

ORDINANCE NO. 07-14

AN ORDINANCE ESTABLISHING THE TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING THE GENERAL AND SPECIFIC POWERS OF THE DISTRICT; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESIGNATING PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION AND FINANCING OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

REGISTERED TO VIEW
MAY 11 11 11 AM '07
FILED

WHEREAS, Triple Creek, LLC, a Delaware limited liability company ("Petitioner"), has filed a Petition to Establish the Triple Creek 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 Triple Creek 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 8TH DAY OF MAY 2007 AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The County 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 created a Community Development District for the area of land described in Exhibit A, attached hereto, which shall exercise the powers of sections 190.011 and 190.012 (1), (2)(a), and (3), Fla. Stat., and which 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: Penny Dandino, Michelle Bushway, Beth Bradburn, Charles Wilken, and Rafael Martinez.

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, PAT COLLIER FRANK, 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 May 8, 2007, as the same appears of record in Minute Book 372 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 10th day of May, 2007.

PAT COLLIER FRANK, CLERK

By: Meredith K. Dyer

Deputy Clerk



APPROVED BY COUNTY ATTORNEY
AS TO FORM AND LEGAL SUFFICIENCY

BY: Nancy V. Takeemon

Print Name: Nancy V. Takeemon

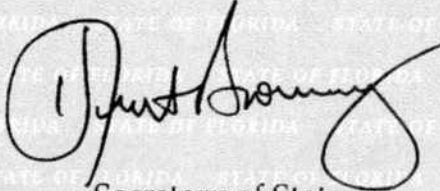
STATE OF FLORIDA DEPARTMENT OF STATE

Division of Library and Information Services

I, Kurt S. Browning, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Hillsborough County Ordinance No. 07-14, filed in this office on May 11, 2007, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

**Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
15th day of May, A.D., 2007.**




Secretary of State

DSDE 99 (3/03)

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.