BEFORE THE BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA

ORDINANCE NO.	
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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AMENDING DIVISION 4, WATERSIDE COMMUNITY DEVELOPMENT DISTRICT, ARTICLE 10, SPECIAL DISTRICTS OF CHAPTER 71, FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE PURSUANT TO CHAPTER 190.046, FLORIDA STATUTES; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, APPLICABILITY, FILING WITH THE DEPARTMENT OF STATE, EFFECTIVE DATE, AND CODIFICATION.

WHEREAS, The Board of Supervisors of the Waterside Community Development District ("Petitioner") has filed a Petition to amend the Waterside Community Development District ("Petition") with the Board of County Commissioners of Martin County ("County Commission") pursuant to Sections 190.046 *Florida Statutes*, and to adopt an ordinance amending the Waterside Community Development District ("District") pursuant to Chapter 190.046, Florida Statutes; and

WHEREAS, the owners of one hundred percent (100%) of the real property to be included in the District have consented to the establishment of the District; 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 on June 17, 2025, pursuant to Section 190.046, *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that duly noticed hearing, the County Commission has considered the record of the public hearing and the statutory factors set forth in Section 190.046, *Florida Statutes*, in making its determination to grant or deny the Petition.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

PART I: AMENDMENT OF SECTION 71.430.1, BOUNDARIES, DIVISION 4, WATERSIDE COMMUNITY DEVELOPMENT DISTRICT, ARTICLE 10, SPECIAL DISTRICT, OF CHAPTER 71, FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE

Division 4. Waterside Community Development District is hereby amended as follows:

DIVISION 4. – WATERSIDE COMMUNITY DEVELOPMENT DISTRICT

Sec. 71.430. Established; name.

Pursuant to F.S. ch. 190, the Waterside Community Development District is hereby established.

Sec. 71.430.1. Boundaries.

The boundaries of the Waterside Community Development District are as set forth in Exhibit A, attached to Ord. No. 1175 [insert ordinance number] and incorporated by reference.

Sec. 71.430.2. Initial board of supervisors.

The following five persons are designated to be the initial members of the Board of Supervisors of the Waterside Community Development District:

James Harvey

Timothy Smith

Michael Caputo

John Seifel

John Csapo

Sec. 71.430.3. Functions and powers.

The general powers and functions of the Waterside Community Development District (District) are described in F.S. ch. 190. The District is also authorized to exercise the special powers as authorized and described in F.S. § 190.012(2)(a), regarding parks and facilities for indoor and outdoor recreational, cultural and educational uses and in F.S. § 190.012(2)(d), regarding security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars when authorized by proper governmental agencies. To the extent that the District elects to contract with a towing operator to remove a vehicle or vessel from a district-owned facility or property, the District shall comply with all applicable state and local requirements including, but not limited to, section 115.13, General Ordinances, Martin County Code regarding the maximum vehicle towing and storage rates.

Sec. 71.430.4. Limitation on county obligations and acceptance.

Nothing in this division shall be deemed as acceptance by Martin County of any financial, operational, maintenance or other responsibilities of the Waterside Community Development District, nor to deemed as an acceptance of any proposed improvement.

PART II. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.

PART III. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART IV. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout the unincorporated area of Martin County.

PART V. FILING WITH DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART VI. EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Office of Secretary of State.

PART VII. CODIFICATION.

Provisions of this ordinance shall be incorporated into the General Ordinances, Martin County Code, except that Parts II through VII shall not be codified. The word "ordinance" may be changed to "article," "section," or other word, and the sections of this ordinance may be renumbered or re-lettered.

DULY PASSED AND ADOPTED THIS 17TH DAY OF JUNE 2025.

ATTEST:	BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA
CAROLYN TIMMANN, CLERK OF THE CIRCUIT COURT AND COMPTROLLER	SARAH HEARD, CHAIR
	APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
	SARAH W. WOODS. COUNTY ATTORNEY

EXHIBIT A LEGAL DESCRIPTION

ORIGINAL WATERSIDE CDD DISTRICT BOUNDARY

LEGAL DESCRIPTION:

BEING A REPLAT OF A PORTION OF LOTS 9, 10, 11, 14, 15, AND 16, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORHTWEST CORNER OF SECTION 13. TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13. SAID CORNER ALSO BEING THE POINT OF THE BEGINNING; THENCE S.89°44'18"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13. ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10. SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.92 FEET TO THE EAST (1/4) QUARTER OF SAID SECTION 13; THENCE S.89°39'02"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1203.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76. AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN, COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, DISTANCE OF 2944.01 FEET TO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE COUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 1924.71 FEET; THENCE N.00°27'25"E., A DISTANCE OF 151.61 FEET TO A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A REDIUS OF 300.00 FEET. AND A RADIAL BEARING OF N.00°27'25"E., AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09". A DISTANCE OF 193.57 FEET TO THE POINT OF TANGENCY: THENCE N.53°29'16"E.. A DISTANCE OF 165.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE EASTERLY. ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00". A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 633.72 FEET; THENCE N.00°00'14"E., A DISTANCE OF 471.57 FEET; THENCE N. 28°00'00"E., A DISTANCE OF 218.23 FEET; THENCE N.89°44'18"W., A DISTANCE OF 2533.19 FEET; THENCE N.00°15'42"E., A DISTANCE OF 1547.53 FEET TO A POINT OF THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13. ALSO BEING THE NORTH LINE OF LOT 11. SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 563.16 FEET TO THE POINT OF THE BEGINNING.

CONTAINING: 7.840.098 SQUARE FEET OR 179.984 ACRES. MORE OR LESS.

LESS AND EXCEPT THAT CERTAIN PORTION OF SW WATERSIDE WAY, A MARTIN COUNTY PUBLIC RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK: 3325, PAGE: 2146, WITHIN THE CDD DISTRICT BOUNDARY AS FURTHER DESCRIBED:

LEGAL DESCRIPTION - CONTRACTION PARCEL 1:

A PARCEL OF LAND BEING A PROTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORHTWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13. A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHEAST CORNER OF LOT 6, SECTION 13 OF SAID PLAT; THENCE 00°00'16" EAST, ALONG THE EAST LINE OF SOUTHWEST (1/4) QUARTER OR SAID SECTION 13, A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18" EAST, A DISTANCE OF 1353.39 FEET; THENCE S.00°00'14"W., A DISTANCE 665.82 TO THE POINT OF THE BEGINNING; THENCE S.89°51'44"E., A DISTANCE OF 577.77 FEET TO A POINT OF CURVATURE OF A CURNVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 420.00 FEET; THENC SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANLE OF 27°31'05", A DISTANCE OF 201.72 FEET TO POINT OF TANGENCY; THENCE S.62°20'39"E., A DISTANCE OF 548.31 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 25.00 FEET; THENCE VORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 89o56'34", A DISTANCE OF 39.24 FEET TO A POINT OF NON-TANGENCY AND A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 115.51 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 35.00 FEET, AND A RADIAL BEARING OF S.73°18'02"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY, ALON THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 45°38'42", A DISTANCE OF 27.88 FEET TO A POINT OF TANGENCY; THENCE N.62o20'39"W., A DISTANCE OF 548.17 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 340.00 FEET: THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°31'05", A DISTANCE OF 163.30 FEET TO POINT OF TANGENCY: THENCE N.89°51'44"W., A DISTANCE OF 704.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 340.00 FEET; THENCE SOUTHWESTERLY, ALONG THEARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00". A DISTANCE OF 217.49 FEET TO A POINT OF TANGENCY; THENCE S.53°29'16"W., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 380.00; THENCE WESTERLY, ALONG THE ARC OF SAID OF CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 245.19 FEET TO A POINT OF TANGENCY; THENCE N.00 °27'25"E., A DISTANCE OF 80.00 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET; THENCE NORHTEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO A POINT OF TANGENCY; THENCE N.53°29'16" E., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 36°39'00". A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY: THENCE S.89°51'44"E., A DISTANCE OF 126.72 FEET TO THE POINT OF BEGINNING.

CONTAINING: 167,271 SQUARE FEET OR 3.840 ACRES, MORE OR LESS.

TOGETHER WITH EXPANSION PARCEL 1

LEGAL DESCRIPITION

A PARCEL OF LAND BEING A PORTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLY MOST SOUTHWESTERLY CORNER OF TRACT "C-1" AS SHOWN ON THE PLAT OF SOUTH FLORIDA GATEWAY PUD — PLAT, AS RECORDED IN PLAT BOOK 19, PAGE 56, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.89o51'44"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST WATERSIDE

WAY, AS SHOWN ON SAID PLATE AND AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2146, OF SAID PUBLIC RECORDS, A DISTANCE OF 507.00 FEET TO THE EAST BOUNDARY OF THE 29.8 ACRE PARCEL, AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2137, OF SAID PUBLIC RECORDS; THENCE N.00°00′14″E., ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 665.82 FEET TO A POINT OF THE SOUTHERLY LINE OF SAID SOUTH FLORIDA GATEWAY PUD – PLAT; THENCE THE FOLLOWING 3 COURSES ALONG THE BOUNDARY OF SOUTH FLORIDA GATEWAY PUD – PLAT; 1) THENCE S.89°44′18″E., A DISTANCE OF 609.45 FEET; 2) THENCE S.28°00′00″W., A DISTANCE OF 218.23 FEET; 3) THENCE S.00°00′14″W., A DISTANCE OF 471.57 FEET TO THE POINT OF BEGINNING.

CONTAINING: 347,185 SQUARE FEET OR 7.970 ACRES, MORE OR LESS.

TOGETHER WITH EXPANSION PARCEL 2

LEGAL DESCRIPITION

A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE POINT OF BEGINNING; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,405,115 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

THE TOTAL AREA WITHIN THE WATERSIDE CDD AMMENDED BOUNDARY IS SUMMARIZED:

ORIGINAL CDD BOUNDARY:	7,840,098 SQUARE FEET	179.984 ACRES
CONTRACTION PARCEL 1:	(167,271 SQUARE FEET)	(3.840 ACRES)
EXPANSION PARCEL 1:	347,185 SQUARE FEET	7.970 ACRES
EXPANSION PARCEL 2:	1.405.115 SQUARE FEET	32,257 ACRES
GRAND TOTAL:	9,425,127 SQUARE FEET	216.371 ACRES