

**ORDINANCE NO. 14-22**

AN ORDINANCE ESTABLISHING THE BALLENTRAE HILLSBOROUGH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, RHO Group, LLC, a Florida limited liability company (“Petitioner”), has filed a Petition to Establish the Ballentrae Hillsborough Community Development District (“Petition”) with Hillsborough County requesting that the Board of County Commissioners in and for Hillsborough County, Florida (“County”), adopt an ordinance establishing the Ballentrae Hillsborough 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 12TH DAY OF AUGUST 2014 AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Board of County Commissioners 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 establishment 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 establishment 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), Fla. Stat.; and
3. The granting of the Petition complies with the dictates of chapter 190, Fla. Stat.

SECTION 3. CREATION, BOUNDARIES AND POWERS. There is hereby created a 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) 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(2) (a) and (d), Fla. Stat.

SECTION 4. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Warren (Rennie) Heath, Lauren O. Schwenk, Michelle Cassidy, Andrew Rhinehart and Scott Shapiro.

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

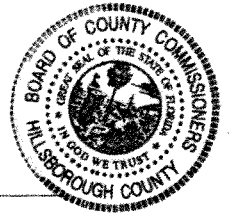
COUNTY OF HILLSBOROUGH

I, PAT COLLIER FRANK, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners 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 August 12, 2014, as the same appears of record in Minute Book 459 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 12th day of August, 2014.

PAT COLLIER FRANK, CLERK

BY: Micaela K. Dit  
Deputy Clerk



APPROVED BY COUNTY ATTORNEY  
AS TO FORM AND LEGAL SUFFICIENCY

BY: Nancy Y. Takemori  
Nancy Y. Takemori  
Assistant County Attorney

**EXHIBIT A**  
**LEGAL DESCRIPTION**

**PHASE 1**

THAT PART OF THE NW 1/4 LYING SOUTH AND WEST OF BALM GRADED RIGHT-OF-WAY IN SECTION 3, TOWNSHIP 31 SOUTH, RANGE 20 EAST, IN HILLSBOROUGH COUNTY, FLORIDA, LESS THE NORTH 750.00 FEET OF THE WEST 375.00 FEET OF SAID NW 1/4, AND LESS RIGHT-OF-WAY DEEDED TO THE COUNTY OF HILLSBOROUGH AS RECORDED.

AND

THAT PART OF THE NORTHEAST QUARTER LYING WEST OF BALM GRADED RIGHT-OF-WAY IN SECTION 3, TOWNSHIP 31 SOUTH, RANGE 20 EAST, IN HILLSBOROUGH COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND LYING WITHIN THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3, AND PROCEED N 00°33'22" E, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 3, A DISTANCE OF 974.48 FEET; THENCE N 89°23'18" E, A DISTANCE OF 398.45 FEET; THENCE S 17°48'37" E, A DISTANCE OF 69.97 FEET; THENCE S 48°28'55" E, A DISTANCE OF 100.93 FEET; THENCE S 78°50'25" E, A DISTANCE OF 72.28 FEET; THENCE N 89°22'51" E, A DISTANCE OF 97.35 FEET; THENCE S 00°33'22" W, A DISTANCE OF 106.57 FEET; THENCE S 89°26'38" E, A DISTANCE OF 110.00 FEET; THENCE S 00°33'22" W, A DISTANCE OF 76.04 FEET; THENCE S 89°26'38" E, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 24.68 FEET AND A CHORD WHICH BEARS N 45°10'59" E, A DISTANCE OF 35.12 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 39.08 FEET TO THE END OF SAID CURVE; THENCE N 89°48'37" E, ALONG A RADIAL BEARING, A DISTANCE OF 12.98 FEET; THENCE N 00°11'23" W, A DISTANCE OF 50.00 FEET; THENCE S 89°48'37" W, A DISTANCE OF 11.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET AND A CHORD WHICH BEARS N 44°49'01" W, A DISTANCE OF 35.58 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 39.60 FEET TO A POINT OF TANGENCY; THENCE N 00°33'22" E, A DISTANCE OF 84.68 FEET; THENCE N 89°48'37" E, A DISTANCE OF 1313.77 FEET; THENCE S 22°52'39" E, A DISTANCE OF 34.30 FEET; THENCE N 67°07'21" E, A DISTANCE OF 260.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BALM-RIVERVIEW ROAD; THENCE S 22°52'39" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 974.03 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE NORTHEAST 1/4

OF SAID SECTION 3; THENCE S 89°49'10" W, ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 97.81 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE S 89°48'37" W, ALONG THE SOUTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 3, A DISTANCE OF 2680.64 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL CONTAINING 73.25 ACRES, MORE OR LESS.

AND LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND LYING WITHIN THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA AND PROCEED S 00°33'22" W, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 3, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF RHODINE ROAD; THENCE S 89°40'09" E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 966.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°40'09" E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 296.88 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BALM-RIVERVIEW ROAD; THENCE S 36°31'12" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 238.86 FEET; THENCE S 53°28'48" W, A DISTANCE OF 200.00 FEET; THENCE N 36°31'12" W, A DISTANCE OF 138.82 FEET; THENCE N 89°40'09" W, A DISTANCE OF 196.84 FEET; THENCE N 00°19'51" E, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 2.00 ACRES, MORE OR LESS.

**PHASE 2**

A PARCEL OF LAND LYING WITHIN THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 31 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3, AND PROCEED N 00°33'22" E, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 3, A DISTANCE OF 974.48 FEET; THENCE N 89°23'18" E, A DISTANCE OF 398.45 FEET; THENCE S 17°48'37" E, A DISTANCE OF 69.97 FEET; THENCE S 48°28'55" E, A DISTANCE OF 100.93 FEET; THENCE S 78°50'25" E, A DISTANCE OF 72.28 FEET; THENCE N 89°22'51" E, A DISTANCE OF 97.35 FEET; THENCE S 00°33'22" W, A DISTANCE OF 106.57 FEET; THENCE S 89°26'38" E, A DISTANCE OF 110.00 FEET; THENCE S 00°33'22" W, A DISTANCE OF 76.04 FEET; THENCE S 89°26'38" E, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 24.68 FEET AND A CHORD WHICH BEARS N 45°10'59" E, A DISTANCE OF 35.12 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 39.08 FEET TO THE END OF SAID CURVE; THENCE N 89°48'37" E, ALONG A RADIAL BEARING, A DISTANCE OF 12.98 FEET; THENCE N 00°11'23" W, A DISTANCE OF 50.00 FEET; THENCE S 89°48'37" W, A DISTANCE OF 11.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET AND A CHORD WHICH BEARS N 44°49'01" W, A DISTANCE OF 35.58 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 39.60 FEET TO A POINT OF TANGENCY; THENCE N 00°33'22" E, A DISTANCE OF 84.68 FEET; THENCE N 89°48'37" E, A DISTANCE OF 1313.77 FEET; THENCE S 22°52'39" E, A DISTANCE OF 34.30 FEET; THENCE N 67°07'21" E, A DISTANCE OF 260.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BALM-RIVERVIEW ROAD; THENCE S 22°52'39" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 974.03 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE S 89°49'10" W, ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 97.81 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE S 89°48'37" W, ALONG THE SOUTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 3, A DISTANCE OF 2680.64 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL CONTAINING 50.60 ACRES, MORE OR LESS.

# STATE OF FLORIDA DEPARTMENT OF STATE

I, KEN DETZNER, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Hillsborough County Ordinance No. 14-22, which was filed in this office on August 13, 2014, 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 August, A.D., 2014.**



*Ken Detzner*  
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.