

ORDINANCE NO. 2017- 9

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT, TO BE KNOWN AS WILFORD PRESERVE 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, Dream Finders Homes, LLC (the "Petitioner"), having obtained written consent to the establishment of the Wilford Preserve 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 authorized to conduct business in the State of Florida whose address is 360 Corporate Park Way, Suite 100, Orange Park, Florida 32073; 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 February 28, 2017; 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 "Wilford Preserve 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 256 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 (2016).

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: Batey McGraw
Address: 360 Corporate Way, Suite 100
Orange Park, Florida 32073

Name: Khaled Oweis
Address: 360 Corporate Way, Suite 100
Orange Park, Florida 32073

Name: Nick Powell
Address: 360 Corporate Way, Suite 100

Orange Park, Florida 32073

Name: Greg Murrell
Address: 360 Corporate Way, Suite 100
Orange Park, Florida 32073

Name: Robert White Jr.
Address: 360 Corporate Way, Suite 100
Orange Park, Florida 32073

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 28th day of February, 2017.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

BY: 
Wayne Bolla, Its Chairman

ATTEST:


S. C. Kopelousos
County Manager and Clerk of the
Board of County Commissioners

Appendix A
[District's External Boundaries]

A parcel of land comprising of a portion of Section 3, 4, 9, 10 and 11, Township 4 South Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the most southerly corner of Tract 'G', Spencer's Plantation Unit One, according to plat thereof recorded in Plat Book 45, pages 13 through 20 of the public records of said county; thence South 05 degrees 09 minutes 12 seconds East, 291.88 feet to the point of beginning; thence South 58 degrees 47 minutes 50 seconds East, 964.55 feet; thence South 09 degrees 03 minutes 07 seconds East, 876.02 feet; thence South 17 degrees 40 minutes 28 seconds West, 1562.09 feet; thence South 60 degrees 34 minutes 06 seconds West, 1475.42 feet; thence North 71 degrees 39 minutes 13 seconds West, 2471.21 feet; thence North 89 degrees 51 minutes 41 seconds West, 402.10 feet; thence North 41 degrees 04 minutes 47 seconds West, 158.91 feet; thence North 89 degrees 31 minutes 02 seconds West, 1121.27 feet to the east line of a 100 foot wide Clay Electric Cooperative Easement as per Official Records Book 118, page 548 of said public records; thence on said east line, North 00 degrees 13 minutes 37 seconds West, 100.01 feet; thence South 89 degrees 31 minutes 02 seconds East, 1084.08 feet; thence North 30 degrees 53 minutes 12 seconds East, 1286.69 feet; thence North 34 degrees 12 minutes 47 seconds East, 599.59 feet; thence North 23 degrees 36 minutes 45 seconds East, 506.58 feet; thence North 46 degrees 47 minutes 25 seconds East, 285.31 feet; thence South 40 degrees 00 minutes 00 seconds East, 640.00 feet to the southwesterly line of Spencer's Plantation Unit Two, according to plat thereof recorded in Plat Book 47, pages 43 through 48 of said public records; thence on said southwesterly line, South 33 degrees 58 minutes 12 seconds East, 377.99 feet to a southeasterly line thereof; thence on said southeasterly line, North 66 degrees 03 minutes 51 seconds East, 1960.63 feet to the point of beginning; being 256.0 acres, more or less, in area.

STATE OF FLORIDA DEPARTMENT OF STATE

I, KEN DETZNER, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Clay County Ordinance No. 2017-9, which was filed in this office on March 3, 2017, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

**Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
3rd day of March, A.D., 2017.**



Ken Detzner
Secretary of State

DSDE 99 (3/03)

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.