

**PROPOSED ORDINANCE NO. 2007- 02**

**ORDINANCE NO. 1577**

**AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA ESTABLISHING THE PEMBROKE HARBOR 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 SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:**

**SECTION 1. AUTHORITY FOR THIS ORDINANCE.** The City of Pembroke Pines, 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. Carr Residential, LLC ("CARR") owns property located wholly within the boundaries of the City.

B. On or about January 30, 2007, CARR submitted to the City a petition (the "Petition") seeking the establishment of a community development district for the Property to be known as the "Pembroke Harbor Community Development District" (the "District").

D. The City has conducted a public hearing on the Petition in accordance with the requirements of Section 190.005(1)(d) of the Florida Statutes

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and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Florida Statutes, among other factors, 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;
4. The establishment and operation of the proposed 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 Property to comprise the District is amenable to separate special-purpose government.

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

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**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 "Pembroke Harbor Community Development District."

**SECTION 4. EXTERNAL BOUNDARIES.** The external boundaries of the District shall be as set forth on **Exhibit "A"**, which is attached hereto and incorporated herein by reference.

**SECTION 5. INITIAL MEMBERS OF BOARD OF SUPERVISORS.** The five (5) 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:

James Carr

Oscar Barbara

Harold Eisenacher

Lisa Eisenacher

Albert Sanchez

**SECTION 6. CONSENT TO EXERCISE OF SPECIAL POWERS.** Pursuant to section 190.012(1), Florida Statutes, the City hereby consents to the exercise by the District of the powers set forth in subsections (a), (b), (c) and (d) of section 190.012(1), Florida Statutes, which authorize the District to plan, establish,

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acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for the following:

- (a) Water management and control for the lands within the district and to connect some or any of such facilities with roads and bridges.
- (b) Water supply, sewer, and wastewater management, reclamation, and reuse or any combination thereof, and to construct and operate connecting intercepting or outlet sewers and sewer mains and pipes and water mains, conduits, or pipelines in, along, and under any street, alley, highway, or other public place or ways, and to dispose of any effluent, residue, or other byproducts of such system or sewer system.
- (c) Bridges or culverts that may be needed across any drain, ditch, canal, floodway, holding basin, excavation, public highway, tract, grade, fill, or cut and roadways over levees and embankments, and to construct any and all of such works and improvements across, through, or over any public right-of-way, highway, grade, fill, or cut.
- (d) District roads equal to or exceeding the specifications of the county in which such district roads are located, and street lights.

**Section 7.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 8.** If any clause, section or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and so not effecting the validity of the remaining portions or applications remaining in full

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force and effect.

**Section 9.** This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS 18<sup>th</sup> DAY OF APRIL, 2007.

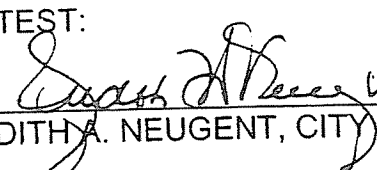
PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS 2<sup>nd</sup> DAY OF MAY, 2007.

CITY OF PEMBROKE PINES, FLORIDA

By: 

MAYOR FRANK C. ORTIS

ATTEST:

 5/8/07  
JUDITH A. NEUGENT, CITY CLERK

APPROVED AS TO FORM:

 5/2/07  
OFFICE OF THE CITY ATTORNEY

ORTIS AYE

ARMSTRONG AYE

CASTILLO AYE

SHECHTER AYE

SIPLE AYE

SSG:DNT:dnt

H:\760185.PP\ORD 2007\2007-02 (Pembroke Harbor CDD).doc

STATE OF FLORIDA  
COUNTY OF BROWARD

I HEREBY CERTIFY that the above foregoing is a true and correct copy of

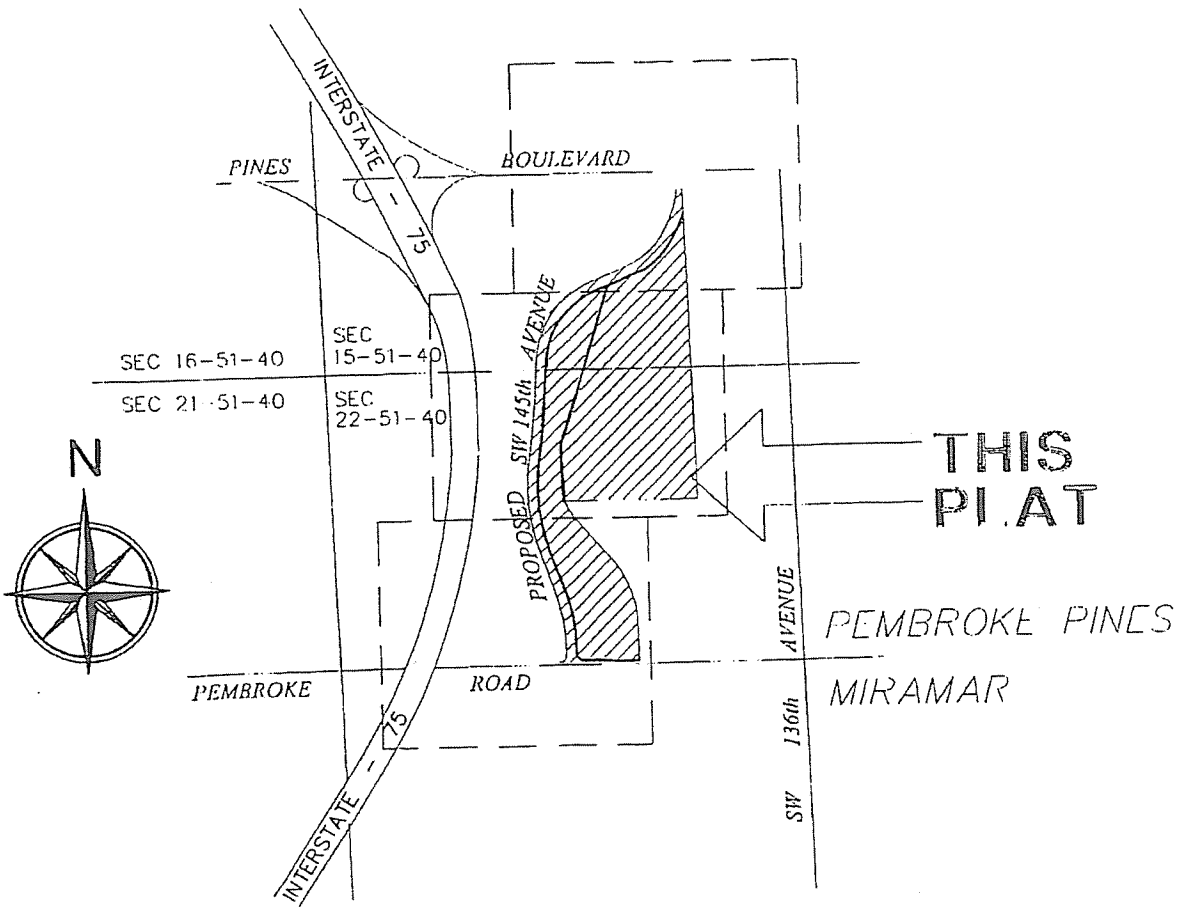
Ordinance No. 1577  
as recorded in the Office of the City Clerk.

Witness my hand and official seal this 10 day of May, A.D., 2007.

CITY OF PEMBROKE PINES

By: 

Judith A. Neugent, City Clerk



## LOCATION MAP

Not To Scale

C:\Projects\2007\022587\Value Est\ (Pembroke Harbor) \SURVEY\SECTION\022587-V-50-LOCUMAP.dwg Jul 11, 2008 - 10:00am



**Calvin, Giordano & Associates, Inc.**  
 Engineers Surveyors Planners  
 1800 Elder Drive, Suite 600  
 Fort Lauderdale, Florida 33316  
 Phone: 954.921.7781 Fax: 954.921.8807  
 Cell: 954.921.7781 Email: info@calvin-giordano.com

**LOCATION MAP**  
**PEMBROKE HARBOR PLAT**  
**CITY OF PEMBROKE PINES, BROWARD COUNTY, FLORIDA**

SCALE N. T. S.	PROJECT No 02-2587	SHEET 1
DATE 07-11-2006	CAD FILE	OF 3

## LEGAL DESCRIPTION:

Portions of Tracts 56 through 59 of Section 15, together with portions of Tracts 6 through 10 and Tracts 23 through 26 of Section 22, Township 51 South, Range 40 East, "EVERGLADES SUGAR & LAND CO. SUBDIVISION", as recorded in Plat Book 2, Page 39 of the Public Records of Dade County, Florida, being more particularly described as follows:

COMMENCING at the Southeast Corner of the Northeast one-quarter (N.E. 1/4) of Section 22, Township 51 South, Range 40 East;

THENCE South 89°41'53" West along the South line of the Northeast one-quarter (N.E. 1/4) of said Section 22, also known as the South line of the city limits of Pembroke Pines, a distance of 2,207.60 feet;

THENCE North 00°17'00" West to a point on the North right-of-way line of Pembroke Road as recorded in Deed Book 634, Page 183 of the public records of Dade County, Florida, a distance of 50.00 feet to the POINT OF BEGINNING;

THENCE South 89°41'53" West along the North right-of-way line of said Pembroke Road, a distance of 648.29 feet;

THENCE North 00°18'07" West, a distance of 5.01 feet;

THENCE North 89°41'53" East, a distance of 20.00 feet;

THENCE North 44°41'54" East, a distance of 42.46 feet;

THENCE North 00°18'08" West, a distance of 90.36 feet to a point of curve to the left having a radius of 1,453.00 feet and a central angle of 19°30'18"; thence Northerly along the arc a distance of 494.64 feet;

THENCE North 19°48'26" West, a distance of 304.94 feet to a point of curve to the right having a radius of 1,647.00 feet and a central angle of 27°42'00"; thence Northerly along the arc a distance of 796.26 feet to a point of reverse curve to the left having a radius of 8,363.19 feet and a central angle of 05°35'50"; thence Northerly along the arc, a distance of 817.00 feet to a point of reverse curve to the right having a radius of 761.29 feet and a central angle of 66°00'11"; thence Northeasterly along the arc, a distance of 876.98 feet;

THENCE North 68°17'56" East, a distance of 277.74 feet to a point of curve to the left having a radius of 650.00 feet and a central angle of 42°11'18"; thence Northeasterly along the arc a distance of 478.61 feet;

THENCE North 26°06'39" East, a distance of 85.93 feet to a point of curve to the left having a radius of 653.00 feet and a central angle of 22°41'58"; thence Northerly along the arc a distance of 258.70 feet;

THENCE North 89°41'44" East, a distance of 50.71 feet;

THENCE South 01°45'53" East, a distance of 1,321.72 feet;

THENCE South 01°45'23" East, a distance of 1,250.77 feet;

THENCE South 89°43'00" West, a distance of 1,108.90 feet to the point of curve of a non-tangent curve to the left having a radius of 750.00 feet, of which the radius point lies North 65°21'35" East; thence Southeasterly along the arc, through a central angle of 16°33'35", and an arc distance of 216.77 feet;

THENCE South 41°12'00" East, a distance of 400.00 feet to a point of curve to the right having a radius of 850.00 feet and a central angle of 40°55'00"; thence Southerly along the arc a distance of 607.01 feet;

THENCE South 00°17'00" East, a distance of 300.18 feet to the POINT OF BEGINNING.

Said lands being in the City of Pembroke Pines, Broward County, Florida and containing 3,227,975 square feet (74.1041 acres), more or less.



**Calvin, Giordano & Associates, Inc.**  
**Engineers Surveyors Planners**  
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 Computerized Drafting/Plotting 312-5791

**LOCATION MAP**  
**PEMBROKE HARBOR PLAT**  
**CITY OF PEMBROKE PINES, BROWARD COUNTY, FLORIDA**

SCALE	N/A	PROJECT No	02-2587	SHEET
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