

From: [Harris, Whitley](#)
To: [Ordinances](#)
Cc: [County Ordinances](#)
Date: Thursday, October 28, 2021 9:15:26 AM
Attachments: [Hernando20211027 Ordinance2021 21 Ack.pdf](#)



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

October 28, 2021

Honorable Doug Chorvat, Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 362
Brooksville, Florida 34601

Attention: Ms. Heidi Kurppe, Deputy Clerk

Dear Mr. Chorvat:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2021-21, which was filed in this office on October 27, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

ORDINANCE NO. : 2021-2

AN ORDINANCE ESTABLISHING THE LAKE HIDEAWAY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN ARTICLE II, CHAPTER 10.5, OF THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Hawk Land Investors New, LLC, a Delaware limited liability company ("Petitioner"), has filed a Petition with Hernando County requesting that the Board of County Commissioners of Hernando County ("County") adopt an ordinance establishing the Lake Hideaway Community Development District pursuant to Chapter 190, Fla. Stat. ("District"), and designating the real property described in Exhibit A, attached hereto, as the area of land for which the District is authorized to manage and finance basic service delivery; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive, and economic method of delivering community development services, in the area described in Exhibit A, which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management, and financing needs

for the delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.005(1)(d), Fla. Stat.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), Fla. Stat.

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

Section 1. Findings of Fact. The County hereby finds and states that:

1. the "WHEREAS" clauses stated above are adopted as findings of fact in support of this Ordinance;
2. all statements contained in the Petition are true and correct;
3. the creation of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County's Comprehensive Plan;
4. 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;
5. the creation of the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;

6. the proposed community development services and facilities to be provided by the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

7. the area that will be served by the District is amenable to separate, special-district government.

Section 2. Conclusions of Law.

1. This proceeding is governed by Chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to Section 190.005(2), Fla. Stat.; and
3. The granting of the Petition complies with the dictates of Chapter 190, Fla. Stat.

Section 3. Creation, Boundaries, and Powers. There is hereby created the Lake Hideaway Community Development District for the area of land described in Exhibit A, attached hereto, which shall exercise the powers of Sections 190.011, and 190.012(1), (2)(a), (d) & (f), and (3), Fla. Stat., and which shall operate in accordance with the uniform community development district charter as set forth in Sections 190.006-190.041, Fla. Stat., including the special powers provided under Section 190.012(1), (2)(a), (d) and (f) and (3), Fla. Stat.

Section 4. Initial Board. The following five persons are designated as the initial members of the Board of Supervisors:

1. Michael Lawson
2. Doug Draper
3. Lori Price
4. Sonia Valentin
5. Christie Ray

Section 5. Severability. It is declared to be the intent of the Board of County Commissioners 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 6. 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 Article II, Chapter 10.5, of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "ordinance" may be changed to "section," "article," or any another appropriate designation.

Section 7. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. Effective Date. This ordinance shall take effect upon receipt of acknowledgment from the Florida Secretary of State of this ordinance's filing with said office.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this 26th day of October 2021

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

Attest: Heidi Kueppel, D.C.
for DOUGLAS CHORVAT, JR.
Clerk

By: [Signature]
JOHN ALTOCCO
Chairman

Approved for Form and Legal Sufficiency

[Signature]
Acting County Attorney



Exhibit "A"

**LAKE HIDEAWAY
COMMUNITY DEVELOPMENT DISTRICT**

LAKE HIDEAWAY PHASE-1 CDD TRACT-A (NORTH)

A PARCEL OF LAND LYING IN AND BEING A PART OF:
SECTION 12, TOWNSHIP 22 SOUTH, RANGE 17 EAST, HERNANDO COUNTY,
FLORIDA
SECTION 07, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY,
FLORIDA

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 12; THENCE ALONG THE EAST BOUNDARY LINE OF SAID SECTION 12 N00°09'57"E, 59.92 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BOURASSA BOULEVARD AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°36'10"W, 59.90 FEET; THENCE S00°15'43"W, 60.03 FEET; THENCE N89°42'00"W, 1253.44 FEET TO THE EAST LINE OF ROYAL HIGHLANDS, UNIT-6 AS RECORDED IN PLAT BOOK 12, PAGES 67-79 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE N00°00'09"W, 1323.69 FEET TO THE SOUTH LINE OF SAID ROYAL HIGHLANDS, UNIT-6; THENCE ALONG SAID SOUTH LINE S89°51'43"E, 1319.41 FEET TO THE EAST BOUNDARY LINE OF SAID SECTION 12; THENCE ALONG SAID EAST BOUNDARY LINE S00°13'23"W, 498.06 FEET; THENCE S89°53'11"E, 650.56 FEET; THENCE N00°14'06"E, 497.18 FEET TO THE SOUTH LINE OF ROYAL HIGHLANDS, UNIT-5 AS RECORDED IN PLAT BOOK 12, PAGES 45-59 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG SAID SOUTH LINE S89°48'47"E, 973.71 FEET; THENCE S00°05'21"W, 1263.85 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BOURASSA BOULEVARD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°56'46"W, 976.40 FEET; THENCE N00°15'47"E, 603.55 FEET; THENCE N89°54'32"W, 651.75 FEET TO THE EAST BOUNDARY LINE OF SAID SECTION 12; THENCE ALONG SAID EAST BOUNDARY LINE S00°15'53"W, 603.78 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BOURASSA BOULEVARD AND THE POINT OF BEGINNING.

LAKE HIDEAWAY PHASE-1 CDD TRACT-B (SOUTH)

A PARCEL OF LAND LYING IN AND BEING A PART OF:
SECTION 17, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY,
FLORIDA
SECTION 18, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY,
FLORIDA

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE ALONG THE NORTH BOUNDARY LINE OF SAID NORTHWEST 1/4 N89°41'29"W, 981.65 FEET TO THE CENTERLINE OF A 100.00 FOOT WIDE FLORIDA POWER CORPORATION EASEMENT AND THE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE S25°14'16"W, 3619.40 FEET TO THE NORTH LINE OF WOODLAND WATERS, PHASE-6 AS RECORDED IN PLAT BOOK 40, PAGES 1-3 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE CONTINUE ALONG THE WESTERLY LINE OF SAID WOODLAND WATERS, PHASE-6 S25°08'52"W, 217.24 FEET TO THE WEST BOUNDARY LINE OF SAID SECTION 17 AND A POINT ON THE EAST LINE OF WOODLAND WATERS, PHASE-1 AS RECORDED IN PLAT BOOK 24, PAGES 8-11 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG THE WEST BOUNDARY LINE OF SAID SECTION 17 AND THE EAST LINE OF SAID WOODLAND WATERS, PHASE-1 N00°23'40"W, 808.99 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 17. SAID POINT ALSO BEING ON THE EAST LINE OF WOODLAND WATERS, PHASE-4 AS RECORDED IN PLAT BOOK 32, PAGES 36-37 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE CONTINUE ALONG THE WEST BOUNDARY LINE OF SAID SECTION 17 AND THE EAST LINE OF SAID WOODLAND WATERS, PHASE-4 N00°20'26"W, 1335.25 FEET TO THE NORTH LINE OF SAID WOODLAND WATERS, PHASE-4; THENCE ALONG THE NORTH LINE OF SAID WOODLAND WATERS, PHASE-4 N89°42'01"W, 2652.37 FEET TO THE WEST BOUNDARY LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE ALONG SAID WEST BOUNDARY LINE N00°14'32"W, 996.07 FEET; THENCE N89°53'24"W, 1303.29 FEET TO THE WEST BOUNDARY LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 18; THENCE ALONG SAID WEST BOUNDARY LINE N00°03'48"W, 330.93 FEET TO THE NORTH BOUNDARY LINE OF SAID SECTION 18; THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 18 S89°56'37"E, 1302.39 FEET; TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE CONTINUE ALONG SAID NORTH BOUNDARY LINE S89°50'51"E, 1324.96 FEET; THENCE CONTINUE ALONG SAID NORTH BOUNDARY LINE S89°51'31"E, 1324.74 FEET TO THE NORTHEAST CORNER OF SAID SECTION 18; THENCE ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17 S89°41'29"E, 1657.19 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 229.43 ACRES MORE OR LESS.