

ORDINANCE NO. 2022- 13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT, TO BE KNOWN AS SHADOWLAWN 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 A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals

WHEREAS, Cathedral Oak, LLC (the "Petitioner"), having obtained written consent to the establishment of the Shadowlawn Community Development District (the "District") by the owners of one hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners (the "Board") of Clay County, Florida (the "County"), to adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Petitioner is a Florida limited liability company with an address of 1845 Town Center Blvd., Suite 105, Fleming Island, Florida 32003; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition at a duly noticed public hearing conducted by the Board on March 8, 2022; and

WHEREAS, upon consideration of the record established at that hearing, the Board determined that the statements within the Petition are true and correct, that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the County's comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and is 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 that will be 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 that will be served by the District is amenable to separate special-district governance; and

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

WHEREAS, the establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described in the petition; and

WHEREAS, the Board has determined that the initial members of the District’s Board of Supervisors set forth in Section 5 of this ordinance are residents of the State of Florida and citizens of the United States of America.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Authority. This Ordinance is adopted 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 2. District Name. There is hereby created a community development district situated entirely within a portion of the unincorporated area of Clay County, Florida, which shall be known as the “Shadowlawn Community Development District”, and which shall be referred to in this ordinance as the “District”.

Section 3. District External Boundaries. The external boundaries of the District are described in Appendix A attached hereto, said boundaries encompassing 268.82 acres, more or less.

Section 4. District Powers and Functions. The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District’s Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge, or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, all as authorized and described by Sections 190.012(2)(a) and (2)(d), Florida Statutes (2021).

Section 5. Board of Supervisors. The five persons designated to serve as initial members of the District’s Board of Supervisors are as follows:

Name: P. Cooper Murphy
Address: 1845 Town Center Blvd., Suite 105
Fleming Island, Florida 32003

Name: George M. Egan
Address: 1845 Town Center Blvd., Suite 105
Fleming Island, Florida 32003

Name: Anne Bryan
Address: 1845 Town Center Blvd., Suite 105
Fleming Island, Florida 32003

Name: J.F. Bryan V
Address: 1845 Town Center Blvd., Suite 105
Fleming Island, Florida 32003

Name: Pete Williams
Address: 5439 Bold Venture Place
Wesley Chapel, Florida 33544

Section 6. Severability. If any provision of this ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this ordinance.

Section 7. Effective Date. This ordinance shall become effective as prescribed by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this 8th day of March, 2022.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

WFBolla
BY: WFBolla (Mar 14, 2022 10:19 EDT)
Wayne Bolla, Its Chairman

ATTEST:

Tara S. Green

Tara S. Green,
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board



Appendix A

October 1, 2021
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Work Order No. 21-398.00
File No. 128C-03.00A

Parcel 61

A portion of Sections 32 and 33, Township 5 South, Range 25 East, together with a portion of Sections 4 and 5, Township 6 South, Range 25 East, Clay County, Florida, being a portion of Blocks 7, 8 and 13, portions of Borden Road, Conway Avenue and Tebo Road, all 60 foot private rights of way, and a portion of Railroad Avenue, an 80 foot private right of way, all as depicted on Plat "A" of the Florida Farms and Industries Company's Property, recorded in Plat Book 2, page 27, of the Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Northerly line of said Section 33 and the Westerly right of way line of County Road No. 218, a public 100 foot right of way, as depicted on Florida Department of Transportation Right of Way Map Section No. 7112-102; thence South $00^{\circ}06'42''$ East, along said Westerly right of way line, 2684.85 feet to its intersection with a Southerly line of Road Parcel, as described and recorded in Official Records Book 2905, page 547, of said Public Records; thence South $89^{\circ}46'52''$ West, departing said Westerly right of way line and along said Southerly line, 50.00 feet to the Point of Beginning.

From said Point of Beginning, thence South $00^{\circ}06'42''$ East, along a line parallel with and 50 feet Westerly of said Westerly right of way line of County Road No. 218, a distance of 3317.76 feet; thence North $81^{\circ}52'31''$ West, 215.99 feet; thence North $67^{\circ}23'49''$ West, 526.84 feet; thence South $49^{\circ}58'52''$ West, 694.18 feet; thence North $87^{\circ}38'17''$ West, 795.82 feet; thence North $08^{\circ}43'03''$ East, 101.88 feet; thence North $02^{\circ}03'51''$ West, 37.76 feet; thence South $86^{\circ}53'17''$ West, 3.10 feet to the point of curvature of a curve concave Northeasterly having a radius of 50.00 feet; thence Northwesterly along the arc of said curve, through a central angle of $65^{\circ}59'16''$, an arc length of 57.59 feet to a point of compound curvature, said arc being subtended by a chord bearing and distance of North $60^{\circ}07'05''$ West, 54.45 feet; thence Northerly along the arc of a curve concave Easterly having a radius of 290.00 feet, through a central angle of $14^{\circ}53'40''$, an arc length of 75.39 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $19^{\circ}40'37''$ West, 75.18 feet; thence Northwesterly along the arc of a curve concave Southwesterly having a radius of 160.00 feet, through a central angle of $59^{\circ}34'13''$, an arc length of 166.35 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $42^{\circ}00'54''$ West, 158.96 feet; thence Northwesterly along the arc of a curve concave Northeasterly having a radius of 496.00 feet, through a central angle of $40^{\circ}32'40''$, an arc length of 350.99 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $51^{\circ}31'40''$ West, 343.71 feet; thence North $31^{\circ}15'20''$ West, 93.20 feet; thence North $58^{\circ}44'40''$ East, 392.61 feet; thence North $64^{\circ}05'42''$ East, 21.45 feet to a point on a non-tangent curve concave Northeasterly having a radius of 100.00 feet; thence

Parcel 61 (continued)

Northwesterly along the arc of said curve, through a central angle of $62^{\circ}39'52''$, an arc length of 109.37 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $31^{\circ}15'20''$ West, 104.00 feet; thence South $53^{\circ}23'38''$ West, along a non-tangent line, 21.45 feet; thence South $58^{\circ}44'40''$ West, 392.61 feet; thence North $33^{\circ}27'52''$ West, 259.39 feet; thence South $87^{\circ}50'25''$ West, 465.96 feet; thence South $82^{\circ}55'30''$ West, 243.97 feet; thence North $74^{\circ}17'10''$ West, 128.57 feet; thence North $23^{\circ}08'12''$ West, 326.69 feet; thence South $82^{\circ}02'22''$ West, 727.17 feet; thence North $84^{\circ}17'33''$ West, 860.91 feet; thence North $03^{\circ}54'17''$ West, 380.42 feet; thence North $20^{\circ}52'51''$ East, 506.92 feet; thence North $33^{\circ}25'59''$ East, 1527.88 feet; thence North $57^{\circ}59'17''$ East, 352.37 feet; thence South $60^{\circ}55'39''$ East, 652.79 feet; thence South $46^{\circ}26'08''$ East, 249.96 feet; thence South $66^{\circ}09'14''$ East, 722.28 feet to a point lying on the Westerly line of School Site "X", as described and recorded in said Official Records Book 2905, page 547; thence South $00^{\circ}00'42''$ West, along said Westerly line, 1016.92 feet to the Southwesterly corner thereof; thence South $89^{\circ}59'37''$ East, along the Southerly line of said School Site "X", 1000.09 feet to the Southeasterly corner thereof; thence North $00^{\circ}00'07''$ West, along the Easterly line of said School Site "X", 1088.81 feet to the Northeasterly corner thereof; thence North $89^{\circ}59'42''$ West, along the Northerly line of said School Site "X", 60.00 feet to an angle point on said Southerly line of Road Parcel; thence North $00^{\circ}00'18''$ East, departing said Northerly line and along said Southerly line, 664.72 feet; thence North $89^{\circ}46'52''$ East, continuing along said Southerly line, 1589.94 feet to the Point of Beginning.

Containing 268.82 acres, more or less.

STATE OF FLORIDA DEPARTMENT OF STATE

I, LAUREL M. LEE, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Clay County Ordinance No. 2022-13, which was filed in this office on March 16, 2022, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

**Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
17th of March, A.D., 2022.**



Laurel M. Lee

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.