

# **ORDINANCE**

**18-34**

**ORDINANCE NO. 18-34**

AN ORDINANCE ESTABLISHING THE SHELL POINT 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 SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Shell Point Ruskin, LLC, a Florida limited liability company ("**Petitioner**"), has filed a Petition to Establish the Shell Point Community Development District ("**Petition**") with Hillsborough County requesting that the Board of County Commissioners in and for Hillsborough County, Florida ("**County**"), adopt an ordinance establishing the Shell Point 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 14TH DAY OF NOVEMBER 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 establishment 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 establishment 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 established the Shell Point Community Development District for the area of land described in **Exhibit A**, attached hereto, which shall have, and which may exercise through its Board of Supervisors, the powers of sections 190.011 and 190.012 (1), (2)(a), (2)(b), (2)(c), 2(d), (2)(e), (2)(f), and (3), Fla. Stat. The District 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: Jeff Hills, Ryan Motko, Steve Luce, Nick Dister and Albert Viera.

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

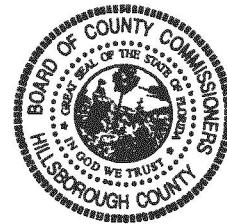
I, PAT COLLIER FRANK, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of November 14, 2018 as the same appears of record in Minute Book 510 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 15th day of November, 2018.

PAT COLLIER FRANK, CLERK

BY:

  
Deputy Clerk



APPROVED BY COUNTY ATTORNEY AS  
TO FORM AND LEGAL SUFFICIENCY

BY:

  
Nancy Y. Takemori  
Senior Assistant County Attorney



THIS IS NOT A SURVEY

**LEGAL DESCRIPTION PARCEL 1 (BY KING ENGINEERING)**

A PARCEL OF LAND LYING IN THE SOUTH 1/2 OF SECTION 6, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 32 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA, THENCE NORTH 89°35'16" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 6, A DISTANCE OF 1290.62 FEET; THENCE, LEAVING SAID SOUTH LINE, NORTH 00°22'39" EAST, A DISTANCE OF 171.11 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°35'34" WEST, A DISTANCE OF 426.04 FEET; THENCE SOUTH 00°22'39" WEST, A DISTANCE OF 86.00 FEET TO THE NORTH RIGHT-OF-WAY OF SHELL POINT ROAD AS SHOWN ON RIGHT-OF-WAY TRANSFER BOOK 3, PAGE 50 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; THENCE ALONG SAID NORTH RIGHT-OF-WAY OF SHELL POINT ROAD NORTH 89°35'34" WEST, A DISTANCE OF 877.34 FEET; THENCE NORTH 89°31'10" WEST, A DISTANCE OF 101.08 FEET; THENCE NORTH 89°30'44" WEST CONTINUE ALONG SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 350.00 FEET; THENCE SOUTH 00°29'16" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 89°30'44" WEST, A DISTANCE OF 350.00 FEET; THENCE NORTH 00°29'16" EAST, A DISTANCE OF 5.00 FEET; THENCE NORTH 89°30'44" WEST, A DISTANCE OF 600.00 FEET; THENCE SOUTH 00°29'16" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 89°30'44" WEST, A DISTANCE OF 600.00 FEET; THENCE NORTH 00°29'16" EAST, A DISTANCE OF 5.00 FEET; THENCE NORTH 89°30'44" WEST, A DISTANCE OF 712.81 FEET TO THE EAST RIGHT-OF-WAY OF 14TH STREET NW PER FIRST ADDITION TO RUSKIN CITY ACCORDING TO PLAT BOOK 6, PAGE 39 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; THENCE NORTH 00°53'22" EAST ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 1,242.06 FEET TO THE EAST RIGHT-OF-WAY OF 14TH AVENUE NW PER RUSKIN COLONY FARMS SECOND EXTENSION ACCORDING TO PLAT BOOK 6, PAGE 37; THENCE CONTINUE ALONG SAID EAST RIGHT-OF-WAY NORTH 00°52'33" EAST, A DISTANCE OF 1,292.66 FEET TO THE SOUTH RIGHT-OF-WAY OF 11TH AVENUE NW AS DESCRIBED IN OFFICIAL RECORD BOOK 1958, PAGE 684 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; THENCE SOUTH 89°52'39" EAST ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 2,613.91 FEET TO THE WEST MAINTAINED RIGHT-OF-WAY OF 8TH STREET NW; THENCE SOUTH 00°22'23" WEST ALONG SAID WEST MAINTAINED RIGHT-OF-WAY, A DISTANCE OF 1,332.05 FEET; THENCE SOUTH 89°26'34" EAST ALONG THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY OF 7TH AVENUE NW AND SAID SOUTH RIGHT-OF-WAY PER SAID FIRST ADDITION TO RUSKIN CITY, RESPECTIVELY, A DISTANCE OF 1,380.94 FEET TO THE WEST RIGHT OF WAY OF 4TH STREET NW PER SAID FIRST ADDITION TO RUSKIN CITY; THENCE SOUTH 00°22'39" WEST ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 1,124.77 FEET TO THE POINT OF BEGINNING.

CONTAINING 190.912 ACRES.

TOGETHER WITH:

**LEGAL DESCRIPTION PARCEL 2**

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 32 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 32 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA; THENCE NORTH 00°52'57" EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 1, A DISTANCE OF 74.80 FEET; THENCE, LEAVING SAID EAST LINE, NORTH 89°07'03" WEST, A DISTANCE OF 36.34 FEET TO A LINE LYING NORTH OF AND PARALLEL WITH THE SOUTH 75.00 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 1; THENCE NORTH 89°31'49" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 617.15 FEET; THENCE, LEAVING SAID NORTH LINE, NORTH 00°45'36" EAST, A DISTANCE OF 585.88 FEET; THENCE NORTH 89°14'24" WEST, A DISTANCE OF 14.85 FEET; THENCE NORTH 00°46'24" EAST, A DISTANCE OF 935.96 FEET; THENCE SOUTH 89°35'23" EAST, A DISTANCE OF 631.71 FEET TO THE WEST MAINTAINED RIGHT OF WAY LINE OF 14TH STREET NORTHWEST; THENCE ALONG SAID MAINTAINED RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES: (1) SOUTH 01°45'17" WEST, A DISTANCE OF 125.17 FEET; (2) SOUTH 02°29'01" EAST, A DISTANCE OF 145.15 FEET; (3) SOUTH 00°56'00" WEST, A DISTANCE OF 5.21 FEET; (4) SOUTH 01°01'59" WEST, A DISTANCE OF 1,247.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.972 ACRES.

ALL TOGETHER CONTAINING 212.884 ACRES.

**SHELL POINT CDD LIMITS**

**EISENHOWER PROPERTY GROUP, LLC**

<b>King</b> ENGINEERING ASSOCIATES, INC.	4921 Memorial Highway	18-0774
	One Memorial Center, Suite 300	Received 6.8.18
	Tampa, Florida 33634	Development Services Dept.
	Phone 813 880-8881	
	Fax 813 880-8882	
	www.kingengineering.com	
	LB2610	

Q:\SURVEY\00008\2017\0564\Production\Drawings\Shell Point CDD Limits S&L REV1.dwg, June 1, 2018 11:57 AM, King Engineering Associate Inc.



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

November 15, 2018

Honorable Pat Frank  
Clerk of the Circuit Court  
Hillsborough County  
419 Pierce Street, Room 140  
Tampa, Florida 33601

Attention: Midge Dixon

Dear Mrs. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hillsborough County Ordinance No. 18-34, which was filed in this office on November 15, 2018.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb