

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE NUMBER 1175

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING DIVISION 4. WATERSIDE COMMUNITY DEVELOPMENT DISTRICT, ARTICLE 10, SPECIAL DISTRICTS OF CHAPTER 71. FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS AND SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 190.005(2), Florida Statutes, KL Waterside, LLC filed a petition for the establishment of a community development district with the Board of County Commissioners; and

WHEREAS, pursuant to Section 190.005(2), Florida Statutes, the Board of County Commissioners has conducted the required public hearing and considered the statutory factors in making its determination to grant or deny the petition.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA, THAT:

PART 1: CREATION OF DIVISION 4. WATERSIDE COMMUNITY DEVELOPMENT DISTRICT, ARTICLE 10. SPECIAL DISTRICTS OF CHAPTER 71. FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE.

Division 4. Waterside Community Development District, is hereby created to read as follows:

ARTICLE 10. SPECIAL DISTRICTS

Division 4. Waterside Community Development District

Section 71.430. Established; name.

Pursuant to Chapter 190, Florida Statutes, the Waterside Community Development District is hereby established.

Section 71.431. Boundaries

The boundaries of the Waterside Community Development District are as set forth in Exhibit A, attached hereto and incorporated by reference.

Section 71.432. Initial board of supervisors.

The following five (5) persons are designated to be the initial members of the Board of Supervisors of the Waterside Community Development District:

James Harvey

Timothy Smith

Michael Caputo

John Seifel

John Csapo

Section 71.433. Functions and Powers

The general powers and functions of the Waterside Community Development District (District) are described in Chapter 190, Florida Statutes. The District is also authorized to exercise the special powers as authorized and described in Section 190.012 (2)(a), F.S. regarding parks and facilities for indoor and outdoor recreational, cultural and educational uses and in Section 190.012(2)(d), F.S. regarding security, including, but not limited to guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars when authorized by proper governmental agencies. To the extent that the District elects to contract with a towing operator to remove a vehicle or vessel from a district-owned facility or property, the District shall comply with all applicable state and local requirements including, but not limited to, Section 115.13, General Ordinances, Martin County Code regarding the maximum vehicle towing and storage rates

Section 71. 434 Limitation on County Obligations and Acceptance

Nothing in this Ordinance shall be deemed as acceptance by Martin County of any financial, operational, maintenance or other responsibilities of the Waterside Community Development District, nor to deemed as an acceptance of any proposed improvement.

PART 2: APPLICABILITY OF ORDINANCE.

This Ordinance shall be applicable throughout the unincorporated area of Martin County.

PART 3: CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan, pursuant to Chapter 163, Part II, Florida Statutes.

PART 4: SEVERABILITY.

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

PART 5: FILING WITH THE DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this Ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART 6: CODIFICATION.

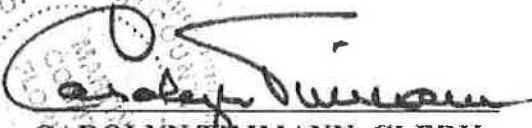
Provisions of this ordinance shall be incorporated into the Martin County General Ordinances, except that Parts 2 through 7 shall not be codified. The word "ordinance" may be changed to "article", "section" or other word, and the sections of this ordinance may be renumbered or relettered.

PART 7: EFFECTIVE DATE

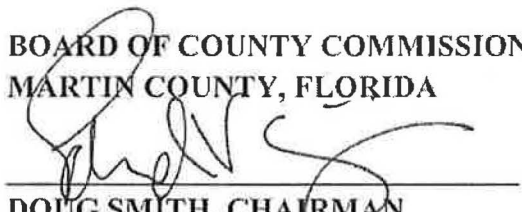
This Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED THIS 1st DAY OF FEBRUARY 2022.

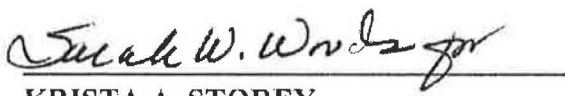
ATTEST:


CAROLYN TIMMANN, CLERK
OF THE CIRCUIT COURT AND
COMPTROLLER

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**


for DOUG SMITH, CHAIRMAN

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**


KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

EXHIBIT

A

LEGAL DESCRIPTION:

BEING A REPLAT OF A PORTION OF LOTS 9, 10, 11, 14, 15, AND 16, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD NO. 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, SAID CORNER ALSO BEING THE **POINT OF BEGINNING**; THENCE S.89°44'18"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10, SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.92 FEET TO THE EAST (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.89°39'02"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1203.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2944.01 FEET TO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 1924.71 FEET; THENCE N.00°27'25"E., A DISTANCE OF 151.61 FEET TO A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET, AND A RADIAL BEARING OF N.00°27'25"E. AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO THE POINT OF TANGENCY; THENCE N.53°29'16"E., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 633.72 FEET; THENCE N.00°00'14"E., A DISTANCE OF 471.57 FEET; THENCE N.28°00'00"E., A DISTANCE OF 218.23 FEET; THENCE N.89°44'18"W., A DISTANCE OF 1970.19 FEET; THENCE N.89°44'18"W., A DISTANCE OF 563.00 FEET; THENCE N.00°15'42"E., A DISTANCE OF 1547.53 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 11, SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 563.16 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 7,840,057 SQUARE FEET OR 179.983 ACRES, MORE OR LESS.

**WATERSIDE - COMMERCIAL PARCEL
SKETCH AND DESCRIPTION**

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Drawn	Date: JANUARY 11, 2022	

SURVEYOR'S CERTIFICATE

This certifies that this Sketch & Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes.

Gary Rager

Gary A. Rager
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. **LS4828**

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER



GeoPoint
Surveying, Inc.

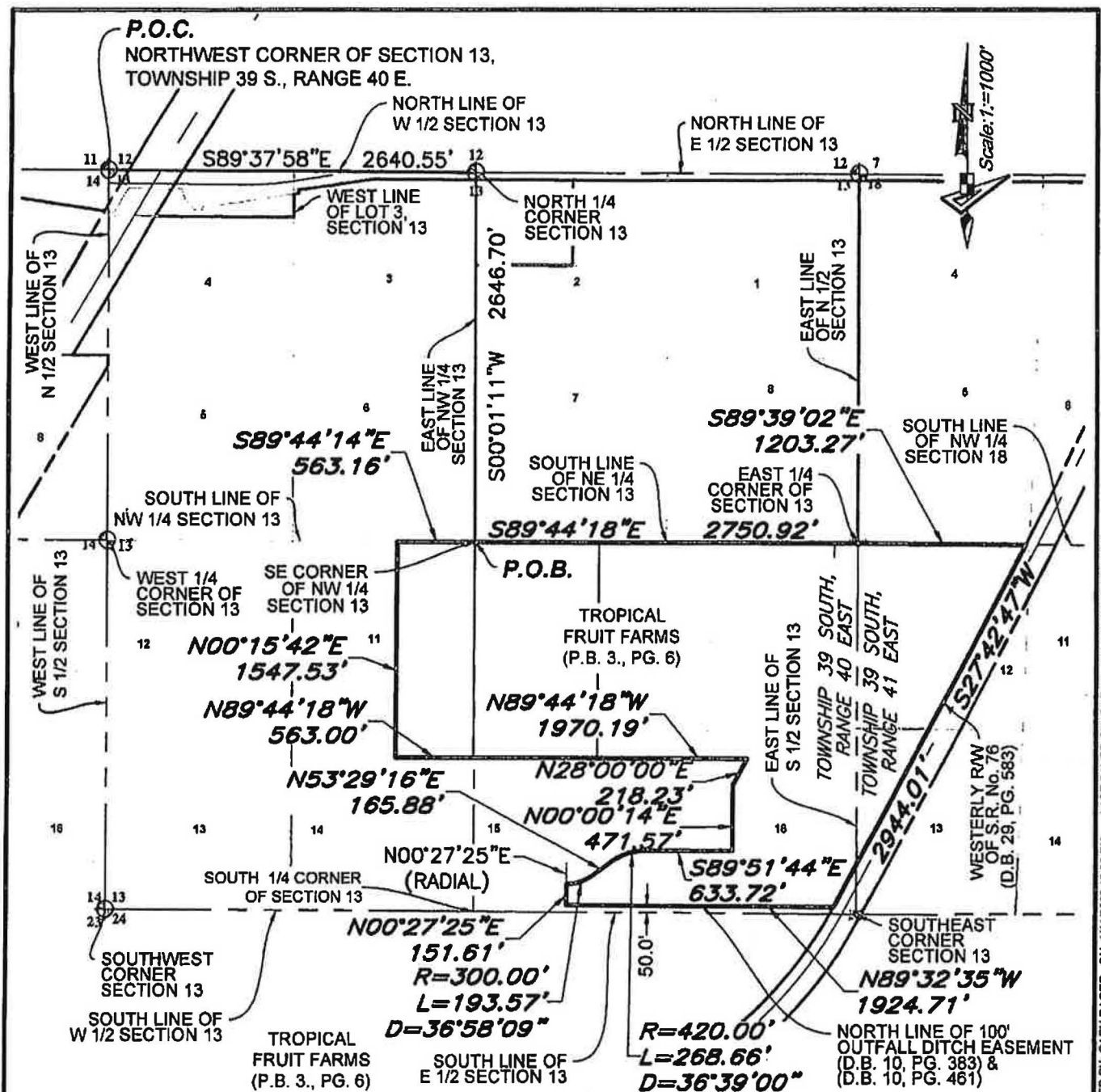
4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: GAR	Date: 01/11/22	Data File: waterside_NAVID88_8 03-23-20
Check: SWM	P.C.: DC-8	Field Book: 2020 11w/26-30, 40
Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-dasc1		

Sheet No. 1 of 2 Sheets

DWG NAME: C:\GARY\WATERSIDE_COMMERCIAL.DWG PLOTTED BY: GARY RAGER ON: 1/11/2022 12:30 PM LAST SAVED BY: GARY RAGER ON: 1/11/2022 12:34 PM



WATERSIDE - COMMERCIAL PARCEL SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(S) --- PAGE(S)
13-39-40 --- SECTION-TOWNSHIP-RANGE

P.B. --- PLAT BOOK
D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY

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Check: SWM P.C.: DC-8 Field Book: 2020 11w/28-30, 40
Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc1

Sheet No. 2 of 2 Sheets

DWG NAME: C:\GARY\WATERSIDE_COMMERCIAL.DWG PLOTTED BY: GARY RAGER ON: 1/11/2022 12:38 PM LAST SAVED BY: GARYR ON: 1/11/2022 12:34 PM

**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 Martin County Ordinance Number 1175, which was filed in
this office on February 10, 2022, 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
11th of February, A.D., 2022.**



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.