

ST. JOHNS COUNTY ORDINANCE NO. 2003-53

AN ORDINANCE ESTABLISHING THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2002); 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 A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Johns Creek, LLC, a Florida limited liability company ("Petitioner"), having obtained written consent to the establishment of the District by the owner of 100 percent of the real property to be included in the District, petitioned the Board of County Commissioners of St. Johns County (the "County") to adopt an ordinance establishing the Brandy Creek Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2002); and

WHEREAS, Petitioner is a limited liability company, authorized to conduct business in the State of Florida, whose address is 3020 Hartley Road, Suite 100, Jacksonville, Florida 32257; 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 10, 2003; and

WHEREAS, upon consideration of the record established at that hearing, the County determined that the statements within the Petition were 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 local government comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering

community development services and facilities to the area 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, establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. The above Recitals are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2002).

SECTION 3. DISTRICT NAME. There is hereby established a community development district situated entirely within unincorporated St. Johns County, Florida, which District shall be known as the "Brandy Creek 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 parcel containing 248.4 acres, more or less. There are no out parcels excluded within the external boundaries.

SECTION 5. FUNCTIONS AND POWERS. The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District's Board of

Supervisors to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities described and authorized by Section 190.012(2)(a), Florida Statutes (2002).

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Donald P. Hinson, Donald E. Brown, Charles W. Arnold, III, Pate Foshee, and Timothy O'Reiley. All of the above-named persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7. SEVERABILITY. If any provision of this ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect pursuant to Florida general law.

Adopted this 10th day of June, 2003.

St. Johns County, Florida  
By: Board of County Commissioners

By: James E. Bryant  
As: Chairman

ATTEST: Cheryl Strickland, Clerk

By: Wenne King  
(Deputy Clerk)

REVISION DATE June 16, 2003

Effective Date: June 17, 2003

**EXHIBIT A**

**BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT**

A PORTION OF SECTIONS 24 AND 25, TOWNSHIP 5 SOUTH, RANGE 27 EAST, TOGETHER WITH A PORTION OF SECTION 19 AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ALL BEING IN ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 19. FROM THE POINT OF REFERENCE THUS DESCRIBED RUN SOUTH 02°34'09" EAST ALONG THE WESTERLY LINE OF SAID SECTION 19, A DISTANCE OF 594.51 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210 (FORMERLY STATE ROAD NO. 210) A 100' RIGHT-OF-WAY AS PER STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY SECTION 7851-250; THENCE RUN SOUTH 73°30'56" WEST ALONG THE SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 123.67 FEET TO THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 16°29'04" EAST, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF A NON-TANGENT CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN SOUTHWEST ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 28°30'56" WEST, 35.36 FEET; THENCE RUN SOUTH 16°29'04" EAST, A DISTANCE OF 737.75 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 460.0 FEET; THENCE RUN SOUTHEAST ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 318.75 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 36°20'08" EAST, 312.41 FEET; THENCE RUN SOUTH 56°11'12" EAST A DISTANCE OF 392.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 540.0 FEET; THENCE RUN SOUTHEAST ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 85.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 51°40'29" EAST, 84.96 FEET; THENCE RUN SOUTH 47°09'46" EAST, A DISTANCE OF 250.63' TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 39.27 FEET TO A POINT; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 87°50'14" EAST, 35.36 FEET; THENCE RUN ON A NON-TANGENT BEARING OF SOUTH 47°09'46" EAST, A DISTANCE OF 60.00 FEET; THENCE RUN NORTH 42°50'14" EAST, A DISTANCE OF 83.98 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; SAID CURVE BEING

CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 230.0 FEET; THENCE RUN NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 150.09 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 24°08'35" EAST, 147.44 FEET; THENCE RUN NORTH 05°26'55" EAST, A DISTANCE OF 59.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 470.0 FEET, THENCE RUN NORTHEASTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 11.33 FEET TO A POINT; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 06°08'21" EAST, 11.33 FEET; THENCE RUN ON A NON-TANGENT BEARING OF SOUTH 84°37'51" EAST, A DISTANCE OF 215.19 FEET; THENCE RUN SOUTH 28°25'31" EAST, A DISTANCE OF 286.37 FEET; THENCE RUN NORTH 86°28'41" EAST, A DISTANCE OF 281.21 FEET; THENCE RUN SOUTH 02°45'14" EAST, A DISTANCE OF 4152.52 FEET; THENCE RUN NORTH 89°24'01 WEST, A DISTANCE OF 2420.89 FEET TO A POINT IN THE EASTERLY LINE OF SOUTH HAMPTON UNIT ONE AS RECORDED IN MAP BOOK 38, PAGES 32-50, INCLUSIVE, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE RUN ALONG THE SAID EASTERLY LINE OF SOUTH HAMPTON UNIT ONE THE FOLLOWING FOUR COURSES; COURSE NO. 1): RUN NORTH 00°00'00" WEST, A DISTANCE OF 1789.25 FEET; COURSE NO. 2): RUN NORTH 26°34'25" WEST, A DISTANCE OF 1615.36 FEET; COURSE NO. 3): RUN NORTH 47°21'22" EAST, A DISTANCE OF 1260.33 FEET; COURSE NO. 4): RUN NORTH 14°42'52 WEST, A DISTANCE OF 144.31 FEET; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 67°44'03" EAST, A DISTANCE OF 698.62 FEET; THENCE RUN NORTH 56°11'12" WEST, A DISTANCE OF 58.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 540.0 FEET; THENCE RUN NORTHWESTERLY ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 374.18 FEET; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 36°20'08" WEST, 366.74 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN NORTH 16°29'04" WEST, A DISTANCE OF 31.65 FEET; THENCE RUN SOUTH 73°30'56" WEST, A DISTANCE OF 20.00 FEET; THENCE RUN NORTH 16°29'04" WEST, A DISTANCE OF 706.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWEST ALONG AND AROUND SAID CURVE AN ARC DISTANCE OF 39.27 FEET TO A POINT; SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61°29'04" WEST, 35.36 FEET; THENCE ON A NON-TANGENT BEARING RUN NORTH 16°29'04" WEST, A DISTANCE OF 25.00 FEET TO A POINT LYING IN THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NUMBER 210; THENCE RUN NORTH 73°30'56" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

LANDS THUS DESCRIBED CONTAIN 248.39 ACRES, MORE OR LESS.

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **LINDA Y MURRAY**

who on oath says that she is an Accounting Clerk of the St. Augustine Record,  
a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a

**NOTICE OF PUBLIC HEARING (DISPLAY ADVERTISEMENT)**

In the matter of **FILE # CDD 2003-01**

**BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT**

in the Court, was published in said newspaper in the issues of

**MAY 14, 2003**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 6<sup>TH</sup> day of JUNE 2003

by *Linda Y Murray* who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification

**NOTARY PUBLIC STATE OF FLORIDA  
ZOE ANN MOSS  
COMMISSION NO. 00098300  
MY COMMISSION EXPIRES AUG. 22, 2005**

*Zoe Ann Moss*  
(Signature of Notary Public)  
Zoe Ann Moss

(Seal)

# NOTICE OF PUBLIC HEARING

St. Johns County Board of County Commissioners  
for the

Establishment of the Brandy Creek Community Development District

**DATE:** June 10, 2003

**TIME:** 1:30 p.m.

**LOCATION:** County Auditorium at the County Administrative Complex  
4020 Lewis Speedway (County Road 16A and U.S. 1 North)  
St. Augustine, Florida

In compliance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 1:30 p.m., June 10, 2003 in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North), St. Augustine, Florida, to consider an ordinance to grant a petition to establish the Brandy Creek Community Development District. The title of the proposed ordinance is as follows:

**AN ORDINANCE ESTABLISHING THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2002); 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 A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

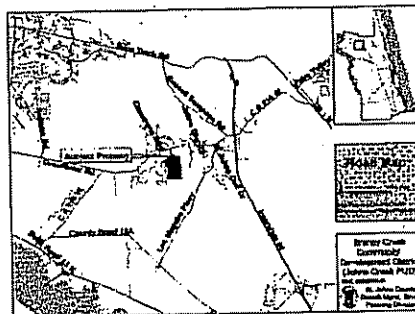
The proposed community development district is comprised of approximately 248.4 acres, located in the northern portion of St. Johns County, south of County Road 210 and north of Leo McGuire Parkway, as depicted on the map below. The petitioner has proposed to establish the Brandy Creek Community Development District to plan, finance, acquire, construct, operate and maintain all infrastructure and community facilities, which may be authorized, by such district, under Florida law, including but not limited to water management and control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, and parks and recreational facilities. Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JAMES E. BRYANT, CHAIRMAN  
File Number: CDD 2003-01 Brandy Creek  
Community Development District**

Proposed Location of the Brandy Creek Community Development District:



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

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that the attached copy of advertisement, being a

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In the matter of **FILE # CDD 2003 01**

**BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT**

in the Court, was published in said newspaper in the issues of

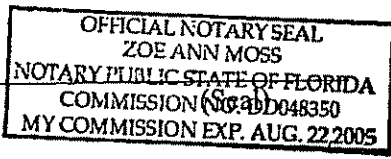
**MAY 21, 2003**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 4<sup>TH</sup> day of JUNE 2003

by Linda Y Murray who is personally known to me  
or who has produced PERSONALLY KNOWN as identification.

Zoe Ann Moss  
(Signature of Notary Public)



Zoe Ann Moss



# NOTICE OF PUBLIC HEARING

St. Johns County Board of County Commissioners  
for the

Establishment of the Brandy Creek Community Development District

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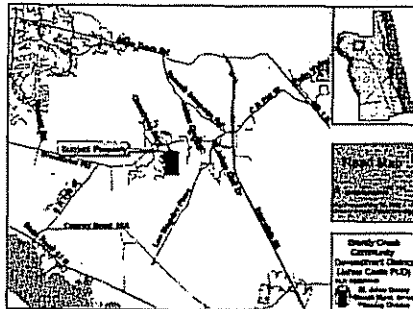
The proposed community development district is comprised of approximately 248.4 acres, located in the northern portion of St. Johns County, south of County Road 210 and north of Leo McGuire Parkway, as depicted on the map below. The petitioner has proposed to establish the Brandy Creek Community Development District to plan, finance, acquire, construct, operate and maintain all infrastructure and community facilities, which may be authorized, by such district, under Florida law; including but not limited to water management and control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, and parks and recreational facilities. Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JAMES E. BRYANT, CHAIRMAN  
File Number: CDD 2003-01 Brandy Creek  
Community Development District**

Proposed Location of the Brandy Creek Community Development District:



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

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a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a

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In the matter of **FILE # CDD 2003 01**

**BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT**

in the Court, was published in said newspaper in the issues of

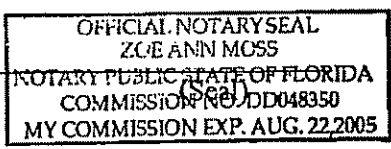
**MAY 28, 2003**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 4<sup>TH</sup> day of JUNE 2003

by [Signature] who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

[Signature]  
(Signature of Notary Public)



Zoe Ann Moss

# NOTICE OF PUBLIC HEARING

St. Johns County Board of County Commissioners  
for the  
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**DATE:** June 10, 2003

**TIME:** 1:30 p.m.

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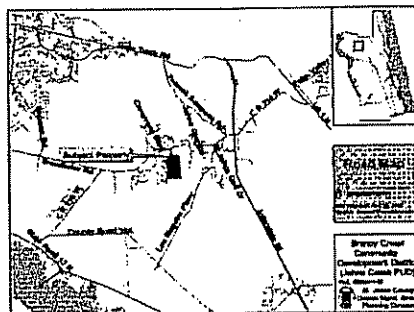
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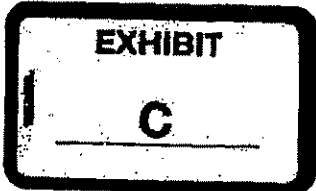
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**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL. 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD:) 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JAMES E. BRYANT, CHAIRMAN  
File Number: CDD 2003-01 Brandy Creek  
Community Development District**

Proposed Location of the Brandy Creek Community Development District:





COPY OF ADVERTISEMENT

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared LINDA Y MURRAY

who on oath says that she is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a

NOTICE OF PUBLIC HEARING

In the matter of FILE # CDD 2003 01

BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT

in the Court, was published in said newspaper in the issues of

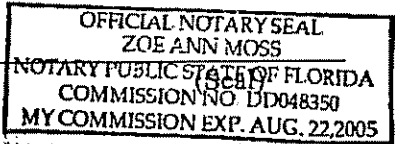
JUNE 4, 2003

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 4th day of JUNE 2003

by Linda Y Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

Zoe Ann Moss (Signature of Notary Public)



Zoe Ann Moss

# NOTICE OF PUBLIC HEARING

St. Johns County Board of County Commissioners  
for the

Establishment of the Brandy Creek Community Development District

**DATE:** June 10, 2003

**TIME:** 1:30 p.m.

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4020 Lewis Speedway (County Road 16A and U.S. 1 North)  
St. Augustine, Florida

In compliance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 1:30 p.m., June 10, 2003 in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North), St. Augustine, Florida, to consider an ordinance to grant a petition to establish the Brandy Creek Community Development District. The title of the proposed ordinance is as follows:

**AN ORDINANCE ESTABLISHING THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2002); 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 A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

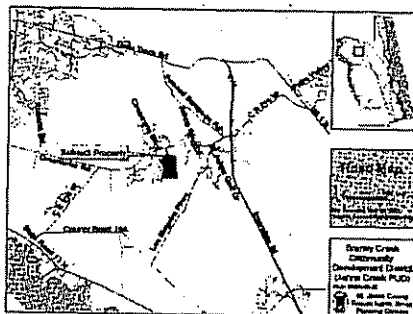
The proposed community development district is comprised of approximately 248.4 acres, located in the northern portion of St. Johns County, south of County Road 210 and north of Leo McGuire Parkway, as depicted on the map below. The petitioner has proposed to establish the Brandy Creek Community Development District to plan, finance, acquire, construct, operate and maintain all infrastructure and community facilities, which may be authorized, by such district, under Florida law, including but not limited to water management and control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, and parks and recreational facilities. Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD:) 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JAMES E. BRYANT, CHAIRMAN  
File Number: CDD 2003-01 Brandy Creek  
Community Development District**

Proposed Location of the Brandy Creek Community Development District:





STATE OF FLORIDA  
DEPARTMENT OF STATE

JEB BUSH  
Governor

GLEND A. HOOD  
Secretary of State

June 19, 2003

Honorable Cheryl Strickland  
Clerk to Board of Commissioners  
St. Johns County  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Yvonne King  
Minutes and Records Division

CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

03 JUN 24 AM 10:44

FILED

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 16, 2003 and certified copies of St. Johns County Ordinance Nos. 2003-53 and 2003-54, which were filed in this office on June 17, 2003.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

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