

ORDINANCE NO. 22-91

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING ORDINANCE NO. 07-33 ENACTED ON APRIL 9, 2007, ESTABLISHING THE SOUTHERN GROVE COMMUNITY DEVELOPMENT DISTRICT NO. 1, IN ORDER TO CONTRACT THE EXTERNAL BOUNDARIES OF THE DISTRICT; MAKING CERTAIN FINDINGS; DESCRIBING THE REVISED EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Authority for this Ordinance. This Ordinance is enacted pursuant to the provisions of Article VIII, Section 2, of the Florida Constitution; Chapter 166, Florida Statutes, as amended; Section 190.046(1), Florida Statutes; Section 1.01 of the Charter of the City of Port St. Lucie, Florida ("City"); and other applicable provisions of law.

Section 2. Findings. It is hereby ascertained, determined, and declared by the City Council of the City ("City Council") as follows:

a. On April 9, 2007, the City Council enacted Ordinance No. 07-33 ("Ordinance") establishing the Southern Grove Community Development District No. 1 ("SGCDD1") as a community development district pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes ("Act"), and other applicable law, including establishing its external boundaries, among other matters.

b. The external boundaries of the SGCDD1 currently contain approximately 47.469 acres of real property located entirely within the jurisdictional boundaries of the City.

c. Pursuant to Section 190.046(1) of the Act, Mattamy Palm Beach LLC, a Delaware limited liability company, and Port St. Lucie Governmental Finance Corporation, a Florida corporation (together, the "Petitioners"), joined by the Boards of Supervisors of SGCDD1, Southern Grove Community Development District No. 2 ("SGCDD2"), Southern Grove Community Development District No. 3 ("SGCDD3"), Southern Grove Community Development District No. 4 ("SGCDD4"), Southern Grove Community Development District No. 5 ("SGCDD5"), and Southern Grove Community Development District No. 6 ("SGCDD6" and, together with SGCDD1, SGCDD2, SGCDD3, SGCDD4, and SGCDD5, the "Districts"), have filed a Consolidated Petition with the City that, as important here, requests that the City (1) contract the external boundaries of SGCDD1 so that thereafter a total of approximately 15.58 acres of real property will be located within such external boundaries, and (2) amend the Ordinance to reflect the revised external boundaries of SGCDD1 as described in the attached Exhibit "A2."

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d. All lands within SGCDD1 as currently configured and as proposed for contraction in the Consolidated Petition are located entirely within the jurisdictional boundaries of the City.

e. The Consolidated Petition contains the information required by Sections 190.005 and 190.046 of the Act to contract the external boundaries of SGCDD1.

f. The City Council has conducted a public hearing on the Consolidated Petition in accordance with the requirements of Section 190.046(1)(b) and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, among other matters, and hereby finds that:

(1) All statements contained in the Consolidated Petition are true and correct;

(2) The proposed contraction of the external boundaries of SGCDD1 as set forth in the Consolidated Petition will not result in a cumulative net total addition that is either (A) greater than 50 percent of the acres initially located within the boundaries of SGCDD1, or (B) in excess of 1,000 acres;

(3) No real property within the revised external boundaries of SGCDD1 as proposed in the Consolidated Petition will be excluded from SGCDD1;

(4) The contraction of the external boundaries of SGCDD1 as proposed in the Consolidated Petition will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's Comprehensive Plan;

(5) Following the proposed contraction of the external boundaries of SGCDD1, the property comprising SGCDD1 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;

(6) SGCDD1 is the best alternative available for delivering community development services and facilities to the area that, following the contraction proposed in the Consolidated Petition, will be served by SGCDD1;

(7) The community development services and facilities of SGCDD1 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(8) The area that will be served by SGCDD1 is amenable to separate special-district government.

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g. The City Council now desires to grant the request of SGCDD1 by (1) contracting the external boundaries of SGCDD1 in the manner set forth in the Consolidated Petition and (2) amending the Ordinance in the manner set forth in this Ordinance.

Section 3. Grant of Consolidated Petition; Amendment of Ordinance to Establish New Boundaries of SGCDD1. The City hereby grants the request of SGCDD1 as set forth in the Consolidated Petition and the Ordinance is hereby amended to contract the external boundaries of SGCDD1 by deleting Exhibit "A" in its entirety and replacing it with Exhibit "A2" attached to this Ordinance.

Section 4. Conflicts. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.


Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any portion of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Filing with the Department of State. The Clerk be and is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

Section 7. Effective Date. This Ordinance shall become effective immediately upon final adoption.

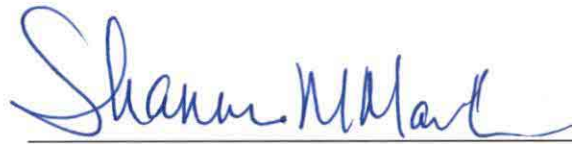
PASSED AND ENACTED by the City Council of the City of Port St. Lucie, Florida, this 14th day of November, 2022.

ATTEST:



Sally Walsh, City Clerk

**CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA**



Shannon M. Martin, Mayor

APPROVED AS TO FORM:



James D. Stokes, City Attorney

1st Reading
Item: 10D
Date:9/26/22

2nd Reading
Item: 8C
Date:11/14/22

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EXHIBIT "A2"

**REVISED EXTERNAL BOUNDARIES OF
SOUTHERN GROVE COMMUNITY DEVELOPMENT DISTRICT NO. 1**

DESCRIPTION: (CDD NO.1)

A PARCEL OF LAND LYING IN SECTIONS 22 AND 27, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING ALL OF PARCEL 25D, SOUTHERN GROVE PLAT NO. 13, AS RECORDED IN PLAT BOOK 74, PAGE 10, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AND EXHIBIT J AS RECORDED IN OFFICIAL RECORDS BOOK 2899, PAGE 2933, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LYING IN SECTIONS 22 AND 27, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 25D; THENCE SOUTH 25°57'22" EAST ALONG THE EASTERLY LINE OF SAID PARCEL 25D, ALSO BEING THE WESTERLY LINE OF VILLAGE PARKWAY RIGHT-OF-WAY, AS RECORDED IN SAID OFFICIAL RECORDS BOOK 2899, PAGE 2933, A DISTANCE OF 1183.58 FEET; THENCE CONTINUE SOUTH 25°57'22" EAST ALONG THE EASTERLY LINE OF SAID EXHIBIT J, A DISTANCE OF 30.05 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID EXHIBIT J, SAID POINT BEING A POINT ON A CURVE CONCAVE THE THE NORTHWEST, HAVING A RADIUS OF 1925.00 FEET AND WHOSE CHORD BEARS SOUTH 65°07'23" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LINE OF EXHIBIT J, THROUGH A CENTRAL ANGLE OF 00°44'39", A DISTANCE OF 25.00 FEET; THENCE CONTINUE ALONG SAID CURVE HAVING A RADIUS OF 1925.00 FEET AND WHOSE CHORD BEARS SOUTH 76°20'15" WEST, THROUGH A CENTRAL ANGLE OF 21°41'05", A DISTANCE OF 728.55 FEET TO A POINT OF NON-TANGENCY, (THE PRECEDING COURSE BEING ALONG THE NORTHERLY RIGHT-OF-WAY OF E/W 3 RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 2899, PAGE 2933, ALSO BEING THE NORTHERLY RIGHT-OF-WAY OF TRACT RW, OF THE PLAT OF DEL WEBB AT TRADITION, AS RECORDED IN PLAT BOOK 75, PAGE 4, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA), SAID POINT ALSO BEING A POINT ON THE WESTERLY LINE OF SAID PARCEL 25D; THENCE NORTH 10°18'26" WEST, A DISTANCE OF 177.67 FEET TO A NON-TANGENT POINT ON A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 8502.29 FEET AND A RADIAL LINE FROM SAID POINT OF NORTH 79°38'59" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF OF 01°45'20", A DISTANCE OF 260.51 FEET TO A POINT OF TANGENCY; THENCE NORTH 08°35'41" WEST, A DISTANCE OF 23.75 FEET; THENCE NORTH 06°33'44" WEST, A DISTANCE OF 615.99 FEET; THENCE NORTH 49°58'54" WEST, A DISTANCE OF 45.03 FEET (THE PRECEDING FIVE COURSES BEING COINCIDENT WITH SAID WESTERLY LINE OF PARCEL 25D) TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL 25D; THENCE NORTH 64°58'12" EAST ALONG SAID NORTHERLY LINE OF PARCEL 25D, A DISTANCE OF 417.52 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 15.58 ACRES MORE OR LESS.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON SEPTEMBER 14, 2020. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 3



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING – LAND SURVEYING
 7900 GLADES ROAD – SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)–392–1991 / FAX (561)–750–1452

**SOUTHERN GROVE AT TRADITION
 CDD NO. 1
 SKETCH OF DESCRIPTION**

DAVID P. LINDLEY
 REGISTERED LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 L.B. 3591

DATE	9/14/2020
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060–CDD1

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR ITS AUTHORIZED ELECTRONIC DIGITAL SIGNATURE AND SEAL.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A PLATTED BEARING OF SOUTH 25°57'22" EAST ALONG THE EAST LINE OF PARCEL 25D (ALSO BEING THE WEST LINE OF VILLAGE PARKWAY) SOUTHERN GROVE PLAT NO. 13, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, ON PAGE 10, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

LEGEND ABBREVIATIONS

- | | |
|---------------------------------------|--------------------------------|
| Δ - DELTA (CENTRAL ANGLE) | PG. - PAGE |
| CB - CHORD BEARING | P.B. - PLAT BOOK |
| CD - CHORD DISTANCE | P.O.B. - POINT OF BEGINNING |
| E - EAST/EASTERLY | P.O.C. - POINT OF COMMENCEMENT |
| ESMT - EASEMENT | PUE - PUBLIC UTILITY EASEMENT |
| F.B. - FIELD BOOK | R - RADIUS |
| FPL - FLORIDA POWER AND LIGHT COMPANY | R.L. - RADIAL LINE |
| IQE - IRRIGATION EASEMENT | R/W - RIGHT-OF-WAY |
| L - ARC LENGTH | S - SOUTH/SOUTHERLY |
| L.B. - LICENSED BUSINESS | W - WEST/WESTERLY |
| N - NORTH/NORTHERLY | WMT - WATER MANAGEMENT TRACT |
| O.R.B. - OFFICIAL RECORDS BOOK | |

SHEET 2 OF 3



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

**SOUTHERN GROVE AT TRADITION
 CDD NO. 1
 SKETCH OF DESCRIPTION**

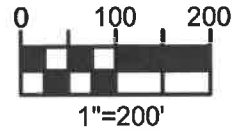
DATE	9/14/2020
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD1

WATER MANAGEMENT
TRACT NO. 1
(P.B. 74, PAGE 10)

P.O.B.

NE CORNER OF PARCEL 25D
(P.B. 74, PAGE 10)

NORTHERLY LINE OF PARCEL 25D
(P.B. 74, PAGE 10)



$N64^{\circ}58'12''E$ 417.52'
 $N49^{\circ}58'54''W$ 45.03'

10' PUE
10' IQE

VILLAGE PARKWAY (TRACT R-1)
O.R.B. 2899, PG. 2933
WESTERLY R/W LINE
OF VILLAGE PARKWAY
AND EAST LINE OF EXHIBIT J
(O.R.B. 2899, PAGE 2933)

SOUTHERN GROVE PLAT NO. 26
(P.B. 84, PAGE 35)

S. LINE SECTION 22
N. LINE SECTION 27

CONSERVATION
TRACT-15
(P.B. 74, PAGE 10)
(P.B. 61, PAGE 17)

WESTERLY LINE OF PARCEL 25D
(P.B. 74, PAGE 10)

15.57 AC
678354 S.F.
(CDD NO.1)
PARCEL 25D
SOUTHERN GROVE PLAT NO. 13
(P.B. 74, PAGE 10)

BEARING BASE
 $S25^{\circ}57'22''E$ 1183.58'

EASTERLY LINE OF PARCEL 25D
(P.B. 74, PAGE 10)

$N08^{\circ}35'41''W$ 23.75'

$R=8502.29'$
 $\Delta=1^{\circ}45'20''$
 $L=260.51'$

R.L.
 $N79^{\circ}38'59''E$

$S14^{\circ}14'30''W$ 38.73'

$S25^{\circ}57'22''E$
30.05'

EXHIBIT J
O.R.B. 2899, PG. 2933

$N10^{\circ}18'26''W$ 177.67'

10' PUE

$CB=S76^{\circ}20'15''W$
 $R=1925.00'$ $\Delta=21^{\circ}41'05''$ $L=728.55'$

$R=1925.00'$
 $\Delta=0^{\circ}44'39''$
 $L=25.00'$
 $CB=S65^{\circ}07'23''W$

O.R.B. 2899, PG. 2933
TRACT RW (P.B 75, PG. 4)

SW MARSHALL PARKWAY

E/W 3 R/W (150' RIGHT-OF-WAY)

DEL WEBB AT TRADITION
(P.B. 75, PAGE 4)

NORTHERLY LINE OF E/W 3 R/W
TRACT RW AND EXHIBIT J
(O.R.B. 2899, PG.2933 & TRACT RW (P.B 75, PG. 4)

SHEET 3 OF 3



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SOUTHERN GROVE AT TRADITION
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DRAWN BY R.A.B.

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO. 8060-CDD1