

ORDINANCE NO. 2023-37

An Ordinance of the Board of County Commissioners of Osceola County, Florida; establishing the Visions at Orlando West Community Development District, at approximately 36.55 acres, pursuant to Chapter 190, Florida Statutes; naming the District; describing the external boundaries of the District; describing the functions and powers of the District; designating five persons to serve as the initial members of the District's Board of Supervisors; providing for severability; providing for conflict; and providing an effective date.

RECITALS

WHEREAS, Visions at Orlando West LLC, a Florida limited liability company ("Petitioner"), having obtained written consent to the establishment of the District by the owner of one hundred percent (100%) of the real property to be included in the District, has filed a Petition to Establish the Visions at Orlando West Community Development District ("Petition") with the Osceola County Board of Commissioners ("County") pursuant to Section 190.005(2)(a), *Florida Statutes*, to adopt an ordinance establishing the Visions at Orlando West Community Development District ("District") pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Petitioner is a Florida limited liability company, authorized to conduct business in the State of Florida; 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 conducted by the County, pursuant to Section 190.005(2)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that hearing, the Board of County Commissioners of Osceola County, Florida, has considered the record at the public hearing and the statutory factors set forth in section 190.005(2)(c), *Florida Statutes*, in making its determination to grant or deny the Petition; and

WHEREAS, the Board of County Commissioners of Osceola County has determined pursuant to the information contained within the Petition and based on an investigation conducted by the County Staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District: that the statements within the Petition are true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the Osceola County Comprehensive Plan; that the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functionally interrelated community; that the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; that the 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; and that the area to be served by the District is amenable to separate special-district governance; and

WHEREAS, pursuant to the information as stated above, the Board of County Commissioners of Osceola County has decided to grant the Petition to establish the District; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described within the Petition.

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

SECTION 1. RECITALS.

The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY.

This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 3. GRANT OF PETITION.

There is hereby established a Community Development District situated entirely within the unincorporated limits of Osceola County, Florida, over the real property described in **Exhibit “A.”**

SECTION 4. DISTRICT NAME.

The District shall be known as the **“Visions at Orlando West Community Development District.”**

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.

The external boundaries of the District are described in **Exhibit A** attached hereto. The District overall as described contains 36.55 acres, more or less.

SECTION 6. EXPANSION OF DISTRICT WITH SUFFICIENTLY CONTIGUOUS LANDS.

Pursuant to Section 190.046(1)(h) *Florida Statutes*, within ten (10) years of the effective date of this ordinance, the District may petition the County for an amendment to expand the boundaries of the District to include the sufficiently contiguous lands described in Exhibit B. A filing fee may not be charged for this petition.

SECTION 7. FUNCTIONS AND POWERS.

Upon the effective date of this Ordinance, the District will be duly and legally authorized to exist and exercise all of its powers as set forth in Section 190.012(1) and (3), *Florida Statutes*, and as otherwise provided by law. The powers and functions of the District are more fully described in Chapter 190, *Florida Statutes*.

SECTION 8. CONSENT TO SPECIAL POWERS.

Consent is hereby given to the District to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, all as authorized and described by Sections 190.012(2)(a) and (2)(d), Florida Statutes (2022).

SECTION 9. BOARD OF SUPERVISORS.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Robert Thorne, Alex Hache, Clifton Fischer, Fernando de Nunez and Andrew Cuevas. All of the listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 10. SEVERABILITY.

If any provision of this ordinance or the application thereof is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 11. CONFLICT.

Any ordinance or part thereof, or any resolution, or part thereof, which is in conflict with this ordinance or part hereof is hereby repealed to the extent of the conflict.

SECTION 12. EFFECTIVE DATE.

The Clerk shall file a certified copy of this Ordinance with the Department of State within ten (10) days of its adoption. This Ordinance shall take effect immediately upon its filing with the Department of State.

DULY ENACTED in regular session on this 21 day of AUGUST, 2023.

BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY, FLORIDA

By: *Dorian Janer*
Chair/Vice Chair

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: *Thane Remy*
Clerk/Deputy Clerk of the Board



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

08/21/2023

EXHIBIT A
LEGAL DESCRIPTION OF DISTRICT'S BOUNDARIES

OVERALL PARCEL DESCRIPTION

PARCEL 1

LOT 33, BLOCK B , ALEMAN ACRES, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE(S) 45, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA.

PARCEL 2

FROM THE NORTHEAST CORNER OF LOT 1, BLOCK B, ALEMAN ACRES, RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; RUN SOUTH ALONG THE EAST LINE OF LOT 1, 990.0 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE SOUTH 362.3 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; RUN THENCE 89 DEGREES 27 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 1, 197.03 FEET, TO THE POINT OF CURVE OF A 2,429.93 RADIUS CURVE TO THE RIGHT; RUN THENCE ALONG SAID CURVE 465.42 FEET; RUN THENCE NORTH PARALLEL TO THE EAST LINE OF SAID LOT , 318.35 FEET; RUN THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 1, 660.0 FEET TO THE POINT OF BEGINNING; SUBJECT TO A RIGHT OF WAY EASEMENT OVER THE WEST 30.0 FEET, THEREOF, ALL LYING AND BEING ON TRACT D, LOT 1, ALEMAN ACRES IN SECTION 36, TOWNSHIP 25 SOUTH, RANGE 27 EAST, IN OSCEOLA COUNTY, FLORIDA.

PARCEL 3

COMMENCE AT THE NORTHEAST CORNER OF LOT 1, BLOCK B, ALEMAN ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE RUN SOUTH 89 DEGREES 36'40" WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 36'40" WEST A DISTANCE OF 603.88 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF FOREHAND ROAD; THENCE WITH THE ARC OF A CURVE TO THE RIGHT, HAVING FOR ITS ELEMENTS A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 54 DEGREES 02'05", A CHORD WHICH BEARS SOUTH 32 DEGREES 04'37" WEST, A CHORD DISTANCE OF 118.11 FEET, AN ARC DISTANCE OF 122.60 FEET TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 2 OF BLOCK B; THENCE DEPARTING SAID CURVE, RUN SOUTH 00 DEGREES 15'50" EAST ALONG THE WESTERLY LINE OF THE AFOREMENTIONED LOT 1, A DISTANCE OF 230.43 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 36'40" EAST A DISTANCE OF 665.84 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES 03'05" WEST A DISTANCE OF 330.08 FEET TO THE POINT OF BEGINNING.

PARCEL 4

FROM A POINT 660 FEET WEST OF THE NORTHEAST CORNER OF LOT 1, BLOCK B, ALEMAN ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA, RUN SOUTH 330 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 330 FEET; THENCE WEST 660.87 FEET; THENCE NORTH 330 FEET; THENCE EAST 662.18 FEET TO THE POINT OF BEGINNING.

PARCEL 5

THE SOUTH 330 FEET OF THE NORTH 660.0 FEET OF THE EAST 660 FEET OF LOT 1, BLOCK B, ALEMAN ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA.

PARCEL 6

FROM A POINT 660.0 FEET WEST OF THE NORTHEAST CORNER OF LOT 1, BLOCK B, OF ALEMAN ACRES, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; SAID POINT BEING ON THE NORTH LINE OF SAID LOT 1; RUN SOUTH PARALLEL TO THE EAST LINE OF SAID LOT 1, 660.0 FEET, TO THE POINT OF BEGINNING; CONTINUE SOUTH 648.35 FEET TO THE SOUTH LINE OF SAID LOT 1; RUN THENCE NORTHWESTERLY ON 2429.93 FEET RADIUS CURVE TO THE RIGHT 396.67 FEET TO THE POINT OF TANGENCY; RUN THENCE NORTH 69°21' WEST 298.51 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; RUN THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1, 418.31 FEET; RUN THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 1, 660.87 FEET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN SECTION 36, TOWNSHIP 25 SOUTH, RANGE 27 EAST, IN THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA.

PARCEL 7

LOTS 2 AND 3, BLOCK B, ALEMAN ACRES, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE(S) 45, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA.

PARCEL 8

THE SOUTH 330 FEET OF THE NORTH 990 FEET OF THE EAST 660 FEET OF LOT 1, BLOCK B, ALEMAN ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 1, BLOCK B, ALEMAN ACRES, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; SAID POINT BEING ON THE NORTH LINE OF SAID LOT 1; THENCE RUN S 89°55'44" W ALONG SAID NORTH LINE A DISTANCE OF 660.12 FEET TO THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 815, PAGE 1785 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE S 89°55'44" W ALONG SAID NORTH LINE OF LOT 1, A DISTANCE OF 604.01 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF FOREHAND ROAD, SAID POINT BEING ON A NON TANGENT CURVE CONCAVE NORTHWEST, HAVING A RADIUS OF 130.00 FEET, A CHORD BEARING OF S 49°49'24" W AND A CHORD DISTANCE OF 182.50 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°09'56", A DISTANCE OF 202.31 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE, N 85°25'38" W, A DISTANCE OF 254.37 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK B, ALEMAN ACRES AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE LEAVING SAID RIGHT OF WAY LINE, AND ALONG THE WEST LINE OF SAID LOT 3, RUN S 00°06'37" W, A DISTANCE OF 864.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3, THENCE RUN S 69°00'05" E, ALONG THE SOUTHERLY LINE OF LOTS 3, 2 AND 1, A DISTANCE OF 654.34 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 1, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 2,329.93 FEET, A CHORD BEARING OF S 76°25'53" E AND A CHORD DISTANCE OF 602.58 FEET; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°51'35", A DISTANCE OF 604.27 FEET, TO THE NORTHWEST CORNER OF LOT 33, BLOCK B, OF THE AFORE MENTIONED ALEMAN ACRES; THENCE RUN S 06°14'06" W, ALONG THE WEST LINE OF SAID LOT

33, A DISTANCE OF 435.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 33 AND THE NORTH RIGHT OF WAY LINE OF OSCEOLA – POLK LINE ROAD (S.R. 532), SAID POINT ALSO BEING ON A NON TANGENT CURVE CONCAVE NORTH, HAVING A RADIUS OF 2764.93 FEET, A CHORD BEARING OF S 84°52'56" E AND A CHORD DISTANCE OF 100.00 FEET; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°04'20", A DISTANCE OF 100.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 33; THENCE RUN N 04°09'07" E ALONG THE EAST LINE OF SAID LOT 33, A DISTANCE OF 435.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 33, SAID POINT ALSO BEING ON A NON TANGENT CURVE CONCAVE NORTH, HAVING A RADIUS OF 2329.93 FEET, A CHORD BEARING OF S 88°04'03" E AND A CHORD DISTANCE OF 173.67 FEET; THENCE RUN EASTERLY, ALONG THE SOUTH LINE OF AFORE MENTIONED LOT 1 AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°16'18", A DISTANCE OF 173.71 FEET; THENCE CONTINUE ALONG THE SOUTH LINE OF SAID LOT 1, N 89°48'58" E, A DISTANCE OF 197.66 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE RUN N 00°17'58" E, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 1022.50 FEET TO THE SOUTHEAST CORNER OF THE AFORE MENTIONED PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 815, PAGE 1785 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE RUN S 89°51'44" W, ALONG THE SOUTH LINE OF SAID PROPERTY, A DISTANCE OF 660.06 FEET TO THE SOUTHWEST CORNER OF SAID PROPERTY; THENCE RUN N 00°17'18" E, ALONG THE WEST LINE OF SAID PROPERTY, A DISTANCE OF 330.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,592,186.645 SQUARE FEET / 36.55 ACRES MORE OR LESS.

EXHIBIT B
LEGAL DESCRIPTION OF FUTURE EXPANSION PARCELS

Parcel 1

Tax Identification No. 36-25-27-2545-000B-0013

The North 330.00 feet of the East 660.00 feet of Lot 1, Block "B", of ALEMAN ACRES, as recorded in Plat Book 2, Page 45 of the Public Records of Osceola County, Florida. Subject to a Right of Way easement over the West 30.00 feet, thereof, all lying and being in Tract A, Lot 1, Block "B" of ALEMAN ACRES: All in Section 36 South, Range 27 East, Osceola County, Florida.

AND

THE SOUTH 1/2 OF THE SW 1/4 OF THE NE 1/4 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 25 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA.

Parcel 2

The North 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of the Southwest 1/4, Section 36, Township 25 South, Range 27 East, Osceola County, Florida. Tax Identification No. R 36-25-27-0000-0101-0000.

Parcel 3

The North 3/4 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 and the South 1/4 of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Southwest 1/4 Section 36, Township 25 South, Range 27 East, Osceola County, Florida. Tax Identification No. R 36-25-27-0000-009J-0000.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

August 24, 2023

Allison Seibel
Deputy Clerk
Osceola County
2 Courthouse Square
Kissimmee, FL 34741

Dear Allison Seibel,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Osceola County Ordinance No. 2023-37, which was filed in this office on August 23, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh