North Powerline Road Community Development District

Agenda

November 25, 2020

AGENDA

North Powerline Road Community Development District

219 E. Livingston St., Orlando, Florida 32801 Phone: 407-841-5524 – Fax: 407-839-1526

November 18, 2020

Board of Supervisors North Powerline Road Community Development District

Dear Board Members:

The regular meeting of the Board of Supervisors of North Powerline Road Community Development District will be held Wednesday, November 25, 2020 at 10:00 AM at 346 East Central Ave., Winter Haven, FL 33880.

Call-In Information: 1-646-876-9923 Meeting ID: 984 6074 7096

Following is the advance agenda for the meeting:

- 1. Roll Call
- Public Comment Period (¹Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)
- 3. Organizational Matters
 - A. Administration of Oaths to Newly Elected Board Members
 - B. Consideration of Resolution 2021-02 Canvassing and Certifying the Results of the Landowners' Election
 - C. Consideration of Resolution 2021-03 Electing Officers
- 4. Approval of Minutes of the October 7, 2020 Board of Supervisors Meeting and the November 3, 2020 Landowners' Meeting
- Consideration of Resolution 2021-04 Supplemental Assessment Resolution (Series 2020)
 - A. Consideration of Notice of Special Assessments (Series 2020)
- 6. Consideration of Series 2020 Developer's Agreements
 - A. Phase 1

¹ Comments will be limited to three (3) minutes

- i. Declaration of Consent
- ii. True-Up Agreement
- iii. Collateral Assignment Agreement
- iv. Acquisition Agreement
- v. Completion Agreement
- B. Phase 2
 - i. Declaration of Consent
 - ii. True-Up Agreement
 - iii. Collateral Assignment Agreement
 - iv. Acquisition Agreement
 - v. Completion Agreement
- 7. Ratification of Temporary Construction Easements (*to be provided under separate cover*)
- 8. Consideration of Resolution 2021-05 Amending the FY 2020 General Fund Budget *(exhibit to be provided under separate cover)*
- 9. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. District Manager's Report
 - i. Approval of Check Register (to be provided under separate cover)
 - ii. Balance Sheet and Income Statement (to be provided under separate cover)
 - iii. Ratification of Kearney Change Orders #2 and #5
- 10. Other Business
- 11. Supervisors Requests and Audience Comments
- 12. Adjournment

The second order of business is the Public Comment Period where the public has an opportunity to be heard on propositions coming before the Board as reflected on the agenda, and any other items. Speakers must fill out a Request to Speak form and submit it to the District Manager prior to the beginning of the meeting.

The third order of business is Organizational Matters. Section A is the Administration of Oaths to Newly Elected Board Members. Section B is the Consideration of Resolution 2021-02 Canvassing and Certifying the Results of the Landowners' Election. Section C is the Consideration of Resolution 2021-03 Electing Officers. Resolutions are included for your review.

The fourth order of business is the approval of the minutes from the October 7, 2020 Board of Supervisors Meeting and the November 3, 2020 Landowners' Meeting. A copy of the minutes are enclosed for your review.

The fifth order of business is the Consideration of Resolution 2021-04 Supplemental Assessment Resolution (Series 2020). Section A is the Consideration of Notice of Special Assessments (Series 2020). The resolution and notice are enclosed for your review.

The sixth order of business is the Consideration of Series 2020 Developer's Agreements. Section A includes the Phase 1 agreements and Section B includes the Phase 2 agreements. Sub-Section 1 for each is the Declaration of Consent. Sub-Section 2 for each is the True-Up Agreement. Sub-Section 3 for each is the Collateral Assignment Agreement. Sub-Section 4 for each is the Acquisition Agreement. Sub-Section 5 for each is the Completion Agreement. The above documents are enclosed for your review.

The seventh order of business is the Ratification of Temporary Construction Easements. *This item will be provided under separate cover*.

The eighth order of business is the Consideration of Resolution 2021-05 Amending the FY 2020 General Fund Budget. A copy of the resolution is enclosed for your review. *The exhibit to the resolution will be provided under separate cover*.

The ninth order of business is Staff Reports. Section C is the District Manager's report. Sub-Section 1 is the Check Register for your approval. Sub-Section 2 is the balance sheet and income statement for your review. *These items will be provided under separate cover*. Sub-Section 3 is the Ratification of Kearney Change Orders #2 and #5.

The balance of the agenda will be discussed at the meeting. In the meantime, if you should have any questions, please do not hesitate to contact me.

Sincerely,

Jill Burns District Manager

CC: Roy Van Wyk, District Counsel

SECTION III

SECTION B

RESOLUTION 2021-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the North Powerline Road Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within the City of Davenport, Florida and unincorporated Polk County, Florida; and

WHEREAS, pursuant to Section 190.006(2), *Florida Statutes*, a landowners meeting is required to be held within 90 days of the District's creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, such landowners meeting was held on November 3, 2020 the Minutes of which are attached hereto as **Exhibit A**, and at which the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

WHEREAS, the Board of Supervisors of the District, by means of this Resolution, desire to canvas the votes and declare and certify the results of said election.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The following persons are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

Lauren Schwenk	Seat 3	Votes <u>5</u>
Andrew Rhinehart	Seat 4	Votes <u>5</u>
Phillip Allende	Seat 5	Votes $\underline{4}$

SECTION 2. In accordance with Section 190.006(2), *Florida Statutes*, and by virtue of the number of votes cast for the Supervisor, the above-named person is declared to have been elected for the following term of office:

Lauren Schwenk	4 Year Term
Andrew Rhinehart	4 Year Term
Phillip Allende	2 Year Term

SECTION 3. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 25th day of November 2020

ATTEST:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

SECTION C

RESOLUTION 2021-03

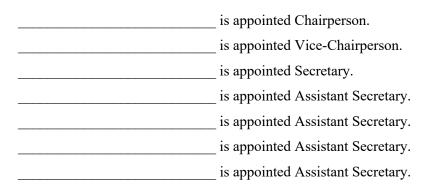
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT ELECTING THE OFFICERS OF THE DISTRICT, PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, the North Powerline Road Community Development District ("District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within the City of Davenport, Florida and unincorporated Polk County, Florida; and

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the Board of Supervisors ("**Board**"), shall organize by electing one of its members as Chairperson and by electing a Secretary, and such other officers as the Board may deem necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT:

1. **DISTRICT OFFICERS.** The District officers are as follows:



2. CONFLICTS. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

3. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 25th day of November 2020.

ATTEST:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

MINUTES

BOS Meeting

MINUTES OF MEETING NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

The Regular meeting of the Board of Supervisors of the North Powerline Road Community Development District was held on Wednesday, **October 7, 2020** at 10:14 a.m. via Zoom Teleconference, pursuant to Executive Order 20-69, issued by Governor DeSantis, as amended and supplemented.

Present via Zoom and constituting a quorum:

Lauren Schwenk Kevin Chinoy Phillip Allende Andrew Rhinehart Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary

Also present were:

Jill Burns	District Manager/GMS
Heather Wertz	Absolute Engineering
Roy Van Wyk	HGS
Michelle Rigoni	HGS
April Payeur	Developer's Office
Bob Gang	Greenberg
Ashton Bligh	Greenberg

FIRST ORDER OF BUSINESS

Ms. Burns called the meeting to order and called the roll. Four Board members were present

Roll Call

via Zoom constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

No members of the public were present via Zoom. There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of the September 17, 2020 Board of Supervisors Meeting

Ms. Burns asked for any questions, comments, or corrections on the September 17, 2020 minutes. The Board had no changes to the minutes.

On MOTION by Ms. Chinoy, seconded by Mr. Rhinehart, with all in favor, the Minutes of the September 17, 2020 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Second Supplemental to the Second Amended and Restated Engineer's Report

Ms. Wertz stated that they had updated the Engineer's Report through the Second supplemental to show the corrected number of lots per phase, as well as the associated infrastructure development costs for those lots per phase that more directly align with what they would be constructing in Phases 1 and 2. She noted that it had previously been 3 phases but had been reduced down to 2 phases. She added that the total number of units and infrastructure development costs remained unchanged. She pointed out the page of the report that outlined the costs, with Phase 1 being 295 lots and \$6,992,342 being raised, and Phase 2 being 272 lots at \$7,533,951. She added that the total 567 lots came to \$14,526,293.

Mr. Van Wyk asked if there was any reason that they could not construct the infrastructure program as outlined in the report, to which Ms. Wertz responded no. Mr. Van Wyk also asked if the costs were fair and reasonable for the type of improvements that they would be constructing, and Ms. Wertz responded yes.

On MOTION by Ms. Schwenk, seconded by Ms. Rhinehart, with all in favor, the Second Supplemental to the Second Amended and Restated Engineer's Report, was approved.

FIFTH ORDER OF BUSINESSConsiderationofSupplementalMethodology for the First Bond Issuance

Ms. Burns noted that the main changes to the methodology were to incorporate the changes that Ms. Wertz had previously discussed. She explained that in Table 1, Phase 1 had 295 lots and Phase 2 had 272 lots for a total of 567 lots. She listed the various product types and ERU's listed. Table 2 outlined the Capital Improvement cost estimates that Ms. Wertz had reviewed. Table 3 showed a bond sizing of \$12,430,000. Table 4 showed the improvement costs per unit for each of the product types listed, such as the 40', the 55', and the 60' and 65' single family lots. Table 5

shows the par debt per unit, as well as developer contributions that will revise the par debt per unit. In Phase 1 the 40' lots will have a par debt per unit of \$20,967, and the 55 and 65' lots will have a par debt of \$22,644. In Phase 2, the single-family 40' lots and 55' lots were at \$22,644. Table 6 showed the net and gross annual debt assessments per unit type. The net assessment in Phase 1 for the 40' lots being \$1,250, and the 55' and 65' lots being \$1,350. The Phase 2 40' and 55' lots had a net amount of \$1,350. Table 7 shows the Preliminary Assessment Roll that allocates the debt on a per acre basis for all the parcel IDs listed. Ms. Burns asked if the Board had any questions.

Mr. Van Wyk asked if the Supplemental Methodology was consistent with the Master Methodology, and Ms. Burns responded yes. Mr. Van Wyk also asked if the benefit received by the property was equal to or greater than the burden placed on the property by the assessment, as well as if the assessments outlined in the report were fairly and reasonably apportioned across the various product types, to which Ms. Burns answered yes.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Supplemental Methodology for the First Bond Issuance, was approved.

SIXTH ORDER OF BUSINESS

Consideration of 2021-01 The Amended Delegation Resolution

Ms. Bligh explained that this would be amending Resolution 2020-02, which the Board had adopted in February 2020. She noted that since that time, the boundaries of the District had been expanded as well as the scope of the Series 2020 project. It would now include the 2 Phases, which increased the unit count from 251 to 567. She noted that the new Schedule 1 was attached to the resolution and it was also attached to the new Engineer's Report.

Ms. Bligh added that certain parameters were being amended, including increasing the not to exceed amount for the bonds to \$7.535 million to \$13.5 million, as well as amending the optional redemption parameter to allow for more flexibility in terms of pricing for FMS and the District.

Section 2 of the resolution—which amended Section 1 of the original delegation resolution—increased the not-to-exceed amount. Section 3 amended subsections in Section 5 of the original resolution, which included the option redemption language as well as an increase in the not-to-exceed amount. This resolution is also ratifying the original Resolution 2020-02, as

modified. She asked if the Board had any questions. Hearing none, Ms. Burns asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Chinoy, with all in favor, Resolution 2021-01 the Amended Delegation Resolution, was approved.

SEVENTH ORDER OF BUSINESS Consideration of Construction Funding Agreement

Ms. Burns explained that the Construction Funding Agreement was for Phases 2 and 3. She commented to Ms. Rigoni that the Board had been looking to approve it in substantial form while they were waiting to verify the entity that it needs to be. She asked if that was correct or it was able to be verified.

Mr. Van Wyk responded that he thought the agreement was good to go but added that if not they could do a motion to approve in substantial form, subject to verification of the entity that would be responsible for the construction contract. Ms. Rigoni added that the agreement also referred to the old Phases 2 and 3, but that she would be updating that as well. The entity in the agreement will be GLK Real Estate.

> On MOTION by Ms. Schwenk, seconded by Mr. Chinoy, with all in favor, the Construction Funding Agreement, Subject to Verification from counsel that entity is GLK Real Estate, was approved in substantial form.

EIGHTH ORDER OF BUSINESS

Consideration of Temporary Construction and Access Easement Agreements

a. Phase 1 Supplemental

Ms. Burns explained that the Phase 1 Supplemental was with JMBI Real Estate, LLC, and would be allowing the District access to the lands to construct the Capital Improvement for the portion of Phase 1.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Phase 1 Temporary Construction and Access Easement Agreement with JMBI Real Estate, LLC, was approved in substantial form.

b. Phase 2 & 3 Supplementals

Ms. Burns explained that the Phase 2 & 3 Supplementals were with GLK Real Estate, and asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Phase 2 & 3 Temporary Construction and Access Easement Agreements with GLK Real Estate, were approved in substantial form.

NINTH ORDER OF BUSINESS Staff Reports

A. Attorney

a. Boundary Amendment Hearing with Polk County December 1st

Mr. Van Wyk noted that they would be having the city hearing for the Second Boundary Amendment Resolution of Support, scheduled for November 16th, and the reading of the ordinance and approval by Polk County would take place December 1st.

Ms. Rigoni had nothing to add.

B. Engineer

Ms. Wertz had nothing further to report for the board.

C. District Manager's Report

i. Approval of Check Register

Ms. Burns stated that the check register was included in the agenda package and totaled \$231,653.80 through September 27th.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Check Register for \$231,653.80, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns stated that the financials were in the package and there was no action required. She asked for any questions. Hearing none,

iii. Motion to Change Meeting Date to 4th Wednesday

Ms. Burns noted there was a motion to change the monthly meeting date from the 1st Wednesday at 10:00 a.m. to the 4th Wednesday at 10:00 a.m.

On MOTION by Ms. Schwenk, seconded by Mr. Chinoy, with all in favor, the Motion to Change Meeting Date to the 4th Wednesday at 10:00 a.m., was approved.

TENTH ORDER OF BUSINESSOther Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Ms. Burns asked for a motion to adjourn.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, the meeting was adjourned.

Secretary / Assistant Secretary

Chairman / Vice Chairman

Adjournment

LO Meeting

MINUTES OF MEETING NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

The Landowners' Meeting of the North Powerline Road Community Development District was held on Tuesday, **November 3, 2020** at 9:35 a.m. at 346 E. Central Ave., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk Andrew Rhinehart Phillip Allende Jill Burns

FIRST ORDER OF BUSINESS Determination of Number of Voting Units Represented

Ms. Burns: I have been presented a Landowner Proxy from JMBI Real Estate, LLC, naming Lauren Schwenk as the proxy holder. She is authorized to cast up to 150 for the 149.71 acres owned by the landowner. There are three seats up for election; Seat 3, Seat 4, and Seat 5.

SECOND ORDER OF BUSINESS Call to Order

Ms. Burns called to order the Landowner Meeting.

THIRD ORDER OF BUSINESS

Election of Chairman for the Purpose of Conducting Landowners' Meeting

of

Ms. Burns: Ms. Schwenk, for purposes of the Landowner meeting would you designate me as the Chairman to conduct it?

Ms. Schwenk: Yes, I will.

FOURTH ORDER OF BUSINESS Nominations for the Positions Supervisors (5)

Ms. Burns: Ms. Schwenk, do you have nominations for the seats?

Ms. Schwenk: Yes, for Seat 3 I nominate Lauren Schwenk, for Seat 4 I nominate Andrew Rhinehart, and for Seat 5 I nominate Phillip Allende.

FIFTH ORDER OF BUSINESS

Ms. Schwenk: I will cast 5 votes for Lauren Schwenk, 5 votes for Andrew Rhinehart, and 4 votes for Phillip Allende.

Casting of Ballots

Adjournment

SIXTH ORDER OF BUSINESS

Tabulation of Ballots and Announcement of Results

Landowner's Questions and Comments

Ms. Burns: Lauren Schwenk and Andrew Rhinehart will serve four year terms and Phillip Allende will serve a two year term.

SEVENTH ORDER OF BUSINESS

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

The meeting was adjourned at 9:37 a.m.

Secretary/Assistant Secretary

Chairman/Vice Chairman

SECTION V

RESOLUTION 2021-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE NORTH POWERLINE **ROAD COMMUNITY DEVELOPMENT DISTRICT** SETTING FORTH THE SPECIFIC TERMS OF THE DISTRICT'S SPECIAL ASSESSMENT BONDS, SERIES 2020; CONFIRMING THE DISTRICT'S PROVISION OF IMPROVEMENTS; CONFIRMING THE **SECOND SUPPLEMENTAL ENGINEER'S** REPORT AND SUPPLEMENTAL ASSESSMENT METHODOLOGY **REPORT: CONFIRMING**, **AUTHORIZING** ALLOCATING AND THE **COLLECTION OF SPECIAL ASSESSMENTS SECURING THE SERIES** 2020 BONDS; PROVIDING FOR THE APPLICATION OF TRUE-UP **PAYMENTS; PROVIDING FOR THE SUPPLEMENTATION OF THE IMPROVEMENT LIEN BOOK; PROVIDING FOR THE RECORDING** OF A NOTICE OF SERIES 2020 SPECIAL ASSESSMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the North Powerline Road Community Development District ("District") has previously indicated its intention to undertake, install, establish, construct or acquire certain public improvements and to finance such public improvements through the imposition of special assessments on benefited property within the District and the issuance of bonds; and

WHEREAS, the District's Board of Supervisors ("Board") has previously adopted, after notices and public hearings, Resolution No. 2018-32, as amended by Resolution No. 2020-08, and Resolution No. 2020-15 (together, the "Assessment Resolution"), relating to the imposition, levy, collection and enforcement of such special assessments; and

WHEREAS, pursuant to and consistent with the terms of Assessment Resolution, this Resolution shall set forth the terms of bonds actually issued by the District, and apply the adopted special assessment methodology to the actual scope of the project to be completed with such series of bonds and the terms of the bond issue; and

WHEREAS, on _____, the District entered into a Bond Purchase Contract, whereby it agreed to sell \$_____ of its Special Assessment Bonds, Series 2020 (the "Series 2020 Bonds"); and

WHEREAS, pursuant to and consistent with Assessment Resolution, the District desires to set forth the particular terms of the sale of the Series 2020 Bonds and to confirm the liens of the levy of special assessments securing the Series 2020 Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the provisions of Florida law, including Chapters 170, 190 and 197, *Florida Statutes*, and the Assessment Resolution.

SECTION 2. FINDINGS. The Board of Supervisors of the North Powerline Road Community Development District hereby finds and determines as follows:

(a) On September 19, 2018, March 11, 2020, and August 5, 2020, the District, after due notice and public hearing, adopted Resolution No. 2018-32, Resolution No. 2020-08, and Resolution No. 2020-15, respectively, which, among other things, equalized, approved, confirmed and levied special assessments on property benefiting from the improvements authorized by the District. Each Resolution provides that as each series of bonds is issued to fund all or any portion of the District's improvements, a supplemental resolution will be adopted to set forth the specific terms of each series of the bonds and certifying the amount of the liens of the special assessments securing any portion of the bonds, including interest, costs of issuance, the number of payments due, any True-Up amounts and the application of receipt of any True-Up proceeds.

(b) The Engineer's Report for Capital Improvement Second Amended and Restated, dated March 2020, as supplemented by that First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement, dated March 2020, as further supplemented by that Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvements, dated September 2020 (together, the "Engineer's Report"), attached to this Resolution as Composite Exhibit A, identifies and describes the presently expected components of the infrastructure improvements for Phase 1 and Phase 2 (together, the "Series 2020 Project"), to be financed all or in part with the Series 2020 Bonds (the "Improvements"), and indicates the estimated costs of the Series 2020 Project as \$______. The District hereby confirms that the Series 2020 Project serves a proper, essential and valid public purpose. The Engineer's Report is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Series 2020 Bonds.

(c) Master Assessment Methodology, dated February 5, 2020, (the "Master Methodology"), as supplemented by that Supplemental Assessment Methodology, dated ______, 2020 ("Supplemental Methodology", and together with the Master Methodology, the "Assessment Report"), attached to this Resolution as Composite Exhibit B, applies the Assessment Report to the Improvements and the actual terms of the Series 2020 Bonds. The Assessment Report is hereby approved, adopted and confirmed. The District ratifies its use in connection with the sale of the Series 2020 Bonds.

(d) The Series 2020 Project will specially benefit certain property within the District known as Phase 1 and Phase 2 (together, the "Series 2020 Assessment Area"), the legal description of the assessable property therein is attached hereto as Exhibit C. It is reasonable, proper, just and right to assess the portion of the costs of the Series 2020 Project financed with the Series 2020 Bonds, the specially benefited properties within the District as set forth in Assessment Resolution, and this Resolution.

SECTION 3. SETTING FORTH THE TERMS OF THE SERIES 2020 BONDS; CONFIRMATION OF MAXIMUM ASSESSMENT LIEN FOR SERIES 2020 BONDS. As provided in Assessment Resolution, this Resolution is intended to set forth the terms of the Series 2020 Bonds and the final amount of the liens of the special assessments securing those bonds.

(a) The Series 2020 Bonds, in a par amount of \$_____, shall bear such rates of interest and maturity as shown on **Exhibit D**, attached hereto. The final payment on the Series 2020 Bonds shall be due on _____. The estimated sources and uses of funds of the Series 2020 Bonds shall be as set forth in **Exhibit E**. The debt service due on the Series 2020 Bonds is set forth on **Exhibit F** attached hereto.

(b) The lien of the special assessments securing the Series 2020 Bonds on Series 2020 Assessment Area (the "Series 2020 Special Assessments"), shall be the principal amount due on the Series 2020 Bonds, together with accrued but unpaid interest thereon, and together with the amount by which annual assessments are grossed up to include early payment discounts required by law and costs of collection. The Series 2020 Bonds are secured solely by the Series 2020 Assessment Area Pledged Revenues (as defined in the Indenture (hereinafter defined)), which is comprised in part by the lien against Series 2020 Assessment Area.

SECTION 4. ALLOCATION OF ASSESSMENTS SECURING THE SERIES 2020 BONDS; ADDRESSING COLLECTION OF THE SAME.

(a) The special assessments for the Series 2020 Bonds shall be allocated in accordance with Composite Exhibit B, which allocation shall initially be on an acreage basis and further allocated as lands are platted. The Supplemental Methodology is consistent with the District's Master Methodology. The Supplemental Methodology, considered herein, reflects the actual terms of the issuance of the District's Series 2020 Bonds. The estimated costs of collection of the special assessments for the Series 2020 Bonds are as set forth in the Supplemental Methodology.

(b) The lien of the special assessments securing the Series 2020 Bonds includes all property within Series 2020 Assessment Area, and as such land is ultimately defined and set forth in any plats, certificates of occupancy or other designations of developable acreage.

(c) Taking into account capitalized interest and earnings on certain funds and accounts as set forth in the Assessment Report, the District shall, for Fiscal Year 2021/2022, begin annual collection of special assessments for the Series 2020 Bonds debt service payments due ______, using the methods available to it by law. Debt service payments, including semi-annual installments of interest, are reflected on Exhibit F for Series 2020 Assessment Area. The Series 2020 Bonds include an amount for capitalized interest through ______.

(d) The Series 2020 Special Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. Series 2020 Special Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Improvements and the adoption by the Board of a resolution accepting the Improvements; provided, however, that the Board shall at any time make such adjustments by

resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. All impact fee credits received shall be applied against the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits which application may be addressed by such resolutions. At any time subsequent to thirty (30) days after the Improvements have been completed and a resolution accepting the Improvements has been adopted by the Board, the Series 2020 Special Assessments may be prepaid in full including interest amounts to the next succeeding interest payment date or to the second succeeding interest payment date if such a prepayment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of bonds secured by the debt assessment in question). The owner of property subject to Series 2020 Special Assessments may prepay the entire remaining balance of the Series 2020 Special Assessments at any time, or a portion of the remaining balance of the Series 2020 Special Assessments one time if there is also paid, in addition to the prepaid principal balance of the Series 2020 Special Assessments, an amount equal to the interest that would otherwise be due on such prepaid amount on the next succeeding interest payment date, or, if prepaid during the forty-five day period preceding such interest payment date, to the interest payment date following such next succeeding interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of bonds secured by the debt assessment in question). Prepayment of Series 2020 Special Assessments does not entitle the property owner to any discounts for early payment.

The District hereby certifies the Series 2020 Special Assessments for collection (e) and directs staff to take all actions necessary to meet the time and other deadlines imposed by Polk County and Florida law for collection. The District intends, to the extent possible and subject to entering into the appropriate agreements with the Polk County Tax Collector and Polk County Property Appraiser (or other appropriate Polk County, Florida officials) to collect the Series 2020 Special Assessments on platted lands contained within a plat or certificate of occupancy using the Uniform Method in Chapter 197, Florida Statutes. The District intends, to the extent possible, to directly bill, collect and enforce the Series 2020 Special Assessments on lands not included within an approved plat or certificate of occupancy unless in any year, the District determines it to be in its best interest to collect such assessments using the Uniform Method in Chapter 197, Florida Statutes. The District Manager shall prepare or cause to be prepared each year an assessment roll for purposes of effecting the collection of the Series 2020 Special Assessments and present same to the District Board as required by law. The District Manager is further directed and authorized to take all actions necessary to collect special assessments on property using methods available to the District authorized by Florida law in order to provide for the timely payment of debt service.

SECTION 5. APPROVAL OF TRUE-UP PROCESS AND APPLICATION OF TRUE-UP PAYMENTS.

(a) Pursuant to Assessment Resolution, there may be required from time to time certain True-Up payments. As parcels of land are included in a plat or certificate of occupancy, the special assessments securing the Series 2020 Bonds shall be allocated as set forth in Assessment Resolution, this Resolution and the Assessment Report, including, without limitation, the application of the True-Up process set forth in the Assessment Report.

(b) Based on the final par amount of \$______ in Series 2020 Bonds, the True-Up calculations will be made in accordance with the process set forth in the Assessment Report. The District shall apply all True-Up payments related to the Series 2020 Bonds only to the credit of the Series 2020 Bonds. All True-Up payments, as well as all other prepayments of assessments, shall be deposited into the accounts specified in the Supplemental Indenture.

SECTION 6. IMPROVEMENT LIEN BOOK. Immediately following the adoption of this Resolution, these special assessments as reflected herein shall be recorded by the Secretary of the Board of the District in the District's Improvement Lien Book. The special assessment or assessments against each respective parcel shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

SECTION 7. OTHER PROVISIONS REMAIN IN EFFECT. This Resolution is intended to supplement Assessment Resolution, both of which remain in full force and effect. This Resolution and Assessment Resolution shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

SECTION 8. ASSESSMENT NOTICE. The District's Secretary is hereby directed to record a Notice of Series 2020 Special Assessments securing the Series 2020 Bonds, in the Official Records of Polk County, Florida, or such other instrument evidencing the actions taken by the District.

SECTION 9. SEVERABILITY. If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

SECTION 10. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

[*Remainder of page intentionally left blank*]

APPROVED AND ADOPTED this 25th day of November, 2020.

ATTEST:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

The Engineer's Report for Capital Improvement Second Amended and			
Restated, dated March 2020, as supplemented by that First Supplemental			
to Second Amended and Restated Engineer's Report for Capital			
Improvement, dated March 2020, as further supplemented by that Second			
Supplement to Second Amended and Restated Engineer's Report for			
Capital Improvements, dated September 2020			
Master Assessment Methodology, dated February 5, 2020, (the "Master			
Methodology"), as supplemented by that Supplemental Assessment			
Methodology, dated, 2020			
Legal Description of Series 2020 Assessment Area			
Maturities and Coupons of Series 2020 Bonds			
Sources and Uses of Funds for Series 2020 Bonds			
Debt Service for Series 2020 Bonds			

Composite Exhibit A:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS SECOND AMENDED AND RESTATED

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 9- Summary of Opinion of Probable Costs
- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. It is anticipated at this time that the District will petition to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report.

The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

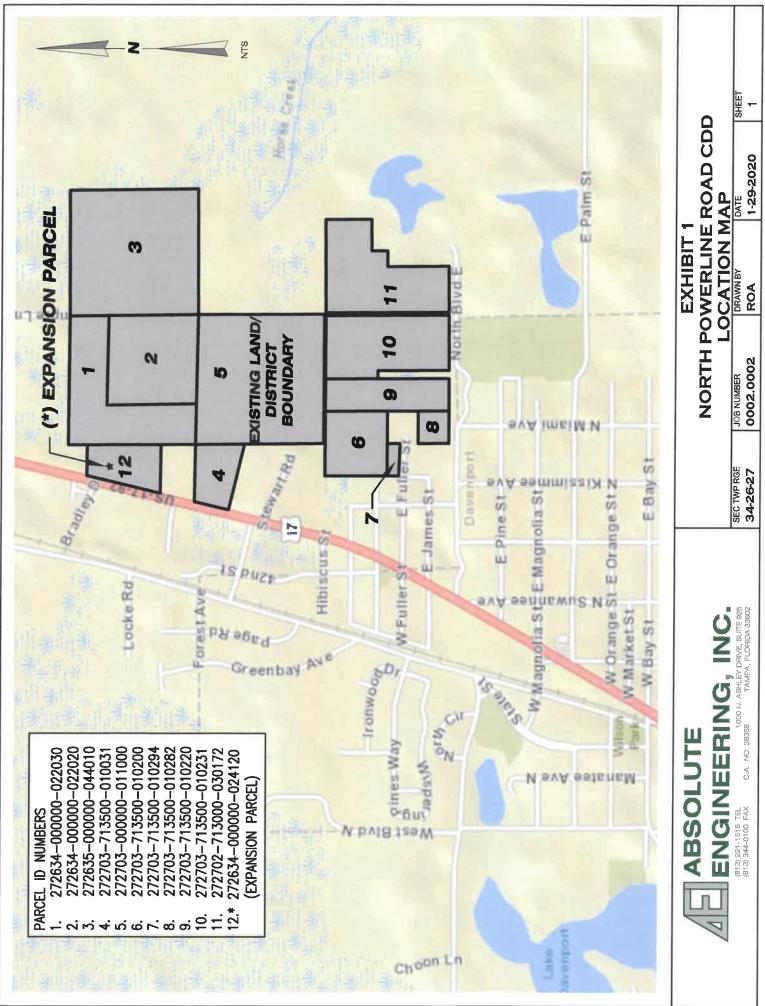
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

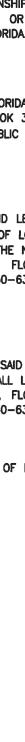
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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PARCEL 8 (272703-713500-010282)

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TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

2020

63.

Feb

Rick

AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

RIVE. SUITE 925 FLORIDA 33602

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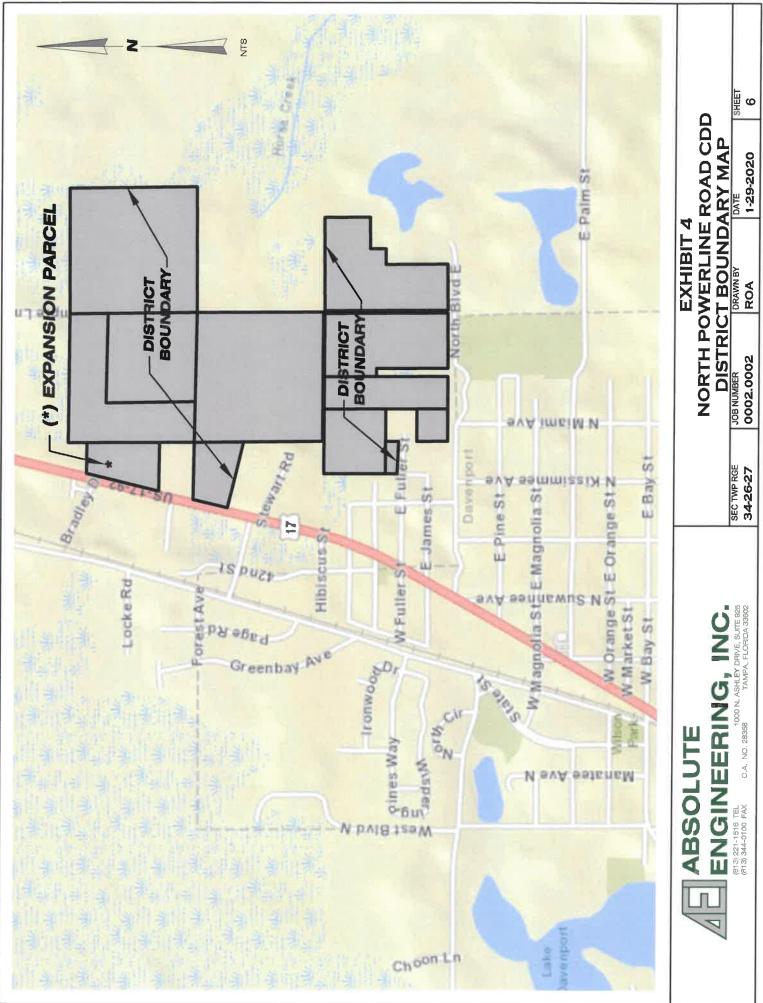
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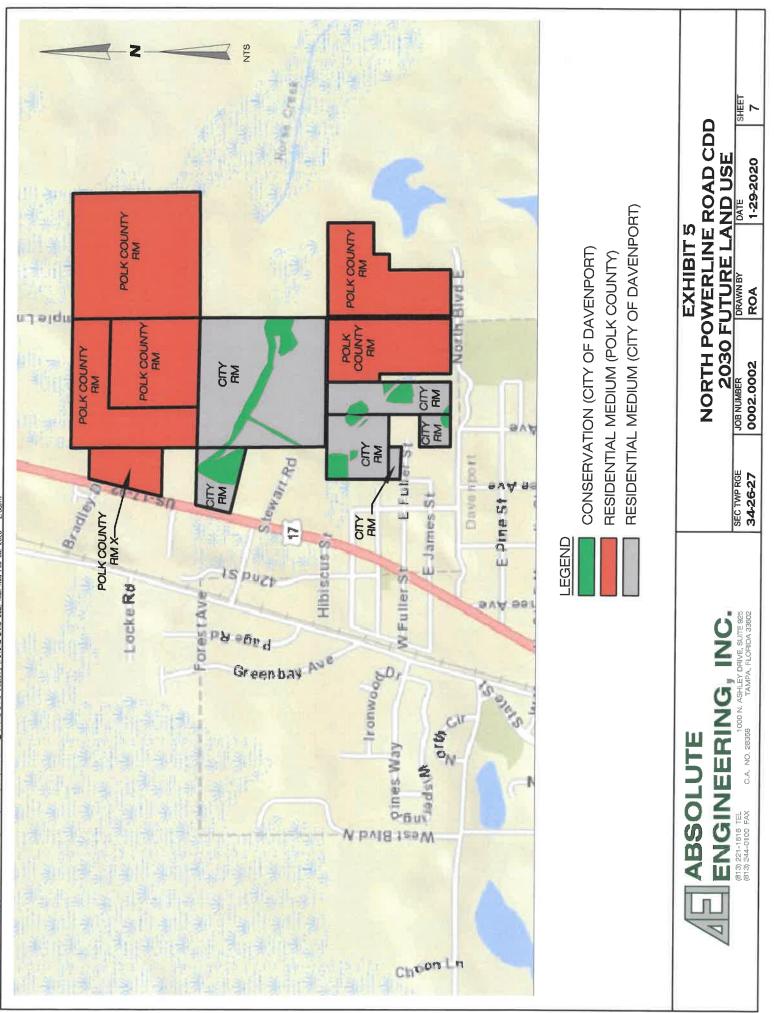
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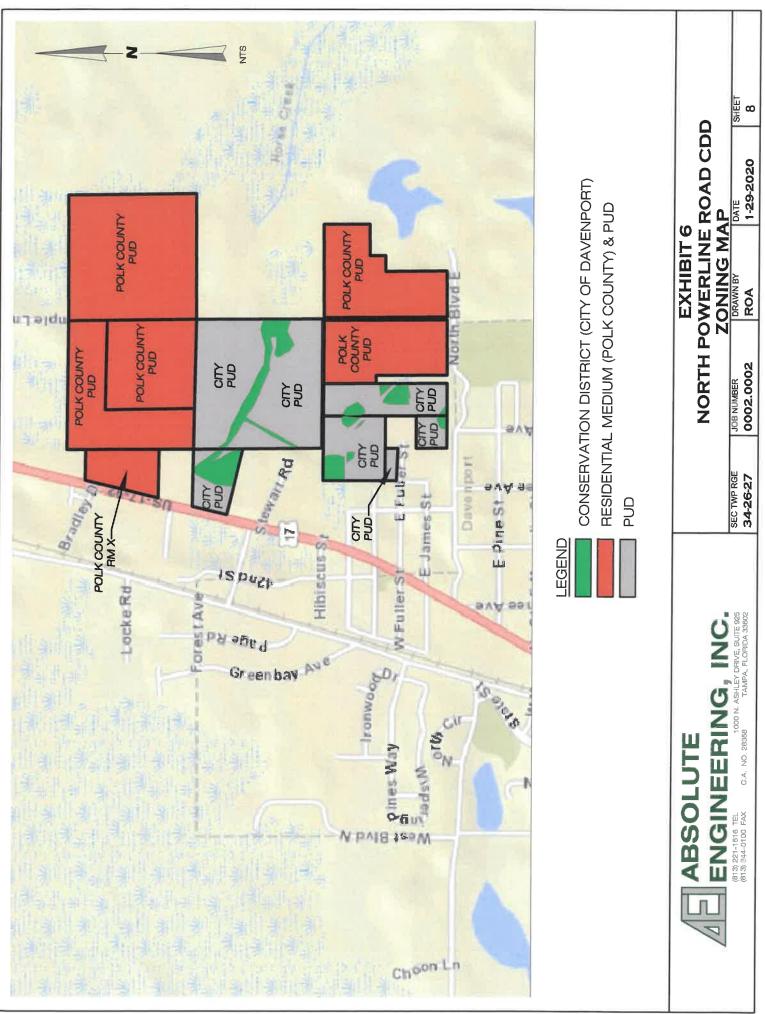
DATE 1-29-2020

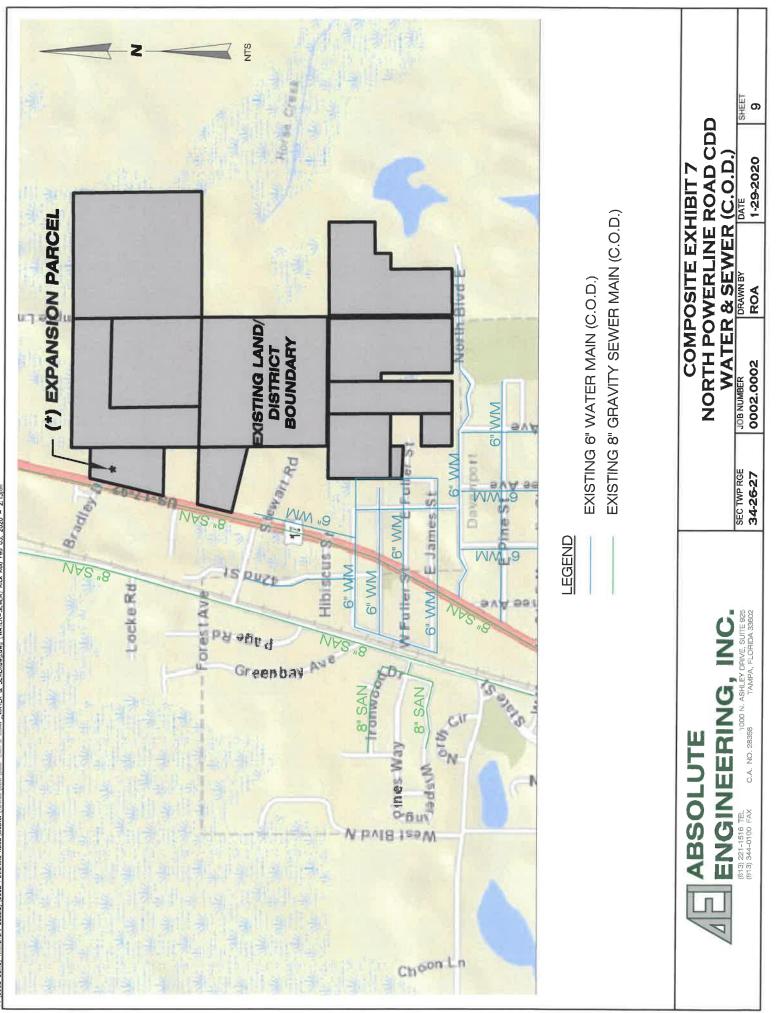
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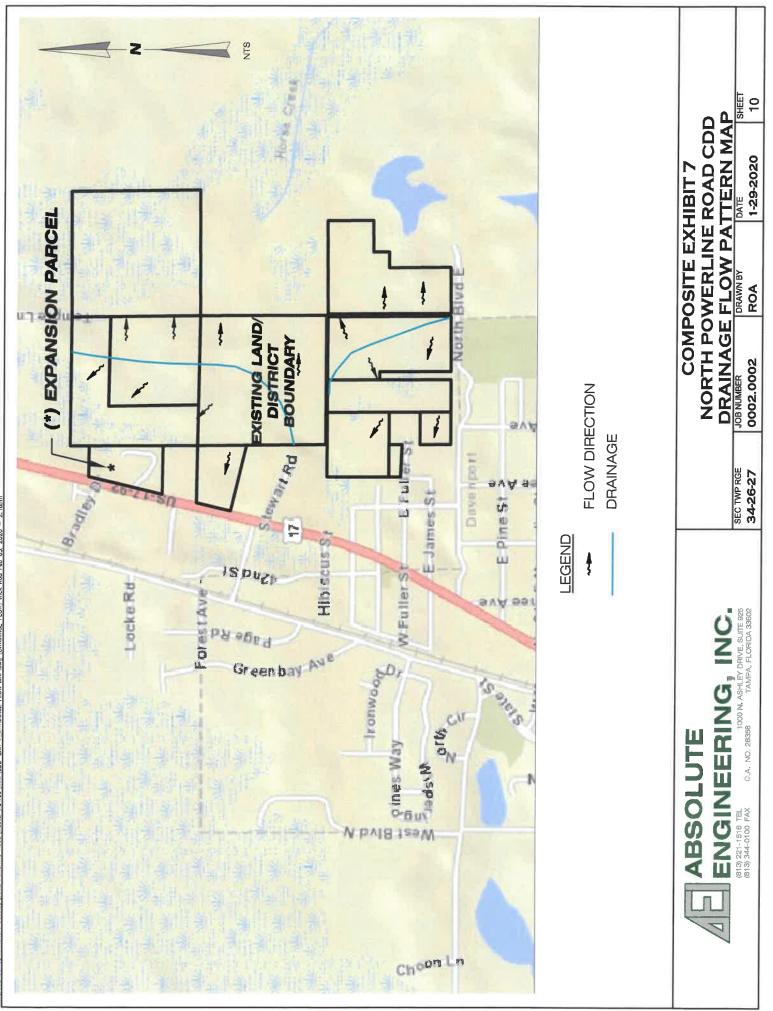
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
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Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

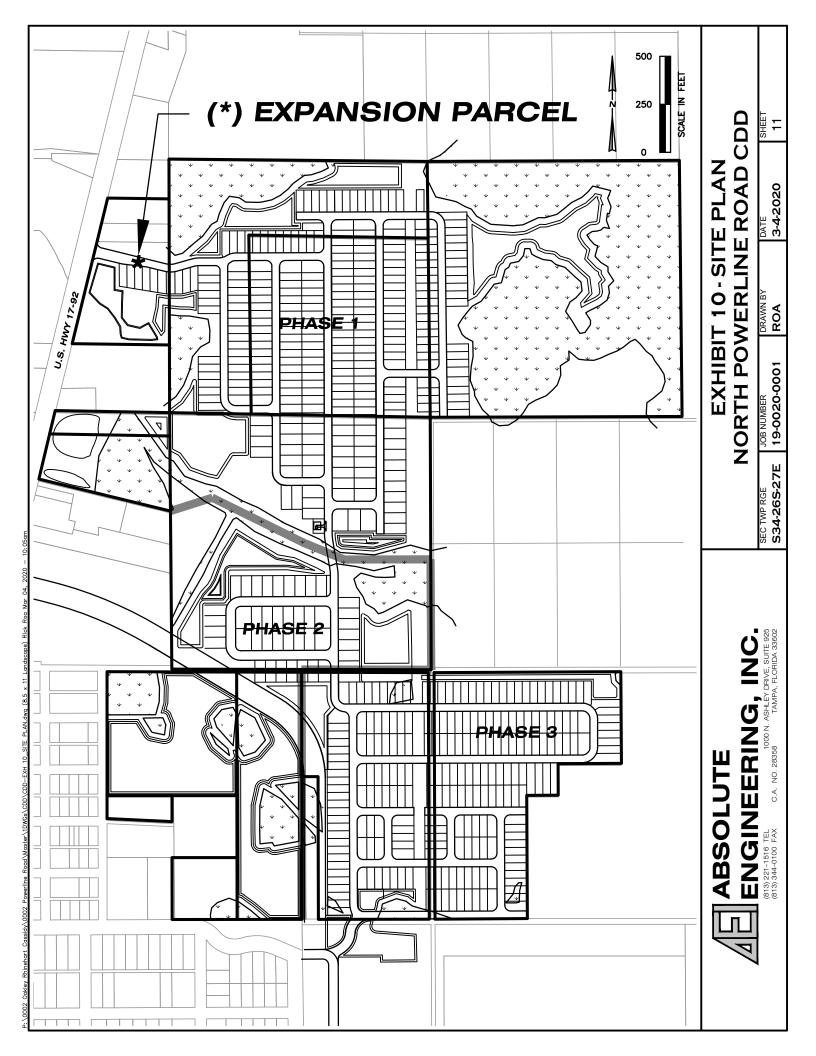
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 Existing Land (289 Lots)	Phase 1 Expansion Parcel (6 Lots)	<u>Phase 2</u> (44 Lots)	<u>Phase 3</u> (228 Lots)	<u>Total</u>
	2020-2023	2020-2023	2021-2024	2022-2025	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,238
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway (1)(4)(5)(7)	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,172
Parks and Amenities (1)(7)(11)	\$449,923	\$9,341	\$68,500	\$354,956	\$882,721
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	\$103,277	\$535,163	\$1,330,865
TOTAL	\$6,750,125	\$242,218	\$2,129,701	\$5,404,251	\$14,526,296

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

FIRST SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 2- Current Legal Description
- EXHIBIT 3- Legal Description After Boundary Amendment
- EXHIBIT 4- District Boundary Map
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- EXHIBIT 7- Utility Location Map & Drainage Flow Pattern Map
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- EXHIBIT 9- Summary of Opinion of Probable Costs
- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The First Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The increase in overall units is 16 and the associated increase in the infrastructure development cost is \$595,297.00.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. The District is in the process of petitioning to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. The petition to amend the boundaries of the District to annex the Expansion Parcel in the District has been filed with the County. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Development Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

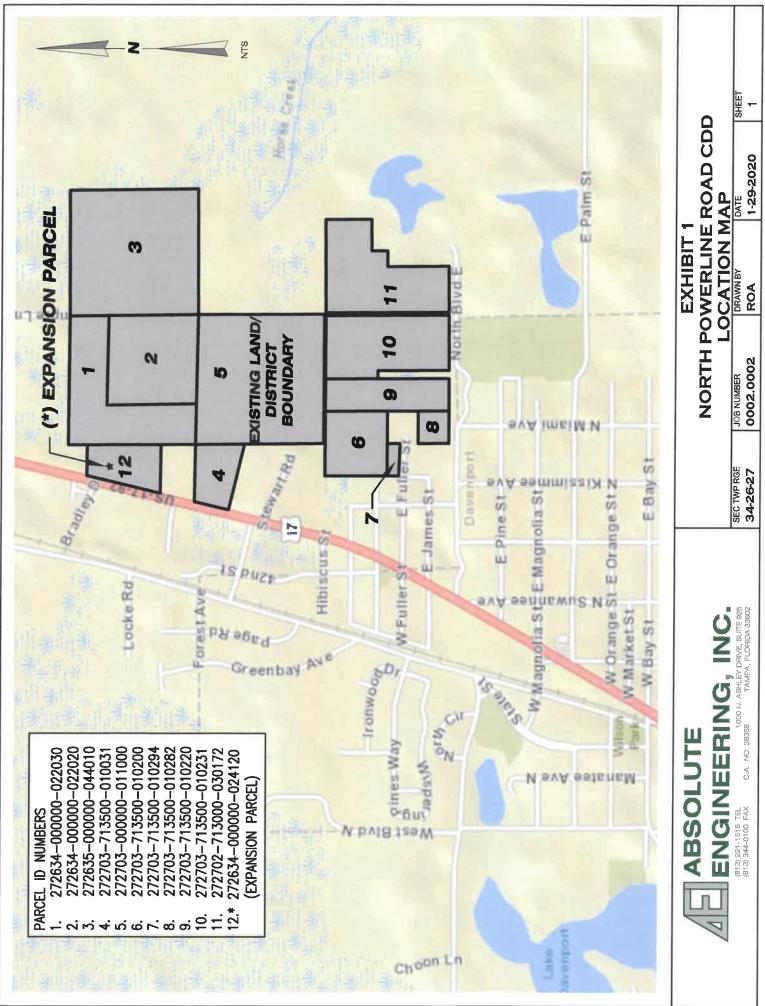
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

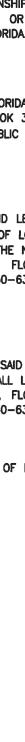
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

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PARCEL 12 (272634-000000-024120)

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Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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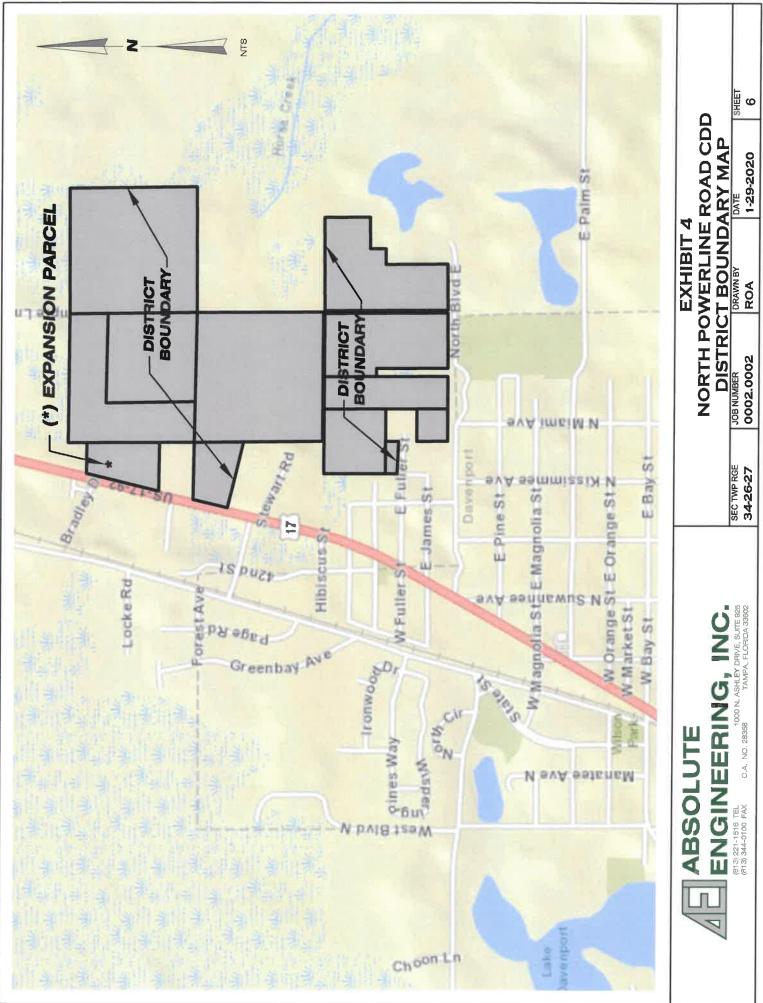
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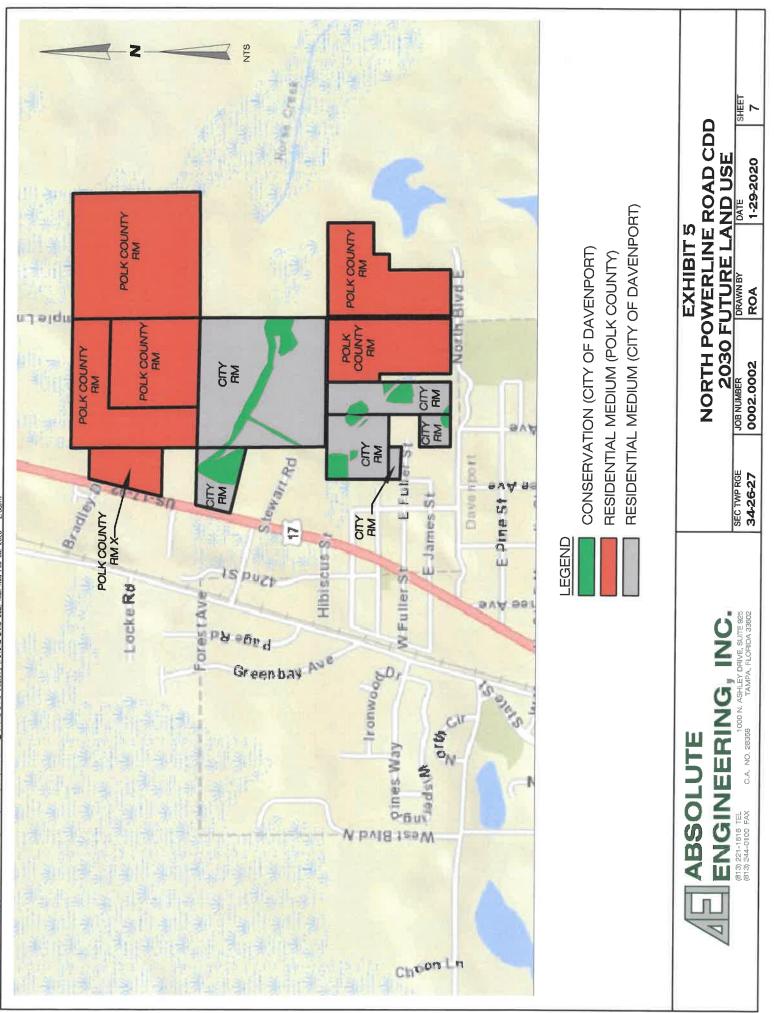
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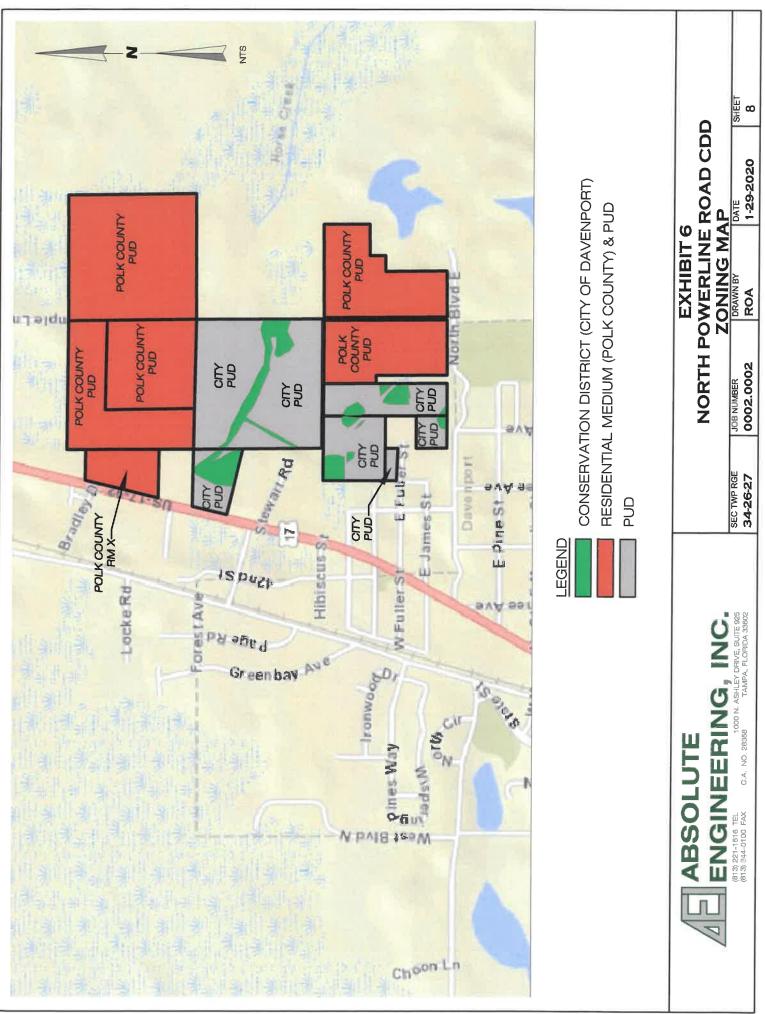
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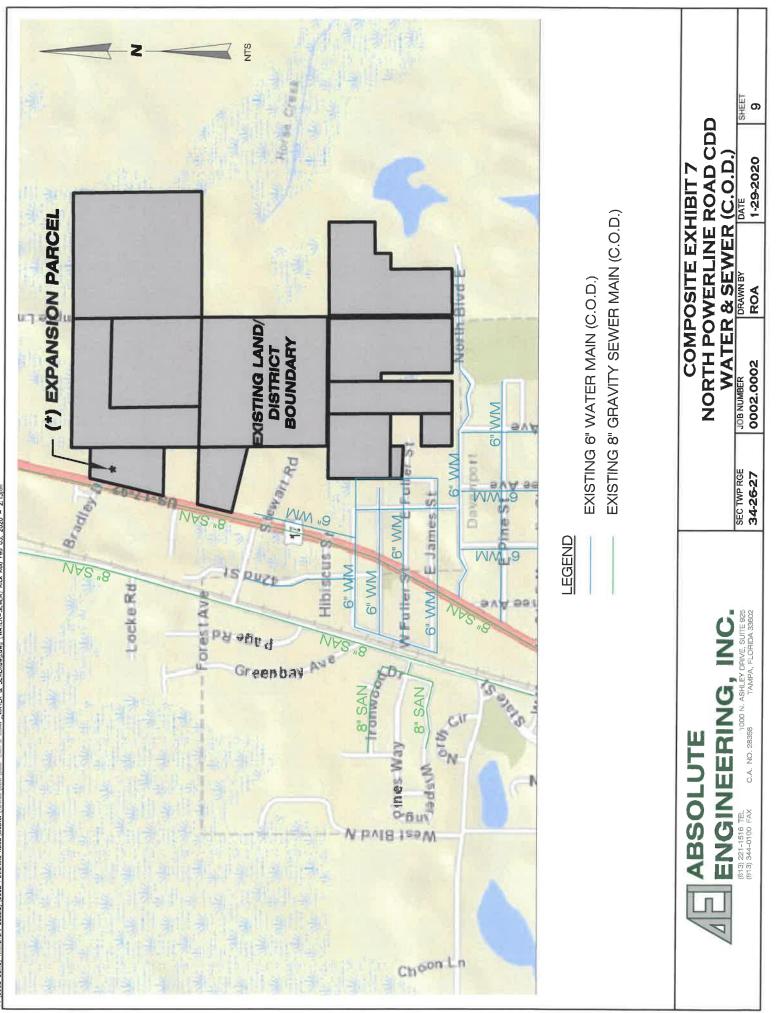
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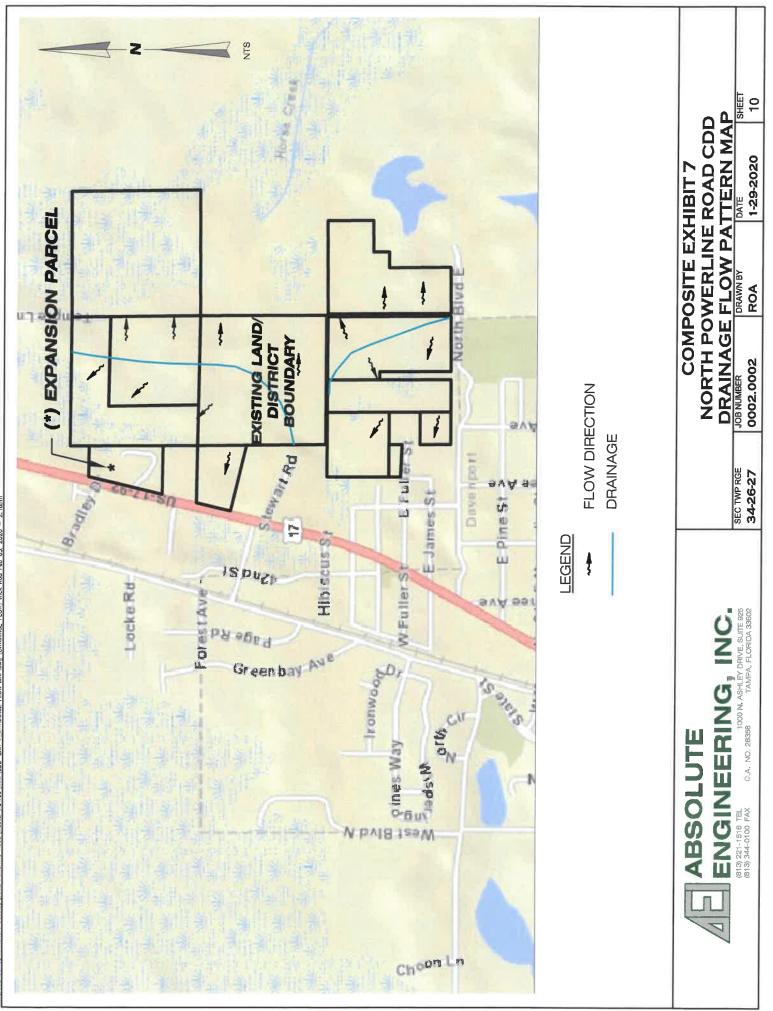
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P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

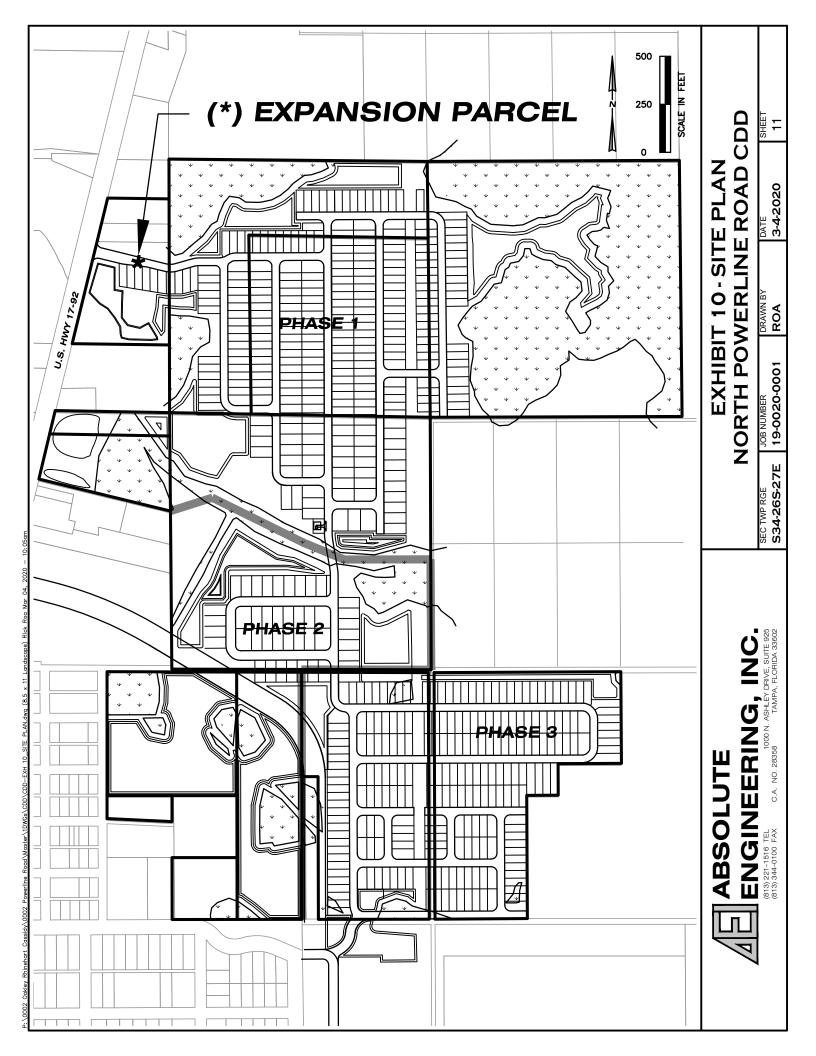
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

<u>Infrastructure</u>	<u>Phase 1</u> <u>Existing Land</u> (289 Lots)	<u>Phase 1</u> <u>Expansion</u> Parcel (6 Lots)	<u>Phase 2 (44</u> <u>Lots)</u>	<u>Phase 3 (228</u> Lots)	<u>Total</u>
	<u>2020-2023</u>	<u>2020-2023</u>	<u>2021-2024</u>	<u>2022-2025</u>	<u>(567 Lots)</u>
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway ⁽¹⁾⁽⁴⁾⁽⁵⁾⁽⁷⁾	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,171
Parks and Amenities ⁽¹⁾⁽⁷⁾⁽¹¹⁾	\$449,923	\$9,341	\$68,500	\$354,956	\$882,720
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	<u>\$103,277</u>	<u>\$535,163</u>	<u>\$1,330,865</u>
TOTAL	\$6,750,125	\$242,217	\$2,129,701	\$5,404,250	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

SECOND SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

SEPTEMBER 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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I.	INTRODUCTION
II.	PURPOSE AND SCOPE
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	Public Roadways
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IX.	CONCLUSION

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- EXHIBIT 1- Location Map
- EXHIBIT 2- Legal Description After Boundary Amendment
- EXHIBIT 3- District Boundary Map
- EXHIBIT 4- Land Use Map
- EXHIBIT 5- Zoning Map
- EXHIBIT 6- Utility Location Map & Drainage Flow Pattern Map
- **EXHIBIT 7- Summary of Proposed District Facilities**
- EXHIBIT 8- Summary of Opinion of Probable Costs
- EXHIBIT 9- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The Second Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The total number of units and infrastructure development cost is unchanged.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 195.95 gross acres, and is expected to be constructed in two (2) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure.

The District was established under County Ordinance No. 18-036, as approved by the County Commission on June 5, 2018, further amended by County Ordinance 20-028. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This supplemental "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Capital Improvement Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the

corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in two (2) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2	228	44		272
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1 and 2. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development). There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion in 2023. Upon completion of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Approval / Expected Date
LDPD-2020-10
43044217.002
LDRES-2019-59
139102-070
C\$53-0232639-046-DWCMR

PHASE 2

Permits / Approvals	Approval / Expected Date		
Zoning Approval	LDPD-2020-10		
Preliminary Plat	City of Davenport Zoning Approval (7/22/20)		
SWFWMD ERP	43044217.004		
Construction Permits	October 2020		
Polk County Health Department Water	October 2020		
FDEP Sewer	October 2020		

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City and County. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

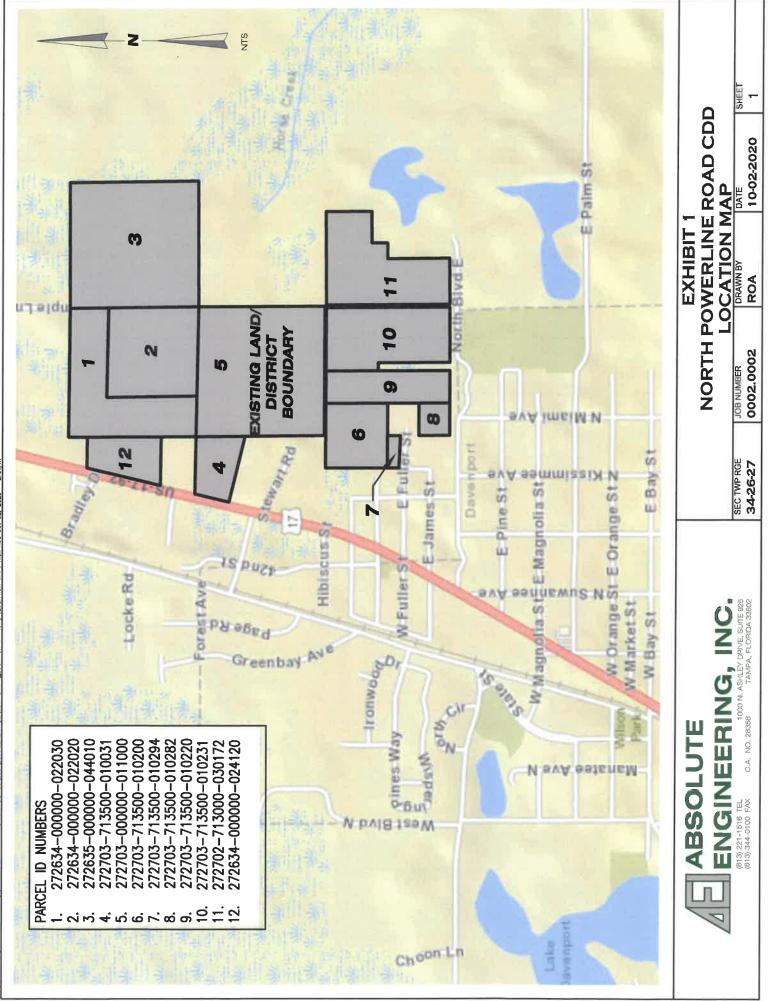
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



0002 Oakley Rhinehert Cassidy 0002 Pewerline Road Waster/DWSs/CDD/SUPPLEMENT //2/CDD-CXH 1_LOCATION MAP, dirg (LOCATION MAP) Rick Roa Oct 02, 2020 - 2:015m

LEGAL DESCRIPTION:

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12°46'30" WEST, 241.4 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.



LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

Rick Rog Oct 02,

AMEND-2.dwg (LEGAL)

DESC

Rood/Master/1DWGs/CDD/SUPPLEMENT #2/CDD-EXH 2_LEGAL

Powerline

Oaktey Rhinehart CassId V 0002

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SAID SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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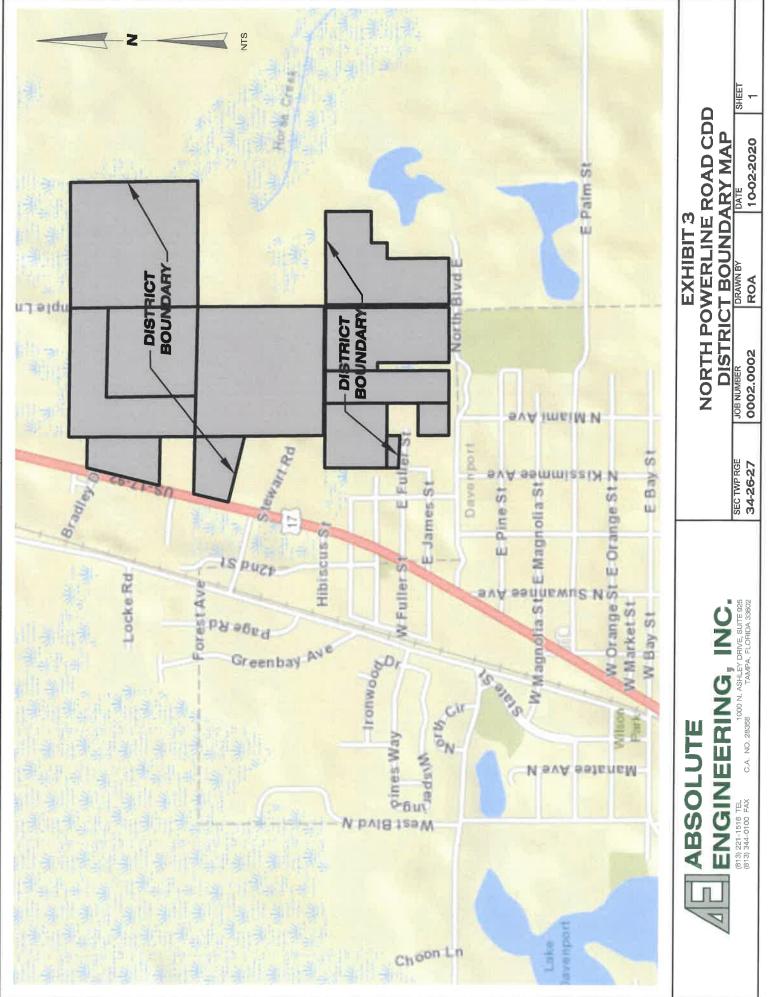
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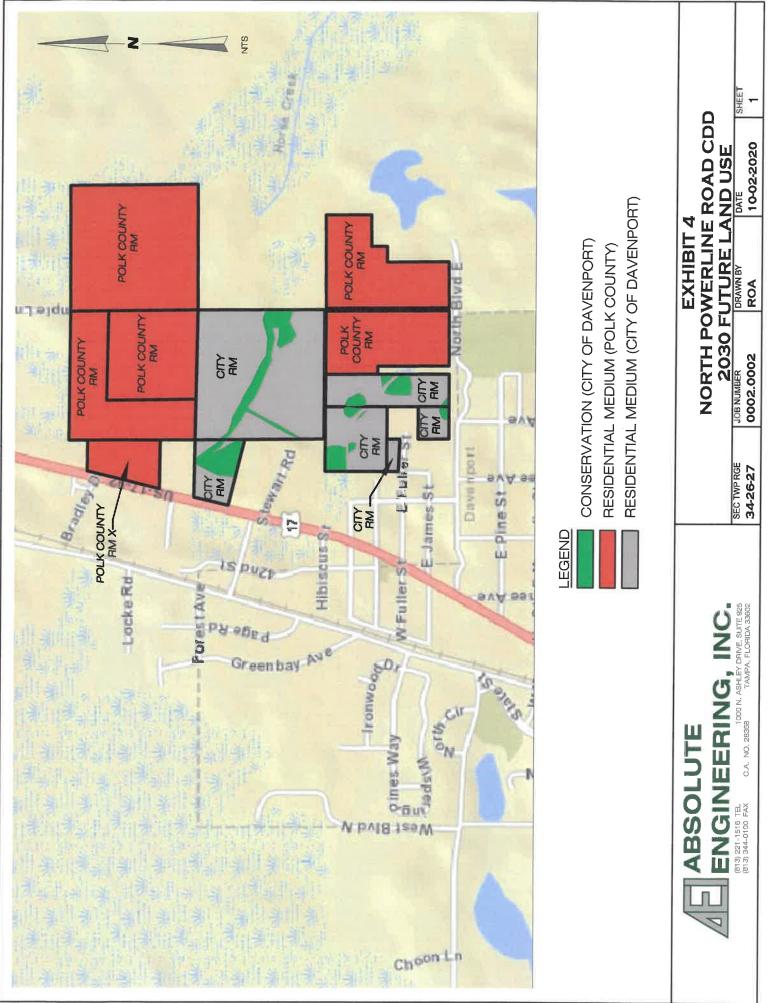
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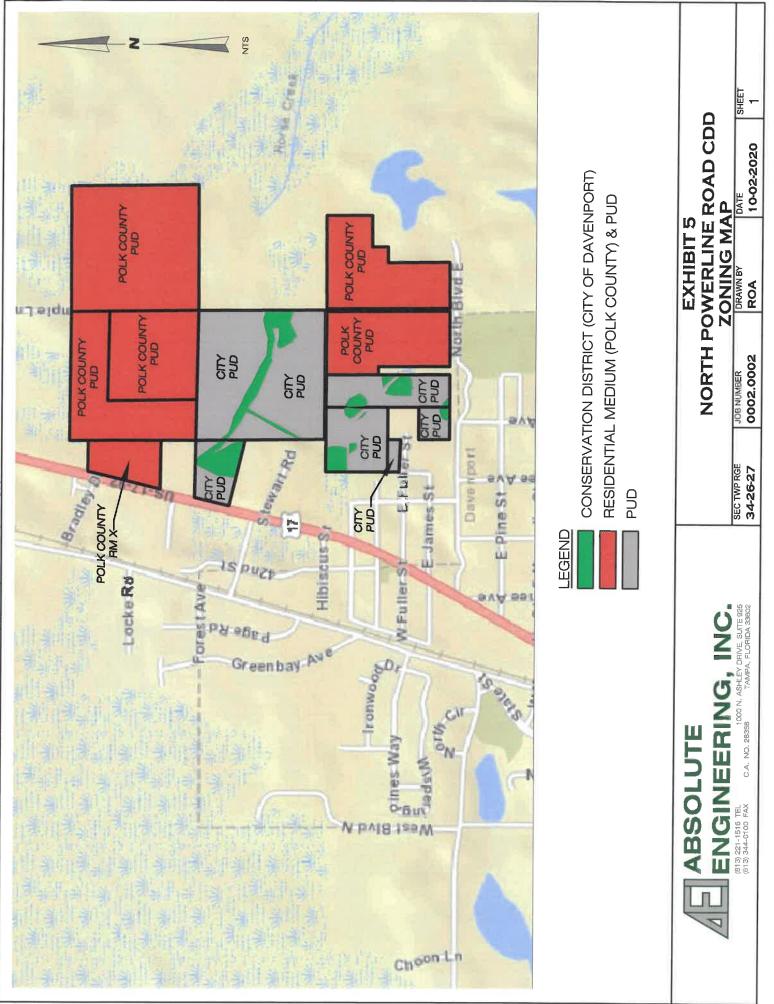
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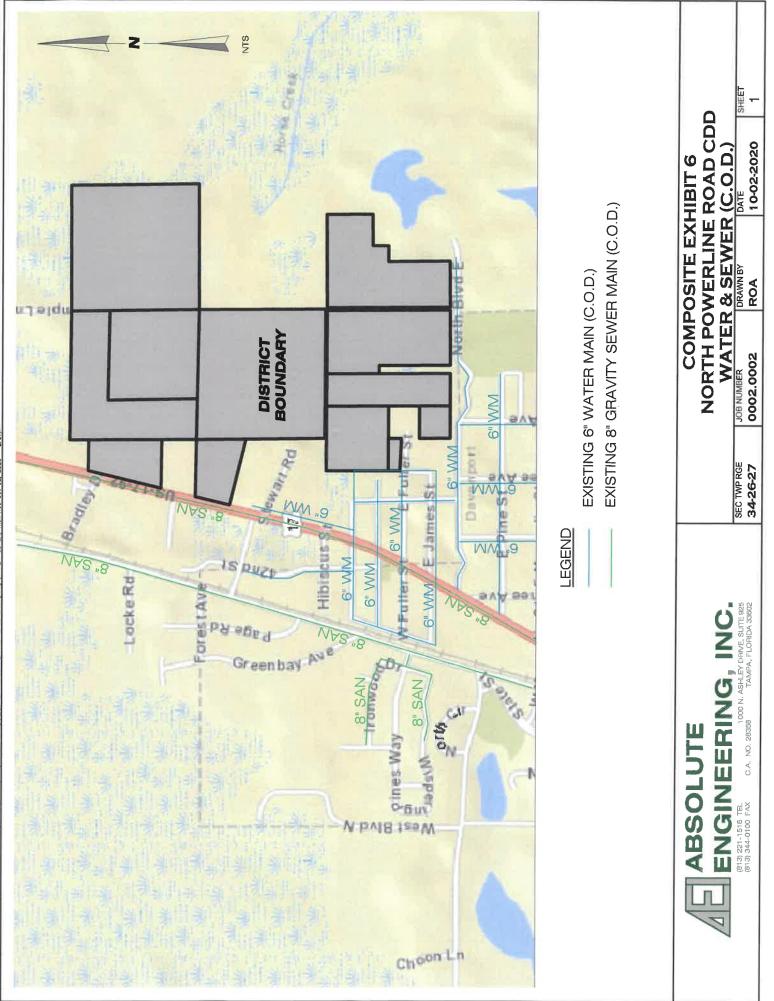
- NOO2 Ooldey Rhimehert Cassidy/OO2 Powerline Road/Master/10WGs/UDM/SUPPLENENT #2/COD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Rea Oct 02, 2020 - 2:05jim



P: 0002 Ookley Rhinehart Cossid/V0002 Powerine Road/Master/IDWOs/CDD/SUPPLEMENT #2/CDD-EXH 4_EUTURE LAND USE dwg (FUTURE LAND USE) Rick Roo Oct 02, 2020 - 2/06



P-20002 Obtey. Rhinehart Cassidy/0002 Powerine Road Master/DWGs/CDD/SUPPLEMENT #2/CDD-EXH 5. ZONING MAP dwg (ZONING MAP) Rick Roa Oct 02. 2020 - 2:070r/



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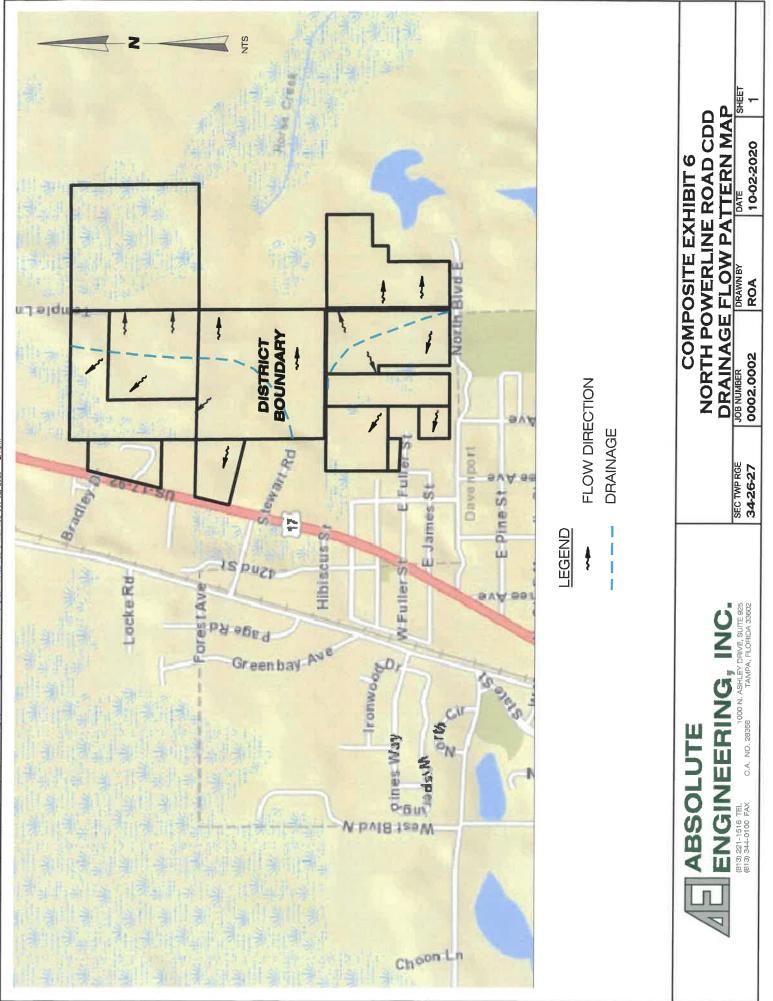


Exhibit 7 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	District**	District Bonds	District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit only

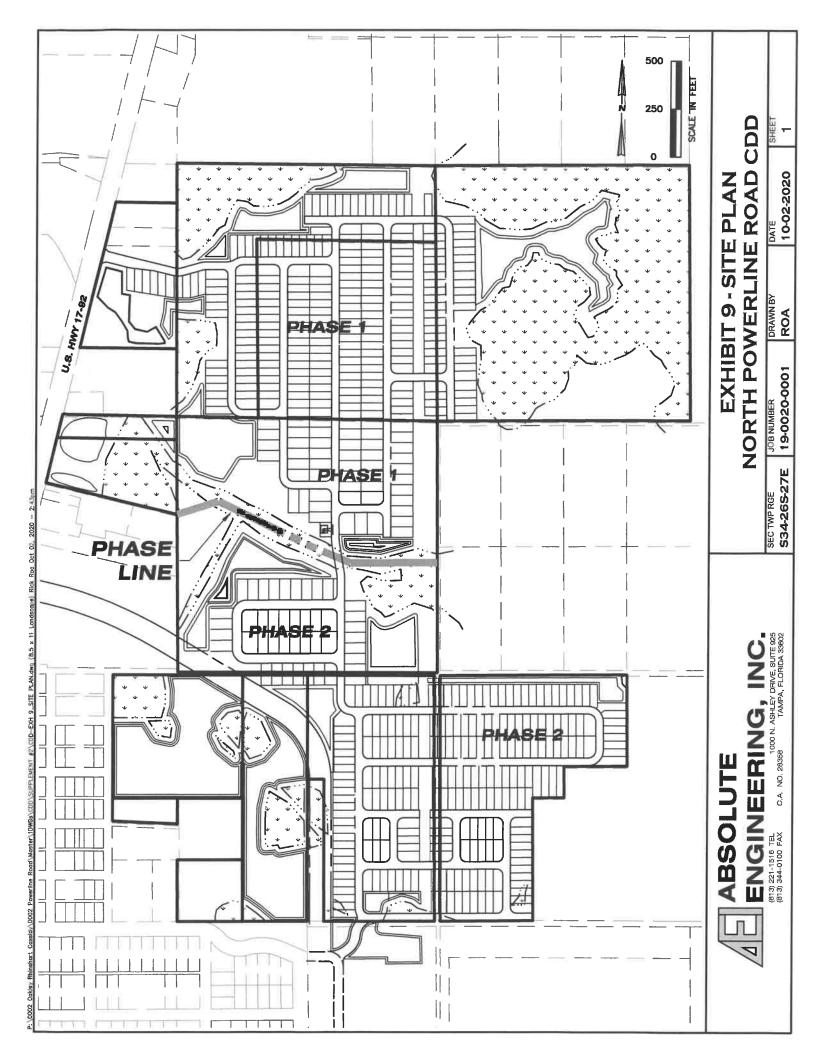
***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 (295 Lots)	Phase 2 (272 Lots)	Total
intrastructure	<u>2020-2023</u>	<u>2020-2023</u>	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,150,467	\$1,060,770	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,936,035	\$1,785,089	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ⁽¹⁾ ⁽⁵⁾⁽⁷⁾ ⁽⁹⁾⁽¹¹⁾	\$1,765,823	\$1,628,148	\$3,393,971
Roadway (1)(4)(5)(7)	\$878,980	\$1,897,225	\$2,776,205
Entry Feature ⁽¹⁾⁽⁷⁾⁽⁸⁾⁹¹¹⁾	\$109,348	\$100,823	\$210,171
Parks and Amenities (1)(7)(11)	\$459,264	\$423,456	\$882,720
Contingency ⁽¹¹⁾	<u>\$692,425</u>	<u>\$638,440</u>	<u>\$1,330,865</u>
TOTAL	\$6,992,342	\$7,533,951	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



Composite Exhibit B:

Exhibit C

Legal Description of Series 2020 Assessment Area

Phase 1 Lands

A parcel of land being a portion of Lots 3 and 4 of the Northeast 1/4 of Section 3, Township 27 South, Range 27 East of the FLORDIA DEVELOPMENT CO. TRACT, according to the Map or plat thereof as recorded in Plat Book 3, Pages 60 through 63; along with an additional portion of the Northeast 1/4 said Section 3; also a portion of the Southwest 1/4 of the Southeast 1/4 of Section 34, Township 26 South, Range 27 East; all of the Southeast 1/4 of the Southeast 1/4 of said Section 34; and all of the Southwest 1/4 of the Southwest 1/4 of Section 35, Township 26 South, Range 27 East; all situated in Polk County, Florida, and being more particularly described as follows:

BEGIN at the Northeast corner of said Section 3; thence along the East line of the Northeast 1/4 of said Section 3, S.00°13'11"E., a distance of 728.38 feet; thence S.85°25'36"W., a distance of 108.11 feet; thence S.85°25'36"W., a distance of 140.07 feet; thence S.87°10'41"W., a distance of 142.32 feet; thence N.76°25'46"W., a distance of 108.80 feet; thence N.09°40'34"W., a distance of 94.27 feet; thence Northerly, 29.91 feet along the arc of a tangent curve to the right having a radius of 180.00 feet and a central angle of 09°31'09" (chord bearing N.04°54'59"W., 29.87 feet); thence N.00°16'07"E., a distance of 14.62 feet; thence S.89°50'35"W., a distance of 40.11 feet; thence S.00°09'25"E., a distance of 14.62 feet; thence Southerly, 36.55 feet along the arc of a tangent curve to the left having a radius of 220.00 feet and a central angle of 09°31'09" (chord bearing S.04°54'59"E., 36.51 feet); thence S.09°40'34"E., a distance of 69.73 feet; thence N.66°31'16"W., a distance of 279.39 feet; thence N.62°49'22"W., a distance of 268.60 feet; thence N.61°11'39"W., a distance of 203.58 feet; thence N.51°43'12"W., a distance of 197.90 feet to the East boundary of aforesaid Lot 4; thence along said East boundary, S.00°41'14"E., a distance of 229.20 feet; thence N.76°15'52"W., a distance of 697.66 feet to the East Right-of-Way line of US Highway 17-92 (also known as State Road 2) as recorded in Deed Book 515, Page 105 of the public records of said county; thence along said East Right of Way line, N.13°44'24"E., a distance of 366.40 feet to the South boundary of the Southeast 1/4 of aforesaid Section 34; thence along said South boundary, S.89°00'46"E., a distance of 584.64 feet to the Southeast corner of aforesaid Southwest 1/4 of the Southeast 1/4 of Section 34; thence along the East boundary of said Southwest 1/4 of the Southeast 1/4, N.00°48'09"E., a distance of 360.00 feet; thence N.89°00'48"W., a distance of 502.02 feet to the East Right of Way line of US Highway 17-92 (also known as State Road 2) as recorded in Deed Book 515, Page 95 of the public records of said county; thence along said East Right of Way line, N.13°44'01"E., a distance of 542.26 feet; thence S.89°00'46"E., a distance of 380.68 feet to said East boundary; thence along said East boundary, N.00°48'09"E., a distance of 420.63 feet to the Northwest corner of the aforesaid Southeast 1/4 of the Southeast 1/4 of Section 34; thence along the North boundary of said Southeast 1/4 of the Southeast 1/4, S.89°56'45"E., a distance of 1334.04 feet to the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of said Section 35; thence along the North boundary of said Southwest 1/4 of the Southwest 1/4, N.89°46'08"E., a distance of 1312.59 feet to the Northeast corner of said Southwest 1/4 of the Southwest 1/4; thence along the East boundary of said Southwest 1/4 of the Southwest 1/4, S.00°37'26"E., a distance of 1333.53 feet to the Southeast corner of said Southwest 1/4 of the Southwest 1/4; thence along the South boundary of said Southwest 1/4 of the Southwest 1/4, S.89°47'25"W., a distance of 1311.10 feet to the POINT OF BEGINNING.

Phase 2 Lands

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14° WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES

DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED AS FOLLOWS: BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14° 18' 34″, WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

PARCEL 20: (272703-713500-010232)

SOUTH 100 FEET OF WEST 84.74 FEET OF TRACT 23, SOUTH 15 FEET OF TRACT 25 AND SOUTH 15' OF E ¾ OF TRACT 26 AND W ¼ OF TRACT 26 AND SOUTH 15 FEET OF TRACT 27, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO PLAT THEREOF AND RECORDED IN PLAT BOOK 3 PAGES 60 THROUGH 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

Exhibit D: Maturities and Coupons of Series 2020 Bonds Exhibit E: Sources and Uses of Funds for Series 2020 Bonds Exhibit F: Annual Debt Service Payment Due on Series 2020 Bonds

SECTION A

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

Roy Van Wyk, Esq. HOPPING GREEN & SAMS, PA 119 South Monroe Street, Suite 300 Tallahassee, Florida 32301

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT NOTICE OF LIEN OF SPECIAL ASSESSMENTS FOR SPECIAL ASSESSMENT BONDS, SERIES 2020

PLEASE TAKE NOTICE that the Board of Supervisors of the North Powerline Road Community Development District (the "District") in accordance with Chapters 170, 190, and 197, Florida Statutes, adopted Resolutions Nos. 2018-23, 2018-24, 2018-32, 2020-04, 2020-05, 2020-08, 2020-11, 2020-12, 2020-15 and 2021-04 (the "Assessment Resolutions"), confirming and certifying the lien of non ad-valorem special assessments on certain real property located within the boundaries of the District that will be specially benefitted by the Series 2020 Project which described as Phase 1 and Phase 2 in such Assessment Resolutions. Said assessments are pledged to secure the North Powerline Road Community Development District Special Assessment Bonds, Series 2020 ("Series 2020 Bonds"). The legal description of the lands on which said special assessments are imposed is attached to this Notice ("Notice"), as Exhibit A. The special assessments are imposed on benefitted property within the District as described in the Master Assessment Methodology, dated February 5, 2020 (the "Master Report"), as supplemented by that Supplemental Assessment Methodology, dated , 2020 (the "Supplemental Report" and together with Master Report, the "Assessment Report"), approved by the District. A copy of the Assessment Report and the Assessment Resolutions may

be obtained by contacting the District at: North Powerline Road Community Development District, c/o Governmental Management Services – Central Florida, LLC, 219 East Livingston

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Street, Orlando, Florida 32801; Ph: (407) 841-5524. The non ad-valorem special assessments provided for in the Assessment Resolutions were legally and validly determined and levied in accordance with all applicable requirements of Florida law, and these non-ad valorem special assessments constitute and will at all relevant times in the future constitute, legal, valid, and binding first liens on the land against which assessed until paid, coequal with the lien of all state, county, district, and municipal taxes, and superior in dignity to all other liens, titles, and claims. The District may collect assessments on any of the lands described in the attached **Exhibit A** by any method authorized by law, which method may change from year to year.

The District is a special-purpose form of local government established pursuant to and governed by Chapter 190, *Florida Statutes*. Pursuant to Section 190.048, *Florida Statutes*, you are hereby notified that: THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY LAW.

THE LIEN FOR THE SPECIAL ASSESSMENTS IS STATUTORY AND NO FILING IS NECESSARY IN ORDER TO PERFECT OR PROVIDE RECORD NOTICE THEREOF. THIS NOTICE IS FOR INFORMATION PURPOSES. IN ADDITION TO THE MINUTES, RECORDS AND OTHER MATERIAL OF THE DISTRICT AVAILABLE FROM THE DISTRICT, THIS ALSO CONSTITUTES A LIEN OF

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RECORD FOR PURPOSES OF SECTION 197.573 OF THE FLORIDA STATUTES AND ALL OTHER APPLICABLE PROVISIONS OF THE FLORIDA STATUTES AND ANY OTHER APPLICABLE LAW.

IN WITNESS WHEREOF, this Notice has been executed and effective as of the 25th

day of November, 2020, and recorded in the Official Records of Polk County, Florida.

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Warren K. (Rennie) Heath, II Chairperson, Board of Supervisors

Witness

Witness

Print Name

Print Name

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization, this _____ day of November, 2020, by Warren K. (Rennie) Heath, II, as Chairperson of the Board of Supervisors for the North Powerline Road Community Development District.

	(Official Notary Signature)
Name:	
Personal	ly Known
OR Prod	luced Identification
Type of 1	Identification

[notary seal]

EXHIBIT A - LEGAL DESCRIPTION OF SERIES 2020 ASSESSMENT AREA

Phase 1 Lands

A parcel of land being a portion of Lots 3 and 4 of the Northeast 1/4 of Section 3, Township 27 South, Range 27 East of the FLORDIA DEVELOPMENT CO. TRACT, according to the Map or plat thereof as recorded in Plat Book 3, Pages 60 through 63; along with an additional portion of the Northeast 1/4 said Section 3; also a portion of the Southwest 1/4 of the Southeast 1/4 of Section 34, Township 26 South, Range 27 East; all of the Southeast 1/4 of the Southeast 1/4 of said Section 34; and all of the Southwest 1/4 of the Southwest 1/4 of Section 35, Township 26 South, Range 27 East; all situated in Polk County, Florida, and being more particularly described as follows:

BEGIN at the Northeast corner of said Section 3; thence along the East line of the Northeast 1/4 of said Section 3, S.00°13'11"E., a distance of 728.38 feet; thence S.85°25'36"W., a distance of 108.11 feet; thence S.85°25'36"W., a distance of 140.07 feet; thence S.87°10'41"W., a distance of 142.32 feet; thence N.76°25'46"W., a distance of 108.80 feet; thence N.09°40'34"W., a distance of 94.27 feet; thence Northerly, 29.91 feet along the arc of a tangent curve to the right having a radius of 180.00 feet and a central angle of 09°31'09" (chord bearing N.04°54'59"W., 29.87 feet); thence N.00°16'07"E., a distance of 14.62 feet; thence S.89°50'35"W., a distance of 40.11 feet; thence S.00°09'25"E., a distance of 14.62 feet; thence Southerly, 36.55 feet along the arc of a tangent curve to the left having a radius of 220.00 feet and a central angle of 09°31'09" (chord bearing S.04°54'59"E., 36.51 feet); thence S.09°40'34"E., a distance of 69.73 feet; thence N.66°31'16"W., a distance of 279.39 feet; thence N.62°49'22"W., a distance of 268.60 feet; thence N.61°11'39"W., a distance of 203.58 feet; thence N.51°43'12"W., a distance of 197.90 feet to the East boundary of aforesaid Lot 4; thence along said East boundary, S.00°41'14"E., a distance of 229.20 feet; thence N.76°15'52"W., a distance of 697.66 feet to the East Right-of-Way line of US Highway 17-92 (also known as State Road 2) as recorded in Deed Book 515, Page 105 of the public records of said county; thence along said East Right of Way line, N.13°44'24"E., a distance of 366.40 feet to the South boundary of the Southeast 1/4 of aforesaid Section 34; thence along said South boundary, S.89°00'46"E., a distance of 584.64 feet to the Southeast corner of aforesaid Southwest 1/4 of the Southeast 1/4 of Section 34; thence along the East boundary of said Southwest 1/4 of the Southeast 1/4, N.00°48'09"E., a distance of 360.00 feet; thence N.89°00'48"W., a distance of 502.02 feet to the East Right of Way line of US Highway 17-92 (also known as State Road 2) as recorded in Deed Book 515, Page 95 of the public records of said county; thence along said East Right of Way line, N.13°44'01"E., a distance of 542.26 feet; thence S.89°00'46"E., a distance of 380.68 feet to said East boundary; thence along said East boundary, N.00°48'09"E., a distance of 420.63 feet to the Northwest corner of the aforesaid Southeast 1/4 of the Southeast 1/4 of Section 34; thence along the North boundary of said Southeast 1/4 of the Southeast 1/4, S.89°56'45"E., a distance of 1334.04 feet to the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of said Section 35; thence along the North boundary of said Southwest 1/4 of the Southwest 1/4, N.89°46'08"E., a distance of 1312.59 feet to the Northeast corner of said Southwest 1/4 of the Southwest 1/4; thence along the East boundary of said Southwest 1/4 of the Southwest 1/4, S.00°37'26"E., a distance of 1333.53 feet to the Southeast corner of said Southwest 1/4 of the Southwest 1/4; thence along the South boundary of said Southwest 1/4 of the Southwest 1/4, S.89°47'25"W., a distance of 1311.10 feet to the POINT OF BEGINNING.

Phase 2 Lands

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12º46'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14° WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES

DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED AS FOLLOWS: BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14° 18' 34″, WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

PARCEL 20: (272703-713500-010232)

SOUTH 100 FEET OF WEST 84.74 FEET OF TRACT 23, SOUTH 15 FEET OF TRACT 25 AND SOUTH 15' OF E ¾ OF TRACT 26 AND W ¼ OF TRACT 26 AND SOUTH 15 FEET OF TRACT 27, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO PLAT THEREOF AND RECORDED IN PLAT BOOK 3 PAGES 60 THROUGH 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

SECTION VI

SECTION A

SECTION 1

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

Roy Van Wyk, Esq. HOPPING GREEN & SAMS, P.A. Post Office Box 6526 Tallahassee, Florida 32314

DECLARATION OF CONSENT TO JURISDICTION OF NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND TO IMPOSITION OF SPECIAL ASSESSMENTS

(SERIES 2020 SPECIAL ASSESSMENTS - PHASE 1)

JMBI REAL ESTATE, LLC, a Florida limited liability company (the "Landowner"), is the owner of those lands as more particularly described in **Exhibit A** attached hereto (the "Property," a portion of which is owned by the Landowner and is also known as "Phase 1"), located within the boundaries of the North Powerline Road Community Development District (the "District"). The Landowner, intending that it and its successors in interest and assigns shall be legally bound by this Declaration, hereby declares, acknowledges and agrees as follows:

The District is, and has been at all times, on and after June 5, 2018, a legally 1. created, duly organized, and validly existing community development district under the provisions of Chapter 190, Florida Statutes, as amended (the "Act"). Without limiting the generality of the foregoing, the Landowner acknowledges that: (a) the petition filed with the Board of County Commissioners in and for Polk County, Florida ("County"), relating to the creation of the District contained all matters required by the Act to be contained therein and was filed in the manner and by the persons required by the Act; (b) Ordinance 18-036, effective as of June 5, 2018, was duly and properly adopted by the County in compliance with all applicable requirements of law, approved and consented to by the City Commission of the City of Davenport, Florida by Resolution 387-18 adopted on March 19, 2018; Ordinance 20-2018, effective as of June 16, 2020, was duly and properly adopted by the County in compliance with all applicable requirements of law; (d) the members of the Board of Supervisors of the District were and are duly and properly designated and/or elected pursuant to the Act to serve in their official capacities and had the authority and right to authorize, approve and undertake all actions of the District approved and undertaken from June 5, 2018, to and including the date of this Declaration.

2. The Landowner, for itself and its heirs, successors and assigns, hereby confirms and agrees, that the debt special assessments (the "Series 2020 Special Assessments") imposed by, but not limited to, Resolutions Nos. 2018-23, 2018-24, 2018-32, 2020-04, 2020-05, 2020-08, 2020-11, 2020-12, 2020-15 and 2020-____ (collectively, the "Assessment Resolutions"), have been duly adopted by the Board of Supervisors of the District (the "Board"), and all proceedings

undertaken by the District with respect thereto have been in accordance with applicable Florida law (including but not limited to Executive Order 20-69, dated March 20, 2020, issued by Governor Ron DeSantis, as amended, extended and supplemented), that the District has taken all action necessary to levy and impose the Series 2020 Special Assessments, and the Series 2020 Special Assessments are legal, valid and binding first liens upon Existing District Lands co-equal with the lien of all state, county, city, district and municipal taxes, superior in dignity to all other liens, titles and claims, until paid.

3. The Landowner, for itself and its heirs, successors and assigns, hereby waives the right granted in Chapter 170.09, *Florida Statutes*, to prepay the Series 2020 Special Assessments or any Future Special Assessments without interest within thirty (30) days after the improvements are completed, in consideration of the rights granted by the District to prepay the Series 2020 Special Assessments or any Future Special Assessments in full at any time, or in part one time, but with interest, under the circumstances set forth in the Assessment Resolutions of the District levying the Series 2020 Special Assessments.

4. The Landowner hereby expressly acknowledges, represents and agrees that (i) the Series 2020 Special Assessments, the Assessment Resolutions, and the terms of the financing documents related to the District's issuance of the North Powerline Road Community Development District Special Assessment Bonds, Series 2020, in the principal amount of (the "Series 2020 Bonds"), or securing payment thereof and all other \$ documents and certifications relating to the issuance of the Series 2020 Bonds (the "Financing Documents"), are valid and binding obligations enforceable in accordance with their terms; (ii) there are no claims or offsets whatsoever against, or defenses or counterclaims whatsoever to, payments of the Series 2020 Special Assessments or claims of invalidity, deficiency or unenforceability of the Series 2020 Special Assessments and Financing Documents (and the Landowner hereby expressly waives any such claims, offsets, defenses or counterclaims); (iii) the Landowner expressly waives and relinquishes any argument, claim or defense that foreclosure proceedings cannot be commenced until one (1) year after the date of the Landowner's default in the payment of any installment of an assessment and agrees that, immediate use of remedies in Chapter 170, Florida Statutes, is an appropriate and available remedy, notwithstanding the provisions of Section 190.026, Florida Statutes; and (iv) to the extent Landowner fails to timely pay any Series 2020 Special Assessments collected by mailed notice of the District, such unpaid Series 2020 Special Assessments and future Series 2020 Special Assessments may be placed on the tax roll by the District for collection by the Tax Collector pursuant to Section 197.3632, Florida Statutes, in any subsequent year; and (v) any and all rights to challenge the validity of: (a) Executive Order 20-69 dated March 20, 2020, issued by Governor Ron DeSantis, as amended, extended and supplemented ("Executive Order") and (b) any argument, claim or defense resulting from any defect or omission of any and all District notices, meetings, workshops, public hearings and other proceedings in relation to the Series 2020 Special Assessments or the Series 2020 Bonds that were conducted on or prior to the date hereof whether pursuant to Florida law or any waiver of Florida law granted in said Executive Order, including any extensions thereof.

5. This Declaration shall represent a lien of record for purposes of Chapter 197, *Florida Statutes,* including, without limitation, Section 197.573, *Florida Statutes.* Other information regarding the Series 2020 Special Assessments is available from the District

Manager (Governmental Management Services – Central Florida, LLC), 219 East Livingston Street, Orlando, Florida 32801.

THE DECLARATIONS, ACKNOWLEDGEMENTS AND AGREEMENTS CONTAINED HEREIN SHALL BE BINDING ON THE LANDOWNER AND ON ALL PERSONS (INCLUDING CORPORATIONS, ASSOCIATIONS, TRUSTS AND OTHER LEGAL ENTITIES) TAKING TITLE TO ALL OR ANY PART OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST, WHETHER OR NOT THE PROPERTY IS PLATTED AT SUCH TIME. BY TAKING SUCH TITLE, SUCH PERSONS SHALL BE DEEMED TO HAVE CONSENTED AND AGREED TO THE PROVISIONS OF THIS DECLARATION TO THE SAME EXTENT AS IF THEY HAD EXECUTED IT AND BY TAKING SUCH TITLE, SUCH PERSONS SHALL BE ESTOPPED FROM CONTESTING, IN COURT OR OTHERWISE, THE VALIDITY, LEGALITY AND ENFORCEABILITY OF THIS DECLARATION.

[Signature page to follow]

EFFECTIVE THIS _____ day of _____, 2020.

IN WITNESS WHEREOF, Landowner and the District have caused this Declaration to be executed and delivered on the day and year first written above.

WITNESSES:

JMBI REAL ESTATE, LLC,

a Florida limited liability company

Warren K. (Rennie) Heath II, Manager

[Print Name]

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me \Box physical presence or \Box online notarization this _____ day of _____, 2020, by Warren K. "Rennie" Heath II, as Manager of JMBI Real Estate, LLC.

(Official Notary Signature & Seal)		
Name:		
Personally Known		
OR Produced Identification		
Type of Identification		

EXHIBIT A

[Phase 1 legal description to be inserted]

SECTION 2

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

Roy Van Wyk, Esq. Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Tallahassee, Florida 32301

AGREEMENT BETWEEN THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND JMBI REAL ESTATE, LLC REGARDING TRUE-UP AS TO SERIES 2020 SPECIAL ASSESSMENTS

(SERIES 2020 – PHASE 1)

THIS TRUE-UP AGREEMENT ("Agreement") is made and entered into this _____ day of , 2020, by and between (collectively, the "Parties"):

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

JMBI REAL ESTATE, LLC, a Florida limited liability company, an owner and developer of certain lands within the District, with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner", and together with the District, the "Parties").

RECITALS

WHEREAS, the District was established by an ordinance adopted by the Board of County Commissioners in and for Polk County, Florida, as approved and consented to by the Board of City Commissioners of City of Davenport, Florida, pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (the "Act"), and is validly existing under the Constitution and laws of the State of Florida; and

WHEREAS, the District, pursuant to the Act, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 1 in the Engineer's Report, defined herein, and more particularly described in **Exhibit A** attached hereto ("Landowner Lands"). Landowner Lands are a portion of the benefited lands in the Series 2020 Assessment Area (described in **Exhibit B** attached hereto), which will be subject to the proposed issuance of the Series 2020 Bonds, defined herein; and

WHEREAS, the District has adopted an improvement plan to finance the planning, design, acquisition, construction, and installation of certain infrastructure improvements, facilities, and services ("Improvements") as more particularly described in the *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvement*, dated *Engineer's Report for Capital Improvement*, dated *Engineer's Report for Capital Improvements*, dated September 2020 (collectively, the "Engineer's Report"), for the Improvements associated with development of Phase 1 and Phase 2 (the "Series 2020 Project"), attached to this Agreement as **Composite Exhibit C** and the estimated costs of the Improvements related to Series 2020 Project are identified therein; and

WHEREAS, the District intends to finance a portion of the Series 2020 Project, through the anticipated issuance of its North Powerline Road Community Development District Special Assessment Bonds, Series 2020, in the principal amount of \$_____ (the "Series 2020 Bonds"); and

WHEREAS, pursuant to Resolutions 2018-23, 2018-24, 2018-32, 2020-04, 2020-05, 2020-08, 2020-11, 2020-12, 2020-15 and 2020-____ (the "Assessment Resolutions"), the District imposed special assessments on the Series 2020 Assessment Area (the "Series 2020 Special Assessments") within the District to secure the repayment of a portion of the Series 2020 Bonds; and

WHEREAS, Landowner agrees that all developable lands within Series 2020 Assessment Area, including the Landowner Lands, benefit from the timely design, construction, or acquisition of the Series 2020 Project; and

WHEREAS, Landowner agrees that the Series 2020 Special Assessments which were imposed on Series 2020 Assessment Area within the District, have been validly imposed and constitute valid, legal and binding liens upon Series 2020 Assessment Area, which Series 2020 Special Assessments remain unsatisfied; and

WHEREAS, to the extent permitted by law, Landowner waives any defect in notice or publication or in the proceedings to levy, impose and collect the Series 2020 Special Assessments on Series 2020 Assessment Area within the District; and

WHEREAS, the *Master Assessment Methodology*, dated February 5, 2020, as supplemented by that *Supplemental Assessment Methodology*, dated _______, 2020 (together, the "Assessment Report"), provides that as Series 2020 Assessment Area is platted or re-platted, the allocation of the amounts assessed to and constituting a lien upon Series 2020 Assessment Area within the District would be allocated and calculated based upon certain density assumptions relating to the number of each type of single-family units to be constructed on the Series 2020 Assessment Area within the District, which assumptions were provided by Landowner; and

WHEREAS, Landowner intends that the Series 2020 Assessment Area will be platted, planned and developed based on then-existing market conditions, and the actual densities developed may be at some density less than the densities assumed in the District's Assessment Report; and

WHEREAS, the District's Assessment Report anticipates a mechanism by which Landowner shall, if required, make certain payments to the District in order to satisfy, in whole or in part, the assessments allocated and the liens imposed pursuant to the Assessment Resolutions, the amount of such payments being determined generally by a calculation of the remaining unallocated debt prior to the recording of any plat or site plan for a parcel or tract, as described in the District's Assessment Report (which payments shall collectively be referenced as the "True-Up Payment"); and

WHEREAS, Landowner and the District desire to enter into an agreement to confirm Landowner's intention and obligation, if required, to make the True-Up Payment related to the Series 2020 Special Assessments, subject to the terms and conditions contained herein.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

SECTION 1. RECITALS. The recitals stated above are true and correct and by this reference are incorporated into and form a material part of this Agreement.

SECTION 2. COVENANTS.

(A) The provisions of this Agreement shall constitute a covenant running with the Series 2020 Assessment Area, which lands are described herein in **Exhibits A and B**, and shall remain in full force and effect and be binding upon Landowner, its heirs, legal representatives, estates, successors, grantees, and assigns until released pursuant to the terms herein.

(B) Landowner agrees that to the extent Landowner fails to timely pay all Series 2020 Special Assessments collected by mailed notice of the District, said unpaid Series 2020 Special Assessments (including True-Up Payments), may be placed on the tax roll by the District for collection by the Tax Collector pursuant to section 197.3632, *Florida Statutes*, in any subsequent year.

SECTION 3. SPECIAL ASSESSMENT REALLOCATION.

(A) Assumptions as to the Series 2020 Special Assessments. As of the date of the execution of this Agreement, Landowner has informed the District that Landowner intends to plat the Phase 1 of the Series 2020 Assessment Area into a total of 295 single family lots or ______ Equivalent Residential Units ("ERUs").

(B) *Process for Reallocation of Assessments*. The Series 2020 Special Assessments will be reallocated among the Series 2020 Assessment Area as the Series 2020 Assessment Area are platted or re-platted (hereinafter referred to as "plat" or "platted"). In connection with such platting of Phase 1 of the Series 2020 Assessment Area, the Series 2020 Special Assessments imposed on the lands being platted will be allocated based upon the precise number and type of lots within the area being platted. It is intended that all the Series 2020 Special Assessments will be assigned to the 295 lots platted on the Series 2020 Assessment Area. In furtherance thereof, at such time as the Series 2020 Assessment Area are platted, Landowner covenants that such plat or

plats shall be presented to the District. The District shall allocate the Series 2020 Special Assessments to the number of lots being platted and the remaining lands in accordance with the District's Assessment Report and cause such reallocation to be recorded in the District's Improvement Lien Book.

(i) It is or will be an express condition of the liens established by the Assessment Resolutions that any and all plats containing any portion of the Series 2020 Assessment Area owned by Landowner shall be presented to the District for review and allocation of the Series 2020 Special Assessments to the lots being platted and the remaining Series 2020 Assessment Area in accordance with the Assessment Report ("Reallocation"). Landowner covenants to comply with this requirement for the Reallocation. The District agrees that no further action by the Board of Supervisors shall be required. The District's review of the plats shall be limited solely to the Reallocation of Series 2020 Special Assessments and enforcement of the District's assessment liens. Nothing herein shall in any way operate to or be construed as providing any other plat and plan approval or disapproval powers to the District.

(ii) The purpose of the True-Up calculation is to ensure that the bond debt will be able to be assigned to at least ______ ERUs within Phase 1. Thus, at the time of platting of any portion of the Series 2020 Assessment Area affecting Phase 1, or any replatting thereof, there must be at least ______ ERUs assigned within Phase 1 of the Series 2020 Assessment Area to assign the bond debt to. If not, subject to subsection (v) below, the District would require a True-Up Payment from Landowner or the person or entity seeking to file such plat in an amount sufficient to reduce the remaining bond debt to the actual number of ERUs assigned to platted lots as set forth in the Assessment Report.

(iii) The True-Up calculation shall be performed at the time any portion of the Series 2020 Assessment Area is platted.

If at the time the True-Up calculation is performed, it is determined that less (iv) ERUs are assigned to Phase 1 of the Series 2020 Assessment Area, a Truethan Up Payment shall become due and payable by Landowner. Any such True-Up Payment determined to be due by Landowner shall be paid in full prior to approval of the plat. Such True-Up Payment shall be in addition to the Series 2020 Special Assessment installment payable for Series 2020 Assessment Area owned by Landowner. The District will take all necessary steps to ensure that True-Up Payments are made in a timely fashion to ensure its debt service obligations are met, and in all cases, Landowner agrees that such payments shall be made in order to ensure the District's timely payment of the debt service obligations on the Series 2020 Bonds. The District shall record all True-Up Payments in its Improvement Lien book. If such True-Up Payment is made at least 45 days prior to an interest payment date on the Series 2020 Bonds, Landowner shall include accrued interest as part of the True-Up Payment to such interest payment date. If such True-Up Payment becomes due within 45 days of the next interest payment date, accrued interest shall be calculated to the next succeeding interest payment date.

(v) The foregoing is based on the District's understanding with Landowner that at least ______ ERUs will be assigned Phase 1 of the Series 2020 Assessment Area as identified in the Assessment Report and Engineer's Report. However, the District agrees

that nothing herein prohibits more or less than the anticipated number of ERUs to be assigned to the Series 2020 Assessment Area. In the event Landowner plats less than all the Series 2020 Assessment Area, the Landowner may either make a True-Up Payment or leave unassigned Series 2020 Special Assessments on un-platted Series 2020 Assessment Area provided the maximum debt allocation per developable acre as set forth in the Assessment Resolution is not exceeded. In no event shall the District collect Series 2020 Special Assessments pursuant to the Assessment Resolutions in excess of the total debt service related to the Series 2020 Project, including all costs of financing and interest. The District, however, may collect Series 2020 Special Assessments in excess of the annual debt service related to the Series 2020 Project, including all costs of financing and interest, which shall be applied to prepay the Series 2020 Bonds. If the strict application of the True-Up methodology to any Reallocation for any plat pursuant to this paragraph would result in Series 2020 Special Assessments collected in excess of the District's total debt service obligation for the Series 2020 Project, the District agrees to take appropriate action by resolution to equitably Reallocate the assessments.

SECTION 4. ENFORCEMENT. This Agreement is intended to be an additional method of enforcement of Landowner's obligation to pay the Series 2020 Special Assessments and to abide by the requirements of the Reallocation of Series 2020 Special Assessments, including the making of the True-Up Payment, if any, as set forth in the Assessment Resolutions. A default by any Party under this Agreement shall entitle any other Party to all remedies available at law or in equity, but excluding special, consequential or punitive damages.

SECTION 5. RECOVERY OF COSTS AND FEES. In the event any Party is required to enforce this Agreement by court proceedings or otherwise, then the substantially prevailing party, as determined by the applicable court or other dispute resolution provider, shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees and costs incurred prior to or during any litigation or other dispute resolution and including all fees and costs incurred in appellate proceedings.

SECTION 6. NOTICE. All notices, requests, consents and other communications hereunder ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, by overnight delivery service, or electronic or hand delivered to the Parties, as follows:

(A)	If to the District:	North Powerline Road Community Development District 219 East Livingston Street Orlando, Florida 32801 Attn: District Manager
	With a copy to:	Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Post Office Box 6526 Tallahassee, Florida 32314 Attn: Roy Van Wyk
(B)	If to Landowner:	JMBI Real Estate, LLC

	346 East Central Avenue Winter Haven, Florida 33880 Attn: Warren K. "Rennie" Heath II
With a copy to:	Straughn & Turner, P.A. 255 Magnolia Avenue SW Winter Haven, Florida 33880 Attn: Richard E. Straughn

Except as otherwise provided herein, any Notice shall be deemed received only upon actual delivery at the address or telecopy number set forth herein. If mailed as provided above, Notices shall be deemed delivered on the third business day unless actually received earlier. Notices hand delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the Parties may deliver Notice on behalf of the Parties. Any Party or other person to whom Notices are to be sent or copied may notify the other Parties and addressees of any change in name, address or telecopy number to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addressees set forth herein.

Notwithstanding the foregoing, to the extent Florida law requires notice to enforce the collection of any assessments placed on Series 2020 Assessment Area by the District, then the provision of such notice shall be in lieu of any additional notice required by this Agreement.

SECTION 7. ASSIGNMENT.

(A) Landowner may not assign its duties or obligations under this Agreement except in accordance with the terms of this Section 7(C) below. This Agreement shall constitute a covenant running with title to all or any portion of the Series 2020 Assessment Area, binding upon Landowner and its successors and assigns including, without limitation, any purchaser and its successors and assigns as to Series 2020 Assessment Area or portions thereof, and any transferee of any portion of Series 2020 Assessment Area, but shall not be binding upon transferees permitted by Sections 7(B)(i), (ii) or (iii) below.

(B) No portion of the Series 2020 Assessment Area may be transferred to any third party without complying with the terms of Section 7(C) below, other than:

- (i) Platted and fully-developed lots to homebuilders restricted from re-platting.
- (ii) Platted and fully-developed lots to end users.

(iii) Portions of Series 2020 Assessment Area exempt from debt special assessments or to be dedicated to the City, the County, the District, or other governmental agencies.

Any transfer of any portion of the Series 2020 Assessment Area pursuant to subsections (i), (ii) or (iii) of this Section 7(B), shall constitute an automatic release of such portion of the Series 2020 Assessment Area from the scope and effect of this Agreement.

(C) Landowner shall not transfer any portion of the Series 2020 Assessment Area to any third party, except as permitted by Sections 7(B)(i), (ii) or (iii) above, without satisfying the following conditions ("Transfer Conditions"):

(i) delivering a recorded copy of this Agreement to such third party; and

(ii) satisfying any True-Up Payment that results from a True-Up analysis that will be performed by the District Manager prior and as a condition to such transfer.

Any transfer that is consummated pursuant to this Section 7(C) shall operate as a release of Landowner from its obligations under this Agreement as to such portion Series 2020 Assessment Area only arising from and after the date of such transfer and satisfaction of all of the Transfer Conditions including payment of any True-Up Payment due pursuant to subsection 7(C)(ii) above, and the transferee shall be deemed to have assumed Landowner's obligations in accordance herewith and shall be deemed the "Landowner" from and after such transfer for all purposes as to such portion of the Series 2020 Assessment Area so transferred.

SECTION 8. AMENDMENT. This Agreement shall constitute the entire agreement between the Parties regarding the subject matter discussed herein and may be modified in writing only by the mutual agreement of all Parties. This Agreement may not be amended without the prior written consent of the trustee for the Series 2020 Bonds ("Trustee") on behalf and acting at the direction of the bondholders owning more than 50% of the aggregate principal amount of the applicable Series 2020 Bonds then outstanding with regard to material amendments.

SECTION 9. AUTHORIZATION. The execution of this Agreement has been duly authorized by the appropriate body or official of the District and Landowner, both the District and Landowner have complied with all the requirements of law, and both the District and Landowner have full power and authority to comply with the terms and provisions of this Agreement.

SECTION 10. TERMINATION. This Agreement shall continue in effect until it is rescinded in writing by the mutual assent of each Party, provided, however, that this Agreement and the covenants contained herein may not be terminated or released prior to platting and development of all the Series 2020 Assessment Area without the prior written consent of the Trustee on behalf and acting at the direction of bondholders owning more than 50% of the aggregate principal amount of the applicable Series 2020 Bonds then outstanding with regard to amendments having a material effect on the District's ability to pay debt service on the Series 2020 Bonds.

SECTION 11. NEGOTIATION AT ARM'S LENGTH. This Agreement has been negotiated fully between the Parties as an arm's length transaction. The Parties participated fully in the preparation of this Agreement and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the Parties are deemed to have

drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against either Party.

SECTION 12. THIRD PARTY BENEFICIARIES. This Agreement is solely for the benefit of the District and Landowner and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Agreement. Except as provided in the immediately succeeding sentence, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or entity other than the District and Landowner any right, remedy or claim under or by reason of this Agreement or any provisions or conditions of this Agreement; and all of the provisions, representations, covenants and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the District and Landowner and their respective representatives, successors and assigns. Notwithstanding anything herein to the contrary, the Trustee for the Series 2020 Bonds, on behalf of the owners of the Series 2020 Bonds, shall be a direct third-party beneficiary of the terms and conditions of this Agreement and shall be entitled to enforce Landowner's obligations hereunder. The Trustee shall not be deemed to have assumed any obligations hereunder.

SECTION 13. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the Doctrine of Sovereign Immunity or by operation of law.

SECTION 14. APPLICABLE LAW AND VENUE. This Agreement and the provisions contained herein shall be construed, interpreted, and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Agreement shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

SECTION 15. PUBLIC RECORDS. Landowner understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records and may require treatment as such in accordance with Florida law.

SECTION 16. EXECUTION IN COUNTERPARTS. This instrument may be executed in any number of counterparts, each of which, when executed and delivered, shall constitute an original, and such counterparts together shall constitute one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

SECTION 17. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement, or any part of this Agreement not held to be invalid or unenforceable.

SECTION 18. EFFECTIVE DATE. This Agreement shall become effective after execution by the Parties hereto on the date reflected above.

IN WITNESS WHEREOF, Landowner and District have caused this Agreement to be executed and delivered on the day and year first written above.

WITNESSES:

JMBI REAL ESTATE, LLC, a Florida limited liability company

Warren K. (Rennie) Heath II, Manager

[Print Name]

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Warren K. "Rennie" Heath II, as Manager of JMBI Real Estate, LLC, on behalf of the company.

(Official Notary Signature)		
Name:		
Personally Known		
OR Produced Identification		
Type of Identification		

[notary seal]

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

[Print Name]

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Lauren O. Schwenk, as Vice Chairperson of the Board of Supervisors of the North Powerline Road Community Development District.

	(Official Notary Signature)
	Name:
	Personally Known
[notary seal]	OR Produced Identification
	Type of Identification

Exhibit A:Legal Description of Landowner LandsExhibit B:Legal Description of Series 2020 Assessment AreaComp. Exhibit C:Engineer's Report for Capital Improvement Second Amended and
Restated, dated March 2020, as supplemented by that First
Supplemental to Second Amended and Restated Engineer's Report
for Capital Improvement, dated March 2020, as further
supplemented by that Second Supplement to Second Amended and
Restated Engineer's Report for Capital Improvement, dated
Second Amended and
Restated Engineer's Report for Capital Improvements, dated
September 2020

EXHIBIT A

LEGAL DESCRIPTION OF LANDOWNER LANDS

EXHIBIT B

LEGAL DESCRIPTION OF SERIES 2020 ASSESSMENT AREA

COMPOSITE EXHIBIT C

ENGINEER'S REPORT

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS SECOND AMENDED AND RESTATED

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. It is anticipated at this time that the District will petition to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report.

The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

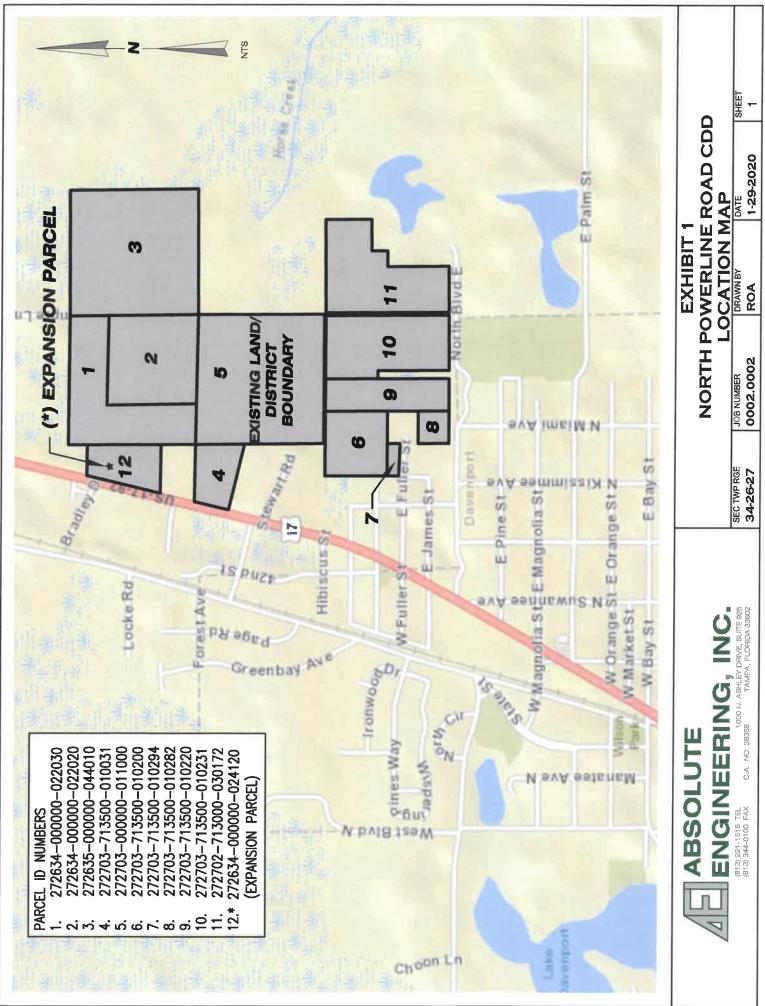
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

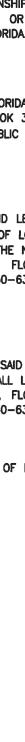
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PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER | DRAWN BY | DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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LEGAL DESCRIPTION:

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PARCEL 12 (272634-000000-024120)

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Rick

AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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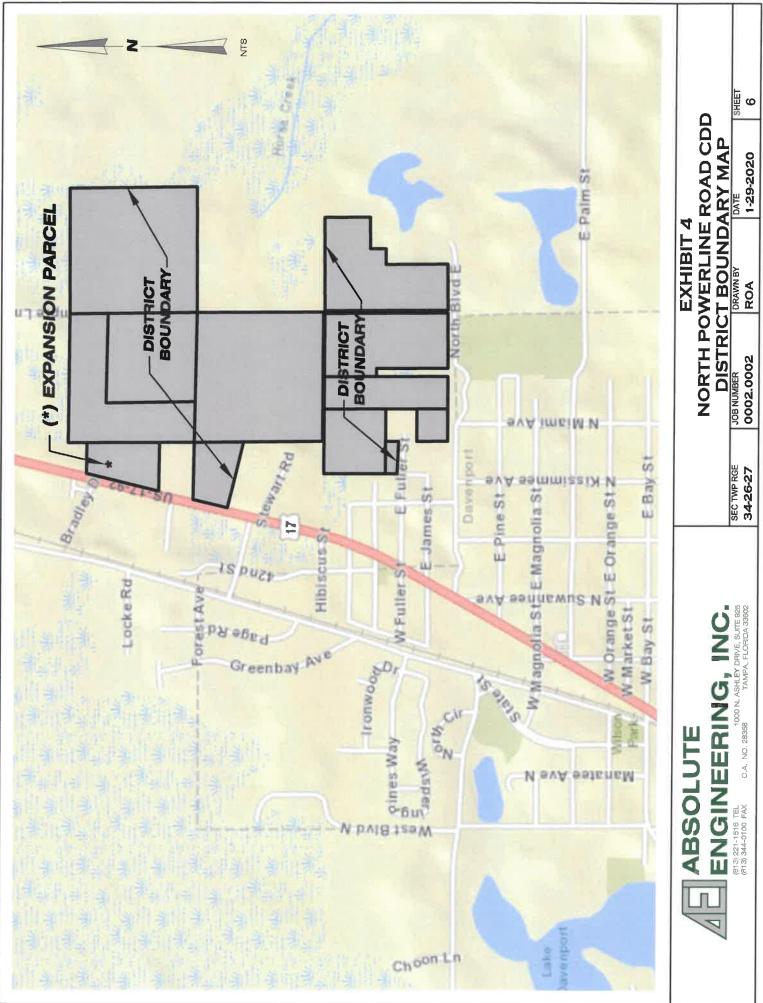
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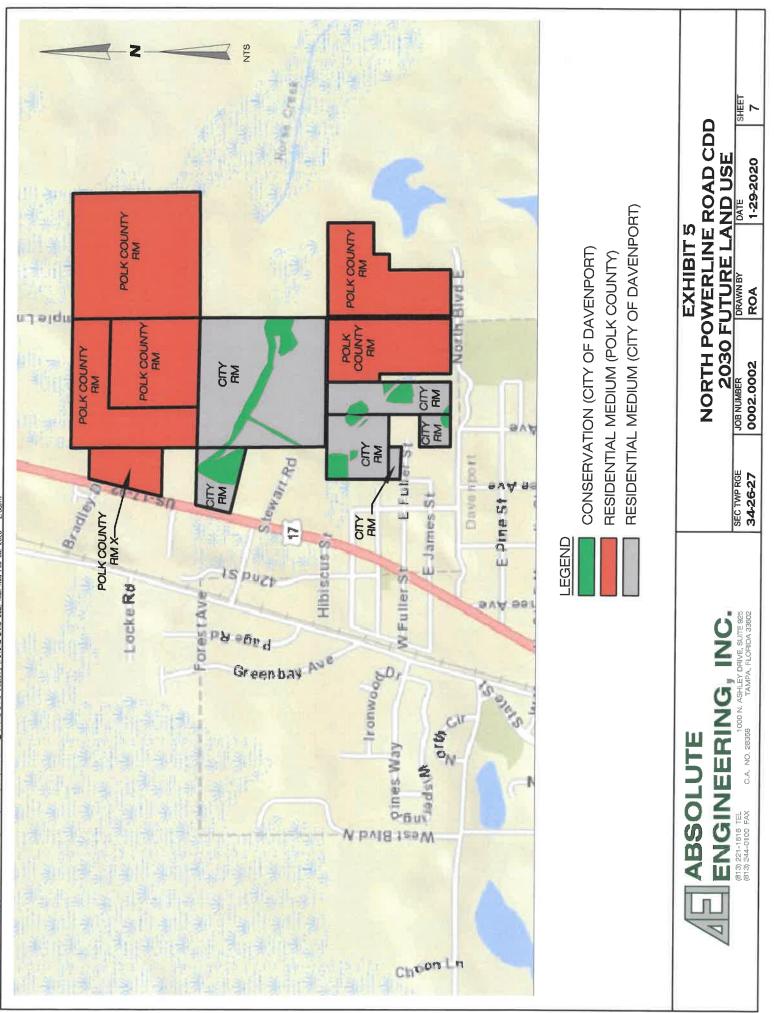
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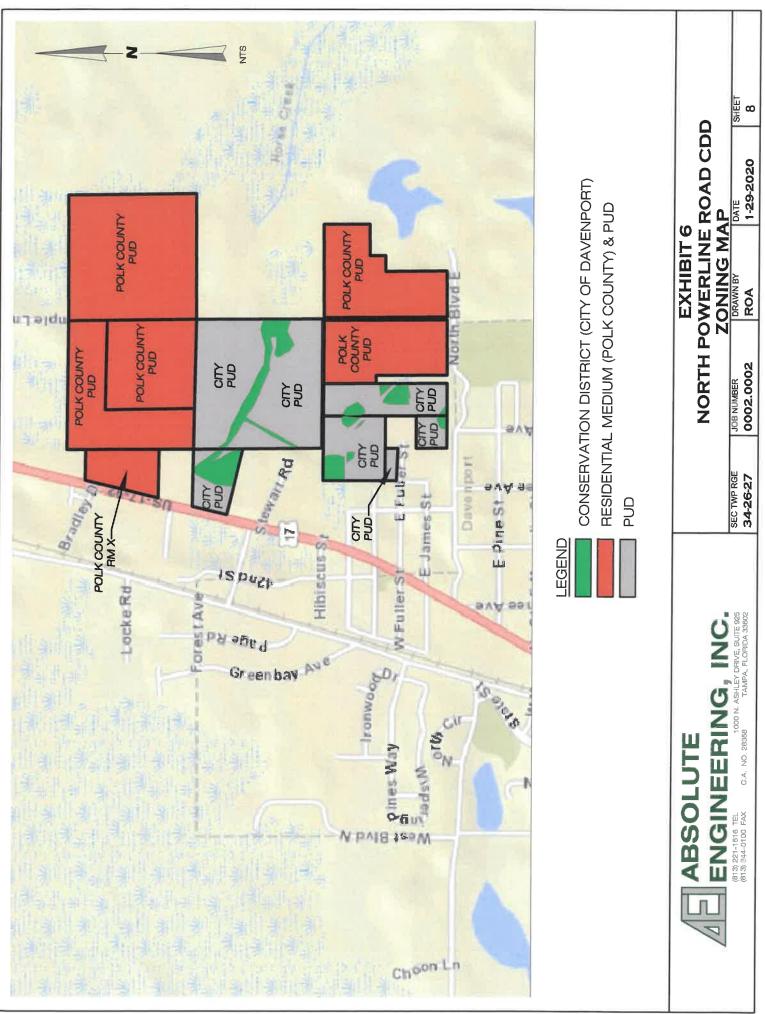
DATE 1-29-2020

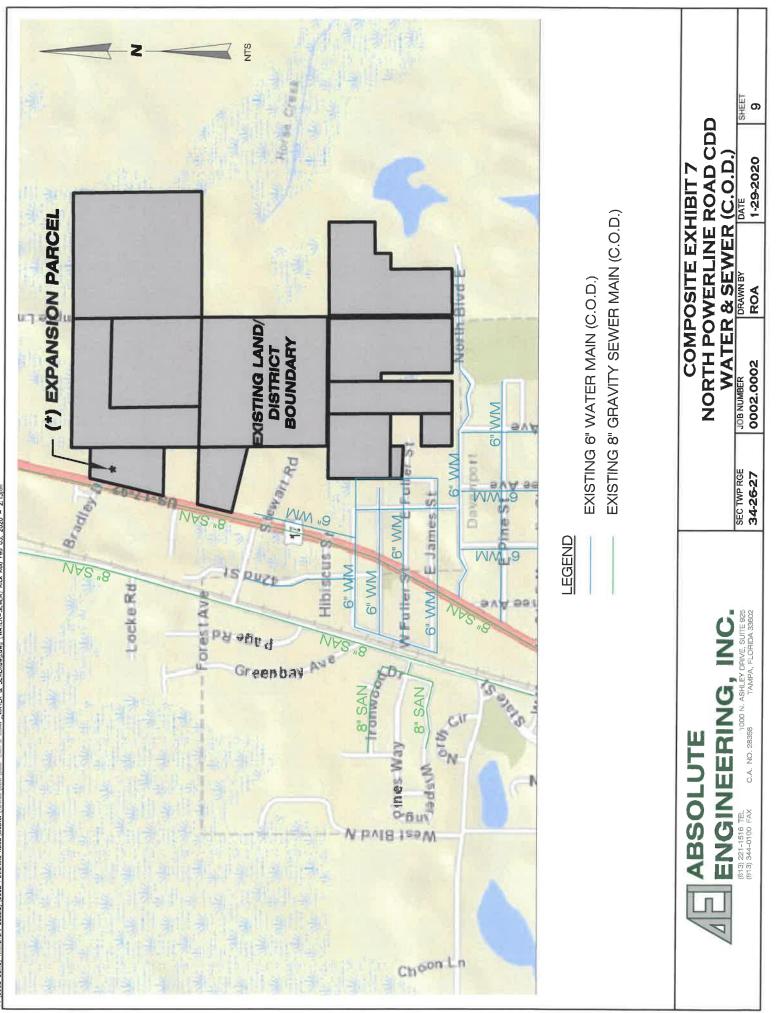
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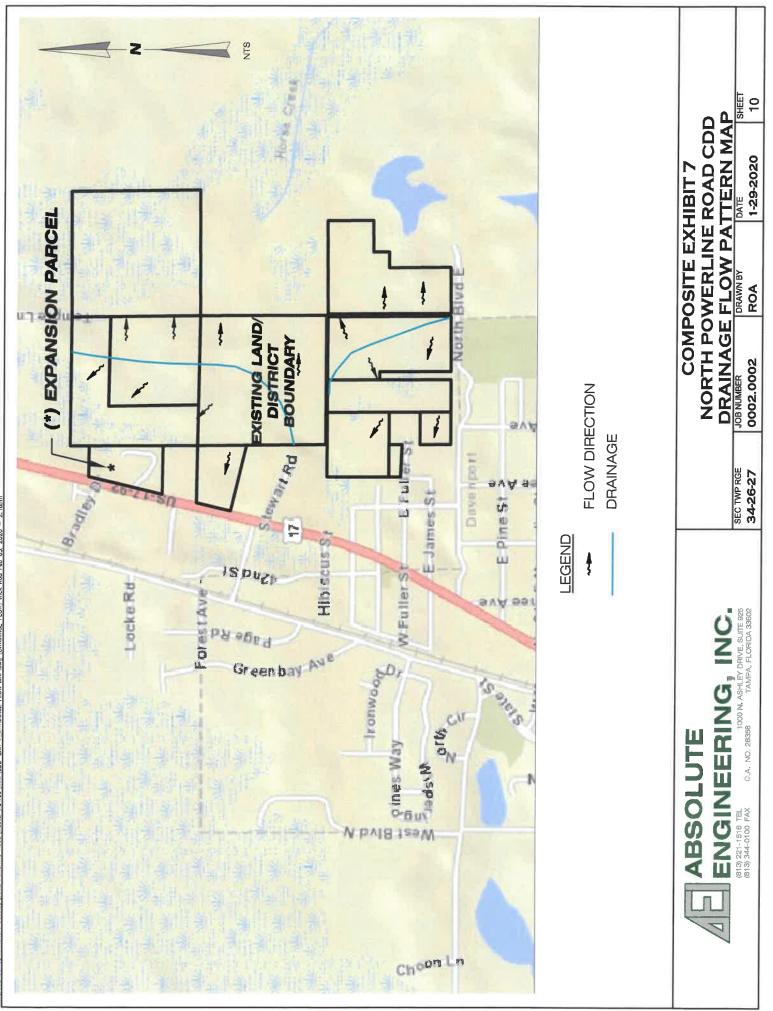
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

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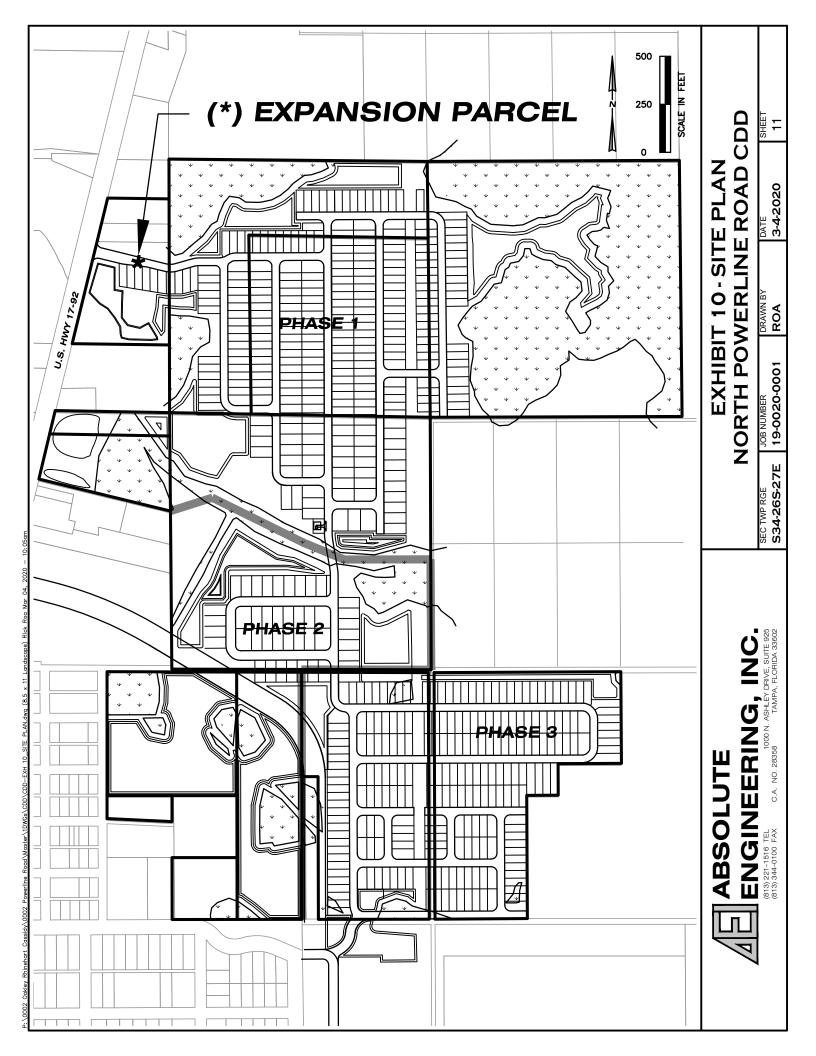
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 Existing Land (289 Lots)	Phase 1 Expansion Parcel (6 Lots)	<u>Phase 2</u> (44 Lots)	<u>Phase 3</u> (228 Lots)	<u>Total</u>
	2020-2023	2020-2023	2021-2024	2022-2025	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,238
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway (1)(4)(5)(7)	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,172
Parks and Amenities (1)(7)(11)	\$449,923	\$9,341	\$68,500	\$354,956	\$882,721
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	\$103,277	\$535,163	\$1,330,865
TOTAL	\$6,750,125	\$242,218	\$2,129,701	\$5,404,251	\$14,526,296

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

FIRST SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 1- Location Map
- EXHIBIT 2- Current Legal Description
- EXHIBIT 3- Legal Description After Boundary Amendment
- EXHIBIT 4- District Boundary Map
- EXHIBIT 5- Land Use Map
- EXHIBIT 6- Zoning Map
- EXHIBIT 7- Utility Location Map & Drainage Flow Pattern Map
- EXHIBIT 8- Summary of Proposed District Facilities
- EXHIBIT 9- Summary of Opinion of Probable Costs
- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The First Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The increase in overall units is 16 and the associated increase in the infrastructure development cost is \$595,297.00.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. The District is in the process of petitioning to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. The petition to amend the boundaries of the District to annex the Expansion Parcel in the District has been filed with the County. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Development Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

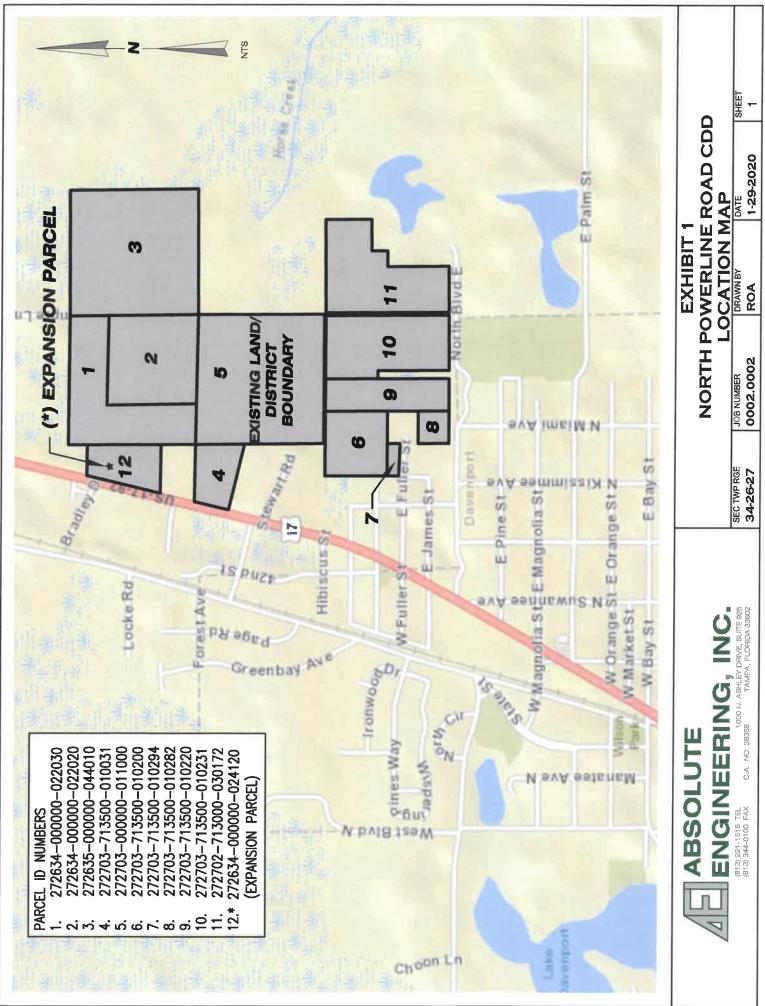
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

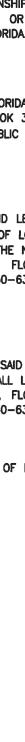
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

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PARCEL 12 (272634-000000-024120)

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AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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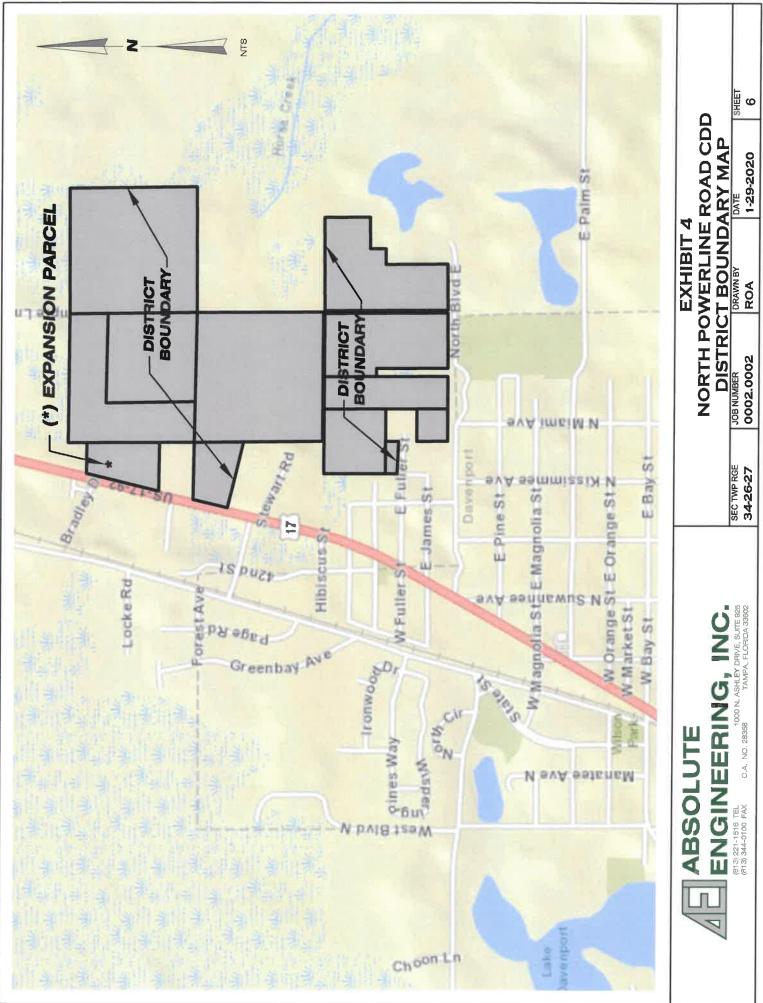
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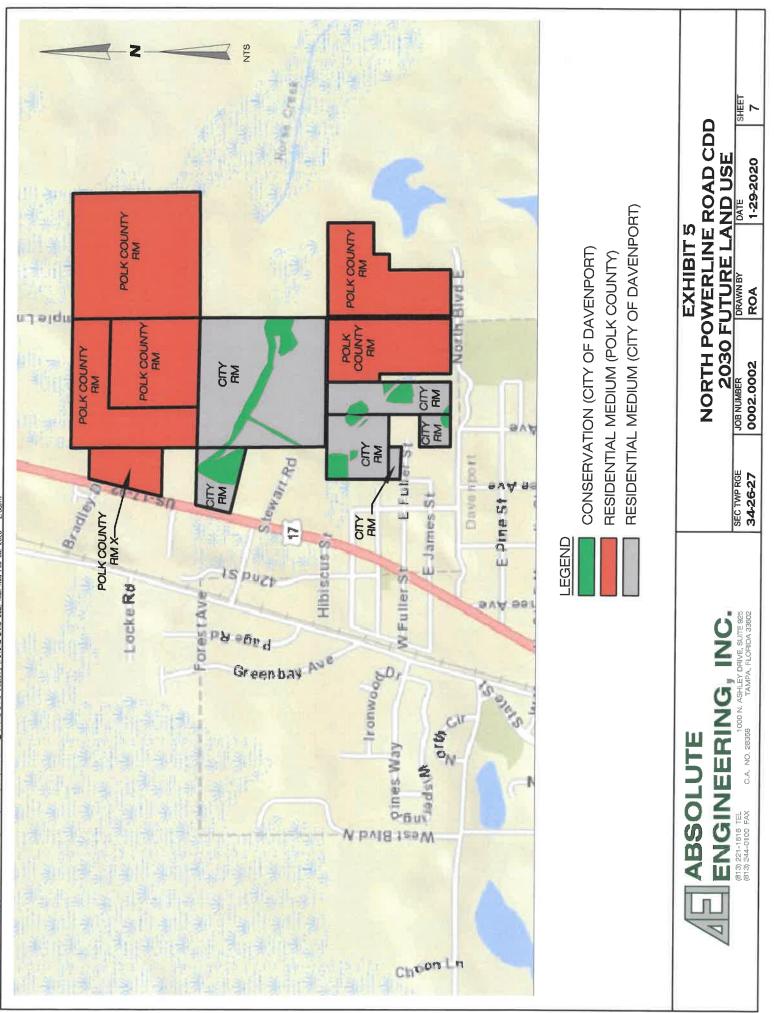
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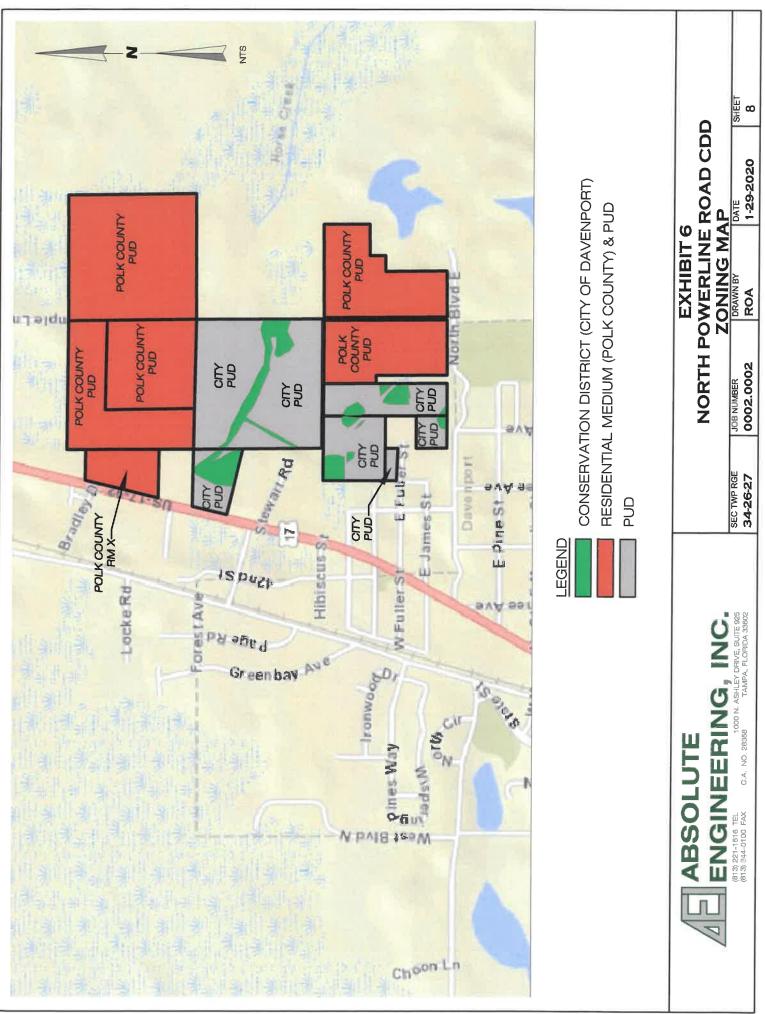
DATE 1-29-2020

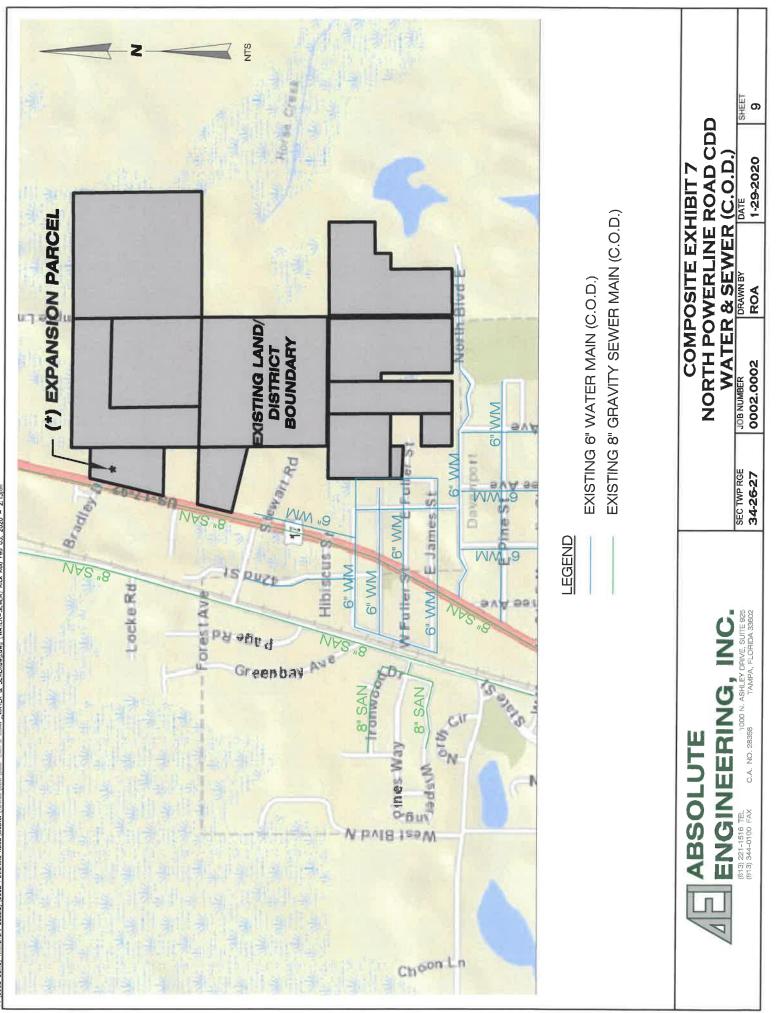
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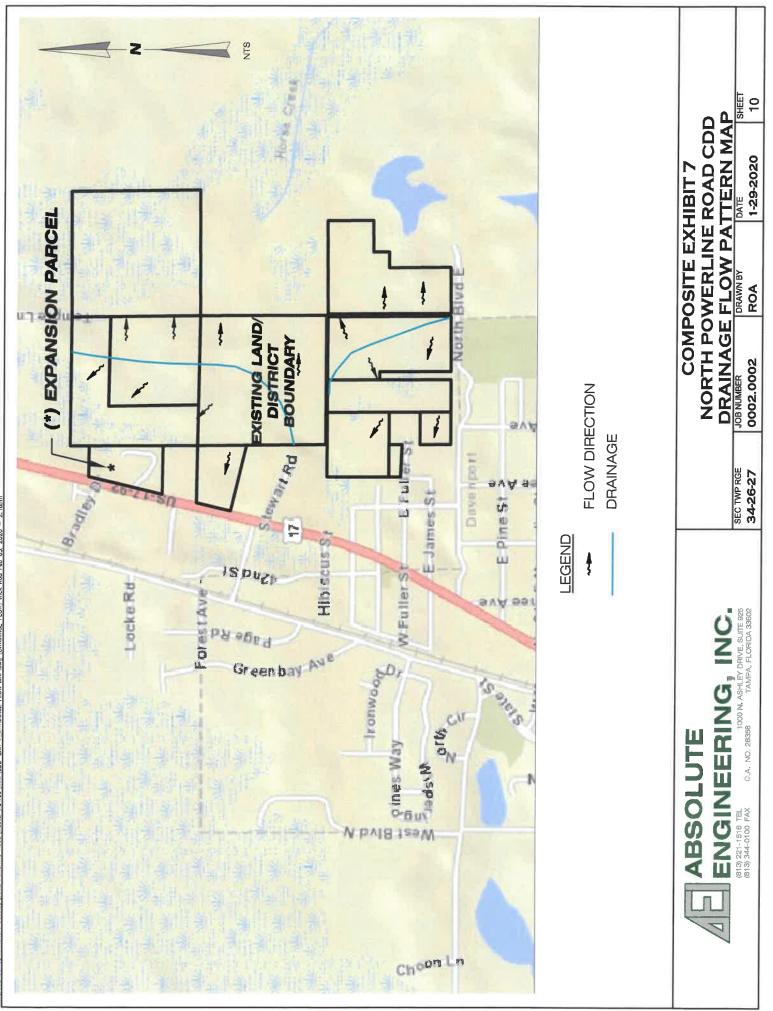
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Uwnership Capital Financing*		Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

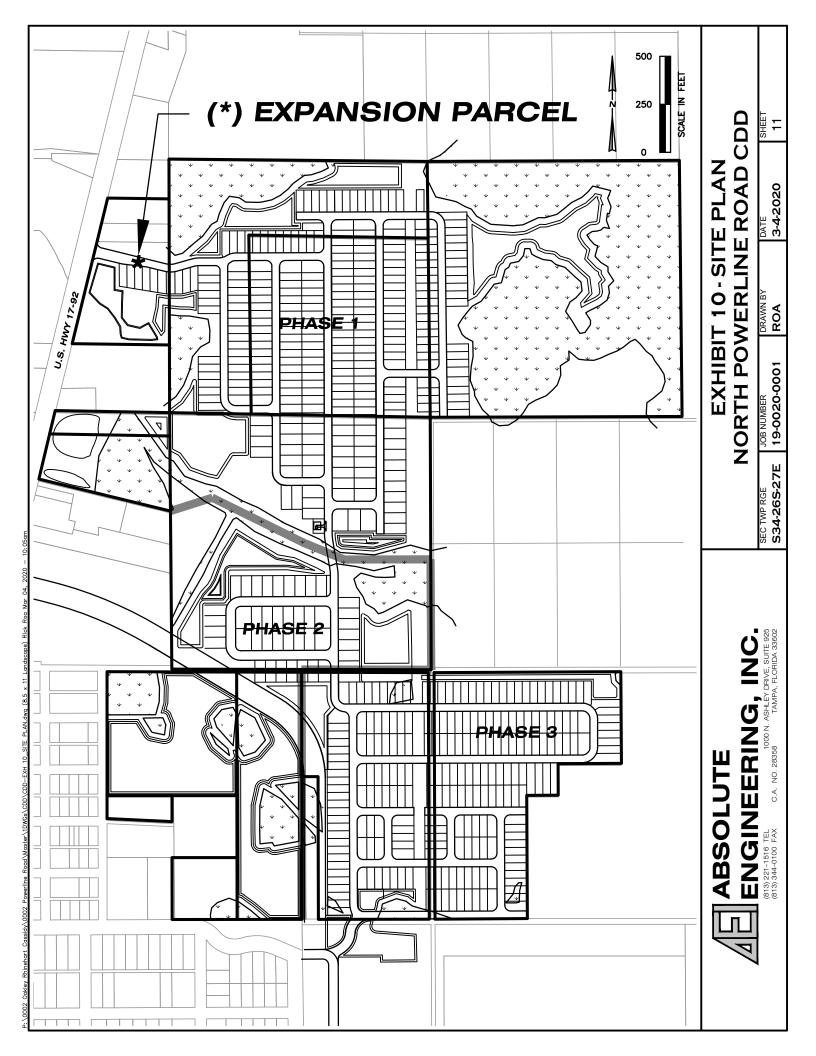
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

<u>Infrastructure</u>	<u>Phase 1</u> <u>Existing Land</u> (289 Lots)	<u>Phase 1</u> <u>Expansion</u> Parcel (6 Lots)	<u>Phase 2 (44</u> <u>Lots)</u>	<u>Phase 3 (228</u> Lots)	<u>Total</u>
	<u>2020-2023</u>	<u>2020-2023</u>	<u>2021-2024</u>	<u>2022-2025</u>	<u>(567 Lots)</u>
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway ⁽¹⁾⁽⁴⁾⁽⁵⁾⁽⁷⁾	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,171
Parks and Amenities ⁽¹⁾⁽⁷⁾⁽¹¹⁾	\$449,923	\$9,341	\$68,500	\$354,956	\$882,720
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	<u>\$103,277</u>	<u>\$535,163</u>	<u>\$1,330,865</u>
TOTAL	\$6,750,125	\$242,217	\$2,129,701	\$5,404,250	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

SECOND SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

SEPTEMBER 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 8- Summary of Opinion of Probable Costs
- EXHIBIT 9- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The Second Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The total number of units and infrastructure development cost is unchanged.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 195.95 gross acres, and is expected to be constructed in two (2) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure.

The District was established under County Ordinance No. 18-036, as approved by the County Commission on June 5, 2018, further amended by County Ordinance 20-028. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This supplemental "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Capital Improvement Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the

corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in two (2) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2	228	44		272
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1 and 2. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development). There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion in 2023. Upon completion of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Approval / Expected Date		
LDPD-2020-10		
43044217.002		
LDRES-2019-59		
139102-070		
C\$53-0232639-046-DWCMR		

PHASE 2

Permits / Approvals	Approval / Expected Date		
Zoning Approval	LDPD-2020-10		
Preliminary Plat	City of Davenport Zoning Approval (7/22/20)		
SWFWMD ERP	43044217.004		
Construction Permits	October 2020		
Polk County Health Department Water	October 2020		
FDEP Sewer	October 2020		

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City and County. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

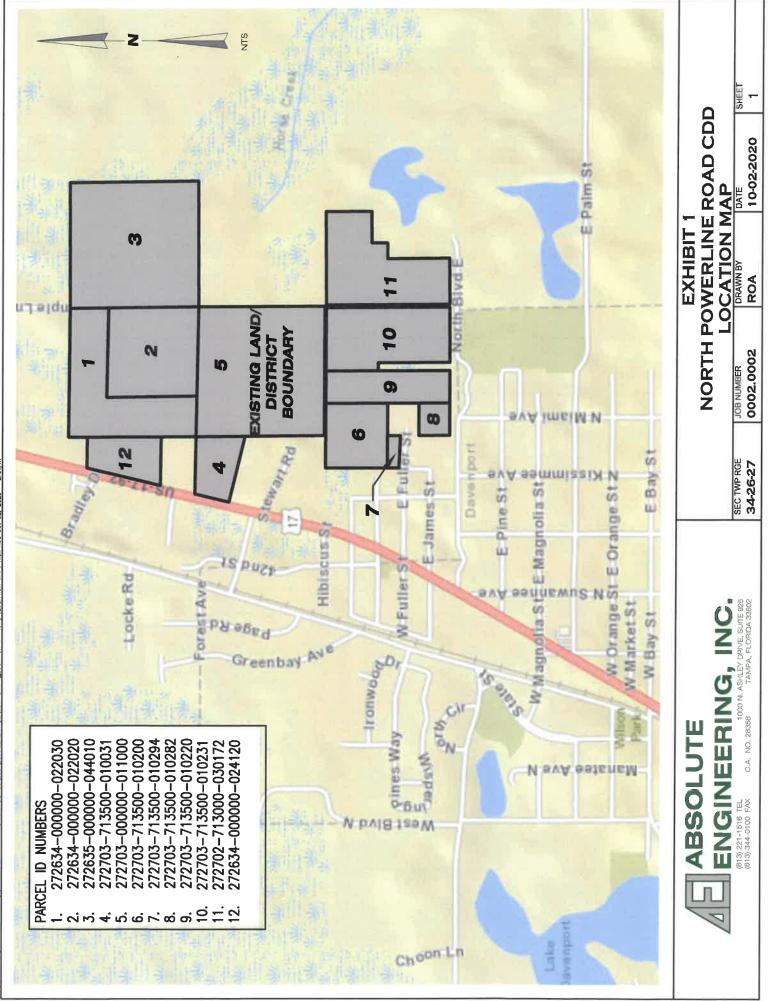
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



0002 Oakley Rhinehert Cassidy 0002 Pewerline Road Waster/DWSs/CDD/SUPPLEMENT //2/CDD-CXH 1_LOCATION MAP, dirg (LOCATION MAP) Rick Roa Oct 02, 2020 - 2:015m

LEGAL DESCRIPTION:

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12°46'30" WEST, 241.4 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.



LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

Rick Rog Oct 02,

AMEND-2.dwg (LEGAL)

DESC

Rood/Master/1DWGs/CDD/SUPPLEMENT #2/CDD-EXH 2_LEGAL

Powerline

Oaktey Rhinehart CassId V 0002

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SAID SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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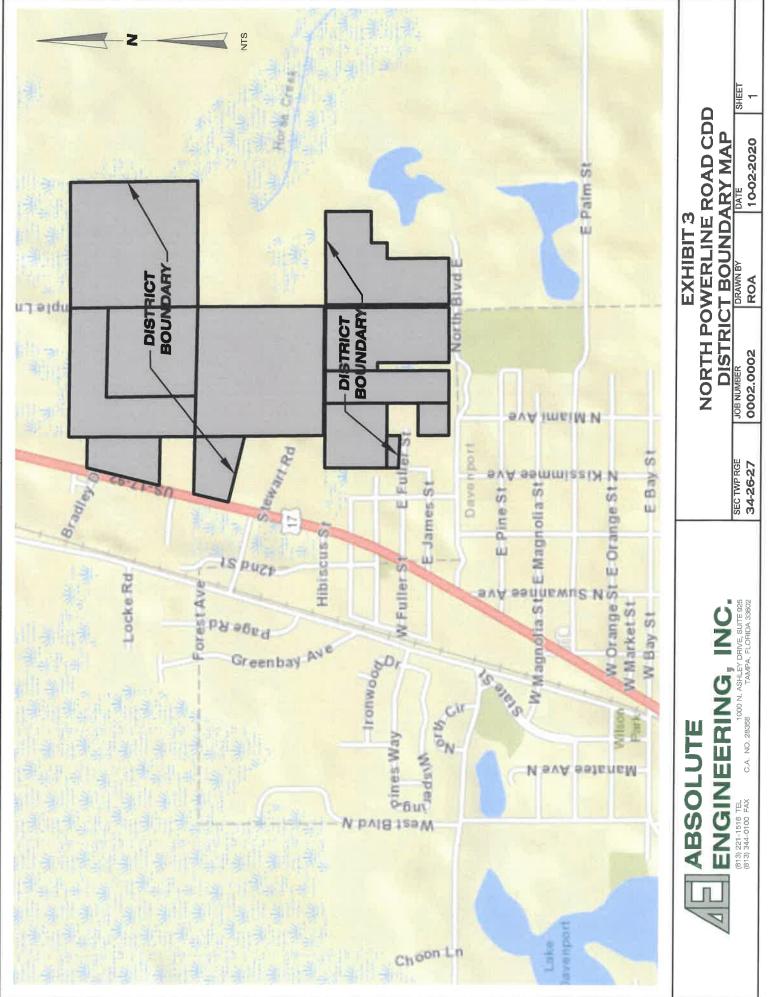
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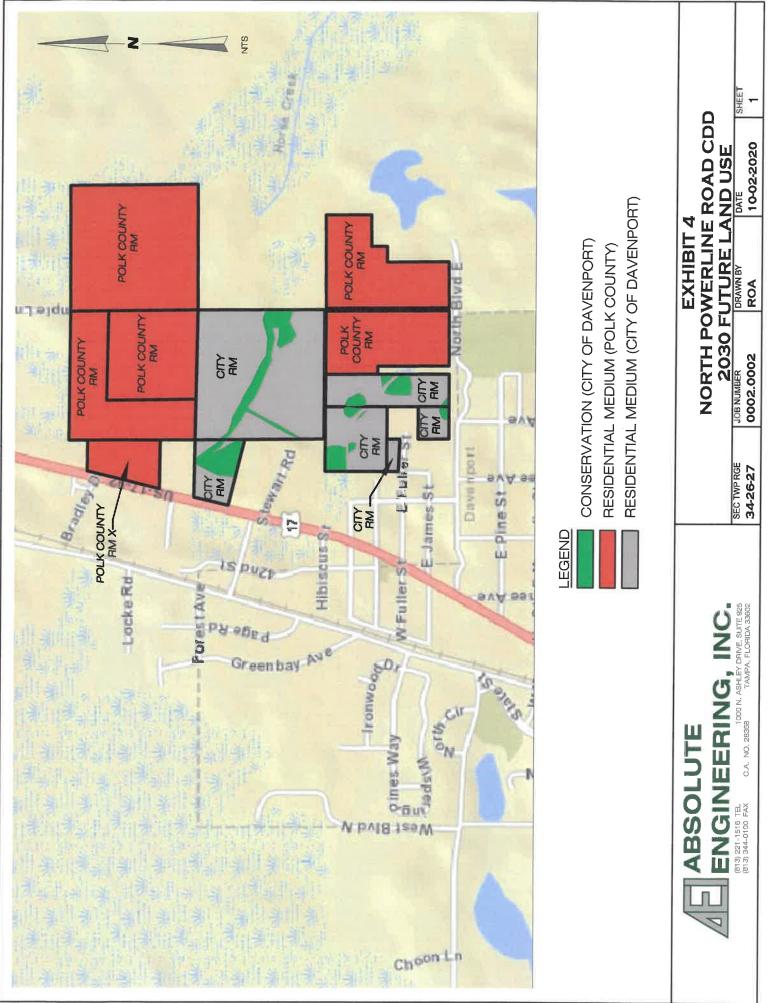
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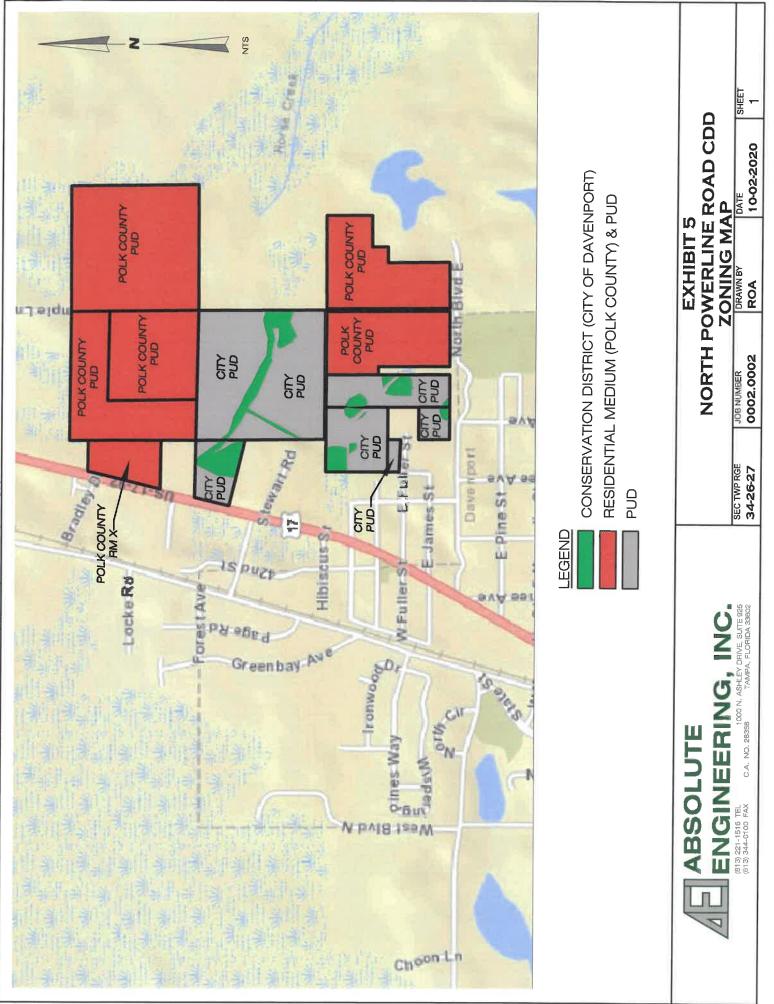
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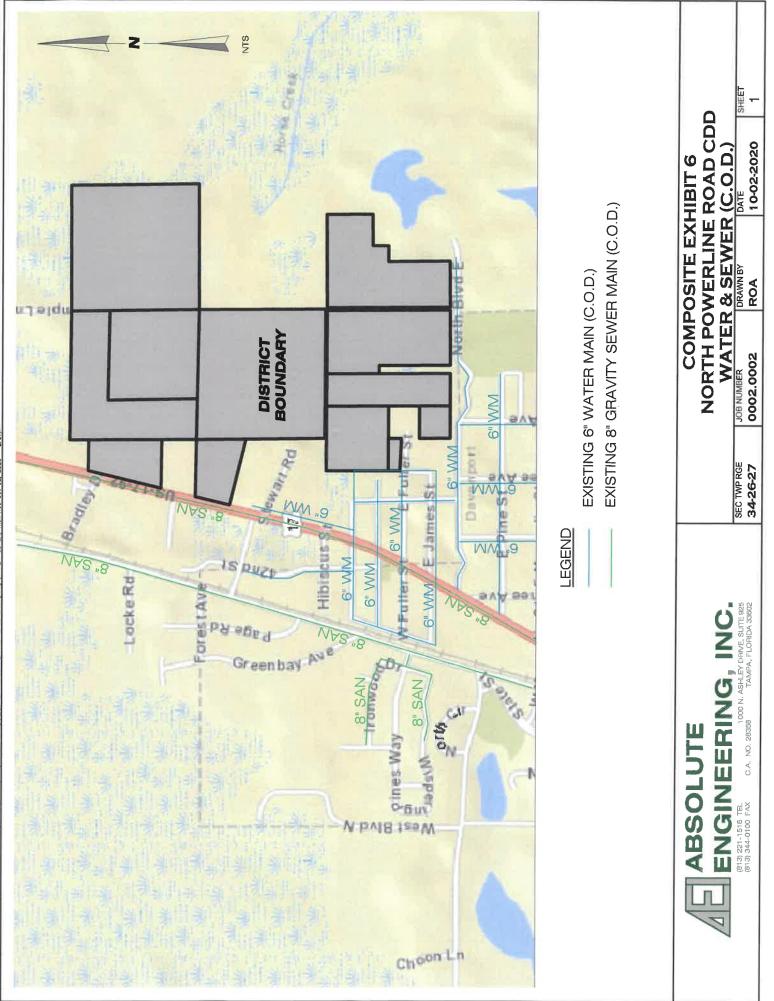
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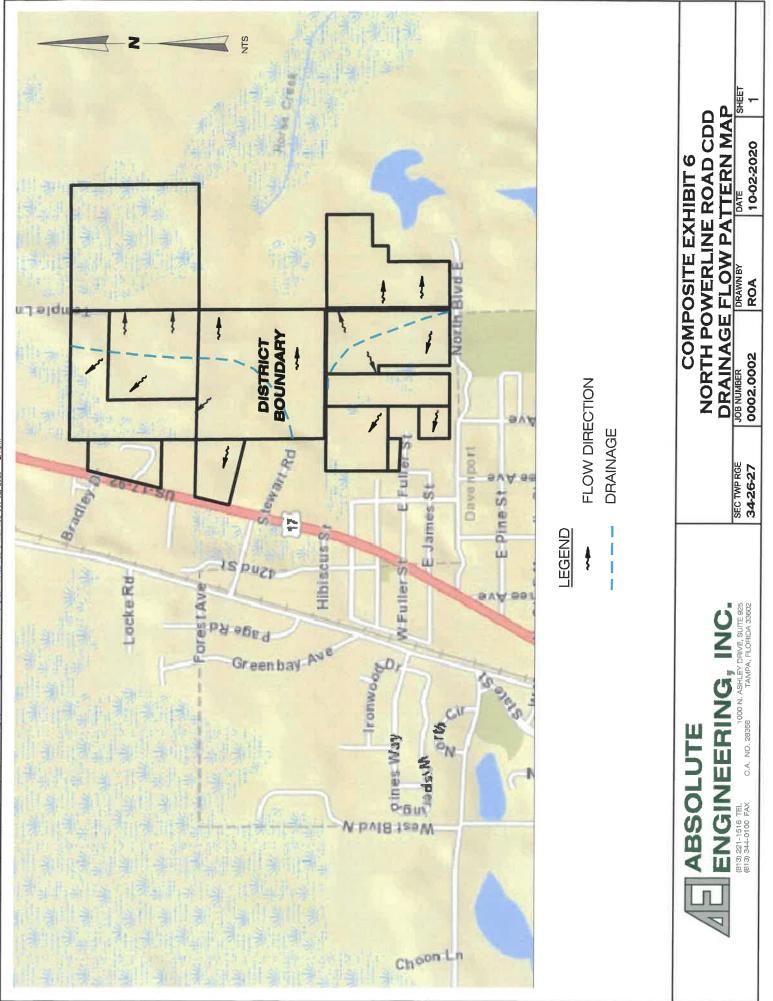


Exhibit 7 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	District**	District Bonds	District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit only

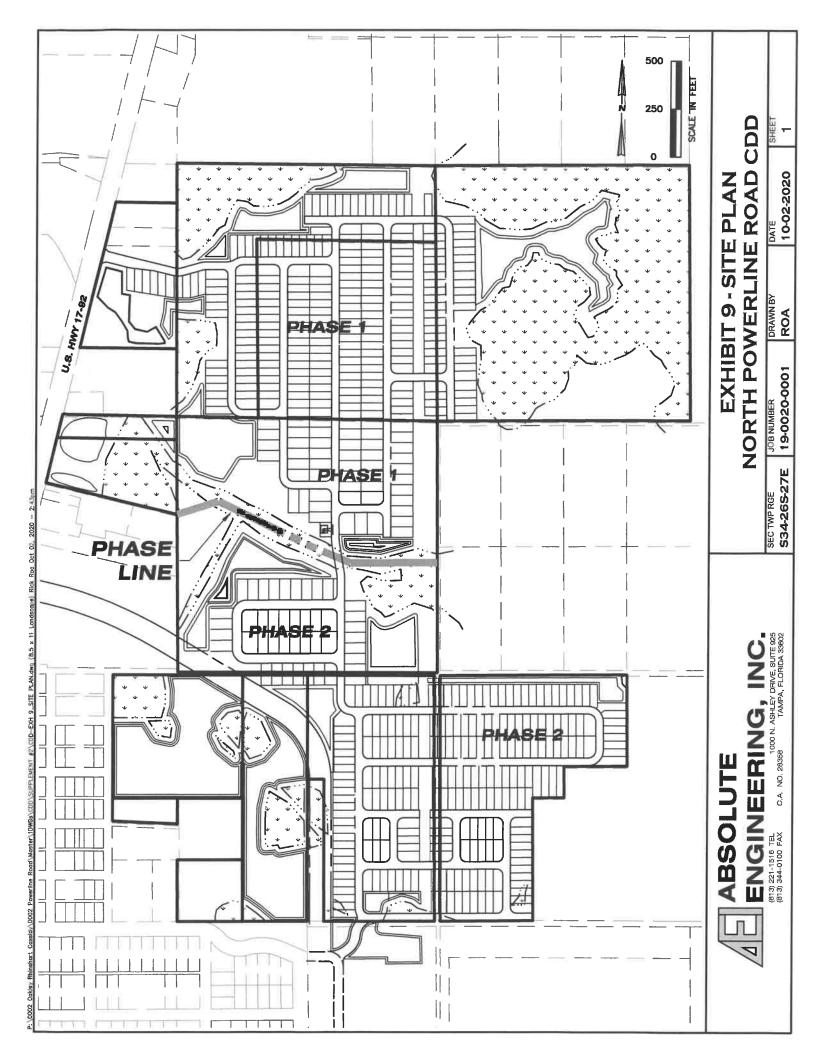
***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 (295 Lots)	Phase 2 (272 Lots)	Total
intrastructure	<u>2020-2023</u>	<u>2020-2023</u>	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,150,467	\$1,060,770	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,936,035	\$1,785,089	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ⁽¹⁾ ⁽⁵⁾⁽⁷⁾ ⁽⁹⁾⁽¹¹⁾	\$1,765,823	\$1,628,148	\$3,393,971
Roadway (1)(4)(5)(7)	\$878,980	\$1,897,225	\$2,776,205
Entry Feature ⁽¹⁾⁽⁷⁾⁽⁸⁾⁹¹¹⁾	\$109,348	\$100,823	\$210,171
Parks and Amenities (1)(7)(11)	\$459,264	\$423,456	\$882,720
Contingency ⁽¹¹⁾	<u>\$692,425</u>	<u>\$638,440</u>	<u>\$1,330,865</u>
TOTAL	\$6,992,342	\$7,533,951	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



SECTION 3

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

(This space reserved for Clerk)

Roy Van Wyk, Esq. Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Tallahassee, Florida 32301

COLLATERAL ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT RIGHTS RELATING TO THE SERIES 2020 PROJECT

(SERIES 2020 - PHASE 1)

THIS COLLATERAL ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT RIGHTS RELATING TO THE SERIES 2020 PROJECT ("Assignment") is made this _____ day of _____, 2020, by and between:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

JMBI REAL ESTATE, LLC, a Florida limited liability company, an owner and developer of certain lands within the District, with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner" and, together with the District, the "Parties").

RECITALS

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 1 in the Engineer's Report, defined herein, and more particularly described in Exhibit A attached hereto ("Landowner Lands"); and

WHEREAS, the District proposes to issue its <u>North Powerline Road</u> Community Development District Special Assessment Bonds, Series 2020 ("Series 2020 Bonds"), to finance certain improvements which will benefit the District; and

WHEREAS, among the security for the repayment of the Series 2020 Bonds are the debt special assessments levied against the "Series 2020 Assessment Area" as more particularly described in **Exhibit B**, which includes the Landowner Lands ("Series 2020 Special Assessments"); and

WHEREAS, the Parties intend that the portion of the Series 2020 Assessment Area identified as "Phase 1" will be platted and fully developed into a total of 295 residential units ("Lots"), and the Lots will be ultimately owned by homebuilders or end users, unrelated to the Landowner or its affiliated entities ("Development Completion"), as contemplated by the *Master Assessment Methodology*, dated February 5, 2020, supplemented by that *Supplemental Master Assessment Methodology*, dated ______, 2020, (together, the "Assessment Report"); and

WHEREAS, Phase 1, which is being partially financed with the proceeds of the Series 2020 Bonds as more particularly described in the *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvement*, dated *Engineer's Report for Capital Improvement*, dated *Engineer's Report for Capital Improvements*, dated September 2020 (collectively, the "Engineer's Report"), is a portion of the "Series 2020 Project"; and

WHEREAS, in the event of default in the payment of the Series 2020 Special Assessments securing the Series 2020 Bonds, or in the payment of a True-Up Obligation (as defined in the Agreement between the North Powerline Road Community Development District and JMBI Real Estate, LLC Regarding True-Up as to Series 2020 Special Assessments, dated , 2020), or in the event of any other Event of Default (as defined herein), the District requires, in addition to the remedies afforded the District under the Master Trust , 2020 (the "Master Indenture"), as supplemented by that Indenture dated as of First Supplemental Trust Indenture dated as of ______, 2020 (the "First Supplemental Indenture" and, together with the Master Indenture, the "Indenture"), pursuant to which the Series 2020 Bonds are being issued, and the other Agreements being entered into by Landowner concurrent herewith with respect to the Series 2020 Bonds and the Series 2020 Special Assessments (the Indentures and Agreements being referred to collectively as the "Bond Documents," and such remedies being referred to collectively as the "Remedial Rights"), certain remedies with respect to the Development Rights (defined below) in order to complete or enable a third party to complete development of the Series 2020 Project.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **RECITALS**. The recitals stated above are true and correct and by this reference are incorporated herein and form a material part of this Assignment.

2. COLLATERAL ASSIGNMENT.

(a) Subject to the terms and conditions of this Assignment, Landowner hereby collaterally assigns to the District, to the extent assignable, all of Landowner's development rights, permits, entitlements and work product relating to development of Series 2020 Project, and Landowner's rights as declarant of any property owner or homeowner association with respect to the Series 2020 Project (collectively, the "Development Rights"), as security for Landowner's payment and performance of all of

its obligations arising under the Bond Documents, including, without limitation, payment of the Series 2020 Special Assessments levied against Series 2020 Assessment Area that is owned by Landowner, its successors and assigns, and any True-Up Obligation. The Development Rights shall include, without limitation, the items listed in subsections (i) through (viii) below as they pertain to development of the Series 2020 Project, but shall specifically exclude any portion of the Development Rights which relate solely to (x) Lots which have been or are conveyed to homebuilders unaffiliated with the Landowner or homebuyers effective as of such conveyance, or (y) any portion of Series 2020 Project which has been transferred, dedicated and/or conveyed, or is in the future conveyed, to the City of Davenport, Florida (the "City"), Polk County, Florida (the "County"), the District, any utility provider, governmental or quasi-governmental entity, any homeowner's or property owner's association or other governing entity or association as may be required by applicable permits, approvals, plats or entitlements or regulations affecting the District, if any, in each case effective as of such transfer, conveyance and/or dedication, as applicable:

(i) Zoning approvals, density approvals and entitlements, concurrency and capacity certificates, and development assignments;

(ii) Engineering and construction plans and specifications for grading, roadways, site drainage, storm water drainage, signage, water distribution, wastewater collection, recreational facilities and other improvements;

(iii) Preliminary and final site plans and plats;

(iv) Architectural plans and specifications for recreational buildings and other improvements to the developable property within the District;

(v) Permits, approvals, resolutions, variances, licenses, and franchises granted by governmental authorities, or any of their respective agencies, for or affecting the Series 2020 Project or the construction of improvements within Series 2020 Project, or off-site to the extent such off-site improvements are necessary or required to complete the Series 2020 Project;

(vi) Contracts with engineers, architects, land planners, landscape architects, consultants, contractors, and suppliers for or relating to the construction of the Series 2020 Project or the construction of improvements within Series 2020 Project;

(vii) All prepaid impact fees and impact fee credits; and

(viii) All future creations, changes, extensions, revisions, modifications, substitutions, and replacements of any of the foregoing.

(b) This Assignment is not intended to and shall not impair or interfere with the development of the Series 2020 Project, including, without limitation, Landowner's

contracts with homebuilders, if any, and end users (collectively, "Sales Contracts"), and shall only be inchoate and shall become an effective and absolute assignment and assumption of the Development Rights, from time to time, only upon the District's exercise of its rights hereunder upon a failure of Landowner to pay the Series 2020 Special Assessments levied against the portion of the Series 2020 Assessment Area owned by Landowner, from time to time, failure of Landowner to satisfy a True-Up Obligation, or any other Event of Default hereunder. The District shall not be deemed to have assumed any obligations associated with the Development Rights unless and until the District exercises its rights under this Assignment, and then only to the extent of such exercise.

(c) If this Assignment has not become absolute, it shall automatically terminate upon the earliest to occur of the following events: (i) payment in full of the principal and interest associated with the Series 2020 Bonds; (ii) Development Completion; (iii) transfer of any Development Rights to the City, the County, the State, the District, any utility provider, any other governmental or quasi-governmental entity, or any homeowners' or property owner's association but only to the extent of such transfer; or (iv) transfer of any portion of Series 2020 Assessment Area to an unaffiliated homebuilder or end user but only as to such portion transferred, from time to time.

3. WARRANTIES BY LANDOWNER. Landowner represents and warrants to the District that:

(a) Landowner is not prohibited under any agreement with any other person or under any judgment or decree from the execution, delivery and performance of this Assignment.

(b) No action has been brought or threatened which would in any way interfere with the right of Landowner to execute this Assignment and perform all of Landowner's obligations herein contained.

(c) Any transfer, conveyance or sale of the Series 2020 Assessment Area shall subject any and all affiliates or successors-in-interest of Landowner as to the Series 2020 Assessment Area or any portion thereof, to this Assignment to the extent of the portion of the Series 2020 Assessment Area so conveyed, except to the extent described in Section 2 above.

4. COVENANTS. Landowner covenants with the District that for so long as this Assignment shall remain in effect pursuant to the terms hereof:

(a) Landowner will use reasonable, good faith efforts to (i) fulfill, perform, and observe each and every material condition and covenant of Landowner relating to the Development Rights, and (ii) give notice to District of any default with respect to any of the Development Rights.

(b) The Development Rights include all of Landowner's rights to modify the Development Rights, to terminate the Development Rights, and to waive or release the performance or observance of any obligation or condition of the Development Rights; provided, however, that this Assignment does not and shall not (i) pertain to lands outside of the District not relating or necessary to development of the Series 2020 Project, or (ii) limit Landowner's right, from time to time, to modify, waive or release the Development Rights, subject to Section 4(c) below and Landowner's obligations under the Bond Documents.

(c) Landowner agrees not to take any action that would decrease the development entitlements to a level below the amount necessary to support the thenoutstanding Series 2020 Special Assessments or would materially impair or impede the ability to achieve Development Completion.

5. EVENTS OF DEFAULT. Any breach of Landowner's warranties contained in Section 3 hereof, any breach of covenants contained in Section 4 hereof which is not cured within sixty (60) days after receipt of written notice thereof, or any breach of Landowner under any other Bond Documents, which default is not cured within any applicable cure period, will constitute an "Event of Default", under this Assignment.

6. **REMEDIES UPON DEFAULT**. Upon an Event of Default, or the transfer of title to any portion of the Series 2020 Assessment Area owned by Landowner to the District or its designee pursuant to a judgment of foreclosure entered by a court of competent jurisdiction or a deed in lieu of foreclosure to the District or its designee or the acquisition of title to such property through the sale of tax certificates, the District may, under this Assignment, take any or all of the following actions, at the District's option:

(a) Perform or cause to be performed any and all obligations of Landowner relating to the Development Rights and exercise or cause to be exercised any and all rights of Landowner therein as fully as Landowner could;

(b) Initiate, appear in, or defend any action arising out of or affecting the Development Rights; and,

(c) Further assign any and all of the Development Rights to a third party acquiring title to the Series 2020 Assessment Area or any portion thereof from the District or at a District foreclosure sale.

7. AUTHORIZATION IN EVENT OF DEFAULT. In the Event of Default, Landowner does hereby authorize and shall direct any party to any agreements relating to the Development Rights to tender performance thereunder to the District upon written notice and request from the District. Any such performance in favor of the District shall constitute a full release and discharge to the extent of such performance as fully as though made directly to Landowner. Notwithstanding the foregoing or anything to the contrary set forth in this Assignment, no exercise by the District or the District's rights under this Assignment shall operate to release Landowner from its obligations under this Assignment.

8. ATTORNEYS' FEES AND COSTS. In the event that any Party is required to enforce this Assignment by court proceedings or otherwise, then the Parties agree that the substantially prevailing party shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

9. AUTHORIZATION. The execution of this Assignment has been duly authorized by the appropriate body or official of the Parties; the Parties have complied with all the requirements of law; and the Parties have full power and authority to comply with the terms and provisions of this instrument.

10. NOTICES. All notices, requests, consents and other communications under this Assignment ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, at the addresses first set forth above. Except as otherwise provided in this Assignment, any Notice shall be deemed received only upon actual delivery at the address set forth above. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Assignment would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the District and counsel for the Landowner may deliver Notice on behalf of the District and the Landowner, respectively. Any Party or other person to whom Notices are to be sent or copied may notify the other parties and addressees of any change in name or address to which Notices shall be sent by providing the same on five (5) days' written notice to the Parties and addressees set forth herein.

11. ARM'S LENGTH TRANSACTION. This Assignment has been negotiated fully between the Parties as an arm's length transaction. Both Parties participated fully in the preparation of this Assignment and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Assignment, both Parties are deemed to have drafted, chosen, and selected the language, and the doubtful language will not be interpreted or construed against either the District or the Landowner.

12. THIRD PARTY BENEFICIARIES. The Parties hereto agree that the Trustee under the Indenture ("Trustee"), on behalf of the bondholders, shall be a direct third-party beneficiary of the terms and conditions of this Assignment and entitled to enforce Landowner's obligations hereunder at the direction of the bondholders owning more than 50% of the aggregate principal amount of the applicable Series 2020 Bonds then outstanding. The Trustee shall not be deemed by virtue of this Assignment to have assumed any obligations or duties.

13. AMENDMENT. This Assignment may be amended by an instrument in writing executed by all of the Parties hereto, but only with the written consent of the Trustee acting at the direction of bondholders owning more than 50% of the aggregate principal amount of the Series 2020 Bonds then outstanding with respect to material amendments.

14. MISCELLANEOUS. Unless the context requires otherwise, whenever used herein, the singular number shall include the plural, the singular, and the use of any gender shall include all genders. The terms "person" and "party" shall include individuals, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups and combinations. Titles of paragraphs contained herein are inserted only as a matter of convenience and for reference and in no way define, limit, extend, or describe the scope of this Assignment or the intent of any provisions hereunder. This Assignment shall be construed under Florida law.

15. APPLICABLE LAW AND VENUE. This Assignment and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Assignment shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

16. PUBLIC RECORDS. The Landowner understands and agrees that all documents of any kind provided to the District in connection with this Assignment may be public records and treated as such in accordance with Florida law.

17. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Assignment shall not affect the validity or enforceability of the remaining portions of this Assignment, or any part of this Assignment not held to be invalid or unenforceable.

18. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Assignment shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other law, and nothing in this Assignment shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred by sovereign immunity or by other operation of law.

19. HEADINGS FOR CONVENIENCE ONLY. The descriptive headings in this Assignment are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Assignment.

20. COUNTERPARTS. This instrument may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original, and such counterparts together shall constitute one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, Landowner and the District have caused this Assignment to be executed and delivered on the day and year first written above.

WITNESSES:

JMBI REAL ESTATE, LLC, a Florida limited liability company

Warren K. (Rennie) Heath II, Manager

[Print Name]

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Warren K. (Rennie) Heath II, as Manager of JMBI Real Estate, LLC, on behalf of the company.

(Official Notary Signature)		
Name:		
Personally Known		
OR Produced Identification		
Type of Identification		

[notary seal]

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

[Print Name]

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Lauren O. Schwenk, as Vice Chairperson of the Board of Supervisors of the North Powerline Road Community Development District.

(Official Notary Signature)
Name:
Personally Known
OR Produced Identification

Type of Identification

[notary seal]

Exhibit A: Legal Description of Landowner LandsExhibit B: Legal Description of the Series 2020 Assessment Area

EXHIBIT A

LEGAL DESCRIPTION OF LANDOWNER LANDS – PHASE 1

EXHIBIT B

LEGAL DESCRIPTION OF SERIES 2020 ASSESSMENT AREA

SECTION 4

AGREEMENT BY AND BETWEEN THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND JMBI REAL ESTATE, LLC, REGARDING THE ACQUISITION OF WORK PRODUCT, IMPROVEMENTS, AND REAL PROPERTY

(SERIES 2020 - PHASE 1)

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of , 2020, by and between:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

JMBI REAL ESTATE, LLC, a Florida limited liability company, the developer and owner certain lands within the District identified as "Phase 1," with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner" and, together with the District, the "Parties").

RECITALS

WHEREAS, the District was established for the purposes of planning, financing, constructing, acquiring, operating and/or maintaining certain public infrastructure, as authorized by Chapter 190, *Florida Statutes*; and

WHEREAS, the District has adopted an improvement plan for the planning, design, acquisition, construction, and installation of various infrastructure improvements, facilities, and services (the "Improvements") within and adjacent to the District, and the anticipated cost thereof, as described in that certain *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvements*, dated September 2020 (collectively, the "Engineer's Report"), attached hereto as **Composite Exhibit A** and incorporated herein by reference; and

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 1 in the Engineer's Report and more particularly described in Exhibit B attached hereto ("Landowner Lands"). Landowner Lands are a portion of the benefited lands in the Series 2020 Assessment Area (described in Exhibit C attached hereto) upon which the Improvements will be constructed; and

WHEREAS, the District intends to finance all or a portion of the Improvements through the anticipated issuance of its North Powerline Road Community Development District Special Assessment Bonds, Series 2020 (the "Series 2020 Bonds"); and

WHEREAS, because the Series 2020 Bonds have not yet been issued, the District has not had sufficient monies on hand to allow the District to fund the cost of preparation of the necessary surveys, reports, drawings, plans, permits, specifications, and related documents which would allow the timely commencement and completion of construction of the Improvements (the "Work Product"); and

WHEREAS, the District acknowledges the Landowner's need to have the Improvements constructed in an expeditious and timely manner in order to develop the lands within the Series 2020 Assessment Area, including Landowner Lands (collectively, the "Series 2020 Project"); and

WHEREAS, the District agrees that it will not have sufficient monies to proceed with either the preparation of the Work Product or the commencement of construction of the Improvements described in **Composite Exhibit A** until such time as the District has closed on the sale of the Series 2020 Bonds; and

WHEREAS, to avoid a delay in the commencement of the construction of the Improvements, the Landowner has advanced, funded, commenced, and completed and/or will complete certain work to enable the District to expeditiously provide the Improvements; and

WHEREAS, the District desires to commence the acquisition of certain Work Product and the Improvements, and accept assignment of certain agreements regarding the same; and

WHEREAS, in conjunction with the acquisition of the Work Product and/or Improvements, the Landowner desires to convey to the District interests in real property sufficient to allow the District to own, operate, maintain, construct, or install the Improvements, if any such conveyances are appropriate, and such conveyances shall be in fee simple, perpetual easement, or other interest as may be in the best interests of the District (the "Real Property"); and

WHEREAS, the Landowner and the District desire to enter into this Agreement to set forth the process by which the District may acquire the Work Product, Improvements, and/or Real Property.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the District and the Landowner agree as follows:

SECTION 1. **INCORPORATION OF RECITALS.** The recitals stated above are true and correct and by this reference are incorporated herein and form a material part of this Agreement.

SECTION 2. WORK PRODUCT. The District agrees to pay the lesser of actual cost incurred by the Landowner or fair market value, for preparation of the Work Product in accordance with the provisions of this Agreement. The Landowner shall provide copies of any and all invoices, bills, receipts, or other evidence of costs incurred by the Landowner for the Work Product. The Parties agree to cooperate and use good faith and best efforts to undertake and

complete the acquisition process contemplated by this Agreement on such date as the Parties may jointly agree upon (the "Acquisition Date"). The Parties agree that separate or multiple Acquisition Dates may be established for any portion of the acquisitions contemplated by this Agreement. The District Engineer shall review all evidence of cost and shall certify to the District's Board of Supervisors (the "Board") the total actual amount of cost, which, in the District Engineer's sole opinion, is reasonable for the Work Product. The District Engineer's opinion as to cost shall be set forth in an Engineer's Certificate which shall accompany the requisition for the funds from the trustee for the Series 2020 Bonds ("Trustee"). In the event that the Landowner disputes the District Engineer's opinion as to cost, the District and the Landowner agree to use good faith efforts to resolve such dispute. If the Parties are unable to resolve any such dispute, the Parties agree to jointly select a third-party engineer whose decision as to any such dispute shall be binding upon the Parties. Such decision by a third-party engineer shall be set forth in an Engineer's Affidavit which shall accompany the requisition for the funds from the Trustee. The Parties acknowledge that the Work Product is being acquired for use by the District in connection with the construction of the Improvements.

A. The Landowner agrees to convey to the District, and solely to the extent permitted by the terms of the Work Product, the Work Product upon payment of the sums determined to be acceptable by the District Engineer and approved by the District's Board pursuant to and as set forth in this Agreement.

В. The Landowner agrees to release to the District all right, title, and interest which the Landowner may have in and to the above described Work Product, as well as all common law, statutory, and other reserved rights, including all copyrights in the Work Product and extensions and renewals thereof under United States law and throughout the world, and all publication rights and all subsidiary rights and other rights in and to the Work Product in all forms, mediums, and media, now known or hereinafter devised; provided, however, that the District agrees and acknowledges that the Landowner shall retain the right, title and interest to use the Work Product, and the District shall grant the Landowner a license to use the Work Product to the extent reasonably required by the Landowner in connection with the ownership, construction, development, and management of the Series 2020 Project or other lands owned by Landowner to which such Work Product pertains. To the extent determined necessary by the District, the Landowner shall use commercially reasonable efforts to obtain all releases from any professional providing services in connection with the Work Product to enable the District to use and rely upon the Work Product. Such releases may include, but are not limited to, any architectural, engineering, or other professional services.

C. Except as otherwise separately agreed by the Parties with respect to any particular acquisition of Work Product, and without intending to modify any of the other terms of this Agreement, any conveyance of Work Product shall be on an "AS-IS" basis, and without any representation or warranty from the Landowner to the District in respect thereto.

D. The Landowner agrees to make reasonable good faith efforts, but without imposing any requirement on Landowner to pay for additional warranty rights on behalf of the District, to provide or cause to be provided to the District, either by assignment or directly from such third parties as may be necessary and desirable to the mutual satisfaction of the Parties hereto, a warranty that the Work Product is fit for the purposes to which it will be put by the District, as contemplated by the Engineer's Report.

E. The District agrees to allow the Landowner access to and use of the Work Product without the payment of any fee by the Landowner. However, to the extent the Landowner's access to and use of the Work Product causes the District to incur any cost or expense, such as copying costs, the Landowner agrees to pay such cost or expense.

SECTION 3. **IMPROVEMENTS.** The Landowner has expended certain funds on behalf of the District relating to the Improvements. The District agrees to acquire or otherwise reimburse the Landowner for those portions of the Improvements which have been commenced or completed prior to the issuance of the Series 2020 Bonds. When a portion of the Improvements is ready for conveyance by the Landowner to the District, the Landowner shall notify the District in writing, describing the nature of the improvement, its general location, and its estimated cost. Landowner agrees to provide, at or prior to the Acquisition Date, the following: (i) documentation of actual costs paid; (ii) instruments of conveyance such as special warranty bills of sale or such other instruments as may be reasonably requested by the District; and (iii) any other releases, indemnifications, or documentation as may be reasonably requested by the District. Any real property interests necessary for the functioning of the Improvements to be acquired under this paragraph shall be reviewed and conveyed in accordance with the provisions of Section 5 herein. The District Engineer in consultation with District Counsel shall determine in writing whether the infrastructure to be conveyed is a part of the Improvements contemplated by the Engineer's Report, and if so, shall provide Landowner with a list of items necessary to complete the acquisition. Each such acquisition shall also be subject to the engineering review and certification process described in Section 2 above. The District Manager shall determine, in writing, whether the District has, based on the Landowner's estimate of cost, sufficient unencumbered funds to acquire the improvement.

A. All documentation of any acquisition (e.g., bills of sale, receipts, maintenance bonds, as-builts, evidence of costs, deeds or easements, etc.) shall be to the reasonable satisfaction of the District. If any item acquired is to be conveyed to a third-party governmental entity, then the Landowner agrees to cooperate and provide such certifications, warranties, representations or other items as may be required by that governmental entity, if any.

B. The District Engineer shall certify as to the actual cost of any improvement built or constructed by or at the direction of the Landowner, and the District shall pay no more than the actual cost incurred, or the fair market value of the improvement, whichever is less, as determined by the District Engineer.

C. The Landowner agrees to cooperate in the transfer of any permits to the District or another governmental entity with maintenance obligations for any Improvements conveyed pursuant to this Agreement.

D. Nothing herein shall require the District to accept any Work Product and/or Improvements unless the District Engineer, in his or her professional opinion, is able to certify that, in addition to any other requirements of law: (i) the Work Product and/or Improvements are as set forth in the Engineer's Report; (ii) the price for such Work Product and/or Improvements is equal to or less than each of (a) the cost actually paid to develop and/or install the Work Product and/or Improvements by the Landowner and (b) the reasonable fair market value of the Work Product and/or Improvements; (iii) as to Work Product, the Work Product is capable of being used for the purposes intended by the District, and, as to any Improvements, the Improvements were installed in accordance with their specifications, and are capable of performing the functions for which they were intended; and (iv) as to any Improvements, all known plans, permits and specifications necessary for the operation and maintenance of the Improvements are complete and on file with the District, and have been transferred, or are capable of being transferred, to the District for operations and maintenance responsibilities.

SECTION 4. ASSIGNMENT OF CONTRACTS. The District may accept the assignment of certain contracts. Such acceptance is predicated upon: (i) each contractor providing a bond in the form and manner required by section 255.05, *Florida Statutes*, or the Landowner providing adequate alternative security in compliance with section 255.05, *Florida Statutes*, if required; and (ii) receipt by the District of a release from each general contractor acknowledging each assignment and the validity thereof, acknowledging the furnishing of the bond or other security required by section 255.05, *Florida Statutes*, if any, and waiving any and all claims against the District arising as a result of or connected with such assignment. Until such time as the Series 2020 Bonds are actually issued, the Landowner agrees to provide such funds as are needed by the District to make all payments for any such assigned contracts when and as needed by the District.

SECTION 5. CONVEYANCE OF REAL PROPERTY.

A. *Conveyance.* In the event that real property interests are to be conveyed by the Landowner and acquired by the District in connection with the acquisition of the Improvements, and as mutually agreed upon by the District and the Landowner, then in such event, the Landowner agrees that it will convey to the District at or prior to the Acquisition Date by a special warranty deed, or non-exclusive easement, as reasonably acceptable to the District together with a metes and bounds or other legal description, the Real Property upon which the Improvements are constructed or which are necessary for the operation and maintenance of, and access to the Improvements. The Parties agree that in no event shall the purchase price for the Real Property exceed the lesser of the actual cost to the Landowner or the value of an appraisal obtained by the District for this purpose. The Parties agree that the purchase price shall not include amounts attributable to the value of improvements on the Real Property and other improvements serving the Real Property that have been, or will be, funded by the District. The District may determine in its

reasonable discretion that fee title is not necessary and in such cases shall accept such other interest in the lands upon which the Improvements are constructed as the District deems reasonably acceptable. Such special warranty deed or other instrument shall be subject to a reservation by Landowner of its right and privilege to use the area conveyed to construct any Improvements and any future improvements to such area for any related purposes (including, but not limited to, construction traffic relating to the construction of the development) not inconsistent with the District's use, occupation or enjoyment thereof. The Landowner shall pay the cost for recording fees and documentary stamps required, if any, for the conveyance of the lands upon which the Improvements are constructed. The Landowner shall be responsible for all taxes and assessments levied on the lands upon which the Improvements are constructed until such time as the Landowner conveys said lands to the District. At the time of conveyance, the District may require, at Landowner's expense, an owner's title insurance policy in a form satisfactory to the District. In the event the title search reveals exceptions to title which render title unmarketable or which, in the District's reasonable discretion, would materially interfere with the District's use of such lands, the District shall not be required to accept such conveyance of Real Property and/or any related Improvements or Work Product.

B. **Boundary or Other Adjustments.** Landowner and the District agree that reasonable future boundary adjustments may be made as deemed necessary and approved by both Parties in order to accurately describe lands conveyed to the District and lands which remain in Landowner's ownership; provided, however, that such future boundary adjustments shall not affect the ability of the Landowner to have the lots developed. The Parties agree that any land transfers made to accommodate such adjustments shall be accomplished by donation. However, the party requesting such adjustment shall pay any transaction costs resulting from the adjustment, including but not limited to taxes, title insurance, recording fees or other costs.

SECTION 6. TAXES, ASSESSMENTS, AND COSTS.

A. Taxes and Assessments on Property Being Acquired. The District is an exempt governmental unit acquiring property pursuant to this Agreement for use exclusively for public purposes. Accordingly, in accordance with Florida law, the Landowner agrees to place in escrow with the Polk County Tax Collector an amount equal to the current ad valorem taxes and non-ad valorem assessments prorated to the date of transfer of title, based upon the expected assessment and millage rates giving effect to the greatest discount available for early payment.

1. If and only to the extent the property acquired by the District is subject to ad valorem taxes or non-ad valorem assessments, the Landowner agrees to reimburse the District for payment, or pay on its behalf, any and all ad valorem taxes and non-ad valorem assessments imposed during the calendar year in which each parcel of property is conveyed.

2. Nothing in this Agreement shall prevent the District from asserting

any rights to challenge any taxes or assessments imposed, if any, on any property of the District.

B. *Notice.* The Parties agree to provide notice to the other within ten (10) calendar days of receipt of any notice of potential or actual taxes, assessments, or costs, as a result of any transaction pursuant to this Agreement, or notice of any other taxes assessments or costs imposed on the property acquired by the District as described in Subsection A above. The Landowner covenants to make any payments due hereunder in a timely manner in accordance with Florida law. In the event that the Landowner fails to make timely payment of any such taxes or costs, the Landowner acknowledges the District's right to make such payment. If the District makes such payment, the Landowner agrees to reimburse the District within thirty (30) calendar days of receiving notice of such payment, and to include in such reimbursement any fees, costs, penalties, or other expenses which accrued to the District as a result of making such a payment, including interest at the maximum rate allowed by law from the date of the payment made by the District.

C. *Tax liability not created.* Nothing herein is intended to create or shall create any new or additional tax liability on behalf of the Landowner or the District. Furthermore, the Parties reserve all respective rights to challenge, pay under protest, contest or litigate the imposition of any tax, assessment, or cost in good faith they believe is unlawfully or inequitably imposed and agree to cooperate in good faith in the challenge of any such imposition.

SECTION 7. ACQUISITION IN ADVANCE OF RECEIPT OF PROCEEDS. The District and Landowner hereby agree that an acquisition by the District may be completed prior to the District obtaining proceeds from the Series 2020 Bonds ("Prior Acquisitions"). The District agrees to pursue the issuance of the Series 2020 Bonds in good faith and, within thirty (30) days from the issuance of such Series 2020 Bonds, to make payment for any Prior Acquisitions completed pursuant to the terms of this Agreement; provided, however, that in the event Bond Counsel determines that any such Prior Acquisitions are not properly compensable for any reason, including, but not limited to, federal tax restrictions imposed on tax-exempt financing, the District shall not be obligated to make payment for such Prior Acquisitions. Interest shall not accrue on the amounts owed for any Prior Acquisitions. In the event the District does not or cannot issue the Series 2020 Bonds within five (5) years from the date of this Agreement, and, thus does not make payment to the Landowner for the Prior Acquisitions, the Parties agree that the District shall have no reimbursement obligation whatsoever. The Landowner acknowledges that the District intends to convey some or all of the Improvements to the State of Florida, the City of Davenport, Florida and Polk County, Florida, and consents to the District's conveyance of such improvements prior to payment for any Prior Acquisitions.

SECTION 8. **DEFAULT.** A default by either Party under this Agreement shall entitle the other to all remedies available at law or in equity, which may include, but not be limited to, the right of damages and/or specific performance, but excluding special, consequential or punitive damages.

SECTION 9. INDEMNIFICATION. For all actions or activities which occur prior to the date of the acquisition of the relevant Real Property, Improvement or Work Product hereunder, the Landowner agrees to indemnify and hold harmless the District and its officers, staff, agents and employees from any and all liability, claims, actions, suits or demands by any person, corporation or other entity for injuries, death, property damage or claims of any nature arising out of, or in connection with, the use by the Landowner, its officers, agents, employees, invitees or affiliates, of the Real Property, Improvement, or Work Product, including litigation or any appellate proceedings with respect thereto, irrespective of the date of the initiation or notice of the claim, suit, etc.; provided, however, that the Landowner shall not indemnify the District for a default by the District under this Agreement or the use of such Real Property, Improvement or Work Product by the District, its engineers, employees, contractors, or such persons' or entities' negligence.

SECTION 10. ENFORCEMENT OF AGREEMENT. In the event that any Party is required to enforce this Agreement by court proceedings or otherwise, then the Parties agree that the substantially prevailing party shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees, paralegal fees and expert witness fees, and costs for trial, alternative dispute resolution, or appellate proceedings.

SECTION 11. ENTIRE AGREEMENT. This instrument shall constitute the final and complete expression of the agreement between the District and the Landowner relating to the subject matter of this Agreement.

SECTION 12. AMENDMENTS. This Agreement shall constitute the entire agreement between the Parties regarding the subject matter hereof and may be modified in writing only by the mutual agreement of all Parties, and with regards to material amendments, with the prior written consent of the Trustee for the Series 2020 Bonds acting at the direction of the bondholders owning majority of the aggregate principal amount of the Series 2020 Bonds then outstanding.

SECTION **13. AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of the District and the Landowner. The District and the Landowner have complied with all the requirements of law. The District and the Landowner have full power and authority to comply with the terms and provisions of this Agreement.

SECTION 14. NOTICES. All notices, requests, consents and other communications under this Agreement ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, as follows:

A.	If to the District:	North Powerline Road Community	
		Development District	
		219 East Livingston Street	
		Orlando, Florida 32801	
		Attn: District Manager	
	With a copy to:	Hopping Green & Sams, P.A.	
		119 South Monroe Street, Suite 300	

		Post Office Box 6526 Tallahassee, Florida 32314 Attn: Roy Van Wyk
B.	If to Landowner:	JMBI Real Estate, LLC
		346 East Central Avenue
		Winter Haven, Florida 33880
		Attn: Warren K. (Rennie) Heath, II
	With a copy to:	Straughn & Turner, P.A.
		255 Magnolia Avenue SW
		Winter Haven, Florida 33880
		Attn: Richard E. Straughn

Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth above. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the District and counsel for the Landowner may deliver Notice on behalf of the District and the Landowner. Any Party or other person to whom Notices are to be sent or copied may notify the other parties and addressees of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addressees set forth in this Agreement.

SECTION 15. ARM'S LENGTH TRANSACTION. This Agreement has been negotiated fully between the District and the Landowner as an arm's length transaction. All Parties participated fully in the preparation of this Agreement and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, all Parties are deemed to have drafted, chosen, and selected the language, and the doubtful language will not be interpreted or construed against any Party hereto.

SECTION 16. THIRD PARTY BENEFICIARIES. This Agreement is solely for the benefit of the District and the Landowner and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Agreement. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or entity other than the District and the Landowner any right, remedy, or claim under or by reason of this Agreement or any of the provisions or conditions of this Agreement; and all of the provisions, representations, covenants, and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the District and the Landowner and their respective representatives, successors, and assigns. Notwithstanding the foregoing, nothing in this paragraph shall be construed as impairing or modifying the rights of any bondholders of Series 2020 Bonds issued by the District for the purpose of acquiring any Work Product, Improvements and/or Real Property. Also notwithstanding anything herein to the contrary, the Trustee for the Series 2020

Bonds, on behalf of the owners of the Series 2020 Bonds, shall be a direct third-party beneficiary acting at the direction of the bondholders owning more than 50% of an aggregate principal amount of the applicable Series 2020 Bonds then outstanding, be entitled to cause the District to enforce the Landowner's obligations hereunder.

SECTION 17. ASSIGNMENT. This Agreement may be assigned, in whole or in part, by either Party only upon the written consent of the other, which consent shall not be unreasonably withheld, and the Trustee acting on behalf of the Bondholders owning a majority of the aggregate principal amount of the Series 2020 Bonds then outstanding. Such consent shall not be required in the event of a sale of the majority of the lands in Series 2020 Project then-owned by the Landowner pursuant to which the unaffiliated purchaser agrees to assume any remaining obligations of the Landowner under this Agreement. Upon the merger, amendment, or name change of the District, the Agreement will be assumed by operation of law by the District's successor in interest and no consent to such assumption shall be required.

SECTION 18. APPLICABLE LAW AND VENUE. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Agreement shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

SECTION 19. EFFECTIVE DATE. This Agreement shall be effective upon its execution by the District and the Landowner.

SECTION 20. TERMINATION. This Agreement may be terminated by the District without penalty in the event that the District does not issue its proposed Series 2020 Bonds within five (5) years from the date of this Agreement.

SECTION **21. PUBLIC RECORDS.** The Landowner understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records and will be treated as such in accordance with Florida law.

SECTION 22. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement, or any part of this Agreement not held to be invalid or unenforceable.

SECTION 23. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the Doctrine of Sovereign Immunity or by operation of law.

SECTION 24. HEADINGS FOR CONVENIENCE ONLY. The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

SECTION 25. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the Parties execute this Agreement the day and year first written above.

ATTEST:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

WITNESS:

JMBI REAL ESTATE, LLC,

a Florida limited liability company

Print Name:

Warren K. (Rennie) Heath II, Manager

 Comp. Exhibit A: Engineer's Report for Capital Improvement Second Amended and Restated, dated March 2020, as supplemented by that First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement, dated March 2020, as further supplemented by that Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvements dated September 2020
 Exhibit B Exhibit C
 Legal Description of Series 2020 Assessment Area Composite Exhibit A

Engineer's Report

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS SECOND AMENDED AND RESTATED

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. It is anticipated at this time that the District will petition to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report.

The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

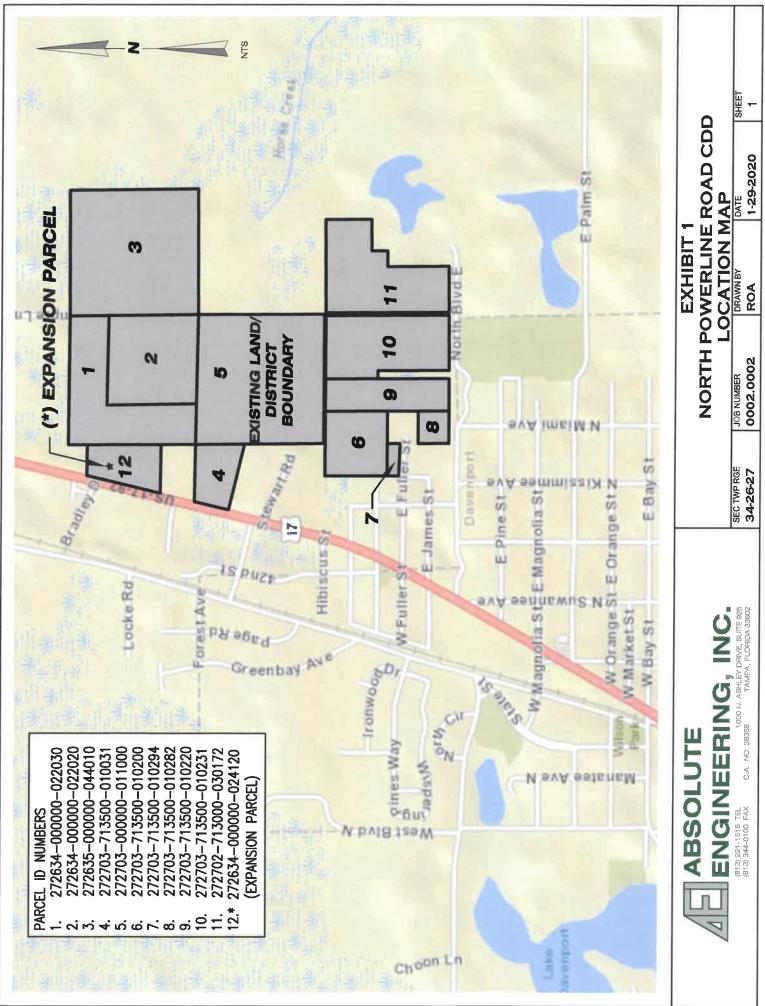
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12'46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

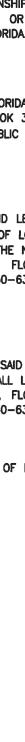
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER | DRAWN BY | DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL "A"

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

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PARCEL 10 (272703-713500-010231)

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PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

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AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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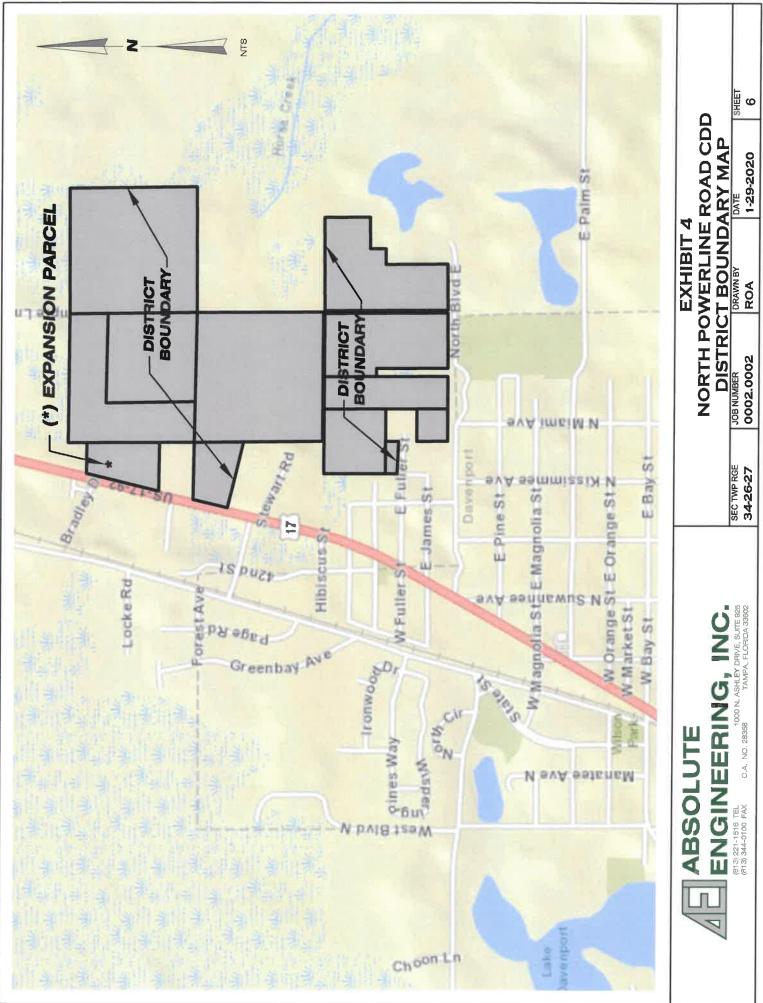
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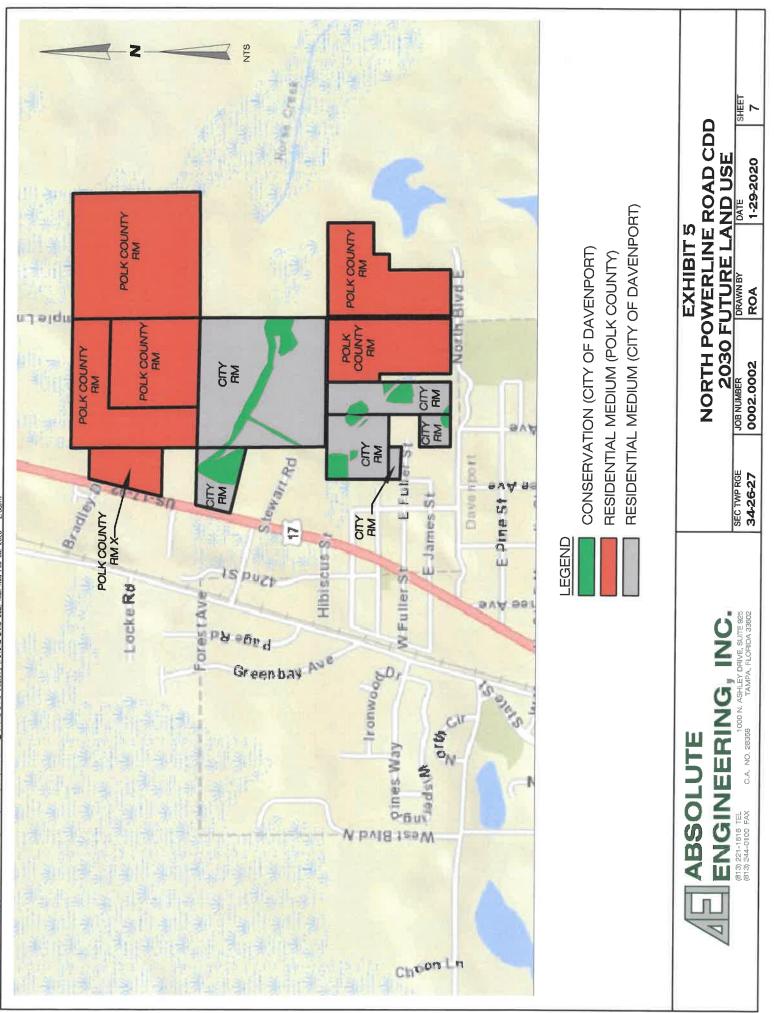
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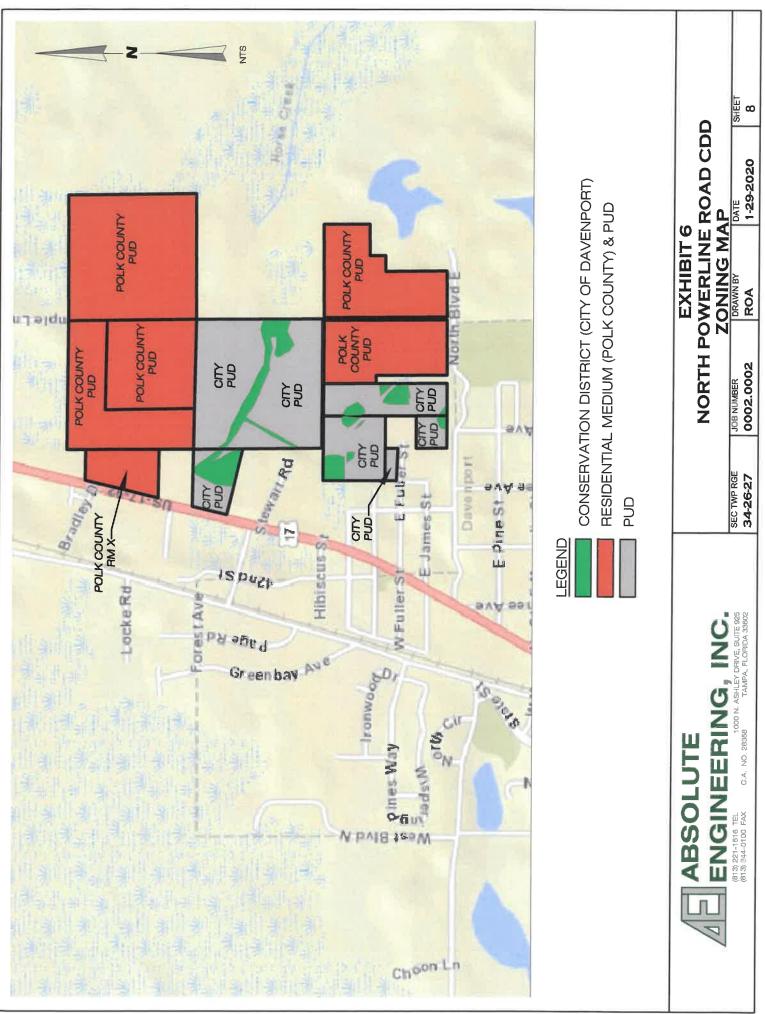
DATE 1-29-2020

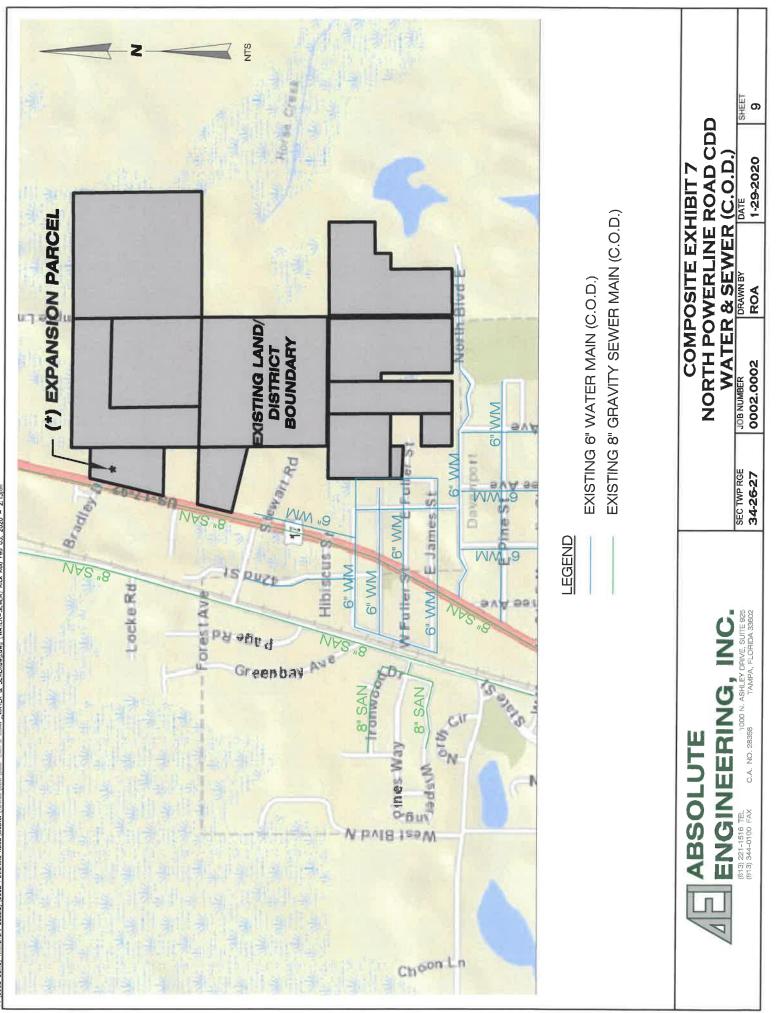
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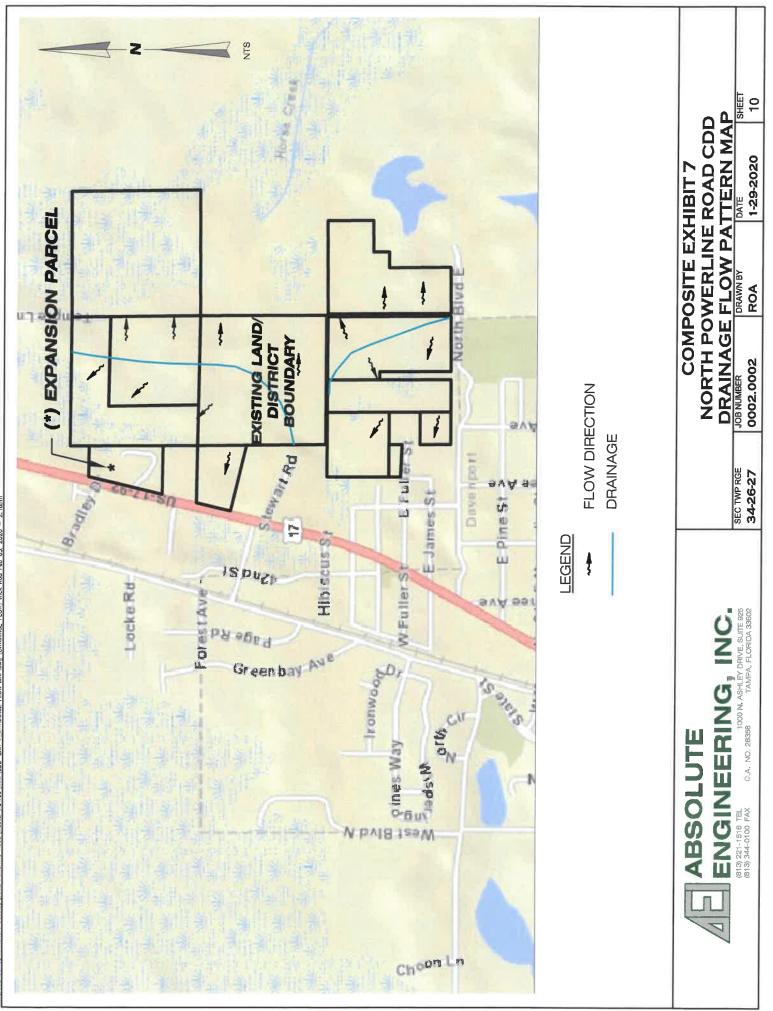
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
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Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

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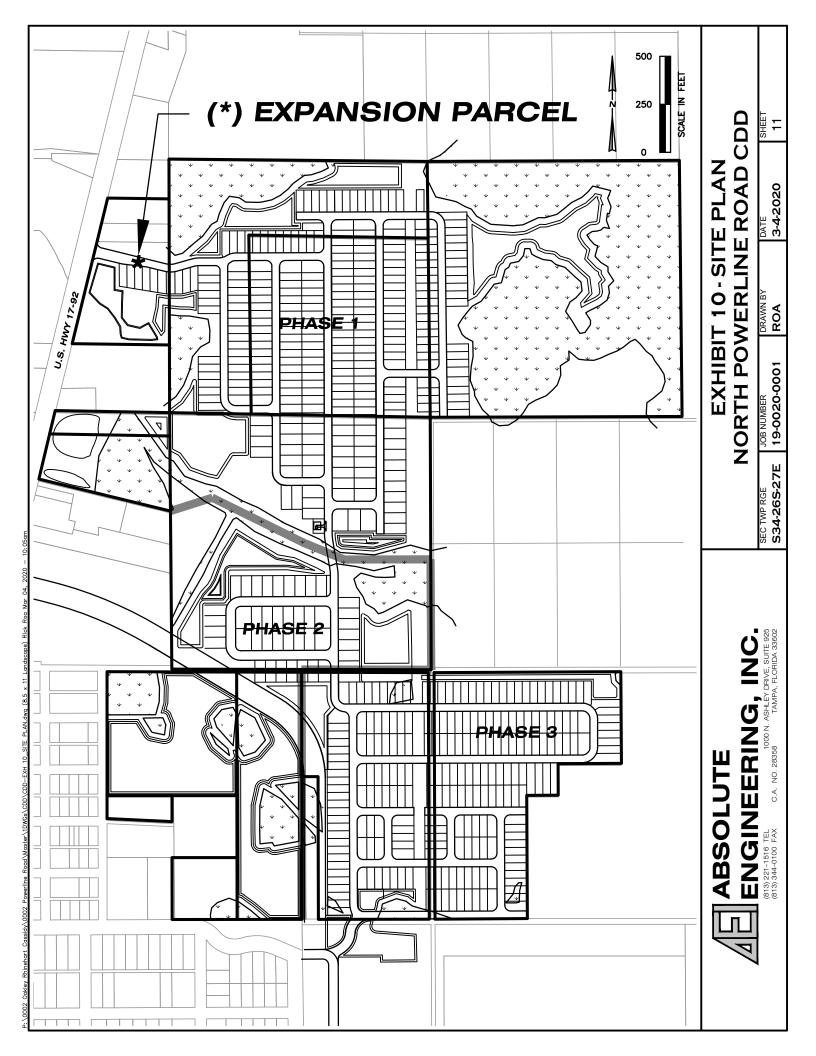
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 Existing Land (289 Lots)	Phase 1 Expansion Parcel (6 Lots)	<u>Phase 2</u> (44 Lots)	<u>Phase 3</u> (228 Lots)	<u>Total</u>
	2020-2023	2020-2023	2021-2024	2022-2025	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,238
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway (1)(4)(5)(7)	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,172
Parks and Amenities (1)(7)(11)	\$449,923	\$9,341	\$68,500	\$354,956	\$882,721
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	\$103,277	\$535,163	\$1,330,865
TOTAL	\$6,750,125	\$242,218	\$2,129,701	\$5,404,251	\$14,526,296

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

FIRST SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The First Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The increase in overall units is 16 and the associated increase in the infrastructure development cost is \$595,297.00.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. The District is in the process of petitioning to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. The petition to amend the boundaries of the District to annex the Expansion Parcel in the District has been filed with the County. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Development Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

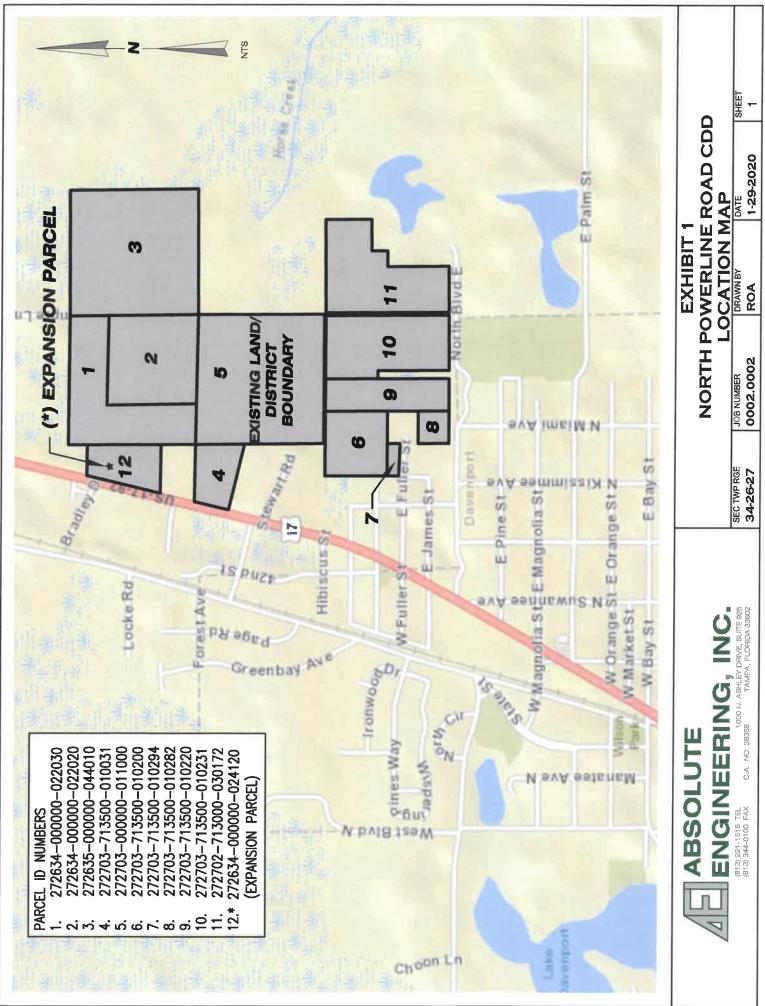
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

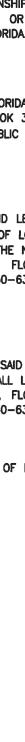
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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PARCEL 6 (272703-713500-010200)

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PARCEL 7 (272703-713500-010294)

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TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

2020

63.

Feb

Rick

AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3.LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

RIVE. SUITE 925 FLORIDA 33602

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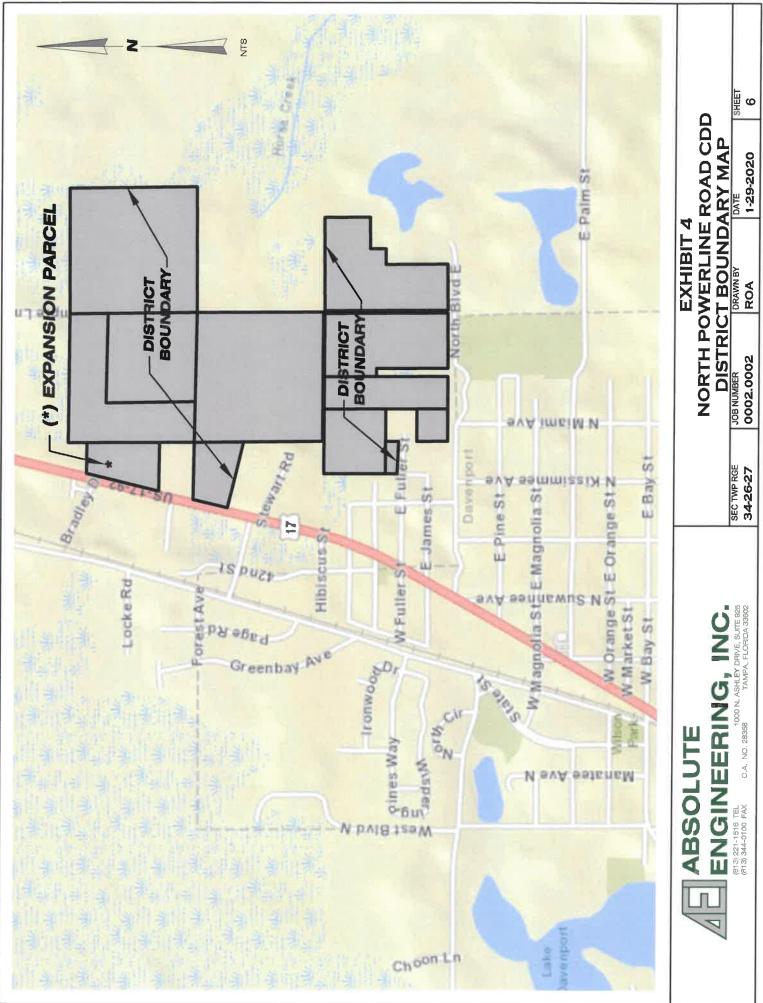
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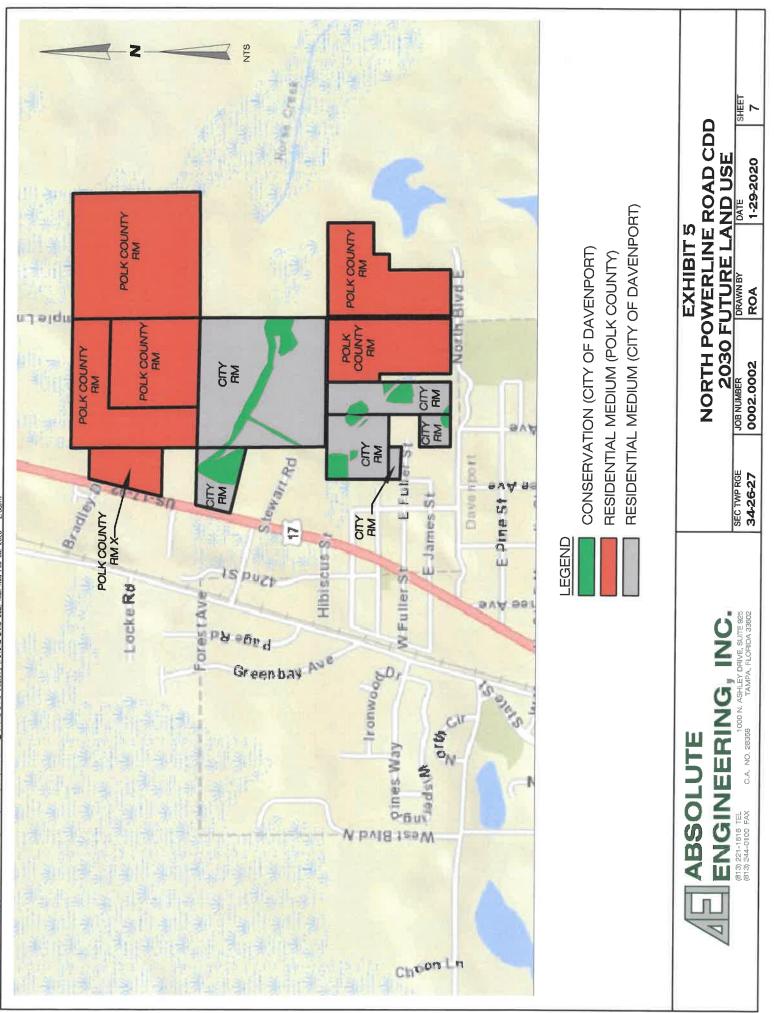
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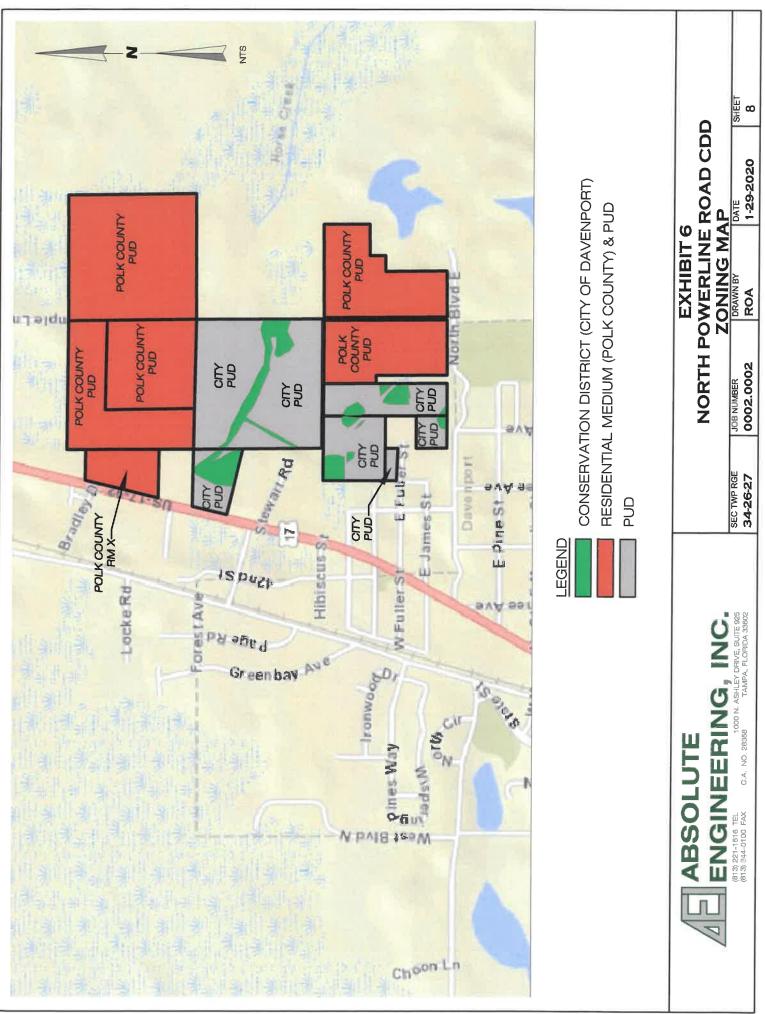
DATE 1-29-2020

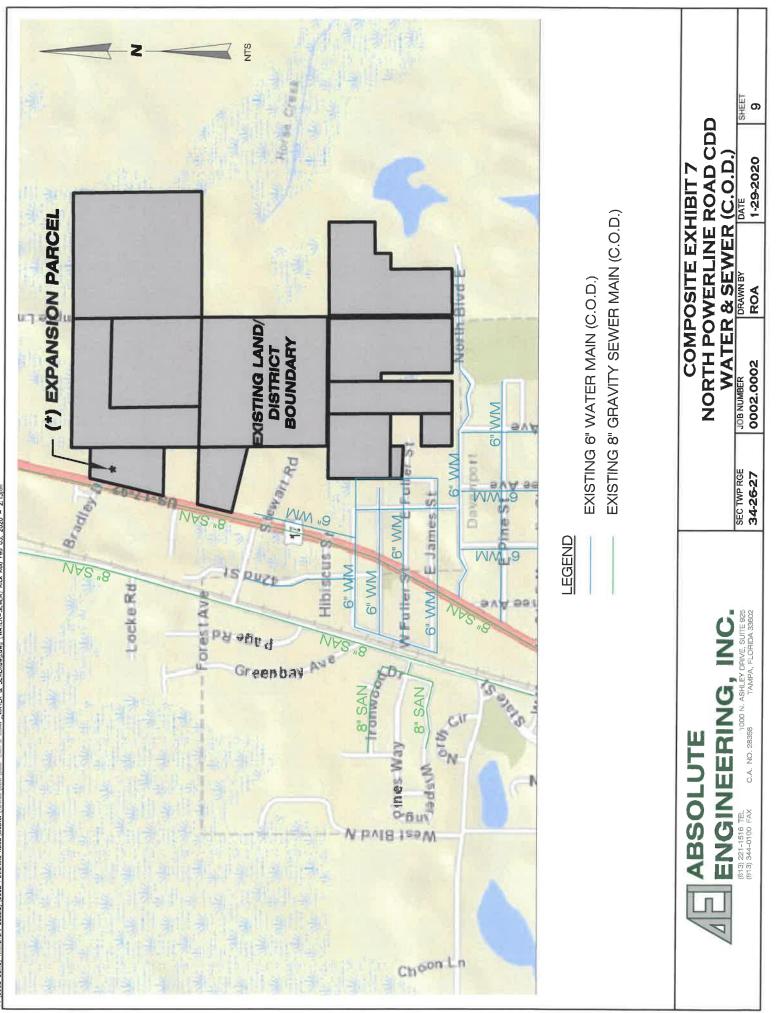
DRAWN ROA



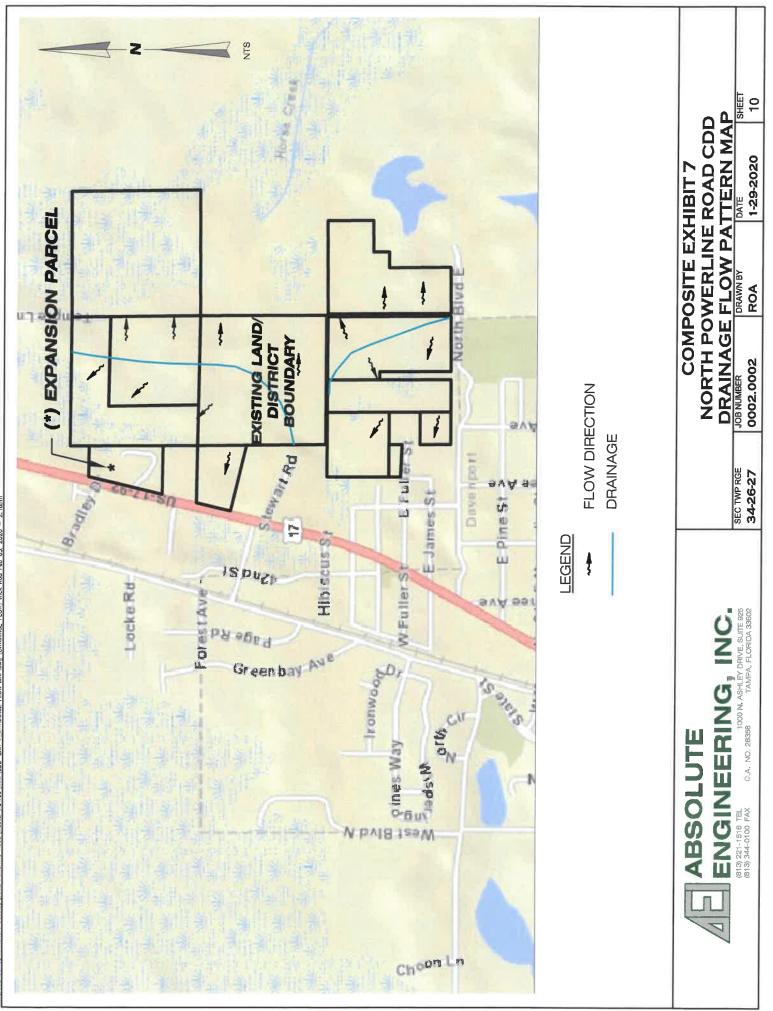
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership Capital Financing*		Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

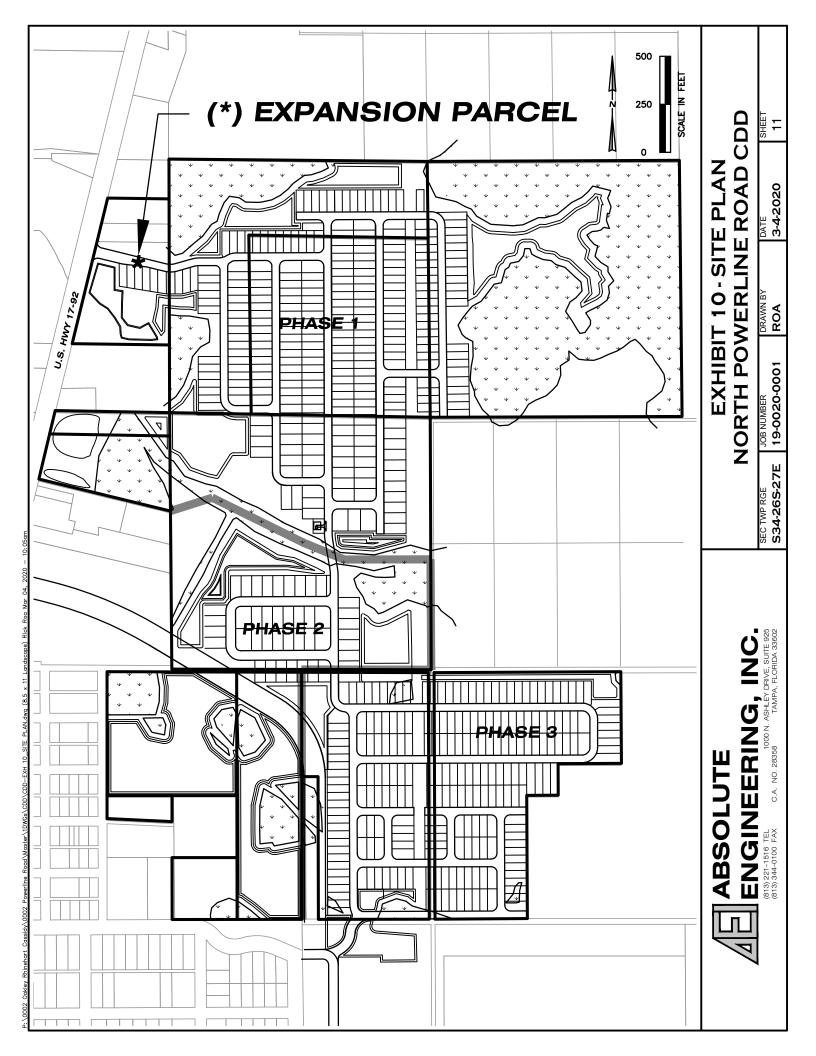
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

<u>Infrastructure</u>	<u>Phase 1</u> <u>Existing Land</u> (289 Lots)	<u>Phase 1</u> <u>Expansion</u> Parcel (6 Lots)	<u>Phase 2 (44</u> <u>Lots)</u>	<u>Phase 3 (228</u> Lots)	<u>Total</u>
	<u>2020-2023</u>	<u>2020-2023</u>	<u>2021-2024</u>	<u>2022-2025</u>	<u>(567 Lots)</u>
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway ⁽¹⁾⁽⁴⁾⁽⁵⁾⁽⁷⁾	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,171
Parks and Amenities ⁽¹⁾⁽⁷⁾⁽¹¹⁾	\$449,923	\$9,341	\$68,500	\$354,956	\$882,720
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	<u>\$103,277</u>	<u>\$535,163</u>	<u>\$1,330,865</u>
TOTAL	\$6,750,125	\$242,217	\$2,129,701	\$5,404,250	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

SECOND SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

SEPTEMBER 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 3- District Boundary Map
- EXHIBIT 4- Land Use Map
- EXHIBIT 5- Zoning Map
- EXHIBIT 6- Utility Location Map & Drainage Flow Pattern Map
- **EXHIBIT 7- Summary of Proposed District Facilities**
- EXHIBIT 8- Summary of Opinion of Probable Costs
- EXHIBIT 9- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The Second Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The total number of units and infrastructure development cost is unchanged.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 195.95 gross acres, and is expected to be constructed in two (2) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure.

The District was established under County Ordinance No. 18-036, as approved by the County Commission on June 5, 2018, further amended by County Ordinance 20-028. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This supplemental "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Capital Improvement Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the

corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in two (2) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2	228	44		272
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1 and 2. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development). There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion in 2023. Upon completion of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Approval / Expected Date
LDPD-2020-10
43044217.002
LDRES-2019-59
139102-070
C\$53-0232639-046-DWCMR

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	LDPD-2020-10
Preliminary Plat	City of Davenport Zoning Approval (7/22/20)
SWFWMD ERP	43044217.004
Construction Permits	October 2020
Polk County Health Department Water	October 2020
FDEP Sewer	October 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City and County. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

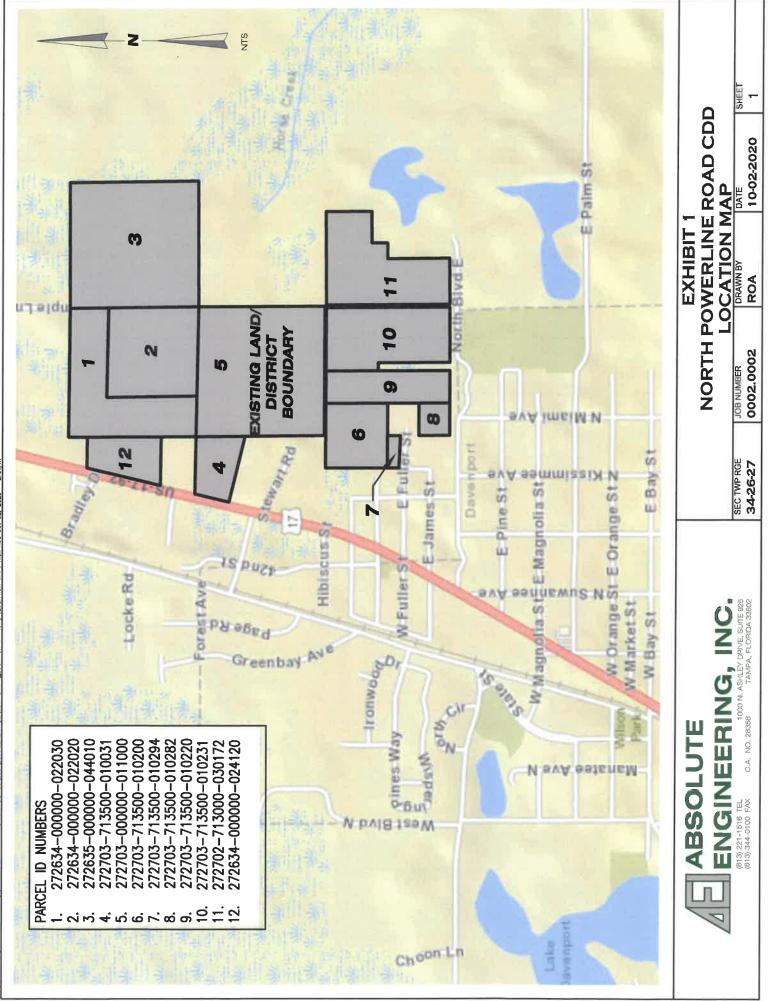
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



0002 Oakley Rhinehert Cassidy 0002 Powerline Road Waster/DWSs/CDD/SUPPLEMENT //2/CDD-CXH 1_LOCATION MAP, dwg (LCCATION MAP) Rick Roa Oct 02, 2020 - 2:015m

LEGAL DESCRIPTION:

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12°46'30" WEST, 241.4 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.



LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

Rick Rog Oct 02,

AMEND-2.dwg (LEGAL)

DESC

Rood/Master/1DWGs/CDD/SUPPLEMENT #2/CDD-EXH 2_LEGAL

Powerline

Oaktey Rhinehart CassId V 0002

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SAID SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

DRIVE, SUITE 925 1, FLORIDA 33602

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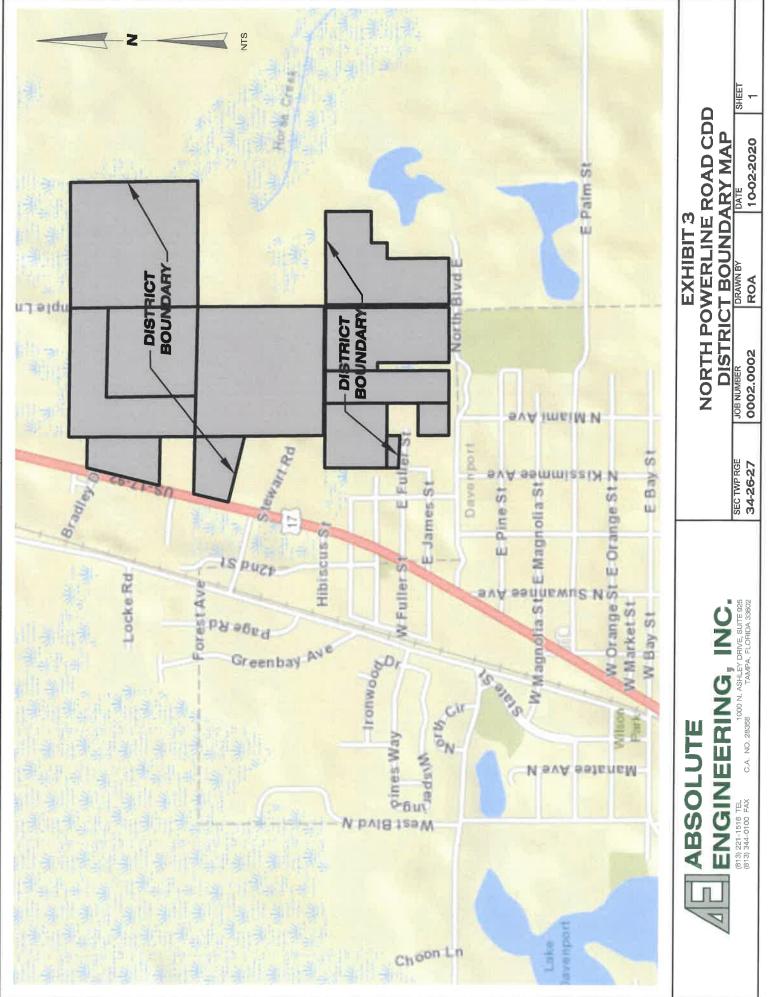
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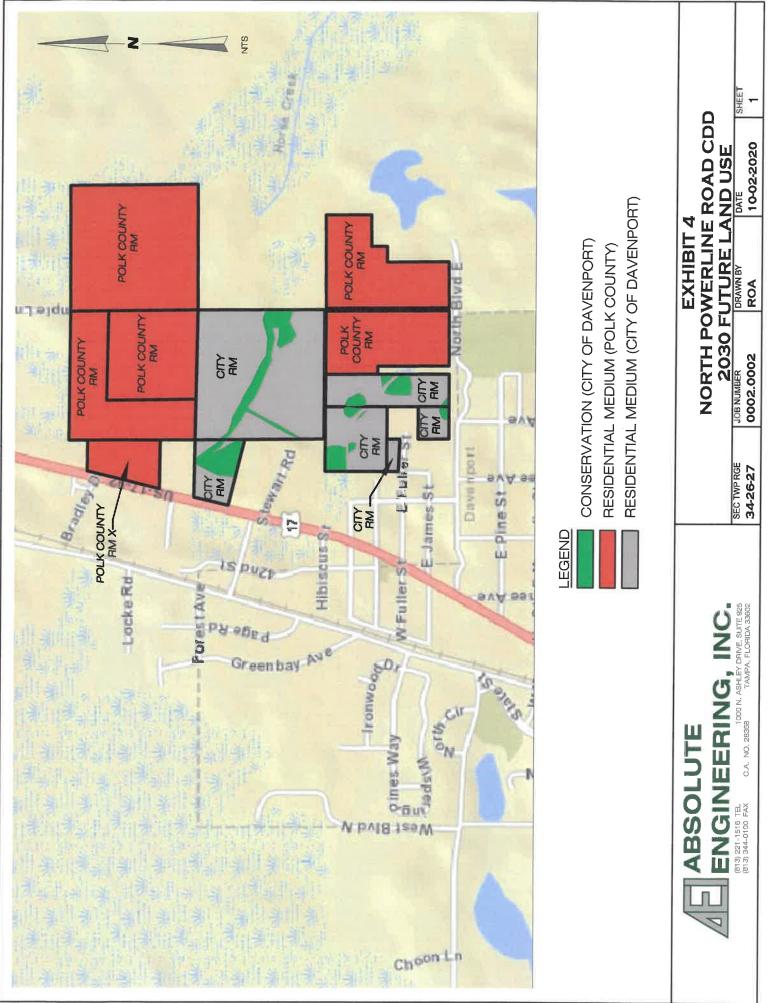
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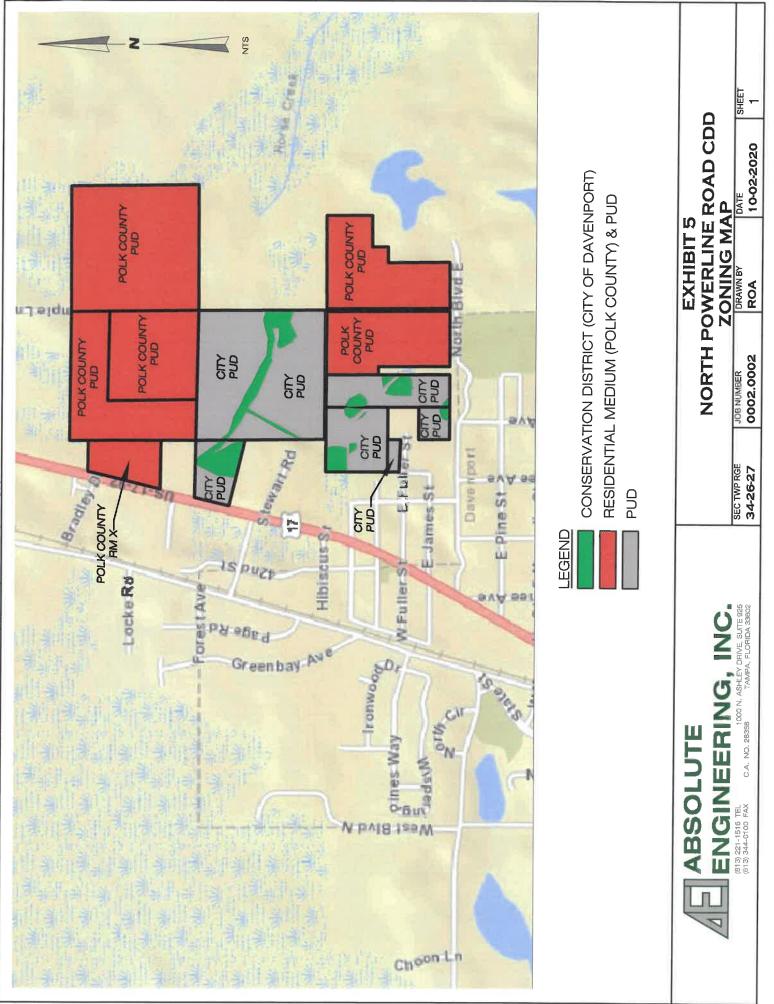
EXHIBIT



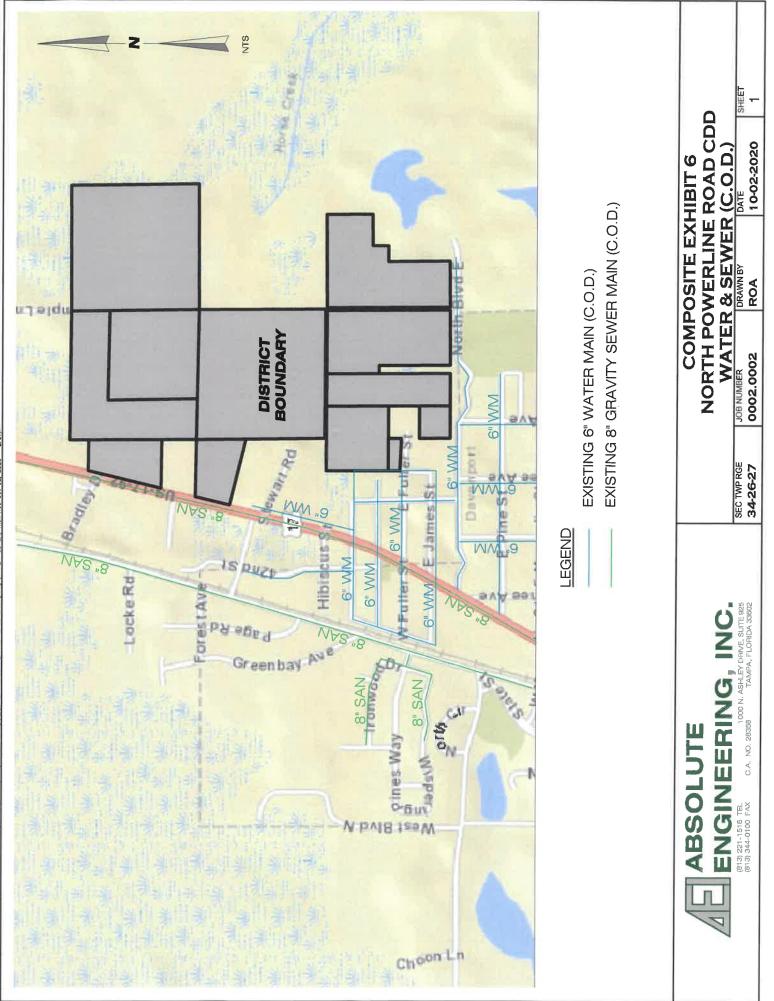
- NOO2 Ookey Rhinehert Cassidy/OO2 Powerline Road/Mester/10WGs/UDYLENENT #2/COD-EXH 3_DIST BND MAP-dwg (DIST BNDY MAP) Rick Reo Oct 02, 2020 - 2:05jim



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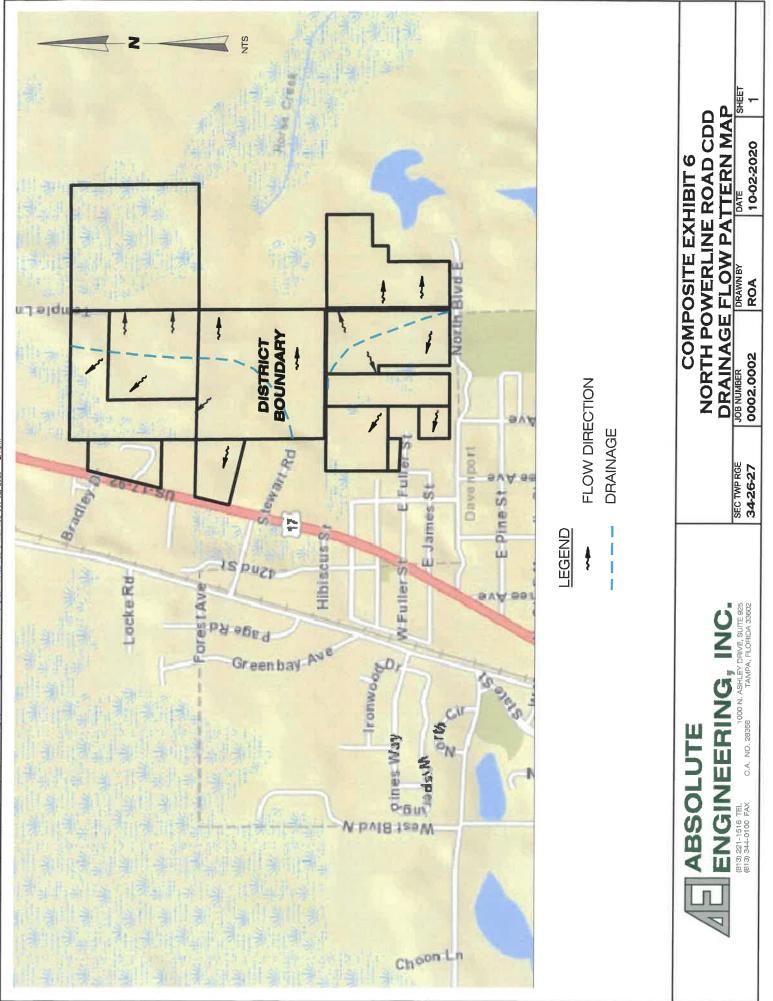


Exhibit 7 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	District**	District Bonds	District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit only

***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 (295 Lots)	Phase 2 (272 Lots)	Total
intrastructure	<u>2020-2023</u>	<u>2020-2023</u>	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,150,467	\$1,060,770	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,936,035	\$1,785,089	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ⁽¹⁾ ⁽⁵⁾⁽⁷⁾ ⁽⁹⁾⁽¹¹⁾	\$1,765,823	\$1,628,148	\$3,393,971
Roadway (1)(4)(5)(7)	\$878,980	\$1,897,225	\$2,776,205
Entry Feature ⁽¹⁾⁽⁷⁾⁽⁸⁾⁹¹¹⁾	\$109,348	\$100,823	\$210,171
Parks and Amenities (1)(7)(11)	\$459,264	\$423,456	\$882,720
Contingency ⁽¹¹⁾	<u>\$692,425</u>	<u>\$638,440</u>	<u>\$1,330,865</u>
TOTAL	\$6,992,342	\$7,533,951	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).

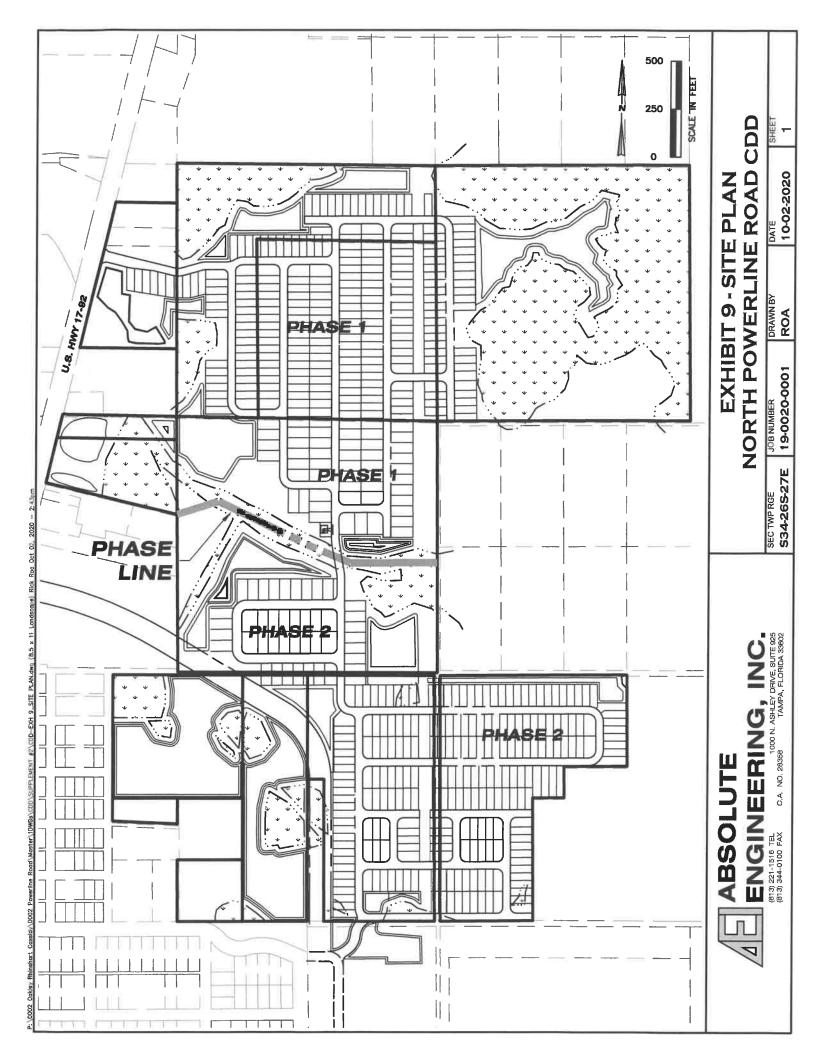


EXHIBIT B

Legal Description of Landowner Lands

EXHIBIT C

Legal Description of Series 2020 Assessment Area

SECTION 5

AGREEMENT BY AND BETWEEN THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND JMBI REAL ESTATE, LLC, REGARDING THE COMPLETION OF CERTAIN IMPROVEMENTS

(SERIES 2020 – PHASE 1)

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of , 2020, by and between:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

JMBI REAL ESTATE, LLC, a Florida limited liability company, a landowner of certain lands within the District, with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner", and together with the District, the "Parties").

RECITALS

WHEREAS, the District was established by an ordinance adopted by the Board of County Commissioners in and for Polk County, Florida, as approved and consented to by the Board of City Commissioners of City of Davenport, Florida, pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (the "Act"), and is validly existing under the Constitution and laws of the State of Florida; and

WHEREAS, the Act authorizes the District to issue bonds for the purpose, among others, of planning, financing, constructing, operating and/or maintaining certain infrastructure, including stormwater management facilities, water and sewer utilities, roadways, irrigation, off-site improvements, landscape and hardscape, street lighting, parks and recreation, and other infrastructure within or without the boundaries of the District (the "Improvements"); and

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 1 in the Engineer's Report, defined herein, and more particularly described in **Exhibit A** attached hereto ("Landowner Lands"). Landowner Lands are a portion of the benefited lands in the Series 2020 Assessment Area (described in **Exhibit B** attached hereto, which will be subject to the proposed issuance of the Series 2020 Bonds, defined herein; and

WHEREAS, the District has adopted an improvement plan for the planning, design, acquisition, construction, and installation of the Improvements within and adjacent to the District, and the anticipated cost thereof, as described in that certain *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and *Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and *Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and *Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and and and adjacent by the the supplement of the cond and adjacent by the supplement of the cond and adjacent by the supplement of the cond adjacent by the supplement by the supplement of the cond adjacent by the supplement by the supplement

Restated Engineer's Report for Capital Improvements, dated September 2020 (collectively, the "Engineer's Report"), attached hereto as **Composite Exhibit C** and the estimated costs of the Improvements for Phase 1 and Phase 2 (the "Series 2020 Project") and incorporated herein by reference; and

WHEREAS, the District has imposed debt special assessments on the Series 2020 Assessment Area within the District (the "Series 2020 Special Assessments"), to secure financing for the construction of the Series 2020 Project described in **Composite Exhibit C**, and has validated \$22,000,000 in special assessment bonds to fund the planning, design, permitting, construction and/or acquisition of Improvements including the Series 2020 Project; and

WHEREAS, the District intends to finance all or a portion of the Series 2020 Project through the anticipated issuance of its North Powerline Road Community Development District Special Assessment Bonds, Series 2020, in the principal amount of \$_____ (the "Series 2020 Bonds"); and

WHEREAS, Landowner has requested that the District limit the amount of Series 2020 Special Assessments imposed upon the Series 2020 Assessment Area by allowing the Landowner to directly fund a portion of the Series 2020 Project; and

WHEREAS, Landowner has agreed to complete or cause funds to be provided to the District to complete the portion of the Series 2020 Project, as set forth in the Engineer's Report, not funded by proceeds of the Series 2020 Bonds; and

WHEREAS, in consideration of the District limiting the amount of Series 2020 Special Assessments on the Series 2020 Assessment Area, Landowner has requested that the District enter into this Agreement and to provide the terms and conditions under which the Series 2020 Project shall be completed; and

WHEREAS, in order to ensure that the Series 2020 Project is completed and funding is available in a timely manner to provide for its completion, Landowner and the District hereby agree that the District will be obligated to issue no more than \$______ in Series 2020 Bonds to fund the Series 2020 Project and Landowner will complete or will make provision for additional funds that may be needed in the future for the completion of the Series 2020 Project, over and above the amount of the Series 2020 Bonds including, but not limited to, all administrative, legal, warranty, engineering, permitting or other related soft costs.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. INCORPORATION OF RECITALS. The recitals stated above are true and correct and by this reference are incorporated herein and form a material part of this Agreement.

2. COMPLETION OF IMPROVEMENTS. Landowner and the District agree and acknowledge that the proceeds of the District's proposed Series 2020 Bonds will provide only a

portion of the funds necessary to complete the Series 2020 Project. Therefore, Landowner, as owner of the Phase 1 lands, hereby agrees to complete the Series 2020 Project or cause such funds to be provided to the District in an amount sufficient to allow the District to complete those portions of the Series 2020 Project that benefit the Phase 1 lands that may remain unfunded (the "Costs") including, but not limited to, all administrative, legal, warranty, engineering, permitting or other related soft costs (collectively, the "Remaining Improvements"), whether pursuant to existing contracts, including change orders thereto, or future contracts, which Costs shall not exceed the actual costs to complete the portion of Series 2020 Project benefitting the Landowner Lands and as set forth in the Engineer's Report.

(a) Subject to Existing Contract. When all or any portion of the Remaining Improvements are subject to an existing District contract, the Landowner shall provide funds directly to the District in an amount sufficient to complete the Remaining Improvements pursuant to such contract, including change orders thereto.

(b) Not Subject to Existing Contract. When any portion of the Remaining Improvements is not the subject of an existing District contract, the Landowner may choose to complete, cause to be completed, or provide funds to the District in an amount sufficient to allow the District to complete or cause to be completed, those Remaining Improvements, subject to a formal determination by the District that the option selected by the Landowner will not materially and adversely impact the District.

Nothing herein shall cause or be construed to require the District to issue additional bonds or indebtedness to provide funds for any portion of the Remaining Improvements. The Parties hereby acknowledge and agree that the District's execution of this Agreement constitutes the manner and means by which any and all portions of the Remaining Improvements are to be funded and completed. Notwithstanding the foregoing, in the event the Landowner, either jointly or individually, fails to timely provide funds or to complete the Remaining Improvements, the District may exercise its authority to issue additional bonds, notes or similar obligations, and certify for collection additional special assessments in an amount sufficient to complete the Remaining Improvements.

3. OTHER CONDITIONS AND ACKNOWLEDGMENTS.

(a) The District and Landowner agree and acknowledge that the exact location, size, configuration, and composition of the Series 2020 Project may change from that described in the Engineer's Report depending upon final design of the development, permitting or other regulatory requirements over time, or other factors. Material changes to the Series 2020 Project shall be made by a written amendment to the Engineer's Report, which shall include an estimate of the cost of the changes. Material changes to the Series 2020 Project shall require the prior written consent of the Trustee acting on behalf and at the direction of the bondholders owning more than 50% of an aggregate principal amount of the applicable Series 2020 Bonds then outstanding.

(b) The District and Landowner acknowledge and agree that the provision of funds under this Agreement or the completion of the Remaining Improvements will be

considered a contribution in lieu of the imposition of debt special assessments upon the Series 2020 Assessment Area benefitted by the Series 2020 Project.

(c) (i) The Landowner agrees that all developable lands within Series 2020 Assessment Area, including Landowner's property, benefit from the timely design, construction, or acquisition of the Series 2020 Project.

(ii) Landowner agrees that the Series 2020 Special Assessments which were imposed on Series 2020 Assessment Area within the District, have been validly imposed and constitute valid, legal and binding liens upon Series 2020 Assessment Area, which Series 2020 Special Assessments remain unsatisfied.

(d) Notwithstanding anything to the contrary contained in this Agreement, the payment or performance by Landowner of its obligations hereunder are expressly subject to, dependent and conditioned upon (a) the issuance of \$______ par amount of Series 2020 Bonds and use of the proceeds thereof to fund a portion of the Series 2020 Project, and (b) the scope, configuration, size and/or composition of the Series 2020 Project not materially changing without the consent of Landowner. Such consent is not necessary, and Landowner must meet the completion obligations, or cause them to be met, when the scope, configuration, size and/or composition of the Series 2020 Project is materially changed in response to a requirement imposed by a regulatory agency.

4. **DEFAULT AND PROTECTION AGAINST THIRD PARTY INTERFERENCE.** A default by any Party under this Agreement shall entitle the others to all remedies available at law or in equity, which may include, but not be limited to, the right of actual damages and/or specific performance, but excluding special, consequential or punitive damages. Except as expressly otherwise provided in this Agreement, the District shall be solely responsible for enforcing its rights under this Agreement against any interfering third party. Except as expressly otherwise provided in this Agreement, nothing contained in this Agreement shall limit or impair the District's right to protect its rights under this Agreement from interference by a third party.

5. ENFORCEMENT OF AGREEMENT. If any Party is required to enforce this Agreement by court proceedings or otherwise, then the Parties agree that the substantially prevailing party shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

6. AMENDMENTS. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by all Parties hereto, but only with the written consent of the Trustee acting at the direction of the bondholders owning more than 50% of an aggregate principal amount of the Series 2020 Bonds then outstanding, with respect to material amendments.

7. AUTHORIZATION. The execution of this Agreement has been duly authorized by the appropriate body or official of the District and Landowner, both the District and Landowner

have complied with all the requirements of law, and both the District and Landowner have full power and authority to comply with the terms and provisions of this Agreement.

8. NOTICES. All notices, requests, consents and other communications under this Agreement ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, as follows:

(a)	If to the District:	North Powerline Road Community Development District 219 East Livingston Street Orlando, Florida 32801 Attn: District Manager
	With a copy to:	Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Post Office Box 6526 Tallahassee, Florida 32314 Attn: Roy Van Wyk
(b)	If to Landowner:	JMBI Real Estate, LLC 346 East Central Avenue Winter Haven, Florida 33880 Attn: Warren K. (Rennie) Heath II
	With a copy to:	Straughn & Turner, P.A. 255 Magnolia Avenue SW Winter Haven, Florida 33880 Attn: Richard E. Straughn

Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth above. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for each Party may deliver Notice on behalf of such Party. Any Party or other person to whom Notices are to be sent or copied may notify the other Parties and addressees of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addressees set forth herein.

9. ARM'S LENGTH TRANSACTION. This Agreement has been negotiated fully between the District and Landowner as an arm's length transaction. Both Parties participated fully in the preparation of this Agreement and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the Parties are deemed to have drafted, chosen, and selected the language, and the doubtful language will not be interpreted or construed against either Party.

10. THIRD PARTY BENEFICIARIES. Except as otherwise provided in this Section 10 with respect to Trustee, this Agreement is solely for the benefit of the Parties and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Agreement. Except as otherwise provided in this Section 10 with respect to Trustee, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or entity other than the Parties hereto any right, remedy, or claim under or by reason of this Agreement or any of the provisions or conditions of this Agreement; and all of the provisions, representations, covenants, and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the District and Landowner and the respective representatives, successors, and assigns of each. Notwithstanding anything herein to the contrary, the Trustee for the Series 2020 Bonds, shall be a direct third-party beneficiary of the terms and conditions of this Agreement and shall be entitled to enforce the obligations of Landowner hereunder. The Trustee shall not be deemed to have assumed any obligations hereunder.

11. ASSIGNMENT. No Party hereto may assign this Agreement or any monies to become due hereunder without the prior written approval of the other Parties and the Trustee acting on behalf and at the direction of the bondholders owning more than 50% of an aggregate principal amount of the applicable Series 2020 Bonds then outstanding.

12. APPLICABLE LAW AND VENUE. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Agreement shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

13. EFFECTIVE DATE. This Agreement shall be effective upon execution by all Parties hereto.

14. **PUBLIC RECORDS.** Landowner understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records and treated as such in accordance with Florida law.

15. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement, or any part of this Agreement not held to be invalid or unenforceable.

16. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the Doctrine of Sovereign Immunity or by operation of law.

17. HEADINGS FOR CONVENIENCE ONLY. The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

18. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute, but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the Parties execute this Agreement on the day and year first written above.

ATTEST:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

WITNESS:

JMBI REAL ESTATE, LLC,

a Florida limited liability company

Print Name:

Warren K. (Rennie) Heath II, Manager

Comp. Exhibit A: Engineer's Report for Capital Improvement Second Amended and Restated, dated March 2020, as supplemented by that First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement, dated March 2020, as further supplemented by that Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvements, dated September 2020
 Exhibit B: Legal Description of Landowner Lands
 Exhibit C: Legal Description of Series 2020 Assessment Area

COMPOSITE EXHIBIT A

Engineer's Report

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS SECOND AMENDED AND RESTATED

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. It is anticipated at this time that the District will petition to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report.

The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date	
Zoning Approval	June 2020	
SWFWMD ERP	June 2020	
Construction Permits	June 2020	
Polk County Health Department Water	June 2020	
FDEP Sewer	June 2020	

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

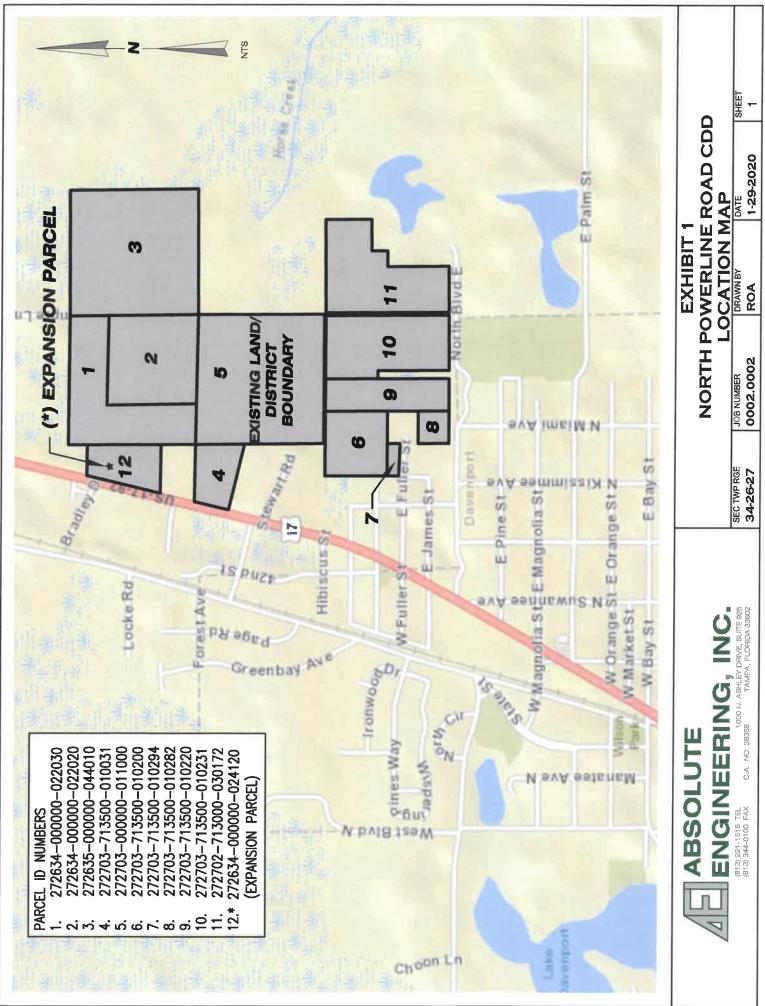
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

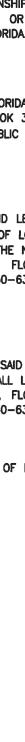
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL 2 (272634-000000-022020)

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PARCEL "A"

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

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Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3.LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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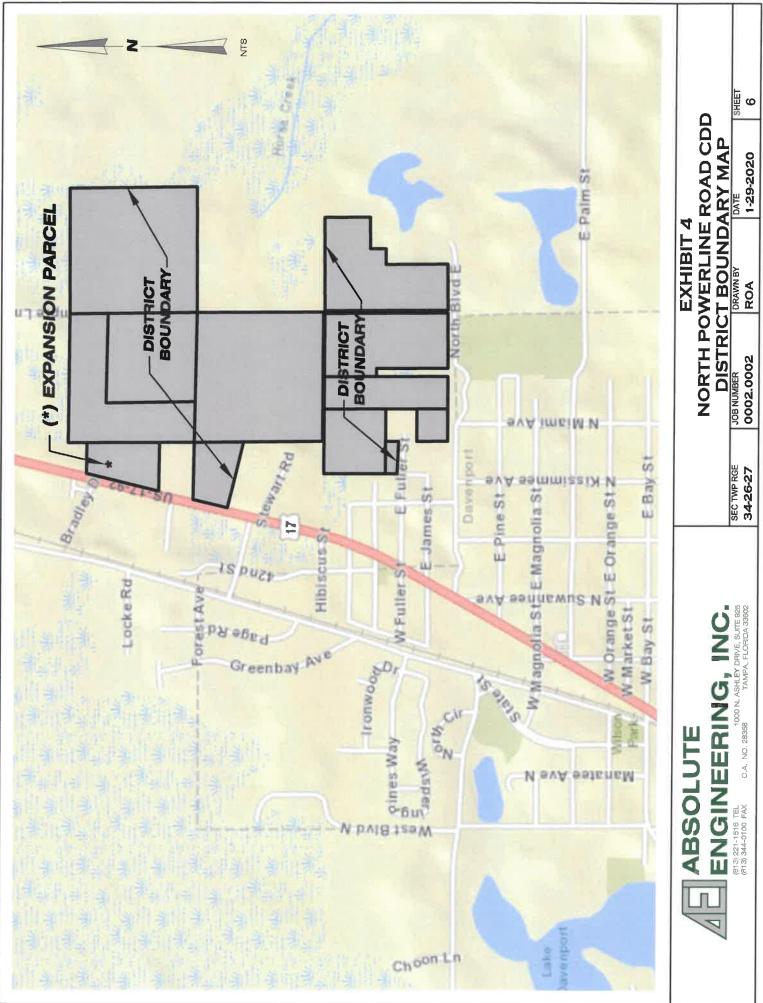
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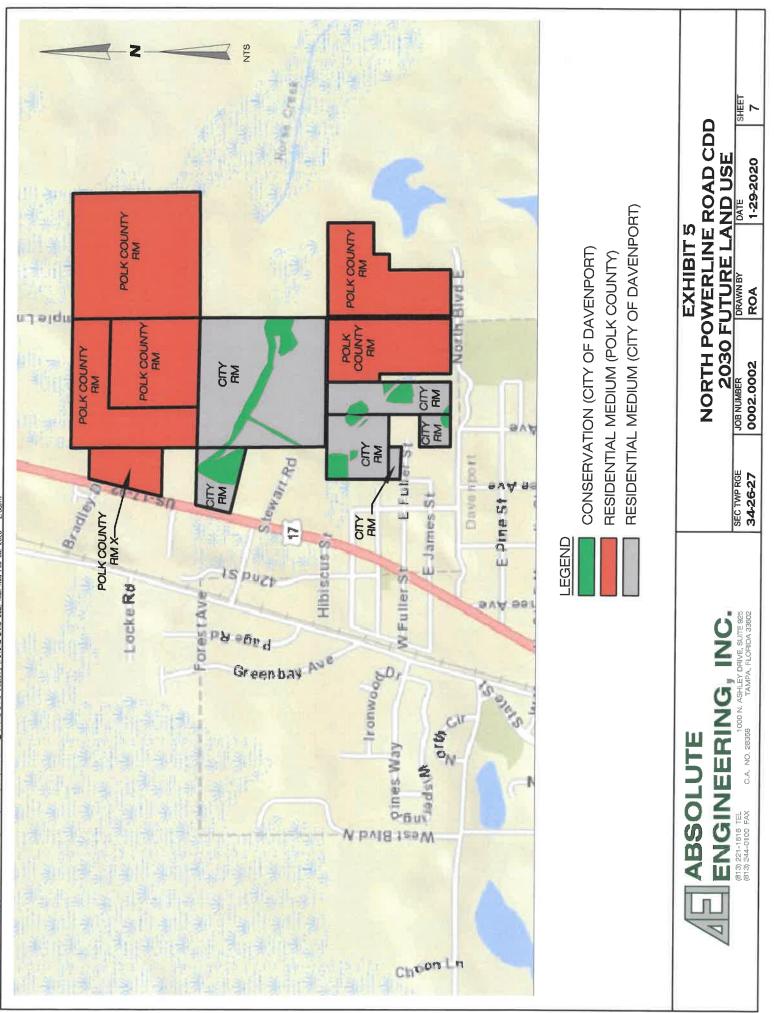
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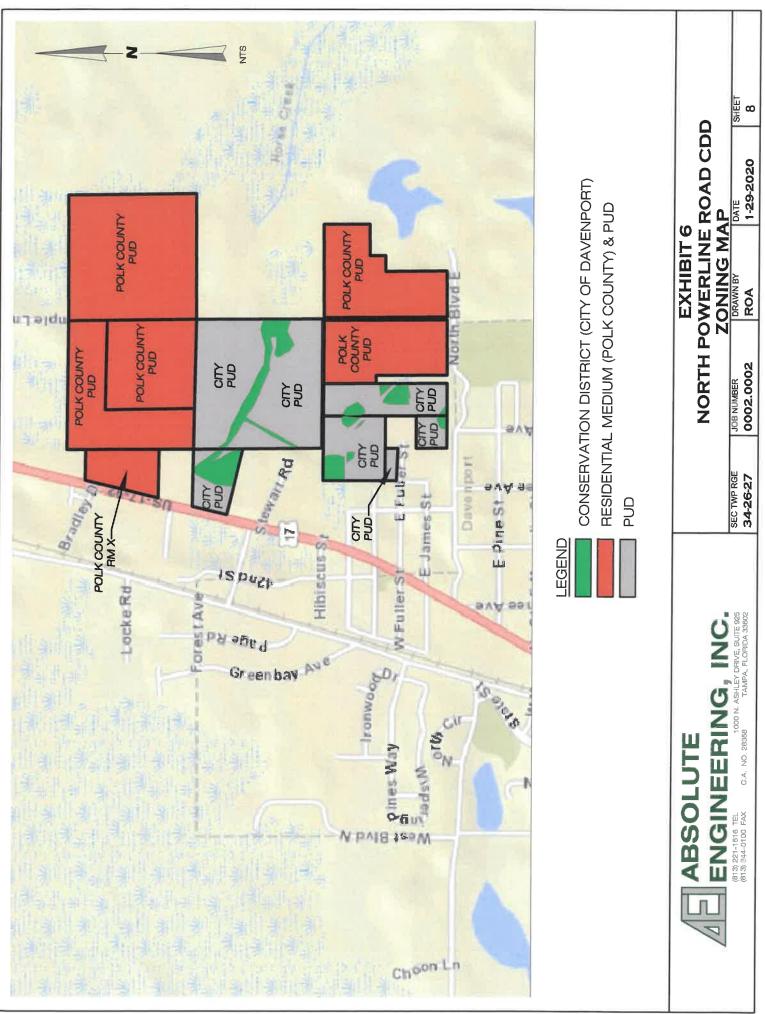
DATE 1-29-2020

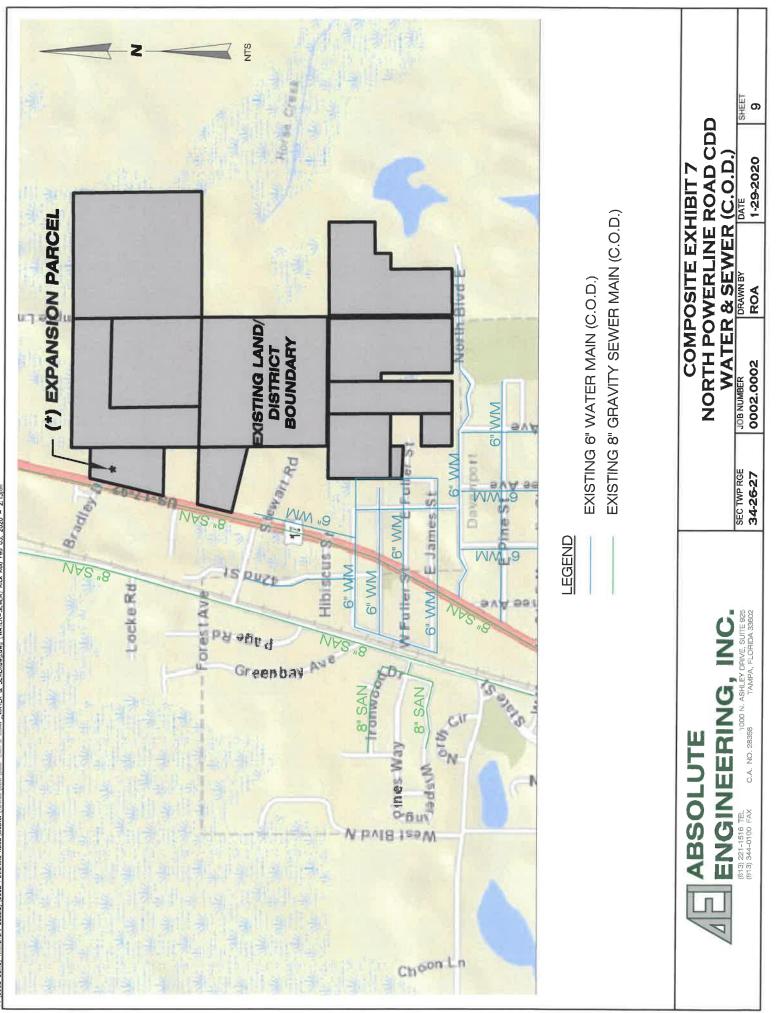
DRAWN ROA



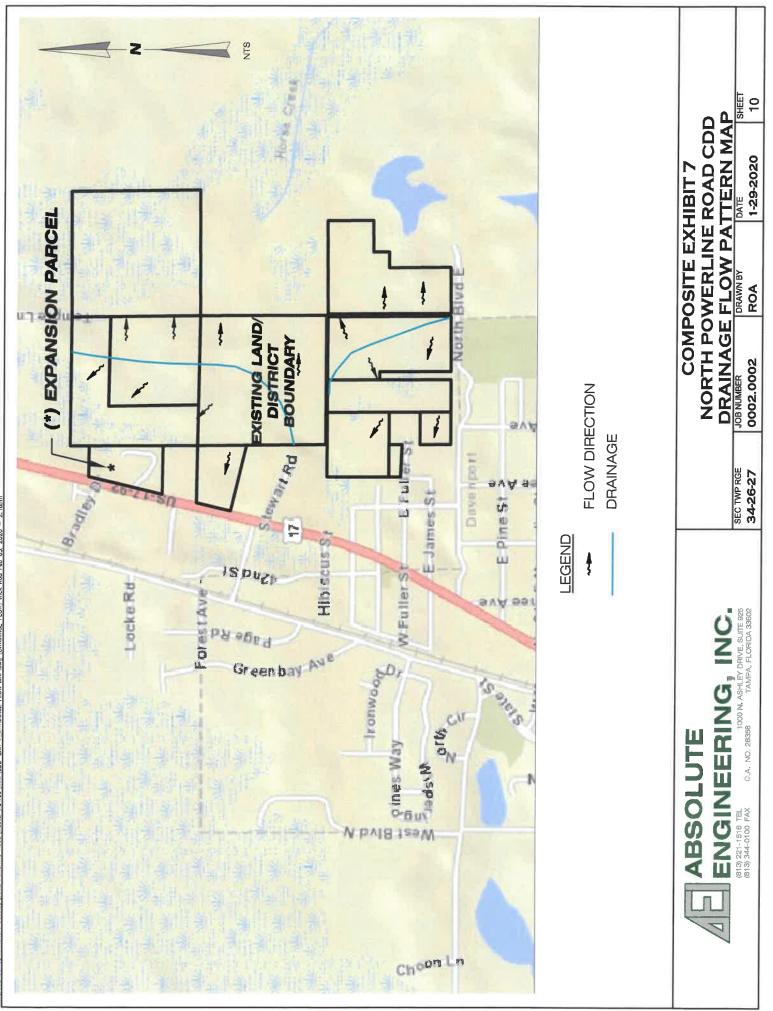
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

***District will fund street lighting maintenance services

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Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

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** District will fund undergrounding of electrical conduit

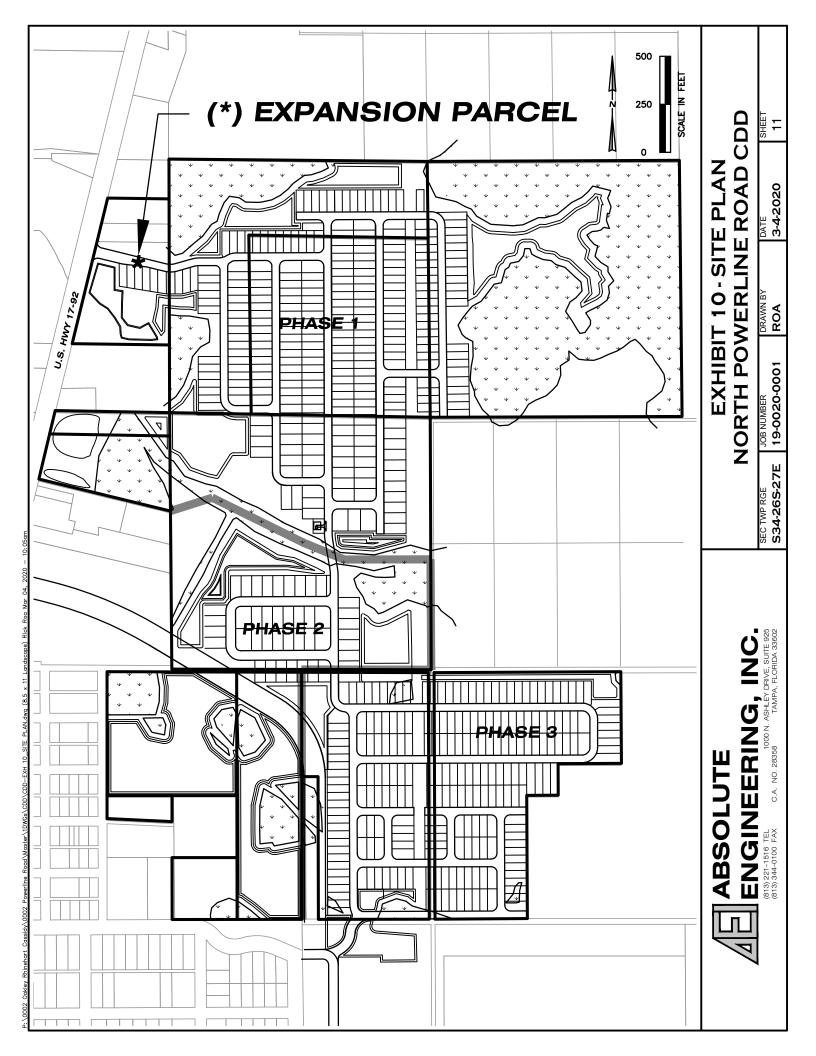
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 Existing Land (289 Lots)	Phase 1 Expansion Parcel (6 Lots)	<u>Phase 2</u> (44 Lots)	<u>Phase 3</u> (228 Lots)	<u>Total</u>
	2020-2023	2020-2023	2021-2024	2022-2025	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,238
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway (1)(4)(5)(7)	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,172
Parks and Amenities (1)(7)(11)	\$449,923	\$9,341	\$68,500	\$354,956	\$882,721
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	\$103,277	\$535,163	\$1,330,865
TOTAL	\$6,750,125	\$242,218	\$2,129,701	\$5,404,251	\$14,526,296

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

FIRST SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The First Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The increase in overall units is 16 and the associated increase in the infrastructure development cost is \$595,297.00.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. The District is in the process of petitioning to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. The petition to amend the boundaries of the District to annex the Expansion Parcel in the District has been filed with the County. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Development Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

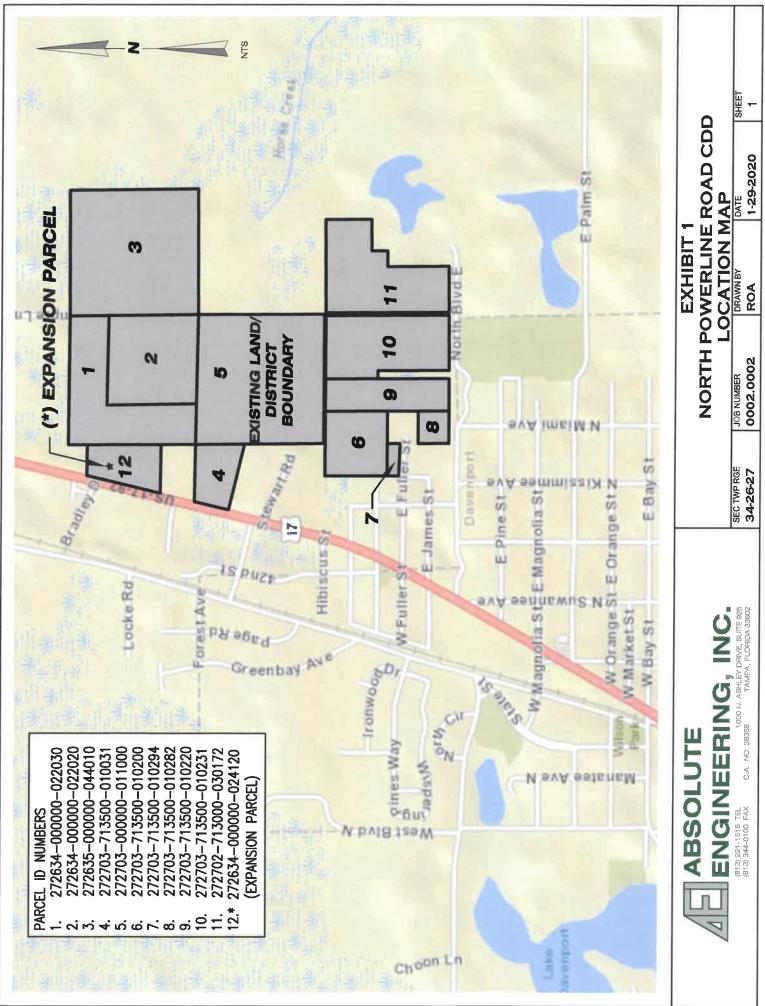
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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221-344 (813) (813) (813)

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

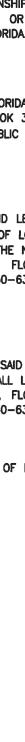
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER | DRAWN BY | DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

3HEET 3

CDD

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3. PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

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Rick

AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

RIVE. SUITE 925 FLORIDA 33602

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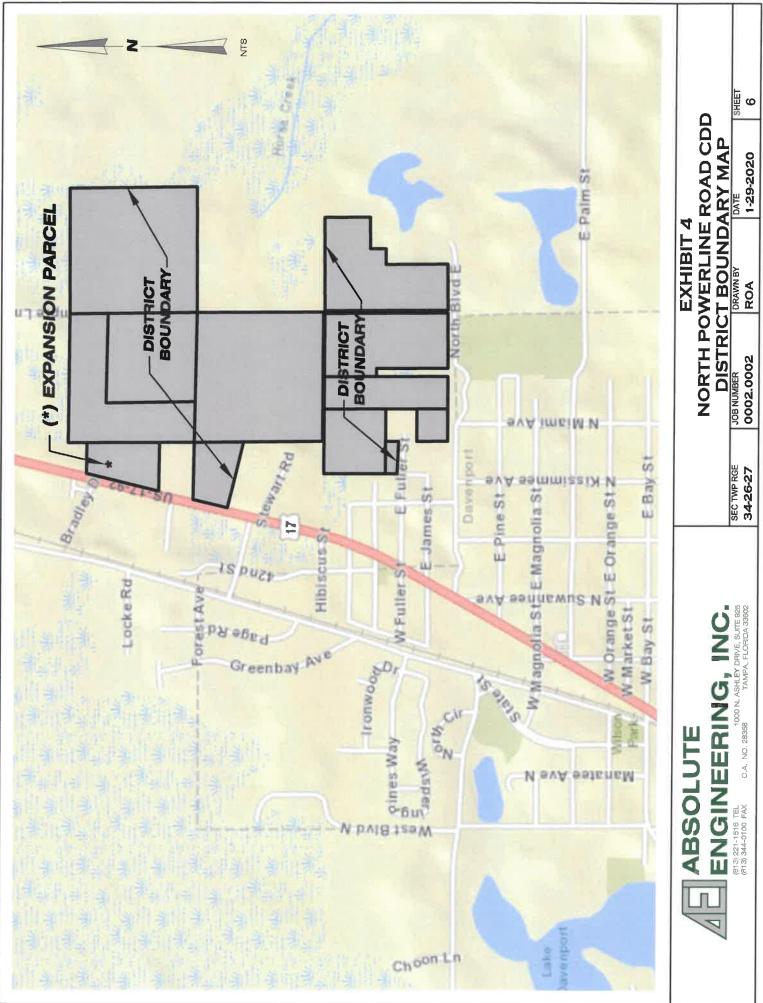
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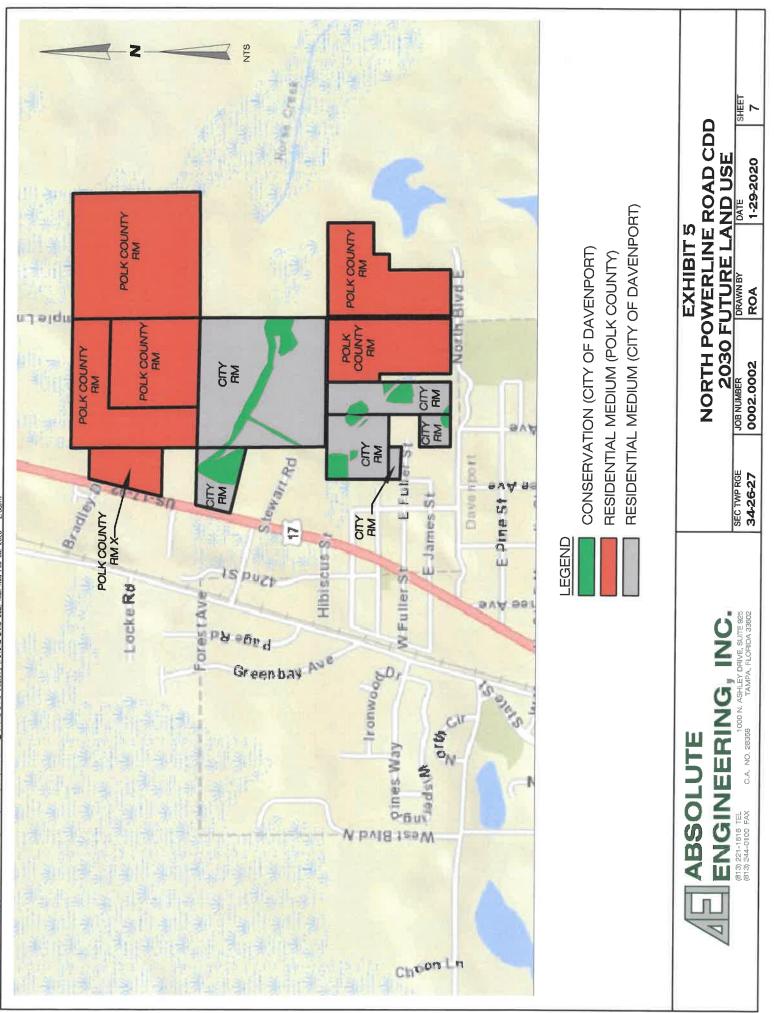
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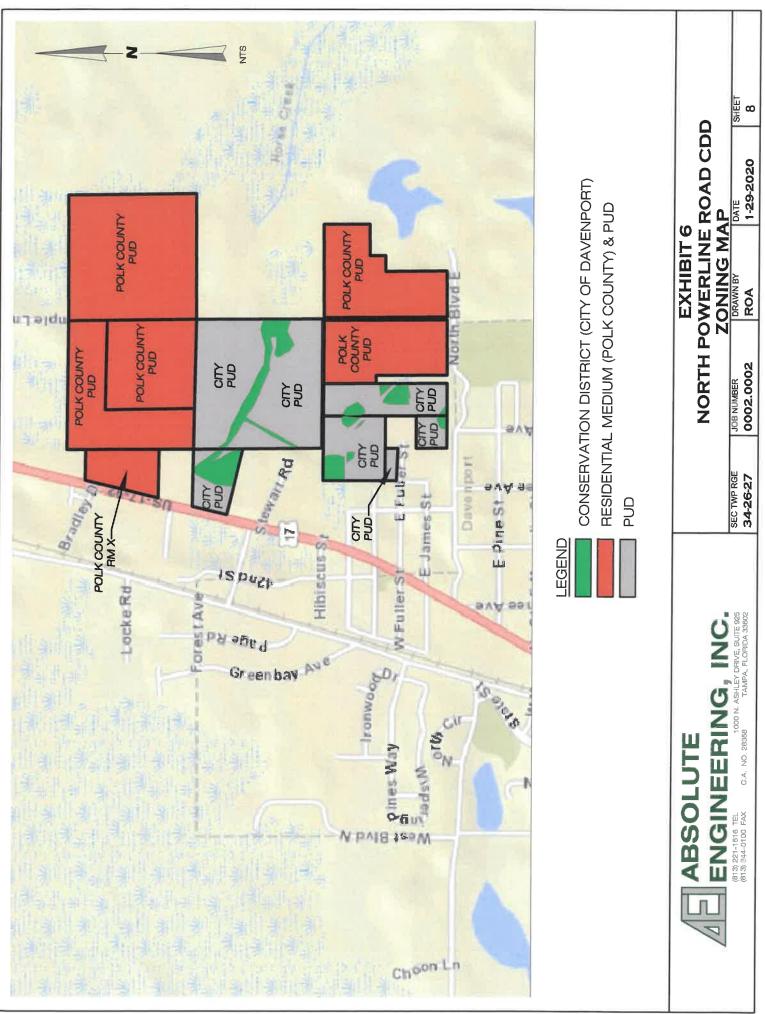
DATE 1-29-2020

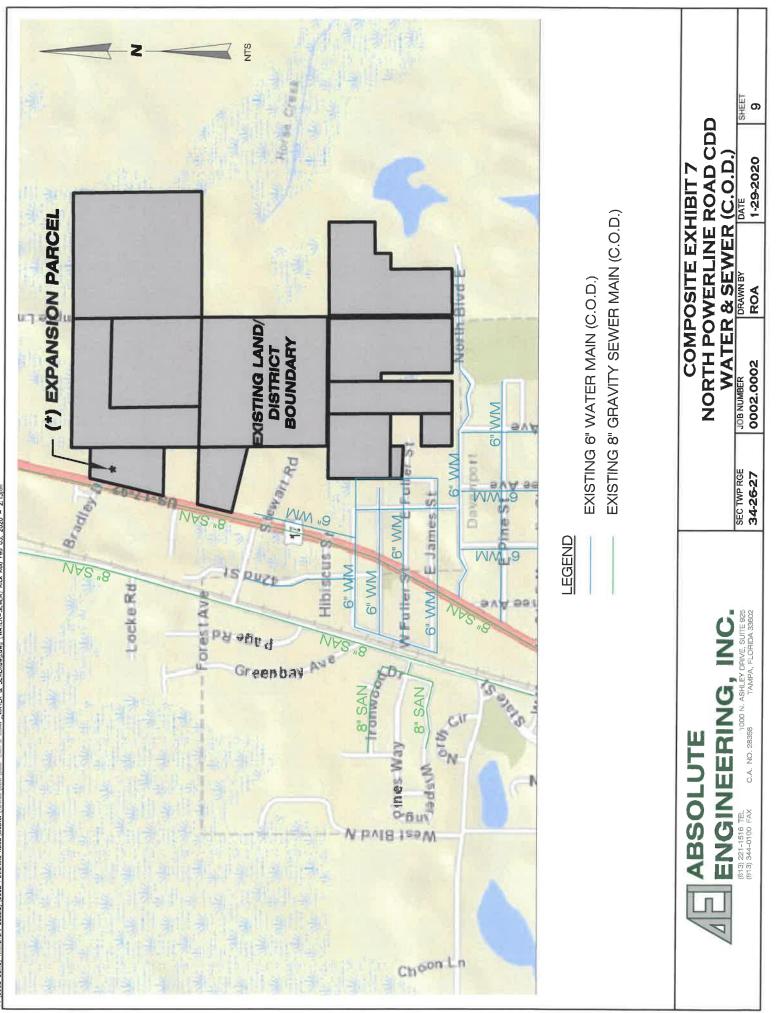
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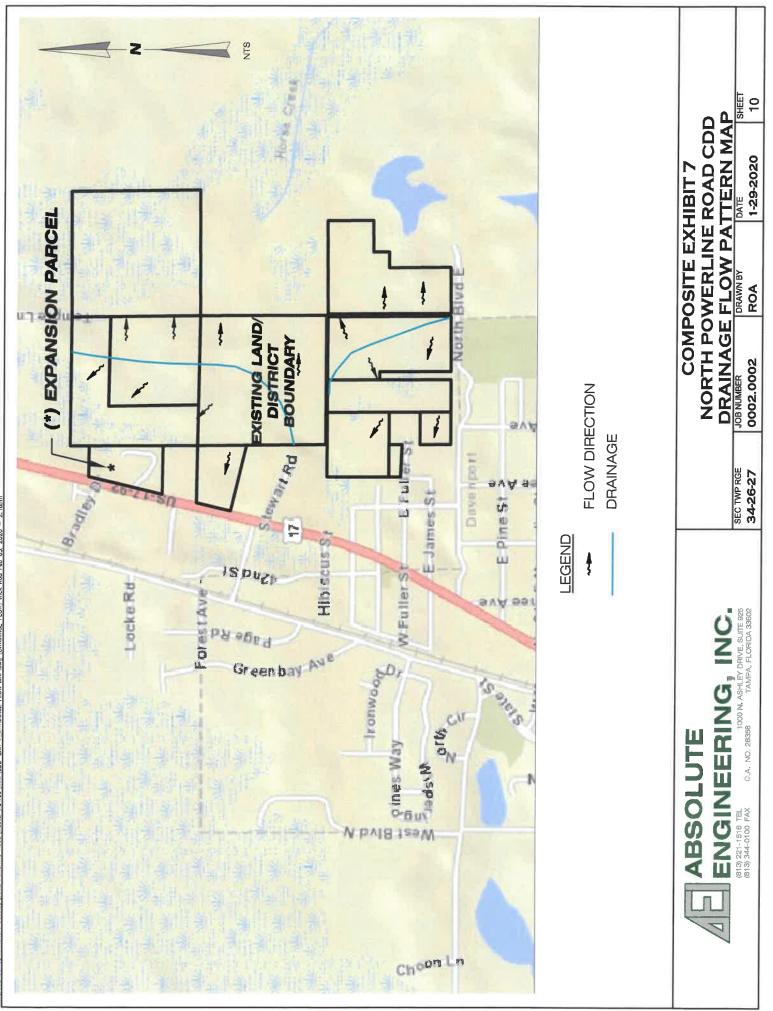
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

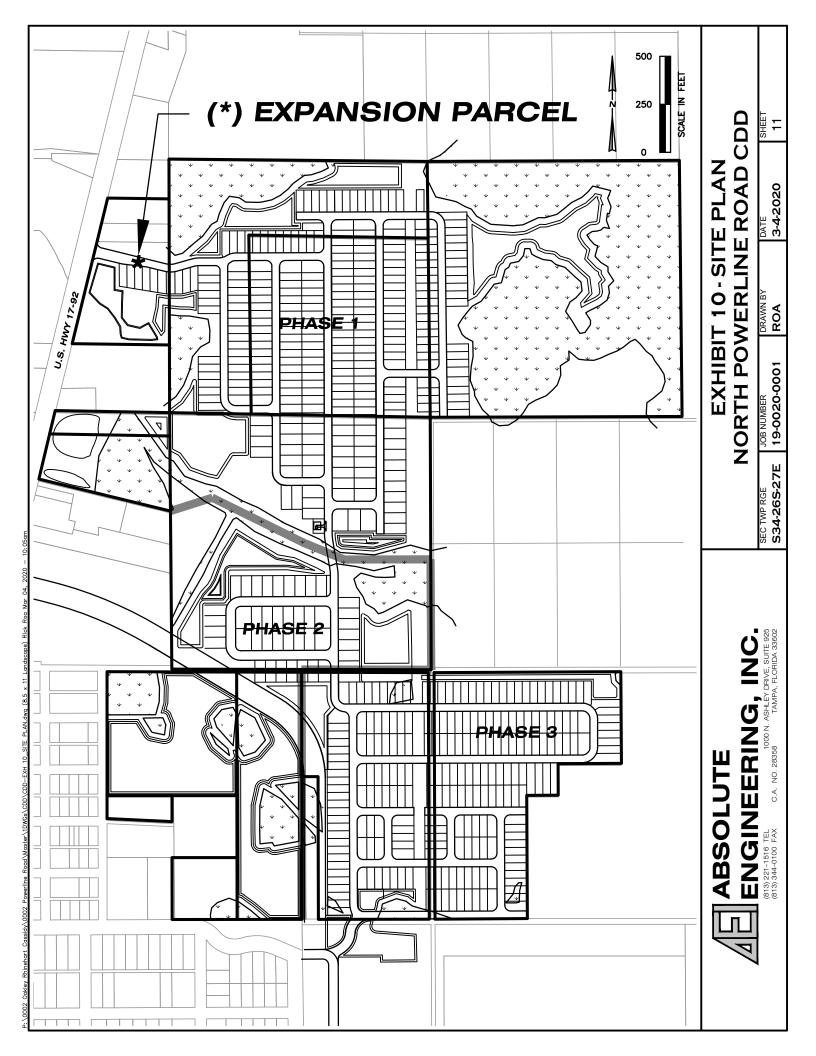
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

<u>Infrastructure</u>	<u>Phase 1</u> <u>Existing Land</u> (289 Lots)	<u>Phase 1</u> <u>Expansion</u> Parcel (6 Lots)	<u>Phase 2 (44</u> <u>Lots)</u>	<u>Phase 3 (228</u> Lots)	<u>Total</u>
	<u>2020-2023</u>	<u>2020-2023</u>	<u>2021-2024</u>	<u>2022-2025</u>	<u>(567 Lots)</u>
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway ⁽¹⁾⁽⁴⁾⁽⁵⁾⁽⁷⁾	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,171
Parks and Amenities ⁽¹⁾⁽⁷⁾⁽¹¹⁾	\$449,923	\$9,341	\$68,500	\$354,956	\$882,720
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	<u>\$103,277</u>	<u>\$535,163</u>	<u>\$1,330,865</u>
TOTAL	\$6,750,125	\$242,217	\$2,129,701	\$5,404,250	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

SECOND SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

SEPTEMBER 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 3- District Boundary Map
- EXHIBIT 4- Land Use Map
- EXHIBIT 5- Zoning Map
- EXHIBIT 6- Utility Location Map & Drainage Flow Pattern Map
- **EXHIBIT 7- Summary of Proposed District Facilities**
- EXHIBIT 8- Summary of Opinion of Probable Costs
- EXHIBIT 9- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The Second Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The total number of units and infrastructure development cost is unchanged.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 195.95 gross acres, and is expected to be constructed in two (2) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure.

The District was established under County Ordinance No. 18-036, as approved by the County Commission on June 5, 2018, further amended by County Ordinance 20-028. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This supplemental "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Capital Improvement Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the

corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in two (2) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2	228	44		272
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1 and 2. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion in 2023. Upon completion of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Approval / Expected Date
LDPD-2020-10
43044217.002
LDRES-2019-59
139102-070
C\$53-0232639-046-DWCMR

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	LDPD-2020-10
Preliminary Plat	City of Davenport Zoning Approval (7/22/20)
SWFWMD ERP	43044217.004
Construction Permits	October 2020
Polk County Health Department Water	October 2020
FDEP Sewer	October 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City and County. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

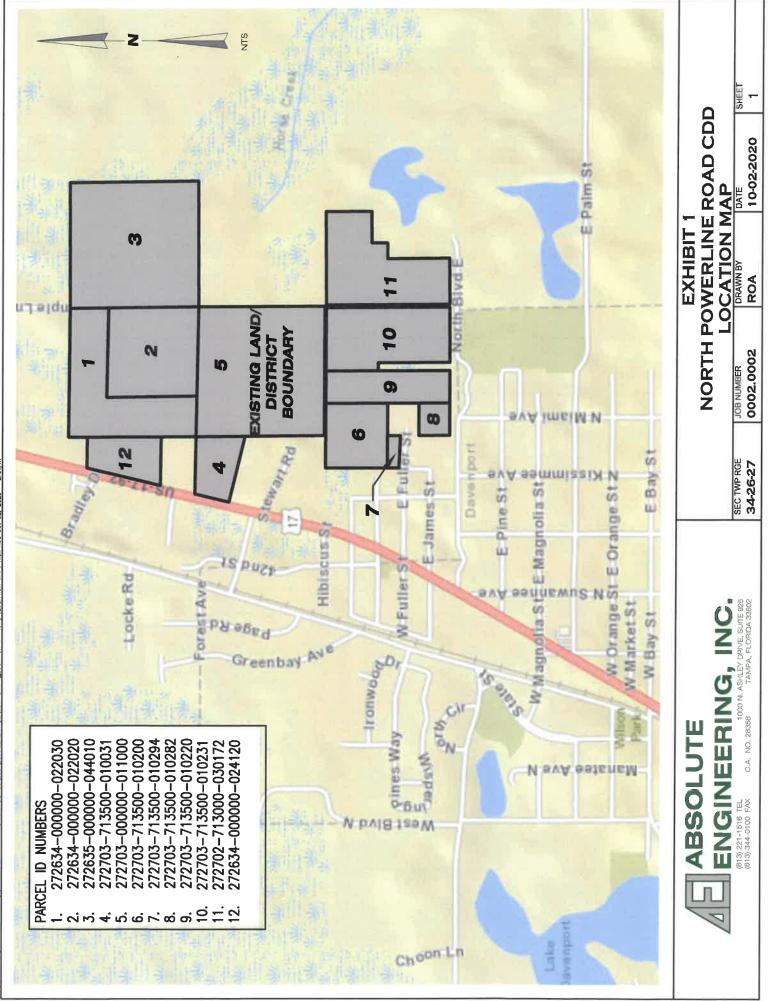
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



0002 Oakley Rhinehert Cassidy 0002 Pewerline Road Waster/DWSs/CDD/SUPPLEMENT //2/CDD-CXH 1_LOCATION MAP, dwg (LCCATION MAP) Rick Roa Oct 02, 2020 - 2:015m

LEGAL DESCRIPTION:

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12°46'30" WEST, 241.4 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.



LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

Rick Rog Oct 02,

AMEND-2.dwg (LEGAL)

DESC

Rood/Master/1DWGs/CDD/SUPPLEMENT #2/CDD-EXH 2_LEGAL

Powerline

Oaktey Rhinehart CassId V 0002

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SAID SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

DRIVE, SUITE 925 1, FLORIDA 33602

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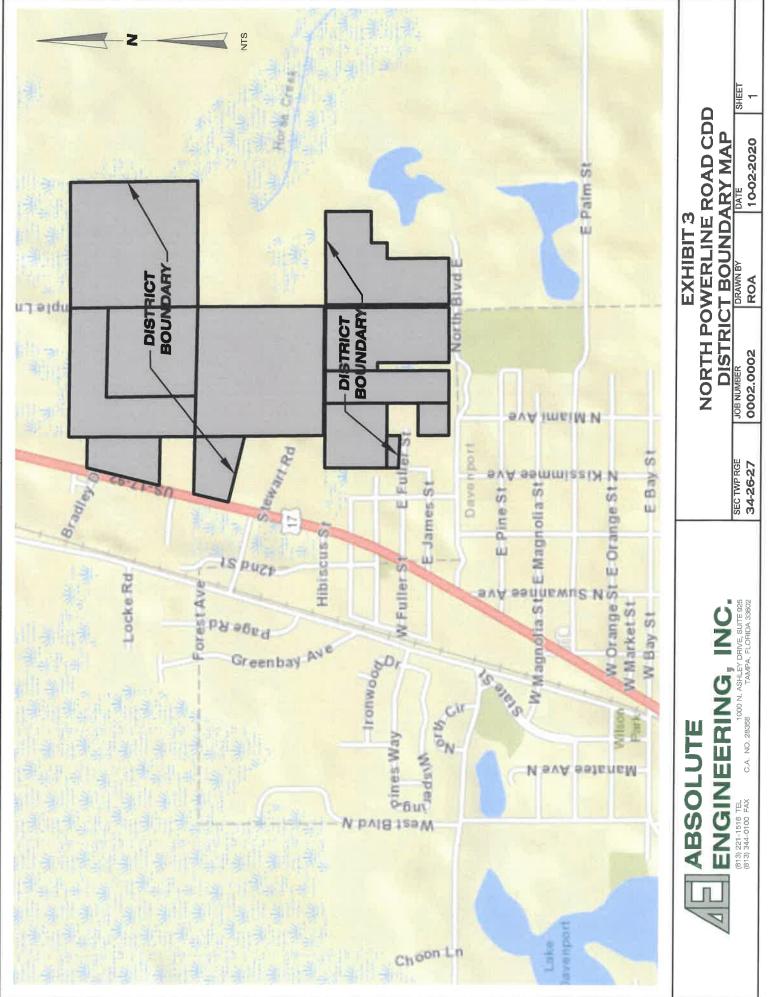
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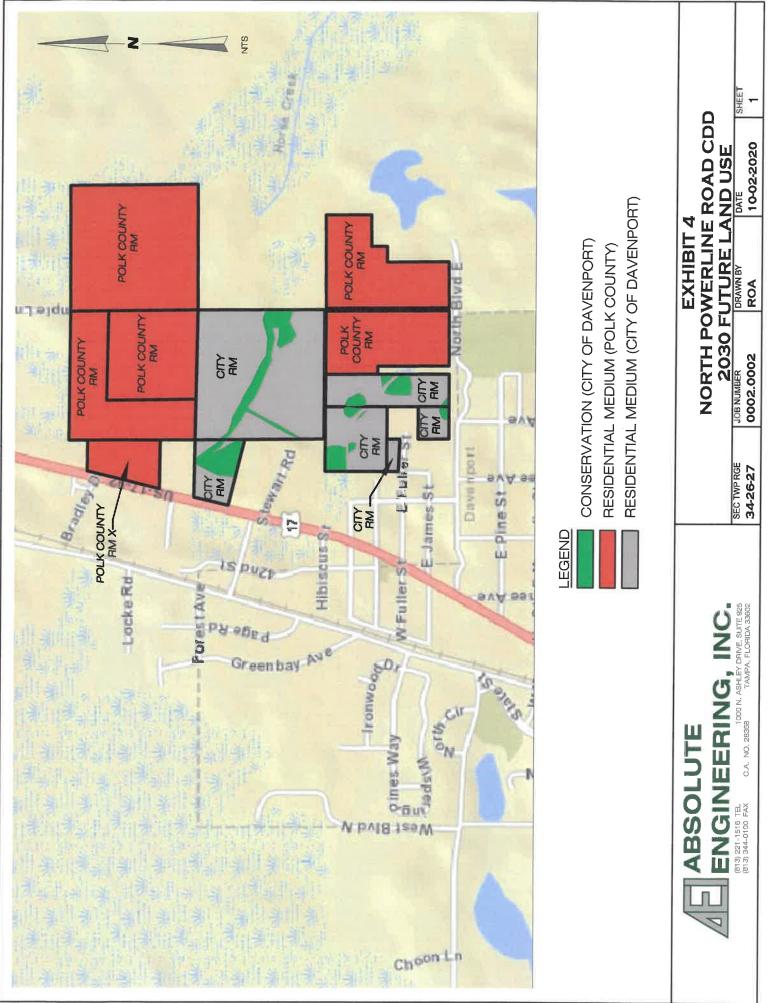
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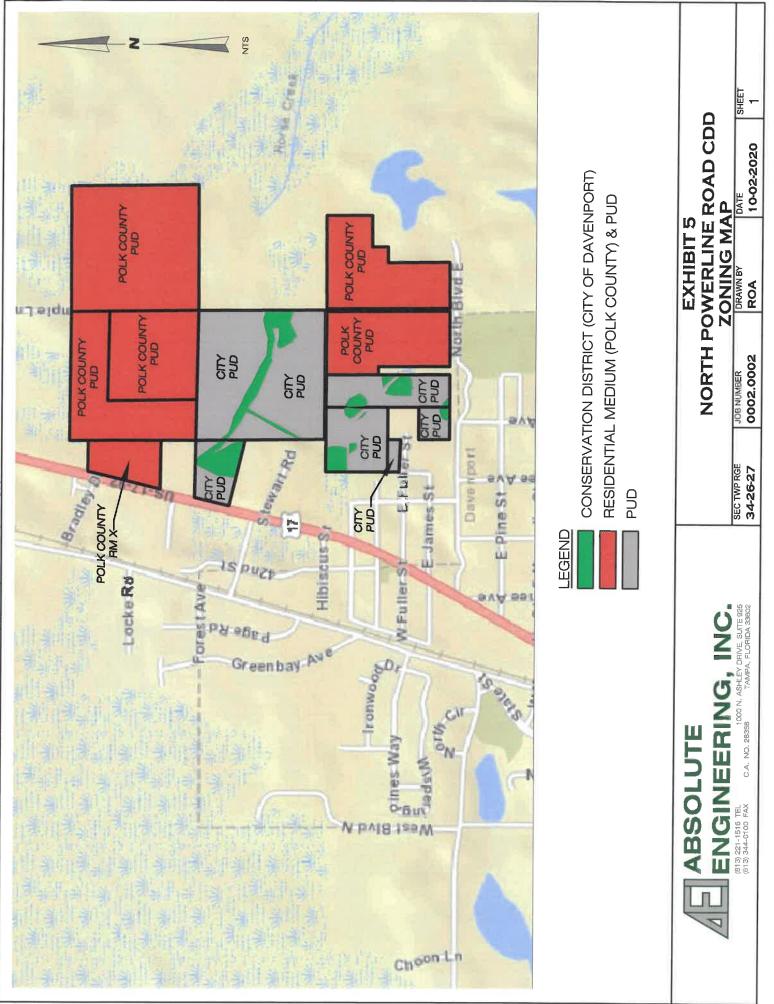
EXHIBIT



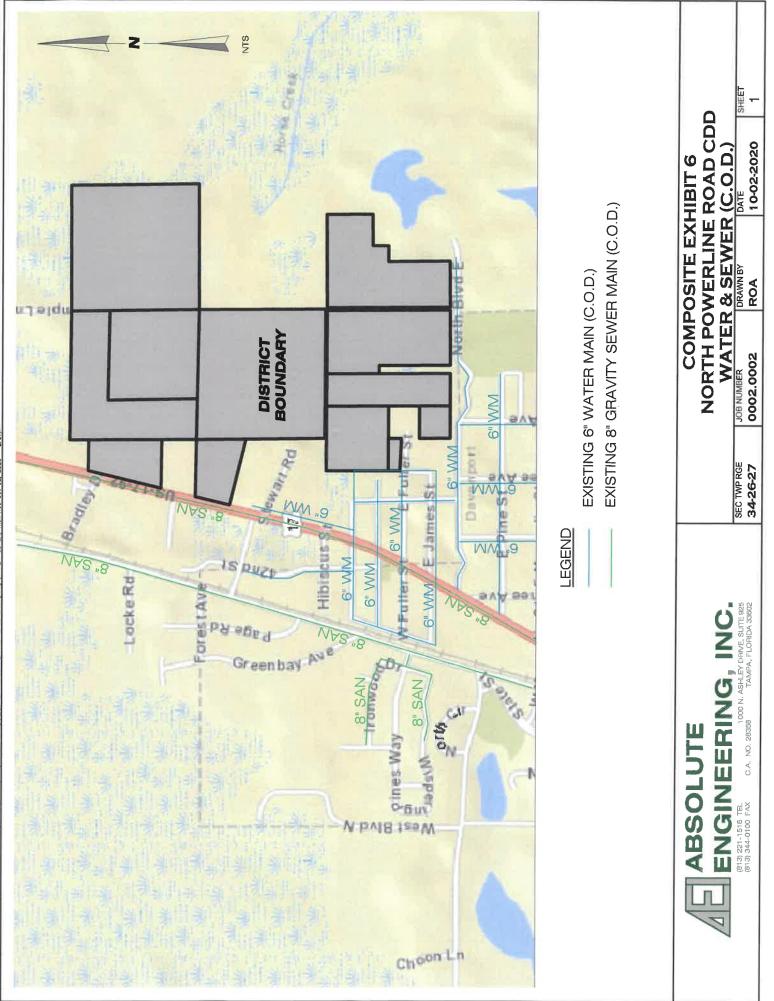
- NOO2 Ookey Rhinehert Cassidy/OO2 Powerline Road/Mester/10WGs/UDYLENENT #2/COD-EXH 3_DIST BND MAP-dwg (DIST BNDY MAP) Rick Reo Oct 02, 2020 - 2:05jim



P: 0002 Ookley Rhinehart Cossid/V0002 Powerine Road/Master/IDWOs/CDD/SUPPLEMENT #2/CDD-EXH 4_EUTURE LAND USE dwg (FUTURE LAND USE) Rick Roo Oct 02, 2020 - 2/06



P-20002 Obtey. Rhinehart Cassidy/0002 Powerine Road Master/DWGs/CDD/SUPPLEMENT #2/CDD-EXH 5. ZONING MAP dwg (ZONING MAP) Rick Roa Oct 02. 2020 - 2:070r/



0002 Ookley Rhinehort Cassidy 0002 Powerline Road/Master/IDWGs/CDD/SUPPLEMENT #2/CDD-EXH 6 COMP WATER & SEWERAwy.dwg (WATER-SEWER) Rick Roa Oct 02, 2020 - 2:07h

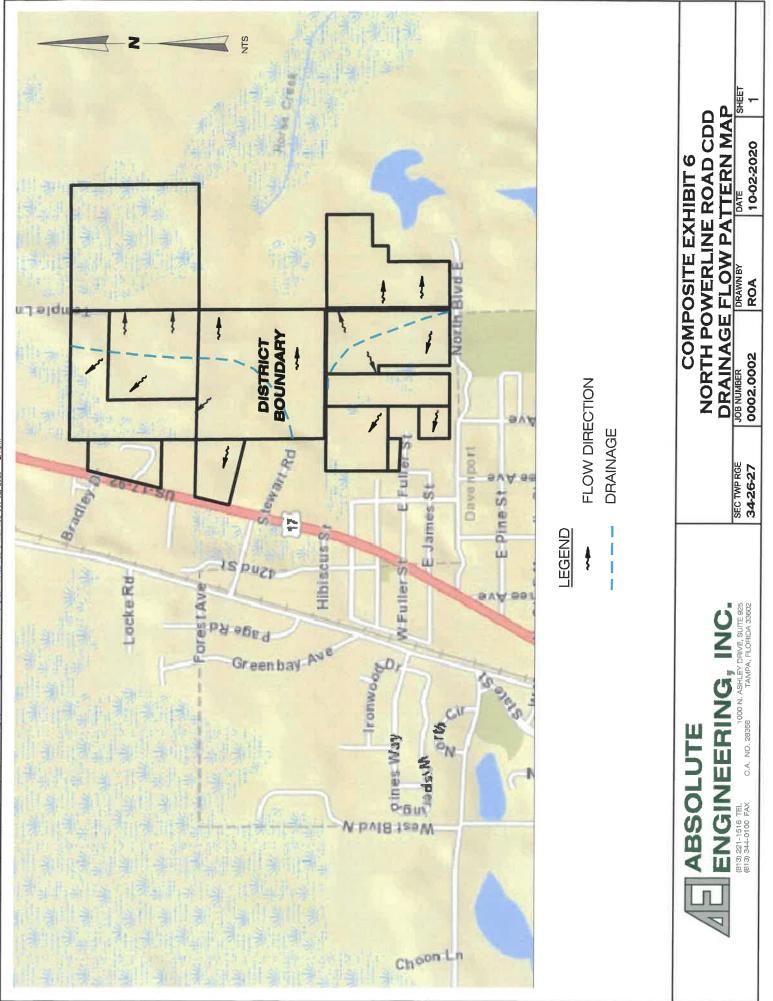


Exhibit 7 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	District**	District Bonds	District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit only

***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 (295 Lots)	Phase 2 (272 Lots)	Total
intrastructure	<u>2020-2023</u>	<u>2020-2023</u>	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,150,467	\$1,060,770	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,936,035	\$1,785,089	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ⁽¹⁾ ⁽⁵⁾⁽⁷⁾ ⁽⁹⁾⁽¹¹⁾	\$1,765,823	\$1,628,148	\$3,393,971
Roadway (1)(4)(5)(7)	\$878,980	\$1,897,225	\$2,776,205
Entry Feature ⁽¹⁾⁽⁷⁾⁽⁸⁾⁹¹¹⁾	\$109,348	\$100,823	\$210,171
Parks and Amenities (1)(7)(11)	\$459,264	\$423,456	\$882,720
Contingency ⁽¹¹⁾	<u>\$692,425</u>	<u>\$638,440</u>	<u>\$1,330,865</u>
TOTAL	\$6,992,342	\$7,533,951	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).

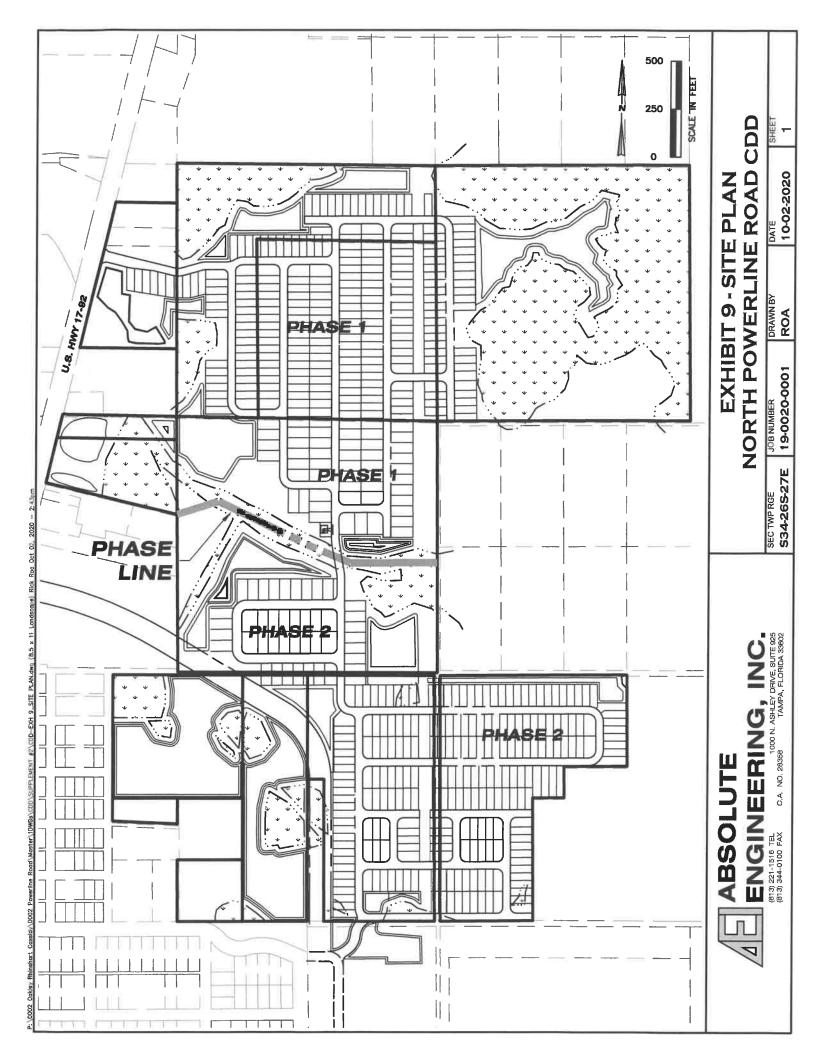


EXHIBIT B

Legal Description of Landowner Lands

EXHIBIT C

Legal Description of Series 2020 Assessment Area

SECTION B

SECTION 1

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

Roy Van Wyk, Esq. HOPPING GREEN & SAMS, P.A. Post Office Box 6526 Tallahassee, Florida 32314

DECLARATION OF CONSENT TO JURISDICTION OF NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND TO IMPOSITION OF SPECIAL ASSESSMENTS

(SERIES 2020 SPECIAL ASSESSMENTS - PHASE 2)

CH DEV LLC, a Florida limited liability company (the "Landowner"), is the owner of those lands as more particularly described in **Exhibit A** attached hereto (the "Property," a portion of which is owned by the Landowner and is also known as "Phase 2"), located within the boundaries of the North Powerline Road Community Development District (the "District"). The Landowner, intending that it and its successors in interest and assigns shall be legally bound by this Declaration, hereby declares, acknowledges and agrees as follows:

The District is, and has been at all times, on and after June 5, 2018, a legally 1. created, duly organized, and validly existing community development district under the provisions of Chapter 190, Florida Statutes, as amended (the "Act"). Without limiting the generality of the foregoing, the Landowner acknowledges that: (a) the petition filed with the Board of County Commissioners in and for Polk County, Florida ("County"), relating to the creation of the District contained all matters required by the Act to be contained therein and was filed in the manner and by the persons required by the Act; (b) Ordinance 18-036, effective as of June 5, 2018, was duly and properly adopted by the County in compliance with all applicable requirements of law, approved and consented to by the City Commission of the City of Davenport, Florida by Resolution 387-18 adopted on March 19, 2018; Ordinance 20-2018, effective as of June 16, 2020, was duly and properly adopted by the County in compliance with all applicable requirements of law; (d) the members of the Board of Supervisors of the District were and are duly and properly designated and/or elected pursuant to the Act to serve in their official capacities and had the authority and right to authorize, approve and undertake all actions of the District approved and undertaken from June 5, 2018, to and including the date of this Declaration.

2. The Landowner, for itself and its heirs, successors and assigns, hereby confirms and agrees, that the debt special assessments (the "Series 2020 Special Assessments") imposed by, but not limited to, Resolutions Nos. 2018-23, 2018-24, 2018-32, 2020-04, 2020-05, 2020-08, 2020-11, 2020-12, 2020-15 and 2020-____ (collectively, the "Assessment Resolutions"), have been duly adopted by the Board of Supervisors of the District (the "Board"), and all proceedings

undertaken by the District with respect thereto have been in accordance with applicable Florida law (including but not limited to Executive Order 20-69, dated March 20, 2020, issued by Governor Ron DeSantis, as amended, extended and supplemented), that the District has taken all action necessary to levy and impose the Series 2020 Special Assessments, and the Series 2020 Special Assessments are legal, valid and binding first liens upon Existing District Lands co-equal with the lien of all state, county, city, district and municipal taxes, superior in dignity to all other liens, titles and claims, until paid.

3. The Landowner, for itself and its heirs, successors and assigns, hereby waives the right granted in Chapter 170.09, *Florida Statutes*, to prepay the Series 2020 Special Assessments or any Future Special Assessments without interest within thirty (30) days after the improvements are completed, in consideration of the rights granted by the District to prepay the Series 2020 Special Assessments or any Future Special Assessments in full at any time, or in part one time, but with interest, under the circumstances set forth in the Assessment Resolutions of the District levying the Series 2020 Special Assessments.

4. The Landowner hereby expressly acknowledges, represents and agrees that (i) the Series 2020 Special Assessments, the Assessment Resolutions, and the terms of the financing documents related to the District's issuance of the North Powerline Road Community Development District Special Assessment Bonds, Series 2020, in the principal amount of (the "Series 2020 Bonds"), or securing payment thereof and all other \$ documents and certifications relating to the issuance of the Series 2020 Bonds (the "Financing Documents"), are valid and binding obligations enforceable in accordance with their terms; (ii) there are no claims or offsets whatsoever against, or defenses or counterclaims whatsoever to, payments of the Series 2020 Special Assessments or claims of invalidity, deficiency or unenforceability of the Series 2020 Special Assessments and Financing Documents (and the Landowner hereby expressly waives any such claims, offsets, defenses or counterclaims); (iii) the Landowner expressly waives and relinquishes any argument, claim or defense that foreclosure proceedings cannot be commenced until one (1) year after the date of the Landowner's default in the payment of any installment of an assessment and agrees that, immediate use of remedies in Chapter 170, Florida Statutes, is an appropriate and available remedy, notwithstanding the provisions of Section 190.026, Florida Statutes; and (iv) to the extent Landowner fails to timely pay any Series 2020 Special Assessments collected by mailed notice of the District, such unpaid Series 2020 Special Assessments and future Series 2020 Special Assessments may be placed on the tax roll by the District for collection by the Tax Collector pursuant to Section 197.3632, Florida Statutes, in any subsequent year; and (v) any and all rights to challenge the validity of: (a) Executive Order 20-69 dated March 20, 2020, issued by Governor Ron DeSantis, as amended, extended and supplemented ("Executive Order") and (b) any argument, claim or defense resulting from any defect or omission of any and all District notices, meetings, workshops, public hearings and other proceedings in relation to the Series 2020 Special Assessments or the Series 2020 Bonds that were conducted on or prior to the date hereof whether pursuant to Florida law or any waiver of Florida law granted in said Executive Order, including any extensions thereof.

5. This Declaration shall represent a lien of record for purposes of Chapter 197, *Florida Statutes,* including, without limitation, Section 197.573, *Florida Statutes.* Other information regarding the Series 2020 Special Assessments is available from the District

Manager (Governmental Management Services – Central Florida, LLC), 219 East Livingston Street, Orlando, Florida 32801.

THE DECLARATIONS, ACKNOWLEDGEMENTS AND AGREEMENTS CONTAINED HEREIN SHALL BE BINDING ON THE LANDOWNER AND ON ALL PERSONS (INCLUDING CORPORATIONS, ASSOCIATIONS, TRUSTS AND OTHER LEGAL ENTITIES) TAKING TITLE TO ALL OR ANY PART OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST, WHETHER OR NOT THE PROPERTY IS PLATTED AT SUCH TIME. BY TAKING SUCH TITLE, SUCH PERSONS SHALL BE DEEMED TO HAVE CONSENTED AND AGREED TO THE PROVISIONS OF THIS DECLARATION TO THE SAME EXTENT AS IF THEY HAD EXECUTED IT AND BY TAKING SUCH TITLE, SUCH PERSONS SHALL BE ESTOPPED FROM CONTESTING, IN COURT OR OTHERWISE, THE VALIDITY, LEGALITY AND ENFORCEABILITY OF THIS DECLARATION.

[Signature page to follow]

EFFECTIVE THIS ____ day of _____, 2020.

IN WITNESS WHEREOF, Landowner and the District have caused this Declaration to be executed and delivered on the day and year first written above.

WITNESSES:

CH DEV LLC,

a Florida limited liability company

[Print Name]

Albert B. Cassidy, Manager

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Albert B. Cassidy as Manager of CH Dev LLC.

(Official Notary Signature & Seal)
Name:
Personally Known
OR Produced Identification
Type of Identification

EXHIBIT A

[Phase 2 legal description to be inserted]

SECTION 2

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

Roy Van Wyk, Esq. Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Tallahassee, Florida 32301

AGREEMENT BETWEEN THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND CH DEV LLC REGARDING TRUE-UP AS TO SERIES 2020 SPECIAL ASSESSMENTS

(SERIES 2020 – PHASE 2)

THIS TRUE-UP AGREEMENT ("Agreement") is made and entered into this _____ day of , 2020, by and between (collectively, the "Parties"):

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

CH DEV LLC, a Florida limited liability company, an owner and developer of certain lands within the District, with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner", and together with the District, the "Parties").

RECITALS

WHEREAS, the District was established by an ordinance adopted by the Board of County Commissioners in and for Polk County, Florida, as approved and consented to by the Board of City Commissioners of City of Davenport, Florida, pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (the "Act"), and is validly existing under the Constitution and laws of the State of Florida; and

WHEREAS, the District, pursuant to the Act, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 2 in the Engineer's Report, defined herein, and more particularly described in **Exhibit A** attached hereto ("Landowner Lands"). Landowner Lands are a portion of the benefited lands in the Series 2020 Assessment Area (described in **Exhibit B** attached hereto), which will be subject to the proposed issuance of the Series 2020 Bonds, defined herein; and

WHEREAS, the District has adopted an improvement plan to finance the planning, design, acquisition, construction, and installation of certain infrastructure improvements, facilities, and services ("Improvements") as more particularly described in the *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvement*, dated *Engineer's Report for Capital Improvement*, dated *Engineer's Report for Capital Improvements*, dated September 2020 (collectively, the "Engineer's Report"), for the Improvements associated with development of Phase 1 and Phase 2 (the "Series 2020 Project"), attached to this Agreement as **Composite Exhibit C** and the estimated costs of the Improvements related to Series 2020 Project are identified therein; and

WHEREAS, the District intends to finance a portion of the Series 2020 Project, through the anticipated issuance of its North Powerline Road Community Development District Special Assessment Bonds, Series 2020, in the principal amount of \$_____(the "Series 2020 Bonds"); and

WHEREAS, pursuant to Resolutions 2018-23, 2018-24, 2018-32, 2020-04, 2020-05, 2020-08, 2020-11, 2020-12, 2020-15 and 2020-____ (the "Assessment Resolutions"), the District imposed special assessments on the Series 2020 Assessment Area (the "Series 2020 Special Assessments") within the District to secure the repayment of a portion of the Series 2020 Bonds; and

WHEREAS, Landowner agrees that all developable lands within Series 2020 Assessment Area, including the Landowner Lands, benefit from the timely design, construction, or acquisition of the Series 2020 Project; and

WHEREAS, Landowner agrees that the Series 2020 Special Assessments which were imposed on Series 2020 Assessment Area within the District, have been validly imposed and constitute valid, legal and binding liens upon Series 2020 Assessment Area, which Series 2020 Special Assessments remain unsatisfied; and

WHEREAS, to the extent permitted by law, Landowner waives any defect in notice or publication or in the proceedings to levy, impose and collect the Series 2020 Special Assessments on Series 2020 Assessment Area within the District; and

WHEREAS, the *Master Assessment Methodology*, dated February 5, 2020, as supplemented by that *Supplemental Assessment Methodology*, dated _______, 2020 (together, the "Assessment Report"), provides that as Series 2020 Assessment Area is platted or re-platted, the allocation of the amounts assessed to and constituting a lien upon Series 2020 Assessment Area within the District would be allocated and calculated based upon certain density assumptions relating to the number of each type of single-family units to be constructed on the Series 2020 Assessment Area within the District, which assumptions were provided by Landowner; and

WHEREAS, Landowner intends that the Series 2020 Assessment Area will be platted, planned and developed based on then-existing market conditions, and the actual densities developed may be at some density less than the densities assumed in the District's Assessment Report; and

WHEREAS, the District's Assessment Report anticipates a mechanism by which Landowner shall, if required, make certain payments to the District in order to satisfy, in whole or in part, the assessments allocated and the liens imposed pursuant to the Assessment Resolutions, the amount of such payments being determined generally by a calculation of the remaining unallocated debt prior to the recording of any plat or site plan for a parcel or tract, as described in the District's Assessment Report (which payments shall collectively be referenced as the "True-Up Payment"); and

WHEREAS, Landowner and the District desire to enter into an agreement to confirm Landowner's intention and obligation, if required, to make the True-Up Payment related to the Series 2020 Special Assessments, subject to the terms and conditions contained herein.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

SECTION 1. RECITALS. The recitals stated above are true and correct and by this reference are incorporated into and form a material part of this Agreement.

SECTION 2. COVENANTS.

(A) The provisions of this Agreement shall constitute a covenant running with the Series 2020 Assessment Area, which lands are described herein in **Exhibits A and B**, and shall remain in full force and effect and be binding upon Landowner, its heirs, legal representatives, estates, successors, grantees, and assigns until released pursuant to the terms herein.

(B) Landowner agrees that to the extent Landowner fails to timely pay all Series 2020 Special Assessments collected by mailed notice of the District, said unpaid Series 2020 Special Assessments (including True-Up Payments), may be placed on the tax roll by the District for collection by the Tax Collector pursuant to section 197.3632, *Florida Statutes*, in any subsequent year.

SECTION 3. SPECIAL ASSESSMENT REALLOCATION.

(A) Assumptions as to the Series 2020 Special Assessments. As of the date of the execution of this Agreement, Landowner has informed the District that Landowner intends to plat the Phase 2 of the Series 2020 Assessment Area into a total of 272 single family lots or ______ Equivalent Residential Units ("ERUs").

(B) *Process for Reallocation of Assessments*. The Series 2020 Special Assessments will be reallocated among the Series 2020 Assessment Area as the Series 2020 Assessment Area are platted or re-platted (hereinafter referred to as "plat" or "platted"). In connection with such platting of Phase 2 of the Series 2020 Assessment Area, the Series 2020 Special Assessments imposed on the lands being platted will be allocated based upon the precise number and type of lots within the area being platted. It is intended that all the Series 2020 Special Assessments will be assigned to the 272 lots platted on the Series 2020 Assessment Area. In furtherance thereof, at such time as the Series 2020 Assessment Area are platted, Landowner covenants that such plat or

plats shall be presented to the District. The District shall allocate the Series 2020 Special Assessments to the number of lots being platted and the remaining lands in accordance with the District's Assessment Report and cause such reallocation to be recorded in the District's Improvement Lien Book.

(i) It is or will be an express condition of the liens established by the Assessment Resolutions that any and all plats containing any portion of the Series 2020 Assessment Area owned by Landowner shall be presented to the District for review and allocation of the Series 2020 Special Assessments to the lots being platted and the remaining Series 2020 Assessment Area in accordance with the Assessment Report ("Reallocation"). Landowner covenants to comply with this requirement for the Reallocation. The District agrees that no further action by the Board of Supervisors shall be required. The District's review of the plats shall be limited solely to the Reallocation of Series 2020 Special Assessments and enforcement of the District's assessment liens. Nothing herein shall in any way operate to or be construed as providing any other plat and plan approval or disapproval powers to the District.

(ii) The purpose of the True-Up calculation is to ensure that the bond debt will be able to be assigned to at least ______ ERUs within Phase 2. Thus, at the time of platting of any portion of the Series 2020 Assessment Area affecting Phase 2, or any replatting thereof, there must be at least ______ ERUs assigned within Phase 2 of the Series 2020 Assessment Area to assign the bond debt to. If not, subject to subsection (v) below, the District would require a True-Up Payment from Landowner or the person or entity seeking to file such plat in an amount sufficient to reduce the remaining bond debt to the actual number of ERUs assigned to platted lots as set forth in the Assessment Report.

(iii) The True-Up calculation shall be performed at the time any portion of the Series 2020 Assessment Area is platted.

If at the time the True-Up calculation is performed, it is determined that less (iv) ERUs are assigned to Phase 2 of the Series 2020 Assessment Area, a Truethan Up Payment shall become due and payable by Landowner. Any such True-Up Payment determined to be due by Landowner shall be paid in full prior to approval of the plat. Such True-Up Payment shall be in addition to the Series 2020 Special Assessment installment payable for Series 2020 Assessment Area owned by Landowner. The District will take all necessary steps to ensure that True-Up Payments are made in a timely fashion to ensure its debt service obligations are met, and in all cases, Landowner agrees that such payments shall be made in order to ensure the District's timely payment of the debt service obligations on the Series 2020 Bonds. The District shall record all True-Up Payments in its Improvement Lien book. If such True-Up Payment is made at least 45 days prior to an interest payment date on the Series 2020 Bonds, Landowner shall include accrued interest as part of the True-Up Payment to such interest payment date. If such True-Up Payment becomes due within 45 days of the next interest payment date, accrued interest shall be calculated to the next succeeding interest payment date.

(v) The foregoing is based on the District's understanding with Landowner that at least ______ ERUs will be assigned Phase 2 of the Series 2020 Assessment Area as identified in the Assessment Report and Engineer's Report. However, the District agrees

that nothing herein prohibits more or less than the anticipated number of ERUs to be assigned to the Series 2020 Assessment Area. In the event Landowner plats less than all the Series 2020 Assessment Area, the Landowner may either make a True-Up Payment or leave unassigned Series 2020 Special Assessments on un-platted Series 2020 Assessment Area provided the maximum debt allocation per developable acre as set forth in the Assessment Resolution is not exceeded. In no event shall the District collect Series 2020 Special Assessments pursuant to the Assessment Resolutions in excess of the total debt service related to the Series 2020 Project, including all costs of financing and interest. The District, however, may collect Series 2020 Special Assessments in excess of the annual debt service related to the Series 2020 Project, including all costs of financing and interest, which shall be applied to prepay the Series 2020 Bonds. If the strict application of the True-Up methodology to any Reallocation for any plat pursuant to this paragraph would result in Series 2020 Special Assessments collected in excess of the District's total debt service obligation for the Series 2020 Project, the District agrees to take appropriate action by resolution to equitably Reallocate the assessments.

SECTION 4. ENFORCEMENT. This Agreement is intended to be an additional method of enforcement of Landowner's obligation to pay the Series 2020 Special Assessments and to abide by the requirements of the Reallocation of Series 2020 Special Assessments, including the making of the True-Up Payment, if any, as set forth in the Assessment Resolutions. A default by any Party under this Agreement shall entitle any other Party to all remedies available at law or in equity, but excluding special, consequential or punitive damages.

SECTION 5. RECOVERY OF COSTS AND FEES. In the event any Party is required to enforce this Agreement by court proceedings or otherwise, then the substantially prevailing party, as determined by the applicable court or other dispute resolution provider, shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees and costs incurred prior to or during any litigation or other dispute resolution and including all fees and costs incurred in appellate proceedings.

SECTION 6. NOTICE. All notices, requests, consents and other communications hereunder ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, by overnight delivery service, or electronic or hand delivered to the Parties, as follows:

(A)	If to the District:	North Powerline Road Community Development District 219 East Livingston Street Orlando, Florida 32801 Attn: District Manager
	With a copy to:	Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Post Office Box 6526 Tallahassee, Florida 32314 Attn: Roy Van Wyk
(B)	If to Landowner:	CH Dev LLC

	346 East Central Avenue Winter Haven, Florida 33880 Attn: Albert B. Cassidy
With a copy to:	Straughn & Turner, P.A. 255 Magnolia Avenue SW Winter Haven, Florida 33880 Attn: Richard E. Straughn

Except as otherwise provided herein, any Notice shall be deemed received only upon actual delivery at the address or telecopy number set forth herein. If mailed as provided above, Notices shall be deemed delivered on the third business day unless actually received earlier. Notices hand delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the Parties may deliver Notice on behalf of the Parties. Any Party or other person to whom Notices are to be sent or copied may notify the other Parties and addressees of any change in name, address or telecopy number to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addressees set forth herein.

Notwithstanding the foregoing, to the extent Florida law requires notice to enforce the collection of any assessments placed on Series 2020 Assessment Area by the District, then the provision of such notice shall be in lieu of any additional notice required by this Agreement.

SECTION 7. ASSIGNMENT.

(A) Landowner may not assign its duties or obligations under this Agreement except in accordance with the terms of this Section 7(C) below. This Agreement shall constitute a covenant running with title to all or any portion of the Series 2020 Assessment Area, binding upon Landowner and its successors and assigns including, without limitation, any purchaser and its successors and assigns as to Series 2020 Assessment Area or portions thereof, and any transferee of any portion of Series 2020 Assessment Area, but shall not be binding upon transferees permitted by Sections 7(B)(i), (ii) or (iii) below.

(B) No portion of the Series 2020 Assessment Area may be transferred to any third party without complying with the terms of Section 7(C) below, other than:

- (i) Platted and fully-developed lots to homebuilders restricted from re-platting.
- (ii) Platted and fully-developed lots to end users.

(iii) Portions of Series 2020 Assessment Area exempt from debt special assessments or to be dedicated to the City, the County, the District, or other governmental agencies.

Any transfer of any portion of the Series 2020 Assessment Area pursuant to subsections (i), (ii) or (iii) of this Section 7(B), shall constitute an automatic release of such portion of the Series 2020 Assessment Area from the scope and effect of this Agreement.

(C) Landowner shall not transfer any portion of the Series 2020 Assessment Area to any third party, except as permitted by Sections 7(B)(i), (ii) or (iii) above, without satisfying the following conditions ("Transfer Conditions"):

(i) delivering a recorded copy of this Agreement to such third party; and

(ii) satisfying any True-Up Payment that results from a True-Up analysis that will be performed by the District Manager prior and as a condition to such transfer.

Any transfer that is consummated pursuant to this Section 7(C) shall operate as a release of Landowner from its obligations under this Agreement as to such portion Series 2020 Assessment Area only arising from and after the date of such transfer and satisfaction of all of the Transfer Conditions including payment of any True-Up Payment due pursuant to subsection 7(C)(ii) above, and the transferee shall be deemed to have assumed Landowner's obligations in accordance herewith and shall be deemed the "Landowner" from and after such transfer for all purposes as to such portion of the Series 2020 Assessment Area so transferred.

SECTION 8. AMENDMENT. This Agreement shall constitute the entire agreement between the Parties regarding the subject matter discussed herein and may be modified in writing only by the mutual agreement of all Parties. This Agreement may not be amended without the prior written consent of the trustee for the Series 2020 Bonds ("Trustee") on behalf and acting at the direction of the bondholders owning more than 50% of the aggregate principal amount of the applicable Series 2020 Bonds then outstanding with regard to material amendments.

SECTION 9. AUTHORIZATION. The execution of this Agreement has been duly authorized by the appropriate body or official of the District and Landowner, both the District and Landowner have complied with all the requirements of law, and both the District and Landowner have full power and authority to comply with the terms and provisions of this Agreement.

SECTION 10. TERMINATION. This Agreement shall continue in effect until it is rescinded in writing by the mutual assent of each Party, provided, however, that this Agreement and the covenants contained herein may not be terminated or released prior to platting and development of all the Series 2020 Assessment Area without the prior written consent of the Trustee on behalf and acting at the direction of bondholders owning more than 50% of the aggregate principal amount of the applicable Series 2020 Bonds then outstanding with regard to amendments having a material effect on the District's ability to pay debt service on the Series 2020 Bonds.

SECTION 11. NEGOTIATION AT ARM'S LENGTH. This Agreement has been negotiated fully between the Parties as an arm's length transaction. The Parties participated fully in the preparation of this Agreement and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the Parties are deemed to have

drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against either Party.

SECTION 12. THIRD PARTY BENEFICIARIES. This Agreement is solely for the benefit of the District and Landowner and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Agreement. Except as provided in the immediately succeeding sentence, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or entity other than the District and Landowner any right, remedy or claim under or by reason of this Agreement or any provisions or conditions of this Agreement; and all of the provisions, representations, covenants and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the District and Landowner and their respective representatives, successors and assigns. Notwithstanding anything herein to the contrary, the Trustee for the Series 2020 Bonds, on behalf of the owners of the Series 2020 Bonds, shall be a direct third-party beneficiary of the terms and conditions of this Agreement and shall be entitled to enforce Landowner's obligations hereunder. The Trustee shall not be deemed to have assumed any obligations hereunder.

SECTION 13. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the Doctrine of Sovereign Immunity or by operation of law.

SECTION 14. APPLICABLE LAW AND VENUE. This Agreement and the provisions contained herein shall be construed, interpreted, and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Agreement shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

SECTION 15. PUBLIC RECORDS. Landowner understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records and may require treatment as such in accordance with Florida law.

SECTION 16. EXECUTION IN COUNTERPARTS. This instrument may be executed in any number of counterparts, each of which, when executed and delivered, shall constitute an original, and such counterparts together shall constitute one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

SECTION 17. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement, or any part of this Agreement not held to be invalid or unenforceable.

SECTION 18. EFFECTIVE DATE. This Agreement shall become effective after execution by the Parties hereto on the date reflected above.

IN WITNESS WHEREOF, Landowner and District have caused this Agreement to be executed and delivered on the day and year first written above.

WITNESSES:

CH DEV LLC, a Florida limited liability company

Albert B. Cassidy, Manager

[Print Name]

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Albert B. Cassidy, as Manager of CH Dev LLC, on behalf of the company.

(Official Notary Signature)
Name:
Personally Known
OR Produced Identification
Type of Identification

[notary seal]

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

[Print Name]

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Lauren O. Schwenk, as Vice Chairperson of the Board of Supervisors of the North Powerline Road Community Development District.

	(Official Notary Signature)
	Name:
	Personally Known
[notary seal]	OR Produced Identification
	Type of Identification
	J 1

Exhibit A:	Legal Description of Landowner Lands
Exhibit B:	Legal Description of Series 2020 Assessment Area
Comp. Exhibit C:	Engineer's Report for Capital Improvement Second Amended and
	Restated, dated March 2020, as supplemented by that First
	Supplemental to Second Amended and Restated Engineer's Report
	for Capital Improvement, dated March 2020, as further
	supplemented by that Second Supplement to Second Amended and
	Restated Engineer's Report for Capital Improvements, dated
	September 2020

EXHIBIT A

LEGAL DESCRIPTION OF LANDOWNER LANDS

EXHIBIT B

LEGAL DESCRIPTION OF SERIES 2020 ASSESSMENT AREA

COMPOSITE EXHIBIT C

ENGINEER'S REPORT

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS SECOND AMENDED AND RESTATED

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. It is anticipated at this time that the District will petition to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report.

The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

June 2020
June 2020
June 2020
June 2020
June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

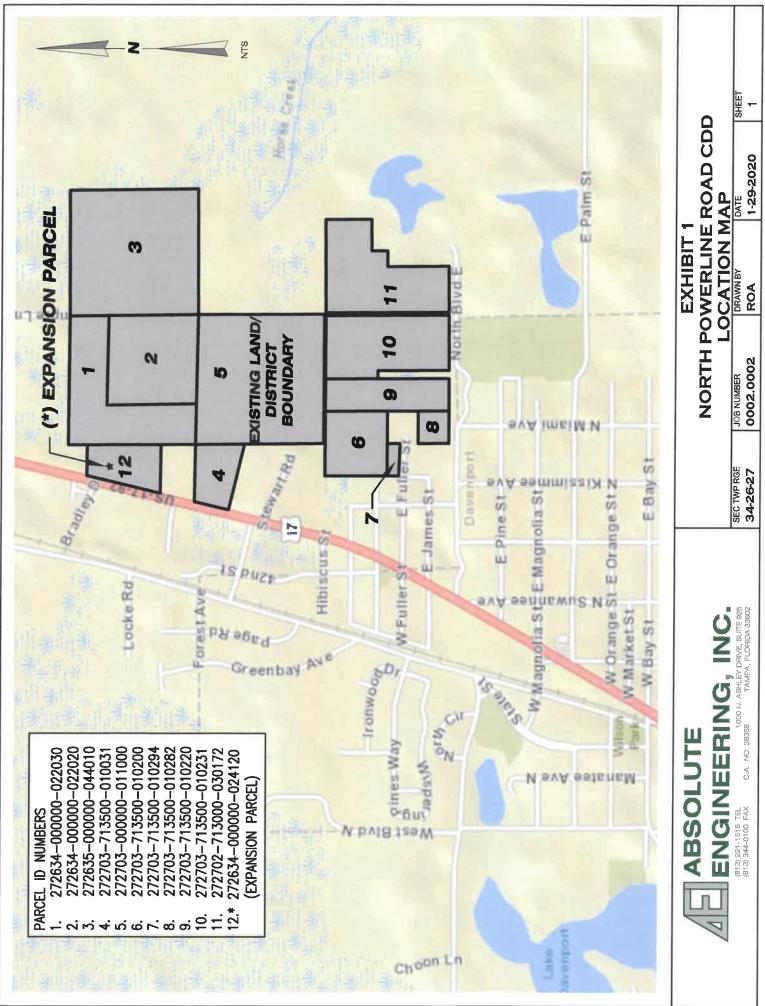
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

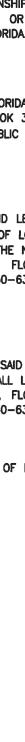
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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PARCEL 12 (272634-000000-024120)

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Rick

AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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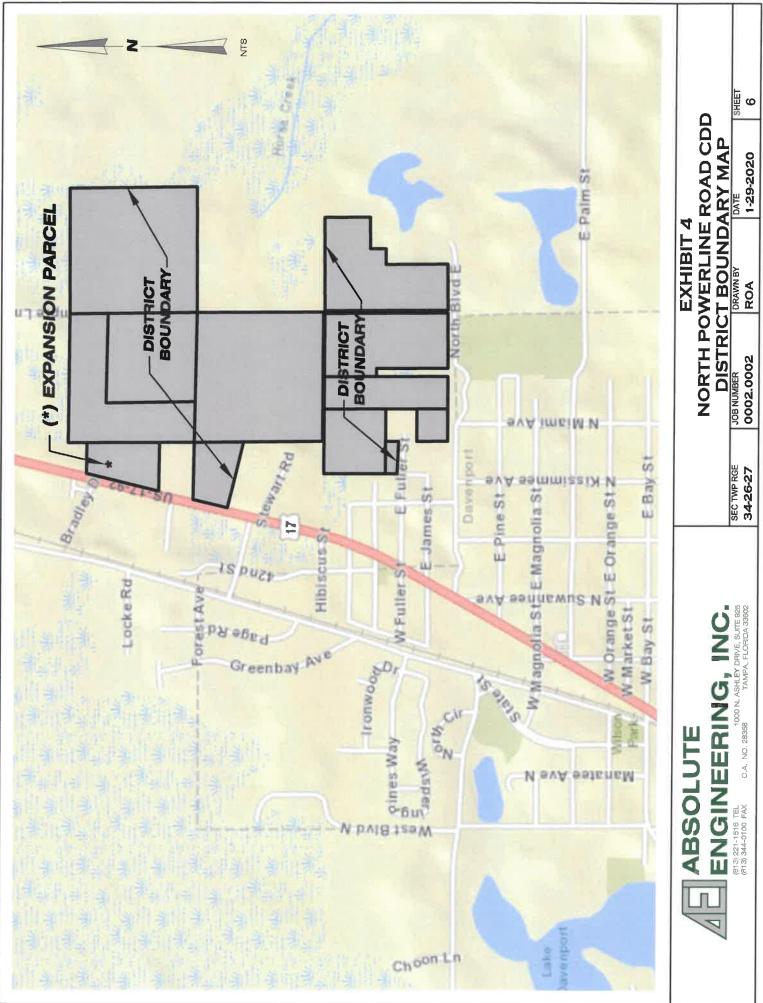
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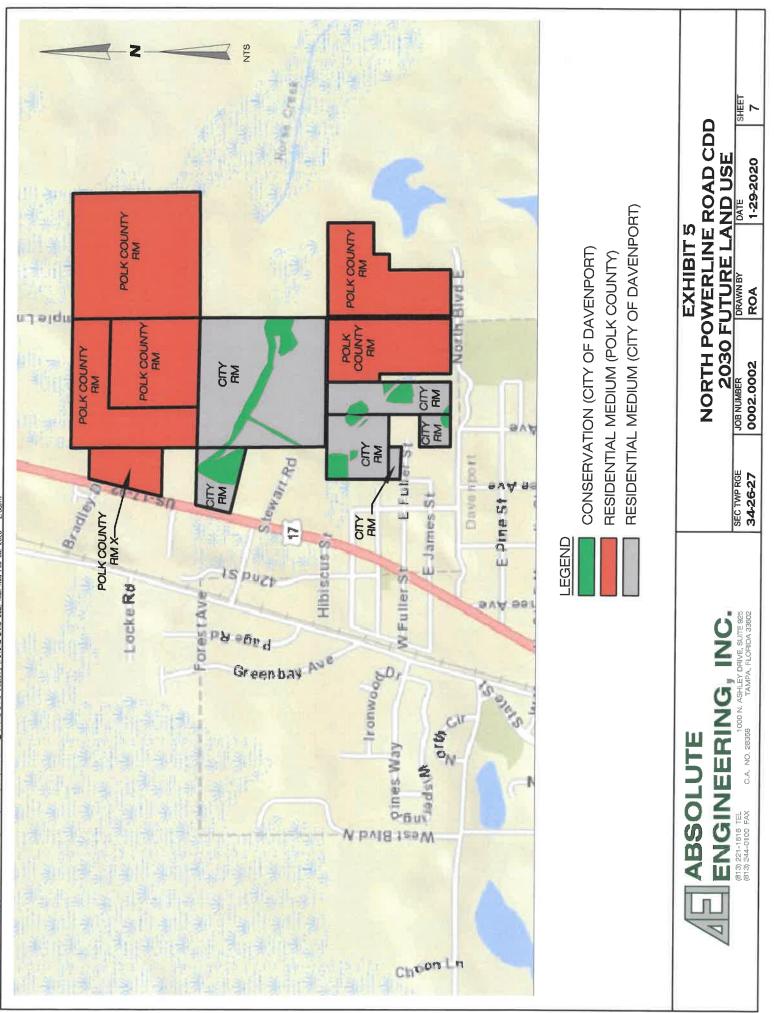
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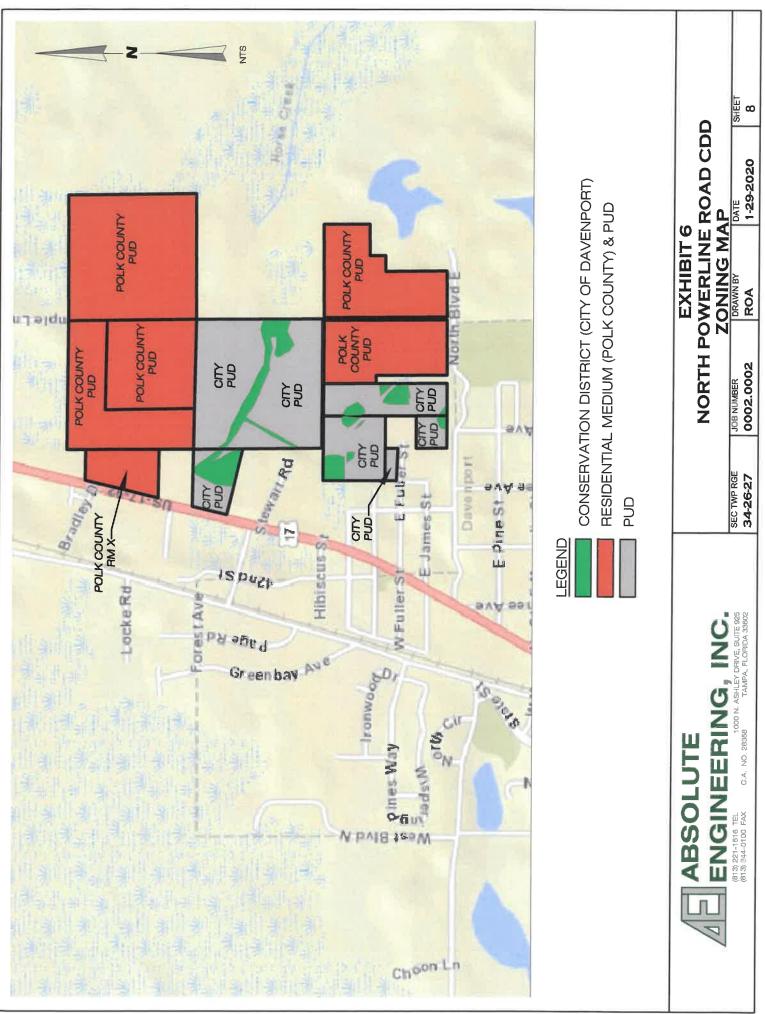
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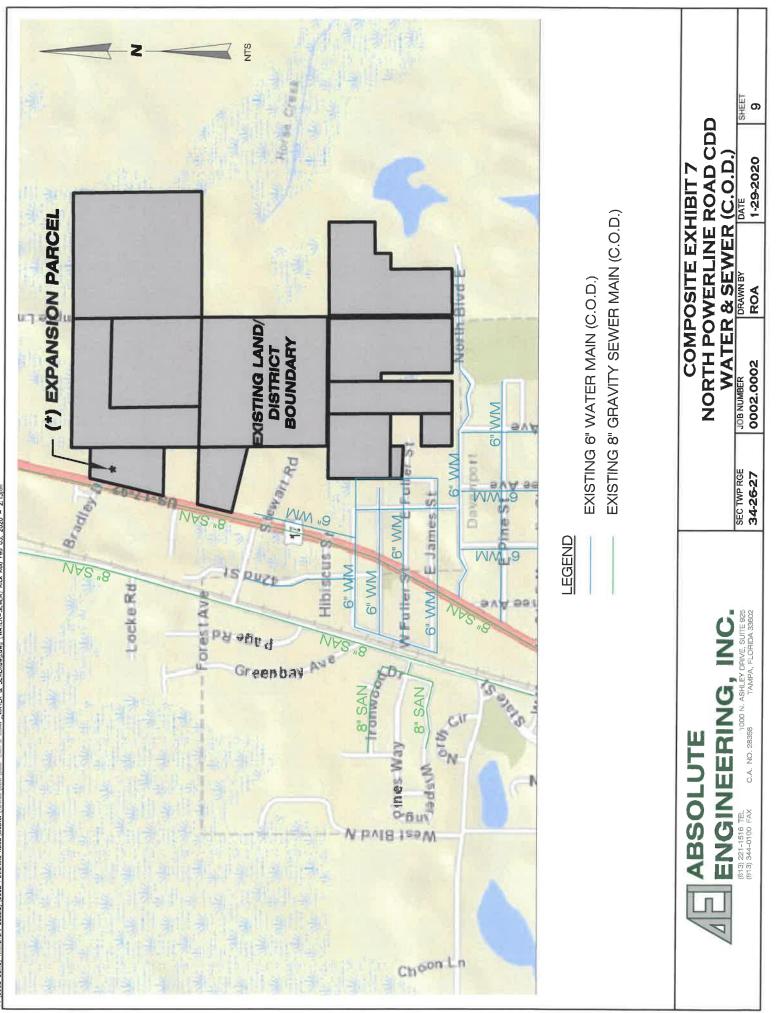
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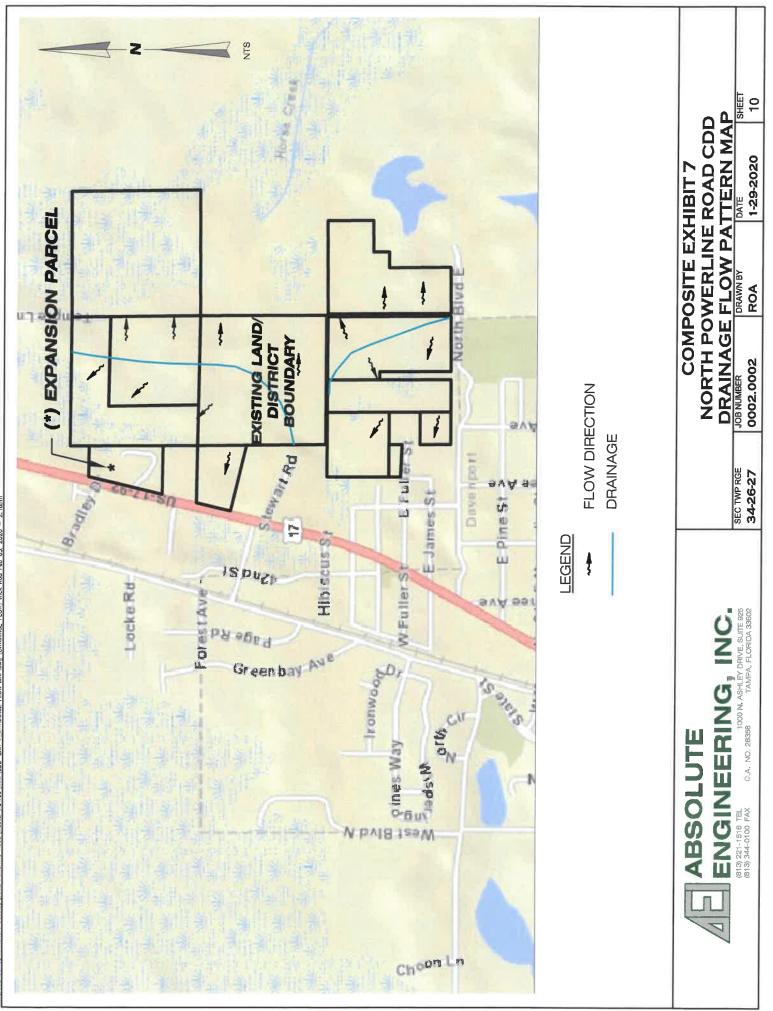
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	<u>Ownership</u>	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

***District will fund street lighting maintenance services

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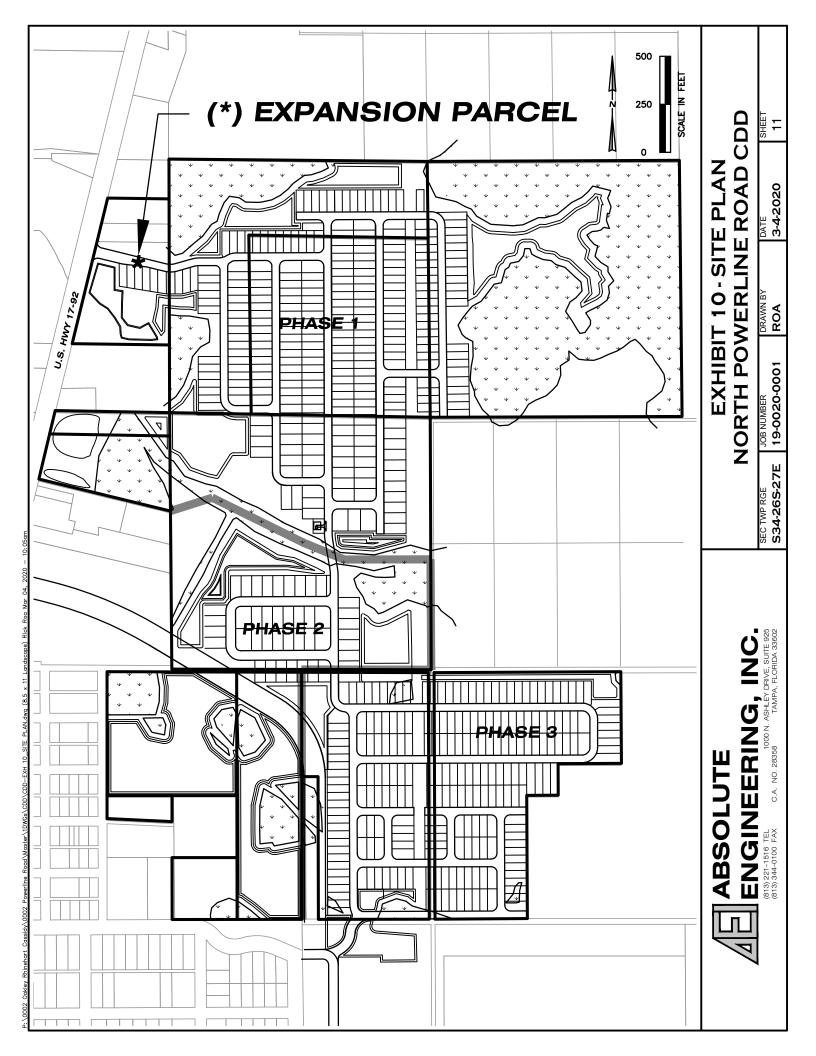
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 Existing Land (289 Lots)	Phase 1 Expansion Parcel (6 Lots)	<u>Phase 2</u> (44 Lots)	<u>Phase 3</u> (228 Lots)	<u>Total</u>
	2020-2023	2020-2023	2021-2024	2022-2025	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,238
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway (1)(4)(5)(7)	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,172
Parks and Amenities (1)(7)(11)	\$449,923	\$9,341	\$68,500	\$354,956	\$882,721
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	\$103,277	\$535,163	\$1,330,865
TOTAL	\$6,750,125	\$242,218	\$2,129,701	\$5,404,251	\$14,526,296

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

FIRST SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 2- Current Legal Description
- EXHIBIT 3- Legal Description After Boundary Amendment
- EXHIBIT 4- District Boundary Map
- EXHIBIT 5- Land Use Map
- EXHIBIT 6- Zoning Map
- EXHIBIT 7- Utility Location Map & Drainage Flow Pattern Map
- EXHIBIT 8- Summary of Proposed District Facilities
- EXHIBIT 9- Summary of Opinion of Probable Costs
- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The First Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The increase in overall units is 16 and the associated increase in the infrastructure development cost is \$595,297.00.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. The District is in the process of petitioning to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. The petition to amend the boundaries of the District to annex the Expansion Parcel in the District has been filed with the County. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Development Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date		
Zoning Approval	June 2020		
Preliminary Plat	June 2020		
SWFWMD ERP	June 2020		
Construction Permits	June 2020		
Polk County Health Department Water	June 2020		
FDEP Sewer	June 2020		

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

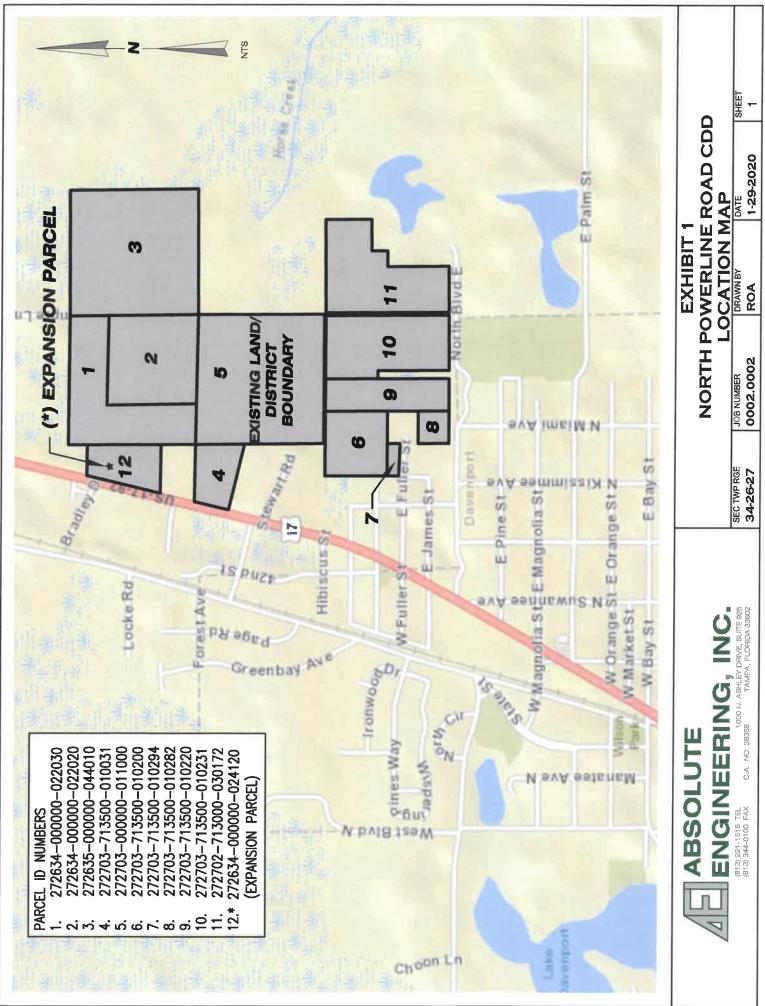
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

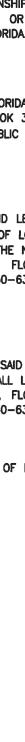
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL 4 (272703-713500-010031)

PARCEL "A"

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

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PARCEL 9 (272703-713500-010220)

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PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

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AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3 LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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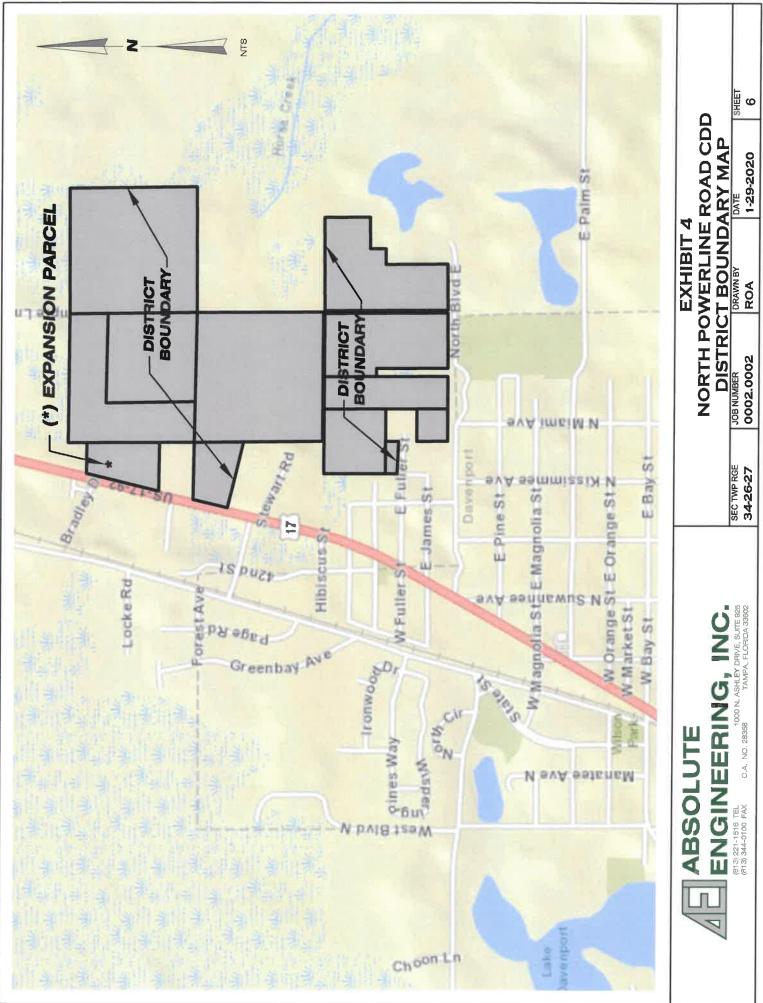
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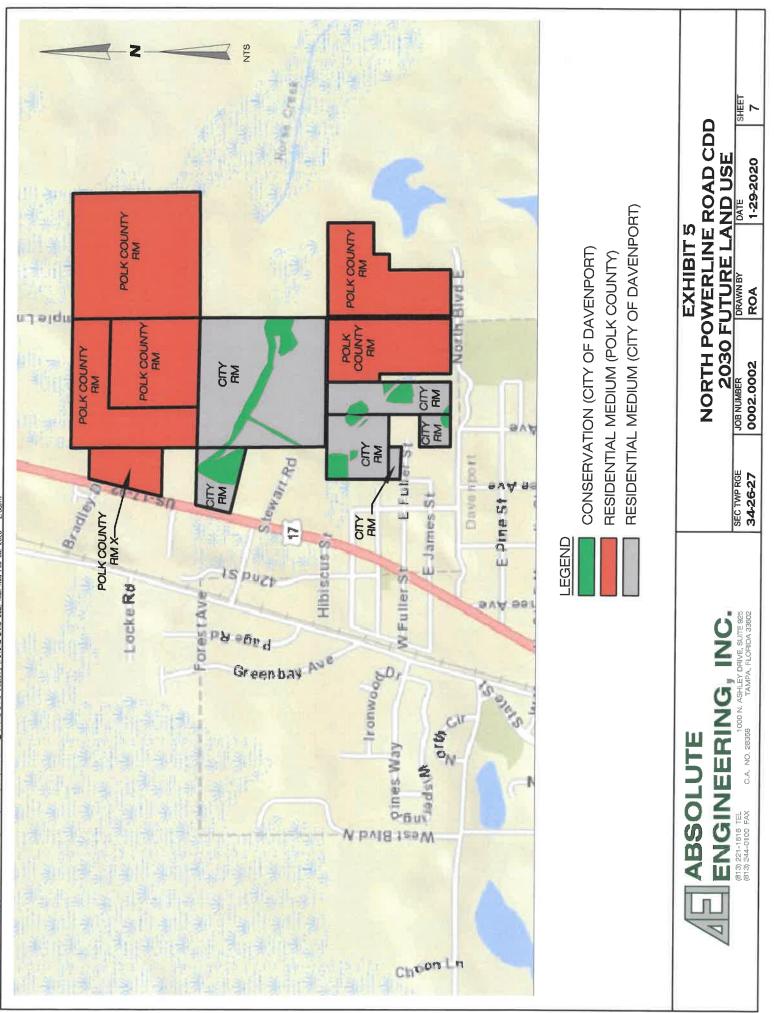
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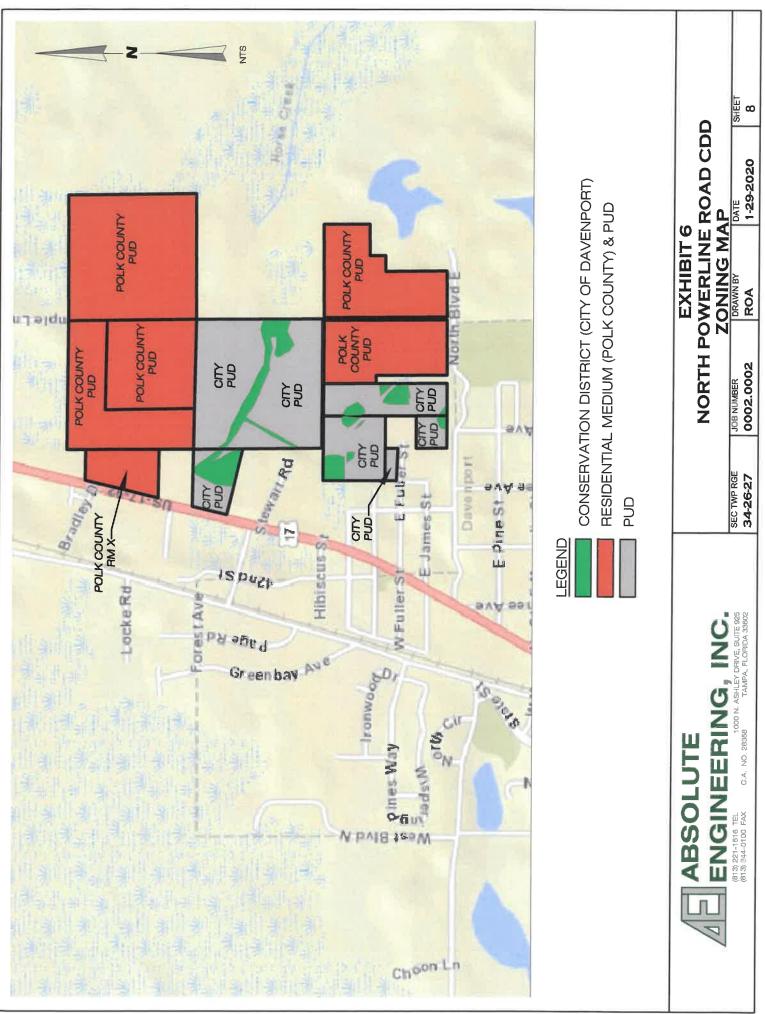
DATE 1-29-2020

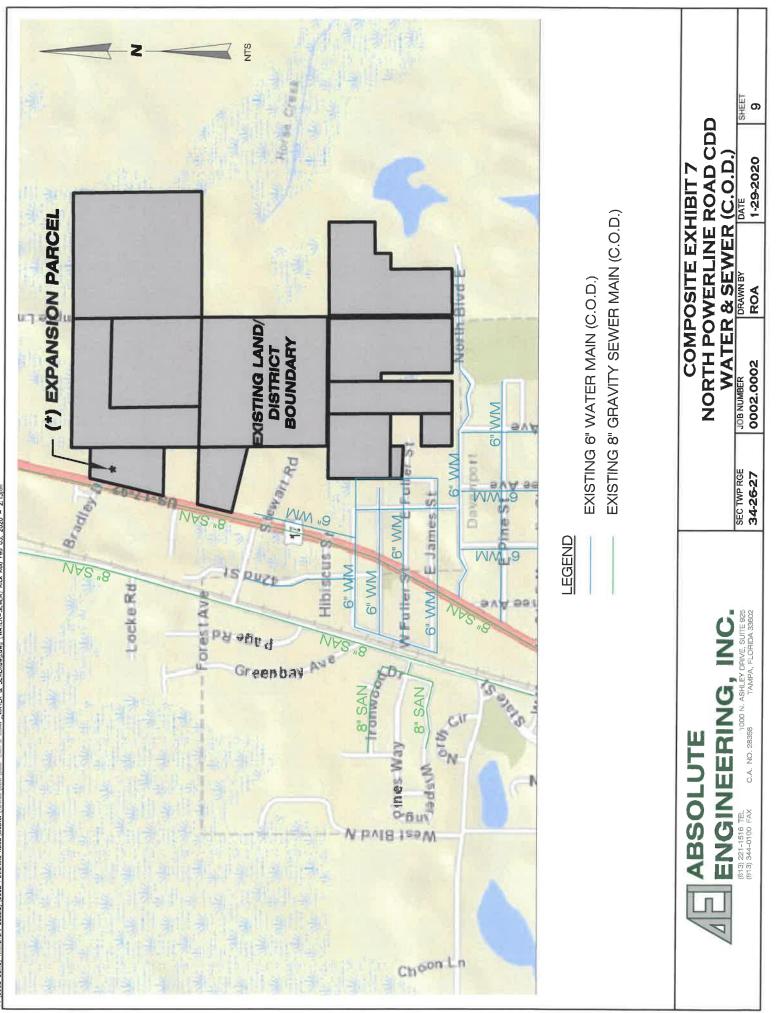
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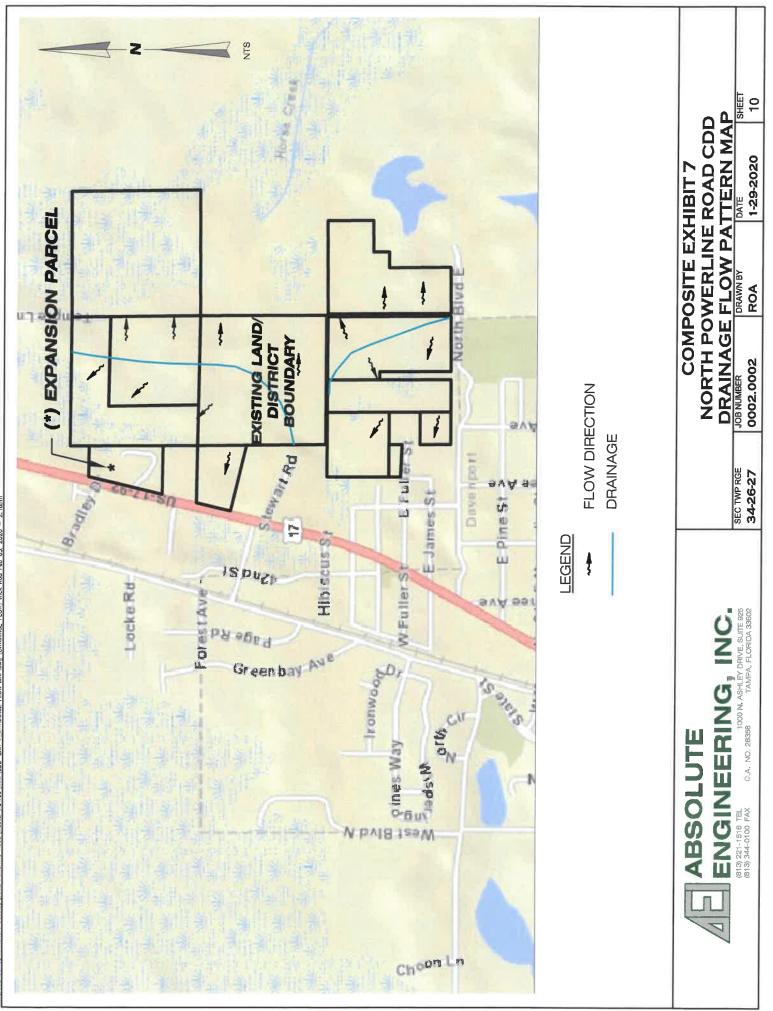
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

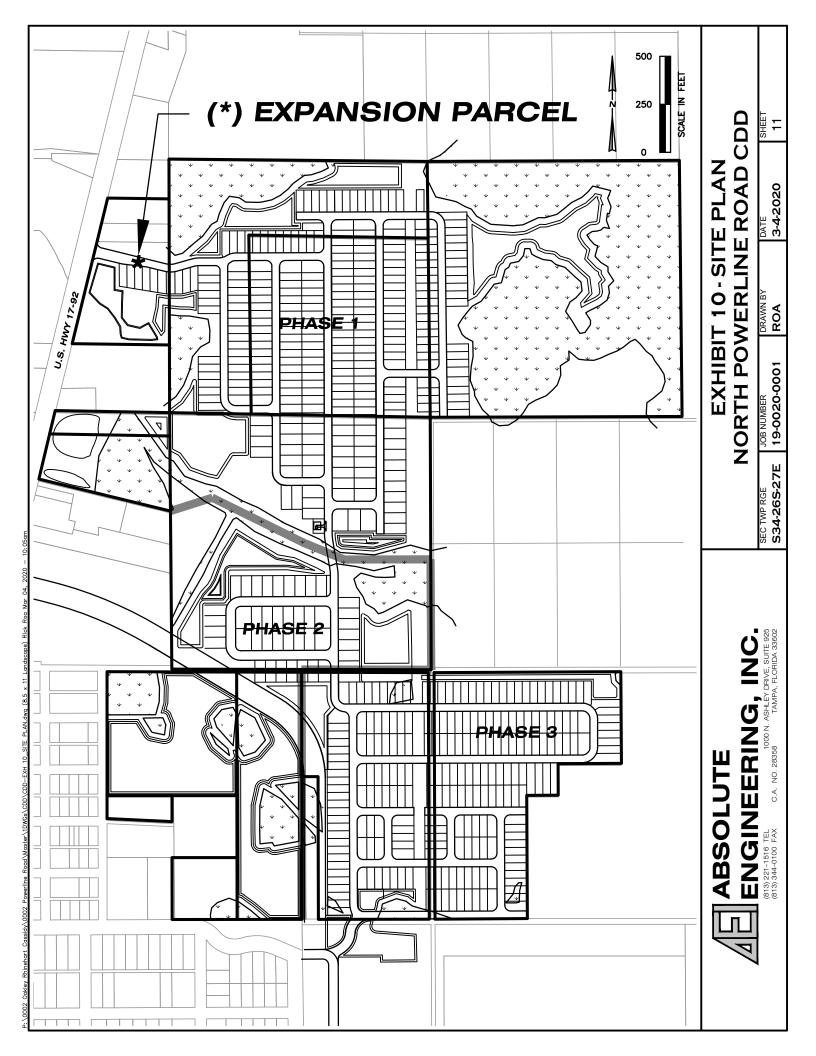
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

<u>Infrastructure</u>	<u>Phase 1</u> <u>Existing Land</u> (289 Lots)	<u>Phase 1</u> <u>Expansion</u> Parcel (6 Lots)	<u>Phase 2 (44</u> <u>Lots)</u>	<u>Phase 3 (228</u> Lots)	<u>Total</u>
	<u>2020-2023</u>	<u>2020-2023</u>	<u>2021-2024</u>	<u>2022-2025</u>	<u>(567 Lots)</u>
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway ⁽¹⁾⁽⁴⁾⁽⁵⁾⁽⁷⁾	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,171
Parks and Amenities ⁽¹⁾⁽⁷⁾⁽¹¹⁾	\$449,923	\$9,341	\$68,500	\$354,956	\$882,720
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	<u>\$103,277</u>	<u>\$535,163</u>	<u>\$1,330,865</u>
TOTAL	\$6,750,125	\$242,217	\$2,129,701	\$5,404,250	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

SECOND SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

SEPTEMBER 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The Second Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The total number of units and infrastructure development cost is unchanged.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 195.95 gross acres, and is expected to be constructed in two (2) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure.

The District was established under County Ordinance No. 18-036, as approved by the County Commission on June 5, 2018, further amended by County Ordinance 20-028. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This supplemental "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Capital Improvement Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the

corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in two (2) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2	228	44		272
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1 and 2. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development). There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion in 2023. Upon completion of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Approval / Expected Date
LDPD-2020-10
43044217.002
LDRES-2019-59
139102-070
C\$53-0232639-046-DWCMR

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	LDPD-2020-10
Preliminary Plat	City of Davenport Zoning Approval (7/22/20)
SWFWMD ERP	43044217.004
Construction Permits	October 2020
Polk County Health Department Water	October 2020
FDEP Sewer	October 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City and County. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

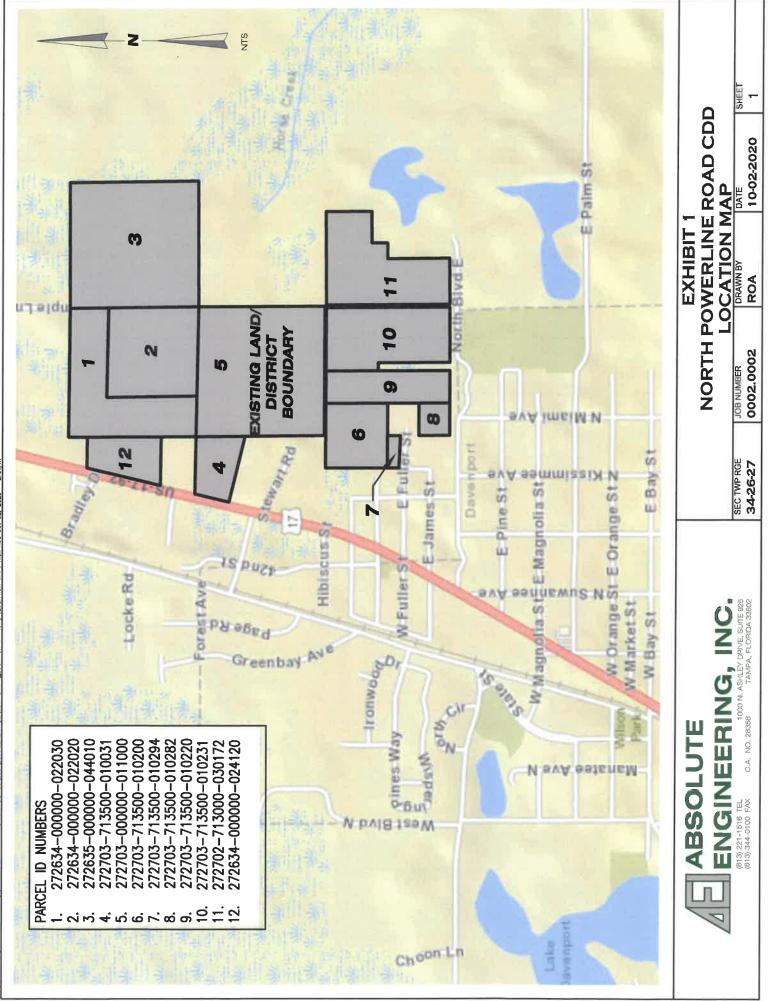
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



0002 Oakley Rhinehert Cassidy 0002 Pewerline Road Waster/DWSs/CDD/SUPPLEMENT //2/CDD-CXH 1_LOCATION MAP, dev (LOCATION MAP) Rick Roa Oct 02, 2020 - 2:015m

LEGAL DESCRIPTION:

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12°46'30" WEST, 241.4 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.



LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

Rick Rog Oct 02,

AMEND-2.dwg (LEGAL)

DESC

Rood/Master/1DWGs/CDD/SUPPLEMENT #2/CDD-EXH 2_LEGAL

Powerline

Oaktey Rhinehart CassId V 0002

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SAID SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

DRIVE, SUITE 925 1, FLORIDA 33602

BSOLUTI

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EXX

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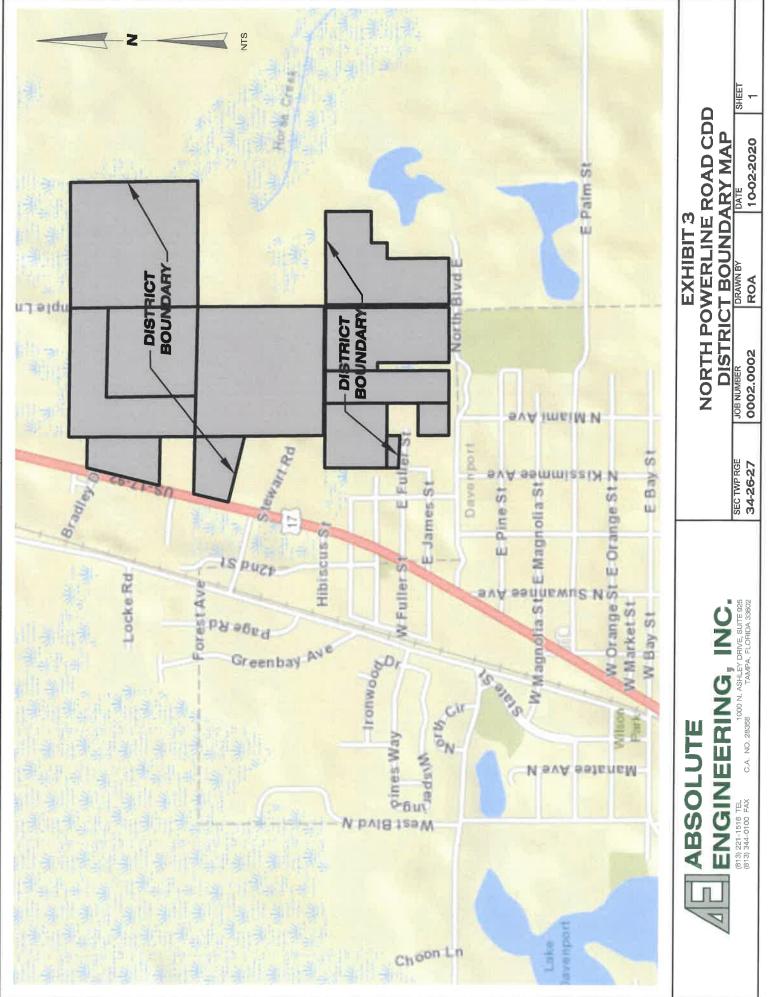
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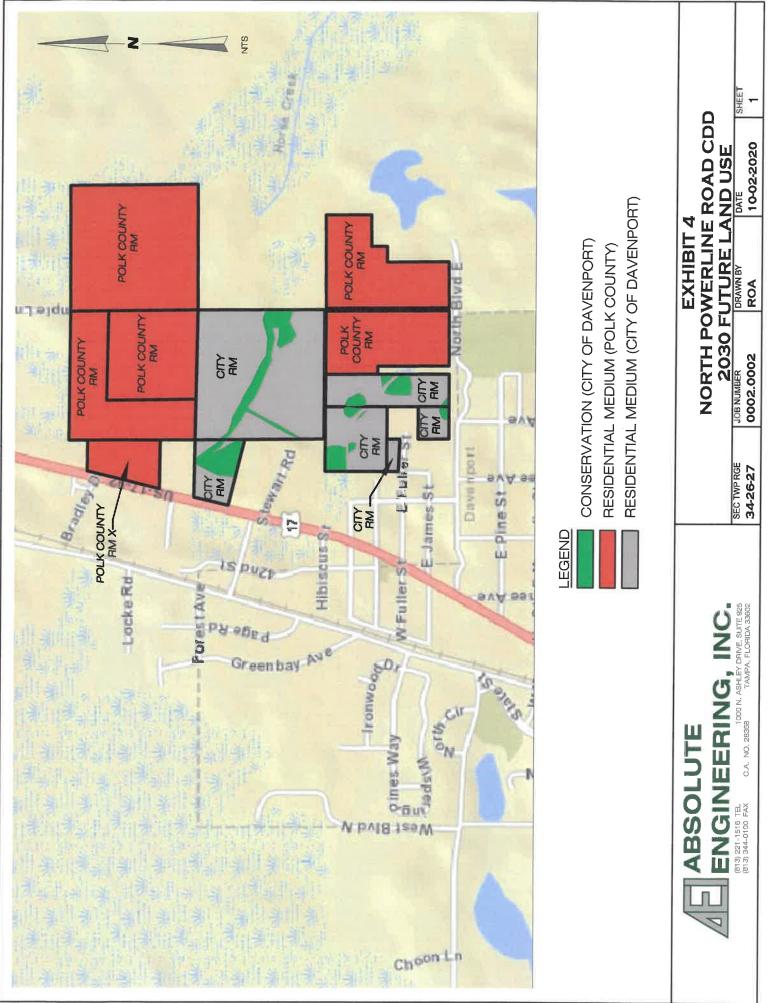
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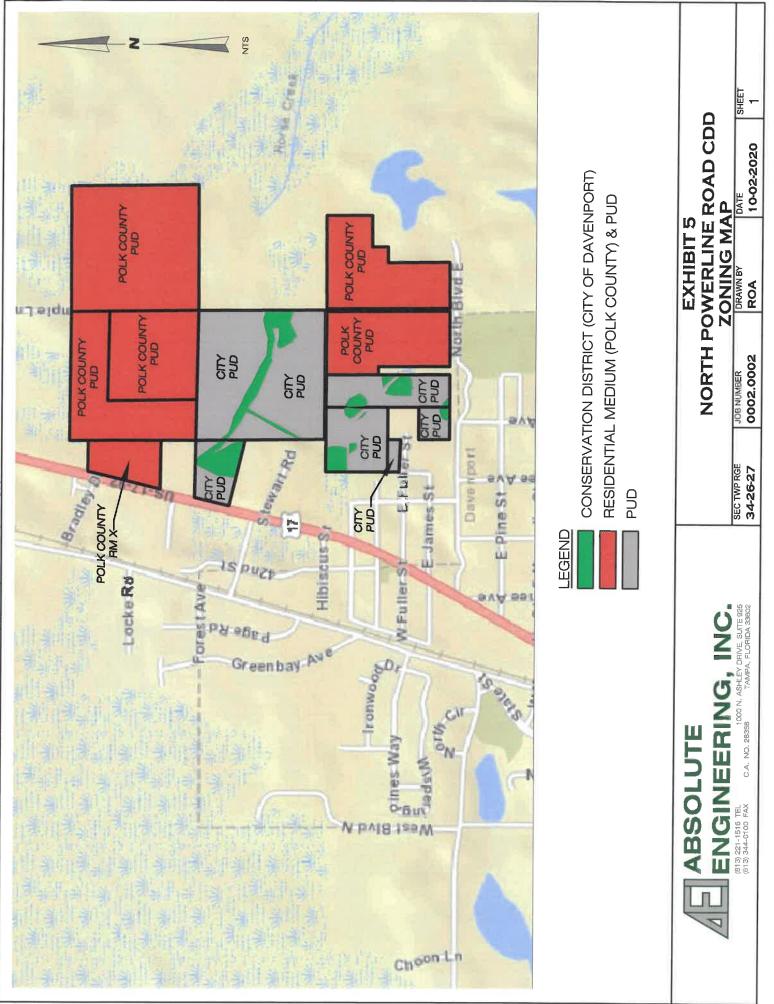
EXHIBIT



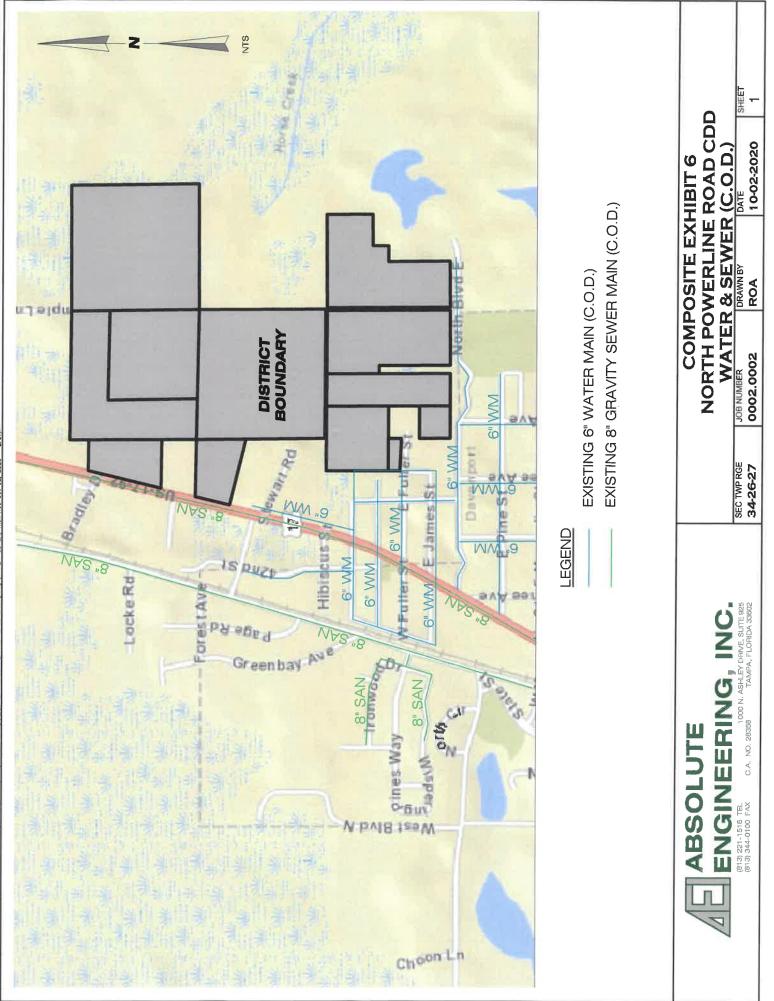
- NOO2 Ooldey Rhimehert Cassidy/OO2 Powerline Road/Master/10WGs/UDYLENENT #2/COD-EXH 3_DIST BND MAP-dwg (DIST BNDY MAP) Rick Rea Oct 02, 2020 - 2:05jim



P: 0002 Ookley Rhinehart Cossid/V0002 Powerine Road/Master/IDWOs/CDD/SUPPLEMENT #2/CDD-EXH 4_EUTURE LAND USE dwg (FUTURE LAND USE) Rick Roo Oct 02, 2020 - 2/06



P-20002 Obtey. Rhinethart Cassidy/0002 Powerline Road Master/JDWGs/CDD/SUPPLEMENT #2/CDD-EXH 5. ZONING MAP dwg (ZONING MAP) Rick Roa Oct 02. 2020 - 2:070r/



0002 Ookley Rhinehort Cassidy 0002 Powerline Road/Master/IDWGs/CDD/SUPPLEMENT #2/CDD-EXH 6 COMP WATER & SEWERAwy.dwg (WATER-SEWER) Rick Roa Oct 02, 2020 - 2:07h

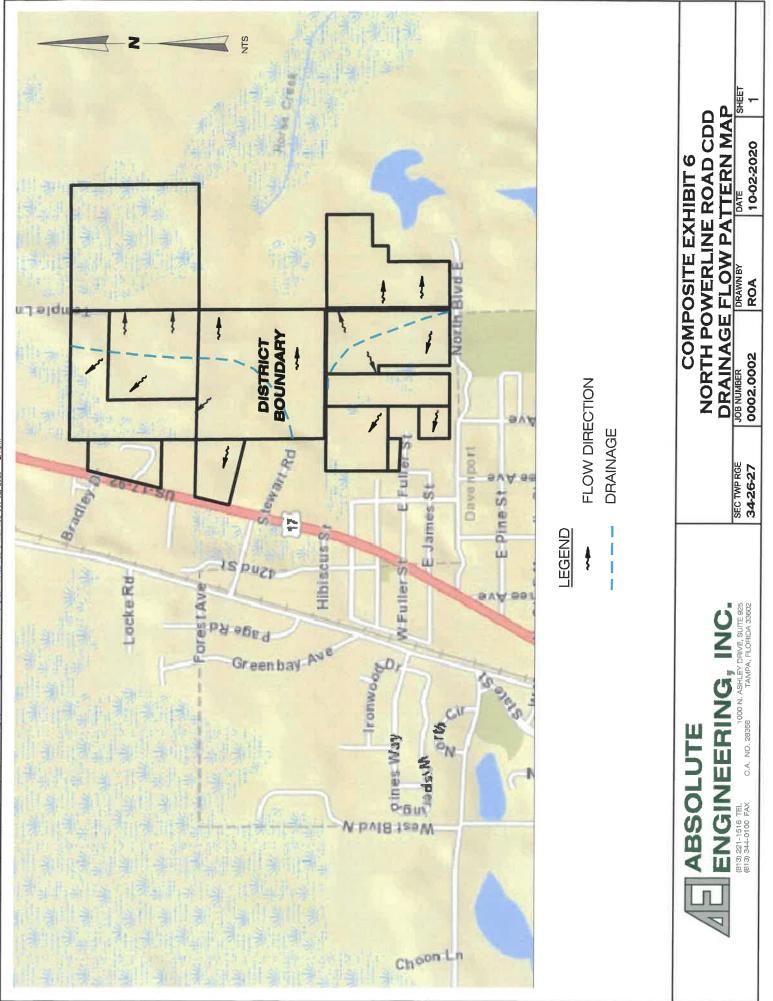


Exhibit 7 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	District**	District Bonds	District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit only

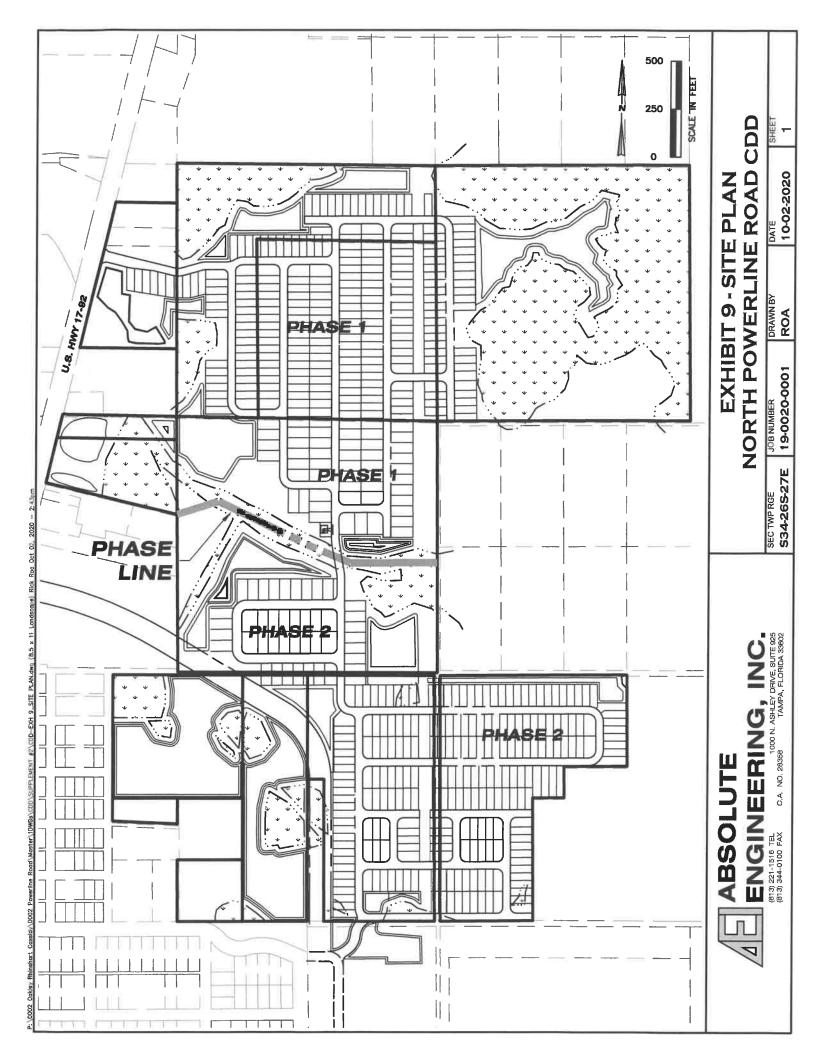
***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 (295 Lots)	Phase 2 (272 Lots)	Total
intrastructure	<u>2020-2023</u>	<u>2020-2023</u>	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,150,467	\$1,060,770	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,936,035	\$1,785,089	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ⁽¹⁾ ⁽⁵⁾⁽⁷⁾ ⁽⁹⁾⁽¹¹⁾	\$1,765,823	\$1,628,148	\$3,393,971
Roadway (1)(4)(5)(7)	\$878,980	\$1,897,225	\$2,776,205
Entry Feature ⁽¹⁾⁽⁷⁾⁽⁸⁾⁹¹¹⁾	\$109,348	\$100,823	\$210,171
Parks and Amenities (1)(7)(11)	\$459,264	\$423,456	\$882,720
Contingency ⁽¹¹⁾	<u>\$692,425</u>	<u>\$638,440</u>	<u>\$1,330,865</u>
TOTAL	\$6,992,342	\$7,533,951	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



SECTION 3

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

(This space reserved for Clerk)

Roy Van Wyk, Esq. Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Tallahassee, Florida 32301

COLLATERAL ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT RIGHTS RELATING TO THE SERIES 2020 PROJECT

(SERIES 2020 - PHASE 2)

THIS COLLATERAL ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT RIGHTS RELATING TO THE SERIES 2020 PROJECT ("Assignment") is made this _____ day of _____, 2020, by and between:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

CH DEV LLC, a Florida limited liability company, an owner and developer of certain lands within the District, with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner" and, together with the District, the "Parties").

RECITALS

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 2 in the Engineer's Report, defined herein, and more particularly described in Exhibit A attached hereto ("Landowner Lands"); and

WHEREAS, the District proposes to issue its <u>North Powerline Road</u> Community Development District Special Assessment Bonds, Series 2020 ("Series 2020 Bonds"), to finance certain improvements which will benefit the District; and

WHEREAS, among the security for the repayment of the Series 2020 Bonds are the debt special assessments levied against the "Series 2020 Assessment Area" as more particularly described in **Exhibit B**, which includes the Landowner Lands ("Series 2020 Special Assessments"); and

WHEREAS, the Parties intend that the portion of the Series 2020 Assessment Area identified as "Phase 2" will be platted and fully developed into a total of 272 residential units ("Lots"), and the Lots will be ultimately owned by homebuilders or end users, unrelated to the Landowner or its affiliated entities ("Development Completion"), as contemplated by the *Master Assessment Methodology*, dated February 5, 2020, supplemented by that *Supplemental Master Assessment Methodology*, dated ______, 2020, (together, the "Assessment Report"); and

WHEREAS, Phase 2, which is being partially financed with the proceeds of the Series 2020 Bonds as more particularly described in the *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvement*, dated *Engineer's Report for Capital Improvements*, dated September 2020 (collectively, the "Engineer's Report"), is a portion of the "Series 2020 Project"; and

WHEREAS, in the event of default in the payment of the Series 2020 Special Assessments securing the Series 2020 Bonds, or in the payment of a True-Up Obligation (as defined in the Agreement between the North Powerline Road Community Development District and CH Dev LLC Regarding True-Up as to Series 2020 Special Assessments, dated , 2020), or in the event of any other Event of Default (as defined herein), the District requires, in addition to the remedies afforded the District under the Master Trust Indenture dated as of , 2020 (the "Master Indenture"), as supplemented by that First Supplemental Trust Indenture dated as of _____, 2020 (the "First Supplemental Indenture" and, together with the Master Indenture, the "Indenture"), pursuant to which the Series 2020 Bonds are being issued, and the other Agreements being entered into by Landowner concurrent herewith with respect to the Series 2020 Bonds and the Series 2020 Special Assessments (the Indentures and Agreements being referred to collectively as the "Bond Documents," and such remedies being referred to collectively as the "Remedial Rights"), certain remedies with respect to the Development Rights (defined below) in order to complete or enable a third party to complete development of the Series 2020 Project.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **RECITALS**. The recitals stated above are true and correct and by this reference are incorporated herein and form a material part of this Assignment.

2. COLLATERAL ASSIGNMENT.

(a) Subject to the terms and conditions of this Assignment, Landowner hereby collaterally assigns to the District, to the extent assignable, all of Landowner's development rights, permits, entitlements and work product relating to development of Series 2020 Project, and Landowner's rights as declarant of any property owner or homeowner association with respect to the Series 2020 Project (collectively, the "Development Rights"), as security for Landowner's payment and performance of all of

its obligations arising under the Bond Documents, including, without limitation, payment of the Series 2020 Special Assessments levied against Series 2020 Assessment Area that is owned by Landowner, its successors and assigns, and any True-Up Obligation. The Development Rights shall include, without limitation, the items listed in subsections (i) through (viii) below as they pertain to development of the Series 2020 Project, but shall specifically exclude any portion of the Development Rights which relate solely to (x) Lots which have been or are conveyed to homebuilders unaffiliated with the Landowner or homebuyers effective as of such conveyance, or (y) any portion of Series 2020 Project which has been transferred, dedicated and/or conveyed, or is in the future conveyed, to the City of Davenport, Florida (the "City"), Polk County, Florida (the "County"), the District, any utility provider, governmental or quasi-governmental entity, any homeowner's or property owner's association or other governing entity or association as may be required by applicable permits, approvals, plats or entitlements or regulations affecting the District, if any, in each case effective as of such transfer, conveyance and/or dedication, as applicable:

(i) Zoning approvals, density approvals and entitlements, concurrency and capacity certificates, and development assignments;

(ii) Engineering and construction plans and specifications for grading, roadways, site drainage, storm water drainage, signage, water distribution, wastewater collection, recreational facilities and other improvements;

(iii) Preliminary and final site plans and plats;

(iv) Architectural plans and specifications for recreational buildings and other improvements to the developable property within the District;

(v) Permits, approvals, resolutions, variances, licenses, and franchises granted by governmental authorities, or any of their respective agencies, for or affecting the Series 2020 Project or the construction of improvements within Series 2020 Project, or off-site to the extent such off-site improvements are necessary or required to complete the Series 2020 Project;

(vi) Contracts with engineers, architects, land planners, landscape architects, consultants, contractors, and suppliers for or relating to the construction of the Series 2020 Project or the construction of improvements within Series 2020 Project;

(vii) All prepaid impact fees and impact fee credits; and

(viii) All future creations, changes, extensions, revisions, modifications, substitutions, and replacements of any of the foregoing.

(b) This Assignment is not intended to and shall not impair or interfere with the development of the Series 2020 Project, including, without limitation, Landowner's

contracts with homebuilders, if any, and end users (collectively, "Sales Contracts"), and shall only be inchoate and shall become an effective and absolute assignment and assumption of the Development Rights, from time to time, only upon the District's exercise of its rights hereunder upon a failure of Landowner to pay the Series 2020 Special Assessments levied against the portion of the Series 2020 Assessment Area owned by Landowner, from time to time, failure of Landowner to satisfy a True-Up Obligation, or any other Event of Default hereunder. The District shall not be deemed to have assumed any obligations associated with the Development Rights unless and until the District exercises its rights under this Assignment, and then only to the extent of such exercise.

(c) If this Assignment has not become absolute, it shall automatically terminate upon the earliest to occur of the following events: (i) payment in full of the principal and interest associated with the Series 2020 Bonds; (ii) Development Completion; (iii) transfer of any Development Rights to the City, the County, the State, the District, any utility provider, any other governmental or quasi-governmental entity, or any homeowners' or property owner's association but only to the extent of such transfer; or (iv) transfer of any portion of Series 2020 Assessment Area to an unaffiliated homebuilder or end user but only as to such portion transferred, from time to time.

3. WARRANTIES BY LANDOWNER. Landowner represents and warrants to the District that:

(a) Landowner is not prohibited under any agreement with any other person or under any judgment or decree from the execution, delivery and performance of this Assignment.

(b) No action has been brought or threatened which would in any way interfere with the right of Landowner to execute this Assignment and perform all of Landowner's obligations herein contained.

(c) Any transfer, conveyance or sale of the Series 2020 Assessment Area shall subject any and all affiliates or successors-in-interest of Landowner as to the Series 2020 Assessment Area or any portion thereof, to this Assignment to the extent of the portion of the Series 2020 Assessment Area so conveyed, except to the extent described in Section 2 above.

4. COVENANTS. Landowner covenants with the District that for so long as this Assignment shall remain in effect pursuant to the terms hereof:

(a) Landowner will use reasonable, good faith efforts to (i) fulfill, perform, and observe each and every material condition and covenant of Landowner relating to the Development Rights, and (ii) give notice to District of any default with respect to any of the Development Rights.

(b) The Development Rights include all of Landowner's rights to modify the Development Rights, to terminate the Development Rights, and to waive or release the performance or observance of any obligation or condition of the Development Rights; provided, however, that this Assignment does not and shall not (i) pertain to lands outside of the District not relating or necessary to development of the Series 2020 Project, or (ii) limit Landowner's right, from time to time, to modify, waive or release the Development Rights, subject to Section 4(c) below and Landowner's obligations under the Bond Documents.

(c) Landowner agrees not to take any action that would decrease the development entitlements to a level below the amount necessary to support the thenoutstanding Series 2020 Special Assessments or would materially impair or impede the ability to achieve Development Completion.

5. EVENTS OF DEFAULT. Any breach of Landowner's warranties contained in Section 3 hereof, any breach of covenants contained in Section 4 hereof which is not cured within sixty (60) days after receipt of written notice thereof, or any breach of Landowner under any other Bond Documents, which default is not cured within any applicable cure period, will constitute an "Event of Default", under this Assignment.

6. **REMEDIES UPON DEFAULT**. Upon an Event of Default, or the transfer of title to any portion of the Series 2020 Assessment Area owned by Landowner to the District or its designee pursuant to a judgment of foreclosure entered by a court of competent jurisdiction or a deed in lieu of foreclosure to the District or its designee or the acquisition of title to such property through the sale of tax certificates, the District may, under this Assignment, take any or all of the following actions, at the District's option:

(a) Perform or cause to be performed any and all obligations of Landowner relating to the Development Rights and exercise or cause to be exercised any and all rights of Landowner therein as fully as Landowner could;

(b) Initiate, appear in, or defend any action arising out of or affecting the Development Rights; and,

(c) Further assign any and all of the Development Rights to a third party acquiring title to the Series 2020 Assessment Area or any portion thereof from the District or at a District foreclosure sale.

7. AUTHORIZATION IN EVENT OF DEFAULT. In the Event of Default, Landowner does hereby authorize and shall direct any party to any agreements relating to the Development Rights to tender performance thereunder to the District upon written notice and request from the District. Any such performance in favor of the District shall constitute a full release and discharge to the extent of such performance as fully as though made directly to Landowner. Notwithstanding the foregoing or anything to the contrary set forth in this Assignment, no exercise by the District or the District's rights under this Assignment shall operate to release Landowner from its obligations under this Assignment.

8. ATTORNEYS' FEES AND COSTS. In the event that any Party is required to enforce this Assignment by court proceedings or otherwise, then the Parties agree that the substantially prevailing party shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

9. AUTHORIZATION. The execution of this Assignment has been duly authorized by the appropriate body or official of the Parties; the Parties have complied with all the requirements of law; and the Parties have full power and authority to comply with the terms and provisions of this instrument.

10. NOTICES. All notices, requests, consents and other communications under this Assignment ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, at the addresses first set forth above. Except as otherwise provided in this Assignment, any Notice shall be deemed received only upon actual delivery at the address set forth above. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Assignment would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the District and counsel for the Landowner may deliver Notice on behalf of the District and the Landowner, respectively. Any Party or other person to whom Notices are to be sent or copied may notify the other parties and addressees of any change in name or address to which Notices shall be sent by providing the same on five (5) days' written notice to the Parties and addressees set forth herein.

11. ARM'S LENGTH TRANSACTION. This Assignment has been negotiated fully between the Parties as an arm's length transaction. Both Parties participated fully in the preparation of this Assignment and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Assignment, both Parties are deemed to have drafted, chosen, and selected the language, and the doubtful language will not be interpreted or construed against either the District or the Landowner.

12. THIRD PARTY BENEFICIARIES. The Parties hereto agree that the Trustee under the Indenture ("Trustee"), on behalf of the bondholders, shall be a direct third-party beneficiary of the terms and conditions of this Assignment and entitled to enforce Landowner's obligations hereunder at the direction of the bondholders owning more than 50% of the aggregate principal amount of the applicable Series 2020 Bonds then outstanding. The Trustee shall not be deemed by virtue of this Assignment to have assumed any obligations or duties.

13. AMENDMENT. This Assignment may be amended by an instrument in writing executed by all of the Parties hereto, but only with the written consent of the Trustee acting at the direction of bondholders owning more than 50% of the aggregate principal amount of the Series 2020 Bonds then outstanding with respect to material amendments.

14. MISCELLANEOUS. Unless the context requires otherwise, whenever used herein, the singular number shall include the plural, the singular, and the use of any gender shall include all genders. The terms "person" and "party" shall include individuals, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups and combinations. Titles of paragraphs contained herein are inserted only as a matter of convenience and for reference and in no way define, limit, extend, or describe the scope of this Assignment or the intent of any provisions hereunder. This Assignment shall be construed under Florida law.

15. APPLICABLE LAW AND VENUE. This Assignment and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Assignment shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

16. **PUBLIC RECORDS.** The Landowner understands and agrees that all documents of any kind provided to the District in connection with this Assignment may be public records and treated as such in accordance with Florida law.

17. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Assignment shall not affect the validity or enforceability of the remaining portions of this Assignment, or any part of this Assignment not held to be invalid or unenforceable.

18. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Assignment shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other law, and nothing in this Assignment shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred by sovereign immunity or by other operation of law.

19. HEADINGS FOR CONVENIENCE ONLY. The descriptive headings in this Assignment are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Assignment.

20. COUNTERPARTS. This instrument may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original, and such counterparts together shall constitute one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, Landowner and the District have caused this Assignment to be executed and delivered on the day and year first written above.

WITNESSES:

CH DEV LLC, a Florida limited liability company

Albert B. Cassidy, Manager

[Print Name]

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of _____, 2020, by Albert B. Cassidy, as Manager of CH Dev LLC, on behalf of the company.

(Official Notary Signature)

[notary seal]

Name: Personally Known OR Produced Identification Type of Identification

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

[Print Name]

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

[Print Name]

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of \Box physical presence or \Box online notarization this _____ day of ______, 2020, by Lauren O. Schwenk, as Vice Chairperson of the Board of Supervisors of the North Powerline Road Community Development District.

	(Official Notary Signature)	
Name:		
D	V	

[notary seal]

Personally Known _____ OR Produced Identification _____ Type of Identification _____

Exhibit A: Legal Description of Landowner LandsExhibit B: Legal Description of the Series 2020 Assessment Area

EXHIBIT A

LEGAL DESCRIPTION OF LANDOWNER LANDS – PHASE 2

EXHIBIT B

LEGAL DESCRIPTION OF SERIES 2020 ASSESSMENT AREA

SECTION 4

AGREEMENT BY AND BETWEEN THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND CH DEV LLC REGARDING THE ACQUISITION OF WORK PRODUCT, IMPROVEMENTS, AND REAL PROPERTY

(SERIES 2020 - PHASE 2)

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of , 2020, by and between:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

CH DEV LLC, a Florida limited liability company, the developer and owner certain lands within the District identified as "Phase 2," with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner" and, together with the District, the "Parties").

RECITALS

WHEREAS, the District was established for the purposes of planning, financing, constructing, acquiring, operating and/or maintaining certain public infrastructure, as authorized by Chapter 190, *Florida Statutes*; and

WHEREAS, the District has adopted an improvement plan for the planning, design, acquisition, construction, and installation of various infrastructure improvements, facilities, and services (the "Improvements") within and adjacent to the District, and the anticipated cost thereof, as described in that certain *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvements*, dated September 2020 (collectively, the "Engineer's Report"), attached hereto as **Composite Exhibit A** and incorporated herein by reference; and

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 2 in the Engineer's Report and more particularly described in Exhibit B attached hereto ("Landowner Lands"). Landowner Lands are a portion of the benefited lands in the Series 2020 Assessment Area (described in Exhibit C attached hereto) upon which the Improvements will be constructed; and

WHEREAS, the District intends to finance all or a portion of the Improvements through the anticipated issuance of its North Powerline Road Community Development District Special Assessment Bonds, Series 2020 (the "Series 2020 Bonds"); and

WHEREAS, because the Series 2020 Bonds have not yet been issued, the District has not had sufficient monies on hand to allow the District to fund the cost of preparation of the necessary surveys, reports, drawings, plans, permits, specifications, and related documents which would allow the timely commencement and completion of construction of the Improvements (the "Work Product"); and

WHEREAS, the District acknowledges the Landowner's need to have the Improvements constructed in an expeditious and timely manner in order to develop the lands within the Series 2020 Assessment Area, including Landowner Lands (collectively, the "Series 2020 Project"); and

WHEREAS, the District agrees that it will not have sufficient monies to proceed with either the preparation of the Work Product or the commencement of construction of the Improvements described in **Composite Exhibit A** until such time as the District has closed on the sale of the Series 2020 Bonds; and

WHEREAS, to avoid a delay in the commencement of the construction of the Improvements, the Landowner has advanced, funded, commenced, and completed and/or will complete certain work to enable the District to expeditiously provide the Improvements; and

WHEREAS, the District desires to commence the acquisition of certain Work Product and the Improvements, and accept assignment of certain agreements regarding the same; and

WHEREAS, in conjunction with the acquisition of the Work Product and/or Improvements, the Landowner desires to convey to the District interests in real property sufficient to allow the District to own, operate, maintain, construct, or install the Improvements, if any such conveyances are appropriate, and such conveyances shall be in fee simple, perpetual easement, or other interest as may be in the best interests of the District (the "Real Property"); and

WHEREAS, the Landowner and the District desire to enter into this Agreement to set forth the process by which the District may acquire the Work Product, Improvements, and/or Real Property.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the District and the Landowner agree as follows:

SECTION 1. **INCORPORATION OF RECITALS.** The recitals stated above are true and correct and by this reference are incorporated herein and form a material part of this Agreement.

SECTION 2. WORK PRODUCT. The District agrees to pay the lesser of actual cost incurred by the Landowner or fair market value, for preparation of the Work Product in accordance with the provisions of this Agreement. The Landowner shall provide copies of any and all invoices, bills, receipts, or other evidence of costs incurred by the Landowner for the Work Product. The Parties agree to cooperate and use good faith and best efforts to undertake and

complete the acquisition process contemplated by this Agreement on such date as the Parties may jointly agree upon (the "Acquisition Date"). The Parties agree that separate or multiple Acquisition Dates may be established for any portion of the acquisitions contemplated by this Agreement. The District Engineer shall review all evidence of cost and shall certify to the District's Board of Supervisors (the "Board") the total actual amount of cost, which, in the District Engineer's certificate which shall accompany the requisition for the funds from the trustee for the Series 2020 Bonds ("Trustee"). In the event that the Landowner disputes the District Engineer's opinion as to cost, the District and the Landowner agree to use good faith efforts to resolve such dispute. If the Parties are unable to resolve any such dispute, the Parties agree to jointly select a third-party engineer whose decision as to any such dispute shall be binding upon the Parties. Such decision by a third-party engineer shall be set forth in an Engineer's Affidavit which shall accompany the requisition for the funds from the trustee. The Parties acknowledge that the Work Product is being acquired for use by the District in connection with the construction of the Improvements.

A. The Landowner agrees to convey to the District, and solely to the extent permitted by the terms of the Work Product, the Work Product upon payment of the sums determined to be acceptable by the District Engineer and approved by the District's Board pursuant to and as set forth in this Agreement.

B. The Landowner agrees to release to the District all right, title, and interest which the Landowner may have in and to the above described Work Product, as well as all common law, statutory, and other reserved rights, including all copyrights in the Work Product and extensions and renewals thereof under United States law and throughout the world, and all publication rights and all subsidiary rights and other rights in and to the Work Product in all forms, mediums, and media, now known or hereinafter devised; provided, however, that the District agrees and acknowledges that the Landowner shall retain the right, title and interest to use the Work Product, and the District shall grant the Landowner a license to use the Work Product to the extent reasonably required by the Landowner in connection with the ownership, construction, development, and management of the Series 2020 Project or other lands owned by Landowner to which such Work Product pertains. To the extent determined necessary by the District, the Landowner shall use commercially reasonable efforts to obtain all releases from any professional providing services in connection with the Work Product to enable the District to use and rely upon the Work Product. Such releases may include, but are not limited to, any architectural, engineering, or other professional services.

C. Except as otherwise separately agreed by the Parties with respect to any particular acquisition of Work Product, and without intending to modify any of the other terms of this Agreement, any conveyance of Work Product shall be on an "AS-IS" basis, and without any representation or warranty from the Landowner to the District in respect thereto.

D. The Landowner agrees to make reasonable good faith efforts, but without imposing any requirement on Landowner to pay for additional warranty rights on behalf of the District, to provide or cause to be provided to the District, either by assignment or directly from such third parties as may be necessary and desirable to the mutual satisfaction of the Parties hereto, a warranty that the Work Product is fit for the purposes to which it will be put by the District, as contemplated by the Engineer's Report.

E. The District agrees to allow the Landowner access to and use of the Work Product without the payment of any fee by the Landowner. However, to the extent the Landowner's access to and use of the Work Product causes the District to incur any cost or expense, such as copying costs, the Landowner agrees to pay such cost or expense.

SECTION 3. IMPROVEMENTS. The Landowner has expended certain funds on behalf of the District relating to the Improvements. The District agrees to acquire or otherwise reimburse the Landowner for those portions of the Improvements which have been commenced or completed prior to the issuance of the Series 2020 Bonds. When a portion of the Improvements is ready for conveyance by the Landowner to the District, the Landowner shall notify the District in writing, describing the nature of the improvement, its general location, and its estimated cost. Landowner agrees to provide, at or prior to the Acquisition Date, the following: (i) documentation of actual costs paid; (ii) instruments of conveyance such as special warranty bills of sale or such other instruments as may be reasonably requested by the District; and (iii) any other releases, indemnifications, or documentation as may be reasonably requested by the District. Any real property interests necessary for the functioning of the Improvements to be acquired under this paragraph shall be reviewed and conveyed in accordance with the provisions of Section 5 herein. The District Engineer in consultation with District Counsel shall determine in writing whether the infrastructure to be conveyed is a part of the Improvements contemplated by the Engineer's Report, and if so, shall provide Landowner with a list of items necessary to complete the acquisition. Each such acquisition shall also be subject to the engineering review and certification process described in Section 2 above. The District Manager shall determine, in writing, whether the District has, based on the Landowner's estimate of cost, sufficient unencumbered funds to acquire the improvement.

A. All documentation of any acquisition (e.g., bills of sale, receipts, maintenance bonds, as-builts, evidence of costs, deeds or easements, etc.) shall be to the reasonable satisfaction of the District. If any item acquired is to be conveyed to a third-party governmental entity, then the Landowner agrees to cooperate and provide such certifications, warranties, representations or other items as may be required by that governmental entity, if any.

B. The District Engineer shall certify as to the actual cost of any improvement built or constructed by or at the direction of the Landowner, and the District shall pay no more than the actual cost incurred, or the fair market value of the improvement, whichever is less, as determined by the District Engineer.

C. The Landowner agrees to cooperate in the transfer of any permits to the District or another governmental entity with maintenance obligations for any Improvements conveyed pursuant to this Agreement.

D. Nothing herein shall require the District to accept any Work Product and/or Improvements unless the District Engineer, in his or her professional opinion, is able to certify that, in addition to any other requirements of law: (i) the Work Product and/or Improvements are as set forth in the Engineer's Report; (ii) the price for such Work Product and/or Improvements is equal to or less than each of (a) the cost actually paid to develop and/or install the Work Product and/or Improvements by the Landowner and (b) the reasonable fair market value of the Work Product and/or Improvements; (iii) as to Work Product, the Work Product is capable of being used for the purposes intended by the District, and, as to any Improvements, the Improvements were installed in accordance with their specifications, and are capable of performing the functions for which they were intended; and (iv) as to any Improvements, all known plans, permits and specifications necessary for the operation and maintenance of the Improvements are complete and on file with the District, and have been transferred, or are capable of being transferred, to the District for operations and maintenance responsibilities.

SECTION 4. ASSIGNMENT OF CONTRACTS. The District may accept the assignment of certain contracts. Such acceptance is predicated upon: (i) each contractor providing a bond in the form and manner required by section 255.05, *Florida Statutes*, or the Landowner providing adequate alternative security in compliance with section 255.05, *Florida Statutes*, if required; and (ii) receipt by the District of a release from each general contractor acknowledging each assignment and the validity thereof, acknowledging the furnishing of the bond or other security required by section 255.05, *Florida Statutes*, if any, and waiving any and all claims against the District arising as a result of or connected with such assignment. Until such time as the Series 2020 Bonds are actually issued, the Landowner agrees to provide such funds as are needed by the District to make all payments for any such assigned contracts when and as needed by the District.

SECTION 5. CONVEYANCE OF REAL PROPERTY.

A. *Conveyance.* In the event that real property interests are to be conveyed by the Landowner and acquired by the District in connection with the acquisition of the Improvements, and as mutually agreed upon by the District and the Landowner, then in such event, the Landowner agrees that it will convey to the District at or prior to the Acquisition Date by a special warranty deed, or non-exclusive easement, as reasonably acceptable to the District together with a metes and bounds or other legal description, the Real Property upon which the Improvements are constructed or which are necessary for the operation and maintenance of, and access to the Improvements. The Parties agree that in no event shall the purchase price for the Real Property exceed the lesser of the actual cost to the Landowner or the value of an appraisal obtained by the District for this purpose. The Parties agree that the purchase price shall not include amounts attributable to the value of improvements on the Real Property and other improvements serving the Real Property that have been, or will be, funded by the District. The District may determine in its

reasonable discretion that fee title is not necessary and in such cases shall accept such other interest in the lands upon which the Improvements are constructed as the District deems reasonably acceptable. Such special warranty deed or other instrument shall be subject to a reservation by Landowner of its right and privilege to use the area conveyed to construct any Improvements and any future improvements to such area for any related purposes (including, but not limited to, construction traffic relating to the construction of the development) not inconsistent with the District's use, occupation or enjoyment thereof. The Landowner shall pay the cost for recording fees and documentary stamps required, if any, for the conveyance of the lands upon which the Improvements are constructed. The Landowner shall be responsible for all taxes and assessments levied on the lands upon which the Improvements are constructed until such time as the Landowner conveys said lands to the District. At the time of conveyance, the District may require, at Landowner's expense, an owner's title insurance policy in a form satisfactory to the District. In the event the title search reveals exceptions to title which render title unmarketable or which, in the District's reasonable discretion, would materially interfere with the District's use of such lands, the District shall not be required to accept such conveyance of Real Property and/or any related Improvements or Work Product.

B. Boundary or Other Adjustments. Landowner and the District agree that reasonable future boundary adjustments may be made as deemed necessary and approved by both Parties in order to accurately describe lands conveyed to the District and lands which remain in Landowner's ownership; provided, however, that such future boundary adjustments shall not affect the ability of the Landowner to have the lots developed. The Parties agree that any land transfers made to accommodate such adjustments shall be accomplished by donation. However, the party requesting such adjustment shall pay any transaction costs resulting from the adjustment, including but not limited to taxes, title insurance, recording fees or other costs.

SECTION 6. TAXES, ASSESSMENTS, AND COSTS.

A. *Taxes and Assessments on Property Being Acquired.* The District is an exempt governmental unit acquiring property pursuant to this Agreement for use exclusively for public purposes. Accordingly, in accordance with Florida law, the Landowner agrees to place in escrow with the Polk County Tax Collector an amount equal to the current ad valorem taxes and non-ad valorem assessments prorated to the date of transfer of title, based upon the expected assessment and millage rates giving effect to the greatest discount available for early payment.

1. If and only to the extent the property acquired by the District is subject to ad valorem taxes or non-ad valorem assessments, the Landowner agrees to reimburse the District for payment, or pay on its behalf, any and all ad valorem taxes and non-ad valorem assessments imposed during the calendar year in which each parcel of property is conveyed.

2. Nothing in this Agreement shall prevent the District from asserting

any rights to challenge any taxes or assessments imposed, if any, on any property of the District.

B. *Notice.* The Parties agree to provide notice to the other within ten (10) calendar days of receipt of any notice of potential or actual taxes, assessments, or costs, as a result of any transaction pursuant to this Agreement, or notice of any other taxes assessments or costs imposed on the property acquired by the District as described in Subsection A above. The Landowner covenants to make any payments due hereunder in a timely manner in accordance with Florida law. In the event that the Landowner fails to make timely payment of any such taxes or costs, the Landowner acknowledges the District's right to make such payment. If the District makes such payment, the Landowner agrees to reimburse the District within thirty (30) calendar days of receiving notice of such payment, and to include in such reimbursement any fees, costs, penalties, or other expenses which accrued to the District as a result of making such a payment, including interest at the maximum rate allowed by law from the date of the payment made by the District.

C. *Tax liability not created.* Nothing herein is intended to create or shall create any new or additional tax liability on behalf of the Landowner or the District. Furthermore, the Parties reserve all respective rights to challenge, pay under protest, contest or litigate the imposition of any tax, assessment, or cost in good faith they believe is unlawfully or inequitably imposed and agree to cooperate in good faith in the challenge of any such imposition.

SECTION 7. ACQUISITION IN ADVANCE OF RECEIPT OF PROCEEDS. The District and Landowner hereby agree that an acquisition by the District may be completed prior to the District obtaining proceeds from the Series 2020 Bonds ("Prior Acquisitions"). The District agrees to pursue the issuance of the Series 2020 Bonds in good faith and, within thirty (30) days from the issuance of such Series 2020 Bonds, to make payment for any Prior Acquisitions completed pursuant to the terms of this Agreement; provided, however, that in the event Bond Counsel determines that any such Prior Acquisitions are not properly compensable for any reason, including, but not limited to, federal tax restrictions imposed on tax-exempt financing, the District shall not be obligated to make payment for such Prior Acquisitions. Interest shall not accrue on the amounts owed for any Prior Acquisitions. In the event the District does not or cannot issue the Series 2020 Bonds within five (5) years from the date of this Agreement, and, thus does not make payment to the Landowner for the Prior Acquisitions, the Parties agree that the District shall have no reimbursement obligation whatsoever. The Landowner acknowledges that the District intends to convey some or all of the Improvements to the State of Florida, the City of Davenport, Florida and Polk County, Florida, and consents to the District's conveyance of such improvements prior to payment for any Prior Acquisitions.

SECTION 8. **DEFAULT.** A default by either Party under this Agreement shall entitle the other to all remedies available at law or in equity, which may include, but not be limited to, the right of damages and/or specific performance, but excluding special, consequential or punitive damages.

SECTION 9. INDEMNIFICATION. For all actions or activities which occur prior to the date of the acquisition of the relevant Real Property, Improvement or Work Product hereunder, the Landowner agrees to indemnify and hold harmless the District and its officers, staff, agents and employees from any and all liability, claims, actions, suits or demands by any person, corporation or other entity for injuries, death, property damage or claims of any nature arising out of, or in connection with, the use by the Landowner, its officers, agents, employees, invitees or affiliates, of the Real Property, Improvement, or Work Product, including litigation or any appellate proceedings with respect thereto, irrespective of the date of the initiation or notice of the claim, suit, etc.; provided, however, that the Landowner shall not indemnify the District for a default by the District under this Agreement or the use of such Real Property, Improvement or Work Product by the District, its engineers, employees, contractors, or such persons' or entities' negligence.

SECTION 10. ENFORCEMENT OF AGREEMENT. In the event that any Party is required to enforce this Agreement by court proceedings or otherwise, then the Parties agree that the substantially prevailing party shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees, paralegal fees and expert witness fees, and costs for trial, alternative dispute resolution, or appellate proceedings.

SECTION 11. ENTIRE AGREEMENT. This instrument shall constitute the final and complete expression of the agreement between the District and the Landowner relating to the subject matter of this Agreement.

SECTION 12. AMENDMENTS. This Agreement shall constitute the entire agreement between the Parties regarding the subject matter hereof and may be modified in writing only by the mutual agreement of all Parties, and with regards to material amendments, with the prior written consent of the Trustee for the Series 2020 Bonds acting at the direction of the bondholders owning majority of the aggregate principal amount of the Series 2020 Bonds then outstanding.

SECTION **13. AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of the District and the Landowner. The District and the Landowner have complied with all the requirements of law. The District and the Landowner have full power and authority to comply with the terms and provisions of this Agreement.

SECTION 14. NOTICES. All notices, requests, consents and other communications under this Agreement ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, as follows:

A. If to the District:		North Powerline Road Community		
		Development District		
		219 East Livingston Street		
		Orlando, Florida 32801		
		Attn: District Manager		
	With a copy to:	Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300		
		119 South Monioe Sheet, Suite 500		

		Post Office Box 6526 Tallahassee, Florida 32314 Attn: Roy Van Wyk	
B.	If to Landowner:	CH Dev LLC 346 East Central Avenue Winter Haven, Florida 33880 Attn: Albert B. Cassidy	
	With a copy to:	Straughn & Turner, P.A. 255 Magnolia Avenue SW Winter Haven, Florida 33880 Attn: Richard E. Straughn	

Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth above. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the District and counsel for the Landowner may deliver Notice on behalf of the District and the Landowner. Any Party or other person to whom Notices are to be sent or copied may notify the other parties and addressees of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addressees set forth in this Agreement.

SECTION 15. ARM'S LENGTH TRANSACTION. This Agreement has been negotiated fully between the District and the Landowner as an arm's length transaction. All Parties participated fully in the preparation of this Agreement and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, all Parties are deemed to have drafted, chosen, and selected the language, and the doubtful language will not be interpreted or construed against any Party hereto.

SECTION 16. THIRD PARTY BENEFICIARIES. This Agreement is solely for the benefit of the District and the Landowner and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Agreement. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or entity other than the District and the Landowner any right, remedy, or claim under or by reason of this Agreement or any of the provisions or conditions of this Agreement; and all of the provisions, representations, covenants, and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the District and the Landowner and their respective representatives, successors, and assigns. Notwithstanding the foregoing, nothing in this paragraph shall be construed as impairing or modifying the rights of any bondholders of Series 2020 Bonds issued by the District for the purpose of acquiring any Work Product, Improvements and/or Real Property. Also notwithstanding anything herein to the contrary, the Trustee for the Series 2020

Bonds, on behalf of the owners of the Series 2020 Bonds, shall be a direct third-party beneficiary acting at the direction of the bondholders owning more than 50% of an aggregate principal amount of the applicable Series 2020 Bonds then outstanding, be entitled to cause the District to enforce the Landowner's obligations hereunder.

SECTION 17. ASSIGNMENT. This Agreement may be assigned, in whole or in part, by either Party only upon the written consent of the other, which consent shall not be unreasonably withheld, and the Trustee acting on behalf of the Bondholders owning a majority of the aggregate principal amount of the Series 2020 Bonds then outstanding. Such consent shall not be required in the event of a sale of the majority of the lands in Series 2020 Project then-owned by the Landowner pursuant to which the unaffiliated purchaser agrees to assume any remaining obligations of the Landowner under this Agreement. Upon the merger, amendment, or name change of the District, the Agreement will be assumed by operation of law by the District's successor in interest and no consent to such assumption shall be required.

SECTION 18. APPLICABLE LAW AND VENUE. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Agreement shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

SECTION 19. EFFECTIVE DATE. This Agreement shall be effective upon its execution by the District and the Landowner.

SECTION 20. TERMINATION. This Agreement may be terminated by the District without penalty in the event that the District does not issue its proposed Series 2020 Bonds within five (5) years from the date of this Agreement.

SECTION **21. PUBLIC RECORDS.** The Landowner understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records and will be treated as such in accordance with Florida law.

SECTION 22. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement, or any part of this Agreement not held to be invalid or unenforceable.

SECTION 23. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the Doctrine of Sovereign Immunity or by operation of law.

SECTION 24. HEADINGS FOR CONVENIENCE ONLY. The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

SECTION 25. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the Parties execute this Agreement the day and year first written above.

ATTEST:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

WITNESS:

CH DEV LLC, a Florida limited liability company

Print Name:

Albert B. Cassidy, Manager

 Comp. Exhibit A: Engineer's Report for Capital Improvement Second Amended and Restated, dated March 2020, as supplemented by that First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement, dated March 2020, as further supplemented by that Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvements dated September 2020
 Exhibit B Exhibit C
 Legal Description of Series 2020 Assessment Area Composite Exhibit A

Engineer's Report

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS SECOND AMENDED AND RESTATED

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. It is anticipated at this time that the District will petition to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report.

The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

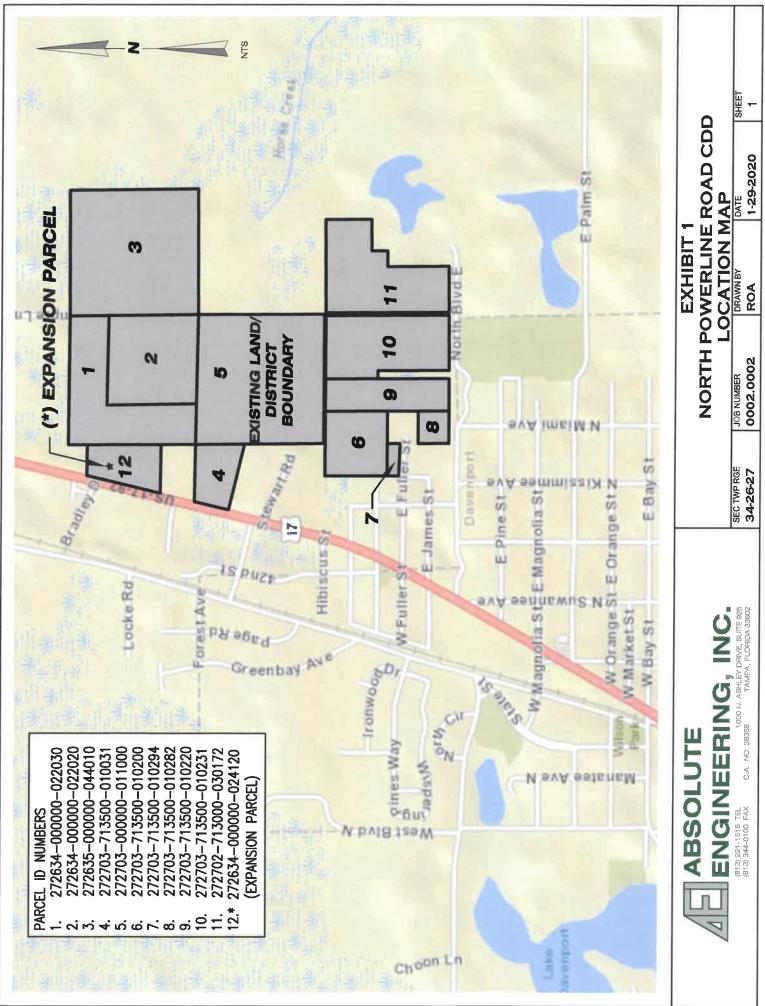
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

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PARCEL 10 (272703-713500-010231)

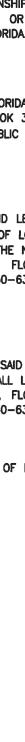
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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PARCEL 12 (272634-000000-024120)

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AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3.LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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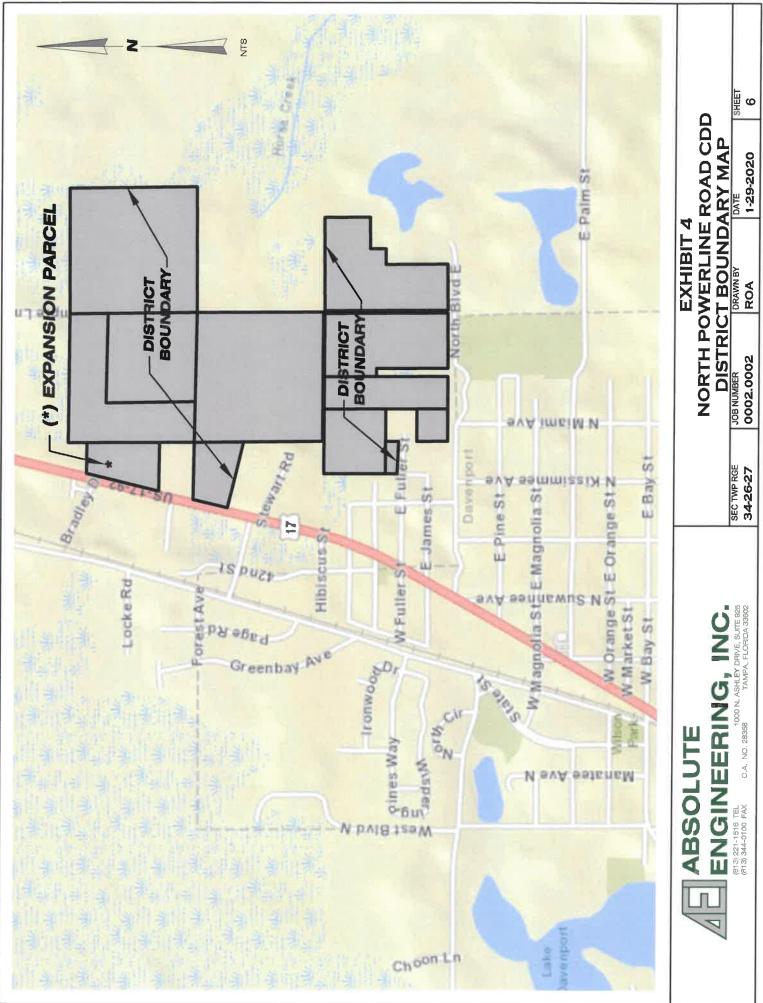
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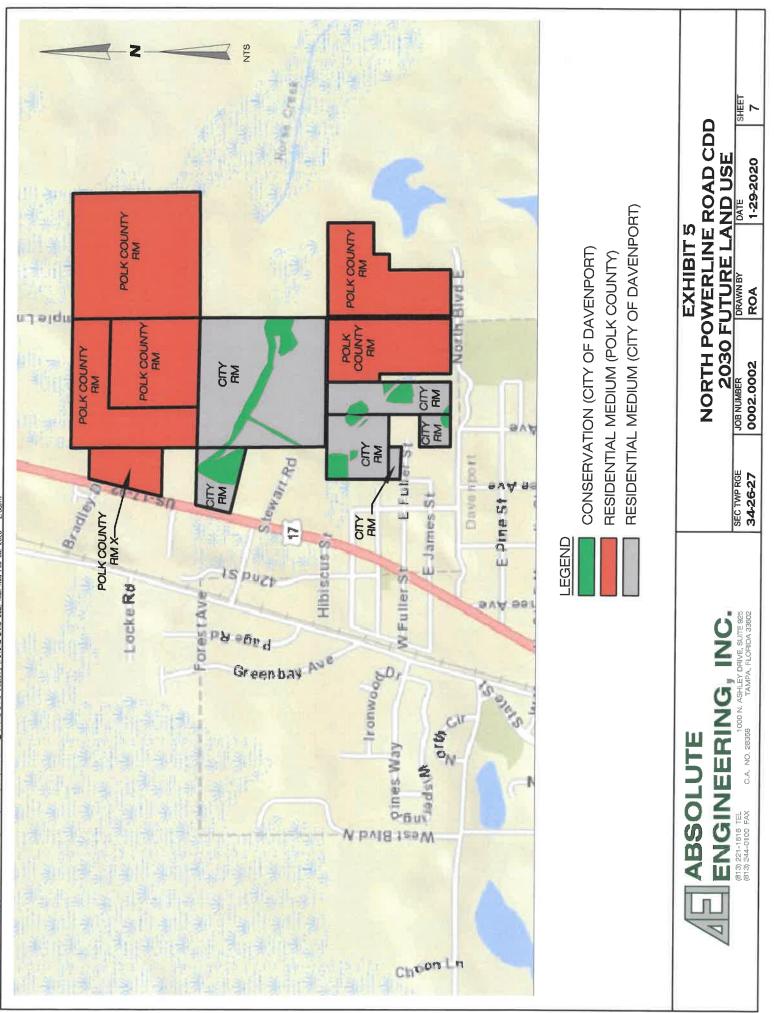
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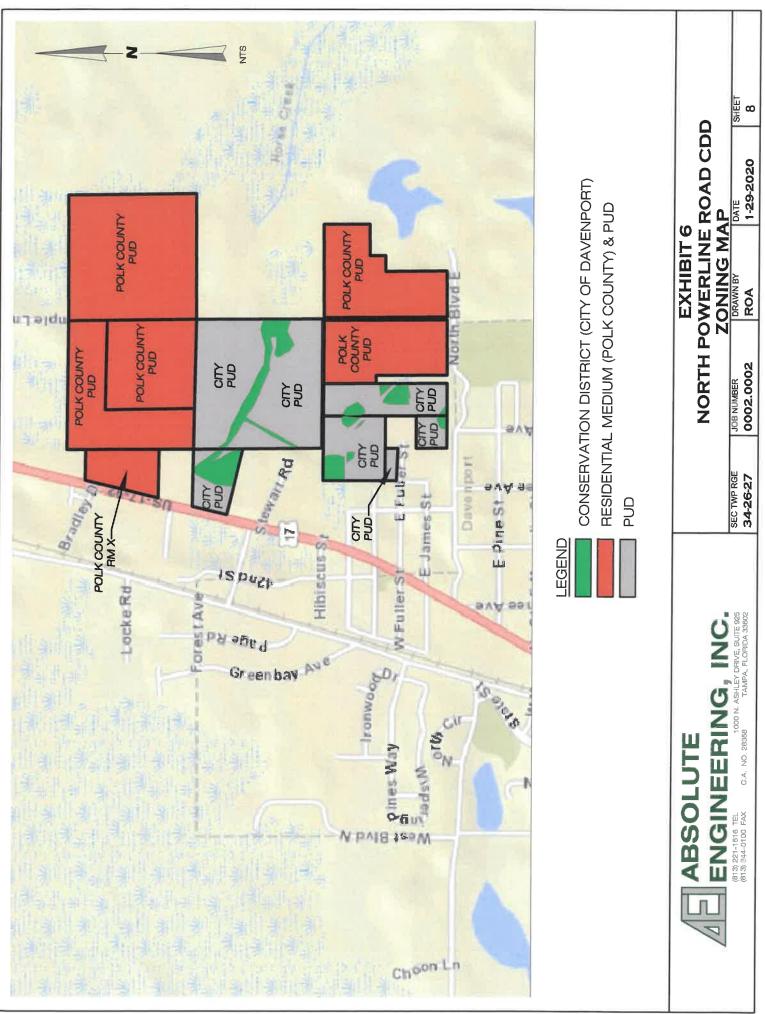
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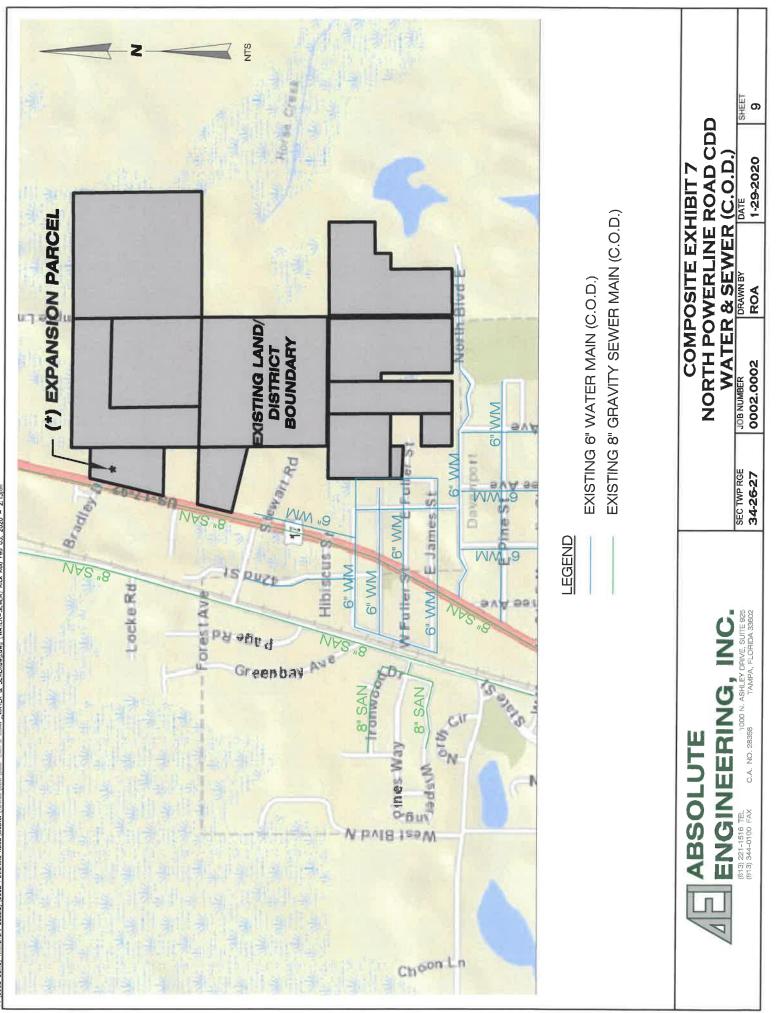
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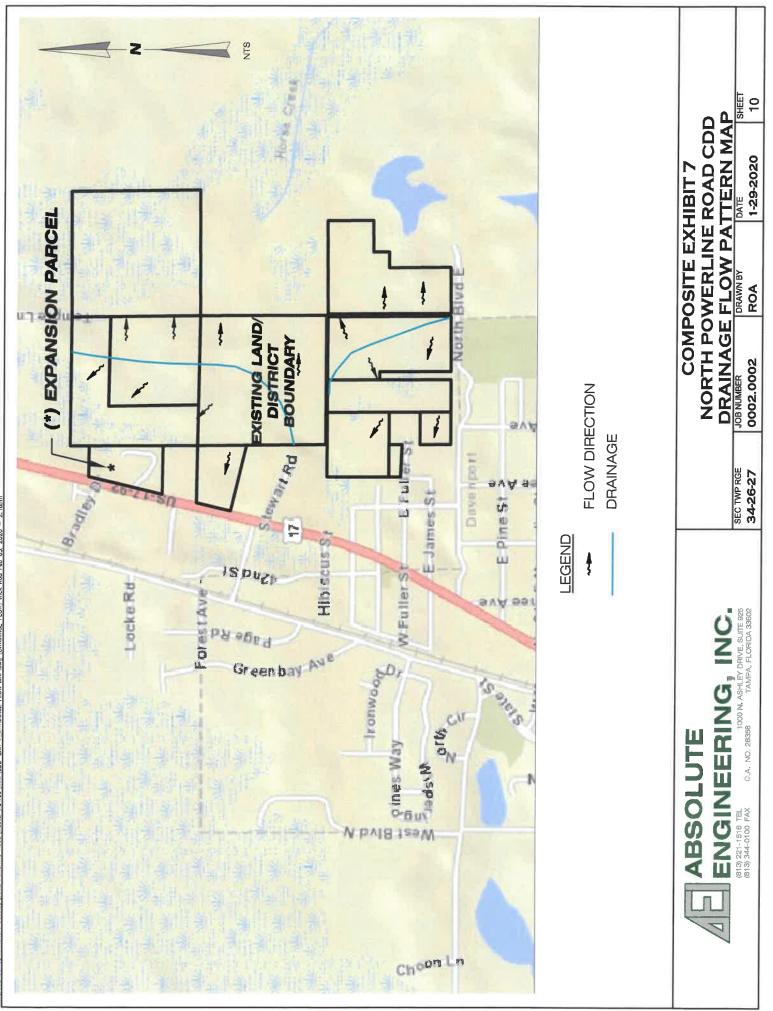
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

***District will fund street lighting maintenance services

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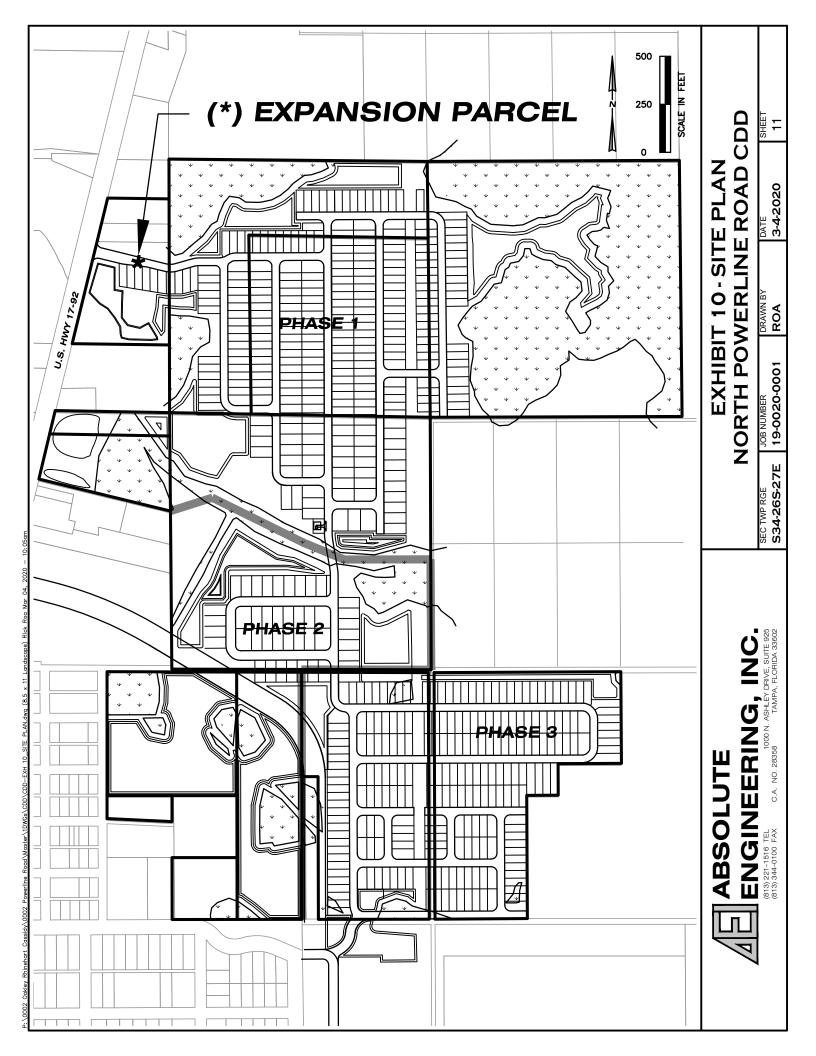
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Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 Existing Land (289 Lots)	Phase 1 Expansion Parcel (6 Lots)	<u>Phase 2</u> (44 Lots)	Phase 3 (228 Lots)	<u>Total</u>
	2020-2023	2020-2023	2021-2024	2022-2025	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,238
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway (1)(4)(5)(7)	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,172
Parks and Amenities (1)(7)(11)	\$449,923	\$9,341	\$68,500	\$354,956	\$882,721
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	\$103,277	\$535,163	\$1,330,865
TOTAL	\$6,750,125	\$242,218	\$2,129,701	\$5,404,251	\$14,526,296

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

FIRST SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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	Off-site Improvements
	Amenities and Parks7
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- EXHIBIT 3- Legal Description After Boundary Amendment
- EXHIBIT 4- District Boundary Map
- EXHIBIT 5- Land Use Map
- EXHIBIT 6- Zoning Map
- EXHIBIT 7- Utility Location Map & Drainage Flow Pattern Map
- EXHIBIT 8- Summary of Proposed District Facilities
- EXHIBIT 9- Summary of Opinion of Probable Costs
- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The First Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The increase in overall units is 16 and the associated increase in the infrastructure development cost is \$595,297.00.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. The District is in the process of petitioning to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. The petition to amend the boundaries of the District to annex the Expansion Parcel in the District has been filed with the County. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Development Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

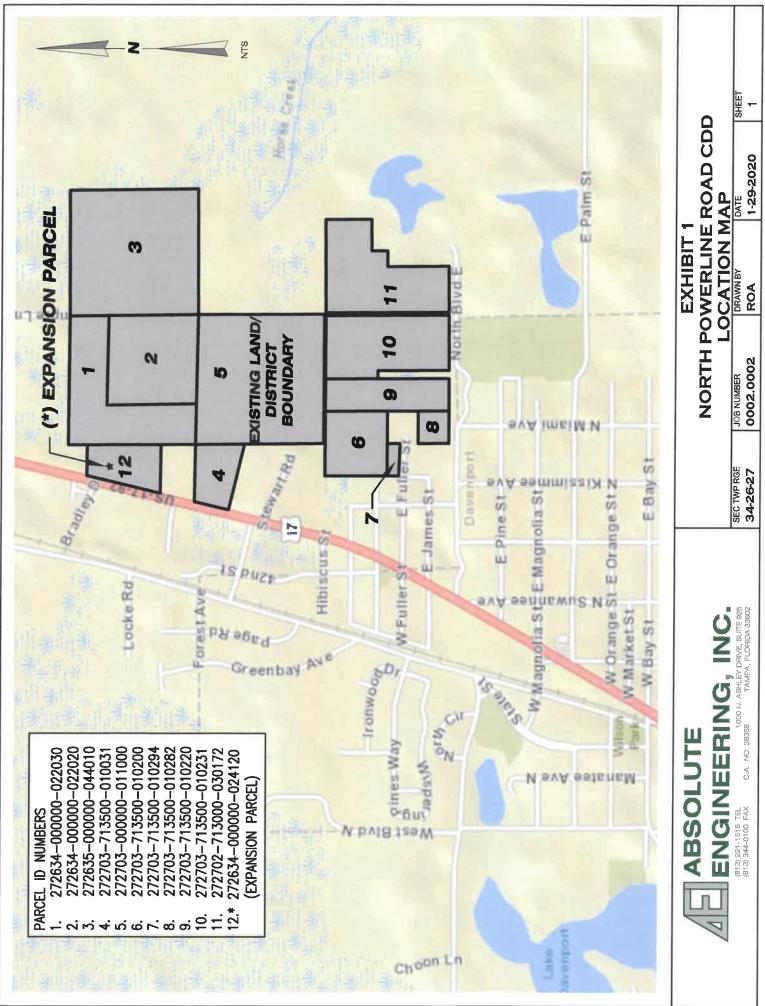
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/10005/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

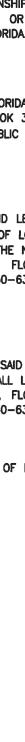
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER | DRAWN BY | DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL 4 (272703-713500-010031)

PARCEL "A"

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

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PARCEL 8 (272703-713500-010282)

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PARCEL 9 (272703-713500-010220)

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PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

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AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3.LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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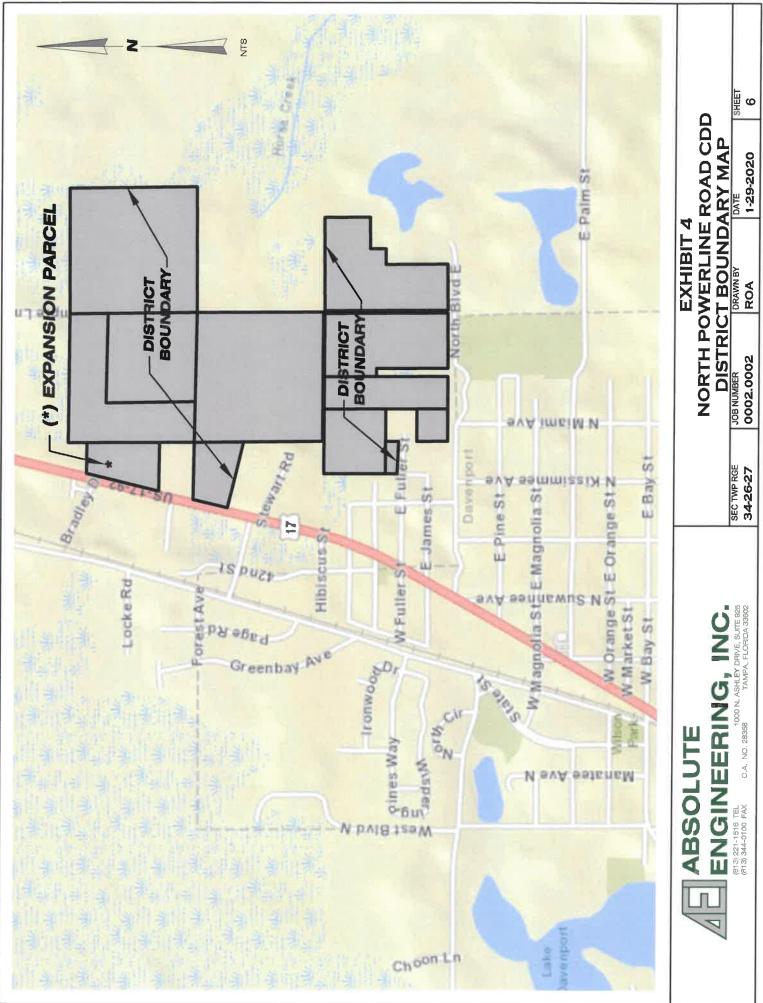
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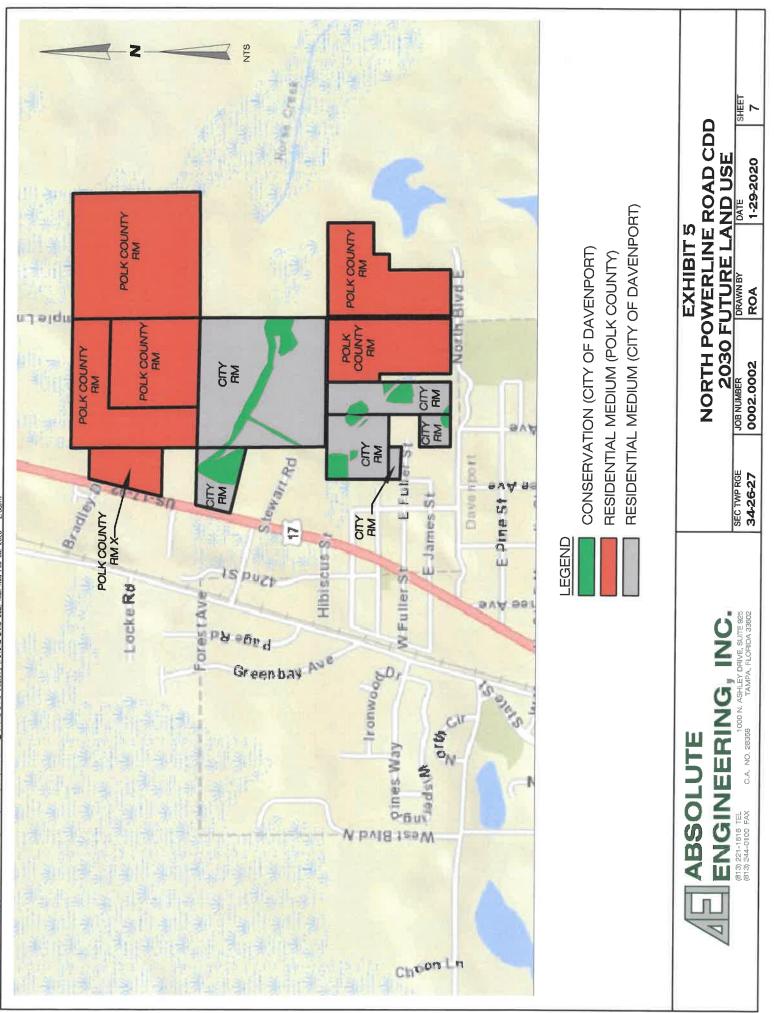
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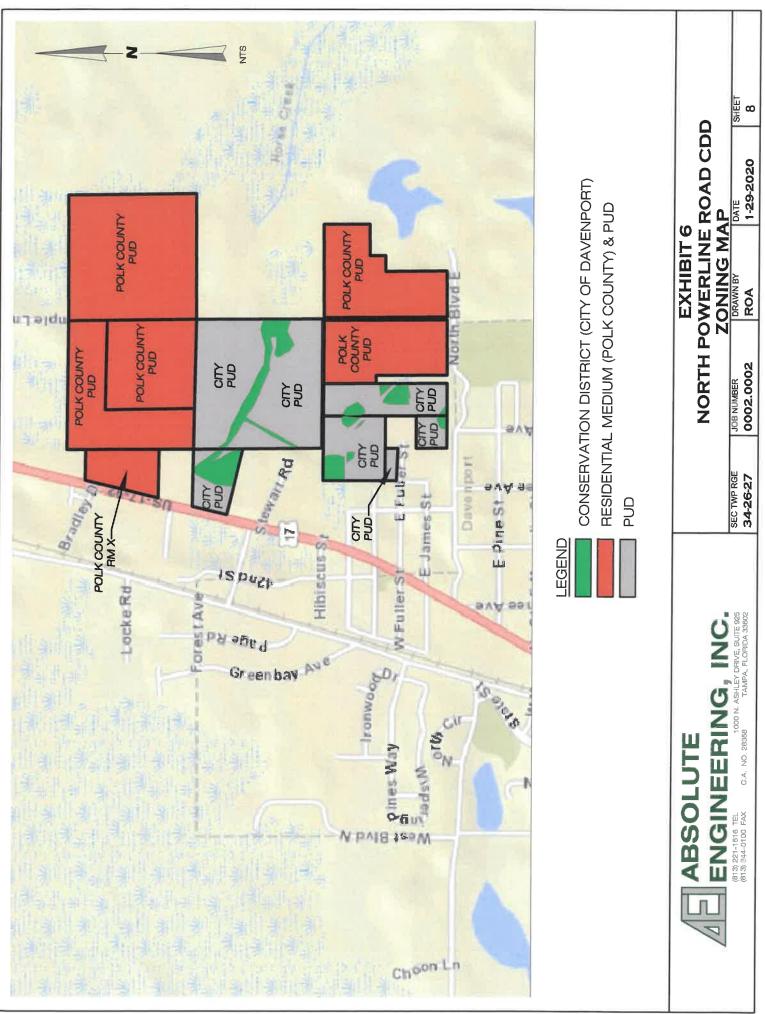
DATE 1-29-2020

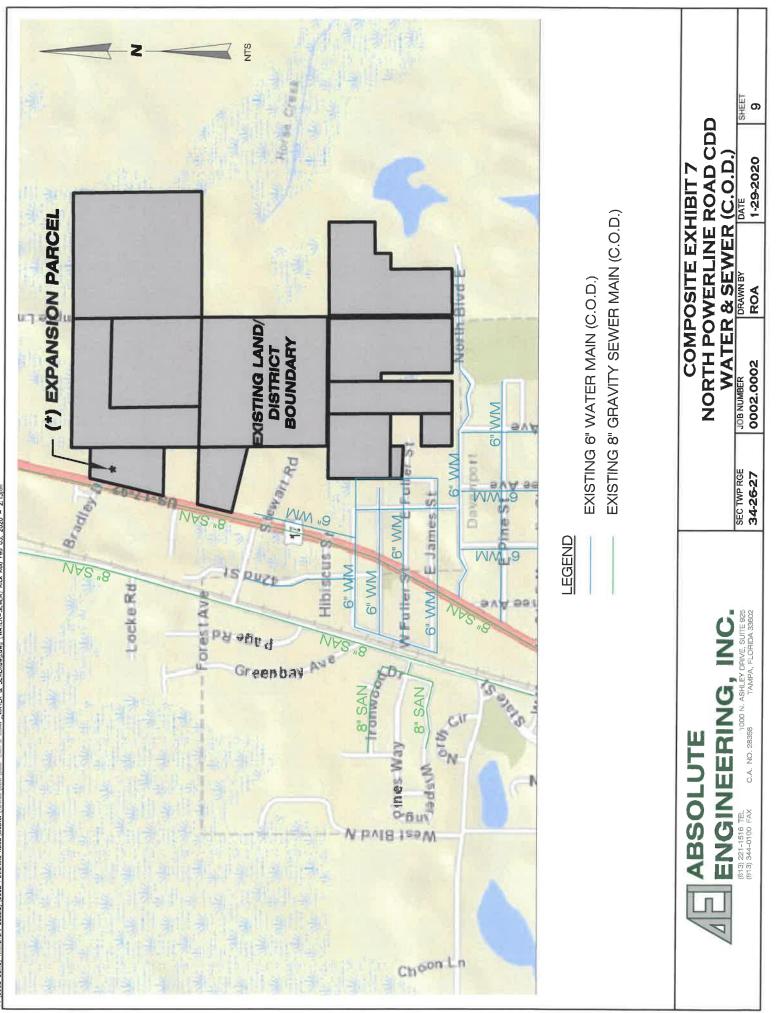
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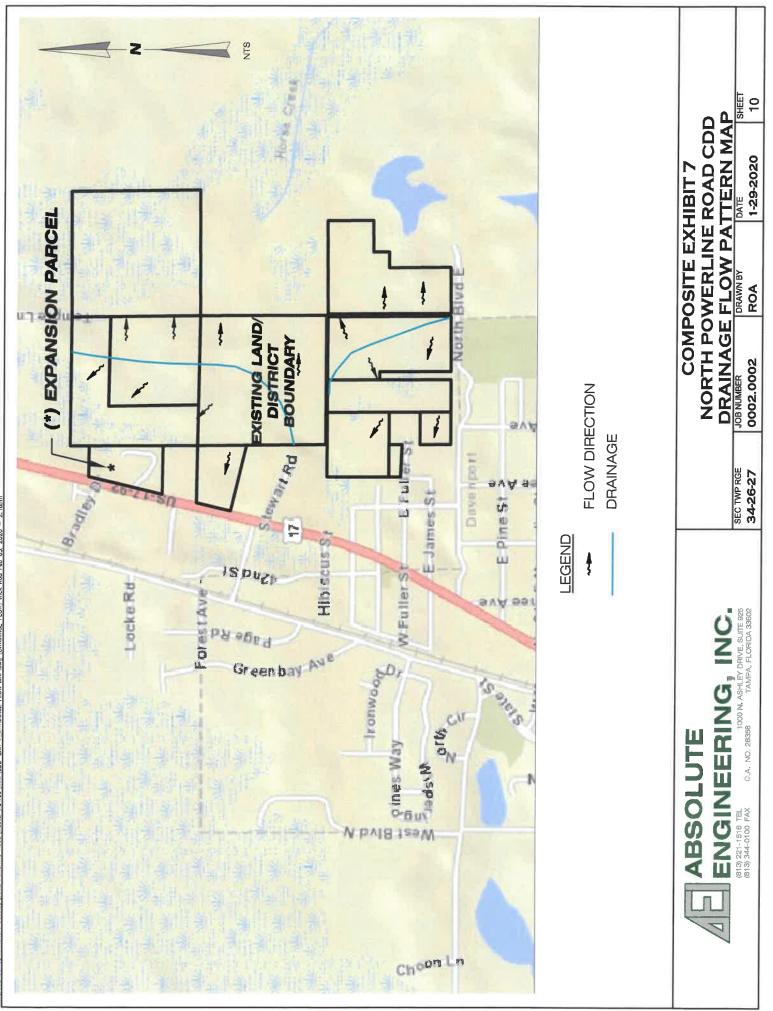
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Uwnership Capital Financing*		Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

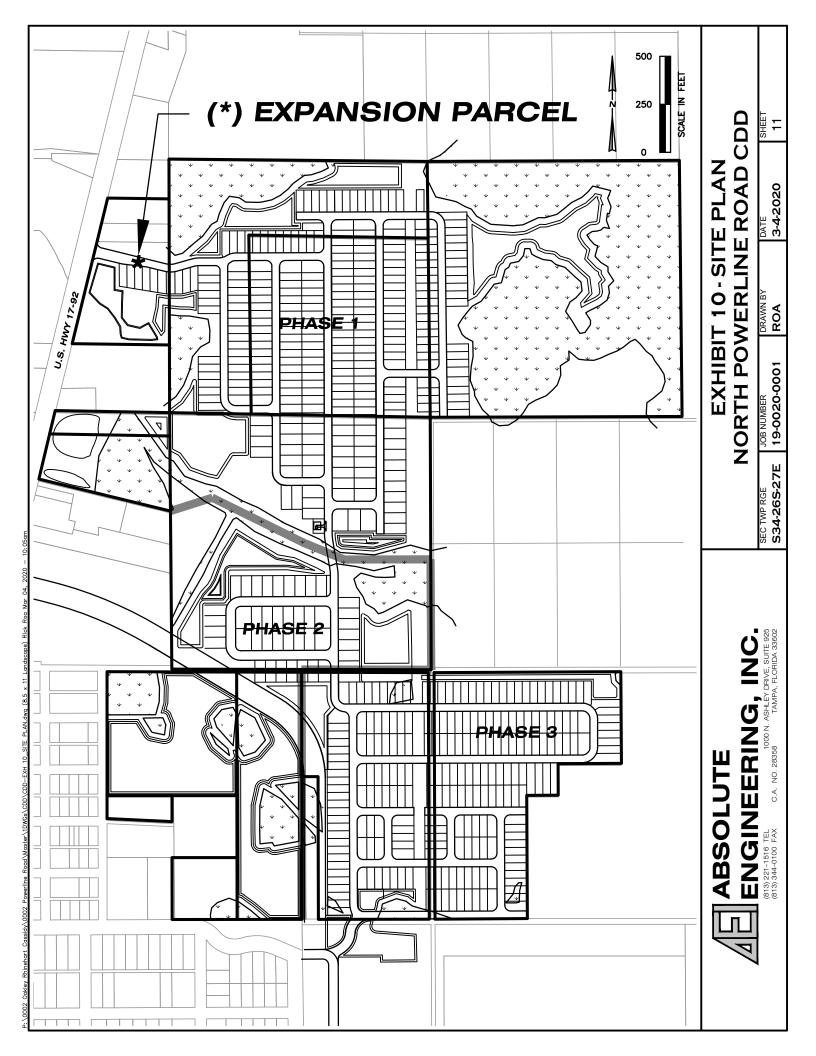
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

<u>Infrastructure</u>	<u>Phase 1</u> <u>Existing Land</u> (289 Lots)	<u>Phase 1</u> <u>Expansion</u> Parcel (6 Lots)	<u>Phase 2 (44</u> <u>Lots)</u>	<u>Phase 3 (228</u> Lots)	<u>Total</u>
	<u>2020-2023</u>	<u>2020-2023</u>	<u>2021-2024</u>	<u>2022-2025</u>	<u>(567 Lots)</u>
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway ⁽¹⁾⁽⁴⁾⁽⁵⁾⁽⁷⁾	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,171
Parks and Amenities ⁽¹⁾⁽⁷⁾⁽¹¹⁾	\$449,923	\$9,341	\$68,500	\$354,956	\$882,720
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	<u>\$103,277</u>	<u>\$535,163</u>	<u>\$1,330,865</u>
TOTAL	\$6,750,125	\$242,217	\$2,129,701	\$5,404,250	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

SECOND SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

SEPTEMBER 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The Second Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The total number of units and infrastructure development cost is unchanged.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 195.95 gross acres, and is expected to be constructed in two (2) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure.

The District was established under County Ordinance No. 18-036, as approved by the County Commission on June 5, 2018, further amended by County Ordinance 20-028. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This supplemental "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Capital Improvement Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the

corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in two (2) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2	228	44		272
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1 and 2. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development). There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion in 2023. Upon completion of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Approval / Expected Date		
LDPD-2020-10		
43044217.002		
LDRES-2019-59		
139102-070		
C\$53-0232639-046-DWCMR		

PHASE 2

Permits / Approvals	Approval / Expected Date		
Zoning Approval	LDPD-2020-10		
Preliminary Plat	City of Davenport Zoning Approval (7/22/20)		
SWFWMD ERP	43044217.004		
Construction Permits	October 2020		
Polk County Health Department Water	October 2020		
FDEP Sewer	October 2020		

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City and County. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

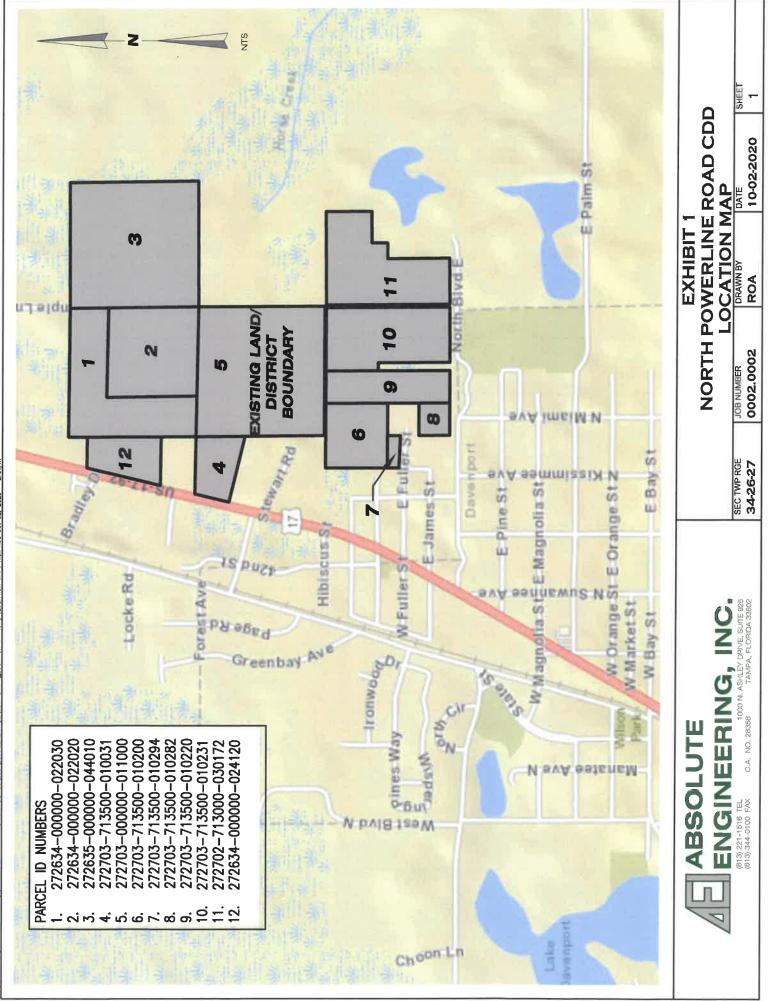
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



0002 Oakley Rhinehert Cassidy 0002 Pewerline Road Waster/DWSs/CDD/SUPPLEMENT //2/CDD-CXH 1_LOCATION MAP, dev (LOCATION MAP) Rick Roa Oct 02, 2020 - 2:015m

LEGAL DESCRIPTION:

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12°46'30" WEST, 241.4 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.



LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

Rick Rog Oct 02,

AMEND-2.dwg (LEGAL)

DESC

Rood/Master/1DWGs/CDD/SUPPLEMENT #2/CDD-EXH 2_LEGAL

Powerline

Oaktey Rhinehart CassId V 0002

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SAID SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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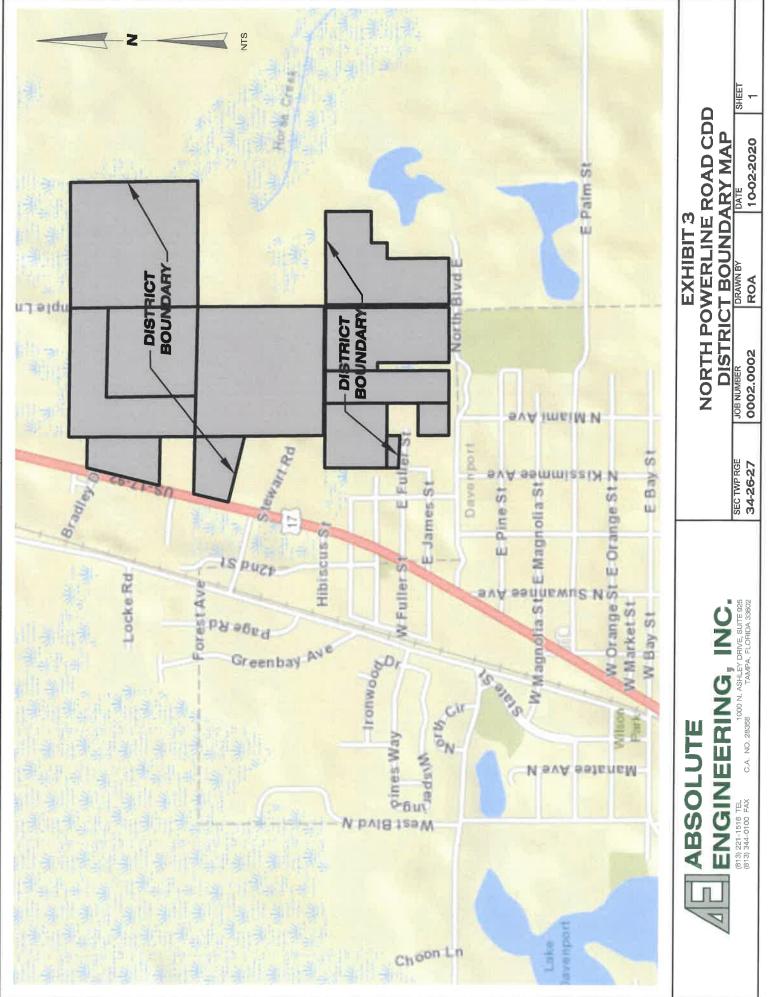
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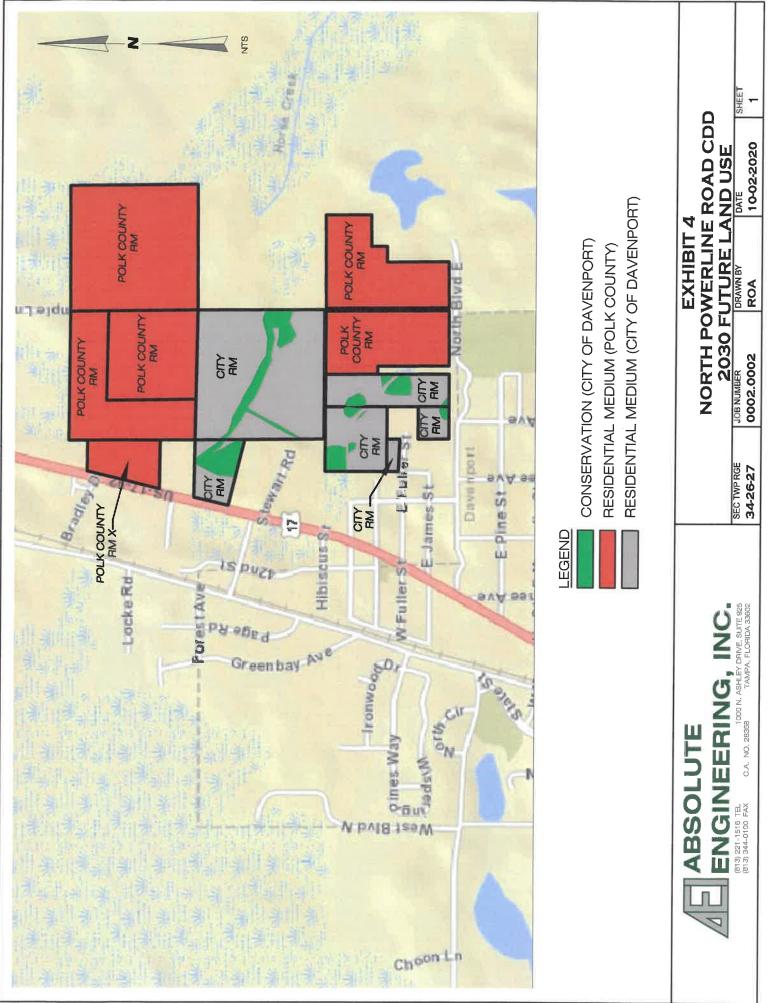
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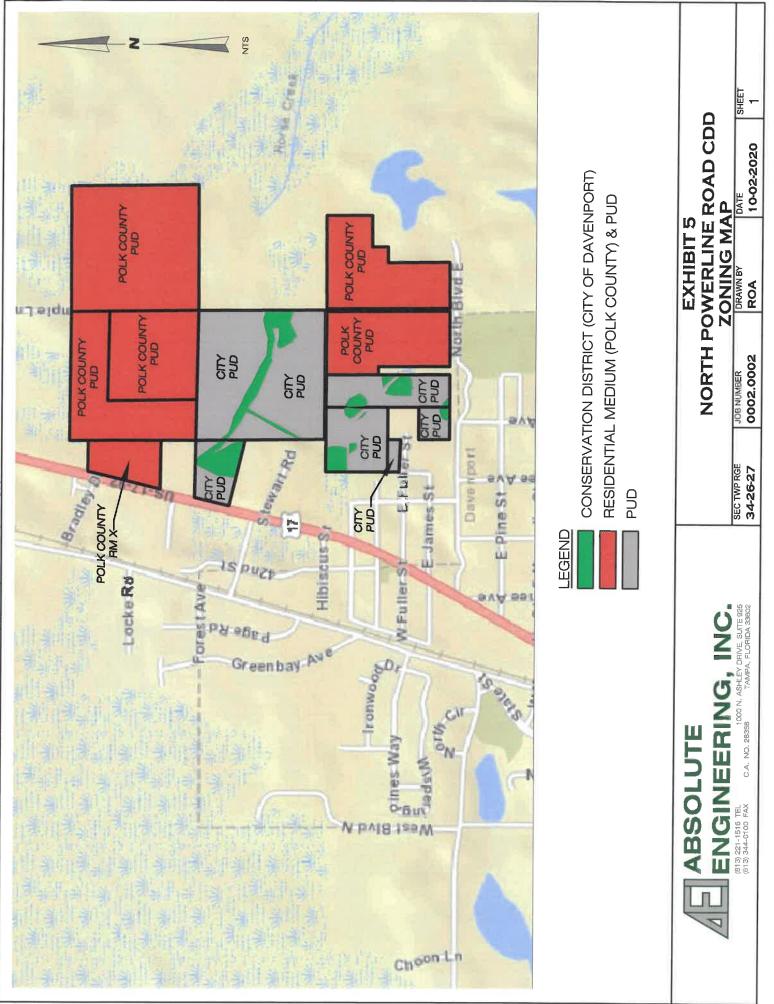
EXHIBIT



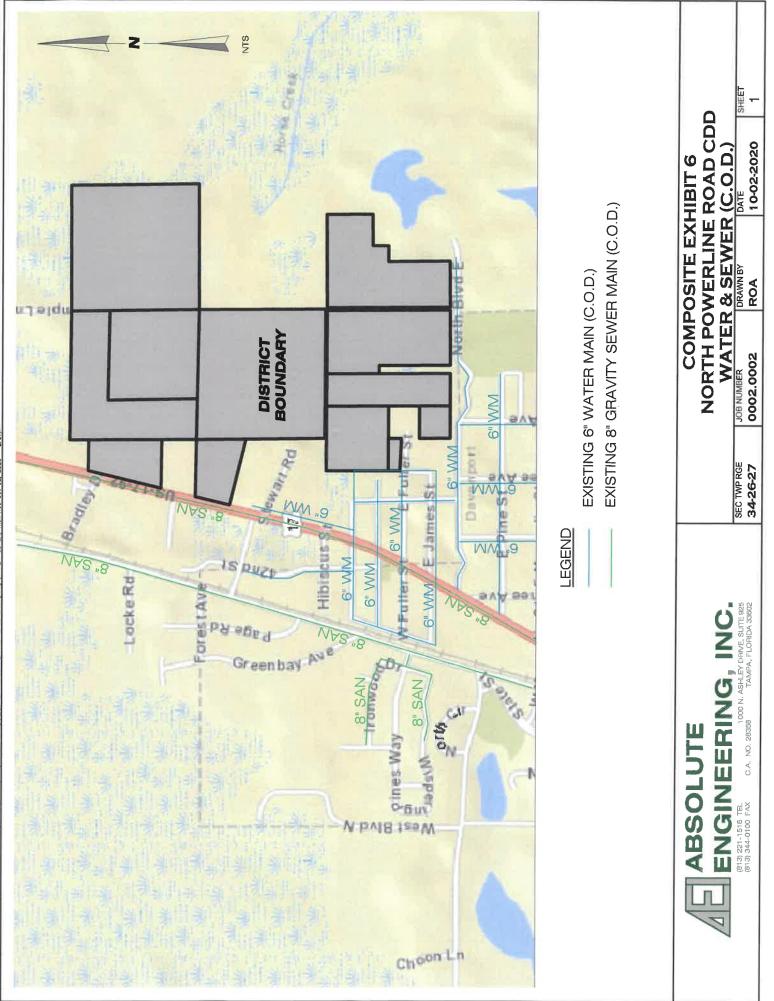
- NOO2 Ookey Rhinehert Cassidy/OO2 Powerline Road/Mester/10WGs/UDYLENENT #2/COD-EXH 3_DIST BND MAP-dwg (DIST BNDY MAP) Rick Reo Oct 02, 2020 - 2:05jim



P: 0002 Ookley Rhinehart Cossid/V0002 Powerine Road/Master/IDWOs/CDD/SUPPLEMENT #2/CDD-EXH 4_EUTURE LAND USE dwg (FUTURE LAND USE) Rick Roo Oct 02, 2020 - 2/06



P-20002 Obtey. Rhinehart Cassidy/0002 Powerine Road Master/DWGs/CDD/SUPPLEMENT #2/CDD-EXH 5. ZONING MAP dwg (ZONING MAP) Rick Roa Oct 02. 2020 - 2:070r/



0002 Ookley Rhinehort Cassidy 0002 Powerline Road/Master/IDWGs/CDD/SUPPLEMENT #2/CDD-EXH 6 COMP WATER & SEWERAwy.dwg (WATER-SEWER) Rick Roa Oct 02, 2020 - 2:07h

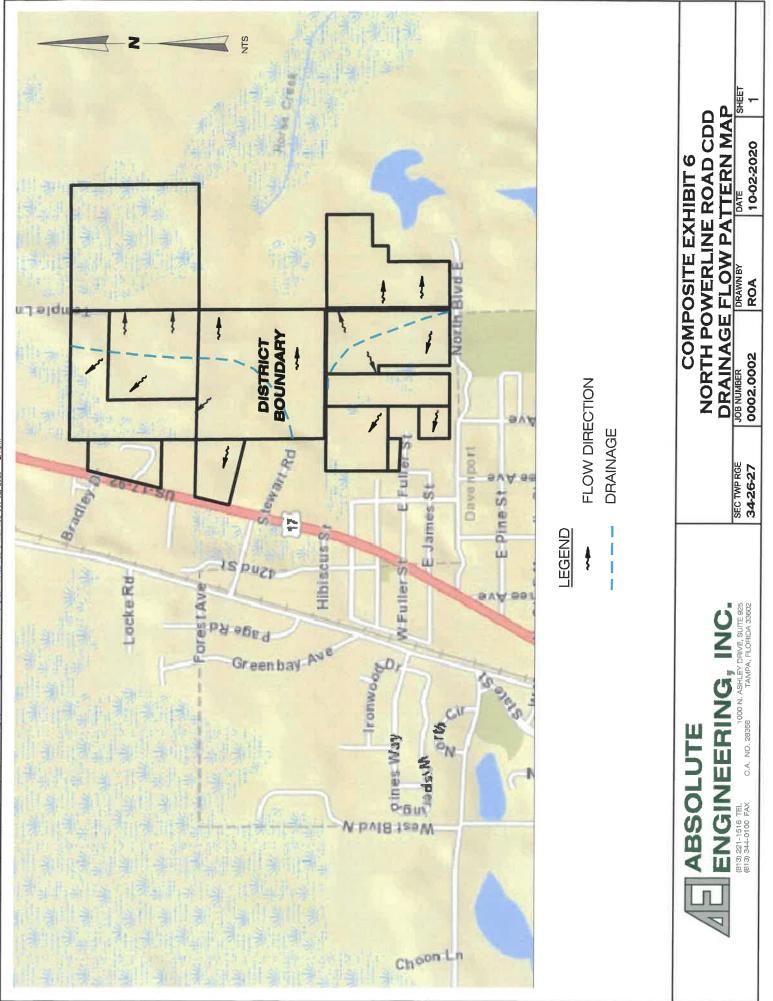


Exhibit 7 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	District**	District Bonds	District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit only

***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 (295 Lots)	Phase 2 (272 Lots)	Total
intrastructure	<u>2020-2023</u>	<u>2020-2023</u>	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,150,467	\$1,060,770	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,936,035	\$1,785,089	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ⁽¹⁾ ⁽⁵⁾⁽⁷⁾ ⁽⁹⁾⁽¹¹⁾	\$1,765,823	\$1,628,148	\$3,393,971
Roadway (1)(4)(5)(7)	\$878,980	\$1,897,225	\$2,776,205
Entry Feature ⁽¹⁾⁽⁷⁾⁽⁸⁾⁹¹¹⁾	\$109,348	\$100,823	\$210,171
Parks and Amenities (1)(7)(11)	\$459,264	\$423,456	\$882,720
Contingency ⁽¹¹⁾	<u>\$692,425</u>	<u>\$638,440</u>	<u>\$1,330,865</u>
TOTAL	\$6,992,342	\$7,533,951	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).

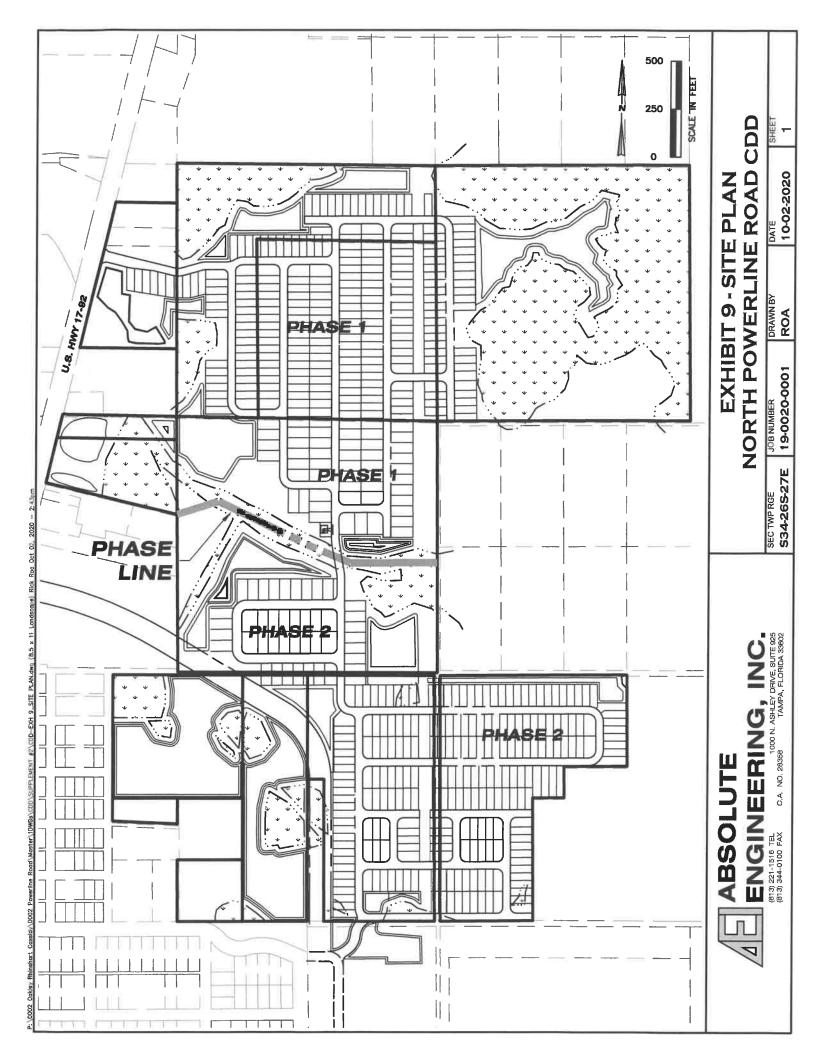


EXHIBIT B

Legal Description of Landowner Lands

EXHIBIT C

Legal Description of Series 2020 Assessment Area

SECTION 5

AGREEMENT BY AND BETWEEN THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT AND CH DEV LLC REGARDING THE COMPLETION OF CERTAIN IMPROVEMENTS

(SERIES 2020 – PHASE 2)

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of , 2020, by and between:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in the City of Davenport and Polk County, Florida, with a mailing address of 219 East Livingston Street, Orlando, Florida 32801 (the "District"), and

CH DEV LLC, a Florida limited liability company, a landowner of certain lands within the District, with a mailing address of 346 East Central Avenue, Winter Haven, Florida 33880, and its successors and assigns ("Landowner", and together with the District, the "Parties").

RECITALS

WHEREAS, the District was established by an ordinance adopted by the Board of County Commissioners in and for Polk County, Florida, as approved and consented to by the Board of City Commissioners of City of Davenport, Florida, pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (the "Act"), and is validly existing under the Constitution and laws of the State of Florida; and

WHEREAS, the Act authorizes the District to issue bonds for the purpose, among others, of planning, financing, constructing, operating and/or maintaining certain infrastructure, including stormwater management facilities, water and sewer utilities, roadways, irrigation, off-site improvements, landscape and hardscape, street lighting, parks and recreation, and other infrastructure within or without the boundaries of the District (the "Improvements"); and

WHEREAS, Landowner is the owner and the developer of certain lands described as Phase 2 in the Engineer's Report, defined herein, and more particularly described in **Exhibit A** attached hereto ("Landowner Lands"). Landowner Lands are a portion of the benefited lands in the Series 2020 Assessment Area (described in **Exhibit B** attached hereto, which will be subject to the proposed issuance of the Series 2020 Bonds, defined herein; and

WHEREAS, the District has adopted an improvement plan for the planning, design, acquisition, construction, and installation of the Improvements within and adjacent to the District, and the anticipated cost thereof, as described in that certain *Engineer's Report for Capital Improvement Second Amended and Restated*, dated March 2020, as supplemented by that *First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and *Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and *Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and *Restated Engineer's Report for Capital Improvement*, dated March 2020, as further supplemented by that *Second Supplement to Second Amended and* and and and adjacent by the the supplement of the cond and adjacent by the supplement of the cond and adjacent by the supplement of the cond adjacent by the supplement by the supplement of the cond adjacent by the supplement by the supplement

Restated Engineer's Report for Capital Improvements, dated September 2020 (collectively, the "Engineer's Report"), attached hereto as **Composite Exhibit C** and the estimated costs of the Improvements for Phase 1 and Phase 2 (the "Series 2020 Project") and incorporated herein by reference; and

WHEREAS, the District has imposed debt special assessments on the Series 2020 Assessment Area within the District (the "Series 2020 Special Assessments"), to secure financing for the construction of the Series 2020 Project described in **Composite Exhibit C**, and has validated \$22,000,000 in special assessment bonds to fund the planning, design, permitting, construction and/or acquisition of Improvements including the Series 2020 Project; and

WHEREAS, the District intends to finance all or a portion of the Series 2020 Project through the anticipated issuance of its North Powerline Road Community Development District Special Assessment Bonds, Series 2020, in the principal amount of \$_____ (the "Series 2020 Bonds"); and

WHEREAS, Landowner has requested that the District limit the amount of Series 2020 Special Assessments imposed upon the Series 2020 Assessment Area by allowing the Landowner to directly fund a portion of the Series 2020 Project; and

WHEREAS, Landowner has agreed to complete or cause funds to be provided to the District to complete the portion of the Series 2020 Project, as set forth in the Engineer's Report, not funded by proceeds of the Series 2020 Bonds; and

WHEREAS, in consideration of the District limiting the amount of Series 2020 Special Assessments on the Series 2020 Assessment Area, Landowner has requested that the District enter into this Agreement and to provide the terms and conditions under which the Series 2020 Project shall be completed; and

WHEREAS, in order to ensure that the Series 2020 Project is completed and funding is available in a timely manner to provide for its completion, Landowner and the District hereby agree that the District will be obligated to issue no more than \$______ in Series 2020 Bonds to fund the Series 2020 Project and Landowner will complete or will make provision for additional funds that may be needed in the future for the completion of the Series 2020 Project, over and above the amount of the Series 2020 Bonds including, but not limited to, all administrative, legal, warranty, engineering, permitting or other related soft costs.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. INCORPORATION OF RECITALS. The recitals stated above are true and correct and by this reference are incorporated herein and form a material part of this Agreement.

2. COMPLETION OF IMPROVEMENTS. Landowner and the District agree and acknowledge that the proceeds of the District's proposed Series 2020 Bonds will provide only a

portion of the funds necessary to complete the Series 2020 Project. Therefore, Landowner, as owner of the Phase 2 lands, hereby agrees to complete the Series 2020 Project or cause such funds to be provided to the District in an amount sufficient to allow the District to complete those portions of the Series 2020 Project that benefit the Phase 2 lands that may remain unfunded (the "Costs") including, but not limited to, all administrative, legal, warranty, engineering, permitting or other related soft costs (collectively, the "Remaining Improvements"), whether pursuant to existing contracts, including change orders thereto, or future contracts, which Costs shall not exceed the actual costs to complete the portion of Series 2020 Project benefitting the Landowner Lands and as set forth in the Engineer's Report.

(a) Subject to Existing Contract. When all or any portion of the Remaining Improvements are subject to an existing District contract, the Landowner shall provide funds directly to the District in an amount sufficient to complete the Remaining Improvements pursuant to such contract, including change orders thereto.

(b) Not Subject to Existing Contract. When any portion of the Remaining Improvements is not the subject of an existing District contract, the Landowner may choose to complete, cause to be completed, or provide funds to the District in an amount sufficient to allow the District to complete or cause to be completed, those Remaining Improvements, subject to a formal determination by the District that the option selected by the Landowner will not materially and adversely impact the District.

Nothing herein shall cause or be construed to require the District to issue additional bonds or indebtedness to provide funds for any portion of the Remaining Improvements. The Parties hereby acknowledge and agree that the District's execution of this Agreement constitutes the manner and means by which any and all portions of the Remaining Improvements are to be funded and completed. Notwithstanding the foregoing, in the event the Landowner, either jointly or individually, fails to timely provide funds or to complete the Remaining Improvements, the District may exercise its authority to issue additional bonds, notes or similar obligations, and certify for collection additional special assessments in an amount sufficient to complete the Remaining Improvements.

3. OTHER CONDITIONS AND ACKNOWLEDGMENTS.

(a) The District and Landowner agree and acknowledge that the exact location, size, configuration, and composition of the Series 2020 Project may change from that described in the Engineer's Report depending upon final design of the development, permitting or other regulatory requirements over time, or other factors. Material changes to the Series 2020 Project shall be made by a written amendment to the Engineer's Report, which shall include an estimate of the cost of the changes. Material changes to the Series 2020 Project shall require the prior written consent of the Trustee acting on behalf and at the direction of the bondholders owning more than 50% of an aggregate principal amount of the applicable Series 2020 Bonds then outstanding.

(b) The District and Landowner acknowledge and agree that the provision of funds under this Agreement or the completion of the Remaining Improvements will be

considered a contribution in lieu of the imposition of debt special assessments upon the Series 2020 Assessment Area benefitted by the Series 2020 Project.

(c) (i) The Landowner agrees that all developable lands within Series 2020 Assessment Area, including Landowner's property, benefit from the timely design, construction, or acquisition of the Series 2020 Project.

(ii) Landowner agrees that the Series 2020 Special Assessments which were imposed on Series 2020 Assessment Area within the District, have been validly imposed and constitute valid, legal and binding liens upon Series 2020 Assessment Area, which Series 2020 Special Assessments remain unsatisfied.

(d) Notwithstanding anything to the contrary contained in this Agreement, the payment or performance by Landowner of its obligations hereunder are expressly subject to, dependent and conditioned upon (a) the issuance of \$______ par amount of Series 2020 Bonds and use of the proceeds thereof to fund a portion of the Series 2020 Project, and (b) the scope, configuration, size and/or composition of the Series 2020 Project not materially changing without the consent of Landowner. Such consent is not necessary, and Landowner must meet the completion obligations, or cause them to be met, when the scope, configuration, size and/or composition of the Series 2020 Project is materially changed in response to a requirement imposed by a regulatory agency.

4. **DEFAULT AND PROTECTION AGAINST THIRD PARTY INTERFERENCE.** A default by any Party under this Agreement shall entitle the others to all remedies available at law or in equity, which may include, but not be limited to, the right of actual damages and/or specific performance, but excluding special, consequential or punitive damages. Except as expressly otherwise provided in this Agreement, the District shall be solely responsible for enforcing its rights under this Agreement against any interfering third party. Except as expressly otherwise provided in this Agreement, nothing contained in this Agreement shall limit or impair the District's right to protect its rights under this Agreement from interference by a third party.

5. ENFORCEMENT OF AGREEMENT. If any Party is required to enforce this Agreement by court proceedings or otherwise, then the Parties agree that the substantially prevailing party shall be entitled to recover from the other(s) all fees and costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

6. AMENDMENTS. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by all Parties hereto, but only with the written consent of the Trustee acting at the direction of the bondholders owning more than 50% of an aggregate principal amount of the Series 2020 Bonds then outstanding, with respect to material amendments.

7. AUTHORIZATION. The execution of this Agreement has been duly authorized by the appropriate body or official of the District and Landowner, both the District and Landowner

have complied with all the requirements of law, and both the District and Landowner have full power and authority to comply with the terms and provisions of this Agreement.

8. NOTICES. All notices, requests, consents and other communications under this Agreement ("Notices") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, as follows:

(a)	If to the District:	North Powerline Road Community Development District 219 East Livingston Street Orlando, Florida 32801 Attn: District Manager
	With a copy to:	Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Post Office Box 6526 Tallahassee, Florida 32314 Attn: Roy Van Wyk
(b)	If to Landowner:	CH Dev LLC 346 East Central Avenue Winter Haven, Florida 33880 Attn: Albert B. Cassidy
	With a copy to:	Straughn & Turner, P.A. 255 Magnolia Avenue SW Winter Haven, Florida 33880 Attn: Richard E. Straughn

Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth above. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for each Party may deliver Notice on behalf of such Party. Any Party or other person to whom Notices are to be sent or copied may notify the other Parties and addressees of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addressees set forth herein.

9. ARM'S LENGTH TRANSACTION. This Agreement has been negotiated fully between the District and Landowner as an arm's length transaction. Both Parties participated fully in the preparation of this Agreement and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the Parties are deemed to have drafted, chosen, and selected the language, and the doubtful language will not be interpreted or construed against either Party.

10. THIRD PARTY BENEFICIARIES. Except as otherwise provided in this Section 10 with respect to Trustee, this Agreement is solely for the benefit of the Parties and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Agreement. Except as otherwise provided in this Section 10 with respect to Trustee, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or entity other than the Parties hereto any right, remedy, or claim under or by reason of this Agreement or any of the provisions or conditions of this Agreement; and all of the provisions, representations, covenants, and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the District and Landowner and the respective representatives, successors, and assigns of each. Notwithstanding anything herein to the contrary, the Trustee for the Series 2020 Bonds, shall be a direct third-party beneficiary of the terms and conditions of this Agreement and shall be entitled to enforce the obligations of Landowner hereunder. The Trustee shall not be deemed to have assumed any obligations hereunder.

11. ASSIGNMENT. No Party hereto may assign this Agreement or any monies to become due hereunder without the prior written approval of the other Parties and the Trustee acting on behalf and at the direction of the bondholders owning more than 50% of an aggregate principal amount of the applicable Series 2020 Bonds then outstanding.

12. APPLICABLE LAW AND VENUE. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Each Party consents that the exclusive venue for any litigation arising out of or related to this Agreement shall be in a court of appropriate jurisdiction, in and for Polk County, Florida.

13. EFFECTIVE DATE. This Agreement shall be effective upon execution by all Parties hereto.

14. **PUBLIC RECORDS.** Landowner understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records and treated as such in accordance with Florida law.

15. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement, or any part of this Agreement not held to be invalid or unenforceable.

16. LIMITATIONS ON GOVERNMENTAL LIABILITY. Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in section 768.28, *Florida Statutes*, or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the Doctrine of Sovereign Immunity or by operation of law.

17. HEADINGS FOR CONVENIENCE ONLY. The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

18. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute, but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the Parties execute this Agreement on the day and year first written above.

ATTEST:

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Lauren O. Schwenk Vice Chairperson, Board of Supervisors

WITNESS:

CH DEV LLC, a Florida limited liability company

Print Name:

Albert B. Cassidy, Manager

Comp. Exhibit A: Engineer's Report for Capital Improvement Second Amended and Restated, dated March 2020, as supplemented by that First Supplemental to Second Amended and Restated Engineer's Report for Capital Improvement, dated March 2020, as further supplemented by that Second Supplement to Second Amended and Restated Engineer's Report for Capital Improvements, dated September 2020
 Exhibit B: Legal Description of Landowner Lands
 Exhibit C: Legal Description of Series 2020 Assessment Area

COMPOSITE EXHIBIT A

Engineer's Report

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS SECOND AMENDED AND RESTATED

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- **EXHIBIT 8- Summary of Proposed District Facilities**
- EXHIBIT 9- Summary of Opinion of Probable Costs
- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. It is anticipated at this time that the District will petition to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report.

The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date	
Zoning Approval	June 2020	
SWFWMD ERP	June 2020	
Construction Permits	June 2020	
Polk County Health Department Water	June 2020	
FDEP Sewer	June 2020	

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

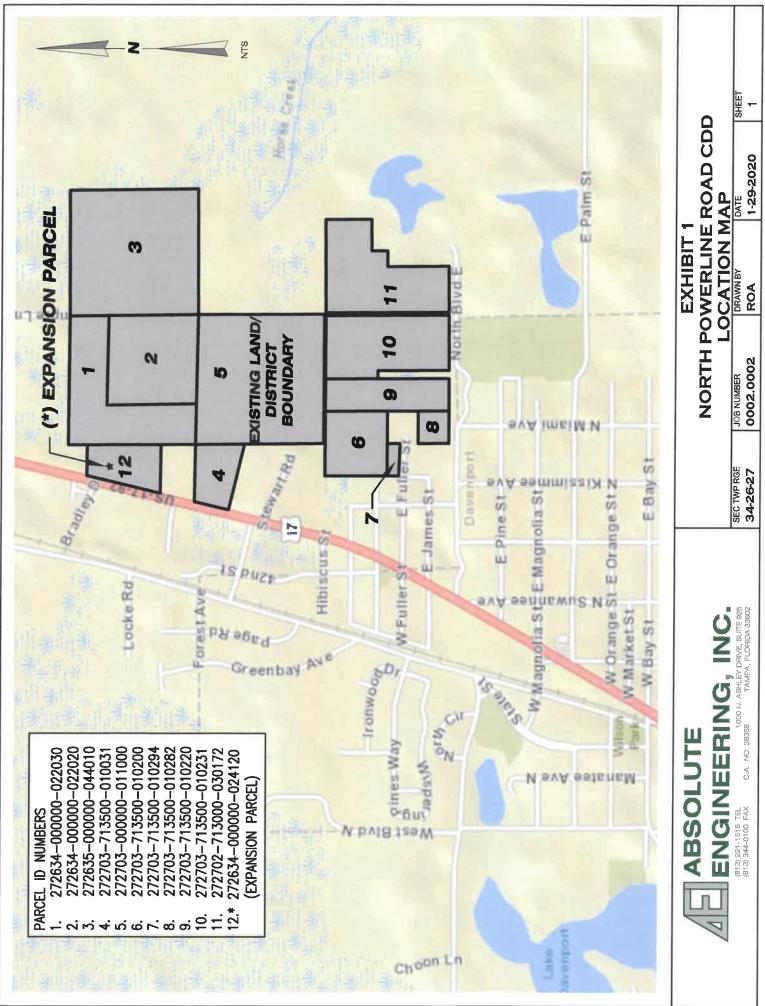
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/1DMS/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

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PARCEL 10 (272703-713500-010231)

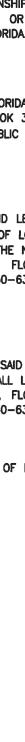
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

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PARCEL 12 (272634-000000-024120)

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Rick

AMEND-2.dwg (LECAL)

Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3.LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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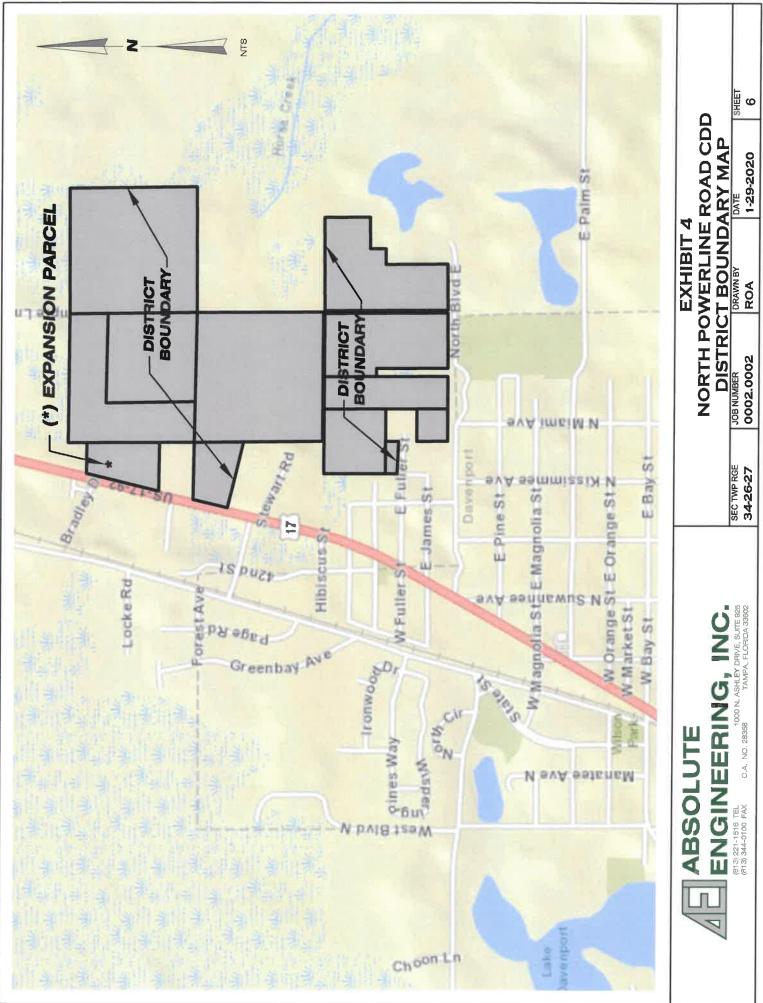
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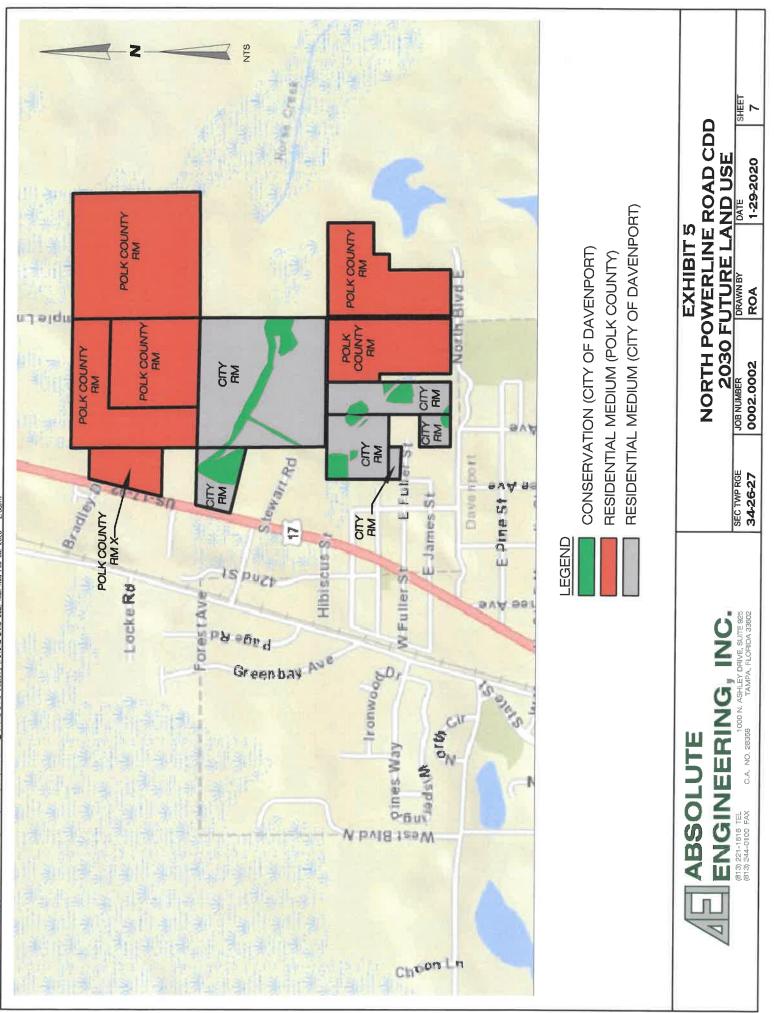
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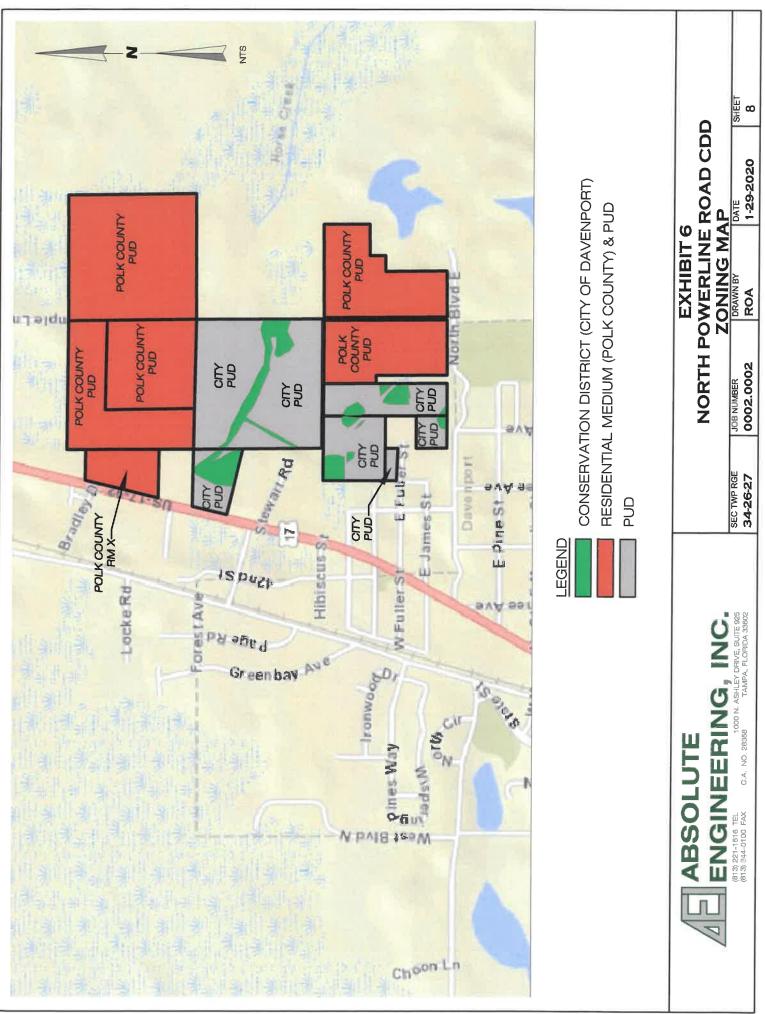
DATE 1-29-2020

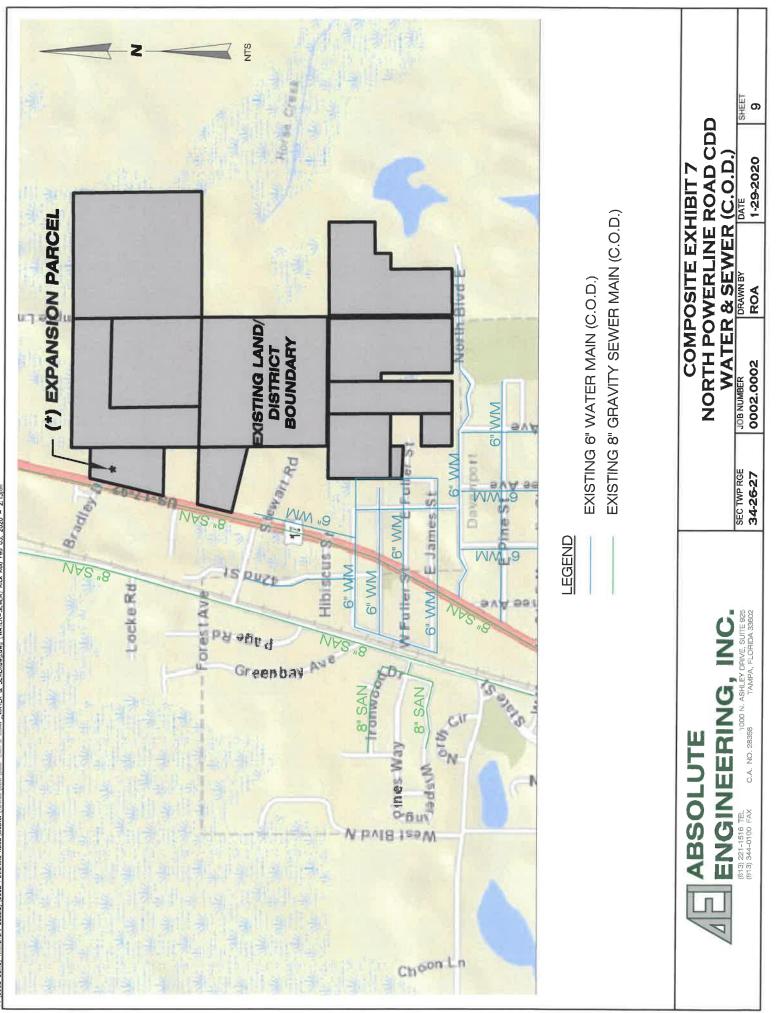
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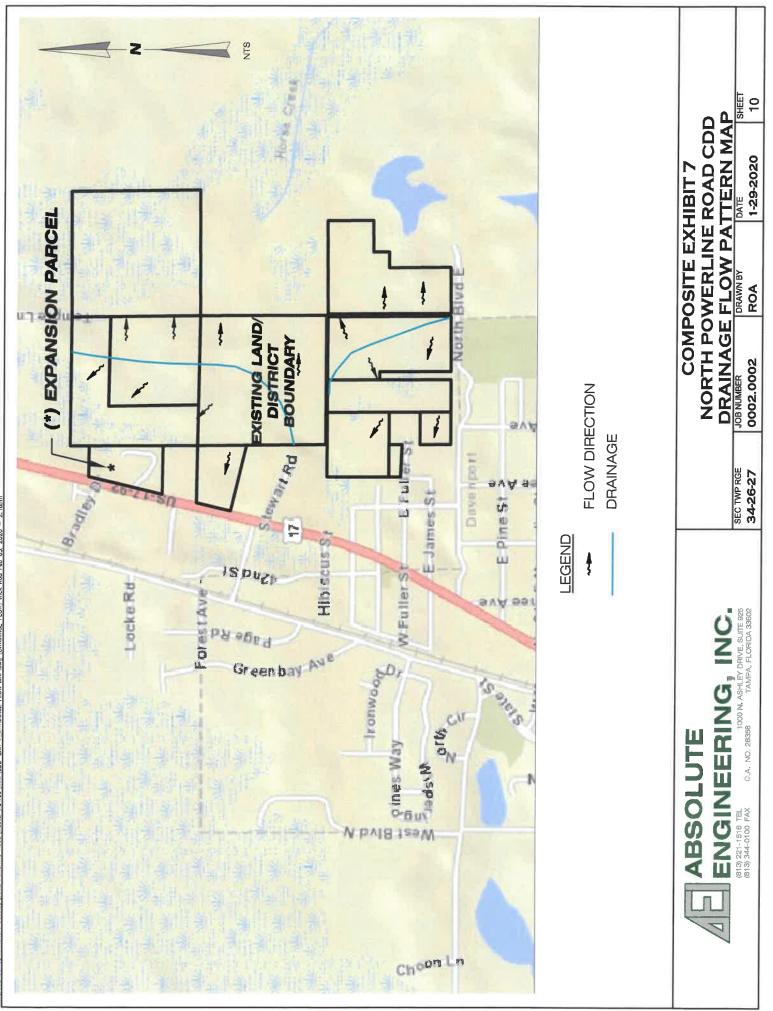
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

***District will fund street lighting maintenance services

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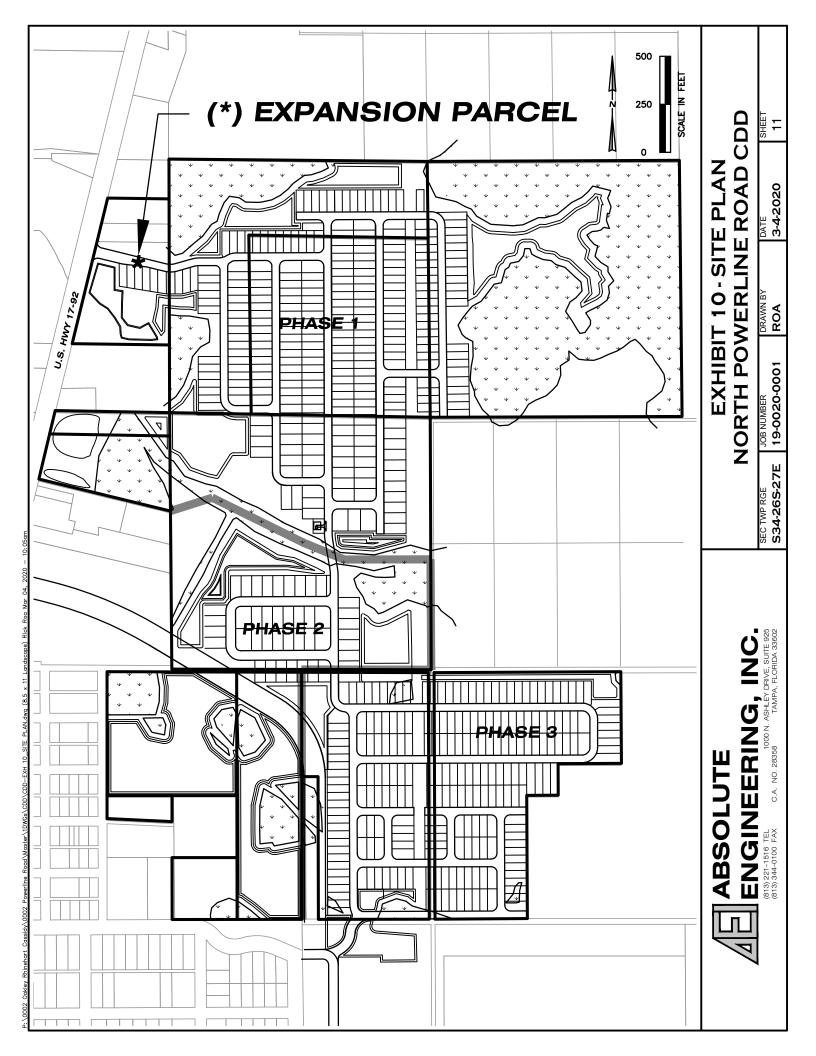
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 Existing Land (289 Lots)	Phase 1 Expansion Parcel (6 Lots)	<u>Phase 2</u> (44 Lots)	<u>Phase 3</u> (228 Lots)	<u>Total</u>
	2020-2023	2020-2023	2021-2024	2022-2025	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,238
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway (1)(4)(5)(7)	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,172
Parks and Amenities (1)(7)(11)	\$449,923	\$9,341	\$68,500	\$354,956	\$882,721
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	\$103,277	\$535,163	\$1,330,865
TOTAL	\$6,750,125	\$242,218	\$2,129,701	\$5,404,251	\$14,526,296

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

FIRST SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

MARCH 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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II.	PURPOSE AND SCOPE
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- EXHIBIT 2- Current Legal Description
- EXHIBIT 3- Legal Description After Boundary Amendment
- EXHIBIT 4- District Boundary Map
- EXHIBIT 5- Land Use Map
- EXHIBIT 6- Zoning Map
- EXHIBIT 7- Utility Location Map & Drainage Flow Pattern Map
- EXHIBIT 8- Summary of Proposed District Facilities
- EXHIBIT 9- Summary of Opinion of Probable Costs
- EXHIBIT 10- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The First Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The increase in overall units is 16 and the associated increase in the infrastructure development cost is \$595,297.00.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 190.56 gross acres, and is expected to be constructed in three (3) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure. The District is in the process of petitioning to amend its boundaries to include an additional 5.39 acres ("Expansion Parcel") to the lands within the District. The petition to amend the boundaries of the District to annex the Expansion Parcel in the District has been filed with the County. This report includes information regarding the Expansion Parcel in various Exhibits.

The District was established under County Ordinance No. 18-036, which was approved by the County Commission on June 5, 2018. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the Stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Development Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in three (3) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2		44		44
PHASE 3	228			228
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1-3. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion by phases based on the following estimated schedule: Phase 1 in 2023; Phase 2 in 2024; Phases 3 in 2025. Upon completion of each phase of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 2

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
Preliminary Plat	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

PHASE 3

Permits / Approvals	Approval / Expected Date
Zoning Approval	June 2020
SWFWMD ERP	June 2020
Construction Permits	June 2020
Polk County Health Department Water	June 2020
FDEP Sewer	June 2020

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

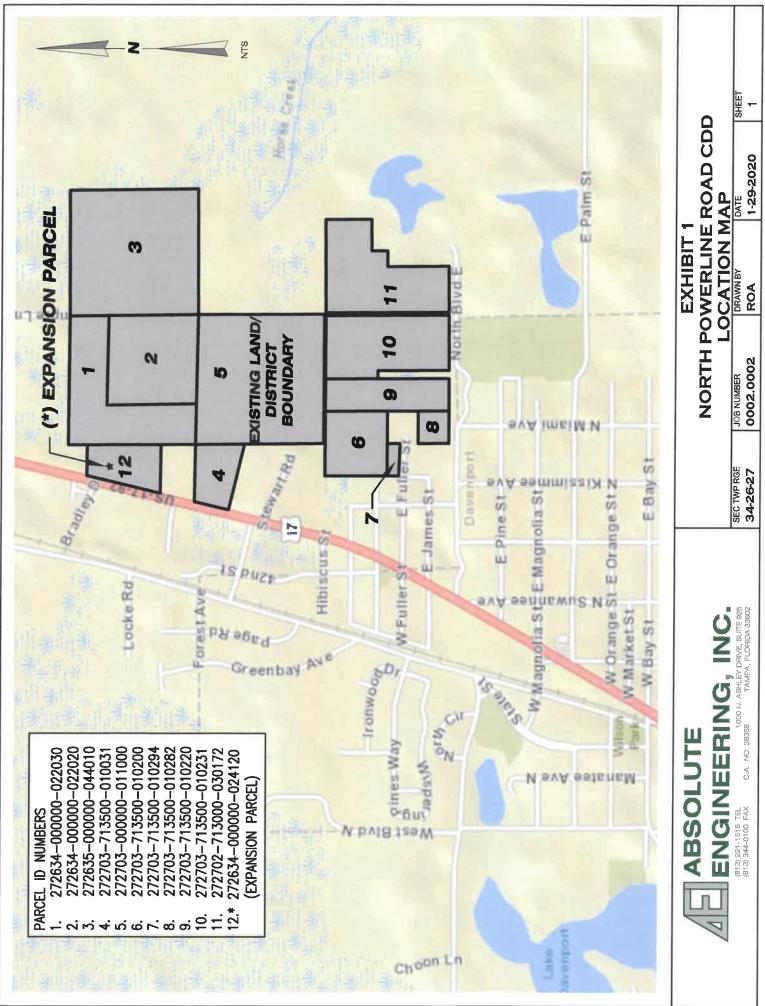
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



P-10002 Odkie Rhmehort Cossid/10002 Powerline Road/Moster/1DMS/CDD-EXH 1_LOCATION MAP dwg (LOCATION MAP) Rick Roa Feb 03, 2020 - 2:03;m

LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12"46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

PP. 0002 Oakley Rhinehart Cossidy 0002 Powerline Road Master / IDWGs (CDD-EXH 2_EGAL DESC.dwg (ECAL) Rick Roa Feb 03, 2020

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12º46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3. 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77'13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12*46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST. POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21. LESS THE NORTH 15 FEET THEREOF FOR ROADWAY. IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH. RANGE 27 EAST. FLORIDA DEVELOPMENT CO. TRACT. ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

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LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

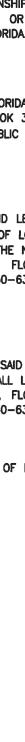
LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 190.56 ACRES MORE OR LESS.



1-29-2020 NORTH POWERLINE ROAD LEGAL DESCRIPTION BNUMBER DRAWN BY DATE R EXHIBIT L D DRAWN JOB NUMBER 0002.0002 SEC TWP RGE 34-26-27 DRIVE, SUITE 925 FLORIDA 33602 Z TANPA ERING 1000 BSOLUTI ġ C.A. Z E XX 5 -1516 Z 344-(Ш (813)

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LEGAL DESCRIPTION: PARCEL 1 (272634-000000-022030)

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PARCEL 2 (272634-000000-022020)

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PARCEL "B"

Rhinehort Cassid V0002 Powerline Road Master 110WGs/CDD/CDD-EXH 3_LEGAL DESC AMEND.dwg (LEGAL) Rick Roo Feb 03, 2020

0002 Oakley

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12'46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH. ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 77º13'30" WEST, 704.65 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12º46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

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PARCEL 11 (272702-713000-030172)

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PARCEL 12 (272634-000000-024120)

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Rhinehart Cassid \0002 Powerline Road Master 10WGs COD - EXH 3.LEGAL DESC

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW 1/4 OF SE 1/4 OF SAID SECTION 34, THENCE NORTH TO POINT OF BEGINNING, ALSO DESCRIBED BEGINNING AT CONCRETE MONUMENT, THE SE CORNER OF THE SW 1/4 OF SE 1/4 OF AS FOLLOWS: SECTION 34. TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

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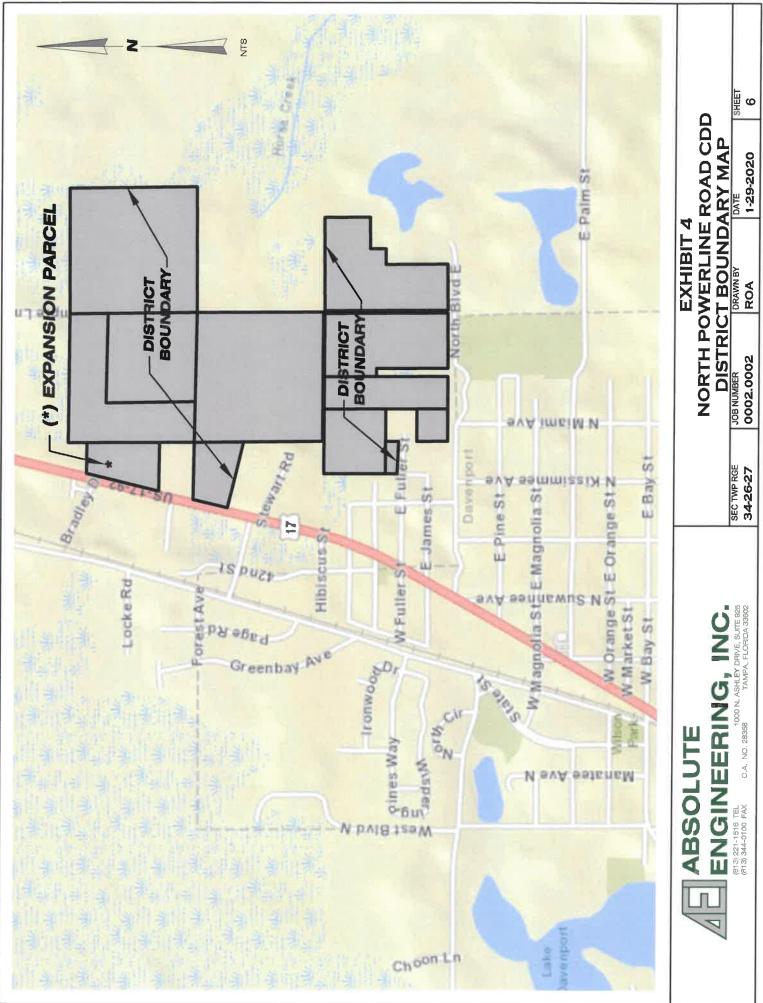
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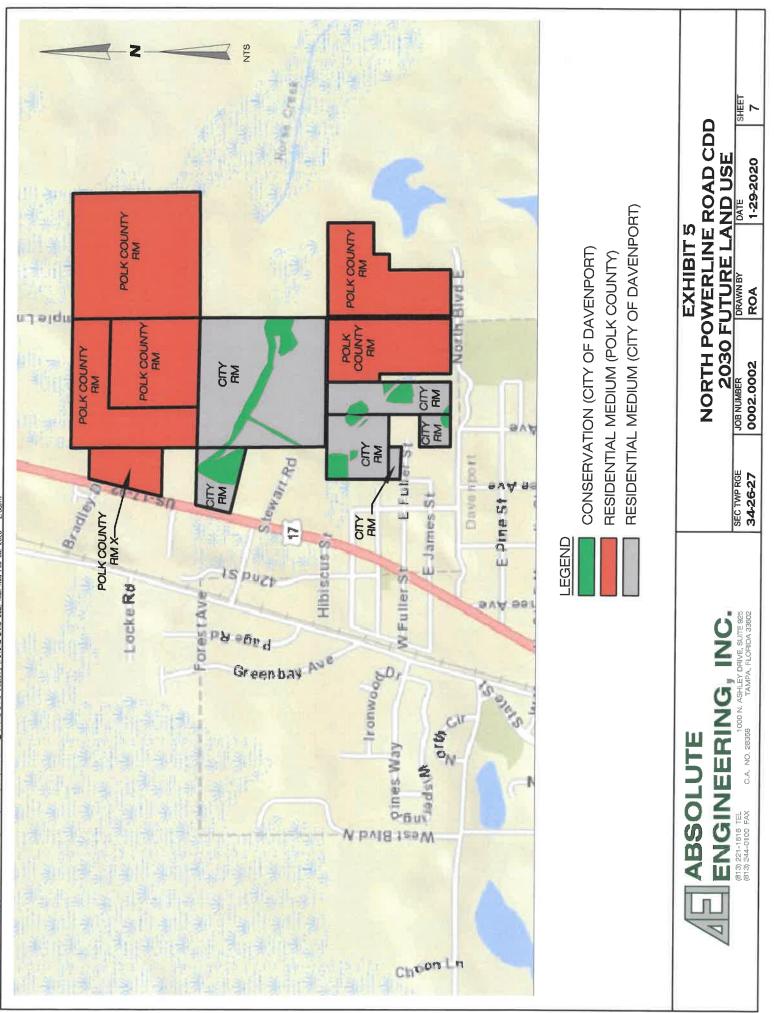
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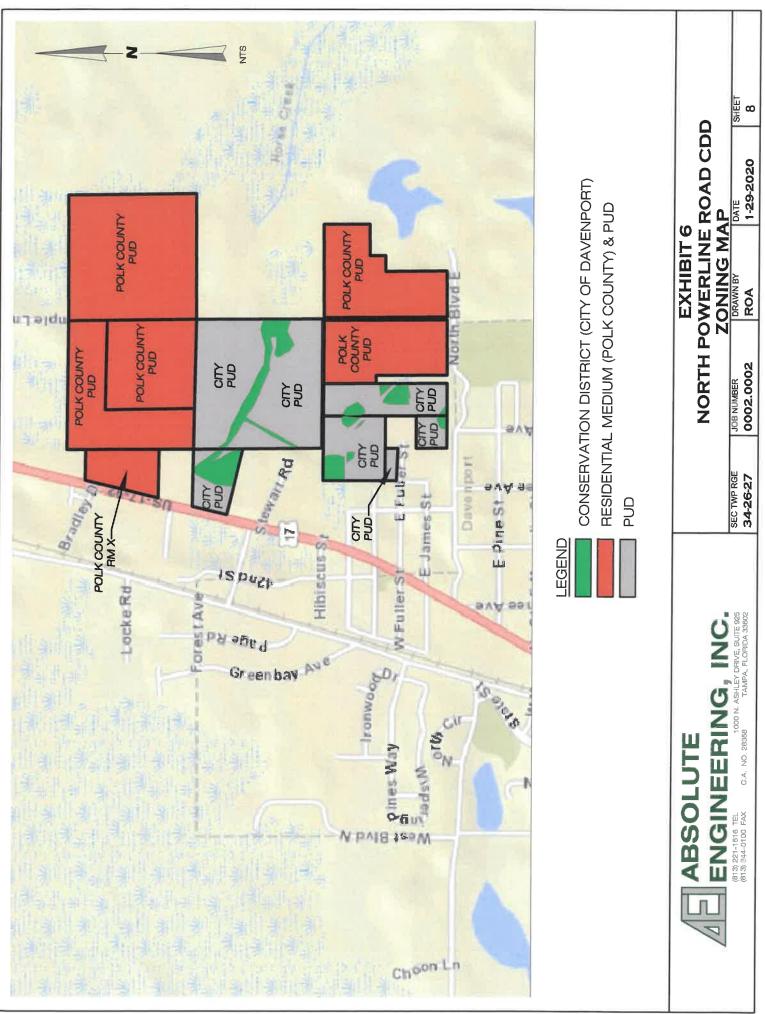
DATE 1-29-2020

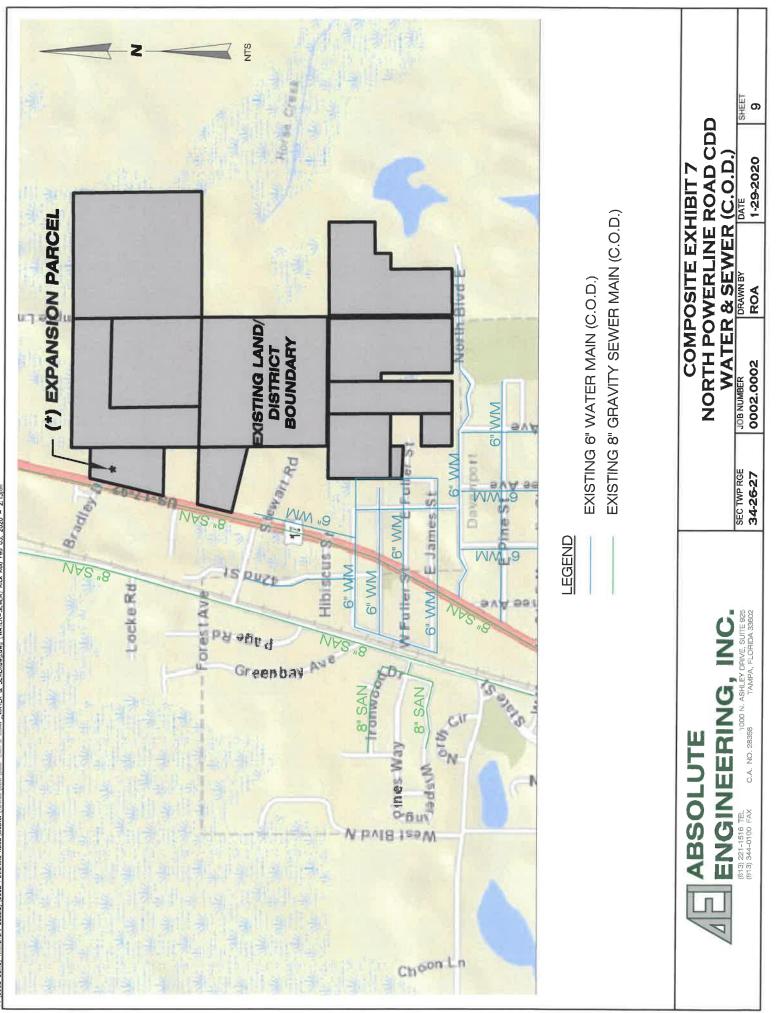
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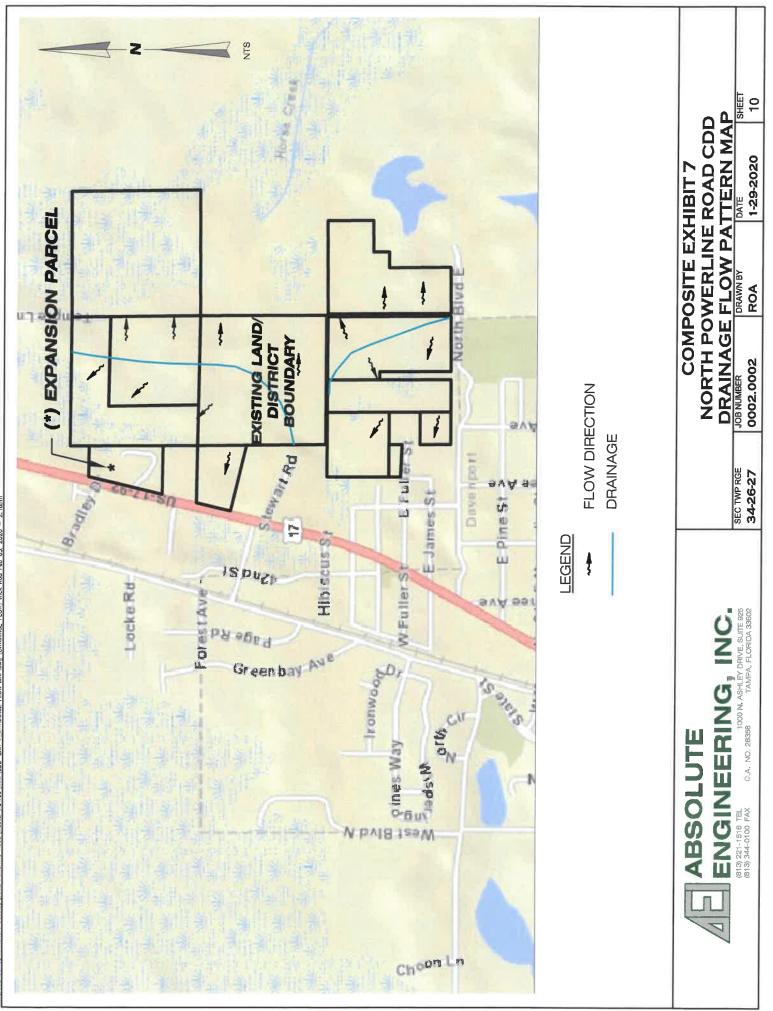
P./0002 Obtley Rhinehort Cossidy/Obo2 Powerline Rood/Master/IDWGA/CDD-EXH 3_DIST BND MAP dwg (DIST BNDY MAP) Rick Roo Feb 03, 2020 - 2:07jm







*. 1002 Ookey Rhinehort Cossidy/0002 Powerline Rood/Mester/UDMS-CDD/CDD-EXH 6 CDMP_WATER & SEWERdwijudwij (WATER-SEWER) Rick Roo Feb 05, 2020 – 2:13jm



P. 10002 Ookley Rhinnhart Cassidy 10002 Powerine Road (Master/10WGs/CDD/CDD-EXH & RRANAGE FLOW MAP.dwg (DRAINAGE FLOW) Rick Roa Feb 03 2020 – 2:16;m

Exhibit 8 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	Duke/District**	District Bonds	Duke/District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit

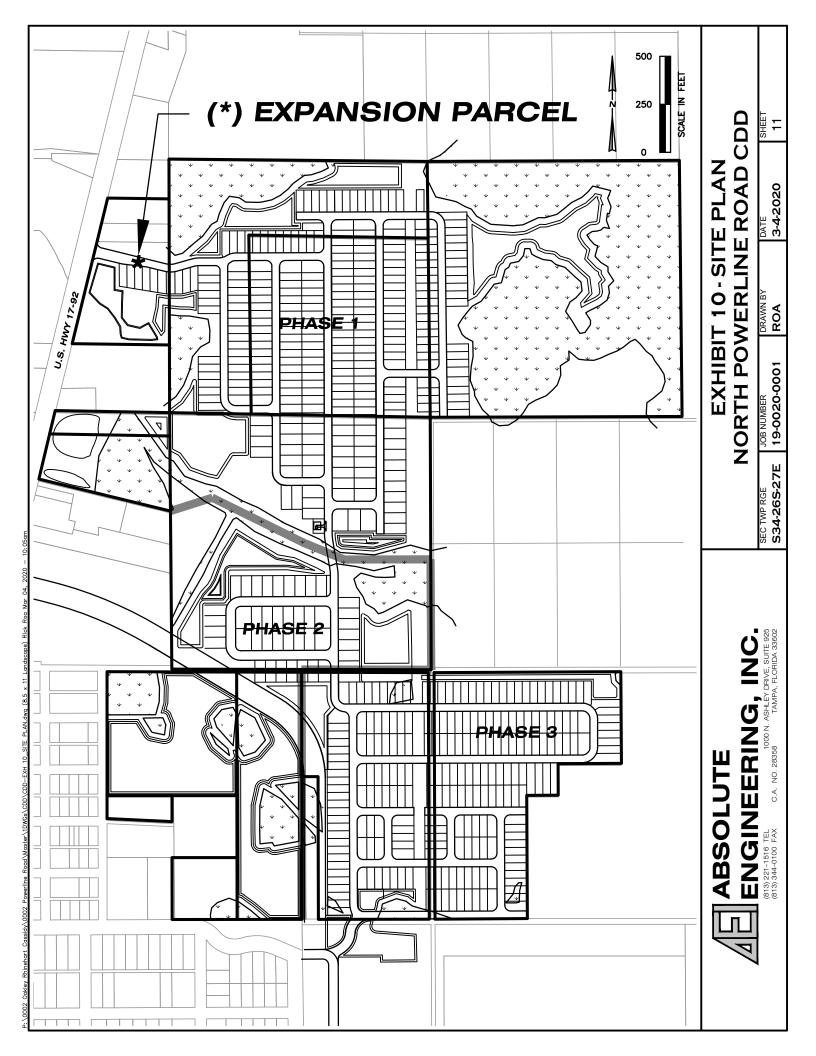
***District will fund street lighting maintenance services

Exhibit 9 North Powerline Road Community Development District Summary of Probable Cost

<u>Infrastructure</u>	<u>Phase 1</u> <u>Existing Land</u> (289 Lots)	<u>Phase 1</u> <u>Expansion</u> Parcel (6 Lots)	<u>Phase 2 (44</u> <u>Lots)</u>	<u>Phase 3 (228</u> Lots)	<u>Total</u>
	<u>2020-2023</u>	<u>2020-2023</u>	<u>2021-2024</u>	<u>2022-2025</u>	<u>(567 Lots)</u>
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,127,068	\$23,399	\$171,595	\$889,175	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,896,658	\$39,377	\$288,764	\$1,496,325	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ^{(1) (5)(7) (9)(11)}	\$1,729,908	\$35,915	\$263,377	\$1,364,771	\$3,393,971
Roadway ⁽¹⁾⁽⁴⁾⁽⁵⁾⁽⁷⁾	\$761,102	\$117,878	\$1,217,878	\$679,347	\$2,776,205
Entry Feature (1)(7)(8)911)	\$107,124	\$2,224	\$16,310	\$84,513	\$210,171
Parks and Amenities ⁽¹⁾⁽⁷⁾⁽¹¹⁾	\$449,923	\$9,341	\$68,500	\$354,956	\$882,720
Contingency ⁽¹¹⁾	<u>\$678,342</u>	<u>\$14,083</u>	<u>\$103,277</u>	<u>\$535,163</u>	<u>\$1,330,865</u>
TOTAL	\$6,750,125	\$242,217	\$2,129,701	\$5,404,250	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).



NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

SECOND SUPPLEMENTAL TO SECOND AMENDED AND RESTATED ENGINEER'S REPORT FOR CAPITAL IMPROVEMENTS

Prepared for:

BOARD OF SUPERVISORS NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Prepared by:

ABSOLUTE ENGINEERING, INC. 1000 N. ASHLEY DRIVE, SUITE 925 TAMPA, FLORIDA 33602

SEPTEMBER 2020

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

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- EXHIBIT 8- Summary of Opinion of Probable Costs
- EXHIBIT 9- Overall Site Plan

ENGINEER'S REPORT NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

I. INTRODUCTION

The Second Supplemental to the Second Amended and Restated Engineer's Report reflects changes to the development plan affecting number of lots per phase and the associated infrastructure development costs. The total number of units and infrastructure development cost is unchanged.

The North Powerline Road Community Development District (the "District") is north of North Blvd East and east of Hwy 17-92 N partially within unincorporated Polk County, (the "County") Florida and partially within Davenport (the "City"). The District currently contains approximately 195.95 gross acres, and is expected to be constructed in two (2) phase and consist of 567 single family lots, recreation / amenity areas, parks, and associated infrastructure.

The District was established under County Ordinance No. 18-036, as approved by the County Commission on June 5, 2018, further amended by County Ordinance 20-028. The District will own and operate the public roadways and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the City, the County, Southwest Florida Water Management District (SWFWMD), and other applicable agencies with regulatory jurisdiction over the development. An overall estimate of probable cost of the public improvements is provided in Exhibit 8 of this report.

This supplemental "Capital Improvement Plan" or "Report" reflects the present intentions of the District and the landowners. It should be noted that the location of proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits received by the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development, while maintaining comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Implementation of any proposed facilities or improvements outlined in this Report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on best available information, which includes but is not limited to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including common area sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will, upon completion, be dedicated to the City for ownership and maintenance.

II. PURPOSE AND SCOPE

The purpose of this Report is to provide engineering support to fund improvements in the District and to reflect changes in the Capital Improvement Plan. This Report will identify the proposed public infrastructure to be constructed or acquired by the District along with an opinion of probable cost.

Contained within this Report is a brief description of the public infrastructure to be constructed or acquired by the District. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure. An assessment methodology consultant has been retained by the District, who will develop the assessment and financing methodology to be applied using this Report. The predominant portion of this Report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the

corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed and permitted for the improvements described herein. The engineer has considered, and in specific instances has relied upon, the information and documentation prepared or supplied by others, and information that may have been provided by public entities, public employees, the landowner, site construction contractors, other engineering professionals, land surveyors, the District Board of Supervisors, and its staff and consultants.

III. THE DEVELOPMENT

The development will consist of 567 single family homes and associated infrastructure ("Development"). The Development is a planned residential community located north of North Blvd East and east of Hwy 17-92 N partially within the County and partially within the City. The Development has received zoning approval by the City and County. The property has an underlying Future Land Use Designation of RM (Residential Medium) in the City and County. It is currently anticipated that the development will be constructed in two (2) phases. Following is a summary of proposed lot sizes per phase:

PHASE	LOT WIDTH	LOT WIDTH	LOT WIDTH	SF TOTAL
	40'	55'	65'	
PHASE 1	244	48	3	295
PHASE 2	228	44		272
TOTAL	472	92	3	567

IV. THE CAPITAL IMPROVEMENTS

The current Capital Improvement Plan, (the "CIP"), consists of public infrastructure in Phases 1 and 2. The primary portions of the CIP will entail stormwater pond construction, roadways, water and sewer facilities and public off-site improvements (including public turn lanes and extension of roadway, water mains and sewer mains to serve the development). There will also be stormwater structures and conveyance culverts within the CIP which will outfall into the on-site retention ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time. Below ground installation of power, telecommunications and cable TV will occur, but will not be funded by the District. Installation of street lights within the public right of way will not be funded by the District.

As a part of the recreational component of the CIP, a public park/amenity center will be constructed adjacent to Horse Creek in Phase 1. The public park/amenity center will have connectivity via sidewalks to the other portions of the District. The public park/amenity center will be accessed by the public roadways and sidewalks.

V. CAPITAL IMPROVEMENT PLAN COMPONENTS

The system of improvements comprising the Capital Improvement Plan for the District includes the following:

Stormwater Management Facilities

Stormwater management facilities consist of storm conveyance systems and retention ponds contained within the District boundaries. Stormwater runs off via roadway curb and gutter to storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater management systems is regulated by the City, the County, and the SWFWMD. There are no known surface waters, but there are natural wetlands on or immediately adjacent to the Development.

Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM) Panel No. 12105C-0240G (dated 12/22/2016) demonstrates that the majority of the property is located within Flood Zone X and the remainder in Flood Zone A. Based on this information and the site topography, floodplain compensation will be required.

During the construction of stormwater management facilities, utilities and roadway improvements, the contractor will be required to adhere to a *Stormwater Pollution Prevention Plan* (SWPPP) as required by Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency (EPA). The SWPPP will be prepared to depict for the contractor the proposed locations of required erosion control measures and staked turbidity barriers specifically along the down gradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting on various forms associated with erosion control, its maintenance and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections are to be 40' and 50' R/W with 24' of asphalt and Miami curb curb and gutter on both sides. The proposed roadway section will consist of stabilized subgrade, lime rock, crushed concrete or cement treated base and asphalt wearing surface. The proposed curb is to be 2' wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and also to provide stormwater runoff conveyance to the proposed stormwater inlets. Underdrain is provided as necessary to control groundwater and protect the roadway base material.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications, and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable water system inclusive of water main, gate valves, fire hydrants and appurtenances will be installed for the Development. The water service provider will be the City of Davenport Public Utilities. The water system will be a "looped" system. These facilities will be installed within the proposed public rights-of-way within the District. This water will provide the potable (domestic) and fire protection services which will serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be 8" diameter PVC. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Branching off from these sewer lines will be laterals to serve the individual lots. No funds provided by the District will be used to provide lines on privately held lands. A lift station is anticipated for this CIP. Flow from the lift station shall be connected to a proposed sewer manhole southwest of the site.

Reclaimed water is not available for this site. An irrigation well to be funded by the District will be installed onsite to provide irrigation within the public right of way or irrigation water service shall be provided as part of the domestic water system design. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrance. The site construction activities associated with the CIP are anticipated for completion in 2023. Upon completion of these improvements, inspection/certifications will be obtained from the SWFWMD; the Polk County Health Department (water distribution system), Florida Department of Environmental Protection (FDEP) (wastewater collection) and the City/County.

Amenities and Parks

The District will provide funding for the recreational facilities including parks and an Amenity Center to include the following: parking area, pavilion with restroom facilities, pool, tot lot, dog park/all-purpose play field, and walking trails between the phases to provide connectivity to the Amenity Center. All amenities and parks provided by the District will be accessible and available for use by the general public.

Electric and Lighting

The electric distribution system throughout the District is currently planned to be underground. The District presently intends to fund and construct the undergrounding of the electric conduit for the required electrical system. The electrical system, including conduit, transformer/cabinet pads, and electric manholes not funded by the District will be owned and maintained by DUKE, with DUKE providing underground electrical service to the Development. The purchase and installation of street lighting along internal roadways within the District will not be funded by the District. These lights will be owned, operated and maintained by DUKE after dedication, with the District funding maintenance services.

Entry Feature

Landscaping, irrigation, entry features and walls at the entrances and along the outside boundary of the Development will be provided by the District. The irrigation system will use an irrigation well. The well and irrigation watermains to the various phases of the development will be constructed or acquired by the District with District funds and operated and maintained by the District. Landscaping for the roadways will consist of sod, annual flowers, shrubs, ground cover and trees for the internal roadways within the District. It should be noted that the District is only funding the capital landscaping costs. Perimeter fencing will be provided at the site entrances and perimeters. These items will be funded, owned and maintained by the District.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report, are being financed by the District with the intention for benefiting all of the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family planned development.

VI. PERMITTING

Construction permits for all phases are required and include the SWFWMD Environmental Resource Permit (ERP), Polk County Health Department, Florida Department of Environmental Protection (FDEP), Army Corps of Engineer Permit (ACOE), and City and County construction plan approval. Following is a summary of required permits obtained and pending for the construction of the public infrastructure improvements for the District:

PHASE 1

Approval / Expected Date
LDPD-2020-10
43044217.002
LDRES-2019-59
139102-070
C\$53-0232639-046-DWCMR

PHASE 2

Permits / Approvals	Approval / Expected Date		
Zoning Approval	LDPD-2020-10		
Preliminary Plat	City of Davenport Zoning Approval (7/22/20)		
SWFWMD ERP	43044217.004		
Construction Permits	October 2020		
Polk County Health Department Water	October 2020		
FDEP Sewer	October 2020		

VII. RECOMMENDATION

As previously described within this report, the public infrastructure as described is necessary for the development and functional operation as required by the City and County. The site planning, engineering design and construction plans for the infrastructure are in accordance with the applicable requirements of the City, County, SWFWMD, FDEP and ACOE. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation is in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the *Opinion of Probable Costs* for this report are based upon proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SWFWMD and the City regulations.

VIII. REPORT MODIFICATION

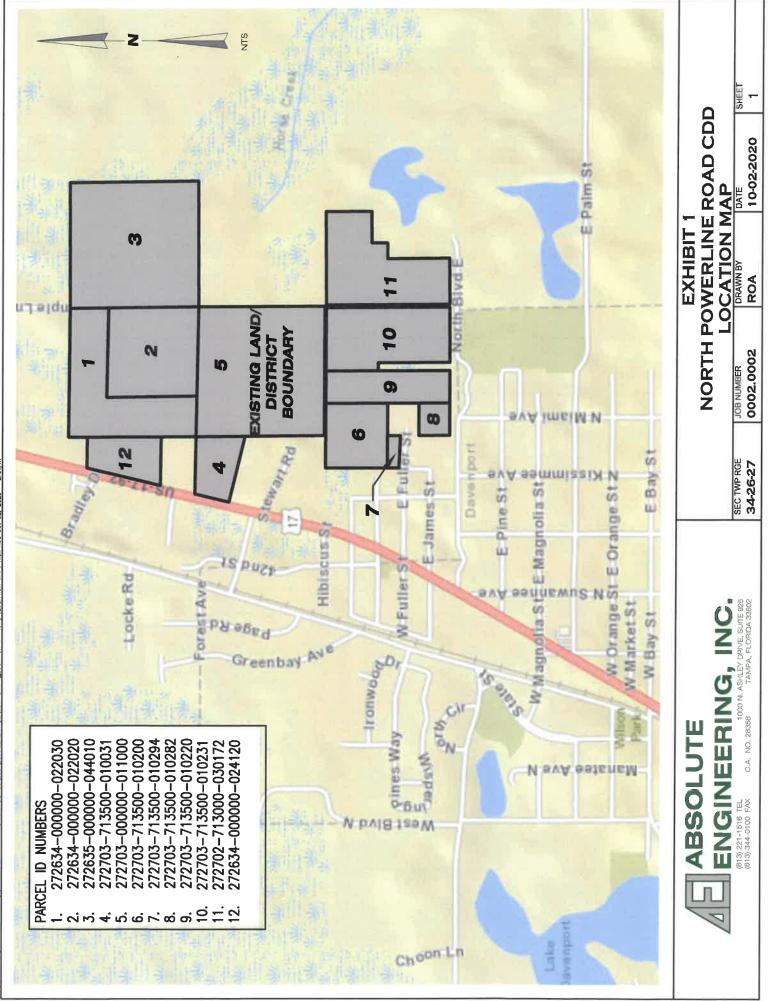
During development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the costs differences would not materially affect the proposed cost estimates.

IX. CONCLUSION

It is our professional opinion that the public infrastructure costs for the CIP provided in this Report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District at least equal to the costs of such improvements.

The *Opinion of Probable Costs* of the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon unit prices currently experienced on an ongoing and similar basis for work in the County. However, labor market, future costs of equipment, materials, changes to the regulatory permitting agencies activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our professional opinion that the proposed public infrastructure improvements when constructed and built in substantial conformance with the approved plans and specifications, can be completed and used for their intended function. Be advised that we have utilized historical costs and direct unit costs from site contractors and consultants in the City and County, which we believe to be necessary in order to facilitate accuracy associated with the *Opinion of Probable Costs*. Based upon the information above, it is our professional opinion that the acquisition and construction costs of the proposed CIP can be completed at the cost as stated.



0002 Oakley Rhinehert Cassidy 0002 Powerline Road Waster/DWSs/CDD/SUPPLEMENT //2/CDD-CXH 1_LOCATION MAP, dwg (LCCATION MAP) Rick Roa Oct 02, 2020 - 2:015m

LEGAL DESCRIPTION:

PARCEL 1 (272634-000000-022030)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LESS THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET THEREOF.

PARCEL 2 (272634-000000-022020)

THE SOUTH 933.34 FEET OF THE EAST 933.34 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 3 (272635-000000-044010)

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 4 (272703-713500-010031)

PARCEL "A"

FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/ 4 OF THE NORTHEAST 1/ 4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECT. 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG RIGHT OF WAY, 125.0 FT.; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 RUN THENCE NORTH, ALONG SAID EAST LINE, 121.91 FT., TO POINT OF BEGINNING.

PARCEL "B"

SUBJECT TO ANY EXISTING DEDICATIONS OF ROAD RIGHT-OF-WAYS IN FLORIDA DEVELOPMENT COMPANY'S PLAT OF SAID SECTION 3. FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3. TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, RUN WEST, ALONG THE NORTH LINE OF SAID SECTION 3, 595.8 FT., TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 & 92; RUN THENCE SOUTH 12°46'30" WEST, ALONG SAID RIGHT OF WAY LINE, 125.0 FT., TO THE POINT OF BEGINNING; RUN THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 625.95 FT., TO A POINT ON THE EAST LINE OF SAID NORTHWEST 1/4 OF NORTHEAST 1/4; RUN THENCE SOUTH, ALONG SAID EAST LINE, 390.33 FT; RUN THENCE NORTH 12°46'30" WEST, 241.4 FT., TO THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY; RUN THENCE NORTH 12°46'30" EAST, 241.4 FT., TO THE POINT OF BEGINNING.

PARCEL 5 (272703-000000-011000)

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA.

PARCEL 6 (272703-713500-010200)

TRACTS 20 AND 21, LESS THE NORTH 15 FEET THEREOF FOR ROADWAY, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 7 (272703-713500-010294)

THAT PART OF THE NORTH 1/2 OF TRACT 29 LYING NORTH OF CLAY ROAD, IN NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.



LEGAL DESCRIPTION:

PARCEL 8 (272703-713500-010282)

THE SOUTH 1/2 OF TRACT 28 IN THE NORTHEAST 1/4 OF SECTION 03, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9 (272703-713500-010220)

TRACT 22, LESS NORTH 15 FEET AND TRACT 27 LESS SOUTH 15 FEET, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 10 (272703-713500-010231)

LOT 23, LESS THE SOUTH 100 FEET OF THE WEST 84.74 FEET THEREOF AND LESS THE NORTH 15 FEET THEREOF, LOT 24 LESS THE NORTH 15 FEET THEREOF, THE EAST 3/4 OF LOT 26 AND ALL OF LOT 25, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA OF FLORIDA DEVELOPMENT CO. SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 11 (272702-713000-030172)

LOT 17, 18 AND THE NORTH 3/4 OF LOT 19, LESS THE NORTH 15 FEET OF SAID LOTS; LOT 32 AND THE WEST ONE HALF OF LOT 31, LESS THE SOUTH 15 FEET OF SAID LOTS, ALL LYING AND BEING IN THE NORTHWEST 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, OF FLORIDA DEVELOPMENT CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGES 60-63, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 12 (272634-000000-024120)

Rick Rog Oct 02,

AMEND-2.dwg (LEGAL)

DESC

Rood/Master/1DWGs/CDD/SUPPLEMENT #2/CDD-EXH 2_LEGAL

Powerline

Oaktey Rhinehart CassId V 0002

BEGINNING AT AN IRON PIPE 360 FEET NORTH OF THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUNNING THENCE NORTH 630 FEET; THENCE WEST 340 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE ALONG THE HIGHWAY SOUTH 14' WEST 650 FEET; THENCE EAST 473 FEET TO POINT OF BEGINNING, LESS AND EXCEPT: BEGINNING AT AN IRON PIPE 990 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW ¼ OF SE ¼ OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, RUN THENCE WEST 339.5 FEET ALONG THE SOUTH BOUNDARY OF PREMISES DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA IN DEED BOOK 762, PAGE 65, TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY; THENCE WITH SAID EAST RIGHT-OF-WAY SOUTHWESTERLY 130 FEET; THENCE EAST TO THE EAST LINE OF SAID SW ¼ OF SE ¼ OF SAID SECTION 34, THENCE MONUMENT, THE SE CORNER OF THE SW ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SE ¼ OF SAID SECTION 34, TOWNSHIP 26 SOUTH, RANGE 27 EAST, THENCE RUN NORTH 360 FEET TO AN IRON ROD FOR POINT OF BEGINNING; THENCE NORTH 528.89 FEET TO AN IRON ROD; THENCE WEST 372.42 FEET TO AN IRON ROD; THENCE SOUTH 14' 18' 34", WEST 543.19 FEET TO AN IRON ROD; THENCE EAST 506.12 FEET TO THE POINT OF BEGINNING.

NOTE: SUBJECT TO AN EASEMENT TO FLORIDA POWER CO. FOR POWER LINE AS OF RECORD AND/OR IN USE.

CONTAINING 195.95 ACRES MORE OR LESS.

DRIVE, SUITE 925 1, FLORIDA 33602

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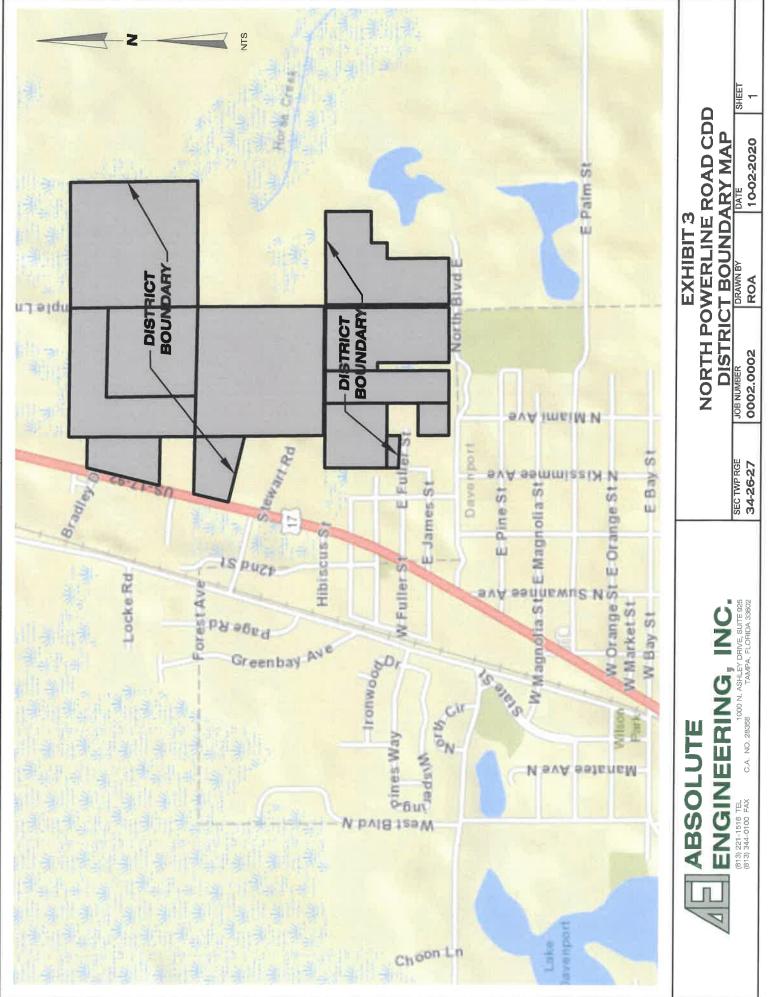
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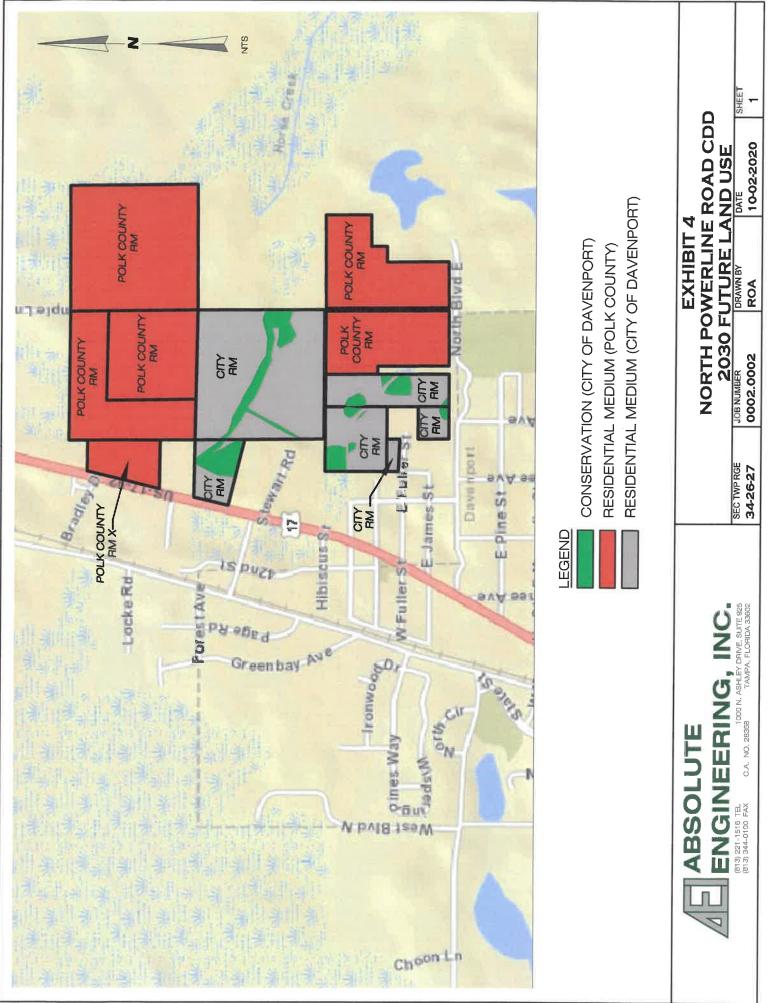
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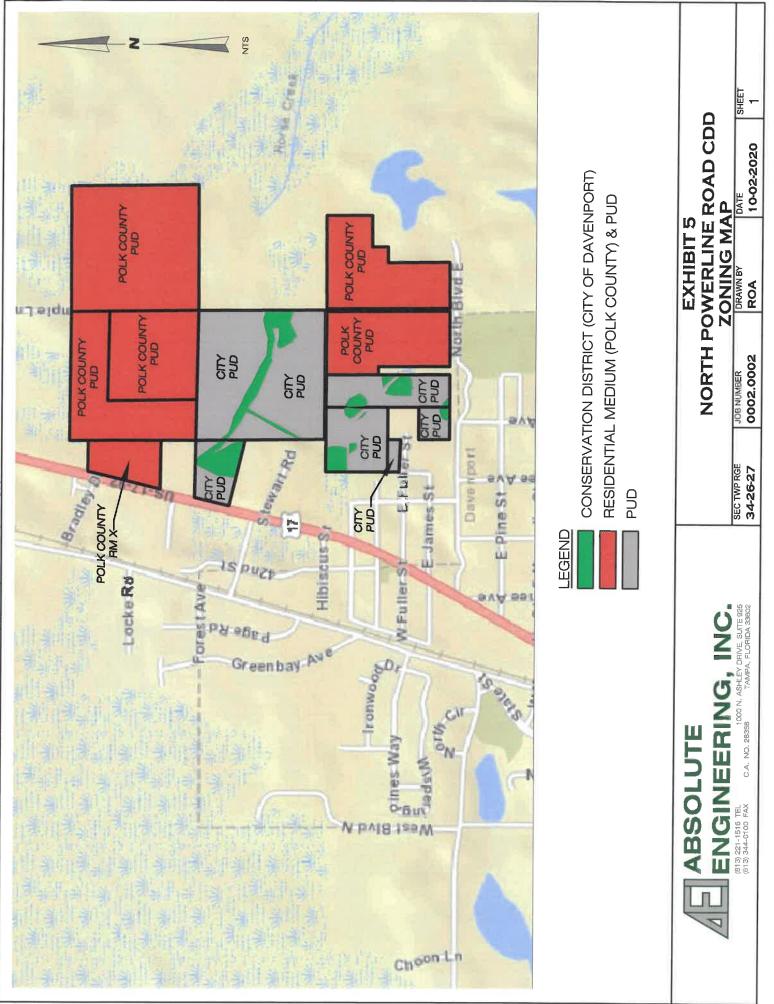
EXHIBIT



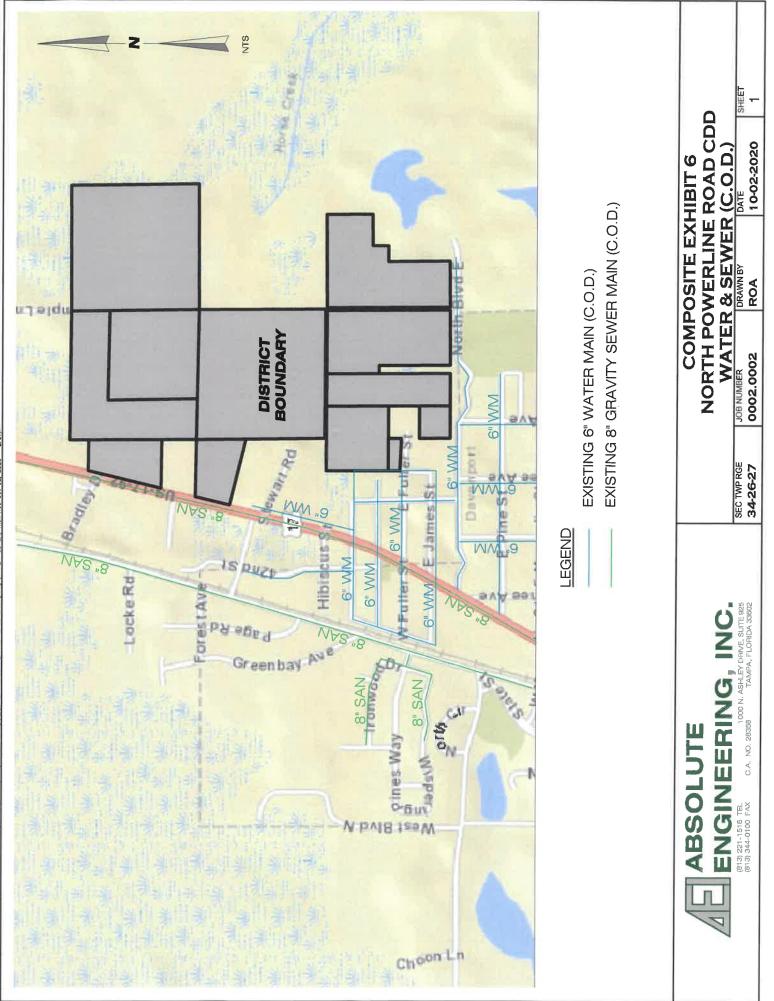
- NOO2 Ookey Rhinehert Cassidy/OO2 Powerline Road/Mester/10WGs/UDYLENENT #2/COD-EXH 3_DIST BND MAP-dwg (DIST BNDY MAP) Rick Reo Oct 02, 2020 - 2:05jim



P: 0002 Ookley Rhinehart Cossid/V0002 Powerine Road/Master/IDWOs/CDD/SUPPLEMENT #2/CDD-EXH 4_EUTURE LAND USE dwg (FUTURE LAND USE) Rick Roo Oct 02, 2020 - 2/06



P-20002 Obtey. Rhinethart Cassidy/0002 Powerline Road Master/JDWGs/CDD/SUPPLEMENT #2/CDD-EXH 5. ZONING MAP dwg (ZONING MAP) Rick Roa Oct 02. 2020 - 2:070r/



0002 Ookley Rhinehort Cassidy 0002 Powerline Road/Master/IDWGs/CDD/SUPPLEMENT #2/CDD-EXH 6 COMP WATER & SEWERAwy.dwg (WATER-SEWER) Rick Roa Oct 02, 2020 - 2:07h

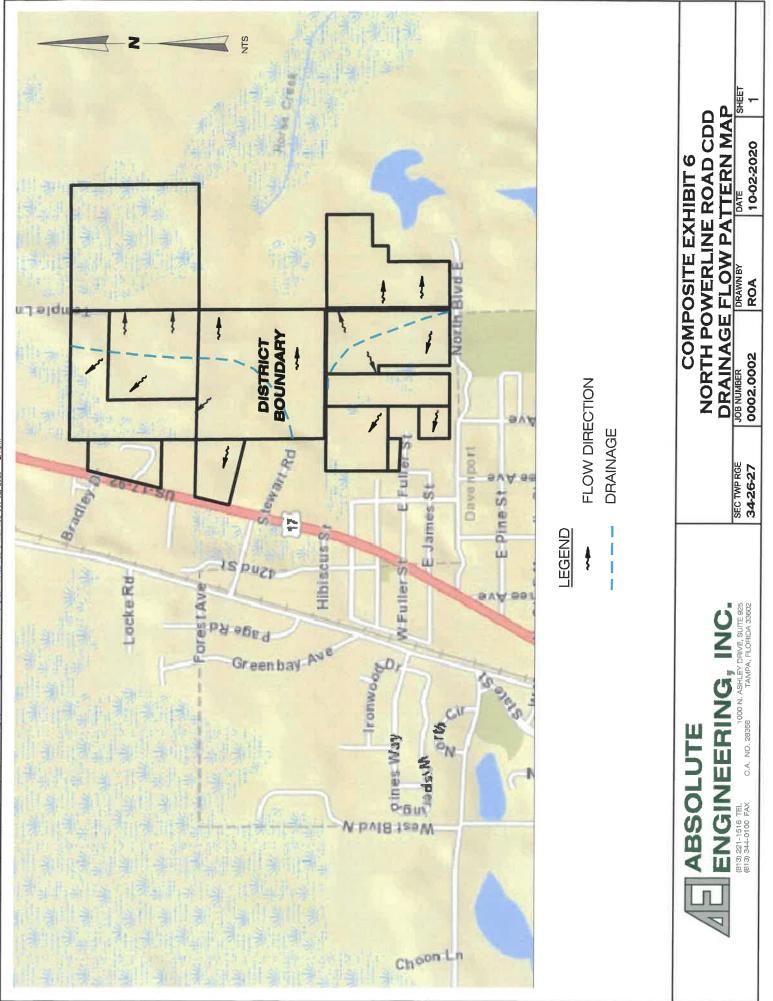


Exhibit 7 North Powerline Road Community Development District Summary of Proposed District Facilities

District Infrastructure	Construction	Ownership	Capital Financing*	Operation and Maintenance
Entry Feature & Signage	District	District	District Bonds	District
Stormwater Facilities	District	District	District Bonds	District
Lift Stations/Water/Sewer	District	City of Davenport	District Bonds	City of Davenport
Street Lighting/Conduit	District	District**	District Bonds	District***
Road Construction	District	District	District Bonds	District
Parks & Amenities	District	District	District Bonds	District
Offsite Improvements	District	FDOT	District Bonds	FDOT

*Costs not funded by bonds will be funded by the developer

** District will fund undergrounding of electrical conduit only

***District will fund street lighting maintenance services

Exhibit 8 North Powerline Road Community Development District Summary of Probable Cost

Infrastructure	Phase 1 (295 Lots)	Phase 2 (272 Lots)	Total
intrastructure	<u>2020-2023</u>	<u>2020-2023</u>	(567 Lots)
Offsite Improvements ⁽¹⁾⁽⁵⁾⁽⁷⁾⁽¹¹⁾	\$1,150,467	\$1,060,770	\$2,211,237
Stormwater Management (1)(2)(3)(5)(6)(7)	\$1,936,035	\$1,785,089	\$3,721,124
Utilities (Water, Sewer, & Street Lighting) ⁽¹⁾ ⁽⁵⁾⁽⁷⁾ ⁽⁹⁾⁽¹¹⁾	\$1,765,823	\$1,628,148	\$3,393,971
Roadway (1)(4)(5)(7)	\$878,980	\$1,897,225	\$2,776,205
Entry Feature ⁽¹⁾⁽⁷⁾⁽⁸⁾⁹¹¹⁾	\$109,348	\$100,823	\$210,171
Parks and Amenities (1)(7)(11)	\$459,264	\$423,456	\$882,720
Contingency ⁽¹¹⁾	<u>\$692,425</u>	<u>\$638,440</u>	<u>\$1,330,865</u>
TOTAL	\$6,992,342	\$7,533,951	\$14,526,293

Notes:

- 1. Infrastructure consists of public roadway improvements, Stormwater management facilities, master sanitary sewer lift station and utilities, entry feature, landscaping and signage, and public neighborhood parks, all of which will be located on land owned by or subject to a permanent easement in favor of the District or another governmental entity.
- 2. Excludes grading of each lot in conjunction with home construction, which will be provided by home builder.
- 3. Includes Stormwater pond excavation. Does not include the cost of transportation of fill for use of private lots.
- 4. Includes sub-grade, base, asphalt paving, curbing, and civil/site engineering.
- 5. Includes subdivision infrastructure and civil/site engineering.
- 6. Stormwater does not include grading associated with building pads.
- 7. Estimates are based on 2020 cost.
- 8. Includes entry features, signage, hardscape, landscape, irrigation and fencing.
- 9. CDD will enter into a Lighting Agreement with Duke Energy for the street light poles and lighting service. Includes only the cost of undergrounding.
- 10. Estimates based on 567 lots.
- 11. The costs associated with the infrastructure are a master cost and is effectively shared by the entire project (All phases).

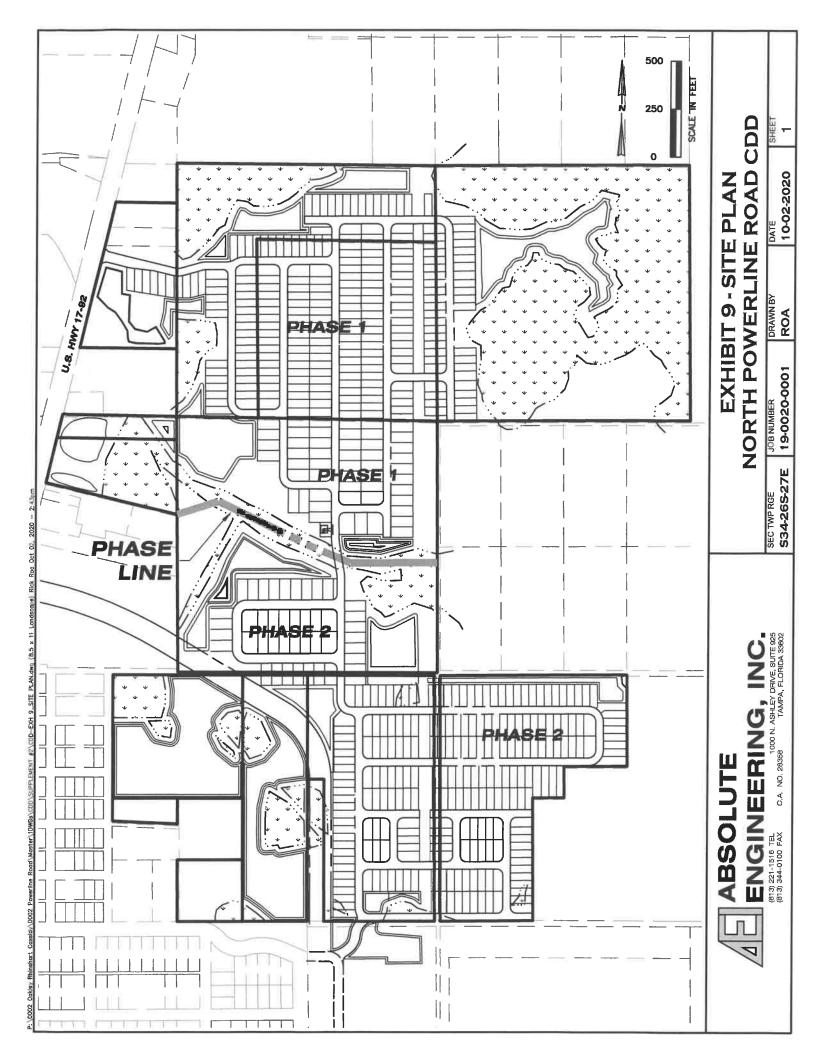


EXHIBIT B

Legal Description of Landowner Lands

EXHIBIT C

Legal Description of Series 2020 Assessment Area

SECTION VII

Item will be provided under separate cover.

SECTION VIII

RESOLUTION 2021-05

A RESOLUTION AMENDING THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND BUDGET FOR FISCAL YEAR 2020

WHEREAS, the Board of Supervisors of the North Powerline Road Community Development District adopted a General Fund Budget for Fiscal Year 2020; and

WHEREAS, the Board desires to reallocate funds budgeted to re-appropriate Revenues and Expenses approved during the Fiscal Year; and

WHEREAS, the Board has sixty (60) days after the Fiscal Year has ended to approve additional budget amendments.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT THE FOLLOWING:

1. The General Fund Budget for Fiscal Year 2020 is hereby amended in accordance with Exhibit "A" attached.

2. This resolution shall become effective this 25th day of November 2020 and be reflected in the monthly and Fiscal Year End 9/30/2020 Financial Statements and Audit Report of the District.

Adopted this 25th day of November 2020.

NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Chairman/Vice Chairman

Exhibit will be provided under separate cover.

SECTION IX

SECTION C

SECTION 1

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Item will be provided under separate cover.

SECTION 2

Item will be provided under separate cover.

SECTION 3



THE KEARNEY COMPANIES, LLC.

9625 Wes Kearney Way, Riverview FL 33578

Office (813) 421-6601 Fax (813) 421-6701

Underground Utilities

Site Development

PROJECT: NORTH POWERLINE ROAD CHANGE ORDER NO. 2 THE KEARNEY COMPANIES PROJECT NO. 0074-01

Date: 30-Sep-20

Conditions: The changes described herein shall be governed by the terms and conditions of the Contract, and shall not in any way alter the terms of the Contract, but shall hereafter be a part of the Contract.

INV. NO.	DESCRIPTION	Invoice Amount	Sales Tax	TOTAL COST	
131446	ATLANTIC TNG 9/1/2020	\$ 3,695.00			
131495	ATLANTIC TNG 9/3/2020	\$ 5,330.00			
131533	ATLANTIC TNG 9/4/2020	\$ 3,983.00			
131545	ATLANTIC TNG 9/8/2020	\$ 3,766.00			
131564	ATLANTIC TNG 9/9/2020	\$ 4,716.00			
131613	ATLANTIC TNG 9/11/2020	\$ 3,524.00			
131646	ATLANTIC TNG 9/14/2020	\$ 1,825.00			
131713	ATLANTIC TNG 9/16/2020	\$ 3,500.00			
131723	ATLANTIC TNG 9/17/2020	\$ 4,470.00			
131747	ATLANTIC TNG 9/18/2020	\$ 1,326.00			
131838	ATLANTIC TNG 9/24/2020	\$ 2,707.00			
		\$ 38,842.00	\$ 1,942.10	\$ 40,784.10	
1847507	FERGUSON 9/11/2020	\$ 19,756.80			
1847509	FERGUSON 9/11/2020	\$ 650.00			
1847513	FERGUSON 9/11/2020	\$ 12,860.40			
1847629	FERGUSON 9/9/2020	\$ 64,142.19			
1847930	FERGUSON 9/14/2020	\$ 2,683.22			
1848350	FERGUSON 9/14/2020	\$ 21,704.30			
1848206	FERGUSON 9/15/2020	\$ 136.00			
1848489	FERGSUON 9/23/2020	\$ 600.00			
1848616	FERGUSON 9/18/2020	\$ 11,994.00			
1848658	FERGSUON 9/17/2020	\$ 1,034.01			
1848723	FERGUSON 9/21/2020	\$ 28,575.64			
1848839	FERGUSON 9/18/2020	\$ 3,312.07			
1848942	FERGUSON 9/21/2020	\$ 27,686.40			
1849025	FERGSUON 9/18/2020	\$ 33,216.00			
1849064	FERGUSON 9/18/2020	\$ 28,735.00			
1850147	FERGUSON 9/23/2020	\$ 5,242.36			
1850152	FERGUSON 9/24/2020	\$ 3,380.07			
1850278	FERGUSON 9/24/2020	\$ 1,310.95			
		\$ 267,019.41	\$ 13,350.97	\$ 280,370.38	
TOTAL				\$ (321,154.48	

The Kearney Companies LLC hereby requests an extension of _____ day(s) to the original contract deadline for this work.

REASON FOR CHANGE: DIRECT PURCHASE OF MATERIALS BY CDD

migude	
The Kearney Companies, ELC	
Engineer Nove	

DATE:	30-Sep-20
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DATE:	0	n-	W
DATE.	-	10	-

DATE:_____

Owner



THE KEARNEY COMPANIES, LLC.

9625 Wes Kearney Way, Riverview FL 33578

Office (813) 421-6601 Fax (813) 421-6701

Underground Utilities

Site Development

PROJECT: NORTH POWERLINE ROAD CHANGE ORDER NO. 5 THE KEARNEY COMPANIES PROJECT NO. 0074-01

Date: 31-Oct-20

Conditions: The changes described herein shall be governed by the terms and conditions of the Contract, and shall not in any way alter the terms of the Contract, but shall hereafter be a part of the Contract.

INV. NO.	DESCRIPTION	Invoice Amount	Sales Tax	TOTAL COST
101000		¢ 7040.00		
131808	ATLANTIC TNG 9/23/2020	\$ 7,249.00		
131953	ATLANTIC TNG 9/30/2020	\$ 257.00		
132009	ATLANTIC TNG 10/2/2020	\$ 2,850.00		
132026	ATLANTIC TNG 10/5/2020	\$ 6,900.00		
132164	ATLANTIC TNG 10/13/2020	\$ 2,870.00		
132219	ATLANTIC TNG 10/15/2020	\$ 608.00		
132323	ATLANTIC TNG 10/21/2020	\$ 2,668.00 \$ 23,402.00	\$ 1,170.10	\$ 24,572.1
1848173-1	FERGUSON 10/19/2020	\$ 20,396.25	-7	
1848213	FERGUSON 9/29/2020	\$ 397.10		
1848260	FERGUSON 9/29/2020	\$ 1,072.00		
1848610	FERGUSON 9/22/2020	\$ 25,318.00		
1848616-1	FERGUSON 10/2/2020	\$ 150.00		
1848834	FERGUSON 9/24/2020	\$ 27,354.56		
1848839-1	FERGUSON 10/2/2020	\$ 399.89		
1848839-2	FERGUSON 10/12/2020	\$ 888.00		
1849025-1	FERGUSON 10/2/2020	\$ 500.00		
1849031	FERGUSON 10/7/2020	\$ 18,526.84		
1849064-1	FERGUSON 10/2/2020	\$ 25,153.00		
1849896	FERGUSON 9/23/2020	\$ 1,712.80		
1850150	FERGUSON 9/28/2020	\$ 9,453.60		
1850672-1	FERGUSON 10/2/2020	\$ 352.50		
1850672-2	FERGUSON 10/12/2020	\$ 117.50		
1850857	FERGUSON 9/30/2020	\$ 3,971.66		
1851531	FERGUSON 10/5/2020	\$ 2,375.00		
1851728	FERGUSON 10/2/2020	\$ 15,510.50		
1851878	FERGUSON 10/2/2020	\$ 1,478.40		
1851918	FERGUSON 10/2/2020	\$ 4,940.89		
1851918-1	FERGUSON 10/12/2020	\$ 1,086.00	ĺ	
1851923	FERGUSON 10/2/2020	\$ 7,578.36		
1851923-1	FERGUSON 10/12/2020	\$ 825.01		
1851923-2	FERGUSON 10/22/2020	\$ 480.00		
1851959	FERGUSON 10/5/2020	\$ 6,260.11		
1852200	FERGUSON 10/2/2020	\$ 4,223.60		
1852200-1	FERGUSON 10/12/2020	\$ 260.00		
1852354	FERGUSON 10/5/2020	\$ 1,594.00		
1852354-1	FERGUSON 10/12/2020	\$ 712.00		
1852354-2	FERGUSON 10/22/2020	\$ 267.00		
1852529	FERGUSON 10/5/2020	\$ 3,398.43		
1855484	FERGUSON 10/21/2020	\$ 13,225.95		
1855692	FERGUSON 10/21/2020	\$ 380.00		
		\$ 200,358.95	\$ 10,017.95	\$ 210,376.9

TOTAL		¢ 332,301.75	\$ 10,110.21	*	(615,368.90
		\$ 362,304.73	\$ 18,115.24	\$	380,419.9
20095	FLORIDA SOIL CEMENT CO. 10/21/2020	\$ 7,969.50			
20094	FLORIDA SOIL CEMENT CO. 10/21/2020	\$ 4,227.60			
20093	FLORIDA SOIL CEMENT CO. 10/21/2020	\$ 21,853.31			
20092	FLORIDA SOIL CEMENT CO. 10/6/2020	\$ 39,208.93			
20090	FLORIDA SOIL CEMENT CO. 9/30/2020	\$ 52,192.18			
20089	FLORIDA SOIL CEMENT CO. 9/30/2020	\$ 86,955.00			
20088	FLORIDA SOIL CEMENT CO. 9/30/2020	\$ 64,660.74			
20087	FLORIDA SOIL CEMENT CO. 9/30/2020	\$ 55,774.92			
20083	FLORIDA SOIL CEMENT CO. 9/22/2020	\$ 29,462.55			
20002					_

The Kearney Companies LLC hereby requests an extension of

_____ day(s) to the original contract deadline for this work.

REASON FOR CHANGE: DIRECT PURCHASE OF MATERIALS BY CDD

ACCEPTABLE TO:

The Kearney Companies, LLC. Engineer

DATE: 31-Oct-20

11-3-20 DATE: ____

DATE:

Owner