



July 21, 2021

MR ERNEST L REDDICK
DEPARTMENT OF STATE
ADMINISTRATIVE CODE AND REGISTER
500 SOUTH BRONOUGH ST - RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #21-26
Establishing the Simmons Village North Community Development District CDD

Dear Mr. Reddick:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding an executed electronic original of Hillsborough County Ordinance #21-26 adopted by the Board of County Commissioners on July 20, 2021. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance by return e-mail.

Sincerely,

Sharon Sweet-Grant, Manager
BOCC Records

dl
Attachment

ORDINANCE NO. 21-26

AN ORDINANCE ESTABLISHING THE SIMMONS VILLAGE NORTH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Spencer Farms, Inc., a Florida limited liability company ("**Petitioner**"), has filed a Petition to Establish the Simmons Village North Community Development District ("**Petition**") with Hillsborough County requesting that the Board of County Commissioners in and for Hillsborough County, Florida ("**County**"), adopt an ordinance establishing the Simmons Village North Community Development District pursuant to chapter 190, Fla. Stat. ("**District**"), and designating the real property described in **Exhibit A**, attached hereto, as the area of land for which the District is authorized to manage and finance basic service delivery; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive, and economic method of delivering community development services, in the area described in **Exhibit A**, which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management, and financing needs for the delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of section 190.005(1)(d), Fla. Stat.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in section 190.005(1)(e), Fla. Stat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 20TH DAY OF JULY, 2021 AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Board of County Commissioners hereby finds and states that:

1. the "WHEREAS" clauses stated above are adopted as findings of fact in support of this Ordinance;
2. all statements contained in the Petition are true and correct;
3. 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;
4. the area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;
5. the establishment of the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
6. the proposed community development services and facilities to be provided by the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
7. the area that will be served by the District is amenable to separate, special-district government.

SECTION 2. CONCLUSIONS OF LAW.

1. This proceeding is governed by chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to section 190.005(2), Fla. Stat.; and
3. The granting of the Petition complies with the dictates of chapter 190, Fla. Stat.

SECTION 3. CREATION, BOUNDARIES AND POWERS. There is hereby established the Simmons Village North Community Development District for the area of land described in **Exhibit A**, attached hereto, which shall have, and which may exercise through its Board of Supervisors, the powers of sections 190.011 and 190.012 (1), (2)(a), (2)(b), (2)(c), 2(d), (2)(e), (2)(f), and (3), Fla. Stat. The District shall operate in accordance with the uniform community development district charter as set forth in sections 190.006-190.041, Fla. Stat., including the special powers provided by Section 190.012, Fla. Stat.

SECTION 4. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Tonya S. Hills, Jeffery S. Hills, Nicholas Dister, Ryan Motko and Steve Luce.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, provision, or other part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

STATE OF FLORIDA

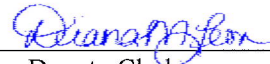
COUNTY OF HILLSBOROUGH

I, CINDY STUART, 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 July 20, 2021 as the same appears of record in Minute Book 542 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of July, 2021.

CINDY STUART, CLERK

BY:


Deputy Clerk



APPROVED BY COUNTY ATTORNEY AS
TO FORM AND LEGAL SUFFICIENCY

BY: *Nancy Y. Takemori*

Nancy Y. Takemori
Assistant County Attorney

THIS IS NOT A SURVEY**LEGAL DESCRIPTION:** (BY ARDURRA)

A PARCEL OF LAND LYING IN SECTION 13, TOWNSHIP 31 SOUTH, RANGE 19 EAST AND SECTION 18, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 31 SOUTH, RANGE 19 EAST ALSO BEING THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 31 SOUTH, RANGE 20 EAST; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 13 NORTH 89°43'53" WEST, A DISTANCE OF 1,140.28 FEET TO THE EAST LINE OF THE WEST 200' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 13; THENCE ALONG SAID EAST LINE NORTH 00°21'50" EAST, A DISTANCE OF 1,287.85 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 13; THENCE ALONG THE EAST LINE OF THE WEST 200 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 13 NORTH 00°15'56" EAST, A DISTANCE OF 579.11 FEET TO THE NORTH LINE OF THE SOUTH 579.10 FEET OF THE SOUTH 2/3 OF THE NORTH 3/4 OF THE EAST 1/4 OF SAID SECTION 13; THENCE ALONG SAID NORTH LINE SOUTH 89°20'08" EAST, A DISTANCE OF 1,140.47 FEET; THENCE SOUTH 88°49'32" EAST, A DISTANCE OF 35.00 FEET TO THE EAST LINE OF THE WEST 35.00 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 31 SOUTH, RANGE 20 EAST; THENCE ALONG SAID EAST LINE NORTH 00°25'17" EAST, A DISTANCE OF 698.76 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE ALONG SAID NORTH LINE SOUTH 88°49'32" EAST, A DISTANCE OF 1,276.95 FEET THE WEST MAINTAINED RIGHT-OF-WAY LINE OF SIMMONS LOOP; THENCE ALONG SAID WEST MAINTAINED RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES: 1) SOUTH 00°15'56" WEST, A DISTANCE OF 596.10 FEET; 2) SOUTH 00°14'40" WEST, A DISTANCE OF 199.80 FEET; 3) SOUTH 01°05'08" WEST, A DISTANCE OF 495.43 FEET; 4) SOUTH 71°09'15" EAST, A DISTANCE OF 28.71 FEET; 5) SOUTH 34°41'50" EAST, A DISTANCE OF 38.13 FEET; THENCE LEAVING SAID WEST MAINTAINED RIGHT-OF-WAY LINE NORTH 87°59'00" WEST, A DISTANCE OF 4.18 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHERLY 458.26 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,437.50 FEET, A CENTRAL ANGLE OF 10°46'19", AND A CHORD BEARING AND DISTANCE OF SOUTH 11°18'52" WEST 457.59 FEET; THENCE SOUTH 16°42'02" WEST, A DISTANCE OF 204.17 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE SOUTHERLY 618.52 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,812.50 FEET, A CENTRAL ANGLE OF 12°36'01", AND A CHORD BEARING AND DISTANCE OF SOUTH 10°24'01" WEST 617.27 FEET TO THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE ALONG SAID SOUTH LINE NORTH 87°16'59" WEST, A DISTANCE OF 1,100.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 123.112 ACRES.

SPENCER FARMS INC

SIMMONS VILLAGE NORTH



4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

July 22, 2021

Honorable Cindy Stuart
Clerk of the Circuit Court
Hillsborough County
419 Pierce Street, Room 140
Tampa, Florida 33601

Attention: Diana Leon

Dear Ms. Stuart:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hillsborough County Ordinance No. 21-26, which was filed in this office on July 21, 2021.

Sincerely,

Anya Grosenbaugh
Program Administrator

AG/lb