

Upon Recording, Return to:
City of Tampa
Office of the City Clerk
315 East Kennedy Blvd, 3rd Floor
Tampa, FL 33602
Tel: 813-274-8397

New Port – Tampa Bay CDD

ORDINANCE 2005- 233

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT TO BE KNOWN AS NEW PORT-TAMPA BAY (A PROPOSED COMMUNITY OF APPROXIMATELY 1750 RESIDENTIAL UNITS, 83,750 SQUARE FEET OF OFFICE SPACE, AND 156,250 SQUARE FEET OF RETAIL SPACE) FOR THE PURPOSE OF MANAGING AND DELIVERING BASIC COMMUNITY INFRASTRUCTURE IMPROVEMENT WITHIN A PARCEL OF LAND GENERALLY LOCATED NEAR THE INTERSECTION OF GANDY BOULEVARD AND SOUTH WESTSHORE BOULEVARD (COMPRISING 52 ACRES MORE OR LESS) ENTIRELY WITHIN THE BOUNDARIES OF THE CITY OF TAMPA, HILLSBOROUGH COUNTY, FLORIDA; THE SAME BEING MORE PARTICULARLY DESCRIBED IN SECTION 2 HEREOF) PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, ECOVENTURE NEW PORT I, L.L.C., ECOVENTURE NEW PORT II L.L.C., AND ECOVENTURE NEW PORT MARINA L.L.C. (collectively the "Petitioner") has submitted a petition with the City Council of the City of Tampa, Florida (the "City") pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish a Community Development District ("CDD"), and designating the land area for which the CDD would manage and finance the delivery of basic infrastructure services; and

WHEREAS, pursuant to Chapter 190 Florida Statutes the City conducted a public hearing to consider oral and written comments on the petition; and

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1 WHEREAS, the proposed District complies with the requirements of law, is in the
2 best interest and promotes the health, safety and welfare of the citizens of the City of
3 Tampa;

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5 NOW, THEREFORE,

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7 BE IT ORDAINED BY THE CITY COUNCIL
8 OF THE CITY OF TAMPA, FLORIDA:

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10 Section 1. That the recitals above are hereby incorporated as if fully set forth
11 herein.

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13 Section 2. That the **New Port – Tampa Bay Community Development**
14 **District** is hereby authorized and established, the administration of which shall be subject
15 to the provisions of Chapter 190 Florida Statutes, as amended from time to time; and, the
16 boundaries of which are more particularly described in Exhibit "A" attached hereto.

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18 Section 3. That the five (5) initial members of the Board of Supervisors are:

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20 a) Edward R. Oelschlager, EcoGroup, Inc.
21 b) William C. Williams, EcoGroup, Inc.
22 c) Frank A. Pesa, EcoGroup, Inc.
23 d) Bonnie K. Kirkbride, EcoGroup, Inc.
24 e) Donald K. Gunn, EcoGroup Inc.

25
26 Ecogroup, Inc., having an address of 601 Bayshore Blvd., Suite 960, Tampa, FL
27 33606; Tel: 813-251-4868; Fax: 813-254-5629

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29 Section 4. That all statements contained within the petition have been found
30 to be true and correct

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32 Section 5. That establishment of the District is consistent with the applicable
33 elements and portions of the state comprehensive plan and the effective City of Tampa
34 comprehensive plan.

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36 Section 6. That the area of land within the proposed District is of sufficient
37 size, is sufficiently compact, and is sufficiently contiguous to be developable as one
38 functional interrelated community.

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40 Section 7. That the District is the best alternative available for delivering
41 community development services and facilities to the area that will be served by the
42 District.

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44 Section 8. That the community development services and facilities of the

THE FOLLOWING LEGAL DESCRIPTION ALSO KNOWN AS PARCEL 1, PARCEL 2 (AREA "A", "B", "C", AND "D"), PARCEL 9, AND PARCEL 11, AND ALL VACATED ROADS, PARCEL 4, 5, 6, 7, 8, 10, LESS A 25 FOOT BY 35 FOOT LIFT STATION SITE, AND HENDRY AND MOODY SITES.

A PARCEL OF LAND LYING WESTERLY OF AND IN GOVERNMENT LOT 1 AND LOT 2, SECTION 8, TOWNSHIP 30 SOUTH, RANGE 18 EAST, AND ALSO BEING A PART OF BAYBRIDGE REVISED, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 30, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NORTHEAST CORNER OF SAID GOVERNMENT LOT 1, SECTION 8, TOWNSHIP 30 SOUTH, RANGE 18 EAST; THENCE N.89°29'24"W. ALONG SAID GOVERNMENT LOT 1, ALSO BEING THE NORTH LINE OF BLOCK 1, OF SAID BAYBRIDGE REVISED, A DISTANCE OF 1,000.00 FEET; THENCE S.00°30'36"W., A DISTANCE OF 246.50 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF GANDY BOULEVARD (STATE PROJECT NUMBER 10130-XXXX; WORK PROGRAM ITEM/SEGMENT 255822 2) AND THE WEST RIGHT-OF-WAY LINE OF BRIDGE STREET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 1,079.10 FEET TO THE SOUTH BOUNDARY OF SAID GOVERNMENT LOT 1 (ALSO BEING THE SOUTHEAST CORNER OF BLOCK 10, SAID BAYBRIDGE REVISED); THENCE S.89°29'24"E., A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 9, SAID BAYBRIDGE REVISED; THENCE N.00°30'36"E., A DISTANCE OF 634.10 FEET TO THE NORTHWEST CORNER OF LOT 12, BLOCK 5, SAID BAYBRIDGE REVISED; THENCE S.89°29'24"E., A DISTANCE OF 387.00 FEET TO THE NORTHEAST CORNER OF LOT 8, BLOCK 5, SAID BAYBRIDGE REVISED; THENCE S.00°30'36"W., A DISTANCE OF 125.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8, BLOCK 5 (ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF PAUL AVENUE); THENCE N.89°29'24"W. ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 85.00 FEET; THENCE S.00°30'36"W., A DISTANCE OF 180.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 10.00 FEET TO THE NORTHEAST CORNER OF LOT 9, BLOCK 6, SAID BAYBRIDGE REVISED; THENCE S.00°30'36"W., A DISTANCE OF 120.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9, BLOCK 6 (ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF PRICE AVENUE); THENCE N.89°29'24"W. ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 150.00 FEET; THENCE S.00°30'36"W., A DISTANCE OF 209.10 FEET TO THE SOUTH BOUNDARY OF SAID GOVERNMENT LOT 1 (ALSO BEING THE SOUTHEAST CORNER OF LOT 2, BLOCK 9, SAID BAYBRIDGE REVISED); THENCE S.89°29'24"E., A DISTANCE OF 748.00 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF WESTSHORE BOULEVARD (SAID POINT ALSO BEING 40 FEET WEST OF THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1); THENCE S.00°19'34"W. ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET; THENCE N.89°29'24"W., A DISTANCE OF 510.00 FEET; THENCE S.00°19'34"W., A DISTANCE OF 300.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 250.00 FEET; THENCE S.00°19'34"W., A DISTANCE OF 50.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 18.38 FEET; THENCE S.00°16'50"W., A

EXHIBIT "A"

DISTANCE OF 526.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 241.20 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID WESTSHORE BOULEVARD; THENCE S.00°19'34"W. ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 300.77 FEET TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF WEST TYSON AVENUE, SAID INTERSECTION BEING 100 FEET NORTH AND 40 FEET WEST OF THE SOUTHEAST CORNER OF GOVERNMENT LOT 2; THENCE N.89°24'24"W., A DISTANCE OF 1,564.44 FEET AND 100 FEET PARALLEL WITH THE SOUTH BOUNDARY OF GOVERNMENT LOT 2; THENCE N.00°35'36"E., A DISTANCE OF 131.27 FEET TO A POINT ON AN EXISTING BULKHEAD LINE ON THE WATERS OF RATTLESNAKE BASIN; THENCE FOLLOW ALONG SAID BULKHEAD LINE ON RATTLESNAKE BASIN, S.89°20'47"E., A DISTANCE OF 322.96 FEET; THENCE N.00°20'36"E., A DISTANCE OF 280.19 FEET; THENCE N.89°56'37"E., A DISTANCE OF 50.79 FEET; THENCE N.00°20'34"E., A DISTANCE OF 46.41 FEET; THENCE S.89°56'37"W., A DISTANCE OF 92.15 FEET; THENCE N.00°20'36"E., A DISTANCE OF 50.87 FEET; THENCE N.88°12'38"E., A DISTANCE OF 41.30 FEET; THENCE N.00°20'36"E., A DISTANCE OF 97.60 FEET; THENCE S.89°48'34"W., A DISTANCE OF 40.94 FEET; THENCE N.00°14'24"W., A DISTANCE OF 52.12 FEET; THENCE N.89°24'37"E., A DISTANCE OF 38.12 FEET; THENCE N.00°13'24"W., A DISTANCE OF 221.65 FEET; THENCE N.88°36'12"E., A DISTANCE OF 1.92 FEET; THENCE S.89°52'21"E., A DISTANCE OF 25.59 FEET; THENCE S.52°24'33"E., A DISTANCE OF 1.62 FEET; THENCE S.89°04'44"E., A DISTANCE OF 25.85 FEET; THENCE N.00°28'36"E., A DISTANCE OF 78.14 FEET; THENCE N.89°40'24"W., A DISTANCE OF 61.65 FEET; THENCE S.00°54'25"E., A DISTANCE OF 19.10 FEET; THENCE N.89°54'24"W., A DISTANCE OF 352.76 FEET; THENCE N.01°45'32"E., A DISTANCE OF 17.50 FEET; THENCE N.89°52'24"W., A DISTANCE OF 383.00 FEET; THENCE N.00°07'17"E., A DISTANCE OF 4.37 FEET; THENCE N.89°40'24"W., A DISTANCE OF 156.16 FEET; THENCE S.00°18'52"W., A DISTANCE OF 2.05 FEET; THENCE N.89°10'24"W., A DISTANCE OF 98.00 FEET; THENCE N.00°21'17"E., A DISTANCE OF 1.20 FEET; THENCE N.89°40'28"W., A DISTANCE OF 21.60 FEET; THENCE N.44°10'25"W., A DISTANCE OF 138.12 FEET; THENCE N.00°59'35"E., A DISTANCE OF 171.10 FEET TO A POINT ON SAID BULKHEAD LINE AND THE SOUTH BOUNDARY OF SAID GOVERNMENT LOT 1 AND IT'S WESTERLY EXTENSION THEREOF AT THE WATERS OF RATTLESNAKE BASIN AND OLD TAMPA BAY; THENCE S.89°29'24"E., A DISTANCE OF 1.47 FEET; THENCE N.29°14'05"W., A DISTANCE OF 112.87 FEET; THENCE N.00°30'36"E., A DISTANCE OF 270.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 36.00 FEET; THENCE S.00°30'36"W., A DISTANCE OF 96.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 20.00 FEET; THENCE S.00°30'36"W., A DISTANCE OF 192.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 50.00 FEET; THENCE S.00°30'36"W., A DISTANCE OF 40.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 1,000.00 FEET TO A POINT ON THE WEST BOUNDARY OF SAID BAYBRIDGE REVISED; THENCE N.00°30'36"E. ALONG SAID WEST BOUNDARY, A DISTANCE OF 154.33 FEET; THENCE N.89°29'24"W., A DISTANCE OF 874.00 FEET; THENCE N.00°30'36"E., A DISTANCE OF 46.00 FEET; THENCE S.89°29'24"E., A DISTANCE OF 874.00 FEET TO A POINT ON SAID WEST BOUNDARY OF BAYBRIDGE REVISED; THENCE N.00°30'36"E. ALONG SAID WEST BOUNDARY, A DISTANCE OF 406.00 FEET; THENCE N.31°41'09"W., A DISTANCE OF 30.13 FEET; THENCE N.00°30'36"E., A DISTANCE OF 172.00 FEET; THENCE S.44°40'34"E., A DISTANCE OF 22.63 FEET TO A POINT ON SAID WEST BOUNDARY OF BAYBRIDGE REVISED; THENCE N.00°30'36"E. ALONG SAID WEST BOUNDARY, A DISTANCE OF 78.00 FEET;

THENCE S.86°35'03"W., A DISTANCE OF 52.87 FEET TO A POINT ON THE EXISTING RIGHT-OF-WAY LINE OF GANDY BOULEVARD; THENCE N.00°30'36"E., A DISTANCE OF 174.74 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF GANDY BOULEVARD (STATE ROAD 600, STATE PROJECT NUMBER 10130-XXXX; WORK PROGRAM ITEM/SEGMENT 255822 2) TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2,774.79 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 02°13'50", A DISTANCE OF 108.01 FEET; THENCE S.88°29'24"E., A DISTANCE OF 292.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT A 25 FEET BY 35 FEET LIFT STATION SITE (CITY OF TAMPA OWNED) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, BLOCK 9, SAID BAYBRIDGE REVISED, LESS THE NORTHERLY 25 FEET OF THE EASTERLY 35 FEET OF SAID LOT 1.

SAID LIFT STATION SITE CONTAINING 875 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

SAID PARCEL CONTAINING 2,233,083.60 SQUARE FEET OR 51.26 ACRES, MORE OR LESS.

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