

**CITY OF PORT ST. LUCIE, FLORIDA**

**ORDINANCE 07-51**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT, TO BE KNOWN AS THE COPPER CREEK COMMUNITY DEVELOPMENT DISTRICT, 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 A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Port St. Lucie City Council has determined that it is authorized pursuant to Section 190.005, Florida Statutes, to establish community development districts that are less than 1,000 acres in size and located within the corporate boundaries of the city; and

**WHEREAS**, Lennar Homes, LLC, a limited liability company authorized to conduct business in the State of Florida, has filed a petition with the City Council to establish a community development district, which petition contains the information required by Sections 190.005(1)(a) and 190.005(2)(a), Florida Statutes; and

**WHEREAS**, the City Council has conducted a public hearing on April 9, 2007 after causing notice of such hearing to be published in the Port St. Lucie News on March 13, 2007, March 20, 2007, March 27, 2007 and April 3, 2007; and

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

- (1) All statements contained within the petition are true and correct.
- (2) Creation of a district is not inconsistent with any applicable elements and portions of the State Comprehensive Plan and the Port St. Lucie Comprehensive Plan.
- (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 districts.

STATE OF FLORIDA  
 ST. LUCIE COUNTY  
 CITY OF PORT ST. LUCIE  
 THIS IS TO CERTIFY THAT THIS  
 IS A TRUE AND CORRECT COPY  
 OF THE RECORDS ON FILE IN  
 THIS OFFICE  
 \_\_\_\_\_  
 CITY CLERK

BY \_\_\_\_\_  
 DEPUTY CLERK  
 DATE 4/23/07  
 (OFFICIAL SEAL)  
 CITY OF PORT ST. LUCIE

ORDINANCE 07-51

- (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, BE IT FURTHER ORDAINED by the City Council of the City of Port St. Lucie, Florida, as follows:**

Section 1. Authority. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980 codified in Chapter 190, Florida Statutes.

Section 2. District Name. There is hereby created a community development district situated entirely within the City of Port St. Lucie, Florida, which shall be known as the "Copper Creek Community Development District," and which shall be referred to in this ordinance as the "District."

Section 3. District External Boundaries. The external boundaries of the District are described in **Exhibit A**, attached hereto and incorporated herein, said boundaries encompassing 249.07 acres, more or less.

Section 4. 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 5. Board of Supervisors. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

Stephen Kaufman  
Jill Cierpik  
Sharon Caputo  
Omar Kiem  
Joel Rottman

Section 6. Severability. If any provision of this ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this ordinance.


ORDINANCE 07-51


Section 7. Ordinance Effective. This ordinance shall take effect immediately upon its adoption on second reading.

PASSED ON FIRST READING: *April 9, 2007*  
PASSED ON SECOND READING: *April 23, 2007*

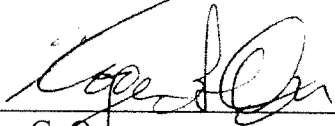
ATTEST:

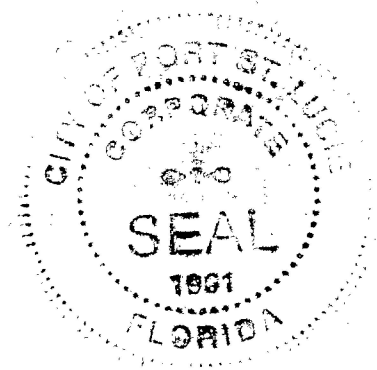
CITY OF PORT ST. LUCIE, FLORIDA

  
\_\_\_\_\_  
Karen A. Phillips, City Clerk

  
\_\_\_\_\_  
Patricia P. Christensen, Mayor

I HEREBY CERTIFY that I have approved this ORDINANCE as to form

  
\_\_\_\_\_  
Roger G. Orr  
City Attorney



**DESCRIPTION**

BEING A PORTION OF LAND LYING IN ALL OF THE PLAT OF COPPER CREEK PLAT NO. 2, LESS AND EXCEPTING TRACT A AND THE RIGHT OF WAY FOR BURNSIDE STREET (A 100 FOOT WIDE RIGHT OF WAY), AS RECORDED IN PLAT BOOK 54, PAGE 4, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LYING IN A PORTION OF SECTIONS 20, 21, AND 29, TOWNSHIP 36 SOUTH, RANGE 40 EAST.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF THE N.W. 1/4 OF AFORESAID SECTION 21, RUN S 00°18'02" W ALONG THE 1/4 SECTION LINE, 2,074.77 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE FOR GLADES CUTOFF ROAD ( A 150 FOOT WIDE RIGHT OF WAY); THENCE S 44°46'01" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2,284.98 FEET TO THE POINT OF BEGINNING, ALSO, BEING THE WEST RIGHT OF WAY LINE OF SAID BURNSIDE STREET; THENCE CONTINUED ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE S 44°46'01" W, A DISTANCE OF 3,605.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT CANAL NO. C-24 (A 325 FOOT WIDE RIGHT OF WAY); THENCE N 45°43'29" W ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 322.37 FEET; THENCE N 43°04'00" W ALONG SAID EASTERLY LINE, A DISTANCE OF 4,628.07 FEET; THENCE DEPARTING SAID LINE S 89°27'12" E, A DISTANCE OF 4,402.50 FEET TO THE WEST LINE OF SAID TRACT A OF COPPER CREEK PLAT NO. 2; THENCE S 00°32'48" W, A DISTANCE OF 171.61 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE NORTHWEST, OF WHICH THE RADIUS POINT LIES N 33°18'54" W, A RADIAL DISTANCE OF 20.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 21°54'34", A DISTANCE OF 7.65 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 291°32'32"; THENCE SOUTHERLY ALONG THE ARC, A DISTANCE OF 305.30 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 30°40'39"; THENCE NORTHWESTERLY ALONG THE ARC, A DISTANCE OF 10.71 FEET; THENCE S 00°26'45" W, A DISTANCE OF 247.12 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 250.55 FEET AND A CENTRAL ANGLE OF 14°21'07"; THENCE SOUTHERLY ALONG THE ARC A DISTANCE OF 62.76 FEET; THENCE S 56°27'06" E, A DISTANCE OF 555.51 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, OF WHICH THE RADIUS POINT LIES S 55°14'40" E, A RADIAL DISTANCE OF 585.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 47°17'05", A DISTANCE OF 482.79 FEET; THENCE N 82°02'25" E, A DISTANCE OF 124.17 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 407.50 FEET AND A CENTRAL ANGLE OF 18°11'31"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 129.39 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 58°07'34"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 25.36 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 16°17'00"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 28.42 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 44°32'45"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 19.44 FEET TO THE WEST RIGHT OF WAY LINE OF SAID BURNSIDE STREET AND TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, OF WHICH THE RADIUS POINT LIES N 67°27'35" E, A RADIAL DISTANCE OF 1,053.08 FEET; THENCE SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 22°12'06", A DISTANCE OF 408.06 FEET; THENCE S 44°44'32" E ALONG SAID WEST LINE, A DISTANCE OF 268.65 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID GLADES CUTOFF ROAD ALSO BEING THE POINT OF BEGINNING.

CONTAINING 249.07 ACRES, MORE OR LESS.

**EXHIBIT 2**

**COPPER CREEK CDD  
METES & BOUNDS DESCRIPTION**

File: 03-045 CDD  
Date: 11-30-08  
Prj. No. 03-045



CONSULTING ENGINEERS  
&  
LAND SURVEYORS  
2880 SOUTH 25th STREET  
FORT PIERCE, FLORIDA 34901  
(772) 464-3537

P:\Proj\2003\03-045 CDD.dwg, 17/11/2008, 3:26:55 PM

P:\Proj\2003\03-045