# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

## June 20, 2023

## BOARD OF SUPERVISORS

# PUBLIC HEARINGS AND REGULAR MEETING AGENDA

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# AGENDA LETTER

# Cypress Bluff Community Development District

**OFFICE OF THE DISTRICT MANAGER**
**2300 Glades Road, Suite 410W●Boca Raton, Florida 33431**
**Phone: (561) 571-0010●Toll-free: (877) 276-0889●Fax: (561) 571-0013**

June 13, 2023

**ATTENDEES:**
**Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.**

Board of Supervisors
Cypress Bluff Community Development District

Dear Board Members:

The Board of Supervisors of the Cypress Bluff Community Development District will hold Public Hearings and a Regular Meeting on June 20, 2023 at 1:00 p.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Elected Supervisors *(the following will be provided in a separate package)*
    - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
    - B. Membership, Obligations and Responsibilities
    - C. Chapter 190, Florida Statutes
    - D. Financial Disclosure Forms
        - I. Form 1: Statement of Financial Interests
        - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
        - III. Form 1F: Final Statement of Financial Interests
    - E. Form 8B: Memorandum of Voting Conflict
4. Consideration of Resolution 2023-33, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date
5. Consideration of Resolution 2023-34, Designating Certain Officers of the District, and Providing for an Effective Date

6. Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

   A. Affidavit/Proof of Publication

   B. Consideration of Resolution 2023-35, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Cypress Bluff Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

7. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

   - *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
   - *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

   A. Affidavit/Proof of Publication

   B. Mailed Notice to Property Owner(s)

   C. Master Engineer's Report *(for informational purposes)*

   D. Master Special Assessment Methodology Report *(for informational purposes)*

   E. Consideration of Resolution 2023-36, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing For the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date

8. Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes
   A. Affidavits of Publication
   B. Consideration of Resolution 2023-37, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

9. Public Hearing on Adoption of Fiscal Year 2022/2023 Budget
   A. Affidavit of Publication
   B. Consideration of Resolution 2023-38, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

10. Public Hearing on Adoption of Fiscal Year 2023/2024 Budget
    A. Affidavit of Publication
    B. Consideration of Resolution 2023-39, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

11. Consideration of Resolution 2023-07 Designating the Location of the Local District Records Office and Providing an Effective Date

12. Consideration of Resolution 2023-08, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

13. Consideration of Resolution 2023-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

14. Acceptance of Unaudited Financial Statements as of April 30, 2023

15. Approval of Minutes
    A. April 18, 2023 Organizational Meeting
    B. May 19, 2023 Landowners' Meeting

15. Staff Reports
    A. District Counsel: *Kilinski | Van Wyk, PLLC*

B. District Engineer (Interim): *Poulos & Bennett LLC*

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: TBD
  - QUORUM CHECK

| | | | | |
|---|---|---|---|---|
| SEAT 1 | STEPHEN MCCONN | ☐ IN PERSON | ☐ PHONE | ☐ NO |
| SEAT 2 | DOUG BEASLEY | ☐ IN PERSON | ☐ PHONE | ☐ NO |
| SEAT 3 | TONY IORIO | ☐ IN PERSON | ☐ PHONE | ☐ NO |
| SEAT 4 | PAUL THOMAS | ☐ IN PERSON | ☐ PHONE | ☐ NO |
| SEAT 5 | CASEY DARE | ☐ IN PERSON | ☐ PHONE | ☐ NO |

16. Board Members' Comments/Requests

17. Public Comments

18. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Ernesto Torres at (904) 295-5714.

Sincerely,

Craig Wrathell
District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**
**CALL-IN NUMBER: 1-888-354-0094**
**PARTICIPANT PASSCODE: 782 134 6157**

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 4

**RESOLUTION 2023-33**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS' ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), *FLORIDA STATUTES*, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the Cypress Bluff Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Lake County, Florida; and

**WHEREAS,** pursuant to Section 190.006(2), *Florida Statutes*, a landowners meeting is required to be held within 90 days of the District's creation and every two (2) years following the creation of the District for the purpose of electing supervisors of the District; and

**WHEREAS,** such landowners meeting was held at which the below recited persons were duly elected by virtue of the votes cast in their favor; and

**WHEREAS,** the Board of Supervisors of the District, by means of this Resolution, desire to canvass the votes and declare and certify the results of said election.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

1. **ELECTION RESULTS.** The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in their favor as shown:

| SEAT NUMBER | NAME OF SUPERVISOR | NUMBER OF VOTES |
|---|---|---|
| Seat 1 | Stephen McConn | 157 |
| Seat 2 | Doug Beasley | 155 |
| Seat 3 | Tony Iorio | 155 |
| Seat 4 | Paul Thomas | 155 |
| Seat 5 | Casey Dare | 157 |

2. **TERMS.** In accordance with Section 190.006(2), *Florida Statutes,* and by virtue of the number of votes cast for the Supervisors, the above-named persons are declared to have been elected for the following term of office:

| SEAT NUMBER | NAME OF SUPERVISOR | TERM OF OFFICE |
|---|---|---|
| Seat 1 | Stephen McConn | 4-Year Term |
| Seat 2 | Doug Beasley | 2-Year Term |
| Seat 3 | Tony Iorio | 2-Year Term |
| Seat 4 | Paul Thomas | 2-Year Term |
| Seat 5 | Casey Dare | 4-Year Term |

3. **EFFECTIVE DATE.** This resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 20th day of June, 2023.

| | |
|---|---|
| Attest: | **CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT** |
| _____ | _____ |
| Secretary/Assistant Secretary | Chair/Vice Chair, Board of Supervisors |

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 5

**RESOLUTION 2023-34**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Cypress Bluff Community Development District ("District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, the Board of Supervisors of the District desires to designate certain Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1**. _____ is appointed Chair.

**SECTION 2**. _____ is appointed Vice Chair.

**SECTION 3**. _____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

**Ernesto Torres** is appointed Assistant Secretary.

**SECTION 4**. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair and Assistant Secretaries; however, prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

**SECTION 5**. This Resolution shall become effective immediately upon its adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**PASSED AND ADOPTED** this 20th day of June, 2023.

ATTEST:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 6A

The Villages
# DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **ALLAN LOVELL**
who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1127510**
in the matter of **NOTICE OF INTENT**
was published in said newspaper in the issue(s) of

**May 23, 2023**
**May 30, 2023**
**June 6, 2023**
**June 13, 2023**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 14 day June 2023.

Robin L Baldeschwieler
Robin Baldeschwieler, Notary

Personally Known _____ or
Production Identification _____
Type of Identification Produced

ROBIN L. BALDESCHWIELER
MY COMMISSION # HH 022967
EXPIRES: October 10, 2024
Bonded Thru Notary Public Underwriters

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT NOTICE OF THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS**

Notice is hereby given that the Cypress Bluff Community Development District (the "District"), intends to use the uniform method of collecting non-ad valorem special assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on June 20, 2023 at 1:00 p.m., the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711.

The purpose of the public hearing is to consider the adoption of a resolution authorizing the District to use the uniform method of collecting non-ad valorem special assessments ("Uniform Method") to be levied by the District on properties located on land included within the District.

The District may levy non-ad valorem special assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services and improvements within and without the boundaries of the District, which may consist of, among other things, recreational facilities, stormwater management improvements, irrigation, landscape, roadways, and other lawful improvements or services within or without the boundaries of the District.

Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the Uniform Method. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing may be continued to a date, time, and location to be specified on the record at the hearing.

There may be occasions whe Supervisors or District Sta may participate by speak telephone. Pursuant t provisions of the Americar with Disabilities Act, any perso requiring specia accommodations at th meeting because of a disabili or physical impairment shou contact the District Office, c Wrathell, Hunt and Associate LLC, 2300 Glades Road, Sui 410W, Boca Raton, Floric 33431, (561) 571-0010, at lea forty-eight (48) hours prior the meeting. If you are hearir or speech impaired, pleas contact the Florida Rela Service by dialing 7-1-1, or 800-955-8771 (TTY) / 1-80 955-8770 (Voice), for aid contacting the District Offic

A person who decides appeal any decision made the hearing with respect to ar matter considered at th hearing is advised that perso will need a record of th proceedings and tha accordingly, the person ma need to ensure that a verbati record of the proceedings made, including the testimor and evidence upon which suc appeal is to be based.

District Manager

**#01127510** **May 23, 202**
**May 30, 202**
**June 6, 202**
**June 13, 202**

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 6B

**RESOLUTION 2023-35**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the Cypress Bluff Community Development District ("District") was established pursuant to the provisions of Chapter 190, *Florida Statutes*, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapters 170 and 197, *Florida Statutes*, for the acquisition, maintenance, construction, or reconstruction of assessable improvements authorized by Chapter 190, *Florida Statutes*; and

**WHEREAS,** the above referenced assessments are non-ad valorem in nature and, therefore, may be levied and collected under the provisions of Section 197.3632, *Florida Statutes*, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments (the "Uniform Method"); and

**WHEREAS,** the Board has previously adopted a resolution declaring the intent to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, over certain lands within the District as described therein; and

**WHEREAS,** pursuant to Section 197.3632, *Florida Statutes*, the District has caused notice of a public hearing on the District's intent to use the Uniform Method to be advertised weekly in a newspaper of general circulation within Lake County for four (4) consecutive weeks prior to such hearing; and

**WHEREAS,** the District has held a public hearing pursuant to Section 197.3632, *Florida Statutes*, where public and landowners were allowed to give testimony regarding the use of the Uniform Method; and

**WHEREAS,** the District desires to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, for special assessments, including benefit and maintenance assessments, over all the lands in the District as further described in **Exhibit A**.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The Cypress Bluff Community Development District upon conducting its public hearing as required by Section 197.3632, *Florida Statutes*, hereby expresses its need and intent to use the Uniform Method of collecting assessments imposed by the District over the lands described in **Exhibit A**, as provided in Chapters 170 and 190, *Florida Statutes*, each of which are non-ad valorem assessments may be collected annually pursuant to the provisions of Chapter 190, *Florida Statutes*, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District's use of the Uniform Method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

**SECTION 2.** The District's Secretary is authorized to provide the Property Appraiser and Tax Collector of Lake County and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

**SECTION 3.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 4.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 20th day of June, 2023.

ATTEST:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Legal Description of Cypress Bluff Community Development District

**EXHIBIT A**
**Legal Description of Cypress Bluff Community Development District**

Exhibit "A"

## CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47"EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18"EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03"EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48"EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21"WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32"EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43"WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48"EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50"EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE RUN NORTH 89° 17' 51" WEST, ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°18' 44" WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 156.36 ACRES, MORE OR LESS.

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 7A

The Villages®
# DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # **01127731** in the matter of

**NOTICE OF PUBLIC HEARING**

was published in said newspaper in the issues of

**MAY 25, 2023**
**JUNE 1, 2023**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 15
day of June 2023.

Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification
Type of Identification Produced

ROBIN L. BALDESCHWIELER
MY COMMISSION # HH 022967
EXPIRES: October 10, 2024
Bonded Thru Notary Public Underwriters

# NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

# NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

# NOTICE OF REGULAR MEETING OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors ("**Board**") of the Cypress Bluff Community Development District ("District") will hold a public hearing on **Tuesday, June 20, 2023 at 1:00 p.m., or as soon thereafter as the matter may be heard, at Cooper Memorial Library, 2525 Oakley Seaver Drive, Room 221, Clermont, Florida 34711** to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the District, a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are geographically depicted below and in the Cypress Bluff Community Development District Engineer's Report, dated April 18, 2023, as may be further amended (the master project described therein, the "**CIP**"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District Manager located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("**District Manager's Office**").

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements expected to be funded by the District ("**Improvements**") are described in the CIP, and are currently expected to include, but are not limited to, roadways, potable water distribution system, reclaimed water distribution system, wastewater system, landscape and hardscape, electrical distribution and street lights, amenities, environmental conservation/mitigation, and other improvements, all as more specifically described in the CIP, on file and available during normal business hours at the District Manager's Office. According to the CIP, the estimated cost of the Improvements, including contingency and professional services, is **$20,270,573.50**.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Special Assessment Methodology for Cypress Bluff Community Development District, dated April 18, 2023, as may be amended and supplemented ("**Assessment Report**"), which is also on file and available during normal business hours at the District Manager's Office. The purpose of any such assessment is to secure the bonds issued to fund the Improvements.

As described in more detail in the Assessment Report, the District's assessments will be levied against all benefitted lands within the District. The Assessment Report identifies maximum assessment amounts for each land use category that is currently expected to be assessed. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per gross acre basis and will be allocated on an equivalent residential unit ("**ERU**") basis at the time that such property is platted or subject to a site plan. Please consult the Assessment Report for a more detailed explanation of the methodology.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than **$28,070,000** in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed annual schedule of assessments is as follows:

| Land Use | Total # of Units/ Acres | ERU Factor | Proposed Maximum Principal Per Unit/Acre | Proposed Maximum Annual Assessment Per Unit* |
|---|---|---|---|---|
| Live-Work 25' | 20 | 0.36 | $35,858.46 | $3,424.96 |
| Townhome 25' | 36 | 0.36 | $35,858.46 | $3,424.96 |
| SF 35' | 84 | 0.50 | $50,201.84 | $4,794.95 |
| SF 60' | 199 | 0.86 | $86,060.30 | $8,219.91 |
| SF 70' | 47 | 1.00 | $100,403.68 | $9,589.89 |

* Includes costs of collection and early payment discounts when collected on the County tax bill. All amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above. Specific maximum amounts expected per parcel or product type are as set forth in the Assessment Report.

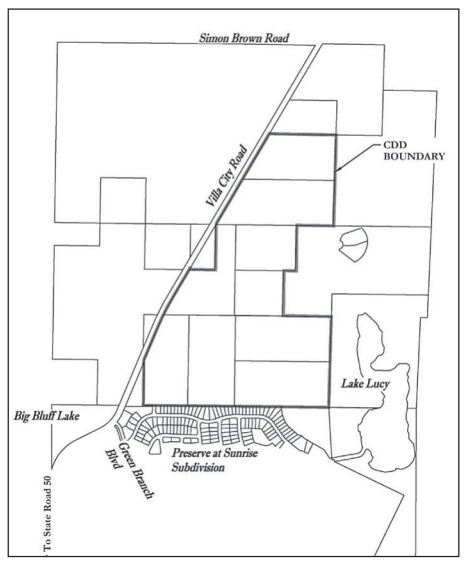
The assessments may be prepaid in whole at any time, or in some instances in part, or may be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments are anticipated to be collected on the Lake County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice. Notwithstanding the description of the Maximum Assessments herein, landowners will not have a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The fixed assessment amounts will be determined at a public meeting, pursuant to a supplemental assessment resolution, engineer's report and assessment methodology, but will in no event exceed the Maximum Assessments noticed herein. Please note that the preceding statement only applies to capital (debt) assessments and shall have no effect on the ability of the District to levy assessments and collect payments related to the operation and maintenance of the District.

At the same date, time, and place, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by calling (561) 571-0010, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**




**RESOLUTION 2023-31**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; DESIGNATING THE NATURE AND LOCATION OF THE PROPOSED IMPROVEMENTS; DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID; DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT AND A PRELIMINARY ASSESSMENT ROLL; ADDRESSING THE SETTING OF PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND ADDRESSING CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS,** the Cypress Bluff Community Development District (the "District") was established by Ordinance No. 2023-04 as adopted by the City Commission of the City of Groveland, Florida, effective February 21, 2023, and is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes, as amended, located entirely within the City of Groveland, Florida; and

**WHEREAS,** the District is authorized by Chapter 190, Florida Statutes, to finance, fund, plan, establish, acquire, install, equip, operate, extend, or construct certain improvements, including but not limited to: transportation facilities, utility facilities, recreational facilities, and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

**WHEREAS,** the Board of Supervisors (the "Board") of the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements described in the District's Cypress Bluff Community Development District Engineer's Report for Capital Improvements, dated April 18, 2023, attached hereto as **Exhibit A** and incorporated herein by reference ("CIP" and the improvements described therein, the "Improvements"); and

**WHEREAS**, it is in the best interest of the District to pay all or a portion of the cost of the Improvements by special assessments levied on benefitted lands within the District pursuant to Chapters 170, 190 and 197, Florida Statutes ("Assessments"); and

**WHEREAS**, the District is empowered by Chapters 170, 190, and 197, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

**WHEREAS**, this Resolution shall serve as the "resolution required to declare special assessments" contemplated by Section 170.03, Florida Statutes, for the assessment lien(s) levied against the property as described in **Exhibits A** and **B** that secure the Assessments.

**WHEREAS**, as set forth in the Master Special Assessment Methodology Report, dated April 18, 2023, attached hereto as **Exhibit B** and incorporated herein by reference ("Assessment Report"), and on file at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office"), the District hereby finds and determines that:

(i) benefits from the Improvements will accrue to the property improved,
(ii) the amount of those benefits will exceed the amount of the Assessments, and
(iii) the Assessments are fairly and reasonably allocated.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190, and 197, Florida Statutes. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

**SECTION 2. DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to undertake all or a portion of the Improvements and to defray all or a portion of the cost thereof by the Assessments and is as set forth in the Assessment Report attached as **Exhibit B.**

**SECTION 3. DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of, and plans and specifications for, the Improvements are described in **Exhibit A** and as set forth in the CIP, which is on file at the District Records Office. **Exhibit B** is also on file and available for public inspection at the same location.

**SECTION 4. DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID.**

**A.** The total estimated construction cost of the Improvements is **$20,270,573.50** ("Estimated Cost").

**B.** The Assessments will defray approximately **$28,070,000.00**, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, capitalized interest, and a debt service reserve as set forth in **Exhibit B.**

**C.** The manner in which the Assessments shall be apportioned and paid is set forth in the Assessment Report attached as **Exhibit B**, as may be modified by supplemental assessment resolutions. Commencing with the years in which the Assessments are certified for collection, the Assessments shall each be paid in not more than thirty (30) annual installments. The Assessments may be payable at the same time and in the same manner as are ad valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non-ad valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect Assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

**SECTION 5. DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED.** The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon such Improvements or specially benefitted thereby and further designated by the assessment plat hereinafter provided for.

**SECTION 6. ASSESSMENT PLAT.** Pursuant to Section 170.04, Florida Statutes, there is on file, at the District Records Office, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which are open to inspection by the public.

**SECTION 7. PRELIMINARY ASSESSMENT ROLL.** Pursuant to Section 170.06, Florida Statutes, the District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in **Exhibit B** hereto, which shows the lots and lands assessed, the amount of benefit to and the maximum assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

**SECTION 8. PUBLIC HEARINGS DECLARED; DIRECTION TO PROVIDE NOTICE OF THE HEARINGS.** Pursuant to Sections 170.07 and 197.3632(4)(b), Florida Statutes, among other provisions of Florida law, there are hereby declared two (2) public hearings to be held as follows:

**NOTICE OF PUBLIC HEARINGS**

DATE: June 20, 2023
TIME: 1:00 p.m.
LOCATION: Cooper Memorial Library
2525 Oakley Seaver Dr., Room 221 (Conference Room)
Clermont, Florida, 34711

The purpose of the public hearings is to hear comment and objections to the proposed special assessment program for District Improvements as identified in the CIP and the preliminary assessment roll, a copy of which is on file at the District Records Office. Interested parties may appear at that hearing or submit their comments in writing prior to the hearings at the District Records Office.

Notice of said hearings shall be advertised in accordance with Chapters 170 and 197, Florida Statutes, and the District Manager is hereby authorized and directed to place said notice in a newspaper of general circulation within Polk County (by two (2) publications one (1) week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of the hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

**SECTION 9. PUBLICATION OF RESOLUTION.** Pursuant to Section 170.05, Florida Statutes, the District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) weeks) in a newspaper of general circulation within Lake County and to provide such other notice as may be required by law or desired in the best interests of the District.

**SECTION 10. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 11. SEVERABILITY.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force, and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 12. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**PASSED AND ADOPTED** this 18th day of April 2023.

ATTEST: **CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

/s/Craig Wrathell — Secretary
s/Stephen McConn — Chair, Board of Supervisors

**Exhibit A:** *Engineer's Report for Capital Improvements*, dated April 18, 2023
**Exhibit B:** *Master Special Assessment Methodology Report*, dated April 18, 2023

# NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

# NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

# NOTICE OF REGULAR MEETING OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors ("**Board**") of the Cypress Bluff Community Development District ("District") will hold a public hearing on **Tuesday, June 20, 2023 at 1:00 p.m., or as soon thereafter as the matter may be heard, at Cooper Memorial Library, 2525 Oakley Seaver Drive, Room 221, Clermont, Florida 34711** to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the District, a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are geographically depicted below and in the Cypress Bluff Community Development District Engineer's Report, dated April 18, 2023, as may be further amended (the master project described therein, the "**CIP**"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District Manager located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("**District Manager's Office**").

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements expected to be funded by the District ("**Improvements**") are described in the CIP, and are currently expected to include, but are not limited to, roadways, potable water distribution system, reclaimed water distribution system, wastewater system, landscape and hardscape, electrical distribution and street lights, amenities, environmental conservation/mitigation, and other improvements, all as more specifically described in the CIP, on file and available during normal business hours at the District Manager's Office. According to the CIP, the estimated cost of the Improvements, including contingency and professional services, is **$20,270,573.50**.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Special Assessment Methodology for Cypress Bluff Community Development District, dated April 18, 2023, as may be amended and supplemented ("**Assessment Report**"), which is also on file and available during normal business hours at the District Manager's Office. The purpose of any such assessment is to secure the bonds issued to fund the Improvements.

As described in more detail in the Assessment Report, the District's assessments will be levied against all benefitted lands within the District. The Assessment Report identifies maximum assessment amounts for each land use category that is currently expected to be assessed. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per gross acre basis and will be allocated on an equivalent residential unit ("**ERU**") basis at the time that such property is platted or subject to a site plan. Please consult the Assessment Report for a more detailed explanation of the methodology.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than **$28,070,000** in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed annual schedule of assessments is as follows:

| Land Use | Total # of Units/ Acres | ERU Factor | Proposed Maximum Principal Per Unit/Acre | Proposed Maximum Annual Assessment Per Unit* |
|---|---|---|---|---|
| Live-Work 25' | 20 | 0.36 | $35,858.46 | $3,424.96 |
| Townhome 25' | 36 | 0.36 | $35,858.46 | $3,424.96 |
| SF 35' | 84 | 0.50 | $50,201.84 | $4,794.95 |
| SF 60' | 199 | 0.86 | $86,060.30 | $8,219.91 |
| SF 70' | 47 | 1.00 | $100,403.68 | $9,589.89 |

* Includes costs of collection and early payment discounts when collected on the County tax bill. All amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above. Specific maximum amounts expected per parcel or product type are as set forth in the Assessment Report.

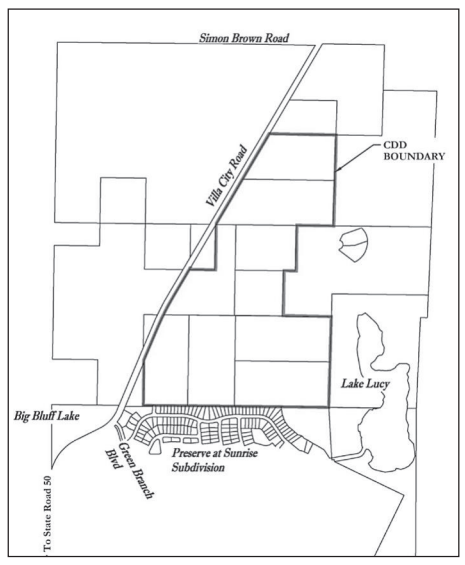
The assessments may be prepaid in whole at any time, or in some instances in part, or may be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments are anticipated to be collected on the Lake County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice. Notwithstanding the description of the Maximum Assessments herein, landowners will not have a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The fixed assessment amounts will be determined at a public meeting, pursuant to a supplemental assessment resolution, engineer's report and assessment methodology, but will in no event exceed the Maximum Assessments noticed herein. Please note that the preceding statement only applies to capital (debt) assessments and shall have no effect on the ability of the District to levy assessments and collect payments related to the operation and maintenance of the District.

At the same date, time, and place, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by calling (561) 571-0010, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**




**RESOLUTION 2023-31**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; DESIGNATING THE NATURE AND LOCATION OF THE PROPOSED IMPROVEMENTS; DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID; DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT AND A PRELIMINARY ASSESSMENT ROLL; ADDRESSING THE SETTING OF PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND ADDRESSING CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS,** the Cypress Bluff Community Development District (the "District") was established by Ordinance No. 2023-04 as adopted by the City Commission of the City of Groveland, Florida, effective February 21, 2023, and is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes, as amended, located entirely within the City of Groveland, Florida; and

**WHEREAS,** the District is authorized by Chapter 190, Florida Statutes, to finance, fund, plan, establish, acquire, install, equip, operate, extend, or construct certain improvements, including but not limited to: transportation facilities, utility facilities, recreational facilities, and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

**WHEREAS,** the Board of Supervisors (the "Board") of the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements described in the District's Cypress Bluff Community Development District Engineer's Report for Capital Improvements, dated April 18, 2023, attached hereto as **Exhibit A** and incorporated herein by reference ("CIP" and the improvements described therein, the "Improvements"); and

**WHEREAS**, it is in the best interest of the District to pay all or a portion of the cost of the Improvements by special assessments levied on benefitted lands within the District pursuant to Chapters 170, 190 and 197, Florida Statutes ("Assessments"); and

**WHEREAS**, the District is empowered by Chapters 170, 190, and 197, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

**WHEREAS**, this Resolution shall serve as the "resolution required to declare special assessments" contemplated by Section 170.03, Florida Statutes, for the assessment lien(s) levied against the property as described in **Exhibits A** and **B** that secure the Assessments.

**WHEREAS**, as set forth in the Master Special Assessment Methodology Report, dated April 18, 2023, attached hereto as **Exhibit B** and incorporated herein by reference ("Assessment Report"), and on file at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office"), the District hereby finds and determines that:

(i) benefits from the Improvements will accrue to the property improved,
(ii) the amount of those benefits will exceed the amount of the Assessments, and
(iii) the Assessments are fairly and reasonably allocated.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190, and 197, Florida Statutes. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

**SECTION 2. DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to undertake all or a portion of the Improvements and to defray all or a portion of the cost thereof by the Assessments and is as set forth in the Assessment Report attached as **Exhibit B.**

**SECTION 3. DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of, and plans and specifications for, the Improvements are described in **Exhibit A** and as set forth in the CIP, which is on file at the District Records Office. **Exhibit B** is also on file and available for public inspection at the same location.

**SECTION 4. DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID.**

**A.** The total estimated construction cost of the Improvements is **$20,270,573.50** ("Estimated Cost").

**B.** The Assessments will defray approximately **$28,070,000.00**, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, capitalized interest, and a debt service reserve as set forth in **Exhibit B.**

**C.** The manner in which the Assessments shall be apportioned and paid is set forth in the Assessment Report attached as **Exhibit B**, as may be modified by supplemental assessment resolutions. Commencing with the years in which the Assessments are certified for collection, the Assessments shall each be paid in not more than thirty (30) annual installments. The Assessments may be payable at the same time and in the same manner as are ad valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non-ad valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect Assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

**SECTION 5. DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED.** The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon such Improvements or specially benefitted thereby and further designated by the assessment plat hereinafter provided for.

**SECTION 6. ASSESSMENT PLAT.** Pursuant to Section 170.04, Florida Statutes, there is on file, at the District Records Office, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which are open to inspection by the public.

**SECTION 7. PRELIMINARY ASSESSMENT ROLL.** Pursuant to Section 170.06, Florida Statutes, the District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in **Exhibit B** hereto, which shows the lots and lands assessed, the amount of benefit to and the maximum assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

**SECTION 8. PUBLIC HEARINGS DECLARED; DIRECTION TO PROVIDE NOTICE OF THE HEARINGS.** Pursuant to Sections 170.07 and 197.3632(4)(b), Florida Statutes, among other provisions of Florida law, there are hereby declared two (2) public hearings to be held as follows:

**NOTICE OF PUBLIC HEARINGS**

DATE: June 20, 2023
TIME: 1:00 p.m.
LOCATION: Cooper Memorial Library
2525 Oakley Seaver Dr., Room 221 (Conference Room)
Clermont, Florida, 34711

The purpose of the public hearings is to hear comment and objections to the proposed special assessment program for District Improvements as identified in the CIP and the preliminary assessment roll, a copy of which is on file at the District Records Office. Interested parties may appear at that hearing or submit their comments in writing prior to the hearings at the District Records Office.

Notice of said hearings shall be advertised in accordance with Chapters 170 and 197, Florida Statutes, and the District Manager is hereby authorized and directed to place said notice in a newspaper of general circulation within Polk County (by two (2) publications one (1) week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of the hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

**SECTION 9. PUBLICATION OF RESOLUTION.** Pursuant to Section 170.05, Florida Statutes, the District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) weeks) in a newspaper of general circulation within Lake County and to provide such other notice as may be required by law or desired in the best interests of the District.

**SECTION 10. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 11. SEVERABILITY.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force, and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 12. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**PASSED AND ADOPTED** this 18th day of April 2023.

ATTEST: **CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

/s/Craig Wrathell — Secretary
s/Stephen McConn — Chair, Board of Supervisors

**Exhibit A:** *Engineer's Report for Capital Improvements*, dated April 18, 2023
**Exhibit B:** *Master Special Assessment Methodology Report*, dated April 18, 2023

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 7B

**STATE OF FLORIDA )**
**COUNTY OF PALM BEACH )**

## AFFIDAVIT OF MAILING

**BEFORE ME,** the undersigned authority, this day personally appeared Jonah Reuther, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and am competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.

2. I, Jonah Reuther, am employed by Wrathell, Hunt and Associates, LLC, and, in the course of that employment, serve as Assessment Roll Coordinator for the Cypress Bluff Community Development District.

3. Among other things, my duties include preparing and transmitting correspondence relating to the Cypress Bluff Community Development District.

4. I do hereby certify that on May 19, 2023 and in the regular course of business, I caused the letter, in the form attached hereto as Exhibit A, to be sent notifying affected landowners in the Cypress Bluff Community Development District of their rights under Chapters 170, 190 and 197, *Florida Statutes*, with respect to the District's anticipated imposition of assessments.

5. I have personal knowledge of having sent the letters to the addressees, and those records are kept in the course of the regular business activity for my office.

**FURTHER AFFIANT SAYETH NOT.**

Jonah Reuther

**SWORN TO (OR AFFIRMED) AND SUBSCRIBED** before me by means of ☐ physical presence or ☐ online notarization, this 19th day of May, 2023, by Jonah Reuther, for Wrathell, Hunt and Associates, LLC, who is [ ✓ ] personally known to me or [ ] has provided _____ as identification, and who did __ / did not ✓ take an oath.

NOTARY PUBLIC

DAPHNE GILLYARD
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG327647
Expires 8/20/2023

Print Name: Daphne Gillyard
Notary Public, State of Florida
Commission No.: GG327647
My Commission Expires: 8/20/2023

**EXHIBIT A:** Mailed Notice

# EXHIBIT A

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City, Stat

WOODLAND STATION
BOCA RATON, FL
MAY 19 2023

Postmark Here

KB HOME ORLANDO LLC
9102 SOUTHPARK CENTER LOOP
SUITE 100
ORLANDO, FL 32819

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7022 0410 0002 0788 1109

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Postage
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Street and Apt.

City, State, ZIP+

WOODLAND STATION BOCA RATON, FL
MAY 19 2023

Postmark Here

HANOVER LAND COMPANY
605 COMMONWEALTH AVENUE
ORLANDO, FL 32803

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7022 0410 0002 0788 1114

# Cypress Bluff
# Community Development District
## OFFICE OF THE DISTRICT MANAGER
## 2300 Glades Road, Suite 410W●Boca Raton, Florida 33431
## Phone: (561) 571-0010●Toll-free: (877) 276-0889●Fax: (561) 571-0013


May 19, 2023

**Via First Class U.S. Mail**

KB HOME ORLANDO LLC
9102 SOUTHPARK CENTER LOOP STE 100
ORLANDO, FL 32819

***RE: Cypress Bluff Community Development District***
***Notice of Hearing on Assessments to Property***
***See attached Legal Description (Exhibit A)***

Dear Property Owner:

You are receiving this notice because Lake County records indicate that you are a property owner within the Cypress Bluff Community Development District ("**District**"). The District is a special-purpose unit of local government that was established pursuant to Chapter 190, *Florida Statutes*. The property that you own that is the subject of this notice is identified in the description attached as **Exhibit A**.

At the April 18, 2023, meeting of the District's Board of Supervisors ("**Board**"), the District approved the *Cypress Bluff Community Development District Engineer's Report*, dated April 18, 2023, as may be amended ("**Engineer's Report**"). A copy of the Engineer's Report is attached hereto as **Exhibit B.** The Engineer's Report describes various infrastructure improvements being considered by the Board which may be built or acquired by the District that benefit lands within the District, including but not limited to roadways, potable water distribution system, reclaimed water distribution system, wastewater system, landscape and hardscape, electrical distribution and street lights, amenities, environmental conservation/mitigation, as more specifically described in the Engineer's Report ("**Improvements**"). The Engineer's Report estimates that the total cost of the Improvements for the District's entire CIP, including contingency, is **$20,270,573.50**.

As a property owner of assessable land within the District, the District is considering assessing your property to fund the Improvements in the manner set forth in the District's *Master Special Assessment Methodology for Cypress Bluff Community Development District*, dated April 18, 2023, a copy of which is attached hereto as **Exhibit C** ("**Assessment Report**"). The Assessments will defray up to approximately **$28,070,000**, which includes the cost of the Improvements, plus financing-related costs, capitalized interest and a debt service reserve.

The purpose of any such assessment is to secure the bonds anticipated to be issued to finance the Improvements. As described in more detail in the Assessment Report, the District's assessments will ultimately be levied against all benefitted lands within the District. The Assessment Report identifies the physical area contained within the District and assessment for

the property that is expected to be assessed. Initially, the allocation of assessments for the Improvements to be funded by the District will be determined on an equal pro-rata gross acre basis. As land is platted, the allocation of assessments will be determined on a first-platted, first-assessed basis within the District, which will be assigned to those properties at the per-unit amounts as follows, based on each property type's Equivalent Residential Unit ("**ERU**") factor, and as explained in more detail in the Assessment Report ("**Maximum Assessments**"):

| Land Use | Total # of Units/ Acres | ERU Factor | Proposed Maximum Principal Per Unit/Acre | Proposed Maximum Annual Assessment Per Unit* |
|---|---|---|---|---|
| Live-Work 25' | 20 | 0.36 | $35,858.46 | $3,424.96 |
| Townhome 25' | 36 | 0.36 | $35,858.46 | $3,424.96 |
| SF 35' | 84 | 0.50 | $50,201.84 | $4,794.95 |
| SF 60' | 199 | 0.86 | $86,060.30 | $8,219.91 |
| SF 70' | 47 | 1.00 | $100,403.68 | $9,589.89 |

** Includes costs of collection and early payment discounts when collected on the County tax bill. All amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above. Specific maximum amounts expected per parcel or product type are as set forth in the Assessment Report.*

The total maximum assessment amount to be levied against each parcel, and the number of units contained within each parcel, is detailed in the Assessment Report, as such Assessment Report may be amended at the below referenced hearing. The total revenue that the District will collect by these assessments is anticipated to be **$28,070,000**, exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt issued to finance the Improvements. The maximum annual revenue that the District will collect by these assessments is anticipated to be **$2,681,060.27**, inclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs, to be collected in not more than thirty (30) annual installments. The total assessment amount to be levied against property that you own is reflected on the preliminary assessment roll attached to the Assessment Report.

The assessments may appear on your regular tax bill issued by the Lake County Tax Collector. However, the District may in its discretion at any time choose instead to directly collect these assessments. As provided in the Assessment Report, the assessments will constitute a lien against your property that may be prepaid in accordance with Chapter 170, *Florida Statutes*, or may be paid in not more than thirty (30) annual installments. The failure to pay any assessments collected on the tax roll will cause a tax certificate to be issued against your property within the District which may result in a loss of title. Alternatively, if the assessments are directly collected, the failure to pay such direct bill invoice may result in the District pursuing a foreclosure action, which may result in a loss of title.

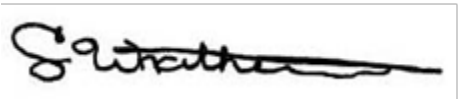
Notwithstanding the description of the Maximum Assessments herein, landowners will not have a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The fixed assessment amounts will be determined at a public meeting, pursuant to a supplemental

assessment resolution, engineer's report and methodology but will in no event exceed the Maximum Assessments noticed herein. Please note that the preceding statement only applies to capital (debt) assessments and shall have no effect on the ability of the District to levy assessments and collect payments related to the operation and maintenance of the District.

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, this letter is to notify you that a public hearing for the above-mentioned assessments will be held on **Tuesday, June 20, 2023, at 1:00 p.m. or as soon thereafter as the matter may be heard, at Cooper memorial Library, 2525 Oakley Seaver Drive, Room 221, Clermont, Florida 34711**. At this hearing, the Board will sit as an equalizing board to hear and consider testimony from any interested property owners as to the propriety and advisability of making the Improvements, or some phase thereof, as to the cost thereof, as to the manner of payment thereof, and as to the amount thereof to be assessed against each property so improved. All affected property owners have a right to appear at the hearing and to file written objections with the Board within twenty (20) days of this notice.

Information concerning the assessments and copies of applicable documents are on file and available during normal business hours at the District Manager's Office: Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010. You may appear at the hearing or submit your comments in advance to the attention of the District Manager at its address above.

Sincerely,



Craig Wrathell
District Manager

Enclosures
Exhibit A: Legal description of the Property
Exhibit B: *Cypress Bluff Community Development District Engineer's Report*, dated April 18, 2023
Exhibit C: *Master Special Assessment Methodology for Cypress Bluff Community Development District*, dated April 18, 2023

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605 COMMONWEALTH AVENUE
ORLANDO, FL 32803

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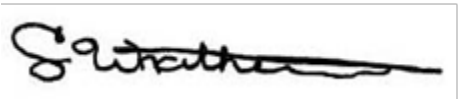

Craig Wrathell
District Manager

Enclosures
Exhibit A: Legal description of the Property
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Exhibit C: *Master Special Assessment Methodology for Cypress Bluff Community Development District*, dated April 18, 2023

# Cypress Bluff Community Development District ENGINEER'S REPORT

**Prepared For**
Board of Supervisors
Cypress Bluff Community Development District

**Date**
April 18, 2023

POULOS & BENNETT

2602 East Livingston Street | Orlando, Florida 32803 | Tel: 407.487.2594 | www.poulosandbennett.com
FBPE Certificate of Authorization No. 28567

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**Appendices**

| | |
|---|---|
| ***Exhibit 1*** | ***Location Map*** |
| ***Exhibit 2*** | ***District Boundary Map*** |
| ***Exhibit 3*** | ***Legal Description of District Boundary*** |
| ***Exhibit 4*** | ***Thoroughfare Types Plan*** |
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| ***Exhibit 9*** | ***Master Site Plan*** |
| ***Exhibit 10*** | ***Estimate of Probable Capital Improvement Costs*** |

## *Section 1 Introduction*

### *1.1. Background*

The Engineer's Report for Capital Improvements (the "Report") for the Cypress Bluff Community Development District (the "District") has been prepared to assist with financing and construction of the capital improvements contemplated to be constructed, acquired and/or installed within the District or outside of the District (the "Capital Improvement Plan") pursuant to requirements of City of Groveland, Florida and as authorized by Chapter 190, Florida Statutes.

The "Capital Improvements" reflected in the Report represent the current Capital Improvement Plan for the District. Many of the necessary regulatory approvals have been obtained for the Development (hereinafter defined). The remaining permits necessary to complete the Development are expected to be obtained during the normal design and permitting processes. We are confident that the balance of the required permits are obtainable as needed. For reference, a permit matrix for the Development is included herein. The implementation of any improvements discussed in this plan requires final approval by many regulatory and permitting agencies as outlined in Section 2 below. This report, therefore, may be amended from time to time.

Cost estimates contained in this Report have been prepared based on the best available information at this time and the sources are stated in this Report. The actual costs of construction, final engineering design, planning, approvals and permitting may vary from the cost estimates presented.

### *1.2.* ***Location and General Description***

The Cypress Bluff property is located entirely within the City of Groveland, Florida, and covers approximately 156.36 acres of land. Exhibit 1 depicts the general location of the District. The site is generally located south of Simon Brown Road, east of Villa City Road and west of Lake Lucy. The District Boundary Map is shown on Exhibit 2. The metes and bounds description of the external boundary of the District is set forth in Exhibit 3.

### *1.3.* ***District Purpose and Scope***

The District was established for the purpose of financing, acquiring or constructing, maintaining and operating a portion of the public infrastructure necessary for community development within the District. The purpose of this Report is to provide a description of the public infrastructure improvements to be financed by the District. The District will finance, acquire and/or, construct, operate, and maintain certain public infrastructure improvements that are needed to serve the Development. A portion of the infrastructure improvements will be financed with the proceeds of bonds issued by the District.

The proposed public infrastructure improvements, as outlined herein, are necessary for the development of the District as required by the applicable independent unit of local government.

### *1.4.* ***Description of Land Use***

The lands within the District encompass approximately 156.36 acres as of the date of this Report. Based on the PD the development program for the property within the District allows for construction of 386 single family residential units. As of this Report writing, there are commercial tracts entitled for up to 45,000 square feet of commercial uses within the District; however, the landowner intends

to petition for a boundary amendment to remove the commercial uses from the District boundaries. After the boundary amendment, there is anticipated to be 152.63 acres within the District.

A breakdown on the lot sizes and front footage (for the purpose of the Assessment Methodology) are included below. The approved land uses within the District include the following areas. Exhibits included herein provide details on land use locations and the development program.

| Proposed Development | Approximate Area (Acres) |
|---|---|
| Private | 55.9 |
| Stormwater | 8.6 |
| Open Space | 24.1 |
| Roads | 22.0 |
| Wetlands & Lakes | 45.8 |
| Total Acres | 156.36 |

**Lot Breakdown by Type**

| Unit Type | Number of Units |
|---|---|
| Live-Work units (Treated as T/H) | 20 |
| Townhomes | 36 |
| 35' Wide Lots | 84 |
| 60' Wide Lots | 199 |
| 70' Wide Lots | 47 |

**Lot Sizes and Front Footage Measurements (for Assessment Methodology)**

| Front Footage by Type & Phase | | | | |
|---|---|---|---|---|
| | | | | |
| PHASE 1 | | | | |
| Lot Type | Lot Width (ft) | # of Lots | Total Lot Front Footage by Lot Type & Width (ft) | Percentage of Total Front Footage Width (ft) |
| Live-Work units (treated as T/H) | 25 | 20 | 1,581.4 | 0.069 |
| Attached Townhomes | 25 | 30 | 2,568.6 | 0.112 |
| Small Lots | 35 | 68 | 5,599.4 | 0.244 |
| Standard Lots | 60 | 139 | 12,236.9 | 0.533 |
| Large Lots | 70 | 14 | 967.7 | 0.042 |
| TOTAL | | | 22,954.0 | |
| | | | | |
| PHASE 2 | | | | |
| Lot Type | Lot Width (ft) | # of Lots | Total Lot Front Footage by Lot Type & Width (ft) | Percentage of Total Front Footage Width (ft) |
| Live-Work units | 25 | 0 | 0.0 | 0.000 |
| Attached Townhomes | 25 | 6 | 445.7 | 0.050 |
| Small Lots | 35 | 16 | 978.6 | 0.109 |
| Standard Lots | 60 | 60 | 5,113.7 | 0.571 |
| Large Lots | 70 | 33 | 2,423.9 | 0.270 |
| | | | 8,961.9 | |
| | | | | |

| Total | | | | |
|---|---|---|---|---|
| Lot Type | Lot Width (ft) | # of Lots | Total Lot Front Footage by Lot Type & Width (ft) | Percentage of Total Front Footage Width (ft) |
| Live-Work units | 25 | 20 | 1,581.4 | 0.050 |
| Attached Townhomes | 25 | 36 | 3,014.3 | 0.094 |
| Small Lots | 35 | 84 | 6,578.0 | 0.206 |
| Standard Lots | 60 | 199 | 17,350.6 | 0.544 |
| Large Lots | 70 | 47 | 3,391.6 | 0.106 |
| | | | | |
| TOTAL | | 386 | | |
| | | | | |

## ***Section 2 Government Actions***

The following are the permitting agencies that will have jurisdiction for approval of construction within the District. Depending on the location and scope of each project design, the individual permits that need to be obtained will need to be evaluated; not all will necessarily apply to every sub-phase within the District.

Permitting Agencies & Permits Required

1. City of Groveland
    a. Site Plan Permit
    b. Right-of-Way Permit
    c. Tree Removal Permit
    d. Site Development Plan
    e. Final Plat
2. St. Johns River Water Management District (SJRWMD)
    a. Environmental Resource Permit
        i. Mass Grading/Master Stormwater Construction
        ii. Final Engineering for Onsite Improvements
    b. Water Use Permit (Dewatering)
        i. Mass Grading/Master Storm
        ii. Final Engineering for Onsite Improvements
3. City of Groveland
    a. Final Engineering Construction Plans –Water, Sewer, and Reclaimed Water Distribution Systems
4. Florida Department of Environmental Protection (FDEP)
    a. Water Distribution System
    b. Sanitary Sewer Collection and Transmission System
    c. National Pollutant Discharge Elimination System (NPDES)
5. Army Corp of Engineers
6. Florida Fish and Wildlife Conservation Commission (FWC)

## ***Section 3 Infrastructure Benefit***

The District will fund, and in certain cases maintain and operate public infrastructure yielding two types of public benefits. These benefits include:

- District-specific public benefits

- Incidental general public benefits

The District-specific public benefits are provided by infrastructure improvements that serve all lands in the District. These public infrastructure improvements include construction of the master stormwater management system, the sanitary sewer, potable water, and reclaimed water mains, roadway network, offsite roadway and utility improvements, perimeter landscape and irrigation improvements within the District boundary, which make the property within the District developable and saleable. However, some incidental general public benefits include those benefits received by the general public who do not necessarily reside on land owned or within the District.

The proposed capital improvements identified in this Report are intended to provide specific benefit to the assessable real property within the boundaries of the District. As much of the property is currently undeveloped, the construction and maintenance of the proposed infrastructure improvements are necessary and will benefit the property for the intended use as a residential community. The District can construct, acquire, own, operate and/or maintain any or all of the proposed infrastructure set forth herein. The Developer or other party/parties will construct and fund the infrastructure not funded by the District (including but not limited to the private infrastructure required for development).

In particular, the on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection. Water main connections will be made to the 12" water main at Villa City Road/CR 565 and the potential of interconnection to the adjacent Preserve at Sunrise Subdivision.

Wastewater improvements for the project will include an onsite 8" diameter gravity collection system, offsite and onsite 6" force main and onsite lift stations. The offsite force main connection will be made to the existing 12" force main at Villa City Road/CR 565.

Similarly, the reclaim water distribution system will be constructed to provide service for irrigation throughout the community and will consist of 8" reclaimed mains. Prior to the availability of a reclaimed main in Villa City Road/CR 565, the reclaim water will be provided via a jumper connection to the potable water main.

The potable water and reclaim water distribution systems and sanitary sewer system and lift station for all phases are anticipated to be completed by the District and then dedicated to the City of Groveland for ownership and maintenance.

## ***Section 4 Capital Improvement Plan***

The District capital improvements will connect and interact with the adjacent offsite roads, stormwater management systems, potable water, reclaimed water, and sewer systems. The proposed infrastructure improvements addressed by this Report include elements internal and external to the District. The elements include the master stormwater management and drainage systems, roadway

improvements, landscaping, street lighting, pavement markings and signage, as well as potable watermain, reclaimed watermain and sewer extensions required to provide utility service to the District. Detailed descriptions of the proposed capital improvements are provided in the following sections and Exhibits 4 through 9. Exhibit 10, details the Cost Opinion for the District's Capital Improvement Plan.

The Improvement Plan will be constructed and financed in logical segments and in one or more phases. The District anticipates one or more series of bonds to fund all or a portion of the Capital Improvement Plan.

## ***Section 5 Description of Capital Improvement Plan***

### *5.1 Roadway Improvements*

As indicated above, the District will fund roadway construction internal to the District consisting of local roadways. Exhibit 4, Thoroughfare Types Plan, provides a graphic representation of the proposed improvements. All such local roadways will be open to the public and no entry gates are proposed.

### *5.2 Stormwater Management*

As indicated above, the District will fund the construction of the master stormwater management system for the lands within the District. This system is made up of four (4) dry bottom detention stormwater treatment/attenuation ponds, control structures, spreader swales, inlets, manholes and storm pipes. The proposed ponds and outfall structures have been designed to provide water quality treatment and attenuation in accordance with City of Groveland and the St. Johns River Water Management District regulations. The stormwater management system has been designed to accommodate on-site runoff in addition to offsite flows which have historically entered the project site. Exhibit 5, Master Drainage Plan, provides graphical representations of the proposed stormwater management system.

The stormwater collection and outfall system are a combination of roadway curbs, curb inlets, pipe, control structures and open lakes designed to treat and attenuate stormwater runoff from District lands. The stormwater system within the project discharges to Lake Lucy. The stormwater system will be designed consistent with the criteria established by the SJRWMD and the City of Groveland for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system, with the exception that should the City take ownership and maintenance of the Roadway Rights-of-Way, the City will own, operate and maintain the inlets and storm sewer systems within City right-of-way.

NOTE: No private earthwork is included in the CIP. Accordingly, the District will not fund any costs of mass grading of lots.

### *5.3 100-Year Floodplain*

Pursuant to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) panels 12069C dated December 18, 2012, portions of the project site are located within the 100-year Flood Hazard Area (FHA), Zone A, associated with Lake Lucy. Exhibit 6, FEMA 100-Year Floodplain details the floodplain limits relative to the District boundaries.

The lack of additional FEMA FHA does not preclude of any Jurisdiction having permitting authority from requiring the establishment of Base Flood Elevations (BFE) nor to avoid measures resulting from any filled areas below the BFE which will require mitigation in the form of a volume-for-volume match between BFE impacts and compensating storage.

## ***5.4 Other Master Infrastructure***

### ***5.4.1 Primary Roadways***

The primary roadway improvements include approximately 21,600 linear feet of road and consist of the following Rights-of-Way widths: 80' Width Divided; 66' Street; 48' Primary Road; 40' Road; 32' Lane and 20' Alleys. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping and signage and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders. All roads will be designed in accordance with City of Groveland standards. The roadways will define the major ingress and egress points throughout the Development as well as serve as the collector roads to support future residential development. The roadways will also serve as locations for the placement of utility infrastructure needed to serve the development of the project, see Exhibit 4.

All internal roadways may be financed by the District and are anticipated to be owned by the City of Groveland for ownership, operation, and maintenance. Alternatively, the developer may elect to finance the internal roads, gate them, and turn them over to a Homeowners Association ("HOA") for ownership, operation and maintenance (in such an event, the District would be limited to financing only utilities, conservation/mitigation and stormwater improvements behind such gated areas).

In addition to the onsite roadway network, there are requirements to provide intersection improvements to Villa City Road/CR 565. Improvements include left turn lanes and right turn deceleration lanes at the primary entrance, Cypress Bluff Boulevard.

Last, there is a proposed unimproved access to an existing property & home to the east. This access is being relocated to continue to provide access to the subject property. This access will not be funded, owned nor maintained by the District.

### ***5.4.2 Potable Water Distribution System***

The District will fund the construction of the water distribution system within the District and those portions required to connect to existing or proposed offsite facilities. The potable water system will be conveyed to, and owned and maintained by the City of Groveland once it has been certified complete. The main sizing within the District, sized to provide water to residents of the District, will be required to be designed and constructed based on the Master Utility Plan ("MUP"). Exhibit 7, provides a graphical representation of the water mains to be constructed within the District.

### ***5.4.3 Reclaimed Water Distribution System***

The District will fund the construction of the reclaimed water distribution system within the District and those portions required to connect to existing or proposed offsite facilities. The reclaimed water system will be conveyed to, and owned and maintained by the City of Groveland once it has been certified complete by the District. The main sizing within the District, sized to provide reclaimed water to the lot boundaries and common areas, will be required to be designed and constructed based

on the Master Utility Plan. Exhibit 7, provides a graphical representation of the proposed system within the District.

### *5.4.4 Wastewater System*

The District will fund the construction of the gravity sewer, force main, and lift station infrastructure within the District and those portions required to connect to existing or proposed offsite facilities. The wastewater system will be conveyed to, and owned and maintained by the City of Groveland once it has been certified complete by the District. The main sizing and lift stations within the District, sized to provide wastewater service to the residents of the District, will be required to be designed and constructed based on the Master Utility Plan. Exhibit 7 provides a graphical representation of the proposed wastewater system within the District.

### *5.4.5 Landscape & Hardscape*

The landscaping and irrigation of the primary roadways will provide the "first impression" of the Development. The District will fund and construct and/or install parks, landscape and hardscape construction and maintenance within District common areas which may include Rights-of-Way, perimeter landscape buffers, master signage, way finding signage, entry hardscape features, entry landscape, amenity area landscape and hardscape, pedestrian/multi-purpose trails, and street trees. The irrigation system will consist of pipe & fittings, various types of sprinkler systems and non-potable wells as allowed. All such landscaping, irrigation and hardscaping will be owned, maintained and funded by the District. Areas owned and Maintained by the Homeowners Association shall be the responsibility of the HOA. Agreements between the HOA and District may be consummated should both parties agree on a proper maintenance and budget. Such infrastructure, to the extent that it is located in rights-of-way owned by the City will be maintained pursuant to a right-of-way agreement to be entered into with the City. Additionally, The City has distinct design criteria requirements for planting and irrigation design. Therefore this project will at a minimum meet those requirements but in most cases exceed the requirements with enhancements for the benefit of the community.

### *5.4.6 Electrical Distribution and Street Lights*

Most, if not all, District constructed infrastructure will include underground electric and street lighting. The street lighting system will be constructed in cooperation with the City of Groveland, Sumter Electric and the Developer. The District will fund the cost to trench the underground installation only. Leasing and monthly service charges associated with the upgraded street lighting fixtures along roadways within the District are the responsibilities of others. Sumter Electric and the appropriate community entity will own and maintain the electric and street light infrastructure.
The District intends to enter into a lease through an agreement with Sumter Electric Cooperative for the installation, maintenance and use of the street lighting within the District. In which case the District would fund the streetlights through an annual operations and maintenance assessment. As such, streetlights are not included as part of the CIP.

The CIP does however include the undergrounding of electrical utility lines within right-of-way utility easements throughout the community. Any lines and transformers located in such areas would be owned by Sumter Electric Cooperative and not paid for by the District as part of the CIP.

### *5.4.7 Amenities*

The District intends to develop a residential amenity for the project, which is anticipated to include a pool and cabana.

### *5.4.8 Environmental Conservation/Mitigation*

There are no impacts of forested and herbaceous wetland and lake area impacts associated with the proper construction of the District's infrastructure. The District will be responsible for the design, permitting, construction, maintenance, and government reporting of the environmental mitigation. These costs are included within the CIP.

### *5.5 Professional and Inspection Fees*

Design, permitting and construction for the proposed District Capital Improvement Plan, professional services are required by various consultants. The consultants required are: civil engineer, geotechnical, planner, environmental, surveying, landscape architect and associated legal costs. During construction, the various permitting agencies will observe and inspect the project. Each of the agencies will charge an inspection fee to cover the costs associated with an inspector visiting the site to observe construction progress and confirm that the project is constructed in accordance with their respective approved plans, permits, rules, and regulations. The professional services and inspections fees are included as soft costs for the District Capital Improvement Plan.

## ***Section 6 Ownership and Maintenance***

| District Infrastructure | Construction/Finance Entity | Ownership | Capital Financing [1] | Maintenance |
|---|---|---|---|---|
| Master Stormwater Management System | District | District | District Bonds | District |
| Onsite Roadways & Parking Areas (Asphalt, Curb & Gutter, Sidewalk) | District | *City of Groveland | District Bonds | *City of Groveland |
| Offsite Roadway Improvements | District | Lake County (Roadways) City of Groveland (Utilities) | District Bonds | Lake County (Roadways) City of Groveland (Utilities) |
| Potable Water Distribution System | District | City of Groveland | District Bonds | City of Groveland |
| Sanitary Sewer System & Lift Station | District | City of Groveland | District Bonds | City of Groveland |
| Reclaimed Water Distribution System | District | City of Groveland | District Bonds | City of Groveland |
| Parks, Landscaping, Irrigation and Entry Feature Signage & Signage within Right-of-Way | District | District | District Bonds | District |
| Landscaping & Walls within Easements | District | District | District Bonds | District |
| Amenity | District | District | District Bonds | District |
| Street Lighting/Electrical [2] | District | Sumter Electric | District Bonds [2] | Sumter Electric |

**Provided that for lanes and alleys that the City of Groveland will not accept ownership of, the CDD will own and operate*

*Notes:*

1. *Costs not funded by bonds will be funded by the Developer.*
2. *The District shall enter into a lease with Sumter Electric Cooperative for the installation, maintenance and use of the street lighting within the Development. However, the underground conduit for the electrical lines will be installed by the District and the District will fund the differential cost of undergrounding the electric lines, which includes the conduit.*

## ***Section 7 Roadway Rights-of-Way, Stormwater Management Ponds and Other Open Spaces***

Real property interests for lands within the District needed for construction, operation, and maintenance of District facilities will be conveyed and/or dedicated by the owner thereof to the District or other public entity and the costs associated therewith are not part of the CIP.

### *Section 8 Estimate of Probable Capital Improvement Costs*

The "Estimate of Probable Capital Improvement Plan Costs" is provided in Exhibit 10. Design costs associated with the improvements herein before described have been estimated based on the best available information. Other soft costs include portions of the wetland/permit surveying, design and engineering for all of the described work, regulatory permitting and materials testing. Last, a reasonable project contingency estimate has been included utilizing rounding factors.

Please note that the costs are preliminary in nature and subject to change based on final engineering, permitting, and changes in construction cost due to market fluctuation.

**PROBABLE CAPITAL IMPROVEMENT COSTS**

| Facility | Costs [1] | |
|---|---|---|
| Master Stormwater Management System | $ | 3,768,600.00 |
| Onsite Roadway Improvements - Pavement | $ | 4,329,453.00 |
| Offsite Roadway Improvements - Pavement | $ | 1,041,980.50 |
| Potable Water Distribution System | $ | 2,153,815.00 |
| Sanitary Sewer System including Lift Station | $ | 2,849,230.00 |
| Reclaimed Water Distribution System | $ | 1,807,495.00 |
| Landscaping, Walls & Monuments | $ | 3,170,000.00 |
| Amenities | $ | 700,000.00 |
| Soft Costs – Engineering & Surveying | $ | 450,000.00 |
| **TOTAL** | **$** | **20,270,573.50** |

[1] *Based on Southern Development & Construction, Inc. bid dated July 1, 2022, and includes only those items shown above; bid estimates above are subject to the specific notes included in the bid. It is our professional opinion that the costs set forth herein are reasonable and consistent with market pricing. The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated District expenditures that may be incurred.*

### *Section 9 Conclusions and Summary Opinion*

The Capital Improvement Plan as described is necessary for the functional development of the property within the District as required by the applicable local governmental agencies. The planning and design of the infrastructure will be in accordance with current governmental regulatory requirements. The public infrastructure as described in this Report will serve its intended function provided the construction is in substantial compliance with the future design and permits which will be required by the District. In addition to the annual non-ad valorem assessments to be levied and collected to pay debt service on the proposed bonds, the District will levy and collect an annual "Operating and Maintenance" assessment to be determined, assessed and levied by the District's Board of Supervisors upon the assessable real property within the District, for the purpose of defraying the cost and expenses of maintaining District-owned improvements.

The construction costs for the District's Capital Improvement Plan in this report are based on the concept plans for the District as currently proposed. In our professional opinion, and to the best of our knowledge and belief, the costs provided herein for the District are reasonable to complete the construction of the infrastructure improvements described herein. All of the proposed infrastructure Capital Improvement Plan costs are public improvements or community facilities as set forth in sections 190.012(1) and (2) of the Florida Statutes.

The summary of probable infrastructure construction costs is only an opinion and not a guaranteed maximum price. Historical costs, actual bids and information from other professionals or contractors have been used in the preparation of this report. The Contractor who contributed in providing the cost data included in this report are reputable entities with experience in Central Florida. It is therefore our opinion that the construction of the proposed District Capital Improvement Plan can be completed at the costs as stated.

The labor market, future costs of equipment and materials, increased regulatory actions and requirements, and the actual construction process are all beyond our control. Due to this inherent opportunity for fluctuation in cost, the total final cost may be more or less than this opinion. Further it is our opinion that:

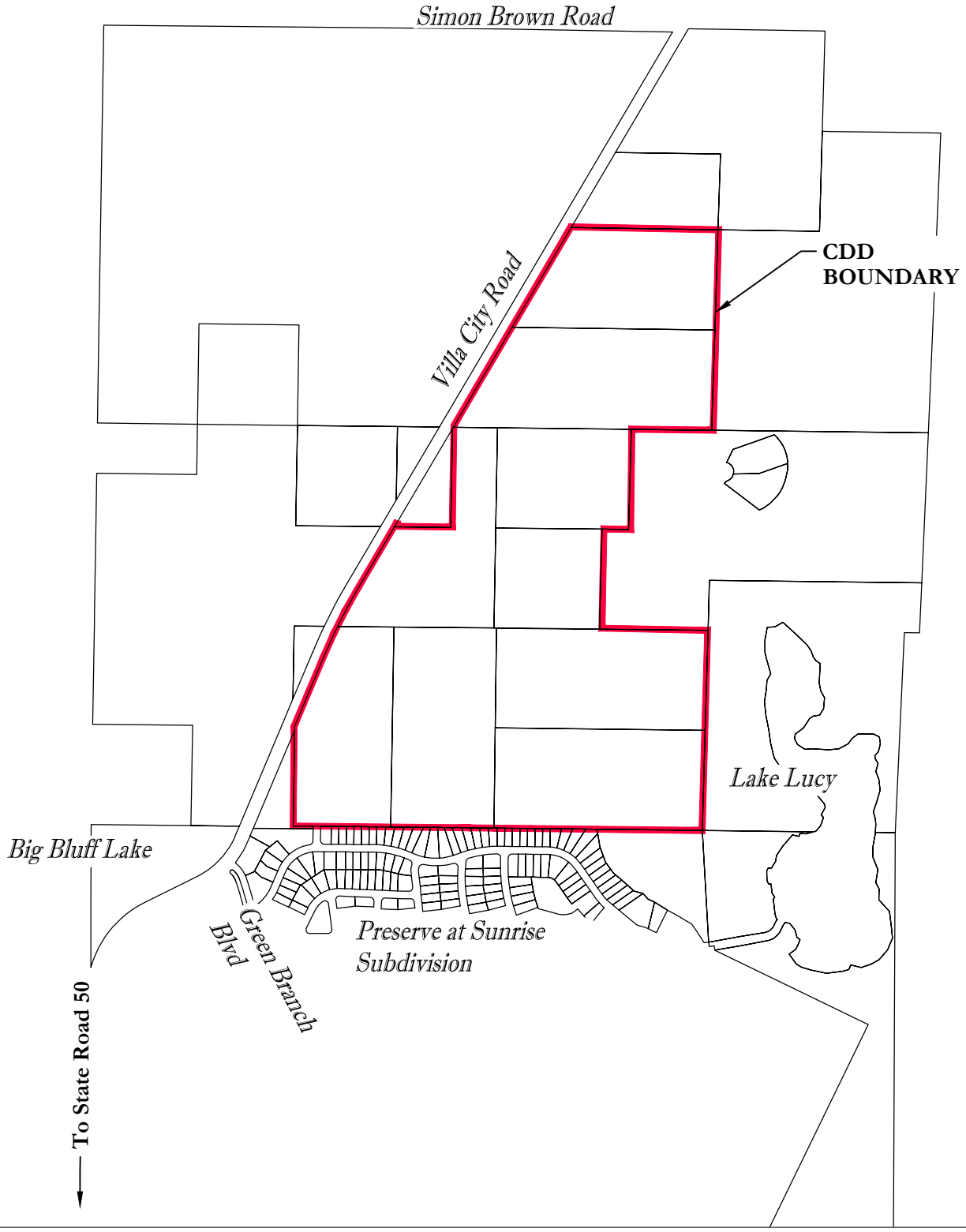
- All of the improvements comprising the CIP are required by applicable development approvals;
- The CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course;
- The reasonably expected economic life of the CIP is anticipated to be at least 20+ years;
- The assessable property within the District will receive a special benefit from the CIP that is at least equal to such costs; and

The professional service for establishing the Construction Cost Estimate is consistent with the degree of care and skill exercised by members of the same profession under similar circumstances. The CIP will be owned by the District or other governmental units and such CIP is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public) including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on public easements in favor of the District or other governmental entity. The CIP, and any cost estimates set forth herein, do not include any earthwork, grading or other improvements on private lots or property. Regarding any fill generated by construction of the CIP, and that is not used as part of the CIP, such fill will only be placed on-site where the cost of doing so is less expensive than hauling such fill off-site.
Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure

improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and the District expressly reserves the right to do so.

**As District Engineer:**
**Poulos & Bennett, LLC**

_____
David M. Kelly, PE, CFM
State of Florida Professional Engineer No. 43325
CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT




Vicinity Map

# Cypress Bluff CDD

1000 0 1000 2000

SC-LE IN FEET

**Exhibit 1**

August 2022

**P & B Job No.:** 22-086

2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

POULOS & BENNETT

www.poulosandbennett.com
Certificate of Authorization No. 28567

Z:\2022\22-086 KB HOME – CYPRESS BLUFF\C-D\EXH & FIGS\CDD\22086 CDD VICINITY M-P

LEGAL DESCRIPTION – OVERALL PROPERTY (PREPARED BY THIS FIRM):

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47" EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18" EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03" EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48" EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21" WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32" EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43" WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50" EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89° 17' 51" WEST, ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE

NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°18' 44” WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF TRACT 46, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN S 89°17'20" E ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 337.74 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°42'40" E FOR A DISTANCE OF 101.36 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING A POINT ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3769.83 FEET, A CHORD BEARING OF N 29°17'14" E, AND A CHORD DISTANCE OF 165.69 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°31'06" FOR A DISTANCE OF 165.70 FEET TO A POINT OF TANGENCY; THENCE RUN N 30°32'48" E FOR A DISTANCE OF 79.55 FEET TO THE BEGINNING OF A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 30.00 FEET, A CHORD BEARING OF N 77°38'48" E, AND A CHORD DISTANCE OF 40.84 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°48'00" FOR A DISTANCE OF 44.92 FEET TO A POINT OF TANGENCY; THENCE RUN S 59°27'12" E FOR A DISTANCE OF 83.70 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 210.00 FEET, A CHORD BEARING OF S 64°30'57" E, AND A CHORD DISTANCE OF 37.06 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°07'30" FOR A DISTANCE OF 37.11 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 10.00 FEET, WITH A CHORD BEARING OF S 34°28'27" E, A CHORD DISTANCE OF 11.50 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°12'31"

FOR A DISTANCE OF 12.25 FEET TO A POINT OF TANGENCY; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 253.03 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 382.00 FEET, WITH A CHORD BEARING OF S 74°12'22" W, AND A CHORD DISTANCE OF 72.01 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°49'01" FOR A DISTANCE OF 72.12 FEET TO A POINT OF NON TANGENCY; THENCE RUN N 59°27'12" W FOR A DISTANCE OF 233.81 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF TRACTS 45 AND 46, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN S 89°17'20" E ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 739.14 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°42'40" E FOR A DISTANCE OF 328.72 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89°22'12" W FOR A DISTANCE OF 39.98 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 180.00 FEET, A CHORD BEARING OF N 74°24'42" W AND A CHORD DISTANCE OF 92.92 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°55'00" FOR A DISTANCE OF 93.99 FEET TO A POINT OF TANGENCY; THENCE RUN N 59°27'12" W FOR A DISTANCE OF 89.38 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF N 16°45'14" W, AND A CHORD DISTANCE OF 33.91 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°23'57" FOR A DISTANCE OF 37.26 FEET TO A NON-TANGENT LINE; THENCE RUN N 30°32'48" E FOR A DISTANCE OF 231.64 FEET; THENCE RUN S 89°18'59" E FOR A DISTANCE OF 406.83 FEET; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 156.32 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 10.00 FEET, A CHORD BEARING OF S 45°37'48" W, AND A CHORD DISTANCE OF 14.14 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 15.71 FEET TO A POINT OF TANGENCY; THENCE RUN N 89°22'12" W FOR A DISTANCE OF 255.00 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 40.00 FEET, A CHORD BEARING OF S 45°37'48" W, AND A CHORD DISTANCE OF 56.57 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 62.83 FEET TO A POINT OF TANGENCY; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 95.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 152.63 ACRES, MORE OR LESS.

## VESTING LEGAL DESCRIPTION:

PARCEL 1:

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, LYING SOUTHEASTERLY OF C.R. 565, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

ALSO

THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

TRACTS 53 AND 54, GROVELAND FARMS, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 2:

TRACTS 59 AND 60, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, IN GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3:

PARCEL A: THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

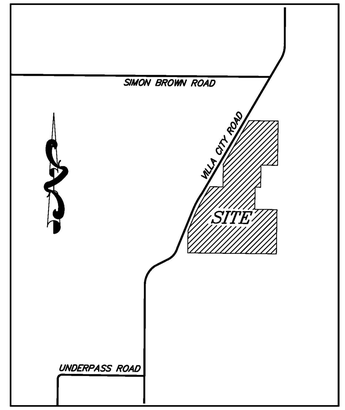
PARCEL B: THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL C: THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL D: THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4, EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL E: THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL F: ALL OF TRACTS 35, 45 AND 46, LYING EAST OF C.R. ROAD 565, AND THAT PART OF THE EAST 297 FEET OF TRACT 36, LYING EAST OF C.R. ROAD 565, ALL LYING AND BEING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



LOCATION MAP NOT TO SCALE

## LEGAL DESCRIPTION – OVERALL PROPERTY (PREPARED BY THIS FIRM):

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47" EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18" EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03" EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48" EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21" WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32" EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43" WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50" EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89° 17' 51" WEST, ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°16' 44"WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 5 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF TRACT 46, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN S 89°17'20" E ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 337.74 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°42'40" E FOR A DISTANCE OF 101.36 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING A POINT ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3769.83 FEET, A CHORD BEARING OF N 29°17'14" E, AND A CHORD DISTANCE OF 165.69 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°31'06" FOR A DISTANCE OF 165.70 FEET TO A POINT OF TANGENCY; THENCE RUN N 30°32'48" E FOR A DISTANCE OF 79.55 FEET TO THE BEGINNING OF A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 30.00 FEET, A CHORD BEARING OF N 77°38'48" E, AND A CHORD DISTANCE OF 40.84 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°48'00" FOR A DISTANCE OF 44.92 FEET TO A POINT OF TANGENCY; THENCE RUN S 59°27'12" E FOR A DISTANCE OF 83.70 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 210.00 FEET, A CHORD BEARING OF S 64°30'57" E, AND A CHORD DISTANCE OF 37.06 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°07'30" FOR A DISTANCE OF 37.11 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 10.00 FEET, WITH A CHORD BEARING OF S 34°28'27" E, A CHORD DISTANCE OF 11.50 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°12'31" FOR A DISTANCE OF 12.25 FEET TO A POINT OF TANGENCY; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 253.03 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 382.00 FEET, WITH A CHORD BEARING OF S 74°12'22" W, AND A CHORD DISTANCE OF 72.01 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°49'01" FOR A DISTANCE OF 72.12 FEET TO A POINT OF NON TANGENCY; THENCE RUN N 59°27'12" W FOR A DISTANCE OF 233.81 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF TRACTS 45 AND 46, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN S 89°17'20" E ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 739.14 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°42'40" E FOR A DISTANCE OF 328.72 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89°22'12" W FOR A DISTANCE OF 39.98 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 180.00 FEET, A CHORD BEARING OF N 74°24'42" W AND A CHORD DISTANCE OF 92.92 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°55'00" FOR A DISTANCE OF 93.99 FEET TO A POINT OF TANGENCY; THENCE RUN N 59°27'12" W FOR A DISTANCE OF 89.38 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF N 16°45'14" W, AND A CHORD DISTANCE OF 33.91 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°23'57" FOR A DISTANCE OF 37.26 FEET TO A NON-TANGENT LINE; THENCE RUN N 30°39'48" E FOR A DISTANCE OF 231.64 FEET; THENCE RUN S 89°18'59" E FOR A DISTANCE OF 406.83 FEET; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 156.32 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 10.00 FEET, A CHORD BEARING OF S 45°37'48" W, AND A CHORD DISTANCE OF 14.14 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 15.71 FEET TO A POINT OF TANGENCY; THENCE RUN N 89°22'12" W FOR A DISTANCE OF 255.00 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 40.00 FEET, A CHORD BEARING OF S 45°37'48" W, AND A CHORD DISTANCE OF 56.57 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 62.83 FEET TO A POINT OF TANGENCY; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 95.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 152.63 ACRES, MORE OR LESS.

## SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE ON THE SOUTH LINE OF SECTION 1-22-24 AND THE NORTH LINE OF PRESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PGS 76-79, AS BEING N89°23'34"W. (AN ASSUMED BEARING FOR ANGULAR DESIGNATION ONLY)
2. THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL, STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.
3. THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES LISTED HEREON AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.
4. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
5. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR VISIBLE, UNOBSTRUCTED, VISIBLE ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND UTILITIES, FOUNDATIONS WERE NOT LOCATED, UNLESS SHOWN HEREON.
6. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND PROFESSIONAL PURVIEW AND SUBJECT TO LEGAL INTERPRETATION.
7. THE PARCELS SHOWN HEREON, ARE CONTIGUOUS WITHOUT AN GAPS, GORES, HIATUSES OR OVERLAPS.
8. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, NATIONAL GEODETIC SURVEY BENCHMARK NUMBER A 494, ELEVATION BEING 97.56.
9. THE LANDS SHOWN HEREON LIE IN ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND FLOOD ZONE A, DEFINED AS NO BASE FLOOD ELEVATION DETERMINED, ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 12069C0555E, MAP REVISED DECEMBER 18, 2012.
   THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.
10. WE HAVE EXAMINED THE FURNISHED COMMITMENT TO INSURE TITLE, COMMITMENT NO. 2037-4548032, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, EFFECTIVE DATE JUNE 22, 2022 AT 8:00 A.M., REVISED JUNE 27, 2022, THOSE INSTRUMENTS INCLUDED IN "SCHEDULE B-II", OF THE COMMITMENT HAVE BEEN EXAMINED AND ARE REFLECTED HEREON TO THE EXTENT THEY AFFECT THE LANDS SURVEYED.

EXCEPTIONS AS THEY APPEAR IN THE TITLE COMMITMENT:

9. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA THROUGH THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA FOR OIL, GAS, MINERALS AND FISSIONABLE MATERIALS CONTAINED IN DEED NO. 1398 RECORDED NOVEMBER 10, 1944 IN DEED BOOK 224, PAGE 424, WITHOUT RIGHT OF ENTRY AND EXPLORATION PURSUANT TO SEC. 270.11 F.S. **THE SURVEYOR COULD NOT FIND ANY EVIDENCE, THROUGH A SEARCH OF THE PUBLIC RECORDS, OR WAS PROVIDED ANY DOCUMENTATION A STATE ROAD EXISTED THAT WOULD HAVE AFFECTED PARCEL B OF PARCEL 3.**
10. RIGHT-OF-WAY EASEMENT IN FAVOR OF SUMTER ELECTRIC COOPERATIVE, INC. RECORDED FEBRUARY 2, 1972 IN BOOK 455, PAGE 148. **AFFECTS THE SUBJECT PROPERTY BUT CANNOT BE SHOWN, BLANKET IN NATURE.**
11. RIGHT-OF-WAY EASEMENT IN FAVOR OF SUMTER ELECTRIC COOPERATIVE, INC. RECORDED MARCH 2, 1973 IN BOOK 497, PAGE 123. **AFFECTS THE SUBJECT PROPERTY BUT CANNOT BE SHOWN, BLANKET IN NATURE.**
12. RIGHT-OF-WAY EASEMENT IN FAVOR OF SUMTER ELECTRIC COOPERATIVE, INC. RECORDED SEPTEMBER 16, 1982 IN BOOK 757, PAGE 1655. **AFFECTS THE SUBJECT PROPERTY BUT CANNOT BE SHOWN, BLANKET IN NATURE.**
13. GRANT OF EASEMENT IN FAVOR OF UNITED TELEPHONE COMPANY OF FLORIDA RECORDED JANUARY 6, 1991 IN BOOK 1143, PAGE 1021. **AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.**
14. INTENTIONALLY DELETED
15. GRANT OF EASEMENT AND RELEASE OF EASEMENT IN FAVOR OF ISLAND BOYS, LLC RECORDED IN BOOK 2424, PAGE 1328. **AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.**

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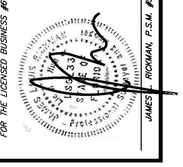
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355 LB #6723

CITY OF GROVELAND, LAKE COUNTY, FLORIDA

FOR: KB HOME ORLANDO, LLC

FOR THE LICENSED BUSINESS #6723 BY:

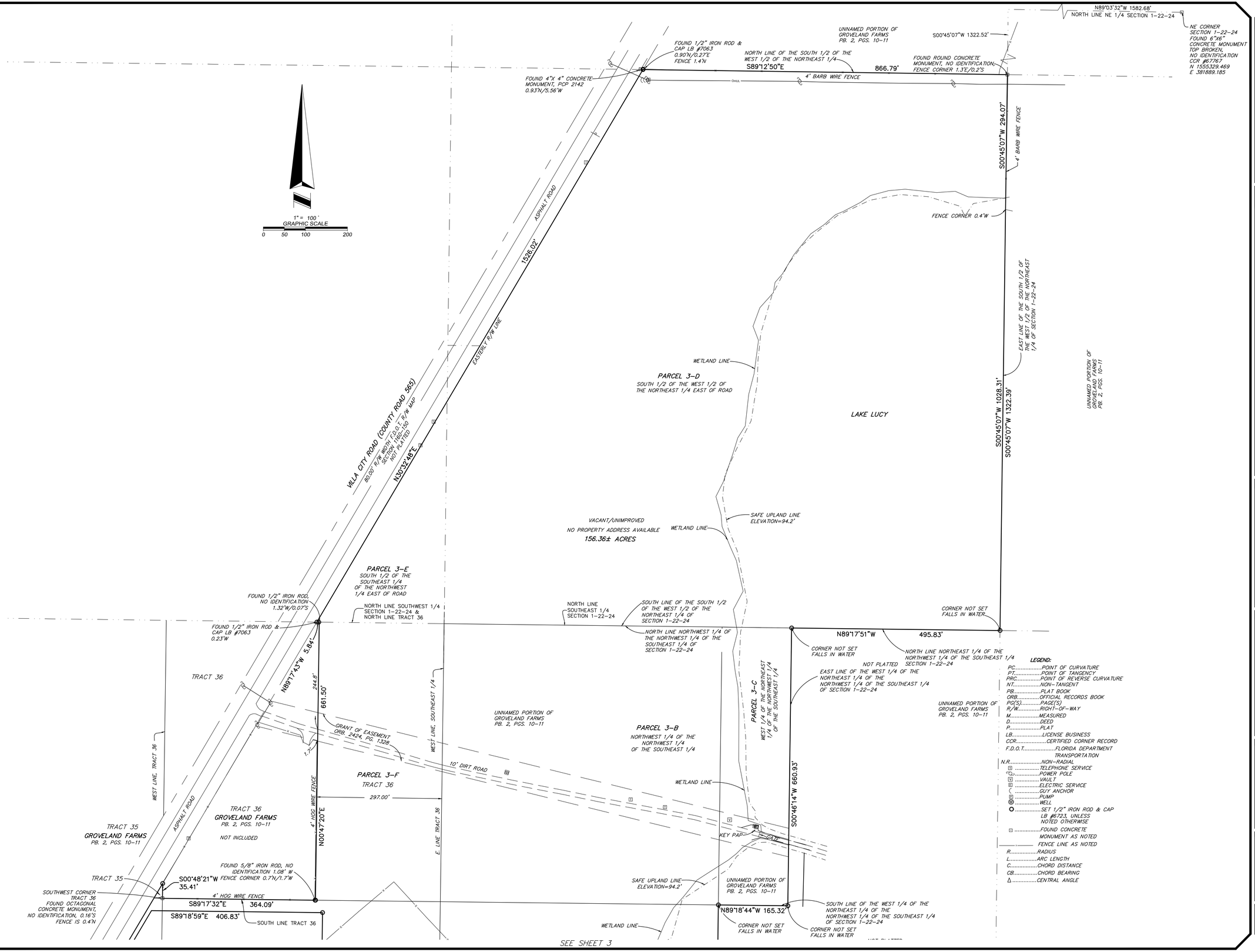



| DATE | REVISIONS |
|---|---|

JOB # 20190701
DATE: APRIL 25, 2023
SCALE: 1"=100'
CALC BY: JLR
FIELD BY: SM
DRAWN BY: SEJ
CHECKED BY: JLR

SHEET 1 OF 3

K:\Jobs\20190701\dwg\20190701 C00.dwg Last Saved 4/25/2023 8:41 AM




LEGEND:

| | |
|---|---|
| PC | POINT OF CURVATURE |
| PT | POINT OF TANGENCY |
| PRC | POINT OF REVERSE CURVATURE |
| NT | NON-TANGENT |
| PB | PLAT BOOK |
| ORB | OFFICIAL RECORDS BOOK |
| PG(S) | PAGE(S) |
| R/W | RIGHT-OF-WAY |
| M | MEASURED |
| D | DEED |
| P | PLAT |
| LB | LICENSE BUSINESS |
| CCR | CERTIFIED CORNER RECORD |
| F.D.O.T. | FLORIDA DEPARTMENT TRANSPORTATION |
| N.R. | NON-RADIAL |
| T | TELEPHONE SERVICE |
| PP | POWER POLE |
| V | VAULT |
| E | ELECTRIC SERVICE |
| GA | GUY ANCHOR |
| P | PUMP |
| W | WELL |
| ○ | SET 1/2" IRON ROD & CAP LB #6723, UNLESS NOTED OTHERWISE |
| ⊡ | FOUND CONCRETE MONUMENT AS NOTED |
| ——— | FENCE LINE AS NOTED |
| R | RADIUS |
| L | ARC LENGTH |
| C | CHORD DISTANCE |
| CB | CHORD BEARING |
| Δ | CENTRAL ANGLE |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# BOUNDARY SURVEY
OF
# CYPRESS BLUFF

SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST

CITY OF GROVELAND, LAKE COUNTY, FLORIDA

FOR: KB HOME ORLANDO, LLC

| DATE | REVISIONS |
|---|---|

| | |
|---|---|
| JOB # | 20190701 |
| DATE: | APRIL 25, 2023 |
| SCALE: | 1"=100' |
| CALC BY: | JLR |
| FIELD BY: | SM |
| DRAWN BY: | SEJ |
| CHECKED BY: | JLR |

SHEET 2 OF 3

K:\Data\2019\0701\Dwg\20190701 CSD.dwg, Last Saved 4/25/2023 8:41 AM

SEE SHEET 2

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | N30°32'48"E | 79.55' |
| L2 | N59°27'12"W | 89.38' |
| L3 | S00°37'48"W | 156.32' |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | CHORD BEARING | CHORD | DELTA | LENGTH |
| C1 | 3769.83' | N29°17'14"E | 165.69' | 002°31'06" | 165.70' |
| C2 | 30.00' | N77°38'48"E | 40.84' | 085°48'00" | 44.92' |
| C3 | 210.00' | S64°30'57"E | 37.06' | 010°07'30" | 37.11' |
| C4 | 10.00' | S34°28'27"E | 11.50' | 070°12'31" | 12.25' |
| C5 | 382.00' | S74°12'22"W | 72.01' | 010°49'01" | 72.12' |
| C6 | 180.00' | N74°24'42"W | 92.92' | 029°55'00" | 93.99' |
| C7 | 25.00' | N16°45'14"W | 33.91' | 085°23'57" | 37.26' |
| C8 | 10.00' | S45°37'48"W | 14.14' | 090°00'00" | 15.71' |
| C9 | 40.00' | S45°37'48"W | 56.57' | 090°00'00" | 62.83' |

**LEGEND:**

PC.....POINT OF CURVATURE
PT.....POINT OF TANGENCY
PRC.....POINT OF REVERSE CURVATURE
NT.....NON-TANGENT
PB.....PLAT BOOK
ORB.....OFFICIAL RECORDS BOOK
PG(S).....PAGE(S)
R/W.....RIGHT-OF-WAY
M.....MEASURED
D.....DEED
P.....PLAT
LB.....LICENSE BUSINESS
COR.....CERTIFIED CORNER RECORD
F.D.O.T.....FLORIDA DEPARTMENT TRANSPORTATION
N.R.....NON-RADIAL
.....TELEPHONE SERVICE
.....POWER POLE
.....VAULT
.....ELECTRIC SERVICE
.....GUY ANCHOR
.....PUMP
.....WELL
.....SET 1/2" IRON ROD & CAP LB #6723, UNLESS NOTED OTHERWISE
.....FOUND CONCRETE MONUMENT AS NOTED
_____ FENCE LINE AS NOTED
R.....RADIUS
L.....ARC LENGTH
C.....CHORD DISTANCE
CB.....CHORD BEARING
Δ.....CENTRAL ANGLE

L.....ARC LENGTH
C.....CHORD DISTANCE
CB.....CHORD BEARING
Δ.....CENTRAL ANGLE

TRACT 35
SOUTHWEST CORNER TRACT 36
FOUND OCTAGONAL CONCRETE MONUMENT, NO IDENTIFICATION, 0.16'S, FENCE IS 0.4'N
S00°48'21"W 35.41'
FOUND 5/8" IRON ROD, NO IDENTIFICATION 1.08' W FENCE CORNER 0.7'N/1.7'W
4' HOG WIRE FENCE
S89°17'32"E 364.09'
S89°18'59"E 406.83'
SOUTH LINE TRACT 36
PROPOSED TRACT 2A
N30°32'48"E 511.09'
N30°32'48"E 231.64'
L3
N89°22'12"W 255.00'
C9
C7
N89°22'12"W 39.98'
S00°37'48"W 95.00'
L2
C2
C6
PARCEL 3-F TRACT 46
POINT OF BEGINNING
PARCEL 3-F TRACT 45
L1
C1
C3
C4
S59°27'12"E 83.70'
VILLA CITY ROAD (COUNTY ROAD 565)
80.00' R/W WIDTH F.D.O.T. R/W MAP SECTION 11802-2502 NOT PLATTED
R=3779.83'
Δ=07°43'29"
L=509.61'
C=509.22'
CB=N26°41'03"E
POINT OF BEGINNING
PROPOSED TRACT 1A
N59°27'12"W 233.81' N.R.
S00°37'48"W 253.03' (N.R.)
N00°42'40"E 328.72'
POINT OF COMMENCEMENT
(LESS OUT) SW CORNER OF NE 1/4 OF SW 1/4 SECTION 1-22-24
S89°17'20"E 337.74'
S89°17'20"E 739.14'
GRANT OF EASEMENT ORB. 1143, PG. 1021
N00°42'40"E 101.36'
4' BARB WIRE FENCE
SOUTH LINE NE 1/4, SW 1/4 SECTION 1-22-24
4' BARB WIRE FENCE
CONCRETE DRIVE
FOUND 5/8" IRON ROD & CAP, LB #7063, 0.11'W
S LINE OF NE 1/4 OF SW 1/4 SECTION 1-22-24
NORTH LINE SE 1/4, SW 1/4 SECTION 1-22-24
CONCRETE DRIVE
ASPHALT ROAD
485.97'
N22°49'18"E
EASTERLY R/W LINE
PC
139.9'
FOUND 5/8" IRON ROD & CAP, LB #7063 0.46'S/0.51'W
FOUND 4"X 4" CONCRETE MONUMENT, NO IDENTIFICATION, 0.18'N/0.36'W
CONCRETE WALK
CONCRETE DRIVE
659.14' D
659.03' M
N00°49'47"E
N00°49'47"E
WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 SECTION 1-22-24 EAST LINE, TRACT A, PRESERVE AT SUNRISE PHASE 2
CONCRETE BRIDGE
CONCRETE POND
PRESERVE AT SUNRISE PHASE 2 PB. 70, PGS. 76-79 TRACT A
PARCEL 1 WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
PARCEL 1 EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
AREA OF OBSERVED DEMOLITION
SAFE UPLAND LINE ELEVATION=94.2'
WETLAND LINE
4' BARB WIRE FENCE
PARCEL 3-A SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1-22-24
S00°46'27"W 660.98'
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
LAKE LUCY
PARCEL 1 TRACT 53 GROVELAND FARMS PB. 2, PGS. 10-11
PARCEL 2 TRACT 60 GROVELAND FARMS PB. 2, PGS. 10-11
VACANT/UNIMPROVED
NO PROPERTY ADDRESS AVAILABLE
156.36± ACRES
CONCRETE BLOCK PUMP HOUSE
SAFE UPLAND LINE ELEVATION=94.2'
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
S00°46'14"W 660.93'
N89°18'44"W 165.32'
SOUTH LINE OF THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1-22-24
CORNER NOT SET FALLS IN WATER
CORNER NOT SET FALLS IN WATER
NOT PLATTED
1" = 100
GRAPHIC SCALE
0 50 100 200
CORNER NOT SET FALLS IN WATER
CORNER NOT SET FALLS IN WATER
S89°20'04"E 661.45'
NORTH LINE OF TRACT 54
NORTHWEST CORNER TRACT 54
NORTHEAST CORNER TRACT 54
PARCEL 1 TRACT 54 GROVELAND FARMS PB. 2, PGS. 10-11
EAST LINE OF THE W 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1-22-24
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
EAST LINE OF TRACTS 54 & 59
S00°44'53"W 1321.24'
PARCEL 2 TRACT 59 GROVELAND FARMS PB. 2, PGS. 10-11
WETLAND LINE
SOUTH LINE SECTION 1-22-24 NORTH LINE PRESERVE AT SUNRISE PHASE 3
CORNER NOT SET FALLS IN WATER
SOUTHEAST CORNER TRACT 59
DIRT ROAD
684.93'
638.30'
N89°19'32"W
1323.23'
FOUND 5/8" IRON ROD & CAP, LB #7063 ON LINE
PRESERVE AT SUNRISE PHASE 3 PB. 74, PGS. 1-6
FOUND 4"X 4" CONCRETE MONUMENT, LB #7808
SOUTH LINE SECTION 1-22-24 NORTH LINE PRESERVE AT SUNRISE PHASE 2
N89°23'34"W
N89°24'07"W P
1324.28'
2' CURB
2' CURB
CONCRETE WALK
ASPHALT ROAD
SUN HAMMOCK TRAIL
CONCRETE WALK
1' CONCRETE WALL
1.3'
1.2'
133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151
PRESERVE AT SUNRISE PHASE 2 PB. 70, PGS. 76-79
SOUTH 1/4 CORNER, SEC 1-22-24 FOUND 4"X4" CONCRETE MONUMENT LB #6723
POINT OF BEGINNING: (ALSO DESCRIBED AS) SOUTHWEST CORNER, SOUTHEAST 1/4, SOUTHWEST 1/4 SECTION 1-22-24
TRACT B

ALLEN & COMPANY
Founded in 1988
SURVEYING
MAPPING
GEOSPATIAL
SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355 LB #6723

CITY OF GROVELAND, LAKE COUNTY, FLORIDA

FOR: KB HOME ORLANDO, LLC

REVISIONS
DATE

JOB # 20190701
DATE: APRIL 25, 2023
SCALE: 1"=100'
CALC BY: JLR
FIELD BY: SM
DRAWN BY: SEJ
CHECKED BY: JLR



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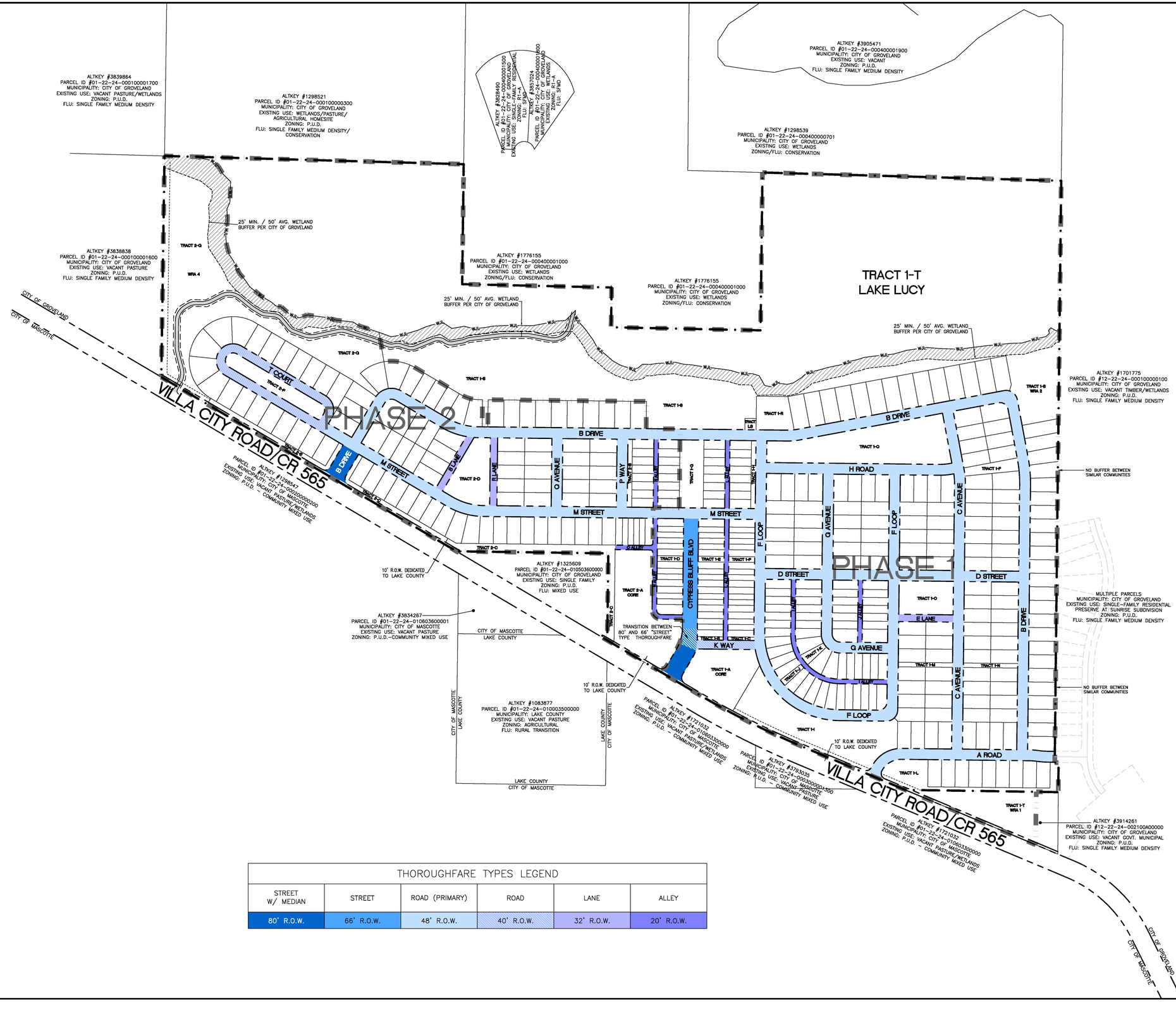



| THOROUGHFARE TYPES LEGEND | | | | | |
|---|---|---|---|---|---|
| STREET W/ MEDIAN | STREET | ROAD (PRIMARY) | ROAD | LANE | ALLEY |
| 80' R.O.W. | 66' R.O.W. | 48' R.O.W. | 40' R.O.W. | 32' R.O.W. | 20' R.O.W. |

Knight Engineering Services
770 Almond Street, Suite B, Clermont, Florida 34711

SECTION 01, TOWNSHIP 22S, RANGE 24E, LAKE COUNTY, FLORIDA
APPLICANT/DEVELOPER: SLC INDIGO LAKES, LLC
1133 LOUISIANA AVENUE, SUITE 101, WINTER PARK, FLORIDA 32789

**EXHIBIT 4**

GENERAL LEGEND

CDD Boundary

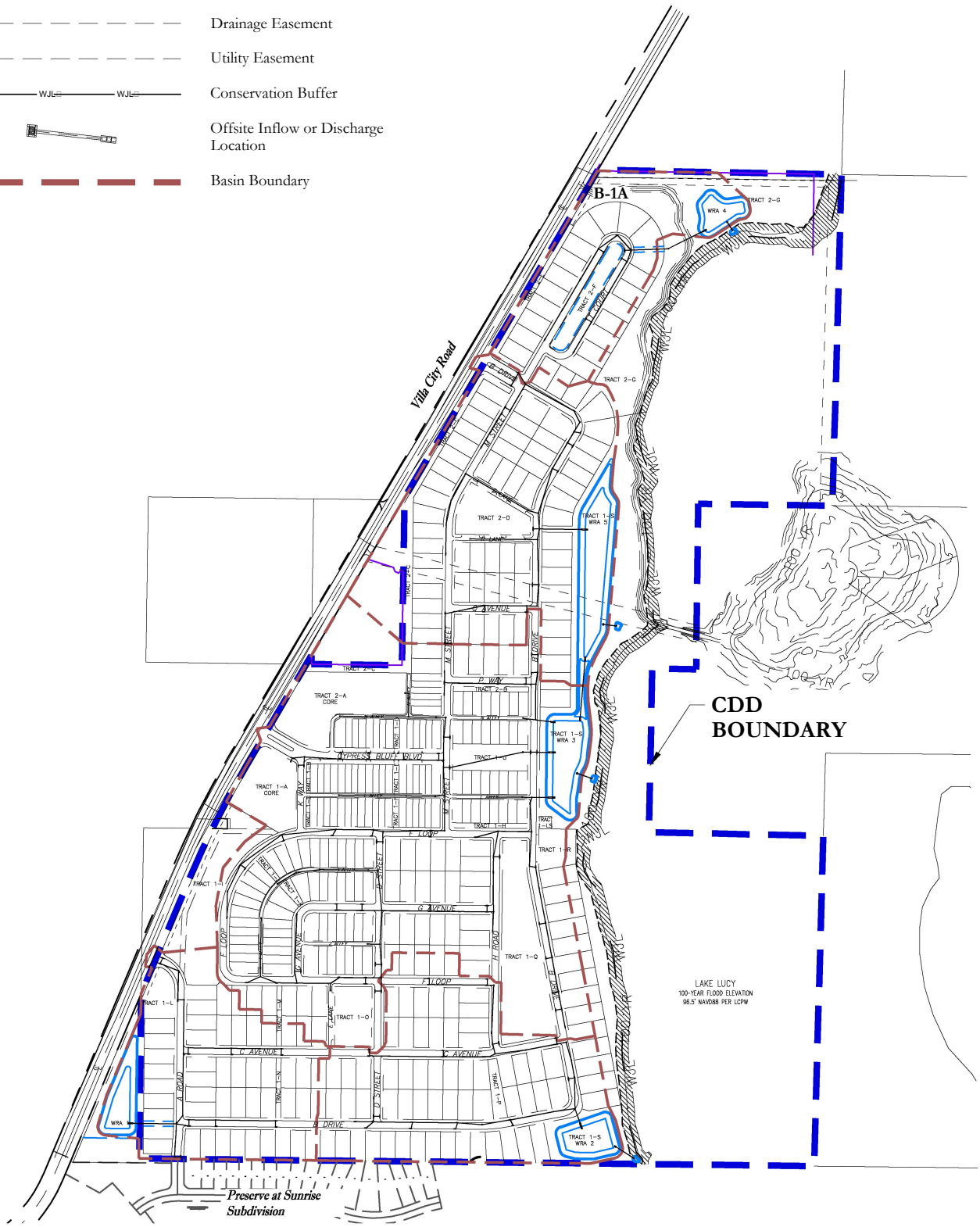
Drainage Easement

Utility Easement

Conservation Buffer

Offsite Inflow or Discharge Location

Basin Boundary




Post-Development Drainage Map

# Cypress Bluff CDD

N

600 0 600 1200

SCALE IN FEET

August 2022

P & B Job No.: 22-086

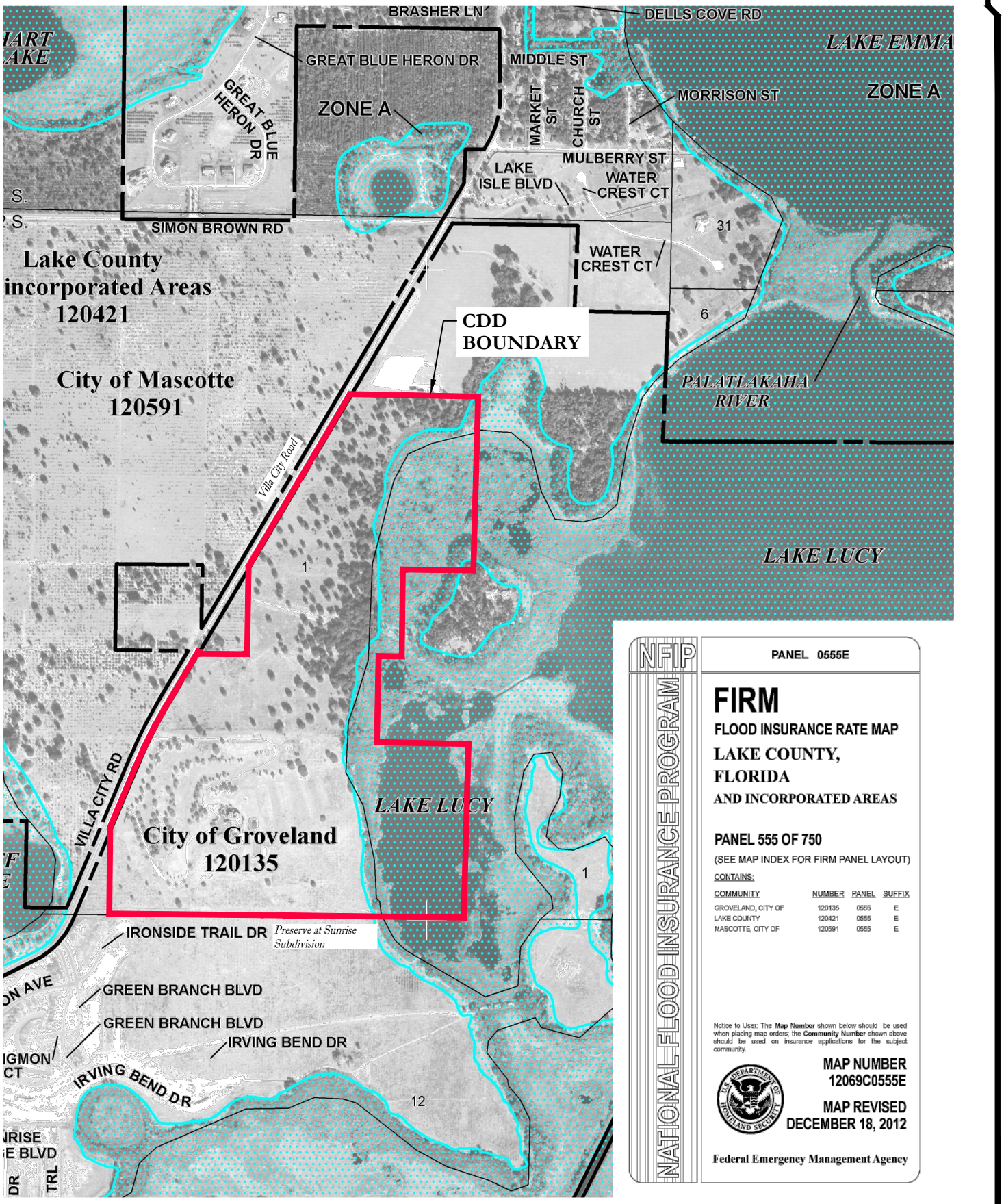
2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

POULOS & BENNETT

www.poulosandbennett.com
Certificate of Authorization No. 28567

**Exhibit 5**

Z:\2022\22-086 KB HOME - CYPRESS BLUFF\CAD\EXH & FIGS\CDD\22086 CDD POST DEV BASIN




NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0555E

# FIRM

FLOOD INSURANCE RATE MAP

LAKE COUNTY, FLORIDA

AND INCORPORATED AREAS

PANEL 555 OF 750

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|---|---|---|---|
| GROVELAND, CITY OF | 120135 | 0555 | E |
| LAKE COUNTY | 120421 | 0555 | E |
| MASCOTTE, CITY OF | 120591 | 0555 | E |

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
12069C0555E

MAP REVISED
DECEMBER 18, 2012

Federal Emergency Management Agency

FEMA Map

# Cypress Bluff CDD

1000 0 1000 2000

SC-LE IN FEET

August 2022

P & B Job No.: 22-086

2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

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Exhibit 6

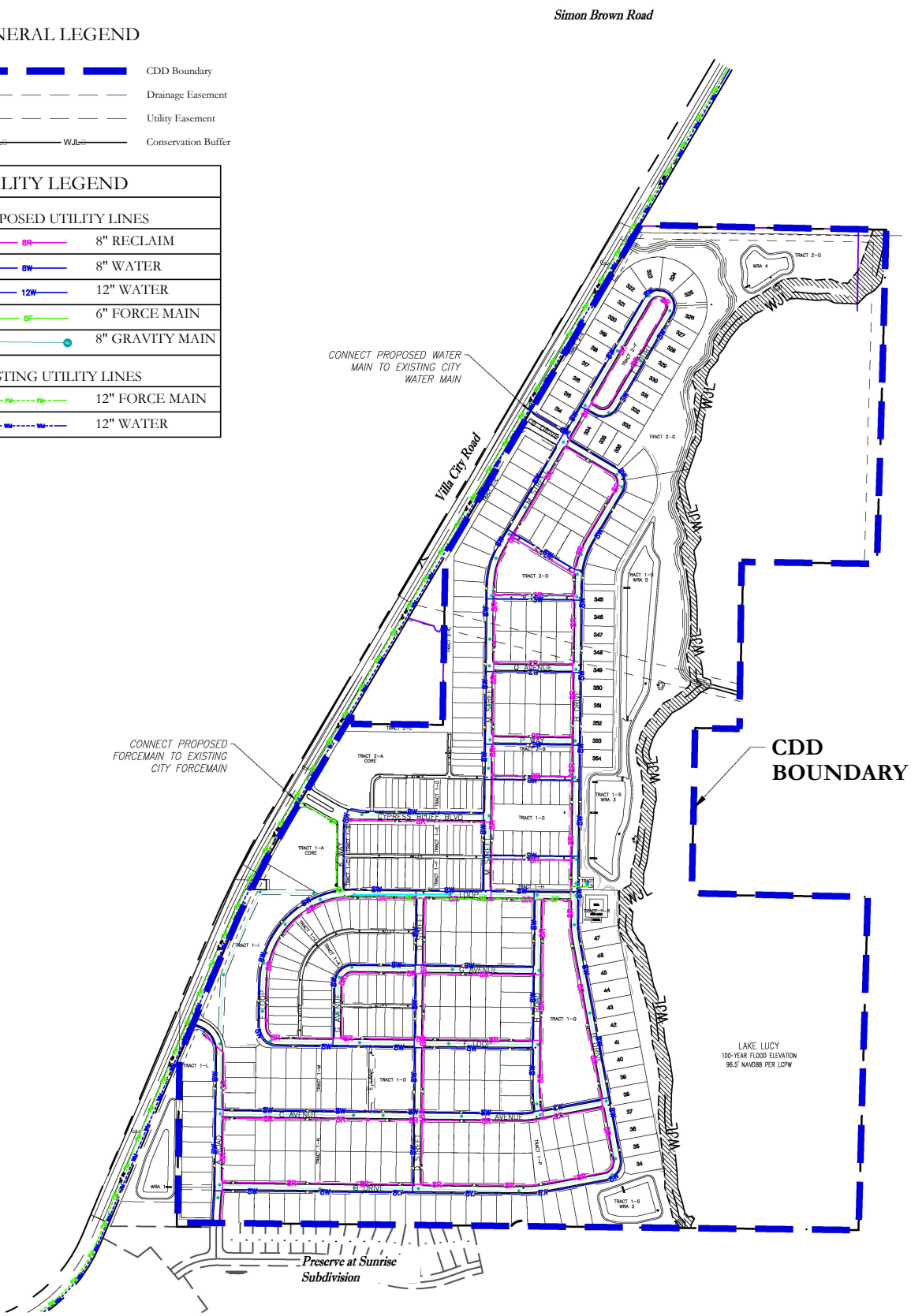
Z:\2022\22-086 KB HOME – CYPRESS BLUFF\C-D\EXH & FIGS\CDD\22086 CDD FEM- 100 YR.FLOOD PL-IN M-P

## GENERAL LEGEND

- CDD Boundary
- Drainage Easement
- Utility Easement
- Conservation Buffer

## UTILITY LEGEND

| PROPOSED UTILITY LINES | |
|---|---|
| 8R | 8" RECLAIM |
| 8W | 8" WATER |
| 12W | 12" WATER |
| 6F | 6" FORCE MAIN |
| | 8" GRAVITY MAIN |
| **EXISTING UTILITY LINES** | |
| FM | 12" FORCE MAIN |
| WM | 12" WATER |




Utility Map

# Cypress Bluff CDD

600 0 600 1200

SCALE IN FEET

August 2022

P & B Job No.: 22-086


2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

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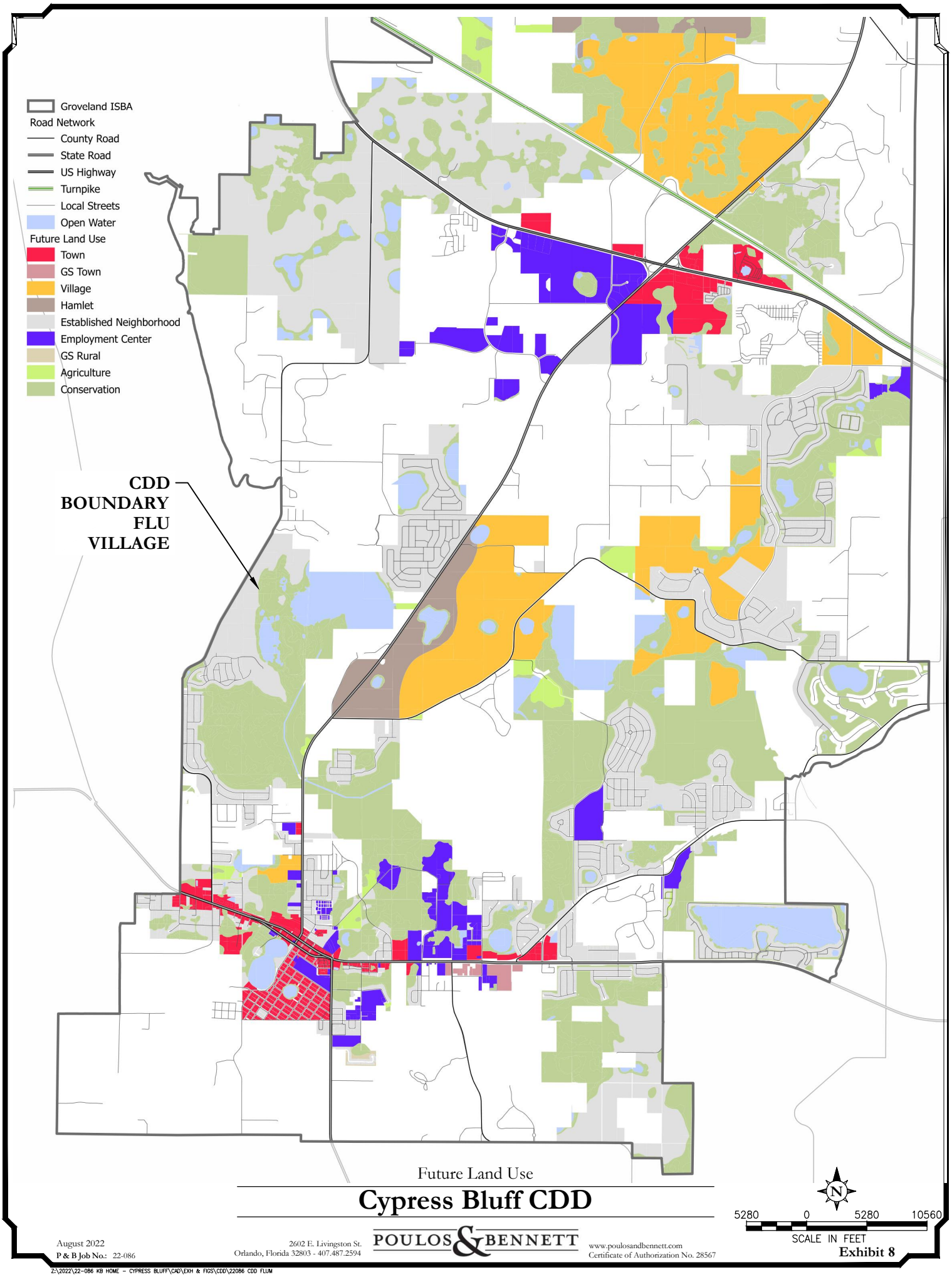
**Exhibit 7**

Z:\2022\22-086 KB HOME - CYPRESS BLUFF\CAD\EXH & FIGS\CDD\22086 CDD UTILITY EXHIBIT




Future Land Use

# Cypress Bluff CDD

August 2022
P & B Job No.: 22-086

2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

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**Exhibit 8**

Z:\2022\22-086 KB HOME – CYPRESS BLUFF\CAD\EXH & FIGS\CDD\22086 CDD FLUM

## PROJECT CHARACTERISTICS

PROJECT AREA: 7,091,873.32 SQ. FT.; 162.81 ACRES
UPLAND AREA: 5,096,302.18 SQ. FT.; 117.00 ACRES
WETLAND AREA: 1,995,571.14 SQ. FT.; 45.81 ACRES
NUMBER OF PHASES: 2
100-YEAR FLOOD ZONE: INDICATED ON PLAN
MINIMUM OPEN SPACE: 35.10 ACRES (30.00% OF UPLAND PROJECT AREA)
PROVIDED OPEN SPACE: 35.36 ACRES (30.22% OF PROJECT AREA)
NET DENSITY MAXIMUM REQUIRED: 6 D.U./ACRE
NET DENSITY MAXIMUM PROPOSED: 3.29 D.U./ACRE; 386 LOTS
COMMUNITY PERIMETER BUFFER: 25' MINIMUM

MUNICIPALITY: CITY OF GROVELAND
EXISTING USE: VACANT/VACANT RESIDENTIAL/WETLANDS
ZONING: VILLAGE CORE, CENTER, AND EDGE
FLU: VILLAGE

ALTKEY #'S 1083567, 1083541, 3743351, 1083559, 3743318, 1038758, 1017165, 1098599, 1098602

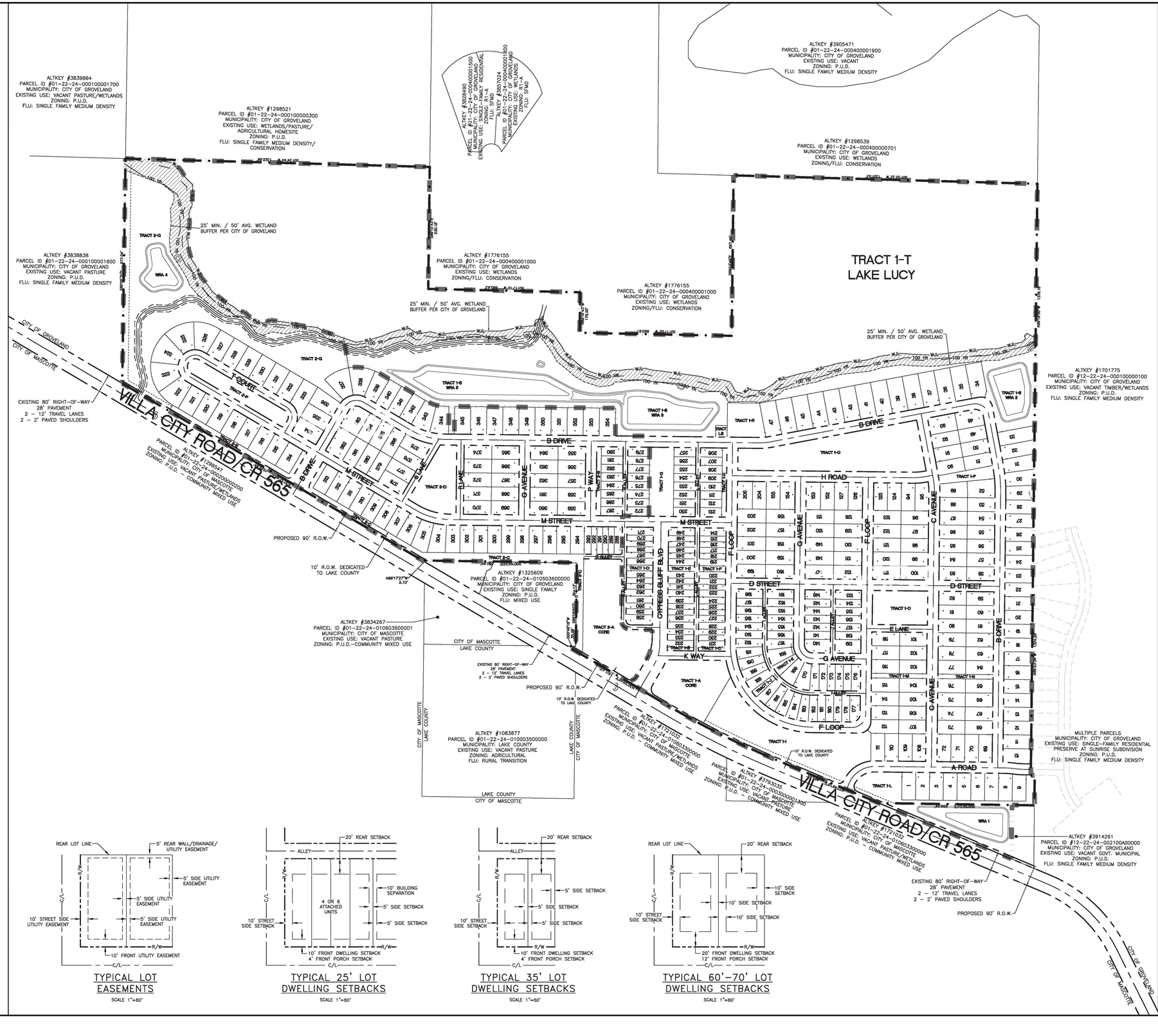
PARCEL ID #'S 01-22-24-0001-000-00202
01-22-24-0001-000-00201
01-22-24-0105-035-00001
01-22-24-0004-000-00800
01-22-24-0004-000-00900
01-22-24-0003-000-00600
01-22-24-0003-000-00500
01-22-24-0105-053-00000
01-22-24-0105-059-00000

AREAS BY LAND USE

| LAND USE | AREA (ACRES) |
|---|---|
| OPEN SPACE | 35.36 |
| CORE (NON-RESIDENTIAL) | 3.74 |
| RESIDENTIAL LOTS | 55.86 |
| RIGHT-OF-WAY | 21.98 |
| WETLANDS/LAKE | 45.81 |
| PUBLIC FACILITIES (LS) | 0.06 |
| TOTAL | 162.81 |

WETLAND BUFFER
AREA = 234,002 SF
LENGTH = 4,646 LF
AVG. WIDTH = 50.37 FT

NOTES:
- MAXIMUM BUILDING HEIGHT VARIES FROM 35 TO 40 FEET. REFER TO THE CITY OF GROVELAND COMMUNITY DEVELOPMENT CODE.
- POTABLE WATER SERVICE, SANITARY SEWER SERVICE, REUSE WATER SERVICE, POLICE PROTECTION AND FIRE PROTECTION WILL BE PROVIDED BY THE CITY OF GROVELAND.
- MAXIMUM LOT COVERAGE VARIES BY TRANSECT ZONE AND SHALL CONFORM TO SECTION 5.1 OF THE GROVELAND COMMUNITY DEVELOPMENT CODE.
- STORMWATER MANAGEMENT SHALL BE THROUGH A SYSTEM OF SWALES, STORM DRAINS AND DRY BOTTOM RETENTION PONDS AS REQUIRED.
- LANDSCAPE BUFFERS SHALL COMPLY WITH CITY OF GROVELAND LAND DEVELOPMENT REGULATIONS.
- EXISTING VEGETATION WILL BE UTILIZED IN LANDSCAPE BUFFERS WHEREVER POSSIBLE.
- THIS PROJECT WILL BE DEVELOPED IN MULTIPLE PHASES. EACH PHASE, AS IT DEVELOPS, SHALL HAVE THE NECESSARY INFRASTRUCTURE TO SERVE THAT PHASE. PHASES MAY BE FURTHER SUBDIVIDED.
- MASS GRADING BETWEEN PHASES MAY OCCUR WITH WATER MANAGEMENT DISTRICT PERMIT. MASS GRADING WILL ADHERE TO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
- THERE SHALL BE A CONSTRUCTION ENTRANCE AT EACH OF THE PROPOSED SUBDIVISION ENTRANCES ON VILLA CITY ROAD. ALL CONSTRUCTION ENTRANCES SHALL BE STABILIZED FOR HEAVY VEHICULAR TRAFFIC AND SHALL ADHERE TO NPDES PERMIT REQUIREMENTS.







TYPICAL LOT EASEMENTS
SCALE 1"=60'




TYPICAL 25' LOT DWELLING SETBACKS
SCALE 1"=60'




TYPICAL 35' LOT DWELLING SETBACKS
SCALE 1"=60'




TYPICAL 60'–70' LOT DWELLING SETBACKS
SCALE 1"=60'

Knight Engineering Services
770 Almond Street, Suite B, Clermont, Florida 34711

SECTION 01, TOWNSHIP 22S, RANGE 24E, LAKE COUNTY, FLORIDA
APPLICANT/DEVELOPER: SLC INDIGO LAKES, LLC
1133 LOUISIANA AVENUE, SUITE 101, WINTER PARK, FLORIDA 32789

**EXHIBIT 9**

# Exhibit 10

# Southern Development & Construction

**2544 Connection Point**
**Oviedo, FL 32765**
**Contact:** **Kenny Bare**
**Phone:** **407-221-2431**
**Fax:**

Quote To: Steve Feccia
KB Home Orlando
Phone: 407-587-3404
Email: smfeccia@kbhome.com

Job Name: Cypress Bluff
Date of Plans: May 20, 2022
Revision Date:

Proposal Date: July 1, 2022

HCSS #22-099

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| | **PHASE 1** | | | | |
| | **PH 1 GENERAL CONDITIONS** | | | | |
| 10 | MOBILIZATION | 1.00 | LS | 77,303.00 | 77,303.00 |
| 20 | CONSTRUCTION LAYOUT & AS-BUILTS | 1.00 | LS | 195,000.00 | 195,000.00 |
| | **TOTAL PH 1 GENERAL CONDITIONS** | | | | **272,303.00** |
| | **PH 1 SITE PREPARATION** | | | | |
| 45 | SINGLE ROW SILT FENCE | 8,080.00 | LF | 3.00 | 24,240.00 |
| 50 | DOUBLE ROW SILT FENCE | 4,470.00 | LF | 4.50 | 20,115.00 |
| 55 | CONSTRUCTION ENTRANCE | 2.00 | EA | 7,100.00 | 14,200.00 |
| 60 | INLET PROTECTION | 148.00 | EA | 160.00 | 23,680.00 |
| 65 | EROSION CONTROL MAINTENANCE | 1.00 | LS | 56,000.00 | 56,000.00 |
| 70 | CLEAR & GRUB, BURN ON SITE | 120.00 | AC | 3,925.00 | 471,000.00 |
| 75 | REMOVE FLATWORK | 59,900.00 | SF | 1.30 | 77,870.00 |
| 80 | REMOVE WOODEN BRIDGE | 1.00 | LS | 33,000.00 | 33,000.00 |
| 90 | POND EXCAVATION & EMBANKMENT | 35,500.00 | CY | 6.25 | 221,875.00 |
| 95 | GRADE POND SLOPES | 1.00 | LS | 32,000.00 | 32,000.00 |
| 100 | SOD POND SLOPES (BAHIA) | 42,000.00 | SY | 3.15 | 132,300.00 |
| 105 | SEED & MULCH POND BOTTOM | 13,350.00 | SY | 0.40 | 5,340.00 |
| 110 | SITE EXCAVATION & EMBANKMENT | 415,000.00 | CY | 5.00 | 2,075,000.00 |
| 115 | EXPORT FILL | 268,000.00 | CY | 1.50 | 402,000.00 |
| 120 | RETAINING WALL GRADING | 10,445.00 | LF | 15.50 | 161,897.50 |
| 125 | RETAINING WALL | 60,670.00 | SF | 25.00 | 1,516,750.00 |
| 130 | RETAINING WALL RAILING | 10,445.00 | LF | 100.00 | 1,044,500.00 |
| 135 | LOT GRADING | 271.00 | EA | 260.00 | 70,460.00 |
| 140 | SIDEWALK GRADING | 6,530.00 | SY | 7.00 | 45,710.00 |
| 145 | R/W GRADING | 1.00 | LS | 38,000.00 | 38,000.00 |
| 150 | SEED & MULCH LOTS AND OPEN SPACE | 431,440.00 | SY | 0.40 | 172,576.00 |
| | **TOTAL PH 1 SITE PREPARATION** | | | | **6,638,513.50** |
| | **PH 1 SANITARY SEWER** | | | | |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 205 | 8" SDR-35 PVC (4'-10') | 6,825.00 | LF | 42.00 | 286,650.00 |
| 210 | 8" SDR-26 PVC (10'-20') | 4,460.00 | LF | 52.00 | 231,920.00 |
| 215 | 4' DIA. MANHOLE | 47.00 | EA | 11,000.00 | 517,000.00 |
| 225 | 6" PVC SINGLE SEWER SERVICE | 63.00 | EA | 2,000.00 | 126,000.00 |
| 230 | 6" PVC DOUBLE SEWER SERVICE | 104.00 | EA | 2,100.00 | 218,400.00 |
| 240 | T.V. & AIR TEST SANITARY SEWER | 11,175.00 | LF | 6.00 | 67,050.00 |
| | **TOTAL PH 1 SANITARY SEWER** | | | | **1,447,020.00** |
| | **PH 1 LIFT STATION AND FORCE MAIN** | | | | |
| 305 | LIFT STATION-6' DIA WET WELL-31' DEEP-15HP PUMPS | 1.00 | EA | 430,000.00 | 430,000.00 |
| 306 | GENERATOR - 52 WEEK LEAD TIME | 1.00 | LS | 140,000.00 | 140,000.00 |
| 307 | LIFT STATION DEWATERING | 1.00 | LS | 15,000.00 | 15,000.00 |
| 310 | 6" STONE/ FABRIC LIFT STATION YARD | 1,280.00 | SF | 7.00 | 8,960.00 |
| 315 | 6" CONCRETE LIFT STATION DRIVEWAY | 285.00 | SF | 20.00 | 5,700.00 |
| 320 | 6' VINYL FENCE | 160.00 | LF | 60.00 | 9,600.00 |
| 325 | LIFT STATION WATER SERVICE | 1.00 | EA | 2,300.00 | 2,300.00 |
| 330 | 12"x6" TAPPING SLEEVE & VALVE | 1.00 | EA | 7,900.00 | 7,900.00 |
| 335 | 6" PVC FORCE MAIN | 1,515.00 | LF | 35.00 | 53,025.00 |
| 340 | 6" PLUG VALVE & BOX | 2.00 | EA | 3,350.00 | 6,700.00 |
| 345 | AIR RELEASE VALVE | 1.00 | EA | 11,000.00 | 11,000.00 |
| 350 | FITTINGS AND TESTING | 1.00 | LS | 14,500.00 | 14,500.00 |
| | **TOTAL PH 1 LIFT STATION AND FORCE MAIN** | | | | **704,685.00** |
| | **PH 1 DRAINAGE** | | | | |
| 405 | 15" CL III RCP | 6,620.00 | LF | 54.00 | 357,480.00 |
| 410 | 18" CL III RCP | 2,200.00 | LF | 70.00 | 154,000.00 |
| 415 | 24" CL III RCP | 2,885.00 | LF | 103.00 | 297,155.00 |
| 420 | 30" CL III RCP | 1,175.00 | LF | 147.00 | 172,725.00 |
| 425 | 36" CL III RCP | 980.00 | LF | 192.00 | 188,160.00 |
| 430 | 42" CL III RCP | 670.00 | LF | 258.00 | 172,860.00 |
| 435 | TYPE P5 CURB INLET | 84.00 | EA | 6,825.00 | 573,300.00 |
| 440 | TYPE J5 CURB INLET | 5.00 | EA | 12,050.00 | 60,250.00 |
| 445 | TYPE P6 CURB INLET | 30.00 | EA | 7,600.00 | 228,000.00 |
| 450 | TYPE J6 CURB INLET | 4.00 | EA | 12,500.00 | 50,000.00 |
| 455 | TYPE P STORM MANHOLE | 16.00 | EA | 6,000.00 | 96,000.00 |
| 460 | TYPE J STORM MANHOLE | 7.00 | EA | 9,900.00 | 69,300.00 |
| 465 | TYPE V INLET | 18.00 | EA | 6,825.00 | 122,850.00 |
| 470 | VALLEY GUTTER INLET | 5.00 | EA | 11,000.00 | 55,000.00 |
| 475 | TYPE E DBI CONTROL STRUCTURE | 3.00 | EA | 13,000.00 | 39,000.00 |
| 480 | 18" U-ENDWALL W/ BAFFLE | 3.00 | EA | 3,150.00 | 9,450.00 |
| 485 | 24" MITERED END SECTION | 1.00 | EA | 3,800.00 | 3,800.00 |
| 490 | 30" MITERED END SECTION | 1.00 | EA | 5,900.00 | 5,900.00 |
| 495 | 36" MITERED END SECTION | 4.00 | EA | 7,000.00 | 28,000.00 |
| 500 | 42" MITERED END SECTION | 2.00 | EA | 8,100.00 | 16,200.00 |
| 501 | MES ENERGY DISSIPATOR | 6.00 | EA | 2,500.00 | 15,000.00 |
| 505 | RIP RAP | 300.00 | SF | 23.00 | 6,900.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 510 | CLEAN & TV DRAINAGE PIPING | 14,465.00 | LF | 7.00 | 101,255.00 |
| | **TOTAL PH 1 DRAINAGE** | | | | **2,822,585.00** |
| | **PH 1 WATER DISTRIBUTION SYSTEM** | | | | |
| 605 | 12"x8" TAPPING SLEEVE & VALVE | 1.00 | EA | 9,200.00 | 9,200.00 |
| 606 | 2" JUMPER ASSEMBLY | 1.00 | EA | 3,200.00 | 3,200.00 |
| 610 | WATER-REUSE JUMPER | 1.00 | EA | 29,000.00 | 29,000.00 |
| 615 | 8" C-900 DR-18 PVC | 13,215.00 | LF | 53.00 | 700,395.00 |
| 620 | 8" GATE VALVE & BOX | 77.00 | EA | 2,950.00 | 227,150.00 |
| 625 | 2" BLOW OFF ASSEMBLY | 4.00 | EA | 2,100.00 | 8,400.00 |
| 630 | FIRE HYDRANT ASSEMBLY | 16.00 | EA | 8,500.00 | 136,000.00 |
| 635 | AIR RELEASE VALVE | 4.00 | EA | 8,900.00 | 35,600.00 |
| 640 | 1" SINGLE WATER SERVICE | 17.00 | EA | 1,200.00 | 20,400.00 |
| 645 | 1.5" DOUBLE WATER SERVICE | 127.00 | EA | 1,700.00 | 215,900.00 |
| 650 | FITTINGS AND TESTING | 1.00 | LS | 79,500.00 | 79,500.00 |
| | **TOTAL PH 1 WATER DISTRIBUTION SYSTEM** | | | | **1,464,745.00** |
| | **PH 1 REUSE DISTRIBUTION SYSTEM** | | | | |
| 805 | 8" C-900 DR-18 PURPLE PVC | 12,380.00 | LF | 53.00 | 656,140.00 |
| 810 | 8" GATE VALVE & BOX | 70.00 | EA | 2,950.00 | 206,500.00 |
| 815 | 2" BLOW OFF ASSEMBLY | 5.00 | EA | 2,100.00 | 10,500.00 |
| 820 | AIR RELEASE VALVE | 3.00 | EA | 8,900.00 | 26,700.00 |
| 825 | 1" SINGLE REUSE SERVICE | 61.00 | EA | 1,200.00 | 73,200.00 |
| 830 | 1.5" DOUBLE REUSE SERVICE | 110.00 | EA | 1,700.00 | 187,000.00 |
| 835 | FITTINGS AND TESTING | 1.00 | LS | 64,250.00 | 64,250.00 |
| | **TOTAL PH 1 REUSE DISTRIBUTION SYSTEM** | | | | **1,224,290.00** |
| | **PH 1 ON-SITE PAVEMENT** | | | | |
| 905 | 12" STABILIZED SUBGRADE | 45,780.00 | SY | 7.50 | 343,350.00 |
| 910 | 24" TYPE "F" CURB & GUTTER | 670.00 | LF | 29.00 | 19,430.00 |
| 915 | 24" MIAMI CURB & GUTTER | 23,500.00 | LF | 23.00 | 540,500.00 |
| 920 | 16" TYPE "A" MEDIAN CURB | 255.00 | LF | 28.00 | 7,140.00 |
| 925 | 8" LIME ROCK BASE | 35,850.00 | SY | 20.00 | 717,000.00 |
| 930 | 1 1/2" SP 9.5 ASPHALT - ONE LIFT | 35,790.00 | SY | 15.90 | 569,061.00 |
| 935 | TYPE "D" TRENCH CURB | 1,100.00 | LF | 21.50 | 23,650.00 |
| 936 | 12" RIBBON CURB | 5,220.00 | LF | 18.00 | 93,960.00 |
| 940 | 4" CONCRETE SIDEWALK - NON REINFORCED | 58,750.00 | SF | 8.00 | 470,000.00 |
| 945 | SIDEWALK RAMP | 96.00 | EA | 1,300.00 | 124,800.00 |
| 947 | PRIVATE DRIVE 6" CONCRETE | 1,670.00 | SY | 100.00 | 167,000.00 |
| 950 | 2' SOD (BAHIA) BACK OF CURB | 5,375.00 | SY | 3.15 | 16,931.25 |
| 955 | STRIPING & SIGNS | 1.00 | LS | 56,000.00 | 56,000.00 |
| 960 | WHEEL STOP | 9.00 | EA | 95.00 | 855.00 |
| | **TOTAL PH 1 ON-SITE PAVEMENT** | | | | **3,149,677.25** |
| | **PH 1 OFF-SITE PAVEMENT** | | | | |
| 1005 | MAINTENANCE OF TRAFFIC | 1.00 | LS | 16,000.00 | 16,000.00 |
| 1010 | SINGLE ROW SILT FENCE | 1,610.00 | LF | 3.00 | 4,830.00 |
| 1015 | REMOVE ASPHALT | 920.00 | SY | 18.00 | 16,560.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 1020 | 18" CL III RCP | 95.00 | LF | 79.00 | 7,505.00 |
| 1025 | 18" MITERED END SECTION | 2.00 | EA | 3,200.00 | 6,400.00 |
| 1030 | 12" STABILIZED SUBGRADE | 2,570.00 | SY | 20.00 | 51,400.00 |
| 1035 | 10" LIMEROCK BASE | 1,350.00 | SY | 35.00 | 47,250.00 |
| 1037 | MILL EXISITNG PAVEMENT 1" | 3,395.00 | SY | 2.75 | 9,336.25 |
| 1040 | 1/2" LEVELING COURSE | 3,395.00 | SY | 10.00 | 33,950.00 |
| 1045 | 2" SP 12.5 ASPHALT | 1,350.00 | SY | 23.50 | 31,725.00 |
| 1050 | 2 1/2" SP 12.5 ASPHALT | 4,745.00 | SY | 26.25 | 124,556.25 |
| 1055 | 1" FRICTION COURSE | 4,745.00 | SY | 14.60 | 69,277.00 |
| 1060 | 4" CONCRETE SIDEWALK - NON REINFORCED | 7,225.00 | SF | 8.00 | 57,800.00 |
| 1065 | STRIPING & SIGNS | 1.00 | LS | 15,300.00 | 15,300.00 |
| 1070 | GRADE & SOD (BAHIA) DISTURBED R/W | 1.00 | LS | 31,400.00 | 31,400.00 |
| | **TOTAL PH 1 OFF-SITE PAVEMENT** | | | | **523,289.50** |
| | **TOTAL PHASE 1** | | | | **18,247,108.25** |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| | **PHASE 2** | | | | |
| | **PH 2 GENERAL CONDITIONS** | | | | |
| 2010 | MOBILIZATION | 1.00 | LS | 79,000.00 | 79,000.00 |
| 2020 | CONSTRUCTION LAYOUT & AS-BUILTS | 1.00 | LS | 90,000.00 | 90,000.00 |
| | **TOTAL PH 2 GENERAL CONDITIONS** | | | | **169,000.00** |
| | **PH 2 SITE PREPARATIONS** | | | | |
| 2045 | SINGLE ROW SILT FENCE | 7,000.00 | LF | 3.00 | 21,000.00 |
| 2050 | CONSTRUCTION ENTRANCE | 1.00 | EA | 7,100.00 | 7,100.00 |
| 2055 | INLET PROTECTION | 61.00 | EA | 160.00 | 9,760.00 |
| 2060 | EROSION CONTROL MAINTENANCE | 1.00 | LS | 28,000.00 | 28,000.00 |
| 2065 | DISK SITE | 40.00 | AC | 600.00 | 24,000.00 |
| 2070 | LOT GRADING | 115.00 | EA | 368.00 | 42,320.00 |
| 2075 | SIDEWALK GRADING | 2,110.00 | SY | 7.00 | 14,770.00 |
| 2080 | R/W GRADING | 1.00 | LS | 18,000.00 | 18,000.00 |
| 2085 | SEED & MULCH LOTS AND OPEN SPACE | 139,150.00 | SY | 0.40 | 55,660.00 |
| | **TOTAL PH 2 SITE PREPARATIONS** | | | | **220,610.00** |
| | **PH 2 SANITARY SEWER** | | | | |
| 2203 | CONNECT TO EXISTING MANHOLE | 2.00 | EA | 3,800.00 | 7,600.00 |
| 2205 | 8" SDR-35 PVC (4'-10') | 2,630.00 | LF | 41.50 | 109,145.00 |
| 2210 | 8" SDR-26 PVC (10'-20') | 2,640.00 | LF | 54.00 | 142,560.00 |
| 2215 | 4' DIA. MANHOLE | 24.00 | EA | 11,000.00 | 264,000.00 |
| 2225 | 6" PVC SINGLE SEWER SERVICE | 23.00 | EA | 2,000.00 | 46,000.00 |
| 2230 | 6" PVC DOUBLE SEWER SERVICE | 46.00 | EA | 2,100.00 | 96,600.00 |
| 2235 | T.V. & AIR TEST SANITARY SEWER | 5,270.00 | LF | 6.00 | 31,620.00 |
| | **TOTAL PH 2 SANITARY SEWER** | | | | **697,525.00** |
| | **PH 2 DRAINAGE** | | | | |
| 2405 | CONNECT TO PHASE 1 STRUCTURE | 5.00 | EA | 5,600.00 | 28,000.00 |
| 2410 | 15" CL III RCP | 3,510.00 | LF | 54.00 | 189,540.00 |
| 2415 | 18" CL III RCP | 895.00 | LF | 70.00 | 62,650.00 |
| 2420 | 24" CL III RCP | 830.00 | LF | 103.00 | 85,490.00 |
| 2425 | 30" CL III RCP | 255.00 | LF | 161.00 | 41,055.00 |
| 2430 | TYPE P5 CURB INLET | 38.00 | EA | 6,600.00 | 250,800.00 |
| 2435 | TYPE J5 CURB INLET | 3.00 | EA | 12,000.00 | 36,000.00 |
| 2440 | TYPE P6 CURB INLET | 10.00 | EA | 7,600.00 | 76,000.00 |
| 2445 | TYPE J6 CURB INLET | 2.00 | EA | 12,000.00 | 24,000.00 |
| 2450 | TYPE P STORM MANHOLE | 7.00 | EA | 6,200.00 | 43,400.00 |
| 2455 | TYPE V INLET | 7.00 | EA | 7,200.00 | 50,400.00 |
| 2460 | TYPE C DBI CONTROL STRUCTURE | 1.00 | EA | 11,000.00 | 11,000.00 |
| 2465 | 18" U-ENDWALL W/ BAFFLE | 1.00 | EA | 3,150.00 | 3,150.00 |
| 2470 | 24" MITERED END SECTION | 1.00 | EA | 3,800.00 | 3,800.00 |
| 2475 | RIP RAP | 100.00 | SF | 23.00 | 2,300.00 |
| 2480 | CLEAN & TV DRAINAGE PIPING | 5,490.00 | LF | 7.00 | 38,430.00 |
| | **TOTAL PH 2 DRAINAGE** | | | | **946,015.00** |
| | **PH 2 WATER DISTRIBUTION SYSTEM** | | | | |
| 2605 | CONNECT TO EXISTING STUB | 3.00 | EA | 1,700.00 | 5,100.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 2610 | 12"x8" TAPPING SLEEVE & VALVE | 1.00 | EA | 9,200.00 | 9,200.00 |
| 2611 | 2" JUMPER ASSEMBLY | 1.00 | EA | 3,200.00 | 3,200.00 |
| 2615 | 8" C-900 DR-18 PVC | 6,540.00 | LF | 53.00 | 346,620.00 |
| 2620 | 8" GATE VALVE & BOX | 39.00 | EA | 2,950.00 | 115,050.00 |
| 2625 | FIRE HYDRANT ASSEMBLY | 6.00 | EA | 8,500.00 | 51,000.00 |
| 2630 | AIR RELEASE VALVE | 1.00 | EA | 8,900.00 | 8,900.00 |
| 2635 | 1" SINGLE WATER SERVICE | 5.00 | EA | 1,200.00 | 6,000.00 |
| 2640 | 1.5" DOUBLE WATER SERVICE | 55.00 | EA | 1,700.00 | 93,500.00 |
| 2645 | FITTINGS AND TESTING | 1.00 | LS | 50,500.00 | 50,500.00 |
| | **TOTAL PH 2 WATER DISTRIBUTION SYSTEM** | | | | **689,070.00** |
| | **PH 2 REUSE DISTRIBUTION SYSTEM** | | | | |
| 2805 | CONNECT TO EXISTING STUB | 2.00 | EA | 1,700.00 | 3,400.00 |
| 2810 | 8" C-900 DR-18 PURPLE PVC | 5,785.00 | LF | 53.00 | 306,605.00 |
| 2815 | 8" GATE VALVE & BOX | 38.00 | EA | 2,950.00 | 112,100.00 |
| 2820 | AIR RELEASE VALVE | 1.00 | EA | 8,900.00 | 8,900.00 |
| 2825 | 1" SINGLE REUSE SERVICE | 22.00 | EA | 1,200.00 | 26,400.00 |
| 2830 | 1.5" DOUBLE REUSE SERVICE | 49.00 | EA | 1,700.00 | 83,300.00 |
| 2835 | FITTINGS AND TESTING | 1.00 | LS | 42,500.00 | 42,500.00 |
| | **TOTAL PH 2 REUSE DISTRIBUTION SYSTEM** | | | | **583,205.00** |
| | **PH 2 ON-SITE PAVEMENT** | | | | |
| 2905 | 12" STABILIZED SUBGRADE | 18,625.00 | SY | 7.75 | 144,343.75 |
| 2910 | 24" TYPE "F" CURB & GUTTER | 285.00 | LF | 29.00 | 8,265.00 |
| 2915 | 24" MIAMI CURB & GUTTER | 9,635.00 | LF | 23.00 | 221,605.00 |
| 2920 | 16" TYPE "A" MEDIAN CURB | 285.00 | LF | 28.00 | 7,980.00 |
| 2925 | 8" LIME ROCK BASE | 14,650.00 | SY | 20.00 | 293,000.00 |
| 2930 | 1 1/2" SP 9.5 ASPHALT - ONE LIFT | 14,625.00 | SY | 16.25 | 237,656.25 |
| 2935 | TYPE "D" TRENCH CURB | 400.00 | LF | 22.50 | 9,000.00 |
| 2940 | 12" RIBBON CURB | 1,710.00 | LF | 18.00 | 30,780.00 |
| 2945 | 4" CONCRETE SIDEWALK - NON REINFORCED | 18,950.00 | SF | 8.00 | 151,600.00 |
| 2950 | SIDEWALK RAMP | 32.00 | EA | 1,300.00 | 41,600.00 |
| 2955 | 2' SOD (BAHIA) BACK OF CURB | 2,205.00 | SY | 3.15 | 6,945.75 |
| 2960 | STRIPING & SIGNS | 1.00 | LS | 27,000.00 | 27,000.00 |
| | **TOTAL PH 2 ON-SITE PAVEMENT** | | | | **1,179,775.75** |
| | **PH 2 OFF-SITE PAVEMENT** | | | | |
| 3005 | MAINTENANCE OF TRAFFIC | 1.00 | LS | 16,000.00 | 16,000.00 |
| 3010 | REMOVE ASPHALT | 520.00 | SY | 18.00 | 9,360.00 |
| 3015 | SINGLE ROW SILT FENCE | 1,180.00 | LF | 3.00 | 3,540.00 |
| 3020 | 12" STABILIZED SUBGRADE | 2,705.00 | SY | 20.00 | 54,100.00 |
| 3025 | 10" LIMEROCK BASE | 1,540.00 | SY | 35.00 | 53,900.00 |
| 3027 | MILL EXISITNG PAVEMENT 1" | 3,370.00 | SY | 2.75 | 9,267.50 |
| 3030 | 1/2" LEVELING COURSE | 3,370.00 | SY | 10.00 | 33,700.00 |
| 3035 | 2" SP 12.5 ASPHALT | 1,540.00 | SY | 23.50 | 36,190.00 |
| 3040 | 2 1/2" SP 12.5 ASPHALT | 4,910.00 | SY | 26.25 | 128,887.50 |
| 3045 | 1" FRICTION COURSE | 4,910.00 | SY | 14.60 | 71,686.00 |
| 3050 | 4" CONCRETE SIDEWALK - NON REINFORCED | 7,470.00 | SF | 8.00 | 59,760.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 3055 | STRIPING & SIGNS | 1.00 | LS | 15,000.00 | 15,000.00 |
| 3060 | GRADE & SOD (BAHIA) DISTURBED R/W | 1.00 | LS | 27,300.00 | 27,300.00 |
| | **TOTAL PH 2 OFF-SITE PAVEMENT** | | | | **518,691.00** |
| | **TOTAL PHASE 2** | | | | **5,003,891.75** |

**GRAND TOTAL** **23,251,000.00**

**NOTES:**

PROJECT SPECIFIC NOTES

1. This proposal is based on current market prices (Off Road Diesel @ $5.25/gal) & subject to pricing revisions.
2. Final pricing of Trucking will be determined at time of shipment.
3. Fire lines/services are not included.

GENERAL CONDITIONS/ CONTRACT

1. This proposal is based on the following Plans:
   Titled: Cypress Bluff
   Prepared By: Knight Engineering Services
   Dated: May 20, 2022

This proposal is based on the above referenced Civil drawings only. Work and/or details shown in other drawings/ specifications is not included in this proposal.

2. This proposal is based on the following Soils Report:
   Prepared By: Universal Engineering Sciences, Inc.
   Dated: November 5, 2021

3. This proposal and notes shall become an attachment to the contact.
4. Unless provided for otherwise in this proposal, this proposal is valid for 20 days from the date of the proposal. If a contract or other agreement is not executed within 20 days, then this proposal is subject to be reviewed for adjustment.
5. This work is based on a completion date by June 2023, or an agreed project schedule as an attachment to the contract jointly prepared by Owner and SDC.
6. Project is based on one (2) site work mobilization(s) - Mobilization payment shall be in full at month 2 billing.
   A. 50% of the Mobilization Payment is due in the first billing cycle.
   B. Remainder of the Mobilization Payment is due in the 2nd billing cycle.
7. This proposal is furnished as a complete scope of work as defined above and shall be contracted to SDC in its entirety. Individual line items cannot be removed unless specific changes are approved by SDC.
8. Work is to be completed during normal business hours Mon-Fri (7AM -5PM). Night work is excluded.
9. SDC must have 2 weeks advanced notice in order to better assure timely scheduling of the work required for the project.
10. This proposal does not include Payment and Performance and/or Road Crossing(s) Bonds; if Payment and Performance Bond required, add 1.5% to the contract price. Minimum cost is $ 500.00.
11. Cost of density testing is not included.
12. Testing and/or inspections, shall be conducted by others and is not included in this proposal.
13. Cost of permits other than those listed below is excluded. Any other permits in which SDC obtains will be reimbursed by the Owner/Developer.
    A. Notice of Intent (NOI) for the National Pollution Discharge Elimination System (NPDES) while SDC is on site.
    B. Deleted
14. Decorative/ Retaining walls, Fences, Landscaping, Irrigation, Dumpsters & Enclosures, Decorative Paving/ Pavers and Hardscape is excluded unless otherwise noted.
15. Prior to mobilization, site survey control, design CAD files and matching PDF plans shall be provided to SDC.
16. Horizontal survey control shall consist of a minimum of three (3) site control points including description of points, northings, eastings and horizontal datum. Vertical control shall consist of a minimum of two (2) site benchmarks including descriptions, elevations and vertical datum. The preferred Software of CAD files is AutoCAD Civil 3D. The preferred file transfer method of CAD files is E-Transmit.
17. For Bonded projects: Retainage will not be held until 75% of the current contract amount is completed. Retainage (10%) may be held for the value of the work exceeding 75% of the current contract amount. All remaining retainage to be released upon acceptance by governing municipality.
18. For Non-Bonded projects: Retainage (10%) may be held until 50% of the contract is billed. Upon completion of 51% of

the project, retainage shall be reduced to 5%. Upon installation of the 1st lift of Asphalt, retainage shall be reduced to 2.5%. All remaining retainage to be released upon acceptance by governing municipality.
19. This proposal does not include any provisions for participating in either Owner Controlled Insurance Programs (OCIP) or Contractor Controlled Insurance Programs (CCIP) or any other insurance program furnished by others.
20. Draw down of retention ponds for inspection is not included.

CLEARING/ EARTHWORK/ GRADING
1. All debris shall be burned on site in open piles during clearing & grubbing as allowed by the Division of Forestry.
2. Site prep shall be by disking only.
3. Removal of debris such as tires, vehicles, refrigerators, etc. is excluded unless otherwise noted and quantified.
4. All excess earth materials generated by the construction of SDC's scope shall become the property of SDC unless otherwise agreed to with the Owner/Developer.
5. Handling and/or unsuitable soils disposal is excluded unless noted in the schedule of values.
6. Handling and/or removal of contaminated soils is not included.
7. Undercutting of soils is excluded unless noted in the schedule of values.
8. Any handling or removal of materials generated by others will required a Change Order to dispose and/or relocated these materials.
9. Excludes relocation or removal of existing utilities unless specified. They may include any of the following:
A. Gas services or gas mains
B. Phone lines, Cable, Fiber optic lines or systems, Any other telecom facility
C. Power - distribution or transmission line (above or underground)
D. Water mains/Services, Reclaimed water mains/services, Irrigation
10. Ground water sampling and/or treatment for contaminates is excluded.
11. Removal of any transite pipe by others.
12. Removal of invasive plant species by others.
13. Gopher tortoise surveys and relocation cost is excluded.
14. Any mitigation cost is excluded.
15. Capping and/or grouting of wells is excluded unless specified.
16. Dewatering discharge is assumed to be permitted off-site.
17. Building Pads and/or Lot House Pads to be left 6" below finish floor elevation. Termite treatment by others.
18. Final grading to be +/- 0.1' one time only.
19. Lot and/or site sodding is excluded.

SANITARY SEWER
1. Utility material pricing is extremely volatile. Final pricing of material will be determined at time of shipment.
2. Dewatering discharge is assumed to be permitted off-site.
3. T.V./ Air testing of Gravity Sewer is included for one (1) time. Testing of laterals/ services is not included. Additional cleaning may be performed @ $5.00/LF.
4. Sewer services to be provided to lot corners or within 5' of building pads as applicable. Connection by others.

LIFT STATION/ FORCE MAIN
1. Power to lift station site by others.
2. This proposal does not include AMI Tower, Telemetry, Odor Control and/or Backup Generator/Pump(s).
3. Lift Station Site perimeter chain link fence is included. Any other screen wall, landscaping, etc. is not included.
4. Dewatering discharge is assumed to be permitted off-site.

DRAINAGE
1. Utility material pricing is extremely volatile. Final pricing of material will be determined at time of shipment.
2. Dewatering discharge is assumed to be permitted off-site.
3. Video & Cleaning of storm drainage included is for one (1) time. Additional medium (< 20%) cleaning may be performed @ $ 10.00/LF (15" to 42") not including plug and dewatering.
4. Roof drains/connections are not included.

WATER/ REUSE DISTRIBUTION SYSTEM
1. Utility material pricing is extremely volatile. Final pricing of material will be determined at time of shipment.
2. The cost of meters is excluded unless otherwise noted.
3. Services to be provided to lot corners or within 5' of building pads as applicable. Connection by others.

PAVEMENT

1. Project includes four (4) asphalt mobilizations. Additional mobilizations are $ 5,000/each.
2. Asphalt to be installed in one lift unless otherwise noted.
3. Repair of trenches by others (electrical, irrigation, etc.) is excluded.
4. Utility and irrigation sleeving is excluded unless otherwise noted.
5. Temporary striping and/or striping on first lift of asphalt is not included.
6. "Light" Sweeping prior to the final lift of asphalt is includes a broom tractor only. Cost for additional cleaning will be billed time & materials.
7. Flatwork finishes shall be broom finish without any sealant and or caulking.
8. Asphalt pricing is based on the use of the maximum allowable RAP (Recycled Asphalt Product) in the production of the hot mix asphalt, as per the current FDOT standards, unless the item is noted otherwise.
9. Liquid asphalt and aggregate pricing can be volatile. Increases of 5% or more will allow unit price adjustments in accordance with the liquid asphalt pricing index provided by FDOT.

# CYPRESS BLUFF
## COMMUNITY DEVELOPMENT DISTRICT

Master Special Assessment
Methodology Report

April 18, 2023

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.whhassociates.com

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# 1.0 Introduction

## 1.1 Purpose

This Master Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Cypress Bluff Community Development District (the “District”), located in the City of Groveland, Lake County, Florida, as related to funding the costs of public infrastructure improvements (the “Capital Improvement Plan” or “CIP”) contemplated to be provided by the District.

## 1.2 Scope of the Report

This Report presents the projections for financing the District's Capital Improvement Plan described in the Engineer’s Report developed by Poulos & Bennett, LLC (the “District Engineer”) and dated March 6, 2023 (the “Engineer's Report”), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the CIP.

## 1.3 Special Benefits and General Benefits

The public infrastructure improvements undertaken and funded by the District as part of the CIP create special and peculiar benefits, different in kind and degree from general and incidental benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District’s CIP enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the CIP. However, these benefits are only incidental since the CIP is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the CIP and do not depend upon the CIP to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries.

The CIP will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the

value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the CIP. Even though the exact value of the benefits provided by the CIP is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

### 1.4 Organization of the Report

*Section Two* describes the development program as proposed by the Developer, as defined below.

*Section Three* provides a summary of the CIP as determined by the District Engineer.

*Section Four* discusses the financing program for the District.

*Section Five* introduces the special assessment methodology for the District.

## 2.0 Development Program

### 2.1 Overview

The District will serve the Cypress Bluff development, a master planned residential development located entirely within the City of Groveland, Lake County, Florida (the "Development"). The land within the District consists of approximately 156.36 +/- acres and is generally located south of Simon Brown Road, east of Villa City Road and west of Lake Lucy.

### 2.2 The Development Program

The development of Cypress Bluff is anticipated to be conducted by KB Home Orlando, LLC (the "Developer"). Based upon the information provided by the Developer and the District Engineer, the current development plan envisions a total of 20 Live-Work 25’ lots, 36 25’ Townhomes, 84 Single Family 35’ lots, 199 Single Family 60’ lots, and 47 Single Family 70’ lots developed over a multi-year period in one or more development phases, although unit numbers, land use types and phasing may change throughout the development period. As of this writing, there are commercial tracts entitled for up to 45,000 square feet of commercial uses within the District; however, the landowner intends to petition for a boundary amendment to remove the commercial uses from the District

boundaries. Table 1 in the *Appendix* illustrates the current development plan for Cypress Bluff.

## 3.0 The Capital Improvement Plan

### 3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, is included in these estimates.

### 3.2 The CIP

The public infrastructure improvements which are part of the CIP and are needed to serve the Development are projected to consist of improvements which will serve all of the lands in the District. The District, however, reserves the right to create distinct assessment areas to coincide with the phases of development. The CIP will consist of roadway improvements, stormwater management, 100-year floodplain, primary roadways, reclaimed water distribution system, wastewater system, landscape and hardscape, electrical distribution and street lights, amenities, environmental conservation/mitigation, and professional and inspection fees, were estimated by the District Engineer at $20,270,573.50.

The public infrastructure improvements that comprise the CIP will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the CIP.

## 4.0 Financing Program

### 4.1 Overview

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded

directly by the District. As of the time of writing of this Report, the District will most likely acquire completed improvements from the Developer, although the District maintains the complete flexibility to either acquire the completed improvements from the Developer, construct improvements, or even partly acquire certain completed improvements and construct other improvements that comprise the CIP.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund costs of the CIP as described in *Section 3.2* in one financing transaction, the District would have to issue approximately $28,070,000 in par amount of special assessment bonds (the "Bonds").

**Please note that the purpose of this Report is to allocate the benefit of the CIP to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the CIP. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.**

## 4.2 Types of Bonds Proposed

The proposed financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of $28,070,000 to finance approximately $20,270,573.50 in CIP costs. The Bonds as projected under this financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made either on May 1 or on November 1.

In order to finance the CIP and other costs, the District would need to borrow more funds and incur indebtedness in the total amount of approximately $28,070,000. The difference between the amount of estimated CIP costs and the indebtedness is comprised of debt service reserve, capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

**Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.**

## 5.0 Assessment Methodology

### 5.1 Overview

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the CIP outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties that derive special and peculiar benefits from the CIP. All properties that receive special benefits from the CIP will be assessed for their fair share of the debt issued in order to finance all or a portion of the CIP.

### 5.2 Benefit Allocation

The most current development plan envisions the development of 20 Live-Work 25' lots, 36 25' Townhomes, 84 Single Family 35' lots, 199 Single Family 60' lots, and 47 Single Family 70' lots developed over a multi-year period in one or more development phases, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements that comprise the CIP will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the public infrastructure improvements that comprise the CIP and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the CIP have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within

the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than either the cost of, or the actual non-ad valorem assessment levied for, the improvement or debt allocated to that parcel of land.

The benefit associated with the CIP of the District is proposed to be allocated to the different product types within the District in proportion to the density of development and intensity of use of the infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the product types contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each unit type, and the share of the benefit received by each unit type.

The rationale behind different ERU weights is supported by the fact that generally and on average product types with a greater density and greater intensity of use of infrastructure will use and benefit from the District's improvements more than product types with lesser density and lesser intensity of use of infrastructure. Generally and on average, product types with lesser density and lesser intensity of use of infrastructure produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than product types with greater density and greater intensity of use of infrastructure. Additionally, the value of the product types with greater density and greater intensity of use of infrastructure is likely to appreciate by more in terms of dollars than that of the product types with lesser density and lesser intensity of use of infrastructure as a result of the implementation of the CIP. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received by the different product types from the District's improvements.

Please note that the method used to derive ERU values for Single Family units is based on the linear front footage of the various product types as a proportion to the product type that is set to a standard unit of 1 ERU. For example, if the product type that is set to a standard unit of 1 ERU is a Single Family 70’ unit, a Single Family 60’ unit would be 0.86 ERU (60’ / 70’). In the event that a new

product type were to be introduced, the aforementioned ERU value method would be applied accordingly.

If at any time, any portion of the property within the District is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Bond Assessments (hereinafter defined) thereon), or similarly exempt entity, all future unpaid Bond Assessments for such tax parcel shall become due and payable immediately prior to such transfer.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with funding the District's CIP (the "Bond Assessments") in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual Bond Assessments per unit.

## 5.3 Assigning Debt

The Bond Assessments associated with repayment of the Bonds will initially be levied on all of the gross acres of land in the District. Consequently, the Bond Assessments will initially be levied on approximately 156.36 +/- gross acres on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of $28,070,000 will be preliminarily levied on approximately 156.36 +/- gross acres at a rate of $179,521.62 per acre.

As the land is platted, the Bond Assessments will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessments to platted parcels will reduce the amount of Bond Assessments levied on unplatted gross acres within the District.

Further, to the extent that any land which has not been platted is sold to another developer or builder, the Bond Assessments will be assigned to such parcel at the time of the sale based upon the development rights associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessments transferred at sale.

## 5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, public infrastructure improvements undertaken by the District create special and peculiar benefits to District property. The

District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Public infrastructure improvements undertaken by the District can be shown to create special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

a. added use of the property;
b. added enjoyment of the property;
c. decreased insurance premiums;
d. increased marketability and value of the property.

The public infrastructure improvements which are part of the CIP make the land in the District developable and saleable and when implemented jointly as parts of the CIP, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

## 5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the Bond Assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the CIP by different product types.

## 5.6 True-Up Mechanism

The District's assessment program is predicated on the development of lots in a manner sufficient to include all of the planned ERUs as set forth in Table 1 in the Appendix ("Development Plan"). At such time as lands are to be platted (or re-platted) or site plans are to be approved (or re-approved), the plat or site plan (either, herein,

"Proposed Plat") shall be presented to the District for a "true-up" review as follows:

a. If a Proposed Plat results in the same amount of ERUs (and thus Bond Assessments) able to be imposed on the "Remaining Unplatted Developable Lands" (i.e., those remaining unplatted developable lands after the Proposed Plat is recorded) as compared to what was originally contemplated under the Development Plan, then the District shall allocate the Bond Assessments to the product types being platted and the remaining property in accordance with this Report, and cause the Bond Assessments to be recorded in the District's Improvement Lien Book.

b. If a Proposed Plat results in a greater amount of ERUs (and thus Bond Assessments) able to be imposed on the Remaining Unplatted Developable Lands as compared to what was originally contemplated under the Development Plan, then the District may undertake a pro rata reduction of Bond Assessments for all assessed properties within the District, or may otherwise address such net decrease as permitted by law.

c. If a Proposed Plat results in a lower amount of ERUs (and thus Bond Assessments) able to be imposed on the Remaining Unplatted Developable Lands as compared to what was originally contemplated under the Development Plan, then the District shall require the landowner(s) of the lands encompassed by the Proposed Plat to pay a "True-Up Payment" equal to the difference between: (i) the Bond Assessments originally contemplated to be imposed on the lands subject to the Proposed Plat, and (ii) the Bond Assessments able to be imposed on the lands subject to the Proposed Plat, after the Proposed Plat (plus applicable interest, collection costs, penalties, etc.).[1]

With respect to the foregoing true-up analysis, the District's Assessment Consultant, in consultation with the District Engineer, District Counsel and the District's Bond Counsel, shall determine in the District's sole discretion what amount of ERUs (and thus Bond Assessments) are able to be imposed on the Remaining Unplatted Developable Lands, taking into account a Proposed Plat, by reviewing: a) the original, overall Development Plan showing the number and type of units reasonably planned for the Development,

[1] For example, if the first platting includes 20 Live-Work 25' lots, 36 25' Townhomes, 84 Single Family 35' lots, 179 Single Family 60' lots, and 47 Single Family 70' lots, which equates to a total allocation of $26,348,794.07 in Bond Assessments, then the remaining unplatted developable land would be required to absorb 20 Single Family 60' lots, which equates to $1,721,205.93 in Bond Assessments. If the remaining unplatted developable land would only be able to absorb 10 instead of 20 Single Family 60' lots or $860,602.96 in Bond Assessments, then a true-up, payable by the owner of the unplatted land, would be due in the amount of $860,602.96 in Bond Assessments plus applicable accrued interest to the extent described in this Section.

b) the revised, overall Development Plan showing the number and type of units reasonably planned for the Development, c) proof of the amount of entitlements for the Remaining Unplatted Developable Lands, d) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised Development Plan, and e) documentation that shows the feasibility of implementing the proposed Development Plan. Prior to any decision by the District not to impose a true-up payment, a supplemental methodology shall be produced demonstrating that there will be sufficient Bond Assessments to pay debt service on the applicable series of bonds and the District will conduct new proceedings under Chapters 170, 190 and 197, Florida Statutes upon the advice of District Counsel.

Any True-Up Payment shall become due and payable at the time, or prior to the time, of platting by the landowner of the lands subject to the Proposed Plat, shall be in addition to the regular Bond Assessment installment payable for such lands, and shall constitute part of the Bond Assessment liens imposed against the Proposed Plat property until paid. A True-Up Payment shall include accrued interest on the applicable bond series to the interest payment date that occurs at least 45 days after the True-Up Payment (or the second succeeding interest payment date if such True-Up Payment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indentures for the applicable bond series)).

All Bond Assessments levied run with the land, and such Bond Assessment liens include any True-Up Payments. The District will not release any lien on property for which True-Up Payments are due, until payment has been satisfactorily made. Further, upon the District's review of the final plat for the developable acres, any unallocated Bond Assessments shall become due and payable and must be paid prior to the District's approval of that plat. This true-up process applies for both plats and/or re-plats.

Such review shall be limited solely to the function and the enforcement of the District's assessment liens and/or true-up agreements. Nothing herein shall in any way operate to or be construed as providing any other plat approval or disapproval powers to the District. For further detail on the true-up process, please refer to the True-Up Agreement and applicable assessment resolution(s).

## 5.7 Assessment Roll

The Bond Assessments of $28,070,000 are proposed to be levied over the area described in Exhibit "A". Excluding any capitalized interest period, Bond Assessments shall be paid in thirty (30) annual principal installments.

## 5.8 Additional Items Regarding Bond Assessment Imposition and Allocation

This Report is intended to establish the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual bond issuances necessary to fund all or a portion of the project(s) referenced herein comprising the CIP. All such liens shall be within the benefit limits established herein and using the allocation methodology described herein, and shall be described in one or more supplemental reports.

As noted herein, the CIP functions as a system of improvements. Among other implications, this means that proceeds from any particular bond issuance can be used to fund improvements within any benefitted property or designated assessment area within the District, regardless of where the Bond Assessments are levied, provided that Bond Assessments are fairly and reasonably allocated across all benefitted properties.

As set forth in any supplemental report, and for any particular bond issuance, the Developer may opt to "buy down" the Bond Assessments on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessments to reach certain target levels. Note that any "true-up," as described herein, may require a payment to satisfy "true-up" obligations as well as additional contributions to maintain such target assessment levels. Any amounts contributed by the Developer to pay down Bond Assessments will not be eligible for "deferred costs," if any are provided for in connection with any particular bond issuance.

No Bond Assessments are allocated herein to any public or private amenities or other common areas planned for the Development. Such amenities and common areas will be owned and operated by the District and/or master homeowners' association. If owned by a homeowners' association, the amenities will be considered a common element for the exclusive benefit of property owners. Alternatively, if owned by the District, the amenities will be available

for use by the public, subject to the District's rules and policies. Accordingly, any benefit to the amenities and common areas flows directly to the benefit of all property in the District. As such, no Bond Assessments will be assigned to the amenities and common areas.

In the event that the CIP is not completed, required contributions are not made, additional benefitted lands are added to the District and/or assessment area(s), or under certain other circumstances, the District may elect to reallocate the Bond Assessments, and the District expressly reserves the right to do so, provided however that any such reallocation shall not be construed to relieve any party of contractual or other obligations to the District.

## 6.0 Additional Stipulations

### 6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District's CIP. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

**Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.**

## 7.0 Appendix

**Table 1**

# Cypress Bluff

### Community Development District

**Development Plan**

| Unit Type | Total Number of Units |
|---|---|
| Live-Work 25' | 20 |
| Townhome 25' | 36 |
| SF 35' | 84 |
| SF 60' | 199 |
| SF 70' | 47 |
| **Total** | **386** |

**Table 2**

# Cypress Bluff

### Community Development District

**Capital Improvement Plan**

| Improvement | Total CIP Costs |
|---|---|
| Master Stormwater Management System | 3,768,600.00 |
| Onsite Roadway Improvements - Pavement | 4,329,453.00 |
| Offsite Roadway Improvements - Pavement | 1,041,980.50 |
| Potable Water Distribution System | 2,153,815.00 |
| Sanitary Sewer System including Lift Station | 2,849,230.00 |
| Reclaimed Water Distribution System | 1,807,495.00 |
| Landscaping, Walls & Monuments | 3,170,000.00 |
| Amenities | 700,000.00 |
| Soft Costs - Engineering & Surveying | 450,000.00 |
| **Total** | **20,270,573.50** |

**Table 3**

# Cypress Bluff

## Community Development District

**Preliminary Sources and Uses of Funds**

| | |
|---|---|
| **Sources** | |
| Bond Proceeds: | |
| Par Amount | $28,070,000.00 |
| **Total Sources** | **$28,070,000.00** |
| | |
| **Uses** | |
| Project Fund Deposits: | |
| Project Fund | $20,270,573.50 |
| | |
| Other Fund Deposits: | |
| Debt Service Reserve Fund | $2,493,386.06 |
| Capitalized Interest Fund | $4,491,200.00 |
| | |
| Delivery Date Expenses: | |
| Costs of Issuance | $811,400.00 |
| Rounding | $3,440.44 |
| **Total Uses** | **$28,070,000.00** |

**Table 4**

# Cypress Bluff

## Community Development District

**Benefit Allocation**

| Unit Type | Number of Units | ERU per Unit | Total ERU |
|---|---|---|---|
| Live-Work 25' | 20 | 0.36 | 7.14 |
| Townhome 25' | 36 | 0.36 | 12.86 |
| SF 35' | 84 | 0.50 | 42.00 |
| SF 60' | 199 | 0.86 | 170.57 |
| SF 70' | 47 | 1.00 | 47.00 |
| **Total** | **386** | | **279.57** |

**Table 5**

# Cypress Bluff

## Community Development District

**Bond Assessment Apportionment**

| Unit Type | Total Number of Units | Total Cost Allocation* | Total Bond Assessment Apportionment | Bond Assessment Apportionment per Unit | Annual Bond Assessment Debt Service per Unit - paid in March* |
|---|---|---|---|---|---|
| Live-Work 25' | 20 | $ 517,899.17 | $717,169.14 | $35,858.46 | $3,424.96 |
| Townhome 25' | 36 | $ 932,218.51 | $1,290,904.45 | $35,858.46 | $3,424.96 |
| SF 35' | 84 | $ 3,045,247.12 | $4,216,954.52 | $50,201.84 | $4,794.95 |
| SF 60' | 199 | $ 12,367,432.17 | $17,125,998.98 | $86,060.30 | $8,219.91 |
| SF 70' | 47 | $ 3,407,776.54 | $4,718,972.92 | $100,403.68 | $9,589.89 |
| **Total** | **386** | **$ 20,270,573.50** | **$28,070,000.00** | | |

* Includes costs of collection estimated at 3% (subject to change) and an allowance for early payment discount estimated at 4% (subject to change)

# EXHIBIT A

Bond Assessments in the estimated amount of $28,070,000 are proposed to be levied over the area as described below:

# LEGAL DESCRIPTION

PROVIDED BY LAND SURVEYOR

LEGAL DESCRIPTION – OVERALL PROPERTY (PREPARED BY THIS FIRM):

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47"EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18"EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03"EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48"EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21"WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32"EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43"WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48"EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50"EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89° 17' 51" WEST, ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°18' 44" WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 156.36 ACRES, MORE OR LESS.

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 7C

# Cypress Bluff Community Development District ENGINEER'S REPORT

**Prepared For**
Board of Supervisors
Cypress Bluff Community Development District

**Date**
April 18, 2023

POULOS & BENNETT

2602 East Livingston Street | Orlando, Florida 32803 | Tel: 407.487.2594 | www.poulosandbennett.com
FBPE Certificate of Authorization No. 28567

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| ***Exhibit 1*** | ***Location Map*** |
| ***Exhibit 2*** | ***District Boundary Map*** |
| ***Exhibit 3*** | ***Legal Description of District Boundary*** |
| ***Exhibit 4*** | ***Thoroughfare Types Plan*** |
| ***Exhibit 5*** | ***Master Drainage Plan*** |
| ***Exhibit 6*** | ***FEMA Map*** |
| ***Exhibit 7*** | ***Master Utility Plan*** |
| ***Exhibit 8*** | ***Future Land Use Plan*** |
| ***Exhibit 9*** | ***Master Site Plan*** |
| ***Exhibit 10*** | ***Estimate of Probable Capital Improvement Costs*** |

## *Section 1 Introduction*

### *1.1. Background*

The Engineer's Report for Capital Improvements (the "Report") for the Cypress Bluff Community Development District (the "District") has been prepared to assist with financing and construction of the capital improvements contemplated to be constructed, acquired and/or installed within the District or outside of the District (the "Capital Improvement Plan") pursuant to requirements of City of Groveland, Florida and as authorized by Chapter 190, Florida Statutes.

The "Capital Improvements" reflected in the Report represent the current Capital Improvement Plan for the District. Many of the necessary regulatory approvals have been obtained for the Development (hereinafter defined). The remaining permits necessary to complete the Development are expected to be obtained during the normal design and permitting processes. We are confident that the balance of the required permits are obtainable as needed. For reference, a permit matrix for the Development is included herein. The implementation of any improvements discussed in this plan requires final approval by many regulatory and permitting agencies as outlined in Section 2 below. This report, therefore, may be amended from time to time.

Cost estimates contained in this Report have been prepared based on the best available information at this time and the sources are stated in this Report. The actual costs of construction, final engineering design, planning, approvals and permitting may vary from the cost estimates presented.

### *1.2.* ***Location and General Description***

The Cypress Bluff property is located entirely within the City of Groveland, Florida, and covers approximately 156.36 acres of land. Exhibit 1 depicts the general location of the District. The site is generally located south of Simon Brown Road, east of Villa City Road and west of Lake Lucy. The District Boundary Map is shown on Exhibit 2. The metes and bounds description of the external boundary of the District is set forth in Exhibit 3.

### *1.3.* ***District Purpose and Scope***

The District was established for the purpose of financing, acquiring or constructing, maintaining and operating a portion of the public infrastructure necessary for community development within the District. The purpose of this Report is to provide a description of the public infrastructure improvements to be financed by the District. The District will finance, acquire and/or, construct, operate, and maintain certain public infrastructure improvements that are needed to serve the Development. A portion of the infrastructure improvements will be financed with the proceeds of bonds issued by the District.

The proposed public infrastructure improvements, as outlined herein, are necessary for the development of the District as required by the applicable independent unit of local government.

### *1.4.* ***Description of Land Use***

The lands within the District encompass approximately 156.36 acres as of the date of this Report. Based on the PD the development program for the property within the District allows for construction of 386 single family residential units. As of this Report writing, there are commercial tracts entitled for up to 45,000 square feet of commercial uses within the District; however, the landowner intends

to petition for a boundary amendment to remove the commercial uses from the District boundaries. After the boundary amendment, there is anticipated to be 152.63 acres within the District.

A breakdown on the lot sizes and front footage (for the purpose of the Assessment Methodology) are included below. The approved land uses within the District include the following areas. Exhibits included herein provide details on land use locations and the development program.

| Proposed Development | Approximate Area (Acres) |
|---|---|
| Private | 55.9 |
| Stormwater | 8.6 |
| Open Space | 24.1 |
| Roads | 22.0 |
| Wetlands & Lakes | 45.8 |
| Total Acres | 156.36 |

**Lot Breakdown by Type**

| Unit Type | Number of Units |
|---|---|
| Live-Work units (Treated as T/H) | 20 |
| Townhomes | 36 |
| 35' Wide Lots | 84 |
| 60' Wide Lots | 199 |
| 70' Wide Lots | 47 |

**Lot Sizes and Front Footage Measurements (for Assessment Methodology)**

| Front Footage by Type & Phase | | | | |
|---|---|---|---|---|
| | | | | |
| PHASE 1 | | | | |
| Lot Type | Lot Width (ft) | # of Lots | Total Lot Front Footage by Lot Type & Width (ft) | Percentage of Total Front Footage Width (ft) |
| Live-Work units (treated as T/H) | 25 | 20 | 1,581.4 | 0.069 |
| Attached Townhomes | 25 | 30 | 2,568.6 | 0.112 |
| Small Lots | 35 | 68 | 5,599.4 | 0.244 |
| Standard Lots | 60 | 139 | 12,236.9 | 0.533 |
| Large Lots | 70 | 14 | 967.7 | 0.042 |
| TOTAL | | | 22,954.0 | |
| | | | | |
| PHASE 2 | | | | |
| Lot Type | Lot Width (ft) | # of Lots | Total Lot Front Footage by Lot Type & Width (ft) | Percentage of Total Front Footage Width (ft) |
| Live-Work units | 25 | 0 | 0.0 | 0.000 |
| Attached Townhomes | 25 | 6 | 445.7 | 0.050 |
| Small Lots | 35 | 16 | 978.6 | 0.109 |
| Standard Lots | 60 | 60 | 5,113.7 | 0.571 |
| Large Lots | 70 | 33 | 2,423.9 | 0.270 |
| | | | 8,961.9 | |
| | | | | |

| Total | | | | |
|---|---|---|---|---|
| Lot Type | Lot Width (ft) | # of Lots | Total Lot Front Footage by Lot Type & Width (ft) | Percentage of Total Front Footage Width (ft) |
| Live-Work units | 25 | 20 | 1,581.4 | 0.050 |
| Attached Townhomes | 25 | 36 | 3,014.3 | 0.094 |
| Small Lots | 35 | 84 | 6,578.0 | 0.206 |
| Standard Lots | 60 | 199 | 17,350.6 | 0.544 |
| Large Lots | 70 | 47 | 3,391.6 | 0.106 |
| | | | | |
| TOTAL | | 386 | | |
| | | | | |

## ***Section 2 Government Actions***

The following are the permitting agencies that will have jurisdiction for approval of construction within the District. Depending on the location and scope of each project design, the individual permits that need to be obtained will need to be evaluated; not all will necessarily apply to every sub-phase within the District.

Permitting Agencies & Permits Required

1. City of Groveland
    a. Site Plan Permit
    b. Right-of-Way Permit
    c. Tree Removal Permit
    d. Site Development Plan
    e. Final Plat
2. St. Johns River Water Management District (SJRWMD)
    a. Environmental Resource Permit
        i. Mass Grading/Master Stormwater Construction
        ii. Final Engineering for Onsite Improvements
    b. Water Use Permit (Dewatering)
        i. Mass Grading/Master Storm
        ii. Final Engineering for Onsite Improvements
3. City of Groveland
    a. Final Engineering Construction Plans –Water, Sewer, and Reclaimed Water Distribution Systems
4. Florida Department of Environmental Protection (FDEP)
    a. Water Distribution System
    b. Sanitary Sewer Collection and Transmission System
    c. National Pollutant Discharge Elimination System (NPDES)
5. Army Corp of Engineers
6. Florida Fish and Wildlife Conservation Commission (FWC)

## ***Section 3 Infrastructure Benefit***

The District will fund, and in certain cases maintain and operate public infrastructure yielding two types of public benefits. These benefits include:

- District-specific public benefits

- Incidental general public benefits

The District-specific public benefits are provided by infrastructure improvements that serve all lands in the District. These public infrastructure improvements include construction of the master stormwater management system, the sanitary sewer, potable water, and reclaimed water mains, roadway network, offsite roadway and utility improvements, perimeter landscape and irrigation improvements within the District boundary, which make the property within the District developable and saleable. However, some incidental general public benefits include those benefits received by the general public who do not necessarily reside on land owned or within the District.

The proposed capital improvements identified in this Report are intended to provide specific benefit to the assessable real property within the boundaries of the District. As much of the property is currently undeveloped, the construction and maintenance of the proposed infrastructure improvements are necessary and will benefit the property for the intended use as a residential community. The District can construct, acquire, own, operate and/or maintain any or all of the proposed infrastructure set forth herein. The Developer or other party/parties will construct and fund the infrastructure not funded by the District (including but not limited to the private infrastructure required for development).

In particular, the on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection. Water main connections will be made to the 12" water main at Villa City Road/CR 565 and the potential of interconnection to the adjacent Preserve at Sunrise Subdivision.

Wastewater improvements for the project will include an onsite 8" diameter gravity collection system, offsite and onsite 6" force main and onsite lift stations. The offsite force main connection will be made to the existing 12" force main at Villa City Road/CR 565.

Similarly, the reclaim water distribution system will be constructed to provide service for irrigation throughout the community and will consist of 8" reclaimed mains. Prior to the availability of a reclaimed main in Villa City Road/CR 565, the reclaim water will be provided via a jumper connection to the potable water main.

The potable water and reclaim water distribution systems and sanitary sewer system and lift station for all phases are anticipated to be completed by the District and then dedicated to the City of Groveland for ownership and maintenance.

## ***Section 4 Capital Improvement Plan***

The District capital improvements will connect and interact with the adjacent offsite roads, stormwater management systems, potable water, reclaimed water, and sewer systems. The proposed infrastructure improvements addressed by this Report include elements internal and external to the District. The elements include the master stormwater management and drainage systems, roadway

improvements, landscaping, street lighting, pavement markings and signage, as well as potable watermain, reclaimed watermain and sewer extensions required to provide utility service to the District. Detailed descriptions of the proposed capital improvements are provided in the following sections and Exhibits 4 through 9. Exhibit 10, details the Cost Opinion for the District's Capital Improvement Plan.

The Improvement Plan will be constructed and financed in logical segments and in one or more phases. The District anticipates one or more series of bonds to fund all or a portion of the Capital Improvement Plan.

## ***Section 5 Description of Capital Improvement Plan***

### *5.1 Roadway Improvements*

As indicated above, the District will fund roadway construction internal to the District consisting of local roadways. Exhibit 4, Thoroughfare Types Plan, provides a graphic representation of the proposed improvements. All such local roadways will be open to the public and no entry gates are proposed.

### *5.2 Stormwater Management*

As indicated above, the District will fund the construction of the master stormwater management system for the lands within the District. This system is made up of four (4) dry bottom detention stormwater treatment/attenuation ponds, control structures, spreader swales, inlets, manholes and storm pipes. The proposed ponds and outfall structures have been designed to provide water quality treatment and attenuation in accordance with City of Groveland and the St. Johns River Water Management District regulations. The stormwater management system has been designed to accommodate on-site runoff in addition to offsite flows which have historically entered the project site. Exhibit 5, Master Drainage Plan, provides graphical representations of the proposed stormwater management system.

The stormwater collection and outfall system are a combination of roadway curbs, curb inlets, pipe, control structures and open lakes designed to treat and attenuate stormwater runoff from District lands. The stormwater system within the project discharges to Lake Lucy. The stormwater system will be designed consistent with the criteria established by the SJRWMD and the City of Groveland for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system, with the exception that should the City take ownership and maintenance of the Roadway Rights-of-Way, the City will own, operate and maintain the inlets and storm sewer systems within City right-of-way.

NOTE: No private earthwork is included in the CIP. Accordingly, the District will not fund any costs of mass grading of lots.

### *5.3 100-Year Floodplain*

Pursuant to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) panels 12069C dated December 18, 2012, portions of the project site are located within the 100-year Flood Hazard Area (FHA), Zone A, associated with Lake Lucy. Exhibit 6, FEMA 100-Year Floodplain details the floodplain limits relative to the District boundaries.

The lack of additional FEMA FHA does not preclude of any Jurisdiction having permitting authority from requiring the establishment of Base Flood Elevations (BFE) nor to avoid measures resulting from any filled areas below the BFE which will require mitigation in the form of a volume-for-volume match between BFE impacts and compensating storage.

## ***5.4 Other Master Infrastructure***

### ***5.4.1 Primary Roadways***

The primary roadway improvements include approximately 21,600 linear feet of road and consist of the following Rights-of-Way widths: 80' Width Divided; 66' Street; 48' Primary Road; 40' Road; 32' Lane and 20' Alleys. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping and signage and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders. All roads will be designed in accordance with City of Groveland standards. The roadways will define the major ingress and egress points throughout the Development as well as serve as the collector roads to support future residential development. The roadways will also serve as locations for the placement of utility infrastructure needed to serve the development of the project, see Exhibit 4.

All internal roadways may be financed by the District and are anticipated to be owned by the City of Groveland for ownership, operation, and maintenance. Alternatively, the developer may elect to finance the internal roads, gate them, and turn them over to a Homeowners Association ("HOA") for ownership, operation and maintenance (in such an event, the District would be limited to financing only utilities, conservation/mitigation and stormwater improvements behind such gated areas).

In addition to the onsite roadway network, there are requirements to provide intersection improvements to Villa City Road/CR 565. Improvements include left turn lanes and right turn deceleration lanes at the primary entrance, Cypress Bluff Boulevard.

Last, there is a proposed unimproved access to an existing property & home to the east. This access is being relocated to continue to provide access to the subject property. This access will not be funded, owned nor maintained by the District.

### ***5.4.2 Potable Water Distribution System***

The District will fund the construction of the water distribution system within the District and those portions required to connect to existing or proposed offsite facilities. The potable water system will be conveyed to, and owned and maintained by the City of Groveland once it has been certified complete. The main sizing within the District, sized to provide water to residents of the District, will be required to be designed and constructed based on the Master Utility Plan ("MUP"). Exhibit 7, provides a graphical representation of the water mains to be constructed within the District.

### ***5.4.3 Reclaimed Water Distribution System***

The District will fund the construction of the reclaimed water distribution system within the District and those portions required to connect to existing or proposed offsite facilities. The reclaimed water system will be conveyed to, and owned and maintained by the City of Groveland once it has been certified complete by the District. The main sizing within the District, sized to provide reclaimed water to the lot boundaries and common areas, will be required to be designed and constructed based

on the Master Utility Plan. Exhibit 7, provides a graphical representation of the proposed system within the District.

### *5.4.4 Wastewater System*

The District will fund the construction of the gravity sewer, force main, and lift station infrastructure within the District and those portions required to connect to existing or proposed offsite facilities. The wastewater system will be conveyed to, and owned and maintained by the City of Groveland once it has been certified complete by the District. The main sizing and lift stations within the District, sized to provide wastewater service to the residents of the District, will be required to be designed and constructed based on the Master Utility Plan. Exhibit 7 provides a graphical representation of the proposed wastewater system within the District.

### *5.4.5 Landscape & Hardscape*

The landscaping and irrigation of the primary roadways will provide the "first impression" of the Development. The District will fund and construct and/or install parks, landscape and hardscape construction and maintenance within District common areas which may include Rights-of-Way, perimeter landscape buffers, master signage, way finding signage, entry hardscape features, entry landscape, amenity area landscape and hardscape, pedestrian/multi-purpose trails, and street trees. The irrigation system will consist of pipe & fittings, various types of sprinkler systems and non-potable wells as allowed. All such landscaping, irrigation and hardscaping will be owned, maintained and funded by the District. Areas owned and Maintained by the Homeowners Association shall be the responsibility of the HOA. Agreements between the HOA and District may be consummated should both parties agree on a proper maintenance and budget. Such infrastructure, to the extent that it is located in rights-of-way owned by the City will be maintained pursuant to a right-of-way agreement to be entered into with the City. Additionally, The City has distinct design criteria requirements for planting and irrigation design. Therefore this project will at a minimum meet those requirements but in most cases exceed the requirements with enhancements for the benefit of the community.

### *5.4.6 Electrical Distribution and Street Lights*

Most, if not all, District constructed infrastructure will include underground electric and street lighting. The street lighting system will be constructed in cooperation with the City of Groveland, Sumter Electric and the Developer. The District will fund the cost to trench the underground installation only. Leasing and monthly service charges associated with the upgraded street lighting fixtures along roadways within the District are the responsibilities of others. Sumter Electric and the appropriate community entity will own and maintain the electric and street light infrastructure.
The District intends to enter into a lease through an agreement with Sumter Electric Cooperative for the installation, maintenance and use of the street lighting within the District. In which case the District would fund the streetlights through an annual operations and maintenance assessment. As such, streetlights are not included as part of the CIP.

The CIP does however include the undergrounding of electrical utility lines within right-of-way utility easements throughout the community. Any lines and transformers located in such areas would be owned by Sumter Electric Cooperative and not paid for by the District as part of the CIP.

### *5.4.7 Amenities*

The District intends to develop a residential amenity for the project, which is anticipated to include a pool and cabana.

### *5.4.8 Environmental Conservation/Mitigation*

There are no impacts of forested and herbaceous wetland and lake area impacts associated with the proper construction of the District's infrastructure. The District will be responsible for the design, permitting, construction, maintenance, and government reporting of the environmental mitigation. These costs are included within the CIP.

### *5.5 Professional and Inspection Fees*

Design, permitting and construction for the proposed District Capital Improvement Plan, professional services are required by various consultants. The consultants required are: civil engineer, geotechnical, planner, environmental, surveying, landscape architect and associated legal costs. During construction, the various permitting agencies will observe and inspect the project. Each of the agencies will charge an inspection fee to cover the costs associated with an inspector visiting the site to observe construction progress and confirm that the project is constructed in accordance with their respective approved plans, permits, rules, and regulations. The professional services and inspections fees are included as soft costs for the District Capital Improvement Plan.

## ***Section 6 Ownership and Maintenance***

| District Infrastructure | Construction/Finance Entity | Ownership | Capital Financing [1] | Maintenance |
|---|---|---|---|---|
| Master Stormwater Management System | District | District | District Bonds | District |
| Onsite Roadways & Parking Areas (Asphalt, Curb & Gutter, Sidewalk) | District | *City of Groveland | District Bonds | *City of Groveland |
| Offsite Roadway Improvements | District | Lake County (Roadways) City of Groveland (Utilities) | District Bonds | Lake County (Roadways) City of Groveland (Utilities) |
| Potable Water Distribution System | District | City of Groveland | District Bonds | City of Groveland |
| Sanitary Sewer System & Lift Station | District | City of Groveland | District Bonds | City of Groveland |
| Reclaimed Water Distribution System | District | City of Groveland | District Bonds | City of Groveland |
| Parks, Landscaping, Irrigation and Entry Feature Signage & Signage within Right-of-Way | District | District | District Bonds | District |
| Landscaping & Walls within Easements | District | District | District Bonds | District |
| Amenity | District | District | District Bonds | District |
| Street Lighting/Electrical [2] | District | Sumter Electric | District Bonds [2] | Sumter Electric |

**Provided that for lanes and alleys that the City of Groveland will not accept ownership of, the CDD will own and operate*

*Notes:*

1. *Costs not funded by bonds will be funded by the Developer.*
2. *The District shall enter into a lease with Sumter Electric Cooperative for the installation, maintenance and use of the street lighting within the Development. However, the underground conduit for the electrical lines will be installed by the District and the District will fund the differential cost of undergrounding the electric lines, which includes the conduit.*

## ***Section 7 Roadway Rights-of-Way, Stormwater Management Ponds and Other Open Spaces***

Real property interests for lands within the District needed for construction, operation, and maintenance of District facilities will be conveyed and/or dedicated by the owner thereof to the District or other public entity and the costs associated therewith are not part of the CIP.

### *Section 8 Estimate of Probable Capital Improvement Costs*

The "Estimate of Probable Capital Improvement Plan Costs" is provided in Exhibit 10. Design costs associated with the improvements herein before described have been estimated based on the best available information. Other soft costs include portions of the wetland/permit surveying, design and engineering for all of the described work, regulatory permitting and materials testing. Last, a reasonable project contingency estimate has been included utilizing rounding factors.

Please note that the costs are preliminary in nature and subject to change based on final engineering, permitting, and changes in construction cost due to market fluctuation.

**PROBABLE CAPITAL IMPROVEMENT COSTS**

| Facility | Costs [1] | |
|---|---|---|
| Master Stormwater Management System | $ | 3,768,600.00 |
| Onsite Roadway Improvements - Pavement | $ | 4,329,453.00 |
| Offsite Roadway Improvements - Pavement | $ | 1,041,980.50 |
| Potable Water Distribution System | $ | 2,153,815.00 |
| Sanitary Sewer System including Lift Station | $ | 2,849,230.00 |
| Reclaimed Water Distribution System | $ | 1,807,495.00 |
| Landscaping, Walls & Monuments | $ | 3,170,000.00 |
| Amenities | $ | 700,000.00 |
| Soft Costs – Engineering & Surveying | $ | 450,000.00 |
| **TOTAL** | **$** | **20,270,573.50** |

[1] *Based on Southern Development & Construction, Inc. bid dated July 1, 2022, and includes only those items shown above; bid estimates above are subject to the specific notes included in the bid. It is our professional opinion that the costs set forth herein are reasonable and consistent with market pricing. The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated District expenditures that may be incurred.*

### *Section 9 Conclusions and Summary Opinion*

The Capital Improvement Plan as described is necessary for the functional development of the property within the District as required by the applicable local governmental agencies. The planning and design of the infrastructure will be in accordance with current governmental regulatory requirements. The public infrastructure as described in this Report will serve its intended function provided the construction is in substantial compliance with the future design and permits which will be required by the District. In addition to the annual non-ad valorem assessments to be levied and collected to pay debt service on the proposed bonds, the District will levy and collect an annual "Operating and Maintenance" assessment to be determined, assessed and levied by the District's Board of Supervisors upon the assessable real property within the District, for the purpose of defraying the cost and expenses of maintaining District-owned improvements.

The construction costs for the District's Capital Improvement Plan in this report are based on the concept plans for the District as currently proposed. In our professional opinion, and to the best of our knowledge and belief, the costs provided herein for the District are reasonable to complete the construction of the infrastructure improvements described herein. All of the proposed infrastructure Capital Improvement Plan costs are public improvements or community facilities as set forth in sections 190.012(1) and (2) of the Florida Statutes.

The summary of probable infrastructure construction costs is only an opinion and not a guaranteed maximum price. Historical costs, actual bids and information from other professionals or contractors have been used in the preparation of this report. The Contractor who contributed in providing the cost data included in this report are reputable entities with experience in Central Florida. It is therefore our opinion that the construction of the proposed District Capital Improvement Plan can be completed at the costs as stated.

The labor market, future costs of equipment and materials, increased regulatory actions and requirements, and the actual construction process are all beyond our control. Due to this inherent opportunity for fluctuation in cost, the total final cost may be more or less than this opinion. Further it is our opinion that:

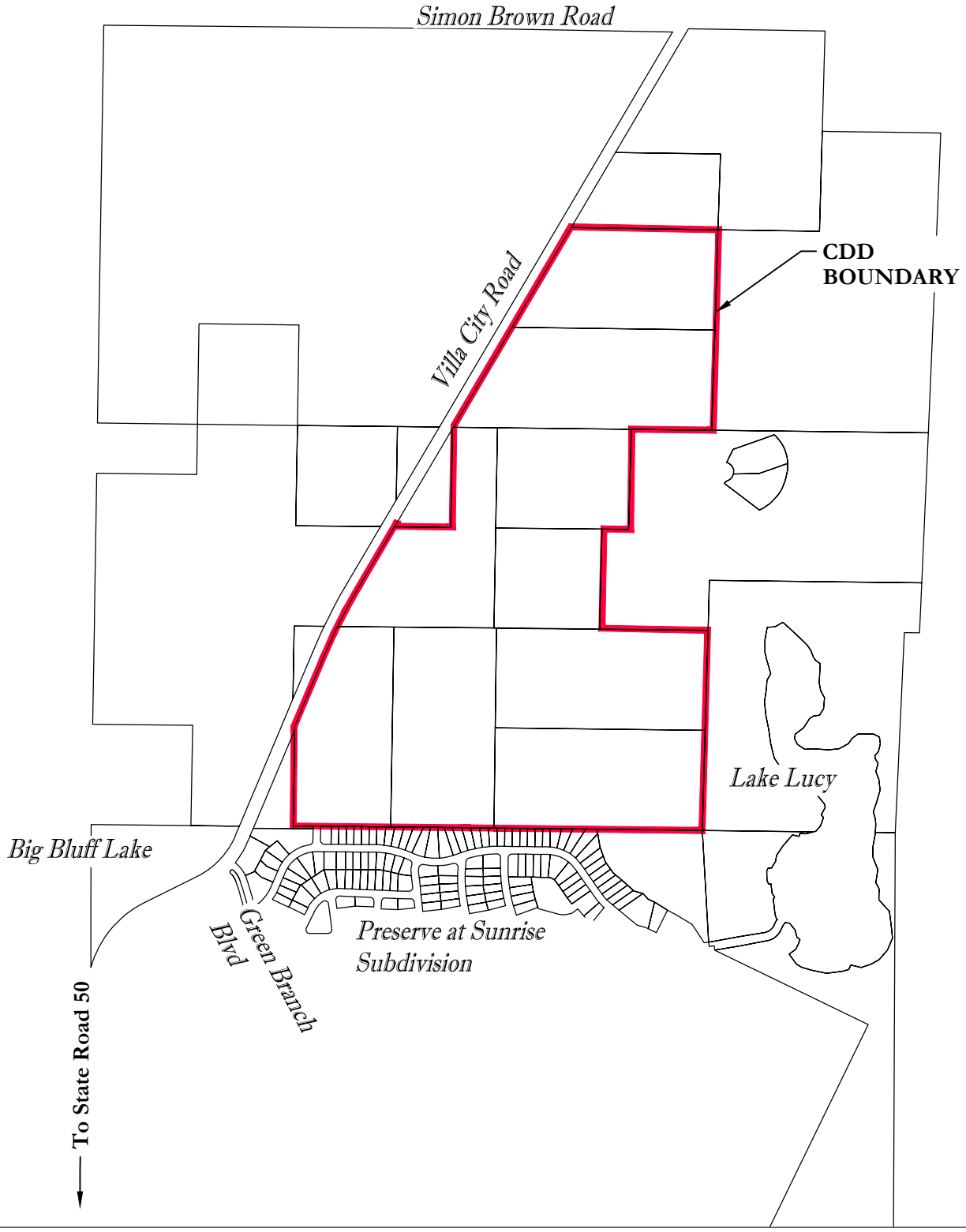
- All of the improvements comprising the CIP are required by applicable development approvals;
- The CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course;
- The reasonably expected economic life of the CIP is anticipated to be at least 20+ years;
- The assessable property within the District will receive a special benefit from the CIP that is at least equal to such costs; and

The professional service for establishing the Construction Cost Estimate is consistent with the degree of care and skill exercised by members of the same profession under similar circumstances. The CIP will be owned by the District or other governmental units and such CIP is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public) including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on public easements in favor of the District or other governmental entity. The CIP, and any cost estimates set forth herein, do not include any earthwork, grading or other improvements on private lots or property. Regarding any fill generated by construction of the CIP, and that is not used as part of the CIP, such fill will only be placed on-site where the cost of doing so is less expensive than hauling such fill off-site.
Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure

improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and the District expressly reserves the right to do so.

**As District Engineer:**
**Poulos & Bennett, LLC**

_____
David M. Kelly, PE, CFM
State of Florida Professional Engineer No. 43325
CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT




Vicinity Map

# Cypress Bluff CDD

1000 0 1000 2000

SC-LE IN FEET

**Exhibit 1**

August 2022

**P & B Job No.:** 22-086

2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

POULOS & BENNETT

www.poulosandbennett.com
Certificate of Authorization No. 28567

Z:\2022\22-086 KB HOME – CYPRESS BLUFF\C-D\EXH & FIGS\CDD\22086 CDD VICINITY M-P

LEGAL DESCRIPTION – OVERALL PROPERTY (PREPARED BY THIS FIRM):

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47" EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18" EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03" EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48" EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21" WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32" EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43" WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50" EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89° 17' 51" WEST, ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE

NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°18' 44” WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF TRACT 46, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN S 89°17'20" E ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 337.74 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°42'40" E FOR A DISTANCE OF 101.36 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING A POINT ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3769.83 FEET, A CHORD BEARING OF N 29°17'14" E, AND A CHORD DISTANCE OF 165.69 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°31'06" FOR A DISTANCE OF 165.70 FEET TO A POINT OF TANGENCY; THENCE RUN N 30°32'48" E FOR A DISTANCE OF 79.55 FEET TO THE BEGINNING OF A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 30.00 FEET, A CHORD BEARING OF N 77°38'48" E, AND A CHORD DISTANCE OF 40.84 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°48'00" FOR A DISTANCE OF 44.92 FEET TO A POINT OF TANGENCY; THENCE RUN S 59°27'12" E FOR A DISTANCE OF 83.70 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 210.00 FEET, A CHORD BEARING OF S 64°30'57" E, AND A CHORD DISTANCE OF 37.06 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°07'30" FOR A DISTANCE OF 37.11 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 10.00 FEET, WITH A CHORD BEARING OF S 34°28'27" E, A CHORD DISTANCE OF 11.50 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°12'31"

FOR A DISTANCE OF 12.25 FEET TO A POINT OF TANGENCY; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 253.03 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 382.00 FEET, WITH A CHORD BEARING OF S 74°12'22" W, AND A CHORD DISTANCE OF 72.01 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°49'01" FOR A DISTANCE OF 72.12 FEET TO A POINT OF NON TANGENCY; THENCE RUN N 59°27'12" W FOR A DISTANCE OF 233.81 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF TRACTS 45 AND 46, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN S 89°17'20" E ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 739.14 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N 00°42'40" E FOR A DISTANCE OF 328.72 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89°22'12" W FOR A DISTANCE OF 39.98 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 180.00 FEET, A CHORD BEARING OF N 74°24'42" W AND A CHORD DISTANCE OF 92.92 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°55'00" FOR A DISTANCE OF 93.99 FEET TO A POINT OF TANGENCY; THENCE RUN N 59°27'12" W FOR A DISTANCE OF 89.38 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF N 16°45'14" W, AND A CHORD DISTANCE OF 33.91 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°23'57" FOR A DISTANCE OF 37.26 FEET TO A NON-TANGENT LINE; THENCE RUN N 30°32'48" E FOR A DISTANCE OF 231.64 FEET; THENCE RUN S 89°18'59" E FOR A DISTANCE OF 406.83 FEET; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 156.32 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 10.00 FEET, A CHORD BEARING OF S 45°37'48" W, AND A CHORD DISTANCE OF 14.14 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 15.71 FEET TO A POINT OF TANGENCY; THENCE RUN N 89°22'12" W FOR A DISTANCE OF 255.00 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 40.00 FEET, A CHORD BEARING OF S 45°37'48" W, AND A CHORD DISTANCE OF 56.57 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 62.83 FEET TO A POINT OF TANGENCY; THENCE RUN S 00°37'48" W FOR A DISTANCE OF 95.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 152.63 ACRES, MORE OR LESS.

## VESTING LEGAL DESCRIPTION:

PARCEL 1:

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, LYING SOUTHEASTERLY OF C.R. 565, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

ALSO

THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

TRACTS 53 AND 54, GROVELAND FARMS, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 2:

TRACTS 59 AND 60, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, IN GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3:

PARCEL A: THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

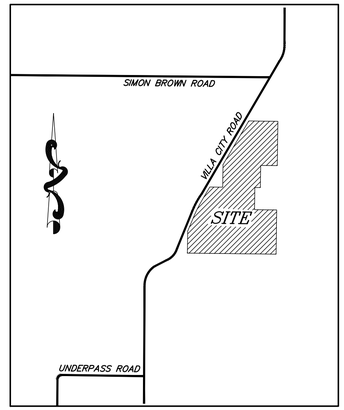
PARCEL B: THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL C: THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL D: THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4, EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL E: THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL F: ALL OF TRACTS 35, 45 AND 46, LYING EAST OF C.R. ROAD 565, AND THAT PART OF THE EAST 297 FEET OF TRACT 36, LYING EAST OF C.R. ROAD 565, ALL LYING AND BEING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



LOCATION MAP NOT TO SCALE

## LEGAL DESCRIPTION – OVERALL PROPERTY (PREPARED BY THIS FIRM):

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47" EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18" EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03" EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48" EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21" WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32" EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43" WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50" EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89° 17' 51" WEST ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°16' 44" WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A PARCEL OF LAND BEING A PORTION OF TRACT 46, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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LESS AND EXCEPT

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CONTAINING 152.63 ACRES, MORE OR LESS.

## SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE ON THE SOUTH LINE OF SECTION 1-22-24 AND THE NORTH LINE OF PRESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PGS 76-79, AS BEING N89°23'34"W. (AN ASSUMED BEARING FOR ANGULAR DESIGNATION ONLY)
2. THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL, STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.
3. THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES LISTED HEREON AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.
4. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
5. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR VISIBLE, UNOBSTRUCTED, VISIBLE ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND UTILITIES, FOUNDATIONS WERE NOT LOCATED, UNLESS SHOWN HEREON.
6. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND PROFESSIONAL PURVIEW AND SUBJECT TO LEGAL INTERPRETATION.
7. THE PARCELS SHOWN HEREON, ARE CONTIGUOUS WITHOUT AN GAPS, GORES, HIATUSES OR OVERLAPS.
8. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, NATIONAL GEODETIC SURVEY BENCHMARK NUMBER A 494, ELEVATION BEING 97.56.
9. THE LANDS SHOWN HEREON LIE IN ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND FLOOD ZONE A, DEFINED AS NO BASE FLOOD ELEVATION DETERMINED, ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 12069C0555E, MAP REVISED DECEMBER 18, 2012.
   THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.
10. WE HAVE EXAMINED THE FURNISHED COMMITMENT TO INSURE TITLE, COMMITMENT NO. 2037-4548032, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, EFFECTIVE DATE JUNE 22, 2022 AT 8:00 A.M., REVISED JUNE 27, 2022, THOSE INSTRUMENTS INCLUDED IN "SCHEDULE B-II", OF THE COMMITMENT HAVE BEEN EXAMINED AND ARE REFLECTED HEREON TO THE EXTENT THEY AFFECT THE LANDS SURVEYED.

EXCEPTIONS AS THEY APPEAR IN THE TITLE COMMITMENT:

9. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA THROUGH THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA FOR OIL, GAS, MINERALS AND FISSIONABLE MATERIALS CONTAINED IN DEED NO. 1398 RECORDED NOVEMBER 10, 1944 IN DEED BOOK 224, PAGE 424, WITHOUT RIGHT OF ENTRY AND EXPLORATION PURSUANT TO SEC. 270.11 F.S. **THE SURVEYOR COULD NOT FIND ANY EVIDENCE, THROUGH A SEARCH OF THE PUBLIC RECORDS, OR WAS PROVIDED ANY DOCUMENTATION A STATE ROAD EXISTED THAT WOULD HAVE AFFECTED PARCEL B OF PARCEL 3.**
10. RIGHT-OF-WAY EASEMENT IN FAVOR OF SUMTER ELECTRIC COOPERATIVE, INC. RECORDED FEBRUARY 2, 1972 IN BOOK 455, PAGE 148. **AFFECTS THE SUBJECT PROPERTY BUT CANNOT BE SHOWN, BLANKET IN NATURE.**
11. RIGHT-OF-WAY EASEMENT IN FAVOR OF SUMTER ELECTRIC COOPERATIVE, INC. RECORDED MARCH 2, 1973 IN BOOK 497, PAGE 123. **AFFECTS THE SUBJECT PROPERTY BUT CANNOT BE SHOWN, BLANKET IN NATURE.**
12. RIGHT-OF-WAY EASEMENT IN FAVOR OF SUMTER ELECTRIC COOPERATIVE, INC. RECORDED SEPTEMBER 16, 1982 IN BOOK 757, PAGE 1655. **AFFECTS THE SUBJECT PROPERTY BUT CANNOT BE SHOWN, BLANKET IN NATURE.**
13. GRANT OF EASEMENT IN FAVOR OF UNITED TELEPHONE COMPANY OF FLORIDA RECORDED JANUARY 6, 1991 IN BOOK 1143, PAGE 1021. **AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.**
14. INTENTIONALLY DELETED
15. GRANT OF EASEMENT AND RELEASE OF EASEMENT IN FAVOR OF ISLAND BOYS, LLC RECORDED IN BOOK 2424, PAGE 1328. **AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.**

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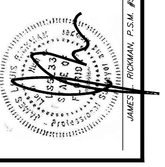
(407) 654-5355 LB #6723

CITY OF GROVELAND, LAKE COUNTY, FLORIDA

FOR: KB HOME ORLANDO, LLC

FOR THE LICENSED BUSINESS #6723 BY:




| DATE | REVISIONS |
|---|---|

JOB #: 20190701
DATE: APRIL 25, 2023
SCALE: 1"=100'
CALC BY: JLR
FIELD BY: SM
DRAWN BY: SEJ
CHECKED BY: JLR

SHEET 1 OF 3

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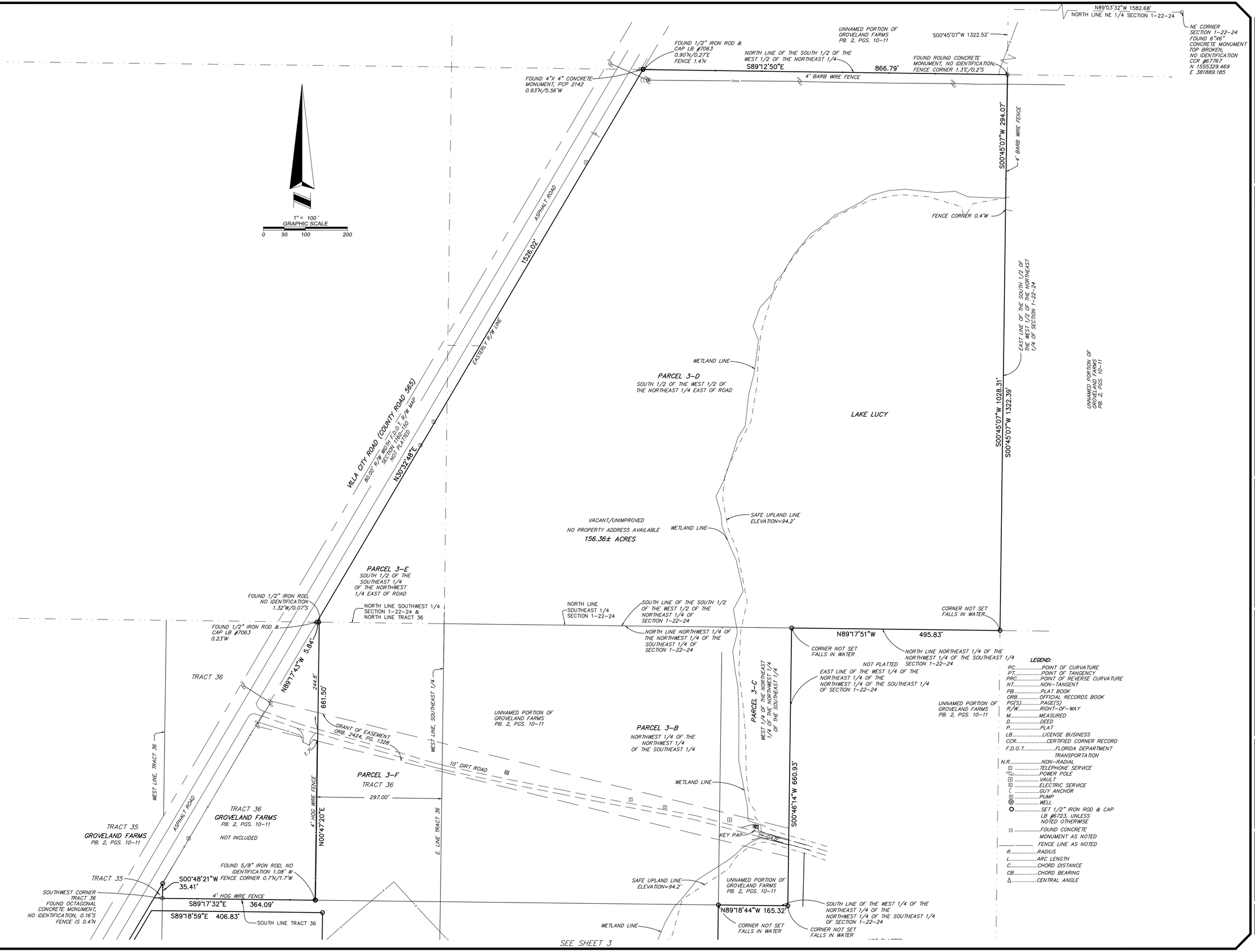


LEGEND:

| | |
|---|---|
| PC | POINT OF CURVATURE |
| PT | POINT OF TANGENCY |
| PRC | POINT OF REVERSE CURVATURE |
| NT | NON-TANGENT |
| PB | PLAT BOOK |
| ORB | OFFICIAL RECORDS BOOK |
| PG(S) | PAGE(S) |
| R/W | RIGHT-OF-WAY |
| M | MEASURED |
| D | DEED |
| P | PLAT |
| LB | LICENSE BUSINESS |
| CCR | CERTIFIED CORNER RECORD |
| F.D.O.T. | FLORIDA DEPARTMENT TRANSPORTATION |
| N.R. | NON-RADIAL |
| T | TELEPHONE SERVICE |
| PP | POWER POLE |
| V | VAULT |
| E | ELECTRIC SERVICE |
| GA | GUY ANCHOR |
| P | PUMP |
| W | WELL |
| ○ | SET 1/2" IRON ROD & CAP LB #6723, UNLESS NOTED OTHERWISE |
| ⊡ | FOUND CONCRETE MONUMENT AS NOTED |
| ——— | FENCE LINE AS NOTED |
| R | RADIUS |
| L | ARC LENGTH |
| C | CHORD DISTANCE |
| CB | CHORD BEARING |
| Δ | CENTRAL ANGLE |


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# BOUNDARY SURVEY OF CYPRESS BLUFF

SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST

CITY OF GROVELAND, LAKE COUNTY, FLORIDA

FOR: KB HOME ORLANDO, LLC

| DATE | REVISIONS |
|---|---|

| | |
|---|---|
| JOB # | 20190701 |
| DATE: | APRIL 25, 2023 |
| SCALE: | 1"=100' |
| CALC BY: | JLR |
| FIELD BY: | SM |
| DRAWN BY: | SEJ |
| CHECKED BY: | JLR |

SHEET 2 OF 3

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SEE SHEET 2

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | N30°32'48"E | 79.55' |
| L2 | N59°27'12"W | 89.38' |
| L3 | S00°37'48"W | 156.32' |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | CHORD BEARING | CHORD | DELTA | LENGTH |
| C1 | 3769.83' | N29°17'14"E | 165.69' | 002°31'06" | 165.70' |
| C2 | 30.00' | N77°38'48"E | 40.84' | 085°48'00" | 44.92' |
| C3 | 210.00' | S64°30'57"E | 37.06' | 010°07'30" | 37.11' |
| C4 | 10.00' | S34°28'27"E | 11.50' | 070°12'31" | 12.25' |
| C5 | 382.00' | S74°12'22"W | 72.01' | 010°49'01" | 72.12' |
| C6 | 180.00' | N74°24'42"W | 92.92' | 029°55'00" | 93.99' |
| C7 | 25.00' | N16°45'14"W | 33.91' | 085°23'57" | 37.26' |
| C8 | 10.00' | S45°37'48"W | 14.14' | 090°00'00" | 15.71' |
| C9 | 40.00' | S45°37'48"W | 56.57' | 090°00'00" | 62.83' |

**LEGEND:**

PC.....POINT OF CURVATURE
PT.....POINT OF TANGENCY
PRC.....POINT OF REVERSE CURVATURE
NT.....NON-TANGENT
PB.....PLAT BOOK
ORB.....OFFICIAL RECORDS BOOK
PG(S).....PAGE(S)
R/W.....RIGHT-OF-WAY
M.....MEASURED
D.....DEED
P.....PLAT
LB.....LICENSE BUSINESS
COR.....CERTIFIED CORNER RECORD
F.D.O.T.....FLORIDA DEPARTMENT TRANSPORTATION
N.R.....NON-RADIAL
.....TELEPHONE SERVICE
.....POWER POLE
.....VAULT
.....ELECTRIC SERVICE
.....GUY ANCHOR
.....PUMP
.....WELL
.....SET 1/2" IRON ROD & CAP LB #6723, UNLESS NOTED OTHERWISE
.....FOUND CONCRETE MONUMENT AS NOTED
_____ FENCE LINE AS NOTED
R.....RADIUS
L.....ARC LENGTH
C.....CHORD DISTANCE
CB.....CHORD BEARING
Δ.....CENTRAL ANGLE

L.....ARC LENGTH
C.....CHORD DISTANCE
CB.....CHORD BEARING
Δ.....CENTRAL ANGLE

TRACT 35
SOUTHWEST CORNER TRACT 36
FOUND OCTAGONAL CONCRETE MONUMENT, NO IDENTIFICATION, 0.16'S, FENCE IS 0.4'N
S00°48'21"W 35.41'
FOUND 5/8" IRON ROD, NO IDENTIFICATION 1.08' W FENCE CORNER 0.7'N/1.7'W
4' HOG WIRE FENCE
S89°17'32"E 364.09'
S89°18'59"E 406.83'
SOUTH LINE TRACT 36
PROPOSED TRACT 2A
N30°32'48"E 511.09'
N30°32'48"E 231.64'
L3
N89°22'12"W 255.00'
C9
C7
N89°22'12"W 39.98'
S00°37'48"W 95.00'
L2
C2
C6
PARCEL 3-F TRACT 46
POINT OF BEGINNING
PARCEL 3-F TRACT 45
L1
C1
C3
C4
S59°27'12"E 83.70'
VILLA CITY ROAD (COUNTY ROAD 565)
80.00' R/W WIDTH F.D.O.T. R/W MAP SECTION 11802-2502 NOT PLATTED
R=3779.83'
Δ=07°43'29"
L=509.61'
C=509.22'
CB=N26°41'03"E
POINT OF BEGINNING
PROPOSED TRACT 1A
N59°27'12"W 233.81' N.R.
S00°37'48"W 253.03' (N.R.)
N00°42'40"E 328.72'
POINT OF COMMENCEMENT
(LESS OUT) SW CORNER OF NE 1/4 OF SW 1/4 SECTION 1-22-24
S89°17'20"E 337.74'
S89°17'20"E 739.14'
GRANT OF EASEMENT ORB. 1143, PG. 1021
N00°42'40"E 101.36'
4' BARB WIRE FENCE
SOUTH LINE NE 1/4, SW 1/4 SECTION 1-22-24
4' BARB WIRE FENCE
CONCRETE DRIVE
FOUND 5/8" IRON ROD & CAP, LB #7063, 0.11'W
S LINE OF NE 1/4 OF SW 1/4 SECTION 1-22-24
NORTH LINE SE 1/4, SW 1/4 SECTION 1-22-24
CONCRETE DRIVE
ASPHALT ROAD
485.97'
N22°49'18"E
EASTERLY R/W LINE
PC
139.9'
FOUND 5/8" IRON ROD & CAP, LB #7063 0.46'S/0.51'W
FOUND 4"X 4" CONCRETE MONUMENT, NO IDENTIFICATION, 0.18'N/0.36'W
CONCRETE WALK
CONCRETE DRIVE
659.14' D
659.03' M
N00°49'47"E
N00°49'47"E
WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 SECTION 1-22-24 EAST LINE, TRACT A, PRESERVE AT SUNRISE PHASE 2
CONCRETE BRIDGE
CONCRETE POND
PRESERVE AT SUNRISE PHASE 2 PB. 70, PGS. 76-79 TRACT A
PARCEL 1 WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
PARCEL 1 EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
AREA OF OBSERVED DEMOLITION
SAFE UPLAND LINE ELEVATION=94.2'
WETLAND LINE
4' BARB WIRE FENCE
PARCEL 3-A SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1-22-24
S00°46'27"W 660.98'
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
LAKE LUCY
PARCEL 1 TRACT 53 GROVELAND FARMS PB. 2, PGS. 10-11
PARCEL 2 TRACT 60 GROVELAND FARMS PB. 2, PGS. 10-11
VACANT/UNIMPROVED
NO PROPERTY ADDRESS AVAILABLE
156.36± ACRES
CONCRETE BLOCK PUMP HOUSE
SAFE UPLAND LINE ELEVATION=94.2'
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
S00°46'14"W 660.93'
N89°18'44"W 165.32'
SOUTH LINE OF THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1-22-24
CORNER NOT SET FALLS IN WATER
CORNER NOT SET FALLS IN WATER
NOT PLATTED
1" = 100
GRAPHIC SCALE
0 50 100 200
CORNER NOT SET FALLS IN WATER
CORNER NOT SET FALLS IN WATER
S89°20'04"E 661.45'
NORTH LINE OF TRACT 54
NORTHWEST CORNER TRACT 54
NORTHEAST CORNER TRACT 54
PARCEL 1 TRACT 54 GROVELAND FARMS PB. 2, PGS. 10-11
EAST LINE OF THE W 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1-22-24
UNNAMED PORTION OF GROVELAND FARMS PB. 2, PGS. 10-11
EAST LINE OF TRACTS 54 & 59
S00°44'53"W 1321.24'
PARCEL 2 TRACT 59 GROVELAND FARMS PB. 2, PGS. 10-11
WETLAND LINE
SOUTH LINE SECTION 1-22-24 NORTH LINE PRESERVE AT SUNRISE PHASE 3
CORNER NOT SET FALLS IN WATER
SOUTHEAST CORNER TRACT 59
DIRT ROAD
684.93'
638.30'
N89°19'32"W
1323.23'
FOUND 5/8" IRON ROD & CAP, LB #7063 ON LINE
PRESERVE AT SUNRISE PHASE 3 PB. 74, PGS. 1-6
FOUND 4"X 4" CONCRETE MONUMENT, LB #7808
SOUTH LINE SECTION 1-22-24 NORTH LINE PRESERVE AT SUNRISE PHASE 2
N89°23'34"W
N89°24'07"W P
1324.28'
2' CURB
2' CURB
CONCRETE WALK
ASPHALT ROAD
SUN HAMMOCK TRAIL
CONCRETE WALK
1' CONCRETE WALL
1.3'
1.2'
133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151
PRESERVE AT SUNRISE PHASE 2 PB. 70, PGS. 76-79
SOUTH 1/4 CORNER, SEC 1-22-24 FOUND 4"X4" CONCRETE MONUMENT LB #6723
POINT OF BEGINNING: (ALSO DESCRIBED AS) SOUTHWEST CORNER, SOUTHEAST 1/4, SOUTHWEST 1/4 SECTION 1-22-24
TRACT B

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(407) 654-5355 LB #6723

CITY OF GROVELAND, LAKE COUNTY, FLORIDA

FOR: KB HOME ORLANDO, LLC

REVISIONS
DATE

JOB # 20190701
DATE: APRIL 25, 2023
SCALE: 1"=100'
CALC BY: JLR
FIELD BY: SM
DRAWN BY: SEJ
CHECKED BY: JLR



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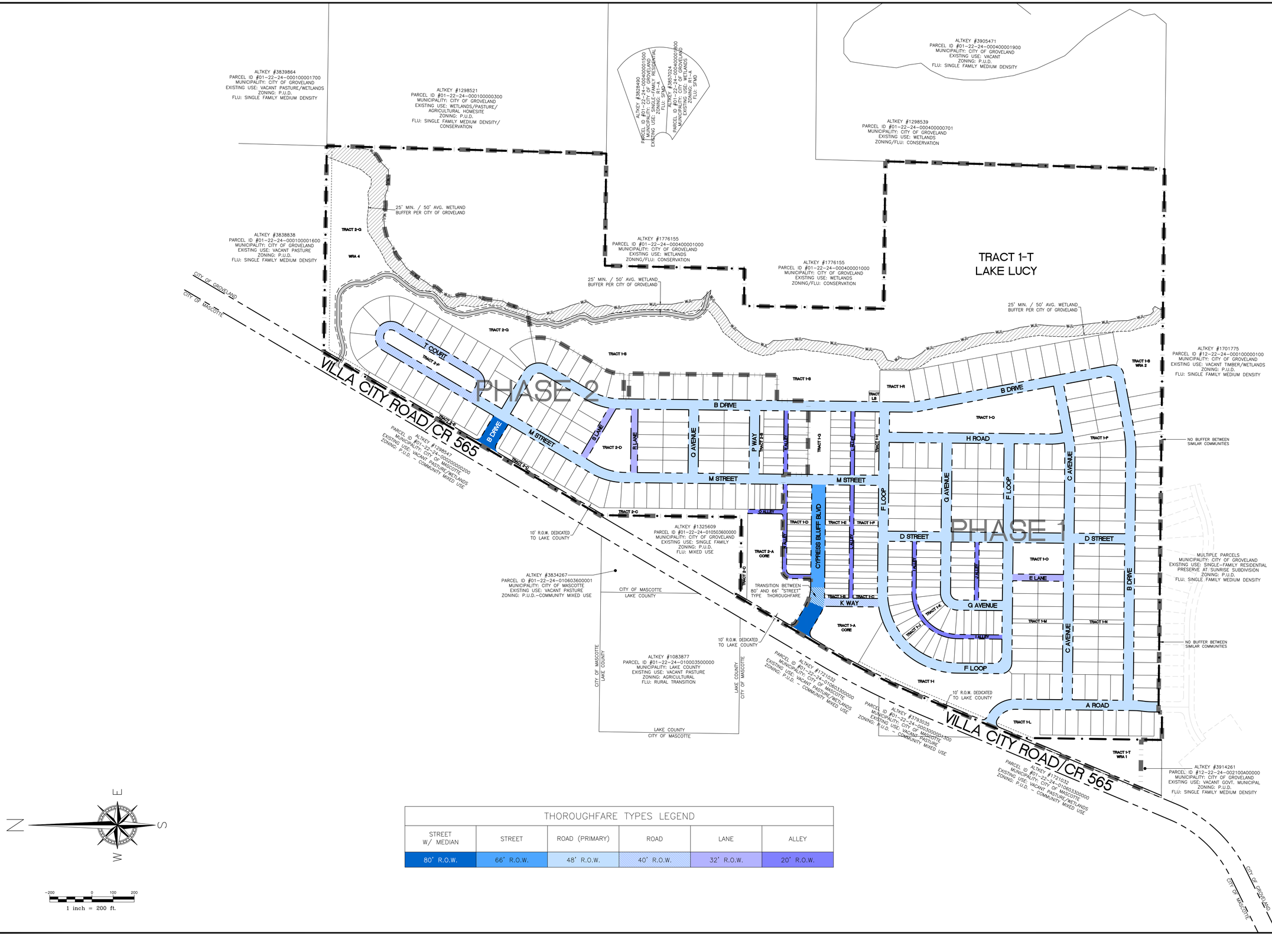



| THOROUGHFARE TYPES LEGEND | | | | | |
|---|---|---|---|---|---|
| STREET W/ MEDIAN | STREET | ROAD (PRIMARY) | ROAD | LANE | ALLEY |
| 80' R.O.W. | 66' R.O.W. | 48' R.O.W. | 40' R.O.W. | 32' R.O.W. | 20' R.O.W. |

Knight Engineering Services
770 Almond Street, Suite B, Clermont, Florida 34711

SECTION 01, TOWNSHIP 22S, RANGE 24E, LAKE COUNTY, FLORIDA
APPLICANT/DEVELOPER: SLC INDIGO LAKES, LLC
1133 LOUISIANA AVENUE, SUITE 101, WINTER PARK, FLORIDA 32789

**EXHIBIT 4**

GENERAL LEGEND

CDD Boundary

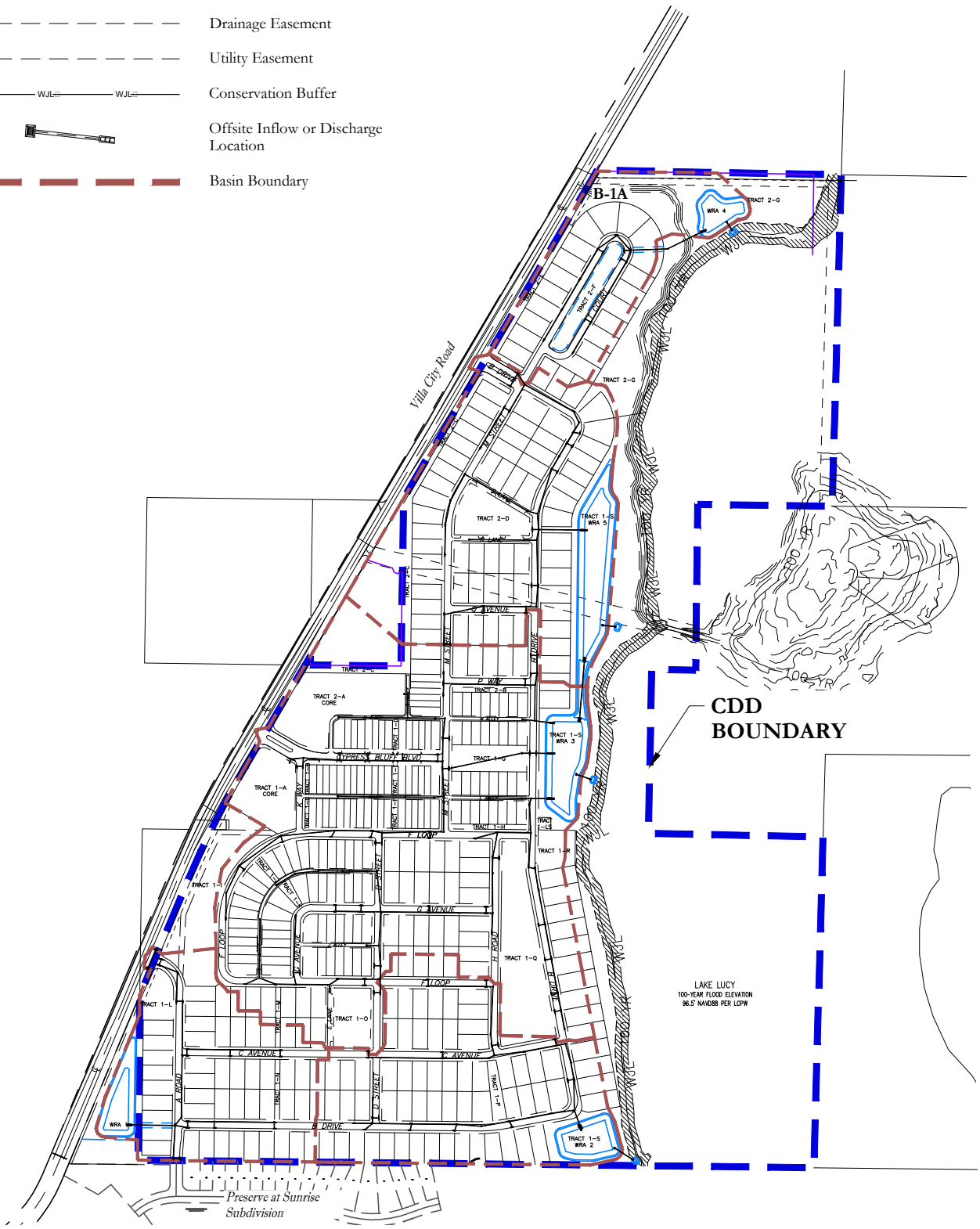
Drainage Easement

Utility Easement

Conservation Buffer

Offsite Inflow or Discharge Location

Basin Boundary




Post-Development Drainage Map

# Cypress Bluff CDD

N

600 0 600 1200

SCALE IN FEET

August 2022

P & B Job No.: 22-086

2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

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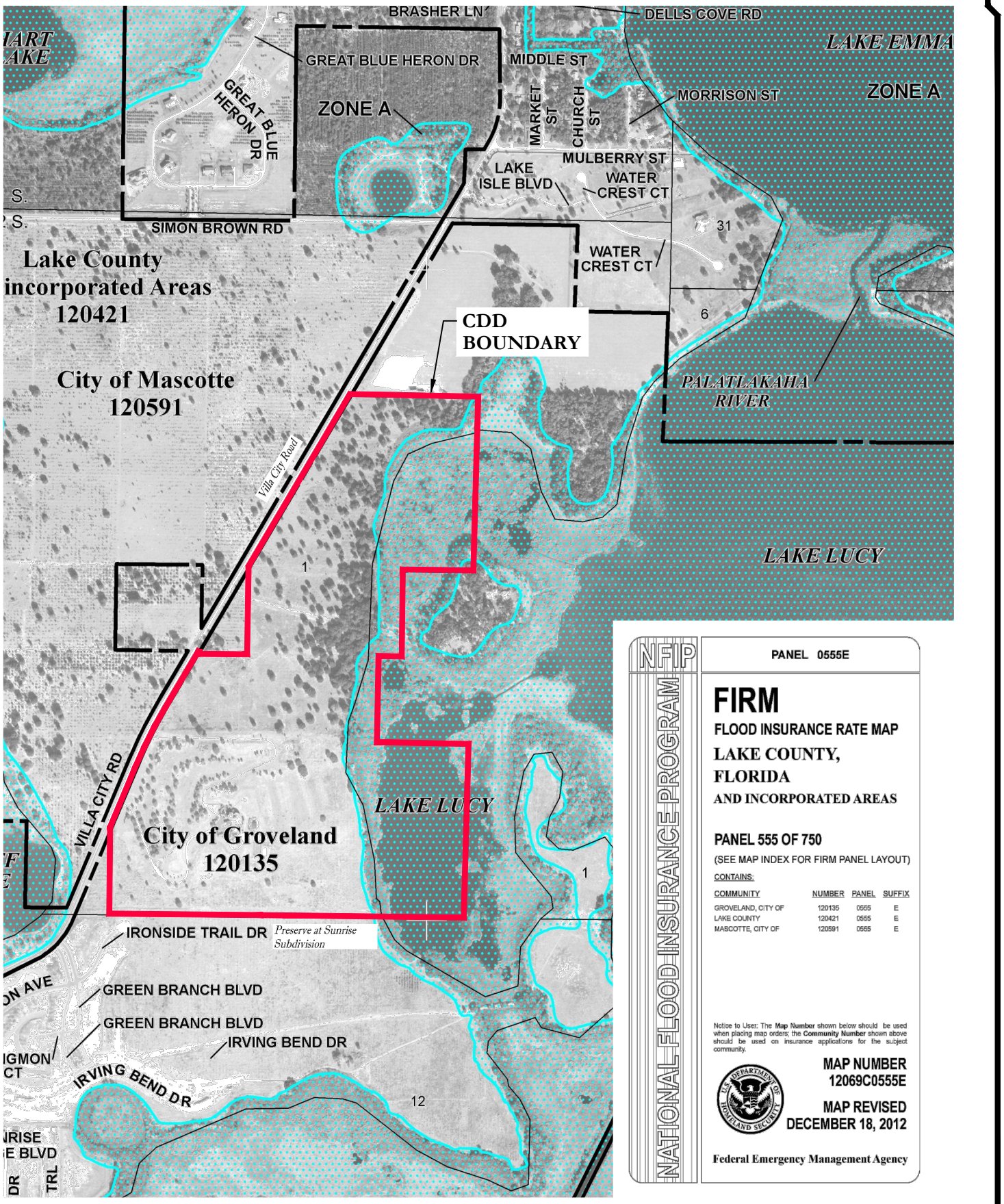
**Exhibit 5**

Z:\2022\22-086 KB HOME - CYPRESS BLUFF\CAD\EXH & FIGS\CDD\22086 CDD POST DEV BASIN




NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0555E

# FIRM

FLOOD INSURANCE RATE MAP

LAKE COUNTY, FLORIDA

AND INCORPORATED AREAS

PANEL 555 OF 750

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|---|---|---|---|
| GROVELAND, CITY OF | 120135 | 0555 | E |
| LAKE COUNTY | 120421 | 0555 | E |
| MASCOTTE, CITY OF | 120591 | 0555 | E |

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
12069C0555E

MAP REVISED
DECEMBER 18, 2012

Federal Emergency Management Agency

FEMA Map

# Cypress Bluff CDD

1000 0 1000 2000

SC-LE IN FEET

August 2022

P & B Job No.: 22-086

2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

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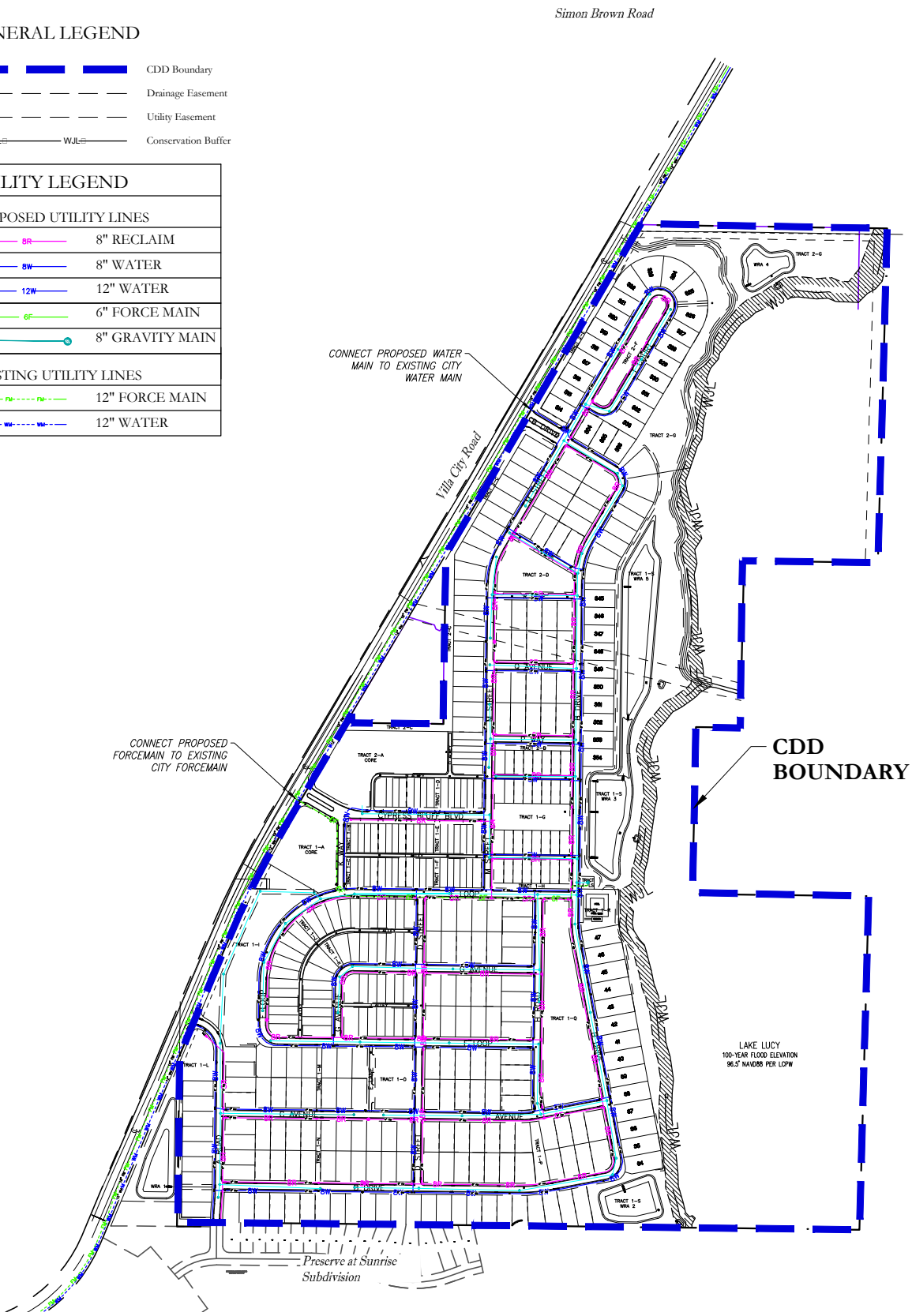
Exhibit 6

Z:\2022\22-086 KB HOME – CYPRESS BLUFF\C-D\EXH & FIGS\CDD\22086 CDD FEM- 100 YR.FLOOD PL-IN M-P

## GENERAL LEGEND

- CDD Boundary
- Drainage Easement
- Utility Easement
- WJL Conservation Buffer WJL

| UTILITY LEGEND | |
|---|---|
| PROPOSED UTILITY LINES | |
| 8R | 8" RECLAIM |
| 8W | 8" WATER |
| 12W | 12" WATER |
| 6F | 6" FORCE MAIN |
| | 8" GRAVITY MAIN |
| EXISTING UTILITY LINES | |
| FM FM | 12" FORCE MAIN |
| WM WM | 12" WATER |




Utility Map

# Cypress Bluff CDD

600 0 600 1200

SCALE IN FEET

August 2022

P & B Job No.: 22-086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Orlando, Florida 32803 - 407.487.2594

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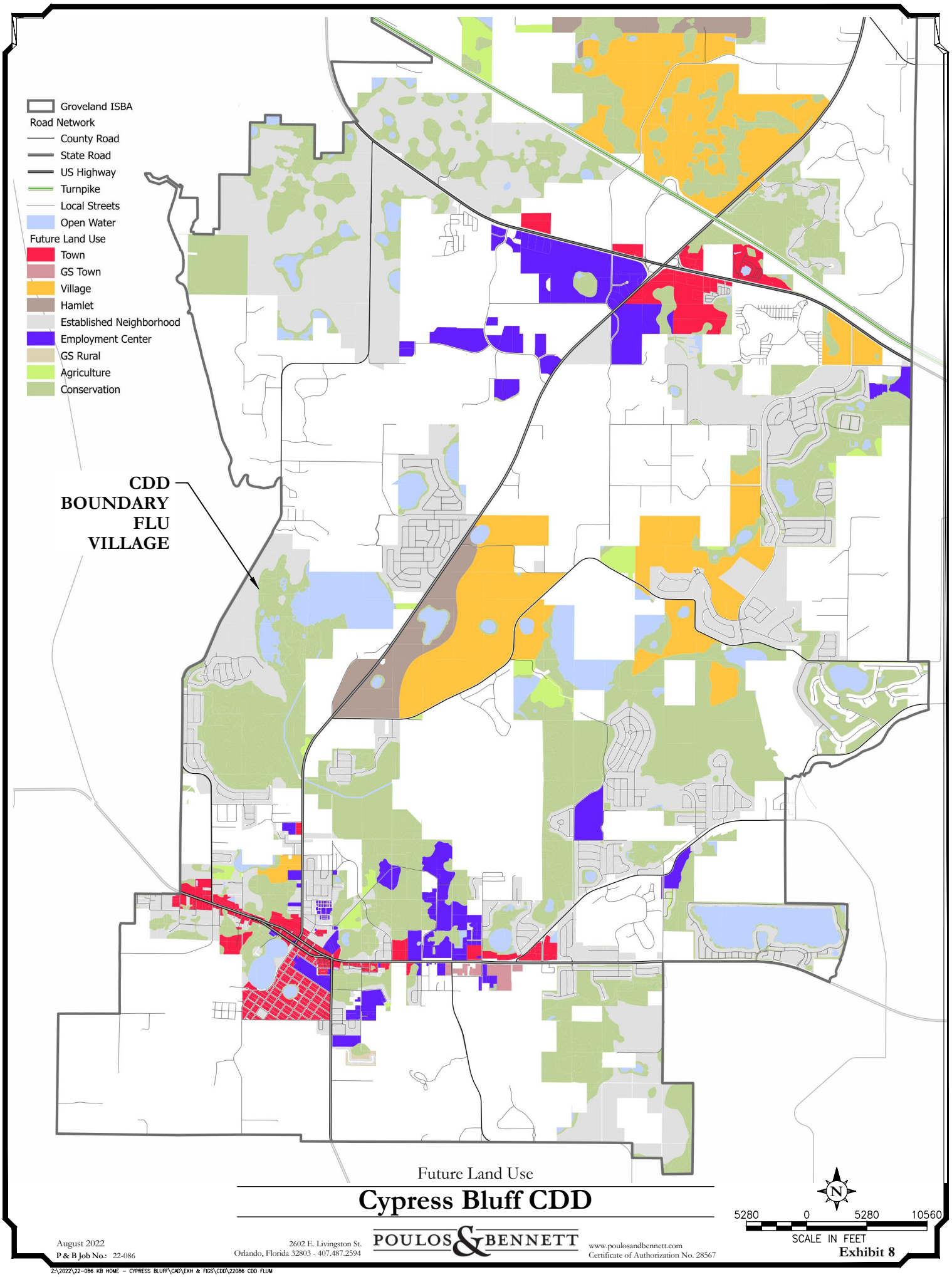
**Exhibit 7**

Z:\2022\22-086 KB HOME - CYPRESS BLUFF\CAD\EXH & FIGS\CDD\22086 CDD UTILITY EXHIBIT




Future Land Use

# Cypress Bluff CDD

August 2022
P & B Job No.: 22-086

2602 E. Livingston St.
Orlando, Florida 32803 - 407.487.2594

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**Exhibit 8**

Z:\2022\22-086 KB HOME – CYPRESS BLUFF\CAD\EXH & FIGS\CDD\22086 CDD FLUM

## PROJECT CHARACTERISTICS

PROJECT AREA: 7,091,873.32 SQ. FT.; 162.81 ACRES
UPLAND AREA: 5,096,302.18 SQ. FT.; 117.00 ACRES
WETLAND AREA: 1,995,571.14 SQ. FT.; 45.81 ACRES
NUMBER OF PHASES: 2
100-YEAR FLOOD ZONE: INDICATED ON PLAN
MINIMUM OPEN SPACE: 35.10 ACRES (30.00% OF UPLAND PROJECT AREA)
PROVIDED OPEN SPACE: 35.36 ACRES (30.22% OF PROJECT AREA)
NET DENSITY MAXIMUM REQUIRED: 6 D.U./ACRE
NET DENSITY MAXIMUM PROPOSED: 3.29 D.U./ACRE; 386 LOTS
COMMUNITY PERIMETER BUFFER: 25' MINIMUM

MUNICIPALITY: CITY OF GROVELAND
EXISTING USE: VACANT/VACANT RESIDENTIAL/WETLANDS
ZONING: VILLAGE CORE, CENTER, AND EDGE
FLU: VILLAGE

ALTKEY #'S 1083567, 1083541, 3743351, 1083559, 3743318, 1038758, 1017165, 1098599, 1098602

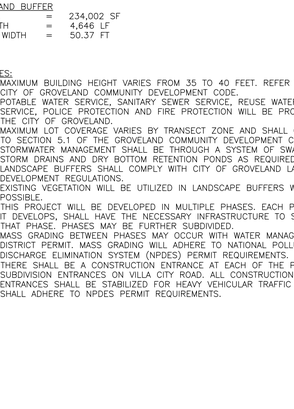
PARCEL ID #'S 01-22-24-0001-000-00202
01-22-24-0001-000-00201
01-22-24-0105-035-00001
01-22-24-0004-000-00800
01-22-24-0004-000-00900
01-22-24-0003-000-00600
01-22-24-0003-000-00500
01-22-24-0105-053-00000
01-22-24-0105-059-00000

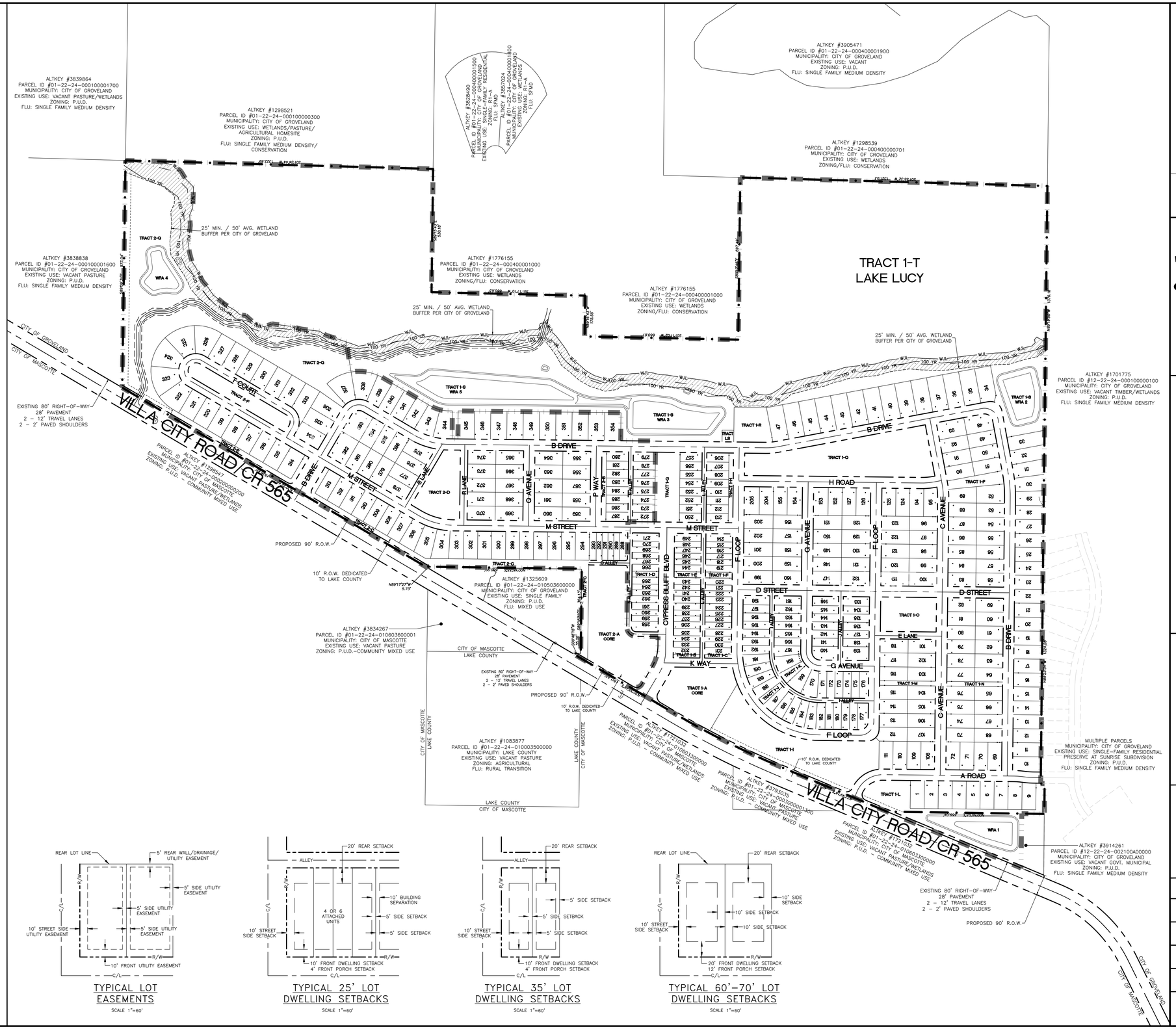
AREAS BY LAND USE

| LAND USE | AREA (ACRES) |
|---|---|
| OPEN SPACE | 35.36 |
| CORE (NON-RESIDENTIAL) | 3.74 |
| RESIDENTIAL LOTS | 55.86 |
| RIGHT-OF-WAY | 21.98 |
| WETLANDS/LAKE | 45.81 |
| PUBLIC FACILITIES (LS) | 0.06 |
| TOTAL | 162.81 |

WETLAND BUFFER
AREA = 234,002 SF
LENGTH = 4,646 LF
AVG. WIDTH = 50.37 FT

NOTES:
- MAXIMUM BUILDING HEIGHT VARIES FROM 35 TO 40 FEET. REFER TO THE CITY OF GROVELAND COMMUNITY DEVELOPMENT CODE.
- POTABLE WATER SERVICE, SANITARY SEWER SERVICE, REUSE WATER SERVICE, POLICE PROTECTION AND FIRE PROTECTION WILL BE PROVIDED BY THE CITY OF GROVELAND.
- MAXIMUM LOT COVERAGE VARIES BY TRANSECT ZONE AND SHALL CONFORM TO SECTION 5.1 OF THE GROVELAND COMMUNITY DEVELOPMENT CODE.
- STORMWATER MANAGEMENT SHALL BE THROUGH A SYSTEM OF SWALES, STORM DRAINS AND DRY BOTTOM RETENTION PONDS AS REQUIRED.
- LANDSCAPE BUFFERS SHALL COMPLY WITH CITY OF GROVELAND LAND DEVELOPMENT REGULATIONS.
- EXISTING VEGETATION WILL BE UTILIZED IN LANDSCAPE BUFFERS WHEREVER POSSIBLE.
- THIS PROJECT WILL BE DEVELOPED IN MULTIPLE PHASES. EACH PHASE, AS IT DEVELOPS, SHALL HAVE THE NECESSARY INFRASTRUCTURE TO SERVE THAT PHASE. PHASES MAY BE FURTHER SUBDIVIDED.
- MASS GRADING BETWEEN PHASES MAY OCCUR WITH WATER MANAGEMENT DISTRICT PERMIT. MASS GRADING WILL ADHERE TO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
- THERE SHALL BE A CONSTRUCTION ENTRANCE AT EACH OF THE PROPOSED SUBDIVISION ENTRANCES ON VILLA CITY ROAD. ALL CONSTRUCTION ENTRANCES SHALL BE STABILIZED FOR HEAVY VEHICULAR TRAFFIC AND SHALL ADHERE TO NPDES PERMIT REQUIREMENTS.




Knight Engineering Services
770 Almond Street, Suite B, Clermont, Florida 34711

SECTION 01, TOWNSHIP 22S, RANGE 24E, LAKE COUNTY, FLORIDA
APPLICANT/DEVELOPER: SLC INDIGO LAKES, LLC
1133 LOUISIANA AVENUE, SUITE 101, WINTER PARK, FLORIDA 32789

**EXHIBIT 9**

# Exhibit 10

# Southern Development & Construction

**2544 Connection Point**
**Oviedo, FL 32765**
**Contact:** **Kenny Bare**
**Phone:** **407-221-2431**
**Fax:**

Quote To: Steve Feccia
KB Home Orlando
Phone: 407-587-3404
Email: smfeccia@kbhome.com

Job Name: Cypress Bluff
Date of Plans: May 20, 2022
Revision Date:

Proposal Date: July 1, 2022

HCSS #22-099

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| | **PHASE 1** | | | | |
| | **PH 1 GENERAL CONDITIONS** | | | | |
| 10 | MOBILIZATION | 1.00 | LS | 77,303.00 | 77,303.00 |
| 20 | CONSTRUCTION LAYOUT & AS-BUILTS | 1.00 | LS | 195,000.00 | 195,000.00 |
| | **TOTAL PH 1 GENERAL CONDITIONS** | | | | **272,303.00** |
| | **PH 1 SITE PREPARATION** | | | | |
| 45 | SINGLE ROW SILT FENCE | 8,080.00 | LF | 3.00 | 24,240.00 |
| 50 | DOUBLE ROW SILT FENCE | 4,470.00 | LF | 4.50 | 20,115.00 |
| 55 | CONSTRUCTION ENTRANCE | 2.00 | EA | 7,100.00 | 14,200.00 |
| 60 | INLET PROTECTION | 148.00 | EA | 160.00 | 23,680.00 |
| 65 | EROSION CONTROL MAINTENANCE | 1.00 | LS | 56,000.00 | 56,000.00 |
| 70 | CLEAR & GRUB, BURN ON SITE | 120.00 | AC | 3,925.00 | 471,000.00 |
| 75 | REMOVE FLATWORK | 59,900.00 | SF | 1.30 | 77,870.00 |
| 80 | REMOVE WOODEN BRIDGE | 1.00 | LS | 33,000.00 | 33,000.00 |
| 90 | POND EXCAVATION & EMBANKMENT | 35,500.00 | CY | 6.25 | 221,875.00 |
| 95 | GRADE POND SLOPES | 1.00 | LS | 32,000.00 | 32,000.00 |
| 100 | SOD POND SLOPES (BAHIA) | 42,000.00 | SY | 3.15 | 132,300.00 |
| 105 | SEED & MULCH POND BOTTOM | 13,350.00 | SY | 0.40 | 5,340.00 |
| 110 | SITE EXCAVATION & EMBANKMENT | 415,000.00 | CY | 5.00 | 2,075,000.00 |
| 115 | EXPORT FILL | 268,000.00 | CY | 1.50 | 402,000.00 |
| 120 | RETAINING WALL GRADING | 10,445.00 | LF | 15.50 | 161,897.50 |
| 125 | RETAINING WALL | 60,670.00 | SF | 25.00 | 1,516,750.00 |
| 130 | RETAINING WALL RAILING | 10,445.00 | LF | 100.00 | 1,044,500.00 |
| 135 | LOT GRADING | 271.00 | EA | 260.00 | 70,460.00 |
| 140 | SIDEWALK GRADING | 6,530.00 | SY | 7.00 | 45,710.00 |
| 145 | R/W GRADING | 1.00 | LS | 38,000.00 | 38,000.00 |
| 150 | SEED & MULCH LOTS AND OPEN SPACE | 431,440.00 | SY | 0.40 | 172,576.00 |
| | **TOTAL PH 1 SITE PREPARATION** | | | | **6,638,513.50** |
| | **PH 1 SANITARY SEWER** | | | | |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 205 | 8" SDR-35 PVC (4'-10') | 6,825.00 | LF | 42.00 | 286,650.00 |
| 210 | 8" SDR-26 PVC (10'-20') | 4,460.00 | LF | 52.00 | 231,920.00 |
| 215 | 4' DIA. MANHOLE | 47.00 | EA | 11,000.00 | 517,000.00 |
| 225 | 6" PVC SINGLE SEWER SERVICE | 63.00 | EA | 2,000.00 | 126,000.00 |
| 230 | 6" PVC DOUBLE SEWER SERVICE | 104.00 | EA | 2,100.00 | 218,400.00 |
| 240 | T.V. & AIR TEST SANITARY SEWER | 11,175.00 | LF | 6.00 | 67,050.00 |
| | **TOTAL PH 1 SANITARY SEWER** | | | | **1,447,020.00** |
| | **PH 1 LIFT STATION AND FORCE MAIN** | | | | |
| 305 | LIFT STATION-6' DIA WET WELL-31' DEEP-15HP PUMPS | 1.00 | EA | 430,000.00 | 430,000.00 |
| 306 | GENERATOR - 52 WEEK LEAD TIME | 1.00 | LS | 140,000.00 | 140,000.00 |
| 307 | LIFT STATION DEWATERING | 1.00 | LS | 15,000.00 | 15,000.00 |
| 310 | 6" STONE/ FABRIC LIFT STATION YARD | 1,280.00 | SF | 7.00 | 8,960.00 |
| 315 | 6" CONCRETE LIFT STATION DRIVEWAY | 285.00 | SF | 20.00 | 5,700.00 |
| 320 | 6' VINYL FENCE | 160.00 | LF | 60.00 | 9,600.00 |
| 325 | LIFT STATION WATER SERVICE | 1.00 | EA | 2,300.00 | 2,300.00 |
| 330 | 12"x6" TAPPING SLEEVE & VALVE | 1.00 | EA | 7,900.00 | 7,900.00 |
| 335 | 6" PVC FORCE MAIN | 1,515.00 | LF | 35.00 | 53,025.00 |
| 340 | 6" PLUG VALVE & BOX | 2.00 | EA | 3,350.00 | 6,700.00 |
| 345 | AIR RELEASE VALVE | 1.00 | EA | 11,000.00 | 11,000.00 |
| 350 | FITTINGS AND TESTING | 1.00 | LS | 14,500.00 | 14,500.00 |
| | **TOTAL PH 1 LIFT STATION AND FORCE MAIN** | | | | **704,685.00** |
| | **PH 1 DRAINAGE** | | | | |
| 405 | 15" CL III RCP | 6,620.00 | LF | 54.00 | 357,480.00 |
| 410 | 18" CL III RCP | 2,200.00 | LF | 70.00 | 154,000.00 |
| 415 | 24" CL III RCP | 2,885.00 | LF | 103.00 | 297,155.00 |
| 420 | 30" CL III RCP | 1,175.00 | LF | 147.00 | 172,725.00 |
| 425 | 36" CL III RCP | 980.00 | LF | 192.00 | 188,160.00 |
| 430 | 42" CL III RCP | 670.00 | LF | 258.00 | 172,860.00 |
| 435 | TYPE P5 CURB INLET | 84.00 | EA | 6,825.00 | 573,300.00 |
| 440 | TYPE J5 CURB INLET | 5.00 | EA | 12,050.00 | 60,250.00 |
| 445 | TYPE P6 CURB INLET | 30.00 | EA | 7,600.00 | 228,000.00 |
| 450 | TYPE J6 CURB INLET | 4.00 | EA | 12,500.00 | 50,000.00 |
| 455 | TYPE P STORM MANHOLE | 16.00 | EA | 6,000.00 | 96,000.00 |
| 460 | TYPE J STORM MANHOLE | 7.00 | EA | 9,900.00 | 69,300.00 |
| 465 | TYPE V INLET | 18.00 | EA | 6,825.00 | 122,850.00 |
| 470 | VALLEY GUTTER INLET | 5.00 | EA | 11,000.00 | 55,000.00 |
| 475 | TYPE E DBI CONTROL STRUCTURE | 3.00 | EA | 13,000.00 | 39,000.00 |
| 480 | 18" U-ENDWALL W/ BAFFLE | 3.00 | EA | 3,150.00 | 9,450.00 |
| 485 | 24" MITERED END SECTION | 1.00 | EA | 3,800.00 | 3,800.00 |
| 490 | 30" MITERED END SECTION | 1.00 | EA | 5,900.00 | 5,900.00 |
| 495 | 36" MITERED END SECTION | 4.00 | EA | 7,000.00 | 28,000.00 |
| 500 | 42" MITERED END SECTION | 2.00 | EA | 8,100.00 | 16,200.00 |
| 501 | MES ENERGY DISSIPATOR | 6.00 | EA | 2,500.00 | 15,000.00 |
| 505 | RIP RAP | 300.00 | SF | 23.00 | 6,900.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 510 | CLEAN & TV DRAINAGE PIPING | 14,465.00 | LF | 7.00 | 101,255.00 |
| | **TOTAL PH 1 DRAINAGE** | | | | **2,822,585.00** |
| | **PH 1 WATER DISTRIBUTION SYSTEM** | | | | |
| 605 | 12"x8" TAPPING SLEEVE & VALVE | 1.00 | EA | 9,200.00 | 9,200.00 |
| 606 | 2" JUMPER ASSEMBLY | 1.00 | EA | 3,200.00 | 3,200.00 |
| 610 | WATER-REUSE JUMPER | 1.00 | EA | 29,000.00 | 29,000.00 |
| 615 | 8" C-900 DR-18 PVC | 13,215.00 | LF | 53.00 | 700,395.00 |
| 620 | 8" GATE VALVE & BOX | 77.00 | EA | 2,950.00 | 227,150.00 |
| 625 | 2" BLOW OFF ASSEMBLY | 4.00 | EA | 2,100.00 | 8,400.00 |
| 630 | FIRE HYDRANT ASSEMBLY | 16.00 | EA | 8,500.00 | 136,000.00 |
| 635 | AIR RELEASE VALVE | 4.00 | EA | 8,900.00 | 35,600.00 |
| 640 | 1" SINGLE WATER SERVICE | 17.00 | EA | 1,200.00 | 20,400.00 |
| 645 | 1.5" DOUBLE WATER SERVICE | 127.00 | EA | 1,700.00 | 215,900.00 |
| 650 | FITTINGS AND TESTING | 1.00 | LS | 79,500.00 | 79,500.00 |
| | **TOTAL PH 1 WATER DISTRIBUTION SYSTEM** | | | | **1,464,745.00** |
| | **PH 1 REUSE DISTRIBUTION SYSTEM** | | | | |
| 805 | 8" C-900 DR-18 PURPLE PVC | 12,380.00 | LF | 53.00 | 656,140.00 |
| 810 | 8" GATE VALVE & BOX | 70.00 | EA | 2,950.00 | 206,500.00 |
| 815 | 2" BLOW OFF ASSEMBLY | 5.00 | EA | 2,100.00 | 10,500.00 |
| 820 | AIR RELEASE VALVE | 3.00 | EA | 8,900.00 | 26,700.00 |
| 825 | 1" SINGLE REUSE SERVICE | 61.00 | EA | 1,200.00 | 73,200.00 |
| 830 | 1.5" DOUBLE REUSE SERVICE | 110.00 | EA | 1,700.00 | 187,000.00 |
| 835 | FITTINGS AND TESTING | 1.00 | LS | 64,250.00 | 64,250.00 |
| | **TOTAL PH 1 REUSE DISTRIBUTION SYSTEM** | | | | **1,224,290.00** |
| | **PH 1 ON-SITE PAVEMENT** | | | | |
| 905 | 12" STABILIZED SUBGRADE | 45,780.00 | SY | 7.50 | 343,350.00 |
| 910 | 24" TYPE "F" CURB & GUTTER | 670.00 | LF | 29.00 | 19,430.00 |
| 915 | 24" MIAMI CURB & GUTTER | 23,500.00 | LF | 23.00 | 540,500.00 |
| 920 | 16" TYPE "A" MEDIAN CURB | 255.00 | LF | 28.00 | 7,140.00 |
| 925 | 8" LIME ROCK BASE | 35,850.00 | SY | 20.00 | 717,000.00 |
| 930 | 1 1/2" SP 9.5 ASPHALT - ONE LIFT | 35,790.00 | SY | 15.90 | 569,061.00 |
| 935 | TYPE "D" TRENCH CURB | 1,100.00 | LF | 21.50 | 23,650.00 |
| 936 | 12" RIBBON CURB | 5,220.00 | LF | 18.00 | 93,960.00 |
| 940 | 4" CONCRETE SIDEWALK - NON REINFORCED | 58,750.00 | SF | 8.00 | 470,000.00 |
| 945 | SIDEWALK RAMP | 96.00 | EA | 1,300.00 | 124,800.00 |
| 947 | PRIVATE DRIVE 6" CONCRETE | 1,670.00 | SY | 100.00 | 167,000.00 |
| 950 | 2' SOD (BAHIA) BACK OF CURB | 5,375.00 | SY | 3.15 | 16,931.25 |
| 955 | STRIPING & SIGNS | 1.00 | LS | 56,000.00 | 56,000.00 |
| 960 | WHEEL STOP | 9.00 | EA | 95.00 | 855.00 |
| | **TOTAL PH 1 ON-SITE PAVEMENT** | | | | **3,149,677.25** |
| | **PH 1 OFF-SITE PAVEMENT** | | | | |
| 1005 | MAINTENANCE OF TRAFFIC | 1.00 | LS | 16,000.00 | 16,000.00 |
| 1010 | SINGLE ROW SILT FENCE | 1,610.00 | LF | 3.00 | 4,830.00 |
| 1015 | REMOVE ASPHALT | 920.00 | SY | 18.00 | 16,560.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 1020 | 18" CL III RCP | 95.00 | LF | 79.00 | 7,505.00 |
| 1025 | 18" MITERED END SECTION | 2.00 | EA | 3,200.00 | 6,400.00 |
| 1030 | 12" STABILIZED SUBGRADE | 2,570.00 | SY | 20.00 | 51,400.00 |
| 1035 | 10" LIMEROCK BASE | 1,350.00 | SY | 35.00 | 47,250.00 |
| 1037 | MILL EXISITNG PAVEMENT 1" | 3,395.00 | SY | 2.75 | 9,336.25 |
| 1040 | 1/2" LEVELING COURSE | 3,395.00 | SY | 10.00 | 33,950.00 |
| 1045 | 2" SP 12.5 ASPHALT | 1,350.00 | SY | 23.50 | 31,725.00 |
| 1050 | 2 1/2" SP 12.5 ASPHALT | 4,745.00 | SY | 26.25 | 124,556.25 |
| 1055 | 1" FRICTION COURSE | 4,745.00 | SY | 14.60 | 69,277.00 |
| 1060 | 4" CONCRETE SIDEWALK - NON REINFORCED | 7,225.00 | SF | 8.00 | 57,800.00 |
| 1065 | STRIPING & SIGNS | 1.00 | LS | 15,300.00 | 15,300.00 |
| 1070 | GRADE & SOD (BAHIA) DISTURBED R/W | 1.00 | LS | 31,400.00 | 31,400.00 |
| | **TOTAL PH 1 OFF-SITE PAVEMENT** | | | | **523,289.50** |
| | **TOTAL PHASE 1** | | | | **18,247,108.25** |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| | **PHASE 2** | | | | |
| | **PH 2 GENERAL CONDITIONS** | | | | |
| 2010 | MOBILIZATION | 1.00 | LS | 79,000.00 | 79,000.00 |
| 2020 | CONSTRUCTION LAYOUT & AS-BUILTS | 1.00 | LS | 90,000.00 | 90,000.00 |
| | **TOTAL PH 2 GENERAL CONDITIONS** | | | | **169,000.00** |
| | **PH 2 SITE PREPARATIONS** | | | | |
| 2045 | SINGLE ROW SILT FENCE | 7,000.00 | LF | 3.00 | 21,000.00 |
| 2050 | CONSTRUCTION ENTRANCE | 1.00 | EA | 7,100.00 | 7,100.00 |
| 2055 | INLET PROTECTION | 61.00 | EA | 160.00 | 9,760.00 |
| 2060 | EROSION CONTROL MAINTENANCE | 1.00 | LS | 28,000.00 | 28,000.00 |
| 2065 | DISK SITE | 40.00 | AC | 600.00 | 24,000.00 |
| 2070 | LOT GRADING | 115.00 | EA | 368.00 | 42,320.00 |
| 2075 | SIDEWALK GRADING | 2,110.00 | SY | 7.00 | 14,770.00 |
| 2080 | R/W GRADING | 1.00 | LS | 18,000.00 | 18,000.00 |
| 2085 | SEED & MULCH LOTS AND OPEN SPACE | 139,150.00 | SY | 0.40 | 55,660.00 |
| | **TOTAL PH 2 SITE PREPARATIONS** | | | | **220,610.00** |
| | **PH 2 SANITARY SEWER** | | | | |
| 2203 | CONNECT TO EXISTING MANHOLE | 2.00 | EA | 3,800.00 | 7,600.00 |
| 2205 | 8" SDR-35 PVC (4'-10') | 2,630.00 | LF | 41.50 | 109,145.00 |
| 2210 | 8" SDR-26 PVC (10'-20') | 2,640.00 | LF | 54.00 | 142,560.00 |
| 2215 | 4' DIA. MANHOLE | 24.00 | EA | 11,000.00 | 264,000.00 |
| 2225 | 6" PVC SINGLE SEWER SERVICE | 23.00 | EA | 2,000.00 | 46,000.00 |
| 2230 | 6" PVC DOUBLE SEWER SERVICE | 46.00 | EA | 2,100.00 | 96,600.00 |
| 2235 | T.V. & AIR TEST SANITARY SEWER | 5,270.00 | LF | 6.00 | 31,620.00 |
| | **TOTAL PH 2 SANITARY SEWER** | | | | **697,525.00** |
| | **PH 2 DRAINAGE** | | | | |
| 2405 | CONNECT TO PHASE 1 STRUCTURE | 5.00 | EA | 5,600.00 | 28,000.00 |
| 2410 | 15" CL III RCP | 3,510.00 | LF | 54.00 | 189,540.00 |
| 2415 | 18" CL III RCP | 895.00 | LF | 70.00 | 62,650.00 |
| 2420 | 24" CL III RCP | 830.00 | LF | 103.00 | 85,490.00 |
| 2425 | 30" CL III RCP | 255.00 | LF | 161.00 | 41,055.00 |
| 2430 | TYPE P5 CURB INLET | 38.00 | EA | 6,600.00 | 250,800.00 |
| 2435 | TYPE J5 CURB INLET | 3.00 | EA | 12,000.00 | 36,000.00 |
| 2440 | TYPE P6 CURB INLET | 10.00 | EA | 7,600.00 | 76,000.00 |
| 2445 | TYPE J6 CURB INLET | 2.00 | EA | 12,000.00 | 24,000.00 |
| 2450 | TYPE P STORM MANHOLE | 7.00 | EA | 6,200.00 | 43,400.00 |
| 2455 | TYPE V INLET | 7.00 | EA | 7,200.00 | 50,400.00 |
| 2460 | TYPE C DBI CONTROL STRUCTURE | 1.00 | EA | 11,000.00 | 11,000.00 |
| 2465 | 18" U-ENDWALL W/ BAFFLE | 1.00 | EA | 3,150.00 | 3,150.00 |
| 2470 | 24" MITERED END SECTION | 1.00 | EA | 3,800.00 | 3,800.00 |
| 2475 | RIP RAP | 100.00 | SF | 23.00 | 2,300.00 |
| 2480 | CLEAN & TV DRAINAGE PIPING | 5,490.00 | LF | 7.00 | 38,430.00 |
| | **TOTAL PH 2 DRAINAGE** | | | | **946,015.00** |
| | **PH 2 WATER DISTRIBUTION SYSTEM** | | | | |
| 2605 | CONNECT TO EXISTING STUB | 3.00 | EA | 1,700.00 | 5,100.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 2610 | 12"x8" TAPPING SLEEVE & VALVE | 1.00 | EA | 9,200.00 | 9,200.00 |
| 2611 | 2" JUMPER ASSEMBLY | 1.00 | EA | 3,200.00 | 3,200.00 |
| 2615 | 8" C-900 DR-18 PVC | 6,540.00 | LF | 53.00 | 346,620.00 |
| 2620 | 8" GATE VALVE & BOX | 39.00 | EA | 2,950.00 | 115,050.00 |
| 2625 | FIRE HYDRANT ASSEMBLY | 6.00 | EA | 8,500.00 | 51,000.00 |
| 2630 | AIR RELEASE VALVE | 1.00 | EA | 8,900.00 | 8,900.00 |
| 2635 | 1" SINGLE WATER SERVICE | 5.00 | EA | 1,200.00 | 6,000.00 |
| 2640 | 1.5" DOUBLE WATER SERVICE | 55.00 | EA | 1,700.00 | 93,500.00 |
| 2645 | FITTINGS AND TESTING | 1.00 | LS | 50,500.00 | 50,500.00 |
| | **TOTAL PH 2 WATER DISTRIBUTION SYSTEM** | | | | **689,070.00** |
| | **PH 2 REUSE DISTRIBUTION SYSTEM** | | | | |
| 2805 | CONNECT TO EXISTING STUB | 2.00 | EA | 1,700.00 | 3,400.00 |
| 2810 | 8" C-900 DR-18 PURPLE PVC | 5,785.00 | LF | 53.00 | 306,605.00 |
| 2815 | 8" GATE VALVE & BOX | 38.00 | EA | 2,950.00 | 112,100.00 |
| 2820 | AIR RELEASE VALVE | 1.00 | EA | 8,900.00 | 8,900.00 |
| 2825 | 1" SINGLE REUSE SERVICE | 22.00 | EA | 1,200.00 | 26,400.00 |
| 2830 | 1.5" DOUBLE REUSE SERVICE | 49.00 | EA | 1,700.00 | 83,300.00 |
| 2835 | FITTINGS AND TESTING | 1.00 | LS | 42,500.00 | 42,500.00 |
| | **TOTAL PH 2 REUSE DISTRIBUTION SYSTEM** | | | | **583,205.00** |
| | **PH 2 ON-SITE PAVEMENT** | | | | |
| 2905 | 12" STABILIZED SUBGRADE | 18,625.00 | SY | 7.75 | 144,343.75 |
| 2910 | 24" TYPE "F" CURB & GUTTER | 285.00 | LF | 29.00 | 8,265.00 |
| 2915 | 24" MIAMI CURB & GUTTER | 9,635.00 | LF | 23.00 | 221,605.00 |
| 2920 | 16" TYPE "A" MEDIAN CURB | 285.00 | LF | 28.00 | 7,980.00 |
| 2925 | 8" LIME ROCK BASE | 14,650.00 | SY | 20.00 | 293,000.00 |
| 2930 | 1 1/2" SP 9.5 ASPHALT - ONE LIFT | 14,625.00 | SY | 16.25 | 237,656.25 |
| 2935 | TYPE "D" TRENCH CURB | 400.00 | LF | 22.50 | 9,000.00 |
| 2940 | 12" RIBBON CURB | 1,710.00 | LF | 18.00 | 30,780.00 |
| 2945 | 4" CONCRETE SIDEWALK - NON REINFORCED | 18,950.00 | SF | 8.00 | 151,600.00 |
| 2950 | SIDEWALK RAMP | 32.00 | EA | 1,300.00 | 41,600.00 |
| 2955 | 2' SOD (BAHIA) BACK OF CURB | 2,205.00 | SY | 3.15 | 6,945.75 |
| 2960 | STRIPING & SIGNS | 1.00 | LS | 27,000.00 | 27,000.00 |
| | **TOTAL PH 2 ON-SITE PAVEMENT** | | | | **1,179,775.75** |
| | **PH 2 OFF-SITE PAVEMENT** | | | | |
| 3005 | MAINTENANCE OF TRAFFIC | 1.00 | LS | 16,000.00 | 16,000.00 |
| 3010 | REMOVE ASPHALT | 520.00 | SY | 18.00 | 9,360.00 |
| 3015 | SINGLE ROW SILT FENCE | 1,180.00 | LF | 3.00 | 3,540.00 |
| 3020 | 12" STABILIZED SUBGRADE | 2,705.00 | SY | 20.00 | 54,100.00 |
| 3025 | 10" LIMEROCK BASE | 1,540.00 | SY | 35.00 | 53,900.00 |
| 3027 | MILL EXISITNG PAVEMENT 1" | 3,370.00 | SY | 2.75 | 9,267.50 |
| 3030 | 1/2" LEVELING COURSE | 3,370.00 | SY | 10.00 | 33,700.00 |
| 3035 | 2" SP 12.5 ASPHALT | 1,540.00 | SY | 23.50 | 36,190.00 |
| 3040 | 2 1/2" SP 12.5 ASPHALT | 4,910.00 | SY | 26.25 | 128,887.50 |
| 3045 | 1" FRICTION COURSE | 4,910.00 | SY | 14.60 | 71,686.00 |
| 3050 | 4" CONCRETE SIDEWALK - NON REINFORCED | 7,470.00 | SF | 8.00 | 59,760.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| 3055 | STRIPING & SIGNS | 1.00 | LS | 15,000.00 | 15,000.00 |
| 3060 | GRADE & SOD (BAHIA) DISTURBED R/W | 1.00 | LS | 27,300.00 | 27,300.00 |
| | **TOTAL PH 2 OFF-SITE PAVEMENT** | | | | **518,691.00** |
| | **TOTAL PHASE 2** | | | | **5,003,891.75** |

**GRAND TOTAL** **23,251,000.00**

**NOTES:**

PROJECT SPECIFIC NOTES

1. This proposal is based on current market prices (Off Road Diesel @ $5.25/gal) & subject to pricing revisions.
2. Final pricing of Trucking will be determined at time of shipment.
3. Fire lines/services are not included.

GENERAL CONDITIONS/ CONTRACT

1. This proposal is based on the following Plans:
   Titled: Cypress Bluff
   Prepared By: Knight Engineering Services
   Dated: May 20, 2022

This proposal is based on the above referenced Civil drawings only. Work and/or details shown in other drawings/ specifications is not included in this proposal.

2. This proposal is based on the following Soils Report:
   Prepared By: Universal Engineering Sciences, Inc.
   Dated: November 5, 2021

3. This proposal and notes shall become an attachment to the contact.
4. Unless provided for otherwise in this proposal, this proposal is valid for 20 days from the date of the proposal. If a contract or other agreement is not executed within 20 days, then this proposal is subject to be reviewed for adjustment.
5. This work is based on a completion date by June 2023, or an agreed project schedule as an attachment to the contract jointly prepared by Owner and SDC.
6. Project is based on one (2) site work mobilization(s) - Mobilization payment shall be in full at month 2 billing.
   A. 50% of the Mobilization Payment is due in the first billing cycle.
   B. Remainder of the Mobilization Payment is due in the 2nd billing cycle.
7. This proposal is furnished as a complete scope of work as defined above and shall be contracted to SDC in its entirety. Individual line items cannot be removed unless specific changes are approved by SDC.
8. Work is to be completed during normal business hours Mon-Fri (7AM -5PM). Night work is excluded.
9. SDC must have 2 weeks advanced notice in order to better assure timely scheduling of the work required for the project.
10. This proposal does not include Payment and Performance and/or Road Crossing(s) Bonds; if Payment and Performance Bond required, add 1.5% to the contract price. Minimum cost is $ 500.00.
11. Cost of density testing is not included.
12. Testing and/or inspections, shall be conducted by others and is not included in this proposal.
13. Cost of permits other than those listed below is excluded. Any other permits in which SDC obtains will be reimbursed by the Owner/Developer.
    A. Notice of Intent (NOI) for the National Pollution Discharge Elimination System (NPDES) while SDC is on site.
    B. Deleted
14. Decorative/ Retaining walls, Fences, Landscaping, Irrigation, Dumpsters & Enclosures, Decorative Paving/ Pavers and Hardscape is excluded unless otherwise noted.
15. Prior to mobilization, site survey control, design CAD files and matching PDF plans shall be provided to SDC.
16. Horizontal survey control shall consist of a minimum of three (3) site control points including description of points, northings, eastings and horizontal datum. Vertical control shall consist of a minimum of two (2) site benchmarks including descriptions, elevations and vertical datum. The preferred Software of CAD files is AutoCAD Civil 3D. The preferred file transfer method of CAD files is E-Transmit.
17. For Bonded projects: Retainage will not be held until 75% of the current contract amount is completed. Retainage (10%) may be held for the value of the work exceeding 75% of the current contract amount. All remaining retainage to be released upon acceptance by governing municipality.
18. For Non-Bonded projects: Retainage (10%) may be held until 50% of the contract is billed. Upon completion of 51% of

the project, retainage shall be reduced to 5%. Upon installation of the 1st lift of Asphalt, retainage shall be reduced to 2.5%. All remaining retainage to be released upon acceptance by governing municipality.
19. This proposal does not include any provisions for participating in either Owner Controlled Insurance Programs (OCIP) or Contractor Controlled Insurance Programs (CCIP) or any other insurance program furnished by others.
20. Draw down of retention ponds for inspection is not included.

CLEARING/ EARTHWORK/ GRADING
1. All debris shall be burned on site in open piles during clearing & grubbing as allowed by the Division of Forestry.
2. Site prep shall be by disking only.
3. Removal of debris such as tires, vehicles, refrigerators, etc. is excluded unless otherwise noted and quantified.
4. All excess earth materials generated by the construction of SDC's scope shall become the property of SDC unless otherwise agreed to with the Owner/Developer.
5. Handling and/or unsuitable soils disposal is excluded unless noted in the schedule of values.
6. Handling and/or removal of contaminated soils is not included.
7. Undercutting of soils is excluded unless noted in the schedule of values.
8. Any handling or removal of materials generated by others will required a Change Order to dispose and/or relocated these materials.
9. Excludes relocation or removal of existing utilities unless specified. They may include any of the following:
A. Gas services or gas mains
B. Phone lines, Cable, Fiber optic lines or systems, Any other telecom facility
C. Power - distribution or transmission line (above or underground)
D. Water mains/Services, Reclaimed water mains/services, Irrigation
10. Ground water sampling and/or treatment for contaminates is excluded.
11. Removal of any transite pipe by others.
12. Removal of invasive plant species by others.
13. Gopher tortoise surveys and relocation cost is excluded.
14. Any mitigation cost is excluded.
15. Capping and/or grouting of wells is excluded unless specified.
16. Dewatering discharge is assumed to be permitted off-site.
17. Building Pads and/or Lot House Pads to be left 6" below finish floor elevation. Termite treatment by others.
18. Final grading to be +/- 0.1' one time only.
19. Lot and/or site sodding is excluded.

SANITARY SEWER
1. Utility material pricing is extremely volatile. Final pricing of material will be determined at time of shipment.
2. Dewatering discharge is assumed to be permitted off-site.
3. T.V./ Air testing of Gravity Sewer is included for one (1) time. Testing of laterals/ services is not included. Additional cleaning may be performed @ $5.00/LF.
4. Sewer services to be provided to lot corners or within 5' of building pads as applicable. Connection by others.

LIFT STATION/ FORCE MAIN
1. Power to lift station site by others.
2. This proposal does not include AMI Tower, Telemetry, Odor Control and/or Backup Generator/Pump(s).
3. Lift Station Site perimeter chain link fence is included. Any other screen wall, landscaping, etc. is not included.
4. Dewatering discharge is assumed to be permitted off-site.

DRAINAGE
1. Utility material pricing is extremely volatile. Final pricing of material will be determined at time of shipment.
2. Dewatering discharge is assumed to be permitted off-site.
3. Video & Cleaning of storm drainage included is for one (1) time. Additional medium (< 20%) cleaning may be performed @ $ 10.00/LF (15" to 42") not including plug and dewatering.
4. Roof drains/connections are not included.

WATER/ REUSE DISTRIBUTION SYSTEM
1. Utility material pricing is extremely volatile. Final pricing of material will be determined at time of shipment.
2. The cost of meters is excluded unless otherwise noted.
3. Services to be provided to lot corners or within 5' of building pads as applicable. Connection by others.

PAVEMENT

1. Project includes four (4) asphalt mobilizations. Additional mobilizations are $ 5,000/each.
2. Asphalt to be installed in one lift unless otherwise noted.
3. Repair of trenches by others (electrical, irrigation, etc.) is excluded.
4. Utility and irrigation sleeving is excluded unless otherwise noted.
5. Temporary striping and/or striping on first lift of asphalt is not included.
6. "Light" Sweeping prior to the final lift of asphalt is includes a broom tractor only. Cost for additional cleaning will be billed time & materials.
7. Flatwork finishes shall be broom finish without any sealant and or caulking.
8. Asphalt pricing is based on the use of the maximum allowable RAP (Recycled Asphalt Product) in the production of the hot mix asphalt, as per the current FDOT standards, unless the item is noted otherwise.
9. Liquid asphalt and aggregate pricing can be volatile. Increases of 5% or more will allow unit price adjustments in accordance with the liquid asphalt pricing index provided by FDOT.

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 7D

# CYPRESS BLUFF
## COMMUNITY DEVELOPMENT DISTRICT

Master Special Assessment
Methodology Report

April 18, 2023

Provided by:

**Wrathell, Hunt and Associates, LLC**
2300 Glades Road, Suite 410W
Boca Raton, FL 33431
Phone: 561-571-0010
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# 1.0 Introduction

## 1.1 Purpose

This Master Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Cypress Bluff Community Development District (the “District”), located in the City of Groveland, Lake County, Florida, as related to funding the costs of public infrastructure improvements (the “Capital Improvement Plan” or “CIP”) contemplated to be provided by the District.

## 1.2 Scope of the Report

This Report presents the projections for financing the District's Capital Improvement Plan described in the Engineer’s Report developed by Poulos & Bennett, LLC (the “District Engineer”) and dated March 6, 2023 (the “Engineer's Report”), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the CIP.

## 1.3 Special Benefits and General Benefits

The public infrastructure improvements undertaken and funded by the District as part of the CIP create special and peculiar benefits, different in kind and degree from general and incidental benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District’s CIP enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the CIP. However, these benefits are only incidental since the CIP is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the CIP and do not depend upon the CIP to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries.

The CIP will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the

value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the CIP. Even though the exact value of the benefits provided by the CIP is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

### 1.4 Organization of the Report

*Section Two* describes the development program as proposed by the Developer, as defined below.

*Section Three* provides a summary of the CIP as determined by the District Engineer.

*Section Four* discusses the financing program for the District.

*Section Five* introduces the special assessment methodology for the District.

## 2.0 Development Program

### 2.1 Overview

The District will serve the Cypress Bluff development, a master planned residential development located entirely within the City of Groveland, Lake County, Florida (the "Development"). The land within the District consists of approximately 156.36 +/- acres and is generally located south of Simon Brown Road, east of Villa City Road and west of Lake Lucy.

### 2.2 The Development Program

The development of Cypress Bluff is anticipated to be conducted by KB Home Orlando, LLC (the "Developer"). Based upon the information provided by the Developer and the District Engineer, the current development plan envisions a total of 20 Live-Work 25’ lots, 36 25’ Townhomes, 84 Single Family 35’ lots, 199 Single Family 60’ lots, and 47 Single Family 70’ lots developed over a multi-year period in one or more development phases, although unit numbers, land use types and phasing may change throughout the development period. As of this writing, there are commercial tracts entitled for up to 45,000 square feet of commercial uses within the District; however, the landowner intends to petition for a boundary amendment to remove the commercial uses from the District

boundaries. Table 1 in the *Appendix* illustrates the current development plan for Cypress Bluff.

## 3.0 The Capital Improvement Plan

### 3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, is included in these estimates.

### 3.2 The CIP

The public infrastructure improvements which are part of the CIP and are needed to serve the Development are projected to consist of improvements which will serve all of the lands in the District. The District, however, reserves the right to create distinct assessment areas to coincide with the phases of development. The CIP will consist of roadway improvements, stormwater management, 100-year floodplain, primary roadways, reclaimed water distribution system, wastewater system, landscape and hardscape, electrical distribution and street lights, amenities, environmental conservation/mitigation, and professional and inspection fees, were estimated by the District Engineer at $20,270,573.50.

The public infrastructure improvements that comprise the CIP will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the CIP.

## 4.0 Financing Program

### 4.1 Overview

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded

directly by the District. As of the time of writing of this Report, the District will most likely acquire completed improvements from the Developer, although the District maintains the complete flexibility to either acquire the completed improvements from the Developer, construct improvements, or even partly acquire certain completed improvements and construct other improvements that comprise the CIP.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund costs of the CIP as described in *Section 3.2* in one financing transaction, the District would have to issue approximately $28,070,000 in par amount of special assessment bonds (the "Bonds").

**Please note that the purpose of this Report is to allocate the benefit of the CIP to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the CIP. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.**

## 4.2 Types of Bonds Proposed

The proposed financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of $28,070,000 to finance approximately $20,270,573.50 in CIP costs. The Bonds as projected under this financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made either on May 1 or on November 1.

In order to finance the CIP and other costs, the District would need to borrow more funds and incur indebtedness in the total amount of approximately $28,070,000. The difference between the amount of estimated CIP costs and the indebtedness is comprised of debt service reserve, capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

**Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.**

## 5.0 Assessment Methodology

### 5.1 Overview

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the CIP outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties that derive special and peculiar benefits from the CIP. All properties that receive special benefits from the CIP will be assessed for their fair share of the debt issued in order to finance all or a portion of the CIP.

### 5.2 Benefit Allocation

The most current development plan envisions the development of 20 Live-Work 25' lots, 36 25' Townhomes, 84 Single Family 35' lots, 199 Single Family 60' lots, and 47 Single Family 70' lots developed over a multi-year period in one or more development phases, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements that comprise the CIP will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the public infrastructure improvements that comprise the CIP and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the CIP have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within

the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than either the cost of, or the actual non-ad valorem assessment levied for, the improvement or debt allocated to that parcel of land.

The benefit associated with the CIP of the District is proposed to be allocated to the different product types within the District in proportion to the density of development and intensity of use of the infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the product types contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each unit type, and the share of the benefit received by each unit type.

The rationale behind different ERU weights is supported by the fact that generally and on average product types with a greater density and greater intensity of use of infrastructure will use and benefit from the District's improvements more than product types with lesser density and lesser intensity of use of infrastructure. Generally and on average, product types with lesser density and lesser intensity of use of infrastructure produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than product types with greater density and greater intensity of use of infrastructure. Additionally, the value of the product types with greater density and greater intensity of use of infrastructure is likely to appreciate by more in terms of dollars than that of the product types with lesser density and lesser intensity of use of infrastructure as a result of the implementation of the CIP. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received by the different product types from the District's improvements.

Please note that the method used to derive ERU values for Single Family units is based on the linear front footage of the various product types as a proportion to the product type that is set to a standard unit of 1 ERU. For example, if the product type that is set to a standard unit of 1 ERU is a Single Family 70’ unit, a Single Family 60’ unit would be 0.86 ERU (60’ / 70’). In the event that a new

product type were to be introduced, the aforementioned ERU value method would be applied accordingly.

If at any time, any portion of the property within the District is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Bond Assessments (hereinafter defined) thereon), or similarly exempt entity, all future unpaid Bond Assessments for such tax parcel shall become due and payable immediately prior to such transfer.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with funding the District's CIP (the "Bond Assessments") in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual Bond Assessments per unit.

## 5.3 Assigning Debt

The Bond Assessments associated with repayment of the Bonds will initially be levied on all of the gross acres of land in the District. Consequently, the Bond Assessments will initially be levied on approximately 156.36 +/- gross acres on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of $28,070,000 will be preliminarily levied on approximately 156.36 +/- gross acres at a rate of $179,521.62 per acre.

As the land is platted, the Bond Assessments will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessments to platted parcels will reduce the amount of Bond Assessments levied on unplatted gross acres within the District.

Further, to the extent that any land which has not been platted is sold to another developer or builder, the Bond Assessments will be assigned to such parcel at the time of the sale based upon the development rights associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessments transferred at sale.

## 5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, public infrastructure improvements undertaken by the District create special and peculiar benefits to District property. The

District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Public infrastructure improvements undertaken by the District can be shown to create special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

a. added use of the property;
b. added enjoyment of the property;
c. decreased insurance premiums;
d. increased marketability and value of the property.

The public infrastructure improvements which are part of the CIP make the land in the District developable and saleable and when implemented jointly as parts of the CIP, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

## 5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the Bond Assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the CIP by different product types.

## 5.6 True-Up Mechanism

The District's assessment program is predicated on the development of lots in a manner sufficient to include all of the planned ERUs as set forth in Table 1 in the Appendix ("Development Plan"). At such time as lands are to be platted (or re-platted) or site plans are to be approved (or re-approved), the plat or site plan (either, herein,

"Proposed Plat") shall be presented to the District for a "true-up" review as follows:

a. If a Proposed Plat results in the same amount of ERUs (and thus Bond Assessments) able to be imposed on the "Remaining Unplatted Developable Lands" (i.e., those remaining unplatted developable lands after the Proposed Plat is recorded) as compared to what was originally contemplated under the Development Plan, then the District shall allocate the Bond Assessments to the product types being platted and the remaining property in accordance with this Report, and cause the Bond Assessments to be recorded in the District's Improvement Lien Book.

b. If a Proposed Plat results in a greater amount of ERUs (and thus Bond Assessments) able to be imposed on the Remaining Unplatted Developable Lands as compared to what was originally contemplated under the Development Plan, then the District may undertake a pro rata reduction of Bond Assessments for all assessed properties within the District, or may otherwise address such net decrease as permitted by law.

c. If a Proposed Plat results in a lower amount of ERUs (and thus Bond Assessments) able to be imposed on the Remaining Unplatted Developable Lands as compared to what was originally contemplated under the Development Plan, then the District shall require the landowner(s) of the lands encompassed by the Proposed Plat to pay a "True-Up Payment" equal to the difference between: (i) the Bond Assessments originally contemplated to be imposed on the lands subject to the Proposed Plat, and (ii) the Bond Assessments able to be imposed on the lands subject to the Proposed Plat, after the Proposed Plat (plus applicable interest, collection costs, penalties, etc.).[1]

With respect to the foregoing true-up analysis, the District's Assessment Consultant, in consultation with the District Engineer, District Counsel and the District's Bond Counsel, shall determine in the District's sole discretion what amount of ERUs (and thus Bond Assessments) are able to be imposed on the Remaining Unplatted Developable Lands, taking into account a Proposed Plat, by reviewing: a) the original, overall Development Plan showing the number and type of units reasonably planned for the Development,

[1] For example, if the first platting includes 20 Live-Work 25' lots, 36 25' Townhomes, 84 Single Family 35' lots, 179 Single Family 60' lots, and 47 Single Family 70' lots, which equates to a total allocation of $26,348,794.07 in Bond Assessments, then the remaining unplatted developable land would be required to absorb 20 Single Family 60' lots, which equates to $1,721,205.93 in Bond Assessments. If the remaining unplatted developable land would only be able to absorb 10 instead of 20 Single Family 60' lots or $860,602.96 in Bond Assessments, then a true-up, payable by the owner of the unplatted land, would be due in the amount of $860,602.96 in Bond Assessments plus applicable accrued interest to the extent described in this Section.

b) the revised, overall Development Plan showing the number and type of units reasonably planned for the Development, c) proof of the amount of entitlements for the Remaining Unplatted Developable Lands, d) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised Development Plan, and e) documentation that shows the feasibility of implementing the proposed Development Plan. Prior to any decision by the District not to impose a true-up payment, a supplemental methodology shall be produced demonstrating that there will be sufficient Bond Assessments to pay debt service on the applicable series of bonds and the District will conduct new proceedings under Chapters 170, 190 and 197, Florida Statutes upon the advice of District Counsel.

Any True-Up Payment shall become due and payable at the time, or prior to the time, of platting by the landowner of the lands subject to the Proposed Plat, shall be in addition to the regular Bond Assessment installment payable for such lands, and shall constitute part of the Bond Assessment liens imposed against the Proposed Plat property until paid. A True-Up Payment shall include accrued interest on the applicable bond series to the interest payment date that occurs at least 45 days after the True-Up Payment (or the second succeeding interest payment date if such True-Up Payment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indentures for the applicable bond series)).

All Bond Assessments levied run with the land, and such Bond Assessment liens include any True-Up Payments. The District will not release any lien on property for which True-Up Payments are due, until payment has been satisfactorily made. Further, upon the District's review of the final plat for the developable acres, any unallocated Bond Assessments shall become due and payable and must be paid prior to the District's approval of that plat. This true-up process applies for both plats and/or re-plats.

Such review shall be limited solely to the function and the enforcement of the District's assessment liens and/or true-up agreements. Nothing herein shall in any way operate to or be construed as providing any other plat approval or disapproval powers to the District. For further detail on the true-up process, please refer to the True-Up Agreement and applicable assessment resolution(s).

## 5.7 Assessment Roll

The Bond Assessments of $28,070,000 are proposed to be levied over the area described in Exhibit "A". Excluding any capitalized interest period, Bond Assessments shall be paid in thirty (30) annual principal installments.

## 5.8 Additional Items Regarding Bond Assessment Imposition and Allocation

This Report is intended to establish the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual bond issuances necessary to fund all or a portion of the project(s) referenced herein comprising the CIP. All such liens shall be within the benefit limits established herein and using the allocation methodology described herein, and shall be described in one or more supplemental reports.

As noted herein, the CIP functions as a system of improvements. Among other implications, this means that proceeds from any particular bond issuance can be used to fund improvements within any benefitted property or designated assessment area within the District, regardless of where the Bond Assessments are levied, provided that Bond Assessments are fairly and reasonably allocated across all benefitted properties.

As set forth in any supplemental report, and for any particular bond issuance, the Developer may opt to "buy down" the Bond Assessments on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessments to reach certain target levels. Note that any "true-up," as described herein, may require a payment to satisfy "true-up" obligations as well as additional contributions to maintain such target assessment levels. Any amounts contributed by the Developer to pay down Bond Assessments will not be eligible for "deferred costs," if any are provided for in connection with any particular bond issuance.

No Bond Assessments are allocated herein to any public or private amenities or other common areas planned for the Development. Such amenities and common areas will be owned and operated by the District and/or master homeowners' association. If owned by a homeowners' association, the amenities will be considered a common element for the exclusive benefit of property owners. Alternatively, if owned by the District, the amenities will be available

for use by the public, subject to the District's rules and policies. Accordingly, any benefit to the amenities and common areas flows directly to the benefit of all property in the District. As such, no Bond Assessments will be assigned to the amenities and common areas.

In the event that the CIP is not completed, required contributions are not made, additional benefitted lands are added to the District and/or assessment area(s), or under certain other circumstances, the District may elect to reallocate the Bond Assessments, and the District expressly reserves the right to do so, provided however that any such reallocation shall not be construed to relieve any party of contractual or other obligations to the District.

## 6.0 Additional Stipulations

### 6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District's CIP. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

**Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.**

## 7.0 Appendix

**Table 1**

# Cypress Bluff

### Community Development District

**Development Plan**

| Unit Type | Total Number of Units |
|---|---|
| Live-Work 25' | 20 |
| Townhome 25' | 36 |
| SF 35' | 84 |
| SF 60' | 199 |
| SF 70' | 47 |
| **Total** | **386** |

**Table 2**

# Cypress Bluff

### Community Development District

**Capital Improvement Plan**

| Improvement | Total CIP Costs |
|---|---|
| Master Stormwater Management System | 3,768,600.00 |
| Onsite Roadway Improvements - Pavement | 4,329,453.00 |
| Offsite Roadway Improvements - Pavement | 1,041,980.50 |
| Potable Water Distribution System | 2,153,815.00 |
| Sanitary Sewer System including Lift Station | 2,849,230.00 |
| Reclaimed Water Distribution System | 1,807,495.00 |
| Landscaping, Walls & Monuments | 3,170,000.00 |
| Amenities | 700,000.00 |
| Soft Costs - Engineering & Surveying | 450,000.00 |
| **Total** | **20,270,573.50** |

**Table 3**

# Cypress Bluff

## Community Development District

**Preliminary Sources and Uses of Funds**

| | |
|---|---|
| **Sources** | |
| Bond Proceeds: | |
| Par Amount | $28,070,000.00 |
| **Total Sources** | **$28,070,000.00** |
| | |
| **Uses** | |
| Project Fund Deposits: | |
| Project Fund | $20,270,573.50 |
| | |
| Other Fund Deposits: | |
| Debt Service Reserve Fund | $2,493,386.06 |
| Capitalized Interest Fund | $4,491,200.00 |
| | |
| Delivery Date Expenses: | |
| Costs of Issuance | $811,400.00 |
| Rounding | $3,440.44 |
| **Total Uses** | **$28,070,000.00** |

**Table 4**

# Cypress Bluff

## Community Development District

**Benefit Allocation**

| Unit Type | Number of Units | ERU per Unit | Total ERU |
|---|---|---|---|
| Live-Work 25' | 20 | 0.36 | 7.14 |
| Townhome 25' | 36 | 0.36 | 12.86 |
| SF 35' | 84 | 0.50 | 42.00 |
| SF 60' | 199 | 0.86 | 170.57 |
| SF 70' | 47 | 1.00 | 47.00 |
| **Total** | **386** | | **279.57** |

**Table 5**

# Cypress Bluff

## Community Development District

**Bond Assessment Apportionment**

| Unit Type | Total Number of Units | Total Cost Allocation* | Total Bond Assessment Apportionment | Bond Assessment Apportionment per Unit | Annual Bond Assessment Debt Service per Unit - paid in March* |
|---|---|---|---|---|---|
| Live-Work 25' | 20 | $ 517,899.17 | $717,169.14 | $35,858.46 | $3,424.96 |
| Townhome 25' | 36 | $ 932,218.51 | $1,290,904.45 | $35,858.46 | $3,424.96 |
| SF 35' | 84 | $ 3,045,247.12 | $4,216,954.52 | $50,201.84 | $4,794.95 |
| SF 60' | 199 | $ 12,367,432.17 | $17,125,998.98 | $86,060.30 | $8,219.91 |
| SF 70' | 47 | $ 3,407,776.54 | $4,718,972.92 | $100,403.68 | $9,589.89 |
| **Total** | **386** | **$ 20,270,573.50** | **$28,070,000.00** | | |

* Includes costs of collection estimated at 3% (subject to change) and an allowance for early payment discount estimated at 4% (subject to change)

# EXHIBIT A

Bond Assessments in the estimated amount of $28,070,000 are proposed to be levied over the area as described below:

# LEGAL DESCRIPTION

PROVIDED BY LAND SURVEYOR

LEGAL DESCRIPTION – OVERALL PROPERTY (PREPARED BY THIS FIRM):

A REPLAT OF TRACTS 45, 46, 53, 54, 59, AND 60, A PORTION OF TRACTS 35 AND 36 AND A PORTION OF THE UNNAMED PORTION OF GROVELAND FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF UNPLATTED LANDS LYING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, ALSO BEING A POINT ON THE EAST LINE OF TRACT A, RESERVE AT SUNRISE PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 70, PAGES 76 THROUGH 79 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00° 49' 47"EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, BEING THE EAST LINE OF SAID TRACT A OF SAID PRESERVE AT SUNRISE PHASE 2, FOR A DISTANCE OF 659.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565) ACCORDING TO THE FLORIDA DEPARTMENT RIGHT-OF-WAY MAP SECTION 1160-150; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES: NORTH 22° 49' 18"EAST, FOR A DISTANCE OF 495.97 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3779.83 FEET, WITH A CHORD BEARING OF NORTH 26° 41' 03"EAST, AND A CHORD DISTANCE OF 509.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 43' 29" FOR A DISTANCE OF 509.61 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30° 32' 48"EAST, FOR A DISTANCE OF 511.09 FEET TO A POINT ON THE WEST LINE OF AFORESAID TRACT 36; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 00° 48' 21"WEST ALONG SAID WEST LINE, FOR A DISTANCE OF 35.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 36; THENCE RUN SOUTH 89° 17' 32"EAST ALONG THE SOUTH LINE OF SAID TRACT 36, FOR A DISTANCE OF 364.09 FEET TO THE WEST LINE OF THE EAST 297.00 FEET OF SAID TRACT 36; THENCE RUN NORTH 00° 47' 20"EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 661.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 36; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89° 17' 43"WEST ALONG SAID NORTH LINE, FOR A DISTANCE OF 5.84 FEET TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF VILLA CITY ROAD (COUNTY ROAD 565); THENCE DEPARTING SAID NORTH LINE RUN NORTH 30° 32' 48"EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1526.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 1; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89° 12' 50"EAST ALONG SAID NORTH LINE, FOR A DISTANCE OF 866.79 FEET TO THE EAST LINE OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 45' 07" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1322.39 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89° 17' 51" WEST, ALONG THE SAID NORTH LINE, FOR A DISTANCE OF 495.83 FEET TO THE EAST LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 14" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.93 FEET TO THE SOUTH LINE OF THE WEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE DEPARTING SAID EAST LINE RUN NORTH 89°18' 44" WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.32 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN SOUTH 00° 46' 27" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 660.98 FEET TO NORTHWEST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 89° 20' 04" EAST, ALONG THE NORTH LINE OF SAID TRACT 54, FOR A DISTANCE OF 661.45 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF SAID TRACT 54; THENCE RUN SOUTH 00° 44' 53" WEST, ALONG SAID EAST LINE, ALSO BEING THE EAST LINE OF SAID TRACT 54 AND TRACT 59, FOR A DISTANCE OF 1321.24 FEET TO THE THE SOUTHEAST CORNER OF SAID TRACT 59 AND THE SOUTH LINE OF SAID SECTION 1, BEING THE NORTH LINE OF THE PRESERVE AT SUNRISE PHASE 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 1 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH AND NORTH LINES AND ALONG THE NORTH LINE OF SAID PRESERVE AT SUNRISE PHASE 2 RUN THE FOLLOWING COURSES: NORTH 89°19' 32" WEST, FOR A DISTANCE OF 1323.23 FEET; THENCE RUN NORTH 89° 23' 34" WEST, FOR A DISTANCE OF 1324.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 156.36 ACRES, MORE OR LESS.

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 7E

**RESOLUTION 2023-36**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING DISTRICT PROJECTS FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY SUCH PROJECTS TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190, AND 197, FLORIDA STATUTES; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO GOVERNMENTAL BODIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS,** the Cypress Bluff Community Development District ("**District**") previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, which bonds would be repaid by the imposition of special assessments on benefited property within the District; and

**WHEREAS,** the District Board of Supervisors ("**Board**") noticed and conducted a public hearing pursuant to Chapters 170, 190, and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:**

**SECTION 1. AUTHORITY FOR THIS RESOLUTION.** This Resolution is adopted pursuant to Chapters 170, 190, and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*.

**SECTION 2. FINDINGS.** The Board hereby finds and determines as follows:

**(a)** The District is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*, as amended.

**(b)** The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct stormwater management facilities; roadways; water and wastewater facilities; off-site improvements; electrical utilities (street lighting); recreational amenities; and other infrastructure projects and services necessitated by the development of, and serving lands within, the District, together the "**Improvements**."

**(c)** The District is authorized by Chapter 190, *Florida Statutes*, to levy and impose special assessments to pay all, or any part of, the cost of such infrastructure projects and services and to issue special assessment bonds payable from such special assessments as provided in Chapters 170, 190, and 197, *Florida Statutes*.

**(d)** It is necessary to the public health, safety and welfare and in the best interests of the District that (i) the District provide the capital improvements ("**Capital Improvements**"), the nature and

location of which is described in the *Cypress Bluff Community Development District Engineer's Report,* dated April 18, 2023 (the "**Engineer's Report**") (attached as **Exhibit A** hereto and incorporated herein by this reference), and which the plans and specifications are on file at the office of the District Manager c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District Records Offices**"); (ii) the cost of such Capital Improvements be assessed against the lands specially benefited by such Capital Improvements; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

**(e)** The provision of said Capital Improvements, the levying of such Assessments (hereinafter defined) and the sale and issuance of such bonds serves a proper, essential, and valid public purpose and is in the best interests of the District, its landowners, and residents.

**(f)** In order to provide funds with which to pay all or a portion of the costs of the Capital Improvements which are to be assessed against the benefitted properties, pending the collection of such Assessments, it is necessary for the District from time to time to sell and issue its Special Assessment Bonds, in one or more series (the "**Bonds**").

**(g)** By Resolution 2023-31, the Board determined to provide the Capital Improvements and to defray the costs thereof by making Assessments on benefited property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide all or a portion of the funds needed for the Capital Improvements prior to the collection of such Assessments. Resolution 2023-31 was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met.

**(h)** As directed by Resolution 2023-31, said Resolution 2023-31 was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the Board.

**(i)** As directed by Resolution 2023-31, a preliminary assessment roll was adopted and filed with the Board as required by Section 170.06, *Florida Statutes*.

**(j)** As required by Section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2023-31, fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to (1) the propriety and advisability of making the infrastructure improvements, (2) the cost thereof, (3) the manner of payment therefore, and (4) the amount thereof to be assessed against each specially benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190, and 197, *Florida Statutes*.

**(k)** Notice of such public hearing was given by publication and also by mail as required by Section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the Board.

**(l)** On June 20, 2023, at the time and place specified in Resolution 2023-31 and the notice referred to in paragraph (k) above, the Board met as an Equalization Board, conducted such public hearing, and heard and considered all complaints and testimony as to the matters described in paragraph (j) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

**(m)** Having considered the estimated costs of the Capital Improvements, estimates of financing costs and all complaints and evidence presented at such public hearing, the Board further finds and determines:

**i.** that the estimated costs of the Capital Improvements is as specified in the Engineer's Report, which Engineer's Report is hereby adopted and approved, and that the amount of such costs is reasonable and proper; and

**ii.** it is reasonable, proper, just and right to assess the cost of such Capital Improvements against the properties specially benefited thereby using the method determined by the Board set forth in the *Cypress Bluff Community Development District Master Special Assessment Methodology Report,* dated April 18, 2023 (the "**Assessment Report**," attached hereto as **Exhibit B** and incorporated herein by this reference), for the Bonds, which results in the special assessments set forth on the final assessment roll included within such Exhibit B (the "**Assessments**"); and

**iii.** the Assessment Report is hereby approved, adopted and confirmed. The District ratifies its use in connection with the issuance of the Bonds;

**iv.** it is hereby declared that the Capital Improvements will constitute a special benefit to all parcels of real property listed on said final assessment roll and that the benefit, in the case of each such parcel, will be equal to or in excess of the Assessments thereon when allocated as set forth in Exhibit B;

**v.** that the costs of the Capital Improvements are fairly and reasonably apportioned to the properties specifically benefitted as set forth in Exhibit B;

**vi.** it is in the best interests of the District that the Assessments be paid and collected as herein provided; and

**vii.** it is reasonable, proper, just and right for the District to utilize the true-up mechanisms and calculations contained in the Assessment Report in order to ensure that all parcels of real property benefiting from the Capital Improvements are assessed accordingly and that sufficient assessment receipts are being generated in order to pay the corresponding bond debt-service when due;

**SECTION 3. AUTHORIZATION OF DISTRICT PROJECT.** That construction of Capital Improvements initially described in Resolution No. 2023-31, and more specifically identified and described in Exhibit A attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

**SECTION 4. ESTIMATED COST OF IMPROVEMENTS.** The total estimated costs of the Capital Improvements and the costs to be paid by Assessments on all specially benefited property are set forth in **Exhibits A** and **B**, respectively, hereto.

**SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS.** The Assessments on the parcels specially benefited by the Capital Improvements, all as specified in the final assessment roll set forth in Exhibit B, attached hereto, are hereby equalized,

approved, confirmed and levied. Immediately following the adoption of this Resolution, these Assessments, as reflected in Exhibit B attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Assessment or assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any Bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of Bonds, including refunding bonds, by the District would result in a decrease of the Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such Bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

**SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS.** When the entire Capital Improvements project has both been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to the provisions of Section 170.08, *Florida Statutes*, regarding completion of a project funded by a particular series of bonds, the District shall credit to each Assessment the difference, if any, between the Assessment as hereby made, approved and confirmed and the proportionate part of the actual costs of the Capital Improvements, as finally determined upon completion thereof, but in no event shall the final amount of any such special assessment exceed the amount of benefits originally assessed hereunder. In making such credits, no credit shall be given for bond financing costs, capitalized interest, funded reserves or bond discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

**SECTION 7. PAYMENT OF SPECIAL ASSESSMENTS AND METHOD OF COLLECTION.**

**(a)** The Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. The Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Capital Improvements and the adoption by the Board of a resolution accepting the Capital Improvements, unless such option has been waived by the owner of the land subject to the Assessments; provided, however, that the Board shall at any time make such adjustments by resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. All impact fee credits received and/or value received for impact fee credits shall be applied against the Capital Improvements costs and/or the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits which application may be addressed by such resolutions. At any time subsequent to thirty (30) days after the Capital Improvements have been completed and a resolution accepting the Capital Improvements has been adopted by the Board, the Assessments may be prepaid in full including interest amounts to the next succeeding interest payment date or to the second succeeding interest payment date if such a prepayment is made within forty-five (45) calendar days before an interest payment date. The owner of property subject to Assessments may

prepay the entire remaining balance of the Assessments at any time, or a portion of the remaining balance of the Assessment one time if there is also paid, in addition to the prepaid principal balance of the Assessment, an amount equal to the interest that would otherwise be due on such prepaid amount on the next succeeding interest payment date, or, if prepaid during the forty-five day (45) period preceding such interest payment date, to the interest payment date following such next succeeding interest payment date. Prepayment of Assessments does not entitle the property owner to any discounts for early payment.

**(b)** The District may elect to use the method of collecting Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (the "**Uniform Method**"). The District has heretofore taken or will use its best efforts to take as timely required, any necessary actions to comply with the provisions of said Sections 197.3632 and 197.3635, *Florida Statutes*. Such Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its special or non-ad valorem assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law.

**(c)** For the period the District uses the Uniform Method, the District shall enter into an agreement with the Tax Collector of Lake County who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.

**SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.**

**(a)** Pursuant to the Assessment Report, attached hereto as Exhibit B, there may be required from time to time certain true-up payments. As parcels of land or lots are platted, the Assessments securing the Bonds shall be allocated as set forth in the Assessment Report. In furtherance thereof, at such time as parcels or land or lots are platted, it shall be an express condition of the lien established by this Resolution that any and all initial plats of any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review, approval and calculation of the percentage of acres and numbers of units which will be, after the plat, considered to be developed. No further action by the Board of Supervisors shall be required. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. The District Manager shall cause the Assessments to be reallocated to the units being platted and the remaining property in accordance with Exhibit B, cause such reallocation to be recorded in the District's Improvement Lien Book, and shall perform the true-up calculations described in Exhibit B, which process is incorporated herein as if fully set forth (the "**True-Up Methodology**"). Any resulting true-up payment shall become due and payable that tax year by the landowner(s) of record of the remaining unplatted property, in addition to the regular assessment installment payable with respect to such remaining unplatted acres.

**(b)** The District will take all necessary steps to ensure that true-up payments are made in a timely fashion to ensure its debt service obligations are met. The District shall record all true-up payments in its Improvement Lien Book.

**(c)** The foregoing is based on the District's understanding with landowner and/or developer that it intends to develop the unit numbers and types shown in Exhibit B, on the net developable acres

and is intended to provide a formula to ensure that the appropriate ratio of the Assessments to gross acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in Exhibit B from being developed. In no event shall the District collect Assessments pursuant to this Resolution in excess of the total debt service related to the Capital Improvements, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the True-Up Methodology to any assessment reallocation pursuant to this paragraph would result in Assessments collected in excess of the District's total debt service obligation for the Capital Improvements, the Board shall by resolution take appropriate action to equitably reallocate the Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

**(d)** The application of the monies received from true-up payments or Assessments to the actual debt service obligations of the District, whether long term or short term, shall be set forth in the supplemental assessment resolution adopted for each series of Bonds actually issued. Such subsequent resolution shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution. Each such supplemental resolution shall also address the allocation of any impact fee credits expected to be received from the provision of the project funded by the corresponding series of Bonds issued or to be issued.

**SECTION 9. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT.** Property owned by units of local, state, and federal government shall not be subject to the Assessments without specific consent thereto. If at any time, any real property on which Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Assessments thereon), all future unpaid Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

**SECTION 10. ASSESSMENT NOTICE.** The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Lake County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

**SECTION 11. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 12. CONFLICTS**. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 13. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

[*Remainder of this page intentionally left blank*]

**APPROVED AND ADOPTED** this 20th day of June 2023.

Attest:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**Exhibit A:** *Cypress Bluff Community Development District Engineer's Report,* dated April 18, 2023

**Exhibit B:** *Cypress Bluff Community Development District Master Special Assessment Methodology Report,* dated April 18, 2023

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 8A

The Villages®
# DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared
**ALLAN LOVELL**
who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1127504**
in the matter of **NOTICE OF RULE DEVELOPEMENT**
was published in said newspaper in the issue(s) of
**May 18, 2023**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 18 day May 2023.

Robin Baldeschwieler, Notary

Personally Known_____or
Production Identification_____
Type of Identification Produced

ROBIN L. BALDESCHWIELER
MY COMMISSION # HH 022987
EXPIRES: October 10, 2024
Bonded Thru Notary Public Underwriters

Attach Notice Here

**NOTICE OF RULE DEVELOPMENT BY THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

In accord with Chapters 120 and 190, Florida Statutes, the Cypress Bluff Community Development District ("District") hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

The Rules of Procedure will address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2022). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2022).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager, c/o Wrathell, Hunt and Associates, LLC, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010.

District Manager

**#01127504** **May 18, 2023**

The Villages®
# DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared
**ALLAN LOVELL**
who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1127506** in the matter of **NOTICE OF RULEMAKING** was published in said newspaper in the issue(s) of
**May 19, 2023**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 24 day May 2023.

Robin L. Baldeschwieler

Robin Baldeschwieler, Notary

Personally Known _____ or
Production Identification _____
Type of Identification Produced

ROBIN L. BALDESCHWIELER
MY COMMISSION # HH 022967
EXPIRES: October 10, 2024
Bonded Thru Notary Public Underwriters

**NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

A public hearing will be conducted by the Board of Supervisors of the Cypress Bluff Community Development District (the "District") on June 20, 2023 at 1:00 p.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711.

In accord with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rules of Procedure. The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. Prior notice of rule development was published in a newspaper of general circulation on May 18, 2023.

The Rules of Procedure may address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2022). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2022).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager's Office, c/o Wrathell, Hunt and Associates, LLC, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager's Office.

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing without additional notice. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to

be based. At the hearing, staff or Supervisors may participate in the public hearing by speaker telephone.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 or 1-800-955-8770 for aid in contacting the District Office.

District Manager

**#01127506** **May 19, 2023**

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 8B

**RESOLUTION 2023-37**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the Cypress Bluff Community Development District ("District") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Lake County, Florida; and

**WHEREAS,** Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

**WHEREAS,** to provide for efficient and effective District operations and to maintain compliance with Florida law, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

**WHEREAS,** the Board of Supervisors has complied with applicable Florida law concerning rule development and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The attached Rules of Procedure are hereby adopted pursuant to this Resolution as necessary for the conduct of District business. These Rules of Procedure shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, *Florida Statutes*.

**SECTION 2.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 3.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 20th day of June, 2023.

ATTEST:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**Exhibit A**
**Rules of Procedure**

**RULES OF PROCEDURE**
**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

**EFFECTIVE AS OF JUNE 20, 2023**

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## Rule 1.0 General.

(1) The Cypress Bluff Community Development District ("District") was created pursuant to the provisions of Chapter 190 of the Florida Statutes, and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules ("Rules") is to describe the general operations of the District.

(2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.

(3) Unless specifically permitted by a written agreement with the District, the District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.

(4) A Rule of the District shall be effective upon adoption by affirmative vote of the District Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.**

**Rule 1.1 Board of Supervisors; Officers and Voting.**

(1) Board of Supervisors. The Board of Supervisors of the District ("Board") shall consist of five (5) members. Members of the Board ("Supervisors") appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected or appointed by the Board to elector seats must be citizens of the United States of America, residents of the State of Florida and of the District and registered to vote with the Supervisor of Elections of the county in which the District is located and for those elected, shall also be qualified to run by the Supervisor of Elections. The Board shall exercise the powers granted to the District under Florida law.

(a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.

(b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.

(c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.

(d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.

(2) Officers. At the first Board meeting held after each election where the newly elected members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, and Treasurer.

(a) The Chairperson must be a member of the Board. If the Chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a Chairperson. The Chairperson serves at the pleasure of the Board. The Chairperson shall be authorized to execute resolutions and contracts on the District's behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a

meeting, the Vice-Chairperson shall convene and conduct the meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of conducting the meeting to the District's manager ("District Manager") or District Counsel, in whole or in part.

(b) The Vice-Chairperson shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. The Vice-Chairperson has the authority to execute resolutions and contracts on the District's behalf in the absence of the Chairperson. If the Vice-Chairperson resigns from office or ceases to be a member of the Board, the Board shall select a Vice-Chairperson. The Vice-Chairperson serves at the pleasure of the Board.

(c) The Secretary of the Board serves at the pleasure of the Board and need not be a member of the Board. The Secretary shall be responsible for maintaining the minutes of Board meetings and may have other duties assigned by the Board from time to time. An employee of the District Manager may serve as Secretary. The Secretary shall be bonded by a reputable and qualified bonding company in at least the amount of one million dollars ($1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars ($1,000,000) that names the District as an additional insured.

(d) The Treasurer need not be a member of the Board but must be a resident of the State of Florida. The Treasurer shall perform duties described in Section 190.007(2) and (3) of the Florida Statutes, as well as those assigned by the Board from time to time. The Treasurer shall serve at the pleasure of the Board. The Treasurer shall either be bonded by a reputable and qualified bonding company in at least the amount of one million dollars ($1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars ($1,000,000) that names the District as an additional insured.

(e) In the event that both the Chairperson and Vice-Chairperson are absent from a Board meeting and a quorum is present, the Board may designate one of its members or a member of District staff to convene and conduct the meeting. In such circumstances, any of the Board members present are authorized to execute agreements, resolutions, and other documents approved by the Board at such meeting. In the event that the Chairperson and Vice-Chairperson are both unavailable to execute a document previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.

(f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.

(g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.

(3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.

(4) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.

(5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation in the county in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and Committees serving an advisory function shall be open to the public in accord with the provisions of Chapter 286 of the Florida Statutes.

(6) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, "voting conflict of interest" shall be governed by the Florida Constitution and Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member's special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.

(a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board member was elected by electors residing within the District, the Board

member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

The Board's Secretary shall prepare a Memorandum of Voting Conflict (Form 8B) which shall then be signed by the Board member, filed with the Board's Secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.

(b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict on the matter, the member shall immediately notify the Board's Secretary. Within fifteen (15) days of the notification, the member shall file the appropriate Memorandum of Voting Conflict, which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The Memorandum of Voting Conflict shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the Memorandum of Voting Conflict. The Board member's vote is unaffected by this filing.

(c) It is not a conflict of interest for a Board member, the District Manager, or an employee of the District to be a stockholder, officer or employee of a landowner or of an entity affiliated with a landowner.

(d) In the event that a Board member elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, has a continuing conflict of interest, such Board member is permitted to file a Memorandum of Voting Conflict at any time in which it shall state the nature of the continuing conflict. Only one such continuing Memorandum of Voting Conflict shall be required to be filed for each term the Board member is in office.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 112.3143, 190.006, 190.007, Fla. Stat.**

**Rule 1.2 District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements; Financial Disclosure Coordination.**

(1) District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:

(a) Agenda packages for prior 24 months and next meeting;

(b) Official minutes of meetings, including adopted resolutions of the Board;

(c) Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;

(d) Adopted engineer's reports;

(e) Adopted assessment methodologies/reports;

(f) Adopted disclosure of public financing;

(g) Limited Offering Memorandum for each financing undertaken by the District;

(h) Proceedings, certificates, bonds given by all employees, and any and all corporate acts;

(i) District policies and rules;

(j) Fiscal year end audits; and

(k) Adopted budget for the current fiscal year.

The District Manager shall ensure that each District records office contains the documents required by Florida law.

(2) Public Records. District public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the District. All District public records not otherwise restricted by law may be copied or inspected at the District Manager's office during regular business hours. Certain District records can also be inspected and copied at the District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these rules is appointed as the

District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

(3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.

(4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of $0.15 per page for one-sided copies and $0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar ($1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of the individual(s) who is/are qualified to perform the labor, taking into account the nature or volume of the public records to be inspected or copied. The charge may include the labor costs of supervisory and/or clerical staff whose assistance is required to complete the records request, in accordance with Florida law. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in this section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars ($25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. Should the person fail to pay the estimate, the District is under no duty to produce the requested records. After the request has been fulfilled, additional payments or credits may be

due. The District is under no duty to produce records in response to future records requests if the person making the request owes the District for past unpaid duplication charges, special service charges, or other required payments or credits.

(5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.

(6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.

(7) Financial Disclosure Coordination. Unless specifically designated by Board resolution otherwise, the Secretary shall serve as the Financial Disclosure Coordinator ("Coordinator") for the District as required by the Florida Commission on Ethics ("Commission"). The Coordinator shall create, maintain and update a list of the names, e-mail addresses, physical addresses, and names of the agency of, and the office or position held by, all Supervisors and other persons required by Florida law to file a statement of financial interest due to his or her affiliation with the District ("Reporting Individual"). The Coordinator shall provide this list to the Commission by February 1 of each year, which list shall be current as of December 31 of the prior year. Each Supervisor and Reporting Individual shall promptly notify the Coordinator in writing if there are any changes to such person's name, e-mail address, or physical address. Each Supervisor and Reporting Individual shall promptly notify the Commission in the manner prescribed by the Commission if there are any changes to such person's e-mail address.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 112.31446(3), 112.3145(8)(a)1., 119.07, 119.0701, 190.006, Fla. Stat.**

**Rule 1.3 Public Meetings, Hearings, and Workshops.**

(1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days' public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week, and shall satisfy the requirement to give at least seven (7) days' public notice stated herein. Each Notice shall state, as applicable:

(a) The date, time and place of the meeting, hearing or workshop;

(b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;

(c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and

(d) The following or substantially similar language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at 877-276-0889. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."

(e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

(f) The following or substantially similar language: "The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record."

The date, time, and place of each meeting, hearing, or workshop of the Board shall additionally be posted on the District's website at least seven (7) days before each meeting, hearing, or workshop.

(2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.

(3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare an agenda of the meeting/hearing/workshop. The agenda and any meeting materials available in an electronic format, excluding any confidential, and any confidential and exempt information, shall be submitted to staff for inclusion in the agenda at least eight days before the meeting/hearing, and available to the public at least seven days before the meeting/hearing/workshop, except in an emergency. Any member of the Board may request a meeting agenda item and such agenda item will be on the next succeeding agenda so long as supporting material, if applicable, is provided at least eight days before the meeting/hearing/workshop. However, the District Manager, in consultation with the Chairperson or Vice Chairperson, if the Chairperson is unavailable, may reduce the number of agenda items if necessary to ensure orderly and efficient meetings. Meeting materials shall be defined as, and limited to, the agenda, meeting minutes, resolutions, and agreements of the District that District staff deems necessary for Board approval. Inclusion of additional materials for Board consideration other than those defined herein as "meeting materials" shall not convert such materials into "meeting materials." For good cause, the agenda may be changed after it is first made available for distribution, and additional materials may be added or provided under separate cover at the meeting. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

The District may, but is not required to, use the following format in preparing its agenda for its regular meetings:

Call to order
Roll call
Public comment
Organizational matters
Review of minutes
Specific items of old business
Specific items of new business

Staff reports
- (a) District Counsel
- (b) District Engineer
- (c) District Manager
    1. Financial Report
    2. Approval of Expenditures

Supervisor's requests and comments
Public comment
Adjournment

(4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board's consideration.

(5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office. Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.

(6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, upon consultation with the District Manager and District Counsel, if available, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, if it has one. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary, and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.

(7) Public Comment. The Board shall set aside a reasonable amount of time at each meeting for public comment and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.

(8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section

190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.

(9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.

(10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however, at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.

(11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Unless such procedure is waived by the Board, approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.

(12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:

(a) The Board identifies on the record at the original meeting a reasonable need for a continuance;

(b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and

(c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.

(13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss

pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorney must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened, and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

(14) Security and Firesafety Board Discussions. Portions of a meeting which relate to or would reveal a security or firesafety system plan or portion thereof made confidential and exempt by section 119.071(3)(a), Florida Statutes, are exempt from the public meeting requirements and other requirements of section 286.011, Florida Statutes, and section 24(b), Article 1 of the State Constitution. Should the Board wish to discuss such matters, members of the public shall be required to leave the meeting room during such discussion. Any records of the Board's discussion of such matters, including recordings or minutes, shall be maintained as confidential and exempt records in accordance with Florida law.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 189.069(2)(a)16, 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0113, 286.0114, Fla. Stat.**

## Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

(1) Internal Controls. The District shall establish and maintain internal controls designed to:

(a) Prevent and detect "fraud," "waste" and "abuse" as those terms are defined in section 11.45(1), Florida Statutes; and
(b) Promote and encourage compliance with applicable laws, rules contracts, grant agreements, and best practices; and
(c) Support economical and efficient operations; and
(d) Ensure reliability of financial records and reports; and
(e) Safeguard assets.

(2) Adoption. The internal controls to prevent fraud, waste and abuse shall be adopted and amended by the District in the same manner as District policies.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: § 218.33(3), Fla. Stat.**

**Rule 2.0 Rulemaking Proceedings.**

(1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District. A "rule" is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District ("Rule"). Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.

(2) Notice of Rule Development.

(a) Except when the intended action is the repeal of a Rule, the District shall provide notice of the development of a proposed rule by publication of a Notice of Rule Development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by section (3) of this Rule. Consequently, the Notice of Rule Development shall be published at least twenty-nine (29) days prior to the public hearing on the proposed Rule. The Notice of Rule Development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and include a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft, if available.

(b) All rules as drafted shall be consistent with Sections 120.54(1)(g) and 120.54(2)(b) of the Florida Statutes.

(3) Notice of Proceedings and Proposed Rules.

(a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action, a reference to the specific rulemaking authority pursuant to which the rule is adopted, and a reference to the section or subsection of the Florida Statutes being implemented, interpreted, or made specific. The notice shall include a summary of the District's statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2) of the Florida Statutes, and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing by submitting a written request within twenty-one (21) days after the date

of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

(b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.

(c) The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing.

(4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.

(5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District or has a substantial interest in the rulemaking. Not later than sixty (60) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.

(6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:

(a) The text of the proposed rule, or any amendment or repeal of any existing rules;

(b) A detailed written statement of the facts and circumstances justifying the proposed rule;

(c) A copy of the statement of estimated regulatory costs if required by Section 120.541 of the Florida Statutes; and

(d) The published notice.

(7) Hearing. The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the notice described in section (3) of this Rule, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. The District shall publish notice of the public hearing in a newspaper of general circulation within the District either in the text of the notice described in section (3) of this Rule or in a separate publication at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.

(8) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as possible in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions.

(9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.

(10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:

(a) The texts of the proposed rule and the adopted rule;

(b) All notices given for a proposed rule;

(c) Any statement of estimated regulatory costs for the rule;

(d) A written summary of hearings, if any, on the proposed rule;

(e) All written comments received by the District and responses to those written comments; and

(f) All notices and findings pertaining to an emergency rule.

(11) Petitions to Challenge Existing Rules.

(a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.

(b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.

(c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.

(d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.

(e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:

(i) Administer oaths and affirmations;
(ii) Rule upon offers of proof and receive relevant evidence;

(iii) Regulate the course of the hearing, including any pre-hearing matters;

(iv) Enter orders; and

(v) Make or receive offers of settlement, stipulation, and adjustment.

(f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.

(12) Variances and Waivers. A "variance" means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A "waiver" means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variances and waivers from District rules may be granted subject to the following:

(a) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.

(b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District's Rule. Each petition shall specify:

(i) The rule from which a variance or waiver is requested;

(ii) The type of action requested;

(iii) The specific facts that would justify a waiver or variance for the petitioner; and

(iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.

(c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner's written request, to process the petition.

(d) The Board shall grant or deny a petition for variance or waiver and shall announce such disposition at a publicly held meeting of the Board, within ninety (90) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.

(13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

**Specific Authority: §§ 190.011(5), 190.011(15), 190.035, Fla. Stat.**
**Law Implemented: §§ 190.011(5), 190.035(2), Fla. Stat.**

**Rule 3.0 Competitive Purchase.**

(1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.

(2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.

(3) Definitions.

(a) "Competitive Solicitation" means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.

(b) "Continuing Contract" means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed two million dollars ($2,000,000), for a study activity when the fee for such Professional Services to the District does not exceed two hundred thousand dollars ($200,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.

(c) "Contractual Service" means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.

(d) "Design-Build Contract" means a single contract with a Design-Build Firm for the design and construction of a public construction project.

(e) "Design-Build Firm" means a partnership, corporation or other legal entity that:

(i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or

(ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.

(f) "Design Criteria Package" means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District's Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.

(g) "Design Criteria Professional" means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.

(h) "Emergency Purchase" means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where

the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

(i) "Invitation to Bid" is a written solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.

(j) "Invitation to Negotiate" means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.

(k) "Negotiate" means to conduct legitimate, arm's length discussions and conferences to reach an agreement on a term or price.

(l) "Professional Services" means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.

(m) "Proposal (or Reply or Response) Most Advantageous to the District" means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:

(i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;

(ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and

(iii) For a cost to the District deemed by the Board to be reasonable.

(n) "Purchase" means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.

(o) "Request for Proposals" or "RFP" is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and

requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.

(p) "Responsive and Responsible Bidder" means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. "Responsive and Responsible Vendor" means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:

(i) The ability and adequacy of the professional personnel employed by the entity/individual;

(ii) The past performance of the entity/individual for the District and in other professional employment;

(iii) The willingness of the entity/individual to meet time and budget requirements;

(iv) The geographic location of the entity's/individual's headquarters or office in relation to the project;

(v) The recent, current, and projected workloads of the entity/individual;

(vi) The volume of work previously awarded to the entity/individual;

(vii) Whether the cost components of the bid or proposal are appropriately balanced; and

(viii) Whether the entity/individual is a certified minority business enterprise.

(q) "Responsive Bid," "Responsive Proposal," "Responsive Reply," and "Responsive Response" all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the

Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 190.033, 255.20, 287.055, Fla. Stat.**

**Rule 3.1 Procedure Under the Consultants' Competitive Negotiations Act.**

(1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.

(2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:

(a) Hold all required applicable state professional licenses in good standing;

(b) Hold all required applicable federal licenses in good standing, if any;

(c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and

(d) Meet any qualification requirements set forth in the District's Request for Qualifications.

Evidence of compliance with this Rule may be submitted with the qualifications, if requested by the District. In addition, evidence of compliance must be submitted any time requested by the District.

(3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. The District shall make reasonable efforts to provide copies of any notices to such consultants, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process. The Board has the right to reject any and all

qualifications, and such reservation shall be included in the published notice. Consultants not receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

(a) The Board shall review and evaluate the data submitted in response to the notice described in section (3) of this Rule regarding qualifications and performance ability, as well as any statements of qualifications on file. The Board shall conduct discussions with, and may require public presentation by consultants regarding their qualifications, approach to the Project, and ability to furnish the required services. The Board shall then select and list the consultants, in order of preference, deemed to be the most highly capable and qualified to perform the required Professional Services, after considering these and other appropriate criteria:

(i) The ability and adequacy of the professional personnel employed by each consultant;

(ii) Whether a consultant is a certified minority business enterprise;

(iii) Each consultant's past performance;

(iv) The willingness of each consultant to meet time and budget requirements;

(v) The geographic location of each consultant's headquarters, office and personnel in relation to the project;

(vi) The recent, current, and projected workloads of each consultant; and

(vii) The volume of work previously awarded to each consultant by the District.

(b) Nothing in these Rules shall prevent the District from evaluating and eventually selecting a consultant if less than three (3) Responsive qualification packages, including packages indicating a desire not to provide Professional Services on a given Project, are received.

(c) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.

(d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all consultants

by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

(a) After the Board has authorized the beginning of competitive negotiations, the District may begin such negotiations with the firm listed as most qualified to perform the required Professional Services at a rate or amount of compensation which the Board determines is fair, competitive, and reasonable.

(b) In negotiating a lump-sum or cost-plus-a-fixed-fee professional contract for more than the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiation certificate stating that "wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting." In addition, any professional service contract under which such a certificate is required, shall contain a provision that "the original contract price and any additions thereto, shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs."

(c) Should the District be unable to negotiate a satisfactory agreement with the firm determined to be the most qualified at a price deemed by the District to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the District shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.

(d) Should the District be unable to negotiate a satisfactory agreement with one of the top three (3) ranked consultants, additional firms shall be selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

(6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

(7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.

(8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 119.0701, 190.011(3), 190.033, 287.055, Fla. Stat.**

**Rule 3.2 Procedure Regarding Auditor Selection.**

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts. For audits required under Chapter 190 of the Florida Statutes but not meeting the thresholds of Chapter 218 of the Florida Statutes, the District need not follow these procedures but may proceed with the selection of a firm or individual to provide Auditing Services and for the negotiation of such contracts in the manner the Board determines is in the best interests of the District.

(1) Definitions.

(a) "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

(b) "Committee" means the auditor selection committee appointed by the Board as described in section (2) of this Rule.

(2) Establishment of Auditor Selection Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an auditor selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee shall include at least three individuals, at least one of which must also be a member of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board. The Chairperson of the Committee must be a member of the Board. An employee, a chief executive officer, or a chief financial officer of the District may not serve as a member of the Committee; provided however such individual may serve the Committee in an advisory capacity.

(3) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

(a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:

(i) Hold all required applicable state professional licenses in good standing;

(ii) Hold all required applicable federal licenses in good standing, if any;

(iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation; and

(iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

If requested in the RFP or other specifications, evidence of compliance with the minimum qualifications as established by the Committee must be submitted with the proposal.

(b) Evaluation Criteria. The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:

(i) Ability of personnel;

(ii) Experience;

(iii) Ability to furnish the required services; and

(iv) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

The Committee may also choose to consider compensation as a factor. If the Committee establishes compensation as one of the factors, compensation shall not be the sole or predominant factor used to evaluate proposals.

(4) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.

(5) Request for Proposals. The Committee shall provide interested firms with a Request for Proposals ("RFP"). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines is necessary for the firm to prepare a proposal. The RFP shall state the time and

place for submitting proposals.

(6) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.

(7) Board Selection of Auditor.

(a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

(b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.

(c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.

(d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.

(8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:

(a) A provision specifying the services to be provided and fees or other compensation for such services;

(b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;

(c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than June 30 of the fiscal year that follows the fiscal year for which the audit is being conducted;

(d) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed. The maximum contract period including renewals shall be five (5) years. A renewal may be done without the use of the auditor selection procedures provided in this Rule but must be in writing.

(e) Provisions required by law that require the auditor to comply with public records laws.

(9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 119.0701, 218.33, 218.391, Fla. Stat.**

**Rule 3.3 Purchase of Insurance.**

(1) Scope. The purchases of life, health, accident, hospitalization, legal expense, or annuity insurance, or all of any kinds of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expenses upon a group insurance plan by the District, shall be governed by this Rule. This Rule does not apply to the purchase of any other type of insurance by the District, including but not limited to liability insurance, property insurance, and directors and officers insurance. Nothing in this Rule shall require the District to purchase insurance.

(2) Procedure. For a purchase of insurance within the scope of these Rules, the following procedure shall be followed:

(a) The Board shall cause to be prepared a Notice of Invitation to Bid.

(b) Notice of the Invitation to Bid shall be advertised at least once in a newspaper of general circulation within the District. The notice shall allow at least fourteen (14) days for submittal of bids.

(c) The District may maintain a list of persons interested in receiving notices of Invitations to Bid. The District shall make reasonable efforts to provide copies of any notices to such persons, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process.

(d) Bids shall be opened at the time and place noted in the Invitation to Bid.

(e) If only one (1) response to an Invitation is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.

(f) The Board has the right to reject any and all bids and such reservations shall be included in all solicitations and advertisements.

(g) Simultaneously with the review of the submitted bids, the District may undertake negotiations with those companies that have submitted reasonable and timely bids and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements. Bid responses shall be evaluated in accordance with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to the District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance

shall be awarded to that company whose response to the Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

(h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: § 112.08, Fla. Stat.**

**Rule 3.4 Pre-qualification**

(1) Scope. In its discretion, the District may undertake a pre-qualification process in accordance with this Rule for vendors to provide construction services, goods, supplies, and materials, Contractual Services, and maintenance services.

(2) Procedure. When the District seeks to pre-qualify vendors, the following procedures shall apply:

(a) The Board shall cause to be prepared a Request for Qualifications.

(b) For construction services exceeding the thresholds described in Section 255.20 of the Florida Statutes, the Board must advertise the proposed pre-qualification criteria and procedures and allow at least seven (7) days notice of the public hearing for comments on such pre-qualification criteria and procedures. At such public hearing, potential vendors may object to such pre-qualification criteria and procedures. Following such public hearing, the Board shall formally adopt pre-qualification criteria and procedures prior to the advertisement of the Request for Qualifications for construction services.

(c) The Request for Qualifications shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall allow at least seven (7) days for submittal of qualifications for goods, supplies and materials, Contractual Services, maintenance services, and construction services under two hundred fifty thousand dollars ($250,000). The notice shall allow at least twenty-one (21) days for submittal of qualifications for construction services estimated to cost over two hundred fifty thousand dollars ($250,000) and thirty (30) days for construction services estimated to cost over five hundred thousand dollars ($500,000).

(d) The District may maintain lists of persons interested in receiving notices of Requests for Qualifications. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any pre-qualification determination or contract awarded in accordance with these Rules and shall not be a basis for a protest of any pre-qualification determination or contract award.

(e) If the District has pre-qualified vendors for a particular category of purchase, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies or responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

(f) In order to be eligible to submit qualifications, a firm or individual must, at the time of receipt of the qualifications:

(i) Hold all required applicable state professional licenses in good standing;

(ii) Hold all required applicable federal licenses in good standing, if any;

(iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and

(iv) Meet any special pre-qualification requirements set forth in the Request for Qualifications.

Evidence of compliance with these Rules must be submitted with the qualifications if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the qualifications.

(g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.

(h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.

(i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.

(j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, electronic mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time

prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

(3) Suspension, Revocation, or Denial of Qualification

(a) The District, for good cause, may deny, suspend, or revoke a prequalified vendor's pre-qualified status. A suspension, revocation, or denial for good cause shall prohibit the vendor from bidding on any District construction contract for which qualification is required, shall constitute a determination of non-responsibility to bid on any other District construction or maintenance contract, and shall prohibit the vendor from acting as a material supplier or subcontractor on any District contract or project during the period of suspension, revocation, or denial. Good cause shall include the following:

i. One of the circumstances specified under Section 337.16(2), Fla. Stat., has occurred.

ii. Affiliated contractors submitted more than one proposal for the same work. In this event the pre-qualified status of all of the affiliated bidders will be revoked, suspended, or denied. All bids of affiliated bidders will be rejected.

iii. The vendor made or submitted false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any District contract.

iv. The vendor or its affiliate defaulted on any contract or a contract surety assumed control of financial responsibility for any contract of the vendor.

v. The vendor's qualification to bid is suspended, revoked, or denied by any other public or semi-public entity, or the vendor has been the subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.

vi. The vendor failed to comply with contract or warranty requirements or failed to follow District direction in the performance of a contract.

vii. The vendor failed to timely furnish all contract documents required by the contract specifications, special provisions, or by any state or federal statutes or regulations. If the vendor fails to furnish any of the subject contract documents by the expiration of the period of suspension, revocation, or denial set forth above, the vendor's pre-qualified status

shall remain suspended, revoked, or denied until the documents are furnished.

viii. The vendor failed to notify the District within 10 days of the vendor, or any of its affiliates, being declared in default or otherwise not completing work on a contract or being suspended from qualification to bid or denied qualification to bid by any other public or semi-public agency.

ix. The vendor did not pay its subcontractors or suppliers in a timely manner or in compliance with contract documents.

x. The vendor has demonstrated instances of poor or unsatisfactory performance, deficient management resulting in project delay, poor quality workmanship, a history of payment of liquidated damages, untimely completion of projects, uncooperative attitude, contract litigation, inflated claims or defaults.

xi. An affiliate of the vendor has previously been determined by the District to be non-responsible, and the specified period of suspension, revocation, denial, or non-responsibility remains in effect.

xii. The vendor or affiliate(s) has been convicted of a contract crime.

1. The term "contract crime" means any violation of state or federal antitrust laws with respect to a public contract or any violation of any state or federal law involving fraud, bribery, collusion, conspiracy, or material misrepresentation with respect to a public contract.

2. The term "convicted" or "conviction" means a finding of guilt or a conviction of a contract crime, with or without an adjudication of guilt, in any federal or state trial court of record as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

(b) A denial, suspension, or revocation shall prohibit the vendor from being a subcontractor on District work during the period of denial, suspension, or revocation, except when a prime contractor's bid has used prices of a subcontractor who becomes disqualified after the bid, but before the request for authorization to sublet is presented.

(c) The District shall inform the vendor in writing of its intent to deny, suspend, or revoke its pre-qualified status and inform the vendor of its right to a hearing, the procedure which must be followed, and the applicable time limits. If a hearing is requested within 10 days after the receipt of the notice of intent, the hearing shall be held within 30 days after receipt by the District of the request for the hearing. The decision shall be issued within 15 days after the hearing.

(d) Such suspension or revocation shall not affect the vendor's obligations under any preexisting contract.

(e) In the case of contract crimes, the vendor's pre-qualified status under this Rule shall be revoked indefinitely. For all violations of Rule 3.4(3)(a) other than for the vendor's conviction for contract crimes, the revocation, denial, or suspension of a vendor's pre-qualified status under this Rule shall be for a specific period of time based on the seriousness of the deficiency.

Examples of factors affecting the seriousness of a deficiency are:

i. Impacts on project schedule, cost, or quality of work;

ii. Unsafe conditions allowed to exist;

iii. Complaints from the public;

iv. Delay or interference with the bidding process;

v. The potential for repetition;

vi. Integrity of the public contracting process;

vii. Effect on the health, safety, and welfare of the public.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.**

**Rule 3.5 Construction Contracts, Not Design-Build.**

(1) Scope. All contracts for the construction or improvement of any building, structure, or other public construction works authorized by Chapter 190 of the Florida Statutes, the costs of which are estimated by the District in accordance with generally accepted cost accounting principles to be in excess of the threshold amount for applicability of Section 255.20 of the Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and the procedures of Section 255.20 of the Florida Statutes, as the same may be amended from time to time. A project shall not be divided solely to avoid the threshold bidding requirements.

(2) Procedure. When a purchase of construction services is within the scope of this Rule, the following procedures shall apply:

(a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

(b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation in the District and in the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, proposals, replies, or responses, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars ($500,000) must be noticed at least thirty (30) days prior to the date for submittal of bids, proposals, replies, or responses. If the Board has previously pre-qualified contractors pursuant to Rule 3.4 and determined that only the contractors that have been pre-qualified will be permitted to submit bids, proposals, replies, and responses, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation need not be published. Instead, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be sent to the pre-qualified contractors by United States Mail, hand delivery, facsimile, or overnight delivery service.

(c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award. (d) If the District has pre-qualified providers of

construction services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses to Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations.

(e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:

(i) Hold all required applicable state professional licenses in good standing;

(ii) Hold all required applicable federal licenses in good standing, if any;

(iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the bidder is a corporation; and

(iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to, reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response, if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

(f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation

is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

(g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

(h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.

(i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.

(j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of construction services, in the manner the

Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.

(3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.

(4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

(5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.

(6) Exceptions. This Rule is inapplicable when:

(a) The project is undertaken as repair or maintenance of an existing public facility;

(b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;

(c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contract; or

(d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.**

**Rule 3.6 Construction Contracts, Design-Build.**

(1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:

(2) Procedure.

(a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055 of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.

(b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.

(c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications-based selection process pursuant to Rule 3.1.

(i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed maximum price and guaranteed completion date shall be established.

(ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:

1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least twenty-one (21) days for submittal of sealed proposals, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars ($500,000) must be noticed at least thirty (30) days prior to the date for submittal of proposals.

2. The District may maintain lists of persons interested in receiving notices of Requests for Proposals. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

3. In order to be eligible to submit a proposal, a firm must, at the time of receipt of the proposals:

    a. Hold the required applicable state professional licenses in good standing, as defined by Section 287.055(2)(h) of the Florida Statutes;

    b. Hold all required applicable federal licenses in good standing, if any;

    c. Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation;

    d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

    Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the proposal if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the proposal.

4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.

5. The Board shall have the right to reject all proposals if the proposals are too high, or rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.

6. If less than three (3) Responsive Proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no Responsive Proposals are received, the District may proceed with the procurement of design-build services in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the design-build services without further competitive selection processes.

7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the

District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the second most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the third most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.

9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.

10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package and shall provide the Board with a report of the same.

(3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

(4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.

(5) Exceptions. This Rule is inapplicable when:

(a) The project is undertaken as repair or maintenance of an existing public facility;

(b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;

(c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or

(d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.**

**Rule 3.7 Payment and Performance Bonds.**

(1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.

(2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of $200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.

(3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding $200,000, the contractor may be exempted from executing a payment and performance bond.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: § 255.05, Fla. Stat.**

**Rule 3.8 Goods, Supplies, and Materials.**

(1) Purpose and Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, shall be purchased under the terms of this Rule. Contracts for purchases of "goods, supplies, and materials" do not include printing, insurance, advertising, or legal notices. A contract involving goods, supplies, or materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.

(2) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following procedures shall apply:

(a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

(b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.

(c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, or Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

(d) If the District has pre-qualified suppliers of goods, supplies, and materials, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses.

(e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:

(i) Hold all required applicable state professional licenses in good standing;

(ii) Hold all required applicable federal licenses in good standing, if any;

(iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and

(iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

Any firm or individual whose principal place of business is outside the State of Florida must also submit a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that foreign state to business entities whose principal places of business are in that foreign state, in the letting of any or all public contracts. Failure to submit such a written opinion or submission of a false or misleading written opinion may be grounds for rejection of the bid, proposal, reply, or response.

(f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and this Rule. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

(g) The lowest Responsive Bid, after taking into account the preferences provided for in this subsection, submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be accepted. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of

Florida shall be awarded a preference of five (5) percent. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which grants a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference equal to the preference granted by such foreign state.

To assure full understanding of the responsiveness to the solicitation requirements contained in an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

(h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.

(i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.

(j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of goods, supplies, and materials, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the goods, supplies, and materials without further competitive selection processes.

(3) <u>Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6.</u> There may be occasions where the District has

undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.

(4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.

(5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a maximum period of five (5) years.

(6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 189.053, 190.033, 287.017, 287.084, Fla. Stat.**

**Rule 3.9 Maintenance Services.**

(1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.

(2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:

(a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

(b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.

(c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

(d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.

(e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:

(i) Hold all required applicable state professional licenses in good standing;

(ii) Hold all required applicable federal licenses in good standing, if any;

(iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and

(iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

(f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and these Rules. Minor variations in the bids, proposals, replies, and responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

(g) The lowest Responsive Bid submitted in response to an Invitation to Bid by a Responsive and Responsible Bidder shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate or Competitive Solicitation the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, or responses.

(h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No Vendor shall be

entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.

(i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.

(j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of maintenance services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase the maintenance services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of maintenance services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the maintenance services without further competitive selection processes.

(3) Exemptions. Maintenance services that are only available from a single source are exempt from this Rule. Maintenance services provided by governmental agencies are exempt from this Rule. A contract for maintenance services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.

(4) Renewal. Contracts for the purchase of maintenance services subject to this Rule may be renewed for a maximum period of five (5) years.

(5) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

(6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

**Specific Authority: §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.**
**Law Implemented: §§ 119.0701, 190.033, 287.017, Fla. Stat.**

## Rule 3.10 Contractual Services.

(1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.

(2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 119.0701, 190.011(3), 190.033, Fla. Stat.**

**Rule 3.11 Protests with Respect to Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.**

The resolution of any protests with respect to proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9 shall be in accordance with this Rule.

(1) Filing.

(a) With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

(b) Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

(c) If the requirement for the posting of a protest bond and the amount of the protest bond, which may be expressed by a percentage of the contract to be awarded or a set amount, is disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3,

3.4, 3.5, 3.6, 3.8, or 3.9, any person who files a notice of protest must post the protest bond. The amount of the protest bond shall be determined by District staff after consultation with the Board and within the limits, if any, imposed by Florida law. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

(d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.

(2) Contract Execution. Upon receipt of a notice of protest which has been timely filed, the District shall not execute the contract under protest until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances showing that delay incident to protest proceedings will jeopardize the funding for the project, will materially increase the cost of the project, or will create an immediate and serious danger to the public health, safety, or welfare, the contract may be executed.

(3) Informal Proceeding. If the Board determines a protest does not involve a disputed issue of material fact, the Board may, but is not obligated to, schedule an informal proceeding to consider the protest. Such informal proceeding shall be at a time and place determined by the Board. Notice of such proceeding shall be sent via facsimile, United States Mail, or hand delivery to the protestor and any substantially affected persons or parties not less than three (3) calendar days prior to such informal proceeding. Within thirty (30) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.

(4) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceeding process provided for in section (3) of this Rule, the District shall schedule a formal hearing to resolve the protest. The Chairperson shall designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer to conduct the hearing. The hearing officer may:

(a) Administer oaths and affirmations;

(b) Rule upon offers of proof and receive relevant evidence;

(c) Regulate the course of the hearing, including any pre-hearing matters;

(d) Enter orders; and

(e) Make or receive offers of settlement, stipulation, and adjustment.

The hearing officer shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action. The District shall allow each party fifteen (15) days in which to submit written exceptions to the recommended order. The District shall issue a final order within sixty (60) days after the filing of the recommended order.

(5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.

(6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.

(7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: § 190.033, Fla. Stat.**

## Rule 4.0 Effective Date.

These Rules shall be effective June 20, 2023, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

**Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.**
**Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.**

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 9A

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Before the undersigned authority personally appeared
**ALLAN LOVELL**
who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1127729**
in the matter of **NOTICE OF PUBLIC HEARINGS**
was published in said newspaper in the issue(s) of
**May 30, 2023**
**June 6, 2023**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 7 day June 2023.

Robin L Baldeschwieler
Robin Baldeschwieler, Notary

Personally Known_____ or
Production Identification_____
Type of Identification Produced

ROBIN L. BALDESCHWIELER
MY COMMISSION # HH 022967
EXPIRES: October 10, 2024
Bonded Thru Notary Public Underwriters

Attach Notice Here

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**
**NOTICE OF PUBLIC HEARINGS TO CONSIDER THE ADOPTION OF THE REMAINDER OF THE FISCAL YEAR 2022/2023 AND THE FISCAL YEAR 2023/2024 BUDGETS; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.**

The Board of Supervisors ("Board") of the Cypress Bluff Community Development District ("District") will hold two (2) public hearings on Tuesday, June 20, 2023 at 1:00 p.m., at Cooper Memorial Library, 2525 Oakley Seaver Drive, Room 221, Clermont, Florida 34711, for the purpose of hearing comments and objections on the adoption of the proposed budgets ("Proposed Budgets") of the District for the remainder of the fiscal year beginning October 1, 2022, and ending September 30, 2023 ("Fiscal Year 2022/2023"), and the fiscal year beginning October 1, 2023, and ending September 30, 2024 ("Fiscal Year 2023/2024"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budgets may be obtained at the offices of the District Manager, c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("District Manager's Office"), during normal business hours.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at the hearings or meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be ba

District Manager

**#01127729** **May 30, 2023**
**June 6, 2023**

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 9B

**RESOLUTION 2023-38**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE REMAINDER OF THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the District was established on February 21, 2023 by the City Commission of the City of Groveland, Florida; and

**WHEREAS,** the District Manager submitted to the Board of Supervisors ("**Board**") of the Cypress Bluff Community Development District (**"District"**) a proposed budget ("**Proposed Budget**") for the remainder of the fiscal year ending September 30, 2023 ("**Fiscal Year 2022/2023**") along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statute*s; and

**WHEREAS,** at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

**WHEREAS,** the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS,** Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

**WHEREAS,** the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BUDGET**

a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (**"Adopted Budget"**), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.

c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Cypress Bluff Community Development District for the Fiscal Year Ending September 30, 2023."

d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption and shall remain on the website for at least 2 years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2022/2023, the sum of $59,265 to be raised pursuant to a developer funding agreement or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

| | |
|---|---|
| TOTAL GENERAL FUND | $59,265 |

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2022/2023 or within 60 days following the end of the Fiscal Year 2022/2023 may amend its Adopted Budget for that fiscal year as follows:

a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.

b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of $15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.

c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 20TH DAY OF JUNE, 2023.**

ATTEST:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

_____
Secretary/Assistant Secretary

_____
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** FY 2022/2023 Budget

**Exhibit A:** FY 2022/2023 Budget

# CYPRESS BLUFF
# COMMUNITY DEVELOPMENT DISTRICT
# PROPOSED BUDGET
# FISCAL YEAR 2023

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
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| Definitions of General Fund Expenditures | 2 |

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**GENERAL FUND BUDGET**
**FISCAL YEAR 2023**

| | Proposed Budget FY 2023 |
|---|---|
| **REVENUES** | |
| Landowner contribution | $ 59,265 |
| Total revenues | 59,265 |
| | |
| **EXPENDITURES** | |
| **Professional & administrative** | |
| Management/accounting/recording** | 16,000 |
| Legal | 25,000 |
| Engineering | 2,000 |
| Audit | - |
| Arbitrage rebate calculation* | - |
| Dissemination agent* | 250 |
| Trustee* | - |
| Telephone | 200 |
| Postage | 500 |
| Printing & binding | 500 |
| Legal advertising | 6,500 |
| Annual special district fee | 175 |
| Insurance | 5,500 |
| Contingencies/bank charges | 750 |
| Website hosting & maintenance | 1,680 |
| Website ADA compliance | 210 |
| Total expenditures | 59,265 |
| | |
| Excess/(deficiency) of revenues over/(under) expenditures | - |
| | |
| Fund balance - beginning (unaudited) | - |
| Fund balance - ending | $ - |

* These items will be realized when bonds are issued

** WHA will charge a reduced management fee of $2,000 per month until bonds are issued.

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**DEFINITIONS OF GENERAL FUND EXPENDITURES**

| | |
|---|---|
| **EXPENDITURES** | |
| **Professional & administrative** | |
| Management/accounting/recording** | $ 16,000 |
| **Wrathell, Hunt and Associates, LLC** (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community. | |
| Legal | 25,000 |
| General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. | |
| Engineering | 2,000 |
| The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities. | |
| Audit | - |
| Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures. | |
| Arbitrage rebate calculation* | - |
| To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability. | |
| Dissemination agent* | 250 |
| The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent. | |
| Telephone | 200 |
| Telephone and fax machine. | |
| Postage | 500 |
| Mailing of agenda packages, overnight deliveries, correspondence, etc. | |
| Printing & binding | 500 |
| Letterhead, envelopes, copies, agenda packages | |
| Legal advertising | 6,500 |
| The District advertises for monthly meetings, special meetings, public hearings, public bids, etc. | |
| Annual special district fee | 175 |
| Annual fee paid to the Florida Department of Economic Opportunity. | |
| Insurance | 5,500 |
| The District will obtain public officials and general liability insurance. | |
| Contingencies/bank charges | 750 |
| Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc. | |
| Website hosting & maintenance | 1,680 |
| Website ADA compliance | 210 |
| Total expenditures | $ 59,265 |

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 10A

The Villages®
# DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared
**ALLAN LOVELL**
who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1127729**
in the matter of **NOTICE OF PUBLIC HEARINGS**
was published in said newspaper in the issue(s) of
**May 30, 2023**
**June 6, 2023**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 7 day June 2023.

Robin L Baldeschwieler
Robin Baldeschwieler, Notary

Personally Known_____ or
Production Identification_____
Type of Identification Produced

ROBIN L. BALDESCHWIELER
MY COMMISSION # HH 022967
EXPIRES: October 10, 2024
Bonded Thru Notary Public Underwriters

Attach Notice Here

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**
**NOTICE OF PUBLIC HEARINGS TO CONSIDER THE ADOPTION OF THE REMAINDER OF THE FISCAL YEAR 2022/2023 AND THE FISCAL YEAR 2023/2024 BUDGETS; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.**

The Board of Supervisors ("Board") of the Cypress Bluff Community Development District ("District") will hold two (2) public hearings on Tuesday, June 20, 2023 at 1:00 p.m., at Cooper Memorial Library, 2525 Oakley Seaver Drive, Room 221, Clermont, Florida 34711, for the purpose of hearing comments and objections on the adoption of the proposed budgets ("Proposed Budgets") of the District for the remainder of the fiscal year beginning October 1, 2022, and ending September 30, 2023 ("Fiscal Year 2022/2023"), and the fiscal year beginning October 1, 2023, and ending September 30, 2024 ("Fiscal Year 2023/2024"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budgets may be obtained at the offices of the District Manager, c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("District Manager's Office"), during normal business hours.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at the hearings or meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be ba

District Manager

**#01127729** **May 30, 2023**
**June 6, 2023**

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 10B

**RESOLUTION 2023-39**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the District was established on February 21, 2023 by the City Commission of the City of Groveland, Florida; and

**WHEREAS,** prior to June 15, 2022, the District Manager submitted to the Board of Supervisors ("**Board**") of the Cypress Bluff Community Development District (**"District"**) a proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**") along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statute*s; and

**WHEREAS,** at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

**WHEREAS**, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS,** Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

**WHEREAS,** the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BUDGET**

a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (**"Adopted Budget"**), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.

c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Cypress Bluff Community Development District for the Fiscal Year Ending September 30, 2024."

d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption and shall remain on the website for at least 2 years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2023/2024, the sum of $515,635 to be raised pursuant to a developer funding agreement or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

| | |
|---|---|
| TOTAL GENERAL FUND | $515,635 |

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2023/2024 or within 60 days following the end of the Fiscal Year 2023/2024 may amend its Adopted Budget for that fiscal year as follows:

a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.

b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of $15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.

c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 20TH DAY OF JUNE, 2023.**

ATTEST:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

_____
Secretary/Assistant Secretary

_____
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** FY 2023/2024 Budget

**Exhibit A:** FY 2023/2024 Budget

# CYPRESS BLUFF
# COMMUNITY DEVELOPMENT DISTRICT
# PROPOSED BUDGET
# FISCAL YEAR 2024

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
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**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**GENERAL FUND BUDGET**
**FISCAL YEAR 2024**

| | Proposed Budget FY 2024 | Build-out Budget |
|---|---|---|
| **REVENUES** | | |
| Assessment levy: on-roll - gross | $ - | $ 684,172 |
| Allowable discounts (4%) | - | (27,367) |
| Assessment levy: on-roll - net | - | 656,805 |
| Landowner contribution | 515,635 | - |
| Total revenues | 515,635 | 656,805 |
| | | |
| **EXPENDITURES** | | |
| **Professional & administrative** | | |
| Supervisors | - | - |
| Management/accounting/recording** | 48,000 | 48,000 |
| Legal | 25,000 | 25,000 |
| Engineering | 2,000 | 2,000 |
| Audit | 5,500 | 5,500 |
| Arbitrage rebate calculation* | 500 | 500 |
| Dissemination agent* | 1,000 | 1,000 |
| Trustee* | 5,500 | 5,500 |
| Telephone | 200 | 200 |
| Postage | 500 | 500 |
| Printing & binding | 500 | 500 |
| Legal advertising | 1,750 | 1,750 |
| Annual special district fee | 175 | 175 |
| Insurance | 5,500 | 5,500 |
| Contingencies/bank charges | 750 | 750 |
| Website hosting & maintenance | 705 | 705 |
| Website ADA compliance | 210 | 210 |
| Property appraiser & tax collector | - | 27,367 |
| Total professional & administrative | 97,790 | 125,157 |
| | | |
| **Operations and Maintenance** | | |
| ***Management & administration*** | | |
| Contingency | 668 | 1,399 |
| Licenses/taxes/permits | 500 | 500 |
| O&M accounting services | 4,500 | 4,500 |
| Insurance (property coverage only) | 5,000 | 7,000 |
| Management services | 17,844 | 25,476 |
| Postage | 800 | 800 |
| Office supplies/printing binding | 2,500 | 2,500 |
| General administrative | 2,000 | 2,000 |
| Total management & administration | 33,812 | 44,175 |
| ***Grounds/building maintenance*** | | |
| General maintenance | 6,500 | 8,000 |
| Irrigation repairs | 3,500 | 4,500 |
| Landscape contract | 120,000 | 150,000 |
| Landscaping extras - replacement & annuals | 3,500 | 5,000 |
| Tree trimming | 1,500 | 3,000 |
| Pressure washing | 4,000 | 6,000 |

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**GENERAL FUND BUDGET**
**FISCAL YEAR 2024**

| | Proposed Budget FY 2024 | Build-out Budget |
|---|---|---|
| Holiday decorations | 2,500 | 25,000 |
| Walkway maintenance & repair | 2,000 | 7,500 |
| Retaining wall maitenance repair | 4,000 | 2,000 |
| Fence & handrail repairs maitenance | 1,500 | - |
| Total grounds building maintenance | 149,000 | 211,000 |
| ***Recreational - amenity*** | | |
| Insurance amenity | 3,500 | 3,500 |
| Pool maintenance contract | 18,000 | 18,000 |
| Pool/cababna janitorial contract | 10,200 | 10,200 |
| Pool/equipment repairs & maitenance | 2,500 | 2,500 |
| Pool/cabana general maintenance | 3,000 | 3,000 |
| Termite bond / pest control | 1,400 | 1,440 |
| Playground equipment/maitenance/mulch (2 locations) | 4,000 | 4,000 |
| Access control systems/camera | 2,800 | 2,800 |
| Pressure washing | 2,500 | 2,500 |
| Electrict - amenity | 9,600 | 9,600 |
| Domestic water/sewer - amenity | 3,000 | 3,000 |
| Irrigation amenity | 4,000 | 4,000 |
| Telephone/cable internet - amenity | 2,400 | 2,400 |
| Pool permits & licenses | 500 | 500 |
| Trash debris removal | 2,400 | 2,400 |
| Landscape maintenance | 12,000 | 12,000 |
| Landscape seasonal (annuals & mulch) | 3,600 | 3,600 |
| Maintenance reserves | 2,000 | 2,000 |
| Total recreatiional expenses | 87,400 | 87,440 |
| ***Utilities*** | | |
| Electric - common areas/irrigation meters | 4,200 | 6,000 |
| Electric - street lights | 45,000 | 65,000 |
| Irrigation - common areas | 32,000 | 42,000 |
| Total utilities | 81,200 | 113,000 |
| Total field operations | 351,412 | 455,615 |
| Total expenditures | 449,202 | 580,772 |

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**GENERAL FUND BUDGET**
**FISCAL YEAR 2024**

| | Proposed Budget FY 2024 | Build-out Budget |
|---|---|---|
| Excess/(deficiency) of revenues over/(under) expenditures | 66,433 | 76,033 |
| Fund balance - beginning (unaudited) | - | - |
| Fund balance - ending (projected) | | |
| Assigned | | |
| Future projects | | |
| Monument Signage/Hardscape Maintenance (21k/7yr) | 3,000 | 3,000 |
| Ph 1 - Retaining Wall Maintenance/Repair (200k/20yr) | 10,000 | 10,000 |
| Ph 2 - Retaining Wall Maintenance/Repair (30k/20yr) | - | 1,500 |
| Fencing/Handrails P1 (600k/20yr) | 30,800 | 30,800 |
| Fencing/Handrails P2 (112k/20yr) | - | 5,600 |
| Playground (102k/15yr) | 6,800 | 6,800 |
| Pool/Deck/Equipment/CabanaParking Lot (125k/15yr) | 8,333 | 8,333 |
| Roadway Maintenance (70k/20yr) | 3,500 | 5,000 |
| General Reserve (10k/10yr) | 1,000 | 1,000 |
| Walkway Repairs/Maintenance ($75k/25yr) | 3,000 | 4,000 |
| Working capital | - | - |
| Unassigned | - | - |
| Fund balance - ending | $ - | $ - |

* These items will be realized when bonds are issued

** WHA will charge a reduced management fee of $2,000 per month until bonds are issued.

***These items will be realized when the CDD takes ownership of the related assets.

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**DEFINITIONS OF GENERAL FUND EXPENDITURES**

| | |
|---|---|
| **EXPENDITURES** | |
| **Professional & administrative** | |
| Management/accounting/recording** | $ 48,000 |
| **Wrathell, Hunt and Associates, LLC** (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community. | |
| Legal | 25,000 |
| General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. | |
| Engineering | 2,000 |
| The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities. | |
| Audit | 5,500 |
| Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures. | |
| Arbitrage rebate calculation* | 500 |
| To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability. | |
| Dissemination agent* | 1,000 |
| The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent. | |
| Telephone | 200 |
| Telephone and fax machine. | |
| Postage | 500 |
| Mailing of agenda packages, overnight deliveries, correspondence, etc. | |
| Printing & binding | 500 |
| Letterhead, envelopes, copies, agenda packages | |
| Legal advertising | 1,750 |
| The District advertises for monthly meetings, special meetings, public hearings, public bids, etc. | |
| Annual special district fee | 175 |
| Annual fee paid to the Florida Department of Economic Opportunity. | |
| Insurance | 5,500 |
| The District will obtain public officials and general liability insurance. | |
| Contingencies/bank charges | 750 |
| Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc. | |
| Website hosting & maintenance | 705 |
| Website ADA compliance | 210 |
| Total professional & administrative | 97,790 |

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**DEFINITIONS OF GENERAL FUND EXPENDITURES**

| | |
|---|---|
| **EXPENDITURES (continued)** | |
| **Operations and Maintenance** | |
| ***Management & administration*** | |
| Contingency | 668 |
| Licenses/taxes/permits | 500 |
| O&M accounting services | 4,500 |
| Insurance (property coverage only) | 5,000 |
| Management services | 17,844 |
| Postage | 800 |
| Office supplies/printing binding | 2,500 |
| General administrative | 2,000 |
| Total management & administration | 33,812 |
| ***Grounds/building maintenance*** | |
| General maintenance | 6,500 |
| Irrigation repairs | 3,500 |
| Landscape contract | 120,000 |
| Landscaping extras - replacement & annuals | 3,500 |
| Tree trimming | 1,500 |
| Pressure washing | 4,000 |
| Holiday decorations | 2,500 |
| Walkway maintenance & repair | 2,000 |
| Retaining wall maitenance repair | 4,000 |
| Fence & handrail repairs maitenance | 1,500 |
| Total grounds building maintenance | 149,000 |
| ***Recreational - amenity*** | |
| Insurance amenity | 3,500 |
| Pool maintenance contract | 18,000 |
| Pool/cababna janitorial contract | 10,200 |
| Pool/equipment repairs & maitenance | 2,500 |
| Pool/cabana general maintenance | 3,000 |
| Termite bond / pest control | 1,400 |
| Playground equipment/maitenance/mulch (2 locations) | 4,000 |
| Access control systems/camera | 2,800 |
| Pressure washing | 2,500 |
| Electrict - amenity | 9,600 |
| Domestic water/sewer - amenity | 3,000 |
| Irrigation amenity | 4,000 |
| Telephone/cable internet - amenity | 2,400 |
| Pool permits & licenses | 500 |
| Trash debris removal | 2,400 |
| Landscape maintenance | 12,000 |
| Landscape seasonal (annuals & mulch) | 3,600 |
| Maintenance reserves | 2,000 |
| Total recreatiional expenses | 87,400 |
| ***Utilities*** | |
| Electric - common areas/irrigation meters | 4,200 |
| Electric - street lights | 45,000 |
| Irrigation - common areas | 32,000 |
| Total utilities | 81,200 |
| Total field operations | 351,412 |
| Total expenditures | $ 449,202 |

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 11

**RESOLUTION 2023-07**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE LOCAL DISTRICT RECORDS OFFICE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Cypress Bluff Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Groveland, Florida; and

**WHEREAS**, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District's records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*; and

**WHEREAS**, District records are available for public review and inspection at the offices of _____ _____.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The District's local records office shall be located at: _____ _____.

**SECTION 2.** This Resolution shall take effect immediately upon adoption.

[*signature on following page*]

**PASSED AND ADOPTED** this 20th day of June 2023.

ATTEST:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 12

**RESOLUTION 2023-08**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Cypress Bluff Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Groveland, Florida; and

**WHEREAS**, the District desires to designate its primary administrative office as the location where the District's public records are routinely created, sent, received, maintained, and requested, for the purposes of prominently posting the contact information of the District's Record's Custodian in order to provide citizens with the ability to access the District's records and ensure that the public is informed of the activities of the District in accordance with Chapter 119, *Florida Statutes*; and

**WHEREAS**, the District additionally desires to specify the location of the District's principal headquarters for the purpose of establishing proper venue under the common law home venue privilege applicable to the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The District's primary administrative office for purposes of Chapter 119, *Florida Statutes*, shall be located at Wrathell, Hunt and Associates, LLC, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

**SECTION 2.** The District's principal headquarters for purposes of establishing proper venue shall be located at _____ _____within Lake, Florida.

**SECTION 3.** This Resolution shall take effect immediately upon adoption.

[*signature on following page*]

**PASSED AND ADOPTED** this 20th day of June, 2023.

ATTEST:

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# 13

**RESOLUTION 2023-15**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2022/2023 AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Cypress Bluff Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

**WHEREAS**, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District's regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

**WHEREAS**, the Board desires to adopt the Fiscal Year 2022/2023 meeting schedule attached as **Exhibit A**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT:**

1. **ADOPTING FISCAL YEAR 2022/2023 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2022/2023 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 20th day of June, 2023.

ATTEST**:**

**CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

_____
Secretary/Assistant Secretary

_____
Chair/Vice Chair, Board of Supervisors

**EXHIBIT "A"**

| CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT | | |
|---|---|---|
| | | |
| **BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE** | | |
| | | |
| **LOCATION**<br>*TBD* | | |
| | | |
| **DATE** | **POTENTIAL DISCUSSION/FOCUS** | **TIME** |
| | | |
| **July __, 2023** | **Regular Meeting** | **__:__ A/PM** |
| | | |
| **August __, 2023** | **Regular Meeting** | **__:__ A/PM** |
| | | |
| **September __, 2023** | **Regular Meeting** | **__:__ A/PM** |
| | | |

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# UNAUDITED FINANCIAL STATEMENTS

# CYPRESS BLUFF
# COMMUNITY DEVELOPMENT DISTRICT
# FINANCIAL STATEMENTS
# UNAUDITED
# APRIL 30, 2023

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**BALANCE SHEET**
**GOVERNMENTAL FUNDS**
**APRIL 30, 2023**

| | General Fund | Total Governmental Funds |
|---|---|---|
| **ASSETS** | $ - | $ - |
| Total assets | - | - |
| | | |
| **LIABILITIES AND FUND BALANCES** | | |
| Liabilities: | | |
| Accounts payable | $ 2,059 | $ 2,059 |
| Total liabilities | 2,059 | 2,059 |
| | | |
| Fund balances: | | |
| Unassigned | (2,059) | (2,059) |
| Total fund balances | (2,059) | (2,059) |
| | | |
| Total liabilities and fund balances | $ - | $ - |

**CYPRESS BLUFF**
**COMMUNITY DEVELOPMENT DISTRICT**
**GENERAL FUND**
**STATEMENT OF REVENUES, EXPENDITURES,**
**AND CHANGES IN FUND BALANCES**
**FOR THE PERIOD ENDED APRIL 30, 2023**

| | Current Month | Year to Date | Budget | % of Budget |
|---|---|---|---|---|
| **REVENUES** | | | | |
| Landowner contribution | $ - | $ - | $ 59,265 | 0% |
| Total revenues | - | - | 59,265 | 0% |
| | | | | |
| **EXPENDITURES** | | | | |
| **Professional & administrative** | | | | |
| Management/accounting/recording | 2,000 | 2,000 | 16,000 | 13% |
| Legal | - | - | 25,000 | 0% |
| Engineering | - | - | 2,000 | 0% |
| Dissemination agent* | - | - | 250 | 0% |
| Telephone | 17 | 17 | 200 | 9% |
| Postage | - | - | 500 | 0% |
| Printing & binding | 42 | 42 | 500 | 8% |
| Legal advertising | - | - | 6,500 | 0% |
| Annual special district fee | - | - | 175 | 0% |
| Insurance | - | - | 5,500 | 0% |
| Contingencies/bank charges | - | - | 750 | 0% |
| Website hosting & maintenance | - | - | 1,680 | 0% |
| Website ADA compliance | - | - | 210 | 0% |
| Total professional & administrative | 2,059 | 2,059 | 59,265 | 3% |
| | | | | |
| Total expenditures | 2,059 | 2,059 | 59,265 | 3% |
| | | | | |
| Excess/(deficiency) of revenues over/(under) expenditures | (2,059) | (2,059) | - | |
| | | | | |
| Fund balances - beginning | - | - | - | |
| Fund balances - ending | $ (2,059) | $ (2,059) | $ - | |

*These items will be realized when bonds are issued

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# MINUTES A

# MINUTES OF MEETING
# CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

An Organizational Meeting of the Cypress Bluff Community Development District was held on April 18, 2023 at 10:00 a.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711.

**Present at the meeting were:**

| | |
|---|---|
| Stephen McConn | Chair |
| Tony Iorio | Vice Chair |
| Paul Thomas | Assistant Secretary |

**Also present were:**

| | |
|---|---|
| Craig Wrathell | District Manager |
| Ernesto Torres | Wrathell, Hunt and Associates, LLC (WHA) |
| Jennifer Kilinski | District Counsel |
| Dave Kelly | Interim District Engineer |
| Jorge Miranda | Empire Management |
| George Smith | George A. Smith PLLC |
| Sete Zare | MBS Capital Markets, LLC |

**FIRST ORDER OF BUSINESS** **Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 10:00 a.m. Mr. Stephen McConn, Mr. Tony Iorio and Mr. Paul Thomas, named in the Petition to Establish the District as Initial Board Supervisors, were present. Mr. Doug Beasley and Mr. Stephen Fecia, also named in the Petition to Establish the District as Initial Board Supervisors, were not present.

- **Administration of Oath of Office to Initial Board of Supervisors**

**This item, previously the Third Order of Business, was presented out of order.**

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Mc Conn, Mr. Iorio and Mr. Thomas.

**SECOND ORDER OF BUSINESS** **Public Comments**

No members of the public spoke.

**GENERAL DISTRICT ITEMS**

**THIRD ORDER OF BUSINESS** **Administration of Oath of Office to Initial Board of Supervisors (the following will be provided in a separate package)**

The Oath of Office was administered during the First Order of Business.

Mr. Wrathell provided and explained the following items:

**A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

**B. Membership, Obligations and Responsibilities**

**C. Chapter 190, Florida Statutes**

**D. Financial Disclosure Forms**

**I. Form 1: Statement of Financial Interests**

**II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

**III. Form 1F: Final Statement of Financial Interests**

**E. Form 8B: Memorandum of Voting Conflict**

**FOURTH ORDER OF BUSINESS** **Consideration of Resolution 2023-01, Designating and Appointing Certain Officers of the District, and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-01. Mr. Iorio nominated Mr. Mc Conn as Chair. Mr. McConn nominated Mr. Iorio as Vice Chair, along with the remainder of slate as follows:

| | |
|---|---|
| Chair | Stephen McConn |
| Vice Chair | Tony Iorio |
| Secretary | Craig Wrathell |
| Assistant Secretary | Paul Thomas |
| Assistant Secretary | Doug Beasley |
| Assistant Secretary | Ernesto Torres |
| Treasurer | Craig Wrathell |
| Assistant Treasurer | Jeff Pinder |

No other nominations were made.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-01, Designating and Appointing Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS** **Consideration of Resolution 2023-02, Designating a Date, Time, and Location for Landowners' Meeting of the District, and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-02.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-02, Designating a Date, Time, and Location of May 19, 2023 at 10:00 a.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711, for a Landowners' Meeting of the District, and Providing for an Effective Date, was adopted.**

**ORGANIZATIONAL ITEMS**

**SIXTH ORDER OF BUSINESS** **Consideration of the Following Organizational Items:**

**A. Resolution 2023-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date**

- **Agreement for District Management Services: Wrathell, Hunt and Associates, LLC**

Mr. Wrathell presented Resolution 2022-03 and the Fee Schedule and Management Agreement. The Management Fee will be reduced to $2,000 per month until bonds are issued.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-03, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC as the District Manager and Methodology Consultant; Providing an Effective Date, was adopted.**

**B. Resolution 2023-04, Appointing Legal Counsel for the District, Authorizing Compensation and Providing for an Effective Date**

- **Fee Agreement: Kilinski|Van Wyk, PLLC**

Mr. Wrathell presented Resolution 2023-04 and the Kilinski|Van Wyk, PLLC Fee Agreement.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-04, Appointing Kilinski|Van Wyk, PLLC as Legal Counsel for the District, Authorizing Compensation and Providing for an Effective Date, was adopted.**

**C. Resolution 2023-05, Designating a Registered Agent and Registered Office of the District and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-05.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-05, Designating Craig Wrathell as the Registered Agent and 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Registered Office of the District and Providing for an Effective Date, was adopted.**

**D. Resolution 2023-06, Appointing and Fixing the Compensation of the Interim District Engineer and Providing an Effective Date**

- **Interim Engineering Services Agreement: Poulos & Bennett, LLC**

Mr. Wrathell presented Resolution 2023-06 and the Interim Engineering Services Agreement and accompanying Exhibits.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-06, Appointing and Fixing the Compensation of the Interim District Engineer and Providing an Effective Date, was adopted, and the Interim Engineering Services Agreement and accompanying Exhibits, were approved.**

**E. Authorization of Request for Qualifications (RFQ) for Engineering Services**

Mr. Wrathell presented the RFQ for Engineering Services and Competitive Selection Criteria.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, the Request for Qualifications for Engineering Services and Competitive Selection Criteria and authorizing Staff to advertise, were approved.**

**F. Board Member Compensation: 190.006 (8), F.S.**

The Board Members declined compensation.

**G. Resolution 2023-07 Designating the Location of the Local District Records Office and Providing an Effective Date**

This item was deferred.

**H. Resolution 2023-08, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date**

This item was deferred.

**I. Resolution 2023-09, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date**

- **Authorization to Obtain General Liability and Public Officers' Insurance**

Mr. Wrathell presented Resolution 2023-09.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-09, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date, was adopted.**

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, authorizing Staff to obtain General Liability and Public Officers' Insurance, was approved.**

**J. Resolution 2023-10, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date**

Mr. Wrathell presented Resolution 2023-10.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-10, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.**

**K. Memorandum: Public Records Retention**

- **Option 1: Resolution 2023-11, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date**
- **Option 2: Resolution 2023-11, Providing for the Appointment of a Record Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer: Adopting a Records Retention Policy; and Providing for Severability and Effective Date**

Mr. Wrathell presented the Options 1 and 2 versions of Resolution 2023-11. The Board selected Option 2 to keep all records.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-11, Option 2, Providing for the Appointment of a Record Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer: Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.**

**L. Resolution 2023-12, Granting the Chairperson and Vice Chairperson the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2023-12. This Resolution grants the Chair and Vice Chair and other officers in the Chair's absence, the authority to work with the District Engineer, District Counsel and District Staff and to execute certain documents in between meetings, to avoid delays in construction.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-12, Granting the Chairperson and Vice Chairperson the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**M. Resolution 2023-13, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-13.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-13, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District and Providing for an Effective Date, was adopted.**

**N. Authorization of Request for Proposals (RFP) for Annual Audit Services**

Mr. Wrathell presented the RFP For Annual Audit Services.

- **Designation of Board of Supervisors as Audit Committee**

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, the Request for Proposals for Annual Auditing Services, authorizing the District Manager to advertise the RFP and designating the Board of Supervisors as the Audit Committee, was approved.**

**O. Strange Zone, Inc., Quotation #M23-1011 for District Website Design, Maintenance and Domain Web-Site Design Agreement**

Mr. Wrathell presented the Strange Zone, Inc. (SZI) proposal.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Strange Zone, Inc., Quotation #M23-1011 for District Website Design, Maintenance and Domain Web-Site Design Agreement, in the amount of $1,679.99, was approved.**

**P. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit**

Mr. Wrathell presented the ADA Site Compliance proposal.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, in the annual amount of $210, was approved.**

**Q. Resolution 2023-14, to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date**

**I. Rules of Procedure**

**II. Notices [Rule Development and Rulemaking]**

These items were included for informational purposes.

Mr. Wrathell presented Resolution 2023-14.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-14, to Designate Date, Time and Place of June 20, 2023 at 1:00 p.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711, for a Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.**

**R. Resolution 2023-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

This item was deferred.

**S. Resolution 2023-16, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-16.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-16, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.**

**T. Stormwater Management Needs Analysis Reporting Requirements**

Mr. Wrathell stated CDDs are required to prepare a Stormwater Management Needs Analysis Report every five years. As the due date for the initial Report has passed and there is no interim reporting requirement, a Report will be prepared when necessary.

**U. Resolution 2023-17, Directing the Chairperson and District Staff to File a Petition With the City Commission of the City of Groveland, Florida, Requesting the Adoption of an Ordinance Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of the Boundary Amendment Process; and Providing an Effective Date**

Ms. Kilinski presented Resolution 2023-16.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-17, Directing the Chairperson and District Staff to File a Petition With the City Commission of the City of Groveland, Florida, Requesting the Adoption of an Ordinance Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of the Boundary Amendment Process; and Providing an Effective Date, was adopted.**

**V. Boundary Amendment Funding Agreement**

Mr. Wrathell presented the Boundary Amendment Funding Agreement.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, the Boundary Amendment Funding Agreement, was approved.**

**BANKING ITEMS**

**SEVENTH ORDER OF BUSINESS** **Consideration of the Following Banking Items:**

**A. Resolution 2023-18, Designating a Public Depository for Funds of the District and Providing an Effective Date**

Mr. Wrathell presented Resolution 2023-18.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-18, Designating Truist Bank as Public Depository for Funds of the District and Providing an Effective Date, was adopted.**

**B. Resolution 2023-19, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2023-19.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-19, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.**

**C. Resolution 2023-20, Authorizing the District Manager or Treasurer to Execute the Public Depositors Report; Authorizing the Execution of Any Other Financial Reports as Required by Law; Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-20.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-20, Authorizing the District Manager or Treasurer to Execute the Public Depositors Report; Authorizing the Execution of Any Other Financial Reports as Required by Law; Providing for an Effective Date, was adopted.**

**BUDGETARY ITEMS**

**EIGHTH ORDER OF BUSINESS** **Consideration of the Following Budgetary Items:**

**A. Resolution 2023-21, Approving Proposed Budgets for Fiscal Year 2022/2023 and Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-21 and the proposed budgets. Operation & Maintenance (O&M) expenditures will be added when supplied by Empire Management.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-21, Approving Proposed Budgets for Fiscal Year 2022/2023 and Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law on June 20, 2023 at 1:00 p.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.**

**B. Fiscal Year 2022/2023 and 2023/2024 Budget Funding Agreement**

Mr. Wrathell presented the Fiscal Year 2022/2023 and 2023/2024 Budget Funding Agreement.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, the Fiscal Year 2022/2023 and 2023/2024 Budget Funding Agreement, in substantial form, was approved.**

**C. Resolution 2023-22, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes**

Mr. Wrathell presented Resolution 2023-22.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-22, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes, was adopted.**

**D. Resolution 2023-23, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2023-23. Funding requests will be submitted to Mr. McConn.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-23, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.**

**E. Resolution 2023-24, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date**

Mr. Wrathell presented Resolution 2023-24.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-24, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.**

**F. Resolution 2023-25, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2023-25.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-25, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**G. Resolution 2023-26, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date**

Mr. Wrathell presented Resolution 2023-26.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-26, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.**

**H. Consideration of E-Verify Memo with MOU**

Mr. Wrathell presented E-Verify information related to the requirement for all employers to verify employment eligibility utilizing the E-Verify System and for the CDD to enroll with E-Verify and execute a Memorandum of Understanding (MOU) with E-Verify.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, acknowledging the E-Verify Memo requirements, as set forth in the Memorandum of Understanding, and authorizing enrollment and utilization of the E-Verify program, was approved.**

**BOND FINANCING ITEMS**

**NINTH ORDER OF BUSINESS** **Consideration of the Following Bond Financing Related Items:**

**A. Bond Financing Team Funding Agreement**

Mr. Wrathell presented the Bond Financing Team Funding Agreement.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, the Bond Financing Team Funding Agreement, in substantial form, was approved.**

**B. Engagement of Bond Financing Professionals**

**I. Resolution 2023-27, Appointing an Investment Banker in Contemplation of the Issuance of Cypress Bluff Community Development District Special Assessment Revenue Bonds [MBS Capital Markets, LLC]**

Mr. Wrathell presented Resolution 2023-27 and the accompanying Exhibits.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-27, Appointing MBS Capital Markets, LLC, as Investment Banker in Contemplation of the Issuance of Cypress Bluff Community Development District Special Assessment Revenue Bonds, was adopted.**

**II. Resolution 2023-28, Appointing Bond Counsel in Contemplation of the Issuance of Cypress Bluff Community Development District Special Assessment Revenue Bonds [George A. Smith PLLC]**

Mr. Wrathell presented Resolution 2023-28 and the accompanying Exhibits. George A. Smith PLLC and Kilinski|VanWyk PLLC will serve as co-Bond Counsel.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-28, Appointing George A. Smith PLLC and Kilinski|VanWyk PLLC as co-Bond Counsel in Contemplation of the Issuance of Cypress Bluff Community Development District Special Assessment Revenue Bonds, was adopted.**

**III. Resolution 2023-29, Appointing Trustee, Paying Agent and Registrar in Contemplation of the Issuance of Cypress Bluff Community Development District Bonds [U.S. Bank Trust Company, N.A.].**

Mr. Wrathell presented Resolution 2023-29 and the accompanying Exhibits.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-29, Appointing U.S. Bank Trust Company, N.A. as Trustee, Paying Agent and Registrar in Contemplation of the Issuance of Cypress Bluff Community Development District Bonds, was adopted.**

**C. Resolution 2023-30, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2023-30.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-30, Designating a Date, Time, and Location of June 20, 2023 at 1:00 p.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711, for a Public Hearing Regarding the**

**District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.**

**D. Presentation of Engineer's Report**

Mr. Kelly presented the Engineer's Report dated April 18, 2023. The Report is in final draft form, pending receipt of Boundary Amendment information. The CDD will construct all on-site infrastructure but some elements will be owned and maintained by others.

Mr. Wrathell asked if the Probable Capital Improvement Costs Table amounts total $20,270,573.50. Mr. Kelly replied affirmatively.

**E. Presentation of Master Special Assessment Methodology Report**

Mr. Wrathell presented the Master Special Assessment Methodology Report dated April 18, 2023. He reviewed the pertinent information and discussed the Development Program, Capital Improvement Plan (CIP), Financing Program, Assessment Methodology, lienability tests, True-up Mechanism and the Appendix Tables.

Mr. Wrathell noted the following:

- The land within the CDD consists of approximately 156.36 acres.
- The Boundary Amendment has been authorized to remove commercial property.
- The proposed financing plan for the CDD provides for issuance of bonds in the approximate principal amount of $28,070,000 to finance approximately $20,270,573.50 in CIP costs, as reflected in the District Engineer's Report.

**F. Resolution 2023-31, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date**

Mr. Wrathell presented Resolution 2023-31 and read the title.

**On MOTION by Mr. McConn and seconded by Mr. Iorio, with all in favor, Resolution 2023-31, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings for June 20, 2023 at 1:00 p.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.**

**G. Resolution 2023-32, Authorizing the Issuance of Not to Exceed $28,070,000 Aggregate Principal Amount of Cypress Bluff Community Development District Special Assessment Revenue Bonds, in One or More Series to Pay All or a Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Master Stormwater Management System, Onsite Roadway Improvements, Offsite Roadway Improvements, Potable Water Distribution System, Sanitary Sewer System Including Lift Station, Reclaimed Water Distribution System, Landscaping, Walls, Monuments, Site Amenities, Contingency, and Professional Costs and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing That Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Cypress Bluff Community Development District, City of Groveland, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed And Levied on the Property Within the District Benefited by the Improvements and Subject to Assessment; Providing for the Judicial Validation of Such Bonds; And Providing For Other Related Matters**

Mr. Smith presented Resolution 2023-32, which accomplishes the following:

- Authorizes issuance of not to exceed $28,070,000 aggregate principal amount of bonds.
- Authorizes and approves execution and delivery of the Master Trust Indenture.
- Appoints U.S. Bank Trust Company N.A. as the Trustee, Registrar and Paying Agent.
- Authorizes and directs District Counsel and Bond Counsel to file for validation.

**On MOTION by Mr. Iorio and seconded by Mr. McConn, with all in favor, Resolution 2023-32, Authorizing the Issuance of Not to Exceed $28,070,000 Aggregate Principal Amount of Cypress Bluff Community Development District Special Assessment Revenue Bonds, in One or More Series to Pay All or a Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Master Stormwater Management System, Onsite Roadway Improvements, Offsite Roadway Improvements, Potable Water Distribution System, Sanitary Sewer System Including Lift Station, Reclaimed Water Distribution System, Landscaping, Walls, Monuments, Site Amenities, Contingency, and Professional Costs and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing That Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Cypress Bluff Community Development District, City of Groveland, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed And Levied on the Property Within the District Benefited by the Improvements and Subject to Assessment; Providing for the Judicial Validation of Such Bonds; And Providing For Other Related Matters, was adopted.**

**TENTH ORDER OF BUSINESS Staff Reports**

**A. District Counsel: Kilinski|Van Wyk, PLLC**

**B. District Engineer (Interim): Poulos & Bennett LLC**

**C. District Manager: Wrathell, Hunt and Associates, LLC**

There were no Staff Reports.

**ELEVENTH ORDER OF BUSINESS Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**TWELFTH ORDER OF BUSINESS Public Comments**

No members of the public spoke.

**THIRTEENTH ORDER OF BUSINESS Adjournment**

**On MOTION by Mr. Thomas and seconded by Mr. Iorio, with all in favor, the meeting adjourned at 10:54 a.m.**

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622 _____ _____
623 Secretary/Assistant Secretary Chair/Vice Chair

# CYPRESS BLUFF

## COMMUNITY DEVELOPMENT DISTRICT

# MINUTES B

# MINUTES OF MEETING
# CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT

The Cypress Bluff Community Development District held a Landowners' Meeting on May 19, 2023 at 10:00 a.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711.

**DUE TO AUDIO DIFFICULTIES, THE MINUTES**

**WERE TRANSCRIBED FROM THE MEETING NOTES**

**Present were:**

| | |
|---|---|
| Ernesto Torres | District Manager |
| Stephen McConn | Proxy Holder |

**FIRST ORDER OF BUSINESS** **Call to Order/Roll Call**

Mr. Torres called the meeting to order at 10:04 a.m.

**SECOND ORDER OF BUSINESS** **Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**THIRD ORDER OF BUSINESS** **Election of Chair to Conduct Landowners' Meeting**

Mr. Torres served as Chair to conduct the Landowners' Meeting.

Mr. McConn is an authorized officer of KB Home Orlando LLC, which owns parcels totaling 156.36 acres. Mr. McConn is eligible to cast up to 157 votes per seat.

**FOURTH ORDER OF BUSINESS** **Election of Supervisor [All Seats]**

**A. Nominations**

Mr. McConn nominated the following:

| | |
|---|---|
| Seat 1 | Steve McConn |
| Seat 2 | Doug Beasley |

| | | |
|---|---|---|
| Seat 3 | Tony Iorio | |
| Seat 4 | Paul Thomas | |
| Seat 5 | Casey Dare | |

No other nominations were made.

**B. Casting of Ballots**

- **Determine Number of Voting Units Represented**

A total of 157 voting units were represented.

- **Determine Number of Voting Units Assigned by Proxy**

No voting units were assigned by proxy.

Mr. McConn cast the following votes:

| | | |
|---|---|---|
| Seat 1 | Stephen McConn | 157 votes |
| Seat 2 | Doug Beasley | 155 votes |
| Seat 3 | Tony Iorio | 155 votes |
| Seat 4 | Paul Thomas | 155 votes |
| Seat 5 | Casey Dare | 157 votes |

**C. Ballot Tabulation and Results**

Mr. Torres reported the following ballot tabulation, results and term lengths.

| | | | |
|---|---|---|---|
| Seat 1 | Stephen McConn | 157 votes | 4-year Term |
| Seat 2 | Doug Beasley | 155 votes | 2-year Term |
| Seat 3 | Tony Iorio | 155 votes | 2-year Term |
| Seat 4 | Paul Thomas | 155 votes | 2-year Term |
| Seat 5 | Casey Dare | 157 votes | 4-year Term |

**FIFTH ORDER OF BUSINESS Landowners' Questions/Comments**

There were no Landowners' questions or comments.

**SIXTH ORDER OF BUSINESS Adjournment**

There being nothing further to discuss, the meeting adjourned at 10:07 a.m.

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71 Secretary/Assistant Secretary Chair/Vice Chair