SAID ARC, A DISTANCE OF 1,067.40 FEET; THENCE SOUTH 00°07'44" EAST, A DISTANCE OF 254.97 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 89°20'16" AND A CHORD DISTANCE 70.30 FEET WHICH BEARS SOUTH 44°32'24" WEST; THENCE SOUTHWESTERLY ALONG SAID ARC, A DISTANCE OF 77.96 FEET TO THE POINT OF TANGENCY THEREOF; SAID POINT LYING ON THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF OAK ISLAND ROAD; THENCE RUN SOUTH 89°12'32" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1222.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 320.54 ACRES MORE OR LESS.

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STATE OF FLORIDA, COUNTY OF OSCEOLA, CLERK OF THE BOARD
I hereby certify
that the above and foregoing is a true copy of the
original document recorded in the public records.
Clerk of the Board of County Commissioners
Dated 12/19/14

