

## ORDINANCE NO. 21-48

AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, RELATING TO THE CODDINGTON COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-73 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "CODDINGTON COMMUNITY DEVELOPMENT DISTRICT," ESTABLISHING THE CODDINGTON COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENTING TO THE EXERCISE OF CERTAIN SPECIAL POWERS BY THE DISTRICT'S BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Florida Legislature has enacted and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

**WHEREAS**, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

**WHEREAS**, section 190.005(2), Florida Statutes, authorizes the Board of County Commissioners, Manatee County, Florida ("County") to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

**WHEREAS**, Forestar (USA) Real Estate Group, Inc. ("Petitioner"), has filed a petition with the Manatee County Board of County Commissioners ("Board") to adopt an ordinance establishing the Coddington Community Development District ("District") pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, the Petitioner is the owner of approximately 120.011 acres of real property proposed for inclusion within the District and consents in writing to the establishment of the District; and

**WHEREAS**, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

**WHEREAS**, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

**WHEREAS**, the District established under this Ordinance, as an independent special district and a local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

**WHEREAS**, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

**WHEREAS**, section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in section 190.012(1), Florida Statutes; and

**WHEREAS**, section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in section 190.012(2), Florida Statutes; and

**WHEREAS**, section 190.005(2)(d), Florida Statutes, as amended, provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under section 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

**WHEREAS**, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers listed in sections 190.012(2)(a) and 190.012(2)(d), Florida Statutes, as amended; and

**WHEREAS**, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

**WHEREAS**, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

**WHEREAS**, the Board's consent to the exercise by the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the

inhabitants of the District.

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

Section 1. Legislative findings. The Board of County Commissioners of Manatee County, Florida, hereby adopts the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance.

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

Section 3. Intent and purpose. It is the intent and purpose of this Ordinance to establish the Coddington Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the Board's consent to the exercise by the District board of supervisors of certain additional special powers pursuant to section 190.012(2), Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws.

Section 4. Creation of section 2-8-73 of Manatee County Code of Ordinances. section 2-8-73 of the Manatee County Code of Ordinances is hereby created to read as follows:

Section 2-8-73. Coddington Community Development District.

(a) Establishment. The Coddington Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds description attached hereto as **Exhibit "2"**.

(c) Initial board of supervisors. The names of five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

- (1) Mary Moulton.
- (2) Christian Cotter.
- (3) Ty Vincent.
- (4) Andre Carmack.

(5) Ryan Zook.

(d) Special powers. Pursuant to sections 190.005(2)(d) and 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the district board of supervisors of the additional special powers listed in sections 190.012(2)(a) and 190.012(2)(d), Florida Statutes. Specifically, 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 the Manatee County Sheriff's Department or other proper governmental agencies; except that the District may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within the District boundaries.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective Date. This Ordinance shall take effect immediately upon the filing of a copy of this Ordinance with the Secretary of State pursuant to section 125.66, Florida Statutes.

**PASSED AND ADOPTED**, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 14th day of December, 2021.



**BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Chairperson

**ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By:   
Deputy Clerk

**EXHIBIT "2"**  
**METES & BOUNDS**

# Description Sketch

**DESCRIPTION:** A portion of the Northwest 1/4 and the Southwest 1/4 of Section 26, together with a portion of the Northeast 1/4 of Section 27, all lying in Township 34 South, Range 19 East, Manatee County, Florida, and being more particularly described as follows:



**COMMENCE** at the Northeast corner of said Northwest 1/4 of Section 26, run thence along the East boundary thereof the following two (2) courses: 1) S.00°40'41"W., a distance of 2029.84 feet to the **POINT OF BEGINNING**; 2) continue, S.00°40'41"W., a distance of 616.97 feet to the Northeast corner of said Southwest 1/4 of Section 26; thence along the East boundary of said Southwest 1/4 of Section 26, S.00°27'42"W., a distance of 609.17 feet; thence departing said East boundary, N.89°28'35"W., a distance of 985.76 feet; thence S.00°35'20"W., a distance of 662.51 feet to a point on the Northerly right-of-way of Waterline Road, as described in that certain Warranty Deed, recorded in Official Records Book 262, Page 363, of the Public Records of Manatee County, Florida; thence along said Northerly right-of-way, N.89°31'38"W., a distance of 328.63 feet to a point on the West boundary of the Northeast 1/4 of said Southwest 1/4 of Section 26; thence along said West boundary, N.00°34'27"E., a distance of 1272.59 feet to the Southeast corner of the Southwest 1/4 of said Northwest 1/4 of Section 26; thence along the South boundary of said Southwest 1/4 of the Northwest 1/4 of Section 26, N.89°25'07"W., a distance of 1315.19 feet to the Southwest corner thereof; thence along the West boundary of said Southwest 1/4 of the Northwest 1/4 of Section 26, N.00°27'16"E., a distance of 1263.03 feet to a point on a line lying sixty (60) feet South of and parallel with the South boundary of the Northeast 1/4 of said Northeast 1/4 of Section 27; thence along said line, N.89°22'04"W., a distance of 952.16 feet; thence departing said line, N.39°47'04"W., a distance of 78.71 feet to a point on the Southeasterly maintained right-of-way of Rye Road (formerly known as Rye Bridge Road); thence along said Southeasterly maintained right-of-way, N.50°13'10"E., a distance of 60.00 feet; thence S.39°47'04"E., a distance of 50.99 feet to a point on aforesaid South boundary of the Northeast 1/4 of the Northeast 1/4 of Section 27; thence along said South boundary, S.89°22'04"E., a distance of 924.26 feet to the Southeast corner of said Northeast 1/4 of the Northeast 1/4 of Section 27; thence departing said South boundary, N.50°14'12"E., a distance of 424.30 feet; thence N.39°46'49"W., a distance of 650.30 feet to said Southeasterly maintained right-of-way of Rye Road (formerly known as Rye Bridge Road); thence along said Southeasterly maintained right-of-way, N.50°14'44"E., a distance of 522.65 feet; thence S.51°32'29"E., a distance of 2954.27 feet to the **POINT OF BEGINNING**.

Containing 120.011 acres, more or less.

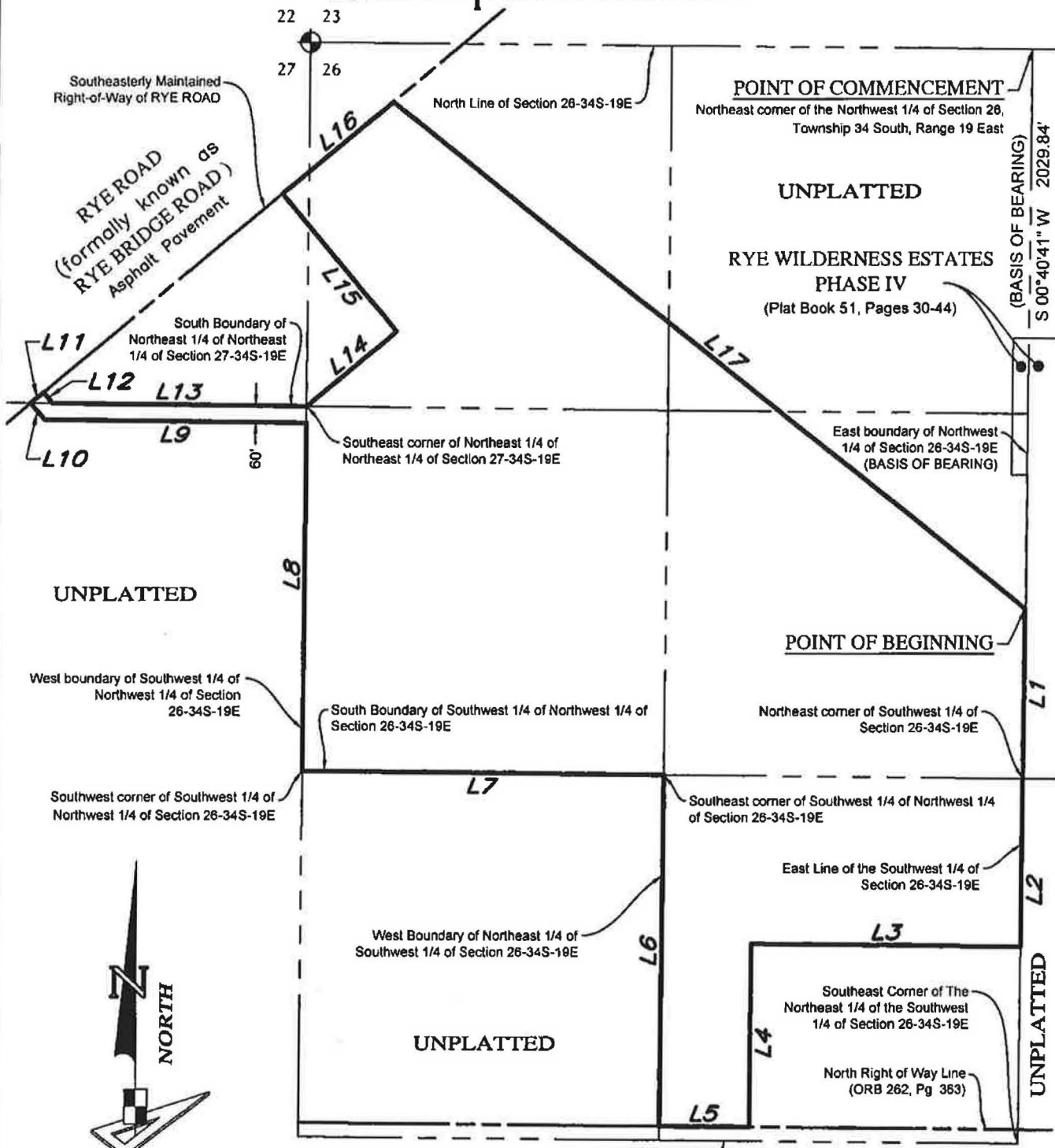
## SURVEYORS NOTES

1. Bearings shown hereon are grid bearings based on the East boundary of the Northwest 1/4 Section 26, Township 34 South, Range 19 East, having a Grid bearing of S.00°40'41"W. The Grid Bearings as shown hereon refer to the State Plane Coordinate System, North American Datum of 1983 (NAD 83-2007 ADJUSTMENT) for the West Zone of Florida, as established by RTK GPS Network.
2. Sheet sheets 2 and 3 for Sketch and Line Table

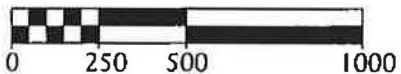
(Not A Survey)

PROJECT: RYE ROAD		Prepared For: FORESTAR GROUP		
PHASE: BOUNDARY		 <p style="font-size: small;">This item has been electronically signed and sealed by CHARLES M. ARNETT using a Digital Signature and Date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.</p>		
DRAWN: MAS	DATE: 4/8/21			CHECKED BY: CMA
REVISIONS				
DATE	DESCRIPTION			DRAWN BY
Charles M. Arnett FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. <b>LS6884</b>		213 Hobbs Street Tampa, Florida 33619 Phone: (813) 248-8888 Licensed Business No.: LB 7768  <b>GeoPoint</b> Surveying, Inc.		
FILE PATH: P:\CODDINGTON (RYE ROAD)\PLAT\DESCRIPTIONS\RYE-ROAD-DS.DWG LAST SAVED BY: ALEXS			<b>01 of 03</b>	

# Description Sketch



SCALE 1" = 500'



Sheet Sheets 1 and 3 for Description and Line Table

213 Hobbs Street  
 Tampa, Florida 33619  
 Phone: (813) 248-8888  
 Licensed Business No.: LB 7768

**GeoPoint**  
 Surveying, Inc.



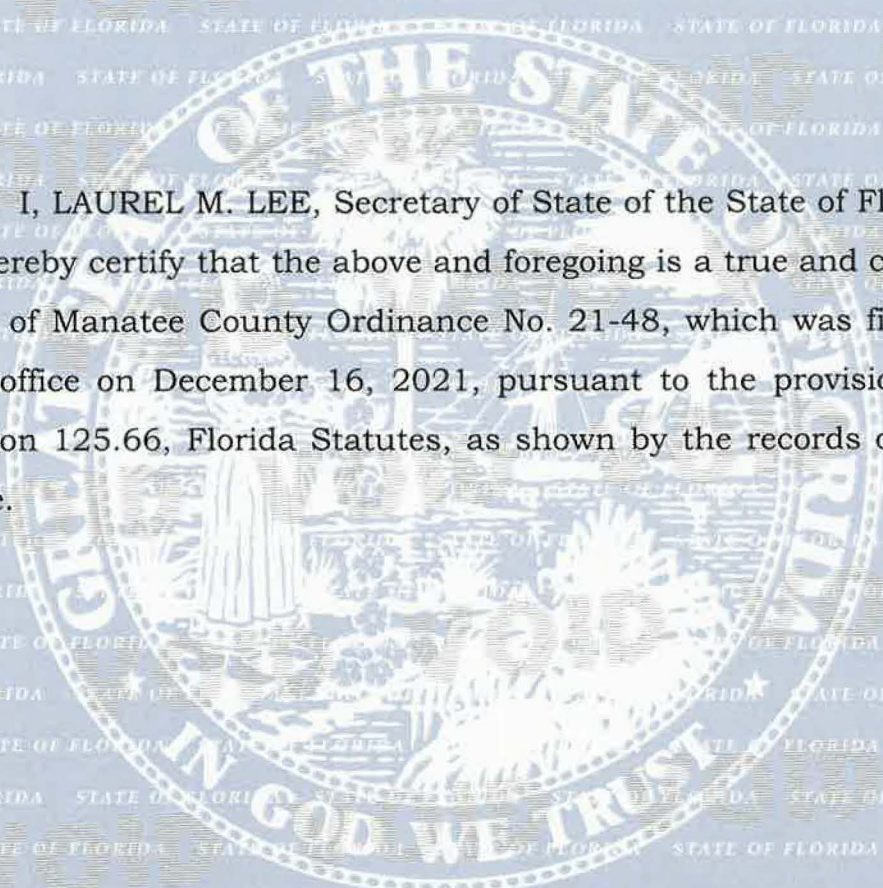
# Description Sketch

LINE DATA TABLE

NO.	BEARING	LENGTH
L1	S 00°40'41" W	616.97'
L2	S 00°27'42" W	609.17'
L3	N 89°28'35" W	985.76'
L4	S 00°35'20" W	662.51'
L5	N 89°31'38" W	328.63'
L6	N 00°34'27" E	1272.59'
L7	N 89°25'07" W	1315.19'
L8	N 00°27'16" E	1263.03'
L9	N 89°22'04" W	952.16'
L10	N 39°47'04" W	78.71'
L11	N 50°13'10" E	60.00'
L12	S 39°47'04" E	50.99'
L13	S 89°22'04" E	924.26'
L14	N 50°14'12" E	424.30'
L15	N 39°46'49" W	650.30'
L16	N 50°14'44" E	522.65'
L17	S 51°32'29" E	2954.27'

# STATE OF FLORIDA DEPARTMENT OF STATE

I, LAUREL M. LEE, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Manatee County Ordinance No. 21-48, which was filed in this office on December 16, 2021, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.



**Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
17th of December, A.D., 2021.**

*Laurel M. Lee*  
Secretary of State



If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document