



ORDINANCE NO. 2006-13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2004-37, WHICH ESTABLISHED THE WENTWORTH ESTATES COMMUNITY DEVELOPMENT DISTRICT, IN ORDER TO CORRECT THE METES AND BOUNDS LEGAL DESCRIPTION OF DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 2004-37, the Board of County Commissioners of Collier County, Florida (County), established the Wentworth Estates Community Development District pursuant to Section 190.005, Florida Statutes, and other applicable provisions of law governing county ordinances; and

WHEREAS, Wentworth Estates Community Development District, a unit of special purpose government, petitioned the County to correct an error in the legal description of Wentworth Estates Community Development District (the "District"), and to amend the establishing Ordinance No. 2004-37 (the "Ordinance") to reflect said correction; and

WHEREAS, all interested persons and affected units of general-purpose government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County on March 28, 2006 and

WHEREAS, upon consideration of the record established at that hearing, the County determined the following:

1. The statements within the Petition are true and correct.
2. Amending the Ordinance is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan.
3. The land within the District continues to be of sufficient size, to be sufficiently compact, and to be sufficiently contiguous to be developable as a functionally interrelated community.
4. The District continues to be the best alternative available for delivering community development services and facilities to the area served by the District.
5. The services and facilities of the District will continue to not be incompatible with the capacity and uses of any existing local and regional community development services and facilities.
6. The area to be served by the District remains amenable to separate special-district governance; and

WHEREAS, amending the Ordinance will allow the District to continue to constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the petition.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION 1. The above Recitals are hereby incorporated herein by reference as legislative findings of fact in support of this Ordinance.

SECTION 2. AUTHORITY. This ordinance is amended in compliance with and pursuant to Chapter 125, Florida Statutes (2005), and other applicable laws governing county ordinances.

SECTION 3. AMENDMENT OF ORDINANCE NO. 2004-37. The original legal description of the District described in Exhibit A, is hereby superseded and replaced by the legal description of the District described in Exhibit B, attached hereto and incorporated herein by reference, and shall amend Ordinance No. 2004-37 and become the legal description for the District.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District encompass 973.23 acres of land, more or less, all as described in Exhibit B.

SECTION 5. SEVERABILITY. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 28 day of March, 2006.

ATTEST:
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: *Ann Jensen O.C.*
Deputy Clerk
Attest as to Chairman's signature only

By: *[Signature]*
FRANK HALAS, Chairman

Approved as to form
and legal sufficiency
[Signature]
Jeffrey A. Klazkow
Assistant County Attorney

Attachments:
Exhibit "A"
Exhibit "B"

This ordinance filed with the
Secretary of State's Office the
28th day of April, 2006
and acknowledgement of that
filing received this 10th day
of April, 2006
By: *Ann Jensen O.C.*
Deputy Clerk

DESCRIPTION

PARCEL 1

Description of Part of Sections 29, 30 and 31, Township 50 South, Range 26 East, Collier County, Florida

Beginning at the northwest corner of said Section 30; thence along the north line of said Section 30, North 88°23'16" East, 2491.52 feet; thence continue along the north line of said Section 30 North 88°13'29" East 1636.98 feet to the southwesterly right-of-way of Tamiami Trail (US 41) (200' right-of-way); thence along said right-of-way South 39°03'42" East 2333.04 feet; thence leaving said right-of-way South 38°17'43" West 581.30 feet; thence North 89°34'42" West 348.55 feet; thence South 02°48'31" West 308.99 feet; thence South 88°28'28" West 30.00 feet to the east quarter corner of said Section 30; thence along the north line of those lands described in Official Records Book (OR Book) 105, pages 595-597 and OR Book 105, Pages 592-594, Public Records of Collier County, Florida, South 87°14'44" West 683.13 feet; thence along the west line of said land described in OR Book 105, pages 592-594 South 00°20'37" West 672.63 feet; thence along the south line of said lands North 87°26'41" East 654.42 feet to the west line of Myrtle Cove Acres Unit No. 1 as recorded in Plat Book 3, page 38, Public Records of Collier County, Florida; thence along the west line of said Unit No. 1 South 02°45'35" West 1919.99 feet to the southeast corner of said Section 30; thence along the east line of said Section 31, South 02°45'30" West 2335.35 feet; thence South 83°30'57" West 1549.05 feet; thence North 56°10'37" West 816.27 feet; thence North 89°29'19" West 558.68 feet; thence North 01°35'00" East 1675.69 feet; thence North 89°27'15" West 508.31 feet; thence South 70°33'22" West 1109.51 feet; thence due West 357.35 feet to the west line of said Section 31; thence along the west line of said Section 31, North 00°19'55" East 412.36 feet to the northwest corner of said Section 31; thence along the west line of said Section 30, North 00°20'37" East 2685.56 feet to the west quarter corner of said Section 30; thence continue along the west line of said Section 30, North 00°22'18" East 2687.69 feet to the said Point of Beginning;

Less and except the following described parcel of land:

A parcel of land situated in Section 30, Township 50 South, Range 26 East, Collier County, Florida being more particularly described as follows:

Commence at the Northwest corner of Section 30, Township 50 South, Range 26 East, Collier County, Florida for a Point of Beginning and run North 88°23'16" East along the north line of said Section 30, a distance of 2030.79 feet to an intersection with the west line of a 110-foot right-of-way as recorded in Official Records Book 192, page 513 of the Public Records of Collier County, Florida; thence run South 01°36'32" West along said west line, a distance of 1038.85 feet to a point on a curve being concave southerly and having a radius of 524.71 feet, a central angle of 19°50'21" and a chord bearing and distance of North 88°17'59" West, 180.78 feet, respectively; thence run westerly along said curve, an arc distance of 181.69 feet; thence run along a non-tangential line South 86°32'53" West, a distance of 226.34 feet to the point of curvature of a curve being concave southerly and having a radius of 649.22 feet, a central angle of 17°58'25" and a chord bearing and distance of South 77°33'41" West, 202.83 feet, respectively; thence run westerly along said curve, an arc distance of 203.66 feet; thence run along a non-tangential line South 62°38'23" West, a distance of 134.14 feet; thence run South 17°06'51" West, a distance of 49.03 feet; thence run South 00°32'01" West, a distance of 710.96 feet; thence run North 79°28'24" West, a distance of 78.01 feet to a point on a curve being concave southerly and having a radius of 410.07 feet, a central angle of 61°25'19" and a chord bearing and distance of South 77°42'06" West, 418.85 feet, respectively; thence run westerly along said curve, an arc distance of 439.60 feet to a point on a non-tangential curve being concave southeasterly and having a radius of 307.09 feet, a central angle of 14°54'19" and a chord bearing and distance of South 41°24'48" West, 79.66 feet, respectively; thence run southwesterly along said curve, an arc distance of 79.89 feet to the point of reverse curvature of a curve being concave northwesterly and having a radius of 46.70 feet, a central angle of 53°09'03" and a chord bearing and distance of South 60°32'10" West, 41.78 feet, respectively; thence run southwesterly along said curve, an arc distance of 43.32 feet; thence run along a non-tangential line South 85°14'02" West, a distance of 143.73 feet to a point on a curve being concave northeasterly and having a radius of 203.40 feet, a central angle of 51°36'36" and a chord bearing and distance of North 70°50'20" West, 177.08 feet, respectively; thence run northwesterly along said curve, an arc distance of 183.21 feet to a point on a non-tangential reverse curve being concave southeasterly and having a radius of 205.00 feet, a central angle of 75°21'41" and a chord bearing and distance of South 70°42'43" West, 250.62 feet, respectively; thence run southwesterly along said curve, an arc distance of 269.64 feet; thence run North 56°58'08" West, a distance of 30.60 feet; thence run South 46°44'30" West, a distance of 41.78 feet; thence run South 90°00'00" West, a distance of 10.00 feet; thence run North 88°51'11" West, a distance of 31.19 feet; thence run North 80°45'12" West, a distance of 50.56 feet to an intersection with the west line of said Section 30; thence run North 00°22'18" East along said west line, a distance of 2047.80 feet to the said Point of Beginning.

Containing 28,802,253.34 square feet or 661.21 acres of land, more or less.

ALSO INCLUDING THE FOLLOWING:

PARCEL 2

Description of Part of Section 32, Township 50 South, Range 26 East, Collier County, Florida:

Beginning at the southwest corner of said Section 32; thence along the west line of said Section 32, North 02°48'47" East, 2394.57 feet; thence leaving said west line North 59°56'01" East 2041.35 feet to the boundary of the plat of Trail Acres Unit 2, Plat Book 4, page 62, Collier County, Florida; thence along said plat boundary South 39°03'07" East 1309.16 feet; thence continue along said plat boundary North 50°55'09" East 762.41 feet; thence leaving said plat boundary South 39°04'51" East 430.46 feet; thence North 50°58'21" East 199.96 feet to the boundary of the plat of Trail Acres Unit 3, Plat Book 3, page 94, Collier County, Florida; thence along said plat boundary South 39°01'39" East 962.19 feet; thence continue along said plat boundary South 87°34'19" East 1003.95 feet to the east line of said Section 32; thence leaving said plat boundary and along said east line, South 02°32'54" West 1912.12 feet to the southeast corner of said Section 32; thence along the south line of said Section 32, North 89°40'29" West 2625.95 feet to the south quarter corner of said Section 32; thence continue along the south line of said Section 32, North 89°40'08" West 2625.60 feet to the said Point of Beginning;

Containing 313.76 acres, more or less.

Subject to easements and restrictions of record.

Bearings are based on the south line of said Section 31 being North 89°41'53" West.

ALSO INCLUDING THE FOLLOWING:

PARCEL 3 (an easement interest only in Parcel 3)

A parcel of land situated in Section 31, Township 50 South, Range 26 East, Collier County, Florida and being more particularly described as follows:

Commence at the southeast corner of Section 31, Township 50 South, Range 26 East, Collier County, Florida and run North 02°48'47" East along the east line of said Section 31, a distance of 1899.79 feet to the Point of Beginning; thence run South 89°53'46" West, a distance of 409.72 feet to the point of curvature of a curve being concave northeasterly and having a radius of 355.00 feet, a central angle of 73°29'53" and a chord bearing and distance of North 53°21'18" West, 424.80 feet, respectively; thence run northwesterly along said curve, an arc distance of 455.39 feet to the point of tangency of said curve; thence run North 16°36'21" West, a distance of 497.55 feet to the point of curvature of a curve being concave southwesterly and having a radius of 445.00 feet, a central angle of 18°47'05" and a chord bearing and distance of North 25°59'54" West, 145.24 feet, respectively; thence run northwesterly along said curve, an arc distance of 145.90 feet; thence run North 83°30'57" East, a distance of 122.06 feet to a point on a curve being concave southwesterly and having a radius of 555.00 feet, a central angle of 12°40'55" and a chord bearing and distance of South 22°56'49" East, 122.59 feet, respectively; thence run southeasterly along said curve, an arc distance of 122.84 feet to the point of tangency of said curve; thence run South 16°36'21" East, a distance of 497.55 feet to the point of curvature of a curve being concave northeasterly and having a radius of 245.00 feet, a central angle of 73°29'53" and a chord bearing and distance of South 53°21'18" East, 293.17 feet, respectively; thence run southeasterly along said curve, an arc distance of 314.28 feet to the point of tangency of said curve; thence run North 89°53'46" East, a distance of 415.33 feet to an intersection with said east line of Section 31; thence run South 02°48'47" West along said east line, a distance of 110.14 feet to the said Point of Beginning.

Containing 157,195.12 square feet or 3.61 acres of land, more or less.

Total acreage of Parcels 1, 2 and 3 is 978.58 acres of land, more or less.

PARCEL 1

Description of Part of Sections 29, 30 and 31, Township 50 South, Range 26 East, Collier County, Florida

Beginning at the northwest corner of said Section 30; thence along the north line of said Section 30, North 88°23'16" East, 2491.52 feet; thence continue along the north line of said Section 30 North 88°13'29" East 1636.98 feet to the southwesterly right-of-way of Tamiami Trail (US 41) (200' right-of-way); thence along said right-of-way South 39°03'42" East 2333.04 feet; thence leaving said right-of-way South 38°17'43" West 581.30 feet; thence North 89°34'42" West 348.55 feet; thence South 02°48'31" West 308.99 feet; thence South 88°28'28" West 30.00 feet to the east quarter corner of said Section 30; thence along the north line of those lands described in Official Records Book (OR Book) 105, pages 595-597 and OR Book 105, Pages 592-594, Public Records of Collier County, Florida, South 87°14'44" West 683.13 feet; thence along the west line of said land described in OR Book 105, pages 592-594 South 00°20'37" West 672.63 feet; thence along the south line of said lands North 87°26'41" East 654.42 feet to the west line of Myrtle Cove Acres Unit No. 1 as recorded in Plat Book 3, page 38, Public Records of Collier County, Florida; thence along the west line of said Unit No. 1 South 02°45'35" West 1919.99 feet to the southeast corner of said Section 30; thence along the east line of said Section 31, South 02°45'30" West 2335.35 feet; thence South 83°30'57" West 1549.05 feet; thence North 56°10'37" West 816.27 feet; thence North 89°29'19" West 558.68 feet; thence North 01°35'00" East 1675.69 feet; thence North 89°27'15" West 508.31 feet; thence South 70°33'22" West 1109.51 feet; thence due West 357.35 feet to the west line of said Section 31; thence along the west line of said Section 31, North 00°19'55" East 412.36 feet to the northwest corner of said Section 31; thence along the west line of said Section 30, North 00°20'37" East 2885.56 feet to the west quarter corner of said Section 30; thence continue along the west line of said Section 30, North 00°22'18" East 2887.69 feet to the said Point of Beginning;

Less and excepting that land described in OR Book 192, Page 514, Public Records of Collier County, Florida. Containing 5.35 acres, more or less.

And less and except the following described parcel of land:

A parcel of land situated in Section 30, Township 50 South, Range 26 East, Collier County, Florida being more particularly described as follows:

Commence at the Northwest corner of Section 30, Township 50 South, Range 26 East, Collier County, Florida for a Point of Beginning and run North 88°23'16" East along the north line of said Section 30, a distance of 2030.79 feet to an intersection with the west line of a 110-foot right-of-way as recorded in Official Records Book 192, page 513 of the Public Records of Collier County, Florida; thence run South 01°36'32" West along said west line, a distance of 1038.85 feet to a point on a curve being concave southerly and having a radius of 524.71 feet, a central angle of 19°50'21" and a chord bearing and distance of North 88°17'59" West, 180.78 feet, respectively; thence run westerly along said curve, an arc distance of 181.69 feet; thence run along a non-tangential line South 86°32'53" West, a distance of 226.34 feet to the point of curvature of a curve being concave southerly and having a radius of 649.22 feet, a central angle of 17°58'25" and a chord bearing and distance of South 77°33'41" West, 202.83 feet, respectively; thence run westerly along said curve, an arc distance of 203.66 feet; thence run along a non-tangential line South 62°38'23" West, a distance of 134.14 feet; thence run South 17°06'51" West, a distance of 49.03 feet; thence run South 00°32'01" West, a distance of 710.96 feet; thence run North 79°28'24" West, a distance of 78.01 feet to a point on a curve being concave southerly and having a radius of 410.07 feet, a central angle of 61°25'19" and a chord bearing and distance of South 77°42'06" West, 418.85 feet, respectively; thence run westerly along said curve, an arc distance of 439.60 feet to a point on a non-tangential curve being concave southeasterly and having a radius of 307.09 feet, a central angle of 14°54'19" and a chord bearing and distance of South 41°24'48" West, 79.68 feet, respectively; thence run southwesterly along said curve, an arc distance of 79.89 feet to the point of reverse curvature of a curve being concave northwesterly and having a radius of 46.70 feet, a central angle of 53°09'03" and a chord bearing and distance of South 60°32'10" West, 41.78 feet, respectively; thence run southwesterly along said curve, an arc distance of 43.32 feet; thence run along a non-tangential line South 85°14'02" West, a distance of 143.73 feet to a point on a curve being concave northeasterly and having a radius of 203.40 feet, a central angle of 51°36'36" and a chord bearing and distance of North 70°50'20" West, 177.08 feet, respectively; thence run northwesterly along said curve, an arc distance of 183.21 feet to a point on a non-tangential reverse curve being concave southeasterly and having a radius of 205.00 feet, a central angle of 75°21'41" and a chord bearing and distance of South 70°42'43" West, 250.62 feet, respectively; thence run southwesterly along said curve, an arc distance of 269.64 feet; thence run North 56°58'08" West, a distance of 30.60 feet; thence run South 46°44'30" West, a distance of 41.78 feet; thence run South 90°00'00" West, a distance of 10.00 feet; thence run North 88°51'11" West, a distance of 31.19 feet; thence run North 80°45'12" West, a distance of 50.56 feet to an intersection with the west line of said Section 30; thence run North 00°22'18" East along said west line, a distance of 2047.80 feet to the said Point of Beginning.

Total acreage of Parcel 1 contains 28,569,302.05 square feet or **655.86 acres of land, more or less.**

ALSO INCLUDING THE FOLLOWING:

PARCEL 2

Description of Part of Section 32, Township 50 South, Range 26 East, Collier County, Florida:

Beginning at the southwest corner of said Section 32; thence along the west line of said Section 32, North 02°48'47" East, 2394.57 feet; thence leaving said west line North 59°56'01" East 2041.35 feet to the boundary of the plat of Trail Acres Unit 2, Plat Book 4, page 62, Collier County, Florida; thence along said plat boundary South 39°03'07" East 1309.16 feet; thence continue along said plat boundary North 50°55'09" East 762.41 feet; thence leaving said plat boundary South 39°04'51" East 430.46 feet; thence North 50°58'21" East 199.96 feet to the boundary of the plat of Trail Acres Unit 3, Plat Book 3, page 94, Collier County, Florida; thence along said plat boundary South 39°01'39" East 962.19 feet; thence continue along said plat boundary South 87°34'19" East 1003.95 feet to the east line of said Section 32; thence leaving said plat boundary and along said east line, South 02°32'54" West 1912.12 feet to the southeast corner of said Section 32; thence along the south line of said Section 32, North 89°40'29" West 2625.95 feet to the south quarter corner of said Section 32; thence continue along the south line of said Section 32, North 89°40'08" West 2625.60 feet to the said Point of Beginning;

Containing 313.76 acres, more or less.

Subject to easements and restrictions of record.

Bearings are based on the south line of said Section 31 being North 89°41'53" West.

ALSO INCLUDING THE FOLLOWING:

PARCEL 3 (An easement interest only in Parcel 3)

A parcel of land situated in Section 31, Township 50 South, Range 26 East, Collier County, Florida and being more particularly described as follows:

Commence at the southeast corner of Section 31, Township 50 South, Range 26 East, Collier County, Florida and run North 02°48'47" East along the east line of said Section 31, a distance of 1899.79 feet to the Point of Beginning; thence run South 89°53'46" West, a distance of 409.72 feet to the point of curvature of a curve being concave northeasterly and having a radius of 355.00 feet, a central angle of 73°29'53" and a chord bearing and distance of North 53°21'18" West, 424.80 feet, respectively; thence run northwesterly along said curve, an arc distance of 455.39 feet to the point of tangency of said curve; thence run North 16°36'21" West, a distance of 497.55 feet to the point of curvature of a curve being concave southwesterly and having a radius of 445.00 feet, a central angle of 18°47'05" and a chord bearing and distance of North 25°59'54" West, 145.24 feet, respectively; thence run northwesterly along said curve, an arc distance of 145.90 feet; thence run North 83°30'57" East, a distance of 122.06 feet to a point on a curve being concave southwesterly and having a radius of 555.00 feet, a central angle of 12°40'55" and a chord bearing and distance of South 22°56'49" East, 122.59 feet, respectively; thence run southeasterly along said curve, an arc distance of 122.84 feet to the point of tangency of said curve; thence run South 16°36'21" East, a distance of 497.55 feet to the point of curvature of a curve being concave northeasterly and having a radius of 245.00 feet, a central angle of 73°29'53" and a chord bearing and distance of South 53°21'18" East, 293.17 feet, respectively; thence run southeasterly along said curve, an arc distance of 314.28 feet to the point of tangency of said curve; thence run North 89°53'46" East, a distance of 415.33 feet to an intersection with said east line of Section 31; thence run South 02°48'47" West along said east line, a distance of 110.14 feet to the said Point of Beginning.

Containing 157,195.12 square feet or 3.61 acres of land, more or less.

Total acreage of Parcels 1, 2 and 3 is 973.23 acres of land, more or less.

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2006-13

Which was adopted by the Board of County Commissioners on the 28th day of March, 2006, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 31st day of March, 2006.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

Ann Jennejohn
By: Ann Jennejohn
Deputy Clerk



ORDINANCE NO. 2006- 13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2004-37, WHICH ESTABLISHED THE WENTWORTH ESTATES COMMUNITY DEVELOPMENT DISTRICT, IN ORDER TO CORRECT THE METES AND BOUNDS LEGAL DESCRIPTION OF DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 2004-37, the Board of County Commissioners of Collier County, Florida (County), established the Wentworth Estates Community Development District pursuant to Section 190.005, Florida Statutes, and other applicable provisions of law governing county ordinances; and

WHEREAS, Wentworth Estates Community Development District, a unit of special purpose government, petitioned the County to correct an error in the legal description of Wentworth Estates Community Development District (the "District"), and to amend the establishing Ordinance No. 2004-37 (the "Ordinance") to reflect said correction; and

WHEREAS, all interested persons and affected units of general-purpose government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County on March 28, 2006 and

WHEREAS, upon consideration of the record established at that hearing, the County determined the following:

1. The statements within the Petition are true and correct.
2. Amending the Ordinance is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan.
3. The land within the District continues to be of sufficient size, to be sufficiently compact, and to be sufficiently contiguous to be developable as a functionally interrelated community.
4. The District continues to be the best alternative available for delivering community development services and facilities to the area served by the District.
5. The services and facilities of the District will continue to not be incompatible with the capacity and uses of any existing local and regional community development services and facilities.
6. The area to be served by the District remains amenable to separate special-district governance; and

WHEREAS, amending the Ordinance will allow the District to continue to constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the petition.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

Retn:
CLERK TO THE BOARD
INTEROFFICE
EXT 8411
4TH FLOOR

RECORDED IN THE OFFICIAL RECORDS OF COLLIER COUNTY, FL
04/24/2006 at 01:33PM DWIGHT E. BROCK, CLERK

3825586 OR: 4023 PG: 2180

REC PER
COPIES
69.50
8.00

SECTION 1. The above Recitals are hereby incorporated herein by reference as legislative findings of fact in support of this Ordinance.

SECTION 2. AUTHORITY. This ordinance is amended in compliance with and pursuant to Chapter 125, Florida Statutes (2005), and other applicable laws governing county ordinances.

SECTION 3. AMENDMENT OF ORDINANCE NO. 2004-37. The original legal description of the District described in Exhibit A, is hereby superseded and replaced by the legal description of the District described in Exhibit B, attached hereto and incorporated herein by reference, and shall amend Ordinance No. 2004-37 and become the legal description for the District.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District encompass 973.23 acres of land, more or less, all as described in Exhibit B.

SECTION 5. SEVERABILITY. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 28 day of March, 2006.

ATTEST:
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: *Ann Jenkins, D.C.*
Deputy Clerk
**Attest as to Chairman's
signature only**

By: *Frank Halas*
FRANK HALAS, Chairman

Approved as to form
and legal sufficiency
[Signature]
Jeffrey A. Klazkow
Assistant County Attorney

Attachments:
Exhibit "A"
Exhibit "B"

This ordinance filed with the
Secretary of State's Office the
3rd day of April, 2006
and acknowledgement of that
filing received this 10th day
of April, 2006
By: *Ann Jenkins, D.C.*
Deputy Clerk

DESCRIPTION

OR: 4023 PG: 2182

PARCEL 1

Description of Part of Sections 29, 30 and 31, Township 50 South, Range 26 East, Collier County, Florida

Beginning at the northwest corner of said Section 30; thence along the north line of said Section 30, North 88°23'16" East, 2491.52 feet; thence continue along the north line of said Section 30 North 88°13'29" East 1636.98 feet to the southwesterly right-of-way of Tamiami Trail (US 41) (200' right-of-way); thence along said right-of-way South 39°03'42" East 2333.04 feet; thence leaving said right-of-way South 38°17'43" West 581.30 feet; thence North 89°34'42" West 348.55 feet; thence South 02°48'31" West 308.99 feet; thence South 88°28'28" West 30.00 feet to the east quarter corner of said Section 30; thence along the north line of those lands described in Official Records Book (OR Book) 105, pages 595-597 and OR Book 105, Pages 592-594, Public Records of Collier County, Florida, South 87°14'44" West 683.13 feet; thence along the west line of said land described in OR Book 105, pages 592-594 South 00°20'37" West 672.63 feet; thence along the south line of said lands North 87°26'41" East 654.42 feet to the west line of Myrtle Cove Acres Unit No. 1 as recorded in Plat Book 3, page 38, Public Records of Collier County, Florida; thence along the west line of said Unit No. 1 South 02°45'35" West 1919.99 feet to the southeast corner of said Section 30; thence along the east line of said Section 31, South 02°45'30" West 2335.35 feet; thence South 83°30'57" West 1549.05 feet; thence North 56°10'37" West 816.27 feet; thence North 89°29'19" West 558.68 feet; thence North 01°35'00" East 1675.69 feet; thence North 89°27'15" West 508.31 feet; thence South 70°33'22" West 1109.51 feet; thence due West 357.35 feet to the west line of said Section 31; thence along the west line of said Section 31, North 00°19'55" East 412.36 feet to the northwest corner of said Section 31; thence along the west line of said Section 30, North 00°20'37" East 2685.56 feet to the west quarter corner of said Section 30; thence continue along the west line of said Section 30, North 00°22'18" East 2687.69 feet to the said Point of Beginning;

Less and except the following described parcel of land:

A parcel of land situated in Section 30, Township 50 South, Range 26 East, Collier County, Florida being more particularly described as follows:

Commence at the Northwest corner of Section 30, Township 50 South, Range 26 East, Collier County, Florida for a Point of Beginning and run North 88°23'16" East along the north line of said Section 30, a distance of 2030.79 feet to an intersection with the west line of a 110-foot right-of-way as recorded in Official Records Book 192, page 513 of the Public Records of Collier County, Florida; thence run South 01°36'32" West along said west line, a distance of 1038.85 feet to a point on a curve being concave southerly and having a radius of 524.71 feet, a central angle of 19°50'21" and a chord bearing and distance of North 88°17'59" West, 180.78 feet, respectively; thence run westerly along said curve, an arc distance of 181.69 feet; thence run along a non-tangential line South 86°32'53" West, a distance of 226.34 feet to the point of curvature of a curve being concave southerly and having a radius of 649.22 feet, a central angle of 17°58'25" and a chord bearing and distance of South 77°33'41" West, 202.83 feet, respectively; thence run westerly along said curve, an arc distance of 203.66 feet; thence run along a non-tangential line South 62°38'23" West, a distance of 134.14 feet; thence run South 17°06'51" West, a distance of 49.03 feet; thence run South 00°32'01" West, a distance of 710.96 feet; thence run North 79°28'24" West, a distance of 78.01 feet to a point on a curve being concave southerly and having a radius of 410.07 feet, a central angle of 61°25'19" and a chord bearing and distance of South 77°42'06" West, 418.85 feet, respectively; thence run westerly along said curve, an arc distance of 439.60 feet to a point on a non-tangential curve being concave southeasterly and having a radius of 307.09 feet, a central angle of 14°54'19" and a chord bearing and distance of South 41°24'48" West, 79.66 feet, respectively; thence run southwesterly along said curve, an arc distance of 79.89 feet to the point of reverse curvature of a curve being concave northwesterly and having a radius of 46.70 feet, a central angle of 53°09'03" and a chord bearing and distance of South 60°32'10" West, 41.78 feet, respectively; thence run southwesterly along said curve, an arc distance of 43.32 feet; thence run along a non-tangential line South 85°14'02" West, a distance of 143.73 feet to a point on a curve being concave northeasterly and having a radius of 203.40 feet, a central angle of 51°36'36" and a chord bearing and distance of North 70°50'20" West, 177.08 feet, respectively; thence run northwesterly along said curve, an arc distance of 183.21 feet to a point on a non-tangential reverse curve being concave southeasterly and having a radius of 205.00 feet, a central angle of 75°21'41" and a chord bearing and distance of South 70°42'43" West, 250.62 feet, respectively; thence run southwesterly along said curve, an arc distance of 269.64 feet; thence run North 56°58'08" West, a distance of 30.60 feet; thence run South 46°44'30" West, a distance of 41.78 feet; thence run South 90°00'00" West, a distance of 10.00 feet; thence run North 88°51'11" West, a distance of 31.19 feet; thence run North 80°45'12" West, a distance of 50.56 feet to an intersection with the west line of said Section 30; thence run North 00°22'18" East along said west line, a distance of 2047.80 feet to the said Point of Beginning.

Containing 28,802,253.34 square feet or 661.21 acres of land, more or less.

ALSO INCLUDING THE FOLLOWING:**PARCEL 2**

Description of Part of Section 32, Township 50 South, Range 26 East, Collier County, Florida:

Beginning at the southwest corner of said Section 32; thence along the west line of said Section 32, North 02°48'47" East, 2394.57 feet; thence leaving said west line North 59°56'01" East 2041.35 feet to the boundary of the plat of Trail Acres Unit 2, Plat Book 4, page 62, Collier County, Florida; thence along said plat boundary South 39°03'07" East 1309.16 feet; thence continue along said plat boundary North 50°55'09" East 762.41 feet; thence leaving said plat boundary South 39°04'51" East 430.46 feet; thence North 50°58'21" East 199.96 feet to the boundary of the plat of Trail Acres Unit 3, Plat Book 3, page 94, Collier County, Florida; thence along said plat boundary South 39°01'39" East 962.19 feet; thence continue along said plat boundary South 87°34'19" East 1003.95 feet to the east line of said Section 32; thence leaving said plat boundary and along said east line, South 02°32'54" West 1912.12 feet to the southeast corner of said Section 32; thence along the south line of said Section 32, North 89°40'29" West 2625.95 feet to the south quarter corner of said Section 32; thence continue along the south line of said Section 32, North 89°40'08" West 2625.60 feet to the said Point of Beginning;

Containing 313.76 acres, more or less.

Subject to easements and restrictions of record.

Bearings are based on the south line of said Section 31 being North 89°41'53" West.

ALSO INCLUDING THE FOLLOWING:**PARCEL 3 (an easement interest only in Parcel 3)**

A parcel of land situated in Section 31, Township 50 South, Range 26 East, Collier County, Florida and being more particularly described as follows:

Commence at the southeast corner of Section 31, Township 50 South, Range 26 East, Collier County, Florida and run North 02°48'47" East along the east line of said Section 31, a distance of 1899.79 feet to the Point of Beginning; thence run South 89°53'46" West, a distance of 409.72 feet to the point of curvature of a curve being concave northeasterly and having a radius of 355.00 feet, a central angle of 73°29'53" and a chord bearing and distance of North 53°21'18" West, 424.80 feet, respectively; thence run northwesterly along said curve, an arc distance of 455.39 feet to the point of tangency of said curve; thence run North 16°36'21" West, a distance of 497.55 feet to the point of curvature of a curve being concave southwesterly and having a radius of 445.00 feet, a central angle of 18°47'05" and a chord bearing and distance of North 25°59'54" West, 145.24 feet, respectively; thence run northwesterly along said curve, an arc distance of 145.90 feet; thence run North 83°30'57" East, a distance of 122.06 feet to a point on a curve being concave southwesterly and having a radius of 555.00 feet, a central angle of 12°40'55" and a chord bearing and distance of South 22°56'49" East, 122.59 feet, respectively; thence run southeasterly along said curve, an arc distance of 122.84 feet to the point of tangency of said curve; thence run South 16°36'21" East, a distance of 497.55 feet to the point of curvature of a curve being concave northeasterly and having a radius of 245.00 feet, a central angle of 73°29'53" and a chord bearing and distance of South 53°21'18" East, 293.17 feet, respectively; thence run southeasterly along said curve, an arc distance of 314.28 feet to the point of tangency of said curve; thence run North 89°53'46" East, a distance of 415.33 feet to an intersection with said east line of Section 31; thence run South 02°48'47" West along said east line, a distance of 110.14 feet to the said Point of Beginning.

Containing 157,195.12 square feet or 3.61 acres of land, more or less.

Total acreage of Parcels 1, 2 and 3 is 978.58 acres of land, more or less.

PARCEL 1

Description of Part of Sections 29, 30 and 31, Township 50 South, Range 26 East, Collier County, Florida

Beginning at the northwest corner of said Section 30; thence along the north line of said Section 30, North 88°23'16" East, 2491.52 feet; thence continue along the north line of said Section 30 North 88°13'29" East 1636.98 feet to the southwesterly right-of-way of Tamiami Trail (US 41) (200' right-of-way); thence along said right-of-way South 39°03'42" East 2333.04 feet; thence leaving said right-of-way South 38°17'43" West 581.30 feet; thence North 89°34'42" West 348.55 feet; thence South 02°48'31" West 308.99 feet; thence South 88°28'28" West 30.00 feet to the east quarter corner of said Section 30; thence along the north line of those lands described in Official Records Book (OR Book) 105, pages 595-597 and OR Book 105, Pages 592-594, Public Records of Collier County, Florida, South 87°14'44" West 683.13 feet; thence along the west line of said land described in OR Book 105, pages 592-594 South 00°20'37" West 672.63 feet; thence along the south line of said lands North 87°26'41" East 654.42 feet to the west line of Myrtle Cove Acres Unit No. 1 as recorded in Plat Book 3, page 38, Public Records of Collier County, Florida; thence along the west line of said Unit No. 1 South 02°45'35" West 1919.99 feet to the southeast corner of said Section 30; thence along the east line of said Section 31, South 02°45'30" West 2335.35 feet; thence South 83°30'57" West 1549.05 feet; thence North 56°10'37" West 816.27 feet; thence North 89°29'19" West 558.68 feet; thence North 01°35'00" East 1675.69 feet; thence North 89°27'15" West 508.31 feet; thence South 70°33'22" West 1109.51 feet; thence due West 357.35 feet to the west line of said Section 31; thence along the west line of said Section 31, North 00°19'55" East 412.36 feet to the northwest corner of said Section 31; thence along the west line of said Section 30, North 00°20'37" East 2685.56 feet to the west quarter corner of said Section 30; thence continue along the west line of said Section 30, North 00°22'18" East 2687.69 feet to the said Point of Beginning;

Less and excepting that land described in OR Book 192, Page 514, Public Records of Collier County, Florida. Containing 5.36 acres, more or less.

And less and except the following described parcel of land:

A parcel of land situated in Section 30, Township 50 South, Range 26 East, Collier County, Florida being more particularly described as follows:

Commence at the Northwest corner of Section 30, Township 50 South, Range 26 East, Collier County, Florida for a Point of Beginning and run North 88°23'16" East along the north line of said Section 30, a distance of 2030.79 feet to an intersection with the west line of a 110-foot right-of-way as recorded in Official Records Book 192, page 513 of the Public Records of Collier County, Florida; thence run South 01°36'32" West along said west line, a distance of 1038.85 feet to a point on a curve being concave southerly and having a radius of 524.71 feet, a central angle of 19°50'21" and a chord bearing and distance of North 88°17'59" West, 180.78 feet, respectively; thence run westerly along said curve, an arc distance of 181.69 feet; thence run along a non-tangential line South 86°32'53" West, a distance of 226.34 feet to the point of curvature of a curve being concave southerly and having a radius of 649.22 feet, a central angle of 17°58'25" and a chord bearing and distance of South 77°33'41" West, 202.83 feet, respectively; thence run westerly along said curve, an arc distance of 203.66 feet; thence run along a non-tangential line South 62°38'23" West, a distance of 134.14 feet; thence run South 17°06'51" West, a distance of 49.03 feet; thence run South 00°32'01" West, a distance of 710.96 feet; thence run North 79°28'24" West, a distance of 78.01 feet to a point on a curve being concave southerly and having a radius of 410.07 feet, a central angle of 61°25'19" and a chord bearing and distance of South 77°42'06" West, 418.85 feet, respectively; thence run westerly along said curve, an arc distance of 439.60 feet to a point on a non-tangential curve being concave southeasterly and having a radius of 307.09 feet, a central angle of 14°54'19" and a chord bearing and distance of South 41°24'48" West, 79.66 feet, respectively; thence run southwesterly along said curve, an arc distance of 79.89 feet to the point of reverse curvature of a curve being concave northwesterly and having a radius of 46.70 feet, a central angle of 53°09'03" and a chord bearing and distance of South 60°32'10" West, 41.78 feet, respectively; thence run southwesterly along said curve, an arc distance of 43.32 feet; thence run along a non-tangential line South 85°14'02" West, a distance of 143.73 feet to a point on a curve being concave northeasterly and having a radius of 203.40 feet, a central angle of 51°36'36" and a chord bearing and distance of North 70°50'20" West, 177.08 feet, respectively; thence run northwesterly along said curve, an arc distance of 183.21 feet to a point on a non-tangential reverse curve being concave southeasterly and having a radius of 205.00 feet, a central angle of 75°21'41" and a chord bearing and distance of South 70°42'43" West, 250.62 feet, respectively; thence run southwesterly along said curve, an arc distance of 269.64 feet; thence run North 56°58'08" West, a distance of 30.60 feet; thence run South 46°44'30" West, a distance of 41.78 feet; thence run South 90°00'00" West, a distance of 10.00 feet; thence run North 88°51'11" West, a distance of 31.19 feet; thence run North 80°45'12" West, a distance of 50.56 feet to an intersection with the west line of said Section 30; thence run North 00°22'18" East along said west line, a distance of 2047.80 feet to the said Point of Beginning.

Total acreage of Parcel 1 contains 28,569,302.05 square feet or 655.86 acres of land, more or less.

ALSO INCLUDING THE FOLLOWING:

PARCEL 2

Description of Part of Section 32, Township 50 South, Range 26 East, Collier County, Florida:

Beginning at the southwest corner of said Section 32; thence along the west line of said Section 32, North 02°48'47" East, 2394.57 feet; thence leaving said west line North 59°56'01" East 2041.35 feet to the boundary of the plat of Trail Acres Unit 2, Plat Book 4, page 62, Collier County, Florida; thence along said plat boundary South 39°03'07" East 1309.16 feet; thence continue along said plat boundary North 50°55'09" East 762.41 feet; thence leaving said plat boundary South 39°04'51" East 430.46 feet; thence North 50°58'21" East 199.96 feet to the boundary of the plat of Trail Acres Unit 3, Plat Book 3, page 94, Collier County, Florida; thence along said plat boundary South 39°01'39" East 962.19 feet; thence continue along said plat boundary South 87°34'19" East 1003.95 feet to the east line of said Section 32; thence leaving said plat boundary and along said east line, South 02°32'54" West 1912.12 feet to the southeast corner of said Section 32; thence along the south line of said Section 32, North 89°40'29" West 2625.95 feet to the south quarter corner of said Section 32; thence continue along the south line of said Section 32, North 89°40'08" West 2625.60 feet to the said Point of Beginning;

Containing 313.76 acres, more or less.

Subject to easements and restrictions of record.

Bearings are based on the south line of said Section 31 being North 89°41'53" West.

ALSO INCLUDING THE FOLLOWING:

PARCEL 3 (An easement interest only in Parcel 3)

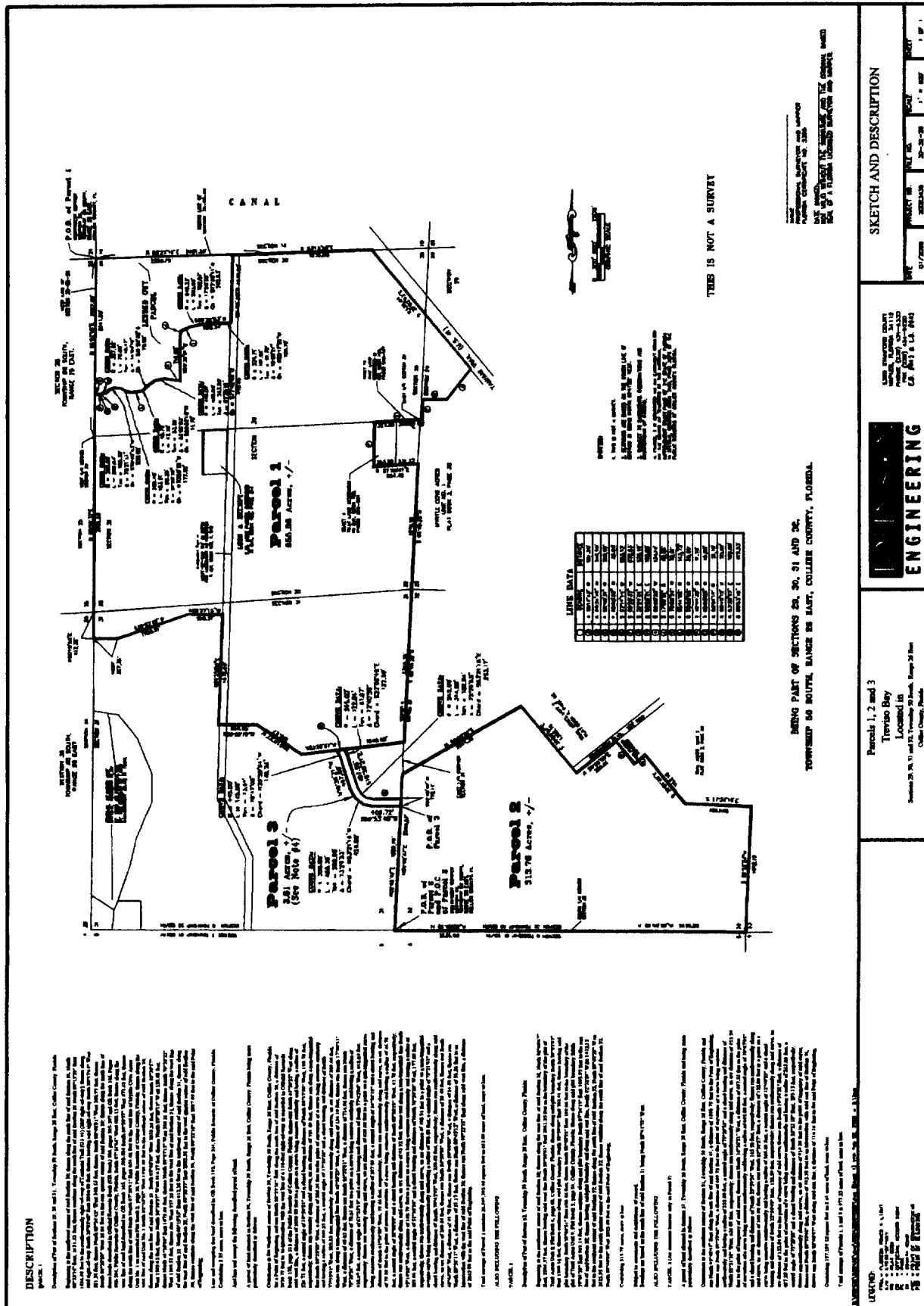
A parcel of land situated in Section 31, Township 50 South, Range 26 East, Collier County, Florida and being more particularly described as follows:

Commence at the southeast corner of Section 31, Township 50 South, Range 26 East, Collier County, Florida and run North 02°48'47" East along the east line of said Section 31, a distance of 1899.79 feet to the Point of Beginning; thence run South 89°53'46" West, a distance of 409.72 feet to the point of curvature of a curve being concave northeasterly and having a radius of 355.00 feet, a central angle of 73°29'53" and a chord bearing and distance of North 53°21'18" West, 424.80 feet, respectively; thence run northwesterly along said curve, an arc distance of 455.39 feet to the point of tangency of said curve; thence run North 16°36'21" West, a distance of 497.55 feet to the point of curvature of a curve being concave southwesterly and having a radius of 445.00 feet, a central angle of 18°47'05" and a chord bearing and distance of North 25°59'54" West, 145.24 feet, respectively; thence run northwesterly along said curve, an arc distance of 145.90 feet; thence run North 83°30'57" East, a distance of 122.06 feet to a point on a curve being concave southwesterly and having a radius of 555.00 feet, a central angle of 12°40'55" and a chord bearing and distance of South 22°56'49" East, 122.59 feet, respectively; thence run southeasterly along said curve, an arc distance of 122.84 feet to the point of tangency of said curve; thence run South 16°36'21" East, a distance of 497.55 feet to the point of curvature of a curve being concave northeasterly and having a radius of 245.00 feet, a central angle of 73°29'53" and a chord bearing and distance of South 53°21'18" East, 293.17 feet, respectively; thence run southeasterly along said curve, an arc distance of 314.28 feet to the point of tangency of said curve; thence run North 89°53'46" East, a distance of 415.33 feet to an intersection with said east line of Section 31; thence run South 02°48'47" West along said east line, a distance of 110.14 feet to the said Point of Beginning.

Containing 157,195.12 square feet or 3.61 acres of land, more or less.

Total acreage of Parcels 1, 2 and 3 is 973.23 acres of land, more or less.

EXHIBIT B



STATE OF FLORIDA)
COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2006-13

Which was adopted by the Board of County Commissioners on the 28th day of March, 2006, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 31st day of March, 2006.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners



By: Ann Jennejohn
Deputy Clerk