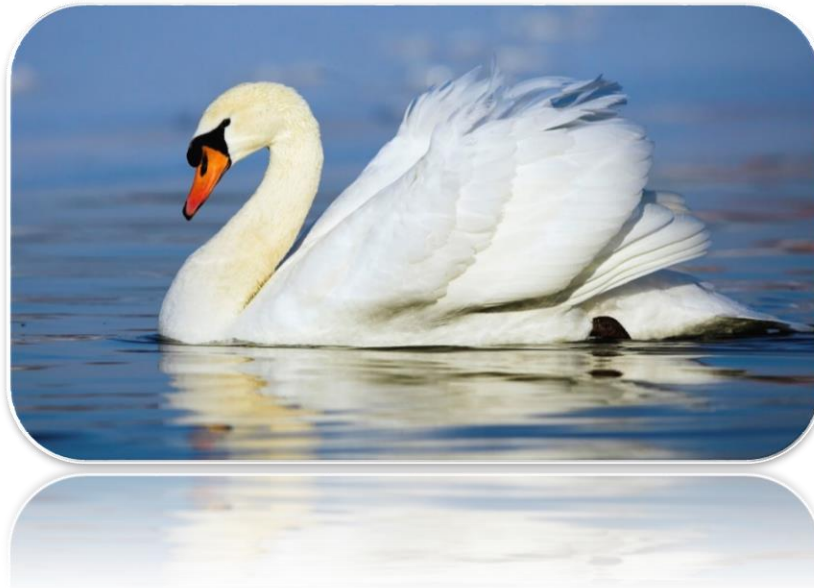


HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT



MEETING AGENDA

MAY 2, 2024

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT

April 25, 2024

Board of Supervisors

Heritage Harbour Market Place Community Development District

Dear Board Members:

The regular meeting of the Board of Supervisors of the Heritage Harbour Market Place Community Development District will be held on **Thursday, May 2, 2024, at 12:30 P.M.** at the **River Strand Golf and Country Clubhouse, 7155 Grand Estuary Trail, Bradenton, Florida 34212.**

The following WebEx link and telephone number are provided to join/watch the meeting.
<https://districts.webex.com/districts/j.php?MTID=maa22e89d12ac7472632e48bae98a1c55>

Access Code: **2342 006 4175**, Event password: **Jpward**

Or phone: **408-418-9388** and enter the access code **2342 006 4175**, password: **Jpward (579274** from phones) to join the meeting.

Agenda

1. Call to order & roll call.
2. Notice of Advertisement of Public Hearings.
3. Consideration of Minutes:
 - I. February 1, 2024 – Regular meeting minutes.
4. **PUBLIC HEARING.**
 - a) **FISCAL YEAR 2025 BUDGET.**
 - I. Public Comment and Testimony.
 - II. Board Comment and Consideration.
 - III. Consideration of **Resolution 2024-8**, a Resolution of the Board of Supervisors adopting the annual appropriation and Budget for Fiscal Year 2025.
 - b) **FISCAL YEAR 2025 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY.**
 - I. Public Comment and Testimony.
 - II. Board Comment and Consideration.

- III. Consideration of **Resolution 2024-9**, a Resolution of the Board of Supervisors imposing special assessments, adopting an assessment roll, and approving the general fund special assessment methodology.

5. Consideration of **Resolution 2024-10**, a Resolution of the Board of Supervisors designating the dates, time, and location for regular meetings of the Board of Supervisors of the District.

6. Consideration of **Resolution 2024-11**, a Resolution of the Board of Supervisors designating a date, time, and location for a landowners' meeting and election; providing for publication; and establishing forms for the landowners' election. The date and time are **November 7, 2024, at 12:30 pm** and it will be held at the **River Strand Golf and Country Club, (Clubhouse), 7155 Grand Estuary Trail, Bradenton Florida, 34212**.

7. Consideration of **Resolution 2024-12**, a Resolution of the Board of Supervisors directing the Chairman and District Staff to request the passage of an Ordinance by Manatee County, Florida, Amending the District's Boundaries, and authorizing such other actions as are necessary in furtherance of that process; and providing an effective date.

8. Consideration of an Agreement funding the Boundary Amendment for the contraction of the District and agreeing to fund all managerial, engineering, legal and other fees and costs that the District incurs in connection with the Boundary Amendment.

9. Consideration of **Resolution 2024-13**, a Resolution of the Board of Supervisors Approving the assignment of the Engineering Services Agreement from Banks Engineering to Atwell, LLC; Authorizing the Chairperson to execute the Assignment; Providing general authorization; and addressing conflicts, severability, and an effective date.

10. Staff Reports.
 - I. District Attorney.
 - II. District Engineer.
 - III. District Manager.
 - a) New performance reporting requirements for CDD's.
 - b) **Important Board Meeting Dates for Balance of Fiscal Year 2024.**
 1. June 6, 2024, Meeting Canceled.
 2. November 7, 2024 - Landowners Election (Seats 1, 3 & 5).
 - c) Florida Law changes to Form 1 filings.
 - d) Supervisor of Elections Qualified Elector Report dated April 15, 2024.
 - e) Financial Statement for period ending January 31, 2024 (unaudited).
 - f) Financial Statement for period ending February 29, 2024 (unaudited).
 - g) Financial Statement for period ending March 31, 2024 (unaudited).

11. Supervisor's Requests and Audience Comments.

12. Adjournment.

Staff Review

The first order of business is the call to order and roll call.

The second order of business is the Notice of Advertisement of the Public Hearings.

The third order of business is the consideration of the minutes from the Heritage Harbour Market Place Board of Supervisors February 2, 2024, Regular Meeting.

The fourth order of business are the two (2) required Public Hearings to consider the adoption of the District's Fiscal Year 2025 Budget, Assessments and General Fund Special Assessment Methodology. The first Public Hearing deals with the adoption of the Fiscal Year 2025 Budget which includes both the General Fund operations and the Debt Service Fund for the Series 2005 Bonds. In the way of background, the Board approved the proposed Fiscal Year 2025 Budget at the February 1, 2024, meeting, solely for the purpose of permitting the District to move through the process towards this hearing to adopt the Budget and set the final assessment rates for the ensuing Fiscal Year. As a suggested form for the Public Hearing – it would be appropriate to formally open the Public Hearing for consideration of the Budget, take a few moments to have the District Manager review the salient points of the Budget for the Public, then seek Public Comment or testimony, and at the conclusion of the Public Comment and testimony to close the Public Hearing by motion of the Board, then to move into the Board's consideration of the Budget and once that is concluded, to consider **Resolution 2024-8** to adopt the annual appropriation and budget for the District. Once this item is concluded, then it would be recommended for the Board to move to the second Public Hearing utilizing the same process as just completed for the Budget Hearing.

This second Public Hearing is a consequence of the Budget Adoption process and sets in place the required documents that are all contained in the Fiscal Year 2025 Budget. **Resolution 2024-9** does essentially three (3) things. First, it imposes the special assessments for the general fund and the debt service fund; second, it arranges for the certification of an assessment roll by the Chairman his designee, which in this case is the District Manager, to the Manatee County Tax Collector and permits the District Manager to update the roll as it may be modified as limited by law subsequent to the adoption date of **Resolution 2024-9**, and finally it approves the General Fund Special Assessment Methodology.

The fifth item is the consideration of **Resolution 2024-10**, a Resolution of the Board of Supervisors setting the proposed meeting schedule for Fiscal Year 2025. As you may re-call, to the extent that the District has a regular meeting schedule, the District is required to advertise this schedule (legal advertisement) on a periodic basis at the beginning of the Fiscal Year.

Currently, the Board will be scheduled to meet on the first Thursday of each month at **12:30 P.M.**, unless otherwise indicated, at the **River Strand Golf and Country Club, (Clubhouse), 7155 Grand Estuary Trail, Bradenton Florida, 34212.**

The Fiscal Year 2025 schedule is as follows:

October 3, 2024	November 7, 2024: Landowner's Election
December 5, 2024	February 6, 2025
March 6, 2025	April 3, 2025
May 1, 2025	June 5, 2025
August 7, 2025	September 4, 2025

The sixth order of business is the consideration of **Resolution 2024-11**, a Resolution of the Board of Supervisors designating a date, time, and location for a landowners' meeting and election; providing for publication; and establishing forms for the landowner election. The date and time are **November 7, 2024**, at **12:30 pm** and it will be held at the **River Strand Golf and Country Club, (Clubhouse), 7155 Grand Estuary Trail, Bradenton Florida, 34212.**

The seventh order of business is the consideration of **Resolution 2024-12**, a Resolution of the Board of Supervisors directing the Chairman and District Staff to request the passage of an Ordinance by Manatee County, Florida, Amending the District's Boundaries, and authorizing such other actions as are necessary in furtherance of that process; and providing an effective date.

The eighth order of business is the consideration of an Agreement funding the Boundary Amendment for the contraction of the District and agreeing to fund all managerial, engineering, legal and other fees and costs that the District incurs in connection with the Boundary Amendment.

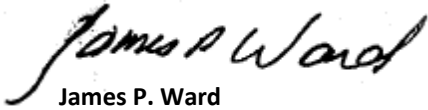
The ninth order of business is the consideration of **Resolution 2024-13**, a Resolution of the Board of Supervisors Approving the assignment of the Engineering Services Agreement from Banks Engineering to Atwell, LLC; Authorizing the Chairperson to execute the Assignment; Providing general authorization; and addressing conflicts, severability, and an effective date.

The tenth order of business are staff reports by the District Attorney, District Engineer, and the District Manager. The District Manager will report on (i) the remainder of the Fiscal Year 2024 meeting schedule; and (ii) Financial Statements (unaudited) for the periods ending January 31, 2024, February 29, 2024, and March 31, 2024.

The remainder of the agenda is standard in nature, and in the meantime, if you have any questions and/or comments before the meeting, please do not hesitate to contact me directly by phoning (954) 658-4900.

Yours sincerely,

Heritage Harbour Market Place Community Development District



**James P. Ward
District Manager**

The Fiscal Year 2024 schedule is as follows:

April 4, 2024	May 2, 2024
June 6, 2024	July 4, 2024
August 1, 2024	September 5, 2024

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2025 BUDGET; AND NOTICE OF PUBLIC HEARING TO CONSIDER THE IMPOSITION AND LEVY OF MAINTENANCE AND OPERATION SPECIAL ASSESSMENTS; ADOPTION OF AN ASSESSMENT ROLL, AND THE USE OF THE UNIFORM COLLECTION, AND ENFORCEMENT OF THE SAME; AND NOTICE OF REGULAR BOARD OF SUPERVISORS MEETING.

The Board of Supervisors for Heritage Harbour Market Place Community Development District will hold two public hearings and a regular meeting on **May 2, 2024 at 12:30 p.m.** at the **River Strand Golf and Country Club (Clubhouse), 7155 Grand Estuary Trail, Bradenton, Florida 34212.** The meeting is being held for the necessary public purpose of considering such business as more fully identified in the meeting agenda, a copy of which will be posted on the District's website at www.HeritageHarbourMarketPlaceCDD.org.

The purpose of the first public hearing is to receive public comment and objections on the Fiscal Year 2025 Proposed Budget. The first public hearing is being conducted pursuant to Chapter 190, Florida Statutes. The purpose of the second public hearing is to consider the imposition of special assessments to fund the District's proposed operation and maintenance budget for Fiscal Year 2025 upon the lands located within the District, a depiction of which lands is shown below, and to consider the adoption of an assessment roll, for the uniform collection, and enforcement of the assessments. The second public hearing is being conducted pursuant to Florida law including Chapters 190 and 197, Florida Statutes. At the conclusion of the public hearings, the Board will, by resolution, adopt the budget and levy assessments to fund the operation and maintenance budget as finally approved by the Board.

A regular board meeting of the District will also be held where the Board may consider any other business that may properly come before it.

A copy of the proposed budget, preliminary assessment roll, and the agenda for the hearings and meeting may be obtained at the offices of the District Manager, Ph: (954) 658-4900, during normal business hours or on the District's web site www.HeritageHarbourMarketPlaceCDD.org at least seven (7) days in advance of the meeting.

In addition, you may obtain a copy of the proposed budget on the District's website: www.HeritageHarbourMarketPlaceCDD.org immediately.

The special assessments are annually recurring assessments and are in addition to previously levied capital debt assessments. The table below presents the proposed schedule of operation and maintenance assessments for Fiscal Year 2025. Amounts are preliminary and subject to change at the hearing and in any future year. The amounts are subject to early payment discount as afforded by the uniform collection law. Note that the operations and maintenance assessments stated below do not include any debt service assessments previously levied by the District and due to be collected for Fiscal Year 2025.

Proposed Schedule of Assessments

The chart below identifies the proposed assessments by Parcel

Schedule of Rates			
Parcel Identification	Acres	Assessment	
Parcel 19/20	TH Harbour LLLP	67.70	\$ 49,533.98
Parcel 19	THH Tract 1 LLC	16.00	\$ 11,706.70
Parcel 22		3.38	\$ 2,646.15
Parcel 23		2.13	\$ 1,667.55
Parcel 24		3.13	\$ 2,450.43
Parcel 25		16.36	\$ 12,808.01
Parcel 26	Parcel A	2.91	\$ 2,280.77
Parcel 26	Parcel D	1.37	\$ 1,074.00
Parcel 26	Parcel C	1.03	\$ 805.50
Parcel 26	Parcel B	3.50	\$ 2,738.71
Parcel 27 - Unit 1		1.34	\$ 1,049.07
Parcel 27 - Unit 2		1.47	\$ 1,150.84
Parcel 27 - Unit 3		0.96	\$ 751.57
Parcel 27 - Unit 4		1.23	\$ 959.44

The tax collector will collect the assessments pursuant to the uniform method. The District may choose to collect the assessments for developer owned land not pursuant to the uniform method.

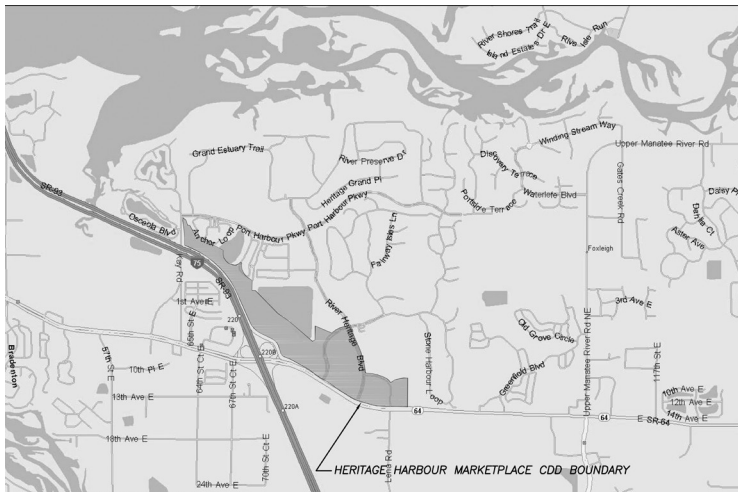
Failure to pay the assessments collected by the Tax Collector using the uniform method will cause a tax certificate to be issued against the property which may result in a tax deed and loss of title. For delinquent assessments that were initially directly billed by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year's county tax bill. 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 publication of this notice.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the hearings or meeting.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (954) 658-4900 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Heritage Harbour Market Place Community Development District
James P. Ward
District Manager



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**MINUTES OF MEETING
HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

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The Regular Meeting of the Board of Supervisors of the Heritage Harbour Market Place Community Development District was held on Thursday, February 1, 2024, at 12:30 P.M. at the River Strand Golf and Country Clubhouse, 7155 Grand Estuary Trail, Bradenton, Florida 34212.

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16

Present and constituting a quorum:

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18
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20

Danielle Graef	Chairperson
Brian Billingham	Vice Chairperson
Dan Huglas	Assistant Secretary
Hector Mencia	Assistant Secretary

21
22

Also present were:

23
24
25
26
27

James P. Ward	District Manager
Wes Haber	District Counsel
Warren Bloom	Greenberg Traurig
Ben Steets	Grau and Associates

28
29

Audience:

30
31
32
33

All residents' names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

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37

PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE TRANSCRIBED IN *ITALICS*.

38
39

FIRST ORDER OF BUSINESS

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Call to Order/Roll Call

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Mr. James P. Ward called the meeting to order at approximately 1:00 p.m. He called roll and all Members of the Board were present, constituting a quorum.

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46

SECOND ORDER OF BUSINESS

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Consideration of Acceptance

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51

Acceptance of the Letter of Resignation from Mr. Bill Nesbitt, effective August 31, 2023, and whose term is set to expire November 2024, from Seat 1 of the Board of Supervisors of the Heritage Harbour Market Place Community Development District

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53

I. Appointment of Individual to fill Seat 1, whose term is set to expire November 2024

54
55

II. Oath of Office

56
57

III. Guide to the Sunshine Law and Code of Ethics for Public Employees

58
59

IV. Form 1 – Statement of Financial Interests (2024 Changes to the Law and filing requirements)

49 Mr. Ward called for a motion to accept Mr. Bill Nesbitt’s Letter of Resignation.

50

51 **On MOTION made by Danielle Graef, seconded by Brian Billingham,**
52 **and with all in favor, the Letter of Resignation from Mr. Bill Nesbitt**
53 **was accepted for purposes of inclusion in the record.**

54

55 Mr. Ward indicated that statute dictated the Board Members could appoint an individual to fill Mr.
56 Nesbitt’s empty seat which expired November 2024 by a simple motion and second. He asked if the
57 Board had an appointee.

58

59 **On MOTION made by Danielle Graef, seconded by Brian Billingham,**
60 **and with all in favor, Amburr Vicedomini was appointed to fill Seat 1,**
61 **set to expire November 2024.**

62

63 Mr. Ward indicated he would have Amburr sworn in outside of today’s Board Meeting.

64

65

66 **THIRD ORDER OF BUSINESS**

Consideration of Resolution 2024-1

67

68 **Consideration of Resolution 2024-1, a Resolution of the Board re-designating the Officers of the**
69 **District**

70

71 Mr. Ward explained since Amber was not present, Amburr could not be designated as a Vice Chair. He
72 stated Amber could be designated as an Assistant Secretary, or this item could be held until the next
73 meeting. He indicated Danielle Graef served as Chairperson, he (Mr. Ward) served as Secretary and
74 Treasurer, and the remaining members served as Assistant Secretaries.

75

76 The Board decided to appoint Brian Billingham to serve as Vice Chair, Ms. Graef would continue as Chair,
77 Mr. Ward would continue as Secretary and Treasurer, and the remaining members would serve as
78 Assistant Secretaries.

79

80 **On MOTION made by Danielle Graef, seconded by Hector Mencia, and**
81 **with all in favor, Resolution 2024-1 was adopted, and the Chair was**
82 **authorized to sign.**

83

84

85 **FOURTH ORDER OF BUSINESS**

Consideration of Audited Financial Statements

86

87 **Consideration and acceptance of the Audited Financial Statements for the Fiscal Year ended**
88 **September 30, 2023**

89

90 Mr. Ward introduced Mr. Ben Steets.

91

92 Mr. Ben Steets with Grau and Associates indicated this audit was required by the State of Florida and
93 the bond indentures. He reviewed the Audited Financial Statements indicating the first page declared
94 the auditor’s opinion which was clean, which meant Grau and Associates believed the financial
95 statements were fairly presented in accordance with generally accepted accounting principles (GAP). He

96 stated next was the Management’s Discussion and Analysis which was a recap of the financial activity
97 for the year comparing the current figures to the prior year. He stated page 4 was the Statement of Net
98 Position (Balance Sheet), and page 5 was the Changes in Net Position. He indicated starting on page 7
99 were the Financial Statements including the government wide financials; statement of net position;
100 statement of activities; balance sheet; and statement of revenues, expenditures, and changes in fund
101 balance. He noted the balance sheet showed an ending fund balance of \$486,553 dollars (total for
102 general fund and debt service fund). He reported page 13 through 20 were the notes to the financial
103 statements. He discussed the remainder of the Audited Financial Statements which included various
104 reports required by the State of Florida and the Florida Auditor General. He indicated the District was in
105 compliance, Grau issued a clean opinion, and there were no findings.
106

107 **On MOTION made by Danielle Graef, seconded by Brian Billingham,**
108 **and with all in favor, the Audited Financial Statements for Fiscal Year**
109 **ended September 30, 2023, were accepted.**

110
111
112 **FIFTH ORDER OF BUSINESS**

Consideration of Minutes

113
114 **May 4, 2023 – Public Hearing and Regular Meeting Minutes**

115
116 Mr. Ward asked if there were any corrections or deletions to the Regular Meeting Minutes; hearing
117 none, he called for a motion.
118

119 **On MOTION made by Danielle Graef, seconded by Brian Billingham,**
120 **and with all in favor, the May 4, 2023, Public Hearing and Regular**
121 **Meeting Minutes were approved.**

122
123
124 **SIXTH ORDER OF BUSINESS**

Consideration of Resolution 2024-2

125
126 **Consideration of Resolution 2024-2, a Resolution of the Board of Supervisors rescinding the July**
127 **meeting date for Fiscal Year 2024 adopted by Resolution 2023-9, as the date is a Federal holiday; and**
128 **providing for an effective date**

129
130 Mr. Ward explained 2024-2 and 2024-3 were housekeeping items. He explained Resolution 2024-2
131 would remove July 4 as a meeting date.
132

133 **On MOTION made by Danielle Graef, seconded by Brian Billingham,**
134 **and with all in favor, Resolution 2024-2 was adopted, and the Chair**
135 **was authorized to sign.**

136
137
138 **SEVENTH ORDER OF BUSINESS**

Consideration of Resolution 2024-3

139
140 **Consideration of Resolution 2024-3, a Resolution of the Board of Supervisors Reaffirming, Restating**
141 **and Re-Establishing the District’s adoption of an Electronic Records Policy and a Policy on the use of**
142 **Electronic Signatures; addressing severability, conflicts and an effective date**

143

144 Mr. Ward explained Florida statute required Districts to have a records management policy; this policy
145 was established a number of years ago by this District, but there had been a few minor changes to the
146 statute over the years and Resolution 2024-3 reaffirmed and restated the existing policy and brought
147 the policy into alignment with state statutes.

148

149

**On MOTION made by Danielle Graef, seconded by Brian Billingham,
and with all in favor, Resolution 2024-3 was adopted, and the Chair
was authorized to sign.**

150

151

152

153

154 **EIGHTH ORDER OF BUSINESS****Consideration of Resolution 2024-4**

155

156 **Consideration of Resolution 2024-4, a Resolution of the Board of Supervisors Designating the firm of**
157 **Greenberg Traurig, P.A., as Bond Counsel; providing for severability and invalid provisions; providing**
158 **for conflict and providing for an effective date**

159

160 Mr. Ward stated Resolution 2024-4 designated Greenberg Traurig as Bond Counsel. He explained the
161 majority landowner of the District requested the District do an amendment to the bond documents to
162 provide for the bond holder, who was the majority landholder for some of the land in the District, to
163 tender bonds in lieu of repayment of bonds. He explained in the normal course of events, if a
164 landowner wanted to remove the capital assessment of a CDD from its land, the landowner provided
165 the District the par amount outstanding on the land, this was transmitted to the District, then
166 transmitted to the Trustee and then the Trustee would call bonds and the bonds would be extinguished
167 and then the land would be free and clear of the lien. He stated the bond holder in this instance was
168 also the owner of significant parcels of land and would like the District to amend the bond indenture to
169 allow for a provision that they could tender bonds instead of going through this process of giving the
170 District cash and then giving it to the Trustee and then the Trustee gives it back to the bond holder. He
171 said in order to do this, the District needed Bond Counsel. He indicated Greenberg Traurig had expertise
172 in handling CDD bond issues. He noted Warren Bloom of Greenberg Traurig was on the phone today.

173

174 Mr. Warren Bloom indicated Greenberg Traurig represented a good portion of the Districts in the State
175 of Florida. He noted what was proposed has been done before. He stated Greenberg Traurig would
176 love to be engaged by the District.

177

178

**On MOTION made by Danielle Graef, seconded by Brian Billingham,
and with all in favor, Resolution 2024-4 was adopted, and the Chair
was authorized to sign.**

179

180

181

182

183 **NINTH ORDER OF BUSINESS****Consideration of Resolution 2024-5**

184

185 **Consideration of Resolution 2024-5, a Resolution of the Board of Supervisors approving the proposed**
186 **Fiscal Year 2025 Budget and setting the Public Hearing on Thursday, May 2, 2024, at 12:30 P.M. at the**
187 **River Strand Golf & Country Club (Club House), 7155 Grand Estuary Trail, Bradenton, Florida 34212**

188

189 *Mr. Ward: This is the start of our budget process for fiscal year 2025. The way in which this statute*
 190 *works, the Board approves a budget for the purposes of setting a public hearing. It doesn't bind you to*
 191 *any of the costs in the Budget, nor does it bind you to any of the assessment rates. All it does is set the*
 192 *maximum assessment rate and the maximum budget. During your public hearing you may go down*
 193 *from that, but you can never go over that number. The public hearing is scheduled for May 2, 2024, at*
 194 *12:30 p.m. here at the River Strand Golf and Country Club. The budget is consistent with prior years.*
 195 *Obviously, the debt service changes a little bit based upon interest earnings we have coming in. Also,*
 196 *based on what we are going to do with the bond issue, I will probably do an amendment to your debt*
 197 *service fund budget, not before May, but it will come back to you at a later date, but we can get through*
 198 *the budge process.*

On MOTION made by Danielle Graef, seconded by Brian Billingham, and with all in favor, Resolution 2024-5 was adopted, and the Chair was authorized to sign.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2024-6

Consideration of Resolution 2024-6, a Resolution of the Board of Supervisors Approving the conveyance of certain Real Property to the Heritage Harbour Market Place Community Development District; authorizing the acceptance of a Deed; and addressing severability, conflicts, and an effective date

212 *Mr. Ward: When Lennar left the property, they did not give all of the common area properties to anyone*
 213 *in this District for whatever reason. There are a couple of parcels of land in Heritage Harbour Market*
 214 *Place that are still in the name of Lennar Homes, and they asked if the Heritage Harbour Market Place*
 215 *would accept those. I did go through the primary landowner of this District to see if they were interested*
 216 *in taking it. They have no interest in it because it is really just common areas that border roadways or a*
 217 *portion of the water management system. It is recommended that we accept the transfer. It will*
 218 *prevent any of this land going to a tax deed sale and somebody taking ownership of it that may have*
 219 *some nefarious idea of what they want to do with these common elements. He asked if there were any*
 220 *questions; hearing none, he called for a motion.*

On MOTION made by Danielle Graef, seconded by Brian Billingham, and with all in favor, Resolution 2024-6 was adopted, and the Chair was authorized to sign.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-7

Consideration of Resolution 2024-7, a Resolution of the Board of Supervisors Amending Resolution Nos. 2005-08 and 2005-12 to allow Special Assessments securing repayment of the Series 2005 Bonds to be paid or prepaid by the surrender of Series 2005 Bonds; Accepting prepayments in kind; recognizing a credit for Assessments; Waiving Notice rights; Authorizing the Issuance of Appropriate Notices; providing for general Authorization; and addressing severability, conflicts and an effective date

236 *Mr. Ward: Resolution 2024-7 would allow us to amend two resolutions adopted in 2005 securing the*
 237 *repayment of the District's original 2005 series bonds. This Resolution simply allows for the prepayments*
 238 *to be made in kind, which is a tender of the bonds to the District by the landowner and the majority*
 239 *owner, accepting the tender of those bonds, so there are no cash transactions with respect to doing that.*
 240 *I believe both Warran and Wes are on the phone if they have any additional comments. He asked if*
 241 *there were any questions; hearing none, he called for a motion.*

242
 243 **On MOTION made by Danielle Graef, seconded by Brian Billingham,**
 244 **and with all in favor, Resolution 2024-7 was adopted, and the Chair**
 245 **was authorized to sign.**

246
 247
 248 **TWELVTH ORDER OF BUSINESS**

Staff Reports

249
 250 **I. District Attorney**

251
 252 No report.

253
 254 **II. District Engineer**

255
 256 No report.

257
 258 **III. District Manager**

259 **a) Florida Law changes to Form 1 Filings**

260 **b) Important Board Meeting Dates for Balance of Fiscal Year 2024**

261 **1. May 2, 2024 – Public Hearings: Proposed Fiscal Year 2025 Budget**

262 **2. November 7, 2024 – Landowners Election (Seats 1, 3 & 5)**

263 **c) Financial Statement for period ending October 31, 2023 (unaudited)**

264 **d) Financial Statement for period ending November 30, 2023 (unaudited)**

265 **e) Financial Statement for period ending December 31, 2023 (unaudited)**

266
 267 Mr. Ward indicated there were some changes with respect to filing Form 1; the form required to
 268 be filed in July of each year. He explained the law changed this year requiring Form 1 to be filed
 269 electronically only. He indicated his office would send out a memorandum explaining how to file
 270 the Form 1 online. He stated filing Form 1 online was really easy. He indicated the other change
 271 was, in the past, the Supervisor of Elections had the option of fining those who filed the Form 1
 272 late; now late filing fees were mandatory at \$25 dollars per day up to \$1,500 dollars. He explained
 273 there was nothing he or the Supervisor of Elections could do about these fees if accrued. He
 274 strongly encouraged the Board to file the Form 1 in a timely manner. He stated the Board was
 275 also now required to have four hours of ethics training. He indicated the memorandum would
 276 include links to the Ethics website at which the training could be completed. He explained the
 277 training had to be completed this year for next year's Form 1 filing; this year's Form 1 did not have
 278 an ethics training requirement. He stated any questions could be directed to his office at any
 279 time. He encouraged the Board Members to file the Form 1 and complete the ethics training
 280 sooner rather than later.

281
 282 Mr. Hulgass: the date for filing is July? Is the Website available now?

RESOLUTION 2024-8

THE ANNUAL APPROPRIATION RESOLUTION OF THE HERITAGE HARBOUR MARKETPLACE COMMUNITY DEVELOPMENT DISTRICT (“THE DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the District Manager has, submitted to the Board of Supervisors (“the **Board**”) a proposed budget for the next ensuing budget year along with an explanatory and complete financial plan for each fund of the Heritage Harbour Market Place Community Development District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set May 2, 2024, as the date for a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKETPLACE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET.

- a. That the Board of Supervisors has reviewed the District Manager’s Proposed Budget, and hereby approves the Proposed Budget, subject to certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (“**Adopted Budget**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures and/or revised projections.

RESOLUTION 2024-8

THE ANNUAL APPROPRIATION RESOLUTION OF THE HERITAGE HARBOUR MARKETPLACE COMMUNITY DEVELOPMENT DISTRICT (“THE DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

- c. That the adopted budget, as amended, shall be maintained by the District Manager, identified as “The Budget for the Heritage Harbour Market Place Community Development District for the Fiscal Year Ending September 30, 2025.” As adopted by the Board of Supervisors on May 2, 2024.

SECTION 2. APPROPRIATIONS. There is hereby appropriated out of the revenues of the Heritage Harbour Marketplace Community Development District, for fiscal year beginning October 1, 2024, and ending September 30, 2025, the sum of **\$458,270.00** to be raised by the levy of assessments and otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ 96,055.00
DEBT SERVICE FUND (SERIES 2005)	\$ 362,215.00
TOTAL ALL FUNDS	\$ 458,270.00

SECTION 3. SUPPLEMENTAL APPROPRIATIONS. Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2025 or within 60 days following the end of the Fiscal Year 2024 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by the Board approving the expenditure.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation within a fund so long as it does not exceed \$15,000 previously approved transfers included, to the original budget appropriation for the receiving program.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida Law.

The District Manager or Treasurer must ensure that any amendments to the budget under subparagraphs c. and d. above are posted on the District’s website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 5. CONFLICT. That all Sections or parts of Sections of any Resolutions, Agreements, or actions of the Board of Supervisors in conflict are hereby repealed to the extent of such conflict.

RESOLUTION 2024-8

THE ANNUAL APPROPRIATION RESOLUTION OF THE HERITAGE HARBOUR MARKETPLACE COMMUNITY DEVELOPMENT DISTRICT (“THE DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Heritage Harbour Market Place Community Development District.

PASSED AND ADOPTED by the Board of Supervisors of the Heritage Harbour Market Place Community Development District, Manatee County, Florida, this 2nd day of May 2024.

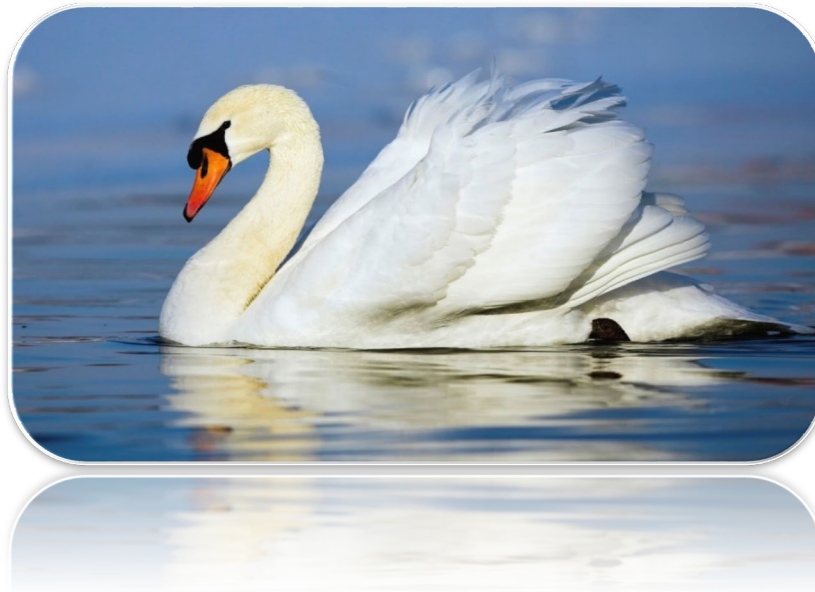
ATTEST:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James P. Ward Secretary

Danielle Graef, Chairperson

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT



PROPOSED BUDGET

FISCAL YEAR 2025

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37 STREET, FORT LAUDERDALE, FLORIDA 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

**Heritage Harbour Market Place
Community Development District**

**General Fund
Fiscal Year 2025**

Description	Fiscal Year 2024 Budget	Actual as of 01/22/2024	Anticipated as of 09/30/2024	Fiscal Year 2025 Budget
Revenues and Other Sources				
Carryforward	\$ -	\$ -		
Interest Income - General Account	\$ -	\$ 4	\$ 16	\$ 16
Miscellaneous Revenue	\$ -	\$ -	\$ -	\$ -
Special Assessment Revenue				
Special Assessment - Uniform Method	\$ 30,382	\$ 4,934	\$ 30,382	\$ 32,090
Special Assessment - Non-Uniform	\$ 61,241	\$ 38,425	\$ 61,241	\$ 63,949
Total Revenue & Other Sources	\$ 91,623	\$ 43,363	\$ 91,639	\$ 96,055
Appropriations				
Legislative				
Board of Supervisor's Fees	\$ 600	\$ -	\$ 600	\$ 600
Board of Supervisor's - FICA	\$ 46	\$ -	\$ 46	\$ 46
Executive				
Executive Salaries	\$ 45,000	\$ 15,000	\$ 45,000	\$ 47,250
Executive Salaries - FICA	\$ 3,443	\$ 1,148	\$ 3,443	\$ 3,615
Executive Salaries - Insurance	\$ -	\$ -	\$ -	\$ -
Financial and Administrative				
Audit Services	\$ 6,300	\$ 6,300	\$ 6,300	\$ 6,500
Accounting Services	\$ 2,600	\$ 1,335	\$ 4,000	\$ 4,200
Assessment Roll Preparation	\$ -	\$ -	\$ -	\$ -
Arbitrage Rebate Fees	\$ 500	\$ 500	\$ 500	\$ 500
Other Contractual Services				
Recording and Transcription	\$ 150	\$ -	\$ 200	\$ 200
Legal Advertising	\$ 2,400	\$ -	\$ 750	\$ 750
Trustee Services	\$ 5,065	\$ 5,064	\$ 5,064	\$ 5,065
Dissemination Agent Services	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Bank Service Fees	\$ 500	\$ 222	\$ 500	\$ 500
Travel and Per Diem		\$ -	\$ -	
Communications and Freight Services				
Telephone	\$ -	\$ -	\$ -	\$ -
Postage, Freight & Messenger	\$ 50	\$ -	\$ 50	\$ 50
Rentals and Leases				
Miscellaneous Equipment	\$ -	\$ -	\$ -	\$ -
Computer Services and Website	\$ 7,560	\$ 1,777	\$ 7,560	\$ 7,560
Insurance	\$ 7,200	\$ 7,195	\$ 7,195	\$ 7,895
Printing and Binding	\$ 50	\$ -	\$ 50	\$ 50
Office Supplies	\$ -	\$ -	\$ -	\$ -
Subscriptions and Memberships	\$ 175	\$ 175	\$ 175	\$ 175
Legal Services				
General Counsel	\$ 3,000	\$ -	\$ 3,000	\$ 4,000
Revisions to Bond Indenture	\$ -	\$ -	\$ 30,000	\$ -
Other General Government Services				
Engineering Services	\$ -	\$ -	\$ -	\$ -

**Heritage Harbour Market Place
Community Development District**

**General Fund
Fiscal Year 2025**

Description	Fiscal Year 2024 Budget	Actual as of 01/22/2024	Anticipated as of 09/30/2024	Fiscal Year 2025 Budget
Contingencies	\$ -	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ -	\$ -
Other Fees and Charges				
Discounts and Fees	\$ 1,984	\$ -	\$ 1,984	\$ 2,099
Total Appropriations	\$ 91,623	\$ 43,716	\$ 121,417	\$ 96,055
Net Increase/(Decrease) in Fund Balance	\$ -	\$ (353)	\$ (29,778)	
Fund Balance - Beginning	\$ 147,485	\$ 147,485	\$ 147,485	\$ 117,707
Fund Balance - Ending (Projected)	\$ 147,485	\$ 147,132	\$ 117,707	\$ 117,707

Assessment Comparison						
Parcel Identification		Acres	Fiscal Year 2024		Fiscal Year 2025	
			On-Roll	Off-Roll	On-Roll	Off-Roll
Parcel 19/20 (TH Harbour LLLP)		67.7		\$ 49,533.98		\$ 51,724.57
Parcel 19 THH Tract 1 LLC		16		\$ 11,706.70		\$ 12,224.42
Parcel 22		3.38	\$ 2,646.15		\$ 2,763.18	
Parcel 23		2.13	\$ 1,667.55		\$ 1,741.29	
Parcel 24		3.13	\$ 2,450.43		\$ 2,558.80	
Parcel 25 Moved to split Folios (plat recorded 20			\$ -		\$ -	
Parcel 25 Parcel 1		3.34	\$ 2,613.09		\$ 2,728.66	
Parcel 25 Parcel 2		2.06	\$ 1,609.17		\$ 1,680.33	
Parcel 25 Parcel 3		2.57	\$ 2,013.03		\$ 2,102.06	
Parcel 25 Parcel 4		1.58	\$ 1,236.39		\$ 1,291.07	
Parcel 25 Parcel 5		3.51	\$ 2,750.74		\$ 2,872.39	
Parcel 25 Parcel 6		3.30	\$ 2,585.58		\$ 2,699.93	
Parcel 26 moved to split folios (Condo Revision 2023)						
Parcel 26 Parcel A (Revised 2023)		2.91	\$ 2,280.77		\$ 2,381.64	
Parcel 26 Parcel D (Revised 2023)		1.19	\$ 1,074.00		\$ 972.83	
Parcel 26 Common - Parking Lot						
Parcel 26 Parcel C (Revised 2023)		0.00	\$ 805.50		\$ -	
Parcel 26 Parcel B (Revised 2023)		5.15	\$ 2,738.71		\$ 4,210.17	
Parcel 27 - Unit 1		1.34	\$ 1,049.07		\$ 1,095.46	
Parcel 27 - Unit 2		1.47	\$ 1,150.84		\$ 1,201.74	
Parcel 27 - Unit 3		0.96	\$ 751.57		\$ 784.81	
Parcel 27 - Unit 4		1.23	\$ 959.44		\$ 1,005.48	
Total Acres		122.95				

**Heritage Harbour Market Place
Community Development District**

**Debt Service Fund
Fiscal Year 2025**

Description	Fiscal Year 2024 Budget	Actual as of 01/22/2024	Anticipated as of 09/30/2024	Fiscal Year 2025 Budget
Revenues and Other Sources				
Carryforward	\$ -	\$ -	\$ -	\$ -
Interest Income	\$ 10	\$ 4,001	\$ 7,500	\$ 20
Special Assessment Revenue				
Special Assessment - Uniform Method	\$ 363,179	\$ 227,841	\$ 363,179	\$ 362,195
Special Assessment - Non-Uniform Method	\$ 791,811	\$ 173,572	\$ 791,811	
Special Assessment - Prepayment	\$ -	\$ -	\$ -	\$ -
Operating Transfers In				
Deferred Cost Account	\$ -	\$ -	\$ -	
Total Revenue & Other Sources	\$ 1,154,999	\$ 405,414	\$ 1,162,489	\$ 362,215
Appropriations				
Debt Service				
Principal Debt Service - Mandatory				
Series 2007 Bonds	\$ 555,000	\$ -	\$ 555,000	\$ 175,000
Principal Debt Service - Early Redemptions				
Series 2007 Bonds	\$ -	\$ -	\$ -	\$ -
Interest Expense				
Series 2007 Bonds	\$ 576,240	\$ 288,120	\$ 576,240	\$ 163,520
Trustee Services	\$ -	\$ -	\$ -	\$ -
Legal - Foreclosure Counsel	\$ -	\$ -	\$ -	\$ -
Operating Transfers Out	\$ -	\$ -	\$ -	\$ -
Other Fees and Charges				
Discounts and Fees	\$ 23,759	\$ -	\$ 23,759	\$ 23,695
Total Appropriations	\$ 1,154,999	\$ 288,120	\$ 1,154,999	\$ 362,215
Net Increase/(Decrease) in Fund Balance				
	-	117,294	7,490	-
Fund Balance - Beginning	329,711	329,711	329,711	337,201
Fund Balance - Ending (Projected)	329,711	447,005	337,201	337,201
Restricted Fund Balance:				
Reserve Account Requirement			200,000	
Restricted for November 1, 2025 Interest Payment			\$ 76,860	
Total - Restricted Fund Balance:			\$ 276,860	

Assessment Comparison					
Parcel Identification	Acres	Fiscal Year 2024		Fiscal Year 2025	
		Off-Roll	On-Roll	Off-Roll	On-Roll
Parcel 19/20 (TH Harbour LLLP)	0	\$ 640,449.05		BONDS TENDERED	
Parcel 19	0	\$151,361.67			
Parcel 22	PREPAID		PREPAID		PREPAID
Parcel 23	2.13		\$ 21,560.52		\$ 21,502.13
Parcel 24	3.13		\$ 31,682.83		\$ 31,597.02
Parcel 25	0		\$ -		\$ -
Parcel 25 Parcel 1	3.34		\$ 33,785.97		\$ 33,694.46
Parcel 25 Parcel 2	2.06		\$ 20,805.71		\$ 20,749.36
Parcel 25 Parcel 3	2.57		\$ 26,027.46		\$ 25,956.97
Parcel 25 Parcel 4	1.58		\$ 15,985.95		\$ 15,942.65
Parcel 25 Parcel 5	3.51		\$ 35,565.69		\$ 35,469.36
Parcel 25 Parcel 6	3.30		\$ 33,430.23		\$ 33,339.69
Parcel 26 moved to split folios (Condo Revision 2023)			\$ -		\$ -
Parcel 26 Parcel A (Revised 2023)	2.91		\$ 29,489.23		\$ 29,409.37
Parcel 26 Parcel D (Revised 2023)	1.19		\$ 12,083.33		\$ 12,050.61
Parcel 26 Common - Parking Lot			\$ -		\$ -
Parcel 26 Parcel C (Revised 2023)	0.00		\$ -		\$ -
Parcel 26 Parcel B (Revised 2023)	5.15		\$ 52,150.14		\$ 52,008.89
Parcel 27 - Unit 1	1.34		\$ 13,563.90		\$ 13,527.16
Parcel 27 - Unit 2	1.47		\$ 14,879.80		\$ 14,839.50
Parcel 27 - Unit 3	0.96		\$ 9,717.42		\$ 9,691.10
Parcel 27 - Unit 4	1.23		\$ 12,450.44		\$ 12,416.72
Total Acres	35.88				

**Heritage Harbour Market Place
Community Development District
Debt Service Fund**

Description	Principal	Coupon Rate	Interest	Annual Debt Service
Principal Balance - at Fiscal Year End - September 30, 2025	\$ 2,745,000	5.60%		
5/1/2024	\$ 165,000	5.60%	\$ 86,380.00	\$ 251,380
11/1/2024			\$ 81,760.00	
5/1/2025	\$ 175,000	5.60%	\$ 81,760.00	\$ 338,520
11/1/2025			\$ 76,860.00	
5/1/2026	\$ 185,000	5.60%	\$ 76,860.00	\$ 338,720
11/1/2026			\$ 71,680.00	
5/1/2027	\$ 195,000	5.60%	\$ 71,680.00	\$ 338,360
11/1/2027			\$ 66,220.00	
5/1/2028	\$ 210,000	5.60%	\$ 66,220.00	\$ 342,440
11/1/2028			\$ 60,340.00	
5/1/2029	\$ 220,000	5.60%	\$ 60,340.00	\$ 340,680
11/1/2029			\$ 54,180.00	
5/1/2030	\$ 235,000	5.60%	\$ 54,180.00	\$ 343,360
11/1/2030			\$ 47,600.00	
5/1/2031	\$ 245,000	5.60%	\$ 47,600.00	\$ 340,200
11/1/2031			\$ 40,740.00	
5/1/2032	\$ 260,000	5.60%	\$ 40,740.00	\$ 341,480
11/1/2032			\$ 33,460.00	
5/1/2033	\$ 275,000	5.60%	\$ 33,460.00	\$ 341,920
11/1/2033			\$ 25,760.00	
5/1/2034	\$ 290,000	5.60%	\$ 25,760.00	\$ 341,520
11/1/2034			\$ 17,640.00	
5/1/2035	\$ 305,000	5.60%	\$ 17,640.00	\$ 340,280
11/1/2035			\$ 9,100.00	
5/1/2036	\$ 325,000	5.60%	\$ 9,100.00	\$ 343,200

RESOLUTION 2024-9

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT IMPOSING AND LEVYING SPECIAL ASSESSMENTS, CERTIFYING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Heritage Harbour Market Place Community Development District (the “District”) is a local unit of special and single purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating, and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in Manatee County, Florida (the “County”); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted Improvement Plan and Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors (the “Board”) of the District hereby determines to undertake various operations and maintenance activities described in the District’s budget for Fiscal Year 2025 (“Operations and Maintenance Budget”), attached hereto as Exhibit “A” and incorporated by reference herein; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the District’s budget for Fiscal Year 2025; and

WHEREAS, the provision of such services, facilities, and operations result in a special benefit peculiar to lands within the district; and

WHEREAS, Chapter 190, Florida Statutes, provides that the District may impose and levy special assessments on benefitted lands within the District; and

WHEREAS, the District has previously imposed and levied an assessment for debt service, which the District desires to collect on the Tax Collector’s collection roll for certain property pursuant to the Uniform Method and which is also indicated on Exhibit “A” and “B” the Budget and Methodology respectively; and

WHEREAS, Chapter 197, Florida Statutes, provides a mechanism pursuant to which such special assessments may be placed on the Tax Collector’s collection roll and collected by the local tax collector (“Uniform Method”) and the District has previously evidenced its intention to utilize this Uniform Method for non-developer owned property; and

RESOLUTION 2024-9

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT IMPOSING AND LEVYING SPECIAL ASSESSMENTS, CERTIFYING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District has approved an Agreement with the Property Appraiser and Tax Collector of the County to provide for the roll adoption and collection of the special assessments under the Uniform Method; and

WHEREAS, it is in the best interests of the District to proceed with the imposition and levy of the special assessments for operations and maintenance on platted lots in the amount contained in the budget; and

WHEREAS, the District desires to levy and collect on developer owned lands special assessments reflecting their portion of the District's operations and maintenance budget; and

WHEREAS, it is in the best interests of the District to adopt the General Fund Special Assessment Methodology of the Heritage Harbour Market Place Community Development District (the "Methodology") attached to this Resolution as Exhibit "B" and incorporated as a material part of this Resolution by this reference: and

WHEREAS, it is in the best interests of the District to adopt the Assessment Roll of the Heritage Harbour Market Place Community Development District (the "Assessment Roll") attached to this Resolution as Table 1 contained in Exhibit "B" and incorporated as a material part of this Resolution by this reference, and to confirm the designation by the Chairman of the District Manager's appointment to certify the portion of the Assessment Roll on non-developer owned lands to the County Tax Collector pursuant to the Uniform Method and to the District Manager for developer owned lands for use of the non-uniform collection method; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property tax roll, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT. The provision of the services, facilities, and operations as described in Exhibit "A" and "B" the Budget and Methodology respectively confer a special benefit peculiar to the lands within the District, which benefits exceed or equal the costs and the assessments. The allocation of the costs to the specially benefitted lands is shown in Exhibit "B".

SECTION 2. ASSESSMENT IMPOSITION AND LEVY. A special assessment for operation and maintenance as provided for in Chapter 190, Florida Statutes, is hereby imposed and levied on benefitted lands within the District in accordance with Exhibit "B" the Methodology. The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

RESOLUTION 2024-9

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT IMPOSING AND LEVYING SPECIAL ASSESSMENTS, CERTIFYING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE.

SECTION 3. COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST. The collection of the previously levied debt service assessments and operation and maintenance special assessments on certain lands shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in Exhibit "B" the Methodology. The previously levied debt service assessments and operations and maintenance assessments on certain lands will be collected directly by the District in accordance with Florida law, as set forth in Exhibit "A" and "B" the Budget and Methodology respectively. The Uniform Method will not be used for collection of assessments on certain lands more specifically identified as Parcels, 19 and 20, and all other properties will be billed utilizing the uniform method of collection.

In the event that an assessment payment is not made in accordance with the schedule stated above, such assessment and any future scheduled assessment payments due for Fiscal Year 2025 shall be delinquent and shall accrue penalties and interest in the amount of one percent (1%) per month plus all costs of collection and enforcement, and shall either be enforced pursuant to a foreclosure action, or, at the District's discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings to collect and enforce the delinquent and remaining assessments.

SECTION 4. ASSESSMENT ROLL. The District's Assessment Roll, attached to this Resolution as Table 1 to Exhibit "B," is hereby certified by the Chairman or his designee the District Manager. The proceeds therefrom shall be paid to the Heritage Harbour Market Place Community Development District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution and shall amend the District's Assessment Roll in accordance with any such updates, for such time as authorized and limited by Florida law, to the District's roll.

SECTION 6. CONFLICT. That all Sections or parts of Sections of any Resolutions, Agreements, or actions of the Board of Supervisors in conflict are hereby repealed to the extent of such conflict.

SECTION 7. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 8. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Heritage Harbour Market Place Community Development District.

RESOLUTION 2024-9

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT IMPOSING AND LEVYING SPECIAL ASSESSMENTS, CERTIFYING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE.

PASSED AND ADOPTED by the Board of Supervisors of the Heritage Harbour Market Place Community Development District, Manatee County, Florida, this 2nd day of May 2024.

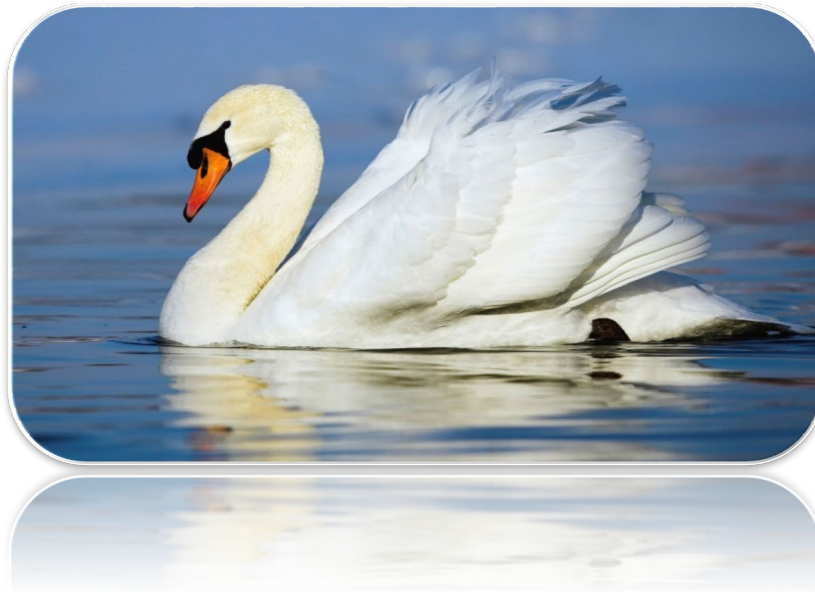
ATTEST:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James P. Ward, Secretary

Danielle Graef, Chairperson

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT



PROPOSED BUDGET

FISCAL YEAR 2025

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37 STREET, FORT LAUDERDALE, FLORIDA 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

**Heritage Harbour Market Place
Community Development District**

**General Fund
Fiscal Year 2025**

Description	Fiscal Year 2024 Budget	Actual as of 01/22/2024	Anticipated as of 09/30/2024	Fiscal Year 2025 Budget
Revenues and Other Sources				
Carryforward	\$ -	\$ -		
Interest Income - General Account	\$ -	\$ 4	\$ 16	\$ 16
Miscellaneous Revenue	\$ -	\$ -	\$ -	\$ -
Special Assessment Revenue				
Special Assessment - Uniform Method	\$ 30,382	\$ 4,934	\$ 30,382	\$ 32,090
Special Assessment - Non-Uniform	\$ 61,241	\$ 38,425	\$ 61,241	\$ 63,949
Total Revenue & Other Sources	\$ 91,623	\$ 43,363	\$ 91,639	\$ 96,055
Appropriations				
Legislative				
Board of Supervisor's Fees	\$ 600	\$ -	\$ 600	\$ 600
Board of Supervisor's - FICA	\$ 46	\$ -	\$ 46	\$ 46
Executive				
Executive Salaries	\$ 45,000	\$ 15,000	\$ 45,000	\$ 47,250
Executive Salaries - FICA	\$ 3,443	\$ 1,148	\$ 3,443	\$ 3,615
Executive Salaries - Insurance	\$ -	\$ -	\$ -	\$ -
Financial and Administrative				
Audit Services	\$ 6,300	\$ 6,300	\$ 6,300	\$ 6,500
Accounting Services	\$ 2,600	\$ 1,335	\$ 4,000	\$ 4,200
Assessment Roll Preparation	\$ -	\$ -	\$ -	\$ -
Arbitrage Rebate Fees	\$ 500	\$ 500	\$ 500	\$ 500
Other Contractual Services				
Recording and Transcription	\$ 150	\$ -	\$ 200	\$ 200
Legal Advertising	\$ 2,400	\$ -	\$ 750	\$ 750
Trustee Services	\$ 5,065	\$ 5,064	\$ 5,064	\$ 5,065
Dissemination Agent Services	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Bank Service Fees	\$ 500	\$ 222	\$ 500	\$ 500
Travel and Per Diem		\$ -	\$ -	
Communications and Freight Services				
Telephone	\$ -	\$ -	\$ -	\$ -
Postage, Freight & Messenger	\$ 50	\$ -	\$ 50	\$ 50
Rentals and Leases				
Miscellaneous Equipment	\$ -	\$ -	\$ -	\$ -
Computer Services and Website	\$ 7,560	\$ 1,777	\$ 7,560	\$ 7,560
Insurance	\$ 7,200	\$ 7,195	\$ 7,195	\$ 7,895
Printing and Binding	\$ 50	\$ -	\$ 50	\$ 50
Office Supplies	\$ -	\$ -	\$ -	\$ -
Subscriptions and Memberships	\$ 175	\$ 175	\$ 175	\$ 175
Legal Services				
General Counsel	\$ 3,000	\$ -	\$ 3,000	\$ 4,000
Revisions to Bond Indenture	\$ -	\$ -	\$ 30,000	\$ -
Other General Government Services				
Engineering Services	\$ -	\$ -	\$ -	\$ -

**Heritage Harbour Market Place
Community Development District**

**General Fund
Fiscal Year 2025**

Description	Fiscal Year 2024 Budget	Actual as of 01/22/2024	Anticipated as of 09/30/2024	Fiscal Year 2025 Budget
Contingencies	\$ -	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ -	\$ -
Other Fees and Charges				
Discounts and Fees	\$ 1,984	\$ -	\$ 1,984	\$ 2,099
Total Appropriations	\$ 91,623	\$ 43,716	\$ 121,417	\$ 96,055
Net Increase/(Decrease) in Fund Balance	\$ -	\$ (353)	\$ (29,778)	
Fund Balance - Beginning	\$ 147,485	\$ 147,485	\$ 147,485	\$ 117,707
Fund Balance - Ending (Projected)	\$ 147,485	\$ 147,132	\$ 117,707	\$ 117,707

Assessment Comparison						
Parcel Identification		Acres	Fiscal Year 2024		Fiscal Year 2025	
			On-Roll	Off-Roll	On-Roll	Off-Roll
Parcel 19/20 (TH Harbour LLLP)		67.7		\$ 49,533.98		\$ 51,724.57
Parcel 19 THH Tract 1 LLC		16		\$ 11,706.70		\$ 12,224.42
Parcel 22		3.38	\$ 2,646.15		\$ 2,763.18	
Parcel 23		2.13	\$ 1,667.55		\$ 1,741.29	
Parcel 24		3.13	\$ 2,450.43		\$ 2,558.80	
Parcel 25 Moved to split Folios (plat recorded 20			\$ -		\$ -	
Parcel 25 Parcel 1		3.34	\$ 2,613.09		\$ 2,728.66	
Parcel 25 Parcel 2		2.06	\$ 1,609.17		\$ 1,680.33	
Parcel 25 Parcel 3		2.57	\$ 2,013.03		\$ 2,102.06	
Parcel 25 Parcel 4		1.58	\$ 1,236.39		\$ 1,291.07	
Parcel 25 Parcel 5		3.51	\$ 2,750.74		\$ 2,872.39	
Parcel 25 Parcel 6		3.30	\$ 2,585.58		\$ 2,699.93	
Parcel 26 moved to split folios (Condo Revision 2023)						
Parcel 26 Parcel A (Revised 2023)		2.91	\$ 2,280.77		\$ 2,381.64	
Parcel 26 Parcel D (Revised 2023)		1.19	\$ 1,074.00		\$ 972.83	
Parcel 26 Common - Parking Lot						
Parcel 26 Parcel C (Revised 2023)		0.00	\$ 805.50		\$ -	
Parcel 26 Parcel B (Revised 2023)		5.15	\$ 2,738.71		\$ 4,210.17	
Parcel 27 - Unit 1		1.34	\$ 1,049.07		\$ 1,095.46	
Parcel 27 - Unit 2		1.47	\$ 1,150.84		\$ 1,201.74	
Parcel 27 - Unit 3		0.96	\$ 751.57		\$ 784.81	
Parcel 27 - Unit 4		1.23	\$ 959.44		\$ 1,005.48	
Total Acres		122.95				

**Heritage Harbour Market Place
Community Development District**

**Debt Service Fund
Fiscal Year 2025**

Description	Fiscal Year 2024 Budget	Actual as of 01/22/2024	Anticipated as of 09/30/2024	Fiscal Year 2025 Budget
Revenues and Other Sources				
Carryforward	\$ -	\$ -	\$ -	\$ -
Interest Income	\$ 10	\$ 4,001	\$ 7,500	\$ 20
Special Assessment Revenue				
Special Assessment - Uniform Method	\$ 363,179	\$ 227,841	\$ 363,179	\$ 362,195
Special Assessment - Non-Uniform Method	\$ 791,811	\$ 173,572	\$ 791,811	
Special Assessment - Prepayment	\$ -	\$ -	\$ -	\$ -
Operating Transfers In				
Deferred Cost Account	\$ -	\$ -	\$ -	
Total Revenue & Other Sources	\$ 1,154,999	\$ 405,414	\$ 1,162,489	\$ 362,215
Appropriations				
Debt Service				
Principal Debt Service - Mandatory				
Series 2007 Bonds	\$ 555,000	\$ -	\$ 555,000	\$ 175,000
Principal Debt Service - Early Redemptions				
Series 2007 Bonds	\$ -	\$ -	\$ -	\$ -
Interest Expense				
Series 2007 Bonds	\$ 576,240	\$ 288,120	\$ 576,240	\$ 163,520
Trustee Services	\$ -	\$ -	\$ -	\$ -
Legal - Foreclosure Counsel	\$ -	\$ -	\$ -	\$ -
Operating Transfers Out	\$ -	\$ -	\$ -	\$ -
Other Fees and Charges				
Discounts and Fees	\$ 23,759	\$ -	\$ 23,759	\$ 23,695
Total Appropriations	\$ 1,154,999	\$ 288,120	\$ 1,154,999	\$ 362,215
Net Increase/(Decrease) in Fund Balance				
	-	117,294	7,490	-
Fund Balance - Beginning	329,711	329,711	329,711	337,201
Fund Balance - Ending (Projected)	329,711	447,005	337,201	337,201
Restricted Fund Balance:				
Reserve Account Requirement			200,000	
Restricted for November 1, 2025 Interest Payment			\$ 76,860	
Total - Restricted Fund Balance:			\$ 276,860	

Assessment Comparison					
Parcel Identification	Acres	Fiscal Year 2024		Fiscal Year 2025	
		Off-Roll	On-Roll	Off-Roll	On-Roll
Parcel 19/20 (TH Harbour LLLP)	0	\$ 640,449.05		BONDS TENDERED	
Parcel 19	0	\$151,361.67			
Parcel 22	PREPAID		PREPAID		PREPAID
Parcel 23	2.13		\$ 21,560.52		\$ 21,502.13
Parcel 24	3.13		\$ 31,682.83		\$ 31,597.02
Parcel 25	0		\$ -		\$ -
Parcel 25 Parcel 1	3.34		\$ 33,785.97		\$ 33,694.46
Parcel 25 Parcel 2	2.06		\$ 20,805.71		\$ 20,749.36
Parcel 25 Parcel 3	2.57		\$ 26,027.46		\$ 25,956.97
Parcel 25 Parcel 4	1.58		\$ 15,985.95		\$ 15,942.65
Parcel 25 Parcel 5	3.51		\$ 35,565.69		\$ 35,469.36
Parcel 25 Parcel 6	3.30		\$ 33,430.23		\$ 33,339.69
Parcel 26 moved to split folios (Condo Revision 2023)			\$ -		\$ -
Parcel 26 Parcel A (Revised 2023)	2.91		\$ 29,489.23		\$ 29,409.37
Parcel 26 Parcel D (Revised 2023)	1.19		\$ 12,083.33		\$ 12,050.61
Parcel 26 Common - Parking Lot			\$ -		\$ -
Parcel 26 Parcel C (Revised 2023)	0.00		\$ -		\$ -
Parcel 26 Parcel B (Revised 2023)	5.15		\$ 52,150.14		\$ 52,008.89
Parcel 27 - Unit 1	1.34		\$ 13,563.90		\$ 13,527.16
Parcel 27 - Unit 2	1.47		\$ 14,879.80		\$ 14,839.50
Parcel 27 - Unit 3	0.96		\$ 9,717.42		\$ 9,691.10
Parcel 27 - Unit 4	1.23		\$ 12,450.44		\$ 12,416.72
Total Acres	35.88				

**Heritage Harbour Market Place
Community Development District
Debt Service Fund**

Description	Principal	Coupon Rate	Interest	Annual Debt Service
Principal Balance - at Fiscal Year End - September 30, 2025	\$ 2,745,000	5.60%		
5/1/2024	\$ 165,000	5.60%	\$ 86,380.00	\$ 251,380
11/1/2024			\$ 81,760.00	
5/1/2025	\$ 175,000	5.60%	\$ 81,760.00	\$ 338,520
11/1/2025			\$ 76,860.00	
5/1/2026	\$ 185,000	5.60%	\$ 76,860.00	\$ 338,720
11/1/2026			\$ 71,680.00	
5/1/2027	\$ 195,000	5.60%	\$ 71,680.00	\$ 338,360
11/1/2027			\$ 66,220.00	
5/1/2028	\$ 210,000	5.60%	\$ 66,220.00	\$ 342,440
11/1/2028			\$ 60,340.00	
5/1/2029	\$ 220,000	5.60%	\$ 60,340.00	\$ 340,680
11/1/2029			\$ 54,180.00	
5/1/2030	\$ 235,000	5.60%	\$ 54,180.00	\$ 343,360
11/1/2030			\$ 47,600.00	
5/1/2031	\$ 245,000	5.60%	\$ 47,600.00	\$ 340,200
11/1/2031			\$ 40,740.00	
5/1/2032	\$ 260,000	5.60%	\$ 40,740.00	\$ 341,480
11/1/2032			\$ 33,460.00	
5/1/2033	\$ 275,000	5.60%	\$ 33,460.00	\$ 341,920
11/1/2033			\$ 25,760.00	
5/1/2034	\$ 290,000	5.60%	\$ 25,760.00	\$ 341,520
11/1/2034			\$ 17,640.00	
5/1/2035	\$ 305,000	5.60%	\$ 17,640.00	\$ 340,280
11/1/2035			\$ 9,100.00	
5/1/2036	\$ 325,000	5.60%	\$ 9,100.00	\$ 343,200

HERITAGE HARBOUR MARKETPLACE COMMUNITY DEVELOPMENT DISTRICT



GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY

FISCAL YEAR 2025

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FLORIDA 33308

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HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT

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1.0 PURPOSE

This report is intended to introduce to the Heritage Harbour Market Place Community Development District an operations methodology to fund the annual operations and maintenance requirements for the District. The methodology will outline the properties within the District that are subject to the Assessment and the benefit conferred on each property by the services and projects provided by the Districts' operational and maintenance activities. This report covers the District Fiscal Year 2025, which begins on October 1, 2024 and ends on September 30, 2025.

The Methodology will have two (2) primary objectives: (1) to determine the special and peculiar benefits that flow to the assessable properties in the District; and (2) apportioning the proportionate benefits on a basis that is fair and reasonable. The Methodology herein is intended to set forth a framework to allocate the costs associated with the operations and maintenance expenditures benefiting properties. The report is designed to conform to the requirements of Chapter's 189, 190 and 197, Florida Statutes and is consistent with the District's understanding of the case law on this subject.

2.0 BACKGROUND

The District was established by Manatee County effective on September 9, 2002, and is located within unincorporated Manatee County and encompasses approximately 258.42 acres of land. The development called Heritage Harbour is situated within the Heritage Sound Development of Regional Impact, and approved DRI located at the northeast corner of the State Road 64 and Interstate 75 interchange in northeast Manatee County. The District manages provision of infrastructure to a part of the Heritage Harbour development which is approximately 2,500 acres of land, and consists of three (3) Community Development District's.

3.0 REQUIREMENTS FOR A VALID ASSESSMENT METHODOLOGY

Valid assessments under Florida Law have two (2) requirements. First, the properties assessed must receive a special and peculiar benefit as a logical connection from the systems and services constituting improvements. The courts recognize the special benefits that flow as a logical connection peculiar to the property which in turn may result in decreased insurance premiums, increased value and marketability. Second, the assessments must be fairly and reasonably apportioned in relation to the benefit received by the various properties being assessed.



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If these two tests for lienability are determined in a manner that is informed and non-arbitrary by the Board of Supervisors of the District, as a legislative determination, then the special assessments may be levied, imposed and collected as a first lien on the property. Florida courts have found that it is not necessary to calculate benefit with mathematical precision at the time of imposition and levy so long as the levying and imposition process is not arbitrary, capricious or unfair.

4.0 STRUCTURE

Special benefits flow as a logical connection and peculiar to the property from the operation and maintenance related services provided within the boundary of the District. These special benefits are peculiar to the acreage and later down to the actual platted units or parcels. The special benefits that justify imposing the assessment on the acreage include enhanced enjoyment and increased use, which may result in such positive consequences as increased value and marketability and decreased insurance premiums when levied on the various platted units or parcels of property. Then the allocation of the costs per parcel is modified to match the apportioned special benefits resulting in the assessments per parcel.

5.0 ASSIGNMENT OF ASSESSMENTS

The apportionment of special benefit in such a methodology report is based on accepted practices in accordance with applicable laws and the procedure for the imposition, levy and collection of non ad valorem special assessments as set forth in the District Act and in conformity with State Laws applicable to such assessments.

The standard assessment analysis utilizes an apportionment based upon the benefit that a property receives from each separate component of the District's O&M activities. The Fiscal Year 2025 General Fund Budget is financial and administrative in nature so the special benefits should be based equally and ratably on and peculiar to the assessable lands of the District on an equal acre basis, and consistent with the District's Adopted Master and Supplemental Assessment Reports prepared by the District's Financial Advisor (Fishkind & Associates, Inc.)



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6.0 ASSESSMENT ROLL

As described above, the allocation of costs and apportionment of special benefits peculiar to the property associated with the District's General Fund Activities will be initially distributed across all assessable units within the boundaries of the District. Table 1 provides the assessment roll based on updated parcel account information provided by the Manatee County Property Appraiser's office assigning the appropriate parcel identification numbers for the lands currently platted within the boundaries of the District. As all District lands are platted and the appropriate parcel identification numbers assigned by the Property Appraiser are known, the following table will be updated to reflect any changes in parcel amounts within the boundaries of the Development.



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**Heritage Harbour Market Place Community Development District
Assessment Roll - Fiscal Year 2025**

Table 1

Parcel ID	Lot	Owner	Legal Description	O&M
1101900129		LENNAR HOMES LLC	FRAC W1/2 OF SEC 23-34-18 - PART SUBM - LESS: BEG AT THE SE COR OF SEC 22; TH N 0 DEG 08 MIN 54 SEC E, 463 FT; TH S 89 DEG 51 MIN 06 SEC E, 42 FT; TH S 00 DEG 08 MIN 54 SEC W, 463	\$ -
1102022609		HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT	TRACT 800 (RIVER HERITAGE BLVD) STONEYBROOK AT HERITAGE HARBOUR SUBPHASE A UNIT 1	\$ -
1102022659		HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT	TRACT 801 (HERITAGE GREEN WAY) STONEYBROOK AT HERITAGE HARBOUR SUBPHASE A UNIT 1	\$ -
1102022709		HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT	TRACT 802 (GRAND HARBOUR PARKWAY) STONEYBROOK AT HERITAGE HARBOUR SUBPHASE A	\$ -
1102200309		FWU ENVIRONMENTAL SERVICES INC	LAKE 59 AT HERITAGE HARBOUR: A LAKE TRACT BEING THAT PART OF SEC 25, TWN 34S, RNG 18E MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE NE COR OF HERITAGE HARBOUR, PARCEL 22, AS REC IN	\$ -
1102200339		HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT	A TRACT OR PARCEL OF LAND SITUATED IN STATE OF FLORIDA, LYING IN IN SEC 25, TWN 34, RNG 18, BEING FURTHER BOUND AND DESC AS FOLLOWS: COM AT SW COR OFSD SEC 25; TH S 88 DEG 14	\$ -
1102200659		FWU ENVIRONMENTAL SERVICES INC	A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA COUNTY OF MANATEE, LYING IN SEC 25, TWN 34S, RNG 18E, BEING FURTHER BOUND AND DESC AS FOLLOWS; COM AT THE NE COR OF	\$ -
1102400319		LENNAR HOMES LLC	BEG AT NW COR OF SEC 26-34-18, TH RUN E 2681.25 FT, THS3769FT, TH W 2681.25 FT, TH N TO THE POB, LESS THE S1640.5FTTHEREOF; LESS 21.642 AC M/L TO DOT FOR I-75 DESC	\$ -
1102400559		FWU ENVIRONMENTAL SERVICES INC	A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF MANATEE LYING IN SEC 26, TWN 34S, RNG 18E, BEING FURTHER BOUND AND DESC AS FOLLOWS: BEG AT THE NE COR OF	\$ -
1102600079		LENNAR HOMES LLC	COM AT NE COR OF W1/2 OF SEC 26; TH S 00 DEG 43 MIN 08 SEC W ALG E LN OF SD W1/2 TO NE COR OF S 1640.50 FT OF N 3769 FT OF SD W1/2 FOR POB; TH CONT S 00 DEG 43 MIN 08 SEC W 1596.95	\$ -
1108601659	19/20	THH TRACT 1 LLC	LOT 1, THE LANDINGS AT HERITAGE HARBOUR PH II PI #11086.0165/9	\$ 12,224.42
1108601709	19/20	THH TRACT 2 LLC	LOT 2, LANDING AT HERITAGE HARBOUR, PHASE II, AS RECORDED IN PLAT BOOK 70, PAGE 168 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS	\$ -
1108601759	19/20	TH HARBOUR LLLP	TRACT 100 (PRIVATE ROAD), THE LANDINGS AT HERITAGE HARBOUR PH II PI #11086.0175/9	\$ 6,000.93
1108601929	19/20	TH HARBOUR LLLP	THOSE PARTS OF SEC 25, 26, 35 & 36, TWN 34S, RNG 18E, MOREPARTICULARLY DESC AS FOLLOWS: BEG AT A PT ON W R/ LN OFGRAND HARBOUR PKWY AS SHOWN ON PLAT OF STONEYBROOK	\$ 45,723.64
1108654059	19/20	THH TRACT 7 LLC	A PORTION OF LAND LOCATED IN SEC 25 & 26, TWN 34, RNG 18E, MANATEE COUNTY, FL BEING DESC AS FOLLOWS: BEG AT THE NE COR OF TRACT 100, LANDINGS AT HERITAGE HARBOUR, PH II AS REC IN	\$ -
1108700009		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION	THAT PART OF SR 64 E AS SHOWN ON COUNTY TAX MAPS AT THE TIME OF CONVERSION TO PARCEL FABRIC ON 9/27/18 LYING WITHIN SEC 35, TWN 34, RNG 18; TOGETHER WITH INST#202241052626 DESC	\$ -

**Heritage Harbour Market Place Community Development District
Assessment Roll - Fiscal Year 2025**

Table 1

Parcel ID	Lot	Owner	Legal Description	O&M
1111101509		MANATEE COUNTY	THAT PART OF CYPRESS CREEK BLVD AND KAY RD AS SHOWN ON TAX MAP AT THE TIME OF CONVERSION TO FABRIC ON 9/27/18 LYING WITHIN SEC 22, 23, 26 & 27, TWN 34, RNG 18 TAKEN BY	\$ -
1442300319		HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT	A TRACT OR PARCEL OF LAND SITUATED IN STATE OF FLORIDA, LYING IN SEC 36, TWN 34S, RNG 18E, BEING FURTHER BOUND AND DESC AS FOLLOWS: COM AT NW COR OF SD SEC 36; TH S 88 DEG 14	\$ -
1442300409	24	RICKS, CHARLES V	THAT PART OF SEC 36, TWN 34S, RNG 18E, BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE INT OF RIVER HERITAGE BLVD (TRACT 800 OF THE PLAT OF STONEYBROOK AT	\$ 2,558.80
1442300459	0	HERITAGE HARBOUR MASTER ASSOCIATION INC	A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF MANATEE LYING IN SEC 36, TWN 34S, RNG 18E, BEING FURTHER BOUND AND DESC AS FOLLOWS: COM AT THE NE COR OF SD	\$ -
1442300509	23	BRADENTON PARCEL 23 LLC	A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF MANATEE LYING IN SEC 36, TWN 34S, RNG 18E, MANATEE COUNTY, FL BEING FURTHER BOUND AND DESC AS FOLLOWS: COM AT	\$ 1,741.29
1442300659	25	BRADENTON PARCEL 25 LLC	LOT 1, HERITAGE HARBOUR PARCEL 25	\$ 2,728.66
1442300709	25	BRADENTON PARCEL 25 LLC	LOT 2, HERITAGE HARBOUR PARCEL 25	\$ 1,680.33
1442300759	25	BRADENTON PARCEL 25 LLC	LOT 3, HERITAGE HARBOUR PARCEL 25	\$ 2,102.06
1442300809	25	BRADENTON PARCEL 25 LLC	LOT 4, HERITAGE HARBOUR PARCEL 25	\$ 1,291.07
1442300859	25	BRADENTON PARCEL 25 LLC	LOT 5, HERITAGE HARBOUR PARCEL 25	\$ 2,872.39
1442300909	25	BRADENTON PARCEL 25 LLC	LOT 6, HERITAGE HARBOUR PARCEL 25	\$ 2,699.93
1442300959	25	BRADENTON PARCEL 25 LLC	TRACT 100 (WETLAND), HERITAGE HARBOUR PARCEL 25 PI#14423.0095/9	\$ -
1442301009	25	BRADENTON PARCEL 25 LLC	TRACT 200 (PRIVATE ROAD), HERITAGE HARBOUR PARCEL 25 PI#14423.0100/9	\$ -
1442301059	25	BRADENTON PARCEL 25 LLC	TRACT 300 (LAKE), HERITAGE HARBOUR PARCEL 25 PI#14423.0105/9	\$ -
1442301109	25	BRADENTON PARCEL 25 LLC	TRACT 400 (WETLAND), HERITAGE HARBOUR PARCEL 25 PI#14423.0110/9	\$ -
1442301159	25	BRADENTON PARCEL 25 LLC	TRACT 500 (WETLAND), HERITAGE HARBOUR PARCEL 25 PI#14423.0115/9	\$ -
1442301209	25	BRADENTON PARCEL 25 LLC	TRACT 600 (OPEN SPACE), HERITAGE HARBOUR PARCEL 25 PI#14423.0120/9	\$ -
1442302209	0	HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT	LAKE 57: COM AT THE NE COR OF SEC 36, TWN 34S, R 18E; TH ALG THE N LN OF SD SEC 36, N 88 DEG 14 MIN 56 SEC W, 4183.21 FT; TH S 01 DEG 45 MIN 04 SEC W, 850.40 FT TO THE POB OF	\$ -
1442304009	22	SARASOTA COUNTY PUBLIC HOSPITAL DISTRICT	PARCEL 22 HERITAGE HARBOUR PARCEL 22	\$ 2,763.18
1442305059	27 - Unit 1	YORAISH LLC	UNIT 1 OF PARCEL 27 LAND CONDOMINIUM, PI#14423.0505/9	\$ 1,095.46
1442305109	27 - Unit 2	MDC COASTAL 1, LLC	UNIT 2 OF PARCEL 27 LAND CONDOMINIUM, PI#14423.0510/9	\$ 1,201.74
1442305159	27 - Unit 3	CHABER LLC	UNIT 3 OF PARCEL 27 LAND CONDOMINIUM, PI#14423.0515/9	\$ 784.81
1442305209	27 - Unit 4	8355 SR 64 LLC	UNIT 4 OF PARCEL 27 LAND CONDOMINIUM, PI#14423.0520/9	\$ 1,005.48
1442305309	26	BROWNSTAR PROPERTIES LLC	PARCEL A, HERITAGE HARBOUR LAND CONDO AMENDED PI #14423.0530/9	\$ 2,381.64
1442305359	26	BROWNSTAR PROPERTIES LLC	PARCEL B, HERITAGE HARBOUR LAND CONDO AMENDED PI #14423.0535/9	\$ 4,210.17

**Heritage Harbour Market Place Community Development District
Assessment Roll - Fiscal Year 2025**

Table 1

Parcel ID	Lot	Owner	Legal Description	O&M
1442305409	26	PARKWOOD DSO LLC	PARCEL D, HERITAGE HARBOUR LAND CONDO AMENDED PI #14423.0540/9	\$ 972.83
1442305459	26	HERITAGE HARBOUR LAND CONDOMINIUM ASSOCIATION INC	TRACT 1, HERITAGE HARBOUR LAND CONDO AMENDED PI #14423.0545/9	\$ -
				\$ 96,038.81

RESOLUTION 2024-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIME, AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Heritage Harbour Market Place Community Development District (the “District”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating, and maintaining infrastructure improvements, facilities, and services to the lands within the District; and

WHEREAS, in accordance with the provisions of Chapter 189.417, Florida Statutes, the District is required to file quarterly, semiannually, or annually a schedule of its regular meetings with the local governing authority or authorities; and

WHEREAS, in accordance with the above referenced Statute, the District shall also publish quarterly, semiannually, or annually its regular meeting schedule in a newspaper of general paid circulation in the County in which the District is located and shall appear in the legal notices section of the classified advertisements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. DESIGNATION OF DATES, TIME, AND LOCATION OF REGULAR MEETINGS.

- a. **Date:** The first Thursday of each month for Fiscal Year 2025, which covers the period October 1, 2024, through September 30, 2025.

The Fiscal Year 2025 schedule is as follows:

October 3, 2024	November 7, 2024 – Landowner’s Election
December 5, 2024	January 2, 2025 – No Meeting
February 6, 2025	March 6, 2025
April 3, 2025	May 1, 2025
June 5, 2025	July 3, 2025 – No Meeting
August 7, 2025	September 4, 2025

- b. **Time:** 12:30 P.M. (Eastern Standard Time)
- c. **Location:** River Strand Golf and Country Club (Clubhouse), 7155 Grand Estuary Trail, Bradenton, Florida 34212

RESOLUTION 2024-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIME, AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

SECTION 2. SUNSHINE LAW AND MEETING CANCELATIONS AND CONTINUATIONS. The meetings of the Board of Supervisors are open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. The District by and through its District Manager may cancel any meeting of the Board of Supervisors and all meetings may be continued to a date, time, and place to be specified on the record at the hearings or meeting.

SECTION 3. CONFLICT. That all Sections or parts of Sections of any Resolutions, Agreements, or actions of the Board of Supervisors in conflict are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Heritage Harbour Market Place Community Development District.

PASSED AND ADOPTED by the Board of Supervisors of the Heritage Harbour Market Place Community Development District, Manatee County, Florida, this 2nd day of May 2024.

ATTEST:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James P. Ward, Secretary

Danielle Graef, Chairperson

RESOLUTION 2024-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION FOR A LANDOWNERS’ MEETING AND ELECTION; PROVIDING FOR PUBLICATION; ESTABLISHING FORMS FOR THE LANDOWNER ELECTION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

RECITALS

WHEREAS, Heritage Harbour Market Place Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Manatee County, Florida; and

WHEREAS, pursuant to Section 190.006(1), *Florida Statutes*, the District’s Board of Supervisors (“**Board**”) “shall exercise the powers granted to the district pursuant to [Chapter 190, *Florida Statutes*],” and the Board shall consist of five members; and

WHEREAS, the District is statutorily required to hold a meeting of the landowners of the District for the purpose of electing Board Supervisors for the District on the first Tuesday in November, which shall be noticed pursuant to Section 190.006(2), *Florida Statutes*.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT:

1. **EXISTING BOARD SUPERVISORS; SEATS SUBJECT TO ELECTIONS.** The Board is currently made up of the following individuals:

<u>Seat Number</u>	<u>Supervisor</u>	<u>Term Expiration Date</u>
1	Amburr Vicedomini	2024
2	Brian Billingham	2026
3	Danielle Graef	2024
4	Daniel Hulgás	2026
5	Hector Mencia	2024

This year, Seat 1, currently Amburr Vicedomini, and Seat 3, currently held by Danielle Graef, and Seat 5, currently held by Hector Mencia are subject to election by landowners in November 2024. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

2. **LANDOWNER’S ELECTION.** In accordance with Section 190.006(2), *Florida Statutes*, the meeting of the landowners to elect Board Supervisor(s) of the District shall be held on the 7th day of November 2024, at 12:30 p.m. and located at River Strand Golf and Country Clubhouse, 7155 Grand Estuary Trail, Bradenton, Florida 34212.

RESOLUTION 2024-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION FOR A LANDOWNERS' MEETING AND ELECTION; PROVIDING FOR PUBLICATION; ESTABLISHING FORMS FOR THE LANDOWNER ELECTION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

3. **PUBLICATION.** The District's Secretary is hereby directed to publish notice of the landowners' meeting and election in accordance with the requirements of Section 190.006(2), *Florida Statutes*.

4. **FORMS.** Pursuant to Section 190.006(2)(b), *Florida Statutes*, the landowners' meeting and election have been announced by the Board at its May 2, 2024, meeting. A sample notice of landowners' meeting and election, proxy, ballot form and instructions were presented at such meeting and are attached hereto as **Exhibit A**. Such documents are available for review and copying during normal business hours at the District's Local Records Office, located at the office of the District Manager, c/o JPWard and Associates, LLC, 2301 NE 37th Street, Fort Lauderdale, Florida 33308, Phone 954-658-4900, EMail: JimWard@JPWardAssociates.com.

5. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

6. **EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

PASSED AND ADOPTED by the Board of Supervisors of the Heritage Harbour Market Place Community Development District, Manatee County, Florida, this 2nd day of May 2024.

ATTEST:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James Ward, Secretary

Danielle Graef, Chairperson

EXHIBIT A

NOTICE OF LANDOWNERS' MEETING AND ELECTION AND MEETING OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given to the public and all landowners within Heritage Harbour Market Place Community Development District ("**District**") the location of which is generally described as comprising a parcel or parcels of land containing approximately 258 acres, and is located east of Interstate 75, north of State Road 64, and south of the Manatee River, in Manatee County, Florida, advising that a meeting of landowners will be held for the purpose of electing three (3) people to the District's Board of Supervisors ("**Board**", and individually, "**Supervisor**"). Immediately following the landowners' meeting there will be convened a meeting of the Board for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

DATE: November 7, 2024
TIME: 12:30 PM
PLACE: River Strand Golf and Country Clubhouse
7155 Grand Estuary Trail
Bradenton, Florida 34212

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, c/o JPWard and Associates, LLC, 2301 NE 37th Street, Fort Lauderdale, Florida 33308, Phone 954-658-4900, E-Mail: JimWard@JPWardAssociates.com ("**District Manager's Office**"). At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting and the Board meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from the District Manager's Office. There may be an occasion where one or more supervisors will participate by telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Manager's Office, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

James P. Ward
District Manager
Run Date(s): October 13, 2024 & October 20, 2024

PUBLISH: ONCE A WEEK FOR 2 CONSECUTIVE WEEKS, THE LAST DAY OF PUBLICATION TO BE NOT FEWER THAN 14 DAYS OR MORE THAN 28 DAYS BEFORE THE DATE OF ELECTION, IN A NEWSPAPER WHICH IS IN GENERAL CIRCULATION IN THE AREA OF THE DISTRICT

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF
HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **Thursday, November 7, 2024**

TIME: **12:30 P.M.**

LOCATION: **River Strand Golf and Country Clubhouse, 7155 Grand Estuary Trail, Bradenton, Florida
34212**

Pursuant to Chapter 190, *Florida Statutes*, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), *Florida Statutes*.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

This year, three (3) seats on the Board will be up for election by landowners. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

LANDOWNER PROXY

**HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT
MANATEE COUNTY, FLORIDA
LANDOWNERS' MEETING – NOVEMBER 7, 2024**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints _____ (“Proxy Holder”) for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Heritage Harbour Market Place Community Development District to be held at River Strand Golf and Country Clubhouse, 7155 Grand Estuary Trail, Bradenton, Florida 34212, on November 7, 2024, at 12:30 p.m., and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners’ meeting and any adjournment or adjournments thereof but may be revoked at any time by written notice of such revocation presented at the landowners’ meeting prior to the Proxy Holder’s exercising the voting rights conferred herein.

Printed Name of Legal Owner

Signature of Legal Owner

Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes: _____

NOTES: Pursuant to Section 190.006(2)(b), *Florida Statutes* (2019), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

OFFICIAL BALLOT
HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT
MANATEE COUNTY, FLORIDA
LANDOWNERS' MEETING - NOVEMBER 7, 2024

For Election (3 Supervisors): The two (2) candidates receiving the highest number of votes will each receive a four (4) year term, and the one (1) candidate receiving the next highest number of votes will receive a two (2) year term, with the term of office for the successful candidates commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Heritage Harbour Market Place Community Development District and described as follows:

<u>Description</u>	<u>Acreage</u>
_____	_____
_____	_____
_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

Attach Proxy.

I, _____, as Landowner, or as the proxy holder of _____ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

SEAT #	NAME OF CANDIDATE	NUMBER OF VOTES
1		
3		
5		

Date: _____

Signed: _____

Printed Name: _____

RESOLUTION 2024-12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO REQUEST THE PASSAGE OF AN ORDINANCE BY MANATEE COUNTY, FLORIDA, AMENDING THE DISTRICT’S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THAT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Heritage Harbour Market Place Community Development District (“**District**”) is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* (“**Uniform Act**”), and Manatee County Ordinance No. 02-28 (the “**Ordinance**”); and

WHEREAS, the District presently consists of approximately 258.42 acres, more or less, as more fully described in the Ordinance; and

WHEREAS, the District desires to amend its boundaries to remove certain lands (“**Boundary Amendment**”), as depicted in the attached **Exhibit A** (“**Affected Parcels**”); and

WHEREAS, the Boundary Amendment is in the best interest of the District, and the area of land within the amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, the Boundary Amendment of the District’s boundaries will allow the District to continue to be the best alternative available for delivering community development services and facilities to the lands within the District, as amended; and

WHEREAS, the Boundary Amendment is not inconsistent with either the State or local comprehensive plan and will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

WHEREAS, the area of land that will lie in the amended boundaries of the District will continue to be amenable to separate special district government; and

WHEREAS, in order to seek a Boundary Amendment ordinance pursuant to Chapter 190, *Florida Statutes*, the District desires to authorize District staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the process; and

WHEREAS, the District hereby desires to request a Boundary Amendment in accordance with Chapter 190, *Florida Statutes*, by taking such actions as are necessary in furtherance of the same.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT:

1. RECITALS. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

RESOLUTION 2024-12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO REQUEST THE PASSAGE OF AN ORDINANCE BY MANATEE COUNTY, FLORIDA, AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THAT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

2. AUTHORIZATION FOR BOUNDARY AMENDMENT. Pursuant to Chapter 190, *Florida Statutes*, the Board hereby authorizes the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of any documentation with Manatee County, Florida, as necessary to seek the amendment of the District's boundaries and to remove those lands depicted in **Exhibit A**. The District Manager shall ensure that the final version of **Exhibits A** as confirmed by the Chairman is attached hereto. The Board further authorizes the prosecution of the procedural requirements detailed in Chapter 190, *Florida Statutes*, for the Boundary Amendment.

3. AUTHORIZATION FOR AGENTS. The Board hereby authorizes the District Chairman, District Manager and District Counsel to act as agents of the District with regard to any and all matters pertaining to the petition to Manatee County, Florida, to amend the boundaries of the District. District Staff, in consultation with the District Chairman, is further authorized to create a metes and bounds description of the affected parcels and amended boundaries of the District, as well as any other exhibits that are reasonably necessary to accomplish the Boundary Amendment.

4. EFFECTIVE DATE. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED by the Board of Supervisors of the Heritage Harbour Market Place Community Development District, Manatee County, Florida, this 2nd day of May 2024.

ATTEST:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James P. Ward, Assistant Secretary

Danielle Graef, Chairperson

EXHIBIT A

Depiction of Affected Parcels

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
A PARCEL OF LAND
LYING IN
SECTIONS 23, 25, 26, 35 & 36, TOWNSHIP 34 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA
(HERITAGE HARBOUR MARKETPLACE CDD)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF MANATEE, LYING IN SECTIONS 23, 25, 26, 35 & 36, TOWNSHIP 34 SOUTH, RANGE 18 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE S.00°50'11"W. ALONG THE EAST LINE OF SAID SECTION 36 FOR 1733.81 FEET TO THE EXISTING NORTH RIGHT OF WAY LINE OF STATE ROAD 64; THENCE N.87°48'44"W. ALONG SAID NORTH RIGHT OF WAY LINE FOR 1925.15 FEET; THENCE N.00°23'05"E. FOR 62.03 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N.87°48'44"W. FOR 565.09 FEET; THENCE S.86°28'38"W. FOR 120.80 FEET; THENCE N.87°48'44"W. FOR 239.90 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2777.02 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°46'57.1" FOR 474.14 FEET; THENCE N.64°01'13"W. FOR 51.43 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 2765.02 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.13°00'16"W.; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8°33'45.6" FOR 413.22 FEET; THENCE N.71°56'51"W. FOR 143.12 FEET; THENCE N.64°27'00"W. FOR 50.00 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 2777.02 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.25°32'48"W.; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°30'25.6" FOR 363.86 FEET; THENCE N.56°55'35"W. FOR 494.64 FEET; THENCE N.43°25'50"W. FOR 51.42 FEET; THENCE N.56°55'35"W. FOR 394.60 FEET; THENCE N.60°37'51"W. FOR 170.42 FEET; THENCE N.58°03'40"W. FOR 49.94 FEET; THENCE N.56°55'35"W. FOR 245.90 FEET TO THE NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 93 (INTERSTATE I-75) AS SHOWN IN OFFICIAL RECORDS BOOK 843, PAGE 452, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE THE FOLLOWING SEVENTEEN (17) DESCRIBED COURSES; 1) N.52°16'41"W. FOR 293.00 FEET; 2) N.60°49'42"W. FOR 409.57 FEET; 3) N.61°10'48"W. FOR 407.58 FEET; 4) N.68°46'35"W. FOR 257.64 FEET 5) TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 216.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.21°16'03"W.; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51°38'11" FOR 194.66 FEET; 6) N.17°11'10"W. FOR 278.59 FEET 7) TO AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 457.78 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.72°50'21"E.; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°44'50" FOR 373.50 FEET; 8) N.63°54'22"W.

FOR 501.58 FEET 9) TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 860.93 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.26°04'38"W.; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°03'32" FOR 601.93 FEET; 10) N.23°52'09"W. FOR 999.15 FEET; 11) N.22°43'23"W. FOR 98.04 FEET 12) TO AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 3404.05 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.67°16'46"E.; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°02'18.8" FOR 2557.00 FEET; 13) N.65°44'45"W. FOR 326.32 FEET; 14) N.00°05'36"E. FOR 309.05 FEET; 15) N.05°58'08"W. FOR 603.21 FEET; 16) N.89°51'22"W. FOR 7.76 FEET; 17) N.00°08'21"E. FOR 129.01 FEET; THENCE S.55°11'25"E. LEAVING SAID LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 93 (INTERSTATE I-75) FOR 114.38 FEET; THENCE S.35°55'38"E. FOR 73.40 FEET; THENCE S.15°57'18"E. FOR 164.13 FEET; THENCE S.83°59'41"E. FOR 84.42 FEET; THENCE S.29°30'15"E. FOR 529.85 FEET; THENCE N.51°45'26"E. FOR 71.42 FEET; THENCE S.60°57'25"E. FOR 1093.27 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 502.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.77°42'10"W.; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°26'33" FOR 293.01 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 300.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°24'46" FOR 138.30 FEET; THENCE S.47°33'29"E. FOR 93.75 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 328.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°22'38" FOR 196.80 FEET; THENCE S.81°56'07"E. FOR 92.92 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 162.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°20'27" FOR 133.85 FEET; THENCE N.50°43'26"E. FOR 96.86 FEET; THENCE S.80°49'49"E. FOR 75.82 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 543.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.78°33'01"W.; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66°28'59" FOR 630.07 FEET; THENCE S.55°02'00"E. FOR 203.59 FEET; THENCE S.01°14'02"W. FOR 372.92 FEET; THENCE S.88°45'58"E. FOR 126.80 FEET; THENCE S.44°34'52"E. FOR 1233.70 FEET; THENCE S.55°21'38"E. FOR 510.74 FEET; THENCE S.49°13'14"E. FOR 1176.31 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.38°00'05"W.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°35'54" FOR 116.06 FEET; THENCE N.00°17'50"E. FOR 536.54 FEET; THENCE S.66°52'39"E. FOR 679.67 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1162.50 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.40°34'16"W.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°49'03" FOR 544.11 FEET; THENCE N.76°14'47"E. FOR 248.87 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1260.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.73°24'11"E.; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°50'36" FOR 62.53 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 2940.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°00'57.0" FOR 667.88 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 3060.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°53'27.6" FOR 1169.13 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 35.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 84°12'00" FOR 51.43 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 1710.00

FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°11'23" FOR 721.94 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 545.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°20'22" FOR 298.10 FEET; THENCE N.59°28'05"E. FOR 206.36 FEET; THENCE N.78°20'59"E. FOR 323.41 FEET; THENCE S.89°36'55"E. FOR 161.25 FEET; THENCE S.00°23'05"W. FOR 1102.62 FEET TO THE POINT OF BEGINNING

PARCEL CONTAINS 11,256,176.1230 SQUARE FEET OR 258.42 ACRES, MORE OR LESS.

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

BEARINGS ARE ASSUMED AND BASED ON THE EAST LINE OF SECTION 36, TOWNSHIP 34 SOUTH, RANGE 18 EAST, AS BEARING S.00°50'11"W.

PREPARED AUGUST 30, 2001.

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SKETCH OF DESCRIPTION

OF

A PARCEL OF LAND LYING IN
SECTIONS 23, 25, 26, 35 & 36 TOWNSHIP 34 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

(HERITAGE HARBOUR MARKETPLACE CDD)

HERITAGE
HARBOUR
MARKETPLACE
CDD

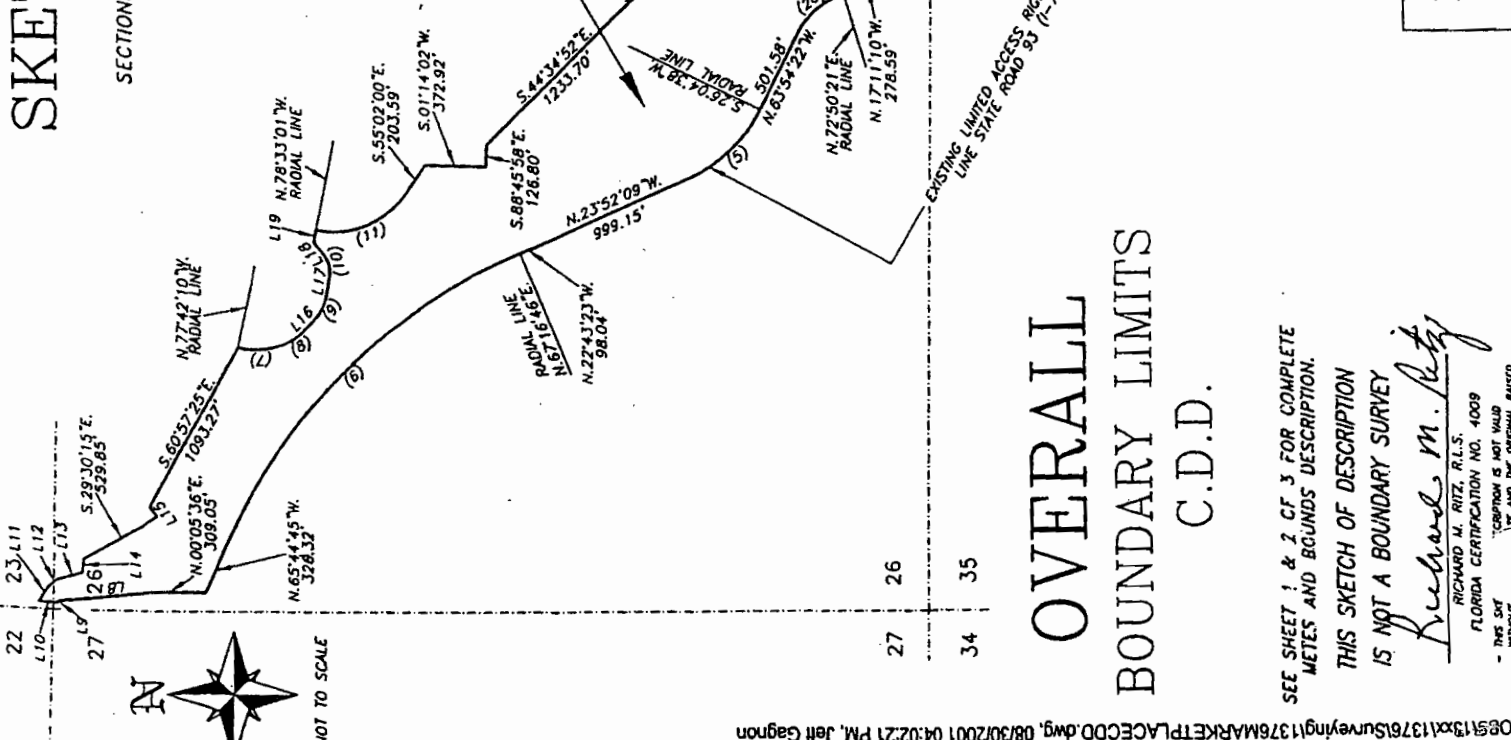
(11,256,176.1230
Sq. Ft. 258.42
Acres, more or
less)

LINE TABLE

NO.	BEARING	DISTANCE
L1	S.86°28'38"W	120.60'
L2	N.64°01'13"W	51.43'
L3	N.64°27'00"W	50.00'
L4	N.43°25'50"W	51.47'
L5	N.58°03'40"W	49.94'
L6	N.05°58'08"W	60.321'
L7	N.89°51'22"W	7.76'
L8	N.00°08'21"E	129.01'
L9	S.55°11'25"E	114.38'
L10	S.35°55'38"E	73.40'
L11	S.15°57'18"E	164.13'
L12	S.83°59'41"E	84.42'
L13	N.51°45'28"E	71.42'
L14	S.47°33'29"E	93.75'
L15	S.81°56'07"E	92.92'
L16	N.50°43'26"E	96.86'
L17	S.80°49'49"E	75.82'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	2777.02'	09°46'57"	474.14'	82°55'15"W	N.82°55'15"W
2	2765.02'	08°33'46"	412.84'	72°42'51"W	N.72°42'51"W
3	2777.02'	07°30'26"	363.86'	60°41'58"W	N.60°41'58"W
4	216.00'	51°38'11"	194.86'	42°34'51"W	N.42°34'51"W
5	360.93'	40°03'32"	161.93'	33°53'36"W	N.33°53'36"W
6	302.00'	33°02'13"	139.10'	24°15'23"E	S.24°15'23"E
7	300.00'	24°22'36"	138.30'	13°52'43"W	N.13°52'43"W
8	328.00'	17°20'22"	133.85'	03°00'00"W	N.03°00'00"W
9	543.00'	66°28'59"	630.07'	21°47'33"W	N.21°47'33"W
10	250.00'	26°35'54"	118.06'	11°50'15"E	S.11°50'15"E
11	162.50'	26°49'03"	544.11'	53°19'16"E	N.53°19'16"E
12	1260.00'	02°50'36"	62.53'	66°44'	N.66°44'
13	2940.00'	1°00'57"	306.00'	21°53'28"	N.21°53'28"
14	35.00'	84°12'00"	51.43'	46.93'	N.46.93'
15	1710.00'	24°11'23"	721.94'	31°20'22"	N.31°20'22"
16	457.78'	46°44'50"	373.50'	46°44'50"	N.46°44'50"



OVERALL
BOUNDARY LIMITS
C.D.D.

SEE SHEET 1 & 2 OF 3 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.
THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz
RICHARD M. RITZ, R.L.S.
FLORIDA CERTIFICATION NO. 4009
THIS SKETCH IS NOT VALID
UNLESS SIGNED AND SEALED BY
THE LICENSED SURVEYOR AND MAPPER.

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
10001 SEE WILEY CYPRESS PARK
PORT MYERS, FLORIDA 33907
(813) 958-5

SKETCH OF DESCRIPTION
HARBORVEST, LLC
MANATEE, FLORIDA

SHEET 4 OF 4

DATE	PROJECT NO.	DESIGNED	DRAWN	CHECKED	SCALE
08-30-01	13761				

BOUNDARY AMENDMENT FUNDING AGREEMENT

This Agreement is made and entered into this 2nd day of May, 2024, by and between:

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in Manatee County, Florida whose address is 2301 Northeast 37th Street, Fort Lauderdale, Florida 33308 ("**District**"); and

_____, a landowner in the District with a mailing address of _____ ("**Landowner**").

RECITALS

WHEREAS, the District was established pursuant to Chapter 190, *Florida Statutes* ("**Act**") and by Ordinance No. 02-28 adopted by the Board of County Commissioners for Manatee County, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure ("**Ordinance**"); and

WHEREAS, the District presently consists of approximately 258.42 acres of land; and

WHEREAS, the District desires to amend its boundaries ("**Boundary Amendment**") to remove certain lands from the District's boundaries, of which Landowner is the sole landowner; and

WHEREAS, pursuant to Resolution 2024-12, the District has authorized the Boundary Amendment, and, in consideration, the Landowner has agreed to fund all managerial, engineering, legal and other fees and costs that the District incurs in connection with the Boundary Amendment ("**Amendment Expenses**"); and

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **PROVISION OF FUNDS.** The Landowner agrees to make available to the District such monies as are necessary to fund the Amendment Expenses and enable the District to affect the Boundary Amendment. The Landowner will make such funds available on a monthly basis, within thirty (30) days of a written request by the District. The District Manager shall require consultants to provide invoices for the Amendment Expenses separate from other services provided to the District.

2. **DISTRICT USE OF FUNDS.** The District agrees to use the Amendment Expenses solely for the Boundary Amendment. The District agrees to use its good faith best efforts to proceed in an expeditious manner to affect the Boundary Amendment. The District shall not

have any obligation to reimburse or repay the Landowner for funds made available to the District under this Agreement.

3. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which may include, but not be limited to, the right of actual damages (but not consequential, special or punitive damages), injunctive relief and/or specific performance.

4. **ENFORCEMENT OF AGREEMENT.** In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the prevailing party shall be entitled to recover all fees and costs incurred, including reasonable attorneys' and paralegals' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

5. **AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement between the parties relating to the subject matter of this Agreement.

6. **AMENDMENTS.** Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing that is executed by both of the parties hereto.

7. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties to this Agreement, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

8. **NOTICES.** All notices, requests, consents and other communications under this Agreement ("**Notices**") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the parties, at the addresses set forth above. Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth in this Agreement. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the parties may deliver Notice on behalf of the parties. Any party or other person to whom Notices are to be sent or copied may notify the other parties and addresses of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the parties and addresses set forth in this Agreement.

9. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties to this Agreement and no right or cause of action shall accrue upon or by reason

hereof, to or for the benefit of any third party not a formal party to this Agreement. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties to this Agreement any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the parties to this Agreement and their respective representatives, successors, and assigns.

10. **ASSIGNMENT.** Neither party may assign this Agreement or any monies to become due hereunder without the prior written approval of the other party.

11. **CONTROLLING LAW.** This Agreement and the provisions contained herein shall be construed, interpreted, and controlled according to the laws of the State of Florida.

12. **TERMINATION.** Either party may terminate this Agreement upon a breach by the other party, notice of which breach shall be provided to all parties at the addresses noted above, and only after the breaching party is provided fifteen (15) calendar day's period to cure said breach.

13. **PUBLIC RECORDS.** Landowner understands and agrees that all documents of any kind provided to the District or to District Staff in connection with the work contemplated under this Agreement may be public records and will be treated as such in accord with Florida law.

14. **ARM'S LENGTH TRANSACTION.** This Agreement has been negotiated fully between the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen, and selected the language, and doubtful language will not be interpreted or construed against any party.

15. **SOVEREIGN IMMUNITY.** Landowner agrees that nothing in this Agreement shall constitute or be construed as a waiver of the District's limitations on liability contained in Section 768.28, Florida Statutes, or other statutes or law.

16. **HEADINGS FOR CONVENIENCE ONLY.** The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

17. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute but one and the same instrument. Signature and

acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

18. **EFFECTIVE DATE.** The Agreement shall be effective after execution by both parties to this Agreement and shall remain in effect unless terminated by either of the parties.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY
DEVELOPMENT DISTRICT**

Danielle Graef, Chairperson

[*LANDOWNER ENTITY*]

By: _____
Its: _____

RESOLUTION 2024-13

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT APPROVING THE ASSIGNMENT OF THE ENGINEERING SERVICES AGREEMENT FROM BANKS ENGINEERING, TO ATWELL, LLC; AUTHORIZING THE CHAIRPERSON TO EXECUTE THE ASSIGNMENT; PROVIDING GENERAL AUTHORIZATION; AND ADDRESSING CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Heritage Harbour Market Place Community Development District ("**District**") is a local unit of special-purpose government creating and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Manatee County, Florida; and

WHEREAS, the Board of Supervisors of the District ("**Board**") has previously entered into that certain *Engineering Services Agreement*, effective as of May 7, 2003 ("**Agreement**") between the District and Banks Engineering, attached hereto as **Exhibit A**, for engineering services and planning and landscape architecture services; and

WHEREAS, due to a recent corporate merger effective as of January 2, 2024, Banks Engineering, is now known as Atwell, LLC; and

WHEREAS, the District desires to accept the assignment of the Agreement from Banks Engineering, to Atwell, LLC, for the specific scope of services, attached hereto as **Exhibit B**, and approve the form of the *Consent to Assignment and Assignment of Agreement* ("**Assignment**") between the District and Atwell, LLC, attached hereto as **Exhibit C**; and

WHEREAS, the District desires to authorize the Chairperson, in connection with the recommendation of District Staff, to finalize, and execute the Assignment on the District's behalf.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT:

1. FINDINGS. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

2. APPROVAL OF ASSIGNMENT. The Assignment, attached hereto as **Exhibit C**, is hereby approved in substantial form, subject to any further revisions that may be made by the District's Chairperson, in consultation with District Staff.

3. EXECUTION OF ASSIGNMENT. The Chairperson is authorized to execute the Patrial Assignment at a time to be determined by the Chairperson, in consultation with District Staff.

4. CONFLICTS. If any provision of this Resolution is held to be in conflict with another resolution of the District, the resolutions shall be read to harmony to the extent possible, and, otherwise, the terms of this Resolution shall control with respect to the subject matter addressed herein.

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

6. EFFECTIVE DATE. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED by the Board of Supervisors of the Heritage Harbour Market Place Community Development District, Manatee County, Florida, this 2nd day of May 2024.

WITNESS:

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

James P. Ward, Secretary

Danielle Graef, Chairperson

Exhibit A: Engineering Services Agreement
Exhibit B: Scope of Services
Exhibit C: Assignment of Engineering Services Agreement

Exhibit A:
Engineering Services Agreement

AGREEMENT FOR SERVICES

This agreement ("Agreement") is entered into this 7th day of May, 2003 between the Heritage Harbour Market Place Community Development District ("District"), by and through its Board of Supervisors and Banks Engineering, Inc., a Florida corporation ("Engineers"), in accordance with the scope of services and for the fees set forth below.

SCOPE OF SERVICES

The Engineer shall be the District's engineer, and in that capacity, shall perform the following:

1. General Consultation, Meetings and District Representation:
 - a) Consult with the District Board of Supervisors ("Board") and its designated representative and participate in such meetings, discussions, project site visits, workshops and hearings as may be necessary for the administration, accomplishment and fulfillment of the professional services set forth herein with regard to those projects authorized by the Board.
 - b) Consultation and representation before the South Florida Water Management District and such other public agencies and private individuals as may be necessary in connection with the interests of the District and when so directed to do so by the Board or its designated representative;
 - c) Engineers' contract administration services, including: establishing and maintaining project records, files and permitting documents; planning, scheduling, production and quality control; coordinating and invoicing management; coordinating and administrating of various professional service elements; and
 - d) Such other professional and technical services as may be requested by the Board, in accordance with generally accepted engineering practices and procedures.
2. Meetings of the Board. The Engineer shall attend regular and special meetings of the Board of Supervisors.
3. Operating and Maintenance of District Works and Facilities. The Engineer shall consult with and advise the Board, or its designated representative, on the operation and maintenance of all District Works and Facilities.
4. Landowners' Meeting: The Engineer shall attend the Landowners' Meeting and shall prepare the annual report of the District Engineer for said meeting
5. Inspection of District Works and Facilities. The Engineer shall make periodic inspections of the District's Works and Facilities, at the direction of the Board, and shall provide reports to the Board of these observations.

6. Maintenance Work. The Engineer shall recommend to the Board, such maintenance as is necessary for District Works and Facilities.
7. Annual Maintenance Budget. The Engineer shall assist in the preparation of the District's Annual Maintenance Budget.
8. Permitting. The Engineer shall prepare and submit to the appropriate regulatory agency those permit application materials needed for environmental, design and construction elements of District Works and Facilities and shall assist the District with the processing of such applications.
9. Construction Project Plans and Specifications. The Engineer shall prepare plans and specifications, contract documents, cost estimates, bid evaluations and other allied engineering work for these construction projects undertaken by the District.
10. Surveying Services. The Engineer shall provide boundary, land, topographic construction master control, construction staking and excavation quantity surveys in support of the projects and services described herein, as requested by the Board.
11. Construction Project Oversight. The Engineer shall provide project oversight services for the District on all District construction projects for which the Engineer prepared or assisted in the preparation of construction drawings and specifications, District construction projects for which a work certification or permit is required by a regulatory agency, and all other construction projects for which the Board has requested the Engineer to provide oversight services in the interest of the District ("Construction Projects"). Project oversight services shall be performed by the Engineer or by persons in the employ of and working under the direction and control of the Engineer. The performance of project oversight services may require one or more full or part-time project representative, depending upon the requirements of the Construction Project. The Engineer, or its representative, shall endeavor to protect the District against all defects and deficiencies in all Construction Projects. However the Engineer's furnishing of project oversight services does not guarantee the work of any contractor, nor represent the assumption by the Engineer of any obligation for job safety. The Engineer shall not be responsible for the enforcement of safety regulations involving any contract to the District. The Engineer shall file oversight reports with the District, as necessary, based on the length and complexity of the Construction Project, except that the Engineer shall file oversight reports at least monthly.
12. Litigation and Legal Proceedings. The Engineer shall assist the District in all litigation or legal action, or shall act as an expert witness on behalf of the District, as needed.
13. Engineering Records. The Engineer shall maintain copies of all such designs, plans, specifications, construction documents, reports, permits, correspondence, records and other data produced by the Engineer in the performance of services under this agreement. Upon the request of the District, the Engineer shall transfer duplicates of appropriate

engineering records to the District's office, and the Engineer shall be reimbursed for the cost of reproduction.

14. Additional Service. The Engineer shall provide such other additional services as may be required by the District and mutually agreed to.

INSURANCE

The Engineer shall provide the District with evidence of insurance with limits of liability not less than the following:

Workmen's Compensation	Statutory
General Liability	
Bodily Injury (including contractual)	\$2,000,000.00
Property Damage (including contractual)	\$1,000,000.00 Umbrella
Automobile Liability	
Bodily Injury Property Damage	\$2,000,000.00 Combined Single Limit
Professional Liability for Errors & Omissions	\$1,000,000.00

Provide Owner with certificates and thirty (30) days written notice of cancellation.

ENGINEERING SERVICES WORK AUTHORIZATION

Performance by the Engineer of the work described in paragraphs 1 through 7, of the Scope of Work shall be approved and authorized upon execution of this Agreement.

Performance by the Engineer of the work described in paragraphs 8 through 13 of the Scope of Work shall be subject to the specific approval of the Board and the issuance of an approved District Engineering Work Authorization (WA). Each WA issued shall delineate the scope of work to be performed, including that work described in the Scope of Work, that is to be performed; all work set forth in the WA shall have been established at the time the work was requested and shall not be exceeded, except with the prior written approval of the Board. The Board may increase the maximum fee set forth in a WA when the scope of work, as delineated in the WA, is changed, or when additional work must be performed which could not have been reasonably foreseen or anticipated at the time the WA was authorized and issued.

CODE AND REGULATORY COMPLIANCE

The Engineer shall prepare all documents in accordance with current, existing and applicable codes and ordinances, resolutions and laws. The District relies on the Engineer's expertise to evaluate the applicability of these codes, resolutions and laws to the designs, products, studies and decisions that are part of the Scope of Work performed by the Engineer on behalf of the District.

The Engineer shall maintain in the Engineer's office a complete, current updated library of all of the materials, technical manuals, books, memoranda, including but not limited to codes, laws and ordinances, in Engineer's possession, necessary for Engineer to provide complete, competent services to the District.

The interpretation of codes and regulations may vary within local jurisdictions and may require input from these authorities having jurisdiction over the project. During the permit processing phase, specific interpretations of these codes and resolutions may be made by local authorities that can impact the cost and/or scheduling of the Construction Project and which are largely outside the control of the Engineer, including but not limited to:

1. The application to the construction project of codes and/or after regulatory criteria not published or enacted at the time the WA between the Engineer and the District was entered into,
2. Changes in agency staff, conflict or changes in official interpretations of existing codes and regulations, or the application of a particular code or regulation to the Construction Project, made after the WA was entered into, or
3. Conflicting interpretations of agency inspectors or representatives during or after construction of the Construction Project.

In the event of the occurrence of any of the above-described interpretations, the District may not rely upon any existing contract documents as a basis for it to proceed, with any activity that will cause the District to incur costs or liability above those set forth in the Engineer's cost estimates, prior to receipt of permits or agency approvals.

ITEMS TO BE PROVIDED BY DISTRICT AT NO EXPENSE TO THE ENGINEER

The District shall:

1. Furnish, all permit and governmental inspection fees.
2. Designate a person to act as the District's representative, for the services to be performed under this Agreement, who shall have the authority to transmit instructions, receive information, interpret and define the policies and decisions of the District with respect to those materials, equipment, elements and systems pertinent to the Engineer's services,

except as limited by those special conditions for invoicing items necessary to perform the services, that are ordered or purchased by the Engineer and are furnished by the District under the section entitled "Fees to be Paid".

TIME OF PERFORMANCE

The Engineer shall provide those Professional Services described in the above Scope of Work, until terminated in accordance with the terms of this Agreement.

FEES TO BE PAID

1. Professional Services:

In consideration of the performance of the services set forth in items 1 through 14 of the Scope of Services, or for such additional services as may be agreed to in writing by both parties, the Engineer shall be compensated on the basis of a lump sum fee, for a defined Scope of Services, or on actual hours worked, in accordance with the rate table set forth on Exhibit "A".

In addition, the Engineer shall be reimbursed for direct non-salary expenses at cost, including, but not limited to, testing of materials, and subsurface explorations, equipment rental, automobile travel, per State of Florida mileage rates, commercial air travel, long distance telephone, subsistence, printing and reproduction, plus Florida sales taxes, if applicable.

2. Litigation Support Services:

When requested by the District to assist in any litigation as an expert witness or in any other professional manner, the fee paid the Engineer for such service shall be the fee set forth in Exhibit "A", which is a reasonable fee, which need not be limited by the finding of any Court concerning the adequacy or inadequacy of the fee.

Invoices for services rendered shall be prepared monthly and submitted to the District for review and payment. The District will pay invoices in accordance with the Florida Prompt Payment Act.

All bills and invoices for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof.

All bills and invoices for any travel expenses shall be submitted in accordance with Section 112.061, Florida Statutes.

If the Engineer is required to take action to collect past due invoices, the prevailing party shall be entitled to recover its reasonable attorneys fees and costs, including any costs of appeal.

In no event shall the Engineer be permitted to discontinue or slow down service for any project under this agreement for any reason whatsoever, without the written approval of the District.

This contract shall be governed by the laws of the State of Florida. The venue for any actions arising out of the agreement shall be in Collier County, Florida.

If items are to be sublet, confirmed, certified or updated, the Engineer shall order the work after receiving the approval of the District. No change in the list of subcontractors submitted as part of Engineer's proposal shall be made without the prior review and approval of the District.

When the Engineer is assisting the District in the applications for permits, or other approvals, the Engineer's fee for such services will not be contingent upon final approval or denial.

PROJECT REVIEW SERVICES

When the Engineer is required to perform services on a Construction Project site that include evaluating the conditions of items such as paving, structural, architectural, building envelope, roofing, mechanical and/or electrical systems, the Engineer's services are limited to the identification of observable conditions only. Systems not visible from within the building envelope or from accessible exterior elements of the project are not part of the Engineer's observations. Review of these systems by the Engineer will occur only when specific and detailed descriptions of the system to be evaluated and the manner in which access is to be provided are detailed in the WA.

SHOP DRAWING AND SAMPLING REVIEW

When required by the District to provide shop drawing and sample review services as part of the construction administration phase of a project, the Engineer's responsibilities shall be to review the quality and quantity of materials, drawings, methods and means of construction for conformance with the design criteria required in the contract documents.

MODIFICATION TO THE TERMS OF THIS AGREEMENT

In the event District issues a Purchase Order or Memorandum or other Instrument covering the professional services described herein, it is hereby specifically agreed and understood that such Purchase Order, Memorandum or Instrument is for District internal control purposes only and any and all terms and conditions contained therein, whether printed or written, shall be of no force or effect. This contract is the entire contract between the parties and there is no modification or waiver of any of the terms and conditions herein unless agreed to in writing and signed by both parties.

ESTIMATES

Because the Engineer has no control over the cost of labor and materials, or competitive bidding and market conditions, all estimates of construction cost provided for herein are to be made on the basis of experience and qualifications. Accordingly, the Engineer does not guarantee the

accuracy of such estimates when compared with a contractors' bid or the project construction cost.

TERMINATION

This Agreement may be terminated by either party's giving of thirty (30) days advance written notice. The Engineer shall be paid the reasonable value of such services or portion of service satisfactorily completed prior to the date of termination and for any unpaid reimbursable expenses.

The District shall further have the right to unilaterally cancel this Agreement for refusal by the Engineer to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the Engineer in conjunction with this Agreement.

OWNERSHIP AND USE OF DOCUMENTS

All documents, including, but not limited to, drawings, specifications, electronic data files, correspondence and contracts, as instruments of service are and shall remain the property of the District whether the project for which they were made is executed or not. The Engineer shall be permitted to retain copies, including reproducible copies, of drawings, specifications, and hard copies of electronic data files for information and reference in connection with the District's use and occupancy and oversight of any project, however, all documents shall be turned over to the District, at the District's request, at no additional charge by the Engineer. In the event of termination of this agreement, the Engineer shall transmit all documents within thirty (30) days of the date of termination. The drawings and specifications may be used by the District on other construction projects, additions to the construction project, or for completion of the construction project by others, provided that the Engineer will owe no duty to or have any liability to the District as to such other projects, or for use of the Engineer's designs for purposes other than as specifically designed in the project.

MODIFICATIONS AND ADDITIONS TO EXISTING STRUCTURES

Because of the Engineer's many years of background and experience in design and construction, the Engineer is qualified to make recommendations and master designs which, in the Engineer's opinion, will meet the needs of the situation. These services will be performed to the best of the Engineer's skill and ability and commensurate with the economics of the situation.

PROHIBITION AGAINST CONTINGENCY FEES

The Engineer warrants that the Engineer has not employed or retained any company or person, other than a bona fide employee working solely for the Engineer to solicit or secure this Agreement and that the Engineer has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the Engineer, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement.

ACCEPTANCE

Acceptance of this proposal shall be indicated by the signature in the space provided below of a duly authorized official of the District. One signed copy of this proposal returned to the Engineer will serve as an Agreement between the two parties and as Notice to Proceed. This contract will be binding on the parties hereto and the parties' successors and assigns and shall supersede all previous agreements.

TRUTH IN NEGOTIATION

In conformance with Section 287.055(5), Florida Statutes, a truth in negotiation certificate shall be executed by Engineers, and any contract price and any additions thereto approved by the District shall be adjusted to exclude any significant sums by which the District determines that the contract price was increased due to inaccurate, incomplete, or on-current wage rates and other factual unit costs. All such adjustments shall be made within one (1) year following the end of the completion of the project for which such services were rendered.

AUDIT

The Engineers agree that the District or any of its duly authorized representatives shall, until the expiration of three (3) years after expenditure of funds under the Agreement, have access to and the right to examine any directly pertinent books, documents, papers, and records of the Engineers involving transactions related to the Agreement. The Engineers agree that payment made under the Agreement shall be subject to reduction for amounts charged thereto that are found on the basis of audit examination not to constitute allowable costs. All required records shall be maintained until an audit is completed and all questions arising therefrom are resolved, or three (3) years after completion of all services under the Agreement.

PUBLIC RECORDS

The Engineers shall allow public access to all documents, papers, letters, or other materials subject to the provisions of Chapter 119, Florida Statutes, and made or received by the District in conjunction with the Agreement.

NONDISCRIMINATION

The Engineers covenant and agree that they shall not discriminate against any employee or applicant for employment to be employed in the performance of the Agreement with respect to hiring, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of age, sex, or physical handicap (except where based on a bona fide occupational qualification); or because of marital status, race, color, religion, national origin, or ancestry.

VERIFICATION OF EMPLOYMENT STATUS

The Engineers agree that they shall bear the responsibility for verifying the employment status, under the Immigration Reform and Control Act of 1986, of all persons they employ in the performance of the Agreement.

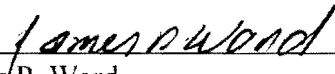
INDEMNIFICATION

The Engineers hereby agree to indemnify the District and its Agents for all claims arising solely for negligent acts, errors, or omissions of the Engineers in the performance of professional services under this Agreement.

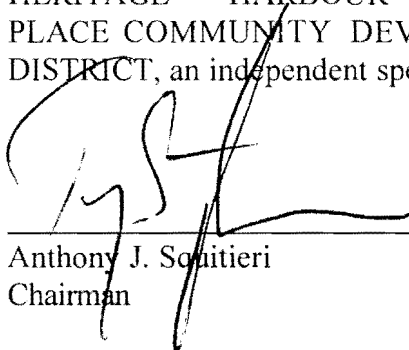
IN WITNESS WHEREOF, the parties hereto have hereunder placed their respective hand and seals the date noted above.

ATTEST:

BOARD OF SUPERVISORS OF THE
HERITAGE HARBOUR MARKET
PLACE COMMUNITY DEVELOPMENT
DISTRICT, an independent special district:

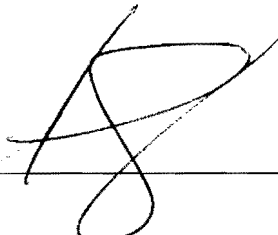


James P. Ward
District Manager

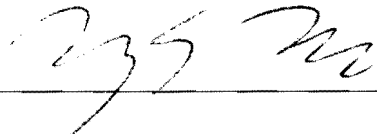


Anthony J. Schitieri
Chairman


ATTEST:



BANKS ENGINEERING, INC.



APPROVED AS TO FORM
AND SUFFICIENCY:



Daniel Cox, Esq.
District Counsel

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ ANNA MARIA ISLAND

FEE STRUCTURE

Principal Engineer	\$125.00
Senior Professional Engineer	\$120.00
Professional Engineer	\$100.00
Senior Project Manager	\$ 90.00
Engineer Intern	\$ 80.00
Senior Engineer Technician	\$ 80.00
Engineer Technician	\$ 80.00
CAD Technician	\$ 60.00
Senior Professional Land Surveyor	\$125.00
Professional Land Surveyor	\$110.00
Survey Technician	\$ 75.00
G.P.S. Survey Crew	\$110.00
4-Man Survey Crew	\$120.00
3-Man Survey Crew	\$100.00
2-Man Survey Crew	\$ 80.00
Administrative Assistant	\$ 45.00
Secretary	\$ 32.00

Reimbursables:

Blueprints	\$ 1.00
Copies	\$ 0.10
Mileage	\$ 0.34
Facsimile	No Charge

Exhibit B:
Scope of Services

ATWELL, LLC - ENGINEERING SERVICES

ARTICLE 1. SCOPE OF SERVICES

A. The Engineer will provide general engineering services, as authorized by the Board of Supervisors and supervised by the District's Manager or directed by the District Manager, including:

1. Prepare any necessary reports and attend meetings of the District's Board of Supervisors; and
2. Assistance in meeting with necessary parties pertaining to bond issues, special reports, feasibility studies or other tasks; and
3. Performance of any other duties related to the provision of infrastructure and services,.

B. The Engineer shall prepare construction drawings and specifications for the type of work as authorized by the Board of Supervisors of the District and directed by the District's Manager. This may include rendering assistance in the drafting of forms, proposals and contracts, issuance of certificates of construction and payment, assisting and supervising the bidding processes, and any other activity required by the District..

C. The Engineer shall provide general services during the construction phase of a project as authorized by the District and supervised by the District's Manager which may include the following:

1. Periodic visits to the site, or full time services, as directed by the District; and
2. Processing of contractors' pay estimates; and
3. Final inspection and requested certificates for construction including the final certification of construction; and
4. Consultation and advice during construction, including performing all roles and actions required of any construction contract between the District and any contractor(s) in which the Engineer is named as owner's representative or "Engineer"; and
5. Any other activity related to construction as authorized by the District.
6. Land surveying;
7. Topographic surveying;
8. Staking and layout work for construction;
9. Tests of material and underground explorations; and
10. Aerial photographs.

D. The Engineer will assign a project manager to the District, notifying the District in writing, which project manager shall be the primary contact person for the Engineer.

E. In those instances where the Engineer believes that a task, work or project requires additional personnel, the Engineer shall obtain the prior written approval of the District. The Engineer shall optimize the resources available through the District staff before utilizing additional Engineer personnel.

F. Each project shall utilize standard project management methodology.

G. The District retains the right to at any time, without penalty or charge, suspend any previously authorized work, task or project, by providing written notice to the Engineer, provided however that the District shall be responsible to pay the Engineer for all authorized work performed prior to receipt by Engineer of the notice of suspension.

H. The District retains the right to obtain other engineering services.

I. The professional services to be provided by Engineer shall comply with all applicable laws, statutes, ordinances, codes, orders (including, without limitation, the PUD Ordinance), rules and regulations, and shall be performed with the degree of care and diligence and in accordance with the professional standards of professional engineers practicing in the State of Florida. The services shall be performed within the standards of the industry. In the event of any conflict between the rules, regulations and ordinances promulgated by the various governmental authorities controlling construction of improvements, Engineer covenants and agrees that it will design such improvements in accordance with the standards of the industry.

Exhibit C:
Assignment of Engineering Services Agreement

**CONSENT TO ASSIGNMENT OF THE AGREEMENT BETWEEN HERITAGE
HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT, BANKS
ENGINEERING, AND ATWELL, LLC FOR PROFESSIONAL ENGINEERING
SERVICES**

THIS ASSIGNMENT (“Assignment”) is made and entered into this 2nd day of May 2024 by and between Banks Engineering, a Florida corporation, with a mailing address of 10511 Six Mile Cypress Parkway, Ft. Myers, Florida 33966 (“**Assignor**”); Atwell, LLC, a Michigan limited liability company, with a mailing address of 10511 Six Mile Cypress Parkway, Suite 101, Ft. Myers, Florida 33966 (“**Assignee**”); and Heritage Harbour Market Place Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, located in Manatee County, Florida, with a mailing address of 2301 N.E. 37 Street, Fort Lauderdale, FL, 33308 (the “**District**”).

RECITALS

WHEREAS, Assignor and the District previously entered into that certain *Agreement between Heritage Harbour Market Place Community Development District and Banks Engineering for Professional Engineering Services* dated May 7, 2003 (the “**Agreement**”); and

WHEREAS, due to a recent corporate merger effective as of January 1, 2024, Banks Engineering, is now known as Atwell, LLC; and

WHEREAS, Assignor and the District hereby recognize and agree that the Assignor’s rights and obligations under the Agreement could be assigned to a third party pursuant to Section 22 of the Agreement; and

WHEREAS, Assignor desires to assign all of its rights and obligations under the Agreement to Assignee, Assignee desires to accept such assignment, and the District desires to express that it agrees with and has no objection to such assignment; and

NOW THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the District, Assignee, and Assignor agree as follows:

1. INCORPORATION OF RECITALS. The Recitals stated above are true and correct and are incorporated herein as a material part of this Assignment.

2. DISTRICT CONSENT TO ASSIGNMENT OF THE AGREEMENT. The District consents to Assignor’s assignment of the Agreement to Assignee on the condition that the District receive new insurance certificates naming the District, its officers, supervisors, agents, staff, and representatives as additional insured. No certificate shall be acceptable to the District unless it provides that any change or termination within the policy periods of the insurance coverage, as certified, shall not be effective within thirty (30) days of prior written notice to the District. Assignor and Assignee acknowledge and agree that Assignor and Assignee shall be jointly and severally liable for actions or inactions of Assignor occurring prior to the effective date of this Assignment.

3. **NOTICES.** Upon this Assignment, notices pursuant to the Agreement shall be in writing and shall be delivered to the Assignee as follows:

If to the District: Heritage Harbour Market Place
Community Development District
2301 Northeast 37th Street
Fort Lauderdale, Florida 33308
Phone: 954-658-4900
E-Mail: JimWard@JPWardAssociates.com
Attention: Mr. James P. Ward

With a copy to: KUTAK ROCK LLP
107 W College Ave
Tallahassee, Florida 32301
Attention: Mr. Wes Haber

If to Assignee: Atwell, LLC
10511 Six Mile Cypress Parkway, Suite 101
Ft. Myers, Florida 33966
Attention: _____

4. **COUNTERPARTS.** This Assignment may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have executed this Assignment effective as of the date set forth above.

Attest:

**District: Heritage Harbour Market Place
Community
Development District**

Print Name: _____

By: _____
Print Name: _____
Its: _____

Witness:

Assignor: Banks Engineering

Print Name: _____

By: _____
Print Name: _____
Its: _____

Witness:

Assignee: Atwell, LLC

Print Name: _____

By: _____
Print Name: _____
Its: _____



CONSULTING. ENGINEERING. CONSTRUCTION.

ASSIGNMENT OF ENGINEERING SERVICES AGREEMENT

_____, 2024

Heritage Harbour Market Place Community Development District
c/o JPWard & Associates, LLC
2301 Northeast 37th Street
Fort Lauderdale, Florida 33308

RE: Heritage Harbour Market Place Community Development District

To Whom It May Concern,

Due to a recent corporate merger that became official on January 2, 2024, the Heritage Harbour Market Place Community Development’s (“District”) District Engineer, Banks Engineering, is now known as Atwell, LLC. As such, all future correspondence shall reference Atwell, LLC as the District Engineer. Please allow this letter to memorialize the assignment of the existing contract between the District and Banks Engineering, including all rights and obligations thereunder, to Atwell, LLC. Additionally, standard rates shall conform to the fee schedule, attached hereto as **Exhibit A**. Also, please find the updated insurance certificate naming the District as an additional insured, attached hereto as **Exhibit B**.

Respectfully,

AGREED TO BY:

ATWELL, LLC

**HERITAGE HARBOUR MARKET PLACE
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
_____, Team Leader

By: _____
Authorized Representative

Date: _____

Date: _____

**EXHIBIT A:
RATES**

ENGINEERING SERVICES

2024 PROFESSIONAL SERVICES FEE SCHEDULE REAL ESTATE & LAND DEVELOPMENT	
PROJECT MANAGEMENT SERVICES	
Senior Project Manager	\$255/hour
Project Manager I-III	\$212 to \$240/hour
Associate Project Manager I-II	\$178 to \$195/hour
Project Coordinator I-III	\$105 to \$137/hour
ENGINEERING & PLANNING SERVICES	
Senior Technical Advisor	\$325/hour
Senior Project Engineer	\$223/hour
Engineer/Designer I-V	\$141 to \$212/hour
Planner/Designer I-V	\$141 to \$212/hour
Technician I-V	\$65 to \$126/hour
SURVEYING & MAPPING SERVICES	
Senior Project Surveyor	\$223/hour
Project Surveyor I-V	\$141 to \$212/hour
Senior Crew Chief	\$164/hour
Crew Chief I-III	\$109 to \$146/hour
Crew Member I-II	\$80 to \$95/hour
Certified sUAS Pilot	\$190/hour
Technician I-V	\$65 to \$126/hour
GIS Services	\$113 to \$170/hour
ENVIRONMENTAL & ECOLOGICAL SERVICES	
Senior Environmental/Ecological Consultant	\$223/hour
Environmental Consultant I-V	\$141 to \$212/hour
Technician I-V	\$65 to \$126/hour
PROGRAM MANAGEMENT & CONSTRUCTION ADVISORY SERVICES	
Program Manager I-II	\$270 to \$282/hour
Senior Construction Manager	\$225/hour
Construction Manager I-II	\$195 to \$212/hour
Construction Engineer I-II	\$138 to \$175/hour
Construction Coordinator	\$128/hour
Estimating Services	\$178 to \$212/hour
Safety Coordinator	\$142/hour
MISCELLANEOUS	
Project Controller Services	\$102 to \$124/hour
Project Executive	\$325/hour
Expert Witness	\$250/hour
Expert Testimony	\$325/hour

In addition to the labor rates shown above, reimbursable expenses shall be charged in accordance with the attached rate schedule.

**2024 PROFESSIONAL SERVICES NON-LABOR CHARGES
REAL ESTATE & LAND DEVELOPMENT**

OFFICE	
24" X 36" bond black and white plots/copies	\$2.50/each
24" X 36" bond black and white mylars	\$15/each
24" X 36" color imagery plots/copies	\$26/each
24" X 36" standard color plots/copies	\$15/each
8.5" X 11" black and white plots/copies	\$0.25/each
8.5" X 11" color plots/copies	\$1.50/each
11" X 17" black and white plots/copies	\$0.75/each
11" X 17" color plots/copies	\$3.00/each
County GIS Data	cost + 10%
Postage & Shipping	cost + 10%
Recording Fees	cost + 10%
FIELD EQUIPMENT	
Laser Scanner	\$650/day
Photoionization Detector (PID)	\$115/day
4-Gas Monitor w/ Remote Sensor	\$85/day
UTV + Trailer	\$100/day
Boat	\$300 to \$600/day
Unmanned Aircraft System (UAS) Drone (Camera)	\$175/day
Unmanned Aircraft System (UAS) Drone (LIDAR)	\$1,750/day
FIELD MATERIALS	
Wood Stakes	\$1.25/stake
Iron Pipes	\$3.50/pipe
Monuments	cost + 10%
MISCELLANEOUS	
Mileage	IRS Rate
Auto Rental	cost + 10%
Fuel	cost + 10%
Air Fare	cost + 10%
Lodging*	cost + 10%
Meals*	cost + 10%
Project Sub-consultants	cost + 15%
Misc./Out of Pocket Expenses**	cost + 10%
Rental Equipment	cost + 15%
Parcel Data	\$0.75/parcel
Technology Fee/Specialized Software by Industry	\$50 to \$200/day

*Travel costs as noted, unless otherwise agreed to as a per diem charge per contract.

**All permit, application, and submittal fees shall be paid directly by the client.

[CONTINUED ON FOLLOWING PAGE]

**EXHIBIT B:
CERTIFICATE OF INSURANCE**

ENROLLED

CS/CS/HB 7013, Engrossed 1

2024 Legislature

1
 2 An act relating to special districts; repealing s.
 3 163.3756, F.S., relating to inactive community
 4 redevelopment agencies; amending s. 163.504, F.S.;
 5 prohibiting the creation of new neighborhood
 6 improvement districts after a date certain; repealing
 7 s. 165.0615 F.S., relating to municipal conversion of
 8 independent special districts upon elector-initiated
 9 and approved referendum; creating s. 189.0312, F.S.;
 10 providing term limits for members of governing bodies
 11 of independent special districts elected by the
 12 qualified electors of the district; providing an
 13 exception; providing construction; creating s.
 14 189.0313, F.S.; providing the method for changing
 15 boundaries of an independent special district;
 16 providing an exception; amending s. 189.062, F.S.;
 17 providing additional criteria for declaring a special
 18 district inactive; requiring certain special districts
 19 to provide notice of a proposed declaration of
 20 inactive status in the county or municipality under
 21 certain circumstances; revising the time period for
 22 filing an objection to a proposed declaration;
 23 authorizing a specific objection; providing that a
 24 district declared inactive may only expend funds as
 25 necessary to service outstanding debt and to comply

ENROLLED

CS/CS/HB 7013, Engrossed 1

2024 Legislature

26 | with existing bond covenants and contractual
 27 | obligations; creating s. 189.0694, F.S.; requiring
 28 | special districts to establish performance measures to
 29 | assess performance; requiring special districts to
 30 | publish an annual report concerning performance
 31 | measures; amending s. 189.0695, F.S.; requiring the
 32 | Office of Program Policy Analysis and Governmental
 33 | Accountability to conduct performance reviews;
 34 | repealing s. 190.047, F.S., relating to incorporation
 35 | or annexation of a district; amending s. 191.013,
 36 | F.S.; requiring independent special fire control
 37 | districts to annually report training and
 38 | certification information regarding volunteer
 39 | firefighters to the Division of State Fire Marshal;
 40 | amending s. 388.211, F.S.; providing the boundaries of
 41 | a mosquito control district may only be changed by
 42 | special act; amending s. 388.221, F.S.; reducing the
 43 | maximum millage rate for mosquito control districts;
 44 | providing an exception; amending s. 388.271, F.S.;
 45 | requiring, instead of authorizing, special districts
 46 | to file tentative work plans and work plan budgets at
 47 | specified intervals; requiring the Department of
 48 | Agriculture and Consumer Services to report to the
 49 | Department of Commerce if certain special districts
 50 | fail to submit specified information; providing an

ENROLLED

CS/CS/HB 7013, Engrossed 1

2024 Legislature

51 effective date.

52

53 Be It Enacted by the Legislature of the State of Florida:

54

55 Section 1. Section 163.3756, Florida Statutes, is
 56 repealed.

57 Section 2. Section 163.504, Florida Statutes, is amended
 58 to read:

59 163.504 Safe neighborhood improvement districts; formation
 60 authorized by ordinance; jurisdictional boundaries; prohibition
 61 on future creation.—

62 (1) The governing body of any municipality or county may
 63 authorize the formation of safe neighborhood improvement
 64 districts through the adoption of a planning ordinance which
 65 specifies that such districts may be created by one or more of
 66 the methods established in ss. 163.506, 163.508, 163.511, and
 67 163.512. No district may overlap the jurisdictional boundaries
 68 of a municipality and the unincorporated area of a county,
 69 except by interlocal agreement.

70 (2) A safe neighborhood improvement district may not be
 71 created on or after July 1, 2024. A safe neighborhood
 72 improvement district in existence before July 1, 2024, may
 73 continue to operate as provided in this part.

74 Section 3. Section 165.0615, Florida Statutes, is
 75 repealed.

ENROLLED

CS/CS/HB 7013, Engrossed 1

2024 Legislature

76 Section 4. Section 189.0312, Florida Statutes, is created
77 to read:

78 189.0312 Independent special districts; term of office.-

79 (1) A member elected by the qualified electors of the
80 district to the governing body of an independent special
81 district may not serve for more than 12 consecutive years,
82 unless the district's charter provides for more restrictive
83 terms of office. Service of a term of office that commenced
84 before November 5, 2024, does not count toward the limitation
85 imposed by this subsection.

86 (2) This section does not apply to a community development
87 district established under chapter 190, or an independent
88 special district created pursuant to a special act that provides
89 that any amendment to chapter 190 to grant additional powers
90 constitutes a power of the district.

91 (3) This section does not require an independent special
92 district governed by an appointed governing body to convert to
93 an elected governing body.

94 Section 5. Section 189.0313, Florida Statutes, is created
95 to read:

96 189.0313 Independent special districts; boundaries;
97 exception.-Notwithstanding any special law or general law of
98 local application to the contrary, the boundaries of an
99 independent special district shall only be changed by general
100 law or special act. This section does not apply to a community

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101 development district established pursuant to chapter 190.
 102 Section 6. Subsections (1) and (2) of section 189.062,
 103 Florida Statutes, are amended to read:
 104 189.062 Special procedures for inactive districts.—
 105 (1) The department shall declare inactive any special
 106 district in this state by documenting that:
 107 (a) The special district meets one of the following
 108 criteria:
 109 1. The registered agent of the district, the chair of the
 110 governing body of the district, or the governing body of the
 111 appropriate local general-purpose government notifies the
 112 department in writing that the district has taken no action for
 113 2 or more years;
 114 2. The registered agent of the district, the chair of the
 115 governing body of the district, or the governing body of the
 116 appropriate local general-purpose government notifies the
 117 department in writing that the district has not had a governing
 118 body or a sufficient number of governing body members to
 119 constitute a quorum for 2 or more years;
 120 3. The registered agent of the district, the chair of the
 121 governing body of the district, or the governing body of the
 122 appropriate local general-purpose government fails to respond to
 123 an inquiry by the department within 21 days;
 124 4. The department determines, pursuant to s. 189.067, that
 125 the district has failed to file any of the reports listed in s.

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126 | 189.066;

127 | 5. The district has not had a registered office and agent
128 | on file with the department for 1 or more years; ~~or~~

129 | 6. The governing body of a special district provides
130 | documentation to the department that it has unanimously adopted
131 | a resolution declaring the special district inactive. The
132 | special district is responsible for payment of any expenses
133 | associated with its dissolution;;

134 | 7. The district is an independent special district or a
135 | community redevelopment district created under part III of
136 | chapter 163 that has reported no revenue, no expenditures, and
137 | no debt under s. 189.016(9) or s. 218.32 for at least 5
138 | consecutive fiscal years beginning no earlier than October 1,
139 | 2018. This subparagraph does not apply to a community
140 | development district established under chapter 190 or to any
141 | independent special district operating pursuant to a special act
142 | that provides that any amendment to chapter 190 to grant
143 | additional powers constitutes a power of that district; or

144 | 8. For a mosquito control district created pursuant to
145 | chapter 388, the department has received notice from the
146 | Department of Agriculture and Consumer Services that the
147 | district has failed to file a tentative work plan and tentative
148 | detailed work plan budget as required by s. 388.271.

149 | (b) The department, special district, or local general-
150 | purpose government has published a notice of proposed

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151 declaration of inactive status in a newspaper of general
152 circulation in the county or municipality in which the territory
153 of the special district is located and has sent a copy of such
154 notice by certified mail to the registered agent or chair of the
155 governing body, if any. If the special district is a dependent
156 special district with a governing body that is not identical to
157 the governing body of a single county or a single municipality,
158 a copy of such notice must also be sent by certified mail to the
159 governing body of the county or municipality on which the
160 district is dependent. Such notice must include the name of the
161 special district, the law under which it was organized and
162 operating, a general description of the territory included in
163 the special district, and a statement that any objections must
164 be filed pursuant to chapter 120 within 30 ~~21~~ days after the
165 publication date. The objections may include that the special
166 district has outstanding debt obligations that are not included
167 in reports required under s. 189.016(9) or s. 218.32.

168 (c) Thirty ~~Twenty-one~~ days have elapsed from the
169 publication date of the notice of proposed declaration of
170 inactive status and no administrative appeals were filed.

171 (2) If any special district is declared inactive pursuant
172 to this section, the district may only expend funds as necessary
173 to service outstanding debt and to comply with existing bond
174 covenants and other contractual obligations. The property or
175 assets of the special district are subject to legal process for

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176 | payment of any debts of the district. After the payment of all
 177 | the debts of said inactive special district, the remainder of
 178 | its property or assets shall escheat to the county or
 179 | municipality wherein located. If, however, it shall be
 180 | necessary, in order to pay any such debt, to levy any tax or
 181 | taxes on the property in the territory or limits of the inactive
 182 | special district, the same may be assessed and levied by order
 183 | of the local general-purpose government wherein the same is
 184 | situated and shall be assessed by the county property appraiser
 185 | and collected by the county tax collector.

186 | Section 7. Section 189.0694, Florida Statutes, is created
 187 | to read:

188 | 189.0694 Special districts; performance measures and
 189 | standards.-

190 | (1) Beginning October 1, 2024, or by the end of the first
 191 | full fiscal year after its creation, whichever is later, each
 192 | special district must establish goals and objectives for each
 193 | program and activity undertaken by the district, as well as
 194 | performance measures and standards to determine if the
 195 | district's goals and objectives are being achieved.

196 | (2) By December 1 of each year thereafter, each special
 197 | district must publish an annual report on the district's website
 198 | describing:

199 | (a) The goals and objectives achieved by the district, as
 200 | well as the performance measures and standards used by the

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201 district to make this determination.

202 (b) Any goals or objectives the district failed to
 203 achieve.

204 Section 8. Paragraph (c) is added to subsection (3) of
 205 section 189.0695, Florida Statutes, to read:

206 189.0695 Independent special districts; performance
 207 reviews.—

208 (3) The Office of Program Policy Analysis and Government
 209 Accountability must conduct a performance review of all
 210 independent special districts within the classifications
 211 described in paragraphs (a), ~~and~~ (b), and (c) and may contract
 212 as needed to complete the requirements of this subsection. The
 213 Office of Program Policy Analysis and Government Accountability
 214 shall submit the final report of the performance review to the
 215 President of the Senate and the Speaker of the House of
 216 Representatives as follows:

217 (c) For all safe neighborhood improvement districts as
 218 defined in s. 163.503(1), no later than September 30, 2025.

219 Section 9. Section 190.047, Florida Statutes, is repealed.

220 Section 10. Subsection (3) is added to section 191.013,
 221 Florida Statutes, to read:

222 191.013 Intergovernmental coordination.—

223 (3) By October 1 of each year, each independent special
 224 fire control district shall report to the Division of State Fire
 225 Marshal regarding whether each of the district's volunteer

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226 firefighters has completed the required trainings and received
 227 the required certifications established by the division pursuant
 228 to s. 633.408.

229 Section 11. Section 388.211, Florida Statutes, is amended
 230 to read:

231 388.211 Change in district boundaries.—

232 ~~(1) The boundaries of each district may only be changed by~~
 233 ~~a special act of the Legislature The board of commissioners of~~
 234 ~~any district formed prior to July 1, 1980, may, for and on~~
 235 ~~behalf of the district or the qualified electors within or~~
 236 ~~without the district, request that the board of county~~
 237 ~~commissioners in each county having land within the district~~
 238 ~~approve a change in the boundaries of the district.~~

239 ~~(2) If the board of county commissioners approves such~~
 240 ~~change, an amendment shall be made to the order creating the~~
 241 ~~district to conform with the boundary change.~~

242 Section 12. Subsection (1) of section 388.221, Florida
 243 Statutes, is amended to read:

244 388.221 Tax levy.—

245 (1) The board of commissioners of such district may levy
 246 upon all of the real and personal taxable property in said
 247 district a special tax not exceeding 1 mill ~~10 mills~~ on the
 248 dollar during each year as maintenance tax to be used solely for
 249 the purposes authorized and prescribed by this chapter. The
 250 board of commissioners of a district may increase such special

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251 tax to no more than 2 mills on the dollar if the increase is
252 approved by a referendum of the qualified electors of the
253 district held at a general election. Said board shall by
254 resolution certify to the property appraiser of the county in
255 which the property is situate, timely for the preparation of the
256 tax roll, the tax rate to be applied in determining the amount
257 of the district's annual maintenance tax. Certified copies of
258 such resolution executed in the name of said board by its chair
259 and secretary and under its corporate seal shall be made and
260 delivered to the property appraiser and the board of county
261 commissioners of the county in which such district is located,
262 and to the Department of Revenue not later than September 30 of
263 such year. The property appraiser of said county shall assess
264 and the tax collector of said county shall collect the amount of
265 taxes so assessed and levied by said board of commissioners of
266 said district upon all of the taxable real and personal property
267 in said district at the rate of taxation adopted by said board
268 for said year and included in said resolution, and said levy
269 shall be included in the warrants of the property appraiser and
270 attached to the assessment roll of taxes for said county each
271 year. The tax collector shall collect such taxes so levied by
272 said board in the same manner as other taxes are collected and
273 shall pay the same within the time and in the manner prescribed
274 by law to the treasurer of said board. The Department of Revenue
275 shall assess and levy on all the railroad lines and railroad

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276 | property and telegraph and telephone lines and telegraph and
 277 | telephone property situated in said district in the amount of
 278 | each such levy as in case of other state and county taxes and
 279 | shall collect said taxes thereon in the same manner as it is
 280 | required by law to assess and collect taxes for state and county
 281 | purposes and remit the same to the treasurer of said board. All
 282 | such taxes shall be held by said treasurer for the credit of
 283 | said board and paid out by him or her as ordered by said board.

284 | Section 13. Subsection (1) of section 388.271, Florida
 285 | Statutes, is amended, and subsection (3) is added to that
 286 | section, to read:

287 | 388.271 Prerequisites to participation.—

288 | (1) When state funds are involved, it is the duty of the
 289 | department to guide, review, approve, and coordinate the
 290 | activities of all county governments and special districts
 291 | receiving state funds in furtherance of the goal of integrated
 292 | arthropod control. Each county ~~or district~~ eligible to
 293 | participate ~~hereunder~~ may, and each district must, begin
 294 | participation on October 1 of any year by filing with the
 295 | department not later than July 15 a tentative work plan and
 296 | tentative detailed work plan budget providing for the control of
 297 | arthropods. Following approval of the plan and budget by the
 298 | department, two copies of the county's or district's certified
 299 | budget based on the approved work plan and detailed work plan
 300 | budget shall be submitted to the department by September 30

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301 following. State funds, supplies, and services shall be made
302 available to such county or district by and through the
303 department immediately upon release of funds by the Executive
304 Office of the Governor.

305 (3) If a special district fails to submit a tentative work
306 plan and tentative detailed work plan budget as required by
307 subsection (1), the department shall send notice of such failure
308 to the Department of Commerce within 30 days.

309 Section 14. This act shall take effect July 1, 2024.

MEMO

To: Board of Supervisors

From: James P. Ward

Date: March 13, 2024

Re: Commission on Ethics newly established Electronic Financial Disclosure Management System ("EFDMS") website registration, Financial Disclosure Forms, and Required Ethics Training

Beginning January 1, 2024, the Florida Commission on Ethics has enacted new procedures for electronic filing of Financial Disclosure forms for Public Officials, as a means of submitting Forms and updating your Filer contact information.

To access the newly established Electronic Financial Disclosure Management System ("EFDMS"), visit the login page (<https://disclosure.floridaethics.gov/Account/Login>) and watch the instructional video for directions on how to register/confirm registration.

If you have filed a Form 1 before, click "I am a Filer" and follow the prompts.

Instructions, FAQs, and tutorials are available from the dashboard within EFDMS. Additional assistance can be obtained Monday-Friday from 8:00 a.m. until 5:00 p.m. by contacting the Commission directly.

Financial disclosure forms are due on or before July 1, 2024 for the preceding calendar year. A grace period is in effect until September 1. If the disclosure is not filed or postmarked by September 1, an automatic fine of \$25 per day will begin to accrue and will continue to build until the disclosure is filed, or the fine reaches \$1,500.

If you have an annual filing requirement AND will be running for office as a qualified elector in November, then you will need to complete your disclosure in EFDMS and submit your filing electronically to the Commission, then print a verification/receipt for e-filing your form or print a copy of your disclosure to file with your Qualifying Officer packet.

It is imperative that each filer take the time to confirm their registration on the EFDMS site, in order to ensure that the Florida Commission on Ethics has updated and correct contact information. All communication about filing requirements and due dates for filers will be provided via email only. Filers MUST maintain a current email address in EFDMS. By law, failure to maintain a current email address will not qualify as an "unusual circumstance" during an appeal of an automatic fine for failure to timely file a Form.

If the annual form is not submitted via the electronic filing system created and maintained by the Florida Commission on Ethics by September 3, 2024, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office [s. 112.3145, F.S.].

In addition, failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office, or a civil penalty not exceeding \$10,000. [s. 112.317, F.S.].

Also beginning January 1, 2024, all elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31st of the year for which you are filing, are now required to complete four (4) hours of Ethics Training each calendar year. The four (4) hours of Ethics Training shall be allocated amongst the following categories:

- two (2) hours of ethics law,
- one (1) hour of Sunshine Law; and
- one (1) hour of Public Records law.

Please note that the four (4) hours of the Ethics Training do not have to be completed all at once. Supervisors will report their 2024 training when they fill out their Form 1 (Statement of Financial Interests) for the 2025 year by checking a box confirming that they have completed the annual Ethics Training.

It is highly recommended that you keep a record of all ethics training used to satisfy the Ethics Training requirements. At present, there is no need to submit a certificate or letter of completion of the Ethics Training. However, the Florida Commission on Ethics (“COE”) advises that Supervisors maintain a record in the event they are asked to provide proof of completion of all Ethics Training.

Additionally, you may be solicited by a private organization (Florida Association of Special Districts) – to take their Ethics Training Course on their platform for which there is a fee. **You are NOT required to use their services nor pay the fees they charge.** There are several free online resources and links to resources that Supervisors might find helpful, including free training for the two (2) hour ethics portion and links to outside trainings which can be used to satisfy the other categories of the Ethics Training. **You may take training from any source you choose.**

State Ethics Laws for Constitutional Officers & Elected Municipal Officers (Video Tutorial):

<https://youtu.be/U8JktIMKzyl>

Office of the Attorney General offers training on Sunshine Law and Public Records Law (22-page presentation):

<https://www.myfloridalegal.com/sites/default/files/2023-05/opengovernmentoverview.pdf>

Office of the Attorney General 2-hour Audio Presentation regarding Public Meetings and Public Records Law:

<https://www.myfloridalegal.com/sites/default/files/Full%2520audio%25202018%5B2%5D.mp3>

As always, if you have any questions regarding this information, please feel free to contact me directly at 954-658-4900.



JAMES SATCHER
MANATEE COUNTY SUPERVISOR OF ELECTIONS

600 301 Boulevard West, Suite 108, Bradenton, FL 34205-7946
PO Box 1000, Bradenton, FL 34206-1000

Phone 941-741-3823 • Fax 941-741-3820
Info@VoteManatee.gov • VoteManatee.gov

April 19, 2024

Heritage Harbour Marketplace
Attn: Cori Dissinger
J.P. Ward & Associates, LLC
2301 NE 37th St
Fort Lauderdale FL 33308

Dear Cori Dissinger,

We are in receipt of your request for the number of registered voters in the Heritage Harbour Market Place Community Development District of April 15, 2024. According to our records, there were 0 persons registered in the Heritage Harbour Market Place Community Development District as of that date.

I hope this information is helpful to you. If I can be of any further assistance to you, please do not hesitate to contact my office at your earliest convenience.

Sincerely,

James Satcher
Supervisor of Elections

JS/sas

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT



FINANCIAL STATEMENTS - JANUARY 31, 2024

FISCAL YEAR 2024

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

Heritage Harbour Market Place Community Development District

Balance Sheet - All Funds and Account Groups

as of January 31, 2024

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	General Fund	Debt Service Fund	Capital Projects Fund	General Long Term Debt	General Fixed Assets	
Assets						
Cash and Investments						
Capital Projects Fund-Deferred Cost Account	\$ 370,722	\$ -	\$ -	\$ -	\$ -	\$ 370,722
Debt Service Fund						
Revenue Account	-	84,051	-	-	-	84,051
Reserve Account	-	200,000	-	-	-	200,000
Interest Account	-	-	-	-	-	-
Sinking Fund	-	0	-	-	-	0
Due from Other Funds						
General Fund	-	-	-	-	-	-
Debt Service - Series 2005	-	205,390	-	-	-	205,390
Capital Projects Fund	-	-	-	-	-	-
Market Valuation Adjustments	-	-	-	-	-	-
Due from Other Governments	-	-	-	-	-	-
Assessments Receivable	-	-	-	-	-	-
Prepaid Expenses	-	-	-	-	-	-
Amount Available in Debt Service Funds	-	-	-	489,442	-	489,442
Amount to be Provided by Debt Service Funds	-	-	-	9,275,558	-	9,275,558
General Fixed Assets	-	-	-	-	4,346,527	4,346,527
Total Assets	\$ 370,722	\$ 489,442	\$ -	\$ 9,765,000	\$ 4,346,527	\$ 14,971,691

Heritage Harbour Market Place Community Development District

Balance Sheet - All Funds and Account Groups

as of January 31, 2024

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	General Fund	Debt Service Fund	Capital Projects Fund	General Long Term Debt	General Fixed Assets	
Liabilities						
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Revenue	-	-	-	-	-	-
Due to Other Governments	-	-	-	-	-	-
Due to Other Funds						
General Fund	-	-	-	-	-	-
Debt Service - Series 2005	205,390	-	-	-	-	205,390
Matured Bonds Payable - Series 2005	-	-	-	-	-	-
Matured Interest Payable - Series 2005	-	-	-	-	-	-
Bonds Payable - Series 2005	-	-	-	9,765,000	-	9,765,000
Total Liabilities	\$ 205,390	\$ -	\$ -	\$ 9,765,000	\$ -	\$ 9,970,390
Fund Equity and Other Credits						
Investment in General Fixed Assets	-	-	-	-	4,346,527	4,346,527
Fund Balance						
Restricted						
Beginning: October 1, 2023	-	338,030	-	-	-	338,030
Results from Current Operations	-	151,412	-	-	-	151,412
Unassigned						
Beginning: October 1, 2023	148,523	-	-	-	-	148,523
Results from Current Operations	16,809	-	-	-	-	16,809
Total Fund Equity and Other Credits	165,332	489,442	-	-	4,346,527	5,001,301
Total Liabilities, Fund Equity and Other Credits	\$ 370,722	\$ 489,442	\$ -	\$ 9,765,000	\$ 4,346,527	\$ 14,971,691

Heritage Harbour Market Place Community Development District

General Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending January 31, 2024**

	October	November	December	January	Year to Date	Annual Budget	% of Budget
Revenue and Other Sources							
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	N/A
Interest							
Interest - General Checking	1	1	1	1	6	-	N/A
Special Assessment Revenue							
Special Assessments - Uniform Method				17,183	17,183	28,398	61%
Special Assessments - Non-Uniform Mthd	27,017	69	4,865	11,408	43,359	61,241	71%
Inter-Fund Group Transfers In	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 27,018	\$ 70	\$ 4,867	\$ 28,592	\$ 60,547	\$ 89,639	68%
Expenditures and Other Uses							
Legislative							
Board of Supervisor's Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600	0%
Board of Supervisor's - FICA	-	-	-	-	-	46	0%
Executive							
Executive Salaries	3,750	3,750	3,750	3,750	15,000	45,000	33%
Executive Salaries - FICA	287	287	287	287	1,148	3,443	33%
Executive Salaries - Insurance						-	N/A
Financial and Administrative							
Audit Services			6,300		6,300	6,300	100%
Accounting Services		405	355	575	1,335	2,600	51%
Assessment Roll Preparation						-	N/A
Arbitrage Rebate Services			500		500	500	100%
Other						-	N/A
Other Contractual Services							
Recording and Transcription						150	0%
Legal Advertising						2,400	0%
Trustee Services	5,064				5,064	5,065	100%
Dissemination Agent Services		5,000	-		5,000	5,000	100%
Property Appraiser Fees						-	N/A
Bank Services	75	124	23	22	245	500	49%
Travel and Per Diem						-	N/A
Communications & Freight Services							
Telephone						-	N/A
Postage, Freight & Messenger						50	0%

Heritage Harbour Market Place Community Development District

General Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending January 31, 2024**

	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>Year to Date</u>	<u>Annual Budget</u>	<u>% of Budget</u>
Rentals & Leases							
Miscellaneous Equipment Leasing					-	-	N/A
Computer Services and Website Development	1,676	100	-		1,776	7,560	23%
Insurance	7,195				7,195	7,200	100%
Printing & Binding					-	50	0%
Office Supplies					-	-	N/A
Subscription & Memberships		175	-		175	175	100%
Legal Services							
Legal - General Counsel					-	3,000	0%
Legal - Litigation Counsel					-	-	N/A
Comprehensive Planning							
Professional Services-Planning	-	-	-	-	-	-	N/A
Other General Government Services							
Engineering Services - General Fund	-	-	-	-	-	-	N/A
Stormwater Needs Analysis	-	-	-	-	-	-	N/A
Property Owner Refunds	-	-	-	-	-	-	N/A
Payroll Expenses	-	-	-	-	-	-	N/A
Capital Outlay	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ 18,048	\$ 9,841	\$ 11,215	\$ 4,634	\$ 43,738	\$ 89,639	49%
 Net Increase/ (Decrease) of Fund Balance	8,971	(9,771)	(6,348)	23,958	16,809	N/A	
Fund Balance - Beginning	148,523	157,494	147,723	141,374	148,523	149,136	
Fund Balance - Ending	<u>\$ 157,494</u>	<u>\$ 147,723</u>	<u>\$ 141,374</u>	<u>\$ 165,332</u>	<u>\$ 165,332</u>	<u>\$ 149,136</u>	

Heritage Harbour Market Place Community Development District

Debt Service Fund - Series 2005 Bonds

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending January 31, 2024**

	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Revenue and Other Sources							
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income							
Revenue Account	395	843	102	237	1,576	-	N/A
Reserve Account	879	909	873	897	3,559	10	35589%
Interest Account					-	-	N/A
Sinking Fund Account					-	-	N/A
Special Assessment Revenue							
Special Assessments - Uniform Method		820	58,158	205,390	264,369	339,420	78%
Special Assessments - Non-Uniform Mthd	170,028				170,028	791,810	21%
Inter-Fund Group Transfers In	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 171,302	\$ 2,572	\$ 59,133	\$ 206,525	\$ 439,532	\$ 1,131,240	39%
Expenditures and Other Uses							
Debt Service							
Principal - Mandatory	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 555,000	0%
Principal - Early Redemptions	-	-	-	-	-	-	N/A
Interest Expense	-	288,120	-	-	288,120	576,240	50%
Legal Services							
Legal - Foreclosure Counsel	-	-	-	-	-	-	N/A
Operating Transfers Out	-	-	-	-	-	-	N/A
Inter-Fund Group Transfers Out	-	-	-	-	-	-	N/A
Trustee Services	-	-	-	-	-	-	N/A
GF-Litigation (Parcel 19/20)	-	-	-	-	-	-	N/A
CPF-Deferred Cost Account	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 288,120	\$ -	\$ -	\$ 288,120	\$ 1,131,240	25%
Net Increase/ (Decrease) of Fund Balance	171,302	(285,548)	59,133	206,525	151,412	-	
Fund Balance - Beginning	338,030	509,332	223,784	282,917	338,030	329,711	
Fund Balance - Ending	<u>\$ 509,332</u>	<u>\$ 223,784</u>	<u>\$ 282,917</u>	<u>\$ 489,442</u>	<u>\$ 489,442</u>	<u>\$ 329,711</u>	

Heritage Harbour Market Place Community Development District

Capital Projects Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending January 31, 2024**

	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Revenue and Other Sources							
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income							
Deferred Cost Account	-	-	-	-	-	-	N/A
Operating Transfers In	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>N/A</u>
Expenditures and Other Uses							
Flood Control - Stormwater Management							
Engineering Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Legal Services	-	-	-	-	-	-	N/A
Operating Transfers Out	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>N/A</u>
Net Increase/ (Decrease) of Fund Balance	-	-	-	-	-	-	
Fund Balance - Beginning	-	-	-	-	-	-	
Fund Balance - Ending	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT



FINANCIAL STATEMENTS - FEBRUARY 29, 2024

FISCAL YEAR 2024

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

Heritage Harbour Market Place Community Development District

Balance Sheet - All Funds and Account Groups

as of February 29, 2024

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	General Fund	Debt Service Fund	Capital Projects Fund	General Long Term Debt	General Fixed Assets	
Assets						
Cash and Investments						
Capital Projects Fund-Deferred Cost Account	\$ 166,139	\$ -	\$ -	\$ -	\$ -	\$ 166,139
Debt Service Fund						
Revenue Account	-	367,429	-	-	-	367,429
Reserve Account	-	200,000	-	-	-	200,000
Interest Account	-	-	-	-	-	-
Sinking Fund	-	0	-	-	-	0
Due from Other Funds						
General Fund	-	-	-	-	-	-
Debt Service - Series 2005	-	-	-	-	-	-
Capital Projects Fund	-	-	-	-	-	-
Market Valuation Adjustments	-	-	-	-	-	-
Due from Other Governments	-	-	-	-	-	-
Assessments Receivable	-	-	-	-	-	-
Prepaid Expenses	-	-	-	-	-	-
Amount Available in Debt Service Funds	-	-	-	567,429	-	567,429
Amount to be Provided by Debt Service Funds	-	-	-	9,197,571	-	9,197,571
General Fixed Assets	-	-	-	-	4,346,527	4,346,527
Total Assets	\$ 166,139	\$ 567,429	\$ -	\$ 9,765,000	\$ 4,346,527	\$ 14,845,095

Heritage Harbour Market Place Community Development District

Balance Sheet - All Funds and Account Groups

as of February 29, 2024

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	General Fund	Debt Service Fund	Capital Projects Fund	General Long Term Debt	General Fixed Assets	
Liabilities						
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Revenue	-	-	-	-	-	-
Due to Other Governments	-	-	-	-	-	-
Due to Other Funds						
General Fund	-	-	-	-	-	-
Debt Service - Series 2005	-	-	-	-	-	-
Matured Bonds Payable - Series 2005	-	-	-	-	-	-
Matured Interest Payable - Series 2005	-	-	-	-	-	-
Bonds Payable - Series 2005	-	-	-	9,765,000	-	9,765,000
Total Liabilities	\$ -	\$ -	\$ -	\$ 9,765,000	\$ -	\$ 9,765,000
Fund Equity and Other Credits						
Investment in General Fixed Assets	-	-	-	-	4,346,527	4,346,527
Fund Balance						
Restricted						
Beginning: October 1, 2023	-	338,030	-	-	-	338,030
Results from Current Operations	-	229,399	-	-	-	229,399
Unassigned						
Beginning: October 1, 2023	148,523	-	-	-	-	148,523
Results from Current Operations	17,616	-	-	-	-	17,616
Total Fund Equity and Other Credits	166,139	567,429	-	-	4,346,527	5,080,095
Total Liabilities, Fund Equity and Other Credits	\$ 166,139	\$ 567,429	\$ -	\$ 9,765,000	\$ 4,346,527	\$ 14,845,095

Heritage Harbour Market Place Community Development District

**General Fund
Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending February 29, 2024**

	October	November	December	January	February	Year to Date	Annual Budget	% of Budget
Revenue and Other Sources								
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	N/A
Interest								
Interest - General Checking	1	1	1	1	1	7	-	N/A
Special Assessment Revenue								
Special Assessments - Uniform Method				17,183	6,419	23,601	28,398	83%
Special Assessments - Non-Uniform Mthd	27,017	69	4,865	11,408		43,359	61,241	71%
Inter-Fund Group Transfers In								
	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 27,018	\$ 70	\$ 4,867	\$ 28,592	\$ 6,420	\$ 66,967	\$ 89,639	75%
Expenditures and Other Uses								
Legislative								
Board of Supervisor's Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600	0%
Board of Supervisor's - FICA	-	-	-	-	-	-	46	0%
Executive								
Executive Salaries	3,750	3,750	3,750	3,750	3,750	18,750	45,000	42%
Executive Salaries - FICA	287	287	287	287	287	1,434	3,443	42%
Executive Salaries - Insurance						-	-	N/A
Financial and Administrative								
Audit Services			6,300			6,300	6,300	100%
Accounting Services		405	355	575	540	1,875	2,600	72%
Assessment Roll Preparation						-	-	N/A
Arbitrage Rebate Services			500			500	500	100%
Other						-	-	N/A
Other Contractual Services								
Recording and Transcription						-	150	0%
Legal Advertising						-	2,400	0%
Trustee Services	5,064					5,064	5,065	100%
Dissemination Agent Services		5,000	-			5,000	5,000	100%
Property Appraiser Fees						-	-	N/A
Bank Services	75	124	23	22	157	401	500	80%
Travel and Per Diem								
						-	-	N/A
Communications & Freight Services								
Telephone						-	-	N/A
Postage, Freight & Messenger						-	50	0%

Heritage Harbour Market Place Community Development District

General Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending February 29, 2024**

	October	November	December	January	February	Year to Date	Annual Budget	% of Budget
Rentals & Leases								
Miscellaneous Equipment Leasing						-	-	N/A
Computer Services and Website								
Development	1,676	100	-			1,776	7,560	23%
Insurance	7,195					7,195	7,200	100%
Printing & Binding						-	50	0%
Office Supplies						-	-	N/A
Subscription & Memberships		175	-			175	175	100%
Legal Services								
Legal - General Counsel					880	880	3,000	29%
Legal - Litigation Counsel						-	-	N/A
Comprehensive Planning								
Professional Services-Planning	-	-	-	-	-	-	-	N/A
Other General Government Services								
Engineering Services - General Fund	-	-	-	-	-	-	-	N/A
Stormwater Needs Analysis	-	-	-	-	-	-	-	N/A
Property Owner Refunds	-	-	-	-	-	-	-	N/A
Payroll Expenses	-	-	-	-	-	-	-	N/A
Capital Outlay	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ 18,048	\$ 9,841	\$ 11,215	\$ 4,634	\$ 5,613	\$ 49,351	\$ 89,639	55%
Net Increase/ (Decrease) of Fund Balance	8,971	(9,771)	(6,348)	23,958	807	17,616	N/A	
Fund Balance - Beginning	148,523	157,494	147,723	141,374	165,332	148,523	149,136	
Fund Balance - Ending	<u>\$ 157,494</u>	<u>\$ 147,723</u>	<u>\$ 141,374</u>	<u>\$ 165,332</u>	<u>\$ 166,139</u>	<u>\$ 166,139</u>	<u>\$ 149,136</u>	

Heritage Harbour Market Place Community Development District

**Debt Service Fund - Series 2005 Bonds
Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending February 29, 2024**

	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>February</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Revenue and Other Sources								
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income								
Revenue Account	395	843	102	237	373	1,950	-	N/A
Reserve Account	879	909	873	897	889	4,448	10	44482%
Interest Account						-	-	N/A
Sinking Fund Account						-	-	N/A
Special Assessment Revenue								
Special Assessments - Uniform Method		820	58,158	205,390	76,725	341,094	339,420	100%
Special Assessments - Non-Uniform Mthd	170,028					170,028	791,810	21%
Inter-Fund Group Transfers In	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 171,302	\$ 2,572	\$ 59,133	\$ 206,525	\$ 77,988	\$ 517,519	\$ 1,131,240	46%
Expenditures and Other Uses								
Debt Service								
Principal - Mandatory	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 555,000	0%
Principal - Early Redemptions	-	-	-	-	-	-	-	N/A
Interest Expense	-	288,120	-	-	-	288,120	576,240	50%
Legal Services								
Legal - Foreclosure Counsel	-	-	-	-	-	-	-	N/A
Operating Transfers Out	-	-	-	-	-	-	-	N/A
Inter-Fund Group Transfers Out	-	-	-	-	-	-	-	N/A
Trustee Services	-	-	-	-	-	-	-	N/A
GF-Litigation (Parcel 19/20)	-	-	-	-	-	-	-	N/A
CPF-Deferred Cost Account	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 288,120	\$ -	\$ -	\$ -	\$ 288,120	\$ 1,131,240	25%
Net Increase/ (Decrease) of Fund Balance	171,302	(285,548)	59,133	206,525	77,988	229,399	-	
Fund Balance - Beginning	338,030	509,332	223,784	282,917	489,442	338,030	329,711	
Fund Balance - Ending	<u>\$ 509,332</u>	<u>\$ 223,784</u>	<u>\$ 282,917</u>	<u>\$ 489,442</u>	<u>\$ 567,429</u>	<u>\$ 567,429</u>	<u>\$ 329,711</u>	

Heritage Harbour Market Place Community Development District

Capital Projects Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending February 29, 2024**

	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>February</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Revenue and Other Sources								
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income								
Deferred Cost Account	-	-	-	-	-	-	-	N/A
Operating Transfers In	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>N/A</u>
Expenditures and Other Uses								
Flood Control - Stormwater Management								
Engineering Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Legal Services	-	-	-	-	-	-	-	N/A
Operating Transfers Out	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>N/A</u>
Net Increase/ (Decrease) of Fund Balance	-	-	-	-	-	-	-	-
Fund Balance - Beginning	-	-	-	-	-	-	-	-
Fund Balance - Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	

HERITAGE HARBOUR MARKET PLACE COMMUNITY DEVELOPMENT DISTRICT



FINANCIAL STATEMENTS - MARCH 31, 2024

FISCAL YEAR 2024

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

Heritage Harbour Market Place Community Development District

Balance Sheet - All Funds and Account Groups

as of March 31, 2024

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	General Fund	Debt Service Fund	Capital Projects Fund	General Long Term Debt	General Fixed Assets	
Assets						
Cash and Investments						
Capital Projects Fund-Deferred Cost Account	\$ 161,042	\$ -	\$ -	\$ -	\$ -	\$ 161,042
Debt Service Fund						
Revenue Account	-	369,421	-	-	-	369,421
Reserve Account	-	200,000	-	-	-	200,000
Interest Account	-	-	-	-	-	-
Sinking Fund	-	0	-	-	-	0
Due from Other Funds						
General Fund	-	-	-	-	-	-
Debt Service - Series 2005	-	-	-	-	-	-
Capital Projects Fund	-	-	-	-	-	-
Market Valuation Adjustments	-	-	-	-	-	-
Due from Other Governments	-	-	-	-	-	-
Assessments Receivable	-	-	-	-	-	-
Prepaid Expenses	-	-	-	-	-	-
Amount Available in Debt Service Funds	-	-	-	569,421	-	569,421
Amount to be Provided by Debt Service Funds	-	-	-	9,195,579	-	9,195,579
General Fixed Assets	-	-	-	-	4,346,527	4,346,527
Total Assets	\$ 161,042	\$ 569,421	\$ -	\$ 9,765,000	\$ 4,346,527	\$ 14,841,990

Heritage Harbour Market Place Community Development District

Balance Sheet - All Funds and Account Groups

as of March 31, 2024

	Governmental Funds			Account Groups		Totals (Memorandum Only)
	General Fund	Debt Service Fund	Capital Projects Fund	General Long Term Debt	General Fixed Assets	
Liabilities						
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Revenue	-	-	-	-	-	-
Due to Other Governments	-	-	-	-	-	-
Due to Other Funds						
General Fund	-	-	-	-	-	-
Debt Service - Series 2005	-	-	-	-	-	-
Matured Bonds Payable - Series 2005	-	-	-	-	-	-
Matured Interest Payable - Series 2005	-	-	-	-	-	-
Bonds Payable - Series 2005	-	-	-	9,765,000	-	9,765,000
Total Liabilities	\$ -	\$ -	\$ -	\$ 9,765,000	\$ -	\$ 9,765,000
Fund Equity and Other Credits						
Investment in General Fixed Assets	-	-		-	4,346,527	4,346,527
Fund Balance						
Restricted						
Beginning: October 1, 2023	-	338,030	-	-	-	338,030
Results from Current Operations	-	231,391	-	-	-	231,391
Unassigned						
Beginning: October 1, 2023	148,523	-	-	-	-	148,523
Results from Current Operations	12,519	-	-	-	-	12,519
Total Fund Equity and Other Credits	161,042	569,421	-	-	4,346,527	5,076,990
Total Liabilities, Fund Equity and Other Credits	\$ 161,042	\$ 569,421	\$ -	\$ 9,765,000	\$ 4,346,527	\$ 14,841,990

Heritage Harbour Market Place Community Development District

General Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending March 31, 2024**

	October	November	December	January	February	March	Year to Date	Annual Budget	% of Budget
Revenue and Other Sources									
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	-	N/A
Interest									
Interest - General Checking	1	1	1	1	1		7	-	N/A
Special Assessment Revenue									
Special Assessments - Uniform Method				17,183	6,419		23,601	28,398	83%
Special Assessments - Non-Uniform Mthd	27,017	69	4,865	11,408			43,359	61,241	71%
Inter-Fund Group Transfers In									
Total Revenue and Other Sources:	\$ 27,018	\$ 70	\$ 4,867	\$ 28,592	\$ 6,420	\$ -	\$ 66,967	\$ 89,639	75%
Expenditures and Other Uses									
Legislative									
Board of Supervisor's Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600	0%
Board of Supervisor's - FICA	-	-	-	-	-	-	-	46	0%
Executive									
Executive Salaries	3,750	3,750	3,750	3,750	3,750	3,750	22,500	45,000	50%
Executive Salaries - FICA	287	287	287	287	287	287	1,721	3,443	50%
Executive Salaries - Insurance									N/A
Financial and Administrative									
Audit Services			6,300				6,300	6,300	100%
Accounting Services		405	355	575	540	360	2,235	2,600	86%
Assessment Roll Preparation									N/A
Arbitrage Rebate Services			500				500	500	100%
Other									N/A
Other Contractual Services									
Recording and Transcription								150	0%
Legal Advertising								2,400	0%
Trustee Services	5,064						5,064	5,065	100%
Dissemination Agent Services		5,000	-				5,000	5,000	100%
Bond Amortization Schedules						500	500		N/A
Property Appraiser Fees									N/A
Bank Services	75	124	23	22	157		401	500	80%
Travel and Per Diem									
									N/A
Communications & Freight Services									
Telephone									N/A
Postage, Freight & Messenger								50	0%

Heritage Harbour Market Place Community Development District

General Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending March 31, 2024**

	October	November	December	January	February	March	Year to Date	Annual Budget	% of Budget
Rentals & Leases									
Miscellaneous Equipment Leasing							-	-	N/A
Computer Services and Website Development	1,676	100	-				1,776	7,560	23%
Insurance	7,195						7,195	7,200	100%
Printing & Binding							-	50	0%
Office Supplies							-	-	N/A
Subscription & Memberships		175	-				175	175	100%
Legal Services									
Legal - General Counsel					880	200	1,080	3,000	36%
Legal - Litigation Counsel							-	-	N/A
Comprehensive Planning									
Professional Services-Planning	-	-	-	-	-	-	-	-	N/A
Other General Government Services									
Engineering Services - General Fund	-	-	-	-	-	-	-	-	N/A
Stormwater Needs Analysis	-	-	-	-	-	-	-	-	N/A
Property Owner Refunds	-	-	-	-	-	-	-	-	N/A
Payroll Expenses	-	-	-	-	-	-	-	-	N/A
Capital Outlay	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ 18,048	\$ 9,841	\$ 11,215	\$ 4,634	\$ 5,613	\$ 5,097	\$ 54,448	\$ 89,639	61%
Net Increase/ (Decrease) of Fund Balance	8,971	(9,771)	(6,348)	23,958	807	(5,096.88)	12,519		N/A
Fund Balance - Beginning	148,523	157,494	147,723	141,374	165,332	166,139	148,523	149,136	
Fund Balance - Ending	<u>\$ 157,494</u>	<u>\$ 147,723</u>	<u>\$ 141,374</u>	<u>\$ 165,332</u>	<u>\$ 166,139</u>	<u>\$ 161,042</u>	<u>\$ 161,042</u>	<u>\$ 149,136</u>	

Heritage Harbour Market Place Community Development District

Debt Service Fund - Series 2005 Bonds

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending March 31, 2024**

	October	November	December	January	February	March	Year to Date	Budget	% of Budget
Revenue and Other Sources									
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income									
Revenue Account	395	843	102	237	373	1,160	3,110	-	N/A
Reserve Account	879	909	873	897	889	832	5,280	10	52803%
Interest Account							-	-	N/A
Sinking Fund Account							-	-	N/A
Special Assessment Revenue									
Special Assessments - Uniform Method		820	58,158	205,390	76,725	-	341,094	339,420	100%
Special Assessments - Non-Uniform Mthd	170,028						170,028	791,810	21%
Inter-Fund Group Transfers In	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 171,302	\$ 2,572	\$ 59,133	\$ 206,525	\$ 77,988	\$ 1,992	\$ 519,511	\$ 1,131,240	46%
Expenditures and Other Uses									
Debt Service									
Principal - Mandatory	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 555,000	0%
Principal - Early Redemptions	-	-	-	-	-	-	-	-	N/A
Interest Expense	-	288,120	-	-	-	-	288,120	576,240	50%
Legal Services									
Legal - Foreclosure Counsel	-	-	-	-	-	-	-	-	N/A
Operating Transfers Out	-	-	-	-	-	-	-	-	N/A
Inter-Fund Group Transfers Out	-	-	-	-	-	-	-	-	N/A
Trustee Services	-	-	-	-	-	-	-	-	N/A
GF-Litigation (Parcel 19/20)	-	-	-	-	-	-	-	-	N/A
CPF-Deferred Cost Account	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 288,120	\$ -	\$ -	\$ -	\$ -	\$ 288,120	\$ 1,131,240	25%
Net Increase/ (Decrease) of Fund Balance	171,302	(285,548)	59,133	206,525	77,988	1,992	231,391	-	
Fund Balance - Beginning	338,030	509,332	223,784	282,917	489,442	567,429	338,030	329,711	
Fund Balance - Ending	<u>\$ 509,332</u>	<u>\$ 223,784</u>	<u>\$ 282,917</u>	<u>\$ 489,442</u>	<u>\$ 567,429</u>	<u>\$ 569,421</u>	<u>\$ 569,421</u>	<u>\$ 329,711</u>	

Heritage Harbour Market Place Community Development District

Capital Projects Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending March 31, 2024**

	October	November	December	January	February	March	Year to Date	Budget	% of Budget
Revenue and Other Sources									
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income									
Deferred Cost Account	-	-	-	-	-	-	-	-	N/A
Operating Transfers In	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Expenditures and Other Uses									
Flood Control - Stormwater Management									
Engineering Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Legal Services	-	-	-	-	-	-	-	-	N/A
Operating Transfers Out	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Net Increase/ (Decrease) of Fund Balance	-	-	-	-	-	-	-	-	
Fund Balance - Beginning	-	-	-	-	-	-	-	-	
Fund Balance - Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	