

ORDINANCE NO. 2002-028

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA ESTABLISHING THE GRIFFIN LAKES COMMUNITY DEVELOPMENT DISTRICT; MAKING CERTAIN FINDINGS REGARDING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING FIVE PERSONS DESIGNATED TO BE THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR CERTAIN SPECIAL POWERS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

SECTION 1. AUTHORITY FOR THIS ORDINANCE. The City of Dania Beach, Florida (the "City") is authorized to adopt this ordinance under the authority granted by the provisions of Chapter 166, Florida Statutes, as amended, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby found and determined that:

A. MKN Investors, LLC, a Florida limited liability company, the owner of 100% of that certain development within the City commonly known as Griffin Lakes (the "Property") have petitioned the City to form a community development district for the Property within the meaning of the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes (the "Act") as a reasonable and appropriate method of providing the infrastructure to serve residents of the Property. The District would be known as the "Griffin Lakes Community Development District" (the "District") and the boundaries of the District would be coterminous with the boundaries of the Property.

B. The City has conducted a public hearing on the Petition in accordance with the requirements of section 190.005(1)(d) and has considered the record of the public hearing and the factors set forth in section 190.005(1)(e) of the Act, among other things, and hereby finds that:

1. All statements in the Petition have been found to be true and correct;
2. The creation of the District is not inconsistent with any applicable elements or portion of the State of Florida's comprehensive plan or of the effective City comprehensive plan;
3. 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;

CERTIFICATION

I certify this to be a true and correct copy of Ordinance No. 2002-028
WITNESS my hand and official seal of the City of Dania Beach, Broward County, Florida
this 12 day of July, 2002
Christy A. ... City Clerk

4. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and
5. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.
6. The area that will be served by the District is amenable to separate special-district government.

C. The City now desires to grant the Petition and to establish the District, as more fully set forth herein.

SECTION 3. ESTABLISHMENT OF DISTRICT; NAME. The City hereby grants the Petition and establishes the District as a community development district within the meaning of the Act and as an independent special district within the meaning of Chapter 189, Florida Statutes. The name of the District shall be the "Griffin Lakes Community Development District."

SECTION 4. EXTERNAL BOUNDARIES. The external boundaries of the District shall be as set forth on Exhibit A hereto.

SECTION 5. INITIAL MEMBERS OF BOARD OF SUPERVISORS. The five persons to be the initial members of the Board of Supervisors of the District, each of whom is designated in the Petition, are as follows:

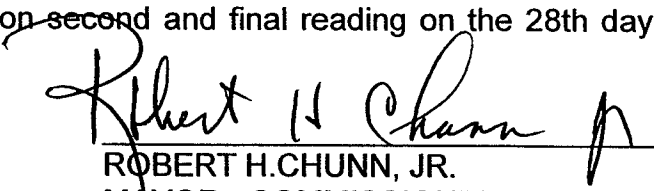
- a. James Carr
81 Palm Avenue
Miami Beach, FL 33139
- b. Susan Carr
81 Palm Avenue
Miami Beach, FL 33139
- c. Oscar Barbara
104 Paloma Drive
Coral Gables, FL 33143
- d. Lisa M. Eisenacher
13120 S.W. 66th Avenue
Pinecrest, FL 33156
- e. Charles D. Robbins
5214 LaGorce Drive
Miami Beach, FL 33139

SECTION 6. CONSENT TO EXERCISE OF SPECIAL POWERS. Pursuant to section 190.012(2) of the Act, the City hereby consents to the exercise by the District of the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; (2) fire prevention and control, including fire stations, water mains and plugs, fire trucks and other vehicles and equipment; (3) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion detection systems, and patrol cars, when authorized by proper governmental agencies, except that the District may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the District boundaries; and (4) control and elimination of mosquitoes and other arthropods of public health importance. The foregoing powers are in addition, and supplemental, to the powers which the proposed District would be entitled to exercise pursuant to Sections 190.011 and 190.012 (1) and (3) of the Act.

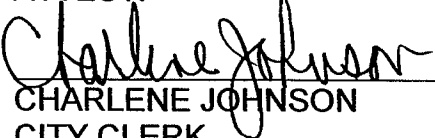
SECTION 7. That this ordinance shall take effect immediately at its time of final passage.

PASSED and ADOPTED on first reading on the 14th day of May, 2002.

PASSED and ADOPTED on second and final reading on the 28th day of May, 2002.


ROBERT H. CHUNN, JR.
MAYOR - COMMISSIONER

ATTEST:


CHARLENE JOHNSON
CITY CLERK

ROLL CALL:

COMMISSIONER BERTINO - YES
COMMISSIONER MCELYEA - YES
COMMISSIONER MIKES - YES
VICE-MAYOR FLURY - YES
MAYOR CHUNN - YES

APPROVED AS TO FORM AND CORRECTNESS:


BY: 
THOMAS J. ANSBRO
CITY ATTORNEY

EXHIBIT A

EXTERNAL BOUNDARIES OF THE DISTRICT

LEGAL DESCRIPTION

A parcel of land being a portion of Tracts 3, 4, 5 and 6, Block 1 in the Northeast One-Quarter (NE 1/4) of Section 32, Township 50 South, Range 42 East, according to the "Plat of Sections 28, 29, 31 and 32", as recorded in Plat Book 2, Page 32 of the public records of Miami-Dade County, Florida, Being more particularly described as follows: Commence at the Northeast corner of said Section 32: Thence South 88 Deg 25 Min 04 Sec West along the North line of said section 32, 1317.17 feet, Thence South 01 Deg 34 Min 56 Sec East, 55 feet to the POINT OF BEGINNING; Thence along the South right-of-way line of Griffin Road as shown on the Broward County right-of-way map for Griffin Road, County Bond Project 86015 (004110) sheet 5 of 9, the following four (4) courses; North 88 Deg 25 Min 04 Sec East, 650.55 feet; thence North 88 Deg 33 Min 14 Sec East, 201.99 feet; Thence South 85 Deg 18 Min 59 Sec East, 112.42 feet; Thence North 88 Deg 25 Min 04 Sec East, 23.82 feet; Thence departing said right-of-way South 01 Deg 44 Min 23 Sec East along the East line of the West 330 feet of said Tract 4, 602.73 feet; Thence North 88 Deg 23 Min 35 Sec East, along the South line of said Tract 4 290.15 feet; Thence South 01 Deg 49 Min 00 Sec East along a line 40.00 feet West and parallel with the East line of said Section 32, 459.36 feet; Thence North 88 Deg 22 Min 07 Sec West, 15.00 feet; Thence South 01 Deg 49 Min 00 Sec East along a line 55.00 feet west of and of Tract 3; Thence South 88 Deg 22 Min 09 Sec West along said South line 1267.62 feet, said line also being the north line of Ravenswood Gardens according to the plat thereof, as recorded in Plat Book 89, Page 43, of the Public Records of Broward County, Florida; Thence North 01 Deg 35 Min 02 Sec West along the West line of said Tract 6, and said line also being Book 14, Page 14 of the Public records of Broward County, Florida, a distance of 1286.59 feet to the POINT OF BEGINNING. Said lands situate, lying and being in Broward County Florida and containing 33.60 acres more or less.