

ORDINANCE NO. 04 - 40

AN ORDINANCE ESTABLISHING THE SOUTH FORK EAST 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 PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

FILED
2004 AUG 19 AM 9:57
CLERK OF COUNTY OF HILLSBOROUGH
STATE OF FLORIDA

WHEREAS, South Fork, LLC ("Petitioner"), has petitioned the Board of County Commissioners of Hillsborough County (the "County") to adopt an ordinance establishing the South Fork East Community Development District (the "District") pursuant to Chapter 190, Florida Statutes; and

WHEREAS, South Fork, LLC, owns all the land within the area to be included in the District; and

WHEREAS, the District is comprised of approximately 411.8 acres, which external boundaries are described in Exhibit "A" attached hereto; 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 on August 10, 2004; and

WHEREAS, upon consideration of the record established at that hearing, the County determined that the statements within the Petition were true and correct, that 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, 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 BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

SECTION 1. AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2003).

SECTION 2. DISTRICT NAME. There is hereby created a community development district situated entirely within unincorporated Hillsborough County, Florida, which District shall be known as the "South Fork East Community Development District."

SECTION 3. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District comprising approximately 411.8 acres as described in Exhibit "A" attached hereto are approved.

SECTION 4. RECREATION POWERS. 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 as authorized and described by Section 190.012(2), Florida Statutes.

SECTION 5. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Patricia Ryan, Robert Clanton, Paul Ray, Jr., Bill Eshenbaugh and Mike Lawson.

SECTION 6. SEVERABILITY. If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect pursuant to general law.

Adopted this 10th day of August, 2004.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of August 10, 2004, as the same appears of record in Minute Book 339 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 18th day of August, 2004.

RICHARD AKE, CLERK



By: Mildred K. Ditt
Deputy Clerk

Approved as to form and legal sufficiency:
COUNTY ATTORNEY

By: Kenneth C. Pope
Kenneth Pope
Assistant County Attorney

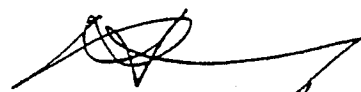
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CONSENT

The undersigned, Raymon F. Campo, as Director of Summerfield Farms, Inc., a Florida corporation, which is the owner of the land described in Exhibit "A" attached hereto, to be included within the boundaries of the proposed district, hereby consents to the establishment of the South Fork East Community Development District, as more particularly described in the Petition to Establish the South Fork East Community Development District which is being submitted to the Board of County Commissioners of Hillsborough County, Florida on or around this date.

Dated this 12th day of May 2004.

SUMMERFIELD FARMS, INC.,
a Florida corporation

By: 

Raymon F. Campo, Director

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