



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 24, 2022

Honorable Karen E. Rushing
Clerk of the Circuit Court
Board Records Department
Sarasota County
1660 Ringling Boulevard, Suite 210
Sarasota, Florida 34236

Attn: Blanca Montoya

Dear Ms. Rushing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Sarasota County Ordinance No. 2021-116, which was filed in this office on February 23, 2022.

Sincerely,

Anya Owens
Program Administrator

AO/lb

BOARD RECORDS
FILED FOR THE RECORDS
2022 FEB 25 PM 3:02
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

2022 FEB 23 PM 2:38

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

ORDINANCE NO. 2021-116

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, ESTABLISHING THE LAKES OF SARASOTA COMMUNITY DEVELOPMENT DISTRICT 2, PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FINDINGS OF FACT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; NAMING THE DISTRICT; PROVIDING STATUTORY PROVISIONS GOVERNING THE DISTRICT; CONSENTING TO THE EXERCISE OF SELECT POWERS BY THE DISTRICT UNDER SECTION 190.12, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Neal Signature Homes, LLC ("Petitioner") has petitioned the Board of County Commissioners ("Board") of Sarasota County, Florida, a political subdivision of the State of Florida to establish the Lakes of Sarasota Community Development District 2 ("District"); and

WHEREAS, the Board of County Commissioners, after proper published notice, conducted a public hearing on the petition and determined the following with respect to the factors to be considered in Section 190.005(1)(e), Florida Statutes, as required by Section 190.005(2)(c), Florida Statutes:

1. The petition is complete in that it meets the requirements of Section 190.005(1)(a), Florida Statutes, as required by Section 190.005(2)(a), Florida Statutes; and all statements contained within the petition are true and correct.
2. Establishment of the District on the property proposed in the petition is not inconsistent with any applicable element or portion of the Sarasota County Comprehensive Plan, or the State Comprehensive Plan.
3. The area of land proposed to be within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional and interrelated community.
4. The District is a viable alternative available for delivering community development services and facilities to the area that will be serviced by the District.
5. 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.

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6. The area that will be served by the District is amenable to separate special-district government.

WHEREAS, it is the policy of the state of Florida, as provided for in Section 190.002(2)(c), Florida Statutes, that the exercise by any independent district of its powers as set forth by uniform general law comply with all applicable governmental laws, rules, regulations and policies governing planning and permitting of the development to be serviced by the District, to ensure that neither the establishment nor operation of such District is a development order under Chapter 380 and that the District so established does not have any zoning or permitting powers governing development; and

WHEREAS, Section 190.004(3), Florida Statutes, provides that "... all governmental planning, environmental, and land development laws, regulations and ordinances apply to all development of the land within a community development district. Community development districts do not have the power of a local government to adopt a comprehensive plan, building code, or land development code, as those terms are defined in the Local Government Comprehensive Planning and Land Development Regulation Act. A district shall take no action which is inconsistent with applicable comprehensive plans, ordinances or regulations of the applicable local general purpose government."; and

WHEREAS, the charter of the District is Sections 190.006-190.041, Florida Statutes, as provided expressly in Section 190.004(4) and confirmed in Section 189.4031(2), Florida Statutes; and

WHEREAS, the single, specialized and narrow purpose of the District is the delivery of community infrastructure pursuant to its state created charter and the exercise of its general and special powers complying with all applicable policies and regulations of statutes and ordinances, State v. Frontier Acres Community Development District, 472 So. 2d, 455, at p. 457 (Fla.1985).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA that:

SECTION ONE: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to Section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances. This Ordinance is also adopted pursuant to Sarasota County Resolution No. 2020-058.

**SECTION TWO: ESTABLISHMENT OF THE LAKES OF SARASOTA
COMMUNITY DEVELOPMENT DISTRICT 2**

The District is hereby established within the boundaries of the real property described in **Exhibit "A"** attached hereto and incorporated by reference herein.

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SECTION THREE: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are herewith designated to be the initial members of the Board of Supervisors of the District:

Priscilla Heim
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

Kris Watts
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

Dale Weidemiller
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

Pete Williams
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

John Blakely
5800 Lakewood Ranch Boulevard
Sarasota, FL 34240

SECTION FOUR: DISTRICT NAME

The community development district herein established shall henceforth be known as the "Lakes of Sarasota Community Development District 2".

**SECTION FIVE: STATUTORY PROVISIONS
GOVERNING THE DISTRICT**

The District shall be governed by the provisions of its general law charter in and created by Chapter 190, Florida Statutes, and all other applicable general law.

SECTION SIX: CONSENT TO SPECIAL POWERS

Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, both as authorized and described by Section 190.012(2), *Florida Statutes*.

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SECTION SEVEN: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance of Sarasota County or other applicable law, the more restrictive shall apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

**SECTION EIGHT: INCLUSION ON LIST OF UNCODIFIED ORDINANCES
CONTAINED IN SEC. 110-1 OF THE SARASOTA COUNTY CODE OF
ORDINANCES.**

The provisions of this Ordinance shall not be codified in its entirety. Sec. 110-1 of the Code of Ordinances of Sarasota County, Florida shall be amended to include the ordinance number and name of the District on the list of uncodified ordinances creating, expanding or otherwise pertaining to special districts.

SECTION NINE: EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida on this 23rd day of February, 2022.

Attest:

KAREN E. RUSHING,
Clerk of the Circuit Court and Ex-Officio
Clerk to the Board of County
Commissioners of Sarasota County, Florida

BOARD OF COUNTY
COMMISSIONERS OF SARASOTA
COUNTY, FLORIDA

By: Blanca Montoya
Deputy Clerk

By: [Signature]
Chairman

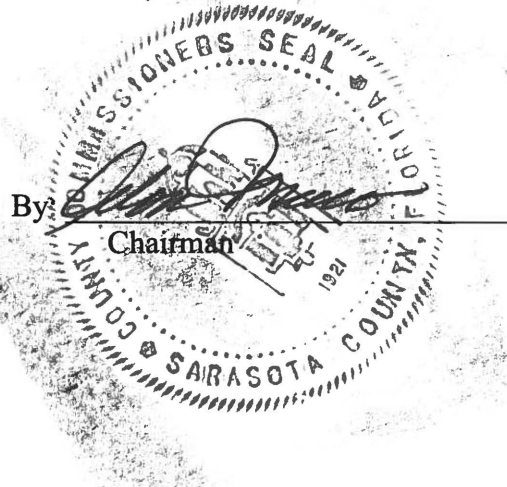


EXHIBIT A

A PARCEL OF LAND LYING IN SECTION 31, TOWNSHIP 37 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 37 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE THE FOLLOWING 2 (TWO) COURSES ALONG THE NORTH LINE OF SAID SECTION 31, 1. NORTH 89°40'31" EAST, A DISTANCE OF 2,143.82 FEET; 2. NORTH 89°40'31" EAST A DISTANCE OF 2,741.21 FEET TO A LINE LYING 25.00 FEET WEST OF THE EAST SECTION LINE OF SAID SECTION 31; THENCE ALONG SAID LINE, SOUTH 01°30'08" WEST, A DISTANCE OF 4,462.45 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE LEAVING SAID LINE, WESTERLY 146.49 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 550.00 FEET, A CENTRAL ANGLE OF 15°15'39", AND A CHORD BEARING AND DISTANCE OF NORTH 67°38'11" WEST 146.06 FEET; THENCE NORTH 75°16'00" WEST, A DISTANCE OF 90.16 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE WESTERLY 122.87 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 490.00 FEET, A CENTRAL ANGLE OF 14°22'03", AND A CHORD BEARING AND DISTANCE OF NORTH 82°27'02" WEST 122.55 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE WESTERLY 527.14 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 718.00 FEET, A CENTRAL ANGLE OF 42°03'55", AND A CHORD BEARING AND DISTANCE OF NORTH 75°41'40" WEST 515.38 FEET; THENCE NORTH 18°54'26" EAST, A DISTANCE OF 302.35 FEET; THENCE NORTH 65°01'05" WEST, A DISTANCE OF 1,068.36 FEET; THENCE SOUTH 35°25'57" WEST, A DISTANCE OF 1,176.73 FEET; THENCE NORTH 89°13'36" WEST, A DISTANCE OF 489.05 FEET; THENCE SOUTH 00°07'10" EAST, A DISTANCE OF 427.55 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE WESTERLY 100.60 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 11°31'42", AND A CHORD BEARING AND DISTANCE OF NORTH 75°35'35" WEST 100.43 FEET; THENCE NORTH 81°21'26" WEST, A DISTANCE OF 108.92 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE WESTERLY 97.89 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 16°01'28", AND A CHORD BEARING AND DISTANCE OF NORTH 89°22'10" WEST 97.57 FEET; THENCE SOUTH 82°37'06" WEST, A DISTANCE OF 75.69 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE WESTERLY 88.86 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 14°32'49", AND A CHORD BEARING AND DISTANCE OF SOUTH 75°20'42" WEST 88.62 FEET TO THE EAST RIGHT OF WAY LINE OF INTERSTATE 75, ACCORDING TO FDOT PROJECT NO. I-75-6(16)404, DATED 3-22-1974; THENCE NORTH 21°33'01" WEST, ALONG SAID EAST LINE A DISTANCE OF 3,912.60 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE NORTH 00°46'55" EAST, ALONG SAID WEST LINE A DISTANCE OF 1,204.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 426.093 ACRES.

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