

ORDINANCE NO. 15-12

AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, RELATING TO THE WILDCAT PRESERVE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-57 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "WILDCAT PRESERVE COMMUNITY DEVELOPMENT DISTRICT," TO ESTABLISH THE WILDCAT PRESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBE THE BOUNDARIES OF THE DISTRICT, NAME THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENT TO THE EXERCISE OF CERTAIN SPECIAL POWERS BY THE DISTRICT BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has enacted and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, Subsection 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 1,000 acres in size; and

WHEREAS, Wildcat Parrish, LLC, a Florida limited liability company (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the Wildcat Preserve Community Development District (District) pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Petitioner is the owner of approximately 89.72 acres of real property proposed for inclusion within the District and has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with

the requirements and procedures of Paragraphs 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in Paragraphs 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and a local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, Section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in Subsection 190.012(1), Florida Statutes; and

WHEREAS, Section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in Subsection 190.012(2), Florida Statutes; and

WHEREAS, Paragraph 190.005(2)(d), Florida Statutes, as amended, provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under Subsection 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers listed in Paragraphs 190.012(2)(a) and 190.012(2)(d), Florida Statutes, as amended; and

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise by the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

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

Section 1. Legislative findings. The Board of County Commissioners of Manatee County, Florida, hereby adopts the “WHEREAS” clauses stated above as legislative findings in support of this Ordinance.

Section 2. Authority. This Ordinance is adopted pursuant to Subsection 190.005(2), Florida Statutes, as amended, and other applicable provisions of law governing county ordinances.

Section 3. Intent and purpose. It is the intent and purpose of this Ordinance to establish the Wildcat Preserve Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board of County Commissioners to the exercise by the District board of supervisors of certain additional special powers pursuant to Subsection 190.012(2), Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-57 of Manatee County Code of Ordinances. Section 2-8-57 of the Manatee County Code of Ordinances is hereby created to read as follows:

Sec. 2-8-57. Wildcat Preserve Community Development District.

(a) Establishment. The Wildcat Preserve Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds description attached hereto as Exhibit “A”.

(c) Initial board of supervisors. The names of five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

(1) Connor Chambers.

(2) Charles Tokarz.

(3) Margo Holeman.

(4) Pete Logan.

(5) Todd Walters.

(d) Special powers. Pursuant to Paragraph 190.005(2)(d) and Subsection 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the additional special powers listed in Paragraphs 190.012(2)(a) and 190.012(2)(d), Florida Statutes. Specifically, the District shall have the power

to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

- (1) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and
- (2) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by the Manatee County Sheriff's Department or other proper governmental agencies; except that the District may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within the District boundaries.

Section 5. Codification. This Ordinance shall be codified in the Manatee County Code of Ordinances.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

PASSED AND ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 10th day of March, 2015.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



By: [Signature]
Chairman

ATTEST: R.B. Shore
Clerk of the Circuit Court

By: [Signature]
Deputy Clerk

EXHIBIT '2'

**WILDCAT PRESERVE COMMUNITY DEVELOPMENT DISTRICT
METES AND BOUNDS LEGAL DESCRIPTION**

LEGAL DESCRIPTION: (AS PREPARED BY THE CERTIFYING SURVEYOR AND MAPPER)

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE N 00°03'27" E, ALONG THE EAST LINE OF SAID SECTION 32, A DISTANCE OF 33.00 FEET TO THE INTERSECTION WITH THE MONUMENTED NORTH RIGHT OF WAY LINE OF GOLF COURSE ROAD FOR A POINT OF BEGINNING; THENCE CONTINUE N 00°03'27" E, ALONG SAID EAST LINE OF SECTION 32, A DISTANCE OF 1303.22 FEET TO A 4X4 CONCRETE MONUMENT MARKING THE OCCUPIED NE CORNER OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 32; THENCE N 89°48'33" W, ALONG THE MONUMENTED NORTH LINE OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 32, A DISTANCE OF 670.66 FEET TO A 4X4 CONCRETE MONUMENT MARKING THE OCCUPIED SW CORNER OF THE SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 32; THENCE N 00°02'23" E, ALONG THE MONUMENTED WEST LINE OF SAID SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SECTION 32, A DISTANCE OF 648.07 FEET TO A 4X4 CONCRETE MONUMENT MARKING THE OCCUPIED NW CORNER OF SAID SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SECTION 32; THENCE N 89°23'28" W, ALONG THE OCCUPIED NORTH LINE OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SE 1/4 OF SAID SECTION 32, A DISTANCE OF 1435.70 FEET; THENCE S 00°16'59" W, A DISTANCE OF 333.70 FEET; THENCE S 89°17'03" E, A DISTANCE OF 101.88 FEET; THENCE S 00°03'09" W, A DISTANCE OF 283.52 FEET TO A 4X4 CONCRETE MONUMENT; THENCE S 00°15'33" W, A DISTANCE OF 676.19 FEET; THENCE N 88°58'42" W, A DISTANCE OF 628.33 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY OF FORT HAMER ROAD; THENCE S 00°16'56" W, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 648.41 FEET TO THE INTERSECTION WITH SAID MONUMENTED NORTH RIGHT OF WAY OF GOLF COURSE ROAD; THENCE S 89°11'56" E, ALONG SAID MONUMENTED NORTH RIGHT OF WAY LINE, A DISTANCE OF 2639.29 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 32, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 89.716 ACRES MORE OR LESS

SURVEYOR'S NOTES:

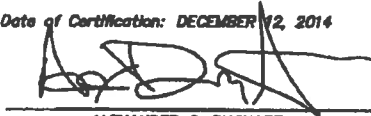
1. BEARINGS SHOWN HEREON ARE RELATIVE TO THE STATE PLANE COORDINATE SYSTEM (FLORIDA WEST ZONE, 1983 / 90 DATUM), DERIVED FROM THE SOUTH RIGHT OF WAY LINE OF GOLF COURSE ROAD, HAVING A BEARING OF S89°11'56"E.

2. THIS IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

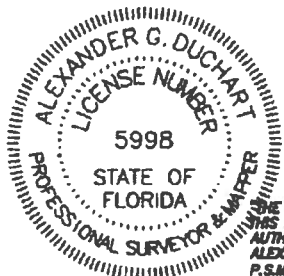
SURVEYOR'S CERTIFICATE:

I, the undersigned Professional Land Surveyor, hereby certify that the sketch map(s) and metes and bounds description(s) as set forth in Exhibit '2' of the Petition for the establishment of WILDCAT PRESERVE (Community Development District) are true and correct, were made under my direction and meets the minimum technical standard requirements of Chapter 5J-17 of the Florida Administrative Code as of the following date.

Date of Certification: DECEMBER 12, 2014



ALEXANDER G. DUCHART
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 5998



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY ALEXANDER DUCHART P.S.M.

SHEET 1 OF 2 SHEETS

CLIENT	medallion
JOB NO.	08-23-14
ACAD FILE	WILDCAT PRESERVE
FIELD DATE	
DRAWN BY:	SD
REVISIONS	

"UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS BOUNDARY SURVEY IS FOR INFORMATION ONLY AND IS NOT VALID".



A. DUCHART LAND SURVEYING, INC.

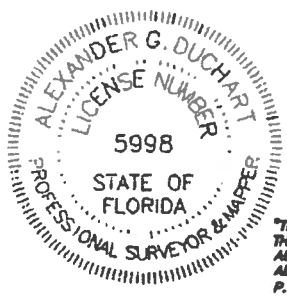
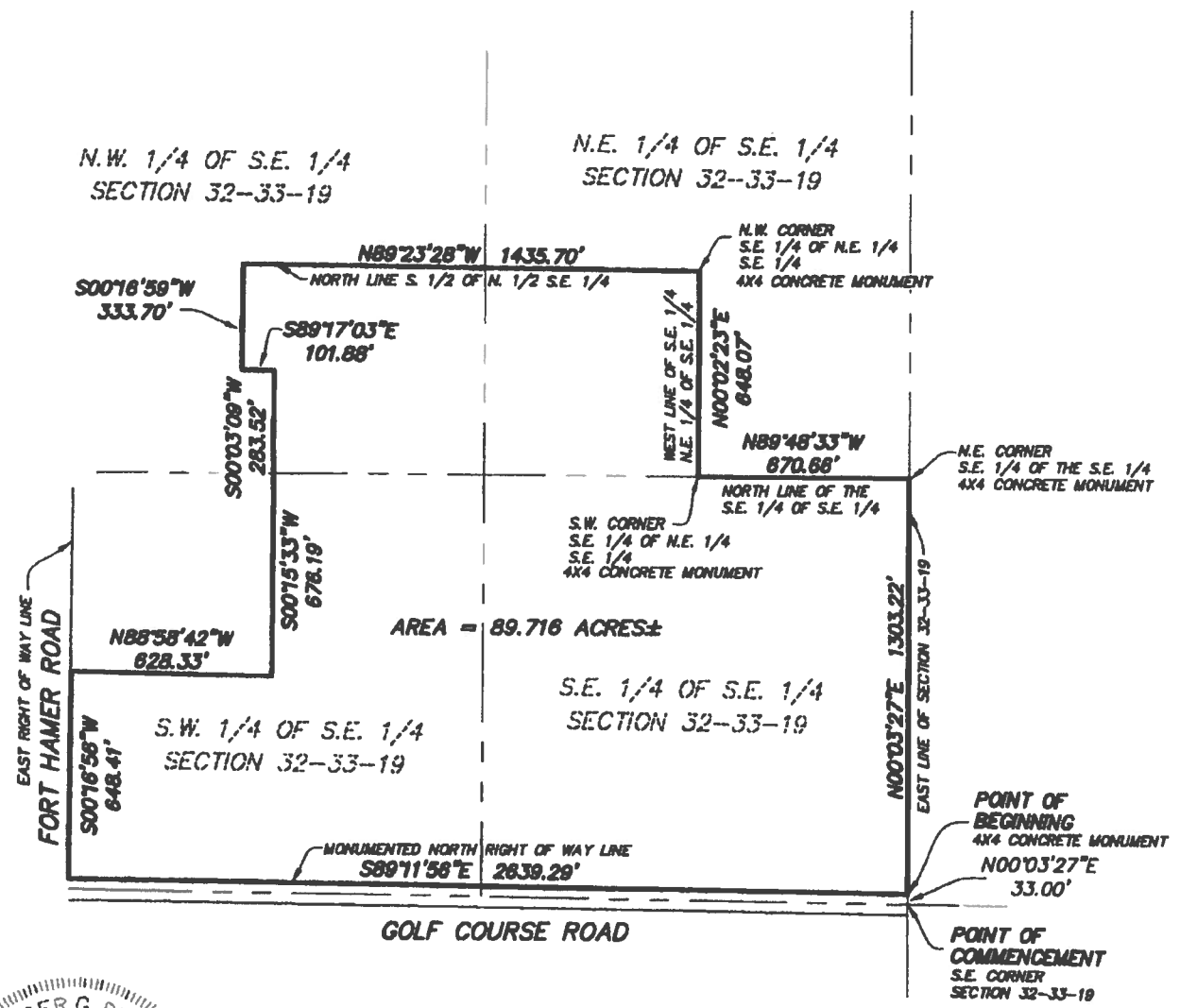
2403 VERMONT AVENUE EAST
BRADENTON, FL 34208
aduchart@gmail.com
1-800-602-8788

- Boundary
- Construction
- Platting
- ALTA
- Topographic

WILDCAT PRESERVE COMMUNITY DEVELOPMENT DISTRICT METES AND BOUNDS LEGAL DESCRIPTION



SCALE: 1" = 500'



"THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY ALEXANDER DUCHART P.S.M."

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE RELATIVE TO THE STATE PLANE COORDINATE SYSTEM (FLORIDA WEST ZONE, 1983 / 90 DATUM), DERIVED FROM THE SOUTH RIGHT OF WAY LINE OF GOLF COURSE ROAD, HAVING A BEARING OF S89°11'56"E.
2. THIS IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

SHEET 2 OF 2 SHEETS

CLIENT	medallion
JOB NO.	08-23-14
ACAD FILE	WILDCAT PRESERVE
FIELD DATE	
DRAWN BY:	SD
REVISIONS	

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DECEMBER 12, 2014

ALEXANDER G. DUCHART
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 5998

A. DUCHART LAND SURVEYING, INC.

2403 VERMONT AVENUE EAST
BRADENTON, FL 34208
educhart@gmail.com
1-800-402-8768

- Boundary
- Construction
- Plotting
- ALTA
- Topographic

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Chapter 190, Florida Statutes, that the Manatee County Board of County Commissioners will hold a Public Hearing on March 10, 2015, at 9:00 a.m. (or as soon thereafter as may be heard) in the Commission Chambers, located on the first floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon the following request made by Wildcat Parrish, LLC, a Florida limited liability company (Petitioner):

ORDINANCE NO. 15-12

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The proposed Wildcat Preserve Community Development District, comprising approximately 89.72 acres, is located on the north side of Golf Course Road and the east side of Fort Hamer Road in the Parrish area in Manatee County. Development approved by the Board of County Commissioners within the proposed Wildcat Preserve Community Development District is anticipated to include 242 single-family residential dwelling units, 51,346 square feet of commercial space, and recreational facilities.

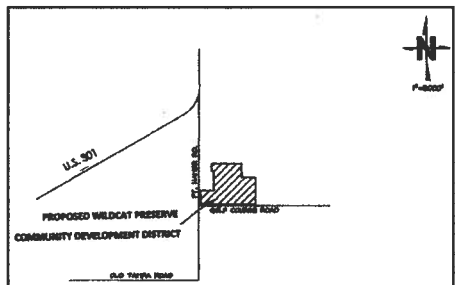
All interested parties are invited to appear at this hearing and be heard, subject to the proper rules of conduct. Additionally, any comments filed with the Director of the Building and Development Services Department will be considered by the Board of County Commissioners and entered into the record. Copies of the proposed ordinance, the petition and other information regarding the petition are available for public inspection from 8:00 a.m. to 5:00 p.m. Monday through Friday at the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida. Interested parties may obtain assistance regarding this matter by calling (941)749-3070 during normal business hours.

In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal any decision made with respect to any matters considered at such meeting or hearing, that person will need a record of the proceedings, and, for such purpose, that person may need to assure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

Americans With Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA should contact Kaycee Ellis at (941)742-5800; TDD ONLY (941)742-5802 and wait 60 seconds; or FAX (941)745-3790.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Building and Development Services Department
Manatee County, Florida



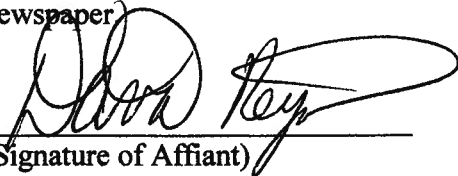
BRADENTON HERALD

WWW.BRADENTON.COM
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941-745-7066

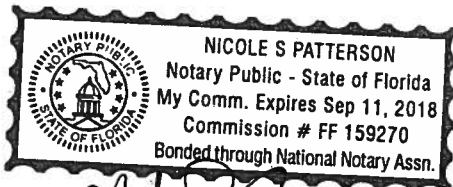
Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

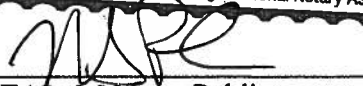
STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Dava Reyes, who, on oath, says that he is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Public Hearing-Ordinance 15-12**, was published in said newspaper in the issue(s) of **02/13/2015, 02/18/2015, 02/25/2015 & 03/04/2015**. Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper


(Signature of Affiant)

Sworn to and subscribed before me this
4 Day of March, 2015




SEAL & Notary Public
Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

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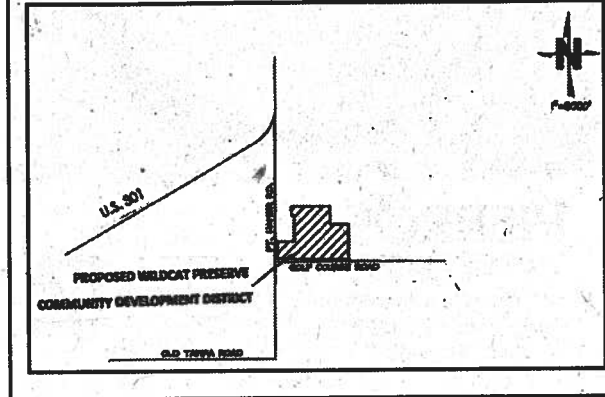
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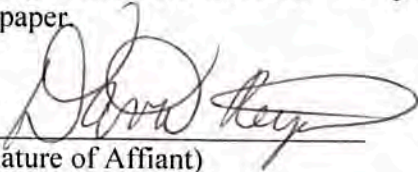
BRADENTON HERALD

WWW.BRADENTON.COM
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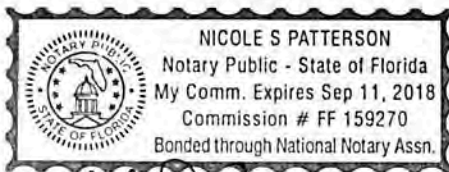
STATE OF FLORIDA
COUNTY OF MANATEE

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(Signature of Affiant)

Sworn to and subscribed before me this
4 Day of March, 2015



SEAL & Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 13, 2015

Honorable R. B. "Chips" Shore
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Robin Liberty, Board Records Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of **Manatee County Ordinance No. 15-12**, which was filed in this office on March 12, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

From: [Ords Admin](#)
To: [Robin Liberty](#)
Subject: RE: Manatee County, FL Code of Ordinances - 1981(10428)
Date: Thursday, March 12, 2015 11:25:38 AM

We have received your files. Thank you for your submission.

Respectfully,
Ords Administrator
ords@municode.com
1-800-262-2633
(850) 576-3172
P.O. Box 2235
1700 Capital Circle, S.W.
Tallahassee, FL 32317-2235

When available, please send all documents in WORD format to Ords@municode.com. However, if WORD format is not available, we welcome any document format including PDF.

sha

Ask me about **OrdBank**



From: Robin Liberty [mailto:robin.liberty@ManateeClerk.com]
Sent: Thursday, March 12, 2015 10:11 AM
To: 'CountyOrdinances@dos.myflorida.com'
Cc: Ords Admin
Subject: Manatee County Ordinance 15-12

Good Morning,

Attached is Manatee County Ordinance 15-12, adopted by the Manatee County Board of County Commissioners, on March 10, 2015.

Thank you,

Robin Liberty
Board Records Deputy Clerk, Enterprise Content
For R.B. "Chips" Shore
Manatee County Clerk of the Circuit Court & Comptroller
www.manateeclerk.com
robin.liberty@manateeclerk.com
941-741-4018

"Pride in Service with a Vision to the Future"

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.