ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 06-10

AN ORDINANCE ESTABLISHING THE PARKER ROAD COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2005); 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; ADDRESSING ORDINANCE CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Oakmont at Gainesville, LLP ("Petitioner"), having obtained written consent to the establishment of the District by the owner of 100 percent of the real property to be included in the District, petitioned the Alachua County Board of Commissioners (the "County") to adopt an ordinance establishing the Parker Road Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2005); and

WHEREAS, the Petitioner is a Florida Limited Liability Partnership, authorized to conduct business in the State of Florida; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County on May 23, 2006; and

WHEREAS, upon consideration of the record established at that hearing, the County determined that the statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, that the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area to be served by the District is amenable to separate special-district governance; and

2006 JUN -1 AM 8:48
CLERK OF CIRCUIT COURT
ALACHUA COUNTY, FLORIDA
TALLAHASSEE, FLORIDA
FILED

WHEREAS, the establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Section 1. Findings. The above recitals are adopted as findings of fact in support of this Ordinance.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2005).

Section 3. Chapter 37.2, Title 3, Alachua County Code, is hereby amended as follows:

CHAPTER 37.2
PARKER ROAD COMMUNITY DEVELOPMENT DISTRICT

Sec. 37.2.1. District Name.

There is hereby established a Community Development District situated entirely within Alachua County, Florida, which District shall be known as the "Parker Road Community Development District."

Sec. 37.2.2. External Boundaries of the District.

The external boundaries of the District are described in Exhibit A attached hereto and incorporated by reference, the overall parcel containing 556 acres, more or less.

Sec. 37.2.3. Functions and Powers.

The general powers and functions of the District are described in Chapter 190, Florida Statutes. The District is also authorized to exercise additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for parks and facilities for indoor and outdoor recreation, cultural and educational uses, all as authorized as described in Section 190.012(2)(a), Florida Statutes (2005).

Sec. 37.2.4. Board of Supervisors.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Andrew J. Hagan, Esq., Cynthia C. Jones, Erum Siddiqui, Esq., Kelly Kulinski, and Ken LaPointe. All of the above-named persons are residents of the State of Florida and citizens of the United States.

Section 4. Conflict. The terms of this Ordinance shall govern to the extent of any conflict with any other County ordinance.

Section 5. Severability. All provisions of this Ordinance are severable and should a court of competent jurisdiction determine finally any provision hereof to be in conflict with law such that the offending provision and other law cannot coexist, such provision shall be deemed stricken and the remainder shall survive in full force and effect to the extent legally possible.

Section 6. Effective Date. A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by Board of County Commissioners, and shall take effect upon filing with the Department of State.

DULY ADOPTED in regular session, this 23rd day of May, A.D., 2006.

BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA

BY: _____
Lee Pinkoson, Chair

ATTEST: _____
J.K. "Buddy" Irby, Clerk

APPROVED AS TO FORM

(SEAL)

_____
Alachua County Attorney

DEPARTMENT APPROVAL
AS TO CORRECTNESS

_____
Director of Growth Management
or designee

CERTIFICATE OF CLERK

I DO HEREBY CERTIFY that the annexed copy of Ordinance 06-10 is a true, correct and compared copy of the Ordinance adopted by the Board of County Commissioners of Alachua County, Florida at its regular meeting held May 23, 2006.

WITNESS my hand and official seal of the Board of County Commissioners of Alachua County, Florida this 30th day of May, A.D., 2006.

J.K. "Buddy" Irby, Clerk to the
Board of County Commissioners

(Seal)

CLERK OF THE CIRCUIT COURT

Finance and Accounting
Post Office Box 939
Gainesville, Florida 32602

J.K. "BUDDY" IRBY
CLERK

TELEPHONE
(352) 374-3605

June 6, 2006

Liz Cloud, Program Administrator
R.A. Gray Building
500 South Bronough Street, Room 101
Tallahassee, Florida 32399-0250

Subject Alachua County Ordinance #06-10

Dear Ms. Cloud

I am sending a correct copy of Ordinance #06-10 previous filed with your office. The copy filed with your office did not have the attached Exhibit A. I inadvertently failed to attach the exhibit. I apologize for any inconvenience that this may have caused. If you have any questions or concerns I can be reached at (352) 374-3605 ext. 2517.

Sincerely,

Steve Donahey

Steve Donahey, Deputy Clerk to the
Alachua County Commission

Received
FILED
2006 JUN -7 AM 8:47
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

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2006 JUN -1 AM 8:48
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
Received
FILED

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DULY ADOPTED in regular session, this 23rd day of May, A.D., 2006.

BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA

BY: _____
Lee Pinkoson, Chair

ATTEST: _____
J.K. "Buddy" Irby, Clerk

APPROVED AS TO FORM

(SEAL)

_____
Alachua County Attorney

DEPARTMENT APPROVAL
AS TO CORRECTNESS

_____
Director of Growth Management
or designee

EXHIBIT A

Causseaux & Ellington, Inc.
Engineering • Surveying • Planning

October 7, 2005

CLIENT:
PROJECT NUMBER: 05-0102
DESCRIPTION FOR: OAKMONT SUBDIVISION

DESCRIPTION: (BY SURVEYOR)
A PARCEL OF LAND SITUATED IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 10 SOUTH, RANGE 18 EAST; THENCE SOUTH 00°37'36" EAST ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 40.01 FEET; THENCE NORTH 89°38'05" EAST DEPARTING SAID WEST LINE, A DISTANCE OF 40.00 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF S.W. 24TH AVENUE AND THE EASTERLY RIGHT-OF-WAY OF S.W. 122ND STREET, SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°38'05" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF S.W. 24TH AVENUE, A DISTANCE OF 2598.49 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 13; THENCE SOUTH 00°50'15" EAST DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1285.11 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 13; THENCE NORTH 89°45'39" EAST, A DISTANCE OF 2642.92 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 13; THENCE SOUTH 00°59'31" EAST ALONG THE EAST LINE OF SAID SECTION 13, A DISTANCE OF 3991.18 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE NORTH 89°52'39" WEST ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 5271.23 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF S.W. 122ND STREET; THENCE NORTH 00°38'34" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2638.82 FEET TO A 4" X 4" ALACHUA COUNTY RIGHT-OF-WAY MONUMENT; THENCE NORTH 00°37'35" WEST CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2598.20 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 556.33 ACRES, MORE OR LESS.

THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY STACY A. HALL, P.S.M., FLORIDA PROFESSIONAL SURVEYOR AND MAPPER CERTIFICATE NUMBER 3784

STACY A. HALL

6011 NW 1st Place, Gainesville, Florida 32607 • Phone 352.331.1976 • FAX 352.331.2476 • Email: mailbox@cei-civil.com

CERTIFICATE OF CLERK

I DO HEREBY CERTIFY that the annexed copy of Ordinance 06-10 is a true, correct and compared copy of the Ordinance adopted by the Board of County Commissioners of Alachua County, Florida at its regular meeting held May 23, 2006.

WITNESS my hand and official seal of the Board of County Commissioners of Alachua County, Florida this 30th day of May, A.D., 2006.

J.K. "Buddy" Irby, Clerk to the
Board of County Commissioners

(Seal)

G 147383
NO_____

THE GAINESVILLE SUN

Published Daily and Sunday
GAINESVILLE, FLORIDA
STATE OF FLORIDA
COUNTY OF ALACHUA

Before the undersigned authority appeared Ernest Blake, III
Legal Advertising Coordinator
Who on oath says that he is.....of THE GAINESVILLE SUN, a daily

newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being

NOTICE OF PUBLIC HEARING

Public Hearing on Tuesday, May 23, 2006 at 5:00 p.m.
In the matter of .....

in the.....Court, was published in said newspaper in the issues of
MAY 11th
..... 2006

Affidavit further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, each day, and has been entered as second class mail matter at the post office in Gainesville, in Said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy Of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount for publication in the said newspaper.

Sworn to and subscribed before me this
11th day of May A.D., 2006
(seal) Notary Public

Jeffrey L Bloodsworth
MY COMMISSION # DD159430 EXPIRES
October 20, 2006
BONDED THRU TROY FAIN INSURANCE, INC.

Received
FILED
2006 JUN -7 AM 8:48
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

We Cover All Of Your Favorite
SPORTS... Every Day!
The Gainesville Sun
150/NK/12-31-95

NOTICE OF PUBLIC HEARING

The Alachua County Board of County Commissioners will hold a public hearing Tuesday, May 23, 2006, 5:□□ p.m. at the County Administration Building, Room 209, 12 S.E. 1st Street, Gainesville, Florida to consider the following items:

Replat for Robinlane, Lot 29 (containing less than 1 acre). Located in Section 21-T9-R19 on Tax Parcel Number 06040-001-029 at 3915 of NW 75th Street for Myers, Griffis & Associates, Inc. as agent. RE-1, Low Density Residential, *BOA Petition #1889*

Application ZOM-09-06 (Rezoning)
A request by Gerry Dedenbach of Causseaux & Ellington, Inc., agent, for Town & Country Veterinarians, P.A., owners, to rezone from 'R-1A' (Single Family Residential) district to 'PD' (non-residential Planned Development) district on approximately .87 acres located in the 6900 Block of SW Archer Road on Tax Parcel Number 06896-004-000.

Application ZOX-02-06 (Special Exception)
A request by Art Rogers, agent, for 4251 Partners, owners, to allow a billiards hall in an existing building in a 'BW' (Wholesale/Warehousing) district on approximately 2 acres located at 4251 SW 13th Street on Tax Parcel Number 07219-000-000.

Application ZOS-07-06 (Special Use Permit)
A request by Gerry Dedenbach of Causseaux & Ellington, Inc., agent for Oak Hall Private School, owner, to make a minor amendment to an existing Special Use Permit (ZOS-21-98) to make internal adjustments to the designated use areas within the project site on approximately 43.4 acres located at 8009 SW 14th Street on Tax Parcel Numbers 06668-002-003 and 06668-002-005.

Application ZOS-08-06 (Special Use Permit)
A request by Ralph Eng, agent, for Waste Pro of Florida, Inc., owners, to amend an existing special use permit for a landfill with a minor change (name change) in an 'A' (Agriculture) district on approximately 50 acres located at 18715 SW Archer Road on Tax Parcel Number 05247-002-000.

Parker Road CDD (Community Development District)
A request by Oakmont of Gainesvile, LLP, to establish the Parker Road Community Development District on approximately 556 acres, bordered on the west by SW 122nd Street and on the north by SW 24th Avenue, on Tax Parcel Number 04427-000-000.

All interested persons are invited to attend and be heard. Written comments may be filed with the Office of Planning and Development for consideration. In addition to any other comments, interested persons are invited to submit comments on whether the proposal will have a significant impact on the cost of housing.

All persons are advised that, if they decide to appeal any decision made at this public hearing or meeting, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If any accommodations are needed for persons with disabilities, please contact the Alachua County Equal Opportunity Office at (352) 374-5275 (voice) or (352) 374-5284 (TDD).

General Information: Staff Reports on the above zoning items will be available on Friday of the week preceding the meeting at the Office of Planning and Development:

10-300 S.W. 2nd Avenue Gainesville, FL 32601

For further information call (352) 374-5249.

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STATE OF FLORIDA
DEPARTMENT OF STATE

Division of Library and Information Services

I, SUE M. COBB, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Alachua County Ordinance No. 06-10, which was filed in this office on June 1, 2006, together with a corrected copy including Exhibit A, which was received in this office on June 7, 2006, 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 26th. day of July, A.D., 2006.

Sue M. Cobb

Secretary of State

DSDE 99 (3/03)

If photocopied or chemically altered, the word "VOID" will appear.
"State of Florida" appears in small letters across the face of this 8½ x 11" document.
The original document has a reflective line mark in paper. Hold at an angle to view when checking.