

ORDINANCE NO. 2006-~~649~~

AN ORDINANCE OF THE CITY OF INVERNESS, STATE OF FLORIDA, ESTABLISHING THE WYLD PALMS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2005); 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 FOR REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Wyld Palms Development, LLC, ("Petitioner"), having obtained written consent to the establishment of the Wyld Palms Community Development District, ("District"), by the owner of 100 percent (100%) of the real property to be included in the District, petitioned the City Council of the City of Inverness, ("City"), to adopt an ordinance establishing the District, pursuant to Chapter 190, Florida Statutes (2005); and

WHEREAS, Petitioner is a Florida limited liability company, 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 City on November 8, 2006; and

WHEREAS, upon consideration of the record established at that hearing, the City determined that the statements within the Petition were 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, 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.

NOW THEREFORE BE IT ORDAINED, by the City of Inverness, Florida as follows:

Section 1. 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 (2005).

Section 3. DISTRICT NAME

There is hereby established a Community Development District situated entirely within the City of Inverness, Florida, which District shall be known as the "Wyld Palms 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 84.84 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. The District is also authorized to exercise additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for 1) parks and facilities for indoor and outdoor recreational, cultural and educational uses, as authorized and described in Section 190.012(2)(a), Florida Statutes (2005).

Section 6. BOARD OF SUPERVISORS

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Ronald Leiberman, C. Michael Lewis, Denise Snyder, Maurice McDaniel and Maureen Wilson. All of the above-styled persons are residents of the State of Florida and citizens of the United States of America.

Section 7. REPEAL OF INCONSISTENT ORDINANCES

Any ordinance in conflict with this Ordinance is hereby repealed by implication.

Section 8. SEVERABILITY AND INTERPRETING THIS ORDINANCE

If any section or portion of this Ordinance is found to be invalid, unlawful or unconstitutional, all other sections of this Ordinance shall remain valid and enforceable.

Section 9. INCLUSION INTO THE CODE OF ORDINANCES

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Inverness as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code of Ordinances.

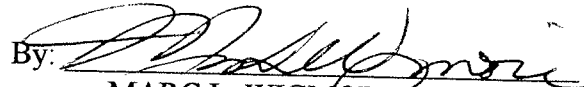
Section 10. EFFECTIVE DATE

The effective date of this Ordinance shall be as provided by law.

Upon motion duly made and carried on first reading, the foregoing Ordinance was approved on the 17th day of October, 2006.

Upon motion duly made and carried on second reading, the foregoing Ordinance was adopted on the 8th day of November, 2006.

CITY OF INVERNESS, FLORIDA


By: 
MARC L. WIGMORE, President

By: 
ROBERT PLAISTED, Mayor

ATTEST:


DEBORAH DAVIS, City Clerk

Approved as to form and correctness:


DENISE A. LYN, City Attorney

STATE OF FLORIDA
COUNTY OF CITRUS

I, Deborah J. Davis, City Clerk of the City of Inverness, do hereby certify that the above (foregoing) is a true and correct copy of Ordinance #2006-644, adopted by the City of Inverness in the regular Council Meeting held on the 8th day of November, 2006.

Dated this 11th Day of December 2006.

(SEAL)



Deborah J. Davis, City Clerk
City of Inverness

EXHIBIT "A"

Metes and Bounds Description

Being a tract of land located in Sections 5 & 8, Township 19 South, Range 20 East, Citrus County, Florida and a portion of Government Lots 1 & 2 and as being described as follows:

COMMENCING at a 4" metal plate at the northwest corner of the northeast quarter of Section 8, Township 19 South, Range 20 East also being the southwest corner of the southeast quarter of Section 5, Township 19 South, Range 20 East, thence South 00 Degrees 31 Minutes 59 Seconds West along the east line of Lots 45 through 49A of Ridgecrest Subdivision as recorded in Plat Book 12, Page 131 in the public records of Citrus County, Florida 466.64 feet to the POINT OF BEGINNING of the herein described tract:

THENCE South 89 Degrees 59 Minutes 44 Seconds East along the south line of property Now or Formerly (N/F) Alfred Owen 466.54 feet to a 4" x 4" concrete monument; THENCE along said property and along property N/F Edward Field North 00 Degrees 34 Minutes 27 Seconds East 466.66 feet to an iron pin; THENCE along property of said Edward Field North 89 Degrees 59 Minutes 51 Seconds West 134.41 feet to an iron pin; THENCE North 00 Degrees 00 Minutes 09 Seconds East 27.41 feet to an iron pin on the south Right-of-Way (R/W) line of State Road 581, 40 Wide; THENCE along said R/W line with a curve to the left with a radius of 431.03 feet, an arc length of 95.29 feet and a central angle of 12 Degrees 39 Minutes 58 Seconds to 6" x 6" concrete monument; THENCE continue North 45 Degrees 06 Minutes 40 Seconds East 368.76 feet to a concrete monument; THENCE along property N/F Sumter Electric CO-OP, Inc. South 00 Degrees 31 Minutes 50 Seconds West 346.96 feet to a 1/2" iron rod; THENCE continue along said property South 89 Degrees 59 Minutes 51 Seconds East 665.00 feet to a point said point being the common line of Government Lots 1 & 2; THENCE along property N/F John F. Roscow, III South 89 Degrees 59 Minutes 51 Seconds East 949.83 feet to a 1" pinch top filled with concrete said point being 33.19 feet from the waters' edge; THENCE along a traverse line for the meandering of the waters' edge South 64 Degrees 31 Minutes 28 Seconds East 401.34' feet to a 4" x 4" concrete monument on property N/F Richard H. Fullerton; THENCE along said property South 00 Degrees 08 Minutes 55 Seconds West 501.72 feet to a 1" pinch top iron pipe; THENCE along a traverse line for the meandering of the waters' edge of Lake Tsala Apopka the following courses:

South 73 Degrees 43 Minutes 55 Seconds West 249.14 feet to a 1/2" iron rod said point being 57.7 feet from the waters' edge;
South 24 Degrees 27 Minutes 58 Seconds West 230.62 feet to a rod said point being 32.4 feet from the waters' edge;
South 58 Degrees 04 Minutes 09 Seconds West 316.37 feet to a rod said point being 70.2 feet from the waters' edge;
South 77 Degrees 36 Minutes 40 Seconds West 174.19 feet to a rod said point being 59.6 feet from the waters' edge;

EXHIBIT "A" cont.

South 69 Degrees 29 Minutes 45 Seconds West 202.01 feet to an iron rod said point being 52.4 feet from the waters' edge:

South 54 Degrees 45 Minutes 50 Seconds West 270.25 feet to a point said point being 45.6 feet from the waters' edge:

South 43 Degrees 28 Minutes 13 Seconds West 182.12 feet to a 4" x 4" concrete monument said point being the common line of Government Lots 1 & 2 and being under 1' of water:

South 83 Degrees 31 Minutes 40 Seconds West 297.09 feet to a point said point being 31.4 feet from the waters' edge:

South 50 Degrees 03 Minutes 44 Seconds West 360.60 feet to a point said point being 48.1 feet from the waters' edge:

South 35 Degrees 06 Minutes 11 Seconds West 262.43 feet to a point said point being 45.8 feet from the waters' edge:

North 77 Degrees 45 Minutes 20 Seconds West 437.57 feet to a rod said point being 38.44 feet from the waters' edge:

Thence departing said Lake Tsala Apopka along property N/F Bubnow Kiera North 00 Degrees 34 Minutes 52 Seconds East 541.40 feet; THENCE continue along said property South 89 Degrees 55 Minutes 20 Seconds West 199.99 feet to an iron pin; THENCE along property N/F Celia Moore, Charlie & Helen Ehrhardt, and Lots 39 through 45 of said Ridgecrest Subdivision North 00 Degrees 31 Minutes 59 Seconds East 896.80 feet to the POINT OF BEGINNING and containing 84.84 acres (3,695,630 square feet) of land, more or less.

