

ORDINANCE NO.: 2004-14

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, AMENDING THE BOUNDARIES OF THE STERLING HILL COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; MAKING FINDINGS OF FACT WITH RESPECT THERETO; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, STERLING HILL COMMUNITY DEVELOPMENT DISTRICT, by and through the attorneys for the District's Board of Supervisors, has filed a petition with Hernando County ("Petition") requesting that the Board of County Commissioners of Hernando County ("**County**") adopt an ordinance amending the boundaries of the Sterling Hill Community Development District ("**District**") pursuant to Chapter 190, Florida Statutes, and designating the real property described in Exhibit "A", attached hereto, and labeled on said exhibit as the "Sterling Hill C.D.D. Expansion"; and

WHEREAS, the **District** as expanded will constitute an efficient, effective, and economical method of delivering community development services and facilities within its defined boundaries as amended, within which area such community development services and facilities can be more feasibly provided at a level and quality appropriate to the **District** by the **District**, rather than by the **County**; and

WHEREAS, the **County** has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.046 (1)(b), Florida Statutes; and

FILED
AUG 30 2004
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

WHEREAS, the **County** has considered the record of the public hearing and the factors set forth in 190.005 (1)(e), Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION 1. FINDINGS OF FACT.

The **County** hereby finds and states that:

1. All statements contained in the Petition are true and correct, except that any references therein to "Pasco" County are determined to be typographical errors and shall be read to mean "Hernando" County.
2. 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.
3. The area of land within the **District** as expanded is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional, interrelated community.
4. The expansion of the **District** is the best alternative available for delivering community development services and facilities to the parcel being added to the **District**.
5. The proposed community development services and facilities to be provided by the expanded **District** will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.
6. The area that will be served by the expanded **District** is amenable

to separate, special-district government.

**SECTION 2. STERLING HILL COMMUNITY DEVELOPMENT
DISTRICT BOUNDARIES AMENDED**

Pursuant to Chapter 190, Florida Statutes, the boundaries of the Sterling Hill Community Development District (" **District** ") are hereby amended so as to include the parcel described on the attached "Exhibit A" as the "Sterling Hill C.D.D. Expansion", which parcel is legally described as "The Northwest 1/4 of the Northeast 1/4 of Section 16, Township 23 South, Range 18 East, Hernando County, Florida."

SECTION 3. SEVERABILITY

It is declared to be the intent of the Board of County Commissioners of Hernando County, Florida, that if any section, subsection, clause, sentence, phrase or provision of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. INCLUSION IN THE CODE

It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

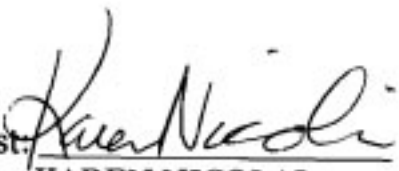
SECTION 5. EFFECTIVE DATE

This ordinance shall become effective upon filing with the Department of State.

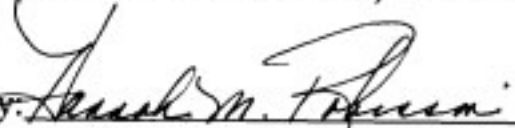
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular Session this 24th day of August, 2004.

**BOARD OF COUNTY
COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest:


KAREN NICOLAI
Clerk

By:


HANNAH M. ROBINSON
Chairperson

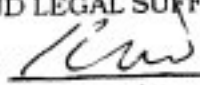
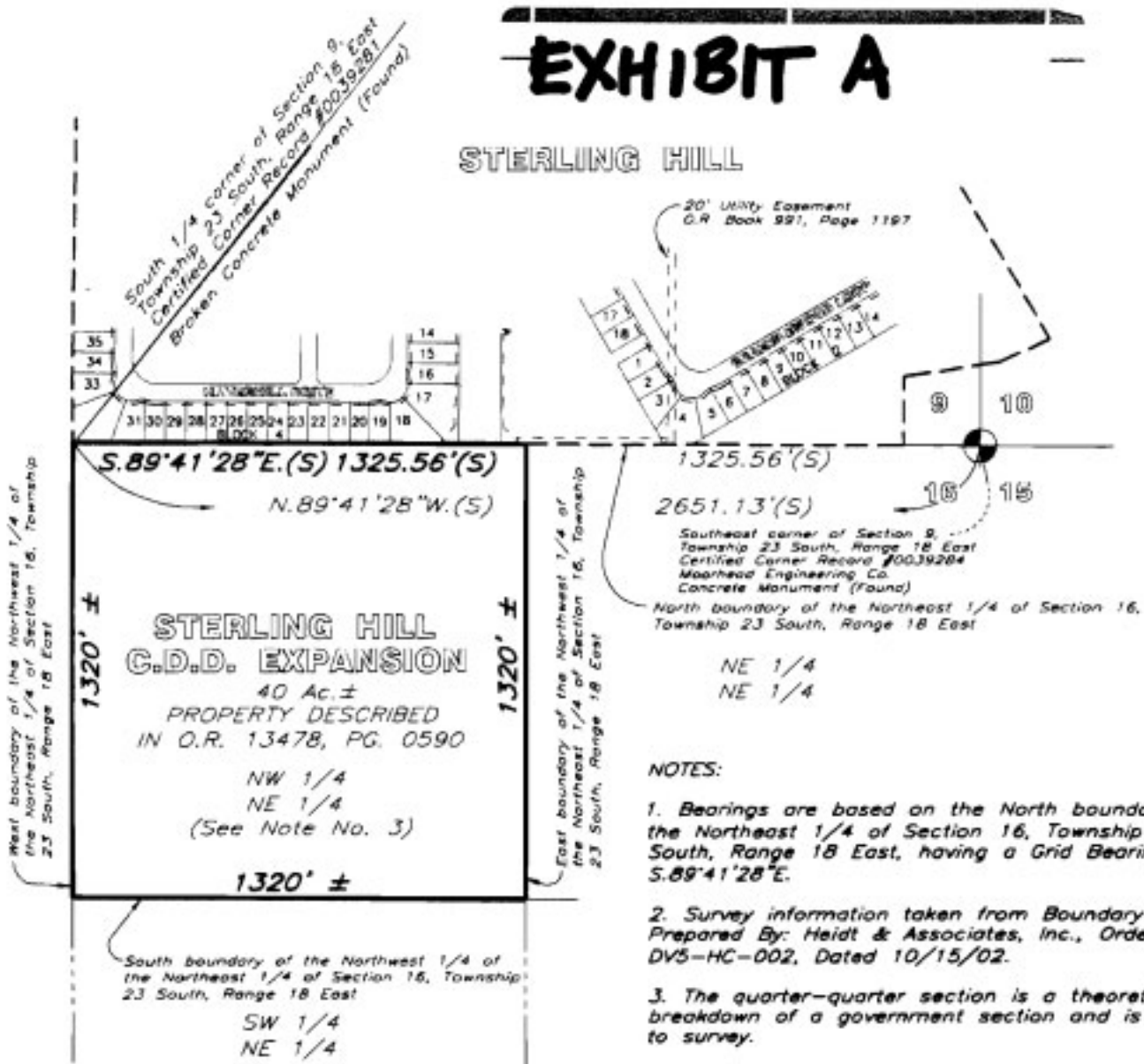
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY  8/16/04
County Attorney's Office

EXHIBIT A

STERLING HILL

SCALE: 1"=500'

72



STERLING HILL C.D.D. EXPANSION

40 Ac. ±
PROPERTY DESCRIBED
IN O.R. 13478, PG. 0590
NW 1/4
NE 1/4
(See Note No. 3)

Southeast corner of Section 9,
Township 23 South, Range 18 East
Certified Corner Record #0039204
Moorhead Engineering Co.
Concrete Monument (Found)

North boundary of the Northeast 1/4 of Section 16,
Township 23 South, Range 18 East

NE 1/4
NE 1/4

NOTES:

- Bearings are based on the North boundary of the Northeast 1/4 of Section 16, Township 23 South, Range 18 East, having a Grid Bearing of S.89°41'28"E.
- Survey information taken from Boundary Survey Prepared By: Heidt & Associates, Inc., Order No. DVS-HC-002, Dated 10/15/02.
- The quarter-quarter section is a theoretical breakdown of a government section and is subject to survey.

STERLING HILL C.D.D. EXPANSION

DESCRIPTION: The Northwest 1/4 of the Northeast 1/4 of Section 16, Township 23 South, Range 18 East, Hernando County, Florida.

LEGEND:

- O.R. - Official Records Book
- Pg. - Page
- (S) - Survey-See Note No. 2
- ± - More or Less

STERLING HILL C.D.D. EXPANSION

Prepared For: **STERLING HILL CDD**

DESCRIPTION SKETCH

(Not a Survey)

Paul A. DiCemascolo

FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
PAUL A. DICEMASCOLO NO. LS3881

PREPARED BY: **HEIDT & ASSOCIATES, Inc.**
Tampa • Fort Myers



CIVIL ENGINEERING
PLANNING
SURVEYING
ENVIRONMENTAL PERMITTING
LANDSCAPE ARCHITECTURE

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Certificate of Authorization Number LB 148

Dwn. J.L.S. Ck. D.A.W. P:\S-HILL-CDD-EXP-DS
Date: 05/02/04 Order No.: DVS-HC-042

No.	Date	Description	Dwn.
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REVISIONS