

**ORDINANCE NO. 2023-\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT, TO BE KNOWN AS LAKES AT BELLA LAGO COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**Recitals**

**WHEREAS**, Mattamy Homes Jacksonville LLC (the "Petitioner"), having obtained written consent to the establishment of the Lakes at Bella Lago Community Development District (the "District") by the owners of one-hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners (the "Board") of Clay County, Florida (the "County"), to adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, the Petitioner is a foreign limited liability company with an address of 7800 Belfort Parkway, #195, Jacksonville, Florida 32256; 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 Board on January 24, 2023; and

**WHEREAS**, upon consideration of the record established at that hearing, the Board determined that the statements within the Petition are 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 County's comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and is 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 that will be served by the District, that the community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area that will be served by the District is amenable to separate special-district governance; and

**WHEREAS**, the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

**WHEREAS**, the 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; and

**WHEREAS**, the Board has determined that the initial members of the District’s Board of Supervisors set forth in Section 5 of this ordinance are residents of the State of Florida and citizens of the United States of America.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Authority. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980 codified in Chapter 190, Florida Statutes. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

Section 2. District Name. There is hereby created a community development district situated entirely within a portion of the unincorporated area of Clay County, Florida, which shall be known as the “Lakes at Bella Lago Community Development District”, and which shall be referred to in this Ordinance as the “District”.

Section 3. District External Boundaries. The external boundaries of the District are described in Appendix A attached hereto, said boundaries encompassing 254.16 acres, more or less.

Section 4. District Powers and Functions. The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District’s Board of Supervisors 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, and for security, all as authorized and described by Sections 190.012(2)(a) and (2)(d), Florida Statutes (2021).

Section 5. Board of Supervisors. The five persons designated to serve as initial members of the District’s Board of Supervisors are as follows:

Name: D.J. Smith  
Address: 7800 Belfort Parkway, #195  
Jacksonville, Florida 32256

Name: Drew Ingoldsby  
Address: 7800 Belfort Parkway, #195  
Jacksonville, Florida 32256

Name: Martha Schiffer  
Address: 5337 Millenia Lakes Boulevard, Suite 235  
Orlando, Florida 32839

Name: Megan Germino  
Address: 5337 Millenia Lakes Boulevard, Suite 235  
Orlando, Florida 32839

Name: Rose Bock  
Address: 1804 Forest Glen Way  
St. Augustine, Florida 32092

Section 6. Severability. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective as prescribed by Florida general law.

**DULY ADOPTED** by the Board of County Commissioners of Clay County, Florida, this 24th day of January, 2023.

BOARD OF COUNTY COMMISSIONERS  
CLAY COUNTY, FLORIDA

BY: \_\_\_\_\_  
Betsy Condon, Its Chairman

ATTEST:

\_\_\_\_\_  
Tara S. Green  
Clay County Clerk of Court and Comptroller  
Ex Officio Clerk to the Board

## Appendix A

A portion of Sections 23 and 26, Township 5 South, Range 25 East, Clay County, Florida, being a portion of those lands described and recorded in Official Records Book 3694, page 15, of the Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Westerly line of said Section 23, said Westerly line also being the Easterly right of way line of Rolling View Boulevard, a 50 foot right of way as presently established, with the Southerly right of way line of County Road 739-B (Sandridge Boulevard), an 80 foot right of way as presently established; thence North  $89^{\circ}34'28''$  East, along said Southerly right of way line, 1.17 feet; thence South  $89^{\circ}25'32''$  East, continuing along said Southerly right of way line, 1018.96 feet to the Point of Beginning.

From said Point of Beginning, thence continue South  $89^{\circ}25'32''$  East, along said Southerly right of way line, 80.00 feet; thence South  $00^{\circ}34'23''$  West, departing said Southerly right of way line, 330.80 feet to the point of curvature of a curve concave Easterly having a radius of 360.00 feet; thence Southerly along the arc of said curve, through a central angle of  $19^{\circ}18'06''$ , an arc length of 121.28 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South  $09^{\circ}04'40''$  East, 120.70 feet; thence South  $18^{\circ}43'43''$  East, 309.51 feet to the point of curvature of a curve concave Westerly having a radius of 340.00 feet; thence Southerly along the arc of said curve, through a central angle of  $54^{\circ}01'52''$ , an arc length of 320.63 feet to a point on said curve, said point lying on the Westerly line of those lands described and recorded in Official Records Book 4523, page 322, of said Public Records, said arc being subtended by a chord bearing and distance of South  $08^{\circ}17'13''$  West, 308.88 feet; thence South  $35^{\circ}14'35''$  West, along said Westerly line, along the Westerly line of "Wetlands Strip" as described and recorded in Official Records Book 4622, page 1067, of said Public Records, and along a non-tangent line, 1002.14 feet; thence Southerly along the Westerly line of last said lands the following 8 courses; Course 1, thence South  $39^{\circ}25'20''$  East, 708.88 feet; Course 2, thence North  $45^{\circ}26'31''$  East, 143.74 feet; Course 3, thence South  $13^{\circ}26'36''$  East, 177.07 feet to a point on a non-tangent curve concave Easterly having a radius of 220.00 feet; Course 4, thence Southerly along the arc of said curve, through a central angle of  $30^{\circ}16'49''$ , an arc length of 116.27 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South  $22^{\circ}05'52''$  East, 114.92 feet; Course 5, thence South  $54^{\circ}47'53''$  West, along a non-tangent line, 106.49 feet; Course 6, thence South  $34^{\circ}12'50''$  East, 721.03 feet; Course 7, thence South  $77^{\circ}46'48''$  East, 1699.37 feet; Course 8, thence North  $37^{\circ}24'52''$  East, 71.64 feet to the Easterly most corner thereof, said corner also being the Southwesterly corner of "Road F-Pit Portion" as described and recorded in Official Records Book 4622, page 984, of said public records; thence South  $51^{\circ}19'37''$  East, along the Southwesterly line of last said lands, 61.11 feet to the Southeasterly corner thereof, said corner lying on the Westerly line of "Parcel B" as described and recorded in Official Records Book 3694, page 15, of said Public Records; thence South  $37^{\circ}25'38''$  West, along said Westerly line, 176.76 feet to the Southwesterly corner thereof, said corner also being the Northerly corner of "Parcel C" as described and recorded in said Official Records Book 3694, page 15; thence South  $07^{\circ}38'49''$  West, along the Westerly line of said "Parcel C", 711.63 feet; thence South  $17^{\circ}39'30''$  West, continuing along said Westerly line, 802.34 feet to the Southerly corner thereof, said corner lying on the Westerly line of that certain Easement for "Ingress, Egress, Utilities, and Well Access" as described and recorded in said Official Records Book 3469, page 215; thence South  $14^{\circ}47'57''$  East, along said Westerly line, 603.80 feet to the Southwesterly corner thereof, said corner also being the Northwesterly corner of those lands

described and recorded in said Official Records Book 3469, page 215; thence South  $11^{\circ}22'59''$  West, along the Westerly line of last said lands, 1335.28 feet to the Southwesterly corner thereof, said corner lying on the Southerly line of said Section 26; thence South  $89^{\circ}50'00''$  West, along said Southerly line, 2569.70 feet to its intersection with the Easterly limited access right of way line of State Road No. 23 (Branan Field/Chaffee Road), a variable width right of way as presently established; thence Northerly, departing said Southerly line and along said Easterly limited access right of way line the following 6 courses; Course 1, thence Northerly along the arc of a on a non-tangent curve concave Easterly having a radius of 14552.00 feet, through a central angle of  $02^{\circ}57'52''$ , an arc length of 752.89 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $00^{\circ}16'58''$  East, 752.81 feet; Course 2, thence North  $01^{\circ}45'54''$  East, 2354.16 feet; Course 3, thence South  $88^{\circ}14'06''$  East, 448.00 feet; Course 4, thence North  $01^{\circ}45'54''$  East, 1334.00 feet; Course 5, thence North  $88^{\circ}14'06''$  West, 448.00 feet; Course 6, thence North  $01^{\circ}45'54''$  East, 570.88 feet; thence South  $88^{\circ}15'01''$  East, departing said Easterly limited access right of way line, 116.64 feet to a point on a non-tangent curve concave Easterly having a radius of 540.00 feet; thence Northerly along the arc of said curve, through a central angle of  $31^{\circ}23'02''$ , an arc length of 295.78 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $19^{\circ}36'38''$  East, 292.10 feet; thence North  $35^{\circ}22'03''$  East, 1002.88 feet to a point on a non-tangent curve concave Westerly having a radius of 260.00 feet; thence Northerly along the arc of said curve, through a central angle of  $54^{\circ}01'52''$ , an arc length of 245.18 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $08^{\circ}17'13''$  East, 236.20 feet; thence North  $18^{\circ}43'43''$  West, 309.51 feet to the point of curvature of a curve concave Easterly having a radius of 440.00 feet; thence Northerly along the arc of said curve, through a central angle of  $19^{\circ}18'06''$ , an arc length of 148.23 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $09^{\circ}04'40''$  West, 147.53 feet; thence North  $00^{\circ}34'23''$  East, 330.80 feet to the Point of Beginning.

Containing 254.16 acres, more or less.