

1 Introduced by the Transportation, Energy and Utilities Committee:
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3

4 **ORDINANCE 2021-451-E**

5 AN ORDINANCE ESTABLISHING SEATON CREEK RESERVE
6 COMMUNITY DEVELOPMENT DISTRICT ("SEATON CREEK
7 RESERVE CDD"), INCLUDING THE GRANT OF SPECIAL
8 POWERS; DESCRIBING THE EXTERNAL BOUNDARIES OF
9 SEATON CREEK RESERVE CDD; NAMING SEATON CREEK
10 RESERVE CDD; NAMING THE INITIAL SEATON CREEK
11 RESERVE CDD BOARD OF SUPERVISORS; AMENDING
12 CHAPTER 92 (UNIFORM DEVELOPMENT DISTRICTS),
13 *ORDINANCE CODE*, SECTION 92.22 (EXISTING
14 COMMUNITY DEVELOPMENT DISTRICTS) TO INCLUDE
15 SEATON CREEK RESERVE CDD; PROVIDING FOR
16 CONFLICT AND SEVERABILITY; PROVIDING AN
17 EFFECTIVE DATE.
18

19 **WHEREAS**, Pecan Enterprises, LLC, ("Petitioner") a Florida
20 limited liability corporation, petitioned the City Council to
21 establish a community development district named Seaton Creek
22 Reserve Community Development District ("Seaton Creek Reserve CDD")
23 on approximately 345 acres lying wholly within the boundaries of
24 the City pursuant to Section 190.005(2), F.S., and Chapter 92,
25 *Ordinance Code*, a copy of the Petition to Establish Seaton Creek
26 Community Development District ("Petition") is on file with the
27 Legislative Services Division; and

28 **WHEREAS**, Seaton Creek Reserve CDD contains approximately 345
29 acres lying wholly within the boundaries of the City; and

30 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the
31 Office of General Counsel reviewed the Petition and finding it

1 sufficient and complete to permit the fair and informed
2 consideration of the matter by the Council prepared and submitted
3 its Final Report of Counsel, attached hereto as **Exhibit 1**; and

4 **WHEREAS**, the Planning and Development Department provided its
5 report and recommendation regarding the Petition to the
6 Transportation, Energy and Utilities Committee; and

7 **WHEREAS**, Petitioner acknowledges that the adoption of this
8 Ordinance shall not in any way waive any of the City's, or any
9 other governing or regulatory entities' rights to grant or not
10 grant entitlements for the development to be serviced by Seaton
11 Creek Reserve CDD (the "Development"), or otherwise prejudice the
12 City's, or any other governing or regulatory entities', ability to
13 govern or regulate the planning or permitting of the Development;
14 and

15 **WHEREAS**, the Petition adequately meets the requirements of
16 Section 190.005, F.S. and Section 92.04, *Ordinance Code* and is
17 therefore complete and sufficient to permit fair and informed
18 review thereof; and

19 **WHEREAS**, all notice requirements of Chapter 190, F.S., Section
20 92.11, *Ordinance Code*, and other applicable laws were complied
21 with, complete notice was timely given, and a public hearing held
22 on the date and time noticed and conducted thereafter in compliance
23 with Chapter 190, F.S. and all applicable laws; and

24 **WHEREAS**, in making its fair and informed determination whether
25 to grant or deny the Petition, the Council has considered the
26 petition in light of the record developed at the public hearing and
27 in relation to the six factors set forth in Section 190.005(1)(e),
28 F.S., now, therefore

29 **BE IT ORDAINED** by the Council of the City of Jacksonville:

30 **Section 1. Name.** A community development district is
31 hereby established within the City to be known hereafter as Seaton

1 Creek Reserve Community Development District.

2 **Section 2. Boundaries.** The boundaries of Seaton Creek
3 Reserve Community Development District established by this
4 ordinance are as set forth in the legal description contained in
5 the Petition to Establish Seaton Creek Reserve Community
6 Development District ("Petition") which is on file with the
7 Legislative Services Division. The legal description and boundary
8 sketch found within the Petition are attached hereto as **Exhibit 2.**

9 **Section 3. Board of Supervisors.** The following five
10 persons, as set forth in the Petition, are designated to be the
11 initial members of the governing Board of Supervisors ("Board") of
12 Seaton Creek Reserve Community Development District:

- 13 a. Ross Puzzitiello
- 14 b. Rick Puzzitiello
- 15 c. Ward Huntley
- 16 d. Amy Dewey
- 17 e. Zenzi Rogers

18 **Section 4. Grant of Special Powers.** Consent is hereby
19 granted to Seaton Creek Reserve Community Development District,
20 pursuant to Section 190.012(2)(a), F.S., to exercise the power to
21 plan, establish, acquire, construct or reconstruct, enlarge or
22 extend, equip, operate and maintain additional systems and
23 facilities for parks and facilities for indoor and outdoor
24 recreational, cultural, and educational uses, all to be exercised
25 only in compliance and consistent with all applicable laws
26 including the City's 2030 Comprehensive Plan and City's land
27 development regulations.

28 **Section 5. Amending Chapter 92 (Uniform Community**
29 **Development Districts), Section 92.22 (Existing Community**
30 **Development Districts), Ordinance Code.** Section 92.22, Ordinance
31 Code, is hereby amended to read as follows:

1 Form Approved:

2

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4 Office of General Counsel

5 Legislation Prepared By: Kealey A. West

6 GC-#1449627-v1-2021-451-E_Scriv_Corr.docx

OFFICE OF GENERAL COUNSEL
CITY OF JACKSONVILLE

JASON R. GABRIEL*
GENERAL COUNSEL



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CHRISTOPHER GARRETT
KYLE GAVIN
MARY MARGARET GIANNINI
SEAN B. GRANAT
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SONYA HARRELL
KATY A. HARRIS
LAWSKIA J. HODGES
PAIGE HOBBS JOHNSTON
RITA M. MAIRS
JAMES R. MCCAIN, JR.
BRETT G. MERENESS

DAVID M. MIGUT
WENDY L. MUMMAW
KELLY H. PAPA
JON R. PHILLIPS
TIFFINY DOUGLAS PINKSTAFF
CHERRY SHAW POLLOCK
STEPHEN J. POWELL
HELEN P. ROBERSON
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ASHLEY B. RUTHERFORD
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JASON R. TEAL
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KEALEY WEST
STANLEY M. WESTON
HARRY M. WILSON, IV
GABY YOUNG

*BOARD CERTIFIED CITY, COUNTY
AND LOCAL GOVERNMENT LAW

June 25, 2021

Sent via U.S. Mail and Electronic mail to WesH@hgslaw.com

Wesley S. Haber, Esq.
Hopping Green & Sams
P.O. Box 66526
Tallahassee, FL 32314

RE: Office of General Counsel Final Report
On the Petition to Establish the Seaton Creek Reserve Community Development District

Mr. Haber:

The Office of General Counsel ("Counsel"), pursuant to Section 92.07 of the Jacksonville Ordinance Code, completed its review of the Petition to Establish the Seaton Creek Reserve Community Development District (the "Local Petition"), submitted May 12, 2021. It is Counsel's opinion that the Local Petition is sufficient and complete, is not contrary to any provision of applicable general or special law or the City Charter, and that all statements contained in the Local Petition not intended to be disposed of by the report and recommendation of the Planning and Development Department are true and correct.

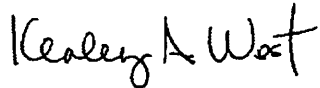
This Final Report will be forwarded to the Planning and Development Department for their use in drafting a report and recommendation.

It is anticipated that City Council will introduce the Ordinance moving this Petition forward at its July 27, 2021 meeting and assign it to the appropriate Council Committee(s). Based on the introduction date of July 27, 2021, it is anticipated the required public hearing before City Council will be August 24, 2021. You are required to publish notice of the public hearing at least once a week for four consecutive weeks immediately prior to the public hearing.

It is anticipated the Council Committee(s) assigned to consider this matter will take action the week of August 16, 2021, please note, this is for information only, you are not required to include Committee public meetings in your notice.

The opinions of Counsel set forth in this Final Report are made subject to any subsequent amendment or clarification, or the tender of additional or supplemental information.

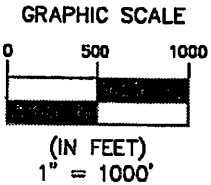
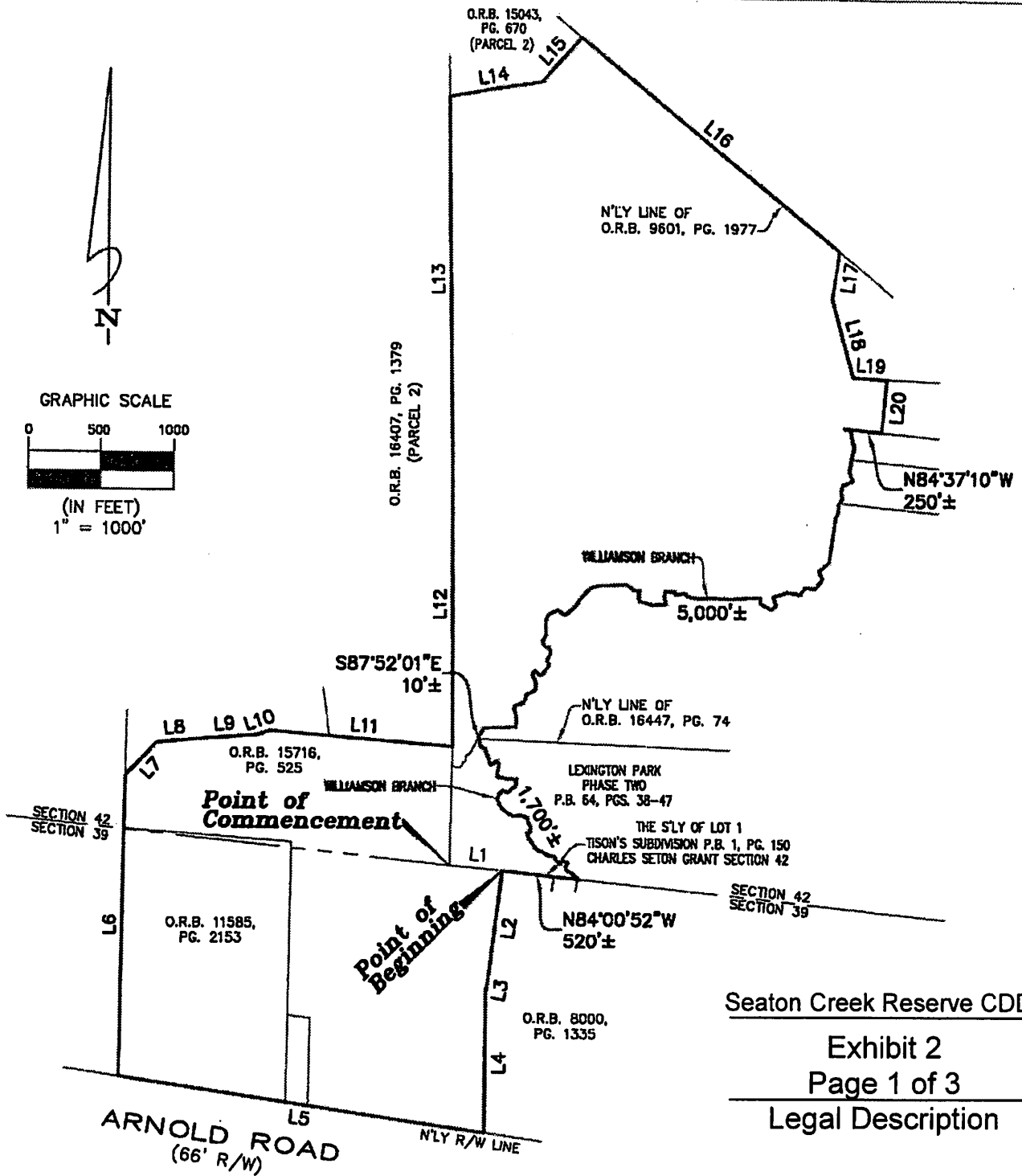
Regards,

A handwritten signature in black ink that reads "Kealey A. West". The signature is written in a cursive, slightly slanted style.

Kealey A. West
Assistant General Counsel

cc: William Killingsworth, Director, Planning and Development Department
Kristen Reed, Planning and Development Department
Jason Teal, Deputy General Counsel

MAP SHOWING



Seaton Creek Reserve CDD
Exhibit 2
Page 1 of 3
Legal Description

SHEET 1 OF 3


JOB NO. 2021-273
DRAFTER MJC
DATE 4-2-21
SCALE 1"=1000'

THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

THIS DRAWING, SKETCH, PLAT OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE).

THIS MAP OR SURVEY IS FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATION SHOWN HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.



CHECKED BY: 
MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

MAP SHOWING

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S84°00'52"E	358.50'
L2	S07°04'22"W	763.95'
L3	S11°23'58"W	66.01'
L4	S00°11'00"W	933.84'
L5	N81°38'36"W	2491.37'
L6	N00°49'30"E	2019.16'
L7	N43°26'36"E	307.76'

LINE TABLE		
LINE	BEARING	DISTANCE
L8	N84°30'26"E	247.96'
L9	N85°51'26"E	423.94'
L10	N71°48'26"E	99.45'
L11	S85°23'50"E	1229.77'
L12	N00°25'41"W	1916.89'
L13	N01°02'11"W	2434.75'
L14	N80°45'16"E	631.65'

LINE TABLE		
LINE	BEARING	DISTANCE
L15	N41°51'25"E	400.79'
L16	S50°58'48"E	2243.64'
L17	S07°53'59"W	319.68'
L18	S15°21'26"E	543.21'
L19	S87°37'14"E	231.46'
L20	S05°22'15"W	359.32'

LEGEND

R/W = RIGHT OF WAY
 O.R.B. = OFFICIAL RECORDS BOOK
 P.B. = PLAT BOOK

GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE N'LY R/W LINE OF ARNOLD ROAD, AS N81°38'36"W,
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
4. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
5. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

Seaton Creek Reserve CDD
Exhibit 2
Page 2 of 3
Legal Description

SHEET 2 OF 3

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CHECKED BY:

MJC
 MICHAEL J. COLLIGAN P.S.M. CERT. NO. 6788

MAP SHOWING

A PORTION OF THE SECTIONS 39 AND 42, TOWNSHIP 1 NORTH, RANGE 26 EAST, BEING A PORTION OF TISON'S SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 150 OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 1, SECTION 42 OF SAID TISON'S SUBDIVISION; THENCE SOUTH 84°00'52" EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 358.50 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 8000, PAGE 1335 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AND THE POINT OF BEGINNING; THENCE SOUTHERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 07°04'22" WEST, 763.95 FEET; COURSE NO. 2: SOUTH 11°23'58" WEST, 66.01 FEET; COURSE NO. 3: SOUTH 00°11'00" WEST, 933.84 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF ARNOLD ROAD (A 66 FOOT RIGHT OF WAY, AS NOW ESTABLISHED); THENCE NORTH 81°38'36" WEST, ALONG LAST SAID LINE, 2491.37 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 11585, PAGE 2153 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 00°49'30" EAST, ALONG LAST SAID LINE AND ALONG THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 15716, PAGE 525 OF SAID CURRENT PUBLIC RECORDS, 2019.16 FEET TO THE NORTHERLY LINE OF LAST SAID LANDS; THENCE NORTHEASTERLY AND EASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: NORTH 43°26'36" EAST, 307.76 FEET; COURSE NO. 2: NORTH 84°30'26" EAST, 247.96 FEET; COURSE NO. 3: NORTH 85°51'26" EAST, 423.94 FEET; COURSE NO. 4: NORTH 71°48'26" EAST, 99.45 FEET; COURSE NO. 5: SOUTH 85°23'50" EAST, 1229.77 FEET TO THE EASTERLY LINE OF THOSE LANDS DESIGNATED PARCEL 2, DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 16407, PAGE 1379 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 00°25'41" WEST, ALONG LAST SAID LINE, 1916.89 FEET; THENCE NORTH 01°02'11" WEST, CONTINUING ALONG LAST SAID LINE, 2434.75 FEET TO THE TO THE SOUTHEASTERLY LINE OF THOSE LANDS DESIGNATED PARCEL 2, DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 15043, PAGE 670 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 80°45'16" EAST, ALONG LAST SAID LINE, 631.65 FEET; THENCE NORTH 41°51'25" EAST, CONTINUING ALONG LAST SAID LINE, 400.79 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 9601, PAGE 1977 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 50°58'48" EAST, ALONG LAST SAID LINE, 2243.64 FEET; THENCE SOUTH 07°53'59" WEST, 319.68 FEET; THENCE SOUTH 15°21'26" EAST, 543.21 FEET; THENCE SOUTH 87°37'14" EAST, 231.46 FEET; THENCE SOUTH 05°22'15" WEST, 359.32 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4278, PAGE 348 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 84°37'10" WEST, ALONG LAST SAID LINE, 250 FEET, MORE OR LESS TO THE CENTERLINE OF WILLIAMSON BRANCH; THENCE SOUTHERLY, SOUTHEASTERLY, SOUTHWESTERLY, WESTERLY, NORTHWESTERLY AND NORTHERLY, ALONG THE MEANDERINGS OF LAST SAID LINE, 5000 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1647, PAGE 74 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 87°52'01" EAST, ALONG LAST SAID LINE, 10 FEET, MORE OR LESS, TO THE CENTERLINE OF WILLIAMSON BRANCH, ALSO BEING THE SOUTHWESTERLY LINE OF LEXINGTON PARK PHASE TWO, AS RECORDED IN PLAT BOOK 64, PAGES 38 THROUGH 47, INCLUSIVE OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTHEASTERLY, ALONG LAST SAID LINE, 1700 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF AFORESAID LOT 1; THENCE NORTH 84°00'52" WEST, ALONG LAST SAID LINE, 520 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 345 ACRES, MORE OR LESS

Seaton Creek Reserve CDD

Exhibit 2

Page 3 of 3

Legal Description

SHEET 3 OF 3

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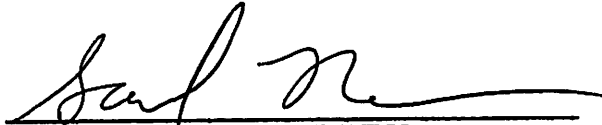

MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

ORDINANCE 2021-451-E

CERTIFICATE OF AUTHENTICATION


ENACTED BY THE COUNCIL

August 24, 2021



SAMUEL NEWBY
COUNCIL PRESIDENT

ATTEST:


DR. CHERYL L. BROWN
COUNCIL SECRETARY

APPROVED: AUG 30 2021


LENNY CURRY, MAYOR