

JPWard and Associates, LLC

**TERN BAY
COMMUNITY DEVELOPMENT DISTRICT**

LANDOWNER'S MEETING

AGENDA

November 8, 2016

Board of Supervisor's

**Neale Montgomery, Chairperson
Mark Gillis, Vice Chairman
Richard Brylanski, Assistant Secretary
Mark Card, Assistant Secretary
Mike Dady, Assistant Secretary**

www.ternbaycdd.org

James P. Ward
District Manager
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**Prepared by:
JPWard and Associates, LLC
TOTAL Commitment to Excellence**

TERN BAY COMMUNITY DEVELOPMENT DISTRICT

Landowner's Agenda

Date: *November 8, 2016*
Time: *9:30 A.M.*
Location: Berntsson, Ittersagen, Gunderson & Wideikis, LLP
18401 Murdock Circle, Suite C
Port Charlotte, Florida 33948

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



James P. Ward
District Manager

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OFFICIAL BALLOT

**TERN BAY
COMMUNITY DEVELOPMENT DISTRICT
CHARLOTTE COUNTY, FLORIDA
LANDOWNERS MEETING – NOVEMBER 8, 2016**

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

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

Property Description

[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.]

I, _____, in my individual capacity as Landowner; or in my capacity as the proxy holder of _____, pursuant to the Landowners Proxy attached hereto, do cast my votes as follows:

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

Date: _____

Signed: _____

Printed Name: _____

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

**TERN BAY
COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS MEETING – NOVEMBER 8, 2016**

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

Proxy holder

For and on behalf of the undersigned to vote as proxy at the meeting of the Landowners of the Tern Bay Community Development District to be held **at Tuesday, November 8, 2016 at 9:30 A.M. at the offices of Berntsson, Ittersagen, Gunderson & Wideikis, LLP, 18401 Burdock Circle, Suite C, Port Charlotte, Florida 33948**, said meeting published in a newspaper in Charlotte 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 Tern Bay Community Development District.

Signature and Date

Signature and Date

Print Name

Print Name

Property Description

[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: _____

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.).

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

DATE OF LANDOWNERS' MEETING: **November 8, 2016**

TIME: **9:30 A.M..**

LOCATION: **Berntsson, Ittersagen, Gunderson & Wideikis, LLP, 18401 Burdock Circle, Suite C, Port Charlotte, Florida 33948**

Pursuant to Chapter 190, Florida Statutes, after a Community Development District ("District") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors every two years until the District qualifies to have its board members elected by the qualified electors of the district. The following instructions on how all landowners may participate in the election is intended to comply with Section 190.006(2)(b), Florida Statutes, as amended by Chapter 2004-353, Laws of Florida.

A landowner may vote in person at the Landowner's Meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each person that the landowner desires to elect to a position on the Board of Supervisors that is open for election for the upcoming term (three (3) seats on the Board will be up for election). A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. **Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.**

At the Landowners' Meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners' shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board of Supervisors that is open for election for the upcoming term. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The remaining candidate receiving votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

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