

**MINUTES OF MEETING
TIMBER CREEK SOUTHWEST
COMMUNITY DEVELOPMENT DISTRICT**

The Landowners Meeting of the Timber Creek Southwest Community Development District was held on Friday, November 15, 2019 at 8:15 a.m. at Lennar Homes 10481 Six Mile Cypress Highway, Fort Myers, Florida 33966.

Landowners:

Russell Smith

Also present were:

James P. Ward

District Manager

Greg Urbancic

District Counsel

Audience:

Barry Ernst

Lennar Homes

Thomas Dean

Lennar Homes

Andrew Kollman

Lennar Homes

Theodore Denti

Lennar Homes

FIRST ORDER OF BUSINESS

Call to Order

Mr. James P. Ward called the meeting to order at approximately 8:27 a.m.

SECOND ORDER OF BUSINESS

Election of Chairperson

Election of a Chairperson for the Purpose of Conducting the Landowner's Meeting

Mr. Ward noted Mr. Russell Smith was the sole landowner present. He noted Mr. Smith could conduct the meeting as Chairperson if he so wished. Mr. Smith asked Mr. Ward to conduct the meeting. Mr. Ward agreed.

THIRD ORDER OF BUSINESS

Election of Supervisors

Election of Supervisors

I. Determination of the Number of Voting Units Represented or Assigned by Proxy

Mr. Ward stated he received a proxy from Darin McMurray representing Lennar Homes appointing Russell Smith to cast the authorized votes within the District (654 votes).

OFFICIAL BALLOT

TIMBER CREEK SOUTHWEST COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
LANDOWNERS MEETING – NOVEMBER 15, 2019

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

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

| Property Description | Acreage |
|----------------------|---------|
| See Exhibit A | |
| | |
| | |
| | |


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

The number of authorized votes for this ballot is: 654

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

| | NAME OF CANDIDATE | NUMBER OF VOTES |
|----|------------------------|-----------------|
| 1. | <u>Barry Ernst</u> | <u>654</u> |
| 2. | <u>Andrew Kollmann</u> | <u>600</u> |
| 3. | <u>Thomas Dray</u> | <u>600</u> |
| 4. | <u>Theodore Deuti</u> | <u>600</u> |
| 5. | <u>Scott Edwards</u> | <u>654</u> |

Date: 11/15/19

Signed: 
Printed Name: Russell Smith

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

LANDOWNER PROXY

TIMBER CREEK SOUTHWEST COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS MEETING – NOVEMBER 15, 2019

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

Russell Smith
Proxy holder

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

X _____
Signature

Darin McMurray
Print Name

11/14/19
Date

Property Description _____ Acreage

SEE ATTACHED EXHIBIT 1

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

The number of authorized votes for this proxy is: 654

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

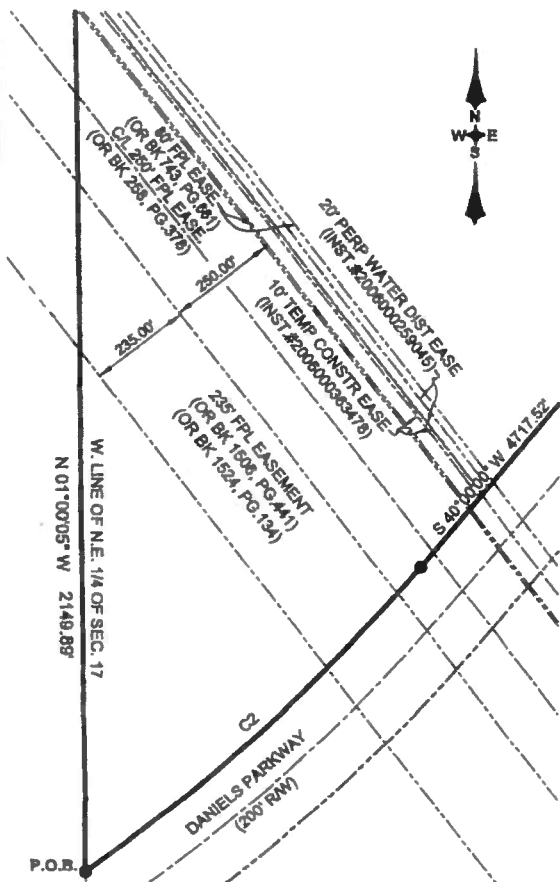
Exhibit A

DESCRIPTION:
RPD (PER DEED INSTR. 2019000062919)

PARCEL OF LAND LYING IN SECTIONS 4, 5, 8, 9, AND 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF DANIELS PARKWAY (220' RIGHT-OF-WAY) AND THE WESTERLY BOUNDARY LINE OF THE NORTHEAST-QUARTER OF SAID SECTION 17; THENCE N.01°00'05"W., ALONG THE SAID WEST BOUNDARY OF THE NORTHEAST-QUARTER OF SECTION 17, A DISTANCE OF 2149.89 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST-QUARTER OF SAID SECTION 8; THENCE N.01°01'56"W., ALONG THE WEST BOUNDARY OF THE EAST ONE-HALF OF SAID SECTION 8, A DISTANCE OF 500.00 FEET; THENCE N.89°33'59"E., A DISTANCE OF 605.00 FEET; THENCE N.01°01'56"W., A DISTANCE OF 1800.00 FEET; THENCE S.89°33'59"W., A DISTANCE OF 605.00 FEET TO AN INTERSECTION WITH THE WEST BOUNDARY LINE OF THE EAST-HALF OF SAID SECTION 8; THENCE N.01°01'56"W., ALONG SAID WEST BOUNDARY LINE, A DISTANCE OF 3027.87 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 5; THENCE N.00°08'30"W., ALONG THE WEST BOUNDARY OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 5, A DISTANCE OF 2271.81 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAYLINE OF STATE ROAD 82 (200' RIGHT-OF-WAY); THENCE S.64°20'50"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 5737.05 FEET; THENCE S.25°39'10"W. A DISTANCE OF 1047.58 FEET; THENCE S.64°20'50"E. A DISTANCE OF 961.36 FEET; THENCE S.27°38'21"E. A DISTANCE OF 402.09 FEET TO AN INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF DANIELS PARKWAY (220' RIGHT-OF-WAY); THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES: S.62°23'39"W. A DISTANCE OF 1051.30 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 2974.79 FEET, A CENTRAL ANGLE OF 22°23'39" AND WHOSE CHORD BEARS S.51°11'49"W. FOR A DISTANCE OF 1155.32 FEET, HAVING AN ARC LENGTH OF 1162.70 FEET; THENCE S.40°00'00"W., ALONG A TANGENT LINE, AND THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 4717.52 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 4473.66 FEET, A CENTRAL ANGLE OF 13°32'47" AND WHOSE CHORD BEARS S.46°48'09"W. A DISTANCE OF 1055.20 FEET, HAVING AN ARC LENGTH OF 1057.60 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.

CONTAINING 654.36 ACRES, MORE OR LESS.



SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN IS NEW, PREPARED BY SURVEYOR.

COORDINATES SHOWN HEREON BASED ON FLORIDA GRID, WEST ZONE, NAD 83/90.

SKETCH PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA'S STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C.

ORIENTATION BASED ON THE WESTERLY LINE OF THE NORTHEAST-QUARTER OF SAID SECTION 17, AS BEARING N.01°00'05"W.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

REVISED: 8-02-18, ADD COORDINATES TO MOST EASTERLY CORNER - MAH

REVISED: 04-23-2019, REVISED LEGAL DESCRIPTION TO MATCH RECORDED DEED - BMH.

CERTIFICATIONS:

Lennar Homes, LLC
 Chicago Title Insurance Company
 North American Title Company
 Bolanos Truxton, P.A.
 Lee County

DETAIL "A"
 NOT TO SCALE

PREPARED BY:

Mark A. Hatfield 1-30-19
 MARK A. HATFIELD, P.S.M. DATE
 FLORIDA CERTIFICATE NO. 4155

| | |
|--------------|-----------|
| MHA PROJECT: | |
| 14012 | |
| DESIGNED BY: | DRAWN BY: |
| MAH | MAH |
| DATE: | |
| 01-30-19 | |
| SHEET: | |
| 1 OF 2 | |

DESCRIPTION DRAWING
 PARCEL OF LAND LYING IN
 SECTIONS 4, 5, 8, 9, AND 17, T. 45 S.,
 R. 26 E., LEE COUNTY, FLORIDA

MORRIS
DEPEW
 ENGINEERS - PLANNERS - SURVEYORS
 LANDSCAPE ARCHITECTS
 FL. CA. NO. 8832 / FL. CERT. NO. 13889 / LICENSED

Paul Myers
 Tullahoma
 Duane
 2019 Registered Account
 Paul Myers, Florida State
 2019 Registered
 Paul Myers
 Paul Myers

II. Nominations for Supervisor's (Five Positions)

Mr. Ward asked Mr. Smith to nominate five individuals to serve on the Board of Supervisors. Mr. Smith nominated Mr. Barry Ernst, Mr. Andrew Kollmann, Mr. Thomas Dean, Mr. Theodore Denti, and Mr. Scott Edwards.

III. Casting of Ballots

Mr. Smith provided Mr. Ward with the ballot for review.

IV. Ballot Tabulations and Results

Mr. Ward reviewed the ballot and noted Mr. Barry Ernst had 654 votes, Mr. Andrew Kollmann had 600 votes, Mr. Thomas Dean had 600 votes, Mr. Theodore Denti had 600 votes, and Mr. Scott Edwards had 654 votes. He indicated the two individuals with the highest number of votes (Mr. Ernst and Mr. Edwards) would serve four-year terms while the remaining three individuals would serve two-year terms.

FOURTH ORDER OF BUSINESS

Landowner's Question or Comments

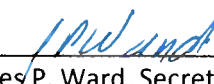
Mr. Ward asked if there were any landowner questions or comments; there were none.

FIFTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 8:29 a.m.

**Timber Creek Southwest Community Development
District**



James P. Ward, Secretary



Barry Ernst, Chairperson