

ORDINANCE NO. 2019 - 14

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, ESTABLISHING THE CURRENTS COMMUNITY DEVELOPMENT DISTRICT LOCATED IN UNINCORPORATED COLLIER COUNTY AND CONTAINING APPROXIMATELY 516.28 ACRES; PROVIDING FOR THE AUTHORITY OF THE ORDINANCE; PROVIDING FOR THE ESTABLISHMENT OF THE BOUNDARIES FOR THE CURRENTS COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL BOARD MEMBERS; PROVIDING FOR THE DISTRICT NAME; PROVIDING FOR STATUTORY PROVISIONS GOVERNING THE DISTRICT; PROVIDING FOR CONSENT TO SPECIAL POWERS; PROVIDING FOR PETITIONER'S COMMITMENTS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Taylor Morrison of Florida, Inc., a Florida for profit company, has petitioned the Board of County Commissioners (Board) of Collier County, Florida, a political subdivision of the State of Florida, to establish the Currents Community Development District (District); and

WHEREAS, the Board of County Commissioners, after proper published notice has conducted a public hearing on the petition and determined the following with respect to the factors to be considered in Section 190.005(1)(e) Florida Statutes, as required by Section 190.005(2)(c), Florida Statutes:

1. The petition is complete and meets the requirements of Section 190.005, Florida Statutes, and all statements contained within the petition are true and correct.
2. Establishment of the proposed District is not inconsistent with any applicable element or portion of the local comprehensive plan of Collier County, known as the Collier County Growth Management Plan, or the State Comprehensive Plan.
3. 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.
4. The District is the best alternative available for delivering community development services and facilities to the area that will be serviced by the District.
5. 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.



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

WHEREAS, it is the policy of this State, as provided for in Section 190.002(2)(c), Florida Statutes, that the exercise by any independent district of its powers as set forth by uniform general law comply with all applicable governmental laws, rules, regulations, and policies governing planning and permitting of the development to be serviced by the district, to ensure that neither the establishment nor operation of such district is a development order under Chapter 380, Florida Statutes, and that the district so established does not have any zoning or permitting powers governing development; and

WHEREAS, Section 190.004(3), Florida Statutes, provides that all governmental planning, environmental, and land development laws, regulations, and ordinances apply to all development of the land within a community development district. Community development districts do not have the power of a local government to adopt a comprehensive plan, building code, or land development code, as those terms are defined in the Local Government Comprehensive Planning and Land Development Regulation Act. A district shall take no action which is inconsistent with applicable comprehensive plans, ordinances, or regulations of the applicable local general-purpose government.

WHEREAS, pursuant to Section 190.012(2)(a) and (d), Florida Statutes, upon the establishment of the proposed community development district, the District Board of Supervisors have sought consent from Collier County for the grant of authority to exercise special powers without question as to the continued right, authority and power to exercise its limited powers as established by this Ordinance.

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

SECTION ONE: AUTHORITY FOR ORDINANCE

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

SECTION TWO: ESTABLISHMENT OF THE CURRENTS COMMUNITY DEVELOPMENT DISTRICT

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

SECTION THREE: DESIGNATION OF INITIAL BOARD MEMBERS

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

- | | |
|---|--|
| 1. John Wollard
551 Cattlemen Road, Ste 200
Sarasota, FL 34232 | 2. Ryan Futch
551 Cattlemen Road, Ste 200
Sarasota, FL 34232 |
| 3. Andrew Miller
551 Cattlemen Road, Ste 200
Sarasota, FL 34232 | 4. Timothy Martin
551 Cattlemen Road, Ste 200
Sarasota, FL 34232 |
| 5. Richard Brown
551 Cattlemen Road, Ste 200
Sarasota, FL 34232 | |

SECTION FOUR: DISTRICT NAME

The community development district herein established shall henceforth be known as the "Currents Community Development District."

SECTION FIVE: STATUTORY PROVISIONS GOVERNING THE DISTRICT

The Currents Community Development District shall be governed by the provisions of Chapter 190, Florida Statutes, and all other applicable general and local law.

SECTION SIX: CONSENT TO SPECIAL POWERS

Upon the effective date of this Ordinance, the Currents Community Development District will be duly and legally authorized to exist and exercise all of its powers as set forth in Section 190.012(1), Florida Statutes, and as otherwise provided by law. The Board hereby consents to the exercise by the Board of Supervisors of the District of the special powers set forth in Section

190.012(2)(a) and (d), Florida Statutes, to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for: (1) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses and (2) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries.

SECTION SEVEN: PETITIONER'S COMMITMENTS

The adoption of this Ordinance is predicated upon the material inducements contained in the foregoing recitals setting forth Petitioner's Commitments, re-stated as follows: (1) elect one resident of the District to the five member Board of Supervisors at such time as residents begin occupying homes in the District, and (2) record a Notice of Assessments containing the specific terms and conditions of any special assessments imposed to secure bonds issued by the District, which notice shall be recorded immediately after any such bond issuance. The Board shall retain any and all rights and remedies available at law and in equity to enforce Petitioner's Commitments against Petitioner, its successors and assigns.

SECTION EIGHT: CONFLICT AND SEVERABILITY

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

SECTION NINE: INCLUSION IN CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinances may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION TEN: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 25th day of June, 2019.

ATTEST:
CRYSTAL K. KINZEL, Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: *Crystal Kinzel*
Attest as to Chairman's
signature only.

By: *William L. McDaniel, Jr.*
William L. McDaniel, Jr., Chairman

Approved as to form and legality:

[Signature]
Jeffrey A. Klatzkow, County Attorney

This ordinance filed with the
Secretary of State's Office the
27th day of June, 2019
and acknowledgement of that
filing received this 27th day
of June, 2019
By: *Crystal Kinzel*
Deputy Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 13, TOWNSHIP 51 SOUTH, RANGE 26 EAST AND SECTIONS 18 AND 19, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 18, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, THE SAME BEING A POINT ON THE BOUNDARY OF THOSE CERTAIN LANDS DESCRIBED IN THAT SPECIAL WARRANTY DEED BETWEEN FIDDLER'S LAND INVESTOR, LLC AND TAYLOR MORRISON OF FLORIDA, INC., MADE OCTOBER 30TH, 2018; THENCE RUN THE FOLLOWING FOUR (4) COURSE ALONG THE BOUNDARY OF LAST SAID LANDS: COURSE NO. 1: SOUTH 00°19'26" EAST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA, A DISTANCE OF 908.82 FEET; COURSE NO. 2: SOUTH 89°37'25" WEST, 5,121.01 FEET; COURSE NO. 3: NORTH 00°22'35" WEST, A DISTANCE OF 1,364.92 FEET; COURSE NO. 4: NORTH 84°46'05" WEST, 505.52 FEET TO A POINT ON THE BOUNDARY OF THOSE CERTAIN LANDS DESCRIBED IN THAT PARTITION SPECIAL WARRANTY DEED BETWEEN FC OYSTER HARBOR, LLC AND TM OYSTER HARBOR, LLC, MADE OCTOBER 30TH, 2018; THENCE RUN THE FOLLOWING FORTY ONE (41) COURSES ALONG THE BOUNDARY OF LAST SAID LANDS; COURSE NO. 1: CONTINUE NORTH 84°46'05" WEST, 7.72 FEET (FOR A TOTAL OF 513.24 FEET); COURSE NO. 2: NORTH 77°45'48" WEST, 68.76 FEET; COURSE NO. 3: NORTH 88°51'30" WEST, 65.94 FEET; COURSE NO. 4: NORTH 84°45'16" WEST, 595.29 FEET; COURSE NO. 5: NORTH 08°46'55" EAST, 15.19 FEET; COURSE NO. 6: NORTH 81°13'05" WEST, 86.83 FEET TO A POINT OF CURVATURE; COURSE NO. 7: SOUTHWESTERLY, 40.61 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 93°04'05" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 52°14'52" WEST, 36.29 FEET; COURSE NO. 8: SOUTH 05°42'49" WEST, A DISTANCE OF 16.93 FEET TO A POINT OF CURVATURE; COURSE NO. 9: SOUTHWESTERLY, 49.00 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 112°17'57" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 61°51'48" WEST, 41.52 FEET; COURSE NO. 10: NORTH 61°59'14" WEST, 75.11 FEET TO A POINT OF CURVATURE; COURSE NO. 11: NORTHERLY, 42.43 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 81°02'25" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 21°28'01" WEST, 38.98 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 12: NORTHWESTERLY, 213.13 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 90.00 FEET, THROUGH A CENTRAL ANGLE OF 135°41'08" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 48°47'22" WEST, 166.71 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 13: WESTERLY, 61.99 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 65.00 FEET, THROUGH A CENTRAL ANGLE OF 54°38'43" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 89°18'35" WEST, 59.67 FEET; COURSE NO. 14: NORTH 61°59'14" WEST, 36.90 FEET; COURSE NO. 15: NORTH 21°37'59" EAST, 250.74 FEET TO A POINT OF CURVATURE; COURSE NO. 16: NORTHERLY, 121.17 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 230.00 FEET, THROUGH A CENTRAL ANGLE OF 30°11'06" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 06°32'26" EAST, 119.77 FEET TO A POINT OF REVERSE CURVATURE;

COURSE NO. 17: NORTHERLY, 34.24 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 65.00 FEET, THROUGH A CENTRAL ANGLE OF 30°11'06" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 06°32'26" EAST, 33.85 FEET; COURSE NO. 18: NORTH 21°37'59" EAST, 100.89 FEET TO A POINT OF CURVATURE; COURSE NO. 19: NORTHERLY, 162.28 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1,190.00 FEET, THROUGH A CENTRAL ANGLE OF 07°48'48" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 17°43'35" EAST, 162.15 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 20: NORTHERLY, 138.92 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 15°36'23" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 21°37'22" EAST, 138.49 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 21: NORTHERLY, 376.91 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 890.00 FEET, THROUGH A CENTRAL ANGLE OF 24°15'51" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 17°17'38" EAST, 374.10 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 22: NORTHEASTERLY, 56.89 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 65°11'08" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 37°45'17" EAST, 53.87 FEET; COURSE NO. 23: NORTH 68°59'19" EAST, 25.61 FEET; COURSE NO. 24: SOUTH 51°48'02" EAST, 171.93 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE NO. 25: NORTHEASTERLY, 143.41 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 895.00 FEET, THROUGH A CENTRAL ANGLE OF 09°10'51" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 44°11'54" EAST, 143.26 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 26: NORTHEASTERLY, 157.90 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 668.60 FEET, THROUGH A CENTRAL ANGLE OF 13°31'53" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 42°01'23" EAST, 157.53 FEET TO A POINT OF COMPOUND CURVATURE; COURSE NO. 27: NORTHEASTERLY, 185.88 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 21°18'01" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 24°36'26" EAST, 184.81 FEET; COURSE NO. 28: NORTH 13°57'25" EAST, 434.86 FEET TO A POINT OF CURVATURE; COURSE NO. 29: NORTHEASTERLY, 389.88 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 495.00 FEET, THROUGH A CENTRAL ANGLE OF 45°07'42" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 36°31'16" EAST, 379.88 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 30: NORTHEASTERLY, 151.58 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 57°54'01" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 30°08'06" EAST, 145.21 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE NO. 31: EASTERLY, 303.95 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 255.00 FEET, THROUGH A CENTRAL ANGLE OF 68°17'37" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 72°41'19" EAST, 286.27 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 32: NORTHEASTERLY, 214.76 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 250.00 FEET, THROUGH A CENTRAL ANGLE OF 49°13'09" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 63°09'05" EAST, 208.22 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 33:

NORTHEASTERLY, 248.23 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 210.00 FEET, THROUGH A CENTRAL ANGLE OF 67°43'34" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 53°53'52" EAST, 234.03 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 34: NORTHEASTERLY, 122.11 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 69°57'55" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 55°01'02" EAST, 114.67 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 35: EASTERLY, 57.32 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 32°50'27" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 73°34'46" EAST, 56.54 FEET; COURSE NO. 36: NORTH 57°09'32" EAST, 115.02 FEET; COURSE NO. 37: NORTH 04°35'06" WEST, 86.36 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE NO. 38: NORTHEASTERLY, 528.63 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 830.00 FEET, THROUGH A CENTRAL ANGLE OF 36°29'32" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 66°47'03" EAST, 519.74 FEET TO A POINT OF REVERSE CURVATURE; COURSE NO. 39: EASTERLY, 403.75 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF 77°06'37" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 87°05'36" EAST, 373.96 FEET; COURSE NO. 40: NORTH 35°38'54" EAST, A DISTANCE OF 200.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TAMIAMI TRAIL (U.S. 41); COURSE NO. 41: SOUTH 54°21'06" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 859.24 FEET TO A POINT ON AFOREMENTIONED LANDS DESCRIBED IN THAT SPECIAL WARRANTY DEED BETWEEN FIDDLER'S LAND INVESTOR, LLC AND TAYLOR MORRISON OF FLORIDA, INC., MADE OCTOBER 30TH, 2018; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG THE BOUNDARY OF LAST SAID LANDS; COURSE NO. 1: CONTINUE SOUTH 54°21'06" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2,779.06 FEET (FOR A TOTAL DISTANCE OF 3,638.30 FEET); COURSE NO. 2: SOUTH 54°23'36" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 953.19 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 18; COURSE NO. 3: SOUTH 00°31'32" WEST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 18, 1,272.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 22,488,941 SQUARE FEET OR 516.275 ACRES, MORE OR LESS.





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 27, 2019

Ms. Teresa L. Cannon, BMR Senior Clerk II
Office of the Clerk of the Circuit Court
& Comptroller of Collier County
3299 Tamiami Trail, Suite #401
Naples, Florida 34112-5324

Dear Ms. Cannon:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2019-14, which was filed in this office on June 27, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb