

ORDINANCE NO. 2014-129

AN ORDINANCE AMENDING ORDINANCE 05-15, AS AMENDED, AND CONTRACTING THE BOUNDARY OF THE SHINGLE CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT CONTRACTION AREA AND THE DISTRICT, AS CONTRACTED; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 23, 2005, the Board of County Commissioners of Osceola County, Florida (the “**County**”) enacted Ordinance No. 05-15, as amended, establishing the Shingle Creek Community Development District (the “**District**”), effective May 27, 2005, pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Shingle Creek Property, LLC (“**SCP**”), a Delaware limited liability company, and the owner of all of the real property subject to the boundary amendment has petitioned the County to enact an ordinance to amend the boundaries of the District pursuant to Chapter 190, *Florida Statutes*, which will result in a contraction of approximately 27.36 acres; and

WHEREAS, the District has adopted Resolution 2014-11 in support of such contraction; and

WHEREAS, Shingle Creek Bonds, LLC (“**SCB**”), a Delaware limited liability company, is the beneficial owner of the majority of the outstanding Shingle Creek Community Development District Capital Improvement Revenue Bonds, Series 2006 (the “**Bonds**”), which are the only series of bonds that the District has issued; and

WHEREAS, the lands sought to be contracted are not presently encumbered by any special assessments securing the Bonds and do not otherwise serve as collateral for the Bonds, further there are no infrastructure improvements that have been constructed on the Contraction Area to date. The roadway improvements commonly referred to as Legacy International Boulevard and Nature’s Ridge Drive are not located within the boundary of the Contraction Area; and

WHEREAS, the landowner has furnished the County with a letter consenting to the contraction of the District’s boundaries; 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 on June 16th, 2014, held pursuant to section 190.046(1)(b), *Florida*

Statutes; and

WHEREAS, the Board of County Commissioners of Osceola County, Florida has considered the record of the public hearing and the statutory factors set forth in section 190.005(1)(e), *Florida Statutes*, in making its determination to grant or deny the Petition for an ordinance amendment; and

WHEREAS, pursuant to the information contained within the Petition, an investigation conducted by County staff, and otherwise being fully advised as to the facts and circumstances contained within the request of the District, the Board of County Commissions of Osceola County, Florida has decided to grant the District's Petition to amend Ordinance 05-15, as amended, to accomplish said purpose.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA:

SECTION 1. RECITALS. The above Recitals are hereby incorporated herein by reference as legislative 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 District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 3. CONTRACTION. The area described in **Exhibit A**, attached hereto and incorporated herein by reference (the "Contraction Area"), is hereby removed from the Shingle Creek Community Development District. Said Contraction Area encompasses approximately 27.36 acres.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The total area of the Shingle Creek Community Development District as contracted, shall encompass approximately 514.9 acres, as reflected in the legal description attached hereto and incorporated herein by reference as **Exhibit B**.

SECTION 5. ALL OTHER CONDITIONS TO REMAIN UNCHANGED. All other terms and conditions of Ordinance 05-15, as amended, shall remain unchanged and enforceable in accordance with the terms expressed therein.

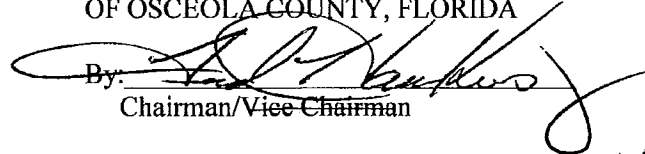
SECTION 6. SEVERABILITY. If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon its publication and approval, as required by law.


[Continued on Next Page]

DULY ENACTED in regular session this 16th day of June, 2014.

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: 
Chairman/Vice Chairman

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: 
Clerk/ Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of:

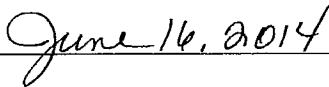




Exhibit A

Legal Description

DESCRIPTION TRACT C-1 PROPOSED LEGACY RESORT

A PARCEL OF LAND LYING SOUTH OF OSCEOLA PARKWAY AND EAST OF STATE ROAD 535 IN SECTIONS 1, 2 AND 12, TOWNSHIP 25 SOUTH, RANGE 28 EAST, AND A PORTION OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA; THENCE S00°14'25"E, A DISTANCE OF 197.89 FEET TO THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 28 EAST; THENCE CONTINUE S00°14'25"E, A DISTANCE OF 650.71 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF OSCEOLA PARKWAY AND THE POINT OF BEGINNING; THENCE S00°14'25" E, A DISTANCE OF 744.66 FEET; THENCE N61°46'21"W, A DISTANCE OF 197.70 FEET; THENCE N37°01'23"W, A DISTANCE OF 248.76 FEET; THENCE N12°16'24"W, A DISTANCE OF 215.96 FEET; THENCE N16°47'23"W, A DISTANCE OF 193.67 FEET; THENCE S89°10'25"W, A DISTANCE OF 114.55 FEET; THENCE S48°58'41"W, A DISTANCE OF 137.18 FEET; THENCE S33°38'48"W, A DISTANCE OF 40.19 FEET; THENCE S18°18'54"W, A DISTANCE OF 192.03 FEET; THENCE S59°15'43"W, A DISTANCE OF 61.97 FEET; THENCE N79°47'32"W, A DISTANCE OF 320.50 FEET; THENCE N74°40'37"W, A DISTANCE OF 255.27 FEET; THENCE N00°49'36"W, A DISTANCE OF 251.64 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT OF WAY LINE OF OSCEOLA PARKWAY; THENCE NORTH 89°10'25" EAST, A DISTANCE OF 1341.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.63 ACRES, MORE OR LESS.

TOGETHER WITH:

DESCRIPTION TRACT C-2 PROPOSED LEGACY RESORT

A PARCEL OF LAND LYING SOUTH OF OSCEOLA PARKWAY AND EAST OF STATE ROAD 535 IN SECTIONS 1, 2 AND 12, TOWNSHIP 25 SOUTH, RANGE 28 EAST, AND A PORTION OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA; THENCE S00°14'25"E, A DISTANCE OF 197.89 FEET TO THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 28 EAST; THENCE CONTINUE S00°14'25"E, A DISTANCE OF 650.71 FEET TO A

POINT ON THE SOUTH RIGHT OF WAY LINE OF OSCEOLA PARKWAY AND THE POINT OF BEGINNING; THENCE N89°10'25" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 282.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 3899.72 FEET AND A CENTRAL ANGLE OF 11°14'42"; THENCE RUN EASTERLY AN ARC DISTANCE OF 765.37 FEET ALONG SAID CURVE TO THE POINT OF TANGENCY; THENCE N77°55'41"E, A DISTANCE OF 34.18 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, RUN S04°50'01" E, A DISTANCE OF 151.64 FEET; THENCE S08°12'14"W, A DISTANCE OF 55.05 FEET; THENCE S21°14'30"W, A DISTANCE OF 197.29 FEET; THENCE S50°43'34"W, A DISTANCE OF 120.23 FEET; THENCE S80°12'40"W, A DISTANCE OF 156.76 FEET; THENCE S44°31'05"W, A DISTANCE OF 127.50 FEET; THENCE S45°00'03"E, A DISTANCE OF 107.53 FEET; THENCE S44°57'17"W, A DISTANCE OF 535.70 FEET; THENCE N61°46'21"W, A DISTANCE OF 415.61 FEET; THENCE N00°14'25"W, A DISTANCE OF 744.66 FEET, TO THE POINT OF BEGINNING.

CONTAINING 16.73 ACRES, MORE OR LESS.

Exhibit B

Legal Description

A PARCEL OF LAND LYING SOUTH OF OSCEOLA PARKWAY AND EAST OF STATE ROAD 535 IN SECTIONS 1,2 AND 12, TOWNSHIP 25 SOUTH, RANGE 28 EAST, AND A PORTION OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA; THENCE S00°14'25"E, A DISTANCE OF 197.89 FEET TO THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 28 EAST; THENCE CONTINUE S00°14'25"E, A DISTANCE OF 650.71 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF OSCEOLA PARKWAY AND THE POINT OF BEGINNING; THENCE N89° 10'25" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 282.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 3899.72 FEET AND A CENTRAL ANGLE OF 11 ° 14'42"; THENCE RUN EASTERLY AN ARC DISTANCE OF 765.37 FEET ALONG SAID CURVE TO THE POINT OF TANGENCY; THENCE N77°55'41"E, A DISTANCE OF 34.18 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, RUN S04°50'01" E, A DISTANCE OF 151.64 FEET; THENCE S08°12'14"W, A DISTANCE OF 55.05 FEET; THENCE S21°14'30"W, A DISTANCE OF 197.29 FEET; THENCE S50°43'34"W, A DISTANCE OF 120.23 FEET; THENCE S80°12'40"W, A DISTANCE OF 156.76 FEET; THENCE S44°31'05"W, A DISTANCE OF 127.50 FEET; THENCE S45°00'03"E, A DISTANCE OF 107.53 FEET; THENCE S44°57'17"W, A DISTANCE OF 535.70 FEET; THENCE N61 °46'21"W, A DISTANCE OF 613.31 FEET; THENCE N37°01' 23 "W, A DISTANCE OF 248.76 FEET; THENCE N12° 16'24"W, A DISTANCE a F215.96 FEET; THENCE N16°47'23"W, A DISTANCE OF 193.67 FEET; THENCE S89°10'25"W, A DISTANCE OF 114.55FEET; THENCE S48°58'41"W, A DISTANCE OF 137.18 FEET; THENCE S33°38'48"W, A DISTANCE OF 40.19 FEET; THENCE S 18° 18'54"W, A DISTANCE OF 192.03 FEET; THENCE S59°15'43"W, A DISTANCE OF 61.97 FEET; THENCE N79°47'32"/1W, A DISTANCE OF 320.50 FEET; THENCE N74°40'37"W, A DISTANCE OF 255.27 FEET; THENCE N74°42'14"W, A DISTANCE OF 31.17 FEET; THENCE N72°08'59"W, A DISTANCE OF 35.24 FEET~ THENCE S63°24'51"W, A DISTANCE OF 39.46 FEET~ THENCE S40°34'44"W, A DISTANCE OF 18.08 FEET; THENCE S28°04'02"W, A DISTANCE OF 33.52 FEET; THENCE S25°10'58"W, A DISTANCE OF 96.34 FEET; THENCE S88°49'17"E, A DISTANCE OF 19.40 FEET; THENCE S52°32'05"/1E, A DISTANCE OF 99.06 FEET; THENCE N61°51'50"W, A DISTANCE OF 144.58 FEET; THENCE S53°38'09"W, A DISTANCE OF 91.16 FEET; THENCE N76°00'37"W, A DISTANCE OF 347.93 FEET; THENCE N60°45'34"W, A DISTANCE OF 131.30 FEET; THENCE N84°02'12"W, A DISTANCE OF 178.26 FEET; THENCE N40°35'25"W, A DISTANCE OF 146.06 FEET; THENCE N58°28'01"W, A DISTANCE OF 91.38 FEET; THENCE S18°05'25"W, A DISTANCE OF 79.93 FEET; THENCE S79°40'29"W, A DISTANCE OF 91.40 FEET; THENCE S22°33'58"W, A DISTANCE OF 172.57 FEET; THENCE N78°19'06"W, A DISTANCE OF 148.20 FEET;

THENCE S65°47'48"W, A DISTANCE OF 486.23 FEET; THENCE S46°22' 17"W. A DISTANCE OF 255.56 FEET; THENCE S29°20'59"E, A DISTANCE OF 100.11 FEET; THENCE S55°09'34"E, A DISTANCE OF 105.04 FEET; THENCE N49°25'34"E, A DISTANCE OF 354.88 FEET; THENCE S68°55'24"E, A DISTANCE OF 118.69 FEET; THENCE N29°10'03"E, A DISTANCE OF 95.60 FEET; THENCE S84°09'16"E, A DISTANCE OF 184.70 FEET; THENCE S11°26'06"W, A DISTANCE OF 215.14 FEET; THENCE S20008'39"W, A DISTANCE OF 329.53 FEET; THENCE S84°39'09"W, A DISTANCE OF 106.95 FEET; THENCE S02°46'59"W, A DISTANCE OF 12.42 FEET; THENCE N03°06'58"W, A DISTANCE OF 20.82 FEET; THENCE N64°35'11"W, A DISTANCE OF 43.42 FEET; THENCE S69°58'13"W, A DISTANCE OF 65.97 FEET; THENCE S69°58'15"W, A DISTANCE OF 141.03 FEET; THENCE S 18°42'16"E, A DISTANCE OF 537.60 FEET; THENCE S46°06'48"E, A DISTANCE OF 145.60 FEET; THENCE S26°56'05"E, A DISTANCE OF 126.80 FEET; THENCE S00°50'17"W, A DISTANCE OF 117.60 FEET; THENCE S81°11'49"E, A DISTANCE OF 240.31 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 822.40 FEET AND A CENTRAL ANGLE OF 62°37'10"; THENCE RUN SOUTHEASTERLY AN ARC DISTANCE OF 898.81 FEET ALONG SAID CURVE; THENCE LEAVING SAID CURVE RUN N65°18'34"E, A DISTANCE OF 97.95 FEET; THENCE N47°43'27"E, A DISTANCE OF 318.21 FEET; THENCE N14°06'39"W, A DISTANCE OF 70.78 FEET; THENCE N63°33'10"E, A DISTANCE OF 48.88 FEET; THENCE N32°01'07"W, A DISTANCE OF 153.12 FEET; THENCE N41°48'54"W, A DISTANCE OF 276.18 FEET; THENCE N51°03'59"W, A DISTANCE OF 131.29 FEET; THENCE N59°41'38" E, A DISTANCE OF 170.84 FEET; THENCE N62°46'14"E, A DISTANCE OF 254.99 FEET; THENCE S72°13'47"E, A DISTANCE OF 228.54 FEET; THENCE S47°31'39"E, A DISTANCE OF 386.03 FEET; THENCE S38°38'06"E, A DISTANCE OF 444.45 FEET; THENCE S26° 16'32"E, A DISTANCE OF 409.28 FEET; THENCE S36°38'12"W, A DISTANCE OF 456.29 FEET; THENCE S82°18'40"W, A DISTANCE OF 69.67 FEET; THENCE N32°28'33"W, A DISTANCE OF 279.72 FEET; THENCE N65°55'11"W, A DISTANCE OF 88.58 FEET; THENCE S64°42'32"W, A DISTANCE OF 151.86 FEET; THENCE S01°43'06"W, A DISTANCE OF 242.84 FEET; THENCE S24°06'35"E, A DISTANCE OF 98.59 FEET; THENCE S48°41'55"E, A DISTANCE OF 119.49 FEET; THENCE S67°34'44"E, A DISTANCE OF 156.55 FEET; THENCE S15°59'53"W, A DISTANCE OF 460.18 FEET; THENCE S63°36'33"W, A DISTANCE OF 160.40 FEET; THENCE S19°55'58"W, A DISTANCE OF 104.39 FEET; THENCE S01°03'59"W, A DISTANCE OF 239.67 FEET; THENCE S24°48'31"E, A DISTANCE OF 360.22 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 1, TOWNSHIP 25 SOUTH, RANGE 28 EAST; THENCE N89°55'19"E, ALONG SAID SOUTH LINE, A DISTANCE OF 1195.81 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 1; THENCE S00°06'54"E, A DISTANCE OF 1988.71 FEET; THENCE S89°58'15"W, A DISTANCE OF 1631.53 FEET TO A POINT ON THE WEST LINE OF GOVERNMENT LOT 1, SECTION 12, TOWNSHIP 25 SOUTH, RANGE 28 EAST; THENCE N00°32'30"W, ALONG SAID WEST LINE OF GOVERNMENT LOT 1, A DISTANCE OF 1948.59 FEET; THENCE N89°56'47"W, A DISTANCE OF 3960.65 FEET; THENCE N00° 14'56"W, A DISTANCE OF 29.68 FEET TO THE NORTHWEST CORNER OF SAID SECTION 12; THENCE S89°55'19"W, A DISTANCE OF 70.15 FEET TO A POINT ON THE ORIGINAL EAST RIGHT OF WAY LINE OF STATE ROAD 535; THENCE N36°54'44"W, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 2808.93

FEET; THENCE N09°20'35"E, A DISTANCE OF 323.85 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 25 SOUTH, RANGE 28 EAST; THENCE S89°51'00"E, A DISTANCE OF 359.14 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE N01°44'04"E, A DISTANCE OF 229.34 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF OSCEOLA PARKWAY; THENCE N61°12'18"E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1030.53 FEET; THENCE N62°58'35"E, A DISTANCE OF 632.92 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 3739.72 FEET AND A CENTRAL ANGLE OF 11°26'30"; THENCE RUN EASTERLY AN ARC DISTANCE OF 746.80 FEET ALONG SAID CURVE TO THE POINT OF TANGENCY; THENCE N74°25'05"E, A DISTANCE OF 1874.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 3725.66 FEET AND A CENTRAL ANGLE OF 14°45'20"; THENCE RUN EASTERLY AN ARC DISTANCE OF 959.48 FEET ALONG SAID CURVE TO THE POINT OF TANGENCY; THENCE N89°10'25"E, A DISTANCE OF 2012.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 542.26 ACRES, MORE OR LESS.

LESS AND EXCEPT:

DESCRIPTION TRACT C-1 PROPOSED LEGACY RESORT

A PARCEL OF LAND LYING SOUTH OF OSCEOLA PARKWAY AND EAST OF STATE ROAD 535 IN SECTIONS 1, 2 AND 12, TOWNSHIP 25 SOUTH, RANGE 28 EAST, AND A PORTION OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA; THENCE S00°14'25"E, A DISTANCE OF 197.89 FEET TO THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 28 EAST; THENCE CONTINUE S00°14'25"E, A DISTANCE OF 650.71 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF OSCEOLA PARKWAY AND THE POINT OF BEGINNING; THENCE S00°14'25"E, A DISTANCE OF 744.66 FEET; THENCE N61°46'21"W, A DISTANCE OF 197.70 FEET; THENCE N37°01'23"W, A DISTANCE OF 248.76 FEET; THENCE N12°16'24"W, A DISTANCE OF 215.96 FEET; THENCE N16°47'23"W, A DISTANCE OF 193.67 FEET; THENCE S89°10'25"W, A DISTANCE OF 114.55 FEET; THENCE S48°58'41"W, A DISTANCE OF 137.18 FEET; THENCE S33°38'48"W, A DISTANCE OF 40.19 FEET; THENCE S18°18'54"W, A DISTANCE OF 192.03 FEET; THENCE S59°15'43"W, A DISTANCE OF 61.97 FEET; THENCE N79°47'32"W, A DISTANCE OF 320.50 FEET; THENCE N74°40'37"W, A DISTANCE OF 255.27 FEET; THENCE N00°49'36"W, A DISTANCE OF 251.64 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT OF WAY LINE OF OSCEOLA PARKWAY; THENCE NORTH 89°10'25" EAST, A DISTANCE OF 1341.99 FEET TO THE POINT OF BEGINNING.

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A PARCEL OF LAND LYING SOUTH OF OSCEOLA PARKWAY AND EAST OF STATE ROAD 535 IN SECTIONS 1, 2 AND 12, TOWNSHIP 25 SOUTH, RANGE 28 EAST, AND A PORTION OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 16.73 ACRES, MORE OR LESS.