

WALTON COUNTY ORDINANCE 05-04

AN ORDINANCE BY THE COUNTY COMMISSION OF WALTON COUNTY, FLORIDA, ESTABLISHING THE SOMERSET 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 AN EFFECTIVE DATE.

WHEREAS, EBSCO Gulf Coast Development, Inc. ("Petitioner"), has petitioned the Board of County Commissioners of Walton County, Florida ("Board"), a political subdivision of the State of Florida, to adopt an ordinance establishing the Somerset Community Development District ("District"), pursuant to Chapter 190, Florida Statutes (2004); and

WHEREAS, Petitioner is a Florida corporation 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 County on March 22, 2005; and

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

FILED
2005 APR - 1 PM 2:16
DEPARTMENT OF STATE
TALLAHASSEE FLORIDA

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 COUNTY COMMISSION OF WALTON COUNTY, 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 (2004).

SECTION 2. DISTRICT NAME. There is hereby created a community development district situated entirely within unincorporated Walton County, Florida, which shall be known as the "Somerset Community Development District" (the "District").

SECTION 3. EXTERNAL BOUNDARIES OF THE DISTRICT. Encompassing approximately 158.49 acres, the external boundaries of the District are described in **Exhibit A** 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, security, as well as waste collection and disposal as authorized and described by Section 190.012(2), (a)(d) and (f), 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: Aaron Papero; Britten Bartlett; George Hartley; Sharon Robertson; and Jason Comer.

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

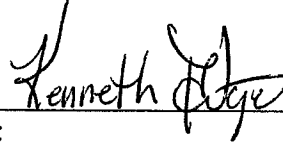
SECTION 6. SEVERABILITY. If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

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

PASSED AND ADOPTED by the Board of County Commissioners of Walton County, Florida, this 22nd day of March, 2005.

(CORPORATE SEAL)

**BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA**

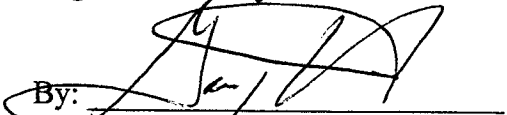


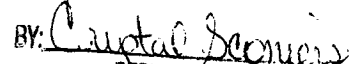
By: _____
Chairman

Attest:


Martha Ingle, Clerk

**County Attorney's Office
Approved as to Form and
Legal Sufficiency**

By: 
Date: _____

CERTIFIED A TRUE COPY
March 23, 2005
MARTHA INGLE, CLERK
CIRCUIT COURT-COUNTY COURT
WALTON COUNTY, FLORIDA
BY: 
DEPUTY CLERK

LEGAL DESCRIPTION (OVERALL SITE)

THE WEST ONE-HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA;
LESS AND EXCEPT: THE RIGHT-OF-WAY OF COUNTY ROAD C-30-A

AND

THE EAST ONE-HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF FRACTIONAL SECTION 27, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA.
LESS AND EXCEPT: THE RIGHT-OF-WAY OF COUNTY ROAD C-30-A;
LESS AND EXCEPT: A 77.77 FEET WIDE STRIP OF LAND ALONG THE WEST LINE OF THE (E 1/2) OF THE SE 1/4 OF SAID SECTION 27, LYING NORTH OF COUNTY ROAD C-30-A, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE (NE 1/4) OF THE (SE 1/4) OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA; THENCE NORTH 89°29'08" EAST ALONG THE NORTH LINE OF SAID (SE 1/4), FOR A DISTANCE OF 77.77 FEET; THENCE SOUTH 01°20'28" WEST, ALONG A LINE WHICH IS 77.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE (EAST 1/2) OF THE (SE 1/4) A DISTANCE OF 1283.85 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-30-A; THENCE NORTH 66°55'13" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 83.72 FEET TO A POINT ON THE WEST LINE OF THE (E 1/2) OF THE (SE 1/4); THENCE NORTH 01°20'28" EAST, ALONG SAID WEST LINE FOR A DISTANCE OF 1251.72 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT: A 93.54 FEET WIDE STRIP OF LAND ALONG THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 27, LYING SOUTH OF COUNTY ROAD C-30-A, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST (NW) CORNER OF THE (E 1/2) OF THE (SE 1/4) OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA; THENCE S.01°20'28"W. ALONG SAID WEST LINE OF THE EAST 1/2 (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 27 FOR A DISTANCE OF 1359.37 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD C-30-A AND THE POINT OF BEGINNING; THENCE S.66°55'13"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY FOR A DISTANCE OF 100.51 FEET; THENCE S.01°22'00"W. ALONG A LINE WHICH IS 93.54 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE (EAST 1/2) OF THE (SE 1/4) FOR A DISTANCE OF 1050.00 FEET TO THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE N.65°25'37"W. ALONG THE MEANDER OF THE MEAN HIGH WATER LINE OF THE WATERS OF THE GULF OF MEXICO FOR A DISTANCE OF 101.77 FEET; THENCE RUN N.01°22'00"E FOR A DISTANCE OF 1047.15 FEET TO THE POINT OF BEGINNING.

AND

FRACTIONAL SECTION 34, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA. TOGETHER WITH ALL RIPARIAN AND LITTORAL RIGHTS AND ALL PRIVILEGES OF AN UPLAND OWNER APPERTAINING THERETO. PARCEL CONTAINS 158.49 ACRES, MORE OR LESS.

STATE OF FLORIDA DEPARTMENT OF STATE

Division of Library and Information Services

I, GLENDA E. HOOD, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Walton County Ordinance No. 05-04, which was filed in this office on April 1, 2005, 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
7th. day of April, A.D., 2005.



Glenda E. Hood

Secretary of State

DSDE 99 (3/03)

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.