

**CITY OF ST. CLOUD ORDINANCE 2006-130**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. CLOUD, FLORIDA, ESTABLISHING THE PORTOFINO VISTA 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; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Prime Homes in Portofino Vista, Ltd., by Portofino Vista Builders, Inc., a Florida corporation ("Petitioner"), has petitioned the City Council of the City of St. Cloud ("Council"), a political subdivision of the State of Florida, to adopt an ordinance establishing the Portofino Vista Community Development District ("District"), pursuant to Chapter 190, Florida Statutes (2005); and

WHEREAS, Petitioner is a Florida limited 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 Council on August 17, 2006; and

WHEREAS, upon consideration of the record established at that hearing, the Council 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

**WHEREAS**, 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.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CLOUD, FLORIDA, THAT:**

**SECTION 1. 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 2. DISTRICT NAME.** There is hereby created a community development district situated entirely within the City of St. Cloud, Florida, which shall be known as the "Portofino Vista Community Development District."

**SECTION 3. EXTERNAL BOUNDARIES OF THE DISTRICT.** Encompassing approximately 27 acres, the location of the District is described in **Exhibit "A"** attached hereto. The external metes and bounds legal description of the boundaries of the District are as described in **Exhibit "B"**, attached hereto.

**SECTION 4. FUNCTIONS AND POWERS.** The general powers and functions of the District are set forth in Chapter 190, Florida Statutes. Consent is hereby given to the District's Board of Supervisors 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 recreational, cultural, and educational uses as authorized and described by Section 190.012(1) and (2), Florida Statutes.

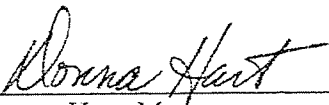
**SECTION 5. BOARD OF SUPERVISORS.** The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Linda Socolow, Alessandra Stevens, Jeannette Maldonado, Lorraine Vanella and Geovanna Fortier.

All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

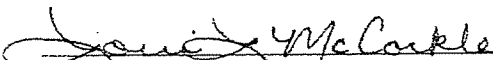
**SECTION 6. SEVERABILITY.** If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective upon passage.

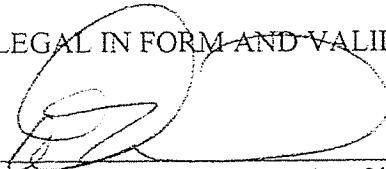
**PASSED AND ADOPTED** by the City Council of the City of St. Cloud, Florida, this 17 day of August, 2006.

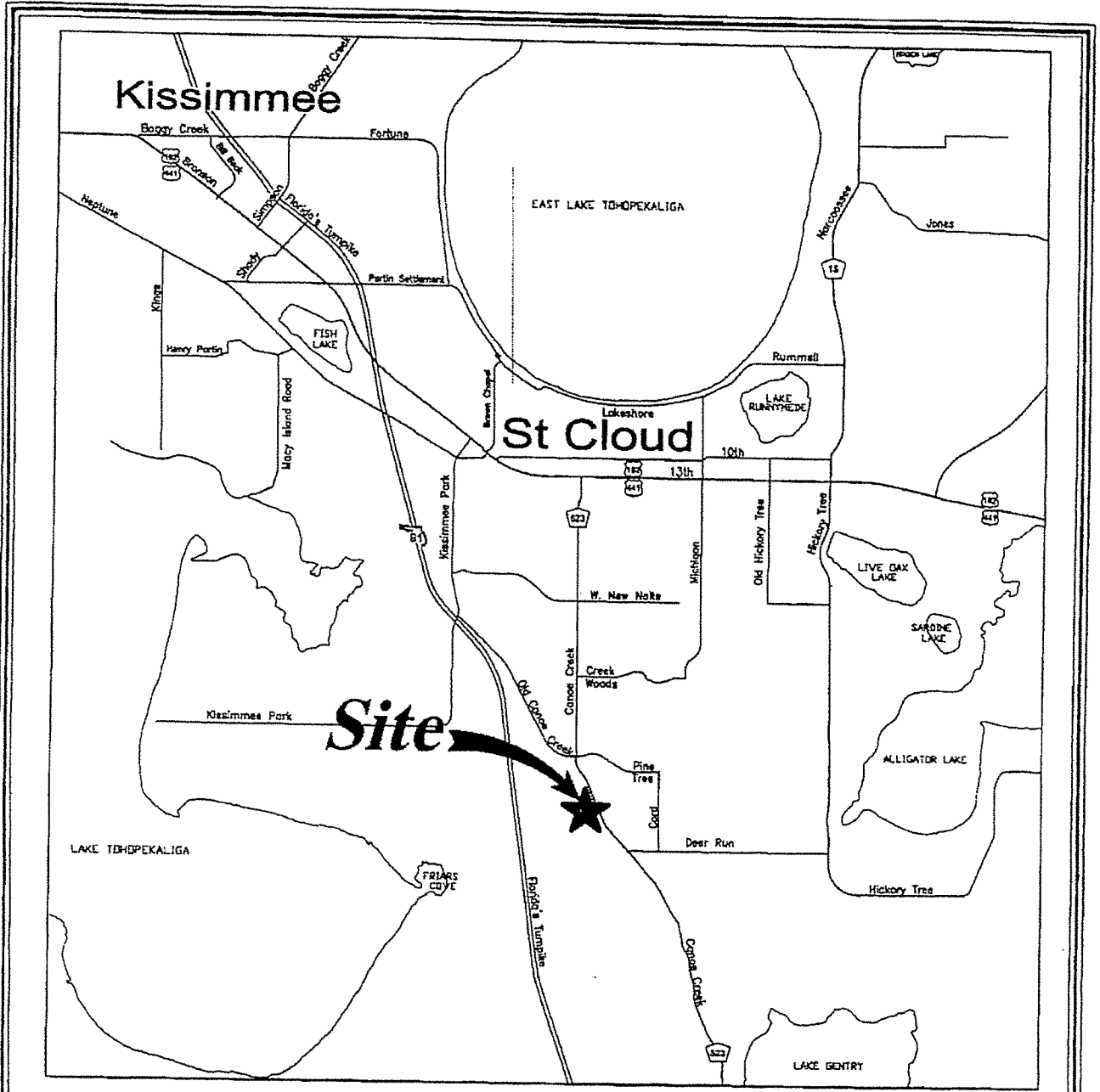
  
\_\_\_\_\_  
Donna Hart, Mayor

ATTEST:

  
\_\_\_\_\_  
Lori D. McCorkle, City Clerk

LEGAL IN FORM AND VALID IF ADOPTED

  
\_\_\_\_\_  
Daniel F. Mantzaris, Esquire, City Attorney  
DeBeaubien, Knight, Simmons, Mantzaris & Neal



**OSCEOLA ENGINEERS INCORPORATED**  
 Certificate of Authorization Number: 00028906  
 1056 Terry Street, St. Cloud, FL 34709  
 (407) 891-0432  
 Fax (407) 891-0170

**LOCATION MAP**

**Portofino Vista**

**SECTIONS 26 & 27, TOWNSHIP 26 SOUTH,  
 RANGE 30 EAST  
 ST. CLOUD, FLORIDA**

SCALE: not to scale

**EXHIBIT A**

Those portions of Lots 65, 79, 80, 81, 82, 96, and 97, lying Eastward of the Centerline of Gator Bay Slough; along with the adjacent and abutting, platted or vacated Rights-of-Way of all aforesaid Lots of the Seminole Land and Investment Company's (Incorporated) Subdivision plat of Section 27, Township 26 South, Range 30 East as recorded in Plat Book "B", Page 14 of the Public Records of Osceola County, Florida.

Together with:

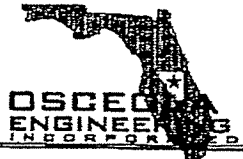
Those portions of Lots 72, 73, 74, 87, 88, 89 and 104, lying West of Canoe Creek Road Right of Way and West of the Centerline of Southern Branch of Gator Bay Slough; along with the adjacent and abutting, platted or vacated Rights-of-Way of all aforesaid Lots of the Seminole Land and Investment Company's (Incorporated) Subdivision plat of Section 26, Township 26 South, Range 30 East as recorded in Plat Book "B", Page 13 of the Public Records of Osceola County, Florida.

More particularly described as follows:  
( as written by the Surveyor )

Commence at the East 1/4 corner of Section 27, Township 26 South, Range 30 East; thence run S 89°47'35" E along the North line of the Southwest 1/4 of said Section 26, a distance of 27.15 feet to the Point of Beginning; thence continue S 89°47'35" E along said line, a distance of 163.82 feet to a point on the Westerly Right of Way line of Canoe Creek Road (County Road 523), a said point being a point on a Non-Tangent curve, concave to the Northeast, having a Radius of 1,193.91 feet and a Central Angle of 07°13'25"; thence along said Westerly Right of Way line of Canoe Creek Road the following four (4) courses and distances; thence run Southeasterly along the Arc of said curve a distance of 150.52 feet ( Chord Bearing = S 40°52'47" E, Chord = 150.42 feet ) to the Point of Tangency thereof; thence run S 44°29'27" E, a distance of 200.29 feet to a Point of Tangency of a curve, concave to the Southwest, having a Radius of 1,092.54 feet and a Central Angle of 24°03'00"; thence run Southeasterly along the Arc of said curve a distance of 458.60 feet ( Chord Bearing = S 32°27'57" E, Chord = 455.24 feet ) to the Point of Tangency thereof; thence run S 20°26'27" E, a distance of 235.21 feet to a point on the North line of Lot 1, GODWIN MEW, according to the plat thereof, as recorded in Plat Book 9, Page 125 of the Public Records of Osceola County, Florida; thence along said North line and West line of said Lot 1, the following four (4) courses and distance; thence run S 47°07'10" W, a distance of 249.33 feet; thence run S 55°24'17" W, a distance of 92.00 feet; thence run S 77°16'03" W, a distance of 80.93 feet; thence run S 20°25'11" E, a distance of 6.91 feet to a point on the North line of FAWN MEADOWS AT DEER CREEK, PHASE 1 according to the plat thereof, as recorded in Plat Book 16, Page 63-66, inclusive, of the Public Records of Osceola County, Florida; thence along said North line of FAWN MEADOWS AT DEER CREEK, PHASE 1, the following six (6) courses and distances, thence run S 64°56'11" W, a distance of 64.69 feet; thence run S 44°52'40" W, a distance of 70.10 feet; thence run S 33°15'02" W, a distance of 158.97 feet; thence run S 46°29'21" W, a distance of 244.32 feet; thence run S 60°34'25" W, a distance of 67.08 feet; thence run S 45°58'26" W, a distance of 24.15 feet to the intersection with centerline of Gator Bay Slough; thence along said Centerline of Gator Bay Slough the following courses distances; thence run N 02°02'16" W, a distance of 89.89 feet; thence run N 40°07'56" W, a distance of 85.28 feet; thence run N 28°03'43" W, a distance of 127.89 feet; thence run N 37°09'51" W, a distance of 115.86 feet; thence run N 33°33'42" W, a distance of 208.34 feet; thence run N 42°18'20" W, a distance of 76.56 feet; thence run N 53°34'29" W, a distance of 69.87 feet; thence run N 47°44'12" W, a distance of 102.90 feet; thence run N 52°13'51" W, a distance of 176.96 feet; thence run N 43°47'31" W, a distance of 93.49 feet; thence run N 59°17'33" W, a distance of 24.64 feet; thence run N 13°44'56" E, a distance of 72.24 feet; thence run N 39°56'02" E, a distance of 86.52 feet; thence run N 61°12'41" E, a distance of 223.37 feet; thence run N 74°50'51" E, a distance of 199.85 feet; thence run N 51°07'31" E, a distance of 62.50 feet; thence run N 33°20'53" E, a distance of 214.30 feet; thence run N 42°47'10" E, a distance of 90.41 feet; thence run N 49°37'39" E, a distance of 101.67 feet to the Point of Beginning.

Containing 27.3522 acres, more or less

( AS FURNISHED BY THE CLIENT )



Certificate of Authorization Number 00026265  
1026 Tenth Street, St. Cloud, FL 34799  
(407) 891-0453  
Fax (407) 891-0173

**METES & BOUNDS  
DESCRIPTION**

## Portofino Vista

**SECTIONS 28 & 27, TOWNSHIP 26 SOUTH,  
RANGE 30 EAST  
ST. CLOUD, FLORIDA**

**EXHIBIT B**