

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY**

ORDINANCE NUMBER 789

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING ARTICLE 10. SPECIAL DISTRICTS OF CHAPTER 71. FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE; CREATING DIVISION 1. GENERALLY AND DIVISION 2. INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS AND SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 190.005(2), Florida Statutes, Irongate Indiantown Investors, LLC filed a petition for the establishment of a community development district with the Board of County Commissioners; and

WHEREAS, pursuant to Section 190.005(2), Florida Statutes, the Board of County Commissioners has conducted the required public hearing and considered the statutory factors in making its determination to grant or deny the petition.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA, THAT:

PART 1: CREATION OF ARTICLE 10. SPECIAL DISTRICTS OF CHAPTER 71. FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE

Article 10. Special Districts of Chapter 71. Finance and Taxation, General Ordinances, Martin is hereby created to read as follows:

ARTICLE 10. SPECIAL DISTRICTS

Division 1. Generally

Sections 71.401 – 419. Reserved

Division 2. Indiantown Community Development District

Section 71.420. Established; name.

Pursuant to Chapter 190, Florida Statutes, the Indiantown Community Development District is hereby established.

Section 71.421. Boundaries.

The boundaries of the Indiantown Community Development District are as set forth in Exhibit A, attached hereto and incorporated by reference.

Section 71.422. Initial board of supervisors.

The following five (5) persons are designated to be the initial members of the Board of Supervisors of the Indiantown Community Development District:

Thomas Geer. Kenny, III,

James Padgett

David Powers

Guy Raymond Parker

Scott Watson

Sections 71.423. In addition to the general powers that the District may exercise pursuant to Sec. 190.011 F.S., the District may exercise the special powers authorized by Sec. 190.012 (2)(a) F.S. regarding parks and facilities for indoor and outdoor recreational, cultural and educational uses.

Sections 71.424 – 71.429. Reserved.

PART 2: APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout the unincorporated area of Martin County.

PART 3: CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan, pursuant to Chapter 163, Part II, Florida Statutes.

PART 4: SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void by a court or competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any

provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART 5: FILING WITH THE DEPARTMENT OF STATE.

The clerk shall and be and is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code, Department of State, R.A. Gray Building, Room 101, 500 South Bronough Street, Tallahassee, FL 32399-0250.

PART 6: CODIFICATION.

Provisions of this ordinance shall be incorporated into the Martin County General Ordinances, except that Parts 2 through 7 shall not be codified. The word "ordinance" may be changed to "article", "section" or other word, and the sections of this ordinance may be renumbered or relettered.

PART 7: EFFECTIVE DATE.

The ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED THIS 12 DAY OF February, 2008.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS,
MARTIN COUNTY, FLORIDA**


MARSHA EWING, CLERK


DOUG SMITH, CHAIR

**APPROVED AS TO FORM AND
CORRECTNESS:**


STEPHEN FRY
COUNTY ATTORNEY

Exhibit A

LEGAL DESCRIPTION

(AS PREPARED BY SURVEYOR)

PARCEL 1:

(PROPERTY WITHIN SECTIONS 31 & 32, TOWNSHIP 39 SOUTH, RANGE 39 EAST)

COMMENCE AT A 4"X 4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 31; THENCE NORTH 89°49'20" EAST ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 49.90 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF STATE ROAD 609 (100 FEET WIDE) (ALSO KNOWN AS ALLAPATTAH ROAD) AS NOW LAID OUT AND IN USE, AND THE POINT OF BEGINNING;

THENCE NORTH 89°49'20" EAST, CONTINUING ALONG SAID NORTH LINE A DISTANCE OF 2,608.60 FEET TO A 4"X 4" CONCRETE MONUMENT MARKING THE NORTH QUARTER CORNER OF SAID SECTION 31; THENCE NORTH 89°48'26" EAST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 2,643.62 FEET TO A 4"X 4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 32; THENCE SOUTH 89°42'23" EAST, ALONG THE NORTH LINE OF SAID SECTION 32, A DISTANCE OF 2,658.97 FEET TO A 4"X4" CONCRETE MONUMENT MARKING THE NORTH QUARTER CORNER OF SAID SECTION 32; THENCE SOUTH 00°06'47" EAST, ALONG THE EAST LINE OF THE WEST ONE-HALF (1/2) OF SAID SECTION 32, A DISTANCE OF 5,285.06 FEET TO A POINT ON THE NORTH LINE OF THE PLAT OF "THIRD ADDITION TO INDIANTOWN PARK" AS RECORDED IN PLAT BOOK 5, PAGE 21, OF THE PUBLIC RECORDS OF MARTIN COUNTY FLORIDA; THENCE ALONG THE BOUNDARY LINES OF SAID PLAT, SOUTH 89°53'34" WEST, A DISTANCE OF 681.49 FEET; THENCE SOUTH 00°06'26" EAST, A DISTANCE OF 35.02 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 32; THENCE SOUTH 89°53'29" WEST ALONG SAID SOUTH LINE, DEPARTING SAID PLAT BOUNDARY, A DISTANCE OF 1,963.72 FEET TO A 2 INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE AFOREMENTIONED SECTION 31; THENCE SOUTH 00°15'22" WEST DEPARTING SAID SOUTH LINE, AND ALONG THE EAST LINE OF SECTION 6, TOWNSHIP 40 SOUTH, RANGE 39 EAST, A DISTANCE OF 2,210.97 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF NORTH 150TH AVENUE (65 FEET WIDE)(ALSO KNOWN AS FOURTH STREET) AS NOW LAID OUT AND IN USE, ALSO BEING THE BOOK 3, PAGE 133, AND ALSO BEING THE NORTH LINE OF THE "FIRST ADDITION TO ST. LUCIE VILLAS" AS SHOWN ON THE PLAT THERE OF, AND RECORDED IN BOOK 3, PAGE 133, AND ALSO BEING THE NORTH LINE OF THE "FIRST ADDITION TO ST. LUCIE VILLAS" AS SHOWN ON THE PLAT THERE OF, AND RECORDED IN PLAT BOOK 4, PAGE 1, OF SAID PUBLIC RECORDS; THENCE NORTH 53°40'16" WEST ALONG SAID NORTH LINE AND THE WESTERLY

EXTENSION THEREOF, A DISTANCE OF 1,693.87 FEET TO A POINT ON THE EASTERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 622, PAGE 2070, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE ALONG ASID EAST LINE AND THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 622, PAGE 2070, THE FOLLOWING TWO COURSES; NORTH 36°18'12" EAST, A DISTANCE OF 716.74 FEET; THENCE NORTH 53°42'05" WEST, A DISTANCE OF 800.20 FEET TO A POINT ON THE EASTERLY LINE OF OFFICIAL RECORDS BOOK 1444, PAGE 500, PARCEL "A", OF SAID PUBLIC RECORDS, BEING THE EASTERLY LINE OF INDIANWOOD MOBILE HOME COMMUNITY AND GOLF COURSE; THENCE NORTH 36°21'21" EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 193.92 FEET; THENCE NORTH 00°00'56" EAST CONTINUING ALONG SAID EAST LINE OF OFFICIAL RECORDS BOOK 1444, PAGE 500, AND THE NORTHERLY PROJECTION THEREOF A DISTANCE OF 2,574.64 FEET; THENCE NORTH 89°15'25" WEST, ALONG THE NORTH LINE OF INDIANWOOD GOLF COURSE, A DISTANCE OF 3,801.55 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID STATE ROAD 609 (100 FEET WIDE) AS KNOW LAID OUT AND IN USE; THENCE NORTH 00°05'26" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2,389.88 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 170, PAGE 577, OF SAID PUBLIC RECORDS; THENCE ALONG THE SOUTH, EAST AND NORTH BOUNDARY LINES OF SAID OFFICIAL RECORDS BOOK 170, PAGE 577, THE FOLLOWING THREE COURSES; NORTH 89°49'20" EAST, A DISTANCE OF 158.00 FEET; THENCE NORTH 00°05'26" EAST, A DISTANCE OF 208.00 FEET; THENCE SOUTH 89°49'20" WEST, A DISTANCE OF 158.00 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY OF SAID STATE ROAD 609; THENCE NORTH 00°05'26" EAST, ALONG SAID EAST LINE , A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 791.36 ACRES, MORE OR LESS.

TOGETHER WITH (PARCEL 2):

BEING A PARCEL OF LAND LYING WITHIN SECTION 6, TOWNSHIP 40 SOUTH, RANGE 39 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF THE ROWLAND CANAL AND THE WEST LINE OF THE 1ST ADDITION TO ST. LUCIE VILLAS; THENCE SOUTH 36°20'04" WEST, ALONG SAID WEST LINE AND THE WEST LINE OF PLAT A, A DISTANCE OF 1,021.33 FEET; THENCE, DEPARTING SAID WEST LINES, NORTH 53°40'13" WEST, A DISTANCE OF 739.94 FEET; THENCE SOUTH 50°30'10" WEST, A DISTANCE OF 185.48 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 710 (AKA WARFIELD BOULEVARD); THENCE NORTH 53°40'00" WEST ALONG SAID NORTH LINE, A DISTANCE OF

184.59 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE ROWLAND CANAL; THE FOLLOWING FOUR (4) COURSES BEING ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE, DEPARTING THE AFOREMENTIONED NORTH RIGHT OF WAY LINE, NORTH 53°06'07" EAST A DISTANCE OF 355.51 FEET; THENCE NORTH 76°36'51" EAST, A DISTANCE OF 116.05 FEET; THENCE NORTH 82°39'00" EAST, A DISTANCE OF 860.88 FEET; THENCE NORTH 80°01'43" EAST A DISTANCE OF 245.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.63 ACRES, MORE OR LESS.

AND (PARCEL 3)

ALL OF TRACT "A", OF THE FIRST ADDITION TO ST. LUCIE VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

CONTAINING 0.12 ACRES, MORE OR LESS.

ACREAGE

SECTIONS 31, AND 32..... 791.36±
SECTION 6..... 12.63±
TRACT A..... 0.12±

TOTAL ACRES..... 804.11±

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FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

February 21, 2008

Honorable Marsha Ewing
Clerk of the Circuit Court
Martin County
Post Office Box 9016
Stuart, Florida 34995-9016

RECEIVED
FEB 21 2008
MARTIN COUNTY
CLERK OF CIRCUIT COURT

Attention: Charlotte Burkey, Deputy Clerk

Dear Ms. Ewing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 19, 2008 and certified copies of Martin County Ordinance Nos. 787 through 790, which were filed in this office on February 20, 2008.

As requested, a copy of this letter has been faxed to Ms. Susan F. Lawton at (772) 288-5439.

Sincerely,

Liz Cloud
Program Administrator

LC/jru

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dhs.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

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NOTICE OF PUBLIC HEARINGS

1. Notice is hereby given that the Board of County Commissioners of Martin County will conduct a public hearing on **February 12, 2008** to consider the adoption of an ordinance related to Comprehensive Plan Amendment 07-15, Indiantown Development of Regional Impact.

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT 07-15, INDIANTOWN DRI DENSITY BLENDING, AMENDING THE TEXT OF CHAPTER 4, FUTURE LAND USE ELEMENT, CHAPTER 10, SANITARY SEWER SERVICES ELEMENT, AND CHAPTER 11, POTABLE WATER SERVICES ELEMENT, COMPREHENSIVE GROWTH MANAGEMENT PLAN, MARTIN COUNTY CODE TO ALLOW THE BLENDING OF DENSITIES AND THE EXTENSION OF POTABLE WATER AND SANITARY SEWER SERVICE INTO THE SECONDARY URBAN SERVICE DISTRICT WITHIN THE INDIANTOWN DRI, PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY, PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE.

2. Notice is hereby given that the Board of County Commissioners of Martin County will conduct a public hearing on **February 12, 2008** to consider the adoption of an ordinance related to the Martin County Land Development Regulations. The title of the proposed ordinance is:

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING ARTICLE 10, DEVELOPMENT REVIEW PROCEDURES, OF THE LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; REGARDING DEVELOPMENTS OF REGIONAL IMPACT, PROVIDING FOR APPLICABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

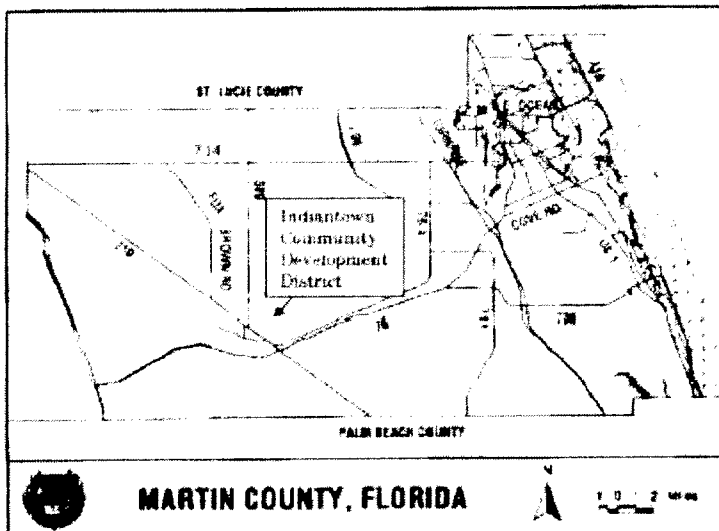
3. Notice is hereby given that the Board of County Commissioners of Martin County will conduct a public hearing on **February 12, 2008** to consider the adoption of an ordinance related to the establishment of the Indiantown Community Development District. The title of the proposed ordinance is:

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING ARTICLE 10, SPECIAL DISTRICTS OF CHAPTER 71, FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE; CREATING DIVISION 1, GENERALLY AND DIVISION 2, INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS AND SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, CODIFICATION AND AN EFFECTIVE DATE.

All interested persons are invited to attend and be heard. The hearings will be conducted at the Martin County Administrative Center, 1st Floor, Commission Room, 2401 S.E. Monterey Road, Stuart, Florida, at 9:00 am or as soon thereafter as the items may be heard. Written comments may be sent to: Nicki van Vontso, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34986. Copies of the items will be available from the Growth Management Department at (772) 288-5495. For more information contact the Growth Management Department at (772) 288-5495.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34986, no later than three days before the meeting date. If you are hearing or voice impaired, please call (772) 288-5940 (TTY text telephone) or 711 for Florida Relay.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, commission, agency, council or advisory group, that person will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.



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