

ORDINANCE 2002-30

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT OVER THE REAL PROPERTY LEGALLY DESCRIBED ON EXHIBIT "A" TO THIS ORDINANCE COMPRISING APPROXIMATELY 999 ACRES; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; ESTABLISHING THE NAME OF THE DISTRICT AS BEELINE COMMUNITY DEVELOPMENT DISTRICT; DESIGNATING THE PURPOSE OF THE DISTRICT; DESIGNATING THE POWERS OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR 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, United Technologies Corporation, a Delaware corporation ("Petitioner"), has petitioned Palm Beach County, Florida (the "county") to grant the establishment of the Beeline Community Development District (the "District"); and

WHEREAS, a public hearing has been conducted by the Board of County Commissioners of Palm Beach County, Florida (the "Board") in accordance with the requirements and procedures of Section 190.005(1)(d), Florida Statutes (2001), as amended and supplemented; and

WHEREAS, all statements contained within the petition have been found to be true and correct; and

WHEREAS, the creation of the District is consistent with the applicable elements and portions of the effective Palm Beach County Comprehensive Land Use Plan, as amended; and

WHEREAS, the area of and 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 District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area; and

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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, the District desires to levy ad valorem assessments and/or special assessments on purchasers of benefited land within the district to pay for infrastructure constructed or acquired by the District, or to finance such infrastructure by user fees; and

WHEREAS, the District shall acquire or construct potable water and wastewater facilities to provide potable water and wastewater services within and without the District; and

WHEREAS, the District does not have any zoning or development permitting power and the establishment of the District is not a development order; and

WHEREAS, all applicable planning and permitting laws, rules, regulations and policies control the development of the land to be serviced by the District; and

WHEREAS, the Board has considered the record of the public hearing and has decided that the establishment of the Beeline Community Development District is the best alternative means to provide certain basic services to the community; and

WHEREAS, the Board finds that the Beeline Community Development District shall have the general powers described in Section 190.011, Florida Statutes (2201).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA:

Section 1: The Petition to establish the Beeline Community Development District over the real property described in Exhibit "A" attached hereto, which was filed by United Technologies Corporation on May 7, 2002, and which Petition is on file at the Office of the County Administrator, is hereby granted.

Section 2: The external boundaries of the District shall be as depicted on the location map attached hereto and incorporated herein as Exhibit "B."

Section 3: The initial members of the Board of Supervisors shall be as follows:

John Sillan
William Howden
John Harris, Jr.
John S. Canzio
Joseph P. Pruszynski

Section 4: The name of the District shall be "Beeline Community Development District."

Section 5: The District is created for the purposes set forth in and prescribed in the petition.

Section 6: The Board hereby grants to the Beeline Community Development District all general powers authorized pursuant to Section 190.011, Florida Statutes (2001), and hereby finds that it is in the public interest of citizens of the County to grant such general powers.

Section 7: Pursuant to Section 190.004(4), Florida Statutes (2001), the charter for the Beeline Community Development District shall be Sections 190.006 through 190.041, Florida Statutes (2001), including the special powers provided by Section 190.012, Florida Statutes (2001).

Section 8: The District is solely responsible for the implementation of ad valorem and/or special assessments upon benefited property within the District's internal boundaries and shall provide notice of said ad valorem and/or special assessments to all prospective purchasers of said property.

Section 9: The District shall provide full disclosure of the public financing and maintenance of improvements undertaken by the District. This disclosure shall include a statement in bold print that ad valorem and special assessments imposed by the District will appear in the tax bill. This disclosure shall meet the requirements of Section 190.048, F.S. (2001), and shall be included in every contract for sale and in every recorded deed.

Section 10: The District shall disclose the fact that this is a special taxing district and that an ad valorem or special assessment will be assessed on the tax roll against all property owners within the District. This information shall be in BOLD type on all sales brochures and on all sales information.

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Section 11: The District shall submit to the Palm Beach County Monitoring Section of the Planning, Zoning and Building Department, on an annual basis beginning on November 1, 2002, copies of the disclosures and documents required by Sections 9 and 10 above. This submittal shall continue until all properties have been sold.

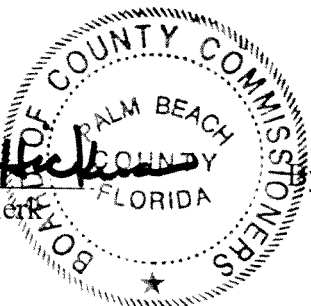
Section 12: If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by any court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 13: This ordinance shall take effect upon filing with the Department of State.

APPROVED AND ENACTED by the Board of County Commissioners of Palm Beach County, Florida on this 23 day of July, 2002.

ATTEST:

By: Linda C. Hickman
Deputy Clerk

The seal is circular with a double-lined border. The outer ring contains the text "BOARD OF COUNTY COMMISSIONERS" at the top and "PALM BEACH COUNTY FLORIDA" at the bottom, separated by a small star at the bottom center.

**PALM BEACH COUNTY,
FLORIDA, BY ITS BOARD OF
COUNTY COMMISSIONERS**

[Signature]
Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: [Signature]
County Attorney

EFFECTIVE DATE: Filed with the Department of State, State of Florida, on the 31 day of July, 2002, at _____ m.

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EXHIBIT A
LEGAL DESCRIPTION OF DISTRICT

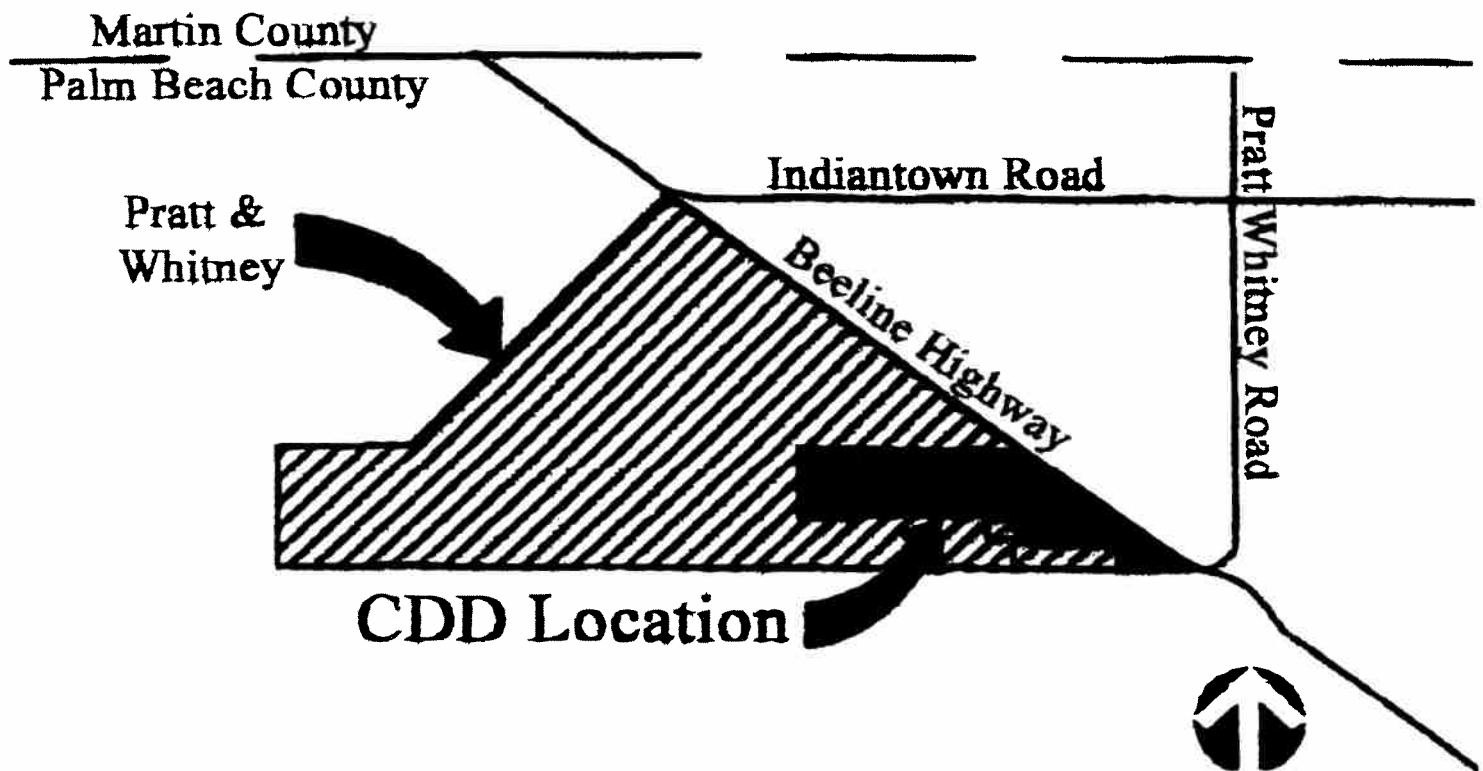
BEING A PORTION OF SECTIONS 13, 14, 15 AND 16, TOWNSHIP 41 SOUTH,
RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE
NORTH 89°56'23" WEST ALONG THE SOUTH LINE OF SAID SECTION 13, A
DISTANCE OF 2988.34 FEET; THENCE NORTH 00°20'57" WEST. A DISTANCE OF
1084.11 FEET; THENCE SOUTH 89°39'03" WEST, A DISTANCE 3548.34 FEET TO A
POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A
RADIUS OF 320.00 FEET AND A CENTRAL ANGLE OF 45°17'06"; THENCE
NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 252.92
FEET TO THE POINT OF TANGENCY; THENCE NORTH 45°03'50" WEST, A
DISTANCE OF 495.72 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE
TO THE NORTHEAST, HAVING A RADIUS OF 240.00 FEET AND A CENTRAL
ANGLE OF 46°01'44"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A
DISTANCE OF 192.81 FEET TO THE POINT OF TANGENCY; THENCE NORTH
00°57'54" EAST, A DISTANCE OF 417.32 FEET; THENCE NORTH 44°42'26" WEST,
A DISTANCE OF 143.25 FEET; THENCE SOUTH 89°39'32" WEST, A DISTANCE OF
9866.04 FEET, THENCE NORTH 00°20'28" WEST, A DISTANCE OF 2900.00 FEET;
THENCE NORTH 89°39'32" EAST, A DISTANCE OF 10285.93 FEET TO A POINT ON
THE SOUTHWEST RIGHT-OF-WAY LINE OF SEABOARD AIR LINE RAILWAY AS
RECORDED IN DEED BOOK 219, PAGE 6; THENCE SOUTH 53°39'13" EAST
ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 8545.98 FEET
TO A POINT ON THE EAST LINE OF SAID SECTION 13; THENCE SOUTH 00°27'19"
EAST ALONG SAID EAST SECTION LINE, A DISTANCE OF 39.74 FEET TO THE
POINT OF BEGINNING.

CONTAINING 999.50± ACRES MORE OR LESS.

EXHIBIT B

Beeline Community Development District



LOCATION MAP

N.T.S.

PORTIONS OF SEC. 12, 14, 15, AND 16 TWP. 41 S RGE 40 E.

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Phillip Clarke Gildan
(561) 650-7967
gildanp@gtlaw.com

GREENBERG
ATTORNEYS AT LAW
TRAURIG

MAY 07 2002

May 7, 2002

Robert Weisman
County Administrator
Palm Beach County
301 North Olive Avenue
West Palm Beach, FL 33401

**Re: United Technologies Corporation/Petition to Establish Beeline
Community Development District**

Dear Bob:

I have enclosed for filing with the County, United Technologies Corporation/Pratt & Whitney's ("UTC") Petition to Establish the Beeline Community Development District ("Petition") together with a \$15,000.00 Petition review filing fee. I understand that PZ&B will be asked to take the lead in handling the petition, but I wanted to insure that we continue to coordinate the UTC matters through your office, and that UTC keep you up to date on the progress at their Palm Beach County site.

To assist in the CDD review process, I have also provided a copy of the Petition to the County officials listed below. If you or they have any questions concerning the Petition or the interrelation of the CDD petition process with the parallel development activities taking place with respect to UTC's site, please feel free to call me. My direct dial number is 650-7967 and my e-mail is gildanp@gtlaw.com.

Thank you in advance for your assistance in this project.

Sincerely,

Phillip C. Gildan

cc: Verdenia Baker, Assistant County Administrator
Barbara Alterman, Executive Director, Planning, Zoning & Building Department
Gordon P. Selfridge, Esq., Chief Deputy County Attorney
Bob Banks, Assistant County Attorney

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FL
JK
0108
"CDD"

SUPPLIER	DATE	CHECK NO.
1	03/18/2002	984372

[illegible]

THE FACE OF THIS DOCUMENT HAS A BLUE BACKGROUND. THE BACK HAS ARTIFICIAL WATERMARK



50-937
213

984372

CHECK DATE	CHECK AMOUNT
03/18/2002	\$ *****15,000.00*

S. J. G. R.

In full settlement of items listed on remittance advice.

2002 030

⑈984372⑈ 1:021309379⑈ 601 8 18180⑈

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA

IN RE: AN ORDINANCE TO ESTABLISH)
 BEELINE COMMUNITY)
 DEVELOPMENT DISTRICT)

PETITION

Petitioner, the United Technologies Corporation, a Delaware corporation (herein, the "Petitioner"), hereby petitions the Board of County Commissioners of Palm Beach County, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, as amended and supplemented (herein, the "Act), specifically Section 190.005(2) of the Act, to establish a community development district with respect to the lands described herein. In support of the Petition, the Petitioner states:

1. The proposed District (as defined below) is located within the unincorporated area of Palm Beach County, Florida. Exhibit 1 depicts the general location of the proposed District. The proposed District covers approximately 999 acres of land. The metes and bounds description of the external boundaries of the District is set forth on Exhibit 2. There is no real property within the external boundaries of the proposed District which is to be excluded from the District.
2. Attached to this Petition as Exhibit 3 and made a part hereof are the written consents to the establishment of the District by the owners of 100% of the real property to be included in the District. The current owner of the property comprising the District is Petitioner.
3. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

John K. Sillan
172 Wild Pine Rd.
Wellington, Fl. 33414

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William Howden
7967 Poppy Hills Lane
Port St. Lucie, Fl. 34986

Joseph P. Pruszynski
8231 South Bates Rd.
Palm Beach Gardens, Fl. 33418

John Harris Jr.
259 Rutland Blvd.
West Palm Beach, Fl. 33405

John S. Canzio
3372 Barrow Island Rd.
Jupiter, Fl. 33477

4. The proposed name of the community development district to be established is Beeline Community Development District ("the District").

5. A map of the existing major trunk water mains, sewer interceptors or outfalls is shown on Exhibit 4.

6. The proposed timetable for the construction of District services is shown on Exhibit 6 and the estimated cost of constructing the services, based on available data, is shown on Exhibit 6. This is a good faith estimate, but is not binding on the Petitioner or the District and is subject to change.

7. Within the proposed Beeline Community Development District the future general distribution, location and extent of public and private uses are govern by the future land use map and the zoning of the property. There are three different categories:

- 1) EDC future land use, IG zoning
- 2) EDC future land use, MUPD zoning
- 3) IND future land use, IG zoning

The following lands uses are allowed in the EDC future land use, IG zoning category: shall be primarily utilized by office and research parks, and shall permit the following uses: manufacturing, assembly of products, processing, office, research and development, and wholesale distribution and storage of products.

The following uses are specifically allowed and prohibited in the EDC future land use, MUPD zoning category:

The following uses are allowed:

- 1) Financial Institutions
- 2) Medical or Dental Laboratory
- 3) Office, business or profession (excluding medical, dental and real estate)
- 4) Data information processing
- 5) Heliport or Helipad (accessory to the primary use)
- 6) Government Services
- 7) Manufacturing and processing
- 8) Warehousing
- 9) Contractor's storage yard (within a enclosed area)

The following uses are not allowed:

- 1) Residential (Excluding caretakers quarters)
- 2) Commercial retail (excluding accessory uses)
- 3) Restaurants (Excluding accessory/ancillary uses)
- 4) Convenience stores (with or without gas sales)
- 5) Automotive service stations
- 6) Hotels, motels
- 7) Hospitals

Within the IND future land use, IG zoning category uses shall be primarily utilized by light, medium and heavy industrial uses and related services, and shall permit the following uses: manufacturing, assembly of products, processing, research and development, wholesale distribution and or storage of products, transportation, fabrication, salvage and junkyards. The permitted uses include:

- 1) Agricultural related manufacturing, light
- 2) Agricultural research/development
- 3) Agricultural transshipment
- 4) Air stripper, remedial
- 5) Automotive paint or body shop
- 6) Building supplies
- 7) Catering service
- 8) Communication panels, antennas, commercial
- 9) Contractor's storage yard
- 10) Data information processing
- 11) Day labor employment service
- 12) Dispatching office
- 13) Government services
- 14) Grooms quarters
- 15) Groves/row crops
- 16) Gun club, enclosed

- 17) Laboratory, industrial research
- 18) Landscape maintenance service
- 19) Machine or welding shop
- 20) Manufacturing and processing
- 21) Marine facility
- 22) Motion picture production studio
- 23) Nursery, wholesale
- 24) Office, business or professional
- 25) Park, passive
- 26) Recycling center
- 27) Repair and maintenance, general
- 28) Repair services, limited
- 29) Restaurant, quality
- 30) Shadehouse
- 31) Storage, agricultural
- 32) Storage, outdoor, agricultural
- 33) Towing service and storage
- 34) Vocational school
- 35) Warehousing
- 36) Wholesaling, general

CONDITIONAL USE, CLASS A:

- 1) Agriculture, bona fide
- 2) Airport
- 3) Air curtain incinerator, permanent
- 4) Electrical power facility
- 5) Excavation, Type III
- 6) Livestock raising
- 7) Mining, excavation Type IIIA
- 8) Mining, excavation Type IIIB
- 9) Salvage or junk yard
- 10) Sugar mill or refinery
- 11) Truck stop

CONDITIONAL USE, CLASS B:

- 1) Air curtain incinerator, temporary
- 2) Airplane landing strip, accessory
- 3) Day care center, general
- 4) Equestrian arena, commercial
- 5) Nursery, retail
- 6) Solid waste transfer station

PERMITTED SUBJECT TO DRC SITE PLAN:

- 1) Automotive service station
- 2) Asphalt or concrete plant
- 3) Chipping and mulching
- 4) Communication tower, commercial
- 5) Composting facility
- 6) Convenience store, with gas sales
- 7) Day care center, limited
- 8) Excavation, Type II
- 9) Farmer's market
- 10) Gas and fuel, wholesale
- 11) Heavy industry
- 12) Heliport or helipad
- 13) Packing plant
- 14) Park, public
- 15) Potting soil manufacturing
- 16) Recycling plant
- 17) Self-service storage
- 18) Stable, commercial
- 19) Transportation facility
- 20) Utility, minor
- 21) Water or wastewater treatment plant

SPECIAL USES:

- 1) Adult entertainment
- 2) Agricultural stand
- 3) Communication Cell Sites on Wheels (COWs)
- 4) Recycling collection station
- 5) Recycling collection station
- 6) Security/caretaker quarters

These uses are restricted by Policy 2.7-d of the Palm Beach County Comprehensive Plan. The County shall limit permitted uses within United Technologies Corporation (Pratt-Whitney) Protection Area Overlay to those that are ancillary or accessory to and compatible with and do not endanger the continuation and expansion of the existing industrial, manufacturing, and research and development operations within the Overlay. Certain uses permitted within the allowed future land use designation may generate conflicts with the Pratt-Whitney facilities, and shall be prohibited. Such incompatible uses (due to their sensitivity to noise) include, but are not limited to, the following:

1. Residential (excluding Caretakers quarters);
2. Hotels, motels
3. Medical and dental offices; and
- 5

4. Hospitals, medical centers.

Uses (not listed above) which generally would not be allowed within the UT Overlay may be permitted as accessory uses to a permitted primary use.

The proposed uses are consistent with the future land use plan element of the Palm Beach County Comprehensive Plan. The future land use map of the Palm Beach County Comprehensive Plan designates the land area within the legal description of the property to be serviced by the proposed District as Economic Development Center. The future land use map is shown on Exhibit 5. The Petitioner intends that the District will finance (i) surface water management and control systems, (ii) water supply, treatment, and distribution and wastewater treatment, collection, transmission and disposal facilities, (iii) roads, (iv) other permitted public improvements and community facilities authorized by the Act, and (v) related incidental costs.

8. Exhibit 6 is a statement of estimated regulatory costs prepared in accordance with the requirements of Section 120.541, Florida Statutes.

9. Petitioner hereby requests that the proposed District be granted the right to exercise all powers provided for in Section 190.012(1), Florida Statutes.

10. Copies of all correspondence and official notices should be sent to: Phillip Gildan, Esq. c/o Greenberg Traurig, P.A., 777 South Flagler Drive, Suite 300 East, West Palm Beach, Florida 33401; (561) 650-7900.

11. The property within the proposed District is amenable to operating as an independent special district for the following reasons:

(a) Establishment of the District and all land uses and services planned within the proposed District are consistent with applicable elements or portions of the effective Palm Beach County Comprehensive Land Use Plan.

(b) The area of land within the proposed District is of sufficient size and is sufficiently compact and contiguous to be developed as one functional interrelated community.

(c) The community development services of the District will be compatible with the capacity and uses of existing local and regional community development services and facilities.

(d) The proposed District will be the best alternative available for delivering community development services to the area to be served because the District provides a governmental entity for delivering those services and facilities in a manner that does not financially impact persons residing outside the District.

(e) The area that will be served by the District is amenable to separate special-district government.

12. The Petitioner undertakes on behalf of the District that the District will provide full disclosure of information relating to the public financing and maintenance of improvements to real property to be undertaken by the District, as required by Section 190.009, Florida Statutes.

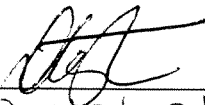
WHEREFORE, Petitioner respectfully requests the Board of County Commissioners of Palm Beach County, Florida to:

Hold a public hearing as required by Section 190.005(1)(d), Florida Statutes to consider the establishment of Beeline Community Development District and;

Enact an ordinance pursuant to Chapter 190, Florida Statutes, granting this Petition and establishing Beeline Community Development District.

Respectfully submitted this 30th day of April, 2002.

UNITED TECHNOLOGIES
CORPORATION, Petitioner

By: 
Title: Assistant Secretary
Name: Donna Clayton

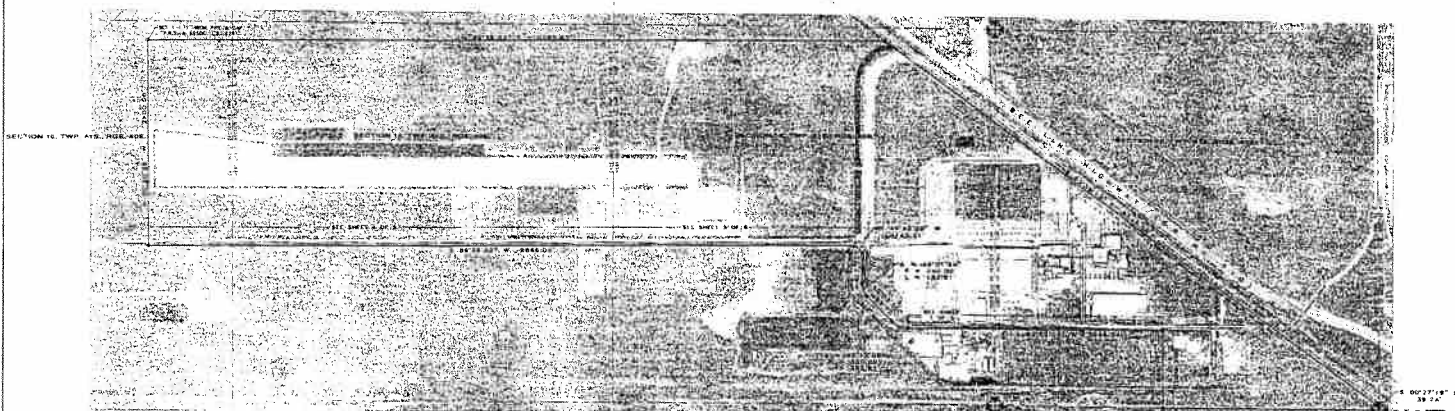
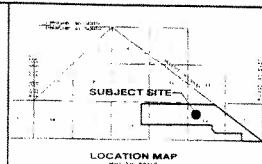
Beeline Community Development District

EXHIBITS

- | | |
|-----------|--|
| Exhibit 1 | Location Map |
| Exhibit 2 | Legal Description |
| Exhibit 3 | Consents and Proofs of Ownership |
| Exhibit 4 | Map of Major Trunk Water Mains and Sewer Interceptors and Outfalls |
| Exhibit 5 | Future Land Use Map from the Palm Beach County Comprehensive Plan |
| Exhibit 6 | Statement of Estimated Regulatory Costs/Good Faith Cost Estimate/Proposed Timetable for Construction |

EXHIBIT 1

LOCATION MAP OF DISTRICT

[illegible]

POINT OF BEGINNING
SOUTHEAST CORNER OF SECTION 11,
TOWNSHIP 44 NORTH, RANGE 66 EAST,
COUNTY OF B. S. NORTH DAKOTA

LAND SURVEYOR'S NOTES

- [illegible]

LAND SURVEYOR'S STATEMENT

[illegible]

LEGEND

- [illegible]

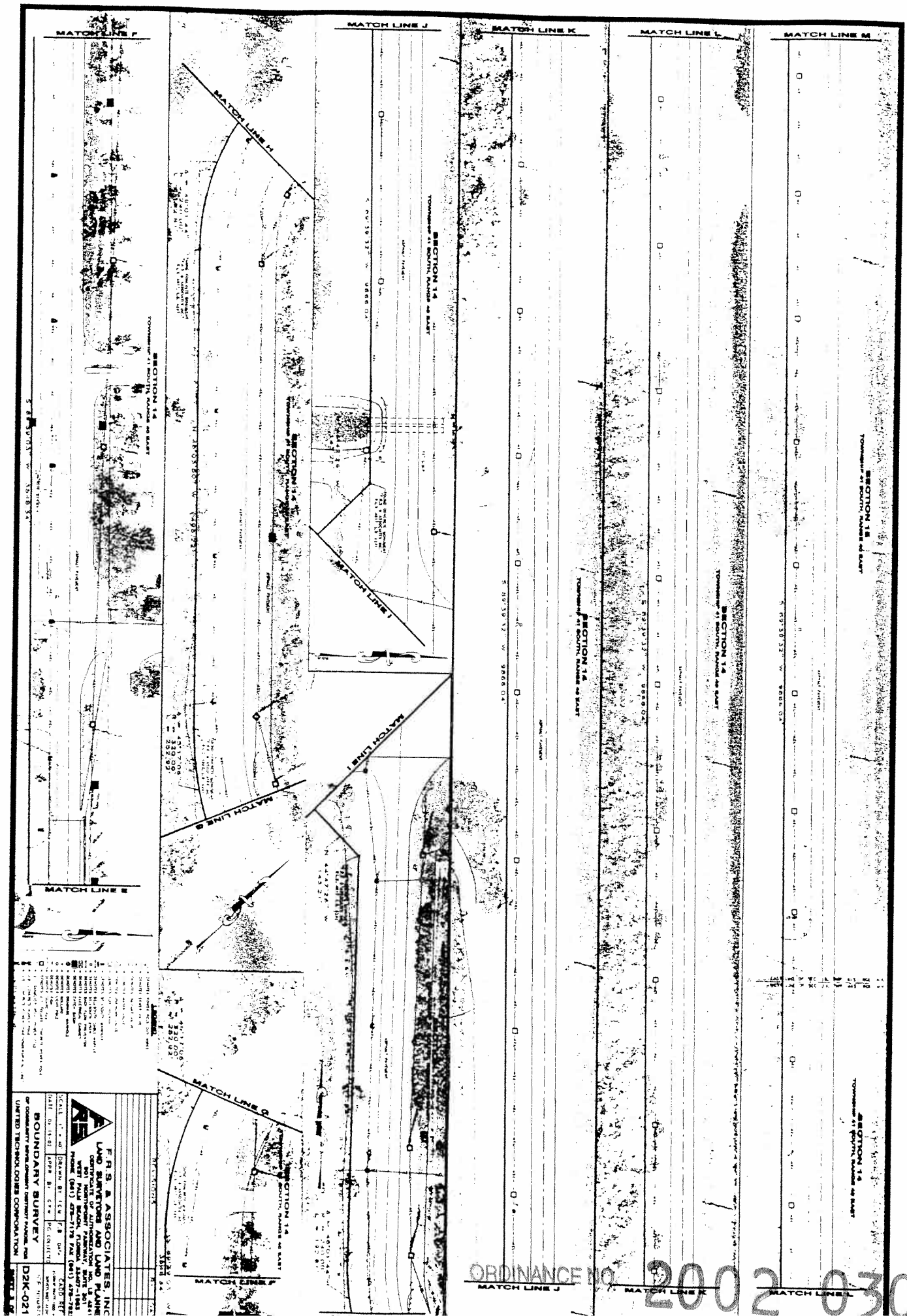


F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNER
CERTIFICATE OF AUTHORIZATION NO. LB 4241
901 NORTHCENT PARKWAY, SUITE 300
WEST PALM BEACH, FLORIDA 33402-1953
PHONE (561) 478-2578 FAX (561) 474-2822

SCALE 1" = 400'	DRAWN BY: T.A.	F.G. DATA	CAD: RET
DATE: 04-17-02	APPR BY: G.A.	FILE: COLLECT	APPROVED: [Signature]
BOUNDARY SURVEY			FOR NUMBER:
OF COMBINEE DEVELOPMENT DISTRICT PARCEL FOR			D2K-0211
UNITED TECHNOLOGIES CORPORATION			

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SECTION 15
TOWNSHIP 11 SOUTH RANGE 4 EAST

SECTION 14
TOWNSHIP 11 SOUTH RANGE 4 EAST

SECTION 14
TOWNSHIP 11 SOUTH RANGE 4 EAST

SECTION 14
TOWNSHIP 11 SOUTH RANGE 4 EAST

SECTION 14
TOWNSHIP 11 SOUTH RANGE 4 EAST

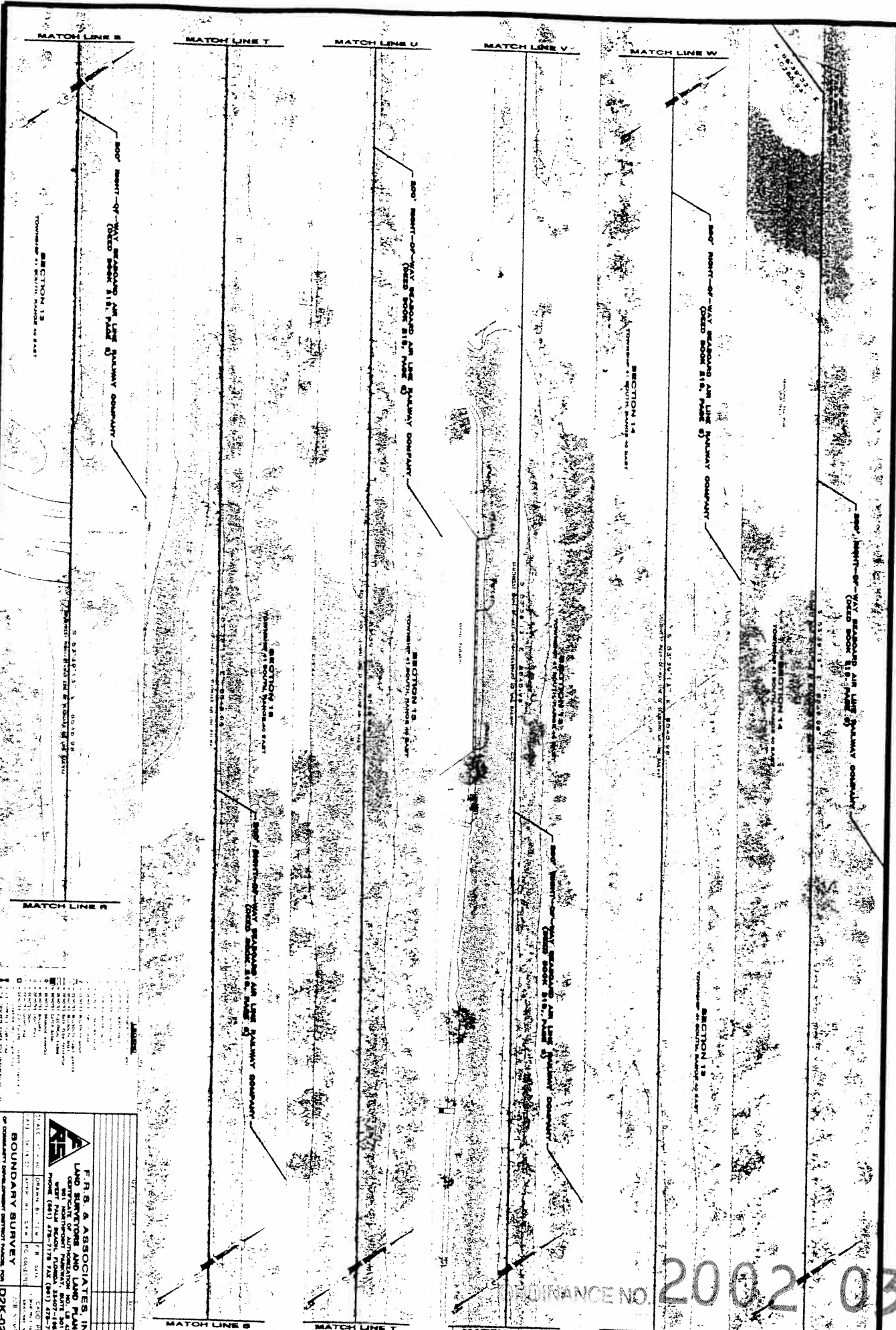
SECTION 15
TOWNSHIP 11 SOUTH RANGE 4 EAST

SECTION 16
TOWNSHIP 11 SOUTH RANGE 4 EAST

F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
10101 W. 11TH AVENUE, SUITE 100
DENVER, CO 80231
PHONE (303) 751-1111 FAX (303) 751-1112
WWW.FRS-INC.COM

BOUNDARY SURVEY
D2K-021
UNITED TECHNOLOGIES CORPORATION

ORDINANCE NO. 2002-030



F.R.S. ASSOCIATES, INC.
 LAND SURVEYORS AND LAND PLANNING
 10000 N. W. 11th Ave., Suite 100
 Fort Lauderdale, Florida 33307-1000
 Phone (954) 478-7178 FAX (954) 478-722

BOUNDARY SURVEY
 OF CERTAINLY BOUNDARY SURVEY MAPS FOR
 UNITED TECHNOLOGIES CORPORATION

D2K-021

COPIANCE NO. 2002 030

MATCH LINE R

SECTION 15
TOWNSHIP 21 NORTH, RANGE 10 EAST

2002-030

MATCH LINE Q

SECTION 15
TOWNSHIP 21 NORTH, RANGE 10 EAST

2002-030

MATCH LINE P

SECTION 15
TOWNSHIP 21 NORTH, RANGE 10 EAST

2002-030

MATCH LINE O

SECTION 15
TOWNSHIP 21 NORTH, RANGE 10 EAST

2002-030

MATCH LINE N

SECTION 15
TOWNSHIP 21 NORTH, RANGE 10 EAST

2002-030

MATCH LINE M

SECTION 15
TOWNSHIP 21 NORTH, RANGE 10 EAST

2002-030

FRS & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
1000 WEST 10TH AVENUE, SUITE 301
DENVER, CO 80202
PHONE (303) 733-7118 FAX (303) 733-7119

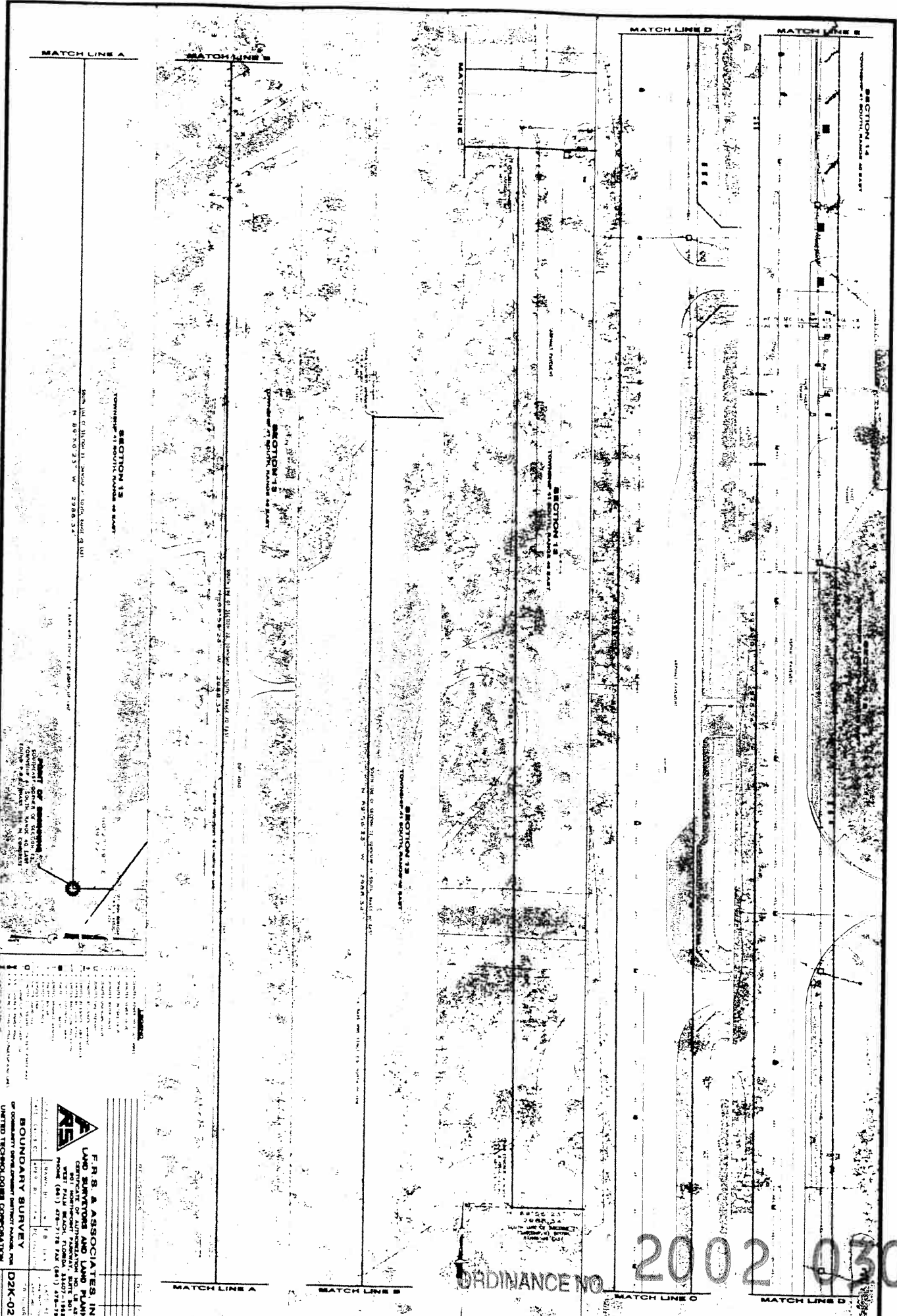
BOUNDARY SURVEY
D2K-021

UNITED TECHNOLOGIES CORPORATION



F.R.S. ASSOCIATES, INC.	
SURVEYING AND LAND PLANNING	
1000 WEST 10TH AVENUE, SUITE 100	
DENVER, CO 80202	
PHONE (303) 425-1119 FAX (303) 425-1120	
WWW.FRS-INC.COM	
BOUNDARY SURVEY	
D2K-021K	
UNITED TECHNOLOGIES CORPORATION	

DATE	2/15/02	BY	J.S.	SCALE	AS SHOWN
PROJECT	BOUNDARY SURVEY	CLIENT	UNITED TECHNOLOGIES CORPORATION	DATE	2/15/02
DESCRIPTION	BOUNDARY SURVEY	PROJECT NO.	D2K-021K	DATE	2/15/02
LOCATION	SECTION 15, 16, 17	PROJECT NO.	D2K-021K	DATE	2/15/02
DATE	2/15/02	BY	J.S.	SCALE	AS SHOWN
PROJECT	BOUNDARY SURVEY	CLIENT	UNITED TECHNOLOGIES CORPORATION	DATE	2/15/02
DESCRIPTION	BOUNDARY SURVEY	PROJECT NO.	D2K-021K	DATE	2/15/02
LOCATION	SECTION 15, 16, 17	PROJECT NO.	D2K-021K	DATE	2/15/02

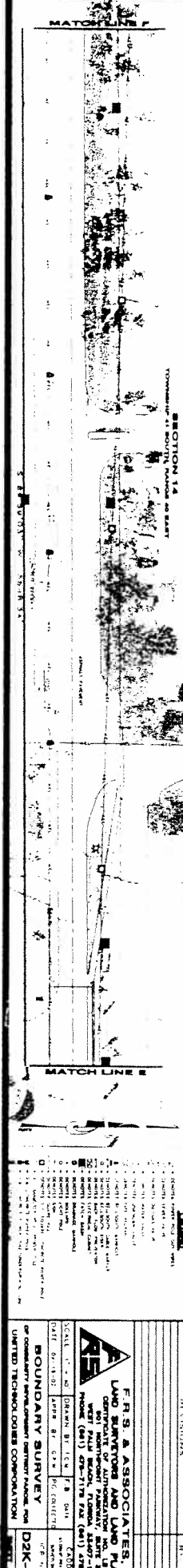
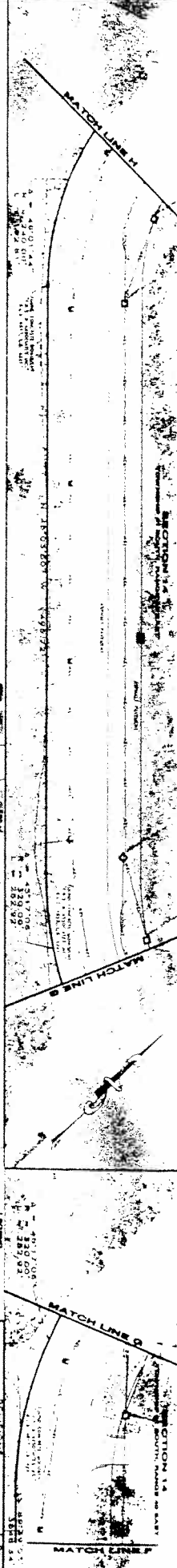
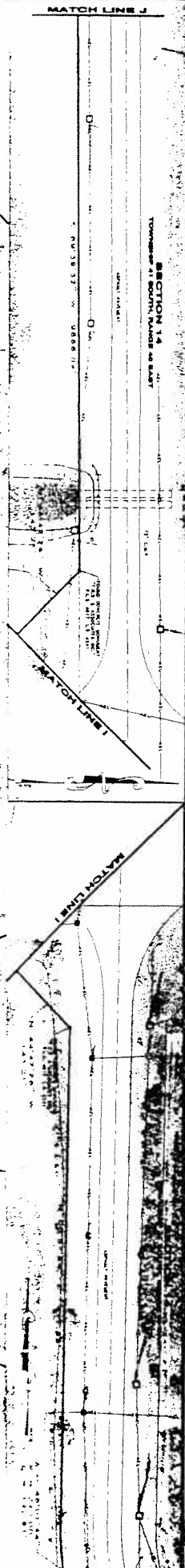
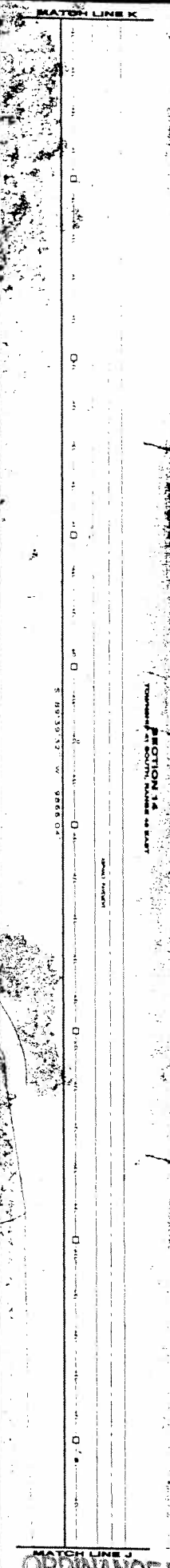
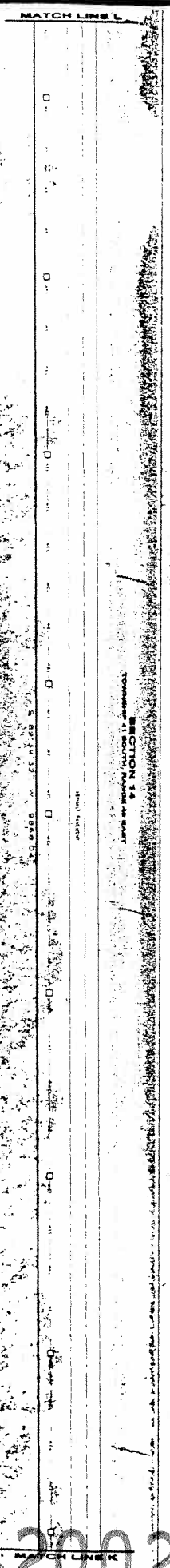
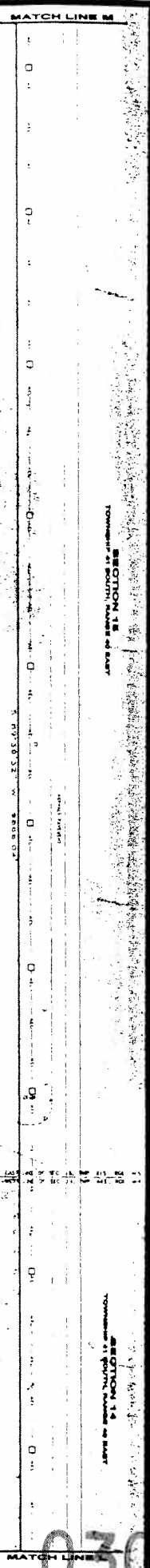


F.R.B. ASSOCIATES, INC.
SURVEYORS AND LAND PLANNERS
10000 W. 100th St., Suite 100
Overland Park, KS 66213
Phone (913) 478-7178 Fax (913) 478-7179
Mobile (913) 478-7178
www.frbassoc.com

BOUNDARY SURVEY
D2K-021

UNITED TECHNOLOGIES CORPORATION

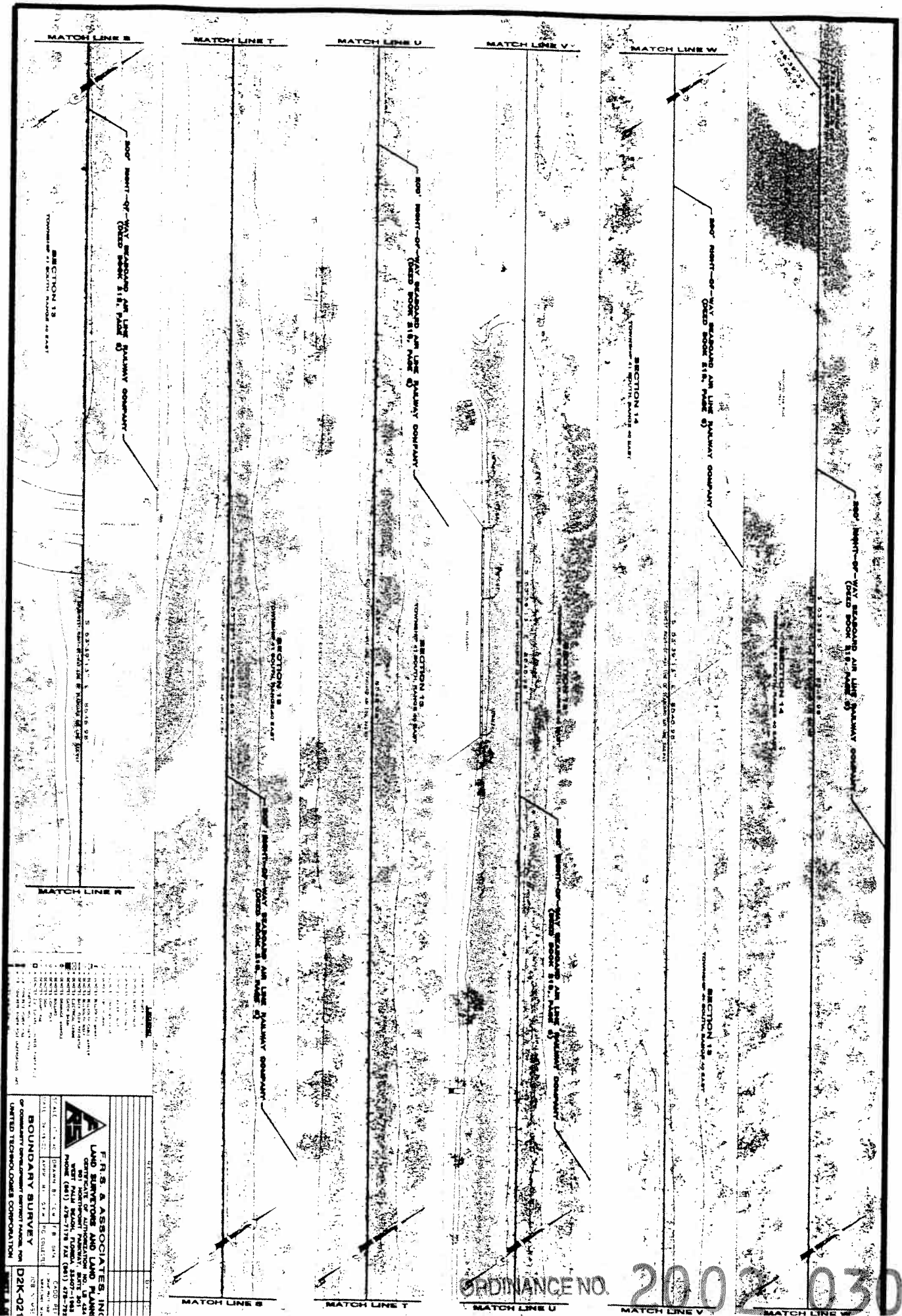
ORDINANCE NO. 2002-030




F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 PHONE (303) 733-1111
 FAX (303) 733-1112

BOUNDARY SURVEY
 D2K-021
 UNITED TECHNOLOGIES CORPORATION

SCALE: 1" = 40' (AS SHOWN ON PLAN)
 DATE: 01/15/02
 DRAWN BY: C.W.
 CHECKED BY: J.W.
 SURVEYED BY: J.W.
 OF COURTESY: UNITED TECHNOLOGIES CORPORATION



ORDINANCE NO. 2002-030



F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
OFFICE OF AUTHORIZATION NO. 13,141
WEST PALM BEACH, FLORIDA 33407-1982
PHONE (407) 778-7719 FAX (407) 778-7721

BOUNDARY SURVEY
D2K-021
OF COURTESY DEVELOPMENT/PLANNING/ENGINEERING/ARCHITECTURE, INC.
UNITED TECHNOLOGIES CORPORATION

MATCH LINE R

SECTION 15
TOWNSHIP 41 NORTH RANGE 40 EAST

UNITED TECHNOLOGIES CORPORATION

MATCH LINE Q

SECTION 15
TOWNSHIP 41 NORTH RANGE 40 EAST

UNITED TECHNOLOGIES CORPORATION

MATCH LINE Q

SECTION 15
TOWNSHIP 41 NORTH RANGE 40 EAST

UNITED TECHNOLOGIES CORPORATION

MATCH LINE P

SECTION 15
TOWNSHIP 41 NORTH RANGE 40 EAST

UNITED TECHNOLOGIES CORPORATION

MATCH LINE O

SECTION 15
TOWNSHIP 41 NORTH RANGE 40 EAST

UNITED TECHNOLOGIES CORPORATION

MATCH LINE N

SECTION 15
TOWNSHIP 41 NORTH RANGE 40 EAST

UNITED TECHNOLOGIES CORPORATION

ORDINANCE NO. 2002-030

F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND
CERTIFICATE OF AUTHORIZATION NO. 14341
WEST PAID BOOK, TOWNSHIP 41 NORTH
RANGE 40 EAST, SECTION 15
Phone (401) 578-7744 (401) 578-7722

BOUNDARY SURVEY
BY: [Signature]
DATE: 10/1/02
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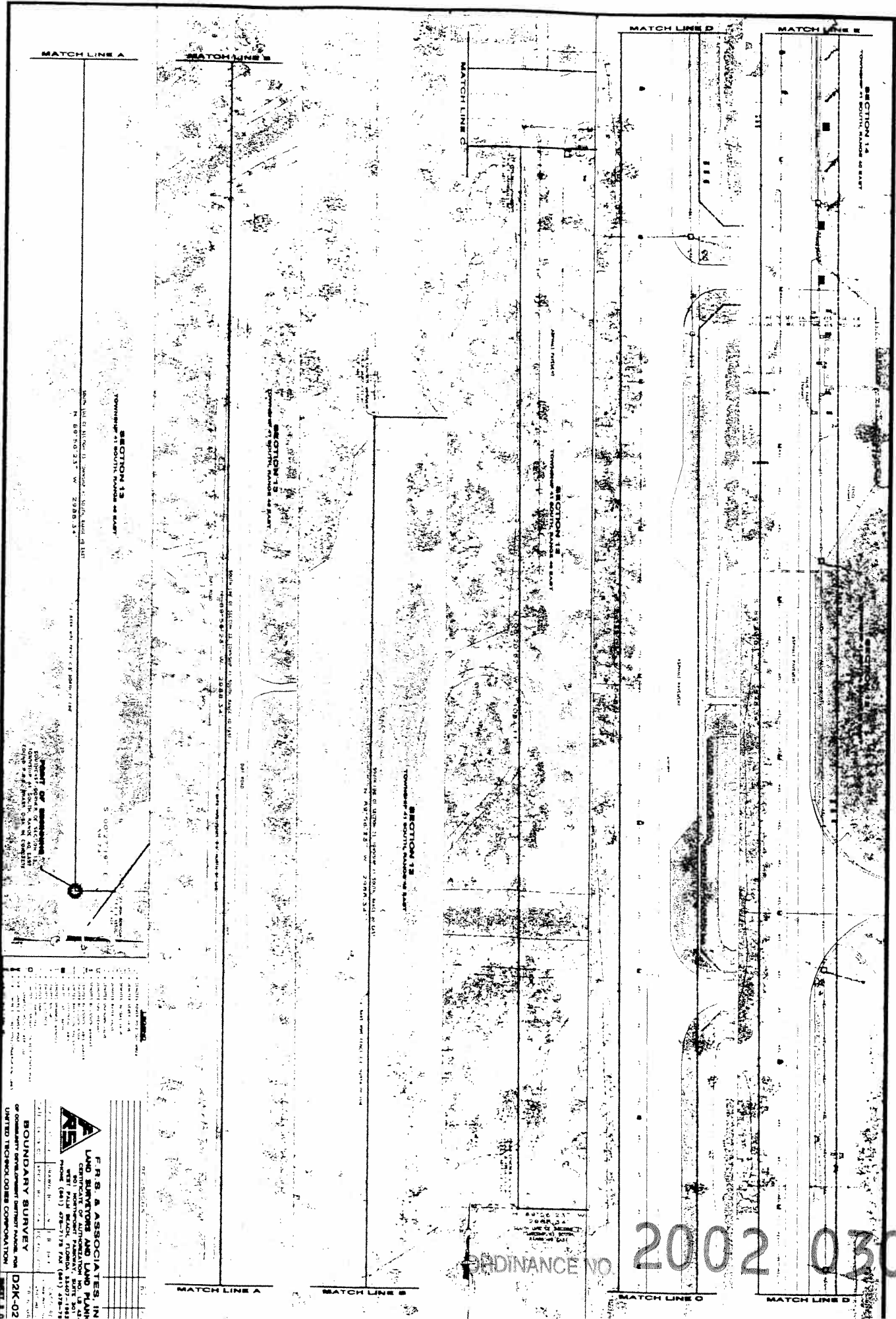
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- 100. RECONSTRUCTION SURVEY

F.R.S. ASSOCIATES, INC.
LAND SURVEYORS
10000 N. 10TH AVE., SUITE 100
DENVER, CO 80231
PHONE (303) 475-1111 FAX (303) 475-1112
TELETYPE (303) 475-1113

BOUNDARY SURVEY
DZK-021K

SCALE: 1" = 40' (AS SHOWN ON PLAT)
DATE: 07-18-01
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

ENCLOSURE NO 2002-030



F.R.S. ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
CERTIFICATE OF AUTHORIZATION NO. 13, 14
WEST PALM BEACH, FLORIDA 33407-1683
PHONE (407) 628-7178 FAX (407) 478-7575

BOUNDARY SURVEY
OF COASTAL BAYVIEW ESTATES PHASE TWO
UNITED TECHNOLOGIES CORPORATION

02K-02

EXHIBIT 2

LEGAL DESCRIPTION OF DISTRICT

BEING A PORTION OF SECTIONS 13, 14, 15 AND 16, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE NORTH 89°56'23" WEST ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 2988.34 FEET; THENCE NORTH 00°20'57" WEST. A DISTANCE OF 1084.11 FEET; THENCE SOUTH 89°39'03" WEST, A DISTANCE 3548.34 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 320.00 FEET AND A CENTRAL ANGLE OF 45°17'06"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 252.92 FEET TO THE POINT OF TANGENCY; THENCE NORTH 45°03'50" WEST, A DISTANCE OF 495.72 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 46°01'44"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 192.81 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°57'54" EAST, A DISTANCE OF 417.32 FEET; THENCE NORTH 44°42'26" WEST, A DISTANCE OF 143.25 FEET; THENCE SOUTH 89°39'32" WEST, A DISTANCE OF 9866.04 FEET, THENCE NORTH 00°20'28" WEST, A DISTANCE OF 2900.00 FEET; THENCE NORTH 89°39'32" EAST, A DISTANCE OF 10285.93 FEET TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY LINE OF SEABOARD AIR LINE RAILWAY AS RECORDED IN DEED BOOK 219, PAGE 6; THENCE SOUTH 53°39'13" EAST ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 8545.98 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 13; THENCE SOUTH 00°27'19" EAST ALONG SAID EAST SECTION LINE, A DISTANCE OF 39.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 999.50± ACRES MORE OR LESS.

EXHIBIT 3

CONSENT TO ESTABLISHMENT OF DISTRICT

United Technologies Corporation, a Delaware corporation, authorized to do business in the State of Florida, hereby certifies that it is the owner of certain property located in Palm Beach County, Florida, more particularly described as follows:

SEE ATTACHED EXHIBIT "1"

and by signing below hereby gives its full consent to establishment by ordinance of BEELINE COMMUNITY DEVELOPMENT DISTRICT in accordance with Section 190.005, Florida Statutes, and to the inclusion of its property, which constitutes 100% of the entire property to be included in the District, within the proposed boundaries of the said District.

IN WITNESS WHEREOF, the undersigned hereunto sets its hand on this 30th day of April, 2002.

Witnesses:

Steven Brattabo
Paula Long

United Technologies Corporation

By: [Signature]

Its: Authorized Representative



Barbara A. Hartinger
My Commission DD082514
Expires December 6, 2005

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 30th day of April, 2002 by Donna Chytenas as Assistant Secretary of United

ORDINANCE NO. **2002 030**

Technologies Corporation, who is personally known to me or has produced
_____ as identification.

(Affix Seal)



Barbara A. Hartinger
My Commission DD062514
Expires December 6, 2005

Barbara A. Hartinger

Signature of Person Taking Acknowledgment

Barbara A. Hartinger

Name of Acknowledger Typed, Printed or Stamped

Title or Rank

DD062514

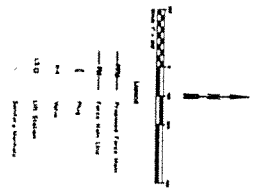
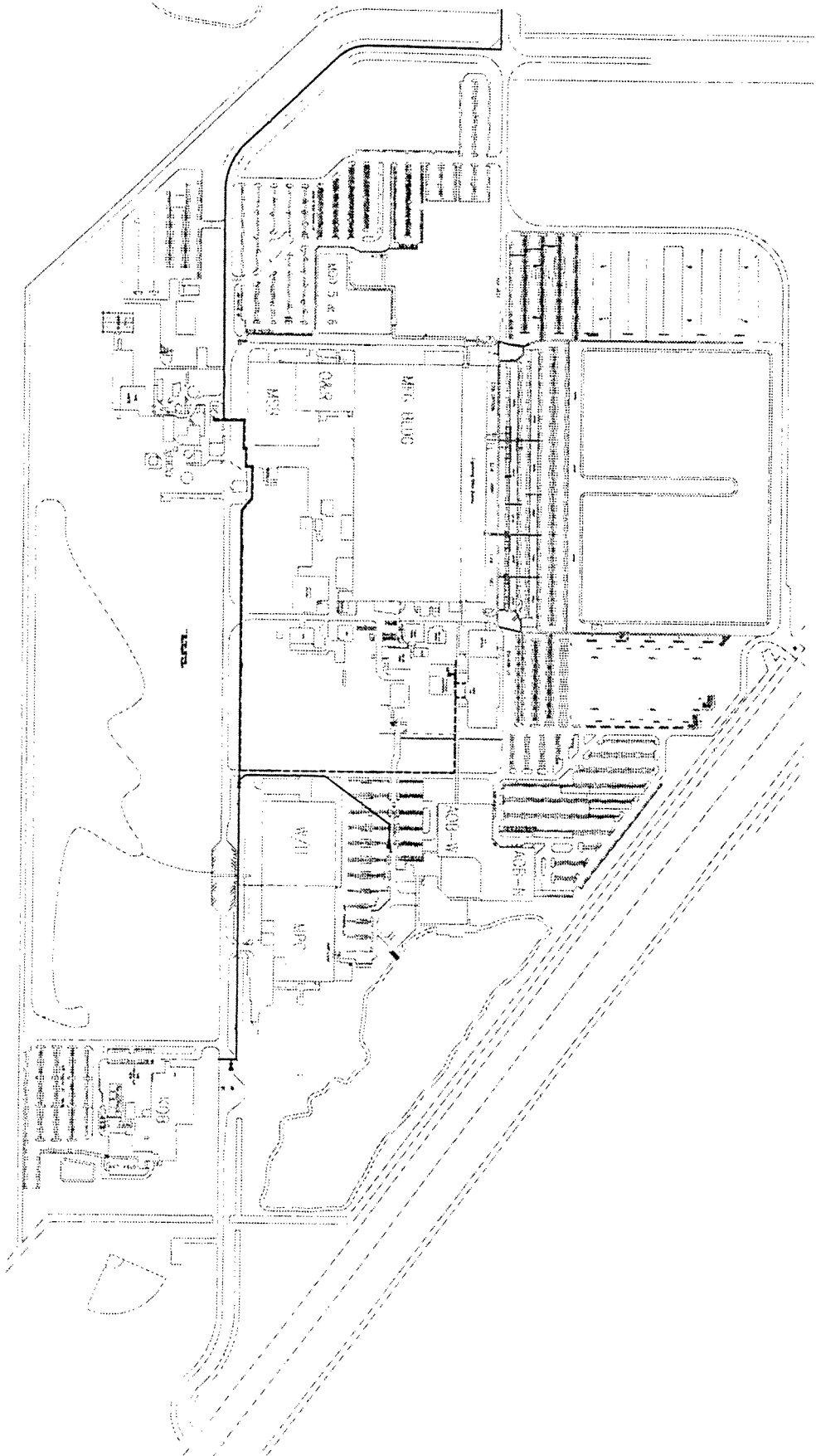
Commission Number

My commission expires: December 6, 2005

EXHIBIT 4

**MAP OF MAJOR TRUNK WATER MAINS AND
SEWER INTERCEPTORS WITHIN DISTRICT**

ORDINANCE NO. **2002 030**



GEE & JENSON
Engineers - Architects
Planners, Inc.
One New York Drive
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Tel. (407) 833-1111
Fax (407) 833-1112
E-mail: gje@gee-jenson.com
Web: www.gee-jenson.com



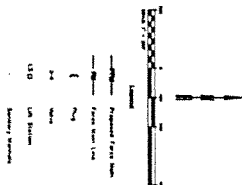
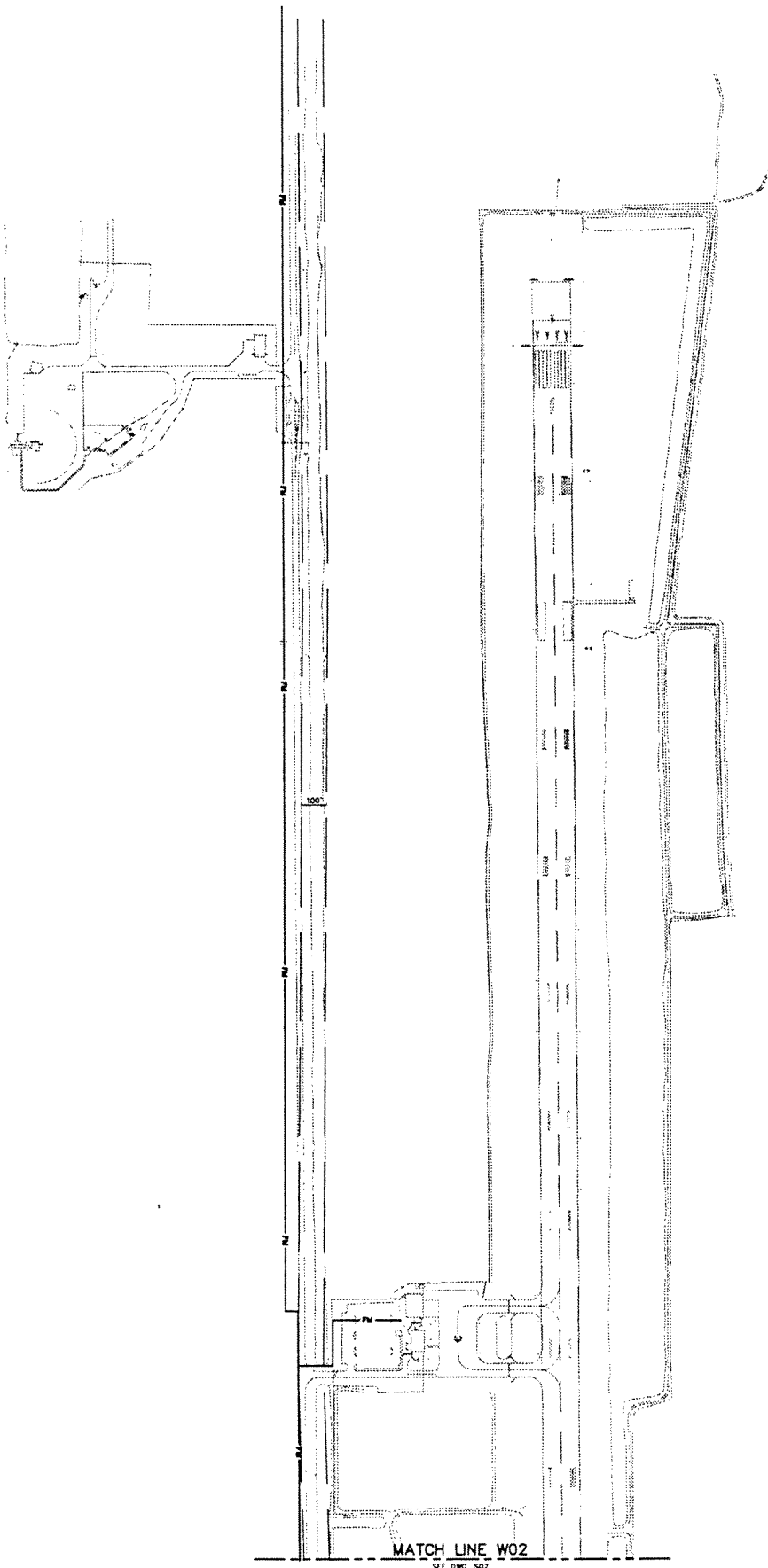
UNITED TECHNOLOGIES
PROPOSED BEE LINE COMMUNITY DEVELOPMENT DISTRICT
PALM BEACH COUNTY, FLORIDA
Existing and Proposed Sanitary Sewer Lines

ORDINANCE NO.

REAL

PLT DATE	4-24-2008				
PLT SCALE	1" = 300'				
DESIGN					
OWN CHG					
OWNER					
OWN CHG					
APPROVED					
DATE					
REV.	DESCRIPTION	APP.	DATE		
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GEE & JENSON
Engineers - Architects
Planners, Inc.
One Palm Beach Drive
Palm Beach, Florida 33480
Tel: 561-831-1111
Fax: 561-831-1112
E-Mail: gje@gee-jenson.com
Web: www.gee-jenson.com
SHEET NUMBER
20-0601
PLATT-AR05
S03
SHEET



UNITED TECHNOLOGIES
PROPOSED BEE LINE COMMUNITY DEVELOPMENT DISTRICT
PALM BEACH COUNTY, FLORIDA
Existing and Proposed Sanitary Sewer Lines

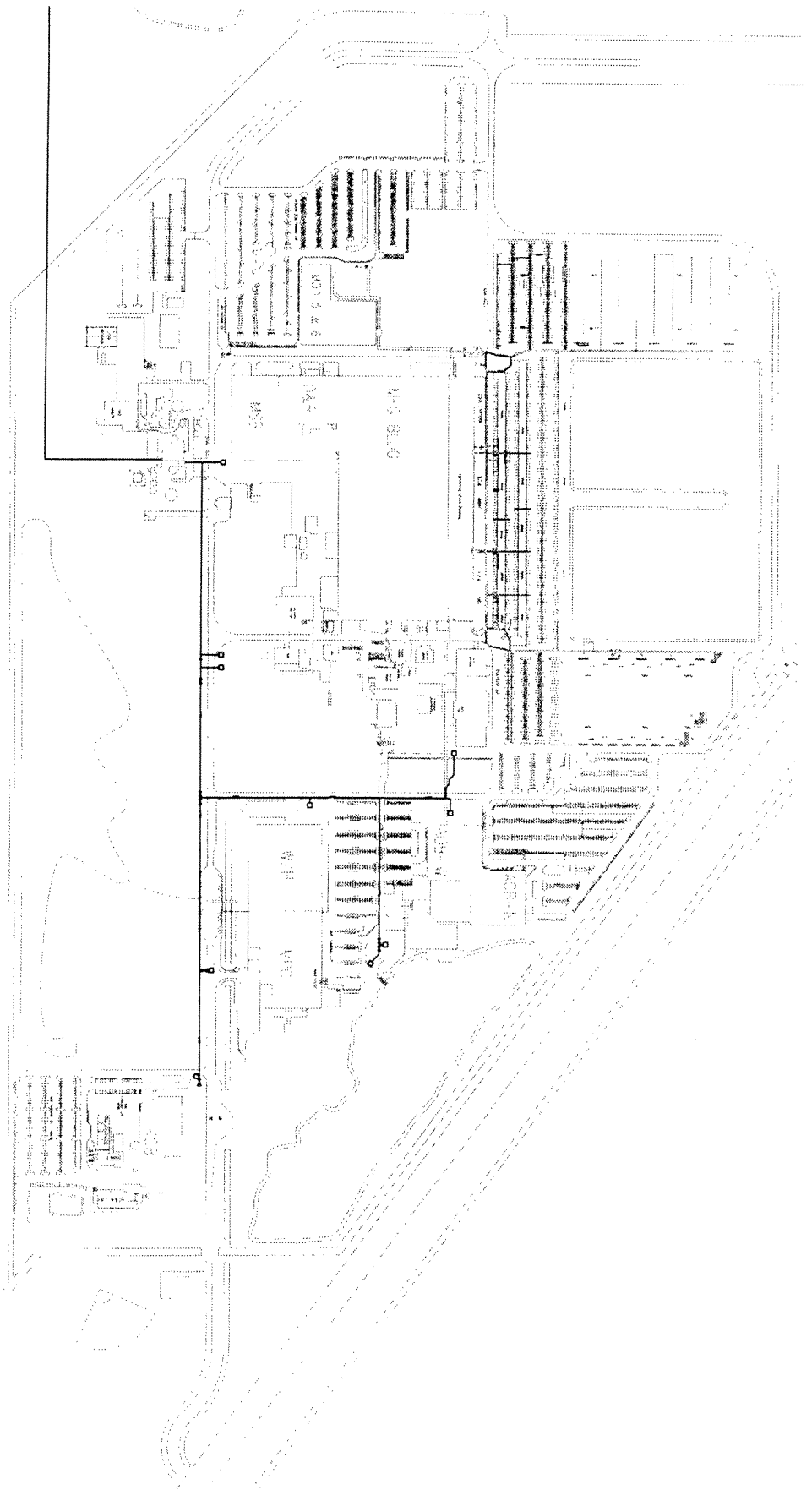
SCALE

ORDINANCE NO.

2002-030

PLT DATE: 4-25-2002	DATE: 4-25-2002
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DESIGN: JENSON	DATE: 4-25-2002
CHK'D: JENSON	DATE: 4-25-2002
APP'D: JENSON	DATE: 4-25-2002
BY: JENSON	DATE: 4-25-2002
STATUS: 030	DATE: 4-25-2002

REDUCED DRAWING - DO NOT SCALE



GEE & JENSON
 ENGINEERS - ARCHITECTS
 1000 S. PALM BEACH BLVD.
 SUITE 100
 PALM BEACH, FL 33480
 PHONE: 561-833-1100
 FAX: 561-833-1101
 E-MAIL: GEE@GEEJENSON.COM
 JEN JENSON 20-0301
 CO. FILE
 PLATT POTWTR
 SHEET NUMBER
W01



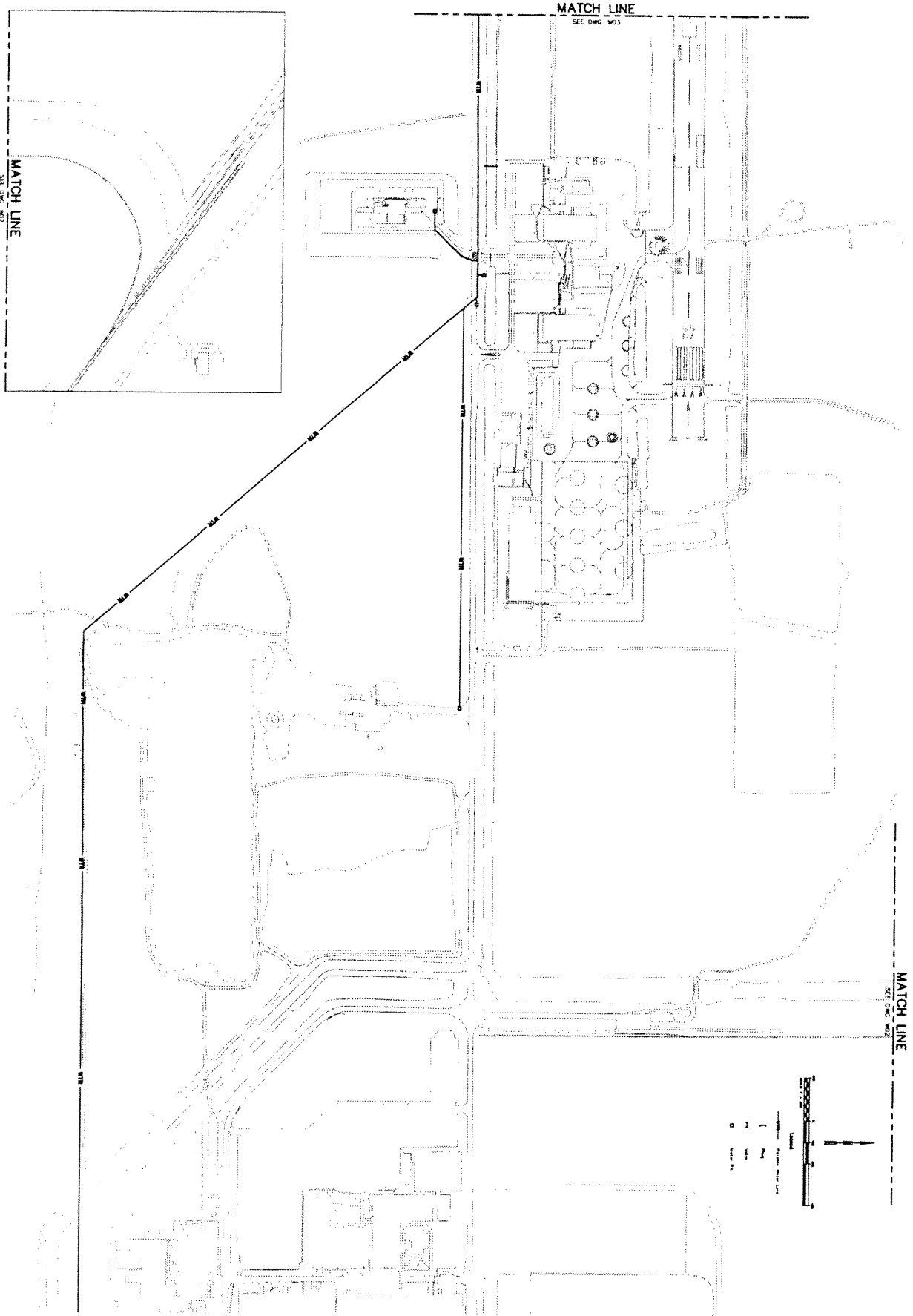
UNITED TECHNOLOGIES
 PROPOSED BEE LINE COMMUNITY DEVELOPMENT DISTRICT
 PALM BEACH COUNTY, FLORIDA
 Existing Potable Water Lines

ORDINANCE NO.

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PLT SCALE	1" = 300'
DESIGN	
OWN CHG	
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DATE	

2002 030

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GEE & JENSON
Engineers, Architects,
Interior Designers, Planners
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Fax: 561-833-1101
www.geeandjenson.com



UNITED TECHNOLOGIES
PROPOSED BEE LINE COMMUNITY DEVELOPMENT DISTRICT
PALM BEACH COUNTY, FLORIDA

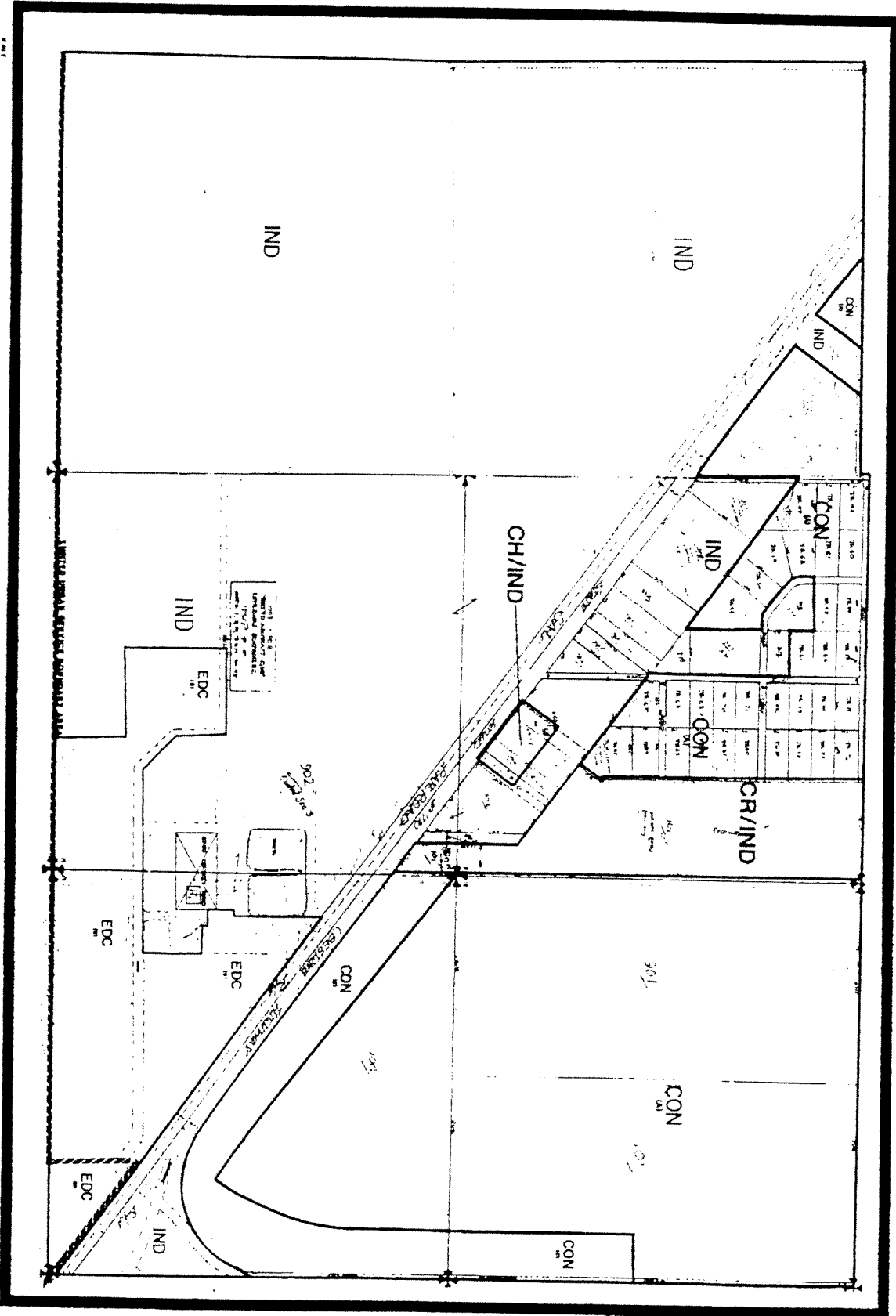
Existing Potable Water Lines

ORDINANCE NO. 2002 030

FILED	DATE	4-9-2002
FILED	SCALE	1"=200'
DESIGN	DATE	
CONV	DATE	
APPROVED	DATE	
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EXHIBIT 5

**FUTURE LAND USE MAP FROM THE
PALM BEACH COUNTY COMPREHENSIVE PLAN**



PALM BEACH COUNTY
DEPARTMENT OF PLANNING, ZONING & BUILDING

Future Land Use Atlas of Palm Beach County

AT 01/01/1989



This map is a representation of the future land use plan for Palm Beach County, Florida, as adopted by the Board of County Commissioners on January 1, 1989. It is not a legal document and should not be used for legal purposes. The map is subject to change without notice.

SYMBOL	DESCRIPTION
[Symbol]	INDUSTRIAL (IND)
[Symbol]	COMMERCIAL (CON)
[Symbol]	COMMUNITY/INDUSTRIAL (CH/IND)
[Symbol]	COMMUNITY/INDUSTRIAL (CR/IND)
[Symbol]	EMPLOYMENT DISTRICT CENTER (EDC)

EXHIBIT 6

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to form Beeline Community Development District ("District"). The District comprises approximately 999 acres of land located in Palm Beach County, Florida. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. (governing District formation or alteration) as follows:

"That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."

1.2 Overview of Beeline Community Development District

The District is designed to provide district infrastructure, services, and facilities along with their operations and maintenance to the industrial multi-unit planned development within the boundaries of the district.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (1997), defines the elements a statement of estimated regulatory costs must contain:

(a) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(b) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

(c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the ordinance. As used in this paragraph, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the

cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.

(d) An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S. Palm Beach County is not defined as a small county for purposes of this requirement.

(e) Any additional information that the agency determines may be useful.

(f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

- 2.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.

The Beeline Community Development District comprises an industrial multi unit planned development to be made up of an estimated 10 non-residential properties. The property owners will be individuals and business entities which operate industrial, manufacturing and other non-retail related businesses. Formation of the District would put all of these non-residential, non-retail business property owners under the jurisdiction of the District.

- 3.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues.

- 3.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

State Governmental Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed formation of the District. The District as proposed, will encompass under 1,000 acres, therefore, Palm Beach County is the establishing entity under 190.005(2), F.S. The costs to review the petition, hold the public hearing, and adopt the ordinance by the County will be offset by the filing fee required under 190.005 (1), F.S. The modest costs to various State entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. Appendix A lists the reporting

requirements. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.412, F.S., the proposed district must pay an annual fee to the State of Florida Department of Community Affairs which offsets such costs.

Palm Beach County

There will be only modest costs to the County for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, the County already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, potential costs are offset by the filing fee. Finally, the County routinely process similar petitions for land uses and zoning changes that are far more complex than is the petition to establish a community development district.

The annual costs to Palm Beach County, because of the establishment of the District, are also very small. The proposed District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County.

3.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on State or local revenues. The District is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida or any unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

4.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. The utilities, drainage, and certain roadways will all be

funded by the District. The District will also fund the acquisition of land to be owned and maintained by the District.

Table 1. Beeline Community Development District

Proposed Facilities and Services

FACILITY	FUNDED BY	O&M BY	OWNERSHIP
Stormwater Management	CDD	CDD	CDD
Drainage Structures	CDD	CDD	CDD
Potable Water Supply System	CDD	CDD	CDD
Sanitary Sewer System	CDD	CDD	CDD
Public Roads	CDD	County	County

The petitioner has estimated the costs for providing the capital facilities outlined in Table 1. The cost estimates are shown in Table 2 below. Total costs for those facilities, which may be provided, are estimated to be approximately \$2,575,401. The District may issue ad valorem, special assessment or revenue bonds to fund the costs of these facilities. These bonds would be repaid through ad valorem and non ad valorem assessments levied on all properties in the District that may benefit from the District's infrastructure program as outlined in Table 2 or by user fees.

Prospective future landowners in the District may be required to pay ad valorem and non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of ad valorem and non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

Furthermore, locating in the District by new property owners is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the ad valorem and non-ad valorem assessments and user fees as a tradeoff for the numerous benefits and facilities that the District provides.

A Community Development District ("CDD") provides property owners with the option of having higher levels of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary development services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a property association, County provision, or through developer equity and/or bank loans.

In considering these costs it shall be noted that owners of the lands to be included within the District will receive three major classes of benefits.

First, those businesses in the District will receive a higher level of public services and amenities sooner than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of governance which allows District landowners, through landowner voting, to determine the type, quality and expense of District services they receive, provided they meet the County's overall requirements.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

Table 2. Cost Estimate for District Facilities

CATEGORY	COST
Stormwater Management	\$119,850
Water and Sewer System	\$1,874,200
Water and Sewer Lines/Meters	\$182,000
Roadway Improvements	\$399,351
Contingency	\$125,000
TOTAL	\$2,575,401

Table 3. Estimated Construction Timetable For District Facilities

CATEGORY	COMPLETION DATE
Stormwater Management	January 30, 2003
Water and Sewer System	January 30, 2003
Water and Sewer Lines/Meters	January 30, 2003
Roadway Improvements	January 30, 2003

5.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be no impact on small businesses because of the formation of the District. Palm Beach County has an estimated population (not incarcerated) in 2002 that is greater than 75,000. Therefore the County is not defined as a "small" county according to Section 120.52, F.S, and there will accordingly be no impact on a small county because of the formation of the District.

6.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner's Engineer and other professionals associated with the Petitioner.

**APPENDIX A
LIST OF REPORTING REQUIREMENTS**

REPORT	FL. STAT. CITE	DATE
Annual Financial Audit	11.45	within 45 days of audit completion, but no later than 12 months after end of fiscal year
Annual Financial Report	218.32	within 45 days of financial audit completion, but no later than 12 months after end of fiscal year; if no audit required, by 4/30
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy

		ordinance/resolution (if levying property taxes)
Form 1: Statement of Financial	112.3145	within 30 days of accepting interest the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.415	within one year of special district's creation; then annual notice of any changes; and updated report every 5 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.417	quarterly, semiannually, or annually
Bond Report	218.38	when issued
Registered Agent	189.416	within 30 days after first meeting of governing board
Proposed Budget	189.418	prior to end of current fiscal year
Public Depositor Report	280.17	annually by 11/30



COMMUNITY DEVELOPMENT DISTRICT PETITION CONSISTENCY REVIEW

Proposed Name:	Beeline Community Development District
Item Before the Board:	To hold a public hearing to grant or deny a petition to establish a Community Development District pursuant to Chapter 190, Florida Statutes
Meeting Date:	BCC Public Hearing, July 23, 2002
Project Manager:	Isaac Hoyos, Senior Planner
MOTION:	To <i>recommend granting</i> of the proposed petition and adoption of an ordinance establishing the district.

I. REVIEW SUMMARY

A. BACKGROUND

Chapter 190, F.S., also known as the "Uniform Community Development District Act of 1980" (the Act), adopted procedures in the State Law for the use of independent districts as a reasonable alternative to the provision of urban services by a local government. The Act contains criteria for establishing, assigning powers, and providing limits to the operation and duration of independent districts in order to manage and finance basic community development services. The Act indicates that proposed Community Development Districts (CDDs) of less than 1,000 acres shall be created by County ordinance based upon a determination of applicable facts, as established in the Act.

B. THE PROPOSED COMMUNITY DEVELOPMENT DISTRICT

1. Petition Purpose and Summary

The purpose of the petition by United Technologies Corporation (UTC) to establish the Beeline Community Development District is to finance, acquire or construct, operate and maintain surface water management and control systems; water supply, treatment and distribution; wastewater treatment, collection, transmission and disposal facilities; roads; and other permitted public improvements and community facilities authorized by the Act.

The CDD petition is being processed concurrent with an application to establish an industrial planned development located in the southeast portion of the UTC aerospace manufacturing and testing facility. The Beeline CDD will provide services to the industrial park.

The complete text of the petition by United Technologies Corporation to establish the Beeline Community Development District and all other related documents and correspondence are attached.

ORDINANCE NO. 2002 030

C. REVIEW OF THE FACTORS TO MAKE A DETERMINATION TO GRANT OR DENY THE PETITION AS SET FORTH IN CH. 190.005(1)(e)

Chapter 190.005(1)(e) lists six (6) factors that the County Commission shall consider in addition to the record of the public hearing in making a determination to grant or deny a petition for the establishment of a community development district. The following is a review of those factors and the findings made by staff on each factor:

- a. *Whether all statements contained within the petition have been found to be true and correct.*

The statements contained in the petition appear to be true and correct.

- b. *Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.*

The establishment of the District for the delivery of the proposed services and service facilities is consistent with the limited service area provisions in the Land Use Element of the Comprehensive Plan and with the service delivery and level of service provisions in the Utility Element of the Comprehensive Plan.

- c. *Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.*

The land within the proposed district is approximately 999 acres and meets the criteria to be able to be developed as one functional interrelated community, in this case, as an industrial planned development.

- d. *Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.*

The proposed district is located within the United Technologies Corporation Overlay area, which is also a County-designated Limited Service Area. There are no regional or municipal utilities, nor special districts in the area providing the proposed services, and extension of lines from the distant urban service areas to the east is not permitted by the County's Comprehensive Plan. The overlay district and limited service area designations were adopted given the specific conditions of the United Technologies operations, which are isolated from the urban areas to the east by design, including environmental and security concerns. There are local package treatment plants and distribution lines within the United Technologies property currently serving United Technologies facilities. Given the above considerations, the proposed district is the best alternative available for the delivery of the proposed services and facilities.

- e. *Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.*

As indicated above there are no regional utilities serving the area, and the existing limited local service infrastructure will be serving a proposed industrial park that will be replacing existing United Technologies facilities. The proposed community development services will be compatible with existing uses, which are governed by

the County's UTC Overlay District's regulations, and with the capacity of existing infrastructure, which will be subject to the improvements proposed in the petition.

- f. *Whether the area that will be served by the district is amenable to separate special-district government.*

The proposed community development district is located within the UTC Overlay District's area, which is isolated from the urban service areas to the east, and separated from them by portions of the Rural Tier. As indicated above, the proposed district is also the best alternative for the provision of the proposed services and facilities to this area. Based upon the above considerations, the area that will be served by the district is amenable to separate special-district government.

D. ASSESSMENT AND CONCLUSIONS

Chapter 190, Florida Statutes, states that the creation of a Community Development District (of less than 1,000 acres) shall be accomplished through the enactment of an ordinance after a public hearing of the applicable governing body, in this case Palm Beach County. The Statutes require the County to make a determination to grant or deny the petition based on the factors analyzed on section C above including consistency with the County's Comprehensive Plan. The Planning Division, after reviewing the petition has found the petition to be sufficient and consistent with the Comprehensive Plan and is thus recommending granting of the petition.

E. ALTERNATIVE ACTIONS

The following courses of action are available to the Board:

1. Recommendation to ***grant the creation of the CDD;***
2. Recommendation to ***grant with modifications;*** or
3. Recommendation of ***denial.***

EXHIBIT 1
COMPLETE PETITION AND RELATED DOCUMENTS

ORDINANCE NO. **2002 030**