

**ORDINANCE NUMBER O2012-20**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, ESTABLISHING THE BROWNWOOD COMMUNITY DEVELOPMENT DISTRICT; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; GRANTING SPECIAL POWERS; NAMING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 190, Florida Statutes, The Villages of Lake-Sumter, Inc., a Florida Corporation ("Petitioner"), has petitioned the City Commission of the City of Wildwood, Florida ("Commission"), to adopt an ordinance establishing the Brownwood Community Development District ("District"), pursuant to Chapter 190, Florida Statutes (2010); and,

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

WHEREAS, pursuant to Chapter 190, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition for establishment ("Petition") at a duly noticed public hearing conducted by the Commission; and,

WHEREAS, upon consideration of the record established at that hearing, the Commission determined that the statements within the Petition are 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 Commission of the City of Wildwood, Florida, as follows:

SECTION 1. RECITALS. That the recitals above are hereby incorporated as if fully set forth herein.

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 (2010).

SECTION 3. DISTRICT NAME. There is hereby established a community development district situated entirely within the City of Wildwood, Florida, which shall be known as the "Brownwood Community Development District."

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. Encompassing approximately 239.85 acres, the external boundaries of the District are described in Exhibit A attached hereto.

SECTION 5. POWERS AND FUNCTIONS. The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District's Board of Supervisors to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities described and authorized by section 190.012(2)(a), (d) and (e), Florida Statutes, as long as they do not conflict with systems and facilities provided by the City of Wildwood.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Heather Figlow, Lindsey Blaise, Jim Sprung, Gerry Andrews and Lester Coggins.

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

SECTION 7. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance, or any particular application thereof, is held to be invalid or unconstitutional by a Court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

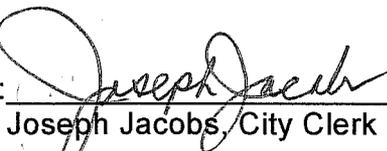
SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this 25<sup>th</sup> day of June, 2012, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST:

  
Joseph Jacobs, City Clerk

  
\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: June 11, 2012

Second Reading: June 25, 2012

Approved as to form and Legal Sufficiency:

  
\_\_\_\_\_  
Jenn A. Blair, City Attorney

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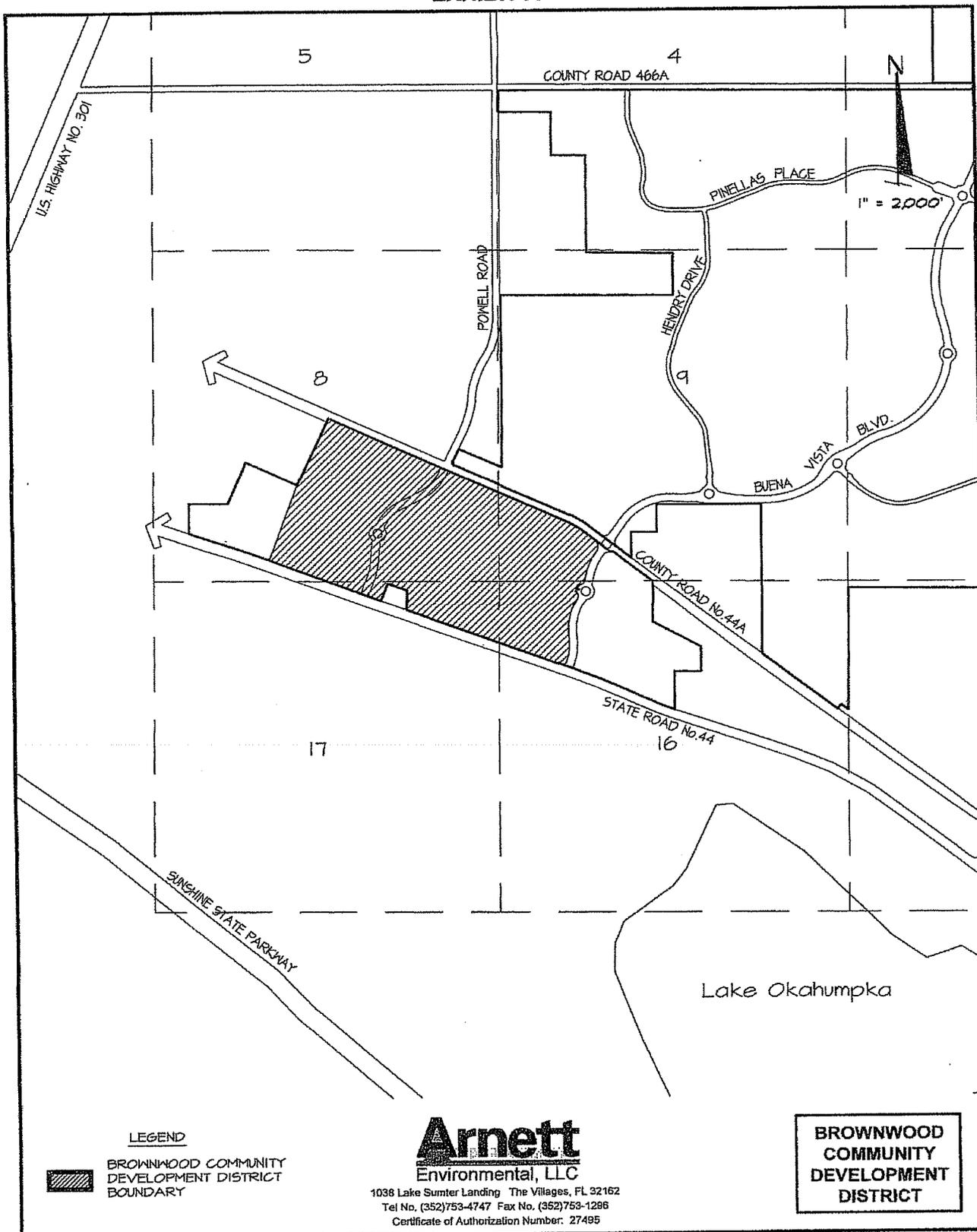
**EXHIBIT A**

**DESCRIPTION OF THE  
BROWNWOOD COMMUNITY DEVELOPMENT DISTRICT  
APPROXIMATELY 239.8 ACRES**

A PARCEL OF LAND LYING WITHIN SECTIONS 8, 9, 16 AND 17, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, INCLUDING THAT PORTION OF THE CSX TRANSPORTATION RAILROAD AS SHOWN ON ATTACHMENT #2 IN THE AMENDED FINAL JUDGEMENT RECORDED IN OFFICIAL RECORDS BOOK 1993, PAGE 782; ALSO INCLUDING THAT PORTION OF RIGHT-OF-WAY FOR POWELL ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 2088, PAGE 199; ALL IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF THE NW1/4 OF AFORESAID SECTION 16 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR ROAD SECTION 18070-2518; THENCE RUN SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 44 TO THE WESTERLY RIGHT-OF-WAY LINE OF BUENA VISTA BOULEVARD, AS RECORDED IN OFFICIAL RECORDS BOOK 2332, PAGE 395, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE RUN NORTHERLY ALONG AFORESAID WESTERLY RIGHT-OF-WAY LINE OF BUENA VISTA BOULEVARD TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 44-A; SAID RIGHT-OF-WAY LINE BEING DESCRIBED IN O.R. BOOK 2332, PAGE 395, O.R. BOOK 2173, PAGE 649, O.R. BOOK 2088, PAGE 199, AND O.R. BOOK 2173, PAGE 643, ALL WITHIN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE RUN NORTHWESTERLY TO A POINT THAT IS ON THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF KERL & MILLER SUBDIVISION, PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 55, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG AFORESAID EASTERLY LINE RUN SOUTHWESTERLY TO THE MOST SOUTHERLY CORNER OF KERL & MILLER SUBDIVISION; THENCE CONTINUE SOUTHWESTERLY TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR ROAD SECTION 18070-2518; SAID POINT LYING 1500.00 FEET NORTHWESTERLY OF (AS MEASURED ALONG SAID RIGHT-OF-WAY LINE) THE WESTERLY RIGHT-OF-WAY LINE OF POWELL ROAD AS DESCRIBED IN O.R. BOOK 2088, PAGE 199, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE RUN SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 44 TO THE POINT OF BEGINNING.

EXHIBIT A



LEGEND

 BROWNWOOD COMMUNITY DEVELOPMENT DISTRICT BOUNDARY

**Arnett**  
Environmental, LLC

1038 Lake Sumter Landing The Villages, FL 32162  
Tel No. (352)753-4747 Fax No. (352)753-1286  
Certificate of Authorization Number: 27495

**BROWNWOOD  
COMMUNITY  
DEVELOPMENT  
DISTRICT**