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ORDINANCE NO. 2859

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, GRANTING THE PETITION OF APOPKA CENTERLINE DEVELOPMENT LLC, TROY S. BRONSON FAMILY LP, BINION PARTNERS, LLC, RUTH INA BRONSON TRUST, TROY S. BRONSON TRUST, DONNA MARIE ROBERSON KIRKLAND, JOHN KIRKLAND, AND KELLY W. SHIRLEY, ESTABLISHING AND NAMING THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature created and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development;

WHEREAS, Apopka Centerline Development, LLC; Troy S. Bronson Family, LP; Binion Partners, LLC; Ruth Ina Bronson Trust; Troy S. Bronson Trust; Donna Marie Roberson Kirkland; John Kirkland; and Kelly W. Shirley (collectively referred to as the “Petitioner”) petitioned the City Council of the City of Apopka, Florida (“City”) to enact an ordinance establishing the Ridge at Apopka Community Development District (“District”) pursuant to Chapter 190, Florida Statutes, over the real property described in Exhibit 2 of the Petition to Establish a Community Development District;

WHEREAS, Petitioner currently owns all of the property located within the boundaries of the proposed District and has provided written consent to the establishment of the District as the entity owning one hundred (100%) percent of the real property to be included in the District;

WHEREAS, public hearings have been conducted by the City on August 4, 2021 and August 18, 2021, in accordance with the requirements and procedures of Section 190.005(2)(b), Florida Statutes, and the applicable requirements of the City’s Charter and Code of Ordinances; all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at said duly noticed public hearing;

WHEREAS, upon consideration of the record established at that hearing, the City Council determined that the statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the City’s comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, that the community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area to be served by the District is amenable to separate special-district governance; and

WHEREAS, the establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described, thereby

1 providing a solution to the City’s planning, management, and financing needs for delivery of capital
2 infrastructure therein without overburdening the city and its taxpayers.

3
4 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
5 **APOPKA, FLORIDA, AS FOLLOWS:**

6
7 **SECTION I. AUTHORITY.** This Ordinance is enacted in compliance with and pursuant to the
8 Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended from
9 time to time.

10
11 **SECTION II. FINDINGS.** The foregoing recitals and findings are true and correct and are
12 incorporated herein, adopted, and made a part hereof.

13
14 **SECTION III. GRANT OF PETITION.** The Petition, which was filed with the Community
15 Development Department of the City on June 7, 2021, and a copy of which is attached hereto as Exhibit A
16 and incorporated herein, is hereby granted.

17
18 **SECTION IV. DISTRICT NAME.** There is hereby created a community development district
19 situated within the incorporated boundaries of the City of Apopka, Florida named “Ridge at Apopka
20 Community Development District.”

21
22 **SECTION V. EXTERNAL BOUNDARIES OF THE DISTRICT.** The external boundaries of the
23 District are described in Exhibit 2 of the Petition. The District, overall, contains 403.90 acres, more or less.

24
25 **SECTION VI. FUNCTIONS AND POWERS.** The powers and functions of the District are
26 described in Sections 190.011, 190.012(1), 190.012(2)(a), 190.012(2)(d), 190.012(2)(f), and 190.012(3),
27 Florida Statutes.

28
29 **SECTION VII. BOARD OF SUPERVISORS.** The five persons designed to serve as initial
30 members of the District’s Board of Supervisors are as follows:

31

<u>Name</u>	<u>Address</u>
32 Craig Perry	33 Centerline Capital Advisors 34 15481 Southwest 12 Street, Suite 309 35 Sunrise, Florida 33326
36 Ernesto Mistumasa	37 Centerline Capital Advisors 38 4654 Monarch Way 39 Coconut Creek, Florida 33073
40 Kevin Walsh	41 KTW MF, LLC 42 9442 Wickham Way 43 Orlando, Florida 32836
44 Thomas J. Pagnotta	45 16204 Northwest 13 Street 46 Pembroke Pines, Florida 333028
47 Dean Perry	48 15481 Southwest 12 Street, Suite 309 49 Sunrise, Florida 33326

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1 All of the above-listed persons are residents of the State of Florida and citizens of the United States
2 of America.

3
4 **SECTION VIII. OBLIGATIONS OF THE DISTRICT.** No bond, debt, or other obligation of the
5 District, nor any default thereon, shall constitute a debt or obligation or burden of the City.

6
7 **SECTION IX. SEVERABILITY.** Should any word, phrase, sentence, subsection or section be held
8 by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word,
9 phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases,
10 sentences, subsections, or sections shall remain in full force and effect.

11
12 **SECTION X. CONFLICTING ORDINANCES.** All ordinances or part thereof, in conflict
13 herewith are, to the extent of such conflict, repealed.

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15 **SECTION XI: EFFECTIVE DATE.** That this ordinance and the rules, regulations, provisions,
16 requirements, orders and matters established and adopted hereby shall take effect and be in full force and
17 effect immediately upon its passage and adoption.


18
19 **PASSED UPON** at the first reading of the City Council, this 18th day of August, 2021.

20
21 **PASSED UPON** at the second and final reading of the City Council, this 8th day of September,
22 2021.

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28 **ATTEST:**


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32 SUSAN M. BONE
33 City Clerk

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BRYAN NELSON
Mayor

36 APPROVED as to legal sufficiency and form:

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MICHAEL A. RODRÍGUEZ
City Attorney

44 DULY ADVERTISED FOR PUBLIC HEARING: July 7, 2021; July 14, 2021; July 21, 2021; July 28,
45 2021; August 8, 2021; August 13, 2021; August 27, 2021; September 3, 2021 as per Section 190.005, F.S.

PETITION TO ESTABLISH THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Submitted by:

Jere Earlywine
Florida Bar No.155527
jeree@hgslaw.com
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)

**BEFORE THE CITY COMMISSION OF
THE CITY OF APOPKA, FLORIDA**

PETITION TO ESTABLISH A COMMUNITY DEVELOPMENT DISTRICT

Petitioners, Apopka Centerline Development LLC, Troy S. Bronson Family LP, Binion Partners, LLC, Ruth Ina Bronson Trust and Troy S Bronson Trust, and Donna Marie Roberson Kirkland, and John Kirkland and Kelly W. Shirley (together, "Petitioners"), hereby petition the City Commission for the City of Apopka, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, to establish a Community Development District ("District") with respect to the land described herein.

Background Statement

By way of background, the Petitioners seek to establish a community development district in connection with the development of The Ridge at Apopka project, which is a multi-use project planned for an approximately 403.90+/- acre parcel of land located just north of the intersection of State Roads 429 (Western Beltway) and 414. A location map is shown in the attached draft petition. The development is planned for up to 683 residential homes, 678 apartments, 350,000 square feet of commercial and office space, and 1,500,000 square feet of industrial uses. Consistent with the Florida Legislature's intent expressed in Section 190.002, *Florida Statutes*, the District would be the most timely, efficient, effective, responsive and economic way to deliver basic community development services for the development without overburdening other governments and taxpayers.

The future District would have numerous benefits to the City and District landowners:

- The District will assist with the financing of the public infrastructure for this critical piece of property, which once developed, will provide an opportunity for the future development of the south-west portion of the City, and future expansion of that area.
- In connection with the development of the project, the City has required substantial off-site improvements, as set forth in *Master Development Approval*, including offsite roadway, intersection, and utility improvements. The estimated cost of all public improvements necessary for the project is over \$24 million.
- The District, because it has access to tax-exempt municipal financing, is the least expensive means by which to finance and deliver the substantial off-site improvements described above. Using the District to finance these improvements will mean that the public infrastructure will simply cost less for everyone. This will result in lower home prices, lower costs for commercial and industrial landowners, and savings for all future landowners of the District.

- Because the District will fund the infrastructure, the project will not overburden the City, County or other taxpayers, and instead will allow growth to pay for itself.
- The District's bond issuances will result in construction dollars being held in a qualified, trustee bank, where the proceeds can only be accessed through a strict requisition process. As such, there will be monies on hand to develop the project, and in the unlikely event of an economic downturn and default, such monies may be used to continue construction, pay foreclosure fees, and/or maintain the property until it can be placed back into productive use.
- As compared to a traditional property owner's association or homeowner's association, the District is a superior long-term maintenance entity, and the District:
 - Will save landowners money, both when the project is first built as well as when the infrastructure is later refurbished or replaced after years of use;
 - Will be a more accountable and transparent entity, due to the fact that the District is subject to Florida's Sunshine Laws and Public Records laws, and due to the District's numerous disclosure and reporting requirements;
 - Will enjoy sovereign immunity protection against frivolous lawsuits;
 - Will have a more stable revenue stream, due to its ability to collect assessments on the tax roll;
 - Will have a relatively faster turnover to control by end-users due to its statutorily-required time-frames for elections;
 - Is more likely to have access to FEMA and other emergency funding;
 - Will serve as a superior long-term maintenance entity, resulting in higher, and more stable, property values.
- As stated in Chapter 190, Florida Statutes, no debt or obligation of the District will be a burden on the City, or any other local general-purpose government.

Petition Elements

Not only will the District provide numerous benefits for the City and District landowners, but also this Petition includes all of the information necessary for the City Council to determine that the statutory requirements for establishment have been met under Chapter 190 of the Florida Statutes. In support thereof, Petitioners state:

1. Location and Size. The proposed District is located entirely within the City of Apopka, Florida. **Exhibit 1** depicts the general location of the project. The proposed District covers approximately 403.90+/- acres of land. The site is located just north of the intersection of State Roads 429 (Western Beltway) and 414. The metes and bounds description of the external boundaries of the District is set forth in **Exhibit 2**.

2. Landowner Consent. Petitioners, as the landowners of one hundred percent (100%) of the real property located within the District, have provided written consent to establish the District in accordance with Section 190.005, Florida Statutes. **Exhibit 3** includes documentation of this consent.

3. Authorization of Agent. **Exhibit 3** also includes authorization for Jere Earlywine and Craig Perry to act on behalf of Petitioners in connection with the establishment of the District. Their contact information is as follows:

Jere Earlywine
jeree@hgslaw.com
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
(850) 222-7500 (telephone)

Craig Perry
cperry@centerlineca.com
Centerline Capital Advisors
15481 SW 12th Street, Suite 309
Sunrise, Florida 33326

4. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Craig Perry
Centerline Capital Advisors
15481 SW 12th Street, Suite 309
Sunrise, FL 33326

Ernesto Mistumasu
Centerline Capital Advisors
4654 Monarch Way
Coconut Creek, FL 33073

Kevin Walsh
KTW MF, LLC
9442 Wickham Way
Orlando, FL 32836

Thomas J Pagnotta
16204 NW 13th Street
Pembroke Pines, FL 333028

Dean Perry
15481 SW 12th Street, Suite 309
Sunrise, FL 33326

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is The Ridge at Apopka Community Development District.

6. Existing and Future Land Uses; Zoning. The existing and future general distribution, location, and extent of the public and private land uses proposed within the District are generally depicted on **Exhibit 4**.

7. Major Water and Wastewater Facilities. **Exhibit 5** shows the existing trunk water mains and sewer interceptors and outfalls, if any.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioners presently expect the District to finance, construct, acquire and/or install, as well as the anticipated owner and entity responsible for maintenance. As noted, these facilities will serve the development within the District, which development is planned for up to 703 residential homes, 678 apartments, 350,000 square feet of commercial and office space, and 1,500,000 square feet of industrial uses. The estimated costs of constructing the infrastructure serving land within the proposed District are also identified in **Exhibit 6**. At present, these improvements are estimated to be made, acquired, constructed, and/or installed beginning in 2021 and with anticipated completion in 2026. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes (2020). The SERC is based upon presently available data.

10. This petition to establish The Ridge at Apopka Community Development District should be granted for the following reasons:

a. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the City Comprehensive Plan.

b. The area of land within the proposed District is part of a planned community. It is of a sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The establishment of the District will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District's services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioners respectfully request the City Council of the City of Apopka, Florida to:

a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes (2020);

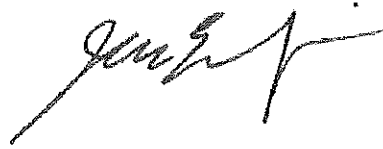
b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes; and

c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, all as authorized and described by Sections 190.012(2)(a) and 190.012(2)(d), Florida Statutes (2020).

[THIS SPACE INTENTIONALLY LEFT BLANK]

RESPECTFULLY SUBMITTED, this 4th day of July, 2021.

HOPPING GREEN & SAMS, P.A.

A handwritten signature in black ink, appearing to read "Jere Earlywine", written over a horizontal line.

Jere Earlywine

Florida Bar No.155527

jeree@hgslaw.com

HOPPING GREEN & SAMS, P.A.

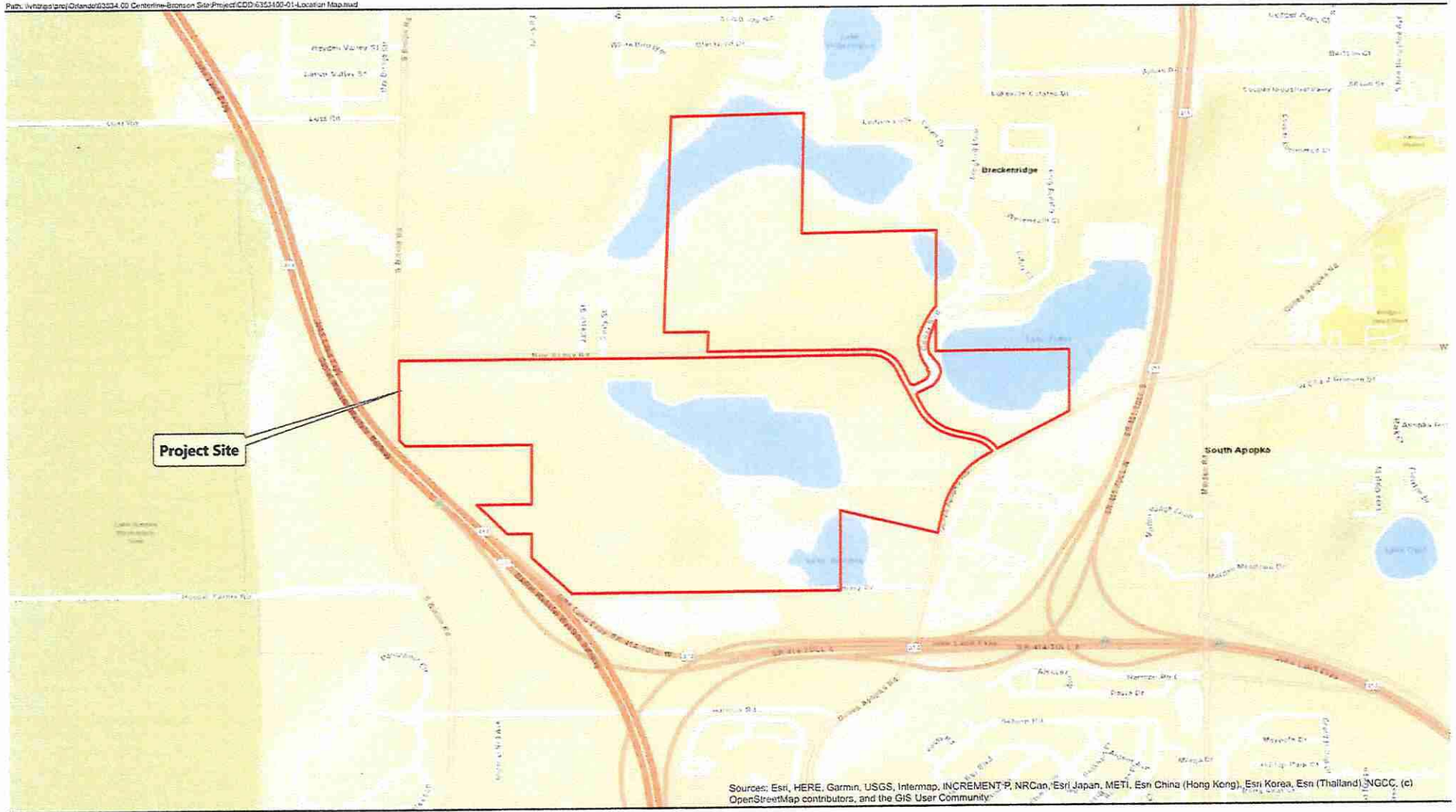
119 South Monroe Street, Suite 300

Tallahassee, Florida 32301

(850) 222-7500 (telephone)

(850) 224-8551 (facsimile)

Authorized Agent



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 88°47'33" EAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17 FOR A DISTANCE OF 1315.96 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 01°23'40" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1341.09 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89°15'43" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1330.82 FEET TO THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 849.73 FEET TO THE WESTERLY RIGHT OF WAY LINE OF GALWAY BOULEVARD, BRECKINRIDGE PHASE 1, ACCORDING TO PLAT BOOK 64, PAGE 74 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 495.00 FEET, A CENTRAL ANGLE OF 18°16'37", THE CHORD OF WHICH BEARS SOUTH 33°25'03" WEST FOR A DISTANCE OF 157.23 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE FOR AN ARC LENGTH OF 157.90 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 24°16'44" WEST FOR A DISTANCE OF 163.85 FEET; THENCE RUN SOUTH 17°58'25" WEST FOR A DISTANCE OF 70.98 FEET; THENCE RUN SOUTH 01°37'19" WEST FOR A DISTANCE OF 88.67 FEET; THENCE RUN SOUTH 30°42'41" EAST FOR A DISTANCE OF 13.58 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 27°54'38", THE CHORD OF WHICH BEARS SOUTH 14°29'08" EAST FOR A DISTANCE OF 188.11 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 189.98 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 28°26'27" EAST FOR A DISTANCE OF 76.12 FEET; THENCE RUN SOUTH 61°33'33" WEST FOR A DISTANCE OF 2.00 FEET; THENCE RUN SOUTH 15°14'28" WEST FOR A DISTANCE OF 12.59 FEET; THENCE RUN SOUTH 19°16'12" EAST FOR A DISTANCE OF 16.40 FEET; THENCE RUN SOUTH 65°31'52" EAST FOR A DISTANCE OF 11.39 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 68°46'59", THE CHORD OF WHICH BEARS SOUTH 27°10'04" WEST FOR A DISTANCE OF 107.32 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 114.05 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 61°33'33" WEST FOR A DISTANCE OF 111.60 FEET; THENCE RUN NORTH 73°26'27" WEST FOR A DISTANCE OF 34.62 FEET TO A POINT HEREFTER REFERRED TO AS POINT A, LYING ON THE NORTHERLY RIGHT OF WAY LINE OF BOY SCOUT ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 1133, PAGE 608 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 24°58'39" WEST FOR A DISTANCE OF 217.41 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 342.10 FEET, A CENTRAL ANGLE OF 65°18'17", THE CHORD OF WHICH BEARS NORTH 57°37'36" WEST FOR A DISTANCE OF 369.15 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 389.92 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 690.23 FEET; THENCE RUN NORTH 01°23'40" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 912.02 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN NORTH 02°03'11" EAST FOR A DISTANCE OF 220.18 FEET; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 433.36 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 02°03'11" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 2408.71 FEET TO THE POINT OF BEGINNING.

CONTAINING: 5,215,102 SQUARE FEET OR 119.72 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT A; THENCE RUN SOUTH 24°58'39" EAST FOR A DISTANCE OF 141.34 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF SAID GALWAY BOULEVARD; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 16°33'33" EAST FOR A DISTANCE OF 30.96 FEET; THENCE RUN NORTH 61°41'11" EAST FOR A DISTANCE OF 173.78 FEET; THENCE RUN NORTH 36°05'04" EAST FOR A DISTANCE OF 90.60 FEET; THENCE RUN NORTH 19°14'42" EAST FOR A DISTANCE OF 74.95 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE WESTERLY WITH A RADIUS OF 213.50 FEET, A CENTRAL ANGLE OF 25°16'34", THE CHORD OF WHICH BEARS NORTH 12°56'36" WEST FOR A DISTANCE OF 93.42 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 94.19 FEET TO A NON-TANGENT POINT; THENCE RUN NORTH 36°19'00" WEST FOR A DISTANCE OF 153.53 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 33°50'22", THE CHORD OF WHICH BEARS NORTH 01°03'14" EAST FOR A DISTANCE OF 174.62 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 177.18 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 17°58'25" EAST FOR A DISTANCE OF 149.75 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 405.00 FEET, A CENTRAL ANGLE OF 07°07'48", THE CHORD OF WHICH BEARS NORTH 21°32'19" EAST FOR A DISTANCE OF 50.37 FEET; THENCE RUN ALONG SAID CURVE FOR AN ARC LENGTH OF 50.40 FEET TO A NON-TANGENT POINT LYING ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 338.71 FEET TO THE NORTH LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89°43'16" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1322.50 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°26'42" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 690.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF OCOEE APOPKA ROAD AND A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 375.87 FEET, A CENTRAL ANGLE OF 06°25'02", THE CHORD OF WHICH BEARS SOUTH 56°26'10" WEST FOR A DISTANCE OF 42.08 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND SAID CURVE

FOR AN ARC LENGTH OF 42.10 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 59°38'41" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 791.31 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND A POINT HEREFTER REFERRED TO AS POINT B, BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 320.75 FEET, A CENTRAL ANGLE OF 44°12'53", THE CHORD OF WHICH BEARS NORTH 52°27'10" WEST FOR A DISTANCE OF 241.42 FEET; THENCE RUN NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 247.52 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 74°33'37" WEST FOR A DISTANCE OF 220.12 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 511.26 FEET, A CENTRAL ANGLE OF 49°34'58", THE CHORD OF WHICH BEARS NORTH 49°46'08" WEST FOR A DISTANCE OF 428.76 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 442.44 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 24°58'39" WEST FOR A DISTANCE OF 141.70 FEET TO THE POINT OF BEGINNING.

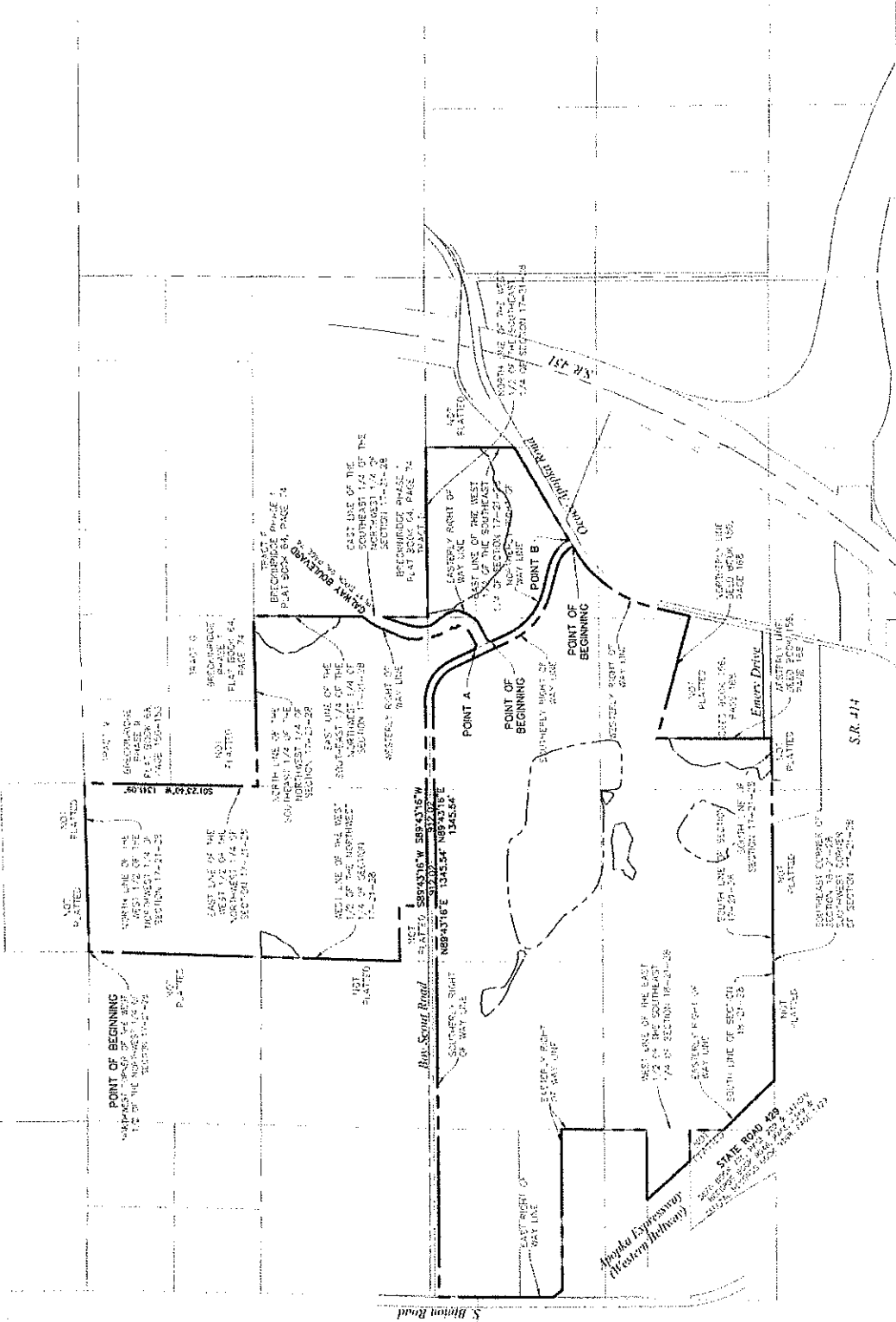
CONTAINING: 1,272,340 SQUARE FEET OR 29.21 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT B; THENCE RUN SOUTH 59°38'41" WEST FOR A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID OCOEE APOPKA ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND THE POINT OF BEGINNING; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 59°38'41" WEST FOR A DISTANCE OF 31.35 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 984.93 FEET, A CENTRAL ANGLE OF 46°45'08", THE CHORD OF WHICH BEARS SOUTH 36°16'07" WEST FOR A DISTANCE OF 781.57 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 803.68 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 12°53'33" WEST FOR A DISTANCE OF 264.64 FEET TO THE NORTHERLY LINE OF A PARCEL AS DESCRIBED IN DEED BOOK 156, PAGE 168; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 74°37'52" WEST ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 991.60 FEET TO THE WESTERLY LINE THEREOF; THENCE RUN SOUTH 00°22'08" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 886.88 FEET TO THE SOUTH LINE OF SAID SECTION 17; THENCE RUN NORTH 89°59'43" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1728.15 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 18; THENCE RUN SOUTH 89°54'43" WEST ALONG THE SOUTH LINE OF SAID SECTION 18 FOR A DISTANCE OF 936.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 429, ACCORDING TO DEED BOOK 770, PAGE 209, OFFICIAL RECORDS BOOK 9046, PAGE 4349 & OFFICIAL RECORDS BOOK 9398, PAGE 1729 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 43°34'16" WEST FOR A DISTANCE OF 104.57 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 14808.00 FEET, A CENTRAL ANGLE OF 01°44'54", THE CHORD OF WHICH BEARS NORTH 44°26'37" WEST FOR A DISTANCE OF 451.84 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 451.86 FEET TO A NON-TANGENT POINT AND THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE RUN NORTH 00°33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 264.76 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°55'55" WEST FOR A DISTANCE OF 241.14 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD 429; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 42°01'34" WEST FOR A DISTANCE OF 446.50 FEET; THENCE RUN NORTH 89°58'26" EAST FOR A DISTANCE OF 543.33 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE RUN NORTH 00°33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 663.72 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°58'47" WEST FOR A DISTANCE OF 1250.31 FEET; THENCE RUN NORTH 38°59'13" WEST FOR A DISTANCE OF 91.06 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH BINION ROAD; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 00°14'15" EAST FOR A DISTANCE OF 742.29 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 5689.65 FEET, A CENTRAL ANGLE OF 01°30'53", THE CHORD OF WHICH BEARS NORTH 00°59'41" EAST FOR A DISTANCE OF 150.42 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 150.42 FEET TO A NON-TANGENT POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD; THENCE RUN ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 89°58'43" EAST FOR A DISTANCE OF 2613.56 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 1345.54 FEET; THENCE RUN NORTH 00°22'08" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 691.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 282.10 FEET, A CENTRAL ANGLE OF 65°18'17", THE CHORD OF WHICH BEARS SOUTH 57°37'34" EAST FOR A DISTANCE OF 304.41 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 321.53 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 24°58'39" EAST FOR A DISTANCE OF 500.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 571.26 FEET, A CENTRAL ANGLE OF 49°34'58", THE CHORD OF WHICH BEARS SOUTH 49°46'08" EAST FOR A DISTANCE OF 479.08 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 494.36 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 74°33'37" EAST FOR A DISTANCE OF 220.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 260.75 FEET, A CENTRAL ANGLE OF 44°13'02", THE CHORD OF WHICH BEARS SOUTH 52°27'06" EAST FOR A DISTANCE OF 196.27 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 201.23 FEET TO THE POINT OF BEGINNING.

CONTAINING: 11,106,450 SQUARE FEET OR 254.97 ACRES OF LAND, MORE OR LESS.

COMBINED: 17,593,892 SQUARE FEET OR 403.90 ACRES OF LAND, MORE OR LESS.



This instrument was prepared by and
upon recording should be returned to:

HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

**Consent to the Establishment of a Community Development District
and Authorization of Agents**

Each of the undersigned hereby represents that he or she has authority to enter into this consent and authorization on behalf of the respective landowner(s) identified below (individually, "Landowner," or together, "Landowners"). Further, each Landowner is the owner of a portion of the property described in Exhibit A ("Property"), and the ownership interests of all Landowners, taken together, represents the ownership of 100% of the Property.

The Landowners understand and agree that pursuant to the provisions of Section 190.005, *Florida Statutes*, a petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District. The Landowners hereby consent to the establishment of a Community Development District that will include the Property within the lands to be a part of the Community Development District and agree to further execute any documentation necessary or convenient to evidence this consent and authorization during the application process for the establishment of the Community Development District. The Landowners further agree that this consent shall be deemed to run with the Property and be binding upon the Landowners and their successors and assigns as to the Property or portions thereof, unless formally revoked upon 10 days prior written notice to the authorized agents identified below.

This document will further serve as a designation of Jere Earlywine of Hopping Green & Sams P.A., whose address is 119 S. Monroe Street, Suite 300, Tallahassee, Florida 32301, and Craig Perry of Centerline Capital Advisers, whose address is 15481 SW 12th Street, Suite 309, Sunrise, Florida 33326, to act as agents for the Landowners, with regard to any and all matters pertaining to the Petition to the City Council for the City of Apopka, Florida to establish a Community Development District pursuant to Chapter 190, *Florida Statutes*.

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[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 16th day of FEBRUARY, 2021.

Witnessed:

APOPKA CENTERLINE DEVELOPMENT, LLC

ABankley
Print Name: Andy Basska

[Signature]
BY: Craig Perry
ITS: Manager

[Signature]
Print Name: Charlie Hocken

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16th day of FEB, 2021, by Craig Perry, Manager of Apopka Centerline Development, LLC, who appeared before me this day in person, and who is either personally known to me, or produced known as identification.



Donna M Kirkland
NOTARY PUBLIC, STATE OF Florida

Name: Donna M. Kirkland
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 16th day of February 2021.

Witnessed:

TROY S. BRONSON FAMILY L.P.

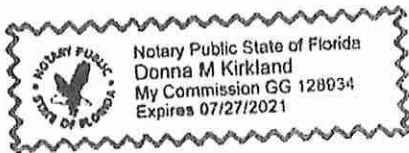
[Signature]
Print Name: Andy Bassler

[Signature]
BY: Troy S. Bronson
ITS: Trustee

[Signature]
Print Name: Cherie H. Van

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16th day of FEB, 2021, by Troy S. Bronson as Trustee of the Troy S. Bronson Family L.P., who appeared before me this day in person, and who is either personally known to me, or produced KNOWN as identification.



[Signature]
NOTARY PUBLIC, STATE OF Florida

Name: Donna M Kirkland
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 16th day of FEBRUARY, 2021.

Witnessed:

TROY S. BRONSON REVOCABLE TRUST

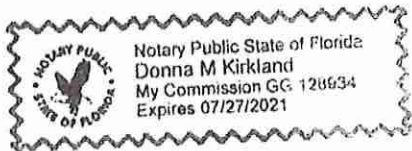
Andy Bassler
Print Name: ANDY BASSLER

Troy S Bronson
BY: Troy S. Bronson
ITS: Trustee

Charlie Hillery
Print Name: CHARIE HILLERY

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16 day of Feb, 2021, by Troy S. Bronson as Trustee of the Troy S. Bronson Revocable Trust, who appeared before me this day in person, and who is either personally known to me, or produced KNOWN as identification.



Donna M. Kirkland
NOTARY PUBLIC, STATE OF Florida

Name: Donna M. Kirkland
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 16th day of FEBRUARY, 2021.

Witnessed:

INA RUTH BRONSON REVOCABLE TRUST

[Signature]
Print Name: ANDY BASSLER

[Signature]
BY: TROY S BROWN
ITS: Trustee

[Signature]
Print Name: Chancie Hickson

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16 day of Feb, 2021, by _____ as Trustee of the Ina Ruth Bronson Revocable Trust, who appeared before me this day in person, and who is either personally known to me or produced KNOWN as identification.



Donna M Kirkland
NOTARY PUBLIC, STATE OF Florida

Name: Donna M Kirkland
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 16 day of February, 2021.

Witnessed:

BINION PARTNERS, LLC

AB Basson
Print Name: Andy Basson

Troy S Bronson
BY: Troy S. Bronson
ITS: Manager

Charlie Van Hickman
Print Name: CHARLIE HICKMAN

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16 day of Feb, 2021, by Troy S. Bronson as Manager of Binion Partners, LLC, who appeared before me this day in person, and who is either personally known to me, or produced known as identification.



Donna M Kirkland
NOTARY PUBLIC, STATE OF Florida

Name: Donna M Kirkland
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 17th day of February, 2021.

DONNA MARIE ROBERSON KIRKLAND, an individual

Donnamarie Kirkland
BY: Donna Marie Roberson Kirkland

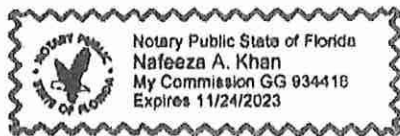
WITNESSES:

Andy Bassler
Print Name: Andy Bassler

Charice Vickens
Print Name: Charice Vickens

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 17th day of Feb., 2021, by Donna Marie Roberson Kirkland, who appeared before me this day in person, and who is either personally known to me, or produced unknown as identification.



Nafeeza Khan
NOTARY PUBLIC, STATE OF Florida

Name: NAFEEZA KHAN
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 16th day of FEBRUARY, 2021.

JOHN KIRKLAND, an individual

BY: *John Kirkland*
John Kirkland

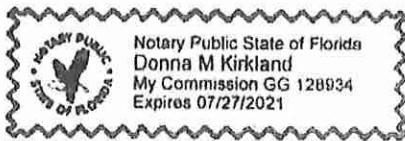
WITNESSES:

A Banks
Print Name: Andy Bassler

Cheryl
Print Name: Cheryl

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16 day of FEB, 2021, by John Kirkland, who appeared before me this day in person, and who is either personally known to me, or produced known as identification.



Donna M Kirkland
NOTARY PUBLIC, STATE OF Florida

Name: Donna M Kirkland
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

LEGAL DESCRIPTION:

Beginning at the intersection of the South line of the right of way of Boy Scout Road with a line 42.50 feet East of the East line of the Northwest 1/4 of the Southwest 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida, and run South 89 degrees 43 minutes 32 seconds West, along said South right of way line, for a distance of 294.30 feet; thence run South 00 degrees 22 minutes 4 8 seconds West, parallel with the East line of said Northwest 1/4 of the Southwest 1/4, for a distance of 722.00 feet; thence run South 83 degrees 13 minutes 27 seconds East for a distance of 296.12 feet; thence run North 00 degrees 22 minutes 48 seconds East parallel with the East line of said Northwest 1/4 of the Southwest 1/4 for a distance of 758.35 feet to the POB.

A portion of Section 17, Township 21 South, Range 28 East, Orange County, Florida more particularly described as follows:

Commence at the South Quarter corner of said Section 17; thence N 07 degrees 19' 56" E to a point on the Westerly right of way of Ocoee Apopka Road, the arc of a curve concave to the East of the Point of Beginning; thence run along said right of way line and curve having a radius of 948.00', a delta of 11 degrees 35' 09", along a cord bearing of N26 degrees 13' 56" E, an arc distance of 191.70'; thence leaving said right of way run N75 degrees 44' 09" W, 278.00'; thence S57 degrees 12' 05" W, 100.86'; thence S10 degrees 59' 06" W, 134.01'; thence S79 degrees 38' 16" E, 300.05 to the Point of Beginning.

The South one-half (S 1/2) of the East one-half (E 1/2) of the Southwest one-quarter (SW 1/4) of the Northwest one-quarter (NW 1/4), (LESS the East twenty-five feet (E 25') of the South three hundred and forty feet (S 340')) of Section 17, Township 21 South, Range 28 East, Orange County, Florida, Less the South 30 feet thereof for Boy Scout Road.

Also less the land contained in Warranty Deed recorded in Official Records Book 1652, page 737, Public Records of Orange County, Florida, to wit:

Begin at the southwest corner of the South 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4, Section 17, Township 21 South, Range 28 East; run North 0° 19' 30" West 668.54 feet; run thence East, North 87° 27' 40" East 15 feet; thence South 0° 19' 30" East 10 feet; thence West, South 87° 27' 40" West 3 feet; thence South 0° 19' 30" East to the south line of the South 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4, Section 17, Township 21 South, Range 28 East; thence West to the Point of Beginning, less the South 30 feet in Boy Scout Road.

PARCEL 1

The East half of the Southeast quarter of the Southeast quarter of Section 18, Township 21 South, Range 28 East, in Orange County, Florida; and

The Southwest quarter of the Southwest quarter of Section 17, Township 21 South, Range 28 East, in Orange County, Florida; and

The West 400 feet of: Begin 144 feet West of the Southeast corner of the Southwest quarter and run West to the Southwest corner of the Southeast quarter of the Southwest quarter of Section 17, Township 21 South, Range 28 East, thence run North 996.6 feet, South 75° East, a distance of 1,419 feet to a point 15 feet west of road, thence Southwesterly to the Point of Beginning, in Orange County, Florida.

PARCEL 2

The North one half (1/2) of the East one half (1/2) of the Southwest quarter (1/4) of the Northwest quarter (1/4) of Section 17, Township 21 South, Range 28 East, all in Orange County, Florida.

PARCEL 3A

The West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida, less the West 433 feet of the South 220 feet;

PARCEL 3B

Begin at the southwest corner of the South 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4, Section 17, Township 21 South, Range 28 East; run North 0° 19' 30" West 668.54 feet; run thence East, North 87° 27' 40" East 15 feet; thence South 0° 19' 30" East 10 feet; thence West, South 87° 27' 40" West 3 feet; thence South 0° 19' 30" East to the south line of the South 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4, Section 17, Township 21 South, Range 28 East; thence West to the Point of Beginning, less the South 30 feet in Boy Scout Road.

PARCEL 4

That part of the Southeast 1/4 of the Northwest 1/4, the Northeast 1/4 of the Southwest 1/4 and the West 1/2 of the Southeast 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida, lying northwesterly of the northwesterly right of way line of Ocoee-Apopka Road, northeasterly of the northeasterly right of way of Boy Scout Road, and easterly of the east right of way line of Galway Blvd. (Tracts P and S) according to the plat of Breckenridge Phase 1 recorded in Plat Book 64, page 74, public records of Orange County, Florida.

PARCEL 5

Beginning at the southeast corner of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 21 South, Range 28 East; run thence West 25 feet, thence North 340 feet, thence East 25 feet, thence South 340 feet to the Point of Beginning;

and

The Southeast 1/4 of the Northwest 1/4 and that part of the Northeast 1/4 of the Southwest 1/4 of Section 17, Township 21 South, Range 28 East lying northerly and northeasterly of the right of way of Boy Scout Road and lying northerly and westerly of the north and west right of way lines of Galway Blvd. (Tracts O and S) according to the plat of Breckenridge Phase 1 recorded in Plat Book 64, page 74, public records of Orange County, Florida.

PARCEL 6

That part of the West 1/2 of the Southeast 1/4, the North 1/2 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida, lying westerly of the westerly right of way line of Ocoee-Apopka Road, and southerly and southwesterly of the southern and southwestern right of way line of Boy Scout Road, less and except the following parcels A, B and C:

A. Beginning 144 feet west of the quarter section post on the south boundary of Section line, 15 feet west of center of public road, run west 17 chains and 82 links, North 15 chains and 10 links, thence South 75° 30' East 21 chains and 55 links to a point 15 feet west of center of public road, southerly along said road to beginning.

B. Beginning at the intersection of the south line of the right of way of Boy Scout Road with a line 42.50 feet east of the east line of the Northwest 1/4 of the Southwest 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida, and run South 89° 43' 32" West, along said south right of way line, for a distance of 294.30 feet; thence run South 00° 22' 48" West, parallel with the east line of said Northwest 1/4 of the Southwest 1/4, for a distance of 722.00 feet; thence run South 83° 13' 27" East for a distance of 296.12 feet; thence run North 00° 22' 48" East parallel with the east line of said Northwest 1/4 of the Southwest 1/4 for a distance of 758.35 feet to the Point of Beginning.

C. A portion of Section 17, Township 21 South, Range 28 East, Orange County, Florida, more particularly described as follows:

Commence at the south quarter corner of said Section 17; thence North 07° 19' 56" East to a point on the westerly right of way of Ocoee Apopka Road, the arc of a curve concave to the east and the Point of Beginning; thence run along said right of way line and curve having a radius of 948.00 feet, a delta of 11° 35' 09", along a chord bearing of North 26° 13' 56" East, an arc distance of 191.70 feet; thence leaving said right of way run North 75° 44' 09" West, 278.00 feet; thence South 57° 12' 05" West, 100.86 feet; thence South 10° 59' 06" West, 134.01 feet; thence South 79° 38' 16" East, 300.05 feet to the Point of Beginning.

PARCEL 7

The Northeast 1/4 of the Southeast 1/4 of Section 18, Township 21 South, Range 28 East, and beginning 110 yards north of the southwest corner of the Northwest 1/4 of the Southeast 1/4, run North 110 yards, East 440 yards to the 40 line, South 110 yards, West 440 yards to beginning, Section 18, Township 21 South, Range 28 East, Orange County, Florida; less and except that portion conveyed to the State of Florida for State Road 437 by the Quit Claim Deed recorded in Deed Book 770, page 209, and less that part vested in the Orlando/Orange County Expressway Authority by the Stipulated Order of Taking recorded in Official Records Book 9046, page 4349 and Official Records Book 9893 page 1729 of the public records of Orange County, Florida.

PARCEL 9

The North 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 21 south, Range 28 East, Orange County, Florida, less and except the North 33 feet thereof for road right of way and less road right of way on west.

Said portions of land contain 363.729 acres, more or less

This instrument was prepared by and upon recording should be returned to:

HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

**Consent to the Establishment of a Community Development District
and Authorization of Agents**

Each of the undersigned hereby represents that he or she has authority to enter into this consent and authorization on behalf of the respective landowner identified below ("Landowner"), and that the Landowner is the sole owner of 100% of the property described in Exhibit A ("Property").

The Landowner understands and agrees that pursuant to the provisions of Section 190.005, *Florida Statutes*, a petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owner of the lands to be included within the Community Development District. The Landowner hereby consents to the establishment of a Community Development District that will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and authorization during the application process for the establishment of the Community Development District. The Landowner further agrees that this consent shall be deemed to run with the Property and be binding upon the Landowner and its successors and assigns as to the Property or portions thereof, unless formally revoked upon 10 days prior written notice to the authorized agents identified below.

This document will further serve as a designation of Jere Earlywine of Hopping Green & Sams P.A., whose address is 119 S. Monroe Street, Suite 300, Tallahassee, Florida 32301, and Craig Perry of Centerline Capital Advisers, whose address is 15481 SW 12th Street, Suite 309, Sunrise, Florida 33326, to act as agents for the Landowner, with regard to any and all matters pertaining to the Petition to the City Council for the City of Apopka, Florida to establish a Community Development District pursuant to Chapter 190, *Florida Statutes*.

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[SIGNATURE PAGE FOR CONSENT AND AUTHORIZATION]

Executed this 19 day of May, 2021.

Witnessed:

Owner:

Witness

[Handwritten signature of Kelly W. Shirley]

Print Name: Kelly W Shirley

[Handwritten signature of Rev. W. T. Wokle]
BY: Rev. W. T. Wokle
ITS: _____

Witness:

[Handwritten signature of David Olivo]

Print Name: David Olivo

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 19 day of May, 2021, by Ashley Jaikaran as Notary of Kelly Shirley who appeared before me this day in person, and who is either personally known to me, or produced photo as identification.

[Handwritten signature of Ashley Jaikaran]
NOTARY PUBLIC, STATE OF Florida

Name: Ashley Jaikaran
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

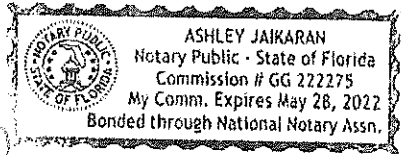
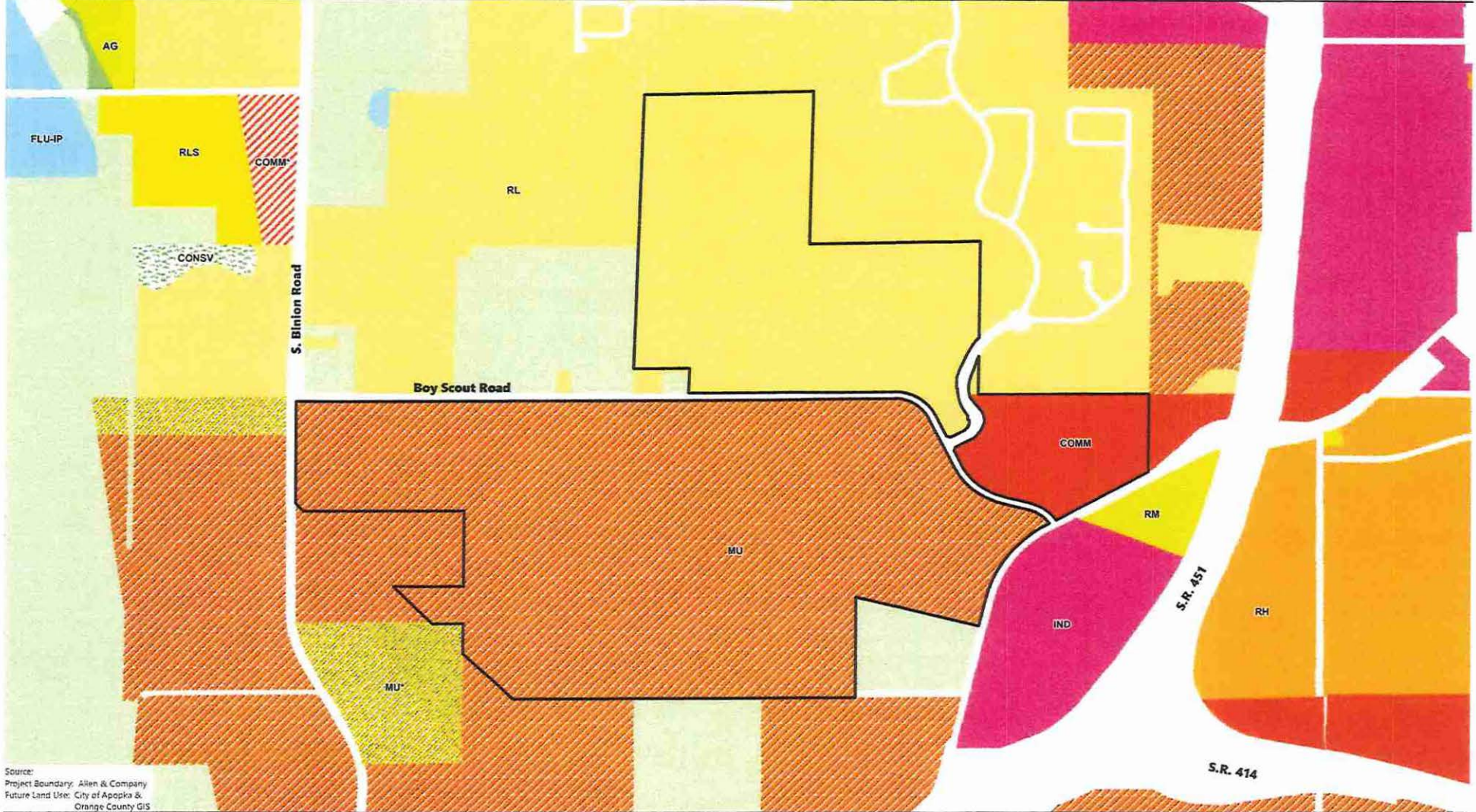


EXHIBIT A

The Northwest 1/4 of the Northwest 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida.

Together with an Easement for ingress and egress over the East 30 feet of the following described property:

The West 1/2 of the SW 1/4 of the NW 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida, Less the West 433 feet of the South 220 feet, also subject to road right-of-way on South 30 feet.

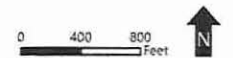


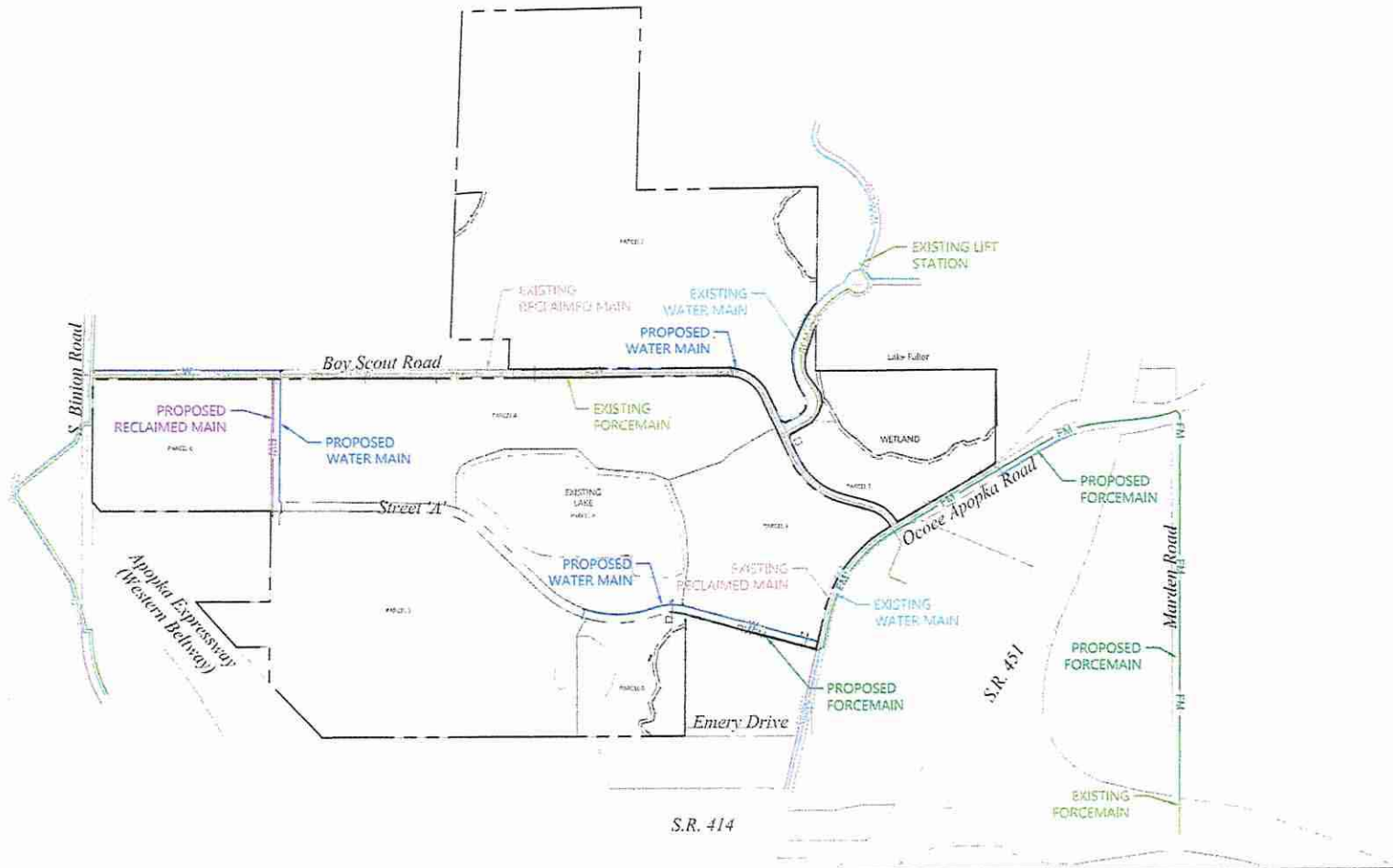
Source:
 Project Boundary: Allen & Company
 Future Land Use: City of Apopka &
 Orange County GIS

vhb 225 East Robinson Street, Suite 300
 Orlando, Florida 32801 | 407.839.4006

Legend	Project Boundary	Future Land Use	COMM*	MU	RLS	County
		CONSV	MU*	RM	LM	
		FLU-IP	RH	R	WB	
		AG	RL			
		COMM	IND			

The Ridge PD
 Future Land Use Map
 May 2021





Facilities Cost and Ownership / Operations Exhibit

Improvement	Estimated Cost	Financing Entity	Operations Entity
Master Development			
Stormwater Improvements	\$ 1,400,000.00	CDD	CDD / City
Roadways	\$ 2,900,000.00	CDD	CDD / City
Water, Sewer & Wastewater Utilities	\$ 750,000.00	CDD	CDD / City
Lift Station (1 total)	\$ 500,000.00	CDD	CDD / City
Hardscape, Landscape & Irrigation	\$ 1,000,000.00	CDD	CDD
Traffic Signals (3 total)	\$ 1,500,000.00	CDD	City
Conservation Areas	\$ 200,000.00	CDD	CDD
Amenities	\$ 500,000.00	CDD	CDD
Street Lights*	\$ -	N/A	
Offsite Roadway**	\$ 2,500,000.00	CDD	City / County
Offsite Utility***	\$ 1,200,000.00	CDD	City
Undergrounding of Electric	\$ 520,000.00	CDD	CDD
subtotal	\$ 12,970,000.00		
Residential Neighborhood Development Allowance			
Stormwater Improvements	\$ 1,300,000.00	CDD	CDD / City
Roadways	\$ 2,700,000.00	CDD	CDD / City
Water, Sewer & Wastewater Utilities	\$ 1,600,000.00	CDD	CDD / City
Lift Stations (3 total)	\$ 1,400,000.00	CDD	CDD / City
Hardscape, Landscape & Irrigation	\$ 1,200,000.00	CDD	CDD
subtotal	\$ 8,200,000.00		
Other			
Soft Costs (10%)	\$ 2,117,000.00	N/A	N/A
Contingency (15%)	\$ 3,175,500.00	N/A	N/A
TOTAL	\$ 26,462,500.00		

*The CDD intends to lease streetlights through an agreement with Electric Provider. Accordingly, the CDD will not finance the lights through the bond issuance but instead will fund them through an annual operations assessment.

**Offsite Roadway Improvements include turn lanes at three offsite intersections

***Offsite Utility Improvements include 6,500 LF of 20-inch force main

THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

June 4, 2021



Provided by

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STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish The Ridge at Apopka Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 403.90 +/- acres of land located within the City of Apopka, Florida (the "City") and is projected to contain approximately 703 residential homes, 678 apartments, 350,000 square feet of commercial and office space, and 1,500,000 square feet of industrial uses. The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing District establishment) as follows:

"That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."

1.2 Overview of The Ridge at Apopka Community Development District

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 703 residential homes, 678 apartments, 350,000 square feet of commercial and office space, and 1,500,000 square feet of industrial uses, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the anticipated improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as The Ridge at Apopka.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S., defines the elements a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or
3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (City of Apopka, according to the Census 2010, has a population of 41,542; therefore, it is not defined as a small City for the purposes of this requirement.)

(f) Any additional information that the agency determines may be useful.

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

2.0 An economic analysis showing whether the ordinance directly or indirectly:

- 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;**
- 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;**
or
- 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 403.90 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 703 residential homes, 678 apartments, 350,000 square feet of commercial and office space, and 1,500,000 square feet of industrial uses, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private

sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

When assessing the question of whether the establishment of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will ensure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The establishment of the District will not increase any regulatory costs of the State by virtue that the District will be one of many already existing similar districts within the State. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the City to offset any expenses that the City may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the service

and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five-year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of their debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) the City of Apopka and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. City of Apopka

The City and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the City. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the City as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 403.90 +/- acre master planned residential development currently anticipated to contain a total of approximately 703 residential homes, 678 apartments, 350,000 square feet of commercial and office space, and 1,500,000 square feet of industrial uses, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 4,834 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

4.0 A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state or local revenues.

The City is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of the City of Apopka. Therefore, the City (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

City of Apopka, Florida

The proposed land for the District is located within the City of Apopka, Florida and consists of less than 2,500 acres. The City and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the City will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the City already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the City may incur in the processing of this petition. Finally, the City already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the City, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City, or any monitoring expenses the City may incur if it establishes a monitoring program for this District.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on state or local revenues. The District is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project and it has its own sources of revenue. No state or local subsidies are required or expected.

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government. By Florida law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$26,462,500. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the public portion(s) of the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

Table 1

THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Proposed Facilities and Services

FACILITY	FUNDED	OWNED BY	MAINTAINED BY
Stormwater Improvements	CDD	CDD/City	CDD/City
Roadways	CDD	CDD/City	CDD/City
Water, Sewer & Wastewater Utilities	CDD	CDD/City	CDD/City
Lift Station	CDD	CDD/City	CDD/City
Hardscape/Landscape & Irrigation	CDD	CDD	CDD
Traffic Signalization	CDD	City	City
Conservation Areas	CDD	CDD	CDD
Amenities	CDD	CDD	CDD
Offsite Roadways	CDD	City/County	City/County
Offsite Utilities	CDD	City	City
Undergrounding of Electric	CDD	CDD	CDD

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, City or its dependent districts, or City management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as cities, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally,

other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Table 2

**THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT
DISTRICT
Estimated Costs of Construction**

CATEGORY	COST
Master Development	
Stormwater Improvements	\$1,400,000
Roadways	\$2,900,000
Water, Sewer & Wastewater Utilities	\$750,000
Lift Station	\$500,000
Hardscape/Landscape & Irrigation	\$1,000,000
Traffic Signalization	\$1,500,000
Conservation Areas	\$200,000
Amenities	\$500,000
Offsite Roadways	\$2,500,000
Offsite Utilities	\$1,200,000
Undergrounding of Electric	\$520,000
Sub-Total	\$12,970,000
Residential Neighborhood Development Allowance	
Stormwater Improvements	\$1,300,000
Roadways	\$2,700,000
Water, Sewer & Wastewater Utilities	\$1,600,000
Lift Stations	\$1,600,000
Hardscape/Landscape & Irrigation	\$1,200,000
Sub-Total	\$6,900,000
Other	
Soft Costs	\$2,117,000
Contingency	\$3,175,500
Total	\$26,462,500

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of local governance which is specifically established to provide District landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

City of Apopka has a population of 41,542 according to the Census 2010 conducted by the United States Census Bureau and is therefore not defined as a "small" City according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for The Ridge at Apopka development will not produce any marginal effects that would be different from those that would have occurred if The Ridge at Apopka development was developed without a community development district established for it by the City.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner's Engineer and other professionals associated with the Petitioner.

In relation to the question of whether the proposed The Ridge at Apopka Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the City could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion

similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to The Ridge at Apopka development. First, unlike a CDD, this alternative would require the City to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for The Ridge at Apopka development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other City responsibilities. By contrast, if the City were to establish and administer a dependent Special District, then the residents and landowners of The Ridge at Apopka development would take their grievances and desires to the City Commission meetings.

Third, any debt of an independent CDD is strictly that District's responsibility. While it may be technically true that the debt of a City-established, dependent Special District is not strictly the City's responsibility, any financial problems that a dependent Special District may have may reflect on the City. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low cost funds from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish The Ridge at Apopka Community Development District.

**APPENDIX A
LIST OF REPORTING REQUIREMENTS**

REPORT	FL. STATUE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the county after financing