

ORDINANCE NO. 18

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA CREATING THE INDIAN TRACE DEVELOPMENT DISTRICT AS A DEPENDENT DISTRICT OF THE CITY OF WESTON IN ACCORDANCE WITH §189.4041 FLORIDA STATUTES; DESIGNATING THE GOVERNING BODY OF THE DISTRICT; SPECIFYING GENERAL AND SPECIFIC POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE ADMINISTRATION AND FINANCE OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, on September 3, 1996, the residents of the Indian Trace Community Development District, by referendum, approved the Charter of the City of Weston, Broward County, Florida, and thereby incorporated the City of Weston, Broward County, Florida; and

WHEREAS, the Charter of the City of Weston contemplated the eventual termination of the Indian Trace Community Development District, a community development district created pursuant to Chapter 190, Florida Statutes, and the assumption by the City of Weston of all rights, powers, immunities, and obligations of the Indian Trace Community Development District; and

WHEREAS, the City Commission of the City of Weston is contemplating adoption of an Ordinance Providing for Assumption and Succession of the Powers, Rights, Duties, Functions and Obligations of the Indian Trace Community Development District in Accordance with §190.046(4) Florida Statutes and Providing for Adoption of a Plan of Transfer; and

WHEREAS, §189.402 Florida Statutes provides for the establishment of dependent special districts by municipalities; and

WHEREAS, the City Commission of the City of Weston has determined that a special dependent district as defined by §189.403(2) is the most feasible method of carrying out the intent of the Plan of Transfer and other responsibilities under §190.046(4) Florida Statutes;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA THAT THE FOLLOWING ORDINANCE IS CREATED IN ACCORDANCE WITH THE CITY CHARTER:

Section 1: Creation of the Indian Trace Development District.

Pursuant to §189.4041 Florida Statutes, the Indian Trace Development District, is hereby

created as a dependent special district of the City of Weston, which shall have all the rights, powers and authority of Chapter 190, Florida Statutes.

Section 2: Boundaries.

The Indian Trace Development District is comprised of and includes those lands described as follows:

Portions of Sections 34, 35, and 36 in Township 49 South, Range 39 East, together with a portion of Section 31, Township 49 South, Range 40 East together with portions of Sections 3, 10, 15, 22, 25, 26 and 27 and all of Sections 1, 2, 11, 12, 13, 14, 23 and 24 in Township 50 South, Range 39 East, together with portions of Sections 6, 7, 8, 29 and 30 and all of Sections 17, 18, 19 and 20 in Township 50 South, Range 40 East, all in Broward County, Florida and being more particularly described as follows:

BEGINNING at the intersection of the East line of said Section 29, Township 50 South, Range 40 East, with the North Right-of-Way line of South Florida Water Management District Canal C-11, also known as the South New River Canal;

THENCE Westerly, along said North Right-of-Way line of Canal C-11, to the intersection with the Easterly Right-of-Way line of State Road 25, also known as U. S. 27 and shown on Florida Department of Transportation Right-of-Way Maps for Section 86060-2515;

THENCE Northerly, along said Easterly Right-of-Way line of State Road 25 (U.S. 27), to the intersection with the Southerly Right-of-Way line of State Road 93 (Interstate 75) as shown on Florida Department of Transportation Right-of-Way Map for Section 86075-2409;

THENCE Southeasterly, along said Southerly Right-of-Way line of State Road 93, to the intersection with the West line of BONAVENTURE, according to the Plat thereof as recorded in Plat Book 82, page 43 of the Public records of Broward County, Florida;

THENCE Southerly, along said West line of BONAVENTURE, to the North one-quarter (N¼) corner of said Section 7, Township 50 South, Range 40 East;

THENCE continue Southerly, along said West line of BONAVENTURE according to the Plat and the East line of that certain Boundary Line Agreement recorded in Official Records Book 10343, Page 593 of the Public

Records of Broward County, Florida, to the Northeast corner of a parcel of land described in Quit-Claim deed recorded in Official Records Book 10343, Page 602 of the Public Records of Broward County, Florida;

THENCE Westerly, along the North line of said parcel of land, to the Northwest corner of said parcel of land;

THENCE Southerly, along the West line of said parcel of land, to the Southwest corner of said parcel of land;

THENCE Easterly, along the South line of said parcel of land, to the Southeast corner of said parcel of land, said corner being located on said West line of BONAVENTURE according to the Plat and the East line of that certain Boundary Line Agreement recorded in Official Records Book 10343, Page 593 of the Public Records of Broward County, Florida;

THENCE Southerly, along said West line of BONAVENTURE and said East line of said Boundary Line Agreement, to the Southwest corner of said BONAVENTURE;

THENCE Easterly, along the South line of said BONAVENTURE and the North line of said Boundary Line Agreement, to the Southeast corner of said BONAVENTURE;

THENCE continue Easterly, along the Easterly extension of said South line of BONAVENTURE, to the East one-quarter ($E\frac{1}{4}$) corner of said Section 8, Township 50 South, Range 40 East;

THENCE Southerly along the East line of said Section 8, to the Southeast corner of said Section 8 and the Northeast corner of said Section 17, Township 50 South, Range 40 East;

THENCE continue Southerly, along the East line of said Section 17, to the Southeast corner of said Section 17 and the Northeast corner of said Section 20, Township 50 South, Range 40 East;

THENCE continue Southerly, along the East line of said Section 20, to the Southeast corner of said Section 20 and the Northeast corner of said Section 29, Township 50 South, Range 40 East;

THENCE continue Southerly, along the East line of said Section 29, to the POINT OF BEGINNING;

LESS THEREFROM:

All of that portion of Tract 38, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, in Section 3, Township 50 South, Range 39 East, according to the Plat thereof as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, lying East of the Easterly Right-of-Way line of State Road 25 (also known as U. S. 27) as shown on Florida Department of Transportation Right-of-Way Map for Section 86060-2515;

Said lands lying in Broward County, Florida.

Section 3: Purpose: Powers.

The Indian Trace Development District is formed for the purpose of exercising all those rights, powers and authority contained in Chapter 190, Florida Statutes, in the above described lands and to that end shall possess all the powers to do all things reasonably necessary to provide such services.

Section 4: Governing Body.

The governing body of the Indian Trace Development District shall be *ex-officio* the City Commission of the City of Weston, Broward County, Florida.

Section 5: Management.

Management of the Indian Trace Development District shall be by the City Manager of the City of Weston, Broward County, Florida, or his designee. Management's duties shall be to administer the activities of the District in accordance with established policies of the City Commission.

Section 6: Severability.

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: Conflict.

That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of

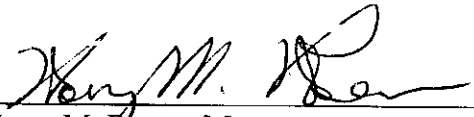
Ordinances, and all Resolutions, or parts of Resolutions, in conflict are hereby repealed to the extent of such conflict.

Section 9: Effective Date.

This Ordinance shall be effective immediately upon passage.

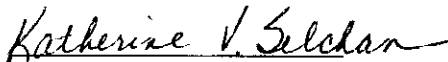
PASSED ON FIRST READING August 18, 1997.

PASSED ON SECOND READING September 2, 1997.



Harry M. Rosen, Mayor

Attest:



Katherine V. Selchan
City Clerk