

PROPOSED ORDINANCE NO. 14 - 01
ORDINANCE NO. 2876

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA; TITLE IV COMMUNITY RELATION; RECREATION FACILITIES AND EDUCATIONAL FACILITIES BENEFIT DISTRICT; SECTION 4-3-3 AMENDING THE BOUNDARIES OF THE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA IN LAWFUL SESSION ASSEMBLED AS FOLLOWS:

SECTION 1. FINDINGS.

WHEREAS, by enactment of Ordinance No. 2447 (as amended from time to time, and particularly as amended by Ordinance No. 2478, and as codified in Chapter 4-3 of the Code of the City, the "District Ordinance"), the City Commission of Kissimmee (the "City") created the Flora Ridge Educational Facilities Benefit District (the "District") to provide for the timely construction and maintenance of school facilities; and

WHEREAS, the District Ordinance provides for the powers and governance of the District and defines the District boundaries; and

WHEREAS, Section 4-3-3 of the District Ordinance further provides that the District boundaries may be amended upon written consent of the School District of Osceola County (the "School Board"), any landowner whose land is included therein and adoption of an ordinance by the City; and

WHEREAS, the Flora Ridge Funding Agreement dated as of October 17, 2006 among the District, the School Board, Intervest Construction of Orlando, Inc., Regional Development Group, Inc., Dyer Boulevard LLC and Carroll Street Properties LLC, recorded in OR Book 4332, Page 1633-1674 of the Public Records of Osceola County, Florida, provides for, among other things, the agreement and consent of the parties thereto to the annexation of certain real property described therein as the "Bronson Parcel" into the boundaries of the District, and

WHEREAS, this Ordinance is enacted pursuant to Section 4-3-3 of the District Ordinance in order to amend the District boundaries to include the Bronson Parcel.

SECTION 2. AMENDED BOUNDARIES.

The boundaries of the Flora Ridge Educational Facilities Benefit District, as amended to include the Bronson Parcel, are set forth in the legal description contained in the attached Exhibit "A." The legal description contained in Exhibit "A" of this Ordinance shall supplant and replace Exhibit "A" of Ordinance No. 2478.

SECTION 3. All Ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall take effect immediately upon its passage.

Commissioner Alvarez moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner Grieb and upon roll call on the motion the vote was as follows:

AYES:		NAYS:
Commissioner Alvarez	AYE	
Commissioner Rentas	AYE	
Commissioner Shaw	AYE	
Commissioner Grieb	AYE	
Mayor Swan	AYE	

Said motion having been duly carried, thereupon, Mayor Swan, declared said Ordinance duly passed and adopted this 18th day of February 2014.

ATTEST:



Desiree Matthews, City Clerk



Jim Swan, Mayor

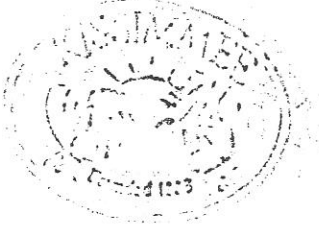


EXHIBIT "A"

**DESCRIPTION OF THE LANDS ENCOMPASSED BY
THE FLORA RIDGE EDUCATIONAL FACILITIES BENEFIT DISTRICT**

This Exhibit A is a description of lands encompassed by the Flora Ridge Educational Facilities Benefit District and includes the following descriptions of the Intervest Benefited Property, the Transeastern Benefited Property, the Kelley Benefited Property and the Bronson Parcel.

DESCRIPTION OF INTERVEST BENEFITED PROPERTY

Being those certain lands described in Corrective Special Warranty Deed recorded in Official Record Book 2096, at Page 2381, Public Records of Osceola County, Florida; and Special Warranty Deed recorded in Official Record Book 2096, at Page 2388, Public Records of Osceola County, Florida, and Special Warranty Deed recorded in Official Record Book 2096 at Page 2401, Public Records of Osceola County, Florida, and

The lands encompassed by Crestwood Subdivision, (a replat of Tract 1 of Weston Reserve), according to the plat recorded in Plat Book 13, at Pages 60-63, Public Records of Osceola County, Florida, and

The lands encompassed by Windsor Point Subdivision (a replat of Tract 3 of Weston Reserve), according to the plat recorded in Plat Book 13, at Pages 64 and 65, Public Records of Osceola County, Florida, and

The lands encompassed by Forest Edge Subdivision (a replat of Tract 5 of Weston Reserve), according to the plat recorded in Plat Book 13, at Pages 66 and 67, Public Records of Osceola County, Florida, and

LESS AND EXCEPTING FROM ALL OF THE FOREGOING DESCRIBED LANDS THE FOLLOWING DESCRIBED LOTS OR PARCELS:

Lots 4, 7, 8, 9, 10, 14, 15, 16, 20, 26, 36, 38, 41, and 64, Crestwood Subdivision, (a replat of Tract 1 of Weston Reserve), according to the plat recorded in Plat Book 13, at Pages 60-63, Public Records of Osceola County, Florida, and

Lots 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 106, 107, 109, 110, 111, 112, 113, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, and 131, Windsor Point Subdivision (a replat of Tract 3 of Weston Reserve), according to the plat recorded in Plat Book 13, at Pages 64 and 65, Public Records of Osceola County, Florida, and

Lots 138, 139, 140, 141, 142, 149, 150, 151, 152, 155, 156, 162, 163, 175, 176, 177, 178, 179, and 181, Forest Edge Subdivision (a replat of Tract 5 of Weston Reserve), according to the plat recorded in Plat Book 13, at Pages 66 and 67, Public Records of Osceola County, Florida, and

That part of Tract "K", according to the Plat of Eagle's Reserve, as recorded in Plat Book 10, Pages 22 through 25, said Land lies in the Northeast Quarter of Section 5, Township 25 south, Range 29 East, City of Kissimmee, Osceola County, Florida, being more particularly described as follows:

Begin at the Northeast corner of Tract "K" of said Plat of Eagle's Reserve, and a point on the Westerly Right-of-Way line of Dyer Boulevard South, according to said Plat of Eagle's Reserve, said point being a point on a curve, concave Easterly, having a radius of 656.00 feet, a chord bearing of South 01°21'05" East and a chord of 40.02; thence run Southerly along arc of said curve a distance of 40.02 feet through a central angle of 3°29'45" to a point of tangency; thence run south 03°06'02" East, still along said Right-of-Way line, a distance of 335.00 feet to a point of curvature of a curve concave Northwesterly, having a radius of 25.00 feet, a chord bearing of South 41°53'58" West and a chord of 35.36 feet; thence run Southerly and Southeasterly, still along said Right-of-Way line, along the arc of said curve a distance of 39.27 feet through a central angle of 90°00'00" to a point lying on the Northerly existing Right-of-Way line of Osceola Parkway, as recorded in Official Records Book 1360, Page 1242; thence run South 86°54'12" West along said Right-of-Way line a distance of 439.84 feet; thence departing said North Right-of-Way line, run North 03°05'27" West, a distance of 231.47 feet; thence run North 44°36'35" East, a distance of 12.11 feet; thence run North 36°56'43" East, a distance of 49.46 feet; thence run North 18°17'02" East, a distance of 19.44 feet; thence run North 05°56'47" East, a distance of 30.69 feet; thence run North 11°19'39" West, a distance of 69.03 feet; thence run North 16°19'50" West, a distance of 5.99 feet, to a point of the North line of Tract "K"; thence run North 86°54'31" West, along said North line a distance of 424.58 feet, to the Point of Beginning.

DESCRIPTION OF TRANSEASTERN BENEFITED PROPERTY

Being those certain lands described in Special Warranty Deed recorded in Official Record Book 2103, at Page 1562, Public Records of Osceola County, Florida.

DESCRIPTION OF KELLEY BENEFITED PROPERTY

Being the following described lands:

A parcel of land lying in Section 5 and 8, Township 25 South, Range 29 East, City of Kissimmee, Osceola County, Florida and being more particularly described as follows:

Commencing at the southeasterly most corner of Tract 4 of the recorded Plat of Weston Reserve as recorded in Plat Book 13, Pages 56 through 59 of the Public Records of Osceola County, Florida; thence run North 89°52'56" East, a distance of 727.50 feet; thence N 85°35'17" E, a distance of 1222.70 feet to a point lying on the proposed Northerly Right Of Way line of the Flora Boulevard, for a Point of Beginning; thence North 54°08'46" West, a distance of 187.11 feet to a point on the Easterly Right Of Way of Dyer Boulevard South, also a point of curvature of a circular curve concaved Easterly having a radius of 30.00 feet and chord bearing of North 09°08'46" West; thence Northerly along the arc of said curve through a central angle of 90°00'00" a distance of 47.12 feet; thence continue along said Easterly Right Of Way line the following courses and distances: North 35°51'14" East, a distance of 1,118.60 feet to a point of curvature of a circular curve concaved Northwesterly having a radius of 1,489.89 feet and chord bearing of North 28°00'53" East; thence Northeasterly along the arc of said curve through a central angle of 15°40'43" a distance of 407.70 feet to a point of curvature of a circular curve concaved Southeasterly having a radius of 30.00 feet and chord bearing of North 66°05'10" East; thence Northeasterly along the arc of said curve through a central angle of 87°12'24" a distance of 45.66 feet to a point on the proposed Southerly Right Of Way of Ball Park Road East; thence along the said Southerly right of way line the following courses and distances: South 72°02'28" East, a distance of 130.96 feet to a point of curvature of a circular curve concaved northerly having a radius of 560.00 feet and chord bearing of North 78°29'12" East; thence Easterly along the arc of said curve through a central angle of 58°56'41" a distance of 576.12 feet to a point of reverse curvature of a circular curve concaved southerly having a radius of 750.00 feet and chord bearing of North 83°39'34" East; thence Easterly along the arc of said curve through a central angle of 69°17'26" a distance of 907.01 feet to a point of reverse curvature of a circular curve concaved Northeasterly having a radius of 560.00 feet and chord bearing of South 66°22'45" East; thence Southeasterly along the arc of said curve through a central angle of 09°22'04" a distance of 91.56 feet; thence departing said easterly right of way line, South 00°01'23" West, a distance of 230.24 feet; thence South 89°58'37" East, a distance of 350.00 feet to a point on the Westerly Right Of Way line of proposed Thacker Avenue; thence along said Westerly Right Of Way line, South 00°01'23" West, a distance of 1,925.35 feet to a point of curvature of a circular curve concaved Northwesterly having a radius of 35.00 feet and chord bearing of South 44°58'44" West; thence Southwesterly along the arc of said curve through a central angle of 89°54'41" a distance of 54.92 feet to a point on the Northerly Right Of Way of proposed Flora Boulevard Extension; thence along said Northerly Right Of Way line, South 89°56'04" West, a distance of 40.21 feet to a point of curvature of a circular curve concaved Northerly having a radius of 350.00 feet and chord bearing of North 77°06'24"

West; thence Westerly along the arc of said curve through a central angle of $25^{\circ}55'05''$ a distance of 158.32 feet to a point of reverse curvature of a circular curve concaved southerly having a radius of 600.00 feet and chord bearing of North $72^{\circ}25'18''$ West; thence Westerly along the arc of said curve through a central angle of $16^{\circ}32'53''$ a distance of 173.29 feet; thence departing said Northerly Right Of Way line, North $25^{\circ}49'24''$ West, a distance of 394.91 feet; thence North $00^{\circ}01'23''$ East, a distance of 618.47 feet; thence North $89^{\circ}56'04''$ West, a distance of 948.59 feet; thence North $60^{\circ}48'17''$ West, a distance of 637.76 feet; thence South $44^{\circ}19'51''$ West, a distance of 138.60 feet; thence South $46^{\circ}46'24''$ West, a distance of 111.96 feet; thence North $60^{\circ}48'17''$ West, a distance of 111.35 feet; thence South $49^{\circ}18'30''$ West, a distance of 148.17 feet; thence South $50^{\circ}56'45''$ West, a distance of 57.22 feet; thence South $19^{\circ}45'30''$ West, a distance of 88.49 feet; thence South $04^{\circ}23'46''$ East, a distance of 129.58 feet; thence South $24^{\circ}29'11''$ West, a distance of 72.59 feet; thence South $29^{\circ}16'19''$ West, a distance of 241.53 feet to the Point of Beginning.

DESCRIPTION OF BRONSON PARCEL

Legal Description

A portion of Sections 7, 8, and 18, Township 25 South, Range 29 East, Osceola County, Florida, being more particularly described as follows:

BEGIN at the southeast corner of *WINDSOR POINT PHASE 2*, according to the plat thereof, as recorded in Plat Book 14, Pages 41 and 42, Public Records of Osceola County, Florida; thence run N 89°51'51" E, a distance of 727.22 feet to a point on the east line of the West 165.00 feet of the Northeast 1/4 of the Northwest 1/4 of said Section 8; thence run S 00°02'02" E, along the east line of the West 165.00 feet of the Northeast 1/4 of the Northwest 1/4 of said Section 8, a distance of 1151.38 feet to a point on the westerly right-of-way line of Dyer Boulevard (a proposed 125' wide right-of-way); said point being a point of curvature of a non-tangent curve, concave southeasterly, having a radius of 1499.89 feet and a central angle of 16°03'01"; thence on a chord bearing of S 08°32'22" W, run a distance of 420.16 feet along the arc of said curve and said westerly right-of-way line line of Dyer Boulevard to a point; thence run N 84°32'32" W, a distance of 615.15 feet; thence run S 00°02'02" E, a distance of 853.92 feet to a point lying on the northerly right-of-way line of Carroll Street, as recorded in Official Records Book 825, Page 1372, Public Records of Osceola County, Florida; thence run westerly and southerly along the northerly and westerly right-of-way lines of Carroll Street the following courses and distances; run N 84°32'32" W, a distance of 414.97 feet; thence run S 05°27'28" W, a distance of 355.58 feet to a point on a non-tangent curve, concave southeasterly, having a radius of 1200.00 feet and a central angle of 42°42'48"; thence, on a chord bearing of S 32°17'26" W, run 894.59 feet along the arc of said curve to the point of tangency thereof; thence run S 10°56'02" W, a distance of 685.29 feet to a point of curvature of a curve, concave northwesterly, having a radius of 986.94 feet and a central angle of 36°30'00"; thence run southwestery, along the arc of said curve, a distance of 628.73 feet to the point of tangency thereof; thence run S 47°26'02" W, a distance of 625.00 feet to a point of curvature of a curve, concave southeasterly, having a radius of 1200.00 feet and a central angle of 20°38'39"; thence run southwestery, along the arc of said curve, a distance of 432.37 feet to a point lying 25.00 feet east of (when measured perpendicular to) the west line of the Northeast 1/4 of the Northeast 1/4 of said Section 18; thence, departing the aforesaid westerly right-of-way line of Carroll Street, run N 00°25'09" W, parallel with the west line of the Northeast 1/4 of the Northeast 1/4 of said Section 18, a distance of 473.44 feet to a point on the north line of the Northeast 1/4 of the Northeast 1/4 of said Section 18; thence run S 89°36'57" W, along the north line of the Northeast 1/4 of the Northeast 1/4 of said Section 18, a distance of 25.00 feet to a point on the north line of the Northwest 1/4 of the Northeast 1/4 of said Section 18; thence continue S 89°36'57" W, along the north line of the Northwest 1/4 of the Northeast 1/4 of said Section 18, a distance of 1322.11 feet to a point on the west line of the Southwest 1/4 of the Southeast 1/4 of said Section 7; thence run N 00°10'46" E, along the west line of the Southwest 1/4 of the Southeast 1/4 of said Section 7, a distance of

1312.09 feet to a point on the north line of the Southwest 1/4 of the Southeast 1/4 of said Section 7; thence run N 89°39'57" E, along the north line of the Southwest 1/4 of the Southeast 1/4 of said Section 7, a distance of 194.07 feet; thence departing said north line, run N 24°29'55" E, a distance of 112.85 feet; thence run N 39°31'26" E, a distance of 118.23 feet; thence run N 53°03'23" E, a distance of 100.95 feet; thence run N 61°08'04" E, a distance of 576.31 feet; thence run N 53°54'37" E, a distance of 643.64 feet; thence run N 51°47'04" E, a distance of 421.58 feet; thence run N 48°47'54" E, a distance of 272.93 feet; thence run N 06°22'52" W, a distance of 171.88 feet; thence run N 22°27'32" E, a distance of 188.13 feet; thence run N 03°34'24" E, a distance of 419.85 feet; thence run N 00°29'58" E, a distance of 449.65 feet; thence run N 03°30'41" W, a distance of 401.28 feet; thence run N 11°23'52" W, a distance of 268.74 feet; thence run N 17°40'43" W, a distance of 245.06 feet; thence run N 23°03'40" W, a distance of 158.98 feet to a point on the westerly extension of the south line of *WESTON RESERVE*, according to the plat thereof, as recorded in Plat Book 13, Pages 56 through 59, Public Records of Osceola County, Florida; thence run N 89°51'51" E, along the south line of said *WESTON RESERVE* and the westerly extension thereof and along the south line of *FOREST EDGE PHASE 2*, according to the plat thereof, as recorded in Plat Book 14, Pages 43 and 44, Public Records of Osceola County, Florida and along the aforesaid south line of *WINDSOR POINT PHASE 2*, a distance of 1530.91 feet to the *POINT OF BEGINNING*.

Containing 218.59 acres, more or less.

Together With:

A portion of Sections 7 and 8, Township 25 South, Range 29 East, Osceola County, Florida, being more particularly described as follows:

BEGIN at the northwest corner of Tract "B", **KISSIMMEE ELEMENTARY SCHOOL**, according to the plat thereof, as recorded in Plat Book 12, Page 162, Public Records of Osceola County, Florida; thence run S 00°04'22" E, along the west line of said Tract "B", a distance of 35.00 feet to a point on the north line of Tract "A", **KISSIMMEE ELEMENTARY SCHOOL**; thence run S 89°19'19" W, along the north line of Tract "A" and along the northerly right-of-way line of Donegan Avenue, as recorded in Official Records Book 2193, Page 1544, Public Records of Osceola County, Florida, a distance of 1701.31 feet to a point of curvature of a curve, concave northeasterly, having a radius of 160.00 feet and a central angle of 48°34'25"; thence run northwesterly, along the arc of said curve, a distance of 135.64 feet to a point on the southeasterly right-of-way line of Carroll Street, as recorded in Official Records Book 825, Page 1372, Public Records of Osceola County, Florida; said point being a point on a non-tangent curve, concave northwesterly, having a radius of 1186.94 feet and a central angle of 34°33'54"; thence run northerly along said southeasterly right-of-way line of Carroll Street the following courses and distances; on a chord bearing of N 28°12'59" E, run 716.05 feet along the arc of said curve to the point of tangency thereof; thence run N 10°56'02" E, a distance of 685.29 feet to a point of curvature of a curve, concave southeasterly, having a radius of 1000.00 feet and a central angle of 84°31'26"; thence run northeasterly, along the arc of said curve, a distance of 1475.22 feet to a point; thence run S 84°32'32" E, a distance of 280.01 feet to a point on the northerly extension of the west line of said Tract "B"; thence run S 00°04'22" E, along the northerly extension of the west line of said Tract "B", a distance of 2071.02 feet to the **POINT OF BEGINNING**.

Containing 67.31 acres, more or less

Legal Description

A portion of Sections 8 and 17, Township 25 South, Range 29 East, Osceola County, Florida, being more particularly described as follows:

BEGIN at the northeast corner of *SHADOW BAY UNIT THREE*, according to the plat thereof, as recorded in Plat Book 4, Page 73, Public Records of Osceola County, Florida; thence run N 89°47'51" W, along the north line of said *SHADOW BAY UNIT THREE*, a distance of 920.55 feet to a point on the north line of *SHADOW BAY UNIT FOUR - PHASE ONE*, according to the plat thereof, as recorded in Plat Book 4, Page 152, Public Records of Osceola County, Florida; thence continue N 89°47'51" W, along the north line of said *SHADOW BAY UNIT FOUR - PHASE ONE*, a distance of 1040.00 feet to a point on the north line of the *VILLAS OF SHADOW BAY, PHASE VI ADDITION, A CONDOMINIUM*, according to the plat thereof, as recorded in Condominium Book 2, Page 133, Public Records of Osceola County, Florida; thence continue N 89°47'51" W, along the north line of the *VILLAS OF SHADOW BAY, PHASE VI ADDITION*, a distance of 560.73 feet to a point on the north line of *THE VILLAS AT SHADOW BAY*, according to the plat thereof, as recorded in Plat Book 4, Page 124, Public Records of Osceola County, Florida; thence continue N 89°47'51" W, along the north line of the *VILLAS AT SHADOW BAY*, a distance of 1300.39 feet to a point on the east right-of-way line of Dyer Boulevard, as recorded in Official Records Book 1270, Page 442, Public Records of Osceola County, Florida; thence run N 00°04'21" W, along said east right-of-way line and the northerly extension thereof, a distance of 3528.73 feet to a point on the southerly right-of-way line of Carroll Street, as recorded in Official Records Book 825, Page 1372, Public Records of Osceola County, Florida; thence run easterly along the southerly right-of-way line of Carroll Street, the following courses and distances; run S 84°32'32" E, a distance of 2934.91 feet to a point of curvature of a curve, concave northerly, having a radius of 989.63 feet and a central angle of 17°17'55"; thence run easterly, along the arc of said curve, a distance of 298.79 feet to a point on the westerly right-of-way line of Thacker Avenue; said point being the point of reverse curvature with a curve, concave southwesterly, having a radius of 75.00 feet; thence run southwesterly along said westerly right-of-way line the following courses and distances; run along the arc of the aforementioned curve, a distance of 113.71 feet through a central angle of 86°52'16" to the point of tangency thereof; thence run S 14°58'12" E, a distance of 70.31 feet to a point of curvature of a curve, concave northeasterly, having a radius of 1200.00 feet and a central angle of 19°49'35"; thence run southeasterly, along the arc of said curve, a distance of 415.24 feet to the point of tangency thereof; thence run S 34°47'47" E, a distance of 240.95 feet to a point of curvature of a curve, concave southwesterly, having a radius of 1100.00 feet and a central angle of 27°08'03"; thence run southeasterly, along the arc of said curve, a distance of 520.94 feet to a point; thence run S 00°26'07" W, a distance of 484.10 feet to a point on the north line of an existing access easement, as recorded in Official Records Book 620, Page 282, Public Records of Osceola County, Florida; thence run along the boundary lines of those lands described in said Official Records Book 620, Page 282 the following courses

and distances; run N 89°43'56" W, a distance of 340.00 feet; thence run N 00°26'07" E, a distance of 660.00 feet; thence run N 89°43'56" W, a distance of 330.00 feet; thence run S 00°26'07" W, a distance of 720.00 feet; thence run S 89°43'56" E, a distance of 670.00 feet to a point on the west right-of-way line of the aforesaid Thacker Avenue; thence run south along said west right-of-way line the following courses and distances; run S 00°26'07" W, a distance of 272.16 feet; thence run S 00°24'48" E, a distance of 1287.76 feet to the *POINT OF BEGINNING*.

Containing 282.12 acres, more or less.

Total Acreage: 568.02