



MEMORANDUM

Agenda Item No. 4(J)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: (Public Hearing 5-6-03)
April 8, 2003

FROM: Steve Shiver
County Manager

SUBJECT: Ordinance Creating the
Sausalito Bay Community
Development District

03-104

RECOMMENDATION

It is recommended that the Board adopt the attached ordinance creating the Sausalito Bay Community Development District (CDD) in unincorporated Miami-Dade County, pursuant to the authority granted by the Miami-Dade County Home Rule Charter for the purposes set forth in Chapter 190 of the Florida Statutes.

BACKGROUND

Lennar - Century 8th Street Developers, J.V., owner of a portion of the A.B. at Tamiami Trail Development, has filed an application to create the Sausalito Bay CDD in connection with said development. Sausalito Bay is a 103.64-acre residential development lying wholly within Unincorporated Miami-Dade County, in the area bounded by S.W. 152 Avenue on the east, theoretical S.W. 155 Avenue on the west, S.W. 18 Street on the south and S.W. 8th Street (Tamiami Trail) on the north. The CDD is designed to provide a financing mechanism for community infrastructure, services and facilities, along with certain ongoing operations and maintenance for the Sausalito Bay development. The development plan for the lands within the proposed CDD include construction of approximately 204 Townhouse and 225 single family units, with associated roadway, storm drainage and water and sewer facilities estimated to cost approximately \$8.85 million. A detailed summary of CDD elements, as well as their cost and anticipated lack of fiscal impacts to government agencies, is presented in the attached application submitted by Lennar - Century 8th Street Developers, J.V. In accordance with Florida Statute 190, Lennar - Century 8th Street Developers, J.V., has paid a filing fee of \$15,000 to the County.

This Board is authorized by the Florida Constitution and the Miami-Dade County Home Rule Charter to establish governmental units such as the CDD within Miami-Dade County and to prescribe such government's jurisdiction and powers.

The roads within this development are all public and are to be maintained by Miami-Dade County. A special taxing district has been created to maintain certain landscape areas within public roadways, lakes and lake access tracts should the CDD decide not to provide these services or be dissolved or fail to fulfill these maintenance obligations. The special taxing district will remain dormant until such time as Miami-Dade County determines that the CDD is not providing service.

FISCAL IMPACT

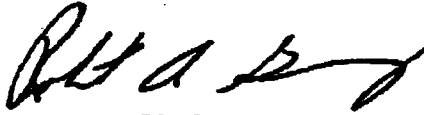
The creation of the Sausalito Bay Community Development District will have no fiscal impact on Miami-Dade County.



MEMORANDUM
(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 6, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 4(J)

03-104

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 4(J)

5-6-03

Veto _____

Override _____

ORDINANCE NO. 03-104

ORDINANCE GRANTING PETITION OF LENNAR-CENTURY 8TH STREET DEVELOPERS, J.V., ("LENNAR-CENTURY" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING SAUSALITO BAY COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the Florida Legislature created and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter grants the Miami-Dade County Board of County Commissioners the authority to exercise all powers and privileges granted to municipalities and counties by the laws of this State; and

WHEREAS, Article VIII, section 6(1) of the Florida Constitution provides for exclusive County Charter authority to establish all governmental units within Miami-Dade County and to provide for their government and prescribe their jurisdiction and powers; and

WHEREAS, Lennar-Century 8th Street Developer, J.V., ("Lennar-Century" or "Petitioner") has petitioned for the establishment of the Sausalito Bay Community Development District (the "District"); and

WHEREAS, a public hearing has been conducted by the Miami-Dade County Board of County Commissioners in accordance with the requirements and procedures of

Section 190.005(2)(b), Florida Statutes, and the applicable requirements and procedures of the Miami-Dade County Home Rule Charter and Code; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area, thereby providing a solution to the County's planning, management and financing needs for delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the Board of County Commissioners finds that the statements contained in the Petition are true and correct; and

WHEREAS, the creation of the District is not inconsistent with any applicable element or portion of the State comprehensive plan or the Miami-Dade County Comprehensive Development Master Plan; and

WHEREAS, the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community; and

WHEREAS, the creation of the District is the best alternative available for delivering the community development services and facilities to the area that will be served by the District; and

WHEREAS, the proposed services and facilities to be provided by the District will be compatible with the capacity and uses of existing local and regional community development services and facilities; and

WHEREAS, the area that will be served by the District is amenable to separate special-district government; and

WHEREAS, having made the foregoing findings, after a public hearing, the Miami-Dade County Board of County Commissioners wishes to exercise the powers bestowed upon it by

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Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter in the manner provided by Chapter 190, Florida Statutes; and

WHEREAS, the Miami-Dade County Board of County Commissioners finds that the District shall have those general and special powers authorized by Sections 190.011 and 190.012, Florida Statutes, and set forth herein, and that it is in the public interest of all of the citizens of Miami-Dade County that the District have such powers,

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

Section 1. The foregoing findings, which are expressly set forth herein, are hereby adopted and made a part hereof.

Section 2. The Petition to establish the Sausalito Bay Community Development District over the real property described in Exhibit A attached hereto, which was filed by Lennar-Century 8th Street Developers, J.V., a Florida joint venture, on February 25, 2003 and which Petition is on file at the Office of the Clerk of the Board, is hereby granted. A copy of the Petition is attached in its entirety and incorporated herein (Exhibit B).

Section 3. The external boundaries of the District shall be as depicted on the location map attached hereto and incorporated herein as Exhibit C.

Section 4. The initial members of the Board of Supervisors shall be as follows:

Cesareo E. Llano

Randy Staub

Thomas Iglesias, Sr.

Keyla Alba-Reilly

Julie Leisi

Section 5. The name of the District shall be the "Sausalito Bay Community Development District."

Section 6. The Sausalito Bay Community Development District is created for the purposes set forth in Chapter 190, Florida Statutes, pursuant to the authority granted by Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter.

Section 7. Pursuant to Section 190.005 (2) (d), Florida Statutes, the charter for the Sausalito Bay Community Development District shall be Sections 190.006 through 190.041, Florida Statutes.

Section 8. The Miami-Dade County Board of County Commissioners hereby grants to the Sausalito Bay Community Development District all general powers authorized pursuant to Section 190.011, Florida Statutes, and hereby finds that it is in the public interest of all citizens of Miami-Dade County to grant such general powers.

Section 9. The Miami-Dade County Board of County Commissioners hereby grants to the Sausalito Bay Community Development District the special powers authorized pursuant to Section 190.012 (1), Florida Statutes and Sections 190.012 (2)(d) and (f), (except for powers regarding waste disposal), Florida Statutes and Section 190.012 (3), Florida Statutes, and hereby finds that it is in the public interest of all citizens of Miami-Dade County to grant such special powers.

Section 10. All bonds issued by the Sausalito Bay Community Development District pursuant to the powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

Section 11. No bond, debt or other obligation of the Sausalito Bay Community Development District, nor any default thereon, shall constitute a debt or obligation of

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Miami-Dade County, except upon the express approval and agreement of the Miami-Dade Board of County Commissioners.

Section 12. Notwithstanding any power granted to the Sausalito Bay Community Development District pursuant to this Ordinance, neither the District nor any real or personal property or revenue in the district shall, solely by reason of the District's creation and existence, be exempted from any requirement for the payment of any and all rates, fees, charges, permitting fees, impact fees, connection fees, or similar County rates, fees or charges, special taxing districts special assessments which are required by law, ordinance or County rule or regulation to be imposed within or upon any local government within the County.

Section 13. Notwithstanding any power granted to the Sausalito Bay Community Development District pursuant to this Ordinance, the District may exercise the power of eminent domain outside the District's existing boundaries only with the prior specific and express approval of the Board of County Commissioners of Miami-Dade County.

Section 14. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 15. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board. It is provided, however, that this ordinance shall not become effective, in whole or in part, unless on or before 5:00 p.m. on the 10th day after the date of enactment, a proposed Interlocal Agreement has been submitted and received by the County Manager, in a form acceptable to the County Attorney, and executed by each member of the Board of Supervisor designates named in Section 4 hereof, having provisions in substantially the following form:

(a) Except upon the prior written consent of Miami-Dade County, which shall not be unreasonably withheld, the District shall not apply for or use grants or loans of money or other property from the United States, the State of Florida, any other unit of local government in Florida, or any other person or entity (except in connection with any financings of the District, and any loans made to the District by the developer/s, their affiliates and/or lenders in connection with the land development orders for property that is the subject of the Petition approved hereby, as they may be amended from time to time) for any District purpose. Any and all such requests by the District for authorization to apply for or use such grants or loans shall be made to Miami-Dade County, which shall have the sole discretion to decide whether to allow application for any such loans or grants. Should the County apply for any such loans or grants on behalf of the District, the District shall pay all costs to the County in connection with any such application/s;

(b) The Miami-Dade County Water and Sewer Department shall provide all water and wastewater service to the District and all lands within the District boundaries.

(c) The Sausalito Bay Community Development District shall, to the best of its ability, fully utilize economic development enhancement resource agencies and programs designed to involve small and minority businesses in the development and expansion of permanent job opportunities within the District. The proposed Interlocal Agreement containing this provisions shall contain examples of such agencies and programs. The Sausalito Bay Community Development District will attempt to access the range of job skills available in the region and promote greater labor force enhancement. At a minimum, the Sausalito Bay Community Development District shall encourage all landowners in the District to provide potential commercial tenants with information about employment and training agencies that

maintain a database of trained/skilled workers to consider in meeting the District's employment needs.

(d) The Sausalito Bay Community Development District shall adopt and utilize specific measures designed to involve small and minority businesses in the development and expansion of permanent job opportunities. Such measures shall be in substantially the forms employed by Miami-Dade County, specifically, the Miami-Dade County Community Small Business Enterprise Program; the Black, Women and Hispanic Enterprise Programs; fair subcontracting measures; nondiscrimination in bidding and contracting measures; and prompt payment measures.

(e) The Sausalito Bay Development District shall provide for the election of a member to its Board of Supervisors who is deemed by the Board of County Commissioners to represent the voice of Miami-Dade County.

(f) In addition to notice required under Section 190.048, Florida Statutes, the Sausalito Bay Community Development District shall provide a separate notice to each prospective purchaser of residential property in the District, prior to execution of any contract for sale, describing the type and amount of all projected taxes and assessments on the property in the District, including a good-faith estimate of the taxes and assessments on the individual parcel being considered for prospective purchase.

(g) The Sausalito Bay Development District shall adopt and utilize measures providing for employment of welfare recipients by entities contracting with the District. Such measures shall be in substantially the form of Miami-Dade County Resolution R-1206-97, as the same shall be amended from time to time.

(h) The Sausalito Bay Community Development District lies within the A.B. at Tamiami Trail Multipurpose Special Taxing District and will assume maintenance of certain landscaped areas, lakes and lake access tracts if the CDD is dissolved or fails to fulfill its maintenance obligations. Any and all plats of property within the CDD shall contain a conveyance clause to Miami-Dade County to be exercised at its discretion should the CDD be dissolved or fail to perform.

Section 16. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: MAY 06 2003

Approved by County Attorney as
to form and legal sufficiency:

LMCK

Prepared by:

JAC

Joni Armstrong Coffey

EXHIBIT 2
LEGAL DESCRIPTION
SAUSALITO BAY COMMUNITY DEVELOPMENT DISTRICT

A.B. AT TAMIAMI PHASE 2

THE WEST 989.93 FEET OF THAT PORTION OF THE EAST ¼ OF THE SOUTHWEST ¼ OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 39 EAST, WHICH LIES SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 90, ALSO KNOWN AS TAMIAMI TRAIL, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN S 87°45'25" W ALONG THE SOUTH LINE OF THE SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 990.27 FEET TO A POINT OF INTERSECTION WITH A LINE 989.93 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SAID SECTION 4 AND ALSO BEING THE POINT OF BEGINNING; THENCE RUN N 02°13'59" W ALONG A LINE PARALLEL WITH THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 1,303.22 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 90 (TAMIAMI TRAIL); THENCE RUN S 89°43'12" W ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 90 (TAMIAMI TRAIL) FOR A DISTANCE OF 990.51 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SECTION 4; THENCE RUN S 02°13'59" E ALONG THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 1,337.15 FEET TO A POINT ON THE SOUTH LINE OF SAID SW ¼ OF SECTION 4; THENCE RUN N 87°45'25" E ALONG THE SOUTH LINE OF SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 989.93 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 30.00 ACRES, MORE OR LESS.

A.B. AT TAMIAMI PHASE 3

THAT PORTION OF THE EAST ½ OF THE NW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN ALONG THE EAST LINE OF THE WEST ½ OF SAID SECTION 9, N 02°15'19" W FOR A DISTANCE OF 5,281.83 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 9 ALSO BEING THE NORTHEAST CORNER OF THE NW ¼ OF SAID SECTION 9; THENCE RUN S 87°42'25" W ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, FOR A DISTANCE OF 622.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, S 87°42'25" W FOR A DISTANCE OF 698.14 FEET TO A POINT, ALSO BEING THE NORTHWEST CORNER OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9; THENCE RUN ALONG THE WEST LINE OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9, S 02°15'38" E FOR A DISTANCE OF 1,064.54 FEET TO A POINT ON THE WEST LINE OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9; THENCE RUN N 87°44'41" E FOR A DISTANCE OF 572.92 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 58°58'18" AND AN ARC DISTANCE OF 25.73 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTH AND HAVING FOR ITS ELEMENTS A RADIUS OF 72.00 FEET, A CENTRAL ANGLE OF 94°39'25" AND AN ARC DISTANCE OF 118.95 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS IN N 37°56'26" W; THENCE RUN N 02°15'19" W FOR A DISTANCE OF 1,097.87 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 17.15 ACRES, MORE OR LESS.

A.B. AT TAMIAMI PHASE 4

THAT PORTION OF THE EAST ½ OF THE NW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN ALONG THE EAST LINE OF THE WEST ½ OF SAID SECTION 9, TOWNSHIP 54

SOUTH, RANGE 39 EAST, N 02°15'19" W FOR A DISTANCE OF 3,141.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE WEST ¼ OF SAID SECTION 9, N 02°15'19" W FOR A DISTANCE OF 1,125.97 FEET TO A POINT ON THE EAST LINE OF THE WEST ¼ OF SAID SECTION 9; THENCE RUN S 87°44'41" W FOR A DISTANCE OF 622.00 FEET TO A POINT; THENCE RUN S 02°15'19" E FOR A DISTANCE OF 83.48 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS N 37°56'26" W; THENCE RUN SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE NORTH AND HAVING FOR ITS ELEMENTS A RADIUS OF 72.00 FEET, A CENTRAL ANGLE OF 94°39'25" AND AN ARC DISTANCE OF 118.95 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 58°58'18" AND AN ARC DISTANCE OF 25.73 FEET TO A POINT OF TANGENCY; THENCE RUN S 87°44'41" W FOR A DISTANCE OF 572.92 FEET TO A POINT ON THE WEST LINE OF THE EAST ¼ OF THE NW ¼ OF SECTION 9; THENCE RUN ALONG THE WEST LINE OF THE EAST ¼ OF THE NW ¼ OF SAID SECTION 9, S 02°15'38" FOR A DISTANCE OF 1,541.65 FEET TO A POINT ON THE WEST LINE OF THE EAST ¼ OF THE NW ¼ OF SAID SECTION 9; THENCE RUN ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NW ¼ OF SAID SECTION 9, N 87°44'32" E FOR A DISTANCE OF 178.83 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST AND HAVING FOR ITS ELEMENTS A RADIUS OF 565.00 FEET, A CENTRAL ANGLE OF 23°28'41" AND AN ARC DISTANCE OF 231.52 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTH AND HAVING FOR ITS ELEMENTS A RADIUS OF 635.00 FEET, A CENTRAL ANGLE OF 44°13'43" AND AN ARC DISTANCE OF 490.18 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS S 18°29'34" W; THENCE RUN N 02°15'19" W FOR A DISTANCE OF 157.72 FEET TO A POINT; THENCE RUN N 19°14'00" E FOR A DISTANCE OF 40.51 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS S 70°00'35" E; THENCE RUN NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST AND HAVING FOR ITS ELEMENTS A RADIUS OF 639.34 FEET, A CENTRAL ANGLE OF 20°17'38" AND AN ARC DISTANCE OF 226.45 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS S 49°42'57" E; THENCE RUN N 47°22'44" E FOR A DISTANCE OF 54.29 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS N 20°59'14" E; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHEAST AND HAVING FOR ITS ELEMENTS A RADIUS OF 164 FEET, A CENTRAL ANGLE OF 23°14'33" AND AN ARC DISTANCE OF 66.53 FEET TO A POINT OF TANGENCY; THENCE RUN N 87°44'41" E FOR A DISTANCE OF 196.41 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 42.02 ACRES, MORE OR LESS.

A.B. AT MIAMI PHASE 5

THAT PORTION OF THE EAST ¼ OF THE NW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN ALONG THE EAST LINE OF THE WEST ¼ OF SAID SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, N 02°15'19" W FOR A DISTANCE OF 4,267.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 9, N 02°15'19" W FOR A DISTANCE OF 1014.26 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 9; ALSO BEING THE NORTHEAST CORNER OF THE NW ¼ OF SAID SECTION 9; THENCE RUN ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, S 87°42'25" W FOR A DISTANCE OF 622.00 FEET TO A POINT ON THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9; THENCE S 02°15'19" E FOR A DISTANCE OF 1014.39 FEET TO A POINT; THENCE RUN N 87°44'41" E FOR A DISTANCE OF 622.00 FEET TO THE POINT BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 14.48 ACRES, MORE OR LESS.

HP OfficeJet T Series
Personal Printer/Fax/Copier/Scanner

Fax History Report for
Special District Services
(561) 630 4923
Jul 02 2003 2:06pm

Last Fax

| <u>Date</u> | <u>Time</u> | <u>Type</u> | <u>Identification</u> | <u>Duration</u> | <u>Pages</u> | <u>Result</u> |
|-------------|-------------|-------------|------------------------------------|-----------------|--------------|---------------|
| Jul 2 | 2:01pm | Sent | 19547647279 <i>Dennis Lyles</i> | 4:45 | 12 | OK |

HP OfficeJet T Series
Personal Printer/Fax/Copier/Scanner

Fax History Report for
Special District Services
(561) 630 4923
Jul 02 2003 2:13pm

Last Fax

| <u>Date</u> | <u>Time</u> | <u>Type</u> | <u>Identification</u> | <u>Duration</u> | <u>Pages</u> | <u>Result</u> |
|-------------|-------------|-------------|-------------------------------------|-----------------|--------------|---------------|
| Jul 2 | 2:07pm | Sent | 13053581425 <i>Pedro Miranda</i> | 6:08 | 12 | OK |

Result:

OK - black and white fax
OK color - color fax

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|-------------------|----------------------|------|---------|-----------------------|------|
| Post-it® Fax Note | 7671 | Date | 7/2/03 | # of pages | ▶ 12 |
| To | <i>Pedro Miranda</i> | | From | <i>Linda Thornton</i> | |
| Co./Dept. | | | Co. | | |
| Phone # | | | Phone # | | |
| Fax # | <i>305-358-1425</i> | | Fax # | | |

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|-------------------|--|------|---------|-----------------------|------|
| Post-it® Fax Note | 7671 | Date | 7/2/03 | # of pages | ▶ 12 |
| To | <i>Dennis Lyles</i> | | From | <i>Linda Thornton</i> | |
| Co./Dept. | | | Co. | | |
| Phone # | <i>Please Record Notice of Establishment</i> | | Phone # | | |
| Fax # | <i>954-764-7279</i> | | Fax # | | |

EXHIBIT 2
LEGAL DESCRIPTION
SAUSALITO BAY COMMUNITY DEVELOPMENT DISTRICT

A.B. AT TAMIAMI PHASE 2

THE WEST 989.93 FEET OF THAT PORTION OF THE EAST ¼ OF THE SOUTHWEST ¼ OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 39 EAST, WHICH LIES SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 90, ALSO KNOWN AS TAMIAMI TRAIL, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN S 87°45'25" W ALONG THE SOUTH LINE OF THE SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 990.27 FEET TO A POINT OF INTERSECTION WITH A LINE 989.93 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SAID SECTION 4 AND ALSO BEING THE POINT OF BEGINNING; THENCE RUN N 02°13'59" W ALONG A LINE PARALLEL WITH THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 1,303.22 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 90 (TAMIAMI TRAIL); THENCE RUN S 89°43'12" W ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 90 (TAMIAMI TRAIL) FOR A DISTANCE OF 990.51 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SECTION 4; THENCE RUN S 02°13'59" E ALONG THE WEST LINE OF THE EAST ¼ OF THE SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 1,337.15 FEET TO A POINT ON THE SOUTH LINE OF SAID SW ¼ OF SECTION 4; THENCE RUN N 87°45'25" E ALONG THE SOUTH LINE OF SAID SW ¼ OF SECTION 4 FOR A DISTANCE OF 989.93 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 30.00 ACRES, MORE OR LESS.

A.B. AT TAMIAMI PHASE 3

THAT PORTION OF THE EAST ½ OF THE NW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN ALONG THE EAST LINE OF THE WEST ½ OF SAID SECTION 9, N 02°15'19" W FOR A DISTANCE OF 5,281.83 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 9 ALSO BEING THE NORTHEAST CORNER OF THE NW ¼ OF SAID SECTION 9; THENCE RUN S 87°42'25" W ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, FOR A DISTANCE OF 622.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, S 87°42'25" W FOR A DISTANCE OF 698.14 FEET TO A POINT, ALSO BEING THE NORTHWEST CORNER OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9; THENCE RUN ALONG THE WEST LINE OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9, S 02°15'38" E FOR A DISTANCE OF 1,064.54 FEET TO A POINT ON THE WEST LINE OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9; THENCE RUN N 87°44'41" E FOR A DISTANCE OF 572.92 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 58°58'18" AND AN ARC DISTANCE OF 25.73 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTH AND HAVING FOR ITS ELEMENTS A RADIUS OF 72.00 FEET, A CENTRAL ANGLE OF 94°39'25" AND AN ARC DISTANCE OF 118.95 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS IN N 37°56'26" W; THENCE RUN N 02°15'19" W FOR A DISTANCE OF 1,097.87 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 17.15 ACRES, MORE OR LESS.

A.B. AT TAMIAMI PHASE 4

THAT PORTION OF THE EAST ½ OF THE NW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN ALONG THE EAST LINE OF THE WEST ½ OF SAID SECTION 9, TOWNSHIP 54

SOUTH, RANGE 39 EAST, N 02°15'19" W FOR A DISTANCE OF 3,141.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE WEST ¼ OF SAID SECTION 9, N 02°15'19" W FOR A DISTANCE OF 1,125.97 FEET TO A POINT ON THE EAST LINE OF THE WEST ¼ OF SAID SECTION 9; THENCE RUN S 87°44'41" W FOR A DISTANCE OF 622.00 FEET TO A POINT; THENCE RUN S 02°15'19" E FOR A DISTANCE OF 83.48 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS N 37°56'26" W; THENCE RUN SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE NORTH AND HAVING FOR ITS ELEMENTS A RADIUS OF 72.00 FEET, A CENTRAL ANGLE OF 94°39'25" AND AN ARC DISTANCE OF 118.95 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 58°58'18" AND AN ARC DISTANCE OF 25.73 FEET TO A POINT OF TANGENCY; THENCE RUN S 87°44'41" W FOR A DISTANCE OF 572.92 FEET TO A POINT ON THE WEST LINE OF THE EAST ½ OF THE NW ¼ OF SECTION 9; THENCE RUN ALONG THE WEST LINE OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9, S 02°15'38" FOR A DISTANCE OF 1,541.65 FEET TO A POINT ON THE WEST LINE OF THE EAST ½ OF THE NW ¼ OF SAID SECTION 9; THENCE RUN ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NW ¼ OF SAID SECTION 9, N 87°44'32" E FOR A DISTANCE OF 178.83 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST AND HAVING FOR ITS ELEMENTS A RADIUS OF 565.00 FEET, A CENTRAL ANGLE OF 23°28'41" AND AN ARC DISTANCE OF 231.52 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTH AND HAVING FOR ITS ELEMENTS A RADIUS OF 635.00 FEET, A CENTRAL ANGLE OF 44°13'43" AND AN ARC DISTANCE OF 490.18 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS S 18°29'34" W; THENCE RUN N 02°15'19" W FOR A DISTANCE OF 157.72 FEET TO A POINT; THENCE RUN N 19°14'00" E FOR A DISTANCE OF 40.51 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS S 70°00'35" E; THENCE RUN NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST AND HAVING FOR ITS ELEMENTS A RADIUS OF 639.34 FEET, A CENTRAL ANGLE OF 20°17'38" AND AN ARC DISTANCE OF 226.45 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS S 49°42'57" E; THENCE RUN N 47°22'44" E FOR A DISTANCE OF 54.29 FEET TO A POINT ON A CURVE WHOSE RADIAL BEARING IS N 20°59'14" E; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHEAST AND HAVING FOR ITS ELEMENTS A RADIUS OF 164 FEET, A CENTRAL ANGLE OF 23°14'33" AND AN ARC DISTANCE OF 66.53 FEET TO A POINT OF TANGENCY; THENCE RUN N 87°44'41" E FOR A DISTANCE OF 196.41 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 42.02 ACRES, MORE OR LESS.

A.B. AT TAMiami PHASE 5

THAT PORTION OF THE EAST ½ OF THE NW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST; THENCE RUN ALONG THE EAST LINE OF THE WEST ¼ OF SAID SECTION 9, TOWNSHIP 54 SOUTH, RANGE 39 EAST, N 02°15'19" W FOR A DISTANCE OF 4,267.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 9, N 02°15'19" W FOR A DISTANCE OF 1014.26 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 9; ALSO BEING THE NORTHEAST CORNER OF THE NW ¼ OF SAID SECTION 9; THENCE RUN ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, S 87°42'25" W FOR A DISTANCE OF 622.00 FEET TO A POINT ON THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9; THENCE S 02°15'19" E FOR A DISTANCE OF 1014.39 FEET TO A POINT; THENCE RUN N 87°44'41" E FOR A DISTANCE OF 622.00 FEET TO THE POINT BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 14.48 ACRES, MORE OR LESS.