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may 24, 2022

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4989 PAGE 1517 PAGE: 1 OF 58
INSTR # 3106569 Doc Type: GOV
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Rec. Fee: RECORDING \$494.50
Cashier By: KAREN B

ORDINANCE

NUMBER 2022-036

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING PART IV, MUNICIPAL SERVICE BENEFIT AND TAXING UNITS, CHAPTER 4-3.5 MUNICIPAL SERVICE DISTRICTS, BY CREATING NEW ARTICLE XV: ISLAND LAKE ESTATES COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-201, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-202, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-203, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-204, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-205, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

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

WHEREAS, the Petitioner is a limited liability company/corporation authorized to conduct business in the State of Florida, and whose address is 700 N.W. 107th Avenue, Suite 400, Miami, Florida 33172; and,

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition at a duly noticed public hearing conducted by the Board on May 24, 2022; and,

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

MIN

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

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

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

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

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

55 **Section 1.** Charlotte County Code Chapter 4-3.5, Article XV titled "ISLAND
56 LAKE ESTATES COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-201 is hereby
57 created by adding the underlined language to provide as follows:

58 **Sec. 4-3.5-201. Authority.**

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

64 **Section 2.** Charlotte County Code Chapter 4-3.5, Article XV titled "ISLAND
65 LAKE ESTATES COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-202 is hereby
66 created by adding the underlined language to provide as follows:

67 **Sec. 4-3.5.-202. – District Name.**

68 There is hereby created a community development district situated
69 entirely within a portion of the unincorporated area of Charlotte County,
70 Florida, which shall be known as the "Island Lake Estates Community
71 Development District," and which shall be referred to in this ordinance as
72 the "District".

73 **Section 3.** Charlotte County Code Chapter 4-3, Article XV titled "ISLAND
74 LAKE ESTATES COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-203 is hereby
75 created by adding the underlined language to provide as follows:

76 **Sec. 4-3.5-203. – District External Boundaries.**

77 The external boundaries of the District are described in **Appendix**
78 **A** attached hereto, said boundaries encompassing 169.69 acres, more or
79 less.

80 **Section 4.** Charlotte County Code Chapter 4-3, Article XV titled "ISLAND LAKE
81 ESTATES COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-204 is hereby created
82 by adding the underlined language to provide as follows:

83 **Sec. 4-3.5-204. District Powers and Functions.**

84 The powers and functions of the District are described in Chapter 190,
85 Florida Statutes. Consent is hereby given to the District's Board of
86 Supervisors to finance, fund, plan, establish, acquire, construct,
87 reconstruct, enlarge or extend, equip, operate, and maintain systems and
88 facilities for parks and facilities for indoor and outdoor recreational,
89 cultural, and educational uses, and for security, all as authorized and
90 described by Sections 190.012(2)(a) and (2)(d), Florida Statutes (2021).

91 **Section 5.** Charlotte County Code Chapter 4-3, Article XV titled "ISLAND LAKE
92 ESTATES COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-205 is hereby created
93 by adding the underlined language to provide as follows:

94 **Sec. 4-3.5-205. Board of Supervisors.**

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

97 Name: Russel Smith
98 Address: 700 N.W. 107th Avenue, Suite 400
99 _____ Miami, Florida 33172

100
101 Name: Dave Truxton
102 Address: 700 N.W. 107th Avenue, Suite 400
103 _____ Miami, Florida 33172

104
105 Name: Scott Edwards
106 Address: 700 N.W. 107th Avenue, Suite 400
107 _____ Miami, Florida 33172
108

109 Name: Terry Kirschner
110 Address: 700 N.W. 107th Avenue, Suite 400
111 Miami, Florida 33172

112
113 Name: Andrew Nelson
114 Address: 700 N.W. 107th Avenue, Suite 400
115 Miami, Florida 33172

116
117 **Section 6.** Bond Validation. All bonds issued by the District pursuant to the
118 powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida
119 Statutes.

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

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

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

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

137 **Section 11.** Codification. It is the intention of the Board, and it is hereby ordained
138 that the provisions of this Ordinance shall become and be made a part of the Code and
139 Laws and Ordinances of Charlotte County, Florida (“Code”), and the sections of this
140 Ordinance may be renumbered to accomplish such intention. In the event this
141 Ordinance conflicts with any provisions of the Code, the provisions of this Ordinance
142 shall control to the extent of any such conflict.

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

148 **Section 13.** Effective Date. This ordinance shall take effect upon adoption by the
149 Board.

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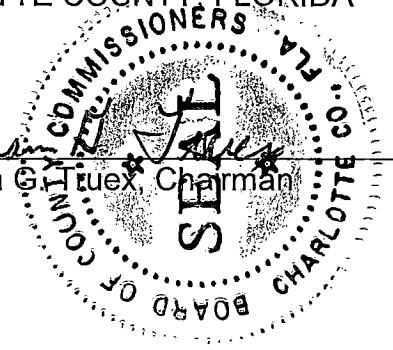
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PASSED AND DULY ADOPTED this 24th day of May, 2022.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Huex
William G. Huex, Chairman



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

By: Roger D. Eaton
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR 2021-0273

Appendix A [Copy of Petition]

PETITION TO ESTABLISH
ISLAND LAKE ESTATES
COMMUNITY
DEVELOPMENT DISTRICT

Submitted by:

Jere Earlywine
Florida Bar No. 155527
Jere@kelawgroup.com
KE LAW GROUP, PLLC
P.O. Box 6386
Tallahassee, Florida 32314
(850) 528-6152 (telephone)

*UPDATED APRIL 22, 2022

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

**PETITION TO ESTABLISH THE ISLAND LAKE ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

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

1. Location and Size. The proposed District is located entirely within Charlotte County, Florida, and covers approximately 169.69 acres of land, more or less. **Exhibit 1** depicts the general location of the project. The site is generally located south of San Casa Drive, west of Telman Road, north and east of Placida Road. The sketch and metes and bounds descriptions of the external boundary of the proposed District is set forth in **Exhibit 2**.

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

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

4. Initial Board Members. The five (5) persons designated to serve as initial members of the Board of Supervisors of the proposed District are Russell Smith, Dave Truxton, Scott Edwards, Terry Kirschner and Andrew Nelson. All of the listed persons are residents of the state of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is the Island Lake Estates Community Development District.

6. Major Water and Wastewater Facilities. **Exhibit 4** shows the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District.

7. District Facilities and Services. **Exhibit 5** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and install, as well as the estimated costs of construction. At present, these improvements are estimated to be made, acquired, constructed and installed in three (3) phases over an estimated three (3) year period from 2022 – 2025. Actual construction timetables and expenditures will likely vary, due in part

to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

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

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

10. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The Petitioner has designated Jere Earlywine as its authorized agent. See **Exhibit 8 - Authorization of Agent**. Copies of all correspondence and official notices should be sent to:

Jere Earlywine
Florida Bar No. 155527
Jere@kelawgroup.com
KE LAW GROUP, PLLC
2016 Delta Boulevard, Suite 101
Tallahassee, Florida 32303
(850) 528-6152 (telephone)

11. This petition to establish the Island Lake Estates Community Development District should be granted for the following reasons:

a. Establishment of the proposed District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the Charlotte County Comprehensive Plan.

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

c. The establishment of the proposed District will prevent the general body of taxpayers in Charlotte County from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the proposed District. The proposed District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the proposed

District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the proposed District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the proposed District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the proposed District's services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

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

a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes;

b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes;

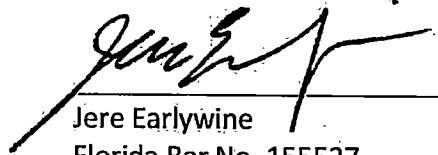
c. consent to the District exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (2)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

d. grant such other relief as may be necessary or appropriate.

[CONTINUED ON FOLLOWING PAGE]

RESPECTFULLY SUBMITTED, this 8th day of March, 2022.

KE LAW GROUP, PLLC

A handwritten signature in black ink, appearing to read "Jere Earlywine", is written over a horizontal line.

Jere Earlywine

Florida Bar No. 155527

Jere@kelawgroup.com

KE LAW GROUP, PLLC

2016 Delta Boulevard, Suite 101

Tallahassee, Florida 32303

(850) 528-6152 (telephone)

Attorneys for Petitioner

EXHIBIT 1

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

LOCATION MAP
ISLAND LAKE ESTATES CDD
Charlotte County, Florida
February 10, 2022



EXHIBIT 2



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 16, T-41-S, R-20-E,
CHARLOTTE COUNTY, FLORIDA.

CDD PROPERTY

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 16, TOWNSHIP 41 SOUTH, RANGE 20 EAST, BEING A PORTION OF COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OF THE PUBLIC RECORDS OR CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

LOTS 1-20, 151-159, 176-202 AND 237-358, COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OF THE PUBLIC RECORDS OR CHARLOTTE COUNTY, FLORIDA.

TRACTS P-1, P-2 AND P-3, AND TRACTS C-1, C-2, C-3, C-4, C-5, C-6 AND TRACT A, COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OR THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

TRACTS F-1, F-2 AND F-3, COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

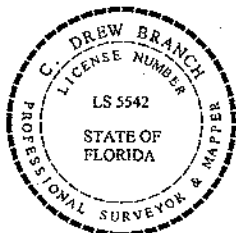
CONTAINING 169.69 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

FEBRUARY 8, 2022

DIGITALLY SIGNED BY:
C. DREW BRANCH

Date:
2022.02.10
13:34:54
-05'00'



C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

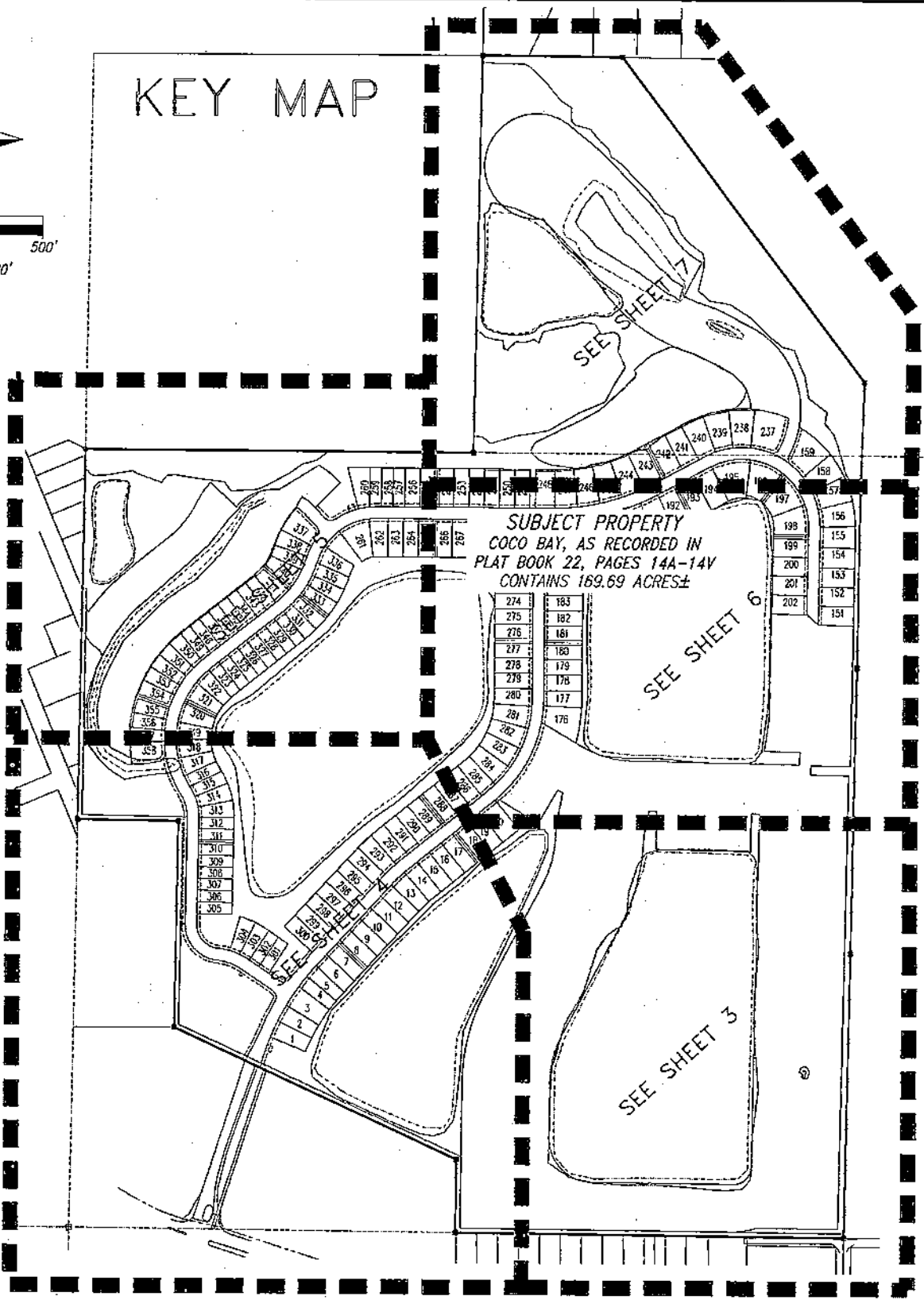
SHEET 1 OF 8

SERVING THE STATE OF FLORIDA



0 250' 500'
SCALE 1"=500'

KEY MAP



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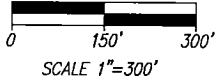
BANKS ENGINEERING

4101 TANDAM TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1165 FAX: (941) 625-1149
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

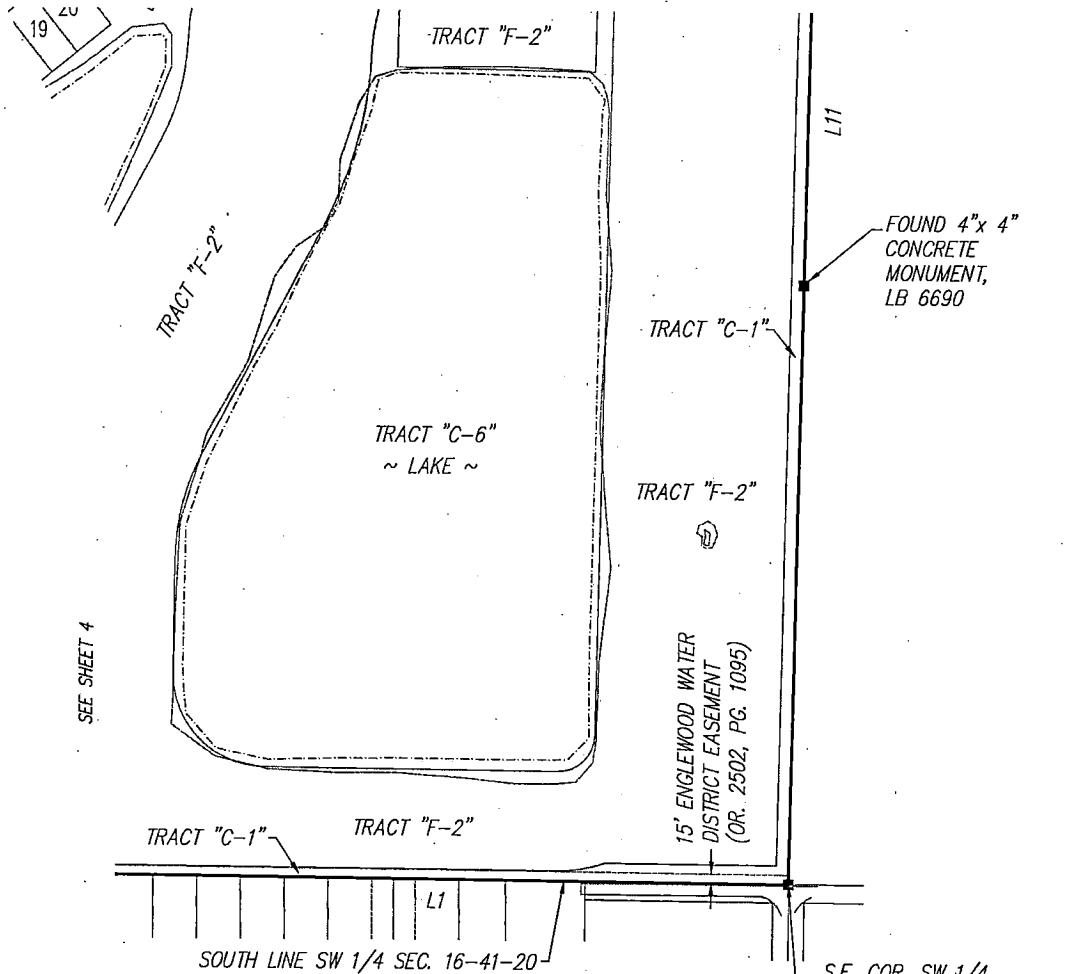
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

SKETCH TO ACCOMPANY DESCRIPTION
CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	403FL	LG-SK		JHF	COB	1"=500'	2 OF 8	18-41-20



SEE SHEET 6



LEGEND

- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.R. OFFICIAL RECORD
- D.U.E. DRAINAGE AND UTILITY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- (P) PLAT

S.E. COR. SW 1/4
SEC. 16-41-20
FOUND 4"x 4" CONCRETE
MONUMENT, LB 6690

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BANKS
ENGINEERING

4161 TAMIAHI TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 825-1165 FAX: (941) 825-1149
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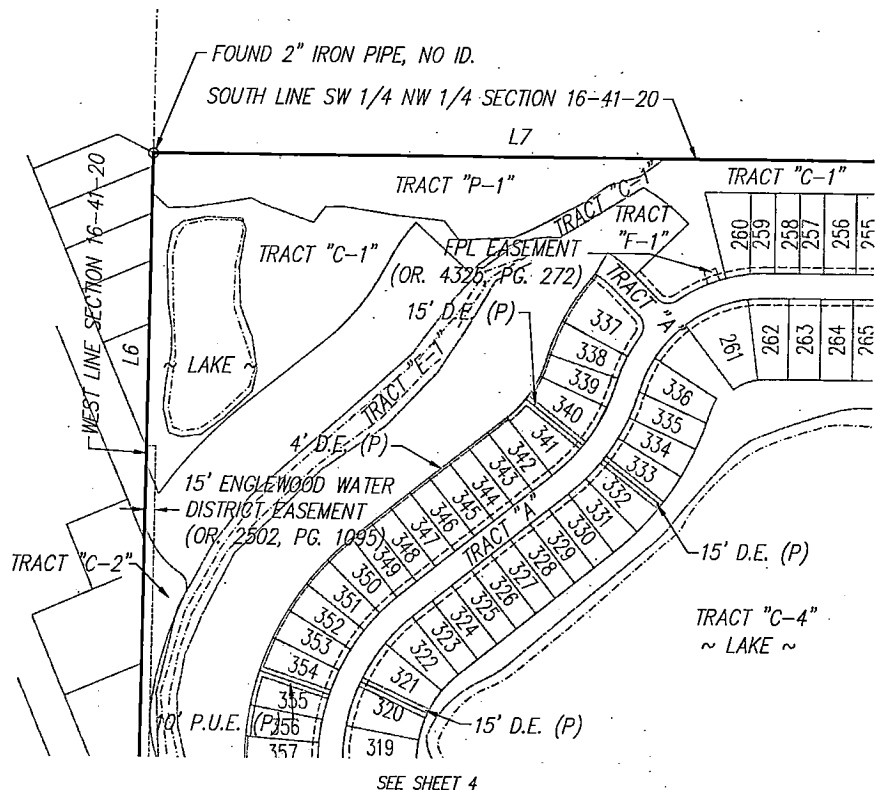
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CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	4031L	LG-SK		JMF	COB	1"=300'	3 OF 8	16-41-20



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SCALE 1"=300'



SEE SHEET 6

SEE SHEET 4

LEGEND

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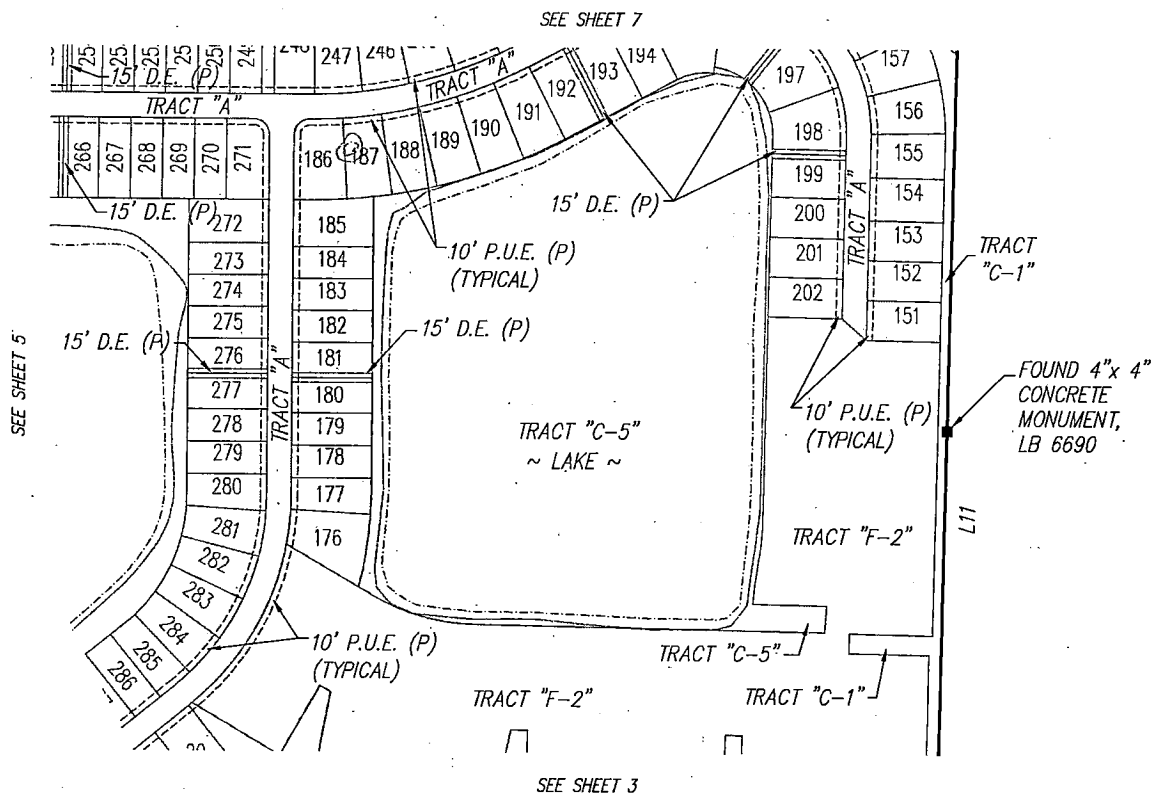
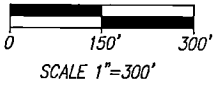
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ENGINEERING

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CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

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02/03/2022	4031L	LG-SK		JWF	CDB	1"=300'	5 OF 8	16-41-20



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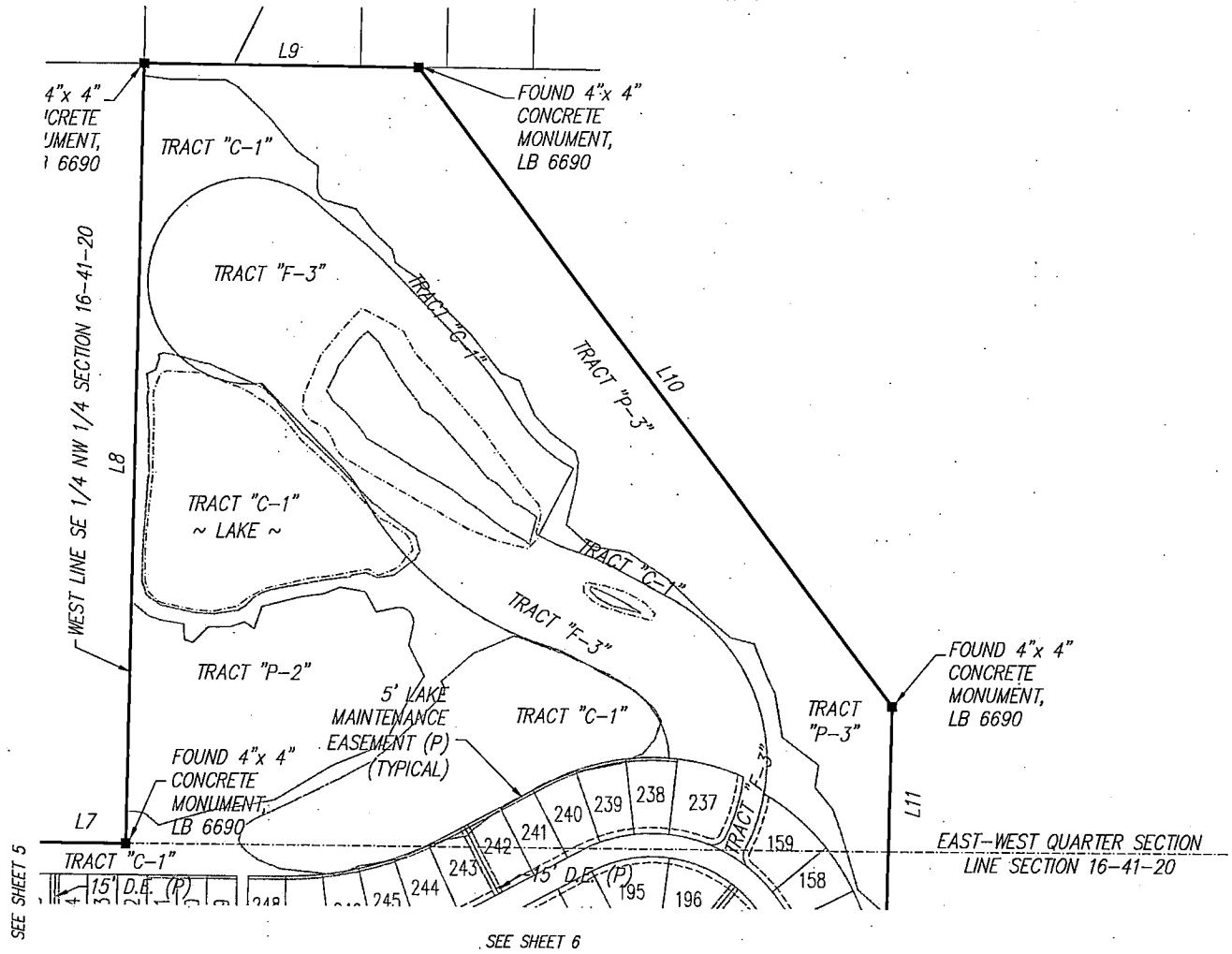
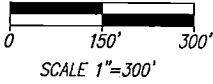
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CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
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- (P) PLAT

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4101 TAMiami TRAIL - BLDG 5 UNIT 501
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SKETCH TO ACCOMPANY DESCRIPTION
CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

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02/03/2022	4031L	LG-SK		JWF	CDB	1"=300'	7 OF 8	16-41-20

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°30'59"W	1321.63'
L2	N00°29'01"E	250.00'
L3	N65°14'07"W	1065.29'
L4	N00°50'14"E	698.00'
L5	N89°09'46"W	345.00'
L6	N00°50'14"E	1254.88'
L7	S89°45'05"E	1324.86'
L8	N00°55'16"E	1348.41'
L9	S89°28'18"E	476.75'
L10	S37°04'34"E	1378.23'
L11	S01°00'09"W	2904.31'

LEGEND

L1 SEE LINE TABLE

THIS IS NOT A BOUNDARY SURVEY

<p>BANKS ENGINEERING</p> <p style="font-size: small;">Professional Engineers, Planners, & Land Surveyors Serving The State Of Florida</p> <p style="font-size: x-small;">4181 TAMIAH TRAIL - BLDG 5 UNIT 501 PORT CHARLOTTE, FLORIDA 33952 PHONES (941) 825-1165 FAX: (941) 825-1149 ENGINEERING LICENSE # EB 6469 SURVEY LICENSE # LB 6690 WWW.BANKSENG.COM</p>	<p>SKETCH TO ACCOMPANY DESCRIPTION CDD PROPERTY CHARLOTTE COUNTY, FLORIDA</p>							
	DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
02/03/2022	4031L	LG-SK		JHF	CDB	N/A	8 OF 8	16-41-20

EXHIBIT 3

**Consent and Joinder of Landowner
to the Establishment of a Community Development District
[Proposed Island Lake Estates Community Development District]**

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

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

The undersigned hereby consents to the establishment of a Community Development District that will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District. The undersigned acknowledges that the petitioner has the right by contract for the establishment of the Community Development District, and Jere Earlywine of KE Law Group, PLLC is hereby authorized to file and prosecute the petition to establish the Community Development District.

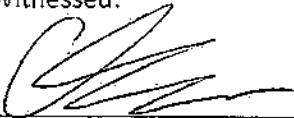
The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

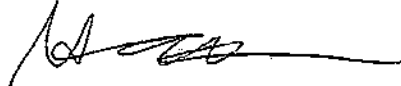
The undersigned may revoke this consent prior to the establishment of the CDD immediately upon written notice to the petitioner by sending an email to jere@kewlawgroup.com.

[SIGNATURE PAGE TO FOLLOW]

Executed this 19 day of May, 2022.


Witnessed:


Print Name: Christopher Brandt


Print Name: Matthew Sweet

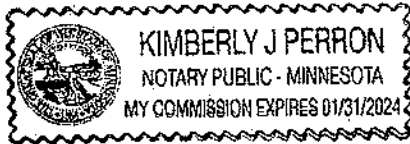
DRP FL 6, LLC
LANDOWNER

BY: DW General Partner, LLC
ITS: Manager


By: Brian Clauson
Its: Authorized Signatory

STATE OF Minnesota
COUNTY OF Dakota

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 19th day of May, 2022, by Brian Clauson, who appeared before me this day in person, and who is either personally known to me, or produced drivers license as identification.

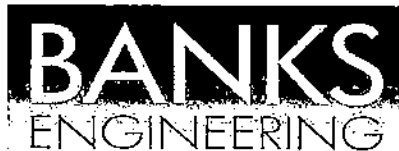



NOTARY PUBLIC, STATE OF Minnesota

Name: Kimberly J. Perron
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

Exhibit A: Legal Description

Exhibit A:
Legal Description



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 16, T-41-S, R-20-E,
CHARLOTTE COUNTY, FLORIDA.

CDD PROPERTY

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 16, TOWNSHIP 41 SOUTH, RANGE 20 EAST, BEING A PORTION OF COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OF THE PUBLIC RECORDS OR CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

LOTS 1-20, 151-159, 176-202 AND 237-358, COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OF THE PUBLIC RECORDS OR CHARLOTTE COUNTY, FLORIDA.

TRACTS P-1, P-2 AND P-3, AND TRACTS C-1, C-2, C-3, C-4, C-5, C-6 AND TRACT A, COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OR THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

TRACTS F-1, F-2 AND F-3, COCO BAY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGES 14A-14V, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

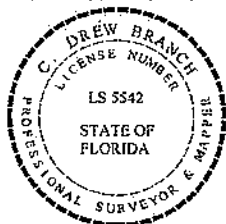
CONTAINING 169.69 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

FEBRUARY 8, 2022

DIGITALLY SIGNED BY:
C. DREW BRANCH

Date:
2022.02.10
13:34:54
-05'00'



C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

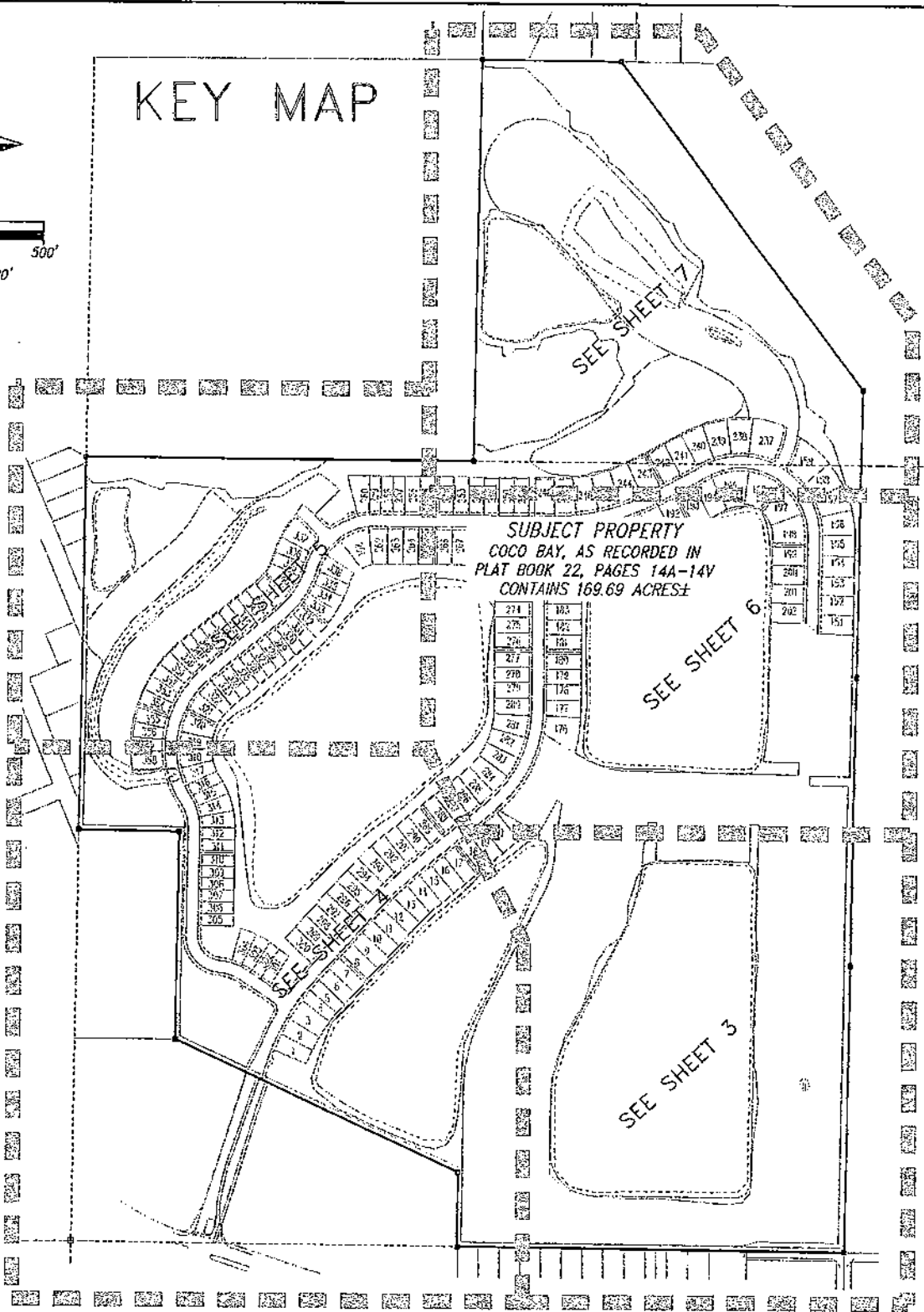
SHEET 1 OF 8

SERVING THE STATE OF FLORIDA



0 250' 500'
SCALE 1"=500'

KEY MAP



THIS IS NOT A BOUNDARY SURVEY

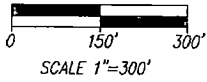
BANKS ENGINEERING

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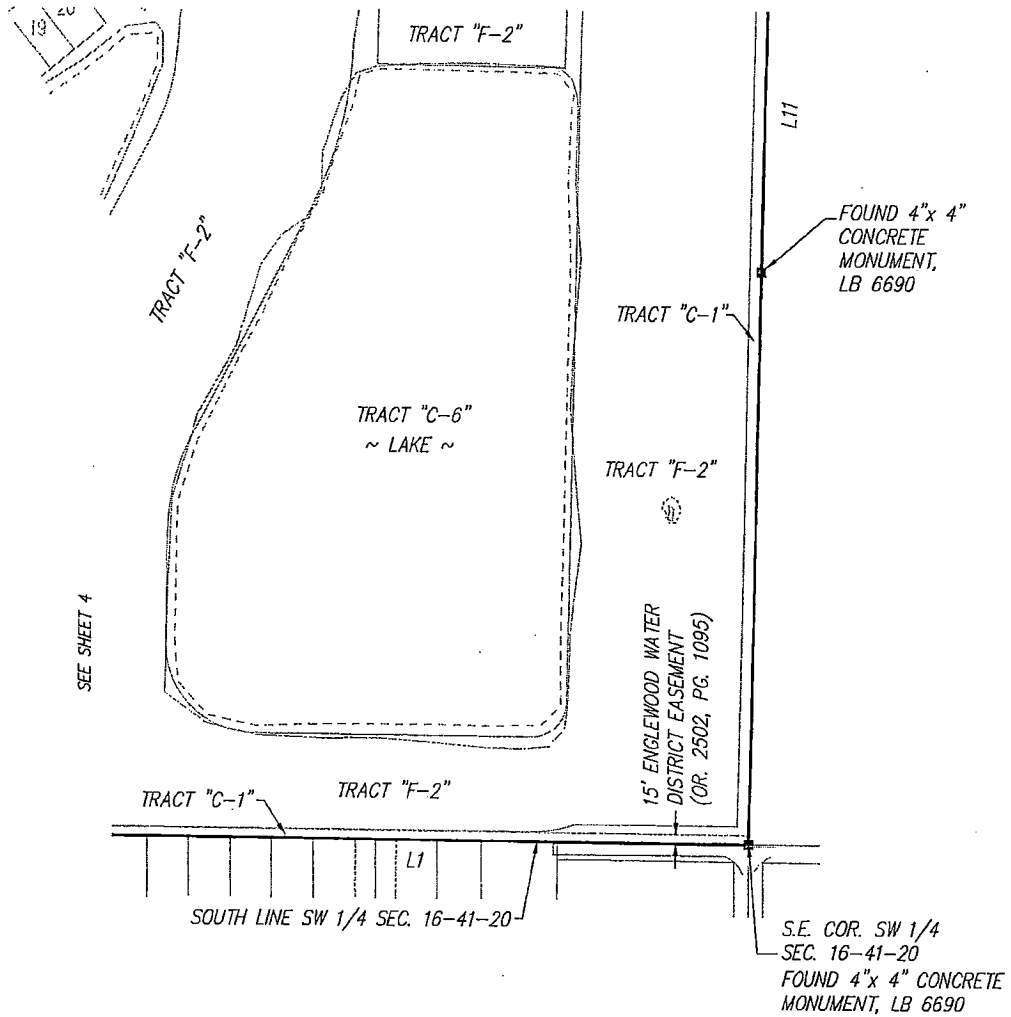
4181 TAMANO TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1185 FAX: (941) 625-1149
ENGINEERING LICENSE # EB 6466
SURVEY LICENSE # LB 6893
WWW.BANKSENG.COM

SKETCH TO ACCOMPANY DESCRIPTION CDD PROPERTY CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	403IL	LG-5K		JRF	CDB	1"=500'	2 OF 8	16-43-20



SEE SHEET 6



LEGEND

- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.R. OFFICIAL RECORD
- D.U.E. DRAINAGE AND UTILITY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- (P) PLAT

THIS IS NOT A BOUNDARY SURVEY

BANKS
ENGINEERING

4161 TAMMAM TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33552
PHONE: (941) 625-1165 FAX: (941) 625-1148
ENGINEERING LICENSE # EB 6460
SURVEY LICENSE # LB 6690

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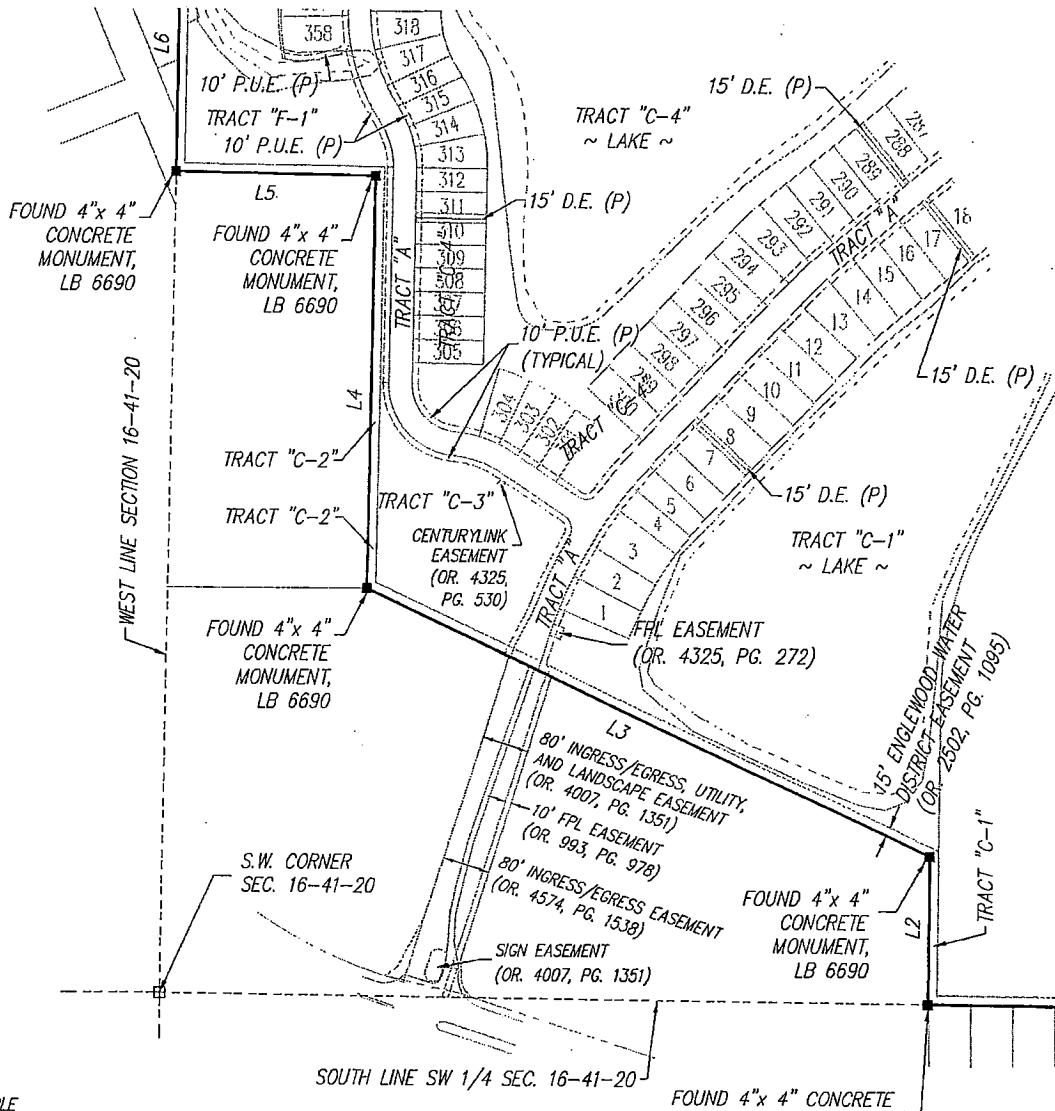
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CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	403IL	LG-SK		JHF	CDB	1"=300'	3 OF 8	16-41-20



0 150' 300'
SCALE 1"=300'

SEE SHEET 5



SEE SHEET 3

LEGEND

- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.R. OFFICIAL RECORD
- D.U.E. DRAINAGE AND UTILITY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- (P) PLAT

THIS IS NOT A BOUNDARY SURVEY

BANKS
ENGINEERING

4161 TAHAMAH TRAIL - BLDG 8 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (813) 625-1163 FAX: (813) 825-1149
ENGINEERING LICENSE # EB 6460
SURVEY LICENSE # LB 6690

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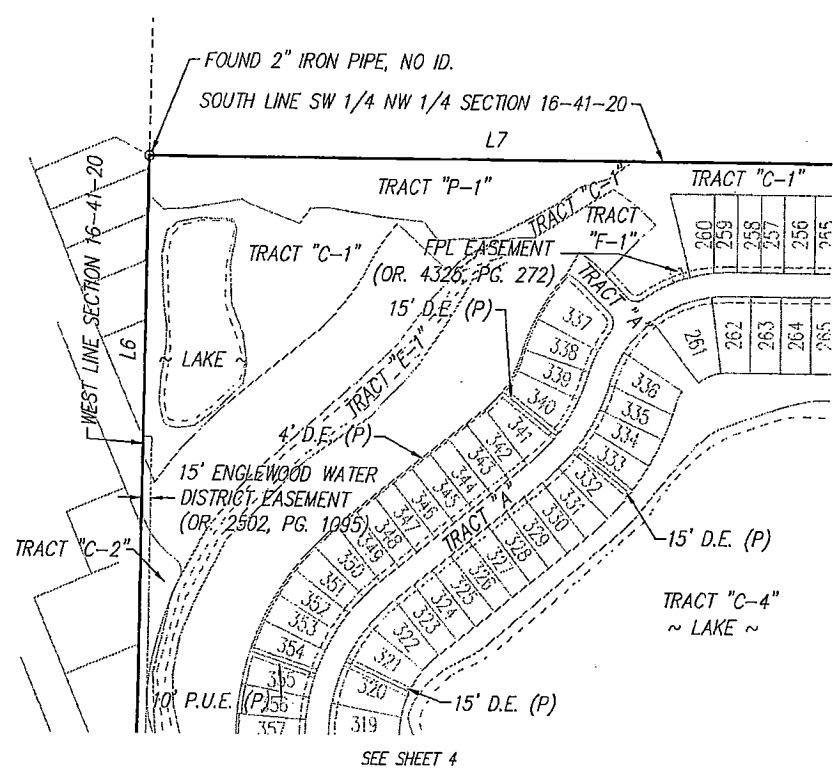
Professional Engineers, Planners, & Land Surveyors
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SKETCH TO ACCOMPANY DESCRIPTION
CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	403HL	LG-SK		JHF	CDB	1"=300'	4 OF 8	16-41-20



0 150' 300'
SCALE 1"=300'



SEE SHEET 6

SEE SHEET 4

LEGEND

- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.R. OFFICIAL RECORD
- D.U.E. DRAINAGE AND UTILITY EASEMENT.
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- (P) PLAT

THIS IS NOT A BOUNDARY SURVEY

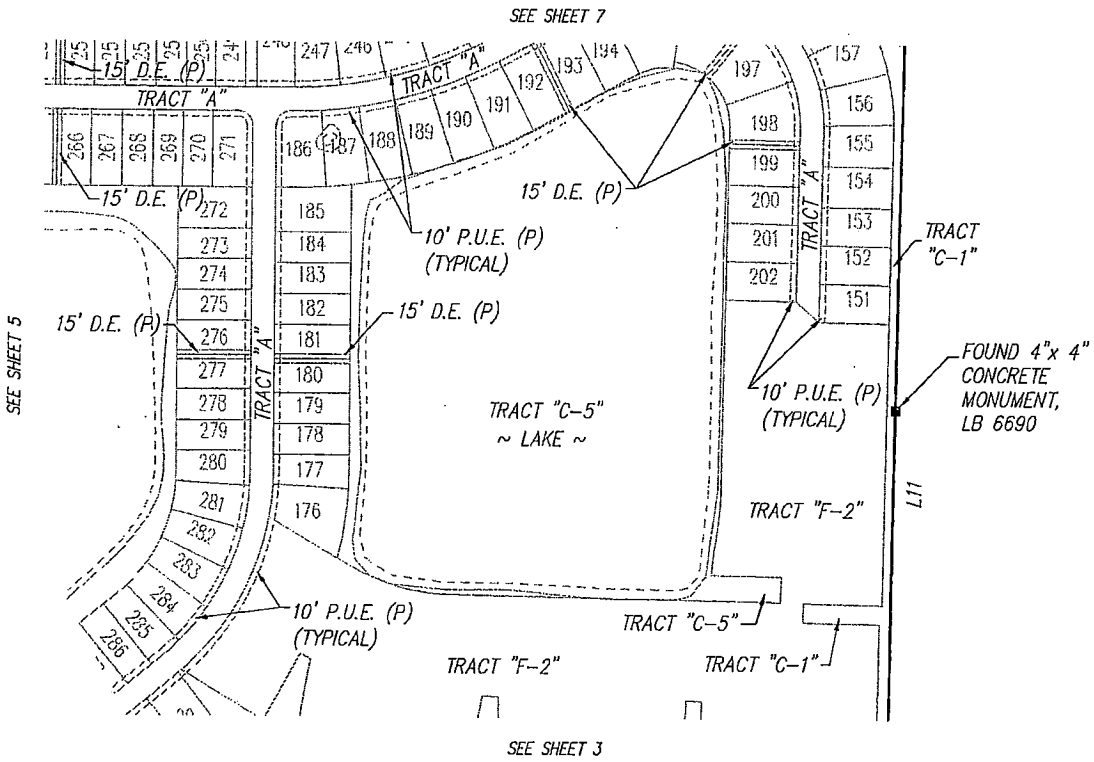
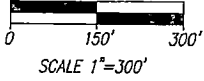
BANKS
ENGINEERING

4161 TAHAMI TRAIL - BLDG 5 UNIT 501
FORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1105 FAX: (941) 625-1149
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

SKETCH TO ACCOMPANY DESCRIPTION
CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	4031L	L6-SK		JMF	CDB	1"=300'	5 OF 8	16-41-20

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LEGEND

- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.R. OFFICIAL RECORD
- D.U.E. DRAINAGE AND UTILITY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- (P) PLAT

THIS IS NOT A BOUNDARY SURVEY

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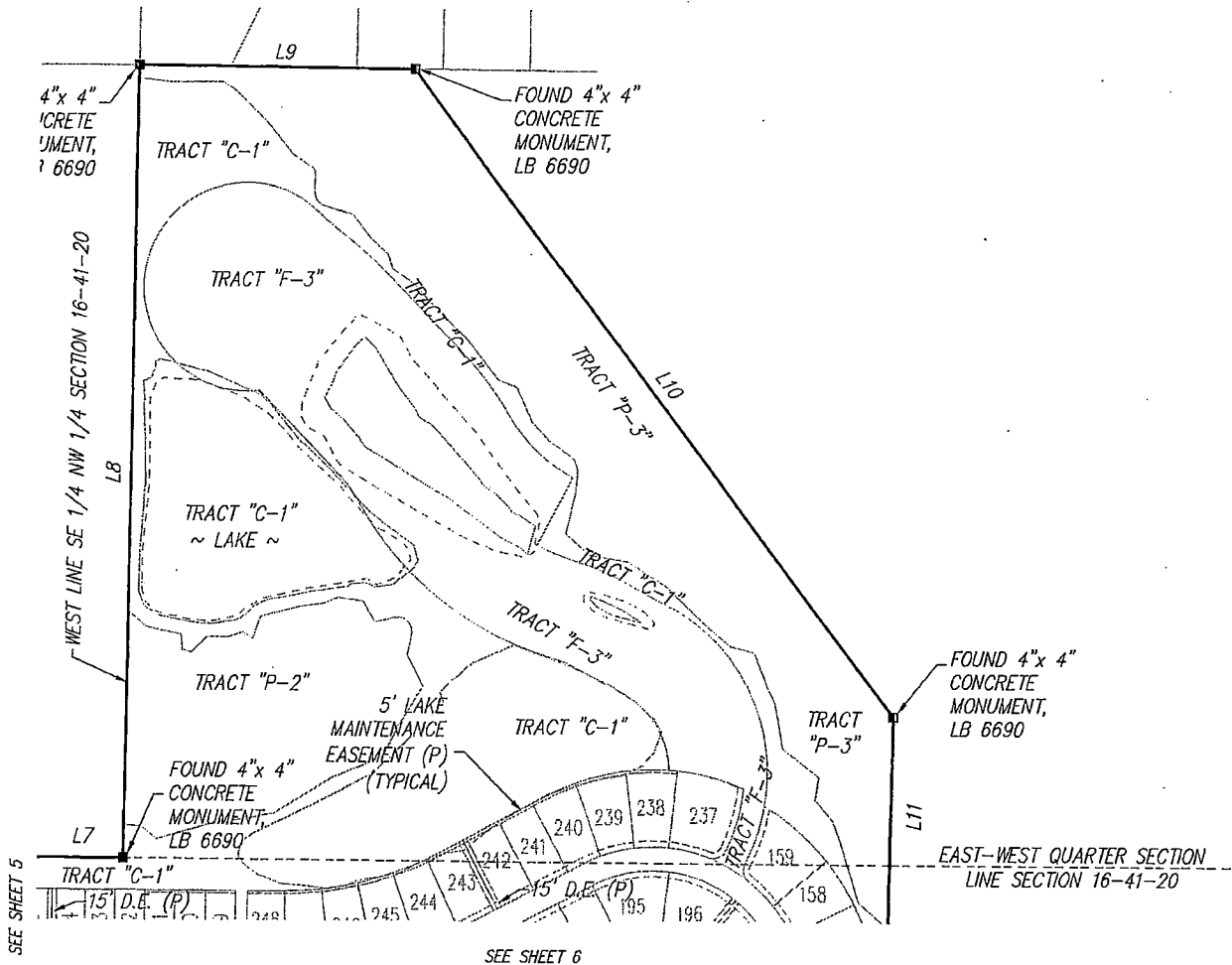
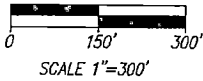
4161 TAMIAH TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1165 FAX: (941) 625-1149
ENGINEERING LICENSE # EB 6489
SURVEY LICENSE # LB 6690

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SKETCH TO ACCOMPANY DESCRIPTION
CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	4031L	LC-SK		JHF	CDR	1"=300'	6 OF 8	16-41-20



LEGEND

- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.R. OFFICIAL RECORD
- D.U.E. DRAINAGE AND UTILITY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- (P) PLAT

THIS IS NOT A BOUNDARY SURVEY

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PORT CHARLOTTE, FLORIDA 33852
PHONE: (813) 828-1188 FAX: (813) 828-1149
ENGINEERING LICENSE # EB 6468
SURVEY LICENSE # LB 6690

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SKETCH TO ACCOMPANY DESCRIPTION
CDD PROPERTY
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
02/03/2022	4031L	LG-SK		JIF	CDB	1"=300'	7 OF 8	16-41-20

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°30'59"W	1321.63'
L2	N00°29'01"E	250.00'
L3	N65°14'07"W	1065.29'
L4	N00°50'14"E	698.00'
L5	N89°09'46"W	345.00'
L6	N00°50'14"E	1254.88'
L7	S89°45'05"E	1324.86'
L8	N00°55'16"E	1348.41'
L9	S89°28'18"E	476.75'
L10	S37°04'34"E	1378.23'
L11	S01°00'09"W	2904.31'

LEGEND

L1 SEE LINE TABLE

THIS IS NOT A BOUNDARY SURVEY

<p style="font-size: 24pt; font-weight: bold; margin: 0;">BANKS</p> <p style="font-size: 24pt; font-weight: bold; margin: 0;">ENGINEERING</p> <p style="font-size: 10pt; margin: 0;">Professional Engineers, Planners, & Land Surveyors Serving The State Of Florida</p>	<p style="font-size: 8pt; margin: 0;">4161 TAMMAM TRAIL -- BLDG 5 UNIT 501 FORT CHARLOTTE, FLORIDA 33952 PHONE: (941) 625-1165 FAX: (941) 625-1140</p> <p style="font-size: 8pt; margin: 0;">ENGINEERING LICENSE # EB 6469 SURVEY LICENSE # LB 6692</p> <p style="font-size: 8pt; margin: 0;">WWW.BANKSENG.COM</p>	<p style="font-weight: bold; margin: 0;">SKETCH TO ACCOMPANY DESCRIPTION</p> <p style="font-weight: bold; margin: 0;">CDD PROPERTY</p> <p style="font-weight: bold; margin: 0;">CHARLOTTE COUNTY, FLORIDA</p>							
		DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
02/03/2022	4031L	LC-SK		JHF	CDB	N/A	8 OF 8	16-41-20	

EXHIBIT 4

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

EXISTING WATER AND SEWER FACILITIES

ISLAND LAKE ESTATES CDD

Charlotte County, Florida

February 10, 2022

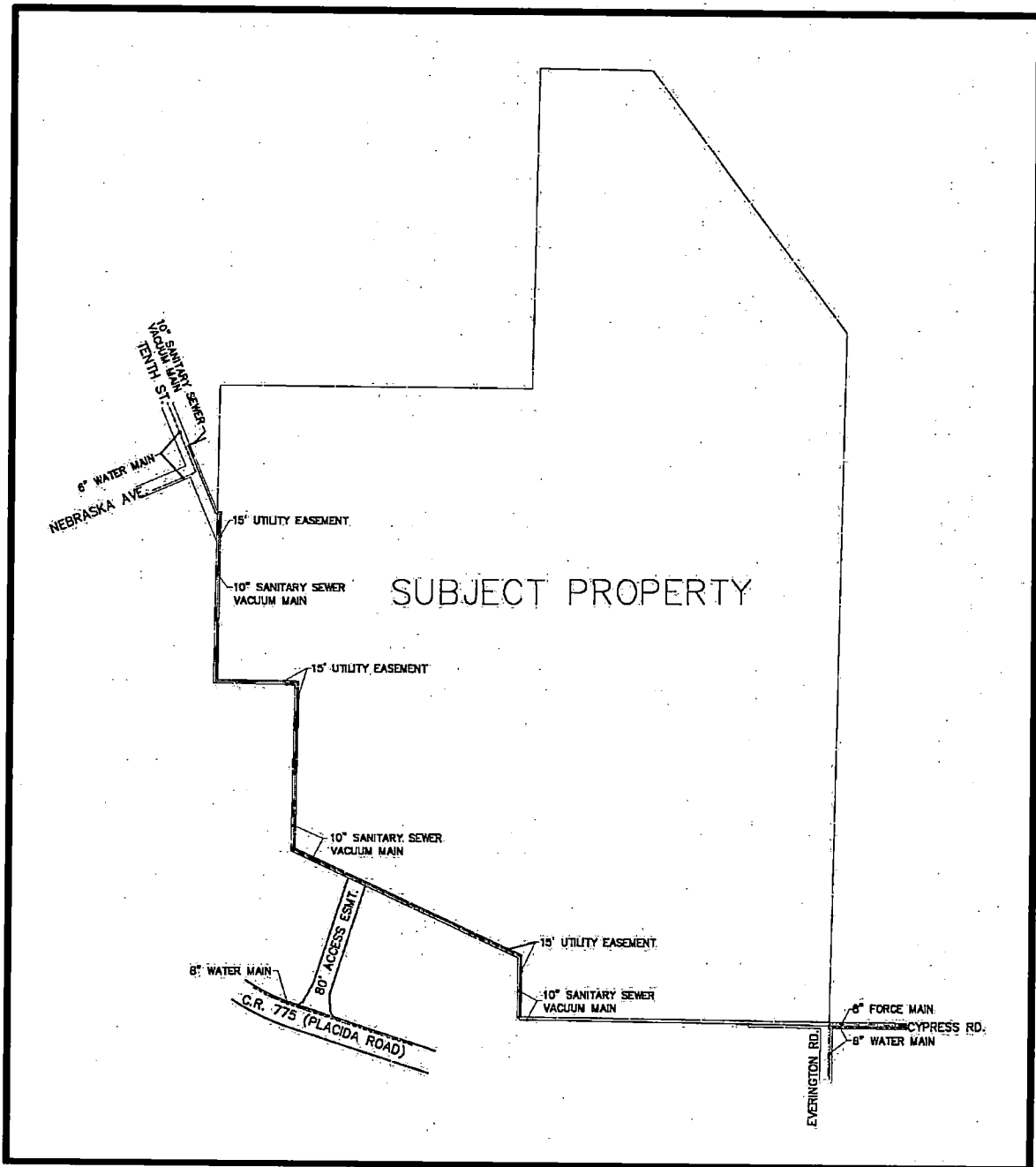


EXHIBIT 5

PROPOSED FACILITIES & ESTIMATED COSTS

Improvement	Cost	Construction Entity	Final Owner	Maintenance Entity
Stormwater Management System	\$2,400,000	Developer/CDD	CDD	CDD
Roadways	\$1,400,000	Developer	HOA	HOA
Water & Wastewater Systems	\$3,700,000	Developer/CDD	Englewood Water District	Englewood Water District
Irrigation, Landscape, Hardscape	\$2,800,000	Developer/CDD	CDD	CDD
Professional Services	\$300,000			
Contingency (10%)	\$1,060,000			
Total	\$11,660,000.00			

EXHIBIT 6

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

CHARLOTTE COUNTY FUTURE LAND USE

ISLAND LAKE ESTATES CDD

Charlotte County, Florida

February 10, 2022

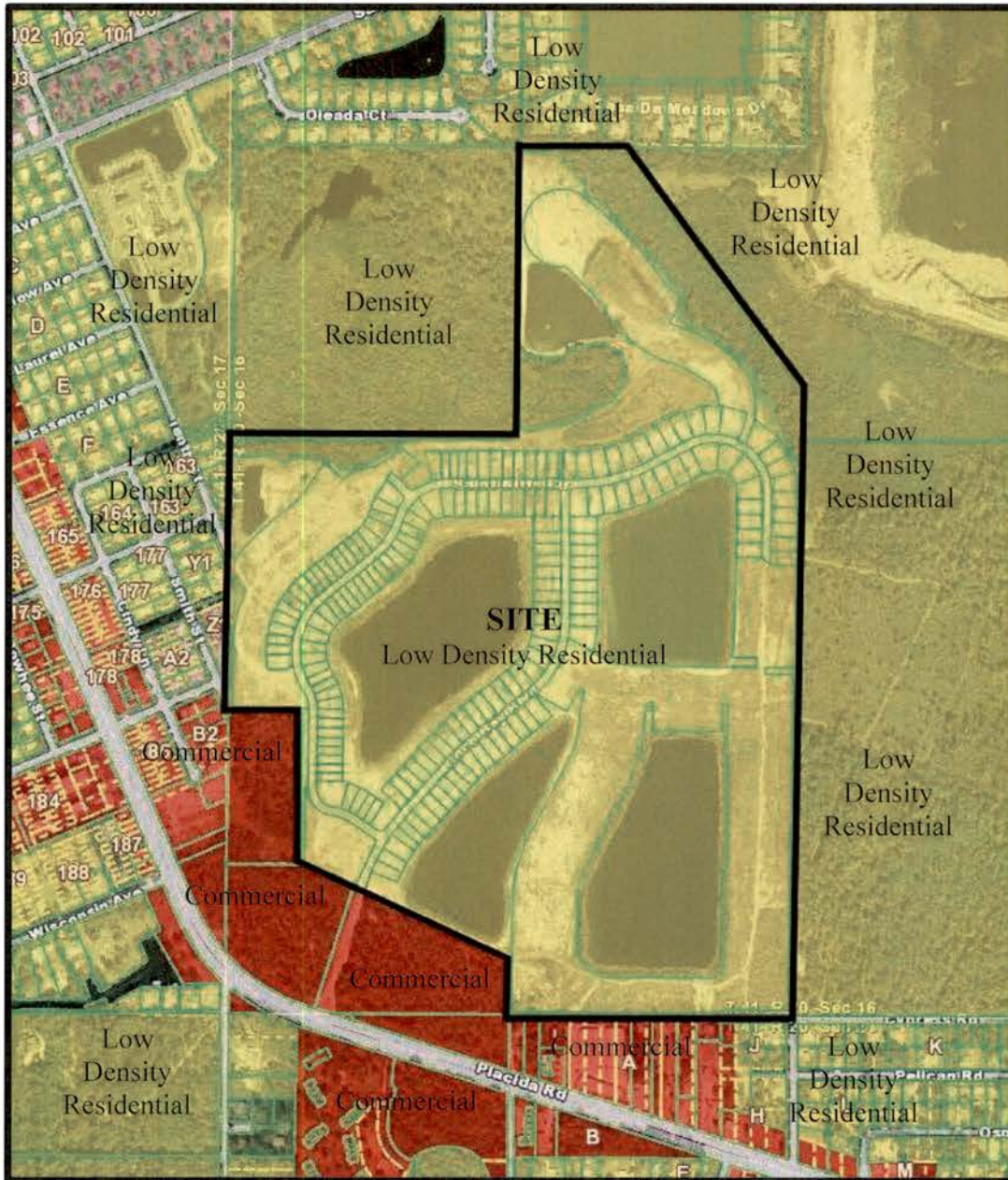


EXHIBIT 7

ISLAND LAKE ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF ESTIMATED REGULATORY COSTS
PETITION TO ESTABLISH THE DISTRICT

Prepared by:

2/16/2022

JPWard & Associates LLC

JAMES P. WARD

954.658.4900

JimWard@JPWardAssociates.com



*2301 NORTHEAST 37TH STREET
FORT LAUDERDALE, FLORIDA 33305*

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the Petition to Establish (“Petition”) the Island Lake Estates Community Development District (“District”). The District encompasses 169.69 acres of land, more or less, located within Charlotte County, Florida. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. (governing District formation or alteration) as follows:

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

1.2 Overview of the Development and the District

A Community Development District (“CDD,”) is an independent unit of special purpose local government created and chartered by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. It may be established on the proposed property by ordinance and this SERC is related only to the petition to establish. CDD’s provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers.” Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose, government unit, i.e., the County in which the CDD lies. A CDD does not have the permitting, zoning or police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments. The scope of this SERC is limited to evaluating the consequences of approving the proposal to establish the District.

2.0 Statement of Estimated Regulatory Costs

2.1 Requirements for a Statement of Estimated Regulatory Costs

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

- a) An economic analysis showing whether the rule directly or indirectly:
 - i. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
 - ii. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
 - iii. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.
- d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.
- e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.
- f) Any additional information that the agency determines may be useful.
- g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under Section 120.541(1)(a) and a statement adopting the

alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

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

3.0 Analysis of Required Elements of the Statement of Estimated Regulatory Costs

3.1 Questions:

- 3.1.1** Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- 3.1.2** Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- 3.1.3** A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

3.2 Responses:

- 3.2.1** The ordinance to establish the District will not have any adverse impact (direct or indirect) on economic growth, private sector job creation or employment, private sector investments, business competitiveness, the ability of persons doing business in the State to compete with persons doing business in other states or domestic markets, productivity, or innovation.

Any increases in regulatory costs, principally dealing with transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District, and it should be noted that property ownership in the District is voluntary and all costs associated with the District are required to be disclosed to prospective purchasers prior to

sale, these costs are self-imposed and offset by the benefits derived from the services provided by the District.

Next, the sole reason for the establishment of the District is to provide public facilities and services to support the development of the Community. The District will promote local economic activity, create local value, lead to local private sector investment and is likely, at least in the short term, to support local private sector employment and/or lead to local new job creation.

The District will allow to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services necessary for the continued development of the community. Such facilities and services, will allow for the development of the land within the District for private use. The provision of District's infrastructure and the subsequent development of the private land will generate private economic activity, private economic growth, private investment and employment, and job creation. The District will use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, will use private firms to operate and maintain such infrastructure/provide services to the landowners and residents of the District. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in the absence of the District by the private sector alone, the fact that the District was requested by the private developer means that the private developer considers the operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to the economic growth, likely private sector job and/or support private sector employment, and private sector investments.

When assessing the question of whether the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the District

is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similarly to a purely private solution, District contracts will be bid competitively so as to achieve the lowest cost/best value for any particular infrastructure or services desired by the landowners under a "lowest responsive/responsible bid" method, which will insure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District in its purchasing decisions will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

3.3 Question:

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

3.4 Response:

3.4.1 The District will not increase any regulatory costs of the State or the County. The District will pay a one-time filing fee to Charlotte County to offset any expenses that the County may incur in the processing of this petition. Similarly, the District will be required to pay the annual Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

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

imposed, and as a tradeoff for the services and facilities provided by the District. As to the anticipated amount of the transactional costs in the aggregate within 3 years, they are anticipated to not exceed approximately \$69,614,900.00 as more fully described in the cost estimate table in the Petition and this SERC.

3.5 Question:

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

3.6 Response:

3.6.1 The establishment of the District serves land that comprises 169.69 acres in size and in the master planned residential development, currently planned to be made up of an estimated 400 residential dwelling units along with such other amenities, such as a clubhouse, pool and meeting room(s) and outdoor recreational uses. The property owners in the District will be individuals that may operate industrial, manufacturing and other retail and non-retail related businesses outside the boundaries of the District.

3.7 Question:

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

3.8 Response:

3.8.1 There is no state agency promulgating any rule relating to this project that is anticipated to effect state or local revenues. In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida, the County, or any other unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

3.9 Question:

3.9.1 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

3.10 Response:

3.10.1 Individuals and Entities:

Table 1 below provides an outline of the various facilities and services the District may provide.

<i>Facility</i>	<i>Fundedby</i>	<i>O & M</i>	<i>Ownership</i>	<i>Estimated O&M Cost</i>
Stormwater (All)	Developer/ CDD	CDD	CDD	\$20,000
Roadways	Developer	HOA	HOA	\$50,000
Water & Wastewater Facilities	Developer/ CDD	Englewood Water Dist.	Englewood Water Dist.	N/A
Hardscaping, Landscape, Irrigation	Developer/ CDD	CDD	CDD	\$75,000

The District may enter an agreement with the Homeowner's Associations for the operations and maintenance of the facilities that will remain in the ownership of the District.

The petitioner has estimated the design and development costs for providing the capital facilities as outlined the cost estimates are shown in Table 2 below. The District may levy non-ad valorem special assessment (by a variety of names) and may issue revenue and other bonds to fund the management of these facilities. These bonds would be repaid through non-ad valorem special assessments (by a variety of names) levied on all properties in the District that receive special and peculiar benefit from the District's capital improvement program as outlined in Table 2.

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

A Community Development District "CDD" provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District (and collected by law) represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent Special Districts, County or its Dependent Districts or county management, but financing with municipal service benefit units and municipal service taxing units which are not Districts, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

With regards to costs of public district mechanism of public services delivery to the developments within the proposed area, Dependent and other Independent Special Districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development. Transaction costs resulting from the employment of more than one district would likely be higher than those resulting from a single entity such as a CDD.

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

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

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

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

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

Table 2. Cost Estimate for District Facilities

JPWard and Associates, LLC
Community Development District Advisors

<i>Facility</i>	<i>Public Improvements</i>
Stormwater - Roadways	\$ 1,400,000.00
Subdivision Potable Water System	\$ 1,050,000.00
Subdivision WasteWater system	\$ 2,650,000.00
Stormwater Facilities	\$ 2,400,000.00
Irrigation, Landscape, Hardscape	\$ 2,800,000.00
Professional Services	\$ 300,000.00
Contingency (10%)	\$ 1,060,000.00
Total Improvements	\$ 11,660,000.00

**Includes associated improvements, water and sewer systems, lift station, irrigation, landscaping and hardscaping.

Third, a CDD is the sole form of local governance which is specifically established to provide District landowners with planning, construction, implementation and short- and long-term maintenance of community infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the Development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD due to tax-exempt financing, landowners within the District can usually expect the marginal benefits of finance savings directed toward higher quality of infrastructure than landowners in similar developments not located within CDDs.

State Governmental Agencies:

There will be only a modest cost to the Department of Economic Opportunity and any other State governmental entity to implement the establishment of the District. The District as proposed is within unincorporated Charlotte County.

Local Government: (Charlotte County)

The proposed land for the District is in Charlotte County, Florida and consists of approximately 169.69 acres more or less. Charlotte County and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources. The costs to review the record of the local hearing, the transcript of the hearing, and the ordinance adopted by the local general-purpose government will be offset by the filing fee required under 190.005 (1), F.S.

These costs to Charlotte County are modest for a number of reasons. First, according to Chapter 190, F.S., review of the Petition to establish the District does not include analysis of any community developments within the boundaries of the District. Second, the Petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the Petition. Fifth, the potential costs are offset by the required filing fee. Finally, general purpose local governments routinely process petitions for land uses and zoning changes that are far more complex than is the Petition to establish a community development district.

The annual costs to the County, are minimal, in that they consist of the District filing certain reports with the County, such as proposed and adopted budgets, notice of annual meetings, etc.

3.11 Question:

3.11.1 An analysis of the impact on small businesses as defined by s. 288.703, F.S., and an analysis of the impact on small counties and small cities as defined in s. 120.52, F.S. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.

3.12 Response:

3.12.1 There will be no impact on small businesses because of the establishment the District. If anything, the impact may be positive. Charlotte County has an estimated population that is greater than 75,000 according to the Census estimates as of July, 2016 ; therefore the County is not defined as a "small " County according to Section 120.52 (18), F.S, and there will

accordingly be no impact on County because of the establishment of the District.

3.13 Question:

3.13.1 Any additional information that the agency determines may be useful.

3.13.2 In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) of Chapter 120.541 and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

3.14 Response:

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

Finally, it is useful to reflect upon the question of whether the proposed establishment of the District is the best alternative to provide community facilities and services to the project. As an alternative to the District, Charlotte County could approve a dependent special district for the area, such as an MSBU or a special taxing district. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the District.

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

Second, a District is preferable from a government accountability perspective. With a District, residents and landowners in the District would have a focused unit of government ultimately under their direct

control. The District can then be more responsive to resident needs without disrupting other County responsibilities. By contrast, if the County were to establish dependent districts, then the residents and landowners of the proposed District would take their grievances and desires to the County.

Third, any debt of a District is strictly the District's responsibility. While it may be technically true that the debt of a County-established, dependent special district is not strictly the County's responsibility, any financial problems that the special district may have will inevitably entangle the County. This will not be the case if the proposed District is established.

Another alternative to the District would be for a homeowners' association ("HOA") to provide the infrastructure, operations and maintenance of community facilities and services. A District is superior to a HOA for a variety of reasons. First, unlike a HOA, a District can obtain low cost funds from the municipal capital markets. Second, the District can impose and collect its assessments along with other property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a HOA. Third, the proposed District is a unit of local government. This provides a higher level of oversight and accountability.

EXHIBIT 8

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jere Earlywine of KE Law Group, PLLC to act as agent for Petitioner, Lennar Homes, LLC, with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of Charlotte County, Florida, to Establish the Island Lake Estates Community Development District pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, Section 190.156(1), Florida Statutes. This authorization shall remain in effect until revoked in writing.

**LENNAR HOMES, LLC
PETITIONER**

Witnessed:

Rachel Rose
Print Name: Rachel Rose

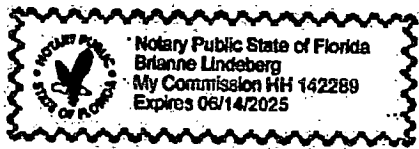
Tammy Kenner
Print Name: Tammy Kenner

By: Darin McMurray
Its: Division President

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25th day of February, 2022, by Darin McMurray, as Division President of Lennar Homes LLC, on its behalf. He is personally known to me or produced _____ as identification.

Brianne Lindeberg
Notary Public, State of Florida





FLORIDA DEPARTMENT of STATE

RON DESANTIS

Governor

CORD BYRD

Secretary of State

May 24, 2022

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Dawn Johnston

Dear Roger Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2022-026, which was filed in this office on May 24, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/mas



PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

05/09/2022

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

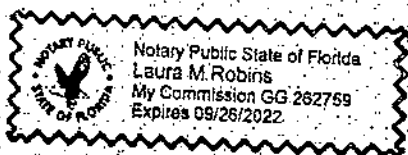
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott
(Signature of Affiant)

Sworn and subscribed before me this 9th
day of May, 2022

Laura M Robins
(Signature of Notary Public)

Personally known X OR Produced
Identification



NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, MAY 24, 2022, at 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/boards-committees/planning-zoning-board/agenda.stm>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE CONSENT AGENDA

FP-21-01-04 **Quasi-judicial** **Commission District IV**
 Forestar (USA) Real Estate Group Inc. has requested Final Plat approval for a subdivision to be named, Cove at West Port Phase 2 and 3, consisting of 180 residential lots which will include a mix of single family attached and single family detached. The applicant is also requesting a Developer's Agreement approval to address certain obligations by the applicant and the County in connection with the construction of the improvements for this development. This site is 34.49± acres of a 117.51± acre site which will be platted and constructed in three phases and is located north of El Jobean Road, south of Tamiami Trail, east of Cornelius Boulevard and west of Toledo Blade Boulevard, in the Port Charlotte area and within the Murdock Village Community Redevelopment Area (CRA) and located in Commission District IV.

FP-21-03-08 **Quasi-judicial** **Commission District IV**
 Forestar (USA) Real Estate Group Inc. has requested Final Plat approval to Replat a portion of the previously approved Final Plat for West Port, approved March 24, 2020 by the Charlotte County Board of County Commissioners, for a subdivision to be named, Cove at West Port Phase 4, consisting of 149 lots. The applicant is also requesting a revised Developer's Agreement approval to address certain obligations by the applicant and the County in connection with the construction of the improvements for this development. The site is 37.57± acres and is generally located north of El Jobean Road, south of Tamiami Trail, east of Cornelius Boulevard, and west of Toledo Blade Boulevard, in the Port Charlotte area and within the Murdock Village Community Redevelopment Area (CRA), and located in Commission District IV.

DRC-22-00034 **Quasi-judicial** **Commission District IV**
 Morris Engineering is requesting a Modification approval to the existing Final Detail Site Plan for The Hammocks at West Port Phase III & IV. The project consists of adding 65 residential lots with associated infrastructure. The project area is 32.06± acre site and is located 1539 Tower Street, Port Charlotte, FL, in Commission District IV.

DRC-22-00059 **Quasi-Judicial** **Commission District I**
 RVI is requesting a Minor Modification to this existing approved development plan for Bella Via Condominiums. Based on the development plan this request is to extend the buildout date for Bella Via Condominium Phase I and to revise the structures from 21 to 20 buildings with 8 units instead of 10. This project consists of 42.62± acres and is located at 23343 Collins Way, Port Charlotte, FL. Located in Commission District I.

DRC-21-00189 **Quasi-judicial** **District II**
 Barraco and Associates Inc. is requesting Final Detail Site Plan approval for Tuckers Point Phase I. This project consists of 354 single family lots with associated infrastructure. This project site is 148.21± acres of a 507.08 ± acre parcel and is located at 28450 Tuckers Grade, Punta Gorda, FL, in Commission District II.

LAND USE REGULAR AGENDA

PP-22-01-02 **Quasi-judicial** **Commission District I**
 Babcock Property Holdings, L.L.C. is requesting a Preliminary Plat approval for a subdivision to be named Babcock Ranch Community, Spine Roads DD-15-17. The subdivision consists of 7 tracts for roadway, utility, and lakes, it contains 29.72± acres, and is located south of Belmont Road, north of the County line with Lee County, west of the County line with Glades County and east of State Road 31, in the East County area and in Commission District I.

PP-22-01-03 **Quasi-judicial** **Commission District I**
 Babcock Property Holdings, L.L.C. is requesting a Preliminary Plat approval for a subdivision to be named Babcock Ranch Community, Spine Roads DD-8-10, the Subdivision is to consist of 8 Tracts for roadway, drainage and future development, it contains 192.67± acres, and is located south of Belmont Road, north of the County line with Lee County, west of the County line with Glades County and east of State Road 31, in the East County area and in Commission District I.

CDD-22-01 **Legislative** **Commission District III**
 An ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefit and Taxing Units, Chapter 4-3.5 Municipal Service Districts, by creating new Article XV: Island Lake Estates Community Development District (CDD); providing for new Section 4-3.5-201, Authority; providing for new Section 4-3.5-202, District Name; providing for new Section 4-3.5-203, District External Boundaries; providing for new Section 4-3.5-204, District Powers and Functions; providing for new Section 4-3.5-205, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD-22-01; Applicant: Lennar Homes, LLC; providing for an effective date. The proposed CDD is generally located south of San Casa Drive, north and east of Placida Road (C.R. 775), and west of Winchester Boulevard, in the Englewood area, and within Commission District III, and it contains 169.69± acres.

TCP-22-01 **Legislative** **County-wide**
 Pursuant to Section 163.3181(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment, the request is to amend Future Land Use (FLU) Policy I.2.15: TDU Waivers; Petition No. TCP-22-01; Applicant: Charlotte County Board of County Commissioners, providing an effective date.

CSZ-22-02 **Quasi-judicial** **Commission District IV**
 Resolution of the Board of County Commissioners of Charlotte County, Florida, waiving the condition for concurrent identification of a Receiving Zone as set forth in Resolution 2020-038 and approving a petition for certification of a Sending Zone, located at 12455 S. Access Road, in the Port Charlotte area and within the West County Area, and located in Commission District IV, containing 88.11± acres; for calculation and severance of 375 density units, pursuant to Resolution Number 2020-038, and in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-22-02; Applicant: The Cove of Rotonda Golf Center, LLC; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

