

ORDINANCE NO. 2014-156

AN ORDINANCE OF THE COUNTY OF OSCEOLA, STATE OF FLORIDA, ESTABLISHING THE WINDSOR AT WESTSIDE COMMUNITY DEVELOPMENT DISTRICT, CONSISTING OF APPROXIMATELY 160.25 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.

RECITALS

WHEREAS, Pulte Home Corporation (“Petitioner”), having obtained written consent to the establishment of the District by the owner of 100 percent (100%) of the real property to be included in the District, has petitioned the Osceola County Board of Commissioners (the “County”) to adopt an ordinance establishing the Windsor at Westside Community Development District (the “District”) pursuant to Chapter 190, Florida Statutes; and

WHEREAS, Petitioner is a Michigan corporation, authorized to conduct business in the State of Florida; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County, pursuant to Section 190.005 (2) (b), *Florida Statutes* on October 20, 2014; and

WHEREAS, upon consideration of the record established at that hearing, the Board of County Commissioners of Osceola County, Florida, has considered the record of the public hearing and the statutory factors set forth in section 190.005 (1) (e), *Florida Statutes*, in making its determination to grant or deny the Petition to Establish the Windsor at Westside Community Development District.; and

WHEREAS, the Board of County Commissioners of Osceola County has determined pursuant to the information contained within the Petition and based on an investigation conducted by the County Staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District; that the statements within the Petition are true and correct, that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government 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 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 amenable to separate special-district governance; and

WHEREAS, pursuant to the information as stated above, the Board of County Commissioners of Osceola County, Florida has decided to grant the District's Petition to establish the Windsor at Westside Community Development District; 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 within the Petition.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA:

SECTION 1. RECITALS.

The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY.

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

SECTION 3. DISTRICT NAME.

There is hereby established a Community Development District situated entirely within the unincorporated limits of Osceola County, Florida, which District shall be known as the "Windsor at Westside 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 overall parcel containing 160.25 acres, more or less. There are no out parcels excluded within the external boundaries.

SECTION 5. FUNCTIONS AND POWERS.

The general powers and functions of the District are described in Chapter 190, Florida Statutes.

SECTION 6. BOARD OF SUPERVISORS.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Clinton Ball, Carlos Gregory, Joshua Kalin, Daniel Fitzpatrick, and William Tew. All of the above-styled persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7.

SEVERABILITY.

If any provision of this ordinance or the application thereof is finally determined by court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 8.

EFFECTIVE DATE.

This Ordinance shall take effect pursuant to Florida general law.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, THIS 20th DAY OF OCTOBER, 2014.



**BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA**

BY: _____

~~Chairman/Vice-Chairman~~

ATTEST:

BY: _____

Clerk/Deputy Clerk

EXHIBIT A

LEGAL DESCRIPTION:

Lots 11-14, inclusive, Block A, Florida Fruit and Truck Land Company, according to the Plat recorded in Plat Book B, Page 68, Section 18, Township 25 South, Range 27 East, Osceola County, Florida.

AND:

A portion of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 25 South, Range 27 East, Osceola County, Florida, LESS Right of Way for Goodman Road.

TOGETHER BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

COMMENCE at the North 1/4 corner of Section 18, Township 25 South, Range 27 East, Osceola County, Florida; thence run South $00^{\circ}06'05''$ West, along the West line of the Northwest 1/4 of the Northeast 1/4 of said Section 18, for a distance of 1324.50 feet to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 18; thence departing said West line, run North $89^{\circ}29'43''$ East, along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 18, for a distance of 15.00 feet to a point on the Northwest corner of Lot 11, Block A, FLORIDA FRUIT AND TRUCK LAND COMPANY, as recorded in Plat Book B, Page 68 of the Public Records of Osceola County, Florida, said point also lying on the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 18, said point also being the POINT OF BEGINNING; thence continue North $89^{\circ}29'43''$ East, along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 18, and the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 18, for a distance of 2441.52 feet to a point on the Southwesterly right of way line of Goodman Road; thence departing said North line of the Southeast 1/4 of the Northeast 1/4, run South $55^{\circ}36'01''$ East along said Southwesterly right of way line, for a distance of 236.73 feet to a point on the East line of the Southeast 1/4 of the Northeast 1/4 of said Section 18; thence departing said Southwesterly right of way line, run South $00^{\circ}04'18''$ West, along said East line, for a distance of 321.05 feet; thence departing said East line, run South $83^{\circ}16'37''$ West for a distance of 41.00 feet; thence run North $86^{\circ}53'16''$ West for a distance of 63.27 feet; thence run North $55^{\circ}36'21''$ West for a distance of 66.75 feet; thence run North $43^{\circ}13'21''$ West for a distance of 86.43 feet; thence run North $02^{\circ}10'51''$ West for a distance of 59.63 feet; thence run North $14^{\circ}53'45''$ East for a distance of 85.08 feet thence run South $40^{\circ}21'42''$ West for a distance of 130.38 feet; thence run North $49^{\circ}37'47''$ West for a distance of 67.52 feet; thence run South $40^{\circ}21'42''$ West for a distance of 110.00 feet to a point on a curve, concave Northeasterly, having a radius of 25.00 feet, a chord bearing of South $31^{\circ}11'56''$ East and a chord distance of 15.81 feet; thence run Southeasterly along the arc of said curve through a central angle of $36^{\circ}51'41''$ for an arc distance of 16.08 feet; thence departing said curve, run South $40^{\circ}21'12''$ West for a distance of 59.90 feet to a point on a curve, concave Southwesterly, having a radius of 25 feet, a chord bearing of North $68^{\circ}04'16''$ West and a chord distance of 15.82 feet; thence run Westerly along the arc of said curve through a central angle of $36^{\circ}52'58''$ for an arc distance of 16.09 feet; thence departing said curve, run South $40^{\circ}21'42''$ West for a distance of 869.00 feet to the point of curvature of a curve, concave Northwesterly, having a radius of 750.00 feet, a chord bearing

of South 50°17'20" West and a chord distance of 258.59 feet; thence run Southwesterly along the arc of said curve through a central angle of 19°51'15" for an arc distance of 259.89 feet to a point on a curve, concave Easterly, having a radius of 25.00 feet, a chord bearing of South 09°26'48" East and a chord distance of 13.59 feet; thence run Southerly along the arc of said curve through a central angle of 31°32'41" for an arc distance of 13.76 feet to a point on a curve, concave Northwesterly, having a radius of 762.76 feet, a chord bearing of South 64°46'52" West and a chord distance of 112.00 feet; thence run Southwesterly along the arc of said curve through a central angle of 8°25'14" for an arc distance of 112.10 feet; thence departing said curve, run South 25°13'08" East for a distance of 28.46 feet to a point on the South line of the aforesaid Block A, FLORIDA FRUIT AND TRUCK LAND COMPANY; thence run South 89°33'14" West, along said South line of Block A, for a distance of 1339.09 feet to a point on the West line of said Block A, also being the Easterly right of way line of Armadillo Avenue, a 30 foot wide Public Right of way per Plat Book B, Page 68 of the aforesaid Public Records of Osceola County, Florida; thence departing said South line, run North 00°06'05" East, along said West line of Block A, and said Easterly right of way line, for a distance of 1309.52 feet to the POINT OF BEGINNING.

Containing 2,658,023 square feet, or 61.02 acres, more or less.

AND ALSO:

TRACT C

COMMENCE at the North 1/4 corner of Section 18, Township 25 South, Range 27 East, Osceola County, Florida; thence run South 00°06'05" West, along the West line of the Northwest 1/4 of the Northeast 1/4 of said Section 18, for a distance of 1324.50 feet to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 18; thence departing said West line, run North 89°29'43" East, along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 18, for a distance of 15.00 feet to a point on the Northwest corner of Lot 11, Block A, FLORIDA FRUIT AND TRUCK LAND COMPANY, as recorded in Plat Book B, Page 68 of the Public Records of Osceola County, Florida, said point also lying on the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 18; thence continue North 89°29'43" East, along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 18, and the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 18, for a distance of 2441.52 feet to a point on the Southwesterly right of way line of Goodman Road; thence departing said Southwesterly right of way line, run North 89°29'43" East, along said North line, for a distance of 31.46 feet to a point on the Northeasterly right of way line of Goodman Road, also being the POINT OF BEGINNING; thence departing said Northeasterly right of way line, continue North 89°29'43" East, along said North line, for a distance of 164.05 feet to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 18; thence departing said North line, run South 00°04'18" West, along the East line of the Southeast 1/4 of the Northeast 1/4 of said Section 18, for a distance of 113.67 feet to a point on the aforesaid Northeasterly right of way line of Goodman Road; thence departing said East line, run North 55°36'01" West, along said Northeasterly right of way line, for a distance of 198.64 feet to the POINT OF BEGINNING.

Containing 9,323 square feet, or 0.21 acres, more or less.

PARCEL 1 AND TRACT C TOGETHER containing 2,667,346 square feet, or 61.23 acres, more or less.

LEGAL DESCRIPTION OF PARCEL 2

The East 1/2 of the Southeast 1/4, and a portion of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 25 South, Range 27 East, Osceola County, Florida, being more particularly described as follows:

COMMENCE at the North 1/4 corner of Section 18, Township 14 South, Range 27 East, Osceola County, Florida; thence run South 00°06'05" West, along the West line of the Northwest 1/4 of said Section 18, for a distance of 1324.50 feet to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 18; thence departing said West line, run North 89°29'43" East, along the North line of the Southwest 1/4 of the Northeast 1/4, and the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 18, for a distance of 2652.03 feet to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 18; thence departing said North lines, run South 00°04'18" West, along the East line of the Southeast 1/4 of the Northeast 1/4 of said Section 18, for a distance of 456.52 feet to the POINT OF BEGINNING; thence continue South 00°04'18" West, along said East line, for a distance of 870.70 feet to the Northeast corner of the Southeast 1/4 of said Section 18; thence run South 00°05'05" West, along the East line of the Northeast 1/4 of the Southeast 1/4, and the East line of the Southeast 1/4 of the Southeast 1/4 of said Section 18, for a distance of 2643.55 feet to the Southeast corner of the Southeast 1/4 of said Section 18; thence departing said East lines, run South 89°30'32" West, along the South line of the Southeast 1/4 of the Southeast 1/4 of said Section 18, for a distance of 1326.74 feet to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 18; thence departing said South line, run North 00°05'23" East, along the West line of the Southeast 1/4 of the Southeast 1/4, and the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 18, and its Northerly projection, for a distance of 2659.60 feet to a point on the Northerly right of way line of the 30 foot wide public road as shown on the plat of FLORIDA FRUIT AND TRUCK COMPANY, as recorded in Plat Book B, Page 68 of the Public Records of Osceola County, Florida; thence run North 89° 33' 14" East, along said Northerly right of way line, for a distance of 27.90 feet; thence departing said Northerly right of way line, run North 25°13'08" West for a distance of 28.46 feet to the point of curvature of a curve, concave Northwesterly, having a radius of 762.76 feet, a chord bearing of North 64°46'52" East, and a chord distance of 112.00 feet; thence run Northeasterly along the arc of said curve through a central angle of 08°25'14" for an arc distance of 112.10 feet to a point on a curve, concave Easterly, having a radius of 25.00 feet, a chord bearing of North 09°26'48" West, and a chord distance of 13.59 feet; thence run Northerly along the arc of said curve through a central angle of 31°32'41" for an arc distance of 13.76 feet to a point on a curve, concave Northwesterly, having a radius of 750.00 feet, a chord bearing of North 50°17'20" East, and a chord distance of 258.59 feet; thence run Northeasterly along the arc of said curve through a central angle of 19°51'15" for an arc distance of 259.89 feet to the point of tangency; thence run North 40°21'42" East for a distance of 869.00 feet to the point of curvature of a curve, concave Southerly, having a radius of 25.00 feet, a chord bearing of South 68°04'16" East, and a chord distance of 15.82 feet; thence run Easterly along the arc of said curve through a central angle of 36°52'58" for an arc distance of 16.09 feet; thence

departing said curve, run North 40°21'12" East for a distance of 59.90 feet to a point on a curve, concave Northeasterly, having a radius of 25.00 feet, a chord bearing of North 31°11'56" West, and a chord distance of 15.81 feet; thence run Northwesterly along the arc of said curve through a central angle of 36°51'41" for an arc distance of 16.08 feet; thence departing said curve, run North 40°21'42" East for a distance of 110.00 feet; thence run South 49°37'47" East for a distance of 67.52 feet; thence run North 40°21'42" East for a distance of 130.38 feet; thence run South 14°53'42" West for a distance of 85.08 feet; Thence run South 02°10'51" East for a distance of 59.63 feet; thence run South 43°13'21" East for a distance of 86.43 feet; thence run South 55°36'21" East for a distance of 66.75 feet; thence run South 86°53'16" East for a distance of 63.27 feet; thence run North 83°16'37" East for a distance of 41.00 feet to the POINT OF BEGINNING.

Containing therein 4,313,196 square feet, or 99.02 acres, more or less.

All parcels combined contain 160.25 acres, more or less.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 23, 2014

Paula J. Carpenter
Clerk of the Board
Osceola County
1 Courthouse Square, Suite 4400
Kissimmee, Florida 34741

Attention: Delores T. Whaley, Clerk

Dear Ms. Carpenter:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Osceola County Ordinance No. 2014-156, which was filed in this office on October 22, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb