



Agenda Item Cover Sheet

Agenda Item N^o. _____

Meeting Date June 13, 2023

Consent Section Regular Section Public Hearing

Subject: CDD 22-0880 PETITION TO ESTABLISH THE TWO RIVERS SOUTH COMMUNITY DEVELOPMENT DISTRICT (CDD)			
Agency/Department: Development Services Department, Community Development Section			
Contact Person: J. Brian Grady		Contact Phone: 276-8343	
Sign-Off Approvals			
 <small>Deputy County Administrator</small>	5/31/2023 <small>Date</small>	 <small>Department Director</small>	5/29/2023 <small>Date</small>
 <small>Business and Support Services – Approved as to Financial Impact Accuracy</small>	5/31/23 <small>Date</small>	 <small>County Attorney – Approved as to Legal Sufficiency</small>	5/31/2023 <small>Date</small>

STAFF'S RECOMMENDED BOARD MOTION

Establish the Two Rivers South Community Development District (CDD) in accordance with the attached ordinance.

No direct financial impact to the County will occur as a result of this petition.

Of the approximate \$72,975,000 in total development costs, of which \$58,380,000 is budgeted for CDD-qualified (eligible for CDD funding) common area infrastructure development costs (“common costs”), it is estimated that \$26,432,966 (or 36.22% of total development costs and 45% of common costs) will be funded with long-term CDD bond proceeds.

FINANCIAL IMPACT STATEMENT

No direct financial impact to the County will occur as a result of this petition.

BACKGROUND

On May 4, 2022 EPG Two Rivers Hillsborough Development, LLC petitioned Hillsborough County to establish the Two Rivers South Community Development District (CDD). The Two Rivers South Ridge CDD will be ±1953.64. It is located on the west side of U.S. HWY 301, south of the Pasco County line, north of Ranch Road. Please see Attachment A for the proposed CDD’s location. The CDD will consist of the following folios:

79962.0000			
79965.0000			
79967.0000			
79970.0000			
79974.0000			
79981.0000			
79966.0000			

List Attachments: A) Location Map B) Consent of Landowners C) Draft Ordinance

BACKGROUND - Continued:

The CDD area is located within Planned Development (PD) zoning district PD 07-1838. The PD district in which the parcels are located permits a total of 972 dwelling units and a maximum of 45,000 square feet of commercial uses. Detached and attached single-family units are permitted with, respectively, minimum lot sizes of 5,000 and 3,000 square feet and minimum lot widths of 50 feet and 30 feet. It is anticipated that the development will consist of approximately 144 70’ single-family detached lots, 472 80” single-family detached lots, 189 100” detached lots and 122 10’ single-family detached lots.

The subject properties in the PD district have a Future Land Use classification of Planned Environmental Community -1/2 (PEC ½). The PEC ½ permits consideration of 1 unit per 2 acres provided, through a Planned Development zoning, the development enhances adjacent publicly owned parks/natural resources through the expansion and/or buffering of larger natural resource areas and implementing development requirements that are above current regulatory criteria. Connection to local government water and wastewater service is required. To provide services, an Interlocal Bulk Water Agreement with Pasco County was approved by the BOCC on December 13, 2022, which provides for the purchase of bulk water and wastewater by Hillsborough County from Pasco County to service the utility customers in the Two Rivers development has been established. All costs associated with the extension of lines will be borne by the developer.

The statutory purpose of a CDD is to plan, finance, construct, and/or acquire, operate, and maintain community-wide infrastructure in large, planned community developments. As stated in 190.002, F.S., the Legislature found that “an independent district can constitute a timely, efficient, effective, responsive and economic way to deliver these basic services, thereby providing a solution to the state's planning, management, and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers.”

A CDD is not a substitute for the local general purpose government unit, i.e. the City or County in which the CDD lies. A CDD lacks the powers of permitting, zoning, police, and many other authorities possessed by the general purpose governments.

As an independent special district, the governing body of the CDD establishes its own budget and, within the scope of its authorized powers, operates independently of the local general-purpose government entity whose boundaries include the CDD. The District landowners control the entity which provides services and levies the funds to pay for them.

The District’s budget is submitted to the County annually for informational purposes only. The creation of the District does not impact the ad valorem taxing authority of the County, nor does the County incur any obligation for the debt payments of the District, pursuant to the provisions of Section 190.002(3) F.S.

The petition identifies the total CDD-qualified common cost of improvements as being \$58,350,000. The cost estimate summary provided to the County for review appears below. Pursuant to Section 190.005(1)(a)6., F.S., the proposed timetable for construction of district services and the estimated cost of construction are not binding and may be subject to change. Total proposed CDD-qualified common costs include the following items. The scope of the County’s financial review excludes making any determination as to which of the items may be funded with bond proceeds.

<u>Description</u>	<u>Total Budget</u>
Stormwater Management	\$8,840,015
Utilities	10,766,684
Amenities	3,173,338
Roads	16,161,360
Hardscape/Landscape/Irrigation	10,200, 017
Contingency	9,238,586
Total Project CDD Qualified Common Costs	\$58, 380,000

BACKGROUND - Continued:

Financing Summary:

The intent of the Petitioner is to use a mix of long-term CDD bonds and owners equity to fund construction of infrastructure improvements which will directly benefit landowners within the CDD boundaries. Long-term CDD bonds (“A Bonds”) are repaid over a period of 30 years via annual assessments levied on landowners, which at different points in the project’s life cycle may be the developer, homebuilder(s) or residents depending on the ownership state of the land at the time of assessment. While the developer bears no long-term financial responsibility for repayment of A bond debt assessed on land owned by others, it does bear financial responsibility for the debt over the short-term and until such time as the indebted land is sold to a third party builder. At that point, the builder assumes responsibility for repayment of the affiliated A bond debt until such time as the land is sold to a homebuyer, at which point the homeowner assumes responsibility for repayment of the debt. Therefore, the financial capacity and willingness of the developer to assume financial responsibility for the debt through the time of transfer of the land to unaffiliated third party buyers is of concern. Of the total \$58,380,000 budgeted for CDD-qualified common area infrastructure development costs (“common costs”) and \$14,595,000 in private development costs, it is estimated that about \$26,432,966 (or 36.22% of total development costs) will be funded with long-term CDD bond proceeds. While the plan of finance submitted with the Petition includes short-term CDD bonds as a financing source, the County confirmed verbally with the developer that at this time there is no intent to issue short-term bonds. It is anticipated that the development will consist of 144 70’ single-family detached lots, 472 80’ single-family detached lots, 189 100’ single-family detached lots and 122 110’ single-family detached lots. Annual assessments will range from \$2,450/unit for 70’ lots to \$3,850/lot for 110’ lots. A complete financing summary follows.

Projected Inflows from Issuance of Bonds:

Bond Proceeds (equal to the par amount) \$34,440,000

Projected Uses of Funds Received:

Underwriter’s Discount (2% of the par amount) \$688,800

Cost of Issuance 200,000

Debt Service Reserve Fund (about 7% of par amount) 2,637,264

Capitalized Interest (for approximately 24 months) 4,477,200

Construction of Infrastructure Improvements (1) 26,432,996

Contingency/Rounding 3,770

Total Projected Uses of Bond Proceeds \$34,440,000

(1) Total proposed CDD-qualified common costs being funded with CDD bond proceeds. The scope of the County’s financial review excludes making any determination as to which of the items may be funded with bond proceeds.

Lot Mix and Projected Assessments

The proposed CDD will consist of 144 70’ single-family detached lots, 472 80’ single-family detached lots, 189 100’ single-family detached lots and 122 110’ single-family detached lots. Annual assessments will range from \$2,450/unit for 70’ lots to \$3,850/lot for 110’ lots.

Proposed Facilities Ownership and Maintenance

<u>Description</u>	<u>Ownership & Maintenance</u>
Stormwater Management	County/CDD
Utilities	County
Roads	County/CDD
Amenities	CDD
Off-site Improvements	County

BACKGROUND - Continued:

The District will be managed by District Supervisors selected by qualified electors of the District. The initial Board of Supervisors includes Nicholas Dister, Thomas Spence, Ryan Motko, Steve Luce and Jeffery S. Hills. The District landowners control the entity which provides services and levies the funds to pay for these services. In accordance with 190.006, F.S., the residents of the District will begin to assume control of the CDD commencing six years after the initial appointment of the CDD board by the landowners. The County is not involved in the management or financial responsibilities of the District. The applicant has provided a deed documenting that 100 percent of the real property included in the CDD is in their control, as required by Chapter 190, F.S.

A CDD is an independent special-purpose, local government taxing district authorized by Chapter 190, F.S. (Uniform Community Development Act of 1980, Section 190.002(1)a F.S.). The Uniform Community Development Act requires a public hearing on the petitioned request.

A petition for the establishment of a CDD shall contain the following information:

- 1) A metes and bounds description of the external boundaries of the district. Any real property within the external boundaries of the district which is to be excluded from the district shall be specifically described, and the last known address of all owners of such real property shall be listed. The petition shall also address the impact of the proposed district on any real property within the external boundaries of the district which is to be excluded from the district.
- 2) The written consent to the establishment of the district by all landowners whose real property is to be included in the district or documentation demonstrating that the petitioner has control by deed, trust agreement, contract, or option of 100 percent of the real property to be included in the district, and when real property to be included in the district is owned by a governmental entity and subject to a ground lease as described in s. 190.003(14), the written consent by such governmental entity.
- 3) A designation of five persons to be the initial members of the board of supervisors, who shall serve in that office until replaced by elected members as provided in s. 190.006.
- 4) The proposed name of the district.
- 5) A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence.
- 6) Based upon available data, the proposed timetable for construction of the district services and the estimated cost of constructing the proposed services. These estimates shall be submitted in good faith but shall not be binding and may be subject to change.
- 7) A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district by the future land use plan element of the effective local government comprehensive plan of which all mandatory elements have been adopted by the applicable general-purpose local government in compliance with the Community Planning Act.
- 8) A statement of estimated regulatory costs in accordance with the requirements of s. 120.541.

The above information was received by Hillsborough County and was made part of the review for the proposed CDD.

Chapter 190, F.S., establishes six criteria that a petition must meet to merit approval for the establishment of a CDD. The six requirements include:

- 1) That all statements contained within the petition have been found to be true and correct.
- 2) That the creation of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the effective local government comprehensive plan.
- 3) That the land area within the proposed district is of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functional, interrelated community.
- 4) That the creation of the District is the best alternative available for delivering the community development services and facilities to the area that will be served by the District.
- 5) That the proposed services and facilities to be provided by the District are not incompatible with the capacity and uses of existing local and regional community development district services and facilities.
- 6) That the area proposed to be included in the District is amenable to separate special district government.

BACKGROUND - Continued:

Review Performed by County

No objections to the proposed CDD were raised from reviewing agencies. Staff from the Management and Budget department met with representatives of the Petitioner and conducted a financial review of the application to establish the Two Rivers South CDD. This review evaluated 1) the Applicant's compliance with the requirements of F.S. Ch. 190, 2) the financial capacity of the Petitioner, who will be responsible for the development and operation of the CDD, and 3) the plan of finance for the CDD, including the issuance of bonds to finance eligible infrastructure. This review did not include determining the reasonableness of estimated infrastructure costs or a determination of which project costs are or are not eligible for reimbursement by the CDD and does not guarantee success of the project. Project financials reviewed were based on planned or anticipated performance rather than actual results, and as with any plan or strategy, some amount of risk is inherent and cannot be mitigated away.

Review Performed by the District's Financial Consultant

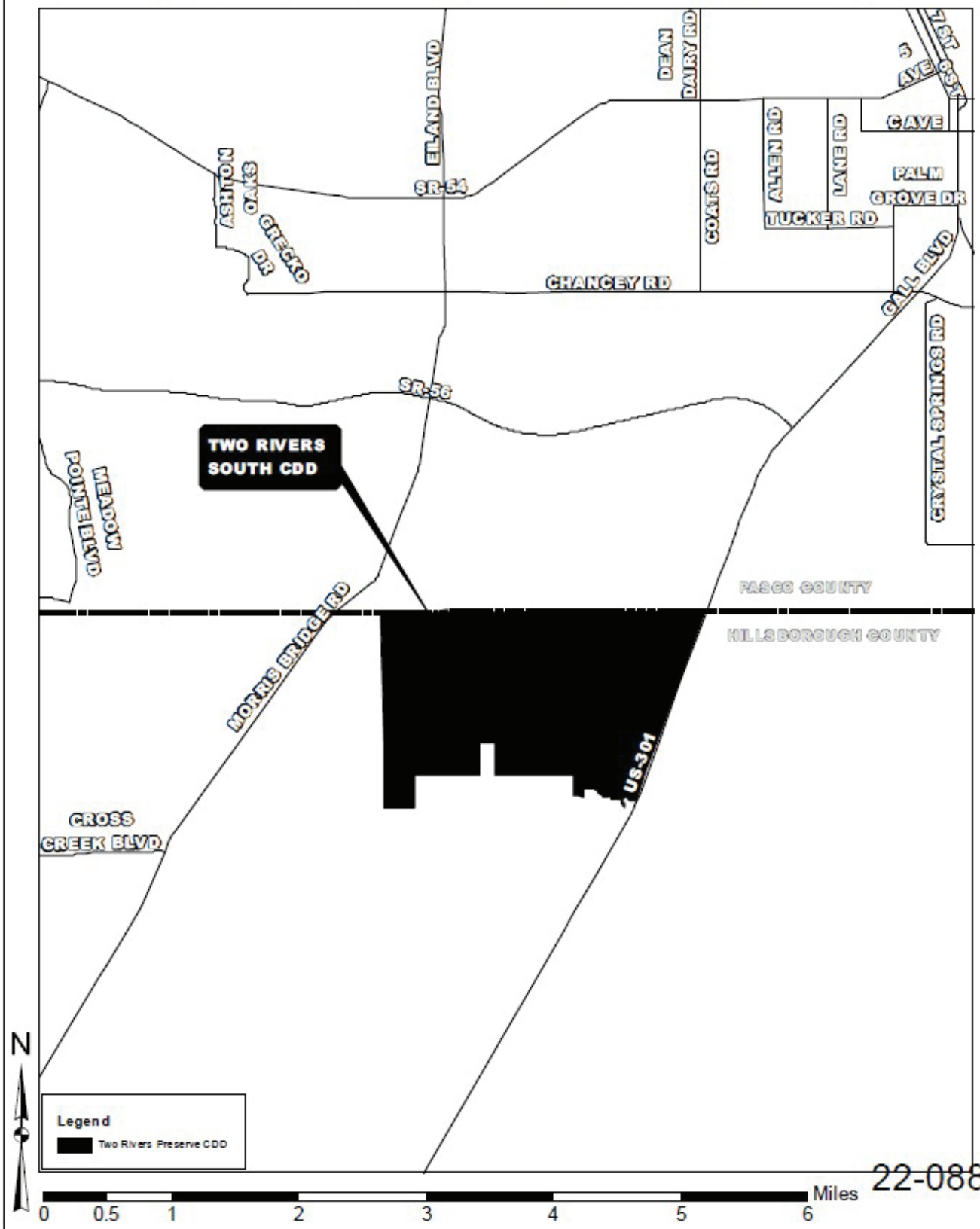
The financial consultant engaged by the Petitioner completed a feasibility study and performed certain other financial analysis in order to evaluate the probability of success of the project. The County reviewed this analysis for reasonableness; however, the fiduciary responsibility for this information lies with the Petitioner and its finance team rather than with the County. The County's financial review is conducted for the purpose of evaluating whether the applicant has met and complied with the requirements of Florida Statute Chapter 190 with regard to the establishment of the CDD.

Role of the Underwriter

It is the underwriters' responsibility to identify investors to purchase the bonds issued by the CDD.

Based on the information contained in this petition and reviews of county departments, staff finds that the petition meets the criteria contained in Chapter 190, F.S., for the establishment of a CDD.

TWO RIVERS SOUTH CDD LOCATION MAP



22-0880

ATTACHMENT B

**CONSENT AND JOINDER OF LANDOWNER
TO THE ESTABLISHMENT OF THE TWO RIVERS SOUTH COMMUNITY DEVELOPMENT DISTRICT**

Brown Hammock LTD, LLLP, a Florida limited liability limited partnership (the "Owner") is the owner of Folio Id 079966-0000 (the "Property").

The Owner understands and acknowledges that EPG Two Rivers Hillsborough Development, LLC ("Petitioner") intends to submit a petition to create the Two Rivers South Community Development District in accordance with the provisions of Chapter 190 of the Florida Statutes.

As an owner of lands which are intended to constitute a portion of the Two Rivers South Community Development District, the Owner understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Two Rivers South Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The Owner hereby consents to the establishment of the Two Rivers South Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to execute any additional documentation necessary, in a form reasonably acceptable to Owner, to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The Owner acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, whichever shall first occur. The Owner further agrees that this consent shall be deemed to run with the Property and be binding upon the owner and its successors and assigns as to the Property or portions thereof.

The Owner hereby represents and warrants that the undersigned officer of the Owner is duly authorized to execute this consent and joinder on behalf of the Owner.

(SIGNATURE PAGE TO FOLLOW)

Executed this 24 day of February, 2022.

Witnessed:

Brown Hammock LTD, LLLP, a Florida limited liability limited partnership

Cynthia Fawkes
Cynthia Fawkes

Print Name: Cynthia Fawkes

By: Robert M. Thomas, as its General Partner

Its: [Signature]

[Signature]

Print Name: Guy Fawkes

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24 day of February, 2022, by Robert M. Thomas, as General Partner of Brown Hammock LTD, LLLP, a Florida limited liability limited partnership. He is personally known to me, or has produced _____ as identification.



Cynthia Fawkes
NOTARY PUBLIC, STATE OF FLORIDA

Cynthia Fawkes
(Print, Type or Stamp Commissioned Name of Notary Public)

#1362794

INSTR # 2001415756
OR BK 11305 PG 0610

RECORDED 12/27/2001 04:17 PM
RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
DOC TAX PD (F.S. 201.02) 0.70
DEPUTY CLERK G Thompson

This instrument prepared by
and returned to

Michael D Annis, Esquire
Foley & Lardner
Post Office Box 3391
Tampa, FL 33601 *MC*

Folio No 79966 0000

FEE SIMPLE DEED

THIS FEE SIMPLE DEED made this 5th day of Dec., 2001, by Robert Thomas, an individual (as to an undivided 99.9% interest), and Robert M Thomas, an individual (as to an undivided .1% interest) ("Grantor"), to BROWN HAMMOCK LTD, LLLP, whose address is 40 Ranch Road, Thonotosassa, Florida 33592-2301 ("Grantee")

WITNESSETH: That Grantor for and in consideration of the sum of \$10 00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby remises, conveys and confirms unto Grantee all that certain land situate in Hillsborough County, Florida, more particularly described on Exhibit A attached hereto (the "Land")

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

TO HAVE AND TO HOLD, the same in fee simple forever

IN WITNESS WHEREOF, Grantor has executed these presents the day and year first above written

Witnesses

[Signature]
Name Jeffrey Lima

[Signature]
Name Linda Stallard

[Signature]
Name Jeffrey Lima

[Signature]
Name Linda Stallard

[Signature]
Robert Thomas, individually

Address 40 Ranch Road
Thonotosassa, FL 33592

[Signature]
Robert M Thomas, individually

Address 40 Ranch Road
Thonotosassa, FL 33592

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 6th day of Dec.,
2001, by Robert Thomas, to me personally known or who produced
as identification, and who did not take an oath



Janet L. Wright
NOTARY PUBLIC
Name Janet L. Wright
Serial # CC957338
My Commission Expires 9-15-04

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 10th day of December,
2001, by Robert M Thomas, to me personally known or who produced
as identification, and who did not take an oath



Janet L. Wright
NOTARY PUBLIC
Name: Janet L. Wright
Serial #: CC957338
My Commission Expires. 9-15-04

EXHIBIT "A"

The East 1/3 of the Southeast 1/4 of Section 5, Township 27 South, Range 21 East, Hillsborough County, Florida; TOGETHER WITH an easement for ingress and egress described as the South 15 feet of the West 670 50 feet of the Southwest 1/4 of Section 4, Township 27 South, Range 21 East, Hillsborough County, Florida

**CONSENT AND JOINDER OF LANDOWNER
TO THE ESTABLISHMENT OF THE TWO RIVERS SOUTH COMMUNITY DEVELOPMENT DISTRICT**

Hickory Hills Land Company, a Florida corporation (the "Owner") is the owner of Folio Ids: 079967-0000, 079965-0000, 079962-0000, 079981-0000, 079974-0000 and 079970-0000, (the "Property").

The Owner understands and acknowledges that EPG Two Rivers Hillsborough Development, LLC ("Petitioner") intends to submit a petition to create the Two Rivers South Community Development District in accordance with the provisions of Chapter 190 of the Florida Statutes.

As an owner of lands which are intended to constitute a portion of the Two Rivers South Community Development District, the Owner understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Two Rivers South Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The Owner hereby consents to the establishment of the Two Rivers South Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to execute any additional documentation necessary, in a form reasonably acceptable to the Owner, to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The Owner acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, whichever shall first occur. The Owner further agrees that this consent shall be deemed to run with the Property and be binding upon the Owner and its successors and assigns as to the Property or portions thereof.

The Owner hereby represents and warrants that the undersigned officer of the Owner is duly authorized to execute this consent and joinder on behalf of the Owner.

(SIGNATURE PAGE TO FOLLOW)

Executed this 24 day of February, 2022.

Witnessed:

Hickory Hills Land Company, a Florida Corporation

Cynthia Fawkes

[Signature]

Print Name: Cynthia Fawkes

By: Robert M. Thomas, as its Chief Executive Officer

[Signature]

Print Name: Guy Fawkes

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24 day of February, 2022, by Robert M. Thomas, as Chief Executive Officer of Hickory Hills Land Company, a Florida corporation. He is personally known to me, or has produced _____ as identification.

Cynthia Fawkes
NOTARY PUBLIC, STATE OF FLORIDA



(Print, Type or Stamp Commissioned Name of Notary Public)

#1362795

DEED

REF. 2120 P. 166

HILLSBOROUGH COUNTY
2 5 3 1
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
COMPTROLLER

The Grantor, ROBERT THOMAS, joined by SUSAN B. THOMAS, his wife, in consideration of the sum of Ten Dollars and other valuable considerations received from the Grantee, hereby grants and conveys unto the Grantee, TWO RIVERS RANCH, INC., a Florida corporation, its successors and assigns, whose post office address is P. O. Box E, Tampa, Florida 33605, the real property in Hillsborough County, Florida described on Schedule A attached hereto and made a part hereof.

This conveyance is subject to all easements and reservations of record and real estate taxes for the year 1969 and subsequent years.

Dated this 22nd day of December, 1969.

Signed, sealed and delivered in the presence of:

Robert Thomas (SEAL)
Robert Thomas

James Don Patten
Elizabeth Walbran

Susan B. Thomas (SEAL)
Susan B. Thomas



HILLSBOROUGH COUNTY
2 5 3 2
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
COMPTROLLER

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, the undersigned notary public authorized in the state and county named above to administer oaths and take acknowledgements, personally appeared Robert Thomas and Susan B. Thomas, his wife, known to me to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the state and county named above this 22nd day of December, 1969.



Eric H. Patten
Notary Public, State of Florida
at Large

This instrument was prepared by
JOHN ARCHIBUS DAVIS OF
HOLLAND & KNIGHT
2110 Exchange National Bank Bldg.
Tampa, Florida 33602

My commission expires:
Notary Public, State of Florida at Large
My Commission Expires Oct. 13, 1972
Bonded By American Life & Casualty Co.

SCHEDULE A

IN TOWNSHIP 27 SOUTH, RANGE 21 EAST, HILLSBOROUGH COUNTY, FLORIDA:

Section 1: All that part lying west of U. S. Highway No. 39, EXCEPT Tracts 1, 2, 8, 9, 10, 15, 16, 17, 18 and 32, CRYSTAL SPRINGS COLONY FARMS, according to the map or plat thereof as the same is recorded in Plat Book 7, page 15, of the public records of Hillsborough County, Florida.

Section 2: All, EXCEPT Tracts 1, 2, 3, 4, 7, 8, 9, 10, 13, 14, 15 and 31, CRYSTAL SPRINGS COLONY FARMS, according to the map or plat thereof as the same is recorded in Plat Book 7, page 15, of the public records of Hillsborough County, Florida.

Section 3: All.

Section 4: All.

Section 5: All, EXCEPT the SE-1/4.

Section 6: All.

Section 7: The E-1/2 of the NE-1/4 of the NE-1/4; the W-3/4 of the N-1/4; and the SW-1/4 of the NW-1/4.

Section 8: All that part of the E-1/2 lying north of the Hillsborough River; the N-1/2 of the NW-1/4; and all that part of the E-1/2 lying southeast of the Seaboard Coast Line Railroad right of way.

Section 9: All of Section 9, EXCEPT the NE-1/4 of the NW-1/4 and the NW-1/4 of the SW-1/4.

Section 10: All.

Section 11: All.

Section 14: The North 1/2.

Section 15: All.

Section 16: All.

Section 21: All.

Section 22: All.

LESS AND EXCEPT that part of the lands located in Township 27 South, Range 21 East, described as follows:

Beginning at the northwest corner of the NE-1/4 of the NE-1/4 of Section 3 and run southwesterly to the southwest corner

SCHEDULE A TO DEED
FROM ROBERT THOMAS
TO TWO RIVERS RANCH, INC.
DATED DECEMBER 22, 1969

REC-2120 PG 167

of the SE-1/4 of the NW-1/4 of said Section 3; thence southwesterly to a point in the NW-1/4 of the SW-1/4 of said Section 3 which is 450 feet south of the north line of the SW-1/4 of said Section 3, and 450 feet east of the west line thereof; thence to a point on the west line of Section 3 which is 300 feet north of the southwest corner of the NW-1/4 of the SW-1/4 of said Section 3; thence southwesterly to the southwest corner of the SE-1/4 of the SE-1/4 of Section 4; thence southwesterly to a point 200 feet west of the southeast corner of the NW-1/4 of the NE-1/4 of Section 9; thence southwesterly to the southwest corner of the NE-1/4 of said Section 9; thence west to the northwest corner of the SW-1/4 of said Section 9; thence south to the southwest corner of the NW-1/4 of the SW-1/4 of said Section 9; thence west 30° north to a point on the east boundary of the Seaboard Coast Line Railroad R/W lying in the NE-1/4 of the SE-1/4 of said Section 8; thence northeasterly along the east boundary of said railroad R/W to a point of intersection with the north section line of Section 9; thence east to the northwest corner of the NE-1/4 of the NW-1/4 of said Section 9; thence south to the southwest corner of the NE-1/4 of the NW-1/4 of said Section 9; thence east to the southeast corner of the NE-1/4 of the NW-1/4 of said Section 9; thence north to the northeast corner of the NE-1/4 of the NW-1/4 of said Section 9; thence northeasterly to a point 300 feet west of the northeast corner of the SW-1/4 of the SE-1/4 of Section 4; thence northeasterly to a point 450 feet south of the north line and 450 feet east of the west line of the NE-1/4 of the SE-1/4 of said Section 4; thence northeasterly to the northeast corner of the SE-1/4 of said Section 4; thence northeasterly to a point 450 feet west of the northeast corner of the SW-1/4 of the NW-1/4 of Section 3; thence northeasterly to the northeast corner of the NW-1/4 of said Section 3; thence east along the north line of said Section 3 to the point of beginning.

REF 2120 PC 169

AND SUBJECT TO an easement for access from U. S. Highway 301 (State Road 41) to the excepted lands immediately above described, over and upon a strip of land located in Section 8, Township 27 South, Range 21 East, 100 feet wide, lying east of and adjacent to the east boundary of the Seaboard Coast Line Railroad right of way and running from said excepted lands in said Section 8 to the existing entrance road of Two Rivers Ranch located in the SE-1/4 of the SE-1/4 of said Section 8.

IN TOWNSHIP 27 SOUTH, RANGE 22 EAST, HILLSBOROUGH COUNTY, FLORIDA:

Section 6: Tracts 40B, 41A and 56 of CRYSTAL SPRINGS COLONY FARMS CO., according to map or plat thereof recorded in Plat Book 9 on page 12 of the public records of Hillsborough County, Florida.

SCHEDULE A TO DEED
FROM ROBERT THOMAS
TO TWO RIVERS RANCH, INC.
DATED DECEMBER 22, 1969

RECORDED
DEC 31 3 29 PM '69
HILLSBOROUGH COUNTY, FLA.

B 2 7 5 6 5

ATTACHMENT C

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE TWO RIVERS SOUTH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, EPG Two Rivers Hillsborough Development, LLC, a Florida limited liability company ("Petitioner"), has filed a Petition to Establish the Two Rivers South Community Development District ("Petition") with Hillsborough County requesting that the Board of County Commissioners in and for Hillsborough County, Florida ("County"), adopt an ordinance establishing the Two Rivers South Community Development District pursuant to chapter 190, Fla. Stat. ("District"), and designating the real property described in Exhibit A, attached hereto, as the area of land for which the District is authorized to manage and finance basic service delivery; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive, and economic method of delivering community development services, in the area described in Exhibit A, which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management, and financing needs for the delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of section 190.005(1)(d), Fla. Stat.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in section 190.005(1)(e), Fla. Stat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS ____ DAY OF _____ AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Board of County Commissioners hereby finds and states that:

1. the "WHEREAS" clauses stated above are adopted as findings of fact in support of this Ordinance;
2. all statements contained in the Petition are true and correct;
3. the establishment of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County's Comprehensive Plan;
4. 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;
5. the establishment of the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
6. the proposed community development services and facilities to be provided by the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
7. the area that will be served by the District is amenable to separate, special-district government.

SECTION 2. CONCLUSIONS OF LAW.

1. This proceeding is governed by chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to section 190.005(2), Fla. Stat.; and
3. The granting of the Petition complies with the dictates of chapter 190, Fla. Stat.

SECTION 3. CREATION, BOUNDARIES AND POWERS. There is hereby established the Two Rivers South Community Development District for the area of land described in Exhibit A, attached hereto, which shall have, and which may exercise through its Board of Supervisors, the powers of sections 190.011 and 190.012 (1), (2)(a), (2)(b), (2)(c), 2(d), (2)(e), (2)(f), and (3), Fla. Stat. The District shall operate in accordance with the uniform community development district charter as set forth in sections 190.006-190.041, Fla. Stat., including the special powers provided by Section 190.012, Fla. Stat.

SECTION 4. INITIAL BOARD. The following five persons are designated as the initial members of the Board of Supervisors: Jeffery S. Hills, Nicholas Dister, Thomas Spence, Ryan Motko and Steve Luce.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, provision, or other part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, CINDY STUART, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of _____ as the same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this _____ day of _____, 2023.

CINDY STUART, CLERK

BY:

Deputy Clerk

APPROVED BY COUNTY ATTORNEY AS
TO FORM AND LEGAL SUFFICIENCY

BY:

Nancy Y. Takemori
Assistant County Attorney

EXHIBIT A

DESCRIPTION:

PARCEL 1

In Township 27 South, Range 21 East, Hillsborough County.

Section 4: ALL, LESS right-of-way (North U.S. Highway 301).

Section 5: ALL, LESS the East 1/3 of the Southeast 1/4.

Section 6: ALL

Section 7: The East 1/2 of the Northeast 1/4 of the Northeast 1/4, and the West 3/4 of the North 1/4 and the Southwest 1/4 of the Northwest 1/4.

Section 8: That part of the East 1/2 lying North of the Hillsborough River and the North 1/2 of the Northwest 1/4 and ALL of that part of the East 1/2 lying Southeast of the Seaboard Coast Line Railroad right-of-way.

LESS: Point beginning at the Southeast corner of the Northeast 1/4 of the Southeast 1/4; thence run North 60° West to the Easterly right-of-way line of Railroad; thence Northerly along Railroad to the East boundary of Section; thence South to the **Point of Beginning**.

Section 9: The Northeast 1/4 of the East 1/2 of the Northwest 1/4, LESS: Beginning at the Northwest corner, run East 500 feet South to the South boundary of the Northeast 1/4 of the Northwest 1/4 Southwesterly to a point 400 feet South of the Northwest corner of the Southeast 1/4 of the Northwest 1/4 North to the **Point of Beginning**; Southeast 1/4 of the Southwest 1/4, LESS beginning at the Northwest corner, run East to the Northeast corner of the Northwest 1/4 of the Southwest 1/4 South, 900 feet Southwesterly to the South boundary of the Northwest 1/4 of the Southwest 1/4, West 500 feet to the Southwest corner North to the **Point of Beginning**; that part of the Northwest 1/4 lying West of State Road 156.

PARCEL 2

In Township 27, Range 21 East, Hillsborough County, Florida.

Section 5: The East 1/3 of the Southeast 1/4.

TOGETHER WITH an easement for Ingress and Egress described as the South 15 feet of the West 670.50 feet of the Southwest 1/4 of Section 4, Township 27 South, Range 21 East, Hillsborough County, Florida.