

FINAL
RMK
08-14-2001

ORDINANCE NO. 01-22

AN ORDINANCE ESTABLISHING THE PANTHER TRACE 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 THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE.

WHEREAS, McInturf Enterprises, Inc. has filed a petition with Hillsborough County ("Petition") requesting that the Board of County Commissioners of Hillsborough County ("County") adopt an ordinance establishing the Panther Trace Community Development District ("District") pursuant to Chapter 190, Florida, 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 an efficient, effective and economical method of delivering community development services and facilities in the area described in Exhibit "A," within which area the County is not able to provide such community development services and facilities at a level and quality needed to serve the District; and

WHEREAS, the District will provide a solution to the County's planning, management and financing needs for the delivery of community development services and facilities to and within the District lands 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), Florida Statutes; and

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WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 190.005 (1) (e), Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA THIS 14TH DAY OF AUGUST, 2001, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The County hereby finds and states, that:

1. All statements contained in the Petition are true and correct.
2. The creation of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County's Comprehensive Plan.
3. The area of land within the proposed District is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional, interrelated community.
4. The creation 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.
5. 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.
6. The area that will be served by the District is amenable to separate, special-district government.

SECTION 2. CONCLUSIONS OF LAW.

1. The proceedings described in this Ordinance are governed by Chapter 190, Florida Statutes.
2. The County has jurisdiction pursuant to Section 190.005(2), Florida Statutes.
3. The granting of the Petition complies with all the requirements of Chapter 190, Florida Statutes.

SECTION 3. CREATION. There is hereby created the Panther Trace Community Development District ("District") for the area of land described in Exhibit "A" attached hereto, which District shall exercise the powers described and authorized in Sections 190.011 and 190.012(1), (2) (a), (b), (d), (e) and (f) and (3), Florida Statutes.

SECTION 4. SUPERVISORS. The five (5) persons designated to serve as the initial members of the Board of Supervisors of the District are Frederick C. Mesard, Maurice Pelaez, John Collins, Sven D. Uellendahl, and Michael S. Noell.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgement 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.

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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 foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of August 14, 2001, as the same appears of the record in Minute Book 303 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 20th day of August, 2001.

RICHARD AKE, CLERK

By: Mildred K. Duim
Deputy Clerk

Approved as to form and legal sufficiency:

COUNTY ATTORNEY

By: RMt
Assistant County Attorney



STATE OF FLORIDA
COUNTY OF HILLSBOROUGH
THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND
CORRECT COPY OF ORDINANCE NO. 01-22

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON
AUGUST 14, 2001 AS SAME APPEARS OF
RECORD IN MINUTE BOOK 303 WITNESS MY HAND
AND OFFICIAL SEAL THIS 11th DAY OF OCTOBER, 2005.

PAT FRANK, CLERK
BY: P. Frank D.C.

