

POLK COUNTY ORDINANCE NO. 2025-009

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA ESTABLISHING THE WINSLOW'S POINT COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND 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, Forestar (USA) Real Estate Group, Inc., a Delaware corporation (the "Petitioner"), has filed a *Petition to Establish the Winslow's Point Community Development District* (the "Petition"), with the Board of County Commissioners of Polk County (the "County Commission") pursuant to Section 190.005(2)(a), *Florida Statutes*, to adopt an ordinance establishing the Winslow's Point Community Development District (the "District") pursuant to Chapter 190, *Florida Statutes* (2024); and

WHEREAS, Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida, whose address is 10700 Pecan Park Boulevard, Suite 150, Austin, Texas 78750; and

WHEREAS, the owners of one hundred percent (100%) of the real property to be included in the District have consented to the establishment of the District; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County Commission on February 4, 2025, pursuant to Section 190.005(2)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that duly noticed hearing, the County Commission has considered the record of the public hearing and the statutory factors set forth in section 190.005(2)(c), *Florida Statutes*, in making its determination to grant or deny the Petition; and

WHEREAS, the County Commission, pursuant to the information contained within the Petition and based on an investigation conducted by the Polk County (the "County") staff and

otherwise being fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

- (1) The statements within the Petition are true and correct; and
- (2) The Petition is complete in that it meets the requirements of Section 190.005(2)(a), *Florida Statutes* (2024); and
- (3) The appropriate County staff have reviewed the Petition for establishment of the District on the proposed land and have advised the County Commission that said Petition is complete and sufficient; and
- (4) Establishment of the District by this Ordinance is subject to and not inconsistent with any applicable element or portion of the state comprehensive plan or the Polk County Comprehensive Plan; and
- (5) The area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and
- (6) The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and
- (7) The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
- (8) The area that will be served by the District is amenable to separate special-district government; and

WHEREAS, pursuant to the information stated above, the County Commission has decided to grant the Petition; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

WHEREAS, the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, upon the effective date of this establishing Ordinance, the District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF POLK COUNTY, FLORIDA:**

SECTION 1. TITLE. This Ordinance shall be known and may be cited as the "Winslow's Point Community Development District Establishment Ordinance."

SECTION 2. BOARD FINDINGS. The Board findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

SECTION 3. AUTHORITY. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 4. CREATION OF DISTRICT; DISTRICT NAME. The Petition filed to create the District is hereby granted and there is hereby created a community development district, which is situated within unincorporated Polk County, Florida, and which District shall be known as the "Winslow's Point Community Development District."

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated by reference. There are no parcels within the external boundaries of the District that are to be excluded from the District.

SECTION 6. FUNCTIONS AND POWERS. The District shall have those powers and functions as described in Chapter 190, *Florida Statutes*. Among other powers, the District shall have all powers specified in Sections 190.012(2)(a) and (d), *Florida Statutes*. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies including, but not limited to, all Polk County ordinances and policies governing land planning and permitting of the development to be served by the District. The District shall not have any zoning or permitting powers governing land development or the use of land. No debt or obligation of the District shall constitute a burden on any local general purpose government.

SECTION 7. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Shelley Kaercher, Alex Madison, Robyn Bronson, Roger Van Auker and Justin Starr. All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

SECTION 8. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain 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.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgement that a copy of this Ordinance has been filed with the Secretary of State.

[CONTINUED ON FOLLOWING PAGE]

DULY ADOPTED by the Polk County Board of County Commissioners with a quorum present and voting this 4th day of February, 2025.

**BOARD OF COUNTY
COMMISSIONERS
OF POLK COUNTY, FLORIDA**

By: *Deeal*
Chairperson / Vice Chairperson
P.I



ATTEST:

POLK COUNTY CLERK OF THE BOARD

By: *Zahela Harris*
Clerk/Deputy Clerk of the Board



As authorized for execution at the
Board of County Commissioners meeting of:

2/4/2025

EXHIBIT A

SKETCH OF DESCRIPTION

LEGAL DESCRIPTION

A parcel of land being a portion of Sections 25, 26, 35 and 36, Township 30 South, Range 27 East, Polk County, Florida and a portion of Blocks 44, 45, 46, 47, 61 and 62, REVISED PLAT OF CROOKED LAKE, according to the plat thereof, as recorded in Plat Book 27, Page 47 of the Public Records of Polk County, Florida, being more particularly described as follows:

Begin at the Northeast corner of Section 35, Township 30 South, Range 27 East, Polk County, Florida; thence S00°36'27"E, along the East line of said Section 35, a distance of 644.08 feet; thence departing said East line, run N89°56'12"E, a distance of 20.00 feet; thence S00°36'27"E, a distance of 156.38 feet; thence N89°55'26"E, a distance of 1,089.43 feet; thence S17°01'56"E, a distance of 1,095.87 feet; thence S13°14'56"W, a distance of 1,338.71 feet; thence S77°55'21"W, a distance of 1,325.10 feet; thence N00°36'27"W, a distance of 1,895.70 feet; thence S89°43'20"W, a distance of 808.07 feet; thence N00°38'56"W, a distance of 170.30 feet to a Point on a Non-Tangent Curve, Concave to the Northwest, having a Radius of 65.00 feet and a Central Angle of 44°24'36"; thence run Northeasterly along the arc of said curve, a distance of 50.38 feet (Chord Bearing = N37°04'00"E, Chord = 49.13 feet) to a Point of Non Tangency; thence N89°41'31"E, a distance of 145.08 feet; thence N00°39'23"W, a distance of 124.90 feet; thence S89°42'36"W, a distance of 175.12 feet; thence N00°38'56"W, a distance of 531.94 feet; thence S89°43'29"W, a distance of 78.95 feet; thence N00°29'30"W, a distance of 299.90 feet; thence N89°17'19"W, a distance of 250.16 feet; thence N00°30'52"W, a distance of 362.26 feet to a point on the North line of aforesaid Section 35; thence departing said North line, run N00°38'59"W, a distance of 1,345.29 feet; thence S89°35'21"W, a distance of 244.46 feet; thence N18°58'53"E, a distance of 383.79 feet; thence N89°34'00"E, a distance of 780.62 feet; thence N00°42'41"W, a distance of 936.00 feet; thence N89°34'00"E, a distance of 1954.79 feet to a point on the East line of Blocks 44 and 47, REVISED PLAT OF CROOKED LAKE, according to the plat thereof, as recorded in Plat Book 27, Page 47 of the Public Records of Polk County, Florida; thence S00°38'12"E, along said East line, a distance of 1,240.42 feet to the South line of said Block 47; thence departing said East line, run S89°42'44"W, along said South line, a distance of 627.67 feet to a point being a North extension of the East line of Blocks 61 and 62, REVISED PLAT OF CROOKED LAKE; thence departing said South line, run S00°42'44"E, along said East line, a distance of 1,375.85 feet to the South line of said Block 62; thence departing said East line, run S89°10'05"W, along said South line, a distance of 223.06 feet; thence N00°44'56"W, a distance of 130.07 feet; thence S89°11'15"W, a distance of 433.03 feet to the East line of Section 26, Township 30 S., Range 27 E., Polk County, Florida; thence S00°47'35"E, along said East line, a distance of 160.06 feet to the Point of Beginning.

Containing 242.24 acres, more or less.

NOTES

BEARINGS AS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, (NAD 83, 2007 ADJUSTMENT). THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR EASEMENTS, RESTRICTIONS, RESERVATIONS AND/OR RIGHT OF WAYS. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.

REQUESTED BY: FORESTAR (USA) REAL ESTATE GROUP INC.

DATE OF SKETCH	10/2/2024	REVISIONS
SCALE	1" = 800'	REVISED 11/15/2024
F.B.	PAGE	
SECTIONS	25, 26, 35, 36	
TWP.	30 S.	RNG. 27 E.
JOB NO.	24-351	SHEET 1 OF 3

JOHNSTON'S
SURVEYING INC

900 Cross Prairie Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2179 Fax (407) 847-8140



11/15/2024

RICHARD D. BROWN, P.S.M #5700 (DATE)
NOTE: NOT VALID WITHOUT RAISED SURVEYOR'S SEAL.

Metes & Bounds

Winslow's Point

POULOS & BENNETT
a Pape-Dawson company

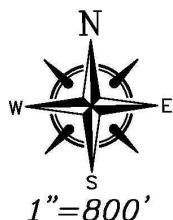
info@poulosandbennett.com
www.poulosandbennett.com
Certificate of Authorization No. 28567

November 15, 2024
P & B Job No.: 24-095

2602 E. Livingston St., Orlando, FL 32803
7563 Philips Hwy., Suite 303, Jacksonville, FL 32256
T: 407.387.2594 F: 407.289.5250

Exhibit 2

SKETCH OF DESCRIPTION



$$1'' = 800'$$

**JOHNSTON'S
SURVEYING INC.**
900 Cross Prairie Parkway, Kissimmee, Florida 34744

900 Cross Prairie Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2179 Fax (407) 847-6140

SHEET 2 OF 3

LINE & CURVE TABLES

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHD. BEARING	CHORD LENGTH
C1	65.00'	44°24'36"	50.38'	N37°04'00"E	49.13'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S00°36'27"E	644.08'
L2	N89°56'12"E	20.00'
L3	S00°36'27"E	156.38'
L4	N89°55'26"E	1089.43'
L5	S17°01'56"E	1095.87'
L6	S13°14'56"W	1338.71'
L7	S77°55'21"W	1325.10'
L8	N00°36'27"W	1895.70'
L9	S89°43'20"W	808.07'
L10	N00°38'56"W	170.30'
L11	N89°41'31"E	145.08'
L12	N00°39'23"W	124.90'
L13	S89°42'36"W	175.12'
L14	N00°38'56"W	531.94'
L15	S89°43'29"W	78.95'
L16	N00°29'30"W	299.90'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L17	N89°17'19"W	250.16'
L18	N00°30'52"W	362.26'
L19	N00°38'59"W	1345.29'
L20	S89°35'21"W	244.46'
L21	N18°58'53"E	383.79'
L22	N89°34'00"E	780.62'
L23	N00°42'41"W	936.00'
L24	N89°34'00"E	1954.79'
L25	S00°38'12"E	1240.42'
L26	S89°42'44"W	627.67'
L27	S00°42'44"E	1375.85'
L28	S89°10'05"W	223.06'
L29	N00°44'56"W	130.07'
L30	S89°11'15"W	433.03'
L31	S00°47'35"E	160.06'

JOHNSTON'S
SURVEYING INC
900 Cross Prairie Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2179 Fax (407) 847-6140

STATE OF FLORIDA)
)
COUNTY OF POLK)

I, Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 2025-009 adopted by the Board on February 4, 2025.

WITNESS my hand and official seal on this 4th day of February 2025.

STACY M. BUTTERFIELD, CLERK

By: Yolanda Harris
Yolanda Harris
Deputy Clerk





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 5, 2025

Stacy Butterfield
County Clerk
Polk County
Post Office Box 988
Bartow, FL 33831-0988

Dear Stacy Butterfield,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Polk County Ordinance No. 2025-009, which was filed in this office on February 4, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

