

# STATE OF FLORIDA DEPARTMENT OF STATE

I, Cord Byrd, Secretary of State of the State of Florida, do hereby certify that the attached and foregoing is a true and correct copy of Osceola County Ordinance No. 2024-27, establishing The Canoe Creek Reserve CDD, which was filed in this office on May 22, 2024, 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  
22<sup>nd</sup> day of May, A.D., 2024.

  
Secretary of State



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

May 22, 2024

Honorable Kelvin Soto  
Clerk of Court & County Comptroller  
Osceola County  
2 Courthouse Square  
Kissimmee, FL 34741

Dear Honorable Kelvin Soto,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Osceola County Ordinance No. 2024-27, which was filed in this office on May 22, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh



## ORDINANCE NO. 2024-27

**An Ordinance of the Board of County Commissioners of Osceola County, Florida, Establishing the Canoe Creek Reserve Community Development District, at Approximately 353.50 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**, KB Home Orlando LLC ("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 Canoe Creek Reserve 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 Canoe Creek Reserve Community Development District ("District") pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, Petitioner is a Florida 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 Canoe Creek Reserve 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 "Canoe Creek Reserve 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 353.50 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* (2023).

**SECTION 7.**      **BOARD OF SUPERVISORS.**

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Stephen McConn, James Makransky, Susan Kane, Maria Perez, and Robert Zlatkiss. 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.

SIGNATURES NEXT PAGE



BOARD OF COUNTY  
COMMISSIONERS OF OSCEOLA  
COUNTY, FLORIDA

By: *P. Chandler*  
~~Chairman~~/Vice-Chairman

ATTEST:  
OSCEOLA COUNTY CLERK OF THE BOARD

By: *Alison Seibel* Clerk/Deputy Clerk of the Board

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

*May 20<sup>th</sup>, 2024*

**EXHIBIT A**  
**EXTERNAL BOUNDARIES OF THE DISTRICT**

**LEGAL DESCRIPTION:**

A PARCEL OF LAND SITUATE IN SECTION 1, SECTION 2, SECTION 11, AND SECTION 12, TOWNSHIP 27 SOUTH, RANGE 30 EAST, OSCEOLA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGIN** AT THE SOUTHWEST CORNER OF SAID SECTION 2 MARKED BY A 2" IRON PIPE "NO IDENTIFICATION"; THENCE, ALONG THE WEST LINE OF SAID SECTION 2, NORTH 0° 04' 38" WEST, 1,002.84 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, DEPARTING SAID WEST LINE OF SECTION 2, NORTH 89° 55' 22" EAST, 19.98 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, NORTH 0° 04' 38" WEST, 1,298.97 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, SOUTH 89° 54' 46" EAST, 642.65 FEET; THENCE, SOUTH 0° 04' 38" EAST, 163.33 FEET; THENCE, SOUTH 89° 54' 46" EAST, 677.65 FEET; THENCE, NORTH 0° 04' 38" WEST, 490.15 FEET; THENCE, NORTH 89° 52' 11" EAST, 1285.28 FEET; THENCE, SOUTH 0° 01' 06" WEST, 642.88 FEET; THENCE, NORTH 89° 50' 19" EAST, 681.03 FEET, TO A 3/4" IRON PIPE "NO IDENTIFICATION"; THENCE, SOUTH 0° 03' 42" WEST, 330.07 FEET, TO A 3/4" IRON PIPE "NO IDENTIFICATION"; THENCE, SOUTH 0° 02' 30" EAST, 329.46 FEET, TO A 5/8" IRON ROD "NO IDENTIFICATION"; THENCE, NORTH 89° 54' 42" EAST, 321.70 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, SOUTH 0° 03' 55" WEST, 620.70 FEET, TO A POINT SITUATE ON THE NORTH RIGHT-OF-WAY OF FANNY BASS ROAD (RIGHT-OF-WAY WIDTH VARIES); THENCE, CONTINUE ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 89° 26' 48" EAST, 607.29 FEET, TO A POINT OF CURVATURE; THENCE, CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE AND SAID CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 150.24 FEET, A CENTRAL ANGLE OF 32° 05' 02" AND AN ARC LENGTH OF 84.13 FEET (CHORD: NORTH 74° 30' 41" EAST, 83.04'), TO A POINT OF NON-TANGENCY; THENCE, DEPARTING SAID NORTH RIGHT-OF-WAY, SOUTH 32° 24' 43" EAST, 50.00 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605" SITUATE ON THE SOUTHEAST RIGHT-OF-WAY OF SAID FANNY BASS ROAD (RIGHT-OF-WAY WIDTH VARIES); THENCE, ALONG SAID SOUTHEAST RIGHT-OF-WAY, NORTH 57° 35' 17" EAST, 338.67 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, DEPARTING SAID SOUTHEAST RIGHT-OF-WAY, SOUTH 0° 06' 40" WEST, 522.05 FEET, TO A 5/8" IRON ROD AND CAP "NO IDENTIFICATION"; THENCE, NORTH 89° 49' 41" EAST, 640.40 FEET, TO 5/8" IRON ROD "NO IDENTIFICATION", SITUATE ON THE WEST RIGHT-OF-WAY LINE OF FANNY BASS LANE (40' WIDE RIGHT-OF-WAY, PER PLAT BOOK B, PAGE 35); THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 0° 07' 13" WEST, 248.02 FEET; THENCE, DEPARTING SAID WEST RIGHT-OF-WAY LINE, NORTH 89° 51' 59" EAST, 40.24 FEET, TO A POINT SITUATE ON THE EAST RIGHT-OF-WAY LINE OF SAID FANNY BASS LANE (40' WIDE RIGHT-OF-WAY, PER PLAT BOOK B, PAGE 35); THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 0° 07' 13" EAST, 578.05 FEET, TO A 5/8" IRON ROD AND CAP "NO IDENTIFICATION"; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, NORTH 89° 42' 40" EAST, 715.32 FEET, TO A 5/8" IRON ROD AND CAP "NO IDENTIFICATION"; THENCE, SOUTH 89° 49' 01" EAST, 1,021.30 FEET, TO A 5/8" IRON ROD AND CAP "NO IDENTIFICATION", SITUATE ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 523 (ALSO KNOWN AS CANOE CREEK ROAD) (100' WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION SECTION MAP 9252-250); THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 10° 41' 46" EAST, 584.23 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605" AND POINT OF NON-TANGENT CURVE; THENCE, CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE AND SAID NON-TANGENT CURVE TO THE LEFT, CONCAVE TO THE EAST, HAVING A RADIUS OF 2,475.25 FEET, A DELTA ANGLE OF 2° 24' 49" AND AN ARC LENGTH OF 104.27 FEET (CHORD: SOUTH 12° 06' 01" EAST, 104.27 FEET), TO A 5/8" IRON ROD AND CAP "LB 6605" SITUATE ON A NON-TANGENT LINE; THENCE, DEPARTING SAID WEST RIGHT-OF-WAY LINE, SOUTH 89° 51' 59" WEST, 1,908.20 FEET, TO A 5/8" IRON ROD AND CAP "NO IDENTIFICATION"; THENCE, SOUTH 0° 15' 43" EAST, 310.00 FEET; THENCE, SOUTH 89° 49' 41" WEST, 283.75 FEET, TO A POINT SITUATE ON THE EAST RIGHT-OF-WAY LINE OF FANNY BASS LANE (50' WIDE RIGHT-OF-WAY PER OFFICAL RECORDS BOOK 933, PAGE 1714); THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 0° 21' 25" WEST, 310.00 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, SOUTH 89° 49' 40" WEST, 50.00 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605", SITUATE ON THE WEST RIGHT-OF-WAY LINE OF FANNY BASS LANE (50' WIDE RIGHT-OF-WAY PER OFFICAL RECORDS BOOK 933, PAGE 1714);



THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 0° 21' 25" EAST, 639.63 FEET, TO A 1/2" IRON PIPE AND CAP "LB 25.03"; THENCE, DEPARTING SAID WEST RIGHT-OF-WAY LINE, SOUTH 89° 54' 36" WEST, 306.93 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, NORTH 0° 15' 51" WEST, 639.19 FEET, TO A 5/8" IRON ROD "NO IDENTIFICATION"; THENCE, SOUTH 89° 48' 55" WEST, 389.69 FEET; THENCE, SOUTH 12° 41' 25" EAST, 992.89 FEET, TO A 5/8" IRON ROD AND CAP "ILLEGIBLE"; THENCE, NORTH 89° 49' 40" EAST, 176.04 FEET, TO A 5/8" IRON ROD AND CAP "LB6605"; THENCE, SOUTH 0° 15' 51" EAST, 661.53 FEET, TO A 5/8" IRON ROD AND CAP "ILLEGIBLE"; THENCE, SOUTH 89° 29' 09" WEST, 640.49 FEET, TO A 5/8" IRON ROD AND CAP "ILLEGIBLE"; THENCE, NORTH 00° 15' 51" WEST, 333.57 FEET; THENCE, SOUTH 89° 49' 35" WEST, 1323.85 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, NORTH 0° 14' 43" WEST, 960.82 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, NORTH 89° 29' 15" WEST, 17.50 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, NORTH 44° 18' 17" WEST, 485.46 FEET, TO A 1" IRON PIPE "NO IDENTIFICATION"; THENCE, SOUTH 89° 37' 28" WEST, 322.70 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, SOUTH 0° 14' 59" EAST, 656.89 FEET; THENCE, SOUTH 89° 51' 27" WEST, 677.75 FEET; THENCE, SOUTH 0° 15' 14" EAST, 162.51 FEET; THENCE, NORTH 89° 51' 19" EAST, 677.73 FEET; THENCE, SOUTH 0° 14' 59" EAST, 162.48 FEET; THENCE, SOUTH 89° 51' 11" WEST, 677.72 FEET; THENCE, SOUTH 0° 15' 14" EAST, 325.00 FEET; THENCE, SOUTH 89° 53' 35" WEST, 1285.32 FEET, TO A 5/8" IRON ROD AND CAP "LB 6605"; THENCE, NORTH 0° 09' 45" WEST, 1319.47 FEET; THENCE, SOUTH 89° 47' 58" WEST, 19.87 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING ±353.5 ACRES OR 15,400,267 SQUARE FEET, MORE OR LESS