ORDINANCE NO. 2023 - 22

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING CLAY COUNTY ORDINANCE 2017-9, WHICH ESTABLISHED THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT IN ORDER TO AMEND AND EXPAND THE BOUNDARIES OF THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2022); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals

WHEREAS, on February 28, 2017, the Board of County Commissioners of Clay County ("County") established the Wilford Preserve Community Development District ("District") by enacting Ordinance No. 2017-9; and

WHEREAS, the District has petitioned the County to enact an ordinance which will amend the boundaries of the District by expanding the boundaries to include approximately 86.55 acres; 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 County on June 13, 2023, and subsequently continued to July 11, 2023; and

WHEREAS, upon consideration of the record established at those hearings, the County determined that the statements within the Petition were true and correct, that the amendment of the District's boundaries is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan, that the land within the District as amended is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District as amended is the best alternative available for delivering community development services and facilities to the area served by the District, that the services and facilities of the amended District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area to be served by the amended District is amenable to separate special-district governance; and

WHEREAS, amendment of the District boundaries will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

WHEREAS, amendment of the District's boundaries shall not act to amend any land development approvals governing the land area to be included within the District.

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 (2022). Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District as amended.

Section 2. Amendment; External Boundaries of the District. Clay County Ordinance No. 2017-9 is hereby amended to reflect the external boundaries of the District as described in **Composite Exhibit A** attached hereto, with the overall District now containing 342.55 acres, more or less.

Section 3. 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 4. 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 11th day of July, 2023.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

BY: Betsy Condon (Jul 14, 2023 08:49 EDT)
Betsy Condon, Its Chairman

ATTEST:

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

Composite Exhibit A
[District's External Boundaries]

A parcel of land consisting of a portion of Section 3, 4, 9, 10 and 11, Township 4 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the most southerly corner of Tract "G", Spencers Plantation Unit One, according to plat thereof recorded in Plat Book 45, pages 13 through 20 of the public records of said county; thence South 05 degrees 09 minutes 12 seconds East, 251.88 feet to the point of beginning; thence South 58 degrees 47 minutes 50 seconds East, 964.55 feet; thence South 09 degrees 03 minutes 07 seconds East, 876.02 feet; thence South 17 degrees 40 minutes 28 seconds West, 1562.09 feet; thence South 60 degrees 34 minutes 06 seconds West, 1475.42 feet; thence North 71 degrees 39 minutes 13 seconds West, 2471.21 feet; thence North 89 degrees 51 minutes 41 seconds West, 402.10 feet; thence North 41 degrees 04 minutes 47 seconds West, 158.91 feet; thence North 89 degrees 31 minutes 02 seconds West, 1121.27 feet to the east line of a 100 foot wide Clay Electric Cooperative Easement as per Official Records Book 118, page 598 of said public records; thence on said east line, North 00 degrees 13 minutes 37 seconds West, 100.01 feet; thence South 89 degrees 31 minutes 02 seconds East, 1084.08 feet; thence North 30 degrees 53 minutes 12 seconds East, 1286.69 feet; thence North 34 degrees 12 minutes 47 seconds East, 599.59 feet; thence North 23 degrees 36 minutes 45 seconds East, 506.58 feet; thence North 46 degrees 47 minutes 25 seconds East, 285.31 feet; thence South 90 degrees 00 minutes 00 seconds East, 640.00 feet to the southwesterly line of Spencers Plantation Unit Two, according to plat thereof recorded in Plat Book 47, pages 43 through 48 of said public records; thence on said southwesterly line, South 33 degrees 58 minutes 12 seconds East, 377.99 feet to a southeasterly line thereof; thence on said southeasterly line, North 66 degrees 03 minutes 51 seconds East, 1560.63 feet to the point of beginning; being 256.0 acres, more or less, in area.

TOGETHER WITH:

A parcel of land being a portion of Tracts "T" and "T-2", Wilford Preserve Unit 2A according to Plat Book 64, pages 16 through 26, of the Public Records of Clay County, Florida, together with all of Tract "T-2", Wilford Preserve Unit 2B according to Plat Book 64, pages 27 through 37, of said Public Records, also together with a portion of Sections 9 and 10, Township 4 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

BEGIN at the Southwesterly corner of Tract "E", according to plat of Cheswick Oak Avenue, as recorded in Plat Book 62, pages 66 through 70, of said Public Records; thence along the Southerly line of said Tract "E", S89°31'02"E, 550.00 feet to the Southeasterly corner thereof; thence along the Easterly line of said Tract "E", and then along the Easterly lines of Tracts "D" and "C", according to said plat of Cheswick Oak Avenue, N00°13'37"W, 250.00 feet to the Northeasterly corner of last said Tract; thence along the Southerly line of Tract "X", said Wilford Preserve Unit 2B, S89°31'02"E, 471.27 feet to the most Westerly corner of Tract "V", said Wilford Preserve Unit 2B; thence along the Southwesterly line of said Tract "V", and then along the Southwesterly line of Tract "V-1", said Wilford Preserve Unit 2B, S41°04'37"E, 158.91 feet to the Southerly line of last said Tract; thence along said line, and then along the Southerly line of Tract "T", said Wilford Preserve Unit 2B, S89°51'41"E, 402.10 feet to the most Westerly corner of said Tract "T-2", Wilford Preserve Unit 2B; thence along the Northerly line of said Tract "T-2", run the following 4 courses: 1) N27°39'46"E, 118.07 feet; 2) S80°58'49"E, 274.50 feet; 3) N79°32'07"E, 267.78 feet; 4) S73°33'36"E, 261.87 feet to the Northeasterly corner of last said Tract "T-2"; thence departing said Northerly line, S41°24'40"E, 566.94 feet; thence S00°44'00"E, 950.67 feet to the Northerly line of that certain 80 foot power line right-of-way easement described in Official Records Book 283, page 179, of said Public Records; thence along said Northerly line of 80 foot power line right-of-way easement, S89°16'00"W, 1389.75 feet to the Easterly line of that certain 100 foot power line right-of-way easement described in Official Records Book 281, page 481, of said Public Records; thence along said Easterly line, N00°05'50"W, 10.00

feet to the Northeasterly corner of said easement; thence along the Northerly line of said easement, S89°16'00"W, 1,572.45 feet; thence departing said line, N00°13'37"W, 719.07 feet; thence N89°46'31"E, 157.27 feet; thence S00°19'03"E, 100.00 feet; thence N89°46'31"E, 103.72 feet; thence N53°48'31"E, 293.25 feet; thence N36°11'29"W, 486.88 feet to the Easterly line of that certain 100 foot right-of-way easement described in Official Records Book 118, page 589, as relocated by Official Records Book 4443, page 1316 and Official Records Book 4450, page 325, all of said Public Records; thence along said Easterly line, N00°13'37"W, 60.82 feet to the POINT OF BEGINNING of the parcel herein described.

Containing 86.55 acres, more or less.

Said lands situated, lying and being in Clay County, Florida.

OVERALL TOTAL ACREAGE: 342.55 ACRES, MORE OR LESS

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 21, 2023

Honorable Howard Wanamaker
County Manager and Clerk of the Board
Clay County
477 Houston Street
Green Cove Springs, FL 32043

Attention: Lisa Osha

Dear Howard Wanamaker:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Clay County Ordinance No. 2023-22, which was filed in this office on July 21, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh