

ORDINANCE NO. 15-16

AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, RELATING TO THE FIELDSTONE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-59 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "FIELDSTONE COMMUNITY DEVELOPMENT DISTRICT," TO ESTABLISH THE FIELDSTONE 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, Parrish Holdings, 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 Fieldstone Community Development District (District) pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Petitioner is the owner of approximately 580.58 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 Fieldstone 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 2-8-59 of Manatee County Code of Ordinances. Section 2-8-59 of the Manatee County Code of Ordinances is hereby created to read as follows:

Sec. 2-8-59. Fieldstone Community Development District.

(a) Establishment. The Fieldstone 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) Dale E. Weidemiller.
- (2) Karen L. Byrnes.
- (3) Priscilla Heim.
- (4) Sandy Foster.
- (5) Eddie Gaudette.

(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 2nd day of April, 2015.



BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: [Signature]
Chairman

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

By: [Signature]
Deputy Clerk

Fieldstone Community Development District

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1977.86'	28°09'21"	971.94'	962.19'	S22°01'42"W

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 17, 18, 19 and 20, Township 33 South, Range 19 East, Manatee County, Florida and as described as follows:

BEGIN at the southwest corner of the above mentioned Section 18 also being the northwest corner of the above mentioned Section 19; thence N.00°08'15"E., along the west line of said Section 18, a distance of 700.75 feet to a point of intersection with the north line of a 50-foot wide gas line easement as recorded in Official Records Book 1681, Page 225 of the Public Records in Manatee County, Florida (the following three calls being along said north line); (1) thence N.89°39'04"E., a distance of 2.97 feet; (2) thence S.89°30'19"E., a distance of 2,402.18 feet; (3) thence S.89°32'06"E., a distance of 674.93 feet; thence S.00°51'43"W., a distance of 54.26 feet to a point of intersection with the north line of a 50-foot wide gas line easement as recorded in Official Records Book 1681, Page 230 of said Public Records (the following four calls being along said north line); (1) thence S.89°39'17"E., a distance of 1,729.20 feet; (2) thence S.89°10'24"E., a distance of 187.95 feet; (3) thence S.89°53'47"E., a distance of 1,363.90 feet; (4) thence S.89°38'03"E., a distance of 559.61 feet to a point of intersection with the north line of a Florida Power & Light Company easement as recorded in Official Records Book 650, Page 592 and Book 669, Page 745 of said Public Records (the following two calls being along the north line of said Florida Power & Light Company easement); (1) thence N.89°17'06"E., a distance of 1,041.18 feet; (2) thence N.89°51'05"E., a distance of 808.88 feet to a point of intersection with the west line of a parcel as described in Official Records Book 1767, Page 4886 of said Public Records (the following three calls being along the west, south and east lines of said parcel); (1) thence S.00°16'21"W., a distance of 99.28 feet; (2) thence S.89°43'39"E., a distance of 60.00 feet; (3) thence N.00°16'21"E., a distance of 99.82 feet to a point of intersection with said north line of said Florida Power & Light Company easement; thence N.89°52'24"E., along said north line of said Florida Power & Light Company easement, a distance of 266.21 feet to a point of intersection with the northwest right-of-way of State Road 43 (US 301) according to Florida Department of Transportation Right-of-Way Map, Section 1302-203 (the following four calls being along said northwest right-of-way); (1) thence S.36°06'04"W., a distance of 472.47 feet; (2) thence S.36°04'54"W., a distance of 345.85 feet to the intersection of the south line of the above mentioned Section 17; (3) thence continue S.36°04'54"W., a distance of 570.18 feet to the point of curvature of a non-tangent curve to the left, having a radius of 1,977.86 feet and a central angle of 28°09'21"; (4) thence southerly along the arc of said curve, a distance of 971.94 feet, said curve having a chord bearing and distance of S.22°01'42"W., 962.19 feet, to the end of said curve; thence N.89°26'34"W., along a line non-tangent with the previously described curve, a distance of 1,282.99 feet; thence S.00°06'08"E., a distance of 1,300.10 feet to a point of intersection with the north right-of-way of Moccasin Wallow Road according to Road Plat Book 4, Page 153 in said Public Records (the following five calls being along said north right-of-way); (1) thence N.88°54'18"W., a distance of 1,334.91 feet; (2) thence N.89°08'58"W., a distance of 2,271.84 feet; (3) thence N.89°07'49"W., a distance of 328.34 feet; (4) thence N.89°07'50"W., a distance of 2,693.55 feet; (5) thence N.88°01'42"W., a distance of 16.92 feet to a point of intersection with the west line of the above mentioned Section 19; thence N.00°08'36"E., along said west line of Section 19, a distance of 2,578.91 feet to the POINT OF BEGINNING.

Said tract containing 25,289,894 square feet or 580.5761 acres, more or less.

FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC
Dec 12, 2014 - 16:48:32

This is NOT a Survey.
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SKETCH & DESCRIPTION OF FIELDSTONE CDD
A 580.5761 ACRE TRACT OF LAND LOCATED IN
SECTIONS 17, 18, 19, 20, TWSHP 33 S., RNG 19 E.,
MANATEE COUNTY, FLORIDA



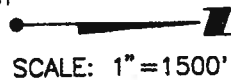
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TASK CODE: 450	DRAWN BY: HJC	CHKD BY: RRC	CAD FILE: 215611510v--spk01	PROJECT NO: 215611510	SHEET 4 OF 4	DRAWING INDEX NO: B215611510-001*	REV: A
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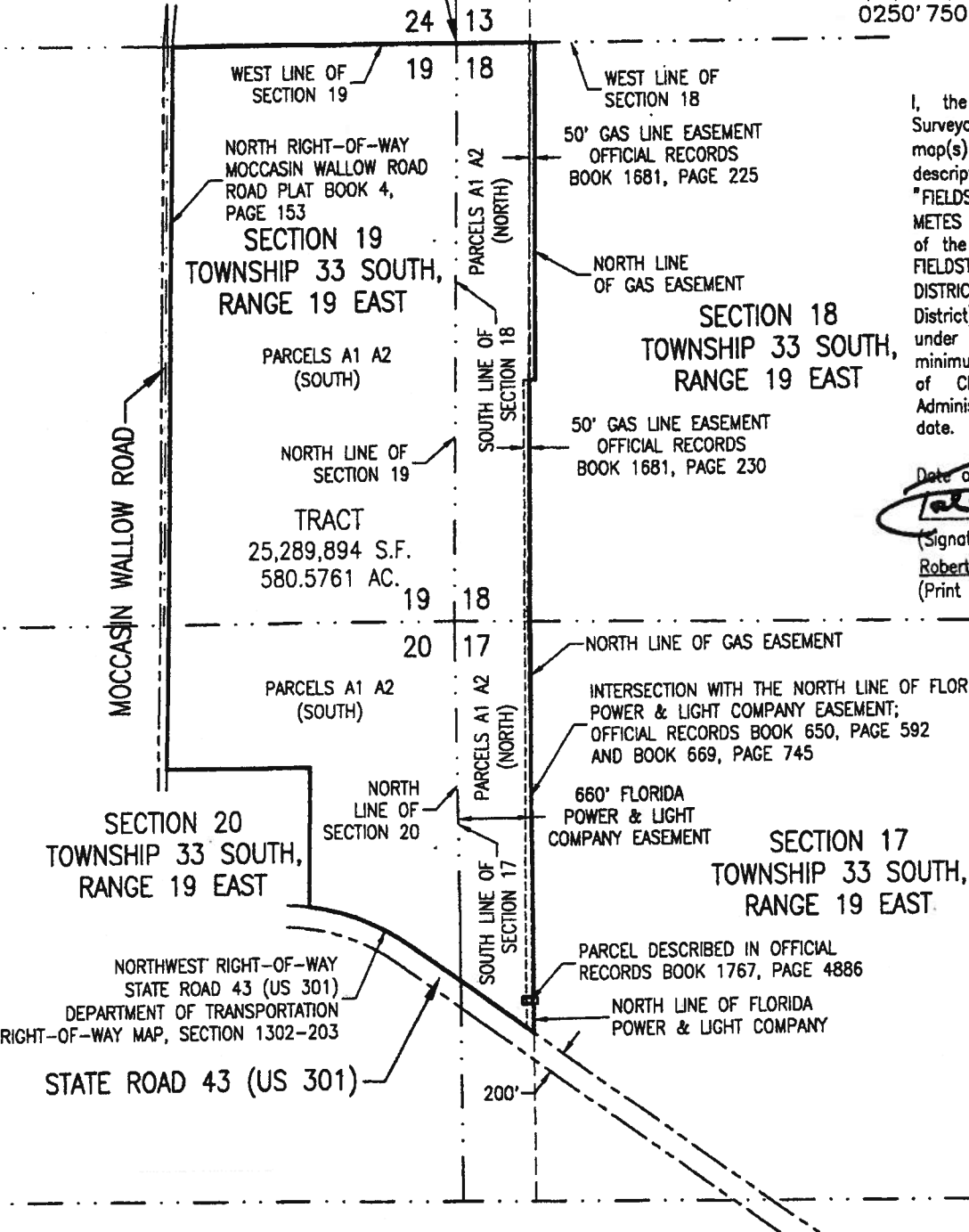
EXHIBIT "A"

FIELDSTONE COMMUNITY DEVELOPEMENT DISTRICT

METES AND BOUNDS LEGAL DESCRIPTION



POINT OF BEGINNING
SOUTHWEST CORNER OF SECTION 18
& NORTHWEST CORNER OF SECTION 19

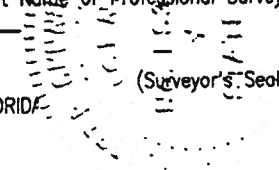


CERTIFICATE OF SURVEYOR

I, the undersigned Professional Land Surveyor, hereby certify that the sketch map(s) and metes and bounds description(s) as set forth in Exhibit "FIELDSTONE COMMUNITY DEVELOPEMENT METES AND BOUNDS LEGAL DESCRIPTION" of the Petition for the establishment of FIELDSTONE COMMUNITY DEVELOPEMENT DISTRICT (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: November 12, 2014

(Signature of Professional Surveyor)
Robert R. Cunningham, P.S.M. #924
(Print Name of Professional Surveyor)



Notes:

1. Bearings shown hereon are relative to the State Plane Coordinate System (Florida West Zone, 1983/90 Datum) with the survey baseline of Moccasin Wallow Road east of the west line of Section 19, Township 33 South, Range 19 East having a bearing of S.89°07'56"E.
2. This is a sketch only and does not represent a field survey.
3. Unless it bears the signature and the original raised seal of a Florida Surveyor and Mapper, this sketch, drawing, plat or map is for informational purposes only.

Fieldstone Community Development District

FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC

Dec 12, 2014 - 16:46:32

This is NOT a Survey.
BCUNNINGHAM\A\2156\active\215611510\survey\drawing\215611510v-sp01.dwg

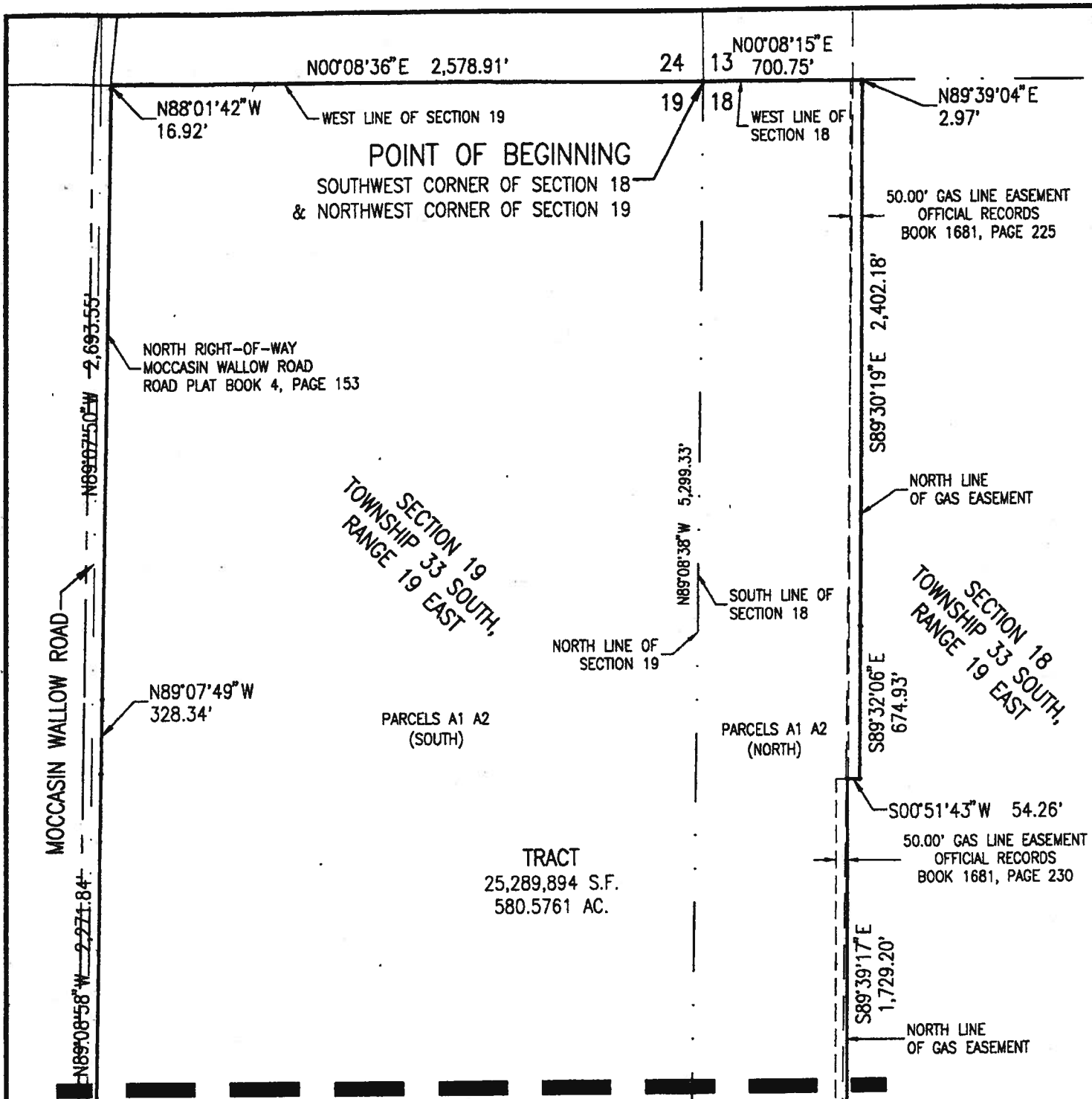
SKETCH & DESCRIPTION OF FIELDSTONE COMMUNITY DEVELOPEMENT DISTRICT
A 580.5761 ACRE TRACT OF LAND LOCATED IN
SECTIONS 17, 18, 19, 20, TOWNSHIP 33 S., RNG 19 E.,
MANATEE COUNTY, FLORIDA



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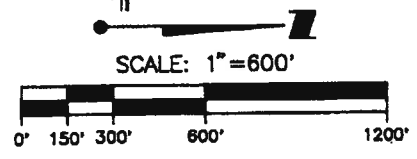
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MATCH LINE - SEE SHEET 3 OF 4

Fieldstone Community Development District



FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC Dec 12, 2014 - 16:46:32 BCUNNINGHAM\Y:\2156\active\215611510\survey\drawing\215611510v-spk01.dwg

SKETCH & DESCRIPTION OF FIELDSTONE CDD
 A 580.5761 ACRE TRACT OF LAND LOCATED IN
 SECTIONS 17, 18, 19, 20, TWNSHP 33 S., RNG 19 E.,
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Fieldstone Community Development District

MATCH LINE - SEE SHEET 2 OF 4

19 18
20 17

MOCCASIN WALLOW ROAD
N88°54'18"W 1,334.91'

NORTH RIGHT-OF-WAY
MOCCASIN WALLOW ROAD
ROAD PLAT BOOK 4, PAGE 153

PARCELS A1 A2
(SOUTH)

TRACT
25,289,894 S.F.
580.5761 AC.

PARCELS A1 A2
(NORTH)

SECTION 20
TOWNSHIP 33 SOUTH,
RANGE 19 EAST

SECTION 17
TOWNSHIP 33 SOUTH,
RANGE 19 EAST

S00°06'08"E 1,300.10'

N89°26'34"W 1,282.99'

NORTH LINE OF
SECTION 20

S89°17'06"W 2,668.97'

SOUTH LINE OF
SECTION 17

INTERSECTION WITH THE
NORTH LINE OF FLORIDA
POWER & LIGHT COMPANY
EASEMENT; OFFICIAL RECORDS
BOOK 650, PAGE 592 AND
BOOK 669, PAGE 745

660' FLORIDA
POWER & LIGHT
COMPANY EASEMENT

NORTHWEST RIGHT-OF-WAY
STATE ROAD 43 (US 301)
DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY MAP, SECTION 1302-203

NORTH LINE OF FLORIDA
POWER & LIGHT COMPANY

STATE ROAD 43 C1
(US 301) S36°04'54"W
570.18'

S89°51'05"W
648.05'

S00°16'21"W
99.28'

S89°43'39"E
60.00'

WEST LINE OF PARCEL
DESCRIBED IN OFFICIAL
RECORDS BOOK 1767,
PAGE 4886

N89°51'05"E
808.88'

N00°16'21"E
99.82'

S36°04'54"W
345.85'

N89°52'24"E
266.21'

SOUTH LINE OF PARCEL DESCRIBED IN
OFFICIAL RECORDS BOOK 1767, PAGE 4886

EAST LINE OF PARCEL DESCRIBED IN
OFFICIAL RECORDS BOOK 1767, PAGE 4886

NORTH LINE OF FLORIDA
POWER & LIGHT COMPANY

S36°06'04"W 472.47'

200'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1977.86'	28°09'21"	971.94'	962.19'	S22°01'42"W

SCALE: 1" = 600'



FOR: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC

This is NOT a Survey.

SKETCH & DESCRIPTION OF FIELDSTONE CDD
A 580.5761 ACRE TRACT OF LAND LOCATED IN
SECTIONS 17, 18, 19, 20, TOWNSHIP 33 S., RANGE 19 E.,
MANATEE COUNTY, FLORIDA



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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 3, 2015

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

Attention: Quantana Acevedo, 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. 15-16, which was filed in this office on April 2, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

From: [Ords Admin](#)
To: [Quantana Acevedo](#)
Subject: Manatee County, FL Code of Ordinances - 1981(10428)
Date: Friday, April 03, 2015 2:37:05 PM

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

Respectfully,
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From: Quantana Acevedo [mailto:quantana.acevedo@ManateeClerk.com]
Sent: Thursday, April 02, 2015 5:13 PM
To: 'CountyOrdinances@dos.myflorida.com'
Cc: Ords Admin
Subject: Ordinance 15-16 - Fieldstone Community Development District

The attached ordinance was adopted by the Board of County Commissioners on April 2, 2015.

Thank you,
Quantana Acevedo, Deputy Clerk
for R.B. "Chips" Shore
Manatee County Clerk of the Circuit Court and Comptroller
www.manateeclerk.com
quantana.acevedo@manateeclerk.com
941-741-4018
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