

**EAST BONITA  
BEACH ROAD**

**COMMUNITY DEVELOPMENT  
DISTRICT**

**November 6, 2020**

**BOARD OF SUPERVISORS  
PUBLIC HEARINGS &  
SPECIAL PUBLIC MEETING  
AGENDA**

# East Bonita Beach Road Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

November 2, 2020

Board of Supervisors  
East Bonita Beach Road Community Development District

Dear Board Members:

The Board of Supervisors of the East Bonita Beach Road Community Development District will hold multiple Public Hearings and a Special Public Meeting on November 6, 2020, at 10:00 a.m., at the offices of D.R. Horton, 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements
  - A. Presentation/Consideration of Amended and Restated Engineer's Report [Assessment Area 2 Project] *(for informational purposes)*
  - B. Presentation/Consideration of Second Supplemental Special Assessment Methodology Report [Assessment Area 2 Project] *for informational purposes)*
  - C. Affidavit/Proof of Publication
  - D. Mailed Notice to Property Owner(s)
  - E. Consideration of Resolution 2021-01, Making Certain Findings; Authorizing an Improvement Plan For Assessment Area Two; Updating the Master Improvement Plan; Providing an Estimated Cost of Improvements; Adopting an Assessment Area 2 Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments on Assessment Area Two; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property and Transfers of Property To Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

**ATTENDEES:**

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

**NOTE: Meeting Time**

4. Acceptance of Unaudited Financial Statements as of September 30, 2020
5. Approval of Minutes
  - A. September 21, 2020 Special Public Meeting
  - B. September 28, 2020 Continued Special Public Meeting
  - C. September 30, 2020 Continued Special Public Meeting
6. Other Business
7. Staff Reports
  - A. District Counsel: *Hopping, Green & Sams, PA*
  - B. District Engineer: *Banks Engineering, Inc.*
  - C. District Manager: *Wrathell, Hunt and Associates, LLC*
  - UPCOMING MEETINGS
    - November 9, 2020 at 10:30 A.M., Landowners' Meeting (*Board is not required to attend*)
    - May 17, 2021 at 10:30 A.M., Regular Meeting

○ QUORUM CHECK

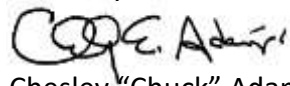
SEAT 1*		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2*		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	LANDON THOMAS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	BRYAN HASSEL	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

*\*Seats subject to November 9, Landowners' Meeting*

8. Audience Comments/Supervisors' Requests
9. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,



Chesley "Chuck" Adams  
 District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE:**

**CALL IN NUMBER: 1-888-354-0094**

**CONFERENCE ID: 8593810**

**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**3A**

AMENDED AND RESTATED  
ENGINEER'S REPORT  
FOR THE  
EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT

PREPARED FOR:

BOARD OF SUPERVISORS  
EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT

ENGINEERS:

BANKS ENGINEERING  
10511 SIX MILE CYPRESS PKWY, SUITE 101  
FORT MYERS, FLORIDA 33966

**September 28, 2020**

## TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE NO.</u>
1. INTRODUCTION	3
2. DISTRICT BOUNDARIES AND PROPERTIES SERVED	4
3. EXISTING INFRASTRUCTURE & PROPOSED DEVELOPER-FUNDED INFRASTRUCTURE	5
4. PROPOSED DISTRICT INFRASTRUCTURE	6
5. OPINION OF PROBABLE CONSTRUCTION COSTS AND BENEFIT	9
6. PERMITS	11

### TABLES

TABLE 1	LAND USE SUMMARY	4
TABLE 2	PHASE TABLE	4
TABLE 3	SUMMARY OF OPINION OF PROBABLE COSTS FOR THE PROJECT INFRASTRUCTURE	10

### APPENDIX

EXHIBIT 1	DISTRICT BOUNDARY/ LOCATION MAP
EXHIBIT 2	DISTRICT BOUNDARY SKETCH
EXHIBIT 2A	DESCRIPTION FOR DISTRICT BOUNDARY
EXHIBIT 2B	SKETCH FOR ASSESMENT AREA ONE
EXHIBIT 2C	DESCRIPTION FOR ASSESSMENT AREA ONE
EXHIBIT 2D	DESCRIPTION FOR ASSESSMENT AREA TWO
EXHIBIT 3	DISTRICT ZONING MAP
EXHIBIT 4	EXISTING UTILITIES MAP
EXHIBIT 5	PHASING PLAN
EXHIBIT 6-1	REGIONAL OUTFALL MAP
EXHIBIT 6-2	DISTRICT OUTFALL MAP
EXHIBIT 7	IRRIGATION FACILITIES
EXHIBIT 8	STORMWATER FACILITIES
EXHIBIT 9	BUFFERS
EXHIBIT 10	WETLAND/WILDLIFE MITIGATION
EXHIBIT 11	DISTRICT ROADWAYS

# ENGINEER'S REPORT

## 1. INTRODUCTION

### 1.1 Description of East Bonita Beach Road Community Development District

Seasons at Bonita ("**Development**"), to be served by the East Bonita Beach Road Community Development District ("**District**"), is located in Lee County, Florida lying in Section 1 Township 48, Range 26 East in Bonita Springs, east of I-75 and at the eastern end of Bonita Beach Road. The location is shown by Exhibit "1" of the Appendix. The Development is planned to be developed as a Residential Planned Development consisting of (548) single-family residential units allocated among the following product types: (i) 88 - 60' single-family lots (60'); and (ii) 263 - 50' single-family lots, and 197 - 40' lots.

The District's overall capital improvement plan ("**Capital Improvement Plan**," or "**CIP**"), as described herein, consists of the master stormwater management system, wetland/wildlife impact mitigation, and certain entry roadways, buffers, and irrigation, all of which functions as a system of improvements benefitting all developable lands within the District. While the CIP consists of a system of improvements, the CIP will be split into two distinct assessment areas and projects, known as "**Assessment Area One**" / "**Assessment Area One Project**" and "**Assessment Area Two**" / "**Assessment Area Two Project**." Assessment Area One consists of 102.69 acres, as described in **Exhibit 2B**, and Assessment Area Two is 65.76 acres which is the balance of the lands within the District. The Assessment Area One Project refers to that portion of the CIP allocable to Assessment Area One as previously described in that certain Engineers Report, adopted by the District's Board in January 2018, and, likewise, the Assessment Area Two Project refers to that portion of the CIP allocable to Assessment Area Two.

The CIP and the Development itself are expected to be constructed in two "**Phases**" over time – including "**Phase 1**" and "**Phase 2**," which phases generally correspond with the Assessment Areas. Because the CIP functions as a system of improvements, the Phase 1 construction (just like the Phase 2 construction) includes master infrastructure benefitting both Assessment Area One and Assessment Area Two. Thus, the use of the term "**Phases**" herein is not intended to address the exact geographic location of any construction per se, but rather is intended to identify the timing with which certain infrastructure will be constructed and/or acquired.

Phase 1 construction began January 2018, and Phase 2 construction is expected to commence in August 2020. The Development is planned to be completed in 2022.

Assessment Areas One and Two are expected to include two hundred eighty-four (284) and two hundred sixty-four (264) single-family units, respectively. The unit breakdown for the Assessment Areas is provided in Table 2 and also shown on Exhibit "5." D.R. Horton, the previous developer, constructed an amenity, which is not included as part of the District's CIP. The amenity is located in Assessment Area One and was developed as part of the Phase 1 construction and is owned and operated by the HOA.

The proposed land uses are included in Table 1 below.

**TABLE 1**  
Land Use Summary:

TYPE OF USE	ASSESSMENT AREA ONE (AC)	ASSESSMENT AREA TWO (AC)	TOTAL (AC)	% OF TOTAL PROJECT
RESIDENTIAL	52.12	45.16	97.28	57.8%
RIGHT-OF-WAY*	11.1	8.5	19.6	11.60%
LAKE	23.7	7.3	31	18.4%
BUFFER/COMMON	6.1	4.8	10.9	6.50%
AMENITY AREA	5.1	0	5.1	3.0%
PRESERVE	4.57	0	4.57	2.70%
<b>TOTAL</b>	<b>102.69</b>	<b>65.76</b>	<b>168.45</b>	<b>100%</b>

\*Public RLW area is 0.48ac.

**TABLE 2**  
UNIT COUNTS:

	Assessment Area One	Assessment Area Two	TOTAL
40' LOTS	98	99	197
50' LOTS	181	82	263
60' LOTS	5	83	88
<b>TOTAL</b>	<b>284</b>	<b>264</b>	<b>548</b>

## 1.2 Purpose and Scope of the Report

Prior to the date hereof, the District adopted its *Engineer's Report* dated January 2018 setting forth improvements to be financed, acquired and/constructed by the District as part of the Assessment Area One Project ("2018 Report"). The 2018 Report was created near the time of the start of the construction of the Assessment Area One Project, and was used in connection with the District's issuance of bonds to finance the Assessment Area One Project. The purpose of this Amended and Restated Engineers Report is to update the status of the Assessment Area One Project, and update the overall development cost of the Assessment Area Two Project. An assessment methodology will be developed by the District's methodology consultant, and such methodology shall identify the specific benefit derived to the lands within Assessment Area Two from the Assessment Area Two Project.

## 2. DISTRICT BOUNDARIES AND PROPERTIES SERVED

### 2.1 District Boundaries

Exhibit "1" delineates the boundaries of the District. The District is bounded on the south and west by Bonita Beach Road, the east by the Bonita National project, and the north by public land that is in preservation and owned by the South Florida Water Management District.



## **2.2 Description of Properties Served**

The District is located in Section 1, Township 48 South, Range 26 East, Lee County, Florida and is 168.45 acres in size. The property within the District is zoned for residential development and is depicted on Exhibit "3".

### **3. EXISTING INFRASTRUCTURE & PROPOSED DEVELOPER-FUNDED INFRASTRUCTURE**

#### **3.1 Existing Infrastructure**

The District has been previously cleared and partially filled and prior to development was primarily used for row crops, except for a small wetland that contains some native trees. In 2007 site construction commenced, all of the stormwater lakes were excavated, except for the planned lake within the amenity area. The excavated materials were used onsite to fill properties within the District. These lakes collect any runoff from the District and naturally fluctuate with the ground water. The water level is generally less than one foot below natural ground during the wet season and may drop up to 5 feet below existing grade in the dry season.

#### **3.2 Developer Infrastructure – Utilities, Amenities, Etc.**

The District is located within the Bonita Springs Utilities water-sewer franchise area. Bonita Springs Utilities will provide water and wastewater services to the District. At this time, Bonita Springs Utilities does not have effluent reuse irrigation water available to the District so onsite lakes will be the source for irrigation.

Potable water for the District is available via an existing 16" watermain along Bonita Beach Road. This existing potable watermain is operated by Bonita Springs Utilities. The location of this watermain is shown on Exhibit "4" of the Appendix. New potable water facilities are planned to be constructed to serve the Development. Upon completion, Bonita Springs Utilities will own and maintain these potable water facilities. The District will not finance any portion of the potable water facilities.

Wastewater for the District is available via an existing 12" forcemain along Bonita Beach Road. This existing forcemain is operated by Bonita Springs Utilities. The location of this forcemain is shown on Exhibit "4" of the Appendix. New wastewater facilities are planned to be constructed to serve the Development. Upon completion, Bonita Springs Utilities will own and maintain these potable water facilities. The District will not finance any portion of the wastewater facilities.

The District is located within the Cocohatchee River Drainage Basin with the receiving body being the Cocohatchee River via overland flow through offsite wetlands that connect to the Cocohatchee Canal, which is shown on Exhibit "6-1". This system ultimately discharges to the Gulf of Mexico.

The District is accessed on the south by Bonita Beach Road that is a public roadway that provides access to the District.

The District is located within the franchise areas of Florida Power & Light and CenturyLink. Cable service is available from Comcast. These utility companies will provide electrical power, telephone and cable television services to the Development located within the District.

An amenity center has been constructed as part of the Development. The amenity includes both active and passive recreation uses along with the mailboxes for the residents. The completed amenity area included tennis and pickleball courts, a clubhouse with fitness equipment and meeting areas, and a large pool with a cabana restaurant. The amenity area is currently owned by the developer but will ultimately be owned and maintained by the Seasons at Bonita Homeowners Association. The District will not finance any portion of the amenity area.

#### **4. PROPOSED DISTRICT INFRASTRUCTURE**

##### **4.1 Summary of the District Infrastructure**

Developable lands within the areas of the District will benefit from the proposed CIP. The District's infrastructure generally consists of the following:

- Irrigation
- Stormwater Management
- Buffers
- Public Roadways
- Wetland/Wildlife Impact Mitigation
- Professional Services
- Contingency

##### **4.2 Irrigation**

The District's irrigation system will consist of two irrigation pump stations and controls, irrigation mains of varying sizes, and irrigation services to the lots and other areas of the District. The irrigation system is schematically shown on Exhibit "7". The irrigation system withdraws from the onsite lakes that will be owned by the District. Approximately 36,000 linear feet of irrigation main will be constructed to serve the District. The individual sprinkler systems on the residential lots (and the amenity center) will not be part of the CIP and will not be owned nor maintained by the District. The District will either construct or acquire its portion of the irrigation system and will own and maintain the District irrigation system thereafter.

The Assessment One Area portion of the irrigation system has been completed but was not conveyed or acquired/funded by the District. The irrigation system within Assessment Area Two that makes up a portion of the Assessment Area Two Project will be constructed as part of the Assessment Area Two Project. The cost for the Assessment Area Two Project will also include the cost for the Assessment Area One Project that was constructed, but not requisitioned. Upon completion of the Assessment Area Two irrigation system, the entire system will be conveyed to the District for ownership and maintenance.

##### **4.3 Stormwater Management**

The District's stormwater management system is planned to consist of stormwater management lakes, drainage pipes, catch basins, water control structures, swales, berms, and other conveyance elements as schematically shown in Exhibit "8". Stormwater runoff from within the District will be collected and conveyed to the stormwater management lakes for water quality treatment and quantity storage. Stormwater runoff from the District will be stored in the lakes during the storm events.

The storm water management system has been designed and will be constructed in accordance with South Florida Water Management District standards for water quality treatment, quantity storage and flood protection. The existing storm water lakes will be reshaped to create littoral planting areas, and the lake banks will be re-graded as necessary to comply with regulatory requirements. The lake within the amenity area was excavated as part of the Assessment Area One Project, and the material generated used to reshape the other lakes within Assessment Areas One. Ground cover will be provided at all lakes and as necessary to prevent erosion. Ground cover will consist of sod, shrubs, and littoral and upland plantings in and around the lakes and berms.

Approximately 13,000 feet of valley gutter and 12,000 feet of drainage pipes and 85 inlets will be constructed as part of the District CIP. These are the conveyance elements that will drain the Development and connect to the stormwater lakes.

The stormwater management improvements for the Development will be constructed or acquired by the District when completed. Also, the Developer will sell to the District the fee title, based upon an appraisal, land where the storm water management lakes are located. The District will finance all or a portion of the costs of acquiring the fee title to the lakes, as well as any costs for completing the construction and/or acquisition of the work necessary to complete the stormwater management system. The District will own and maintain the stormwater management system.

The Assessment Area One portion of the stormwater management system has been completed and conveyed to the District, including ownership of the lakes within the Assessment One Area. The stormwater management system within the Assessment Area Two project area will be constructed as part of the Assessment Area Two Project. Upon completion of the Assessment Area Two stormwater management system, it will be conveyed to the District for ownership and maintenance along with the fee title for the lakes within Assessment Area Two.

#### **4.4 Buffers**

Buffers will be provided around the perimeter of the District. These buffers will consist of decorative plantings and a buffer wall and are shown on Exhibit "9". The buffers plantings will consist of ground cover, sod, shrubs, flowers, trees, and other plant materials adjacent to public properties. This vegetation will help beautify the District and the buffers provide a visual barrier between the District and the adjacent uses. The buffers will also include a perimeter wall that provides enhanced security to the District. The entry features outside of any gated structures will be part of the District CIP. The District cost will be for the wall and the planting materials that are on the outside of the perimeter wall along with the cost of the acquisition of the buffer tracts based on the appraised value.

The Assessment Area One portion of the buffers has been completed. The Assessment Area One buffer wall was conveyed to the District, but the plantings although constructed, were not requisitioned or conveyed. The buffers within Assessment Area Two will be constructed as part of the Assessment Area Two Project. The cost for the Assessment Area One plantings that were not requisitioned will be included as part of the Assessment Area Two Project cost. Upon completion, the Assessment Area Two buffers and Assessment Area One plantings will be conveyed to the District for ownership and maintenance.

#### **4.5 Public Roadways**

The roadways within the District will consist of two-lane curbed roadways. The roadways will provide access to the various land uses within the District. The roadways for the District will connect to Bonita Beach Road. The roadways will be constructed to City of Bonita Springs requirements within platted rights-of-ways and easements.

While 20,000 feet of roadway is proposed within the District, only the portion of the roadway (“**CDD Roadways**”) that is outside the entry gates will be owned by the District. The roadways (“**HOA Roadways**”) within the gates will be owned and maintained by the HOA. The CDD Roadways and HOA Roadways are shown on Exhibit “5”.

The CDD Roadways will be constructed or acquired by the District when completed. The District will acquire the completed CDD Roadways for the cost of the construction of the improvements for the CDD Roadways along with the cost of the right of way acquisition based on the appraised value. The District will be responsible for perpetual maintenance of the CDD Roadways. The public will have access to the CDD Roadways. A manned access gate will be owned and operated by the HOA (and not financed by the District) to secure access into the HOA Roadways.

Entry features will be located within and adjacent to the CDD Roadways. The CDD Roadways and entry features will be landscaped to help the CDD Roadways blend into the community. Landscaping may consist of sod, annual flowers, shrubs, trees and ground covers. These improvements are part of the CDD Roadways and District CIP and will be owned and maintained by the District.

The public roadway was completed as part of the Assessment One Area (Phase 1) Project. The cost for the road construction was requisitioned and conveyed to the District along with the fee interest in the property. The entry features and plantings within the roadway tract were not requisitioned or conveyed to the District. The cost for these facilities will be included as part of the Assessment Area Two (Phase 2) Project.

#### **4.6 Wetland/Wildlife Mitigation**

The wetland impact mitigation for the Development will consist of the enhancement of the onsite mitigation area generally reflected on Exhibit 10. The mitigation will be completed in accordance with SFWMD, ACOE and City of Bonita Springs requirements. Enhancement of the mitigation areas will occur through construction and planting of aquatic littoral zones in the mitigation areas, removal of exotic plant species and replanting of the preserve areas with native plants.

A vegetated buffer is required around the wetland as part of the wetland and wildlife mitigation. This buffer will be planted with native plants. The cost for the grading and planting of this buffer will be part of the District mitigation work.

The enhancement activities will be part of the District CIP and was in part financed by the District as part of the Assessment Area One Project and the remainder will be part of the Assessment Area Two Project. The acquisition of the conservation area, based on the appraised value, was part of the Assessment Area One Project.

The wetland/wildlife mitigation was partially completed as part of the Assessment One Area project and the mitigation area conveyed to the District. The planting of some additional mitigation plants are necessary since the plant coverage has not met the permit success criteria. These additional plants will be installed as part of the Assessment Area Two project. Upon

completion of the Assessment Area Two mitigation plantings, they will be conveyed to the District for ownership and maintenance.

#### **4.7 Professional Services**

The professional services for design and construction of all components of the District CIP including the engineering, utilities, soils investigation and testing, landscaping design, environmental consultation, and construction services for inspection of the CIP during construction will be financed by the District. The professional services for the design and construction of the private infrastructure will not be part of the District CIP, nor financed by the District.

The Assessment One Area portion of the professional services have been completed and conveyed to the District. The professional services for the Assessment Area Two will be part of the Assessment Area Two Project. Upon completion, the Assessment Area Two professional fees will be conveyed to the District.

#### **4.8 Contingency**

These costs include a reasonable contingency in the amount of approximately 10% to cover unexpected cost or unforeseen requirements, and to cover any inflationary cost since construction of some District infrastructure may not occur for several years.

### **5. OPINION OF PROBABLE CONSTRUCTION COSTS AND BENEFIT**

A summary of the opinion of probable costs for the public improvements comprising the CIP to be financed by the District is represented in Table 3. The costs do not include the legal, administrative, financing, operation or maintenance services necessary to finance and operate the District infrastructure.

\$562,202.49 of the cost contained within the Assessment Area Two Project estimate represents the amount of shortfall from the Assessment Area One Project that was not paid out of the bond proceeds from the Series 2018 bond issuance but remain eligible for reimbursement from the Series 2020 bond issuance. Said another way, the District acquired \$5,279,911 worth of improvements and real property in 2018 but only had \$4,717,708.51 in bond proceeds to reimburse the developer. Pursuant to the acquisition agreement between the developer and the District, should the District issue additional bonds in the future, the difference between the value of the improvements acquired by the District in 2018 and what the district could requisition from bond proceeds is eligible for reimbursement if the District issued bonds in the future. Accordingly, the shortfall has been made part of the Assessment Area Two Project Cost.

The public improvements comprising the CIP benefit the District and the estimate of probable cost is less than the benefit the assembled property within the District will receive as a result of the construction of the CIP. The District Assessment Methodology will apportion the cost based on the special benefit received by the residential units planned for the District.

There are no impact fee credits available for any improvements included within the CIP.

It is my professional opinion that these costs are reasonable for the work to be performed and benefit the developable real property in the District. I believe that the District's planned CIP is feasible and can be constructed within the budget set forth in this Report.

The cost estimates set forth herein are estimates based on current plans and market conditions, which are subject to change. Accordingly, the CIP as used herein refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, roadways, etc.) to support the development and sale of the planned residential units, which (subject to true-up determinations) number and type of units may be changed with the development of the CIP.

**TABLE 3**

Summary of Opinion of Probable Cost:

Project Description	Assessment Area One Estimated Construction Cost <sup>5</sup>	Assessment Area One Requisition	Assessment Area Two Estimated Construction Cost	Total CIP Construction Costs <sup>6</sup>
IRRIGATION	\$675,000		\$850,000	\$850,000
STORMWATER MANAGEMENT <sup>1</sup>	\$1,525,000	\$1,166,665	\$1,200,000	\$2,366,665
BUFFERS	\$475,000	\$310,507	\$650,000	\$960,507
PUBLIC ROADWAYS	\$250,000	\$8,289	\$300,000	\$308,289
WETLAND/WILDLIFE MITIGATION	\$35,000		\$10,000	\$10,000
PROFESSIONAL SERVICES	\$ 100,000	\$20,490	\$50,000	\$70,490
CONTINGENCY	\$310,000		\$300,000	\$300,000
UNREIMBURSED COST FROM ASSESSMENT AREA ONE PROJECT			\$562,202.49 <sup>4</sup>	
TOTALS	\$3,370,000	\$1,505,951	\$3,922,202.49	\$4,865,951 <sup>7</sup>
MASTER LAND ACQUISITION COSTS:		\$3,773,960 <sup>2</sup>	\$1,550,000 <sup>3</sup>	\$5,323,960
<b>GRAND TOTAL:</b>		\$5,279,911 <sup>4</sup>	\$5,472,202.49	<b>\$10,189,911</b>

1. All of this cost is for infrastructure work performed as of 2018 and does not include any amounts for excavation of the stormwater lakes prior to 2018.
2. The Phase 1 land value was computed as 37.58 acres x \$100,000 per acre for the CDD Roadways, stormwater, and buffer areas, plus 4.56 acres x \$3,500 per acre for the mitigation area. The land value is based on the appraisal provided by Integra Realty Resources.
3. The Phase 2 land value is based on the appraisal provided by Integra Realty Resources dated August 17, 2020 for the lakes and buffer tracts within Assessment Area Two.
4. \$4,717,708.51 of the \$5,279,911 Assessment Area One Project cost were reimbursed to the developer as part of the construction requisition for Assessment Area One. In accordance with the acquisition agreement between the District and the developer, the difference (\$562,202.49) will be part of the Assessment Area Two Project cost and eligible for reimbursement to the Developer.
5. These values in Table 3 are from the Engineering Report for East Bonita Beach Road CDD dated January 9<sup>th</sup>, 2018.
6. Total CIP is the Assessment Area One Project amounts previously reimbursed to the developer (\$4,717,708.51) plus the total estimated Assessment Area Two Project amounts.
7. The total for the construction cost for the Assessment Area One and Assessment Area Two project does not include the reimbursed cost from Assessment Area One.

6. **PERMITS**

**Overall Project Permits**

Permits for construction are required prior to the commencement of construction of infrastructure improvements. The permitting agencies have continuing jurisdiction over the public infrastructure being financed. The following permits have been obtained for the overall CIP:

- Local zoning approval.
- Army Corps of Engineers Dredge and Fill Permit.
- South Florida Water Management District Environmental Resource Permit (ERP).
- Development Order Approval for Site Infrastructure by the City of Bonita Springs.

The following permits have been obtained for the Phase 1 project:

- Bonita Springs Utilities Construction Approval for Water and Sewer Facilities.
- Florida Department of Environmental Protection Wastewater and Lee County Environmental Health Water Construction Permits.
- The subdivision plat for the Assessment Area One Project has been approved by the City of Bonita Springs and recorded.

The following permits have been obtained for approximately half of the Phase 2 Project:

- Bonita Springs Utilities Construction Approval for Water and Sewer Facilities.
- Florida Department of Environmental Protection Wastewater and Lee County Environmental Health Water Construction Permits.

The remaining permits and plats for construction of the CIP are expected to be obtained in due course.

All permits necessary for construction of the CIP are expected to be obtained in due course.

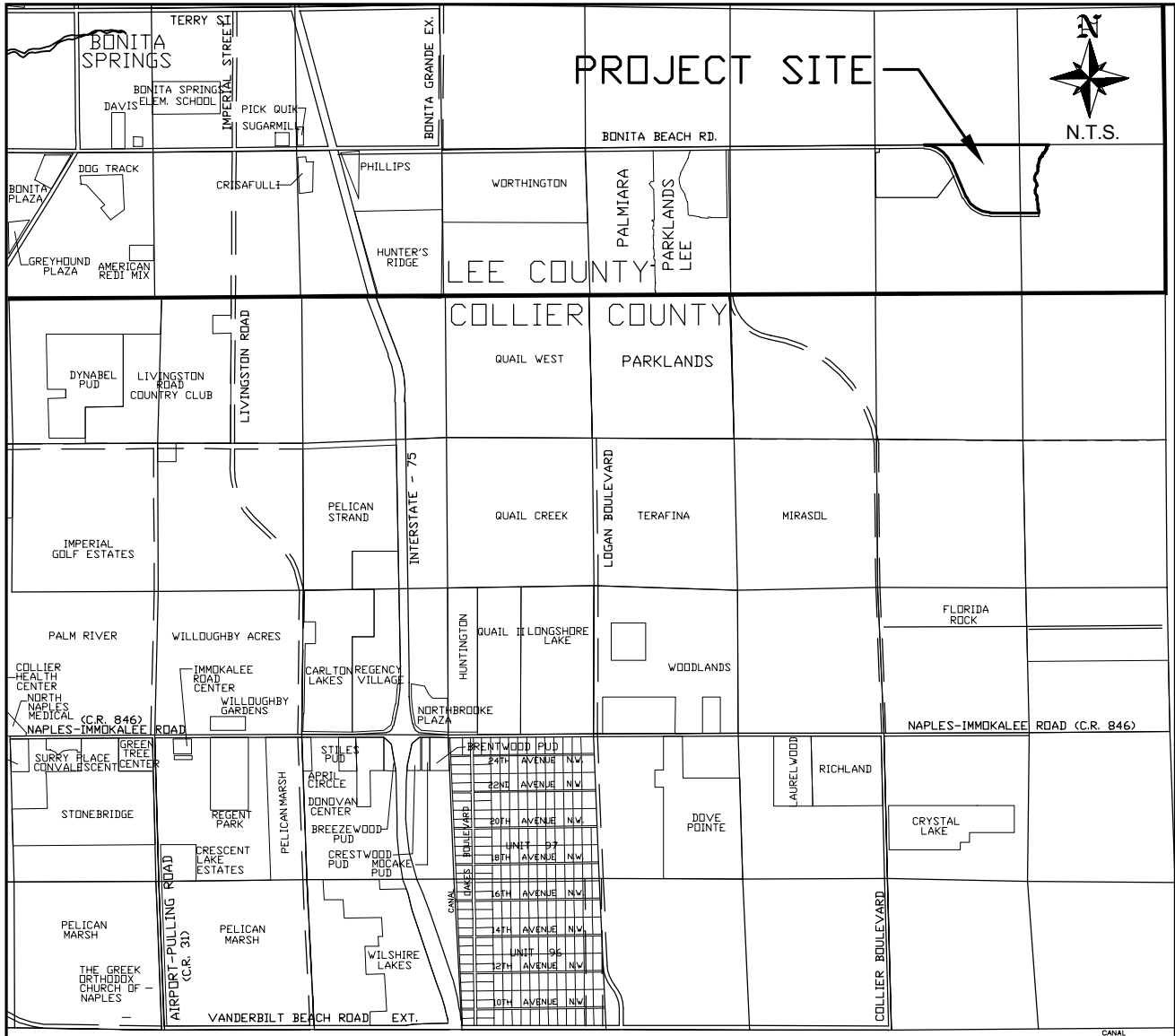
---

David R. Underhill, Jr.                      Date  
FL License No. 47029  
District Engineer

## **APPENDIX**



# SITE LOCATION MAP

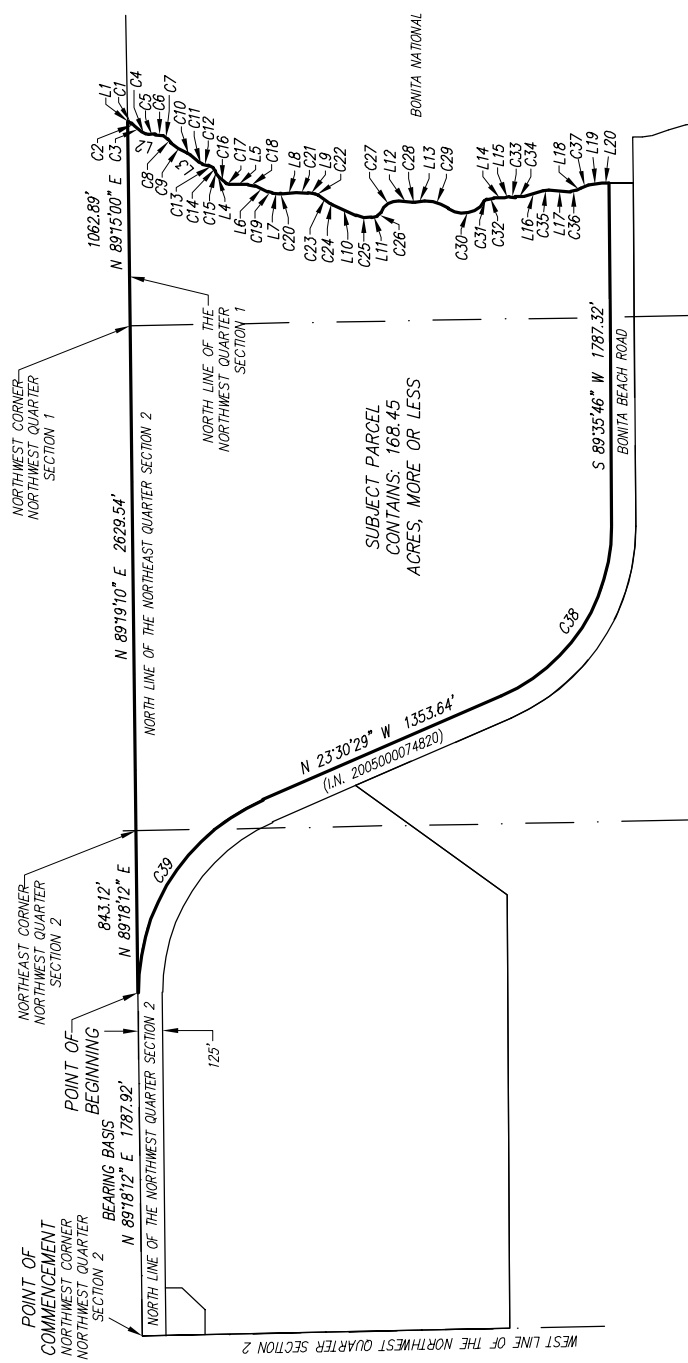


SECTION 1, TOWNSHIP 48 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA

# EAST BONITA BEACH ROAD C.D.D.

## PROJECT LOCATION MAP

EXHIBIT 1



## SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA  
EXHIBIT "B"

THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY

### NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS), WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

### CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	16.00'	60°18'50"	16.84'	16.08'	S 29°24'25" W
C2	83.50'	17°08'57"	24.99'	24.90'	S 50°59'21" W
C3	421.93'	06°20'50"	46.74'	46.72'	S 38°28'14" W
C4	56.00'	24°36'12"	24.05'	23.86'	S 22°59'43" W
C5	77.50'	24°36'11"	33.28'	33.02'	S 01°36'28" E
C6	63.21'	47°28'44"	45.76'	44.77'	S 06°49'48" W
C7	60.00'	26°53'54"	28.17'	27.91'	S 41°01'07" W
C8	117.50'	12°21'39"	25.35'	25.30'	S 48°17'15" W
C9	286.61'	19°57'14"	99.82'	99.31'	S 32°07'48" W
C10	55.00'	19°47'28"	19.00'	18.90'	S 32°02'55" W
C11	34.30'	41°00'49"	24.55'	24.03'	S 26°57'38" W
C12	97.33'	16°43'45"	28.42'	28.32'	S 10°49'28" W
C13	173.66'	10°26'14"	31.63'	31.59'	S 23°56'51" W
C14	22.00'	53°27'49"	20.53'	19.79'	S 56°00'49" W
C15	43.74'	28°18'10"	21.61'	21.39'	S 68°35'38" W
C16	147.00'	18°42'18"	47.99'	47.78'	S 41°12'21" W
C17	30.00'	31°47'50"	16.65'	16.44'	S 15°57'17" W
C18	85.00'	25°23'50"	37.68'	37.37'	S 12°45'17" W
C19	68.00'	19°17'07"	22.89'	22.78'	S 15°48'39" W
C20	48.50'	11°01'51"	8.95'	8.94'	S 00°39'10" W
C21	280.00'	12°06'24"	61.28'	61.16'	S 01°11'26" W
C22	47.50'	23°46'45"	19.71'	19.57'	S 19°08'00" W
C23	469.77'	09°07'39"	74.84'	74.76'	S 35°35'13" W
C24	47.50'	15°03'30"	12.48'	12.45'	S 32°37'17" W
C25	128.00'	37°51'48"	84.59'	83.06'	S 06°09'38" W
C26	29.97'	60°21'58"	31.58'	30.14'	S 41°12'00" E
C27	88.00'	76°48'36"	117.97'	109.33'	S 32°58'41" E
C28	65.00'	12°06'17"	13.73'	13.71'	S 00°37'32" E
C29	200.00'	37°46'33"	131.86'	129.49'	S 16°45'02" W
C30	130.00'	94°14'47"	213.84'	190.53'	S 11°29'05" E
C31	25.00'	39°51'42"	17.39'	17.04'	S 38°40'38" E
C32	98.14'	22°30'22"	38.55'	38.30'	S 07°29'36" E
C33	75.00'	23°56'39"	31.34'	31.12'	S 00°25'15" W
C34	87.00'	28°30'04"	43.28'	42.83'	S 01°51'28" E
C35	87.00'	20°01'46"	30.41'	30.26'	S 06°05'37" E
C36	56.00'	35°38'16"	34.83'	34.27'	S 13°53'52" E
C37	110.00'	23°00'29"	44.17'	43.88'	S 20°12'46" E
C38	955.00'	66°53'44"	1115.01'	1052.75'	S 56°57'22" W
C39	1081.00'	67°11'18"	1267.65'	1196.25'	S 57°06'09" W

### LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 00°45'00" E	7.13'	L11	S 12°46'16" E	27.97'
L2	S 10°41'57" W	16.05'	L12	S 05°25'37" W	70.20'
L3	S 41°56'39" W	57.94'	L13	S 06°40'40" E	49.18'
L4	S 51°53'17" W	18.18'	L14	S 01°20'37" E	54.56'
L5	S 00°03'22" W	99.60'	L15	S 11°33'05" E	26.09'
L6	S 25°27'12" W	72.66'	L16	S 16°06'30" E	104.81'
L7	S 06°10'05" W	39.67'	L17	S 03°55'16" W	114.57'
L8	S 04°51'46" E	76.99'	L18	S 31°43'00" E	22.00'
L9	S 07°14'38" W	38.05'	L19	S 08°42'31" E	70.09'
L10	S 25°05'32" W	134.89'	L20	S 00°04'22" W	38.50'

### LEGEND:

- LB INDICATES LICENSED BUSINESS
- I.N. INDICATES INSTRUMENT NUMBER
- L1 INDICATES LINE 1 FROM LINE TABLE
- C1 INDICATES CURVE 1 FROM CURVE TABLE

EXHIBIT 2

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DISTRICT BOUNDARY SKETCH  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

**EXHIBIT "B"**

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN

SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

(AS RECORDED IN INSTRUMENT NUMBER 2005000070029)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST; THENCE N.89°18'12"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1787.92 FEET TO THE **POINT OF BEGINNING**. THENCE CONTINUE N.89°18'12"E., ALONG SAID NORTH LINE A DISTANCE OF 843.12 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N.89°19'10"E., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 2,629.54 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°15'00"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,062.89 FEET; THENCE S.00°45'00"E., A DISTANCE OF 7.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°18'50", A CHORD BEARING OF S.29°24'25"W., AND A CHORD LENGTH OF 16.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 83.50 FEET, A CENTRAL ANGLE OF 17°08'57", A CHORD BEARING OF S.50°59'21"W., AND A CHORD LENGTH OF 24.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 421.93 FEET, A CENTRAL ANGLE OF 06°20'50", A CHORD BEARING OF S.38°28'14"W., AND A CHORD LENGTH OF 46.72 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 46.74 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 24°36'12", A CHORD BEARING OF S.22°59'43"W., AND A CHORD LENGTH OF 23.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.05 FEET TO THE END OF SAID CURVE; THENCE S.10°41'37"W., A DISTANCE OF 16.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 77.50 FEET, A CENTRAL ANGLE OF 24°36'11", A CHORD BEARING OF S.01°36'28"E., AND A CHORD LENGTH OF 33.02 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 63.21 FEET, A CENTRAL ANGLE OF 41°28'44", A CHORD BEARING OF S.06°49'48"W., AND A CHORD LENGTH OF 44.77 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 45.76 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 26°53'54", A CHORD BEARING OF S.41°0'107"W., AND A CHORD LENGTH OF 27.91 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.17 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 117.50 FEET, A CENTRAL ANGLE OF 12°21'39", A CHORD BEARING OF S.48°17'15"W., AND A CHORD LENGTH OF 25.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 25.35 FEET TO THE

EXHIBIT 2A  
PAGE 1

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DESCRIPTION FOR DISTRICT BOUNDARY									
EAST BONITA BEACH ROAD C.D.D.									
LEE COUNTY, FLORIDA									
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET		
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1		

POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 286.61 FEET, A CENTRAL ANGLE OF 19°57'14", A CHORD BEARING OF S.32°07'48"W., AND A CHORD LENGTH OF 99.31 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 99.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 19°47'28", A CHORD BEARING OF S.32°02'55"W., AND A CHORD LENGTH OF 18.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.00 FEET TO THE END OF SAID CURVE; THENCE S.41°56'39"W., A DISTANCE OF 57.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 34.30 FEET, A CENTRAL ANGLE OF 41°00'49", A CHORD BEARING OF S.26°57'38"W., AND A CHORD LENGTH OF 24.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 97.33 FEET, A CENTRAL ANGLE OF 16°43'45", A CHORD BEARING OF S.10°49'28"W., AND A CHORD LENGTH OF 28.32 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 173.66 FEET, A CENTRAL ANGLE OF 10°26'14", A CHORD BEARING OF S.23°56'51"W., AND A CHORD LENGTH OF 31.59 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 53°27'49", A CHORD BEARING OF S.56°00'49"W., AND A CHORD LENGTH OF 19.79 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 20.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 43.74 FEET, A CENTRAL ANGLE OF 28°18'10", A CHORD BEARING OF S.68°35'38"W., AND A CHORD LENGTH OF 21.39 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 21.61 FEET; THENCE S.51°53'17"W., A DISTANCE OF 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 147.00 FEET, A CENTRAL ANGLE OF 18°42'18", A CHORD BEARING OF S.41°12'21"W., AND A CHORD LENGTH OF 47.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 47.99 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 31°47'50", A CHORD BEARING OF S.15°57'17"W., AND A CHORD LENGTH OF 16.44 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.65 FEET TO THE END OF SAID CURVE; THENCE S.00°03'22"W., A DISTANCE OF 99.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 25°23'50", A CHORD BEARING OF S.12°45'17"W., AND A CHORD LENGTH OF 37.37 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 37.68 FEET TO THE END OF SAID CURVE; THENCE S.25°27'12"W., A DISTANCE OF 72.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 68.00 FEET, A CENTRAL ANGLE OF 19°17'07", A CHORD BEARING OF S.15°48'39"W., AND A CHORD LENGTH OF 22.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 22.89 FEET TO THE END OF SAID CURVE; THENCE S.06°10'05"W., A DISTANCE OF 39.67 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 46.50 FEET, A CENTRAL ANGLE OF 11°01'51", A CHORD BEARING OF S.00°39'10"W., AND A CHORD LENGTH OF 8.94 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 8.95 FEET TO THE END OF SAID CURVE; THENCE S.04°51'46"E., A DISTANCE OF 76.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 290.00 FEET, A CENTRAL ANGLE OF 12°06'24", A CHORD BEARING OF S.01°11'26"W., AND A CHORD LENGTH OF 61.16 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 61.28 FEET TO THE END OF SAID CURVE; THENCE S.07°14'38"W., A DISTANCE OF 38.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 23°46'45", A CHORD BEARING OF S.19°08'00"W., AND A CHORD LENGTH OF 19.57 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.71 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 469.77 FEET, A CENTRAL ANGLE OF 09°07'39", A CHORD BEARING OF S.35°35'13"W., AND A CHORD LENGTH OF 74.76 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 74.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 15°03'30", A CHORD BEARING OF S.32°37'17"W., AND A CHORD LENGTH OF 12.45 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 12.48 FEET TO THE END OF SAID CURVE; THENCE S.25°05'32"W., A DISTANCE OF 134.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 128.00 FEET, A CENTRAL ANGLE OF 37°51'48", A CHORD BEARING

EXHIBIT 2B  
PAGE 2

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

DESCRIPTION FOR DISTRICT BOUNDARY  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

FEET, A CENTRAL ANGLE OF 76°48'36", A CHORD BEARING OF S.32°58'41"E., AND A CHORD LENGTH OF 109.33 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 117.97 FEET TO THE END OF SAID CURVE; THENCE S.05°25'37"W., A DISTANCE OF 70.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 12°06'17", A CHORD BEARING OF S.00°37'32"E., AND A CHORD LENGTH OF 13.71 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 13.73 FEET TO THE END OF SAID CURVE; THENCE S.06°40'40"E., A DISTANCE OF 49.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 37°46'33", A CHORD BEARING OF S.16°45'02"W., AND A CHORD LENGTH OF 129.49 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 131.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 94°14'47", A CHORD BEARING OF S.11°29'05"E., AND A CHORD LENGTH OF 190.53 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 213.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 39°51'42", A CHORD BEARING OF S.38°40'38"E., AND A CHORD LENGTH OF 17.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 17.39 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 98.14 FEET, A CENTRAL ANGLE OF 22°30'22", A CHORD BEARING OF S.07°29'36"E., AND A CHORD LENGTH OF 38.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 38.55 FEET TO THE END OF SAID CURVE; THENCE S.01°20'37"E., A DISTANCE OF 54.56 FEET; THENCE S.11°33'05"E., A DISTANCE OF 26.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 23°56'39", A CHORD BEARING OF S.00°25'15"W., AND A CHORD LENGTH OF 31.12 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.34 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 28°30'04", A CHORD BEARING OF S.01°51'28"E., AND A CHORD LENGTH OF 42.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 43.28 FEET TO THE END OF SAID CURVE; THENCE S.16°06'30"E., A DISTANCE OF 104.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 20°01'46", A CHORD BEARING OF S.06°05'37"E., AND A CHORD LENGTH OF 30.26 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 30.41 FEET TO THE END OF SAID CURVE; THENCE S.03°55'16"W., A DISTANCE OF 114.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 35°38'16", A CHORD BEARING OF S.13°53'52"E., AND A CHORD LENGTH OF 34.27 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 34.83 FEET TO THE END OF SAID CURVE; THENCE S.31°43'00"E., A DISTANCE OF 22.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 23°00'29", A CHORD BEARING OF S.20°12'46"E., AND A CHORD LENGTH OF 43.88 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 44.17 FEET TO THE END OF SAID CURVE; THENCE S.08°42'31"E., A DISTANCE OF 70.09 FEET; THENCE S.00°04'22"W., A DISTANCE OF 38.50 FEET; THENCE S.89°35'46"W., A DISTANCE OF 1,787.32 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 955.00 FEET, A CENTRAL ANGLE OF 66°53'44", A CHORD BEARING OF N.56°57'22"W., AND A CHORD LENGTH OF 1,052.75 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,115.01 FEET TO THE END OF SAID CURVE; THENCE N.23°30'29"W., A DISTANCE OF 1353.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 1081.00 FEET, A CENTRAL ANGLE OF 67°11'18", A CHORD BEARING OF N.57°06'09"W., AND A CHORD LENGTH OF 1,196.25 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,267.65 FEET TO THE **POINT OF BEGINNING**. PARCEL CONTAINS 168.45 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS). WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

EXHIBIT 2A  
PAGE 3

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DESCRIPTION FOR DISTRICT BOUNDARY  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

# SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA



**CURVE TABLE**

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	247.50'	90°00'00"	388.77'	350.02'	S 44°19'10" W
C2	60.00'	55°09'29"	57.76'	55.56'	S 26°53'55" W
C3	20.00'	90°00'00"	31.42'	28.28'	S 44°19'10" W
C4	60.00'	90°00'00"	94.25'	84.85'	S 45°40'50" E
C5	60.00'	90°16'36"	94.54'	85.06'	S 44°27'28" W
C6	60.00'	90°00'00"	94.25'	84.85'	N 44°35'46" E
C7	60.00'	74°29'06"	78.00'	72.62'	S 53°09'41" E
C8	60.00'	105°30'54"	110.50'	95.53'	S 36°50'19" W
C9	955.00'	66°53'44"	1115.01'	1052.75'	N 56°57'22" W
C10	1081.00'	67°11'18"	1267.65'	1196.25'	N 57°06'09" W

**NOTES:**

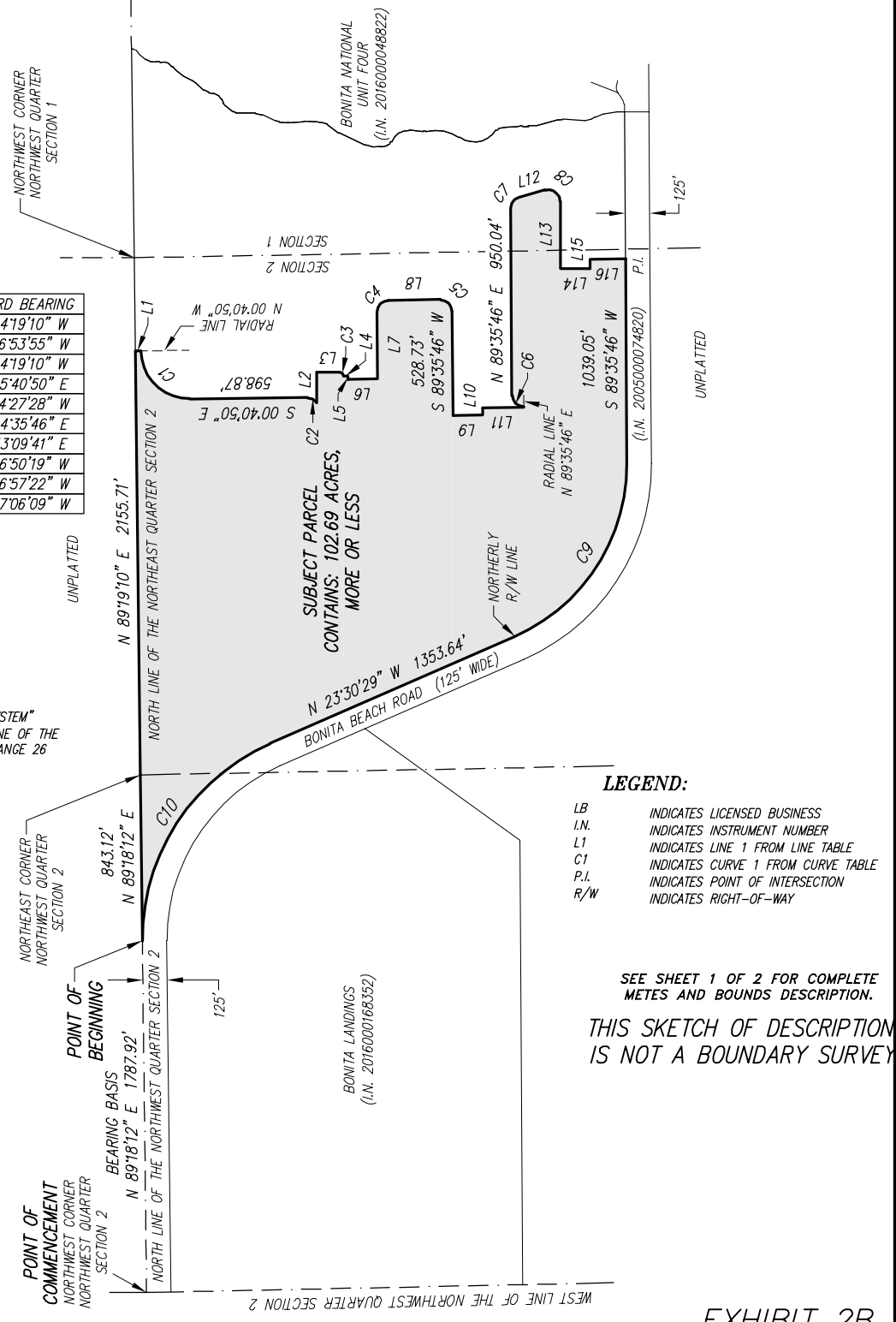
- 1) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2) BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS). WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 00°40'50" E	25.00'
L2	N 89°19'10" E	153.22'
L3	S 00°40'50" E	117.88'
L4	S 00°40'50" E	22.50'
L5	S 89°19'10" W	17.52'
L6	S 00°40'50" E	150.00'
L7	N 89°19'10" E	340.03'
L8	S 00°40'50" E	263.74'

**LINE TABLE**

LINE	BEARING	DISTANCE
L9	S 00°24'14" E	150.00'
L10	N 89°35'46" E	38.32'
L11	S 00°24'14" E	210.00'
L12	S 15°55'08" E	138.03'
L13	S 89°35'46" W	344.57'
L14	S 00°24'14" E	150.00'
L15	N 89°35'46" E	47.66'
L16	S 00°24'14" E	180.00'



**LEGEND:**

- LB INDICATES LICENSED BUSINESS
- I.N. INDICATES INSTRUMENT NUMBER
- L1 INDICATES LINE 1 FROM LINE TABLE
- C1 INDICATES CURVE 1 FROM CURVE TABLE
- P.I. INDICATES POINT OF INTERSECTION
- R/W INDICATES RIGHT-OF-WAY

SEE SHEET 1 OF 2 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

EXHIBIT 2B

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6660  
WWW.BANKSENG.COM

SKETCH FOR ASSESSMENT AREA ONE  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

DESCRIPTION  
OF  
A TRACT OR PARCEL OF LAND  
LYING IN  
SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, CITY OF BONITA SPRINGS, LYING IN SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST; THENCE N 89°18'12" E ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER FOR 1787.92 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N 89°18'12" E ALONG SAID NORTH LINE FOR 843.12 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N 89°19'10" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 FOR 2,155.71 FEET; THENCE S 00°40'50" E FOR 25.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 247.50 FEET TO WHICH POINT A RADIAL LINE BEARS N 00°40'50" W; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 388.77 FEET; THENCE S 00°40'50" E FOR 598.87 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 55°09'29" FOR 57.76 FEET; THENCE N 89°19'10" E FOR 153.22 FEET; THENCE S 00°40'50" E FOR 117.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 31.42 FEET; THENCE S 00°40'50" E FOR 22.50 FEET; THENCE S 89°19'10" W FOR 17.52 FEET; THENCE S 00°40'50" E FOR 150.00 FEET; THENCE N 89°19'10" E FOR 340.03 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 94.25 FEET; THENCE S 00°40'50" E FOR 263.74 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°16'36" FOR 94.54 FEET; THENCE S 89°35'46" W FOR 528.73 FEET; THENCE S 00°24'14" E FOR 150.00 FEET; THENCE N 89°35'46" E FOR 38.32 FEET; THENCE S 00°24'14" E FOR 210.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET TO WHICH POINT A RADIAL LINE BEARS N 89°35'46" E; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 94.25 FEET; THENCE N 89°35'46" E FOR 950.04 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 74°29'06" FOR 78.00 FEET; THENCE S 15°55'08" E FOR 138.03 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 105°30'54" FOR 110.50 FEET; THENCE S 89°35'46" W FOR 344.57 FEET; THENCE S 00°24'14" E FOR 150.00 FEET; THENCE N 89°35'46" E FOR 47.66 FEET; THENCE S 00°24'14" E FOR 180.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD (125 FEET WIDE) AS DESCRIBED IN INSTRUMENT NUMBER 2005000074820 OF THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE S 89°35'46" W ALONG SAID NORTHERLY LINE FOR 1,039.05 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 955.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 66°53'44" FOR 1,115.01 FEET; THENCE N 23°30'29" W ALONG SAID NORTHERLY LINE FOR 1,353.64 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,081.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 67°11'18" FOR 1,267.65 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS: 102.69 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS). WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

*EXHIBIT 2C*

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DESCRIPTION FOR ASSESSMENT AREA ONE								
<b>EAST BONITA BEACH ROAD C.D.D.</b>								
LEE COUNTY, FLORIDA								
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1	

**EXHIBIT 2D**

DESCRIPTION  
OF  
ASSESSMENT AREA TWO

ALL OF TRACTS "B-3", TRACT "FD", TRACT "D-4", TRACT "L-8", AND TRACT "L-9", AND THE EASTERLY 473.85 FEET OF TRACT "D-1", SEASONS AT BONITA, ACCORDING TO THE MAP OF PLAT THEREOF, RECORDED IN INSTRUMENT NUMBER 2018000200311, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT PROPERTY CONTAINS: 65.76 ACRES, MORE OR LESS.





N.T.S.

LEE COUNTY  
RURAL VACANT AG-2  
VACANT & AGRICULTURAL  
USES

SECTION ONE  
SECTION TWO

FUTURE LAND USE:  
URBAN FRINGE-COMMUNITY  
ZONED: EAST BONITA ACTIVE  
ADULT RPD

FUTURE LAND USE:  
CONSERVATION  
LANDS-WETLANDS  
ZONED: RURAL VACANT  
AG-2 VACANT &  
AGRICULTURAL  
USES

BONITA BEACH ROAD

FUTURE LAND USE:  
URBAN FRINGE-COMMUNITY  
ZONED: BONITA BEACH ROAD  
ESTATES RPD

PROPERTY  
BOUNDARY

15' TYPE "D"  
LANDSCAPE BUFFER

25' FPL  
EASEMENT

15' TYPE "B"  
LANDSCAPE BUFFER

EXHIBIT 3

**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

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

DISTRICT ZONING MAP  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	ZONING	JLW	JLW	DRU	N.T.S.	1

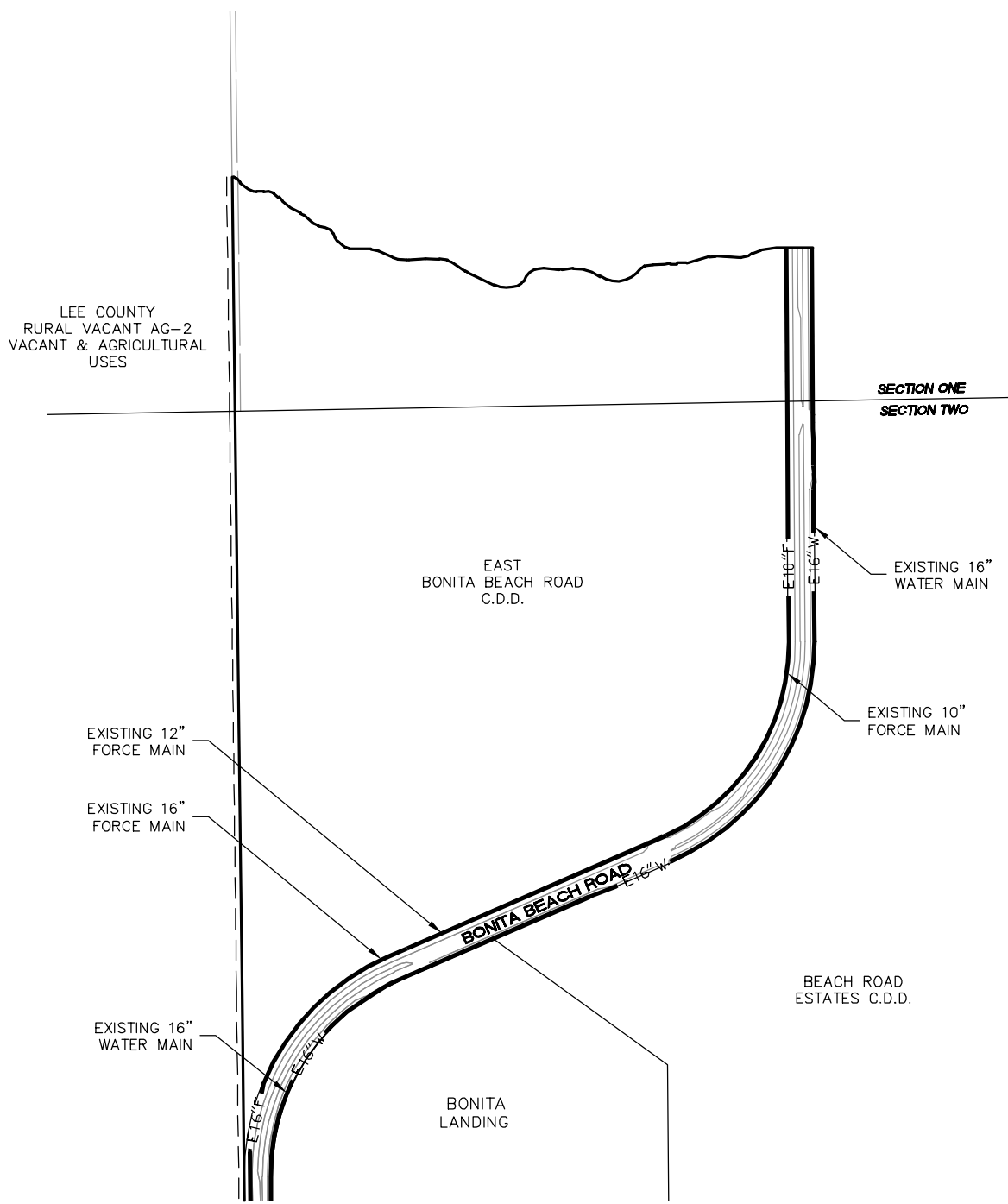


EXHIBIT 4

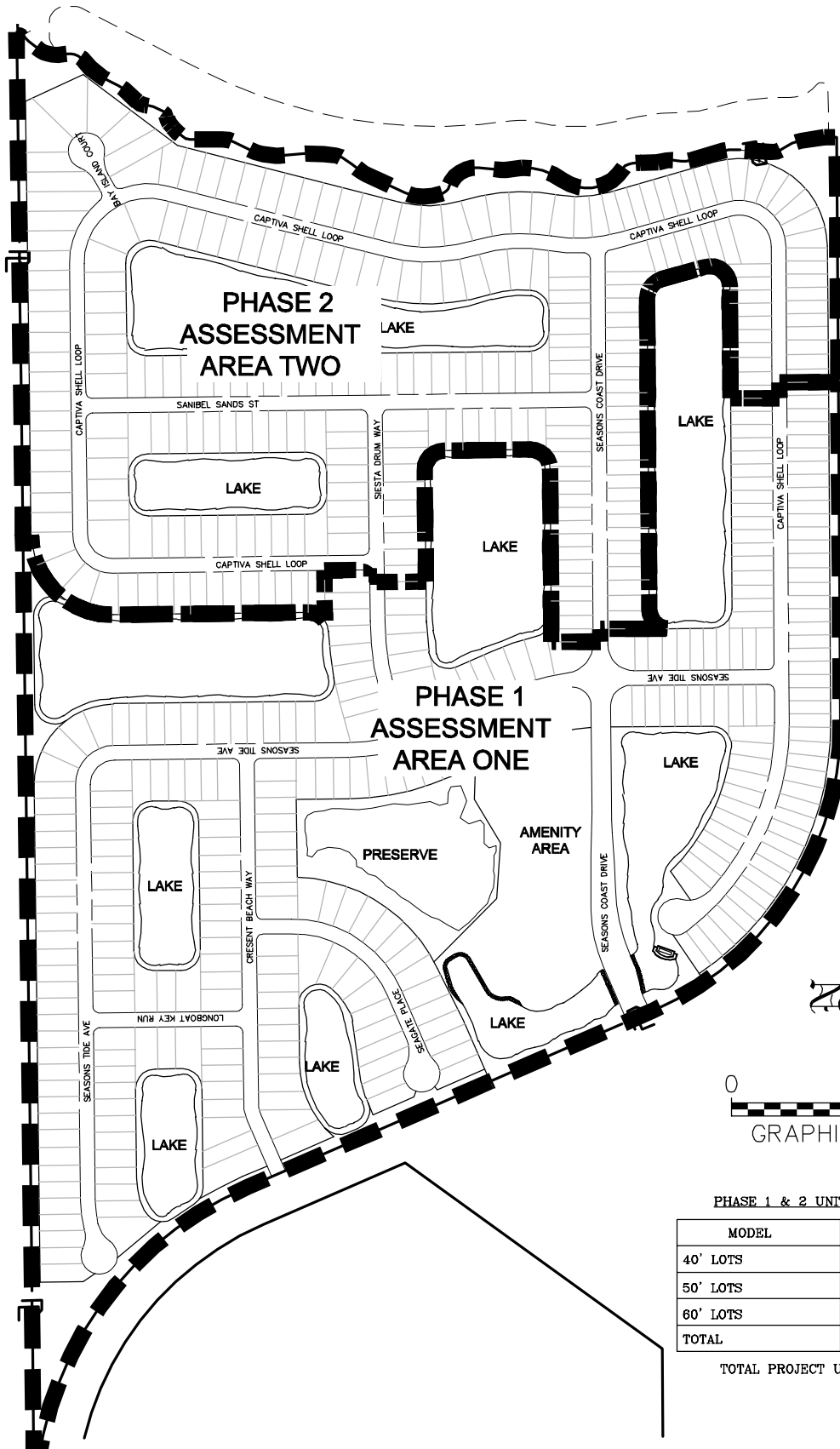
**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

EXISTING UTILITIES MAP  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	EX UTIL	JLW	JLW	DRU	N.T.S.	1



PHASE 1 & 2 UNIT COUNT:

MODEL	PHASE 1	PHASE 2	TOTAL
40' LOTS	98	99	197
50' LOTS	181	82	263
60' LOTS	5	83	88
<b>TOTAL</b>	<b>284</b>	<b>264</b>	<b>548</b>

TOTAL PROJECT UNITS = 548 UNITS

EXHIBIT 5

**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

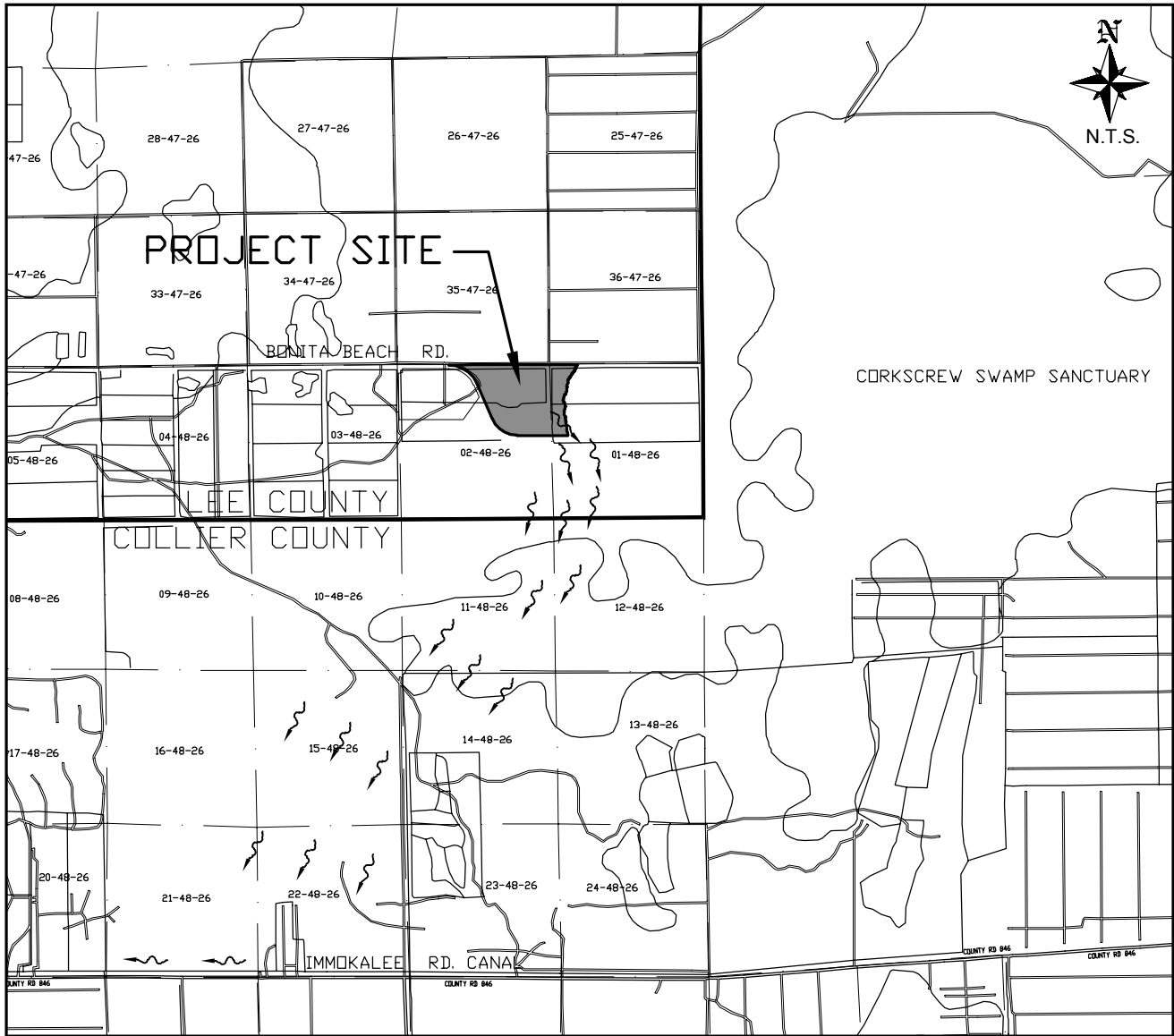
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

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

PHASE PLAN  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	PHASE	JLW	JLW	DRU	1"=500'	1



SECTION 1, TOWNSHIP 48 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA

# EAST BONITA BEACH ROAD C.D.D.

## OUTFALL MAP

*EXHIBIT 6-1*

**BANKS**  
**ENGINEERING**

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

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

REGIONAL OUTFALL MAP  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	OUTFALL	JLW	JLW	DRU	N.T.S.	1



EXHIBIT 6-2

# BANKS ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
 FORT MYERS, FLORIDA 33966  
 PHONE: (239) 939-5490 FAX: (239) 939-2523

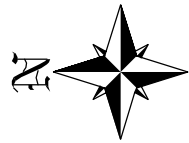
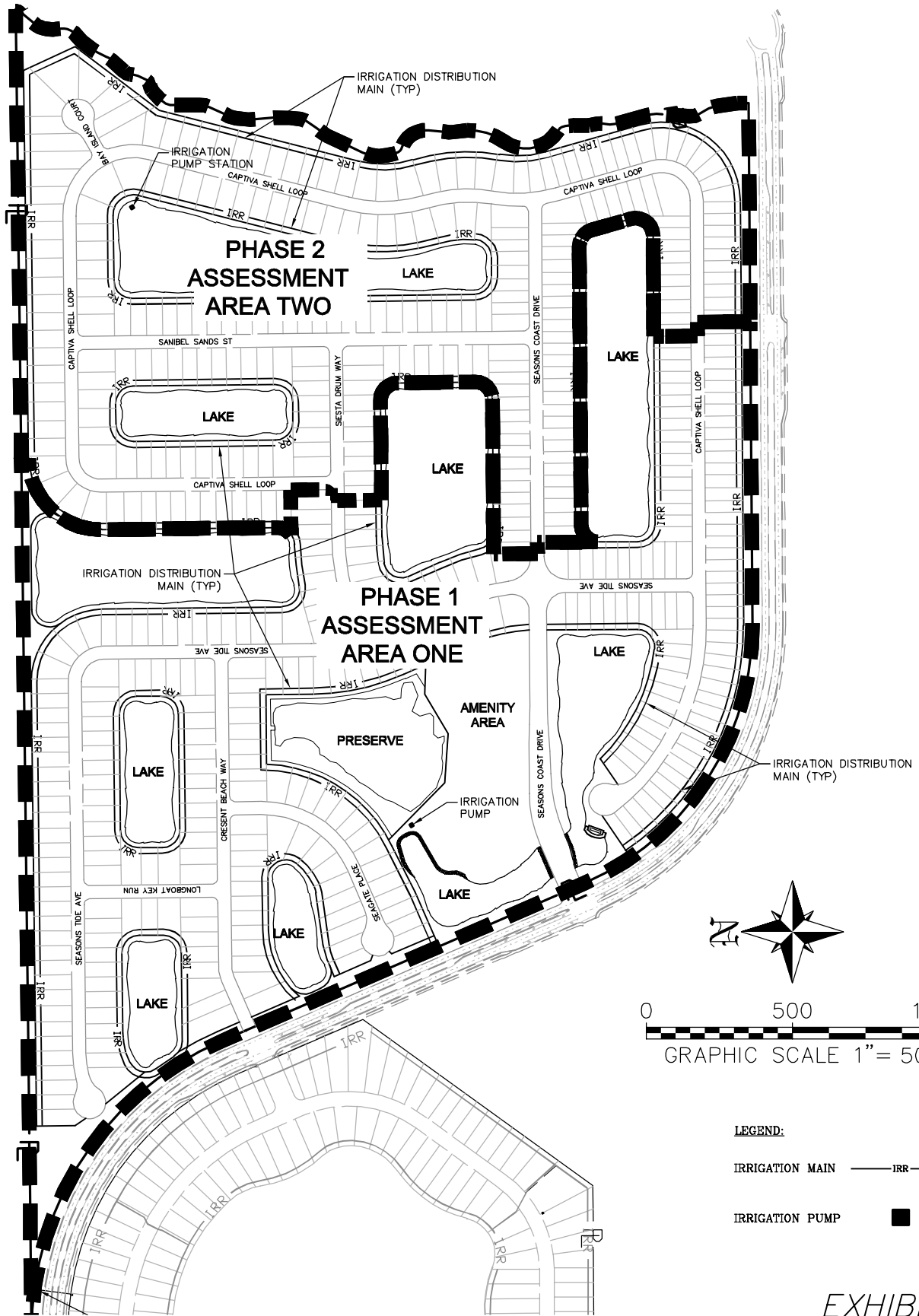
ENGINEERING LICENSE # EB 6469  
 SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

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

DISTRICT OUTFALL MAP  
**EAST BONIT BEACH ROAD C.D.D.**  
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	OUTFALL	JLW	JLW	DRU	1"=1000'	1



**LEGEND:**

- IRRIGATION MAIN ——— IRR ———
- IRRIGATION PUMP ■

*EXHIBIT 7*

**BANKS**  
ENGINEERING

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

IRRIGATION FACILITIES  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	IRRIGATION	JLW	JLW	DRU	1"=500'	1

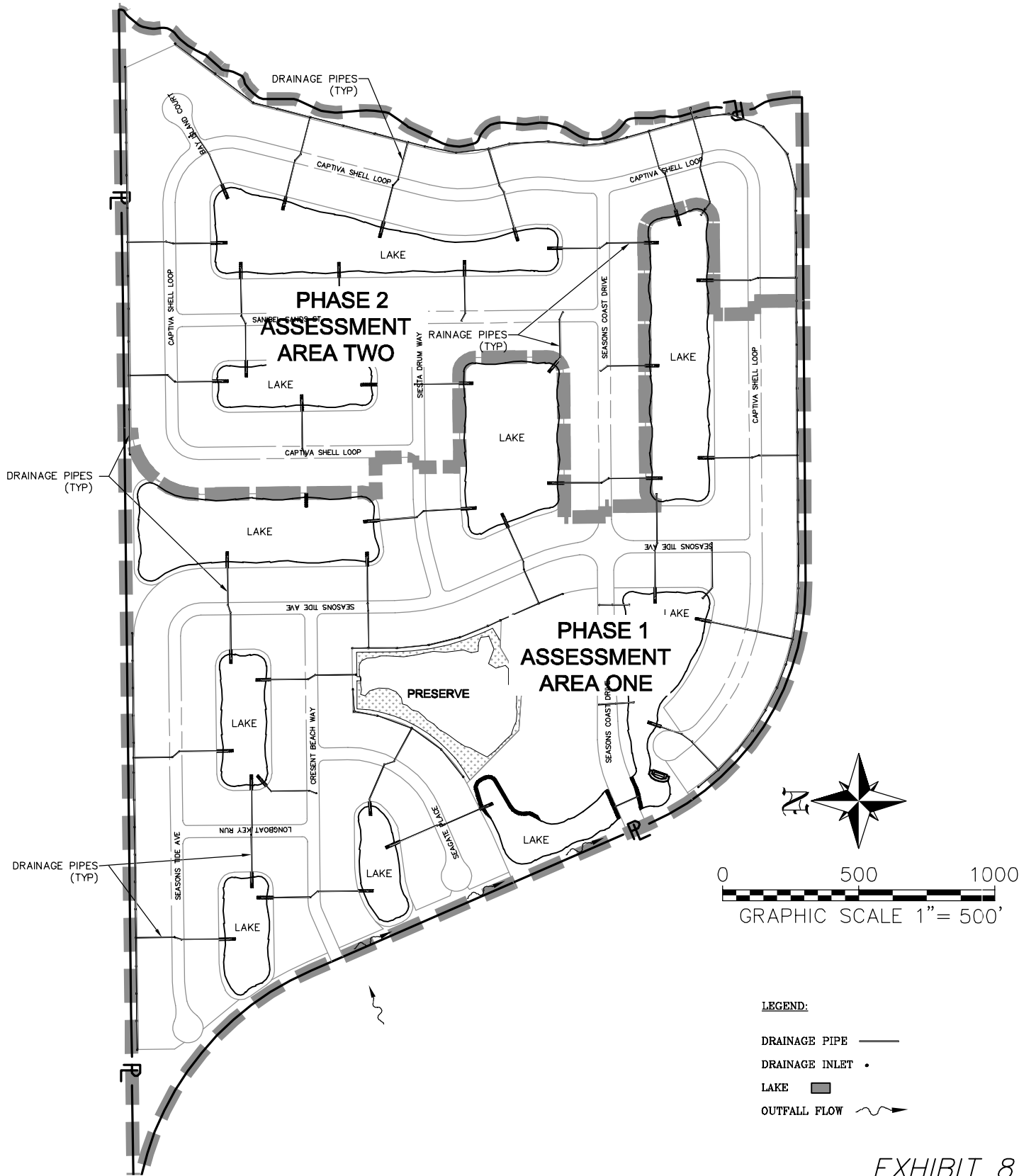


EXHIBIT 8

**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

STORMWATER FACILITIES  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	DRAINAGE	JLW	JLW	DRU	1"=500'	1

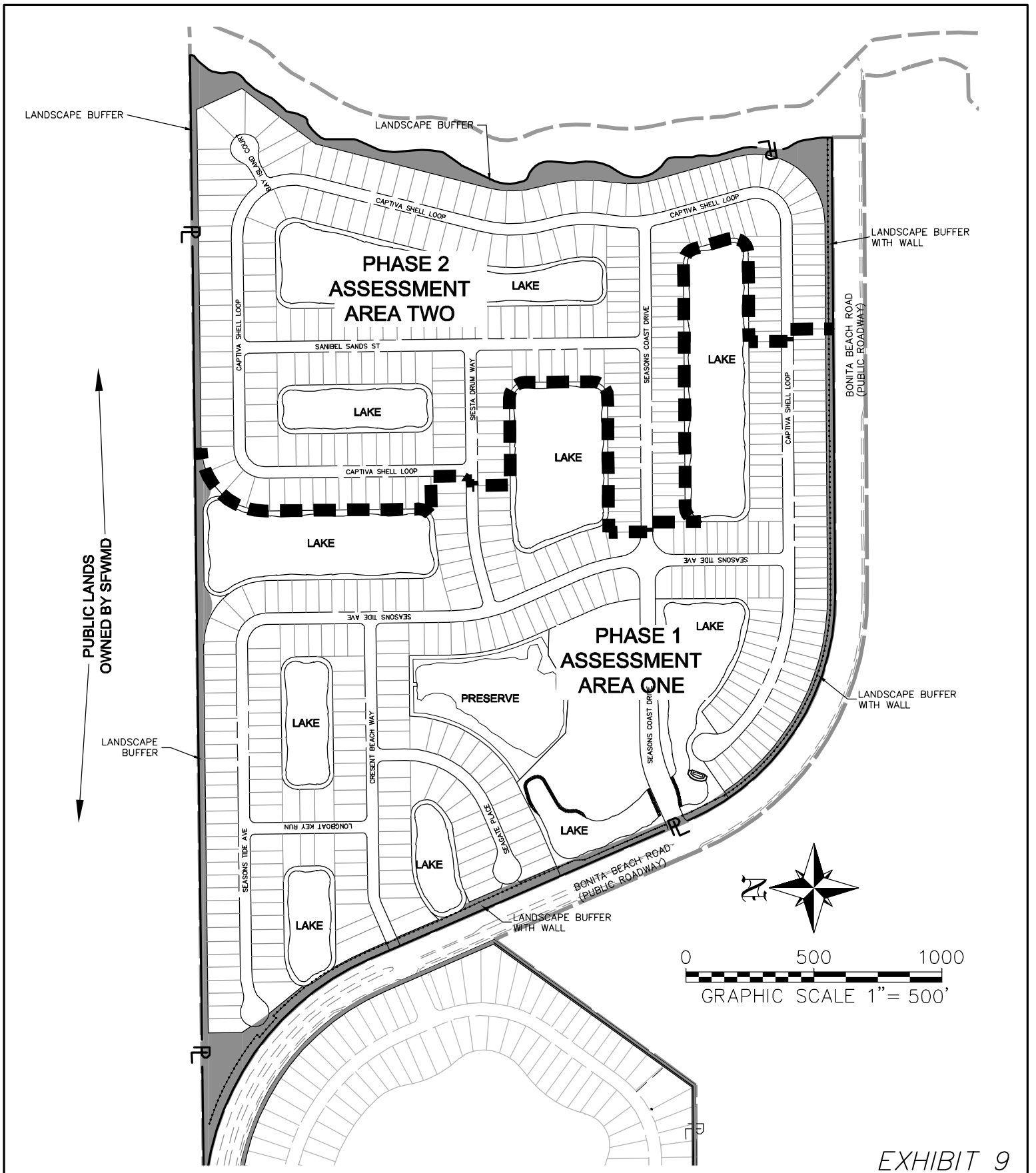


EXHIBIT 9

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

10511 SIX MILE CYPRESS PARKWAY  
 FORT MYERS, FLORIDA 33966  
 PHONE: (239) 939-5490 FAX: (239) 939-2523  
 ENGINEERING LICENSE # EB 6469  
 SURVEY LICENSE # LB 6690  
 WWW.BANKSENG.COM

BUFFERS  
**EAST BONITA BEACH ROAD C.D.D.**  
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	BUFFERS	JLW	JLW	DRU	1"=500'	1



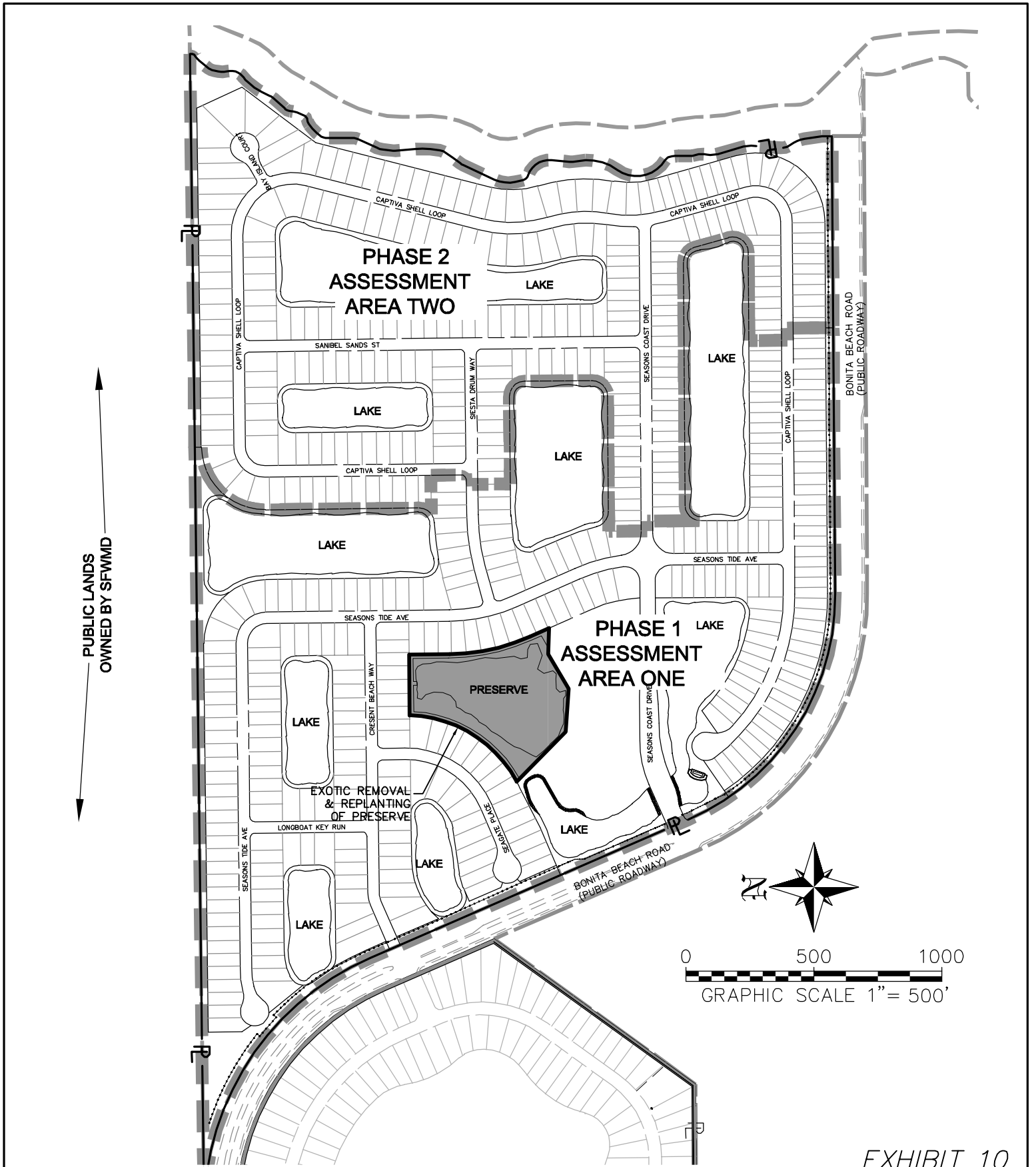


EXHIBIT 10

# BANKS ENGINEERING

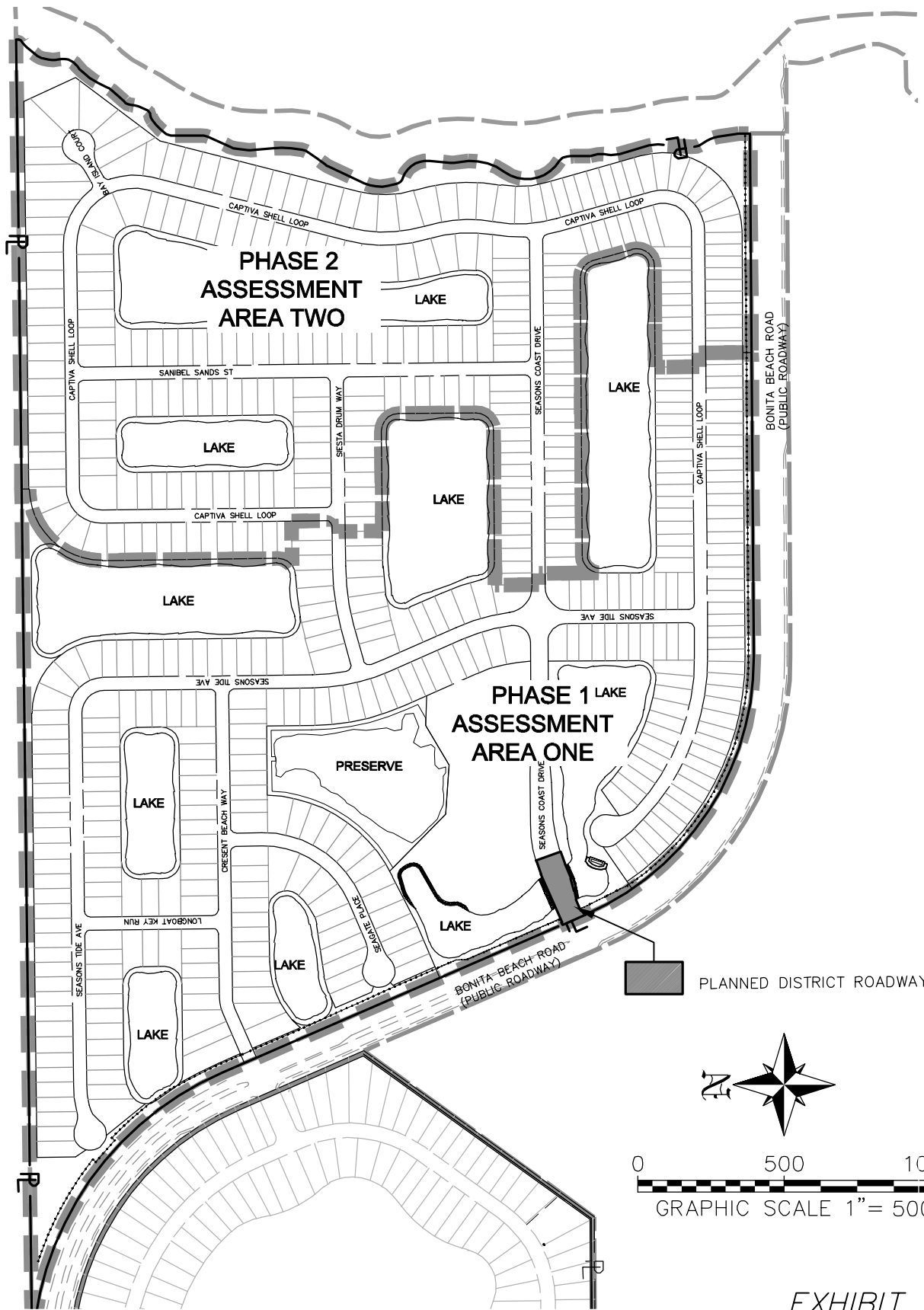
Professional Engineers, Planners, & Land Surveyors  
Serving The State Of Florida

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

WETLAND/WILDLIFE MITIGATION  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	BUFFER	JLW	JLW	DRU	1"=500'	1

PUBLIC LANDS  
OWNED BY SFWMD



PLANNED DISTRICT ROADWAY



EXHIBIT 11

**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

DISTRICT ROADWAYS  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	BUFFER	JLW	JLW	DRU	1"=500'	1

**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**3B**

# EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT

Second Supplemental  
Special Assessment  
Methodology Report

September 29, 2020



Provided by:

**Wrathell, Hunt and Associates, LLC**  
2300 Glades Road, Suite 410W  
Boca Raton, FL 33431  
Phone: 561-571-0010  
Fax: 561-571-0013  
Website: [www.whhassociates.com](http://www.whhassociates.com)

## Table of Contents

<b>1.0</b>	<b>Introduction</b>	
1.1	Purpose .....	1
1.2	Scope of the Second Supplemental Report .....	1
1.3	Special Benefits and General Benefits .....	1
1.4	Organization of the Second Supplemental Report .....	2
<b>2.0</b>	<b>Development Program</b>	
2.1	Overview .....	3
2.2	The Development Program .....	3
<b>3.0</b>	<b>Public Infrastructure Improvements</b>	
3.1	Overview .....	3
3.2	Capital Improvement Plan / Assessment Area Two Project .....	3
<b>4.0</b>	<b>Financing Program</b>	
4.1	Overview .....	4
4.2	Types of Bonds Proposed .....	5
<b>5.0</b>	<b>Assessment Methodology</b>	
5.1	Overview .....	5
5.2	Benefit Allocation .....	6
5.3	Assigning Bond Assessment .....	8
5.4	Lienability Test: Special and Peculiar Benefit to the Property .....	8
5.5	Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay .....	9
5.6	True-Up Mechanism .....	9
5.7	Assessment Roll .....	11
<b>6.0</b>	<b>Appendix</b>	
	Table 1 .....	12
	Table 2 .....	12
	Table 3 .....	13
	Table 4 .....	14
	Table 5 .....	15
	Table 6 .....	15
	Table 7 .....	16

## **1.0 Introduction**

### **1.1 Purpose**

This Second Supplemental Special Assessment Methodology Report (the “Second Supplemental Report”) was developed to supplement the Master Special Assessment Methodology Report dated January 9, 2018 (the “Master Report”), and to provide a supplemental financing plan and a supplemental special assessment methodology for what is known as “Assessment Area Two” (as defined in the Engineer’s Report (defined herein)) within the East Bonita Beach Community Development District (the “District”), located in the City of Bonita Springs, Florida. This Second Supplemental Report is being issued in connection with the District’s proposed issuance of its second series of bonds intended to finance all or a portion of the “Assessment Area Two Project,” as defined in the Amended and Restated Engineer’s Report for the East Bonita Beach Road Community Development District of Banks Engineering dated September 28, 2020 (the “Engineer’s Report”).

### **1.2 Scope of the Second Supplemental Report**

This Second Supplemental Report presents the projections for financing all or a portion of the District’s Assessment Area Two Project described in the Engineer’s Report, as well as describes the method for the allocation of special benefits and the apportionment of special assessments to secure the debt resulting from the provision and financing of the Assessment Area Two Project.

### **1.3 Special Benefits and General Benefits**

Improvements undertaken and funded by the District as part of the Assessment Area Two Project (as defined in *Section 3.2* below) create special and peculiar benefits, different in kind and degree than general benefits, for properties within Assessment Area Two (as defined in *Section 2.2* below), as well as general benefits for the areas outside of the District and to the public at large. However, as discussed within this Second Supplemental Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within Assessment Area Two. The sum of all public infrastructure improvements as described in the Engineer’s Report will comprise an interrelated system of improvements, which means all of the improvements comprising the overall CIP, once constructed, will serve the entire District, and improvements will be interrelated such that they will reinforce one another.

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

The Assessment Area Two Project will provide public infrastructure improvements and real property interests which are all necessary in order to make the lands within Assessment Area Two developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within Assessment Area Two to increase by more than the sum of the financed cost of the individual components of the Assessment Area Two Project. Even though the exact value of the benefits provided by the Assessment Area Two Project is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

#### **1.4 Organization of the Second Supplemental Report**

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

*Section Three* provides a summary of the Assessment Area Two Project as determined by the District Engineer.

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

*Section Five* discusses the special assessment methodology for the Assessment Area Two that was introduced in the Master Report and its application to the current development and financing programs for the District.

## **2.0 Development Program**

### **2.1 Overview**

The District serves the Seasons at Bonita development (the “Development” or “Seasons at Bonita”), a master planned, residential development located in the City of Bonita Springs, Florida. The land within the District consists of approximately 168.45 +/- acres and is generally north and east of Bonita Beach Road, and directly west of the Bonita National residential development. The land within Assessment Area Two consists of approximately 65.76 +/- acres within the District, as defined by legal description in the Exhibit “A” to the Second Supplemental Report.

### **2.2 The Development Program**

The development of Seasons at Bonita is conducted for Forestar Group, Inc. (the “Landowner”) over a multi-year period. Based upon the information provided by the Landowner, the current development plan envisions a total of 548 residential units developed in two (2) phases and located within two (2) geographical areas referred to as Assessment Area One with a total of 284 residential units and Assessment Area Two with a total of 264 residential units. The development of Assessment Area One has already commenced, and all 284 residential units have been platted. Table 1 in the *Appendix* illustrates the development plan for the Seasons at Bonita.

## **3.0 Public Infrastructure Improvements**

### **3.1 Overview**

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

### **3.2 Capital Improvement Plan / Assessment Area Two Project**

The public infrastructure improvements needed to serve the Development and set forth in the overall “Capital Improvement Plan” or “CIP,” as described in the Engineer’s Report, are projected to consist of irrigation, storm water management, buffers, public



roadways, wetland/wildlife mitigation. Additionally, cost estimates include professional services, master land acquisition costs, as well as contingency. According to the Engineer's Report, the public infrastructure improvements are projected to be constructed in two (2) infrastructure construction phases. The Assessment Area One Project, as noted in the Engineer's Report, consists of that portion of the overall CIP that was funded in part from the District's first bond issuance in 2018 and allocable to Assessment Area One, while the Assessment Area Two Project, consists of that portion of the overall CIP that will be funded in part by the District's second bond issuance in 2020 and allocable to Assessment Area Two. See *Table 3* in the Master Report and herein. The District's second bond issuance to be secured by the special assessment lien imposed on Assessment Area Two is anticipated to finance, in whole or in part, the second portion of the overall CIP up to the amount of the construction from the 2020 bond issuance.

The sum of all public infrastructure improvements as described in the Engineer's Report will comprise an interrelated system of improvements, which means all of the improvements comprising the overall CIP, once constructed, will serve the entire District, and improvements will be interrelated such that they will reinforce one another. At the time of this writing, the total costs of the public infrastructure improvements are estimated at \$10,189,911, with the costs of the Assessment Area One Project based on actual costs of the Assessment Area One Project which were reimbursed from proceeds of District's first bond issuance in 2018 estimated at \$4,717,709, and the costs of the Assessment Area Two Project estimated at \$5,472,202. Tables 2 and 3 in the *Appendix* illustrate the specific components of the public infrastructure improvements and their costs.

## **4.0 Financing Program**

### **4.1 Overview**

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within Assessment Area Two. Generally, construction of public improvements is either funded by the Landowner and then acquired by the District or funded directly by the District. The choice of the exact mechanism for providing public infrastructure has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Landowner or construct it, or even partly acquire it and partly construct it.

The District intends to issue Special Assessment Bonds, Series 2020 in the principal amount of \$5,580,000 (the "Bonds") to fund a portion of the Assessment Area Two Project in the amount of \$5,036,465, with the balance of the Assessment Area Two Project costs at \$13,950.79 financed by the Landowner with private capital.

## **4.2 Types of Bonds Proposed**

The financing plan for Assessment Area Two provides for the issuance of the Bonds in the principal amount of \$5,580,000 to finance a portion of the Assessment Area Two Project cost at \$5,036,465. The Bonds will be amortized in 30 annual installments. Interest payments on the Bonds will be made every May 1 and November 1, and principal payments on the Bonds will be made every November 1.

In order to finance the portion of the improvement costs described in *Section 4.1*, the District needs to borrow more funds and incur indebtedness in the total amount of \$5,580,000. The difference is comprised of debt service reserve, capitalized interest, and costs of issuance, including the underwriter's discount. Sources and uses of funding for the Bonds are presented in Table 4 in the *Appendix*.

## **5.0 Assessment Methodology**

### **5.1 Overview**

The issuance of the Bonds provides the District with a portion of the funds necessary to construct/acquire the infrastructure improvements which are part of the Assessment Area Two Project outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. The improvements funded with proceeds of the Bonds lead to special and general benefits, with special benefits accruing to properties within Assessment Area Two, as well as general benefits accruing to properties outside the District to the public at large, which general benefits are only incidental in nature. The debt incurred in financing the public infrastructure will be paid off by assessing properties that derive special and peculiar benefits from the portion of the Assessment Area Two Project funded with the Bonds. All properties within Assessment Area Two that receive special benefits from the portion of the Assessment Area Two Project funded with the Bonds will be assessed for their fair share of the debt issued in order to finance the Assessment Area Two Project.

## 5.2 Benefit Allocation

The current development plan envisions the development of a total of 548 residential units developed in two (2) phases and located within two (2) defined geographical areas referred to as Assessment Area One with a total of 284 residential units and Assessment Area Two with a total of 264 residential units, although development phasing, unit types and unit numbers may change throughout the development period.

The sum of all public infrastructure improvements as described in the Engineer's Report will comprise an interrelated system of improvements, which means all of the currently planned Assessment Area Two Project improvements and the already existing Assessment Area One Project improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another, and their combined benefit will be greater than the sum of their individual benefits. All of the unit types within the District, both those in the Assessment Area One and those in the Assessment Area Two, will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

The portion of the public infrastructure improvements that are part of the Assessment Area Two Project and are funded with the Bonds have a logical connection to the special and peculiar benefits received by the land within the Assessment Area Two, as without such improvements, the development of the properties within the Assessment Area Two would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the Assessment Area Two the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments (the "Bond Assessment") to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual Bond Assessment amount, levied on that parcel.

The benefit associated with the public infrastructure improvements described in the Engineer's Report is proposed to be allocated to the different unit types within the District in proportion to the density of development as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 5 in the *Appendix*

illustrates the ERU weights that are proposed to be assigned to the unit types contemplated to be developed within Assessment Area Two based on the relative density of development, the total ERU counts for each unit type category, and the share of the benefit received by each unit type.

This Second Supplemental Report proposes to assign each SF 50' unit an ERU weight of 1.0 (the base weight), each SF 40' unit an ERU weight of 0.8, and each SF 60' unit an ERU weight of 1.2. The rationale behind different ERU weights is supported by the fact that generally and on average smaller units will use and benefit from the public infrastructure improvements less than larger units, as for instance, generally and on average smaller units produce less storm water runoff, may produce fewer vehicular trips, and may need less irrigation capacity than larger units. Additionally, the value of the larger units is likely to appreciate by more in terms of dollars than that of the smaller units as a result of the implementation of the public infrastructure improvements. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the public infrastructure improvements.

In order to facilitate the marketing of the residential units within Assessment Area Two, the Landowner requested that the District limit the amount of annual assessments for debt service on the Bonds to certain predetermined levels, and in order to accomplish that, the Landowner will be required to complete all Assessment Area Two Project improvements in excess of the total amount available from the proceeds of the Bonds. Table 6 in the *Appendix* illustrates the allocation of the Assessment Area Two Project improvement costs of \$5,050,415.79 using the ERU benefit allocations developed in Table 5 in the *Appendix*. However, the District will fund only a portion of that amount in the total amount of \$5,036,465 with proceeds of the Bonds, while the balance of the cost of the Assessment Area Two Project improvements in the amount of \$13,950.79 funded by the Landowner and improvements funded in such way will be contributed to the District at no cost to the District under a completion agreement that will be entered into by the Landowner and District.

Table 7 in the *Appendix* presents the apportionment of the Bond Assessment to the units within Assessment Area Two in accordance with the cost allocations presented in Table 6. Table 7 also presents the annual levels of the projected annual debt service assessments per unit.

### **5.3 Assigning Bond Assessment**

As the land in the District is not yet platted for its intended final use and the precise location of the different units by lot or parcel is unknown, the Bond Assessment will initially be levied on all of the land within Assessment Area Two on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$5,580,000 will be preliminarily levied on approximately 65.76 +/- gross acres at a rate of \$84,854.01 per acre.

When the land is platted, the Bond Assessment will be allocated to each platted parcel within Assessment Area Two on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 7 in the *Appendix*. Such allocation of the Bond Assessment from unplatted gross acres to platted parcels will reduce the amount of Bond Assessment levied on unplatted gross acres within Assessment Area Two.

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

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

As first discussed in *Section 1.3*, Special Benefits and General Benefits, improvements undertaken by the District and funded with proceeds of the Bonds create special and peculiar benefits to certain properties within Assessment Area Two. The District's improvements benefit assessable properties within Assessment Area Two and accrue to all such assessable properties within Assessment Area Two on an ERU basis.

Improvements undertaken by the District can be shown to create special and peculiar benefits to the property within Assessment Area Two. The special and peculiar benefits resulting from each improvement are:

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

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

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

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 5 (expressed as ERU factors) in the *Appendix*.

The apportionment of the assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within Assessment Area Two according to reasonable estimates of the special and peculiar benefits derived from the Assessment Area Two Project by different unit types.

Accordingly, no acre or parcel of property within the District will be liened for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property.

### **5.6 True-Up Mechanism**

The Assessment Methodology described herein is based on conceptual information obtained from the Landowner prior to construction. As development occurs, it is possible that the number of units may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Bond Assessment within Assessment Area Two on a per unit basis never exceed the initially allocated assessments as contemplated in the adopted assessment methodology. Bond Assessment per unit preliminarily equal the levels in Table 7 in the *Appendix* and may change based on the final bond sizing. If such changes occur, the Methodology is applied to the land based on the number of units within each and every parcel.

As the land in Assessment Area Two is platted, the Bond Assessment is assigned to platted parcels based on the figures in Table 7 in the *Appendix*. If as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per unit for land that remains unplatted remains equal to the figures in Table 7 in the *Appendix*, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per unit for land that remains unplatted equals less than the figures in Table 7 in the *Appendix* (for instance as a result of a larger number of units), then the per unit Bond Assessment for all parcels within the Assessment Area Two will be lowered if that state persists at the conclusion of platting of all land within Assessment Area Two.

If, in contrast, as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per unit for land that remains unplatted<sup>1</sup> equals more than the figures in Table 7 in the *Appendix* (for instance as a result of a smaller number of units), taking into account any future development plans for the unplatted lands – in the District’s sole discretion and to the extent such future development plans are feasible, consistent with existing entitlements and governmental requirements, and reasonably expected to be implemented, then the difference in Bond Assessment plus accrued interest will be collected from the owner of the property which platting caused the increase of assessment per unit to occur, in accordance with the assessment resolution and a true-up agreement to be entered into between the District and the Landowner, which will be binding on assignees as provided therein.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Bond Assessment per unit and the Bond Assessment figures in Table 7 in the *Appendix*, multiplied by the actual number of units plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up payment, in which case the accrued interest shall be paid to the

---

<sup>1</sup> For example, if the first platting includes 70 SF 50’ lots, then the remaining unplatted land within the Assessment Area Two would be required to absorb 99 SF 40’ lots, 12 SF 50’ lots, and 83 SF 60’ lots, or approximately \$4,082,300.61 in debt. If the remaining unplatted land would only be able to absorb 95 SF 40’ lots, 11 SF 50’ lots, and 83 SF 60’ lots, or approximately \$3,992,438.65 in debt, then a true-up, payable by the owner of the land subject to the initial plat, would be due in the amount of approximately \$89,861.96, calculated as 4 SF 40’ lots times \$17,116.56 plus 1 SF 50’ lot times \$21,395.71.

following interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of Bonds secured by the Bond Assessment).

In addition to platting of property within the District, any planned sale of an unplatted parcel to a third party unaffiliated builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Bond Assessment per unit for land that remains unplatted within the Assessment Area Two remains equal to the figures in Table 7 in the *Appendix*. The test will be based upon the development rights as signified by the number of units associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessment transferred at sale.

Note that, in the event that the Assessment Area Two Project is not completed, certain contributions are not made, multiple bond issuances are contemplated and not all are issued, or under certain other circumstances, the District may be required to reallocate the Bond Assessment, provided however that the Bond Assessment would only be reallocated as among lands within Assessment Area Two.

## **5.7 Assessment Roll**

The Bond Assessment of \$5,580,000 is levied over the area described in Exhibit "A". Excluding any capitalized interest period, debt service assessment shall be paid in thirty (30) annual installments.

## **6.0 Appendix**



Table 1

## East Bonita Beach Road

### Community Development District

#### Development Program

Unit Type	Assessment Area One Units	Assessment Area Two Units	Total Units
SF 40'	98	99	197
SF 50'	181	82	263
SF 60'	5	83	88
<b>Total</b>	<b>284</b>	<b>264</b>	<b>548</b>

Table 2

## East Bonita Beach Road

### Community Development District

#### Public Infrastructure Improvements

Description	Assessment Area One Estimated Construction Cost	Assessment Area One Cost Reimbursed from 2018 Bonds	Assessment Area Two Estimated Construction Cost	Total CIP
Irrigation	\$675,000	\$0	\$850,000	\$850,000
Storm Water Management	\$1,525,000	\$1,166,665	\$1,200,000	\$2,366,665
Buffers	\$475,000	\$310,507	\$650,000	\$960,507
Public Roadways	\$250,000	\$8,289	\$300,000	\$308,289
Wetland/Wildlife Mitigation	\$35,000	\$0	\$10,000	\$10,000
Professional Services	\$100,000	\$20,490	\$50,000	\$70,490
Contingency	\$310,000	\$0	\$300,000	\$300,000
<b>Sub-Total</b>	<b>\$3,370,000</b>	<b>\$1,505,951</b>	<b>\$3,360,000</b>	<b>\$4,865,951</b>
Master Land Acquisition		\$3,211,758	\$2,112,202	\$5,323,960
<b>Total</b>	<b>\$3,370,000</b>	<b>\$4,717,709</b>	<b>\$5,472,202</b>	<b>\$10,189,911</b>

Table 3

# East Bonita Beach Road

## Community Development District

### Allocation of Costs of Public Infrastructure Improvements to Assessment Area One and Assessment Area Two

Description	Total CIP	Assessment Area One Allocable Project Cost	Assessment Area Two Allocable Project Cost
Irrigation	\$850,000.00	\$428,715.32	\$421,284.68
Storm Water Management	\$2,366,665.00	\$1,193,677.10	\$1,172,987.90
Buffers	\$960,507.00	\$484,451.84	\$476,055.16
Public Roadways	\$308,289.00	\$155,492.02	\$152,796.98
Wetland/Wildlife Mitigation	\$10,000.00	\$5,043.71	\$4,956.29
Professional Services	\$70,490.00	\$35,553.11	\$34,936.89
Contingency	\$300,000.00	\$151,311.29	\$148,688.71
<b>Sub-Total</b>	<b>\$4,865,951.00</b>	<b>\$2,454,244.39</b>	<b>\$2,411,706.61</b>
Master Land Acquisition	\$5,323,960.00	\$2,685,250.82	\$2,638,709.18
<b>Total</b>	<b>\$10,189,911.00</b>	<b>\$5,139,495.21</b>	<b>\$5,050,415.79</b>

**Note:** Please note that the allocation of project costs to Assessment Area One and Assessment Area Two is based on benefit allocation as described in Section 5.2 of the Master Report and Second Supplemental Report

Table 4

# East Bonita Beach Road

## Community Development District

### Sources and Uses of Funds

		Amount
<b>Sources:</b>		
	Bond Proceeds:	
	Par Amount	\$5,580,000.00
<b>Total Sources</b>		<b>\$5,580,000.00</b>
 <b>Uses:</b>		
	Project Fund Deposits:	
	Project Fund	\$5,036,465.00
	Other Fund Deposits:	
	Debt Service Reserve Fund	\$166,260.00
	Capitalized Interest Fund	\$118,575.00
	Delivery Date Expenses:	
	Costs of Issuance	\$258,700.00
<b>Total Uses</b>		<b>\$5,580,000.00</b>

Table 5

## East Bonita Beach Road

### Community Development District

#### Improvements Benefit Allocation

Unit Type	Total Units	ERU per Unit	Total ERU
SF 40'	197	0.8	157.60
SF 50'	263	1.0	263.00
SF 60'	88	1.2	105.60
<b>Total</b>	<b>548</b>		<b>526.20</b>

Unit Type	Assessment Area One Units	ERU per Unit	Assessment Area One ERU
SF 40'	98	0.8	78.40
SF 50'	181	1.0	181.00
SF 60'	5	1.2	6.00
<b>Total</b>	<b>284</b>		<b>265.40</b>

Unit Type	Assessment Area Two Units	ERU per Unit	Assessment Area Two ERU
SF 40'	99	0.8	79.20
SF 50'	82	1.0	82.00
SF 60'	83	1.2	99.60
<b>Total</b>	<b>264</b>		<b>260.80</b>

Table 6

## East Bonita Beach Road

### Community Development District

#### Public Infrastructure Improvements Costs Allocation - Assessment Area Two

Unit Type	Public Infrastructure Improvements Costs Allocation Based on ERU Method	Public Infrastructure Improvements Costs Financed with Bonds	Public Infrastructure Improvements Contributed by the Developer
SF 40'	\$1,533,715.22	\$1,529,478.63	\$4,236.59
SF 50'	\$1,587,937.48	\$1,583,551.11	\$4,386.37
SF 60'	\$1,928,763.09	\$1,923,435.25	\$5,327.83
<b>Total</b>	<b>\$5,050,415.79</b>	<b>\$5,036,465.00</b>	<b>\$13,950.79</b>

Table 7

# East Bonita Beach Road

## Community Development District

### Bond Assessment Apportionment - Assessment Area Two

Unit Type	Total Bond Assessment Apportionment	Bond Assessment Apportionment per Unit	Annual Bond Assessment Payment Apportionment per Unit - March Pmt*	Annual Bond Assessment Payment Apportionment per Unit - Nov Pmt**
SF 40'	\$1,694,539.88	\$17,116.56	\$1,065.10	\$1,022.50
SF 50'	\$1,754,447.85	\$21,395.71	\$1,330.73	\$1,277.50
SF 60'	\$2,131,012.27	\$25,674.85	\$1,596.35	\$1,532.50
<b>Total</b>	<b>\$5,580,000.00</b>			

\* Includes Lee County costs of collection and 4% early payment discount allowance-March payment

\*\* Includes Lee County costs of collection-November payment

## **Exhibit "A"**

Bond Assessments of \$5,580,000 are proposed to be levied over the following land:

ALL OF TRACTS "B-3", TRACT "FD", TRACT "D-4", TRACT "L-8", AND TRACT "L-9",  
AND THE EASTERLY

473.85 FEET OF TRACT "D-1", SEASONS AT BONITA, ACCORDING TO THE MAP  
OF PLAT THEREOF,

RECORDED IN INSTRUMENT NUMBER 2018000200311, PUBLIC RECORDS OF  
LEE COUNTY, FLORIDA.

SUBJECT PROPERTY CONTAINS: 65.76 ACRES, MORE OR LESS.

**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**3C**



# FLORIDA PUBLIC NOTICES

WWW.FLORIDAPUBLICNOTICES.COM

(/)

Username (Your Email)

Password

GO

[HOME \(/\)](#) [WHY PUBLIC NOTICES \(/WHY-PUBLIC-NOTICES/\)](#) [SEARCH THE NOTICES \(/SEARCH/\)](#)

[REGISTER \(/MEMBER/REGISTER\)](#) [SUPPORT & CONTACT INFO \(/SUPPORT/\)](#) **MENU »**

[Search Again \(/search/\)](#) |

Newest First  Oldest First  Keyword Relevance

[Archives \(/search/archive/\)](#)

Showing results **1** through **2** of **2**

(1 Pages)

Show results beginning at page:



**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF SPECIAL MEETING**

The East Bonita Beach Road Community Development District ("District") Board of Supervisors ("Board") will hold public hearings on **November 6, 2020, at 10:00 a.m.**, at the Offices of D.R. Horton, 10541 Ben C Pratt 6 Mile Cypress Parkway, Fort Myers, Florida, 33966 to consider the adoption of an assessment roll, the imposition of a master special assessment lien, and special assessments to secure proposed bonds on benefited lands within the District known as "Assessment Area 2," as shown in the geographic map below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are within the area depicted below and as more particularly set forth in the District's Amended and Restated Engineer's Report titled "East Bonita Beach Road Community Development District, dated September 29, 2020 (the "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 by contacting the District Records Office located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010. At the conclusion of the public hearings, the Board will, by resolution, levy a master assessment lien as finally approved by the Board.

The District is a unit of special-purpose local government responsible for providing, in part, infrastructure improvements for lands within the District. The infrastructure improvements included in the Improvement Plan are currently expected to include, but are not limited to, roadways, stormwater management/earthwork improvements, landscape, irrigation, conservation and mitigation, street lighting, land acquisition, and other improvements within and without Assessment Area 2, all as more specifically described in the Improvement Plan (the "Assessment Area 2 Improvements"), on file and available during normal business hours from the District Records Office at the addresses provided above.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Second Special Assessment Methodology Report (Assessment Area Two), dated September 29, 2020 (the "Assessment Report"), which is on file and available during normal business hours from the District Records Office at the addresses provided above. The Assessment Report identifies each tax parcel identification number within the District and maximum assessments per parcel and platted unit for each id use category that is currently expected to be assessed. The method of allocating assessments for the Assessment Area 2 Improvements to be funded by the District will be determined on an equal pro-rata gross acre basis. At the time parcels are added or otherwise subdivided into assessable units, individual assessments will be assigned to those parcels at the maximum per-unit amounts (determined according to the equivalent residential units, or "ERUs," assigned to each property type). The methodology explained in more detail in the Assessment Report. Also as described in more detail in the Assessment Report, the District's assessments will be levied against all assessable lands within the District.

The annual principal assessment levied against each parcel will be based on payment over a maximum of thirty (30) years for the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$5,580,000.00 principal per amount of debt to be assessed by the District, exclusive of anticipated costs and costs of collection and enforcement, discounts for early payment and the annual interest. The proposed annual schedule of assessments is as follows (the "Maximum Assessments"):

Lot Type	No. of Units	ERU	Maximum Principal per Unit*	Maximum Annual Installment
SF 40'	99	0.80	\$17,116.56	\$1,065.10
SF 50'	82	1.00	\$21,395.71	\$1,330.73
SF 60'	83	1.20	\$25,674.85	\$1,596.35

*Exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt anticipated to be issued to finance the Assessment Area 2 Improvements.*

Amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above. Specific maximum amounts expected per parcel or product type is as set forth in the Assessment Report.

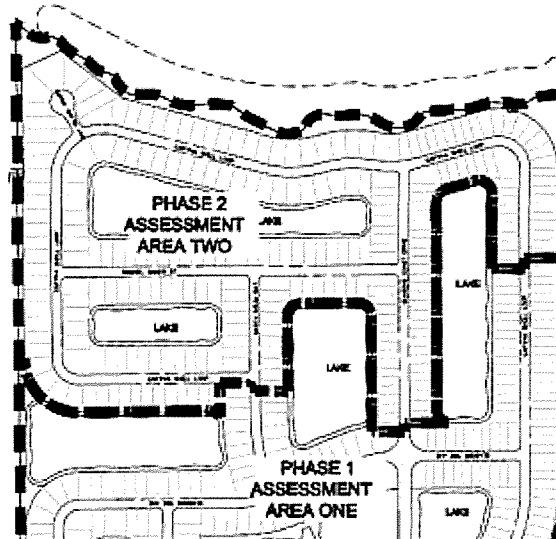
The assessments may be prepaid in whole at any time, or in some instances in part, may be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the Assessment Area 2 Improvements. These annual assessments are anticipated to be collected on the Lee County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice. Notwithstanding the description of the Maximum Assessments herein, landowners will not be in a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The fixed assessment amounts will be determined at a public meeting, pursuant to the supplemental assessment resolution, engineer's report and methodology but in no event will exceed the Maximum Assessments noticed herein. Please note that the preceding statement only applies to capital (debt) assessments and shall have no effect on the ability of the District to levy assessments and collect payments related to the operation and maintenance of the District.

Also on **November 6, 2020, at 10:00 a.m.**, at the Offices of D.R. Horton, 10541 Ben C Pratt 6 Mile Cypress Parkway, Fort Myers, Florida, 33966, the Board will hold a special public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time thereafter announced at the meeting and/or hearings.

It is anticipated that the hearings and meeting will take place at the location listed above. However, in the event that the COVID-19 public health emergency prevents the hearings and meeting from occurring in person, the District may conduct the hearings and meeting by telephone or video conferencing communications media technology pursuant to governmental orders, including but not limited to Executive Orders 20-52, 20-69, 20-123, 20-139, 20-150, 20-179, 20-193 and 20-246, issued by Governor DeSantis, and any extensions or supplements thereof, and pursuant to Section 120.54(5)(b)2., Florida Statutes. Additional information regarding this public hearing may be obtained by contacting the District Manager, Chuck Adams, at info@eastbonitabeachroadcdd.net or calling (561) 571-0010.

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 can be obtained at a cost of \$100.00 per hour plus the cost of transcription and printing.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Office at (904) 940-5850 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.



**RESOLUTION 2020-08**

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

**WHEREAS**, the East Bonita Beach Road Community Development District ("District") was established by Ordinance No. 08-02 of City Council of the City of Bonita Springs, Florida, effective March 21, 2008, as amended by Ordinance No. 16-02 duly enacted by the City Council and effective on March 2, 2016 and effective on April 1, 2016, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

**WHEREAS**, the District is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes, as amended, and is located entirely within Lee County, Florida; and

**WHEREAS**, the District is authorized by Chapter 190, Florida Statutes, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, stormwater management/earthwork improvements, landscape, irrigation, conservation and mitigation, street lighting and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

**WHEREAS**, the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements described in the [Engineer's Report], dated September 28, 2020, attached hereto as Exhibit A and incorporated herein by reference ("Assessment Area 2 Project"); and

**WHEREAS**, it is in the best interest of the District to pay all or a portion of the cost of the Assessment Area 2 Project by special assessments pursuant to Chapter 190, Florida Statutes ("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 Assessment Area 2 Project and to impose, levy and collect the Assessments; and

**WHEREAS**, as set forth in the [Assessment Methodology Report], dated September 29, 2020, attached hereto as Exhibit B and incorporated herein by reference and on file at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W Boca Raton, Florida 33431, ("District Records Office"), the District hereby finds and determines that:

- (i) benefits from the Assessment Area 2 Project will accrue to the property improved,
- (ii) the amount of those benefits will exceed the amount of the Assessments, and
- (iii) the Assessments are fairly and reasonably allocated;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT:**

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

**2. DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to make all or a portion of the Assessment Area 2 Project and to defray all or a portion of the cost thereof by the Assessments.

**3. DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of, and plans and specifications for, the Assessment Area 2 Project 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.

**TIMING IN WHICH THE ASSESSMENT**

- A.** The total estimated construction cost of the Assessment Area 2 Project shall be \$5,050,415.79 ("Estimated Construction Cost").
- B.** The Assessments will defray the anticipated maximum principal amount of the Estimated Cost, as well as the interest thereon, in accordance with the provisions of Florida law, as set forth in Exhibit B.
- C.** The manner in which the Assessments shall be levied shall be as set forth in Exhibit B, and shall be subject to the provisions of Florida law, as set forth in Exhibit B. Commencing with the first assessment collection, the Assessments shall be levied in the same manner as are levied by the District in any year, or if the Assessments are levied in a manner other than that set forth in Exhibit B, such method will be used to the extent that the District reserves the right to do so in any given year, regardless of the method used in any previous year.

**5. DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED.** The Assessments shall be levied against and contiguous or bounding a benefited thereby and further designate the lands upon which the Assessments shall be levied.

**6. ASSESSMENT PLAT.** Pursuant to the provisions of Florida law, an assessment plat, showing the nature and location of the improvements and the estimated cost of the Assessment Area Two Project, shall be filed with the District Records Office, an address which shall be set forth in the Assessment Report.

**7. PRELIMINARY ASSESSMENT ROLL.** Pursuant to the provisions of Florida law, the District Manager has caused the preliminary assessment roll to be prepared in accordance with the method of assessing the lots and lands assessed, the amount of the assessment, the number of lots or parcel of land and the number of units, which assessment roll shall be filed with the District Records Office, an address which shall be set forth in the Assessment Report.

**8. PUBLIC HEARINGS DECLARING THE ASSESSMENTS.** Pursuant to Sections 170 and 197, Florida Statutes, there are to be public hearings on the Assessments as follows:

**NOTICE OF PUBLIC HEARINGS**

**DATE:** November 6, 2020  
**TIME:** 10:00 a.m.  
**LOCATION:** Offices of D.R. Horton, 10541 Ben C Pratt 6 Mile Cypress Parkway, Fort Myers, Florida 33966

The purpose of the public hearing is to consider the proposed special assessment program. A copy of the preliminary assessment roll, a copy of the public hearing notice, and a copy of the proposed assessment plat shall be filed with the District Records Office, an address which shall be set forth in the Assessment Report.

At the time of adoption of this Resolution, the Assessments shall be levied against and contiguous or bounding a benefited thereby and further designate the lands upon which the Assessments shall be levied. The Assessments shall be levied in the same manner as are levied by the District in any year, or if the Assessments are levied in a manner other than that set forth in Exhibit B, such method will be used to the extent that the District reserves the right to do so in any given year, regardless of the method used in any previous year.

Notice of said hearings shall be given in accordance with the provisions of Florida law, as set forth in Exhibit B, and shall be subject to the provisions of Florida law, as set forth in Exhibit B. Commencing with the first assessment collection, the Assessments shall be levied in the same manner as are levied by the District in any year, or if the Assessments are levied in a manner other than that set forth in Exhibit B, such method will be used to the extent that the District reserves the right to do so in any given year, regardless of the method used in any previous year.

**9. PUBLICATION OF RESOLUTION.** The District Manager is hereby directed to cause the Resolution to be published in a newspaper of general circulation in the District, once a week for two (2) weeks in a consecutive manner, and to provide such other notice as may be required by Florida law.

**10. CONFLICTS.** All resolution of the District which is in conflict with the provisions of Florida law, shall be null and void.

**11. SEVERABILITY.** If any section of this Resolution shall be found to be unconstitutional, the validity of the remaining sections of this Resolution shall not be affected, and the portion of this Resolution which is found to be unconstitutional shall be severed from this Resolution.

**12. EFFECTIVE DATE.** This Resolution shall be effective on the date of its passage and adoption.

**PASSED AND ADOPTED** this 30th day of October, 2020.

**ATTEST:**  
  
s/Chesley E Adams, Jr.  
Secretary

**Exhibit A:** [Engineer's Report], dated September 28, 2020.  
**Exhibit B:** [Assessment Methodology Report], dated September 29, 2020.

**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**3D**

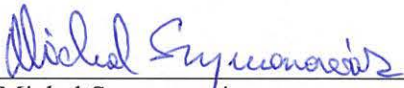
STATE OF FLORIDA )  
COUNTY OF PAM BEACH )

**AFFIDAVIT OF MAILING**

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

1. I am over eighteen (18) years of age and competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Michal Szymonowicz, serve as the Director of Financial Services at Wrathell, Hunt & Associates, LLC, which serves as District Manager for the East Bonita Beach Road Community Development District.
3. Among other things, my duties include preparing and transmitting invoices and related correspondence on the District's behalf.
4. I do hereby certify that on October 7, 2020, and in the regular course of business, I caused the mailed notice attached hereto as **Exhibit A**, to be sent via United States Mail to all owners of lands within Assessment Area 2 of the District, as such area is depicted in the notice attached hereto in **Exhibit A**.
5. I have personal knowledge of having sent the letter, and those records are kept in the course of the regular business activity for the District.

**FURTHER AFFIANT SAYETH NOT.**

  
\_\_\_\_\_  
Michal Szymonowicz

**SWORN AND ASCRIBED** before me by means of  physical presence or  online notarization, this 7th day of October, 2020, by Michal Szymonowicz, as Director of Financial Services at Wrathell, Hunt & Associates, LLC. He  is personally known to me or  produced \_\_\_\_\_ as identification.



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

  
\_\_\_\_\_  
Notary Public, State of Florida

Personally Known  
OR Produced Identification  
Type of Identification \_\_\_\_\_

**EXHIBIT A:** Mailed notice

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)™.

**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total

\$

Sent

Street

City, State

PS Form

Instructions

7016 2140 0000 3093 9555



**FORESTAR USA REAL ESTATE GROUP**  
**3330 CUMBERLAND BLVD STE 275**  
**ATLANTA, GA 30339**

**Exhibit A**  
Letter

# East Bonita Beach Road Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

VIA U.S. MAIL – CERTIFIED/RETURN RECEIPT

October 7, 2020

FORESTAR USA REAL ESTATE GROUP  
3330 CUMBERLAND BLVD STE 275  
ATLANTA, GA 30339

**RE: East Bonita Beach Road Community Development District  
Notice of Hearing on Assessments to Property  
Strap # 02-48-26-B1-080FD.0000**

Dear Property Owner:

You are receiving this notice because Lee County tax records indicate that you are a property owner within the East Bonita Beach Road Community Development District (the "District"). The District is a special-purpose unit of local government established pursuant to Chapter 190, *Florida Statutes*. The property you own that is the subject of this notice is identified above and in **Exhibit A** attached hereto.

At the September 30, 2020 meeting of the District's Board of Supervisors, the District approved the *Amended and Restated Engineer's Report for the East Bonita Beach Road Community Development District*, dated September 28, 2020 (the "Improvement Plan"), that describes the nature of the improvements that may be built or acquired by the District that benefit lands within the District that are included within Assessment Area 2, including, but not limited to, roadways, stormwater management/earthwork improvements, landscape, irrigation, conservation and mitigation, street lighting, land acquisition, and other infrastructure projects and other improvements, all as more specifically described in the Improvement Plan (the "Assessment Area 2 Improvements"). A courtesy copy of the Improvement Plan is attached hereto as **Exhibit B**. The District estimates that it will cost approximately \$5,580,000 to finance the Assessment Area 2 Improvements contemplated by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and the annual interest costs of the debt issued to finance the Assessment Area 2 Improvements. As a property owner of assessable land within the District, the District intends to assess your property in the manner set forth in the District's *Second Supplemental Special Assessment Methodology Report*, dated September 29, 2020 (the "Assessment Report"). For your review, we have enclosed a copy of the Assessment Report as **Exhibit C**, which includes a preliminary assessment roll. This Assessment Report was also approved in substantial form at the Board's September 30, 2020 public meeting. Note that the assessment roll is created with information provided by Lee County.

The purpose of any such assessment is to secure the bonds anticipated to be issued to fund all or a portion of the Assessment Area 2 Improvements. As described in more detail in the Assessment Report, the District's assessments will be levied against assessable lands within the District. Please consult the Assessment Report for more details.

The Assessment Report identifies each real property within the District and maximum assessments per parcel and platted unit for each land use category that is currently expected to be assessed. The method of allocating assessments for the Assessment Area 2 Improvements to be funded by the District will initially be determined on an equal pro-rata gross acre basis. At the time parcels are platted or otherwise subdivided into assessable units, individual assessments will be assigned to those parcels at the maximum per-unit amounts (determined according to the equivalent residential units, or “ERUs,” assigned to each property type) described in Table 7 of the Assessment Report, thereby reducing the assessments encumbering the unplatted or unplanned land by a corresponding amount. Any unassigned amount of assessments encumbering the remaining unplatted or unplanned land will continue to be calculated and levied on an equal pro-rata gross acre basis. The methodology is explained in more detail in the Assessment Report. Also as described in more detail in the Assessment Report, the District’s assessments will be levied against assessable lands within the District. Please consult the Assessment Report for more details.

As the owner of property within the District subject to assessments, the maximum total amount to be levied against property that you own is reflected on the preliminary assessment roll attached to the Assessment Report, exclusive of fees and costs of collection or enforcement, discounts for early payment and the annual interest costs of the debt issued to finance the Assessment Area 2 Improvements. The total amount to be levied against each parcel is detailed in the Assessment Report incorporated herein by this reference, as such Assessment Report may be amended at the below referenced hearing. Notwithstanding the description of the Maximum Assessments herein, landowners will not have a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The amount of assessments actually allocated to your property in connection with any issuance of bonds will be determined by supplemental assessment resolution but will not exceed the amounts set forth herein. Please note that the preceding statement only applies to capital assessments and shall have no effect on the ability of the District to levy assessments and collect payments related to the operations and maintenance of the District. The assessment amounts may be amended at the below referenced hearing. However, the total amount of the assessments on each platted lot over thirty (30) years may be higher or lower depending on the actual terms of bonds issued. The total maximum annual revenue that the District will collect by these assessments for your property is anticipated to be \$5,580,000, exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt issued to finance the Assessment Area 2 Improvements. The proposed maximum annual schedule of assessments is as follows (the “Maximum Assessments”):

<b>Lot Type</b>	<b>No. of Units</b>	<b>ERU</b>	<b>Maximum Principal per Unit*</b>	<b>Maximum Annual Installment</b>
SF 40’	99	0.80	\$17,116.56	\$1,065.10
SF 50’	82	1.00	\$21,395.71	\$1,330.73
SF 60’	83	1.20	\$25,674.85	\$1,596.35

*\*Exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt anticipated to be issued to finance the Assessment Area 2 Improvements.*

**All amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above.**

The assessments may appear on your regular tax bill issued by the Lee County Tax Collector. However, the District may in its discretion at any time choose instead to directly collect these assessments. As provided in the Assessment Report, the assessments will constitute a lien against your property that may be prepaid in accordance with Chapter 170, *Florida Statutes*, or may be paid in not more than thirty (30) annual installments. For delinquent assessments that were initially directly billed by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year's county tax bill. The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices. **It is important to pay your assessment since failure to pay will cause a tax certificate to be issued against the property which may result in loss of title, or for direct billed assessments, may result in a foreclosure action, which also may result in a loss of title.**

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, this letter is to notify you that a public hearing for the above-mentioned assessments will be held on **November 6, 2020, at 10:00 a.m. at the Offices of D.R. Horton, 10541 Ben C Pratt 6 Mile Cypress Parkway, Fort Myers, Florida, 33966.** At this hearing, the Board will sit as an equalizing board to hear and consider testimony from any interested property owners as to the propriety and advisability of making the Assessment Area 2 Improvements, or some phase thereof, as to the cost thereof, as to the manner of payment thereof, and as to the amount thereof to be assessed against each property so improved. At the conclusion of the public hearings, the Board will, by resolution, levy assessments as finally approved by the Board. **All affected property owners have the right to appear at the public hearings / meeting and the right to file written objections with the District within twenty (20) days of this notice.** Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Also on **November 6, 2020, at 10:00 a.m. at the Offices of D.R. Horton, 10541 Ben C Pratt 6 Mile Cypress Parkway, Fort Myers, Florida, 33966,** the Board will hold a special public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

In the event that the COVID-19 public health emergency prevents the hearing and meeting from occurring in-person, the District may conduct the public hearing and meeting by telephone or video conferencing communications media technology pursuant to governmental orders, including but not limited to Executive Orders 20-52, 20-69, 20-112, 20-123, 20-139, 20-150, 20-179, 20-193 and 20-246 issued by Governor DeSantis, and any extensions or supplements thereof, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*. Additional



information regarding the public hearing and meeting may be obtained by contacting the District Manager, Chuck Adams, by e-mail at [info@eastbonitabeachroadcdd.net](mailto:info@eastbonitabeachroadcdd.net) or by calling (877) 276-0889.

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

Sincerely,

A handwritten signature in black ink that reads "C. Adams". The signature is stylized and appears to be written in a cursive or semi-cursive script.

Chelsey "Chuck" Adams  
District Manager

Enclosures:

- Exhibit A: Property
- Exhibit B: *Amended and Restated Engineer's Report for the East Bonita Beach Road Community Development District, dated September 28, 2020*
- Exhibit C: *Second Special Assessment Methodology Report, dated September 29, 2020*

## **Exhibit A**

ALL OF TRACTS "B-3", TRACT "FD", TRACT "D-4", TRACT "L-8", AND TRACT "L-9", AND THE EASTERLY 473.85 FEET OF TRACT "D-1", SEASONS AT BONITA, ACCORDING TO THE MAP OF PLAT THEREOF, RECORDED IN INSTRUMENT NUMBER 2018000200311, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT PROPERTY CONTAINS: 65.76 ACRES, MORE OR LESS.

## Exhibit B

AMENDED AND RESTATED  
ENGINEER'S REPORT  
FOR THE  
EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT

PREPARED FOR:

BOARD OF SUPERVISORS  
EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT

ENGINEERS:

BANKS ENGINEERING  
10511 SIX MILE CYPRESS PKWY, SUITE 101  
FORT MYERS, FLORIDA 33966

**September 28, 2020**

## TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE NO.</u>
1. INTRODUCTION	3
2. DISTRICT BOUNDARIES AND PROPERTIES SERVED	4
3. EXISTING INFRASTRUCTURE & PROPOSED DEVELOPER-FUNDED INFRASTRUCTURE	5
4. PROPOSED DISTRICT INFRASTRUCTURE	6
5. OPINION OF PROBABLE CONSTRUCTION COSTS AND BENEFIT	9
6. PERMITS	11

### TABLES

TABLE 1	LAND USE SUMMARY	4
TABLE 2	PHASE TABLE	4
TABLE 3	SUMMARY OF OPINION OF PROBABLE COSTS FOR THE PROJECT INFRASTRUCTURE	10

### APPENDIX

EXHIBIT 1	DISTRICT BOUNDARY/ LOCATION MAP
EXHIBIT 2	DISTRICT BOUNDARY SKETCH
EXHIBIT 2A	DESCRIPTION FOR DISTRICT BOUNDARY
EXHIBIT 2B	SKETCH FOR ASSESMENT AREA ONE
EXHIBIT 2C	DESCRIPTION FOR ASSESSMENT AREA ONE
EXHIBIT 2D	DESCRIPTION FOR ASSESSMENT AREA TWO
EXHIBIT 3	DISTRICT ZONING MAP
EXHIBIT 4	EXISTING UTILITIES MAP
EXHIBIT 5	PHASING PLAN
EXHIBIT 6-1	REGIONAL OUTFALL MAP
EXHIBIT 6-2	DISTRICT OUTFALL MAP
EXHIBIT 7	IRRIGATION FACILITIES
EXHIBIT 8	STORMWATER FACILITIES
EXHIBIT 9	BUFFERS
EXHIBIT 10	WETLAND/WILDLIFE MITIGATION
EXHIBIT 11	DISTRICT ROADWAYS

# ENGINEER'S REPORT

## 1. INTRODUCTION

### 1.1 Description of East Bonita Beach Road Community Development District

Seasons at Bonita ("**Development**"), to be served by the East Bonita Beach Road Community Development District ("**District**"), is located in Lee County, Florida lying in Section 1 Township 48, Range 26 East in Bonita Springs, east of I-75 and at the eastern end of Bonita Beach Road. The location is shown by Exhibit "1" of the Appendix. The Development is planned to be developed as a Residential Planned Development consisting of (548) single-family residential units allocated among the following product types: (i) 88 - 60' single-family lots (60'); and (ii) 263 - 50' single-family lots, and 197 - 40' lots.

The District's overall capital improvement plan ("**Capital Improvement Plan**," or "**CIP**"), as described herein, consists of the master stormwater management system, wetland/wildlife impact mitigation, and certain entry roadways, buffers, and irrigation, all of which functions as a system of improvements benefitting all developable lands within the District. While the CIP consists of a system of improvements, the CIP will be split into two distinct assessment areas and projects, known as "**Assessment Area One**" / "**Assessment Area One Project**" and "**Assessment Area Two**" / "**Assessment Area Two Project**." Assessment Area One consists of 102.69 acres, as described in **Exhibit 2B**, and Assessment Area Two is 65.76 acres which is the balance of the lands within the District. The Assessment Area One Project refers to that portion of the CIP allocable to Assessment Area One as previously described in that certain Engineers Report, adopted by the District's Board in January 2018, and, likewise, the Assessment Area Two Project refers to that portion of the CIP allocable to Assessment Area Two.

The CIP and the Development itself are expected to be constructed in two "**Phases**" over time – including "**Phase 1**" and "**Phase 2**," which phases generally correspond with the Assessment Areas. Because the CIP functions as a system of improvements, the Phase 1 construction (just like the Phase 2 construction) includes master infrastructure benefitting both Assessment Area One and Assessment Area Two. Thus, the use of the term "**Phases**" herein is not intended to address the exact geographic location of any construction per se, but rather is intended to identify the timing with which certain infrastructure will be constructed and/or acquired.

Phase 1 construction began January 2018, and Phase 2 construction is expected to commence in August 2020. The Development is planned to be completed in 2022.

Assessment Areas One and Two are expected to include two hundred eighty-four (284) and two hundred sixty-four (264) single-family units, respectively. The unit breakdown for the Assessment Areas is provided in Table 2 and also shown on Exhibit "5." D.R. Horton, the previous developer, constructed an amenity, which is not included as part of the District's CIP. The amenity is located in Assessment Area One and was developed as part of the Phase 1 construction and is owned and operated by the HOA.

The proposed land uses are included in Table 1 below.

**TABLE 1**  
Land Use Summary:

TYPE OF USE	ASSESSMENT AREA ONE (AC)	ASSESSMENT AREA TWO (AC)	TOTAL (AC)	% OF TOTAL PROJECT
RESIDENTIAL	52.12	45.16	97.28	57.8%
RIGHT-OF-WAY*	11.1	8.5	19.6	11.60%
LAKE	23.7	7.3	31	18.4%
BUFFER/COMMON	6.1	4.8	10.9	6.50%
AMENITY AREA	5.1	0	5.1	3.0%
PRESERVE	4.57	0	4.57	2.70%
<b>TOTAL</b>	<b>102.69</b>	<b>65.76</b>	<b>168.45</b>	<b>100%</b>

\*Public RLW area is 0.48ac.

**TABLE 2**  
UNIT COUNTS:

	Assessment Area One	Assessment Area Two	TOTAL
40' LOTS	98	99	197
50' LOTS	181	82	263
60' LOTS	5	83	88
<b>TOTAL</b>	<b>284</b>	<b>264</b>	<b>548</b>

## 1.2 Purpose and Scope of the Report

Prior to the date hereof, the District adopted its *Engineer's Report* dated January 2018 setting forth improvements to be financed, acquired and/constructed by the District as part of the Assessment Area One Project ("2018 Report"). The 2018 Report was created near the time of the start of the construction of the Assessment Area One Project, and was used in connection with the District's issuance of bonds to finance the Assessment Area One Project. The purpose of this Amended and Restated Engineers Report is to update the status of the Assessment Area One Project, and update the overall development cost of the Assessment Area Two Project. An assessment methodology will be developed by the District's methodology consultant, and such methodology shall identify the specific benefit derived to the lands within Assessment Area Two from the Assessment Area Two Project.

## 2. DISTRICT BOUNDARIES AND PROPERTIES SERVED

### 2.1 District Boundaries

Exhibit "1" delineates the boundaries of the District. The District is bounded on the south and west by Bonita Beach Road, the east by the Bonita National project, and the north by public land that is in preservation and owned by the South Florida Water Management District.

## **2.2 Description of Properties Served**

The District is located in Section 1, Township 48 South, Range 26 East, Lee County, Florida and is 168.45 acres in size. The property within the District is zoned for residential development and is depicted on Exhibit "3".

### **3. EXISTING INFRASTRUCTURE & PROPOSED DEVELOPER-FUNDED INFRASTRUCTURE**

#### **3.1 Existing Infrastructure**

The District has been previously cleared and partially filled and prior to development was primarily used for row crops, except for a small wetland that contains some native trees. In 2007 site construction commenced, all of the stormwater lakes were excavated, except for the planned lake within the amenity area. The excavated materials were used onsite to fill properties within the District. These lakes collect any runoff from the District and naturally fluctuate with the ground water. The water level is generally less than one foot below natural ground during the wet season and may drop up to 5 feet below existing grade in the dry season.

#### **3.2 Developer Infrastructure – Utilities, Amenities, Etc.**

The District is located within the Bonita Springs Utilities water-sewer franchise area. Bonita Springs Utilities will provide water and wastewater services to the District. At this time, Bonita Springs Utilities does not have effluent reuse irrigation water available to the District so onsite lakes will be the source for irrigation.

Potable water for the District is available via an existing 16" watermain along Bonita Beach Road. This existing potable watermain is operated by Bonita Springs Utilities. The location of this watermain is shown on Exhibit "4" of the Appendix. New potable water facilities are planned to be constructed to serve the Development. Upon completion, Bonita Springs Utilities will own and maintain these potable water facilities. The District will not finance any portion of the potable water facilities.

Wastewater for the District is available via an existing 12" forcemain along Bonita Beach Road. This existing forcemain is operated by Bonita Springs Utilities. The location of this forcemain is shown on Exhibit "4" of the Appendix. New wastewater facilities are planned to be constructed to serve the Development. Upon completion, Bonita Springs Utilities will own and maintain these potable water facilities. The District will not finance any portion of the wastewater facilities.

The District is located within the Cocohatchee River Drainage Basin with the receiving body being the Cocohatchee River via overland flow through offsite wetlands that connect to the Cocohatchee Canal, which is shown on Exhibit "6-1". This system ultimately discharges to the Gulf of Mexico.

The District is accessed on the south by Bonita Beach Road that is a public roadway that provides access to the District.

The District is located within the franchise areas of Florida Power & Light and CenturyLink. Cable service is available from Comcast. These utility companies will provide electrical power, telephone and cable television services to the Development located within the District.



An amenity center has been constructed as part of the Development. The amenity includes both active and passive recreation uses along with the mailboxes for the residents. The completed amenity area included tennis and pickleball courts, a clubhouse with fitness equipment and meeting areas, and a large pool with a cabana restaurant. The amenity area is currently owned by the developer but will ultimately be owned and maintained by the Seasons at Bonita Homeowners Association. The District will not finance any portion of the amenity area.

#### **4. PROPOSED DISTRICT INFRASTRUCTURE**

##### **4.1 Summary of the District Infrastructure**

Developable lands within the areas of the District will benefit from the proposed CIP. The District's infrastructure generally consists of the following:

- Irrigation
- Stormwater Management
- Buffers
- Public Roadways
- Wetland/Wildlife Impact Mitigation
- Professional Services
- Contingency

##### **4.2 Irrigation**

The District's irrigation system will consist of two irrigation pump stations and controls, irrigation mains of varying sizes, and irrigation services to the lots and other areas of the District. The irrigation system is schematically shown on Exhibit "7". The irrigation system withdraws from the onsite lakes that will be owned by the District. Approximately 36,000 linear feet of irrigation main will be constructed to serve the District. The individual sprinkler systems on the residential lots (and the amenity center) will not be part of the CIP and will not be owned nor maintained by the District. The District will either construct or acquire its portion of the irrigation system and will own and maintain the District irrigation system thereafter.

The Assessment One Area portion of the irrigation system has been completed but was not conveyed or acquired/funded by the District. The irrigation system within Assessment Area Two that makes up a portion of the Assessment Area Two Project will be constructed as part of the Assessment Area Two Project. The cost for the Assessment Area Two Project will also include the cost for the Assessment Area One Project that was constructed, but not requisitioned. Upon completion of the Assessment Area Two irrigation system, the entire system will be conveyed to the District for ownership and maintenance.

##### **4.3 Stormwater Management**

The District's stormwater management system is planned to consist of stormwater management lakes, drainage pipes, catch basins, water control structures, swales, berms, and other conveyance elements as schematically shown in Exhibit "8". Stormwater runoff from within the District will be collected and conveyed to the stormwater management lakes for water quality treatment and quantity storage. Stormwater runoff from the District will be stored in the lakes during the storm events.

The storm water management system has been designed and will be constructed in accordance with South Florida Water Management District standards for water quality treatment, quantity storage and flood protection. The existing storm water lakes will be reshaped to create littoral planting areas, and the lake banks will be re-graded as necessary to comply with regulatory requirements. The lake within the amenity area was excavated as part of the Assessment Area One Project, and the material generated used to reshape the other lakes within Assessment Areas One. Ground cover will be provided at all lakes and as necessary to prevent erosion. Ground cover will consist of sod, shrubs, and littoral and upland plantings in and around the lakes and berms.

Approximately 13,000 feet of valley gutter and 12,000 feet of drainage pipes and 85 inlets will be constructed as part of the District CIP. These are the conveyance elements that will drain the Development and connect to the stormwater lakes.

The stormwater management improvements for the Development will be constructed or acquired by the District when completed. Also, the Developer will sell to the District the fee title, based upon an appraisal, land where the storm water management lakes are located. The District will finance all or a portion of the costs of acquiring the fee title to the lakes, as well as any costs for completing the construction and/or acquisition of the work necessary to complete the stormwater management system. The District will own and maintain the stormwater management system.

The Assessment Area One portion of the stormwater management system has been completed and conveyed to the District, including ownership of the lakes within the Assessment One Area. The stormwater management system within the Assessment Area Two project area will be constructed as part of the Assessment Area Two Project. Upon completion of the Assessment Area Two stormwater management system, it will be conveyed to the District for ownership and maintenance along with the fee title for the lakes within Assessment Area Two.

#### **4.4 Buffers**

Buffers will be provided around the perimeter of the District. These buffers will consist of decorative plantings and a buffer wall and are shown on Exhibit "9". The buffers plantings will consist of ground cover, sod, shrubs, flowers, trees, and other plant materials adjacent to public properties. This vegetation will help beautify the District and the buffers provide a visual barrier between the District and the adjacent uses. The buffers will also include a perimeter wall that provides enhanced security to the District. The entry features outside of any gated structures will be part of the District CIP. The District cost will be for the wall and the planting materials that are on the outside of the perimeter wall along with the cost of the acquisition of the buffer tracts based on the appraised value.

The Assessment Area One portion of the buffers has been completed. The Assessment Area One buffer wall was conveyed to the District, but the plantings although constructed, were not requisitioned or conveyed. The buffers within Assessment Area Two will be constructed as part of the Assessment Area Two Project. The cost for the Assessment Area One plantings that were not requisitioned will be included as part of the Assessment Area Two Project cost. Upon completion, the Assessment Area Two buffers and Assessment Area One plantings will be conveyed to the District for ownership and maintenance.

#### **4.5 Public Roadways**

The roadways within the District will consist of two-lane curbed roadways. The roadways will provide access to the various land uses within the District. The roadways for the District will connect to Bonita Beach Road. The roadways will be constructed to City of Bonita Springs requirements within platted rights-of-ways and easements.

While 20,000 feet of roadway is proposed within the District, only the portion of the roadway (“**CDD Roadways**”) that is outside the entry gates will be owned by the District. The roadways (“**HOA Roadways**”) within the gates will be owned and maintained by the HOA. The CDD Roadways and HOA Roadways are shown on Exhibit “5”.

The CDD Roadways will be constructed or acquired by the District when completed. The District will acquire the completed CDD Roadways for the cost of the construction of the improvements for the CDD Roadways along with the cost of the right of way acquisition based on the appraised value. The District will be responsible for perpetual maintenance of the CDD Roadways. The public will have access to the CDD Roadways. A manned access gate will be owned and operated by the HOA (and not financed by the District) to secure access into the HOA Roadways.

Entry features will be located within and adjacent to the CDD Roadways. The CDD Roadways and entry features will be landscaped to help the CDD Roadways blend into the community. Landscaping may consist of sod, annual flowers, shrubs, trees and ground covers. These improvements are part of the CDD Roadways and District CIP and will be owned and maintained by the District.

The public roadway was completed as part of the Assessment One Area (Phase 1) Project. The cost for the road construction was requisitioned and conveyed to the District along with the fee interest in the property. The entry features and plantings within the roadway tract were not requisitioned or conveyed to the District. The cost for these facilities will be included as part of the Assessment Area Two (Phase 2) Project.

#### **4.6 Wetland/Wildlife Mitigation**

The wetland impact mitigation for the Development will consist of the enhancement of the onsite mitigation area generally reflected on Exhibit 10. The mitigation will be completed in accordance with SFWMD, ACOE and City of Bonita Springs requirements. Enhancement of the mitigation areas will occur through construction and planting of aquatic littoral zones in the mitigation areas, removal of exotic plant species and replanting of the preserve areas with native plants.

A vegetated buffer is required around the wetland as part of the wetland and wildlife mitigation. This buffer will be planted with native plants. The cost for the grading and planting of this buffer will be part of the District mitigation work.

The enhancement activities will be part of the District CIP and was in part financed by the District as part of the Assessment Area One Project and the remainder will be part of the Assessment Area Two Project. The acquisition of the conservation area, based on the appraised value, was part of the Assessment Area One Project.

The wetland/wildlife mitigation was partially completed as part of the Assessment One Area project and the mitigation area conveyed to the District. The planting of some additional mitigation plants are necessary since the plant coverage has not met the permit success criteria. These additional plants will be installed as part of the Assessment Area Two project. Upon

completion of the Assessment Area Two mitigation plantings, they will be conveyed to the District for ownership and maintenance.

#### **4.7 Professional Services**

The professional services for design and construction of all components of the District CIP including the engineering, utilities, soils investigation and testing, landscaping design, environmental consultation, and construction services for inspection of the CIP during construction will be financed by the District. The professional services for the design and construction of the private infrastructure will not be part of the District CIP, nor financed by the District.

The Assessment One Area portion of the professional services have been completed and conveyed to the District. The professional services for the Assessment Area Two will be part of the Assessment Area Two Project. Upon completion, the Assessment Area Two professional fees will be conveyed to the District.

#### **4.8 Contingency**

These costs include a reasonable contingency in the amount of approximately 10% to cover unexpected cost or unforeseen requirements, and to cover any inflationary cost since construction of some District infrastructure may not occur for several years.

### **5. OPINION OF PROBABLE CONSTRUCTION COSTS AND BENEFIT**

A summary of the opinion of probable costs for the public improvements comprising the CIP to be financed by the District is represented in Table 3. The costs do not include the legal, administrative, financing, operation or maintenance services necessary to finance and operate the District infrastructure.

\$562,202.49 of the cost contained within the Assessment Area Two Project estimate represents the amount of shortfall from the Assessment Area One Project that was not paid out of the bond proceeds from the Series 2018 bond issuance but remain eligible for reimbursement from the Series 2020 bond issuance. Said another way, the District acquired \$5,279,911 worth of improvements and real property in 2018 but only had \$4,717,708.51 in bond proceeds to reimburse the developer. Pursuant to the acquisition agreement between the developer and the District, should the District issue additional bonds in the future, the difference between the value of the improvements acquired by the District in 2018 and what the district could requisition from bond proceeds is eligible for reimbursement if the District issued bonds in the future. Accordingly, the shortfall has been made part of the Assessment Area Two Project Cost.

The public improvements comprising the CIP benefit the District and the estimate of probable cost is less than the benefit the assembled property within the District will receive as a result of the construction of the CIP. The District Assessment Methodology will apportion the cost based on the special benefit received by the residential units planned for the District.

There are no impact fee credits available for any improvements included within the CIP.

It is my professional opinion that these costs are reasonable for the work to be performed and benefit the developable real property in the District. I believe that the District's planned CIP is feasible and can be constructed within the budget set forth in this Report.

The cost estimates set forth herein are estimates based on current plans and market conditions, which are subject to change. Accordingly, the CIP as used herein refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, roadways, etc.) to support the development and sale of the planned residential units, which (subject to true-up determinations) number and type of units may be changed with the development of the CIP.

**TABLE 3**

Summary of Opinion of Probable Cost:

Project Description	Assessment Area One Estimated Construction Cost <sup>5</sup>	Assessment Area One Reimbursement from 2018 Bonds	Assessment Area Two Estimated Construction Cost	Total CIP Construction Costs <sup>6</sup>
IRRIGATION	\$675,000		\$850,000	\$850,000
STORMWATER MANAGEMENT <sup>1</sup>	\$1,525,000	\$1,166,665	\$1,200,000	\$2,366,665
BUFFERS	\$475,000	\$310,507	\$650,000	\$960,507
PUBLIC ROADWAYS	\$250,000	\$8,289	\$300,000	\$308,289
WETLAND/WILDLIFE MITIGATION	\$35,000		\$10,000	\$10,000
PROFESSIONAL SERVICES	\$ 100,000	\$20,490	\$50,000	\$70,490
CONTINGENCY	\$310,000		\$300,000	\$300,000
TOTALS	\$3,370,000	\$1,505,951	\$3,360,000	\$4,865,951
MASTER LAND ACQUISITION COSTS:		\$3,211,757.51 <sup>2</sup>	\$2,112,202.49 <sup>3</sup>	\$5,323,960
<b>GRAND TOTAL:</b>		\$4,717,708.51 <sup>4</sup>	\$5,472,202.49	<b>\$10,189,911</b>

1. All of this cost is for infrastructure work performed as of 2018 and does not include any amounts for excavation of the stormwater lakes prior to 2018.
2. The Phase 1 land value was computed as 37.58 acres x \$100,000 per acre for the CDD Roadways, stormwater, and buffer areas, plus 4.56 acres x \$3,500 per acre for the mitigation area. The land value is based on the appraisal provided by Integra Realty Resources. The appraisal was for \$3,773,960; of that total amount, \$3,211,757.51 was reimbursed with proceeds from the 2018 Bonds, the remainder (\$562,202.49) is included in the Assessment Area Two Project cost.
3. The Phase 2 land value is based on the appraisal provided by Integra Realty Resources dated August 17, 2020 for the lakes and buffer tracts within Assessment Area Two. The appraisal of the Assessment Area Two lands was for \$1,550,000. The Assessment Area Two master land acquisition cost also includes the land cost from the Assessment Area One Project that were requisitioned but not reimbursed to the Developer (\$562,202.49).
4. \$4,717,708.51 of the \$5,279,911 Assessment Area One Project cost were reimbursed to the developer as part of the construction requisition for Assessment Area One. In accordance with the acquisition agreement between the District and the developer, the difference (\$562,202.49) will be part of the Assessment Area Two Project cost and eligible for reimbursement to the Developer.
5. These values in Table 3 are from the Engineering Report for East Bonita Beach Road CDD dated January 9<sup>th</sup>, 2018.
6. Total CIP is the Assessment Area One Project amounts previously reimbursed to the developer (\$4,717,708.51) plus the total estimated Assessment Area Two Project amounts.

6. **PERMITS**

**Overall Project Permits**

Permits for construction are required prior to the commencement of construction of infrastructure improvements. The permitting agencies have continuing jurisdiction over the public infrastructure being financed. The following permits have been obtained for the overall CIP:

- Local zoning approval.
- Army Corps of Engineers Dredge and Fill Permit.
- South Florida Water Management District Environmental Resource Permit (ERP).
- Development Order Approval for Site Infrastructure by the City of Bonita Springs.

The following permits have been obtained for the Phase 1 project:

- Bonita Springs Utilities Construction Approval for Water and Sewer Facilities.
- Florida Department of Environmental Protection Wastewater and Lee County Environmental Health Water Construction Permits.
- The subdivision plat for the Assessment Area One Project has been approved by the City of Bonita Springs and recorded.

The following permits have been obtained for approximately half of the Phase 2 Project:

- Bonita Springs Utilities Construction Approval for Water and Sewer Facilities.
- Florida Department of Environmental Protection Wastewater and Lee County Environmental Health Water Construction Permits.

The remaining permits and plats for construction of the CIP are expected to be obtained in due course.

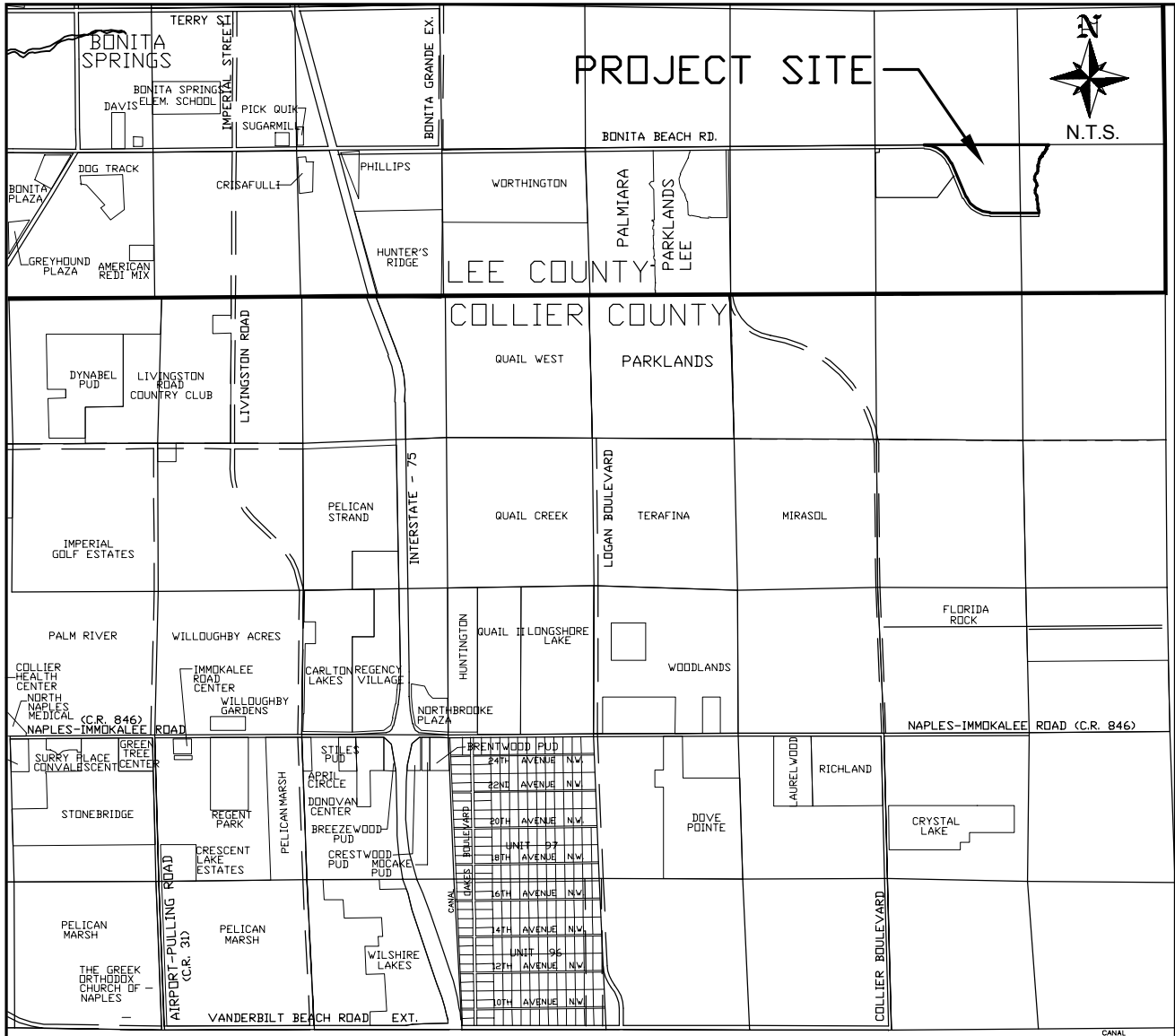
All permits necessary for construction of the CIP are expected to be obtained in due course.

---

David R. Underhill, Jr.                      Date  
FL License No. 47029  
District Engineer

## **APPENDIX**

# SITE LOCATION MAP



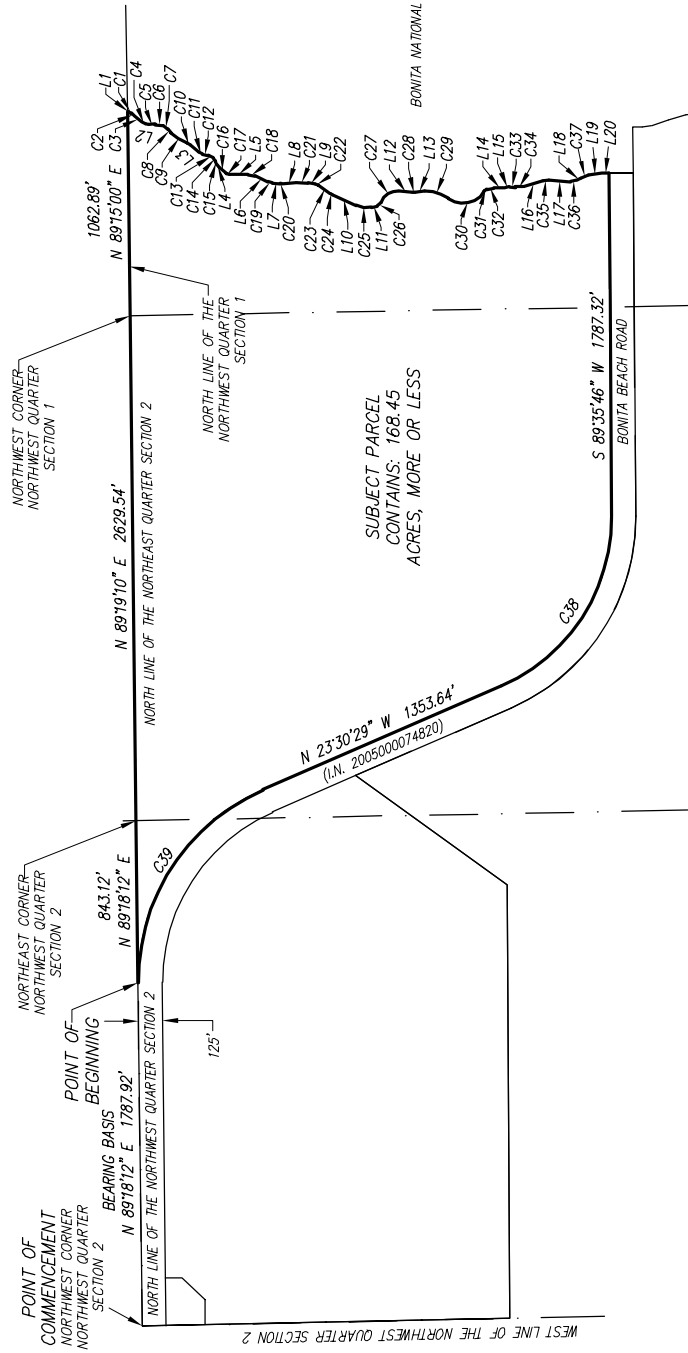
SECTION 1, TOWNSHIP 48 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA

# EAST BONITA BEACH ROAD C.D.D.

## PROJECT LOCATION MAP

EXHIBIT 1





## SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA  
EXHIBIT "B"

THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY

### NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS), WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

### CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	16.00'	60°18'50"	16.84'	16.08'	S 29°24'25" W
C2	83.50'	17°08'57"	24.99'	24.90'	S 50°59'21" W
C3	421.93'	06°20'50"	46.74'	46.72'	S 38°28'14" W
C4	56.00'	24°36'12"	24.05'	23.86'	S 22°59'43" W
C5	77.50'	24°36'11"	33.28'	33.02'	S 01°36'28" E
C6	63.21'	47°28'44"	45.76'	44.77'	S 06°49'48" W
C7	60.00'	26°53'54"	28.17'	27.91'	S 41°01'07" W
C8	117.50'	12°21'39"	25.35'	25.30'	S 48°17'15" W
C9	286.61'	19°57'14"	99.82'	99.31'	S 32°07'48" W
C10	55.00'	19°47'28"	19.00'	18.90'	S 32°02'55" W
C11	34.30'	41°00'49"	24.55'	24.03'	S 26°57'38" W
C12	97.33'	16°43'45"	28.42'	28.32'	S 10°49'28" W
C13	173.66'	10°26'14"	31.63'	31.59'	S 23°56'51" W
C14	22.00'	53°27'49"	20.53'	19.79'	S 56°00'49" W
C15	43.74'	28°18'10"	21.61'	21.39'	S 68°35'38" W
C16	147.00'	18°42'18"	47.99'	47.78'	S 41°12'21" W
C17	30.00'	31°47'50"	16.65'	16.44'	S 15°57'17" W
C18	85.00'	25°23'50"	37.68'	37.37'	S 12°45'17" W
C19	68.00'	19°17'07"	22.89'	22.78'	S 15°48'39" W
C20	48.50'	11°01'51"	8.95'	8.94'	S 00°39'10" W
C21	290.00'	12°06'24"	61.28'	61.16'	S 01°11'26" W
C22	47.50'	23°46'45"	19.71'	19.57'	S 19°08'00" W
C23	469.77'	09°07'39"	74.84'	74.76'	S 35°35'13" W
C24	47.50'	15°03'30"	12.48'	12.45'	S 32°37'17" W
C25	128.00'	37°51'48"	84.59'	83.06'	S 06°09'38" W
C26	29.97'	60°21'58"	31.58'	30.14'	S 41°12'00" E
C27	88.00'	76°48'36"	117.97'	109.33'	S 32°58'41" E
C28	65.00'	12°06'17"	13.73'	13.71'	S 00°37'32" E
C29	200.00'	37°46'33"	131.86'	129.49'	S 16°45'02" W
C30	130.00'	94°14'47"	213.84'	190.53'	S 11°29'05" E
C31	25.00'	39°51'42"	17.39'	17.04'	S 38°40'38" E
C32	98.14'	22°30'22"	38.55'	38.30'	S 07°29'36" E
C33	75.00'	23°56'39"	31.34'	31.12'	S 00°25'15" W
C34	87.00'	28°30'04"	43.28'	42.83'	S 01°51'28" E
C35	87.00'	20°01'46"	30.41'	30.26'	S 06°05'37" E
C36	56.00'	35°38'16"	34.83'	34.27'	S 13°53'52" E
C37	110.00'	23°00'29"	44.17'	43.88'	S 20°12'46" E
C38	955.00'	66°53'44"	1115.01'	1052.75'	S 56°57'22" W
C39	1081.00'	67°11'18"	1267.65'	1196.25'	S 57°06'09" W

### LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 00°45'00" E	7.13'	L11	S 12°46'16" E	27.97'
L2	S 10°41'57" W	16.05'	L12	S 05°25'37" W	70.20'
L3	S 41°56'39" W	57.94'	L13	S 06°40'40" E	49.18'
L4	S 51°53'17" W	18.18'	L14	S 01°20'37" E	54.56'
L5	S 00°03'22" W	99.60'	L15	S 11°33'05" E	26.09'
L6	S 25°27'12" W	72.66'	L16	S 16°06'30" E	104.81'
L7	S 06°10'05" W	39.67'	L17	S 03°55'16" W	114.57'
L8	S 04°51'46" E	76.99'	L18	S 31°43'00" E	22.00'
L9	S 07°14'38" W	38.05'	L19	S 08°42'31" E	70.09'
L10	S 25°05'32" W	134.89'	L20	S 00°04'22" W	38.50'

### LEGEND:

- LB INDICATES LICENSED BUSINESS
- I.N. INDICATES INSTRUMENT NUMBER
- L1 INDICATES LINE 1 FROM LINE TABLE
- C1 INDICATES CURVE 1 FROM CURVE TABLE

EXHIBIT 2

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DISTRICT BOUNDARY SKETCH  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

**EXHIBIT "B"**

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN

SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

(AS RECORDED IN INSTRUMENT NUMBER 2005000070029)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST; THENCE N.89°18'12"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1787.92 FEET TO THE **POINT OF BEGINNING**. THENCE CONTINUE N.89°18'12"E., ALONG SAID NORTH LINE A DISTANCE OF 843.12 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N.89°19'10"E., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 2,629.54 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°15'00"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,062.89 FEET; THENCE S.00°45'00"E., A DISTANCE OF 7.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°18'50", A CHORD BEARING OF S.29°24'25"W., AND A CHORD LENGTH OF 16.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 83.50 FEET, A CENTRAL ANGLE OF 17°08'57", A CHORD BEARING OF S.50°59'21"W., AND A CHORD LENGTH OF 24.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 421.93 FEET, A CENTRAL ANGLE OF 06°20'50", A CHORD BEARING OF S.38°28'14"W., AND A CHORD LENGTH OF 46.72 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 46.74 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 24°36'12", A CHORD BEARING OF S.22°59'43"W., AND A CHORD LENGTH OF 23.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.05 FEET TO THE END OF SAID CURVE; THENCE S.10°41'37"W., A DISTANCE OF 16.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 77.50 FEET, A CENTRAL ANGLE OF 24°36'11", A CHORD BEARING OF S.01°36'28"E., AND A CHORD LENGTH OF 33.02 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 63.21 FEET, A CENTRAL ANGLE OF 41°28'44", A CHORD BEARING OF S.06°49'48"W., AND A CHORD LENGTH OF 44.77 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 45.76 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 26°53'54", A CHORD BEARING OF S.41°0'107"W., AND A CHORD LENGTH OF 27.91 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.17 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 117.50 FEET, A CENTRAL ANGLE OF 12°21'39", A CHORD BEARING OF S.48°17'15"W., AND A CHORD LENGTH OF 25.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 25.35 FEET TO THE

EXHIBIT 2A  
PAGE 1

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DESCRIPTION FOR DISTRICT BOUNDARY  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 286.61 FEET, A CENTRAL ANGLE OF 19°57'14", A CHORD BEARING OF S.32°07'48"W., AND A CHORD LENGTH OF 99.31 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 99.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 19°47'28", A CHORD BEARING OF S.32°02'55"W., AND A CHORD LENGTH OF 18.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.00 FEET TO THE END OF SAID CURVE; THENCE S.41°56'39"W., A DISTANCE OF 57.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 34.30 FEET, A CENTRAL ANGLE OF 41°00'49", A CHORD BEARING OF S.26°57'38"W., AND A CHORD LENGTH OF 24.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 97.33 FEET, A CENTRAL ANGLE OF 16°43'45", A CHORD BEARING OF S.10°49'28"W., AND A CHORD LENGTH OF 28.32 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 173.66 FEET, A CENTRAL ANGLE OF 10°26'14", A CHORD BEARING OF S.23°56'51"W., AND A CHORD LENGTH OF 31.59 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 53°27'49", A CHORD BEARING OF S.56°00'49"W., AND A CHORD LENGTH OF 19.79 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 20.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 43.74 FEET, A CENTRAL ANGLE OF 28°18'10", A CHORD BEARING OF S.68°35'38"W., AND A CHORD LENGTH OF 21.39 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 21.61 FEET; THENCE S.51°53'17"W., A DISTANCE OF 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 147.00 FEET, A CENTRAL ANGLE OF 18°42'18", A CHORD BEARING OF S.41°12'21"W., AND A CHORD LENGTH OF 47.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 47.99 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 31°47'50", A CHORD BEARING OF S.15°57'17"W., AND A CHORD LENGTH OF 16.44 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.65 FEET TO THE END OF SAID CURVE; THENCE S.00°03'22"W., A DISTANCE OF 99.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 25°23'50", A CHORD BEARING OF S.12°45'17"W., AND A CHORD LENGTH OF 37.37 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 37.68 FEET TO THE END OF SAID CURVE; THENCE S.25°27'12"W., A DISTANCE OF 72.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 68.00 FEET, A CENTRAL ANGLE OF 19°17'07", A CHORD BEARING OF S.15°48'39"W., AND A CHORD LENGTH OF 22.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 22.89 FEET TO THE END OF SAID CURVE; THENCE S.06°10'05"W., A DISTANCE OF 39.67 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 46.50 FEET, A CENTRAL ANGLE OF 11°01'51", A CHORD BEARING OF S.00°39'10"W., AND A CHORD LENGTH OF 8.94 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 8.95 FEET TO THE END OF SAID CURVE; THENCE S.04°51'46"E., A DISTANCE OF 76.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 290.00 FEET, A CENTRAL ANGLE OF 12°06'24", A CHORD BEARING OF S.01°11'26"W., AND A CHORD LENGTH OF 61.16 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 61.28 FEET TO THE END OF SAID CURVE; THENCE S.07°14'38"W., A DISTANCE OF 38.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 23°46'45", A CHORD BEARING OF S.19°08'00"W., AND A CHORD LENGTH OF 19.57 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.71 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 469.77 FEET, A CENTRAL ANGLE OF 09°07'39", A CHORD BEARING OF S.35°35'13"W., AND A CHORD LENGTH OF 74.76 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 74.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 15°03'30", A CHORD BEARING OF S.32°37'17"W., AND A CHORD LENGTH OF 12.45 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 12.48 FEET TO THE END OF SAID CURVE; THENCE S.25°05'32"W., A DISTANCE OF 134.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 128.00 FEET, A CENTRAL ANGLE OF 37°51'48", A CHORD BEARING

EXHIBIT 2B  
PAGE 2

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DESCRIPTION FOR DISTRICT BOUNDARY  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

FEET, A CENTRAL ANGLE OF 76°48'36", A CHORD BEARING OF S.32°58'41"E., AND A CHORD LENGTH OF 109.33 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 117.97 FEET TO THE END OF SAID CURVE; THENCE S.05°25'37"W., A DISTANCE OF 70.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 12°06'17", A CHORD BEARING OF S.00°37'32"E., AND A CHORD LENGTH OF 13.71 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 13.73 FEET TO THE END OF SAID CURVE; THENCE S.06°40'40"E., A DISTANCE OF 49.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 37°46'33", A CHORD BEARING OF S.16°45'02"W., AND A CHORD LENGTH OF 129.49 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 131.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 94°14'47", A CHORD BEARING OF S.11°29'05"E., AND A CHORD LENGTH OF 190.53 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 213.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 39°51'42", A CHORD BEARING OF S.38°40'38"E., AND A CHORD LENGTH OF 17.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 17.39 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 98.14 FEET, A CENTRAL ANGLE OF 22°30'22", A CHORD BEARING OF S.07°29'36"E., AND A CHORD LENGTH OF 38.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 38.55 FEET TO THE END OF SAID CURVE; THENCE S.01°20'37"E., A DISTANCE OF 54.56 FEET; THENCE S.11°33'05"E., A DISTANCE OF 26.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 23°56'39", A CHORD BEARING OF S.00°25'15"W., AND A CHORD LENGTH OF 31.12 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.34 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 28°30'04", A CHORD BEARING OF S.01°51'28"E., AND A CHORD LENGTH OF 42.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 43.28 FEET TO THE END OF SAID CURVE; THENCE S.16°06'30"E., A DISTANCE OF 104.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 20°01'46", A CHORD BEARING OF S.06°05'37"E., AND A CHORD LENGTH OF 30.26 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 30.41 FEET TO THE END OF SAID CURVE; THENCE S.03°55'16"W., A DISTANCE OF 114.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 35°38'16", A CHORD BEARING OF S.13°53'52"E., AND A CHORD LENGTH OF 34.27 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 34.83 FEET TO THE END OF SAID CURVE; THENCE S.31°43'00"E., A DISTANCE OF 22.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 23°00'29", A CHORD BEARING OF S.20°12'46"E., AND A CHORD LENGTH OF 43.88 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 44.17 FEET TO THE END OF SAID CURVE; THENCE S.08°42'31"E., A DISTANCE OF 70.09 FEET; THENCE S.00°04'22"W., A DISTANCE OF 38.50 FEET; THENCE S.89°35'46"W., A DISTANCE OF 1,787.32 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 955.00 FEET, A CENTRAL ANGLE OF 66°53'44", A CHORD BEARING OF N.56°57'22"W., AND A CHORD LENGTH OF 1,052.75 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,115.01 FEET TO THE END OF SAID CURVE; THENCE N.23°30'29"W., A DISTANCE OF 1353.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 1081.00 FEET, A CENTRAL ANGLE OF 67°11'18", A CHORD BEARING OF N.57°06'09"W., AND A CHORD LENGTH OF 1,196.25 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,267.65 FEET TO THE **POINT OF BEGINNING**. PARCEL CONTAINS 168.45 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS). WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

EXHIBIT 2A  
PAGE 3

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DESCRIPTION FOR DISTRICT BOUNDARY  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

# SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA



**CURVE TABLE**

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	247.50'	90°00'00"	388.77'	350.02'	S 44°19'10" W
C2	60.00'	55°09'29"	57.76'	55.56'	S 26°53'55" W
C3	20.00'	90°00'00"	31.42'	28.28'	S 44°19'10" W
C4	60.00'	90°00'00"	94.25'	84.85'	S 45°40'50" E
C5	60.00'	90°16'36"	94.54'	85.06'	S 44°27'28" W
C6	60.00'	90°00'00"	94.25'	84.85'	N 44°35'46" E
C7	60.00'	74°29'06"	78.00'	72.62'	S 53°09'41" E
C8	60.00'	105°30'54"	110.50'	95.53'	S 36°50'19" W
C9	955.00'	66°53'44"	1115.01'	1052.75'	N 56°57'22" W
C10	1081.00'	67°11'18"	1267.65'	1196.25'	N 57°06'09" W

**NOTES:**

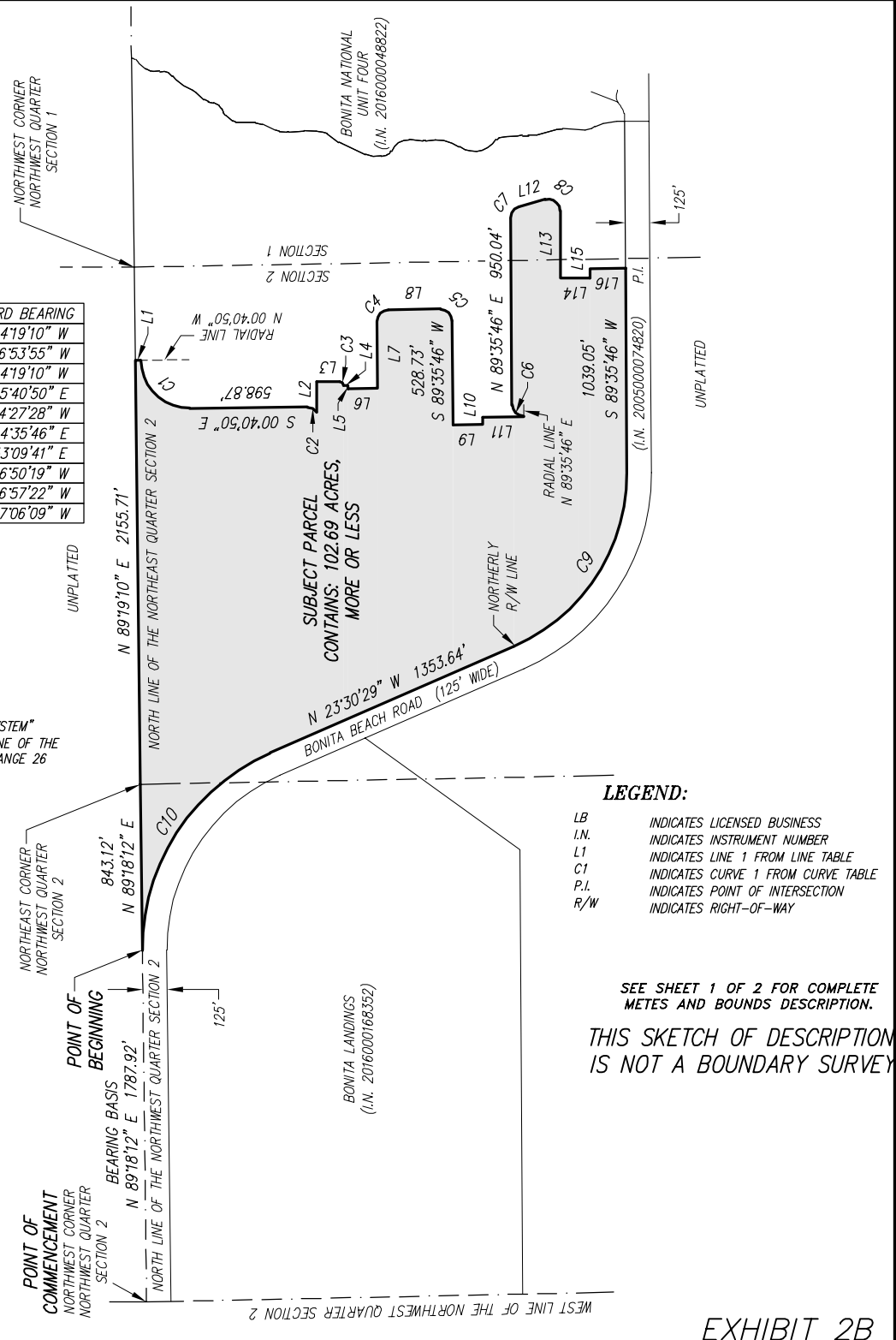
- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS). WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 00°40'50" E	25.00'
L2	N 89°19'10" E	153.22'
L3	S 00°40'50" E	117.88'
L4	S 00°40'50" E	22.50'
L5	S 89°19'10" W	17.52'
L6	S 00°40'50" E	150.00'
L7	N 89°19'10" E	340.03'
L8	S 00°40'50" E	263.74'

**LINE TABLE**

LINE	BEARING	DISTANCE
L9	S 00°24'14" E	150.00'
L10	N 89°35'46" E	38.32'
L11	S 00°24'14" E	210.00'
L12	S 15°55'08" E	138.03'
L13	S 89°35'46" W	344.57'
L14	S 00°24'14" E	150.00'
L15	N 89°35'46" E	47.66'
L16	S 00°24'14" E	180.00'



**LEGEND:**

- LB INDICATES LICENSED BUSINESS
- I.N. INDICATES INSTRUMENT NUMBER
- L1 INDICATES LINE 1 FROM LINE TABLE
- C1 INDICATES CURVE 1 FROM CURVE TABLE
- P.I. INDICATES POINT OF INTERSECTION
- R/W INDICATES RIGHT-OF-WAY

SEE SHEET 1 OF 2 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

EXHIBIT 2B

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6660  
WWW.BANKSENG.COM

SKETCH FOR ASSESSMENT AREA ONE  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1

DESCRIPTION  
OF  
A TRACT OR PARCEL OF LAND  
LYING IN  
SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST,  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, CITY OF BONITA SPRINGS, LYING IN SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST; THENCE N 89°18'12" E ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER FOR 1787.92 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N 89°18'12" E ALONG SAID NORTH LINE FOR 843.12 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N 89°19'10" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 FOR 2,155.71 FEET; THENCE S 00°40'50" E FOR 25.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 247.50 FEET TO WHICH POINT A RADIAL LINE BEARS N 00°40'50" W; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 388.77 FEET; THENCE S 00°40'50" E FOR 598.87 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 55°09'29" FOR 57.76 FEET; THENCE N 89°19'10" E FOR 153.22 FEET; THENCE S 00°40'50" E FOR 117.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 31.42 FEET; THENCE S 00°40'50" E FOR 22.50 FEET; THENCE S 89°19'10" W FOR 17.52 FEET; THENCE S 00°40'50" E FOR 150.00 FEET; THENCE N 89°19'10" E FOR 340.03 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 94.25 FEET; THENCE S 00°40'50" E FOR 263.74 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°16'36" FOR 94.54 FEET; THENCE S 89°35'46" W FOR 528.73 FEET; THENCE S 00°24'14" E FOR 150.00 FEET; THENCE N 89°35'46" E FOR 38.32 FEET; THENCE S 00°24'14" E FOR 210.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET TO WHICH POINT A RADIAL LINE BEARS N 89°35'46" E; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR 94.25 FEET; THENCE N 89°35'46" E FOR 950.04 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 74°29'06" FOR 78.00 FEET; THENCE S 15°55'08" E FOR 138.03 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 105°30'54" FOR 110.50 FEET; THENCE S 89°35'46" W FOR 344.57 FEET; THENCE S 00°24'14" E FOR 150.00 FEET; THENCE N 89°35'46" E FOR 47.66 FEET; THENCE S 00°24'14" E FOR 180.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD (125 FEET WIDE) AS DESCRIBED IN INSTRUMENT NUMBER 2005000074820 OF THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE S 89°35'46" W ALONG SAID NORTHERLY LINE FOR 1,039.05 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 955.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 66°53'44" FOR 1,115.01 FEET; THENCE N 23°30'29" W ALONG SAID NORTHERLY LINE FOR 1,353.64 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,081.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 67°11'18" FOR 1,267.65 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS: 102.69 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83 (CORS). WHEREIN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST BEARS N 89°18'12" E.

*EXHIBIT 2C*

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DESCRIPTION FOR ASSESSMENT AREA ONE								
<b>EAST BONITA BEACH ROAD C.D.D.</b>								
LEE COUNTY, FLORIDA								
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	
10/25/2017	1324DR	CDD BNDY	JLW	JLW	DRU	N.T.S.	1	

**EXHIBIT 2D**

DESCRIPTION  
OF  
ASSESSMENT AREA TWO

ALL OF TRACTS "B-3", TRACT "FD", TRACT "D-4", TRACT "L-8", AND TRACT "L-9", AND THE EASTERLY 473.85 FEET OF TRACT "D-1", SEASONS AT BONITA, ACCORDING TO THE MAP OF PLAT THEREOF, RECORDED IN INSTRUMENT NUMBER 2018000200311, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT PROPERTY CONTAINS: 65.76 ACRES, MORE OR LESS.



N.T.S.

LEE COUNTY  
RURAL VACANT AG-2  
VACANT & AGRICULTURAL  
USES

SECTION ONE  
SECTION TWO

FUTURE LAND USE:  
URBAN FRINGE-COMMUNITY  
ZONED: EAST BONITA ACTIVE  
ADULT RPD

FUTURE LAND USE:  
CONSERVATION  
LANDS-WETLANDS  
ZONED: RURAL VACANT  
AG-2 VACANT &  
AGRICULTURAL  
USES

BONITA BEACH ROAD

FUTURE LAND USE:  
URBAN FRINGE-COMMUNITY  
ZONED: BONITA BEACH ROAD  
ESTATES RPD

PROPERTY  
BOUNDARY

15' TYPE "D"  
LANDSCAPE BUFFER

25' FPL  
EASEMENT

15' TYPE "B"  
LANDSCAPE BUFFER

EXHIBIT 3

**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

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

DISTRICT ZONING MAP  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	ZONING	JLW	JLW	DRU	N.T.S.	1



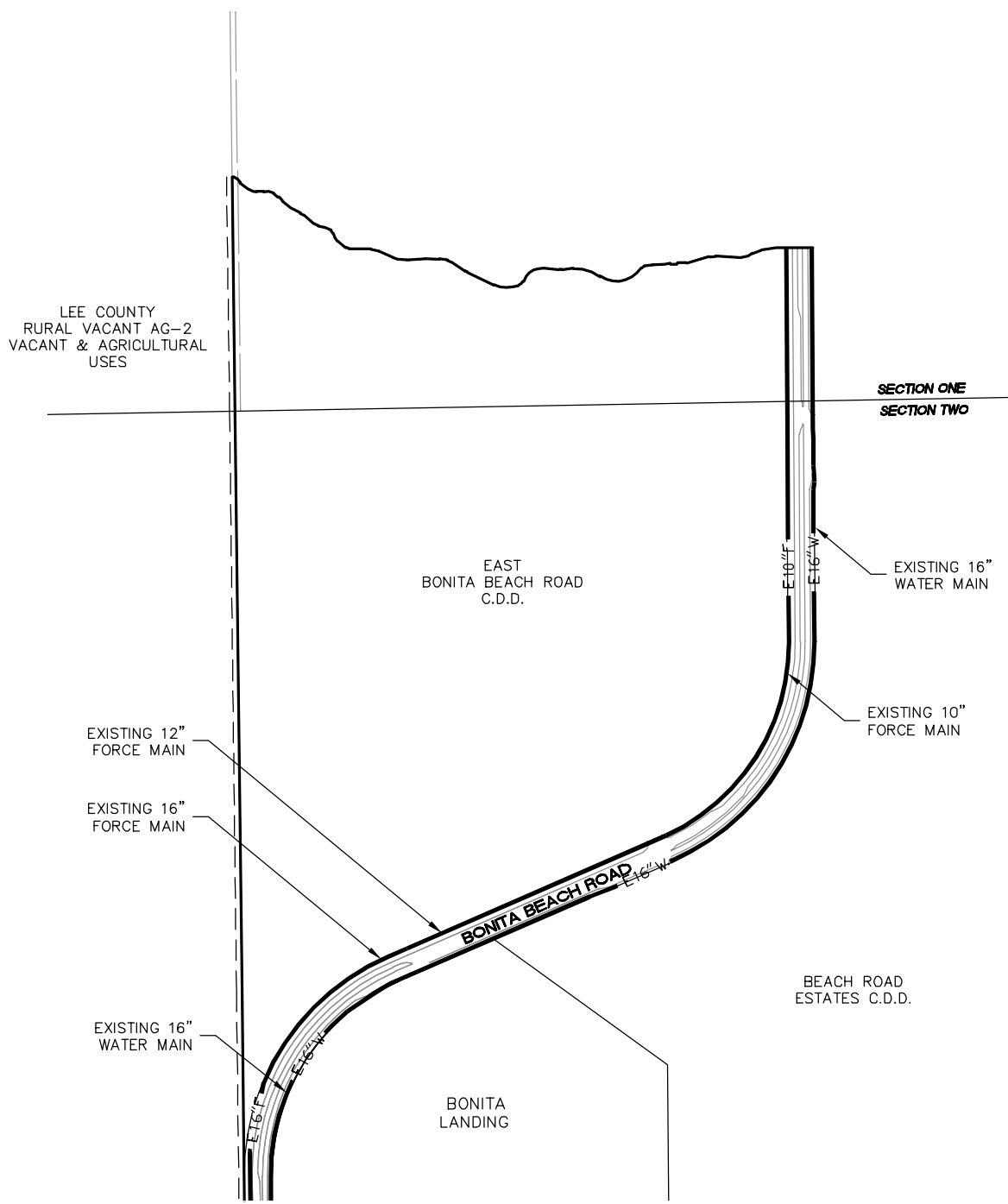


EXHIBIT 4

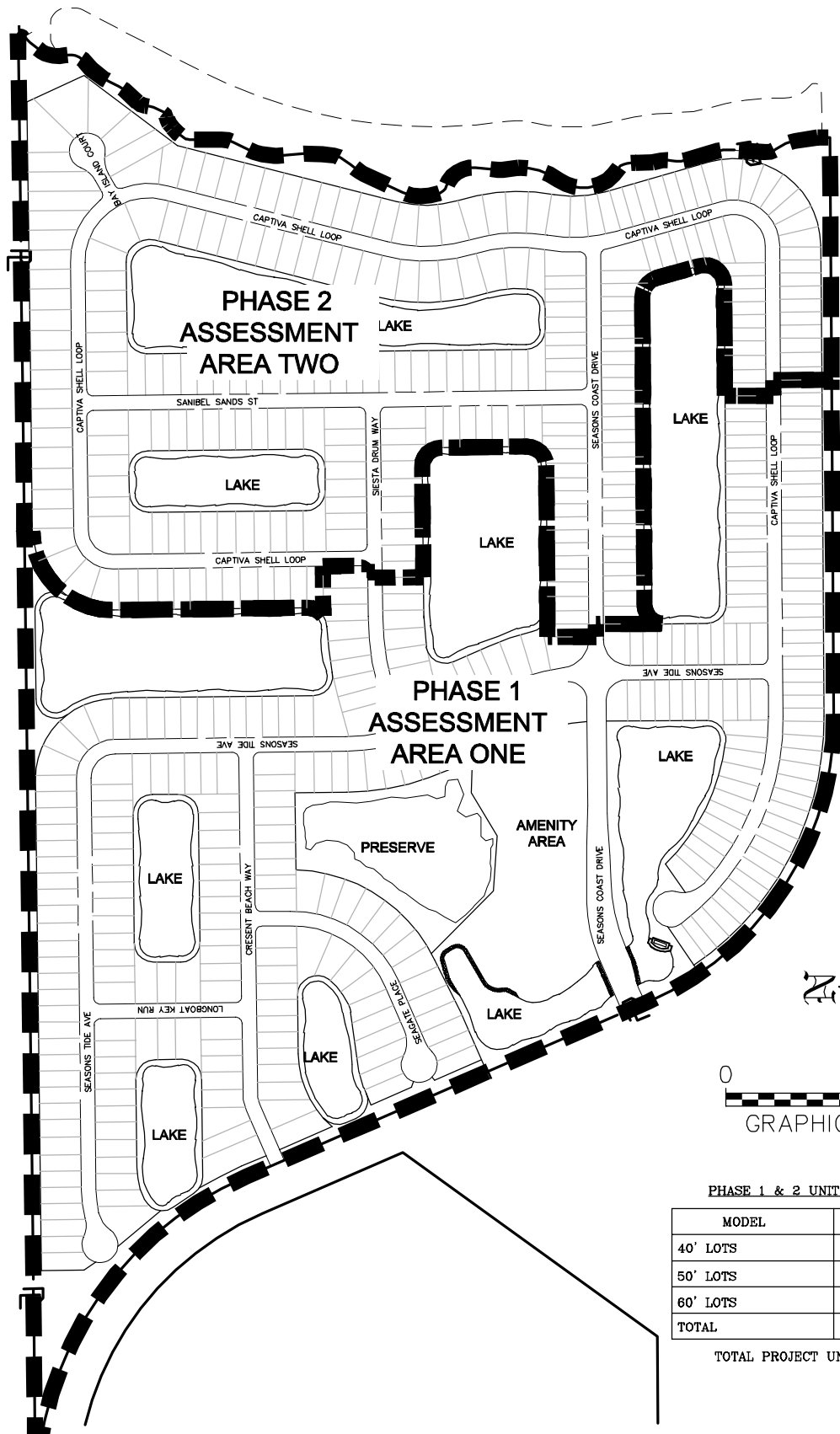
**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

EXISTING UTILITIES MAP  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	EX UTIL	JLW	JLW	DRU	N.T.S.	1



PHASE 1 & 2 UNIT COUNT:

MODEL	PHASE 1	PHASE 2	TOTAL
40' LOTS	98	99	197
50' LOTS	181	82	263
60' LOTS	5	83	88
<b>TOTAL</b>	<b>284</b>	<b>264</b>	<b>548</b>

TOTAL PROJECT UNITS = 548 UNITS

*EXHIBIT 5*

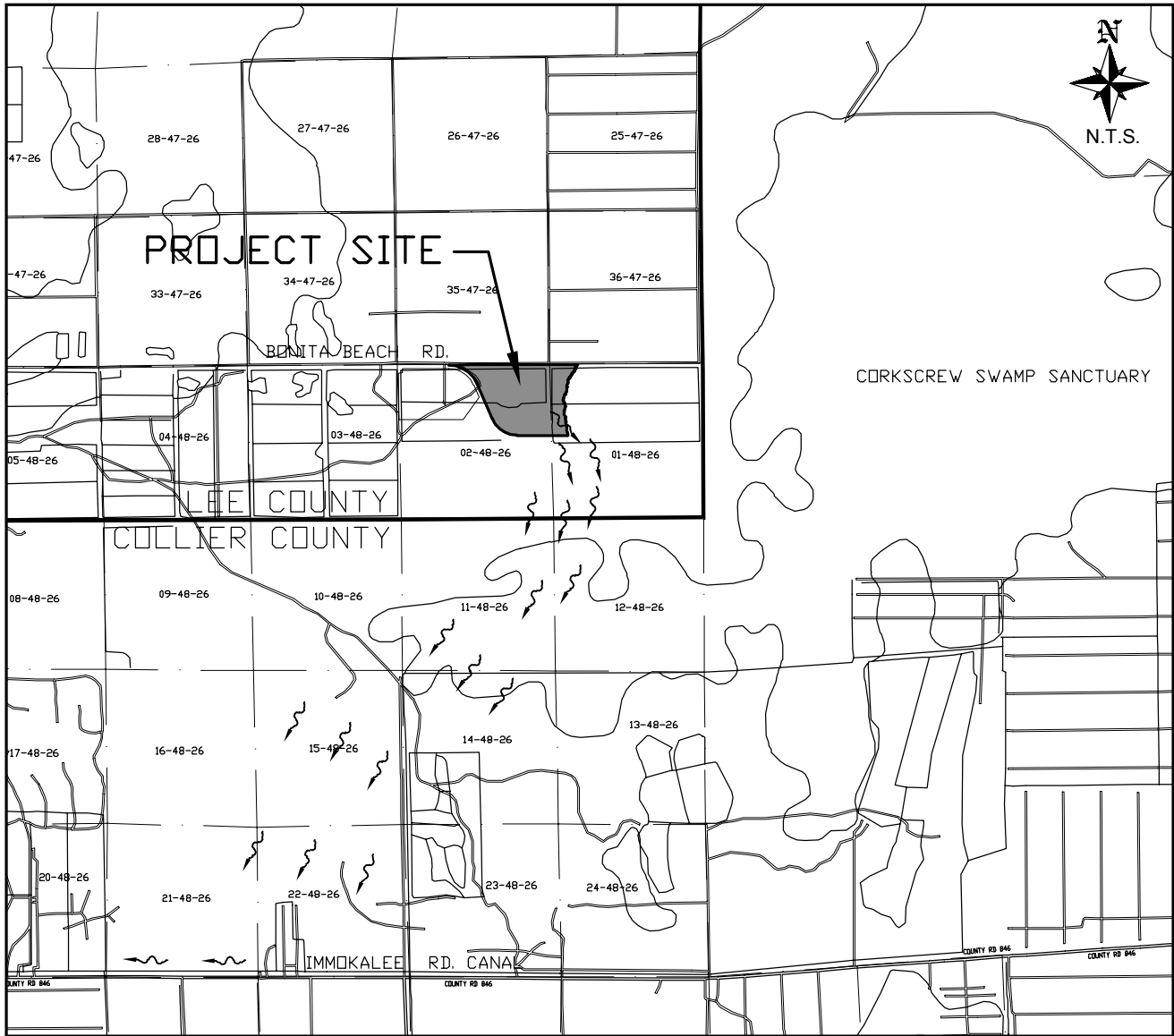
**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

PHASE PLAN  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	PHASE	JLW	JLW	DRU	1"=500'	1



SECTION 1, TOWNSHIP 48 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA

# EAST BONITA BEACH ROAD C.D.D.

## OUTFALL MAP

*EXHIBIT 6-1*

**BANKS**  
**ENGINEERING**

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

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

REGIONAL OUTFALL MAP  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	OUTFALL	JLW	JLW	DRU	N.T.S.	1



EXHIBIT 6-2

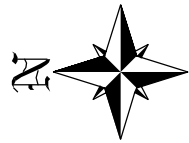
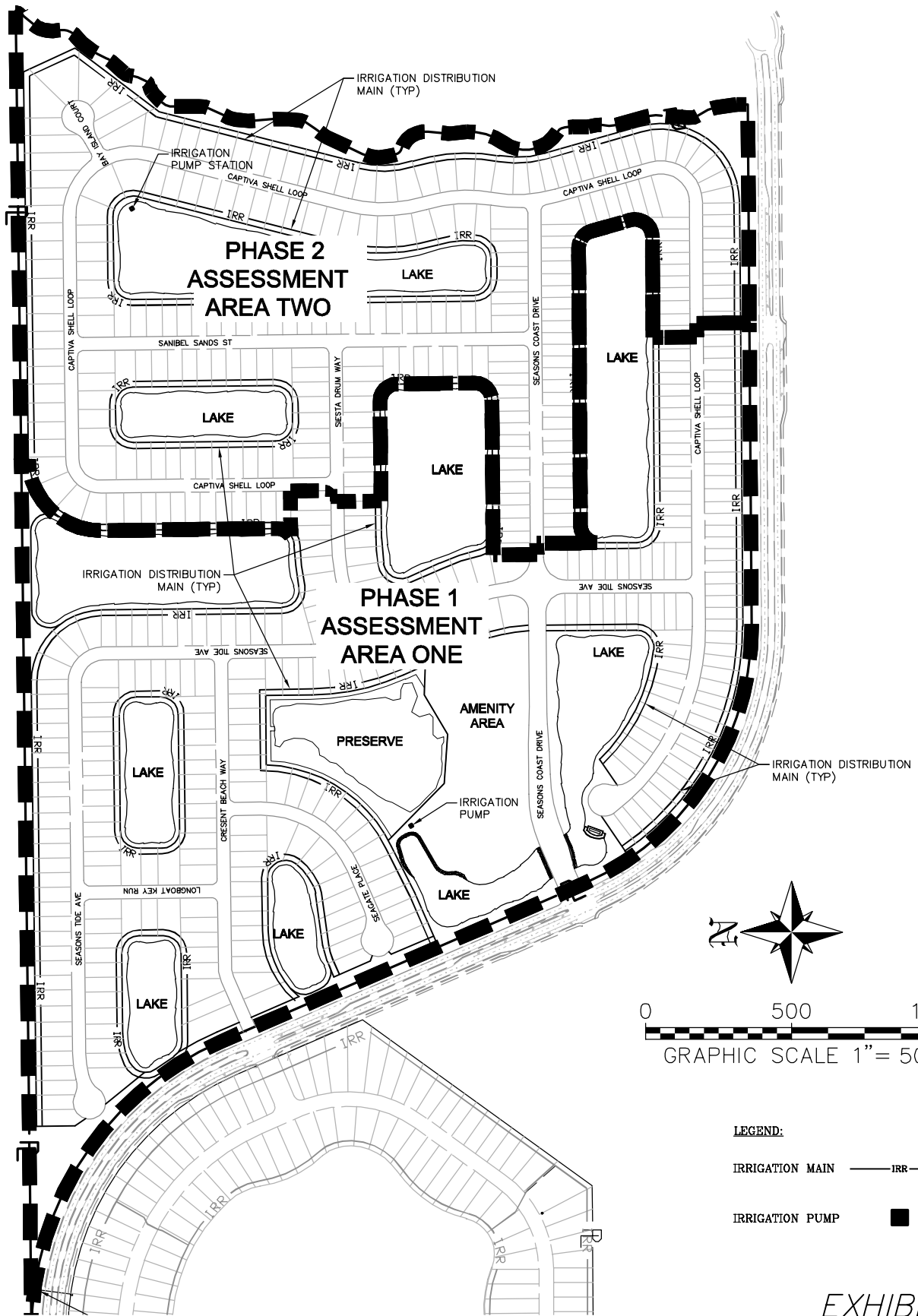
# BANKS ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
 FORT MYERS, FLORIDA 33966  
 PHONE: (239) 939-5490 FAX: (239) 939-2523  
 ENGINEERING LICENSE # EB 6469  
 SURVEY LICENSE # LB 6690  
 WWW.BANKSENG.COM

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

DISTRICT OUTFALL MAP  
**EAST BONIT BEACH ROAD C.D.D.**  
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	OUTFALL	JLW	JLW	DRU	1"=1000'	1



- LEGEND:**
- IRRIGATION MAIN ——— IRR ———
  - IRRIGATION PUMP ■

*EXHIBIT 7*

**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

IRRIGATION FACILITIES  
**EAST BONITA BEACH ROAD C.D.D.**  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	IRRIGATION	JLW	JLW	DRU	1"=500'	1

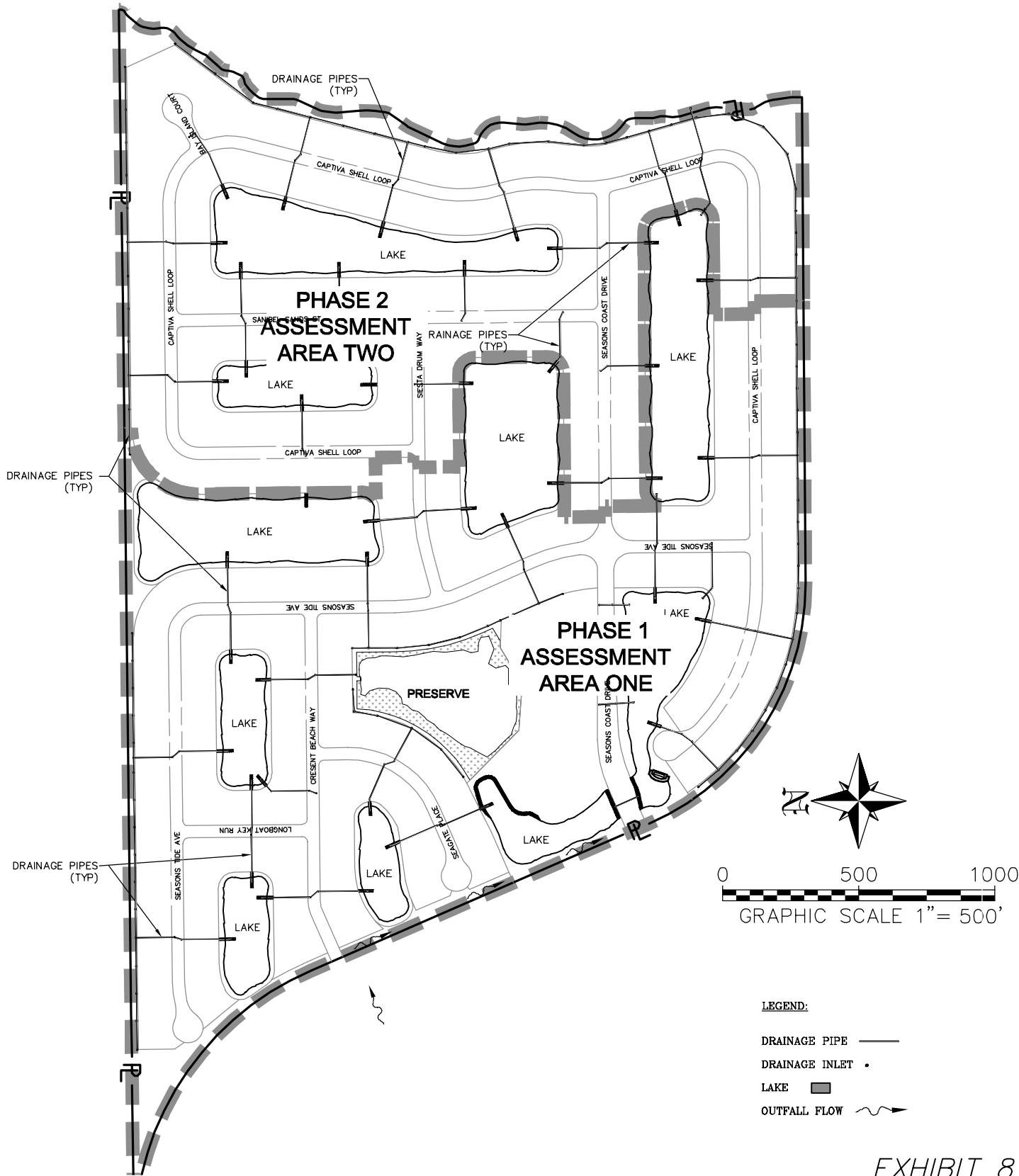


EXHIBIT 8

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

10511 SIX MILE CYPRESS PARKWAY  
 FORT MYERS, FLORIDA 33966  
 PHONE: (239) 939-5490 FAX: (239) 939-2523  
 ENGINEERING LICENSE # EB 6469  
 SURVEY LICENSE # LB 6690  
 WWW.BANKSENG.COM

STORMWATER FACILITIES  
**EAST BONITA BEACH ROAD C.D.D.**  
 LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	DRAINAGE	JLW	JLW	DRU	1"=500'	1

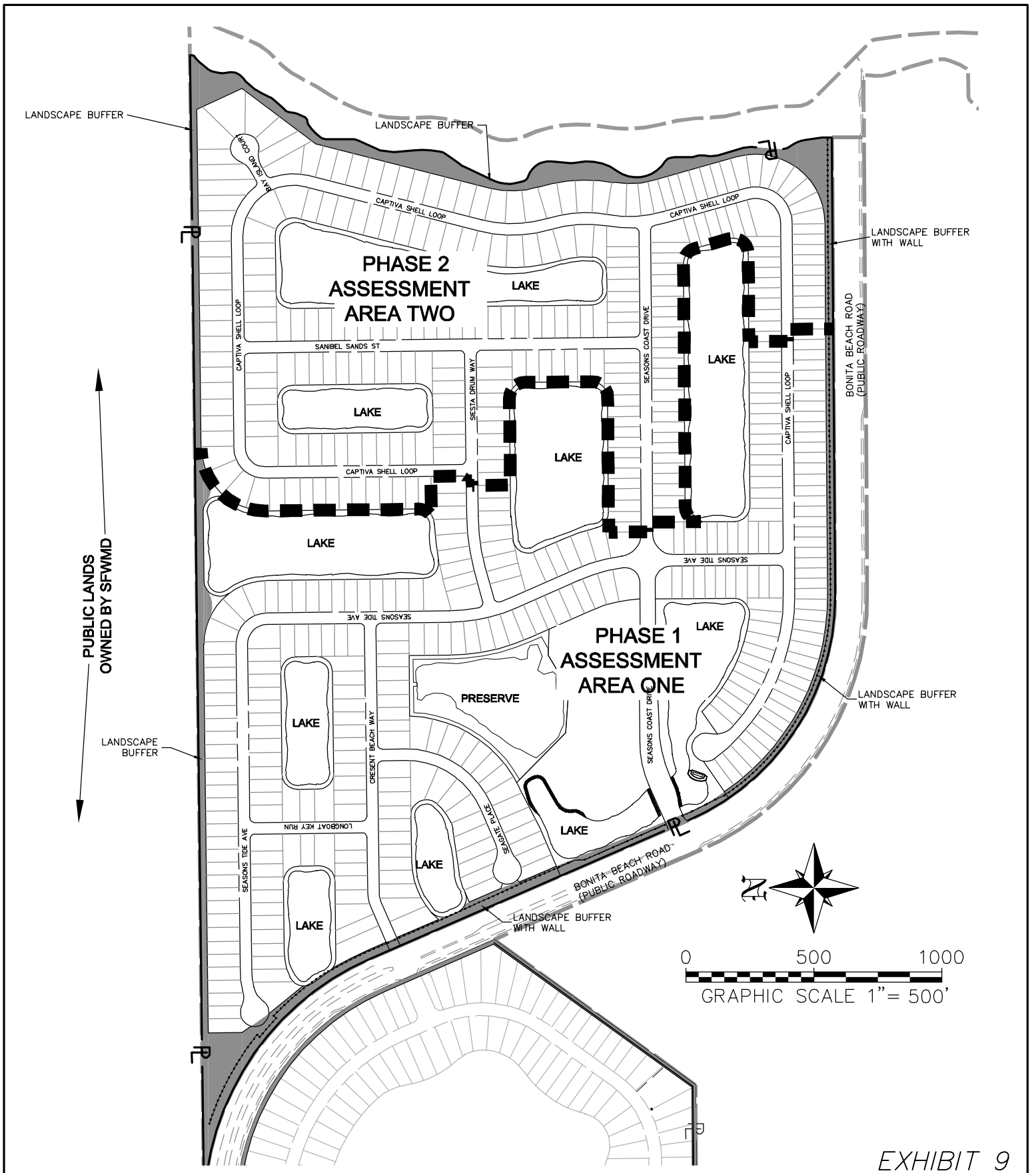


EXHIBIT 9

# BANKS ENGINEERING

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

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

## BUFFERS EAST BONITA BEACH ROAD C.D.D. LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	BUFFERS	JLW	JLW	DRU	1"=500'	1

PUBLIC LANDS  
OWNED BY SFWMD

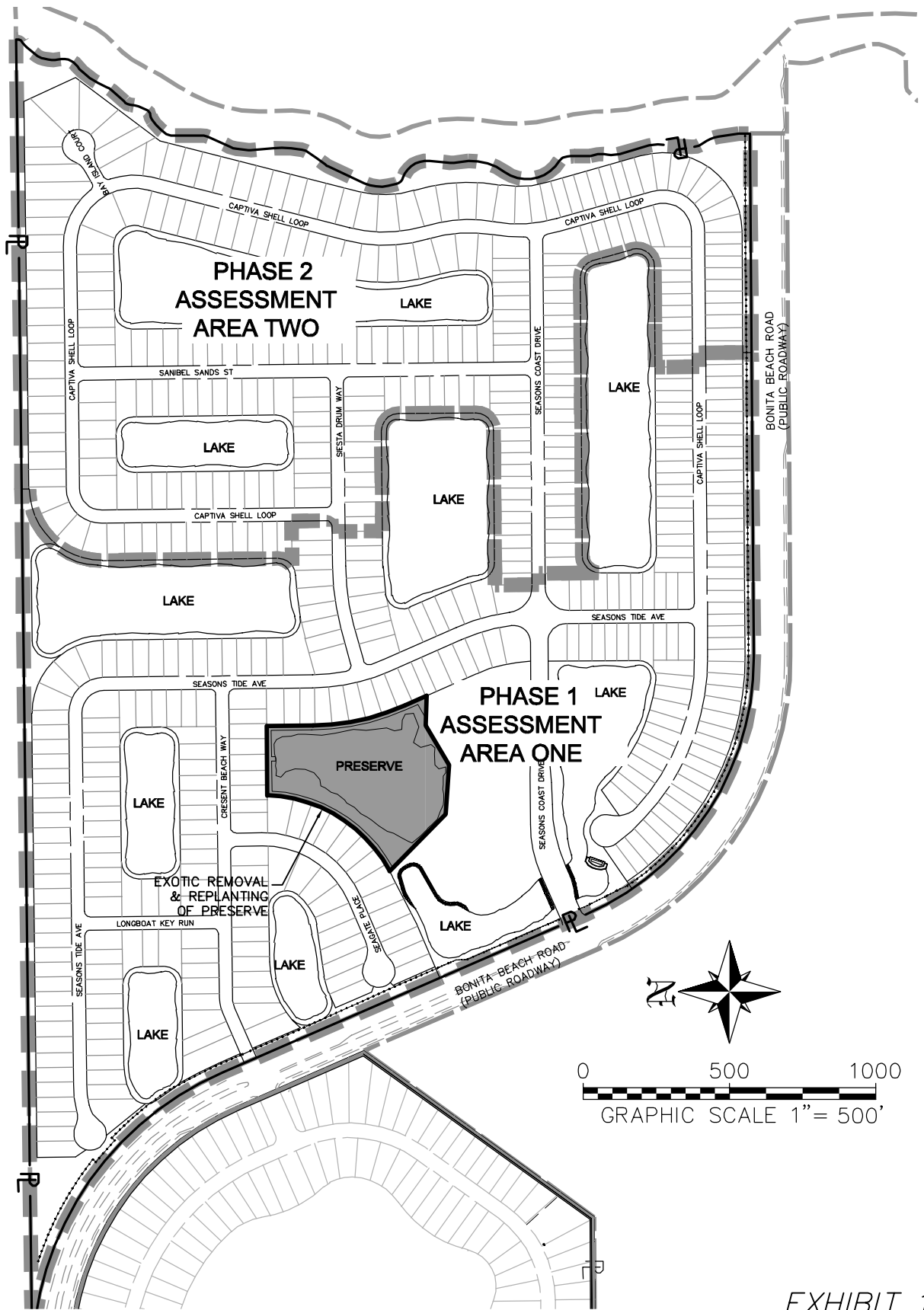


EXHIBIT 10

# BANKS ENGINEERING

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

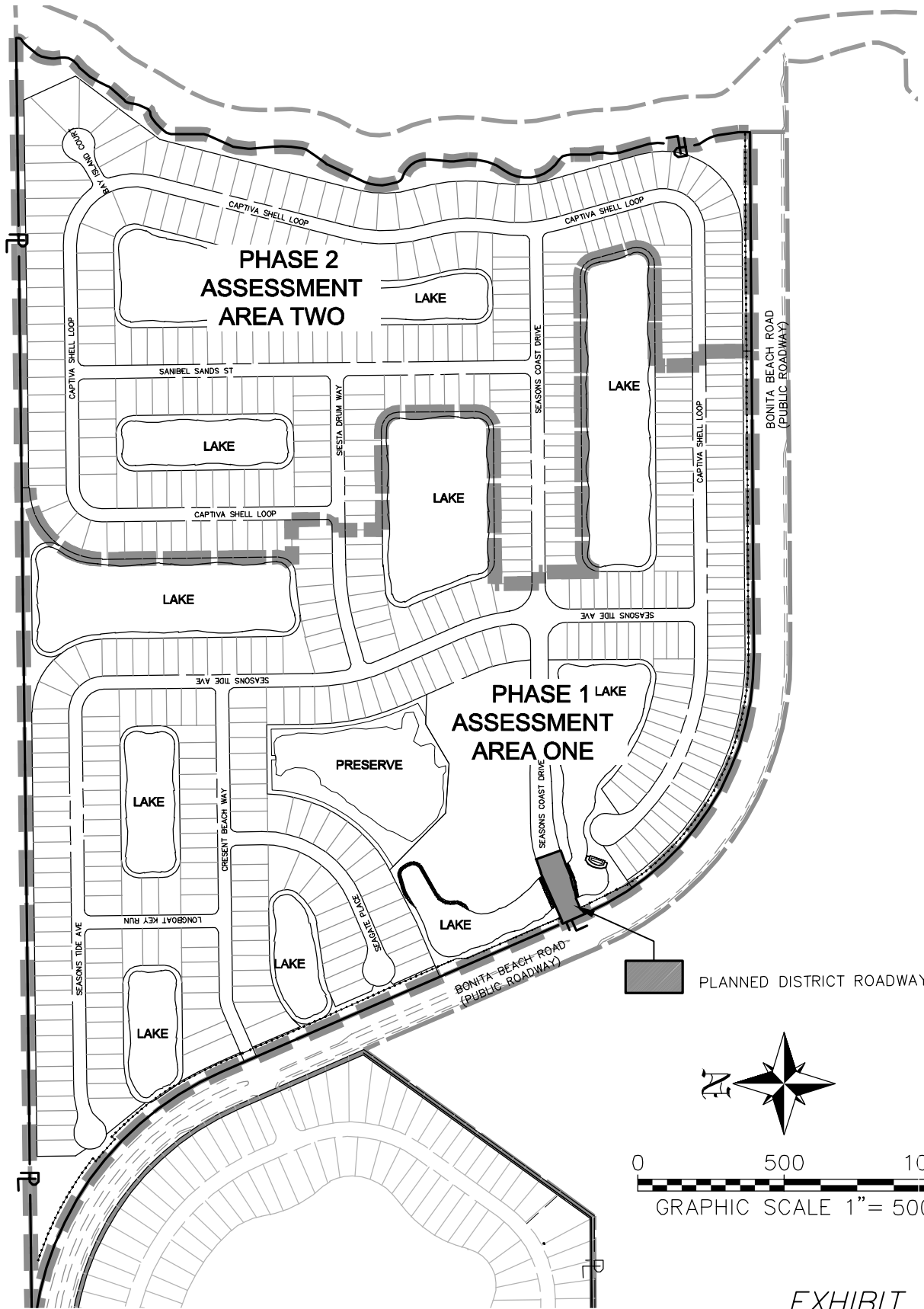
10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

## WETLAND/WILDLIFE MITIGATION EAST BONITA BEACH ROAD C.D.D. LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	BUFFER	JLW	JLW	DRU	1"=500'	1



PUBLIC LANDS  
OWNED BY SFWMD



PLANNED DISTRICT ROADWAY



0 500 1000  
GRAPHIC SCALE 1"=500'

EXHIBIT 11

**BANKS**  
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

DISTRICT ROADWAYS  
EAST BONITA BEACH ROAD C.D.D.  
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
10/25/2017	1324DR	BUFFER	JLW	JLW	DRU	1"=500'	1

## Exhibit C

# EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT

Second Supplemental  
Special Assessment  
Methodology Report

September 29, 2020



Provided by:

**Wrathell, Hunt and Associates, LLC**  
2300 Glades Road, Suite 410W  
Boca Raton, FL 33431  
Phone: 561-571-0010  
Fax: 561-571-0013  
Website: [www.whhassociates.com](http://www.whhassociates.com)

## Table of Contents

<b>1.0</b>	<b>Introduction</b>	
1.1	Purpose .....	1
1.2	Scope of the Second Supplemental Report .....	1
1.3	Special Benefits and General Benefits .....	1
1.4	Organization of the Second Supplemental Report .....	2
<b>2.0</b>	<b>Development Program</b>	
2.1	Overview .....	3
2.2	The Development Program .....	3
<b>3.0</b>	<b>Public Infrastructure Improvements</b>	
3.1	Overview .....	3
3.2	Capital Improvement Plan / Assessment Area Two Project .....	3
<b>4.0</b>	<b>Financing Program</b>	
4.1	Overview .....	4
4.2	Types of Bonds Proposed .....	5
<b>5.0</b>	<b>Assessment Methodology</b>	
5.1	Overview .....	5
5.2	Benefit Allocation .....	6
5.3	Assigning Bond Assessment .....	8
5.4	Lienability Test: Special and Peculiar Benefit to the Property .....	8
5.5	Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay .....	9
5.6	True-Up Mechanism .....	9
5.7	Assessment Roll .....	11
<b>6.0</b>	<b>Appendix</b>	
	Table 1 .....	12
	Table 2 .....	12
	Table 3 .....	13
	Table 4 .....	14
	Table 5 .....	15
	Table 6 .....	15
	Table 7 .....	16

## **1.0 Introduction**

### **1.1 Purpose**

This Second Supplemental Special Assessment Methodology Report (the “Second Supplemental Report”) was developed to supplement the Master Special Assessment Methodology Report dated January 9, 2018 (the “Master Report”), and to provide a supplemental financing plan and a supplemental special assessment methodology for what is known as “Assessment Area Two” (as defined in the Engineer’s Report (defined herein)) within the East Bonita Beach Community Development District (the “District”), located in the City of Bonita Springs, Florida. This Second Supplemental Report is being issued in connection with the District’s proposed issuance of its second series of bonds intended to finance all or a portion of the “Assessment Area Two Project,” as defined in the Amended and Restated Engineer’s Report for the East Bonita Beach Road Community Development District of Banks Engineering dated September 28, 2020 (the “Engineer’s Report”).

### **1.2 Scope of the Second Supplemental Report**

This Second Supplemental Report presents the projections for financing all or a portion of the District’s Assessment Area Two Project described in the Engineer’s Report, as well as describes the method for the allocation of special benefits and the apportionment of special assessments to secure the debt resulting from the provision and financing of the Assessment Area Two Project.

### **1.3 Special Benefits and General Benefits**

Improvements undertaken and funded by the District as part of the Assessment Area Two Project (as defined in *Section 3.2* below) create special and peculiar benefits, different in kind and degree than general benefits, for properties within Assessment Area Two (as defined in *Section 2.2* below), as well as general benefits for the areas outside of the District and to the public at large. However, as discussed within this Second Supplemental Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within Assessment Area Two. The sum of all public infrastructure improvements as described in the Engineer’s Report will comprise an interrelated system of improvements, which means all of the improvements comprising the overall CIP, once constructed, will serve the entire District, and improvements will be interrelated such that they will reinforce one another.

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

The Assessment Area Two Project will provide public infrastructure improvements and real property interests which are all necessary in order to make the lands within Assessment Area Two developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within Assessment Area Two to increase by more than the sum of the financed cost of the individual components of the Assessment Area Two Project. Even though the exact value of the benefits provided by the Assessment Area Two Project is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

#### **1.4 Organization of the Second Supplemental Report**

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

*Section Three* provides a summary of the Assessment Area Two Project as determined by the District Engineer.

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

*Section Five* discusses the special assessment methodology for the Assessment Area Two that was introduced in the Master Report and its application to the current development and financing programs for the District.

## **2.0 Development Program**

### **2.1 Overview**

The District serves the Seasons at Bonita development (the “Development” or “Seasons at Bonita”), a master planned, residential development located in the City of Bonita Springs, Florida. The land within the District consists of approximately 168.45 +/- acres and is generally north and east of Bonita Beach Road, and directly west of the Bonita National residential development. The land within Assessment Area Two consists of approximately 65.76 +/- acres within the District, as defined by legal description in the Exhibit “A” to the Second Supplemental Report.

### **2.2 The Development Program**

The development of Seasons at Bonita is conducted for Forestar Group, Inc. (the “Landowner”) over a multi-year period. Based upon the information provided by the Landowner, the current development plan envisions a total of 548 residential units developed in two (2) phases and located within two (2) geographical areas referred to as Assessment Area One with a total of 284 residential units and Assessment Area Two with a total of 264 residential units. The development of Assessment Area One has already commenced, and all 284 residential units have been platted. Table 1 in the *Appendix* illustrates the development plan for the Seasons at Bonita.

## **3.0 Public Infrastructure Improvements**

### **3.1 Overview**

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

### **3.2 Capital Improvement Plan / Assessment Area Two Project**

The public infrastructure improvements needed to serve the Development and set forth in the overall “Capital Improvement Plan” or “CIP,” as described in the Engineer’s Report, are projected to consist of irrigation, storm water management, buffers, public

roadways, wetland/wildlife mitigation. Additionally, cost estimates include professional services, master land acquisition costs, as well as contingency. According to the Engineer's Report, the public infrastructure improvements are projected to be constructed in two (2) infrastructure construction phases. The Assessment Area One Project, as noted in the Engineer's Report, consists of that portion of the overall CIP that was funded in part from the District's first bond issuance in 2018 and allocable to Assessment Area One, while the Assessment Area Two Project, consists of that portion of the overall CIP that will be funded in part by the District's second bond issuance in 2020 and allocable to Assessment Area Two. See *Table 3* in the Master Report and herein. The District's second bond issuance to be secured by the special assessment lien imposed on Assessment Area Two is anticipated to finance, in whole or in part, the second portion of the overall CIP up to the amount of the construction from the 2020 bond issuance.

The sum of all public infrastructure improvements as described in the Engineer's Report will comprise an interrelated system of improvements, which means all of the improvements comprising the overall CIP, once constructed, will serve the entire District, and improvements will be interrelated such that they will reinforce one another. At the time of this writing, the total costs of the public infrastructure improvements are estimated at \$10,189,911, with the costs of the Assessment Area One Project based on actual costs of the Assessment Area One Project which were reimbursed from proceeds of District's first bond issuance in 2018 estimated at \$4,717,709, and the costs of the Assessment Area Two Project estimated at \$5,472,202. Tables 2 and 3 in the *Appendix* illustrate the specific components of the public infrastructure improvements and their costs.

## **4.0 Financing Program**

### **4.1 Overview**

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within Assessment Area Two. Generally, construction of public improvements is either funded by the Landowner and then acquired by the District or funded directly by the District. The choice of the exact mechanism for providing public infrastructure has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Landowner or construct it, or even partly acquire it and partly construct it.



The District intends to issue Special Assessment Bonds, Series 2020 in the principal amount of \$5,580,000 (the "Bonds") to fund a portion of the Assessment Area Two Project in the amount of \$5,036,465, with the balance of the Assessment Area Two Project costs at \$13,950.79 financed by the Landowner with private capital.

#### **4.2 Types of Bonds Proposed**

The financing plan for Assessment Area Two provides for the issuance of the Bonds in the principal amount of \$5,580,000 to finance a portion of the Assessment Area Two Project cost at \$5,036,465. The Bonds will be amortized in 30 annual installments. Interest payments on the Bonds will be made every May 1 and November 1, and principal payments on the Bonds will be made every November 1.

In order to finance the portion of the improvement costs described in *Section 4.1*, the District needs to borrow more funds and incur indebtedness in the total amount of \$5,580,000. The difference is comprised of debt service reserve, capitalized interest, and costs of issuance, including the underwriter's discount. Sources and uses of funding for the Bonds are presented in Table 4 in the *Appendix*.

### **5.0 Assessment Methodology**

#### **5.1 Overview**

The issuance of the Bonds provides the District with a portion of the funds necessary to construct/acquire the infrastructure improvements which are part of the Assessment Area Two Project outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. The improvements funded with proceeds of the Bonds lead to special and general benefits, with special benefits accruing to properties within Assessment Area Two, as well as general benefits accruing to properties outside the District to the public at large, which general benefits are only incidental in nature. The debt incurred in financing the public infrastructure will be paid off by assessing properties that derive special and peculiar benefits from the portion of the Assessment Area Two Project funded with the Bonds. All properties within Assessment Area Two that receive special benefits from the portion of the Assessment Area Two Project funded with the Bonds will be assessed for their fair share of the debt issued in order to finance the Assessment Area Two Project.

## 5.2 Benefit Allocation

The current development plan envisions the development of a total of 548 residential units developed in two (2) phases and located within two (2) defined geographical areas referred to as Assessment Area One with a total of 284 residential units and Assessment Area Two with a total of 264 residential units, although development phasing, unit types and unit numbers may change throughout the development period.

The sum of all public infrastructure improvements as described in the Engineer's Report will comprise an interrelated system of improvements, which means all of the currently planned Assessment Area Two Project improvements and the already existing Assessment Area One Project improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another, and their combined benefit will be greater than the sum of their individual benefits. All of the unit types within the District, both those in the Assessment Area One and those in the Assessment Area Two, will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

The portion of the public infrastructure improvements that are part of the Assessment Area Two Project and are funded with the Bonds have a logical connection to the special and peculiar benefits received by the land within the Assessment Area Two, as without such improvements, the development of the properties within the Assessment Area Two would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the Assessment Area Two the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments (the "Bond Assessment") to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual Bond Assessment amount, levied on that parcel.

The benefit associated with the public infrastructure improvements described in the Engineer's Report is proposed to be allocated to the different unit types within the District in proportion to the density of development as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 5 in the *Appendix*

illustrates the ERU weights that are proposed to be assigned to the unit types contemplated to be developed within Assessment Area Two based on the relative density of development, the total ERU counts for each unit type category, and the share of the benefit received by each unit type.

This Second Supplemental Report proposes to assign each SF 50' unit an ERU weight of 1.0 (the base weight), each SF 40' unit an ERU weight of 0.8, and each SF 60' unit an ERU weight of 1.2. The rationale behind different ERU weights is supported by the fact that generally and on average smaller units will use and benefit from the public infrastructure improvements less than larger units, as for instance, generally and on average smaller units produce less storm water runoff, may produce fewer vehicular trips, and may need less irrigation capacity than larger units. Additionally, the value of the larger units is likely to appreciate by more in terms of dollars than that of the smaller units as a result of the implementation of the public infrastructure improvements. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the public infrastructure improvements.

In order to facilitate the marketing of the residential units within Assessment Area Two, the Landowner requested that the District limit the amount of annual assessments for debt service on the Bonds to certain predetermined levels, and in order to accomplish that, the Landowner will be required to complete all Assessment Area Two Project improvements in excess of the total amount available from the proceeds of the Bonds. Table 6 in the *Appendix* illustrates the allocation of the Assessment Area Two Project improvement costs of \$5,050,415.79 using the ERU benefit allocations developed in Table 5 in the *Appendix*. However, the District will fund only a portion of that amount in the total amount of \$5,036,465 with proceeds of the Bonds, while the balance of the cost of the Assessment Area Two Project improvements in the amount of \$13,950.79 funded by the Landowner and improvements funded in such way will be contributed to the District at no cost to the District under a completion agreement that will be entered into by the Landowner and District.

Table 7 in the *Appendix* presents the apportionment of the Bond Assessment to the units within Assessment Area Two in accordance with the cost allocations presented in Table 6. Table 7 also presents the annual levels of the projected annual debt service assessments per unit.

### **5.3 Assigning Bond Assessment**

As the land in the District is not yet platted for its intended final use and the precise location of the different units by lot or parcel is unknown, the Bond Assessment will initially be levied on all of the land within Assessment Area Two on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$5,580,000 will be preliminarily levied on approximately 65.76 +/- gross acres at a rate of \$84,854.01 per acre.

When the land is platted, the Bond Assessment will be allocated to each platted parcel within Assessment Area Two on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 7 in the *Appendix*. Such allocation of the Bond Assessment from unplatted gross acres to platted parcels will reduce the amount of Bond Assessment levied on unplatted gross acres within Assessment Area Two.

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

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

As first discussed in *Section 1.3*, Special Benefits and General Benefits, improvements undertaken by the District and funded with proceeds of the Bonds create special and peculiar benefits to certain properties within Assessment Area Two. The District's improvements benefit assessable properties within Assessment Area Two and accrue to all such assessable properties within Assessment Area Two on an ERU basis.

Improvements undertaken by the District can be shown to create special and peculiar benefits to the property within Assessment Area Two. The special and peculiar benefits resulting from each improvement are:

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

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

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

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 5 (expressed as ERU factors) in the *Appendix*.

The apportionment of the assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within Assessment Area Two according to reasonable estimates of the special and peculiar benefits derived from the Assessment Area Two Project by different unit types.

Accordingly, no acre or parcel of property within the District will be liened for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property.

### **5.6 True-Up Mechanism**

The Assessment Methodology described herein is based on conceptual information obtained from the Landowner prior to construction. As development occurs, it is possible that the number of units may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Bond Assessment within Assessment Area Two on a per unit basis never exceed the initially allocated assessments as contemplated in the adopted assessment methodology. Bond Assessment per unit preliminarily equal the levels in Table 7 in the *Appendix* and may change based on the final bond sizing. If such changes occur, the Methodology is applied to the land based on the number of units within each and every parcel.

As the land in Assessment Area Two is platted, the Bond Assessment is assigned to platted parcels based on the figures in Table 7 in the *Appendix*. If as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per unit for land that remains unplatted remains equal to the figures in Table 7 in the *Appendix*, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per unit for land that remains unplatted equals less than the figures in Table 7 in the *Appendix* (for instance as a result of a larger number of units), then the per unit Bond Assessment for all parcels within the Assessment Area Two will be lowered if that state persists at the conclusion of platting of all land within Assessment Area Two.

If, in contrast, as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per unit for land that remains unplatted<sup>1</sup> equals more than the figures in Table 7 in the *Appendix* (for instance as a result of a smaller number of units), taking into account any future development plans for the unplatted lands – in the District’s sole discretion and to the extent such future development plans are feasible, consistent with existing entitlements and governmental requirements, and reasonably expected to be implemented, then the difference in Bond Assessment plus accrued interest will be collected from the owner of the property which platting caused the increase of assessment per unit to occur, in accordance with the assessment resolution and a true-up agreement to be entered into between the District and the Landowner, which will be binding on assignees as provided therein.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Bond Assessment per unit and the Bond Assessment figures in Table 7 in the *Appendix*, multiplied by the actual number of units plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up payment, in which case the accrued interest shall be paid to the

---

<sup>1</sup> For example, if the first platting includes 70 SF 50’ lots, then the remaining unplatted land within the Assessment Area Two would be required to absorb 99 SF 40’ lots, 12 SF 50’ lots, and 83 SF 60’ lots, or approximately \$4,082,300.61 in debt. If the remaining unplatted land would only be able to absorb 95 SF 40’ lots, 11 SF 50’ lots, and 83 SF 60’ lots, or approximately \$3,992,438.65 in debt, then a true-up, payable by the owner of the land subject to the initial plat, would be due in the amount of approximately \$89,861.96, calculated as 4 SF 40’ lots times \$17,116.56 plus 1 SF 50’ lot times \$21,395.71.

following interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of Bonds secured by the Bond Assessment).

In addition to platting of property within the District, any planned sale of an unplatted parcel to a third party unaffiliated builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Bond Assessment per unit for land that remains unplatted within the Assessment Area Two remains equal to the figures in Table 7 in the *Appendix*. The test will be based upon the development rights as signified by the number of units associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessment transferred at sale.

Note that, in the event that the Assessment Area Two Project is not completed, certain contributions are not made, multiple bond issuances are contemplated and not all are issued, or under certain other circumstances, the District may be required to reallocate the Bond Assessment, provided however that the Bond Assessment would only be reallocated as among lands within Assessment Area Two.

## **5.7 Assessment Roll**

The Bond Assessment of \$5,580,000 is levied over the area described in Exhibit "A". Excluding any capitalized interest period, debt service assessment shall be paid in thirty (30) annual installments.

## **6.0 Appendix**

Table 1

## East Bonita Beach Road

### Community Development District

#### Development Program

Unit Type	Assessment Area One Units	Assessment Area Two Units	Total Units
SF 40'	98	99	197
SF 50'	181	82	263
SF 60'	5	83	88
<b>Total</b>	<b>284</b>	<b>264</b>	<b>548</b>

Table 2

## East Bonita Beach Road

### Community Development District

#### Public Infrastructure Improvements

Description	Assessment Area One Estimated Construction Cost	Assessment Area One Cost Reimbursed from 2018 Bonds	Assessment Area Two Estimated Construction Cost	Total CIP
Irrigation	\$675,000	\$0	\$850,000	\$850,000
Storm Water Management	\$1,525,000	\$1,166,665	\$1,200,000	\$2,366,665
Buffers	\$475,000	\$310,507	\$650,000	\$960,507
Public Roadways	\$250,000	\$8,289	\$300,000	\$308,289
Wetland/Wildlife Mitigation	\$35,000	\$0	\$10,000	\$10,000
Professional Services	\$100,000	\$20,490	\$50,000	\$70,490
Contingency	\$310,000	\$0	\$300,000	\$300,000
<b>Sub-Total</b>	<b>\$3,370,000</b>	<b>\$1,505,951</b>	<b>\$3,360,000</b>	<b>\$4,865,951</b>
Master Land Acquisition		\$3,211,758	\$2,112,202	\$5,323,960
<b>Total</b>	<b>\$3,370,000</b>	<b>\$4,717,709</b>	<b>\$5,472,202</b>	<b>\$10,189,911</b>



Table 3

# East Bonita Beach Road

## Community Development District

### Allocation of Costs of Public Infrastructure Improvements to Assessment Area One and Assessment Area Two

Description	Total CIP	Assessment Area One Allocable Project Cost	Assessment Area Two Allocable Project Cost
Irrigation	\$850,000.00	\$428,715.32	\$421,284.68
Storm Water Management	\$2,366,665.00	\$1,193,677.10	\$1,172,987.90
Buffers	\$960,507.00	\$484,451.84	\$476,055.16
Public Roadways	\$308,289.00	\$155,492.02	\$152,796.98
Wetland/Wildlife Mitigation	\$10,000.00	\$5,043.71	\$4,956.29
Professional Services	\$70,490.00	\$35,553.11	\$34,936.89
Contingency	\$300,000.00	\$151,311.29	\$148,688.71
<b>Sub-Total</b>	<b>\$4,865,951.00</b>	<b>\$2,454,244.39</b>	<b>\$2,411,706.61</b>
Master Land Acquisition	\$5,323,960.00	\$2,685,250.82	\$2,638,709.18
<b>Total</b>	<b>\$10,189,911.00</b>	<b>\$5,139,495.21</b>	<b>\$5,050,415.79</b>

**Note:** Please note that the allocation of project costs to Assessment Area One and Assessment Area Two is based on benefit allocation as described in Section 5.2 of the Master Report and Second Supplemental Report

Table 4

# East Bonita Beach Road

## Community Development District

### Sources and Uses of Funds

		Amount
<b>Sources:</b>		
	Bond Proceeds:	
	Par Amount	\$5,580,000.00
<b>Total Sources</b>		<b>\$5,580,000.00</b>
<b>Uses:</b>		
	Project Fund Deposits:	
	Project Fund	\$5,036,465.00
	Other Fund Deposits:	
	Debt Service Reserve Fund	\$166,260.00
	Capitalized Interest Fund	\$118,575.00
	Delivery Date Expenses:	
	Costs of Issuance	\$258,700.00
<b>Total Uses</b>		<b>\$5,580,000.00</b>

Table 5

## East Bonita Beach Road

### Community Development District

#### Improvements Benefit Allocation

Unit Type	Total Units	ERU per Unit	Total ERU
SF 40'	197	0.8	157.60
SF 50'	263	1.0	263.00
SF 60'	88	1.2	105.60
<b>Total</b>	<b>548</b>		<b>526.20</b>

Unit Type	Assessment Area One Units	ERU per Unit	Assessment Area One ERU
SF 40'	98	0.8	78.40
SF 50'	181	1.0	181.00
SF 60'	5	1.2	6.00
<b>Total</b>	<b>284</b>		<b>265.40</b>

Unit Type	Assessment Area Two Units	ERU per Unit	Assessment Area Two ERU
SF 40'	99	0.8	79.20
SF 50'	82	1.0	82.00
SF 60'	83	1.2	99.60
<b>Total</b>	<b>264</b>		<b>260.80</b>

Table 6

## East Bonita Beach Road

### Community Development District

#### Public Infrastructure Improvements Costs Allocation - Assessment Area Two

Unit Type	Public Infrastructure Improvements Costs Allocation Based on ERU Method	Public Infrastructure Improvements Costs Financed with Bonds	Public Infrastructure Improvements Contributed by the Developer
SF 40'	\$1,533,715.22	\$1,529,478.63	\$4,236.59
SF 50'	\$1,587,937.48	\$1,583,551.11	\$4,386.37
SF 60'	\$1,928,763.09	\$1,923,435.25	\$5,327.83
<b>Total</b>	<b>\$5,050,415.79</b>	<b>\$5,036,465.00</b>	<b>\$13,950.79</b>

Table 7

# East Bonita Beach Road

## Community Development District

### Bond Assessment Apportionment - Assessment Area Two

Unit Type	Total Bond Assessment Apportionment	Bond Assessment Apportionment per Unit	Annual Bond Assessment Payment Apportionment per Unit - March Pmt*	Annual Bond Assessment Payment Apportionment per Unit - Nov Pmt**
SF 40'	\$1,694,539.88	\$17,116.56	\$1,065.10	\$1,022.50
SF 50'	\$1,754,447.85	\$21,395.71	\$1,330.73	\$1,277.50
SF 60'	\$2,131,012.27	\$25,674.85	\$1,596.35	\$1,532.50
<b>Total</b>	<b>\$5,580,000.00</b>			

\* Includes Lee County costs of collection and 4% early payment discount allowance-March payment

\*\* Includes Lee County costs of collection-November payment

## **Exhibit "A"**

Bond Assessments of \$5,580,000 are proposed to be levied over the following land:

ALL OF TRACTS "B-3", TRACT "FD", TRACT "D-4", TRACT "L-8", AND TRACT "L-9",  
AND THE EASTERLY

473.85 FEET OF TRACT "D-1", SEASONS AT BONITA, ACCORDING TO THE MAP  
OF PLAT THEREOF,

RECORDED IN INSTRUMENT NUMBER 2018000200311, PUBLIC RECORDS OF  
LEE COUNTY, FLORIDA.

SUBJECT PROPERTY CONTAINS: 65.76 ACRES, MORE OR LESS.

**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**3 E**

**RESOLUTION 2021-01**

**A RESOLUTION MAKING CERTAIN FINDINGS; AUTHORIZING AN IMPROVEMENT PLAN FOR ASSESSMENT AREA TWO; UPDATING THE MASTER IMPROVEMENT PLAN; PROVIDING AN ESTIMATED COST OF IMPROVEMENTS; ADOPTING AN ASSESSMENT AREA 2 ASSESSMENT REPORT; EQUALIZING, APPROVING, CONFIRMING AND LEVYING DEBT ASSESSMENTS ON ASSESSMENT AREA TWO; ADDRESSING THE FINALIZATION OF SPECIAL ASSESSMENTS; ADDRESSING THE PAYMENT OF DEBT ASSESSMENTS AND THE METHOD OF COLLECTION; PROVIDING FOR THE ALLOCATION OF DEBT ASSESSMENTS AND TRUE-UP PAYMENTS; ADDRESSING GOVERNMENT PROPERTY AND TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE AND FEDERAL GOVERNMENT; AUTHORIZING AN ASSESSMENT NOTICE; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the East Bonita Beach Road Community Development District (“**District**”) is a local unit of special-purpose government established by ordinance of the City Council of the City of Bonita Springs, Florida and existing under and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (“**Act**”); and

**WHEREAS**, the District has previously indicated its intention to construct certain types of improvements and acquire certain property and to finance such improvements and such property through the issuance of bonds, notes or other specific financing mechanisms, which bonds, notes or other specific financing mechanisms would be repaid by the imposition of special assessments on benefited property known as “Assessment Area Two” within the District; and

**WHEREAS**, the District’s Board of Supervisors (“**Board**”) has 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, and now desires to adopt a resolution imposing and levying such assessments as set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:**

1. **AUTHORITY.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*. The recitals stated above are incorporated herein; are adopted by the Board as true and correct statements; and are further declared to be findings made and determined by the Board.

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

*The Master Improvement Plan*

a. The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork improvements,

landscape, irrigation and entry features, conservation and mitigation, street lighting, real property and other infrastructure projects, services and properties necessitated by the development of, and serving lands within, the District; and

- b. On September 30, 2020, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2020-08 (“**Declaring Resolution**”), and in doing so determined to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements and property described in the District’s *Amended and Restated Engineer’s Report for the East Bonita Beach Road Community Development District*, dated September 28, 2020, attached hereto as **Exhibit A** and incorporated herein by reference (“**Master Improvement Plan**,” and the project described therein, the “**Project**”); and
- c. The plans and specifications for the Project are on file in the offices of the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“**District Records Office**”); and

#### *The Debt Assessment Process*

- d. Also as part of the Declaring Resolution, the Board expressed an intention to issue bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project, and further declared its intention to defray the whole or any part of the expense of the Project by levying special assessments (“**Debt Assessments**”) on specially benefited property within all of the District (“**Assessment Area Two**”); and
- e. The Declaring Resolution 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; and
- f. As directed by the Declaring Resolution, said Declaring Resolution 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 District; and
- g. As directed by the Declaring Resolution, the Board caused to be made a preliminary assessment roll as required by Section 170.06, *Florida Statutes*; and
- h. As required by Section 170.07, *Florida Statutes*, and as part of the Declaring Resolution, the Board fixed the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein could appear before the Board and be heard as to (i) the propriety and advisability of making the improvements, (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 the Board further authorized publication of notice of such public hearing and individual mailed notice of such public hearing in accordance with Chapters 170, 190, and 197, *Florida Statutes*; and
- i. Notice of the scheduled public hearing was given by publication and also by mail as required by Sections 170.07 and 197.3632, *Florida Statutes*, and affidavits as to such publication and mailings are on file in the office of the Secretary of the District; and
- j. The mailed and published notices advised that, due to the COVID-19 public health emergency, it may be necessary to conduct the public hearing remotely, via telephone or



video communications media technology pursuant to Executive Orders 20-52, 20-69, 20-112, 20-123, 20-139, 20-150, 20-179, 20-193 and 20-246, and any extensions or supplements thereof; and advised interested persons of how they could obtain information about participation in such remote hearing proceedings; and

- k. On November 6, 2020, and at the time specified in the Declaring Resolution, the Board conducted such public hearing in person and by communications media technology and heard and considered all complaints and testimony as to the matters described above; the Board further met as an “Equalization Board;” and 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; and

#### *Equalization Board Additional Findings*

- l. Having considered the estimated costs of the Project, the estimated financing costs and all comments and evidence presented at such public hearing, the Board further finds and determines that:
  - i. It is necessary to the public health, safety and welfare and in the best interests of the District that: (1) the District provide the Project as set forth in the Master Improvement Plan; (2) the cost of such Project be assessed against the lands specially benefited by such Project, and within Assessment Area Two; and (3) the District issue bonds, notes or other specific financing mechanisms to provide funds for such purposes pending the receipt of such Debt Assessments; and
  - ii. The provision of said Project, the levying of the Debt Assessments, and the sale and issuance of such bonds, notes, or other specific financing mechanisms serve a proper, essential, and valid public purpose and are in the best interests of the District, its landowners and residents; and
  - iii. The estimated costs of the Project are as specified in the Master Improvement Plan and Assessment Report (defined below), and the amount of such costs is reasonable and proper; and
  - iv. It is reasonable, proper, just and right to assess the cost of such Assessment Area Two Project against the properties specially benefited thereby in Assessment Area Two, using the method determined by the Board and set forth in the *Second Special Assessment Methodology Report (Assessment Area Two)*, dated September 29, 2020 (“**Assessment Report**,” attached hereto as **Exhibit B** and incorporated herein by this reference), which results in the Debt Assessments set forth on the final assessment roll; and
  - v. The Project benefits all developable property within Assessment Area Two; and
  - vi. Accordingly, the Debt Assessments as set forth in the Assessment Report constitute a special benefit to all parcels of real property listed on said final assessment roll, and the benefit, in the case of each such parcel, will be equal to or in excess of the Debt Assessments imposed thereon, as set forth in **Exhibit B**; and

- vii. All developable property within Assessment Area Two is deemed to be benefited by the Project, and the Debt Assessments will be allocated in accordance with the Assessment Report attached as **Exhibit B**; and
- viii. The Debt Assessments are fairly and reasonably allocated across the benefitted property, as set forth in **Exhibit B**; and
- ix. It is in the best interests of the District that the Debt Assessments be paid and collected as herein provided; and
- x. In order to provide funds with which to pay the costs of the Project which are to be assessed against the benefitted properties, pending the collection of the Debt Assessments, it is necessary for the District to issue revenue bonds, notes or other specific financing mechanisms, including refunding bonds (together, "**Bonds**").

3. **AUTHORIZATION FOR PROJECT; ADOPTION OF MASTER IMPROVEMENT PLAN.** The Master Improvement Plan identifies and describes the infrastructure improvements to be financed in part with the Bonds and sets forth the costs of the Project. The District hereby confirms that the Project serves a proper, essential, and valid public purpose. The use of the Master Improvement Plan in connection with the sale of the Bonds is hereby authorized, approved and ratified, 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.

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

5. **ADOPTION OF ASSESSMENT REPORT.** The Assessment Report setting forth the allocation of Debt Assessments to the benefitted lands within Assessment Area Two is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Bonds.

6. **EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF DEBT ASSESSMENTS.** The Debt Assessments imposed on the parcels specially benefited by the Project within Assessment Area Two, 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, the lien of Debt Assessments as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the District in the District's "**Improvement Lien Book.**" The Debt 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, 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.

- a. ***Supplemental Assessment Resolutions for Bonds.*** The lien for the Debt Assessments established hereunder shall be inchoate until the District issues Bonds. In connection with the issuance of any particular series of the Bonds, the District may adopt, without the need for further public hearing, a supplemental assessment resolution establishing specific Debt Assessments, in one or more separately enforceable Debt Assessment liens, securing such Bonds. Such subsequent resolutions 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. Among other things, the

supplemental assessment resolutions may provide for the issuance of multiple series of Bonds each secured by one or more different assessment areas within Assessment Area Two.

- b. ***Adjustments to Debt Assessments.*** 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 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 and 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.
- c. ***Impact Fee Credits.*** The District may or may not be entitled to impact fee credits as a result of the development of the Project, based on applicable laws and/or agreements governing impact fee credits. Unless otherwise addressed by supplemental assessment resolution, the proceeds from any impact fee credits received may be used in the District's sole discretion as an offset for any acquisition of any portion of the Project, for completion of the Project, or otherwise used against the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits.

7. **FINALIZATION OF DEBT ASSESSMENTS.** When a project has 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 Section 170.08, *Florida Statutes*, the District shall credit to each Debt Assessment the difference, if any, between the Debt Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the applicable project. In making such credits, no credit shall be given for bond, note or other specific financing mechanism costs, capitalized interest, funded reserves or bond or other discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

8. **PAYMENT OF DEBT ASSESSMENTS AND METHOD OF COLLECTION.**

- a. ***Payment.*** The Debt Assessments, as further set forth in each supplemental assessment resolution, and securing the issuance of each series of the Bonds, may be paid in not more than thirty (30) yearly installments of principal and interest – beginning upon the issuance of the particular series of the Bonds (and after taking into account any capitalized interest periods), provided, however, that the Board shall at any time make such adjustments by resolution, and 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.
- b. ***Prepayment.*** Subject to the provisions of any supplemental assessment resolution, any owner of property subject to the Debt Assessments may, at its option, pre-pay the entire amount of the Debt Assessment any time, or a portion of the amount of the Debt Assessment up to two times, plus accrued interest to the next succeeding interest payment date (or the second succeeding interest payment date if such prepayment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of bonds secured by the Debt Assessments in question), attributable to the property subject to Debt Assessments owned by such owner. Prepayment of Debt Assessments does not entitle the property owner to any discounts for early payment. If authorized by a supplemental assessment resolution, the District may grant a discount equal to all or a part of the payee's proportionate share of

the cost of the Project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the Project, upon payment in full of any Debt Assessment during such period prior to the time such financing costs are incurred as may be specified by the District.

- c. ***Uniform Method; Alternatives.*** The District may elect to use the method of collecting Debt Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (“**Uniform Method**”). The District has heretofore taken all required actions to comply with Sections 197.3632 and 197.3635, *Florida Statutes*. Such Debt 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 Debt Assessments is not available to the District in any year, or if determined by the District to be in its best interests, and subject to the terms of any applicable trust indenture, the Debt Assessments may be collected as is otherwise permitted by law. In particular, the District may, in its sole discretion, collect Debt Assessments by directly billing landowners and enforcing said collection in any manner authorized by law. Any prejudgment interest on delinquent assessments that are directly billed shall accrue at the applicable rate of any bonds or other debt instruments secured by the Debt Assessments. The decision to collect Debt Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect Debt Assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.
- d. ***Uniform Method Agreements Authorized.*** For each year the District uses the Uniform Method, the District shall enter into an agreement with the County Tax Collector 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*.
- e. ***Re-amortization.*** Any particular lien of the Debt Assessments shall be subject to re-amortization where the applicable series of Bonds is subject to re-amortization pursuant to the applicable trust indenture and where the context allows.

## **9. ALLOCATION OF DEBT ASSESSMENTS; APPLICATION OF TRUE-UP PAYMENTS.**

- a. At such time as parcels of land, or portions thereof, are included in a plat or site plan, it shall be an express condition of the lien established by this Resolution that, prior to County approval, any and all plats or site plans for 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. As parcels of land, or portions thereof, are included in a plat or site plan, the District Manager shall review the plat or site plan and cause the Debt Assessments securing each series of Bonds to be reallocated to the units being included in the plat or site plan and the remaining property in accordance with **Exhibit B**, and cause such reallocation to be recorded in the District’s Improvement Lien Book.
- b. Pursuant to the Assessment Report, attached hereto as **Exhibit B**, and which terms are incorporated herein, there may be required from time to time certain true-up payments. When a plat or site plan is presented to the District, the District Manager shall review the plat or site plan to determine whether, taking into account the plat or site plan, there is a net shortfall in the overall principal amount of assessments reasonably able to be assigned

to benefitted lands within Assessment Area Two. Such determination shall be made based on the language in this Resolution and/or the tests or other methods set forth in **Exhibit B** (if any), or any tests or methods set forth in a supplemental assessment resolution and corresponding assessment report. If the overall principal amount of assessments reasonably cannot be assigned, or is not reasonably expected to be assigned, as set forth in more detail in and subject to the terms of **Exhibit B** (or any supplemental resolution and report, as applicable), to the platted and site planned lands as well as the undeveloped lands, then a debt reduction payment (“**True-Up Payment**”) in the amount of such shortfall shall become due and payable that tax year by the landowner(s) of record of the land subject to the proposed plat or site plan and of the remaining undeveloped lands, in addition to any regular assessment installment. The District’s review shall be limited solely to this function and the enforcement of the lien established by this Resolution. In the event a True-Up Payment is due and unpaid, the lien established herein for the True-Up Payment amount shall remain in place until such time as the True-Up Payment is made. The District shall record all True-Up Payments in its Improvement Lien Book.

- c. In connection with any true-up determination, affected landowner(s) may request that such true-up determination be deferred because the remaining undeveloped lands are able to support the development of all of the originally planned units within Assessment Area Two. To support the request, the affected landowner(s) shall provide the following evidence for the District’s consideration: a) proof of the amount of entitlements remaining on the undeveloped lands within Assessment Area Two, b) a revised overall development plan showing the number and type of units reasonably planned for the remainder of the development, c) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised development plan, and d) documentation prepared by a licensed engineer that shows the feasibility of implementing the proposed development plan. Any deferment shall be in the District’s reasonable discretion.
- d. The foregoing is based on the District's understanding that the community would be developed with the type and number of units set forth in **Exhibit B**, on the developable acres. However, more than the stated number of units may be developed. In no event shall the District collect Debt 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 things 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 Debt Assessments collected in excess of the District's total debt service obligations for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Debt Assessments.
- e. As set forth in any supplemental assessment resolution and/or supplemental assessment report for a specific series of Bonds, the District may assign a specific debt service assessment lien comprising a portion of the Debt Assessments to an assessment area comprised of specific unplatted lands which are less than all of the unplatted lands in Assessment Area Two, and, accordingly, any related true-up determinations may be limited to determining whether the planned units for such specified lands in the assessment area have been and/or will be developed.

**10. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT.** Real property owned by units of local, state, and

federal governments, or similarly exempt entities, shall not be subject to the Debt Assessments without specific consent thereto. If at any time, any real property on which Debt 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 Debt Assessments thereon), or similarly exempt entity, all future unpaid Debt Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

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

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

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

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

**APPROVED AND ADOPTED THIS 6TH DAY OF NOVEMBER, 2020.**

ATTEST:

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman / Vice Chairman

**Exhibit A:** *Amended and Restated Engineer's Report for the East Bonita Beach Road Community Development District, dated September 28, 2020*

**Exhibit B:** *Second Special Assessment Methodology Report (Assessment Area Two), dated September 29, 2020*

**Exhibit A**  
***Master Improvement Plan Report***

**Exhibit B**  
*Assessment Methodology Report*



**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**4**

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
SEPTEMBER 30, 2020**

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
SEPTEMBER 30, 2020**

	General Fund	Debt Service Series 2018	Capital Projects Series 2018	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 553	\$ -	\$ -	\$ 553
Reserve 2018	-	169,062	-	169,062
Revenue 2018	-	225,842	-	225,842
Construction 2018	-	-	2,903	2,903
Assessments receivable				
SHR Bonita Springs LLC	59,577	-	-	59,577
Assessments receivable	43	224	-	267
Prepaid expenses	6,086	-	-	6,086
Total assets	<u>\$ 66,259</u>	<u>\$ 395,128</u>	<u>\$ 2,903</u>	<u>\$ 464,290</u>
<b>LIABILITIES &amp; FUND BALANCES</b>				
<b>Liabilities:</b>				
Accounts payable	\$ 23,403	\$ -	\$ -	\$ 23,403
Total liabilities	<u>23,403</u>	<u>-</u>	<u>-</u>	<u>23,403</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred receipts	59,577	-	-	59,577
Total deferred inflows of resources	<u>59,577</u>	<u>-</u>	<u>-</u>	<u>59,577</u>
<b>Fund balances:</b>				
Restricted for:				
Debt service	-	395,128	-	395,128
Capital projects	-	-	2,903	2,903
Unassigned	(16,721)	-	-	(16,721)
Total fund balances	<u>(16,721)</u>	<u>395,128</u>	<u>2,903</u>	<u>381,310</u>
Total liabilities, deferred inflow of resources and fund balances	<u>\$ 66,259</u>	<u>\$ 395,128</u>	<u>\$ 2,903</u>	<u>\$ 464,290</u>

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll	\$ 57	\$ 65,328	\$ 64,801	101%
Assessment levy: off-roll	-	-	59,577	0%
Interest	-	23	-	N/A
Total revenues	<u>57</u>	<u>65,351</u>	<u>124,378</u>	53%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative fees</b>				
Management fees	4,000	48,000	48,000	100%
Supervisor fees	200	200	600	33%
Audit	-	5,000	5,000	100%
Dissemination agent fees	83	1,000	1,000	100%
Trustee	-	4,031	5,000	81%
Arbitrage rebate calculation	-	-	1,200	0%
Legal fees	6,223	8,194	12,000	68%
Engineering	-	-	5,000	0%
Postage	-	29	200	15%
Insurance	-	5,125	5,000	103%
Legal advertising	430	2,556	1,500	170%
Other current charges	65	777	685	113%
Annual district filing fee	-	175	175	100%
Website	-	705	705	100%
ADA website compliance	-	199	200	100%
Preserve maint., monitoring & reporting	2,498	11,968	15,000	80%
Intergovernmental: shared maintenance costs	-	8,794	22,400	39%
Total professional & administrative fees	<u>13,499</u>	<u>96,753</u>	<u>123,665</u>	78%
<b>Other fees and charges</b>				
Tax collector	14	426	426	100%
Property appraiser	-	284	284	100%
Total other fees and charges	<u>14</u>	<u>710</u>	<u>710</u>	100%
Total expenditures	<u>13,513</u>	<u>97,463</u>	<u>124,375</u>	78%
Excess/(deficiency) of revenues over/(under) expenditures	(13,456)	(32,112)	3	
Fund balance - beginning	<u>(3,265)</u>	<u>15,391</u>	<u>66,024</u>	
Fund balance - ending	<u>\$ (16,721)</u>	<u>\$ (16,721)</u>	<u>\$ 66,027</u>	

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND: SERIES 2018  
FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Assessment levy: on-roll	\$ 224	\$ 338,721	338,125	100%
Interest	2	2,387	-	N/A
Total revenues	<u>226</u>	<u>341,108</u>	<u>338,125</u>	101%
<b>EXPENDITURES</b>				
Principal	-	85,000	85,000	100%
Interest	-	248,897	248,897	100%
Total expenditures	<u>-</u>	<u>333,897</u>	<u>333,897</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	226	7,211	4,228	
Fund balance - beginning	394,902	387,917	381,916	
Fund balance - ending	<u>\$ 395,128</u>	<u>\$ 395,128</u>	<u>\$ 386,144</u>	

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND: SERIES 2018  
FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	<u>Current Month</u>	<u>Year to Date</u>
<b>REVENUES</b>		
Interest	\$ -	\$ 21
Total revenues	<u>-</u>	<u>21</u>
<b>EXPENDITURES</b>	<u>-</u>	<u>-</u>
Total expenditures	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	21
Fund balance - beginning	<u>2,903</u>	<u>2,882</u>
Fund balance - ending	<u>\$ 2,903</u>	<u>\$ 2,903</u>

**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5A**

**DRAFT**

**MINUTES OF MEETING  
EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the East Bonita Beach Road Community Development District held a Special Public Meeting on September 21, 2020, at 10:30 a.m., remotely, via Zoom, at <https://us02web.zoom.us/j/88159454263>, and 1-929-205-6099, Meeting ID 881 5945 4263 for both.

**Present were:**

J. Wayne Everett	Chair
James Ratz	Vice Chair
Ashley Koza	Assistant Secretary
Landon Thomas	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Jennifer Kilinski	District Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:32 a.m. Supervisors Everett, Ratz, Koza and Thomas were present. Supervisor MacDermott was not present. In consideration of the COVID-19 pandemic, this meeting was being held virtually and telephonically, as permitted under the Florida Governor's Executive Orders, which allow local governmental public meetings to occur by means of communications media technology, including virtually and telephonically. The meeting was advertised to be held virtually and telephonically and the meeting agenda was posted on the District's website.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.



37 Mr. Adams stated the Engineer’s Report was not yet completed and suggested  
38 continuing this meeting.

39

40 **On MOTION by Mr. Thomas and seconded by Mr. Everett, with all in favor, the**  
41 **meeting recessed at approximately 10:34 a.m., and was continued to**  
42 **September 28, 2020 at 10:30 a.m.**

43

44

45 **THIRD ORDER OF BUSINESS**

**Presentation/Consideration of Engineer’s  
Report [Assessment Area2 Project]**

46

47

48 This item was deferred to the Continued Meeting.

49

50 **FOURTH ORDER OF BUSINESS**

**Presentation/Consideration of Special  
Assessment Methodology Report  
[Assessment Area 2 Project]**

51

52

53

54 This item was deferred to the Continued Meeting.

55

56 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-08,  
Declaring Special Assessments; Designating  
the Nature and Location of the Proposed  
Improvements; Declaring the Total  
Estimated Cost of the Improvements, the  
Portion To Be Paid By Assessments, and  
the Manner and Timing In Which the  
Assessments Are To Be Paid; Designating  
the Lands Upon Which the Assessments  
Shall Be Levied; Providing for an  
Assessment Plat and a Preliminary  
Assessment Roll; Addressing the Setting of  
Public Hearings; Providing for Publication  
of this Resolution; and Addressing  
Conflicts, Severability and an Effective  
Date**

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73 This item was deferred to the Continued Meeting.

74

75 **SIXTH ORDER OF BUSINESS**

76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117

Consideration of Resolution 2020-09, Supplementing Its Resolution 2018-03 by Authorizing the Issuance of its East Bonita Beach Road Community Development District Special Assessment Revenue Bonds, Series 2020 (Assessment Area Two) in a Principal Amount of Not Exceeding \$8,000,000 for the Principal Purpose of Acquiring and Constructing Assessable Improvements; Delegating to the Chairman or Vice Chairman of the Board of Supervisors of the District, Subject to Compliance With the Applicable Provisions Hereof, the Authority to Award the Sale of Such 2020 Bonds to FMSbonds, Inc., by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of the Second Supplemental Trust Indenture; Appointing U.S. Bank National Association as the Trustee, Bond Registrar and Paying Agent for Such 2020 Bonds; Making Certain Findings; Approving Form of Said 2020 Bonds; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use by the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of East Bonita Beach Road Community Development District and Others to Take All Actions Required in Connection With the Issuance, Sale and Delivery of Said 2020 Bonds; Providing Certain Other Details With Respect to Said 2020 Bonds; and Providing an Effective Date

- 118 • **Exhibit A: Form of Second Supplemental Trust Indenture**
- 119 • **Exhibit B: Form of Bond Purchase Contract**
- 120 • **Exhibit C: Form of Preliminary Limited Offering Memorandum and Limited Offering**
- 121 **Memorandum**
- 122 • **Exhibit D: Form of Continuing Disclosure Agreement**

123 This item was deferred to the Continued Meeting.

124

125 **SEVENTH ORDER OF BUSINESS** **Consideration of Forms of Ancillary Bond**

126 **Documents**

- 127
- 128 **A. Acquisition Agreement**
- 129 **B. Completion Agreement**
- 130 **C. True Up Agreement**

131 This item was deferred to the Continued Meeting.

132

133 **EIGHTH ORDER OF BUSINESS** **Consideration of Acquisition of Phase 2**

134 **Improvements and Real Property**

135

136 This item was deferred to the Continued Meeting.

137

138 **NINTH ORDER OF BUSINESS** **Consideration of Hopping Green & Sams**

139 **Fee Letter**

140

141 This item was deferred to the Continued Meeting.

142

143 **TENTH ORDER OF BUSINESS** **Audience** **Comments/Supervisors'**

144 **Requests**

145

146 This item was deferred to the Continued Meeting.

147

148 **ELEVENTH ORDER OF BUSINESS** **Adjournment**

149

150 There being nothing further to discuss, the meeting recessed and was continued to

151 Monday, September 28, 2020 at 10:30 a.m.

152  
153  
154  
155  
156  
157  
158  
159

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT**

**5B**

**DRAFT**

**MINUTES OF MEETING  
EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the East Bonita Beach Road Community Development District held a Continued Special Public Meeting on September 28, 2020, at 10:30 a.m., remotely, via Zoom, at <https://us02web.zoom.us/j/82893295352>, and 1-929-205-6099, Meeting ID 828 9329 5352 for both.

**Present were:**

James Ratz	Vice Chair
Ashley Koza	Assistant Secretary
Landon Thomas	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Jennifer Kilinski	District Counsel
Steve Aiken	Forestar
Tim Martin	Forestar

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:35 a.m. Supervisors Thomas, Koza and Ratz were present. Supervisors Everett and MacDermott were not present. In consideration of the COVID-19 pandemic, this meeting was being held virtually and telephonically, as permitted under the Florida Governor's Executive Orders, which allow local governmental public meetings to occur by means of communications media technology, including virtually and telephonically. The meeting was advertised to be held virtually and telephonically and the meeting agenda was posted on the District's website.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

38 On MOTION by Mr. Thomas and seconded by Ms. Koza, with all in favor, the  
 39 meeting recessed at approximately 10:34 a.m., and was continued to  
 40 September 30, 2020 at 1:00 p.m.

41

42

43 **THIRD ORDER OF BUSINESS**

Presentation/Consideration of Engineer’s  
Report [Assessment Area2 Project]

44

45

46 This item was deferred to the Continued Meeting.

47

48 **FOURTH ORDER OF BUSINESS**

Presentation/Consideration of Special  
Assessment Methodology Report  
[Assessment Area 2 Project]

49

50

51

52 This item was deferred to the Continued Meeting.

53

54 **FIFTH ORDER OF BUSINESS**

Consideration of Resolution 2020-08,  
Declaring Special Assessments; Designating  
the Nature and Location of the Proposed  
Improvements; Declaring the Total  
Estimated Cost of the Improvements, the  
Portion To Be Paid By Assessments, and  
the Manner and Timing In Which the  
Assessments Are To Be Paid; Designating  
the Lands Upon Which the Assessments  
Shall Be Levied; Providing for an  
Assessment Plat and a Preliminary  
Assessment Roll; Addressing the Setting of  
Public Hearings; Providing for Publication  
of this Resolution; and Addressing  
Conflicts, Severability and an Effective  
Date

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71 This item was deferred to the Continued Meeting.

72

73 **SIXTH ORDER OF BUSINESS**

Consideration of Resolution 2020-09,  
Supplementing Its Resolution 2018-03 by  
Authorizing the Issuance of its East Bonita  
Beach Road Community Development  
District Special Assessment Revenue

74

75

76

77

Bonds, Series 2020 (Assessment Area Two) in a Principal Amount of Not Exceeding \$8,000,000 for the Principal Purpose of Acquiring and Constructing Assessable Improvements; Delegating to the Chairman or Vice Chairman of the Board of Supervisors of the District, Subject to Compliance With the Applicable Provisions Hereof, the Authority to Award the Sale of Such 2020 Bonds to FMSbonds, Inc., by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of the Second Supplemental Trust Indenture; Appointing U.S. Bank National Association as the Trustee, Bond Registrar and Paying Agent for Such 2020 Bonds; Making Certain Findings; Approving Form of Said 2020 Bonds; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use by the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of East Bonita Beach Road Community Development District and Others to Take All Actions Required in Connection With the Issuance, Sale and Delivery of Said 2020 Bonds; Providing Certain Other Details With Respect to Said 2020 Bonds; and Providing an Effective Date

78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119

- **Exhibit A: Form of Second Supplemental Trust Indenture**
- **Exhibit B: Form of Bond Purchase Contract**
- **Exhibit C: Form of Preliminary Limited Offering Memorandum and Limited Offering Memorandum**



- 120 • **Exhibit D: Form of Continuing Disclosure Agreement**

121 This item was deferred to the Continued Meeting.

122

123 **SEVENTH ORDER OF BUSINESS** **Consideration of Forms of Ancillary Bond**  
 124 **Documents**

125

126 **A. Acquisition Agreement**

127 **B. Completion Agreement**

128 **C. True Up Agreement**

129 This item was deferred to the Continued Meeting.

130

131 **EIGHTH ORDER OF BUSINESS** **Consideration of Acquisition of Phase 2**  
 132 **Improvements and Real Property**

133

134 This item was deferred to the Continued Meeting.

135

136 **NINTH ORDER OF BUSINESS** **Consideration of Hopping Green & Sams**  
 137 **Fee Letter**

138

139 This item was deferred to the Continued Meeting.

140

141 **TENTH ORDER OF BUSINESS** **Audience** **Comments/Supervisors'**  
 142 **Requests**

143

144 This item was deferred to the Continued Meeting.

145

146 **ELEVENTH ORDER OF BUSINESS** **Adjournment**

147

148 There being nothing further to discuss, the meeting recessed and was continued to

149 Wednesday, September 30, 2020 at 1:00 p.m.

150

151

152 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

153  
154  
155  
156  
157  
158  
159  
160

---

Secretary/Assistant Secretary

---

Chair/Vice Chair

**EAST BONITA BEACH ROAD**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5C**

**DRAFT**

**MINUTES OF MEETING  
EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the East Bonita Beach Road Community Development District held a Continued Special Public Meeting on September 30, 2020, at 1:00 p.m., remotely, via Zoom, at <https://us02web.zoom.us/j/89090458720>, and 1-929-205-6099, Meeting ID 890 9045 8720 for both.

**Present were:**

J. Wayne Everett	Chair
James Ratz	Vice Chair
Ashley Koza	Assistant Secretary
Landon Thomas	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Jennifer Kilinski	District Counsel
Dave Underhill	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 1:01 p.m. Supervisors Everett, Ratz, Koza and Thomas were present. Supervisor MacDermott was not present. In consideration of the COVID-19 pandemic, this meeting was being held virtually and telephonically, as permitted under the Florida Governor’s Executive Orders, which allow local governmental public meetings to occur by means of communications media technology, including virtually and telephonically. The meeting was advertised to be held virtually and telephonically and the meeting agenda was posted on the District’s website.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

38 **THIRD ORDER OF BUSINESS****Presentation/Consideration of Amended  
and Restated Engineer's Report  
[Assessment Area 2 Project]**39  
40  
41

42 Mr. Underhill presented the Amended and Restated Engineer's Report and discussed  
43 the following:

44 ➤ The original Engineer's Report was prepared in January 2018 in support of the 2018  
45 Project. The Amended and Restated Engineer's Report updated the status of the Assessment  
46 Area 1 Project and updated the overall development cost of the Assessment Area 2 Project.

47 ➤ Additional bonds would be issued to construct or acquire the Assessment Area 2  
48 Project.

49 ➤ The Report was in similar format as previously reviewed and approved by the Board.

50 ➤ The District Project consists of irrigation, stormwater management, buffers, public  
51 roadways, wetland/wildlife impact mitigation, professional services and contingency.

52 ➤ The Assessment Area 1 Project was mostly completed. The Report updates the status of  
53 that project and identifies areas of the Assessment Area 1 project that were either reimbursed,  
54 requisitioned or not requisitioned as part of the project. Any costs not reimbursed or  
55 requisitioned that were part of the Assessment Area 1 Project were incorporated in the  
56 Assessment Area 2 Project.

57 ➤ The Report provides the cost estimate for the Assessment Area 2 Project, shown in  
58 Table 3 on Page 10 of the Report. Table 3 reflected the original budget of the Assessment Area  
59 1 Project, the amount reimbursed for the Assessment Area 1 Project and the estimated budget  
60 for the Assessment Area 2 Project, which was slightly less than \$5.5 million.

61

62 **On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the**  
63 **Amended and Restated Engineer's Report, dated September 28, 2020, in**  
64 **substantial form, was approved.**

65  
6667 **FOURTH ORDER OF BUSINESS****Presentation/Consideration of Second  
Supplemental Special Assessment  
Methodology Report [Assessment Area 2  
Project]**68  
69  
70  
71

72 Mr. Adams presented the Second Supplemental Special Assessment Methodology  
73 Report, which outlined the Capital Improvement Plan (CIP) and the financing program, which  
74 anticipated 30-year bonds.

75

76 **On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the**  
77 **Second Supplemental Special Assessment Methodology Report, dated**  
78 **September 29, 2020, in substantial form, was approved.**

79

80

81 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-08, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion To Be Paid By Assessments, and the Manner and Timing In Which the Assessments Are To Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date**

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98 Ms. Kilinski presented Resolution 2020-08. Section 4A, on Page 2, " would be updated  
99 to reflect the updated figures for the total estimated construction cost of the Assessment Area  
100 2 Project, as noted in the Engineer's and the Methodology Reports.

101

102 **On MOTION by Mr. Everett and seconded by Ms. Koza, with all in favor,**  
103 **Resolution 2020-08, as amended, Declaring Special Assessments; Designating**  
104 **the Nature and Location of the Proposed Improvements; Declaring the Total**  
105 **Estimated Cost of the Improvements, the Portion To Be Paid By Assessments,**  
106 **and the Manner and Timing In Which the Assessments Are To Be Paid;**  
107 **Designating the Lands Upon Which the Assessments Shall Be Levied; Providing**  
108 **for an Assessment Plat and a Preliminary Assessment Roll; Addressing the**  
109 **Setting of Public Hearings for November 6, 2020 at 10:00 a.m., at the Offices of**  
110 **D.R. Horton, 10541 Ben C. Pratt, 6 Mile Cypress Parkway, Fort Myers, Florida**  
111 **33966; Providing for Publication of this Resolution; and Addressing Conflicts,**  
112 **Severability and an Effective Date, was adopted.**

113

114 **SIXTH ORDER OF BUSINESS**

115 Consideration of Resolution 2020-09,  
116 Supplementing Its Resolution 2018-03 by  
117 Authorizing the Issuance of its East Bonita  
118 Beach Road Community Development  
119 District Special Assessment Revenue  
120 Bonds, Series 2020 (Assessment Area Two)  
121 in a Principal Amount of Not Exceeding  
122 \$8,000,000 for the Principal Purpose of  
123 Acquiring and Constructing Assessable  
124 Improvements; Delegating to the Chairman  
125 or Vice Chairman of the Board of  
126 Supervisors of the District, Subject to  
127 Compliance With the Applicable Provisions  
128 Hereof, the Authority to Award the Sale of  
129 Such 2020 Bonds to FMSbonds, Inc., by  
130 Executing and Delivering to Such  
131 Underwriter a Bond Purchase Contract and  
132 Approving the Form Thereof; Approving  
133 the Form of and Authorizing the Execution  
134 of the Second Supplemental Trust  
135 Indenture; Appointing U.S. Bank National  
136 Association as the Trustee, Bond Registrar  
137 and Paying Agent for Such 2020 Bonds;  
138 Making Certain Findings; Approving Form  
139 of Said 2020 Bonds; Approving the Form of  
140 the Preliminary Limited Offering  
141 Memorandum and Authorizing the Use by  
142 the Underwriter of the Preliminary Limited  
143 Offering Memorandum and the Limited  
144 Offering Memorandum and the Execution  
145 of the Limited Offering Memorandum;  
146 Approving the Form of the Continuing  
147 Disclosure Agreement and Authorizing the  
148 Execution Thereof; Authorizing Certain  
149 Officials of East Bonita Beach Road  
150 Community Development District and  
151 Others to Take All Actions Required in  
152 Connection With the Issuance, Sale and  
153 Delivery of Said 2020 Bonds; Providing  
154 Certain Other Details With Respect to Said  
155 2020 Bonds; and Providing an Effective  
156 Date

157 Ms. Kilinski presented Resolution 2020-09. This Resolution delegates the authority to  
158 the Chair to proceed with the financing, subject to the parameters set forth.

- 159 • Exhibit A: Form of Second Supplemental Trust Indenture
- 160 • Exhibit B: Form of Bond Purchase Contract
- 161 • Exhibit C: Form of Preliminary Limited Offering Memorandum and Limited Offering
- 162 Memorandum
- 163 • Exhibit D: Form of Continuing Disclosure Agreement

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

On MOTION by Ms. Koza and seconded by Mr. Everett, with all in favor, Resolution 2020-09, Supplementing Its Resolution 2018-03 by Authorizing the Issuance of its East Bonita Beach Road Community Development District Special Assessment Revenue Bonds, Series 2020 (Assessment Area Two) in a Principal Amount of Not Exceeding \$8,000,000 for the Principal Purpose of Acquiring and Constructing Assessable Improvements; Delegating to the Chairman or Vice Chairman of the Board of Supervisors of the District, Subject to Compliance With the Applicable Provisions Hereof, the Authority to Award the Sale of Such 2020 Bonds to FMSbonds, Inc., by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of the Second Supplemental Trust Indenture; Appointing U.S. Bank National Association as the Trustee, Bond Registrar and Paying Agent for Such 2020 Bonds; Making Certain Findings; Approving Form of Said 2020 Bonds; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use by the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of East Bonita Beach Road Community Development District and Others to Take All Actions Required in Connection With the Issuance, Sale and Delivery of Said 2020 Bonds; Providing Certain Other Details With Respect to Said 2020 Bonds; and Providing an Effective Date, was adopted.

188

189

**SEVENTH ORDER OF BUSINESS**

**Consideration of Forms of Ancillary Bond Documents**

191

192

**A. Acquisition Agreement**

194

Ms. Kilinski presented the Acquisition Agreement.

195

196

197

On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the Acquisition Agreement, in substantial form, was approved.

198

199



200 **B. Completion Agreement**

201 Ms. Kilinski presented the Completion Agreement.

202

203 **On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the**  
204 **Completion Agreement, in substantial form, was approved.**

205

206 **C. True Up Agreement**

207 Ms. Kilinski presented the True Up Agreement.

208

209 **On MOTION by Mr. Everett and seconded by Ms. Koza, with all in favor, the**  
210 **True Up Agreement, in substantial form, was approved.**

211

212

213 **D. Collateral Assignment**

214 Ms. Kilinski presented the Collateral Assignment Agreement.

215

216 **On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the**  
217 **Collateral Assignment and Assumption of Development Rights, in substantial**  
218 **form, was approved.**

219

220

221 **E. Declaration of Consent**

222 Ms. Kilinski presented the Declaration of Consent Agreement.

223

224 **On MOTION by Mr. Everett and seconded by Ms. Koza, with all in favor, the**  
225 **Declaration of Consent Agreement, in substantial form, was approved.**

226

227

228 **EIGHTH ORDER OF BUSINESS**

**Consideration of Acquisition of Phase 2  
Improvements and Real Property**

229

230

231 Mr. Adams stated this was a carryover item and could be disregarded.

232

233 **NINTH ORDER OF BUSINESS**

**Consideration of Hopping Green & Sams  
Fee Letter**

234

235

236 Ms. Kilinski presented the Hopping Green & Sams 2020 Rates Fee Letter and noted that  
 237 the firm had not increased its fees since 2012, due to the past financial difficulties faced by the  
 238 District.

239

**On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the  
 Hopping Green & Sams 2020 Rates Fee Letter, was approved.**

240

241

242

243

**TENTH ORDER OF BUSINESS**

**Audience  
 Requests**

**Comments/Supervisors'**

244

245

246

247

248

249

250

Mr. Everett requested confirmation of the scheduled assessment hearing. Mr. Adams  
 stated the hearing was scheduled for Friday, November 6, 2020 at 10:00 a.m. Discussion  
 ensued regarding the pre-closing and document signing following the assessment hearing.

251

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

252

253

There being nothing further to discuss, the meeting adjourned.

254

**On MOTION by Mr. Thomas and seconded by Ms. Koza, with all in favor, the  
 meeting adjourned at 1:30 p.m.**

255

256

257

258

259

260

261

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

262  
263  
264  
265  
266  
267  
268  
269

---

Secretary/Assistant Secretary

---

Chair/Vice Chair

**EAST BONITA BEACH ROAD  
COMMUNITY DEVELOPMENT DISTRICT**

**7C**

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE**

**LOCATION**

*office of D.R. Horton, 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>November 6, 2020</b>	<b>Public Hearings and Regular Meeting</b>	<b>10:00 AM</b>
<b>November 9, 2020</b>	<b>Landowners' Meeting</b>	<b>10:30 AM</b>
<b>May 17, 2021</b>	<b>Regular Meeting</b>	<b>10:30 AM</b>
<b>August 16, 2021</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>10:30 AM</b>