

ORDINANCE NO. 2010- *129*

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, ESTABLISHING THE ENCORE COMMUNITY DEVELOPMENT DISTRICT (GENERALLY LOCATED SOUTH OF KAY AND SCOTT STREETS, WEST OF NEBRASKA AVENUE, NORTH OF CASS STREET AND EAST OF PERRY HARVEY SR. PARK, COMPRISING 28.9 ACRES OF LAND, MORE OR LESS); FOR THE PURPOSE OF MANAGING AND DELIVERING BASIC COMMUNITY INFRASTRUCTURE IMPROVEMENTS; SAID DISTRICT TO BE LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE CITY OF TAMPA; THE SAME BEING MORE PARTICULARLY DESCRIBED IN SECTION 2 HEREOF; PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Central Park Development Group, LLC (“Petitioner”), has submitted a petition to the City Council of the City of Tampa, Florida (“City”) pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish a community development district (“CDD”), and designating the land area for which the CDD would manage and finance the delivery of basic infrastructure services; and

WHEREAS, pursuant to Chapter 190, Florida Statutes, the City conducted a public hearing to consider oral and written comments on the petition; and

WHEREAS, the proposed CDD complies with the requirements of law, is in the best interest and promotes the health, safety and welfare of the residents of the City of Tampa;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Recitals. That the recitals above are hereby incorporated as if fully set forth herein.

Section 2. Establishment of District. The **Encore Community Development District** is hereby authorized and established, the administration of which shall be subject to

the provisions of Chapter 190, Florida Statutes, as amended from time to time; and, the boundaries of which are more particularly described below:

See Attached Exhibit "A"

Section 3. *Initial CDD Board Members.* The five (5) initial members of the Board of Supervisors are:

Name: David Iloanya
Address: 1529 West Main St
Tampa, FL 33607

Name: Pedro G. Velez
Address: 314 E. Harrison St.
Tampa, FL 33602

Name: Dr. Hazel Harvey
Address: 4315 Green St.
Tampa, FL 33607

Name: Hank Booth
Address: 4301 Anchor Plaza Parkway, Suite 400
Tampa, FL 33634

Name: Brenda Dohring
Address: 518 N. Tampa Street, Suite 300
Tampa, FL 33602-4820

Section 4. *Declaration of Compliance with Statutory Requirements.* The City hereby finds that:

- (a) All statements contained within the petition have been found to be true and correct; and
- (b) That establishment of the CDD is consistent with the applicable elements and portions of the state comprehensive plan and the effective City of Tampa comprehensive plan; and
- (c) That the area of land within the approved CDD is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community; and
- (d) That the approved CDD is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and

- (e) That the services and facilities of the approved CDD will be compatible with the capacity and uses of existing local and regional community development services and facilities; and
- (f) That the area that will be served by the CDD is amenable to separate special-district government.

Section 5. Severability. If any section, subsection, sentence, clause, provision, or part of this ordinance shall be invalid for any reason, the remainder of this ordinance shall not be affected thereby, but shall remain in full force and effect.

Section 6. Recording; Notice of Establishment. The City Clerk shall certify and record a copy of this Ordinance in the Office of the Clerk of the Circuit Court of Hillsborough County, Florida. The Petitioner, at Petitioner's sole cost and expense, shall promptly file a Notice of Establishment in compliance with Chapter 190.0485, Florida Statutes, in the Office of the Clerk of the Court of Hillsborough County, Florida.

Section 7. Effective Date of Ordinance. This Ordinance shall become effective immediately upon execution by the Mayor.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON SEP 2 2010, 2010.


CITY CLERK / DEPUTY CITY CLERK


CHAIRMAN/CHAIRMAN PRO TEM
CITY COUNCIL

APPROVED BY ME ON SEP 2 2010


PAM IORIO, MAYOR

PREPARED AND APPROVED AS TO
LEGAL SUFFICIENCY BY:

E/S
REBECCA KERT
ASSISTANT CITY ATTORNEY

PARCEL 1

As a point of reference commence at the Northeast corner of the Southeast 1/4 of Section 13, Township 29 South, Range 18 East, Hillsborough County, Florida and proceed S 00°21'55" W, along the East boundary of the Southeast 1/4 of said Section 13, a distance of 1167.67 feet; thence N 89°57'03" W, a distance of 55.29 feet to a point on a non-tangent curve concave Southwesterly having a radius of 35.08 feet and a chord bearing and distance of S 71°29'43" E, a distance of 21.43 feet and the POINT OF BEGINNING; thence along the arc of said curve to the right, a distance of 21.78 feet to a point on the proposed West right-of-way of Nebraska Avenue; thence S 00°22'23" W, along said proposed West right-of-way line, a distance of 792.20 feet; thence N 89°52'31" W, a distance of 122.02 feet; thence S 00°22'29" W, a distance of 20.00 feet; thence N 89°52'31" W, a distance of 122.00 feet; thence S 00°22'29" W, a distance of 90.00 feet; thence N 89°44'08" W, a distance of 246.50 feet; thence S 00°18'40" W, a distance of 112.62 feet; thence N 89°52'31" W, a distance of 48.66 feet; thence S 00°11'04" W, a distance of 137.54 feet to a point on the Northerly right-of-way line of Cass Street; thence S 83°01'14" W, along said Northerly right-of-way line, a distance of 202.55 feet; thence N 49°18'40" W, a distance of 38.06 feet; thence N 00°52'51" E, a distance of 92.60 feet; thence S 89°57'00" W, a distance of 37.89 feet; thence S 00°16'10" W, a distance of 27.62 feet; thence N 89°51'32" W, a distance of 150.00 feet; thence S 00°32'12" W, a distance of 25.00 feet; thence N 89°54'09" W, a distance of 241.90 feet; thence N 00°23'07" E, a distance of 44.42 feet to a point on a non-tangent curve concave Northwesterly having a radius of 33.00 feet and a chord bearing and distance of N 27°05'29" E, a distance of 29.74 feet; thence along the arc of said curve to the left, a distance of 30.86 feet; thence N 00°18'16" E, a distance of 13.69 feet to a point on a non-tangent curve concave Southwesterly having a radius of 5.00 feet and a chord bearing and distance of N 44°40'17" W, a distance of 7.07 feet; thence along the arc of said curve to the left, a distance of 7.85 feet; thence N 89°38'51" W, a distance of 4.00 feet; thence N 00°18'16" E, a distance of 4.37 feet; thence N 90°00'00" W, a distance of 3.62 feet; thence N 00°00'00" W, a distance of 6.27 feet; thence S 89°59'27" E, a distance of 3.65 feet; thence N 00°18'16" E, a distance of 150.61 feet; thence S 89°19'41" W, a distance of 3.87 feet; thence N 00°00'00" W, a distance of 6.60 feet; thence S 87°59'52" E, a distance of 3.91

EXHIBIT "A"

feet; thence N 00°18'16" E, a distance of 4.34 feet; thence S 89°38'51" E, a distance of 4.00 feet to a point on a non-tangent curve concave Northwesterly having a radius of 5.00 feet and a chord bearing and distance of N 45°19'43" E, a distance of 7.07 feet; thence along the arc of said curve to the left, a distance of 7.86 feet; thence N 00°18'16" E, a distance of 139.10 feet to a point on a non-tangent curve concave Southwesterly having a radius of 5.00 feet and a chord bearing and distance of N 44°46'16" W, a distance of 7.08 feet; thence along the arc of said curve to the left, a distance of 7.87 feet; thence N 89°50'49" W, a distance of 3.99 feet; thence N 00°18'16" E, a distance of 3.22 feet; thence N 90°00'00" W, a distance of 3.75 feet; thence N 00°00'00" W, a distance of 6.45 feet; thence N 89°16'30" E, a distance of 3.79 feet; thence N 00°18'16" E, a distance of 149.33 feet; thence N 90°00'00" W, a distance of 3.89 feet; thence N 00°00'00" W, a distance of 6.78 feet; thence N 90°00'00" E, a distance of 3.92 feet; thence N 00°18'16" E, a distance of 107.19 feet; thence S 89°50'49" E, a distance of 4.01 feet to a point on a non-tangent curve concave Northwesterly having a radius of 5.00 feet and a chord bearing and distance of N 45°13'44" E, a distance of 7.06 feet; thence along the arc of said curve to the left, a distance of 7.84 feet; thence N 00°18'16" E, a distance of 42.14 feet to a point on a non-tangent curve concave Southwesterly having a radius of 23.00 feet and a chord bearing and distance of N 21°09'40" W, a distance of 16.83 feet; thence along the arc of said curve to the left, a distance of 17.23 feet to a point of reverse curvature of a curve concave Easterly having a radius of 49.33 feet and a chord bearing and distance of N 00°09'11" E, a distance of 67.11 feet; thence along the arc of said curve to the right, a distance of 73.81 feet to a point of reverse curvature of a curve concave Northwesterly having a radius of 23.00 feet and a chord bearing and distance of N 21°34'57" E, a distance of 16.81 feet; thence along the arc of said curve to the left, a distance of 17.20 feet; thence N 00°09'11" E, a distance of 52.18 feet to a point on a curve concave Southwesterly having a radius of 5.00 feet and a chord bearing and distance of N 44°50'49" W, a distance of 7.07 feet; thence along the arc of said curve to the left, a distance of 7.85 feet; thence N 89°50'49" W, a distance of 4.00 feet; thence N 00°09'11" E, a distance of 33.26 feet; thence N 90°00'00" W, a distance of 3.97 feet; thence N 00°00'00" W, a distance of 6.79 feet; thence N 90°00'00" E, a distance of 3.99 feet; thence N 00°09'11" E, a distance of 117.24 feet; thence N 90°00'00" W, a distance of 3.87 feet; thence N 00°00'00" W, a distance of 6.85 feet; thence N 90°00'00" E, a distance of 3.88 feet; thence N 00°09'11" E, a distance of 12.87 feet; thence S 89°50'49" E, a distance of 4.01 feet to a point on a curve concave Northwesterly having a radius of 5.00 feet and a chord bearing and distance of N 45°04'36" W, a distance of 7.06 feet; thence along the arc of said curve to the left, a distance of 7.84 feet; thence N 00°09'11" E, a distance of 26.94 feet to a point on a curve concave Southwesterly having a radius of 23.00 feet and a chord bearing and distance of N 29°25'27" W, a distance of 22.71 feet; thence along the arc of said curve to the left, a distance of 23.75 feet; thence N 00°04'15" W, a distance of 2.30 feet; thence S 89°57'03" E, a distance of 1177.23 feet to the POINT OF BEGINNING.

TOGETHER WITH

PARCEL 2

As a point of reference commence at the Northeast corner of the Southeast 1/4 of Section 13, Township 29 South, Range 18 East, Hillsborough County, Florida and proceed S 00°21'55" W, along the East boundary of the Southeast 1/4 of said

Section 13, a distance of 1167.67 feet; thence N 89°57'03" W, a distance of 953.37 feet; thence N 00°26'29" E, a distance of 34.84 feet to a point on the North right-of-way line of Scott Street and the POINT OF BEGINNING; thence S 89°55'56" W, along said North right-of-way line, a distance of 236.19 feet; thence N 00°31'52" E, a distance of 73.00 feet; thence S 89°58'18" W, a distance of 21.01 feet; thence N 00°38'57" E, a distance of 72.92 feet; thence S 89°52'31" E, a distance of 8.00 feet; thence N 00°22'29" E, a distance of 159.00 feet; thence N 89°57'59" E, a distance of 335.00 feet; thence S 00°26'29" W, a distance of 195.50 feet; thence N 89°52'31" W, a distance of 86.00 feet; thence S 00°26'29" W, a distance of 109.50 feet to the POINT OF BEGINNING.