

ORDINANCE NO. 2009-63

1
2
3 AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, AMENDING
4 CITY OF TAMPA ORDINANCES 2005-233 AND 2006-322;
5 AMENDING THE BOUNDARIES OF THE NEW PORT TAMPA BAY
6 COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR
7 CONTRACTION OF THE BOUNDARIES OF THE DISTRICT BY
8 REMOVING PARCELS OF LAND THAT WILL NOT BE SERVED BY
9 THE DISTRICT, WHICH WILL RESULT IN A NET LOSS OF 1.11
10 ACRES M.O.L. FOR A TOTAL OF 53.016 ACRES COMPRISING THE
11 DISTRICT AND SITUATED ENTIRELY WITHIN THE BOUNDARIES
12 OF THE CITY OF TAMPA, HILLSBOROUGH COUNTY, FLORIDA
13 (SAID DISTRICT BEING GENERALLY LOCATED NEAR THE
14 INTERSECTION OF GANDY BOULEVARD AND SOUTH
15 WESTSHORE BOULEVARD); THE CONTRACTED BOUNDARY
16 BEING MORE PARTICULARLY DESCRIBED IN SECTION 2
17 HEREOF; PURSUANT TO CHAPTER 190, FLORIDA STATUTES;
18 REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR
19 SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
20

21 **WHEREAS**, pursuant to Chapter 190, Florida Statutes, the New Port Tampa
22 Bay Community Development District (the "District") was established by City of Tampa
23 Ordinance 2005-233 adopted on August 25, 2005; and
24

25 **WHEREAS**, the boundaries of the District were amended by City of Tampa
26 Ordinance 2006-322 adopted on December 21, 2006; and
27

28 **WHEREAS**, the District was authorized by City of Tampa Ordinance 2006-38 to
29 exercise certain Special Powers enumerated in Chapter 190 of the Florida Statutes; and
30

31 **WHEREAS**, the District having obtained written consent from the owners of
32 one-hundred percent (100%) of the real property subject to this boundary amendment
33 submitted a Petition with the City Council of the City of Tampa, Florida (the "City"), a
34 copy of which is on file with the City Clerk, pursuant to the Uniform Community
35 Development District Act of 1980, Chapter 190, Florida Statutes, to adopt and ordinance
36 contracting the boundaries of the District in order to contract approximately 1.11 acres,
37 which will result in a total of 53.016 acres comprising the District; and
38

39 **WHEREAS**, the District published notice of the hearing to adopt an ordinance
40 contracting the boundaries of the District at least once a week for four (4) consecutive
41 weeks immediately prior to the hearing; and
42

43 **WHEREAS**, a public hearing on the matter was held on April 2, 2009, pursuant
44 to Section 190.005(1)(d) of the Florida Statutes; and
45

1 **WHEREAS**, upon consideration of the record established at the hearing, the City
2 determined that the statements within the Petition were true and correct, that the
3 amendment of the District is not inconsistent with any applicable element or portion of
4 the State Comprehensive Plan or the local comprehensive plan, the District is of
5 sufficient size, is sufficiently compact and is sufficiently contiguous to be developable as
6 one functional interrelated community, the District remains the best alternative available
7 for the delivery of community development services and facilities to the land within its
8 boundaries, the District's community development services and facilities remain
9 compatible with the capacity and uses of existing local and regional community
10 development services and facilities; and the area served by the District will continue to be
11 amenable to special-district government; and

12
13 **WHEREAS**, the City Council has determined that authorizing the boundary
14 contraction comports with the requirements of law;

15
16 **NOW, THEREFORE,**

17
18 **BE IT ORDAINED BY THE CITY COUNCIL**
19 **OF THE CITY OF TAMPA, FLORIDA:**

20
21 **Section 1.** That the above recitals are hereby incorporated as if fully set forth
22 herein.

23
24 **Section 2.** That City of Tampa Ordinances 2005-233 and 2006-322 are
25 hereby amended to reflect the external boundaries of the New Port Tampa Bay
26 Community Development District, as more particularly described in **Exhibit "A"**
27 attached hereto.

28
29 **Section 3.** That the City Clerk shall record a copy of this Ordinance in the
30 Office of the Clerk of the Circuit Court of Hillsborough County, Florida.

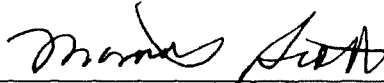
31
32 **Section 4.** That all ordinances or parts of ordinances in conflict herewith are
33 hereby repealed to the extent of any conflict.

34
35 **Section 5.** If any section, subsection, sentence, clause, provision, or other part
36 of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not
37 be affected thereby, but shall remain in full force and effect.

38
39 **Section 6.** That this ordinance shall take effect immediately upon becoming a
40 law.
41

1 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
2 TAMPA, FLORIDA, ON APR 16 2009.

3
4 ATTEST:

5 

6
7 CHAIRMAN/CHAIRMAN PRO-TEM
8 CITY COUNCIL

9
10 
11 CITY CLERK/DEPUTY CITY CLERK

12
13
14 APPROVED BY ME ON APR 17 2009

15 

16
17 PAM IORIO, MAYOR

18
19
20 APPROVED AS TO LEGAL
21 SUFFICIENCY BY:

22
23
24 E/S

25 JULIE KABOUGERIS
26 ASSISTANT CITY ATTORNEY

27
28 K:/Julie Kabougeris\ORDINANCES\New Port Contraction.final.doc

Exhibit "A"

THIS IS NOT A SURVEY

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN A PORTION OF GOVERNMENT LOT 1, AND A PORTION OF GOVERNMENT LOT 2, OF 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 SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1, OF SAID SECTION 8, THENCE NORTH 89°18'19" WEST, ALONG THE SOUTH LINE OF GOVERNMENT LOT 1, A DISTANCE OF 40.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF WESTSHORE BOULEVARD AND THE POINT OF BEGINNING; THENCE SOUTH 00°30'40" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 50.00 FEET; THENCE NORTH 89°18'19" WEST, ALONG A LINE 50 FEET WEST OF AND PARALLEL TO THE NORTH LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 510.00 FEET; THENCE SOUTH 00°30'40" WEST, ALONG A LINE 550 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 300.09 FEET; THENCE SOUTH 89°18'19" EAST, ALONG A LINE 350 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 249.69 FEET; THENCE SOUTH 00°30'40" WEST, ALONG A LINE 300 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°18'19" EAST, ALONG A LINE 400 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 18.66 FEET; THENCE SOUTH 00°28'47" WEST, A DISTANCE OF 526.03 FEET; THENCE SOUTH 89°18'19" EAST, ALONG A LINE 926 FEET SOUTH OF AND PARALLEL TO THE SAID NORTH LINE OF GOVERNMENT LOT 2, A DISTANCE OF 241.36 FEET TO THE WESTERLY RIGHT OF WAY LINE OF WESTSHORE BOULEVARD; THENCE SOUTH 00°30'40" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 300.56 FEET TO THE NORTHERLY RIGHT OF WAY OF TYSON AVENUE; THENCE NORTH 89°13'29" WEST, ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 1,564.65 FEET; THENCE NORTH 00°46'18" EAST, A DISTANCE OF 131.14 FEET TO A POINT ON THE EXISTING CONCRETE SEAWALL; THENCE ALONG SAID CONCRETE SEAWALL THE FOLLOWING FORTY-NINE(49) COURSES, (1)SOUTH 89°09'59" EAST, A DISTANCE OF 323.09 FEET; (2)NORTH 00°31'03" EAST, A DISTANCE OF 280.25 FEET; (3)SOUTH 89°52'17" EAST, A DISTANCE OF 50.87 FEET; (4)NORTH 00°32'10" EAST, A DISTANCE OF 46.41 FEET; (5)NORTH 89°51'49" WEST, A DISTANCE OF 92.16 FEET; (6)NORTH 00°32'07" EAST, A DISTANCE OF 50.87 FEET; (7)NORTH 88°23'44" EAST, A DISTANCE OF 41.30 FEET; (8)NORTH 00°32'12" EAST, A DISTANCE OF 97.62 FEET; (9)SOUTH 89°59'57" WEST, A DISTANCE OF 40.94 FEET; (10)NORTH 00°03'09" WEST, A DISTANCE OF 52.12 FEET; (11)NORTH 89°35'44" EAST, A DISTANCE OF 38.13 FEET; (12)NORTH 00°02'01" WEST, A DISTANCE OF 221.70 FEET; (13)NORTH 68°45'36" EAST, A DISTANCE OF 1.92 FEET; (14)SOUTH 89°41'13" EAST, A DISTANCE OF 25.59 FEET; (15)SOUTH 51°59'36" EAST, A DISTANCE OF 1.62 FEET; (16)SOUTH 88°53'04" EAST, A DISTANCE OF 25.85 FEET; (17)NORTH 00°39'57" EAST, A DISTANCE OF 78.16 FEET; (18)NORTH 89°28'48" WEST, A DISTANCE OF 61.65 FEET; (19)SOUTH 00°42'34" EAST, A DISTANCE OF 19.10 FEET; (20)NORTH 89°42'44" WEST, A DISTANCE OF 352.73 FEET; (21)NORTH 01°57'38" EAST, A DISTANCE OF 17.50 FEET; (22)NORTH 89°40'44" WEST, A DISTANCE OF 382.98 FEET; (23)NORTH 00°15'28" EAST, A DISTANCE OF 4.37 FEET; (24)NORTH 89°28'48" WEST, A DISTANCE OF 156.15 FEET; (25)SOUTH 00°31'12" WEST, A DISTANCE OF 2.05 FEET; (26)NORTH 88°58'58" WEST, A DISTANCE OF 98.00 FEET; (27)NORTH 00°31'12" EAST, A DISTANCE OF 1.20 FEET; (28)NORTH 89°28'48" WEST, A DISTANCE OF 21.60 FEET; (29)NORTH 43°58'09" WEST, A DISTANCE OF 138.13 FEET; (30)NORTH 01°26'54" EAST, A DISTANCE OF 170.86 FEET; (31)NORTH 21°30'53" WEST, A DISTANCE OF 35.97 FEET; (32)NORTH 20°31'19" WEST, A DISTANCE OF 47.07 FEET; (33)NORTH 18°14'06" WEST, A DISTANCE OF 20.74 FEET; (34)NORTH 01°48'22" EAST, A DISTANCE OF 274.12 FEET; (35)SOUTH 88°43'18" EAST, A DISTANCE OF 35.05 FEET; (36)SOUTH 00°33'37" WEST, A DISTANCE OF 97.11 FEET; (37)SOUTH 87°44'59" EAST, A DISTANCE OF 20.03 FEET; (38)SOUTH 01°59'02" WEST, A DISTANCE OF 191.96 FEET; (39)SOUTH 88°48'27" EAST, A DISTANCE OF 50.01 FEET; (40)SOUTH 00°27'53" WEST, A DISTANCE OF 40.28 FEET; (41)SOUTH 89°25'51" EAST, A DISTANCE OF 148.47 FEET; (42)SOUTH 89°21'26" EAST, A DISTANCE OF 229.10 FEET; (43)SOUTH 89°14'31" EAST, A DISTANCE OF 320.76 FEET; (44)SOUTH 89°13'41" EAST, A DISTANCE OF 283.09 FEET; (45)NORTH 00°30'36" EAST, A DISTANCE OF 606.41 FEET; (46)NORTH 31°40'36" WEST, A DISTANCE OF 30.13 FEET; (47)NORTH 00°30'36" EAST, A DISTANCE OF 172.00 FEET; (48)SOUTH 44°40'02" EAST, A DISTANCE OF 22.63 FEET; (49)NORTH 00°30'36" EAST, A DISTANCE OF 78.09 FEET; THENCE SOUTH 86°00'12" WEST, A DISTANCE OF 52.09 FEET; THENCE NORTH 00°19'29" EAST, A DISTANCE OF 175.37 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 600(GANDY BOULEVARD) PER STATE ROAD PROJECT NUMBER 1013-1508 AND A POINT OF CURVATURE OF A NON TANGENT CURVE TO THE RIGHT; THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE THE FOLLOWING FIVE(5) COURSES, (1)EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,773.82 FEET, AN ARC LENGTH OF 108.01 FEET, A CENTRAL ANGLE OF 02°13'52" AND A CHORD BEARING AND DISTANCE OF NORTH 89°39'48" EAST, 108.00 FEET; (2)SOUTH 89°14'39" EAST, A DISTANCE OF 91.94 FEET; (3)SOUTH 89°21'08" EAST, A DISTANCE OF 199.83 FEET; (4)SOUTH 89°28'59" EAST, A DISTANCE OF 50.00 FEET; (5)SOUTH 89°19'29" EAST, A DISTANCE OF 199.93 FEET; THENCE SOUTH 00°30'24" WEST, A DISTANCE OF 259.98 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF McELROY STREET; THENCE NORTH 89°16'38" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 199.95 FEET TO THE SOUTHWEST CORNER OF LOT 24, BLOCK 2, 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 AND THE EAST RIGHT OF WAY OF BRIDGE STREET; THENCE SOUTH 00°30'36" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 184.92 FEET TO THE NORTHWEST CORNER OF LOT 12, BLOCK 5 OF SAID BAYBRIDGE REVISED; THENCE SOUTH 89°15'57" EAST, ALONG THE NORTHERLY LINE OF LOTS 12,11,10,9 AND 8, OF SAID BAYBRIDGE REVISED, A DISTANCE OF 387.00 FEET TO THE NORTHEAST CORNER OF LOT B, BLOCK 5 OF SAID BAYBRIDGE REVISED; THENCE SOUTH 00°30'36" WEST, ALONG EASTERLY LINE OF SAID LOT 8, A DISTANCE OF 125.12 FEET TO THE NORTHERLY RIGHT OF WAY OF PAUL AVENUE; THENCE NORTH 89°16'12" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 85.00 FEET; THENCE SOUTH 00°30'36" WEST, A DISTANCE OF 179.99 FEET TO INTERSECT THE NORTH LINE OF LOT 9, BLOCK 6, OF SAID BAYBRIDGE REVISED; THENCE SOUTH 89°15'54" EAST, ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 9.76 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE SOUTH 00°30'36" WEST, ALONG THE EASTERLY LINE OF SAID LOT 9 EXTENDED, A DISTANCE OF 179.92 FEET TO THE NORTHWEST CORNER OF LOT 5, BLOCK 9 OF SAID BAYBRIDGE REVISED AND THE SOUTHERLY RIGHT OF WAY LINE OF WEST PRICE AVENUE; THENCE NORTH 89°18'21" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 149.69 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, BLOCK 9, OF SAID BAYBRIDGE REVISED; THENCE SOUTH 00°30'40" WEST, ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 149.43 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 1, THENCE SOUTH 89°18'19" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 748.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 53.016 ACRES, MORE OR LESS.

REVISED BOUNDARY & LEGAL 4/10/08 J.L.W.
REVISED LEGAL CALLS 8/22/06 J.L.W.

NEW PORT TAMPA BAY

CDD DISTRICT LIMITS

King
ENGINEERING ASSOCIATES, INC.

4921 MEMORIAL HIGHWAY PHONE 813-880-8801
ONE MEMORIAL CENTER, SUITE 300 FAX 813-880-8807
TAMPA, FLORIDA 33634 E-mail: king@kingengineering.com

c:\SURVEY\5672\001\000\BASEDATA\legal\CDD-OVERALL REV2.dwg