

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

ORDINANCE NUMBER 1150

**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING
DIVISION 3. NEWFIELD 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, Shadow Lake Groves, Inc. 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 3. NEWFIELD COMMUNITY DEVELOPMENT DISTRICT, ARTICLE 10. SPECIAL DISTRICTS OF CHAPTER 71. FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE

Division 3. Newfield Community Development District, is hereby created to read as follows:

ARTICLE 10. SPECIAL DISTRICTS

Division 3. Newfield Community Development District

Section 71.430. Established; name.

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

Section 71.431. Boundaries

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

[Type text] Struck through passages are deleted; underlined passages are added.

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 Newfield Community Development District:

Stephen J. Broderick

Michael J. Busha

Debra Duvall

Donald E. Killoren

Terence P. McCarthy

Section 71.433. Functions and Powers

The general powers and functions of the Newfield 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 Newfield 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.

[Type text] Struck through passages are deleted; underlined passages are added.

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 15TH DAY OF DECEMBER, 2020.

ATTEST:

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


**CAROLYN TIMMANN, CLERK
OF THE CIRCUIT COURT AND
COMPTROLLER**


STACEY HETHERINGTON, CHAIR

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


**KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY**

LEGAL DESCRIPTION

Being a Parcel of land lying in Sections 3, 4, 5, 6, 8, 9, and 10, Township 38 South, Range 40 East, Martin County, Florida and being more fully described as follows:

The bearings and distances recited herein are referenced to the State Plane Coordinate System, Florida East Zone, North American Datum of 1983, Adjustment of 2011.

Commencing at the Northeast corner of said Section 10; thence, along the East line of said Section 10, South 00°06'40" West, a distance of 4008.30 feet to the North Line of the Plat of Tuscavilla PUD, Plat Book 16, Page 39, Public Records of Martin County and the **Point of Beginning** of the herein described Parcel of land;

thence, along said North line, North 89°59'55" West, a distance of 2637.59 feet;

thence continuing along said North line, South 89°59'25" West, a distance of 2607.61 feet to the West Right-of-Way line of Boat Ramp Road, a 100 foot wide right-of-way;

thence, along said West Right-of-Way line, South 0°07'44" East, a distance of 682.05 feet to the South Right-of-Way line of SW Citrus Boulevard as described in Official Records Book 1690, page 2736, Public Records of Martin County;

thence, along said South Right-of-Way line, South 89°35'30" West, a distance of 1007.19 feet to the beginning of a curve concave Northerly, having a radius of 1079.82 feet and a central angle of 45°06'37"; thence along the arc of said curve to the right, a distance of 850.16 feet to the end of said curve;

thence North 45°02'35" West, a distance of 695.49 feet to the beginning of a curve concave Northeasterly, having a radius of 13690.22 feet and a central angle of 0°49'59"; thence along the arc of said curve to the right a distance of 199.07 feet to the end of said curve;

thence North 36°45'29" West, a distance of 572.55 feet to the beginning of a curve, concave to Southwesterly, having a radius of 1107.00 feet and a central angle of 8°32'59"; thence along the arc of said curve to the left a distance of 165.19 feet to the end of said curve;

thence North 45°16'56" West, a distance of 647.94 feet;

thence, departing said Southerly Right-of-Way line of SW Citrus Boulevard, North 89°34'39" West, a distance of 3226.23 feet;

thence North 60°30'06" West, a distance of 3509.19 feet;

thence North 00°01'09" West, a distance of 2723.53 feet to the Southwesterly Right-of-Way line of said SW Citrus Boulevard to the beginning of a non-tangent curve, concave Southerly, having a radius of 2150.00 feet and a central angle of 2°51'41", sub-tended by a chord bearing North 82°00'24" West; thence along the arc of said curve to the left a distance of 107.37 feet to the end of said curve;

Thence North 83°26'14" West, a distance of 1220.58 to the beginning of a curve, concave Northeasterly, having a radius of 836.01 feet and a central angle of 65°47'02"; thence along the arc of said curve to the right, a distance of 959.86 feet to the end of said curve;

Thence North 17°39'11" West, a distance of 587.59 feet;

Thence North 7°20'49" East, a distance of 377.23 feet;

Thence North 52°20'49" East, a distance of 240.42 feet;

Thence North 7°20' 49" East, a distance of 127.82 feet to the beginning of a curve, concave Southwesterly, having a radius of 656.00 feet and a central angle of 41°59'59"; thence along the arc of said curve to the left, a distance of 480.87 feet to the end of said curve;

Thence North 34°39'11" West a distance of 741.58 feet to the beginning of a curve, concave Northeasterly, having a radius of 812.70 feet and a central angle of 27°57'18"; thence along the arc of said curve to the right, a distance of 396.52 feet to the intersection with the South Right-of-Way line of the South Florida Water Management District Canal Number 23 a non-tangent line;

Thence, along said South Right-of-Way line, South 89°55'15" East, a distance of 10625.39 feet to the Northwest corner of a parcel of land described in Official Records Book 2180, page 120;

Thence, along the West line of said parcel of land South 0°23'10" West, a distance of 3449.75 feet to the Southwest corner of said parcel of land;

Thence, along the South line of said parcel of land and the extension thereof, South 89°53'49" East, a distance of 2387.94 feet;

Thence South 0°00'00" East, a distance of 1202.29 feet;

Thence North 90°00'00" East, a distance of 500.00 feet;

Thence South 0°00'00" East, a distance of 913.89 feet;

Thence North 90°00'00" East, a distance of 546.85 feet;

Thence South 1°09'03" East, a distance of 322.34 feet;

Thence South 89°52'33" East, a distance of 780.09 feet;

Thence North 62°40'03" East, a distance of 222.08 feet;

Thence South 89°52'33" East, a distance of 230.72 feet;

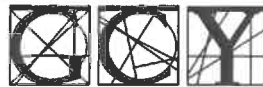
Thence South 65°01'00" East, a distance of 243.57 feet;

Thence South 89°52'33" East, a distance of 362.53 feet to the Westerly Right-of-Way line of the of the Sunshine State Parkway (Florida's Turnpike) a 300.00 foot Right-of-Way;

Thence, along said Westerly Right-of-Way line, South 31°29'40" East, a distance of 3804.75 feet to the inter section with the aforesaid North line of the Plat of Tuscavilla PUD, Plat Book 16, Page 39, Public Records of Martin County;

Thence, along said North line, North 89°56'36" West, a distance of 377.89 feet to the intersection with the East line of the aforesaid Section 10 and the Point of Beginning.

Containing 2212.167 acres, more or less.



INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108

CORPORATE OFFICE
PO BOX 1469 • 1505 SW MARTIN HWY.
PALM CITY, FL 34981
(800) 386-1066 • WWW.GCIYINC.COM

SKETCH & LEGAL FOR:

Newfield, Phase1

MARTIN COUNTY

FLORIDA

Scale:

N/A

Date:

Apr. 2020

File & Drawing No.:

19-1061-02

Drawn By:

Checked:

Sheet

M.F.M.

P.A.

1

OF 4

NO. REVISIONS DATE BY

Surveyor's Notes:

- 1) This sketch and legal description is based on office information only and does not represent a boundary survey.
- 2) This legal description shall not be valid unless:
 - A) Provided in its entirety consisting of 4 sheets, with sheets 3 & 4 being the sketch of description.
 - B) Reproductions of the description and sketch are signed and sealed with an embossed surveyor's seal.
- 3) Bearings shown hereon are referenced to the East line of Section 10, Township 38 South, Range 40 East having a bearing of South 00°06'40" West, and all others are relative thereto.

Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)

I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.

I further certify that this sketch and description meets the Standards of Practice for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

4/6/2020

Date of Signature

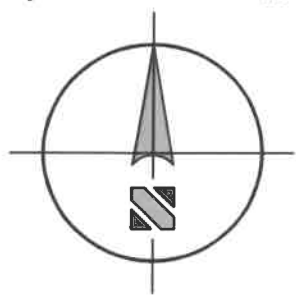
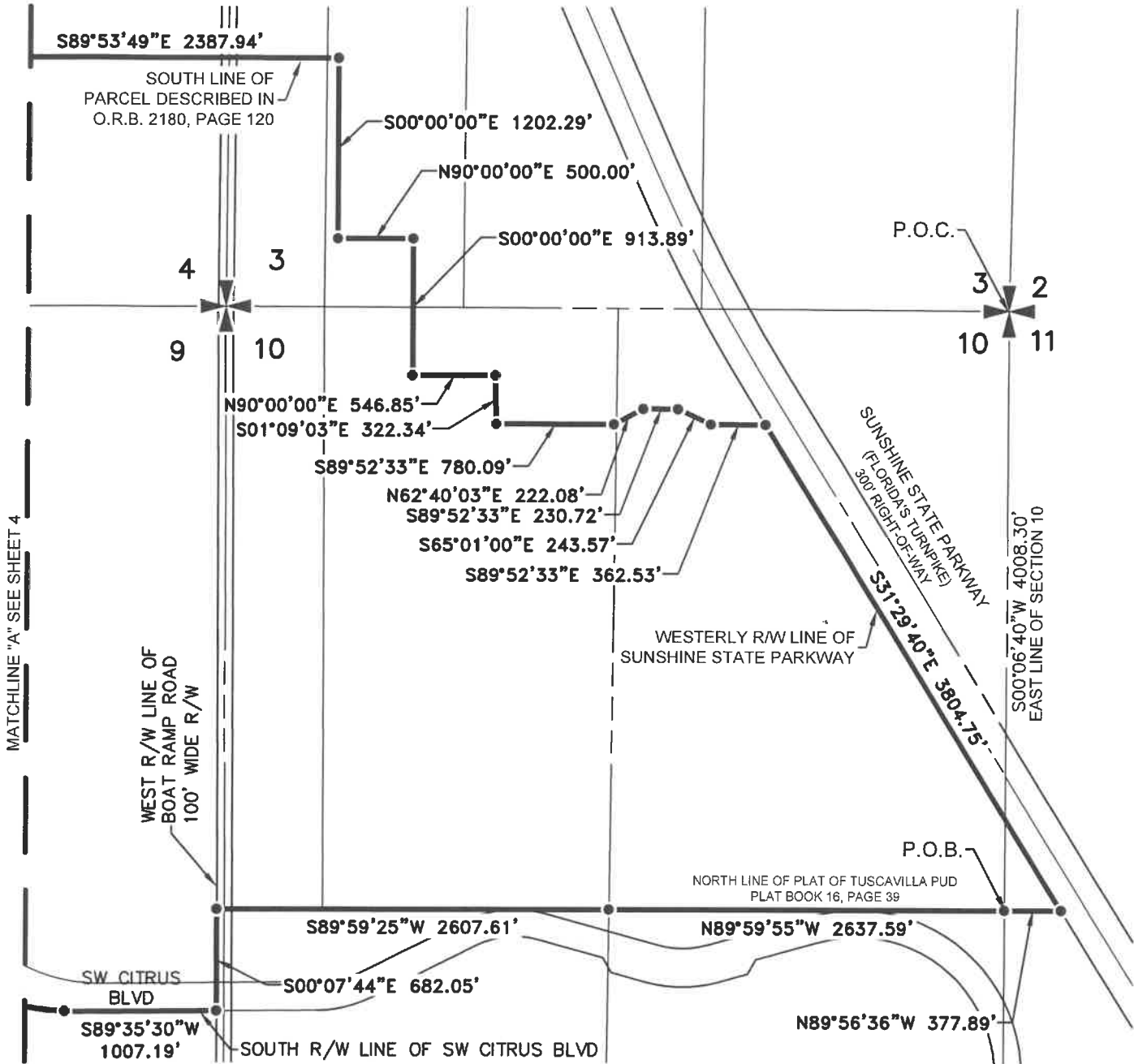


Peter Andersen
Professional Surveyor and Mapper
Florida Certificate No. 5199

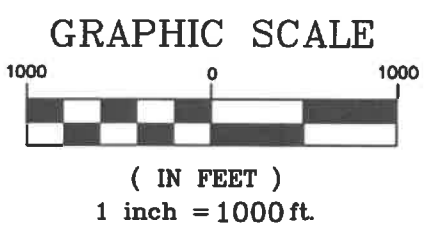
NO.	REVISIONS	DATE	BY



SKETCH & LEGAL FOR:		
Newfield, Phase1		
MARTIN COUNTY		FLORIDA
Scale: N/A	Date: Apr. 2020	File & Drawing No.: 19-1061-02
Drawn By: M.F.M.	Checked: P.A.	Sheet 2 OF 4



P.O.C. = Point of Commitment
 P.O.B. = Point of Beginning
 R/W = Right-of-Way
 R = Radius
 D = Delta
 L = Arc length
 CB = Chord bearing
 CD = Chord distance



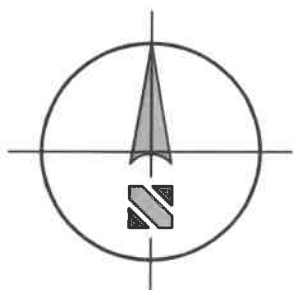
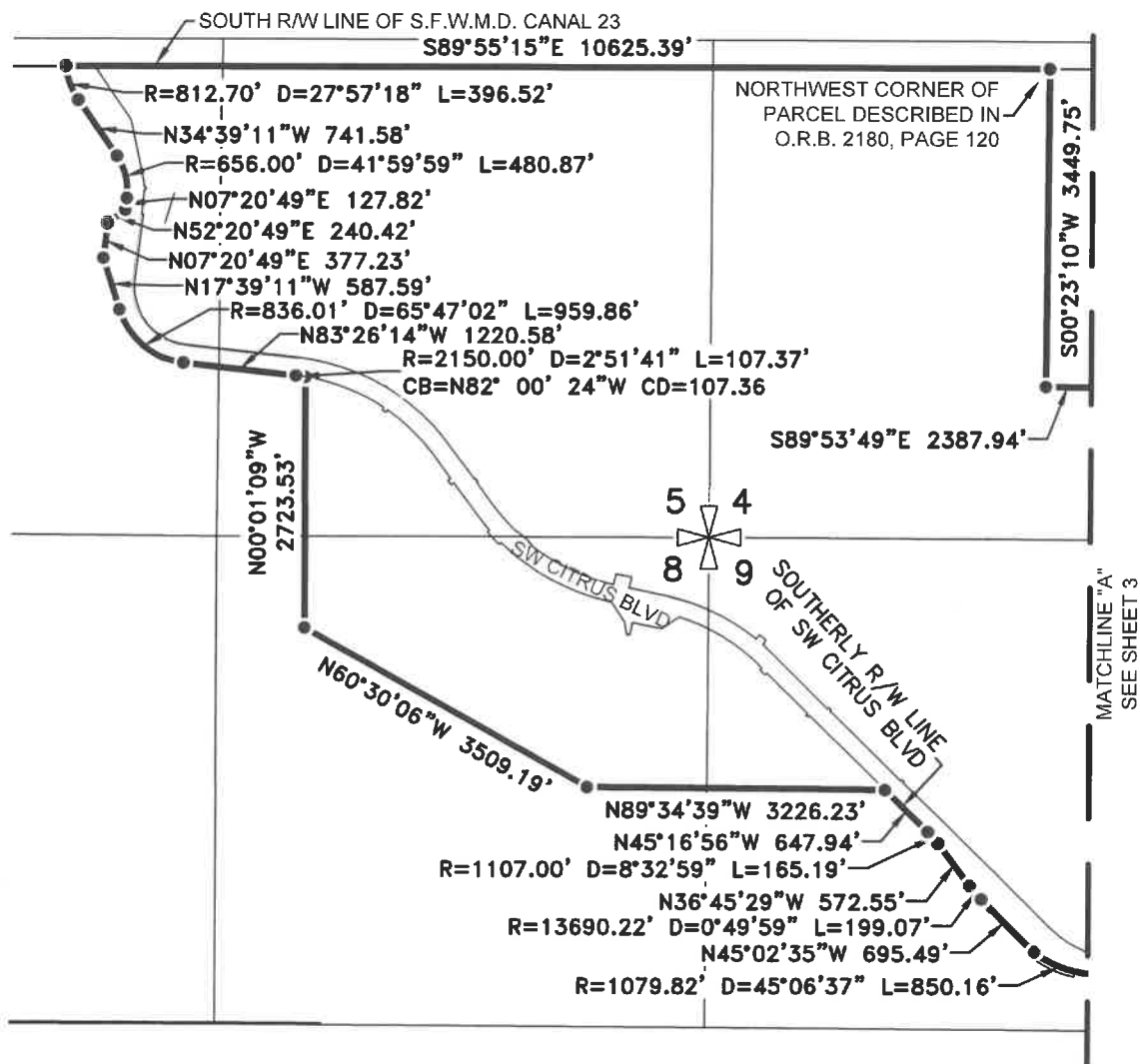
NOTE:
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 a boundary survey and is based
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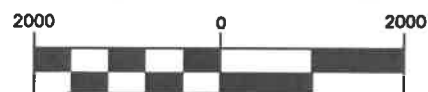
SKETCH & LEGAL FOR: Newfield, Phase1 MARTIN COUNTY			FLORIDA
Scale: 1"=1000'	Date: Apr. 2020	File & Drawing No.: 19-1061-02	
Drawn By: M.F.M.	Checked: P.A.	Sheet 3	OF 4

NO.	REVISIONS	DATE	BY



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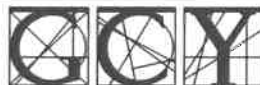
GRAPHIC SCALE



(IN FEET)
 1 inch = 2000ft.

NOTE:

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 a boundary survey and is based
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SKETCH & LEGAL FOR:

Newfield, Phase1

MARTIN COUNTY

FLORIDA

Scale:
 1"=2000'

Date:
 Apr. 2020

File & Drawing No.:
 19-1061-02

Drawn By:
 M.F.M.

Checked:
 P.A.

Sheet
 4 OF 4

NO.	REVISIONS	DATE	BY
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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 18, 2020

Ms. Carolyn Timmann
Clerk of the Circuit Court
Martin County
Post Office Box 9016
Stuart, Florida 34995

Attention: Mary K. Vettel, Deputy Clerk

Dear Ms. Timmann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1150, which was filed in this office on December 18, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

Ad Number: GCI0533735-01

Advertiser: Martin County - Growth Management

Insertion Number: N/A

Agency: N/A

Size: 3 Col x 20 in

Section-Page-Zone(s): A-22-All

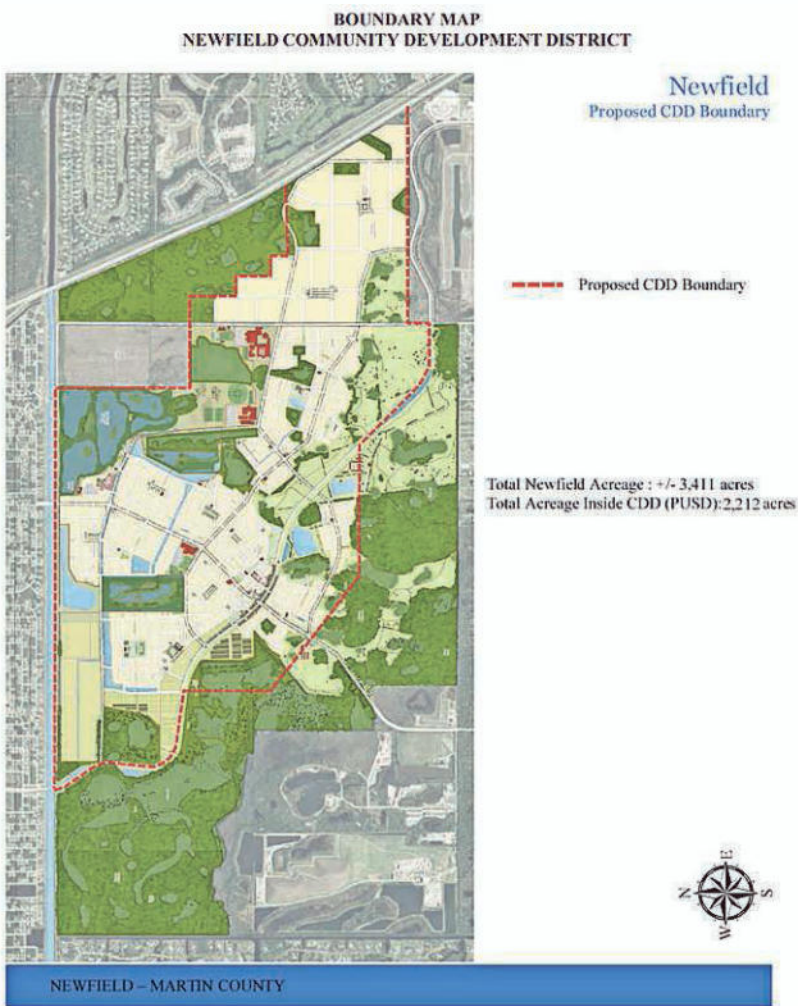
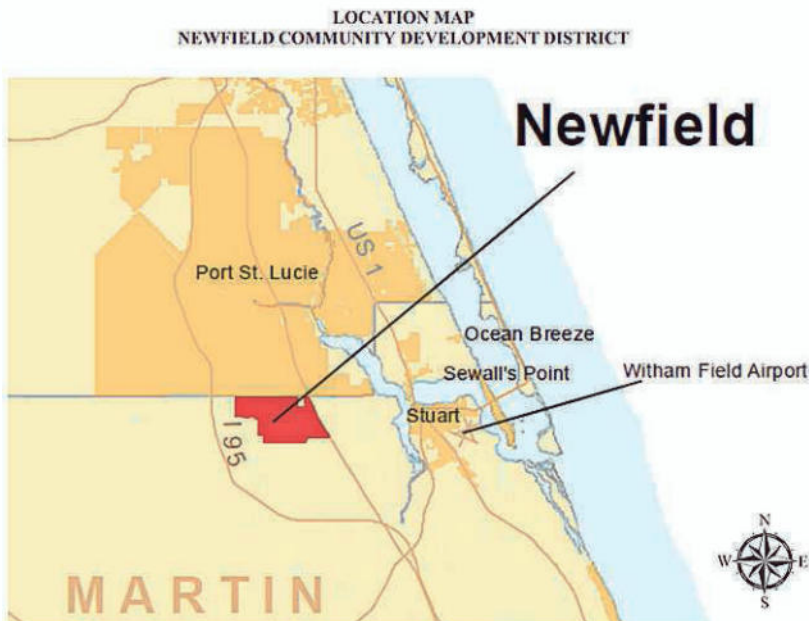
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Description: Public Hearing Notice

NOTICE OF LOCAL PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF THE NEWFIELD COMMUNITY DEVELOPMENT DISTRICT

The Martin County Board of County Commissioners will conduct a public hearing on December 15, 2020, beginning at 9:00 A.M., or as soon thereafter as the item may be heard to consider the elements of a Petition filed by Shadow Lakes Grove, Inc. to establish a community development district in Martin County to be known as the Newfield Community Development District. The information presented at the hearing will be used by the Board of County Commissioners in making its determination to grant or deny the Petition as set forth in Section 190.005(2), Florida Statutes, and also to afford the petitioner, affected units of local government, and the general public a fair and adequate opportunity to appear at the hearing and present oral and written comments relevant to the creation of the Newfield Community Development District (CDD). The proposed CDD is approximately 2,212 acres of land located within the unincorporated area of Martin County, Florida, as shown on the maps below:

Newfield Community Development District



If the Petition is granted and an ordinance adopted, it would create the Newfield Community Development District, name its initial board of supervisors and designate the land area to be served. The creation of such a district pursuant to Chapter 190, F.S., is not a development order within the meaning of Chapter 380, Florida Statutes. All planning, permitting and other regulatory requirements pertaining to development within the land area shall be in accordance with general and special law and applicable local ordinances.

The CDD is designated to serve the needs of its property owners by financing, constructing, operating and maintaining all or a portion of the infrastructure and community facilities needed by district property owners, including the surface water management system, water distribution system and wastewater collection and transmission facilities. The estimated cost to provide the CDD infrastructure is \$145,818,000. The CDD will make use of non-ad valorem assessments levied on all property owners in the district and will make use of user fees for bond retirement, maintenance, etc. These CDD assessments and fees will be over and above County taxes. The full text of the "Statement of Estimated Regulatory Costs for the Proposed Newfield Community Development District" is available from the Growth Management Department.

The specific legal authority for this action is Sections 190.004 and 190.005, F.S. All affected units of general-purpose local government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

The meeting will be held in the John F. and Rita M. Armstrong Wing of the Blake Library, 2351 SE Monterey Road, Stuart, Florida 34996. Written comments may be mailed to Paul Schilling, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the item will be available from the Growth Management Department. For more information, contact the Growth Management Department at (772) 288-5495.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

This notice is published pursuant to the requirements of Chapter 190.005(1)(d), Florida Statutes.

TR-GCI0533735-01

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