

# **PALERMO COMMUNITY DEVELOPMENT DISTRICT**

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## **LANDOWNER AGENDA**

AUGUST 21, 2020

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PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2900 NORTHEAST 12<sup>TH</sup> TERRACE, SUITE 1, OAKLAND PARK, FL 33334

T: 954-658-4900 E: [JimWard@JPWardAssociates.com](mailto:JimWard@JPWardAssociates.com)

# PALERMO COMMUNITY DEVELOPMENT DISTRICT

August 12, 2020

Palermo Community Development District

Dear Landowners:

This Landowners Meeting of the River Landing Community Development District will be held on **Friday, August 21, 2020 at 8:30 A.M.**, at the offices of **Lennar Homes, LLC, 10481 Six Mile Cypress Parkway, Ft. Myers, Florida 33966**, and can be accessed through the Web address below.

**With the State of Emergency in Florida, and pursuant to Executive Orders 20-69, 20-112, 20-114, 20-150, and 20-179 issued by Governor DeSantis on March 20, 2020, April 29, 2020, May 8, 2020, June 23, 2020, and July 29, 2020 respectively, and pursuant to Section 120.54(5)9b)2., Florida, Statutes, this meeting will be held utilizing communication media technology due to the current COVID-19 public health emergency.**

**Event address for attendees:**

<https://districts.webex.com/districts/onstage/g.php?MTID=e984178587ee06e25ee604d9ba1036134>

**Access Code:** 129 382 9194

**Event password:** pal1

**Call in information if you choose not to use the web link:**

Phone: **408-418-9388** and enter the access code 129 382 9194 to join the meeting.

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The link to the meeting will also be posted on the District's web site: [www.Palermocdd.org](http://www.Palermocdd.org).

The Agenda is as Follows:

1. Call to Order
2. Election of a Chairperson for the Purpose of Conducting the Landowner's Meeting
3. Election of Supervisor's
  - a) Determination of the Number of Voting Units Represented or Assigned by Proxy
  - b) Nominations for Supervisor's (Five Positions)
  - c) Casting of Ballots
  - d) Ballot Tabulations and Results
4. Landowner's Question or Comments
5. Adjournment

If you have any questions and/or comments before the meeting, please do not hesitate to contact me directly at (954) 658-4900.

**Palermo Community Development District**



James P. Ward  
District Manager

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF  
THE PALERMO COMMUNITY DEVELOPMENT DISTRICT  
FOR THE ELECTION OF SUPERVISORS**

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Date: October 16, 2020

Time: 8:30 A.M.

Location: Office of Lennar Homes  
10481 Six Mile Cypress Parkway  
Ft. Myers, Florida 33966

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Pursuant to Chapter 190, Florida Statutes, 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 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 is intended to comply with Section 190.006(2)(b), Florida Statutes, as amended by Chapter 2004-353, Laws of Florida.

A landowner may vote in person at the Landowner's 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 person that the landowner desires to elect to a position on the Board of Supervisors that is open for election for the upcoming term (five (5) seats on the Board will be up for election). A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. **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 of Supervisors that is open for election for the upcoming term. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The remaining candidates receiving 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.

OFFICIAL BALLOT

PALERMO COMMUNITY DEVELOPMENT DISTRICT  
LEE COUNTY, FLORIDA  
LANDOWNERS MEETING – OCTOBER 16, 2020

**For Election (5 Supervisors):** The two (2) candidates receiving the highest number of votes will each receive a four (4) year term, and the remaining candidates shall receive a two (2) year term, with the term of office for each successful candidate commencing upon election.

The undersigned certifies that the undersigned is executing this Official Ballot in his or her individual capacity as landowner, or in his or her capacity as an authorized representative of the entity named below as landowner, (hereinafter, "Landowner") and that Landowner is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Palermo Community Development District and described as follows:

**Property Description** **Acreage**  
\_\_\_\_\_  
**See Exhibit A: Legal Description of CDD**  
\_\_\_\_\_

[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.]

The number of authorized votes for this ballot is: **395**

I, **Russell Smith**, in my individual capacity as Landowner; or in my capacity as an authorized representative of Landowner, an entity; or as the proxy holder pursuant to the Landowners Proxy attached hereto, do cast my votes as follows:

	NAME OF CANDIDATE	NUMBER OF VOTES
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Printed Name: Russell Smith

NOTE: 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.).

**LANDOWNER PROXY**

**PALERMO COMMUNITY DEVELOPMENT DISTRICT  
LANDOWNERS MEETING – OCTOBER 16, 2020**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned hereby constitutes and appoints:

**RUSSELL SMITH**

Proxy holder

For and on behalf of the undersigned to vote as proxy at the meeting of the Landowners of the Palermo Community Development District to be held at the offices of **Lennar Homes, LLC, 10481 Six Mile Cypress Parkway, Ft. Myers, Florida 33966** on **Friday, October 16, 2020 at 8:30 A.M.**; said meeting published in a newspaper in Lee County; and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may come before said meeting including, but not limited to, the election of members of the Board of Supervisors and may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally come before the meeting. Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in force 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 notice thereof, in writing, filed with the Secretary of the Palermo Community Development District.

\_\_\_\_\_  
Signature

Russell Smith

Print Name

\_\_\_\_\_  
Date

**Property Description**

**Acreage**

**SEE ATTACHED EXHIBIT 1**

[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.]

The number of authorized votes for this proxy is: **395**

NOTE: 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.).

# Banks Engineering, Inc.

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

DESCRIPTION  
OF A  
PARCEL OF LAND  
LYING IN  
SECTIONS 22 AND 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

(CRANE LANDING)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 22 AND 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23; THENCE S.00°12'52"E. FOR 100.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MELLOW DRIVE (100.00 FEET WIDE PER COUNTY RIGHT-OF-WAY MAP FOR COUNTY PROJECT #4013) AND THE **POINT OF BEGINNING**; THENCE N.89°59'56"E. (100.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 23) FOR 2671.79 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE N.89°55'22"E. ALONG SAID PARALLEL FOR 185.94 FEET; THENCE S.11°11'14"E. FOR 5333.31 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE N.88°39'48"W. ALONG SAID SOUTH LINE FOR 1226.00 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE S.89°50'59"W. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 FOR 634.36 FEET; THENCE N.00°02'44"E. FOR 567.97 FEET; THENCE S.89°50'59"W. FOR 505.06 FEET; THENCE S.00°02'44"W. FOR 567.97 FEET TO A POINT OF INTERSECTION WITH SAID SOUTH LINE; THENCE S.89°50'59"W. ALONG SAID SOUTH LINE FOR 1519.93 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE N.00°02'44"E. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 FOR 2649.76 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 23 AND TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1174.94 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°57'01" FOR 122.02 FEET; THENCE N.05°59'45"E. FOR 435.43 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1024.94 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°12'37" FOR 111.09 FEET; THENCE N.00°12'52"W. FOR 882.68 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1024.94 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°25'42" FOR 222.33 FEET; THENCE N.12°38'34"W. FOR 387.74 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1174.94 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°25'42" FOR 254.86 FEET; THENCE N.00°12'52"W. FOR 110.54 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°44'43" FOR 78.32 FEET; THENCE S.89°57'35"E. FOR 124.78 FEET TO THE **POINT OF BEGINNING**.

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS BEARING N.89°59'56"E.

PARCEL CONTAINS 394.82 ACRES, MORE OR LESS.

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

DESCRIPTION PREPARED: 08-02-05

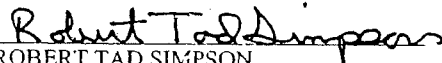
  
ROBERT TAD SIMPSON  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 5559

EXHIBIT A  
Page 1 of 2

S:\Jobs\19xx\1960 SURVEYING DESCRIPTIONS 1960\_SKT.doc  
S:\Jobs\19xx\1960 SURVEYING DESCRIPTIONS 1960\_SKT.dwg

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10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2923

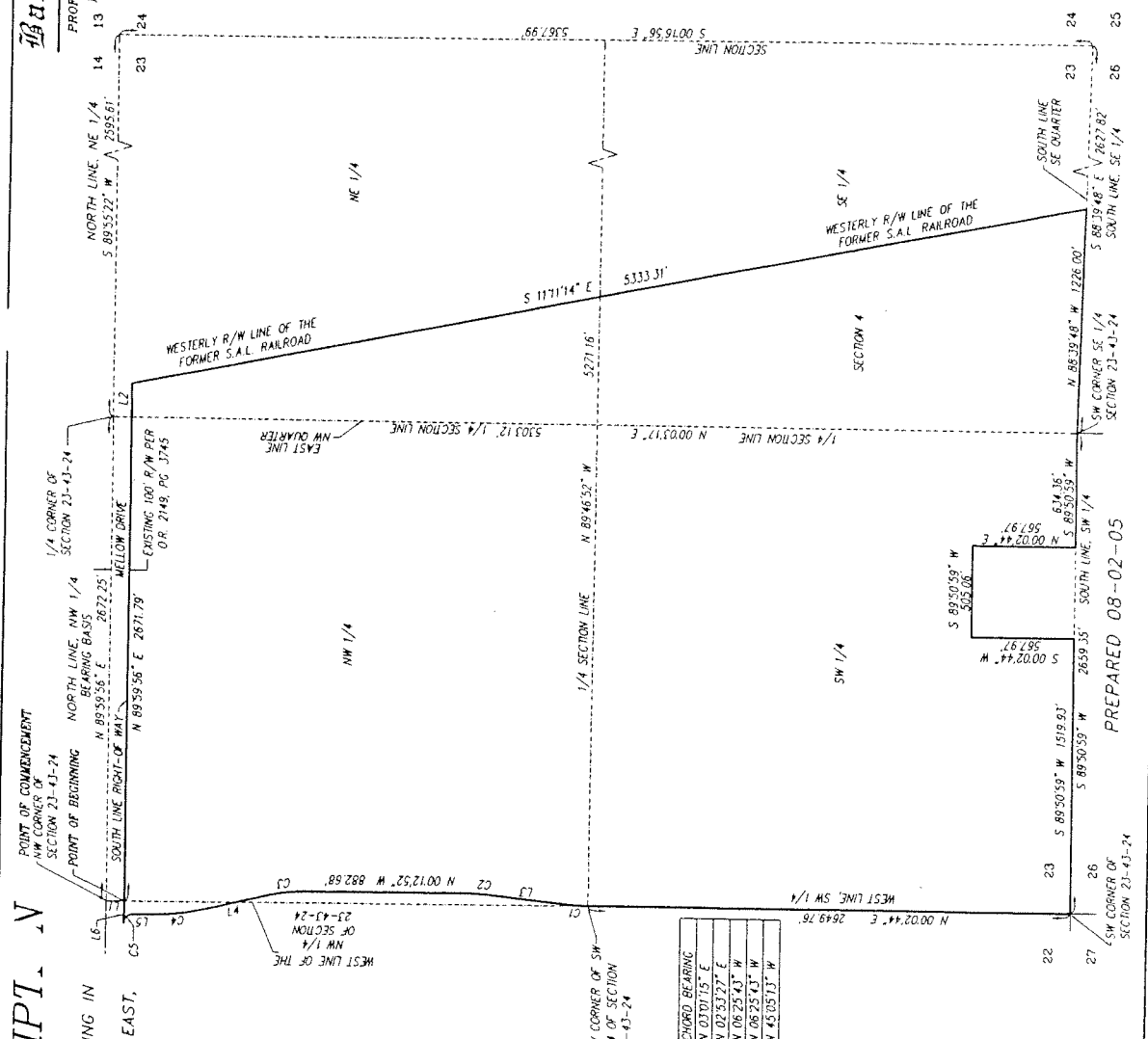
# SKETCH OF DESCRIPT. N

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTIONS 22 AND 23,  
TOWNSHIP 43 SOUTH, RANGE 24 EAST,  
LEE COUNTY, FLORIDA  
(CRANE LANDING)

**Banks Engineer, Inc.**  
PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
13 FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690  
10511 SIX MILE CYPRESS PARKWAY - SUITE 101  
FORT MYERS, FLORIDA 33912  
(239) 939-5480



1" = 800'



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°12'52" E	100.00'
L2	N 89°55'22" E	165.94'
L3	N 05°59'45" E	435.43'
L4	N 12°28'34" W	387.74'
L5	N 00°12'52" W	110.54'
L6	S 89°55'22" E	124.78'

CURVE TABLE

CURVE	RADIUS	BETA	ARC	CHORD	CHORD BEARING
C1	1174.94'	05°57'01"	122.07'	121.96'	N 03°07'15" E
C2	1024.94'	08°31'37"	171.09'	171.04'	N 02°53'27" E
C3	1024.94'	12°25'42"	222.35'	221.89'	N 06°25'43" W
C4	1174.94'	12°25'42"	254.66'	254.36'	N 06°25'43" W
C5	50.00'	89°44'43"	78.32'	70.55'	N 45°05'13" W

NOTES:  
1) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.  
2) ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS BEARING N 89°59'56" E.

LEGEND:  
PG. INDICATES PAGE  
O.R. INDICATES OFFICIAL RECORDS BOOK  
Q. INDICATES CENTER LINE  
P.I. INDICATES POINT OF INTERSECTION  
L1 INDICATES LINE 1 OF LINE TABLE  
C1 INDICATES CURVE 1 OF CURVE TABLE

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

*Robert T. Simpson*  
ROBERT TAD SIMPSON  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 5559

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 08-02-05

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