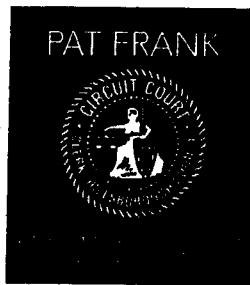


ORDINANCE

07-1



January 30, 2007

Norma J. Wise, Director
Hillsborough County Law Library
501 E. Kennedy Boulevard Ste. 100
Tampa, Florida 33602-5027

Re: Ordinance #07-1
Establishing the Spring Lake Community Development District

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #07-1 which was adopted by the Board of County Commissioners on January 23, 2007. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of January 25, 2007.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,

Gail M. Letzring,
Manager, BOCC Records

md

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Ellen Leonard, Legal Advisor, Sheriff's Office
Librarian, State Attorney's Office
Sandra Davidson, County Attorney's Office
Nancy Y. Takemori, Assistant County Attorney
Mary Mahoney, Management and Budget
Efraim Castano, Tax Collector's Office
Erin Kwiecinski, Tax Collector's Office
Christopher Weiss, Property Appraiser's Office
Tracy Waters, Property Appraiser's Office
Jeffrey Jenkins, Executive Planner, Planning and Growth Management
601 East Kennedy Boulevard • P.O. Box 1110 Tampa, Florida 33601-1110 • Telephone 813.276.8100



Agenda Item Cover Sheet

Agenda Item N^o. CDD 07-0090 F-4

Meeting Date January 23, 2007

Consent Section Regular Section Public Hearing

Subject: CDD 07-0090 PETITION TO ESTABLISH SPRING LAKE CDD	
Agency/Department, Team: Planning & Growth Management Department, Community-Based Planning Section	
Contact Person: Jeffrey R. Jenkins, AICP, Executive Planner	Contact Phone: 813.276.8341
Sign-Off Approvals	
<i>Kenneth C. [Signature]</i> 1/12/07 <small>Aerial County Administrator</small>	<i>[Signature]</i> 01/11/07 <small>Director</small>
<i>[Signature]</i> 1/11/07 <small>Managerial Budget - Approved as to Financial Impact Accuracy</small>	<i>[Signature]</i> 1/12/07 <small>County Attorney - Approved as to Legal Sufficiency</small>

STAFF'S RECOMMENDED BOARD MOTION

Establish the Spring Lake Community Development District (CDD) in accordance with the attached ordinance subject to any changes by the County Attorney's Office.

FINANCIAL IMPACT STATEMENT

No direct financial impact to the County will occur as a result of this petition. Of the total \$44,428,160 of estimated eligible infrastructure costs, 62% (\$27,458,160) is expected to be funded directly by the developer through sources that include, but not limited to, equity financing, conventional bank financing or short term bond debt issued by the district. The remaining 38% (\$16,970,000) of the estimated eligible infrastructure costs will be funded by the issuance of long-term district bonds that will be paid with annual homeowner assessments of \$600 for townhomes, \$1,200 for 40 foot single family residences, \$1,500 for 50 foot single family residences, and \$1,800 for 60 foot single family residences. The \$16,970,000 estimated par value bonds are composed of the construction fund, capitalized interest, debt service reserve fund, cost of issuance and underwriter's discount. The proposed development consists of 445 multi-family townhomes and 689 single family homes on lots ranging from 40 to 60 feet in width.

BACKGROUND

On October 18, 2006, Metro Development Group, Inc., petitioned Hillsborough County to establish the Spring Lake Community Development District. The authorized agent is Mark K. Straley of Straley Robin & Williams Law Firm. The 339-acre site is generally located north of Big Bend Road and east of Highway 301. The Spring Lake CDD is a residential Planned Development containing 445 multi-family townhomes and 689 single family homes on lots ranging from 40 to 60 feet in width. The property is currently vacant and unimproved. The proposed development is consistent with the Planned Development approval Resolution #04-1593.

The total infrastructure cost estimate for the Spring Lake Community Development District is \$44,428,160 (see Proposed Acquisition and Construction Cost Estimates and Time Table listed below) and includes stormwater management, district roads and street lights, sanitary sewer and water facilities, off site improvements, landscape and hardscape, recreation facilities, professional fees, permits, and underwriting costs. The development of Spring Lake is projected to occur as four phases over an estimated three (3) year period from 2007 to 2009.

List Attachments: #1 Location Map, #2 Zoning Map, #3 Aerial Map, #4 Future Land Use Map, #5 Preliminary Plan, #6 Boundary Survey, #7 Legal Description, #8 Table of Facility Ownership and Maintenance, #9 Proposed Phasing Plan, #10 Proposed Ordinance, and #11 Supplemental Application Packet. Also, agency comments are attached to the report.

000# 07-1 Sh/Ha 7 to 0

ORDINANCE NO. 07-1

AN ORDINANCE ESTABLISHING THE SPRING LAKE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Metro Development Group, LLC, a Florida limited liability company, ("Petitioner") has filed a Petition with Hillsborough County requesting that the Board of County Commissioners of Hillsborough County ("County") adopt an ordinance establishing the Spring Lake 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 HILLSBOROUGH COUNTY, FLORIDA THIS 23rd DAY OF January, 2007 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 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 Spring Lake Community Development District 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) and (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 by Section 190.012, Fla. Stat.

SECTION 4. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Michael Lawson, Greg Singleton, William Eshenbaugh, Patricia Ryan, and Henry Moorehead.

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, PAT COLLIER FRANK, 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 Jan. 23, 2007, as the same appears of record in Minute Book 368 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 24th day of January, 2007.

PAT COLLIER FRANK, CLERK

By: Beverly Anne Miller
Deputy Clerk



Approved to form and legal sufficiency:

[Signature]
Assistant County Attorney

LEGAL DESCRIPTION

THE EAST 1/2 OF THE NORTHWEST 1/4; LESS THE WEST 340.92 FEET THEREOF; AND THE WEST 1/2 OF THE NORTHEAST 1/4; LESS THE NORTH 50.00 FEET THEREOF FOR ROAD RIGHT-OF-WAY, LYING IN SECTION 4, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA.

AND

THE WEST 1/2 OF THE NORTHWEST 1/4; AND THE WEST 340.92 FEET OF THE EAST 1/2 OF THE NORTHWEST 1/4; LESS THE NORTH 50.00 FEET AND THE WEST 36.00 FEET THEREOF FOR ROAD RIGHT-OF-WAY, LYING IN SECTION 4, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA.

AND

THE NORTH 1/2 OF THE NORTHEAST 1/4; AND THE EAST 506.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4; LESS THE NORTHWEST 1/4; LESS THE NORTH 50.00 FEET AND THE EAST 36.00 FEET FOR THE ROAD RIGHT-OF-WAY, LYING IN SECTION 5, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA.

Exhibit A



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

January 25, 2007

Gail M. Letzring, Manager-BOCC Records
Clerk of the Circuit Court
Hillsborough County
P.O. Box 1110, 12th Floor
Tampa, Florida 33601

Dear Ms. Letzring:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 24, 2007 and copy of Hillsborough County Ordinance No. 07-1, which was filed in this office on January 25, 2007.

Sincerely,

[Handwritten signature: Liz Cloud]

Liz Cloud
Program Administrator

LC/cga

RECEIVED
2007 JAN 29 PM 3:44
CLERK TO
THE BOARD (B)

DIRECTOR'S OFFICE
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • http://dis.dos.state.fl.us

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

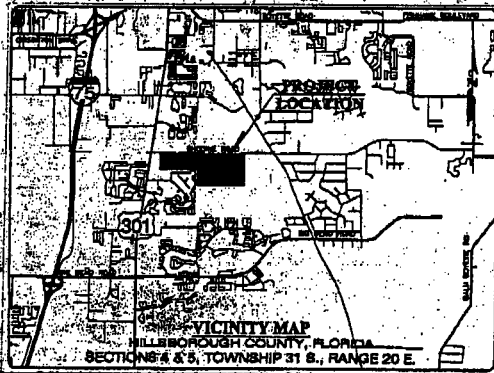
RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

NOTICE OF PUBLIC HEARING

Hillsborough County Board of County Commissioners for the Establishment of the Spring Lake Community Development District

DATE: Tuesday, January 23, 2007
TIME: 1:30 p.m.
LOCATION: Boardroom - 2nd Floor of the
 Frederick B. Karl County Center
 601 E. Kennedy Blvd.
 Tampa, Florida 33602



NOTICE OF PUBLIC HEARING

In compliance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Hillsborough County Board of County Commissioners beginning at 1:30 p.m., Tuesday, January 23, 2007, in the Boardroom in the Frederick B. Karl County Center, 601 E. Kennedy Blvd., Tampa, Florida 33602, to consider an Ordinance to grant a petition to establish the Spring Lake Community Development District. The title of the proposed ordinance is as follows:

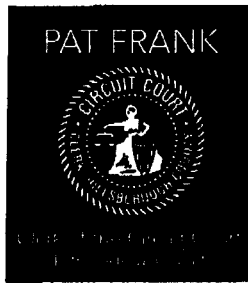
AN ORDINANCE ESTABLISHING THE SPRING LAKE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICTS BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The proposed Community Development District is comprised of approximately 279 acres, located in unincorporated Hillsborough County, just south of Rhodine Road, north of Big Bend Road and east of U.S. Hwy. 301. The petitioner has proposed to establish the Spring Lake Community Development District to plan, finance, acquire, construct, operate and maintain all infrastructure and community facilities, which may be authorized by such districts under Florida law, including but not limited to water management and control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, parks and recreational facilities, security facilities, mosquito control and certain other projects when expressly approved or required by a local government and any other facilities in accordance with Section 190.012, Florida Statutes.

Copies of the petition, the proposed ordinance and department reports are open to public inspection at the Clerk of the Board of County Commissioners of Hillsborough County, 601 E. Kennedy Blvd., 12th Floor, Tampa, Florida 33602. All interested persons and affected units of general - purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general - purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general - purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Hillsborough County Community Relations Section of the Communications Department at (813) 272-5275, at least forty-eight (48) hours prior to the date of the meeting.

12/26/06, 1/2, 1/09, 1/16/07



January 24, 2007

MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #07-1
Establishing the Spring Lake Community Development District

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by federal express) an executed original of Hillsborough County Ordinance #07-1, adopted by the Board of County Commissioners on January 23, 2007. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,

By: Gail M. Letzring
Gail M. Letzring,
Manager, BOCC Records

md
Attachment
Federal Express AB# 8545 8551 1993

FedEx Express US Airbill

Tracking Number

8545 8551 1933

1 From Please print and stamp your name **1/24/07** Sender's FedEx Account Number **1140-8846-3**

Sender's Name **BOCC RECORDS PROCESSING** (813) 276-8100
 Company **CLERK CIRCUIT COURT 12TH FL**
 Address **601 EAST KENNEDY BLVD**
TAMPA FL 33602

City **TAMPA** State **FL** ZIP **33602-3503**

2 Your Internal Billing Reference **(130) ORD# 067-1**

3 To Recipient's Name **LIZ CLOUD CHIEF** Phone ()
 Company **BUREAU ADMINISTRATIVE CODE**
 Recipient's Address **FLORIDA DEPARTMENT OF STATE**
500 S BRONOUGH ST RA GRAY BLDG
TALLAHASSEE FL 32399-0250

City State ZIP

0325195766

Try online shipping at fedex.com
 By using this Airbill you agree to the service conditions on the back of this Airbill and to the current FedEx Service Guide, including terms that limit our liability.
 Questions? Go to our Web site at fedex.com or call 1.800.Go.FedEx. 1.800.483.3338



4a Express Package Service To add SATURDAY Delivery, see Section 5.
 FedEx Priority Overnight
 FedEx Standard Overnight
 FedEx 2Day
 FedEx Express Saver
 Packages over 150 lbs. cannot be shipped by air.

4b Express Freight Service To add SATURDAY Delivery, see Section 5.
 FedEx 1Day Freight
 FedEx 2Day Freight
 FedEx 3Day Freight
 FedEx 4Day Freight
 FedEx 5Day Freight
 FedEx 7Day Freight

5 Packaging
 FedEx Envelope*
 FedEx Pak*
 FedEx Box
 FedEx Tube
 Other
 *Declared value limit \$500

6 Special Handling
 SATURDAY Delivery
 HOLD Shipper's Location
 HOLD Recipient's Location
 HOLD Third Party Location
 HOLD Cash on Delivery
 HOLD Signature Required
 HOLD Fragile
 HOLD Perishable
 HOLD Hazardous
 HOLD Restricted
 HOLD Dry Ice
 HOLD Cargo Aircraft Only

7 Payment \$519
 Signature Required
 Recipient
 Third Party
 Credit Card
 Cash/Check

8 NEW Residential Delivery Signature Options
 No Signature
 Restricted Signature
 Direct Signature
 Indirect Signature
 Total Packages **1** Total Weight **0.00** Total Declared Value **\$519**

9 Your liability is limited to \$200 unless you declare a higher value. See back for details.
 FedEx Use Only

FULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE.

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
(CODRS) CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: Hillsborough

COUNTY ORDINANCE # 07-1

(e.g., 00-001)

PRIMARY KEYFIELD

DESCRIPTOR: Special Districts

SECONDARY KEYFIELD

DESCRIPTOR: Governments/Agencies

OTHER KEYFIELD

DESCRIPTOR: _____

ORDINANCE DESCRIPTION: Spring Lake CDD

(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (_____)

AMENDMENT # 2: (_____)

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (_____)

REPEAL # 3: (_____)

REPEAL # 2: (_____)

REPEAL # 4: (_____)

(Others repealed: List all that apply): _____

(FOR OFFICE USE ONLY):

COUNTY CODE NUMBER: (_____)

KEYFIELD 1 CODE: (_____)

KEYFIELD 2 CODE: (_____)

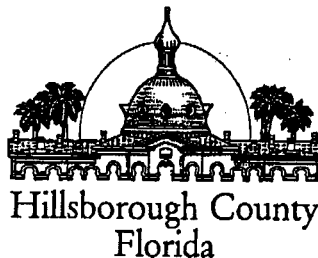
KEYFIELD 3 CODE: (_____)

Rev. 4/10/01

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Brian Blair
Rose V. Ferlita
Ken Hagan
Al Higginbotham
Jim Norman
Mark Sharpe
Kevin White



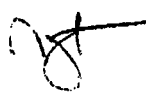
Renée Francis Lee, County Attorney
Donald R. Odom, Deputy County Attorney

Managing Attorneys

Christine M. Beck
Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

MEMORANDUM

To: Beverly Miller, BOCC Records

From: Nancy Y. Takemori, Assistant County Attorney 

Re: Spring Lake Community Development District

Date: January 24, 2007

An original final copy of the above-referenced ordinance adopted by the BOCC on January 23, 2007 is attached. Please number and certify the ordinance and file with the Florida Department of State in accordance with Section 125.66, Florida Statutes.

Please provide this office with a date-stamped copy of the official acknowledgement from the Department of State that the ordinance has been filed, showing receipt by your office. Also, I have attached the proof of notice in the St. Petersburg Times.

Thank you for your assistance with this matter.

NYT:pww

Attachments

cc: Jeffrey Jenkins, Planning and Growth Management Department
Lynn A. Hoodless, Straley Robin & Williams

RECEIVED
2007 JA 24 PM 3:04
CLERK TO
THE BOARD (B)

1/24/2007 Memo to Beverly Miller with Spring Lake CDD ordinance.doc

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 • Tampa, Florida 33601

(813) 272-5670

Fax: (813) 272-5231

An Affirmative Action/Equal Opportunity Employer