

ORDINANCE NO.: 2006-05

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, AMENDING THE BOUNDARIES OF THE STERLING HILL COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; MAKING FINDINGS OF FACT WITH RESPECT THERETO; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

2006 APR 26 AM 11:38

FILED

WHEREAS, STERLING HILL COMMUNITY DEVELOPMENT DISTRICT, by and through the attorneys for the District's Board of Supervisors, has filed a petition with Hernando County ("Petition") requesting that the Board of County Commissioners of Hernando County ("**County**") adopt an ordinance amending the boundaries of the Sterling Hill Community Development District ("**District**") pursuant to Chapter 190, Florida Statutes, and designating the real property depicted on Exhibit "A" attached hereto as "CDD Expansion Area," and legally described in Exhibit "B", attached hereto; and

WHEREAS, the **District** as expanded will constitute an efficient, effective and economical method of delivering community development services and facilities within its defined boundaries as amended, within which area such community development services and facilities can be more feasibly provided at a level and quality appropriate to the **District** by the **District**, rather than by the **County**; and

WHEREAS, the **County** has held a public hearing on the Petition in accordance with the requirements and procedures of Section 190.046 (1)(b), Florida Statutes; and

WHEREAS, the **County** has considered the record of the public hearing and

the factors set forth in 190.005 (1)(e), Florida Statutes.

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

SECTION 1. FINDINGS OF FACT.

The **County** hereby finds and states that:

1. All statements contained in the Petition are true and correct.
2. The expansion of the **District** is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County's Comprehensive Plan.
3. The area of land within the **District** as expanded is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional, interrelated community.
4. The expansion of the **District** is the best alternative available for delivering community development services and facilities to the parcel being added to the **District**.
5. The proposed community development services and facilities to be provided by the expanded **District** will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.
6. The area that will be served by the expanded **District** is amenable to separate, special-district government.

SECTION 2. STERLING HILL COMMUNITY DEVELOPMENT DISTRICT BOUNDARIES AMENDED

Pursuant to Chapter 190, Florida Statutes, the boundaries of the Sterling Hill Community Development District (“**District**”) are hereby amended so as to include the parcel described on the attached “Exhibit A” as the “CDD Expansion Area”, which parcel is legally described on the attached “Exhibit B” as “The South ½ of the Northeast ¼ of Section 16, Township 23 South, Range 18 East, LESS the West ½ of the Southwest ¼ of the Northeast ¼ of said section, all being in Hernando County, Florida.”

SECTION 3. SEVERABILITY

It is declared to be the intent of the Board of County Commissioners of Hernando County, Florida, that if any section, subsection, clause, sentence, phrase or provision of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. INCLUSION IN THE CODE

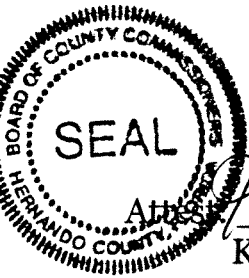
It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

SECTION 5. EFFECTIVE DATE

This ordinance shall become effective upon filing with the Department of State.


ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in

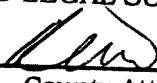
Regular Session this 18th day of April, 2006.

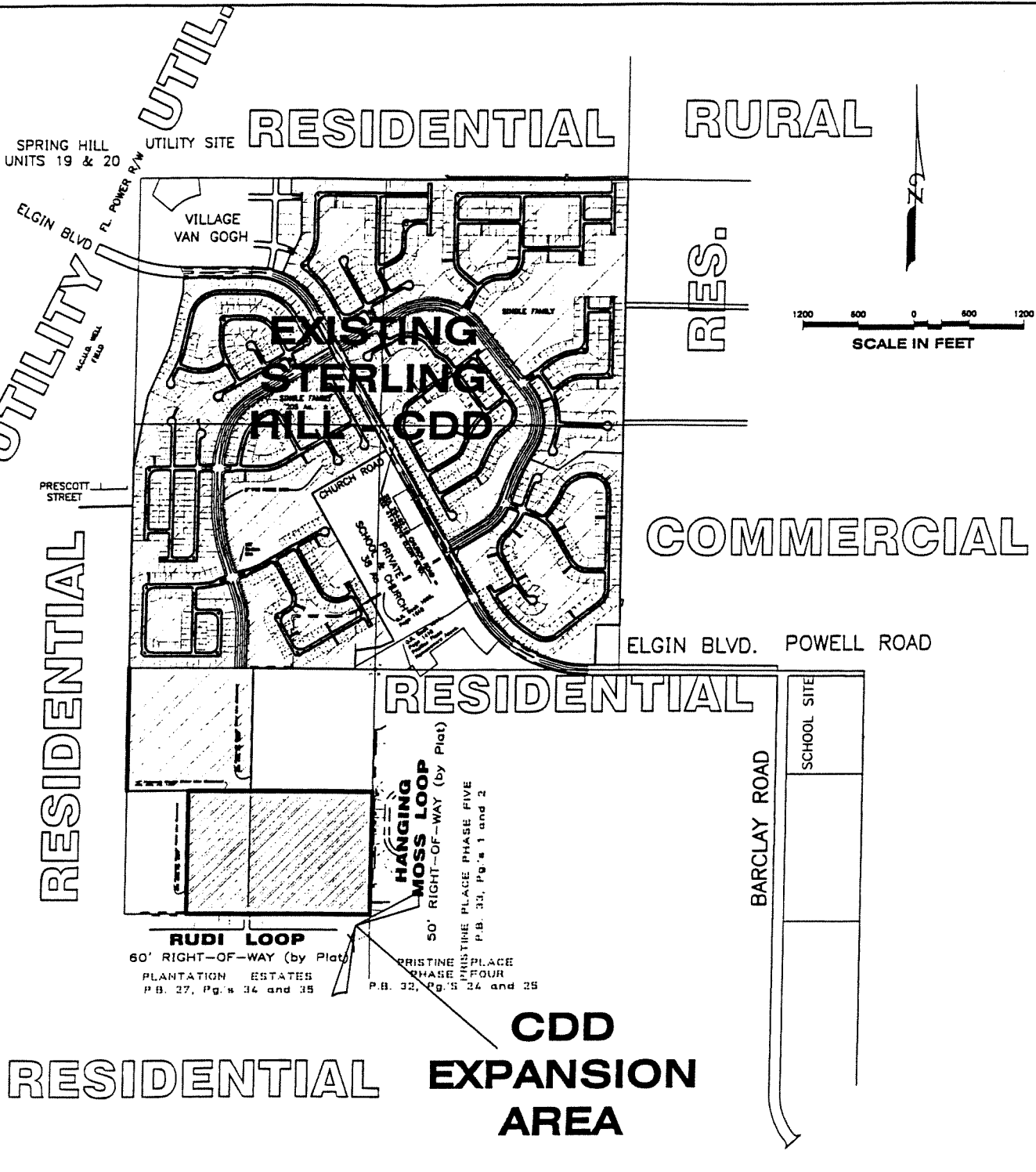


Attest: 
KAREN NICOLAI
Clerk

**BOARD OF COUNTY
COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

By: 
DIANE B. ROWDEN
Chairperson

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY  Kew 4/11/06
County Attorney's Office



02-09-06 7:43PM HEIDT & ASSOC. KENNETH HEIDT-ENGINEERING\STERLING HILL\MASTER PLAN\ENGINEERING\EXH-LAND-USE ADD 60.DWG

NO.	DESCRIPTION	BY
	REVISIONS	

Engineering Business Certificate of Authorization No.: 148
HEIDT & ASSOCIATES, Inc.
 Tampa ♦ Fort Myers

Tampa Office
 2212 Swann Avenue
 Tampa, Florida 33606
 Phone: 813-253-5311
 Phone: 727-442-8538
 Pasco: 727-842-2401
 FAX: 813-253-2478

LAND USE EXHIBIT ADDITIONAL 60 ACRES	
JOB NO. DV5-HC-042	STERLING HILL CDD EXPANSION AREA
DESIGN BAHLKE	
DRAWN MILLER	
DATE 2-6-06	PREPARED FOR: DEVCO V L.L.C.
FILE EXH-LAND USE ADD 60	SHEET 1 OF 1 SHEETS

EXHIBIT "A"

EXHIBIT "B"

DESCRIPTION:

The South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 16, Township 23 South, Range 18 East, LESS the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said section, all being in Hernando County, Florida.

Containing 60.214 acres, more or less.

I hereby certify that the foregoing is a true and correct copy of the original.
Karen Nicolai, Clerk Circuit Court, Hernando County, Florida.

By Jenine E. Wimer D.C.