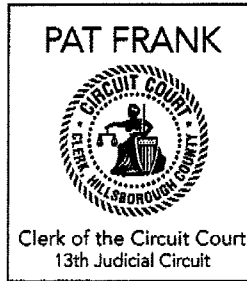


# **ORDINANCE**

**08-31**



December 17, 2008

Norma J. Wise, Director  
Hillsborough County Law Library  
501 E. Kennedy Boulevard Ste. 100  
Tampa, Florida 33602-5027

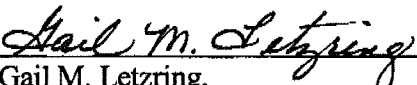
Re: Ordinance #08-31  
Establishing the Circa Fishhawk Community Development District (CDD)

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #08-31 which was adopted by the Board of County Commissioners on December 9, 2008. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of December 12, 2008.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,

  
Gail M. Letzring,  
Manager, BOCC Records

md

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation  
Debra A. Cole, Hillsborough County Sheriff's Office  
Librarian, State Attorney's Office  
Sandra Davidson, County Attorney's Office  
Nancy Y. Takemori, Assistant County Attorney  
Mary Mahoney, Management and Budget  
Efraim Castano, Tax Collector's Office  
Erin Kwiecinski, Tax Collector's Office  
Christopher Weiss, Property Appraiser's Office  
Tracy Waters, Property Appraiser's Office  
Patricia Ortiz, Planning and Growth Management



## Agenda Item Cover Sheet

Agenda Item N<sup>o</sup> F-1

Meeting Date December 9, 2008

☐ Consent Section

☐ Regular Section

☒ Public Hearing

Subject: CDD 08-1416 PETITION TO ESTABLISH CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT (CDD)



Department Name: Planning and Growth Management (PGM)

Contact Person: Patricia Ortiz

Contact Phone: 813-276-8387

Sign-Off Approvals:

 12-2-08  
Assistant County Administrator  
 12/1/08  
Management and Budget - Approved as to Financial Impact Accuracy

 11-26-08  
Department Director  
 12/1/08  
County Attorney - Approved as to Legal Sufficiency

### Staff's Recommended Board Motion:

Establish the Circa Fishhawk Community Development District (CDD) in accordance with the attached ordinance subject to any changes by the County Attorney's Office. No direct financial impact to the County will occur as a result of this petition. Of the total \$124,930,023 of estimated eligible infrastructure and financing costs, approximately 90% (\$112,830,023) is expected to be funded directly by the developer through sources that include but are not limited to: equity financing, conventional bank financing, or short term bond debt issued by the CDD. The remaining 10% (\$8,928,978) of the estimated eligible infrastructure costs will be funded by the issuance of long-term district bonds (\$12,100,000 estimated Par amount) that will be paid with annual property owner assessments.

### Financial Impact Statement:

No direct financial impact to the County will occur as a result of this petition. Of the total \$124,930,023 of estimated eligible infrastructure and financing costs, approximately 10% (\$8,928,978) will be funded by long term district bonds that will be paid with annual property owner assessments ranging \$599 for a multi-family to \$1,236 for a single family 70-foot wide lot. The estimated Par amount is composed of construction fund, capitalized interest, debt service reserve fund, cost of issuance and underwriters discount. The proposed development consists of 498 multi-family townhomes and 919 single family units resulting in an average annual assessment of approximately \$785 per dwelling. The remaining 90% (112,830,023) will be the responsibility of the developer and is expected to be funded through sources that include but are not limited to: equity financing, conventional bank financing, or short term bond debt issued by the CDD.

### Background:

On September 19, 2008, NNP IV Lake Hutto, LLC, petitioned Hillsborough County to establish the Lake Hutto Community Development District (CDD); on October 19, 2008, a request to change the name of the project was received effectively changing the name of the CDD to Circa Fishhawk. The authorized agent is Susan Johnson-Velez, Esq. and Fowler, White, Boggs, Banker Pa. The 589.8-acre site is generally located within southern Hillsborough County, south of Fishhawk Blvd., north of Boyette Road and east of Boyette Road. The Circa Fishhawk CDD is a part of the Lake Hutto Development of Regional Impact (DRI# 259) and is the south parcel of the Lake Hutto Planned Development, a mixed-use commercial and residential zoning district (PD 05-1104 BYT) permitting a maximum of 2,032 conventional dwelling units, 960 attached units and 200 apartment units; 185,000 square feet of commercial uses and 180,000 square feet of office use subject to the final conditions of approval. The proposed development is to consist of 919 single-family units and 498 townhome units, which is consistent with the number of units permitted within the larger Planned Development. The property is currently vacant and unimproved.

Attachments: A) Location Map, B) Site Plan, C) Aerial Photograph, D) Future Land Use Map, E) Draft Ordinance, F) Legal Description, G) Agency Comments, H) Supplemental Information, I) Statement of Estimated Regulatory Costs

**ORDINANCE NO. 08-31**

AN ORDINANCE ESTABLISHING THE CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, NNP IV – LAKE HUTTO, LLC, a Delaware limited liability company ("Petitioner") has filed a Petition with Hillsborough County requesting that the Board of County Commissioners of Hillsborough County ("County") adopt an ordinance establishing the Circa Fishhawk Community Development District pursuant to Chapter 190, Fla. Stat. ("District"), and designating the real property described in Exhibit "A", attached hereto, as the area of land for which the District is authorized to manage and finance basic service delivery; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive and economic method of delivering community development services, in the area described in Exhibit A, which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management and financing needs for the delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.005 (1) (d), Fla. Stat.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 190.005(1) (e), Fla. Stat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 9<sup>TH</sup> DAY OF DECEMBER 2008, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The County hereby finds and states that:

1. The "WHEREAS" clauses stated above are adopted as findings of fact in support of this Ordinance;
2. All statements contained in the Petition are true and correct;
3. The creation of the District is not inconsistent with any applicable element or portion of the state Comprehensive Plan or the County's Comprehensive Plan;
4. 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;
5. The creation of the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
6. The proposed community development services and facilities to be provided by the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

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

## SECTION 2. CONCLUSIONS OF LAW.

1. This proceeding is governed by Chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to Section 190.005(2), Florida Statutes; and
3. The granting of the Petition complies with the requirements of Chapter 190, Fla. Statutes.

SECTION 3. CREATION OF BOUNDARIES AND POWERS. This is hereby created the Circa FishHawk Community Development District for the area of land described in Exhibit A, attached hereto, which shall exercise the powers of Sections 190.011 and 190.012 (1), (2) (a)-(d) and (f), and (3), Fla. Stat., and which shall operate in accordance with the uniform community development district charter as set forth in Sections 190.006-190.041, Fla. Stat., including the special powers provided by Section 190.012, Fla. Stat.

SECTION 4. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Victor Barbosa, Amanda King, Cheryl Dwyer, Thomas J. Panaseny and Mercedes Pineiro. All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, provision, or other part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

STATE OF FLORIDA )

COUNTY OF HILLSBOROUGH )

I, PAT FRANK, Clerk of the Circuit Court of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of December 9, 2008 as the same appears of record in Minute Book 391 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 11th day of December, 2008.

PAT FRANK, CLERK

By: Beverly Anne Miller

Deputy Clerk



Approved as to form and legal sufficiency:

COUNTY ATTORNEY

By: Dave Miller

Assistant County Attorney

## EXHIBIT A

### LAKE HUTTO COMMUNITY DEVELOPMENT DISTRICT PARCEL

DESCRIPTION: A parcel of land lying in Sections 24 and 25, Township 30 South, Range 20 East, and in Sections 19 and 30, Township 30 South, Range 21 East, Hillsborough County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of said Section 25, run thence along the East boundary of said Section 25, N.00°21'49"E., 30.00 feet to a point on the Northerly maintained right-of-way line for BOYETTE ROAD, said point also being the **POINT OF BEGINNING**; thence along said Northerly maintained right-of-way line, N.89°59'18"W., 1330.05 feet to a point on the East boundary of the Southwest 1/4 of the Southeast 1/4 of said Section 25; thence along the East and North boundary lines of said Southwest 1/4 of the Southeast 1/4 of Section 25, the following two (2) courses: 1) N.00°15'35"E., 1285.79 feet; 2) S.89°52'02"W., 1299.00 feet to a point on the Easterly maintained right-of-way line for BOYETTE ROAD; thence along said Easterly maintained right-of-way line, the following two (2) courses: 1) N.00°10'21"E., 1492.95 feet; 2) N.00°08'14"E., 1136.30 feet to a point on the North boundary of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 25; thence along said North boundary of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 25, N.89°49'45"E., 628.85 feet to the Northeast corner thereof; thence EAST, 842.85 feet; thence NORTH, 338.26 feet to a point of curvature; thence Northwesterly, 26.51 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of 60°45'11" (chord bearing N.30°22'36"W., 25.28 feet) to a point of compound curvature; thence Westerly, 16.33 feet along the arc of a curve to the left having a radius of 32.00 feet and a central angle of 29°14'49" (chord bearing N.75°22'36"W., 16.16 feet) to a point of tangency; thence WEST, 22.82 feet; thence NORTH, 97.27 feet to a point on a curve; thence Northeasterly, 55.27 feet along the arc of a curve to the left having a radius of 182.00 feet and a central angle of 17°23'57" (chord bearing N.47°29'01"E., 55.06 feet) to a point of tangency; thence N.38°47'02"E., 25.51 feet to a point of curvature; thence Northeasterly, 55.16 feet along the arc of a curve to the left having a radius of 140.00 feet and a central angle of 22°34'22" (chord bearing N.27°29'51"E., 54.80 feet) to a point of reverse curvature; thence Northerly, 87.44 feet along the

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arc of a curve to the right having a radius of 1266.75 feet and a central angle of  $03^{\circ}57'18''$  (chord bearing  $N.18^{\circ}11'19''E.$ , 87.43 feet) to a point of compound curvature; thence Northeasterly, 113.15 feet along the arc of a curve to the right having a radius of 378.00 feet and a central angle of  $17^{\circ}09'02''$  (chord bearing  $N.28^{\circ}44'29''E.$ , 112.73 feet) to a point of reverse curvature; thence Northeasterly, 75.29 feet along the arc of a curve to the left having a radius of 500.00 feet and a central angle of  $08^{\circ}37'40''$  (chord bearing  $N.33^{\circ}00'10''E.$ , 75.22 feet) to a point of reverse curvature; thence Northeasterly, 148.24 feet along the arc of a curve to the right having a radius of 1247.00 feet and a central angle of  $06^{\circ}48'40''$  (chord bearing  $N.32^{\circ}05'40''E.$ , 148.15 feet) to a point of tangency; thence  $N.35^{\circ}30'00''E.$ , 3.85 feet to a point of curvature; thence Northerly, 102.10 feet along the arc of a curve to the left having a radius of 65.00 feet and a central angle of  $90^{\circ}00'00''$  (chord bearing  $N.09^{\circ}30'00''W.$ , 91.92 feet) to a point of tangency; thence  $N.54^{\circ}30'00''W.$ , 73.31 feet to a point of curvature; thence Westerly, 714.39 feet along the arc of a curve to the left having a radius of 1153.00 feet and a central angle of  $35^{\circ}30'01''$  (chord bearing  $N.72^{\circ}15'00''W.$ , 703.02 feet) to a point of tangency; thence WEST, 158.45 feet; thence  $S.45^{\circ}00'00''W.$ , 5.30 feet; thence WEST, 365.94 feet; thence NORTH, 3.75 feet; thence WEST, 362.87 feet to a point of curvature; thence Southwesterly, 93.73 feet along the arc of a curve to the left having a radius of 60.00 feet and a central angle of  $89^{\circ}30'20''$  (chord bearing  $S.45^{\circ}14'50''W.$ , 84.49 feet) to a point of tangency; thence  $S.00^{\circ}29'40''W.$ , 69.79 feet to a point on the Northerly maintained right-of-way line for BOYETTE ROAD; thence along said Northerly maintained right-of-way line, the following four (4) courses: 1)  $N.26^{\circ}05'03''W.$ , 145.59 feet; 2)  $N.56^{\circ}03'17''W.$ , 106.55 feet; 3)  $N.78^{\circ}27'40''W.$ , 101.77 feet; 4)  $S.89^{\circ}27'32''W.$ , 1125.49 feet to a point on the West boundary of the Southeast 1/4 of the Southwest 1/4 of the aforesaid Section 24; thence along said West boundary of the Southeast 1/4 of the Southwest 1/4 of Section 24,  $N.00^{\circ}17'08''E.$ , 668.06 feet; thence  $S.89^{\circ}42'52''E.$ , 1084.37 feet to a point of curvature; thence Easterly, 215.56 feet along the arc of a curve to the right having a radius of 525.00 feet and a central angle of  $23^{\circ}31'29''$  (chord bearing  $S.77^{\circ}57'08''E.$ , 214.04 feet) to a point of reverse curvature; thence Southeasterly, 29.32 feet along the arc of a curve to the left having a radius of 677.00 feet and a central angle of  $02^{\circ}28'53''$  (chord bearing  $S.67^{\circ}25'50''E.$ , 29.32 feet) to a point of compound

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curvature; thence Easterly, 28.28 feet along the arc of a curve to the left having a radius of 162.00 feet and a central angle of  $10^{\circ}00'03''$  (chord bearing  $S.73^{\circ}40'18''E.$ , 28.24 feet); thence  $N.27^{\circ}28'16''E.$ , 6.00 feet to a point on a curve; thence Easterly, 25.57 feet along the arc of said curve to the left having a radius of 156.25 feet and a central angle of  $09^{\circ}22'38''$  (chord bearing  $S.83^{\circ}58'19''E.$ , 25.54 feet) to a point of compound curvature; thence Northeasterly, 33.42 feet along the arc of a curve to the left having a radius of 30.00 feet and a central angle of  $63^{\circ}49'16''$  (chord bearing  $N.59^{\circ}25'44''E.$ , 31.72 feet) to a point of tangency; thence  $N.27^{\circ}31'06''E.$ , 71.10 feet to a point of curvature; thence Northerly, 529.75 feet along the arc of a curve to the left having a radius of 1103.00 feet and a central angle of  $27^{\circ}31'06''$  (chord bearing  $N.13^{\circ}45'33''E.$ , 524.68 feet) to a point of tangency; thence NORTH, 189.20 feet to a point of curvature; thence Northwesterly, 39.04 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of  $89^{\circ}27'50''$  (chord bearing  $N.44^{\circ}43'55''W.$ , 35.19 feet) to a point of cusp on the Southerly right-of-way line of FISHHAWK BOULEVARD; thence along said Southerly right-of-way line,  $S.89^{\circ}27'50''E.$ , 159.76 feet to a point of cusp; thence Southwesterly, 39.50 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of  $90^{\circ}32'10''$  (chord bearing  $S.45^{\circ}16'05''W.$ , 35.52 feet) to a point of tangency; thence SOUTH, 145.61 feet; thence  $S.13^{\circ}52'47''W.$ , 15.63 feet; thence SOUTH, 3.88 feet to a point of curvature; thence Southerly, 574.90 feet along the arc of a curve to the right having a radius of 1197.00 feet and a central angle of  $27^{\circ}31'06''$  (chord bearing  $S.13^{\circ}45'33''W.$ , 569.39 feet) to a point of tangency; thence  $S.27^{\circ}31'06''W.$ , 12.37 feet to a point of curvature; thence Southerly, 96.40 feet along the arc of a curve to the left having a radius of 323.75 feet and a central angle of  $17^{\circ}03'35''$  (chord bearing  $S.18^{\circ}59'18''W.$ , 96.04 feet) to a point of compound curvature; thence Southerly, 42.38 feet along the arc of a curve to the left having a radius of 50.00 feet and a central angle of  $48^{\circ}33'31''$  (chord bearing  $S.13^{\circ}49'15''E.$ , 41.12 feet); thence  $S.28^{\circ}10'15''W.$ , 76.59 feet to a point on a curve; thence Westerly, 5.74 feet along the arc of a curve to the left having a radius of 100.00 feet and a central angle of  $03^{\circ}17'26''$  (chord bearing  $S.89^{\circ}51'29''W.$ , 5.74 feet) to a point of compound curvature; thence Southwesterly, 51.03 feet along the arc of a curve to the left having a radius of 40.00 feet and a central angle of  $73^{\circ}05'47''$  (chord bearing  $S.51^{\circ}39'53''W.$ , 47.64

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feet) to a point of compound curvature; thence Southerly, 369.03 feet along the arc of a curve to the left having a radius of 1103.00 feet and a central angle of  $19^{\circ}10'10''$  (chord bearing  $S.05^{\circ}31'54''W.$ , 367.31 feet) to a point of compound curvature; thence Southeasterly, 52.50 feet along the arc of a curve to the left having a radius of 35.00 feet and a central angle of  $85^{\circ}56'49''$  (chord bearing  $S.47^{\circ}01'36''E.$ , 47.72 feet) to a point of tangency; thence EAST, 901.18 feet to a point of curvature; thence Easterly, 209.61 feet along the arc of a curve to the right having a radius of 1247.00 feet and a central angle of  $09^{\circ}37'51''$  (chord bearing  $S.85^{\circ}11'05''E.$ , 209.36 feet) to a point of reverse curvature; thence Northeasterly, 15.38 feet along the arc of a curve to the left having a radius of 10.00 feet and a central angle of  $88^{\circ}07'51''$  (chord bearing  $N.55^{\circ}33'55''E.$ , 13.91 feet) to a point of tangency; thence  $N.11^{\circ}30'00''E.$ , 325.45 feet to a point of curvature; thence Northeasterly, 33.93 feet along the arc of a curve to the right having a radius of 81.00 feet and a central angle of  $24^{\circ}00'00''$  (chord bearing  $N.23^{\circ}30'00''E.$ , 33.68 feet) to a point of tangency; thence  $N.35^{\circ}30'00''E.$ , 229.94 feet to a point of curvature; thence Northeasterly, 28.27 feet along the arc of a curve to the right having a radius of 81.00 feet and a central angle of  $20^{\circ}00'00''$  (chord bearing  $N.45^{\circ}30'00''E.$ , 28.13 feet) to a point of tangency; thence  $N.55^{\circ}30'00''E.$ , 365.07 feet to a point of curvature; thence Northerly, 15.39 feet along the arc of a curve to the left having a radius of 10.00 feet and a central angle of  $88^{\circ}10'56''$  (chord bearing  $N.11^{\circ}24'32''E.$ , 13.92 feet) to a point of reverse curvature; thence Northerly, 606.43 feet along the arc of a curve to the right having a radius of 1305.05 feet and a central angle of  $26^{\circ}37'28''$  (chord bearing  $N.19^{\circ}22'10''W.$ , 600.99 feet); thence  $N.06^{\circ}00'00''W.$ , 12.06 feet to a point of curvature; thence Northwesterly, 36.42 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of  $83^{\circ}27'50''$  (chord bearing  $N.47^{\circ}43'55''W.$ , 33.28 feet) to a point of cusp on the aforesaid Southerly right-of-way line of FIAHHAWK BOULEVARD; thence along said Southerly right-of-way line,  $S.89^{\circ}27'50''E.$ , 191.77 feet to a point of cusp; thence Southwesterly, 42.29 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of  $96^{\circ}54'50''$  (chord bearing  $S.42^{\circ}04'45''W.$ , 37.42 feet) to a point of compound curvature; thence Southeasterly, 1013.75 feet along the arc of a curve to the left having a radius of 1207.00 feet and a central angle of  $48^{\circ}07'21''$  (chord bearing  $S.30^{\circ}26'20''E.$ , 984.22 feet) to a

08-1416

point of tangency; thence S.54°30'00"E., 155.05 feet to a point of curvature; thence Easterly, 50.20 feet along the arc of a curve to the left having a radius of 35.00 feet and a central angle of 82°10'18" (chord bearing N.84°24'51"E., 46.00 feet) to a point of tangency; thence N.43°19'42"E., 24.87 feet to a point of curvature; thence Northeasterly, 41.26 feet along the arc of a curve to the left having a radius of 302.00 feet and a central angle of 07°49'42" (chord bearing N.39°24'51"E., 41.23 feet) to a point of tangency; thence N.35°30'00"E., 447.48 feet to a point of curvature; thence Northeasterly, 312.18 feet along the arc of a curve to the right having a radius of 325.00 feet and a central angle of 55°02'10" (chord bearing N.63°01'05"E., 300.32 feet) to a point of tangency; thence S.89°27'50"E., 245.00 feet; thence N.00°32'10"E., 400.00 feet to a point on the aforesaid Southerly right-of-way line of FISHHAWK BOULEVARD; thence along said Southerly right-of-way line, the following nine (9) courses: 1) S.89°27'50"E., 907.76 feet; 2) S.00°32'10"W., 47.00 feet; 3) S.89°27'50"E., 235.00 feet; 4) S.00°32'10"W., 160.00 feet; 5) S.89°27'50"E., 210.00 feet; 6) N.24°54'46"E., 210.79 feet; 7) S.89°27'50"E., 25.00 feet; 8) N.00°32'10"E., 60.00 feet; 9) S.89°27'50"E., 34.56 feet to a point on the centerline of FISHHAWK CREEK, said point also being hereinafter referred to as **POINT "B"**; thence Southerly along said centerline of FISHHAWK CREEK to a point hereinafter referred to as **POINT "A"**, (reference line between said **POINT "B"** and **POINT "A"** bears, S.01°19'06"E., 4848.77 feet); thence SOUTH, 1045.61 feet; thence S.55°55'06"W., 341.03 feet; thence S.08°19'38"E., 266.46 feet; thence S.09°16'33"E., 124.75 feet; thence S.10°23'32"E., 212.90 feet to a point on the aforesaid Northerly maintained right-of-way line of BOYETTE ROAD; thence along said Northerly maintained right-of-way line, S.89°58'08"W., 1272.07 feet to a point on the East boundary of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of the aforesaid Section 30; thence along the East, North and West boundary lines of said Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 30, in their respective order, the following four (4) courses: 1) N.00°05'51"E., 629.42 feet; 2) N.89°55'26"W., 341.73 feet; 3) N.89°57'49"W., 341.66 feet; 4) S.00°21'49"W., 629.74 feet to the **POINT OF BEGINNING**.

Containing 589.856 acres, more or less.

08-1416



## FLORIDA DEPARTMENT of STATE

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

December 12, 2008

Honorable Pat Frank  
Clerk of the Circuit Court  
Hillsborough County  
P. O. Box 1110  
Tampa, Florida 33601-1110

Attention: Gail M. Letzring, Manager BOCC Records

Dear Mr. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 11, 2008, and certified copy of Hillsborough County Ordinance No. 08-31, which was filed in this office on December 12, 2008.

Sincerely,

Liz Cloud  
Program Administrator

LC/srd

RECEIVED  
2008 DE 17 PM 3:52  
CLERK TO  
THE BOARD (B)

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dls.dos.state.fl.us>

COMMUNITY DEVELOPMENT  
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA  
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA  
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE  
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES  
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY  
850.245.6270 • FAX: 850.245.6282

# NOTICE OF PUBLIC HEARING

Hillsborough County Board of County Commissioners  
for the  
Creation of Circa Fishhawk Community Development District

DATE: December 9, 2008

TIME: 1:30 p.m.

LOCATION: Commission Chambers of the Hillsborough County Center  
601 E. Kennedy Blvd., 2nd Floor  
Tampa, Florida 33602

## NOTICE OF PUBLIC HEARING

In compliance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Hillsborough County Board of County Commissioners beginning at 1:30 p.m., December 9, 2008, in the Boardroom in the Frederick B. Karl County Center, 601 E. Kennedy Blvd., Tampa, Florida 33602, to consider an ordinance to grant a petition to establish the Circa Fishhawk Community Development District. The title of the proposed ordinance is as follows:

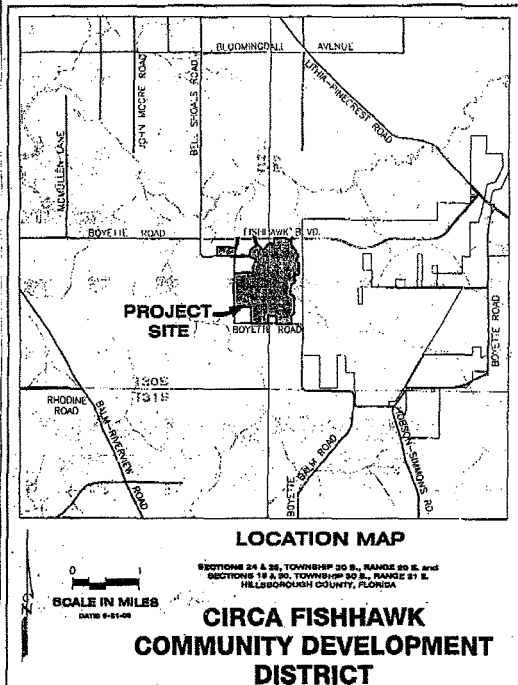
**AN ORDINANCE ESTABLISHING THE CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

The proposed Community Development District is comprised of approximately 589.55± acres, located in southern Hillsborough County, south of Fishhawk Boulevard, north of Boyette Road and east of Boyette Road. The petitioner has proposed to establish the Circa Fishhawk Community Development District to plan, finance, acquire, construct, operate and maintain all infrastructure and community facilities which may be authorized by such districts, under Florida law, including but not limited to water management and control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, parks and recreational facilities, security facilities, mosquito control, and certain other projects when expressly approved or required by a local government and any other facilities in accordance with Section 190.012, Florida Statutes.

Copies of the petition, the proposed ordinance and department reports are open to public inspection at the Clerk of the Board of County Commissioners of Hillsborough County, 601 E. Kennedy Blvd., 12th Floor, Tampa, Florida 33602.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person wishing to submit testimony or other evidence in this matter must submit same at the public hearing. Any person or affected units of general-purpose local government who wishes to appeal any decisions made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings, and, for that purpose, the person or unit of general local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Hillsborough County Community Relations Section of the Communications Department, (813) 272-5275, at least forty-eight (48) hours prior to the date of the meeting.



9716

November 11, 18, 25, December 2, 2008

## The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

h ) SS.

ed authority personally appeared C. Pugh, who on oath says that Billing Supervisor of The Tampa Tribune, a daily newspaper in Hillsborough County, Florida; that the attached copy of the

Metro

IN THE Tampa Tribune

Legal Notices

newspaper in the issues of

11/11, 11/18, 11/25, 12/02/2008

at the said The Tampa Tribune is a newspaper published at Tampa in nty, Florida, and that the said newspaper has heretofore been d in said Hillsborough County, Florida, each day and has been entered matter at the post office in Tampa, in said Hillsborough County, Florida. r next preceding the first publication of the attached copy of lant further says that she has neither paid nor promised any person. publication in the said newspaper.

ed by me, this 2 day

08

or Produced Identification

roduced



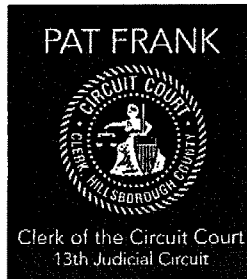
Ana Maria Hodel

Commission #DD551367

Expires: MAY 11, 2010

WWW.AARONNOTARY.com

WLER WHITE BOGGS BANKE



December 11, 2008

MS LIZ CLOUD CHIEF  
BUREAU OF ADMINISTRATIVE CODE  
DEPARTMENT OF STATE  
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101  
TALLAHASSEE FL 32399-0250

Re: Ordinance #08-31  
Establishing the Circa Fishhawk Community Development District (CDD)

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of Hillsborough County Ordinance #08-31, adopted by the Board of County Commissioners on December 9, 2008. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,

*Beverly Anne Miller for*  
Gail M. Letzring,  
Manager, BOCC Records

md  
Attachment  
Federal Express AB# 8610 5960 0594

# FedEx Express US Airbill

FedEx Tracking Number

8610 5960 0594

## 1 From Please print and press hard.

Date **12/11/08**

Sender's FedEx Account Number

1140-8846-3

Sender's Name

BOCC RECORDS PROCESSING  
CLERK CIRCUIT COURT 12<sup>TH</sup> FL  
601 EAST KENNEDY BLVD  
TAMPA FL 33602

813 276-8100

Company

Address

180

Dept./Floor/Suite/Room

City **TAMPA**

State **FL**

ZIP **33602-3503**

## 2 Your Internal Billing Reference

First 24 characters will appear on invoice.

(180) Ord# 08-31

## 3 To

Recipient's Name

LIZ CLOUD PROGRAM ADMIN  
FLORIDA DEPARTMENT OF STATE  
R A GRAY BLDG

Company

Recipient's Address

500 S BRONOUGH STREET ROOM 101  
TALLAHASSEE FL 32399-0250

We cannot deliver

Dept./Floor/Suite/Room

Address

To request a package be held at a specific FedEx location, print FedEx address here.

City

State

ZIP

0358530860



Ship your package to [fedex.com](http://fedex.com)

## Sender's Copy

## 4a Express Package Service

☐ FedEx Priority Overnight  
Next business morning.\* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

☒ FedEx Standard Overnight  
Next business afternoon.\* Saturday Delivery NOT available.

Packages up to 150 lbs.

☐ FedEx First Overnight  
Earliest next business morning delivery to select locations.\* Saturday Delivery NOT available.

☐ FedEx 2Day  
Second business day.\* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

☐ FedEx Express Saver  
Third business day.\* Saturday Delivery NOT available.

☐ FedEx 1Day Freight\*  
Next business day.\* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

☐ FedEx 2Day Freight  
Second business day.\* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

Packages over 150 lbs.

☐ FedEx 3Day Freight  
Third business day.\* Saturday Delivery NOT available.

\* Call for Confirmation.

\*\* To most locations.

## 5 Packaging

☒ FedEx Envelope\*

☐ FedEx Pak\*  
Include FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.

☐ FedEx Box

☐ FedEx Tube

☐ Other

\* Declared value limit \$500.

## 6 Special Handling

Include FedEx address in Section 3.

☐ SATURDAY Delivery  
NOT Available for:  
FedEx Standard Overnight,  
FedEx First Overnight, FedEx Express Saver, or FedEx 2Day Freight.

☐ HOLD Weekday  
at FedEx Location  
NOT Available for  
FedEx First Overnight.

☐ HOLD Saturday  
at FedEx Location  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations.

Does this shipment contain dangerous goods?

One box must be checked.

☐ No ☐ Yes  
As per attached  
Shipper's Declaration.

☐ Yes  
Shipper's Declaration  
not required.

☐ Dry Ice  
Dry Ice, 9, UN 1845 x \_\_\_\_\_ kg

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.

☐ Cargo Aircraft Only

## 7 Payment

Bill to: Enter FedEx Acct. No. or Credit Card No. below.

☒ Sender  
Acct. No. in Section 1 will be billed.

☐ Recipient

☐ Third Party

☐ Credit Card

☐ Cash/Check

FedEx Acct. No.  
Credit Card No.

Exp. Date

Total Packages

Total Weight

Total Declared Value\*

\$ .00

\*Our liability is limited to \$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

## 8 Residential Delivery Signature Options

If you require a signature, check Direct or Indirect.

☐ No Signature  
Required  
Package may be left  
without obtaining a  
signature for delivery.

☐ Direct Signature  
Someone at recipient's  
address may sign for  
delivery. Fee applies.

☐ Indirect Signature  
If no one is available at  
recipient's address, someone  
at a neighboring address may  
sign for delivery. Fee applies.

519

Rev. Date 10/06-Per #158279-01/04-2006 FedEx-PRINTED IN U.S.A.-SRF

POST AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.



## FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM (CODRS) CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: Hillsborough

COUNTY ORDINANCE # 08-31  
(e.g., 00-001)

**PRIMARY KEYFIELD**

DESCRIPTOR: Special Districts

**SECONDARY KEYFIELD**

DESCRIPTOR: Governments/Agencies

**OTHER KEYFIELD**

DESCRIPTOR: \_\_\_\_\_

ORDINANCE DESCRIPTION: Circa Fishhawk CDD

(25 characters maximum including spaces)

**ORDINANCES AMENDED:** (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (\_\_\_\_\_) AMENDMENT # 2: (\_\_\_\_\_)

**ORDINANCES REPEALED:** (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (\_\_\_\_\_) REPEAL # 3: (\_\_\_\_\_)

REPEAL # 2: (\_\_\_\_\_) REPEAL # 4: (\_\_\_\_\_)

(Others repealed: List all that apply): \_\_\_\_\_

(FOR OFFICE USE ONLY):

COUNTY CODE NUMBER: (\_\_\_\_\_)

KEYFIELD 1 CODE: (\_\_\_\_\_)

KEYFIELD 2 CODE: (\_\_\_\_\_)

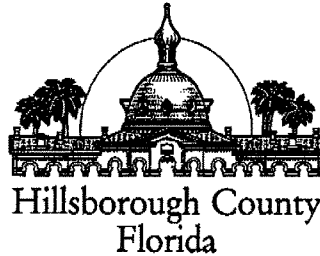
KEYFIELD 3 CODE: (\_\_\_\_\_)

Rev. 4/10/01

# Office of the County Attorney

## BOARD OF COUNTY COMMISSIONERS

Kevin Beckner  
Rose V. Ferlita  
Ken Hagan  
Al Higginbotham  
Jim Norman  
Mark Sharpe  
Kevin White



Renée Francis Lee, County Attorney  
Donald R. Odom, Deputy County Attorney

## Managing Attorneys

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Susan J. Fernandez  
Sheree C. Fish  
Adam J. Gormly  
Jennie Granahan Tarr

## MEMORANDUM

**To:** Midge Dixon, BOCC Records

**From:** Nancy Y. Takemori, Assistant County Attorney *NT*

**Re:** AN ORDINANCE ESTABLISHING THE CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**Date:** December 11, 2008

An original final copy of the above-referenced ordinance adopted by the BOCC on December 9, 2008, is attached. Please number and certify the ordinance and file with the Florida Department of State in accordance with Section 125.66, Florida Statutes.

Please provide this office with a date-stamped copy of the official acknowledgement from the Department of State that the ordinance has been filed, showing receipt by your office. Also, I have attached the proof of notice in the Tampa Tribune.

Thank you for your assistance with this matter.

NYT/pww

Attachments

c: Patricia Ortiz, Planning and Growth Management

RECEIVED  
2008 DE 11 PM 2:46  
CLERK TO  
THE BOARD (B)



# FOWLER WHITE BOGGS BANKER

ATTORNEYS AT LAW

ESTABLISHED 1943

Susan E. Johnson-Velez  
Direct Dial: 813-222-2028  
sjvelez@fowlerwhite.com

October 21, 2008

## BY HAND DELIVERY

John Healey, Executive Planner  
Hillsborough County Planning and  
Growth Management Department  
601 E. Kennedy Boulevard, 20th Floor  
Tampa, Florida 33602

Re: Petition to Establish Lake Hutto Community Development District  
Petition No. 08-1416

Dear John:

As you requested during our telephone conversation this morning, this letter requests that the proposed name of the above-referenced CDD petition be changed to "Circa FishHawk CDD." Please let me know if you have any questions.

Yours truly,

FOWLER WHITE BOGGS BANKER P.A.

Susan E. Johnson-Velez

SJV

cc: Tom Panaseney  
Mercedes Pineiro  
John McKay  
Jack Morris

FOWLER WHITE BOGGS BANKER P.A.

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