

ORDINANCE 05-17

(3) The area of land contained within the proposed district is sufficiently compact and contiguous to be developable as one functional, interrelated community.

(4) The district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

(5) The community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.

(6) The area that will be served by the district is amenable to separate special-district government.

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

Section 1. Establishment; Name.

The Montage Reserve Center Community Development District (the "District") is hereby established.

Section 2. Boundaries.

The boundaries of the District are set forth in the legal description contained in the attached Exhibit "A."

Section 3. Initial Board of Supervisors. The following five persons are designated as the initial members of the Board of Supervisors of the District: John C. Csapo, Chair; John Tompson; Bob Vail; Larry Ieropoli; and Scott Morton.

Section 4. 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 Section 190.012(2), Florida Statutes, including the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems and facilities, as provided in Section 190.012(2), Florida Statutes,

ORDINANCE 05-17

when authorized by proper governmental entities. Said powers shall be discharged in accord with Chapter 190 of the Florida Statutes.

Section 5. Exceptions and Interlocal Agreements. The District shall have all of the authority and power contained within Chapter 190, Florida Statutes, as set forth above, except that the District may construct, but will not operate, potable water or wastewater facilities unless, pursuant to Chapter 163, Florida Statutes, an Interlocal Agreement is promulgated between the City and the District. Provided, however, that following construction, the District will dedicate such facilities to the City.

Section 6. 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 7. Severability. If any portion of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this Ordinance.

Section 8. 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 9. Effective Date. This Ordinance shall become effective ten (10) days after its final adoption.

ORDINANCE 05-17

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida,
this 26th day of April, 2005.

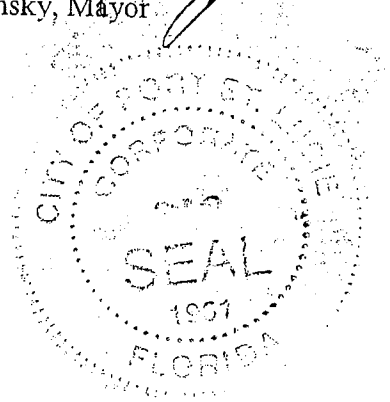
CITY COUNCIL
CITY OF PORT ST. LUCIE

By: *Robert E. Minsky*
Robert E. Minsky, Mayor

Karen A. Phillips
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Roger G. Orr
Roger G. Orr, City Attorney



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EXHIBIT "A"

LEGAL DESCRIPTION — MONTAGE RESERVE CENTER CDD

BEGIN AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY BOUNDARY OF INTERSTATE 95, SECTION 94001-2412, WITH THE NORTHEASTERLY RIGHT OF WAY BOUNDARY OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-24 CANAL AND RUN THENCE NORTH 33°03'38" EAST ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY 594.79 FEET TO A POINT OF CURVE TO THE LEFT CONCAVE TO THE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY AND SAID CURVE WITH A RADIUS OF 7465.44 FEET THROUGH A CENTRAL ANGLE OF 08°44'10", AN ARC DISTANCE OF 1138.28 FEET, THE CHORD OF SAID ARC BEING NORTH 28°41'33" EAST 1137.18 FEET TO THE NORTHERLY BOUNDARY OF TOWNSHIP 37 SOUTH, RANGE 39 EAST AND THE SOUTHERLY BOUNDARY OF TOWNSHIP 36 SOUTH, RANGE 39 EAST, MARTIN COUNTY, FLORIDA; THENCE CONTINUE NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY AND SAID CURVE WITH A RADIUS OF 7465.44 FEET THROUGH A CENTRAL ANGLE OF 00°44'51", AN ARC DISTANCE OF 97.40 FEET, THE CHORD OF SAID ARC BEING NORTH 23°57'02" EAST 97.39 FEET; THENCE NORTH 23°34'37" EAST ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY 1499.51 FEET TO A POINT OF CURVE TO THE LEFT CONCAVE TO THE WESTERLY; THENCE NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY AND SAID CURVE WITH A RADIUS OF 5555.58 FEET THROUGH A CENTRAL ANGLE OF 18°24'05", AN ARC DISTANCE OF 1784.25 FEET, THE CHORD OF SAID ARC BEING NORTH 14°22'34" EAST 1776.59 FEET; THENCE NORTH 00°00'04" EAST ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY 1044.89 FEET; THENCE NORTH 01°08'52" WEST ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY 668.79 FEET TO A POINT OF CURVE TO THE LEFT CONCAVE TO THE WESTERLY; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY AND SAID CURVE WITH A RADIUS OF 2684.00 FEET THROUGH A CENTRAL ANGLE OF 13°40'56", AN ARC DISTANCE OF 640.94 FEET, THE CHORD OF SAID ARC BEING NORTH 07°59'20" WEST 639.42 FEET TO A POINT ON A CURVE CONCAVE TO THE WESTERLY; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY AND SAID CURVE WITH A RADIUS OF 1295.00 FEET THROUGH A CENTRAL ANGLE OF 09°02'54", AN ARC DISTANCE OF 204.51 FEET, THE CHORD OF SAID ARC BEING NORTH 19°21'15" EAST 204.30 FEET; THENCE SOUTH 00°00'04" WEST 2245.75 FEET; THENCE SOUTH 04°50'19" WEST 637.01 FEET; THENCE SOUTH 12°25'51" WEST 640.99 FEET; THENCE SOUTH 19°28'17" WEST 683.65 FEET; THENCE SOUTH 79°27'49" WEST 55.51 FEET; THENCE SOUTH 10°32'10" WEST 50.00 FEET; THENCE NORTH 79°27'49" EAST 55.38 FEET; THENCE SOUTH 40°32'39" EAST 146.65 FEET; THENCE SOUTH 23°34'37" WEST 422.39 FEET; THENCE NORTH 89°52'22" WEST 477.45 FEET; THENCE SOUTH 42°35'56" WEST 556.01 FEET TO A POINT OF CURVE TO THE RIGHT CONCAVE TO THE NORTHWESTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE WITH A RADIUS OF 656.00 FEET THROUGH A CENTRAL ANGLE OF 83°14'30", AN ARC DISTANCE OF 953.06 FEET, THE CHORD OF SAID ARC BEING SOUTH 84°13'11" WEST 871.43 FEET; THENCE NORTH 54°09'34" WEST 212.68 FEET TO A POINT OF CURVE TO THE LEFT CONCAVE TO THE SOUTHWESTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE WITH A RADIUS OF 776.00 FEET THROUGH A CENTRAL ANGLE OF 35°50'20", AN ARC DISTANCE OF 485.39 FEET, THE CHORD OF SAID ARC BEING NORTH 72°04'44" WEST 477.52 FEET; THENCE NORTH 89°59'54" WEST 14.96 FEET; TO A POINT OF CURVE TO THE RIGHT CONCAVE TO THE NORTHEASTERLY; THENCE NORTHWESTERLY ALONG SAID CURVE WITH A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 70°02'24", AN ARC DISTANCE OF 30.56 FEET, THE CHORD OF SAID ARC BEING NORTH 54°58'42" WEST 28.69 FEET TO A POINT OF REVERSE CURVE CONCAVE TO THE SOUTHEASTERLY; THENCE NORTHWESTERLY, SOUTHWESTERLY AND SOUTHEASTERLY ALONG SAID CURVE WITH A RADIUS OF 224.00 FEET THROUGH A CENTRAL ANGLE OF 230°04'48", AN ARC DISTANCE OF 899.51 FEET, THE CHORD OF SAID ARC BEING SOUTH 45°00'06" WEST 405.89 FEET TO A POINT OF REVERSE CURVE CONCAVE TO THE SOUTHWESTERLY; THENCE SOUTHEASTERLY ALONG SAID CURVE WITH A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 70°02'24", AN ARC DISTANCE OF 30.56 FEET, THE CHORD OF SAID ARC BEING SOUTH 35°01'06" EAST 28.69 FEET; THENCE SOUTH 00°00'06" WEST 326.22 FEET; THENCE SOUTH 89°56'01" WEST 208.68 FEET; THENCE SOUTH 43°08'36" EAST ALONG SAID NORTHEASTERLY RIGHT OF WAY BOUNDARY OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-24 CANAL 2294.07 FEET TO THE POINT OF BEGINNING, CONTAINING 97.55 ACRES, MORE OR LESS.