

ORDINANCE NO. 2024 – 21

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT, TO BE KNOWN AS GOVERNORS PARK SOUTH 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 DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals

WHEREAS, Governors Park Property Holdings, LLC (the "Petitioner"), having obtained written consent to the establishment of the Governors Park South Community Development District (the "District") by the owners of one hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners (the "Board") of Clay County, Florida (the "County"), to adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the Petitioner is a limited liability company with an address of 401 East Las Olas Boulevard, Suite 1870, Fort Lauderdale, Florida 33301; 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 Board on June 11, 2024; and

WHEREAS, upon consideration of the record established at that hearing, the Board determined 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 County's comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and is 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 that will be served by the District, that the community development 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 that will be served by the District is amenable to separate special-district governance; and

WHEREAS, the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, the establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described in the petition; and

WHEREAS, the Board has determined that the initial members of the District's Board of Supervisors set forth in Section 5 of this Ordinance are residents of the State of Florida and citizens of the United States of America.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Authority. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980 codified in Chapter 190, *Florida Statutes*. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

Section 2. District Name. There is hereby created a community development district situated entirely within a portion of the unincorporated area of Clay County, Florida, which shall be known as the "Governors Park South Community Development District", and which shall be referred to in this Ordinance as the "District".

Section 3. District External Boundaries. The external boundaries of the District are described in Appendix A attached hereto, said boundaries encompassing 2,045 acres, more or less.

Section 4. District Powers and Functions. The powers and functions of the District are described in Chapter 190, *Florida Statutes*. Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge, or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, all as authorized and described by Sections 190.012(2)(a) and (2)(d), *Florida Statutes*.

Section 5. Board of Supervisors. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

Name: Noah Breakstone
Address: 401 East Las Olas Boulevard, Suite 1870
Fort Lauderdale, Florida 33301

Name: Justin Onorato
Address: 401 East Las Olas Boulevard, Suite 1870
Fort Lauderdale, Florida 33301

Name: Kevin Mays
Address: 401 East Las Olas Boulevard, Suite 1870
Fort Lauderdale, Florida 33301

Name: Kevin Kramer
Address: 401 East Las Olas Boulevard, Suite 1870
Fort Lauderdale, Florida 33301

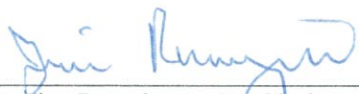
Name: Joshua Breakstone
Address: 401 East Las Olas Boulevard, Suite 1870
Fort Lauderdale, Florida 33301

Section 6. Severability. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

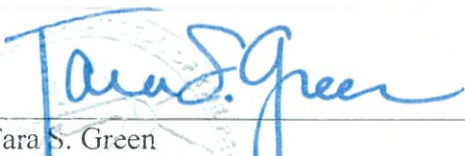
Section 7. Effective Date. This Ordinance shall become effective as prescribed by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this 11th day of June 2024.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

BY: 
Jim Renninger, Its Chairman

ATTEST:


Tara S. Green
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Appendix A

LEGAL DESCRIPTION

All of Fractional Sections 28, 29 and 33, together with a portion of Fractional Section 34, a portion of Sections 19, 30 and 32, and a portion of Section 38 of the George I.F. Clarke Grant (Clarke's Mill Grant), as subdivided in the re-survey by Gould T. Butler, as recorded in Plat Book 1, page 31, of the Public Records of Clay County, Florida, all lying in Township 6 South, Range 26 East, said Clay County, together with a portion of Sections 3 and 4, Township 7 South, Range 26 East, said Clay County, also being a portion of those lands described and recorded in Official Records Book 4675, page 1182, of said Public Records, being more particularly described as follows:

For a Point of Reference, commence at the Southeast corner of said Section 34; thence South 89°38'35" West, along the Southerly line of said Section 34, said line also being the dividing line between Township 6 South and Township 7 South, a distance of 2025.79 feet to a point lying on the Westerly right of way line of Telegraph Road (also known as Pacetti Road), said point being the Point of Beginning.

From said Point of Beginning, thence South 43°30'30" East, departing said dividing line of Township 6 South and Township 7 South, and along said Westerly right of way line of Telegraph Road (also known as Pacetti Road), a distance of 506.78 feet to a point lying on the Northwestern right of way line of Bellamy Road, a variable width right of way as determined by maintenance; thence South 49°04'41" West, departing said Westerly right of way line and along said Northwestern right of way line, 469.91 feet; thence South 54°07'48" West, continuing along said Northwestern right of way line, 938.95 feet to a point on said right of way; thence North 24°56'16" West, departing said Northwestern right of way line, 155.45 feet to a point lying on the Northeasterly prolongation of the Westerly line of those lands described and recorded in Official Records Book 1121, page 743 of said Public Records; thence South 65°50'38" West, along said Northeasterly prolongation and said Westerly line, 310.24 feet to a point lying on the Northerly line of Government Lot 2 of said Section 3; thence North 71°33'10" West, departing said Westerly line, along said Northerly line and along the Northerly line of Government Lot 3, said Section 3, a distance of 2213.14 feet to the Southeast corner of Government Lot 5, said Section 4; thence North 71°38'43" West, along the Southerly line of said Government Lot 5, a distance of 714.48 feet; thence North 71°37'06" West, continuing along said Southerly line, 804.49 feet to a point lying on the Northerly line of said Section 4; thence South 89°30'31" West, departing said Southerly line and along said Northerly line, 3839.68 feet to the Northeast corner of Section 5, said Township 7 South, Range 26 East, said corner lying on the boundary line of Parcel "A", as described and recorded in Official Records Book 4134, page 1421, of said Public Records; thence along said boundary line the following 11 courses: Course 1, thence South 89°44'22" West, along the Northerly line of said Section 5, a distance of 2230.82 feet; Course 2, thence North 18°53'37" West, departing said Northerly line, 888.32 feet; Course 3, thence North 29°22'13" West, 837.86 feet; Course 4, thence North 23°23'34" West, 1097.20 feet; Course 5, thence North 19°01'27" East, 393.45 feet; Course 6, thence North 29°47'31" West, 579.85 feet; Course 7, thence North 24°31'20" West, 1280.38 feet; Course 8, thence North 66°44'54" East, 12.08 feet; Course 9, thence North 34°18'20" East, 326.40 feet; Course 10, thence North 33°50'17" West, 459.98 feet to the Southeasterly corner of Parcel "E", as described and recorded in said Official Records Book

4675, page 1182, said corner lying on the Southerly line of said Section 29; Course 11, thence North 89°33'47" West, along said Southerly line, 1189.84 feet to the Southwesterly corner of said Section 29; thence North 00°36'58" East, departing said boundary line and along the Westerly line of said Section 29, a distance of 783.83 feet to a point hereinafter referred to as Reference Point "A"; thence continue North 00°36'58" East, 38 feet, more or less, to the centerline of Governor's Creek; thence Northwesterly along said centerline, 5269 feet, more or less, to its intersection with the Southerly line of said Section 19; thence North 89°55'39" West, departing said centerline and along said Southerly line, 45 feet, more or less, to a point that bears North 22°13'12" West, 4931.22 feet from said Reference Point "A"; thence continue North 89°55'39" West, along said Southerly line, 170.00 feet to the Southeasterly corner of those lands described and recorded in Deed Book P, page 93, of said Public Records; thence Northerly, Westerly and Southerly along the Easterly, Northerly and Westerly lines of said Deed Book P, page 93, the following 3 courses: Course 1, thence North 00°04'21" East, departing said Southerly line, 600.60 feet; Course 2, thence North 89°55'39" West, 363.00 feet; Course 3, thence South 00°04'21" West, 600.60 feet to the Southwesterly corner thereof, said corner lying on said Southerly line of Section 19; thence North 89°55'39" West, along said Southerly line, 318.85 feet to its intersection with the Easterly right of way line of County Road No. 315 (Springbank Road), a variable width right of way as depicted on Florida Department of Transportation Right of Way Map Section No. 71493; thence Northerly along said Easterly right of way line the following 5 courses: Course 1, thence North 00°09'41" West, departing said Southerly line, 928.10 feet to the Southwesterly corner of Parcel No. 178, Part "C", as described and recorded in Official Records Book 4081, page 1173, of said Public Records; Course 2, thence North 89°50'19" East, along the Southerly line of said Parcel No. 178, Part "C", 20.39 feet to the Southeasterly corner thereof; Course 3, thence North 00°09'40" West, along the Easterly line of said Parcel No. 178, Part "C", 210.00 feet to the point of curvature of a curve concave Westerly having a radius of 1970.00 feet; Course 4, thence Northerly, continuing along said Easterly line and along the arc of said curve, through a central angle of 08°20'03", an arc length of 286.55 feet to the Northerly most corner of said Parcel 178, Part "C", said arc being subtended by a chord bearing and distance of North 04°19'42" West, 286.30 feet; Course 5, thence North 00°09'41" West, along a non-tangent line, 1030.11 feet to its intersection with the Southwesterly limited access right of way line of State Road No. 23 (First Coast Outer Beltway), a 324 foot limited access right of way, as depicted on said Florida Department of Transportation Right of Way Map Section No. 71493; thence Easterly along said Southwesterly limited access right of way line the following 5 courses: Course 1, thence South 29°14'50" East, departing said Easterly right of way line, 4414.71 feet to the point of curvature of a curve concave Northerly having a radius of 4746.00 feet; Course 2, thence Easterly along the arc of said curve, through a central angle of 82°17'25", an arc length of 6816.38 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 70°23'32" East, 6245.44 feet; Course 3, thence North 68°27'45" East, 4268.97 feet to the point of curvature of a curve concave Northwesterly having a radius of 40,162.00 feet; Course 4, thence Northeasterly along the arc of said curve, through a central angle of 03°07'54", an arc length of 2195.13 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 66°53'48" East, 2194.86 feet; Course 5, thence North 65°19'52" East, 259.05 feet to its intersection with the Westerly right of way line of County Road No. 15A, a 66 foot right of way per occupation and maintenance; thence Southerly along said Westerly right of way line the following 3 courses: Course 1, thence South 02°13'41" West, departing said Southwesterly limited access right of way line, 1989.38 feet to the point of curvature of a curve concave Easterly having

a radius of 1942.86 feet; Course 2, thence Southerly along the arc of said curve, through a central angle of $23^{\circ}32'21''$, an arc length of 798.20 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $09^{\circ}32'30''$ East, 792.60 feet; Course 3, thence South $21^{\circ}18'41''$ East, 2254.63 feet to a point lying on the Westerly right of way line of Telegraph Road (also known as Pacetti Road), a variable width right of way per occupation and maintenance; thence Southerly along said Westerly right of way line the following five courses: Course 1, thence South $04^{\circ}27'17''$ East, departing said Westerly right of way line of County Road 15A, 1690.81 feet; Course 2, thence South $00^{\circ}12'30''$ East, 114.76 feet; Course 3, thence South $07^{\circ}08'02''$ West, 43.89 feet; Course 4, thence South $09^{\circ}50'30''$ East, 32.68 feet, said point being Reference Point C; Course 5, thence continue South $09^{\circ}50'30''$ East, 10 feet, more or less, to a point lying on the Southerly top of bank of Prescott Branch; thence Southwesterly, departing said Westerly right of way line and along the meanderings of said Southerly top of bank, 1339 feet, more or less; thence Northwesterly, continuing along said meanderings, 744 feet, more or less; thence South $10^{\circ}26'09''$ East, 14 feet, more or less, to a point bearing South $81^{\circ}07'14''$ West, 1812.34 feet from said Reference Point C; thence continue South $10^{\circ}26'09''$ East, 17.12 feet to the Northeast corner of Lot 13 of Twin Oaks, an unrecorded subdivision; thence North $74^{\circ}44'25''$ West, along the Northerly line of said Lot 13, a distance of 222.38 feet to the Northwest corner of said Twin Oaks; thence South $00^{\circ}20'15''$ East, along the Westerly line of said Twin Oaks, 905.60 feet to the Southwest corner thereof; thence North $78^{\circ}57'35''$ East, along the Southerly line of said Twin Oaks, 1082.30 feet; thence South $10^{\circ}37'52''$ East, departing said Southerly line, 425.94 feet; thence North $78^{\circ}53'41''$ East, 1080.72 feet to a point lying on said Westerly right of way line of Telegraph Road (also known as Pacetti Road); thence South $10^{\circ}35'29''$ East, along said Westerly right of way line, 458.78 feet to its intersection with the South line of Government Lot 2 of said Section 34, as monumented; thence North $85^{\circ}25'32''$ East, departing said Westerly right of way line and along said South line, 353.65 feet to the Northwest corner of Government Lot 4 of said Section 34; thence South $00^{\circ}05'26''$ East, along the Westerly line of said Government Lot 4, a distance of 1288.03 feet to the Southwest corner of said Government Lot 4; thence North $89^{\circ}38'35''$ East, along the Southerly line of said Government Lot 4, said line also being the Southerly line of said Section 34, a distance of 604.74 feet to the Point of Beginning.

Less and except from the above described lands Plant Site Parcel, as described and recorded in Official Records Book 3840, page 83, of the Public Records of Clay County, Florida.

Containing 2045 acres, more or less.

2024-21 Ordinance - Governors Park CDD BCC#17

Final Audit Report

2024-06-15

Created:	2024-06-14
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