**AMENDING** "COMMUNITY ORDINANCE CHAPTER 14 DEVELOPMENT" OF THE ST. LUCIE COUNTY CODE: ESTABLISHING THE BEDNER FARMS COMMUNITY DEVELOPMENT DISTRICT; ESTABLISHING THE BOUNDARIES OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS OF THE **DISTRICT; PROVIDING POWERS; PROVIDING SPECIAL CONDITIONS;** PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR SCRIVENER'S ERRORS: PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR CODIFICATION; AND SETTING FORTH THE VOTE ON ADOPTION.

ICHELLE R. MILLER, CLERK OF THE CIRCUIT COURT AINT LUCIE COUNTY AINT LUCIE COUNTY ILE # 539021 10975/2024 09:26:28 AM ILE # 539021 10975/2024 09:26:28 AM R BOOK 5211 PAGE 1476 - 1487 Doc Type: ORDN ECORDING: \$103.50

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida ("Board") based on the testimony and evidence at the public hearing referenced below, including, but not limited to the County staff report, has made the following determinations:

- 1. The Board is authorized, pursuant to Sections 125.01 and 190.005, Florida Statutes, to establish community development districts that are less than 2,500 acres in size and located within the unincorporated areas of the County.
- 2. Kolter Acquisitions, LLC, has filed with the Board a petition for the establishment of a community development district of less than 2,500 acres in size located within the unincorporated area of the County ("District"), pursuant to Section 190.005(2), Florida Statutes ("Petition"), which Petition contains the information required by Section 190.005(2)(a) and Section 190.005(1)(a), Florida Statutes, and evidences the consent of 100% of the owners of the subject real property to the establishment of the District.
- 3. In accordance with Section 190.005(1)(d) and 2(b), Florida Statutes, the Board held a public hearing on September 17, 2024, after publishing notice of such hearing in the Tribune on August 20, 2024, August 28, 2024, September 3, 2024 and September 10, 2024; and:
- 4. The Board has reviewed the Petition and considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), Florida Statutes, and has found that:
  - (a) All statements contained within the petition are true and correct;
- (b) The creation of this District is consistent with all applicable elements and portions of the state comprehensive plan and the effective County comprehensive plan;
- (c) The area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;

- (d) The District is the best alternative available for delivering the community development services and facilities district to the area that will be served by the District;
- (e) The community development services and facilities for the District will be compatible with the capacity and uses of the existing local and regional community development services and facilities;
- (f) The area that will be served by the District is amenable to separate special district government; and
- (g) This Ordinance is not a development order and adoption of this Ordinance does not grant any developments rights.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St. Lucie County, Florida:

PART A. ARTICLE XXI OF CHAPTER 14 "COMMUNITY DEVELOPMENT" OF THE ST. LUCIE COUNTY CODE, IS CREATED TO READ:

# ARTICLE XXI"BEDNER FARMS" COMMUNITY DEVELOPMENT DISTRICT:

## Section 14-390. Established; Name

<u>Based on the above findings and consideration, the Board grants the Petition and establishes the Bedner Farms Community Development District.</u>

#### Section 14-391. Boundaries

The external boundaries of the Bedner Farms Community Development District are as set forth in the legal description below being located entirely within the unincorporated boundaries of the County. No real property within the external boundaries of the District is to be excluded.

Bedner Farms CDD - Legal Description

See Exhibit "A" attached hereto and incorporated herein.

## Section 14-392. Initial Board of Supervisors

The Board designates and appoints the following five persons as the initial members of the Board of Supervisors of the Bedner Farms Community Development District: Michael Caputo, Scott Morton, Justin Frye, Jon Seifel, and John Csapo, to serve until a new Board of Supervisors will be elected by law.

#### Section 14-393. Powers

The Bedner Farms Community Development District shall be governed by Chapter 190, Florida Statutes, and shall have, and the District Board of Supervisors may exercise, all those general powers granted pursuant to Section 190.011. and those special powers granted pursuant to Section 190.012 (1)(3) and (4), together with those powers relating to Recreation and Security contained in Section 190.012 (2)(a) and (d), and may exercise all other special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities and basic infrastructure within, and outside the boundaries of the District as authorized under Section 190.012, subject to the following limitations.

- 1. The Bedner Farms Community Development District shall obtain and secure water, wastewater and reclaimed water service for the lands within the District from the St. Lucie County Water and Sewer District, and will not provide water, wastewater or reclaimed water service to the lands located within or outside the boundaries of the District, but may finance the cost of securing and maintaining such service for the benefit of the lands within the District.
- <u>2.</u> <u>The Bedner Farms Community Development District shall not be authorized to construct fire stations or provide for fire trucks or other vehicles and equipment related thereto.</u>
- 3. The Bedner Farms Community Development District shall not be authorized to provide mosquito control services within or without the boundaries of the District.
- 4. The Bedner Farms Community Development District shall not be authorized to provide solid waste collection or disposal services within or without the boundaries of the District.
- <u>5.</u> <u>The Bedner Farms Community Development District shall not condemn property</u> outside the boundaries of the District.

## Section 14-394. Special Conditions

- <u>1.</u> The Bedner Farms Community Development District will use its best efforts to develop in an integrated fashion the traffic circulation and utility facilities on the district property as one functional interrelated community.
- <u>2.</u> The Bedner Farms Community Development District shall take no action which is inconsistent with the comprehensive plan. ordinances or regulations of St. Lucie County.
- 3. No publicly owned property that may be located or acquired within the legal description of the Bedner Farms Community Development District shall be assessed for, or obligated in any way to pay for the infrastructure constructed, maintained, financed or operated by the Community Development District described in section 14-391 above.

- 4. The Bedner Farms Community Development District shall take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to real property undertaken by the district. Such information shall be made available to all existing residents, and to all prospective residents of the district. The district shall furnish each developer of a residential development within the district with sufficient copies of that information to provide each prospective initial purchaser of property in that development with a copy, and any developer of a residential development within the district, when required by law to provide a public offering statement, shall include a copy of such information relating to the public financing and maintenance of improvements in the public offering statement.
- 5. Following the establishment of the Bedner Farms Community Development District, each contract for the initial sale of a parcel of real property and each contract for the initial sale of a residential unit within the District shall include, immediately prior to the space reserved in the contract for the signature of the purchaser, the following disclosure statement in boldfaced and conspicuous type which is larger than the type in the remaining text of the contract: "THE BEDNER FARMS COMMUNITY DEVELOPMENT DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS. ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

## PART B. CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

#### PART C. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

## PART D. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout St. Lucie County's jurisdiction.

## PART E. ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS.

The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the County Attorney or designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Courts.

#### PART F. FILING WITH THE DEPARTMENT OF STATE.

The Clerk is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

#### PART G. EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Department of State.

## PART H. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

Chair Cathy Townsend	AYE
Vice Chair Chris Dzadovsky	AYE
Commissioner Linda Bartz	AYE
Commissioner Larry Leet	AYE
Commissioner Jamie Fowler	AYE

#### PART I. CODIFICATION.

Provisions of this ordinance shall be incorporated in the Code of Ordinances of St. Lucie County, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Parts B through H shall not be codified.

PASSED AND DULY ADOPTED this 17th day of September, 2024.

**ATTEST** 

DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS ST. LUCIE COUNTY, FLORIDA

CHAIR

APPROVED AS TO FORM AND

**CORRECTNESS:** 

COUNTY ATTORNEY

# EXHIBIT "A" LEGAL DESCRIPTION BEDNER FARMS COMMUNITY DEVELOPMENT DISTRICT

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Neighborhood

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Drawings\Bedner

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## LEGAL DESCRIPTION

#### PHASE 1

BEING A PORTION OF THE PLAT OF FORT PIERCE FARMS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 7, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PORTION BEING IN THE EAST HALF (E.1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 34 SOUTH, RANGE 39 EAST, BEING THAT PART LYING NORTH OF INDRIO ROAD, AND LYING EAST OF KOBLEGARD ROAD AS RECORDED IN DEED BOOK 78, PAGE 288 AND IN OFFICIAL RECORDS BOOK 3762, PAGE 2597 OF SAID PUBLIC RECORDS, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 16; THENCE NORTH 0°32'06" EAST (STATE PLANE GRID BEARING DATUM) ALONG THE WEST LINE OF SECTION 16, A DISTANCE OF 2618.10 FEET TO A POINT ON A LINE THAT IS 45 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SECTION 16; THENCE SOUTH 89°48'23" EAST ALONG A LINE THAT IS 45 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SECTION 16, A DISTANCE OF 1321.24 FEET TO EAST RIGHT-OF-WAY LINE OF SAID KOBLEGARD ROAD, BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE CONTINUE SOUTH 89°48'23" EAST ALONG A LINE THAT IS 45 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SECTION 16, A DISTANCE OF 1241.23 FEET TO THE WEST RIGHT-OF-WAY LINE OF F.P.F.W.C.D CANAL NO. 1, BEING A LINE THAT IS 80.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 16; THENCE SOUTH 00°48'42" WEST ALONG SAID RIGHT-OF-WAY LINE. 1779.86 FEET; THENCE NORTH 89°22'00" WEST, 316.74 FEET; THENCE SOUTH 00°12'06" WEST, 290.93 FEET; THENCE NORTH 89°47'49" WEST, 138.59 FEET; THENCE NORTH 00°12'45" WEST, 264.17 FEET; THENCE SOUTH 89°54'39" WEST, 114.49 FEET: THENCE NORTH 00°15'10" EAST, 151.65 FEET; THENCE NORTH 89°56'14" WEST, 56.93 FEET; THENCE NORTH 00°04'18" EAST, 297.38 FEET; THENCE NORTH 89°43'13" WEST, 604.25 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID KOBLEGARD ROAD; THENCE NORTH 00°40'23" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF KOBLEGARD ROAD, 213.09 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF KOBLEGARD ROAD BEING AN ARC OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 4950.00 FEET. A CENTRAL ANGLE OF 04°47'43", AN ARC LENGTH OF 414.27 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE BEING AN ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 5050.00 FEET, A CENTRAL ANGLE OF 05°22'09", AN ARC LENGTH OF 473.22 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 90°00'00" WEST ALONG SAID RIGHT-OF-WAY LINE, 34.75 FEET; THENCE NORTH 00°40'23" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 255.67 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED PARCEL CONTAINS 45.154 ACRES, MORE OR LESS.

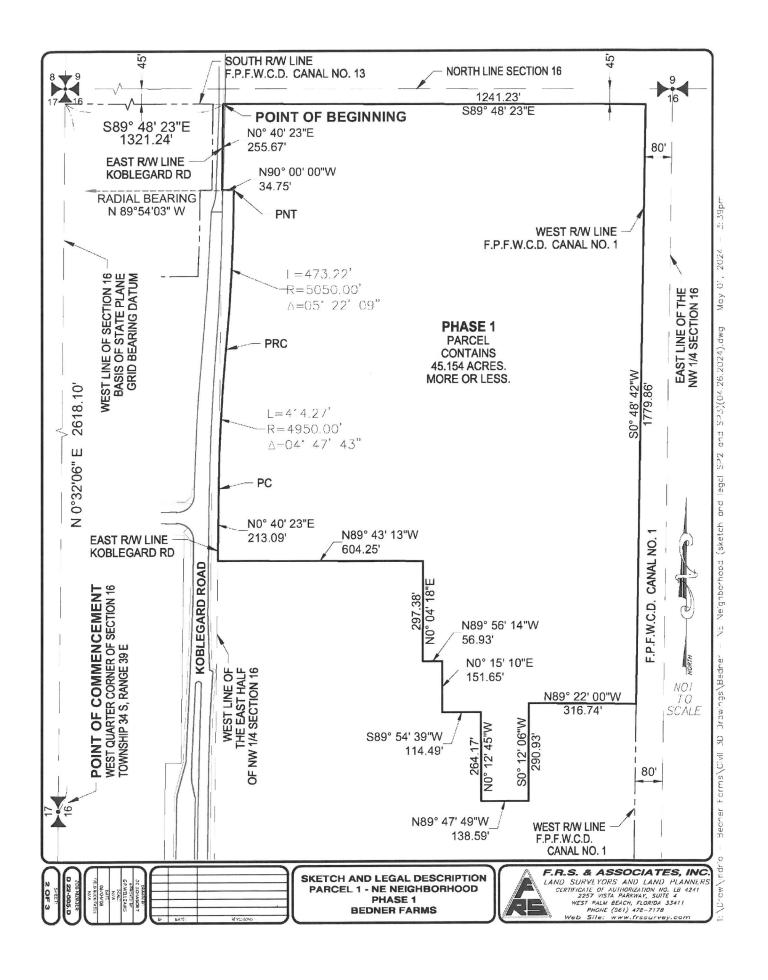
D DATE

SHEET

OF 3

SKETCH AND LEGAL DESCRIPTION PARCEL 1 - NE NEIGHBORHOOD PHASE 1 BEDNER FARMS





R/W = RIGHT-OF-WAY

Δ = CENTRAL ANGLE OF CURVE

R = RADIUS OF CURVE

L = LENGTH OF ARC OF CURVE

PC = POINT OF CURVATURE

PRC = POINT OF REVERSE CURVATURE

PT = POINT OF TANGENCY OF CURVE

PNT = POINT OF NON-TANGENCY CURVE

#### SURVEYOR'S NOTES

- BEARINGS SHOWN HEREON REFER TO NORTH 0°32'06" EAST (STATE PLANE GRID BEARING DATUM) ALONG THE WEST LINE OF SECTION 16, TOWNSHIP 34 SOUTH, RANGE 39 EAST, ALL OTHER BEARINGS ARE RELATIVE THERETO.
- THIS IS NOT A BOUNDARY SURVEY.
- THE LANDS SHOWN HEREON WERE NOT BASED UPON AN ABSTRACT OF TITLE. NO SEARCH OF THE 3. PUBLIC RECORDS WAS MADE BY THIS FIRM FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD THAT MAY AFFECT THE SUBJECT SITE.
- BEARINGS AND DISTANCES SHOWN HEREON ARE GRID, NORTH AMERICAN DATUM OF 1983 / 2011 ADJUSTMENT (NAD 83/11), FLORIDA EAST ZONE, LINEAR UNITS ARE U.S. SURVEY FEET.
- THE LEGAL DESCRIPTION AND SKETCH ATTACHED HEREWITH ARE INTENDED TO BE INCLUDED TOGETHER, ALONG WITH THIS CERTIFICATION.

## LAND SURVEYOR'S STATEMENT

I HEREBY CERTIFY THAT THE SKETCH ATTACH HEREWITH IS A TRUE AND CORRECT REPRESENTATION OF THE ACCOMPANYING DESCRIPTION AND COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17, F.A.C. BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

F.R.S. AND ASSOCIATES, INC.

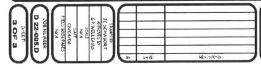
Gary P

BY:

Digitally signed by Gary P Williams DN: c=US, sn=Williams, givenName=Gary P, email=gpw4817@gmail.com, Williams cn=Gary P Williams Date: 2024.05.01 15:44:17 04'00'

GARY P. WILLIAMS, P.S.M. FLORIDA CERTIFICATION No. 4817 FOR THE FIRM

NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE OR ELECTRONICALLY SIGNED AND SEALED



SKETCH AND LEGAL DESCRIPTION **PARCEL 1 - NE NEIGHBORHOOD** PHASE 1 **BEDNER FARMS** 



# **TOGETHER WITH:**

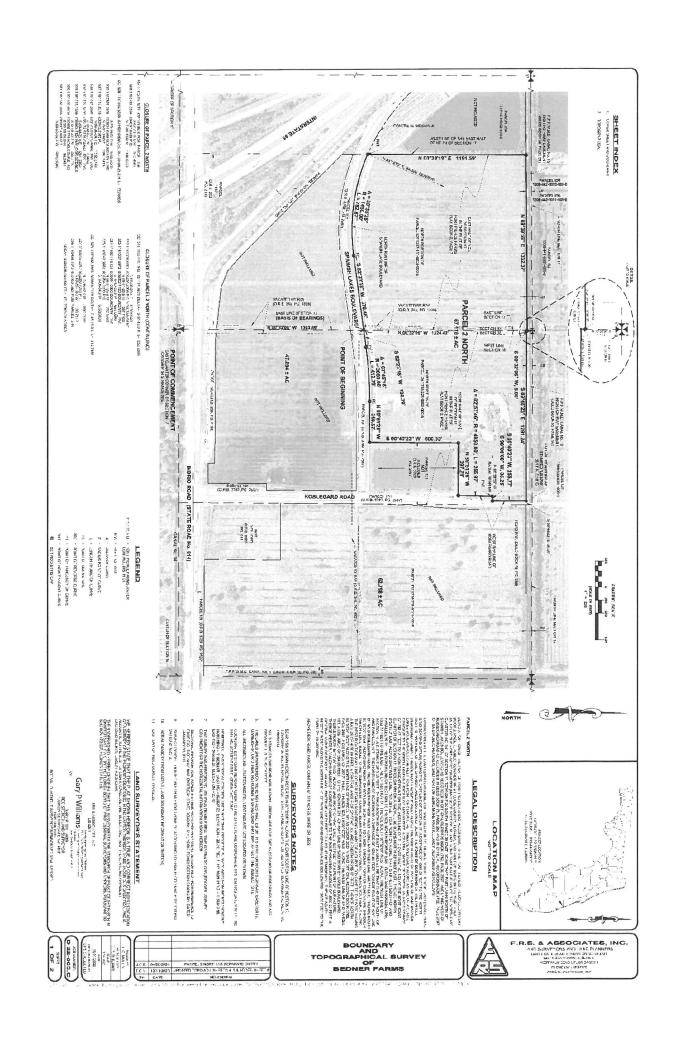
#### **PARCEL 2 NORTH**

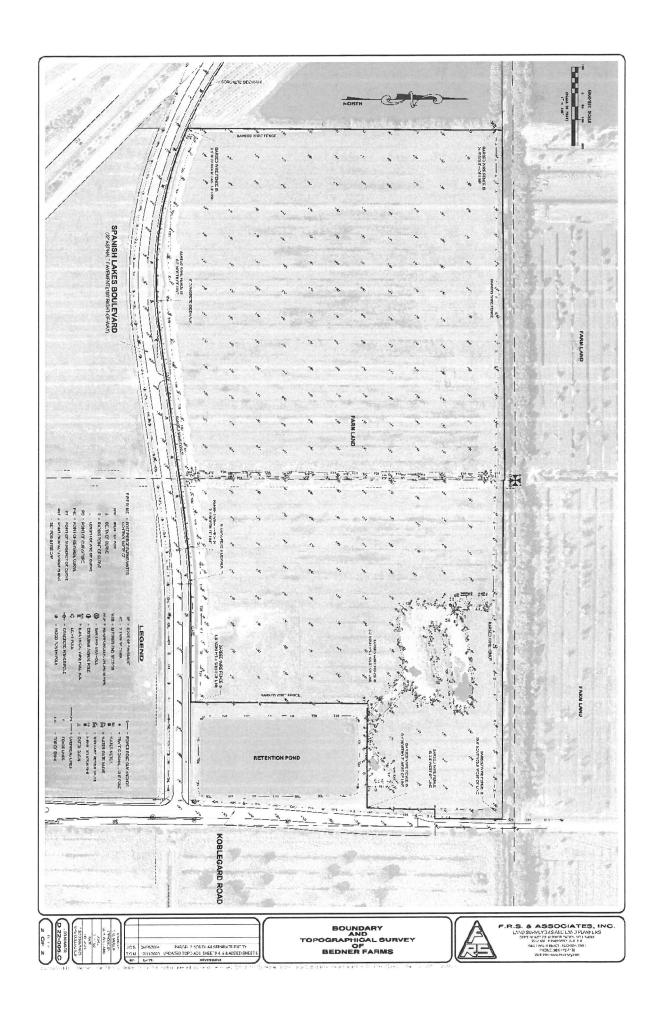
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COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 17: THENCE NORTH 0°32'06" EAST (STATE PLANE GRID BEARING DATUM) ALONG THE EAST LINE OF SECTION 17, A DISTANCE OF 1393.69 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID SPANISH LAKES BOULEVARD, BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE SOUTH 82°23'18" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID SPANISH LAKES BOULEVARD, 570.46 FEET TO A POINT OF CURVATURE: THENCE WESTERLY ALONG AN ARC OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 1450.00 FEET, A CENTRAL ANGLE OF 30°55°35. AN ARC DISTANCE OF 782.67 FEET TO A NON-TANGENT POINT ON THE WEST LINE OF THE EAST HALF (E. 1/2) OF THE NORTHEAST QUARTER OF SECTION 17, THROUGH WHICH A RADIAL LINE BEARS NORTH 23"18'53" EAST; THENCE NORTH 0°30'19.0" EAST ALONG SAID WEST LINE, 1191.59 FEET TO A POINT ON A LINE THAT IS 40 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SECTION 17; THENCE NORTH 89"39'59" EAST ALONG SAID PARALLEL LINE. 1332.37 FEET TO THE EAST LINE OF SECTION 17: THENCE SOUTH 00°32'06" WEST ALONG THE WEST LINE OF SECTION 16, A DISTANCE OF 5.00 FEET; THENCE SOUTH 89"48'23" EAST ALONG A LINE THAT IS 45 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SECTION 16, A DISTANCE OF 1291.24 FEET TO WEST RIGHT-OF-WAY LINE OF SAID KOBLEGARD ROAD; THENCE SOUTH 00"40'23" WEST ALONG SAID WEST LINE, 255.77 FEET: THENCE SOUTH 90°00'00" WEST ALONG SAID RIGHT-OF-WAY LINE, 35,25 FEET TO A NON-TANGENT POINT OF CURVATURE THROUGH WHICH A LINE, RADIAL TO THE SUBSEQUENT CURVE, BEARS NORTH 89"53'55" WEST; THENCE SOUTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF KOBLEGARD ROAD BEING AN ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 4950.00 FEET, A CENTRAL ANGLE OF 02°57'46°, AN ARC LENGTH OF 255.97 FEET; THENCE NORTH 89°51'26" WEST ALONG THE NORTH LINE OF PARCEL 101 AS DESCRIBED IN SAID OFFICIAL RECORD BOOK 3762. PAGE 2597, A DISTANCE OF 397,71 FEET: THENCE SOUTH 00"40"23" WEST ALONG THE WEST LINE OF SAID PARCEL 101, A DISTANCE OF 666.03 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID SPANISH LAKES BOULEVARD: THENCE NORTH 89°51'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 310.57 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG AN ARC OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 3050.00 FEET. A CENTRAL ANGLE OF 07"45"16", AN ARC LENGTH OF 412.79 FEET TO A POINT OF TANGENCY; THENCE SOUTH 82°23'18" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID SPANISH LAKES BOULEVARD, 130.79 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED PARCEL CONTAINS 67.178 ACRES, MORE OR LESS.

# AND FURTHER DESCRIBED IN THE FOLLOWING PAGES:







RON	<b>DESANTIS</b>
G	overnor

**CORD BYRD**Secretary of State

September 23, 2024

Michelle R. Miller Clerk & Comptroller St. Lucie County 2300 Virginia Ave. Fort Pierce, FL 34982

Dear Michelle Miller,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Lucie County Ordinance No. 24-030, which was filed in this office on September 23, 2024.

Sincerely,

Alexandra Leijon Administrative Code and Register Director

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