

ORDINANCE NO. 21-27

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 18-35, ESTABLISHING THE RHODINE ROAD NORTH COMMUNITY DEVELOPMENT DISTRICT; AS SUCH ORDINANCE WAS PREVIOUSLY AMENDED BY ORDINANCE NUMBER 19-18; PROVIDING FOR AMENDMENT TO SECTION 3 OF SAID ORDINANCE TO CHANGE THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; ADDRESSING CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 12, 2018, the Board of County Commissioners in and for Hillsborough County, Florida ("County"), adopted Ordinance No. 18-35, which established the Rhodine Road North Community Development District (the "District"); and

WHEREAS, on August 13, 2019, the County adopted Ordinance No. 19-18, which amended Ordinance No. 18-35, Section 3, Creation, Boundaries, and Powers, to incorporate a metes and bounds legal description of the amended District, which is presently contained in Exhibit "A" of Ordinance 19-18; and

WHEREAS, on or about April 23, 2021, the District petitioned the County to adopt the *Petition to Amend the Boundary of the Rhodine Road North Community Development District* ("Petition"), amending Hillsborough County Ordinance No. 18-35, as amended by Ordinance 19-18, and adding approximately 61.27 acres to the District, described in Exhibit A, attached hereto, as the additional 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 requirements and procedures pursuant to Section 190.046(1)(b), Florida Statutes (2020); and

WHEREAS, the County has considered the record of the public hearing and the statutory factors set forth in Section 190.005(1)(e), Florida Statutes (2020), in making its determination to grant or deny the Petition; and

WHEREAS, pursuant to the information contained within the Petition, an investigation conducted by County staff, and otherwise being fully advised as to the facts and circumstances contained within the request of the District, the County has decided to grant the District's Petition to amend the Ordinance, to accomplish said purpose.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 20TH DAY OF JULY 2021 AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Board of County Commissioners 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 expansion 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 District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;
5. the expansion 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 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 Chapter 190, Fla. Stat.; and
3. The granting of the Petition complies with the dictates of Chapter 190, Fla. Stat.

SECTION 3. GEOGRAPHICAL BOUNDARIES. Exhibit "A" of Ordinance 18-35, as amended by Ordinance No. 19-18, is hereby replaced in its entirety with the legal description attached and set forth in **Exhibit B** of this Ordinance.

SECTION 4. CONFLICTS. Upon adoption of this Ordinance, all provisions of County Ordinance No. 18-35, as amended by Ordinance No. 19-18, will continue to be effective except as modified herein.

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.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, CINDY STUART, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of July 20, 2021 as the same appears of record in Minute Book 542 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of July, 2021.

CINDY STUART, CLERK

BY: *Diana M. [Signature]*
Deputy Clerk



APPROVED BY COUNTY ATTORNEY
AS TO FORM AND LEGAL
SUFFICIENCY

BY: *Nancy Y. Takemori*
Nancy Y. Takemori
Assistant County Attorney

EXHIBIT A
LEGAL DESCRIPTION OF LANDS TO BE ADDED TO THE DISTRICT

EXHIBIT AA

Description Sketch
(Not A Survey)


COLE PARCEL

Per Official Records Book 9674, Page 1024

BEING the East 1/2 of the Northeast 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Northeast 1/4, all being in Section 4, Township 31 South, Range 20 East, Hillsborough County, Florida, Less Right-of-Way for Rhodine Road.

Containing 61.27 acres, more or less.

SEE SHEET NO. 2 FOR SKETCH

PROJECT: Rhodine Road			Prepared For Absolute Engineering, Inc.		
PHASE: Cole Parcel			(Not A Survey)		
DRAWN: ECH	DATE: 8/20/19	CHECKED BY: AJM			
REVISIONS					
DATE	DESCRIPTION	DRAWN BY			
			<div style="display: flex; align-items: center; justify-content: center;"><div style="text-align: left; margin-right: 10px;">David A. Williams FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS6423</div><div style="text-align: center;"> GeoPoint Surveying, Inc.</div></div> <div style="font-size: small; margin-top: 5px;">213 Hobbs Street Tampa, Florida 33619 Phone: (813) 248-8888 Licensed Business No.: LB 7768</div>		
FILE PATH: P:\RHODINE ROAD (ABSOLUTE)\DESCRIPTION\RHODINE-ROAD-COLE PARCEL.DWG LAST SAVED BY: EHVATT					
					1 of 2

Description Sketch

(Not A Survey)

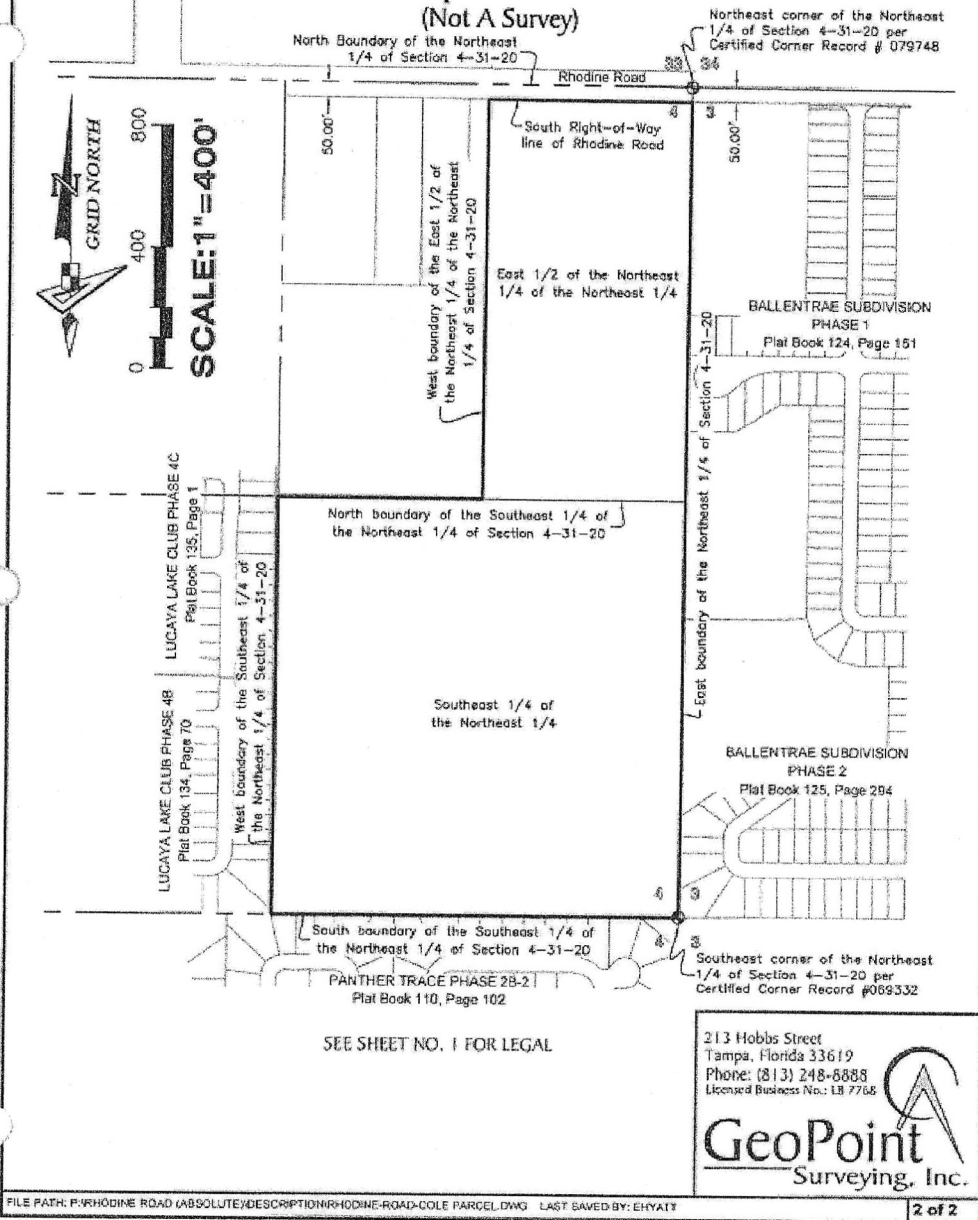


EXHIBIT B
LEGAL DESCRIPTION AFTER EXPANSION

EXHIBIT AA

Description Sketch

(Not A Survey)

DESCRIPTION: A parcel of land lying in Government Lots 1, 2, and 3 in the South 1/2 of Section 33, Township 30 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Parcel A:

COMMENCE at the Southeast corner of the aforesaid Government Lot 3, run thence along the West boundary thereof N.00°08'25"E., a distance of 50.00 feet to a point on the North Right-of-Way line of Rhodine Road and the Southeast corner of that certain Tract described in Official Records Book 19528, Page 1461, of the public records of Hillsborough County, Florida, and the **POINT OF BEGINNING**; thence along the East, North, and West boundary of said Tract the following four (4) courses; 1) N.00°08'25"E., a distance of 755.07 feet; thence 2) N.89°51'10"W., a distance of 135.55 feet; thence 3) S.00°08'56"W., a distance of 858.98 feet; thence 4) S.24°21'49"W., a distance of 105.23 feet to a point on the North Right-of-Way line of said Rhodine Road; thence along said Right-of-Way line N.89°48'49"W., a distance of 31.51 feet; thence leaving said Right-of-Way line N.25°01'20"E., a distance of 105.61 feet to a point on the East boundary of the West 155.00 feet of the East 1/4 of said Government Lot 3; thence along said East boundary N.00°10'37"E., a distance of 1780.95 feet to a point on the South boundary of the North 394.00 feet of the East 1/4 of said Government Lot 3; thence along said South boundary S.89°58'48"W., a distance of 165.00 feet to a point on the West boundary of the East 1/4 of said Government Lot 3; thence along said West boundary S.00°10'16"W., a distance of 1876.19 feet to a point on the North Right-of-Way line of said Rhodine Road; thence along said Right-of-Way line N.89°48'49"W., a distance of 331.81 feet to a point on the West boundary of the West 1/2 of the East 1/2 of Government Lot 3; thence along said West boundary N.00°12'33"E., a distance of 2288.99 feet to a point on the North boundary of said Government Lot 3 and the South boundary of Estuary Phase 3, according to the plat thereof, as recorded in Plat Book 121, Page 85 of the public records of Hillsborough County, Florida; thence along the said North and South boundaries N.89°58'44"E., a distance of 860.81 feet to the Northwest corner of the said Government Lot 2; thence along the North boundaries of said Government Lots 1 and 2, the south boundary of the aforesaid Estuary Phase 3, the South boundary of Estuary Phase 2 as recorded in Plat Book 120, page 211 of the public records of Hillsborough County, Florida, and the South boundary of Estuary Phase 1 and 4 as recorded in Plat Book 119, Page 91 of the public records of Hillsborough County, Florida, N.89°43'14"E., a distance of 1650.73 feet to a point on the West boundary of Tract A-Drainage as shown on the aforesaid Estuary Phase 1 and 4; thence along said West boundary and the West boundary of Estuary Phase 5 as recorded in Plat Book 123, Page 34 of the public records of Hillsborough County, Florida and the West boundary of Massaro Minor Subdivision as recorded in Minor Subdivision Book 1, Page 38 of the public records of Hillsborough County, Florida S.00°00'16"W., a distance of 1170.14 feet to the southwest corner of said Massaro Minor Subdivision; thence along the South boundary thereof N.89°50'36"E., a distance of 338.13 feet; thence S.00°05'10"E., a distance of 1125.65 feet to a point on the aforementioned North Right-of-Way line of Rhodine Road; thence along said Right-of-Way line N.89°33'25"W., a distance of 1001.80 feet to the Southeast corner of that certain tract described in Official Records Book 23198, Page 1916, of the public records of Hillsborough County, Florida; thence along the East, North, and West boundary of said Tract the following three(3) courses 1) N.00°05'08"E., a distance of 290.86 feet; thence 2) N.89°38'48"W., a distance of 150.16 feet; thence 3) S.00°03'14"W., a distance of 290.62 feet to a point on the aforementioned North Right-of-Way Line of Rhodine Road; thence along said Right-of-Way line N.89°33'25"W., a distance of 844.25 feet; to the **POINT OF BEGINNING**. Containing 119.370 acres, more or less.

Together with:

Parcel B

COLE PARCEL

Per Official Records Book 9674, Page 1024

BEING the East 1/2 of the Northeast 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Northeast 1/4, all being in Section 4, Township 31 South, Range 20 East, Hillsborough County, Florida, Less Right-of-Way for Rhodine Road.
Containing 61.27 acres, more or less.

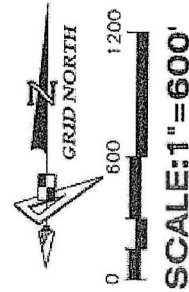
SEE SHEET NO. 2 FOR SKETCH

PROJECT: Sanctuary			Prepared For: Absolute Engineering, Inc.		
PHASE: CDD Description Sketch			(Not A Survey) <div style="display: flex; justify-content: space-between; align-items: center;"><div style="text-align: left;">David A. Williams FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS6423</div><div style="text-align: right;"> GeoPoint Surveying, Inc.</div></div>		
DRAWN: ECH DATE: 9/4/2019 CHECKED BY: ECH					
REVISIONS					
DATE	DESCRIPTION	DRAWN BY			
FILE PATH: P:\RHODINE ROAD (ABSOLUTE)\DESCRIPTION\CD\rhodine-road CDD LEGAL.DWG LAST SAVED BY: SHYATT					

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Description Sketch

(Not A Survey)



N. boundary of Government Lot 3 & S. boundary of Estuary Phase 3 Plat Book 121 Page 85

NW. corner of Government Lot 2

N. boundaries of Government Lots 1 & 2 and the S. boundary of Estuary Phase 3, the S. boundary of Estuary Phase 2 Plat Book 120, Page 211, and the S. boundary of Estuary Phase 1 and 4 Plat Book 118, Page 91

W. boundary of Tract A-Corridor on shown on Estuary Phase 1 and 4 as shown on Estuary Phase 5 Plat Book 123, Page 314

S. boundary of Massaro Minor Sub

PARCELA A
CONTAINS 119.37 ACRES

SW. corner of Massaro Minor Sub
NW. corner of OR 23196, Page 1916
NE. corner of OR 23196, Page 1916
SE. corner of OR 23196, Page 1916
North Right-of-Way line of Rhodine Road

Point of Beginning
SE. corner of OR 19528, Page 1461

Point of Commencement
SE. corner of Government Lot 3

OR 23196, Page 1916
N. boundary of the NE 1/4 of Section 4-31-20

NE. corner of the NE 1/4 of Section 4-31-20 per Certified Corner Record # 079748

LINE DATA TABLE

NO.	BEARING	LENGTH
L1	N 00°08'25" E	50.00'
L2	N 00°08'25" E	755.67'
L3	N 88°51'10" W	136.55'
L4	S 09°08'50" W	558.95'
L5	S 24°21'48" W	105.23'
L6	N 89°48'49" W	31.51'
L7	N 25°01'20" E	105.61'
L8	N 00°10'37" E	1780.59'
L9	S 89°50'48" W	166.52'
L10	S 00°10'15" W	1876.19'
L11	N 89°48'49" W	321.81'

LINE DATA TABLE

NO.	BEARING	LENGTH
L12	N 00°12'38" E	2268.99'
L13	N 88°56'44" E	680.81'
L14	N 88°43'14" E	1650.73'
L15	S 00°00'16" W	1170.14'
L16	N 89°50'38" E	338.13'
L17	S 00°06'10" E	1123.65'
L18	N 89°39'25" W	1001.80'
L19	N 00°05'08" E	290.56'
L20	N 89°39'40" W	150.16'
L21	S 00°03'14" W	280.62'
L22	N 89°33'25" W	844.25'

LUCAYA LAKE CLUB
PHASE 4C
Plat Book 134, Page 70
W. boundary of the SE 1/4 of the NE 1/4 of Section 4-31-20

LUCAYA LAKE CLUB
PHASE 4B
Plat Book 134, Page 70
W. boundary of the SE 1/4 of the NE 1/4 of Section 4-31-20

N. boundary of the SE 1/4 of the NE 1/4 of Section 4-31-20

PARCELA B
CONTAINS 11.27 ACRES

SE 1/4 of the NE 1/4

S. boundary of the SE 1/4 of the NE 1/4 of Section 4-31-20

PANTHER TRAIL PHASE 2B-2
Plat Book 110, Page 102

SE. corner of the NE 1/4 of Section 4-31-20 per Certified Corner Record #069332

BALENTIAE SUBDIVISION
PHASE 1
Plat Book 124, Page 151

BALENTIAE SUBDIVISION
PHASE 2
Plat Book 125, Page 234

213 Hobbs Street
Tampa, Florida 33619
Phone: (813) 248-8888
Licensed Business No.: LB 7768

GeoPoint
Surveying, Inc.

SEE SHEET NO. 1 FOR LEGAL

FILE PATH: P:\RHODINE ROAD (ABSOLUTE)\DESCRIPTION\GDD\rhodine-road GDD LEGAL.DWG LAST SAVED BY: EHYATT

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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 Hillsborough County Ordinance No. 21-27, which was filed
in this office on July 21, 2021, 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
28th day of July, A.D., 2021.

Laurel M. Lee
Secretary of State

DSDE 99 (3/03)