

ORDINANCE NO. 2016- 23

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT, TO BE KNOWN AS THE ARMSTRONG 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, Armstrong Venture, LLC (the "Petitioner"), having obtained written consent to the establishment of the Armstrong 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 limited liability company authorized to conduct business in the State of Florida whose address is 14700 Village Square Place, Midlothian, Virginia, 23112; 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 July 12, 2016; 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 "Armstrong 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 322.28 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 (2015).

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: Roger Arrowsmith
Address: 4800 Lakeshore Drive West
Fleming Island, Florida 32003

Name: Beverly Dubis
Address: 1331 1st Street North, #804
Jacksonville Beach, Florida 32250

Name: Michael Carlo
Address: 4708 Creek Court
St. Johns, Florida 32259

Name: Marilyn Ayers
Address: 1052 Larkspur Loop
St. Johns, Florida 32259

Name: Nancy Klock
Address: 1816 Wind Ridge Court
Fleming Island, Florida 32003

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.

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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 12th day of July, 2016.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

BY: *Diane Hutchings*
Diane Hutchings, Its Chairman

ATTEST:

S. C. Koplousos
S. C. Koplousos
County Manager and Clerk of the
Board of County Commissioners

Bccmemo/edd/armstrong/ordinance 6-2016

Appendix A
[District's External Boundaries]

"ARMSTRONG" PARCEL

A PARCEL OF LAND LYING IN AND BEING PART OF THE NORTH HALF OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY CONTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE, ON THE NORTH LINE THEREOF, SOUTH 87 DEGREES 38 MINUTES 13 SECONDS WEST, 89.09 FEET TO THE WEST RIGHT-OF-WAY LINE OF BRANAN FIELD / CHAFFEE ROAD, A RIGHT-OF-WAY OF VARIED WIDTH, AND THE POINT OF BEGINNING; THENCE, ON SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) SOUTH 00 DEGREES 05 MINUTES 10 SECONDS WEST, 145.51 FEET; THENCE, (2) SOUTH 89 DEGREES 54 MINUTES 50 SECONDS EAST, 14.00 FEET; THENCE, (3) SOUTH 00 DEGREES 05 MINUTES 10 SECONDS WEST, 1458.23 FEET; THENCE, (4) SOUTH 89 DEGREES 54 MINUTES 22 SECONDS EAST, 0.19 FEET; THENCE, (5) SOUTH 00 DEGREES 05 MINUTES 38 SECONDS WEST, 1114.82 FEET TO THE SOUTH LINE OF SAID NORTH HALF OF SECTION 18; THENCE, ON SAID SOUTH LINE, SOUTH 88 DEGREES 58 MINUTES 47 SECONDS WEST, 5278.43 FEET TO THE WEST LINE OF SAID SECTION 18; THENCE, ON SAID WEST LINE, NORTH 00 DEGREES 12 MINUTES 08 SECONDS WEST, 2594.82 FEET TO THE NORTH LINE OF SAID SECTION 18; THENCE, ON SAID NORTH LINE, NORTH 87 DEGREES 38 MINUTES 13 SECONDS EAST, 5281.27 FEET TO THE POINT OF BEGINNING. CONTAINING 322.28 ACRES, MORE OR LESS.

STATE OF FLORIDA DEPARTMENT OF STATE

I, **KEN DETZNER**, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Clay County Ordinance No. 2016-23, which was filed in this office on July 15, 2016, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

**Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
18th day of July, A.D., 2016.**



Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2" x 11" document.