

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 04-06

AN ORDINANCE ESTABLISHING PARKLANDS LEE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO SECTION 190.005(2), FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT OF THE COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; NAMING THE DISTRICT; PROVIDING THAT THE CITY OF BONITA SPRINGS MAY NOT AND SHALL NOT MODIFY OR DELETE ANY PROVISION OF THE DISTRICT CHARTER SET FORTH IN SECTIONS 190.006 - 190.041, FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Parklands Development Limited Partnership, a Delaware limited partnership, has petitioned the City Council of the City of Bonita Springs, Florida (the "City") to establish PARKLANDS LEE COMMUNITY DEVELOPMENT DISTRICT; and

WHEREAS, the City Council of the City (the "City Council"), after proper published noticed, conducted a local public information-gathering ordinance hearing as required by law and finds as follows:

1. The petition is complete in that it meets the requirements of Section 190.005(1) (a), Florida Statutes; and all statements contained within the petition are true and correct.
2. The Planning Department of Lee County, Florida, on behalf of the City, has reviewed and approved the petition for establishment of the proposed district.
3. The costs to the City and government agencies from establishment of the district are nominal. There is no adverse impact on competition or employment from district establishment. The persons affected by establishment are the future landowners,

present landowners, the City and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from district establishment as the entity to manage and finance the statutory services identified. The impact of district establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the rule, is as economically viable as establishing the district. Methodology is set forth in the economic impact statement on file. The statement of estimated regulatory costs of this petition on district establishment is adequate.

4. Establishment of the proposed district, whose charter is Section 190.006 - 190.041, Florida Statutes, was created by general law, is not inconsistent with the applicable local Comprehensive Plan or the State Comprehensive Plan.

5. The area of land within the proposed district is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.

6. The district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

7. The community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.

8. The area that will be served by the district is amenable to separate special district government.

9. The proposed district, once established, may petition the City Council for

consent to exercise one or more of the powers granted by charter in Section 190.012(2), Florida Statutes.

10. Upon the effective date of this Ordinance, the proposed Parklands Lee Community Development District will be duly and legally authorized to exist and exercise all of its general and special powers as limited by law; and has the right to seek consent from the City for the grant of authority to exercise special powers in accordance with F.S. 190.012(2), without question as to the district's continued right, authority and power to exercise its limited powers as established by this Ordinance.

11. All notice requirements of law were met and complete notice was timely given.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: DISTRICT NAME

The community development district herein established will be known as Parklands Lee Community Development District.

SECTION TWO: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to Section 190.005(2), Florida Statutes, and other applicable provisions of law governing City ordinances.

SECTION THREE: ESTABLISHMENT OF COMMUNITY DEVELOPMENT DISTRICT

Parklands Lee Community Development District is hereby established within the boundaries of the real property described in Exhibit "A" attached hereto and incorporated by reference.

SECTION FOUR: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are designated to be the initial members of the Board of

Supervisors:

Mark Taylor

Brian Farrar

James Reinders

Ken Bloom

Pat Vavrek

SECTION FIVE: STATUTORY PROVISIONS GOVERNING DISTRICT

Parklands Lee Community Development District will be governed by the provisions of Chapter 190, Florida Statutes. In addition, the Developer of the land within the boundaries of Parklands Lee Community Development District, and any successors or assigns, shall include the disclosure statement contained in Section 190.048, Florida Statutes, to subsequent land purchase agreements.

SECTION SIX: CONFLICT OF SEVERABILITY

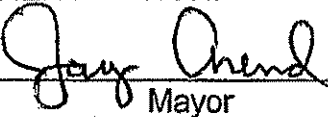
In the event this Ordinance conflicts with any other City ordinance or other applicable law, the more restrictive will apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion will be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion.

SECTION SEVEN: EFFECTIVE DATE

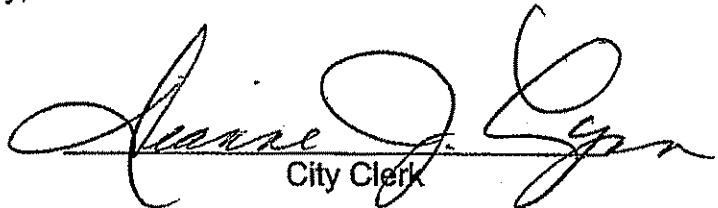
This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 5th day of May, 2004.

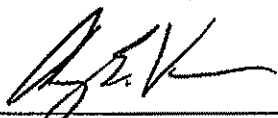
AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 
City Attorney

Vote:

Arend	Aye	Nelson	Aye
Edsall	Aye	Piper	Aye
Grantt	Aye	Wagner	Aye
Joyce	Aye		

Date filed with City Clerk: 5-6-04

BBLs
SURVEYORS & MAPPERS INC.
1502-A RAILHEAD BLVD.
NAPLES, FLORIDA 34110
TELEPHONE: 239-597-1315
FAX: 239-597-5207

LEGAL DESCRIPTION
PARKLANDS LEE CDD

A PORTION OF SECTION 4, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE EAST HALF OF SAID SECTION 4; THENCE S.00°53'52"E., ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 4, A DISTANCE OF 150.01 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE N.89°53'08"E., A DISTANCE OF 1,276.97 FEET TO THE WEST LINE OF SAN REMO AT PALMIRA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 74 AT PAGES 58 THROUGH 68 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.03°35'03"W., ALONG SAID WEST LINE, A DISTANCE OF 20.85 FEET; THENCE S.00°06'52"E., ALONG SAID WEST LINE, A DISTANCE OF 213.79 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 407.00 FEET, A CENTRAL ANGLE OF 27°31'37", A CHORD BEARING OF S.13°38'57"W., AND A CHORD LENGTH OF 193.66 FEET; THENCE ALONG SAID WEST LINE AND THE ARC OF SAID CURVE AN ARC LENGTH OF 195.54 FEET TO THE END OF SAID CURVE; THENCE S.27°24'45"W., ALONG SAID WEST LINE, A DISTANCE OF 630.41 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 59°18'29", A CHORD BEARING OF S.02°14'29"E., AND A CHORD LENGTH OF 470.02 FEET; THENCE ALONG SAID WEST LINE AND THE ARC OF SAID CURVE AN ARC LENGTH OF 491.68 FEET TO THE END OF SAID CURVE; THENCE S.31°53'43"E., ALONG SAID WEST LINE, A DISTANCE OF 291.61 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 550.00 FEET, A CENTRAL ANGLE OF 27°24'42", A CHORD BEARING OF S.18°11'23"E., AND A CHORD LENGTH OF 260.63 FEET; THENCE ALONG SAID WEST LINE AND THE ARC OF SAID CURVE AN ARC LENGTH OF 263.13 FEET TO THE END OF SAID CURVE; THENCE S.04°29'02"E., ALONG SAID WEST

LINE, A DISTANCE OF 450.92 FEET TO THE SOUTH LINE OF SAID SAN REMO AT PALMIRA; THENCE S.62°35'40"E., ALONG SAID SOUTH LINE, A DISTANCE OF 90.08 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 32°29'06", A CHORD BEARING OF S.78°50'13"E., AND A CHORD LENGTH OF 335.64 FEET; THENCE ALONG SAID SOUTH LINE AND THE ARC OF SAID CURVE AN ARC LENGTH OF 340.18 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1,375.00 FEET, A CENTRAL ANGLE OF 12°21'50", A CHORD BEARING OF S.88°53'51"E., AND A CHORD LENGTH OF 296.14 FEET; THENCE ALONG SAID SOUTH LINE AND THE ARC OF SAID CURVE AN ARC LENGTH OF 296.71 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 07°49'29", A CHORD BEARING OF S.86°37'41"E., AND A CHORD LENGTH OF 81.88 FEET; THENCE ALONG SAID SOUTH LINE AND THE ARC OF SAID CURVE AN ARC LENGTH OF 81.94 FEET TO THE END OF SAID CURVE; THENCE N.89°27'35"E., ALONG SAID SOUTH LINE, A DISTANCE OF 573.32 FEET TO THE EAST LINE OF SAID SAN REMO AT PALMIRA; THENCE N.00°48'13"W., ALONG SAID EAST LINE, A DISTANCE OF 2,511.17 FEET; THENCE N.89°53'08"E., A DISTANCE OF 75.01 FEET TO THE EAST LINE OF THE EAST HALF OF SAID SECTION 4; THENCE S.00°48'13"E., ALONG SAID EAST LINE, A DISTANCE OF 5,229.51 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE S.89°57'36"W., ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,620.84 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N.00°53'52"W., ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 67.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 195.00 FEET, A CENTRAL ANGLE OF 17°08'00", A CHORD BEARING OF N.09°27'52"W., AND A CHORD LENGTH OF 58.09 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 58.31 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 26°47'15", A CHORD BEARING OF N.04°38'15"W., AND A CHORD LENGTH OF 69.49 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 70.13 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 868.00 FEET, A CENTRAL ANGLE OF 16°39'16", A CHORD BEARING OF N.00°25'45"E., AND A CHORD LENGTH OF 251.42 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 252.30 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1,837.00 FEET, A CENTRAL ANGLE OF 09°57'43", A CHORD BEARING OF N.02°55'01"W., AND A CHORD LENGTH OF 318.99 FEET;

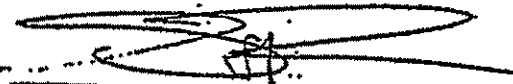
SHEET 2 OF 5

THE ARC OF SAID CURVE AN ARC LENGTH OF 229.78 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 640.00 FEET, A CENTRAL ANGLE OF 10°53'28", A CHORD BEARING OF N.06°40'18"E., AND A CHORD LENGTH OF 121.47 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 121.65 FEET; THENCE N.01°13'36"E., A DISTANCE OF 142.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF N.43°46'24"W., AND A CHORD LENGTH OF 21.21 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 23.56 FEET TO THE END OF SAID CURVE; THENCE N.88°46'24"W., A DISTANCE OF 51.02 FEET; THENCE N.04°22'50"E., A DISTANCE OF 50.08 FEET; THENCE S.88°46'24"E., A DISTANCE OF 84.27 FEET TO SAID WEST LINE; THENCE N.00°53'52"W., ALONG SAID WEST LINE, A DISTANCE OF 1,061.92 FEET; THENCE N.40°06'34"W., A DISTANCE OF 265.44 FEET; THENCE N.49°53'26"E., A DISTANCE OF 120.56 FEET; THENCE S.86°40'01"E., A DISTANCE OF 74.60 FEET TO SAID WEST LINE; THENCE N.00°53'52"W., ALONG SAID WEST LINE, A DISTANCE OF 1,239.59 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 233.76 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO PALMIRA GOLF AND COUNTRY CLUB, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 68 AT PAGES 59 THROUGH 67 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.



02/05/04

STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296)

BBL SURVEYORS & MAPPERS INC., (L.B. #6753)

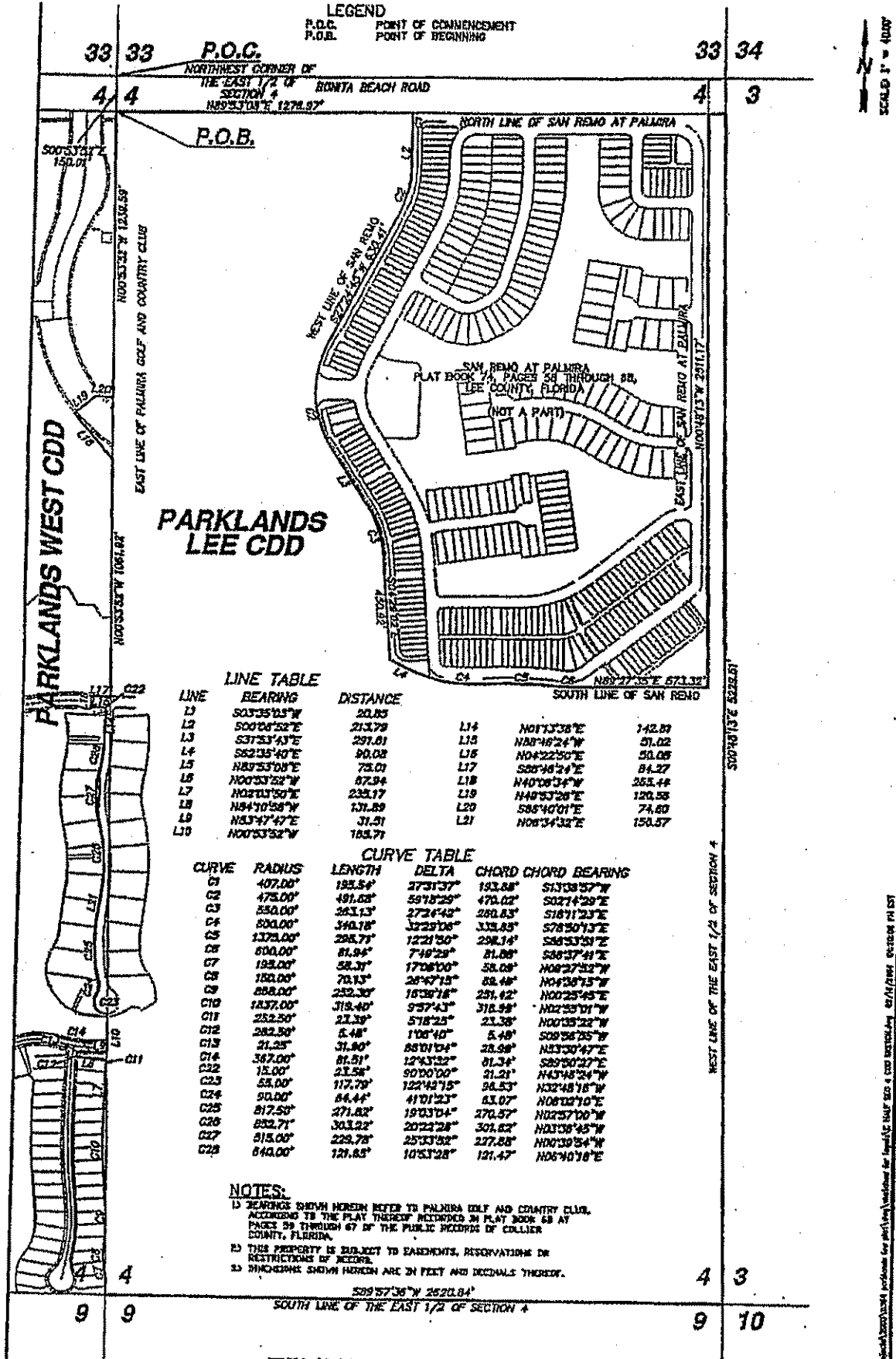
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(SEE ATTACHED SKETCH - E HALF SEC 4 CDD SKETCH)

SHEET 4 OF 5

LEGEND
 P.O.C. POINT OF COMMENCEMENT
 P.O.B. POINT OF BEGINNING



PARKLANDS LEE CDD

PARKLANDS WEST CDD

LINE TABLE

LINE	BEARING	DISTANCE
L1	S03°51'53"W	20.85
L2	S00°06'52"E	21.379
L3	S37°53'43"E	297.01
L4	S62°35'40"E	90.02
L5	N87°53'08"E	73.01
L6	N00°53'52"W	87.94
L7	N02°13'50"E	233.17
L8	N84°10'58"W	131.89
L9	N83°47'47"E	31.51
L10	N00°53'52"W	183.71
L11	N01°13'38"E	142.81
L12	N08°46'24"W	51.02
L13	N04°22'50"E	51.09
L14	S88°46'24"E	84.27
L15	N40°06'34"W	253.44
L16	N48°53'28"E	120.56
L17	S88°40'01"E	74.60
L18	N08°34'32"E	150.57

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C1	407.00'	193.54'	273°37'	193.88'	S13°08'57"W
C2	475.00'	491.68'	59°18'29"	470.02'	S02°14'29"E
C3	550.00'	261.13'	272°44'	280.83'	S18°11'23"E
C4	630.00'	340.18'	322°30'	339.85'	S78°50'13"E
C5	1270.00'	298.71'	122°10'	298.14'	S82°53'31"E
C6	600.00'	81.94'	7°49'29"	81.08'	S88°37'41"E
C7	193.00'	58.31'	17°06'00"	58.08'	N08°27'52"W
C8	180.00'	70.13'	28°47'15"	68.48'	N04°30'15"W
C9	888.00'	232.30'	18°36'18"	231.42'	N00°25'45"E
C10	1837.00'	318.40'	9°57'43"	318.98'	N02°55'01"W
C11	252.50'	21.39'	578°25"	21.38'	N00°38'22"W
C12	282.50'	5.48'	1°06'40"	5.48'	S08°56'55"W
C13	21.25'	31.90'	88°01'54"	23.98'	N03°00'47"E
C14	347.00'	81.51'	12°43'52"	81.34'	S89°00'27"E
C22	15.00'	23.58'	90°00'00"	31.21'	N43°48'24"W
C23	55.00'	117.79'	122°42'15"	98.53'	N32°48'18"W
C24	90.00'	84.44'	41°01'23"	83.07'	N08°02'10"E
C25	817.50'	271.82'	19°03'04"	270.57'	N02°57'00"W
C26	692.71'	303.22'	20°22'28"	301.62'	N03°08'45"W
C27	815.00'	229.78'	25°33'52"	227.88'	N00°30'54"W
C28	640.00'	121.85'	10°53'28"	121.47'	N06°40'16"E

NOTES:

- 1) BEARINGS SHOWN HEREIN REFER TO PALMYRA GOLF AND COUNTRY CLUB, ACCORDING TO THE PLAY THEREOF, RECORDED IN PLAY BOOK 63 AT PAGES 59 THROUGH 67 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
- 2) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
- 3) DIMENSIONS SHOWN HEREIN ARE IN FEET AND DECIMALS THEREOF.

S89°57'36"W 2522.84'
 SOUTH LINE OF THE EAST 1/2 OF SECTION 4

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 PARKLANDS LEE CDD
 A PORTION OF SECTION 4, TOWNSHIP 48 SOUTH, RANGE 26 EAST,
 LEE COUNTY, FLORIDA

BBLB SURVEYORS & MAPPERS INC.
 1502-A RAIL HEAD BLVD.
 NAPLES, FLORIDA 34110 (239)597-1515

SHEET 5 OF 5

DATE	BY	REVISION

SCALE 1" = 40'

BBLB SURVEYORS & MAPPERS INC. 4271/2161 05/10/2015 04:51