

ORDINANCE NO. 2022-108

An Ordinance of the Board of County Commissioners of Osceola County, Florida, establishing the Lake Lizzie Community Development District, at approximately 72.18 acres, pursuant to Chapter 190, Florida Statutes; naming the District; describing the external boundaries of the District; describing the functions and powers of the District; designating five persons to serve as the initial members of the District's Board of Supervisors; providing for severability; providing for conflict; and providing an effective date.

RECITALS

WHEREAS, Hanover Tyson, LLC ("Petitioner"), having obtained written consent to the establishment of the District by the owner of one hundred percent (100%) of the real property to be included in the District, has filed a Petition to Establish the Lake Lizzie Community Development District (the "Petition") with the Board of County Commissioners (the "County Commission") of Osceola County, Florida (the "County") pursuant to Section 190.005(2)(a), *Florida Statutes*, to adopt an ordinance establishing the Lake Lizzie Community Development District (the "District") pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Petitioner is a Florida limited liability company, authorized to conduct business in the State of Florida ("State"); and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County Commission, pursuant to Section 190.005(2)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that hearing, the County Commission has considered the record at the public hearing and the statutory factors set forth in Sections 190.005(2)(c) and 190.005(1)(e), *Florida Statutes*, in making its determination to grant or deny the Petition; and

WHEREAS, the County Commission has determined pursuant to the information contained within the Petition and based on an investigation conducted by the County Staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District: that the statements within the Petition are true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the County Comprehensive Plan; that the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functionally interrelated community; that the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; that the 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; and that the area to be served by the District is amenable to separate special-district governance; and

WHEREAS, pursuant to the information as stated above, the County Commission has decided to grant the District's Petition to establish the Lake Lizzie Community Development District; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described within the Petition.

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

SECTION 1. RECITALS.

The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY.

This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 3. DISTRICT NAME.

There is hereby established a Community Development District situated entirely within the unincorporated limits of Osceola County, Florida, which District shall be known as the "**Lake Lizzie Community Development District.**"

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT.

The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated herein by reference, the overall boundaries encompassing 72.18 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

SECTION 5. FUNCTIONS AND POWERS.

The powers and functions of the District are described in Chapter 190, *Florida Statutes*, as may be amended from time to time, and include all general powers as described in Section 190.011. The County consents to the District's exercise of the special powers described in Section 190.012(2)(a) and 2(d), *Florida Statutes*, as may be amended from time to time.

SECTION 6. BOARD OF SUPERVISORS.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

<u>Name</u>	<u>Address</u>
Anthony Iorio	605 Commonwealth Avenue, Orlando, Florida 32803
Jason Lonas	605 Commonwealth Avenue, Orlando, Florida 32803

Doug Beasley
Duane "Rocky" Owen
Thomas Franklin, Sr.

605 Commonwealth Avenue, Orlando, Florida 32803
5585 Alligator Lake Road, St. Cloud, Florida 34772
1818 Admiral Count, Kissimmee, Florida 34744

All the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7. **SEVERABILITY.**

If any provision of this Ordinance or the application thereof is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 8. **CONFLICT.**

Any ordinance or part thereof, or any resolution, or part thereof, which is in conflict with this Ordinance or part hereof is hereby repealed to the extent of the conflict.

SECTION 9. **EFFECTIVE DATE.**

The Clerk shall file a certified copy of this Ordinance with the Department of State within ten (10) days of its adoption. This Ordinance shall take effect immediately upon its filing with the Department of State.

DULY ENACTED in regular session on this 17th day of October, 2022.

BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY, FLORIDA

By: 
Chair/Vice Chair

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: 
~~Clerk~~ Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of:
October 17th, 2022



Exhibit "A"

LEGAL DESCRIPTION:

PER CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT
FILE No. 20200389, DATED JULY 29, 2020 AT 5:00PM

PARCEL:

From the Northwest corner of the Southwest 1/4 of Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run N89°68'40"E, along the North line of said Southwest 1/4, 1740.00 feet; run thence South, parallel to the West line of said Southwest 1/4, 1048.61 feet to the Point of Beginning; continue South, 550.00 feet; run thence N89°38'40"E, 1660.00 feet; run thence North, parallel to the West line of said Southwest 1/4, 550.00 feet; run thence S89°38'40"W, 1660.00 feet to the Point of Beginning.

TOGETHER WITH:

From the Northwest corner of the Southwest 1/4 of Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run N89°38'40"E, along the North line of said Southwest 1/4, 1740.0 feet; run thence South, parallel to the West line of said Southwest 1/4, 1598.61 feet to the Point of Beginning; continue South, 330.0 feet, run thence N89°38'40"E, 660.0 feet; run thence South 822.26 feet to a point 25.0 feet off the centerline of Old Kissimmee-Melbourne Road; run thence S68°38'10"E, parallel to the centerline of said road, 878.57 feet, run thence S71°25'51"E, parallel to said centerline, 255.21 feet; run thence N28°16'35"E along the Westerly Right of Way line of State Road 534-A, 1778.4 feet; run thence S89°38'40"W, 2563.40 feet to the Point of Beginning, being in Sections 3 and 10, Township 26 South, Range 31 East, Osceola County, Florida; **LESS AND EXCEPT:** from the Northwest corner of the Southwest 1/4 of Section 3, run N89°38'40"E, along the North line of said Southwest 1/4, 170.0 feet; run thence South, parallel to the West line of said Southwest 1/4, 1928.61 feet; run thence N89°38'40"E, 660.0 feet to the Point of Beginning; continue N89°38'40"E, 100.0 feet; run thence South, 862.0 feet to the North Right of Way line of the Old Kissimmee-Melbourne Road; run thence N68°38'10"W, 107.38 feet along said Right of Way; run thence North, 822.26 feet to the Point of Beginning.

Total Area is 72.18 AC.



8 BROADWAY AVENUE, SUITE 104, FLORIDA 34741-5481
PHONE: (407) 847-9433 FAX: (407) 847-2499
ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270
ENGINEERING, SURVEYING AND PLANNING



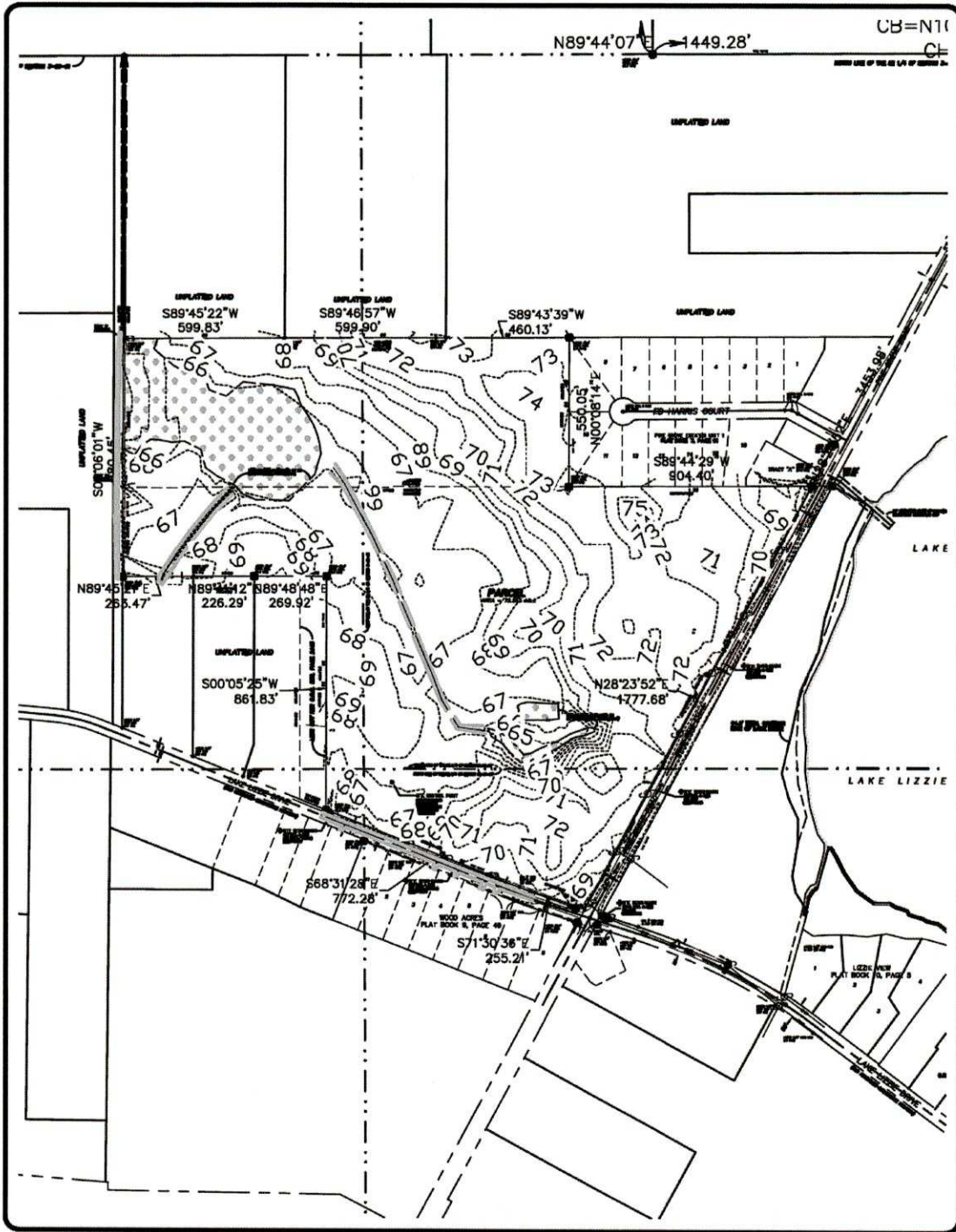
HANSON, WALTER & ASSOCIATES, INC.



LAKE LIZZIE CDD

LEGAL DESCRIPTION

DATE 03/24/2022

SHEET 1 OF 2



 <p>8 BROADWAY AVENUE, SUITE 104, FLORIDA 34741-5481 PHONE: (407) 847-9433 FAX: (407) 847-2499 ENG. CERT. OF AUTHOR. No. 3285/SUR. CERT. OF AUTHOR. No. 3270 ENGINEERING, SURVEYING AND PLANNING</p>		<h2>LAKE LIZZIE CDD</h2>
HANSON, WALTER & ASSOCIATES, INC.		BOUNDARY SURVEY
DATE 03/24/2024		SHEET 2 OF 2



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 25, 2022

Amairani Espinoza
Clerk of the Board
Osceola County
2 Courthouse Square
Kissimmee, Florida 34741

Dear Amairani Espinoza:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Osceola County Ordinance No. 2022-108, which was filed in this office on October 25, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/rra