

**ORDINANCE NO. 19-1665**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA ESTABLISHING THE HAMMOCK RESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDING OF FACTS; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE DESCRIPTION OF THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR NOTICE REQUIREMENTS; PROVIDING FOR COMPLIANCE WITH ALL REMAINING SECTIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, the "Uniform Community Development Act of 1980", Chapter 190, *Florida Statutes* (hereinafter referred to as the "ACT"), sets forth the exclusive and uniform method for establishing a community development district, and

**WHEREAS**, Section 190.005(2) of the ACT requires that a petition for the establishment of a community development district of less than 2,500 acres be filed by the petitioner with the municipality having jurisdiction over the majority of land in the area in which the district is to be located; and

**WHEREAS**, Section 190.005(1)(a) of the ACT requires that such petition contain certain information to be considered at a public hearing before the City Commission of the City of Haines City, Florida ("City"); and

**WHEREAS**, JMBE Real Estate, LLC ("Petitioner"), having obtained written consent to the establishment of the Hammock Reserve Community Development District (the "District"), by the owners of one-hundred percent (100%) of the real property to be included in the District and having presented documents evidencing the control of the real property to be included in the

District, has petitioned the City to adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes* (2019); and

**WHEREAS**, the Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida and whose principal place of business is 346 E. Central Avenue, Winter Haven, Florida 33880; and

**WHEREAS**, the Petition to Establish Hammock Reserve Community Development District ("Petition"), which was submitted to the City on October 3, 2019, has been determined to contain the requisite information as mandated by Section 190.005(1)(a) of the ACT; and

**WHEREAS**, all interested persons and affected units of general-purpose local government will be or have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on December 5, 2019; and

**WHEREAS**, on December 5, 2019, the City considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the ACT, and upon such review, has determined that granting the Petition is in the best interest of the City; and

**WHEREAS**, the establishment of the District shall not act to replace or amend any City or County land development approvals governing the land area to be included within the District; and

**WHEREAS**, all District roads, including any improvements to existing roads, shall be constructed to equal or exceed the applicable construction specifications of the City or the County; and

**WHEREAS**, it is believed that the establishment of the District will result in a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition, and

**NOW, THEREFORE, BE IT ENACTED** by the City Commission of the City of

Haines City, Florida as follows:

**SECTION 1. RECITALS INCORPORATED.**

The above recitals are true and correct and are incorporated herein.

**SECTION 2. AUTHORITY.**

This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, codified in Chapter 190, *Florida Statutes*. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

**SECTION 3. FINDINGS OF FACT.**

The City hereby finds and determines, pursuant to Section 190.005(1)(e) of the ACT, based on the testimony and evidence presented before the City, and the record established at the public hearing that:

- A. All statements within the Petition are true and correct
- B. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the State Comprehensive Plan, or the City of Haines City Comprehensive Plan.
- C. The area of land within the District, described in Exhibit "A", which is attached hereto and incorporated herein, is of a sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.
- D. The District is the best alternative available for delivering the community development services and facilities to the area that would be served by the District.
- E. 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

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

**SECTION 4. ESTABLISHMENT AND DISTRICT NAME.**

There is hereby created a community development district situated entirely within the incorporated limits of the City of Haines City, Florida, which District shall be known as the "Hammock Reserve Community Development District", and which shall be referred to in this Ordinance as the "District".

**SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.**

The external boundaries of the District are described in Exhibit "A", and said boundaries encompass approximately 110 acres, more or less.

**SECTION 6. DISTRICT POWERS AND FUNCTIONS.**

The powers and functions of the District are described in Chapter 190, *Florida Statutes* including those additional powers set forth in Section 190.012(2)(a) and (d).

**SECTION 7. BOARD OF SUPERVISORS.** The five persons designated to serve as

Name: Warren (Rennie) Heath  
Address: 346 East Central Avenue  
Winter Haven, Florida 33880

Name: Lauren Oakley Schwenk  
Address: 346 East Central Avenue  
Winter Haven, Florida 33880

Name: Patrick Marone  
Address: 346 East Central Avenue  
Winter Haven, Florida 33880

Name: Andrew Rhinehart  
Address: 346 East Central Avenue  
Winter Haven, Florida 33880

Name: Matthew Cassidy  
Address: 346 East Central Avenue  
Winter Haven, Florida 33880

**SECTION 8. NOTICE REQUIREMENTS.** Petitioner has caused a notice of a public hearing on the consideration of the Petition to be published in a newspaper at least once a week for four consecutive weeks immediately prior to such hearing in compliance with the provisions of Section 190.005(1)(d), Florida Statutes.

**SECTION 9. COMPLIANCE WITH ALL REMAINING PROVISIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE PROVISIONS OF LAW.** Petitioner has complied with all remaining provisions of Chapter 190, Florida Statutes and other provisions of law necessary for the establishment of the District.

**SECTION 10. REPEAL OF ORDINANCE IN CONFLICT.** All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

**SECTION 11. SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

**SECTION 12. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon it being read and approved in two meetings of the City Commission of the City of Haines City.

**INTRODUCED AND PASSED** in regular session of the City Commission of the City of Haines City, this 7<sup>th</sup> day of November 2019.

**ATTEST:**

By: Linda Bourgeois  
Linda Bourgeois, BAS, MMC,  
City Clerk

**APPROVED:**


Morris L. West  
Morris L. West, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

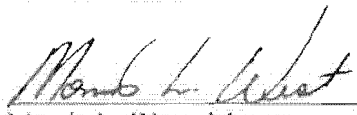
By:   
Fred Reilly, City Attorney

**ADOPTED AND ENACTED ON SECOND AND FINAL READING** by the City Commission of the City of Haines City, Florida, at regular session this 5<sup>th</sup> day of December 2019.

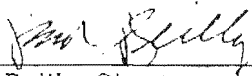
**ATTEST:**

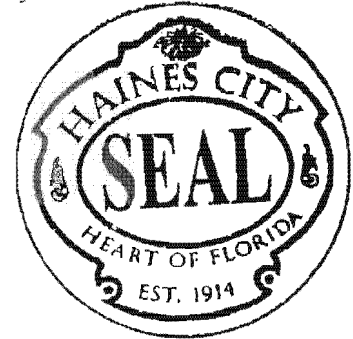
By:   
Linda Bourgeois, BAS, MMC,  
City Clerk

**APPROVED:**

  
Morris L. West, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

By:   
Fred Reilly, City Attorney



**EXHIBIT A**  
**LEGAL DESCRIPTION**

TRACT #1: ALL OF THE REPLAT OF A PART OF GOLF GROUNDS ESTATES AND AGUA VISTA COUNTRY CLUB, HAINES CITY, FLORIDA, AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 41, PAGE 26, PUBLIC RECORDS OF FOLK COUNTY, FLORIDA, LESS AND EXCEPT THAT PART THEREOF AS SET FORTH IN FINAL JUDGMENT, CASE NO. 18404-31-542, FILED JUNE 27, 1968, RECORDED IN O.R. BOOK 1164, PAGE 490, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND LESS AND EXCEPT RECTANGLE AT THE NORTHWEST (NW) CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, AND THEN RUN SOUTH EIGHTY-SEVEN (87) FEET MORE OR LESS TO THE EASTERLY BOUNDARY LINE OF THE RIGHT OF WAY OF COUNTY ROAD NO. 17, THEN RUN IN A EASTERLY DIRECTION A DISTANCE OF 872.50 FEET MORE OR LESS TO A POINT 110 FEET SOUTH OF THE SOUTH BOUNDARY LINE OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST; THEN RUN NORTH 118 FEET TO THE SOUTH BOUNDARY LINE OF SAID SECTION 19, THEN RUN WEST ALONG THE SAID SOUTH BOUNDARY LINE A DISTANCE OF 871.95 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THAT PORTION CONVEYED TO D E RANCH, INC., A FLORIDA CORPORATION, BY DEED RECORDED IN O.R. BOOK 10268, PAGE 2011, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

TRACT #2: ALL THAT PART OF WEST HALF OF NE 1/4 OF NW 1/4 AND ALL THAT PART OF NE 1/4 OF NW 1/4 OF NW 1/4 (OR NE 1/4 OF UNITED STATES GOVERNMENT LOT 1), LYING NORTH OF THE AOL RAILROAD RIGHT OF WAY IN SECTION 36, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION OF TRACT #2 LYING WITHIN AND NORTH OF THE RIGHT OF WAY OF JOHNSON AVENUE WEST.

LESS AND EXCEPT THAT PORTION OF TRACTS #1 AND 2 CONVEYED BY DEED RECORDED IN O.R. BOOK 8278, PAGE 1988, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN N00°02'56"W, ALONG THE WEST BOUNDARY OF SAID SECTION 19, 280.75 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY BOUNDARY OF THE CSX RAILROAD RIGHT OF WAY; THENCE CONTINUE N00°02'56"W ALONG SAID WEST BOUNDARY, 81.65 FEET; THENCE S65°19'34"E, 515.47 FEET; THENCE S65°43'55"E, PARALLEL WITH, AND 10 FEET NORTHERLY OF SAID RAILROAD RIGHT OF WAY, 1931.38 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 114°17'24", A CHORD BEARING OF N56°59'53"E, AND A CHORD DISTANCE OF 126.12 FEET; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 140.43 FEET TO THE END OF SAID CURVE; THENCE N00°16'19"W, 408.82 FEET; THENCE W61°52'00"W, 34.49 FEET; THENCE N00°16'21"W, 60.00 FEET TO THE SOUTHERLY RIGHT OF WAY BOUNDARY OF JOHNSON AVENUE; THENCE S63°52'00"E, ALONG SAID RIGHT OF WAY BOUNDARY, 86.39 FEET; THENCE S00°16'19"E, ALONG THE WEST BOUNDARY OF LAKE HESTER ESTATES SUBDIVISION, AND THE SOUTHERLY PROJECTION OF THAT WEST BOUNDARY, 617.29 FEET TO ITS INTERSECTION WITH THE AFOREMENTIONED NORTHERLY RIGHT OF WAY OF THE CSX RAILROAD; THENCE N65°43'55"W ALONG SAID RIGHT OF WAY, 1994.45 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHWESTERLY, HAVING A RADIUS OF 2869.35 FEET, A CENTRAL ANGLE OF 09°40'02", A CHORD BEARING OF N70°34'01"W, AND A CHORD DISTANCE OF 483.55 FEET; THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 484.13 FEET TO THE POINT OF BEGINNING.

AND LESS

THAT PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA DESCRIBED AS:

COMMENCE AT A 4" X 4" CONCRETE MONUMENT STAMPED "LS 1943" STANDING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19, AND RUN THENCE ALONG THE NORTH LINE THEREOF N-89°55'35"-E, 1617.81 FEET; THENCE DEPARTING SAID NORTH LINE, S-00°04'27"-E, 264.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S-00°04'27"-E, 596.47 FEET; THENCE ALONG A NON-RADIAL LINE S-41°17'42"-W, 340.63 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF OLD POLK CITY ROAD (STATE ROAD S-17) PER OFFICIAL RECORDS BOOK 1164, PAGE 498, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, SAID POINT ALSO BEING A POINT ON A CURVE CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 1105.92 FEET, A CENTRAL ANGLE/Delta OF 67°36'03", A CHORD BEARING OF N-52°40'29"-W, A CHORD DISTANCE OF 50.26 FEET, FOR AN ARC LENGTH OF 50.26 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, AND ALONG A NON-RADIAL LINE, N-41°17'42"-E, 193.47 FEET; THENCE N-00°09'43"-E, 593.50 FEET; THENCE S-69°49'38"-E, 163.01 FEET TO THE POINT OF BEGINNING.

AND LESS

THAT PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA DESCRIBED AS:

COMMENCE AT A 4" X 4" CONCRETE MONUMENT STAMPED "LS 1943" STANDING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19, AND RUN THENCE ALONG THE NORTH LINE THEREOF N-89°55'35"-E, 1617.81 FEET; THENCE DEPARTING SAID NORTH LINE, S-00°04'27"-E, 1300.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S-00°04'27"-E, AND ALONG A NON-RADIAL LINE, 969.21 FEET TO A 4" X 4" CONCRETE MONUMENT WITH NO IDENTIFICATION STANDING ON THE EASTERLY RIGHT-OF-WAY OF OLD POLK CITY ROAD (STATE ROAD S-17) PER OFFICIAL RECORDS BOOK 1164, PAGE 498, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, SAID POINT ALSO BEING A POINT OF CURVE CONCAVE NORTHEASTERLY; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES: 1) NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 1095.92 FEET, A CENTRAL ANGLE/Delta OF 90°37'28", A CHORD BEARING OF N-67°52'05"-W, A CHORD DISTANCE OF 11.95 FEET, FOR AN ARC LENGTH OF 11.95 FEET; THENCE 2) ALONG A RADIAL LINE S-22°26'59"-W, 10.00 FEET TO A POINT OF CURVE CONCAVE NORTHEASTERLY; THENCE 3) NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 1105.92 FEET, A CENTRAL ANGLE/Delta OF 12°26'50", A CHORD BEARING OF N-61°19'56"-W, A CHORD DISTANCE OF 239.78 FEET, FOR AN ARC LENGTH OF 240.25 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, AND ALONG A NON-RADIAL LINE, N-41°17'42"-E, 340.63 FEET TO THE POINT OF BEGINNING.

AND ALL BEING FURTHER DESCRIBED AS:

COMMENCE AT A 4" X 4" CONCRETE MONUMENT STAMPED "LS 1943" STANDING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND RUN THENCE ALONG THE WEST BOUNDARY OF SAID SECTION 19, S-00°02'12"-E, 21.40 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" STANDING AT THE INTERSECTION OF SAID WEST BOUNDARY AND THE NORTH EASTERLY RIGHT-OF-WAY OF OLD POLK CITY ROAD (STATE ROAD S-17) ACCORDING TO THAT DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 1164, PAGE 498, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, SAID INTERSECTION POINT IS ALSO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST BOUNDARY AND SAID NORTH EASTERLY RIGHT-OF-WAY, S-88°19'34"-E, 872.41 FEET TO A 4" X 4" CONCRETE MONUMENT STAMPED "LS 1943"; THENCE N-00°04'25"-W, 118.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE ALONG SAID NORTH LINE N-89°55'35"-E, 245.86 FEET; THENCE DEPARTING SAID NORTH LINE, S-00°04'27"-E, 264.04 FEET; THENCE N-89°49'38"-W, 163.01 FEET; THENCE S-00°09'47"-W, 193.50 FEET; THENCE S-48°42'18"-E, 36.95 FEET; THENCE ALONG A NON-RADIAL LINE, S-41°17'42"-W, 193.47 FEET TO A POINT ON SAID NORTH EASTERLY RIGHT-OF-WAY OF OLD POLK CITY ROAD (STATE ROAD S-17), SAID POINT IS ALSO A POINT ON A CURVE CONCAVE NORTHEASTERLY; THENCE

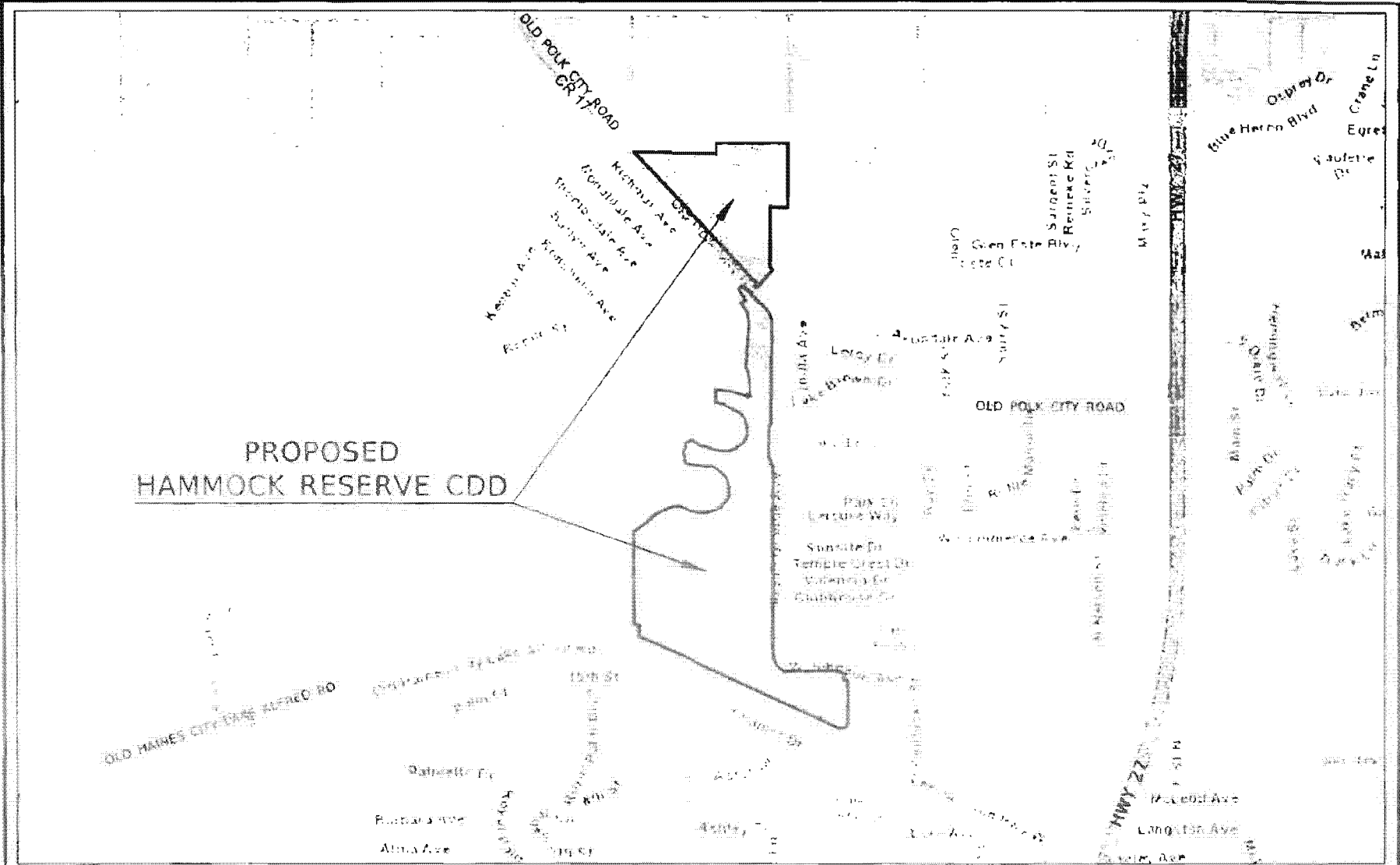


ALONG SAID NORTHEASTERLY RIGHT-OF-WAY, AND NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 1105.92 FEET, A CENTRAL ANGLE/Delta OF 09°39'00", A CHORD BEARING OF N-47°42'58"-W, A CHORD DISTANCE OF 184.78 FEET, FOR AN ARC LENGTH OF 184.98 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE CONTINUE ALONG SAID NORTH EASTERLY RIGHT-OF-WAY N-42°55'28"-W, 1787.84 FEET TO THE POINT OF BEGINNING.

AND

COMMENCE AT A 4"X4" CONCRETE MONUMENT WITH NO IDENTIFICATION STANDING AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 27 SOUTH, RANGE 27 SOUTH, POLK COUNTY, FLORIDA AND RUN THENCE ALONG THE WEST BOUNDARY OF SAID SECTION 19, N-00°02'13"-W, 425.20 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126", SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST BOUNDARY, AND CONTINUING N-00°02'13"-W, 830.96 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126", SAID POINT IS HEREBY DESIGNATED AS POINT "A" TO BE USED HEREIN AFTER; THENCE CONTINUE ALONG SAID WEST BOUNDARY, AND CONTINUING N-00°02'13"-W, 60.32 FEET, MORE OR LESS, TO THE EDGE OF LAKE LOWRY; THENCE DEPARTING SAID WEST BOUNDARY, MEANDER NORTHWESTERLY ALONG THE EDGE OF LAKE LOWRY TO ITS INTERSECTION WITH A LINE THAT LIES 650 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY RIGHT-OF-WAY OF PRADO GRANDE ROAD, SAID POINT OF INTERSECTION LIES N-34°26'13"-E, AND 1518.68 FEET DISTANT FROM SAID DESIGNATED POINT "A"; THENCE DEPARTING SAID EDGE OF LAKE LOWRY, AND ALONG SAID PARALLEL LINE, N-00°04'27"-W, 214.62 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY; THENCE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 840.42 FEET, A CENTRAL ANGLE/Delta OF 23°10'19", A CHORD BEARING OF S-79°13'00"-E, A CHORD DISTANCE OF 338.38 FEET, FOR AN ARC LENGTH OF 340.70 FEET TO A 5/8" IRON ROD STAMPED "LB 8126" AND A POINT OF CUSP/CURVE CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 513.86 FEET, A CENTRAL ANGLE/Delta OF 03°11'13", A CHORD BEARING OF N-07°06'30"-W, A CHORD DISTANCE OF 28.58 FEET, FOR AN ARC LENGTH OF 28.58 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" AND A POINT OF CUSP/CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 867.42 FEET, A CENTRAL ANGLE/Delta OF 01°52'53", A CHORD BEARING OF S-67°39'05"-E, A CHORD DISTANCE OF 28.42 FEET, FOR AN ARC LENGTH OF 28.48 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" AND A POINT OF CUSP/CURVE CONCAVE EASTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 488.36 FEET, A CENTRAL ANGLE/Delta OF 10°20'24", A CHORD BEARING OF N-01°54'19"-W, A CHORD DISTANCE OF 88.10 FEET, FOR AN ARC LENGTH OF 88.22 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" TO A POINT OF REVERSE CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 514.89 FEET, A CHORD BEARING OF N-09°33'16"-W, A CHORD DISTANCE OF 228.48 FEET, FOR AN ARC LENGTH OF 230.40 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE N-03°39'15"-E, 424.44 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE N-00°34'08"-W, 125.00 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE N-27°54'56"-W, 137.20 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE N-66°43'58"-E, 55.00 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE N-26°37'46"-W, 140.00 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE N-47°06'21"-E, 37.32 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" STANDING ON THE SOUTHWESTERLY RIGHT-OF-WAY OF OLD POLK CITY ROAD (STATE ROAD S-17) ACCORDING TO THAT DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 1184, PAGE 453, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES: 1) S-43°25'37"-E, 15.84 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 2) ALONG A NON-RADIAL LINE N-46°11'19"-E, 10.00 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126", SAID POINT IS ALSO A POINT OF CURVE CONCAVE NORTHEASTERLY; THENCE 3) SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 1185.92 FEET, A CENTRAL ANGLE/Delta OF 09°03'30", A CHORD BEARING OF S-47°50'06"-E, A CHORD DISTANCE OF 176.66 FEET FOR AN ARC LENGTH OF 166.79 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 4) S-42°53'42"-E, 110.24 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" SAID POINT IS ALSO A POINT

OF CURVE CONCAVE SOUTHWESTERLY; THENCE S9 SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE/DELTA OF  $42^{\circ}40'15''$ , A CHORD BEARING OF  $S-21^{\circ}29'05''-E$ , A CHORD DISTANCE OF 219.93 FEET, FOR AN ARC LENGTH OF 224.21 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" STANDING ON THE WESTERLY RIGHT OF WAY OF PRADO GRANDE ROAD; THENCE ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING SIX (6) COURSES: THENCE 1)  $S-00^{\circ}04'27''-E$ , 306.67 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 2)  $S-14^{\circ}36'35''-W$ , 112.26 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 3)  $S-00^{\circ}03'35''-W$ , 199.75 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 4)  $S-12^{\circ}55'11''-E$ , 156.16 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 5)  $S-00^{\circ}04'27''-E$ , 1946.53 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126", SAID POINT IS ALSO A POINT OF CURVE CONCAVE EASTERLY; THENCE 6) SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 145.00 FEET, A CENTRAL ANGLE/DELTA OF  $91^{\circ}36'48''$ , A CHORD BEARING OF  $S-45^{\circ}52'47''-E$ , A CHORD DISTANCE OF 207.92 FEET, FOR AN ARC LENGTH OF 231.84 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" STANDING ON THE SOUTHERLY RIGHT-OF-WAY OF WEST JOHNSON AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES: 1)  $N-88^{\circ}18'57''-E$ , 493.84 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" SAID POINT IS ALSO A POINT OF CURVE CONCAVE SOUTHERLY; THENCE 2) SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE/DELTA OF  $27^{\circ}49'07''$ , A CHORD BEARING OF  $S-77^{\circ}45'34''-E$ , A CHORD DISTANCE OF 36.06 FEET, FOR AN ARC LENGTH OF 38.41 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 3)  $S-63^{\circ}52'00''-E$ , 68.61 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 4)  $S-05^{\circ}16'21''-E$ , 60.00 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE 5)  $S-63^{\circ}52'00''-E$ , 33.49 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY,  $S-00^{\circ}16'19''-E$ , 408.02 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126" SAID POINT IS ALSO A POINT OF CURVE CONCAVE WESTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE/DELTA OF  $114^{\circ}32'03''$ , A CHORD BEARING OF  $S-56^{\circ}59'53''-W$ , A CHORD DISTANCE OF 126.18 FEET, FOR AN ARC LENGTH OF 149.93 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE  $N-65^{\circ}43'55''-W$ , 1831.08 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE  $N-65^{\circ}19'34''-W$ , 460.35 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126"; THENCE  $N-00^{\circ}02'13''-W$ , 72.98 FEET TO A 5/8" IRON ROD AND CAP STAMPED "LB 8126", SAID POINT IS ALSO A POINT ON A CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 3133.46 FEET, A CENTRAL ANGLE/DELTA OF  $00^{\circ}56'39''$ , A CHORD BEARING OF  $N-73^{\circ}36'08''-W$ , A CHORD DISTANCE OF 51.63 FEET, FOR AN ARC LENGTH OF 51.63 FEET TO THE POINT OF BEGINNING.



PROPOSED  
HAMMOCK RESERVE CDD

NOTICING MAP



1925 BARTOW ROAD • LAKELAND, FL 33801  
 OFFICE: (863) 940-2040 • FAX: (863) 940-2044 • CELL: (863) 652-0018  
 EMAIL: INFO@WOODCIVIL.COM



**NOTICE OF LOCAL PUBLIC HEARING**  
**City Commission of the City of Haines City, Florida**  
**to Consider the Creation of the**  
**Hammock Reserve Community Development District**

DATE: December 5, 2019  
TIME: 7:00 p.m.  
LOCATION: City of Haines City  
City Commission Chambers  
620 E. Main Street  
Haines City, Florida 33844

In accordance with the provisions of Chapter 190, *Florida Statutes*, a public hearing will be held by the City Commission of the City of Haines City beginning at 7:00 p.m., on December 5, 2019, in the Commission Chambers, 620 E. Main Street, Haines City, Florida 33844, to consider an ordinance granting a petition to establish a community development district which may be known as the "Hammock Reserve Community Development District" (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA ESTABLISHING THE HAMMOCK RESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDING OF FACTS; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE DESCRIPTION OF THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR NOTICE REQUIREMENTS; PROVIDING FOR COMPLIANCE WITH ALL REMAINING SECTIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

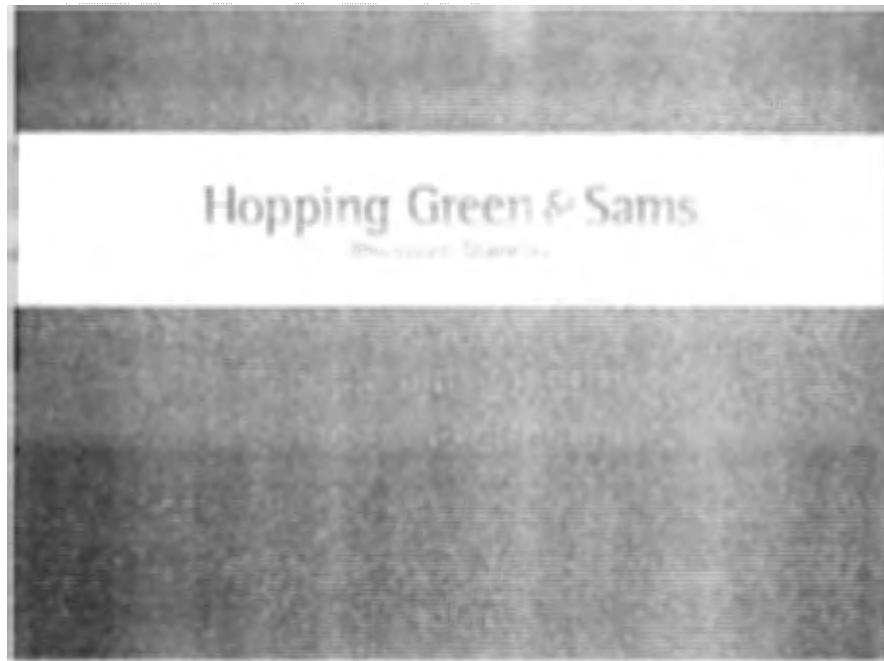
The proposed community development district is comprised of approximately 114 acres, more or less, generally located west of Highway 27, north of Old Haines City/Lake Alfred Road and north and south of Old Polk City Road in Haines City. The Petitioner has proposed to establish the Hammock Reserve Community Development District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities, which may be authorized by such districts under Florida law including but not limited to Chapter 190, *Florida Statutes*.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the City Clerk, City of Haines City, 620 E. Main Street, Haines City, Florida 33844.

All interested persons and affected units of general - purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general - purpose local government, who wish to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general - purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Florida Statutes, section 286.26, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the office of the City Clerk at 620 E. Main Street, Haines City, Florida 33844, or by phone at (863) 421-9921, not less than forty-eight (48) hours before a hearing or meeting in order to make arrangements.

Run Dates: November 7<sup>th</sup>, November 14<sup>th</sup>, November 21<sup>st</sup>, and November 28<sup>th</sup>



**COMMUNITY DEVELOPMENT DISTRICT, (CDD):**  
A local unit of special purpose government created pursuant to Chapter 190, Florida Statutes, ("the Act")

Hopping Green & Sams

## What Can a Community Development District Do?

- A CDD's powers are derived from Sections 190.011 and 190.012, Florida Statutes
- The CDD can sell tax-exempt bonds to finance the acquisition and/or construction of certain improvements
- The CDD is authorized to dedicate to the City/County those facilities that the developer is required to dedicate by the project's development order.
- The CDD can assume the maintenance responsibilities for the financed improvements
- The CDD is also granted the power to levy non-ad valorem special assessments only upon properties within the CDD boundaries in order to repay bonds issued by the CDD and for the annual operation and maintenance of the CDD

Hopping Green & Sams

## What Can a Community Development District Do?

- Pursuant to Section 190.012(1), a CDD can finance, construct and acquire the following improvements:
  - Stormwater management infrastructure
  - Water and wastewater infrastructure
  - Bridges and culverts
  - Roadways and street lighting
  - Investigation and remediation costs for clean-up of environmental contamination
  - Conservation areas, mitigation areas, and wildlife habitats
  - Any other project set forth in a development order for the development specifically approving or requiring the CDD to construct or fund the project or a project contemplated by an interlocal agreement between the CDD and a governmental entity

Hopping Green & Sams

## What Can a Community Development District Do?

Hopping Green & Sams

## Benefits to the City

- Stable financing source for new public projects
- Allows new off-site public infrastructure to be built without the use of City funds or bonding capacity
- No financial burden on residents outside of the CDD
- Assures project is funded and completed because bond proceeds are provided up front and deposited into a trust account for that purpose
- Increased tax base for the City
- A stable maintenance entity that ensures service levels long after the developer is gone
- Ensures that growth pays for itself

Hopping Green & Sams



## Protections for the City

- CDD debt is never included in the City's financial statements (unlike Tax Increment Financing)
- City is never responsible for payment on bonds issued by the CDD unless consented to by the City
- City retains all its authority, including zoning, permitting and police functions
- No current or future resident outside the boundaries of the CDD will ever be assessed by the CDD
- No administrative costs to the City
- All assessments must be disclosed to prospective home buyers

Hopping Green & Sams

## Bond Issuance Process

CDDs use the procedures set forth in Chapters 170, 190 and 197, Florida Statutes to impose special assessments and issue bonds. The procedures include:

- Authorizing the issuance of bonds by resolution
- Petitioning the Circuit Court for validation of the proposed bonds
- Declaring the need for improvements by Resolution
- Adopting an improvement plan indicating the public improvements to be financed by bonds
- Mailing and publishing notice of intent to impose special assessments and issue bonds
- Holding a public hearing on the imposition of special assessment

Hopping Green & Sams

## Summary...

- CDDs help ensure that growth pays for itself
- Takes burden off local government
- Increased tax base for the City
- No financial burden on residents outside of the CDD
- No cost to the City for operation of the CDD
- Excellent long-term maintenance entity as compared to HOAs
- Governmental accountability (open meetings, public records, etc.)

Floating Green + Samis

# AFFIDAVIT OF PUBLICATION THE LEDGER Lakeland, Polk County, Florida

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Rhonda Gentle, who on oath says that she is an Account Executive for Advertising at The Ledger, the owner of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida, that the attached copy of advertisement, being a

PUBLIC NOTICE

In the matter of CREATE A DISTRICT

Concerning HAMMOCK RESERVE CDD

was published in said newspaper and on-line in the issues of:

11-7, 11-14, 11-21, 11-28, 2019

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed: *Rhonda Gentle*  
Rhonda Gentle  
Advertising Account Executive  
Who is personally known to me

Sworn to and subscribed before me this 28th day of November, A.D. 2019

*Patricia Ann Rouse*

Notary Public

(Seal)



## NOTICE OF LOCAL PUBLIC HEARING City Commission of the City of Haines City, Florida to Consider the Creation of the Hammock Reserve Community Development District

DATE: December 5, 2019  
TIME: 7:00 p.m.  
LOCATION: City of Haines City  
City Commission Chambers  
620 E. Main Street  
Haines City, Florida 33844



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*[Faded text of the proposed ordinance title]*

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11-7, 11-14, 11-21, 11-28, 2019

STATE OF FLORIDA

COUNTY OF POLK

On this 9<sup>th</sup> day of December, 2019, I attest that the preceding or  
Attached document is a true, exact, complete, and unaltered

Photocopy made by me of Ordinance 19-1665,

Presented to me by the documents custodian Linda Bourgeois and,

To the best of my knowledge, that the photocopied document is neither a  
Vital record nor a public record, certified copies of which are available from  
An official source other than a notary public.

