

ORDINANCE 20-13

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING ORDINANCE NO. 05-19 ENACTED ON APRIL 25, 2005, ESTABLISHING VERANO #2 COMMUNITY DEVELOPMENT DISTRICT, AS AMENDED BY ORDINANCE NO. 06-09 ENACTED ON FEBRUARY 13, 2006, AS FURTHER AMENDED BY ORDINANCE NO. 15-10 ENACTED ON FEBRUARY 23, 2015, IN ORDER TO EXPAND THE BOUNDARIES OF THE DISTRICT; MAKING CERTAIN FINDINGS; DESCRIBING THE REVISED 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

WHEREAS, the City Council (“City Council”) of the City of Port St. Lucie, Florida (“City”), is authorized 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 to expand the boundaries of community development districts established by municipal ordinance and located within the corporate boundaries of the City; and

WHEREAS, on April 25, 2005, the City Council enacted Ordinance No. 05-19 (“Original Ordinance”) to establish the Montage Reserve #2 Community Development District (“District”) as a community development district pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended (“Act”), and other applicable law, including establishing its external boundaries, among other matters; and

WHEREAS, on February 13, 2006, the City Council enacted Ordinance No. 06-09 (“First Amending Ordinance”) amending the Original Ordinance to change the name of the District to Verano #2 Community Development District; and

WHEREAS, on February 23, 2015, the City Council enacted Ordinance No. 15-10 (“Second Amending Ordinance”) expanding the boundaries of the District; and

WHEREAS, the external boundaries of the District currently contain approximately 881.638 acres of real property located entirely within the jurisdictional boundaries of the City; and

WHEREAS, pursuant to Section 190.046(1) of the Act, the Board of Supervisors of the District has submitted a petition (“Petition”) to the City requesting that (i) the boundaries of the District be expanded so that thereafter approximately 2.87 acres of additional real property (“Murphy Parcel”) will be located within the external boundaries of boundaries of the District, and (ii) the City amend the Original Ordinance, as previously amended by the First Amending Ordinance and the Second Amending Ordinance, to reflect the revised boundaries of the District; and

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WHEREAS, the Murphy Parcel was annexed into the municipal limits of the City by Ordinance No. 19-19 enacted by the City on May 28, 2019, and is currently located entirely within the jurisdictional boundaries of the City; and

WHEREAS, the Petition contains the information required by Sections 190.005 and 190.046 of the Act to expand the boundaries of the District; and

WHEREAS, the City has conducted a public hearing on the Petition in accordance with the requirements of Section 190.0046(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 in the Petition are true and correct;
2. Inclusion of the Murphy Parcel within the boundaries of the District 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 the District, or (b) in excess of 1,000 acres;
3. No real property within the revised boundaries of the District as proposed in the Petition will be excluded from the District;
4. Following the proposed amendment of its boundaries, the District 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 amendment of the District's boundaries, the property comprising the District will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;
6. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
7. 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;
8. The area that will be served by the District is amenable to separate special district government; and

WHEREAS, the City now desires to grant the Petition by amending the Original Ordinance, as previously amended, as more fully set forth in this Ordinance; and

WHEREAS, the City Council desires to expand the boundaries of the District in the manner set forth in the Petition and as more fully set forth herein.

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NOW, THEREFORE, THE CITY OF PORT ST. LUCIE, FLORIDA, HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Amendment of Original Ordinance, as Amended, to Establish New Boundaries of the District. The City hereby amends the Original Ordinance, as amended by the First Amending Ordinance and the Second Amending Ordinance, to expand the external boundaries of the District by deleting Exhibit "A2" to the Second Amending Ordinance in its entirety and replacing it with Exhibit "A-3" attached to this Ordinance.

Section 3. Conflicts. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability and Invalid Provisions. The provisions of this Ordinance are intended to be severable. If any provision 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 5. 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 6. Effective Date. This ordinance shall take effect immediately upon final adoption on second reading.

PASSED AND ENACTED by the City Council of the City of Port St. Lucie, Florida, this 24th day of February, 2020

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

ATTEST:



Karen A. Phillips, Clerk

By: 

Gregory J. Oravec, Mayor



APPROVED AS TO FORM:



James D. Stokes, Interim City Attorney

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ORDINANCE EXHIBIT "A-3"

**EXTERNAL BOUNDARIES OF VERANO #2
COMMUNITY DEVELOPMENT DISTRICT**

EXHIBIT "A-3"

LAND DESCRIPTION: VERANO #2 COMMUNITY DEVELOPMENT DISTRICT

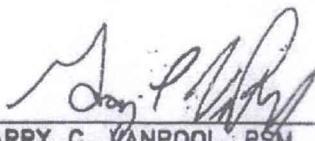
A PORTION OF SECTIONS 28, 29, 32, 33 AND 34, TOWNSHIP 36 SOUTH, RANGE 39 EAST AND SECTIONS 4 AND 5, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILWAY COMPANY "FT. PIERCE CUT OFF" TRACK AS SHOWN ON PAGES V. 3D/6 AND V. 3D/7, DATED FEBRUARY 1, 1950 TRACT CORRECT REVISION DATED APRIL 28, 1967 WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-24 CANAL, AS NOW LAID OUT AND IN USE; THENCE, FROM SAID POINT OF BEGINNING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-24 CANAL, SOUTH 43°08'38" EAST, A DISTANCE OF 11,569.38 FEET TO A POINT ON THE NORTH LINE OF THE O.L. PEACOCK CANAL PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 1745, PAGE 1955 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG SAID NORTH LINE THROUGH THE FOLLOWING SEVEN (7) COURSES, NORTH 89°08'58" WEST, A DISTANCE OF 318.77 FEET; THENCE SOUTH 60°24'31" WEST, A DISTANCE OF 793.61 FEET; THENCE SOUTH 65°05'51" WEST, A DISTANCE OF 762.00 FEET; THENCE SOUTH 70°42'47" WEST, A DISTANCE OF 440.53 FEET; THENCE ALONG SAID EAST LINE, SOUTH 43°58'20" EAST, A DISTANCE OF 57.68 FEET; THENCE, SOUTH 62°44'35" WEST, A DISTANCE OF 967.89 FEET; THENCE SOUTH 76°11'52" WEST, A DISTANCE OF 399.98 FEET TO A POINT ON THE NORTH LINE OF RIGHT-OF-WAY ACQUISITION PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3569, PAGE 1177 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND THE NORTH LINE OF WEST VIRGINIA EXTENSION AS DESCRIBED IN OFFICIAL RECORDS BOOK 2186, PAGE 548 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG SAID NORTH LINE THROUGH THE FOLLOWING THREE (3) COURSES, NORTH 86°26'39" WEST, A DISTANCE OF 259.29 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1575.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°32'55", A DISTANCE OF 537.37 FEET; THENCE SOUTH 74°00'26" WEST, A DISTANCE OF 2112.21 FEET; THENCE NORTH 15°59'36" WEST, A DISTANCE OF 190.59 FEET; THENCE NORTH 03°34'40" WEST, A DISTANCE OF 296.22 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 974.32 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°52'36", A DISTANCE OF 474.05 FEET TO A POINT OF REVERSE CURVATURE WITH A

(DESCRIPTION CONTINUED ON SHEET 2 OF 3)

CERTIFICATION:

THIS SKETCH AND DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.


8/21/19

GARRY C. VANPOOL, PSM
PROFESSIONAL LAND SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 6575

DATE: 08-21-19

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

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EB7917 / LB7062

PROJECT MANAGER RWL	DEPARTMENT MANAGER RWL	SCALE:	CHECKED BY GCY
SHEET TITLE SKETCH OF DESCRIPTION VERANO #2 COMMUNITY DEVELOPMENT DISTRICT		DATE: 08-21-19	DRAWN BY JAF
SHEET 1 of 3		PROJECT NUMBER WF858000	DRAWING NUMBER WF858000-SD11

EXHIBIT "A-3"

THIS IS NOT A SURVEY!

P.O.B.
 PI S.E. R/W LINE FLORIDA EAST
 COAST RAILWAY COMPANY "FT.
 PIERCE CUT OFF" TRACK PER
 PAGES V. 3D/6 & V. 3D/7 DATED
 02-01-50, TRACK CORRECT
 REVISION DATED 04-28-67 WITH
 THE S.W. R/W OF S.F.W.M.D.
 CANAL C-24

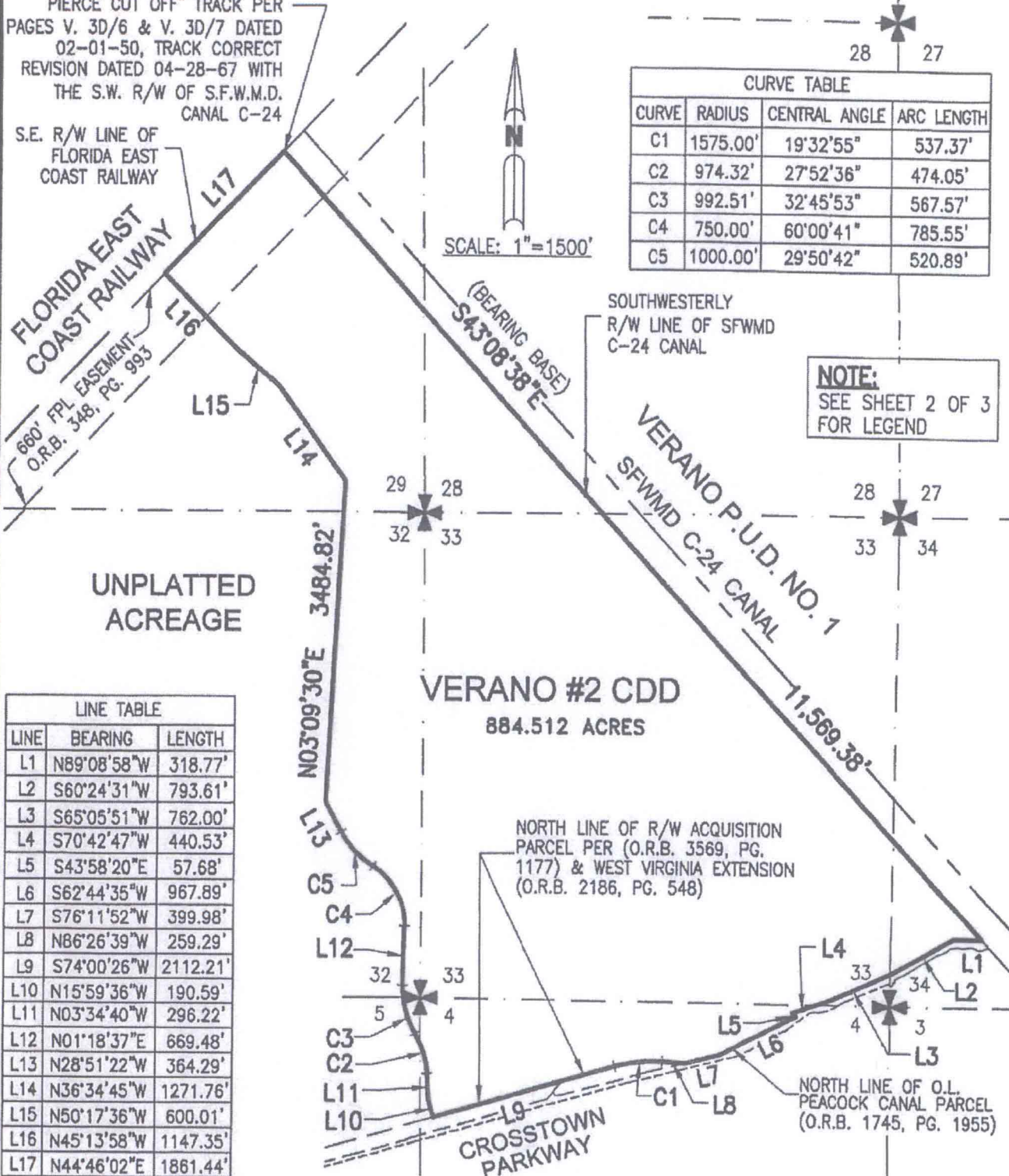
S.E. R/W LINE OF
 FLORIDA EAST
 COAST RAILWAY

FLORIDA EAST
 COAST RAILWAY

CURVE TABLE			
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH
C1	1575.00'	19°32'55"	537.37'
C2	974.32'	27°52'36"	474.05'
C3	992.51'	32°45'53"	567.57'
C4	750.00'	60°00'41"	785.55'
C5	1000.00'	29°50'42"	520.89'

SCALE: 1"=1500'

NOTE:
 SEE SHEET 2 OF 3
 FOR LEGEND



UNPLATTED
 ACREAGE

VERANO #2 CDD
 884.512 ACRES

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°08'58"W	318.77'
L2	S60°24'31"W	793.61'
L3	S65°05'51"W	762.00'
L4	S70°42'47"W	440.53'
L5	S43°58'20"E	57.68'
L6	S62°44'35"W	967.89'
L7	S76°11'52"W	399.98'
L8	N86°26'39"W	259.29'
L9	S74°00'26"W	2112.21'
L10	N15°59'36"W	190.59'
L11	N03°34'40"W	296.22'
L12	N01°18'37"E	669.48'
L13	N28°51'22"W	364.29'
L14	N36°34'45"W	1271.76'
L15	N50°17'36"W	600.01'
L16	N45°13'58"W	1147.35'
L17	N44°46'02"E	1861.44'

NORTH LINE OF R/W ACQUISITION
 PARCEL PER (O.R.B. 3569, PG.
 1177) & WEST VIRGINIA EXTENSION
 (O.R.B. 2186, PG. 548)

NORTH LINE OF O.L.
 PEACOCK CANAL PARCEL
 (O.R.B. 1745, PG. 1955)

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EB7017 / LB7002

PROJECT MANAGER
 RWL
 DEPARTMENT MANAGER
 RWL
 SHEET TITLE
 SKETCH OF DESCRIPTION
 VERANO #2 COMMUNITY
 DEVELOPMENT DISTRICT
 SHEET 3 OF 3

SCALE:
 1"= 1500'
 DATE:
 08-21-19
 PROJECT NUMBER
 WF885000

CHECKED BY
 GCY
 DRAWN BY
 JAF
 DRAWING NUMBER
 WF858000-SD11