

ORDINANCE NO. 2024 - 14

AN ORDINANCE ESTABLISHING THE SPRINGSIDE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; 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 OF ORDINANCES, HERNANDO COUNTY, FLORIDA; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Petitioner, Diamond Developing of Florida, Inc ("Petitioner"), has filed a Petition with Hernando County requesting that the Board of County Commissioners of Hernando County, Florida ("County") adopt an Ordinance establishing the Springside Community Development District pursuant to Chapter 190, *Florida Statutes* ("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 applicable 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**, attached hereto, 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), *Florida Statutes*; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 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.

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.
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, *Florida Statutes*.

2. The County has jurisdiction pursuant to Section 190.005(2), *Florida Statutes*.
3. The granting of the Petition complies with the dictates of Chapter 190, *Florida Statutes*.

Section 3. Creation, Boundaries, and Powers. There is hereby created the Springside Community Development District for the area of land described in **EXHIBIT A**, attached hereto, which shall exercise the general and special powers authorized by Chapter 190, *Florida Statutes*, with specific consent for the special powers in Sections 190.012(2)(a) and (2)(d), *Florida Statutes*, and which shall operate in accordance with the uniform community development district charter as set forth in Sections 190.006 through 190.041, *Florida Statutes*.

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

1. Darren Williamson
2. Debbie Grubbs
3. Danial Williamson
4. Tammi Jo Fernandez
5. Deborah Ricciardi

Section 5. Severability. It is the intention 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 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 part of Article II, Chapter 10.5, of the Code of Ordinances, 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 other 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 be effective immediately upon receipt of acknowledgment from the office of the Secretary of State that this Ordinance has been filed with said office.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, in Regular Session this day 10th of September, 2024.

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

Attest: Heidi Thugge, Deputy Clerk
fa DOUGLAS A. CHORVAT, JR.
Clerk of Circuit Court & Comptroller



By: ENa
ELIZABETH NARVERUD
Chairperson

Approved for Form and Legal Sufficiency

Melissa Tartaglia
County Attorney's Office

EXHIBIT A

SPRINGSIDE COMMUNITY DEVELOPMENT DISTRICT

EXHIBIT A

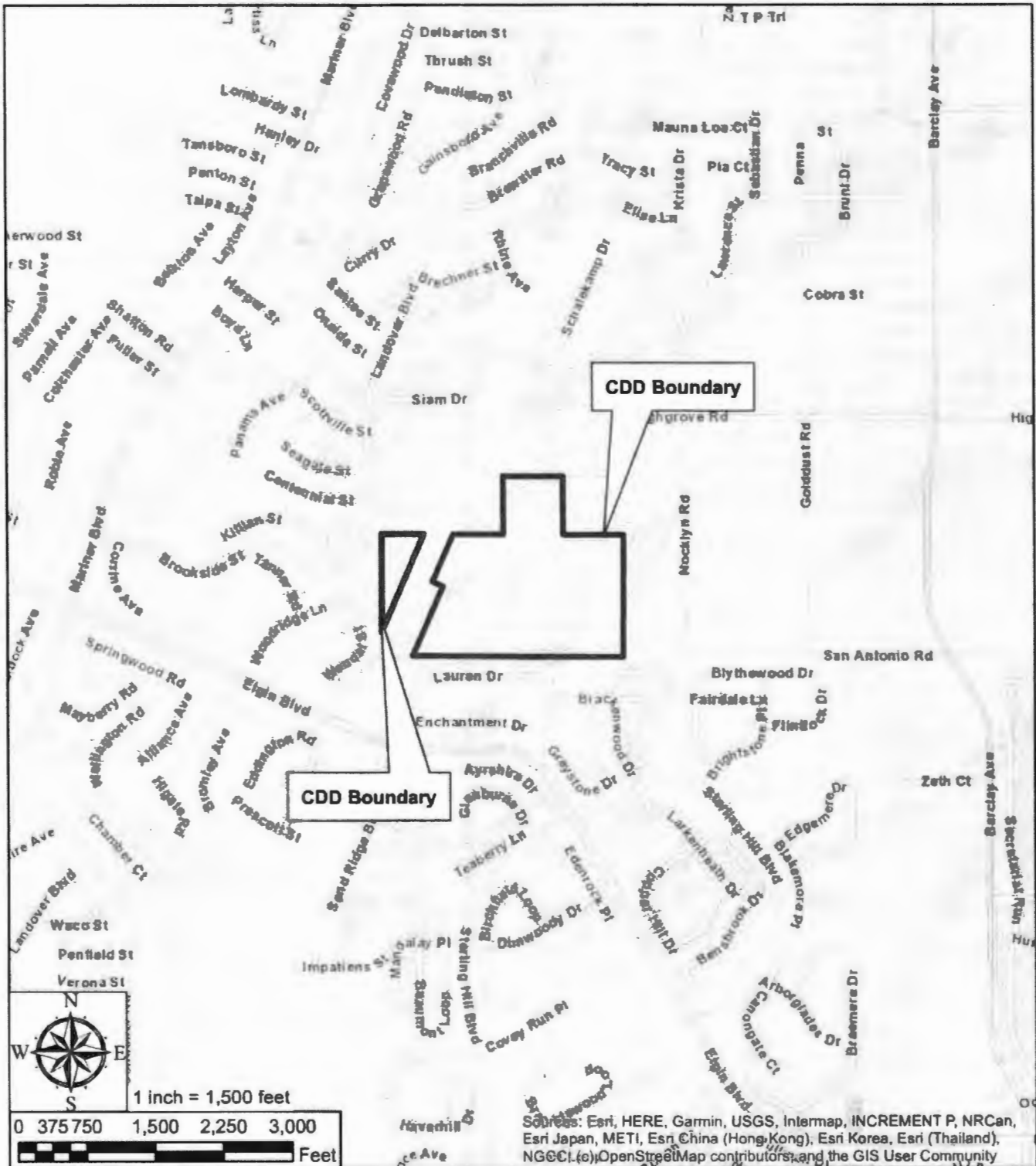


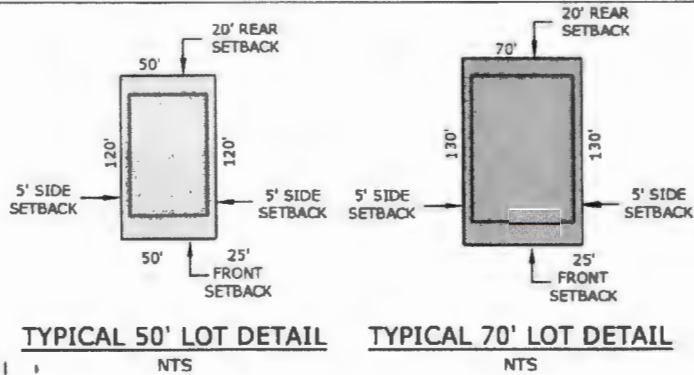
EXHIBIT 1.0: Location Map

Springside Community Development District Diamond Developing, LLC

Sec/Twn/Rng
04/23S/18E

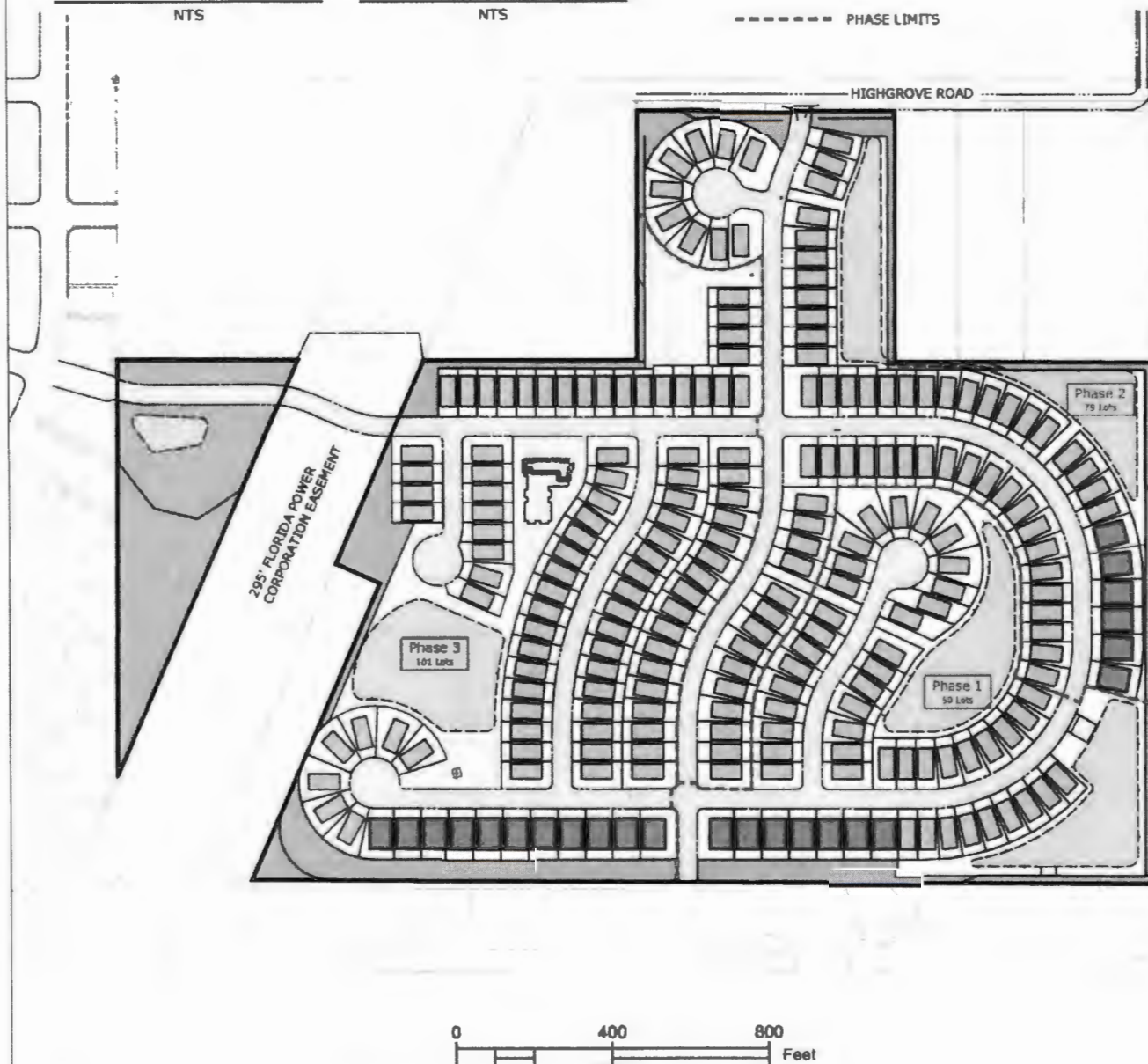
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Planning
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Environmental
Traffic
Transportation
Construction Management



LEGEND:

- DRAINAGE
- RECREATION
- BUFFERS AND NATURAL VEGETATION AREAS
- RIGHT-OF-WAY
- PHASE LIMITS



Coastal

Engineering
Planning
Surveying
Environmental
Traffic
Transportation
Construction Management

956 Candlelight Boulevard • Brooksville • Florida 34601
(852) 796-9423 • Fax (352) 796-6359
EB-0000142

SITE PLAN

SPRINGSIDE COMMUNITY DEVELOPMENT DISTRICT
DIAMOND DEVELOPING, LLC

DATE
11/06/23

23034

EXHIBIT

1.1

LEGAL DESCRIPTION

As provided with the Commitment of Title Insurance issued by First American Title Insurance Company, File No. 1062-5199176, Dated January 25, 2021 at 8:00AM

TRACT NO. 11.

Commencing at the Southeast corner of the North 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida, go thence North 89°54'28" West, along the South line of the aforesaid North 1/2, a distance of 990.00 feet to the Point of Beginning; thence continue North 89°54'28" West, a distance of 330.00 feet, thence North 00°06'16" East, a distance of 664.87 feet; thence South 89°57'29" East, a distance of 330.00 feet; thence South 00°06'16" West, a distance of 665.16 feet to the Point of Beginning, LESS the Northerly 25 feet thereof for road right-of-way [SHOWN AS "(L1)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

TRACT NO. 12:

Commencing at the Southeast corner of the North 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida, go thence North 89°54'28" West, along the South line of the aforesaid North 1/2, a distance of 660.00 feet to the Point of Beginning; thence continue North 89°54'28" West, a distance of 330.00 feet, thence North 00°06'16" East, a distance of 665.16 feet; thence South 89°57'29" East, a distance of 330.00 feet, thence South 00°06'16" West, a distance of 665.45 feet to the Point of Beginning, LESS the Northerly 25 feet for road right-of-way [SHOWN AS "(L2)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

PARCEL I.

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows: From the Southeast corner of said Section 4, run North 89°36'19" West, 2,650.33 feet along the South line of Section 4; thence North 00°13'54" East, 1,326.15 feet to the Point of Beginning; thence South 89°42'45" East, 463.66 feet to the Northwesterly line of a 295.00 foot Florida Power Corporation easement; thence South 23°46'43" West, 475.00 feet along said easement; thence 221.22 feet along the arc of a curve to the right, radius of 199.00 feet, chord North 34°22'28" West, 210.01 feet, thence 248.77 feet along the arc of a curve to the left, having a radius of 199.00 feet, chord North 38°20'28" West, 232.89 feet; thence North 74°09'15" West, 9.78 feet, thence North 00°13'54" East, 78.34 feet to the Point of Beginning [SHOWN AS "(L3)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

PARCEL II

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows: From the Southeast corner of said Section 4, run North 00°17'54" East, 590.00 feet along the East line of Section 4 to the Point of Beginning; thence North 89°36'19" West, 1,465.63 feet, thence 426.66 feet along the arc of a curve to the right, radius 1,000.00 feet, chord North 77°54'48" West, 423.43 feet, thence North 66°13'17" West, 247.24 feet to the Southeasterly line of a 295.00 foot Florida Power Corporation easement; thence North 23°46'43" East, 603.22 feet along said line; thence South 89°42'45" East, 1,866.55 feet to the East line of Section 4; thence South 00°17'54" West, 741.10 feet along the East line of Section 4 to the Point of Beginning [SHOWN AS "(L4)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

PARCEL III.

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows.

From the Southeast corner of said Section 4 as a Point of Beginning, run North 89°36'19" West, 2,442.85 feet along the South line of Section 4 to the Southeasterly line of a 295.00 foot Florida Power Corporation easement; thence North 23°46'43" East, 843.19 feet along said line; thence South 66°13'17" East, 247.24 feet, thence 426.66 feet along the arc of a curve to the left, radius 1,000.00 feet, chord South 77°54'48" East, 423.43 feet; thence South 89°36'19" East, 1,465.63 feet to the East line of Section 4; thence South 00°17'54" West, 590.00 feet along the East line of Section 4 to the Point of Beginning [SHOWN AS "(L5)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

PARCEL IV

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows.

From the Southeast corner of said Section 4, run North 89°36'19" West, 2,650.33 feet along the South line of Section 4; thence North 00°13'54" East, 261.74 feet to the Northwesterly line of a 295.00 foot Florida Power Corporation easement and the Point of Beginning; thence North 00°13'54" East, 986.07 feet, thence South 74°09'15" East, 9.78 feet, thence 248.77 feet along the arc of a curve to the right, radius 199.00 feet, chord South 38°20'28" East, 232.89 feet, thence 221.22 feet along the arc of a curve to the left, radius 199.00 feet, chord South 34°22'28" East, 210.01 feet to the Northwesterly line of a 295.00 foot Florida Power Corporation easement; thence South 23°46'43" West, 685.60 feet along said line to the Point of Beginning [SHOWN AS "(L6)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

EASEMENT

A 50-foot wide Easement Area for roadway purposes to provide private access across Grantor's fee-owned 295-foot wide electric transmission line right-of-way strip in the South 1/2 of Southeast 1/4 of Section 4, Township 23 South, Range 18 East, said 50-foot wide Easement Area being located across said 295-foot wide right-of-way strip in the area generally Southerly of Grantor's existing Towers No. CC-155 and CLT-154 and being more particularly described as follows:

From the Northwest corner of South 1/2 of Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida, run South 89°54'28" East, along the North boundary of said South 1/2 of Southeast 1/4 of Section 4, for 463.02 feet to its point of intersection with the Westerly line of Grantor's fee owned 295-foot wide electric transmission line right-of-way strip, said point being North 89°54'28" West, 2,189.44 feet from the Northeast corner of said South 1/2 of Southeast 1/4 of Section 4; run thence South 23°32'36" West, along said Westerly right-of-way line, 450.00 feet to the Point of Beginning; thence South 66°27'24" East, on a course perpendicular to said Westerly right-of-way line, 295.00 feet to the Easterly line of said 295.00-foot wide right-of-way strip, thence South 23°32'36" West, along said Easterly right-of-way line, 50.00 feet, thence North 66°27'24" West, parallel to and 50 feet from the aforesaid perpendicular course, 295.00 feet to said Westerly right-of-way line, thence North 23°32'36" East, along said Westerly right-of-way line, 50.00 feet to the Point of Beginning. [SHOWN AS "(L7)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

LESS AND EXCEPT

that portion conveyed to Hernando County Water and Sewer District, a public body corporate and politic, by Warranty Deed recorded in Book 3489, Page 724, of the public records of Hernando County, Florida, and being more particularly described as follows:

A parcel of land lying in and being a part of Section 4, Township 23 South, Range 18 East, Hernando County, Florida and being more particularly described as follows.

Commence at the Southeast corner of Section 4, Township 23 South, Range 18 East, Hernando County, Florida; thence N.89°48'26"W along the South line of said Section 4 a distance of 2307.37 feet to the Point of Beginning; thence continue N.89°48'26"W along said South line a distance of 135.38 feet to a point on the East right-of-way line of Florida Power Corporation, thence N.23°33'36"E along said East right-of-way line a distance of 878.85 feet, thence leaving said East right-of-way line S.66°26'24"E a distance of 124.28 feet, thence S.23°33'36"W parallel to said East right-of-way line a distance of 825.15 feet to the Point of Beginning.

A total of 78.69 acres more or less

 Engineering Planning Surveying Environmental Traffic Transportation Construction Management 960 Candlelight Boulevard - Houma, LA 70601 (504) 799-4423 - Fax (504) 799-8359 LB-0000142	LEGAL DESCRIPTION EXHIBIT	DATE 11/06/23
		23034
	SPRINGSIDE COMMUNITY DEVELOPMENT DISTRICT DIAMOND DEVELOPING, LLC	EXHIBIT 2.1



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 13, 2024

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

Dear Honorable Doug Chorvat Jr.,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2024-14, which was filed in this office on September 12, 2024.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/wlh