

ORDINANCE NO. 2022-32

An Ordinance of the Board of County Commissioners of Osceola County, Florida, Establishing the Buena Lago Community Development District, at Approximately 113.46 Acres, 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 for Severability; Providing for Conflict; and Providing an Effective Date.

RECITALS

WHEREAS, Forestar (USA) Real Estate Group, Inc. ("Petitioner"), having obtained written consent to the establishment of the District by the owners of 100 percent (100%) of the real property to be included in the District, has filed a Petition to Establish the Buena Lago Community Development District ("Petition") with the Osceola County Board of Commissioners ("County") pursuant to Section 190.005(2)(a) and 190.046(1)(h), *Florida Statutes*, to adopt an ordinance establishing the Buena Lago Community Development District ("District") pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Petitioner is a Delaware corporation and is authorized to conduct business in the State of Florida; 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, pursuant to Section 190.005(2)(b) and 190.046(1)(h), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that hearing, the Board of County Commissioners of Osceola County, Florida, 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 Board of County Commissioners of Osceola County has determined pursuant to the information contained within the Petition and based on an investigation conducted by the County Staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District: that the statements within the Petition are true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the Osceola County Comprehensive Plan; that the area of land within the District is of sufficient size, is sufficiently compact and sufficiently contiguous to be developable as one functionally interrelated community; that the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; that the 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 that the area to be served by the District is amenable to separate

special-district governance; and

WHEREAS, pursuant to the information as stated above, the Board of County Commissioners of Osceola County, Florida, has decided to grant the District's Petition to establish the Buena Lago Community Development District; 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 within the Petition.

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

SECTION 1. **RECITALS.**

The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. **AUTHORITY.**

This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 3. **DISTRICT NAME.**

There is hereby established a Community Development District situated entirely within the unincorporated limits of Osceola County, Florida, which District shall be known as the "Buena Lago Community Development District."

SECTION 4. **EXTERNAL BOUNDARIES OF THE DISTRICT.**

The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated by reference, the overall boundaries encompassing 113.46 acres, more or less.

SECTION 5. **FUNCTIONS AND POWERS.**

Upon the effective date of this Ordinance, the District will be duly and legally authorized to exist and exercise all of its powers as set forth in Section 190.012(1), *Florida Statutes*, and as otherwise provided by law. The powers and functions of the District are described in Chapter 190, *Florida Statutes*.

SECTION 6. **CONSENT TO SPECIAL POWERS**

Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, all as authorized and described by Sections 190.012(2)(a) and

(2)(d), *Florida Statutes* (2021).

SECTION 7. BOARD OF SUPERVISORS.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Mary Moulton, Alex Madison, Robyn Bronson, Tim Hultgreen and John Wiggins. 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 held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 9. CONFLICT.

Any ordinance or part thereof, or any resolution, or part thereof, which is in conflict with this ordinance or part hereof is hereby repealed to the extent of the conflict.

SECTION 10. EFFECTIVE DATE.

The Clerk shall file a certified copy of this Ordinance with the Department of State within ten days of its adoption. This Ordinance shall take effect immediately upon its filing with the Department of State.

**BOARD OF COUNTY
COMMISSIONERS OF OSCEOLA
COUNTY, FLORIDA**

By: 
Chair Vice Chair

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: 
Clerk/Deputy Clerk of the Board

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

03/21/2022
Ordinance # 2022-32



STATE OF FLORIDA DEPARTMENT OF STATE

I, LAUREL M. LEE, Secretary of State of the State of Florida,
do hereby certify that the above and foregoing is a true and correct
copy of Osceola County Ordinance Number 2022-32, which was
filed in this office on March 21, 2022, 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
30th of March, A.D., 2022.**

Laurel M. Lee
Secretary of State

EXHIBIT A
EXTERNAL BOUNDARIES OF THE DISTRICT

21-134

BUENA LAGO CDD LEGAL DESCRIPTION

PARCEL 1

Lots 84, 85, 90, 92, 102, 103, 106 and 119 and a portion of Lots 67, 70, 75 through 78, 83, 86, 89, 91, 93, 94, 100, 101, 104, 105, 107, 108, 118 and 120 through 123, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida being more particularly described as follows:

BEGIN at the Southwest corner of Lot 86, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida; thence run S00°21'59"E, a distance of 51.09 feet; thence run S33°58'00"E, a distance of 277.25 feet to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 5,036.00 feet and a Central Angle of 00°25'48"; thence run Northeasterly along the arc of said curve, a distance of 37.79 feet (Chord Bearing = N55°45'31"E, Chord = 37.79 feet) to a Point of Reverse Curve, concave to the Northwest, having a Radius of 25.00 feet and a Central Angle of 60°09'22"; thence run Northeasterly along the arc of said curve, a distance of 26.25 feet (Chord Bearing = N25°53'44"E, Chord = 25.06 feet) to a point on a Non-Tangent curve, concave to the South, having a Radius of 100.00 feet and a Central Angle of 150°46'11"; thence run Easterly along the arc of said curve, a distance of 263.15 feet (Chord Bearing = N71°12'30"E, Chord = 193.53 feet); thence run N56°35'50"E, a distance of 40.62 feet; thence run N32°02'35"W, a distance of 93.52 feet; thence run N33°58'00"W, a distance of 96.22 feet to a point on a Non-Tangent curve, concave to the East, having a Radius of 130.00 feet and a Central Angle of 33°33'34"; thence run Northerly along the arc of said curve, a distance of 76.14 feet (Chord Bearing = N17°11'14"W, Chord = 75.06 feet); thence run N00°24'26"W, a distance of 650.67 feet; thence run S74°04'19"E, a distance of 638.43 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 5,145.00 feet and a Central Angle of 02°04'04"; thence run Easterly along the arc of said curve, a distance of 185.69 feet (Chord Bearing = S75°06'21"E, Chord = 185.68 feet); thence run S76°08'23"E, a distance of 320.94 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 790.00 feet and a Central Angle of 28°46'39"; thence run Easterly along the arc of said curve, a distance of 396.79 feet (Chord Bearing = N89°28'18"E, Chord = 392.63 feet); thence run N75°04'59"E, a distance of 128.29 feet to a point on a Non-Tangent curve, concave to the Northwest, having a Radius of 645.00 feet and a Central Angle of 29°34'16"; thence run

Northeasterly along the arc of said curve, a distance of 332.89 feet (Chord Bearing = $N60^{\circ}17'52''E$, Chord = 329.21 feet) to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 105.00 feet and a Central Angle of $32^{\circ}25'02''$; thence run Northeasterly along the arc of said curve, a distance of 59.41 feet (Chord Bearing = $N61^{\circ}43'15''E$, Chord = 58.62 feet); thence run $N12^{\circ}04'14''W$, a distance of 120.00 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 225.00 feet and a Central Angle of $47^{\circ}13'51''$; thence run Easterly along the arc of said curve, a distance of 185.48 feet (Chord Bearing = $S78^{\circ}27'18''E$, Chord = 180.27 feet); thence run $S54^{\circ}50'22''E$, a distance of 2.28 feet to the Point of Curvature of a curve concave to the West, having a Radius of 25.00 feet and a Central Angle of $90^{\circ}00'00''$; thence run Southerly along the arc of said curve, a distance of 39.27 feet (Chord Bearing = $S09^{\circ}50'22''E$, Chord = 35.36 feet); thence run $S35^{\circ}09'38''W$, a distance of 154.68 feet to the Point of Curvature of a curve concave to the Northwest, having a Radius of 725.00 feet and a Central Angle of $05^{\circ}56'55''$; thence run Southwesterly along the arc of said curve, a distance of 75.27 feet (Chord Bearing = $S38^{\circ}08'05''W$, Chord = 75.24 feet) thence run $S48^{\circ}53'28''E$, a distance of 50.00 feet; thence run $S54^{\circ}50'22''E$, a distance of 124.17 feet to a point on the West Right of Way of Canal C-33; thence along the West Right of Way of said Canal the following eleven (11) courses: run $S35^{\circ}09'38''W$, a distance of 167.58 feet; thence run $S89^{\circ}39'12''W$, a distance of 30.72 feet; thence run $S35^{\circ}09'38''W$, a distance of 268.82 feet to the Point of Curvature of a curve concave to the Northwest, having a Radius of 200.00 feet and a Central Angle of $20^{\circ}12'00''$; thence run Southwesterly along the arc of said curve, a distance of 70.51 feet (Chord Bearing = $S45^{\circ}15'38''W$, Chord = 70.15 feet) to a point; thence run $S55^{\circ}21'35''W$, a distance of 927.86 feet; thence run $N00^{\circ}21'59''W$, a distance of 36.30 feet; thence run $S55^{\circ}21'38''W$, a distance of 644.27 feet to the Point of Curvature of a curve concave to the Southeast, having a Radius of 630.00 feet and a Central Angle of $40^{\circ}56'00''$; thence run Southwesterly along the arc of said curve, a distance of 450.09 feet (Chord Bearing = $S34^{\circ}53'38''W$, Chord = 440.57 feet) to the Point of Tangency; thence run $S14^{\circ}25'38''W$, a distance of 236.37 feet to the Point of Curvature of a curve concave to the East, having a Radius of 630.00 feet and a Central Angle of $14^{\circ}46'26''$; thence run Southerly along the arc of said curve, a distance of 162.45 feet (Chord Bearing = $S07^{\circ}02'25''W$, Chord = 162.00 feet) to the Point of Tangency; thence run $S00^{\circ}20'48''E$, a distance of 18.19 feet to a point on the North Right of Way of Hickory Tree Road (State Road S-534); thence along said North Right of Way the following three (3) courses: run $S89^{\circ}39'41''W$, a distance of 349.47 feet to the Point of Curvature of a curve concave to the Northeast, having a Radius of 1,402.69 feet and a Central Angle of $89^{\circ}57'29''$; thence run Northwesterly along the arc of said curve, a distance of 2,202.31 feet (Chord Bearing = $N45^{\circ}21'35''W$, Chord = 1,982.98 feet) to the Point of Tangency; thence run $N00^{\circ}22'50''W$, a distance of 220.46 feet to a point on the North line of Lot 89 of the aforesaid SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST; thence run $N89^{\circ}35'14''E$, along said

North line and the North line of Lot 90 of said subdivision and an extension thereof a distance of 1,311.57 feet; to the POINT OF BEGINNING.

Containing 99.81 acres, more or less.

PARCEL 2

A portion of Lots 19, 30, 31, 34, 35, 47, 50, 51, 62, 63 and 67, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida being more particularly described as follows:

Commence at the Southwest corner of Lot 86, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida; thence run N89°35'14"E, a distance of 2431.19 feet; thence run N00°24'46"W, a distance of 759.96 feet to the POINT OF BEGINNING; thence run N54°50'22"W, a distance of 2.28 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 275.00 feet and a Central Angle of 35°12'29"; thence run Westerly along the arc of said curve, a distance of 168.99 feet (Chord Bearing = N72°26'38"W, Chord = 166.34 feet) to a point on a Non-Tangent curve, concave to the West, having a Radius of 170.00 feet and a Central Angle of 03°49'09"; thence run Northerly along the arc of said curve, a distance of 11.33 feet (Chord Bearing = N18°05'55"W, Chord = 11.33 feet) to a point; thence run N69°59'32"E, a distance of 9.57 feet to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 429.00 feet and a Central Angle of 16°34'39"; thence run Northeasterly along the arc of said curve, a distance of 124.12 feet (Chord Bearing = N26°52'41"E, Chord = 123.69 feet) to a point; thence run N35°10'00"E, a distance of 648.95 feet to the Point of Curvature of a curve concave to the West, having a Radius of 331.00 feet and a Central Angle of 36°00'00"; thence run Northerly along the arc of said curve, a distance of 207.97 feet (Chord Bearing = N17°10'00"E, Chord = 204.57 feet) to the Point of Tangency; thence run N00°49'59"W, a distance of 186.19 feet; to a point on a Non-Tangent curve, concave to the Southwest, having a Radius of 449.34 feet and a Central Angle of 44°18'24"; thence run Northwesterly along the arc of said curve, a distance of 347.47 feet (Chord Bearing = N24°45'16"W, Chord = 338.88 feet) to a point; thence run N70°50'30"W, a distance of 15.07 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 170.00 feet and a Central Angle of 81°31'07"; thence run Westerly along the arc of said curve, a distance of 241.87 feet (Chord Bearing = N72°20'09"W, Chord = 221.98 feet) to a point; thence run S66°54'16"W, a distance of 92.34 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 4,440.00 feet and a Central Angle of 02°53'39"; thence run Westerly along the arc of said curve, a distance of 224.27 feet (Chord Bearing = S77°33'55"W, Chord = 224.25 feet) to a point on a Non-

Tangent curve, concave to the North, having a Radius of 55.00 feet and a Central Angle of $27^{\circ}56'56''$; thence run Westerly along the arc of said curve, a distance of 26.83 feet (Chord Bearing = $N89^{\circ}54'22''W$, Chord = 26.56 feet) to a point; thence run $N75^{\circ}55'54''W$, a distance of 94.32 feet; thence run $N00^{\circ}00'00''E$, a distance of 519.41 feet; thence run $N29^{\circ}19'57''E$, a distance of 34.47 feet; thence run $S60^{\circ}40'03''E$, a distance of 1,120.59 feet; thence run $S00^{\circ}50'44''E$, a distance of 192.01 feet; thence run $S02^{\circ}12'52''W$, a distance of 75.45 feet; thence run $S00^{\circ}50'22''E$, a distance of 40.80 feet; thence run $S03^{\circ}53'37''E$, a distance of 75.08 feet; thence run $S00^{\circ}50'22''E$, a distance of 116.14 feet to a point on a Non-Tangent curve, concave to the West, having a Radius of 537.59 feet and a Central Angle of $36^{\circ}04'59''$; thence run Southerly along the arc of said curve, a distance of 338.56 feet (Chord Bearing = $S17^{\circ}07'07''W$, Chord = 332.99 feet) to a point; thence run $S35^{\circ}09'38''W$, a distance of 713.72 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 25.00 feet and a Central Angle of $90^{\circ}01'19''$; thence run Westerly along the arc of said curve, a distance of 39.28 feet (Chord Bearing = $S80^{\circ}08'03''W$, Chord = 35.36 feet) to the POINT OF BEGINNING.
Containing 13.65 acres, more or less.

FOR A COMBINED TOTAL OF 113.46 ACRES, MORE OR LESS