

AT THE REQUEST OF THE ENTIRE CITY COMMISSION

ORDINANCE 2005-0894

AN ORDINANCE BY THE CITY OF DADE CITY, FLORIDA, ESTABLISHING THE SUMMIT VIEW COMMUNITY DEVELOPMENT DISTRICT WITHIN A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 24 SOUTH, RANGE 21 EAST (135.337 ACRES MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED IN SECTION 2 HEREOF) PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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WHEREAS, Summit View, LLC, (the "Petitioner") has submitted a petition with the City Commission of the City of Dade City, Florida (the "City") pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish the Summit View Community Development District (the "District"), and designating the land area for which the District would manage and finance the delivery of basic infrastructure services; and

WHEREAS, pursuant to Chapter 190, Florida Statutes, the City conducted a public hearing on June 28, 2005 to consider oral and written comments on the petition; and

WHEREAS, the proposed District complies with the requirements of law, and is in the best interest and promotes the health, safety and welfare of the citizens of the City of Dade City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AS FOLLOWS:

Section 1. The recitals above are hereby incorporated as if fully set forth herein.

Section 2. The Summit View Community Development District is hereby established, the administration of which shall be subject to the provisions of Chapter 190, Florida Statutes, as amended; and the boundaries of which are more particularly described in Exhibit "A" attached hereto.

Section 3. The five initial members of the Board of Supervisors are:

- A. Mr. Kevin T. Cimino of 3281 Landmark Drive, Clearwater, FL 33761
- B. Mr. Matthew J. Dunn of 3281 Landmark Drive, Clearwater, FL 33761
- C. Dr. Douglas J. Weiland of 3281 Landmark Drive, Clearwater, FL 33761
- D. Ms. Julie A. West of 3281 Landmark Drive, Clearwater, FL 33761
- E. Mr. Sherman F. Taylor of 3281 Landmark Drive, Clearwater, FL 33761

Section 4. All statements contained within the petition have been found to be true and correct.



Section 5. The establishment of the District is consistent with any applicable element or portion of the State comprehensive plan and with the City's comprehensive plan.

Section 6. The area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

Section 7. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District.

Section 8. The community development services and facilities of the District will be compatible with the capacity and uses of existing local and regional community development services and facilities.

Section 9. The area that will be served by the District is amenable to separate special-district government.

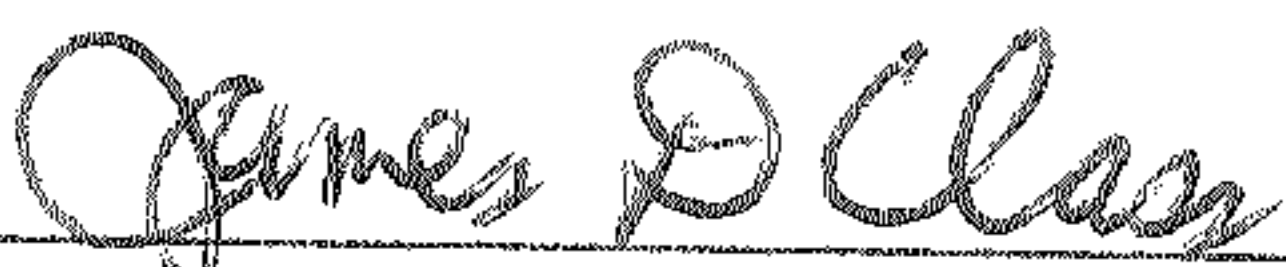
Section 10. The City hereby consents to the exercise by the District of the special powers set forth in Section 190.012(2), Florida Statutes.

Section 11. 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 12. This ordinance shall become effective immediately upon its adoption.

Approved by the City Commission of the City of Dade City upon first reading this 28<sup>th</sup> day of June, 2005 and enacted following public hearing on July 12, 2005.

ATTEST:

  
James D. Class, City Clerk

CITY OF DADE CITY

  
P. Hutchison Brock, II, Mayor

Approved as to Legal Form and Content

  
Karla S. Owens, City Attorney

EXHIBIT A  
SUMMIT VIEW COMMUNITY DEVELOPMENT DISTRICT

The S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; the N  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; AND the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , LESS road right-of-way, all in Section 32, Township 24 South, Range 21 East, Pasco County, Florida, being further described as follows:

Commencing at the Southwest Corner of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 32, Township 24 South, Range 21 East, Pasco County, Florida, thence along the South line of said NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ; run N 89°57'30" E, 35.00 feet to the Easterly right-of-way line of County Road S-579, also known as Happy Hill Road, for a Point of Beginning; thence along said right-of-way line N 00°09'50" E, 245.18 feet, thence S 89°50'10" E, 5.00 feet, thence along A curve to the right and concave Easterly with an angle of 17°29'40" radius of 1392.40 feet and chord bearing N 08°54'40" E, 423.50 feet, thence along the ARC of said curve, 425.15 feet to the North line of the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 32, thence N 89°57'55" E, 558.75 feet, thence N. 00°08'54" E, 663.45 feet to the North line of the SW  $\frac{1}{4}$  of said Section 32, thence N 89°58'20" E, 1988.93 feet to the center of said Section 32, thence N 00°10'28" E, 663.67 feet, thence N 89°57'30" E, 1321.40 feet to the West Boundary of LYNAN ESTATES as recorded in Official Record Book 4293, pages 1906 thru 1981, Public Records of Pasco County, Florida, thence along said Subdivision Boundary S 00°12'51" W, 663.70 feet, thence S 00°00'04" W 663.01 feet, thence S 89°57'45" W 661.09 feet, thence S 00°03'39" W, 663.05 feet, thence leaving said Subdivision Boundary, S 00°03'39" W, 331.52 feet to the South line of the N  $\frac{1}{4}$  of the S  $\frac{1}{2}$  of the S  $\frac{1}{2}$  of said Section 32, thence S 89°56'37" W, 1988.58 feet to the East line of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 32, thence N 00°07'58" E, 331.68 feet, thence S 89°57'30" W, 1291.67 feet to the POINT of BEGINNING.

Said land containing 135.348 acres, more or less, all lying and being in Pasco County, Florida.