

## **ORDINANCE NO. 2023-4**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND ESTABLISHING THE CYPRESS BLUFF 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 NOTICE OF REQUIREMENTS; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, KB Home Orlando LLC ("Petitioner"), having obtained written consent to the establishment of the Cypress Bluff Community Development District (the "District") by owners of one hundred percent (100%) of the real property to be included in the District, petitioned the City Council of the City of Groveland, Florida (the "Council"), to enact an ordinance establishing the Cypress Bluff Community Development District pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, the Petitioner is a Delaware limited liability company authorized to conduct business in the State of Florida with a mailing address of 9102 Southpark Center Loop, Suite 100, Orlando, Florida 32819; 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 Council on February 21, 2023: and

**WHEREAS**, upon consideration of the record established at that hearing, the Council 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 City'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 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 and/or regulations 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.

**NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AS FOLLOWS:**

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.
2. District Name. There is hereby established a community development district situated entirely within the incorporated boundaries of the City of Groveland, Florida, which shall be known as the "Cypress Bluff Community Development District", and which shall be referred to in this ordinance as the "District."
3. District External Boundaries. The external boundaries of the District are described in Exhibit "A" attached hereto, said boundaries encompassing 156.36 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.
4. District Powers and Functions. The Cypress Bluff Community Development District shall have all those general powers granted pursuant to Section 190.011, and those special powers granted pursuant to Section 190.012(1), Florida Statutes. Consent is hereby given to the District to exercise those powers relating to parks and facilities for indoor and outdoor recreational, cultural, and educational uses contained in Section 190.012(2)(a) and security, including, but not limited to, guardhouses, fences and gates, electronic detection systems, and patrol cars, as set forth in Section 190.012(2)(d), Florida Statutes. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies. The District shall not have any zoning or permitting powers governing land development or use of land.
5. Termination of District. In the event that the District established hereunder is terminated for any reason, the City shall in no way be required to accept ownership and/or maintenance responsibility for the road rights of way, stormwater

management and drainage systems, and street lighting that are necessary for the development in the District without the City's express written consent unless and until otherwise owned by the City.

6. Board of Supervisors. The five persons designated to serve as initial members of the District's Board of Supervisors are: Stephen McCann, Doug Beasley, Tony Iorio, Stephen Feccia and Paul Thomas.
7. Notice Requirements. The District shall provide public notice of all meetings pursuant to law.
8. Special Assessments. Non ad valorem special assessments, as defined in Chapter 190, Florida Statutes, shall only be levied by the District on those lands included within the District boundary, as such boundary may be amended, and in accordance with Chapter 190, Florida Statutes.
9. 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 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.
10. The correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Attorney or designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk and recording a corrected copy of the ordinance in the public records of Lake County, Florida.
11. This ordinance shall not be codified, but the City Clerk shall retain this ordinance as a permanent record of action taken by the City Council.
12. All ordinances in conflict herewith are hereby repealed.
13. This ordinance shall take effect immediately upon passage at second reading.

*[remainder of page intentionally left blank]*

INTRODUCED on first reading by the City Council of the City of Groveland, Florida, this 6<sup>th</sup> day of February, 2023.

**DONE, THE PUBLIC NOTICES**, in a newspaper of general circulation in the City of Groveland, Florida, by the Petitioner, commencing the 29th day of January, 2023, and running once each week for four consecutive weeks, ending on the 19<sup>th</sup> day of February, 2023.

**DONE, THE SECOND READING AND ADOPTED ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Groveland, Florida, this 21<sup>st</sup> day of February, 2023.

Vice Mayor Radzik  
Council Member Gaines moved the passage and adoption of the above and foregoing ordinance. Motion was seconded by Council Member Radzik and upon roll call on the motion the vote was as follows:

	YEA	NAY
Barbara Gaines	✓	
Mike Radzik	✓	
Richard Skyzinski	✓	
Dina Sweatt	✓	
Evelyn Wilson	✓	

CITY OF GROVELAND, FLORIDA

Evelyn Wilson  
EVELYN WILSON, MAYOR

ATTEST:

Virginia Wright  
VIRGINIA WRIGHT, CITY CLERK





Approved as to form:

A handwritten signature in blue ink, reading 'Anita Geraci-Carver', is written over a horizontal line.

ANITA GERACI-CARVER, ESQ.  
CITY ATTORNEY

Exhibit "A"

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47"EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18"EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03"EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48"EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21"WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32"EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43"WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48"EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50"EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE RUN NORTH 89° 17' 51" WEST, ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°18' 44" WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 156.36 ACRES, MORE OR LESS.