

**ORDINANCE NO. 2019-54**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, REGARDING THE LAKE EMMA COMMUNITY DEVELOPMENT DISTRICT; GRANTING PETITION OF HANOVER LAVIANCE, LLC, ESTABLISHING AND NAMING THE LAKE EMMA COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2019); DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND THE POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature has enacted and amended Chapter 190, *Florida Statutes*, to provide an alternative method to finance and manage basic services for community development; and

**WHEREAS**, Hanover LaViance, LLC (the "Petitioner") petitioned the City Council of the City of Groveland, Florida (the "Groveland City Council"), to enact an ordinance establishing the Lake Emma Community Development District (the "District") pursuant to Chapter 190, *Florida Statutes*, over the real property described in **Exhibit A**, attached hereto; and

**WHEREAS**, the Petitioner has obtained written consent to the establishment by the owners of one hundred percent of the real property to be included in the District; and

**WHEREAS**, the Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida, with a principal place of business of 605 Commonwealth Ave, Orlando, FL 32803; and

**WHEREAS**, a public hearing has been conducted by the Groveland City Council on November 18, 2019 in accordance with the requirements and procedures of section 190.005(2), *Florida Statutes*, and the applicable requirements and procedures of the City's Charter and Code of Ordinances; all interested persons and affected units of general-purpose local government were afforded and opportunity to present oral and written comments on the Petition at said duly noticed public hearing; and

**WHEREAS**, upon consideration of the record established at that hearing, the Groveland City Council determined that statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element of any portion of the state comprehensive plan or the City's comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, 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 that the area to be served by the District is amendable to separate special-district governance; 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, thereby providing a solution to the City’s planning, management and financing needs for delivery of capital infrastructure therein without overburdening the City and its taxpayers; and

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

**SECTION 2. FINDINGS.** The foregoing recitals and findings are true and correct and are incorporated herein, adopted, and made part hereof.

**SECTION 3. DISTRICT NAME.** There is hereby created a community development district situated entirely within the incorporated boundaries of the City of Groveland, Florida, named the “Lake Emma 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 by reference. The District, overall, contains 412.971 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 District is limited to the performance of those general powers and functions as described in Chapter 190, *Florida Statutes*, and excluding special powers as set forth in s. 190.012, *Florida Statutes*. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies. The District shall not have any zoning or permitting powers governing land development or use of land.

**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	605 Commonwealth Avenue Orlando, Florida 32803

Brian Cipollone

605 Commonwealth Avenue  
Orlando, Florida 32803

Garison Clemens

605 Commonwealth Avenue  
Orlando, Florida 32803

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

**SECTION 7. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of the ordinance with the City Clerk and recording a corrected copy of the ordinance in the public records of Lake County, Florida.

**SECTION 8. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 9. EFFECTIVE DATE.** This ordinance is effective upon adoption.

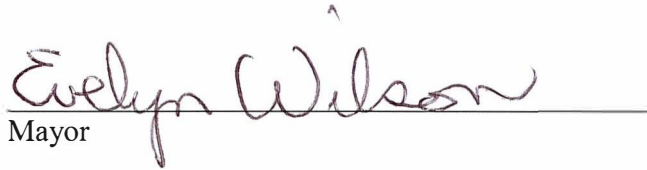
**DONE, THE FIRST READING AND THE PUBLIC HEARING,** by the City Council of the City of Groveland, Florida, at a regular meeting, November 18, 2019.

**DONE, THE PUBLIC NOTICES,** in a newspaper of general circulation in the City of Groveland, Florida, by the Petitioner, commencing the 21st day of October, 2019, and running once each week for four consecutive weeks, ending on the 11th day of November, 2019.

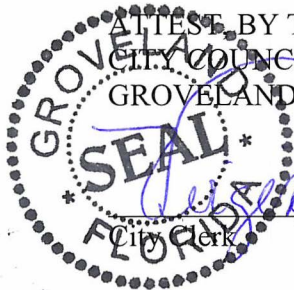

*[remainder of page intentionally left blank]*

**DONE, THE SECOND READING AND ENACTED ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Groveland, Florida, at a regular meeting, this 2nd day of December, 2019.

BY THE MAYOR OF THE CITY OF GROVELAND, FLORIDA:

  
\_\_\_\_\_  
Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA:

   
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF GROVELAND, FLORIDA:

  
\_\_\_\_\_  
City Attorney

**Exhibit A:**

LEGAL DESCRIPTION  
NORTH PARCEL

A PARCEL OF LAND LYING IN SECTION 31 & 32, TOWNSHIP 21 SOUTH, RANGE 25 EAST AND INCLUDING BLOCKS 133-136, 141-143, 149-152, INCLUDING UNOPEN STREETS OF TOWN PLAT OF VILLA CITY AS RECORDED IN PLAT BOOK 1, PAGE 31, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE NORTHEAST QUARTER OF SAID SECTION 31 FOR A POINT OF BEGINNING; THENCE RUN SOUTH 89°52'55" EAST, ALONG THE NORTH LINE THE SOUTHEAST QUARTER, OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 1334.43 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER, OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE RUN SOUTH 89°44'08" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 1321.70 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE RUN SOUTH 00°17'36" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 1328.52 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE RUN SOUTH 89°43'43" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, A DISTANCE 330.72 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE DEPARTING SAID NORTH LINE RUN SOUTH 00°16'51" WEST, ALONG THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 1307.33 FEET TO THE NORTH RIGHT-OF-WAY OF LAKE EMMA ROAD; THENCE RUN THE FOLLOWING 7 COURSES ALONG SAID NORTH RIGHT-OF-WAY LINE: NORTH 89°47'25" WEST, 1655.08 FEET, NORTH 89°47'25" WEST, 1.39 FEET, NORTH 89°49'46" WEST, 840.48 FEET, NORTH 00°05'25" EAST, 8.60 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE HAVING A RADIUS OF 889.64 FEET, A CENTRAL ANGLE OF 16°01'39", AN ARC LENGTH OF 248.86 FEET, A CHORD LENGTH OF 248.05 FEET, AND A CHORD BEARING OF SOUTH 82°04'35" WEST TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHERLY, THENCE RUN WESTERLY ALONG SAID CURVE HAVING A RADIUS OF 475.24 FEET, A CENTRAL ANGLE OF 27°21'21", AN ARC LENGTH OF 226.90 FEET, A CHORD LENGTH OF 224.75 FEET, AND A CHORD BEARING OF SOUTH 87°44'26" WEST TO THE POINT OF TANGENCY; THENCE RUN NORTH 78°34'53" WEST, 24.69 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 31; THENCE RUN NORTH 00°22'55" EAST, ALONG SAID WEST LINE, 1338.38 FEET TO THE

SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE RUN NORTH 00°22'54" EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 1328.93 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN LAKE COUNTY, FLORIDA AND CONTAINS 171.082 ACRES MORE OR LESS.

**LEGAL DESCRIPTION**  
**SOUTH PARCEL**

A PARCEL OF LAND LYING IN SECTION 31 & 32, TOWNSHIP 21 SOUTH, RANGE 25 EAST AND SECTION 6, TOWNSHIP 22 SOUTH, RANGE 25 EAST BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF STATE 19 (FORMERLY KNOWN AS STATE ROAD 459) HAVE A 100' RIGHT-OF-WAY WIDTH PER FLORIDA DEPARTMENT RIGHT-OF-WAY MAP PROJECT 1109 AND THE EAST OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE RUN NORTH 00°40'25" WEST, ALONG SAID EAST LINE 120.72 FEET; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°52'46" WEST, 893.34 FEET; THENCE RUN NORTH 00°22'16" EAST, 40.02 FEET; THENCE RUN NORTH 89°56'54" WEST, 520.33 FEET TO THE EDGE OF WATER OF LAKE LUCY; THENCE RUN THE FOLLOWING 4 COURSES ALONG THE EDGE OF WATER OF LAKE LUCY, SOUTH 19°45'14" EAST, 18.72 FEET; SOUTH 33°48'16" EAST, 27.48 FEET; SOUTH 34°30'36" EAST, 30.00 FEET; SOUTH 20°50'14" EAST, 46.72 FEET TO THE EAST LINE OF THE WEST HALF OF SAID SECTION 6; THENCE SOUTH 00°22'37" WEST, ALONG SAID EAST LINE, 225.02 FEET TO THE SOUTH LINE THE NORTHEAST QUARTER OF SAID SECTION 6; THE RUN NORTH 89°52'57" WEST, ALONG SAID SOUTH LINE 1323.74 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE RUN NORTH 00°28'03" EAST, ALONG SAID WEST LINE, 1177.68 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6; THENCE RUN THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°52'10" EAST, ALONG SAID NORTH LINE 851.56 FEET; THENCE RUN NORTH 00°40'25" WEST, 1176.78 FEET TO THE SOUTH LINE OF THE TOWN PLAT OF VILLA CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 31, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 89°48'47" EAST, ALONG SAID SOUTH LINE, 667.87 FEET TO THE EAST LINE OF SAID PLAT OF VILLA CITY, THENCE RUN NORTH 00°22'55" EAST, ALONG SAID EAST LINE, 1277.34 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LAKE EMMA ROAD; THENCE RUN THE FOLLOWING 8 COURSES ALONG SAID SOUTH RIGHT-OF-WAY LINE: SOUTH 78°34'53" EAST, 14.94 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, THENCE RUN EASTERLY ALONG SAID CURVE HAVING A RADIUS OF 525.24 FEET, A CENTRAL ANGLE OF 27°21'21", AN ARC LENGTH OF 250.77 FEET, A CHORD LENGTH OF 248.40 FEET, AND A CHORD BEARING OF NORTH 87°44'26" EAST TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY;

THENCE RUN NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 839.68 FEET, A CENTRAL ANGLE OF  $7^{\circ}53'52''$ , AN ARC LENGTH OF 115.75 FEET, A CHORD LENGTH OF 115.65 FEET, AND A CHORD BEARING OF NORTH  $78^{\circ}00'43''$  EAST TO A POINT; THENCE RUN NON-TANGENT TO SAID CURVE, SOUTH  $89^{\circ}49'56''$  EAST, 959.09 FEET; SOUTH  $89^{\circ}47'22''$  EAST, 1.28 FEET; SOUTH  $89^{\circ}47'22''$  EAST, 2057.90 FEET TO POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID NON-TANGENT CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF  $34^{\circ}12'17''$ , AN ARC LENGTH OF 14.92 FEET, A CHORD LENGTH OF 14.70 FEET, AND A CHORD BEARING OF SOUTH  $72^{\circ}41'17''$  EAST TO A POINT OF TANGENCY; THENCE RUN SOUTH  $55^{\circ}35'08''$  EAST, 102.55 FEET TO THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 19, THENCE RUN ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING 2 COURSES: SOUTH  $34^{\circ}18'17''$  WEST, 1505.86 FEET, SOUTH  $34^{\circ}18'17''$  WEST, 2631.45 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN LAKE COUNTY, FLORIDA AND CONTAINS 241.889 ACRES MORE OR LESS.