

LEE COUNTY ORDINANCE NO. 01-10

AN ORDINANCE ESTABLISHING THE RENAISSANCE COMMUNITY DEVELOPMENT DISTRICT; NAMING THE DISTRICT; PROVIDING FOR THE AUTHORITY OF THE ORDINANCE; ESTABLISHING AND DESCRIBING THE EXTERNAL BOUNDARIES OF THE COMMUNITY DEVELOPMENT DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; ESTABLISHING THE INITIAL POWERS OF THE COMMUNITY DEVELOPMENT DISTRICT; ESTABLISHING THE STATUTORY PROVISIONS GOVERNING THE COMMUNITY DEVELOPMENT DISTRICT; ESTABLISHING ADDITIONAL CONDITIONS IMPOSED ON THE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Worthington of Renaissance, LLC, has petitioned the Lee County Board of County Commissioners to establish THE RENAISSANCE COMMUNITY DEVELOPMENT DISTRICT, a Uniform Community Development District (UCDD), pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes; and

WHEREAS, the Lee County Board of County Commissioners, after proper published notice, 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 §190.005(1)(a), Florida Statutes; and all statements contained within the petition are true and correct.
2. The Lee County Executive Regulatory Oversight Committee has reviewed and approved the petition for establishment of the proposed district.
3. The costs to the County 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, Lee County 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 ordinance, 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 must be consistent with §§190.006 - 190.041, Florida Statutes, was created by general law, is not inconsistent with the local Comprehensive Plan of Lee County 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 Board of County Commissioners for consent to exercise one or more of the powers granted by charter in §190.012(2), Florida Statutes.

10. Upon the effective date of this Ordinance, the proposed Renaissance 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 Lee County 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.

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

SECTION ONE: DISTRICT NAME AND LEGAL DESCRIPTION

The community development district herein established will be known as Renaissance Community Development District. A copy of the legal description of the community development district is attached as Exhibit "A" and incorporated herein by reference.

SECTION TWO: AUTHORITY FOR ORDINANCE

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

SECTION THREE: ESTABLISHMENT OF COMMUNITY DEVELOPMENT DISTRICT

The Renaissance Community Development District is hereby established within the boundaries of the real property located in Lee County, Florida, and described in Exhibit "A" attached hereto and incorporated by reference.

SECTION FOUR: DESIGNATION OF INITIAL MEMBERS OF THE BOARD OF SUPERVISORS

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

1. Jeff Darragh c/o Worthington of Renaissance, LLC
14291 Metro Parkway, Building 1300
Fort Myers, FL 33912
2. John Gnagey c/o Worthington of Renaissance, LLC
14291 Metro Parkway, Building 1300
Fort Myers, FL 33912
3. Glenn Cribbett c/o Worthington of Renaissance, LLC
14291 Metro Parkway, Building 1300
Fort Myers, FL 33912
4. Andrea Skiera c/o Worthington of Renaissance, LLC
14291 Metro Parkway, Building 1300
Fort Myers, FL 33912
5. Scott Connell c/o Worthington of Renaissance, LLC
14291 Metro Parkway, Building 1300
Fort Myers, FL 33912

**SECTION FIVE: INITIAL POWERS OF
THE COMMUNITY DEVELOPMENT DISTRICT**

Upon the effective date of this Ordinance, the proposed Renaissance Community Development District will be duly and legally authorized to exist and exercise all of its powers in accordance with §§190.011 and 190.012(1), Florida Statutes, subject to any conditions imposed herein; and has the right to seek consent from Lee County for the grant of authority to exercise additional special powers in accordance with §190.012(2), Florida Statutes.

**SECTION SIX: STATUTORY PROVISIONS GOVERNING
THE COMMUNITY DEVELOPMENT DISTRICT**

The Renaissance Community Development District will be governed by the provisions of Chapter 190, Florida Statutes,

**SECTION SEVEN: ADDITIONAL CONDITIONS IMPOSED ON THE
COMMUNITY DEVELOPMENT DISTRICT**

The Renaissance Community Development District will also be subject to the following additional conditions:

1. For the life of the UCDD, the disclosure statement contained in §190.048, Florida Statutes, will apply to all subsequent land purchase agreements within the boundaries of the District.
2. The Petitioner agrees, for itself or any successor in interest, to record a replat of the Renaissance South RPD, or such portion of it as necessary to accomplish the aims and means of this condition, prior to the issuance of any bonds by the Renaissance UCDD, to ensure that no discrete, legally identifiable parcel lies partially within the UCDD and partially outside the UCDD.

SECTION EIGHT: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other Lee County 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 NINE: EFFECTIVE DATE


This Ordinance becomes effective upon filing with the Florida Secretary of State.

THE FOREGOING ORDINANCE was offered by Commissioner John E. Albion, who moved its adoption. The motion was seconded by Commissioner Ray Judah and, being put to a vote, the vote was as follows:

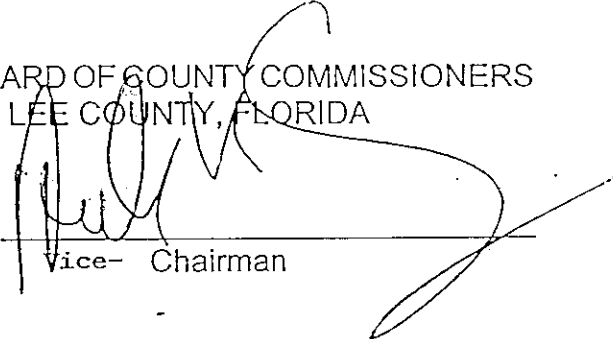
ROBERT P. JANES	Aye
DOUGLAS R. ST. CERNY	Aye
RAY JUDAH	Aye
ANDREW W. COY	Aye
JOHN E. ALBION	Aye

DULY PASSED AND ADOPTED THIS 14th day of August, 2001.

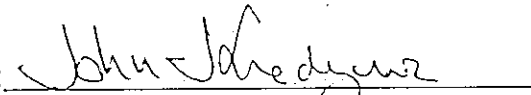
ATTEST:
CHARLIE GREEN, CLERK

By: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: 
Vice- Chairman

APPROVED AS TO FORM:

By: 
Office of County Attorney

LEGAL DESCRIPTION FOR CDD BOUNDARY

A PARCEL OF LAND LYING IN SECTIONS 15 AND 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, SAID LAND BEING SITUATED WEST OF I-75 AND NORTH OF DANIELS ROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST; THENCE N 00°56'38" W, A DISTANCE OF 330.69' ALONG THE WEST LINE OF SECTION 15 TO A POINT; THENCE N 89°35'15" E, A DISTANCE OF 645.71' TO A POINT NEAR THE CENTERLINE OF PALOMINO ROAD AND ON THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15; THENCE WITH SAID FRACTION LINE, N 00°57'24" W, A DISTANCE OF 2315.02' TO A POINT ON THE NORTH LINE OF SAID SECTION 15; THENCE WITH SAID NORTH LINE N 89°34'12" E, A DISTANCE OF 1935.59' TO THE NORTH 1/4 CORNER OF SECTION 15; THENCE CONTINUE ALONG SAID NORTH LINE, N 89°34'32" E, A DISTANCE OF 1560.79' TO A POINT ON THE WEST RIGHT OF WAY OF I-75; THENCE WITH SAID WEST LINE THE FOLLOWING BEARINGS AND DISTANCES; RUNNING AROUND A NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 06°32'27", AN ARC DISTANCE OF 2602.82', RADIUS OF 22800.31', A CHORD BEARING OF S 05°04'21" W, A DISTANCE OF 2601.41' TO A POINT; THENCE S 08°20'34" W, A DISTANCE OF 1104.33' TO A POINT; THENCE AROUND A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°01'01", AN ARC DISTANCE OF 1619.92', RADIUS OF 11577.25', A CHORD BEARING OF S 04°20'04" W, A DISTANCE OF 1618.60' TO A POINT; THENCE S 00°29'46" E, A DISTANCE OF 720.92' (PLAT CALL OF 720.77') TO A POINT; THENCE S 03°21'36" W, A DISTANCE OF 518.59' TO A POINT; THENCE S 07°47'14" W, A DISTANCE OF 157.00' TO A POINT MARKING THE SOUTHEAST CORNER OF LOT 3 OF "DANPORT CENTER" AS RECORDED IN PLAT BOOK 36 PAGES 118 THROUGH 120; THENCE WITH THE SOUTH LINE OF SAID LOT 3, S 88°58'07" W, A DISTANCE OF 322.37' TO A POINT; THENCE S 53°11'01" W, A DISTANCE OF 783.03' TO A POINT MARKING THE NORTHEAST CORNER OF "DANPORT CENTER PHASE 1A" AS RECORDED IN PLAT BOOK 49 PAGES 87 THROUGH 92; THENCE WITH THE NORTH LINE OF SAID PLATTED LANDS AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 24°44'22", AN ARC DISTANCE OF 259.07', RADIUS OF 600.00', A CHORD BEARING OF S 76°35'59" W, A DISTANCE OF 257.06' TO A POINT; THENCE S 88°58'10" W, A DISTANCE OF 330.70' TO A POINT; THENCE AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 12°26'10" AN ARC DISTANCE OF 130.23', HAVING A RADIUS OF 600.00', WITH A CHORD BEARING OF N 84°48'46" W, A DISTANCE OF 129.98' TO A POINT; THENCE LEAVING SAID PLAT AND RUNNING N 01°01'50" W, A DISTANCE OF 397.53' TO A POINT; THENCE N 75°40'45" W, A DISTANCE OF 743.25' TO A POINT; THENCE S 89°34'24" W, A DISTANCE OF 433.00' TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF SECTION 22, AND BEING NEAR THE CENTERLINE OF PALOMINO ROAD; THENCE ALONG SAID EAST LINE, N 01°02'35" W A DISTANCE OF 1323.36' TO A POINT ON THE SOUTH LINE OF THE AFOREMENTIONED SECTION 15; THENCE N 01°05'26" W, A DISTANCE OF 1986.44' ALONG THE EAST LINE OF THE W 1/2 OF THE WEST 1/2 OF SECTION 15 TO THE SE CORNER OF THE NW 1/4 OF THE SW 1/4 OF SECTION 15; THENCE LEAVING SAID EAST LINE AND RUNNING S 89°35'11" W, A DISTANCE OF 645.55' TO A POINT MARKING THE SW CORNER OF THE NW 1/4 OF THE SW 1/4 OF SECTION 15 AND ON THE WEST LINE OF SAID SECTION; THENCE WITH SAID SECTION LINE N 01°06'40" W, A DISTANCE OF 662.19' TO THE POINT OF BEGINNING.

CONTAINING 507.023 ACRES MORE OR LESS.

Certification for Boundary Description

Surveyor and Mapper in Responsible Charge:

Roger H. Harrah, LS #5294

Community Engineering Services, Inc. LB #6572

9200 Bonita Beach Road, Suite 213

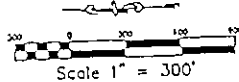
Bonita Springs, FL 34135

Seal:

Signed: 

Date: 08/10/01

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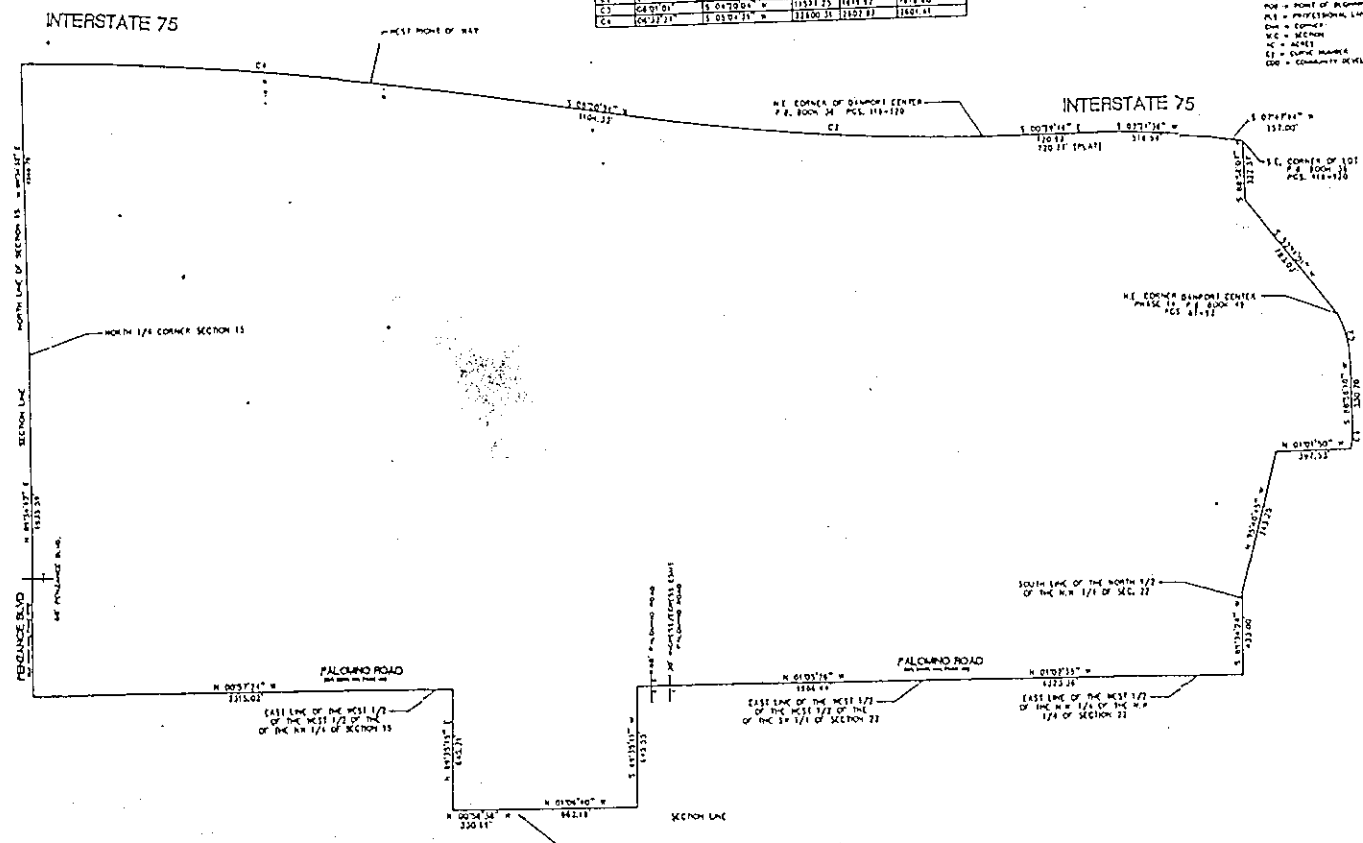
NUMBER	BEARING	ANGLE	CORNER DESCRIPTION	RADIUS	ARC LENGTH	CORD LENGTH
C1	S 82°20'31"			100.00	130.73	128.14
C2	S 71°44'32"			100.00	133.07	131.04
C3	S 64°12'04"			113.5173	141.81	141.80
C4	S 64°22'21"			123.0631	162.93	162.41

LEGEND

- (C) = CALCULATED
- (M) = MEASURED
- (P) = PLAIN
- (N) = NATIONAL GEODETIC MEANSEA LEVEL
- (L) = LOCAL STATE GEODETIC MEANSEA LEVEL
- (E) = POINT OF BEGINNING
- (C) = CURVE CENTER
- (R) = RADIUS
- (L) = ARC LENGTH
- (C) = CORD LENGTH
- (P) = POINT
- (O) = OFFICIAL RECORD BOOK
- (C) = CURVE CENTER
- (P) = POINT OF BEGINNING
- (P) = PROFESSIONAL LAND SURVEYOR
- (C) = CURVE
- (C) = CURVE CENTER
- (C) = COMMUNITY DEVELOPMENT DISTRICT

DISCLAIMER NOTES

1. THE SURVEY IS BASED UPON THE DATA AS SHOWN ON THE PLANS AND THE FIELD NOTES AND THE SURVEYOR'S FIELD BOOKS.
2. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY DEEDS, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY DESCRIBED HEREIN.
3. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY DEEDS, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY DESCRIBED HEREIN.
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THIS IS NOT A SURVEY

CDD BOUNDARY
507.023 ACRES MORE OR LESS

File: 01-01-01
Draw: JAT
Title: CDD
Job: BNDKSKMT

NO.	REV.	DATE	DESCRIPTION

BOUNDARY SKETCH FOR RENAISSANCE CDD
A PORTION OF SECTION 15 & 22-TWP 45S RGE 25E LEE COUNTY, FLORIDA

COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management
LB# 6572
9200 Bonita Beach Road, Suite 213
Bonita Springs, Florida 34135
Telephone (941) 495-0009 Fax (941) 495-7934

SEE ATTACHED LEGAL DESCRIPTION

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

August 20, 2001

Honorable Charlie Green
Clerk of Circuit Court
Lee County
Post Office Box 2469
Ft. Myers, Florida 33902-2469

Attention: Ruth Frymier, Deputy Clerk

Dear Mr. Green:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 17, 2001 and Ordinance No. 01-10, which was filed in this office on August 20, 2001.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

