

ORDINANCE NO. 2020 - 27

1
2 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
3 **COUNTY, FLORIDA, ESTABLISHING THE PACIFIC ACE COMMUNITY**
4 **DEVELOPMENT DISTRICT LOCATED IN UNINCORPORATED LAKE COUNTY**
5 **AND CONTAINING APPROXIMATELY 379.9 ACRES; PROVIDING FOR THE**
6 **AUTHORITY OF THE ORDINANCE; PROVIDING FOR THE ESTABLISHMENT OF**
7 **THE BOUNDARIES FOR THE PACIFIC ACE COMMUNITY DEVELOPMENT**
8 **DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL BOARD**
9 **MEMBERS; PROVIDING FOR THE DISTRICT NAME; PROVIDING FOR**
10 **STATUTORY PROVISIONS GOVERNING THE DISTRICT; PROVIDING FOR**
11 **CONFLICT AND SEVERABILITY;; AND PROVIDING AN EFFECTIVE DATE.**
12

13 **WHEREAS**, American Land Development of Central Florida, LLC, a Florida Limited
14 Liability Company, has petitioned the Board of County Commissioners ("Board") of Lake County,
15 Florida, a political subdivision of the State of Florida, to establish the PACIFIC ACE
16 COMMUNITY DEVELOPMENT DISTRICT ("District"); and
17

18 **WHEREAS**, the Board of County Commissioners, after proper published notice has
19 conducted a public hearing on the petition and determined the following with respect to the factors
20 to be considered in Section 190.005(1)(e) Florida Statutes, as required by Section 190.005(2)(c),
21 Florida Statutes:

- 22 1. The petition is complete and meets the requirements of Section 190.005, Florida Statutes,
23 and all statements contained within the petition are true and correct.
24 2. Establishment of the proposed District is not inconsistent with any applicable element or
25 portion of the Lake County Comprehensive or the State Comprehensive Plan.
26 3. The area of land within the proposed District is of sufficient size, is sufficiently compact,
27 and is sufficiently contiguous to be developable as one functional interrelated community.
28 4. The District is the best alternative available for delivering community development
29 services and facilities to the area that will be serviced by the District.
30 5. The community development services and facilities of the District will not be incompatible
31 with the capacity and uses of existing local and regional community development services
32 and facilities.
33 6. The area that will be served by the District is amenable to separate special-district
34 government.
35

36 **WHEREAS**, it is the policy of this State, as provided for in Section 190.002(2)(c), Florida
37 Statutes, that the exercise by any independent district of its powers as set forth by uniform general
38 law comply with all applicable governmental laws, rules, regulations, and policies governing
39 planning and permitting of the development to be serviced by the district, to ensure that neither
40 the establishment nor operation of such district is a development order under Chapter 380, Florida
41 Statutes, and that the district so established does not have any zoning or permitting powers
42 governing development; and
43

44 **WHEREAS**, Section 190.004(3), Florida Statutes, provides that all governmental
45 planning, environmental, and land development laws, regulations, and ordinances apply to all
46 development of the land within a community development district. Community development

1 districts do not have the power of a local government to adopt a comprehensive plan, building
2 code, or land development code, as those terms are defined in the Local Government
3 Comprehensive Planning and Land Development Regulation Act. A district shall take no action
4 which is inconsistent with applicable comprehensive plans, ordinances, or regulations of the
5 applicable local general-purpose government; and

6
7 **WHEREAS**, on the 16th day of June, 2020, this application was presented to the Board of
8 County Commissioners for consideration;

9
10 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
11 Lake County, Florida, as follows:

12
13 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated herein
14 by reference.

15
16 **Section 2. Authority of Ordinance.** This Ordinance is adopted pursuant to Section
17 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

18
19 **Section 3. Establishment of the Pacific Ace Community Development District.**
20 The Pacific Ace Community Development District is hereby established within the boundaries of
21 the real property described in Exhibit "A" attached hereto and incorporated by reference herein.

22
23 **Section 4. Designation of Initial Board Members.** The following five persons are
24 herewith designated to be the initial members of the Board of Supervisors:

25
Robert Zlatkiss
3911 Orange Lake Drive
Orlando, FL 32817

Brian Martin
3911 Orange Lake Drive
Orlando, FL 32817

Daniel O'Keefe
3911 Orange Lake Drive
Orlando, FL 32817

John Miklos
3911 Orange Lake Drive
Orlando, FL 32817

Daniel Gough
3911 Orange Lake Drive
Orlando, FL 32817

26 **Section 5. District Name.** The community development district herein established
27 shall henceforth be known as the "Pacific Ace Community Development District."

28 **Section 6. Statutory Provisions Governing the District.** The Pacific Ace
29 Community Development District shall be governed by the provisions of Chapter 190, Florida
30 Statutes, and all other applicable general and local law.

1 **Section 7. Consent to Special Powers.** Upon the effective date of this Ordinance, the
2 Pacific Ace Community Development District will be duly and legally authorized to exist and
3 exercise all of its powers as set forth in Section 190.012(1), Florida Statutes, and as otherwise
4 provided by law.

5
6 **Section 8. Severability.** If any section, sentence, clause, phrase or word of this
7 Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such
8 holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be
9 construed to have been the Commissioners’ intent to pass this Ordinance without such
10 unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the
11 exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been
12 included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any
13 person, groups of persons, property, kind of property, circumstances or set of circumstances, such
14 holding shall not affect the applicability thereof to any other person, property or circumstances. If
15 any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional
16 by any court of competent jurisdiction then said holding shall in no way affect the validity of the
17 remaining portions of this ordinance.


18
19 **Section 9. Filing with the Department of State.** The Clerk shall be and is hereby
20 directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the
21 State of Florida in accordance with Section 125.66, Florida Statutes.

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23 **Section 10. Effective Date.** This Ordinance shall become effective upon filing with the
24 Florida Department of State.

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26 ENACTED this day of 16th day of June, 2020.

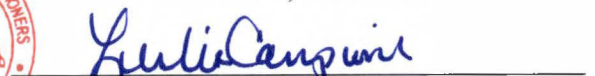
27
28 FILED with the Secretary of State the 22nd day of June, 2020.

29
30
31 ATTEST:

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34 
35 Gary J. Cooney, Clerk of the
36 Board of County Commissioners of
37 Lake County, Florida



38 BOARD OF COUNTY COMMISSIONERS
39 OF LAKE COUNTY, FLORIDA

40 
41 Leslie Campione, Chairman

42 This 16 day of June, 2020.

43
44 Approved as to form and legality:

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46 
47 Melanie Marsh, County Attorney

EXHIBIT A

Legal Description of the Pacific Ace Community Development District (CDD).

PARCEL 1:

The West 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 13, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 2:

The North 1/2 of the Southeast 1/4 of Section 14, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 3:

The Southeast 1/4 of the Southwest 1/4 of Section 14, Township 24 South, Range 26 East, Lake County, Florida, LESS the 50 foot road right-of-way existing along the West side thereof.

PARCEL 4:

The South 1/2 of the Southeast 1/4 of Section 14, Township 24 south, Range 26 East, Lake County, Florida, LESS AND EXCEPT the following described tract or parcel of land:

Begin at the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4; thence run Westerly to the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section 14; thence run Southwesterly to the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4; thence run Southerly to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4; thence run Easterly along the South Section line of said Section 14 to the Southeast corner thereof; thence run Northerly along the East line of said Section to the Point of Beginning.

PARCEL 5:

North 116.94 feet of the South 1/2 of the Northeast 1/4, LESS the West 100 feet thereof; the South 3/4 of the Northeast 1/4 of the Northeast 1/4; the West 3/4 of the Northwest 1/4 of the Northeast 1/4; the South 3/4 of the East 1/4 of the Northwest 1/4 of the Northeast 1/4; the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4, all in Section 23, Township 24 South, Range 26 East of the Tallahassee Meridian.

PARCEL 6:

Northeast 1/4 of the Northwest 1/4 of Section 23, Township 24 South, Range 26 East, Lake County, Florida, LESS the 50 foot road right-of-way existing along the West side thereof.

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Parcel 7:
The North 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 23, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 8:
The South 3/4 of the Southwest 1/4 of the Northwest 1/4 of Section 23, Township 24 South, Range 26 East, Lake County, Florida, lying East of the East boundary of the U.S. Highway #27 right-of-way and North and West of existing graded road, more particularly described as follows:

Begin at a point 1338.3 feet East of the Northwest corner of said Section 23, said point being on the center line of a private road; thence run along the center line of said road right-of-way as follows:
Run South 00°20'00" West, 959.90 feet; thence run South 54°46'00" West, 142.20 feet; thence run South 36°09'00" West, 235.6 feet; thence South 32°11'00" West, 331.80 feet; thence run South 24°34'00" East, 347.00 feet; thence South 35°10'00" East, 184.2 feet; thence run South 12°04'00" East, 139.10 feet; thence South 58°11'00" West, 822.50 feet; thence South 47°15'00" West, 147.00 feet.

PARCEL 9:
The North 1/2 of the Southeast 1/4 of the Northwest 1/4, Section 23, Township 24 South, Range 26 East, LESS AND EXCEPT the South 225.00 feet thereof.

PARCEL 10:
The Northeast 1/4 of the Southwest 1/4 of Section 14, Township 24 South, Range 26 East, Lake County, Florida



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 22, 2020

Mr. Gary J. Cooney
Clerk of the Circuit Court and Comptroller
Lake County
550 West Main Street
P. O. Box 7800
Tavares, Florida 32778-7800

Attention: Josh Pearson

Dear Mr. Cooney:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your electronic copy of Lake County Ordinance No. 2020-27, which was filed in this office on June 22, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb