

ORDINANCE

15-7

ORDINANCE NO. 15-7

AN ORDINANCE EXPANDING THE BOUNDARIES OF THE MIRABELLA COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; DESCRIBING THE EXPANDED BOUNDARIES OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mirabella Community Development District was created by Hillsborough County Ordinance No. 06-7, approved by the Hillsborough County Board of County Commissioners on March 7, 2006, and encompasses 93.321 acres, more or less; and

WHEREAS, Mirabella Community Development District (the "District"), has petitioned the Board of County Commissioners of Hillsborough County (the "County") to adopt an ordinance expanding the District pursuant to Chapter 190, Florida Statutes, to add approximately 3.462 acres to the District; and

WHEREAS, the real property constituting the approximately 3.462 acres is described in the attached Exhibit "A"; and

WHEREAS, the owners of the approximately 3.462 acres to be added to the District, as described in Exhibit "A," have consented in writing to the inclusion of such property within the boundaries of the District; and

WHEREAS, the petition seeks, by way of adding the real property described in Exhibit "A", to designate all of the real property described in Exhibit "B" as land within the District, for which the District is authorized to manage and finance basic service delivery;

WHEREAS, the expanded District will constitute a timely, efficient, effective, responsive and economic method of delivering community development services, in the area described in Exhibit "B", which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management and financing needs for the delivery of capital infrastructure therein 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 Sections 190.005 (1) (d) and (2)(b), and 190.046(1)(b), Fla. Stats.; and

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

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA THIS **24th** DAY OF **March** _____, 2015 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 expansion 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 expanded District is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developable as one functional interrelated community;
5. the expansion 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 expanded 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 expanded District is amenable to separate, special-district government.

SECTION 2. CONCLUSIONS OF LAW.

1. This proceeding is governed by Chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to Sections 190.005 (2) and 190.046(1)(b), Fla. Stats.; and
3. The granting of the Petition complies with the dictates of Chapter 190, Fla. Stats.

SECTION 3. BOUNDARY EXPANSION. The area of land described in the attached Exhibit "A" is hereby added to and included within the geographical boundaries of the District. Accordingly, all of the real property identified in Exhibit "B," encompassing 96.783 acres, more or less, is now designated as land within the District.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State.

SECTION 5. 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.

Adopted this 24 day of March, 2015.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, PAT COLLIER FRANK, 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 March 24, 2015, as the same appears of record in Minute Book 466 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 25 day of March, 2015.

PAT COLLIER FRANK

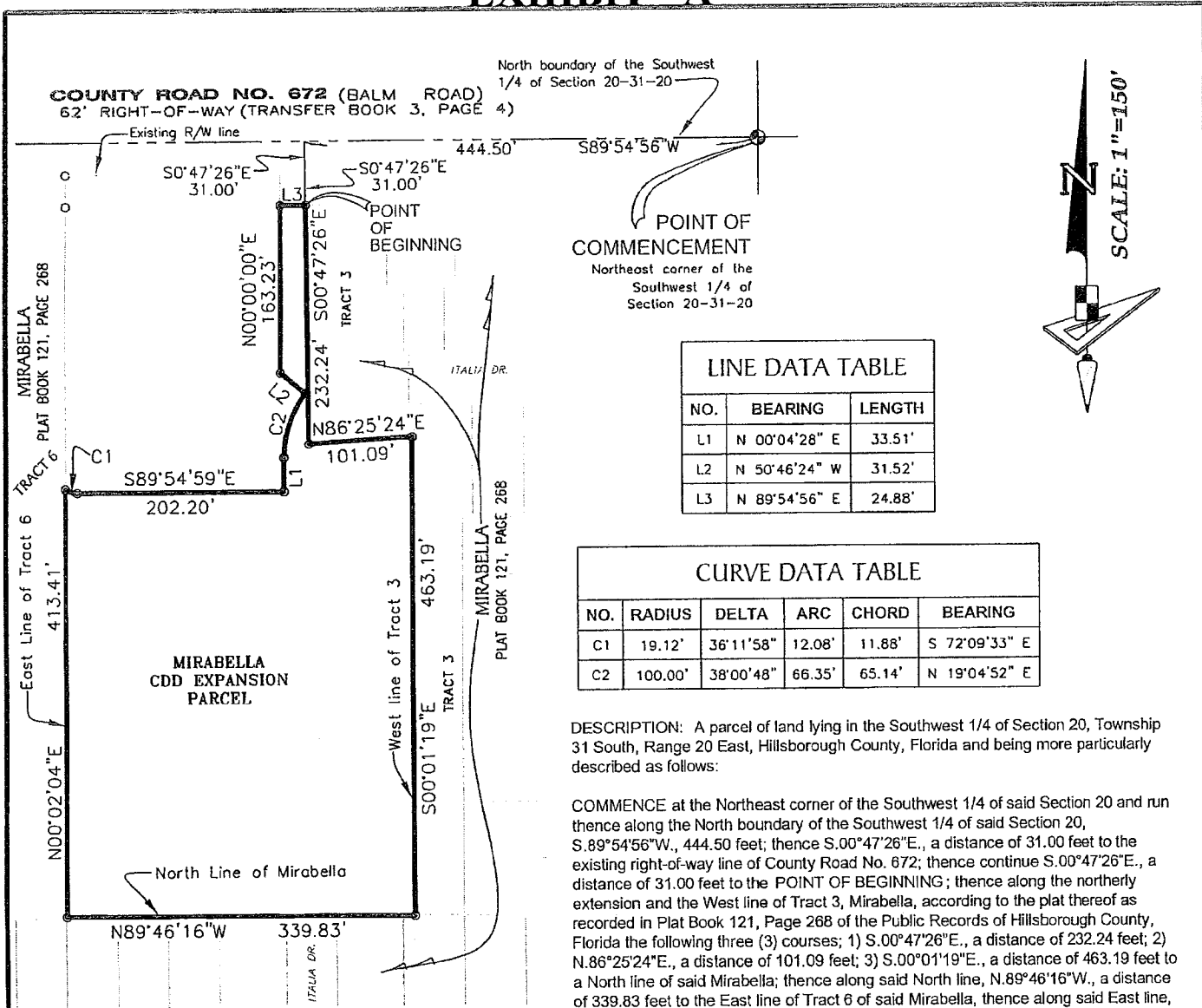
BY: Parula A. Blinks
Deputy Clerk



APPROVED BY COUNTY ATTORNEY

BY: [Signature]
Approved as to form and legal sufficiency

EXHIBIT "A"



LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N 00°04'28" E	33.51'
L2	N 50°46'24" W	31.52'
L3	N 89°54'56" E	24.88'

CURVE DATA TABLE					
NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	19.12'	36°11'58"	12.08'	11.88'	S 72°09'33" E
C2	100.00'	38°00'48"	66.35'	65.14'	N 19°04'52" E

DESCRIPTION: A parcel of land lying in the Southwest 1/4 of Section 20, Township 31 South, Range 20 East, Hillsborough County, Florida and being more particularly described as follows:

COMMENCE at the Northeast corner of the Southwest 1/4 of said Section 20 and run thence along the North boundary of the Southwest 1/4 of said Section 20, S.89°54'56"W., 444.50 feet; thence S.00°47'26"E., a distance of 31.00 feet to the existing right-of-way line of County Road No. 672; thence continue S.00°47'26"E., a distance of 31.00 feet to the **POINT OF BEGINNING**; thence along the northerly extension and the West line of Tract 3, Mirabella, according to the plat thereof as recorded in Plat Book 121, Page 268 of the Public Records of Hillsborough County, Florida the following three (3) courses; 1) S.00°47'26"E., a distance of 232.24 feet; 2) N.86°25'24"E., a distance of 101.09 feet; 3) S.00°01'19"E., a distance of 463.19 feet to a North line of said Mirabella; thence along said North line, N.89°46'16"W., a distance of 339.83 feet to the East line of Tract 6 of said Mirabella, thence along said East line, N.00°02'04"E., a distance of 413.41 feet; thence leaving said East line, Easterly, 12.08 feet along the arc of a non-tangent curve to the left having a radius of 19.12 feet and a central angle of 36°11'58" (chord bearing S.72°09'33"E., 11.88 feet); thence S.89°54'59"E., a distance of 202.20 feet; thence N.00°04'28"E., a distance of 33.51 feet; thence Northerly, 66.35 feet along the arc of a tangent curve to the right having a radius of 100.00 feet and a central angle of 38°00'48" (chord bearing N.19°04'52"E., 65.14 feet); thence N.50°46'24"W., a distance of 31.52 feet; thence N.00°00'00"E., a distance of 163.23 feet; Thence along a line being 62.00 feet south of and parallel to the North boundary of the Southwest 1/4 of said Section 20, N.89°54'56"E., a distance of 24.88 feet to the **POINT OF BEGINNING**.

Containing 3.462 Acres, More or Less.

SURVEYORS' NOTES:

1. This Description Sketch was prepared without the benefit of a title abstract and is subject to any and all matters of records.
2. This Description Sketch is not valid without the signature and original seal of a Florida Registered Surveyor & Mapper.
3. Basis of Bearings: The Northerly line of the Southwest 1/4 of Section 20, Township 31 South, Range 20 East, Hillsborough County, has a Grid Bearing S.89°54'56"W. The Grid Bearings as shown hereon refer to the State Plane Coordinate System, North American Datum of 1983 (NAD 83 - 2011 Adjustment) for the West Zone of Florida.

MIRABELLA CDD EXPANSION

REVISIONS				Prepared For: 6720 Mirabella, LLC	
No.	Date	Description	Dwn.		
Sheet No. 1 of 1 Sheets					
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER				1403 E. 5th Avenue Tampa, Florida 33605 www.geopointsurveying.com	
				Phone: (813) 248-8888 Fax: (813) 248-2266 Licensed Business Number LB 7768	
				Drawn: JDW Date: 11/24/2014 Data File: Check: JMG P.C.: N/A Field Book: N/A Section: 20 Twn. 31S Rng. 20E Job #: JSH MB 016L	

EXHIBIT "B"

MIRABELLA CDD - (North Parcel)

DESCRIPTION: A parcel of land lying in Section 20, Township 31 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of the Northwest 1/4 of said Section 20 and run thence along the East boundary of the Northwest 1/4 of said Section 20, N.00°04'57"W., a distance of 31.00 feet to the North Right-of-Way line of Balm Road (County Road 672) and the POINT OF BEGINNING; thence along said North Right-of-Way line, S.89°54'56"W., a distance of 1592.79 feet to the East boundary of the West 1122.00 feet of said Northwest 1/4 of Section 20; thence along said East boundary, N.00°22'14"E., a distance of 660.01 feet to the North boundary of the South 691.00 feet of said Northwest 1/4 of Section 20; thence along said North boundary, N.89°55'42"E., a distance of 330.12 feet to the West boundary of lands described in Official Records Book 8487, Page 933 of the public records of Hillsborough County, Florida; thence along said West boundary, N.00°18'55"E., a distance of 659.79 feet to the South boundary of lands described in Official Records Book 15090, Page 161 of the public records of Hillsborough County, Florida; thence along said South boundary, N.89°53'29"E., a distance of 543.42 feet to the East boundary of said lands described in Official Records Book 8487, Page 933 of the public records of Hillsborough County, Florida; thence along said East boundary, S.00°21'19"W., a distance of 9.50 feet to a point on the North boundary of the South 1/2 of said Northwest 1/4 of Section 20; thence along said North boundary, S.89°55'21"E., a distance of 709.38 feet to the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of Section 20; thence along the North boundary of said Southwest 1/4 of the Northeast 1/4 of Section 20, N.89°53'56"E., a distance of 579.99 feet; thence leaving said North boundary, S.00°32'28"E., a distance of 1129.75 feet; thence S.89°55'04"W., a distance of 323.83 feet; thence S.00°03'43"E., a distance of 178.90 feet to said North Right-of-Way line of Balm Road; thence along said North Right-of-Way line, S.89°55'04"W., a distance of 265.00 feet to the POINT OF BEGINNING.

Containing 59.179 acres, more or less.

MIRABELLA CDD - (South Parcel)

DESCRIPTION: A parcel of land lying in Section 20, Township 31 South, Range 20 East, Hillsborough County, Florida, including all of MIRABELLA, according to the plat thereof as recorded in Plat Book 121, Pages 268 through 271, of the public records of Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of the Southwest 1/4 of said Section 20; run thence along the East boundary of said Southwest 1/4 of Section 20, S.00°04'26"E., a distance of 31.00 feet to a point on the South Right-of-Way line of Balm Road (County Road No. 672), said point also being the Northeast corner of aforementioned MIRABELLA; thence continue along said East boundary of the Southwest 1/4 of Section 20, also being the East boundary of said MIRABELLA, S.00°04'26"E., a distance of 31.00 feet to the POINT OF BEGINNING; thence continue along said East boundary of the Southwest 1/4 of Section 20 and the East boundary of said MIRABELLA, S.00°04'26"E., a distance of 1243.42 feet to the South boundary of the Northeast 1/4 of the Southwest 1/4 of said Section 20, also being the South boundary of said MIRABELLA; thence along said South boundary and the Westerly extension of MIRABELLA, N.89°47'17"W., a distance of 1363.06 feet to the West boundary of said Northeast 1/4 of the Southwest 1/4 of Section 20; thence along said West boundary, N.00°09'34"E., a distance of 1267.38 feet to the aforementioned South Right-of-Way line of Balm Road (County Road No. 672); thence along said South Right-of-Way line, N.89°54'56"E., a distance of 339.39 feet to the Northwest corner of said MIRABELLA; thence along the West boundary of said MIRABELLA, S.00°05'54"W., a distance of 31.00 feet; thence leaving said West boundary N.89°54'56"E., a distance of 339.72 feet to a point on the East boundary of the East 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Section 20, also being the East boundary of Tract 6 (Public Drainage Easement) of said MIRABELLA; thence along said East boundary, S.00°02'04"W., a distance of 273.98 feet to a point on a curve; thence leaving said East boundary Easterly, 12.08 feet along the arc of a curve to the left having a radius of 19.12 feet and a central angle of 36°11'58" (chord bearing S.72°09'33"E., 11.88 feet); thence S.89°54'59"E., 202.20 feet; thence N.00°04'28"E., a distance of 33.51 feet; thence Northerly, 66.35 feet along the arc of a tangent curve to the right having a radius of 100.00 feet and a central angle of 38°00'48" (chord bearing N.19°04'52"E., 65.14 feet); thence N.50°46'24"W., 31.52 feet; thence NORTH, a distance of 163.23 feet; thence along a line lying 62.00 feet South of and parallel with the North boundary of the Southwest 1/4 of said Section 20, N.89°54'56"E., a distance of 468.60 feet to the POINT OF BEGINNING.

Containing 37.604 acres, more or less.

NOTE: See Sheets 2 through 4 for Sketch, Details & Line/Curve Data Tables.

MIRABELLA CDD



REVISIONS			
No.	Date	Description	Dwn.

Prepared For: **MIRABELLA LLC**

DESCRIPTION SKETCH

No. **107**

STATE OF FLORIDA

REGISTERED LAND SURVEYOR

JOHN D. WELLS

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. **155246**

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

GeoPoint

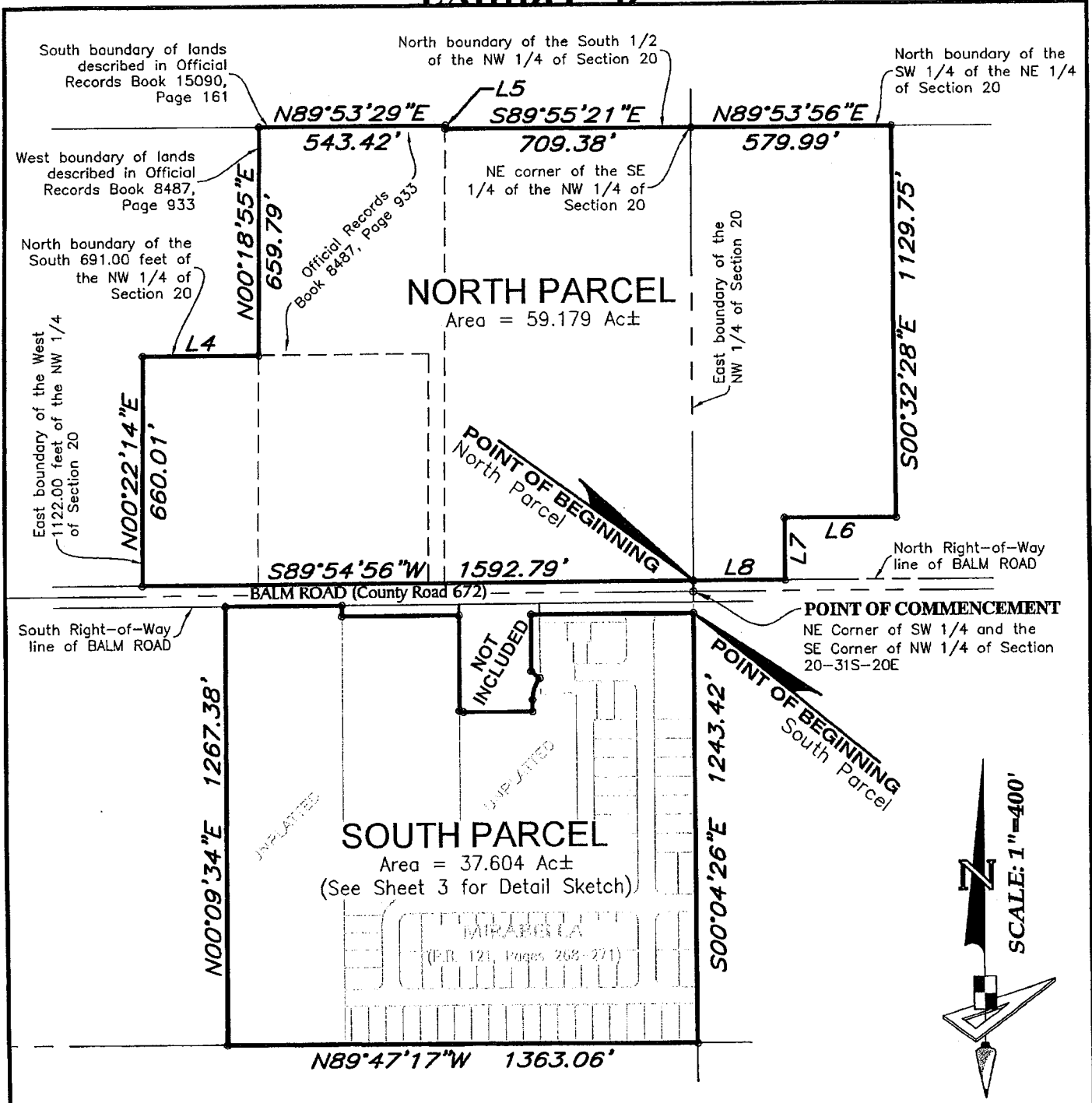
Surveying, Inc.

1403 E. 5th Avenue
Tampa, Florida 33605
www.geopointsurveying.com

Phone: (813) 248-8888
Fax: (813) 248-2266
Licensed Business Number LB 7768

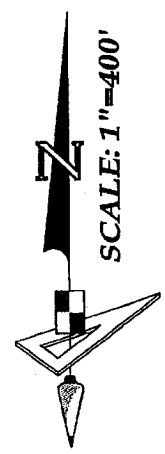
Drawn: TS	Date: 12/1/14	Data File: _____
Check: JDW	P.C.: n/a	Field Book: _____
Section: 20, Twp. 31 S., Rge. 20 E.		Job #: JSH MB 016

EXHIBIT "B"



NOTE: See Sheet 1 for Legal Description
See Sheets 3 and 4 for Details & Line/Curve Data Tables.

MIRABELLA CDD



REVISIONS			
No.	Date	Description	Dwn.

Prepared For: 672 Mirabella LLC

DESCRIPTION SKETCH
(Not a Survey)

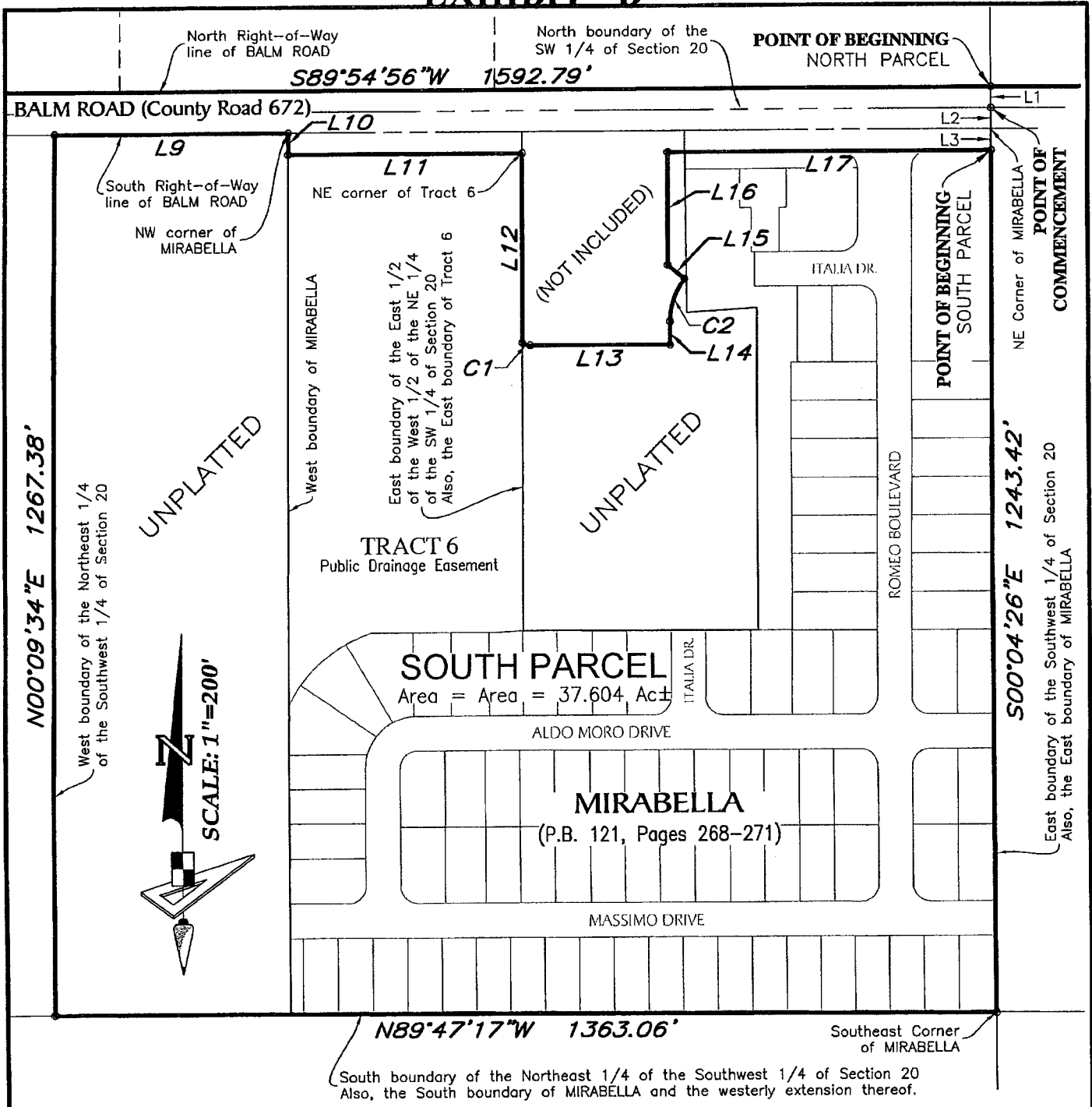
GeoPoint
Surveying, Inc.

1403 E. 5th Avenue
Tampa, Florida 33605
www.geopointsurveying.com

Phone: (813) 248-8888
Fax: (813) 248-2266
Licensed Business Number LB 7768

Drawn: TS	Date: 12/1/14	Data File: _____
Check: JDW	P.C.: n/a	Field Book: _____
Section: 20, Twp. 31 S., Rge. 20 E.		Job #: JSH MB 016

EXHIBIT "B"



NOTE: See Sheet 1 for Legal Description,
 See Sheet 2 for overall sketch and
 See Sheet 4 for Line & Curve Data Tables.

MIRABELLA CDD



REVISIONS			
No.	Date	Description	Dwn.

Prepared For: 672 Mirabella LLC

DESCRIPTION SKETCH
 (Not a Survey)

GeoPoint
 Surveying, Inc.

1403 E. 5th Avenue
 Tampa, Florida 33605
 www.geopointsurvey.com

Phone: (813) 248-8888
 Fax: (813) 248-2266
 Licensed Business Number LB 7768

Drawn: TS	Date: 12/1/14	Data File: _____
Check: JDW	P.C.: n/a	Field Book: _____
Section: 20, Twp. 31 S., Rge. 20 E.		Job #: JSH MB 016

EXHIBIT "B"

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N 00°04'57" W	31.00'
L2	S 00°04'26" E	31.00'
L3	S 00°04'26" E	31.00'
L4	N 89°55'42" E	330.12'
L5	S 00°21'19" W	9.50'
L6	S 89°55'04" W	323.83'
L7	S 00°03'43" E	178.90'
L8	S 89°55'04" W	265.00'
L9	N 89°54'56" E	339.39'

LINE DATA TABLE		
NO.	BEARING	LENGTH
L10	S 00°05'54" W	31.00'
L11	N 89°54'56" E	339.72'
L12	S 00°02'04" W	273.98'
L13	S 89°54'59" E	202.20'
L14	N 00°04'28" E	33.51'
L15	N 50°46'24" W	31.52'
L16	NORTH	163.23'
L17	N 89°54'56" E	468.60'

CURVE DATA TABLE					
NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	19.12'	36°11'58"	12.08'	11.88'	S 72°09'33" E
C2	100.00'	38°00'48"	66.35'	65.14'	N 19°04'52" E

NOTE: See Sheet 1 for Legal Description, and Sheets 2 & 3 for Sketch and Details.

MIRABELLA CDD



REVISIONS			
No.	Date	Description	Dwn.

Prepared For: 672 Mirabella LLC

DESCRIPTION
SKETCH

(Not a Survey)

GeoPoint

Surveying, Inc.

1403 E. 5th Avenue Phone: (813) 248-8888
 Tampa, Florida 33605 Fax: (813) 248-2266
 www.geopointsurvey.com Licensed Business Number LB 7768

Drawn: TS	Date: 12/1/14	Data File: _____
Check: JDW	P.C.: n/a	Field Book: _____
Section: 20, Twp. 31 S., Rge. 20 E.		Job #: JSH MB 016



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 25, 2015

Honorable Pat Frank
Clerk of the Circuit Court
Hillsborough County
Post Office Box 1110
Tampa, Florida 33601-1110

Attention: Midge Dixon, Deputy Clerk, BOCC Records

Dear Mrs. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hillsborough County Ordinance No. 15-7, which was filed in this office on March 25, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb