

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

GLADES COUNTY

REGULAR BOARD MEETING & PUBLIC HEARING MARCH 27, 2024 12:00 p.m.

> Special District Services, Inc. 2501A Burns Road Palm Beach Gardens, FL 33410

www.lakefrontestatescdd.org 561.630.4922 Telephone 877.SDS.4922 Toll Free 561.630.4923 Facsimile

AGENDA LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

Community Building 30086 E. State Road 78 Okeechobee, Florida 34974

TO JOIN VIA CONFERENCE CALL DIAL IN AT 877-873-8017 MEETING ID: 9758310

REGULAR BOARD MEETING & PUBLIC HEARING

March 27, 2024 12:00 P.M.

A.	Ca	ll to Order
B.	Pro	oof of PublicationPage 1
C.	Est	ablish Quorum
D.	Ad	ditions or Deletions to Agenda
E.	Co	mments from the Public for Items Not on the Agenda
F.	Ap	proval of Minutes
	1.	February 21, 2024 Regular Board MeetingPage 4
G.	Pul	olic Hearing
	1.	Proof of PublicationPage 7
	2.	Receive Public Comments Regarding the Intent to Levy Special Assessments
	3.	Consider Approval of the Project and Levying of Non-Ad Valorem Special Assessments Based on Comments from the Public
	4.	Consider Adjusting and Equalizing of Non-Ad Valorem Special Assessments Based on Comments from the Public
	5.	Consider Resolution No. 2024-04 – Authorizes the Project, the Intent to Levy Non-Ad Valorem Assessments; Intent to Utilize Chapter 197, F.S. for the Levy, Collection and the Enforcement of Non-Ad Valorem Assessments; and the Adoption of a Final Assessment Roll, Pursuant to Chapters 170 and 190, F.S
H.	Olo	1 Business
I.	Ne	w Business

- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT NOTICE OF REGULAR MEETING OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT The Board of Supervisors (Board) of the Lakefront Estates Community Development District (District) will hold public hearings on March 27, 2024, at 12:00 P.M., at the Buckhead Ridge Community Building, 30086 E. State Road 78, Okeechobee, Florida 34974, 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 District is located entirely within unincorporated Glades County, Florida. The lands to be improved are generally located west of Lake Okeechobee and southeast of State Road 78, and are geographically depicted below and in the Engineers Report, dated December 2023 (Capital Improvement Plan). 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 c/o Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410, 561-630-4922 (District Managers Office).

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements are currently expected to include, but are not limited to, roadway improvements, stormwater management, potable water and sewer utilities, electrical undergrounding, landscaping and parks, entry features, land acquisition, wetland mitigation, and other infrastructure (Improvements), all as more specifically described in the Capital Improvement Plan, on file and available during normal business hours at the District Managers Office. According to the Capital Improvement Plan, the estimated cost of the Improvements is \$121,548,095.

The District intends to impose assessments on benefited lands in the manner set forth in the Districts Preliminary Master Special Assessment Methodology Report, dated February 21, 2024 (Assessment Report), which is on file and available during normal business hours at the District Managers 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 Districts assessments will be levied against respective benefitted lands within the District. The Assessment Report identifies maximum assessment amounts for each assessment area and land use category that is currently expected to be assessed. The lien for assessments is proposed to be allocated on an equal assessment per acre basis, and will be levied on an equivalent residential unit (ERU) basis at the time that such property is platted or subject to a site plan or sold.

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 assess and collect sufficient revenues to retire no more than \$150,000,000 in debt, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed annual schedule of assessments is as follows:

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 will be collected on the Glades 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.

Also, on March 27, 2024, at 12:00 P.M., at the Buckhead Ridge Community Building, 30086 E. State Road 78, Okeechobee, Florida 34974, 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. The Board meeting and/or the public hearings may be continued in progress to a certain date and time announced at such 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.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Managers Office at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

RESOLUTION 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

Page 1

WHEREAS, the Board of Supervisors (the Board) of the Lakefront Estates Community Development District (the District) hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the Improvements) described in the Districts Engineers Report, dated October, 2023, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay the cost of the Improvements by special assessments pursuant to Chapter 190, Florida Statutes (the Assessments); and

WHEREAS, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, the Uniform Method for the Levy, Collection and Enforcement of Non-Ad Valorem Assessments, 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, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the Master Special Assessment Methodology Report, dated December 20, 2023, attached hereto as Exhibit B and incorporated herein by reference and on file at 2501A Burns Road, Palm Beach Gardens, Florida 33410 (the District Records Office); and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefit to the property improved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT:

1. Assessments shall be levied to defray a portion of the cost of the Improvements.

2. The nature and general location of, and plans and specifications for, the Improvements are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.

3. The total estimated cost of the Improvements is \$121,548,650 (the Estimated Cost).

4. The Assessments will defray approximately \$150,000,000, which amounts include the Estimated Costs, plus financing-related costs, capitalized interest and a debt service reserve.

5. The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, including provisions for supplemental assessment resolutions.

6. The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefitted thereby and further designated by the assessment plat hereinafter provided

for.

7. 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 shall be open to inspection

by the public.

8. Commencing with the year in which the Assessments are levied and confirmed, the Assessments shall be paid in not

more than (30) thirty 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.

9. 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 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 Districts prelim-

inary assessment roll.

10. The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be

assessed or any other persons interested therein may appear before the Board and be heard as to the propriety

and advisability of the assessments or the making of the Improvements, the cost thereof, the manner of payment therefore, or the amount thereof to be assessed against each property as improved.

11. The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two

(2) consecutive weeks) in a newspaper of general circulation within Lee County and to provide such other notice as may be required by law or desired in the best interests of the District.

12. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 21st day of February, 2024.

ATTEST: LAKEFRONT ESTATES COMMUNITY

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DEVELOPMENT DISTRICT

/X/ /X/

Secretary/Assistant Secretary Chair/Vice Chair, Board of Supervisors

Exhibit A:Engineers Report, dated December 20, 2023

Exhibit B:Master Special Assessment Methodology Report, dated February 20, 2024

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

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Page 3

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT REGULAR BOARD MEETING FEBRUARY 21, 2024

A. CALL TO ORDER

The February 21, 2024, Regular Board Meeting of the Lakefront Estates Community Development District (the "District") was called to order at 2:07 p.m. in the Buckhead Ridge Community Building located at 30086 E. State Road 78, Okeechobee, Florida 34974

B. PROOF OF PUBLICATION

Proof of publication was presented which showed that notice of the Regular Board Meeting had been published in the *Lake Okeechobee News* on February 21, 2024, as legally required.

C. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance:

Dovber Blasberg, Menachem Raksin, Matthew Meisels and Chaim Meisels.

Also in attendance were District Manager Andrew Karmeris of Special District Services, Inc.; District Manager Michelle Krizen of Special District Services, Inc. (via phone); District Counsel Wes Haber of Kutak Rock (via phone); District Engineer Steve Dobbs; and Bond Counsel Robert Gang (via phone).

Also present were Mendal Lasker of Lightstone Management Group (via phone).

D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. December 20, 2023, Regular Board Meeting

A **motion** was made by Mr. Raksin, seconded by Mr. Blasberg and passed unanimously approving the minutes of the December 20, 2023, Regular Board Meeting, as presented.

G. OLD BUSINESS

There were no Old Business items to come before the Board.

H. NEW BUSINESS

1. Consider Approval of Master Special Assessment Methodology Report

Mr. Karmeris presented the Master Special Assessment Methodology Report. He fielded questions from the board regarding the process for validation and ultimately issuing debt by the District.

Mr. Haber explained further the process of supplemental methodology reports that would be brought before the board for approval for each series of bonds.

A **motion** was made by Mr. Raksin, seconded by Mr. Blasberg and passed unanimously approving the Master Special Assessment Methodology Report in substantial form.

2. Consider Resolution No. 2024-01 – Declaring Assessments

Resolution No. 2024-01 was presented, entitled:

RESOLUTION 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

Mr. Haber presented the resolution.

A motion was made by Mr. Raksin, seconded by Mr. Blasberg and passed unanimously adopting Resolution No. 2024-01, as presented.

3. Consider Resolution No. 2024-02 – Setting a Public Hearing on Assessments

Resolution No. 2024-02 was presented, entitled:

RESOLUTION 2024-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON MARCH 27, 2024, AT 12:00 P.M. AT BUCKHEAD RIDGE COMMUNITY BUILDING LOCATED AT 30086 E. STATE ROAD 78, OKEECHOBEE, FLORIDA 34974, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON IMPOSING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY WITHIN THE DISTRICT GENERALLY DESCRIBED AS THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTERS 170, 190 AND 197, FLORIDA STATUTES. Mr. Haber presented the resolution.

A **motion** was made by Mr. Raksin, seconded by Mr. Blasberg and passed unanimously adopting Resolution No. 2024-02, as presented.

4. Consider Resolution No. 2024-03 – Electing District Officers

Resolution No. 2024-03 was presented, entitled:

RESOLUTION 2024-03

A RESOLUTION ELECTING THE OFFICERS OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, GLADES COUNTY, FLORIDA.

Mr. Karmeris presented and suggested the slate remain as is other than Mr. Karmeris replacing Ms. Krizen as Secretary and Treasurer. He also suggested Ms. Krizen be elected Assistant Treasurer and Assistant Secretary.

A **motion** was made by Mr. Raksin, seconded by Mr. Blasberg and passed unanimously adopting Resolution No. 2024-03 and the suggested slate of officers, as presented.

I. ADMINISTRATIVE MATTERS

Mr. Haber said he would forward the ethics memo to the Board of supervisors.

Mr. Raksin asked Mr. Karmeris to forward him the form 1 link.

L. BOARD MEMBER COMMENTS

There were no further Board Member comments.

M. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Blasberg, seconded by Mr. Raksin and passed unanimously adjourning the meeting at 2:32 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT NOTICE OF REGULAR MEETING OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT The Board of Supervisors (Board) of the Lakefront Estates Community Development District (District) will hold public hearings on March 27, 2024, at 12:00 P.M., at the Buckhead Ridge Community Building, 30086 E. State Road 78, Okeechobee, Florida 34974, 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 District is located entirely within unincorporated Glades County, Florida. The lands to be improved are generally located west of Lake Okeechobee and southeast of State Road 78, and are geographically depicted below and in the Engineers Report, dated December 2023 (Capital Improvement Plan). 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 c/o Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410, 561-630-4922 (District Managers Office).

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements are currently expected to include, but are not limited to, roadway improvements, stormwater management, potable water and sewer utilities, electrical undergrounding, landscaping and parks, entry features, land acquisition, wetland mitigation, and other infrastructure (Improvements), all as more specifically described in the Capital Improvement Plan, on file and available during normal business hours at the District Managers Office. According to the Capital Improvement Plan, the estimated cost of the Improvements is \$121,548,095.

The District intends to impose assessments on benefited lands in the manner set forth in the Districts Preliminary Master Special Assessment Methodology Report, dated February 21, 2024 (Assessment Report), which is on file and available during normal business hours at the District Managers 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 Districts assessments will be levied against respective benefitted lands within the District. The Assessment Report identifies maximum assessment amounts for each assessment area and land use category that is currently expected to be assessed. The lien for assessments is proposed to be allocated on an equal assessment per acre basis, and will be levied on an equivalent residential unit (ERU) basis at the time that such property is platted or subject to a site plan or sold.

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 assess and collect sufficient revenues to retire no more than \$150,000,000 in debt, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed annual schedule of assessments is as follows:

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 will be collected on the Glades 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.

Also, on March 27, 2024, at 12:00 P.M., at the Buckhead Ridge Community Building, 30086 E. State Road 78, Okeechobee, Florida 34974, 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. The Board meeting and/or the public hearings may be continued in progress to a certain date and time announced at such 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.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Managers Office at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

RESOLUTION 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

Page 7

WHEREAS, the Board of Supervisors (the Board) of the Lakefront Estates Community Development District (the District) hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the Improvements) described in the Districts Engineers Report, dated October, 2023, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay the cost of the Improvements by special assessments pursuant to Chapter 190, Florida Statutes (the Assessments); and

WHEREAS, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, the Uniform Method for the Levy, Collection and Enforcement of Non-Ad Valorem Assessments, 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, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the Master Special Assessment Methodology Report, dated December 20, 2023, attached hereto as Exhibit B and incorporated herein by reference and on file at 2501A Burns Road, Palm Beach Gardens, Florida 33410 (the District Records Office); and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefit to the property improved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT:

1. Assessments shall be levied to defray a portion of the cost of the Improvements.

2. The nature and general location of, and plans and specifications for, the Improvements are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.

3. The total estimated cost of the Improvements is \$121,548,650 (the Estimated Cost).

4. The Assessments will defray approximately \$150,000,000, which amounts include the Estimated Costs, plus financing-related costs, capitalized interest and a debt service reserve.

5. The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, including provisions for supplemental assessment resolutions.

6. The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefitted thereby and further designated by the assessment plat hereinafter provided

for.

7. 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 shall be open to inspection

by the public.

8. Commencing with the year in which the Assessments are levied and confirmed, the Assessments shall be paid in not

more than (30) thirty 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.

9. 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 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 Districts prelim-

inary assessment roll.

10. The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be

assessed or any other persons interested therein may appear before the Board and be heard as to the propriety

and advisability of the assessments or the making of the Improvements, the cost thereof, the manner of payment therefore, or the amount thereof to be assessed against each property as improved.

11. The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two

(2) consecutive weeks) in a newspaper of general circulation within Lee County and to provide such other notice as may be required by law or desired in the best interests of the District.

12. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 21st day of February, 2024.

ATTEST: LAKEFRONT ESTATES COMMUNITY

DEVELODMENT DIOTDIOT

DEVELOPMENT DISTRICT

/X/ /X/

Secretary/Assistant Secretary Chair/Vice Chair, Board of Supervisors

Exhibit A:Engineers Report, dated December 20, 2023

Exhibit B:Master Special Assessment Methodology Report, dated February 20, 2024

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

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Page 9

RESOLUTION 2024-04

A RESOLUTION OF THE LAKEFRONT ESTATES RESERVE 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 то **HOMEOWNERS** ASSOCIATIONS, PROPERTY OWNERS ASSOCIATION AND/OR **GOVERNMENTAL ENTITIES; PROVIDING FOR THE RECORDING OF** AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

RECITALS

WHEREAS, Lakefront Estates Community Development District (the "District") previously indicated its intention to construct or acquire 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 (the "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 LAKEFRONT ESTATES 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 certain stormwater management, wetland conservation, roadway improvements, water and wastewater water utilities, entrance features, landscaping and park improvements, electrical undergrounding, and other infrastructure projects and services necessitated by the development of, and serving lands within, the District.

(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 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 Project (the "Project"), the nature and location of which was initially described in Resolution 2024-01 and is shown in the *Engineer's Report*, dated February 2024 (the "Engineer's Report"), and which Project's plans and specifications are on file in the District's records office at 2501A Burns Road, Palm Beach Gardens, Florida 33410; (ii) the cost of such Project be assessed against the lands specially benefited by such Project; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

(e) The provision of said Project, the levying of such Special 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 Project which are to be assessed against the benefitted properties, pending the collection of such Special 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 2024-01, the Board determined to provide the Project and to defray the costs thereof by levying Special 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 Project prior to the collection of such Special Assessments. Resolution 2024-01 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 2024-01 said Resolution 2024-01 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 2024-01, 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 2024-02, 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: (i) the propriety and advisability of making the infrastructure improvements constituting the Project, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) 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.

(I) On March 27, 2024, at the time and place specified in the resolution and notice referred to in paragraph (k) above, the Board met as an Equalization Board 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 Project, estimates of financing costs and all complaints and evidence presented at such public hearing, the Board of Supervisors of the District further finds and determines:

(i) that the estimated costs of the Project are as specified in the Engineer's Report (attached as **Exhibit A** hereto and incorporated herein by this reference), 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 Project against the properties within the District specially benefited thereby using the method determined by the Board set forth in the *Master Special Assessment Methodology Report*, dated February 21, 2024 (the "Assessment Report") attached hereto as **Exhibit B** and incorporated herein by this reference, which results in allocation of assessments in the manner set forth in the final assessment roll included therein (the "Special Assessments"); and

(iii) it is hereby declared that the Project 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 Special Assessments thereon when allocated as set forth in **Exhibit B**; and

(iv) it is in the best interests of the District that the Special Assessments be paid and collected as herein provided.

SECTION 3. AUTHORIZATION OF DISTRICT PROJECT. That certain Project for construction of infrastructure improvements initially described in Resolution 2024-01, 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 Project and the costs to be paid by Special 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 Special Assessments on parcels specially benefited by the Project, 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 Special 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 Special 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 Special 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 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 Special Assessment the difference, if any, between the Special Assessment as hereby made, approved, and confirmed and the actual costs incurred in completing the Project. 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. Once the final amount of Special Assessments for the entire Project has been determined, the term "Special Assessment" shall, with respect to each parcel, mean the sum of the costs of the Project.

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

(a) The Special Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. The Special Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Project and the adoption by the Board of a resolution accepting the Project; 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. At any time subsequent to thirty (30) days after the Project has been completed and a resolution accepting the Project has been adopted by the Board, the Special 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 Special Assessments may prepay the entire remaining balance of the Special Assessments or, one time, a portion of the remaining balance of the Special Assessment at any time if there is also paid, in addition to the prepaid principal balance of the Special 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 (45) day period preceding such interest payment date, to the interest payment date following such next succeeding interest payment date. Prepayment of Special Assessments does not entitle the property owner to any discounts for early payment.

(b) The District may elect to use the method of collecting Special 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 Special 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 Special Assessments may be collected as is otherwise

permitted by law. The District may, in its sole discretion, collect Special Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law. Such special assessments shall at all times be collected in a manner consistent with applicable trust indenture.

(c) For each year the District uses the Uniform Method, the District shall enter into an agreement with the Tax Collector of Glades 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) There may be required from time to time certain true-up payments as specified in the Assessment Report and in supplemental assessment methodology reports. As parcels of land or lots are platted or subject to site plan approval, the Special Assessments securing the Bonds shall be allocated as set forth in such reports. In furtherance thereof, at such time as parcels or land or lots are platted or subject to site plan approval, it shall be an express condition of the lien established by this Resolution that any and all initial plats or site plans 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, amounts of debt allocated to each acre, 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, including the collection of a true-up payment contemplated by the Assessment Report. The District Manager shall cause the Special Assessments to be reallocated to the units being platted and the remaining property in accordance with such the Assessment Report and supplemental assessment methodology reports, cause such reallocation to be recorded in the District's Improvement Lien Book, and shall perform the true-up calculations described in supplemental assessment methodology report which process is incorporated herein as if fully set forth. Any resulting true-up payment shall become due and payable as set forth in the Assessment Report, in addition to the regular assessment installment payable with respect to the remaining developable 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 that the landowner 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 Special Assessments to developable acres or ERUs 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 Special Assessments pursuant to this Resolution in excess of the total debt service related to the Project, 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 Special Assessments collected in excess of the District's total debt service obligation for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Special Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Special 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.

SECTION 9. PROPERTY OWNED BY HOMEOWNERS ASSOCIATIONS, PROPERTY OWNERS ASSOCIATIONS OR GOVERNMENTAL ENTITIES. Property owned by units of local, state, and federal government shall not be subject to the Special Assessments without specific consent thereto. In addition, property owned by a property owners association or homeowners association that is exempt from special assessments under Florida law shall not be subject to the Special Assessments. If at any time, any real property on which Special 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 Special Assessments thereon), all future unpaid Special 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 Glades 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.

APPROVED AND ADOPTED THIS 27th DAY OF MARCH, 2024.

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Engineer's Report, dated February 2024

Exhibit B: Master Special Assessment Methodology Report, dated February 21, 2024

<u>Exhibit A</u>

Engineer's Report

ENGINEER'S REPORT

Prepared for:

LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT

Prepared By:



Prepared by:

Steven L. Dobbs Engineering 1062 Jakes Way Okeechobee, FL 34974

December 2023

Project No. FL23028

By: Steven L. Dobbs, PE FL PE # 48134

ENGINERRS REPORT FOR

LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT

TABLE OF CONTENTS

1.	INTRC	DUCTION	5
	1.1.	PURPOSE AND SCOPE	5
	1.2.	REPORT QUALIFICATIONS	7
2.	PROJ	ECT DESCRIPTION	7
	2.1.	RESIDENTIAL AND COMMERCIAL DEVELOPMENT	7
	2.2.	COMMUNITY DEVELOPMENT DISTRICT	8
	2.3.	PRELIMINARY PLAT	8
	2.4.	THE PROJECT	8
	2.5.	PROJECT LOCATION	10
	2.6.	PROJECT BOUNDARY	10
	2.7.	PROJECT PHASING	11
3.	EXIST	ING CONDITIONS	11
	3.1.	PROJECT ZONING	11
	3.2.	DESCTRIPTION OF EXISTING CONDITION	11
	3.3.	SOIL CONDITIONS	12
	3.4.	PROTECTION OF SENSITIVE RESOURCES APPROACH	12
4.	PROP	OSED PROJECT	13
	4.1.	PROPOSED PROJECT INFRASTRUCTURE	13
	4.2.	ONSITE ROADWAYS	13
	4.3.	OFFSITE ROADWAY IMPROVEMENTS	13
	4.4.	STORMWATER MANAGEMENT	14
	4.4.1.	Computer Analyses	14
	4.4.3.	Off-site Drainage	15
	4.4.4.	Flood Plain Analysis	15
	4.4.5.	Wetlands Impacts	16
	4.4.6.	Nutrient Analysis	16

Page 2 of 25

LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT

	4.4.7	'. Soil	Erosion and Sediment Control During Construction	16
	4.4.8	8. Stor	mwater Management Conclusion	17
	4.5.	WA	TER SUPPLY FACILITIES	17
		4.5.1.	Purveyor	17
		4.5.2.	Water Distribution System	18
	4.6.	ELE	CTRIC SERVICE	18
	4.7.	TEL	EPHONE AND COMMUNICATIONS	19
	4.8.	SAN	ITARY SEWERAGE FACILITIES	19
		4.8.1.	Gravity Collection Systems	19
		4.8.2.	Sanitary Pumping Stations	20
		4.8.3.	Sanitary Forcemains	20
		4.8.4.	Wastewater Treatment Facilities	20
	4.9.	OFF	SITE UTILITY IMPROVEMENTS	
	4.10	. PEF	RMITS AND APPROVALS	21
5.	ENG	INEER	S OPINON OF PROBABLE CONSTRUCTION COST	21
	5.1.	SUN	MARY OF ORDER OF MAGNITUDE CONSTRUCTION CO	STS21
	5.2.	OW	NERSHIP, OPERATION AND MAINTENANCE	24
6.	CON	ICLUSI	ON	24
	6.1.	SUN	/MARY	

APPENDICES

APPENDIX 1 - DEVELOPMENT PLAN BY RISE ARCHITECTS

APPENDIX 2 - FIGURES

- FIGURE 1 LOCATION MAP
- FIGURE 2 ZONING MAP
- FIGURE 3 PROJECT BOUNDARY AND EXISTING CONDITIONS
- FIGURE 4 SOIL MAP
- FIGURE 5 DEVELOPMENT PLAN BY NEWLINES
- FIGURE 6 STORMWATER MANAGEMENT PLAN
- FIGURE 7.1 WATER MAIN ROUTE 78
- FIGURE 7.2 WATER DISTRIBUTION SYSTEM PLAN
- FIGURE 8 SANITARY SEWER SYSTEM PLAN

APPENDIX 3 - DOCUMENTS

ORDINANCE NO. 2022-11 LAKEFRONT ESTATES ZONING ORDINANCE NO. 2023-7 LAKEFRONT CDD DEVELOPER'S AGREEMENT SFWMD APPROVAL LETTER

APPENDIX 4 - PRELIMINARY PLAT

1. INTRODUCTION

1.1. PURPOSE AND SCOPE

The Lakefront Estates Community Development District, herein referred to as the "District", or the "CDD", is situated within the boundary of Lakefront Estates, herein referred to as the "Development", in unincorporated Glades County, Florida. The purpose of

this Engineer's Report is to outline a capital improvement plan, herein referred to as the "Plan" and set forth an estimate of project costs.

Infrastructure associated with the capital improvement plan will be used solely for serving lands within the District boundary. Financing associated with a portion of the Project is expected to be in the form of one or more series of special assessment bonds to be issued by the District, herein referred to as the "Bonds". Any portion of the Project not financed with the Bonds will be constructed and conveyed to the District by the primary landowner, Okeechobee Community Developers, LLC or its successor or Assigns, herein referred to as the "Developer".

The Developer has petitioned the Glades County Commissioners to adopt an ordinance establishing the Lakefront Estates Community Development District pursuant to Chapter 190 of the Florida Statutes, and the Board of County Commissioners of Glades County, Florida, has adopted said petition by adoption of Ordinance No. 2023-7. A copy of Ordinance 2023 -7 is included herewith in Appendix 3 – Documents.

Further, Developer has entered into a Developer's Agreement with the Board of Commissioners of Glades County, Florida, by document dated July 13, 2023, which sets forth certain Developer commitments and obligations to provide Developer required improvements. A copy of Developer's Agreement is included herewith in Appendix 3 - Documents.

In accord with the Glades County Code of Ordinances Section 137-6, Improvement Agreement Developer shall provide assurance that all required improvements, including, but not limited to, storm drainage facilities, streets and highways, water and sewer lines. These improvements are described in detail in the Developer's Agreement.

Accordingly, the Project was designed meeting engineering and zoning requirements found in the PD Planned Development Ordinance Section 125-174, amended by the Project-specific Ordinance No. 2022-11. A copy of Ordinance No. 2022-11 is included herewith in Appendix C - Documents.

The projected total cost for improvements is determined by an estimate prepared by the Developer's Engineer utilizing best available information which includes actual costs incurred and construction contracts for the Capital construction as delineated herein. For this Project construction contracts were utilized for the initial construction work which includes the Rt 78 highway entrance improvements, rough grading earthwork and stormwater basin construction. Land acquisition costs are known. Engineering judgement, FDOT weighted prices and quotes from manufacturers for equipment were also utilized.

When the propose Development is to be organized as a Community Development District under provisions of F.S. Ch. 190, common facilities and property shall be conveyed to the Community Development District.

1.2. REPORT QUALIFICATIONS

The Project described herein is based upon the latest available project information at the time this report was prepared and follows the latest Master Development Plan is found in Appendix 1 – Development Plan. Costs are 2023 dollars.

2. PROJECT DESCRIPTION

2.1. RESIDENTIAL AND COMMERCIAL DEVELOPMENT

The Project will be a multi-phased, land development and subdivision project. The Project is located between SR 78 and Lake Okeechobee in Glades County Florida and the site is approximately 525 acres.

The Property is designated within the "Transition" future land use category per the Glades County Comprehensive Plan and is zoned Planned Development (PD). The Property was initially rezoned to the PD zoning district as the "Glenn Harvey PD" per Ordinance 2020-03, as amended by Ordinance 2022-11 and renamed "Lakefront Estates PD". A copy of Ordinance 2022-11 is included herewith in Appendix C - Documents.

The purpose of the Lakefront Estates PD is to provide for a mixed-use community, containing residential development with neighborhood commercial uses. The intent of the proposed development program is to provide a positive impact on Glades County and both current and prospective residents.

The current PD zoning approval allows for the development of up to 1,300 dwelling units (including single-family homes, single-family attached duplexes, townhouses, multiple-family buildings and hybrid dwelling types), not to exceed a gross density of 2.48 dwelling units per acre (du/acre). In

addition to 25.57 acres of commercial use areas with a maximum Floor Area Ratio (FAR) of 0.3 are permitted.

2.2. COMMUNITY DEVELOPMENT DISTRICT

Per Ordinance 2023-7, the Lakefront Estates Community Development District (CDD) was established to maintain all requisite infrastructure for the project, including the on-site wetland preserves, roadways, and recreation tracts. A copy of Ordinance 2023-7 is included herewith in Appendix C -Documents.

2.3. PRELIMINARY PLAT

An updated Preliminary Plat was prepared by BSM & Associates Land Surveying Services printed October 18, 2023. Please see Preliminary Plat attached in Appendix 4.

2.4. THE PROJECT

The 525-acre development project will include a total of 1,300 residential dwelling units, two (2) schools, two (2) main shuls, four (4) Office buildings, two (2) shopping plazas, a warehouse, a medical building, an emergency vehicle garage, and a grocery store.

Infrastructure will include site entrances, internal circulation roadways, stormwater management facilities, sanitary sewerage facilities and water supply and distribution facilities.

The project will be constructed in phases. See Appendix 2 – Figures, Figure 5 – Development Plan, by Newlines.

A breakdown of component by phase is as follows:

Phase 1A

130 Single Family Homes
42 Duplex Units
24 Multi-Family Units
Shopping Plaza No. 1 – Retail 29,435 SF, Office 31,086 SF
Grocery Store – 33,400 SF
Boys School – 600 Students, 50 staff
Shul No. 1 – 500 Seats
Mikvah Phase 1 – 10 Occupants

Phase 1B

180 Single Family Homers
12 Duplex Units
234 Multi-family Units
Girl's School – 600 Students, 50 Staff
Shul Lot 1 - TBD

<u>Phase 2</u>

169 Single Family Homes 50 Duplex Units Shopping Plaza No. 2 – Retail 29,767 SF, Office 29,767 SF Four (4) Office Buildings – 4 x 18,225 SF = 72,900 SF A Bank – 2,827 SF Shul No. 2 - 500 Seats Emergency Vehicle Garage - 2,164 SF

<u>Phase 3</u>

217 Single Family Lots 50 Duplex Units Neighborhood Commercial, xx SF Warehouse - 20,500 SF Shul Lot 1 - TBD Shul Lot 2 - TBD

Phase 4

170 Single Family Homes8 Duplex Units14 Multi-family UnitsMedical Building - 37,960 SF

2.5. PROJECT LOCATION

See Location Map, Figure 1 in Appendix 2.

2.6. PROJECT BOUNDARY

The site is approximately 526.0 acres in size and is located in Sections 2, 3,3 and 4, Township 39 South, Range 34 East west and Sections 34 and 35, Township 38 South, Range 34 East south of SR78 and southwest of Buckhead Ridge west of Okeechobee (Parcel IDs A02-39-34-A00-0010-0000, A03-39-34-A00-0010-0000, A04-39-34-A00-0060-0000, A34-38-34-A00-0030-0000, and A35-38-34-A00-0060-0000).

Please see the Project Boundary and Existing Conditions figure found in Appendix 2 as Figure 3.

2.7. PROJECT PHASING

The developer proposed to construct this project in four (4) phases. Each phase will have a commercial and residential component. The phase breakdown is as follows:

Total:	1,300 Lots	499.9 Ac
Phase 4	330 Lots	106.2 Ac
Phase 3	280 Lots	106.4 Ac
Phase 2	330 Lots	113.5 Ac
Phase 1	360 Lots	173.8 Ac

3. EXISTING CONDITIONS

3.1. PROJECT ZONING

The Project will be a Planned Community Development with individual and specific requirements.

The site is surrounded by compatible residential uses.

Please see the Zoning Map found in Appendix 2 – Figure 2.

3.2. DESCTRIPTION OF EXISTING CONDITION

The site is currently being used as a beef cattle ranch.

3.3. SOIL CONDITIONS

The Soils Map for Glades County indicates that the majority of the soils in the area to be developed are Cypress Lake fine sand 0 to 2 percent slopes and Felda fine sand, frequently ponded, 0 to 2 percent slopes with the remainder being open water. Cypress Lake fine sand, frequently ponded, 0 to 2 percent slopes, which is poorly drained in undeveloped conditions and better drained with a drainage system, which we are proposing. The remainder is Felda Fine Sand 0 to 2 percent slopes, which is poorly drained in undeveloped and well drained in the developed condition.

The site has been well investigated below ground. There is an existing borrow pit on the eastern portion of the project with coquina shell 2 - 3' below ground. The owner has constructed several test holes from east to west and the profile is the same with coquina shell 2 - 3' below ground.

Please see Soils Map, found in Appendix 2 – Figure 4.

3.4. PROTECTION OF SENSITIVE RESOURCES APPROACH

Attention has been given to the environmental conditions on site. The freshwater wetlands and associated transition area buffers have been avoided to the best extent possible.

Strategic landscaped buffers to the development are placed around the perimeter.

	Phase 1	Phase 2	Phase 3	Phase 4	<u>Total</u> (Acres)
Wetlands					
Count	3	-	4	5	
Area	22.09	-	8.76	5.87	36.72
<u>Basins</u>					
Count	3	1	2	1	
Area	34.94	19.46	15.02	9.13	78.55
<u>Parks</u>					
Count	4	3	-	-	
Area	2.645	2.376	-	-	5.02
<u>Green Space</u>					
Count	4	4	6	3	
Area	30.14	2.64	9.02	22.53	64.33

GREN AREA / OPEN SPACE

4. <u>PROPOSED PROJECT</u>

4.1. PROPOSED PROJECT INFRASTRUCTURE

All essential utilities are included with the Project.

4.2. ONSITE ROADWAYS

The Project parallels Rt 78 and as such, entrances along Rt 78 are designed are to be constructed.

The numerous interior roadways were designed utilizing FDOT standards.

4.3. OFFSITE ROADWAY IMPROVEMENTS

Said FDOT highway entrances will be constructed with appropriate three (3) new turning lanes.

4.4. STORMWATER MANAGEMENT

4.4.1. Computer Analyses

Hydrologic and hydraulic designs were completed utilizing HydroCAD 10.20-2g Copyright © 2022 HydroCAD Software Solutions LLC.

The required number of storms to be evaluated varies depending on if the site discharges to a watershed with a positive outlet or not, this project has a positive outlet.

Because the project site is adjacent to the state Road 78 a FDOT analysis is required, the storms to be evaluated for the 3-Year, 5-Year, 10-Year, 25-Year, 50-Year and 100-Year storm recurrence frequencies:

For the short duration storms of 1-hour through 8-hour durations the source was FDOT Drainage Manual IDF curves, for durations of 24 hours or more two sources were used, Isohyetal Maps from the South Florida Water Management District 2020 Environmental Resource Permit Information Manual and precipitation intensity from Hydrometeorological Design Studies Center Precipitation frequency data server.

The post-development drainage discharge to a proposed dry detention and then to the existing pond to the South, the pre-development drainage has the same final discharge.

The post-development runoff for a particular design storm (frequency and duration) was compared to the pre-development runoff of the same design storm to ensure no increase. To demonstrate conformance to this criterion, the proposed project was flood-routed using HydroCAD.

4.4.2. Collection and Conveyance

Gravity collection storm sewers were designed ranging in size from 12" dia. to 48" diameter.

ADS Pipe, Stormtech SC-310 retention fields were designed to detain and control runoff from the proposed commercial tracts.

<u>Residential lot swales</u> - Utilizing the largest drainage area to the swale (back yard and road swale) as 65% impervious, an analysis was completed to size the 18" connecting pipe at 0%, the modeled resulting is a peak elevation of 15.04', the swale bottom is 13.98 as this 18" pipe capacity allows to connect the swale system.

<u>Roadway swales</u> - Utilizing the same drainage areas from the WMD model, this considers any area upstream the road swale (commercial lots, residential lots and roads), an analysis was completed to size the 18" road swales culverts at 0%, the modeled resulting is that just an 18" pipe is enough to discharge the modeled peak discharge from the road control structure to the pond.

4.4.3. Off-site Drainage

The offsite flow from SR78 will be routed around this parcel to the east or west with no impact to SR 78.

4.4.4. Flood Plain Analysis

As shown on the FEMA Panel 12043C0070C and 12043C0250C, this project is located in Zone X of the flood plain. Zone X represents Areas of 0.2% annual chance of flood: areas of 1% annual chance of flood with average depths of less than 1 foot; or with drainage areas less than 1 square

mile; and areas protected by levees from 1% annual chance of flood. No flood plain compensation is required.

4.4.5. Wetlands Impacts

Utilizing the WMD model, an analysis was completed to calculate the discharge from the ponds to the connected wetlands and the discharge velocity, the resulting is that all the structures have been sized to discharge with non-erosive velocities, a 25-year-3-day event was utilized.

With the same model, but running a 5-year, 1-day storm event, a runoff analysis was made for the wetlands, the resulting is that the total runoff from the pre-development condition is reached due the pond control structures and the wetland adjacent runoff.

Predevelopment model utilize the wetland seasonal high-water elevation for the initial stages, while post-development models utilize the highest controlling elevation, connected wetlands utilize control structure grate elevation and unconnected wetlands utilize WSWT elevation.

4.4.6. Nutrient Analysis

The Project proposes to provide 150% of the required water quality treatment volume in the dry detention system in order to meet the nutrient removal requirements.

4.4.7. Soil Erosion and Sediment Control During Construction

Runoff and/or any water generated by short-term dewatering during construction shall be contained on-site. However, there is some potential for transport of sediment to off-site areas should heavy rainfall occur.

In order to reduce the potential of any off-site transport of sediment a temporary silt fence inside the southerly property line in the area of the proposed paving of the existing rock road and upstream of the existing control structure

Silt fence sediment shall be removed and the fence maintained until site work has been completed and the ground surface of the site has been stabilized. The existing perimeter berm is designed to prevent any potential off-site transport of sediment from other areas of the site during construction.

The recommendations above should be followed during and after the site work until such time as the ground surface has been adequately stabilized to prevent the off-site transport of any soil or suspended solids.

4.4.8. Stormwater Management Conclusion

The proposed Project construction should have no impact to offsite areas or drainage patterns. The proposed design and construction shall comply with applicable state and local requirements.

4.5. WATER SUPPLY FACILITIES

4.5.1. Purveyor

Public potable water will be supplied to the project by the Okeechobee Utility Authority (OUS).

The OUA operates a private community water system with a total water treatment plant capacity of 6 million gallons per day certified as of May, 2022.

Analyses have been performed and water would be available with the provision of a water storage tank in order to provide the Needed Fire Flow

Page 17 of 25

which was determined to be 2,000 gpm for two hours.

4.5.2. Water Distribution System

Construction with be phased and an extension is required. See Water Main Route 78 Figure 7.1 in Appendix 2. For the overall project water system see the Water Distribution System Plan as Figure 7.2 in Appendix 2.

Computer program analyses were performed to design the water main extensions and looped systems throughout the development.

The design maintains a minimum of 20 psi residual pressure throughout the system under worst-case fire flow simulated conditions.

The water main construction will be C-900 PVC pipe utilizing ductile iron fittings.

Fire hydrants are strategically placed no greater than 400 feet between each other.

4.6. ELECTRIC SERVICE

Florida Power and Light (FPL) will provide electric service to the Project.

Associated costs to be capitalized include the installation of electrical power conduits throughout the Community to the dwelling units and the electrical conduits to the street lighting proposed throughout the Community.

The costs for light poles and light fixtures will be by the CDD, however in accord with the tax-exempt rules, because the operation and maintenance of the street lights will be by the utility company, these costs will not be capitalized and therefore are not included in the Project cost estimate. Only

the incremental cost of undergrounding the electric conduits will be financed by the CDD.

4.7. TELEPHONE AND COMMUNICATIONS

Century Link (Lumen) will provide the telephone and fiber optic data communications to the project. Note that no costs are included in this report for telephone and communications as the initial assumption is that the associated infrastructure would be provided by the provider.

4.8. SANITARY SEWERAGE FACILITIES

4.8.1. Gravity Collection Systems

The project was divided in to sub-basins and a network of gravity sanitary sewers was designed conveying the wastewater flowed to strategically located wastewater pumping stations.

The wastewater pumping stations then in turn convey the flow to a centralized wastewater treatment plant.

The minimum nominal diameter size for gravity sanitary sewer will be 8 inches and they will be constructed utilizing SDR26 PVC sanitary sewer pipes with push-on gasketed joints. Generally residential service connections will be 4" SDR26 PVC and commercial service connections will be 6" SDR26 PVC.

Standard four (4) foot dia. precast concrete manholes will be utilized with flexible pipe to manhole boots and will be constructed in accord with the governing Okeechobee Utilities Authority standards.

4.8.2. Sanitary Pumping Stations

There are seven (7) proposed sanitary pump stations that will pump flows to the central plant. The wastewater collection pumping stations are under final design. See the pumping stations shown on the Sanitary Sewer Plan on Figure 8 in Appendix 2.

4.8.3. Sanitary Forcemains

Sanitary forcemains will vary in size from 4" to 8" diameter. These infrastructure costs along with the pumping stations will be capitalized.

4.8.4. Wastewater Treatment Facilities

Integral to the local approval of the Project was the inclusion of a new, centralized wastewater treatment plant (WWTP) for the community.

The construction costs of all the sanitary sewerage facilities including collection, conveyance, pumping and wastewater treatment will be borne by the CDD.

Upon completion of the Project and as approved, the WWTP will be dedicated to the Okeechobee Utilities Authority.

The current estimate for total Project average daily sewerage demand is approximately 0.75 MGD.

4.9. OFFSITE UTILITY IMPROVEMENTS

Improvements are made to the entrances along State Highway 78. Turn lanes are added. The existing costs incurred and costs to complete the improvement required on behalf of FDOT are also capitalized.

4.10. PERMITS AND APPROVALS

A list of governmental permits and approvals that the Developer has acquired, or will have to acquire, at the Developer's cost, is set forth following:

Agency	<u>Status</u>
South Florida Water Management District Environmental Resource Permit	Approved
South Florida Water Management District Water Use Permit (Dewatering)	TBD
South Florida Water Management District Environmental Water Use Permit (Irrigation)	TBD
Glade County Development Agreement	Approved, July 13, 2023
Glades County Building Permit	TBD
Florida Department of Environmental Protection Wastewater Permit	TBD
Okeechobee Utility Authority Potable Water Permit	TBD
Glades County Right-of-way Permit	TBD
Florida Department of Transportation Permit	Pending Approval

5. ENGINEERS OPINON OF PROBABLE CONSTRUCTION COST

5.1. SUMMARY OF ORDER OF MAGNITUDE CONSTRUCTION COSTS

Capitalized infrastructure consists of land acquisition costs; on-site wetlands basins, earthwork, public roadway improvements; FDOT highway improvements and entrance features; water supply facilities; sanitary sewerage facilities, conveyance, pumping and wastewater treatment facilities; stormwater management facilities; electric power conduits, and landscape buffer around the perimeter of the Project and the site amenities.

All capital improvements financed by the CDD will be located on land owned by the CDD, or controlled by a perpetual easement in favor of the CDD, or other governmental entity.

TABLE 5-1 – PROJECT CAPITAL COSTS

	PHASE 1	PHASE 2	PHASE 3	PHASE 4	<u>TOTAL</u>	NOTES
LAND ACQUISITION	\$13,900,000	\$0	\$0	\$0	\$13,900,000	1.
WETLANDS BASINS	\$ 1,700,000	\$0	\$0	\$0	\$1,700,000	2.
EARTHWORK	\$ 7,896,220	\$ 4,179,860	\$ 3,028,820	\$3,252,320	\$18,357,220	3. 4. 5.
ROADWAY CONST.	\$ 8,298,725	6,951,245	\$ 5,031,920	\$ 10,048,105	\$ 30,329,955	6.
ENTRANCE FEATURES	\$ 408,534	\$0	\$0	\$0	\$ 408,534	7.
WATER SUPPLY FACIL.	\$ 7,445,764	\$6,102,329	\$5,130,613	\$5,929,068	\$24,607,774	8.
SEWERAGE FACIL.	\$ 4,572,955	\$2,532,540	\$2,205,290	\$2,905,010	\$12,215,795	9.
STORMWATER FACIL.	\$ 851,090	\$783,645	\$281,620	\$363,100	\$2,279,455	
ELECTRICAL	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 1,600,000	10.
LANDSCAPING/ PARKS	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$4,000,000	11.
PROFESSIONAL FEES	\$ 700,000	\$ 175,000	\$ 100,000	\$ 125,000	\$ 1,100,000	12.
	\$ 47 172 783	\$ 22 124 619	\$ 17 178 263	\$ 24 022 603	\$110 498 268	

\$47,172,783 \$22,124,619 \$17,178,263 \$24,022,603 \$110,498,268

Considering a contingency of the master infrastructure costs shared between all phases, the total cost including contingency of 10 % =

<u>\$ 121,548,095.</u> Please see Notes following:

<u>NOTES</u>

- Actual land acquisition costs by Developer were \$13,900,000. An appraisal will be obtained prior to any financing of land acquisition by the CDD and only land that is needed by the CDD for public purposes will be financed.
- 2. These costs are for the construction of excavation and grading for wetlands basins associated with the required on-site wetlands mitigation.

- 3. These costs include contractor mobilization and demobilization, clearing site, rough grading and soil erosion and sediment control.
- 4. These costs *exclude* grading of each lot in conjunction with lot development and home construction, which will be provided by home builder.
- 5. These costs *do not* include individual lot grading, or the cost of transportation of fill for use in private lots.
- 6. These costs include rough and fine grading, base course, asphalt paving, concrete curbing and sidewalks.
- 7. These costs include the widening of HWY 78 for FDOT and the construction of entrance turning lanes.
- 8. These costs include water distribution mains, hydrants, services up to individual lot property lines and water storage tank.
- These costs include the construction of the community wastewater treatment plant which is required for the sewage discharge of the project.
- 10. Site roadway lighting to be constructed with the project will not be capitalized; this item includes the cost for site electrical conduit infrastructure for electric power service throughout the site. The CDD will only be financing the cost of undergrounding.
- 11. Landscaping includes the perimeter buffer round the site, landscaping of common areas/ parks and site amenities for residents, and the general public.

 Professional (soft) costs for site engineering and subdivision surveying services are estimated at approximately 10 % of construction cost of the project work.

5.2. OWNERSHIP, OPERATION AND MAINTENANCE

THE CDD will own the facilities as described herein, as such, the operation and maintenance will also be by the CDD. No estimate of operation and maintenance costs are included with this Engineer's estimate. Only capital costs are included.

6. <u>CONCLUSION</u>

6.1. SUMMARY

This Engineer's Report presents the Lakefront Estates at Glades County, Florida Project. The Project description, components and project phasing were discussed.

Utilizing best available resources and best engineering judgement capital construction costs that are eligible for CDD funding are estimated.

The total capital construction cost for the Project equals \$ 119,776,493 or \$ 131,754,142 including 10 % contingency.

The Lakefront Community Development Project will be designed in accordance with current governmental regulations and requirements as well as gaining permits and approvals from authorities having jurisdiction over the development. The project infrastructure will serve its intended function so long as the construction is in substantial compliance with the design.

The general public, property owners, and properties outside the District will benefit from the provisions of the Lakefront CDD. All roads will be open to

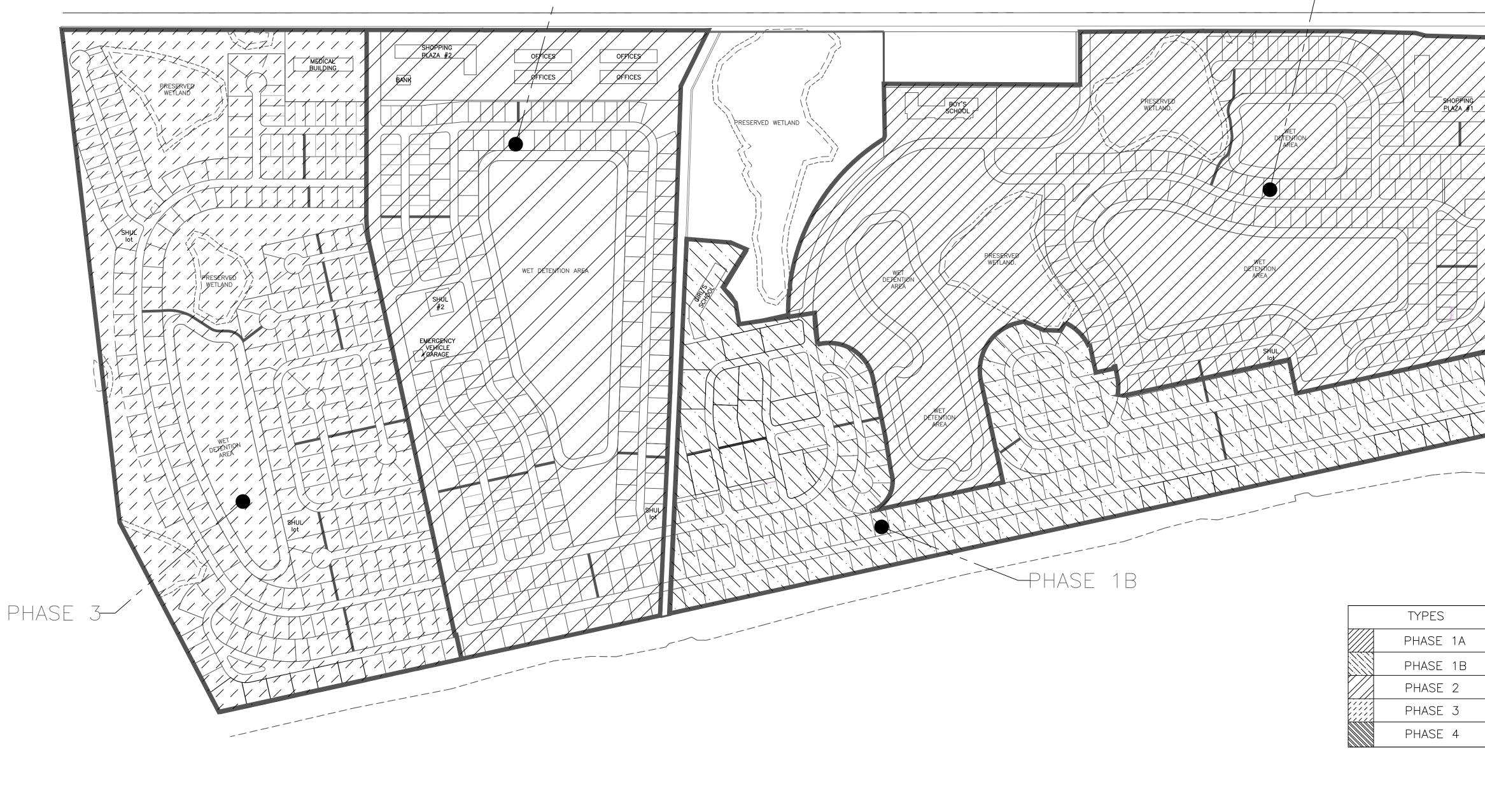
the general public. The CDD is designed solely to provide special benefits peculiar to property within the District; however, the regional benefits to areas surrounding the development would be accompanying. Special benefits accrue to property within the District and enable properties within its boundaries to be developed.

In summary, it is our opinion that:

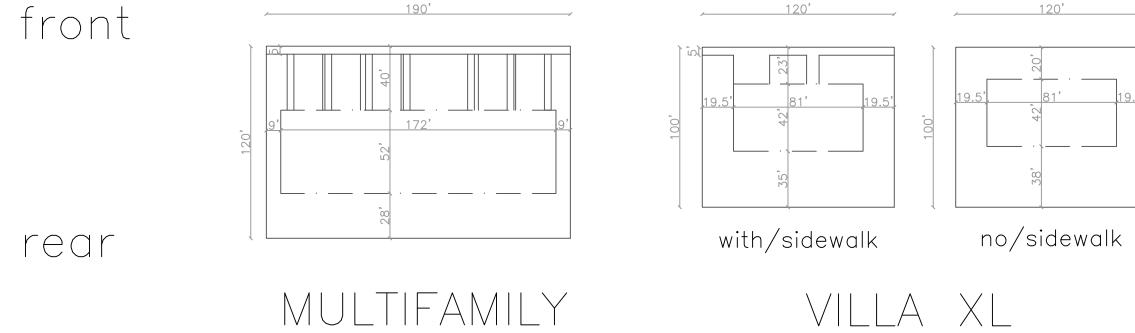
- The estimated cost to the Project sets forth herein is reasonable based on prices currently being experienced in the jurisdiction in which the District is located, and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- 2. All of the improvements comprising the Project are required by applicable development approvals;
- 3. The Project is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the Project in the Phase s herein described, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course, and
- 4. The assessable property within the District will receive a special benefit from the project that is at least equal to such costs.

The Lakefront Community Development Project will constitute a system of improvements that will provide benefits, general, special and particular to all lands within the District. The District will pay the lesser of the cost of the capital improvement components, or the fair market value.

APPENDIX 1 – DEVELOPMENT PLAN BY RISE ARCHITECTS



PHASE 2



PHASE 1A		PHAS	E 1B	
TYPES	LOTS	UNITS	LOTS	UNITS
VILLA XL	4	4	20	20
VILLA	19	19	28	28
EMERALDS	84	84	105	105
RANCH	23	23	27	27
DUPLEX	42	42	12	12
MULTIFAMILY	3	24	17	234
TOTAL	175	196	209	426

PHASE 1A

PHASE 2

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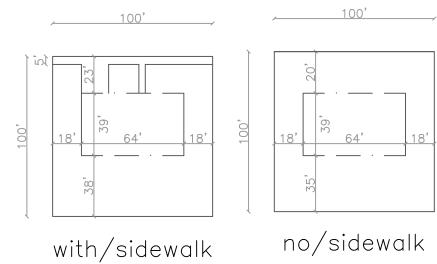
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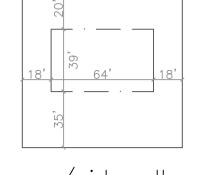
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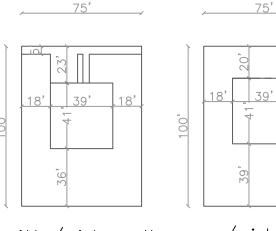
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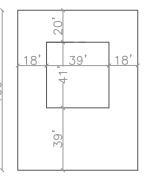
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	PHASE 1A
	PHASE 1B
	PHASE 2
//// //// /////	PHASE 3
	PHASE 4

PHASE



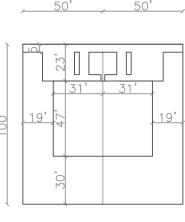








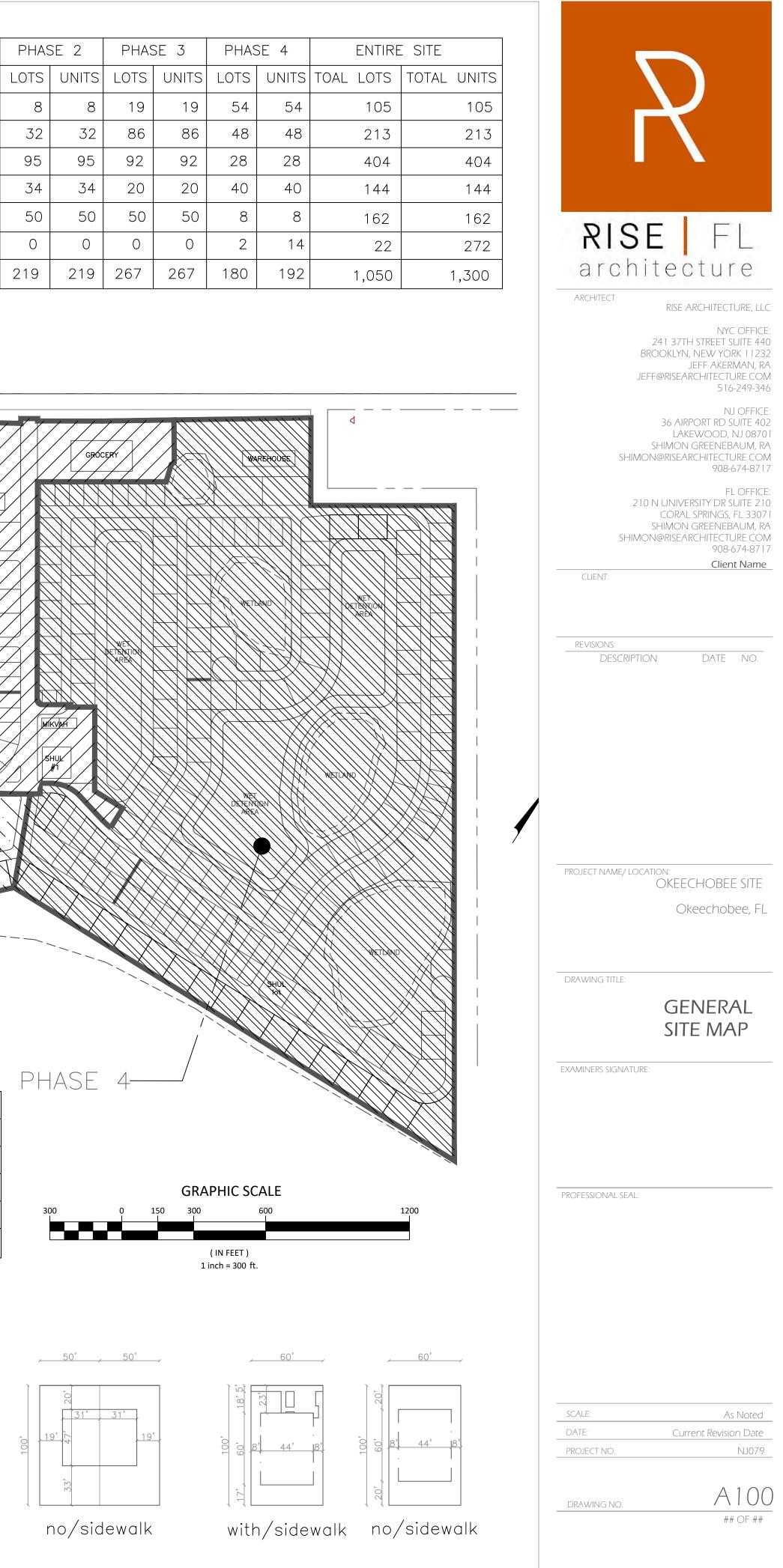


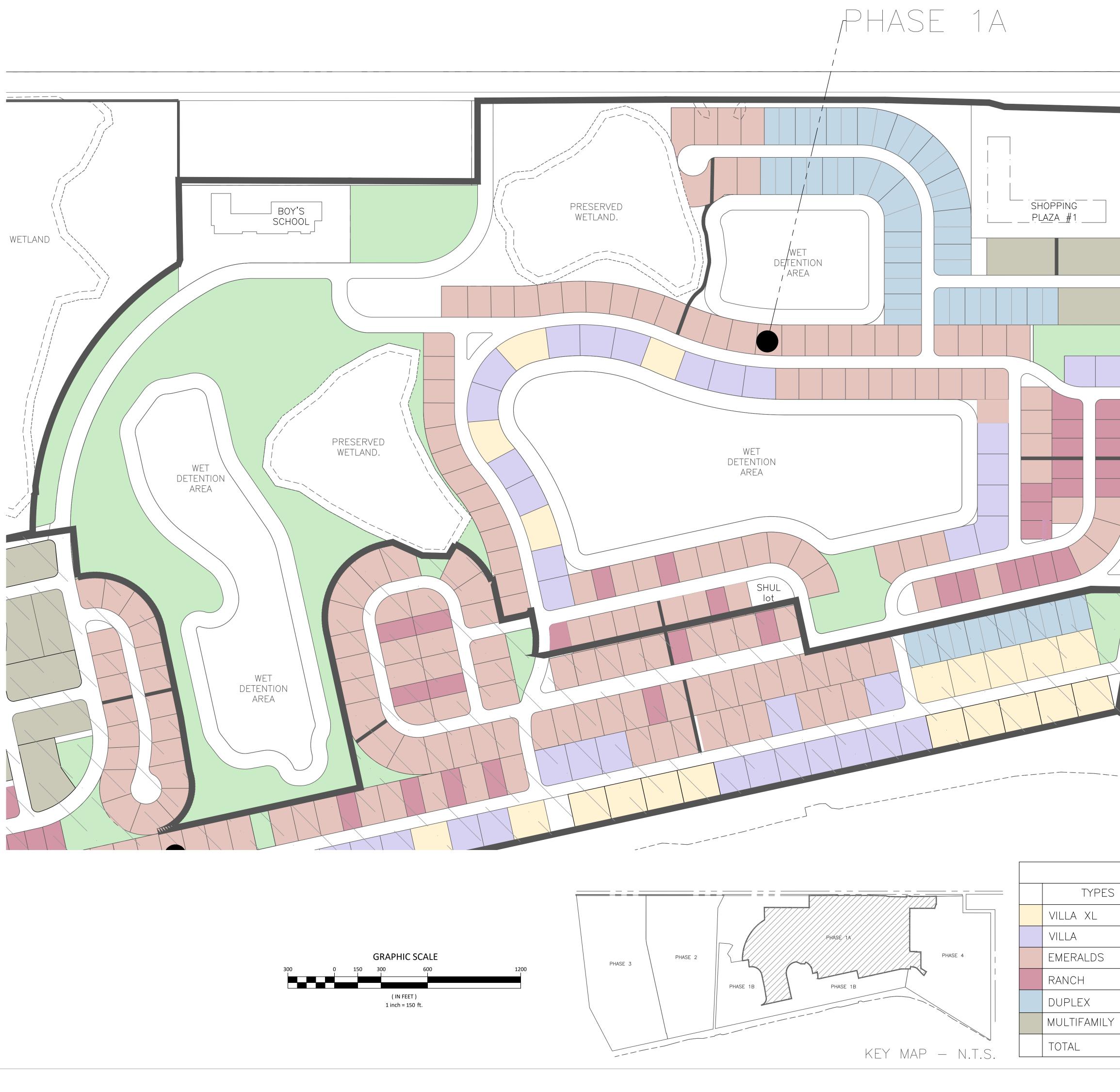


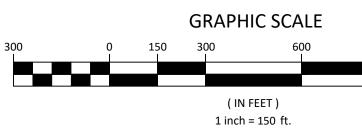
with/sidewalk

DUPLEX

 \bigvee LLA







	GROCERY		RISE FL architecture
			ARCHITECT: RISE ARCHITECTURE, LLC
			NYC OFFICE: 241 37TH STREET SUITE 440 BROOKLYN, NEW YORK 11232 JEFF AKERMAN, RA JEFF@RISEARCHITECTURE.COM 516-249-346
			NJ OFFICE: 36 AIRPORT RD SUITE 402 LAKEWOOD, NJ 08701 SHIMON GREENEBAUM, RA SHIMON@RISEARCHITECTURE.COM 908-674-8717
			FL OFFICE: 210 N UNIVERSITY DR SUITE 210 CORAL SPRINGS, FL 33071 SHIMON GREENEBAUM, RA SHIMON@RISEARCHITECTURE.COM 908-674-8717 <u>Client Name</u>
			CLIENT:
	WÉT, RETENTI AREA		REVISIONS: DESCRIPTION DATE NO.
	МІКУАН		
	SHUL		
	#1		PROJECT NAME/ LOCATION: OKEECHOBEE SITE Okeechobee, FL
			drawing title: SITE MAP PHASE 1A
			EXAMINERS SIGNATURE:
			PROFESSIONAL SEAL:
	PHASE 1A		
TYPES	NUMBER OF LO	TS NUMBER OF UNITS	
XL		4 4	SCALE: As Noted DATE: Current Revision Date
		19 19	PROJECT NO. NJ079
ALDS		84 84	DRAWING NO.
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42

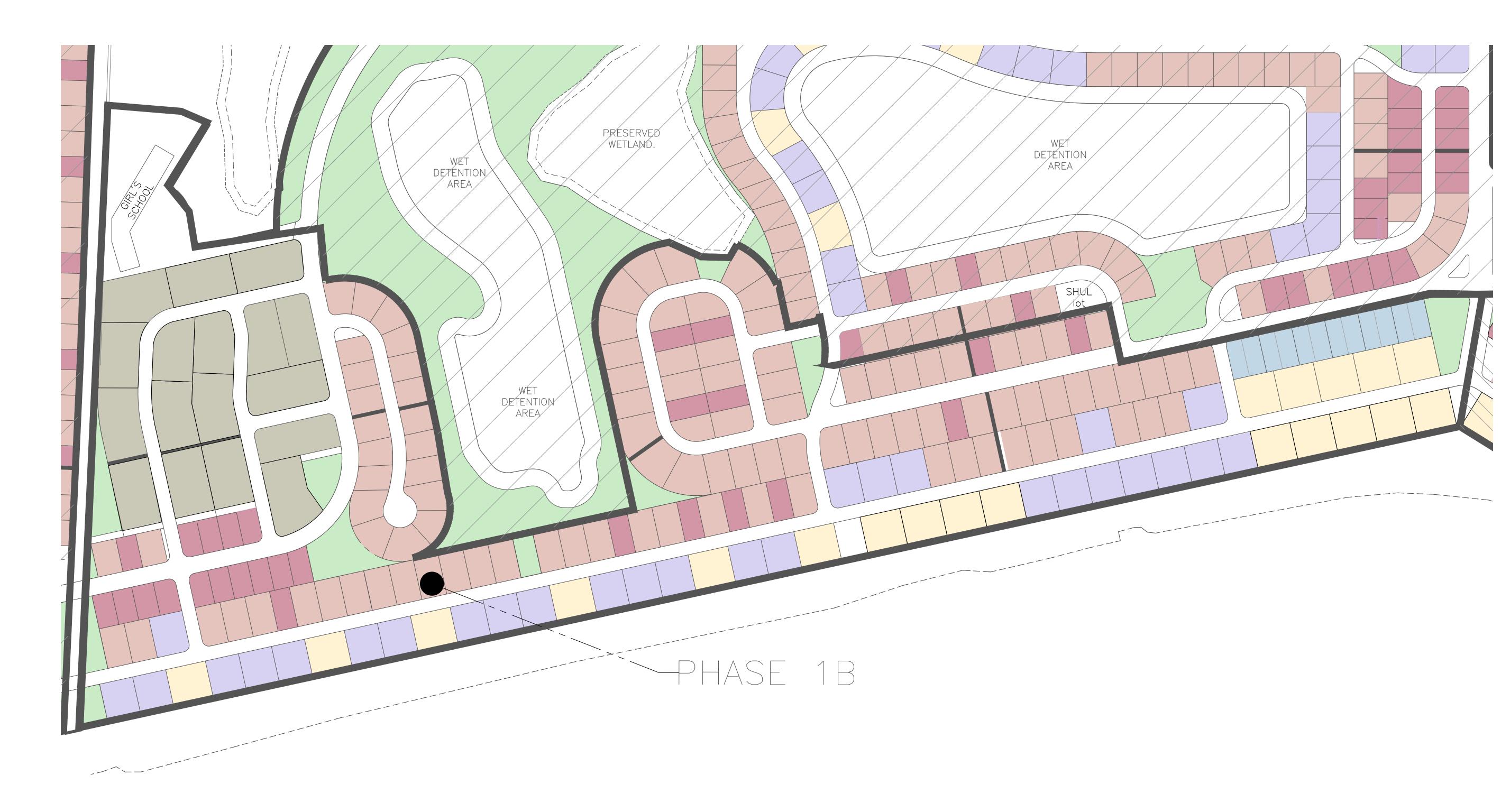
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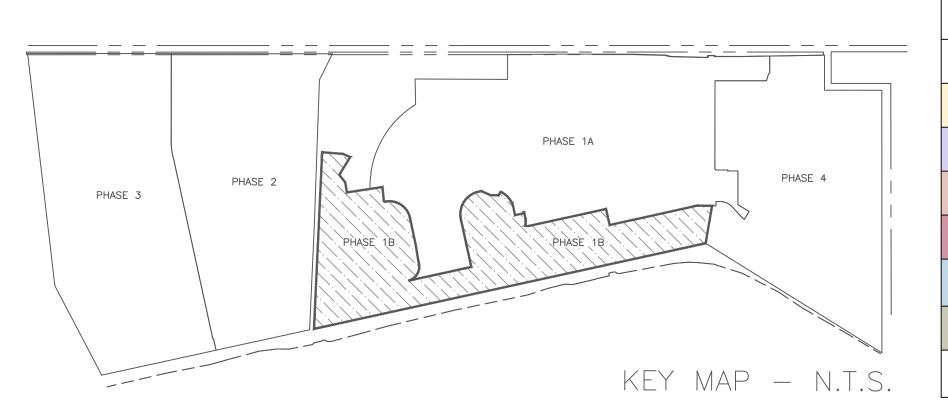
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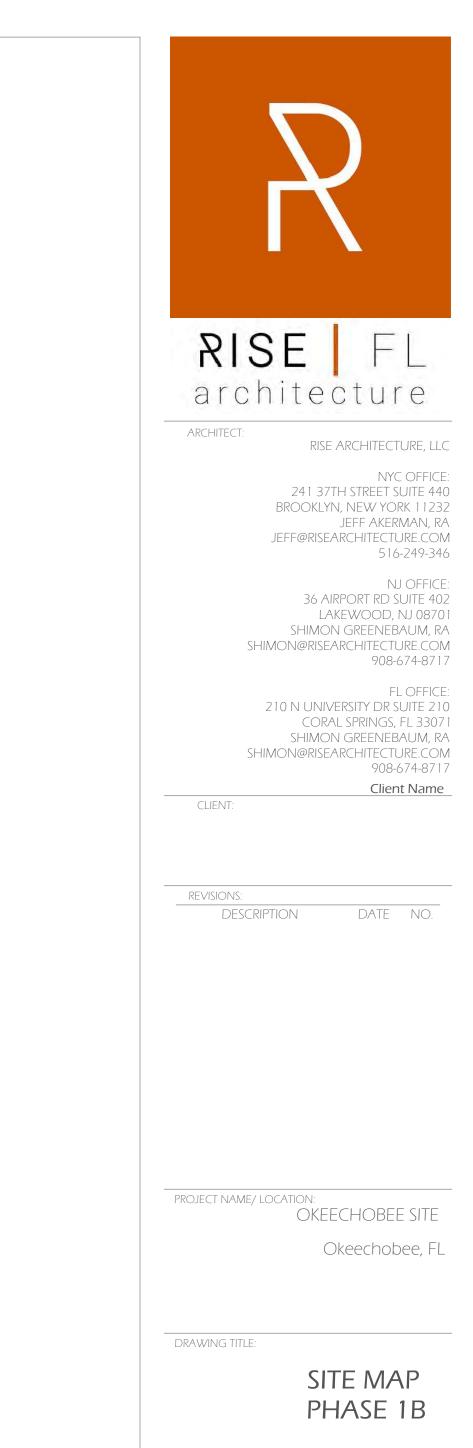
196



GRAPHIC SCALE



VILLA VILLA VILLA EMERA RANCH DUPLE MULTIF TOTAL



examiners	SIGNATURE:

PROFESSIONAL SEAL:

SCALE:

DATE:

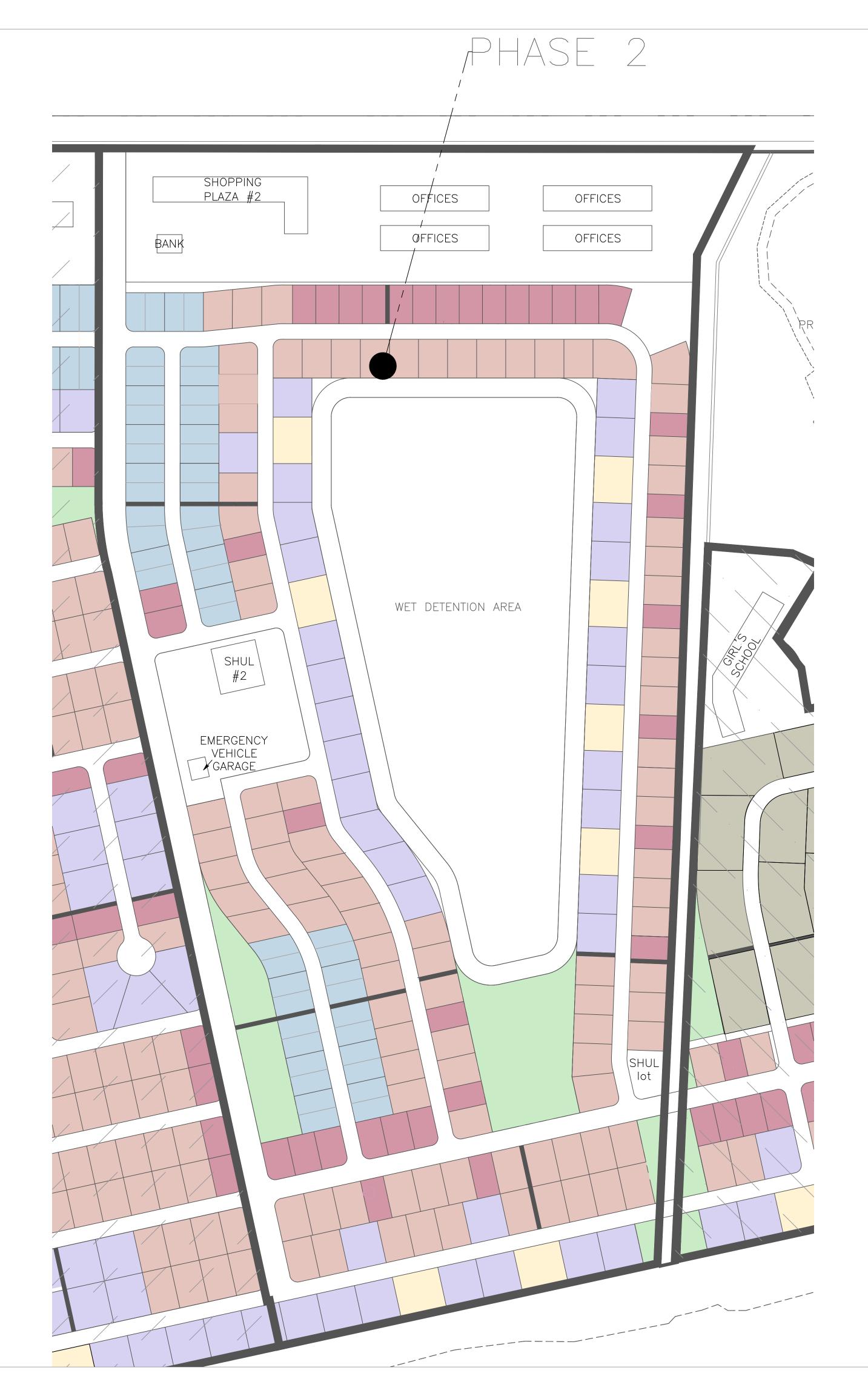
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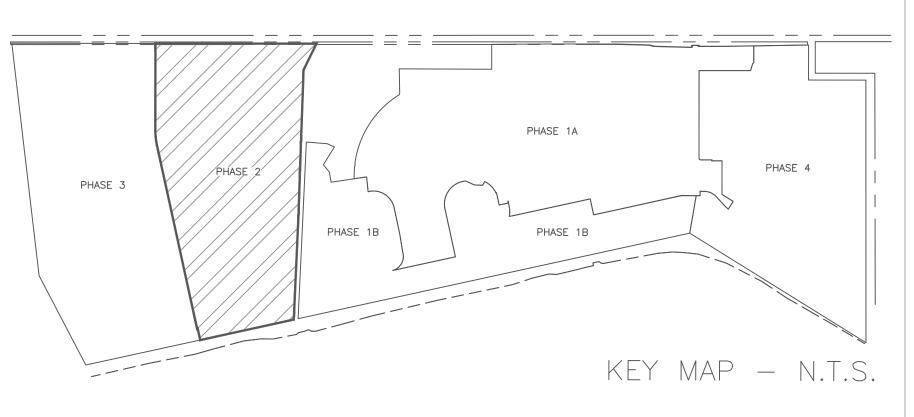
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As Noted Current Revision Date NJ079

> A102 ## OF ##

	PHASE 1B	
TYPES	NUMBER OF LOTS	NUMBER OF UNITS
A XL	20	20
Ą	28	28
RALDS	105	105
CH	27	27
_EX	12	12
IFAMILY	17	234
L	209	426





PHASE 2				
TYPES	NUMBER OF LOTS	NUMBER OF UNITS		
VILLA XL	8	8		
VILLA	32	32		
EMERALDS	95	95		
RANCH	34	34		
DUPLEX	50	50		
MULTIFAMILY	0	0		
TOTAL	219	219		



RISE | FL architecture

ARCHITECT:

RISE ARCHITECTURE, LLC

NYC OFFICE: 241 37TH STREET SUITE 440 BROOKLYN, NEW YORK 11232 JEFF AKERMAN, RA JEFF@RISEARCHITECTURE.COM 516-249-346

NJ OFFICE: 36 AIRPORT RD SUITE 402 LAKEWOOD, NJ 08701 SHIMON GREENEBAUM, RA shimon@riseArchitecture.com 908-674-8717

FL OFFICE: 210 N UNIVERSITY DR SUITE 210 CORAL SPRINGS, FL 33071 SHIMON GREENEBAUM, RA shimon@risearchitecture.com 908-674-8717 Client Name CLIENT:

REVISIONS: DESCRIPTION DATE NO.

PROJECT NAME/ LOCATION: OKEECHOBEE SITE Okeechobee, FL

DRAWING TITLE:



EXAMINERS SIGNATURE:

PROFESSIONAL SEAL:

SCALE: DATE:

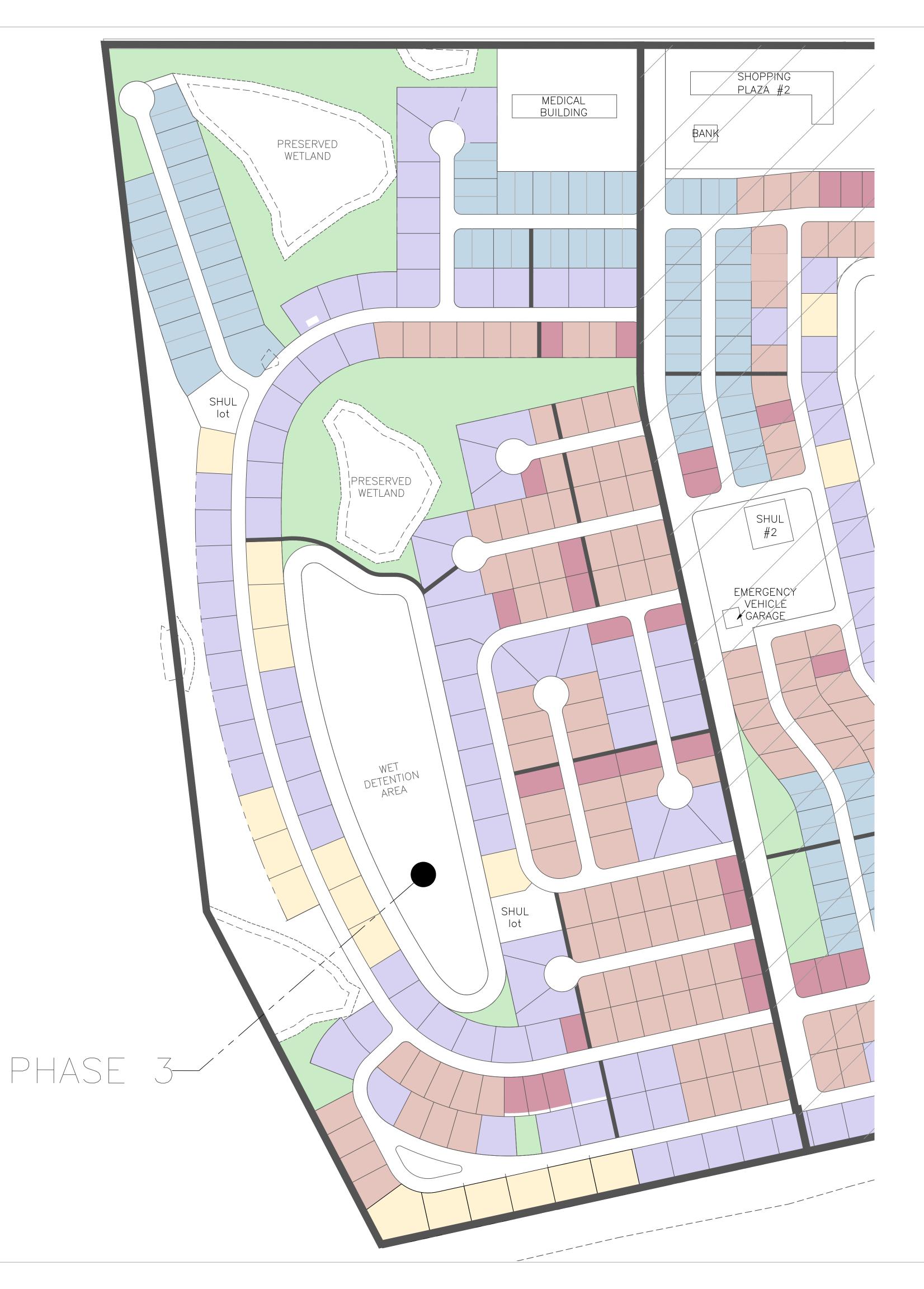
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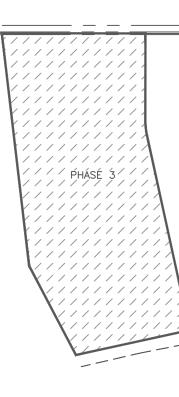
DRAWING NO.

As Noted Current Revision Date NJ079

> A103 ## OF ##

GRAPHIC SCALE (IN FEET) 1 inch = 150 ft.





PHASE 3			
TYPES	NUMBER OF LOTS	NUMBER OF UNITS	
VILLA XL	19	19	
VILLA	86	86	
EMERALDS	92	92	
RANCH	20	20	
DUPLEX	50	50	
MULTIFAMILY	0	0	
TOTAL	267	267	



RISE FL architecture

ARCHITECT:

RISE ARCHITECTURE, LLC

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FL OFFICE: 210 N UNIVERSITY DR SUITE 210 CORAL SPRINGS, FL 33071 SHIMON GREENEBAUM, RA SHIMON@RISEARCHITECTURE.COM 908-674-8717 Client Name CLIENT:

REVISIONS: DESCRIPTION DATE NO.

PROJECT NAME/ LOCATION: OKEECHOBEE SITE Okeechobee, FL

DRAWING TITLE:



EXAMINERS SIGNATURE:

PROFESSIONAL SEAL:

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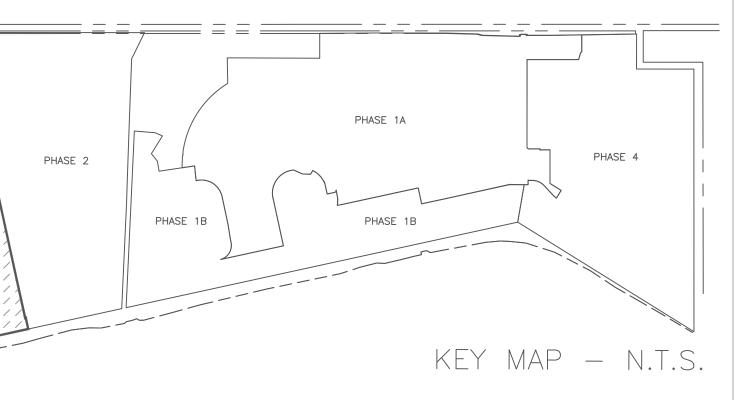
DATE:

PROJECT NO.

DRAWING NO.

As Noted Current Revision Date NJ079

> A104 ## OF ##



GRAPHIC SCALE

(IN FEET) 1 inch = 150 ft.



PHASE 3 ____

1

PHASE 4			
TYPES	NUMBER OF LOTS	NUMBER OF UNITS	
VILLA XL	54	54	
VILLA	48	48	
EMERALDS	28	28	
RANCH	40	40	
DUPLEX	8	8	
MULTIFAMILY	2	14	
TOTAL	180	192	



RISE | FL architecture

ARCHITECT:

RISE ARCHITECTURE, LLC

NYC OFFICE: 241 37TH STREET SUITE 440 BROOKLYN, NEW YORK 11232 JEFF AKERMAN, RA JEFF@RISEARCHITECTURE.COM 516-249-346

NJ OFFICE: 36 AIRPORT RD SUITE 402 LAKEWOOD, NJ 08701 SHIMON GREENEBAUM, RA shimon@risearchitecture.com 908-674-8717

FL OFFICE: 210 N UNIVERSITY DR SUITE 210 CORAL SPRINGS, FL 33071 SHIMON GREENEBAUM, RA shimon@risearchitecture.com 908-674-8717 Client Name CLIENT:

REVISIONS: DESCRIPTION DATE NO.

PROJECT NAME/ LOCATION: OKEECHOBEE SITE Okeechobee, FL

DRAWING TITLE:



EXAMINERS SIGNATURE:

PROFESSIONAL SEAL:

SCALE:

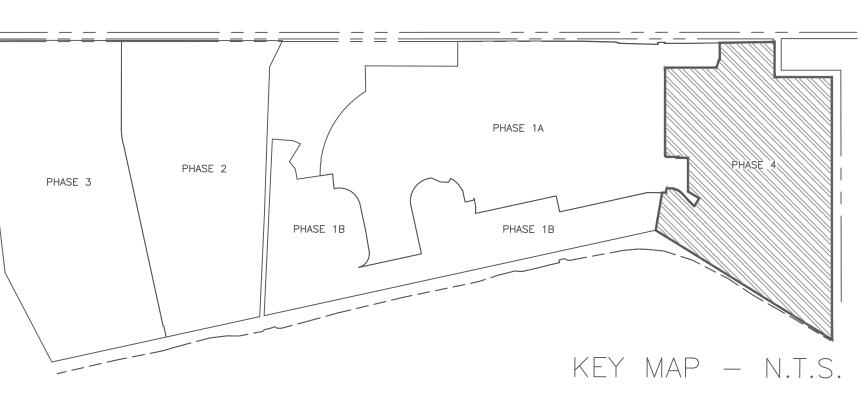
DATE:

PROJECT NO.

DRAWING NO.

As Noted Current Revision Date NJ079

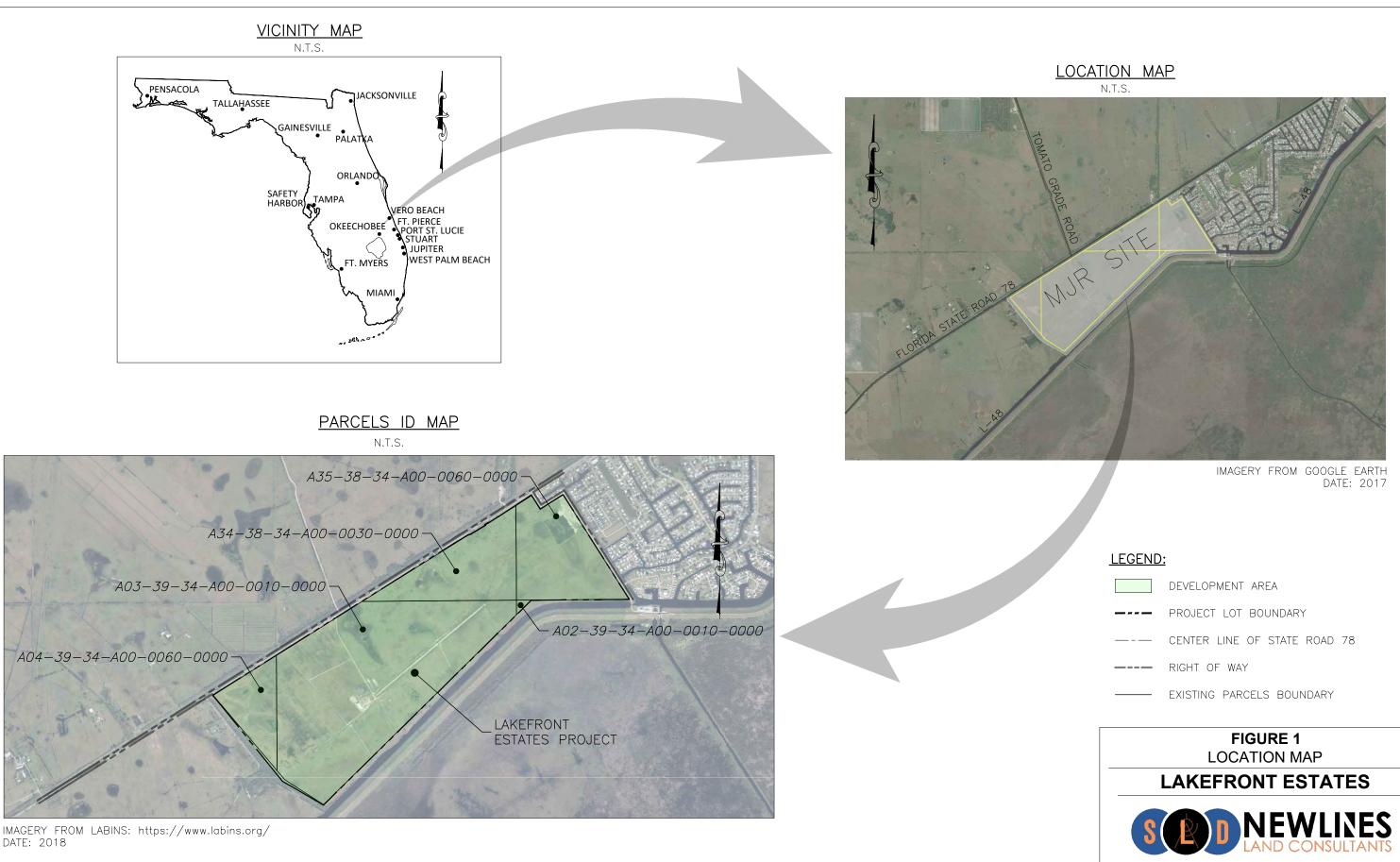
A105 ## OF ##



GRAPHIC SCALE (IN FEET) 1 inch = 150 ft.

APPENDIX 2 – FIGURES

- FIGURE 1 LOCATION MAP
- FIGURE 2 ZONING MAP
- FIGURE 3 PROJECT BOUNDARY AND EXISTING CONDITION
- FIGURE 4 SOIL MAP
- FIGURE 5 DEVELOPMENT PLAN BY NEWLINES
- FIGURE 6 STORMWATER MANAGEMENT PLAN
- FIGURE 7.1 WATER MAIN ROUTE 78
- FIGURE 7.2 WATER DISTRIBUTION SYSTEM
- FIGURE 8 SANIRARY SEWR SYSTEM



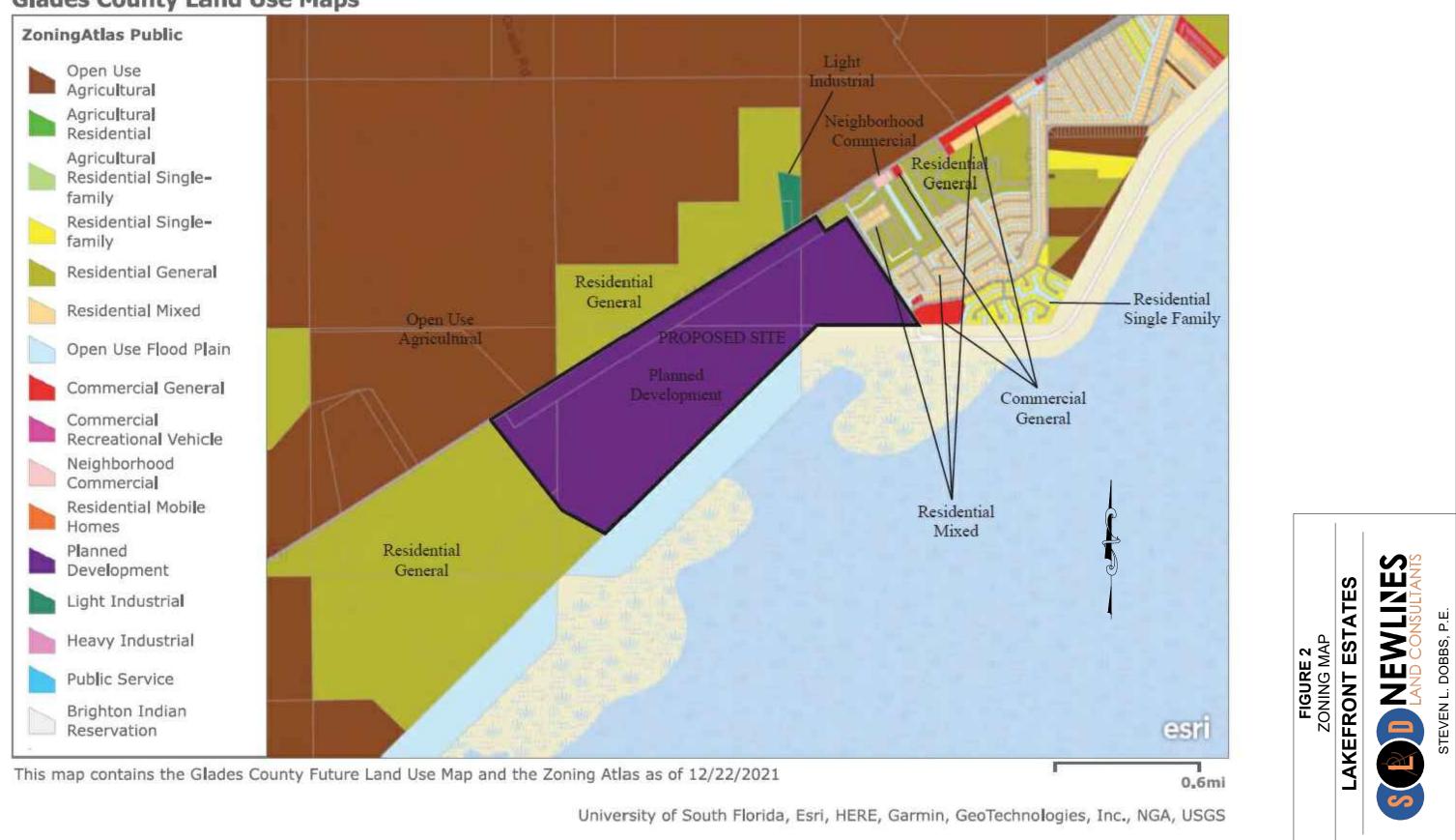
DATE: 2018

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NLE FL23028 October, 2023

LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT

Glades County Land Use Maps



LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT

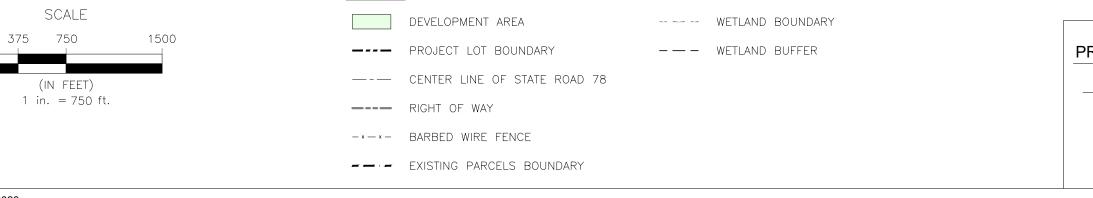
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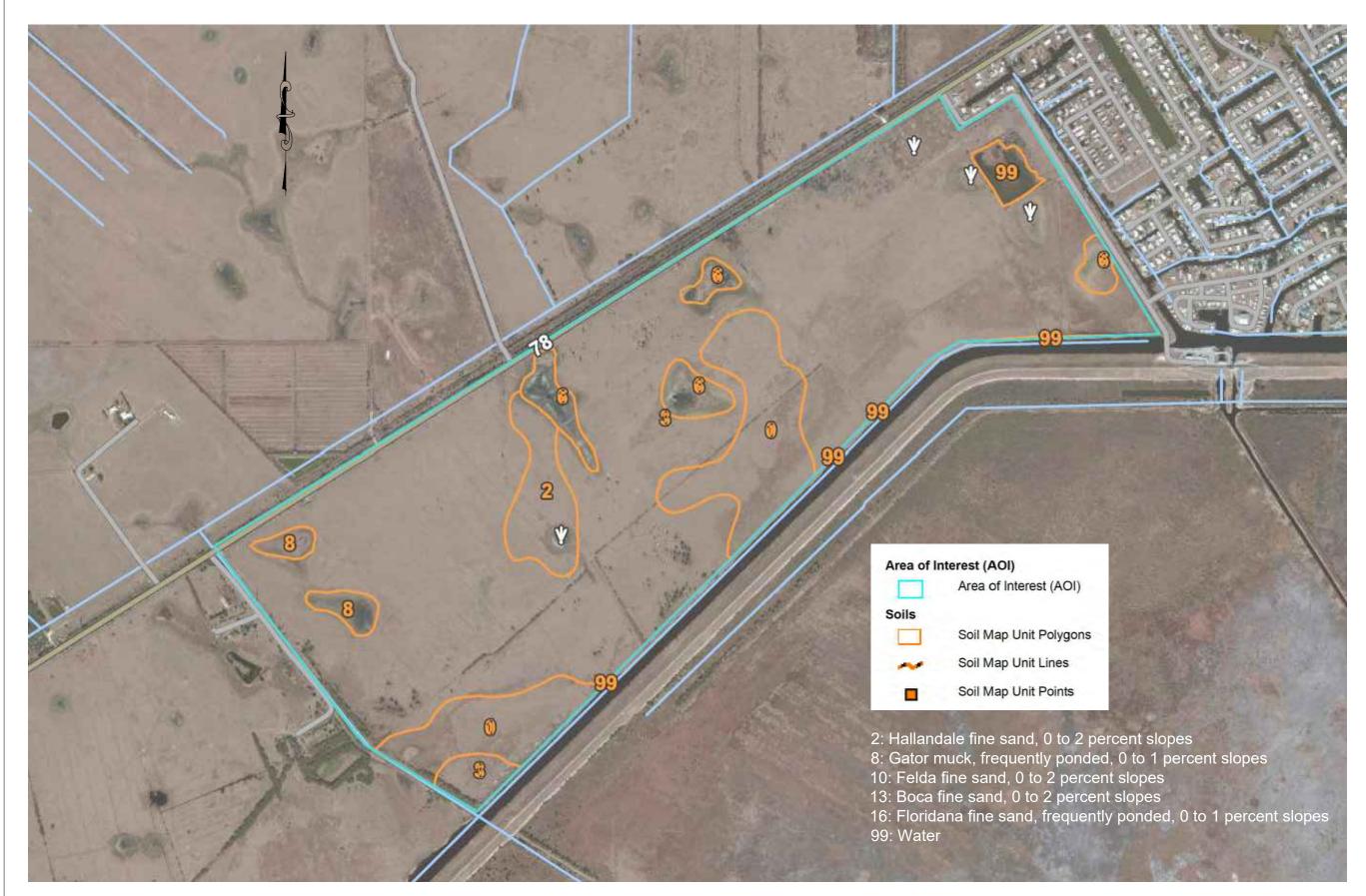
LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT

FIGURE 3 PROJECT BOUNDARY AND EXISTING CONDITIONS





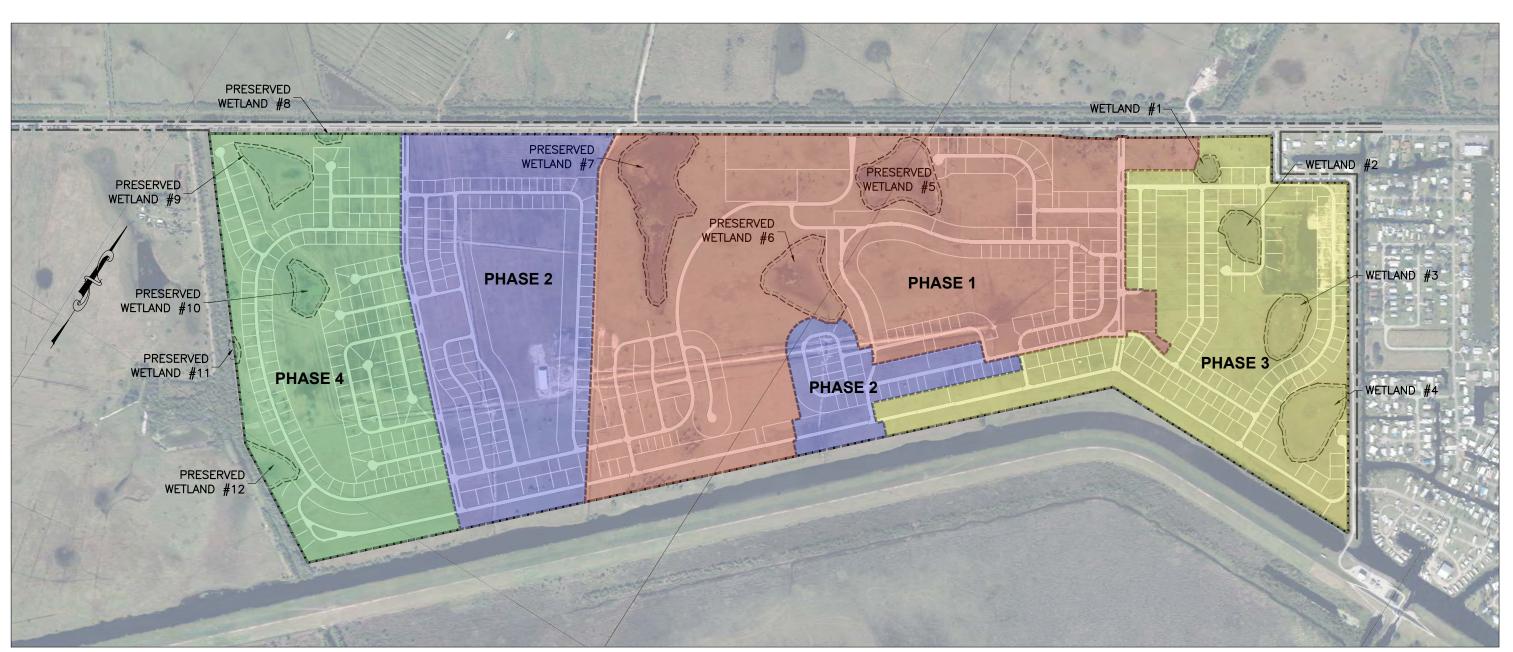
STEVEN L. DOBBS, P.E.



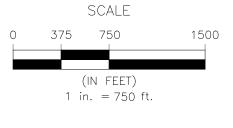
LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT



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			OF	STATE	

- CENTER LINE OF STATE ROAD 78 RIGHT OF WAY WETLAND BOUNDARY
- ---- WETLAND BUFFER



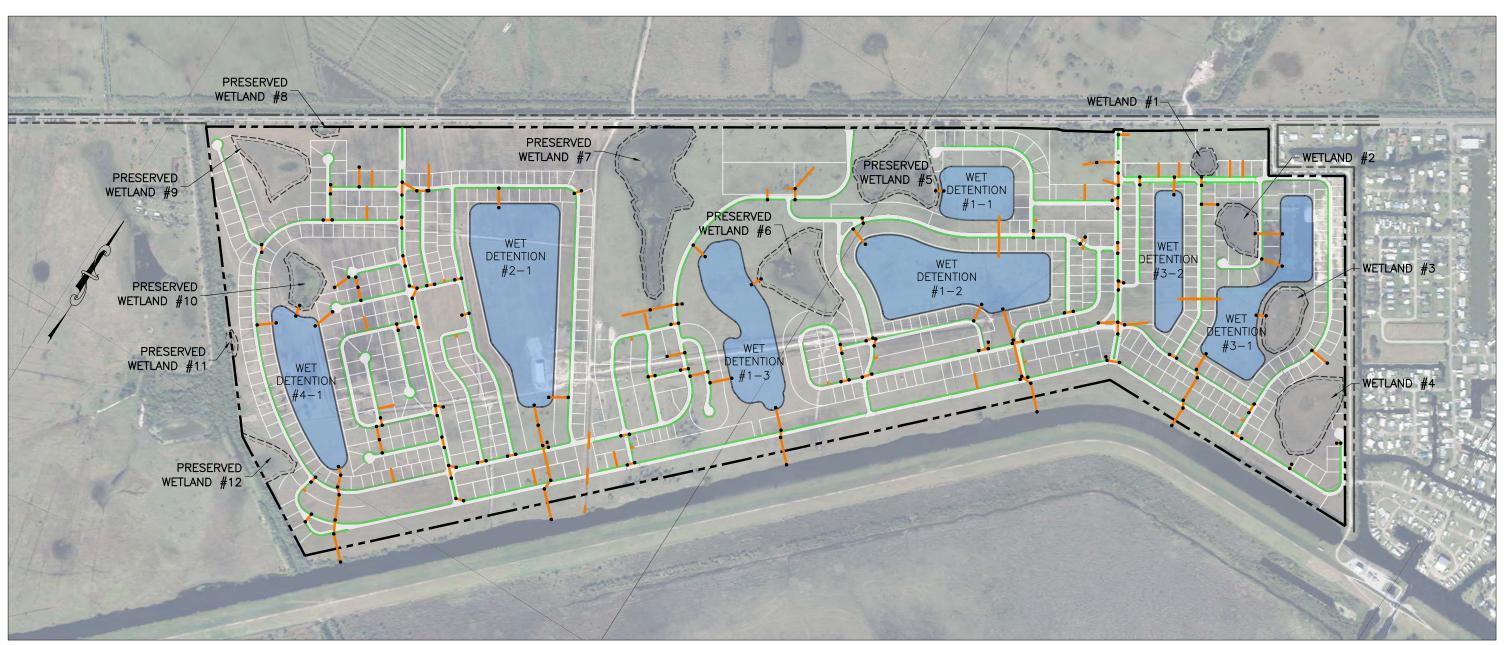
DEVELOPMENT PHASE ONE DEVELOPMENT PHASE TWO DEVELOPMENT PHASE THREE DEVELOPMENT PHASE FOUR

NLE FL23028 October, 2023

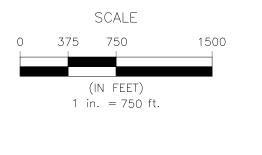
LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT



11"x17" Sheet size



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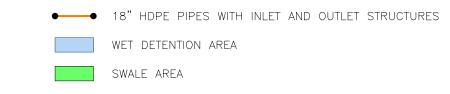
---- CENTER LINE OF STATE ROAD 78

---- RIGHT OF WAY

- ~ WETLAND BOUNDARY

---- PROJECT LOT BOUNDARY

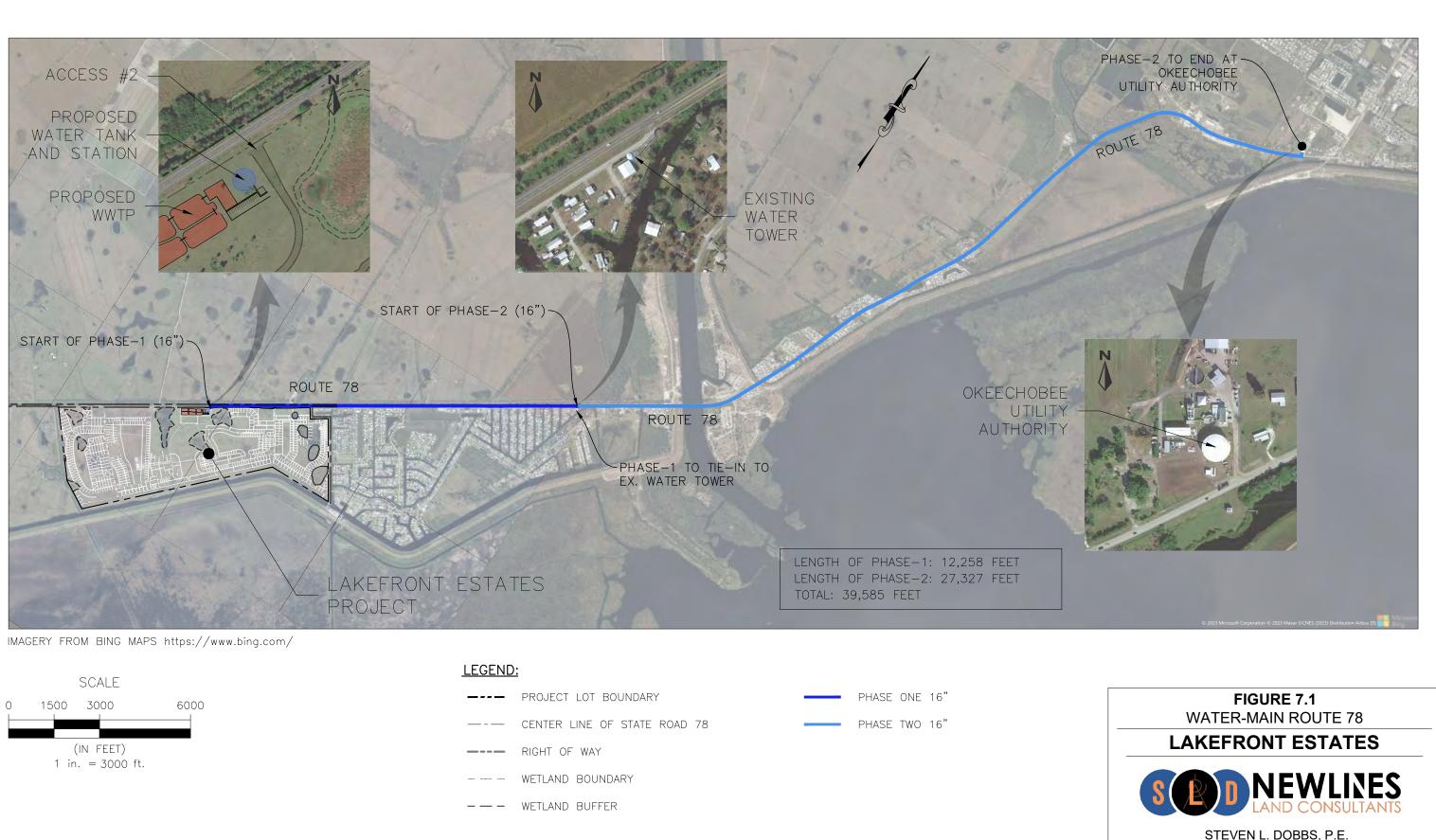
---- WETLAND BUFFER

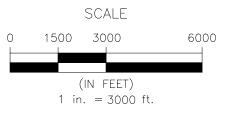


LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT



11"x17" Sheet size

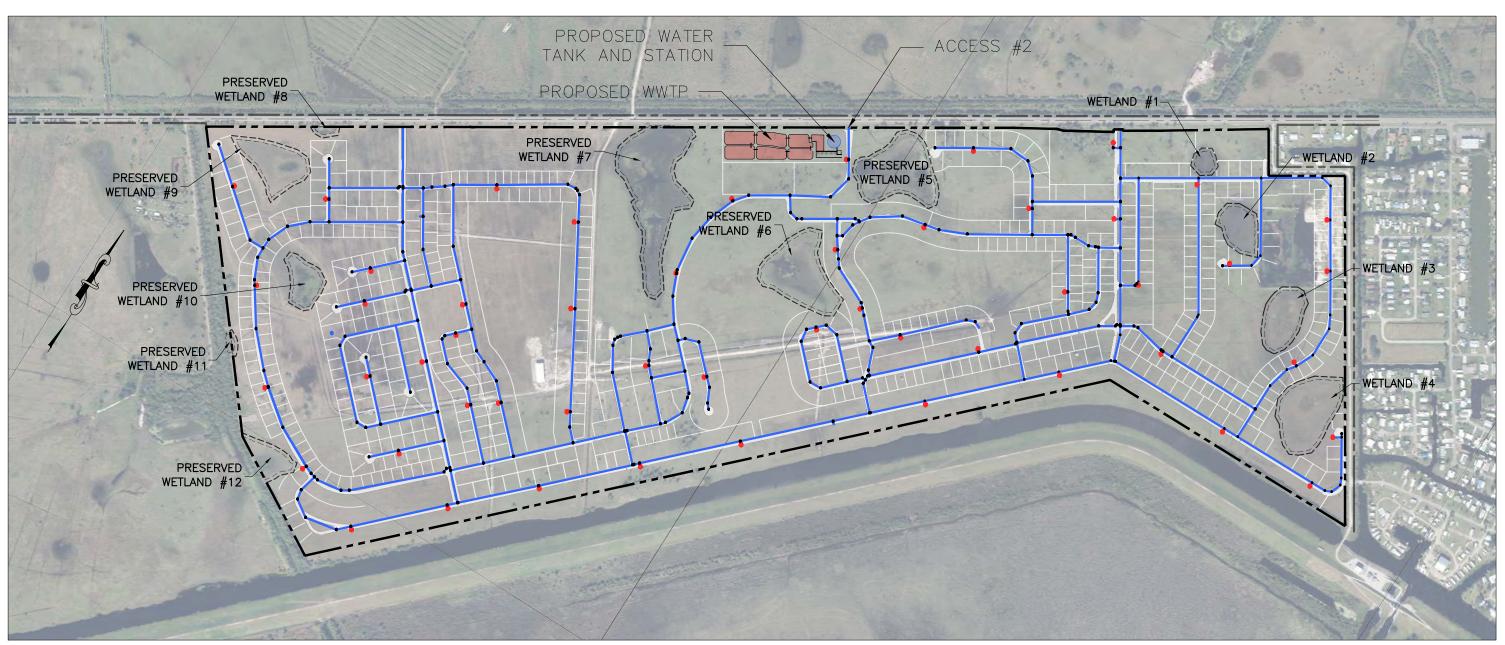




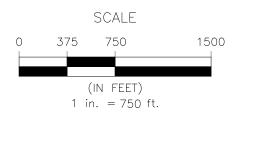
	<u>-</u>	
	PROJECT LOT BOUNDARY	 PHASE ONE 16"
	CENTER LINE OF STATE ROAD 78	 PHASE TWO 16"
	RIGHT OF WAY	
~ ~ ~	WETLAND BOUNDARY	
	WETLAND BUFFER	

NLE FL23028 October, 2023

LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT



IMAGERY FROM LABINS: https://www.labins.org/ DATE: 2018



LEGEND:

- ---- CENTER LINE OF STATE ROAD 78
- ---- RIGHT OF WAY

---- PROJECT LOT BOUNDARY

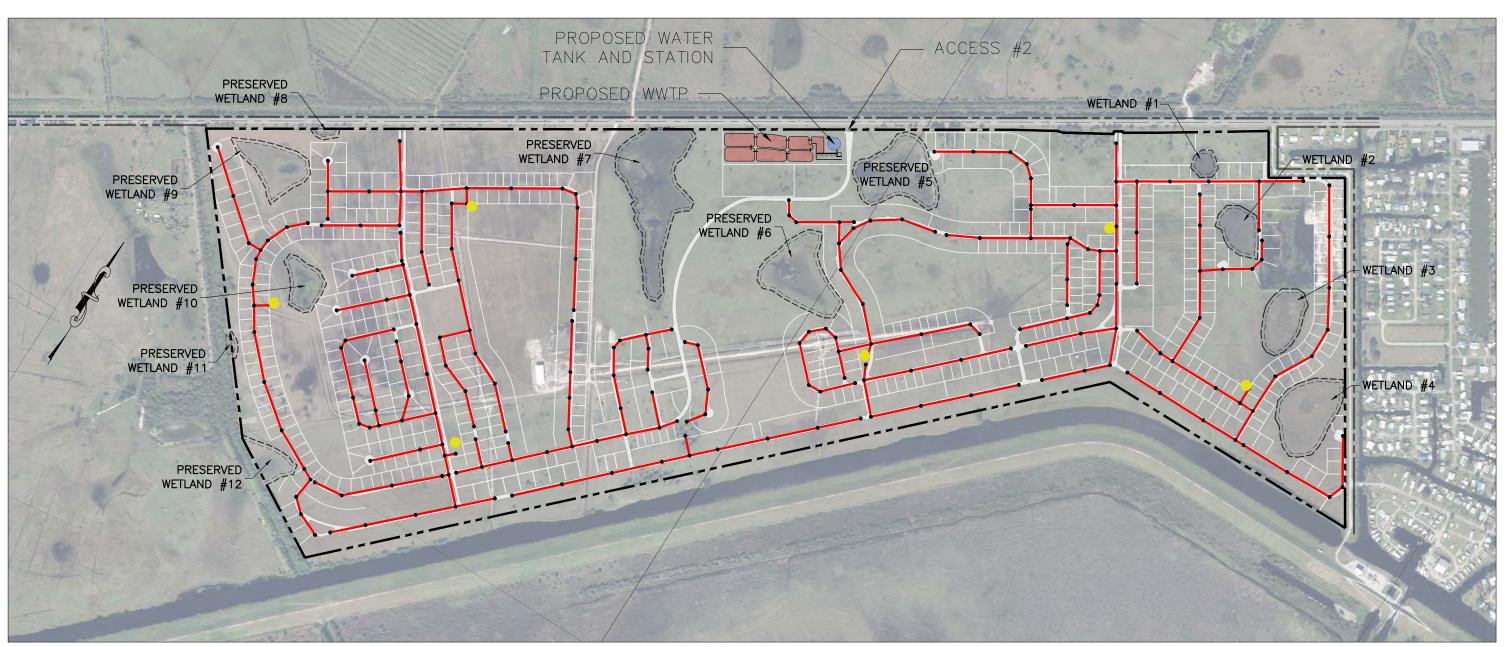
---- WETLAND BUFFER

- 8" PVC WATER MAIN WITH ACCESORIES
- HYDRANT

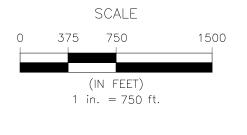
LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT



11"x17" Sheet size



IMAGERY FROM LABINS: https://www.labins.org/ DATE: 2018



LEGEND	<u>):</u>		
	PROJECT LOT BOUNDARY		GRAVITY SEWER PIPES
	CENTER LINE OF STATE ROAD 78	•	MANHOLES
	RIGHT OF WAY	•	LIFT STATIONS
~ ~ ~	WETLAND BOUNDARY		
	WETLAND BUFFER		

LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT



11"x17" Sheet size

APPENDIX 3 - DOCUMENTS ORDINANCE NO. 2022-11 LAKEFRONT ESTATES ZONING ORDINANCE NO. 2023-7 LAKEFRONT CDD DEVELOPER'S AGREEMENT SFWMD APPROVAL LETTER STATEMENT OF COSTS

ORDINANCE NO. 2022-11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GLADES COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF GLADES COUNTY FOR THE PLANNED DEVELOPMENT ZONING DISTRICT APPROVED IN RZ18-04, ORDINANCE NO. 2020-03, KNOWN AS THE GLENN HARVEY PLANNED DEVELOPMENT, TO CHANGE THE DEVELOPMENT NAME то LAKEFRONT **ESTATES** PLANNED DEVELOPMENT AND TO APPROVE OTHER CHANGES TO THE APPROVALS GRANTED IN RZ18-04 BY ORDINANCE NO. 2020-03, FOR THE 525+/- ACRES, SOUTH OF BUCKHEAD RIDGE, OKEECHOBEE, PARCEL NUMBERS; A04-39-34-A00-0060-0000, A03-39-34-A00-0010-0000, A34-38-34-A00-0030-0000, A02-39-34-A00-0010-0000 AND A35-38-34-A00-0060-0000; APPLICANT AND PROPERTY OWNER OKEECHOBEE COMMUNITY DEVELOPERS, LLC; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Glades County, Florida, has adopted Ordinance 75-3 in which a revised Official Zoning Map was adopted for said County; and

WHEREAS, the Board of County Commissioners of Glades County, Florida, has adopted Ordinance 2012-7, in which revised Planned Development district regulations were adopted for said County and such regulations create the opportunity for adoption of a Planned Development Ordinance to allow the applicant and the County to create appropriate site and use specific development regulations; and

WHEREAS, the owner of the property more particularly described hereafter has heretofore filed an application pursuant to the Land Development Regulations of Glades County to amend the Official Zoning Map of Glades County for the Planned Development Zoning District approved in RZ18-04, Ordinance No. 2020-03 known as the Glenn Harvey Planned Development, to change the development name to Lakefront Estates Planned Development and to approve other changes to approvals granted in RZ18-04 by Ordinance No. 2020-03 for approximately 525 acres; and

WHEREAS, the Glades County Planning and Zoning Board continued the September 13, 2022, public hearing for Case #RZ22-02 to a special public hearing to be held on October 6, 2022, at 5:15 PM in the County Commission Chambers, Glades County Courthouse, 500 Avenue J, Moore Haven, Florida; and

WHEREAS, the Glades County Planning and Zoning Board continued the October 6, 2022, public hearing for Case #RZ22-02 to a special public hearing to be held on October 18, 2022, at 6:00 PM in the County Commission Chambers, Glades County Courthouse, 500 Avenue J, Moore Haven, Florida; and

WHEREAS, the Glades County Planning and Zoning Board continued the October 18, 2022, public hearing for Case #RZ22-02 to a date and time in the future set by staff using the normal County guidelines; and

WHEREAS, the Glades County Planning and Zoning Board in a public hearing on December 13, 2022, based on the findings and analysis of the Staff Report dated December 5, 2022, and the findings of fact in evidence at that continued hearing, recommended approval of the zoning amendment, with conditions; and

WHEREAS, Case #RZ22-02 has been heard by the Glades County Board of County Commissioners in a public hearing on January 10, 2023, and January 23, 2023, and the Board of County Commissioners has found such application to be complete and, based on the contents of the application and the review of the application, and the Staff Report and the recommendations of the Planning and Zoning Board, and the evidence and testimony presented at the public hearings, the Glades County Board of County Commissioners has found the requested rezoning amendment, subject to the property development criteria, regulations, conditions and Conceptual Master Plan described herein and made a part hereof, to be consistent with the County's Comprehensive Plan and Land Development Code and the densities, intensities and general use requirements set forth therein; and

WHEREAS, the Board of County Commissioners has found that this Planned Development Ordinance includes regulations to ensure that the Planned Development will meet or exceed all performance and locational standards set forth in the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has found the zoning amendment request to be compatible with existing or approved uses in the surrounding area or can be made compatible using the provisions (criteria, regulations, conditions, etc.) contained in this Planned Development Ordinance; and

WHEREAS, the Board of County Commissioners has found that the approval of this Planned Development Ordinance will not place an undue burden upon existing or committed transportation or other services and facilities; and

WHEREAS, the Board of County Commissioners has found that, based on the findings and analysis of the Staff Report dated December 5, 2022, as updated, and the findings of fact in evidence at the Glades County Board of County Commissioners public hearing on January 10, 2023, and on January 23, 2023, including but not limited to the application, the Staff Report, the recommendations of the Planning and Zoning Board, and testimony at the above referenced public hearings, and after due consideration, it is in the best interest of the inhabitants of Glades County to amend the Glenn Harvey Planned Development Zoning District approved in RZ18-04, Ordinance No. 2020-03, to become the Lakefront Estates Planned Development, RZ22-02, approved in this Ordinance No. 2022-11, including the Exhibits attached hereto and made a part hereof, as herein set forth. **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Glades County, Florida, that:

SECTION 1: RECITALS

The above recitals are true and correct and are incorporated herein and made a part hereof as though fully set forth below.

SECTION 2: AUTHORITY

This Ordinance is enacted pursuant to the provisions of Chapters 125, Florida Statutes, and other applicable provisions of law.

SECTION 3: REZONING GRANTED

Based upon the application, and the Staff Report, all of which has been made a part of the record, and the evidence received at the public hearings, and further, based upon the recitals stated above, all of said recitals being incorporated herein and made a part hereof, the requested zoning amendment as described herein, including, the property development criteria, regulations, and conditions and the Conceptual Master Plan contained herein and in Exhibits "B" and "C"," attached hereto and made a part hereof, from the Glenn Harvey Planned Development Zoning District approved in RZ18-04, Ordinance No. 2020-03, to the Lakefront Estates Planned Development Zoning District RZ22-02, Ordinance No. 2022-11, is determined to be consistent with the Glades County Comprehensive Plan and Land Development Code and is granted and adopted/approved as to the following described real property located in Glades County, Florida, to-wit:

See attached Exhibit "A."

SECTION 4: PROPERTY DEVELOPMENT CRITERIA AND REGULATIONS

The property site plan (Conceptual Master Plan) and development criteria and regulations for the site described in the requested rezoning is as set forth in the attached Exhibits "B" and "C" and all development within the site shall comply with and shall be subject to the terms and conditions of the requirements of Exhibits "B" and "C" and the Glades County land development regulations in effect on the effective date of this Ordinance. If the terms and conditions set forth in this Ordinance conflict with other land development regulations of the County's Land Development Code, the terms and conditions of the property described in Exhibit "A."

SECTION 5: ORDINANCE NO. 75-3 AND OFFICIAL ZONING MAP AMENDMENT

Glades County Ordinance 75-3, which included the Official Zoning Map, is hereby amended to reflect the new zoning designation of Lakefront Estates PD for the subject real property as described in Exhibit "A."

SECTION 6: SCRIVENER'S ERRORS

Corrections of typographical errors which do not affect the intent of this rezoning may be authorized by the County Manager, or the County Manager's designee, without need of public hearing, by filing a corrected ordinance with the County Clerk.

SECTION 7: SEVERABILITY

If any provision or portion of this Ordinance is held or declared to be unconstitutional, invalid or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect the applicability of this Ordinance to any other person, property or circumstances.

SECTION 8: EFFECTIVE DATE

This Ordinance shall take effect upon the adoption of this Ordinance by the Glades County Board of County Commissioners, and upon a filing of a certified copy hereof with the Florida Department of State.

The foregoing Ordinance was offered by Commissioner $\underline{bhidken}$, who moved its adoption. The motion was seconded by Commissioner \underline{Sapp} , and upon being put to a vote, the vote was as follows:

Timothy (Ti Donna Stor Hattie Taylo Jerry Sapp Tony Whido	ter Long or	<u>Yes</u> Abser <u>Yes</u> <u>Yes</u>	t			
This Ordinance was duly p January , 2023.	assed and	adopted			day (of
APPROVED AS TO FORM AND LEGAL SUFFICIENCY AND LEGAL SUFFICIENCY Richard W. Pringle, County Attorney	BY ITS BC COUNTY (COUNTY, FI	LORIDA	hand is count	AULIULIANS	
ATTEST: <u>Auno</u> I. <u>Junor</u> Tami P. Simmons, Clerk of Courts or her designee	SEAL	NTY				

EXHIBIT "A"

LEGAL DESCRIPTION:

(PARCEL 1)

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST THENCE NORTH 89°29'59" EAST ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 823.40 FEET TO A POINT ON A LINE PARALLEL WITH THE WEST LINE OF SAID SECTION 4;

THENCE NORTH 00°27'22" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 1368.10 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON FLORIDA'S DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAINTENANCE MAP, MAP SECTION 05020-000, DATED AUGUST OF 2014; THE FOLLOWING FOUR CALLS ARE ALONG SAID SOUTH RIGHT-OF-WAY LINE;

1)THENCE NORTH 57°49'47" EAST, A DISTANCE OF 3681.45 FEET TO THE POINT OF BEGINNING;

2)THENCE NORTH 57°49'47" EAST, A DISTANCE OF 2072.29;

3)THENCE NORTH 57°48'46" EAST, A DISTANCE OF 2770.06;

4)THENCE NORTH 57°49'26" EAST, A DISTANCE OF 3460.71 TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S ACCESS ROAD FOR STRUCTURE (S-127); THE FOLLOWING THREE CALLS ARE ALONG SAID WESTERLY AND SOUTHERLY RIGHT-OF-WAY LINE;

1)THENCE SOUTH 32°10'34" EAST, A DISTANCE OF 398.89;

2)THENCE NORTH 57°49'57" EAST, A DISTANCE OF 597.92;

3)THENCE SOUTH 32°16'04" EAST, A DISTANCE OF 2733.87 TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48), SAID POINT ALSO BEING ON THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST;

THENCE SOUTH 89°34'44" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48) ALSO BEING THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST, A DISTANCE OF 2160.98;

THENCE SOUTH 45°26'00" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48), A DISTANCE OF 6438.67;

THENCE NORTH 59°53'11" WEST, A DISTANCE OF 1050.18;

THENCE NORTH 38°57'14" WEST, A DISTANCE OF 2464.28 TO THE POINT OF BEGINNING;

LESS AND EXCEPT

A STRIP OF LAND LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST ALSO LOCATED IN SECTIONS 34 AND 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST, GLADES COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST, THENCE SOUTH 00°25'09" EAST, ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 1129.30 FEET TO THE BASELINE OF SURVEY OF STATE ROAD NUMBER 78 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP, MAP SECTION 05020-000 DATED OCTOBER 2014;

THENCE CONTINUE SOUTH 00°25'09" EAST ALONG SAID EAST LINE OF SECTION 4, A DISTANCE OF 38.81 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP, THE FOLLOWING 3 COURSES WILL BE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID POINT IS ALSO THE POINT OF BEGINNING.

1)THENCE NORTH 57°49'47" EAST, A DISTANCE OF 438.75 FEET;

2)THENCE NORTH 57°48'46" EAST, A DISTANCE OF 2770.07 FEET;

3)THENCE NORTH 57°48'41" EAST, A DISTANCE OF 3460.71 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S (S.F.W.M.D.) ACCESS ROAD FOR STRUCTURE 127 SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA;

THENCE SOUTH 32°10'34" EAST, ALONG SAID WEST LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S (S.F.W.M.D.) ACCESS ROAD FOR STRUCTURE 127 AND THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THB PUBLIC RECORDS OF GLADES COUNTY, FLORIDA, A DISTANCE OF 44.15 FEET;

THENCE SOUTH 57°30'40" WEST, A DISTANCE OF 1210.02 FEET;

THENCE SOUTH 32°10'34" EAST, A DISTANCE OF 8.40 FEET;

THENCE SOUTH 59°15'09" WEST, A DISTANCE OF 393.13 FEET;

THENCE SOUTH 72°40'00" WEST, A DISTANCE OF 51.73 FEET;

THENCE SOUTH 58°05'19" WEST, A DISTANCE OF 1807.71 FEET;

THENCE SOUTH 57°49'12" WEST, A DISTANCE OF 4839.15 FEET TO THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA;

THENCE NORTH 38°57'14" WEST ALONG SAID WEST LINE, A DISTANCE OF 27.19 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP;

THENCE NORTH 57°49'47" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1633.54 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN GLADES COUNTY, FLORIDA

EXHIBIT "B"

Property Development Regulations

PD INTENT AND PURPOSE

I. PURPOSE AND INTENT OF PROPOSED DEVELOPMENT

The purpose of the Planned Development District approved by Ordinance 2020-3 was to provide for a single-family residential development with neighborhood commercial uses with the intent of providing a positive impact on Glades County and both current and prospective residents. The rezoning application is to amend the previously approved Planned Development District to:

- A. Increase the maximum residential density to the maximum approved residential density described herein
- B. Add permitted, accessory and ancillary uses to the existing list of approved uses for the Glenn Harvey Planned Development Zoning District approval in RZ18-04, as follows:
 - 1. Residential uses:
 - a. Dwellings, two-family attached*
 - b. Dwellings, hybrid*
 - c. Dwellings, townhouses*
 - d. Dwellings, multiple-family
 - e. Accessory apartment/guest house
 - f. Accessory Public Utility Facilities
 - g. Houses of Worship
 - h. Recreation Outdoors, such as parks and docks for resident use
 - i. Ritual Bathhouses

*See information below for a further definition of the dwelling types.

- 2. Neighborhood Commercial uses:
 - a. Houses of Worship
 - b. Mixed use (retail, office and/or residential)
 - c. Public Service uses (as listed in this Schedule of Permitted uses below)
 - i. Colleges, vocational and non-vocational
 - ii. Communication facilities, services, towers, transmitting facilities
 - iii. Emergency Medical Services, public and private
 - iv. Government buildings, including emergency facilities, libraries, etc.
 - v. Hospitals
 - vi. Public Utility Facilities

- vii. Schools, public and private (maximum of two (2) schools; maximum enrollment of 600 students per school)
- viii. Water and Sewer Facilities, public and privateix. Utility Facilities, public and private
- d. Recreation Outdoors, such as parks and docks for resident use
- e. Restaurants without drive-through (the "Restaurants with drivethrough" use is currently permitted; this would allow for non-drive through restaurants as well)
- f. Ritual Bathhouses

II. DESCRIPTION OF THE CHARACTER OF THE PROPOSED DEVELOPMENT

The development proposed by the previous ordinance would result in the development of approximately 525 acres of agricultural lands with single-family residential and neighborhood commercial uses. The intent was to provide for single-family residential units, open space, bicycle and pedestrian paths around the lakes and picnic areas and plazas, and a neighborhood commercial area near the entrance to provide convenient services to the residents, local area, and travelers.

All development on site was to be (and will still be) constructed in accordance with federal, state, and county regulations, with federal, state, and county regulations controlling over anything to the contrary in the Planned Development zoning approval. The Applicant was required (and is still required) to obtain satisfaction of all required federal, state, or county permits. Similarly, the Applicant was required (and is still required) to obtain permits to connect to existing county facilities prior to development. A site development plan was to be (and must still be) approved by Glades County Community Development prior to development onsite. To satisfy the requirement, the Applicant was required (and is still required) to meet the Glades County building plan application requirements.

The entirety of the property subject to Ordinance 2020-3 was sold to the Applicant, who purchased the property with the intention of building a similar community to that which was previously approved. As noted above, the reason for the request for an amendment to the Planned Development District is to increase the residential density and add additional permitted and accessory uses, including but not limited to a variety of dwelling types (single-family, two-family attached, hybrid, townhouses, and multiple-family). The following is a comparison of the previously approved versus proposed development parameters.

	PREVIOUSLY APPROVED	PROPOSED
Total Residential Area	359.83 acres	220.93 acres
Total Residential Units	482 single family detached	1300 total (840 single family and 460 multi-family/single-family attached)
Gross Residential Density	1.13 du/acre	2.48 du/acre
Total Commercial Area	37.90 acres	25.57 acres
Non-Residential Intensity/FAR	0.18	0.30 (See Note)
Total Open Space	174.2 acres	197.18 acres
Percentage Open Space	33.2%	37.56%

Note: For designated non-residential areas only. Development within the Planned Development will not exceed the residential density, non-residential floor area, or maximum school enrollment contained in the submitted traffic analysis dated October 24, 2022, without demonstrating that total combined trip generation will remain within the maximum calculated trips. The traffic analysis dated October 24, 2022, includes provisions for:

840 single-family homes
460 multi-family/single-family attached homes
254,000 sf various shopping areas (commercial retail space)
80,000 sf commercial office
31,000 sf synagogues/shuls
2 private schools with a total of 1200 students
0.3 FAR on designated non-residential areas

III. EXPLANATION OF CONFORMANCE WITH COMPREHENSIVE PLAN

The proposed Planned Development amendment request is in conformity (consistent) with characteristics of the following elements, goals, objectives, and policies of the Glades County Comprehensive Plan, and is similar to that presented when the original Planned Development zoning was approved:

A. Future Land Use Element

Policy I-1.3A: A diversity of land uses is encouraged to provide for the housing, retail and wholesale trade, working, institutional, recreational, agricultural, and industrial and public utility needs of the residents of Glades County.

Policy I-1.4F: Land use definitions, densities and intensities of the Future Land Use Map series are as follows:...

Transition: Mixed Use Areas in which the present primary use is agricultural, but which have scattered residential and nonresidential use areas and are

likely to be infilled with additional residential uses. This category will not include more than 2.5% of the total land area of Glades County. The maximum densities are a gross residential density of 12 residential units per acre and the maximum floor to area ratio for non-residential uses shall be 0.3.

This request to amend the Planned Development to increase density and add additional permitted and accessory uses is consistent with this policy of the Glades County Comprehensive Plan. If approved, the proposed Planned Development Amendment will add to the diversity of land uses previously approved and will increase the number of residential dwelling units permitted, while still staying well under the maximum gross residential density of twelve (12) dwelling units per acre and maximum floor to area ratio of 0.3 for non-residential uses permitted in the Transition Future Land Use Category, as established in Policy I-1.4F of the Comprehensive Plan.

B. Traffic Circulation Element

Policy II-1.1D: The County shall regulate development to maintain the level of service standard of "C", or better, peak hour, on all County and State arterials and collectors, and shall expend and promote FDOT to expend funds necessary to maintain, expand, or create roads to maintain this LOS through the continuing 5 Year Capital Improvement Program. Special Transportation Areas may be created for limited areas, or times, with lower LOS than *C*, but will be identified and approved through comprehensive plan amendments.

The proposed development, as amended through the Planned Development amendment process, will be consistent with this policy. A turn lane has been permitted with the Florida Department of Transportation (FDOT) for Phase 1. The application's Traffic Analysis prepared by O'Rourke Engineering & Planning demonstrates that the proposed development will not adversely affect the current LOS for SR-78 for Phase 1. Future phases may require additional improvements, which will be coordinated with Glades County and FDOT.

In addition to external improvements, the development, as currently proposed, provides for the construction of internal roads and accessways to allow for internal trip capture between the residential and neighborhood commercial and public uses in an attempt to prevent adverse impact on surrounding properties.

C. Infrastructure Element

Policy IV-1.1A: The following level-of-service standards (for sanitary sewer facilities, potable water facilities, solid waste facilities, stormwater management facilities, and flood protection) are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development:....

Development onsite will not exceed the Policy's established levels of service standards for sanitary sewer facilities, potable water facilities, solid waste facilities, stormwater management facilities, or flood protection. The Applicant will coordinate development with the necessary public service providers to ensure the development does not overload County facilities. Onsite community wastewater collection and treatment and disposal systems will be used until public facilities become available.

The Applicant will coordinate potable water needs with the Okeechobee Utility Authority. The potable water demand of the site at build out will not exceed the capacity provided by the Okeechobee Utility Authority.

Solid waste collection will be coordinated with a contracted solid waste disposal contractor who is authorized to do business in Glades County. Stormwater runoff requirements will be satisfied by construction of the surface water management system as approved by South Florida Water Management District Permit Number 22-101892-P (conceptual approval for Phases 2 and 3) and Permit Number 22-101893-P (construction approval for Phase 1), which will be modified as needed to address the change in layout shown on the proposed Conceptual Master Plan and use types as described above. Phase 4 will be permitted separately in the future.

The requirements of the Glades County Flood Plain Ordinance and the Florida Building Codes shall apply to all construction within the development.

The table below describes the minimum Level of Services that will be provided for the described utilities.

Facility Type	Level-of-Service (LOS)	
Sanitary Sewer Facilities	100 gallons per capita per day*	
Potable Water Facilities	125 gallons per capita per day*	
Solid Waste Facilities	4.5 – 7.0 pounds per capita per day	
Stormwater Management Facilities System	Historic discharge for 25 year – 3 day storm event Water Quality Standards contained in Ch. 17-3, F.A.C. and the Design Standards contained in Ch. 17-25, F.A.C.	
Flood Protection for Buildings	100 year 3-day storm event	

D. Economic Development Element

Objective X-1.1: Promote Glade County's Location for Economic Development and Job Creation Projects. Glades County will promote its location within the center of South Florida's population of permanent residents, seasonal residents and visitors/tourists (Orlando and Tampa southward to Miami and Naples). The County is within a two and one half hour drive by truck or automobile to six international airports and five seaports. Four of the airports accommodate both passengers and cargo, while four of the seaports accommodate freight and major cruise lines.

Objective X-1.6: Promote and support becoming a center for Tourism. With more than 30 miles of Lake Okeechobee shoreline, 60 miles of Caloosahatchee River frontage and 52 miles of paddling trails on pristine Fisheating Creek, Glades County offers outdoor tourism assets that are unparalleled in Florida, for birders, bicyclists, boaters, hunters, fishermen, canoeist, and kayakers.

Approval of the Planned Development Amendment request is consistent with these objectives as the site is adjacent to the Rim Canal with access to Lake Okeechobee through the Buckhead Ridge boat locks. This project will provide permanent residential units as well as a neighborhood commercial area and public service uses for the residents and surrounding communities and will showcase access to recreation opportunities for homeowners and second homeowners including proximity to Lake Okeechobee. Attracting permanent residents to the County allows potential businesses to be established to serve a growing population base in the County.

IV. DESCRIPTION OF PROPOSED METHODOLOGY FOR MANAGING STORMWATER RUNOFF

Stormwater runoff requirements will be satisfied by construction of a surface water management system as approved by South Florida Water Management District Permit Number 22-101892-P (conceptual approval for Phases 2 and 3) and Permit Number 22-101893-P (construction approval for Phase 1), which will be modified as needed to address the change in layout shown on the proposed Conceptual Master Plan and use types as laid out above. Phase 4 will be permitted separately in the future.

PD PHASING SCHEDULE

The Applicant proposes to amend the PD Phasing Schedule included on Exhibit "B" of Ordinance 2020-3 to provide for four (4) designated phases, as opposed to three (3) designated phases with one (1) undesignated phase, and to provide for an onsite community wastewater treatment system until such time as public service is available. The identification of each of the four (4) phases shall be as set forth on the binding Conceptual Master Plan attached hereto and made a part of hereof.

For ease of reference, the following sets forth the previously approved PD Phasing Schedule, updating out of date or incorrect references and removing reference to the exhibits included with Ordinance 2020-3, which will be replaced by the exhibits to this newly approved ordinance, all of which will be binding upon the subject property described in Exhibit A. Given that a Developer's Agreement has already been approved for this Planned Development, references to entering into a Developer's Agreement have been replaced with references to amending the existing Developer's Agreement to address the changes presented by the changes approved by this Ordinance. An amended Developer's Agreement to address the amendments to the Planned Development approval granted by this Ordinance will be negotiated and entered into by the landowner with the County.

Site development shall occur as described in the Conceptual Master Plan attached here to and made part hereof and, as set forth above, will occur in four (4) phases. Should proposed future development plans for future phases differ from the approved Conceptual Master Plan, the Developer shall meet with the County Staff to determine if the proposed changes constitute a minor modification or an amendment of the approved Conceptual Master Plan of the Planned Development, pursuant to Section 125-174(j), *Revisions to approved planned development ordinances*, of the Glades County Code of Ordinances (the "LDC"). Each phase will be submitted for final subdivision plat approval and for all other required government agency approvals prior to any development. The Conceptual Master Plan is binding upon the future development of the property. Identified in each phase below are the requirements specific to each phase. Development requirements that apply equally to the overall proposed development are detailed in the *Property Development Regulations* described herein.

Except for all improvements to SR-78 associated with Access Point #1 and Access Point #2, notwithstanding anything else contained herein to the contrary, all infrastructure construction requirements and all permitting requirements of Glades County and all agencies related to the construction of all infrastructure must be completed or financial assurances as required by Chapter 137 of the LDC must be provided to Glades County prior to the issuance of the first building permit for non-infrastructure (vertical) construction for that phase unless otherwise provided for in the amended Developer's Agreement. A copy of Chapter 137 of the LDC is attached hereto as Exhibit D.

The following are the basic infrastructure commitments contained in the current approval, as amended herein, that will be carried forward with this project and described in the amended Developer's Agreement:

I. PHASE 1

- A. Roads: The Developer shall:
 - 1. Construct the internal roadways and the external roadway improvements required for each phase of development to comply with Glades County and state standards based upon an analysis of the traffic that will be generated by each phase of the development and providing the financial assurance for the project's required roadway improvements for each phase of development, including providing for roadway maintenance, pursuant to Chapter 137 of the LDC, especially regarding Section 137-6 concerning financial assurances for improvements
 - 2. Construct the Phase 1 roadway improvements pursuant to Glades County and state standards which must be completed prior to the issuance of a building permit for vertical construction in Phase 1 with appropriate financial assurances being provided by Developer to Glades County as required by Chapter 137 of the LDC. The first access point shown in Phase 1 on the Conceptual Master Plan will be permitted, constructed, and in operation prior to Development Order approval for Phase I. The second access point shown in Phase 1 on the Conceptual Master Plan will be permitted, constructed, and in operation prior to the issuance of the first Certificate of Occupancy.
- **B. Wastewater:** The Developer shall:
 - 1. Construct an onsite community wastewater collection and treatment system at Developer's cost and at no cost to Glades County with appropriate financial assurances provided to Glades County as provided in the amended Developer's Agreement as described in Chapter 137 of the LDC that will be used for wastewater collection and treatment until public service is available.
 - 2. Install wastewater collection lines for each Phase before or during the site development process for each Phase.

- 3. Provide in the master property owners association's declaration of covenants, conditions and restrictions for the development, or other comparable binding documentation on the property owners, that property in each Phase shall connect to a public wastewater utility service if and when it becomes available.
- C. Property Owners Association: The Developer shall create a master property owners association and all related documentation.

II. PHASE 2

- A. Roads: The Developer shall provide a traffic study for Phase 2 and construct all roadway improvements (internal and external) that are required to meet all state and county standards based upon an analysis of the traffic that will be generated by Phase 2 of the development with construction to occur prior to the issuance of a building permit for vertical construction in Phase 2, with financial assurances being provided by Developer to Glades County as required by Chapter 137 of the LDC.
- **B. Wastewater:** The Developer shall connect to a public wastewater utility system if available. Until a public wastewater utility system is available, Phase 2 will be served by the onsite community wastewater treatment system constructed during Phase 1. Wastewater collection lines for Phase 2 will be installed prior to the issuance of a building permit for vertical construction in Phase 2, with financial assurances being provided by Developer to Glades County as required by Chapter 137 of the LDC.

III. PHASE 3

- A. Roads: The Developer shall provide a traffic study for Phase 3 and construct all roadway improvements (internal and external) that are required to meet all state and county standards based upon an analysis of the traffic that will be generated by Phase 3 of the development with construction to occur prior to the issuance of a building permit for vertical construction in Phase 3, with financial assurances being provided by Developer to Glades County as required by Chapter 137 of the LDC.
- **B. Wastewater**: The Developer shall connect to a public wastewater utility system if available. Until a public wastewater utility system is available, Phase 3 will be served by the onsite community wastewater treatment system constructed during Phase 1. Wastewater collection lines for Phase 3 will be installed during the site development process prior to the issuance of a building permit for vertical construction in Phase 3, with financial assurances being provided by Developer to Glades County as required by Chapter 137 of the LDC.

IV. PHASE 4

- A. Roads: The Developer shall provide a traffic study for Phase 4 and construct all roadway improvements (internal and external) that are required to meet all state and county standards based upon an analysis of the traffic that will be generated by Phase 4 of the development with construction to occur prior to the issuance of a building permit for vertical construction in Phase 4, with financial assurances being provided by Developer to Glades County as required by Chapter 137 of the LDC.
- **B. Wastewater:** The Developer shall connect to a public wastewater utility system if available. Until a public wastewater utility system is available, Phase 4 will be served by the onsite community wastewater treatment system constructed during Phase 1. Wastewater collection lines for Phase 4 will be installed during the site development process prior to the issuance of a building permit for vertical construction in Phase 4, with financial assurances being provided by Developer to Glades County as required by Chapter 137 of the LDC.

The following is a more specific breakdown relative to the proposed sequence of development, with the caveat that the street names, as set forth below and on the attached Road Layout Map (Information Only), are provided for ease of reference only and are subject to change based on names submitted to and approved by E911:

I. PHASE 1

- 1. Access Point #1 to Lakefront Boulevard with associated infrastructure.
- 2. Basins to the north and south of Lines Street with associated infrastructure, including drainage lines and structures.
- 3. Swales and perimeter berm.
- 4. Lakefront Boulevard with associated infrastructure, including utilities and drainage.
- 5. Lines Street with associated infrastructure, including utilities and drainage.
- 6. North part of School Boulevard from Lines Street to SR-78 and Access Point #2 with associated infrastructure, including utilities and drainage.
- 7. Sewer plant, sewer vacuum station, and water booster pump station and associated infrastructure.
- 8. Houses along Lines Street and adjacent parks.
- 9. School to the south of the sewer plant with associated infrastructure, including parking area and drainage.
- 10. Park to the south of the sewer plant with associated infrastructure.
- 11. Blossom Street, Cherry Street, Dobbs Street with associated infrastructure, including utilities and drainage.
- 12. Soul Street with associated infrastructure, including utilities and drainage.
- 13. Synagogue (House of Worship) and related buildings and infrastructure, including parking area and drainage.
- 14. Houses along Blossom Street, Cherry Street, and adjacent parks with associated infrastructure.
- 15. Supermarket in the commercial space to the east of Lakefront Boulevard with associated infrastructure, including parking area and drainage.

- 16. Basin adjacent to School Boulevard with associated infrastructure, including drainage lines and structures.
- 17. Palm Street and Steve Street with associated infrastructure, including utilities and drainage.
- 18. Houses along Palm Street and Steve Street.
- 19. Office space to the west of Lakefront Boulevard with associated infrastructure, including parking area and drainage.
- 20. Remainder of School Boulevard with associated infrastructure, including drainage and utilities.
- 21. Meadow Street, Farmers Street, Amber Street, Parkside Street, and Canal Way with associated infrastructure, including utilities and drainage.
- 22. School to the north of Meadow Street with associated infrastructure, including parking area and drainage.
- 23. Houses along Meadow Street, Farmers Street, Draft Street, Parkside Street, Canal Way and adjacent parks including the large park adjacent to School Boulevard, with associated infrastructure.
- 24. Monday Street and Berm Street with associated infrastructure, including utilities and drainage.
- 25. Houses along Monday Street and Berm Street.

II. PHASE 2

- 1. Basins in the center of Phase 2 with associated infrastructure, including drainage lines and structures.
- 2. Swales and perimeter berm.
- 3. Rise Boulevard, School Boulevard and west part of Canal Way with associated infrastructure, including utilities and drainage.
- 4. Houses along School Boulevard and Canal Way and adjacent parks with associated infrastructure.
- 5. Craft Street, Canoe Street, and Sun Street with associated infrastructure, including utilities and drainage.
- 6. Synagogue (House of Worship) with associated infrastructure, including parking area and drainage.
- 7. Houses along Craft Street and Canoe Street.
- 8. Commercial space to the east of Rise Boulevard with associated infrastructure, including parking area and drainage.
- 9. Shine Street and Water Street with associated infrastructure, including utilities and drainage.
- 10. Houses along Shine Street and Water Street and adjacent parks with associated infrastructure.
- 11. Access Point #3 to Rise Boulevard with associated infrastructure.
- 12. Circle Street, Gap Street, and the east part of Canal Way with associated infrastructure, including utilities and drainage.
- 13. Houses along Circle Street, Gap Street, and the east part of Canal Way and adjacent parks with associated infrastructure.
- 14. Building associated with Synagogue (Ambulance/EMS facility), with associated infrastructure.

III. PHASE 3

- 1. Basins to the east and south of Bell Street with associated infrastructure, including drainage lines and structures.
- 2. Swales and perimeter berm.
- 3. Soul Street and Surface Street with associated infrastructure, including utilities and drainage.
- 4. Houses along Soul Street and Surface Street and adjacent parks, with associated infrastructure.
- 5. Basin adjacent to the Phase 1 Synagogue (House of Worship) with associated infrastructure, including drainage lines and structures.
- 6. Basin Street, east part of Dobbs Street, and Bell Street with associated infrastructure, including utilities and drainage.
- 7. Houses along Basin Street, east part of Dobbs Street, and Bell Street and adjacent parks with associated infrastructure.
- 8. South part of Lakefront Boulevard, south part of Blossom Street, and Canal Way with associated infrastructure, including utilities and drainage.
- 9. Houses along Canal Way and adjacent parks with associated infrastructure.

IV. PHASE 4

- 1. Commercial space to the west of Rise Boulevard with associated parking area and drainage.
- 2. Basin at the center of Phase 4 with associated infrastructure, including drainage lines and structures.
- 3. Swales and perimeter berm.
- 4. Amber Street, Hatch Street, Faulty Street, Sketch Street, Stand Street, and Orange Street with associated infrastructure, including utilities and drainage.
- 5. Houses along Amber Street, Hatch Street, Faulty, Street, Sketch Street, Stand Street, and Orange Street and adjacent parks with associated infrastructure.
- 6. Moon Street, Moment Street, and Harvey Street with associated infrastructure, including utilities and drainage.
- 7. Houses along Moon Street, Moment Street, and Harvey Street and adjacent parks with associated infrastructure.
- 8. Williams Street and west part of Canal Way with associated infrastructure, including utilities and drainage.
- 9. Houses along Williams Street and west part of Canal Way and adjacent parks with associated infrastructure.

Schedule of Uses

PD PERMITTED, ACCESSORY, AND ANCILLARY USES

Permitted Uses: Permitted principal uses and structures in this district shall be:

Residential Uses

Dwellinas: Single-family Two-family attached* Hybrid* Townhouses* Multiple-family Accessory apartment/guest house Accessory Public Utility Facilities Accessory Uses Agriculture (but only on undeveloped parcels) Forestry/Silviculture (but only on undeveloped parcels) Home Occupation Houses of Worship Model Homes Recreation Outdoors, such as parks and docks for resident use **Ritual Bathhouses**

Neighborhood Commercial Uses

Agriculture (but only on undeveloped parcels) Assembly, indoor only and affiliated with church (House of Worship)/youth center Automobile Service Stations/Car Wash Beauty and Barber Shops Blueprint, Printing, Reproduction Services; Bookstore **Business with Drive-through** Contractors/Construction Offices, no outdoor storage Construction Material Sales, indoors only **Convenience Stores with Fuel** Day Care Facilities, Child and Adult Drugstores **Dry Cleaning Employment Agency** Florist **Grocery Store** Gun Range, indoor only Houses of Worship Lawn and Garden Supplies Laundromat **Medical Offices** Micro-brewerv Mixed use building (retail, office and/or residential) Museums Offices and Business Services

Pet Stores

Public Service Uses

Colleges, vocational and non-vocational

Communication facilities, services, towers, transmitting facilities

Emergency Medical Services, public and private

Government buildings, including emergency facilities, libraries, etc.

Hospitals

Public Utility Facilities

Schools, public and private (maximum of two (2) schools; maximum enrollment of 600 students per school)

Water and Sewer Facilities, public and private

Utility Facilities, public and private

Recreation Indoors, such as gyms, dance studios, bowling alleys, arcades, and similar uses

Recreation Outdoors, limited to activities affiliated with church (House of Worship)/youth center such as basketball, baseball, volleyball, tennis, etc.

Recreation Outdoors, such as parks and docks for resident use

Repair Shops, small, non-automotive items, indoors only

Restaurants with and without drive-through

Retail Sales Establishments

Ritual Bathhouses

Signs, in accordance with LDC Chapter 133

Social Services

Studios

Theaters

Veterinary Clinic/Hospital, no outdoor boarding

Prohibited Uses:

No onsite sales, slaughterhouses, produce stands, or retail sales associated with an Agriculture or Farming use is permitted.

* See Property Development Regulations for definition of dwelling types.

Specific Standards and Criteria for the Overall Development

Property Development Regulations

I. OVERALL DENSITY/INTENSITY

Maximum Gross Residential Density will be 2.48 du/acre for a maximum of 1,300 dwelling units. Refer to the Conceptual Master Plan for each individual phase's Residential Density.

Maximum Floor Area Ratio for Non-Residential Uses Overall will be 0.30. This is limited to the designated Neighborhood Commercial areas only as per the Conceptual Master Plan. Please see attached Conceptual Master Plan. It is possible that an increase of the Max Floor Area Ratio for Non-Residential Uses up to 0.50 may be defined as a minor change under Section 125-174(j) of the LDC by the Community Development Director.

Maximum Primary and Secondary School Capacity is a maximum of two (2) public or private schools, with a maximum of six hundred (600) students per school. Sixty percent (60%) of the students in the two (2) schools will be elementary aged (kindergarten through eighth grade) and forty percent (40%) will be high school aged (ninth grade through twelfth grade).

II. RESIDENTIAL DESIGN STANDARDS

There are five (5) general categories of residential dwelling units that are contemplated for the property, each of which is defined as follows:

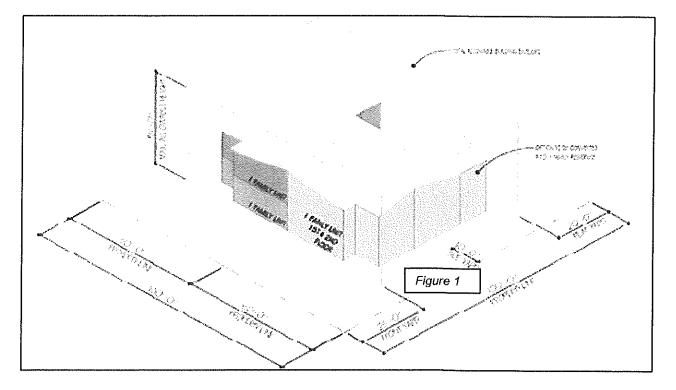
- A. Single-family a building containing only one (1) dwelling unit for occupancy by one family only.
- B. Two-family attached a single, freestanding, conventional building designed as two (2) dwelling units attached by a common wall or roof, but wherein each unit is located on a separate lot under separate ownership.
- C. Hybrid a building that is configured as a two-family attached building, which may be comprised of the following (with capitalized terms defined below):
 - 1. One (1) Single Two-Story Unit and Two (2) Single-Story Units in which there would be a total of three (3) units, or
 - Two (2) Two Single-Story Units in which there would be a total of four (4) units.

Note: See Figure 1 below for an example of a hybrid unit that contains one (1) single two-story unit on the right side of the building (a "Single Two-Story Unit") attached to two (2) single-story units (a bottom floor unit and a top floor unit) on the left side of the building ("Two Single-Story Units"). The intention is that the Single Two-Story Unit will be held in separate ownership from the Two Single-Story Units, but each of the Two Single-Story Units will be held under

common ownership.

For purposes of applying property development regulations, the Two Single-Story Units will be treated as a Single Two-Story Unit.

The Two Single-Story Units may be combined into a Single Two-Story Unit. The combination of two (2) Two Single-Story Units into one (1) Single Two-Story Unit will not affect density calculations; the Single Two-Story Unit will still count as two (2) dwelling units even after combination.



- D. Townhouses three (3) or more single-family structures separated by party walls, but wherein each unit is located on a separate lot under separate ownership. Development regulations for "Residential Two-Family" shall apply to each lot. All interior units may be built with no side setbacks so long as the two (2) end units meet the minimum side setback as to the non-shared lot lines.
- E. Multiple-family buildings containing three (3) or more dwelling units that do not meet the definition of "Townhouses" provided above.

III. COMMERCIAL DESIGN STANDARDS

The neighborhood commercial uses and public service uses areas shall be built with a uniform design theme. This design theme shall be reflected in all portions of the development. Prior to submittal of the first building permit application, a binding property wide design theme manual will be submitted to the Community Development Department for approval which illustrates examples of buildings, signage, lighting, etc. There shall be no metal buildings allowed, but metal roofs are allowed.

Parking lots, delivery areas, loading docks and/or dumpsters shall meet LDC standards and shall be oriented away from residential uses internal to the planned development, unless a landscaped buffer is provided.

IV. RESIDENTIAL, COMMERCIAL, AND PUBLIC SERVICES USE DEVELOPMENT STANDARDS

A. Residential Single-Family

Land Development Regulation Standards 10,000 sq. ft./0.23 acres 80 feet 25 feet 10 feet 7 feet 100 feet 35 feet	Lakefront Estates Standards 6,000 sq. ft./0.14 acres 60 feet 20 feet 20 feet 7 feet 100 feet 35 feet
40%	45%
	Regulation Standards 10,000 sq. ft./0.23 acres 80 feet 25 feet 10 feet 7 feet 100 feet 35 feet

B. Two-Family Attached, Hybrid, and Townhouses

	Land Development Regulation Standards	Lakefront Estates Standards
Minimum Lot Size:	10,000 sq. ft./0.23 acres	5,000 sq. ft./0.11 acres
Minimum Lot Width:	80 feet	50 feet
Front Setback:	25 feet	20 feet
Rear Setback:	10 feet	20 feet
Side Setback:	7 feet	7 feet/0 feet
ROW Setback:*	100 feet	100 feet
Maximum Building Height:	35 feet	35 feet
Maximum Lot (Building)	40%	60%
Coverage:		

C. Multiple-Family

	Land Development Regulation Standards	Lakefront Estates Standards
Minimum Lot Size:	6,222 sq. ft. /0.14 acres	6,222 sq. ft. /0.14 acres
Minimum Lot Width:	100 feet	100 feet
Front Setback:	25 feet	25 feet
Rear Setback:	10 feet	10 feet
Side Setback:	10 feet	10 feet
ROW Setback:*	100 feet	100 feet
Maximum Building Height:	35 feet	35 feet
Maximum Lot (Building)	40%	75%
Coverage:		

D. Commercial

	Land Development Regulation Standards (General Commercial)	Lakefront Estates Standards
Minimum Lot Size:	22,500 sq. ft.	22,500 sq. ft.
Minimum Lot Width:	150 feet	150 feet
Front Setback:	30 feet	20 feet
Rear Setback:	25 feet	25 feet
Side Setback:	10 feet	10 feet
ROW Setback:*	100 feet	100 feet
Minimum Yard Adjacent to Street:	25 feet	25 feet
Minimum Yard Adjoining Lot Lines in Residential District:	15 feet	15 feet
Maximum Building Height:	45 feet	45 feet
Maximum Lot (Building) Coverage:	90%	90%
Maximum Floor Area Ratio	0.3	0.3**

E. <u>Public Service Uses and Houses of Worship/Synagogue Uses</u>

Minimum Lot Size: Minimum Lot Width: Front Setback: Rear Setback: Side Setback: ROW Setback:* Maximum Building Height:	Land Development Regulation Standards N/A N/A N/A N/A N/A N/A N/A N/A	Lakefront Estates Standards 10,000 sq. ft. 100 feet 20 feet 15 feet 10 feet 100 feet 35 feet
Maximum Building Height: Maximum Lot (Building) Coverage:	N/A N/A	35 feet 80%

NOTES:

*ROW Setbacks are applicable to State Road 78 only and are to be measured from the centerline of State Road 78 as originally created (not as widened by the required FDOT donation).

**Maximum Floor Area Ratio (FAR) is limited to the designated neighborhood commercial areas only as per the Conceptual Master Plan. Please see attached Conceptual Master Plan.

V. Parking

USE	REQUIRED MINIMUM	
Single Family	2 spaces per unit	
Two-Family Attached	2 spaces per unit	
Hybrid Single Two-Story Unit	2 spaces per unit	
Hybrid Single-Story Unit	2 spaces per unit	
Townhouse	2 spaces per unit	
Multi-Family 1-3 bedroom	2 per dwelling	
Multi-Family 4+ bedroom	2 per dwelling	
Retail	1 space per 300 GSF	
Office	1 space per 300 GSF	
Restaurant	1 space per 300 GSF	
Medical/ Indoor Recreation	1 space per 300 GSF	
House of Worship/Synagogue	1 space per 100 GSF of main sanctuary space	
Elementary School	1 space per classroom + 1 space per office	
Senior High School	1 space per classroom + 1 space per office + 1 space per 6 students	
College	1 space per classroom + 1 space per office + 1 space per 6 students	
All Other Uses	As described/required in the LDC	

VI. Landscaping

The proposed development will meet all of the requirements of the LDC.

PD ESSENTIAL FACILITIES AND INFRASTRUCTURE

The essential facilities and infrastructure needed to serve the site do not differ from those needed to serve the project previously approved and will include those further described below. To the extent that the previously approved Developer's Agreement requires amendment to reflect any changes approved through the Planned Development Amendment process, the Applicant agrees to amend the Developer's Agreement accordingly.

The Developer shall acquire a development order from the County at the beginning of each phase of the development for the construction of all of the essential facilities and infrastructure that will be required for the phase. The development order shall be acquired prior to the construction of any infrastructure improvements such as internal roads, utilities and drainage.

Except for all improvements to SR-78 associated with Access Point #1, Access Point #2, and Access Point #3, which are specifically addressed elsewhere, notwithstanding anything else contained herein to the contrary, all infrastructure and essential facilities construction requirements and all permitting requirements of Glades County and all agencies related to the construction of all infrastructure must be completed prior to the issuance of a building permit for vertical construction for the phase and financial assurances as required by Chapter 137 of the LDC must be provided to Glades County unless otherwise provided in the Amended Developer's Agreement. A copy of Chapter 137 of the LDC is attached hereto as Exhibit D.

Roadways

Roadways will comply with the Glades County (the "County") Land Development Code (the "LDC") and County and state roadway standards. For each phase of development, the Developer will construct the internal roadways and the external roadway improvements that are required to comply with County and state standards based upon the analysis of traffic that will be generated by the new phase of development.

The Developer shall:

1. Acquire development order approval for each phase of development which obligates the Developer to construct the internal roadways and the external roadway improvements required for each phase of development to comply with Glades County and state standards based upon an analysis of the traffic that will be generated by each phase of the development and providing the financial assurance for the project's required roadway improvements for each phase of development and providing for roadway maintenance. pursuant to Chapter 137 of the LDC, especially regarding Section 137-6 concerning financial assurances for improvements (Exhibit "D"), and providing for future roadway maintenance through a Community Development District or a Property Owners Association.

2. Construct all improvements to SR-78 associated with Access Point #1 pursuant to Glades County and state standards, including a left-turn lane for westbound traffic which must be completed prior to development order approval for Phase 1.

Construct all improvements to SR-78 associated with Access Point #2 pursuant to Glades County 3. and state standards prior to the first Certificate of Occupancy.

4. Except for all improvements to SR-78 associated with Access Point #1, Access Point #2, and Access Point #3, which are specifically addressed elsewhere, for each phase of development, the Developer shall construct the internal roadways and the external roadway improvements that are required to comply with Glades County and state standards based upon the analysis of traffic that will be generated by the new phase of development prior to the issuance of a building permit for vertical construction in each phase of development. The Developer shall also provide for the future maintenance of all essential facilities and infrastructure through a Community Development District (CDD) or a Property Owner's Association, or both, prior to final plat approval for Phase 1.

Financial assurances for all construction of roadways (internal and external) and related infrastructure will be required by the Developer's Agreement and provided to the County as described in Chapter 137 of the LDC.

Pedestrian and Bicycle Access 11.

The Developer will extend the sidewalk along SR-78 once required by Florida Department of Transportation into the existing development, along the connecting drive, and connect into the commercial development. The sidewalk will integrate into a walkway system that extends throughout the project as required by the LDC. If the sidewalk is extended along the frontage of the subject site, within the SR-78 right-of-way, a pedestrian walkway will be extended from that sidewalk into the commercial development alongside the direct access way.

Bicycle paths are not proposed along the roadways in the residential portion of the development. Sidewalks will be provided as required by the LDC.

Financial assurances for all construction of pedestrian and provide inclusion of the LDC. Developer's Agreement and provided to the County as described in Chapter 137 of the LDC. Page 86 Page 25 of 36

III. Potable Water

Potable water service to the site will be coordinated between the Developer and Okeechobee Utility Authority ("OUA") or other entity approved by the County. All lots used for residential, commercial, and public use purposes will be served with potable water from OUA or other entity approved by the County.

Financial assurances for all construction of potable water infrastructure will be required by the Developer's Agreement and provided to the County as described in Chapter 137 of the LDC.

IV. Sanitary Sewer

The Development Order for Phase 1 will include the required construction by Developer of an onsite community wastewater treatment system for the entire project together with wastewater collection lines for Phase 1 properties. Wastewater collection lines will be designed and installed during the site development process and approved as a part of the Development Order issued for each phase and the wastewater collection lines will continue to connect to the onsite system until public service is available. When available, wastewater treatment utility service will be provided by the OUA or other entity acceptable to the County.

Financial assurances for all construction of wastewater collection and treatment infrastructure will be required by the Developer's Agreement and provided to the County as described in Chapter 137 of the LDC.

V. Stormwater

Stormwater runoff will be addressed by construction of the surface water management system as approved by South Florida Water Management District Permit Number 22-101892-P (conceptual approval for Phases 2 and 3) and Permit Number 22-101893-P (construction approval for Phase 1), which will be modified as needed to address the change in layout shown on the Conceptual Master Plan approved by Ordinance No. 2022-11 and the changes in the uses approved in the new Schedule of Uses approved by Ordinance 2022-11. The surface water management system will be completed for each phase as a part of the construction of the infrastructure for the phase pursuant to the County Development Order for that phase. Phase 4 will be permitted separately in the future.

Financial assurances for all construction of stormwater collection infrastructure will be required by the Developer's Agreement to the County as described in Chapter 137 of the LDC.

VI. Electric Utility

Electric utility service will be available and provided to the site through Florida Power and Light. Financial assurances for all construction of electric utility infrastructure will be provided by a Developer's Agreement and provided to the County as described in Chapter 137 of the LDC.

VII. Lighting

All lighting for each subject site, outside of the residential lots, will be directed into the subject site. No direct glare will be visible beyond the boundary of the subject site. Shielding will be utilized to protect adjacent properties from light pollution. No lighting will be directed toward nor will light be directly visible from residential lots. Lighting will comply with the requirements of the LDC.

VIII. Garbage

Solid waste collection services will be contracted through a private hauler. No garbage containers for any commercial uses or development will be located along the boundary with residential uses or development without the required landscape buffer. Commercial development will provide dumpster-style waste receptacles and will be placed onsite in accessible locations and will comply with the requirements of the LDC.

IX. Off-street Loading

Along the boundary with residential lots, off-street loading will not occur prior to 8 AM or after 9 PM and all off street loading will comply with the requirements of the LDC.

X. Open Space

A minimum of thirty percent (30%) of open space will be provided within the residential portion of the development. Each phase will have access to the amenities within the project such as the open spaces, parks, docks, and private roads.

XI. Signage

The commercial development site will be allowed two hundred square feet (200 sq. ft.) of freestanding signage. Signs on the property will be oriented away from any abutting residential uses or development. On a sign with more than one face, each face will count toward total square footage. The sign may be placed within fifteen feet (15') of the front lot line. Each business can have an identification sign attached to the building above their front door or front window. Total square footage of each sign shall be no greater than twenty square feet (20'). All other signage will conform to Chapter 133 of the LDC.

XII. Master Property Owners Association and Declarations.

Prior to the issuance of the development order for Phase 1, the Developer will form a master property owners association as defined in Section 720.301, F.S. (the "Association") for the entire development property, and will simultaneously record in the Public Records of Glades County, Florida, a declaration of covenants, conditions and restrictions (the "Declaration") which will be binding on, and encumber, the real property and owners within each phase of the development property at such time as the plat is approved and recorded for that phase. Except for all improvements to SR-78 associated with Access Point #1, Access Point #2, and Access Point #3, which are specifically addressed elsewhere, all development and infrastructure to be constructed for a phase must be completed prior to the issuance of a building permit for vertical construction in the phase and the Developer must provide the financial assurances described in Chapter 137 of the LDC for that phase unless otherwise provided for in a Developer's Agreement with the County. Upon the approval and recording of each subsequent phase and plat, a joinder will be recorded subjecting the real property and owners within that phase to the Declaration and Association. The Declaration shall include the following provisions:

A. Common Area Maintenance: Either the CDD or the Association will control and will be responsible for the continuous maintenance of all of the common areas (to include, but not be limited to, infrastructure, utilities, drainage, private roads, sidewalks, open space, parks, community center buffers and surface water management) within the entire development. The wastewater collection and processing systems will likewise be under the control and responsibility of either the CDD or the Association unless or until that responsibility is transferred to the OUA or other entity approved by Glades County.

B. Roadways. Either the CDD or the Association will own and continuously maintain all of the internal roads in the entire development. Said roads will not be conveyed to the County or maintained by the County.

C. Irrigation, Landscape and Other Common Elements: Either the CDD or the Association will maintain the irrigation system, landscaped buffers, setbacks, sidewalks, all other common areas and the South Florida Water Management District mandated systems in the entire development, continuously and all in a good and workmanlike manner and all according to the development documents approved by the County and other regulatory agencies.

D. Buildings: The Association will maintain the exterior of all common buildings and improvements.

E. Mandatory Participation of Property Owners: The Association documentation will provide that, upon platting, all property owners of the platted area, both residential and commercial, will be obligated to be members of the Association and to abide by all of the requirements of the Association including future property use and maintenance and future funding of the maintenance of the development's common elements.

F. Enforcement: The Association documentation will include a provision granting to the County, the right, and power, but not the obligation, to enforce the Association rights and obligations described in the Association documents, including the Declaration.

Conditions of Approval

The following Conditions of Approval of the development approvals granted by Ordinance 2022-11 must be satisfied by the Developer. Failure to satisfy the following Conditions of Approval shall result in the development approvals granted by Ordinance 2022-11 becoming voidable in the sole discretion of Glades County.

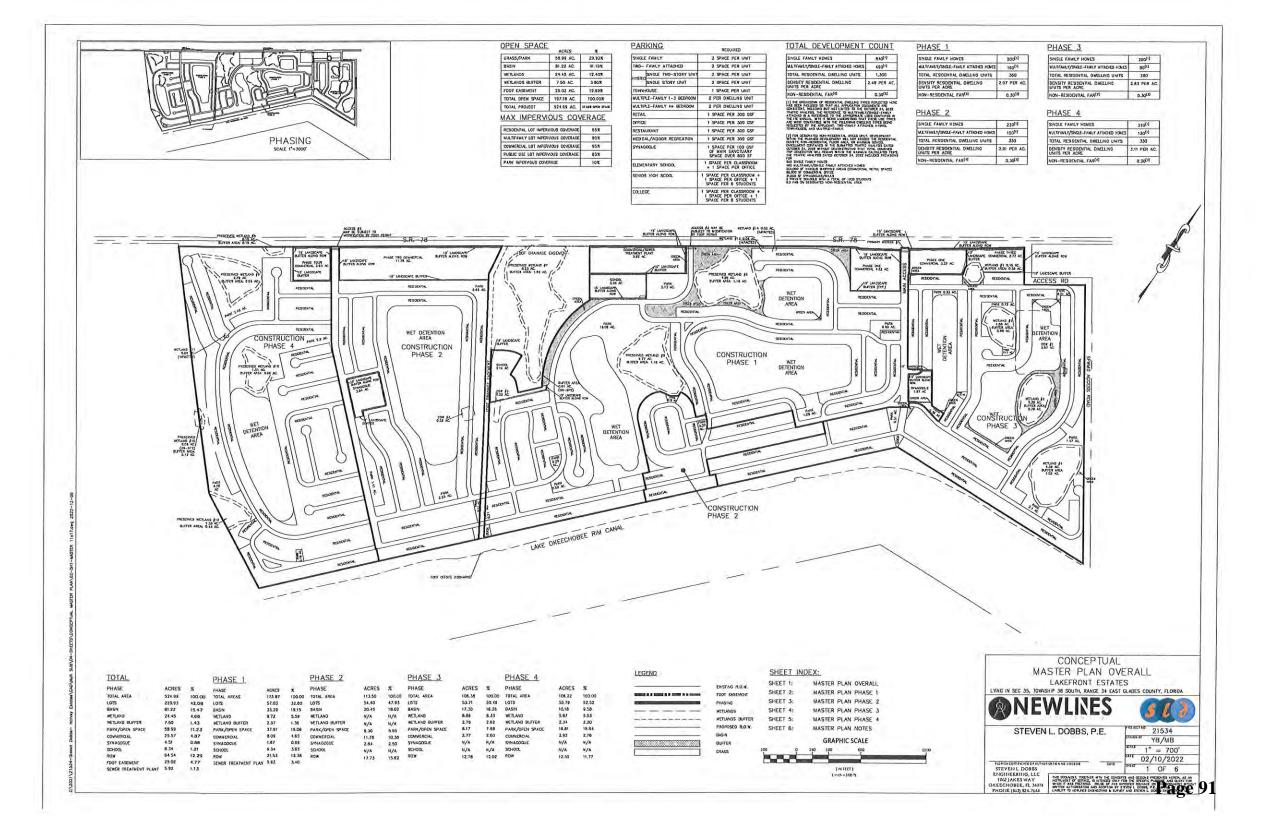
- 1. Requests for amendments to increase the residential density, non-residential intensity, and/or school enrollment shall include traffic analysis demonstrating that total trip generation will not exceed the maximums calculated in the submitted Traffic Analysis. Otherwise, a new traffic analysis shall be conducted to demonstrate maintenance of transportation concurrency, with the potential of additional transportation improvements to be required by the County as a result.
- 2. At time of each development order, the following table shall be provided with site plan submittal. Metrics for intensity and trip estimates shall be provided for any proposed uses not listed or included in the categories below:

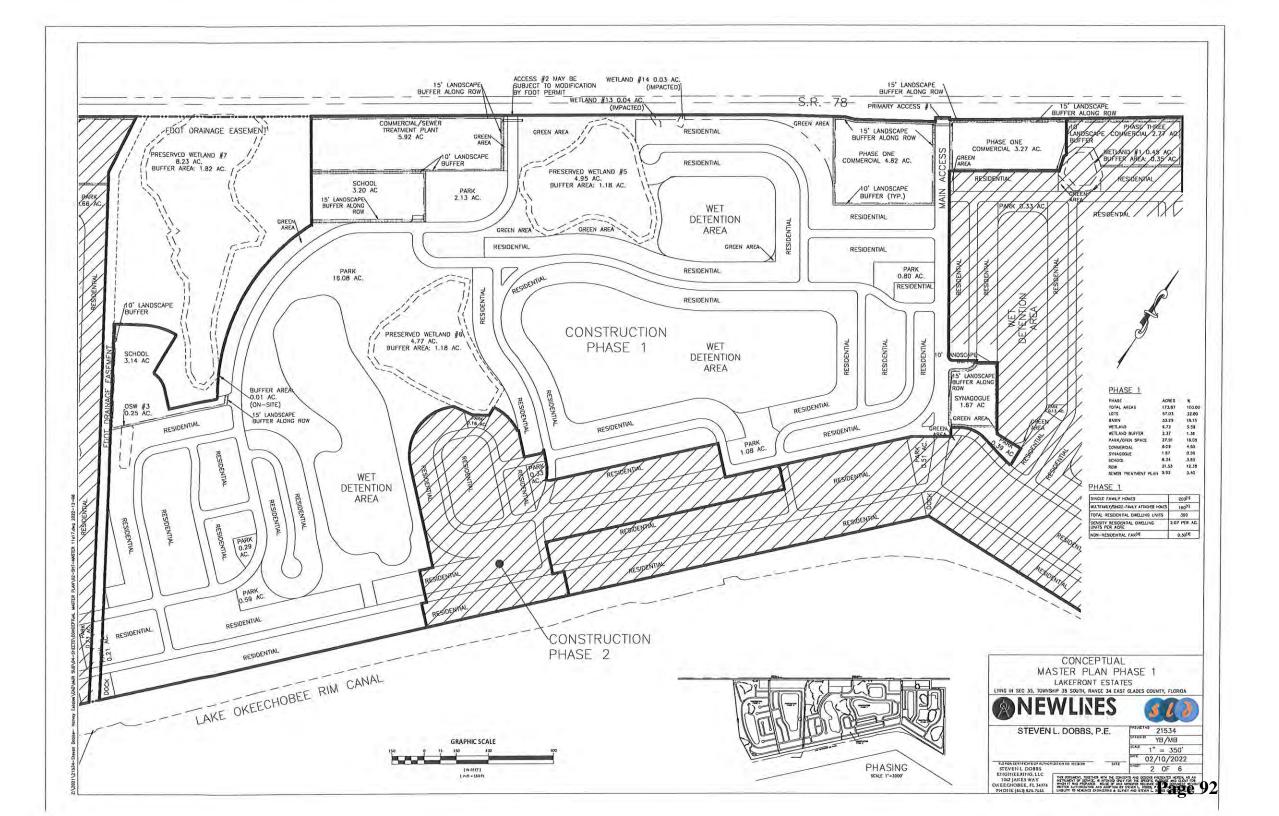
Use Type	Use Density/Intensity	Daily Trips (ITE Estimate)	PM Peak Trips (ITE Estimate)
Number of dwelling units	1.1.1 (A. A. A		
Commercial Floor Area (sf)			
School (number of students)	······································		
Public/Institutional Floor Area (sf)			

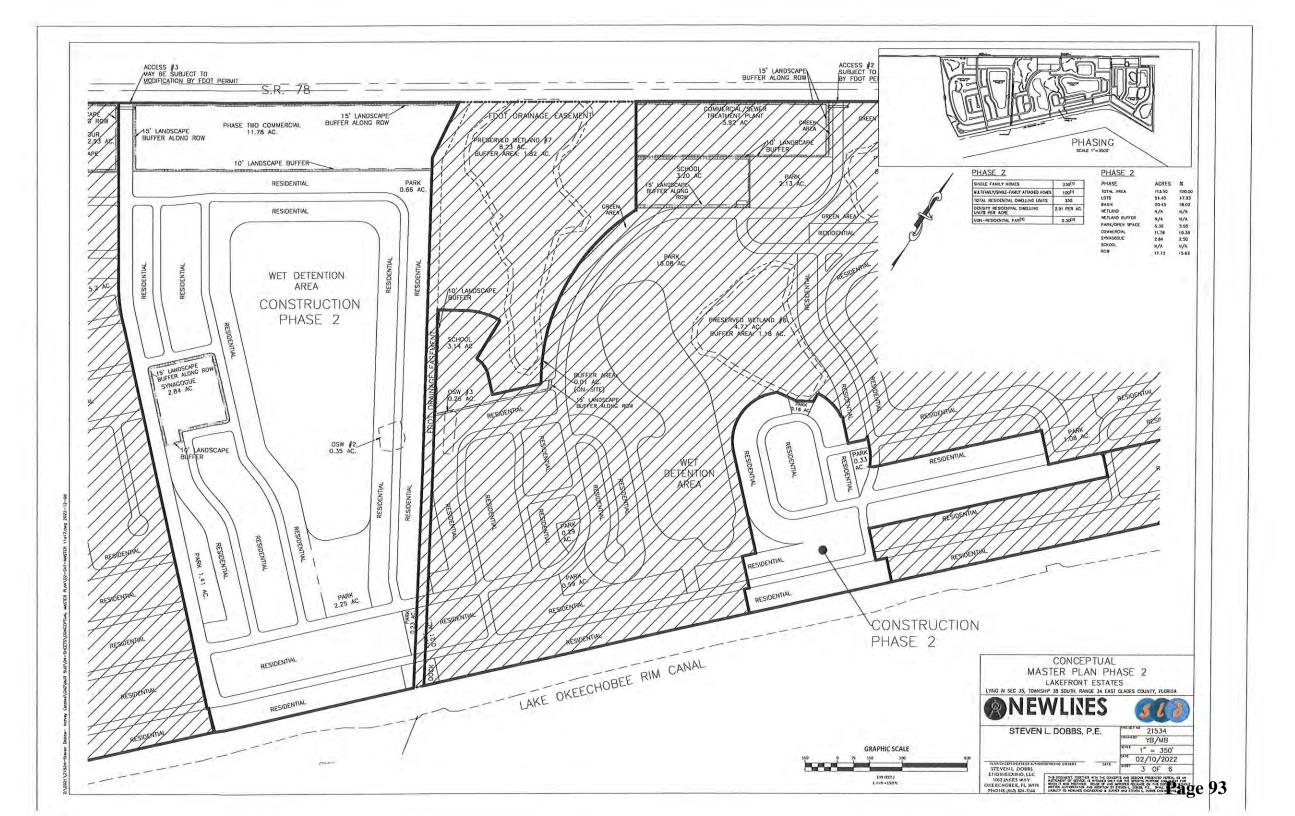
- 3. In addition to the applicable building permit procedures, Glades County Planning Department and Building Department shall be notified of any reconfiguration of residential structures which results in an increase in the number of dwelling units.
- 4. The costs of all improvements, and their future maintenance, that are necessary to support the proposed development, including all necessary improvements related to roadways, pedestrian facilities, water management, potable water infrastructure, wastewater processing, wastewater

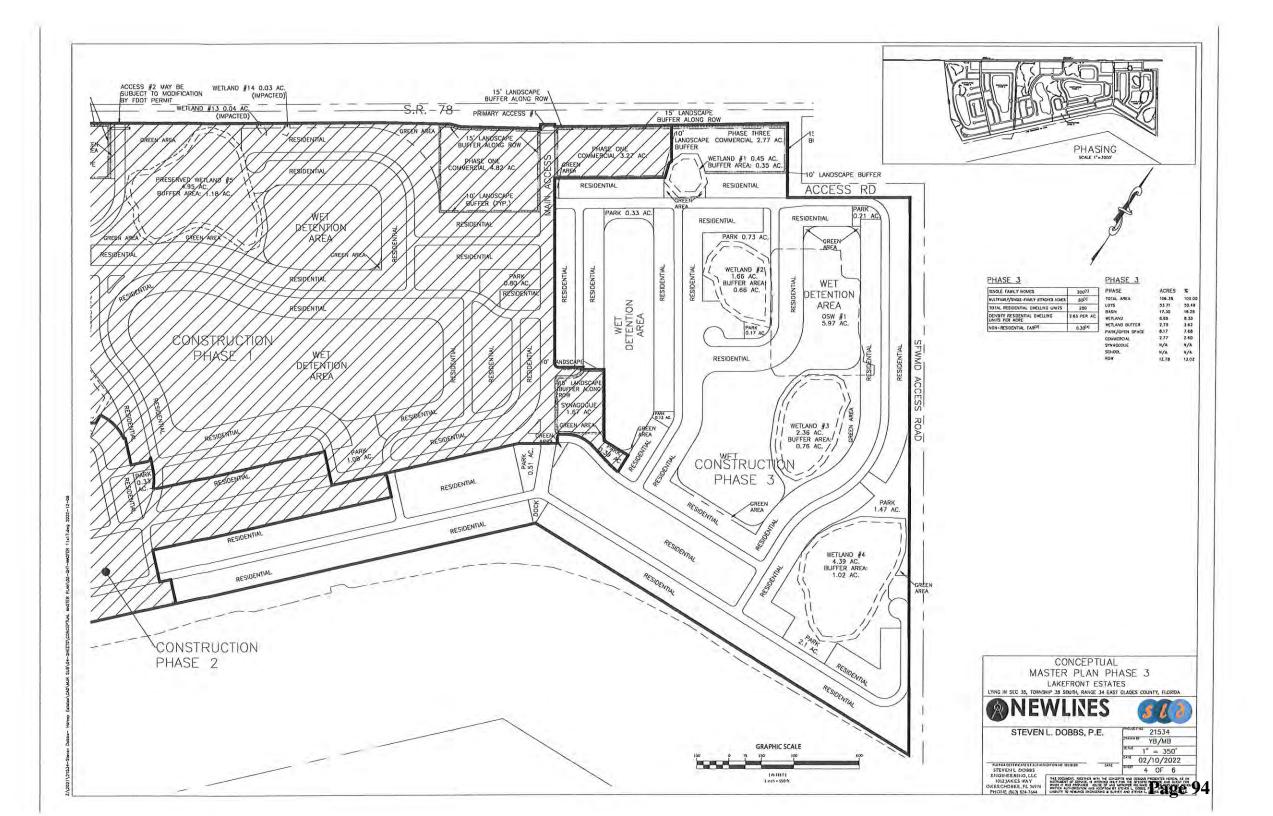
collection, and all other development proposed as part of this planned development rezoning approval, shall be borne by the Developer and guaranteed per the required Developer's Agreement.

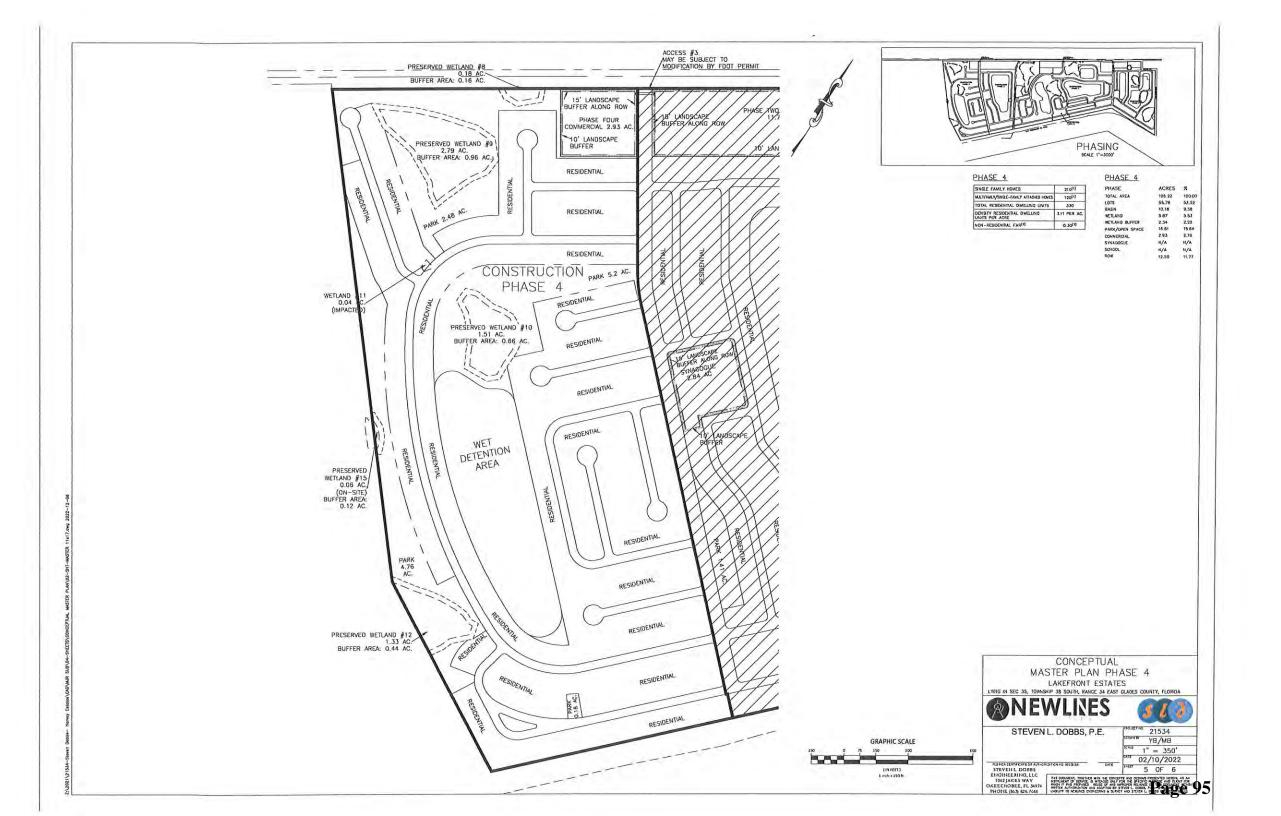
- 5. Prior to the development of Phase 1, the Developer will form a master property owners association, as defined in Section 720.301, F.S., consistent with all statements and requirements of Ordinance 2022-11, including as provided in the section of Exhibit B entitled, "PD Essential Facilities and Infrastructure".
- 6. Upon issuance of first building permit, grazing and sod farming shall be the only permitted agricultural uses.
- 7. Final street names will be approved by E911 pursuant to the standards and procedures provided in Glades County Code of Ordinances, Chapter 58, Article III.
- Sidewalks shall be required on one side of all internal rights-of-way or easements that provides access to residential units, recreational uses, neighborhood commercial, public uses and semipublic uses.
- 9. Off-street loading spaces shall be provided in conformance with the Glades County Land Development Code.
- 10. All improvements to SR-78 associated with Access Point #1 must be constructed to comply with Glades County and state standards and be completed prior to Development Order approval for Phase 1. All improvements to SR-78 associated with Access Point #2 must be constructed to comply with Glades County and state standards and be completed prior to issuance of the first Certificate of Occupancy. Financial assurances for the construction of Access Point #2 and related infrastructure will be provided by the Developer to the County as described in Chapter 137 of the LDC. No vehicle access to "Access Road" will be allowed.
- 11. Phase 2 proposed roadway improvements to SR-78, including all improvements associated with Access Point #3, must be completed prior to Development Order approval for Phase 2. Financial assurances for the construction of Access Point #3 and related infrastructure will be provided by the Developer to the County as described in Chapter 137 of the LDC.
- 12. Glades County Code of Ordinances shall govern for all development regulations and standards that are not specifically addressed in the Planned Development documents and Ordinance 2022-11.
- 13. Approval of Ordinance 2022-11 does not negate the Applicant's responsibility to obtain all other necessary approvals and permits from federal, state and local agencies. Development may not occur until all appropriate county, state, and federal permits and approvals have been obtained and evidence of same has been provided, in writing, to Glades County.
- 14. A Developer's Agreement (agreement) between the Developer/applicant and the County must be executed prior to final plat approval for Phase 1. The Developer is responsible for submitting the draft agreement to the County with the understanding that the County may/will revise the agreement to make it consistent with the Planned Development Rezoning approval in Ordinance 2022-11 as well as any applicable local, state and federal regulations. The Board of County Commissioners will approve the agreement on behalf of the County. The Developer's Agreement shall include, but not be limited to, setting forth a process acceptable to both the County and Developer by which plans for required infrastructure are submitted to the County for approval and bind Developer to adherence with all final standards, design and conditions as proposed in the submitted planned development application package and as approve through the Planned Development Rezoning process.

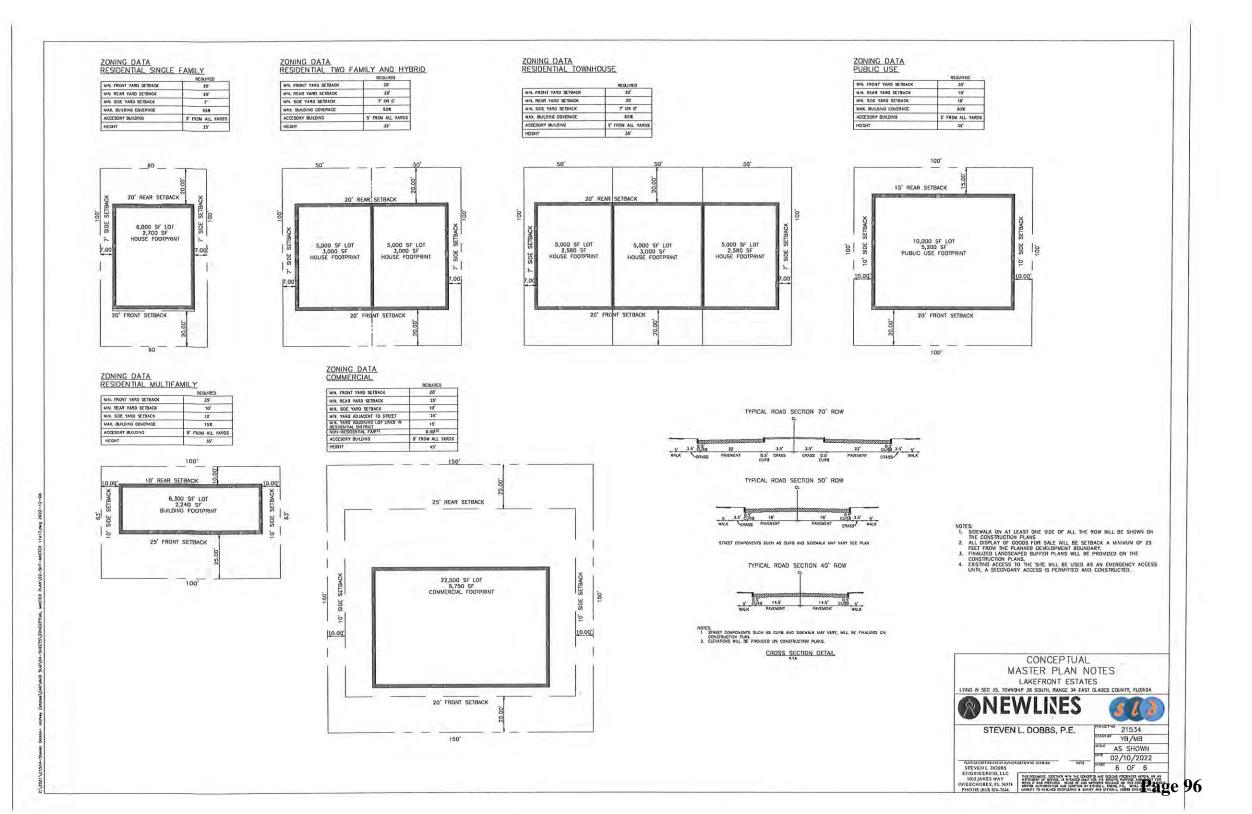












Footnotes:

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State Law reference— Mandatory that land development regulations contain provisions that regulate the subdivision of land, F.S. § 163.3202(2)(a).

Sec. 137-1. - Purpose and intent.

- (a) This chapter is intended to provide systematic approach of dividing or combining parcels of land, consistent with F.S. ch. 177, as amended from time to time, and the county comprehensive plan.
- (b) This chapter will regulate the subdivision of land, when a plat is required by F.S. ch. 177, or a simple subdivision is created.
- (c) New lots not regulated by this chapter shall be issued permits for development, when the lots and proposed type of development are in conformance with the county land development regulations.
- (d) This article will establish standards of design that encourage the development of sound and economically viable communities. This will insure that development occurs in an orderly and consistent manner, and that necessary facilities are in place to serve the residents of the county.

(Ord. No. 2006-14, § 5(exh. 5, § 1), 5-9-2006)

Sec. 137-2. - Rules of construction and analogous words and terms.

(a) For the purpose of this chapter, the following analogous words and terms shall be interpreted to have similar meanings when not inconsistent with the context:

Applicant includes the term "owner," and the word "owner" includes the word "applicant."

Constructed includes the terms "erected," "built," "installed," "rebuilt" and "repaired."

Lot includes the term "plot," "parcel" or "tract."

Street includes the term "avenue," "boulevard," "drive," "lane," "place," "road" or "way," or similar terms.

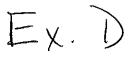
Structure includes the term "building."

(b) Where this chapter refers to a specific federal, state or county agency, department or division, it shall be interpreted to mean "or any succeeding agency authorized to perform similar functions or duties."

(Ord. No. 2006-14, § 5(exh. 5, § 2), 5-9-2006)

Sec. 137-3. - Definitions.

The following definitions are in addition to those set forth in other chapters of this Code and are applicable to the provisions set forth in this chapter only. If when construing the specific provisions contained in this chapter, these definitions conflict with definitions found elsewhere in this Code, then the definitions set forth below will control. Otherwise the definitions contained elsewhere in this code will control. If a term is not defined the term must be given its commonly understood meaning unless there is a clear indication of an intent to construe the term differently from its commonly understood meaning.



Abut/abuts/abutting means any property that is immediately adjacent to or contiguous with a common boundary.

Access point means an accessway or driveway which provides vehicle access to a single parcel of land.

Access street means a street or road that runs generally parallel to a public street and is the primary access to properties that abut the public street. An access street is intended only to provide access to parcels existing when it is constructed and does not provide frontage for newly created parcels as would a local street. See also frontage street.

Accessway means land that is used or intended to be used for ingress or egress to abutting parcels of land and is not dedicated to the public. Accessways include access points to commercial, industrial and other types of developments, except a single parcel of land containing two or fewer dwelling units in a single structure.

Applicant means any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity, or their duly authorized representative, conducting activities under this chapter.

Bicycle path and bike path mean a bike way physically separated from motorized vehicular traffic by an open recovery area or barrier and either lying within the highway right-of-way or within an independent right-of-way.

Bike way means any road, path or way which is specifically designated or intended to be open to bicycle travel, whether such facilities are intended for the exclusive use of bicycles or not.

Block means a group of lots, including a tier of lots, existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barrier and having an assigned number, letter or other name by which it may be identified.

Board means the board of county commissioners.

Consultant means an architect, attorney, engineer, environmentalist, landscape architect, planner, surveyor or other person engaged by the developer to prepare documents required for a development order.

Contiguous. See abutting.

County means Glades County, Florida.

County engineer means a person employed by the county and licensed as a professional engineer in the state, being regulated by F.S. ch. 471; or a person licensed as a professional engineer in the state, being regulated by F.S. ch. 471, under contract with, or employed by a firm that is under contract with the county to perform engineering services.

Cul-de-sac means a street with a single common ingress and egress and with a turnaround at the end.

Current pertains to the regulations in effect at the time an application for a development order is presented for acceptance or approval.

Dead-end street means a street having only one end open for vehicular access and closed at the other end with no turnaround.

Decision of the development review director means any act of the county manager or his designee in interpreting or applying this article to a particular request for a requirement waiver, limited review processing, or a development order, or any other related request.

Density means an existing or projected relationship between numbers of dwelling units and land area.

DEP means the state department of environmental protection.

Developer means any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity commencing development.

Development means any improvement to land, including but not limited to site work and the subdivision of land.

Development area means the total horizontal area of the development property less any area within any existing public street right-of-way or easement.

Development order means a document issued by the county development review director granting approval of the development based upon the submittal of the application for a development order, plans for development, plats and all other documentation as applicable and required by this chapter.

Development permit has the same meaning as given for that term in F.S. § 163.3164(7).

Direct access means that the access way, in the form of an easement driveway, or other type of street connects the property being divided to a street external to the original parcel and does not pass through or go past any property other than the one being divided.

Division and *dividing* of *land* means the act of describing, by metes and bounds, platting or otherwise, one or more parcels of land which are created from an original parcel or a combining of parcels for the purpose of conveying any interest in a parcel of land or the act of describing, by metes and bounds, platting or otherwise, an easement for access or right-of-way purposes.

Drainage system includes the roadside swales, curb and gutter, valley gutter, inlet piping, lateral swales and related structures used to collect and transmit stormwater runoff from streets and lots to the detention or retention areas and percolation areas.

Driveway means a type of access point which provides vehicle access from a street to a single parcel of land containing two or fewer dwelling units in a single structure and from which vehicles may legally enter or leave the street in a forward or backward motion.

Dwelling unit means a room or rooms connected together, constituting a separate, independent housekeeping establishment for a family, for owner occupancy, or for rental or lease on a weekly, monthly or longer basis, which is physically separated from any other rooms or dwelling units which may be in the same structure, and which contains sleeping and sanitary facilities and one kitchen. The term "dwelling unit" shall not include rooms in hotels, motels or institutional facilities.

Easement means a grant of a right to use land for specified purposes. It is a nonpossessory interest in land granted for limited use purposes. Where the term "easement" is preceded by the term "street" or any other adjective, the preceding term describes the easement's purpose.

Engineer means a professional engineer duly registered and licensed by the state.

Environmental resource permit means a permit issued by the South Florida Water Management District to construct improvements to land.

Expressway means an arterial highway, usually divided, designed for the safe and relatively unimpeded movement of large volumes of through traffic, with full or partial control of access and grade separations at most intersections.

FDOT means the Florida Department of Transportation.

FLUCCS means Florida Land Use, Cover and Forms Classification System.

Freeway means a divided arterial highway designed for the safe unimpeded movement of large volumes of traffic, with full control of access and grade separation at all intersections.

Frontage street means a type of access street which runs parallel to the adjacent arterial or collector street right-of-way and which separates the abutting properties from the right-of-way.

FWC means the Florida Fish and Wildlife Conservation Commission.

Highway means a collector or arterial street.

Impervious surface means those surfaces which do not absorb water, and includes all structures, driveways, streets, sidewalks, other areas of concrete, asphalt, compacted layers of lime rock or shell. In the case of storage yards, areas of stored materials constitute impervious surfaces.

Improvement to land means any change to land or to any structure on the land, and shall include any movement or grading of land, except grading which is incidental to the removal of exotic vegetation and which is not prohibited by other sections of this code; clearing of indigenous vegetation; and the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; provided, however, that any change to a building which does not involve a change in the building floor area shall not be deemed an improvement to land.

Indigenous native vegetation means those plant species that are characteristic of the major plant communities of the county. Areas where invasive exotic vegetation has exceeded 75 percent of the plant species by quantity will not be considered indigenous vegetation.

Intensity of use means the extent to which nonresidential land is used as measured in terms of square footage of buildings, impervious surfaces, traffic generation, water consumption and sewage created.

Intersection means the general area where two or more roads, streets, accessways or access points join or cross.

Landscape architect means a professional landscape architect duly registered and licensed by the state.

LBR means lime rock bearing ratio.

Lot means a parcel of land considered as a unit.

Lot area means the total horizontal area within the lot lines.

Lot, corner, means a lot located at the intersection of two or more streets where the corner interior angle formed by the intersection of the two streets is 135 degrees or less or a lot abutting a curved street if straight lines drawn between the intersections of the side lot lines and the street right-of-way or easement to the foremost point of the lot form an interior angle of less than 135 degrees.

Lot depth means the distance between the midpoints of the front lot line and the rear lot line. The midpoint of a curved front or rear lot line shall be considered to be the midpoint of a straight line connecting the points of its intersection with the side lot lines.

Lot, double-frontage, means any lot, not a corner lot or through lot, having two or more property lines abutting a street right-of-way or easement.

Lot, flag, means a lot not fronting on or abutting a street, and where access to the street is by a narrow private easement; or an L-shaped lot or other irregularly shaped lot which abuts and has access to a street but does not comply with the minimum frontage requirements of the zoning district.

Lot frontage means the distance measured along a straight line between the points of intersection of the side lot lines with the street right-of-way or easement.

Lot, interior, means any lot not defined as a corner, double-frontage or through lot.

Lot line means a line which delineates the boundary of a lot.

Lot line, front, means the lot line which divides the lot from a street right-of-way or easement.

Lot line, rear, means that lot line which is parallel to or concentric with and most distant from the front lot line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to or concentric with and at the maximum possible distance from the front lot line shall be considered to be the rear lot line. In the case of a through lot, there shall be no rear lot line. In the case of a through frontage lot, the line directly opposite from the front line shall be designated as either a rear line or a sideline depending upon the designation of the adjacent property. In the case of corner lots, the rear lot line shall be the line most nearly parallel to or concentric with and most distant from the front line most prevalent along the block.

Lot line, side, means any lot line other than a front or rear lot line.

Lot, L-shape, means an irregular lot shape, such as one in the shape of an L or T.

Lot of record means a lot which is part of a plat which has been lawfully recorded in the plat books in the office of the clerk of the circuit court and is in compliance with F.S. ch. 177, or a parcel of land, the deed of which was lawfully recorded in the office of the clerk of the circuit court on or before the date the county land development regulations were adopted.

Lot split, conforming, means the division of a tract, parcel, or lot into only two lots (one new and the original), where each lot meets the dimensional standards for their zoning district and comprehensive plan; abuts a county maintained road which has been duly dedicated and accepted, and no new streets are created and there is no change in the length or alignment of an existing street; and no environmental resource permit is required.

Lot split, nonconforming, means the division of a tract, parcel, or lot, by deed (without a plat), that does not meet the requirements of a conforming lot split.

Lot, through, means any lot having two opposite lot lines abutting a street right-of-way or easement.

Lot width means the distance between the side lot lines, or a front and side lot line for corner lots, as measured along the minimum required street setback line.

On-road bike way and bike lane mean a portion of a roadway which has been specifically designated for the use of bicyclists.

On-site sewage disposal system or facility means those sewerage systems which include a septic tank, a system of piping, and a soil absorption bed or drain field, as further defined and regulated by F.S. ch. 381.

Owner means any person having a legal or equitable interest in property.

Parcel means any quantity of land capable of being described with such definiteness that its location and boundaries may be established which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

Parent parcel means the original parcel from which subsequent parcels are created.

Parking lot access means an accessway which provides vehicle access from a street to a parking lot containing five or more parking spaces, but from which vehicles are restricted to entering or leaving the street in a forward motion only.

PCP (permanent control point) means a marker as defined in F.S. ch. 177.

Pedestrian way means a paved, surfaced path or way which is specifically designated or intended to be open to pedestrian travel, whether such facilities are intended for the exclusive use of pedestrians or not.

Permit means any official document or certificate required or issued by the county authorizing performance of a specified activity.

Person means any individual, partnership, association, corporation, trust or other legal entity.

Plat means a plat as defined by F.S. ch. 177, as amended.

Private water system means a water system that is supplied by a well, spring or other similar source of water, that is used for human consumption by four dwelling units or less and is regulated by F.S. ch. 381 and F.A.C. ch. 10D-4, as amended.

PRM (permanent reference monument) means a monument as defined in F.S. ch. 177.

Public sewerage system means a sewerage system that contains a wastewater treatment plant, is not an individual sewage disposal system, and is not regulated by F.A.C. ch. 10D-4.

Public street means a street that has been dedicated to the public and where the public, through use of the street, or the board, through expressed action at a public hearing, has accepted the offer of dedication. Regardless of the board's acceptance of the offer of public dedication, the board may or may not have accepted the street for maintenance purposes.

Public water system means a water system that is not a private water system, and includes those water systems regulated under F.S. ch. 381 and defined as public water systems, community water systems and noncommunity water systems in F.A.C. ch. 17-22; and those water systems defined as public water systems not covered or included in the Florida Safe Drinking Water Act in F.A.C. ch. 10D-4, as amended.

Rehabilitation means the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions of features of the property which are significant to its historical architectural and cultural values.

Reverse frontage street means a local street or access way that functions as an access street but which is not located adjacent to the arterial or collector street right-of-way.

Right-of-way, means land dedicated, deeded, used or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies.

Road capital improvement includes transportation planning, preliminary engineering, engineering design studies, land surveys, right-of-way acquisition, engineering, permitting and construction of all the necessary features for any road construction project, including but not limited to:

- Construction of new through lanes.
- (2) Construction of new turn lanes.
- (3) Construction of new bridges.
- (4) Construction of new drainage facilities in conjunction with new roadway construction.
- (5) Purchase and installation of traffic signalization, including new signalization and upgrading signalization.
- (6) Construction of curbs, medians and shoulders.
- (7) Construction of on-road bike ways and bike paths.
- (8) Relocating utilities to accommodate new roadway construction.

Road expansion means all road and intersection capacity enhancements, and includes but is not limited to extension, widening, intersection improvements, upgrading signalization and improving pavement conditions.

Roadway is a general term denoting land, property or interest therein, usually in a strip, acquired for or devoted to transportation purposes, including the travel way, shoulders and swales,

Service area means the geographical region consisting of the lots being served or being proposed to be served by a public facility, including but not limited to public water or sewage systems.

Setback line, front or street, means a line drawn parallel to or concentric with the front lot line at a distance from the lot line equal to the setback required by the zoning district for the classification of street upon which the lot abuts. If the front line is curved, the setback line shall be a curved line drawn an equal distance back from the intersections of the side lot lines with the street right-of-way line, and with the required setback measured at the point or points where the setback line is closest to the front lot line.

Sewerage system means a system of pipes, pumps, tanks or wastewater treatment plants and all other appurtenances or equipment needed to treat, transport and dispose of sewage.

Sidewalk means a pedestrian way, paralleling and usually separated from the street.

Sidewalk, off-site, means a pedestrian way which is exterior to a parcel being improved and located in the right-of-way of the street adjacent to that parcel or within an easement dedicated to the public.

Sidewalk, on-site, means a pedestrian way which is located within the boundaries of the parcel being improved.

Simple subdivisions means any subdivision of land creating at least three lots that meet the requirements of section 137-7.

Site-related road improvements means road capital improvements and right-of-way dedications for direct access improvements to the development in question. Direct access improvements include, but are not limited to, the following:

- (1) Site access points and roads.
- (2) Median cuts made necessary by those access points or roads.
- (3) Right and left turn and deceleration or acceleration lanes leading to or from those access points or roads.
- (4) Traffic control measures for those access points or roads.
- (5) Roads or intersection improvements whose primary purpose at the time of construction is to provide access to the development.

Soil classification means those categories and types of soils identified by the United States Department of Agriculture soil survey of the county.

Stormwater management system means and includes the detention or retention areas, percolation trenches, discharge structures and outfall channels provided to control the rate of stormwater runoff within and from a development.

Street includes any access way, such as those designated as a road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place, or cul-de-sac, ingress/egress easements, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets whether improved or unimproved but shall not include those access ways intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines water lines, drainage facilities and sanitary sewers.

Street, arterial, means streets primarily intended to carry large volumes of through traffic connecting major activity centers to other major traffic generators. Access to abutting properties is a secondary function.

Street, local, means streets with the primary function being to serve adjacent properties. As such, a local street provides the linkage from adjacent land uses to the collector street system. Through volume service is not a function of local streets.

Street private, conforming, means a street that is not dedicated to the public or has been dedicated to the public but the offer has not been accepted by the board through expressed action at a public hearing, and which is built and maintained to the same standards as required for a county or state maintained street of the same type.

Street private, nonconforming, means a street that is not dedicated to the public or has been dedicated to the public but the offer has not been accepted by the board through expressed action at a public hearing, and which is not built or maintained to the same standards as required for a county or state maintained street of the same type.

Street, public, means a street that has been dedicated to the public and where the public, through use of the street, or the board through expressed action at a public hearing, has accepted the offer of dedication. Regardless of the board's acceptance of the offer of public dedication, the board may or may not have accepted the street for maintenance purposes.

Street, major collector, means streets having the primary purpose of collecting traffic from intersecting local and minor collector streets and distributing this volume to the nearest arterial. A secondary purpose is to carry moderate volumes of through traffic. Access to abutting land uses is a secondary function.

Street, minor collector, means streets having the primary purpose of collecting traffic from intersecting local streets and distributing this volume to the nearest major collector or arterial. As such, a

minor collector street provides the linkage from neighborhoods (i.e., local streets) to the arterial system, and provides intra-neighborhood access. Access to abutting land uses is a secondary function.

Street, substandard, means a street lacking either a geometric or structural capacity for the designation assigned.

Structure means that which is built or constructed. The term "structure" shall be construed as if followed by the words "or part thereof."

Subdivision is a type of development. It means the division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions (also known as replats).

Surveyor means a professional land surveyor duly registered and licensed by the state.

Turn lane means a width of pavement required to protect the health, safety and welfare of the public and reduce adverse traffic impacts from turning movements generated by a development on to and off of a street. Turn lanes shall include and enhance turning, acceleration, deceleration or storage movements of vehicles as required by this chapter.

Unified control means that a single property owner or entity has been authorized by all owners of the property to represent them and to encumber the parcel with covenants and restrictions applicable to development of the property as approved by the county.

Water system means a system of pipes, pumps, water treatment plants or water sources, and all other appurtenances or equipment needed to treat, transport and distribute water.

Zoning ordinance means that document as adopted, and as may be amended by the board of county commissioners for the purpose of dividing the unincorporated area of the county into zoning districts and providing for the regulation of uses, land and structures within such districts.

(Ord. No. 2006-14, § 5(exh. 5, § 3), 5-9-2006; Ord. No. 2016-13, § 2, 6-14-2016)

Sec. 137-4. - Design criteria and development standards.

- (a) Generally. Compatibility, is the ability of adjacent existing or proposed uses to coexist with adjacent uses without creating an unacceptable negative relationship. Compatibility will be ensured between the site plan and approved and existing development in the vicinity of the subdivision. Proposed designs will be consistent for the health, safety, and welfare of residents, employees, and visitors to the site and adjacent properties. Compatibility does not require the same density or intensity, compatibility does require sufficient buffering alternatives to ensure sufficient space and screening between different uses.
- (b) Lot sizes. Every lot within the development must comply with the minimum dimensional standard for the zoning district in which the lot is located.
- (c) *Densities and intensities.* The gross densities and intensities of the development shall be in compliance with the current zoning regulations.
- (d) *Natural features.* Site design will take the natural topography, soils and vegetation into consideration. Site design will consider recreation areas, open spaces, utilities, drainage and other facilities. Preservation of natural features will be encouraged (i.e., vegetation, wetlands, etc.).
- (e) Transportation facilities and services. The road network within the subdivisions will be required to meet the adopted service levels and standards. Streets within major subdivision shall be paved. Paved streets shall meet standard FDOT and Manual of Uniform Minimum Standards for Design. Construction and maintenance for streets and highways requirements and other applicable requirements for signage. Streets within a simple subdivision may be paved or unpaved. Unpaved streets shall meet the requirements outlined within the simple subdivision subsection.

The road network of a major subdivision shall be required to connect to a paved public or conforming private street.

- (f) Access management. The design and location of access to the subdivision shall be in accordance with the county land development regulations. Road design shall not allow direct access to collector or arterial roads from individual lots.
- (g) Utilities, public facilities, and services. Subdivisions shall have the following public facilities, utilities and services; sanitary sewers, potable water, storm and surface drainage systems, and other applicable utilities systems and installations. This subsection shall not apply if the developer provides private facilities, utilities or services approved by appropriate public agencies (including on-site sewage disposal systems and private wells) and assures their satisfactory, continuing operation during the period of development and makes provision for their continued operation thereafter, or until public facilities, utilities and services are available for use.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(a)), 5-9-2006; Ord. No. 2016-13, § 2, 6-14-2016)

Sec. 137-5. - Phasing of development.

A master plan for the entire development site must be approved for a major development that is to be developed in phases. The master plan shall be submitted simultaneously with an application for review of the preliminary development plan for the first phase of the development and must be approved as a condition of approval of the preliminary plan for the first phase. A preliminary and final development plan must be approved for each phase of the development under the procedures for development review prescribed above. Each phase shall include a proportionate share of the proposed recreational space, and open space, other site and building amenities of the entire development, except that more than a proportionate share of the total amenities may be included in the earlier phase with corresponding reductions in the later phases. Any portion of a utility or roadway system, identified in the master plan, that provides functionality to improvements in the phase being constructed, must also be constructed simultaneously with the phase under construction.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(b)), 5-9-2006)

Sec. 137-6. - Financial assurances for improvements.

- (a) Applicability.
 - (1) The provisions of this section apply to all proposed developments in the county, including private road subdivisions
 - (2) Nothing in this section shall be construed as relieving a developer from any requirement relating to concurrency requirements of this chapter.
 - (3) This section does not modify existing agreements between a developer and the county for subdivisions platted and final development orders granted prior to the effective date of the ordinance from which this chapter is derived; provided, such agreements are current and comply with all conditions and terms thereof.
- (b) Improvement agreements required. The approval of any development plan shall be subject to the developer providing assurance that all required improvements, including, but not limited to, storm drainage facilities, streets and highways, water and sewer lines, shall be satisfactorily constructed according to the approved development plan. The following information shall be provided:
 - (1) Agreement that all improvements, whether required by this chapter or constructed at the developer's option, shall be constructed in accordance with the standards and provisions of this chapter.

- (2) The term of the agreement indicating that all required improvements shall be satisfactorily constructed within the period stipulated. The term shall not exceed five years from the recording of the plat or 30 percent occupancy of the development, whichever comes first.
- (3) The projected total cost for each improvement. Cost for construction shall be determined by either of the following:
 - a. Estimate prepared and provided by the applicant's engineer.
 - b. A copy of the executed construction contract provided.
- (4) Specification of the public improvements to be made and dedicated together with the timetable for making improvements.
- (5) Agreement that upon failure of the applicants to make required improvements (or to cause them to be made) according to the schedule from making those improvements, the county shall utilize the security provided in connection with the agreement to make the required improvements (or to cause them to be made).
- (6) Provision of the amount and type of security provided to ensure performance.
- (7) Provision that the amount of the security may be reduced periodically, but not more than two times during each year, subsequent to the completion, inspection and acceptance of improvements by the county.
- (c) Amount and type of security.
 - (1) The amount of the security listed in the improvements agreement shall be approved as adequate by the director.
 - (2) Security requirements may be met by, but are not limited to, the following
 - a. Cashier's check.
 - b. Certified check.
 - c. Cash.
 - d. Developer/lender/county agreement.
 - e. Interest bearing certificate of deposit.
 - f. Irrevocable letters of credit.
 - g. Surety bond.
 - (3) The amount of security shall be 125 percent of the total construction costs for the required developer-installed improvements. The amount of security may be reduced commensurate with the completion and final acceptance of required improvements. In no case, however, shall the amount of the bond be reduced to less than 125 percent of the cost of completing the remaining required improvements.
 - (4) Application for reduction in the security amount shall be made to the community development department and must be approved by the board of county commissioners.
- (d) Completion of improvements.
 - (1) When improvements are completed, final inspection shall be conducted and corrections, if any, shall be completed before final acceptance is recommended by the county engineer. A recommendation for final acceptance shall be made upon receipt of a certification of project completion and one copy of all test results.
 - (2) As required improvements are completed and accepted, the developer may apply for release of all or a portion of the bond consistent with requirements in subsection (c) of this section.
- (e) Maintenance of improvements.

- (1) A maintenance agreement and security shall be provided to assure the county that all required improvements shall be maintained by the developer according to the following requirements:
 - a. The period of maintenance shall be a minimum of two years. Longer maintenance periods may be required if recommended by the county engineer.
 - b. The maintenance period shall begin with acceptance by the county of the construction of the improvements.
 - c. The security shall be in the amount of 15 percent of the construction cost of the improvements.
 - d. The original agreement shall be maintained by the director of the community development department.
- (2) Whenever a proposed development provides for the creation of facilities or improvements which are not proposed for dedication to the county, a legal entity shall be created to be responsible for the ownership and maintenance of such facilities and/or improvements.
 - a. When the proposed development is to be organized as a condominium under the provisions of F.S. ch. 718, common facilities and property shall be conveyed to the condominium's association pursuant to that law.
 - b. When the proposed development is to be organized as a community development district under the provisions of F.S. ch. 190, common facilities and property shall be conveyed to the community development district pursuant to that law.
 - c. When no condominium association or community development district is to be organized, an owner's association shall be created, and all common facilities and property shall be conveyed to that association.
 - d. No development order shall be issued for a development for which an owner's association is required until the documents establishing such association have been reviewed and approved by the county attorney.
- (3) An organization established for the purpose of owning and maintaining common facilities not proposed for dedication to the county shall be created by covenants running with the land. Such covenants shall be included with the final plat. Such organization shall not be dissolved nor shall it dispose of any common facilities or open space by sale or otherwise without first offering to dedicate the same to the county.
- (4) Whenever a proposed development provides for the creation of facilities or improvements which are proposed for dedication to the county, the county may require a municipal services taxing unit be created to fund continued maintenance of the improvements.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(c)), 5-9-2006)

Sec. 137-7. - Simple subdivision.

- (a) Generally. The county has deemed certain subdivisions of land to be of lesser impact to the county's infrastructure and adjacent property owners. A simple subdivision review will ensure compatibility with surrounding development and uses, determine compatibility with the comprehensive plan, compliance with the land development regulations and the impact on levels of service for concurrency purposes. A pre-application review is not required for a simple subdivision, but it is recommended.
- (b) Criteria:
 - (1) Each lot in a simple subdivision shall meet the requirements of the land development regulations and the comprehensive plan;

- (2) A simple subdivision may include the creation of an easement to internally access newly created lots; this does not allow the creation of an easement external to the subdivision to be used to provide access to the subdivision.
- (3) A simple subdivision shall have direct access to a public street or a conforming private street. A simple subdivision with direct access to a nonconforming private street may be allowed with approval of the county; which must be reviewed separately and prior to approval of the simple subdivision. A simple subdivision with direct access to an easement shall not be allowed.
- (4) The county shall require financial assurance that funds are available to construct any streets including easements. No permits to build on any lots in the subdivision shall be approved until subdivision streets are fully constructed and inspected and certified by an engineer.
- (5) The number of lots allowed in the simple subdivision will depend on how the lots are accessed.
 - a. There is no maximum number of lots when all lots abut a public street or conforming private street. When the lots being created are adjacent to a limited access street, a parallel access street that connects all new lots and is intended to decrease the access points onto the limited access street shall be required. Subdivisions along other streets may be required to provide a parallel access street if deemed necessary by the county. Construction and maintenance of the parallel access street will be the responsibility of the lot owners. The access street shall be paved and must be built and maintained to the requirements of the county.
 - b. If an easement is used as the internal street to access any of the new lots then no more than six lots shall be allowed. This option shall only be allowed for residential and agricultural residential subdivisions. The following conditions shall apply:
 - 1. Access points onto the adjoining external public or private street shall be limited. If possible the easement access shall be the only access point onto the external street and each lot shall front onto the easement.
 - 2. The easement, if paved shall meet standard FDOT and Manual of Uniform Minimum Standards for Design, Construction and maintenance for streets and highways requirements for a local road, or, if unpaved, the requirements of this subsection.
 - 3. A document, whose format and wording shall be approved by the county, shall be recorded with the clerk of the circuit court with at a minimum the following information included:
 - i. Survey sketch and legal description of the easement,
 - ii. Statement that the easement is a permanent or perpetual nonexclusive easement for ingress and egress,
 - iii. Statement that the easement is private and that the easement is neither dedicated to nor accepted by Glades County,
 - iv. Identify that the easement is under common ownership and identify the parcels that have access to and financial responsibility for construction maintenance and repair of the easement.
 - v. Identify an enforcement mechanism and funding source to provide, at the minimum annual maintenance and repair of the street and drainage systems.
 - vi. Allow for utility infrastructure within the easement,
 - vii. Allow accessibility to all emergency, public service, utility, and refuse vehicles and all other similar vehicles which may necessarily need to utilize the easement.
- (6) The subdivision may be gated but, if so, then a Knox box or coded key lock, or other similar device acceptable to emergency services shall be the only acceptable locking mechanism to secure the gate so that fire/EMS police and animal control may quickly and safely enter the subdivision when necessary.

- (c) No further subdivision of any lot shall be permitted without full compliance with all county regulations. Lots in a subdivision are not eligible to utilize a lot split but must be reconfigured through a replat. Any increase in lots beyond the limit allowed by this subsection shall require approval of a major subdivision.
- (d) Only one simple subdivision may be created from any lot or contiguous lots under the same ownership. Any further division of land shall require approval of a major subdivision.
- (e) Submittal documents shall include but not be limited to the following items:
 - (1) A plat of the subdivision prepared by a professional surveyor and mapper with all of the information required by F.S. ch. 177, part I, platting, and in the format required by § 177.091 plats. All legal descriptions shall include the acreage of the lot. In addition, the front page of the plat shall contain signature blocks for execution by each of the following:
 - a. County surveyor and mapper,
 - b. County engineer,
 - c. Community development director,
 - d. Chairman of the board of county commissioners,
 - e. Tax collector, and
 - f. Clerk of the circuit court.
 - (2) A narrative:
 - a. Describing the purpose, intent, and character of the proposed development
 - b. Describing how the proposal is in conformance with specific, applicable provisions of the county comprehensive plan and land development regulations.
 - c. Indicating if the subdivision will or will not be gated: if gated, identify the locking mechanism that will be used to secure the gate
 - (3) Maps showing each of the following (more than one item may be shown on a map):
 - a. General location of the project site.
 - b. Surrounding streets and existing right-of-way easements.
 - c. Location of existing and proposed utility easements.
 - d. Location of existing and proposed potable water and sanitary sewer facilities.
 - e. Future land use and zoning designations of the project site and adjacent property.
 - f. Topography: Depicting contours water bodies wetlands and drainage ways.
 - g. Floodplain map.
 - h. Known environmental concerns on the subject property.
 - (4) An impact analysis on public facilities and services and adopted levels of service.
 - (5) Proof that all taxes have been paid.
 - (6) A certificate of title (title certification) or opinion of title that was completed within 60 days of the submittal of the application.
 - a. Information to be included.
 - 1. The owner or owners of the fee title and all persons or entities holding a mortgage secured by the property.
 - 2. All recorded and unrecorded easements affecting the property. A general reference to easements restrictions, etc., found within agreements is not sufficient. Easements

located within recorded agreements must be specifically identified. If an easement affecting the property to be platted affects an entire parcel tract or portion of the plat and the easement cannot be plotted, the easement must be identified as unable to be plotted otherwise the specific location of the easement must be identified on the plat,

- 3. Legal description of the property covered by the title opinion. This description must match, exactly, the legal description on the face of the plat.
- 4. Copies of any easement documents referenced in the certificate of title. If matters affecting building permit issuance are contained in the title opinion these shall be addressed on the plat or other appropriate method.
- b. Types of acceptable documents and requirements.
 - 1. An opinion of title meeting the Florida Title Standards that is prepared by a licensed Florida attorney.
 - 2. Certification of title or title certification prepared by an abstractor or title company that specifically certifies the information it contains.
 - 3. Neither document shall include broad exceptions such as "subject to rights restrictions, reservations and easements of record." The opinion must be unequivocal and shall be addressed to the Board of County Commissioners of Glades County.
- (7) Mortgagee joinder, if applicable and if not already referenced on the plat. This is an instrument showing that the mortgagee joins in the plat and will be recorded at the time of plat recording.
- (8) Letters from the telephone, cable, and power utility companies stating that any easements as shown on the plat are adequate for their purposes.
- (9) If using potable water or sanitary sewer, documentation from that utility showing that the subdivision can be served.
- (10) A plan outlining the proposed methodology for managing stormwater runoff.
- (11) A street development plan prepared by a professional engineer registered in the State of Florida for the access street including:
 - a. A profile and cross-sections,
 - b. Type of construction and drainage facilities,
 - c. Centerline survey of the road with curve data.
- Access easement management document whose contents are identified in this subsection (b)(5)b.
- (13) A narrative and map outlining what utility services will be utilized in the subdivision where they will be located and how they will be accessed.
- (f) Staff review and county approval.
 - (1) The community development department will review the application and within ten days, shall advise the applicant what information if any is needed to deem the application properly completed in compliance with the filing requirements of this chapter. Should the application be deemed complete, the community development shall forward copies of a complete application to appropriate review staff including the county engineer and county attorney. This shall include any official whose review is pertinent to ensure that health, safety, and welfare are protected. These officials shall have the opportunity to respond in writing to the community development department, giving the community development staff an opportunity to consider each. Within 45 days, the applicant may be asked to provide more information to clarify the project or make revisions or request that the county act without the additional information.
 - (2) The expense of any consultants hired to review the application on behalf of the county shall be borne by the applicant.

- (3) Staff review will determine if the simple subdivision proposal meets all of the requirements of the code of ordinances and the comprehensive plan.
- (4) Within 120 days of the application being deemed complete, if a request for an extension of time is not agreed upon by the county and the applicant, the community development director shall place the item on an agenda of the board of county commissioners so that the board may take action on the application.
- (g) Unpaved streets:
 - (1) Shall have a minimum right-of-way width of 40 feet. A greater width may be required depending on requirements for drainage and other infrastructure.
 - (2) Shall be cleared to a minimum width of 20 feet horizontal and 14 feet vertical for emergency vehicle access. The stabilized surface shall be a minimum of 20 feet.
 - (3) Shall provide an entrance culvert of reinforced concrete pipe with mitered ends.
 - (4) Shall have a road name and other traffic signs installed in accordance with MUTCD signing and marking standards.
 - (5) Shall have a stabilized turnaround at the end of the easement if the street is a dead end. The turnaround shall be a minimum of 50 feet in diameter with the stabilized roadbed being at least 40 feet in diameter. Other turnaround accommodations may be accepted by Glades County.
 - (6) Follow the construction standards of Base Group I from Sheet 1 of FDOT Index Reference 514 for the road bed. The material chosen for the road base should exhibit low potential for losses due to wind, traffic and water erosion. EPA's publication AP-42 contains methodology for estimating the dust generation potential for unpaved road surfaces. Proper gradation of the chosen material is critical for its success. Designers shall consider flexible or rigid pavements where runoff from unpaved roads may impact surface waters.
 - (7) Shall have be graded. Designers shall strive to provide adequate cross slope, shoulder and swale profiles. Typical cross slopes should be 2 percent with 1.5 percent minimum.
 - (8) Shall have a paved apron where the unpaved road connects with a paved road that shall meet the standards of Sheet 6 of FDOT Index Reference 515.
 - (9) Shall provide positive drainage and discharge from the street.
 - (10) Shall be maintained and made passable at all times. During maintenance grading, the operator shall ensure that the shoulder does not become higher than the travel lane edge to prevent ponding of water on the roadway.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(d)), 5-9-2006)

Sec. 137-8. - Same—Preliminary plat.

- (a) Generally. Following the preapplication review, the applicant may submit the application for preliminary plat approval in accordance with the requirements of these regulations. The preliminary plat must be prepared by a professional land surveyor registered in the state, and in conformity with F.S. ch. 177. The preliminary plat, along with the supplemental information required by these regulations, shall be submitted.
- (b) Submittal requirements. The applicant will submit simultaneously to the county community development department an application for plat approval, the preliminary plat described above, the fees, and the following exhibits. All maps, surveys and drawings will be provided on both 24-inch by 36-inch and 11-inch by 17-inch sheets, drawn legibly at appropriate scale suitable for presentation. The applicant shall provide:
 - (1) A statement of objectives describing:

- a. The purpose and intent of the proposed development.
- b. A narrative description of the character of the proposed development.
- c. How the proposal is in conformance with specific, applicable provisions of the county comprehensive plan.
- (2) A preliminary analysis of the impact the proposed development will have on public facilities and services, with an adopted level of service in the county comprehensive plan. Should an analysis of other infrastructure be required, the county will notify the applicant of such fact in the preapplication meeting.
- (3) A vicinity map showing the location of the proposed development in relation to and statements concerning each of the following:
 - a. Surrounding public streets and thoroughfares.
 - b. Future land use map and existing zoning designation on the site and surrounding areas within one mile of the proposed site boundaries.
 - c. A legal description of the property and a signed and sealed sketch and description, indicating existing easements, structures, well, and septic tanks for parcels less than 20 acres. For parcels greater than 20 acres, a signed and sealed boundary survey will be required.
 - d. A map or sketch that depicts existing surface water flow determination that depicts surface water flow on the subject property and in the immediate vicinity.
 - e. A topographic survey. The topographic surveys which are available from the most recent USGS topographic survey may be used for property over 100 acres. The topographic survey should be submitted at the same scale as the master concept plan.
 - f. Known environmental concerns on the subject property and areas within 200 feet of the subject property.
 - g. A soils map of the site and the area within 200 feet of the development boundary.
 - h. Description of method of screening, and location and details of buffers.
- (4) A proposed list of recommendations, considerations, not otherwise covered, as needed. The list can include draft conditions proposed by the applicant for inclusion within the development approval.
- (5) A narrative utility service plan including availability of gravity or forced sanitary sewer service, potable water supply and proposed lift stations locations, an exhibit showing any and all existing or proposed utilities, public utility easements and rights-of-way, and a narrative describing the proposed methodology for managing the stormwater runoff. General location of any on-site natural areas, buffers, trees and sidewalks impacted by utility facilities.
- (6) A statement indicating the type of legal entity that will be created to provide for the management of common areas.
- (c) *Purpose and intent.* The intent of preliminary plat approval is to allow for the review of the proposed design on the site, ensure compatibility with surrounding development and uses, determine concurrency with the comprehensive plan and evaluate the fiscal impact to the county. Construction plans may be submitted simultaneously with the preliminary plat.
- (d) Staff review.
 - (1) The community development department shall forward copies of the preliminary plat, along with supporting data, within five business days, to appropriate review staff. This should include the county engineer, the county attorney, and any other official whose review is pertinent to ensure that health, safety, and welfare are protected. These officials shall have the opportunity to respond in writing to the community development department for inclusion in the staff report, giving the local planning agency an opportunity to consider each respective position.

- (2) Review staff shall have 15 business days to submit comments to the community development department, or it is to be assumed there are no comments and approval is recommended.
- (3) The community development department shall have five business days to compile and send all comments out to the applicant.
- (e) Appeals to comments.
 - (1) The developer shall have 15 business days to submit appeals to the staff review comments to the community development department. The community development department staff shall review the appeals to comments and solicit responses from review staff. The appeal to the review comments and responses from review staff to the appeals will be incorporated in the staff report, giving the local planning agency an opportunity to consider each respective position.
 - (2) The community development staff charged with reviewing the plat shall present the preliminary plat and application, and the various agency comments, at a public hearing to the local planning agency. The local planning agency shall make a determination whether or not the preliminary plat should be approved, conditionally approved, or denied. The applicant shall be notified in writing within ten business days from the local planning agency determination. If the preliminary plat is conditionally approved or disapproved, the written notification shall state the corrective action required for approval. The action of the planning board shall be indicated on two copies of the preliminary plat, with appropriate references and attachments. One copy reviewed by the county engineer and one copy with planning board comments shall be returned to the applicant and other copies retained by the planning department and the county engineer respectively.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(d)), 5-9-2006)

Sec. 137-9. - Same—Final plat and development plan.

- (a) Generally. Following approval of the preliminary plan, the applicant shall submit the plat for final approval, the plat must be prepared by a professional land surveyor registered in the state, and in conformity with F.S. ch. 177. The plat, along with the following supplemental information, shall be submitted:
 - (1) The lot dimensions and areas should be indicated and a statement noted on the plat identifying lot dimensions and areas.
 - (2) The location of natural areas, including proposed conservation and preservation areas should be provided.
 - (3) Proposed open space areas should be identified, including:
 - a. Developed and resource-based recreation.
 - b. Common open space.
 - c. Natural areas.
 - d. Bicycle and pedestrian pathways.
 - e. Stormwater facilities.
 - f. Picnic areas and plazas.
 - (4) Typical cross-sections of all proposed street types and other conveyances.
 - (5) An environmental resource inventory must be prepared by an environmental professional and will include a FLUCCS map showing the subject property and areas within 200 feet.
 - (6) Trip generation study showing the estimated number of trips the proposed development will create. A traffic analysis that identifies the net new external trip generation, level of service on the arterial/collector network with and without the project, and a trip distribution on the public network.

- (7) Prepare a fiscal impact analysis model (FIAM) for the development using a model provided by the county.
- (8) Description of method of screening, and location and details of buffers.
- (9) A proposed list of recommendations, considerations, not otherwise covered, as needed. The list can include draft conditions proposed by the applicant for inclusion within the development approval.
- (10) A narrative utility service plan including availability of gravity or forced sanitary sewer service, potable water supply and proposed lift stations locations, an exhibit showing any and all existing or proposed utilities, public utility easements and rights-of-way, and a narrative describing the proposed methodology for managing the stormwater runoff. General location of any on-site natural areas, buffers, trees and sidewalks impacted by utility facilities will be provided.
- (11) A statement indicating the type of legal entity that will be created to provide for the management of common areas.
- (b) Staff review.
 - (1) The community development department shall forward copies of the preliminary plat, along with supporting data, within five business days, to appropriate review staff. This should include the county engineer, the county attorney, and any other official whose review is pertinent to ensure that health, safety, and welfare are protected. These officials shall have the opportunity to respond in writing to the community development department for inclusion in the staff report, giving the local planning agency an opportunity to consider each respective position.
 - (2) Review staff shall have 15 business days to submit comments to the community development department, or it is to be assumed there are no comments and approval is recommended.
 - (3) The community development department shall have five business days to compile and send all comments out to the applicant.
- (c) Appeals to comments.
 - (1) The developer shall have 15 business days to submit appeals to the staff review comments to the community development department. The community development department staff shall review the appeals to comments and solicit responses from review staff. The appeal to the review comments and responses from review staff to the appeals will be incorporated in the staff report, giving the local planning agency an opportunity to consider each respective position.
 - (2) The community development staff charged with reviewing the plat shall present the preliminary plat and application, and the various agency comments, at a public hearing to the local planning agency. The local planning agency shall make a determination whether or not the preliminary plat should be approved, conditionally approved, or denied. The applicant shall be notified in writing within ten business days from the local planning agency determination. If the preliminary plat is conditionally approved or disapproved, the written notification shall state the corrective action required for approval. The action of the planning board shall be indicated on two copies of the preliminary plat, with appropriate references and attachments. One copy reviewed by the county engineer and one copy with planning board comments shall be returned to the applicant and other copies retained by the planning department and the county engineer respectively.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(d)), 5-9-2006; Ord. No. 2016-13, § 2, 6-14-2016)

Sec. 137-10. - Public meetings.

- (a) Preliminary plat.
 - (1) After the approval of the community development director, the preliminary plat shall be presented to the county planning commission at a public meeting. The planning commission shall consider the staff report, the applicant's presentations and any public testimony in order to make a

recommendation to the board of county commissioners. The recommendation shall be one of the following: approval as submitted, approval with recommendations, or denial.

- (2) The preliminary plat shall be presented to the board of county commissioners at a public meeting. The board of county commissioners shall consider the recommendations of the planning commission, the applicant's presentations and any public testimony in order to make their decision to approve as submitted, approve with stipulations, deny the preliminary plat, or continue the hearing to a date certain, to obtain additional information necessary to reach a conclusion.
- (b) Final plat and development plan.
 - (1) After the approval of the community development director, the final plat and development plan shall be presented to the county planning commission at a public meeting. The planning commission shall consider the staff report, the applicant's presentations and any public testimony in order to make a recommendation to the board of county commissioners. The recommendation shall be one of the following: approval as submitted, approval with recommendations, or denial.
 - (2) The final plat and development plan shall be presented to the board of county commissioners at a public meeting. The board of county commissioners shall consider the staff report, the recommendation of the planning commission, the applicant's presentations and any public testimony in order to make their decision to approve as submitted, approve with stipulations, deny the preliminary plat, or continue the hearing to a date certain, to obtain additional information necessary to reach a conclusion.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(e)), 5-9-2006)

Sec. 137-11. - Legal affect of approvals.

- (a) Legal affect of preliminary plat approval. Approval of the preliminary plat shall not constitute approval of the final plat. Approval of the preliminary plat shall be deemed an expression of approval of the layout submitted, which shall serve as a guide to the preparation of the final plat and development plan. Approval of the preliminary plat shall be good indefinitely; provided that the developer has been proceeding in good faith to obtain all necessary governmental approvals to commence construction. If the developer has not proceeded in good faith to obtain all necessary governmental approvals, and either the comprehensive plan or this chapter is amended in any way that would make the preliminary plat nonconforming, the preliminary plat and construction plans must be resubmitted for review under the current regulations. Site clearing and grading, may begin after approval of the preliminary plat, provided that the applicant has an approved environmental resource permit issued by the South Florida Water Management District. Site clearing and grading, as provided above, is at the risk of the developer, and shall not subject the county to any liability, should the final plat be denied, for any reason.
- (b) Legal affect of final plat and development plan approval by the board of county commissioners. Approval by the board of county commissioners of the final plat and development plan shall not constitute approval to begin construction. Approval of the final plat shall be good indefinitely, provided that the developer has been proceeding in good faith to obtain all necessary governmental approvals to commence construction. If the developer has not proceeded in good faith to obtain all necessary governmental approvals, and either the comprehensive plan or this chapter is amended in any way that would make the final plat or development plan nonconforming, the final plat and development plan must be resubmitted for review under the current regulations.
- (c) Legal affect of final plat approval and recording. With the approval and signatures of the chairman of the board of county commissioners and the planning director, the plat must be recorded. After the plat is recorded, construction may begin on the infrastructure. Building permits may be approved after approved completion of the infrastructure.

(Ord. No. 2006-14, § 5(exh. 5, § 4(A)(f)), 5-9-2006)

Sec. 137-12. - Preapplication conference.

- (a) Zoning review. The staff will discuss with the applicant the proposed development relating to:
 - (1) Proposed uses, densities and intensities. Staff will discuss with the applicant the proposed use, densities and intensities of the development. Staff will offer suggestions for any changes to the comprehensive plan or zoning district classification for the project, that may be necessary to make the project conform to the requirements of the county land development regulations.
 - (2) Buffering and screening requirement. Staff will discuss with the applicant the proposed use of the development as it relates to surrounding uses, and offer suggestions on what screening and buffering may be required to make the project conform with the requirements of the county land development regulations.
- (b) Concurrency requirements. Discuss with the applicant the requirement to verify and maintain concurrency for:
 - (1) Transportation.
 - (2) Parks.
 - (3) Emergency management.
 - (4) Schools.
- (c) *Infrastructure requirement.* Discuss with the applicant the infrastructure requirements necessary for the development to be in compliance with the comprehensive plan, including:
 - (1) Access management.
 - (2) Streets.
 - (3) Stormwater management system.
 - (4) Public utilities.

(Ord. No. 2006-14, § 5(exh. 5, § 4(B)), 5-9-2006)

- Sec. 137-13. Applicability and exemptions.
- (a) Conformity. All division of land within unincorporated areas of the county must conform to this chapter unless specifically exempted from the chapter.
- (b) Exemptions.
 - (1) The division of land for the conveyance of land to a federal, state, county or municipal government entity, or a public utility.
 - (2) The division of land by judicial decree.
 - (3) The combination or recombination of up to three lots of record is not a subdivision provided that all resulting lots comply with this chapter and the comprehensive plan.
 - (4) Lot splits, meaning the division of a tract, parcel, or lot into only two lots (one new and the original), where each lot meets the dimensional standards for their zoning district and comprehensive plan; abuts a county maintained road which has been duly dedicated and accepted, and no new streets are created and there is no change in the length or alignment of an existing street; and no environmental resource permit is required.

(Ord. No. 2006-14, § 5(exh. 5, § 5), 5-9-2006; Ord. No. 2016-13, § 2, 6-14-2016)

ORDINANCE NO. 2023 - ____ GLADES COUNTY, FLORIDA

AN ORDINANCE ESTABLISHING LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT; PROVIDING A DISTRICT NAME; SETTING FORTH THE AUTHORITY FOR ADOPTING THE ORDINANCE; ESTABLISHING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; ESTABLISHING THE GOVERNING DISTRICT CHARTER AS AUTHORIZED IN FLORIDA STATUTES CHAPTER 190; PROVIDING FOR NOTICE TO SUBSEQUENT PURCHASERS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, section 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, Okeechobee Community Developers LLC (Petitioner), has filed a petition with the Glades County Board of County Commissioners (Board) to adopt an ordinance establishing the Lakefront Estates Community Development District (sometimes hereafter referred to as "District") pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Petitioner is the owner of approximately 525 acres of real property proposed for inclusion within the District and has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as

amended, in making its determination to grant or deny the petition for the establishment of the District; and

WHEREAS, the District established under this Ordinance, as an independent special district and a local unit of special-purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in section 190.012(1), Florida Statutes; and

WHEREAS, section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers as generally listed in section 190.012(2), Florida Statutes; and

WHEREAS, section 190.005(2)(d), Florida Statutes, as amended, provides that in an ordinance establishing a community development district, the Board may consent to the District board of supervisors' exercise of any of the optional special powers under section 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of all powers listed in sections 190.011 and 190.012(2)(a), (b) and (d), Florida Statutes, as amended; and

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise by the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Glades County, Florida, that:

SECTION 1. LEGISLATIVE FINDINGS.

The Board of County Commissioners of Glades County, Florida, hereby adopts the recitals contained in the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance and incorporates them herein by reference as a part of this Ordinance.

SECTION 2. AUTHORITY.

The Board of County Commissioners is authorized to adopt this Ordinance by Florida law. In particular, this Ordinance is adopted pursuant to section 190.005(2), Florida Statutes, as amended.

SECTION 3. INTENT AND PURPOSE.

It is the intent and purpose of this Ordinance to establish a community development district the name of which is the Lakefront Estates Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board to the exercise by the District board of supervisors of certain additional special powers pursuant to section 190.012(2), Florida Statutes, as amended, with all the rights and obligations appertaining thereto, including thereto, including all obligations accruing pursuant to applicable federal, state, and local laws.

SECTION 4. ESTABLISHMENT OF LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT.

- (a) **Establishment.** The Lakefront Estates Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.
- (b) **Boundaries.** The provisions of this Ordinance shall apply to all areas within the boundaries of the District as described in the metes and bounds legal description attached hereto and made a part hereof as Exhibit "A".
- (c) Initial board of supervisors. The names of the five (5) persons designated as the initial members of the board of supervisors for the District are as follows:
 - (1) Shaya Lunger
 - (2) Sarah Lunger
 - (3) Pessy Farkas
 - (4) Shulamit Bossewitch
 - (5) Dona Krose
- (d) Special Powers. Pursuant to sections 190.005(2)(d) and 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the following special

powers listed in sections 190.012(2)(a), (b) and (d), Florida Statutes. Specifically, the District shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

- (1) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and,
- (2) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion systems, and patrol cars, when authorized by the Glades County Sheriff's Department or other proper governmental agencies, except that the District may not exercise any police power but may contract with appropriate local general-purpose government agencies for an increased level of such services within the District boundaries.

SECTION 5: STATUTORY PROVISIONS GOVERNING DISTRICT.

Lakefront Estates Community Development District will be governed by the provisions of Chapter 190, Florida Statutes, and all other applicable federal, state and local laws.

SECTION 6: NOTICE TO SUBSEQUENT PURCHASERS.

Any and all agreements for the sale of property within the boundaries of the Lakefront Estates Community Development District must include the disclosure statement required in section 190.048, Florida Statutes, for the initial sale of property in the Lakefront Estates Community Development District and for all subsequent sales of property in the Lakefront Estates Community Development District. This requirement applies to the initial seller of a parcel as well as all subsequent sellers, successors and assigns, for the life of the Lakefront Estates Community Development District.

SECTION 7: SCRIVENER'S ERRORS.

Corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the County Manager, or the County Manager's designee, without need of public hearing, by filing a corrected ordinance with the County Clerk.

SECTION 8. CONFLICT.

All ordinances or parts of ordinances in conflict herewith are hereby repealed prospectively.

SECTION 9. SEVERABILITY.

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon the adoption of this Ordinance by the Board of County Commissioners.

The foregoing Ordinance was offered by Commissioner <u>Whidden</u>, who moved its adoption. The motion was seconded by Commissioner <u>Storter-long</u> and upon being put to a vote, the vote was as follows:

Timothy (Tim) Stanley	Yes
Donna Storter Long	yes
Hattie Taylor	Yes
Jerry Sapp	NO
Tony Whidden	yes

This	Ordinance	was	duly	passed	and	adopted	on	the	11	day	of
April		_, 202	3.								

BY:

GLADES COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

Timothy (Tim) Stanley Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Richard W. Pringle, County Attorney

ATTEST:

Tami P. Simmons, Clerk of Courts or her designee

Page 5 of 7

OF COUNT

NTY FL

EXHIBIT "A"

LEGAL DESCRIPTION LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

(PARCEL 1)

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 4. TOWNSHIP 39 SOUTH, RANGE 34 EAST THENCE NORTH 89°29'59" EAST ALONG THE SOUTH LINE OF SAID SECTION 4. A DISTANCE OF 823.40 FEET TO A POINT ON A LINE PARALLEL WITH THE WEST LINE OF SAID SECTION 4;

THENCE NORTH 00°27'22" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 1368.10 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON FLORIDA'S DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAINTENANCE MAP, MAP SECTION 05020-000, DATED AUGUST OF 2014; THE FOLLOWING FOUR CALLS ARE ALONG SAID SOUTH RIGHT-OF-WAY LINE; 1) THENCE NORTH 57°49'47" EAST, A DISTANCE OF 3681.45 FEET TO THE POINT OF BEGINNING;

2) THENCE NORTH 57°49'47" EAST, A DISTANCE OF 2072.29;

3) THENCE NORTH 57°48'46" EAST, A DISTANCE OF 2770.06;

4) THENCE NORTH 57°49'26" EAST. A DISTANCE OF 3460.71 TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S ACCESS ROAD FOR STRUCTURE (S-127); THE FOLLWING THREE CALLS ARE ALONG SAID WESTERLY AND SOUTHERLY RIGHT-OF-WAY LINE;

1) THENCE SOUTH 32°10'34" EAST, A DISTANCE OF 398.89;

2) THENCE NORTH 57°49'57" EAST, A DISTANCE OF 597.92;

3) THENCE SOUTH 32°16'04" EAST, A DISTANCE OF 2733.87 TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48), SAID POINT ALSO BEING ON THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST;

THENCE SOUTH 89°34'44" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48) ALSO BEING THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST, A DISTANCE OF 2160.98; THENCE SOUTH 45°26'00" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48), A DISTANCE OF 6438.67;

THENCE NORTH 59°53'11" WEST, A DISTANCE OF 1050.18;

THENCE NORTH 38°57'14" WEST, A DISTANCE OF 2464.28 TO THE POINT OF BEGINNING;

LESS AND EXCEPT

A STRIP OF LAND LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST ALSO LOCATED IN SECTIONS 34 AND 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST, GLADES COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST, THENCE SOUTH 00°25'09" EAST, ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 1129.30 FEET TO THE BASELINE OF SURVEY OF STATE ROAD NUMBER 78 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP, MAP SECTION 05020-000 DATED OCTOBER 2014;

THENCE CONTINUE SOUTH 00°25'09" EAST ALONG SAID EAST LINE OF SECTION 4, A DISTANCE OF 38.81 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP, THE FOLLOWING 3 COURSES WILL BE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID POINT IS ALSO THE POINT OF BEGINNING. 1) THENCE NORTH 57°49'47" EAST, A DISTANCE OF 438.75 FEET;

2) THENCE NORTH 57°48'46" EAST, A DISTANCE OF 2770.07 FEET;

3) THENCE NORTH 57°48'41" EAST, A DISTANCE OF 3460.71 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S (S.F.W.M.D.) ACCESS ROAD FOR STRUCTURE 127 SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA; THENCE SOUTH 32°10'34" EAST, ALONG SAID WEST LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S (S.F.W.M.D.) ACCESS ROAD FOR STRUCTURE 127 AND THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THB PUBLIC RECORDS OF GLADES COUNTY, FLORIDA, A DISTANCE OF 44.15 FEET;

THENCE SOUTH 57°30'40" WEST, A DISTANCE OF 1210.02 FEET;

THENCE SOUTH 32°10'34" EAST, A DISTANCE OF 8.40 FEET;

THENCE SOUTH 59°15'09" WEST, A DISTANCE OF 393.13 FEET;

THENCE SOUTH 72°40'00" WEST, A DISTANCE OF 51.73 FEET;

THENCE SOUTH 58°05'19" WEST, A DISTANCE OF 1807.71 FEET;

THENCE SOUTH 57°49'12" WEST, A DISTANCE OF 4839.15 FEET TO THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA:

THENCE NORTH 38°57'14" WEST ALONG SAID WEST LINE, A DISTANCE OF 27.19 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIOHT-OFWAY MAINTENANCE MAP;

THENCE NORTH 57°49'47" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1633.54 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN GLADES COUNTY, FLORIDA

Inst: 202322001970 Date: 07/17/2023 Time: 4:21PM Page 1 of 19 B: 395 P: 193, Tami P Simmons, Clerk of Court Glade County, By: TB Deputy Clerk

DEVELOPMENT AGREEMENT (Lakefront Estates PD Project) ****

THIS DEVELOPMENT AGREEMENT (hereinafter, "Agreement") is entered into this 3 day of 3 day of

WHEREAS, the Florida Local Government Development Agreement Act, Sections 163.3220-163.3243, Florida Statutes (the "Act"), authorizes a local government to enter into a development agreement in order to promote certainty in the development approval process, strengthen the public planning process, encourage sound capital improvement planning and financing, assist in assuring there are adequate capital facilities for the development, encourage private participation in comprehensive planning, and reduce the economic costs of development; and

WHEREAS, the County has adopted Chapter 113 of the County's Land Development Code to enable the County to implement the provisions of the Act; and

WHEREAS, Okeechobee Community Developers owns approximately 525 acres of land located in Glades County, said property being legally described in Exhibit "A" attached hereto (hereinafter, the "Property"); and

WHEREAS, on or about February 11, 2020, a Planned Development rezoning was granted on the subject property by Glades County's adoption of Ordinance No. 2020-3 (Ordinance No. 2020-3 identified the Project as the G. Harvey Project); and

WHEREAS, on or about May 12, 2020, a Development Agreement was entered into between Glades County and Glenn Harvey, who was the owner of the Property at that time; and

WHEREAS, Glenn Harvey sold the Property to Okeechobee Community Developers on or about November 9, 2021; and

WHEREAS, Okeechobee Community Developers filed an application for a Planned Development rezoning (hereinafter, "PD Rezoning") for the Property, requesting approval of residential uses, commercial uses and ancillary uses related thereto that are different from the approvals granted to Glenn Harvey in Ordinance No. 2020-3; and

WHEREAS, the PD Rezoning request was approved by Glades County on January 10, 2023; and

WHEREAS, the PD Rezoning is pursuant to the application known as RZ22-02 and all references herein to the Project is a reference to the project permitted by the County pursuant to

RZ22-02 and the County's adoption of Ordinance No. 2022-11 (Ordinance No. 2022-11 identifies the Project as Lakefront Estates PD Project); and

WHEREAS, the County desires to ensure that all of the Developer's obligations described in Ordinance No. 2022-11 are included in this Agreement as contractual obligations of the Developer to the County; and

WHEREAS, the Board of County Commissioners conducted two public hearings on May 9, 2023, and May 22, 2023, prior to entering into this Agreement, all which were properly noticed by publication in the Okeechobee News and by mailed notice to the affected property owners in accordance with Section 163.3225(2), Florida Statutes.

NOW, THEREFORE, in consideration of the covenants and conditions contained herein and of the benefits to accrue to each Party, the County and the Developer agree as follows:

1. <u>Recitals.</u> The foregoing recitations are true and correct and are not mere recitals and are incorporated herein and made a part hereof by reference and form a part of this Agreement. Any Exhibit to this Agreement is deemed a part hereof.

2. <u>Property Subject to this Agreement.</u> The Property described on the attached Exhibit "A" is subject to this Agreement. The term Property and Project are used interchangeably in this Agreement.

3. <u>Ownership.</u> Okeechobee Community Developers represents that it is the fee simple owner of the Property and as such may lawfully enter into this Agreement and bind itself and its successors and assigns.

4. <u>Proposed Development of the Property.</u> The proposed development of the Property (the "Proposed Development" or "Development") will comply with the following:

A. Phases. The Proposed Development will occur in four (4) phases. Construction is proposed for all four (4) phases. Should development plans for the four (4) phases differ from the approved Conceptual Master Plan (reference Exhibits "B" and "C" in Ordinance 2022-11), which is sometimes hereinafter referred to as the approved Conceptual Master Plan, the Developer shall meet with the County Staff to determine if the proposed changes to the approved "Conceptual Master Plan" of the PD constitute minor or major changes pursuant to Section 125-174 (j) entitled "*Revisions to approved planned development ordinances*" of the Glades County Code of Ordinances ("LDC").

B. The Developer intends to develop a residential and commercial development consisting of a maximum of 1,300 dwelling units (840 single-family homes and 460 multi-family/single-family attached homes) and customary accessory uses, and commercial uses with the maximum Floor Area Ratio of 0.30, limited to the designated Neighborhood Commercial areas only as per the Conceptual Master Plan (254,000 square feet (sq. ft.) of various shopping areas (commercial retail space), 80,000 sq. ft. of commercial office, 31,000 sq. ft. of synagogues/shuls, and 2 private schools with a total of 1,200 students), with the associated roadways, stormwater treatment, utilities, landscaping, and other improvements which are required by Florida law and County ordinances, including Ordinance 2022-11. The maximum overall gross

residential density is 2.48 dwelling units per acre. No residential building shall be more than 35 feet in height, no commercial building shall be more than 45 feet in height, and no public service uses and houses of worship/synagogue uses shall be more than 35 feet in height.

5. <u>Consistency with Comprehensive Plan.</u> As permitted by the PD Rezoning, the County finds that the Proposed Development for the Property set forth in Ordinance 2022-11 and above is consistent with the Glades County Comprehensive Plan and Glades County Land Development Code.

6. <u>Public Facilities.</u> The following public facilities will serve the Proposed Development on the Property:

- A. Potable Water: Potable water will be coordinated between the Developer and Okeechobee Utility Authority ("OUA") or other entity approved by the County. OUA has indicated to the Owner that OUA presently has adequate capacity to serve the Proposed Development.
- B. Sanitary Sewer: The Development Order for Phase 1 will include the required construction by Developer of an onsite community wastewater treatment system for the entire project which will be designed and installed during the site development process and approved as a part of the Development Order issued for Phase 1. Wastewater collection lines will be designed and installed during the site development process and approved as a part of the Development Order issued for each phase and the wastewater collection lines will continue to connect to the onsite system until public service is available. When available, wastewater treatment utility service will be provided by OUA or other entity acceptable to the County.
- C. Solid Waste: Solid waste service will be contracted through a private hauler subject to Glades County requirements. No garbage containers for any commercial uses or development will be located along the boundary with residential uses or development without the required landscape buffer. Commercial development will provide dumpster-style waste receptacles and will be placed onsite in accessible locations and will comply with the requirements of the LDC.
 - D. Drainage: Subject to the requirements of Paragraph 7 below, drainage will be provided for the Project in accordance with conditions of approval by the County

and the applicable environmental resource permits issued by the South Florida Water Management District (SFWMD), and any other legal requirements of any applicable government agency that has jurisdiction and will be constructed and maintained in compliance with all applicable federal, state, and county laws, standards and requirements. The Proposed Development has been issued the following environmental resource permits by SFWMD: Permit Number 22-101892-P (conceptual approval for Phases 2 and 3) and Permit Number 22-101893-P (construction approval for Phase 1), which will be modified as needed to address the change in layout shown on the Conceptual Master Plan approved by Ordinance No. 2022-11 and the changes in the uses approved in the new Schedule of Uses approved by Ordinance 2022-11. The surface water management system will be completed for each phase as a part of the construction of the infrastructure for the phase pursuant to the County Development Order for that phase. Phase 4 will be permitted by SFWMD separately in the future.

E. Fire and Rescue: Fire control and rescue services will be provided by the Lakeport/Buckhead Ridge Volunteer Fire Department, and EMS will be provided by Glades County Public Safety. Fire Hydrants with sufficient water flow to meet Glades County and NFPA requirements will be designed and installed during the site development process and approved as a part of the Development Order issued for each phase.

7. <u>Development Permits Needed for Proposed Development.</u> A list of the governmental permits that the Developer has acquired or will have to acquire, at the Developer's cost, for the Proposed Development is set forth below:

South Florida Water Management District Environmental Resource Permit(s) South Florida Water Management District Water Use Permit(s) (dewatering) South Florida Water Management District Water Use Permit(s) (irrigation) Glades County Development Order(s) Glades County Building Permit(s) Florida Department of Environmental Protection Wastewater Permit(s) Okeechobee Utility Authority Potable Water Permit(s) Glades County Right of Way Permit(s) Florida Department of Transportation Permit(s) Any and all other government permits required from government agencies who have jurisdiction over the Property or the Proposed Development The failure of this Agreement to address a particular permit, condition, term or restriction shall not relieve the Developer of the necessity of complying with the law governing said permitting requirements, conditions, terms, or restrictions.

8. <u>Development Order Process</u>. As referred to herein, the Developer will be required to obtain a document issued by the County granting approval of the development of the Project improvements, including the Developer required improvements for the overall Project and for each phase of the Project, based upon the submittal of the plans for development and all other documentation as applicable and required by this Agreement and other applicable County regulations, which shall hereinafter be referred to as the "Development Order." The following is the procedure to be followed by the Developer to obtain the required Development Orders for the overall Project and for each phase of the Project.

A. <u>Application Submittal Requirements.</u> A request for a Development Order shall be submitted in accordance with the following requirements:

1) <u>Site Plan.</u> The Developer shall submit a site plan, in conformity with the PD Rezoning (Ordinance 2022-11, as amended) and drawn to scale by a Florida-licensed professional engineer. The site plan shall be submitted on 24" x 36" paper and accurately scale all existing and proposed development on the Property. The plan shall show property boundaries with a legal or a metes and bounds description, development name and lot numbers, if applicable. The area of the property shall be noted in square feet and acres. The plan shall show all proposed physical improvements including, but not limited to existing and proposed infrastructure facilities such as potable water facilities, waste water (sewer) collection and processing facilities, street improvements, including sidewalks and street drainage, buildings, off-street parking areas, pavement including calculation of pervious and impervious areas, landscaping, utilities, on-site recreation, stormwater management facilities, water bodies, wellheads, walls, poles, towers, signs, and the distances of all these improvements from the boundaries of the property.

2) <u>Traffic Impact Statement</u>. A traffic impact statement for the overall Project at build-out based on the estimated impacts that will be generated by the Project at build-out.

3) Landscape Plan. The Developer shall submit a landscape plan, in conformity with the PD Rezoning. The landscape plan shall be submitted on 24" x 36" paper at the same scale as the site plan. The plan shall show all required landscaping, including a plant legend, required materials, and their location on the site. The plan shall provide the locations and names of any existing trees, including significant oak trees, with labels as to which will remain and demonstrating compliance with the LDC and PD Rezoning, as may be applicable. The plan shall also demonstrate the location and widths of landscape buffer easements, as applicable.

4) <u>Survey.</u> A boundary survey and legal description, less than one (1) year old, that is signed, sealed, and prepared by a Florida professional surveyor and mapper, showing the location and dimensions of all property lines, existing streets or roads, easements, rights-of-way, and areas dedicated to the public.

5) A Florida licensed/registered engineer shall be employed by the Developer to design all Developer required improvements and other Developer improvements for the Project. All plans, drawings, reports and calculations shall be prepared, signed and sealed by the appropriate Florida licensed engineer, architect, surveyor, etc.

6) <u>Proof of Ownership.</u> The Developer shall submit proof of fee simple

7) <u>Fees.</u> The Developer shall pay Development Order application

*Site Plan Review – Major	\$750 Initial filing fee
	\$125 Minor modifications
	\$250 Resubmittals
	Plus any costs for review by the County Attorney and
	County Engineer and Other Fees.

In addition, because of the large size of the Project and the limited staffing of the County, the Development Order application and associated documentation will be reviewed by a professional Florida licensed consultant of Glades County with expertise in the particular area of the review of the Development Order application, i.e. engineering, surveying, etc. as an independent contractor of Glades County at the sole expense of the Developer.

B. <u>Application Processing</u>. Once the Developer has submitted all required application materials to the Community Development Department, the application package will be submitted for review by the Community Development Director, or their designee, including the Florida licensed professional independent contractors of Glades County referenced above, who will perform the review of the application package on behalf of Glades County at the sole expense of the Developer. The Community Development Director, or their designee, will review the data and plans submitted by the Developer for consistency with the LDC and PD Rezoning and other applicable laws and regulations. Thereafter, the Community Development Director will issue a letter which either requests additional information from the Developer, approves the Development Order with conditions, or denies the Development Order request. Where the Community Development Director denies the application, the reasons for denial shall be stated in writing for the record.

C. <u>Effect of Development Order Approval.</u> Issuance of a Development Order indicates an approval of the site plan by the Community Development Director and authorizes applicants to apply for a building permit to construct the Developer required improvements and other improvements on the site in the timeframes described in Ordinance 2022-11, as amended, and other building permits. The decision of the Community Development Director shall be final and only appealable by the applicant within thirty (30) calendar days of the written notice of decision to the Land Use and Construction Oversight Commission. By obtaining a building permit, the applicant waives the right to appeal. The approval of a Development Order does not modify any timing requirements for the completion of certain elements of the Developer required improvements prior to vertical construction of buildings. D. <u>Period of Validity</u>. The Development Order for the overall project shall expire six (6) calendar years from the date of the issuance of the Development Order unless a written request for an one (1) year extension of the expiration date is made by the Developer to the County prior to the Development Order expiration date and only if an extension of the expiration date is approved by the Community Development Director in writing. No more than three (3) extension requests can be made. Development Orders for individual phases shall expire simultaneously with the expiration of the Development Order for the overall Project. A Development Order runs with the land and transfers to the subsequent owner of the property covered by the Development Order.

E. <u>Conformity to Development Order</u>. All development and construction activity must conform to the approved Development Order documents, including the approved Development Order drawings, and conditions, at the Developer's expense. As a condition to the granting of a certificate of completion or occupancy, the applicant shall file a certificate by a Florida licensed/registered engineer or architect that all development and construction activity has conformed to the approved Development Order.

F. <u>Modification of Development Order</u>. Any proposed amendment, deviation or change to an approved Development Order must be reviewed by the Community Development Director to determine whether the proposed change constitutes a minor or major modification. Such a request must be filed in writing, and a written determination of whether a modification request constitutes a minor or a major modification will be rendered within thirty (30) working days of such request. The applicant may appeal the decision of the Community Development Director within thirty (30) days of the written determination to the Land Use and Construction Oversight Commission.

1) Minor modifications are slight variations or alterations to the Development Order such as a shift of a building footprint, deletion of excess parking spaces, etc., which cannot reasonably be expected to cause a change in the internal functioning of the site or its off-site impacts. Minor modifications may be approved by the Community Development Director, or their designee, when it is determined to be consistent with the approved Development Order. Such a request must be filed stating the nature of the request and justification for such, as well as an updated site plan illustrating the proposed change that has been prepared by a Florida licensed/registered professional. The Community Development Director shall provide a written response within thirty (30) calendar days to the Developer. If the Community Development Director denies the minor modification is approved prior to or after a building permit has been issued, the Developer may proceed with the requested minor modification upon a favorable approval from the Community Development Director.

Minor modifications must be consistent with the general intent and purpose of the LDC and the PD Rezoning and must not:

Property.

a) Substantially alter the location of any points of access to the

b) Substantially alter any Developer required improvements, improvements, landscaping, etc.

on the Property. c) Increase the density or intensity of the development to occur

d) Result in a reduction of previously required open space, minimal setbacks, general building location, or landscaping counts.

e) Result in a material modification or the cancellation of any condition placed upon the Development Order as originally approved.

f) Add additional property to the Property.

g) Substantially change the internal or external traffic pattern.

h) Increase the height of the building(s) including approved rooftop appurtenances by more than ten (10) percent of such building height.

square feet.

i) Increase the floor area by more than one thousand (1,000)

2) Major modifications are non-minor modifications, including but not limited to additions, deletions or changes in the use, density and location of structures of an approved Development Order. Other modifications may be determined to be major if the Community Development Director determines they deviate substantially from an approved Development Order and can reasonably be expected to cause adverse changes in internal functions or its off-site impacts. Such changes will be reviewed by the Community Development Director in the same manner as a new application and the Community Development Director may require the same application submittals and fee as with a new application.

G. The granting of a Development Order does not waive or modify any of the legal requirements and obligations of the Developer under any law or regulation applicable to the Property or the Project, all of which shall be satisfied by the Developer at the Developer's expense.

9. <u>Developer Commitments and Obligations.</u> For and in consideration of the benefits received pursuant to this Agreement, the Developer agrees as follows (at times the improvements that must be constructed by the Developer will be referred to as the "Developer required improvements"):

A. <u>Roads</u>. The County and Developer agree that transportation impacts of the Development, as well as Ordinance 2022-11, require the Developer to construct roadway improvements, at Developer's cost, as a part of the Developer required improvements pursuant to Florida law, federal law, and Glades County regulations. The construction of the roadway improvements, including drainage and sidewalks, shall be mitigated by the Developer for each phase by compliance with Ordinance No. 2022-11 and as described herein; however, nothing

herein replaces, supersedes, limits, or modifies, in any way, the Developer's or County's rights and obligations under Florida law, federal law, or County regulations:

1) Phase 1.

a) The Developer, at the Developer's cost, will construct the internal and external roadway improvements for Phase 1 to comply with Glades County and state standards/requirements as a part of the Developer required improvements. The Developer has provided a Traffic Impact Analysis for Phase 1 of the Development for purposes of the County and the state determining the appropriate internal and external roadway improvement standards/requirements for the Development.

b) The Developer, at the Developer's cost, will construct the required roadway improvements to SR 78 associated with Access Point #1 pursuant to Glades County and state standards/requirements, including a left-turn lane for westbound traffic, which must be completed and in operation prior to the Development Order approval for Phase 1.

c) The Developer, at the Developer's cost, will construct the required roadway improvements to SR 78 associated with Access Point #2 pursuant to Glades County and state standards/requirements, which must be completed and in operation prior to the issuance of the first Certificate of Occupancy.

2) Phase 2.

a) The Developer, at Developer's cost, will construct the required roadway improvements to SR 78 associated with Access Point #3 pursuant to Glades County and state standards/requirements which must be completed and in operation prior to Development Order approval for Phase 2.

b) The Developer will, at the Developer's cost, provide an up to date traffic study to Glades County for Phase 2 and the Developer will construct all roadway improvements (internal and external) that are required to meet all state and county standards/requirements based upon an analysis of the traffic that will be generated by the new phase of the Development.

3) Phase 3.

a) The Developer will, at the Developer's cost, provide an up to date traffic study to Glades County for Phase 3 and the Developer will construct all roadway improvements (internal and external) that are required to meet all state and county standards/requirements based upon an analysis of the traffic that will be generated by the new phase of the Development.

4) Phase 4.

a) The Developer will, at the Developer's cost, provide an up to date traffic study to Glades County for Phase 4 and the Developer will construct all roadway improvements (internal and external) that are required to meet all state and county standards/requirements based upon an analysis of the traffic that will be generated by the new phase of the Development.

B. <u>Wastewater</u>. The County and Developer agree that wastewater impacts of the Development, as well as Ordinance 2022-11, require the Developer to construct wastewater treatment and collection improvements, at Developer's cost, as a part of the Developer required improvements pursuant to Florida law, federal law, and Glades County regulations. The construction of the wastewater treatment and collection improvements shall be mitigated by the Developer for each phase by compliance with Ordinance 2022-11 and as described herein; however, nothing herein replaces, supersedes, limits, or modifies, in any way, the Developer's or County's rights and obligations under Florida law, federal law, or County regulations:

1) Phase 1.

a) The Developer will, at the Developer's cost, permit and construct an onsite community wastewater collection and treatment system as a part of the Developer required improvements that will be used for wastewater collection and treatment until public service is available. The County will not be responsible for any construction or maintenance costs associated with the wastewater collection lines/facilities of the Project.

b) The wastewater collection lines/facilities for the entire Development, including Phase 1, will be constructed by the Developer, at the Developer's cost, as a part of the Developer required improvements. The wastewater collection lines/facilities for the entire Development, including Phase 1, shall be dedicated to, owned by, and maintained by the CDD and/or the Property Owners Association that is created by the Developer and that is further described in this Agreement or to a perpetual maintenance entity such as the Okeechobee Utility Authority that is pre-approved by the County, which approval shall not be unreasonably withheld. The County will not be responsible for any construction or maintenance costs associated with the wastewater collection lines/facilities of the Project.

c) The Developer will provide in the Property Owners Association's declaration of covenants, conditions and restrictions for the Development, and in the binding documentation on the property owners, that all parcels in each Phase shall connect to the community wastewater treatment facility of the Development or the public wastewater utility service if and when it becomes available.

2) Phase 2.

a) The Developer will connect to a public wastewater utility system if available. Until a public wastewater utility system is available, Phase 2 will be served by the onsite community wastewater treatment system constructed during Phase 1.

b) Wastewater collection lines for Phase 2 will be designed and approved as a part of the Development Order issued for Phase 2 and will be completely installed prior to the issuance of a building permit for vertical construction in Phase 2. 3) Phase 3.

a) The Developer will connect to a public wastewater utility system if available. Until a public wastewater utility system is available, Phase 3 will be served by the onsite community wastewater treatment system constructed during Phase 1.

b) Wastewater collection lines for Phase 3 will be installed during the site development process prior to the issuance of a building permit for vertical construction in Phase 3.

4) Phase 4.

a) The Developer will connect to a public wastewater utility system if available. Until a public wastewater utility system is available, Phase 4 will be served by the onsite community wastewater treatment system constructed during Phase 1.

b) Wastewater collection lines for Phase 4 will be installed during the site development process prior to the issuance of a building permit for vertical construction in Phase 4.

C. <u>Potable Water</u>. The County and Developer agree that potable water delivery impacts of the Development, as well as Ordinance 2022-11, require the Developer to construct potable water delivery improvements, at the Developer's cost, as a part of the Developer required improvements pursuant to Florida law, federal law, and Glades County regulations. The construction of the potable water delivery improvements shall be mitigated by the Developer for each phase as described herein; however, nothing herein replaces, supersedes, limits, or modifies, in any way, the Developer's or County's rights and obligations under Florida law, federal law, or County regulation:

1) The Developer shall, at the Developer's cost, design and acquire approval of the potable water delivery improvements for each Phase as a part of the Development Order issued for each Phase. The potable water delivery improvements will be constructed for each Phase during each Phase's site development process as a part of the Developer required improvements. The permitting and construction of the potable water lines and fire hydrants shall comply with Glades County and state standards/requirements as a part of the Developer required improvements.

2) The entire potable water delivery improvements for the entire Development, shall be dedicated to, owned by, and maintained by the Developer and/or the Lakefront Estates Community Development District, which was created by the County's adoption of Ordinance No. 2023-7 on April 11, 2023 (the "CDD") and/or the Property Owners Association for the Development that is created by the Developer and that is further described in this Agreement or to a perpetual maintenance entity such as the Okeechobee Utility Authority that is pre-approved by the County, which approval shall not be unreasonably withheld. The County will not be responsible for any construction or maintenance costs associated with the potable water delivery improvements of the Development.

D. Except as otherwise provided herein, all Developer required improvements for the Project, including but not limited to, the roadway system, the surface water management system, the potable water delivery system, and the wastewater treatment, collection and processing system, for the Development will be constructed by the Developer, at the Developer's cost, and will be dedicated to, owned by, and shall be continuously maintained by the Developer and/or the CDD and/or the Property Owners Association for the Development that is created by the Developer and that is further described in this Agreement. The County will not be responsible for any construction or maintenance costs associated with any of the Developer required improvements, including the roadway system, the surface water management system, the potable water delivery system, or the wastewater treatment, collection and processing system of the Development.

E. At or prior to the issuance of the Development Order for Phase 1, the Developer will enter into a written agreement with the County which provides for and describes the Developer's financial assurances to the County for the complete and satisfactory construction of the Developer's improvements for the Project. The Developer's financial assurances must comply with the requirements of Chapter 137 of the LDC, especially Section 137-6.

F. As set forth above, roadway improvements to SR-78 associated with Access Point #1, must be completed prior to development order approval for Phase 1. Roadway improvements to SR 78 associated with Access Point #2, must be completed prior to the issuance of the first Certificate of Occupancy for Phase 1. Roadway improvements to SR 78 associated with Access Point #3 must be completed prior to Development Order approval for Phase 2. All other Developer required improvements must be completed prior to issuance of a building permit for vertical construction in the applicable phase.

G. The County and Developer agree that prior to the development of Phase 1, the Developer will form a master property owners association as defined in section 720.301, Florida Statutes (the "Property Owners Association" or the "Association") for the entire Development, and will simultaneously record in the Official Records of Glades County, Florida, a declaration of covenants, conditions and restrictions (the "Declaration"), which shall be binding on, and encumber, the Property and all of the owners within each phase of the Development at such time as the final plat is approved and recorded for that phase. Upon the approval and recording of each subsequent final plat for a new phase of the Project, a joinder shall be recorded subjecting all of the real property and owners within that phase to the Declaration of the Association. The Declaration shall include, at a minimum, the following provisions:

1) Common area maintenance: Either the CDD or the Association shall own, control, and shall be responsible for the continuous maintenance of all of the common areas (to include, but not be limited to, roads, sidewalks, open space, parks, community centers, buffers, surface water management areas, potable water delivery, wastewater treatment, collection and processing, and any other Developer required improvements or common elements) within the entire Development until that responsibility is transferred to the OUA or another entity that is preapproved by Glades County, which approval shall not be unreasonably withheld. All maintenance of all common areas shall be performed in a good and workmanlike manner in accordance with all of the requirements of Glades County and all other government agencies who have jurisdiction over the Development. 2) *Wastewater*: Either the CDD or the Association shall own, control, and continuously maintain the wastewater treatment, collection and processing systems unless or until that responsibility is transferred to the OUA or other entity that is pre-approved by Glades County, which approval shall not be unreasonably withheld.

3) *Roadways*. Either the CDD or the Association shall own, control, and continuously maintain all of the internal roads in the entire Development. Said roads will not be conveyed to the County and the County shall not be responsible for any costs related to the construction or maintenance of the internal roads in the Development.

4) *Irrigation, landscape and other common elements*: Either the CDD or the Association will own, control, and continuously maintain the irrigation system, landscaped buffers, setbacks, sidewalks, all other common areas and the surface water management system in the entire Development.

5) *Buildings*: Either the CDD or the Association shall own, control, and continuously maintain the exterior of all common buildings and improvements.

6) *Mandatory participation of property owners*: The CDD and the Association documentation will provide that, upon platting, all property owners of the platted area, both residential and commercial, will be obligated to be members of the Association and to abide by all of the applicable requirements of the Association including future property use and maintenance and future funding of the maintenance of the Development's common elements and the Developer required improvements.

7) *Enforcement*: The CDD and the Association documentation will include a provision granting to Glades County the right and power, but not the obligation, to enforce the Association rights and obligations described in the Association documents, including the Declaration.

H. Incorporation of PD Rezoning Terms and Conditions. A PD Rezoning approval has been granted for the Property by Ordinance 2022-11 and all conditions and obligations of the Owner/Developer of the Property contained in Ordinance 2022-11 are incorporated herein and made a part hereof by reference as if fully set out in this Development Agreement as contractual conditions and obligations of the Owner/Developer, and its successors and assigns, under this Agreement. Further, all development authority granted to the Developer in Ordinance 2022-11 is incorporated herein and made a part hereof by reference as if fully set out in this Development Agreement. Nothing herein replaces, supersedes, limits, or modifies, in any way, the Developer's or County's rights and obligations under Florida law, federal law, or County regulations, including Ordinance 2022-11.

10. <u>Applicable Land Use Regulations.</u> Pursuant to Section 163.3233, Florida Statutes, the Proposed Development within the Property shall be subject to the County's Land Development Code, Ordinance 2022-11, and policies governing development as of the Effective Date of this Agreement. The County may apply subsequently adopted regulations and policies only in accordance with Section 163.3233(2), Florida Statutes.

11. Duration of Agreement. This Agreement shall remain in full force and effect for thirty (30) years from its Effective Date unless terminated earlier as provided in Paragraph 11 and 12 of this Agreement or unless all of Developer's obligations under this Agreement have not been satisfied and completed in full within thirty (30) years of its Effective Date, in which case the term of this Agreement shall be automatically extended for additional five (5) year terms until all of the Developer's obligations under this Agreement have been satisfied and completed in full. The duration of the Agreement may be extended with the Parties' mutual written consent in accordance with Section 163.3229, Florida Statutes.

12. Amendment and Termination.

A. This Agreement may be amended or terminated with the Parties' mutual consent, in writing, signed by both Parties.

B. This Agreement will terminate upon expiration of the term of the Agreement specified in Paragraph 11 above, without said term having been extended by the Parties in writing; however, in no instance shall this Agreement terminate prior to the Developer's completion and full satisfaction of all of the Developer's obligations described herein and in Ordinance 2022-11.

C. At Developer's option, Developer may terminate this Agreement if any judicial or administrative challenge or appeal of the approved PD Rezoning is not decided or resolved in a manner that upholds the validity of the PD Rezoning as approved by the County at the level of development described in Ordinance 2022-11.

13. <u>Periodic Review.</u> The County will review this Agreement annually beginning on the first anniversary of the Effective Date pursuant to Section 163.3235, Florida Statutes, to determine if there has been good faith compliance with the terms of this Agreement. If the County determines, on the basis of substantial competent evidence, that there has been a failure by the Developer to comply in good faith with the terms of this Agreement, the County may, after notice to Developer specified in Paragraph 13 below and a public hearing, modify this Agreement to ensure good faith compliance by the Developer or the County may unilaterally terminate this Agreement and all future development rights granted by Ordinance 2022-11 that have not been properly exercised by Developer prior to the County's termination of this Agreement.

14. <u>Notices.</u> All notices required or permitted under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested to the following addresses, or to such other person or address as any Party may designate from time to time in writing:

If to the Developer:	Okeechobee Community Developers LLC 36 Airport Road, Suite 402 Lakewood, NJ 08701
With a copy to:	Solomon Cooperman Recondo & Weiss Ben Solomon, Esq. PO Box 311059 Miami, FL 33231

If to the County:	County Manager 500 Ave J SW PO Box 1527
	Moore Haven, FL 33471
With a copy to:	County Attorney Richard W. Pringle, Esq. 2125 First Street, Suite 200 Fort Myers, FL 33901

15. <u>Remedies.</u> Any material breach of this Agreement may be enforced by either Party as against the other by appropriate action in law or equity filed in a court of competent jurisdiction; provided, however, no such action may be brought until the defaulting Party has been given notice and ninety (90) days in which to cure the default. If the default cannot reasonably be cured within the ninety (90) day period, such period shall be extended if the cure is commenced within such ninety (90) days and the defaulting Party is proceeding with due diligence for such period of time reasonably required to complete such cure.

16. <u>Governing Law and Venue</u>. This Agreement shall be construed and interpreted according to the laws of the State of Florida, and venue with respect to any litigation between the Parties related to this Agreement shall be exclusively in Glades County, Florida.

17. <u>Severability</u>. If any part, term, or provision of this Agreement is held to be illegal, void, or unenforceable, the remaining portions or provisions of this Agreement shall not be affected or impaired, each remaining provision shall remain in full force and effect, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

18. <u>Rules of Construction</u>. The use of the word "shall" or of "will" is interchangeable and both words have the same meaning and indicate a mandatory obligation. Words and Terms used herein shall have their definitions contained in Chapter 137 of the Code or elsewhere in the Code if not defined in Chapter 137. If a term is not defined specifically herein or in the Code, the term must be given its commonly understood meaning.

19. <u>Entire Agreement; Termination of Prior Agreements.</u> This Agreement embodies the whole Development Agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein related to this Development Agreement. This Development Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, regarding the Development Agreement for the Project between the Parties. The Parties acknowledge and agree that they may enter into other agreements related to the Project such as an agreement on the Developer's financial assurances for the Project.

20. <u>Conflict of Laws</u>. Pursuant to Section 163.3241, Florida Statutes, if state or federal laws are enacted subsequent to the execution of this Agreement which are applicable to and preclude either Party's compliance with the terms of this Agreement, this Agreement shall be modified as is necessary to comply with the relevant state or federal laws.

21. <u>Covenants Running with the Land and Successors and Assigns.</u> The obligations imposed and entitlements created pursuant to this Agreement shall run with and bind the Property as covenants running with the land, and this Agreement shall be binding upon and enforceable by and against the Parties hereto, their successors, grantees, and assigns, and future property owners and/or property owners associations. Upon prior notice and approval by the County, which approval shall not be unreasonably withheld, the obligations of the Developer may be assigned to one or more successor developers, property owners and/or property owners associations, and the Developer may thereafter be relieved of all obligations hereunder if approved by the County, which approval shall not be unreasonably withheld.

22. <u>Effective Date.</u> This Agreement will become effective upon the full execution by both Parties and the recording of the Agreement in the Official Records of Glades County.

23. <u>Recording of Agreement.</u> This Agreement will be recorded by the County in the Official Records of Glades County within fourteen (14) days of approval by the Glades County Board of County Commissioners. The costs of recording this Agreement will be paid by the Developer.

July ______, 2023. IN WITNESS WHEREOF, the Parties have set their hands and seals this 13 day of

[Signatures on following page.]

ATTEST:

Tami P. Simmons, or her designee Clerk of the Circuit Court

APPROVED AT TO FORM AND LEGAL SUFFICIENCY Richard W. Pringle County Attorney

BOARD OF COUNTY COMMISSIONERS GLADES COUNTY, FLORIDA

Timothy (Tim) Stanley Chairman

DEVELOPER

By:

Print Name: JEFF AKERMAN

As its: CEO

EXHIBIT "A" LEGAL DESCRIPTION

LEGAL DESCRIPTION:

(PARCEL 1)

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST THENCE NORTH 89°29'59" EAST ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 823.40 FEET TO A POINT ON A LINE PARALLEL WITH THE WEST LINE OF SAID SECTION 4;

THENCE NORTH 00°27'22" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 1368.10 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON FLORIDA'S DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAINTENANCE MAP, MAP SECTION 05020-000, DATED AUGUST OF 2014; THE FOLLOWING FOUR CALLS ARE ALONG SAID SOUTH RIGHT-OF-WAY LINE;

1)THENCE NORTH 57°49'47" EAST, A DISTANCE OF 3681.45 FEET TO THE POINT OF BEGINNING;

2)THENCE NORTH 57°49'47" EAST, A DISTANCE OF 2072.29;

3)THENCE NORTH 57°48'46" EAST, A DISTANCE OF 2770.06;

4)THENCE NORTH 57°49'26" EAST, A DISTANCE OF 3460.71 TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S ACCESS ROAD FOR STRUCTURE (S-127); THE FOLLOWING THREE CALLS ARE ALONG SAID WESTERLY AND SOUTHERLY RIGHT-OF-WAY LINE;

1)THENCE SOUTH 32°10'34" EAST, A DISTANCE OF 398.89;

2)THENCE NORTH 57°49'57" EAST, A DISTANCE OF 597.92;

3)THENCE SOUTH 32°16'04" EAST, A DISTANCE OF 2733.87 TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48), SAID POINT ALSO BEING ON THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST;

THENCE SOUTH 89°34'44" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48) ALSO BEING THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST, A DISTANCE OF 2160.98;

THENCE SOUTH 45°26'00" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF LEVEE (L-48), A DISTANCE OF 6438.67;

THENCE NORTH 59°53'11" WEST, A DISTANCE OF 1050.18;

THENCE NORTH 38°57'14" WEST, A DISTANCE OF 2464.28 TO THE POINT OF BEGINNING;

LESS AND EXCEPT

A STRIP OF LAND LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST ALSO LOCATED IN SECTIONS 34 AND 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST, GLADES COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Page 1 of 2

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST, THENCE SOUTH 00°25'09" EAST, ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 1129.30 FEET TO THE BASELINE OF SURVEY OF STATE ROAD NUMBER 78 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP, MAP SECTION 05020-000 DATED OCTOBER 2014;

THENCE CONTINUE SOUTH 00°25′09" EAST ALONG SAID EAST LINE OF SECTION 4, A DISTANCE OF 38.81 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP, THE FOLLOWING 3 COURSES WILL BE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID POINT IS ALSO THE POINT OF BEGINNING.

1)THENCE NORTH 57°49'47" EAST, A DISTANCE OF 438.75 FEET;

2)THENCE NORTH 57°48'46" EAST, A DISTANCE OF 2770.07 FEET;

3)THENCE NORTH 57°48'41" EAST, A DISTANCE OF 3460.71 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S (S.F.W.M.D.) ACCESS ROAD FOR STRUCTURE 127 SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA;

THENCE SOUTH 32°10'34" EAST, ALONG SAID WEST LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S (S.F.W.M.D.) ACCESS ROAD FOR STRUCTURE 127 AND THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THB PUBLIC RECORDS OF GLADES COUNTY, FLORIDA, A DISTANCE OF 44.15 FEET;

THENCE SOUTH 57°30'40" WEST, A DISTANCE OF 1210.02 FEET;

THENCE SOUTH 32°10'34" EAST, A DISTANCE OF 8.40 FEET;

THENCE SOUTH 59°15'09" WEST, A DISTANCE OF 393.13 FEET;

THENCE SOUTH 72°40'00" WEST, A DISTANCE OF 51.73 FEET;

THENCE SOUTH 58°05'19" WEST, A DISTANCE OF 1807.71 FEET;

THENCE SOUTH 57°49'12" WEST, A DISTANCE OF 4839.15 FEET TO THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 943 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA;

THENCE NORTH 38°57'14" WEST ALONG SAID WEST LINE, A DISTANCE OF 27.19 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 78 AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) RIGHT-OF-WAY MAINTENANCE MAP;

THENCE NORTH 57°49'47" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1633.54 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN GLADES COUNTY, FLORIDA,

19515102_4



South Florida Water Management District Individual Environmental Resource Permit No. 22-108575-P Date Issued: October 13, 2023

Permittee:	Okeechobee Community Developers, LLC 36 Airport Road Suite 402 Lakewood, NJ 08901
Project:	Lakefront Estates
Application No.	230227-37743
Location:	Glades County, See Exhibit 1

Your application for an Individual Environmental Resource Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at <u>www.sfwmd.gov/ePermitting</u>.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email <u>epermits@sfwmd.gov</u>.

Gary R. Priest, P.E. Engineering Section Administrator, Environmental Resource Bureau

South Florida Water Management District Individual Environmental Resource Permit No. 22-108575-P

Date Issued: October 13, 2023	Expiration Date: October 13, 2028
Project Name:	Lakefront Estates
Permittee:	Okeechobee Community Developers, LLC 36 Airport Road Suite 402 Lakewood, NJ 08901
Operating Entity:	Lakefront Estates Community Development District 27499 Riverview Center Blvd #253 Bonita Springs, FL 34134
Location:	Glades County
Permit Acres:	524.99 acres
Project Land Use:	Residential Commercial
Special Drainage District:	N/A
Water Body Classification:	CLASS III
FDEP Water Body ID:	3214
Wetland and Surface Water Impacts:	6.088 acres
Conservation Easement to District:	No
Sovereign Submerged Lands:	No

Project Summary

This Environmental Resource Permit (ERP) authorized Construction and Operation of a stormwater management (SWM) system serving 524.99-acres of residential development for a project known as Lakefront Estates.

The project includes construction of all residential lots, roadways, and SWM facilities and a SWM serving the adjacent Florida Department of Transportation (FDOT) right-of-way of State Road 78, which includes both onsite and offsite works. The project will discharge to the Lake Okeechobee Rim Canal. The project was previously granted a conceptual approval Permit No. 22-101892-P and a phase of construction Permit No. 22-101893-P. This construction permit is a complete redesign of the project and its SWM system and includes construction of the entire site limits. This construction permit supersedes the prior construction permit. Construction authorization within the commercial parcels is limited to perimeter grading only. Future construction within the commercial parcels will require a separate permit authorization. Please refer to SWM Plans Exhibit No. 2.0 and SWM Report No. 2.1 for additional details.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C.

Site Description

The site is mostly cleared and includes several wetlands. The current land use is improved pasture for grazing livestock. Please see Location Map Exhibit No. 1.0 for additional details.

Background

Permit No. 22-101893-P authorized construction and operation of a SWM system serving 132.33-acres of residential development for a project known as G. Harvey Estates Phase 1.

Permit No. 22-101892-P authorized conceptual approval of a SWM system serving 445.51 acre residential development for a project known as G. Harvey Estates.

A permit transfer was issued to Okeechobee Community Developers, LLC as requested under Application 220406-33846. The only modification authorized by this action is a change in permittee. The permit remains subject to the Expiration Date, General Conditions, and Special Conditions as previously issued.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the SWM system is the responsibility of the Lakefront Estates Community Development District as indicated in the recorded governing documents (Please refer to Exhibit No. 4.0) and correspondence (Please refer to Exhibit No. 4.1). Upon completion of construction and in conjunction with submittal of the construction completion certification, a request for transfer to the operating entity and recorded copies of its governing documents must be provided in accordance with General Condition No. 7.

The subject site accepts discharge from the adjacent Florida Department of Transportation (FDOT) Right-of-Way; an FDOT permit was provided for the offsite works and a draft plat was provided granting a drainage easement to FDOT; Please refer to Exhibit No. 4.2 for the draft plat.

Prior to or concurrent with submittal of the engineering completion certification, a copy of the recorded plat granting the easement to FDOT for the continuation of this drainage must be submitted.

Engineering Evaluation:

Land Use

Please refer to Sheet 1 of 33 of the SWM Plans Exhibit No. 2.0 and SWM Report Exhibit No. 2.1 for land use details for each of the 4 Basins/Phases.

Water Quality

The project is within the Lake Okeechobee watershed which is impaired, pursuant to 62-304.705 F.A.C. In order to provide reasonable assurance that the proposed project will not contribute to the existing impairment, an additional 50% water quality treatment volume is provided. A site specific pre vs. post development nutrient loading analysis has been provided demonstrating that the proposed system will not increase the annual nutrient loading over existing conditions.

The project provides the required water quality treatment volume based on 1 inch over the controlled basin areas. Please refer to Sheet 1 of 33 of the SWM Plans Exhibit No. 2.0 and SWM Report Exhibit No. 2.1 for water quality details for each of the 4 Basins/Phases.

The project includes implementation of a Turbidity and Erosion Control Plan as additional reasonable assurance of compliance with water quality criteria during construction. Please refer to Exhibit No. 2.0 for details.

Water Quantity

As e result of the low discharge rate, the SWM system does not recover within 12 days pursuant to Vol. II Section 3.9. In order to provide reasonable assurance of the long term flood protection of the system, minimum flood protection levels were established based on the peak stage of a second design storm. Please refer to Sheet 1 of 33 of the SWM Plans Exhibit No. 2.0 and SWM Report Exhibit No. 2.1 for design storm and flood protection details.

Discharge

The project is located within the S-127 Basin. The peak discharge rate of 20.2 cubic feet per second per square mile is within the allowable limit for the area. Please refer to SWM Report Exhibit No. 2.1 for details.

Parking Lot Design

The minimum parking lot elevations have been set at or above the design storm elevation. Please refer to Sheet 1 of 33 of the SWM Plans Exhibit No. 2.0 and SWM Report Exhibit No. 2.1 for design storm and flood protection details.

Road Design

The minimum road center line elevations have been set at or above the design storm elevation. Please refer to Sheet 1 of 33 of the SWM Plans Exhibit No. 2.0 and SWM Report Exhibit No. 2.1 for design storm and flood protection details.

Finished Floors

The minimum finish floor elevations have been set at or above the design storm elevation. Please refer to Sheet 1 of 33 of the SWM Plans Exhibit No. 2.0 and SWM Report Exhibit No. 2.1 for design storm and flood protection details.

Offsite Flow

The project includes construction of both onsite and offsite works associated with the Florida Department of Transportation (FDOT) Basin shown on the Conceptual Master Plan Exhibit No. 2.2. Construction within SR-78 right-of-way will require authorization from the FDOT. The FDOT Basin is a bypass system consistent with the existing condition and conceptual approval. The FDOT Basin will convey offsite stormwater runoff from the State Road 78 right-of-way through the site to the Lake Okeechobee Rim Canal.

Permit No: 22-108575-P, Page 4 of 20

Please refer to Exhibits Nos. 2.0 and 2.1 for details.

Certification, Operation, and Maintenance

Pursuant to Chapter 62-330.310, F.A.C., Individual Permits will not be converted from the construction phase to the operation phase until construction completion certification of the project is submitted to and accepted by the District. This includes compliance with all permit conditions, except for any long term maintenance and monitoring requirements. It is suggested that the permittee retain the services of an appropriate professional registered in the State of Florida for periodic observation of construction of the project.

For projects permitted with an operating entity that is different from the permittee, it should be noted that until the construction completion certification is accepted by the District and the permit is transferred to an acceptable operating entity pursuant to Sections 12.1 - 12.3, ERP AH Vol. I and Section 62-330.310, F.A.C., the permittee is liable for operation and maintenance in compliance with the terms and conditions of this permit.

In accordance with Section 373.416(2), F.S., unless revoked or abandoned, all SWM systems and works permitted under Part IV of Chapter 373, F.S., must be operated and maintained in perpetuity.

The efficiency of SWM systems, dams, impoundments, and most other project components will decrease over time without periodic maintenance. The operation and maintenance entity must perform periodic inspections to identify if there are any deficiencies in structural integrity, degradation due to insufficient maintenance, or improper operation of projects that may endanger public health, safety, or welfare, or the water resources. If deficiencies are found, the operation and maintenance entity is responsible for correcting the deficiencies in a timely manner to prevent compromises to flood protection and water quality. See Section 12.4, ERP AH Vol. I for Minimum Operation and Maintenance Standards.

Notable project components requiring routine inspection and maintenance include but are not limited to:

- Side slopes for stormwater lakes and ponds maintain side slopes no steeper than 4:1 (horizontal:vertical) to a depth of 2.0 feet below the control elevation and nurtured or planted from 2.0 feet below to 1.0 feet above the control elevation pursuant to Section 5.4.2, ERP AH Vol. II.
- Conveyance pipes, conveyance structures and discharge structures all pipes and structures must be inspected for structural integrity and be maintained clear of trash, sediment and vegetative debris.
- Exfiltration trenches all pipes and structures must be inspected for structural integrity and be maintained clear of trash, sediment and vegetative debris.
- Swales maintain the permitted cross-section and vegetative cover.
- Underground storage facilities all facilities must be inspected for structural integrity and be maintained clear of trash, sediment and vegetative debris.
- Pumps float switches should be inspected and any obstructions removed to ensure proper operation; intake and discharge pipes should be maintained clear of trash, sediment and vegetative debris; motors should be maintained to ensure proper operation.

Environmental Evaluation:

Wetlands and Other Surface Waters (OSW)

The project site contains 15 freshwater wetlands totaling approximately 32.78 acres, and 5.97 acres of OSW's (onsite man-made lake). Please see Exhibit No. 2.0 for the locations of these features. The wetlands can generally be described as freshwater marsh and mixed hardwoods. Additional wetland descriptions are available in the ePermitting file and Exhibit No. 3.0.

The project will result in direct impact to 0.116 acres of wetlands (Wetlands 11, 13, and 14), as well as dredging and/or filling in 5.97 acres of OSW. Mitigation is not required for proposed work in OSW's pursuant to section 10.2.2.3 of the ERP AH Vol. I. Mitigation is also not required for impact to Wetlands 11,13, and 14 because the Permittee has demonstrated compliance with sections 10.2.2 through 10.2.3.7 and 10.2.5 through 10.3.8 of the ERP AH Vol. I for regulated activities in isolated wetlands less than one half acre in size.

Because the remaining ~32.67 acres of wetlands will be preserved onsite with minimum 25-foot upland buffers surrounding them, District Staff have determined the project meets the elimination and reduction criteria in Section 10.2.1, ERP AH Vol. I. There are no cumulative impacts associated with the project.

Of the wetlands to remain unimpacted onsite; Wetlands 5 through 10, 12, and 15, along with associated upland buffer areas, are currently under a conservation easement dedicated to the District pursuant to Application No. 180626-656, Permit No. 22-101893-P for G. Harvey Estates Phase 1 Construction. Please refer to Exhibit No. 3.1 for the recorded conservation easement.

Wetland seasonal high-water elevations were field verified and surveyed. Onsite wetlands will be incorporated into the design of the SWM system as shown on Exhibit No. 2.0. Proposed rim elevations for the wetland structures were designed to coincide with hydroperiod of the wetlands in which they connect. A recovery analysis for the 5- year, 1-day storm event demonstrates wetland stages will recover back down to seasonal high-water elevation in sufficient time to not adversely impact wetland hydrology. Please refer to Exhibit No. 3.2 for further details.

No water quality impacts are expected to occur as calculations were provided demonstrating all runoff which enters each wetland area will receive the required water quality treatment and outfall velocities will mimic a natural sheet flow into the wetland. Rear lot line swales will provide water quality treatment for the minimal areas of yards which discharge into the wetlands. The remainder of the project will discharge into the wetlands.

Temporary impacts to the wetland buffer areas due to the installation of stormwater structures will be replanted with native wetland and upland vegetation and restored to natural grade once the structures are installed pursuant to Special Condition No. 10.

Due to the close proximity of the lakes and the difference between the control elevation and wetland seasonal high water elevations, the applicant provided a gradient analysis evaluating the compatibility of the proposed control elevations with the onsite wetlands. Based on the calculations, the applicant is proposing to construct impermeable hydrologic barriers around the lakes adjacent to Wetlands 3 and 5, where the gradient exceeded 0.005 ft/ft (vertical distance in elevation/horizontal distance), as a measure to protect wetlands from adverse hydrologic impact. Impermeable barriers shall be installed prior to any lake excavation and are detailed on Exhibit No. 2.0.

To ensure no water quality impacts will occur, Best Management Practices (BMPs), including turbidity curtains, will be utilized during construction.

Monitoring and Maintenance

Because onsite wetlands will be incorporated into the SWM design, wetland monitoring will be conducted by the permittee for a period of five consecutive years to ensure adverse hydrologic impacts will not occur. Exhibit No. 3.0 describes the monitoring methodology, locations, and maintenance activities. Monitoring

includes vegetative cover, hydrologic conditions, as well as wildlife usage and recommendations for maintenance work. Annual reports shall be submitted to the District in accordance with the project work schedule herein.

Perpetual maintenance will also be required. Maintenance criteria are found in the special conditions and Exhibit No. 3.0. Maintenance will be conducted in perpetuity by the Lakefront Estates Community Development District as identified on Exhibit No. 3.4.

Fish, Wildlife, and Listed Species

The wetlands to be preserved provide habitat for wetland-dependent species including sandhill crane, little blue heron, wood stork, white egret, and crested caracara. The proposed preservation will provide or improve habitat for wetland-dependent and aquatic species. No aquatic or wetland-dependent listed species or species having special protection were observed to be using the uplands within the project for nesting or denning.

The District received correspondence from the Florida Fish and Wildlife Conservation Commission (FFWCC) dated August 9, 2018 as part of the review of related Permit No. 22-101893-P. Correspondence included recommendations for nesting and denning surveys to be conducted for sandhill cranes, wading birds, American kestrel, southern fox squirrel and Audubon's crested caracara, as described in Exhibit 3.3. The letter indicated that should any nests or dens be identified, buffers shall be established as required by FFWCC and the adjacent construction schedule shall be adjusted to avoid activity within those areas. A subsequent survey for these species was conducted by JL Environmental in 2023, which is also attached in Exhibit No. 3.3. It shall be the responsibility of the Permittee to coordinate with FFWCC regarding any additional comments they may have regarding these species.

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if, in the future, endangered or threatened species or species of special concern are discovered on the site.

Environmental Evaluation Tables:

Summary

Wetlands and Other	38.757	acres
Surface Waters:		
Direct Wetland Impacts/ Work in OSW:	6.088	acres
Secondary impacts:	0	acres
Net UMAM Functional Loss/ Gain:	0	units

Lakefront Estates

Activities in Wetlands or Other Surface Waters, Not Including Mitigation at a Bank

ID	Aoros	Action	Community	Current	With Project	UMAM
שו	Acres	ACTION	Description	Score	Score	Loss
W1	0.451	Avoided/Preserved	Wetlands			0.000
W2	1.656	Avoided/Preserved	Wetlands			0.000
W3	2.363	Avoided/Preserved	Wetlands			0.000
W4	4.393	Avoided/Preserved	Wetlands			0.000
W5	4.945	Avoided/Preserved	Wetlands			0.000
W6	4.766	Avoided/Preserved	Wetlands			0.000
W7	8.234	Avoided/Preserved	Wetlands			0.000
W8	0.177	Avoided/Preserved	Wetlands			0.000
W9	2.789	Avoided/Preserved	Wetlands			0.000
W10	1.506	Avoided/Preserved	Wetlands			0.000
W11	0.039	Direct Impact	Wetlands			0.000
W12	1.331	Avoided/Preserved	Wetlands			0.000
W13	0.042	Direct Impact	Wetlands			0.000
W14	0.035	Direct Impact	Wetlands		0	0.000
W15	0.058	Avoided/Preserved	Wetlands			0.000
osw	15 472	Works in Surface Waters	Ponds			0.000
Total:	38.757					0.000

Related Concerns:

Water Use Permit Status

The permittee has indicated that irrigation will not be required and landscaping will utilize drought tolerant plants.

The permittee has indicated that dewatering is required for construction of this project. If the proposed dewatering does not qualify for the permit by rule under Rule 40E-2.061, F.A.C., a Water Use Permit for dewatering must be obtained prior to construction.

This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation.

Historical/ Archeological Resources

The District has received correspondence from the Florida Department of State, Division of Historical Resources indicating that no significant archaeological or historical resources are recorded on the project site; therefore, the project is unlikely to have an effect upon any such resources.

This permit does not release the permittee from complying with any other agencies requirements in the event that historical and/or archaeological resources are found on the site.

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

- 1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
- 2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
- 3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
- 4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (http:// www.flrules.org/Gateway/reference.asp?No=Ref-02505), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
- 5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
- 6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex-"Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or

b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].

c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:

a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

Permit No: 22-108575-P, Page 10 of 20

County in which the activity is located.

b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

- 8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
- 9. This permit does not:

a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;

b. Convey to the permittee or create in the permittee any interest in real property;

c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or

d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

- 10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
- 11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
- 12. The permittee shall notify the Agency in writing:

a. Immediately if any previously submitted information is discovered to be inaccurate; and
b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

- 13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
- 14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

Permit No: 22-108575-P, Page 11 of 20

- 15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
- 16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
- 17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
- 18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

- 1. The construction authorization for this permit shall expire on the date shown on page 2.
- 2. Perpetual O&M of the SWM system shall be the responsibility of the Lakefront Estates Community Development District. Upon completion of construction and in conjunction with submittal of the as-built certification, a request for transfer to the operating entity with supporting documentation must be submitted in accordance with General Condition No. 7.
- 3. Prior to or concurrent with submittal of the engineering completion certification, recorded documentation of perpetual legal reservation(s), such as an easement or plat dedication, for the subject site's acceptance of upstream discharge must be submitted.
- 4. This permit does not eliminate the need to obtain any and all necessary easements and rights of way prior to the start of any activity approved herein. This permit does not convey to the permittee, or create for the permittee, any property right, or any interest in real property; nor does it authorize any entrance upon, or activities on, property which is not owned or controlled by the permittee; or convey any rights or privileges other than those specified in the permit and Chapter 62-330, F.A.C..

No work shall occur within the FDOT right-of-way until all necessary FDOT permits are obtained authorizing the proposed work on FDOT property.

- 5. All non-residential, commercial, or industrial projects must provide one half inch of dry pre-treatment prior to discharging to the master system.
- 6. Prior to initiating construction activities associated with this Environmental Resource Permit (ERP), the permittee is required to hold a pre-construction meeting with field representatives, consultants, contractors, District Environmental Resource Bureau (ERB) staff, and any other local government entities as necessary. The purpose of the pre-construction meeting is to discuss construction methods, sequencing, best management practices, identify work areas, staking and roping of preserves where applicable, and to facilitate coordination and assistance amongst relevant parties. To schedule a pre-construction meeting, please contact ERB staff from the Okeechobee Service Center at (863) 462-5260 or via e-mail at: pre-con@sfwmd.gov. When sending a request for a pre-construction meeting, please include the application number, permit number, and contact name and phone number.
- 7. An average 25' wide, minimum 15', buffer of undisturbed upland vegetation shall be maintained between the proposed development and existing wetlands. Buffers shall be staked and roped and District environmental staff notified for inspection prior to clearing.
- 8. Permanent physical markers designating the preserve status of the wetland preservation areas and buffer zones shall be placed at the intersection of the buffer and each lot line. These markers shall be maintained in perpetuity.
- 9. A monitoring program shall be implemented in accordance with Exhibit No. 3.0. The monitoring program shall extend for a period of 5 years with annual reports submitted to District staff. At the end of the 5 year monitoring program the entire preservation area shall contain an 80% coverage of desirable

Permit No: 22-108575-P, Page 13 of 20

obligate and facultative wetland species.

- 10. The areas to be temporarily disturbed by the installation of control structures in wetlands will be backfilled and replanted within 30 days of installation. Monitoring of the replanted areas shall consist of photos taken from fixed point photostations as shown on Exhibit No. 3.0. Monitoring of temporary impact areas shall be done concurrently with other required monitoring for Lakefront Estates.
- 11. A maintenance program shall be implemented in accordance with Exhibit No. 3.0 for the preserved wetland and upland buffer areas on a regular basis to ensure the integrity and viability of those areas as permitted.

Maintenance shall be conducted in perpetuity to ensure that the wetlands under conservation easement are maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity per Permt No. 22-101893-P which established the conservation easements. Remaining wetlands not under conservation easement shall to be maintained in their current condition.

Maintenance in perpetuity shall also ensure that wetlands under conservation easements, including buffers, maintain the species and coverage of native, desirable vegetation specified in the permit. Coverage of exotic and nuisance plant species shall not exceed 5% of total cover between maintenance activities. In addition, the permittee shall manage the conservation areas such that exotic/nuisance plant species do not dominate any one section of those areas. Remaining wetlands not under conservation easement shall to be maintained in their current condition.

- 12. Activities associated with the implementation of the monitoring and maintenance plan shall be completed in accordance with the project work schedule attached herein. Any deviation from these time frames must be coordinated with the District's Environmental Resource Compliance staff and may require a minor modification to this permit. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
- 13. This permit does not authorize the permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to: FWCConservationPlanningServices@MyFWC.com.

Pursuant to comments received from FFWCC dated August 9, 2018 as part of the review of related Permit No. 22-101893-P, nesting and denning surveys shall be conducted for sandhill cranes, wading birds, American kestrel, southern fox squirrel and Audubon's crested caracara as described in Exhibit 3.3 and survey protocols described in the aforemention 2018 correspondence. Should any nests or dens be identified, buffers shall be established as required by FFWCC and the adjacent construction schedule shall be adjusted to avoid activity within those areas. A survey for these species was conducted in 2023, which is also attached in Exhibit No. 3.3. It shall be the responsibility of the Permittee to coordinate with FFWCC regarding any additional comments they may have regarding these species.

14. The wetlands and upland buffer zones preserved under conservation easement pursuant to Permit No.

Permit No: 22-108575-P, Page 14 of 20

22-101893-P and as shown on Exhbit No. 3.1 may in no way be altered from their natural or permitted state. Activities prohibited within the conservation areas include, but are not limited to: (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground; (b) dumping or placing soil or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials; (c) removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic and nuisance vegetation removal; (d) excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substances in such manner as to affect the surface; (e) surface use except for purposes that permit the land or water area to remain predominantly in its natural condition; (f) activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation, including but not limited to ditching, diking or fencing; (g) acts or uses detrimental to such retention of land or water areas; and (h) acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

- 15. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.
- 16. Silt fencing shall be installed at the limits of construction to protect all of the preserve areas from silt and sediment deposition during the construction of the project. A floating turbidity barrier shall be installed during the construction of the final discharge structure into the adjacent canal/water body. The silt fencing and the turbidity barrier shall be installed in accordance with Exhibit No. 2.0. The sediment controls shall be installed prior to the commencement of any clearing or construction. The silt fencing and turbidity barriers shall remain in place and be maintained in good functional condition until all adjacent construction activities have been completed and all fill slopes have been stabilized. Upon completion of the project and the stabilization of the fill, the permittee shall contact the District's Environmental Resource Compliance staff to inspect the site and approve the removal of the silt fencing and turbidity barriers.
- 17. Livestock exclusionary fencing shall be constructed along the landward edge of the upland buffer around all wetlands.
- 18. Prior to commencement of construction, a Consumptive Use permit for dewatering shall be obtained or demonstration that the work qualifies for the permit by rule under Rule 40E-2.061, F.A.C. shall be provided.

If proceeding with a General Permit by rule for construction dewatering, the Permittee acknowledges that the dewatering operation is subject to the Permit Conditions in Section 5.0 of the Applicant's Handbook for Water Use Permit Applications, including responsibility for mitigating any harm that may occur as a result of the dewatering to existing legal uses, off-site land uses, or natural resources.

19. This permit supersedes construction authorization for G. Harvey Estates Phase 1 Permit No. 22-101893-P.

Project Work Schedule for Permit No. 22-108575-P

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
GC 4	10/13/2023	Construction Commencement Notice	Prior to Construction	
GC 6	10/13/2023	Submit Certification	30 Days After Construction Completion	
GC 7	10/13/2023	Submit Operation Transfer Request	Within 30 days of Certification	
SC 3	10/13/2023	Submit Proof of Ownership	Prior to Construction	
SC 6	10/13/2023	Pre-Construction Meeting	Prior to Construction	
SC 9	10/13/2023	Submit Mitigation Monitoring Report 1	Within 1 year after Mitigation Construction Complete Date and then Annually for 5 years	
SC 9	10/13/2023	Submit Mitigation Monitoring Report 2	1 year after previous submission	
SC 9	10/13/2023	Submit Mitigation Monitoring Report 3	1 year after previous submission	
SC 9	10/13/2023	Submit Mitigation Monitoring Report 4	1 year after previous submission	
SC 9	10/13/2023	Submit Mitigation Monitoring Report 5	1 year after previous submission	
SC 18	10/13/2023	Obtain a Water Use Permit for Dewatering	Prior to Construction	

GC = General Condition

SC = Special Condition

Distribution List

Michelle Krizen, Lakefront Estates Community Development District

Steven Dobbs, Newlines/SLD Engineering

Audubon of Florida

Div of Recreation and Park - District 5

US Army Corps of Engineers - Permit Section

Glades County Engineer

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <u>http://my.sfwmd.gov/ePermitting</u> and searching under this application number 230227-37743.

Exhibit No. 1.0 Location Map

- Exhibit No. 2.0 SWM Plans
- Exhibit No. 2.1 SWM Report
- Exhibit No. 2.2 Nutrient Analysis
- Exhibit No. 3.0 Monitoring and Maintenance Plan, Completed 2020 Baseline Report
- Exhibit No. 3.1 Recorded Conservation Easement
- Exhibit No. 3.2 Wetland Hydrology Model
- Exhibit No. 3.3 2018 FWC Comments and 2023 Species Survey
- Exhibit No. 3.4 Perpetual Maintenance Agreement Lakefront Estates CDD
- Exhibit No. 4.0_CDD_Resolution
- Exhibit No. 4.1 CDD Accept

Exhibit No. 4.2_Plat

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

• Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

Permit No: 22-108575-P, Page 19 of 20

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

- 1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
- 2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
- 3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
- 4. A statement of when and how the petitioner received notice of the District's decision.
- 5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
- 6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
- 7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
- 8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
- 9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

EXHIBIT 9

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

March 22, 2022

Prepared by

Special District Services, Inc. 2501A Burns Road Palm Beach Gardens, Florida 33410

(561) 630-4922

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Lakefront Estates Community Development District ("District"). The District comprises approximately 550 acres of land located in the unincorporated area of Glades County, Florida. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2) (d), F.S. (governing District establishment) as follows:

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

1.2 Overview of Lakefront Estates Community Development District

The District is designed to provide district infrastructure, services, and facilities along with their operations and maintenance to a development as approved by Glades County within the boundaries of the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (2019), defines the elements a statement of estimated regulatory costs must contain:

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

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

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

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the ordinance. As used in this paragraph, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.

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

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

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

2.0 An economic analysis of potential impacts on growth, business competitiveness or increased regulatory costs, in excess of \$1 million within the next 5 years.

It is unlikely the establishment of the District will meet any of the adverse triggers referenced in Section 120.541(2)(a). The basis for this determination is that this Petition to establish the District is for the sole purpose of providing public infrastructure for the development of the Lakefront Estates Project, which will be vetted by the County during the review process. Additional support of this determination is provided in the discussions in Section 3.0 through Section 6.0 herein.

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

The Lakefront Estates Community Development District serves land that comprises an approximately 550-acre residential development to be made up of an estimated 1170 residential dwelling units. The estimated population of the District is 3,510 (3 per household). The property owners in the District will be individuals that may operate industrial, manufacturing and other retail and non-retail related businesses outside the boundaries of the District.

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

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

State Governmental Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed establishment of the District. The District as established on the proposed land, will encompass under 2,500 acres, therefore, Glades County is the establishing entity under 190.005(2), F.S. The modest costs to various State entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, the District must pay an annual fee to the State of Florida Department of Economic Development, which offsets such costs.

Glades County

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

The annual costs to Glades County, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for this District. However, consistent with section 190.005(1)(b)1, F.S., the Petitioner has included a one-time payment of \$15,000 to offset any expenses the County may incur in the processing of this Petition, or in the monitoring of this District.

4.2 Impact on State and Local Revenues

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

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

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

The Petitioner has estimated the costs for providing the capital facilities to be approximately \$50,625,000. The District may issue special assessment bonds to fund all or a portion of the costs of these facilities. These bonds would be repaid through the levy of non-ad valorem special assessments. In addition to the levy of non-ad valorem special assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

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

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

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

In considering these costs, it shall be noted that owners of the lands to be included within the District will receive three major classes of benefits. First, landowners in the District will receive a higher long-term sustained level of public services and amenities sooner than would otherwise be the case.

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

Third, a CDD is a form of governance which allows District landowners, through landowner voting, and eventually qualified electors, through general elections, to determine the type, quality and expense of District services they receive.

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

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

Approval of the Lakefront Estates CDD will have positive impacts on small business as defined in Chapter 288.703 (1), F. S. These positive impacts will result because the additional population in the District will require goods and services from small businesses. These services can be provided by the small businesses that currently serve the general area. Additional opportunities will also be created for new businesses to be formed or relocate to the area. No negative impacts have been identified for small businesses as defined.

The County has an estimated population in 2010 that is greater than 10,000; therefore the County is not defined as a *"small" County* according to Section 120.52, F.S, and there will accordingly be no impact on a small County because of the formation of the District.

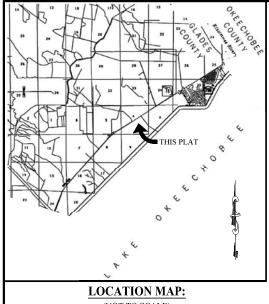
7.0 Any additional useful information.

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

APPENDIX A LIST OF REPORTING REQUIREMENTS

REPORT	FL. STATUTE CITATION	DUE DATE
Annual Financial Audit	190.008/218.32	within 45 days of audit completion, but no later than 9 months after end of fiscal year
Annual Financial Report	190.008/218.32	within 45 days of financial audit completion, but no later than 12 months after end of fiscal year; if no audit required, no later than 9 months after the end of the fiscal year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1: Statement of Financial	112.3145	within 30 days of accepting interest the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	within 120 days after the sale of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by 6/15
Adopted Budget	190.008	annually by 10/1
Public Depositor Report	280.17	annually by 11/30
Notice of Establishment	190.0485	within 30 days of the effective date of an ordinance establishing the CDD
Notice/Disclosure of Public Financing	190.009	after the sale of bonds

APPENDIX 4 – PRELIMINARY PLAT



(NOT TO SCALE)

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTIONS 34 & 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST ALSO LOCATED IN SECTIONS 2, 3 AND 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST, GLADES COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 4, TOWNSHIP 39 SOUTH, RANGE 34 EAST, THENCE SOUTH 00°25'09° EAST ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 1/9023 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 78 PER OFFICIAL RECORD BOOK 361, AT PAGE 931 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA AND SAID POINT BEING THE **POINT OF BEGINNING** THE FOLLOWING SEVEN (7) CALLS ARE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE:

- THENCE NORTH 57°49'47" EAST, A DISTANCE OF 455.13 FEET; THENCE NORTH 57°48'46" EAST. A DISTANCE OF 2770.07 FEET
- THENCE NORTH 58°05'19" EAST, A DISTANCE OF 1807.71 FEET
- THENCE NORTH 72°39'59" EAST, A DISTANCE OF 51.73 FEET.
- THENCE NORTH 59°15'09" EAST. A DISTANCE OF 393.13 FEET

- THENCE NORTH 59°1509° EAST, A DISTANCE OF 393.13 FEET;
 THENCE NORTH 59°1504° WEST, A DISTANCE OF A DEFET;
 THENCE NORTH 57°3040° EAST, A DISTANCE OF 1,210.02 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATEK MANAGEMENT DISTRICTS ACCESS ROAD;
 THE FOLLOWNO TIRKE 10; A CLLS ARE ALONG SAID WESTERLY RIGHT-OF-WAY LINE:
 THENCE SOUTH 32°10'34° EAST, A DISTANCE OF 355.49 FEET;
- THENCE NORTH 57°49'57" EAST, A DISTANCE OF 597.92 FEET
- 3) THENCE SOUTH 32°16/04" EAST, A DISTANCE OF 2,733.87 FEET TO A POINT ON THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEVEE
- THE FOLLOWING TWO (2) CALLS ARE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE:
- THENCE SOUTH 89°34'44" WEST, A DISTANCE OF 2,160.98 FEET:
- 2) THENCE SOUTH 45°26'00" WEST, A DISTANCE OF 6,438.67 FEET TO A POINT ON THE EASTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 307 AT PAGE 917 OF THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA; THE FOLLOWING TWO (2) CALLS ARE ALONG SAID FASTERLY LINE

- THE FOLLOWING TWO (JCALLS ARE ALONG SAIL GAS TER.) LINE: 1) THENCE NORTH 59'53'11" WEST, A DISTANCE OF LOSS IR FEET; 2) THENCE NORTH 59'57'14" WEST, A DISTANCE OF 2,437.09 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 78 PER OFFICIAL RECORD BOOK 501 AT PAGE 910 OF THE FUEL (RECORDS OF GLADES COUNTY, FLORIDA; THENCE NORTH 57'4947" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,613.95 FEET TO THE **POINT OF BEGINNIG**.

LOCATED IN GLADES COUNTY, FLORIDA CONTAINING 524.995 ACRES



LAKEFRONT ESTATES

LOCATED IN SECTIONS 34 & 35, TOWNSHIP 38 SOUTH, RANGE 34 EAST AND SECTIONS 2, 3, & 4 TOWNSHIP 39 SOUTH, RANGE 34 EAST GLADES COUNTY, FLORIDA

CERTIFICATE OF OWNERSHIP AND DEDICATIONS:

OKEECHOBEE COMMUNITY DEVELOPERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY AND THROUGH ITS UNDERSIGNED MANAGER HEREBY CERTIFIES THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED ON THIS PLAT OF LAKEFRONT ESTATES AND DOES HEREBY DEDICATES AS FOLLOWS

GREEN AREA TRACTS, PARK TRACTS, AND OPEN SPACES TRACTS

THE GREEN AREA TRACTS, PARK TRACTS, AND OPEN SPACE TRACTS AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY, FLORIDA, ITS SUCCESSORS AND ASSIGNES, FOR OPEN SPACE, RECREATIONAL AMENTIES, SIGNAGE, BUFFERS, DRAINAGE, UTLITY, AND PEDESTRIAN ACCESS AND LANDSCAPE PURPOSES, AND ARE THE PER PARTUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND

SYNAGOGUE TRACTS & SCHOOL TRACTS THE SYNAGOGUE TRACTS AND SCHOOL TRACTS AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY, FLORIDA, IT'S SUCCESSORS AND ASSIGNS, FOR PUBLIC USE PURPOSES, AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS.

COMMERCIAL TRACTS

THE COMMERCIAL TRACTS AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY, FLORIDA, IT'S SUCCESSORS AND ASSIGNS, FOR SANITARY SEWER TREATMENT PURPOSES, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT. ITS SUCCESSORS AND ASSIGNS

INTEREDING AND ALL AND

WETLAND PRESERVES THE WETLAND PRESERVES AREAS AS SHOWN HEREON, ARE A PERPETUAL STATUTORY CONSERVATION EASEMENT AND HAVE BEEN CONVEYED TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AS RECORDED IN OFFICIAL RECORDS BOOK 359 AT PAGE 499 OF THE OFFICIAL RECORDS OF GLADES COUNTY, FLORIDA, SAID PRESERVES ARE THE PREPTUAL MAINTENANCE OBLIGATION OF THE LAKERONT FSTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY, FLORIDA, SAID PRESERVES SUCCESSORS AND ASSIGNS. THE PRESERVES MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE.

STORMWATER TRACTS

THE STORMWATER TRACTS AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT. A DISTRICT WITHIN GLADES COUNTY, FLORIDA, IT'S SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORM WATER MANAGEMENT AND DRAINAGE FACILITIES AND ARE THE PERPETUAL MAINTENANCI OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS

EASEMENTS THE DRAINAGE EASEMENTS AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY, FLORIDA, IT'S SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORM WATER MANAGEMENT AND DRAINAGE FACILITIES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, IT'S SUCCESSORS AND ASSIGNS.

THE FLORIDA DEPARTMENT OF TRANSPORTATION DRAINAGE EASEMENT AS SHOWN HEREON, IS HEREBY DEDICATED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, FOR ACCESS AND STORM WATER MANAGEMENT TO THE LEVEE L-48 RIGHT-OF-WAY FROM THE STATE ROAD 78 RIGHT-OF-WAY AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY, FLORIDA, ITS SUCCESSORS AND ASSIGNS.

THE UTILITY EASEMENTS AS SHOWN HEREON, ARE HEREBY DEDICATED IN PERPETUITY TO ALL GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES WITH THE RIGHT TO THE OTHER AS SHOWN DESCRIBED TO INSTALL, OPERATE AND MAINTAIN THEIR RESPECTIVE UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE INSTALLATION, OPERATION AND/OR MAINTENANCE OF OTHER PUBLIC UTILITIES.

THE ACCESS EASEMENTS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY, FLORIDA, IT'S SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER TRACTS, RECREATION TRACTS, AND COMMERCIAL TRACTS AS GRAPHICALLY SHOWN

IN WITNESS WHEREOF, THE ABOVE NAMED OWNER, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER, THIS _____ DAY OF ____ 2023.

BY: OKEECHOBEE COMMUNITY DEVELOPERS, LLC

JEFF AKERMAN MANAGER



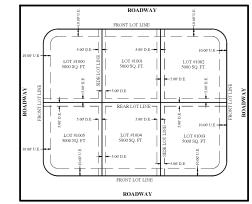
(NAME)

(PRINTED NAME)

(PRINTED NAME)

TYPICAL LOT EASEMENT DETAIL: (SCALE: 1 INCH = 60 FEET)

10.00' UTILITY EASEMENT ALONG FRONT LOT LINES 5.00' DRAINAGE EASEMENT ALONG SIDE LOT LINES 5.00' DRAINAGE EASEMENT ALONG REAR LOT LINES (UNLESS OTHERWISE GRAPHICALLY DEPICTED HEREON)



ACKNOWLEDGEMENT:

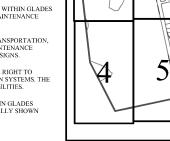
STATE OF FLORIDA COUNTY OF GLADES

COMMISSION NUMBER:

BEFORE ME PERSONALLY APPEARED, JEFF AKERMAN, WHO IS PERSONALLY KNOWN TO ME, OR HAS

WITNESS MY HAND AND OFFICIAL SEAL THIS DAY OF 2023

MY COMMISSION EXPIRES:	
(DATE)	NOTARY STAMP
BY:	
PRINTED NAME:	_







(PRINTED NAME)

WITNESS

ACKNOWLEDGEMENT:

STATE OF FLORIDA

44S PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT



PRINTED NAME:

COMMISSION NUMBER:

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT **DISTRICT ACCEPTANCE OF RESERVATIONS:**

STATE OF FLORIDA COUNTY OF GLADES

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT, A DISTRICT WITHIN GLADES COUNTY FLORIDA, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID DISTRICT AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR THE SAME AS STATED HEREON

DATED THIS DAY OF 2023

WITNESS JEFF AKERMAN (NAME) (NAME) MANAGER

(PRINTED NAME)

COUNTY OF GLADES

REFORE ME PERSONALLY APPEARED. IFFE AKERMAN, WHO IS PERSONALLY KNOWN TO ME, OR

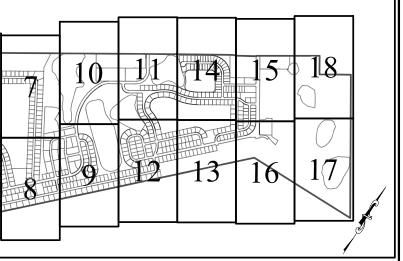
WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF ____ . 2023

MY COMMISSION EXPIRES:



AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT

	LEGEND:		
	A.E.	ACCESS EASEMENT	
	A.K.A.	ALSO KNOWN AS	
	C/L	CENTERLINE	
	C.E.	CONSERVATION EASEMENT	
	Δ	DELTA ANGLE	
	D.E.	DRAINAGE EASEMENT	
	E:	EASTING	STATE OF FLORIDA
	F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	COUNTY OF GLADES
	L	ARC LENGTH	
	L.B.E.	LANDSCAPE BUFFER EASEMENT	
	MAINT.	MAINTENANCE	THIS PLAT HAS BEEN FILED FOR
	N:	NORTHING	RECORD AT
	NO.	NUMBER	
	O.R.B.	OFFICIAL RECORDS BOOK	THIS DAY OF
	O.R.F.	OFFICIAL RECORDS FILE	
	PG.	PAGE	A.D. 2023 AND DULY RECORDED
	P.C.P.	PERMANENT CONTROL POINT	IN PLAT BOOK ON
	P.R.M.	PERMANENT REFERENCE MONUMENT	PAGES THROUGH
	R/W	RIGHT-OF-WAY	TAMI PEARCE SIMMONS
	R	RADIUS	CLERK OF THE COURT
1	S.F.W.M.D.	SOUTH FLORIDA WATER MANAGEMENT DISTRICT	
1	SQ. FT.	SQUARE FEET	BY:
	U.E.	UTILITY EASEMENT	DEPUTY CLERK
	•	SET 1/2" IRON ROD & CAP	
		STAMPED "BSM LB 8155"	
	0	SET NAIL & DISC	
		STAMPED "PCP LB 8155"	
		PERMANENT REFERENCE MONUMENT	
		SET 1/2" IRON ROD W/ ALUMINUM DISK	
		STAMPED "PRM BSM LB 8155"	



SHEET LAYOUT: (NOT TO SCALE)

SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH, AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADUISTMENT. THE BEARING BASE FOR THIS PLAT IS THE SOUTH LINE OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 34 EAST, SAID LINE BEARS NORTH 89°3720° EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO. BUILDING SETBACKS SHALL BE AS APPROVED BY GLADES COUNTY, FLORIDA. THE THERETO. THE COORDINATES SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADUISTMENT (NADB8/2011), AS FETABLEED LINKE PEAL THE VIEW MICH CLORED PORTH CANDER Y CREASING AND REVEN SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADUISTMENT (NADB8/2011), AS
- ESTABLISHED USING REAL-TIME KINEMATIC GLOBAL POSITIONING SYSTEM (RTK GPS) SURVEY METHODS. THE CORRECTED POSITIONS COMPUTED WERE VERIFIED THROUGH A REDUNDANCY OF MEASUREMENTS ALL DISTANCES SHOWN HEREON ARE IN GRID U.S. SURVEY FEET
- MEASUREMENTS. ALL DISTANCES SHOWN HEREON ARE IN GRID U.S. SURVEY FEET. AFTER REVIEW OF THE TITLE OPINION COMPLETED BY FEE, YATES & FEE, PLLC, DATED JULY 17, 2023 WITH A FILE NUMBER OF 6-\$985972 ALL ENCUMBRANCES THAT COULD BE GRAPHICALLY DEPICTED ARE SHOWN HEREON. THE ENCUMBRANCES THAT AFFECT THE PLATTED LAND AND COVER IT IN IT'S ENTIRETY THAT ARE NOT GRAPHICALLY DEPICTED ARE AS FOLLOWS: (<u>ECCEPTION #3</u>). A 25% INTEREST IN ALL OIL AND MINERAL RIGHTS IN FAVOR OF PEARL PEARCE STEVENS AS RECORDED IN OFFICIAL RECORDS BOOK 21 AT PAGE 66, PUBLIC RECORDS OF DE SOTO COUNTY, EL ORDA. COUNTY, FLORIDA.

(EXCEPTION *5) DEED BOOK 154 AT PAGE 301 PUBLIC RECORDS OF DE SOTO COUNTY, FLORIDA IS ILLEGIBLE AND A LEGIBLE COPY WAS NOT ABLE TO BE OBTAINED.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLEMENTEI IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF GLADES COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATION:

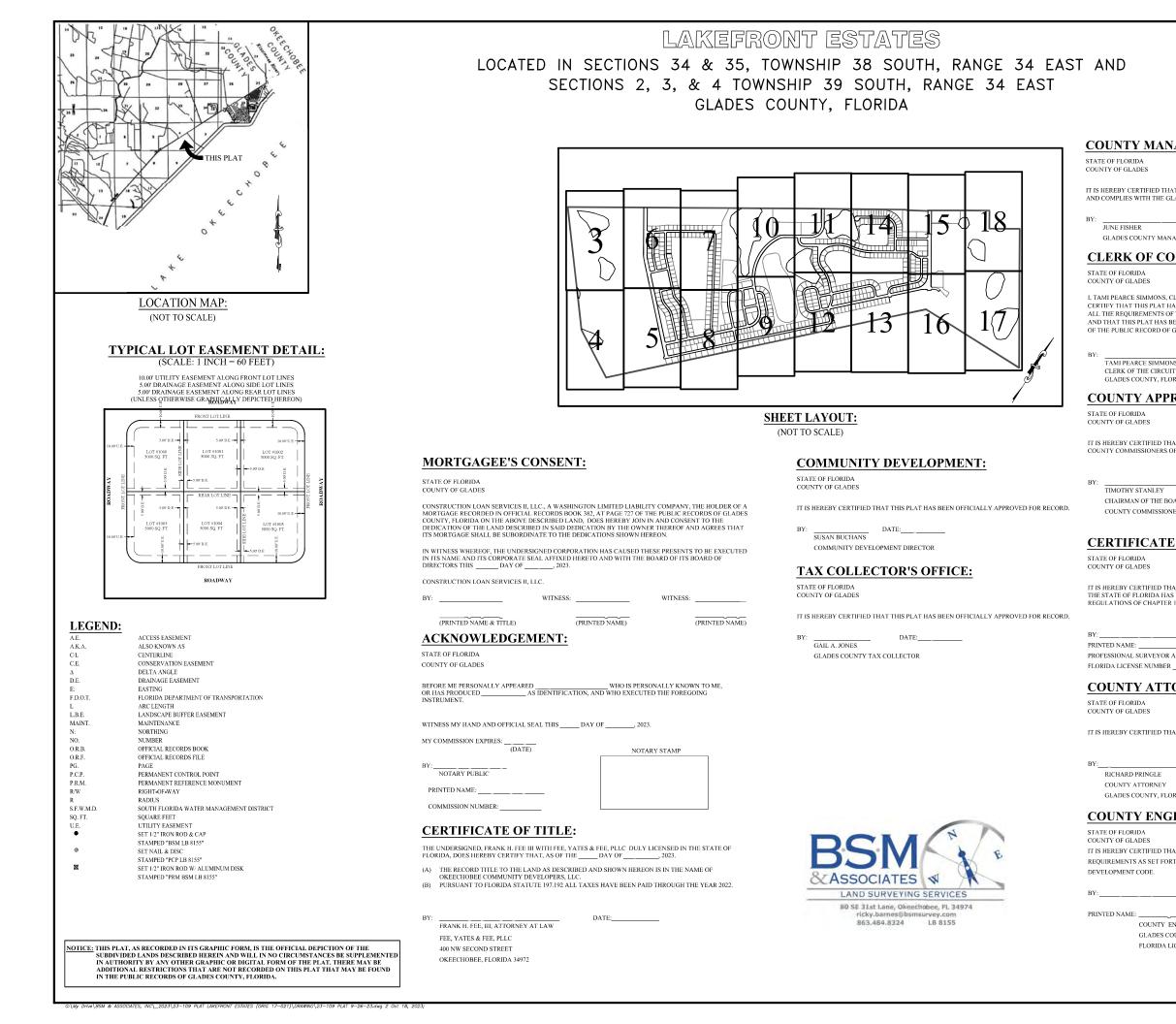
THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELLEF; THAT PERMANENT REFERENCE MOLIMENTS AND MONUMENTS ACCORDING TO SECTION 177,091(9), FLORIDA STATUTES, HAVE BEEN PLACED AS REQUIRED BY LAW; AND THAT PERMANENT CONTROL POINTS AND MONUMENTS ACCORDING TO SECTION 177,091(9), FLORIDA STATUTES WILL BE SET UNDER THE GUARANTEES POSTED FOR THE REQUIRED IMPROVEMENTS, AND FURTHER, THAT THE SURVEY PLAT COMPLIES WILL ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED.

THIS	DAY OF	,	2023

SHEET 1 OF 18

PROFESSIONAL SURVEYOR AND MAPPER

RICHARD E. BARNES



COUNTY MANAGER:

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORD AND COMPLIES WITH THE GLADES COUNTY LAND DEVELOPMENT CODE LDC 58-34(B

DATE:

GLADES COUNTY MANAGER

CLERK OF COURT:

I, TAMI PEARCE SIMMONS, CLERK OF THE COURT OF GLADES COUNTY, FLORIDA, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE LAWS OF FLORIDA PERTAINING TO MAPS AND PLATS, AND THAT THIS PLAT HAS BEEN FILED OF RECORD IN PLAT BOOK PAGES OF THE PUBLIC RECORD OF GLADES COUNTY, FLORIDA. THIS 2023 DAVOE

TAMI PEARCE SIMMONS CLERK OF THE CIRCUIT COURT GLADES COUNTY, FLORIDA

COUNTY APPROVAL:

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORD BY THE BOARD OF COUNTY COMMISSIONERS OF GLADES COUNTY, FLORIDA. THIS DAY OF

TIMOTHY STANLEY CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

CERTIFICATE OF PLAT REVIEW:

IT IS HEREBY CERTIFIED THAT UNDERSIGNED SURVEYOR AND MAPPER DULY LICENSED IN THE STATE OF FLORIDA HAS REVIEWED THIS PLAT FOR CONFORMITY WITH THE REGULATIONS OF CHAPTER 177 FLORIDA STATUTES

DATE:

PROFESSIONAL SURVEYOR AND MAPPER

COUNTY ATTORNEY:

IT IS HEREBY CERTIFIED THAT THE FORGOING PLAT IS APPROVED AS TO FORM AND LEGAL SUFFICIENCY

DATE:

RICHARD PRINGLE COUNTY ATTORNEY GLADES COUNTY, FLORIDA

COUNTY ENGINEER:

IT IS HEREBY CERTIFIED THAT THIS PLAT MEETS ALL MINIMUM SUBDIVISION PLATTING REQUIREMENTS AS SET FORTH IN SECTION 11.03.00 OF THE GLADES COUNTY LAND

DATE:

COUNTY ENGINEER GLADES COUNTY, FLORIDA FLORIDA LICENSE NUMBER

SHEET 2 OF 18

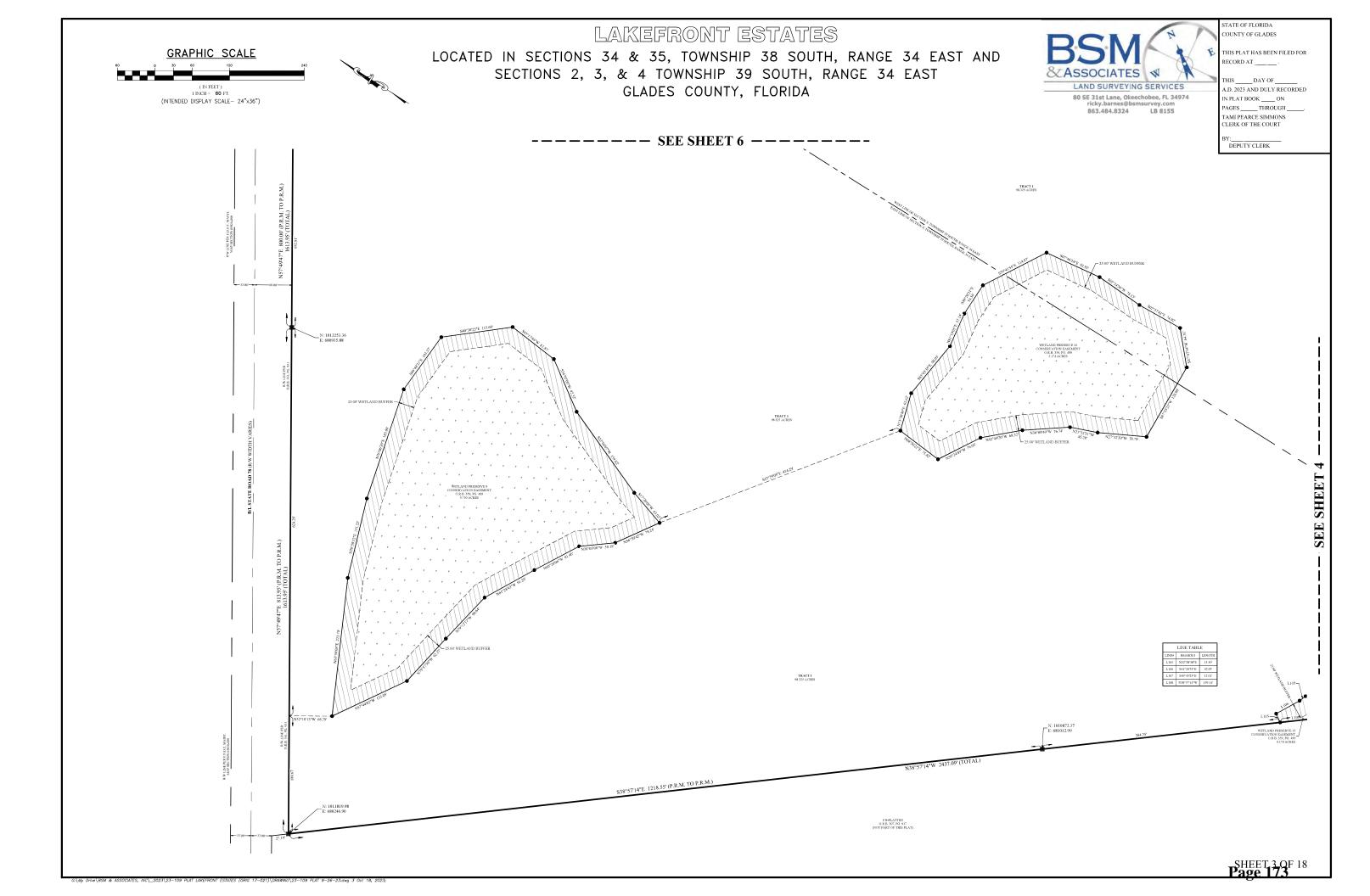
Page 172

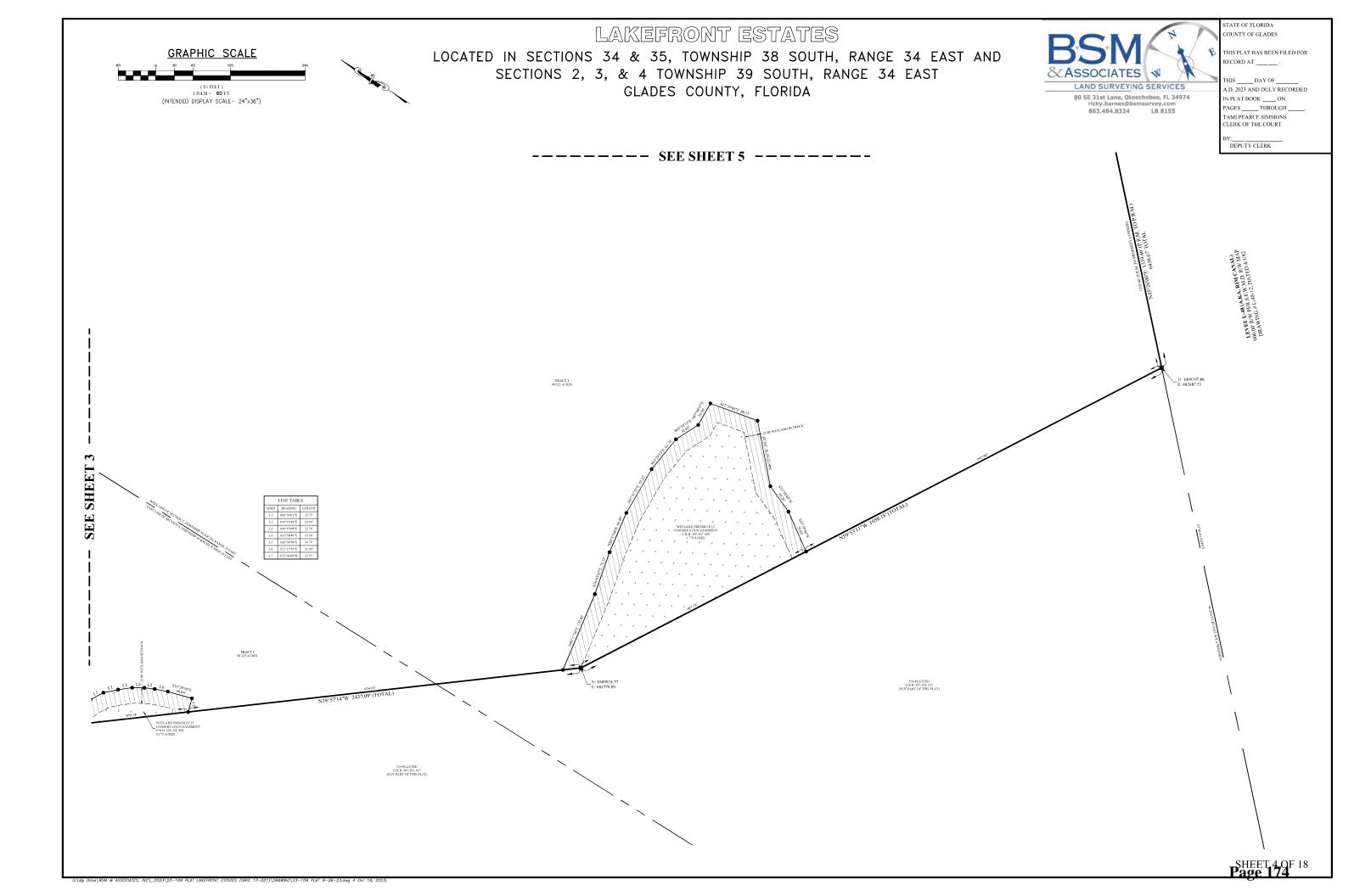
STATE OF FLORIDA OUNTY OF GLADES

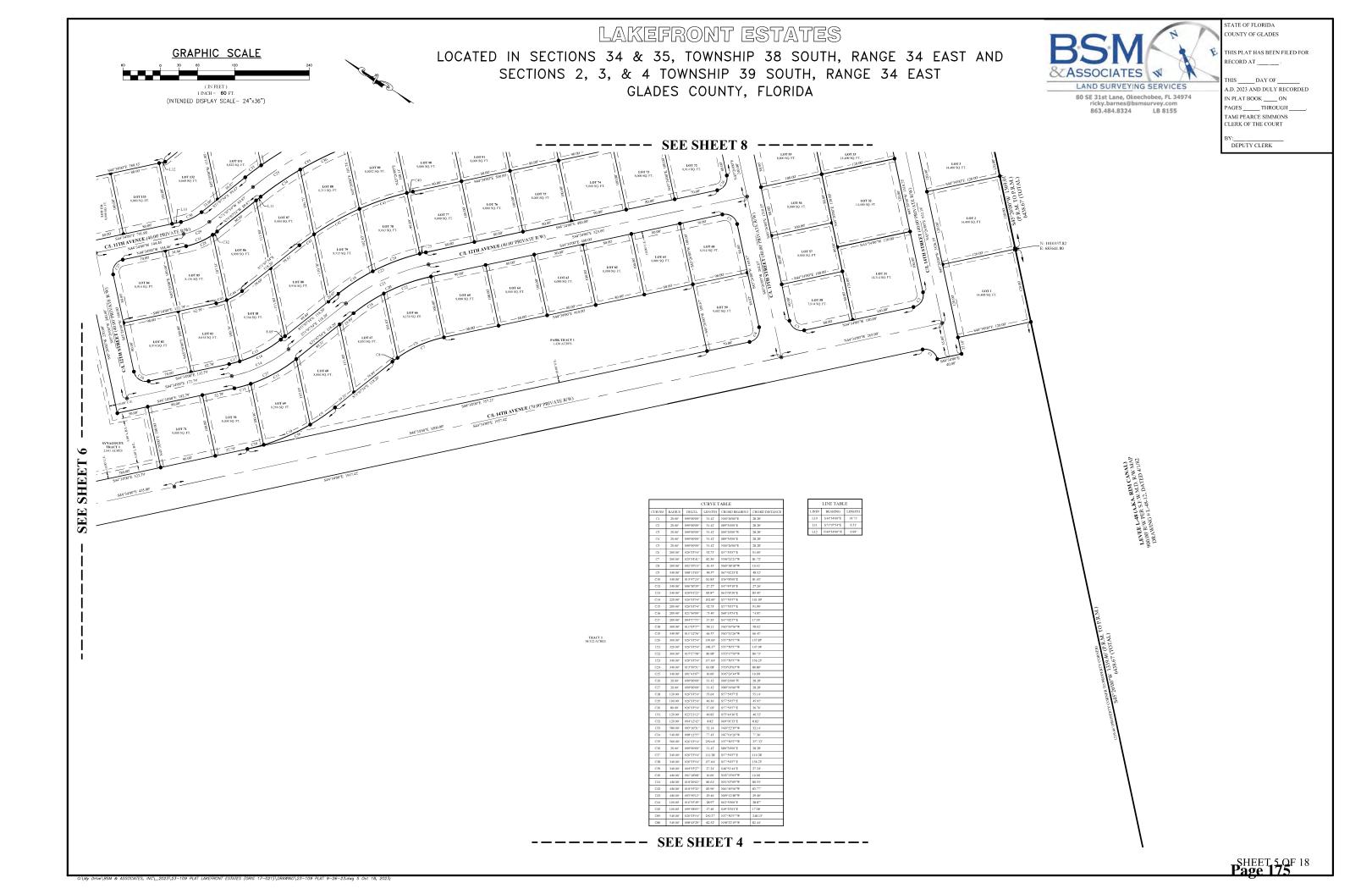
HIS PLAT HAS BEEN FILED FOR RECORD AT

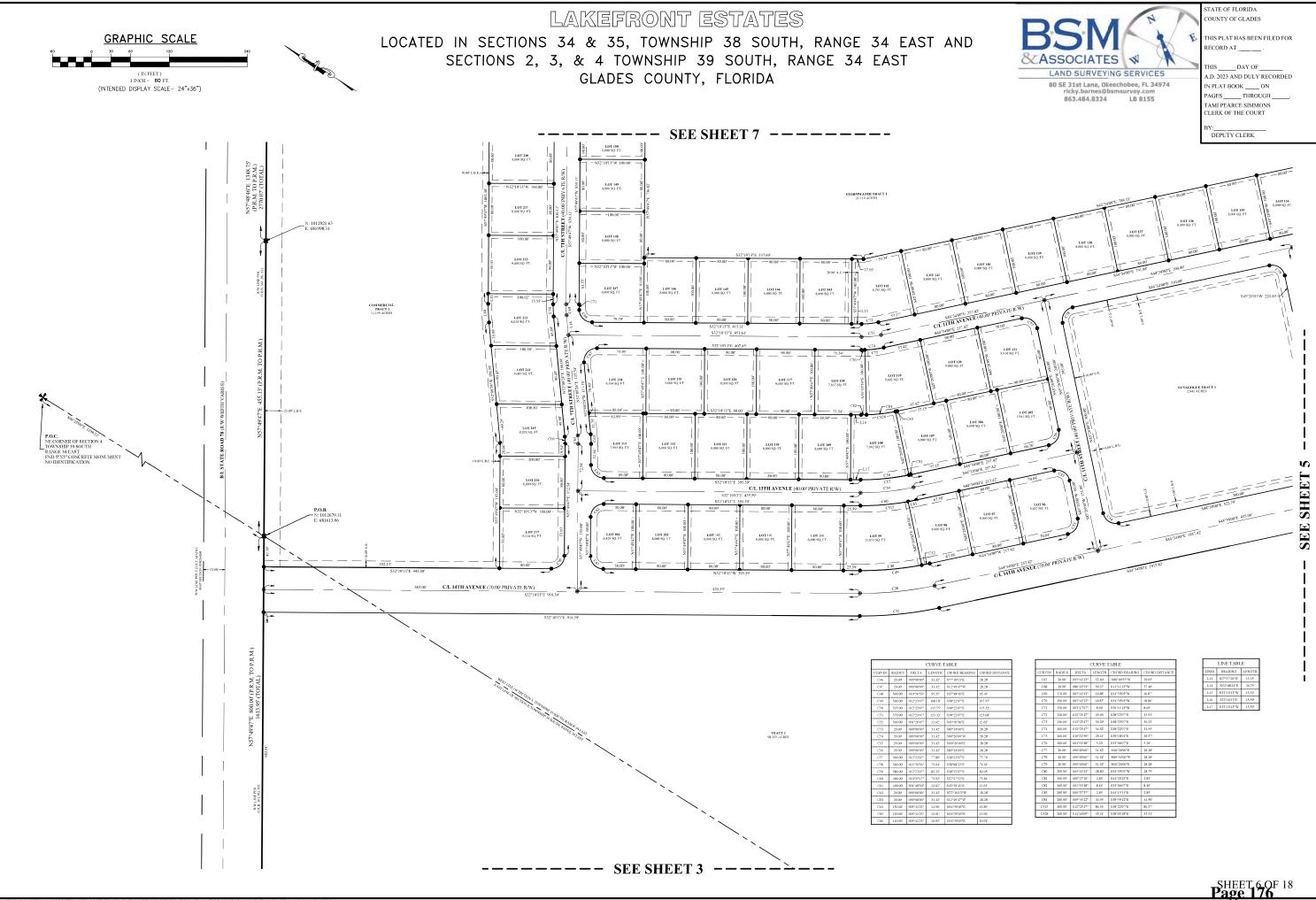
THIS DAY OF A.D. 2023 AND DULY RECORDED IN PLAT BOOK ___ ON PAGES THROUGH TAMI PEARCE SIMMONS CLERK OF THE COURT

DEPUTY CLERK





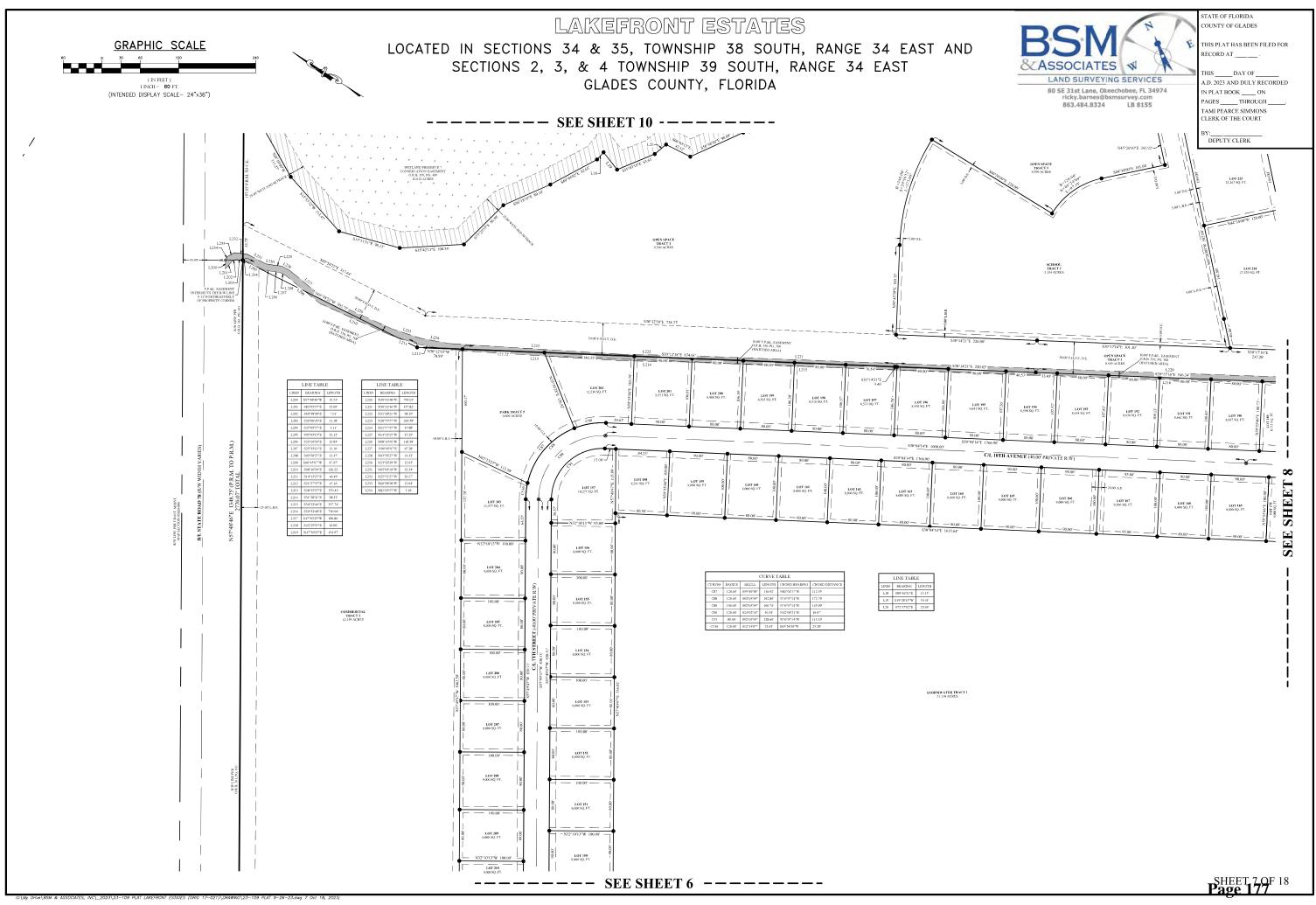


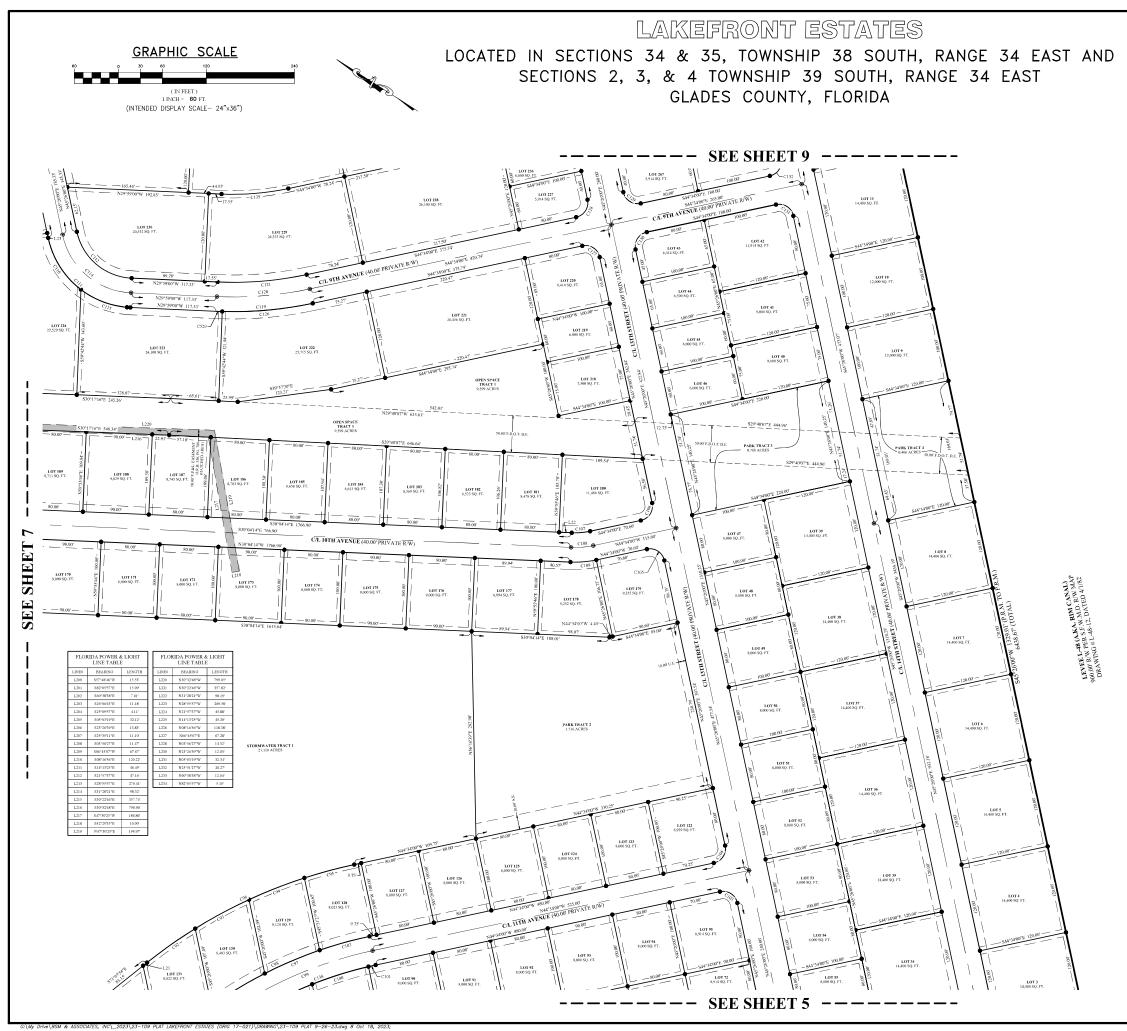


CHORD DISTANCE
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28.28
95.41'
107.97
115.52'
123.08'
12.62'
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28.28
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28.28
77.74
74.91'
82.05
73.81
12.62'
28.28
28.28
14.89'
12.90'
10.92'

CURVE₽	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
C67	20.00	095°41'23*	33.40	N80*00'55*W	29.65
C68	20.00	086°42'53*	30.27	\$11'11'13"W	27.46'
C69	170.00'	005°41'23*	16.88'	\$54"59'05"W	16.87
C70	190.00'	005°41'23*	18.87	\$54"59'05"W	18.86'
C71	150.00'	003°17'07*	8.60	\$56°11'13"W	8.60"
C72	120.00'	012°23'47*	25.96'	\$38*22'07*E	25.91'
C73	140.00'	012°23'47*	30.29	S38*22'07*E	30.23
C74	160.00'	012°23'47*	34.62'	S38*22'07*E	34.55
C75	160.00'	010"31'59"	29.41	S39*18'01"E	29.37"
C76	160.00'	001°51'48*	5.20	\$33*06'07*E	5.20'
C77	20.00	090100400*	31.42'	N00*26'00*E	28.28'
C78	20.00	090°00'00*	31.42	N89°34'00*W	28.28'
C79	20.00*	090°00'00*	31.42'	N00*26'00*E	28.28'
C80	290.00*	005°41'23*	28.80	\$54°59'05*W	28.79'
C81	360.00	000°27'10*	2.85	\$44*20'25*E	2.85'
C82	260.00*	001°51'48*	8.46	\$33*06'07*E	8.46
C83	260.00*	000°37*37*	2.85	\$44°15'11"E	2.85
C84	260.00*	009°54'32*	44.95	\$38°59'12*E	44.90'
C515	400.00*	012°23'47*	86.54	\$38°22'07*E	86.37*
C528	260.00*	011°46'09*	53.41°	S38*03*18*E	53.31°

LINE TABLE			
LINE#	BEARING	LENGTH	
L13	857°57'20"W	15.55	
L14	N52°08'24'E	30.75	
L15	N32°10'13"W	15.52	
L16	S32º10'13'E	15.59	
1.17	N3210/13/W	15.59	







SE 31st Lane, Okeechobee, FL 349 ricky.barnes@bsmsurvey.com 863.484.8324 LB 8155

LINE TABLE

LINE# BEARING LENG L21 N71°07'54'W 6.87

STATE OF FLORIDA COUNTY OF GLADES

THIS PLAT HAS BEEN FILED FOR RECORD AT _____ .

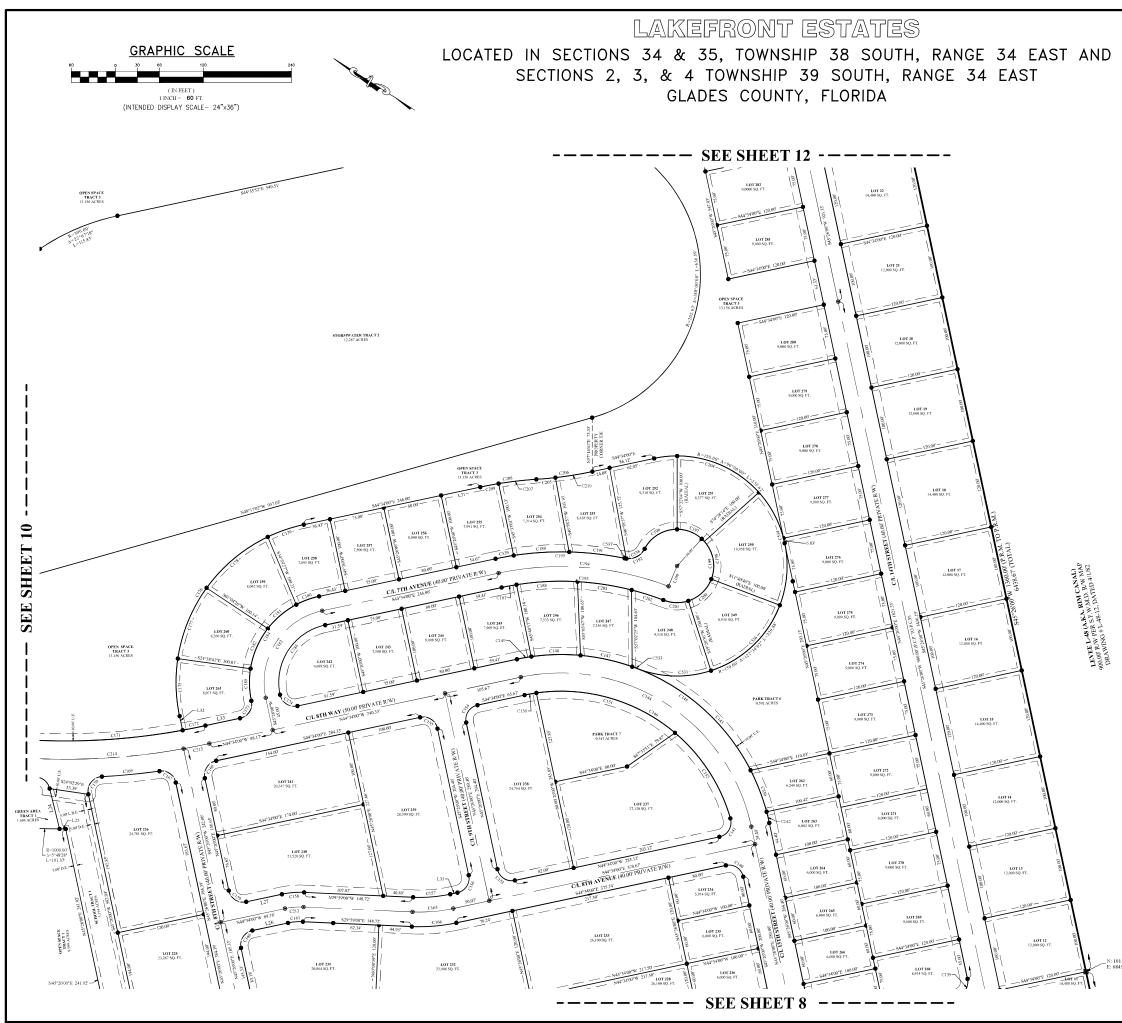
THIS ____ DAY OF _____ A.D. 2023 AND DULY RECORDED IN PLAT BOOK ____ ON PAGES ____ THROUGH ____. TAMI PEARCE SIMMONS

CLERK OF THE COURT

DEPUTY CLERK

CURVE TABLE					
CURVE#	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
C92	680.00	006*46'23*	80.39	N67*44'42*W	80.34'
C93	680.00	007*01'36*	83.39	N60*50'43*W	83.34'
C94	680.00	006*50'06*	81.12	N53*54'52*W	81.07*
C95	680.00	005*55'49*	70.38	N47*31'55*W	70.35'
C96	680.00	026*33'54*	315.28	\$57°50'57"E	312.46'
C97	580.00	008*02'26*	81.39	N55*33'37*W	81.33'
C98	580.00	026*33'54*	268.92'	N57*50'57*W	266.51'
C99	560.00	026*33'54*	259.64	N57*50'57*W	257.32
C100	540.00	008*31/59*	80.42	N49*53'39*W	80.35
C101	540.00	001*03'40*	10.00*	N45*05'50*W	10.00
C102	580.00	006°58'24*	70.59	N48*03'12*W	70.55'
C103	20.00*	090,00.00.	31.42	N00*26'00*E	28.28'
C104	20.00*	090*00/00*	31.42	\$89°34'00″E	28.28'
C105	20.00*	090*00*00*	31.42	N00*26'00*E	28.28'
C106	20.00*	090*00*00*	31.42	\$89°34'00"E	28.28'
C107	100.007	014°29'46*	25.30"	\$37°19'07"E	25.23'
C108	120.007	014°29'46*	30.36	\$37°19'07"E	30.28'
C109	140.007	014°29'46*	35.42	\$37°19'07"E	35.33'
C110	120.007	040°40'20*	85.18	\$25°05'50"W	83.41'
C111	120.007	075°25'00*	157.95	\$07°43'30"W	146.79
C113	80.00	075°25'00*	105.30	\$07°43'30"W	97.86'
C114	100.007	075°25'00*	131.63	\$07°43'30"W	122.33'
C115	120.007	034°44'40*	73.77	\$12°36'40"E	71.66'
C119	520.00	014°35'00*	132.35	\$37°16'30"E	132.00'
C120	500.00	014°35'00*	127.26	\$37°16'30"E	126.92'
C121	480.00*	014"35"00"	122.17	\$37°16'30"E	121.84'
C126	520.00	013*41'36*	124.28	\$37°43'12"E	123.98'
C127	20.00*	090,00.00.	31.42	N00"26'00"E	28.28'
C128	20.00*	090,00.00.	31.42	\$89°34'00"E	28.28'
C129	20.00*	090,00.00.	31.42	\$00°26'00"W	28.28'
C130	20.00*	090,00.00.	31.42	N89*34'00*W	28.28
C131	20.00*	090,00.00.	31.42	N00*26'00*E	28.28
C132	20.00*	090*00000*	31.42	\$89°34'00"E	28.28
C135	360.00	014*35'00*	91.63	\$37°16'30"E	91.38'
C138	540.00	026*33'54*	250.37	N57*50'57*W	248.13'
C529	520.00	000*53/24*	8.08	830°25'42"E	8.08"

SHEET & OF 18 Page 178





ricky.barnes@bsmsurvey.com 863.484.8324 LB 8155 STATE OF FLORIDA COUNTY OF GLADES

THIS PLAT HAS BEEN FILED FOR RECORD AT _____.

IS _____ DAY OF __

A.D. 2023 AND DULY RECORDED IN PLAT BOOK _____ ON PAGES _____ THROUGH _____.

TAMI PEARCE SIMMONS CLERK OF THE COURT

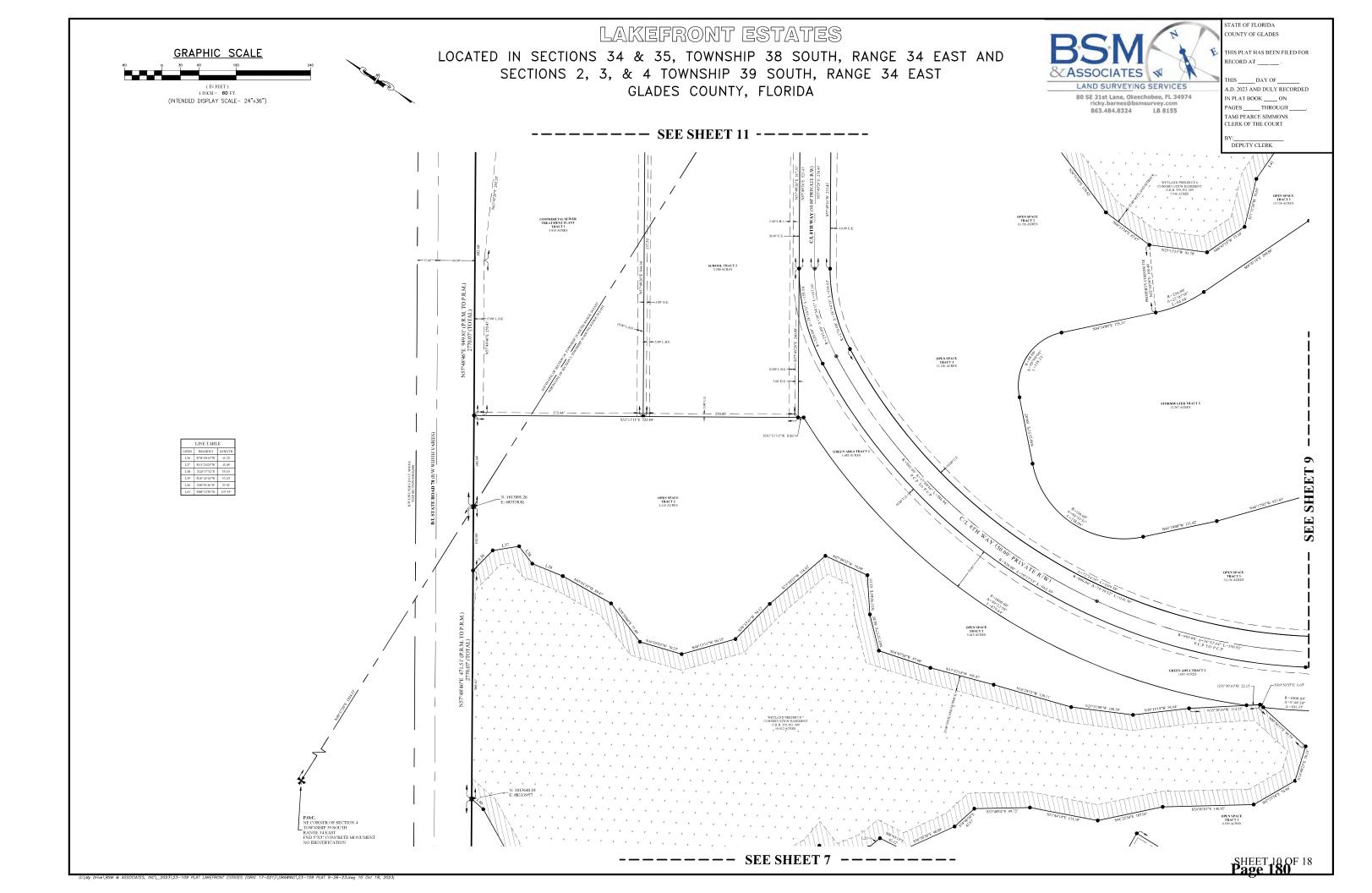
DEPUTY CLERK

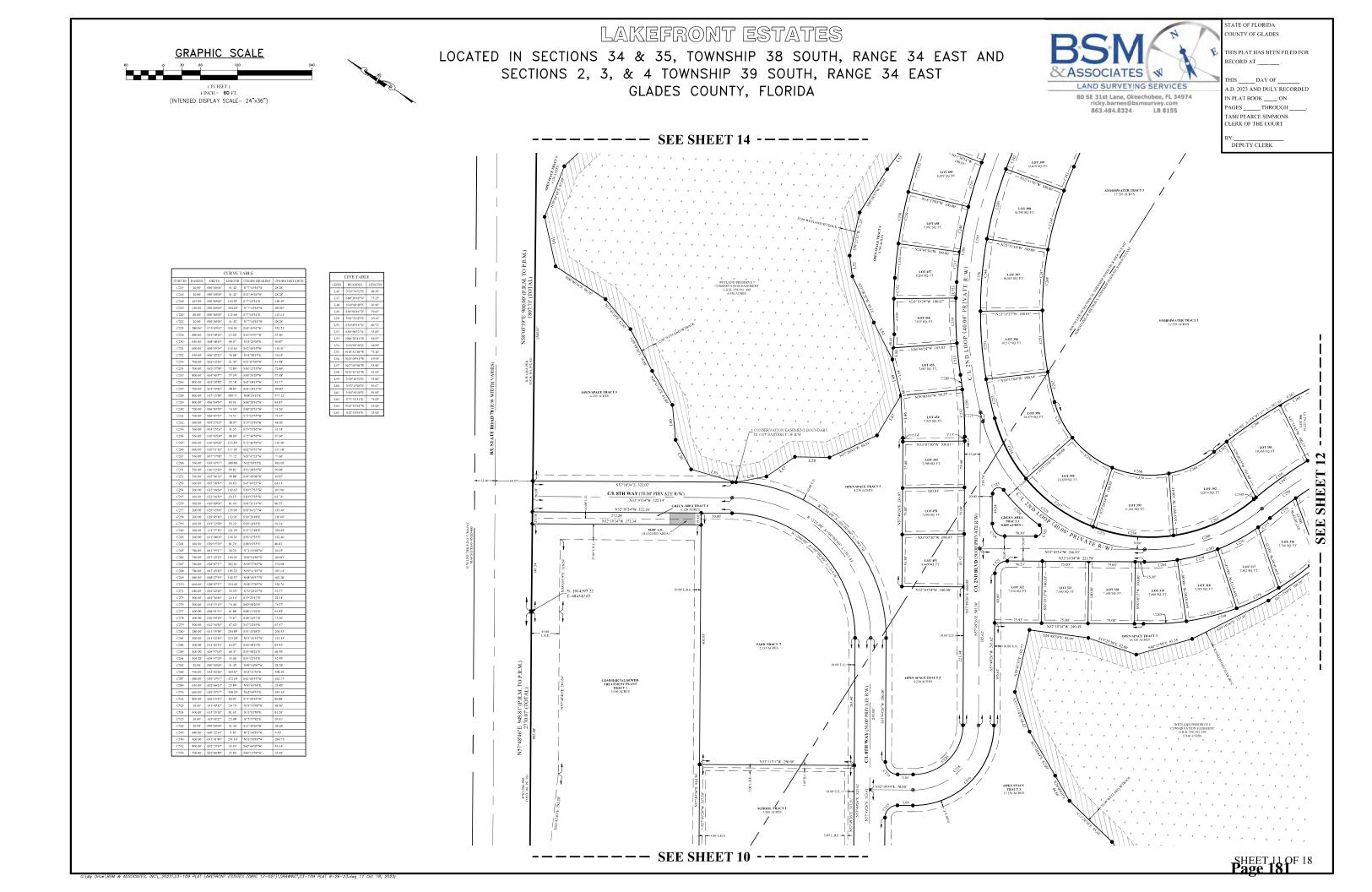
	CURVE TABLE				
CURVED	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
C139	20.00'	090*00*00*	31.42'	\$89''34'00"E	28.28
C140	20.00'	090"00"00"	31.42'	N00"26'00"E	28.28
C141	20.00'	094*03*57** 003*05*00**	32.84	N88"24'02"E N43"53'30"E	29.27
C142 C143	290.00' 290.00'	003*05*00*	15.61' 219.49'	N43°53'30'E N08°38'26'E	15.60 ^o 214.28 ^o
C145	265.00	090*00*00*	416.26'	N00"26'00"E	374.77
C145	290.00'	090"00"00"	455.53'	\$00"26'00"W	410.12
C146	240.00'	085°56'03"	359.96'	N01°35'58"W	327.16
C147 C148	290.00' 290.00'	014°17'52" 013°17'09"	72.37' 67.25'	N20°11'25''W N33°58'56''W	72.18' 67.09'
C148 C149	290.00'	013*17'09*	67.25	N33°58'56'W N42°35'45'W	67.09
C150	240.00'	003*54'02"	16.34	N42°36'59'W	16.34
C151	240.00'	048°22'31"	202.63	N16°28'42"W	196.67*
C152	240.00'	033°39'30"	140.99	N24°32'18'E	138.97
C153	20.00'	090°00'00"	31.42'	\$00°26'00*W	28.28
C154 C155	20.00'	090*00*00*	31.42'	N89°34'00''W N00°26'00''E	28.28 ⁴ 28.28 ⁴
C156	20.00'	090'00'00'	31.42	\$89°34'00*E	28.28
C157	200.00'	014°35'00"	50.91/	\$37°16'30"E	50.77
C158	120.00*	014°35'00"	30.54	N37°16'30"W	30.46
C159	20.00'	090°00'00"	31.42'	\$00°26'00"W	28.28
C160 C161	20.00' 80.00'	090*00*00*	31.42'	N89°34'00''W N37°16'30''W	28.28' 20.31'
C161 C165	80.00° 220.00°	014*35*00*	20.36' 56.00'	N37°16'30'W S37°16'30'E	20.31'
C166	240.00	014"35"00"	61.09	\$37°16'30"E	60.92'
C167	20.00'	085152154"	29.98'	N02°29'33"E	27.25'
C168	20.00'	090*00*00*	31.42'	N89734'00'W	28.28
C169	930.00	004°51'29" 098°58'35"	78.85'	\$38°01'09*E	78.83'
C170 C171	20.00' 880.00'	098°58'35" 074°18'32"	34.55' 1141.30'	N85°04'42"W S07°54'01"E	30.41' 1062.98'
C171	880.00	002*03*56*	31.73	\$44"01'19"E	31.72'
C173	20.00'	090*00700*	31.42	\$89°34'00*E	28.28
C174	20.00'	090*00700*	31.42'	\$00°26'00*W	28.28
C175	220.00'	020*31*55*	78.84'	\$55°41'58'W	78.42'
C176	220.00'	090*00'00"	345.58	\$89°34'00*E	311.13
C177 C178	220.00 ^o 220.00 ^o	027*21'51" 028*34'38"	105.07*	\$79°38'51"W N72°22'55"W	104.07* 108.59
C178 C179	220.00	013*31'36"	51.94	N51°19'48'W	51.82
C180	120.00*	015°49'26"	33.14	N52°28'43"W	33.04
C181	120.00*	024°23'51"	51.10	N72°35'21'W	50.71
C182	120.00*	028°44'15"	60.19'	\$80°50'33"W	59.56
C183	100.00*	090°00'00"	157.08	N89°34'00"W	141.42
C184 C185	120.00*	090°00'00" 021°02'25"	188.50 [°] 44.07 [°]	\$89°34'00*E \$55°57'13*W	169.71' 43.82'
C185	80.00	090'00'00'	125.66	N89°34'00"W	113.14
C187	390.00'	003°01'31"	20.59	N43°03'14"W	20.59
C188	390.00	012°15'19"	83.42	N35°24'49"W	83.26'
C189	430.00'	010°06'45"	75.89'	N36°08'51"W	75.79
C191	430.00'	010*09/38* 073*47*09*	76.25' 32.20'	N26°00'40"W S57°49'25"E	76.15' 30.02'
C192 C193	25.00' 390.00'	073*47*09* 032*55*50*	32.20'	857°49'25"E N28°06'05"W	30.02' 221.08'
C194	410.00'	032*55'50"	235.65	N28°06'05'W	232.42'
C195	430.00'	023*38'10"	177.39	\$32°44'55*E	176.13
C196	50.00"	062*15'03"	54.32'	N63°35'28"W	51.69
C197	50.001	048*16'24"	42.13	N08"36'26"W	40.89
C198 C199	50.00° 50.00°	062°45'57" 264°11'21"	54.77 ¹ 230.55 ¹	N46°54'44"E S37°22'41"W	52.08' 74.20'
C200	50.00	051°10'54"	44.66	\$35 2241 W	43.19
C201	50.00'	039*59'45"	34.90'	\$30°31'31'E	34.20
C202	390.00'	006°38'57"	45.26	N14°57'39"W	45.23
C203	390.00	011°00'03"	74.88'	N23°47'08"W	74.77
C204 C205	150.00 ^e 530.00 ^e	060°05'46" 002°50'14"	157.33	\$14°31'07"E \$37°38'18"E	150.22' 26.24'
C205	530.00	002*50*14*	77.21	\$40°23'36'E	20.24
C207	530.00	005*35'49"	51.77	N39°01'06"W	51.75
C208	530.00'	008°20'49"	77.21/	S40°23'36*E	77.14
C209	530.00	002°45'00"	25.44'	N43°11'30'W	25.44'
C210	530.00	005°30'35"	50.97 ¹ 25.45 ¹	\$41°48'43"E N37°16'30"W	50.95 ¹ 25.38 ⁴
C212 C213	100.00' 905.00'	014°35'00" 002°16'07"	25.45' 35.83'	N37°16'30'W S43°54'49'E	25.38' 35.83'
C213	905.00	034°52'44"	550.92	\$45°20'23'E	542.45
C530	290.00'	012°01'39"	60.88'	N36°20'11'E	60.76'
C531	150.00	038°31'26"	100.85	\$31°15'41"E	98.97
C533	290.00'	001°47'03"	9.03'	N12°08'57"W	9.03'
C534 C536	150.00'	062°47'28" 051''09'23"	164.39 ⁻ 133.93 ⁻	\$46°55'30*W \$76°06'05*E	156.28
C536 C537	25.00	005°17'19"	2.31	\$76°06'05'E \$23°34'30'E	2.31
C538	25.00'	068*29'50*	29.89	\$60°28'05*E	28.14
<u> </u>					

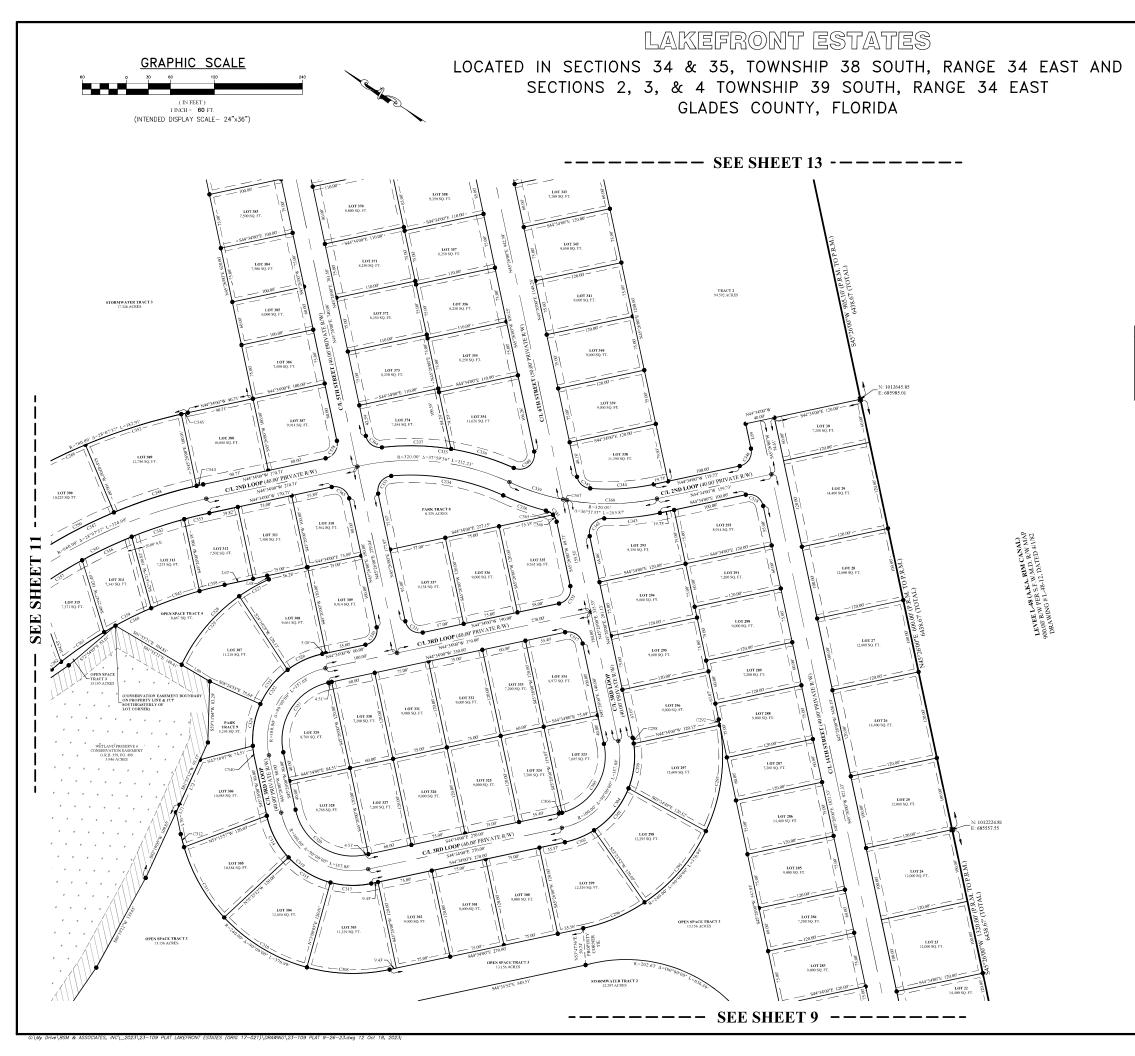
	LINE TABLE				
LINE®	BEARING	LENGTH			
L24	N43°31'35''E	56.70*			
L25	N32°18'37"W	8.30'			
L26	S44°34'00*E	49.76			
L27	N44°34'00"W	49.76			
L31	N44°34'00"W	54.57*			
L32	N45°26'00"E	19.70			
L33	S44°34'00'E	48.28			
L35	N44"34'00"W	10.07			
L109	\$80"12'41"W	30.01'			

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> SHEET 9 OF 18 Page 179









SE 31st Lane, Okeechobee, FL 34 ricky.barnes@bsmsurvey.com 863.484.8324 LB 8155 STATE OF FLORIDA COUNTY OF GLADES

THIS PLAT HAS BEEN FILED FOR RECORD AT _____.

IIS _____ DAY OF __

A.D. 2023 AND DULY RECORDED IN PLAT BOOK _____ ON PAGES _____ THROUGH _____.

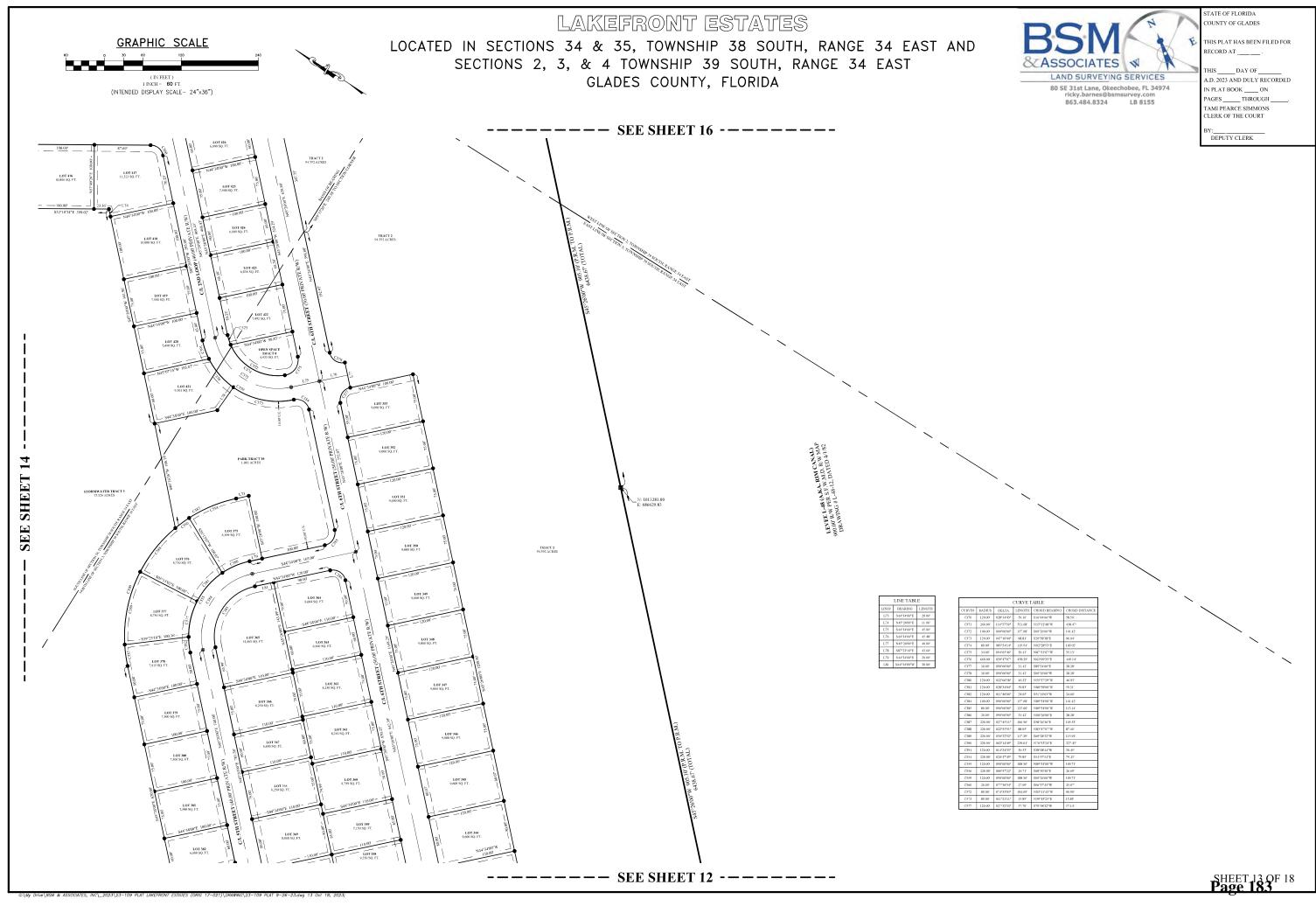
TAMI PEARCE SIMMONS CLERK OF THE COURT

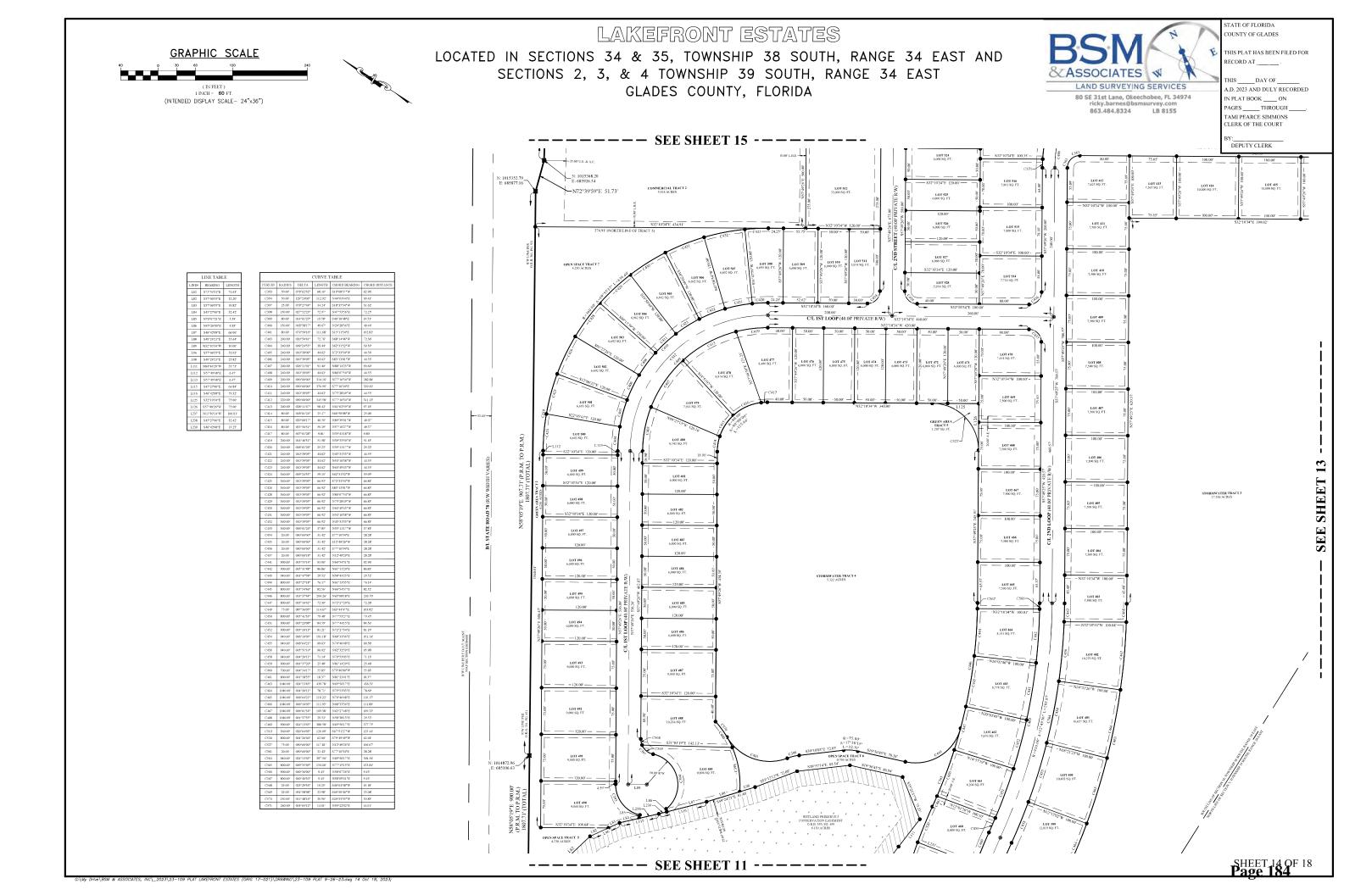
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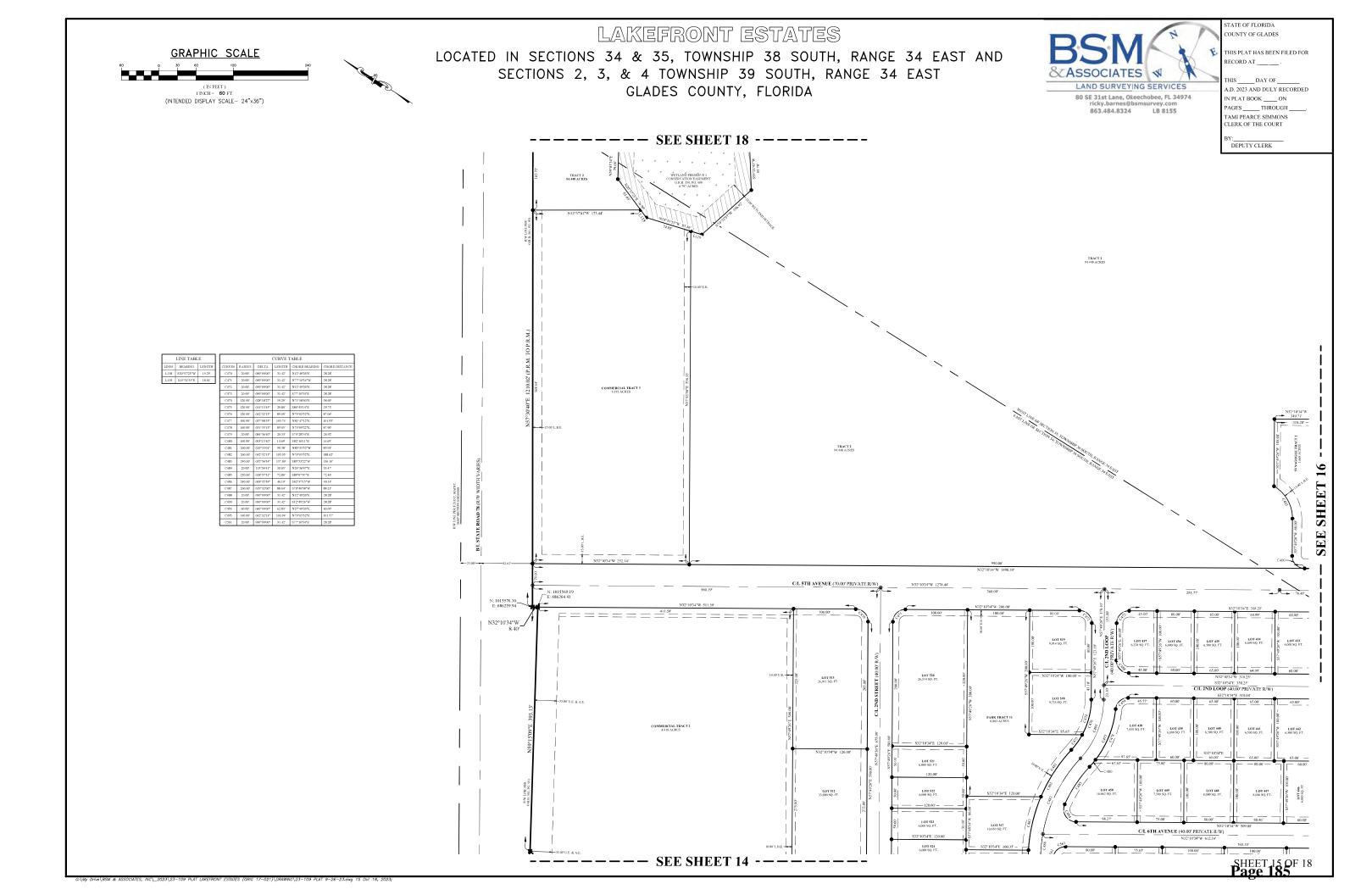
LINE TABLE					
LINE#	BEARING	LENOTH			
L66	\$01°55'21*E	44.60*			
L67	\$44°34'00"E	39.82			
L68	N33°22'24*E	5.42'			
L69	\$45°26'00*W	34.61'			
L70	\$45°26'00*W	30.40			
L71	\$82°19'05*W	11.26'			
L72	S81°53'12"W	67.42			

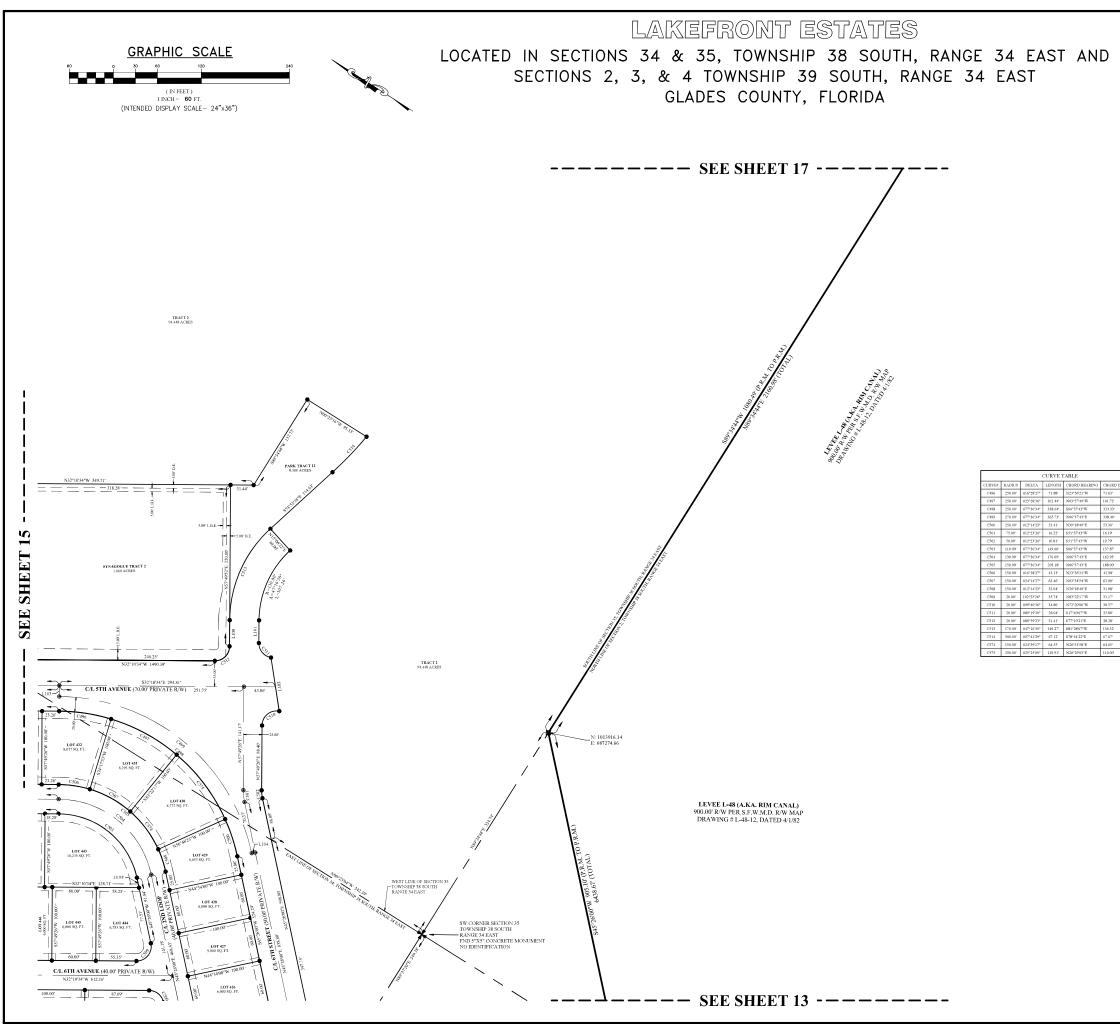
			CURVE 1	ABLE	
CURVE#	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
C292	240.00'	001°53'41"	7.94'	N46°22'50'E	7.94'
C293	240.00	033°46'02"	141.44*	N65°46'46'E	139.41
C295	240.00	030°57'42"	129.69	S81°51'22*E	128.12
C296 C298	240.00 ^o 120.00 ^o	021°48'31" 003°47'29"	91.35'	S55°28'15*E N47°19'44*E	90.80
C298	120.00*	003-47-29	62.13	N64209267E	61.44
C301	120.00"	035°55'45"	75.25	S83'08'44*E	74.02
C302	120.00'	020"36'52"	43.17	S54°53'26*E	42.94'
C304	120.00'	090°00'00"	188.50'	N89°34'00"W	169.71
C305	80.00'	090°00'00"	125.66	S89°34'00*E	113.14
C306	80.00'	003°14'04"	4.52	\$46°11'02*E	4.52'
C308	240.00	027°10'46"	113.85	S30°58'37*E	112.78
C310	240.00'	031°50'02"	133.35'	S01°28'13*E	131.64
C311 C312	240.00 ['] 240.00 [']	026°37'28" 004°21'44"	111.52	\$27°45'32*W \$43°15'08*W	110.52*
C312 C314	120.00	030'59'12"	18.27' 64.90'		18.27' 64.11'
C315	120.00	032°13'22"	67.49	\$29*56'24*W \$01*39'53*E	65.60
C317	120.00	026"47"26"	56.11	\$31*10'17*E	55.60
C319	120.00*	090"00"00"	188.50'	N00°26'00*E	169.71
C320	80.00'	090"00"00"	125.66	\$00°26'00*W	113.14"
C321	80.00'	090*00*00*	125.66	N89°34'00"W	113.14"
C322	120.00'	090*00/00*	188.50'	S89*34'00*E	169.71
C323	120.00'	028°47'00*	60.28'	N84°01'25"W	59.65
C324	120.00'	027°54'58"	58.47	867°37'36*W	57.89
C326	120.00'	025°03'55*	52.50'	N57°05'57*W	52.08
C327	240.00'	011°06'03*	46.50	N62°10'38"W	46.43'
C328	240.00	040°35'04"	170.00'	N76°55'08"W	166.47*
C329	240.00/	029°29'01"	123.50'	N82°28'10"W	122.14
C330 C331	20.00	090*00/00*	31.42' 31.42'	\$89°34'00*E \$00°26'00*W	28.28 ⁴ 28.28 ⁴
C332	20.00	090*00/00*	31.42	S89°3#00*E	28.28
C333	20.00	096°54'02"	33.82	N86°06'59"W	29.94
C334	300.00/	029°57'35"	156.87	N22°41'11"W	155.09
C335	340.00	031°02'24"	184.20	N23°41'05"W	181.95
C336	340.00'	015°04'39"	89.47'	N15°42'13"W	89.21
C337	340.00'	015°57'45"	94.72'	N31°13'25"W	94.42
C338	340.00'	010°25'26"	61.86'	\$12'55'06*E	61.77
C339	320.00/	013°48'50"	77.15	S14°36'48*E	76.96
C340	20.00	126°24'07"	44.12'	S71°21'57*E	35.70
C341	20.09	063°33'50"	22.19	N13°39'05"E	21.07
C342	20.00	102°53'03" 012°53'03"	35.91'	N83°07'29"W N38°07'29"W	31.28
C343 C344	340.00'	012°53'03" 016°39'35"	76.46' 87.23'	N38°07'29"W N36°14'12"W	76.29 86.92'
C344 C345	20.00	016"3935"	25.60	N 56"14"12"W N08"45'48"E	23.89
C345	20.00	090*00/00*	31.42	S89*3400*E	23.89
C348	680.00'	009"58"57"	118.47	N50°20'25"W	118.33
C350	680.00'	008°21'57"	99.29	N59°30'52"W	99.20
C352	780.00'	010"04"58"	137.26	N50°17'25"W	137.09
C353	640.007	003°09/04*	35.20'	N46°08'32"W	35.19
C354	20.00*	090°00'00"	31.42'	\$00°26'00*W	28.28
C356	640.007	006°42*20*	74.90	N57°49'39"W	74.86
C357	640.007	005°48'19*	76.02	N64°34'59"W	75.97
C358	540.007	003°44'07*	35.21'	N46°26'04"W	35.20
C359	540.00/	007°38'16"	71.98	N59°33'02"W	71.93'
C360	540.007	028°07'37" 007°34'54"	265.09	N58°37'49"W	262.44'
C361	540.00/	007°34'54" 001°44'33"	71.46	N67°09'37"W N71°49'21"W	71.40'
C362 C363	540.007	001°44'33" 090°00'00"	16.42'	N71°49'21"W N00°26'00"E	28.28
C364	20.00	084°38'17"	29.54	\$03°06'51"W	26.93
C365	20.00	032°36'02"	11.38	N01°49'48"W	11.23
C366	20.00	030'57'47"	10.81	N29°57'06"E	10.68
C367	320.00'	000°58'10"	5.41'	\$22700'18*E	5.41'
C368	320.00'	022°04'37"	123.30'	\$33°31'41"E	122.54
C517	20.00	090°00'00"	31.42'	N00°26'00"E	28.28
C518	20.00	090"00"00"	31.42'	N00"26'00"E	28.28
C540	120.00'	008°14'07"	17.25	N49"33'03"E	17.23
	640.00'	028'07'37"	314.18'	N58°37'49*W	311.04'
C541	640.00'	006"45'25"	75.48	S51*05'46*E	75.43' 69.97
C541 C542				S52*01'01*E	
C541 C542 C543	540.00'	007*25'47*	70.02		0.00
C541 C542 C543 C544		000°46'57"	9.29	S44*57'28*E	9.29
C541 C542 C543	540.00'		70.02' 9.29' 9.29' 333.82'		9.29 9.29 330.48













STATE OF FLORIDA COUNTY OF GLADES

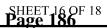
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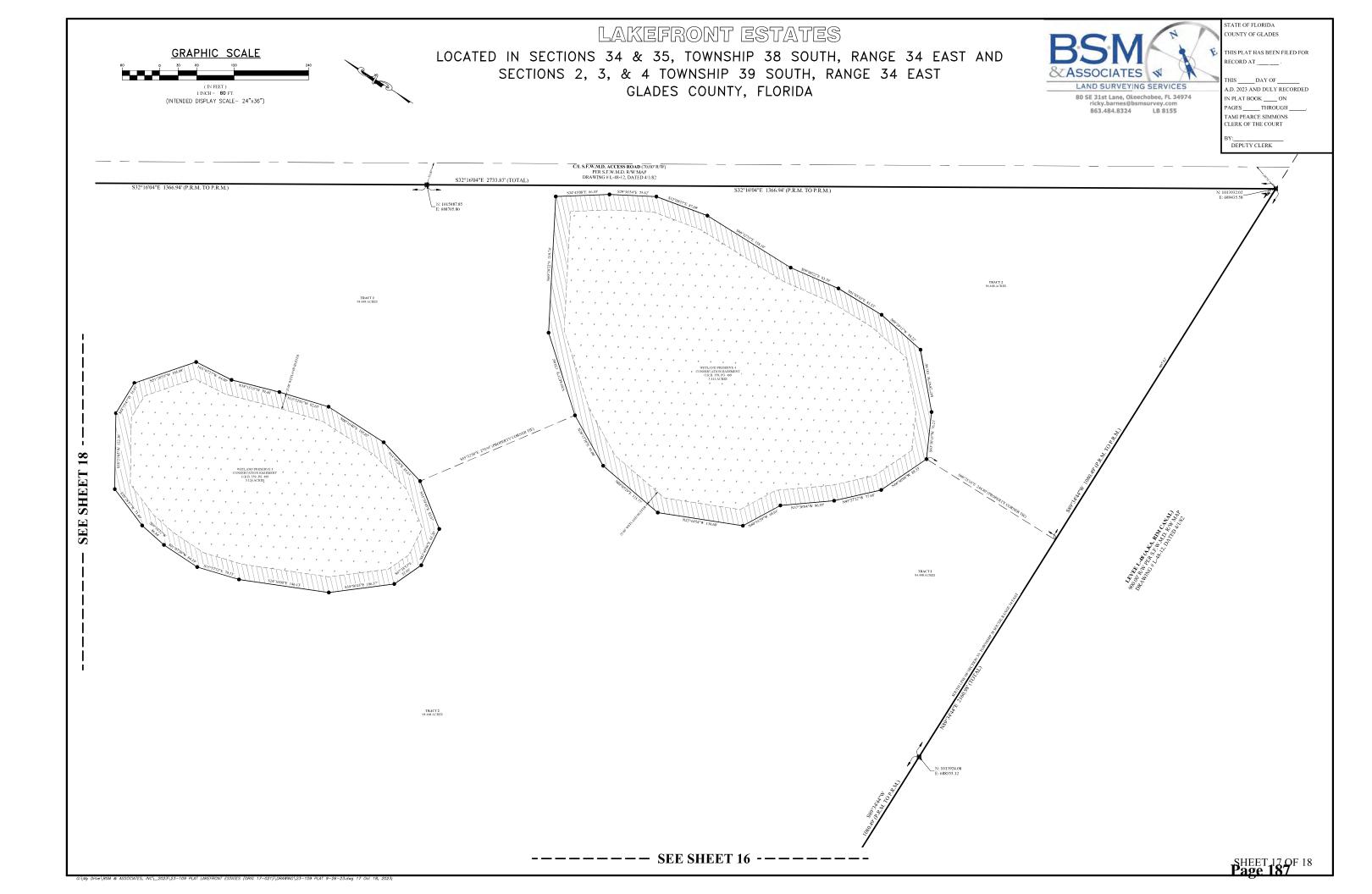
THIS ____ DAY OF _____ A.D. 2023 AND DULY RECORDED IN PLAT BOOK ____ ON PAGES ____ THROUGH _____. TAMI PEARCE SIMMONS

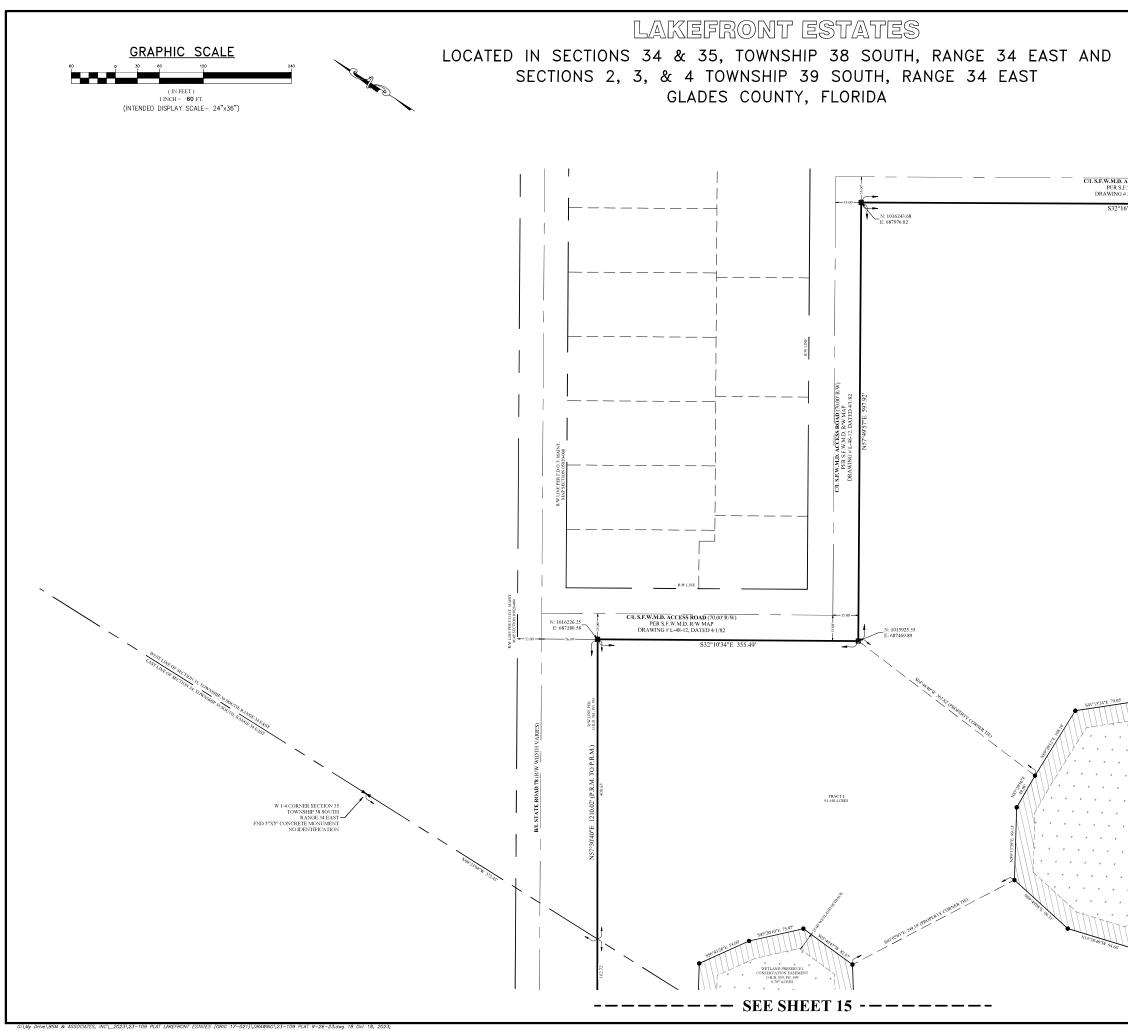
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	LINE TABLE				
LINE#	BEARING	LENGTH			
L100	N57°49'52*E	35.60			
L101	N57°49'52*E	30.92			
L102	N48°42'35*E	73.94			
L103	N57°49'26*E	15.00			
L104	S44°34'00'E	5.00			





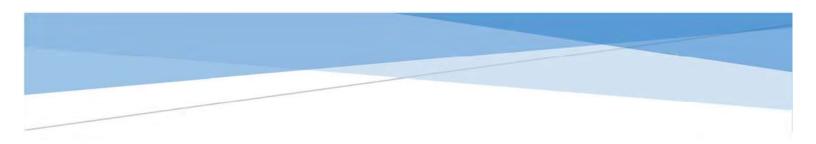


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	THIS PLAT HAS BEEN FILED FOR RECORD AT
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LAND SURVEYING SERVICES	A.D. 2023 AND DULY RECORDED
80 SE 31st Lane, Okeechobee, FL 34974 ricky.barnes@bsmsurvey.com 863.484.8324 LB 8155	IN PLAT BOOK ON PAGES THROUGH
003.404.0374 FD 0133	TAMI PEARCE SIMMONS CLERK OF THE COURT
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SHEET 18 OF 18 Page 188

<u>Exhibit B</u>

Master Assessment Methodology





MASTER SPECIAL ASSESSMENT METHODOLOGY REPORT

PREPARED FOR THE

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS

February 21, 2024

SPECIAL DISTRICT SERVICES, INC

2501A Burns Road Palm Beach Gardens, Florida 33410 561-630-4922

1.0 **INTRODUCTION**

The Lakefront Estates Community Development District (the "District") is a local unit of special purpose government located in unincorporated Glades County, Florida (the "County"). The District was established on April 18, 2023, by Ordinance No.2023-7 enacted by the Board of County Commissioners of Glades County to provide for the construction, and/or acquisition, financing, long-term administration and management of certain infrastructure of the Development, as defined below. The Lakefront Estates PUD (the "Development") is a planned Development containing approximately 525 gross acres and is located in the County. The District is co-terminus with the Development is planned for the following land uses:

Land Use Category	Unit
SF – 22'	272 Dwelling units
SF – 50'	162 Dwelling units
SF – 60'	144 Dwelling units
SF – 75'	404 Dwelling units
SF – 100'	213 Dwelling units
SF – 120'	105 Dwelling units
Commercial – Religious	31,486 square feet
Commercial – Other Uses	792,119 square feet

Table 1 – Proposed Land Uses for the District

This Master Report will provide the allocation of special assessments as it relates to the sale and issuance of Special Assessment Bonds in one or more series (the "Bonds") for the financing of public infrastructure improvements in the Development located in the District, including, but not limited to, the surface water management and drainage system, the water distribution system, the wastewater collection system, onsite and offsite roadway improvements, wetland mitigation and other related public improvements (collectively, the "Project")

This Master Report equitably allocates the costs to be incurred by the District to provide the benefits of the Project to the developable lands within the Development as identified herein on **Exhibit A**. The improvements comprising the Project are described below and in the Engineer's Report December 20, 2023 (the "Engineer's Report"), as may be revised and prepared by Newlines Land Consultants. (the "District's Engineer").

The District intends to issue Bonds in one or more series. Supplemental assessment methodologies will be prepared in accordance which each bond issue which will set forth the specific portion of the project to be funded.

2.0 PROJECTS TO BE FUNDED BY THE DISTRICT

The District anticipates issuing Bonds to finance all or portion of the acquisition and/or construction of the Project. The total cost of the Project is estimated to be approximately \$121,548,650. A detail of the Project costs is included herein on **Table A**. The Bonds will be repaid through the levy of non-ad valorem special assessments on all assessable property within the District. The Project has been designed to be functional and confer special benefits to the landowners within the District which special benefits equal or exceed the costs of the project. Any portion of the Project not financed through the issuance of Bonds will be paid for by Okeechobee Community Developers, LLC or its successor or Assigns (the "Developer").

Construction and/or acquisition and maintenance obligations for the District's proposed infrastructure improvements constituting the Project are described in the Engineer's Report.

The construction costs for the Project identified in this Master Report were provided by the District Engineer. Special District Services, Inc., as District Manager, makes no representation regarding the accuracy or validity of those costs and did not undertake any analysis or verification regarding such costs.

3.0 <u>FUNDING OF IMPROVEMENTS</u>

To defray the costs of construction and/or acquisition of all or a portion of the Project, the District will impose non-ad valorem special assessments on benefited real property within the District. These assessments are based on the special and peculiar benefits accruing to such property from the improvements comprising the Project. The use of non-ad valorem special assessments has an advantage in that the properties that receive the special benefits from the Project are the only properties that are obligated to pay for those facilities and services. Without these improvements, development of the property would not be possible. The capital facilities which will be funded through these special assessments include only facilities which may be undertaken by a community development district under Chapter 190, F.S. This Master Report is designed to meet the requirements of Chapters 170, 190 and 197, F.S. and will describe the expected terms and conditions of the Bonds.

In summary, special assessments may be made only: (1) for facilities which provide special benefits to property as distinct from general benefits, (2) only against property which receives that special benefit, (3) in proportion to the benefits received by such properties, and (4) according to fair and reasonable methods that the governing body of the jurisdiction determines. The special assessments (both capital special assessments and operation and maintenance special assessments) placed upon various benefited properties within the District must be sufficient to cover the debt service of the Bonds that will be issued for financing all or a portion of the Project and to pay the costs to maintain those portions of the infrastructure that remain under the ownership of the District. The assessments must be fairly and reasonably allocated to the properties being assessed.

4.0 <u>ALLOCATION OF BENEFIT AND ASSESSMENTS</u>

In developing the methodology used for special assessments in the District, two interrelated factors were used:

- **A.** Allocation of Benefit: Each parcel of land, lot and/or unit within the District benefits from the construction and financing of the proposed improvements.
- **B.** Allocation of Cost/Debt: The special assessments imposed on each parcel of land, lot and/or unit within the District cannot exceed the value of the benefits provided to such parcel of land, lot and/or unit.

The planned improvements comprising the Project is an integrated system of facilities designed to provide benefits to the assessable property within the District as a whole. The Project is intended to work as a total system which will provide special benefits for each unit type. The fair and reasonable method of allocating the benefit to each planned residential unit has been accomplished by assigning an *equivalent residential unit* ("ERU") to each unit. Therefore, for the purpose of this Master Report each 50 foot single family residential unit will be assigned one (1) ERU. The other proposed land uses will be assigned as follows in **Table 2**. The Commercial/Workplace Parcels receive benefits on a square footage basis.

<u>Product Type</u>	<u># of Units</u>	ERU Factor	<u>ERUs</u>
SF - 22'	272	0.440	119.68
SF - 50'	162	1.000	162.00
SF - 60'	144	1.200	172.80
SF - 75'	404	1.500	606.00
SF - 100'	213	2.000	426.00
SF - 120'	105	2.400	252.00
Commercial – Religious	31.49 (1,000 Sq Ft)	0.067	2.10
Commercial – Other Uses	792.12 (1,000 Sq Ft)	0.200	158.42
Total Units	N/A	N/A	1,899.00

<u> Table 2 – Equivalent Residential Unit (ERU)</u>

Given the District's approved land use plan and the type of infrastructure to be funded by the proposed special assessments, this method results in a fair allocation of benefits and an equitable allocation of costs for the Project. The special benefit received and applied to each parcel and/or residential dwelling unit/lot as a result of the construction of public infrastructure improvements will exceed the cost of such units allocated to each parcel and/or unit/lot. However, if the future platting results in changes in land use or proportion of benefit per acre and/or unit type, this allocation methodology may not be applicable and it may be necessary for the District to revise the allocation methodology.

The special assessments will be initially be allocated on undeveloped property on an equal assessment per acre basis as shown in Table E. Upon 1) platting or site plan approval, 2) the sale of unplatted property to an unaffiliated third party purchaser with land development rights transferred, or 3) upon issuance of a certificate(s) of occupancy to a developed residential/commercial unit, the special assessments shall be allocated to such parcel(s) on a per-unit/square footage basis in accordance with Table D. The determination as to when such special assessments shall be assigned to parcels on a per-unit/square footage basis in accordance with the above shall be as determined by the Board of Supervisors of the District, in its sole and absolute discretion. Any unassigned amount

of the special assessments encumbering the remaining unplatted parcels will continue to be calculated and levied on an equal assessment per acre basis.

5.0 <u>COLLECTION OF SPECIAL ASSESSMENTS</u>

The proposed special assessments relating to the Project will be collected through the Uniform Method of Collection described in Chapter 197, Section 197.3632; F.S. or any other legal means available to the District.

Since there are costs associated with the collection of the special assessments (whether by uniform method of collection as authorized under Chapter 197.3632, F.S. or other methods allowed by Florida law), these costs must also be included in the special assessment levy. These costs generally include the 2% collection fee of the County Tax Collector, a 2% service fee of the County Property Appraiser and a 4% discount for early payment of taxes. These additional costs may be reflected by dividing the annual debt service and operation and maintenance assessment amounts by 0.92.

6.0 FINANCING STRUCTURE

The estimated cost of the Project is approximately \$121,548,650. The construction program and the costs associated therewith are identified herein on **Table A**.

All or a portion of the capital improvements comprising the Project is to be financed by the Bonds and when issued which will be payable from and secured by special assessments levied annually on all assessable properties in the District. The total aggregate principal amount of the Bonds that may be issued by the District for the Project is approximately \$150,000,000. The proceeds of the Bonds will provide approximately \$121,548,650 for construction related costs. The sizing of the Bonds includes a debt service reserve fund, capitalized interest and issuance costs as shown on **Table B**. Please note the above referenced Bond sizing is a maximum amount used for this Master Report and the Developer may request the District to issue a lesser amount of Bonds that are less than those presented. The Bond debt allocations are shown on **Table D**.

7.0 MODIFICATIONS, REVISIONS AND TRUE-UP MECHANISIM

Allocation of costs and benefits, shown herein on **Table C**, for the Project financed by the District is initially based on the estimated number of dwelling units projected to be developed and benefited by the infrastructure improvements comprising the Project. Based on a Bond size of \$150,000,000, at an assumed interest rate of 7.50%, the maximum annual debt service for the Bonds as shown herein on **Table E**, will be approximately \$12,700,685 which has not been grossed up to include the 2% County Tax Collector fee, 2% County Property Appraiser fee, and 4% discount for early payment of taxes.

To ensure that each residential lot is assessed no more than their pro-rata amount of the annual nonad valorem assessments shown herein on **Table F**, the District will be required to perform a "True-Up" analysis, which requires a computation at the time of submission of each plat or re-plat to determine the potential remaining assessable dwelling lots/units. The District shall, at the time a plat or re-plat is submitted to the City:

A. Assume that the total number of assessable residential units being utilized as a basis for this assessment methodology is as described below, **Table 2** ("Total Assessable Lots/Units").

Land Use Category	Unit
SF – 22'	272 Dwelling units
SF – 50'	162 Dwelling units
SF – 60'	144 Dwelling units
SF – 75'	404 Dwelling units
SF – 100'	213 Dwelling units
SF – 120'	105 Dwelling units
Commercial – Religious	31,486 square feet
Commercial – Other Uses	792,119 square feet

Table 2 – Total Assessable Lots/Units for the District

- B. Ascertain the number of assessable residential dwelling lots/units in the proposed plat or replat and all prior plats ("Planned Assessable Lots/Units").
- C. Ascertain the current amount of potential remaining assessable dwelling lots/units ("Remaining Assessable Lots/Units").

If the Planned Assessable Lots/Units are equal to the Total Assessable Lots/Units no action would be required at that time. However, if the sum of the Planned Assessable Lots/Units and the Remaining Assessable Lots/Units are less than an estimated number reflected in **Table 2**, the Developer will be obligated by the District to remit to the District an amount of money sufficient to enable the District to retire an amount of Bonds plus accrued interest such that the amount of non-ad valorem assessments allocated to each Planned Assessable Lot does not exceed the amount of debt service that would have been allocated thereto had the total number of Planned Assessable Lots/Units and Remaining Assessable Lots/Units not changed from what is represented in **Table 2**. Conversely, if the Planned Assessable Lots/Units and Remaining Assessable Lots/Units of the residential lots/units is greater than the Total Assessable Lots/Units, then, there will be a pro-rata decrease in the annual non-ad valorem assessments to all of the benefited properties.

All assessments levied run with the land. A determination of a true-up payment shall be based on the terms and provisions of a true-up agreement to be entered into between the District and the Developer. It is the responsibility of the landowner of record to make any required true-up payments that are due. The District will not release any liens on the property for which true-up payments are due until provision for such payment has been satisfied.

In the event that additional land is annexed into the District which is currently not subject to the assessments and is developed in such a manner as to receive special benefit from the Project described herein, it will be necessary for this assessment methodology to be re-applied to include such parcels. The additional land will, as a result of re-applying this methodology, then be allocated an appropriate

share of the special assessments while all currently assessed parcels will receive a relative reduction in their assessments.

8.0 PRELIMINARY ASSESSMENT ROLL

When fully developed, the current site plan for the District will include the land uses in **Table 2**.

9.0 ADDITIONAL STIPULATIONS

Certain financing, development, and engineering data was provided by members of District staff, Consultants and/or the Landowner. The allocation methodology described herein was based on information provided by those professionals. Special District Services, Inc. makes no representations regarding said information beyond restatement of the factual information necessary for compilation of this report.

Special District Services, Inc. does not represent the Lakefront Estates Community Development District as a Municipal Advisor or Securities Broker nor is Special District Services, Inc. registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Special District Services, Inc. does not provide the Lakefront Estates Community Development District with financial advisory services or offer investment advice in any form.

TABLE A

PROJECT COST ESTIMATES

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

	TOTAL
LAND ACQUISITION	\$ 13,900,000
WETLANDS BASINS	\$ 1,700,000
EARTHWORK	\$ 18,357,220
ROADWAY CONTRUCTION	\$ 30,329,955
ENTRANCE FEATURES	\$ 408,534
WATER SUPPLY FACILITIES	\$ 24,607,774
SEWER FACILITIES	\$ 12,215,795
STORMWATER FACILITIES	\$ 2,279,455
ELECTRICAL	\$ 1,600,000
LANDSCAPING/PARKS	\$ 4,000,000
PROFESSIONAL FEES	\$ 1,100,000
CONTINGENCY	\$ 11,049,917
TOTAL	\$ 121,548,650

TABLE B

BOND SIZING

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

	В	OND SIZING
Par Amount*	\$	150,000,000 *
Debt Service Reserve Fund (DSRF)	\$	(12,700,685)
Capitalized Interest	\$	(11,250,000)
Issuance Costs	\$	(4,500,665)
Construction Funds	\$	121,548,650
Bond Interest Rate		7.50%
Principal Amortization Period (Years)		30

*Subject to change at final bond pricing

TABLE C

ALLOCATION OF PROJECT COSTS

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

Product	Number of Units by Type	ERU Factor*	Total ERUs	Project Cost Allocation Per Type		Project Cost Allocation Per Unit*	
22'	272	0.44	119.68	\$	7,660,306	\$	28,163
50'	162	1.00	162.00	\$	10,369,064	\$	64,007
60'	144	1.20	172.80	\$	11,060,335	\$	76,808
75'	404	1.50	606.00	\$	38,787,980	\$	96,010
100'	213	2.00	426.00	\$	27,266,798	\$	128,013
120'	105	2.40	252.00	\$	16,129,655	\$	153,616
Commercial - Religious* (Per 1,000 SqFt.)	31.49	0.067	2.10	\$	134,354	\$	4,267
Commercial - Other Uses* (Per 1,000 SqFt.)	792.12	0.200	158.42	\$	10,140,158	\$	12,801
TOTAL	N/A	N/A	1,899.00	\$	121,548,650		N/A

*Rounded

TABLE D

ALLOCATION OF BOND DEBT

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

Product	Number of Units by Type	ERU Factor*	Total ERUs	Bond Debt Allocation Per Unit Type		Bond Debt Allocation Per Unit*	
22'	272	0.44	119.68	\$	9,453,383	\$	34,755
50'	162	1.00	162.00	\$	12,796,190	\$	78,989
60'	144	1.20	172.80	\$	13,649,269	\$	94,787
75'	404	1.50	606.00	\$	47,867,229	\$	118,483
100'	213	2.00	426.00	\$	33,649,240	\$	157,978
120'	105	2.40	252.00	\$	19,905,184	\$	189,573
Commercial - Religious* (Per 1,000 SqFt.)	31.49	0.067	2.10	\$	165,803	\$	5,266
Commercial - Other Uses* (Per 1,000 SqFt.)	792.12	0.200	158.42	\$	12,513,702	\$	15,798
TOTAL	N/A	N/A	1,899.00	\$	150,000,000		N/A

*Rounded

TABLE E

CALCULATION OF ANNUAL DEBT SERVICE

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

	2024 Series Bond Debt
1 Maximum Annual Debt Service	\$ 12,700,685
2 Maximum Annual Debt Service Assessment to be Collected	\$ 13,805,093 *
3 Total Number of Gross Acres	525.00
4 Maximum Annual Debt Service per Gross Acre	\$26,295
5 Total Number of Residential Units Planned	1,300
6 Maximum Annual Debt Service per Unit Type	See Table F
7 Total Number of Commercial Units Planned	823,605
8 Maximum Annual Debt Service per Unit Type	See Table F

*Grossed up to include 2% collection fee of the County Tax Collector, 2% service fee of the County Property Appraiser and 4% for early payment of taxes.

TABLE F

ALLOCATION OF DEBT SERIVCE ASSESSMENTS

LAKEFRONT ESTATES COMMUNITY DEVELOPMENT DISTRICT

Product	Number of Units by Type	ERU Factor*	Total ERUs	**Maximum Annual Debt Assessment Per Unit*	**Maximum Annual Debt Assessment Per Unit Type*	
22'	272	0.44	119.68	\$ 3,199	\$ 870,032	
50'	162	1.00	162.00	\$ 7,270	\$ 1,177,684	
60'	144	1.20	172.80	\$ 8,724	\$ 1,256,196	
75'	404	1.50	606.00	\$ 10,904	\$ 4,405,410	
100'	213	2.00	426.00	\$ 14,539	\$ 3,096,873	
120'	105	2.40	252.00	\$ 17,447	\$ 1,831,953	
Commercial - Religious* (Per 1,000 SqFt.)	31.49	0.067	2.10	\$ 485	\$ 15,259	
Commercial - Other Uses* (Per 1,000 SqFt.)	792.12	0.200	158.42	\$ 1,454	\$ 1,151,685	
TOTAL	N/A	N/A	1,899.00	N/A	\$ 13,805,093	

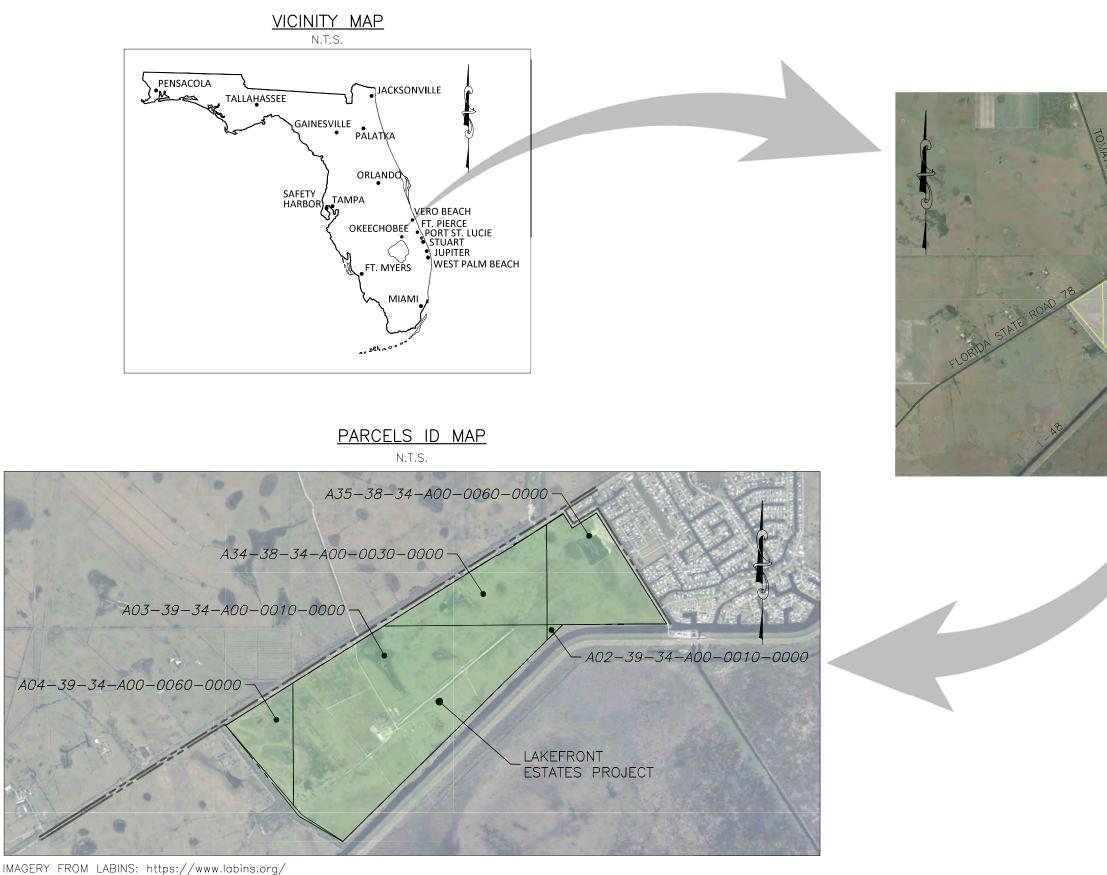
*Rounded

**Grossed up to include 2% collection fee of the County Tax Collector, 2% service fee of the County Property Appraiser and 4% for early payment of taxes.

Folio ID#'s and/or Parcel Plat Description	Developable Acreage by Parcel	**Maximum Annual Debt Par Debt Per Assessment Per Acre*		Total Par Debt		
TBD	525.00	\$ 26,295.41	\$ 285,714.29	\$ 150,000,000		
TOTALS		N/A	N/A	\$ 150,000,000		

*Rounded

**Grossed up to include 2% collection fee of the County Tax Collector, 2% service fee of the County Property Appraiser and 4% for early payment of taxes.



IMAGERY FROM LABINS: https://www.labins DATE: 2018

LAKEFRONT ESTATES AT GLADES COUNTY COMMUNITY DEVELOPMENT DISTRICT

LOCATION MAP

N.T.S.



IMAGERY FROM GOOGLE EARTH DATE: 2017

LEGEND:

- DEVELOPMENT AREA
- ---- PROJECT LOT BOUNDARY
- ---- CENTER LINE OF STATE ROAD 78
- ---- RIGHT OF WAY
- ------ EXISTING PARCELS BOUNDARY

FIGURE 1 LOCATION MAP

LAKEFRONT ESTATES



STEVEN L. DOBBS, P.E.

11"x17" Sheet size

Page 203