

RESOLUTION NO. 03- 15

A RESOLUTION SUPPORTING APPROVAL OF PROPOSED AMENDMENTS TO THE FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT, AMENDING THE BOUNDARIES OF THE DISTRICT AND CHANGING THE NAME OF THE EXISTING DISTRICT TO FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #1; AND DESCRIBING THE AMENDED EXTERNAL BOUNDARIES OF THE RENAMED DISTRICT.

WHEREAS, the Board of Supervisors of the Fiddler's Creek Community Development District (District) has petitioned the Florida Land and Water Adjudicatory Commission (FLAWAC) to amend the name and boundaries of the existing District; and

WHEREAS, said Petition has been submitted by the Petitioner to FLAWAC and copies of the Petition have also been provided to the Collier County Board of County Commissioners (Board) for review and consideration if so desired; and

WHEREAS, the Board now desires to recommend that FLAWAC grant the proposed amendments requested in the Petition and has determined the following with respect to the factors to be considered in Section 190.005(1)(e), as required by Section 190.046(1)(d) 3., Florida Statutes:

1. The Petition is complete in that it meets the requirements of Sections 190.005 (1)(e) 2., and 190.005(2)(a), Florida Statutes; and all statements contained within the Petition are true and correct.
2. Amendment of the proposed District is not inconsistent with any applicable element or portion of the local comprehensive plan of Collier County, known as the Collier County Growth Management Plan, or the State Comprehensive Plan.
3. The amended land area within the revised District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.
4. The District, as amended, is the best alternative available for delivering community development services and facilities to the area that will be serviced by the District.
5. The community development services and facilities of the amended District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.
6. The area that will be served by the amended District is amenable to separate special-district government; and

WHEREAS, it is the policy of this State, as provided for in Section 190.002 (2) (c), Florida Statutes, that the exercise by any independent district of its powers as set forth by uniform general law comply with all applicable governmental laws, rules, regulations, and policies governing planning and permitting of the development to be serviced by the district, to ensure that neither the establishment, nor operation of such district, is a development order under chapter 380 and that the district so established does not have any zoning or permitting powers governing development; and

WHEREAS, Section 190.004 (3), Florida Statutes, provides that all governmental planning, environmental, and land development laws, regulations, and ordinances apply to all development of the land within a community development district. Community development districts do not have the power of a local government to adopt a comprehensive plan, building code, or land development code, as those terms are defined in the Local Government Comprehensive Planning and Land Development

Regulation Act, and that no district shall take action which is inconsistent with applicable comprehensive plans, ordinances, or regulations of the applicable local general-purpose government.

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

1. The foregoing Whereas clauses are adopted as true statements and they are incorporated here as if fully set forth.
2. This Resolution is adopted pursuant to the authority of Section 190.046(1)(d) 4., Florida Statutes.
3. The Board hereby supports the Petition proposing to amend the boundaries of, and the renaming of said District to, the Fiddler's Creek Community Development District #1, within the boundaries of the real property described in Exhibit "A," attached hereto and incorporated by reference herein, and thus, recommends that the FLAWAC grant the Petition to expand and delete the District lands, as proposed, and to rename the District by adding the numeral "1," such that said District would thereafter be known as the "Fiddler's Creek Community Development District 1."

THIS RESOLUTION ADOPTED after motion; second and majority vote this 14th day of June, 2003.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

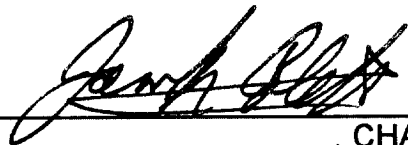
ATTEST:
DWIGHT E. BROCK, CLERK



Deputy Clerk

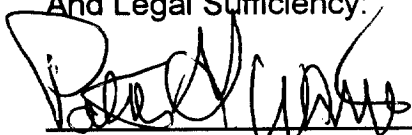
Attest as to Chairman's
signature only.

BY:



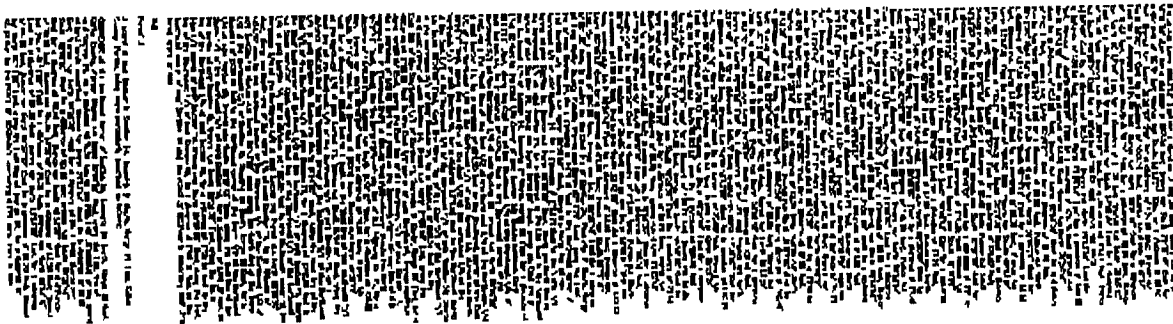
, CHAIRMAN

Approved as to Form
And Legal Sufficiency:



Patrick G. White,
Assistant County Attorney

<p>EXHIBIT A METES & BOUNDS DESCRIPTION</p>

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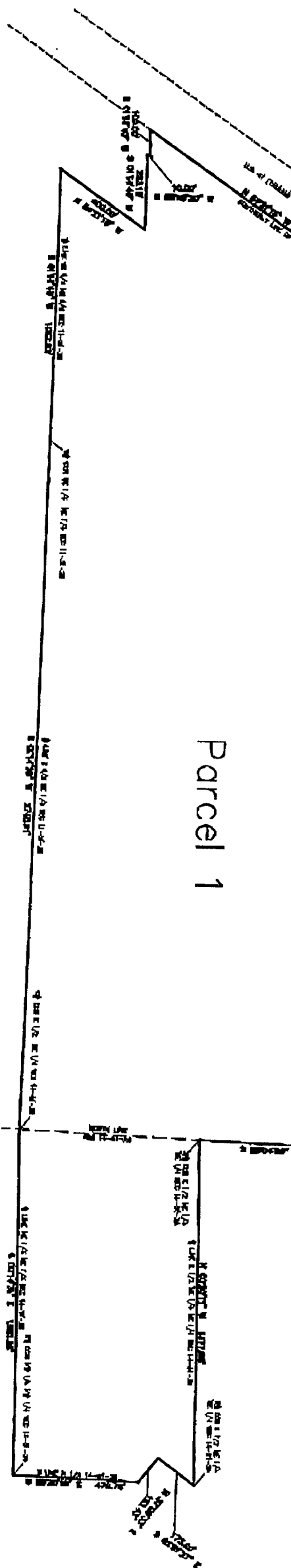
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2500 ALBANY ST. N.E. ALBUQUERQUE, N.M. 87104 (213) 872-0784

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EXHIBIT 2A

Parcel 1



A PLURAL OF CAMP LOCATED IN SECTIONS 11 AND 14 BLOCK IN TOWNSHIP SOUTH, RANGE 20 EAST, COUNTY COCONTO, ARIZONA, 1936 MAPS. PATENT/ALY NOTED AS FOLLOWS:

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PAUL ROSS
STAFF OF THE

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**THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
1009 FIFTH AVENUE
NEW YORK, N.Y.**

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PO Box 114
Naples, FL 34107
Phone: (813) 294-2800
Florida Certified
Architectural Drafter

SKETCH AND LEGAL

1. NAME

FIELD BOOK

DATE	11/28/01
LOCATION	FLORIDA
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Siddler's Brook

NOT A SURVEY

DATE	11/28/01
LOCATION	FLORIDA
PROJECT	

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830 E. 1st St.
Hollywood, FL 33410
Phone: (941) 224-2000
Florida Certificate of
Accreditation No. 1772

SKETCH AND LEGAL DESCRIPTION
OF A PORTION OF TOWNSHIP 31 SOUTH
RANGES 28 AND 27 EAST

FLORIDA

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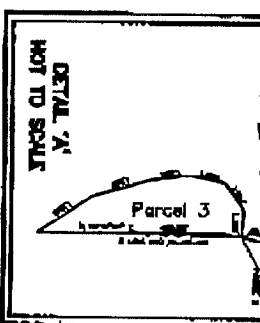
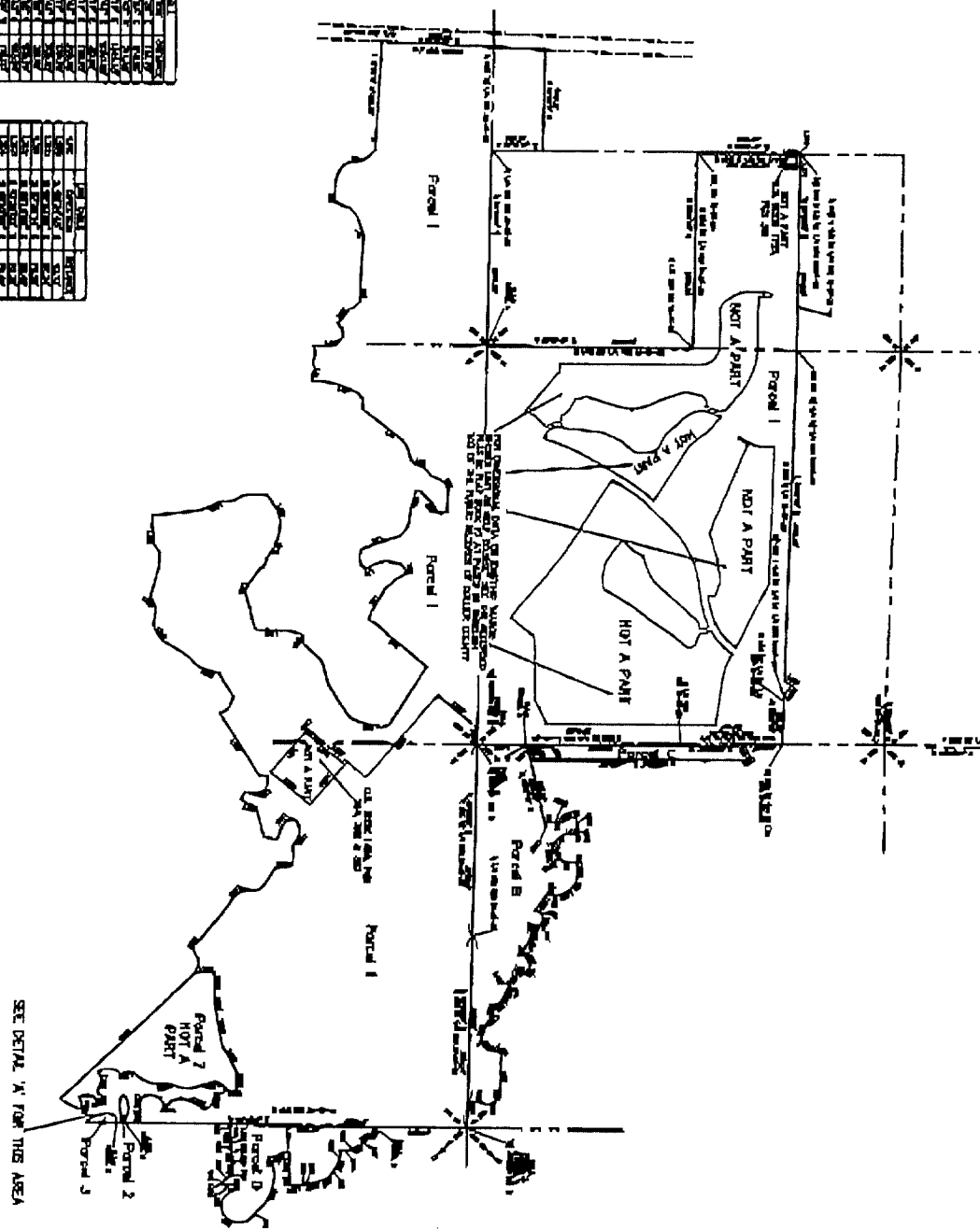
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Stiller's Great

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HAWAIIAN HOLE MOUNTS
SPECIALTY HARDWARE
\$600 Brooms Way
Naples, FL 34110
Phone: (813) 264-2800
Florida Certified
Architectural No. 17178

**SKETCH AND LEGAL DESCRIPTION
OF A PORTION OF TOWNSHIP 31 SOUTH
RANGES 20 AND 27 EAST**

SKETCH AND LEGAL DESCRIPTION
OF A PORTION OF TOWNSHIP 31 SOUTH
RANGES 20 AND 27 EAST

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