

ORDINANCE NO. 02-9

AN ORDINANCE ESTABLISHING THE LIVE OAK NO. 2 COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, Live Oak Development 1, Inc., a Florida corporation ("Petitioner") has filed a Petition with Hillsborough County requesting that the Board of County Commissioners of Hillsborough County ("County") adopt an ordinance establishing the Live Oak No. 2 Community Development District pursuant to Chapter 190, Florida Statutes ("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 County has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.005(1)(d) and 2(b), Florida Statutes; and

WHEREAS, upon the consideration of the record established at that hearing and the factors set out in Section 190.005(1)(e), Florida Statutes, the County determined that the establishment of the District will constitute a timely, efficient, effective, responsible and economic way to deliver community development services in the area described by

the petition.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA THIS 23rd DAY OF APRIL, 2002, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The County 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 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;
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, Florida Statutes;
2. The County has jurisdiction pursuant to Section 190.005(2), Florida Statutes, and
3. The granting of the Petition complies with the dictates of Chapter 190, Florida Statutes.

SECTION 3. NAMING OF THE DISTRICT. There is hereby created a community development district situated entirely within unincorporated Hillsborough County, Florida, which District shall be known as the "Live Oak No. 2 Community Development District."

SECTION 4. CREATION AND BOUNDARIES. The external boundaries of the District are described in Exhibit "A", attached hereto, the overall parcel containing 576.56 acres, more or less.

SECTION 5. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Paul J. Hegener, Shawn T. Reilly, James L. Zboril, James H. Anderson and Donald C. Petersen.

SECTION 6. CHARTER. The District shall be governed by the provisions of Chapter 190, Florida Statutes, as amended, including Sections 190.006 – 190.041, Florida Statutes. Consent is hereby given to the District's Board of Supervisors to exercise of the powers set forth in Section 190.012(2)(a), (b), (c), (d), (e) and (f) of Chapter 190, Florida Statutes, as amended.

SECTION 7. 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 8. 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

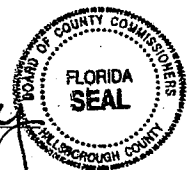
I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of April 23, 2002 as the same appears of record in Minute Book 311 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 29th day of April, 2002.

RICHARD AKE, CLERK

By:

Julene Hegon
Deputy Clerk



APPROVED BY COUNTY ATTORNEY

BY Rmt

Approved As To Form And
Legal Sufficiency.

Exhibit "A"

LEGAL DESCRIPTION OF

LIVE OAK No. 2 COMMUNITY DEVELOPMENT DISTRICT

A parcel of land lying within Section 5 and Section 6, Township 27 South, Range 20 East, Hillsborough County, Florida and being further described as follows:

Beginning at the Northwest corner of said Section 5, also being the Northeast corner of said Section 6, thence along the North line of said Section 5, S89°49'58"E, 5,345.22 feet to the Northeast corner of said Section 5; thence along the East line of said Section 5, S00°25'20"E, 5,320.41 feet to the Southeast corner of said Section 5; thence along the South line of said Section 5, N89°50'58"W, 3,786.80 feet; thence departing said South line, N21°04'51"W, 3,568.18 feet; thence N11°54'08"W, 317.79 feet; thence N21°50'03"W, 1,109.85 feet; thence N14°03'38"E, 675.56 feet to the POINT OF BEGINNING.
Containing 580.56 acres, more or less.

LESS AND EXCEPT THE FOLLOWING:

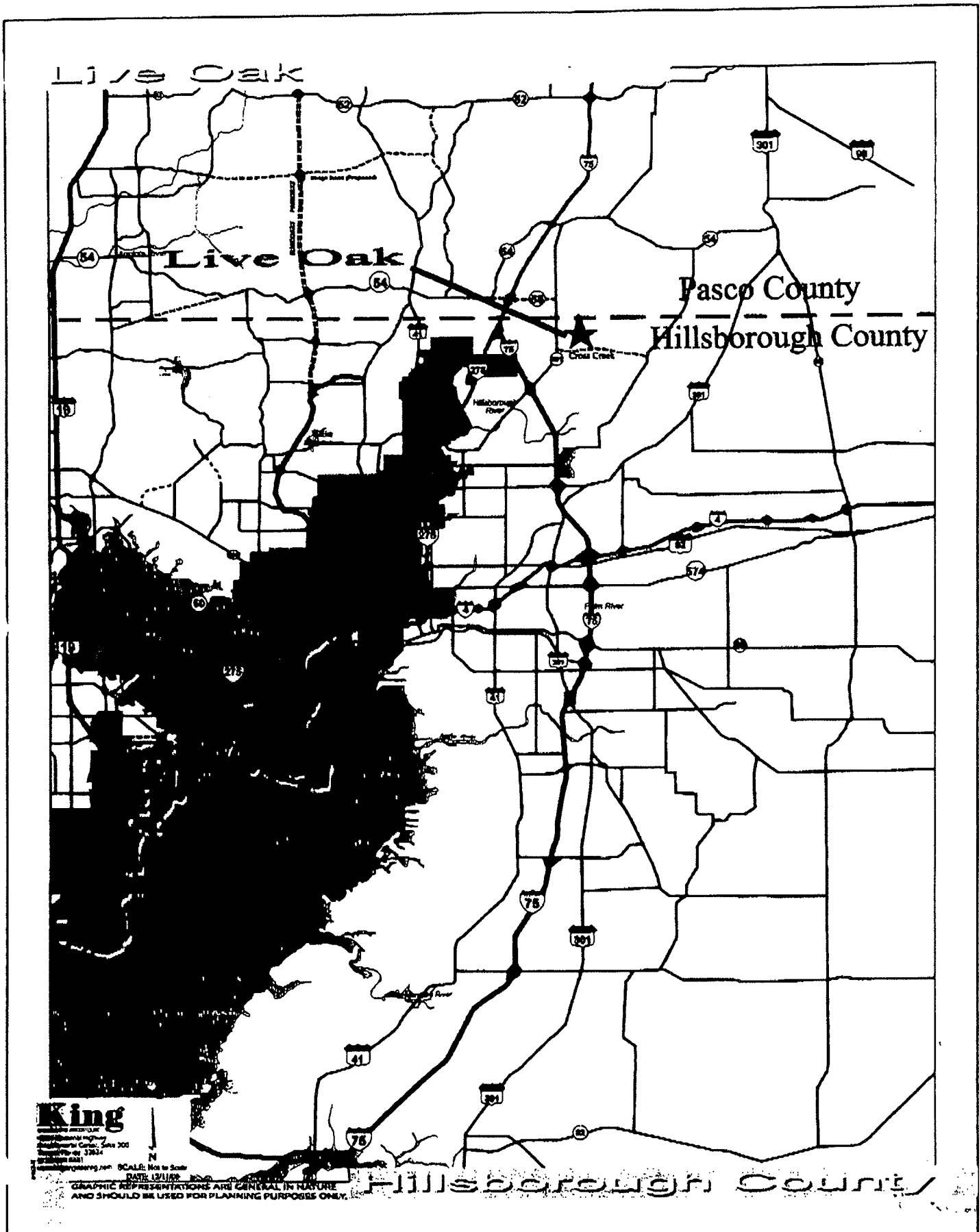
WELL SITE #CY-11 (from O.R. Book 6862, Page 428 of the public records of Hillsborough County, Florida)

(Parcel No. 2B) A fee simple estate for a parcel of land being more particularly described as follows:

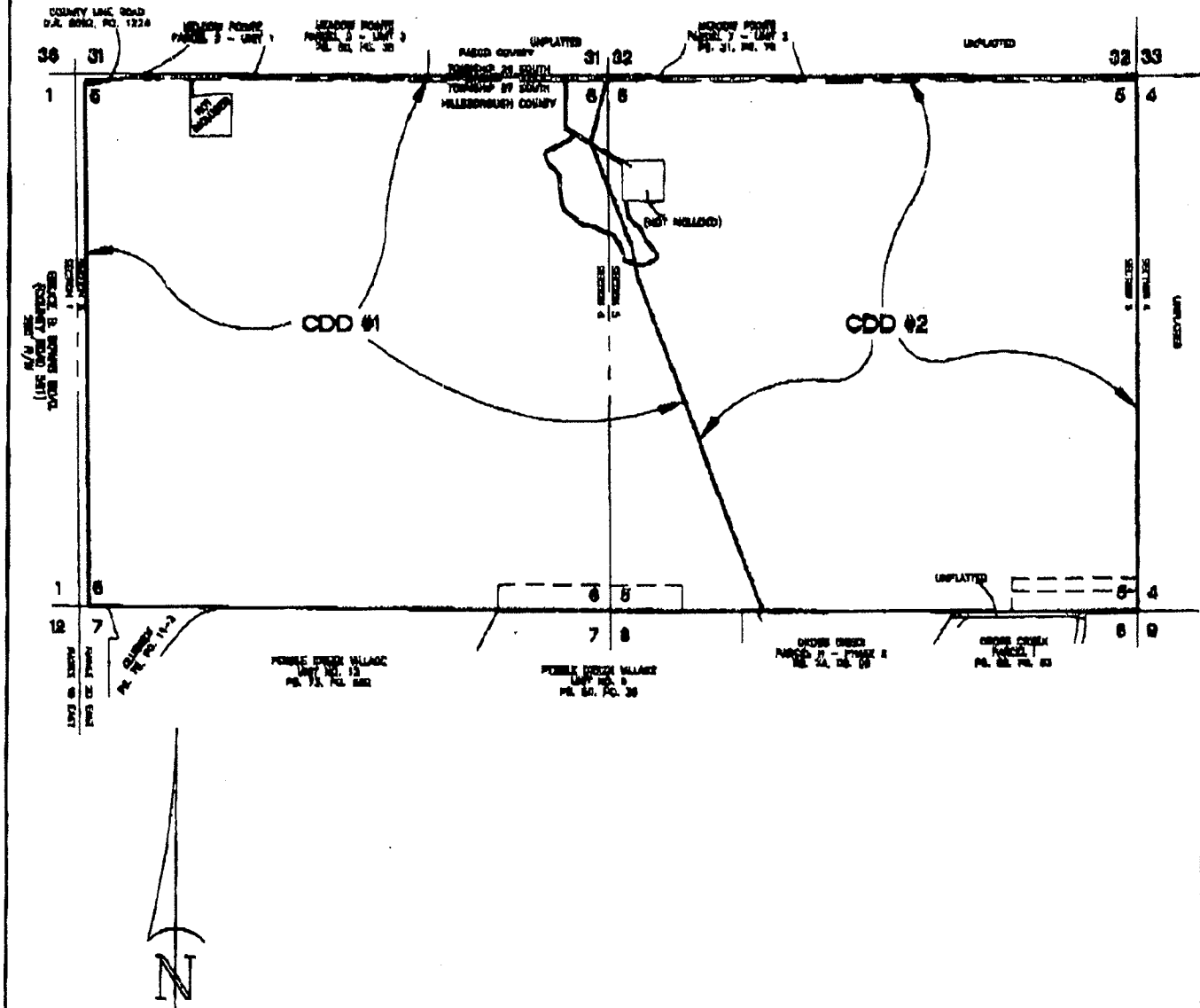
A parcel of land located in Section 5, Township 27 South, Range 20 East, Hillsborough County, Florida and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 5 for a point of reference; thence S00°10'25"W, 829.45 feet; thence S89°49'54"E, 153.48 feet to the POINT OF BEGINNING; thence S89°49'54"E, 417.42 feet; thence S00°10'05"W, 417.42 feet; thence N89°48'54"W, 417.45 feet; thence N00°10'05"E, 417.42 feet to the POINT OF BEGINNING.

Containing 4.00 acres, more or less.



THIS IS NOT A SURVEY



LEGEND:

- P.B. = PLAT BOOK
O.R. = OFFICIAL RECORDS BOOK
PG. = PAGE NUMBER
CDD = COMMUNITY DEVELOPMENT DISTRICT

LIVE OAK DEVELOPMENT 1, INC.

EXHIBIT "A" OF LIVE OAK No. 1 & No. 2 COMMUNITY DEVELOPMENT DISTRICTS

SCALE	DATE	DRAWN	CALC'D	CHECK'D
N.T.S.	8/30/01	GMK	GMK	
JOB No.	SECTION	TOWNSHIP	RANGE	
5480-001-000	5 & 6	27 SOUTH	20 EAST	

King

ENGINEERING ASSOCIATES, INC.
4025 NEVADA AVE. SUITE 200
TAMPA, FLORIDA 33611
PHONE 813-880-8888
FAX 813-880-8888
E-MAIL: king@king-engineering.com

RESOLUTION 2002-9

A RESOLUTION DESIGNATING GARY L. MOYER AS THE DISTRICT'S REGISTERED AGENT, AND FURTHER DESIGNATING THE DISTRICT'S REGISTERED OFFICE FOR SERVICE OF PROCESS AS SEVERN TRENT SERVICES, INC., 10300 N.W. 11TH MANOR, CORAL SPRINGS, FLORIDA 33071

WHEREAS, Section 189.416 of the Florida Statutes requires each District to designate a Registered Office and a Registered Agent upon whom may be served any process, notice, or demand required or permitted by law to be served upon the District; and

WHEREAS, the Board desires to designate Gary L. Moyer as its Registered Agent and designate his business address which is Severn Trent Services, Inc., 10300 N.W. 11th Manor, Coral Springs, Florida 33071 as its Registered Office;

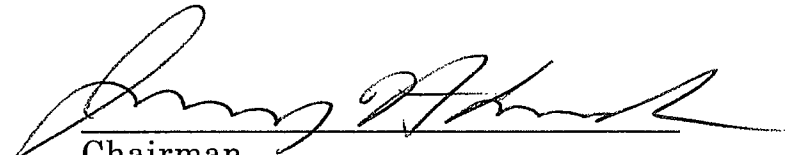
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LIVE OAK NO. 2 COMMUNITY DEVELOPMENT DISTRICT:

1. Gary L. Moyer whose business address is Severn Trent Services, Inc., 10300 N.W. 11th Manor, Coral Springs, Florida 33071 and whose telephone number is (954) 753-0380 is hereby designated as the Registered Agent of the District for the purpose of Section 189.416(1), Florida Statutes and his office as the Registered Office of the District.

2. This Resolution shall take effect immediately.

3. The District Manager shall transmit certified copies of this Resolution to the Clerk of the Hillsborough County Board of County Commissioners, and to the State of Florida Department of Community Affairs.

Adopted this 5th day of June, 2002.


Chairman


Secretary

ORDINANCE NO. 02-8

AN ORDINANCE ESTABLISHING THE LIVE OAK NO. 1 COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, Live Oak Development 1, Inc., a Florida corporation ("Petitioner") has filed a Petition with Hillsborough County requesting that the Board of County Commissioners of Hillsborough County ("County") adopt an ordinance establishing the Live Oak No. 1 Community Development District pursuant to Chapter 190, Florida Statutes ("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 County has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.005(1)(d) and 2(b), Florida Statutes; and

WHEREAS, upon the consideration of the record established at that hearing and the factors set out in Section 190.005(1)(e), Florida Statutes, the County determined that the establishment of the District will constitute a timely, efficient, effective, responsible and economic way to deliver community development services in the area described by

the petition.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA THIS 23rd DAY OF APRIL, 2002, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The County 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 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;
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, Florida Statutes;
2. The County has jurisdiction pursuant to Section 190.005(2), Florida Statutes, and
3. The granting of the Petition complies with the dictates of Chapter 190, Florida Statutes.

SECTION 3. NAMING OF THE DISTRICT. There is hereby created a community development district situated entirely within unincorporated Hillsborough County, Florida, which District shall be known as the "Live Oak No. 1 Community Development District."

SECTION 4. CREATION AND BOUNDARIES. The external boundaries of the District are described in Exhibit "A", attached hereto, the overall parcel containing 706.53 acres, more or less.

SECTION 5. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Paul J. Hegener, Shawn T. Reilly, James L. Zboril, James H. Anderson and Donald C. Petersen.

SECTION 6. CHARTER. The District shall be governed by the provisions of Chapter 190, Florida Statutes, as amended, including Sections 190.006 – 190.041, Florida Statutes. Consent is hereby given to the District's Board of Supervisors to exercise of the powers set forth in Section 190.012(2)(a), (b), (c), (d), (e) and (f) of Chapter 190, Florida Statutes, as amended.

SECTION 7. 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 8. 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

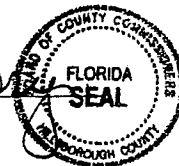
COUNTY OF HILLSBOROUGH

I, 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 April 23, 2002 as the same appears of record in Minute Book 311 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 29th day of April, 2002.

RICHARD AKE, CLERK

By: Juelene Hegarty
Deputy Clerk



APPROVED BY COUNTY ATTORNEY
BY [Signature]

Approved As To Form And
Legal Sufficiency

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EXHIBIT A

LEGAL DESCRIPTION OF LIVE OAK No. 1 COMMUNITY DEVELOPMENT DISTRICT

A parcel of land lying within Section 5 and Section 6, Township 27 South, Range 20 East, Hillsborough County, Florida and being further described as follows:

Beginning at the Northwest corner of said Section 5, also being the Northeast corner of said Section 6, thence S14°03'38"W, 675.56 feet; thence S21°50'03"E, 1,109.85 feet; thence S11°54'09"E, 317.79 feet; thence S21°04'51"E, 3,568.18 feet to a point being on the South line of said Section 5; thence along said South line of Section 5, N89°50'59"W, 1,546.40 feet, to the Southwest corner of said Section 5, also being the Southeast corner of said Section 6, thence along the South line of said Section 6, N89°39'56"W, 5,236.47 feet to a point being on the Easterly right-of-way line of Bruce B. Downs Boulevard, (County Road 581); thence along said Easterly right-of-way, N00°40'24"W, 5,212.24 feet to a point being on the Southerly right-of-way line of County Line Road as recorded in the Official Records Book 8092, Page 1224, of the Public Records of Hillsborough County, Florida, said point also being the point of intersection with a non-tangent curve to the right; thence northeasterly along said Southerly right-of-way, along the arc of said curve with a radial bearing N89°58'01"E, and having a radius of 35.00 feet, a central angle of 90°12'15", an arc length of 55.10 feet and a chord bearing and distance of N45°04'08"E, 49.59 feet; thence S89°49'42"E, 148.39 feet to a point of curvature; thence 382.64 feet easterly along the arc of a curve to the left, having a radius of 1,210.00 feet and a central angle of 18°07'08", a chord bearing and distance of N81°06'44"E, 381.05 feet to a point on the North line of said Section 6; thence along the said North line, S89°49'42"E, 4,686.47 feet to the POINT OF BEGINNING.
Containing 710.52 acres, more or less.

LESS AND EXCEPT THE FOLLOWING:

WELL SITE # CY-10 PARCEL (from O.R. Book 6561, Page 1713 of the public records of Hillsborough County, Florida)

(Parcel No. 27) A fee simple estate for a parcel of land being more particularly described as follows:

A parcel of land located in Section 6, Township 27 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 6 for a point of reference; thence along the North line of said Section S 89° 49'00"E 1148.06 feet; thence leaving said line, S 0°10'05"W, 219.85 feet to the point of beginning; thence N83°35'00"E, 259.71 feet; thence S89°49'00"E, 158.01 feet; thence S0°10'05"W, 427.31 feet; thence N89°49'54"W, 416.00 feet; thence N 0°10'05"E, 397.57 feet to the point of beginning.

Containing 3.99 acres, more or less