

ORDINANCE NO. 2017-78

An Ordinance of the Board of County Commissioners of Osceola County, Florida, Establishing the Hanover Lakes Community Development District, at Approximately 177.038 Acres, 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 for Severability; Providing for Conflict; and Providing an Effective Date.

RECITALS

WHEREAS, Hanover Lakes, LLC ("Petitioner"), having obtained written consent to the establishment of the District by the owner of one hundred percent (100%) of the real property to be included in the District, has filed a Petition to Establish the Hanover Lakes Community Development District (the "Petition") with the Osceola County Board of Commissioners (the "County") pursuant to Section 190.005(2)(a), *Florida Statutes*, to adopt an ordinance establishing the Hanover Lakes Community Development District (the "District") pursuant to Chapter 190, *Florida Statutes*; 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 County, pursuant to Section 190.005(2)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that hearing, the Board of County Commissioners of Osceola County, Florida, has considered the record of the public hearing and the statutory factors set forth in section 190.005(2)(c), *Florida Statutes*, in making its determination to grant or deny the Petition; and

WHEREAS, the Board of County Commissioners of Osceola County has determined pursuant to the information contained within the Petition and based on an investigation conducted by the County Staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District: 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 Osceola County Comprehensive Plan; that the area of land within the District is of sufficient size, is sufficiently compact and sufficiently contiguous to be developable as one 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 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, pursuant to the information as stated above, the Board of County Commissioners of Osceola County, Florida has decided to grant the District's Petition to establish the Hanover Lakes Community Development District; 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 within the Petition.

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

SECTION 1. RECITALS.

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*.

SECTION 3. DISTRICT NAME.

There is hereby established a Community Development District situated entirely within the unincorporated limits of Osceola County, Florida, which District shall be known as the "Hanover Lakes 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 boundaries encompassing 177.038 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

SECTION 5. FUNCTIONS AND POWERS.

The powers and functions of the District are described in Chapter 190, *Florida Statutes*. The County consents to the District's exercise of special powers described in 190.012(2), *Florida Statutes*. Further, the functions of the District as described *Petitioner's Agreement Concerning the Hanover Lakes Community Development District* by and between the County and the Hanover Lakes Community Development District, executed contemporaneously herewith, are herein incorporated.

SECTION 6. BOARD OF SUPERVISORS.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Chris Tyree, Nihit Patel, Ryan Kahn, Andrew Orosz and Jimmy Askey. All of the above-listed persons are residents of the State of Florida and citizens of the

United States of America.

SECTION 7. **SEVERABILITY.**

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

SECTION 8. **CONFLICT.**

Any ordinance or part thereof, or any resolution, or part thereof, which is in conflict with this ordinance or part hereof is hereby repealed to the extent of the conflict.

SECTION 9. **EFFECTIVE DATE.**

The Clerk shall file a certified copy of this Ordinance with the Department of State within ten days of its adoption. This Ordinance shall take effect immediately upon its filing with the Department of State.

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: _____

~~Chair/Vice Chair~~

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: Debra A. Davis
Clerk/Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of:

October 02, 2017



EXHIBIT A

HANOVER LAKES CDD

LEGAL DESCRIPTION

LEGAL DESCRIPTION

A TRACT OF LAND, BEING LOTS 89 THROUGH 96, LOTS 85 THROUGH 92, LOTS 103 THROUGH 106 AND LOTS 119 THROUGH 122 ALL OF THE PLAT OF SEMINOLE LAND AND INVESTMENT COMPANY'S, SUBDIVISION OF SECTION 20, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B", PAGE 26, LESS THE RIGHT-OF-WAY FOR ALLIGATOR LAKE ROAD AND LESS THE RIGHT-OF-WAY OF HICKORY TREE ROAD AND LESS THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4803, PAGE 1214 THROUGH 1216 ALL OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, TOGETHER WITH THOSE INTERIOR AND ADJACENT UN-NAMED ROAD RIGHT-OF-WAYS AS SHOWN ON SAID PLAT, AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 31 EAST, AND ALL OF LOTS 6 AND 11 AND PORTION OF LOTS 4, 5, AND 12, TOGETHER WITH THOSE INTERIOR AND ADJACENT UN-NAMED ROADS OF THE PLAT OF SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 29, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B", PAGE 51, PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 20 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 89°36'24" EAST, ALONG THE SOUTH LINE OF SAID SECTION 20, A DISTANCE OF 20.00 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY OF HICKORY TREE ROAD, AND THE POINT OF BEGINNING; THENCE RUN NORTH 00°23'53" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE 2605.31 FEET TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ALLIGATOR LAKE ROAD (STATE ROAD NO. 534A); THENCE RUN SOUTH 89°55'23" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 2317.43 FEET TO A POINT LYING ON THE WEST LINE OF THE ABOVE REFERENCE LANDS, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4803, PAGE 1214 THROUGH 1216 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 00°17'19" WEST, ALONG SAID WEST LINE, 304.51 FEET TO A POINT LYING ON THE SOUTH LINE OF LOT 69 OF SAID PLAT OF SEMINOLE LAND AND INVESTMENT COMPANY'S; THENCE RUN SOUTH 89°53'00" EAST, ALONG THE SOUTH LINE OF SAID LOT 69 A DISTANCE OF 303.50 FEET TO A POINT LYING ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE RUN SOUTH 00°17'19" WEST, ALONG SAID EAST LINE, 2315.07 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE RUN SOUTH 89°36'24" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 29, A DISTANCE OF 390.92 FEET TO A POINT LYING ON THE APPROXIMATE LOCATION OF THE NORMAL HIGH WATER LINE OF ALLIGATOR LAKE, SAID POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE RUN SOUTHWESTERLY ALONG THE WATERS OF ALLIGATOR LAKE 290 FEET MORE OR LESS TO A POINT LYING SOUTH 11°35'05" WEST, 288.19 FEET FROM THE AFORESAID POINT "A", SAID POINT LYING 65.00 NORTH OF, BY PERPENDICULAR MEASURE THE SOUTH LINE OF AFORESAID LOT 4 OF SAID PLAT OF THE SEMINOLE LAND AND INVESTMENT COMPANY'S SECTION 29; THENCE RUN NORTH 89°36'24" WEST, PARALLEL TO SAID SOUTH LINE OF LOT 4, A DISTANCE OF 407.52 FEET TO A POINT LYING 65.00 FEET WEST OF, BY PERPENDICULAR MEASURE THE EAST LINE OF THE AFORESAID LOT 5, OF SAID PLAT OF THE SEMINOLE LAND AND INVESTMENT COMPANY'S SECTION 29; THENCE RUN SOUTH 01°38'08" EAST, PARALLEL TO SAID WEST LINE OF LOT 5, A DISTANCE OF 392.96 FEET TO A POINT LYING ON THE SOUTH LINE OF THE ABOVE REFERENCED LOT 12 OF SAID PLAT OF THE SEMINOLE LAND AND INVESTMENT COMPANY'S SECTION 29, THENCE RUN NORTH 89°36'24" WEST, ALONG THE SOUTH LINE OF SAID LOT 12 AND THE SOUTH LINE OF THE AFORESAID LOT 11, A DISTANCE OF 1222.88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE RUN NORTH 01°38'08" WEST, ALONG THE WEST LINE OF SAID LOT 11, AND THE WEST LINE OF THE AFORESAID LOT 8 AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 675.85 FEET TO A POINT LYING ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 29; THENCE RUN NORTH 89°36'24" WEST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 29, A DISTANCE OF 1320.45 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN OSCEOLA COUNTY, FLORIDA AND CONTAINS 177.038 ACRES MORE OR LESS.

REVISIONS:
REVISED SKETCH AND LEGAL DESCRIPTION (3-7-2017) (J.L.M.)

David A. White
DAVID A. WHITE, P.S.M.
FLORIDA REGISTRATION NO. 4044
PEC - SURVEYING AND MAPPING, LLC
CERTIFICATE OF AUTHORIZATION L.B. #7808
DATE OF SIGNATURE: 03-7-2017

(THIS IS NOT A SURVEY)
SEE SHEET 2 OF 3 FOR SURVEYOR'S NOTES
SEE SHEET 3 OF 3 FOR SKETCH OF DESCRIPTION.

SHEET 1 OF 3

PEC | SURVEYING AND MAPPING, LLC
CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

2100 Alorkey Trail, Suite 203 • Orlando, Florida 32785 • 407-542-4887
WWW.PECOMINC.COM

SECTIONS 20 & 29, TOWNSHIP 26 SOUTH, RANGE 31 EAST

DATE: MARCH 08, 2016	PREP BY: J.L.M.	DRAWN BY: J.L.M.	JOB #: 15-062
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LEGAL DESCRIPTION

SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 31 EAST, BEING SOUTH 00°17'18" WEST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.

(THIS IS NOT A SURVEY)
SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION.
SEE SHEET 3 OF 3 FOR SKETCH OF DESCRIPTION

SHEET 2 OF 3

PEC

SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

2100 Alanya Trail, Suite 203 • Orlando, Florida 32705 • 407-545-4007

WWW.PECORFLA.COM

SECTIONS 20 & 29, TOWNSHIP 26 SOUTH, RANGE 31 EAST

DATE: MARCH 28, 2006

PREP BY: J.L.M.

DRAWN BY: J.L.M.

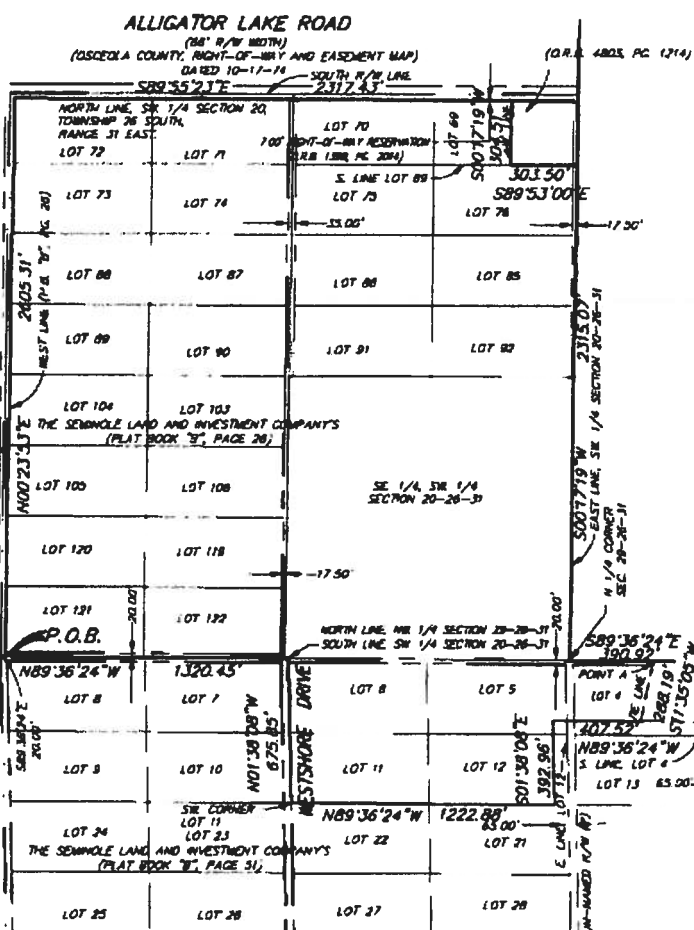
JOB #: 18-062

LEGAL DESCRIPTION

SCALE
1" = 600'

HICKORY TREE ROAD
(40' R/W WIDTH)
(OSCEOLA COUNTY, RIGHT-OF-WAY AND EASEMENT MAP,
DATED 10-17-74)

P.O.C.
SW CORNER
SEC. 20-28-31
NW CORNER
SEC. 29-28-31



(THIS IS NOT A SURVEY)
SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION.
SEE SHEET 2 OF 3 FOR SURVEYOR'S NOTES.

SHEET 3 OF 3

PEC | SURVEYING AND MAPPING, LLC
CERTIFICATE OF AUTHORIZATION NUMBER LB 7808
2100 Alafaya Trail, Suite 203 • Orlando, Florida 32765 • 407-542-4867
WWW.PECONLINE.COM

SECTIONS 20 & 29, TOWNSHIP 26 SOUTH, RANGE 31 EAST

DATE: MARCH 05, 2009 PREP BY: J.L.M. DRAWN BY: J.L.M. JOB #: 15-042

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 Osceola County Ordinance No. 2017-78, which was filed in this office on October 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
5th day of October, A.D., 2017.**



Ken Detzner
Secretary of State

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.