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FILED WITH THE DEPARTMENT OF STATE July 28, 2021

ORDINANCE

NUMBER 2021-030

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING CHAPTER 4-3. MUNICIPAL SERVICE DISTRICTS BY CREATING NEW ARTICLE XIII: TUCKERS POINTE COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-181, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-182, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-183, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-184, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-185, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership (the "Petitioner"), having obtained written consent to the establishment of the Tuckers Pointe Community Development District (the "District") by the owners of one-hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners (the "Board") of Charlotte County, Florida (the "County"), to adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes; and,

WHEREAS, the Petitioner is a limited partnership authorized to conduct business in the State of Florida whose address is 7995 Mahogany Run Lane, Naples, Florida 34113; and,

WHEREAS, 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 a duly noticed public hearing conducted by the Board on July 27, 2021; and,

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4813 PAGE: 1607 PAGE: 1 OF 51
INSTR # 2978131 Doc Type: GOV
Recorded: 7/29/2021 at 10:12 AM
Rec. Fee: RECORDING \$435.00
Cashier By: THERESAA

MIN

34 WHEREAS, upon consideration of the record established at that hearing, the
35 Board determined that the statements within the Petition are true and correct, that the
36 establishment of the District is not inconsistent with any applicable element or portion of
37 the state comprehensive plan or the County's comprehensive plan, that the land within
38 the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be
39 developable as a functionally interrelated community, that the District is the best
40 alternative available for delivering community development services and facilities to the
41 area that will be served by the District, that the community development services and
42 facilities of the District will not be incompatible with the capacity and uses of existing local
43 and regional community development services and facilities, and that the area that will be
44 served by the District is amenable to separate special-district governance; and,

45 WHEREAS, the establishment of the District shall not act to amend any land
46 development approvals governing the land area to be included within the District; and

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

50 WHEREAS, the Board has determined that the initial members of the District's
51 Board of Supervisors set forth in Section 5 of this ordinance are residents of the State of
52 Florida and citizens of the United States of America.

53 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
54 of Charlotte County, Florida:

55 **Section 1.** Charlotte County Code Chapter 4-3, Article XIII titled "TUCKERS
56 POINTE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-181 is hereby created by

57 adding the underlined language to provide as follows:

58 **Sec. 4-3.5-181. Authority.**

59 This ordinance is adopted in compliance with and pursuant to the
60 Uniform Community Development District Act of 1980 codified in Chapter
61 190, Florida Statutes. Nothing contained herein shall constitute an
62 amendment to any land development approvals for the land area included
63 within the District.

64 **Section 2.** Charlotte County Code Chapter 4-3, Article XIII titled "TUCKERS
65 POINTE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-182 is hereby created by
66 adding the underlined language to provide as follows:

67 **Sec. 4-3.5-182. – District Name.**

68 There is hereby created a community development district situated
69 entirely within a portion of the unincorporated area of Charlotte County,
70 Florida, which shall be known as the "Tuckers Pointe Community
71 Development District," and which shall be referred to in this ordinance as
72 the "District".

73 **Section 3.** Charlotte County Code Chapter 4-3, Article XIII titled "TUCKERS
74 POINTE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-183 is hereby created by
75 adding the underlined language to provide as follows:

76 **Sec. 4-3.5-183. – District External Boundaries.**

77 The external boundaries of the District are described in **Appendix A**
78 attached hereto, said boundaries encompassing 507.08 acres, more or
79 less.

80 **Section 4.** Charlotte County Code Chapter 4-3, Article XIII titled "TUCKERS
81 POINTE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-184 is hereby created by
82 adding the underlined language to provide as follows:

83 **Sec. 4-3.5-184. District Powers and Functions.**

84 The powers and functions of the District are described in Chapter 190,
85 Florida Statutes. Consent is hereby given to the District's Board of
86 Supervisors to finance, fund, plan, establish, acquire, construct,
87 reconstruct, enlarge or extend, equip, operate, and maintain systems and
88 facilities for parks and facilities for indoor and outdoor recreational, cultural,
89 and educational uses, and for security, all as authorized and described by
90 Sections 190.012(2)(a) and (2)(d), Florida Statutes (2020).

91 **Section 5.** Charlotte County Code Chapter 4-3, Article XIII titled "TUCKERS
92 POINTE COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-185 is hereby created by
93 adding the underlined language to provide as follows:

94 **Sec. 4-3.5-185. Board of Supervisors.**

95 The five persons designated to serve as initial members of the
96 District's Board of Supervisors are as follows:

97 Name: Joe Boff
98 Address: 7995 Mahogany Run Lane
99 Naples, FL 34113

100
101 Name: Joel Bobrow
102 Address: 7995 Mahogany Run Lane
103 Naples, FL 34113

104
105 Name: Tim Boff
106 Address: 7995 Mahogany Run Lane
107 Naples, FL 34113
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109 Name: Karen Bishop
110 Address: 3125 54th Terrace SW
111 Naples, FL 34116

112
113 Name: Ashley Barrett Bloom
114 Address: 2044 Constitution Boulevard
115 Naples, FL 34231
116

117 **Section 6.** Bond Validation. All bonds issued by the District pursuant to the powers
118 granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

119 **Section 7.** Bond Default. No bond debt or other obligation of the District, nor any
120 default thereon, shall constitute a debt or obligation of Charlotte County, except upon the
121 express approval and agreement of its Board of County Commissioners.

122 **Section 8.** County Rates, Fees and Charges. Notwithstanding any power granted
123 to the District pursuant to this Ordinance, neither the District nor any real or personal
124 property or revenue in the District shall by reason of the District's creation and existence
125 be exempted from any requirement for the payment of any and all rates, fees, charges,
126 permitting fees, impact fees, connection charges or fees, or similar County rates, fees or
127 charges, and special taxing district assessments existing at the time of adoption of this
128 Ordinance or by subsequent action of the Board.

129 **Section 9.** Eminent Domain Power Limited. Notwithstanding any power granted to
130 the District pursuant to this Ordinance, the District may exercise the power of eminent
131 domain outside the District's existing boundaries only with the prior, specific and express
132 approval of the Board.

133 **Section 10.** Notwithstanding any provision to the contrary contained in the Petition,
134 no Proposed Facilities and Services may be funded, transferred to, owned or maintained
135 by the County without prior written approval from the Board.

136 **Section 11.** Codification. It is the intention of the Board, and it is hereby ordained
137 that the provisions of this Ordinance shall become and be made a part of the Code and
138 Laws and Ordinances of Charlotte County, Florida (“Code”), and the sections of this
139 Ordinance may be renumbered to accomplish such intention. In the event this Ordinance
140 conflicts with any provisions of the Code, the provisions of this Ordinance shall control to
141 the extent of any such conflict.

142 **Section 12.** Severability. If any subsection, sentence, clause, phrase, or portion of
143 this Ordinance is for any reason held invalid or unconstitutional by any court of competent
144 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision
145 and such holding shall not affect the validity of the remainder of this Ordinance.

146 **Section 13.** Effective Date. This ordinance shall take effect pursuant to law.

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PASSED AND DULY ADOPTED this 27th day of July, 2021.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk of the
Board of County Commissioners

By: Susan Gervais
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR 2021-0455

Appendix A [Petition]

BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA

**PETITION FOR ESTABLISHMENT OF A
COMMUNITY DEVELOPMENT DISTRICT NAMED
TUCKERS POINTE COMMUNITY DEVELOPMENT DISTRICT
PURSUANT TO SECTION 190.005(2), FLORIDA STATUTES**

TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership (“**Petitioner**”), by and through its undersigned attorney, petitions the BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA (the “**Commission**”) to adopt an ordinance for the following purposes: (i) establishing and recognizing a community development district (“**District**”) created and chartered by the Uniform Community Development District Act of Florida, Chapter 190, Florida Statutes on the real property proposed in this Petition; (ii) acknowledging that the uniform charter contained in Sections 190.006 through 190.041, Florida Statutes, and as referenced by Section 190.004(4), Florida Statutes shall apply to the District; (iii) designating the initial Board of Supervisors for the District; (iv) designating the proposed land area within which the District may manage and finance its basic infrastructure systems, facilities, services, improvements and projects; (v) consenting to the exercise by the District pursuant to Section 190.012(2)(a), Florida Statutes of the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and (vi) consenting to the exercise by the District pursuant to Section 190.012(2)(d), Florida Statutes of the power to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems, facilities and basic infrastructure for security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; provided, however that the District may not exercise any police power, but may contract with the appropriate local general purpose government agencies for an increased level of such services within the District’s boundaries; and

In support thereof, Petitioner submits as follows:

1. **Petitioner.** Petitioner, TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership, has its principal place of business at 7995 Mahogany Run Lane, Naples, Florida 34113. The General Partner of Petitioner is Tuckers Point, LLC, a Florida limited liability company and its President is Joseph D. Boff.

2. **Location and Size.** The proposed District is located entirely within unincorporated Charlotte County, Florida. The land area is located in southwest Charlotte County, at the northwest portion of the interchange of I-75 and Tuckers Grande in the the Punta Gorda area; and comprises approximately 507.08 contiguous acres, more or less. A map showing the general location of the District is attached as **Exhibit “1”**.

3. **Legal Description.** A metes and bounds legal description and accompanying sketch of the external boundaries of the proposed District is attached as **Exhibit “2”**. There is no real

property within the boundaries of the District that is to be excluded from the jurisdiction of the District.

4. Landowner Consent. At the time of this Petition, all of the land to be included in the proposed District is owned by Petitioner. Attached as Exhibit "3" is the written consent to establishment of the District by Petitioner, who is the owner or controller of 100% of the real property to be included in the land proposed to be serviced by the District. A copy of the deed evidencing title of the real property to be included in the District in the name of Petitioner, TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership, is attached as Exhibit "4".

5. Initial Board Members. The five (5) persons designated as the initial members of the Board of Supervisors of the District, who are citizens of the United States and residents of the State of Florida, and who shall serve in that office until replaced by elected members, as provided in Section 190.006, Florida Statutes, are:

- (1) Joe Boff
7995 Mahogany Run Lane
Naples, FL 34113
- (2) Joel Bobrow
7995 Mahogany Run Lane
Naples, FL 34113
- (3) Tim Boff
7995 Mahogany Run Lane
Naples, FL 34113
- (4) Karen Bishop
3125 54th Terrace SW
Naples, FL 34116
- (5) Ashley Barrett Bloom
2044 Constitution Boulevard
Naples, FL 34231

6. Name. The proposed name of the District is the "**Tuckers Pointe Community Development District**". The District charter shall be a uniform charter created expressly in general law in Sections 190.006 through 190.041, Florida Statutes.

7. Major Water and Wastewater Facilities. A map of the land area proposed for the establishment of the District that identifies the current major trunk water, sewer interceptors, utilities and outfalls, if any, is attached as Exhibit "5".

8. Proposed Timetable and Estimated Costs for the District Facilities and Services. The proposed timetables and estimated related costs of construction and provision of District

systems, facilities and services which are contemplated by Petitioner and which may be proposed to the District's Board of Supervisors, when established, and based upon available data, which are subject to change, is attached as **Exhibit "6"**. Actual construction timetables and expenditures may vary, due in part to potential future changes in economic conditions including the cost and availability of labor, services, and materials.

9. **Future Land Uses.** The Charlotte 2050 Comprehensive Plan adopted by Charlotte County designates the land area proposed to be serviced by the District as a variety of land uses including commercial, high density residential, low density residential, and preserve. A complete copy of the Charlotte 2050 Comprehensive Plan is on file with the County staff. **Exhibit "7"** attached hereto consists only of the portion of the Future Land Use Map from the Charlotte 2050 Comprehensive Plan applicable to the land area proposed to be serviced by the District. The Future Land Use Map shows the future general distribution, location and extent of public and private uses of land contemplated by the Charlotte 2050 Comprehensive Plan for the area proposed to be serviced by the District.

10. **Statement of Estimated Regulatory Costs.** A Statement of Estimated Regulatory Costs ("**SERC**") of the Commission's granting of the Petition, and the establishment of the District pursuant thereto, in accordance and in compliance with Sections 190.005(1)(a)(8) and 120.541, Florida Statutes, is attached as **Exhibit "8"**.

11. **Consent to Special Powers.** Pursuant to Section 190.012(2), Florida Statutes, Petitioner additionally requests that the ordinance establishing the District also consent to the exercise by the District pursuant to Section 190.012(2)(a) and (d), Florida Statutes of the power to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems, facilities and basic infrastructure for the following: (i) parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and (ii) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; provided, however that the District may not exercise any police power, but may contract with the appropriate local general purpose government agencies for an increased level of such services within the District's boundaries.

12. **Summary.** This petition to establish the Tuckers Pointe Community Development District should be granted for the following reasons:

a. The Petitioner hereby affirms that all of the statements contained herein are true and correct, in compliance with Sections 190.005(2)(a) and 190.005(1)(e), Florida Statutes.

b. 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 Charlotte 2050 Comprehensive Plan.

c. 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.

d. The establishment of the District will prevent the general body of taxpayers in the County 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.

e. 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.

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

WHEREFORE, Petitioner respectfully requests the Commission to do the following:

A. Direct its staff to notice, as soon as practicable, a local, public, non-emergency and information gathering public hearing for the adoption of an ordinance hearing pursuant to the requirements of Section 190.005(2)(b), Florida Statutes, on the subject of whether to grant this Petition for the establishment on the proposed land area of the Tuckers Pointe Community Development District and to enact the ordinance establishing the District.

B. Grant this Petition and adopt the ordinance to establish the District including the following: (i) a designation in the ordinance of the land to be served by the District; (ii) the name of the District; (iii) the initial Board of Supervisors of the District; (iv) a recognition in the ordinance, by statutory citation, that the uniform and exclusive general law charter of the District was created by the Florida Legislature in Sections 190.006 through 190.041, Florida Statutes; and (v) with regard to any future specific consent by the County to exercise by the District of any other special powers granted expressly in its general law charter, the legal existence and authority of the District, as created by State law and as established by this ordinance, shall have thereby been decided.

C. Consent to the following: (i) the exercise by the District pursuant to Section 190.012(2)(a), Florida Statutes of the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses and (ii) the exercise by the District pursuant to Section 190.012(2)(d), Florida Statutes of the power to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems, facilities and basic infrastructure for security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; provided, however that the District may not exercise

any police power, but may contract with the appropriate local general purpose government agencies for an increased level of such services within the District's boundaries.

RESPECTFULLY SUBMITTED this 27th day of May, 2021.



Gregory L. Urbancic, Esq.
COLEMAN, YOVANOVICH &
KOESTER, P.A.
Northern Trust Bank Building
4001 Tamiami Trail North, Suite 300
Naples, Florida 34103
Phone: (239) 435-3535
Facsimile: (239) 435-1218
gurbancic@cyklawfirm.com

Attorney for Petitioner
TUCKERS POINT I LIMITED PARTNERSHIP,
a Florida limited partnership

Exhibit List:

Exhibit "1": Location Map

Exhibit "2": Legal Description of Proposed District

Exhibit "3": Landowner's Written Consent

Exhibit "4": Deed of Record

Exhibit "5": Maps of Locations of Water Mains, Sewer Interceptors and Outfalls

Exhibit "6": Proposed Timetables and Estimated Related Costs of Construction, Etc.

Exhibit "7": Future Land Use Map

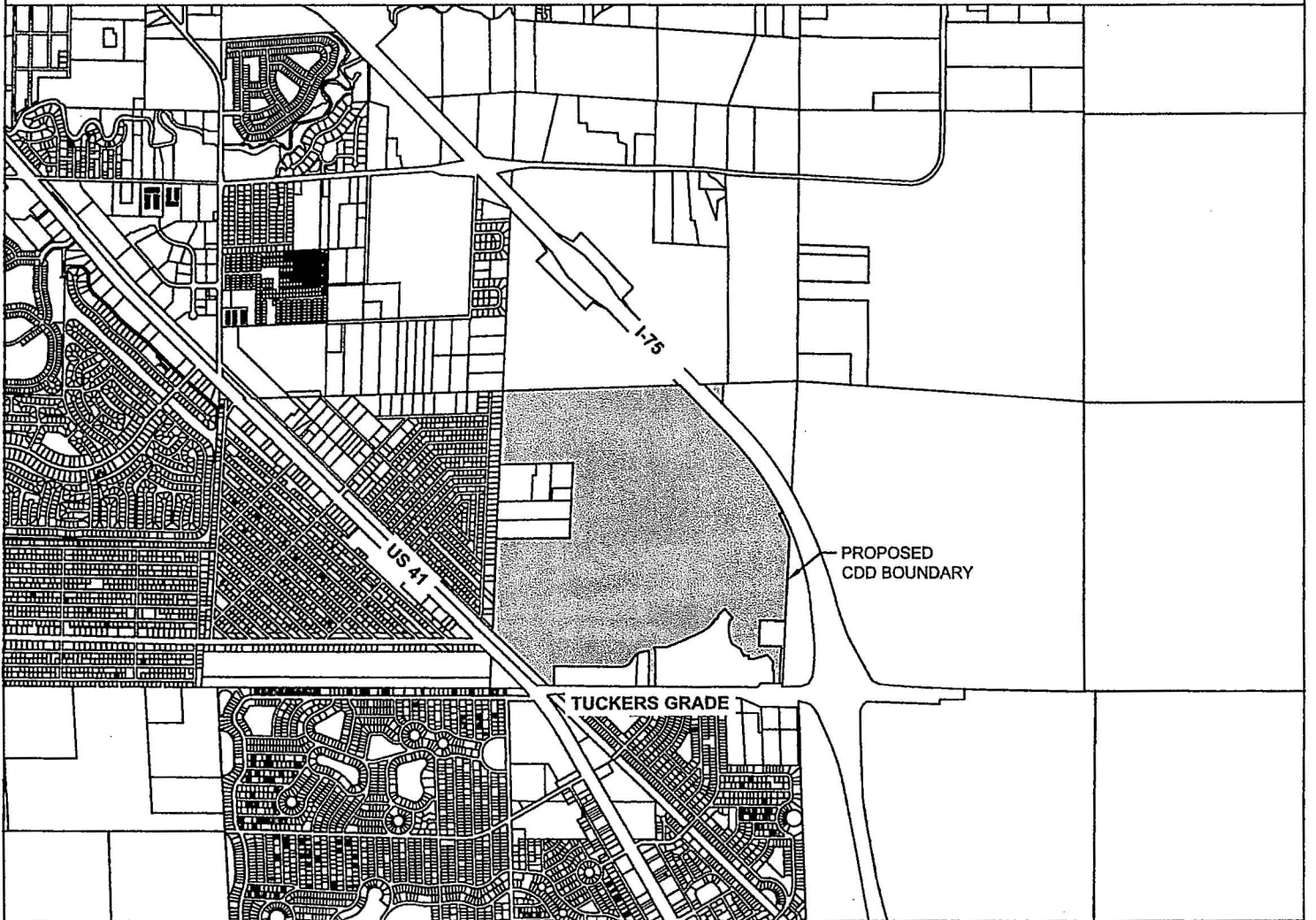
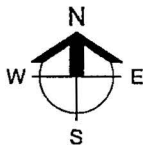
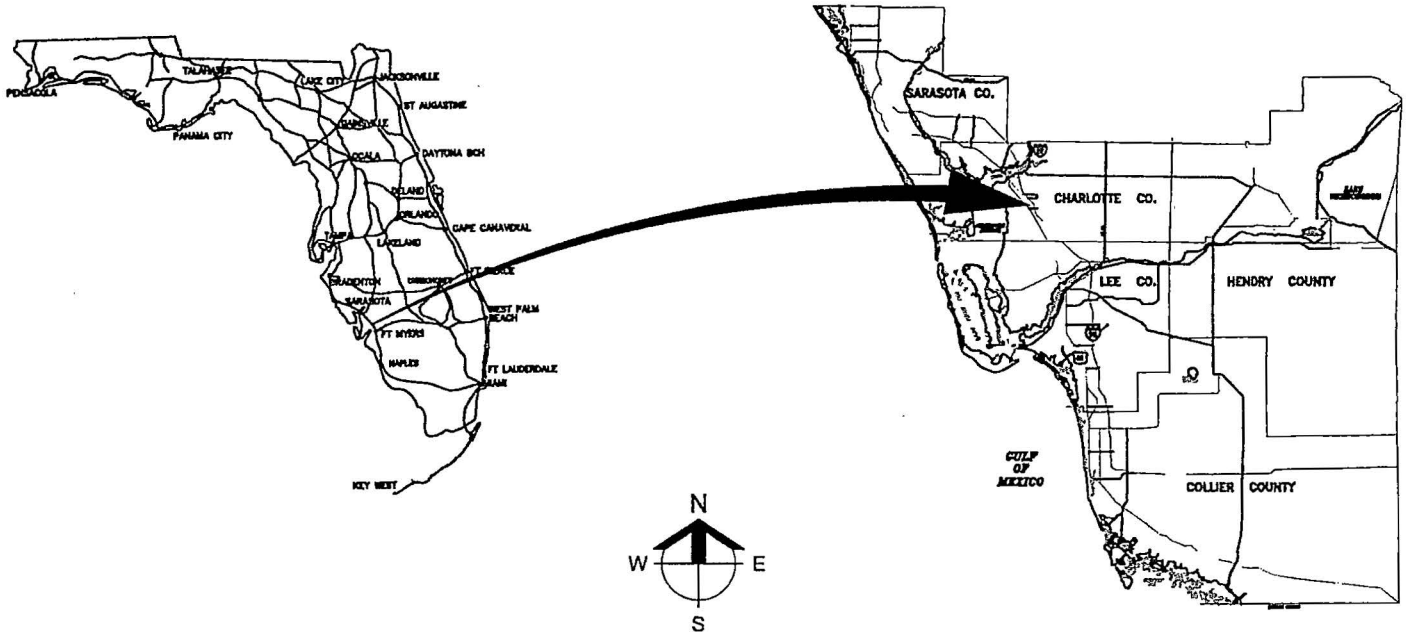
Exhibit "8": Statement of Estimated Regulatory Costs

Exhibit "9": Authorization of Agent

FLORIDA

Exhibit "1"

SOUTHWEST FLORIDA

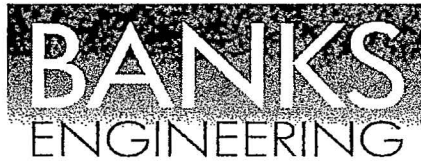


Barraco
and Associates, Inc.

TUCKERS POINTE CDD
LOCATION MAP

FILE NAME	23974 TUCKERS POINTE LOC.MAP.DWG
LAYOUT	LAYOUT1
LOCATION	J:\23974\DWG\EXHIBITS\
PLOT DATE	THU, 5-20-2021 - 10:45 AM
PLOT BY	JAMIE TODD
DESIGN BY	

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 35, T-41-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

RESIDENTIAL AREA

PARCEL 1 (ESSEX-CAPE CORAL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 35, TOWNSHIP 41 SOUTH, RANGE 23 EAST, BEING THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2159, PAGE 1340, CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35; THENCE N.02°35'58"E., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 35 (FOR A BASIS OF BEARING), FOR 68.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762) AND THE POINT OF BEGINNING; THENCE CONTINUE N.02°35'58"E., ALONG SAID QUARTER SECTION LINE, FOR 2728.09 FEET; THENCE N.89°28'43"E., ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 35, FOR 1352.36 FEET; THENCE N.02°40'44"E., ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 35, FOR 2008.27 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 75; THENCE S.44°03'54"E., ALONG SAID RIGHT OF WAY LINE, FOR 206.77 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 5567.58 FEET, A CENTRAL ANGLE OF 17°48'37", A CHORD BEARING OF S.35°09'35"E. AND A CHORD LENGTH OF 1723.71 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 1730.67 FEET TO THE END OF SAID CURVE; THENCE S.63°44'43"W., NONTANGENTIALLY, ALONG SAID RIGHT OF WAY LINE, FOR 75.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING: A RADIUS OF 5492.58 FEET, A CENTRAL ANGLE OF 04°51'39", A CHORD BEARING OF S.23°49'27"E. AND A CHORD LENGTH OF 465.84 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 465.98 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID SECTION 35; THENCE S.02°45'24"W., ALONG SAID EAST LINE AND SAID RIGHT OF WAY LINE OF INTERSTATE 75, FOR 1517.33 FEET; THENCE N.89°09'03"W., ALONG THE BOUNDARY OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1902, PAGE 586, SAID PUBLIC RECORDS, FOR 467.51 FEET; THENCE S.02°45'24"W., ALONG SAID BOUNDARY, FOR 467.51 FEET; THENCE S.89°09'03"E., ALONG SAID BOUNDARY, FOR 417.48 FEET; THENCE S.02°45'24"W., ALONG SAID BOUNDARY, FOR 689.23 FEET TO AN INTERSECTION WITH SAID RIGHT OF WAY LINE OF INTERSTATE 75; THENCE S.89°40'55"W., ALONG SAID RIGHT OF WAY LINE, FOR 230.59 FEET; THENCE N.89°09'53"W., ALONG SAID RIGHT OF WAY LINE, FOR 117.71 FEET; THENCE S.41°44'59"W., ALONG SAID RIGHT OF WAY LINE, FOR 99.25 FEET; THENCE N.89°09'54"W., ALONG SAID RIGHT OF WAY LINE, FOR 541.70 FEET; THENCE N.89°17'00"W., ALONG SAID RIGHT OF WAY LINE AND SAID NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762), FOR 257.08 FEET (PASSING THE RIGHT OF WAY CHANGE AT 50.94 FEET); THENCE S.85°00'21"W., ALONG SAID NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762) FOR 100.50 FEET; THENCE N.89°17'00"W., ALONG SAID NORTH RIGHT OF WAY LINE, FOR 1300.00 FEET; THENCE S.87°51'15"W., ALONG SAID NORTH RIGHT OF WAY LINE, FOR 35.52 FEET TO THE POINT OF BEGINNING.

SHEET 1 OF 6

SERVING THE STATE OF FLORIDA

PARCEL 2 (TUCKERS GRADE)

THE N 1/2 OF THE NW 1/4; ALSO THE SE 1/4 OF THE NW 1/4; ALSO THE W 1/2 OF THE NE 1/4; ALSO THAT PORTION OF THE SW 1/4 LYING NORTHERLY AND EASTERLY OF ATLANTIC COASTLINE RAILROAD RIGHT-OF-WAY; ALL BEING IN SECTION 35, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

LESS AND EXCEPT THAT CERTAIN PARCEL OF LAND TAKEN BY THE DIVISION OF ADMINISTRATION, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 533, PAGES 290 THROUGH 292, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

AND LESS AND EXCEPT RIGHT-OF-WAY FOR TUCKERS BOULEVARD (S.R. #762) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP 01001-2501.

LESS AND EXCEPT THE FOLLOWING

COMMENCING AT THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 35; THENCE N.02°35'58"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 35 FOR 68.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762) FOR A POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING 2 COURSES: THENCE S.87°47'56"W. FOR 64.61 FEET; THENCE N.89°17'00"W. FOR 1449.28 FEET; THENCE N.00°43'00"E. FOR 359.89 FEET; THENCE S.89°23'58"E. FOR 1231.73 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 215.00 FEET, DELTA ANGLE OF 57°49'27", CHORD BEARING N.61°41'19"E., CHORD DISTANCE OF 207.89 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 216.98 FEET; THENCE N.32°46'35"E. FOR 92.28 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 235.00 FEET, DELTA ANGLE OF 49°22'28", CHORD BEARING N.57°27'49"E., CHORD DISTANCE OF 196.30 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 202.51 FEET; THENCE N.82°09'03"E. FOR 105.96 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 690.00 FEET, DELTA ANGLE OF 11°14'50", CHORD BEARING S.05°07'59"E., CHORD DISTANCE OF 135.23 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 135.45 FEET; THENCE S.00°29'26"W. FOR 525.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762); THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING 2 COURSES: THENCE N.89°17'00"W. FOR 198.00 FEET; THENCE S.87°51'15"W. FOR 35.52 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING

COMMENCING AT THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 35; THENCE N.02°35'58"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 35, FOR 68.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762); THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING 2 COURSES: THENCE N.87°51'15"E. FOR 35.52 FEET; THENCE S.89°17'00"E. FOR 318.00 FEET TO THE POINT OF BEGINNING; THENCE N.00°29'26"E. FOR 525.84 FEET TO THE BEGINNING OF CURVE TO THE LEFT HAVING A RADIUS OF 810.00 FEET, A DELTA ANGLE OF 14°46'42", A CHORD BEARING OF N.06°53'55"W., AND A CHORD DISTANCE OF 208.34 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 208.92 FEET; THENCE S.89°40'59"E. FOR 152.02 FEET; THENCE N.07°34'12"E. FOR 0.88 FEET; THENCE S.89°17'00"E. FOR 78.68 FEET; THENCE N.68°02'08"E. FOR 305.52 FEET; THENCE N.65°03'17"E. FOR 420.44 FEET; THENCE N.55°36'40"E. FOR 142.88 FEET; THENCE N.44°52'02"E. FOR 74.67 FEET; THENCE N.39°26'28"E. FOR 98.25 FEET; THENCE N.59°49'34"E. FOR 41.68 FEET; THENCE N.25°55'08"E. FOR 90.53 FEET; THENCE N.47°38'34"E. FOR 137.31 FEET; THENCE S.41°57'24"E. FOR 214.92 FEET; THENCE S.37°10'58"W. FOR 31.23 FEET; THENCE S.50°01'40"W. FOR 41.98 FEET; THENCE S.16°27'59"W. FOR 52.08 FEET; THENCE S.06°07'50"W. FOR 91.28 FEET; THENCE

SHEET 2 OF 6

SERVING THE STATE OF FLORIDA

S.07°26'05"E. FOR 171.08 FEET; THENCE S.18°58'49"E. FOR 117.56 FEET; THENCE S.58°08'44"E. FOR 193.40 FEET; THENCE S.17°48'50"E. FOR 48.04 FEET; THENCE S.33°18'47"E. FOR 95.47 FEET; THENCE N.00°43'00"E. FOR 19.32 FEET; THENCE S.62°05'54"E. FOR 22.94 FEET; THENCE S.64°08'48"E. FOR 2.55 FEET; THENCE S.87°24'26"E. FOR 59.84 FEET; THENCE S.02°35'34"W. FOR 58.06 FEET; THENCE S.89°16'11"E. FOR 19.37 FEET; THENCE S.89°17'01"E. FOR 76.01 FEET; THENCE N.73°31'04"E. FOR 257.37 FEET; THENCE S.40°08'18"E. FOR 170.06 FEET; THENCE S.07°52'46"W. FOR 91.37 FEET; THENCE S.00°19'05"E. FOR 64.46 FEET; THENCE N.90°00'00"E. FOR 21.01 FEET; THENCE S.00°19'06"E. FOR 242.14 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID TUCKERS BOULEVARD (STATE ROAD 762); THENCE ALONG SAID NORTH RIGHT OF WAY LINE THE FOLLOWING 7 COURSES: S.89°40'55"W. FOR 122.25 FEET; THENCE N.89°09'53"W. FOR 117.71 FEET; THENCE S.41°44'59"W. FOR 99.25 FEET; THENCE N.89°09'53"W. FOR 541.70 FEET; THENCE N.89°17'01"W. FOR 257.08 FEET; THENCE S.85°00'21"W. FOR 100.50 FEET; THENCE N.89°17'00"W. FOR 992.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 507.08 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

APRIL 21, 2021

)

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

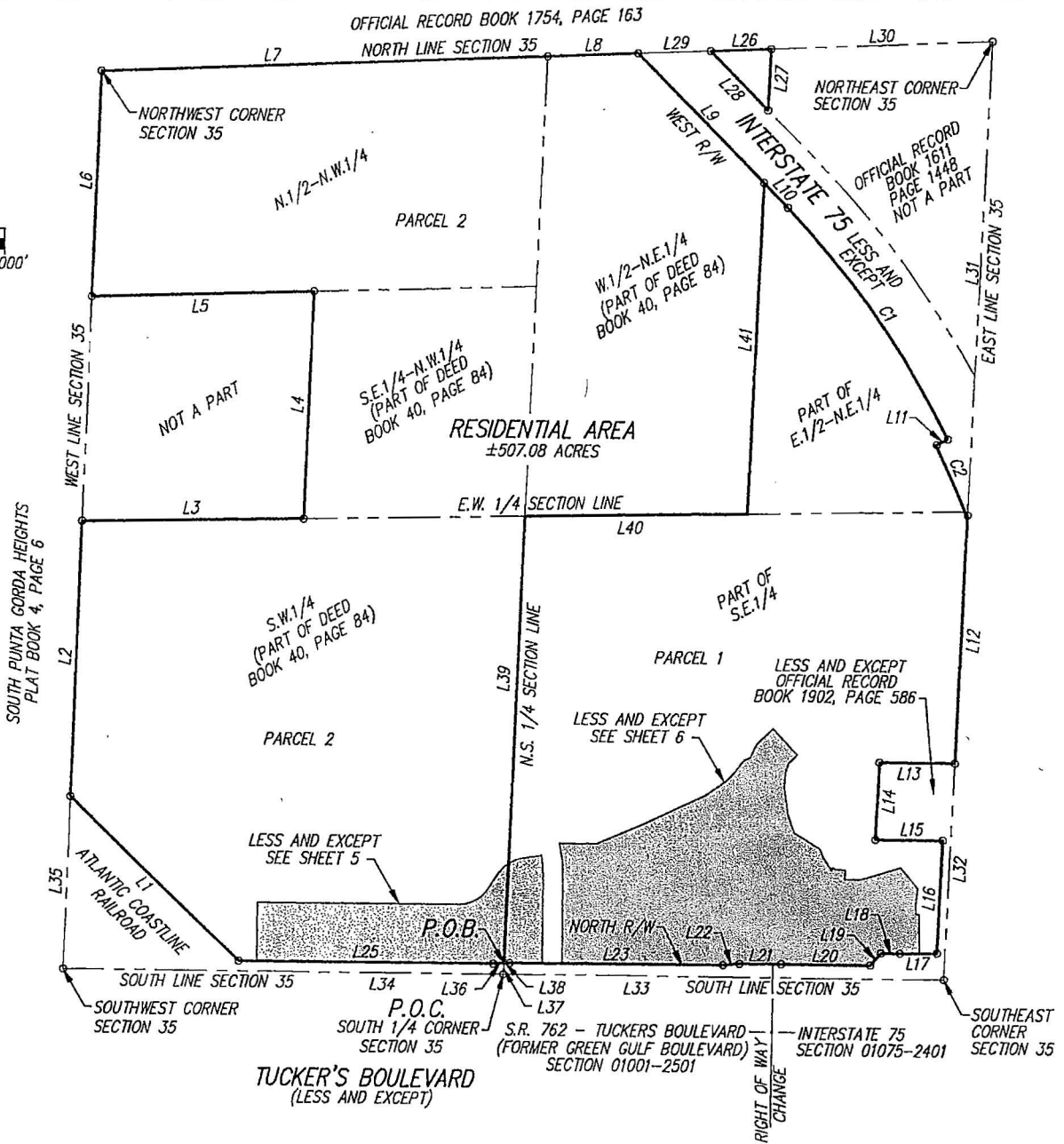
SHEET 3 OF 6

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SCALE 1"=1000'



CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	5567.58'	1730.67'	1723.71'	S 35°09'35" E	17°48'37"
C2	5492.58'	465.98'	465.84'	S 23°49'27" E	4°51'39"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 45°44'42" W	1437.82'
L2	N 02°25'27" E	1681.75'
L3	N 89°28'43" E	1351.83'
L4	N 02°30'46" E	1382.17'
L5	S 88°48'10" W	1354.89'
L6	N 02°25'27" E	1366.06'
L7	N 88°07'49" E	2716.26'
L8	N 88°07'19" E	551.01'
L9	S 44°03'54" E	1104.64'
L10	S 44°03'54" E	206.77'
L11	S 63°44'43" W	75.00'
L12	S 02°45'24" W	1517.33'
L13	N 89°09'03" W	467.51'
L14	S 02°45'24" W	467.51'

LINE TABLE

LINE	BEARING	DISTANCE
L15	S 89°09'03" E	417.48'
L16	S 02°45'24" W	689.23'
L17	S 89°40'55" W	230.59'
L18	N 89°09'53" W	117.71'
L19	S 41°44'59" W	99.25'
L20	N 89°09'54" W	541.70'
L21	N 89°17'00" W	257.08'
L22	S 85°00'21" W	100.50'
L23	N 89°17'00" W	1300.00'
L25	N 89°17'00" W	1556.69'
L26	N 88°07'19" E	369.43'
L27	S 02°40'44" W	375.86'
L28	N 44°03'54" W	505.65'

LINE TABLE

LINE	BEARING	DISTANCE
L29	N 88°07'19" E	437.99'
L30	N 88°07'19" E	1358.43'
L31	S 02°45'24" W	2884.80'
L32	S 02°45'24" W	1326.47'
L33	N 89°09'03" W	2694.11'
L34	N 89°09'50" W	2692.57'
L35	S 02°25'27" W	1050.38'
L36	S 87°47'56" W	64.61'
L37	N 02°35'58" E	68.36'
L38	S 87°51'15" W	35.52'
L39	N 02°35'58" E	2728.09'
L40	N 89°28'43" E	1352.36'
L41	N 02°40'44" E	2008.27'

LEGEND

- PG. PAGE
- R/W RIGHT OF WAY
- N/S NORTH-SOUTH
- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- ORB OFFICIAL RECORD BOOK
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- CCR CERTIFIED CORNER RECORD

THIS IS NOT A BOUNDARY SURVEY

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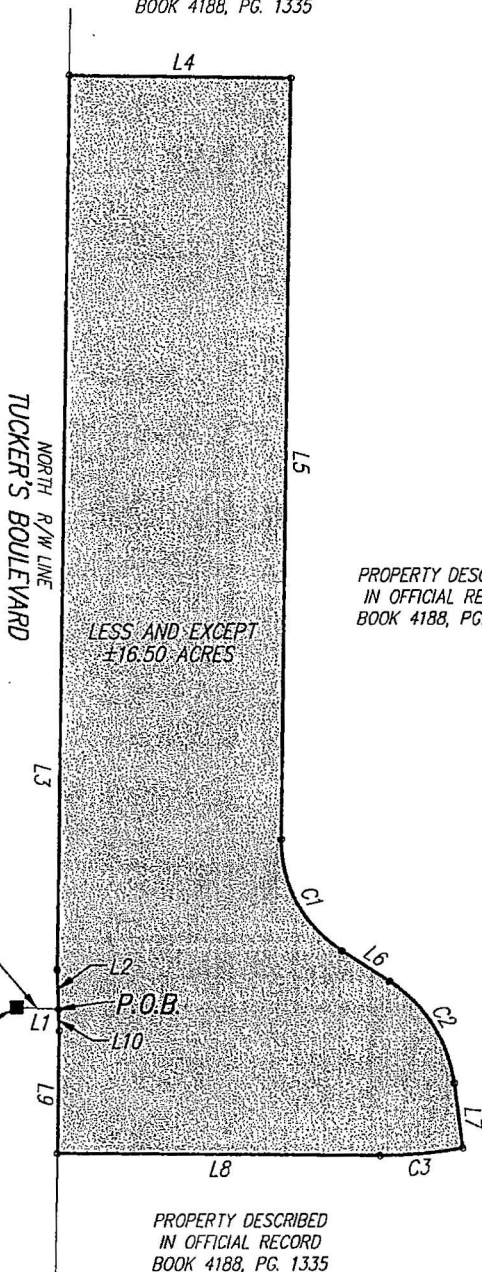
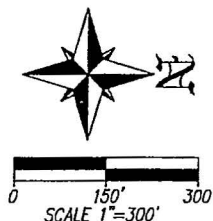
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SKETCH TO ACCOMPANY DESCRIPTION
 RESIDENTIAL AREA
 CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
04-21-21	4137T	SKETCH		DOB	B/C	1"=1000'	4 OF 6	35-41-23

PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4188, PG. 1335



PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4188, PG. 1335

PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4188, PG. 1335

N/S 1/4 SECTION LINE
P.O.C.
SOUTH 1/4 CORNER
SECTION 35-41S-23E
FLORIDA CCR #092709

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 02°35'58" E	68.36'
L2	S 87°47'56" W	64.61'
L3	N 89°17'00" W	1449.28'
L4	N 00°43'00" E	359.89'
L5	S 89°23'58" E	1231.73'
L6	N 32°46'35" E	92.28'
L7	N 82°09'03" E	105.96'
L8	S 00°29'26" W	525.36'
L9	N 89°17'00" W	198.00'
L10	S 87°51'15" W	35.52'

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	215.00'	216.98'	207.89'	N 61°41'19" E	57°49'27"
C2	235.00'	202.51'	196.30'	N 57°27'49" E	49°22'28"
C3	690.00'	135.45'	135.23'	S 05°07'59" E	11°14'50"

LEGEND

- PG. PAGE
- R/W RIGHT OF WAY
- N/S NORTH-SOUTH
- L1 SEE LINE TABLE
- C1 SEE CURVE TABLE
- ORB OFFICIAL RECORD BOOK
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- CCR CERTIFIED CORNER RECORD

THIS IS NOT A BOUNDARY SURVEY

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SKETCH TO ACCOMPANY DESCRIPTION
RESIDENTIAL AREA
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
04-21-21	4137T	SKETCH		DOB	BAC	1"=300'	5 OF 6	35-41-23

P.O.C.
SOUTH 1/4 CORNER
SECTION 35-41S-23E
FLORIDA CCR #092709

PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4188, PG. 1335

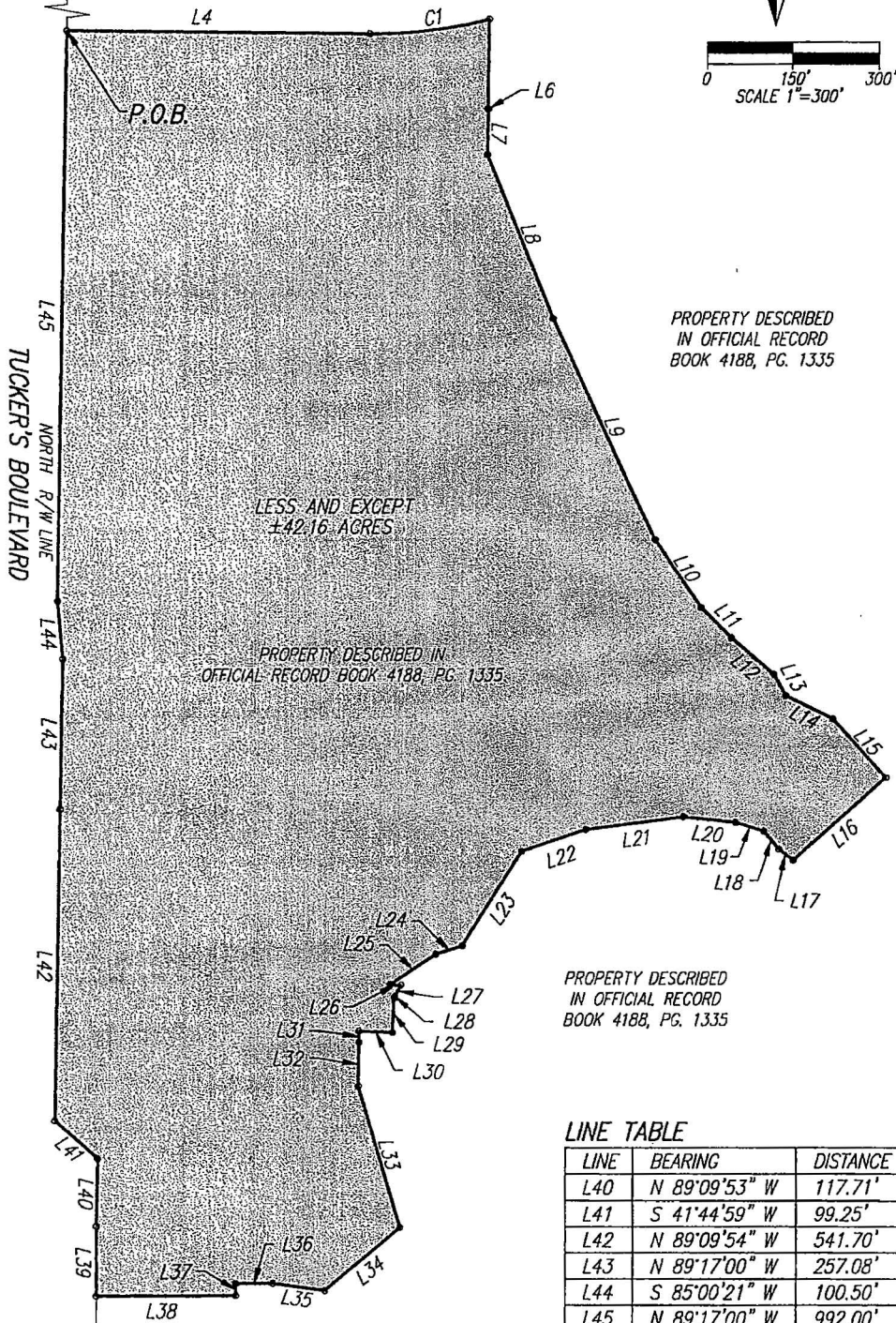


0 150' 300'
SCALE 1"=300'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 02°35'58" E	68.36'
L2	N 87°51'15" E	35.52'
L3	S 89°17'00" E	318.00'
L4	N 00°29'26" E	525.84'
L5	S 89°40'59" E	152.02'
L6	N 07°34'12" E	0.88'
L7	S 89°17'00" E	78.68'
L8	N 68°02'08" E	305.52'
L9	N 65°03'17" E	420.44'
L10	N 55°36'40" E	142.88'
L11	N 44°52'02" E	74.67'
L12	N 39°26'28" E	98.25'
L13	N 59°49'34" E	41.68'
L14	N 25°55'08" E	90.53'
L15	N 47°38'34" E	137.31'
L16	S 41°57'24" E	214.92'
L17	S 37°10'58" W	31.23'
L18	S 50°01'40" W	41.98'
L19	S 16°27'59" W	52.08'
L20	S 06°07'50" W	91.28'
L21	S 07°26'05" E	171.08'
L22	S 18°58'49" E	117.56'
L23	S 58°08'44" E	193.40'
L24	S 17°48'50" E	48.04'
L25	S 33°18'47" E	95.47'
L26	N 00°43'00" E	19.32'
L27	S 62°05'54" E	22.94'
L28	S 64°08'48" E	2.55'
L29	S 87°24'26" E	59.84'
L30	S 02°35'34" W	58.06'
L31	S 89°16'11" E	19.37'
L32	S 89°17'00" E	76.01'
L33	N 73°31'04" E	257.37'
L34	S 40°08'18" E	170.06'
L35	S 07°52'46" W	91.37'
L36	S 00°19'05" E	64.46'
L37	N 90°00'00" E	21.01'
L38	S 00°19'06" E	242.14'
L39	S 89°40'55" W	122.25'

TUCKER'S BOULEVARD
NORTH R/W LINE



PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4188, PG. 1335

PROPERTY DESCRIBED IN
OFFICIAL RECORD BOOK 4188 PG. 1335

PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4188, PG. 1335

LINE TABLE

LINE	BEARING	DISTANCE
L40	N 89°09'53" W	117.71'
L41	S 41°44'59" W	99.25'
L42	N 89°09'54" W	541.70'
L43	N 89°17'00" W	257.08'
L44	S 85°00'21" W	100.50'
L45	N 89°17'00" W	992.00'

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	810.00'	208.92'	208.34'	N 06°53'55" W	14°46'42"

THIS IS NOT A BOUNDARY SURVEY

LEGEND
PG. PAGE
R/W RIGHT OF WAY
N/S NORTH-SOUTH
L1 SEE LINE TABLE
C1 SEE CURVE TABLE
ORB OFFICIAL RECORD BOOK
P.O.B. POINT OF BEGINNING
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SKETCH TO ACCOMPANY DESCRIPTION
RESIDENTIAL AREA
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
04-21-21	4137T	SKETCH		DOB	B/C	1"=300'	6 OF 6	35-41-23

**LANDOWNER'S CONSENT TO ESTABLISHMENT OF
TUCKERS POINTE COMMUNITY DEVELOPMENT DISTRICT**

TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership ("**Owner**"), certifies that it is the owner of certain real property located in Charlotte County, Florida and more particularly described on Exhibit "A" attached to this Landowner's Consent and made a part hereof (the "**Property**"):

Owner understands and acknowledges that this Landowner's Consent is submitted in connection with the petition to Charlotte County (the "**Petition**") to establish the community development district to be known as the Tuckers Pointe Community Development District (the "**District**") in accordance with the provisions of Chapter 190, Florida Statutes. As an owner of lands that are intended to be included in the District, Owner understands and acknowledges that pursuant to the provisions of Section 190.005, Florida Statutes, the Petition to establish the District is required to include the written consent to the establishment of the District by one hundred percent (100%) of the owners of the lands to be included within the community development district.

The undersigned hereby consents to the inclusion of the Property in the District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the District. The undersigned acknowledges that this consent will remain in full force and effect until the District is established, provided that if final approval of the Petition is not granted by Charlotte County within two (2) years from the date hereof, the undersigned shall have the right to withdraw this consent by delivering written notice to the Charlotte County Board of County Commissioners within any time thereafter, but prior to final approval of the Petition.

If the Property is sold by Owner prior to final approval of the Petition, the undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by the petitioner or Charlotte County, the same consent in substantially this form. Owner represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

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

IN WITNESS WHEREOF, the undersigned has executed this Landowner's Consent this 26 day of February, 2021.

TUCKERS POINT I LIMITED PARTNERSHIP,
a Florida limited partnership

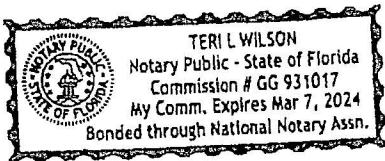
By: TUCKERS POINT, LLC,
a Florida limited liability company,
its General Partner

By: [Signature]
Joseph D. Boff, President

STATE OF FLORIDA
COUNTY OF COLLIER

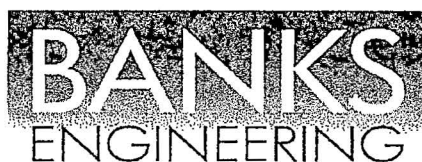
The foregoing instrument was acknowledged before me by means of (x) physical presence or () online notarization, this 26 of February, 2021, by Joseph D. Boff, as President of TUCKERS POINT, LLC, a Florida limited liability company, the General Partner of TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership, on behalf of said entities, who is (x) personally known to me or () has produced _____ as evidence of identification.

(SEAL)



Teri L. Wilson
NOTARY PUBLIC
Name: Teri L. Wilson
(Type or Print)
My Commission Expires: 3/7/2024

Exhibit "A"



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 35, T-41-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

RESIDENTIAL AREA

PARCEL 1 (ESSEX-CAPE CORAL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 35, TOWNSHIP 41 SOUTH, RANGE 23 EAST, BEING THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2159, PAGE 1340, CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35; THENCE N.02°35'58"E., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 35 (FOR A BASIS OF BEARING), FOR 68.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762) AND THE POINT OF BEGINNING; THENCE CONTINUE N.02°35'58"E., ALONG SAID QUARTER SECTION LINE, FOR 2728.09 FEET; THENCE N.89°28'43"E., ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 35, FOR 1352.36 FEET; THENCE N.02°40'44"E., ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 35, FOR 2008.27 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 75; THENCE S.44°03'54"E., ALONG SAID RIGHT OF WAY LINE, FOR 206.77 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 5567.58 FEET, A CENTRAL ANGLE OF 17°48'37", A CHORD BEARING OF S.35°09'35"E. AND A CHORD LENGTH OF 1723.71 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 1730.67 FEET TO THE END OF SAID CURVE; THENCE S.63°44'43"W., NONTANGENTIALLY, ALONG SAID RIGHT OF WAY LINE, FOR 75.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING: A RADIUS OF 5492.58 FEET, A CENTRAL ANGLE OF 04°51'39", A CHORD BEARING OF S.23°49'27"E. AND A CHORD LENGTH OF 465.84 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 465.98 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID SECTION 35; THENCE S.02°45'24"W., ALONG SAID EAST LINE AND SAID RIGHT OF WAY LINE OF INTERSTATE 75, FOR 1517.33 FEET; THENCE N.89°09'03"W., ALONG THE BOUNDARY OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1902, PAGE 586, SAID PUBLIC RECORDS, FOR 467.51 FEET; THENCE S.02°45'24"W., ALONG SAID BOUNDARY, FOR 467.51 FEET; THENCE S.89°09'03"E., ALONG SAID BOUNDARY, FOR 417.48 FEET; THENCE S.02°45'24"W., ALONG SAID BOUNDARY, FOR 689.23 FEET TO AN INTERSECTION WITH SAID RIGHT OF WAY LINE OF INTERSTATE 75; THENCE S.89°40'55"W., ALONG SAID RIGHT OF WAY LINE, FOR 230.59 FEET; THENCE N.89°09'53"W., ALONG SAID RIGHT OF WAY LINE, FOR 117.71 FEET; THENCE S.41°44'59"W., ALONG SAID RIGHT OF WAY LINE, FOR 99.25 FEET; THENCE N.89°09'54"W., ALONG SAID RIGHT OF WAY LINE, FOR 541.70 FEET; THENCE N.89°17'00"W., ALONG SAID RIGHT OF WAY LINE AND SAID NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762), FOR 257.08 FEET (PASSING THE RIGHT OF WAY CHANGE AT 50.94 FEET); THENCE S.85°00'21"W., ALONG SAID NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762) FOR 100.50 FEET; THENCE N.89°17'00"W., ALONG SAID NORTH RIGHT OF WAY LINE, FOR 1300.00 FEET; THENCE S.87°51'15"W., ALONG SAID NORTH RIGHT OF WAY LINE, FOR 35.52 FEET TO THE POINT OF BEGINNING.

SHEET 1 OF 6

SERVING THE STATE OF FLORIDA

PARCEL 2 (TUCKERS GRADE)

THE N 1/2 OF THE NW 1/4; ALSO THE SE 1/4 OF THE NW 1/4; ALSO THE W 1/2 OF THE NE 1/4; ALSO THAT PORTION OF THE SW 1/4 LYING NORTHERLY AND EASTERLY OF ATLANTIC COASTLINE RAILROAD RIGHT-OF-WAY; ALL BEING IN SECTION 35, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

LESS AND EXCEPT THAT CERTAIN PARCEL OF LAND TAKEN BY THE DIVISION OF ADMINISTRATION, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 533, PAGES 290 THROUGH 292, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

AND LESS AND EXCEPT RIGHT-OF-WAY FOR TUCKERS BOULEVARD (S.R. #762) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP 01001-2501.

LESS AND EXCEPT THE FOLLOWING

COMMENCING AT THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 35; THENCE N.02°35'58"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 35 FOR 68.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762) FOR A POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING 2 COURSES: THENCE S.87°47'56"W. FOR 64.61 FEET; THENCE N.89°17'00"W. FOR 1449.28 FEET; THENCE N.00°43'00"E. FOR 359.89 FEET; THENCE S.89°23'58"E. FOR 1231.73 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 215.00 FEET, DELTA ANGLE OF 57°49'27", CHORD BEARING N.61°41'19"E., CHORD DISTANCE OF 207.89 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 216.98 FEET; THENCE N.32°46'35"E. FOR 92.28 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 235.00 FEET, DELTA ANGLE OF 49°22'28", CHORD BEARING N.57°27'49"E., CHORD DISTANCE OF 196.30 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 202.51 FEET; THENCE N.82°09'03"E. FOR 105.96 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 690.00 FEET, DELTA ANGLE OF 11°14'50", CHORD BEARING S.05°07'59"E., CHORD DISTANCE OF 135.23 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 135.45 FEET; THENCE S.00°29'26"W. FOR 525.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762); THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING 2 COURSES: THENCE N.89°17'00"W. FOR 198.00 FEET; THENCE S.87°51'15"W. FOR 35.52 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING

COMMENCING AT THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 35; THENCE N.02°35'58"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 35, FOR 68.36 FEET TO THE NORTH RIGHT OF WAY LINE OF TUCKERS BOULEVARD (STATE ROAD 762); THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING 2 COURSES: THENCE N.87°51'15"E. FOR 35.52 FEET; THENCE S.89°17'00"E. FOR 318.00 FEET TO THE POINT OF BEGINNING; THENCE N.00°29'26"E. FOR 525.84 FEET TO THE BEGINNING OF CURVE TO THE LEFT HAVING A RADIUS OF 810.00 FEET, A DELTA ANGLE OF 14°46'42", A CHORD BEARING OF N.06°53'55"W., AND A CHORD DISTANCE OF 208.34 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 208.92 FEET; THENCE S.89°40'59"E. FOR 152.02 FEET; THENCE N.07°34'12"E. FOR 0.88 FEET; THENCE S.89°17'00"E. FOR 78.68 FEET; THENCE N.68°02'08"E. FOR 305.52 FEET; THENCE N.65°03'17"E. FOR 420.44 FEET; THENCE N.55°36'40"E. FOR 142.88 FEET; THENCE N.44°52'02"E. FOR 74.67 FEET; THENCE N.39°26'28"E. FOR 98.25 FEET; THENCE N.59°49'34"E. FOR 41.68 FEET; THENCE N.25°55'08"E. FOR 90.53 FEET; THENCE N.47°38'34"E. FOR 137.31 FEET; THENCE S.41°57'24"E. FOR 214.92 FEET; THENCE S.37°10'58"W. FOR 31.23 FEET; THENCE S.50°01'40"W. FOR 41.98 FEET; THENCE S.16°27'59"W. FOR 52.08 FEET; THENCE S.06°07'50"W. FOR 91.28 FEET; THENCE

SHEET 2 OF 6

SERVING THE STATE OF FLORIDA

S.07°26'05"E. FOR 171.08 FEET; THENCE S.18°58'49"E. FOR 117.56 FEET; THENCE S.58°08'44"E. FOR 193.40 FEET; THENCE S.17°48'50"E. FOR 48.04 FEET; THENCE S.33°18'47"E. FOR 95.47 FEET; THENCE N.00°43'00"E. FOR 19.32 FEET; THENCE S.62°05'54"E. FOR 22.94 FEET; THENCE S.64°08'48"E. FOR 2.55 FEET; THENCE S.87°24'26"E. FOR 59.84 FEET; THENCE S.02°35'34"W. FOR 58.06 FEET; THENCE S.89°16'11"E. FOR 19.37 FEET; THENCE S.89°17'01"E. FOR 76.01 FEET; THENCE N.73°31'04"E. FOR 257.37 FEET; THENCE S.40°08'18"E. FOR 170.06 FEET; THENCE S.07°52'46"W. FOR 91.37 FEET; THENCE S.00°19'05"E. FOR 64.46 FEET; THENCE N.90°00'00"E. FOR 21.01 FEET; THENCE S.00°19'06"E. FOR 242.14 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID TUCKERS BOULEVARD (STATE ROAD 762); THENCE ALONG SAID NORTH RIGHT OF WAY LINE THE FOLLOWING 7 COURSES: S.89°40'55"W. FOR 122.25 FEET; THENCE N.89°09'53"W. FOR 117.71 FEET; THENCE S.41°44'59"W. FOR 99.25 FEET; THENCE N.89°09'53"W. FOR 541.70 FEET; THENCE N.89°17'01"W. FOR 257.08 FEET; THENCE S.85°00'21"W. FOR 100.50 FEET; THENCE N.89°17'00"W. FOR 992.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 507.08 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

APRIL 21, 2021

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

SHEET 3 OF 6

SERVING THE STATE OF FLORIDA

4161 Tamiami Trail – Building 5, Unit 501, Port Charlotte, FL 33952
(941) 625-1165 • Fax (941) 625-1149 www.bankseng.com

Exhibit "4"



Prepared by
Chloe Gibbs, an employee of
First American Title Insurance Company
2370 Drew Street, Suite A
Clearwater, Florida 33765
(877)727-5923

Return to: Grantee

File No.: 2038-2389184
Consideration: \$6,500,000.00

SPECIAL WARRANTY DEED

State of California

County of Orange

THIS SPECIAL WARRANTY DEED is made on April 4, 2017, between

Crimson Tamiami Trail Holdings, LLC

having a business address at: 4675 MacArthur Court Suite 1550, Newport Beach, CA 92660
("Grantor"), and

Tuckers Point I Limited Partnership, a Florida limited partnership

having a mailing address of: 7995 Mahogany Run Lane, Naples, FL 34113
("Grantee"),

WITNESSETH, that the said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, remised, released, conveyed and confirmed unto said "Grantee", it's successors and assigns forever, following described land, situate, lying and being in the County of **Charlotte**, State of **Florida**, to-wit:

Parcel 1 (Essex-Cape Coral):

A tract or parcel of land situated in the State of Florida, County of Charlotte, lying in Section 35, Township 41 South, Range 23 East, being the parcel as described in Official Record Book 2159, Page 1340, Charlotte County Public Records and being further bounded and described as follows:

Commencing at the South quarter corner of said Section 35; thence N.02°35'58"E., along the North-South quarter Section line of said Section 35, for 68.36 feet to the North right of way line of Tuckers Boulevard (State Road 762) and the point of beginning; thence continue N.02°35'58"E., along said quarter Section line, for 2728.09 feet; thence N.89°28'43"E., along the East-West quarter Section line of said Section 35, for 1352.36 feet; thence N.02°40'44"E., along the West line of the East half of the

Northeast quarter of said Section 35, for 2008.27 feet to an intersection with the Westerly right of way line of Interstate 75; thence S.44°03'54"E., along said right of way line, for 206.77 feet to the point of curvature of a curve to the right, having: a radius of 5567.58 feet, a central angle of 17°48'37", a chord bearing of S.35°09'35"E. and a chord length of 1723.71 feet; thence along said right of way line and the arc of said curve, an arc length of 1730.67 feet to the end of said curve; thence S.63°44'43"W., nontangentially, along said right of way line, for 75.00 feet to the beginning of a non-tangent curve to the right, having: a radius of 5492.58 feet, a central angle of 04°51'39", a chord bearing of S.23°49'27"E. and a chord length of 465.84 feet; thence along said right of way line and the arc of said curve, an arc length of 465.98 feet to an intersection with the East line of said Section 35; thence S.02°45'24"W., along said East line and said right of way line of Interstate 75, for 1517.33 feet; thence N.89°09'03"W., along the boundary of the parcel as described in Official Records Book 1902, Page 586, said Public Records, for 467.51 feet; thence S.02°45'24"W., along said boundary, for 467.51 feet; thence S.89°09'03"E., along said boundary, for 417.48 feet; thence S.02°45'24"W., along said boundary, for 689.23 feet to an intersection with said right of way line of Interstate 75; thence S.89°40'55"W., along said right of way line; for 230.59 feet; thence N.89°09'53"W., along said right of way line, for 117.71 feet; thence S.41°44'59"W., along said right of way line, for 99.25 feet; thence N.89°09'54"W., along said right of way line, for 541.70 feet; thence N.89°17'00"W., along said right of way line and said North right of way line of Tuckers Boulevard (State Road 762), for 257.08 feet (passing the right of way change at 50.94 feet); thence S.85°00'21"W., along said North right of way line of Tuckers Boulevard (State Road 762) for 100.50 feet; thence N.89°17'00"W., along said North right of way line, for 1300.00 feet; thence S.87°51'15"W., along said North right of way line, for 35.52 feet to the point of beginning.

Parcel 2 (Tuckers Grade):

The N 1/2 of the NW 1/4; also the SE 1/4 of the NW 1/4; also the W 1/2 of the NE 1/4; also that portion of the SW 1/4 lying Northerly and Easterly of Atlantic Coastline Railroad right-of-way; all being in Section 35, Township 41 South, Range 23 East, Charlotte County, Florida.

Less and except that certain parcel of land taken by the Division of Administration, State of Florida Department of Transportation in that certain Order of Taking recorded in Official Records Book 533, Pages 290 through 292, of the Public Records of Charlotte County, Florida.

And less and except right-of-way for Tuckers Boulevard (S.R. #762) per Florida Department of Transportation Right-of-Way Map 01001-2501.

Tax Parcel Identification Number: 412335300001, 412335400001

SUBJECT, however, to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions or requirements imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.


TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

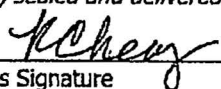
IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in its name, the day and year first above written.

Crimson Tamiami Trail Holdings, LLC
a Florida limited liability company


By: Sabal Financial Group, L.P.
Its: Manager

By: 
Name: Kevin R. McKenzie
Title: Vice President of Investments

Signed, sealed and delivered in our presence:


Witness Signature

Print Name: Robin Cheng


Witness Signature

Print Name: Alexandra Price

"A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document."

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On April 4, 2017, before me, Jaclyn Mary Lanning, Notary Public, personally appeared Kevin R. McKenzie, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Jaclyn Mary Lanning* (SEAL)
Signature of Notary Public



Name: Jaclyn Mary Lanning

Exhibit A

EXECUTION

**SABAL FINANCIAL GROUP GP, LLC,
as General Partner of Sabal Financial Group, L.P.**

Resolutions of the Board of Directors by Written Consent

Effective as of September 9, 2016

The undersigned, constituting a majority of the members of the Board of Directors (the "Board of Directors") of Sabal Financial Group GP, LLC, a Delaware limited liability company, as the General Partner (the "General Partner") of Sabal Financial Group, L.P., a Delaware limited partnership (the "Partnership"), hereby consent, as permitted by Section 18-404 of the Delaware Limited Liability Company Act and Section 5.2 of the Limited Liability Company Agreement of the General Partner as in effect on the date hereof (the "LLC Agreement"), to the adoption of the following written resolutions:

WHEREAS, the General Partner is the sole general partner of the Partnership, which Partnership is governed by that certain Second Amended and Restated Agreement of Limited Partnership, dated December 28, 2012, as amended by that certain Amendment to the Second Amended and Restated Agreement of Limited Partnership, dated April 15, 2014 and as amended by that certain Second Amendment to the Second Amended and Restated Agreement of Limited Partnership, dated June 3, 2014 (as amended, the "LP Agreement"), by and among the General Partner and the Limited Partners who are signatories thereto;

WHEREAS, pursuant to the LLC Agreement, any matter required or permitted to be decided at any meeting of the Board of Directors may be taken without a meeting, without prior notice and without a vote, if a consent or consents in writing setting forth the matter so decided shall be signed by a majority of the members of the Board of Directors entitled to vote thereon and delivered to the Company and to each other member of the Board of Directors not executing such writing;

WHEREAS, the Board of Directors is, as of the date hereof, comprised of four (4) members, with one (1) vacancy, and the undersigned, being a majority of the members of the Board of Directors, constitute a quorum of the Board of Directors on the date hereof; and

WHEREAS, Mark E. Foster, Vice President, General Counsel and Secretary of the General Partner and of the Partnership, has resigned his position as Vice President, General Counsel and Secretary of the General Partner and of the Partnership; and

WHEREAS, the Board of Directors deems it to be in the best interests of the General Partner and the Partnership to appoint Adégboyega O. Adelekan to the office of Vice President, General Counsel and Secretary; and

EXECUTION

WHEREAS, the Board of Directors deems it to be in the best interests of the Partnership to appoint Kevin R. McKenzie to the office of Vice President of Investments; and

WHEREAS, the Board of Directors desires to reaffirm the current Officers for both the General Partner and the Partnership in connection with the foregoing paragraphs.

Resignation of Officer of the General Partner

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Mark E. Foster, Vice President, General Counsel and Secretary of the General Partner be, and hereby is, accepted on and as of the date hereof.

FURTHER RESOLVED, that the appointment of Adegboyega O. Adelekan as Vice President, General Counsel and Secretary of the General Partner be, and hereby is, authorized and approved.

FURTHER RESOLVED, that Adegboyega O. Adelekan shall have all the duties, powers and authority of a Vice President of the General Partner, including the authority to execute documents, instruments, certificates and/or agreements as set forth in that certain unanimous written consent dated as of June 11, 2012, which establishes the duties, powers and authority of the appointed officers of the Partnership and the General Partner.

FURTHER RESOLVED, that the following persons be, and hereby are, appointed to the offices of the General Partner as set forth opposite each of their names, to serve at the pleasure of the Board of Directors and until their death, resignation or removal or until their successors are appointed and have qualified:

<u>Name</u>	<u>Office</u>
R. Patterson Jackson	President and Chief Executive Officer
John A. Bogler	Vice President, Chief Financial Officer and Treasurer
Adegboyega O. Adelekan	Vice President, General Counsel and Secretary
Kathleen Leuschel	Assistant Secretary
Angie Smith	Assistant Treasurer

EXECUTION

Resignation and Appointment of Officers of the Partnership

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Mark E. Foster, Vice President, General Counsel and Secretary of the Partnership be, and hereby is, accepted on and as of the date hereof.

FURTHER RESOLVED, that the appointment of Kevin R. McKenzie as Vice President of Investments of the Partnership be, and hereby is, authorized and approved.

FURTHER RESOLVED, that the appointment of Adegboyega O. Adelekan as Vice President, General Counsel and Secretary of the Partnership be, and hereby is, authorized and approved.

FURTHER RESOLVED, that each of Kevin R. McKenzie and Adegboyega O. Adelekan shall have all the duties, powers and authority of a Vice President of the Partnership, including the authority to execute documents, instruments, certificates and/or agreements as set forth in that certain unanimous written consent dated as of June 11, 2012, which establishes the duties, powers and authority of the appointed officers of the Partnership and the General Partner.

FURTHER RESOLVED, that the following persons be, and hereby are, appointed to the offices of the Partnership as set forth opposite each of their names, to serve at the pleasure of the Board of Directors and until their death, resignation or removal or until their successors are appointed and have qualified:

<u>Name</u>	<u>Office</u>
R. Patterson Jackson	President and Chief Executive Officer
John A. Bogler	Vice President, Chief Financial Officer and Treasurer
Vartan Derbedrossian	Chief Servicing Officer
Kevin R. McKenzie	Vice President of Investments
Adegboyega O. Adelekan	Vice President, General Counsel and Secretary
Kathleen Leuschel	Assistant Secretary
Angie Smith	Assistant Treasurer

EXECUTION

Ratification

FURTHER RESOLVED, that any action not inconsistent with the foregoing resolutions as may have been taken or caused to be taken by any officer of the General Partner, in its individual capacity or in its capacity as the general partner of the Partnership, or of the Partnership, as the case may be, prior to the date of adoption of these resolutions, which action was in connection with the performance of such officer's duties for the General Partner or the Partnership, be, and hereby is, ratified, confirmed and approved as the act and deed of the General Partner, in its individual capacity or in its capacity as the general partner of the Partnership, or of the Partnership, as the case may be.

Counterpart: Electronic Signatures: General Partner and Partnership Minutes

FURTHER RESOLVED, that these Resolutions of the Board of Directors by Written Consent may be executed in counterparts, each counterpart, when assembled together shall be deemed to be the complete and fully-executed Resolutions of the Board of Directors by Written Consent.

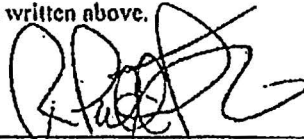
FURTHER RESOLVED, that receipt of any required signature hereunder by means of electronic submission, when attached hereto to these Resolutions of the Board of Directors by Written Consent, shall be deemed to be an original signature.

FURTHER RESOLVED, that the Board of Directors directs that these Resolutions of the Board of Directors by Written Consent be filed with the minutes of the proceedings of the General Partner and the Partnership and a copy of these Resolutions of the Board of Directors by Written Consent shall be delivered to any member of the Board of Directors that has not executed these Resolutions of the Board of Directors by Written Consent.

[Signature Page Follows]

EXECUTION

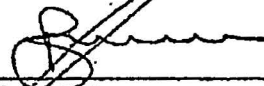
IN WITNESS WHEREOF, the undersigned have executed these Resolutions of the Board of Directors by Written Consent as of the date written above.



R. Patterson Jackson



Mark Jacobs



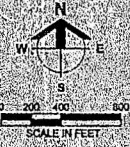
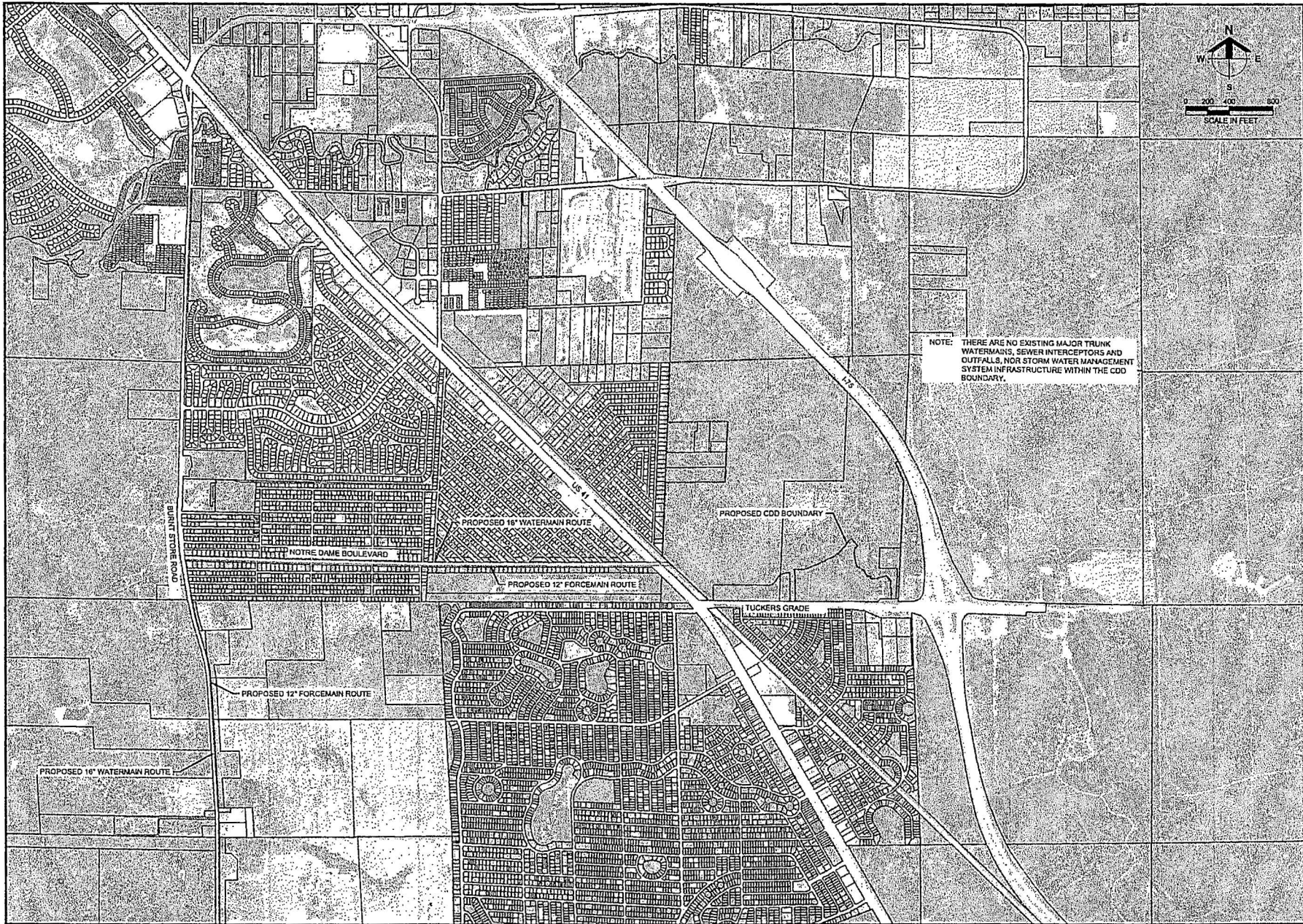
Brian Laibow



Daniel Levin

[SIGNATURE PAGE TO RESOLUTIONS OF THE BOARD OF DIRECTORS BY WRITTEN CONSENT]

Exhibit "5"



NOTE: THERE ARE NO EXISTING MAJOR TRUNK WATERMANS, SEWER INTERCEPTORS AND OUTFALLS, NOR STORM WATER MANAGEMENT SYSTEM INFRASTRUCTURE WITHIN THE CDD BOUNDARY.

Barraco
 and Associates, Inc.
 CIVIL ENGINEERING - LAND SURVEYING
 LAND PLANNING
 www.barraco.net
 7271 MADRAGON BLVD., SUITE 100
 FORT MYERS, FLORIDA 33902-2000
 PHONE (239) 461-6170
 FAX (239) 461-6169
 FLORIDA CERTIFICATE OF AUTHORIZATION
 ENGINEERING 7993 - SURVEYING LD-650-D
 PREPARED FOR

**TUCKERS POINT I
 LIMITED
 PARTNERSHIP**
 7965 MAHOGANY RUN LANE
 NAPLES, FL 34113

PHASE OF DEVELOPMENT
**TUCKERS
 POINTE**
 CHARLOTTE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
 INTENDED FOR CONCEPTUAL
 PLANNING PURPOSES ONLY.
 SITE LAYOUT AND LAND USE
 INTENSITIES OR DENSITIES MAY
 CHANGE SIGNIFICANTLY BASED
 UPON SURVEY, ENGINEERING,
 ENVIRONMENTAL AND / OR
 REGULATORY CONSTRAINTS AND /
 OR OPPORTUNITIES.

DATE: 02/23/2011
 DRAWN BY: J. BARRACO
 CHECKED BY: J. BARRACO
 PROJECT NAME: TUCKERS POINTE EXP. INFRASTRUCTURE
 LOCATION: 23331/23332/23333/23334/23335/23336/23337/23338/23339/23340/23341/23342/23343/23344/23345/23346/23347/23348/23349/23350/23351/23352/23353/23354/23355/23356/23357/23358/23359/23360/23361/23362/23363/23364/23365/23366/23367/23368/23369/23370/23371/23372/23373/23374/23375/23376/23377/23378/23379/23380/23381/23382/23383/23384/23385/23386/23387/23388/23389/23390/23391/23392/23393/23394/23395/23396/23397/23398/23399/23400/23401/23402/23403/23404/23405/23406/23407/23408/23409/23410/23411/23412/23413/23414/23415/23416/23417/23418/23419/23420/23421/23422/23423/23424/23425/23426/23427/23428/23429/23430/23431/23432/23433/23434/23435/23436/23437/23438/23439/23440/23441/23442/23443/23444/23445/23446/23447/23448/23449/23450/23451/23452/23453/23454/23455/23456/23457/23458/23459/23460/23461/23462/23463/23464/23465/23466/23467/23468/23469/23470/23471/23472/23473/23474/23475/23476/23477/23478/23479/23480/23481/23482/23483/23484/23485/23486/23487/23488/23489/23490/23491/23492/23493/23494/23495/23496/23497/23498/23499/23500/23501/23502/23503/23504/23505/23506/23507/23508/23509/23510/23511/23512/23513/23514/23515/23516/23517/23518/23519/23520/23521/23522/23523/23524/23525/23526/23527/23528/23529/23530/23531/23532/23533/23534/23535/23536/23537/23538/23539/23540/23541/23542/23543/23544/23545/23546/23547/23548/23549/23550/23551/23552/23553/23554/23555/23556/23557/23558/23559/23560/23561/23562/23563/23564/23565/23566/23567/23568/23569/23570/23571/23572/23573/23574/23575/23576/23577/23578/23579/23580/23581/23582/23583/23584/23585/23586/23587/23588/23589/23590/23591/23592/23593/23594/23595/23596/23597/23598/23599/23600/23601/23602/23603/23604/23605/23606/23607/23608/23609/23610/23611/23612/23613/23614/23615/23616/23617/23618/23619/23620/23621/23622/23623/23624/23625/23626/23627/23628/23629/23630/23631/23632/23633/23634/23635/23636/23637/23638/23639/23640/23641/23642/23643/23644/23645/23646/23647/23648/23649/23650/23651/23652/23653/23654/23655/23656/23657/23658/23659/23660/23661/23662/23663/23664/23665/23666/23667/23668/23669/23670/23671/23672/23673/23674/23675/23676/23677/23678/23679/23680/23681/23682/23683/23684/23685/23686/23687/23688/23689/23690/23691/23692/23693/23694/23695/23696/23697/23698/23699/23700/23701/23702/23703/23704/23705/23706/23707/23708/23709/23710/23711/23712/23713/23714/23715/23716/23717/23718/23719/23720/23721/23722/23723/23724/23725/23726/23727/23728/23729/23730/23731/23732/23733/23734/23735/23736/23737/23738/23739/23740/23741/23742/23743/23744/23745/23746/23747/23748/23749/23750/23751/23752/23753/23754/23755/23756/23757/23758/23759/23760/23761/23762/23763/23764/23765/23766/23767/23768/23769/23770/23771/23772/23773/23774/23775/23776/23777/23778/23779/23780/23781/23782/23783/23784/23785/23786/23787/23788/23789/23790/23791/23792/23793/23794/23795/23796/23797/23798/23799/23800/23801/23802/23803/23804/23805/23806/23807/23808/23809/23810/23811/23812/23813/23814/23815/23816/23817/23818/23819/23820/23821/23822/23823/23824/23825/23826/23827/23828/23829/23830/23831/23832/23833/23834/23835/23836/23837/23838/23839/23840/23841/23842/23843/23844/23845/23846/23847/23848/23849/23850/23851/23852/23853/23854/23855/23856/23857/23858/23859/23860/23861/23862/23863/23864/23865/23866/23867/23868/23869/23870/23871/23872/23873/23874/23875/23876/23877/23878/23879/23880/23881/23882/23883/23884/23885/23886/23887/23888/23889/23890/23891/23892/23893/23894/23895/23896/23897/23898/23899/23900/23901/23902/23903/23904/23905/23906/23907/23908/23909/23910/23911/23912/23913/23914/23915/23916/23917/23918/23919/23920/23921/23922/23923/23924/23925/23926/23927/23928/23929/23930/23931/23932/23933/23934/23935/23936/23937/23938/23939/23940/23941/23942/23943/23944/23945/23946/23947/23948/23949/23950/23951/23952/23953/23954/23955/23956/23957/23958/23959/23960/23961/23962/23963/23964/23965/23966/23967/23968/23969/23970/23971/23972/23973/23974/23975/23976/23977/23978/23979/23980/23981/23982/23983/23984/23985/23986/23987/23988/23989/23990/23991/23992/23993/23994/23995/23996/23997/23998/23999/24000/24001/24002/24003/24004/24005/24006/24007/24008/24009/24010/24011/24012/24013/24014/24015/24016/24017/24018/24019/24020/24021/24022/24023/24024/24025/24026/24027/24028/24029/24030/24031/24032/24033/24034/24035/24036/24037/24038/24039/24040/24041/24042/24043/24044/24045/24046/24047/24048/24049/24050/24051/24052/24053/24054/24055/24056/24057/24058/24059/24060/24061/24062/24063/24064/24065/24066/24067/24068/24069/24070/24071/24072/24073/24074/24075/24076/24077/24078/24079/24080/24081/24082/24083/24084/24085/24086/24087/24088/24089/24090/24091/24092/24093/24094/24095/24096/24097/24098/24099/24100/24101/24102/24103/24104/24105/24106/24107/24108/24109/24110/24111/24112/24113/24114/24115/24116/24117/24118/24119/24120/24121/24122/24123/24124/24125/24126/24127/24128/24129/24130/24131/24132/24133/24134/24135/24136/24137/24138/24139/24140/24141/24142/24143/24144/24145/24146/24147/24148/24149/24150/24151/24152/24153/24154/24155/24156/24157/24158/24159/24160/24161/24162/24163/24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Tuckers Pointe Community Development District (CDD)
Charlotte County, Florida
Order of Magnitude Construction Cost Estimate
May 27, 2021

Improvement Category	Estimated Cost of Construction
Stormwater Management/Drainage	\$10,856,000.00
Roadway	\$5,555,000.00
Water Distribution	\$2,743,000.00
Sanitary Sewer Collection and Transmission	\$4,282,000.00
Irrigation Distribution	\$1,625,000.00
Offsite Improvements/Utility and Transportation	\$13,400,000.00
Subtotal	\$38,461,000.00
Professional Consultant Fees	\$7,692,000.00
Total	\$46,153,000.00
20% Contingency	\$9,231,000.00
Grand Total	\$55,384,000.00

Estimated Start of Construction: Third Quarter of 2021

Estimated Completion of Infrastructure Construction: 2028

TUCKERS POINTE
COMMUNITY DEVELOPMENT DISTRICT

Statement
of
Estimated Regulatory Costs

May 26, 2021



Provided by

Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, FL 33431
Phone: 561-571-0010
Fax: 561-571-0013
Website: www.whassociates.com

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 Tuckers Pointe 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 507.08 +/- acres of land located within Charlotte County, Florida (the "County") and is projected to contain approximately 1,389 residential dwelling units, which will make up the Tuckers Pointe development ("Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing the 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 Tuckers Pointe 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 1,389 residential dwelling units, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the 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 Tuckers Pointe.

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. (Charlotte County has a population of 159,978 according to the Census 2010, conducted by the United States Census Bureau; therefore, it is not defined as a small county 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 507.08 +/- 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 1,389 residential dwelling units, 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 County to offset any expenses that the County 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 enhanced service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, amenity operation 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 CDD 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 nor can the District debt be a debt of the County or the State.

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) Charlotte County 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. Charlotte County, Florida

The County 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 County. 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 County as a result of this development will be incurred whether the infrastructure is financed through the District 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 507.08 +/- acre master planned residential development currently anticipated to contain a total of approximately 1,389 residential

dwelling units, 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 4,862 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The County, 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 County 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 Charlotte County. Therefore, the County (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.

Charlotte County, Florida

The proposed land for the District is located within Charlotte County, Florida and consists of less than 2,500 acres. The County 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 County 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 County 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 County may incur in the processing of this petition. Finally, the County 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 County, 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 County faces are the minimal costs of receiving and reviewing the reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for governmental entities.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on state or local revenues. A CDD 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, including the County. 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 \$55,384,000. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund 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

**TUCKERS POINTE COMMUNITY DEVELOPMENT
DISTRICT
Proposed Facilities and Services**

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Stormwater Management/Drainage	CDD	CDD	CDD
Roadway	CDD	CDD	CDD
Water Distribution	CDD	County	County
Sanitary Sewer Collection	CDD	County	County
Irrigation Distribution	CDD	CDD	CDD
Offsite Improvements	CDD	County	County

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, County or its dependent districts, or County 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.

Table 2

**TUCKERS POINTE COMMUNITY DEVELOPMENT
DISTRICT
Estimated Costs of Construction**

CATEGORY	COST
Stormwater Management/Drainage	\$10,856,000
Roadway	\$5,555,000
Water Distribution	\$2,743,000
Sanitary Sewer Collection	\$4,282,000
Irrigation Distribution	\$1,625,000
Offsite Improvements/Utility and Transportation Fees	\$13,400,000
Professional Fees	\$7,692,000
Contingency	\$9,231,000
Total	\$55,384,000

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 counties, 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".

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 CDD 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.

Charlotte County has a population of 159,978 according to the Census 2010, conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52,

F.S. It can be reasonably expected that the establishment of community development district for the Tuckers Pointe development will not produce any marginal effects that would be different from those that would have occurred if the Tuckers Pointe development was developed without a community development district established by the County.

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 Tuckers Pointe 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 County 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 Tuckers Pointe development. First, unlike a CDD, this alternative would require the County 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 Tuckers Pointe 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 County were to establish and administer a dependent special district, then the residents and landowners of the Tuckers Pointe development would take their grievances and desires to the County Commission meetings.

Third, any debt of an independent CDD is strictly that CDD's responsibility. While it may be technically true that the debt of a County-established, dependent special district is not strictly the County's responsibility, any financial problems that a dependent special district may have may reflect on the County. 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 financing 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 Tuckers Pointe 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

Exhibit "9"

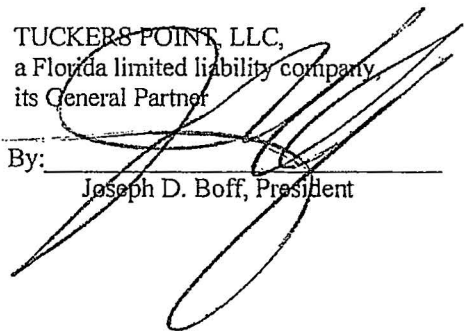
**AUTHORIZATION OF AGENT
FOR PETITION TO ESTABLISH
TUCKERS POINTE
COMMUNITY DEVELOPEMNT DISTRICT**

Please be advised that Gregory L. Urbancic of Coleman, Yovanovich & Koester, P.A. is hereby authorized to represent TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership in all aspects of the petition to Charlotte County for the establishment of Tuckers Pointe Community Development District.

Dated: February 26, 2021

TUCKERS POINT I LIMITED PARTNERSHIP,
a Florida limited partnership

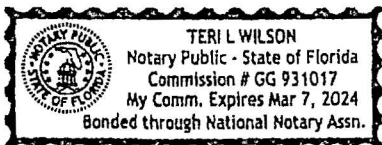
By: TUCKERS POINT, LLC,
a Florida limited liability company,
its General Partner

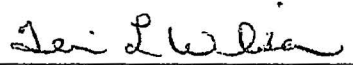
By: 
Joseph D. Boff, President

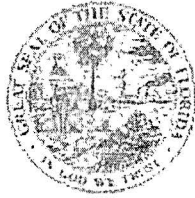
STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of (x) physical presence or () online notarization, this 26 of February, 2021, by Joseph D. Boff, as President of TUCKERS POINT, LLC, a Florida limited liability company, the General Partner of TUCKERS POINT I LIMITED PARTNERSHIP, a Florida limited partnership, on behalf of said entities, who is (x) personally known to me or () has produced _____ as evidence of identification.

(SEAL)




NOTARY PUBLIC
Name: Teri L Wilson
(Type or Print)
My Commission Expires: 3/7/2024



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

July 29, 2021

Mr. Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Ms. Dawn Smoleski

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2021-030, which was filed in this office on July 28, 2021.

Sincerely,

Anya Grosenbaugh
Program Administrator

AG/lb



PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared **Melinda Prescott**, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** that was published in said newspaper in the issue(s)

07/12/2021

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott
(Signature of Affiant)

Sworn and subscribed before me this 12th
day of July, 2021.

Laura M Robins
(Signature of Notary Public)

Personally known X OR ___ Produced
Identification



NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, JULY 27, 2021, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/boards-commissionees/planning-zoning-board/agenda.shtml>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE REGULAR AGENDA

NOPC-20-34-24

Quasi-Judicial

Commission District I

A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending the Master Development Order (MDO) for the Babcock Ranch Community Master Development of Regional Impact (DRI) to generally update to reflect current development plans, remove outdated information and completed conditions, and incorporate the results of the Master Traffic Study Update. Specific changes include the following: 1) revise "Whereas Clauses" by updating and removing outdated information; 2) amend "Findings of Fact and Conclusions of Law" to clarify the category of clubhouses and similar neighborhood amenities and to reflect the latest information; 3) remove all references to "DEO"; 4) revise Condition A.(1) and Condition A.(7) under the Affordable Housing section to be consistent with updates to Chapter 420.9071, F.S. and to clarify the parties that may agree to an alternative methodology; 5) revise Condition A.(4), Condition A.(20), Condition B.(3), Condition B.(4) and Condition B.(5) under the Stormwater Management and Flood Plains section to clarify where reports required by NPDES permits are to be maintained, reference the SWFWMD Conceptual ERP, to identify the District, rather than the Developer, for littoral zone maintenance and annual inspections, and to clarify who is responsible for regularly scheduled vacuum sweeping of streets and parking areas, and indicate what streets and parking areas will be regularly maintained; 6) revise the Transportation section by amending Condition B.(1)(a) to update horizon year from 2030 to 2040; revising Condition B.(1)(b) to reference "community capture rate" and update, consistent with the Master Traffic Study Update (MTSU); revising Condition B.(1)(c)-(e) to reflect changes, consistent with the MTSU; revising Conditions B.(2)(a) to be consistent with the MTSU and remove text that is no longer applicable or has been completed; revising Conditions B.(2)(a)(2)a. and c. to be consistent with the MTSU; updating Conditions B.(2)(b)(1), (c), and (d) to be consistent with the MTSU and remove condition language that is no longer applicable; deleting Condition B.(5), as the condition has been completed; revising renumbered Condition B.(5) to clarify timing of when an external transit feasibility study will be provided, at the request of the County; revising renumbered Condition B.(6) to indicate locations of permanent traffic count stations installed at specific BRC ingress/egress points; deleting Condition B.(8), as it has been completed; revising Condition C.(1)(a) to clarify significantly impacted external road segments are shown on Exhibit "F"; updating Condition C.(1)(e) to be consistent with the MTSU; revising Condition C.(1)(f) to remove references to State Statutes that no longer exist; updating Condition C.(2)(c) to specify that access points are established in the MDO; deleting Condition C.(6)(d) as the State Statute referenced is no longer in effect; deleting Condition C.(7) regarding the Lee Road Agreement, as that agreement has been fulfilled and neither party has any further obligation to the other thereunder (refer to Paragraph 3 of the Babcock Ranch Memorandum of Understanding with Lee County dated September 23, 2008); 7) revise Condition A.(13) and Condition B.(2) under the Vegetation, Wildlife, and Wetlands section to clarify timing of conservation easements for existing agricultural uses outside of development areas and that conservation easements will only be recorded for on-site mitigation and not for off-site (State-owned lands) property, and to reflect currently documented listed species, as noted in the most up-to-date threatened and endangered species management plans; 8) Revise Condition A.(1) and Condition A.(9) under the Wastewater Management and Water Supply to reflect low volume plumbing fixture maximum flow volume of 1.28 gallons per flush for toilets, and to clarify locations for on-site wastewater treatment systems; 9) update Condition A.(1), Conditions B.(4) and (5), and Condition B.(7) under the Police and Fire section to clarify Developer or District responsibility and clarify definition of shell building, to reflect commitments that have been fulfilled for the Sheriff's Sub-Station and EMS vehicle, pursuant to Exhibit "D", and to clarify Developer or District responsibility; 10) revise Condition A, Condition B.(1) under the Hurricane Preparedness section to clarify the Developer's or District's responsibility and to revise language regarding building standards, as well as to clarify that District or POA will develop a hurricane preparation and shelter information program; 11) delete Condition B.(2) under the Hurricane Preparedness section because it is required by Florida Building Code; 12) update Condition A.(5) under the Open Space, Parks, and Library section to clarify Developer's or District's responsibility and to clarify definition of shell building; 13) delete Condition B.(3) under the Open Space, Parks, and Library section regarding the mining lake, as all mining has now ceased; 14) revise Condition A.(2), Condition A.(6) under the Energy section to clarify Developer's or District's responsibility regarding internal transit options, to address water closet water usage limits; 15) delete Conditions B.(4) and (5) under the Energy section related to alternative energy or energy efficient features, as builders provide these options; 16) revise Condition A. under the Mining Operations section to reflect the completion of mining; 17) delete Condition H. under the General Provisions section regarding certified copies of the Development Order, as State Statutes have been amended and the referenced Subsection is no longer in effect; 18) update Buildout and Expiration Dates of this Development Order (DO) per Governor's Executive Orders; 19) revise this DO for internal consistency and to reflect updates to Florida Statutes, as applicable; 20) update notes within Exhibit B Master Concept Plan (Map H) to be consistent with approved entitlements 21) update Exhibit D Updated Summary of Land Dedications and Facilities Construction to reflect land dedication and shell building requirements; and 22) update Exhibit F and its title to be consistent with the MTSU; for property located east of S.R. 31, south of C.R. 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 13,630± acres, in the East County area; Commission District I, Petition No. NOPC-20-34-24; Applicant: Babcock Property Holdings, LLC; providing an effective date.

CDD-21-02

Quasi-Judicial

Commission District II

An ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Chapter 4-3, Municipal Service Districts, by creating new Article XIII: Tuckers Pointe Community Development District (CDD); providing for new Section 4-3.5-181, Authority; providing for new Section 4-3.5-182, District Name; providing for new Section 4-3.5-183, District External Boundaries; providing for new Section 4-3.5-184, District Powers and Functions; providing for new Section 4-3.5-185, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD-21-02; Applicant: Tuckers Pointe I Limited Partnership; providing for an effective date. The proposed CDD is generally located at the northwest portion of the interchange of I-75 and Tuckers Grade, in the Punta Gorda area, and contains 507.08± acres.

CPE-21-01

Concept Plan Extension of the Coral Creek PD Concept Plan

Quasi-Judicial

Commission District II

An Ordinance, pursuant to Section 3-9-45, Planned Development, under Chapter 3-9, Zoning, the County's Land Development Regulation, a request to 1) extend the time limitation of the PD Concept Plan approved via Ordinance Number 2007-037, and 2) approve or authorize the Zoning Official to approve a Minor Modification to the said PD Concept Plan caused by the taking of a portion of the subject property for the Burnt Store Road Widening project, for property located at 12300 and 13000 Burnt Store, in the Punta Gorda area and within the Burnt Store Area Plan area; containing 308.65± acres; Commission District II; Petition No. CPE-21-01; Applicants: David A. Johnson, Trustee and OB 4, LLC; providing for an effective date.

TDU-21-06

Quasi-Judicial

Commission District II

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of three density units onto a Receiving Zone located at 12300 and 13000 Burnt Store Road, containing 308.65± acres, in the Punta Gorda area and within the Burnt Store Area Plan area, in accordance with Part III, Land Development and Growth Management, Chapter 3-9, Zoning, Article V, Environmental Requirements and Other Requirements, Section 3-9-150, Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County; Petition No. TDU-21-06; Applicants: OB4, LLC and David A. Johnson, Trustee; providing an effective date.

TLDR-20-02

Legislative

County-Wide

Request that the Board of County Commissioners hold the first of two public hearings to discuss an Ordinance, in accordance with Section 125.66, Florida Statutes, to amend Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by 1) by revising Land Development Regulations Table of Contents to add new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; 2) revising Section 3-9-45: Planned Development (PD); providing for revised intent; providing for revised uses permitted; providing for revised design criteria and development standards; providing for revised procedures for rezoning to PD; and providing for PD rezoning flow chart; and 3) creating new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; providing for intent; providing for development requirements within the US 41 Overlay District (41OD); providing for development requirements within the Burnt Store Limited Development (BSLD) and Burnt Store Village Residential (BSVR) Future Land Use Map (FLUM) designations; providing for development within the Compact Growth Mixed Use Future Land Use Map (FLUM) designation; and providing for development requirements within the Rural Community Mixed Use FLUM designation or Conservation Subdivision; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

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