

ORDINANCE NO. 22-30

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ESTABLISHING THE LAKE HARRIS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR AUTHORITY AND POWER OF THE DISTRICT; ESTABLISHING THE DISTRICT; PROVIDING FOR THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR THE DISTRICT BUDGET; PROVIDING FOR FUNCTIONS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Hanover 623 Holdings, LLC (“**Petitioner**”), having obtained written consent to the establishment of the District (hereinafter defined) by the owner of one hundred percent (100%) of the real property to be included in the District, has filed a Petition to Establish the Lake Harris Community Development District (“**Petition**”) with the City Commission of the City of Leesburg, Florida (“**City Commission**”) pursuant to Section 190.005(2)(e), *Florida Statutes*, as amended, to adopt an ordinance establishing the Lake Harris Community Development District (“**District**”) pursuant to Chapter 190, *Florida Statutes*, as amended; 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 City of Leesburg, Florida (“**City**”), pursuant to Section 190.005(2)(b) and 190.005(1)(d), *Florida Statutes*, as amended; and

**WHEREAS**, upon consideration of the record established at that hearing, the City Commission has considered the record of the public hearing and the statutory factors set forth in section 190.005(2)(c) and 190.005(1)(e), *Florida Statutes*, as amended, in making its determination to grant or deny the Petition; and

**WHEREAS**, the City, in determining whether to establish the District, has considered and finds that all statements contained in the Petition are true and correct; and

**WHEREAS**, the City has considered and finds that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the City Comprehensive Plan; and

**WHEREAS**, the City has considered and finds that the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional interrelated community; and

**WHEREAS**, the City has considered and finds that 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; and

**WHEREAS**, the City has considered and finds that the community development services and facilities of the District will not be incompatible with the capacity and uses of exiting local and regional community development services and facilities; and

**WHEREAS**, the City has considered and finds that the area that will be served by the District is amenable to separate special-district government; and

**WHEREAS**, pursuant to the information as stated above, the City Commission has decided to grant the District's Petition to establish the Lake Harris Community Development District.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AS FOLLOWS:**

**SECTION 1. RECITALS.** The above recitals are adopted as Findings of Fact in support of this Ordinance.

**SECTION 2. AUTHORITY.** This ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, *Florida Statutes*, as amended.

**SECTION 3. DISTRICT NAME.** There is hereby established a Community Development District situated entirely within the incorporated limits of the City of Leesburg, Florida, which District shall be known as the "Lake Harris Community Development District."

**SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT.** The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated herein by reference, the overall boundaries encompassing 162.53 acres, more or less.

**SECTION 5. FUNCTIONS AND POWERS.** The powers and functions of the District are described in Chapter 190, *Florida Statutes*, as may be amended from time to time. The Charter of the District shall be as set forth in Chapter 190, *Florida Statutes*, as amended, as created by general law. The City further consents to the District's exercise of special powers described in 190.012(2)(a) and 190.012(2)(d), *Florida Statutes*, as may be amended from time to time.

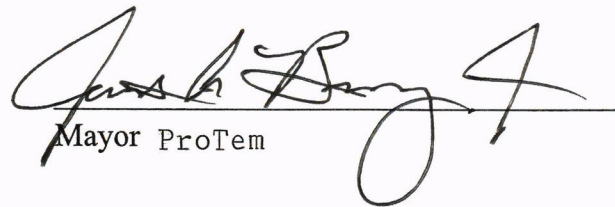
**SECTION 6. BOARD OF SUPERVISORS.** The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Anthony Iorio; Jason Lomas; Doug Beasley; Duane "Rocky" Owen; and Thomas Franklin, Sr. All of the persons in the preceding sentence are residents of the State of Florida and citizens of the United States of America.

**SECTION 7. 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 8. EFFECTIVE DATE.** This ordinance shall take effect upon its passage and adoption pursuant to general law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 25th day of April 2022.

**THE CITY OF LEESBURG, FLORIDA**

  
Mayor ProTem

ATTEST:

  
City Clerk

## EXHIBIT A

A parcel of land located in the East half of Section 18 and the Northeast quarter of Section 19, in Township 20 South, Range 25 East, Lake County, Florida. Said parcel being more particularly described as follows:

Commence at the East quarter corner of Section 18, Township 20 South, Range 25 East, thence along the East line of the Southeast quarter of Section 18 run South  $44^{\circ} 55' 10''$  West, 174.53 feet; thence North  $59^{\circ} 21' 38''$  West, 103.86 feet to the Point of Beginning; thence South  $00^{\circ} 18' 13''$  West, 28.97 feet; thence South  $59^{\circ} 21' 47''$  East, 28.97 feet to the Westerly right of way line of No 2 Road; thence along the Westerly right of way line the following three courses; South  $00^{\circ} 16' 09''$  West, 352.23 feet; thence South  $19^{\circ} 19' 06''$  East, 37.40 feet; South  $00^{\circ} 09' 16''$  East, 774.78 feet to the North line of the South half of the Southeast quarter of said Section 18; thence along said North line run North  $89^{\circ} 11' 38''$  West, 532.64 feet; thence leaving said North line run South  $45^{\circ} 49' 11''$  West, 140.01 feet to the West line of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 18; thence along the said West line run South  $00^{\circ} 49' 40''$  West, 565.30 feet to the South line of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 18; thence along the South line run South  $89^{\circ} 12' 09''$  East, 410.43 feet to the Westerly right of way line of No. 2 Road; said point being on a curve concave Easterly, having a radius of 465.00 feet, a central angle of  $40^{\circ} 31' 07''$  and a chord of 322.03 feet that bears South  $06^{\circ} 17' 03''$  East; thence along the arc of said curve and said Westerly right of way a distance of 328.84 feet to the point of tangency;

Thence continue along said Westerly right of way the following two courses; run South  $26^{\circ} 32' 36''$  East, 222.98 feet to the point of curvature of a curve to the right, having a radius of 760.00 feet, a central angle of  $27^{\circ} 58' 08''$  and a chord of 367.32 feet that bears South  $12^{\circ} 33' 32''$  East; thence along the arc of said curve a distance of 370.99 feet to the point of tangency; thence South  $01^{\circ} 25' 32''$  West, 451.56 feet to the South line of the North half of the Northeast quarter of the Northeast quarter of Section 19, Township 20 South, Range 25 East; thence along the South line run North  $89^{\circ} 12' 08''$  West, 1296.66 feet to the West line of the South half of the Northeast quarter of the Northeast quarter of Section 19, Township 20 South, Range 25 East; thence along said West line run South  $00^{\circ} 53' 24''$  West, 662.10 feet to the South line of the North 1 quarter of the Northeast quarter of Section 19; thence along the South line run North  $89^{\circ} 11' 15''$  West, 1329.02 feet to the West line of the Northeast quarter of Section 19; thence along said West line run North  $00^{\circ} 02' 23''$  East, 1323.53 feet to the North quarter corner of Section 19, also being the South quarter corner of the aforesaid Section 18; thence along the West line of the Southeast quarter of Section 18 run North  $00^{\circ} 33' 16''$  East, 1329.60 feet to the North line of the South half of the Southeast quarter of Section 18; thence along the North line run South  $89^{\circ} 11' 17''$  East, 1994.70 feet to the East line of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 18; thence along the East line run North  $00^{\circ} 50' 19''$  East, 664.29 feet to the North line of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 18; thence along the North line run North  $89^{\circ} 10' 24''$  West, 665.83 feet to West line of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 18; thence along the West line run North  $00^{\circ} 45' 05''$  East, 689.46 feet to the East line of Rumford Road, a.k.a. County District Road No 2-3220, as maintained at the edge of pavement on August 15, 2021; thence along the East line of Rumford Road the following eight courses; thence North  $14^{\circ} 17' 25''$  East, 5.23 feet; thence North  $21^{\circ} 41' 22''$  East, 45.63 feet; thence North  $26^{\circ} 36' 21''$  East, 51.50 feet; thence North  $26^{\circ} 56' 12''$  East, 51.79 feet; thence North

27° 29' 30" East, 116.04 feet; thence North 26° 48' 23" East, 67.20 feet; thence North 26° 38' 09" East, 59.46 feet; thence North 26° 47' 09" East, 56.05 feet; thence North 26° 05' 08" East, 38.32 feet to the South right of way line of County Road No. 48; thence along the South line run South 59° 21' 38" East, 1189.78 feet to the Point of Beginning.

Said parcel contains 162.53 acres, more or less.