## **ORDINANCE 2006** – 039 2 3 AN ORDINANCE OF THE BOARD OF COUNTY 4 5 COMMISSIONERS OF PALM BEACH COUNTY. FLORIDA AMENDING ORDINANCE 2005-63 TO 6 7 EXPAND CONTRACT THE BOUNDARIES OF THE VISTA COMMUNITY DEVELOPMENT DISTRICT; 8 PROVIDING FOR SEVERABILITY; PROVIDING FOR 9 REPEAL OF LAWS IN CONFLICT; AND PROVIDING 10 FOR AN EFFECTIVE DATE. 11 12 WHEREAS, the Florida legislature created and amended Chapter 190, Florida 13 Statutes, to provide an alternative method to finance and manage basic services for 14 community development; and 15 WHEREAS, at its meeting of December 20, 2005, and after a public hearing 16 conducted by the Board of County Commissioners of Palm Beach County, Florida 17 (the "Board"), and in accordance with the requirements and procedures of Section 18 190.005(1)(d), Florida Statutes, the Board approved Ordinance 2005-63 establishing 19 the Vista Community Development District ("District"); and 20 WHEREAS, the District filed a petition to Expand and Contract the Boundaries 21 of the Vista Community Development ("Petition") with Palm Beach County (the 22 "County") to amend the boundaries of the District in accordance with the requirements 23 and procedures of Section 190.046(1)(b), Florida Statutes; and 24 WHEREAS, all statements contained within the Petition have been found to 25 be true and correct; and 26 WHEREAS, the real property to be removed from the boundaries of the 27 District does not exceed 15% of the acreage initially located within the boundaries of 28 the District; and 29 WHEREAS, following the proposed expansion and contraction of the District's 30 boundaries, the property within the District will not be inconsistent with any applicable 31 element or portion of the State Comprehensive Plan or the County Comprehensive 32 Plan; and 33 WHEREAS, the property comprising the District will remain of sufficient size, 34 compactness and contiguity to be developable as one functional interrelated 35 community; and 36 WHEREAS, with the expansion and contraction, the District will continue to 37 present the best alternative available for delivery of the community development 38 facilities and services to the property that will be served by the District; and 39 WHEREAS, the community development facilities and services of the District 40 will not be incompatible with the capacity and uses of existing local and regional 41 community development services and facilities; and 42 WHEREAS, the property comprising the District will continue to be amendable 43 to separate special-purpose government; and 44 WHEREAS, the Board has considered the record of the public hearing and it has decided that amending Ordinance 2005-063 to provide for the expansion and 45 46 contraction of the District boundaries is the best alternative means to provide certain 47 basic services to the community; and

2 3 4 5 6 7 8 9	and dominate Dominate of
4 5 6 7 8 9	the Vista Community Development District, attached hereto as Exhibit "A", is hereby granted, thereby amending Ordinance 2005-063 to revise the legal description of the Vista Community Development District boundaries.  Section 2. The external boundaries of the District shall be expanded by adding approximately 1.5 acres as depicted on the location map attached hereto and incorporated herein as Exhibit "D" of Exhibit A.  Section 3. The external boundaries of the District shall be contracted by removing approximately 1.6 acres of property as depicted on the location map attached hereto and incorporated herein as Exhibit "E" of Exhibit A.  Section 4. The external boundaries of the District shall be expanded and contracted to the extent that the new District boundaries shall be as legally described in Exhibit "A-1" of Exhibit A attached hereto and incorporated herein.  Section 5. PROVIDING FOR SEVERABILITY:
5 6 7 8 9 10	granted, thereby amending Ordinance 2005-063 to revise the legal description of the Vista Community Development District boundaries.  Section 2. The external boundaries of the District shall be expanded by adding approximately 1.5 acres as depicted on the location map attached hereto and incorporated herein as Exhibit "D" of Exhibit A.  Section 3. The external boundaries of the District shall be contracted by removing approximately 1.6 acres of property as depicted on the location map attached hereto and incorporated herein as Exhibit "E" of Exhibit A.  Section 4. The external boundaries of the District shall be expanded and contracted to the extent that the new District boundaries shall be as legally described in Exhibit "A-1" of Exhibit A attached hereto and incorporated herein.  Section 5. PROVIDING FOR SEVERABILITY:
6 7 8 9 10	Vista Community Development District boundaries.  Section 2. The external boundaries of the District shall be expanded by adding approximately 1.5 acres as depicted on the location map attached hereto and incorporated herein as Exhibit "D" of Exhibit A.  Section 3. The external boundaries of the District shall be contracted by removing approximately 1.6 acres of property as depicted on the location map attached hereto and incorporated herein as Exhibit "E" of Exhibit A.  Section 4. The external boundaries of the District shall be expanded and contracted to the extent that the new District boundaries shall be as legally described in Exhibit "A-1" of Exhibit A attached hereto and incorporated herein.  Section 5. PROVIDING FOR SEVERABILITY:
7 8 9 10	Section 2. The external boundaries of the District shall be expanded by adding approximately 1.5 acres as depicted on the location map attached hereto and incorporated herein as Exhibit "D" of Exhibit A.  Section 3. The external boundaries of the District shall be contracted by removing approximately 1.6 acres of property as depicted on the location map attached hereto and incorporated herein as Exhibit "E" of Exhibit A.  Section 4. The external boundaries of the District shall be expanded and contracted to the extent that the new District boundaries shall be as legally described in Exhibit "A-1" of Exhibit A attached hereto and incorporated herein.  Section 5. PROVIDING FOR SEVERABILITY:
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16	If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for
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18	any reason held by any court of competent jurisdiction to be unconstitutional,
19	inoperative or void, such holding shall not affect the remainder of this Ordinance.
20	Section 6. REPEAL OF LAWS IN CONFLICT:
21	All local laws and ordinances applying to Palm Beach County in conflict with any
22	provision of this Ordinance are hereby repealed to the extent of the conflict.
23	Section 7. PROVIDING FOR AN EFFECTIVE DATE:
24	This ordinance shall take effect upon filing with the Department of State.
25	APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach
26	County, Florida, on this day of xaugust 2006.
Shagor	HABOER Clerk & Comptroller PARM BEACH COUNTY, FLORIDA, BY ITS BOARD
29	Palm Beach County Sof COUNTY COMMISSIONERS CONJOHN (Jeff) KOOF
30	Deputy Clerk FLORIDA OF Tony Masilotti, Chairman
31	APPROVED AS TO FORM AND
32	LEGAL SUFFICIENCY
33	By: VI
34	County Attorney
35	EFFECTIVE DATE: Filed with the Department of State, State of Florida, on the
36	19th day ofSeptember, 2006.
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