



FLORIDA DEPARTMENT OF STATE  
**Sue M. Cobb**  
Secretary of State  
DIVISION OF LIBRARY AND INFORMATION SERVICES

May 26, 2006

Honorable Edwin M. Fry, Jr.  
Clerk of the Circuit Court  
St. Lucie County  
Post Office Drawer 700  
Fort Pierce, Florida 34954

Attention: Millie Delgado-Feliciano, Deputy Clerk

Dear Mr. Fry:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of certified copies of St. Lucie County Ordinance Nos. 06-014 and 06-016, which were filed in this office on May 26, 2006.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/mp

ORDINANCE NO. 06-016

AN ORDINANCE AMENDING CHAPTER 1-6.5 "COMMUNITY DEVELOPMENT" OF THE CODE OF ORDINANCES OF ST. LUCIE COUNTY, FLORIDA; ESTABLISHING THE WATERSTONE COMMUNITY DEVELOPMENT DISTRICT; ESTABLISHING THE BOUNDARIES OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING POWERS; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR CODIFICATION; AND SETTING FORTH THE VOTE ON ADOPTION.

2006 MAY 26 AM 10:55  
TALLAHASSEE, FLORIDA

FILED

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, based on the testimony and evidence, including, but not limited to the staff report, has made the following determinations:

1. The Board is authorized, pursuant to Sections 125.01 and 190.005, Florida Statutes, to establish community development districts that are less than 1,000 acres in size and located within the unincorporated areas of the County.

2. Port Richey Village Investments, LLC, has filed with the Board a petition for the establishment of a community development district, which petition contains the information required by Section 190.005(1)(a), Florida Statutes.

3. In accordance with Section 190.005(1)(d) and 2(b), Florida Statutes, the Board held a public hearing on May 16, 2006, after publishing notice of such hearing in the Tribune on April 19 and 26, and May 3 and 10, 2006 and:

(a) The Board has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), Florida Statutes, and has found that:

(b) All statements contained within the petition are true and correct;

(c) The creation of this district is consistent with all applicable elements and portions of the state comprehensive plan and the effective local government comprehensive plan;

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(d) The area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;

(e) The district is the best alternative available for delivering the community development services and facilities to the area that will be served by the district;

(f) The community development services and facilities for the district will be compatible with the capacity and uses of the existing local and regional community development services and facilities; and,

(g) The area that will be served by the district is amenable to separate special district government.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St. Lucie County, Florida:

**PART A. ARTICLE XII OF CHAPTER 1-6.5 "COMMUNITY DEVELOPMENT" OF THE CODE OF ORDINANCES OF ST. LUCIE COUNTY, FLORIDA, AS AMENDED TO READ:**

**ARTICLE XIV "WATERSTONE" COMMUNITY DEVELOPMENT DISTRICT":**

**Section 1-6.5-159. Established; name**

The Waterstone Community Development District is hereby established.

**Section 1-6.5-160. Boundaries**

The boundaries of the Waterstone Community Development District are as set forth in the legal description below.

Waterstone CDD - Legal Description

**See Exhibit "A" attached hereto and incorporated herein.**

**Section 1-6.5-161 Initial Board of Supervisors**

The following five persons are designated as the initial members of the Board of Supervisors of the Waterstone Community Development District: John C. Bower, Craig Edwards, Scott Nickle, Jon Mott and Randall A. Cave.

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**Section 1-6.5-162. Powers**

The Waterstone Community Development District shall have all those general powers granted pursuant to Section 190.011, and those special powers granted pursuant to Section 190.012 (1) and (3). Consent is hereby given to the District to exercise those powers relating to Recreation and Security contained in Section 190.012 (2)(a) and (d), subject to the following limitations.

1. The Waterstone Community Development District shall not provide water or wastewater service to the lands located within or outside the boundaries of the District.
2. The Waterstone Community Development District shall not be authorized to construct fire stations or provide for fire trucks or other vehicles and equipment related thereto.

**Section 1-6.5-163 Special Conditions**

1. The Waterstone Community Development District will use its best efforts to develop in an integrated fashion the traffic circulation, water, and sewer facilities on the district property as one functional interrelated community.
2. The Waterstone Community Development District shall take no action which is inconsistent with the comprehensive plan, ordinances or regulations of St. Lucie County.
3. No publicly owned property that may be located or acquired within the legal description of this Community Development District shall be assessed for, or obligated in any way to pay for the infrastructure constructed, maintained, or operated by the Community Development District described in section 1.6-5.151 above.
4. The Waterstone Community Development District shall take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to real property undertaken by the district. Such information shall be made available to all existing residents, and to all prospective residents, of the district. The district shall furnish each developer of a residential development within the district with sufficient copies of that information to provide each prospective initial purchaser of property in that development with a copy, and any developer of a residential development within the district, when required by law to provide a public offering statement, shall include a copy of such information relating to the public financing and maintenance of improvements in the public offering statement.
5. Following the establishment of the Waterstone Community Development District, as provided for in Sections 1-6.5-159 and 1-6.5-160 above, each contract for the initial sale of a parcel of real property and each contract for the initial sale of a residential unit within the

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District shall include, immediately prior to the space reserved in the contract for the signature of the purchaser, the following disclosure statement in boldfaced and conspicuous type which is larger than the type in the remaining text of the contract: "THE (Name of District) COMMUNITY DEVELOPMENT DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY, THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

**PART B. CONFLICTING PROVISIONS.**

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

**PART C. SEVERABILITY.**

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

**PART D. APPLICABILITY OF ORDINANCE.**

This ordinance shall be applicable throughout St. Lucie County's jurisdiction.

**PART E. 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.

**PART F. EFFECTIVE DATE.**

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

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**PART G. ADOPTION.**

After motion and second, the vote on this ordinance was as follows:

Chairman Douglas Coward	AYE
Vice Chairman Chris Craft	AYE
Commissioner Joseph E. Smith	AYE
Commissioner Paula A. Lewis	AYE
Commissioner Frannie Hutchinson	AYE

**PART H. CODIFICATION.**

Provisions of this ordinance shall be incorporated in the Code of Ordinances of St. Lucie County, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts B through H shall not be codified.

**PASSED AND DULY ADOPTED** this 16th day of May, 2006.

**ATTEST:**

*Jammy B. Miller*  
Deputy Clerk



**BOARD OF COUNTY COMMISSIONERS  
ST. LUCIE COUNTY, FLORIDA**

**BY:**

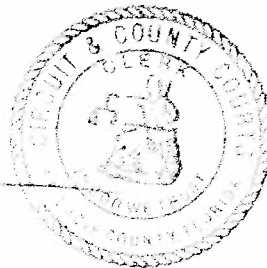
*Douglas Coward*  
Chairman

**APPROVED AS TO FORM AND  
CORRECTNESS**

*Edwin M. Fry, Jr.*  
County Attorney

STATE OF FLORIDA  
ST. LUCIE COUNTY  
THIS TO CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY OF THE  
ORIGINAL

EDWIN M. FRY, JR. 2007  
By *Edwin M. Fry, Jr.*  
Deputy Clerk  
Date 5/25/06



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**EXHIBIT "A"**

The North 1/2 of the NW 1/4 of Section 14, Township 34 South, Range 39 East, St. Lucie County, Florida, LESS AND EXCEPT the South 50 acres thereof, and LESS AND EXCEPT the East 80 feet and the West 95 feet thereof for road and canal rights of way.

TOGETHER WITH:

The SW 1/4 of Section 11, Township 34 South, Range 39 East, St. Lucie County, Florida, LESS AND EXCEPT the East 80 feet and the West 95 feet thereof for road and canal rights of way.

TOGETHER WITH:

The South 50 acres of the North 1/2 of the NW 1/4 of Section 14, Township 34 South, Range 39 East, St. Lucie County, Florida, LESS AND EXCEPT the East 80 feet and the West 95 feet thereof for road and canal rights of way.

TOGETHER WITH:

The N 1/2 of the N 1/2 of the SW 1/4 of the NW 1/4 and the N 1/2 of the N 1/2 of the SE 1/4 of the NW 1/4 and the S 1/2 of the NW 1/4 of the SW 1/4 of the NW 1/4 of Section 14, Township 34 South, Range 39 East; said land lying and being in St. Lucie County, Florida.

LESS AND EXCEPTING therefrom the following described property:

The East 1780 feet of that portion of the N 1/2 of the N 1/2 of the SW 1/4 of the NW 1/4; and the N 1/2 of the N 1/2 of the SE 1/4 of the NW 1/4; and the S 1/2 of the NW 1/4 of the SW 1/4 of the NW 1/4 of Section 14, Township 34 South, Range 39 East, St. Lucie County, Florida, lying west of the Fort pierce Farms Water Management District Canal Number 5, the said East 1780 feet being measured along the north and south lines of the above described parcel.

Said lands lying and being in St. Lucie County, Florida, and containing 240.067 acres, more or less.

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