

ORDINANCE NO. 24-2072

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA ESTABLISHING THE CEDAR CROSSINGS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDING OF FACTS; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE DESCRIPTION OF THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR NOTICE REQUIREMENTS; PROVIDING FOR COMPLIANCE WITH ALL REMAINING SECTIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the "Uniform Community Development Act of 1980", Chapter 190, *Florida Statutes* (hereinafter referred to as the "Act")

, sets forth the exclusive and uniform method for establishing a community development district; and

WHEREAS, Section 190.005(2) of the Act requires that a petition for the establishment of a community development district of less than 2,500 acres be filed by the petitioner with the municipality having jurisdiction over the majority of land in the area in which the district is to be located; and

WHEREAS, Section 190.005 of the Act requires that such petition contain certain information to be considered at a public hearing before the City Commission of the City of Haines City, Florida ("City"); and

WHEREAS, KB Home Orlando LLC ("Petitioner"), having obtained written consent to the establishment of the Cedar Crossings Community Development District (the "District"), by the owners of one hundred percent (100%) of the real property to be included in the District and having presented documents evidencing the control of the real property to be included in the District, has petitioned the

City to adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes* (2023); and

WHEREAS, the Petitioner is a Delaware limited liability company authorized to conduct business in the state of Florida and whose principal place of business 9102 Southpark Center Loop, Suite 100, Orlando, Florida 32819; and

WHEREAS, the Petition to establish Cedar Crossings Community Development District ("Petition"), which was submitted to the City on February 6, 2024, has been determined to contain the requisite information as mandated by Section 190.005 of the Act; and

WHEREAS, all interested persons and affected units of general-purpose local government will be or have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on April 18, 2024; and

WHEREAS, on April 18, 2024 the City considered the record of the public hearing and the factors set forth in Section 190.005 of the Act, and upon such review, has determined that granting the Petition is in the best interest of the City; and

WHEREAS, the establishment of the District shall not replace or amend any City or County land development approvals governing the land area to be included within the District; and

WHEREAS, all District roads, including any improvements to existing roads, shall be constructed to equal or exceed the applicable construction specifications of the City or the County; and

WHEREAS, it is believed that the establishment of the District will result in a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Haines City, Florida as follows:

SECTION 1. RECITALS INCORPORATED. The above recitals are true and correct and are incorporated herein.

SECTION 2. AUTHORITY. This Ordinance is enacted in compliance with and pursuant to the Act. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

SECTION 3. FINDINGS OF FACT. The City hereby finds and determines, pursuant to Section 190.005 of the Act, based on the testimony and evidence presented before the City, and the record established at the public hearing that:

- A. All statements within the Petition are true and correct.
- B. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the State Comprehensive Plan or the City of Haines City Comprehensive Plan.
- C. The area of land within the District, described in Exhibit "A", which is attached hereto and incorporated herein, is of a sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.
- D. The District is the best alternative available for delivering the community development services and facilities to the area that would be served by the District.
- E. 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.
- F. The area to be served by the District is amenable to separate special district government.

SECTION 4. ESTABLISHMENT AND DISTRICT NAME. There is hereby created a community development district situated entirely within the incorporated limits of the City of Haines City, Florida, which District shall be known as the "Cedar Crossings Community Development

District". and which shall be referred to in this Ordinance as the "District".

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in Exhibit "A". and said boundaries encompass approximately 79.118 acres. more or less.

SECTION 6. DISTRICT POWERS AND FUNCTIONS. The powers and functions of the District are described in Chapter 190, *Florida Statutes* including those additional powers set forth in Section 190.012(2)(a) and (d).

SECTION 7. BOARD OF SUPERVISORS. The five persons designated to serve as

Name: Stephen McConn
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

Name: Casey Dare
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

Name: James Makransky
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

Name: Keith Woodbury
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

Name: Paul Thomas
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

SECTION 8. NOTICE REQUIREMENTS. Petitioner has caused a notice of a public hearing on the consideration of the Petition to be published in a newspaper at least once a week for four consecutive weeks immediately prior to such hearing in compliance with the provisions of Section 190.005(1)(d), *Florida Statutes*.

SECTION 9. COMPLIANCE WITH CHAPTER 190, FLORIDA STATUTES. Petitioner has complied with all remaining provisions of Chapter 190, *Florida Statutes* and other provisions of

law necessary for the establishment of the District.

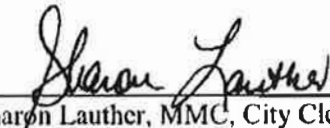
SECTION 10. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

SECTION 11. EFFECTIVE DATE. This Ordinance shall take effect immediately upon it being read and approved in two meetings of the City Commission of the City of Haines City.

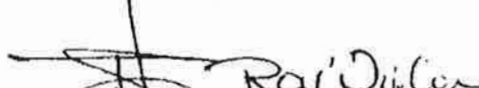
INTRODUCED AND PASSED in regular session of the City Commission of the City of Haines City, this 4th day of April, 2024.

ATTEST:

By:

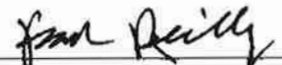

Sharon Lauther, MMC, City Clerk

APPROVED:


Roy Tyler, Mayor-Commissioner

APPROVED AS TO FORM AND CORRECTNESS:

By:


Fred Reilly, City Attorney

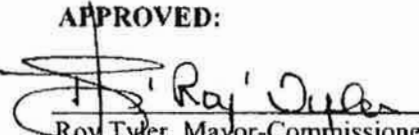


ADOPTED AND ENACTED ON SECOND AND FINAL READING by the City
Commission of the City of Haines City, Florida, at regular session this 18th day of April, 2024.

ATTEST:

By: 
Sharon Lauther, MMC, City Clerk

APPROVED:


Roy Tyler, Mayor-Commissioner

APPROVED AS TO FORM AND CORRECTNESS:

By: 
Fred Reilly, City Attorney



EXHIBIT A
LEGAL DESCRIPTION

PARCEL "A" COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 SECTION 34, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN SOUTH 89 DEGREES 59'55" E ALONG THE SOUTH BOUNDARY THEREOF, 222.00 FEET; THENCE N 00 DEGREES 07'46"W 117.55 FEET; THENCE S 89 DEGREES 59'55"E 99.11 FEET TO THE POINT OF BEGINNING; THENCE N 00 DEGREES 07'46"W 546.58 FEET; THENCE N 89 DEGREES 59'55"E 380.33 FEET; S 00 DEGREES 00'00"W 546.58 FEET; THENCE N 89 DEGREES 59'55"W 379.08 FEET TO THE POINT OF BEGINNING.

PARCEL "B" THE WEST 320.44 FEET OF THE SOUTH ONE HALF OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA LESS AND EXCEPT THE EAST 98.11 FEET OF THE SOUTH 117.55 FEET THEREOF, AND LESS COUNTY MAINTAINED ROAD RIGHT OF WAY.

PARCEL "C" THE SOUTH ONE HALF OF THE EAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA LESS COUNTY MAINTAINED ROAD RIGHT OF WAY.

PARCEL "D" THE NORTH ONE HALF OF THE EAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA LESS COUNTY MAINTAINED ROAD RIGHT OF WAY.

PARCEL "E" THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA LESS COUNTY MAINTAINED RIGHT OF WAY.

PARCEL "G" THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS COUNTY MAINTAINED RIGHT OF WAY.

PARCEL "H" THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA LESS COUNTY MAINTAINED RIGHT OF WAY.



HAINES CITY

THE HEART OF FLORIDA

620 East Main Street
Haines City, FL 33844
Phone (863) 421-3600
Fax (863) 421-5561
www.hainescity.com

May 16, 2024

Certified copy of Ordinance No. 24-2072

As requested, this is a certified copy of Ordinance 24-1767. I am Erica Sanchez, Deputy City Clerk for the City of Haines City certifying the Ordinance mentioned above.

State of Florida County of Polk
On this 16th day of May, 2024
I attest that the preceding or attached document is a true, exact, complete,
and unaltered photocopy made by me of Ord 24-2072
presented to me by the document's custodian, _____,
and, to the best of my knowledge, that the photocopied document is neither
a public record nor a publicly recordable document, certified copies of which
are available from an official source other than a notary public.

Notary Public
Commission Expires 11-16-2026



Best regards,
Erica Sanchez

OUR MISSION

"Our team of professionals will provide our residents and business community with the highest quality services in a fiscally responsible manner through cooperation, strong ethical leadership with a lifelong commitment to enriching lives."

State of Florida
County of Polk
On this _____ day of _____, 20____
I attest that the preceding or attached document is true, correct, complete
and unaltered photocopy made by me or _____
presented to me by the document's custodian _____
and to the best of my knowledge, that the photocopied document is identical
to the original recordable document, certified copies of which
I have received from an official source other than a notary public.
My Public _____
Commission Expires _____

