

ORDINANCE 2021-58

AN ORDINANCE ESTABLISHING THE RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE INITIAL BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Forestar (USA) Real Estate Group, Inc. ("**Petitioner**") has petitioned the City Council for the City of Ocala, Florida ("**City**") to adopt an ordinance establishing the boundaries of the Ridge at Heath Brook Community Development District ("**District**") pursuant to Chapter 190, *Florida Statutes*, and granting certain special powers; and

WHEREAS, the City, in determining whether to establish the District boundaries, has considered and finds that all statements contained in the *Petition to Establish the Ridge at Heath Brook Community Development District* ("**Petition**") are true and correct; and

WHEREAS, the City has considered and finds that the establishment of the District is not inconsistent with any applicable element or portion of the applicable Comprehensive Plan; and

WHEREAS, the City has considered and finds that the area of land within the District is a sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as a functional interrelated community; and

WHEREAS, the City has considered and finds that the District is an available alternative for delivering the community development services and facilities to the area that will be served by the District; and

WHEREAS, the City has considered and finds that 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; and

WHEREAS, the City has considered and finds that it is not problematic for the subject area to be served by a separate special-district government; and

WHEREAS, a duly noticed public hearing on the Petition was held prior to the adoption of this Ordinance establishing the District.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ocala, Florida, as follows:

SECTION 1: AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, *Florida Statutes* (2020).

SECTION 2: DISTRICT NAME. There is hereby created a community development district situated entirely within incorporated Ocala, Florida, which District shall be known as the “Ridge at Heath Brook Community Development District.”

SECTION 3: EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto.

SECTION 4: FUNCTIONS AND POWERS. The powers and functions of the District are described in Chapter 190, *Florida Statutes* (2020), as may be amended from time to time. The Charter of the District shall be as set forth in Chapter 190, *Florida Statutes*, as created by general law. The District’s Board of Supervisors may further exercise certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for (a) parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and (b) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by applicable governmental agencies; except that the District may not exercise any police power, but may contract with the City for an increased level of such services within the proposed District boundaries, all as authorized and described by Section 190.012(2), *Florida Statutes*.

SECTION 5: BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District’s Board of Supervisors are:

Name: Mary Moulton
Address: 4042 Park Oaks Boulevard, Suite 200
Tampa, Florida 33610

Name: Tim Martin
Address: 4042 Park Oaks Boulevard, Suite 200
Tampa, Florida 33610

Name: Ty Vincent
Address: 4042 Park Oaks Boulevard, Suite 200
Tampa, Florida 33610

Name: Steve Aiken
Address: 4042 Park Oaks Boulevard, Suite 200
Tampa, Florida 33610

Name: Ryan Zook
Address: 12620 Telecom Drive
Tampa, Florida 33637

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

SECTION 6: SEVERABILITY. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 7: EFFECTIVE DATE. This Ordinance shall take effect upon its passage and adoption pursuant to general law.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Ocala, Florida, held on the 15 day of June, 2021.

ATTEST:

By: Angel B. Jacobs
Angel B. Jacobs
City Clerk

CITY OF OCALA

By: Justin Grabelle
Justin Grabelle
President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on 6/16, 2021.

By: Reuben Kent Guinn
Reuben Kent Guinn
Mayor

Approved as to form and legality:

By: Robert W. Batsel, Jr.
Robert W. Batsel, Jr.
City Attorney

Ordinance No: 2021-58
Introduced: 6/1/2021
Adopted: 6/15/2021
Legal Ad No: 5911609 - 6/4/21

Exhibit A - ORDINANCE 2021-58

DESCRIPTION:(Written by GEOPOINT SURVEYING, INC.)

A portion of land lying in Section 34, Township 15 South, Range 21 East and a portion of Section 3, Township 16 South, Range 21 East, Marion County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 3; thence N89°20'20"W, along the North line of Section 3, a distance of 115.68 feet to the Southeast corner of EXECUTIVE PARK, as recorded in Plat Book T, Pages 11 through 13, of the public records of Marion County, Florida; thence N89°20'20"W, along the South line of EXECUTIVE PARK and the North line of Section 3, a distance of 2,365.40 feet to the **POINT OF BEGINNING**; thence S.09°14'25"E., a distance of 108.30 feet; thence S.32°21'14"E., a distance of 55.05 feet; thence S.07°07'22"E., a distance of 133.55 feet; thence Easterly, 60.64 feet along the arc of a non-tangent curve to the right having a radius of 675.00 feet and a central angle of 05°08'50" (chord bearing N.76°19'24"E., 60.62 feet); thence S.11°06'11"E., a distance of 125.00 feet; thence S.34°29'20"E., a distance of 54.99 feet; thence S.08°36'03"E., a distance of 125.01 feet; thence N.82°31'04"E., a distance of 21.55 feet; thence S.07°07'22"E., a distance of 125.00 feet; thence S.33°25'17"E., a distance of 55.77 feet; thence S.07°07'22"E., a distance of 125.00 feet; thence N.82°52'38"E., a distance of 36.29 feet; thence S.07°07'22"E., a distance of 175.00 feet; thence S.82°52'38"W., a distance of 47.52 feet; thence Southwesterly, 39.27 feet along the arc of a tangent curve to the left having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing S.37°52'38"W., 35.36 feet); thence S.83°59'27"W., a distance of 50.01 feet; thence S.07°07'22"E., a distance of 45.08 feet; thence Southerly, 204.19 feet along the arc of a tangent curve to the right having a radius of 475.00 feet and a central angle of 24°37'49" (chord bearing S.05°11'32"W., 202.62 feet); thence Southerly, 214.58 feet along the arc of a reverse curve to the left having a radius of 725.00 feet and a central angle of 16°57'29" (chord bearing S.09°01'42"W., 213.80 feet); thence S.00°32'58"W., a distance of 96.28 feet; thence S.11°51'15"W., a distance of 77.00 feet; thence S.02°35'16"W., a distance of 122.94 feet; thence S.00°00'30"W., a distance of 20.17 feet; thence Westerly, 223.14 feet along the arc of a non-tangent curve to the right having a radius of 960.00 feet and a central angle of 13°19'03" (chord bearing N.80°08'54"W., 222.64 feet); thence Northwesterly, 371.76 feet along the arc of a compound curve to the right having a radius of 1305.00 feet and a central angle of 16°19'19" (chord bearing N.65°19'43"W., 370.50 feet); thence S.70°14'30"W., a distance of 91.50 feet; thence N.11°55'40"W., a distance of 735.58 feet; thence S.80°00'30"W., a distance of 668.21 feet; thence N.10°17'40"W., a distance of 144.01 feet; thence N.41°45'28"E., a distance of 620.83 feet; thence N.19°08'27"E., a distance of 295.63 feet; thence N.41°08'51"E., a distance of 314.68 feet; thence S.48°10'53"E., a distance of 317.64 feet; thence N.57°38'25"E., a distance of 340.05 feet; thence N.82°51'32"E., a distance of 79.04 feet; thence S.18°14'00"E., a distance of 20.41 feet; thence S.09°14'25"E., a distance of 11.99 feet to the **POINT OF BEGINNING**.

Containing 39.365 acres, more or less.