

Memorandum



Date: (Public Hearing 11-7-17)
October 3, 2017

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

Agenda Item No. 5(H)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Creating the Two Lakes Multipurpose Maintenance Special Taxing District

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a petition submitted in accordance with Article 1, Chapter 18, of the Code of Miami-Dade County (Code) for creation of the Two Lakes Multipurpose Maintenance Special Taxing District (Special Taxing District). The multipurpose maintenance program will remain dormant until such time as any association or community development district (CDD) fails to provide the required maintenance services.

Scope

This proposed Special Taxing District lies within District 12, which is represented by Commissioner Jose "Pepe" Diaz, and will provide multipurpose maintenance services, if and when necessary.

Fiscal Impact/Funding Source

Creation of this Special Taxing District will result in no economic impact on the Miami-Dade County (County) budget. Maintenance services that cannot be equitably or conveniently provided by the property owners and/or developers shall be provided by the Special Taxing District upon acceptance of the plat's required services by the County and upon the failure of any association or CDD to provide the required maintenance services, and such services will be funded by special assessments against benefited properties.

The economic impact on the private sector will be a perpetual annual special assessment for the cost of maintenance services to all property owners within the Special Taxing District, if and when necessary (see page 3 of this memo).

At this time, there will be no increase or decrease in County staffing due to this Special Taxing District. The private sector may increase its staffing levels to provide the service requirements created by this Special Taxing District.

Social Equity Statement

The proposed ordinance creates a Special Taxing District, pursuant to Article I, Section 1.01(A)(11), of the Miami-Dade County Home Rule Charter and Chapter 18 of the Code. If approved, property owners within the proposed Special Taxing District will pay special assessments appropriately apportioned according to the special benefit they receive from the Special Taxing District's services, regardless of their demographics. The creation of this Special Taxing District, which was requested by 100 percent of the property owners, will provide for

maintenance in the event that a community development district (CDD) or association fails to provide the required services.

Track Record/Monitoring

The Special Taxing District will be managed by the County's Parks, Recreation and Open Spaces Department (PROS) and overseen by the Chief of the Special Taxing Districts Division (Division), Michael R. Bauman.

Background

Contingent upon Board approval of this Special Taxing District's creating ordinance, and in the event any association or CDD fails to provide maintenance services, PROS and the Division will provide the Special Taxing District's required maintenance services and cause implementation of special assessments for the costs of such services against the benefitted properties, as well as contract monitoring, compliance and enforcements, if and when necessary.

Boundaries:	On the North, NW 170 Street (West 116 Street); On the East, State Road No. 93 (I-75); On the South, NW 154 Street (West 100 Street); On the West, NW 97 Avenue (West 36 Avenue). (Hialeah street numbering in parenthesis)
Number of Parcels:	4 (Tentative plat proposes townhouse units and single-family homes).
Number of Owners:	1
Number of Owners With Homestead Exemption Signing Petition:	None -- The petition was submitted by Two Lakes Lennar, LLC., the sole property owner and developer.
Preliminary Public Meeting:	None necessary.
Required Referendum:	The creation of the Special Taxing District will be subject only to Board approval; no election will be necessary as 100 percent of the property owners signed the petition.
Preliminary Assessment Roll:	In the event any association or CDD fails to provide the maintenance services below, and contingent upon Board approval of this Special Taxing District's creating ordinance, a hearing to adopt the multipurpose

maintenance preliminary assessment roll will be conducted. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

Proposed Services and Programs
Multipurpose Maintenance Services:

The creation of this Special Taxing District is requested to maintain landscaped swales, medians, common areas, any entrance features, wetlands, lakes, and the exterior of any fencing or walls within the Special Taxing District's boundaries abutting public rights-of-way, including maintenance of turf, trees, shrubs, irrigation, and utility payments, should any association or CDD fail to provide these services. The Special Taxing District will also maintain the private road area if there is a failure to provide maintenance within the private road area, as defined in a non-exclusive easement granted to the County and recorded in the Public Records.

Estimated Initial Billing:

Assessment billed annually as an itemized portion of the Real Property tax bill. Collection to commence in November, following adoption of this Special Taxing District's assessment roll.

Initial Start of Service

October 1, following cessation of maintenance services by the developers and failure of any association or CDD to provide services.

Method of Apportionment:

Maintenance Services:

Square Footage

Estimated Annual Total Cost:

Maintenance Services:

First Year
\$500,394.12

Second Year
\$454,503.61

Estimated Annual Rates:

Maintenance Services:

First Year
\$0.0938

Second Year
\$0.0852

Estimated Annual Assessment:

For a Typical Single-Family Lot:
For a Typical Townhouse Unit:

First Year
\$1,313.20
\$1,125.60

Second Year
\$1,192.80
\$1,022.40

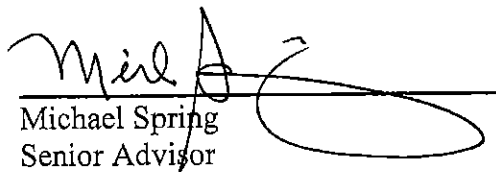
Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
Page No. 4

The above annual costs and assessment information for multipurpose maintenance services are for informational purposes only and were calculated based on current costs, assuming that maintenance services were to commence this year. Actual costs for multipurpose maintenance services will be determined at the time of the assessment roll hearing.

State or Federal grants are not applicable to this Special Taxing District.

Each Special Taxing District is unique due to its geographical boundaries, affected property owners, and level of services to be provided. Creation of a new Special Taxing District to provide these services is the best and most cost-effective method to achieve this benefit.

In compliance with the provisions of Section 18-3 (c) of the Code, I have reviewed the facts submitted by PROS and concur with their recommendation that this Special Taxing District be created pursuant to Section 18-22.1 of the Code.


Michael Spring
Senior Advisor

**REPORT AND RECOMMENDATIONS ON THE
CREATION OF TWO LAKES
MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA**

Pursuant to Chapter 18 of the Code of Miami-Dade County (Code), and as a result of a detailed investigation of a duly petitioned for special taxing district, the following facts are submitted by the Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) Director concerning the creation of Two Lakes Multipurpose Maintenance Special Taxing District (Special Taxing District).

1. BOUNDARIES OF THIS DISTRICT

The proposed Special Taxing District is located entirely within a portion of the municipal limits of the City of Hialeah, Florida. Pursuant to Chapter 18 of the Code, Miami-Dade County (County) has received approval from the City of Hialeah to create this Special Taxing District per Resolution No. 2016-38, a copy of which is attached, and the boundaries, as set forth in the petition, are as follows:

A portion of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida (a.k.a. Two Lakes, Tentative Plat #s T-23962 and T-23866); being more particularly described as follows:

Commence at the northwest corner of said Section 16, Township 52 South, Range 40 East; thence run S 02°39'53" E (bearings shown on the Florida State System of plane grid coordinates) along the west line of the NW ¼ of said Section 16 for 80.06 feet to a point of intersection with a line that is 80.00 feet southerly of and parallel with the north line of the NW ¼ of said section 16; thence run N 89°28'12" E along the last described parallel line for 868.96 feet (868.99 feet by deed); thence S 00°31'48" E for 140.00 feet; thence N 89°28'12" E for 164.20 feet to the point of beginning of the hereinafter described parcel; thence continue N 89°28'12" E for a distance of 1142.07 feet; thence S 02°36'35" E for 1100.01 feet (S 02°38'01" E for 1100.29 feet by deed) to an intersection with the south line of the N ½ of the NW ¼ of said Section 16; thence S 89°29'20" W along the last described south line for 188.98 feet (S 89°29'29" W for 189.11 feet by deed) to the northeast corner of the W ¾ of the S ½ of the NW ¼ of said Section 16; thence S 02°37'22" E along the east line of the W ¾ of the S ½ of the NW ¼ of said Section 16, for 1320.11 feet (S 02°38'26" W, for 1320.37 feet by deed) to an intersection with the south line of the NW ¼ of said Section 16; thence S 89°30'28" W along the last described south line for 1929.03 feet to an intersection with a line 50.00 feet east of and parallel to the west line of the said NW ¼ of Section 16; thence N 02°39'53" W along the last described east line for 1035.23 feet; thence N 87°20'07" E for a distance of 590.00 feet; thence N 02°39'53" E for a distance of 762.95 feet to a point of intersection with a circular curve to the left, concave to the northwest, a radial line from said point bears N 04°35'30" E; thence northeasterly, northerly and northwesterly along the arc of said curve, having for its elements a radius of 76.00 feet, through a central angle of 149°06'20" for an arc distance of 197.78 feet to a point of reverse curvature of a circular curve to the right, concave to the northeast; thence northwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 57°48'41" for an arc distance of 25.23 feet to a point of compound curvature of a circular curve to the

right, concave to the southeast; thence northeasterly along the arc of said curve, having for its elements a radius of 462.00 feet, through a central angle of 50°35'30" for an arc distance of 407.94 feet to a point of tangency; thence N 53°53'24" E for a distance of 162.08 feet to the point of beginning.

Parcel I:

The S ½ of the SW ¼ of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the south 140.00 feet of the east 1663.45 feet thereof, less the west 50.00 feet thereof; and less that portion thereof conveyed to the State of Florida by that certain right-of-way deed recorded in official records book 9942, page 1740, of the public records of Miami-Dade County, Florida.

Parcel II:

The N ½ of the SW ¼ of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the west 50.00 feet thereof, and less that portion thereof conveyed to the State of Florida by that certain right-of-way deed recorded in official records book 9942, page 1740, of the public records of Miami-Dade County, Florida.

Parcel III:

The E ¼ of the S ½ of the NW ¼ of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the except the following described property described as parcel 141 as set forth in that certain order of taking recorded in official records book 10506, page 193, of the public records of Miami-Dade County, Florida, more particularly described as follows:

A portion of the E ¼ of the S ½ of the NW ¼, Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the northwest corner of said Section 16, Township 52 South, Range 40 East; thence, run N 89° 28' 12" E along the north line of the NW ¼ of said section 16 for 2640.82 feet to the northeast corner of said NW ¼ of said Section 16, thence run S 2° 37' 06" E along the east line of the said NW ¼ of Section 16 for 1320.52 feet to the northeast corner of the S ½ of the NW ¼ of said Section 16, said corner being the point of beginning of the herein described parcel of land; thence continue S 2° 37' 06" E along the east line of the NW ¼ of said Section 16 for 1320.53 feet to the southeast corner of said NW ¼; thence run S 89° 31' 05" W along the south line of the NW ¼ for 471.00 feet; thence run N 2° 37' 10" W for 1320.33 feet to an intersection with the north line of the S ½ of the NW ¼ of said Section 16; thence run N 89° 29' 33" E along the last described north line for 471.02 feet to the point of beginning.

The Special Taxing District's boundaries and geographical location are shown on the attached map or sketch entitled Two Lakes Multipurpose Maintenance Special Taxing District and hereinafter referred to as "Exhibit A".

2. LOCATION AND DESCRIPTION OF DISTRICT

Maintenance of landscaped swales, medians, common areas, wetlands, lakes, entrance features, and the exterior of any fencing or walls within the Special Taxing District's boundaries abutting public rights-of-way, including maintenance of turf, trees, shrubs, irrigation, and utility payments, should any association or community development district (CDD) fail to provide these services. The Special Taxing District will also maintain the private road area if there is a failure to provide maintenance within the private road area as defined in a non-exclusive easement granted to the County and recorded in the Public Records. Services will commence following failure of any association or CDD to provide these services, and upon adoption of the Special Taxing District's multipurpose maintenance preliminary assessment roll. Other maintenance services may be provided in the future as specified in the Special Taxing District's ordinance and amendments thereto.

3. ESTIMATED COSTS AND ANNUAL EXPENSE FOR MAINTENANCE, REPAIR AND OPERATION OF THIS DISTRICT

The proposed Special Taxing District is to be created to provide maintenance only in the event that any association or CDD fails to provide the services as described in Item 2 above and will be dormant until such time as stated above.

This initial cost estimate has been developed by PROS based on previous estimates for similar maintenance special taxing districts and will provide multipurpose maintenance services as specified above if services were to commence in 2017. The combined annual costs of the Special Taxing District's multipurpose maintenance services for the initial maintenance program are estimated for report purposes to be \$500,394.12 for the first year, and \$454,503.61 for the second year. The expense of the multipurpose maintenance program will be continuous and service costs following the Special Taxing District's implementation are to be apportioned to individual properties within the Special Taxing District on the basis of lot or parcel square footage. The costs of the multipurpose maintenance program and administrative expenses as shown below are to be paid for by special assessments levied against all benefited properties. Actual multipurpose maintenance costs will be determined and presented to the Board of County Commissioners (Board) at the time of the multipurpose maintenance assessment roll public hearing and will then be adjusted annually thereafter based on actual expenses.

<u>Estimated Annual Costs</u>	<u>First Year</u>	<u>Second Year</u>
Initial Annual Maintenance	\$344,195.92	\$344,195.92
Engineering and Administrative Costs	\$71,439.18	\$68,839.18
Billing, Collecting and Processing Costs	\$1,360.00	\$150.00
Contingencies	<u>\$83,399.02</u>	<u>\$41,318.51</u>
Total Annual Maintenance Services Costs	\$500,394.12	\$454,503.61

<u>Estimated Annual Assessments (Cont'd)</u>	<u>First Year</u>	<u>Second Year</u>
Per Assessable Square Foot:	\$0.0938	\$0.0852
For a Typical Single-family Lot:	\$1,313.20	\$1,192.80
For a Typical Townhouse Unit:	\$1,125.60	\$1,022.40

4. CONFORMITY TO THE MASTER PLAN OF MIAMI-DADE COUNTY

The proposed Special Taxing District conforms to and in no way conflicts with the master plan of development for the County (see attached memorandum from the Department of Regulatory and Economic Resources, a successor to the Department of Planning and Zoning).

5. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The need for multipurpose maintenance programs is apparent. Residents and property owners of the County continue to demonstrate their desire for the services which will be provided by this Special Taxing District through petitions and personal requests. The ability of the affected properties to pay special assessments is evident since the costs of this Special Taxing District's services, including any bonds then outstanding, do not exceed twenty-five percent (25%) of the assessed valuation of all properties within the Special Taxing District's boundaries (including homesteads) as shown by the last preceding assessment roll of the County. In my opinion, the proposed multipurpose maintenance program will provide special benefits to properties within the Special Taxing District exceeding the amount of special assessments to be levied.

6. PROCEDURE

Following commencement of services by the Special Taxing District, any increase in future maintenance services may be recommended by a majority of the property owners for consideration by the County as administrator. An annual meeting will be conducted with the owners of real property within the Special Taxing District as an integral part of the annual budget process. This will enable the County, as administrator, to secure input from affected community representatives, association and property owners to improve delivery of services or lower costs of the services provided within the scope of the Special Taxing District's authorized functions as specified above, and to determine the following:

1. Level of service;
2. Areas to be maintained;
3. Approximate effect on cost and rate of the assessment for any changes.

The deletion of services is subject to maintaining a minimum level of service as determined by PROS (property owners may not delete maintenance services altogether unless this Special Taxing District is abolished).

7. RECOMMENDATION

I recommend that Two Lakes Multipurpose Maintenance Special Taxing District be created pursuant to Section 18-22.1 of the Code. The creation of this Special Taxing District will be subject to Board approval only; no election will be necessary as 100 percent of the property owners signed the petition. I also recommend that the County Attorney cause to be prepared an ordinance authorizing the creation of the Two Lakes Multipurpose Maintenance Special Taxing District. Pursuant to Chapter 18 of the Code, the Board shall receive and hear, at a public hearing, remarks by interested persons on this Special Taxing District, and thereafter may adopt such ordinance. Following failure of any association or CDD to provide these services,

the Board may adopt the Special Taxing District's Preliminary Assessment Roll resolution to fund the Special Taxing District's services. Adoption of this resolution will enable the Miami-Dade County Tax Collector to collect the funds necessary to administer the Special Taxing District, reimburse affected County Departments involved in the creation and establishment of this Special Taxing District, as well as operate and maintain the Special Taxing District. The ordinance creating the Special Taxing District shall take effect ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, it shall become effective only upon an override by the Board. My office will also be available to answer any questions from the public or your office in regard to the financial and/or engineering facts of this Special Taxing District. We further recommend that the County Mayor or County Mayor's designee forward the attached report to the Board after review and concurrence with our findings.

- Attachments: (1) Copy of Petition and Attachments
(2) Copy of Resolution from the City of Hialeah
(3) Copy of Memo from Department of Regulatory and Economic Resources
(4) District Boundaries and Geographical Location Sketch (Exhibit A)

MIAMI-DADE COUNTY ATTORNEY'S OFFICE
MEMORANDUM

TO: Mike Bauman
Chief, Special Taxing Districts

FROM: Daija Page Lifshitz DPL DATE: July 12, 2017
Assistant County Attorney

SUBJECT: Two Lakes Multipurpose Maintenance
Special Taxing District

Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient for the purposes stated within the Petition, provided that:

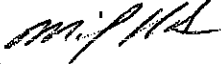
1. the areas to be maintained are adjacent to or accessible from the public right of way; and
2. the land included in Exhibit A of the Petition is accessible to or usable by the public.

Memorandum



Date: July 5, 2017

To: Christopher Agrippa, Division Chief
Office of the Clerk of the Board
Attn: Shania Momplaisir

From: 
Michael R. Bauman, Chief
Special Taxing Districts Division
Parks, Recreation and Open Spaces Department

Subject: Two Lakes Multipurpose Maintenance
Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Section 18-22.1 of the Miami-Dade County Code, this Department has verified the attached name against the records of the Office of the Property Appraiser, and has concluded that said petition relates to real property in a new subdivision and the signator is owner and/or individual signing in their official capacity as representative of the owner of the property in question. We are therefore submitting the following information:

- | | | |
|----|--|-------------|
| 1. | Total number of parcels of land within district boundaries | <u>4</u> |
| 2. | Total number of owners of property within district boundaries | <u>1</u> |
| 3. | Total number of resident owners within district boundaries
(this is a new subdivision area) | <u>0</u> |
| 4. | Total number of signatures on the petition | <u>1</u> |
| 5. | Total number of owners or representatives signing the petition
in an official capacity | <u>1</u> |
| 6. | Percentage of owners or representatives signing the petition
in their official capacity | <u>100%</u> |

Pursuant to Section 18-22.1 of the Code, this is a valid petition.

By copy of this memorandum, I am forwarding this petition for review by the County Attorney for legal sufficiency.

Attachment

c: Daija Page Lifshitz

**MIAMI-DADE COUNTY PARKS, RECREATION
AND OPEN SPACES DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION**

January 12, 2017
Document Preparation
Date

Departmental Acceptance Date
(Government Use Only)

PETITION FOR MULTIPURPOSE SPECIAL TAXING DISTRICT

To the Board of County Commissioners of Miami-Dade County, Florida:

We, the undersigned property owner(s), do hereby petition Miami-Dade County, Florida, for the creation of the Special Taxing District(s) required by the respective plat(s) pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, for any or all of the following: landscape, lake, entrance features and wall maintenance services (requested landscape, lake, entrance features and wall maintenance services shall be more fully described on the attached Exhibit B). The petitioned for district lies within that portion of the incorporated area of City of Hialeah more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) TWO LAKES (Aquabella Section One, Aquabella Section Two and Aquabella Section Three)

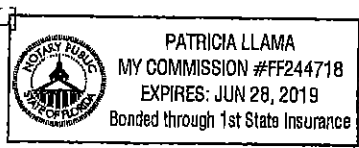
It is understood and agreed that the boundaries of this district and the type and level of services to be provided by this district will be reviewed by the appropriate County authorities. It is also understood that the improvements to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Parks, Recreation and Open Spaces Department.

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
Two Lakes Lennar, LLC A Delaware Limited Liability Company	730 NW 107 th Avenue, 3 rd Floor Miami, FL 33172	MORE FULLY DESCRIBED ON THE ATTACHED "EXHIBIT A"	04-2016-000-0060 04-2016-000-0100 04-2016-000-0110 04-2016-000-0020
By: Lennar Homes, LLC, A Florida Limited Liability Company As Sole Member			
By: US Home Corporation, A Delaware Corporation As Managing Member			
By: Greg McPherson, as Vice-President			

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to take acknowledgements appeared Greg McPherson, as Vice President of US Home Corporation, a Delaware Corporation, as Managing Member of Lennar Homes, LLC, a Florida limited liability company, the Sole Member of Two Lakes Lennar, LLC, a Delaware Limited Liability Company. He is personally known to me or has produced identification in the form of _____, and who executed the foregoing Petition for Special Taxing District voluntarily and acknowledged before me that he executed the same for the purposes herein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 12th day of January 2017.

[SEAL]  Notary Public Signature: _____
State of: Florida
My Commission expires: June 28, 2019

JANUARY 12, 2017

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)**EXHIBIT "A"**

EXHIBIT "A" TO THE PETITION FOR THE PLATS KNOWN AS TWO LAKES (AQUABELLA SECTION ONE, AQUABELLA SECTION TWO AND AQUABELLA SECTION THREE) DATED JANUARY 12, 2017, FOR THE CREATION OF MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT.

Legal Description:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE RUN SOUTH 02°39'53" EAST (BEARINGS SHOWN ON THE FLORIDA STATE SYSTEM OF PLANE GRID COORDINATES) ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16 FOR 80.06 FEET TO A POINT OF INTERSECTION WITH A LINE THAT IS 80.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE RUN NORTH 89°28'12" EAST ALONG THE LAST DESCRIBED PARALLEL LINE FOR 868.96 FEET (868.99 FEET BY DEED); THENCE SOUTH 00°31'48" EAST FOR 140.00 FEET; THENCE NORTH 89°28'12" EAST FOR 164.20 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE CONTINUE NORTH 89°28'12" EAST FOR A DISTANCE OF 1142.07 FEET; THENCE SOUTH 02°36'35" EAST FOR 1100.01 FEET (SOUTH 02°38'01" EAST FOR 1100.29 FEET BY DEED) TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE SOUTH 89°29'20" WEST ALONG THE LAST DESCRIBED SOUTH LINE FOR 188.98 FEET (SOUTH 89°29'29" WEST FOR 189.11 FEET BY DEED) TO THE NORTHEAST CORNER OF THE WEST 3/4 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE SOUTH 02°37'22" EAST ALONG THE EAST LINE OF THE WEST 3/4 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16, FOR 1320.11 FEET (SOUTH 02°38'26" WEST, FOR 1320.37 FEET BY DEED) TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE SOUTH 89°30'28" WEST ALONG THE LAST DESCRIBED SOUTH LINE FOR 1929.03 FEET TO AN INTERSECTION WITH A LINE 50.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SAID NORTHWEST 1/4 OF SECTION 16; THENCE NORTH 02°39'53" WEST ALONG THE LAST DESCRIBED EAST LINE FOR 1035.23 FEET; THENCE NORTH 87°20'07" EAST FOR A DISTANCE OF 590.00 FEET; THENCE NORTH 02°39'53" WEST FOR A DISTANCE OF 762.95 FEET TO A POINT OF INTERSECTION WITH A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, A RADIAL LINE FROM SAID POINT BEARS NORTH 04°35'30" EAST; THENCE NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 76.00 FEET, THROUGH A CENTRAL ANGLE OF 149°06'20" FOR AN ARC DISTANCE OF 197.78 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

ELEMENTS A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 57°48'41" FOR AN ARC DISTANCE OF 25.23 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 462.00 FEET, THROUGH A CENTRAL ANGLE OF 50°35'30" FOR AN ARC DISTANCE OF 407.94 FEET TO A POINT OF TANGENCY; THENCE NORTH 53°53'24" EAST FOR A DISTANCE OF 162.08 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 3,983,071.96 SQUARE FEET OR 91.44 ACRES MORE OR LESS

AND

PARCEL I:

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 140 FEET OF THE EAST 1663.45 FEET THEREOF, LESS THE WEST 50 FEET THEREOF; AND LESS THAT PORTION THEREOF CONVEYED TO THE STATE OF FLORIDA BY THAT CERTAIN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 9942, PAGE 1740, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL II:

THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS THE WEST 50 FEET THEREOF, AND LESS THAT PORTION THEREOF CONVEYED TO THE STATE OF FLORIDA BY THAT CERTAIN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 9942, PAGE 1740, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL III:

THE EAST 1/4 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, LESS THE EXCEPT THE FOLLOWING DESCRIBED PROPERTY DESCRIBED AS PARCEL 141 AS SET FORTH IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 10506, PAGE 193, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE EAST 1/4 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4, SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE, RUN NORTH 89° 28' 12" EAST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16 FOR 2640.82 FEET TO THE NORTHEAST CORNER

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

OF SAID NORTHWEST 1/4 OF SAID SECTION 16, THENCE RUN SOUTH 2° 37' 06" EAST ALONG THE EAST LINE OF THE SAID NORTHWEST 1/4 OF SECTION 16 FOR 1320.52 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16, SAID CORNER BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE SOUTH 2° 37' 06" EAST ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16 FOR 1320.53 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4; THENCE RUN SOUTH 89° 31' 05" WEST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 FOR 471.00 FEET; THENCE RUN NORTH 2° 37' 10" WEST FOR 1320.33 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE RUN NORTH 89° 29' 33" EAST ALONG THE LAST DESCRIBED NORTH LINE FOR 471.02 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 5,668,911.86 SQUARE FEET OR 130.13 ACRES MORE OR LESS.

ALL THE ABOVE DESCRIBED LANDS, COMBINED, CONTAIN A TOTAL OF 9,651,983.82 SQUARE FEET OR 221.57 ACRES MORE OR LESS.

Folio No.: 04-2016-000-0100; 04-2016-000-0020; 04-2016-000-0060; 04-2016-000-0110

Departmental Acceptance Date
(Government Use Only)

EXHIBIT "B"

EXHIBIT "B" TO THE PETITION FOR THE SUBDIVISIONS KNOWN AS AQUABELLA SECTION ONE, AQUABELLA SECTION TWO AND AQUABELLA SECTION THREE DATED JANUARY 12, 2017, FOR THE CREATION OF A MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT FOR TWO LAKES (AQUABELLA SECTION ONE, AQUABELLA SECTION TWO AND AQUABELLA SECTION THREE).

AREAS TO BE MAINTAINED:

ALL LANDSCAPE TRACTS, GRASS MEDIANS, BERMS, FENCES AND ENTRANCE FEATURES IN THE COMMON AREAS ADJACENT TO AND/OR ACCESSIBLE FROM PUBLIC RIGHT-OF-WAYS LOCATED WITHIN THE BOUNDARIES OF THE SUBJECT PROPERTY. AREAS LOCATED WITHIN PRIVATE PROPERTY OR NOT ACCESSIBLE FROM PUBLIC RIGHT-OF-WAYS ARE SPECIFICALLY EXCLUDED FROM THIS SCHEDULE.

MAINTENANCE SCHEDULE:

1. TREES: ALL TREES ARE TO BE MAINTAINED AT A CLEAR TRUNK HEIGHT OF EIGHT (8) FEET. IN ADDITION, TREES ARE TO BE PRUNED AT LEAST ONCE ANNUALLY.
2. SHRUBS: ALL SHRUBS ARE TO BE TRIMMED ON AN AS-NEEDED BASIS.
3. GRASS:
 - A. CUTTING SCHEDULE: DURING OCTOBER THROUGH APRIL, GRASS AREAS SHOULD BE CUT EVERY OTHER WEEK (TWICE PER MONTH). DURING THE MONTHS OF MAY THROUGH SEPTEMBER, IT SHOULD BE CUT EVERY WEEK (FOUR TIMES PER MONTH). THE FREQUENCY OF MOWING SHALL BE MODIFIED AS NECESSARY.
 - B. DISEASE AND INSECT CONTROL: DISEASE AND INSECT CONTROL SHALL BE PERFORMED ON AN AS-NEEDED BASIS.
 - C. FERTILIZATION: FERTILIZATION AND TURF, TREES, SHRUBS, AND PALMS SHALL BE PERFORMED THREE (3) TIMES A YEAR DURING THE FOLLOWING MONTHS: FEBRUARY, JUNE, AND OCTOBER. IF ANY TREE, SHRUB, TURF, OR PALM IS BADLY DAMAGED OR KILLED BY EXCESSIVE FERTILIZER, IT SHALL BE REPLACED BY THE COMPANY PROVIDING THE SERVICE.
 - D. IRRIGATION: SPRINKLER HEADS SHALL BE MAINTAINED ON A MONTHLY BASIS. ALL HEADS AND PIPING DAMAGED BY A SERVICER'S MACHINERY IS TO BE REPLACED BY THE SERVICER. PUMP(S) FOR THE IRRIGATION SYSTEM SHALL BE PROVIDED AS MAY BE REQUIRED AND MAINTENANCE OF SAID PUMPS SHALL BE AS RECOMMENDED BY THE MANUFACTURER. PUMP STATIONS AND VALVES SHALL BE CHECKED MONTHLY BY AN INDEPENDENT CONTRACTOR TO ASSURE AUTOMATIC OPERATION.

Departmental Acceptance Date
(Government Use Only)

- E. WEEDING: ALL BEDS ARE TO BE WEEDED UPON EVERY CUT. WEEDS GROWING IN JOINTS IN CURBS, ROADS, AND EXPANSION JOINTS SHALL BE REMOVED AS NEEDED. CHEMICAL TREATMENT IS PERMITTED.
- F. TRASH REMOVAL: DIRT, TRASH, CUTTINGS, AND DEBRIS RESULTING FROM ALL OPERATIONS SHALL BE REMOVED AND ALL AREAS LEFT IN CLEAN CONDITION BEFORE THE END OF THE WORKING DAY.

Note: THIS SPECIAL TAXING DISTRICT ENCOMPASSES A PRIVATE DRIVE COMMUNITY AND THE MULTIPURPOSE MAINTENANCE COMPONENT OF THE DISTRICT SHALL BE DORMANT. SERVICE WILL ONLY COMMENCE FOLLOWING FAILURE (AS DEFINED IN A "GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT" SUBMITTED AT THE SAME TIME AS THIS PETITION) OF ANY HOME-OWNER'S ASSOCIATION AND/OR COMMUNITY DEVELOPMENT DISTRICT TO PROVIDE THE REQUIRED SERVICES. ASSUMPTION OF MAINTENANCE SERVICES SHALL COMMENCE FOLLOWING ADOPTION OF THIS DISTRICT'S MULTIPURPOSE MAINTENANCE ASSESSMENT ROLL BY THE BOARD OF COUNTY COMMISSIONERS AT A PUBLIC HEARING. OTHER MAINTENANCE SERVICES MAY BE PROVIDED IN THE FUTURE AS SPECIFIED IN THE DISTRICT'S ORDINANCE AND AMENDMENTS THERETO. IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED:

LANDSCAPE, COMMON AREAS, INGRESS/EGRESS AND ENTRANCE FEATURES

RESOLUTION NO. 2016-38

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA CONSENTING TO THE CREATION OF A SPECIAL TAXING DISTRICT TO COINCIDE WITH THE GEOGRAPHIC BOUNDARIES OF THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT COMPRISING OF 130.14 ACRES, MORE OR LESS, HAVING EXTERNAL BOUNDARIES AS DEPICTED IN THE MAP ATTACHED AS EXHIBIT 2 TO THE PETITION TO ESTABLISH THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT, TO BE UTILIZED ONLY IN THE EVENT THAT THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT CEASES TO EXIST OR FAILS TO FUNCTION IN THE PERFORMANCE OF ITS DUTIES AND RESPONSIBILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to City of Hialeah, Fla., Resolution No. 2016-37, (passed April 12, 2016) the City of Hialeah expressed its support for the establishment of the Two Lakes Community Development District, which shall be considered for approval by the Board of Miami-Dade County Commissioners; and

WHEREAS, the City of Hialeah, Florida finds it in the best interest for the proper governance of the City of Hialeah, its elected officials and residents to consent to the petition and creation of a multipurpose special taxing district through Miami-Dade County, Florida to be in effect only if the Two Lakes Community Development District ceases to exist or fails to function in the performance of its mandated duties and responsibilities.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby consents to the creation of a special taxing district to coincide with geographic boundaries of the Two Lakes Community Development District, comprising of 130.14 acres, more or less, and having external boundaries as depicted in the map attached as Exhibit 2 to the Petition to establish the Two Lakes Community Development District, to be utilized only in the event that the Two Lakes

RESOLUTION NO. 2016-38

Page 2

Community Development District ceases to exist or fails to function in the performance of its duties and responsibilities.

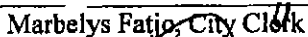
Section 2: This resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

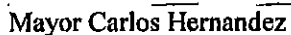
PASSED AND ADOPTED this 12 day of April, 2016.


Katharine Cue-Fuente
Council Vice President

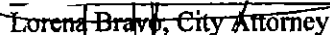
Attest:

Approved on this 15 day of April, 2016.


Marbelys Fatjo, City Clerk

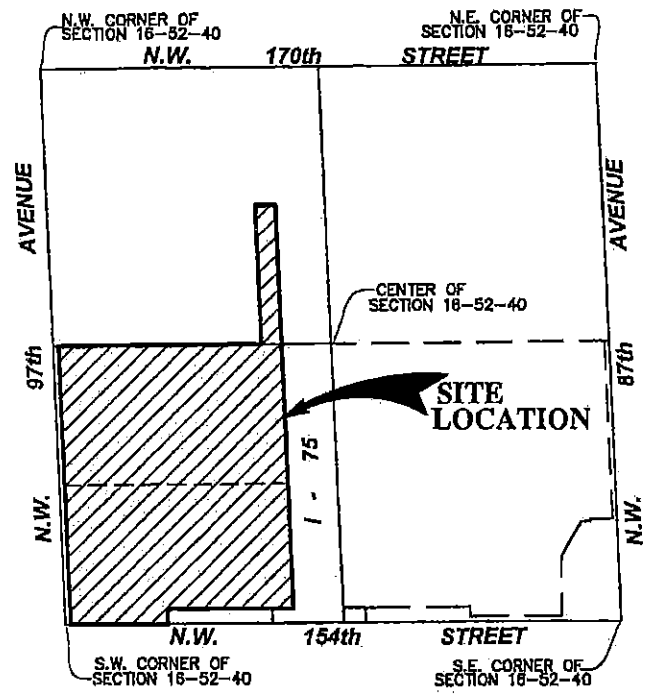

Mayor Carlos Hernandez

~~Approved as to form and legal sufficiency:~~


Lorena Bravo, City Attorney

Resolution was adopted by a (6-0-1) vote with Councilmembers, Caragol, Cue-Fuente, Garcia-Martinez, Hernandez, Lozano and Casals-Muñoz voting "Yes". Council President Gonzalez absent.

Exhibit 2



LOCATION MAP
SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST
MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

SURVEYOR'S NOTES:

- 1) - This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) - Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 3) - There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of Title Policy will need to be made to determine recorded instruments, if any affecting this property.
- 4) - North Arrow direction and Bearings shown hereon are based on an assumed value of N89°34'49"E, along the South Line of Section 16, Township 52 South, Range 40 East, as shown on the Miami-Dade County, Township Map Florida.
- 5) - The Sketch and Legal Description shown herein is based on the Information provided by the Client.
- 6) - No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

SURVEYOR'S CERTIFICATE:

I Herby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION of the real property described hereon. I further certify that this sketch was prepared in accordance with the applicable provisions of Chapter 5J-17 (Formerly 61G17-6), Florida Administrative Code.

Ford, Armenteros & Fernandez, Inc. L.B. 6557

Date: March 03, 2016
Revision:
Revision:

Omar Armenteros, P.S.M., For the Firm
Professional Surveyor and Mapper
State of Florida, Registration No.3679

G:\VDRD COMPANIES\ENGINEERING & SURVEYING\SURVEY\SKETCH & LEGAL\15-056-1000 DUNN 130 ACRES SKETCH AND LEGAL FOR CDD MARCH 03 2016

DUNN 130 ACRES SKETCH AND LEGAL FOR CDD



FORD, ARMENTEROS & FERNANDEZ, INC.
1950 N.W. 94th AVENUE, 2nd FLOOR
DORAL, FLORIDA 33172
PH. (305) 477-6472
FAX (305) 470-2805

TYPE OF PROJECT		SKETCH AND LEGAL DESCRIPTION	
SHEET NAME		LOCATION MAP AND SURVEYOR'S NOTES	
PREPARED FOR:		LENNAR HOMES, LLC	
DRAWN BY: JAER	DATE: MARCH 10, 2016	SHEET	
DATE CHECKED BY:	SCALE: N/A	1	
CHECKED BY:	PROJECT NO: 15-056-1000	OF 4 SHEETS	

20

LEGAL DESCRIPTION:

The land referred to herein below is situated in the County of Miami-Dade, State of Florida, and is described as follows:

Parcel I:

The South 1/2 of the Southwest 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the South 140 feet of the East 1663.45 feet thereof, less the West 50 feet thereof; and less that portion thereof conveyed to the State of Florida by that certain Right-of-Way Deed recorded in Official Records Book 9942, Page 1740, of the Public Records of Miami-Dade County, Florida.

Parcel II:

The North 1/2 of the Southwest 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the West 50 feet thereof, and less that portion thereof conveyed to the State of Florida by that certain Right-of-Way Deed recorded in Official Records Book 9942, Page 1740, of the Public Records of Miami-Dade County, Florida.

Parcel III:

The East 1/4 of the South 1/2 of the Northwest 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the except the following described property described as Parcel 141 as set forth in that certain Order of Taking recorded in Official Records Book 10506, Page 193, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

A portion of the East 1/4 of the South 1/2 of the Northwest 1/4, Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 16, Township 52 South, Range 40 East; thence, run North 89° 28' 12" East along the North line of the Northwest 1/4 of said Section 16 for 2640.82 feet to the Northeast corner of said Northwest 1/4 of said Section 16, thence run South 2° 37' 06" East along the East line of the said Northwest 1/4 of Section 16 for 1320.52 feet to the Northeast corner of the South 1/2 of the Northwest 1/4 of said Section 16, said corner being the POINT OF BEGINNING of the herein described parcel of land; thence continue South 2° 37' 06" East along the East line of the Northwest 1/4 of said Section 16 for 1320.53 feet to the Southeast corner of said Northwest 1/4; thence run South 89° 31' 05" West along the South line of the Northwest 1/4 for 471.00 feet; thence run North 2° 37' 10" West for 1320.33 feet to an intersection with the North line of the South 1/2 of the Northwest 1/4 of said Section 16; thence run North 89° 29' 33" East along the last described North line for 471.02 feet to the POINT OF BEGINNING.

© 1998 COMPANET ENGINEERING & SURVEYING SURVEY SKETCH & LEGAL FOR CDD DUNN 130 ACRES SKETCH AND LEGAL FOR CDD MARCH 03 2016

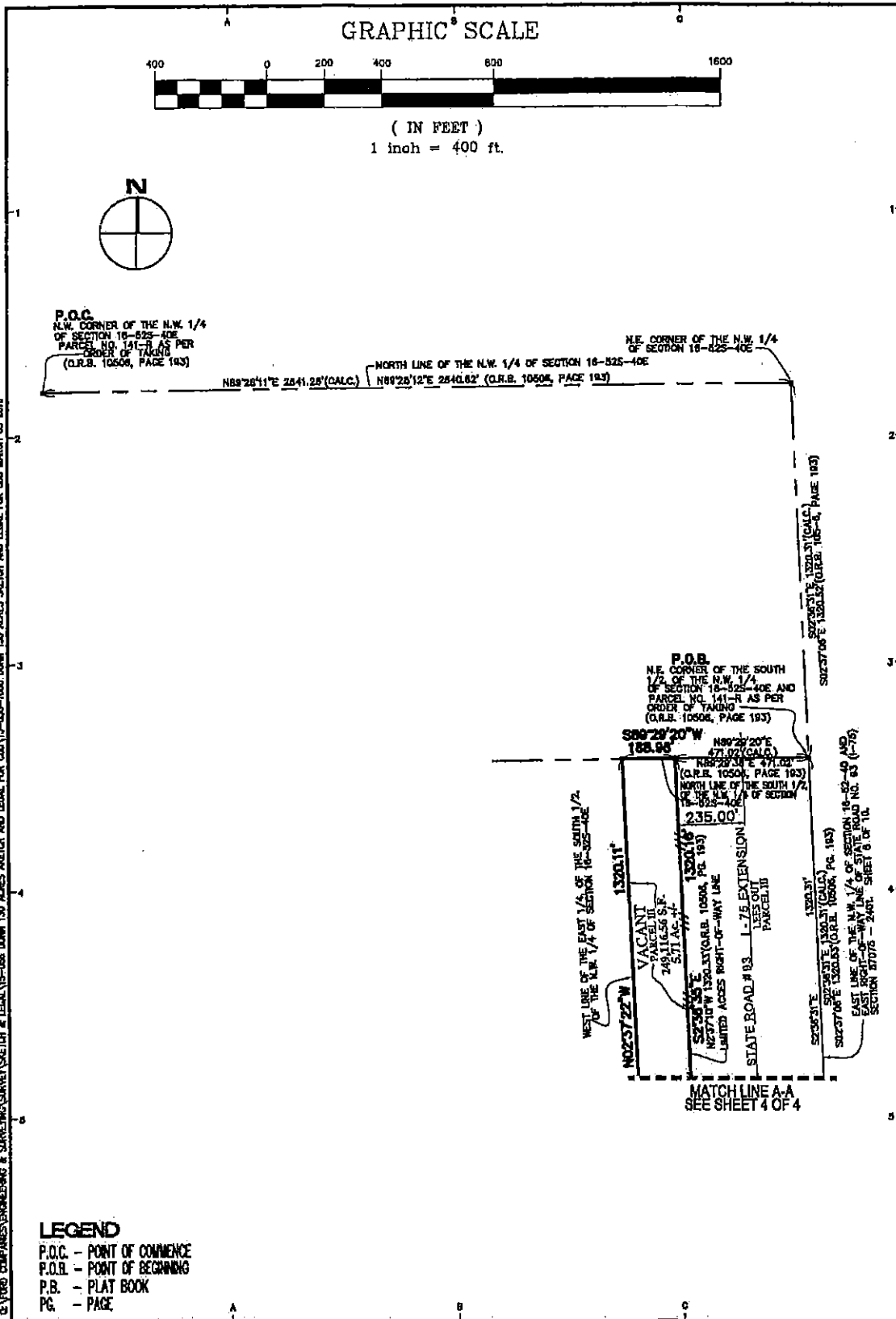
DUNN 130 ACRES SKETCH AND LEGAL FOR CDD



FORD, ARMENTEROS & FERNANDEZ, INC.
 1950 N.W. 94th AVENUE, 2nd FLOOR
 DORAL, FLORIDA 33172
 PH. (305) 477-6472
 FAX (305) 470-2805

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		SHEET 2 of 4 SHEETS
SHEET NAME: LEGAL DESCRIPTION TO ACCOMPANY SKETCH		
PREPARED FOR: LENNAR HOMES, LLC		
DRAWN BY: JAER	DATE: MARCH 10, 2016	
CHECKED BY:	SCALE: N/A	
CHECKED BY:	PROJECT No: 15-058-1000	

21



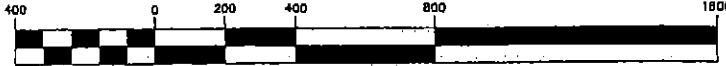
© VERO COMPANIES ENGINEERING & SURVEYING SURVEY SKETCH & LEGAL FOR CDD 15-058-1000 DUNN 130 ACRES SKETCH AND LEGAL FOR CDD MARCH 03 2018

LEGEND
 P.O.C. - POINT OF COMMENCE
 P.O.B. - POINT OF BEGINNING
 P.B. - PLAT BOOK
 PG. - PAGE

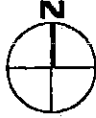
DUNN 130 ACRES SKETCH AND LEGAL FOR CDD			
<p>FORD, ARMENTEROS & FERNANDEZ, INC. 1950 N.W. 94th AVENUE, 2nd FLOOR DORAL, FLORIDA 33172 PH. (305) 477-8472 FAX (305) 470-2805</p>	SKETCH AND LEGAL DESCRIPTION		
	TYPE OF PROJECT		
	SHEET NAME		
	PREPARED FOR		
DRAWN BY	DATE	<div style="font-size: 2em; font-weight: bold; margin: 0;">3</div> <div style="font-size: 0.8em; margin: 0;">OF 4 SHEETS</div>	
CHKD. CHECKED BY	SCALE		
CHECKED BY	PROJECT NO.		

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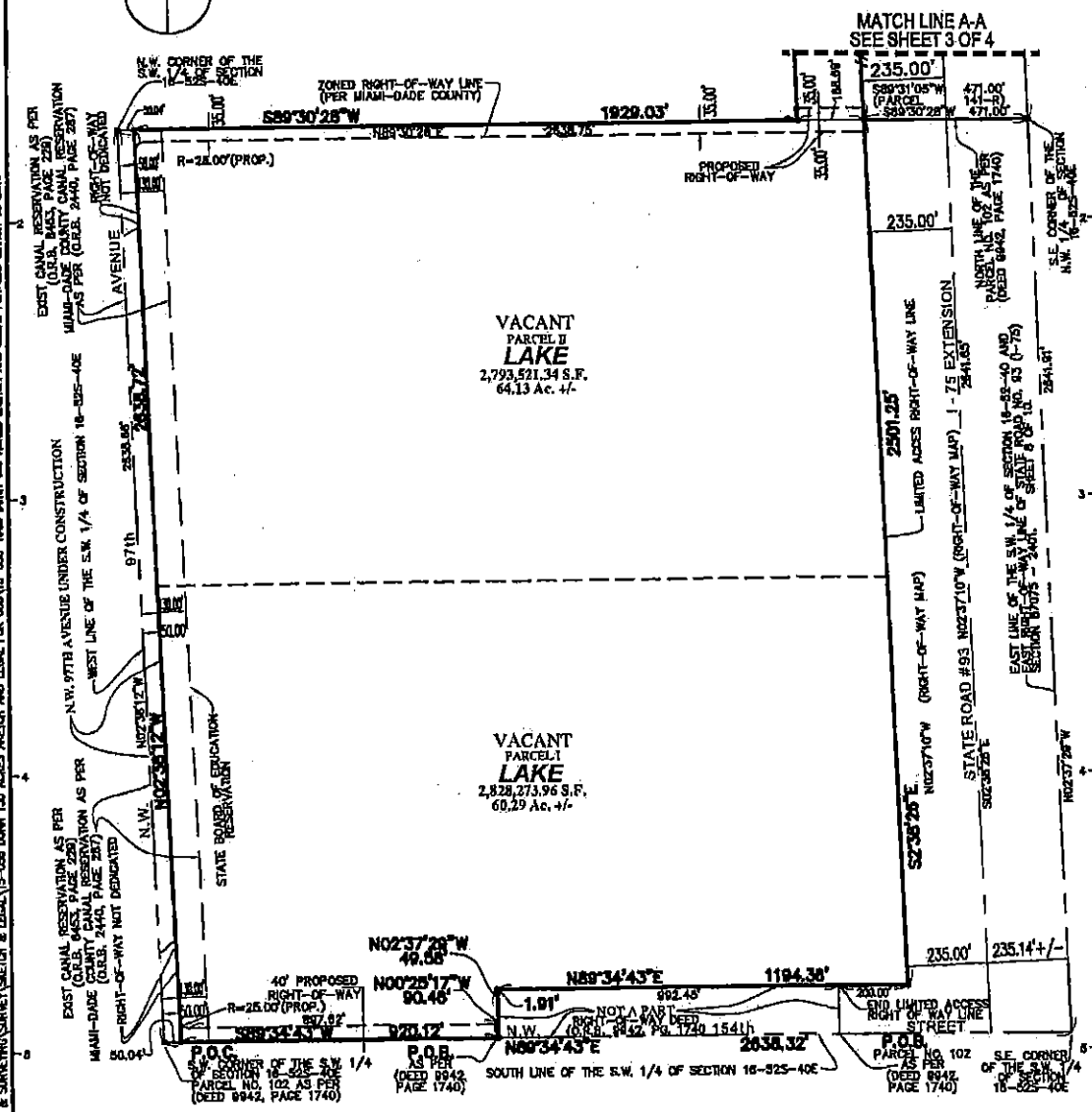
GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft.



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- LEGEND**
- P.O.C. - POINT OF COMMENCE
 - P.O.B. - POINT OF BEGINNING
 - P.B. - PLAT BOOK
 - PC. - PAGE

DUNN 130 ACRES SKETCH AND LEGAL FOR CDD

FORD, ARMENTEROS & FERNANDEZ, INC.
 1950 N.W. 94th AVENUE, 2nd FLOOR
 DORAL, FLORIDA 33172
 PH. (305) 477-6472
 FAX (305) 470-2805

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		
SHEET NAME: SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
PREPARED FOR: LENNAR HOMES, LLC		
DRAWN BY: JAER	DATE: MARCH 10, 2016	SHEET: 4
DESIGNED BY:	SCALE: 1" = 400'	OF 4 SHEETS
CHECKED BY:	PROJECT No.: 15-056-1000	

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MEMORANDUM

To: Aristides Rivera, P.E., P.L.S., Director
Public Works Department

Date: January 15, 2002

From: *Diane O'Quinn Williams*
Diane O'Quinn Williams, Director
Department of Planning and Zoning

Subject: Street Lighting, Maintenance of
Landscape, Walls Adjacent to
Double-Frontage Lots and Lakes
Special-Taxing Districts

Section: As Required
District: As Required
Council: As Required

Effective September 5, 2001, all tentative plats in the unincorporated area of Miami-Dade County submitted to the Land Development Division of the Public Works Department, must be accompanied by a properly executed petition for all applicable special taxing districts including, but not limited to street lights, maintenance of landscape, walls adjacent to double frontage lots, entrance features and lakes. Final Plats will not be presented to the Board of County Commissioners for consideration until the applicable special taxing districts are created, and all fees have been paid. In that regard, to ensure expeditious processing, this Memorandum may serve as approval for certain future special taxing district application requests as being consistent with the intent and purpose of the adopted 2005-2015 Comprehensive Development Master Plan (CDMP). Policy 4A - Capital Improvement Element states: Appropriate funding mechanisms will be adopted and applied by Miami-Dade County in order to assure the fiscal resources to maintain acceptable levels of service. Such funding mechanisms include special tax districts, municipal taxing service units, local option taxes, user fees, local gas tax, general obligation bond, impact fees, and special purpose authorities, or others as appropriate and feasible (Adopted Components as Amended through April 2001, page IX-10). The provision for services over and above minimum for neighborhoods and communities may be accomplished through the special taxing district as may be prescribed by the code.

The Department of Planning and Zoning (DP&Z) has no objection to a blanket approval with condition to establish future special taxing districts as limited to requests for street lighting, landscape maintenance, walls adjacent to double-frontage lots and lake maintenance districts. The previously noted special taxing districts may be established on the condition that the DP&Z review all landscape maintenance districts for compliance with plantings in public rights-of-way and lake maintenance districts for consistency with Landscape Code (Chapter 18A) Section 18A-6(L) Storm Water Retention/Detention Areas.

DO'QW: GA: TBS

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NW 170 STREET (WEST 116 STREET)



DISTRICT BOUNDARIES

LAKE

NW 97 AVENUE (WEST 36 AVENUE)

STATE ROAD NO. 93 (I-75)

LAKE

NW 154 STREET (WEST 100 STREET)

SHADING DENOTES AREAS TO BE MAINTAINED.
SEE ATTACHED SHEETS FOR SERVICE
DESCRIPTIONS AND LOCATIONS.

TWO LAKES
MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT

EXHIBIT "A"

(Boundaries and Geographical Location Sketch)

ATTACHMENT TO EXHIBIT "A"

TWO LAKES
MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT

AREAS TO BE MAINTAINED:

WALL, LAKES, LAKE ACCESS TRACTS, WETLANDS, COMMON AREAS, AND LANDSCAPING.

MAINTENANCE SCHEDULE:

- A) LAWN/GRASS
 - 1) CUT BIMONTHLY AS REQUIRED
 - 2) FERTILIZE AND WEED CONTROL AS NEEDED
 - 3) TREAT FOR PESTS/DISEASES AS NEEDED
 - 4) IRRIGATE WITH AUTOMATIC SYSTEM AND ELECTRICAL SERVICE FOR SAME.

- B) TREES/SHRUBS
 - 1) TRIM, FERTILIZE AND TREAT FOR PESTS AS NEEDED
 - 2) REPLACE AS REQUIRED.

- C) WALL MAINTENANCE
 - 1) MAINTENANCE AND REPAIR OF THE EXTERIOR OF DECORATIVE MASONRY WALLS AND THE REMOVAL OF GRAFFITI AS NEEDED.

- D) LAKE MAINTENANCE
 - 1) TO INCLUDE, BUT NOT LIMITED TO, REMOVAL OF DEBRIS, AQUATIC WEED, PLANTS AND ALGAE BY CHEMICAL AND/OR MECHANICAL MEANS AS NEEDED.

- E) WETLANDS WILL REMAIN IN THEIR NATURAL STATE UNTIL REPLANTED ACCORDING TO CHAPTER 28 OF THE SUBDIVISION CODE OF MIAMI-DADE COUNTY. MAINTENANCE OF THESE AREAS (i.e. NATURAL FOREST COMMUNITIES-NFC) WILL BE AS PER DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES CONDITIONS AND OBLIGATIONS SET FORTH IN NFC PERMIT.

IMPROVEMENTS BY DEVELOPER FOR EACH LAKE:

- A) A 2-SPACE PARKING AREA ADJACENT TO THE RIGHT-OF-WAY.
- B) 12-FOOT WIDE IMPROVED BOAT RAMP TO EXTEND INTO THE WATER SUFFICIENT TO ALLOW A 3' LAUNCHING DEPTH AT MEDIAN LAKE WATER LEVEL.
- C) A LOCKING SWINGING GATE, 12 FT. WIDE WITH REMOVAL GUARDRAIL.

NOTE: THE SPECIAL TAXING DISTRICT ENCOMPASSES A PRIVATE DRIVE COMMUNITY, IT SHALL BE **DORMANT**; AND SERVICE WILL ONLY COMMENCE FOLLOWING FAILURE (AS DEFINED IN A "GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT" SUBMITTED AT THE SAME TIME AS THIS PETITION) OF ANY HOMEOWNERS ASSOCIATION AND/OR COMMUNITY DEVELOPMENT DISTRICT TO PROVIDE THE REQUIRED SERVICES. ASSUMPTION OF MAINTENANCE SERVICES SHALL COMMENCE FOLLOWING ADOPTION OF THIS DISTRICT'S MULTIPURPOSE MAINTENANCE ASSESSMENT ROLL BY THE BOARD OF COUNTY COMMISSIONERS AT A PUBLIC HEARING. OTHER MAINTENANCE SERVICES MAY BE PROVIDED IN THE FUTURE AS SPECIFIED IN THE DISTRICT'S ORDINANCE AND AMENDMENTS THERETO. IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED:

LAKES, LAKE ACCESS TRACTS, WETLANDS, COMMON AREAS, INGRESS/EGRESS, LANDSCAPING, WALL, AND ENTRANCE FEATURES.

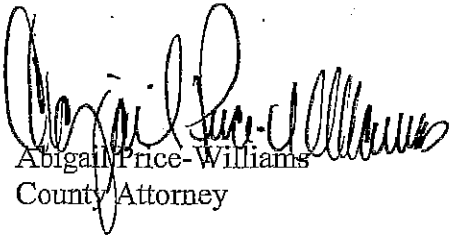
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MEMORANDUM
(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(H)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(H)
11-7-17

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, GENERALLY BOUNDED ON THE NORTH BY NW 170 STREET, ON THE EAST BY STATE ROAD NO. 93 (I-75), ON THE SOUTH BY NW 154 STREET AND ON THE WEST BY NW 97 AVENUE, KNOWN AND DESCRIBED AS TWO LAKES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT; IDENTIFYING SERVICES TO BE PROVIDED; AND PROVIDING FOR EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida (“Code”), a petition for the creation of a special taxing district to be known as the Two Lakes Multipurpose Maintenance Special Taxing District (“Special Taxing District”) duly signed by 100 percent of the owners (developer/petitioner) of property within the proposed Special Taxing District, was filed with the Clerk of the Board (“Clerk”); and

WHEREAS, upon receipt of such petition the Clerk transmitted a copy thereof to the County Mayor or County Mayor’s designee, and County Attorney, who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code; and

WHEREAS, the County Mayor or County Mayor’s designee compiled and filed with the Clerk a memorandum and accompanying written report and recommendations (collectively, “Report”), a copy of which is incorporated in this Ordinance by reference, setting forth the

boundaries of the Special Taxing District, an estimate of the cost of the improvement(s) and/or services to be provided, the need for and desirability of the Special Taxing District, the ability of the affected properties to bear the special assessments, certifying that the improvement(s) and/or services to be provided conform to the master plan of Miami-Dade County, and recommending that the Special Taxing District be created; and

WHEREAS, the Report recommends creating the Special Taxing District to provide a special benefit to all property within the proposed Special Taxing District; and

WHEREAS, it appears to this Board from such Report that the improvement(s) and/or services petitioned for would be of special benefit to all property within the proposed Special Taxing District and that the total amount of the special assessments to be levied would not be in excess of such benefit; and

WHEREAS, the Clerk will certify the place, date, and hour for a public hearing on the petition of the property owner(s) (developer/petitioner) and the Report at which all interested persons will be afforded the opportunity to present for this Board's consideration their objections, if any, to the creation and establishment of the Special Taxing District; and

WHEREAS, the public hearing was held during the meeting of this Board on Tuesday, _____, beginning at 9:30 a.m. in the Commission Chambers, Stephen P. Clark Center, 111 NW 1st Street, Miami, Florida,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. This Board incorporates the matters set forth in the foregoing recitals as part of this Ordinance.

Section 2. In accordance with the provisions of Chapter 18 of the Code, a special taxing district to be known and designated as the Two Lakes Multipurpose Maintenance Special Taxing District in Miami-Dade County, Florida, is hereby created and established in the City of Hialeah, Florida.

Section 3. The area or boundaries of this Special Taxing District, generally bounded on the north by NW 170 Street, on the east by State Road No. 93 (I-75), on the south by NW 154 Street, and on the west by NW 97 Avenue, and located entirely within District 12, are as follows:

A portion of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida (a.k.a. Two Lakes, Tentative Plat #s T-23962 and T-23866); being more particularly described as follows:

Commence at the northwest corner of said Section 16, Township 52 South, Range 40 East; thence run S 02°39'53" E (bearings shown on the Florida State System of plane grid coordinates) along the west line of the NW ¼ of said Section 16 for 80.06 feet to a point of intersection with a line that is 80.00 feet southerly of and parallel with the north line of the NW ¼ of said section 16; thence run N 89°28'12" E along the last described parallel line for 868.96 feet (868.99 feet by deed); thence S 00°31'48" E for 140.00 feet; thence N 89°28'12" E for 164.20 feet to the point of beginning of the hereinafter described parcel; thence continue N 89°28'12" E for a distance of 1142.07 feet; thence S 02°36'35" E for 1100.01 feet (S 02°38'01" E for 1100.29 feet by deed) to an intersection with the south line of the N ½ of the NW ¼ of said Section 16; thence S 89°29'20" W along the last described south line for 188.98 feet (S 89°29'29" W for 189.11 feet by deed) to the northeast corner of the W ¾ of the S ½ of the NW ¼ of said Section 16; thence S 02°37'22" E along the east line of the W ¾ of the S ½ of the NW ¼ of said Section 16, for 1320.11 feet (S 02°38'26" W, for 1320.37 feet by deed) to an intersection with the south line of the NW ¼ of said Section 16; thence S 89°30'28" W along the last described south line for 1929.03 feet to an intersection with a line 50.00 feet east of and parallel to the west line of the said NW ¼ of Section 16; thence N 02°39'53" W along the last described east line for 1035.23 feet; thence N 87°20'07" E for a distance of 590.00 feet; thence N 02°39'53" E for a distance of 762.95 feet to a point of intersection with a circular curve to the left, concave to the northwest, a radial

line from said point bears N 04°35'30" E; thence northeasterly, northerly and northwesterly along the arc of said curve, having for its elements a radius of 76.00 feet, through a central angle of 149°06'20" for an arc distance of 197.78 feet to a point of reverse curvature of a circular curve to the right, concave to the northeast; thence northwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 57°48'41" for an arc distance of 25.23 feet to a point of compound curvature of a circular curve to the right, concave to the southeast; thence northeasterly along the arc of said curve, having for its elements a radius of 462.00 feet, through a central angle of 50°35'30" for an arc distance of 407.94 feet to a point of tangency; thence N 53°53'24" E for a distance of 162.08 feet to the point of beginning.

Parcel I:

The S ½ of the SW ¼ of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the south 140.00 feet of the east 1663.45 feet thereof, less the west 50.00 feet thereof; and less that portion thereof conveyed to the State of Florida by that certain right-of-way deed recorded in official records book 9942, page 1740, of the public records of Miami-Dade County, Florida.

Parcel II:

The N ½ of the SW ¼ of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the west 50.00 feet thereof, and less that portion thereof conveyed to the State of Florida by that certain right-of-way deed recorded in official records book 9942, page 1740, of the public records of Miami-Dade County, Florida.

Parcel III:

The E ¼ of the S ½ of the NW ¼ of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, less the except the following described property described as parcel 141 as set forth in that certain order of taking recorded in official records book 10506, page 193, of the public records of Miami-Dade County, Florida, more particularly described as follows:

A portion of the E ¼ of the S ½ of the NW ¼, Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the northwest corner of said Section 16, Township 52 South, Range 40 East; thence, run N 89° 28' 12" E along the north

line of the NW ¼ of said section 16 for 2640.82 feet to the northeast corner of said NW ¼ of said Section 16, thence run S 2° 37' 06" E along the east line of the said NW ¼ of Section 16 for 1320.52 feet to the northeast corner of the S ½ of the NW ¼ of said Section 16, said corner being the point of beginning of the herein described parcel of land; thence continue S 2° 37' 06" E along the east line of the NW ¼ of said Section 16 for 1320.53 feet to the southeast corner of said NW ¼; thence run S 89° 31' 05" W along the south line of the NW ¼ for 471.00 feet; thence run N 2° 37' 10" W for 1320.33 feet to an intersection with the north line of the S ½ of the NW ¼ of said Section 16; thence run N 89° 29' 33" E along the last described north line for 471.02 feet to the point of beginning.

The areas and geographical locations of this Special Taxing District are shown on the map or sketch, labeled "Exhibit A" to the Report and made a part herein by reference.

Section 4. The improvement(s) and/or services to be provided in this Special Taxing District will consist of the following:

Maintenance of landscaped swales, medians, common areas, any entrance features, and the exterior faces of any fencing or walls within the Special Taxing District's boundaries abutting public rights-of-way, including maintenance of turf, trees, shrubs, irrigation, and utility payments.

Section 5. For the first year, services will be provided by petitioner. The combined costs of the multipurpose maintenance services and operations by the Special Taxing District, including engineering, administration, billing, collecting and processing, will be \$454,503.61 for the second year. It is estimated that the cost per assessable square foot of real property within the Special Taxing District for the multipurpose maintenance programs for the second year will be \$0.0852. The succeeding years' assessments will be adjusted based on actual costs.

Section 6. The entire cost of the Special Taxing District's improvement(s) and/or services shall be specially assessed. It is hereby declared that said improvement(s) and/or services will be a special benefit to all properties within the Special Taxing District and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 7. Miami-Dade County, as administrator of this Special Taxing District's maintenance programs, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the Report which is made a part hereof by reference. If there is a proposed significant change to the level of service to be provided, the Parks, Recreation and Open Spaces Department shall conduct a meeting in the community, inviting all affected Special Taxing District property owners for the purpose of reviewing the Special Taxing District's budget and level of service.

Section 8. The County Mayor or County Mayor's designee is authorized and directed to cause to be made the maintenance and operation of various public improvements to be installed within the Special Taxing District in accordance with the provisions of this Ordinance.

Section 9. In the event that the Special Taxing District is activated, the County Mayor or County Mayor's designee is further directed to cause to be prepared and filed with the Clerk one Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code. As authorized by Section 197.3632, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. Unless paid when due, such special assessments shall be deemed delinquent and payment thereof may be enforced by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or Section 18-14 of the Code, including possible loss of title.

Section 10. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 11. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall be excluded from the Code.

Section 12. The provisions of this Ordinance shall become effective ten days after the date of its enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Daija Page Lifshitz

