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ORDINANCE

NUMBER 2021-023

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING CHAPTER 4-3. MUNICIPAL SERVICE DISTRICTS BY CREATING NEW ARTICLE XII: HARBOR VILLAGE COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-161, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-162, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-163, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-164, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-165, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, Maronda Homes, LLC of Florida (the "Petitioner"), having obtained written consent to the establishment of the Harbor Village Community Development District (the "District") by the owners of one-hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners (the "Board") of Charlotte County, Florida (the "County"), to adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes; and,

WHEREAS, the Petitioner is a limited liability company/corporation authorized to conduct business in the State of Florida whose address is 4005 Maronda Way, Sanford, Florida 32771; and,

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition at a duly noticed public hearing conducted by the Board on June 22, 2021; and,

WHEREAS, upon consideration of the record established at that hearing, the

34 Board determined that the statements within the Petition are true and correct, that the
35 establishment of the District is not inconsistent with any applicable element or portion of
36 the state comprehensive plan or the County's comprehensive plan, that the land within
37 the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to
38 be developable as a functionally interrelated community, that the District is the best
39 alternative available for delivering community development services and facilities to the
40 area that will be served by the District, that the community development services and
41 facilities of the District will not be incompatible with the capacity and uses of existing
42 local and regional community development services and facilities, and that the area that
43 will be served by the District is amenable to separate special-district governance; and,

44 WHEREAS, the establishment of the District shall not act to amend any land
45 development approvals governing the land area to be included within the District; and

46 WHEREAS, the establishment of the District will constitute a timely, efficient,
47 effective, responsive and economic way to deliver community development services in
48 the area described in the Petition; and

49 WHEREAS, the Board has determined that the initial members of the District's
50 Board of Supervisors set forth in Section 5 of this ordinance are residents of the State of
51 Florida and citizens of the United States of America.

52 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
53 of Charlotte County, Florida:

54 **Section 1.** Charlotte County Code Chapter 4-3, Article XII titled "HARBOR
55 VILLAGE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-161 is hereby created by
56 adding the underlined language to provide as follows:

57 **Sec. 4-3.5-161. Authority.**

58 This ordinance is adopted in compliance with and pursuant to the Uniform
59 Community Development District Act of 1980 codified in Chapter 190, Florida Statutes.
60 Nothing contained herein shall constitute an amendment to any land development
61 approvals for the land area included within the District.

62 **Section 2.** Charlotte County Code Chapter 4-3, Article XII titled "HARBOR
63 VILLAGE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-162 is hereby created by
64 adding the underlined language to provide as follows:

65 **Sec. 4-3.5-162. – District Name.**

66 There is hereby created a community development district situated entirely within
67 a portion of the unincorporated area of Charlotte County, Florida, which shall be known
68 as the "Harbor Village Community Development District," and which shall be referred to
69 in this ordinance as the "District".

70 **Section 3.** Charlotte County Code Chapter 4-3, Article XII titled "HARBOR
71 VILLAGE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-163 is hereby created by
72 adding the underlined language to provide as follows:

73 **Sec. 4-3.5-163. – District External Boundaries.**

74 The external boundaries of the District are described in Appendix A attached
75 hereto, said boundaries encompassing 408.39 acres, more or less.

76 **Section 4.** Charlotte County Code Chapter 4-3, Article XII titled "HARBOR
77 VILLAGE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-164 is hereby created by
78 adding the underlined language to provide as follows:

79 **Sec. 4-3.5-164. District Powers and Functions.**

80 The powers and functions of the District are described in Chapter 190, Florida
81 Statutes. Consent is hereby given to the District's Board of Supervisors to finance,
82 fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate,
83 and maintain systems and facilities for parks and facilities for indoor and outdoor
84 recreational, cultural, and educational uses, and for security, all as authorized and
85 described by Sections 190.012(2)(a) and (2)(d), Florida Statutes (2020).

86 **Section 5.** Charlotte County Code Chapter 4-3, Article XII titled "HARBOR
87 VILLAGE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-165 is hereby created by
88 adding the underlined language to provide as follows:

89 **Sec. 4-3.5-165. Board of Supervisors.**

90 The five persons designated to serve as initial members of the District's Board of
91 Supervisors are as follows:

92 Name: Jim Harvey
93 Address: 14025 Riveredge Drive, Suite 175
94 Tampa, Florida 33637

95
96 Name: Paul Martin
97 Address: 14025 Riveredge Drive, Suite 175
98 Tampa, Florida 33637

99
100 Name: Dave Truxton
101 Address: 14025 Riveredge Drive, Suite 175
102 Tampa, Florida 33637

103
104 Name: Candice Smith
105 Address: 14025 Riveredge Drive, Suite 175
106 Tampa, Florida 33637

107
108 Name: Troy Simpson
109 Address: 14025 Riveredge Drive, Suite 175
110 Tampa, Florida 33637
111

112 **Section 6.** Bond Validation. All bonds issued by the District pursuant to the
113 powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida
114 Statutes.

115 **Section 7.** Bond Default. No bond debt or other obligation of the District, nor any
116 default thereon, shall constitute a debt or obligation of Charlotte County, except upon
117 the express approval and agreement of its Board of County Commissioners.

118 **Section 8.** County Rates, Fees and Charges. Notwithstanding any power
119 granted to the District pursuant to this Ordinance, neither the District nor any real or
120 personal property or revenue in the District shall by reason of the District's creation and
121 existence be exempted from any requirement for the payment of any and all rates, fees,
122 charges, permitting fees, impact fees, connection charges or fees, or similar County
123 rates, fees or charges, and special taxing district assessments existing at the time of
124 adoption of this Ordinance or by subsequent action of the Board.

125 **Section 9.** Eminent Domain Power Limited. Notwithstanding any power granted
126 to the District pursuant to this Ordinance, the District may exercise the power of eminent
127 domain outside the District's existing boundaries only with the prior, specific and
128 express approval of the Board.

129 **Section 10.** Notwithstanding any provision to the contrary contained in the
130 Petition, no Proposed Facilities and Services may be funded, transferred to, owned or
131 maintained by the County without prior written approval from the Board.

132 **Section 11.** Codification. It is the intention of the Board, and it is hereby ordained
133 that the provisions of this Ordinance shall become and be made a part of the Code and
134 Laws and Ordinances of Charlotte County, Florida ("Code"), and the sections of this

135 Ordinance may be renumbered to accomplish such intention. In the event this
136 Ordinance conflicts with any provisions of the Code, the provisions of this Ordinance
137 shall control to the extent of any such conflict.

138 **Section 12.** Severability. If any subsection, sentence, clause, phrase, or portion
139 of this Ordinance is for any reason held invalid or unconstitutional by any court of
140 competent jurisdiction, such portion shall be deemed a separate, distinct, and
141 independent provision and such holding shall not affect the validity of the remainder of
142 this Ordinance.

143 **Section 13.** Effective Date. This ordinance shall take effect pursuant to law.

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PASSED AND DULY ADOPTED this 22nd day of June, 2021.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

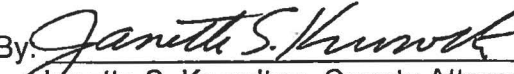

By: 
Christopher S. Constance, Vice Chair



ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk of the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Janette S. Knowlton, County Attorney
LR 2021-0365 

Appendix A [Petition]

PETITION TO ESTABLISH THE HARBOR VILLAGE COMMUNITY DEVELOPMENT DISTRICT

Submitted by:

Jere Earlywine
Florida Bar No.155527
jeree@hgslaw.com
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)

APPENDIX A

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA**

PETITION TO ESTABLISH A COMMUNITY DEVELOPMENT DISTRICT

Petitioner, Maronda Homes, LLC of Florida, ("Petitioner"), hereby petitions the Charlotte County Board of County Commissioners pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (2020), to establish a Community Development District ("District") with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within Charlotte County, Florida, and covers approximately 408.39 acres of land, more or less. **Exhibit 1** depicts the general location of the project. The site is generally located east of Gasparilla Road 771, south of Cattle Dock Point Road, north of Holiday Lake and a residential neighborhood, and west of a Charlotte County waterway canal. The metes and bounds description of the external boundary of the proposed District is set forth in **Exhibit 2**.

2. Excluded Parcels. There are no parcels within the external boundaries of the proposed District which are to be excluded from the District.

3. Landowner Consents. Petitioner has obtained written consent to establish the proposed District from the owners of one hundred percent (100%) of the real property located within the proposed District in accordance with Section 190.005, Florida Statutes (2020). Consent to the establishment of a community development district is contained in **Exhibit 3**.

4. Initial Board Members. The five (5) persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name: Jim Harvey
Address: 14025 Riveredge Drive, Suite 175
Tampa, Florida 33637

Name: Paul Martin
Address: 14025 Riveredge Drive, Suite 175
Tampa, Florida 33637

Name: Dave Truxton
Address: 14025 Riveredge Drive, Suite 175
Tampa, Florida 33637

Name: Candice Smith

Address: 14025 Riveredge Drive, Suite 175
Tampa, Florida 33637

Name: Troy Simpson
Address: 14025 Riveredge Drive, Suite 175
Tampa, Florida 33637

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is the Harbor Village Community Development District.

6. Major Water and Wastewater Facilities. The existing major trunk water mains and wastewater interceptors within the proposed lands to be included within the District, if any, are reflected in **Exhibit 4**. **Exhibit 4** also demonstrates the planned water and wastewater for the lands to be included within the District.

7. District Facilities and Services. **Exhibit 5** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and install. The estimated costs of construction are also shown in **Exhibit 5**. At present, these improvements are estimated to be made, acquired, constructed and installed from 2021 to 2026. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

8. Existing and Future Land Uses. The existing land use within the proposed District is partially developed residential. The future general distribution, location and extent of the public and private land uses within and adjacent to the proposed District by land use plan element are shown in **Exhibit 6**. These proposed land uses are consistent with the Charlotte County Comprehensive Plan.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes (2020). The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agents. The Petitioner is authorized to do business in Florida. **Exhibit 8** identifies the authorized agent for the Petitioner. Copies of all correspondence and official notices should also be sent to:

Jere Earlywine, Esq.
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300
Tallahassee, FL 32301

11. This petition to establish the Harbor Village Community Development District should be granted for the following reasons:

- a. Establishment of the proposed District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the Charlotte County Comprehensive Plan.
- b. The area of land within the proposed District is part of a planned community. It is of sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.
- c. The establishment of the proposed District will prevent the general body of taxpayers in Charlotte County from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the proposed development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the proposed District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.
- d. The community development services and facilities of the proposed District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the proposed District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the proposed District's services and facilities.
- e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the County Commission of Charlotte County, Florida to:

- a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes;

- c. consent to the District exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, both as authorized and described by Section 190.012(2), Florida Statutes; and
- d. grant such other relief as may be necessary or appropriate.

[CONTINUED ON NEXT PAGE]

RESPECTFULLY SUBMITTED, this 13th day of April, 2021.

HOPPING GREEN & SAMS, P.A.



Jere Earlywine
Florida Bar No. 155527
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300
Tallahassee, Florida 32301
(850) 222-7500 Telephone
(850) 224-8551 Facsimile

EXHIBIT 1

**PROPOSED
HARBOR VILLAGE
COMMUNITY
DEVELOPMENT
DISTRICT**



*Myakka
River*

Charlotte Beach

Harriet

Glenn Blvd

McCull Rd

Gasparilla Rd

Calisto Blvd

Barclay Blvd

Rolonda Blvd E

Carroll Blvd

Clara



MORRIS ENGINEERING AND CONSULTING, LLC
Civil Engineering and Land Development Consulting
3004 53rd Avenue East, Bradenton, Florida 34203 C.A. 28780 941-228-4729 www.morrisengineering.net

DATE	8/14/19
PROJECT	127
DRW # AND LOCAL APP	
DRAWN JAW	CHECKED VJV

Location Map
HARBOR VILLAGE CDD
Charlotte County, Florida

SCALE 1" = 4000'	
SHEET # OF	
1	1

EXHIBIT 2



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS 4 & 9, T-41-S, R-21-E,
CHARLOTTE COUNTY, FLORIDA.

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 4 AND 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, BEING A PORTION OF THE TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, LYING SOUTH OF STATE ROAD 776 AND EAST OF STATE ROAD 771, ALONG WITH THE RIGHTS-OF-WAY OF MAGNOLIA AVENUE, PINE AVENUE, CYPRESS AVENUE, OAK AVENUE, 5th STREET AND ALL ALLEY WAYS WITHIN, TOGETHER WITH THE NORTH ONE-HALF (1/2) OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA, LESS AND EXCEPT RIGHT OF WAY FOR STATE ROAD 771 AND LESS PARCEL GAS-106 AS DESCRIBED IN STIPULATED ORDER OF TAKING RECORDED IN O.R. BOOK 3880, PAGE 573, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE N.89°31'51"E. ALONG THE NORTH LINE OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 160.10 FEET TO A POINT ON THE EAST LINE OF FEE ACQUISITION PARCEL GAS-107, AS RECORDED IN OFFICIAL RECORDS BOOK 3880, PAGE 1229, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE ALONG THE EAST LINE OF SAID FEE ACQUISITION PARCEL GAS-107 FOR THE FOLLOWING THREE COURSES: N.89°31'51"E. FOR 10.30 FEET; THENCE N.13°24'14"E. FOR 449.67 FEET; TO THE BEGINNING OF CURVE TO THE LEFT HAVING A RADIUS OF 2964.81 FEET, A DELTA ANGLE OF 10°15'47", A CHORD BEARING OF N.08°16'21"E., AND A CHORD DISTANCE OF 530.37 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 531.07 FEET TO A POINT ON A THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 776 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 01050-2521; SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1250.00 FEET, A DELTA ANGLE OF 38°04'02", A CHORD BEARING OF N.66°03'00"E., AND A CHORD DISTANCE OF 815.30 FEET; THENCE ALONG SAID EASTERLY R/W OF STATE ROAD NO. 776 AND THE ARC OF SAID CURVE, FOR 830.50 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY OF STATE ROAD NO. 776 THE FOLLOWING FOUR COURSES: S.89°36'07"E. FOR 9.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1256.56 FEET, A DELTA ANGLE OF 18°04'43", A CHORD BEARING OF N.37°39'42"E., AND A CHORD DISTANCE OF 394.84 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 396.48 FEET; THENCE S.00°23'40"W. FOR 6.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1259.84 FEET, A DELTA ANGLE OF 17°07'00", A CHORD BEARING OF N.20°20'26"E., A CHORD DISTANCE OF 374.97 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 376.37 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FOXGLOVE LANE (60' WIDE RIGHT-OF-WAY); THENCE S.89°36'07"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE OF FOXGLOVE LANE FOR 471.92 FEET TO POINT ON THE WEST RIGHT-OF-WAY LINE OF OXBOW STREET (70' WIDE RIGHT-OF-WAY), SAID POINT ALSO BEING POINT "A"; THENCE S.00°24'17"W. ALONG SAID WEST RIGHT-OF-WAY LINE OF OXBOW STREET FOR 1260.62 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID OXBOW STREET; THENCE S.89°31'35"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE OF OXBOW STREET AND THE SOUTH LINE OF FARM LOT 52, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA FOR 657.20 FEET TO THE WEST LINE OF FARM LOT 60, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE S.00°42'19"W. ALONG SAID WEST LINE OF SAID FARM LOT 60 FOR 661.37 FEET TO THE NORTH QUARTER (1/4) CORNER OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST; THENCE N.89°58'27"E. ALONG SAID NORTH LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 2622.80 FEET TO THE NORTHEAST CORNER OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST; THENCE S.00°05'24"E. ALONG THE EAST LINE OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 2653.96 FEET TO THE EAST QUARTER (1/4) CORNER OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST; THENCE S.89°39'19"W. ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 5258.86 FEET TO THE WEST QUARTER (1/4) CORNER OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST SAID POINT HAVING

SHEET 1 OF 3

SERVING THE STATE OF FLORIDA

A PLAIN COORDINATE VALUE OF NORTH: 941323.52 AND EAST: 583483.11 BASED ON NORTH AMERICAN DATUM OF 1983/1990 FLORIDA WEST ZONE; THENCE N.00°54'47"E. ALONG THE WEST LINE OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 1944.06 FEET TO A POINT ON THE EAST LINE OF FEE ACQUISITION PARCEL GAS-106, AS RECORDED IN OFFICIAL RECORDS BOOK 3880, PAGE 573, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE N.13°24'14"E. ALONG THE EAST LINE OF SAID FEE ACQUISITION PARCEL GAS-106 FOR 740.90 FEET TO THE POINT OF BEGINNING. THENCE COMMENCING AT SAID POINT "A"; RUN N.52°27'19"E. FOR 88.77 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF OXBOW STREET (70' WIDE RIGHT-OF-WAY) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF FARM LOT 36, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY AND THE POINT OF BEGINNING; THENCE N.89°45'27"E. ALONG THE SOUTH LINE OF SAID FARM LOT 36, TOWN OF MCCALL FOR 257.50 FEET; THENCE N.00°42'17"E. FOR 330.90 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF SAID FARM LOT 36, TOWN OF MCCALL; THENCE S.89°47'42"W. ALONG SAID NORTH LINE OF THE SOUTH 1/2 OF SAID FARM LOT 36, TOWN OF MCCALL FOR 259.23 FEET TO THE EAST RIGHT-OF-WAY LINE OF OXBOW STREET (70' WIDE RIGHT-OF-WAY); THENCE N.00°24'17"E. ALONG SAID EAST RIGHT-OF-WAY LINE OF OXBOW STREET FOR 331.06 FEET TO THE NORTH LINE OF SAID FARM LOT 36, TOWN OF MCCALL; THENCE N.89°50'01"E. ALONG THE NORTH LINE OF SAID FARM LOT 36, TOWN OF MCCALL FOR 597.63 FEET TO THE WEST LINE OF FARM LOT 37, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY; THENCE S.00°42'19"W. ALONG THE WEST LINE OF SAID FARM LOT 37, TOWN OF MCCALL, FOR 661.37 FEET TO THE SOUTH LINE OF SAID FARM LOT 37, TOWN OF MCCALL; THENCE N.89°52'12"E. ALONG THE SOUTH LINE OF SAID FARM LOT 37, TOWN OF MCCALL FOR 327.28 FEET TO A POINT HAVING A PLAIN COORDINATE VALUE OF NORTH: 945992.63 AND EAST: 586466.60 BASED ON NORTH AMERICAN DATUM OF 1983/1990 FLORIDA WEST ZONE; THENCE S.00°41'19"W. ALONG THE WEST LINE OF THE EAST 1/2 OF FARM LOT 44 TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY FOR 661.56 FEET TO THE NORTH LINE OF FARM LOT 53, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY; THENCE S.89°54'17"W. ALONG THE NORTH LINE OF SAID FARM LOT 53, TOWN OF MCCALL FOR 327.47 FEET TO THE WEST LINE OF SAID FARM LOT 53, TOWN OF MCCALL; THENCE S.00°42'19"W. ALONG THE WEST LINE OF SAID FARM LOT 53, TOWN OF MCCALL FOR 330.68 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF FARM LOT 36, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY; THENCE N.89°55'26"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID FARM LOT 36, TOWN OF MCCALL FOR 588.94 FEET TO THE EAST RIGHT-OF-WAY OF OXBOW STREET (70' WIDE RIGHT-OF-WAY); THENCE N.00°24'17"E. ALONG SAID EAST RIGHT-OF-WAY OF OXBOW STREET FOR 988.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 408.39 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK, SITE CODE "PNTA". WHEREIN THE WEST LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST BEARS N.00°54'47"E.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

APRIL 07, 2021



Digitally signed by Richard M. Ritz, R.L.S. #4009 State of Florida using an SHA-1 authentication code. Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies. Date: 2021.04.07 08:33:01 -04'00'

RICHARD M. RITZ, R.L.S.
REGISTERED LICENSED SURVEYOR
FLORIDA CERTIFICATION NO. 4009

SHEET 2 OF 3

SERVING THE STATE OF FLORIDA

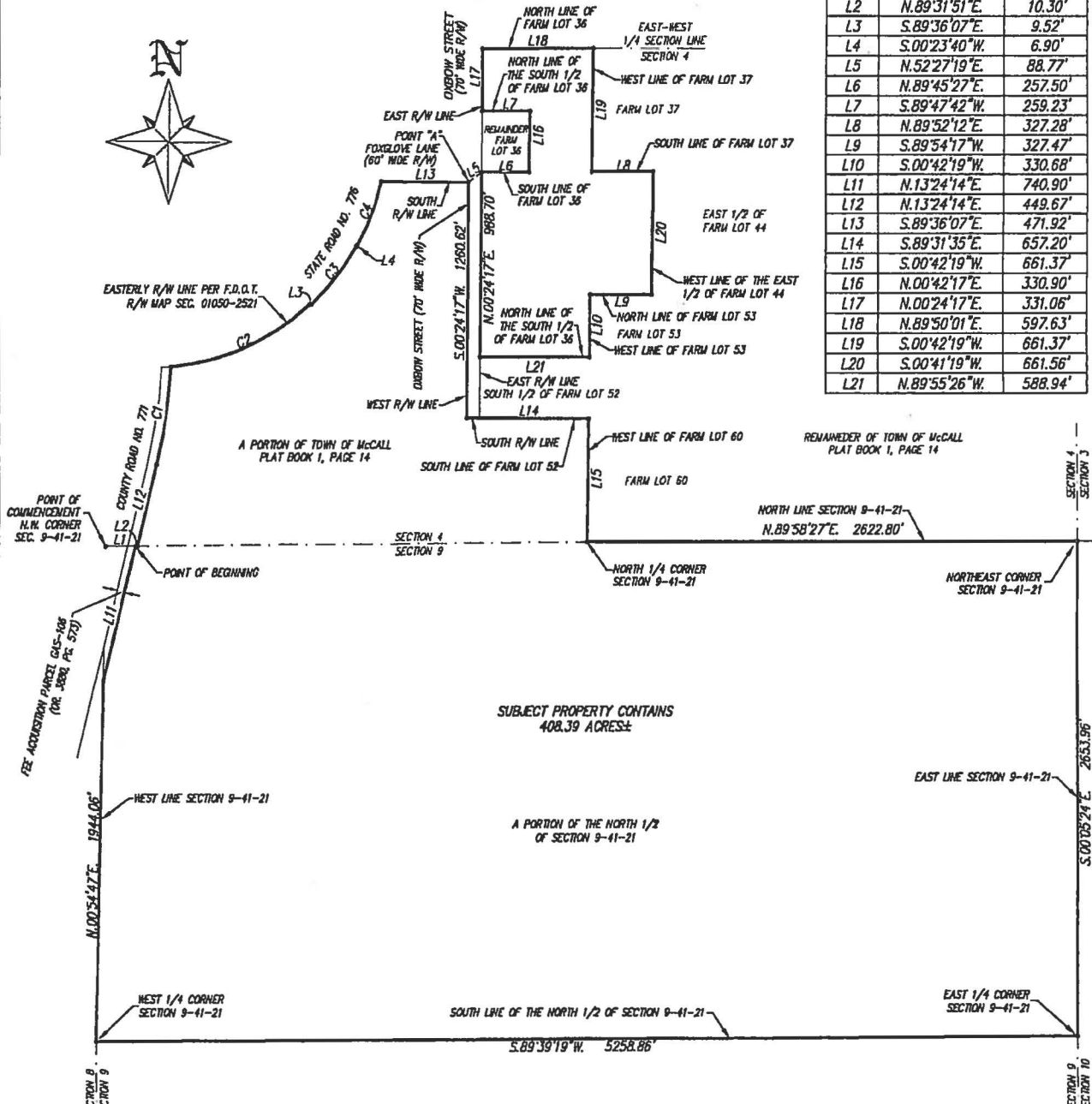
4161 Tamiami Trail – Building 5, Unit 501, Port Charlotte, FL 33952
(941) 625-1165 • Fax (941) 625-1149 www.bankseng.com

NOTE:
BEARINGS BASED ON THE WEST LINE OF SECTION 9, TOWNSHIP
41 SOUTH, RANGE 21 EAST WHICH BEARS N00°54'47"E.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N.89°31'51"E.	160.10'
L2	N.89°31'51"E.	10.30'
L3	S.89°36'07"E.	9.52'
L4	S.00°23'40"W.	6.90'
L5	N.52°27'19"E.	88.77'
L6	N.89°45'27"E.	257.50'
L7	S.89°47'42"W.	259.23'
L8	N.89°52'12"E.	327.28'
L9	S.89°54'17"W.	327.47'
L10	S.00°42'19"W.	330.68'
L11	N.13°24'14"E.	740.90'
L12	N.13°24'14"E.	449.67'
L13	S.89°36'07"E.	471.92'
L14	S.89°31'35"E.	657.20'
L15	S.00°42'19"W.	661.37'
L16	N.00°42'17"E.	330.90'
L17	N.00°24'17"E.	331.06'
L18	N.89°50'01"E.	597.63'
L19	S.00°42'19"W.	661.37'
L20	S.00°41'19"W.	661.56'
L21	N.89°55'26"W.	588.94'



SUBJECT PROPERTY CONTAINS
408.39 ACRES±

A PORTION OF THE NORTH 1/2
OF SECTION 9-41-21

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	BEARING	DELTA
C1	2964.81'	531.07'	530.37'	N.08°16'21"E.	10°15'47"
C2	1250.00'	830.50'	815.30'	N.66°03'00"E.	38°04'02"
C3	1256.56'	396.48'	394.84'	N.37°39'42"E.	18°04'43"
C4	1259.84'	376.37'	374.97'	N.20°20'26"E.	17°07'00"

LEGEND
R/W RIGHT OF WAY
SEC. SECTION
C1 LINE 1 OF CURVE TABLE
L1 LINE 1 OF LINE TABLE
F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

4100 SHAW BLVD. - SUITE 3 UNIT 300
PORT CHARLOTTE, FLORIDA 33688
PHONE (941) 423-1188 FAX (941) 823-1149
ENGINEERING LICENSE # 101463
SURVEY LICENSE # 101463
WWW.BANKSENG.COM

SKETCH TO ACCOMPANY DESCRIPTION
PD LIMITS
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
4/18/21	4196	4196-SK	JS	BAC	1"=800'	30F3	449-41-21

EXHIBIT 3

This instrument was prepared by and
upon recording should be returned to:

HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

**Consent and Joinder of Landowner
to the Establishment of a Community Development District**

The undersigned is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof ("Property").

As an owner of lands that are intended to constitute all or a part of the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of a Community Development District that will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, whichever shall first occur. The undersigned further agrees that this consent shall be deemed to run with the Property and be binding upon the owner and its successors and assigns as to the Property or portions thereof.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

[SIGNATURE PAGE TO FOLLOW]

Executed this 9 day of February, 2021.

Witnessed:

2008 FL RECOVERY LIMITED PARTNERSHIP,
an Oklahoma limited partnership
By: GBR Properties, Inc., General partner

[Signature]
Print Name: Rocky Still

[Signature]
BY: Russell A. Richardson
ITS: President

[Signature]
Print Name: Angela Poston

Oklahoma
~~STATE OF FLORIDA~~
COUNTY OF Tulsa

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 9th day of Feb, 2021, by Russell Richardson, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

[Signature]
NOTARY PUBLIC, STATE OF ~~FLORIDA~~ Oklahoma

Name: Patricia Root
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

Exhibit A: Legal Description



EXHIBIT A



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS 4 & 9, T-41-S, R-21-E,
CHARLOTTE COUNTY, FLORIDA.

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 4 AND 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, BEING A PORTION OF THE TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, LYING SOUTH OF STATE ROAD 776 AND EAST OF STATE ROAD 771, ALONG WITH THE RIGHTS-OF-WAY OF MAGNOLIA AVENUE, PINE AVENUE, CYPRESS AVENUE, OAK AVENUE, 5th STREET AND ALL ALLEY WAYS WITHIN, TOGETHER WITH THE NORTH ONE-HALF (1/2) OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA, LESS AND EXCEPT RIGHT OF WAY FOR STATE ROAD 771 AND LESS PARCEL GAS-106 AS DESCRIBED IN STIPULATED ORDER OF TAKING RECORDED IN O.R. BOOK 3880, PAGE 573, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE N.89°31'51"E. ALONG THE NORTH LINE OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 160.10 FEET TO A POINT ON THE EAST LINE OF FEE ACQUISITION PARCEL GAS-107, AS RECORDED IN OFFICIAL RECORDS BOOK 3880, PAGE 1229, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE ALONG THE EAST LINE OF SAID FEE ACQUISITION PARCEL GAS-107 FOR THE FOLLOWING THREE COURSES: N.89°31'51"E. FOR 10.30 FEET; THENCE N.13°24'14"E. FOR 449.67 FEET; TO THE BEGINNING OF CURVE TO THE LEFT HAVING A RADIUS OF 2964.81 FEET, A DELTA ANGLE OF 10°15'47", A CHORD BEARING OF N.08°16'21"E., AND A CHORD DISTANCE OF 530.37 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 531.07 FEET TO A POINT ON A THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 776 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 01050-2521; SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1250.00 FEET, A DELTA ANGLE OF 38°04'02", A CHORD BEARING OF N.66°03'00"E., AND A CHORD DISTANCE OF 815.30 FEET; THENCE ALONG SAID EASTERLY R/W OF STATE ROAD NO. 776 AND THE ARC OF SAID CURVE, FOR 830.50 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY OF STATE ROAD NO. 776 THE FOLLOWING FOUR COURSES: S.89°36'07"E. FOR 9.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1256.56 FEET, A DELTA ANGLE OF 18°04'43", A CHORD BEARING OF N.37°39'42"E., AND A CHORD DISTANCE OF 394.84 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 396.48 FEET; THENCE S.00°23'40"W. FOR 6.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1259.84 FEET, A DELTA ANGLE OF 17°07'00", A CHORD BEARING OF N.20°20'26"E., A CHORD DISTANCE OF 374.97 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 376.37 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FOXGLOVE LANE (60' WIDE RIGHT-OF-WAY); THENCE S.89°36'07"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE OF FOXGLOVE LANE FOR 471.92 FEET TO POINT ON THE WEST RIGHT-OF-WAY LINE OF OXBOW STREET (70' WIDE RIGHT-OF-WAY), SAID POINT ALSO BEING POINT "A"; THENCE S.00°24'17"W. ALONG SAID WEST RIGHT-OF-WAY LINE OF OXBOW STREET FOR 1260.62 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID OXBOW STREET; THENCE S.89°31'35"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE OF OXBOW STREET AND THE SOUTH LINE OF FARM LOT 52, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA FOR 657.20 FEET TO THE WEST LINE OF FARM LOT 60, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE S.00°42'19"W. ALONG SAID WEST LINE OF SAID FARM LOT 60 FOR 661.37 FEET TO THE NORTH QUARTER (1/4) CORNER OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST; THENCE N.89°58'27"E. ALONG SAID NORTH LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 2622.80 FEET TO THE NORTHEAST CORNER OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST; THENCE S.00°05'24"E. ALONG THE EAST LINE OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 2653.96 FEET TO THE EAST QUARTER (1/4) CORNER OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST; THENCE S.89°39'19"W. ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 5258.86 FEET TO THE WEST QUARTER (1/4) CORNER OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST SAID POINT HAVING

SHEET 1 OF 3

SERVING THE STATE OF FLORIDA

A PLAIN COORDINATE VALUE OF NORTH: 941323.52 AND EAST: 583483.11 BASED ON NORTH AMERICAN DATUM OF 1983/1990 FLORIDA WEST ZONE; THENCE N.00°54'47"E. ALONG THE WEST LINE OF SAID SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST FOR 1944.06 FEET TO A POINT ON THE EAST LINE OF FEE ACQUISITION PARCEL GAS-106, AS RECORDED IN OFFICIAL RECORDS BOOK 3880, PAGE 573, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE N.13°24'14"E. ALONG THE EAST LINE OF SAID FEE ACQUISITION PARCEL GAS-106 FOR 740.90 FEET TO THE POINT OF BEGINNING. THENCE COMMENCING AT SAID POINT "A"; RUN N.52°27'19"E. FOR 88.77 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF OXBOW STREET (70' WIDE RIGHT-OF-WAY) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF FARM LOT 36, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY AND THE POINT OF BEGINNING; THENCE N.89°45'27"E. ALONG THE SOUTH LINE OF SAID FARM LOT 36, TOWN OF MCCALL FOR 257.50 FEET; THENCE N.00°42'17"E. FOR 330.90 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF SAID FARM LOT 36, TOWN OF MCCALL; THENCE S.89°47'42"W. ALONG SAID NORTH LINE OF THE SOUTH 1/2 OF SAID FARM LOT 36, TOWN OF MCCALL FOR 259.23 FEET TO THE EAST RIGHT-OF-WAY LINE OF OXBOW STREET (70' WIDE RIGHT-OF-WAY); THENCE N.00°24'17"E. ALONG SAID EAST RIGHT-OF-WAY LINE OF OXBOW STREET FOR 331.06 FEET TO THE NORTH LINE OF SAID FARM LOT 36, TOWN OF MCCALL; THENCE N.89°50'01"E. ALONG THE NORTH LINE OF SAID FARM LOT 36, TOWN OF MCCALL FOR 597.63 FEET TO THE WEST LINE OF FARM LOT 37, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY; THENCE S.00°42'19"W. ALONG THE WEST LINE OF SAID FARM LOT 37, TOWN OF MCCALL, FOR 661.37 FEET TO THE SOUTH LINE OF SAID FARM LOT 37, TOWN OF MCCALL; THENCE N.89°52'12"E. ALONG THE SOUTH LINE OF SAID FARM LOT 37, TOWN OF MCCALL FOR 327.28 FEET TO A POINT HAVING A PLAIN COORDINATE VALUE OF NORTH: 945992.63 AND EAST: 586466.60 BASED ON NORTH AMERICAN DATUM OF 1983/1990 FLORIDA WEST ZONE; THENCE S.00°41'19"W. ALONG THE WEST LINE OF THE EAST 1/2 OF FARM LOT 44 TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY FOR 661.56 FEET TO THE NORTH LINE OF FARM LOT 53, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY; THENCE S.89°54'17"W. ALONG THE NORTH LINE OF SAID FARM LOT 53, TOWN OF MCCALL FOR 327.47 FEET TO THE WEST LINE OF SAID FARM LOT 53, TOWN OF MCCALL; THENCE S.00°42'19"W. ALONG THE WEST LINE OF SAID FARM LOT 53, TOWN OF MCCALL FOR 330.68 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF FARM LOT 36, TOWN OF MCCALL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 14, PUBLIC RECORDS OF CHARLOTTE COUNTY; THENCE N.89°55'26"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID FARM LOT 36, TOWN OF MCCALL FOR 588.94 FEET TO THE EAST RIGHT-OF-WAY OF OXBOW STREET (70' WIDE RIGHT-OF-WAY); THENCE N.00°24'17"E. ALONG SAID EAST RIGHT-OF-WAY OF OXBOW STREET FOR 988.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 408.39 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK, SITE CODE "PNTA". WHEREIN THE WEST LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST BEARS N.00°54'47"E.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

APRIL 07, 2021



Digitally signed by Richard M. Ritz, R.L.S. #4009 State of Florida using an SHA-1 authentication code. Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies. Date: 2021.04.07 08:33:01 -0400

RICHARD M. RITZ, R.L.S.
REGISTERED LICENSED SURVEYOR
FLORIDA CERTIFICATION NO. 4009

SHEET 2 OF 3

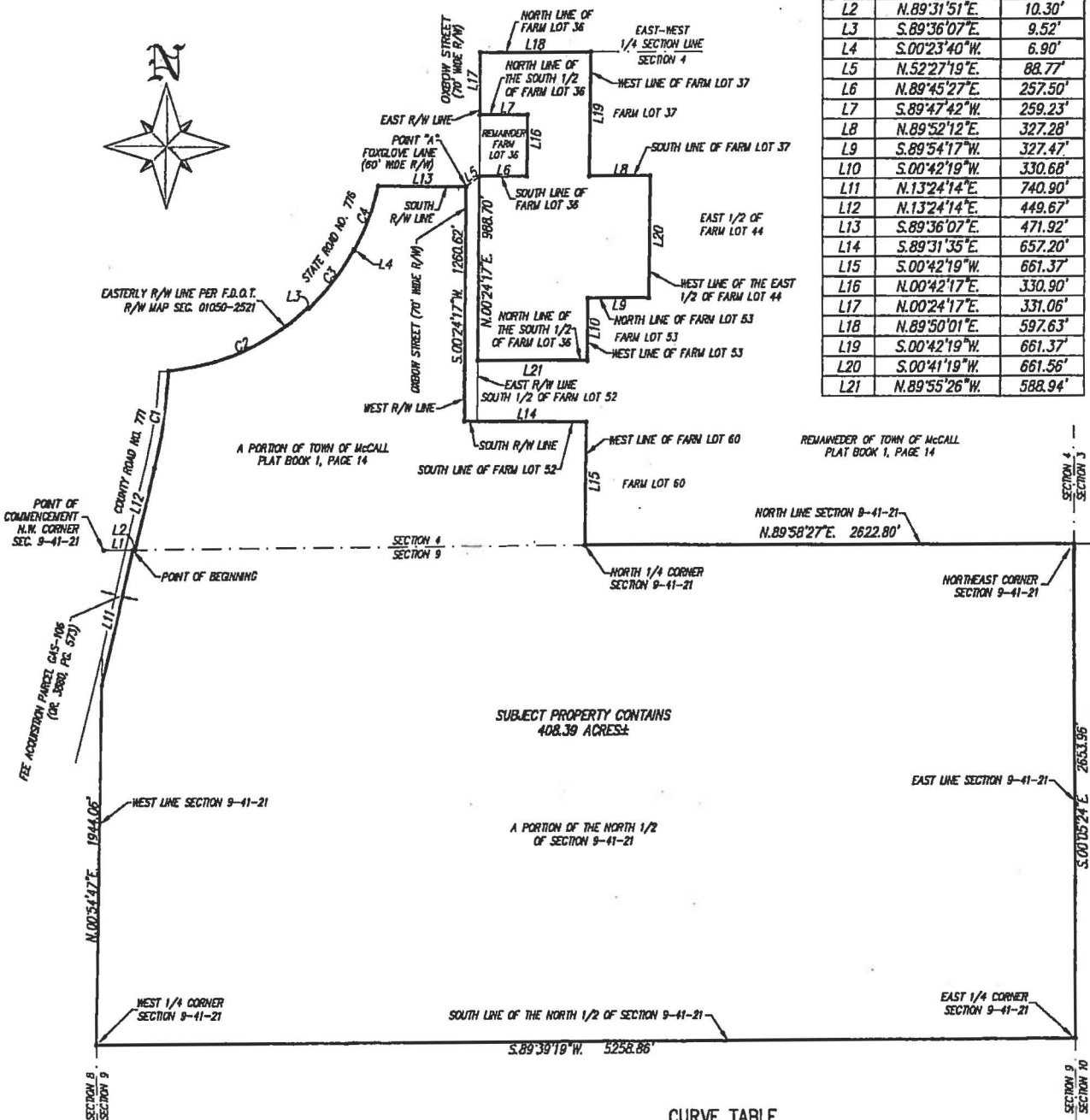
SERVING THE STATE OF FLORIDA

4161 Tamiami Trail – Building 5, Unit 501, Port Charlotte, FL 33952
(941) 625-1165 • Fax (941) 625-1149 www.bankseng.com

NOTE:
 BEARINGS BASED ON THE WEST LINE OF SECTION 9, TOWNSHIP
 41 SOUTH, RANGE 21 EAST WHICH BEARS N00°54'47"E.



LINE	BEARING	DISTANCE
L1	N.89°31'51"E.	160.10'
L2	N.89°31'51"E.	10.30'
L3	S.89°36'07"E.	9.52'
L4	S.00°23'40"W.	6.90'
L5	N.52°27'19"E.	88.77'
L6	N.89°45'27"E.	257.50'
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L8	N.89°52'12"E.	327.28'
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L10	S.00°42'19"W.	330.68'
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L14	S.89°31'35"E.	657.20'
L15	S.00°42'19"W.	661.37'
L16	N.00°42'17"E.	330.90'
L17	N.00°24'17"E.	331.06'
L18	N.89°50'01"E.	597.63'
L19	S.00°42'19"W.	661.37'
L20	S.00°41'19"W.	661.56'
L21	N.89°55'26"W.	588.94'



CURVE	RADIUS	ARC	CHORD	BEARING	DELTA
C1	2964.81'	531.07'	530.37'	N.08°16'21"E.	10°15'47"
C2	1250.00'	830.50'	815.30'	N.66°03'00"E.	38°04'02"
C3	1256.56'	396.48'	394.84'	N.37°39'42"E.	18°04'43"
C4	1259.84'	376.37'	374.97'	N.20°20'26"E.	17°07'00"

LEGEND
 R/W RIGHT OF WAY
 SEC. SECTION
 C1 LINE 1 OF CURVE TABLE
 L1 LINE 1 OF LINE TABLE
 F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION

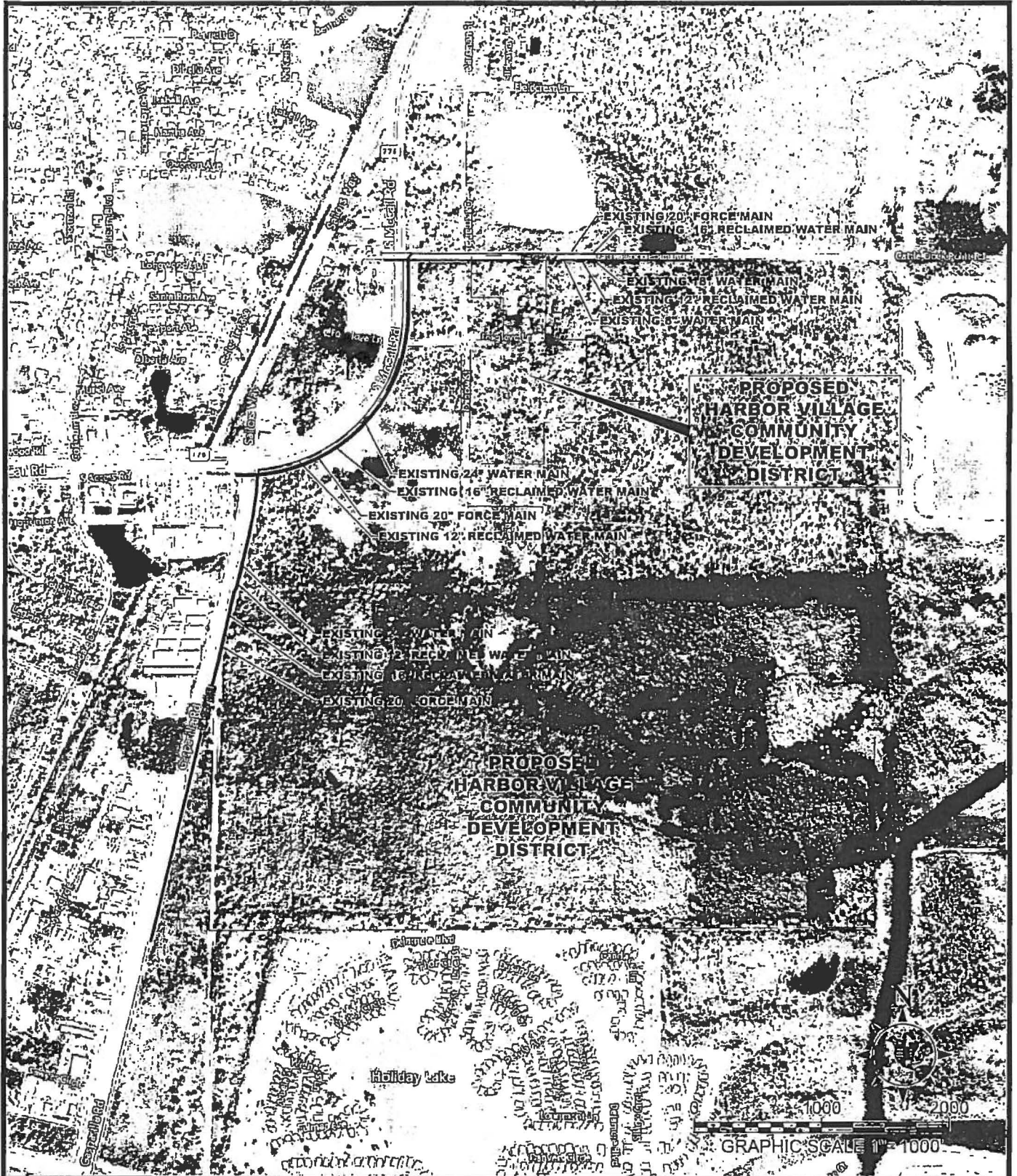
BANKS ENGINEERING
 Professional Engineers, Planners, & Land Surveyors
 Serving The State Of Florida

410 TAMPA BEACH - SUITE 9 UNIT 300
 FORT CHARLIE, FLORIDA 32825
 PHONE (904) 882-1188 FAX (904) 882-1188
 ENGINEERING LICENSE # 38 688
 SURVEY LICENSE # 18 888
 WWW.BANKSENG.COM

SKETCH TO ACCOMPANY DESCRIPTION
PD LIMITS
 CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (3-T-10)
4/06/21	4196	4196-SK	JS	B.J.C.	1"=800'	30F3	489-41-21

EXHIBIT 4



MORRIS ENGINEERING AND CONSULTING, LLC
 Civil Engineering and Land Development Consulting
 204 2nd Avenue East, Bradenton, Florida 34203 C.A. 27788 741-224-7178 www.morrisengineering.com

DATE	8/16/18
PROJECT	347
DRAWN BY	UTL-07
CHECKED BY	UTL-07
DATE	8/16/18

Existing Utilities
HARBOR VILLAGE CDD
 Charlotte County, Florida

SCALE	
1" = 100'	
SHEET NO.	TOTAL SHEETS
1	1

EXHIBIT 5

Harbor Village Community Development District

Proposed Infrastructure Plan

Facility	Construction Funded By	Ownership	Capital Financing	Operation and Maintenance
Un-Gated Roadways	CDD	CDD ¹	Special Assessment Revenue Bonds	CDD
Gated Roadways	Developer	HOA ²	Private	HOA
Stormwater Management	CDD	CDD	Special Assessment Revenue Bonds	CDD
Utilities (Water, Sewer & Reclaimed)	CDD	County	Special Assessment Revenue Bonds	County
Offsite Improvements ³	CDD	County	Special Assessment Revenue Bonds	County
Amenity	CDD	CDD	Special Assessment Revenue Bonds	CDD/HOA ⁴
Hardscaping / Landscaping / Lighting	CDD	CDD	Special Assessment Revenue Bonds	CDD

- 1) The District, as owner of the un-gated roadways, will grant an access easement to the County for operation and maintenance of the utilities.
- 2) The HOA, as owner of the gated roadways, will grant an access easement to the County for operation and maintenance of the utilities.
- 3) Offsite improvements include: intersection improvements on Gasparilla Road including left and right turn lanes with associated roadway and drainage adjustments; Intersection improvements on S.R. 776 including left and right turn lanes with associated roadway and drainage adjustments; proposed roadway, drainage and utility improvements within existing Oxbow Street and Cattle Dock Point Road rights-of-ways; and, proposed utility connections within Gasparilla Road and S.R. 776 rights-of-ways.
- 4) The Amenity may be maintained by the HOA in the event it is not funded by the District, or the HOA may maintain the Amenity on behalf of the CDD via Agreement.
- 5) Signalization for all offsite intersections will also be provided where required by the applicable development approvals.

Harbor Village Community Development District

Construction Cost Estimate

<u>Facility Description</u>	<u>Estimated Cost</u>
Roadways	\$ 3,750,000.00
Stormwater Management	\$ 5,500,000.00
Utilities (Water, Sewer & Reclaimed)	\$ 4,000,000.00
Offsite Improvements	\$ 2,000,000.00
Hardscaping/Landscaping/Lighting	\$ 1,500,000.00
Amenity	\$ 2,250,000.00
Professional Services	\$ 1,000,000.00
Contingency (10%)	\$ 2,000,000.00
TOTAL	\$ 22,000,000.00

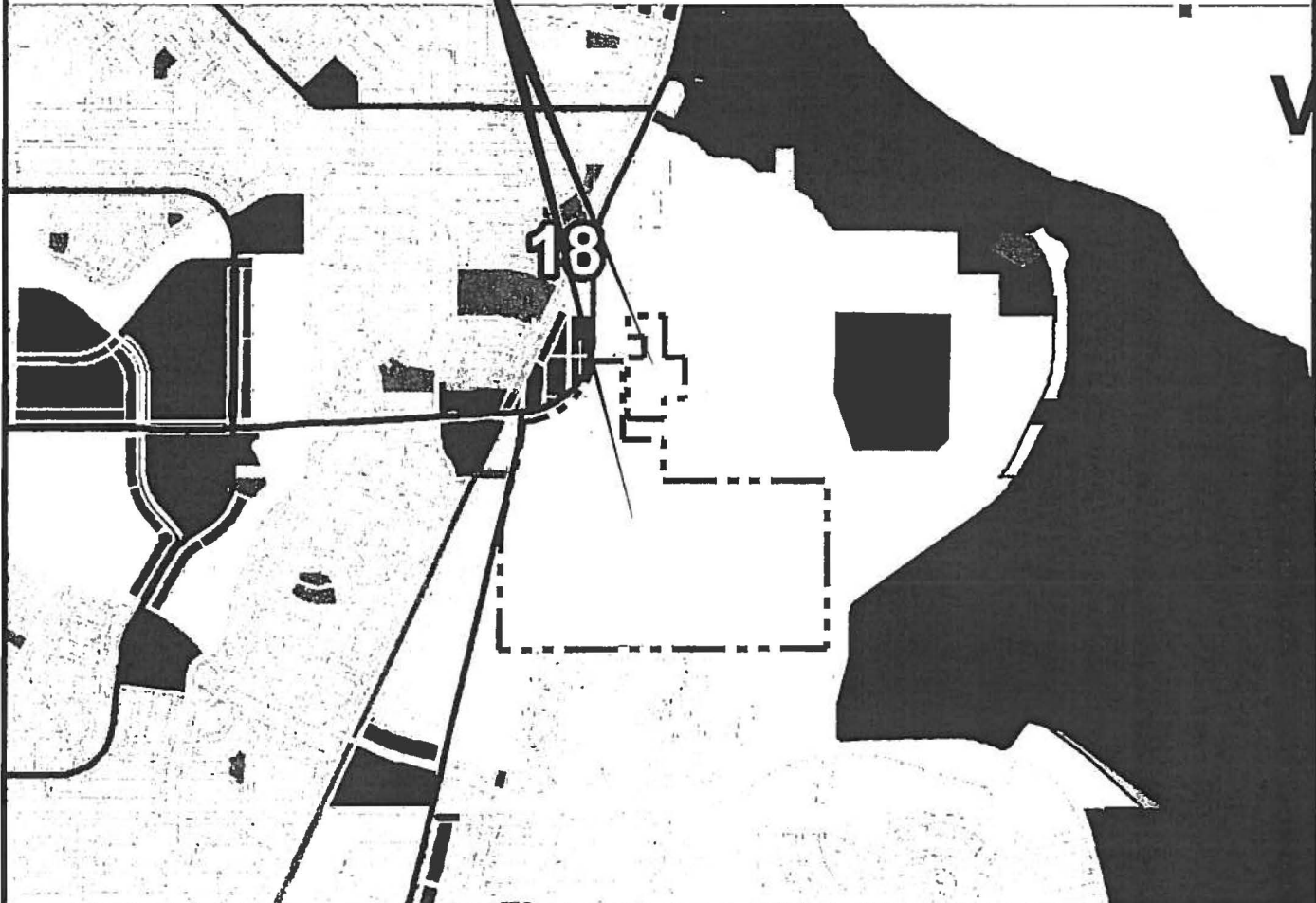
Construction Timetable

Phase	Percentage Complete				
	1	2	3	4	5
Year	2021	2022	2023	2024	2025
Roadways	50%	15%	15%	10%	10%
Stormwater Management	65%	15%	10%	5%	5%
Utilities (Water, Sewer & Reclaimed)	65%	15%	10%	5%	5%
Offsite Improvements	75%	10%	10%	5%	0%
Landscaping/Lighting	50%	15%	15%	10%	10%
TOTAL	50%	15%	15%	10%	10%

EXHIBIT 6



**PROPOSED
HARBOR VILLAGE
COMMUNITY
DEVELOPMENT
DISTRICT**



LEGEND

Conservation Overlay	Office & Residential	High Intensity Industrial	Resource Conservation	Charlotte Harbor Neighborhood Business/Residential
Agriculture	Enterprise Charlotte Airport Park	Murdock Village Mixed Use	Rural Community Mixed Use	Charlotte Harbor Industrial (inactive)
Babcock Mixed Use	Mineral Resource Extraction	DRU Mixed Use	US 41 Mixed Use	Recreational Vehicle Park (inactive)
Burnt Store Limited Development	Low Density Residential	Compact Growth Mixed Use	Charlotte Harbor Coastal Residential	Coastal Residential (inactive)
Burnt Store Village Residential	Medium Density Residential	Parks & Recreation	Charlotte Harbor Tourist	Rural Estate Residential (inactive)
City	High Density Residential	Preservation	Charlotte Harbor Mixed Use	#s See Related Map Appendix for Conditions
Commercial	Low Intensity Industrial	Public Lands & Facilities	Charlotte Harbor Commercial	

M MORRIS ENGINEERING AND CONSULTING, LLC
 Civil Engineering and Land Development Consulting
 2004 12th Avenue East, Bradenton, Florida 34203 C.A. 28710 941-338-4739 www.morriseng.com

DATE	08/18/10
PROJECT	18
PREPARED BY	PL/MLP
CHECKED BY	MLP

Future Land Use Map
HARBOR VILLAGE CDD
 Charlotte County, Florida

SCALE	1" = 1/2 mile
SHEET NO.	1
TOTAL SHEETS	1

EXHIBIT 7

HARBOR VILLAGE

COMMUNITY DEVELOPMENT DISTRICT

Statement
of
Estimated Regulatory Costs

April 10, 2021



Provided by

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whassociates.com

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Harbor Village Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 408.39 +/- acres of land located within Charlotte County, Florida (the "County") and is projected to contain approximately 852 residential dwelling units, which will make up the Harbor Village development ("Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing the District establishment) as follows:

"That the process of establishing such a district pursuant to uniform general law 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 the Harbor Village Community Development District

The District is designed to provide public infrastructure, services, and facilities, along with operation and maintenance of the same, to a master planned residential development currently anticipated to contain a total of approximately 852 residential dwelling units, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Harbor Village.

1.3 Requirements for Statement of Estimated Regulatory Costs

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

- (a) An economic analysis showing whether the rule directly or indirectly:
1. Is likely to have an adverse impact on economic growth, private sector job creation or

employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) 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.

(c) 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 or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "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, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (Charlotte County, according to Census 2010, has a population of 159,978; therefore, it is not defined as a small County for the purposes of this requirement.)

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

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

- 2.0 An economic analysis showing whether the ordinance directly or indirectly:
1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;
 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance; or
 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 408.39 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 852 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the

private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

When assessing the question of whether the establishment of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will ensure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The establishment of the District will not increase any regulatory costs of the State or the County by virtue that the District will be one of many already existing similar districts within the State and also one of a many already existing similar districts in the County. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the County to offset any expenses that the County may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the enhanced service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, amenity operation and similar items. In the initial stages of development, the costs will

likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of CDD debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District nor can the District debt be a debt of the County or the State.

3.0 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 individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) Charlotte County and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. Charlotte County, Florida

The County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the County. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through the District or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future

property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 408.39 +/- acre master planned residential development currently anticipated to contain a total of approximately 852 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 2,982 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The County, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

4.0 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 ordinance, and any anticipated effect on state or local revenues.

The County is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of Charlotte County. Therefore, the County (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the 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 minimal 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 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

Charlotte County, Florida

The proposed land for the District is located within Charlotte County, Florida and consists of less than 2,500 acres. The County and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the County will be modest 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 most, if not all, 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, the potential costs are offset by a filing fee included with the petition to offset any expenses the County may incur in the processing of this petition. Finally, the County already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the County, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for governmental entities.

4.2 Impact on State and Local Revenues

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

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government, including the County. By Florida law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government 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. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$22,000,000. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

Table 1

**HARBOR VILLAGE COMMUNITY DEVELOPMENT
DISTRICT
Proposed Facilities and Services**

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Un-Gated Roadways	CDD	CDD ¹	CDD
Gated Roadways	Developer	HOA ²	HOA
Stormwater Management	CDD	CDD	CDD
Utilities (Water, Sewer & Reclaimed)	CDD	County	County
Offsite Improvements ³	CDD	County	County
Amenity	CDD	CDD	CDD/HOA ⁴
Hardscaping / Landscaping / Lighting	CDD	CDD	CDD

- 1) The District, as owner of the un-gated roadways, will grant an access easement to the County for operation and maintenance of the utilities.
- 2) The HOA, as owner of the gated roadways, will grant an access easement to the County for operation and maintenance of the utilities.
- 3) Offsite improvements include: intersection improvements on Gasparilla Road including left and right turn lanes with associated roadway and drainage adjustments; Intersection improvements on S.R. 776 including left and right turn lanes with associated roadway and drainage adjustments; proposed roadway, drainage and utility improvements within existing Oxbow Street and Cattle Dock Point Road rights-of-ways; and, proposed utility connections within Gasparilla Road and S.R. 776 rights-of-ways.
- 4) The Amenity may be maintained by the HOA in the event it is not funded by the District, or the HOA may maintain the Amenity on behalf of the CDD via Agreement.

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, County or its dependent districts, or County management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

[CONTINUED ON FOLLOWING PAGE]

Table 2

**HARBOR VILLAGE COMMUNITY DEVELOPMENT
DISTRICT
Estimated Costs of Construction**

CATEGORY	COST
Roadways	\$3,750,000
Storm Water Management	\$5,500,000
Utilities (Water and Sewer)	\$4,000,000
Offsite Improvements	\$2,000,000
Amenity	\$2,250,000
Hardscaping/Landscaping/Lighting	\$1,500,000
Professional Services	\$1,000,000
Contingency	\$2,000,000
Total	\$22,000,000

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as cities, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. 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 local governance which is specifically established to provide CDD landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

6.0 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 little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

Charlotte County has a population of 159,978 according to the Census 2010 conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Harbor Village development will not produce any marginal effects that would be different from those that would have occurred if the Harbor Village development was developed without a community development district established for it by the County.

7.0 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.

In relation to the question of whether the proposed Harbor Village Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the County could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Harbor Village development. First, unlike a CDD, this alternative would require the County to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Harbor Village development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents

and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other County responsibilities. By contrast, if the County were to establish and administer a dependent special district, then the residents and landowners of the Harbor Village development would take their grievances and desires to the County Commission meetings.

Third, any debt of an independent CDD is strictly that CDD's responsibility. While it may be technically true that the debt of a County-established, dependent special district is not strictly the County's responsibility, any financial problems that a dependent special district may have may reflect on the County. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low-cost financing from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Harbor Village Community Development District.

**APPENDIX A
LIST OF REPORTING REQUIREMENTS**

REPORT	FL. STATUE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
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 Interest	112.3145	within 30 days of accepting 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	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the county after financing

EXHIBIT 8

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jere Earlywine of Hopping Green & Sams, P.A., to act as agent for Petitioner, Maronda Homes, LLC of Florida, with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of Charlotte County, Florida, to Establish the Harbor Village Community Development District pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, Section 190.156(1), *Florida Statutes*. This authorization shall remain in effect until revoked in writing.

MARONDA HOMES, LLC OF FLORIDA

Witnessed:

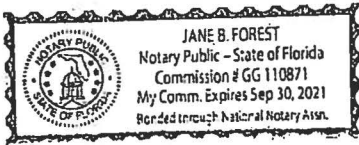
Martha Borkosky
Print Name: Martha Borkosky

Jane Forest
Print Name: Jane Forest

Scott C. Howard
By: Scott C. Howard
Its: President

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of April, 2021, by Scott C. Howard, as President of Maronda Homes, LLC of Florida on its behalf. He is personally known to me or produced _____ as identification.



Jane B. Forest
Notary Public, State of Florida

STATE OF FLORIDA DEPARTMENT OF STATE

I, LAUREL M. LEE, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Charlotte County Ordinance No. 2021-023, which was filed in this office on June 24, 2021, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.



Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
24th of June, A.D., 2021.

Laurel M. Lee

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11 document