## North Powerline Road Community Development District

Meeting Agenda

*October 4, 2022* 

# AGENDA

# North Powerline Road Community Development District

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

September 27, 2022

Board of Supervisors North Powerline Road Community Development District

Dear Board Members:

A meeting of the Board of Supervisors of North Powerline Road Community Development District will be held Tuesday, October 4, 2022 at 10:30 AM at the Holiday Inn—Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, FL 33880.

Zoom Video Link: <a href="https://us06web.zoom.us/j/83032630323">https://us06web.zoom.us/j/83032630323</a>

**Zoom Call-In Number:** 1-646-876-9923 **Meeting ID:** 830 3263 0323

Following is the advance agenda for the meeting:

- 1. Roll Call
- 2. Public Comment Period (<sup>1</sup>Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)
- 3. Approval of Minutes of the August 17, 2022 Board of Supervisors Meeting
- 4. Presentation of Field Conveyance Report
- 5. Consideration of Conveyance Documents for Phase 1
- 6. CLOSED SESSION of Board Discussion Regarding Security
- 7. Staff Reports
  - A. Attorney
  - B. Engineer
  - C. Field Manager's Report (to be provided under separate cover)
  - D. District Manager's Report
    - i. Approval of Check Register (to be provided under separate cover)
    - ii. Balance Sheet & Income Statement
- 8. Other Business
- 9. Supervisors Requests and Audience Comments
- 10. Adjournment

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<sup>&</sup>lt;sup>1</sup> Comments will be limited to three (3) minutes

# MINUTES

#### 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, August 17, 2022 at 1:33 p.m. at 346 East Central Ave., Winter Haven, Florida.

#### Present and constituting a quorum:

Rennie Heath Chairman

Lauren Schwenk Vice Chairperson Daniel Arnette **Assistant Secretary** Kevin Chinoy **Assistant Secretary** 

Also present were:

Jill Burns District Manager/GMS

Roy Van Wyk KE Law Lauren Gentry KE Law Marshall Tindall **GMS** 

Chuck Cavaretta Developer Staff

The following is a summary of the discussions and actions taken at the August 17, 2022 North Powerline Road Community Development District's Regular Board of Supervisor's Meeting.

#### FIRST ORDER OF BUSINESS Roll Call

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

#### SECOND ORDER OF BUSINESS **Public Comment Period**

No members of the public were present via Zoom or in person.

THIRD ORDER OF BUSINESS Approval of Minutes of the June 15, 2022 **Board of Supervisors Meeting** 

Ms. Burns presented the June 15, 2022 Board of Supervisors meeting minutes. She asked for any comments, corrections, or changes. The Board had no changes to the minutes.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Minutes of the June 15, 2022 Board of Supervisors Meeting, were approved.

#### FOURTH ORDER OF BUSINESS

#### **Public Hearings**

A. Public Hearing on the Adoption of the District's Fiscal Year 2023 Budget Ms. Burns stated that this public hearing was advertised in the paper.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated that there were no members of the public present or joining via Zoom.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Closing the Public Hearing, was approved.

## i. Consideration of Resolution 2022-14 Adoption of the District's Fiscal Year 2023 Budget and Appropriating Funds

Ms. Burns stated that there were not many changes since the Board approved the preliminary budget at the April meeting. She noted that Phase 1 was platted and collected on roll this year and that amount would stay the same. Phase 2 was a first-time O&M levy that was direct billed last year. She stated that they had the 8 single family homes in Phase 3 and the 300 townhomes in Phase 3 that would be direct billed because they would not be platted in time. She noted that there was debt on those as well. She discussed Phase 4 as having debt on it, but it was at the lower ERU because there wouldn't be any residents in that area. She explained that Phases 5 and 6 showed the deficit funding for a developer contribution and that there was no debt currently on those properties. She explained that there was not anticipated to be any residents in those areas for the upcoming fiscal year. She noted that the field expenses showed only the changes from the prior fiscal year. She stated that they had increased the line items to add the newer areas that would be coming online. She noted that those were based on estimates that they received from Patrick. She explained that the amenity expense changes from last fiscal year to this fiscal year were based

on the actual contracts now that the facility was open. She asked if anyone had any questions or changes. Hearing none,

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-14 Adoption of the District's Fiscal Year 2023 Budget and Appropriating Funds, was approved.

## ii. Consideration of Fiscal Year 2022/2023 Budget Deficit Funding Agreement Ms. Burns stated that these were for Phases 5 and 6 and that it was with GLK.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Fiscal Year 2022/2023 Budget Deficit Funding Agreement, was approved.

## B. Public Hearing on the Imposition of Operations and Maintenance Assessments and Certifying an Assessment Roll

Ms. Burns asked for a motion to open the public hearing.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated that there were no members of the public present.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, Closing the Public Hearing, was approved.

## i. Consideration of Resolution 2022-15 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Burns stated that this resolution was included in the agenda package for review. She stated that it included the resolution and the collection schedules for all the direct billed properties included. She noted again that Phases 1 and 2 would be collected on roll and the remainder of the property would be direct billed.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, Resolution 2022-15 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

#### FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-16 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2023

Ms. Burns noted that they were moving their monthly meeting to the first Tuesday of the month at 10:30 a.m. She noted that it would line up with Forest Lake and Hammock Reserve. She explained that these all had residents, but also had future development. She noted that these would be held at the hotel. She noted that one date was on the July 4<sup>th</sup>, so they would reschedule that meeting if it was needed. She stated that they could hold those, push them up or push them back and line them up with other ones that were meeting at that time.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, Resolution 2022-16 Designating a Regular Monthly Meeting Date, Time, and Location for the First Tuesday of the Month at 10:30 a.m. for the Fiscal Year 2023, was approved.

#### SIXTH ORDER OF BUSINESS

Consideration of Resolution 2022-17 Designating a Date, Time, and Location for a Landowners' Meeting and Election

Ms. Burns stated that the date in the agenda package was November 17, 2022 at 11:00 a.m. She noted that this one would not be in line with the meeting schedule because once they moved this up, they didn't have enough time to advertise at least 90 days before. She noted that they didn't need to have the full Board present, they would just need a representative for the landowner.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2022-17 Designating a Date, Time, and Location for November 17, 2022 at 11:00 a.m. for a Landowners' Meeting and Election, was approved.

#### SEVENTH ORDER OF BUSINESS

# Consideration of Proposal from AMTEC for Arbitrage Rebate Services for Series 2022 Bonds

Ms. Burns stated that this was the newest issuance, and that the total amount was \$450 annually and it was with the same company that was doing the other series.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Accepting the Proposal from AMTEC for Arbitrage Rebate Services for Series 2022 Bonds, was approved.

#### EIGHTH ORDER OF BUSINESS

## Presentation of Fiscal Year 2021 Audit Report

Ms. Burns stated that on page 29 of the agenda package was the report to management and that there were no instances of noncompliance, no findings, and that it had been submitted to the state.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Accepting the Fiscal Year 2021 Audit Report, was approved.

#### NINTH ORDER OF BUSINESS

#### **Staff Reports**

#### A. Attorney

Ms. Gentry stated she had nothing further to report.

#### B. Engineer

#### i. Ratification of Stormwater Management Analysis Report

Ms. Burns noted that this stormwater management analysis report was submitted to the county by the June 30<sup>th</sup> deadline.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, the Stormwater Management Analysis Report, was ratified.

#### C. Field Manager's Report

Mr. Tindall reviewed and discussed the field manager's report with the Board. He reviewed the completed items which included monitoring facilities and ensuring that they were being maintained by the contractors, resolving the amenity ISP line issue, monitoring the playground,

monitoring the area with the landscaper and aquatics vendor, and the annuals were replaced at the entrance. He reviewed the in-progress items which included monitoring the utility tract sod repairs. Finally, he reviewed the upcoming items which included working with the landscaper to plan plant replacements as needed within the budget.

#### D. District Manager's Report

#### i. Approval of Check Register

Ms. Burns stated that the check register was included in the Board's package. She offered to answer any questions the Board had. The stated that the total was \$44,213.72 through August 5<sup>th</sup>.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Check Register, was approved.

#### ii. Balance Sheet and Income Statement

Ms. Burns stated that the financials were included in the agenda packet and no action was needed.

#### TENTH ORDER OF BUSINESS

**Other Business** 

There being none, the next item followed.

#### **ELEVENTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments** 

There being none, the next item followed.

#### TWELFTH ORDER OF BUSINESS

Adjournment

Ms. Burns asked for a motion to adjourn the meeting.

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

Secretary / Assistant Secretary Chairman / Vice Chairman

# SECTION IV



#### Conveyance Report

18268851594

Reference Number: Form Name: Submitter Name:

**Submission Date:** Location:

20220923-18268851594 Conveyance Report Marshall Tindall (mtindall@gmscfl.com) | mtindall@gmscfl.com Sep 23, 2022 11:12:20 AM EDT 4190 Citrus St, Kissimmee, FL 34746, USA Sep 23, 2022 11:12:17 AM EDT [ View Map ]

#### **NEW PAGE**

#### Conveyance Review

**District** North Powerline Road CDD

Site Inspected By

Marshall Tindal - Assistant Field Manager

#### Issue Details

ISSUE DETAILS 1 OF 13

#### **Issue Details**

**Date / Time** Sep 22, 2022 4:36:00 PM EDT

**GeoLocation** 592 Jett Ln, Davenport, FL 33837, USA

latitude: 28.1712937 altitude: 7.2000003 longitude: -81.5929279 [ viewMap ]

**Action Item Picture** 







**Action Item Description** 

C2 - playground has sod gaps from install. Recommend adding sod to fill gaps.

ISSUE DETAILS 2 OF 13

#### Issue Details

Date / Time GeoLocation Sep 22, 2022 4:36:00 PM EDT

163 Tiny Flower Rd, Davenport, FL 33837, USA

latitude: 28.174534 altitude: 6.7000003 longitude: -81.5932783 [ <u>viewMap</u> ]

#### **Action Item Picture**





**Action Item Description** 

C2 - sod Gap behind lot 160 by pond. Recommend adding sod to fill gaps

ISSUE DETAILS 3 OF 13

#### Issue Details

Date / Time GeoLocation Sep 22, 2022 4:36:00 PM EDT

467 Cool Summer Ln, Davenport, FL 33837, USA

latitude: 28.1723559 altitude: 6.7000003 longitude: -81.5935189 [ viewMap ]

**Action Item Picture** 



**Action Item Description** 

Old Silt fences surround cdd tract boundaries including area along the side of the amenity. Recomd remov of silt fences to improve community

Conveyance Report PAGE 2 OF 8

appearance and for ease maintenance please advise whose responsibility removal will be.

ISSUE DETAILS 4 OF 13

#### Issue Details

Date / Time GeoLocation Sep 22, 2022 4:36:00 PM EDT

1108 Hwy 17, Davenport, FL 33837, USA

latitude: 28.1728393 altitude: 8.0 longitude: -81.5958837 [ <u>viewMap</u> ]

#### **Action Item Picture**





**Action Item Description** 

c2 - pipe on property boundary. please advise if any relevant purpose of function. recommend removal of debris if unneeded.

ISSUE DETAILS 5 OF 13

#### Issue Details

Date / Time GeoLocation Sep 22, 2022 4:36:00 PM EDT

1118 42nd St, Davenport, FL 33837, USA latitude: 28.1719301 altitude: 7.2000003 longitude: -81.5981959 [ viewMap ]

#### **Action Item Picture**





**Action Item Description** 

c2 - sod Gap behind lots 158/159. Recommend adding sod for maintenance and appearance.

ISSUE DETAILS 6 OF 13

#### Issue Details

Conveyance Report PAGE 3 OF 8

#### Date / Time GeoLocation

Sep 22, 2022 4:36:00 PM EDT

839 Chinoy Rd, Davenport, FL 33837, USA

latitude: 28.1706022 altitude: 7.4 longitude: -81.5909494 [ <u>viewMap</u> ]

#### **Action Item Picture**







**Optional Sketch Drawing** 



#### **Action Item Description**

c1 - bank erosion at pond by lot 35. Recommend repair of bank, grade and sod. water level is well below sod and season is notably wet. recommend review and adding additional sod down to water level to help stabilize bank and minimize chance of recurrence.

ISSUE DETAILS 7 OF 13

#### Issue Details

Date / Time GeoLocation

**Action Item Picture** 

Sep 22, 2022 4:36:00 PM EDT

839 Chinoy Rd, Davenport, FL 33837, USA

latitude: 28.1706892 altitude: 7.8 longitude: -81.5909961 [ <u>viewMap</u> ]



Conveyance Report PAGE 4 OF 8

# Action Item Description c1. old Silt fences surroundingcdd tract boundaries. remove silt fences to improve community appearance and for ease maintenance please advise whose responsibility removal will be.

ISSUE DETAILS 8 OF 13

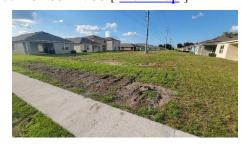
#### Issue Details

**Date / Time** Sep 22, 2022 4:36:00 PM EDT

**GeoLocation** 802 Chinoy Rd, Davenport, FL 33837, USA

latitude: 28.172022 altitude: 7.2000003 longitude: -81.5912786 [ viewMap ]

**Action Item Picture** 



**Action Item Description** Tract B - sod Gap.

appears pallets or similar may have damaged turf.

tract B was never sodded.

Recommend sodding at least the area shown where grass had been killed and it is right along the street

ISSUE DETAILS 9 OF 13

#### Issue Details

**Date / Time** Sep 22, 2022 4:36:00 PM EDT

**GeoLocation** 351 Gina Ln, Davenport, FL 33837, USA

latitude: 28.1725242 altitude: 8.2 longitude: -81.5897905 [ <u>viewMap</u> ]

#### **Action Item Picture**









Conveyance Report PAGE 5 OF 8

#### **Action Item Description**

c3 - maintenance and access to retaining wall and fence behind lots 269-265.

no clear access or maintenance shown. please advise if this is private, or if the CDD would have and responsibility. If CDD would have responsibility, maintenance access would need to be established.

ISSUE DETAILS 10 OF 13

#### Issue Details

Date / Time GeoLocation Sep 22, 2022 4:36:00 PM EDT

155 Tiny Flower Rd, Davenport, FL 33837, USA

latitude: 28.1750613 altitude: 7.4 longitude: -81.5935851 [ <u>viewMap</u> ]

#### **Action Item Picture**



**Action Item Description** 





C3 - side skimmer panel has half missing. opposite end concrete corner is cracked. wide pond side skimmers may be loose.

Recommend the pond sides and concrete corner be checked and repair as necessary. replace damaged skimmer.

ISSUE DETAILS 11 OF 13

#### Issue Details

**Date / Time** Sep 22, 2022 4:36:00 PM EDT

Conveyance Report PAGE 6 OF 8

#### GeoLocation

**Action Item Picture** 

403 Cool Summer Ln, Davenport, FL 33837, USA

latitude: 28.1741888 altitude: 6.7000003 longitude: -81.5934634 [ viewMap ]



Action Item Description c3 - eroding valley in pond bank. recommend that washout be filled and sod added to repair.

ISSUE DETAILS 12 OF 13

#### Issue Details

Date / Time GeoLocation Sep 22, 2022 4:36:00 PM EDT

110 Tiny Flower Rd, Davenport, FL 33837, USA

latitude: 28.173416 altitude: 6.9 longitude: -81.5952817 [ viewMap ]

#### **Action Item Picture**





**Action Item Description** 

old Silt fence around pond impedes maintenance. recommend removal of silt fences to improve community appearance and for ease maintenance please advise whose responsibility removal will be.

ISSUE DETAILS 13 OF 13

#### Issue Details

Date / Time GeoLocation Sep 22, 2022 4:36:00 PM EDT

126 Tiny Flower Rd, Davenport, FL 33837, USA

latitude: 28.173807 altitude: 7.2000003 longitude: -81.5947417 [ <u>viewMap</u> ]

Conveyance Report PAGE 7 OF 8

#### **Action Item Picture**



#### **Action Item Description**

Area behind lot 220 always underwater. may have pipe leaking nearby. Recommend investigation. repair if needed.

Conveyance Report PAGE 8 OF 8

# SECTION V

October	, 2022

North Powerline Road Community Development District c/o Jillian Burns, District Manager Governmental Management Services LLC – Central Florida 219 East Livingston Street Orlando, Florida 32801

Re: Letter Agreement for Acquisition of Phase One Improvements and Work Product

Dear Board of Supervisors,

Pursuant to the Agreement Regarding the Acquisition of Work Product, Improvements and Real Property (Series 2020 – Phase 1) by and between the North Powerline Road Community Development District ("District") and JMBI Real Estate, LLC ("Developer"), and dated December 14, 2020 ("Acquisition Agreement"), you are hereby notified that the Developer has completed and wishes to sell to the District certain "Improvements" and "Work Product" as described in Exhibit A attached hereto. Subject to the terms of the Acquisition Agreement, the following terms govern the proposed conveyance:

- The Developer agrees, at the direction of the District, to assist with the transfer of any permits or similar approvals necessary for the operation of the Improvements.
- Notwithstanding anything to the contrary herein, to the extent certain amounts are still owed to contractors (balance to finish & retainage) and Developer agrees to timely make payment for all remaining amounts owed, and to ensure that no liens are placed on the Improvements.

If the District is in agreement with the terms stated herein, please execute this letter agreement in the space below and proceed with the necessary steps to effect the sale.

Agreed to by:	Sincerely,	
NORTH POWERLINE ROAD COMMUNITY DEVELOPMENT DISTRICT	JMBI REAL ESTATE, LLC	
, Board of Supervisors	Name:Title:	

#### **EXHIBIT A**

Improvements: All of the following located on Tracts B, C-1, C-2, and C-3, and the "private drainage easements" of the Plat known as "Bella Vita Phase 1A and 1B-1", as recorded at Plat Book \_\_\_\_\_\_, Pages \_\_\_\_\_ et seq., of the Official Records of Polk County, Florida.

**Drainage/Storm Water Management Facilities** – All drainage and storm water management systems, including but not limited to lakes, ponds, sod, surface water control structures, pipes, curbs, gutter, inlets, gravity walls, and other water conveyance structures, as well as all catch-basins and related stormwater facilities.

*Landscaping/Irrigation* - All plants, trees, timber, shrubbery, and other landscaping and plantings, and all irrigation systems, including but not limited to wells, pumps, lines, spray heads, and related system components now a part of the property constructed in and for the District.

*Hardscaping/Entry Features* – All signage, entry monuments and column features, fencing, pavers, and related improvements. [confirm conveyance of perimeter wall]

**Parks/Recreation** - All open spaces, parks, playgrounds, recreational spaces, trails, pathways and related improvements.

Work Product – All of the right, title, interest, and benefit, <u>if any</u>, in, to, and under any and all site plans, construction and development drawings, plans and specifications, drawings, documents, surveys, engineering and soil reports and studies, licenses, permits, zoning approvals, entitlements, building permits, demolition and excavation permits, curb cut and right-of-way permits, utility permits, drainage rights, bonds, and similar or equivalent private and governmental documents of every kind and character whatsoever pertaining or applicable to or in any way connected with the development, construction, and ownership of the above-mentioned improvements.

## CORPORATE DECLARATION REGARDING COSTS PAID PHASE ONE IMPROVEMENTS AND WORK PRODUCT

JMBI Real Estate, LLC, a Florida limited liability company ("Landowner"), does hereby certify as follows:

- 1. Landowner is the landowner of certain lands within the North Powerline Road Community Development District, a special purpose unit of local government established pursuant to Chapter 190, *Florida Statutes* ("**District**").
- 1. The District's 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"), describes certain public infrastructure improvements that the District intends to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, or maintain pursuant to Chapter 190, Florida Statutes.
- The Landowner has entered into agreements with contractors for the construction and/or installation of certain improvements ("Improvements") and with professionals for associated Work Product ("Work Product"). The Improvements and Work Product are described in Exhibit A and are within the scope of the Engineer's Report.
- 3. The Landowner has expended funds to develop and/or acquire the Improvements described in the Engineer's Report and associated Work Product as more specifically described in **Exhibit A**. The attached **Exhibit A** accurately identifies certain of the Improvements and Work Product that have been completed to date. Landowner agrees there are no remaining amounts owed, and there are no liens now existing on the District's property.
- 4. The Landowner acknowledges that the District intends to rely on this Declaration for purposes of acquiring the Improvements and Work Product identified in **Exhibit A**.

[CONTINUED ON NEXT PAGE]

Executed this day of October, 2022.	
	JMBI REAL ESTATE, LLC
	Name: Title:
STATE OF COUNTY OF	
online notarization this day of JMBI F with authority to execute the foregoing on behalf of me this day in person, and who is either personal	dged before me by means of □ physical presence or □ of October, 2022, by as Real Estate, LLC, a Florida limited liability company, and of the entit(ies) identified above, and who appeared before ly known to me, or produced
as identification.	
	NOTARY PUBLIC, STATE OF
(NOTARY SEAL)	Name:(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

 $\textbf{Exhibit} \ \textbf{A} - \textbf{Description} \ of \ Improvements \ and \ Work \ Product$ 

#### **CONSULTING ENGINEER'S CERTIFICATE**

#### PHASE ONE IMPROVEMENTS AND WORK PRODUCT

October , 2022

Board of Supervisors North Powerline Road Community Development District

Re: North Powerline Road Community Development District (Polk County, Florida)

#### Ladies and Gentlemen:

The undersigned, a representative of Absolute Engineering, Inc. ("Consulting Engineer"), as engineer for the North Powerline Road Community Development District ("District"), hereby makes the following certifications in connection with the District's acquisition from the Developer of the "Improvements" and "Work Product," as further described in Exhibit A attached hereto, and in that certain bill of sale ("Bill of Sale") dated as of or about the same date as this certificate. For good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the undersigned, an authorized representative of the Consulting Engineer, hereby certifies that:

- 1. I have reviewed and inspected the Improvements and Work Product. I have further reviewed certain documentation relating to the same, including but not limited to, the Bill of Sale, agreements, invoices, plans, as-builts, and other documents.
- 2. The Improvements and Work Product are within the scope of the District's capital improvement plan as set forth in the District's 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"), and specially benefit property within the District as further described in the Engineer's Report.
- 3. The Improvements were installed in accordance with their specifications, and are capable of performing the functions for which they were intended.
- 4. The total costs associated with the Improvements and Work Product are as set forth in the Bill of Sale. Such costs are equal to or less than each of the following: (i) what was actually paid by the Developer to create and/or construct the Improvements and Work Product, and (ii) the reasonable fair market value of the Improvements and Work Product.
- 5. 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.
- 6. With this document, I hereby certify that it is appropriate at this time to acquire the Improvements and Work Product.

[Signature on following page]

Under penalties of perjury, I declare Certificate and the facts alleged are true and co	e that I have read the foregoing Consulting Engineer's rrect to the best of my knowledge and belief.
Executed this day of October, 2022.	
	, P.E. Absolute Engineering, Inc. Florida Registration No
STATE OF	
or □ online notarization this day of © Engineering, Inc., and with authority to execut	and subscribed before me by means of $\square$ physical presence October, 2022, by, as of Absolute the foregoing on behalf of the entit(ies) identified above, on, and who is either personally known to me, or produced
	NOTARY PUBLIC, STATE OF
(NOTARY SEAL)	Name:(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

Exhibit A – Description of Improvements and Work Product

### CONTRACTOR ACKNOWLEDGMENT AND RELEASE IMPROVEMENTS AND WORK PRODUCT

	THIS ACKNOWLEDGMENT & RELEASE ("Release") is made the	day of October, 2022,
by	, having offices located at	
("Con	tractor"), in favor of the North Powerline Road Community Developm	ent District ("District"),
which	is a local unit of special-purpose government situated in Polk County, Flor	rida, and having offices at
219 Ea	ast Livingston Street, Orlando, Florida 32801.	-

#### **RECITALS**

**WHEREAS**, pursuant to a contractual agreement between Contractor and JMBI Real Estate, LLC, a Florida limited liability company ("**Developer**"), Contractor has constructed and/or installed for Developer certain infrastructure improvements, as described in **Exhibit A** ("**Improvements**"); and

WHEREAS, Developer may in the future convey the Improvements to the District and for that purpose has requested Contractor to confirm the release of all restrictions on the District's right to use and rely upon the Improvements; and

WHEREAS, Contractor has agreed to the release of any such restrictions.

**NOW, THEREFORE,** for and in consideration of mutual promises and obligations, the receipt and sufficiency of which are hereby acknowledged, Contractor provides the following acknowledgment and release:

- 1. **GENERAL.** The recitals so stated above are true and correct and by this reference are incorporated as a material part of this Release.
- 2. **ACQUISITION OF IMPROVEMENTS.** Contractor acknowledges that the District is or has acquired the Improvements constructed by Contractor in connection with the Contract, from Developer, and accordingly, the District has the unrestricted right to rely upon the terms of the Contract for same.
- 3. **WARRANTY.** Contractor hereby expressly acknowledges the District's right to enforce the terms of the Contract, including but not limited to any warranties and other forms of indemnification provided therein and to rely upon and enforce any other warranties provided under Florida law.
- 4. **CERTIFICATION.** Except as set forth herein, Contractor hereby acknowledges that it has been fully compensated for its services and work related to completion of the Improvements. Contractor further certifies that, except as set forth herein, no outstanding requests for payment exist related to the Improvements, including any payments to subcontractors, materialmen, suppliers or otherwise, and that there is no disagreement as to the appropriateness of payment made for the Improvements. Except as set forth herein, this document shall constitute a final waiver and release of lien for any payments due to Contractor by Developer or District for the Improvements.

	By: Its:
STATE OFCOUNTY OF	
The foregoing instrument was sworn and substor  online notarization this day of of behalf of the entit(ies) identified above, and who appear personally known to me, or produced	ared before me this day in person, and who is eithe
(NOTARY SEAL)	NOTARY PUBLIC, STATE OF

5. **EFFECTIVE DATE.** This Release shall take effect upon execution.

#### **EXHIBIT A**

#### [add Description of Improvements]

Improvements/Work Product (Invoice Numbers)	Invoice Amount	Amount Eligible for Reimbursement

# ACKNOWLEDGMENT OF ACQUISITION OF CERTAIN WORK PRODUCT AND THE RIGHT TO RELY UPON ANY WARRANTIES AND CONTRACT TERMS FOR THE PRODUCTION OF SAME

THIS ACQUISITION AND WARRANTY ACKNOWLEDGMENT is made the \_\_\_\_ day of October, 2022, by Absolute Engineering, Inc., a Florida corporation, with a mailing address of 1000 N. Ashley Drive, Suite 925, Tampa, FL 33602 (the "Professional"), in favor of the North Powerline Road Community Development District (the "District"), which is a local unit of special-purpose government situated in Polk County, Florida, and having offices located at c/o Governmental Management Services LLC – Central Florida, 219 East Livingston Street, Orlando, Florida 32801.

- **SECTION 1. DESCRIPTION OF PROFESSIONAL'S SERVICES.** Professional has provided professional services (the "Work Product") for JMBI Real Estate, LLC, developer of lands within the District (the "Developer") pursuant to an agreement between the Professional and the Developer (the "Professional Contract"). The Work Product produced and acquired is more specifically described in the attached **Exhibit A.**
- **SECTION 2.** ACQUISITION OF WORK PRODUCT. Professional acknowledges that the District is acquiring or has acquired certain Work Product, produced by Professional in connection with the Professional Contract, from Developer, thereby securing the unrestricted right to rely upon the terms of the Professional Contract for same. Professional further acknowledges that the District is acquiring certain related improvements from the Developer, and therefore requires the unrestricted right to use, reproduce, rely and otherwise own said Work Product.
- **SECTION 3. WARRANTY.** Professional hereby expressly acknowledges the District's right to enforce the terms of the Professional Contract, including any warranties provided therein and to rely upon and enforce any other warranties provided under Florida law.
- **SECTION 4. INDEMNIFICATION.** Professional indemnifies and holds the District harmless from any claims, demands, liabilities, judgments, costs, or other actions that may be brought against or imposed upon the District in connection with the Work Product identified in **Exhibit A** because of any act or omission of Professional, its agents, employees, or officers. Said indemnification shall include, but not be limited to, any reasonable attorney's fees and costs incurred by the District.
- **SECTION 5. CERTIFICATE OF PAYMENT.** Professional hereby acknowledges that it has been fully compensated for its services and work related to completion of the Work Product identified in **Exhibit A**. Professional further certifies that no outstanding requests for payment exist related to the Work Product identified in **Exhibit A**, including any payments to subcontractors, materialmen, suppliers or otherwise, and that there is no disagreement as to the appropriateness of payment made for the Work Product. This document shall constitute a final waiver and release of lien for any payments due to Professional by Developer for the Work Product identified in **Exhibit A**.

[Continued on following page]

**SECTION 6. EFFECTIVE DATE.** This Acquisition and Warranty Acknowledgement shall take effect upon execution.

ATTEST	Absolute Engineering, Inc., a Florida corporation	
[print name]	By: Its:	
[print name]		

#### EXHIBIT A

(to be inserted)

## BILL OF SALE AND LIMITED ASSIGNMENT PHASE ONE IMPROVEMENTS AND WORK PRODUCT

THIS BILL OF SALE AND LIMITED ASSIGNMENT is made to be effective as of the day of October, 2022, by and between JMBI Real Estate, LLC, a Florida limited liability company, whose address for purposes hereof is 346 East Central Avenue, Winter Haven, Florida 33880 ("Grantor"), and for good and valuable consideration, to it paid by the North Powerline Road Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes* ("District" or "Grantee") whose address is c/o Governmental Management Services LLC – Central Florida, 219 East Livingston Street, Orlando, Florida 32801.

(Wherever used herein, the terms "Grantor" and "Grantee" include all of the parties to this instrument, the heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, partnerships, limited liability companies, governmental entities, and corporations.)

#### BACKGROUND STATEMENT

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee, intending to be legally bound, do hereby agree as follows:

- 1. Grantor hereby transfers, grants, conveys, and assigns to Grantee all right, title and interest of Grantor, if any, in and to the following improvements, work product, and other interests (together, "**Property**") as described below to have and to hold for Grantee's own use and benefit forever:
  - a) Improvements All of the right, title, warranty, interest and benefit in the improvements set forth in attached Exhibit A (together, "Improvements"); and
  - b) Work Product All of the right, title, interest, and benefit, if any, in, to, and under any and all site plans, construction and development drawings, plans and specifications, documents, surveys, engineering and soil reports and studies, licenses, permits, zoning approvals, entitlements, building permits, demolition and excavation permits, curb cut and right-of-way permits, utility permits, drainage rights, bonds, and similar or equivalent private and governmental documents of every kind and character whatsoever pertaining or applicable to or in any way connected with the development, construction, and ownership of the above-mentioned improvements (together, "Work Product"); and
  - c) Additional Rights All of the right, title, interest, and benefit of Grantor, if any, in, to and under any and all contracts, guaranties, affidavits, warranties, bonds, claims, lien waivers, and other forms of indemnification, given heretofore and with respect to the construction, installation, or composition of the Improvements and creation of the Work Product.
- 2. Grantor hereby covenants that: (i) Grantor is the lawful owner of the Property; (ii) the Property is free from any liens or encumbrances and the Grantor covenants to timely address any such liens or encumbrances if and when filed; (iii) Grantor has good right to sell the Property; and (iv) the Grantor will warrant and defend the sale of the Property hereby made unto the Grantee against the lawful claims and demands of all persons whosoever.
- 3. Except as otherwise separately agreed to in writing by Grantor, this conveyance is made on an "as is" basis. The Grantor represents that it has no knowledge of any latent or patent

- defects in the Property, and hereby assigns, transfers and conveys to the Grantee any and all rights against any and all firms or entities which may have caused any latent or patent defects, including, but not limited to, any and all warranties and other forms of indemnification.
- 4. By execution of this document, the Grantor affirmatively represents that it has the contractual right, consent and lawful authority of any and all forms to take this action in this document and in this form. Nothing herein shall be construed as a waiver of Grantee's limitations on liability as provided in Section 768.28, *Florida Statutes*, and other statutes and law.

[CONTINUED ON FOLLOWING PAGE]

**WHEREFORE**, the foregoing Bill of Sale and Limited Assignment is hereby executed and delivered on the date first set forth above.

Signed, sealed and delivered by:

#### JMBI REAL ESTATE, LLC

	Name: Title:
STATE OFCOUNTY OF	
online notarization this day of October, 2 of JMBI Real Estate, LLC, a Florida limited lia	vledged before me by means of $\square$ physical presence or $\square$ 2022, by as
	NOTARY PUBLIC, STATE OF
(NOTARY SEAL)	Name:(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

#### **EXHIBIT A**

## SECTION VI

## Closed Board Discussion

## **SECTION VII**

## SECTION C

# Item will be provided under separate cover.

## SECTION D

## SECTION 1

# Item will be provided under separate cover.

## SECTION 2

Community Development District

Unaudited Financial Reporting
August 31, 2022



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Series 2020 Debt Service Fund
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Series 2020 Capital Projects Fund
Series 2022 Capital Projects Fund
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Long Term Debt Summary
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Assessment Receipt Schedule

Community Development District Combined Balance Sheet August 31, 2022

		General Fund	D	ebt Service Fund	Ca <sub>l</sub>	pital Projects Fund	Totals Governmental Funds		
Assets:									
Cash:									
Operating Account	\$	169,174	\$	_	\$	-	\$	169,174	
Capital Projects Account	\$	-	\$	_	\$	1,000	\$	1,000	
Investments:	•		,		•	_,	,	_,	
Series 2020									
Reserve	\$	-	\$	356,047	\$	-	\$	356,047	
Revenue	\$	-	\$	235,907	\$	_	\$	235,907	
Prepayment	\$	-	\$	2,358	\$	_	\$	2,358	
Construction - Phase 1	\$	-	\$	-	\$	9,753	\$	9,753	
Construction - Phase 2	\$	-	\$	_	\$	626	\$	626	
Series 2022	•		,		•		,		
Reserve	\$	-	\$	758,588	\$	-	\$	758,588	
Revenue	\$	-	\$	1,401	\$	-	\$	1,401	
Interest	\$	-	\$	239,566	\$	-	\$	239,566	
Construction - Phase 3	\$	-	\$	-	\$	4,008,159	\$	4,008,159	
Construction - Phase 4	\$	-	\$	_	\$	3,206,033	\$	3,206,033	
Cost of Issuance	\$	-	\$	_	\$	1,757	\$	1,757	
Prepaid Expenses	\$	2,391	\$	-	\$	-	\$	2,391	
Total Assets	\$	171,564	\$	1,593,866	\$	7,227,328	\$	8,992,758	
V . 1 .11									
Liabilities:	¢	4.460	¢		ф		¢	4.460	
Accounts Payable	\$ \$	4,469	\$	-	\$ \$	-	\$ \$	4,469	
Retainage Payable	\$	-	\$	-	<b>&gt;</b>	13,426	\$	13,426	
Total Liabilites	\$	4,469	\$	-	\$	13,426	\$	17,895	
Fund Balance:									
Nonspendable:									
Prepaid Items	\$	2,391	\$	-	\$	-	\$	2,391	
Restricted for:									
Debt Service - Series 2020	\$	-	\$	594,312	\$	-	\$	594,312	
Debt Service - Series 2022	\$	-	\$	999,554	\$	-	\$	999,554	
Capital Projects - Series 2020	\$	-	\$	-	\$	(2,047)	\$	(2,047)	
Capital Projects - Series 2022	\$	-	\$	-	\$	7,215,949	\$	7,215,949	
Unassigned	\$	164,704	\$	-	\$	-	\$	164,704	
	\$	167,095	\$	1,593,866	\$	7,213,902	\$	8,974,862	
Total Fund Balances	J	107,073	Ψ	1,070,000	Ψ	7,210,702	-	-,,	

#### **Community Development District**

#### **General Fund**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted	Pro	ated Budget		Actual	
	Budget	Thr	u 08/31/22	Thr	u 08/31/22	Variance
Revenues:						
Assessments - Tax Roll	\$ 194,089	\$	194,089	\$	196,198	\$ 2,109
Assessments - Direct Bill	\$ 240,341	\$	240,341	\$	658	\$ (239,683)
Assessments - Lot Closings	\$ -	\$	-	\$	178,299	\$ 178,299
Boundary Amendment Contributions	\$ -	\$	-	\$	14,261	\$ 14,261
Miscellaneous Revenue	\$ -	\$	-	\$	30	\$ 30
Interest	\$ -	\$	-	\$	20	\$ 20
Total Revenues	\$ 434,430	\$	434,430	\$	389,466	\$ (44,964)
Expenditures:						
General & Administrative:						
Supervisor Fees	\$ 12,000	\$	11,000	\$	7,448	\$ 3,553
Engineering	\$ 20,000	\$	18,333	\$	2,485	\$ 15,848
Attorney	\$ 30,000	\$	27,500	\$	26,303	\$ 1,197
Annual Audit	\$ 5,500	\$	5,500	\$	4,600	\$ 900
Assessment Administration	\$ 5,000	\$	5,000	\$	5,000	\$ -
Arbitrage	\$ 1,350	\$	450	\$	450	\$ -
Dissemination	\$ 7,000	\$	4,850	\$	4,850	\$ -
Trustee Fees	\$ 10,650	\$	4,041	\$	4,041	\$ -
Management Fees	\$ 36,050	\$	33,046	\$	33,046	\$ (0)
Information Technology	\$ 1,800	\$	1,650	\$	1,650	\$ -
Website Maintenance	\$ 1,200	\$	1,100	\$	1,000	\$ 100
Telephone	\$ 300	\$	275	\$	-	\$ 275
Postage & Delivery	\$ 1,000	\$	917	\$	813	\$ 104
Insurance	\$ 6,000	\$	6,000	\$	5,570	\$ 430
Printing & Binding	\$ 1,000	\$	917	\$	128	\$ 789
Legal Advertising	\$ 10,000	\$	10,000	\$	12,973	\$ (2,973)
Other Current Charges	\$ 5,000	\$	4,583	\$	637	\$ 3,946
Boundary Amendment Expenses	\$ -	\$	-	\$	14,261	\$ (14,261)
Office Supplies	\$ 625	\$	573	\$	35	\$ 538
Travel Per Diem	\$ 660	\$	605	\$	-	\$ 605
Dues, Licenses & Subscriptions	\$ 175	\$	175	\$	175	\$ -
Total General & Administrative	\$ 155,310	\$	136,514	\$	125,464	\$ 11,050

#### **Community Development District**

#### **General Fund**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted		Pror	ated Budget		Actual	
		Budget		u 08/31/22	Thr	u 08/31/22	Variance
Operations & Maintenance							
When the manufacture.							
Field Expenditures							
Property Insurance	\$	5,000	\$	5,000	\$	5,948	\$ (948)
Field Management	\$	15,000	\$	13,750	\$	10,625	\$ 3,125
Landscape Maintenance	\$	80,000	\$	73,333	\$	26,799	\$ 46,534
Landscape Replacement	\$	5,000	\$	4,583	\$	2,113	\$ 2,471
Lake Maintenance	\$	12,000	\$	11,000	\$	5,799	\$ 5,201
Streetlights	\$	48,000	\$	44,000	\$	28,940	\$ 15,060
Electric	\$	3,600	\$	3,600	\$	5,458	\$ (1,858)
Water & Sewer	\$	2,400	\$	2,200	\$	-	\$ 2,200
Sidewalk & Asphalt Maintenance	\$	2,500	\$	2,292	\$	-	\$ 2,292
Irrigation Repairs	\$	5,000	\$	4,583	\$	461	\$ 4,123
General Repairs & Maintenance	\$	5,000	\$	4,583	\$	623	\$ 3,961
Contingency	\$	7,500	\$	6,875	\$	1,281	\$ 5,594
Subtotal Field Expenditures	\$	191,000	\$	175,800	\$	88,047	\$ 87,753
-	<u> </u>	171,000	<u> </u>	170,000	<del>-</del>	00,017	 07,700
Amenity Expenditures							
Amenity - Electric	\$	14,400	\$	13,200	\$	7,098	\$ 6,102
Amenity - Water	\$	3,500	\$	3,208	\$	1,663	\$ 1,546
Playground Lease	\$	14,000	\$	12,833	\$	9,563	\$ 3,271
Internet	\$	3,000	\$	2,750	\$	707	\$ 2,043
Pest Control	\$	720	\$	660	\$	456	\$ 204
Janitorial Services	\$	8,500	\$	7,792	\$	3,104	\$ 4,688
Security Services	\$	7,500	\$	5,589	\$	5,589	\$ -
Pool Maintenance	\$	18,000	\$	16,500	\$	10,780	\$ 5,720
Amenity Access Management	\$	5,000	\$	4,583	\$	2,500	\$ 2,083
Amenity Repairs & Maintenance	\$	1,000	\$	917	\$	320	\$ 597
Contingency	\$	7,500	\$	6,875	\$	-	\$ 6,875
Subtotal Amenity Expenditures	\$	83,120	\$	74,907	\$	41,779	\$ 33,128
T. 10 OW.		074400	φ.	250 505	ф.	400.00	 400,000
Total Operations & Maintenance	\$	274,120	\$	250,707	\$	129,825	\$ 120,882
Total Expenditures	\$	429,430	\$	387,221	\$	255,289	\$ 131,932
Excess (Deficiency) of Revenues over Expenditures	\$	5,000			\$	134,177	
Other Financing Sources/(Uses):							
Transfer In/(Out)	\$	(5,000)	\$	-	\$	-	\$ -
Total Other Financing Sources/(Uses)	\$	(5,000)	\$	-	\$	-	\$ -
Net Change in Fund Balance	\$				\$	134,177	
Fund Balance - Beginning	\$	-			\$	32,919	
Tuna Daduice Deginning	Ψ	-			Ψ	32,717	
Fund Balance - Ending	\$	-			\$	167,095	

#### **Community Development District**

#### **Debt Service Fund Series 2020**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

Adopted		Pror	ated Budget		Actual		
	Budget	Thr	u 08/31/22	Thi	ru 08/31/22		Variance
\$	357,687	\$	357,687	\$	361,574	\$	3,887
\$	356,049	\$	356,049	\$	-	\$	(356,049)
\$	-	\$	-	\$	356,148	\$	356,148
\$	-	\$	-	\$	21,501	\$	21,501
\$	-	\$	-	\$	1,114	\$	1,114
\$	713,735	\$	713,735	\$	740,338	\$	26,602
\$	232,922	\$	232,922	\$	232,922	\$	-
\$	250,000	\$	250,000	\$	250,000	\$	-
\$	-	\$	-	\$	20,000	\$	(20,000)
\$	232,922	\$	232,922	\$	232,922	\$	(0)
\$	715,844	\$	715,844	\$	735,844	\$	(20,000)
\$	(2,108)			\$	4,494		
\$	-	\$	-	\$	(356,896)	\$	(356,896)
\$	-	\$	-	\$	(356,896)	\$	(356,896)
\$	(2,108)			\$	(352,402)		
\$	232,926			\$	946,714		
\$	230,818			\$	594.312		
	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ 357,687 \$ 356,049 \$ - \$ - \$ 713,735 \$ 232,922 \$ 250,000 \$ - \$ 232,922 \$ 715,844 \$ (2,108) \$ - \$ - \$ -	\$ 357,687 \$ \$ 356,049 \$ \$ - \$ \$ - \$ \$ \$ 232,922 \$ \$ 250,000 \$ \$ - \$ \$ 232,922 \$ \$ 215,844 \$ \$ \$ (2,108) \$ \$ - \$ \$ \$ - \$ \$	Budget       Thru 08/31/22         \$ 357,687       \$ 357,687         \$ 356,049       \$ 356,049         \$ -       \$ -         \$ -       \$ -         \$ 713,735       \$ 713,735         \$ 232,922       \$ 232,922         \$ 250,000       \$ 250,000         \$ -       \$ -         \$ 232,922       \$ 232,922         \$ 715,844       \$ 715,844         \$ (2,108)	Budget       Thru 08/31/22       Thru         \$ 357,687       \$ 357,687       \$         \$ 356,049       \$ 356,049       \$         \$ -       \$ -       \$         \$ -       \$ -       \$         \$ 713,735       \$ 713,735       \$         \$ 232,922       \$ 232,922       \$         \$ 232,922       \$ 232,922       \$         \$ 232,922       \$ 232,922       \$         \$ 715,844       \$ 715,844       \$         \$ (2,108)       \$         \$ 232,926       \$	Budget       Thru 08/31/22       Thru 08/31/22         \$ 357,687       \$ 357,687       \$ 361,574         \$ 356,049       \$ 356,049       \$ -         \$ -       \$ -       \$ 21,501         \$ -       \$ -       \$ 21,501         \$ -       \$ -       \$ 1,114         \$ 713,735       \$ 713,735       \$ 740,338         \$ 232,922       \$ 232,922       \$ 232,922         \$ 250,000       \$ 250,000       \$ 250,000         \$ -       \$ 20,000       \$ 232,922         \$ 715,844       \$ 715,844       \$ 735,844         \$ (2,108)       \$ 4,494         \$ -       \$ (356,896)         \$ 232,926       \$ 946,714	Budget       Thru 08/31/22       Thru 08/31/22         \$ 357,687       \$ 357,687       \$ 361,574       \$         \$ 356,049       \$ -       \$       -       \$         \$ -       \$ -       \$ 356,148       \$       \$       -       \$ 21,501       \$         \$ -       \$ -       \$ -       \$ 21,501       \$       \$       -       \$ 1,114       \$         \$ 713,735       \$ 713,735       \$ 740,338       \$         \$ 232,922       \$ 232,922       \$ 232,922       \$ 20,000       \$ 250,000       \$ 250,000       \$ 250,000       \$ 232,922       \$ 232,922       \$ 32,922       \$ 32,922       \$ \$ 232,922       \$ 32,922       \$ \$ 232,922       \$ \$ 32,922       \$ \$ 32,922       \$ \$ 32,922       \$ \$ 32,922       \$ \$ 32,922       \$ \$ 32,922       \$ \$ 32,922       \$ 32,922       \$ 32,924       \$ \$ 356,896       \$ \$ 356,896       \$ \$ 36,896       \$ \$ 36,896       \$ \$ 36,896       \$ 36,896 <td< td=""></td<>

#### **Community Development District**

#### **Debt Service Fund Series 2022**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted			ed Budget		Actual		
	Bu	dget	Thru 0	08/31/22	Thr	u 08/31/22	,	Variance
Revenues:								
Interest	\$	-	\$	-	\$	1,401	\$	1,401
Total Revenues	\$	-	\$	-	\$	1,401	\$	1,401
Expenditures:								
Interest - 11/1	\$	-	\$	-	\$	-	\$	-
Principal - 5/1	\$	-	\$	-	\$	-	\$	-
Interest - 5/1	\$	-	\$	-	\$	-	\$	-
Total Expenditures	\$	-	\$	-	\$	-	\$	-
Excess (Deficiency) of Revenues over Expenditures	\$	-			\$	1,401		
Other Financing Sources/(Uses):								
Bond Proceeds	\$	-	\$	-	\$	998,153	\$	998,153
Total Other Financing Sources/(Uses)	\$	-	\$	-	\$	998,153	\$	998,153
Net Change in Fund Balance	\$				\$	999,554		
Fund Balance - Beginning	\$	-			\$	-		
Fund Balance - Ending	\$	-			\$	999,554		

#### **Community Development District**

#### **Capital Projects Fund Series 2020**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted			ed Budget		Actual	
	Bud	get	Thru	08/31/22	Th	ru 08/31/22	Variance
Revenues							
Developer Contributions	\$	-	\$	-	\$	2,226,568	\$ 2,226,568
Interest	\$	-	\$	-	\$	6	\$ 6
Total Revenues	\$	-	\$	-	\$	2,226,574	\$ 2,226,574
Expenditures:							
Capital Outlay - Phase 1	\$	-	\$	-	\$	935,724	\$ (935,724)
Capital Outlay - Phase 2	\$	-	\$	-	\$	1,378,908	\$ (1,378,908)
Total Expenditures	\$	-	\$	-	\$	2,314,633	\$ (2,314,633)
Excess (Deficiency) of Revenues over Expenditures	\$	-			\$	(88,058)	
Other Financing Sources/(Uses)							
Transfer In/(Out)	\$	-	\$	-	\$	356,896	\$ 356,896
Total Other Financing Sources (Uses)	\$	-	\$	-	\$	356,896	\$ 356,896
Net Change in Fund Balance	\$				\$	268,838	
Fund Balance - Beginning	\$	-			\$	(270,885)	
Fund Balance - Ending	\$	-			\$	(2,047)	

#### **Community Development District**

#### **Capital Projects Fund Series 2022**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Ado	oted	Prorate	ed Budget		Actual	
	Buc	lget	Thru 0	8/31/22	Th	nru 08/31/22	Variance
Revenues							
Developer Advances	\$	-	\$	-	\$	1,047,335	\$ 1,047,335
Interest	\$	-	\$	-	\$	12,433	\$ 12,433
Total Revenues	\$	-	\$	-	\$	1,059,768	\$ 1,059,768
Expenditures:							
Capital Outlay - COI	\$	-	\$	-	\$	433,037	\$ (433,037)
Capital Outlay - Phase 3	\$	-	\$	-	\$	1,413,603	\$ (1,413,603)
Capital Outlay - Phase 4	\$	-	\$	-	\$	1,999,027	\$ (1,999,027)
Total Expenditures	\$	-	\$	-	\$	3,845,666	\$ (3,845,666)
Excess (Deficiency) of Revenues over Expenditures	\$				\$	(2,785,898)	
Other Financing Sources/(Uses)							
Bond Proceeds	\$	-	\$	-	\$	10,001,847	\$ 10,001,847
Total Other Financing Sources (Uses)	\$	-	\$	-	\$	10,001,847	\$ 10,001,847
Net Change in Fund Balance	\$	-			\$	7,215,949	
Fund Balance - Beginning	\$	-			\$	-	
Fund Balance - Ending	\$	-			\$	7,215,949	

#### Community Development District Month to Month

	0ct	Nov	Dec		Jan	Feb	March	April	May	June	July	Au	ıg	Sept	Total
Revenues:															
Assessments - Tax Roll	\$ -	\$ 666	40,51	) \$	2,690	\$ 144,616 \$	3,432	\$ 693 \$	-	\$ 2,142 \$	1,449	\$	-	\$ - \$	196,198
Assessments - Direct Bill	\$ -	\$ - \$	-	\$	-	\$ 658 \$	-	\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	658
Assessments - Lot Closings	\$ -	\$ 105,269	-	\$	73,030	\$ - \$	-	\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	178,299
Boundary Amendment Contributions	\$ -	\$ 2,914	-	\$	4,367	\$ - \$	4,408	\$ 475 \$	-	\$ 2,097 \$	-	\$	-	\$ - \$	14,26
Miscellaneous Revenue	\$ -	\$ - \$	-	\$	-	\$ - \$	-	\$ - \$	-	\$ - \$	-	\$	30	\$ - \$	3
Interest	\$ 1	\$ 0 \$	5	1 \$	1	\$ 3 \$	4	\$ 2 \$	2	\$ 2 \$	2	\$	2	\$ - \$	20
Total Revenues	\$ 1	\$ 108,848	40,51	1 \$	80,088	\$ 145,277 \$	7,844	\$ 1,170 \$	2	\$ 4,242 \$	1,451	\$	32	\$ - \$	389,460
Expenditures:															
General & Administrative:															
Supervisor Fees	\$ 600	\$ 600	80	) \$	800	\$ 600 \$	800	\$ 600 \$	1,600	\$ 600 \$	(353)	\$	800	\$ - \$	7,448
Engineering	\$ 118	\$ 118	11	3 \$	-	\$ 1,175 \$	353	\$ 605 \$		\$ - \$	-	\$	-	\$ - \$	2,48
Attorney	\$ 927	\$ 2,325	1,64	1 \$	3,142	\$ 3,983 \$	4,348	\$ 3,336 \$	1,927	\$ 1,754 \$	1,754	\$	1,170	\$ - \$	26,30
Annual Audit	\$ -	\$ - \$	3	- \$	-	\$ - \$		\$ 3,000 \$	1,600	\$ - \$	-	\$	-	\$ - \$	4,600
Assessment Administration	\$ 5,000	\$ - \$	3	- \$	-	\$ - \$		\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	5,000
Arbitrage	\$ -	\$ - \$	45	\$	-	\$ - \$		\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	450
Dissemination	\$ 417	\$ 417 \$	41	7 \$	417	\$ 417 \$	417	\$ 517 \$	417	\$ 417 \$	500	\$	500	\$ - \$	4,850
Trustee Fees	\$ -	\$ - \$	5	- \$	4,041	\$ - \$		\$ - \$		\$ - \$	-	\$	-	\$ - \$	4,04
Management Fees	\$ 3,004	\$ 3,004	3,00	4 \$	3,004	\$ 3,004 \$	3,004	\$ 3,004 \$	3,004	\$ 3,004 \$	3,004	\$	3,004	\$ - \$	33,046
Information Technology	\$ 150	\$ 150	15	\$	150	\$ 150 \$	150	\$ 150 \$	150	\$ 150 \$	150	\$	150	\$ - \$	1,650
Website Maintenance	\$ 100	\$ 100	5 10	\$	100	\$ 100 \$	100	\$ 100 \$	100	\$ 100 \$	100	\$	-	\$ - \$	1,000
Telephone	\$ -	\$ - \$	5	- \$	-	\$ - \$		\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	
Postage & Delivery	\$ 29	\$ 31 \$	6	) \$	71	\$ 162 \$	49	\$ 21 \$	77	\$ 160 \$	80	\$	72	\$ - \$	813
Insurance	\$ 5,570	\$ - \$	5	- \$	-	\$ - \$		\$ - \$		\$ - \$	-	\$	-	\$ - \$	5,570
Printing & Binding	\$ 4	\$ 7 \$	5	1 \$	1	\$ 103 \$	12	\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	128
Legal Advertising	\$ 1,178	\$ 805	5	- \$	441	\$ 3,935 \$	857	\$ 805 \$	-	\$ - \$	4,602	\$	350	\$ - \$	12,973
Other Current Charges	\$ 33	\$ 39	5 4	1 \$	41	\$ 66 \$	39	\$ 39 \$	39	\$ 42 \$	39	\$	218	\$ - \$	637
Boundary Amendment Expenses	\$ 2,436	\$ 2,914	1,93	1 \$	338	\$ 4,071 \$	475	\$ - \$	2,097	\$ - \$	-	\$	-	\$ - \$	14,26
Office Supplies	\$ 3	\$ 3 \$	5	3 \$	3	\$ 3 \$	3	\$ 4 \$	3	\$ 6 \$	4	\$	1	\$ - \$	35
Travel Per Diem	\$ -	\$ - \$	5	- \$	-	\$ - \$		\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	
Dues, Licenses & Subscriptions	\$ 175	\$ - \$	5	- \$	-	\$ - \$	-	\$ - \$	-	\$ - \$	-	\$	-	\$ - \$	175
Total General & Administrative	\$ 19,744	\$ 10,511	8,71	5 \$	12,547	\$ 17,769 \$	10,607	\$ 12,181 \$	11,015	\$ 6,233 \$	9,880	\$	6,263	\$ - \$	125,464

#### Community Development District Month to Month

		Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Total
Operations & Maintenance														
Field Expenditures														
Property Insurance	\$	- \$	- \$	- \$	- \$	5,925 \$	23 \$	- \$	- \$	- \$	- \$	- \$	- \$	5,94
Field Management	\$	625 \$	625 \$	625 \$	625 \$	625 \$	1,250 \$	1,250 \$	1,250 \$	1,250 \$	1,250 \$	1,250 \$	- \$	10,62
Landscape Maintenance	\$	1,300 \$	1,889 \$	1,889 \$	1,889 \$	1,889 \$	2,990 \$	2,990 \$	2,990 \$	2,990 \$	2,990 \$	2,990 \$	- \$	26,79
Landscape Replacement	\$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	1,606 \$	- \$	- \$	506 \$	- \$	2,11
Lake Maintenance	\$	- \$	- \$	- \$	444 \$	444 \$	444 \$	883 \$	883 \$	900 \$	900 \$	900 \$	- \$	5,79
Streetlights	\$	- \$	- \$	- \$	6,817 \$	7,081 \$	2,499 \$	2,509 \$	2,509 \$	2,509 \$	2,509 \$	2,509 \$	- \$	28,94
Electric	\$	- \$	- \$	- \$	3,183 \$	128 \$	404 \$	17 \$	511 \$	572 \$	402 \$	243 \$	- \$	5,45
Water & Sewer	\$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Sidewalk & Asphalt Maintenance	\$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Irrigation Repairs	\$	- \$	- \$	- \$	- \$	117 \$	- \$	- \$	- \$	90 \$	- \$	254 \$	- \$	46
General Repairs & Maintenance	\$	- \$	- \$	- \$	- \$	- \$	200 \$	- \$	- \$	- \$	423 \$	- \$	- \$	62
Contingency	\$	- \$	- \$	- \$	25 \$	- \$	94 \$	- \$	39 \$	703 \$	420 \$	- \$	- \$	1,28
Subtotal Field Expenditures	\$	1,925 \$	2,514 \$	2,514 \$	12,983 \$	16,210 \$	7,904 \$	7,649 \$	9,787 \$	9,014 \$	8,894 \$	8,652 \$	- \$	88,04
Amenity Expenditures														
Amenity - Electric	\$	- \$	- \$	- \$	- \$	230 \$	1,467 \$	- \$	1,175 \$	1,197 \$	1,316 \$	1,713 \$	- \$	7,09
Amenity - Water	\$	- \$	- \$	324 \$	- \$	257 \$	- \$	327 \$	182 \$	196 \$	197 \$	179 \$	- \$	1,66
Playground Lease	\$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	2,391 \$	2,391 \$	2,391 \$	2,391 \$	- \$	9,56
Internet	\$	- \$	- \$	- \$	- \$	- \$	202 \$	101 \$	101 \$	101 \$	101 \$	101 \$	- \$	70
Pest Control	\$	- \$	- \$	- \$	- \$	- \$	456 \$	- \$	- \$	- \$	- \$	- \$	- \$	45
Janitorial Services	\$	- \$	- \$	- \$	- \$	- \$	354 \$	550 \$	550 \$	550 \$	550 \$	550 \$	- \$	3,10
Security Services	\$	- \$	- \$	- \$	2,000 \$	3,589 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	5,58
Pool Maintenance	\$	- \$	- \$	- \$	- \$	1,500 \$	1,500 \$	1,500 \$	1,780 \$	1,500 \$	1,500 \$	1,500 \$	- \$	10,78
Amenity Access Management	\$	- \$	- \$	- \$	- \$	- \$	417 \$	417 \$	417 \$	417 \$	417 \$	417 \$	- \$	2,50
Amenity Repairs & Maintenance	\$	- \$	- \$	- \$	160 \$	160 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	32
Contingency	\$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Subtotal Amenity Expenditures	\$	- \$	- \$	324 \$	2,160 \$	5,736 \$	4,395 \$	2,895 \$	6,595 \$	6,352 \$	6,472 \$	6,850 \$	- \$	41,77
Total Operations & Maintenance	\$	1,925 \$	2,514 \$	2,838 \$	15,143 \$	21,946 \$	12,299 \$	10,544 \$	16,383 \$	15,366 \$	15,366 \$	15,502 \$	- \$	129,82
Total Expenditures	\$	21,669 \$	13,025 \$	11,553 \$	27,690 \$	39,715 \$	22,905 \$	22,725 \$	27,397 \$	21,599 \$	25,246 \$	21,765 \$	- \$	255,28
Total Expenditures	Ψ	21,007 ψ	13,023	11,555 ψ	27,070 ψ	37,713 <b></b>	22,703	22,723 ¢	27,377 <b></b>	21,377	23,210 ψ	21,703 ψ	Ψ.	255,20
Excess (Deficiency) of Revenues over Expend	litures \$	(21,668) \$	95,823 \$	28,959 \$	52,398 \$	105,562 \$	(15,061) \$	(21,554) \$	(27,395) \$	(17,357) \$	(23,795) \$	(21,733) \$	- \$	134,17
Other Financing Sources/Uses:														
Transfer In/(Out)	\$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Total Other Financing Sources/Uses	\$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
		(0.1.1.0)					/1 <b></b>	(0.1.2.2.1)	(25.22.)		(00 =0 =0 )	(0.1.200)		101
Net Change in Fund Balance	\$	(21,668) \$	95,823 \$	28,959 \$	52,398 \$	105,562 \$	(15,061) \$	(21,554) \$	(27,395) \$	(17,357) \$	(23,795) \$	(21,733) \$	- \$	134,17

#### **Community Development District**

#### **Long Term Debt Report**

Series 2020.	Special Assessmen	t Revenue Bonds

Maturity Date: 5/1/2051

Reserve Fund Definition 50% Maximum Annual Debt Service

Reserve Fund Requirement \$356,047 Reserve Fund Balance \$356,047

 Bonds Outstanding - 12/14/20
 \$12,685,000

 Principal Payment - 05/01/22
 (\$250,000)

 Special Call - 05/01/22
 (\$20,000)

Current Bonds Outstanding \$12,415,000

#### Series 2022, Special Assessment Revenue Bonds

Maturity Date: 11/1/2052

Reserve Fund Definition Maximum Annual Debt Service

Reserve Fund Requirement \$758,588 Reserve Fund Balance \$758,588

Bonds Outstanding - 06/09/22 \$11,000,000

Current Bonds Outstanding \$11,000,000

#### COMMUNITY DEVELOPMENT DISTRICT

#### **Special Assessment Receipts**

Fiscal Year 2022

Gross Assessments \$ 208,697.75 \$ 384,609.20 \$ 593,306.95 Net Assessments \$ 194,088.91 \$ 357,686.56 \$ 551,775.46

#### ON ROLL ASSESSMENTS

				ON ROLL 1001			35.18%	64.82%	100.00%
Date	Distribution	Gross Amount	Discount/Penalty	Commission	Interest	Net Receipts	O&M Portion	Series 2020 Debt Service	Total
11/30/21	ACH	\$2,011.21	(\$80.43)	(\$38.62)	\$0.00	\$1,892.16	\$665.57	\$1,226.59	\$1,892.16
12/14/21	ACH	\$102,571.71	(\$4,101.93)	(\$1,969.40)	\$0.00	\$96,500.38	\$33,944.34	\$62,556.04	\$96,500.38
12/17/21	ACH	\$8,044.84	(\$321.72)	(\$154.46)	\$0.00	\$7,568.66	\$2,662.30	\$4,906.36	\$7,568.66
12/27/21	1% Fee Adj	(\$5,933.07)	\$0.00	\$0.00	\$0.00	(\$5,933.07)	(\$2,086.98)	(\$3,846.09)	(\$5,933.07)
12/31/21	ACH	\$18,100.89	(\$723.87)	(\$347.54)	\$0.00	\$17,029.48	\$5,990.18	\$11,039.30	\$17,029.48
01/18/22	ACH	\$8,044.84	(\$241.36)	(\$156.07)	\$0.00	\$7,647.41	\$2,690.00	\$4,957.41	\$7,647.41
02/18/22	ACH	\$432,410.15	(\$12,889.47)	(\$8,390.41)	\$0.00	\$411,130.27	\$144,616.48	\$266,513.79	\$411,130.27
03/16/22	ACH	\$10,056.05	(\$100.60)	(\$199.11)	\$0.00	\$9,756.34	\$3,431.83	\$6,324.51	\$9,756.34
04/19/22	ACH	\$2,011.21	\$0.00	(\$40.22)	\$0.00	\$1,970.99	\$693.30	\$1,277.69	\$1,970.99
06/14/22	ACH	\$6,214.65	\$0.00	(\$124.29)	\$0.00	\$6,090.36	\$2,142.30	\$3,948.06	\$6,090.36
07/01/22	ACH	\$4,203.44	\$0.00	(\$84.07)	\$0.00	\$4,119.37	\$1,449.00	\$2,670.37	\$4,119.37
	TOTAL	\$ 587,735.92	\$ (18,459.38)	\$ (11,504.19)	-	\$ 557,772.35	\$ 196,198.32	\$ 361,574.03	\$ 557,772.35

101%	Net Percent Collected
0	<b>Balance Remaining to Collect</b>

#### DIRECT BILL ASSESSMENTS

CH DEV LLC 2022 - 01			Net Assessments	\$535,005.35	\$178,956.56	\$356,048.79
Date	Due	Check		Amount	Operations &	Series 2020
Received	Date	Number	Net Assessed	Received	Maintenance	Debt Service
2/24/22	11/1/21	1102	\$267,502.67	\$657.93	\$657.93	\$0.00
	2/1/22		\$133,751.34	*		
	5/1/22		\$133,751.34	*		
			\$535,005.35	\$657.93	\$657.93	\$0.00

CH DEV LLC 2022-02			Net Assessments	\$61,384.70	\$61,384.70
Date	Due	Check		Amount	Operations &
Received	Date	Number	Net Assessed	Received	Maintenance
	11/1/21		\$30,692.35	*	
	1/1/22		\$15,346.18	*	
	5/1/22		\$15,346.18	*	
			\$61,384.71	\$0.00	\$0.00

\*Remaining amounts to be collected at lot closings