1st Reading
 2nd Reading

 Item: 10E
 Item: 8D

 Date: 9/26/22
 Date: 11/14/22

#### **ORDINANCE NO. 22-92**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING ORDINANCE NO. 07-35 ENACTED ONAPRIL 9, 2007, ESTABLISHING THE SOUTHERN GROVE COMMUNITY DEVELOPMENT DISTRICT NO. 3, IN ORDER TO EXPAND AND CONTRACT THE EXTERNAL BOUNDARIES OF THE DISTRICT; MAKING CERTAIN FINDINGS; DESCRIBING THE REVISED EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE

### THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

- Section 1. Authority for this Ordinance. This Ordinance is enacted pursuant to the provisions of Article VIII, Section 2, of the Florida Constitution; Chapter 166, Florida Statutes, as amended; Section 190.046(1), Florida Statutes; Section 1.01 of the Charter of the City of Port St. Lucie, Florida ("City"); and other applicable provisions of law.
- Section 2. Findings. It is hereby ascertained, determined, and declared by the City Council of the City ("City Council") as follows:
  - a. On April 9, 2007, the City Council enacted Ordinance No. 07-35 ("Ordinance") establishing the Southern Grove Community Development District No. 3 ("SGCDD3") as a community development district pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes ("Act"), and other applicable law, including establishing its external boundaries, among other matters.
  - b. The external boundaries of SGCDD3 currently contain approximately 848.053 acres of real property located entirely within the jurisdictional boundaries of the City.
  - c. Pursuant to Section 190.046(1) of the Act, Mattamy Palm Beach LLC, a Delaware limited liability company, and Port St. Lucie Governmental Finance Corporation, a Florida corporation (together, the "Petitioners"), joined by the Boards of Supervisors of SGCDD3, Southern Grove Community Development District No. 1 ("SGCDD1"), Southern Grove Community Development District No. 2 ("SGCDD2"), Southern Grove Community Development District No. 4 ("SGCDD4"), Southern Grove Community Development District No. 5 ("SGCDD5"), and Southern Grove Community Development District No. 6 ("SGCDD6" and, together with SGCDD1, SGCDD2, SGCDD3, SGCDD4, and SGCDD5, the "Districts"), have filed a Consolidated Petition with the City that, as important here, requests that the City (1) expand and contract the external boundaries of SGCDD3 so that thereafter a total of approximately 549.24 acres of real property will be located within such external boundaries, and (2) amend the Ordinance to reflect the revised external boundaries of SGCDD3 as described in the attached Exhibit "A2."

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d. All lands within SGCDD3 as currently configured and as proposed for expansion and contraction in the Consolidated Petition are located entirely within the jurisdictional boundaries of the City.

- e. The Consolidated Petition contains the information required by Sections 190.005 and 190.046 of the Act to expand and contract the boundaries of SGCDD3.
- f. The City Council has conducted a public hearing on the Consolidated Petition in accordance with the requirements of Section 190.0046(1)(b) and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, among other matters, and hereby finds that:
  - All statements contained in the Consolidated Petition are true and correct;
  - (2) The proposed expansion and contraction of the external boundaries of SGCDD3 as set forth in the Consolidated Petition will not result in a cumulative net total addition that is either (A) greater than 50 percent of the acres initially located within the boundaries of SGCDD3, or (B) in excess of 1,000 acres:
  - (3) No real property within the revised external boundaries of SGCDD3 as proposed in the Consolidated Petition will be excluded from SGCDD3;
  - (4) The expansion and contraction of the external boundaries of SGCDD3 as proposed in the Consolidated Petition will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's comprehensive plan;
  - (5) Following the proposed expansion and contraction of the external boundaries of SGCDD3, the property comprising SGCDD3 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;
  - (6) SGCDD3 is the best alternative available for delivering community development services and facilities to the area that, following the expansion and contraction proposed in the Consolidated Petition, will be served by SGCDD3;
  - (7) The community development services and facilities of SGCDD3 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
  - (8) The area that will be served by SGCDD3 is amenable to separate special district government.

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- g. The City Council now desires to grant the request of SGCDD3 by (1) expanding and contracting the external boundaries of SGCDD3 as set forth in the Consolidated Petition and (2) amending the Ordinance in the manner set forth in this Ordinance.
- Section 3. Grant of Consolidated Petition; Amendment of Ordinance to Establish New Boundaries of SGCDD3. The City hereby grants the request of SGCDD3 as set forth in the Consolidated Petition and the Ordinance is hereby amended to expand and contact the external boundaries of SGCDD3 by deleting Exhibit "A" in its entirety and replacing it with Exhibit "A2" attached to this Ordinance.
- Section 4. Conflicts. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.
- Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any portion of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.
- Section 6. Filing with the Department of State. The Clerk be and 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.
- Section 7. Effective Date. This Ordinance shall become effective immediately upon final adoption.

PASSED AND ENACTED by the City Council of the City of Port St. Lucie, Florida, this 14<sup>th</sup> day of November, 2022.

ATTEST:

Sally Walsh, City Clerk

CITY COUNCIL CITY OF PORT ST. LUCIE, FLORIDA

Shannon M. Martin, Mayor

APPROVED AS TO FORM:

James D. Stokes, City Attorney

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 2nd Reading

 Item: 10E
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 Date:9/26/22
 Date:11/14/22

## ORDINANCE NO. 22-92

# EXHIBIT "A2"

# REVISED EXTERNAL BOUNDARIES OF SOUTHERN GROVE COMMUNITY DEVELOPMENT DISTRICT NO. 3

### DESCRIPTION: (CDD NO. 3)

A PARCEL OF LAND LYING IN SECTIONS 26, 27, 34 AND 35, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING A PORTION OF PARCEL 27D, SOUTHERN GROVE PLAT NO. 13, AS RECORDED IN PLAT BOOK 74, PAGE 10, PARCEL 28, PARCEL 28-A AND CONSERVATION TRACT NO. 12 AND A PORTION OF TRACT R-2, SOUTHERN GROVE PLAT NO. 3, AS RECORDED IN PLAT BOOK 61, PAGE 17, A PORTION OF E/W 4 RIGHT-OF-WAY (PARR DRIVE), A PORTION OF BECKER ROAD AND A PORTION OF COMMUNITY BOULEVARD, CITY OF PORT ST. LUCIE RIGHT-OF-WAY, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2899, PAGE 2933, AND OFFICIAL RECORDS BOOK 3935, PAGE 2995, ALL OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL 29 AS SHOWN ON SAID SOUTHERN GROVE PLAT NO. 3, SAID POINT BEING A POINT ON THE WEST LINE OF SOUTHERN GROVE PARCEL (EXHIBIT A), AS RECORDED IN OFFICIAL RECORDS BOOK 1969, PAGE 837, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 00°05'34" EAST ALONG SAID WEST LINE OF SOUTHERN GROVE PARCEL, A DISTANCE OF 3882.64 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID E/W 4 RIGHT-OF-WAY (PARR DRIVE), ALSO BEING THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF SAID PARCEL 28, SOUTHERN GROVE PLAT NO. 3; THENCE NORTH 90°00'00" EAST ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 75.00 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 823.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2925.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°33'21", A DISTANCE OF 1355.70 FEET TO A POINT OF TANGENCY; THENCE SOUTH 63°26'39" EAST, DISTANCE OF 1026.51 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 3075.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°33'04", A DISTANCE OF 1424.97 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°59'43" EAST, A DISTANCE OF 772.16 FEET (THE PRECEDING FIVE COURSES BEING COINCIDENT WITH THE SOUTHERLY LINE OF SAID E/W 4 RIGHT-OF-WAY (PARR DRIVE) AND THE NORTHERLY LINE OF SAID PARCEL 28, SOUTHERN GROVE PLAT NO. 3) TO A POINT ON THE WEST LINE OF A 60 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT. AS RECORDED IN OFFICIAL RECORDS BOOK 97, PAGE 505, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 00°02'34" EAST ALONG SAID WEST LINE OF 60 FOOT WIDE EASEMENT. A DISTANCE OF 746.94 FEET: THENCE NORTH 00°02'34" EAST ALONG THE EAST LINE OF CONSERVATION TRACT-16, AS SHOWN ON SAID SOUTHERN GROVE PLAT NO. 13, A DISTANCE OF 89.37 FEET; THENCE SOUTH 57°00'52" EAST ALONG THE SOUTH LINE OF CONSERVATION TRACT-16A, AS SHOWN ON SAID SOUTHERN GROVE PLAT NO. 13, A DISTANCE OF 163,83 FEET; THENCE NORTH 00°20'27" EAST ALONG THE EAST LINE OF SAID CONSERVATION TRACT-16A, A DISTANCE OF 774.56 FEET; THENCE SOUTH 88°07'51" WEST, A DISTANCE OF 107.59 FEET; THENCE SOUTH 22°21'54" WEST, A DISTANCE OF 71.79 FEET; THENCE SOUTH 65°00'04" WEST, A DISTANCE OF 7.42 FEET (THE PRECEDING THREE COURSES BEING COINCIDENT WITH THE NORTH LINE OF SAID CONSERVATION TRACT-16A); THENCE NORTH 00°02'34" EAST ALONG THE EAST LINE OF SAID CONSERVATION TRACT-16, A DISTANCE OF 52.59 FEET; THENCE NORTH 00°02'34" EAST ALONG THE EAST LINE OF CONSERVATION TRACT-18, AS SHOWN ON SAID SOUTHERN GROVE PLAT NO. 13, A DISTANCE OF 822.67 FEET; THENCE NORTH 00°02'34" EAST ALONG THE EAST LINE OF DEL WEBB AT TRADITION, AS RECORDED IN PLAT BOOK 75, PAGE 4, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, A DISTANCE OF 254.06 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF VILLAGE PARKWAY (EXHIBIT A) AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 2899, PAGE 2933; THENCE SOUTH 38°56'28" EAST, A DISTANCE OF 97.11 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 3546.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 38°56'28, A DISTANCE OF 2410.05 FEET TO A POINT OF TANGENCY;

(DESCRIPTION CONTINUED ON SHEET 2)

### **CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON SEPTEMBER 14, 2020. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING — LAND SURVEYING
7900 GLADES ROAD — SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)—392—1991 / FAX (561)—750—1452

SOUTHERN GROVE AT TRADITION CDD NO. 3 SKETCH OF DESCRIPTION DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	9/1	4/2020
DRAWN E	3Y	R.A.B.
F.B./ PG		N/A
SCALE	AS	SHOWN
JOB NO.	8060	D-CDD3

SHEET 1 OF 6

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 317.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 4119.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°51'40", A DISTANCE OF 852.70 FEET TO A POINT OF TANGENCY; THENCE SOUTH 11°51'40" EAST, A DISTANCE OF 675.54 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 3969.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°32'02", A DISTANCE OF 1630.24 FEET TO A POINT OF TANGENCY; THENCE SOUTH 11°40'22" WEST, A DISTANCE OF 461.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3201.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 4°09'16", A DISTANCE OF 232.10 FEET (THE PRECEDING EIGHT COURSES BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF VILLAGE PARKWAY, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2899, PAGE 2933, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND ITS SOUTHERLY PROLONGATION) TO A POINT OF NON-TANGENCY, SAID POINT BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BECKER ROAD, AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 2899, PAGE 2933, SAID POINT ALSO BEING A POINT ON A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5075.00 FEET AND WHOSE CHORD BEARS NORTH 73°57'32" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 3°16'25", A DISTANCE OF 289.96 FEET TO A POINT OF TANGENCY; THENCE NORTH 72°19'20" WEST, A DISTANCE OF 2451.74 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 4925.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°35'06", A DISTANCE OF 1511.56 FEET TO A POINT OF TANGENCY; THENCE NORTH 89° 54'26" WEST, A DISTANCE 2123.92 FEET (THE PRECEDING FOUR COURSES BEING COINCIDENT WITH THE THE SOUTHERLY RIGHT-OF-WAY LINE OF BECKER ROAD, CITY OF PORT ST LUCIE, EXHIBIT G, AS RECORDED IN OFFICIAL RECORDS BOOK 2899, PAGE 2933, PUBLIC RECORDS OF ST. LUCIE. COUNTY, FLORIDA) TO THE AFOREMENTIONED POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCELS OF LAND CONTAINS 549.24 ACRES, MORE OR LESS.

### LEGEND ABBREVIATIONS

 $\Delta$  - DELTA (CENTRAL ANGLE)

CB - CHORD BEARING

CD - CHORD DISTANCE

E - EAST/EASTERLY

ESMT - EASEMENT

F.B. - FIELD BOOK

FPL - FLORIDA POWER AND LIGHT COMPANY

IQE - IRRIGATION EASEMENT

L - ARC LENGTH

L.B. - LICENSED BUSINESS

N - NORTH/NORTHERLY

O.R.B. - OFFICIÁL RECORDS BOOK

PG. - PAGE

P.B. - PLAT BOOK

P.O.B. -- POINT OF BEGINNING

P.O.C. - POINT OF COMMENCEMENT

PUE - PUBLIC UTILITY EASEMENT

R - RADIUS

R.L. - RADIAL LINE

R/W - RIGHT-OF-WAY

S - SOUTH/SOUTHERLY

W - WEST/WESTERLY

WMT - WATER MANAGEMENT TRACT

- 1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR ITS AUTHORIZED ELECTRONIC DIGITAL SIGNATURE AND SEAL.
- 2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- 3. BEARINGS SHOWN HEREON ARE RELATIVE TO PLATTED BEARING OF NORTH 89°54'26" WEST ALONG THE NORTH LINE OF TRACT B, SOUTHERN GROVE REPLAT NO. 30, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 87, PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
- 4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.

5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

SHEET 2 OF 6



CAULFIELD & WHEELER, INC.

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PHONE (561)-392-1991 / FAX (561)-750-1452

SOUTHERN GROVE AT TRADITION CDD NO. 3 SKETCH OF DESCRIPTION DATE 9/14/2020
DRAWN BY R.A.B.
F.B./ PG. N/A
SCALE AS SHOWN
JOB NO. 8060—CDD3







