



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

November 22, 2022

Kimberley Barrineau
Ad Interim Clerk
Hendry County
Post Office Box 1760
Labelle, Florida 33975-2340

Attention: Anita Bischel

Dear Kimberley Barrineau:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hendry County Ordinance No. 2022-19, which was filed in this office on November 17, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/rra

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270

COUNTY OF HENDRY, STATE OF FLORIDA

ORDINANCE NO. 2022 - 19

RECORDED IN ORDINANCE BOOK XXIV, PAGE 156

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HENDRY COUNTY, FLORIDA, ESTABLISHING THE OLDE FLORIDA COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 190, Florida Statutes, provides for the creation of community development districts to provide various local government services; and

WHEREAS, SWJR Land Development, LLC, has filed a petition with Hendry County to establish a community development district to be known as the Olde Florida Community Development District in Sections 30 and 31, Township 43 South, Range 28 East in Hendry County, Florida; and

WHEREAS, the Hendry County Board of County Commissioners has determined that the petition dated November 7, 2022, complies with the requirements of Florida law and should be granted.

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

SECTION ONE. TITLE.

This Ordinance shall be known as the Olde Florida Community Development District establishment ordinance.

SECTION TWO. FINDINGS.

The County Commission finds that the petition dated November 7, 2022, meets the requirements of Section 190.005, Florida Statutes, and that the Olde Florida Community Development District should be created.

SECTION THREE. CREATING AND NAMING OF DISTRICT.

A community development district pursuant to Chapter 190, Florida Statutes, to be known as the Olde Florida Community Development District (hereinafter, "the District") is hereby created.

SECTION FOUR. BOUNDARIES OF THE DISTRICT.

The boundaries of the District shall be as set forth in Exhibit "A" attached hereto.

SECTION FIVE. FUNCTIONS AND POWERS OF THE DISTRICT.

In addition to the general powers provided for in Chapter 190, Florida Statutes, the District shall have the power 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.

The foregoing notwithstanding, lands within the District shall still be subject to non-ad valorem

special assessments for recreation at the same rate or rates as similar lands that are not within a community development district.

SECTION SIX. BOARD OF SUPERVISORS.

The persons designated to be the initial members of the board of supervisors shall be:

Hank Fishkind
c/o Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive, Suite 107
Orlando, FL 32817

Anthony DiNardo
c/o Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive, Suite 107
Orlando, FL 32817

Jon Rubinton
c/o Lotus Construction, LLC
430 Bayfront Place
Naples, FL 34102

Josh Rubinton
c/o Lotus Construction, LLC
430 Bayfront Place
Naples, FL 34102

Scott Walker
c/o Lotus Construction, LLC
430 Bayfront Place
Naples, FL 34102

SECTION SEVEN. SEVERABILITY.

The provisions of this Ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any provision of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, that portion will be deemed a separate provision and will not affect any remaining provisions of the Ordinance. It is hereby declared to

be the legislative intent that this Ordinance would have been adopted if such invalid or unconstitutional provision was not included.

SECTION EIGHT. CONFLICTS OF LAW.

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Hendry County Ordinance or Florida Statutes, the more restrictive shall apply.

SECTION NINE. CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance will become and be made part of the Hendry County Code; and that the sections of this ordinance may renumbered or re-lettered and that the word "Ordinance" may be changed to "section," "article" or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the County Administrator's designee, without need of a public hearing, by filing a corrected or re-codified copy of same with the Clerk of the Circuit Court.


SECTION TEN. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its filing with the Secretary of State.

Duly passed and adopted in regular session of the Board of County Commissioners of
Hendry County, Florida this 15th day of November, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF HENDRY COUNTY, FLORIDA


Kimberley Barmineau, Clerk


Emma J. Byrd, Chair

EXHIBIT "A"

OLDE FLORIDA COMMUNITY DEVELOPMENT DISTRICT BOUNDARY

**SKETCH OF DESCRIPTION OF
A PARCEL OF LAND LYING IN LYING IN SECTIONS 30 AND 31,
TOWNSHIP 43 SOUTH, RANGE 28 EAST,
HENDRY COUNTY, FLORIDA**

LEGAL DESCRIPTION

A PARCEL OF LAND LYING AND BEING IN SECTIONS 30 AND 31, TOWNSHIP 43 SOUTH, RANGE 28 EAST, ALL LYING AND BEING IN HENDRY COUNTY, FLORIDA, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST (N.W.) CORNER OF SAID SECTION 31, SAID POINT ALSO BEING THE SOUTHWEST (S.W.) CORNER OF SAID SECTION 30, THENCE RUN SOUTH 89 DEGREES 55' 38" EAST ALONG THE NORTH LINE OF THE N.W. 1/4 OF SAID SECTION 31, FOR 400.03 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 36' 55" WEST, FOR 2560.47 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 80; THENCE NORTH 89 DEGREES 02' 00" EAST ALONG SAID RIGHT-OF-WAY, FOR 1612.30 FEET; THENCE SOUTH 00 DEGREES 19' 46" EAST, FOR 1568.94 FEET; THENCE SOUTH 89 DEGREES 49' 33" EAST, FOR 576.12 FEET TO A LINE BEING 60 FEET WEST OF, AND PARALLEL WITH THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 19' 46" EAST, ALONG SAID LINE FOR 1019.64 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 26' 25" EAST ALONG A LINE BEING 60 FEET WEST OF, AND PARALLEL WITH THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 31, FOR 1133.43 FEET TO THE NORTH LINE OF CARLOS WATERWAY AS DESCRIBED IN OFFICIAL RECORDS BOOK (O.R.B.) 575, PAGE 1695 OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 57' 16" WEST ALONG SAID NORTH LINE, FOR 1260.84 FEET; THENCE NORTH 89 DEGREES 57' 52" WEST, FOR 918.90 FEET; THENCE NORTH 00 DEGREES 13' 45" WEST, FOR 1136.60 FEET TO THE POINT OF BEGINNING.

CONTAINING 165.177 ACRE MORE OR LESS.

BEARINGS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, AND REFERENCE THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (NAD 83/2011).

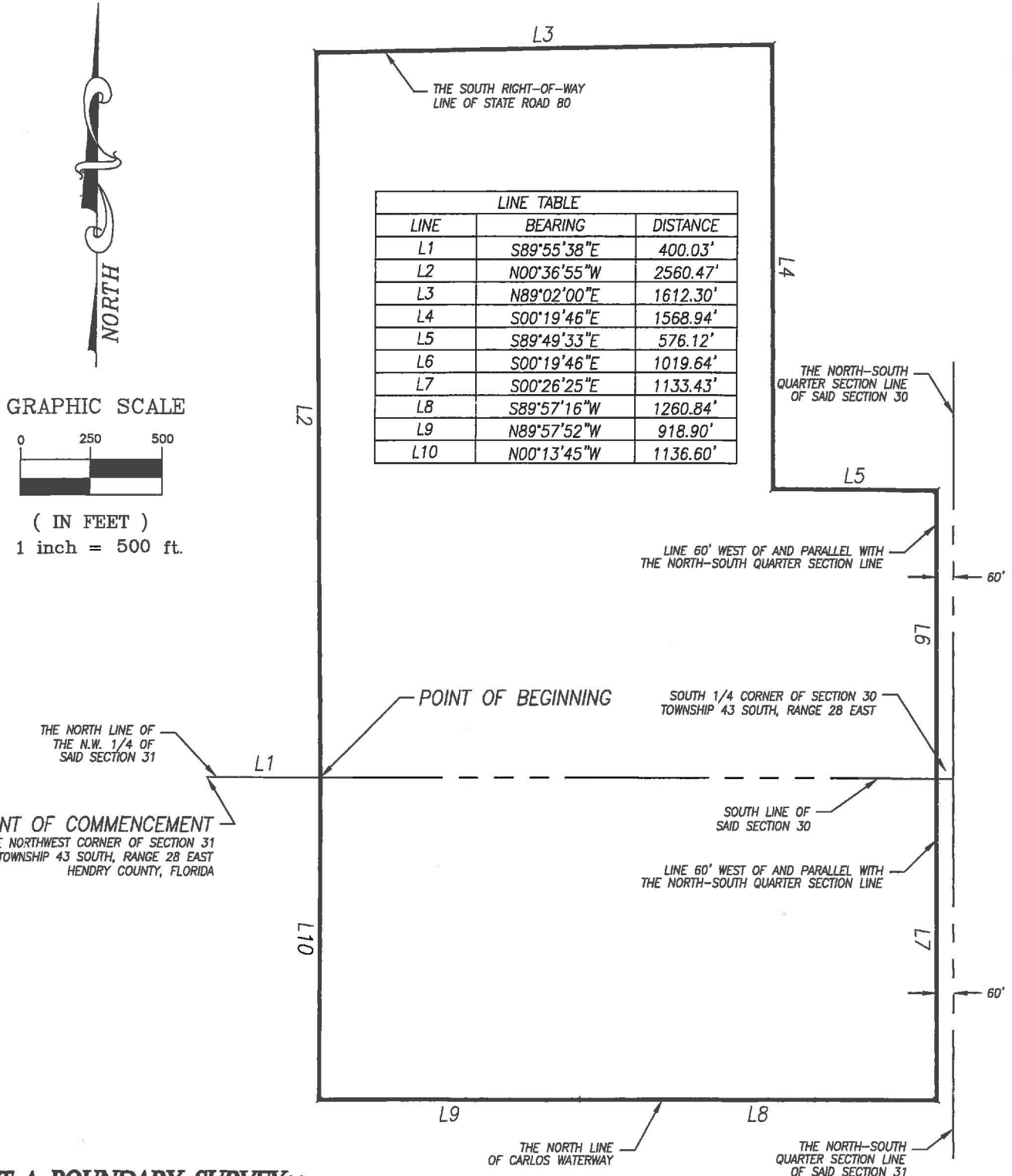
****NOT A BOUNDARY SURVEY****



Digitally signed by
David S Dagostino
Date: 2022.11.03
17:11:17 -04'00'

THIS MAP PREPARED BY:		DAVID S. DAGOSTINO, PSM		PROFESSIONAL SURVEYOR		STATE OF FLORIDA		CERTIFIED TO:		20-095	
COPYRIGHT OF AUTHORIZATION NO. 10 8096		NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER		10/12/2022		10/12/2022		10/12/2022		1 OF 2	
DAGOSTINO GEOSPATIAL, INC.		Professional Surveying & Mapping		10981 Boulder Beach Road SE Fort Lauderdale, FL 33330		Phone: (203) 352-6085 Website: www.dagostino.com					

**SKETCH OF DESCRIPTION OF
A PARCEL OF LAND LYING IN LYING IN SECTIONS 30 AND 31,
TOWNSHIP 43 SOUTH, RANGE 28 EAST,
HENDRY COUNTY, FLORIDA**



****NOT A BOUNDARY SURVEY****