

ALACHUA COUNTY
BOARD OF COUNTY
COMMISSIONERS ORDINANCE 24-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, REPEALING ALACHUA COUNTY ORDINANCE NO. 22-12 IN ORDER TO DISSOLVE THE SPRINGHILLS SOUTH COMMUNITY DEVELOPMENT DISTRICT; ADDRESSING CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Springhills South Community Development District ("**District**") was established by Ordinance No. 22-12 of the Board of County Commissioners of Alachua County, Florida, pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the District is wholly within the boundaries of Alachua County, Florida ("**County**"); and

WHEREAS, on September 14, 2023, the Board of Supervisors ("**Board**") of the District adopted Resolution No. 2023-32 authorizing the District Manager and District Counsel to file with the County a petition to dissolve the District; and

WHEREAS, the District has submitted such petition to dissolve ("**Dissolution Petition**") to the Board of County Commissioners of the County ("**County Board**"), pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, and in order to repeal Ordinance No. 22-12 and dissolve the District pursuant to Section 190.046(10), Florida Statutes; and

WHEREAS, Section 190.046(10), Florida Statutes, permits a district with no outstanding financial obligations and no operating or maintenance responsibilities to petition the local governmental entity that established the district for dissolution of the district by a non-emergency ordinance; and

WHEREAS, according to the Affidavit of the District Manager, attached as **Exhibit A** of the Dissolution Petition, the District does not presently have any outstanding financial obligations or operating or maintenance responsibilities, does not presently own any real property or infrastructure improvements, does not presently have any outstanding bonds, notes or other debt instruments, and does not presently have any debt service special assessments levied against the assessable real property located within the District; and

WHEREAS, Yadda Property Holdings I, LLC, the owner of the majority of the lands within the District ("**Landowner**") has consented to and approves of the dissolution of the District, and such approval and accompanying certifications are attached as **Exhibit B** of the Dissolution Petition; and

WHEREAS, the Landowner has entered into a Dissolution Funding Agreement with the District, attached as **Exhibit B** of District Resolution 2023-32, in order to ensure financing for administrative costs through final dissolution; and

WHEREAS, the County, in determining whether to dissolve the District, has considered the statements contained in the Dissolution Petition, and has determined that

the dissolution of the District is appropriate under Section 190.046(10), Florida Statutes, because, among other reasons, the District has no further outstanding financial obligations and no further operating or maintenance responsibilities; and

WHEREAS, the County will not assume financial, operational, maintenance or any other obligations, liabilities, or responsibilities of the District because of the dissolution; and

WHEREAS, the County finds that repealing Ordinance No. 22-12 as well as implementing Section 37.5 of the Alachua County Code and dissolving the District is in the best interests of the District and its landowners.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Section 1. Recitals. The recitals stated above are hereby incorporated as if fully set forth herein.

Section 2. Authority. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, codified in Chapter 190, Florida Statutes.

Section 3. Dissolution of District. The County Board authorizes the dissolution of

the District pursuant to authority granted by Section 190.046(10), Florida Statutes, and other applicable provisions of law. The District established by Ordinance No. 22-12 is hereby dissolved.

Section 4. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this Ordinance, are repealed to the extent of such conflict, including Ordinance No. 22-12 and its implementing Alachua County Code Section 37.5.

Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Filing with the Department of State. The County Clerk shall be and is hereby directed to send a copy of this Ordinance to the Secretary of State for the State of Florida.

Section 7. Effective Date. The provisions within this Ordinance shall be effective immediately upon passage.

DULY ADOPTED in regular session this 27th day of February, A.D., 2024.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

Mary C. Alford, Chair

ATTEST:

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

Department of Growth Management

Authorized Design

