

# **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

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## **REGULAR MEETING AGENDA**

SEPTEMBER 13, 2022

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PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37<sup>TH</sup> STREET, FORT LAUDERDALE, FL 33308

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

# TERN BAY COMMUNITY DEVELOPMENT DISTRICT

September 6, 2022

Board of Supervisors

Tern Bay Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Tern Bay Community Development District will be held on **Tuesday, September 13, 2022, at 10:00 A.M.** at the **Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954.**

The following WebEx link and telephone number are provided to join/watch the meeting.

<https://districts.webex.com/districts/onstage/g.php?MTID=e08f4d6674e36f532a601f08920ff5550>

Access Code: **2358 792 6628**, Event password: **Jpward**

Or Phone: **408-418-9388** and enter the access code **2358 792 6628** to join the meeting.

## *Agenda*

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1. Call to Order & Roll Call.
2. Consideration of Minutes:
  - I. July 12, 2022 – Regular Meeting.
3. Consideration of **Resolution 2022-13**, a resolution of the Board of Supervisors of Tern Bay Community Development District authorizing the acquisition of certain Potable Water and Wastewater Utility Facilities from the Developer, Lennar Homes, LLC, and authorizing the conveyance of such Potable Water and Wastewater Utility Facilities to Charlotte County; authorizing the Chairman or the Vice Chairman (in the Chairman's absence) to execute such conveyance documents to the extent necessary to evidence the District's acceptance and conveyance; providing for severability, providing for conflicts.
4. Consideration of **Resolution 2022-14**, a resolution of the Board of Supervisors of the Tern Bay Community Development District authorizing the acquisition of certain Potable Water and Wastewater Utility Facilities from the developer, Lennar Homes, LLC, and authorizing the conveyance of such Potable Water and Wastewater Utility Facilities to Charlotte County; authorizing the Chairman or the Vice Chairman (in the Chairman's absence) to execute such conveyance documents to the extent necessary to evidence the District's acceptance and conveyance; providing for severability, providing for conflicts.

5. Consideration of **Resolution 2022-15**, a resolution of the Board of Supervisors of the Tern Bay Community Development District a resolution designating the Registered Agent; designating the Office and Location of the Registered Office; and providing for conflicts and invalid provisions and providing for an effective date.
6. Staff Reports.
  - I. District Attorney.
  - II. District Engineer.
  - III. District Manager.
    - a. Landowner Election Reminder – November 8, 2022, at 10:00am
    - b. Financial Statement for period ending July 31, 2022 (unaudited).
    - c. Financial Statement for period ending August 31, 2022 (unaudited).
7. Supervisor’s Requests and Audience Comments.
8. Adjournment.

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

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The second order of business is the consideration of the July 12, 2022, Regular Meeting Minutes.

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The third order of business Consideration of **Resolution 2022-13**, a resolution of the Board of Supervisors of Tern Bay Community Development District authorizing the acquisition of certain Potable Water and Wastewater Utility Facilities from the Developer, Lennar Homes, LLC, and authorizing the conveyance of such Potable Water and Wastewater Utility Facilities to Charlotte County; authorizing the Chairman or the Vice Chairman (in the Chairman’s absence) to execute such conveyance documents to the extent necessary to evidence the District’s acceptance and conveyance; providing for severability, providing for conflicts.

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The fourth order of business is the consideration of **Resolution 2022-14**, a resolution of the Board of Supervisors of the Tern Bay Community Development District authorizing the acquisition of certain Potable Water and Wastewater Utility Facilities from the developer, Lennar Homes, LLC, and authorizing the conveyance of such Potable Water and Wastewater Utility Facilities to Charlotte County; authorizing the Chairman or the Vice Chairman (in the Chairman’s absence) to execute such conveyance documents to the extent necessary to evidence the District’s acceptance and conveyance; providing for severability, providing for conflicts..

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The fifth order of business is the consideration of **Resolution 2022-15**, a resolution of the Board of Supervisors of the Tern Bay Community Development District a resolution designating the Registered

Agent; designating the Office and Location of the Registered Office; and providing for conflicts and invalid provisions and providing for an effective date.

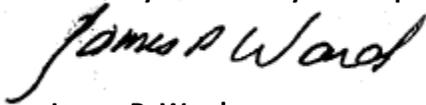
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The sixth order of business are staff reports by the District Attorney, the District Engineer, and the District Manager will present unaudited financial statements for the periods ending July 31, 2022, and August 31, 2022.

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

**Tern Bay Community Development District**



**James P. Ward**  
**District Manager**

**The Fiscal Year 2023 schedule is as follows:**

October 11, 2022	November 8, 2022 (LOE)
December 13, 2022	January 10, 2023
February 14, 2023	March 14, 2023
April 11, 2023	May 9, 2022
June 13, 2023	July 11, 2023
August 8, 2023	September 12, 2023

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**MINUTES OF MEETING  
TERN BAY  
COMMUNITY DEVELOPMENT DISTRICT**

10 The Regular Meeting of the Board of Supervisors of the Tern Bay Community Development District was  
11 held on Tuesday, July 12, 2022, at 10:00 a.m. at the Country Inn and Suites, 24244 Corporate Court, Port  
12 Charlotte, Florida 33954.  
13

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**Present and constituting a quorum:**

18 Russell Smith	Chairperson
19 Christopher Hasty	Vice Chairperson
20 Barry Ernst	Assistant Secretary
21 Ashley Kingston	Assistant Secretary
22 Anthony Burdett	Assistant Secretary

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24  
25  
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**Also present were:**

28 James P. Ward	District Manager
29 Greg Urbancic	District Counsel
30 David Underhill	District Engineer
31 Andrew Gill	

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33  
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**Audience:**

37 All resident's names were not included with the minutes. If a resident did not identify  
38 themselves or the audio file did not pick up the name, the name was not recorded in these  
39 minutes.  
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**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS  
WERE TRANSCRIBED IN *ITALICS*.**

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Andrew Gill called the meeting to order at approximately 10:13 a.m. He conducted roll call and all Board Members were present, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes**

**May 10, 2022 – Public Hearing Meeting Minutes**

Mr. Gill asked if there were any additions, corrections, or deletions to these Minutes; hearing none, he called for a motion.

**On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, the May 10, 2022, Public Hearing Meeting Minutes were approved.**

48 **THIRD ORDER OF BUSINESS** **Consideration of Resolution 2022-10**

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50 **Consideration of Resolution 2022-10, a resolution of the Board of Supervisors of Tern Bay Community**  
51 **Development District (i) ratifying and approving the conveyance of transferred Assets pursuant to**  
52 **requisition number 1 submitted by Lennar Homes, LLC and relating to the District’s Series 2022 Bonds;**  
53 **and (ii) ratifying and approving all documents to effectuate such conveyance.**

54  
55 Mr. Gill asked if there were any questions; hearing none, he called for a motion.

56  
57 **On MOTION made by Mr. Russell Smith, seconded by Ms. Ashley**  
58 **Kingston, and with all in favor, Resolution 2022-10 was adopted, and**  
59 **the Chair was authorized to sign.**

60  
61 **FOURTH ORDER OF BUSINESS** **Consideration of Resolution 2022-11**

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63 **Consideration of Resolution 2022-11, a resolution of the Board of Supervisors of the Tern Bay**  
64 **Community Development District ratifying the execution of the Encroachment Agreement dated May**  
65 **17, 2022, between the District and Lennar Homes LLC**

66  
67 Mr. Gill stated the Encroachment Agreement was regarding an encroachment onto a 7.5 inch drainage  
68 easement. He asked if there were any questions; hearing none, he called for a motion.

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70 **On MOTION made by Mr. Russell Smith, seconded by Ms. Ashley**  
71 **Kingston, and with all in favor, Resolution 2022-11 was adopted, and**  
72 **the Chair was authorized to sign.**

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74 **FIFTH ORDER OF BUSINESS** **Staff Reports**

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76 **Staff Reports**

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78 **I. District Attorney**

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80 *Mr. Urbancic: On that Encroachment Agreement, it has already been recorded in the public*  
81 *record, so there is nothing further that we need to do with that. Otherwise, I did not have anything*  
82 *further.*

83  
84 **II. District Engineer**

85  
86 **a) Stormwater Reporting Update - Completed**

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88 *Mr. Gill: The Stormwater Reporting requirement due by June 30 of this year was submitted to*  
89 *the County and filed.*

90  
91 **III. District Manager**

92  
93 **a) Financial Statement for period ending April 30, 2022 (unaudited)**

94 **b) Financial Statement for period ending May 31, 2022 (unaudited)**

**c) Financial Statement for period ending June 30, 2022 (unaudited)**

*Mr. Ward: As I mentioned to you before, in Tern Bay we have two seats up for qualified election this year, Seat 3, and Seat 5. That's Tony's Seat and Barry's Seat. No one qualified for either of those two seats. The way in which Statute works, you will declare those two seats vacant. The vacancy is established as of November 8<sup>th</sup> which is the date that you would take office if somebody qualified for those seats. Statute then requires you to appoint two qualified electors within 90 days of that date, so you have 90 days from November 8 in order to appoint two qualified electors to those seats. In that interim period, both Tony and Barry will sit as Board Members until you appoint two qualified electors. Hopefully, we can get it done within that 90 day period. He asked Mr. Urbancic what would happen if two qualified electors were not found within the 90 day period.*

*Mr. Urbancic: They would sit in the seat until they are replaced, but we would have to use some sort of reasonable effort to find somebody to occupy those seats. We could do some advertising or some email blast through the HOA or some sort of a newsletter.*

*Mr. Ward: Greg was kind enough to prepare Resolution 2022-12 which declares the vacancy in Seats 3 and 5, pursuant to 190-0063b, and outlines the procedure I just outlined for you on record. He asked if there were any questions regarding Resolution 2022-12; hearing none, he called for a motion.*

**On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2022-11 was adopted, and the Chair was authorized to sign.**

**SIXTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

Mr. Gill asked if there were any Supervisor's requests; there were none. He asked if there were any audience members present in person, or via audio or video with any questions or comments; there were none. He noted there were no members of the public present in person or via audio or video.

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Gill adjourned the meeting at approximately 10:20 a.m.

**On MOTION made by Mr. Anthony Burdett, seconded by Mr. Ashley Kingston, and with all in favor, the meeting was adjourned.**

Tern Bay Community Development District

\_\_\_\_\_  
James P. Ward, Secretary

\_\_\_\_\_  
Russell Smith, Chairperson

**RESOLUTION NO. 2022-13**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE ACQUISITION OF CERTAIN POTABLE WATER AND WASTEWATER UTILITY FACILITIES FROM THE DEVELOPER, LENNAR HOMES, LLC, AND AUTHORIZING THE CONVEYANCE OF SUCH POTABLE WATER AND WASTEWATER UTILITY FACILITIES TO CHARLOTTE COUNTY; AUTHORIZING THE CHAIRMAN OR THE VICE CHAIRMAN (IN THE CHAIRMAN'S ABSENCE) TO EXECUTE SUCH CONVEYANCE DOCUMENTS TO THE EXTENT NECESSARY TO EVIDENCE THE DISTRICT'S ACCEPTANCE AND CONVEYANCE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, Tern Bay Community Development District (the "District") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, and situated within Charlotte County, Florida; and

**WHEREAS**, the District is organized for the purposes of providing community development services and facilities benefiting the development known as Heritage Landing; and

**WHEREAS**, Chapter 190, Florida Statutes, authorizes the District to construct, install, operate, finance and/or maintain systems and facilities for certain basic infrastructure including, but not limited to, district roads, sanitary sewer collection system, potable water distribution system, stormwater/floodplain management, off-site improvements, landscape and hardscape, irrigation system, street lighting, conservation areas, mitigation areas, and wildlife habitat, and other public improvements; and

**WHEREAS**, the applicable Charlotte County development orders, approvals, codes, ordinances and regulations generally require or contemplate the conveyance of various on-site potable water and wastewater utility systems being constructed or acquired by the District to Charlotte County; and

**WHEREAS**, the acquisition by the District of potable water and wastewater utility systems and thereafter the conveyance of such potable water and sanitary sewer systems to Charlotte County requires the Chairman or Vice Chairman (in the Chairman's absence) to sign or execute certain documents on behalf of the District; and

**WHEREAS**, the District desires to acquire certain potable water and wastewater utility facilities related to Pod II-A ("Utility Facilities") from Lennar Homes, LLC, a Florida corporation ("Lennar Homes") pursuant to that certain Agreement Regarding The Acquisition of Certain Work Product, Infrastructure and Real Property between the District and Lennar Homes and thereafter convey such Utility Facilities to Charlotte County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. FINDINGS.** The above recitals are true and correct and incorporated herein by this reference.

**RESOLUTION NO. 2022-13**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE ACQUISITION OF CERTAIN POTABLE WATER AND WASTEWATER UTILITY FACILITIES FROM THE DEVELOPER, LENNAR HOMES, LLC, AND AUTHORIZING THE CONVEYANCE OF SUCH POTABLE WATER AND WASTEWATER UTILITY FACILITIES TO CHARLOTTE COUNTY; AUTHORIZING THE CHAIRMAN OR THE VICE CHAIRMAN (IN THE CHAIRMAN'S ABSENCE) TO EXECUTE SUCH CONVEYANCE DOCUMENTS TO THE EXTENT NECESSARY TO EVIDENCE THE DISTRICT'S ACCEPTANCE AND CONVEYANCE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 2. ACQUISITION OF UTILITY FACILITIES AND CONVEYANCE TO CHARLOTTE COUNTY.**

The District hereby desires to acquire the Utility Facilities from Lennar Homes and desires to convey the Utility Facilities to Charlotte County pursuant to the utility acceptance and conveyance package attached hereto and made a part hereof as **Exhibit "A"** ("Acquisition and Conveyance Documents").

**SECTION 3. DELEGATION OF AUTHORITY.** The Chairman or the Vice Chairman (in the Chairman's absence) of the District's Board of Supervisors is hereby authorized to execute the Acquisition and Conveyance Documents as necessary to evidence the District's acquisition of the Utility Facilities. The Chairman or the Vice Chairman (in the Chairman's absence) of the District's Board of Supervisors is hereby authorized to execute the Acquisition and Conveyance Documents and such other ancillary requisition documents as necessary to convey the Utility Facilities to Charlotte County. The Secretary and any Assistant Secretary of the District is hereby authorized to countersign any Acquisition and Conveyance Documents signed by the Chairman or Vice Chairman (in the Chairman's absence), if necessary or required.

**SECTION 4. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional, it being expressly found and declared that the remainder of this Resolution would have been adopted despite the invalidity of such section or part of such section.

**SECTION 5. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall be effective immediately upon its adoption.

*{Remainder of the page intentionally left blank. Signatures begin on the next page.}*

**RESOLUTION NO. 2022-13**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE ACQUISITION OF CERTAIN POTABLE WATER AND WASTEWATER UTILITY FACILITIES FROM THE DEVELOPER, LENNAR HOMES, LLC, AND AUTHORIZING THE CONVEYANCE OF SUCH POTABLE WATER AND WASTEWATER UTILITY FACILITIES TO CHARLOTTE COUNTY; AUTHORIZING THE CHAIRMAN OR THE VICE CHAIRMAN (IN THE CHAIRMAN'S ABSENCE) TO EXECUTE SUCH CONVEYANCE DOCUMENTS TO THE EXTENT NECESSARY TO EVIDENCE THE DISTRICT'S ACCEPTANCE AND CONVEYANCE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**PASSED AND ADOPTED** at a meeting of the Board of Supervisors of Tern Bay Community Development District this 13th day of September 2022.

Attest:

**TERN BAY COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
James P. Ward, Secretary

\_\_\_\_\_  
Russell Smith, Chairman

**Exhibit A:** Acquisition and Conveyance Documents

Exhibit "A"  
Acquisition and Conveyance Documents

**BILL OF SALE, ABSOLUTE**  
**POD II-A**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

On this \_\_\_\_ day of \_\_\_\_\_, 2022, **LENNAR HOMES, LLC**, a Florida limited liability company, authorized to conduct its affairs in the State of Florida (“**Grantor**”), in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00), lawful money of the United States, and other good and valuable consideration, to be paid by **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**, a community development district established and existing pursuant to Chapter 190, Florida Statutes (“**Grantee**”), the receipt of which is acknowledged, grants, bargains, sells, transfers, and delivers unto Grantee, its successors and assigns, the following goods and chattels:

**On-site potable water and waste water utilities and improvements all as more particularly identified and depicted on Exhibit “A” attached (the “Transferred Improvements”), lying within or on the land, more particularly described on Exhibit “B” attached (the “Property”).**

Grantor, for itself and its successors and assigns, covenants to Grantee, its successors and assigns, that (1) it is the lawful owner of the goods and chattels, which are free and clear from all encumbrances; (2) it has good right, title and authority to sell and convey the same, and (3) Grantor will warrant and defend the sale and conveyance of the Property, goods, and chattels made, unto Grantee, its successors and assigns, against the lawful claims and demands of all persons and entities.

In addition, Grantor warrants to Grantee that the Transferred Improvements are fit for their intended purpose for which they will be used by Grantee and are free from any defect, whether patent or latent, in design, manufacture, construction, installation, workmanship, and materials. This warranty shall expire twelve (12) months from the date of this Bill of Sale.

Further, Grantor assigns to Grantee any and all of Assignor’s right, title and interest in and to any manufacturer, contractor, building or other warranties pertaining to the Transferred Improvements to the extent assignable.

*{Remainder of page intentionally left blank. Signatures appear on next page.}*

Grantor has executed this Bill of Sale on the day and year written above.

**GRANTOR:**

**LENNAR HOMES, LLC,**  
a Florida limited liability company

Witnesses:

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Russell R. Smith, Vice President

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

STATE OF FLORIDA            )  
  ) ss.  
COUNTY OF LEE            )

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_\_ of \_\_\_\_\_, 2022, by Russell R. Smith, as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the company, who is ( x ) personally known to me or ( ) has produced \_\_\_\_\_ as evidence of identification.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
Name: \_\_\_\_\_  
(Type or Print)  
My Commission Expires:

**EXHIBIT "A"**  
**TRANSFERRED IMPROVEMENTS**  
**POD II-A**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)  
 Location: Heritage Landing Blvd., Punta Gorda, FL 33955  
 Type Utility System: Sewer (1 of 3)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
SDR-26-PVC Sanitary Main(0'-6' Deep)	8"	1,485	LF	31.06	\$ 46,124.10
SDR-18-PVC Sanitary Main(0'-6' Deep)	8"	865	LF	36.10	\$ 31,226.50
SDR-26-PVC Sanitary Main(6'-8' Deep)	8"	1,348	LF	44.30	\$ 59,716.40
SDR-18-PVC Sanitary Main(6'-8' Deep)	8"	175	LF	49.34	\$ 8,634.50
SDR-26-PVC Sanitary Main(8'-10' Deep)	8"	2,368	LF	53.50	\$ 126,688.00
SDR-26-PVC Sanitary Main(10'-12' Deep)	8"	1,688	LF	62.70	\$ 105,837.60
SDR-26-PVC Sanitary Main(12'-14' Deep)	8"	1,186	LF	71.90	\$ 85,273.40
SDR-26-PVC Sanitary Main(14'-16' Deep)	8"	852	LF	86.10	\$ 73,357.20
SDR-26-PVC Sanitary Main(16'-18' Deep)	8"	642	LF	100.30	\$ 64,392.60
SDR-26-PVC Sanitary Main(18'-20' Deep)	8"	1,186	LF	112.30	\$ 133,187.80
SDR-26-PVC Sanitary Main(20'-22' Deep)	8"	393	LF	124.30	\$ 48,849.90
SDR-26-PVC Sanitary Main(22'-24' Deep)	8"	322	LF	138.50	\$ 44,597.00
				TOTAL AMOUNT	\$ 827,885.00

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

Type Utility System: Sewer (2 of 3)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
SDR-26-PVC Sanitary Main(24'-26' Deep)	8"	57 ✓	LF	162.26	\$ 9,248.82
SDR-14-PVC Sanitary Main(24'-26' Deep)	8"	11 ✓	LF	178.10	\$ 1,959.10
Manhole (0'-6')	4'	18 ✓	EA	5,812.34	\$ 104,622.12
Manhole (6'-8')	4'	13 ✓	EA	6,944.51	\$ 90,278.63
Manhole (8'-10')	4'	9 ✓	EA	7,799.06	\$ 70,191.54
Manhole (10'-12')	4'	10 ✓	EA	8,947.86	\$ 89,478.60
Manhole (12'-14')	4'	6 ✓	EA	10,118.55	\$ 60,711.30
Manhole (14'-16')	4'	5 ✓	EA	11,833.00	\$ 59,165.00
Manhole (16'-18' Drop)	4'	1 ✓	EA	13,210.00	\$ 13,210.00
Manhole (16'-18')	4'	3 ✓	EA	12,958.37	\$ 38,875.11
Manhole (18'-20' Drop)	4'	1 ✓	EA	15,864.21	\$ 15,864.21
Manhole (18'-20')	4'	4 ✓	EA	14,270.50	\$ 57,082.00
TOTAL AMOUNT					\$ 610,686.43



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

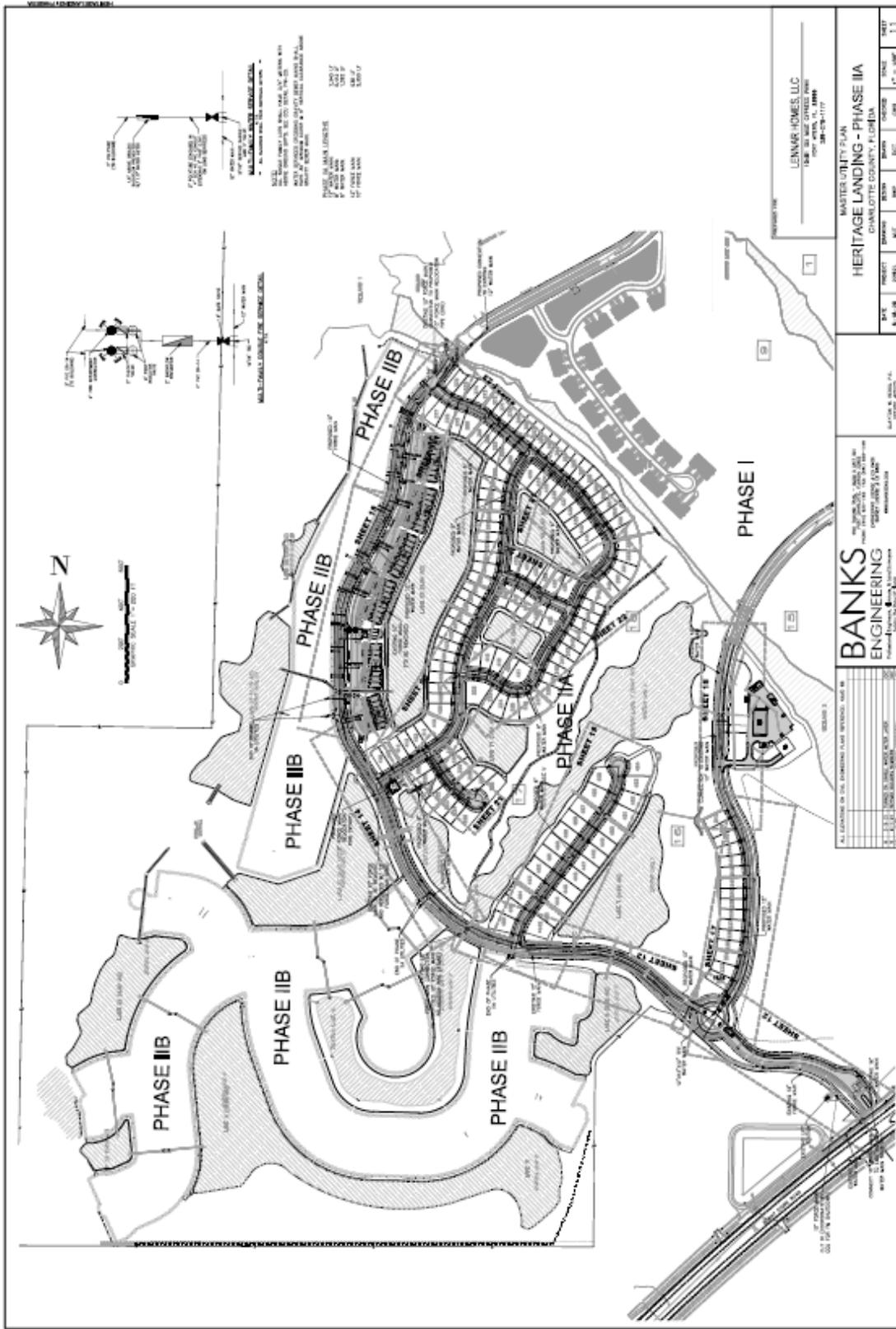
Type Utility System: Water (1 of 2)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
DR-18 C900 PVC Watermain	6"	1,396	LF	17.64	\$ 24,625.44
DR-18 C900 PVC Watermain	8"	5,414	LF	22.84	\$ 123,655.76
DR-18 C900 PVC Watermain	12"	7,231	LF	37.94	\$ 274,344.14
DR-11 HDPE Watermain	14"	150	LF	181.46	\$ 27,219.00
<b>Sample Point</b>	12"	2	EA	1,785.32	\$ 3,570.64
<b>Air Release Valve</b>	12"	2	EA	4,929.84	\$ 9,859.68
<b>Blow-off Assembly</b>	6"	1	EA	1,663.50	\$ 1,663.50
<b>Gate Valves</b>	6"	8	EA	1,336.06	\$ 10,688.48
<b>Gate Valves</b>	8"	16	EA	1,774.18	\$ 28,386.88
<b>Gate Valves</b>	12"	11	EA	2,781.54	\$ 30,596.94
Fire Hydrant Assembly		19	EA	5,026.73	\$ 95,507.87
Water Service Single	3/4"	43	EA	1,352.01	\$ 58,136.43
				<b>TOTAL AMOUNT</b>	<b>\$ 688,254.76</b>





**EXHIBIT “B”**  
**LEGAL DESCRIPTION**  
**POD II-A**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

Tract A, Heritage Landing Phase II-A, according to the plat thereof as recorded in Plat Book 24, Pages 19A through 19S, inclusive, of the Public Records of Charlotte County, Florida, and as more particularly depicted on the sketch below.

AND

Utility Easements (“UE”) and Public Utility Easements (“PUE”), Heritage Landing Phase II-A, according to the plat thereof as recorded in Plat Book 24, Pages 19A through 19S, inclusive, of the Public Records of Charlotte County, Florida, and as more particularly depicted on the sketch below.



**LEGEND:**

-  RIGHT OF WAY
-  PUBLIC UTILITY EASEMENTS
-  UTILITY EASEMENTS

EXHIBIT A

**BANKS**  
ENGINEERING

4161 TAMiami TRAIL - BLDG 5 UNIT 501  
PORT CHARLOTTE, FLORIDA 33952  
PHONE: (941) 625-1165 FAX: (941) 625-1149  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

RIGHT OF WAY & UTILITY EASEMENTS  
**TERN BAY CDD - PHASE IIA**  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
7-7-22	2292L	ROADWAYS	CWR	TBV	CWR	NTS	1

**OWNER'S AFFIDAVIT**  
**POD II-A**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

**STATE OF FLORIDA**  
**COUNTY OF LEE**

Before me, the undersigned authority, personally appeared Russell R. Smith, who to me is well known, and having been sworn under oath, deposes and states:

1. My name is Russell R. Smith and I am the Vice President of Lennar Homes, LLC, a Florida limited liability company (the "**Company**"). I am over the age of twenty-one (21) years, and have personal current knowledge of the facts asserted in this Affidavit.
2. The Company is the owner of certain on-site potable water and waste water utilities and improvements and certain Charlotte County on-site potable water and waste water connection and capacity fees all as more particularly described in the support documentation for POD II-A prepared by Banks Engineering, Inc. as further identified and depicted on **Exhibit "A"** (the "**Transferred Improvements**") located within, through, and/or on the real property legally described on the attached **Exhibit "B"** (the "**Property**"), which are being conveyed to Tern Bay Community Development District (the "**District**").
3. All persons, firms, and corporations, including the general contractor, all laborers, subcontractors, sub-subcontractors, materialmen, and suppliers who have furnished services, labor or materials in the construction and installation of the Transferred Improvements on the Property within the scope of this requisition have been paid in full and that such portion of the work has been fully completed and unconditionally accepted by the Company. If, however, that if it is subsequently discovered that any amount(s) related to the subject improvements is due and owing, then the Company agrees to timely make payment for all remaining amounts owed, and to ensure that no liens are placed on the improvements or the real property upon which the improvements are located.
4. No claims have been made to the Company, nor is any suit now pending on behalf of any contractor, subcontractor, sub-subcontractors supplier, laborer or materialman, and no chattel mortgages or conditional bills of sale have been given or are now outstanding as to the Transferred Improvements. All of the work performed on the Transferred Improvements is free and clear of all liens or claims and there are no judgments, claims, disputes, demands or other matters pending against the Company that could attach to the Property or the Transferred Improvements.
5. The Transferred Improvements are not included in, encumbered by, or subject to any real property mortgage, chattel mortgage, security agreement, Uniform Commercial Code Financing Statement, or other encumbrance.
6. The Company, as the legal owner of the Transferred Improvements, and for valuable consideration shall hold the District harmless against any lien, claim or suit by any general contractor, subcontractor, sub-subcontractor, supplier, mechanic or materialman, and against chattel mortgages, mortgages, liens, security interests or other encumbrances affecting the Transferred Improvements.
7. In making this Affidavit, I understand that the District intends to rely on this Affidavit for purposes of acquiring the infrastructure improvements identified herein.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Russell R. Smith, Vice President of  
Lennar Homes, LLC, a Florida limited  
liability company

STATE OF FLORIDA  
COUNTY OF LEE

SWORN TO AND SUBSCRIBED before me by means of ( ) physical presence or ( ) online notarization, on this \_\_\_\_ day of \_\_\_\_\_, 2022, by Russell R. Smith, as Vice President of Lennar Homes, LLC, a Florida limited liability company, who ( x ) is personally known to me or ( ) has produced \_\_\_\_\_ as evidence of identification.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
Name: \_\_\_\_\_  
(Type or Print)  
My Commission Expires:

**EXHIBIT "A"**  
**TRANSFERRED IMPROVEMENTS**  
**POD II-A**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)  
 Location: Heritage Landing Blvd., Punta Gorda, FL 33955  
 Type Utility System: Sewer (1 of 3)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
SDR-26-PVC Sanitary Main(0'-6' Deep)	8"	1,485	LF	31.06	\$ 46,124.10
SDR-18-PVC Sanitary Main(0'-6' Deep)	8"	865	LF	36.10	\$ 31,226.50
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SDR-26-PVC Sanitary Main(8'-10' Deep)	8"	2,368	LF	53.50	\$ 126,688.00
SDR-26-PVC Sanitary Main(10'-12' Deep)	8"	1,688	LF	62.70	\$ 105,837.60
SDR-26-PVC Sanitary Main(12'-14' Deep)	8"	1,186	LF	71.90	\$ 85,273.40
SDR-26-PVC Sanitary Main(14'-16' Deep)	8"	852	LF	86.10	\$ 73,357.20
SDR-26-PVC Sanitary Main(16'-18' Deep)	8"	642	LF	100.30	\$ 64,392.60
SDR-26-PVC Sanitary Main(18'-20' Deep)	8"	1,186	LF	112.30	\$ 133,187.80
SDR-26-PVC Sanitary Main(20'-22' Deep)	8"	393	LF	124.30	\$ 48,849.90
SDR-26-PVC Sanitary Main(22'-24' Deep)	8"	322	LF	138.50	\$ 44,597.00
TOTAL AMOUNT					<u>\$ 827,885.00</u>

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)  
 Location: Heritage Landing Blvd., Punta Gorda, FL 33955  
 Type Utility System: Sewer (2 of 3)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
SDR-26-PVC Sanitary Main(24'-26' Deep)	8"	57 ✓	LF	162.26	\$ 9,248.82
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Manhole (6'-8')	4'	13 ✓	EA	6,944.51	\$ 90,278.63
Manhole (8'-10')	4'	9 ✓	EA	7,799.06	\$ 70,191.54
Manhole (10'-12')	4'	10 ✓	EA	8,947.86	\$ 89,478.60
Manhole (12'-14')	4'	6 ✓	EA	10,118.55	\$ 60,711.30
Manhole (14'-16')	4'	5 ✓	EA	11,833.00	\$ 59,165.00
Manhole (16'-18' Drop)	4'	1 ✓	EA	13,210.00	\$ 13,210.00
Manhole (16'-18')	4'	3 ✓	EA	12,958.37	\$ 38,875.11
Manhole (18'-20' Drop)	4'	1 ✓	EA	15,864.21	\$ 15,864.21
Manhole (18'-20')	4'	4 ✓	EA	14,270.50	\$ 57,082.00
				TOTAL AMOUNT	\$ 610,686.43



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)  
 Location: Heritage Landing Blvd., Punta Gorda, FL 33955  
 Type Utility System: Water (1 of 2)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
DR-18 C900 PVC Watermain	6"	1,396	LF	17.64	\$ 24,625.44
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DR-18 C900 PVC Watermain	12"	7,231	LF	37.94	\$ 274,344.14
DR-11 HDPE Watermain	14"	150	LF	181.46	\$ 27,219.00
<b>Sample Point</b>	12"	2	EA	1,785.32	\$ 3,570.64
<b>Air Release Valve</b>	12"	2	EA	4,929.84	\$ 9,859.68
<b>Blow-off Assembly</b>	6"	1	EA	1,663.50	\$ 1,663.50
<b>Gate Valves</b>	6"	8	EA	1,336.06	\$ 10,688.48
<b>Gate Valves</b>	8"	16	EA	1,774.18	\$ 28,386.88
<b>Gate Valves</b>	12"	11	EA	2,781.54	\$ 30,596.94
Fire Hydrant Assembly		19	EA	5,026.73	\$ 95,507.87
Water Service Single	3/4"	43	EA	1,352.01	\$ 58,136.43
TOTAL AMOUNT					<b>\$ 688,254.76</b>





**EXHIBIT “B”**  
**LEGAL DESCRIPTION**  
**POD II-A**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

Tract A, Heritage Landing Phase II-A, according to the plat thereof as recorded in Plat Book 24, Pages 19A through 19S, inclusive, of the Public Records of Charlotte County, Florida, and as more particularly depicted on the sketch below.

AND

Utility Easements (“UE”) and Public Utility Easements (“PUE”), Heritage Landing Phase II-A, according to the plat thereof as recorded in Plat Book 24, Pages 19A through 19S, inclusive, of the Public Records of Charlotte County, Florida, and as more particularly depicted on the sketch below.



**LEGEND:**

-  RIGHT OF WAY
-  PUBLIC UTILITY EASEMENTS
-  UTILITY EASEMENTS

**EXHIBIT A**

**BANKS**  
ENGINEERING

4161 TAMiami TRAIL - BLDG 5 UNIT 501  
PORT CHARLOTTE, FLORIDA 33952  
PHONE: (941) 625-1165 FAX: (941) 625-1149  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

RIGHT OF WAY & UTILITY EASEMENTS  
**TERN BAY CDD - PHASE IIA**  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
7-7-22	2292L	ROADWAYS	CWR	TBV	CWR	NTS	1

This instrument was prepared  
without an opinion of title and  
after recording return to:  
Gregory L. Urbancic, Esq.  
Coleman, Yovanovich & Koester, P.A.  
4001 Tamiami Trail North, Suite 300  
Naples, Florida 34103  
(239) 435-3535

---

(space above this line for recording data)

## **UTILITY EASEMENT**

**THIS UTILITY EASEMENT** (this “**Easement**”) is made and executed as of this \_\_\_\_ day of \_\_\_\_\_, 2022 by **LENNAR HOMES, LLC**, a Florida limited liability company (“**Grantor**”) and **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**, a community development district established and existing pursuant to Chapter 190, Florida Statutes, its successors and assigns (“**Grantee**”).

### WITNESSETH:

Grantor hereby conveys, grants, bargains and sells unto Grantee a perpetual, non-exclusive easement, license and privilege for public utility purposes including, without limitation, operating and maintaining potable water and sanity sewer utility lines, facilities, structures or improvements (collectively, the “**Utility Facilities**”) as may be, from time to time, located upon or within that certain real property in Charlotte County, Florida legally described on **Exhibit “A”** attached hereto and made a part hereof (the “**Easement Area**”), together with an easement for ingress and egress over, in, upon and across the Easement Area as may be reasonably necessary to effectively utilize the easement rights granted herein (the “**Easement Activity**”). The term “Easement Activity” shall also include the right to enter upon and construct, install, operate, maintain, repair, replace or reconstruct the Utility Facilities. Grantor grants to Grantee the right to enter upon the Easement Area, place, excavate, and take materials for the purpose of conducting the Easement Activity pursuant to the terms of this Easement.

This Easement shall be a covenant running with the land and shall be binding upon and inure to the benefit of the parties hereto.

Grantor warrants that it is lawfully seized in fee simple of the land upon which this Easement is situated and it has good and lawful authority to convey this Easement.

*{Remainder of page intentionally left blank. Signatures appear on next page.}*

IN WITNESSES WHEREOF, Grantor hereby executes this Easement as of the date first written above.

**GRANTOR:**

**LENNAR HOMES, LLC,**  
a Florida limited liability company

Witnesses:

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Russell R. Smith, Vice President

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

STATE OF FLORIDA            )  
  ) ss.  
COUNTY OF LEE            )

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_\_ of \_\_\_\_\_, 2022, by Russell R. Smith, as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the company, who is ( x ) personally known to me or ( ) has produced \_\_\_\_\_ as evidence of identification.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
Name: \_\_\_\_\_  
(Type or Print)  
My Commission Expires:

**Exhibit "A"**  
**Easement Area**

Utility Easements ("UE"), Heritage Landing Phase II-A, according to the plat thereof as recorded in Plat Book 24, Pages 19A through 19S, inclusive, of the Public Records of Charlotte County, Florida, and as more particularly depicted on the sketch below.



**LEGEND:**

-  RIGHT OF WAY
-  PUBLIC UTILITY EASEMENTS
-  UTILITY EASEMENTS

**EXHIBIT A**

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**TERN BAY CDD - PHASE IIA**  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
7-7-22	2292L	ROADWAYS	CWR	TBV	CWR	NTS	1

# CLOSING TRANSFER LETTER AGREEMENT

August \_\_\_\_, 2022

Tern Bay Community Development District  
c/o James P. Ward, District Manager  
JP Ward & Associates, LLC  
2301 Northeast 37th Street  
Fort Lauderdale, Florida 33308

Re: Closing Transfer Letter Agreement  
Acquisition of Public Utility Infrastructure Improvements, POD II-A

Dear Jim,

Pursuant to the Amended and Restated Agreement Regarding The Acquisition of Certain Work Product, Infrastructure And Real Property dated as of February 28, 2022 (“**Acquisition Agreement**”), you are hereby notified that Lennar Homes, LLC (“**Developer**”) has completed and desires to sell (“**Sale**”) to Tern Bay Community Development District (“**District**”) certain potable water and sanitary sewer utility improvements (“**Improvements**”), related to what is known as POD II-A, and all as described on **Exhibit “A”** attached hereto and made a part hereof. The Improvement are located in or within the real property on **Exhibit “B”** attached hereto and made a part hereof (the “**Property**”). The specific location of the Improvements within the Property are shown on **Exhibit “C”**. Subject to the terms of the Acquisition Agreement, the following terms govern the proposed Sale:

- The Developer agrees, at the direction of the District, to assist with the transfer of any permits or similar approvals necessary for the operation of the Improvements.

- The Developer agrees, at the direction of the District, to assist the District with the turnover from the District and to Charlotte County all of the District’s rights, title and interest in the Improvements, including but not limited to completing any agreed upon punch list items at the Developer’s expense, warranting any such Improvements to the extent required by Charlotte County, and posting and maintaining any required maintenance bonds.

If the District is in agreement with the terms stated herein, please execute this letter agreement in the space below and proceed with the necessary steps to effect the Sale.

Sincerely,

**LENNAR HOMES, LLC,**  
a Florida limited liability company

By: \_\_\_\_\_  
Russell R. Smith, Vice President

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

**AGREED TO BY THE DISTRICT:**

**TERN BAY COMMUNITY  
DEVELOPMENT DISTRICT**

ATTEST:

\_\_\_\_\_  
James P. Ward, Secretary

By: \_\_\_\_\_  
Russell Smith, Chairman

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

**Exhibit "A"**  
**Description of Improvements**

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)  
 Location: Heritage Landing Blvd., Punta Gorda, FL 33955  
 Type Utility System: Sewer (1 of 3)  
 (list water, sewer, and effluent reuse separately)

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Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

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TOTAL AMOUNT					<u>\$ 827,885.00</u>

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

Type Utility System: Sewer (2 of 3)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

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TOTAL AMOUNT					\$ 610,686.43



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

Type Utility System: Water (1 of 2)  
 (list water, sewer, and effluent reuse separately)

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Fire Hydrant Assembly		19	EA	5,026.73	\$ 95,507.87
Water Service Single	3/4"	43	EA	1,352.01	\$ 58,136.43
				<b>TOTAL AMOUNT</b>	<b>\$ 688,254.76</b>



**Exhibit “B”**  
**Property**

Tract A, Heritage Landing Phase II-A, according to the plat thereof as recorded in Plat Book 24, Pages 19A through 19S, inclusive, of the Public Records of Charlotte County, Florida, and as more particularly depicted on the sketch below.

AND

Utility Easements (“UE”) and Public Utility Easements (“PUE”), Heritage Landing Phase II-A, according to the plat thereof as recorded in Plat Book 24, Pages 19A through 19S, inclusive, of the Public Records of Charlotte County, Florida, and as more particularly depicted on the sketch below.



**LEGEND:**

-  RIGHT OF WAY
-  PUBLIC UTILITY EASEMENTS
-  UTILITY EASEMENTS

**EXHIBIT A**

**BANKS**  
ENGINEERING

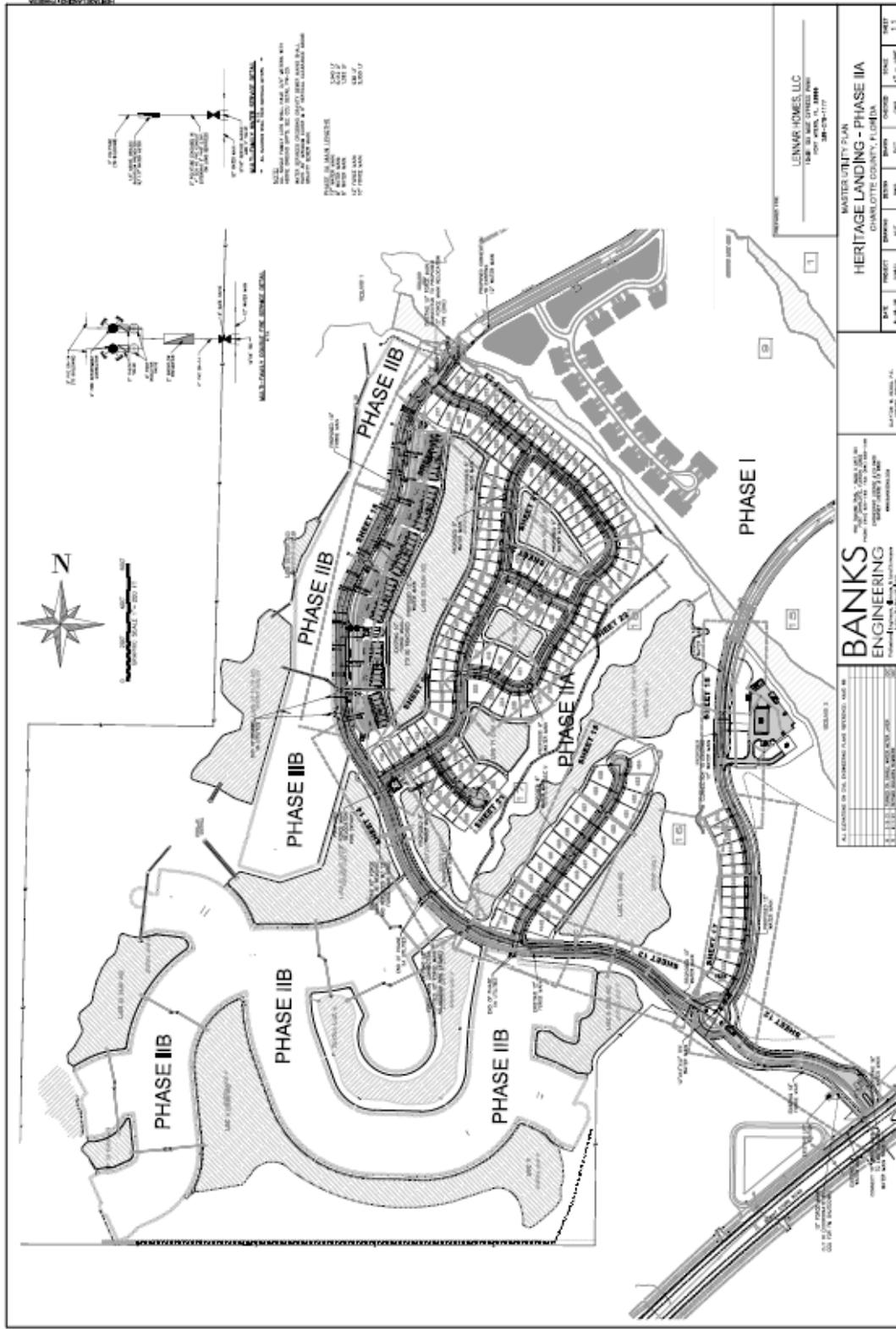
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**TERN BAY CDD - PHASE IIA**  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
7-7-22	2292L	ROADWAYS	CWR	TBV	CWR	NTS	1

**Exhibit "C"**  
**Location of Improvements**



BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that Tern Bay Community Development District, a community development district established and existing pursuant to Chapter 190, Florida Statutes, hereinafter called District, for and in consideration of the payment of the sum of ten dollars (\$10.00) by Charlotte County Utilities, agency of Charlotte County, hereinafter referred to as Utilities, the receipt of which is hereby acknowledged, and other good and valuable consideration set out in the Utility Agreement entered into between Lennar Homes, LLC and Charlotte County on November 23, 2020, the provisions of said agreement to be specifically incorporated herein by reference, has remised, released and quit claim and by these presents does remise, release and quit claim unto the said Utilities, its successors and assigns, all those certain properties located in the County of Charlotte, State of Florida, more particularly described as follows:

Exhibit A (Certification of Detailed Cost of Contributory Assets)

TOGETHER with all of the rights of the District arising out of any and all guarantees, performances bonds, contracts, and agreements of the District in connection with said water and/or sewer system.

TOGETHER with every right, privilege, permit and easement of every kind and nature of the District, and in connection with the property or properties herein described, as the same are now located, all such rights pertaining only to the property or properties herein described.

TO HAVE AND TO HOLD the same unto Utilities, its successors and assigns, forever.

And said District does for itself and its successors covenant to and with the said Utilities, its successors and assigns, that it is the lawful owner of the property herein described and that this property is free from all encumbrances or if encumbered District has properly notified the Utility of any

encumbrance. District further covenants that they have the right to sell the goods and will warrant and defend the right against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the District has caused these presents to be signed in its name this \_\_\_\_ day of \_\_\_\_\_, 2022.

WITNESSES:

TERN BAY COMMUNITY  
DEVELOPMENT DISTRICT:

\_\_\_\_\_

By: \_\_\_\_\_  
Russell Smith, Chairman

\_\_\_\_\_

STATE OF FLORIDA                    )  
COUNTY OF \_\_\_\_\_            )

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Russell Smith, as Chairman of Tern Bay Community Development District, who is ( ) personally known to me or ( ) has presented \_\_\_\_\_ as identification and did/did not take an oath.

My Commission expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name of Notary

\_\_\_\_\_  
Serial or Commission Number

BILL OF SALE

Exhibit "A"

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)  
 Location: Heritage Landing Blvd., Punta Gorda, FL 33955  
 Type Utility System: Sewer (1 of 3)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

Item	Size	Qty	Unit	Cost	Total
SDR-26-PVC Sanitary Main(0'-6' Deep)	8"	1,485	LF	31.06	\$ 46,124.10
SDR-18-PVC Sanitary Main(0'-6' Deep)	8"	865	LF	36.10	\$ 31,226.50
SDR-26-PVC Sanitary Main(6'-8' Deep)	8"	1,348	LF	44.30	\$ 59,716.40
SDR-18-PVC Sanitary Main(6'-8' Deep)	8"	175	LF	49.34	\$ 8,634.50
SDR-26-PVC Sanitary Main(8'-10' Deep)	8"	2,368	LF	53.50	\$ 126,688.00
SDR-26-PVC Sanitary Main(10'-12' Deep)	8"	1,688	LF	62.70	\$ 105,837.60
SDR-26-PVC Sanitary Main(12'-14' Deep)	8"	1,186	LF	71.90	\$ 85,273.40
SDR-26-PVC Sanitary Main(14'-16' Deep)	8"	852	LF	86.10	\$ 73,357.20
SDR-26-PVC Sanitary Main(16'-18' Deep)	8"	642	LF	100.30	\$ 64,392.60
SDR-26-PVC Sanitary Main(18'-20' Deep)	8"	1,186	LF	112.30	\$ 133,187.80
SDR-26-PVC Sanitary Main(20'-22' Deep)	8"	393	LF	124.30	\$ 48,849.90
SDR-26-PVC Sanitary Main(22'-24' Deep)	8"	322	LF	138.50	\$ 44,597.00
TOTAL AMOUNT					\$ 827,885.00

(If more space is required, use additional pages. Number each page and include the name of the project.)



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

Type Utility System: Sewer (2 of 3)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
SDR-26-PVC Sanitary Main(24'-26' Deep)	8"	57 ✓	LF	162.26	\$ 9,248.82
SDR-14-PVC Sanitary Main(24'-26' Deep)	8"	11 ✓	LF	178.10	\$ 1,959.10
<b>Manhole (0'-6')</b>	4'	18 ✓	EA	5,812.34	\$ 104,622.12
<b>Manhole (6'-8')</b>	4'	13 ✓	EA	6,944.51	\$ 90,278.63
<b>Manhole (8'-10')</b>	4'	9 ✓	EA	7,799.06	\$ 70,191.54
<b>Manhole (10'-12')</b>	4'	10 ✓	EA	8,947.86	\$ 89,478.60
<b>Manhole (12'-14')</b>	4'	6 ✓	EA	10,118.55	\$ 60,711.30
<b>Manhole (14'-16')</b>	4'	5 ✓	EA	11,833.00	\$ 59,165.00
Manhole (16'-18' Drop)	4'	1 ✓	EA	13,210.00	\$ 13,210.00
<b>Manhole (16'-18')</b>	4'	3 ✓	EA	12,958.37	\$ 38,875.11
Manhole (18'-20' Drop)	4'	1 ✓	EA	15,864.21	\$ 15,864.21
<b>Manhole (18'-20')</b>	4'	4 ✓	EA	14,270.50	\$ 57,082.00
TOTAL AMOUNT					<b>\$ 610,686.43</b>

(If more space is required, use additional pages. Number each page and include the name of the project.)



I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Charlotte County and corresponds with the record drawings.

*Jayson Oreschnick*

Name & Title of Certifying Agent

Of: **Haleakala Construction, Inc.**

Firm or Corporation

Address: **5758 Taylor Rd**

**Naples, FL 34109**

STATE OF Florida )

COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 31st day of August, 2021, by Jayson Oreschnick

who has produced \_\_\_\_\_ as identification, and who did/did not take an oath.

*Christina K Shipman*  
Notary Public Signature

**Christina K. Shipman**

Printed Name of Notary Public



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Phase II-A (CCU # 20/1006)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

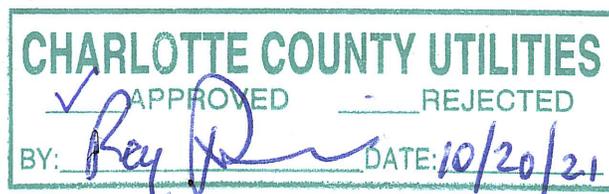
Type Utility System: Water (1 of 2)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
DR-18 C900 PVC Watermain	6"	1,396	LF	17.64	\$ 24,625.44
DR-18 C900 PVC Watermain	8"	5,414	LF	22.84	\$ 123,655.76
DR-18 C900 PVC Watermain	12"	7,231	LF	37.94	\$ 274,344.14
DR-11 HDPE Watermain	14"	150	LF	181.46	\$ 27,219.00
<b>Sample Point</b>	12"	2	EA	1,785.32	\$ 3,570.64
<b>Air Release Valve</b>	12"	2	EA	4,929.84	\$ 9,859.68
<b>Blow-off Assembly</b>	6"	1	EA	1,663.50	\$ 1,663.50
<b>Gate Valves</b>	6"	8	EA	1,336.06	\$ 10,688.48
<b>Gate Valves</b>	8"	16	EA	1,774.18	\$ 28,386.88
<b>Gate Valves</b>	12"	11	EA	2,781.54	\$ 30,596.94
Fire Hydrant Assembly		19	EA	5,026.73	\$ 95,507.87
Water Service Single	3/4"	43	EA	1,352.01	\$ 58,136.43
TOTAL AMOUNT					\$ 688,254.76

(If more space if required, use additional pages. Number each page and include the name of the project.)





I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Charlotte County and corresponds with the record drawings.



Name & Title of Certifying Agent

Of: **Haleakala Construction, Inc.**

Firm or Corporation

Address: **5758 Taylor Rd**

**Naples, FL 34109**

STATE OF Florida )

COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 31st day of August, 2021, by Jayson Oreschnick

who has produced \_\_\_\_\_ as identification, and who did/did not take an oath.

Christina K Shipman  
Notary Public Signature

**Christina K. Shipman**  
Printed Name of Notary Public



**RESOLUTION NO. 2022-14**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE ACQUISITION OF CERTAIN POTABLE WATER AND WASTEWATER UTILITY FACILITIES FROM THE DEVELOPER, LENNAR HOMES, LLC, AND AUTHORIZING THE CONVEYANCE OF SUCH POTABLE WATER AND WASTEWATER UTILITY FACILITIES TO CHARLOTTE COUNTY; AUTHORIZING THE CHAIRMAN OR THE VICE CHAIRMAN (IN THE CHAIRMAN'S ABSENCE) TO EXECUTE SUCH CONVEYANCE DOCUMENTS TO THE EXTENT NECESSARY TO EVIDENCE THE DISTRICT'S ACCEPTANCE AND CONVEYANCE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, Tern Bay Community Development District (the "District") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, and situated within Charlotte County, Florida; and

**WHEREAS**, the District is organized for the purposes of providing community development services and facilities benefiting the development known as Heritage Landing; and

**WHEREAS**, Chapter 190, *Florida Statutes*, authorizes the District to construct, install, operate, finance and/or maintain systems and facilities for certain basic infrastructure including, but not limited to, district roads, sanitary sewer collection system, potable water distribution system, stormwater/floodplain management, off-site improvements, landscape and hardscape, irrigation system, street lighting, conservation areas, mitigation areas, and wildlife habitat, and other public improvements; and

**WHEREAS**, the applicable Charlotte County development orders, approvals, codes, ordinances and regulations generally require or contemplate the conveyance of various on-site potable water and wastewater utility systems being constructed or acquired by the District to Charlotte County; and

**WHEREAS**, the acquisition by the District of potable water and wastewater utility systems and thereafter the conveyance of such potable water and sanitary sewer systems to Charlotte County requires the Chairman or Vice Chairman (in the Chairman's absence) to sign or execute certain documents on behalf of the District; and

**WHEREAS**, the District desires to acquire certain potable water and wastewater utility facilities related to TENNIS CENTER, FITNESS CENTER & CHICKEE BAR ("Utility Facilities") from Lennar Homes, LLC, a Florida corporation ("Lennar Homes") pursuant to that certain Agreement Regarding The Acquisition of Certain Work Product, Infrastructure and Real Property between the District and Lennar Homes and thereafter convey such Utility Facilities to Charlotte County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT:**

**RESOLUTION NO. 2022-14**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE ACQUISITION OF CERTAIN POTABLE WATER AND WASTEWATER UTILITY FACILITIES FROM THE DEVELOPER, LENNAR HOMES, LLC, AND AUTHORIZING THE CONVEYANCE OF SUCH POTABLE WATER AND WASTEWATER UTILITY FACILITIES TO CHARLOTTE COUNTY; AUTHORIZING THE CHAIRMAN OR THE VICE CHAIRMAN (IN THE CHAIRMAN'S ABSENCE) TO EXECUTE SUCH CONVEYANCE DOCUMENTS TO THE EXTENT NECESSARY TO EVIDENCE THE DISTRICT'S ACCEPTANCE AND CONVEYANCE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 1. FINDINGS.** The above recitals are true and correct and incorporated herein by this reference.

**SECTION 2. ACQUISITION OF UTILITY FACILITIES AND CONVEYANCE TO CHARLOTTE COUNTY.** The District hereby desires to acquire the Utility Facilities from Lennar Homes and desires to convey the Utility Facilities to Charlotte County pursuant to the utility acceptance and conveyance package attached hereto and made a part hereof as **Exhibit "A"** ("Acquisition and Conveyance Documents").

**SECTION 3. DELEGATION OF AUTHORITY.** The Chairman or the Vice Chairman (in the Chairman's absence) of the District's Board of Supervisors is hereby authorized to execute the Acquisition and Conveyance Documents as necessary to evidence the District's acquisition of the Utility Facilities. The Chairman or the Vice Chairman (in the Chairman's absence) of the District's Board of Supervisors is hereby authorized to execute the Acquisition and Conveyance Documents and such other ancillary requisition documents as necessary to convey the Utility Facilities to Charlotte County. The Secretary and any Assistant Secretary of the District is hereby authorized to countersign any Acquisition and Conveyance Documents signed by the Chairman or Vice Chairman (in the Chairman's absence), if necessary or required.

**SECTION 4. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional, it being expressly found and declared that the remainder of this Resolution would have been adopted despite the invalidity of such section or part of such section.

**SECTION 5. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall be effective immediately upon its adoption.

*{Remainder of the page intentionally left blank. Signatures begin on the next page.}*

**RESOLUTION NO. 2022-14**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TERN BAY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE ACQUISITION OF CERTAIN POTABLE WATER AND WASTEWATER UTILITY FACILITIES FROM THE DEVELOPER, LENNAR HOMES, LLC, AND AUTHORIZING THE CONVEYANCE OF SUCH POTABLE WATER AND WASTEWATER UTILITY FACILITIES TO CHARLOTTE COUNTY; AUTHORIZING THE CHAIRMAN OR THE VICE CHAIRMAN (IN THE CHAIRMAN'S ABSENCE) TO EXECUTE SUCH CONVEYANCE DOCUMENTS TO THE EXTENT NECESSARY TO EVIDENCE THE DISTRICT'S ACCEPTANCE AND CONVEYANCE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**PASSED AND ADOPTED** at a meeting of the Board of Supervisors of Tern Bay Community Development District this 13th day of September 2022.

Attest:

**TERN BAY COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
James P. Ward, Secretary

\_\_\_\_\_  
Russell Smith, Chairman

**Exhibit A:** Acquisition and Conveyance Documents

Exhibit "A"  
Acquisition and Conveyance Documents

**BILL OF SALE, ABSOLUTE**  
**TENNIS CENTER, FITNESS CENTER & CHICKEE BAR**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

On this \_\_\_\_ day of \_\_\_\_\_, 2022, **LENNAR HOMES, LLC**, a Florida limited liability company, authorized to conduct its affairs in the State of Florida (“**Grantor**”), in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00), lawful money of the United States, and other good and valuable consideration, to be paid by **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**, a community development district established and existing pursuant to Chapter 190, Florida Statutes (“**Grantee**”), the receipt of which is acknowledged, grants, bargains, sells, transfers, and delivers unto Grantee, its successors and assigns, the following goods and chattels:

**On-site potable water and waste water utilities and improvements all as more particularly identified and depicted on Exhibit “A” attached (the “Transferred Improvements”), lying within or on the land, more particularly described on Exhibit “B” attached (the “Property”).**

Grantor, for itself and its successors and assigns, covenants to Grantee, its successors and assigns, that (1) it is the lawful owner of the goods and chattels, which are free and clear from all encumbrances; (2) it has good right, title and authority to sell and convey the same, and (3) Grantor will warrant and defend the sale and conveyance of the Property, goods, and chattels made, unto Grantee, its successors and assigns, against the lawful claims and demands of all persons and entities.

In addition, Grantor warrants to Grantee that the Transferred Improvements are fit for their intended purpose for which they will be used by Grantee and are free from any defect, whether patent or latent, in design, manufacture, construction, installation, workmanship, and materials. This warranty shall expire twelve (12) months from the date of this Bill of Sale.

Further, Grantor assigns to Grantee any and all of Assignor’s right, title and interest in and to any manufacturer, contractor, building or other warranties pertaining to the Transferred Improvements to the extent assignable.

*{Remainder of page intentionally left blank. Signatures appear on next page.}*

Grantor has executed this Bill of Sale on the day and year written above.

**GRANTOR:**

**LENNAR HOMES, LLC,**  
a Florida limited liability company

Witnesses:

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Russell R. Smith, Vice President

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

STATE OF FLORIDA            )  
  ) ss.  
COUNTY OF LEE            )

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_\_ of \_\_\_\_\_, 2022, by Russell R. Smith, as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the company, who is ( x ) personally known to me or ( ) has produced \_\_\_\_\_ as evidence of identification.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
Name: \_\_\_\_\_  
(Type or Print)  
My Commission Expires:



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Tennis Ctr, Fitness Ctr & Chickee Bar (CCU # 20/1019)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

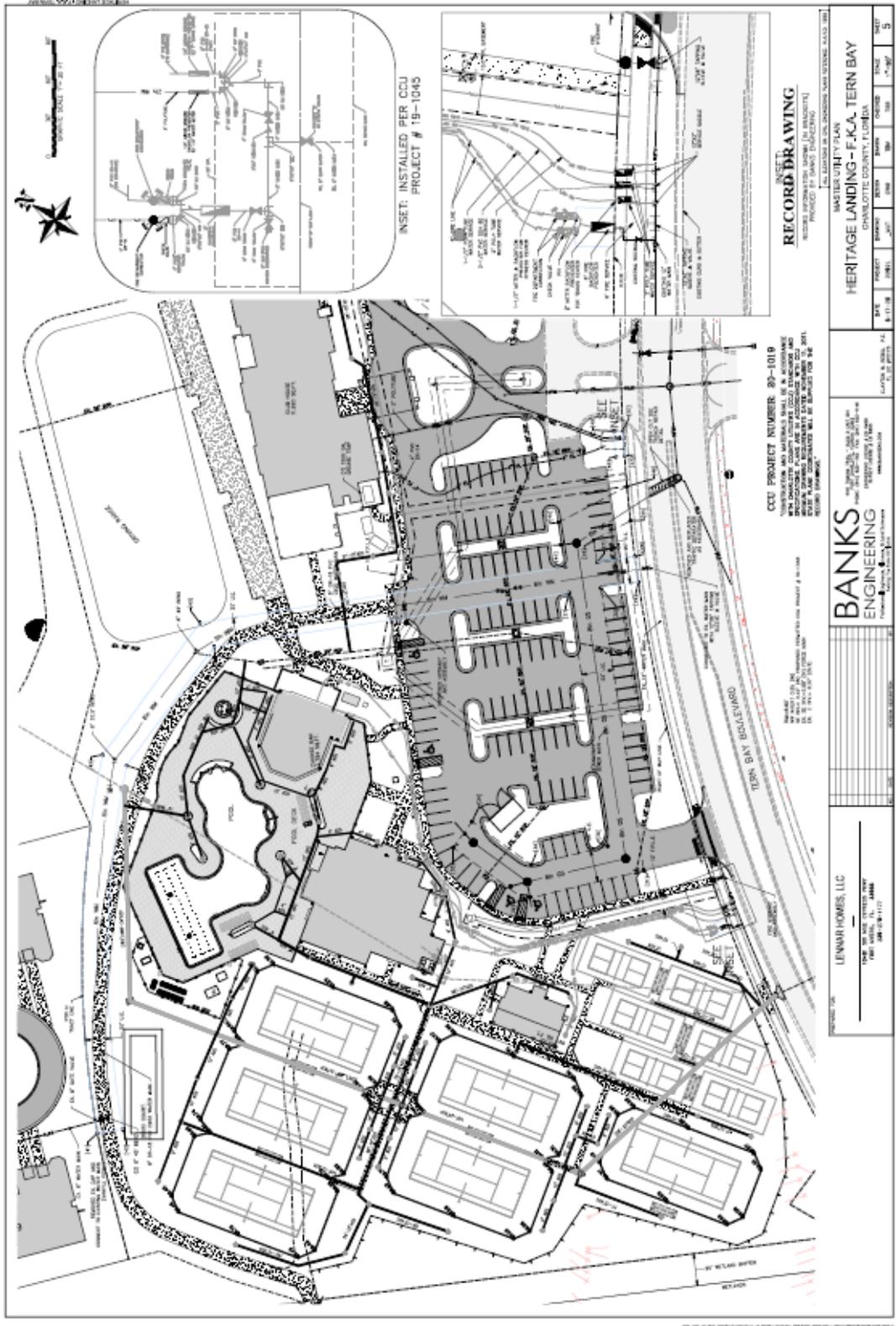
Type Utility System: Water (1 of 2)  
 (list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

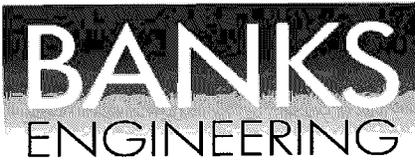
<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
DR-18 PVC C900 Watermain	8"	<del>747</del> 135'	LF	27.20	<del>\$ 20,318.40</del> \$19,992
Tapping Sleeve	8"	1	EA	5,986.19	\$ 5,986.19
Tapping Sleeve	6"	1	EA	5,348.47	\$ 5,348.47
Gate Valve	8"	✓ 1	EA	1,485.62	\$ 1,485.62
Fire Hydrant Assembly	6"	✓ 2	EA	5,026.73	\$ 10,053.46
Polytube Service Line	2"	✓ 30	LF	18.52	\$ 555.60
PVC Fire Service Line	6"	✓ 13	LF	35.00	\$ 455.00
Tapping Saddle	2"	✓ 4	EA	825.10	\$ 3,300.40
Gate Valve	2"	✓ 4	EA	985.26	\$ 3,941.04
Meter & Backflow Preventer	3/4"	✓ 1	EA	1,210.78	\$ 1,210.78
Meter & Backflow Preventer	1.5"	✓ 1	EA	1,485.32	\$ 1,485.32
Meter & Backflow Preventer	1"	✓ 1	EA	1,374.20	\$ 1,374.20
TOTAL AMOUNT					<del>\$ 55,514.48</del> \$55,188.08





The infrastructure and/or improvements are shown in the Utility Record Drawings for TENNIS CENTER, FITNESS CENTER & CHICKEE BAR prepared by Banks Engineering, an excerpt of which is shown above, and located within that real property more particularly described and depicted on Exhibit “B” attached and incorporated by reference.

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**  
**TENNIS CENTER, FITNESS CENTER & CHICKEE BAR**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 17, T-42-S, R-23-E, CHARLOTTE COUNTY, FLORIDA.

UTILITY EASEMENT

AN EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 17, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING OVER ACROSS AND THROUGH A PART OF TRACT "CC" PER THE PLAT OF HERITAGE LANDING TRACTS A-1, F, G, H, I, AA AND CC, AS RECORDED IN PLAT BOOK 23, PAGE 21, CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE N.00°35'30"E., ALONG THE WEST LINE OF SAID SECTION 17 (FOR A BASIS OF BEARING), FOR 1153.75 FEET; THENCE S.89°24'30"E. FOR 2340.53 FEET TO THE SOUTHWEST CORNER OF TRACT "H" OF SAID PLAT OF HERITAGE LANDING; THENCE ALONG THE SOUTH LINE OF SAID TRACT "H" AND THE PROLONGATION AND EXTENTION THEREOF, FOR THE FOLLOWING 3 CALLS; N.42°30'37"E. FOR 81.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 778.37 FEET, DELTA ANGLE OF 01°25'51", CHORD BEARING N.46°16'27"E., CHORD DISTANCE OF 19.44 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 19.44 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 778.37 FEET, DELTA ANGLE OF 21°48'32", CHORD BEARING N.57°53'38"E., CHORD DISTANCE OF 294.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 296.28 FEET; THENCE S.86°32'51"E. FOR 127.26 FEET; THENCE S.41°32'51"E. FOR 287.23 FEET; THENCE N.48°27'09"E. FOR 35.22 FEET; THENCE S.60°36'52"E. FOR 60.23 FEET TO THE NORTH LINE OF TRACT "R" OF SAID PLAT OF HERITAGE LANDING AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1280.00 FEET, DELTA ANGLE OF 01°12'25", CHORD BEARING S.51°23'29"W., CHORD DISTANCE OF 26.96 FEET; THENCE ALONG SAID NORTH LINE OF TRACT "R" AND THE ARC OF SAID CURVE, FOR 26.97 FEET; THENCE N.60°36'52"W. FOR 32.31 FEET; THENCE S.48°27'09"W. FOR 17.41 FEET; THENCE S.41°32'51"E. FOR 29.71 FEET TO SAID NORTH LINE OF TRACT "R" AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1280.00 FEET, DELTA ANGLE OF 00°53'43", CHORD BEARING S.49°05'17"W., CHORD DISTANCE OF 20.00 FEET; THENCE ALONG SAID NORTH LINE OF TRACT "R" AND THE ARC OF SAID CURVE, FOR 20.00 FEET; THENCE N.41°32'51"W. FOR 29.48 FEET; THENCE S.48°27'09"W. FOR 222.32 FEET; THENCE N.46°28'36"W. FOR 95.59 FEET; THENCE N.03°04'31"E. FOR 68.45 FEET; THENCE S.86°55'29"E. FOR 25.00 FEET; THENCE S.03°04'31"W. FOR 56.91 FEET; THENCE S.46°28'36"E. FOR 61.11 FEET; THENCE N.48°27'09"E. FOR 199.39 FEET; THENCE N.41°32'51"W. FOR 278.95 FEET; THENCE N.86°32'51"W. FOR 114.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 758.37 FEET, DELTA ANGLE OF 21°30'00", CHORD BEARING S.57°43'12"W., CHORD DISTANCE OF 282.91 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 284.58 FEET; THENCE N.42°16'28"W. FOR 20.00 FEET TO THE POINT OF BEGINNING.

COMBINED EASEMENTS CONTAIN 0.59 ACRES, MORE OR LESS.

BANKS ENGINEERING FLORIDA LICENSED BUSINESS NO. LB6690

DECEMBER 27, 2021

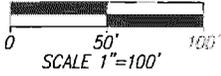
DIGITALLY SIGNED BY: C. DREW BRANCH



Date: 2021.12.27 07:39:04 -05'00'

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

SHEET 1 OF 2 SERVING THE STATE OF FLORIDA



TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

NORTH LINE TRACT "R"

TRACT "R"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "H"  
HERITAGE LANDING  
TRACTS A-1, F, G, H,  
I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

POINT OF BEGINNING

SOUTHWEST CORNER TRACT "H"

POINT OF COMMENCEMENT  
SOUTHWEST CORNER OF  
SECTION 17-42-23

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°35'30" E	1153.75'
L2	S 89°24'30" E	2340.53'
L3	N 42°30'37" E	81.27'
L4	S 86°32'51" E	127.26'
L5	S 41°32'51" E	287.23'
L6	N 48°27'09" E	35.22'
L7	S 60°36'52" E	60.23'
L8	N 60°36'52" W	32.31'
L9	S 48°27'09" W	17.41'
L10	S 41°32'51" E	29.71'
L11	N 41°32'51" W	29.48'
L12	S 48°27'09" W	222.32'
L13	N 46°28'36" W	95.59'
L14	N 03°04'31" E	68.45'
L15	S 86°55'29" E	25.00'
L16	S 03°04'31" W	56.91'
L17	S 46°28'36" E	61.11'
L18	N 48°27'09" E	199.39'
L19	N 41°32'51" W	278.95'
L20	N 86°32'51" W	114.58'
L21	N 42°16'28" W	20.00'

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	778.37'	19.44'	19.44'	N 46°16'27" E	01°25'51"
C2	778.37'	296.28'	294.49'	N 57°53'38" E	21°48'32"
C3	1280.00'	26.97'	26.96'	S 51°23'29" W	01°12'25"
C4	1280.00'	20.00'	20.00'	S 49°05'17" W	00°53'43"
C5	758.37'	284.58'	282.91'	S 57°43'12" W	21°30'00"

LEGEND:

- LB LICENSED BUSINESS
- EB ENGINEERING BUSINESS
- L1 LINE ONE IN TABLE
- C1 CURVE ONE IN TABLE

THIS IS NOT A BOUNDARY SURVEY

**BANKS ENGINEERING**

4161 TAMiami TRAIL - BLDG 5 UNIT 501  
PORT CHARLOTTE, FLORIDA 33952  
PHONE: (941) 625-1165 FAX: (941) 625-1149  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

DESCRIPTION OF SKETCH

**UTILITY EASEMENT**  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
12-21-21	2292L	UTILITY	N/A	DDB	CDB	1"=100'	2of2

**OWNER'S AFFIDAVIT**  
**TENNIS CENTER, FITNESS CENTER & CHICKEE BAR**  
**Lennar Homes, LLC**  
**On-Site Potable Water and Waste Water Utilities**

**STATE OF FLORIDA**  
**COUNTY OF LEE**

Before me, the undersigned authority, personally appeared Russell R. Smith, who to me is well known, and having been sworn under oath, deposes and states:

1. My name is Russell R. Smith and I am the Vice President of Lennar Homes, LLC, a Florida limited liability company (the "**Company**"). I am over the age of twenty-one (21) years, and have personal current knowledge of the facts asserted in this Affidavit.

2. The Company is the owner of certain on-site potable water and waste water utilities and improvements and certain Charlotte County on-site potable water and waste water connection and capacity fees all as more particularly described in the support documentation for TENNIS CENTER, FITNESS CENTER & CHICKEE BAR prepared by Banks Engineering, Inc. as further identified and depicted on **Exhibit "A"** (the "**Transferred Improvements**") located within, through, and/or on the real property legally described on the attached **Exhibit "B"** (the "**Property**"), which are being conveyed to Tern Bay Community Development District (the "**District**").

3. All persons, firms, and corporations, including the general contractor, all laborers, subcontractors, sub-subcontractors, materialmen, and suppliers who have furnished services, labor or materials in the construction and installation of the Transferred Improvements on the Property within the scope of this requisition have been paid in full and that such portion of the work has been fully completed and unconditionally accepted by the Company. If, however, that if it is subsequently discovered that any amount(s) related to the subject improvements is due and owing, then the Company agrees to timely make payment for all remaining amounts owed, and to ensure that no liens are placed on the improvements or the real property upon which the improvements are located.

4. No claims have been made to the Company, nor is any suit now pending on behalf of any contractor, subcontractor, sub-subcontractors supplier, laborer or materialman, and no chattel mortgages or conditional bills of sale have been given or are now outstanding as to the Transferred Improvements. All of the work performed on the Transferred Improvements is free and clear of all liens or claims and there are no judgments, claims, disputes, demands or other matters pending against the Company that could attach to the Property or the Transferred Improvements.

5. The Transferred Improvements are not included in, encumbered by, or subject to any real property mortgage, chattel mortgage, security agreement, Uniform Commercial Code Financing Statement, or other encumbrance.

6. The Company, as the legal owner of the Transferred Improvements, and for valuable consideration shall hold the District harmless against any lien, claim or suit by any general contractor, subcontractor, sub-subcontractor, supplier, mechanic or materialman, and against chattel mortgages, mortgages, liens, security interests or other encumbrances affecting the Transferred Improvements.

7. In making this Affidavit, I understand that the District intends to rely on this Affidavit for purposes of acquiring the infrastructure improvements identified herein.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Russell R. Smith, Vice President of  
Lennar Homes, LLC, a Florida limited  
liability company

STATE OF FLORIDA  
COUNTY OF LEE

SWORN TO AND SUBSCRIBED before me by means of ( ) physical presence or ( ) online notarization, on this \_\_\_\_ day of \_\_\_\_\_, 2022, by Russell R. Smith, as Vice President of Lennar Homes, LLC, a Florida limited liability company, who ( x ) is personally known to me or ( ) has produced \_\_\_\_\_ as evidence of identification.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC

Name: \_\_\_\_\_

(Type or Print)

My Commission Expires:



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Tennis Ctr, Fitness Ctr & Chickee Bar (CCU # 20/1019)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

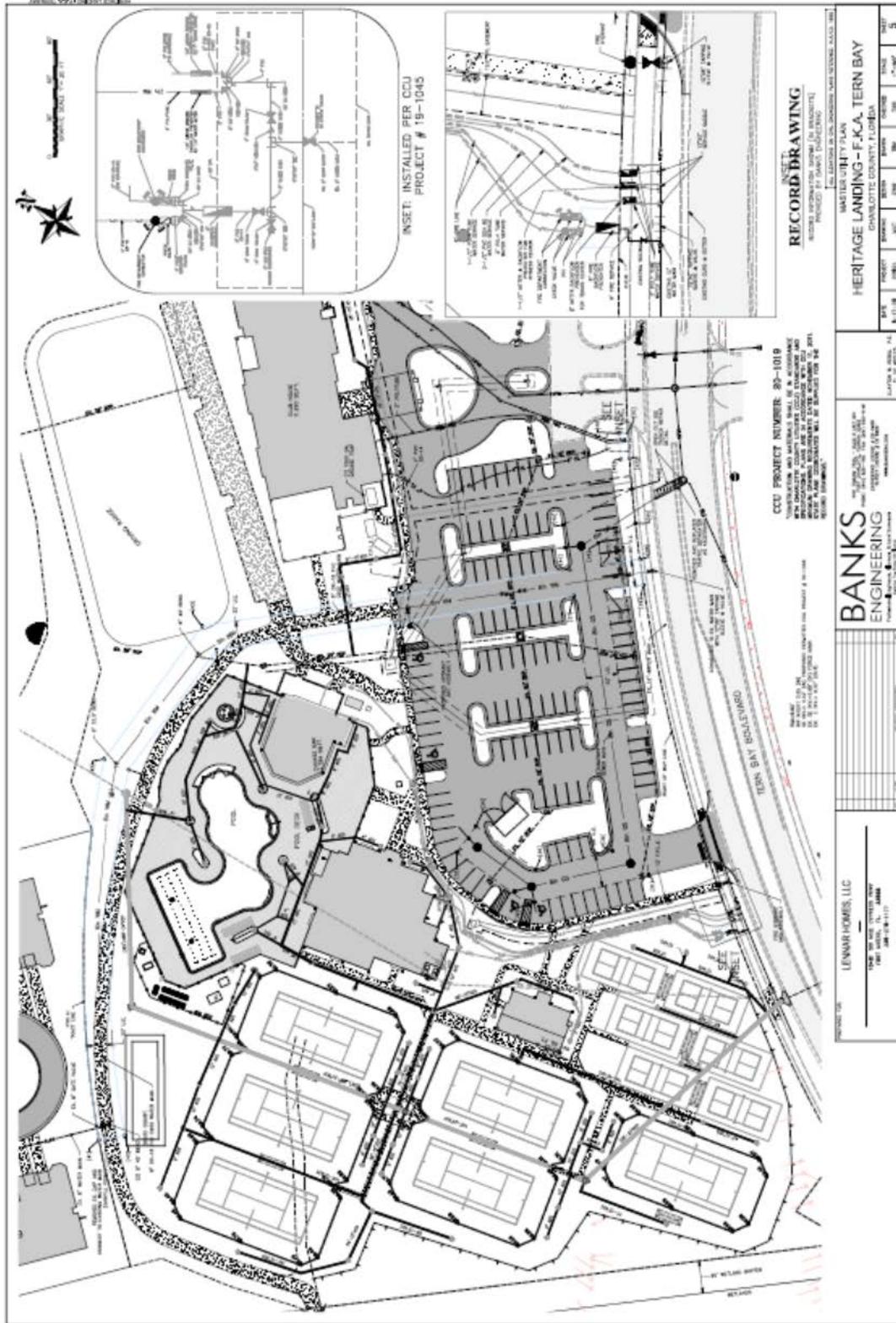
Type Utility System: Water (1 of 2)  
(list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

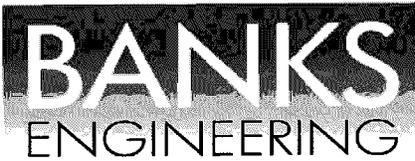
<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
DR-18 PVC C900 Watermain	8"	<del>747</del> 135	LF	27.20	<del>\$ 20,318.40</del> \$19,992
Tapping Sleeve	8"	1	EA	5,986.19	\$ 5,986.19
Tapping Sleeve	6"	1	EA	5,348.47	\$ 5,348.47
Gate Valve	8"	✓ 1	EA	1,485.62	\$ 1,485.62
Fire Hydrant Assembly	6"	✓ 2	EA	5,026.73	\$ 10,053.46
Polytube Service Line	2"	✓ 30	LF	18.52	\$ 555.60
PVC Fire Service Line	6"	✓ 13	LF	35.00	\$ 455.00
Tapping Saddle	2"	✓ 4	EA	825.10	\$ 3,300.40
Gate Valve	2"	✓ 4	EA	985.26	\$ 3,941.04
Meter & Backflow Preventer	3/4"	✓ 1	EA	1,210.78	\$ 1,210.78
Meter & Backflow Preventer	1.5"	✓ 1	EA	1,485.32	\$ 1,485.32
Meter & Backflow Preventer	1"	✓ 1	EA	1,374.20	\$ 1,374.20
TOTAL AMOUNT					<del>\$ 55,514.48</del> \$55,188.08





The infrastructure and/or improvements are shown in the Utility Record Drawings for TENNIS CENTER, FITNESS CENTER & CHICKEE BAR prepared by Banks Engineering, an excerpt of which is shown above, and located within that real property more particularly described on Exhibit “B” attached and incorporated by reference.

**LEGAL DESCRIPTION  
TENNIS CENTER, FITNESS CENTER & CHICKEE BAR  
Lennar Homes, LLC  
On-Site Potable Water and Waste Water Utilities**



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 17, T-42-S, R-23-E, CHARLOTTE COUNTY, FLORIDA.

UTILITY EASEMENT

AN EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 17, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING OVER ACROSS AND THROUGH A PART OF TRACT "CC" PER THE PLAT OF HERITAGE LANDING TRACTS A-1, F, G, H, I, AA AND CC, AS RECORDED IN PLAT BOOK 23, PAGE 21, CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE N.00°35'30"E., ALONG THE WEST LINE OF SAID SECTION 17 (FOR A BASIS OF BEARING), FOR 1153.75 FEET; THENCE S.89°24'30"E. FOR 2340.53 FEET TO THE SOUTHWEST CORNER OF TRACT "H" OF SAID PLAT OF HERITAGE LANDING; THENCE ALONG THE SOUTH LINE OF SAID TRACT "H" AND THE PROLONGATION AND EXTENTION THEREOF, FOR THE FOLLOWING 3 CALLS; N.42°30'37"E. FOR 81.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 778.37 FEET, DELTA ANGLE OF 01°25'51", CHORD BEARING N.46°16'27"E., CHORD DISTANCE OF 19.44 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 19.44 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 778.37 FEET, DELTA ANGLE OF 21°48'32", CHORD BEARING N.57°53'38"E., CHORD DISTANCE OF 294.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 296.28 FEET; THENCE S.86°32'51"E. FOR 127.26 FEET; THENCE S.41°32'51"E. FOR 287.23 FEET; THENCE N.48°27'09"E. FOR 35.22 FEET; THENCE S.60°36'52"E. FOR 60.23 FEET TO THE NORTH LINE OF TRACT "R" OF SAID PLAT OF HERITAGE LANDING AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1280.00 FEET, DELTA ANGLE OF 01°12'25", CHORD BEARING S.51°23'29"W., CHORD DISTANCE OF 26.96 FEET; THENCE ALONG SAID NORTH LINE OF TRACT "R" AND THE ARC OF SAID CURVE, FOR 26.97 FEET; THENCE N.60°36'52"W. FOR 32.31 FEET; THENCE S.48°27'09"W. FOR 17.41 FEET; THENCE S.41°32'51"E. FOR 29.71 FEET TO SAID NORTH LINE OF TRACT "R" AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1280.00 FEET, DELTA ANGLE OF 00°53'43", CHORD BEARING S.49°05'17"W., CHORD DISTANCE OF 20.00 FEET; THENCE ALONG SAID NORTH LINE OF TRACT "R" AND THE ARC OF SAID CURVE, FOR 20.00 FEET; THENCE N.41°32'51"W. FOR 29.48 FEET; THENCE S.48°27'09"W. FOR 222.32 FEET; THENCE N.46°28'36"W. FOR 95.59 FEET; THENCE N.03°04'31"E. FOR 68.45 FEET; THENCE S.86°55'29"E. FOR 25.00 FEET; THENCE S.03°04'31"W. FOR 56.91 FEET; THENCE S.46°28'36"E. FOR 61.11 FEET; THENCE N.48°27'09"E. FOR 199.39 FEET; THENCE N.41°32'51"W. FOR 278.95 FEET; THENCE N.86°32'51"W. FOR 114.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 758.37 FEET, DELTA ANGLE OF 21°30'00", CHORD BEARING S.57°43'12"W., CHORD DISTANCE OF 282.91 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 284.58 FEET; THENCE N.42°16'28"W. FOR 20.00 FEET TO THE POINT OF BEGINNING.

COMBINED EASEMENTS CONTAIN 0.59 ACRES, MORE OR LESS.

BANKS ENGINEERING FLORIDA LICENSED BUSINESS NO. LB6690

DECEMBER 27, 2021

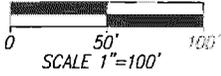
DIGITALLY SIGNED BY: C. DREW BRANCH



Date: 2021.12.27 07:39:04 -05'00'

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

SHEET 1 OF 2 SERVING THE STATE OF FLORIDA



TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

NORTH LINE TRACT "R"

TRACT "R"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "H"  
HERITAGE LANDING  
TRACTS A-1, F, G, H,  
I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

POINT OF BEGINNING

SOUTHWEST CORNER TRACT "H"

POINT OF COMMENCEMENT  
SOUTHWEST CORNER OF  
SECTION 17-42-23

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°35'30" E	1153.75'
L2	S 89°24'30" E	2340.53'
L3	N 42°30'37" E	81.27'
L4	S 86°32'51" E	127.26'
L5	S 41°32'51" E	287.23'
L6	N 48°27'09" E	35.22'
L7	S 60°36'52" E	60.23'
L8	N 60°36'52" W	32.31'
L9	S 48°27'09" W	17.41'
L10	S 41°32'51" E	29.71'
L11	N 41°32'51" W	29.48'
L12	S 48°27'09" W	222.32'
L13	N 46°28'36" W	95.59'
L14	N 03°04'31" E	68.45'
L15	S 86°55'29" E	25.00'
L16	S 03°04'31" W	56.91'
L17	S 46°28'36" E	61.11'
L18	N 48°27'09" E	199.39'
L19	N 41°32'51" W	278.95'
L20	N 86°32'51" W	114.58'
L21	N 42°16'28" W	20.00'

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	778.37'	19.44'	19.44'	N 46°16'27" E	01°25'51"
C2	778.37'	296.28'	294.49'	N 57°53'38" E	21°48'32"
C3	1280.00'	26.97'	26.96'	S 51°23'29" W	01°12'25"
C4	1280.00'	20.00'	20.00'	S 49°05'17" W	00°53'43"
C5	758.37'	284.58'	282.91'	S 57°43'12" W	21°30'00"

LEGEND:

- LB LICENSED BUSINESS
- EB ENGINEERING BUSINESS
- L1 LINE ONE IN TABLE
- C1 CURVE ONE IN TABLE

THIS IS NOT A BOUNDARY SURVEY

**BANKS**  
ENGINEERING

4161 TAMiami TRAIL - BLDG 5 UNIT 501  
PORT CHARLOTTE, FLORIDA 33952  
PHONE: (941) 625-1165 FAX: (941) 625-1149  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

DESCRIPTION OF SKETCH

UTILITY EASEMENT  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
12-21-21	2292L	UTILITY	N/A	DDB	CDB	1"=100'	2of2

This instrument was prepared  
without an opinion of title and  
after recording return to:  
Gregory L. Urbancic, Esq.  
Coleman, Yovanovich & Koester, P.A.  
4001 Tamiami Trail North, Suite 300  
Naples, Florida 34103  
(239) 435-3535

---

(space above this line for recording data)

## **UTILITY EASEMENT**

**THIS UTILITY EASEMENT** (this “**Easement**”) is made and executed as of this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by **LENNAR HOMES, LLC**, a Florida limited liability company (“**Grantor**”) and **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**, a community development district established and existing pursuant to Chapter 190, Florida Statutes, its successors and assigns (“**Grantee**”).

### WITNESSETH:

Grantor hereby conveys, grants, bargains and sells unto Grantee a perpetual, non-exclusive easement, license and privilege for public utility purposes including, without limitation, operating and maintaining potable water and sanity sewer utility lines, facilities, structures or improvements (collectively, the “**Utility Facilities**”) as may be, from time to time, located upon or within that certain real property in Charlotte County, Florida legally described on **Exhibit “A”** attached hereto and made a part hereof (the “**Easement Area**”), together with an easement for ingress and egress over, in, upon and across the Easement Area as may be reasonably necessary to effectively utilize the easement rights granted herein (the “**Easement Activity**”). The term “Easement Activity” shall also include the right to enter upon and construct, install, operate, maintain, repair, replace or reconstruct the Utility Facilities. Grantor grants to Grantee the right to enter upon the Easement Area, place, excavate, and take materials for the purpose of conducting the Easement Activity pursuant to the terms of this Easement.

This Easement shall be a covenant running with the land and shall be binding upon and inure to the benefit of the parties hereto.

Grantor warrants that it is lawfully seized in fee simple of the land upon which this Easement is situated and it has good and lawful authority to convey this Easement.

*{Remainder of page intentionally left blank. Signatures appear on next page.}*

IN WITNESSES WHEREOF, Grantor hereby executes this Easement as of the date first written above.

**GRANTOR:**

**LENNAR HOMES, LLC,**  
a Florida limited liability company

Witnesses:

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Russell R. Smith, Vice President

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_

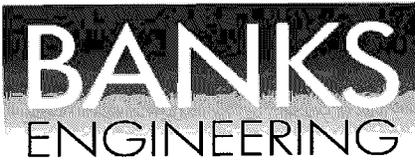
STATE OF FLORIDA            )  
  ) ss.  
COUNTY OF LEE            )

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_\_ of \_\_\_\_\_, 2022, by Russell R. Smith, as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the company, who is ( x ) personally known to me or ( ) has produced \_\_\_\_\_ as evidence of identification.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
Name: \_\_\_\_\_  
(Type or Print)  
My Commission Expires:

**Exhibit "A"**  
**Easement Area**



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 17, T-42-S, R-23-E, CHARLOTTE COUNTY, FLORIDA.

UTILITY EASEMENT

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BANKS ENGINEERING FLORIDA LICENSED BUSINESS NO. LB6690

DECEMBER 27, 2021

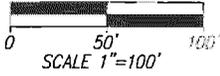
DIGITALLY SIGNED BY: C. DREW BRANCH

Date: 2021.12.27 07:39:04 -05'00'



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

SHEET 1 OF 2 SERVING THE STATE OF FLORIDA



TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

NORTH LINE TRACT "R"

TRACT "R"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "H"  
HERITAGE LANDING  
TRACTS A-1, F, G, H,  
I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

POINT OF BEGINNING

SOUTHWEST CORNER TRACT "H"

POINT OF COMMENCEMENT  
SOUTHWEST CORNER OF  
SECTION 17-42-23

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°35'30" E	1153.75'
L2	S 89°24'30" E	2340.53'
L3	N 42°30'37" E	81.27'
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CURVE TABLE

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LEGEND:

- LB LICENSED BUSINESS
- EB ENGINEERING BUSINESS
- L1 LINE ONE IN TABLE
- C1 CURVE ONE IN TABLE

THIS IS NOT A BOUNDARY SURVEY

**BANKS**  
ENGINEERING

4161 TAMiami TRAIL - BLDG 5 UNIT 501  
PORT CHARLOTTE, FLORIDA 33952  
PHONE: (941) 625-1165 FAX: (941) 625-1149  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

DESCRIPTION OF SKETCH

UTILITY EASEMENT  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
12-21-21	2292L	UTILITY	N/A	DDB	CDB	1"=100'	2of2

# CLOSING TRANSFER LETTER AGREEMENT

August \_\_\_\_, 2022

Tern Bay Community Development District  
c/o James P. Ward, District Manager  
JP Ward & Associates, LLC  
2301 Northeast 37th Street  
Fort Lauderdale, Florida 33308

Re: Closing Transfer Letter Agreement  
Acquisition of Public Utility Infrastructure Improvements, TENNIS CENTER, FITNESS  
CENTER & CHICKEE BAR

Dear Jim,

Pursuant to the Amended and Restated Agreement Regarding The Acquisition of Certain Work Product, Infrastructure And Real Property dated as of February 28, 2022 ("**Acquisition Agreement**"), you are hereby notified that Lennar Homes, LLC ("**Developer**") has completed and desires to sell ("**Sale**") to Tern Bay Community Development District ("**District**") certain potable water and sanitary sewer utility improvements ("**Improvements**"), related to what is known as TENNIS CENTER, FITNESS CENTER & CHICKEE BAR, and all as described on **Exhibit "A"** attached hereto and made a part hereof. The Improvement are located in or within the real property on **Exhibit "B"** attached hereto and made a part hereof (the "**Property**"). The specific location of the Improvements within the Property are shown on **Exhibit "C"**. Subject to the terms of the Acquisition Agreement, the following terms govern the proposed Sale:

- The Developer agrees, at the direction of the District, to assist with the transfer of any permits or similar approvals necessary for the operation of the Improvements.

- The Developer agrees, at the direction of the District, to assist the District with the turnover from the District and to Charlotte County all of the District's rights, title and interest in the Improvements, including but not limited to completing any agreed upon punch list items at the Developer's expense, warranting any such Improvements to the extent required by Charlotte County, and posting and maintaining any required maintenance bonds.

If the District is in agreement with the terms stated herein, please execute this letter agreement in the space below and proceed with the necessary steps to effect the Sale.

Sincerely,

**LENNAR HOMES, LLC,**  
a Florida limited liability company

By: \_\_\_\_\_  
Russell R. Smith, Vice President

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

**AGREED TO BY THE DISTRICT:**

**TERN BAY COMMUNITY  
DEVELOPMENT DISTRICT**

ATTEST:

\_\_\_\_\_  
James P. Ward, Secretary

By: \_\_\_\_\_  
Russell Smith, Chairman

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



CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Tennis Ctr, Fitness Ctr & Chickee Bar (CCU # 20/1019)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

Type Utility System: Water (1 of 2)  
 (list water, sewer, and effluent reuse separately)

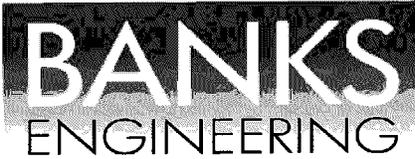
DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

<i>Item</i>	<i>Size</i>	<i>Qty</i>	<i>Unit</i>	<i>Cost</i>	<i>Total</i>
DR-18 PVC C900 Watermain	8"	<del>747</del> 735	LF	27.20	<del>\$ 20,318.40</del> \$19,992
Tapping Sleeve	8"	1	EA	5,986.19	\$ 5,986.19
Tapping Sleeve	6"	1	EA	5,348.47	\$ 5,348.47
Gate Valve	8"	✓ 1	EA	1,485.62	\$ 1,485.62
Fire Hydrant Assembly	6"	✓ 2	EA	5,026.73	\$ 10,053.46
Polytube Service Line	2"	✓ 30	LF	18.52	\$ 555.60
PVC Fire Service Line	6"	✓ 13	LF	35.00	\$ 455.00
Tapping Saddle	2"	✓ 4	EA	825.10	\$ 3,300.40
Gate Valve	2"	✓ 4	EA	985.26	\$ 3,941.04
Meter & Backflow Preventer	3/4"	✓ 1	EA	1,210.78	\$ 1,210.78
Meter & Backflow Preventer	1.5"	✓ 1	EA	1,485.32	\$ 1,485.32
Meter & Backflow Preventer	1"	✓ 1	EA	1,374.20	\$ 1,374.20
TOTAL AMOUNT					<del>\$ 55,514.48</del> \$55,188.08



**Exhibit "B"**  
**Property**



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 17, T-42-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

UTILITY EASEMENT

AN EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 17,
TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING OVER ACROSS AND THROUGH A PART OF TRACT "CC" PER THE
PLAT OF HERITAGE LANDING TRACTS A-1, F, G, H, I, AA AND CC, AS RECORDED IN PLAT BOOK 23, PAGE 21,
CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE N.00°35'30"E., ALONG THE WEST
LINE OF SAID SECTION 17 (FOR A BASIS OF BEARING), FOR 1153.75 FEET; THENCE S.89°24'30"E. FOR 2340.53
FEET TO THE SOUTHWEST CORNER OF TRACT "H" OF SAID PLAT OF HERITAGE LANDING; THENCE ALONG
THE SOUTH LINE OF SAID TRACT "H" AND THE PROLONGATION AND EXTENTION THEREOF, FOR THE
FOLLOWING 3 CALLS; N.42°30'37"E. FOR 81.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE
RIGHT HAVING A RADIUS OF 778.37 FEET, DELTA ANGLE OF 01°25'51", CHORD BEARING N.46°16'27"E., CHORD
DISTANCE OF 19.44 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 19.44 FEET TO THE BEGINNING OF A
COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 778.37 FEET, DELTA ANGLE OF 21°48'32", CHORD
BEARING N.57°53'38"E., CHORD DISTANCE OF 294.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR
296.28 FEET; THENCE S.86°32'51"E. FOR 127.26 FEET; THENCE S.41°32'51"E. FOR 287.23 FEET; THENCE
N.48°27'09"E. FOR 35.22 FEET; THENCE S.60°36'52"E. FOR 60.23 FEET TO THE NORTH LINE OF TRACT "R" OF SAID
PLAT OF HERITAGE LANDING AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A
RADIUS OF 1280.00 FEET, DELTA ANGLE OF 01°12'25", CHORD BEARING S.51°23'29"W., CHORD DISTANCE OF
26.96 FEET; THENCE ALONG SAID NORTH LINE OF TRACT "R" AND THE ARC OF SAID CURVE, FOR 26.97 FEET;
THENCE N.60°36'52"W. FOR 32.31 FEET; THENCE S.48°27'09"W. FOR 17.41 FEET; THENCE S.41°32'51"E. FOR 29.71
FEET TO SAID NORTH LINE OF TRACT "R" AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT
HAVING A RADIUS OF 1280.00 FEET, DELTA ANGLE OF 00°53'43", CHORD BEARING S.49°05'17"W., CHORD
DISTANCE OF 20.00 FEET; THENCE ALONG SAID NORTH LINE OF TRACT "R" AND THE ARC OF SAID CURVE,
FOR 20.00 FEET; THENCE N.41°32'51"W. FOR 29.48 FEET; THENCE S.48°27'09"W. FOR 222.32 FEET; THENCE
N.46°28'36"W. FOR 95.59 FEET; THENCE N.03°04'31"E. FOR 68.45 FEET; THENCE S.86°55'29"E. FOR 25.00 FEET;
THENCE S.03°04'31"W. FOR 56.91 FEET; THENCE S.46°28'36"E. FOR 61.11 FEET; THENCE N.48°27'09"E. FOR 199.39
FEET; THENCE N.41°32'51"W. FOR 278.95 FEET; THENCE N.86°32'51"W. FOR 114.58 FEET TO THE BEGINNING OF A
NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 758.37 FEET, DELTA ANGLE OF 21°30'00", CHORD
BEARING S.57°43'12"W., CHORD DISTANCE OF 282.91 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR
284.58 FEET; THENCE N.42°16'28"W. FOR 20.00 FEET TO THE POINT OF BEGINNING.

COMBINED EASEMENTS CONTAIN 0.59 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

DECEMBER 27, 2021

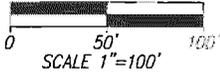
DIGITALLY SIGNED BY:
C. DREW BRANCH

Date:
2021.12.27
07:39:04
-05'00'



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

SHEET 1 OF 2
SERVING THE STATE OF FLORIDA



TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

NORTH LINE TRACT "R"

TRACT "R"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "H"  
HERITAGE LANDING  
TRACTS A-1, F, G, H,  
I, AA AND CC  
PLAT BOOK 23, PAGE 21

TRACT "CC"  
HERITAGE LANDING  
TRACTS A-1, F, G, H, I, AA AND CC  
PLAT BOOK 23, PAGE 21

POINT OF BEGINNING

SOUTHWEST CORNER TRACT "H"

POINT OF COMMENCEMENT  
SOUTHWEST CORNER OF  
SECTION 17-42-23

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°35'30" E	1153.75'
L2	S 89°24'30" E	2340.53'
L3	N 42°30'37" E	81.27'
L4	S 86°32'51" E	127.26'
L5	S 41°32'51" E	287.23'
L6	N 48°27'09" E	35.22'
L7	S 60°36'52" E	60.23'
L8	N 60°36'52" W	32.31'
L9	S 48°27'09" W	17.41'
L10	S 41°32'51" E	29.71'
L11	N 41°32'51" W	29.48'
L12	S 48°27'09" W	222.32'
L13	N 46°28'36" W	95.59'
L14	N 03°04'31" E	68.45'
L15	S 86°55'29" E	25.00'
L16	S 03°04'31" W	56.91'
L17	S 46°28'36" E	61.11'
L18	N 48°27'09" E	199.39'
L19	N 41°32'51" W	278.95'
L20	N 86°32'51" W	114.58'
L21	N 42°16'28" W	20.00'

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	778.37'	19.44'	19.44'	N 46°16'27" E	01°25'51"
C2	778.37'	296.28'	294.49'	N 57°53'38" E	21°48'32"
C3	1280.00'	26.97'	26.96'	S 51°23'29" W	01°12'25"
C4	1280.00'	20.00'	20.00'	S 49°05'17" W	00°53'43"
C5	758.37'	284.58'	282.91'	S 57°43'12" W	21°30'00"

LEGEND:

- LB LICENSED BUSINESS
- EB ENGINEERING BUSINESS
- L1 LINE ONE IN TABLE
- C1 CURVE ONE IN TABLE

THIS IS NOT A BOUNDARY SURVEY

**BANKS ENGINEERING**

4161 TAMiami TRAIL - BLDG 5 UNIT 501  
PORT CHARLOTTE, FLORIDA 33952  
PHONE: (941) 625-1165 FAX: (941) 625-1149  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

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

DESCRIPTION OF SKETCH

**UTILITY EASEMENT**  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
12-21-21	2292L	UTILITY	N/A	DDB	CDB	1"=100'	2of2



## BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that Tern Bay Community Development District, a community development district established and existing pursuant to Chapter 190, Florida Statutes, hereinafter called District, for and in consideration of the payment of the sum of ten dollars (\$10.00) by Charlotte County Utilities, agency of Charlotte County, hereinafter referred to as Utilities, the receipt of which is hereby acknowledged, and other good and valuable consideration set out in the Utility Agreement entered into between Lennar Homes, LLC and Charlotte County on August 5, 2021, the provisions of said agreement to be specifically incorporated herein by reference, has remised, released and quit claim and by these presents does remise, release and quit claim unto the said Utilities, its successors and assigns, all those certain properties located in the County of Charlotte, State of Florida, more particularly described as follows:

### Exhibit A (Certification of Detailed Cost of Contributory Assets)

TOGETHER with all of the rights of the District arising out of any and all guarantees, performances bonds, contracts, and agreements of the District in connection with said water and/or sewer system.

TOGETHER with every right, privilege, permit and easement of every kind and nature of the District, and in connection with the property or properties herein described, as the same are now located, all such rights pertaining only to the property or properties herein described.

TO HAVE AND TO HOLD the same unto Utilities, its successors and assigns, forever.

And said District does for itself and its successors covenant to and with the said Utilities, its successors and assigns, that it is the lawful owner of the property herein described and that this property is free from all encumbrances or if encumbered District has properly notified the Utility of any

encumbrance. District further covenants that they have the right to sell the goods and will warrant and defend the right against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the District has caused these presents to be signed in its name this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

WITNESSES:

TERN BAY COMMUNITY  
DEVELOPMENT DISTRICT:

\_\_\_\_\_

By: \_\_\_\_\_  
Russell Smith, Chairman

\_\_\_\_\_

STATE OF FLORIDA                    )  
COUNTY OF \_\_\_\_\_            )

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Russell Smith, as Chairman of Tern Bay Community Development District, who is ( ) personally known to me or ( ) has presented \_\_\_\_\_ as identification and did/did not take an oath.

My Commission expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name of Notary

\_\_\_\_\_  
Serial or Commission Number

BILL OF SALE

Exhibit "A"

RECEIVED

MAR 15 2022

CERTIFICATION OF DETAILED COST OF CONTRIBUTORY ASSETS

Project Name: Heritage Landing Tennis Ctr, Fitness Ctr & Chickee Bar (CCU # 20/1019)

Location: Heritage Landing Blvd., Punta Gorda, FL 33955

Type Utility System: Water (1 of 2)  
(list water, sewer, and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

Item	Size	Qty	Unit	Cost	Total
DR-18 PVC C900 Watermain	8"	<del>747</del> <sup>735'</sup>	LF	27.20	<del>\$ 20,318.40</del> <sup>\$19,992</sup>
Tapping Sleeve	8"	1	EA	5,986.19	\$ 5,986.19
Tapping Sleeve	6"	1	EA	5,348.47	\$ 5,348.47
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Gate Valve	2"	✓ 4	EA	985.26	\$ 3,941.04
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Meter & Backflow Preventer	1.5"	✓ 1	EA	1,485.32	\$ 1,485.32
Meter & Backflow Preventer	1"	✓ 1	EA	1,374.20	\$ 1,374.20
TOTAL AMOUNT					<del>\$ 55,514.48</del> <sup>\$55,188.08</sup>

(If more space if required, use additional pages. Number each page and include the name of the project.)





I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Charlotte County and corresponds with the record drawings.

Jayson Oreschnick V.P  
Name & Title of Certifying Agent

Of: Haleakala Construction, Inc.  
Firm or Corporation

Address: 5758 Taylor Road  
Naples, FL 34109

STATE OF Florida )

COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 18th day of November, 2021, by Jayson Oreschnick who has produced \_\_\_\_\_ who is personally known to me \_\_\_\_\_ as identification, and who did/did not take an oath.

Christina K Shipman  
Notary Public Signature

Christina K. Shipman  
Printed Name of Notary Public





I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Charlotte County and corresponds with the record drawings.

*Jayson Oreschnick V.P*

Name & Title of Certifying Agent

Of: Haleakala Construction, Inc.

Firm or Corporation

Address: 5758 Taylor Road

Naples, FL 34109

STATE OF Florida )

COUNTY OF Collier )

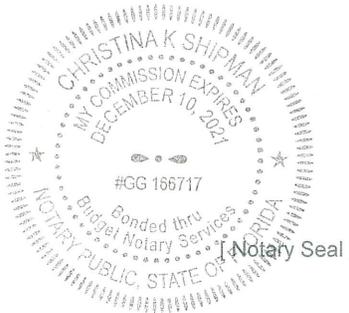
The foregoing instrument was signed and acknowledged before me this 18th day of November, 2021, by Jayson Oreschnick

~~who has produced~~ who is personally known to me as identification, and who did/did not take an oath.

*Christina K Shipman*  
Notary Public Signature

**Christina K. Shipman**

Printed Name of Notary Public



**RESOLUTION 2022-15**

**A RESOLUTION DESIGNATING THE REGISTERED AGENT; DESIGNATING THE OFFICE AND LOCATION OF THE REGISTERED OFFICE; AND PROVIDING FOR CONFLICTS AND INVALID PROVISIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, Tern Bay 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 Charlotte County, Florida; and

**WHEREAS**, the District is statutorily required to designate a registered agent and a registered office location for the purposes of accepting any process, notice, or demand required or permitting by law to be served upon the District in accordance with Section 189.014(1), *Florida Statutes*; and

**WHEREAS**, the Board of Supervisors of the Tern Bay Community Development District desire to appoint James P. Ward as the Registered Agent and designate the offices of JPWard & Associates, LLC, 2301 Northeast 37<sup>th</sup> Street, Fort Lauderdale, Florida 3330, as the Registered Office.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TERN BAY COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. DESIGNATION OF REGISTERED AGENT:** James P. Ward is hereby appointed as the Registered Agent.

**SECTION 2. DESIGNATION OF REGISTERED OFFICE.** The offices of JPWard & Associates, LLC, 2301 Northeast 37<sup>th</sup> Street, Fort Lauderdale, Florida 33308 is hereby designated as the Registered Office.

**SECTION 3. SEVERABILITY AND INVALID PROVISIONS.** If any one of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contract to the policy of express law, but not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way effect the validity of the other provisions hereof.

**SECTION 4. 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 5. PROVIDING FOR AN EFFECTIVE DATE.** This Resolution shall become effective immediately upon passage.

**PASSED AND ADOPTED** this 13th day of September 2022.

**ATTEST:**

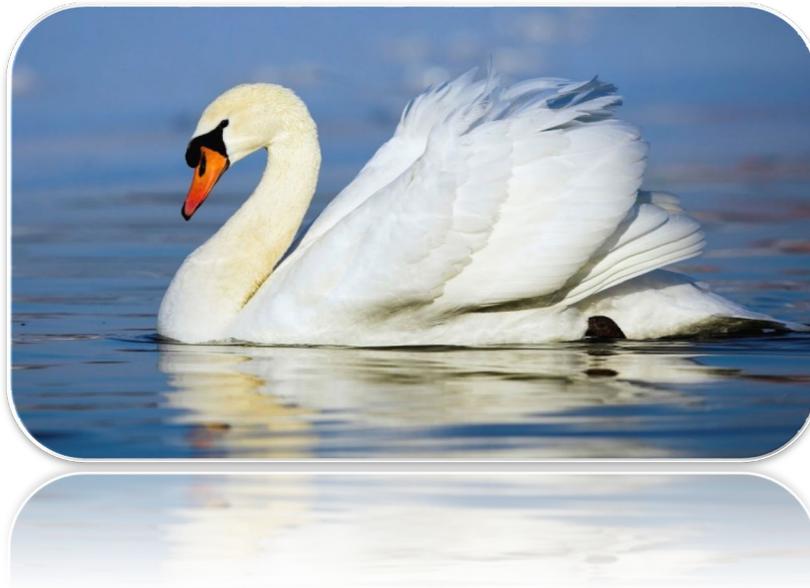
**TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
James P. Ward, Secretary

\_\_\_\_\_  
Russell Smith, Chairman

# **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

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## **FINANCIAL STATEMENTS - JULY 2022**

FISCAL YEAR 2022

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PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37<sup>TH</sup> STREET, FORT LAUDERDALE, FL 33308

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

*Tern Bay Community Development District*

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*JPWard & Associates, LLC*

2301 NORTHEAST 37 STREET  
FORT LAUDERDALE,  
FLORIDA 33308

**Tern Bay Community Development District  
Balance Sheet  
for the Period Ending July 31, 2022**

Description	Governmental Funds				Account Groups		Totals (Memorandum Only)
	Debt Service Funds		Capital Project Fund		General Long Term Debt	General Fixed Assets	
	General Fund	Series 2005	Series 2022	Series 2022			
<b>Assets</b>							
<b>Cash and Investments</b>							
General Fund - Invested Cash	\$ 761,030	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 761,030
Capital Project Fund - Series 2007							
Construction Account	-	-	-	26,245,593	-	-	26,245,593
Working Capital Account	-	-	-	-	-	-	-
Debt Service Fund							
Interest Account	-	-	5	-	-	-	5
Sinking Account	-	-	-	-	-	-	-
Reserve Account A	-	51,481	886,013	-	-	-	937,494
Reserve Account B	-	-	-	-	-	-	-
Revenue	-	64,698	-	-	-	-	64,698
Prepayment Account	-	-	-	-	-	-	-
<b>Due from Other Funds</b>							
General Fund	-	255	-	-	-	-	255
Debt Service Fund	-	-	-	-	-	-	-
Capital Project Fund	-	-	-	-	-	-	-
<b>Accounts Receivable-Bond Holder Funding</b>	-	-	-	-	-	-	-
<b>Accrued Interest Receivable</b>	-	-	-	-	-	-	-
<b>Assessments Receivable</b>	-	-	-	-	-	-	-
<b>Prepaid Expenses</b>	-	-	-	-	-	-	-
<b>Amount Available in Debt Service Funds</b>	-	-	-	-	116,434	-	116,434
<b>Amount to be Provided by Debt Service Funds</b>	-	-	-	-	32,013,566	-	32,013,566
<b>Investment in General Fixed Assets (net of depreciation)</b>	-	-	-	-	-	45,419,499	45,419,499
<b>Total Assets</b>	<b>\$ 761,030</b>	<b>\$ 116,434</b>	<b>\$ 886,018</b>	<b>\$ 26,245,593</b>	<b>\$ 32,130,000</b>	<b>\$ 45,419,499</b>	<b>\$ 105,558,574</b>

**Tern Bay Community Development District  
Balance Sheet  
for the Period Ending July 31, 2022**

Description	Governmental Funds				Account Groups		Totals (Memorandum Only)
	Debt Service Funds		Capital Project Fund		General Long Term Debt	General Fixed Assets	
	General Fund	Series 2005	Series 2022	Series 2022			
<b>Liabilities</b>							
<b>Accounts Payable &amp; Payroll Liabilities</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Notes and Loans Payable - Current Portion</b>							
Note Payable-Oppenheimer Funds	-	-	-	-	-	-	-
<b>Due to Other Funds</b>							
General Fund	-	-	-	-	-	-	-
Debt Service Fund	255	-	-	-	-	-	255
Capital Projects Fund	-	-	-	-	-	-	-
<b>Deferred Revenue</b>	-	-	-	-	-	-	-
<b>Due to Other Governments</b>	-	-	-	-	-	-	-
<b>Bonds Payable</b>							
Current Portion	-	-	-	-	-	-	-
Long Term	-	-	-	-	32,130,000	-	32,130,000
Unamortized Prem/Disc on Bonds Pyble	-	-	-	432,545	-	-	432,545
<b>Total Liabilities</b>	<b>\$ 255</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 432,545</b>	<b>\$ 32,130,000</b>	<b>\$ -</b>	<b>\$ 32,562,800</b>
<b>Fund Equity and Other Credits</b>							
<b>Investment in General Fixed Assets</b>	-	-	-	-	-	45,419,499	45,419,499
<b>Fund Balance</b>							
<b>Restricted</b>							
Beginning: October 1, 2021 (Audited)		115,399	-	-	-	-	115,399
Results from Current Operations		1,036	886,018	25,813,048	-	-	26,700,101
<b>Unassigned</b>							
Beginning: October 1, 2021 (Audited)	316,000	-	-	-	-	-	316,000
Results from Current Operations	444,775	-	-	-	-	-	444,775
<b>Total Fund Equity and Other Credits</b>	<b>\$ 760,775</b>	<b>\$ 116,434</b>	<b>\$ 886,018</b>	<b>\$ 25,813,048</b>	<b>\$ -</b>	<b>\$ 45,419,499</b>	<b>\$ 72,995,774</b>
<b>Total Liabilities, Fund Equity and Other Credits</b>	<b>\$ 761,030</b>	<b>\$ 116,434</b>	<b>\$ 886,018</b>	<b>\$ 26,245,593</b>	<b>\$ 32,130,000</b>	<b>\$ 45,419,499</b>	<b>\$ 105,558,574</b>

**Tern Bay Community Development District**  
**General Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through July 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>													
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
<b>Interest</b>													
Interest - General Checking	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Miscellaneous Revenue</b>													
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Special Assessment Revenue</b>													
Special Assessments - On-Roll	3,586	24,970	718,199	13,803	6,156	4,795	4,695	967	-	967	778,138	764,625	102%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Interfund Group Transfers In	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 3,586</b>	<b>\$ 24,970</b>	<b>\$ 718,199</b>	<b>\$ 13,803</b>	<b>\$ 6,156</b>	<b>\$ 4,795</b>	<b>\$ 4,695</b>	<b>\$ 967</b>	<b>\$ -</b>	<b>\$ 967</b>	<b>\$ 778,138</b>	<b>\$ 764,625</b>	<b>102%</b>
<b>Expenditures and Other Uses</b>													
<b>Legislative</b>													
Board of Supervisor's - Fees	-	-	-	-	-	-	-	-	-	-	-	\$ -	N/A
<b>Executive</b>													
Professional Management	2,875	2,875	2,875	2,875	2,875	2,875	2,875	2,875	2,875	2,875	28,750	34,500	83%
<b>Financial and Administrative</b>													
Audit Services	-	3,000	-	1,700	-	-	-	-	-	-	4,700	6,000	78%
Accounting Services	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	13,333	16,000	83%
Assessment Roll Services	1,083	1,083	1,083	1,083	1,083	1,083	1,083	1,083	1,083	1,083	10,833	13,000	83%
Arbitrage Rebate Services	-	500	-	-	-	-	-	-	-	-	500	500	100%
Real Estate Advisor	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Contractual Services</b>													
Recording and Transcription	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal Advertising	119	-	-	-	-	-	-	-	1,068	-	1,187	3,000	40%
Property Appraiser & Tax Collector Fees	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Trustee Services	-	-	-	-	-	-	-	-	-	-	-	10,500	0%
Dissemination Agent Services	-	-	1,000	-	-	-	-	-	-	-	1,000	6,000	17%
Bank Services	-	4	24	-	-	-	-	-	-	-	28	500	6%
<b>Travel and Per Diem</b>													
Travel and Per Diem	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Communications &amp; Freight Services</b>													
Telephone	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Postage, Freight & Messenger	-	9	22	10	8	75	10	27	-	10	172	400	43%
<b>Insurance</b>													
Insurance	-	9,784	-	-	-	-	-	-	-	-	9,784	9,800	100%
<b>Meeting Room Rental</b>													
Meeting Room Rental	-	-	-	168	-	-	168	168	-	-	504	600	84%
<b>Printing &amp; Binding</b>													
Printing & Binding	-	-	-	-	-	-	-	-	-	-	-	100	0%
<b>Web Site Development</b>													
Web Site Development	50	50	50	50	50	-	-	-	-	-	250	2,000	13%
<b>Subscription &amp; Memberships</b>													
Subscription & Memberships	-	175	-	-	-	-	-	-	-	-	175	175	100%
<b>Legal Services</b>													

**Tern Bay Community Development District**  
**General Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through July 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
Legal - General Counsel	-	465	-	368	1,103	-	175	228	2,027	-	4,365	5,000	87%
Legal - Foreclosure Counsel	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - Trustee Counsel	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - Bond Counsel	-	-	-	-	-	-	171	-	-	-	171	-	N/A
Legal - TB LLC Counsel	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Eminent Domain Counsel	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Comprehensive Planning Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other General Government Services</b>													
Engineering Services - General Fund	-	-	-	-	-	-	-	-	-	-	-	5,000	0%
Engineering Services - Traffic	-	-	-	-	-	-	-	-	-	-	-	-	N/A
NOPC Fees	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Public Safety</b>													
<b>Professional Services</b>													
Charlotte County Sheriff's Patrol	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Guardhouse Operations</b>													
Professional - Roving Patrol	-	-	-	-	-	-	-	-	-	-	-	57,300	0%
Professional - Gate Attendant	-	-	-	-	-	-	-	-	-	-	-	190,000	0%
Professional-Gate Hosting	-	-	-	-	-	-	-	-	-	-	-	5,000	0%
Guardhouse-Internet, IP & Data	-	-	-	-	-	-	-	-	2,648	-	2,648	-	N/A
<b>Utilities</b>													
Electric	-	119	105	-	306	148	148	126	177	201	1,329	2,400	55%
Water & Wastewater	-	91	-	102	114	-	102	136	-	-	545	2,400	23%
<b>Repairs &amp; Maintenance</b>													
Guardhouse Janitorial	-	-	-	-	-	-	-	-	-	-	-	4,200	0%
Gate	-	-	-	-	-	-	-	-	-	-	-	6,500	0%
<b>Wastewater Services</b>													
<b>Utility Services</b>													
Electric Service	-	736	132	-	241	121	106	110	126	125	1,697	2,000	85%
<b>Stormwater Management System</b>													
<b>Repairs &amp; Maintenance</b>													
Lake Banks/Outfall Control Structures	-	-	-	-	-	-	-	-	-	-	-	5,000	0%
<b>Aquatic Weed Control</b>													
Lake Spraying	-	3,470	-	10,720	7,170	10,950	3,700	3,700	3,700	3,700	47,109	40,000	118%
Lake Vegetation Removal	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Upland Monitoring & Maintenance	-	-	-	-	-	-	-	-	7,250	-	7,250	30,000	24%
<b>Other Physical Environment</b>													
<b>Professional Services</b>													

**Tern Bay Community Development District**  
**General Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through July 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
Field Manager Services	-	-	-	-	-	-	-	-	-	-	-	2,500	0%
Insurance	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Assessments-Charlotte County</b>	-	146	-	-	-	-	-	-	-	-	146	-	N/A
<b>Road &amp; Street Facilities</b>													
<b>Field Management Services</b>	-	-	-	-	-	6,650	-	-	2,850	-	9,500	4,000	238%
<b>Street Lights</b>													
<b>Electric Service</b>													
Electric Service	-	1,348	2,737	481	5,966	3,018	3,982	4,543	4,055	5,496	31,626	15,000	211%
Repairs & Maintenance	-	-	-	-	-	-	-	1,355	-	-	1,355	-	N/A
<b>Economic Environment</b>													
Professional Services - Appraisal	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Landscaping Services</b>													
<b>Electric Service</b>	-	1,931	1,650	-	4,428	2,475	2,522	3,284	3,967	1,876	22,134	30,000	74%
<b>Repairs &amp; Maintenance</b>													
<b>Common Area Maintenance</b>													
Routine Maintenance	-	13,780	-	14,135	23,321	11,975	11,660	11,660	11,660	11,660	109,854	119,200	92%
Tree Trimming	-	-	-	-	-	-	-	-	-	-	-	15,000	0%
Sod Replacement	-	-	-	-	-	-	-	-	-	-	-	3,000	0%
Material Replacement	-	-	-	-	-	-	-	-	-	-	-	12,000	0%
Mulch Installation	-	-	-	-	-	-	-	-	-	-	-	40,000	0%
Landscape Lighting	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Annuals	-	-	-	1,713	-	10,924	844	4,474	-	-	17,955	21,000	85%
Holiday Decorations	-	-	-	-	-	-	-	-	-	-	-	16,000	0%
<b>Irrigation System</b>													
<b>Pumps &amp; Wells &amp; Line Distribution System</b>													
Routine Maintenance	-	-	-	144	262	659	546	543	2,310	-	4,464	16,000	28%
Well Testing/Meter Reading	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Line Distribution System</b>													
Routine Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Contingencies</b>												13,050	0%
	<b>\$ 5,460</b>	<b>\$ 40,899</b>	<b>\$ 11,012</b>	<b>\$ 34,882</b>	<b>\$ 48,259</b>	<b>\$ 52,286</b>	<b>\$ 29,427</b>	<b>\$ 35,647</b>	<b>\$ 47,131</b>	<b>\$ 28,359</b>	<b>333,363</b>	<b>\$ 764,625</b>	<b>44%</b>
Net Increase/ (Decrease) in Fund Balance	(1,875)	(15,929)	707,187	(21,080)	(42,103)	(47,492)	(24,732)	(34,679)	(47,131)	(27,392)	444,775	-	
Fund Balance - Beginning	316,000	314,125	298,196	1,005,383	984,303	942,200	894,709	869,977	835,297	788,166	316,000	316,000	
<b>Fund Balance - Ending</b>	<b>\$ 314,125</b>	<b>\$ 298,196</b>	<b>\$ 1,005,383</b>	<b>\$ 984,303</b>	<b>\$ 942,200</b>	<b>\$ 894,709</b>	<b>\$ 869,977</b>	<b>\$ 835,297</b>	<b>\$ 788,166</b>	<b>\$ 760,775</b>	<b>760,775</b>	<b>\$ 316,000</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2005 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through July 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>													
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Interest Income</b>													
Reserve Account	0	0	1	0	0	0	0	0	0	11	15	-	N/A
Prepayment Account	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Revenue Account	1	1	1	0	1	1	1	1	1	13	20	-	N/A
<b>Special Assessment Revenue</b>													
Special Assessments - On-Roll	473	3,296	94,795	1,822	813	633	620	-	128	128	102,706	101,875	101%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Extraordinary Items (Gain)</b>													
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 474</b>	<b>\$ 3,297</b>	<b>\$ 94,797</b>	<b>\$ 1,823</b>	<b>\$ 814</b>	<b>\$ 634</b>	<b>\$ 621</b>	<b>\$ 2</b>	<b>\$ 129</b>	<b>\$ 152</b>	<b>\$ 102,742</b>	<b>\$ 101,875</b>	<b>101%</b>
<b>Expenditures and Other Uses</b>													
<b>Debt Service</b>													
<b>Principal Debt Service - Mandatory</b>													
Series 2005 Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000	\$ -	\$ -	\$ 45,000	\$ 45,000	100%
<b>Principal Debt Service - Early Redemptions</b>													
Series 2005 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Interest Expense</b>													
Series 2005A Bonds	-	28,353	-	-	-	-	-	28,353	-	-	56,706	56,706	100%
Series 2005B Bonds	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Trustee Services</b>													
Operating Transfers Out (To Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Expenditures and Other Uses:</b>	<b>\$0</b>	<b>\$28,353</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$73,353</b>	<b>\$0</b>	<b>\$0</b>	<b>\$101,706</b>	<b>\$ 101,706</b>	<b>100%</b>
Net Increase/ (Decrease) in Fund Balance	474	(25,056)	94,797	1,823	814	634	621	(73,352)	129	152	1,036	169	
Fund Balance - Beginning	115,399	115,873	90,817	185,613	187,436	188,250	188,884	189,506	116,154	116,283	115,399	115,399	
<b>Fund Balance - Ending</b>	<b>\$ 115,873</b>	<b>\$ 90,817</b>	<b>\$ 185,613</b>	<b>\$ 187,436</b>	<b>\$ 188,250</b>	<b>\$ 188,884</b>	<b>\$ 189,506</b>	<b>\$ 116,154</b>	<b>\$ 116,283</b>	<b>\$ 116,434</b>	<b>\$ 116,434</b>	<b>\$ 115,568</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2022 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through July 31, 2022**

Description	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>									
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	-	
<b>Interest Income</b>									
Interest Account	-	0	2	1	2	1	5	-	N/A
Reserve Account	-	0	4	4	4	4	15	-	N/A
Prepayment Account	-	-	-	-	-	-	-	-	N/A
Revenue Account	-	-	-	-	-	-	-	-	N/A
<b>Special Assessment Revenue</b>									
Special Assessments - On-Roll	-	-	-	-	-	-	-	-	N/A
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	N/A
Debt Proceeds	1,241,401	-	-	-	-	-	1,241,401	-	
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 1,241,401</b>	<b>\$ 0</b>	<b>\$ 5</b>	<b>\$ 5</b>	<b>\$ 5</b>	<b>\$ 4</b>	<b>\$ 1,241,422</b>	<b>\$ -</b>	<b>N/A</b>
<b>Expenditures and Other Uses</b>									
<b>Debt Service</b>									
<b>Principal Debt Service - Mandatory</b>									
Series 2022 Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
<b>Principal Debt Service - Early Redemptions</b>									
Series 2022 Bonds	-	-	-	-	-	-	-	-	N/A
<b>Interest Expense</b>									
Series 2022 Bonds	-	-	-	-	355,389	-	355,389	-	N/A
<b>Trustee Services</b>									
Trustee Services	-	-	-	-	-	-	-	-	
Operating Transfers Out (To Other Funds)	-	0	4	4	4	4	15	-	N/A
<b>Total Expenditures and Other Uses:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4</b>	<b>\$4</b>	<b>\$355,393</b>	<b>\$4</b>	<b>\$355,404</b>	<b>\$ -</b>	<b>N/A</b>
Net Increase/ (Decrease) in Fund Balance	1,241,401	0	2	1	(355,387)	1	886,018	-	
Fund Balance - Beginning	-	1,241,401	1,241,402	1,241,403	1,241,405	886,017	-	-	
<b>Fund Balance - Ending</b>	<b>\$ 1,241,401</b>	<b>\$ 1,241,402</b>	<b>\$ 1,241,403</b>	<b>\$ 1,241,405</b>	<b>\$ 886,017</b>	<b>\$ 886,018</b>	<b>\$ 886,018</b>	<b>\$ -</b>	

**Tern Bay Community Development District**  
**Capital Projects Fund - Series 2022**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through July 31, 2022**

Description	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>									
Carryforward	-	-	-	-	-	-	-	\$ -	N/A
<b>Interest Income</b>									
Construction Account	-	4	126	122	126	109	486	\$ -	N/A
Cost of Issuance	-	-	-	-	-	-	-	\$ -	N/A
<b>Debt Proceeds</b>	29,878,599	-	-	-	-	-	29,878,599	\$ -	N/A
<b>Developer Contributions</b>	-	-	-	-	-	-	-	\$ -	N/A
<b>Operating Transfers In (From Other Funds)</b>	-	0	4	4	4	4	15	\$ -	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 29,878,599</b>	<b>\$ 4</b>	<b>\$ 129</b>	<b>\$ 125</b>	<b>\$ 129</b>	<b>\$ 112</b>	<b>\$ 29,879,099</b>	<b>\$ -</b>	<b>N/A</b>
<b>Expenditures and Other Uses</b>									
<b>Executive</b>									
Professional Management	50,000	-	-	-	-	-	50,000	-	N/A
<b>Other Contractual Services</b>									
Trustee Services	10,625	-	-	-	-	-	10,625	-	N/A
<b>Printing &amp; Binding</b>	1,750	-	-	-	-	-	1,750	-	N/A
<b>Capital Outlay</b>									
Water-Sewer Combination	-	-	-	-	3,360,376	-	3,360,376	-	N/A
Stormwater Management	-	-	-	-	-	-	-	-	N/A
Landscaping	-	-	-	-	-	-	-	-	N/A
Roadway Improvement	-	-	-	-	-	-	-	-	N/A
<b>Cost of Issuance</b>									
Legal - Series 2022 Bonds	165,500	-	-	-	-	-	165,500	-	N/A
Engineering - Series 2022 Bonds	11,000	-	-	-	-	-	11,000	-	N/A
<b>Underwriter's Discount</b>	466,800	-	-	-	-	-	466,800	-	N/A
<b>Operating Transfers Out (To Other Funds)</b>	-	-	-	-	-	-	-	-	N/A
<b>Total Expenditures and Other Uses:</b>	<b>\$ 705,675</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,360,376</b>	<b>\$ -</b>	<b>\$ 4,066,051</b>	<b>\$ -</b>	<b>N/A</b>
Net Increase/ (Decrease) in Fund Balance	\$ 29,172,924	\$ 4	\$ 129	\$ 125	\$ (3,360,247)	\$ 112	\$ 25,813,048	\$ -	
Fund Balance - Beginning	\$ -	\$ 29,172,924	\$ 29,172,928	\$ 29,173,057	\$ 29,173,182	\$ 25,812,936	\$ -	\$ -	
<b>Fund Balance - Ending</b>	<b>\$ 29,172,924</b>	<b>\$ 29,172,928</b>	<b>\$ 29,173,057</b>	<b>\$ 29,173,182</b>	<b>\$ 25,812,936</b>	<b>\$ 25,813,048</b>	<b>\$ 25,813,048</b>	<b>\$ -</b>	

# **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

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## **FINANCIAL STATEMENTS - AUGUST 2022**

FISCAL YEAR 2022

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PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37<sup>TH</sup> STREET, FORT LAUDERDALE, FL 33308

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

*Tern Bay Community Development District*

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<i>Series 2005</i>	<i>6</i>
<i>Series 2022</i>	<i>7</i>
<i>Capital Projects Fund</i>	
<i>Series 2022</i>	<i>8</i>

*JPWard & Associates, LLC*

2301 NORTHEAST 37 STREET  
FORT LAUDERDALE,  
FLORIDA 33308

**Tern Bay Community Development District  
Balance Sheet  
for the Period Ending August 31, 2022**

Description	Governmental Funds				Account Groups		Totals (Memorandum Only)
	Debt Service Funds		Capital Project Fund		General Long Term Debt	General Fixed Assets	
	General Fund	Series 2005	Series 2022	Series 2022			
<b>Assets</b>							
<b>Cash and Investments</b>							
General Fund - Invested Cash	\$ 636,420	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 636,420
Capital Project Fund - Series 2007							
Construction Account	-	-	-	26,245,708	-	-	26,245,708
Working Capital Account	-	-	-	-	-	-	-
Debt Service Fund							
Interest Account	-	-	5	-	-	-	5
Sinking Account	-	-	-	-	-	-	-
Reserve Account A	-	51,508	886,013	-	-	-	937,521
Reserve Account B	-	-	-	-	-	-	-
Revenue	-	64,987	-	-	-	-	64,987
Prepayment Account	-	-	-	-	-	-	-
<b>Due from Other Funds</b>							
General Fund	-	-	-	-	-	-	-
Debt Service Fund	-	-	-	-	-	-	-
Capital Project Fund	-	-	-	-	-	-	-
<b>Accounts Receivable-Bond Holder Funding</b>							
<b>Accrued Interest Receivable</b>							
<b>Assessments Receivable</b>							
<b>Prepaid Expenses</b>							
<b>Amount Available in Debt Service Funds</b>	-	-	-	-	116,495	-	116,495
<b>Amount to be Provided by Debt Service Funds</b>	-	-	-	-	32,013,505	-	32,013,505
<b>Investment in General Fixed Assets (net of depreciation)</b>	-	-	-	-	-	45,419,499	45,419,499
<b>Total Assets</b>	<b>\$ 636,420</b>	<b>\$ 116,495</b>	<b>\$ 886,018</b>	<b>\$ 26,245,708</b>	<b>\$ 32,130,000</b>	<b>\$ 45,419,499</b>	<b>\$ 105,434,139</b>

**Tern Bay Community Development District  
Balance Sheet  
for the Period Ending August 31, 2022**

Description	Governmental Funds				Account Groups		Totals (Memorandum Only)
	Debt Service Funds		Capital Project Fund		General Long Term Debt	General Fixed Assets	
	General Fund	Series 2005	Series 2022	Series 2022			
<b>Liabilities</b>							
<b>Accounts Payable &amp; Payroll Liabilities</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Notes and Loans Payable - Current Portion</b>							
Note Payable-Oppenheimer Funds	-	-	-	-	-	-	-
<b>Due to Other Funds</b>							
General Fund	-	-	-	-	-	-	-
Debt Service Fund	-	-	-	-	-	-	-
Capital Projects Fund	-	-	-	-	-	-	-
<b>Deferred Revenue</b>	-	-	-	-	-	-	-
<b>Due to Other Governments</b>	-	-	-	-	-	-	-
<b>Bonds Payable</b>							
Current Portion	-	-	-	-	-	-	-
Long Term	-	-	-	-	32,130,000	-	32,130,000
Unamortized Prem/Disc on Bonds Pyble	-	-	-	432,545	-	-	432,545
<b>Total Liabilities</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 432,545</b>	<b>\$ 32,130,000</b>	<b>\$ -</b>	<b>\$ 32,562,545</b>
<b>Fund Equity and Other Credits</b>							
<b>Investment in General Fixed Assets</b>	-	-	-	-	-	45,419,499	45,419,499
<b>Fund Balance</b>							
<b>Restricted</b>							
Beginning: October 1, 2021 (Audited)		115,399	-	-	-	-	115,399
Results from Current Operations		1,096	886,018	25,813,163	-	-	26,700,277
<b>Unassigned</b>							
Beginning: October 1, 2021 (Audited)	316,000	-	-	-	-	-	316,000
Results from Current Operations	320,420	-	-	-	-	-	320,420
<b>Total Fund Equity and Other Credits</b>	<b>\$ 636,420</b>	<b>\$ 116,495</b>	<b>\$ 886,018</b>	<b>\$ 25,813,163</b>	<b>\$ -</b>	<b>\$ 45,419,499</b>	<b>\$ 72,871,594</b>
<b>Total Liabilities, Fund Equity and Other Credits</b>	<b>\$ 636,420</b>	<b>\$ 116,495</b>	<b>\$ 886,018</b>	<b>\$ 26,245,708</b>	<b>\$ 32,130,000</b>	<b>\$ 45,419,499</b>	<b>\$ 105,434,139</b>

**Tern Bay Community Development District**  
**General Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through August 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
<b>Interest</b>														
Interest - General Checking	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Miscellaneous Revenue</b>														
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Special Assessment Revenue</b>														
Special Assessments - On-Roll	3,586	24,970	718,199	13,803	6,156	4,795	4,695	967	-	967	-	778,138	764,625	102%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Interfund Group Transfers In	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 3,586</b>	<b>\$ 24,970</b>	<b>\$ 718,199</b>	<b>\$ 13,803</b>	<b>\$ 6,156</b>	<b>\$ 4,795</b>	<b>\$ 4,695</b>	<b>\$ 967</b>	<b>\$ -</b>	<b>\$ 967</b>	<b>\$ -</b>	<b>\$ 778,138</b>	<b>\$ 764,625</b>	<b>102%</b>
<b>Expenditures and Other Uses</b>														
<b>Legislative</b>														
Board of Supervisor's - Fees	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	N/A
<b>Executive</b>														
Professional Management	2,875	2,875	2,875	2,875	2,875	2,875	2,875	2,875	2,875	2,875	2,875	31,625	34,500	92%
<b>Financial and Administrative</b>														
Audit Services	-	3,000	-	1,700	-	-	-	-	-	-	-	4,700	6,000	78%
Accounting Services	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	14,667	16,000	92%
Assessment Roll Services	1,083	1,083	1,083	1,083	1,083	1,083	1,083	1,083	1,083	1,083	1,083	11,917	13,000	92%
Arbitrage Rebate Services	-	500	-	-	-	-	-	-	-	-	-	500	500	100%
Real Estate Advisor	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Contractual Services</b>														
Recording and Transcription	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal Advertising	119	-	-	-	-	-	-	-	1,068	-	-	1,187	3,000	40%
Property Appraiser & Tax Collector Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Trustee Services	-	-	-	-	-	-	-	-	-	-	-	-	10,500	0%
Dissemination Agent Services	-	-	1,000	-	-	-	-	-	-	-	-	1,000	6,000	17%
Bank Services	-	4	24	-	-	-	-	-	-	-	-	28	500	6%
<b>Travel and Per Diem</b>														
Travel and Per Diem	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Communications &amp; Freight Services</b>														
Telephone	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Postage, Freight & Messenger	-	9	22	10	8	75	10	27	-	10	-	172	400	43%
<b>Insurance</b>														
Insurance	-	9,784	-	-	-	-	-	-	-	-	-	9,784	9,800	100%
<b>Meeting Room Rental</b>														
Meeting Room Rental	-	-	-	168	-	-	168	168	-	-	-	504	600	84%
<b>Printing &amp; Binding</b>														
Printing & Binding	-	-	-	-	-	-	-	-	-	-	-	-	100	0%
<b>Web Site Development</b>														
Web Site Development	50	50	50	50	50	-	-	-	-	-	300	550	2,000	28%
<b>Subscription &amp; Memberships</b>														
Subscription & Memberships	-	175	-	-	-	-	-	-	-	-	-	175	175	100%
<b>Legal Services</b>														
Legal - General Counsel	-	465	-	368	1,103	-	175	228	2,027	-	490	4,855	5,000	97%
Legal - Foreclosure Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - Trustee Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - Series 2022 Bonds	-	-	-	-	-	-	171	-	-	-	3,459	3,630	-	N/A

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through August 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Legal - TB LLC Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Eminent Domain Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Comprehensive Planning Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other General Government Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Engineering Services - General Fund	-	-	-	-	-	-	-	-	-	-	-	-	5,000	0%
Engineering Services - Traffic	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
NOPC Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Public Safety</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Professional Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Charlotte County Sheriff's Patrol	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Guardhouse Operations</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Professional - Roving Patrol	-	-	-	-	-	-	-	-	-	-	-	-	57,300	0%
Professional - Gate Attendant	-	-	-	-	-	-	-	-	-	-	84,229	84,229	190,000	44%
Professional-Gate Hosting	-	-	-	-	-	-	-	-	-	-	5,246	5,246	5,000	105%
Guardhouse-Internet, IP & Data	-	-	-	-	-	-	-	-	2,648	-	528	3,176	-	N/A
<b>Utilities</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Electric	-	119	105	-	306	148	148	126	177	201	201	1,531	2,400	64%
Water & Wastewater	-	91	-	102	114	-	102	136	-	-	-	545	2,400	23%
<b>Repairs &amp; Maintenance</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Guardhouse Janitorial	-	-	-	-	-	-	-	-	-	-	-	-	4,200	0%
Gate	-	-	-	-	-	-	-	-	-	-	808	808	6,500	12%
<b>Wastewater Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Utility Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Electric Service	-	736	132	-	241	121	106	110	126	125	120	1,817	2,000	91%
<b>Stormwater Management System</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Repairs &amp; Maintenance</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Lake Banks/Outfall Control Structures	-	-	-	-	-	-	-	-	-	-	-	-	5,000	0%
<b>Aquatic Weed Control</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Lake Spraying	-	3,470	-	10,720	7,170	10,950	3,700	3,700	3,700	3,700	-	47,109	40,000	118%
Lake Vegetation Removal	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Upland Monitoring & Maintenance	-	-	-	-	-	-	-	-	7,250	-	-	7,250	30,000	24%
<b>Other Physical Environment</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Professional Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Field Manager Services	-	-	-	-	-	-	-	-	-	-	-	-	2,500	0%
Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Assessments-Charlotte County	-	146	-	-	-	-	-	-	-	-	-	146	-	N/A
<b>Road &amp; Street Facilities</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Field Management Services	-	-	-	-	-	6,650	-	-	2,850	-	-	9,500	4,000	238%
<b>Street Lights</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Electric Service	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through August 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Electric Service	-	1,348	2,737	481	5,966	3,018	3,982	4,543	4,055	5,496	5,922	37,549	15,000	250%
Repairs & Maintenance	-	-	-	-	-	-	-	1,355	-	-	-	1,355	-	N/A
<b>Economic Environment</b>														
Professional Services - Appraisal	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Landscaping Services</b>														
Electric Service	-	1,931	1,650	-	4,428	2,475	2,522	3,284	3,967	1,876	2,400	24,535	30,000	82%
<b>Repairs &amp; Maintenance</b>														
<b>Common Area Maintenance</b>														
Routine Maintenance	-	13,780	-	14,135	23,321	11,975	11,660	11,660	11,660	11,660	15,360	125,214	119,200	105%
Tree Trimming	-	-	-	-	-	-	-	-	-	-	-	-	15,000	0%
Sod Replacement	-	-	-	-	-	-	-	-	-	-	-	-	3,000	0%
Material Replacement	-	-	-	-	-	-	-	-	-	-	-	-	12,000	0%
Mulch Installation	-	-	-	-	-	-	-	-	-	-	-	-	40,000	0%
Landscape Lighting	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Annuals	-	-	-	1,713	-	10,924	844	4,474	-	-	-	17,955	21,000	85%
Holiday Decorations	-	-	-	-	-	-	-	-	-	-	-	-	16,000	0%
<b>Irrigation System</b>														
<b>Pumps &amp; Wells &amp; Line Distribution System</b>														
Routine Maintenance	-	-	-	144	262	659	546	543	2,310	-	-	4,464	16,000	28%
Well Testing/Meter Reading	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Line Distribution System</b>														
Routine Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Contingencies</b>														
	-	-	-	-	-	-	-	-	-	-	-	-	13,050	0%
	<b>\$ 5,460</b>	<b>\$ 40,899</b>	<b>\$ 11,012</b>	<b>\$ 34,882</b>	<b>\$ 48,259</b>	<b>\$ 52,286</b>	<b>\$ 29,427</b>	<b>\$ 35,647</b>	<b>\$ 47,131</b>	<b>\$ 28,359</b>	<b>\$ 124,355</b>	<b>457,718</b>	<b>\$ 764,625</b>	<b>60%</b>
Net Increase/ (Decrease) in Fund Balance	(1,875)	(15,929)	707,187	(21,080)	(42,103)	(47,492)	(24,732)	(34,679)	(47,131)	(27,392)	(124,355)	320,420	-	
Fund Balance - Beginning	316,000	314,125	298,196	1,005,383	984,303	942,200	894,709	869,977	835,297	788,166	760,775	316,000	316,000	
<b>Fund Balance - Ending</b>	<b>\$ 314,125</b>	<b>\$ 298,196</b>	<b>\$ 1,005,383</b>	<b>\$ 984,303</b>	<b>\$ 942,200</b>	<b>\$ 894,709</b>	<b>\$ 869,977</b>	<b>\$ 835,297</b>	<b>\$ 788,166</b>	<b>\$ 760,775</b>	<b>\$ 636,420</b>	<b>636,420</b>	<b>\$ 316,000</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2005 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through August 31, 2022**

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Interest Income</b>														
Reserve Account	0	0	1	0	0	0	0	0	0	11	27	42	-	N/A
Prepayment Account	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Revenue Account	1	1	1	0	1	1	1	1	1	13	34	54	-	N/A
<b>Special Assessment Revenue</b>														
Special Assessments - On-Roll	473	3,296	94,795	1,822	813	633	620	-	128	128	-	102,706	101,875	101%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Extraordinary Items (Gain)</b>														
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 474</b>	<b>\$ 3,297</b>	<b>\$ 94,797</b>	<b>\$ 1,823</b>	<b>\$ 814</b>	<b>\$ 634</b>	<b>\$ 621</b>	<b>\$ 2</b>	<b>\$ 129</b>	<b>\$ 152</b>	<b>\$ 60</b>	<b>\$ 102,802</b>	<b>\$ 101,875</b>	<b>101%</b>
<b>Expenditures and Other Uses</b>														
<b>Debt Service</b>														
<b>Principal Debt Service - Mandatory</b>														
Series 2005 Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000	\$ -	\$ -	\$ -	\$ 45,000	\$ 45,000	100%
<b>Principal Debt Service - Early Redemptions</b>														
Series 2005 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Interest Expense</b>														
Series 2005A Bonds	-	28,353	-	-	-	-	-	28,353	-	-	-	56,706	56,706	100%
Series 2005B Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Trustee Services</b>														
Operating Transfers Out (To Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Expenditures and Other Uses:</b>	<b>\$0</b>	<b>\$28,353</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$73,353</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$101,706</b>	<b>\$ 101,706</b>	<b>100%</b>
Net Increase/ (Decrease) in Fund Balance	474	(25,056)	94,797	1,823	814	634	621	(73,352)	129	152	60	1,096	169	
Fund Balance - Beginning	115,399	115,873	90,817	185,613	187,436	188,250	188,884	189,506	116,154	116,283	116,434	115,399	115,399	
<b>Fund Balance - Ending</b>	<b>\$ 115,873</b>	<b>\$ 90,817</b>	<b>\$ 185,613</b>	<b>\$ 187,436</b>	<b>\$ 188,250</b>	<b>\$ 188,884</b>	<b>\$ 189,506</b>	<b>\$ 116,154</b>	<b>\$ 116,283</b>	<b>\$ 116,434</b>	<b>\$ 116,495</b>	<b>\$ 116,495</b>	<b>\$ 115,568</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2022 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through August 31, 2022**

Description	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>										
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	
<b>Interest Income</b>										
Interest Account	-	0	2	1	2	1	-	5	-	N/A
Reserve Account	-	0	4	4	4	4	4	19	-	N/A
Prepayment Account	-	-	-	-	-	-	-	-	-	N/A
Revenue Account	-	-	-	-	-	-	-	-	-	N/A
<b>Special Assessment Revenue</b>										
Special Assessments - On-Roll	-	-	-	-	-	-	-	-	-	N/A
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	N/A
Debt Proceeds	1,241,401	-	-	-	-	-	-	1,241,401	-	
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 1,241,401</b>	<b>\$ 0</b>	<b>\$ 5</b>	<b>\$ 5</b>	<b>\$ 5</b>	<b>\$ 4</b>	<b>\$ 4</b>	<b>\$ 1,241,425</b>	<b>\$ -</b>	<b>N/A</b>
<b>Expenditures and Other Uses</b>										
<b>Debt Service</b>										
<b>Principal Debt Service - Mandatory</b>										
Series 2022 Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
<b>Principal Debt Service - Early Redemptions</b>										
Series 2022 Bonds	-	-	-	-	-	-	-	-	-	N/A
<b>Interest Expense</b>										
Series 2022 Bonds	-	-	-	-	355,389	-	-	355,389	-	N/A
<b>Trustee Services</b>										
Trustee Services	-	-	-	-	-	-	-	-	-	
Operating Transfers Out (To Other Funds)	-	0	4	4	4	4	4	19	-	N/A
<b>Total Expenditures and Other Uses:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4</b>	<b>\$4</b>	<b>\$355,393</b>	<b>\$4</b>	<b>\$4</b>	<b>\$355,408</b>	<b>\$ -</b>	<b>N/A</b>
Net Increase/ (Decrease) in Fund Balance	1,241,401	0	2	1	(355,387)	1	-	886,018	-	
Fund Balance - Beginning	-	1,241,401	1,241,402	1,241,403	1,241,405	886,017	886,018	-	-	
<b>Fund Balance - Ending</b>	<b>\$ 1,241,401</b>	<b>\$ 1,241,402</b>	<b>\$ 1,241,403</b>	<b>\$ 1,241,405</b>	<b>\$ 886,017</b>	<b>\$ 886,018</b>	<b>\$ 886,018</b>	<b>\$ 886,018</b>	<b>\$ -</b>	

**Tern Bay Community Development District  
Capital Projects Fund - Series 2022  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through August 31, 2022**

Description	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>										
Carryforward	-	-	-	-	-	-	-	-	\$ -	N/A
<b>Interest Income</b>										
Construction Account	-	4	126	122	126	109	111	597	\$ -	N/A
Cost of Issuance	-	-	-	-	-	-	-	-	\$ -	N/A
<b>Debt Proceeds</b>	29,878,599	-	-	-	-	-	-	29,878,599	\$ -	N/A
<b>Developer Contributions</b>	-	-	-	-	-	-	-	-	\$ -	N/A
<b>Operating Transfers In (From Other Funds)</b>	-	0	4	4	4	4	4	19	\$ -	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 29,878,599</b>	<b>\$ 4</b>	<b>\$ 129</b>	<b>\$ 125</b>	<b>\$ 129</b>	<b>\$ 112</b>	<b>\$ 115</b>	<b>\$ 29,879,215</b>	<b>\$ -</b>	<b>N/A</b>
<b>Expenditures and Other Uses</b>										
<b>Executive</b>										
Professional Management	50,000	-	-	-	-	-	-	50,000	-	N/A
<b>Other Contractual Services</b>										
Trustee Services	10,625	-	-	-	-	-	-	10,625	-	N/A
<b>Printing &amp; Binding</b>	1,750	-	-	-	-	-	-	1,750	-	N/A
<b>Capital Outlay</b>										
Water-Sewer Combination	-	-	-	-	3,360,376	-	-	3,360,376	-	N/A
Stormwater Management	-	-	-	-	-	-	-	-	-	N/A
Landscaping	-	-	-	-	-	-	-	-	-	N/A
Roadway Improvement	-	-	-	-	-	-	-	-	-	N/A
<b>Cost of Issuance</b>										
Legal - Series 2022 Bonds	165,500	-	-	-	-	-	-	165,500	-	N/A
Engineering - Series 2022 Bonds	11,000	-	-	-	-	-	-	11,000	-	N/A
<b>Underwriter's Discount</b>	466,800	-	-	-	-	-	-	466,800	-	N/A
<b>Operating Transfers Out (To Other Funds)</b>	-	-	-	-	-	-	-	-	-	N/A
<b>Total Expenditures and Other Uses:</b>	<b>\$ 705,675</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,360,376</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,066,051</b>	<b>\$ -</b>	<b>N/A</b>
Net Increase/ (Decrease) in Fund Balance	\$ 29,172,924	\$ 4	\$ 129	\$ 125	\$ (3,360,247)	\$ 112	\$ 115	\$ 25,813,163	\$ -	
Fund Balance - Beginning	\$ -	\$ 29,172,924	\$ 29,172,928	\$ 29,173,057	\$ 29,173,182	\$ 25,812,936	\$ 25,813,048	\$ -	\$ -	
<b>Fund Balance - Ending</b>	<b>\$ 29,172,924</b>	<b>\$ 29,172,928</b>	<b>\$ 29,173,057</b>	<b>\$ 29,173,182</b>	<b>\$ 25,812,936</b>	<b>\$ 25,813,048</b>	<b>\$ 25,813,163</b>	<b>\$ 25,813,163</b>	<b>\$ -</b>	