

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, ESTABLISHING THE SUNDANCE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING BOUNDARIES; DESIGNATING INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING POWERS; PROVIDING FOR NOTICE OF SPECIAL ASSESSMENTS; PROVIDING FOR CONDITIONS; PROVIDING FOR EXCEPTIONS AND INTERLOCAL AGREEMENTS WITH THE CITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Port St. Lucie (the "City") has determined that it is authorized pursuant to Section 190.005, Florida Statutes, to establish community development districts that are less than 2,500 acres in size and located within the corporate boundaries of the City; and

WHEREAS, ACR Acquisition, LLC, a Delaware limited liability company (the "Petitioner"), has petitioned the City to grant the establishment of the Sundance Community Development District (the "District"), which petition contains the information required by sections 190.005(1)(a) and 190.005(2)(a), Florida Statutes; and

WHEREAS, a public hearing has been conducted by the City Council in accordance with the requirements and procedures of section 190.005(1)(d), Florida Statutes; and

WHEREAS, the City Council has taken testimony and considered the record of the public hearings and the factors set forth in Section 190.005(1)(e), Florida Statutes; and

WHEREAS, all statements contained in the petition have been found to be true and correct; and

WHEREAS, the establishment of the District is not inconsistent with any applicable element or portion of the City's Comprehensive Plan; and

WHEREAS, the area of land within the District is of sufficient size, sufficiently compact and is sufficiently contiguous to be developable as one functional interrelated community; and

WHEREAS, the establishment 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; and

WHEREAS, the proposed services and facilities to be provided by the District will be compatible with the capacity and uses of existing local and regional community development services and facilities; and

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WHEREAS, the area that will be served by the District is amenable to separate special district government; and

WHEREAS, the District desires to levy special assessments on benefited land within the District to pay for infrastructure constructed and/or acquired by the District; and

WHEREAS, all applicable planning and permitting laws, rules, regulations and policies control the development of the land to be serviced by the District; and

WHEREAS, the City Council finds that the District shall have the general powers described in section 190.011, Florida Statutes, and the special powers described in sections 190.012(1), (2)(a) and (d), and (3), Florida Statutes; and

WHEREAS, the District's exercise of special powers pursuant to section 190.012(2)(d), Florida Statutes, may not impede the public's access to public roadways; and

WHEREAS, the exercise by the District of any powers other than the powers set forth in sections 190.011 and 190.012(1), (2)(a) and (d) and (3), Florida Statutes, shall require consent by the City Council by ordinance or resolution; and

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The City Council of the City of Port St. Lucie, Florida, hereby adopts and ratifies those matters as set forth in the foregoing recitals.

Section 2. Establishment; Name. The Sundance Community Development District (the "District") is hereby established.

Section 3. Boundaries. The external boundaries of the District are set forth in the legal description contained in the attached Exhibit "A" and incorporated by reference.

Section 4. Initial Board of Supervisors. The following five (5) persons are designated as the initial members of the Board of Supervisors of the District: Alexander Akel, Ramsey Akel, Horacio Moncada, Ersillia Moreno, and Luai Akel. All of the above-named persons are residents of the State of Florida and citizens of the United States.

Section 5. District General and Special Powers. The District shall have all the power and authority to construct, operate and maintain District facilities and services as authorized by Chapter 190, Florida Statutes, as amended from time to time. The City consents to the Board's exercise of special powers set forth in sections 190.012(1), (2)(a) and (d) and (3), Florida Statutes, which includes the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for

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indoor and outdoor recreational, cultural, and educational uses, and for security including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; provided, however, 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. Said powers shall be discharged in accordance with Chapter 190 of the Florida Statutes. The District's exercise of special powers pursuant to section 190.012(2)(d), Florida Statutes, may not impede the public's access to public roadways. The District shall not impose special assessments of any kind whatsoever on real property to be dedicated to or owned by the City.

Section 6. District Charter; Exercise of Special Powers. Pursuant to section 190.004(4), Florida Statutes, the charter for the District shall be sections 190.006 through 190.041, Florida Statutes, including the special powers provided by sections 190.012(1), (2)(a) and (d), and (3), Florida Statutes. The exercise by the District of powers set forth in section 190.012(2)(b), (c), (e), and (f), Florida Statutes, shall require prior consent by the City Council, which consent shall only be provided by resolution or ordinance after specific petition to the City Council.

Section 7. Notice of Special Assessments. The District is solely responsible for the implementation of special assessments upon benefited property within the District's internal boundaries. The Petitioner, its successors, and assignees shall provide notice of said special assessments to all prospective purchasers of said property.

- (a) The Petitioner, its successors, and assigns shall provide full disclosure of the public financing and maintenance of improvements undertaken by the District. This disclosure shall include a statement in bold print that special assessments imposed by the District will appear in the tax bill for each property within the District. This disclosure shall meet the requirements of section 190.048, Florida Statutes, as amended from time to time, and shall be included in every contract for purchase and sale of property within the District, and in every recorded deed of conveyance from the Petitioner. The District shall record a notice of assessments in the Public Records both before and after any bond sale;
- (b) The Petitioner, its successors, and assignees shall disclose the fact that the development is located in a special taxing district, and that a special assessment will

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- be assessed on the tax roll against all benefited property within the District. This information shall be in bold type in any sale brochures, in any sales information, and on the front page of the Declaration of Restrictive Covenants creating the Property Owners Association or Homeowners Association;
- (c) The Petitioner, its successors, and assigns, shall provide all the disclosures required by this Ordinance in a separate page as part of the contract for purchase and sale of property within the District. The prospective purchaser must sign this page;
 - (d) An affidavit of compliance shall be submitted annually to the City of Port St. Lucie beginning on _____ until all units have been sold, outlining the number of units sold, providing samples of the documents used in the closing process, and certifying compliance with the disclosure requirements contained in this Ordinance. Upon ten (10) days written notice, the City shall have the right to audit the records of the Petitioner, its successors, and assignees, to verify the compliance with the disclosure requirements in this Ordinance. Failure to comply with the disclosure requirements in this Ordinance shall be a violation of a City ordinance and shall be punishable as provided by law including, but not limited to, enforcement procedures established in the City's Land Development Code.

Section 8. Conditions. The District shall be subject to the following conditions:

- (a) The Petitioner and all future property owners and persons within the District shall be subject to all City ordinances including, but not limited to, site plan approval and all permitting and review requirements and processes;
- (b) All construction shall be subject to City inspections and requirements;
- (c) The construction of all utility infrastructure relating to ponds, landscaping, hardscaping and walls, sanitary sewer, stormwater management (including ponds and retention and transmission facilities), roads and paving, sidewalks, and water supply and distribution shall be built to City standards;

Section 9. Exceptions and Interlocal Agreements. The District shall have all of the authority and power contained with Chapter 190, Florida Statutes, as set forth in this Ordinance. Although the District may construct potable water or wastewater facilities, the District shall not operate such facilities unless, pursuant to Chapter 163, Florida Statutes, an interlocal agreement is promulgated between the City and the District; provided, however, that following

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construction, the District will dedicate such facilities to the City after the City has inspected and approved the facilities through its turnover process.

Section 10. Conflicting Provisions. In the event this Ordinance conflicts with any other ordinance of the City of Port St. Lucie, this Ordinance shall govern and the conflicting ordinance shall be repealed to the extent of such conflict.

Section 11. Severability. If any portion of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative, invalid, or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Ordinance.

Section 12. Department of State. The Clerk is hereby directed to send a certified copy of this Ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

Section 13. Effective Date. This Ordinance shall become effective immediately upon final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2024.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

By: _____
Shannon M. Martin, Mayor

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, Interim City Attorney

EXHIBIT A

EXHIBIT 2

DESCRIPTION:

BEING ALL OF TRACT RW, BECKER ROAD AT WILSON GROVES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 121, PAGES 7 THROUGH 13 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TOGETHER WITH PORTIONS OF BLOCK 3, BLOCK 4, BLOCK 6, TRACT 1, BLOCK 6, TRACT 2, BLOCK 6, TRACT 3, BLOCK 8 AND BLOCK 9, THE ALAN WILSON GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGES 50 AND 50A OF SAID PUBLIC RECORDS, TOGETHER WITH A PORTION OF EAST HALF OF SECTION 31, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, LYING IN SECTIONS 29, 31 AND 32, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 31; THENCE ALONG THE WEST LINE OF SAID SECTION 31, N00°03'37"W, A DISTANCE OF 1101.96 FEET; THENCE N89°56'23"E, A DISTANCE OF 80.00 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 609, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 94002-2501 OF SAID PUBLIC RECORDS AND TO THE POINT OF BEGINNING; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID TRACT RW, THE FOLLOWING SIX (6) COURSES AND DISTANCES: THENCE S44°57'57"E, A DISTANCE OF 49.42 FEET; THENCE S89°52'17"E, A DISTANCE OF 4,759.39 FEET; THENCE N44°57'25"E, A DISTANCE OF 49.65 FEET; THENCE S89°42'41"E, A DISTANCE OF 150.01 FEET; THENCE S45°02'35"E, A DISTANCE OF 49.35 FEET; THENCE S89°52'17"E, A DISTANCE OF 1,166.63 FEET; THENCE N00°07'43"E, A DISTANCE OF 889.71 FEET; THENCE N89°52'17"W, A DISTANCE OF 986.89 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID BLOCK 6, TRACT 2; THENCE ALONG SAID WEST LINE AND THE NORTHERLY PROLONGATION THEREOF, N00°12'47"W, A DISTANCE OF 590.34 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 6, TRACT 1; THENCE ALONG THE WEST LINE OF SAID BLOCK 3, N00°17'58"W, A DISTANCE OF 389.69 FEET; THENCE EAST, A DISTANCE OF 49.49 FEET; THENCE N00°15'25"W, A DISTANCE OF 694.96 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 51.96 FEET AND A CENTRAL ANGLE OF 95°53'04"; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 86.96 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT, HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 50°22'04"; THENCE EASTERLY ALONG THE ARC, A DISTANCE OF 70.33 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT, HAVING A RADIUS OF 280.00 FEET AND A CENTRAL ANGLE OF 44°44'37"; THENCE EASTERLY ALONG THE ARC, A DISTANCE OF 218.66 FEET; THENCE S89°59'48"E, A DISTANCE OF 137.26 FEET; THENCE N00°07'43"E, A DISTANCE OF 603.33 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF PAAR DRIVE, AS RECORDED IN OFFICIAL RECORDS BOOK 4704, PAGE 566 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, THE FOLLOWING FOUR (4) COURSES AND DISTANCES: THENCE S89°52'17"E, A DISTANCE OF 2,722.38 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,056.00 FEET AND A CENTRAL ANGLE OF 27°10'32"; THENCE EASTERLY ALONG THE ARC, A DISTANCE OF 975.17 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT, HAVING A RADIUS OF 2,206.00 FEET AND A CENTRAL ANGLE OF 27°20'32"; THENCE EASTERLY ALONG THE ARC, A DISTANCE OF 1,052.73 FEET; THENCE S45°15'27"E, A DISTANCE OF 63.50 FEET TO A LINE 75.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST LINE OF SAID PLAT; THENCE ALONG SAID PARALLEL LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES: THENCE S00°28'37"E, A DISTANCE OF 1,126.98 FEET; THENCE S00°28'07"E, A DISTANCE OF 2,611.01 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF SAID TRACT RW; THENCE ALONG SAID EAST BOUNDARY LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES: THENCE S44°48'41"W, A DISTANCE OF 14.07 FEET; THENCE S00°28'07"E, A DISTANCE OF 219.56 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID TRACT RW; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, THE FOLLOWING NINE (9) COURSES AND DISTANCES: THENCE N45°12'38"W, A DISTANCE OF 49.27 FEET TO THE POINT OF CURVE OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N00°02'52"E, A RADIAL DISTANCE OF 2,206.00 FEET;

DESCRIPTION IS CONTINUED ON SHEET 2

THIS IS NOT A SURVEY

SHEET 1 OF 7

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	2-12-2024
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	4371-3-CDD

**WILSON GROVES
 CDD#1 RESIDENTIAL AREA
 SKETCH AND DESCRIPTION**

EXHIBIT "A"

DESCRIPTION: (CONTINUED)

THENCE WESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 39°34'12", A DISTANCE OF 1,523.52 FEET TO A POINT OF REVERSE CURVATURE TO THE LEFT, HAVING A RADIUS OF 2,056.00 FEET AND A CENTRAL ANGLE OF 39°29'21"; THENCE WESTERLY ALONG THE ARC, A DISTANCE OF 1,417.03 FEET; THENCE N89°52'17"W, A DISTANCE OF 2,675.59 FEET; THENCE S44°57'25"W, A DISTANCE OF 49.65 FEET; THENCE N89°42'41"W, A DISTANCE OF 150.01 FEET; THENCE N45°02'35"W, A DISTANCE OF 49.35 FEET; THENCE N89°52'17"W, A DISTANCE OF 4,759.98 FEET; THENCE S45°02'03"W, A DISTANCE OF 49.58 FEET TO A POINT OF INTERSECTION WITH SAID EAST RIGHT-OF-WAY LINE OF STATE ROAD 609; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°03'37"W, A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 18,619,919 SQUARE FEET OR 427.4545 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N00°03'37"W, ALONG THE WEST LINE OF SECTION 31, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
5. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

LEGEND AND ABBREVIATIONS:

- | | |
|---|---------------------------|
| P.O.B. – POINT OF BEGINNING | E/W – EAST/WEST |
| P.O.C. – POINT OF COMMENCEMENT | N/S – NORTH/SOUTH |
| O.R.B. – OFFICIAL RECORD BOOK | Δ – DELTA (CENTRAL ANGLE) |
| F.P.L. – FLORIDA POWER & LIGHT | L – LENGTH |
| FDOT – FLORIDA DEPARTMENT OF TRANSPORTATION | R – RADIUS |
| P.B. – PLAT BOOK | LB – LICENSED BUSINESS |
| PG(S). – PAGE(S) | |
| R/W – RIGHT-OF-WAY | |

31-37-39 – SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON FEBRUARY 12, 2024. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

THIS IS NOT A SURVEY

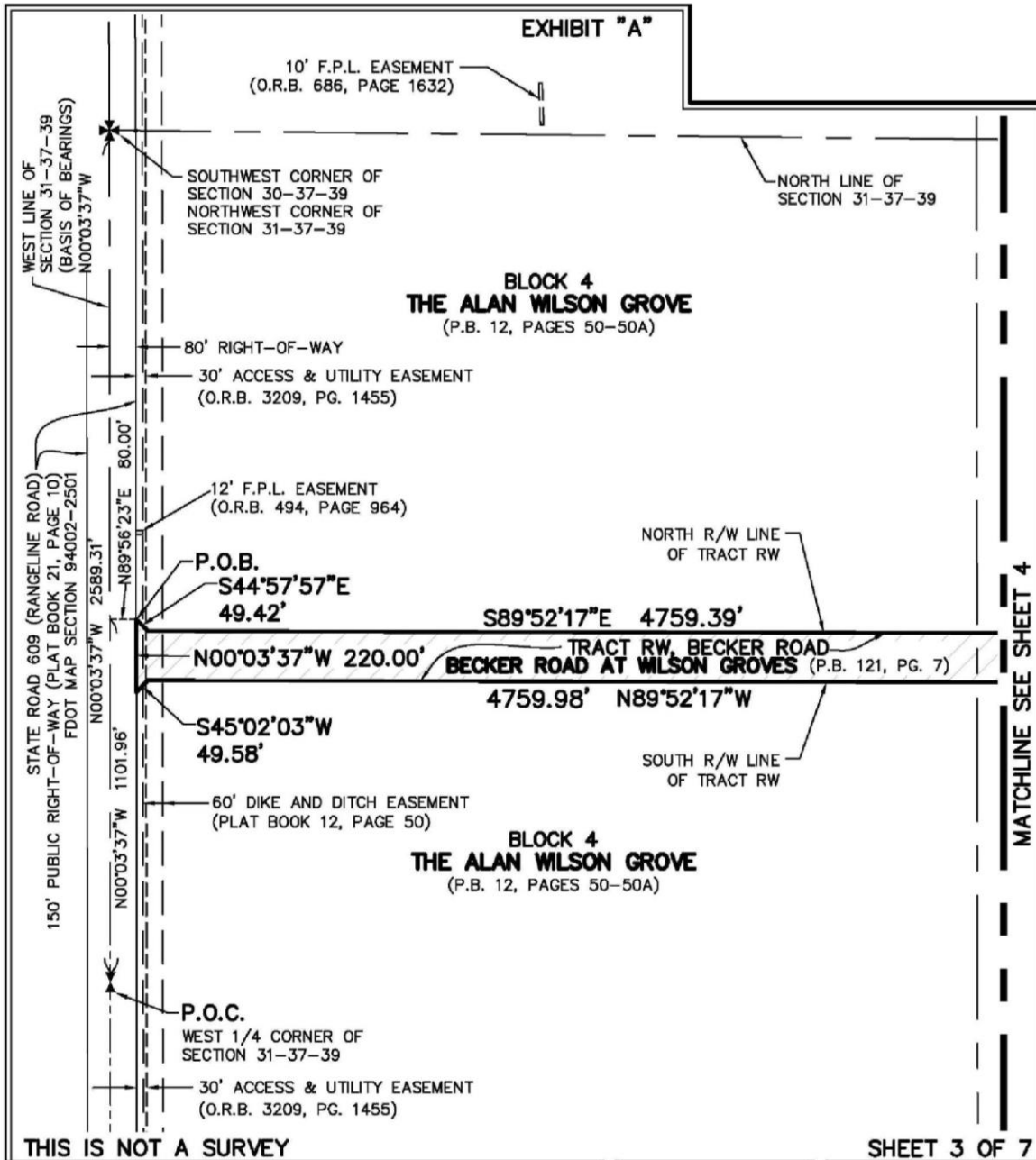
SHEET 2 OF 7

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING – LAND PLANNING
 LANDSCAPE ARCHITECTURE – SURVEYING
 7900 GLADES ROAD – SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

WILSON GROVES
CDD#1 RESIDENTIAL AREA
SKETCH AND DESCRIPTION

DAVID P. LINDLEY
 REGISTERED LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 LB 3591

DATE	2-12-2024
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	4371-3-CDD



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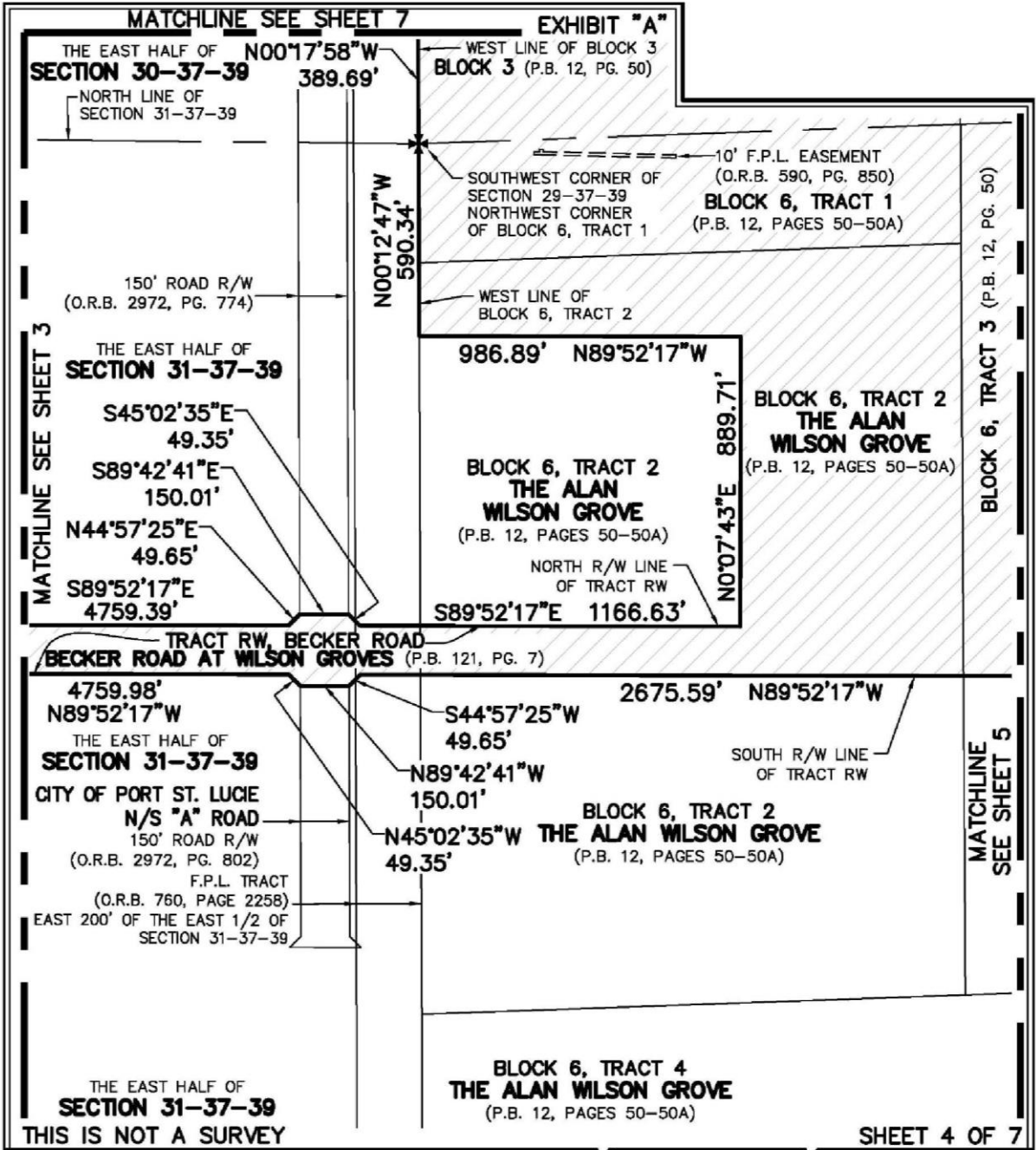
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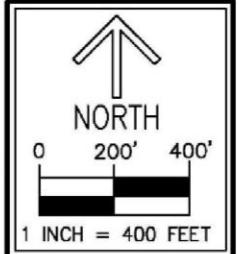
1 INCH = 400 FEET

DATE	2-12-2024
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	1"=400'
JOB NO.	4371-3-CDD

**WILSON GROVES
CDD#1 RESIDENTIAL AREA
SKETCH AND DESCRIPTION**

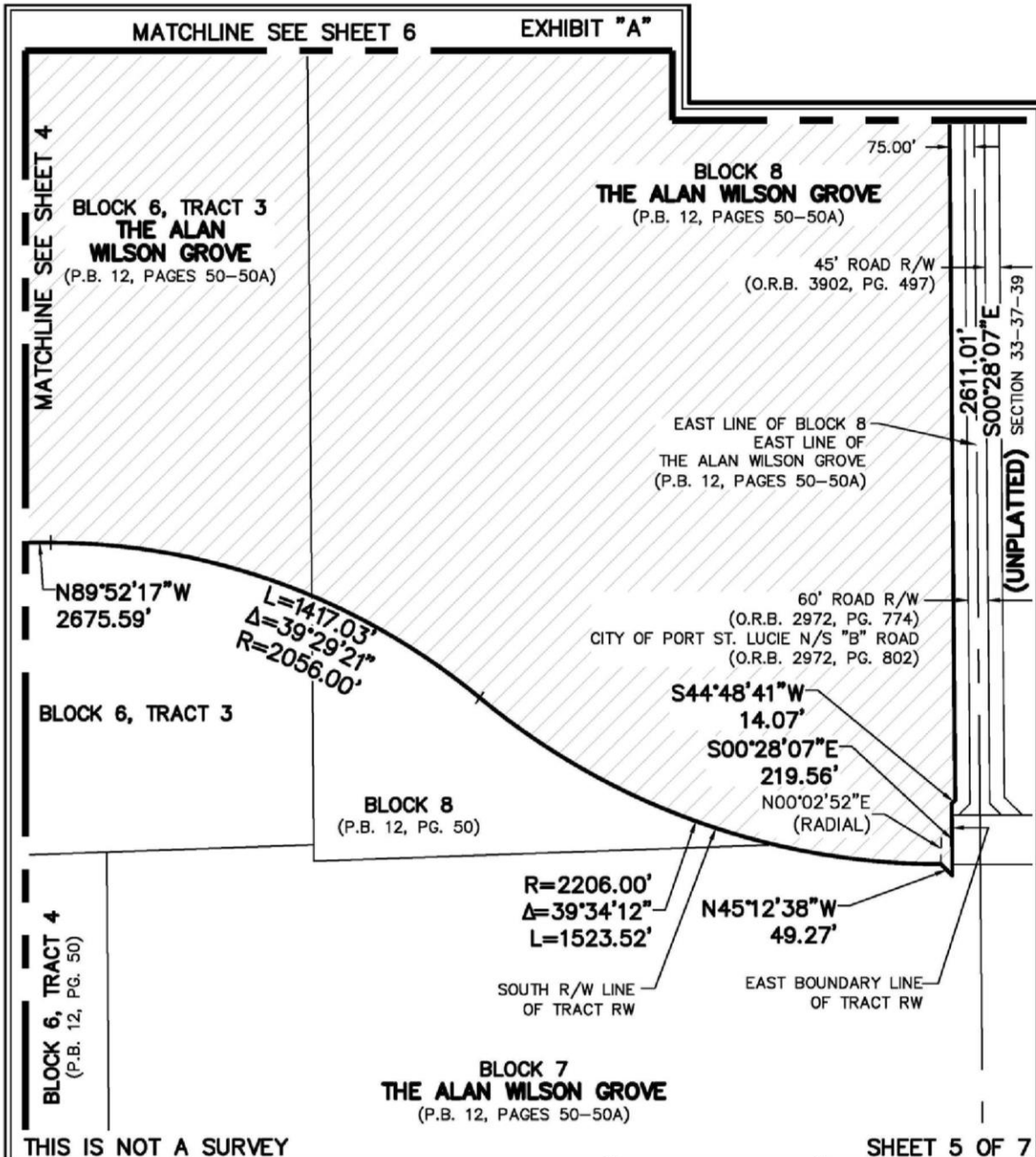


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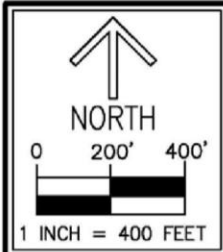
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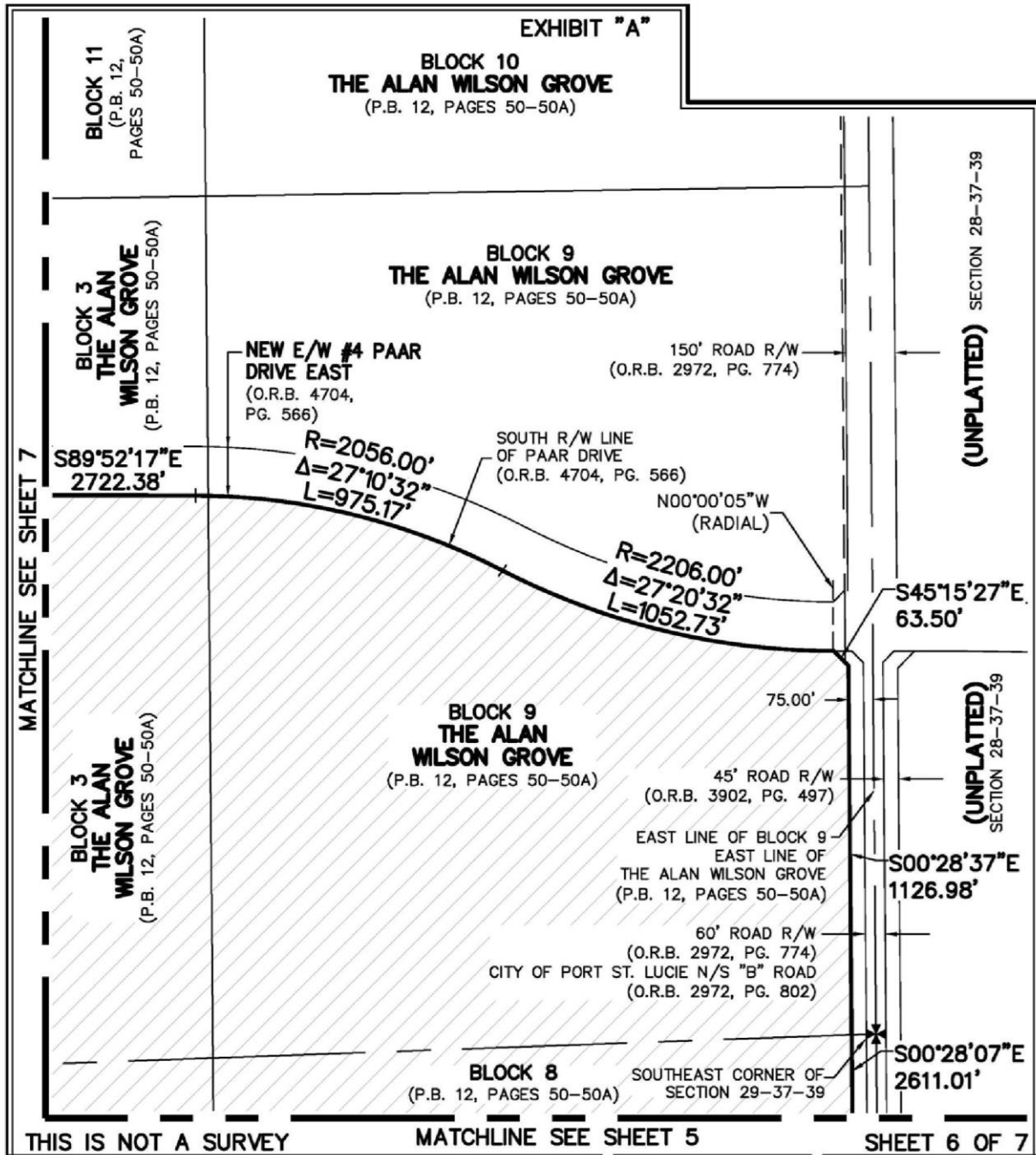
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WILSON GROVES
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SKETCH AND DESCRIPTION



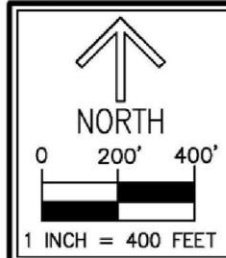
THIS IS NOT A SURVEY

MATCHLINE SEE SHEET 5

SHEET 6 OF 7

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